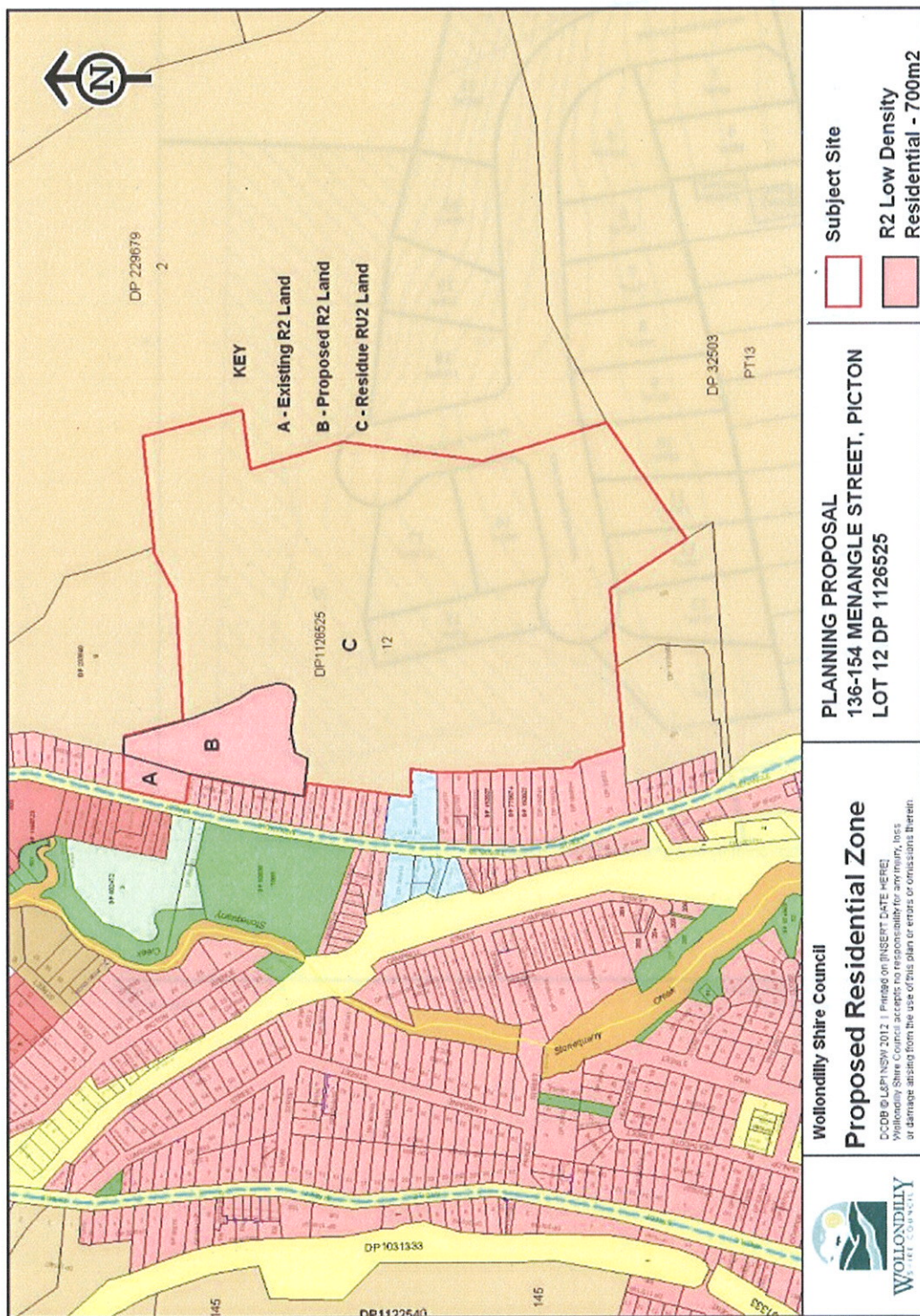


Map 1 - Proposed Residential Zone



Map 2 – Indicative Subdivision Layout



Plan of land incorporating area proposed to be rezoned

APPENDIX 1

The following table addresses the evaluation criteria for conducting a “net community benefit test” within the Draft Centres Policy (2009) as required by the guidelines for preparing a Planning Proposal:

