

PE3

Draft Planning Proposal - 'Silverdale and St Heliers Roads'

249JSEL

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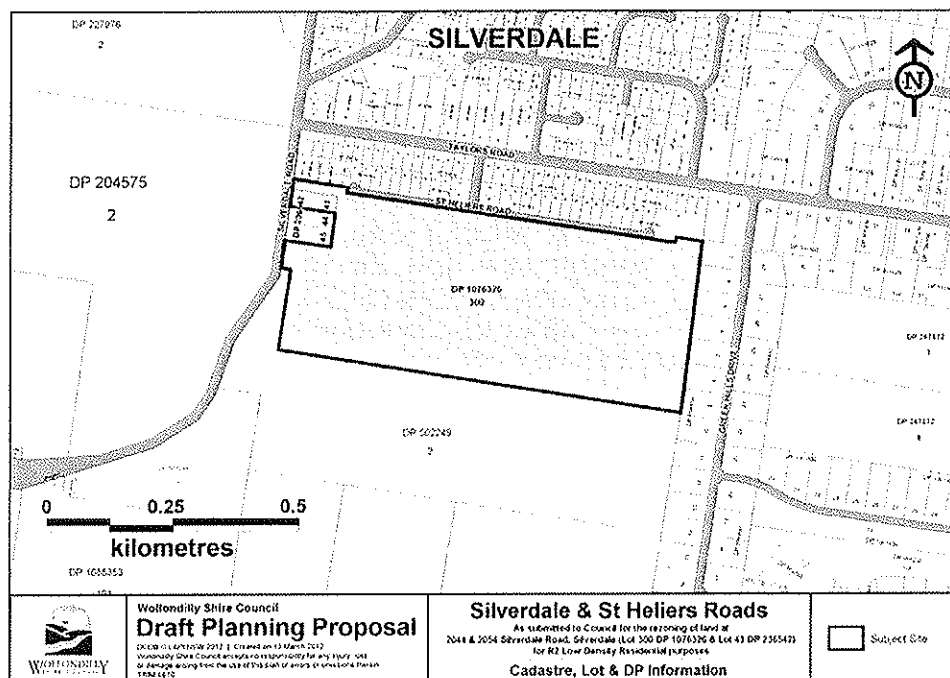
REPORT

APPLICANT:

Innovation Planning Australia

OWNER:

M Prievich



EXECUTIVE SUMMARY

- Council has received a draft planning proposal (known as 'Silverdale & St Heliers Roads') to rezone land located at 2044 & 2054 Silverdale Road, Silverdale (Lot 300 DP 1076326 and Lot 43 DP 236542) for R2 Low Density Residential purposes.
- This planning proposal was reported to Council's meeting on 16 April 2012 where the proposal was deferred by Council to enable the proponent to address Council about their concerns regarding the proposed rezoning at the May Community Forum.
- A preliminary assessment of the proposal against Council's Growth Management Strategy (GMS) indicates that it is generally consistent with the strategy. The subject land is shown as a potential residential growth area on the Structure Plan for Silverdale & Warragamba in the GMS.

- Amendments are suggested to the proposed zoning for the site from the requested R2 Low Density Residential zone to an R5 Large Lot Residential zone. Additionally an environmental protection zoning should be considered for that part of the site (to the eastern end) which contains remnant native vegetation, the exact form of which should be determined by specialist studies as required by the Gateway.
- It is also considered that 2046 & 2050 Silverdale Road (Lots 44 & 45 DP 236542) should be included in the proposal and zoned R5 so as to avoid leaving a small area of rural zoned land surrounded by residential development.
- Accordingly this report recommends:
 - That Council support the draft 'Silverdale & St Heliers Roads' planning proposal for the rezoning of 2044 & 2054 Silverdale Road, Silverdale (Lot 300 DP 1076326 and Lot 43 DP 236542) for residential purposes, with amendments as detailed in this report, specifically changing the proposed zoning of the site to R5 Large Lot Residential; the inclusion of 2046 & 2050 Silverdale Road, Silverdale (Lots 44 & 45 DP 236542) in the subject area; and an environmental zoning for that part of the site which includes endangered native vegetation;
 - That the draft planning proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway determination;
 - That the persons who made submissions regarding the draft planning proposal be notified of Council's decision.

BACKGROUND

Site Description

The subject site consists of two lots – Lot 300 DP 1076326 and Lot 43 DP 236542 located at 2044 & 2054 Silverdale Road, Silverdale. The land has three (3) legal frontages to Silverdale Road, and a 650 metre frontage to St Heliers Road on its northern boundary.

The site is referred to throughout this report as the Silverdale & St Heliers Roads site to prevent confusion with other sites on Silverdale Road which are the subject of current or upcoming planning proposals.

The Silverdale & St Heliers Roads site is approximately 820 metres long and 338 metres wide and is a total of 29.45 hectares in size. The site is located on the southern edge of the Silverdale urban area.

Topographically the site slopes downwards from west to east around 34 metres over its length, a gradient of approximately 4%.

The site is currently zoned as RU2 Rural Landscape under Wollondilly Local Environmental Plan (WLEP) 2011 and has been used for tomato and vegetable growing for the last 40 years.

It contains two farm buildings used to store agricultural machinery and there is a single dwelling on each of the two lots, close to Silverdale Road. In the south western corner of the site there is a 30.48m wide transmission line easement.

Although not included in the initial draft planning proposal it is considered prudent to include 2046 & 2050 Silverdale Road, Silverdale (Lots 44 & 45 DP 236542) so as to avoid leaving a small parcel of rural land surrounded by residential development.

Note: Another draft planning proposal for the land located immediately to the south of the subject site has also recently been submitted to Council and is in the process of preliminary assessment. This draft proposal is known as the 'Eltons & Taylors Roads' draft planning proposal (see Attachment 5) and is for the rezoning of that land to R5 Large Lot Residential. When that proposal is reported to Council consideration will be given as to whether the two proposals should be combined for public exhibition and ongoing processing.

Description of Draft Proposal

The draft planning proposal aims to provide for the urban growth of Silverdale to the south of the existing township.

It proposes to achieve this through the rezoning of the subject land from an RU2 Rural Landscape zone to an R2 Low Density Residential zone. Specifically the amendment of WLEP 2011 as follows:

1. Amendment of the WLEP 2011 Land Zoning Map from RU2 Rural Landscape to R2 Low Density Residential.
2. Amendment of the WLEP 2011 Height of Buildings Map to allow for a 9 metre height control.
3. Amendment of the WLEP 2011 Lot Size Map to change the subject site from a minimum lot size of 16 hectares to a minimum lot size of 700 m².

