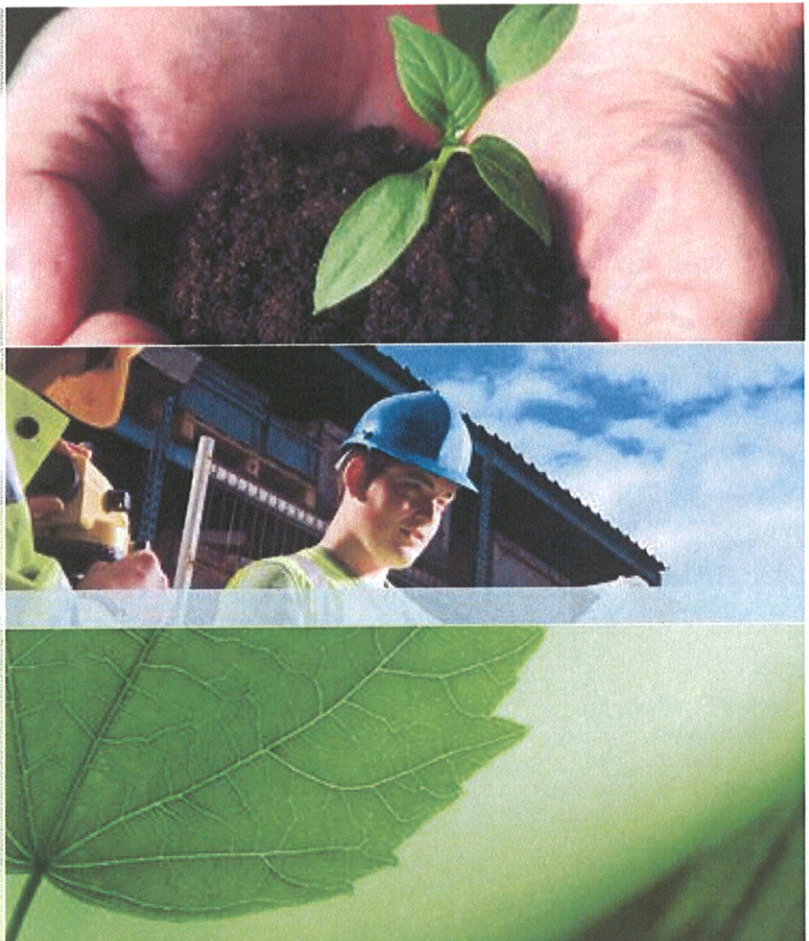


PLANNING PROPOSAL

PTTAG STUDY AREA

TAHMOOR AND THIRLMERE



REIN, WARRY & CO

CONSULTING LAND &
ENGINEERING SURVEYORS,
& PROJECT MANAGERS

Suite 3, 67 Menangle Street
PO Box 662 Picton NSW 2571
Phone: (02) 46773144
Fax: (02) 46773155
reinwarry@bigpond.com

PTTAG Planning Proposal – Land between Tahmoor and Thirlmere

Amendment to Wollondilly LEP 2011

The Site

The subject site comprises eighty seven (87) allotments of land, with a combined land area of approximately 232 hectares and is shown in the aerial photographs and plans located in Attachment 1, between the townships of Tahmoor and Thirlmere and is generally bounded by Redbank Creek, Myrtle Creek and the Main Southern Rail Line.

The subject lands have varying allotment sizes ranging from 1791m² to 16 hectares, with six (6) allotments in excess of 4 hectares in size. The current land use is predominately rural residential / 'lifestyle' in nature, with a small number of extensive grazing and horticultural operations, a horse and dog breeding establishment and horse/pony trail ride facility.

The subject land is undulating in nature and is bordered by Myrtle and Redbank Creek with several on-farm dams and intermittent watercourses present that feed the two creek systems. Scattered remnant clumps of vegetation feature across the subject lands providing habitat for native fauna.

Part 1 – Objectives or Intended Outcomes

The objective of this Planning Proposal is to rezone the subject site from Zone RU4 Rural Small Holdings to an appropriate rural/residential zone and standards pursuant to the Wollondilly Principal Local Environmental Plan 2011. The amended standards of the subject site to a suitable rural/residential zone will facilitate the lodgement of development applications.

The proposed rezoning may (depending upon the outcome of the studies) create in the order of 250 to 300 new rural/residential lots, each having a minimum size 4,000m², on the subject land. Some lots will be subject to higher minimum lot size (MLS) standards where the site constraints, natural features and flora dictate.

Part 2 – Explanation of Provisions

The proposed amendment to the Principal LEP 2011 will ensure that appropriate development standards apply to the land zoned for rural residential purposes in light of studies which will determine land capability. The manner of rural residential development will also seek to minimise conflict between land uses within the zone and land uses within adjoining zones and other mining activities.