Evaluation Criteria	Y/N	Comment
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Yes	The planning proposal is compatible with the Metropolitan Strategy and Draft South West Subregional Strategy for the following reasons: ▪ It is consistent with the strategic residential objectives of the South-West Subregional Strategy. ▪ The land is located around 500m from the Picton Railway Station.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Yes	The site has been identified within the local <i>Wollondilly Growth Management Strategy 2011</i> as having potential for future urban growth.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	No	The proposed rezoning is unlikely to create a precedent within the locality or change the expectations of landowners as it is located directly adjacent to existing residential zoned land and land identified for future urban growth.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes	Spot rezonings being considered by Council in Picton, Tahmoor and Thirlmere generally comply with Council's strategic direction. It is considered that this proposal will: ▪ Increase the density and diversity of housing close to the existing urban centre ▪ Improve the economies of scale to deliver infrastructure and utility services for the residential expansion of the Picton township.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	No	The site is not zoned to facilitate employment, nor will it result in a loss of employment land. The proposal will create employment through the construction jobs to install the infrastructure and build the homes therefore delivering an economic benefit to the community.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	Yes	The proposal will have a positive impact on the residential supply by adding to the amount of available residential land. The proposal will increase the housing choice and type of housing and contribute to meeting local residential targets.

Evaluation Criteria	Y/N	Comment
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?	Yes	The existing public infrastructure is adequate to meet the needs of the proposal. The site is accessible to services being on the fringe of an established urban area. The residential development will support the Picton town centre. The site is proximate to the Railway Station. Local buses service the area however they are limited and primarily cater to school children, although enhanced services may emerge to serve an expanded Picton community.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	N/A	N/A
Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?	No	No. the proposal does not require significant further investment In public infrastructure, it will utilise the existing infrastructure and services. The developer will extend and upgrade infrastructure to service the development at no cost to government.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	No	The site has not been identified for conservation purposes although there is some remnant <i>Cumberland Plain Woodland</i> vegetation. A vegetation and weed management plan is proposed. The land is identified to be partially flood prone. The extent is limited to the frontage and depths are noted to be minor and velocities negligible. Such will be further assessed and is unlikely to be a significant constraint given the position of the land in the catchment. Any future undermining can be addressed by adherence to appropriate Mine Subsidence parameters.
Will the LEP be compatible/complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?	Yes	The proposal is compatible with adjoining residential land uses. The site is not an isolated residential development and is well serviced and proximate to the Picton town centre.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises	N/A	N/A

Evaluation Criteria	Y/N	Comment
operating in the area?		
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N/A	N/A
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	-	The proposal will provide additional housing to assist in the delivery of meeting the housing growth and dwelling mix actions from the Draft Subregional and local strategies. The rezoning provides opportunities for increasing housing affordability, rectifying drainage issues and improving vegetation management. Should the land not be rezoned these opportunities would not be available.

APPENDIX 2

RELEVANT GMS CRITERIA ASSESSMENT

State and Regional Strategies and Policies	
Criteria	Response
NSW State Plan, Metropolitan Strategy, Sub-Regional Strategy	Consistent with relevant provisions.
State Planning Policies	Consistent with relevant provisions.
Ministerial Directions	Consistent with the relevant provisions, or where not consistent is justified.
LEP Framework	The proposed amendments to WLEP 2011 would be in accordance with the Standard Planning Instrument.
Local Strategies and Policies	
Criteria	Response
Key Policy Directions on the GMS	Consistent with the relevant provisions.
Precinct Planning	This is one property and not part of a precinct. The site has characteristics in terms of its topography and large size which render it suitable for consideration as a separate entity. Consistent with the relevant provisions.
Wollondilly Community Strategic Plan	Consistent with the relevant provisions
Project Objectives and Justification	
Criteria	Response
Overall Objective	Consistent with the relevant provisions.
Strategic Context	Consistent with the relevant provisions.
Net Community Benefit?	Consistent with the relevant provisions.
Summary of Likely Impacts	Consistent with the relevant provisions.
Infrastructure and Services	Consistent with the relevant provisions.
Supply and Demand Analysis	When taking into account the scale of the proposed LEP amendment it is not considered that a detailed supply and demand analysis is warranted. Notwithstanding, it is considered reasonable to state that the supply of vacant residential land is limited in the Picton area.