This would allow for a potential lot yield of at least 140 lots.

Suggested Amendments to Proposal

Although generally in support of the rezoning, this report considers that an R2 Low Density Residential zoning for the whole of the site is of too high a density for the fringe of Silverdale. The following zoning is proposed and considered to be more appropriate:

- **R5 Large Lot Residential** for those parts of the site which are not constrained by significant native vegetation, specifically:
 1. Amendment of the WLEP 2011 Land Zoning Map from RU2 Rural Landscape to R5 Large Lot Residential.
 2. Amendment of the WLEP 2011 Height of Buildings Map to allow for a 9 metre height control.
 3. Amendment of the WLEP 2011 Lot Size Map to change the subject site from a minimum lot size of 16 hectares to a minimum lot size of 4000 m².

- **An appropriate environmental protection zoning** at the eastern end of the site to protect the remnant Shale Sandstone Transition Forest.

The exact form of these proposed zones should be informed through specialist studies and consultation with government departments and agencies as the Gateway process progresses.

It is also considered appropriate that 2046 & 2050 Silverdale Road (Lots 44 & 45 DP 236542) should be included in the proposal and zoned R5 so as to avoid leaving a small area of rural zoned land surrounded by residential development.

A map showing these proposed amendments is included as *Attachment 4* to this report.

CONSULTATION

Community Consultation

In accordance with Council's notification policy, initial community consultation has been undertaken. The planning proposal was published on Council's website in **January 2012** and a letter was sent to residents who adjoined or were in close proximity to the site on **Thursday 12 January** with a written submission period of three (3) weeks ending on **Friday 3 February**.

Council received seventy three (73) submissions in relation to this draft planning proposal. Of these submissions three (3) showed support, sixty one (61) were opposed to the proposal in its original form and nine (9) were neutral.

Note: A copy of a letter which is thought to have been widely distributed throughout the Silverdale and Warragamba area was submitted to Council. This letter contained inaccuracies, claiming for example that if approved the proposal "would allow for development of between 150-400 new houses." It appears that misleading information such as this may have influenced public opinion.

A matrix of the main themes and issues raised during preliminary community consultation is included as *Attachment 6* to this report. Below is a brief summary of these issues:

Roads & Traffic

The majority of submissions raised concerns over the state of repair of Silverdale Road and the local road network in Silverdale and the need for upgrade works and road widening to be undertaken. A number of respondents raised concerns over road safety, including black spots and the need for a greater Police presence in the area to deter speeding and dangerous driving.

A number of submissions suggested that there needed to be construction of additional roads into Silverdale to take pressure off Silverdale Road and Baines Hill which can block access to the town and hold up traffic for many hours if there is an accident. Concerns were also raised regarding road congestion in the area if the population were to increase as well as the fact that Silverdale is isolated and around 25 minutes from any major centre.

Environment & Biodiversity

Concerns were raised about potential development on the site impacting on the native flora and fauna of the area. These concerns ranged from loss of animal habitat and endangered plant species to the impact of development on stormwater run-off and the potential for flooding.

Many submissions suggested that the remaining native vegetation at the eastern end of the site needed to be retained both for animal habitat and for the recreation of residents. Whilst others suggested that the removal of the farm dams on the site could damage the water catchment and lead to flooding.

Rural Character

A number of submissions raised concerns about the impacts on the 'rural living' character of the Silverdale area of further residential development. These concerns regarded the impacts caused by increased population and that the size and scale of the development was too large for the fringe of the town. Many submissions raised concerns that the density of the proposed R2 zoning was too high. Concerns were also raised about the loss of rural landscape and amenity and the noise from increased traffic.

Infrastructure and Services

A number of submissions raised concerns about the lack of infrastructure in the area, including sewer, water, electricity and phone/internet services, and the ability of the existing infrastructure to cope. Concerns were raised over the lack of shops in the local area and the need to travel outside the area for shopping.

Many submissions were also concerned about the lack of footpaths and cycleways in the area as well as the lack of schools, doctors, community, recreation and sports facilities and the need for more public transport services throughout the area.

Planning Concerns

Planning concerns raised ranged from the ability of the area to support further population increase, the impact of further low density development on existing residents' property values.

Concerns were raised about the lot sizes and housing density of the proposed rezoning, many submissions suggested that a lower density zone and larger lot size – such as an R5 Large Lot Residential zone with a minimum lot size of 4000 m² would be more appropriate.

The risks of bushfire and flooding were raised and the potential for development eventuating from this rezoning and the increased population this would bring to impact on the safety of existing and future residents in an emergency situation.

Questions were raised as to the need for further low density residential housing in Silverdale. The rezoning of the old Lion Safari Park has the potential to provide an additional 420 homes if developed. A number of submissions believed that the draft planning proposal was in conflict with Council's GMS and believed that development resulting from the rezoning could provide half the growth forecast for Warragamba and Silverdale by 2036 and could outpace the growth provisions in the GMS.

Many submissions believed that there was little need for further low density residential development and that an increase in population could lead to an increase in crime.

Almost a third of responses expressed concerns that further suburban density housing and related population growth in the area would lead to Silverdale becoming the next Glenmore Park, Mt Annan or St Clair.

Further Community Consultation

If this draft proposal progresses, further community consultation opportunities will occur as part of the preparation and exhibition of a draft local environmental plan in accordance with the Gateway process. Council has the opportunity to recommend the engagement process and other consultation appropriate for this draft proposal.

Internal Consultation within Council

Development Services

Development Services provided the following advice:

- When the DA was assessed for the existing residential development in St Heliers Road there were some significant issues with the downstream drainage capacity. There may be significant limitations in regard to the ability for the downstream system to cater for any additional stormwater. This should be carefully discussed with Council's engineers.
- Consideration should also be given to whether there is further potential for residential expansion to the south of this site in the future and whether anything needs to be incorporated into this stage to facilitate such future development.
- The site is approximately 2.4km from the Warragamba shopping centre (by road) and 2.8km from the Silverdale shops. Including provisions for a commercial site (e.g. a general store) within the development should be considered given the poor quality of the pedestrian access to either of the existing shopping centres. Alternatively consideration should be given to improving the pedestrian/bicycle access to the closest shopping centre.

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- Assessment of potential for contamination from previous activities is essential.