Following completion of relevant studies this section of the Planning Proposal will be revised to provide more specific instructions regarding potential provisions for:

- The zone to be applied to the land
- The lot sizes and other standards to be incorporated into associated maps
- Any site specific clauses that may need to apply to the land

Part 3 – Justification

1. Is the Planning Proposal a result of any strategic study or report?

The Wollondilly Growth Management Strategy outlines the strategic distribution of new dwelling numbers across the Wollondilly Shire over the next 20-25 years and suggests the delivery of a number of mixed housing types to cater for community needs. The strategic distribution gives an approximate number of additional dwellings needed within Picton, Tahmoor and Thirlmere and indicates that the 2070 additional new dwellings needed to cater for growth within that particular region includes the 280 potential dwellings which will result from the approval of the PTTAG Planning Proposal.

It must be noted that the Wollondilly Growth Management Strategy has been adopted by Council but is yet to be officially endorsed by the Department of Planning and Infrastructure.

'Attachment 2 – LES Specialist Studies' contains a number of Specialist Studies which will be commissioned. The document outlines in detail the Output, Objectives and Task/Methodology needed to be followed and includes Biodiversity as a specified study for consideration. Attached is the LES Specialist Studies document.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This Planning Proposal is considered to be the best option available to facilitate further density rural residential development on the site.

3. Is there a net community benefit?

The community will benefit from the proposal by providing a variety of rural residential housing opportunities. Providing additional housing on the site also increases the demand for commercial services and retailing which will assist in generating additional economic activity in the Wollondilly Region.

4. Is the Planning Proposal consistent with the Objectives and Actions contained within the applicable Regional and Subregional Strategy (including the Sydney Metropolitan Strategy)?

The primary policy documents and strategies within the State, regional and local context are the *Metropolitan Plan for Sydney 2036*, the *Draft South West Subregional Strategy* and the *Wollondilly Growth Management Strategy* respectively.

Planning strategies in these documents acknowledge the need for additional housing and also the need to undertake development with consideration of the physical environment, heritage and natural resources. It is considered that the draft LEP will be generally consistent with these principles and strategies, depending on the outcomes of the LES.

The Metropolitan Strategy also acknowledges the need for future rural settlement to focus on infill in towns and villages where adequate infrastructure and services exist. The strategy also recommends that further subdivision of rural and resource land for additional dwelling should also be avoided unless in the form of minor incremental expansion of existing villages to accommodate local growth. In this regard, it is considered that the draft LEP is not inconsistent with the Metropolitan Strategy as the proposed rezoning is positioned between the major villages of Thirlmere and Tahmoor (see aerial photographs and plan in Attachment 1).

The Draft South West Subregional Strategy outlines that there is to be an additional 5,230 new dwellings to be built within Wollondilly Region by 2031. The Draft LEP is considered to contribute toward the Greenfield housing targets identified in the Strategy for the Wollondilly local government area, by providing additional growth in the Tahmoor Thirlmere area.

5. Is the Planning Proposal consistent with the Local Community Strategic Plan or other Local Strategic Plan?

The Wollondilly Growth Management Strategy identifies the focus of population growth to be located in two key centres, being the Picton / Thirlmere / Tahmoor Area and the Bargo area with long term targets of 4000 and 2000 new dwellings respectively. These two locations are acknowledged as having attributes which make them capable and suitable for future growth.

The Wollondilly Growth Management Strategy also includes a number of Key Policy Directions which detail long term strategy objectives for the distribution of new dwellings in the Wollondilly Shire.

The following Key Policy Directions are relevant to the issue of rural-residential development and it is considered that this Planning Proposal is consistent with each of them:

***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”).*

***P10** Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.*

***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.*

***P19** Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.*

***P22** 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 and practicable, existing dwelling and subdivision entitlements in rural areas.*

These Key Policy Directions indicate that Council would be more likely to favourably consider a rezoning to permit rural-residential development where the rezoning forms part (typically the outer edge areas) of a broader development adjacent to an existing town or village. The Planning Proposal is considered to be consistent with the listed Key Policy Directions.

The Wollondilly Growth Management Strategy also contains an Assessment Criteria which has been designed to assist in determining whether or not a proposal has merit and should receive support. The Planning Proposal is considered to be justifiably consistent with each of the Assessment Criteria listed.

6. Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?