Site Suitability/Attributes	The subject site is contiguous with the Picton township, can be readily serviced and subject to environmentally sensitive design it is capable of being sustainably developed. It is considered likely that traffic generation from the resulting development would be within the environmental capacity of the surrounding road network.
Preserving Rural Land and Character	
Criteria	Response
Character Setting	The development will introduce an urban character but a rural backdrop will be retained by avoiding development of the steeply sloping land.
Visual Attributes	The proposed development would not unacceptably impact on the visual character of the locality as it will be limited in extent and avoid development on steeper areas of the site.
Rural and Resource Lands	The development on a small portion of the site will not restrict opportunities for future agricultural uses on the residue rural land.
Environmental Sustainability	
Criteria	Response
Protection and Conservation	The site is largely cleared but there is some <i>Cumberland Plain Woodland (CPW)</i> as well as significant stands of weed. A vegetation and weed management plan will aim to minimise removal of <i>CPW</i> and remove invasive weeds in order to protect and enhance the remaining vegetation community.
Water Quality and Quantity	The principles of BASIX will be observed in respect of each future dwelling. Stormwater management will involve the application of Water Sensitive Urban Design practices. Waste water will be directed to an extended reticulated sewer. No adverse groundwater impacts are projected.
Flood Hazard	The recorded minor flood impact on part of the site can be adequately managed in accordance with Council's prevailing policy. A drainage/flood study to examine any potential issues in relation to stormwater and flooding is proposed.
Geotechnical/Resources/Subsidence	The steep slopes are proposed to be avoided for development purposes but a geotechnical study is considered advisable. The subject land is within the Picton Mine Subsidence District but the site is unlikely to be undermined in the short to mid-term.
Buffers and Spatial Separation	The proposed use is consistent with that of adjoining/nearby development and is therefore considered compatible.
Bushfire Hazard	The bushfire hazard can be readily managed under the provisions of <i>Planning for Bushfire Protection 2006</i> .

Heritage	The site contains no listed heritage items of local, state or national heritage significance. A heritage assessment is recommended as the land has a long farming history.
Resource Sustainability	Opportunities for energy efficiency, water recycling and reuse and waste minimization can be readily applied to future residential development.
Infrastructure	
Criteria	Response
Efficient Use and Provision of Infrastructure	Existing infrastructure will be extended.
Transport Road and Access	A new road is proposed from Menangle Street which is a State road. A traffic/transport study would examine the impact of the new road and the capacity of the local road system and the need for additional transport infrastructure.
Open Space	The subject site is small scale and does not include provisions for public open space. There is considered to be sufficient open space in the vicinity to service the site.
Residential Lands	
Criteria	Response
Location/Area/Type	The proposal is consistent with land identified under the GMS for Urban on Town Edge development.
Social Integration	A gated community is not proposed and a variety of housing is achievable by a mix of lot sizes. The small scale proposed development will assist social interaction with new residents.
Urban on Town Edge	The site is contiguous with existing urban land & within practical walking/cycling distance of town services. The proposed scale of residential development is suitable to the context and location and; ▪ Achieves physical and visual integration with the existing edge of town. ▪ Allows a mix of residential lot sizes to cater for a mix of housing types. Proposed R2 component in line with suggested density range. ▪ Land connected to existing path networks. ▪ Scale of proposal does not warrant the inclusion of community land or facilities.

APPENDIX 3

Table indicating compliance with State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans)

	STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)	CONSISTENCY	COMMENTS
1	Development Standards	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP
4	Development Without Consent and Miscellaneous Complying Development	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP
6	Number of Storeys in a Building	Yes	The Planning Proposal will use the Standard Instrument to control building height.
14	Coastal Wetlands	NA	Not applicable in the Shire of Wollondilly.
15	Rural Land-Sharing Communities	NA	Not applicable in the Shire of Wollondilly.
19	Bushland in Urban Areas	NA	Not applicable in the Shire of Wollondilly.
21	Caravan Parks	NA	
22	Shops and Commercial Premises	NA	
26	Littoral Rainforests	NA	Not applicable in the Shire of Wollondilly.
29	Western Sydney Recreation Area	NA	Not applicable in the Shire of Wollondilly.
30	Intensive Agriculture	NA	
32	Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning Proposal will not contain provisions that will contradict or will hinder the application of the SEPP.
33	Hazardous and Offensive Development	NA	
36	Manufactured Home Estates	NA	Not applicable in the Shire of Wollondilly.
39	Spit Island Bird Habitat	NA	Not applicable in the Shire of Wollondilly.
41	Casino/Entertainment Complex	NA	Not applicable in the Shire of Wollondilly.
44	Koala Habitat Protection	NA	
47	Moore Park Showground	NA	Not applicable in the Shire of Wollondilly.
50	Canal Estates	NA	
52	Farm Dams and Other Works in Land and Water Management Plan Areas	NA	Not applicable in the Shire of Wollondilly.
53	Metropolitan Residential Development	NA	Wollondilly Shire is currently exempted from this SEPP.
55	Remediation of Land	Yes	A preliminary contaminated site assessment will be undertaken to determine whether the site is contaminated.

59	Central Western Sydney Economic and Employment Area	NA	Not applicable in the Shire of Wollondilly.
60	Exempt and Complying Development	NA	
62	Sustainable Aquaculture	NA	Not applicable in the Shire of Wollondilly.
64	Advertising and Signage	NA	
65	Design Quality of Residential Flat Development	NA	
70	Affordable Housing (Revised Schemes)	NA	Not applicable in the Shire of Wollondilly.
71	Coastal Protection	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Affordable Rental Housing) 2009	NA	
	SEPP (Housing for Seniors or People with a Disability)	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder a future application for SEPP (HSPD) housing.
	SEPP (Building Sustainability Index: BASIX) 2004	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP. Future development applications for dwellings will need to comply with this policy.
	SEPP (Kurnell Peninsula) 1989	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Major Development) 2005	NA	
	SEPP (Sydney Region Growth Centres) 2006	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007		
	SEPP (Temporary Structures) 2007	NA	
	SEPP (Infrastructure) 2007	Yes	The proposal has considered the relevant parts of SEPP (Infrastructure) 2007, namely traffic generating developments and is considered consistent.
	SEPP (Kosciuszko National Park - Alpine Resorts) 2007	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Rural Lands) 2008	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP at future stages, post rezoning.
	SEPP (Western Sydney Parklands) 2009	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Western Sydney Employment Area) 2009	NA	Not applicable in the Shire of Wollondilly.
1	Drinking Water Catchments Regional Environmental Plan No 1	NA	Subject lands are not located within the jurisdiction of REP No.1.

DEEMED STATE ENVIRONMENTAL PLANNING POLICIES (FORMERLY REGIONAL ENVIRONMENTAL PLANS		CONSISTENCY	COMMENTS
9	Extractive Industry (No 2)	NA	
20	Hawkesbury–Nepean River (No 2 - 1997)	Yes	The Planning Proposal will not contain provisions that would be inconsistent with this SREP.
27	Wollondilly Regional Open Space	NA	Repealed 26/06/2009.

APPENDIX 4

Examination of Draft Plan in accordance with relevant Section 117(2) Directions.

Ministerial Direction 117(2)	Applicable	Consistent	Assessment
1. Employment and Resources			
1.1 Business and industrial Zones	NA	NA	
1.2 Rural Zones	YES	YES	The proposal will result in the loss of a small portion of rural land with the residue land remaining available for agricultural purposes. This land is currently zoned for rural landscape purposes and is not prime agricultural land. Importantly, the land has been identified in relevant Council's growth plans and is consistent with Metropolitan and Subregional Planning objectives. It is considered that the planning proposal is not inconsistent with Direction 1.2.
1.3 Mining, Petroleum Production and Extractive Industries	YES	YES	The proposal will not adversely impact any future potential subsurface mining program. Compliance with appropriate mine subsidence parameters would facilitate urbanisation without significantly constraining mining activities, should such occur in the medium to long term future. The planning proposal is not inconsistent with Direction 1.3.
1.4 Oyster Production	NA	NA	Direction does not apply
2. Environment and Heritage			
2.1 Environmental Protection Zones	NA	NA	Direction does not apply
2.2 Coastal Protection	NA	NA	Direction does not apply
2.3 Heritage Conservation	YES	YES	The site contains no listed heritage items of local, state or national heritage significance. A heritage assessment will be undertaken for both European and Aboriginal heritage. It is considered that the planning proposal is not inconsistent with Direction 2.3.
2.4 Recreation Vehicle Area	NA	NA	Direction does not apply
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	YES	YES	The proposal does not seek to reduce the amount of residential land but rather contribute to additional lands that may assist Wollondilly Shire in reaching its housing targets. It is located adjacent to existing residential development and is also proximate to Picton town centre and related community

