
Ordinary Meeting of Council



WOLLONDILLY
SHIRE COUNCIL

LATE REPORT

Monday 20 June 2011

The following late report will be discussed under the Planning and Economy section of the Agenda for the Ordinary Meeting of Council being held on Monday 20 June 2011.

WOLLONDILLY SHIRE COUNCIL

Late Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 20 June 2011

WOLLONDILLY SHIRE AND ITS PLANNING & ECONOMY – LATE REPORT

PE7 **Project Progress for Planning Proposal for Picton Tahmoor Thirlmere New Urban Lands**
5023SPER TRIM 5587

REPORT

EXECUTIVE SUMMARY

The PTT New Urban Lands project has reached a point where:

- (i) specialist studies have been completed for five (5) precincts and future land uses can be publicly exhibited and considered by Council for potential amendment to the Local Environmental Plan;
- (ii) a Noise, Odour and Air Quality Assessment is yet to be completed for the East Tahmoor precinct and may have implications for future land use decisions.

The project has undergone a transition between the (now repealed) provisions for LEP Amendments and the current Part 3 provisions relating to Planning Proposals as prescribed in the *Environmental Planning and Assessment Act, 1979*.

This report recommends Council support the continued progress of the Planning Proposal by:

- submitting a Planning Proposal to the Department of Planning's gateway process containing all information available to date on all precincts; and
- preparing an LES and public exhibition for five precincts; and
- updating the same LES upon completion of the Noise, Odour and Air Quality Assessment and conducting a separate public exhibition for the East Tahmoor precinct.

This process may result in two separate amendments to the LEP depending on the timing of completion of the public exhibition periods and consideration by Council post-exhibition.

Despite the recommendation to establish a separate time frame and process for the East Tahmoor precinct, this report nevertheless reiterates Council's continuing commitment for all precincts to progress in an efficient and legislatively accurate manner.

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CONSULTATION

Consultation with PAEHolmes

PAEHolmes are the consultants engaged by Council to conduct a Noise, Odour and Air Quality Assessment for the East Tahmoor precinct. After collating limited data available to date, PAEHolmes provided Council with a preliminary assessment of odour-only impacts on 19 May, 2011. This "Level 1" Assessment determined the East Tahmoor precinct is likely to be affected by odour impacts generated by the nearby poultry processing plant, duck sheds and activities associated with these uses. Further detailed investigations are required before decisions can be made on future land uses within the East Tahmoor precinct. To collect further information requires sampling of odour sources, laboratory testing and a detailed on-site examination of odour-source activities and of the premises from which odour may be generated. The collection of this information requires cooperation from the owner and operators of the premises from which the odours are potentially generated.

PAEHolmes are currently monitoring and modelling noise impacts. Noise logging equipment was operated on-site during the week of 27th May to 3rd June, 2011. Delays were experienced prior to this due to weather conditions. Some difficulties were encountered with several landowners refusing access and adjustments were required to monitoring locations.

Consultation with Inghams Enterprises Pty Limited

For more than a year Council has been discussing the sharing of information on agricultural uses of nearby land with Inghams Enterprises Pty Limited. During this time there have been some changes to the information relating to current and potential future uses of the Inghams' site which could have impacts upon the Noise, Odour and Air Quality Assessment. Council has made requests for information to Inghams and has received some information in reply to assist with preparation of the study. Council's most recent request is a letter asking Inghams to provide PAEHolmes staff with guided access throughout the Inghams' Tahmoor property to collect the information and samples. The request was made on 27 May, 2011 and Councillors will be further advised of Inghams' response. The quality and quantity of site-specific information available for the preparation of the study is critical to future land use decisions for the East Tahmoor precinct.

Inghams have kept Council informed of their future intentions for their land and operations at Tahmoor within reasonable expectations and commercial-in-confidence limitations. Council and Inghams are now in a position where we can make reasonably reliable predictions about future uses of the site including continuation of production at the poultry processing plant contingent upon alternative means of wastewater management to current practices and the potential for a proposal to redevelop parts of the Inghams landholdings for rural-residential allotments and employment uses. All of these matters are relevant to the assessment of potential impacts to the East Tahmoor precinct.