Community Services

The assertion that two bus companies run pass the site (in section 1.3.14 of the draft planning proposal) is incorrect. The Westbus bus service runs down Silverdale road and then turns up Marsh road, not passing by the site at all.

Infrastructure Planning

Infrastructure Planning gave the following advice in response to some of the concerns raised during initial community consultation:

- *Silverdale Road* – Council is working on reviewing forward budgets to identify additional funds for Silverdale Road. Funding has previously been identified to address the ongoing crash history on Silverdale Road, south of Taylors Road, which is primarily funded from a grant under the Road Toll Response Package. This work is due to commence in April 2012.
- Funding has also been proposed for Silverdale Road in the 2012/13 budget, for works around Econo Place, to fully reconstruct this area. This project should be scheduled (after Council's endorsement of the overall budget) for July / August this year.
- In the meantime, Council will endeavour to keep up repairs as needed to cope with the ongoing wet weather. Unfortunately the wet weather is impacting on the condition of many of our roads, which is a consequence of the ongoing lack of funds to maintain the over 800 kilometres of road that Council maintains.
- *Footpaths* – Council recognises the benefits of providing footpaths, and a footpath on Silverdale Road has been listed for consideration in Council's Works Program. However, the available annual allocation of funds for new footpath works falls short of the cost of providing this and there are a number of other footpath requests around the Shire which also need to be considered. As new rezoning and development applications in the area are finalised, it is hoped that additional funding for footpaths will be possible in the area.
- In newer urban release areas footpaths are provided as part of the approval process, and are funded by development contributions and voluntary planning agreements, and this is included in the purchase price of the land. However in most older subdivisions, footpaths were not a consideration (this applies to many older subdivisions across NSW in many council areas), and therefore new footpaths in older areas have to be provided through rates.

- *Lack of Services* – Services such as shops and supermarkets are provided through the private sector, and are not services that local councils can control, except through facilitating the approval of these developments when a property owner / developer prepares a formal application. Council also ensures that there are opportunities for commercial and retail developments by zoning some land for this purpose, but the timing of when a property owner may proceed to develop their land is very much determined by general market conditions.

Consultation with Government Departments and Agencies

Both the Sydney Catchment Authority and Sydney Water were consulted as adjoining land owners during the preliminary notification period. The following advice was offered:

Sydney Catchment Authority

The subject site is adjacent to but not within the Sydney Drinking Water Catchment and the Schedule 2 Warragamba Special Area. This being the case, the requirements under State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 and s117 local planning Direction 5.2 do not apply to the land. Silverdale Road is the border between the Sydney Catchment Authority's land within the catchment and the subject site.

The Sydney Catchment Authority states that they have generally no concerns with the rezoning of the subject site and notes that the land is relatively flat draining west to east away from the catchment lands.

Sydney Water

Sydney Water had the following comments on the proposal:

- *Water* – there are existing 100mmm watermains located in Silverdale and St Heliers Roads adjacent to the site. Extensions and amplifications to the system may be required to service the future development on the site. Submitted designs will need to be configured to meet the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002) and evidence of compliance will need to be attached to the design. Sydney Water will specify detailed requirements to service the development during the Section 73 application phase.
- *Wastewater* – Sydney Water advises that the trunk infrastructure servicing the site, including Sewerage Pumping Station 1135 (SP01135) and the Wallacia Wastewater Treatment Plant have the capacity to accommodate development on the site. They note however that the local reticulation system has no spare capacity and wastewater modelling will need to be undertaken to determine the amplifications required. Again, Sydney Water will specify detailed requirements to service the development during the Section 73 application phase.

- *Servicing* – further assessment will be undertaken by Sydney Water at the development stage when the developer applies for a Section 73 Certificate. Sydney Water will then specify any works required as a result of future development and assess whether amplification or changes are required to the system. Any adjustments needed to Sydney Water's infrastructure will need to be funded by the developer. A Water Servicing Coordinator should be engaged by the developer to attain a Section 73 Certificate and manage the servicing aspects of development. The Water Servicing Coordinator will also ensure that submitted designs are sized and configured according to the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002) and the Sewerage Code of Australia (Sydney Water Edition WSA 02-2002).

Further Consultation with Government Departments & Agencies

Further consultation is needed with the Department of Planning & Infrastructure (DP&I), the Office of Environment & Heritage (OEH) and other government departments and agencies on the planning proposal. It is considered that should the proposal be supported the Gateway determination will outline further consultation requirements with the DP&I, OEH and any other relevant government agencies.

RELEVANCE TO COMMUNITY STRATEGIC PLAN OUTCOMES

All planning proposals are assessed against the key themes and directions of Council's Community Strategic Plan. It is considered that this proposal in principle is capable of delivering outcomes consistent with the CSP, particularly the following:

The natural environment is protected and conserved and Wollondilly has a healthy, sustainable, and resilient environment with a rural character (EO-1).

The impact of existing and new development on the environment is reduced in turn reducing the Shire's ecological footprint (EO-2).

POLICIES & LEGISLATION

Planning Proposals

The draft planning proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* and relevant Department of Planning & Infrastructure guidelines including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. The draft planning proposal addresses the matters required by the Director-General to be addressed in all planning proposals.

The draft planning proposal that has been submitted is requesting the rezoning of the subject land. If Council wishes to proceed with the proposal to rezone the land, Council must resolve to support the draft planning proposal and to forward it to the Minister for Planning & Infrastructure for a Gateway determination.

Council's Options/Role

In deciding whether to forward the planning proposal on to the Minister for Planning & Infrastructure for a Gateway determination, Council is effectively endorsing the planning proposal in principle and from that point on the planning proposal is deemed to be Council's planning proposal - no longer the applicant's planning proposal. Despite the planning proposal becoming Council's at that point, the costs of any required studies are to be borne by the applicant.

Council's options are:

1. Resolve to support the draft planning proposal as submitted. This option means that the existing planning proposal from then on becomes Council's planning proposal. Council then sends it to the Minister for a Gateway determination. Unresolved matters are assumed to be capable of resolution through future studies as determined by the Gateway process.
2. Resolve that the planning proposal needs to be amended before it can receive Council support and be forwarded to the Minister for a Gateway determination. As is the case with option 1 above, the planning proposal becomes Council's and unresolved matters are assumed to be capable of resolution through future studies as determined by the Gateway process.
3. Resolve not to support the planning proposal. The applicant could choose to revise/amend their proposal and submit a new application. (Note that there are no appeal rights through the Land and Environment Court against Council's refusal to support a planning proposal).

Option two (2) is the recommendation of this report.