Ministerial Direction 117(2)	Applicable	Consistent	Assessment
			infrastructure. The site is serviced with the appropriate perimeter road and utility infrastructure which can be readily amplified to enable residential development. The relevant infrastructure and DCP provisions are contained in Wollondilly LEP 2011. No areas of environmental sensitivity will be adversely impacted. The development will be compatible with subsurface mining, if such occurs in the future. The rezoning will permit the development of a range of housing types. The planning proposal is not inconsistent with Direction 3.1.
3.2 Caravan Parks and Manufactured Home Estates	NA	NA	Direction does not apply.
3.3 Home Occupations	NA	NA	Direction does not apply.
3.4 Integrating Land Use and Transport	YES	YES	The site is within walking distance to the Picton town centre. The site is accessible to public bus services along Menangle Street and to rail services from Picton railway station. The planning proposal site is well serviced by existing roads. The Draft LEP is not inconsistent with Direction No. 3.4.
3.5 Development Near Licensed Aerodromes	NA	NA	Direction does not apply
4. Housing, Infrastructure and Urban Development			
4.1 Acid Sulphate Soils	NA	NA	Direction does not apply
4.2 Mine Subsidence and Unstable Land	YES	YES	The subject land is within the Picton Mine Subsidence District. Undermining of the site is unlikely to occur in the short to mid term. The Mine Subsidence Board will be consulted about the proposal. The planning proposal is not inconsistent with Direction 4.2.
4.3 Flood Prone Land	YES	YES	A small portion of the front of the site, not including the land proposed to be rezoned is impacted by the 1% AEP and PMF associated with Stonequarry Creek. A hydrology study will be undertaken to examine flooding and drainage issues. The planning proposal is not inconsistent with Direction 4.3.
4.4 Planning for Bushfire Protection	YES	YES	The land to which the planning proposal applies includes bushfire prone land and an assessment of requirements to limit bushfire hazard in accordance with <i>Planning for Bushfire Protection 2006</i> will be undertaken. It is considered that the planning proposal is not inconsistent with Direction No. 4.4.

Ministerial Direction 117(2)	Applicable	Consistent	Assessment
5. Regional Planning			
5.1 Implementation of Regional Strategies	NA	NA	Direction does not apply
5.2 Sydney Drinking Water Catchments	NA	NA	Direction does not apply.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA	NA	Direction does not apply
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA	NA	Direction does not apply
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	NA	NA	Direction does not apply
5.6 Sydney to Canberra Corridor	NA	NA	Although the Sydney Canberra Corridor Strategy 1995 refers to land within Wollondilly Local Government Area the Strategy has been determined to no longer apply to Wollondilly LGA.
5.7 Central Coast	NA	NA	Direction does not apply
5.8 Second Sydney Airport: Badgerys Creek	NA	NA	Direction does not apply
6. Local Plan Making			
6.1 Approval and Referral Requirements	YES	YES	The planning proposal does not seek to include further provisions to WLEP 2011 in respect to the concurrence, consultation or referral of development applications to a Minister of public authority. The planning proposal is not inconsistent with Direction No. 6.1.
6.2 Rezoning Land for Public Purposes	YES	YES	The planning proposal will not create, alter or reduce existing zones or reservations of land for public purposes. It is considered that the planning proposal is not inconsistent with Direction 6.2.
6.3 Site Specific Provisions	NA	NA	Direction does not apply
7.1 Implementation of the Metropolitan Strategy for Sydney 2036	YES	YES	The planning proposal is not inconsistent with the metropolitan strategy and therefore Direction 7.1.