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Consultation with Precinct Representatives

The East Tahmoor Precinct Representative was advised by Council staff of the abovementioned consultations on 23 May, 2011. The primary intent of this consultation was to confirm more detailed studies of odour impacts are required for East Tahmoor before the LES can be completed.

All Precinct Representatives attended a meeting with Council staff on 26 May, 2011. The need to conduct further studies for the East Tahmoor Precinct was discussed along with the potential implications for the progress of the project. Precinct Representatives for West Tahmoor, South Tahmoor, East Thirlmere, South Thirlmere and West Picton have made known their preference for splitting the project should issues specific to East Tahmoor have the potential to cause delays to the remaining groups.

The Terms of Reference associated with the project and legislative requirements do not require a decision on splitting the project to be made by Council. However, Precinct Representatives see the decision as requiring a commitment from Council as a political body as well as an organisation.

Council staff have issued a letter to landowners explaining the current situation and the expected future progress of the project. A copy of this letter is Attachment 2.

All Precinct Representatives (other than the Precinct Representative for East Tahmoor) support:

- preparing an LES and public exhibition for five precincts which includes East Tahmoor as "subject to further investigation"; and
- updating the same LES upon completion of the Noise, Odour and Air Quality Assessment and conducting a separate public exhibition for the East Tahmoor precinct.

Consultation with Cardno Forbes Rigby

Cardno Forces Rigby (CFR) are the consultants responsible for preparing the LES. They were asked to provide comment on the most efficient way to proceed with the Planning Proposal in terms of the tasks remaining for this contract. Council also asked CFR to consider:

- preparing an LES for public exhibition for five precincts which includes East Tahmoor as "subject to further investigation"; and
- updating the same LES upon completion of the Noise, Odour and Air Quality Assessment and conducting a separate public exhibition for the East Tahmoor precinct.

CFR have advised that this could be done at some additional time and cost. However, CFR recommend Council discuss and coordinate this method with the Department of Planning before commencing.

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Consultation with Landowners

In accordance with the Terms of Reference, landowners are updated by Precinct Representatives. In addition, Council has sent letters to all landowners explaining the project to date and the steps which could be reasonably anticipated. A copy of the letter is included in Attachment 2.

Consultation with the Department of Planning

The project is in transition from repealed legislation and is now subject to Part 3 of the *Environmental Planning and Assessment Act, 1979*. The current status of the project has been discussed with the Department and Council staff have been advised that the Department's preference is for the project to be submitted to the gateway process in the form of a Planning Proposal accompanied by a Council resolution to support amendment(s) to the LEP as informed by specialist studies and public exhibition.

The project has been re-written in the form of a Planning Proposal and the specialist studies completed to date will be sent to the gateway process. The gateway process will set timeframes for the progress of outstanding studies, public exhibition(s) and final consideration of the proposal by Council. There is capacity for the gateway process to make recommendations as to whether the project should be considered as one or two amendments to the LEP.

RELEVANCE TO COMMUNITY STRATEGIC PLAN OUTCOMES

Environment

EO-1 The Shire's natural environment is protected and conserved

Specialist studies have been undertaken to determine future land uses which shall adequately protect and conserve natural environmental features.

EO-2 The impact of existing and new development on the environment is reduced

The LES shall make recommendations on future land uses which aim to minimise and, where possible, reduce environmental impacts.

POLICIES & LEGISLATION

Environmental Planning and Assessment Act, 1979
Environmental Planning and Assessment Regulation, 2000
Wollondilly Local Environmental Plan, 2011

RELEVANT CONSIDERATIONS

Specialist studies have been collated for the precincts of West Tahmoor, South Tahmoor, East Thirlmere, South Thirlmere and West Picton. A Local Environmental Study (LES) can now be completed for these precincts. Further information is required to determine potential constraints to future

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development within the East Tahmoor precinct before an LES can be completed for this precinct.

The time required for completion of the project can be estimated based on advice from consultants and from consideration of Council's resources and input into the completion of the documents for public exhibition. There are statutory requirements for a 28-day public exhibition period and deadlines for reporting the outcomes of public exhibition to Council for a final decision to seek amendment of the LEP. However, there are some elements of the project which can not be predicted and these may cause delays which are outside the control of consultants and Council staff. Attachment 1 contains a schedule of tasks which are still to be completed and an estimated time for each of these tasks.