Gateway Determination

When a planning proposal has been endorsed by Council, it is then forwarded to the Minister for Planning & Infrastructure for a Gateway determination. The Gateway is a checkpoint for planning proposals before significant resources are committed to carrying out technical studies and investigations. It enables planning proposals that are not credible or well founded or not in the public interest to be stopped early in the process before resources are committed to detailed studies and investigations, and before government agencies are asked to commit their own resources to carrying out assessments.

At the Gateway, the Minister will determine:

- Whether the proposal is justified on planning grounds
- Whether the planning proposal should proceed (with or without variation)
- Whether the planning proposal should be resubmitted for any reason (including for further studies or other information, or for the revision of the planning proposal)
- The community consultation required
- Any consultation required with State or Commonwealth agencies

- Whether a public hearing by the Planning Assessment Commission or other specified person or body is required
- The timeframes for the various stages of the procedure to make the draft amendment
- Whether the function of making the LEP is to be exercised by the Minister for Planning & Infrastructure or delegated to Council

Under these plan making procedures, the planning proposal and supporting studies are placed on public exhibition. The written draft local environmental plan amendment (the draft LEP) is prepared by Parliamentary Counsel when the planning proposal is finalised, immediately before it is made by the Minister or delegate. The LEP takes effect when it is published on the NSW legislation website.

The ultimate development of the land would then require further approvals through detailed Development Applications.

Wollondilly Local Environmental Plan 2011

The site is currently zoned as RU2 Rural Landscape under WLEP 2011. The minimum lot size for this area is currently 16 hectares. The site consists of two (2) lots totalling 29.45 hectares combined, leaving no potential for subdivision under the current zoning.

As amended, from the initial draft planning proposal which was submitted to Council, it is proposed to rezone the site in the following manner:

- **R5 Large Lot Residential** for those parts of the site which are not constrained by significant native vegetation, specifically:
 1. Amendment of the WLEP 2011 Land Zoning Map from RU2 Rural Landscape to R5 Large Lot Residential.
 2. Amendment of the WLEP 2011 Height of Buildings Map to allow for a 9 metre height control.
 3. Amendment of the WLEP 2011 Lot Size Map to change the subject site from a minimum lot size of 16 hectares to a minimum lot size of 4000 m².
- **An appropriate environmental protection zoning** at the eastern end of the site to protect the remnant Shale Sandstone Transition Forest.

The exact form of these proposed zones should be informed through specialist studies and consultation with government departments and agencies as the Gateway process progresses.

It is also considered that 2046 & 2050 Silverdale Road (Lots 44 & 45 DP 236542) should be included in the proposal and zoned R5 so as to avoid leaving a small area of rural zoned land surrounded by residential development.

A map showing these proposed amendments is included as *Attachment 4* to this report.

Site Specific Development Control Plan (DCP)

A site specific Development Control Plan (DCP) may be prepared for the subject land which would include specific site objectives and development controls for the future development of the site. A site specific DCP would be expected to include a range of design and built form controls, including (but not limited to):

- Building envelopes
- Building setbacks based on the environmental features of the site
- Site landscaping
- Public domain treatments
- Treatment of the urban / environmental protection interface
- Urban sensitive water design

The range of provisions included in the Site Specific DCP would be informed by specialist studies undertaken to support the proposal. A draft Site Specific DCP would be reported to Council when it is prepared if it is deemed to be required.

Alternatively, Council may choose to apply the controls contained within Wollondilly Development Control Plan 2011, Volume 3 – Residential and Tourist Uses.

RELEVANT CONSIDERATIONS**Wollondilly Growth Management Strategy (GMS)**

Council's GMS was adopted by Council in February 2011. Planning proposals are required to be assessed against the GMS to determine whether they should or should not proceed.

The GMS sets directions for accommodating growth in the Shire for the next 25 years. The GMS contains Key Policy Directions which form the overarching growth strategy for Wollondilly. The site is identified in the GMS for potential residential growth.

The following table sets out the relevant Key Policy Directions within the GMS along with comments relating to the draft proposal:

Key Policy Direction	Comment
<i>General Policies</i>	
<i>P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.</i>	The proposal, as amended, meets all the Key Policy Directions and Assessment Criteria contained within the GMS.

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Key Policy Direction	Comment
P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS)	As amended, the draft proposal is generally consistent with the concept and vision of 'Rural Living'.
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	Based on consideration of feedback received during the preliminary community consultation period the following amendments to the draft planning proposal have been suggested: ▪ R5 Large Lot Residential for those parts of the site which are not constrained by significant native vegetation, specifically: 1. Amendment of the WLEP 2011 Land Zoning Map from RU2 Rural Landscape to R5 Large Lot Residential. 2. Amendment of the WLEP 2011 Height of Buildings Map to allow for a 9 metre height control. 3. Amendment of the WLEP 2011 Lot Size Map to change the subject site from a minimum lot size of 16 hectares to a minimum lot size of 4000 m². ▪ An appropriate environmental protection zoning at the eastern end of the site to protect the remnant Shale Sandstone Transition Forest. The exact form of these proposed zones should be informed through specialist studies and consultation with government departments and agencies as the Gateway process progresses. It is also considered that 2046 & 2050 Silverdale Road (Lots 44 & 45 DP 236542) should be included in the proposal and zoned R5 so as to avoid leaving a small area of rural zoned land surrounded by residential development. A map showing these proposed amendments is included as <i>Attachment 4</i> to this report.
P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.	During the preliminary consultation period a number of residents raised concerns that their property value may be impacted on by this rezoning. This is not however a relevant planning consideration and has not influenced the outcome of this report.

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Key Policy Direction	Comment
<i>P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.).</i>	Residential zoning of the subject site is an extension of the existing village. Zone R5 Large Lot Residential is considered to be more appropriate to the character and amenity of the site than Zone R2 Low Density Residential. The conservation and enhancement of natural systems is necessary. Existing infrastructure will need to be upgraded.
Housing Policies	
<i>P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.</i>	The draft proposal contributes toward Council's dwelling target for Silverdale outlined in the GMS. The Structure Plan for Silverdale & Warragamba includes the subject land as a 'potential residential growth area'.
<i>P8 Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing needs of its different community members and household types.</i>	As amended the planning proposal would provide for R5 Large Lot Residential housing. The DCP could further control the mix of lots sizes.
<i>P9 Dwelling densities, where possible and environmentally acceptable, should be higher in proximity to centres and lower on the edges of towns (on the "rural fringe").</i>	An R5 Large Lot Residential zoning would provide for lower density of housing on the fringe of Silverdale.
<i>P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.</i>	The site is located immediately to the south of the existing Silverdale area.
Macarthur South Policies	
<i>Key Policy Directions P11, P12, P13 and P14 are not applicable to this Planning Proposal. The subject land is not with the Macarthur South area</i>	Not applicable to this planning proposal.