Yes, except for the following which will be determined as part of investigations to be undertaken:

- SEPP No 30 – Intensive Agriculture
- SEPP No 44 – Koala Habitat Protection
- SEPP No 55 – Remediation of Land

- SEPP (Housing for Seniors or People with a disability) 2004
- SEPP (Mining, Petroleum and Extractive Industries) 2007
- SREP No 20 – Hawkesbury-Nepean River (No 2 – 1997)

7. Is the Planning Proposal consistent with applicable Ministerial Direction (S117 Directions)?

Those S117 (2) local planning directions that require consideration in the preparation of the draft LEP include the following:

- 1.2 Rural Zones;
- 1.3 Mining, Petroleum Production and Extractive Industries
- 2.1 Environmental Protection Zones;
- 3.1 Residential Zones;
- 3.4 Integrating Land Use and Transport
- 4.2 Mine Subsidence and Unstable Land;
- 4.3 Flood Prone Land;
- 4.4 Planning for Bushfire Protection;
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes

The proposed rezoning and future rural residential subdivision of the site, subject to the outcomes of any LES, will require to be justified against the relevant provisions of the directions. Subject to the completion of studies, the proposal generally is considered to be either consistent with, or justifiably inconsistent with the 117(2) directions. The RPA seeks these to be endorsed by the Gateway following completion of studies and prior to exhibition.

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of this Planning Proposal?

The attached proposed studies conform with DECCW's guidelines in regard to identifying areas of biological significance and to undertake the necessary 'ground work' to provide for a ranking of low, medium and high for vegetation on the site, including identification of Cumberland Plain Woodland.

9. Are there any likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

An assessment of the likely environmental effects resulting from the rezoning and subsequent redevelopment of the site will be undertaken as part of the agreed specialist studies. These studies aim to:

- Identify, locate and describe the biodiversity values of the study area
- Rank and map areas of high, moderate and or low biodiversity values.

- A comprehensive understanding of the flora, fauna and biodiversity values of the study area and its environmental context in the region.
- Assess and recommend strategies to conserve the ecological attributes of the landscape.
- Develop a strategy to conserve biodiversity values, in accordance with the principles and objectives of the Threatened Species Conservation Act 1995, (and relevant DECCW Guidelines) of the study area and improve remnant vegetation communities and regional linkages to support native flora and fauna.
- Develop principles for the integration of rural/ residential development and the ecological values of the study area, whilst considering the likely requirements for bushfire management and asset protection.
- Recommend zoning regimes and minimum lot sizes to support and maintain the ecological values of the study area.

The resultant study will achieve the following;

- Field identification and description of flora and fauna communities of the study area, with reference to existing maps, aerial photography, reports and studies.
- An assessment of the condition and the recovery potential of the identified communities.
- Ensure statutory obligations for the protection and management of threatened species and native vegetation can be met
- Identify Bio-banking potential within the study area.
- Identify biodiversity values that developer contributions should address

10. Has the Planning Proposal adequately addressed any social and economic effects?

The social and economic effects of the proposal will be sufficiently addressed through the undertaking of a specialised study in the described area. The study will aim to:

- To identify the socio-economic impacts associated with the proposed development.

This will be achieved through:

- Analysis of the socio-economic impact, if any, of the loss of rural land on the local and regional economy compared to both the 'do nothing scenario' and the change to an appropriate zone to permit rural/residential housing.
- Quantify the demand for rural/ residential housing in the area.
- Investigate options and assess the feasibility for achieving affordable and diverse housing with reference to the Housing NSW's analysis for Wollondilly Shire and its publication Housing Market Analysis - Explanatory Notes and Fact Sheets. Liaison with the Department of Housing in this regard is proposed.
- Examine the need for additional community facilities, open space and services which may arise as a result of the change to an appropriate zone.

11. Is there adequate infrastructure for the Planning Proposal?

An assessment of the provision of appropriate State and local infrastructure will be undertaken as part of the agreed specialist studies. This study will aim to identify whether adequate infrastructure is currently in place to service the region should the site be rezoned and redeveloped.

The study will address the adequacy of State and local infrastructure in the region by:

- Assessing the need for a State developer agreement to fund provision of necessary infrastructure.
- Assessing the availability of infrastructure required enabling connection of the study area to water, telephone and drainage services.

- Assessing infrastructure required for the provision of services and pedestrian/cycleway/bus transport infrastructure, community facilities and open space identified as necessary by the specialist studies.
- Assessing of the need for the dedication of roads and open space (this may include the potential landscape buffer/habitat corridor) and funding considerations with regard to the ongoing management and maintenance of any such roads and open space.
- Identifying the impact of the proposed development on local roads networks.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation has been undertaken as part of the former LEP Amendment process and they have endorsed informally the attached study scope. It is proposed that the following Government Authorities will be formally consulted prior to exhibition:

- Office of Environment and Heritage
- NSW Rural Fire Service
- Roads and Traffic Authority
- RailCorp
- NSW Department of Education and Training
- Department of Industry and Investment
- NSW Office of Water
- Origin Energy Australia

Part 4 – Community Consultation

Community consultation with the residents of Thirlmere, Tahmoor and Picton, particularly residents surrounding the site will occur for 28 days.