Irrespective of the details in Attachment 1 Council is committed to continuing the project for all precincts in an efficient and legislatively accurate manner.

FINANCIAL IMPLICATIONS

The Noise, Odour and Air Quality Assessment is in progress and some money remains to be spent. Some of this money must be dedicated to a more detailed assessment process and, depending on the information and cooperation from Inghams, the additional assessment may require additional costs to be paid to PAEHolmes. At this time additional costs are estimated to be approximately \$4,500. This can be allocated from Council's Project Management budget.

Adjustments to the preparation of the Local Environmental Study shall require some additional work by Cardno Forbes Rigby. At this time additional costs have been estimated at less than \$10,000. Exact costs are not known until the work has actually been undertaken. Council can assist in the preparation of text and the LES document as the LES is intended to be produced collaboratively. The additional costs can be allocated from Council's Project Management Budget.

The additional costs will not require additional payment from landowners and will have no financial impact on Council's adopted budget or forward estimates.

It is important to note that the Planning Proposal procedures also require less work for Council post-exhibition than the previous tasks relating to rezoning and amendments to the LEP. Therefore, in this case the costs, time and resources anticipated for this project have been redistributed to a different stage of the project.

CONCLUSION

The most efficient way for the Planning Proposal to proceed is to follow the sequence of tasks set out in Attachment 1, which effectively means that the East Tahmoor precinct would progress forward on a different time frame to the other five precincts.

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Despite the recommendation to establish a separate time frame and process for the East Tahmoor precinct, this report nevertheless reiterates Council's continuing commitment for **all** precincts to progress in an efficient and legislatively accurate manner.

It is important to also note that Attachment 1 is the foreseeable outline of the project based on a time frame prepared by Council staff in consultation with contracted consultants. The project outline can not take into account nor anticipate delays or interruptions which may be encountered that are outside the control of Council staff and consultants.

ATTACHMENTS

1. Future steps in the project
2. Letter to Landowners

RECOMMENDATION

1. That the Picton Tahmoor Thirlmere New Urban Lands project (together with specialist studies completed to date) be forwarded to the Minister as a Planning Proposal for gateway determination.
2. That, subject to the gateway determination in (1) above, Council support a change to the Picton Tahmoor Thirlmere New Urban Lands project which involves:
 - preparing an LES for public exhibition for the precincts of West Tahmoor, South Tahmoor, East Thirlmere, South Thirlmere and West Picton which includes East Tahmoor as " subject to further investigation"; and
 - updating the same LES upon completion of the Noise, Odour and Air Quality Assessment and conducting a separate public exhibition for the East Tahmoor precinct; and
 - provided this is the most efficient and legislatively correct manner in which to proceed.
3. That Council commit to progressing the Picton Tahmoor Thirlmere New Urban Lands project for all six precincts in a manner which is efficient, timely and legislatively correct at all times.

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Planning &
Economy

Picton Tahmoor Thirlmere New Urban Lands Future Steps in the Project

Tasks relating to the East Tahmoor Precinct

Task	Timing or Duration	Factors outside Council's and Consultants' control
PTT New Urban Lands Planning Proposal forwarded to the Minister for Gateway determination	Received by Minister during June. To monthly 'gateway' meeting of July. Response to Council July-August	Additional studies and consultations or changes to project directed by the Gateway determination
PAEHolmes Noise monitoring	Conducted week of 27 May to 3 June, 2011	Subject to weather and may need to be repeated due to 3-4 days of rain
Inghams respond to Council's request for access to Tahmoor premises for odour data	Friday 3 June, 2011	Subject to Inghams cooperation
PAEHolmes and Inghams arrange site access to Inghams property Tahmoor	2 weeks	Subject to availability of staff from Inghams and PAEHolmes
PAEHolmes and Inghams site access, sampling and data collection for odour assessment	1-2 weeks	Subject to availability of staff from Inghams and PAEHolmes
PAEHolmes assisted by Council in collection of locally specific meteorological data for odour assessment	3 weeks depending on source and format	Subject to availability of data from Xstrata Tahmoor Colliery. Alternative sources also being investigated.
PAEHolmes laboratory testing of odour samples	1-2 weeks	Subject to laboratory timeframes
PAEHolmes compile lab results, modeling and preparing draft report on Noise, Odour and Air Quality	3-4 weeks	Subject to above data collection steps
PAEHolmes final report on Noise, Odour and Air Quality following feedback from Council	1 week	Subject to above data collection steps
Cardno Forbes Rigby incorporate final report on Noise, Odour and Air Quality into LES and prepare draft LES for East Tahmoor	2-3 weeks	May require remodeling of traffic generation dependent upon potential constraints