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Key Policy Direction	Comment
Employment Policies	
P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes	The proposal will create short-term employment opportunities through the construction jobs associated with the civil and building works, and will provide stimulus to the local economy by boosting population.
P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.	The site is not zoned to facilitate further employment opportunities. The loss of agricultural land and the related employment is unfortunate but the business is not in a long term sustainable location given its proximity to residential lands. Modest opportunities exist for home business and tradesman residency.
Integrating Growth and Infrastructure	
P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community.	It is considered that the planning proposal as amended would not put an unnecessary burden on Council. Road widening and upgrades are needed to support the development, especially along Silverdale Road. Developer contributions payable at the development application stage will be required to fund the necessary local infrastructure required. Likely state and regional infrastructure demands will be assessed by relevant agencies post Gateway determination.
P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.	The draft proposal is located directly adjacent to the southern edge of the existing Silverdale residential area.
P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.	The draft proposal does not contribute toward dispersed population growth; it proposes urban growth adjacent to the existing Silverdale residential area.

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Key Policy Direction	Comment
P20 <i>The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns.</i>	The site is identified as being a potential residential growth area on the Silverdale & Warragamba Structure Plan in the GMS. The draft proposal contributes toward Council's dwelling target for Silverdale identified in the GMS.
Rural and Resource Lands	
P21 <i>Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.</i>	The subject land is located directly adjacent to, but not within, the Sydney Drinking Water Catchment. Although it is outside the catchment area it should still be a priority to sewer the subject land. As amended the proposal should not result in any adverse environmental impacts. The remnant Shale Sandstone Transition Forest on the site should be retained and any vegetation cleared to support future development on the site will need to be offset.
P22 <i>Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.</i>	Key Policy Direction P22 is not applicable to this draft proposal.

FINANCIAL IMPLICATIONS

As noted previously in this report, the draft planning proposal is deemed to be Council's planning proposal once endorsed by Council and forwarded to the Minister. Despite the planning proposal becoming Council's at that point, the costs of any required studies are to be borne by the applicant.

As the planning proposal proceeds further investigations into contributions towards infrastructure provision through planning agreements or section 94 contributions will need to occur.

CONCLUSION

Council has received a draft planning proposal to rezone land located at 2044 & 2054 Silverdale Road, Silverdale (Lot 300 DP 1076326 and Lot 43 DP 236542) for residential purposes.

A number of amendments to the draft planning proposal as submitted have been suggested, as follows:

- R5 Large Lot Residential for those parts of the site which are not constrained by significant native vegetation, specifically:
 1. Amendment of the WLEP 2011 Land Zoning Map from RU2 Rural Landscape to R5 Large Lot Residential.
 2. Amendment of the WLEP 2011 Height of Buildings Map to allow for a 9 metre height control.
 3. Amendment of the WLEP 2011 Lot Size Map to change the subject site from a minimum lot size of 16 hectares to a minimum lot size of 4000 m².
- An appropriate environmental protection zoning at the eastern end of the site to protect the remnant Shale Sandstone Transition Forest.
- The inclusion and rezoning to R5 Large Lot Residential of 2046 & 2050 Silverdale Road (Lots 44 & 45 DP 236542) so as to avoid leaving a small area of rural zoned land surrounded by residential development.

As amended, the draft planning proposal is generally consistent with Council's Growth Management Strategy and it is therefore recommended that the planning proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway determination.

ATTACHMENTS

1. Aerial View
2. Current Zoning
3. Proposed Zoning (as Submitted)
4. Proposed Zoning (as Recommended)
5. Silverdale & St Heliers Roads and Eltons & Taylors Roads Draft Planning Proposals in the wider context of the south Silverdale area

RECOMMENDATION

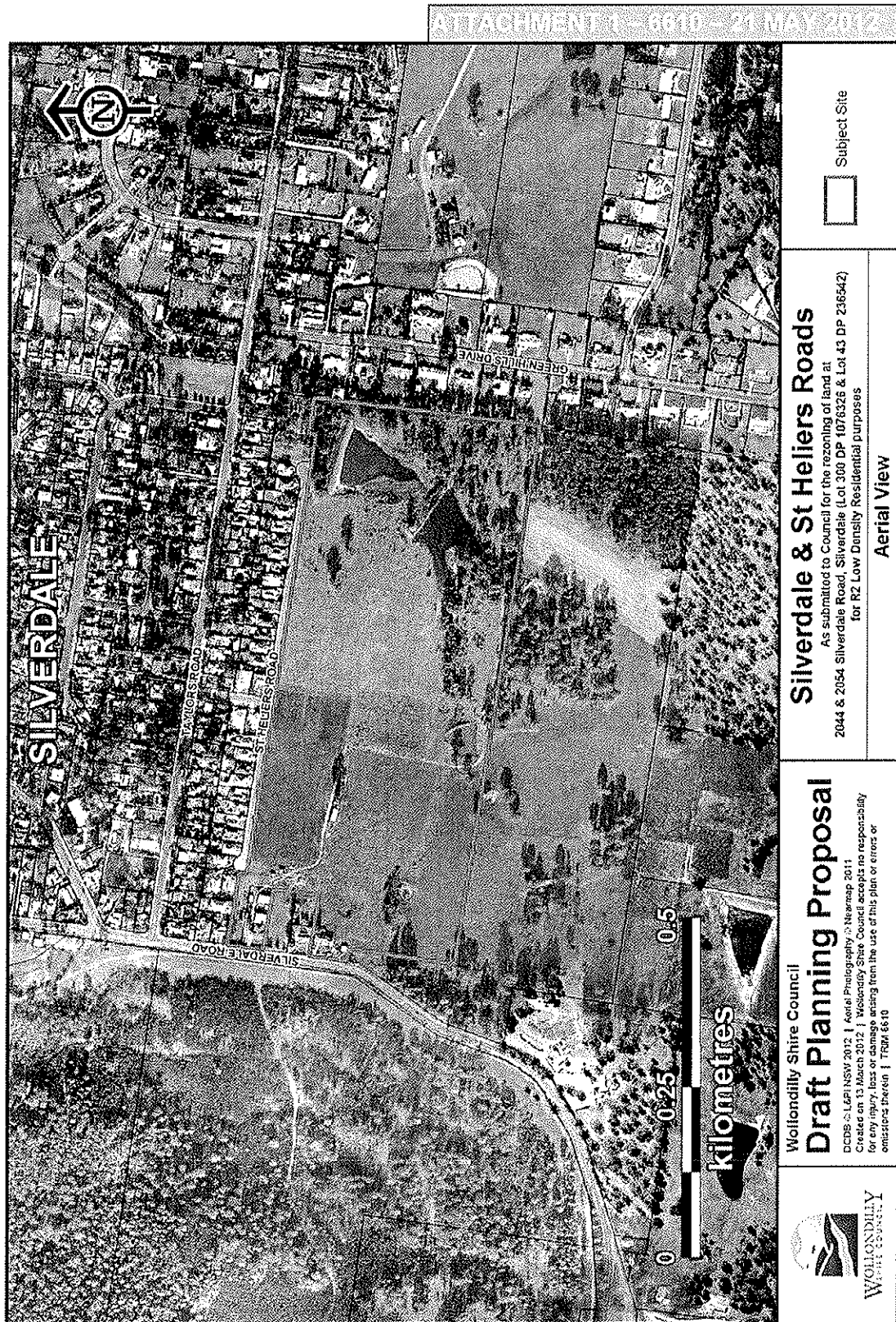
1. That Council support the draft 'Silverdale and St Heliers Roads' planning proposal for the rezoning of 2044 & 2054 Silverdale Road, Silverdale (Lot 300 DP 1076326 and Lot 43 DP 236542) for residential purposes, with amendments as detailed in this report, specifically:
 - Changing the proposed zoning of the site to R5 Large Lot Residential,
 - The inclusion of 2046 & 2050 Silverdale Road, Silverdale (Lots 44 & 45 DP 236542) in the subject area, and
 - An environmental zoning for that part of the site which includes endangered native vegetation.