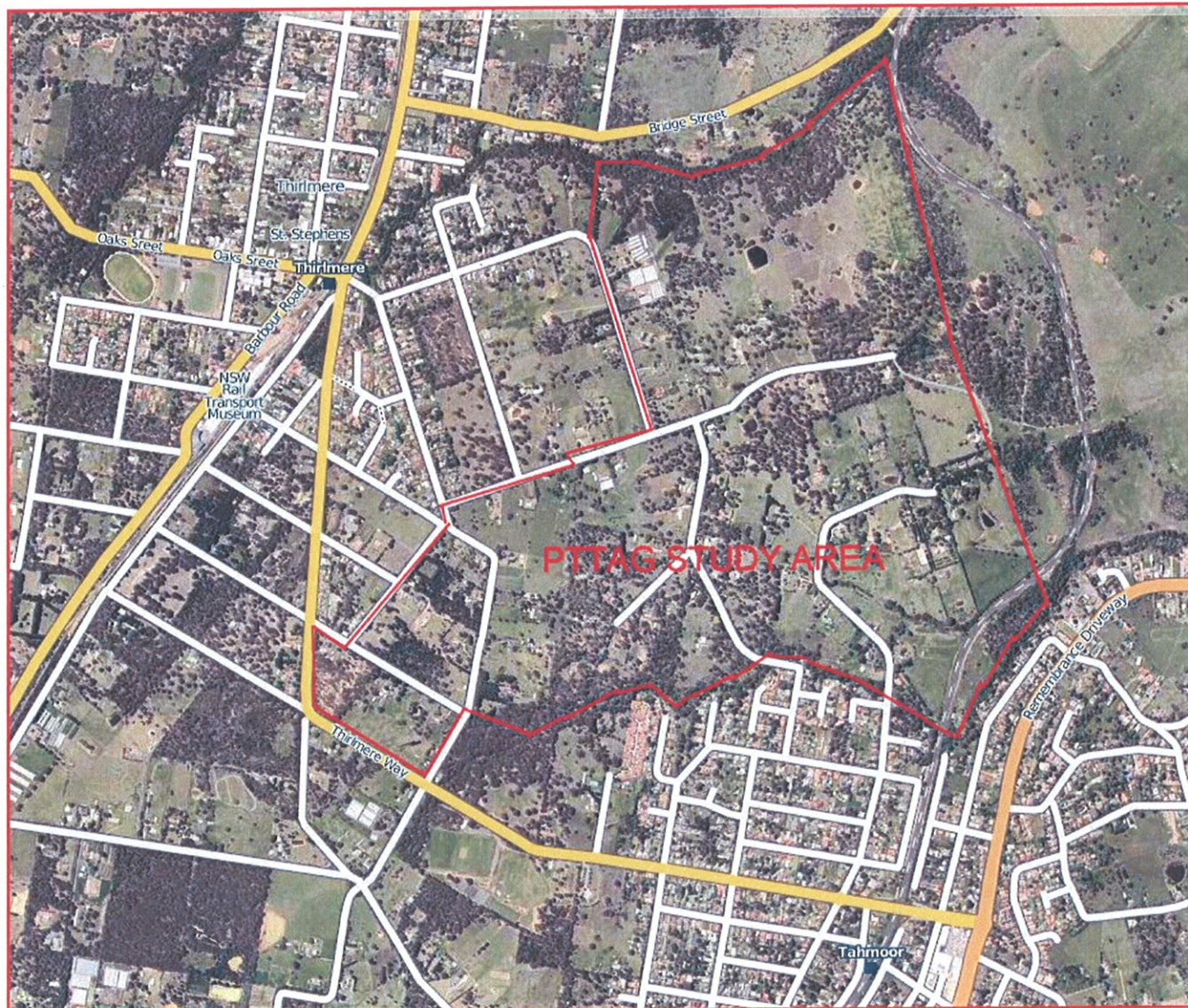
All such consideration and notification shall be in accordance with Council's standard procedures for notification and public exhibition, the *Environmental Planning and Assessment Regulation 2000* and, where appropriate, specifically tailored in accordance with Section 117(2) Directions to the *Environmental Planning and Assessment Act, 1979*.

ATTACHMENT 1 – LOCATION OF SUBJECT SITE

- 1. Aerial photograph of PTTAG Study area edged red;**
- 2 Aerial photograph of PTTAG study area edged red with street names;**
- 3. Plan showing Development Restrictions**



Aerial photograph with PTTAG study area edged red (Nearmap 2011)



**Aerial photograph with PTTAG study area edged red showing street names
(Nearmap 2011)**