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Planning & Economy

Council specialist staff review and provide comment on draft LES. Precinct representatives opportunity to comment on draft LES	3 weeks	Gateway determination may add matters for consideration to be addressed in the LES
Cardno Forbes Rigby prepare final LES	1-2 weeks	Subject to timing of above steps
Public exhibition for East Tahmoor	4-5 weeks	Subject to timing of above steps and booking arrangements
Post-exhibition consideration by Council	Up to 6 weeks	Subject to timing of above steps and deadlines for preparing Council agenda

Tasks relating to precincts of West Tahmoor, South Tahmoor, East Thirlmere, South Thirlmere and West Picton

Task	Timing	Factors outside Council's and consultants' control
PTT New Urban Lands Planning Proposal forwarded to the Minister for Gateway determination	Received by Minister during June. To monthly 'gateway' meeting of July Response from Department of Planning to Council July - August	Additional studies and consultations or changes to project directed by the Gateway determination
Cardno Forbes Rigby prepare draft LES	July - August	Gateway determination may add matters for consideration to be addressed in the LES
Council specialist staff review and provide comment on draft LES. Precinct representatives opportunity to comment on draft LES	3 weeks	Gateway determination may add matters for consideration to be addressed in the LES
Cardno Forbes Rigby prepare final LES subject to Gateway determination	1-2 weeks	Subject to timing of above steps
Public exhibition	4-5 weeks	Subject to timing of above steps and booking arrangements
Post-exhibition consideration by Council	Up to 6 weeks	Subject to timing of above steps and deadlines for preparing Council agenda

WOLLONDILLY SHIRE COUNCIL

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Our Reference 5587 SP

Paul Hume
As Precinct Representative
For East Tahmoor
c/- Lean and Hayward Pty Ltd
P.O. Box 232
CAMPBELLTOWN NSW 2560

31 May, 2011

Dear Sir,

PLANNING PROPOSAL FOR PICTON TAHMOOR THIRLMERE NEW URBAN LANDS – FUTURE DIRECTIONS

Thank you for attending the meeting between Precinct Representatives and Council staff on 26 May, 2011 during which the potential future directions of the project were discussed.

As discussed at that meeting the majority of specialist studies have been completed for the abovementioned project. One study requires more detailed information before decisions can be made on future land uses. This study is a Noise, Odour and Air Quality Assessment and it is specific to the East Tahmoor Precinct.

At this time there is sufficient information available to complete a Local Environmental Study and make recommendations on future land use zones for all of the other five precincts, but not for East Tahmoor.

There was agreement at the meeting that a decision as to the future steps in the project be made by Council. Therefore a Late Report has been included in the Agenda for the Ordinary Council meeting of 20th June, 2011.

To summarise the Late Report, Council staff have prepared a list of tasks to be completed and the estimated timing of these tasks (see attachment). As sufficient information is now available to prepare a Local Environmental Study (LES) for all precincts except East Tahmoor it may be appropriate to prepare that LES for public exhibition. The LES will contain information known to date for East Tahmoor but will not contain details on the Noise, Air and Odour Study. Therefore the LES will not have recommendations for future land use zones for East Tahmoor and this precinct will be referred to as "subject to further detail".

The LES can be publicly exhibited to the extent that it relates to the precincts of West Tahmoor, South Tahmoor, East Thirlmere, South Thirlmere and West Picton.

When sufficient information is available to make land use decisions for East Tahmoor, the LES can be modified to include these details and a separate public exhibition process can occur for East Tahmoor only.

This effectively means that the East Tahmoor precinct would progress forward on a different time frame from the other five precincts. Nevertheless it is important that you, and the land holders you represent, understand that Council remains committed to progressing the project for all precincts efficiently, practically and in a manner which is legislatively correct.