WOLLONDILLY SHIRE COUNCIL

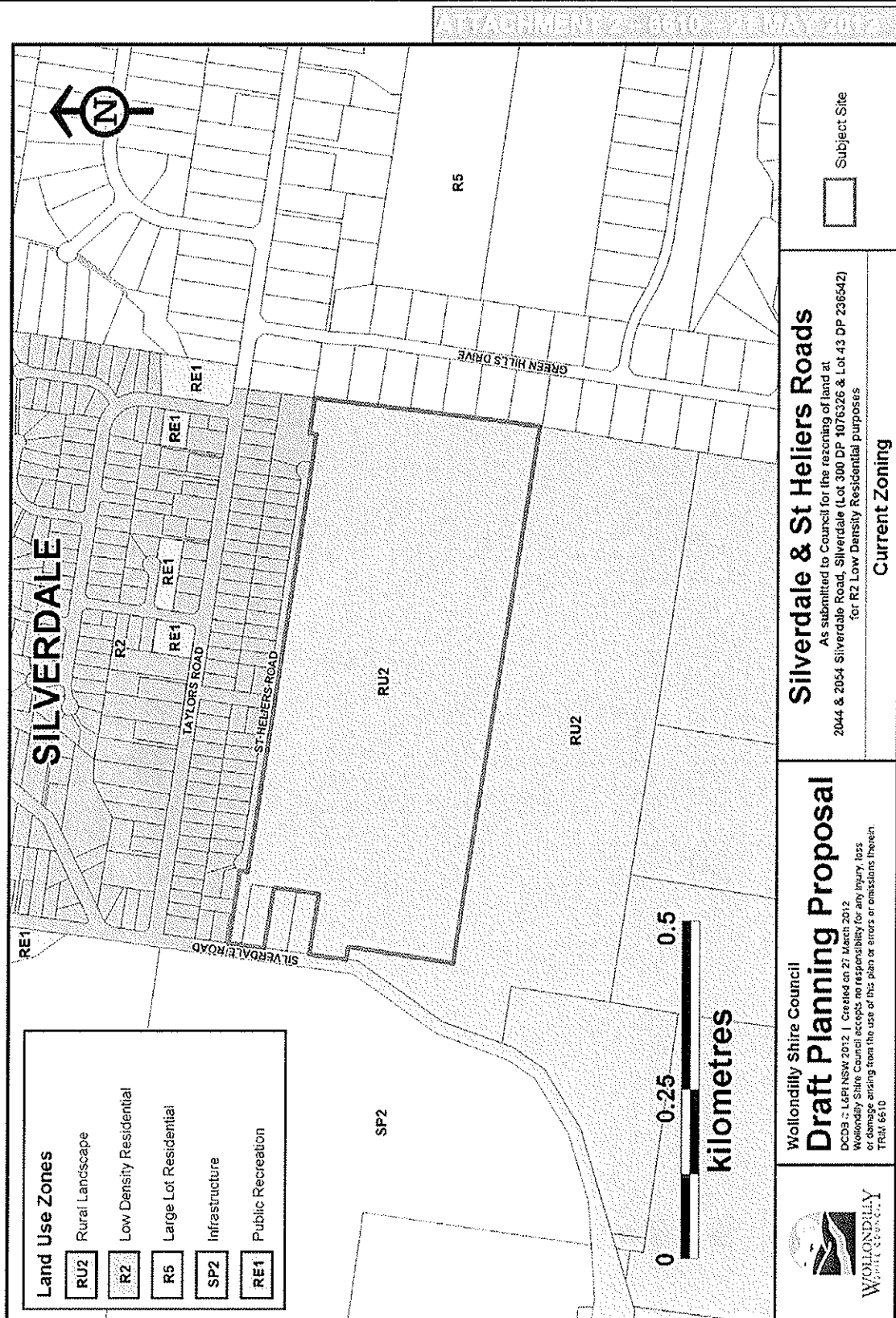
Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 21 May 2012

2. That the draft planning proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway determination.
3. That the persons who made submissions regarding the draft planning proposal be notified of Council's decision.