All Correspondence to PO Box 21 Picton NSW 2571
62-64 Menangle Street Picton DX: 26052 Picton Phone: 02 4677 1100 Fax: 02 4677 2339
Email: council@wollondilly.nsw.gov.au Web: www.wollondilly.nsw.gov.au ABN: 93 723 245 808

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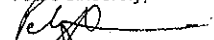
Planning &
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A copy of the Late Report can be obtained from Council's website or from the Customer Service Counter of Council's Administration Building from the afternoon of Wednesday 1st June, 2011. You are also welcome to attend the Community Forum on the evening of Monday 14th June, 2011. Procedures for the Community Forum are attached to this letter. Should any of the landowners wish to make a presentation during the Community Forum please consider whether it would be more appropriate for you as Precinct Representative to present issues on their behalf given that the protocol for Community Forum meetings limits presentations 'for' and 'against' any matter to two persons.

Attached to this letter is a task list and timing estimates for the steps in the project. It is important to note that the steps and timing are based on those matters that are reasonably within the control of consultants and Council staff. Variations may occur due to other factors which can not be predicted. One of the factors may be that realisation of constraints to future land uses and zones in East Tahmoor may be negatively received by landowners resulting in complications to the project. Council staff give an undertaking to all landowners and all precinct representatives that all steps necessary and within the control and responsibilities of Council staff and Council's contractors shall be pursued with the aims of efficiency and accuracy and that steps taken will be in accordance with the relevant legislation, contracts and other professional responsibilities.

This letter is being forwarded to you as the Precinct Representative for East Tahmoor on the understanding that you will forward a copy to all precinct land holders.

Yours sincerely,



Peter Wright
Manager Strategic Planning

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 June 2011, commencing at 6.3#pm

Late Report

LATE REPORT

122/2011 **Resolved** on the motion of Crs M Banasik and B Banasik:

That the Late Report be dealt with.

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

Vote: Crs M Banasik, Vernon, Khan, B Banasik, Read, Landow and Beshara

PE7 **Project Progress for Planning Proposal for Picton Tahmoor Thirlmere New Urban Lands**
5023SPER TRIM 5587

123/2011 **Resolved** on the motion of Crs M Banasik and B Banasik:

1. That the Picton Tahmoor Thirlmere New Urban Lands project (together with specialist studies completed to date) be forwarded to the Minister as a Planning Proposal for gateway determination.
2. That, subject to the gateway determination in (1) above, Council support a change to the Picton Tahmoor Thirlmere New Urban Lands project which involves:
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 - provided this is the most efficient and legislatively correct manner in which to proceed.
3. That Council commit to progressing the Picton Tahmoor Thirlmere New Urban Lands project for all six precincts in a manner which is efficient, timely and legislatively correct at all times.

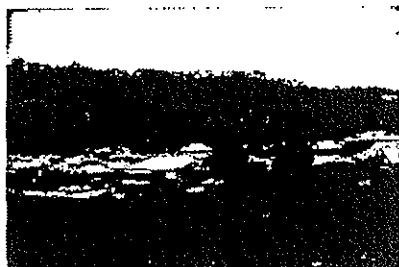
On being put to the meeting the motion was declared CARRIED.

Vote: Crs M Banasik, Vernon, Khan, B Banasik, Read, Landow and Beshara

The Manager Development Services left the meeting.

PICTON TAHMOOR THIRLMERE

Urban Area Implementation Strategy



PO Box 21 Picton NSW 2571
62-64 Menangle St Picton NSW 2571
DX: 26052 Picton Ph: 02 4677 1100 Fax: 02 4677 2339
Email: council@wollondilly.nsw.gov.au

Water Wilderness Way of Life www.wollondilly.nsw.gov.au

WOLLONDILLY SHIRE COUNCIL

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1.0 INTRODUCTION

Pickton Tahmoor Thirlmere (PTT) Urban Area Implementation Strategy is a guideline for Council and the community to:

- identify themes for future changes;
- recognise the potential constraints to future development;
- anticipate growth and development within the existing urban areas;
- acknowledge the merit in further investigation into the provision of new urban land;
- realise opportunities for improvements to the existing urban areas such as street enhancement, open space, civic precincts and historic and outstanding local features.

Council, the community and the development industry have a shared responsibility to achieve future changes that are consistent with this Implementation Strategy and have the ultimate objective of achieving improvements to the social, economic and environmental qualities of the PTT Urban area.