Planning &
Economy



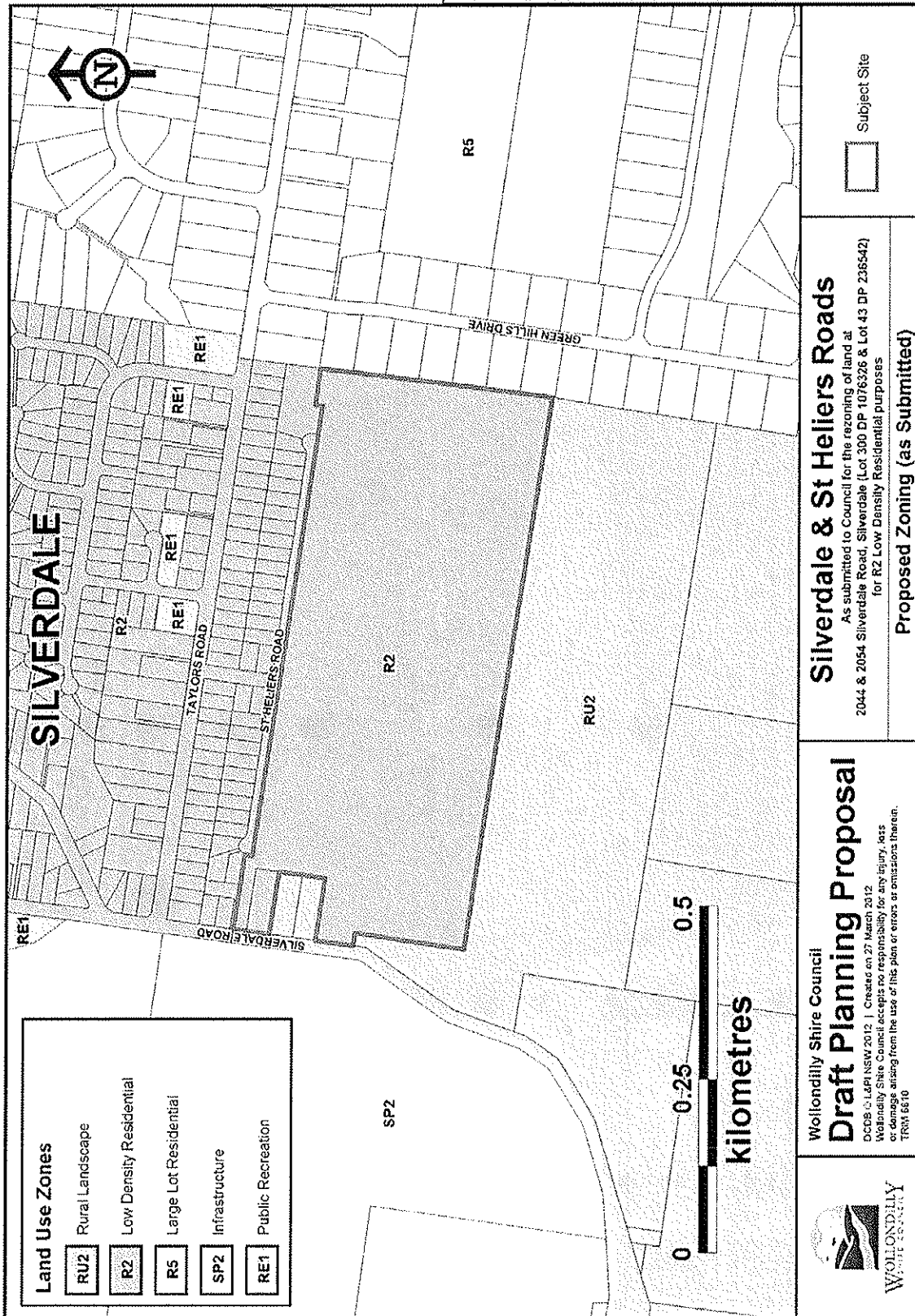
Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 21 May 2012



Planning &
Economy

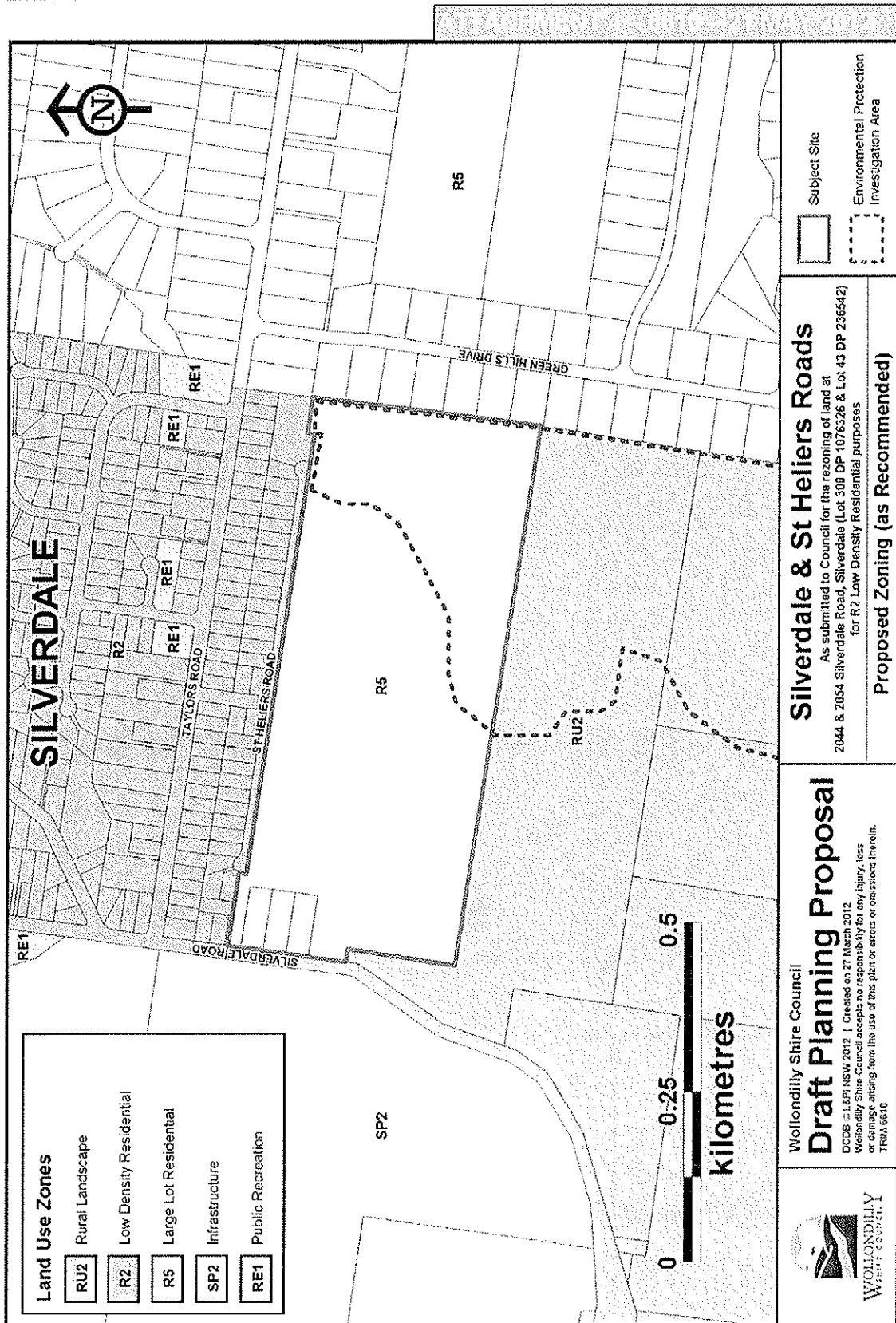
Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 21 May 2012

ATTACHMENT 3 - 6510 - 21 MAY 2012



Planning &
Economy

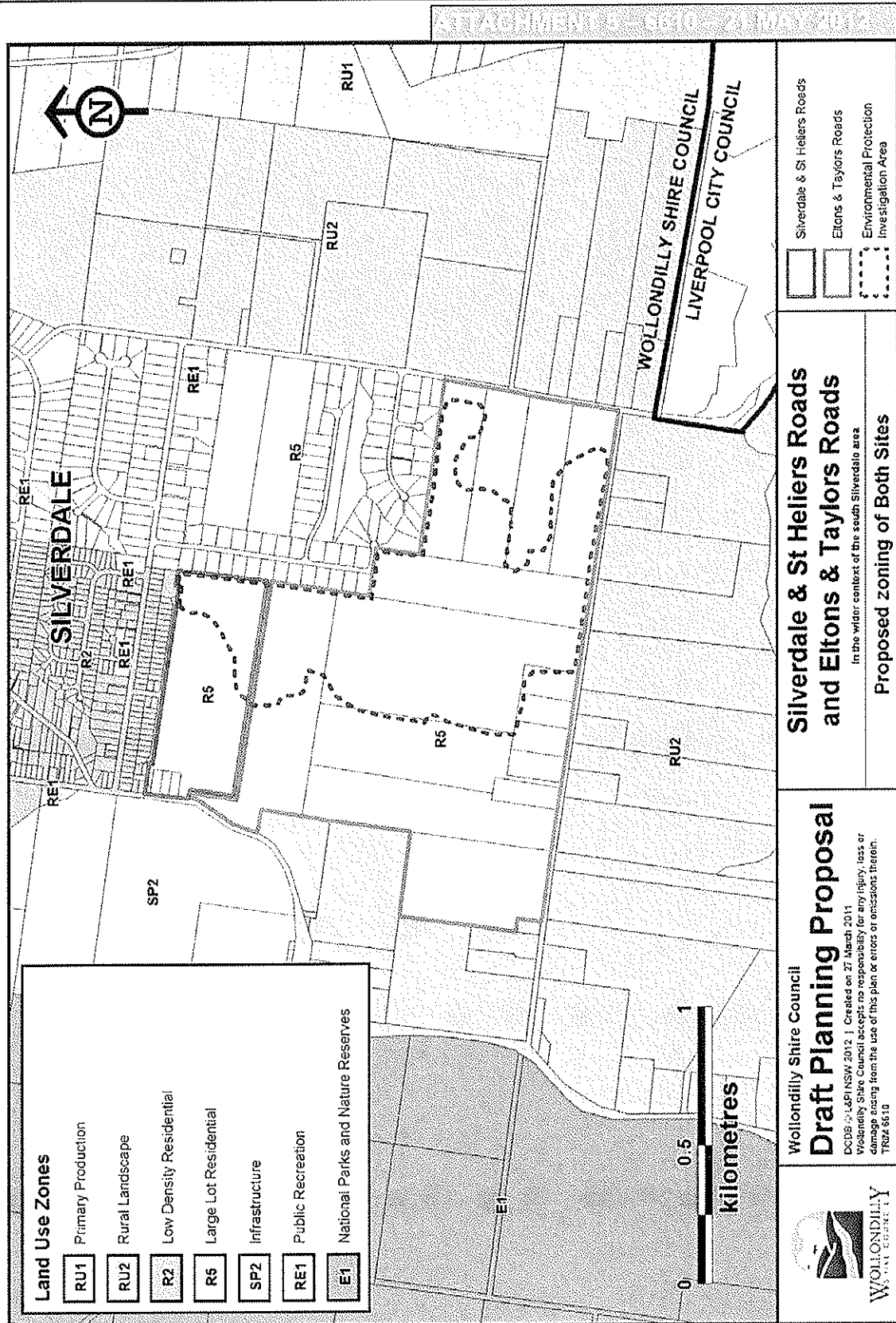
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Planning & Economy

WOLLONDILLY SHIRE COUNCIL

Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 21 May 2012



Planning & Economy

WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber,
62-64 Menangle Street, Picton, on Monday 21 May 2012, commencing at 6.33pm

Wollondilly Shire and Its Planning and Economy

PE3 **Draft Planning Proposal - 'Silverdale and St Heliers Roads'** TRIM 6610
249JSEL

93/2012 **Resolved** on the motion of Crs Mitchell and Hannan:

1. That Council support the draft 'Silverdale and St Heliers Roads' planning proposal for the rezoning of 2044 and 2054 Silverdale Road, Silverdale (Lot 300 DP 1076326 and Lot 43 DP 236542) for residential purposes, with *the following* amendments:
 - The inclusion of 2046 & 2050 Silverdale Road, Silverdale (Lots 44 and 45 DP 236542) in the subject area; and
 - An *E4 Environmental Living* zoning on the eastern part of the site to allow for the development of that area whilst providing for the protection of the endangered native flora and fauna found there.
2. That the draft planning proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway determination.
3. That the persons who made submissions regarding the draft planning proposal be notified of Council's decision.
4. *That when forwarding the draft planning proposal to the Minister for Planning and Infrastructure for a Gateway determination that a list of the other Planning Proposals received by Council around Silverdale also be provided to the Minister for his information and that the Minister be requested to consider these proposals when making the Gateway determination.*

Planning and
Economy

On being put to the meeting the motion was declared CARRIED.

Vote For: Crs Mitchell, Vernon, B Banasik, Landow and Hannan
Vote Against Crs M Banasik and Khan

Deputy General Manager, Luke Johnson left the meeting at 7.06pm and returned at 7.07pm.