2.0 COUNCIL'S COMMITMENTS

Council has an ongoing commitment to achieving changes consistent with the PTT Implementation Strategy. Council's Strategic Framework that shall integrate with the Implementation Strategy includes:

- Social Plan
- Economic Development Strategy
- Open Space Strategy
- Towns and Villages Centres Study
- Design Guidelines
- Biodiversity Strategy
- Section 94 Plan
- Transport Study
- Heritage Study

Funded works projects listed in Council's Management Plan for 2005/6 – 2014/15 that integrate with the Implementation Strategy include:

- Tahmoor and Thirlmere Town Centre Revitalisations
- Acquisition and construction of new sports fields in Picton
- Stonequarry Creek Boardwalk
- Shared pathways
- Public space in town centres improvements

Council shall also have opportunities to make reference to the Implementation Strategy in scheduling future works and assessing development and rezoning proposals.

3.0 THEMES FOR FUTURE CHANGES

The PTT Urban Area Implementation Strategy lists the themes to guide future changes and major projects specific to the PTT Urban Area. Both the themes for change and the major projects have been developed through the Wollondilly Vision 2025, PTT Local Environmental Study (PTT LES), PTT 'Masterplanning' concepts and consultation with the community and other government agencies.

3.1 Theme 1: Constraints to future development

What are the constraints to future development?

Within the PTT study area the following constraints have been identified on a broad scale as potential limitations to future development:

- native vegetation;
- habitat for native flora and fauna including threatened species, populations and communities;
- riparian and flood affected lands;
- water quality and air quality;
- salinity
- significant landscape features (including ridgelines, gorges, open space and non-urban lands);
- natural topography;
- natural resources;
- mine subsidence;
- viable agricultural lands;
- efficient, timely and reliable extension and augmentation of public utilities infrastructure;
- management of traffic and transport;
- choice of transport options;
- accessibility of services and facilities;
- accessibility of modes of transport and provision of services and facilities;
- integration with existing infrastructure and land uses;
- protection and integration of heritage items and landscapes;
- cultural and social settings;
- economic sustainability;
- social sustainability;
- environmental sustainability including solar access and opportunities for maximising energy and resource efficiency;

The constraints listed above are also recognised in the Wollondilly Vision 2025 and the draft PTT Rural Lands Study. The recognition of constraints is a vital and fundamental first step in consideration of any future change. Furthermore constraints are not to be viewed only from an anthropocentric perspective nor confined in their interpretation at a local level.

Implementation: How are the constraints to future development to be recognised and factored into the planning process?

The recognition of constraints is a vital and fundamental first step in assessing change to ensure that it is compatible with the environmental, social and economic settings of the past, present and future. It is fundamental for best practice planning. Councils are duty-bound to consider it under legislation including the *Local Government Act, 1993* and the *Environmental Planning and Assessment Act, 1979* and associated Regulations in all aspects of Council functions and decisions. Therefore constraints recognition and management will underpin all changes in the PTT Urban area for which Council is responsible and / or has control.

3.2 Theme 2: Distinction between urban and non-urban lands**What is the distinction between urban and non-urban lands?**

A distinction has been made between the urban and non-urban lands within the PTT Study area. The PTT Urban Lands are:

- existing residential, commercial and industrial zoned land; and
- land identified for 'new urban precincts'; and
- land nominated for 'future urban investigation'.

These areas are indicated in the map shown in Figure 1.

The 'new urban precincts' and 'future urban investigation' areas have no legislative status at present. The areas have been nominated as a result of the PTT Local Environmental Study (PTT LES) and community consultation processes.

How is the distinction between urban and non-urban lands to be implemented?

The themes for separation of towns and defining town edges are set in Wollondilly Vision 2025 and have been reiterated in community consultations for PTT Rural and Urban areas. The distinction has been continued in separate draft strategies for PTT Urban Lands and PTT Rural Lands. Council's Strategic Framework may also refine and enhance the distinction and opportunities for clarifying and defining the character of urban and non-urban areas and the role these land uses have in the function of the PTT area.

3.3 Theme 3: New urban precincts**What is a new urban precinct?**

New urban precincts have been identified in the PTT LES and in the 'Strategic Vision' map on display during public exhibition and consultation during 2003. The locations of new urban precincts are indicated in Figure 1.

New urban precincts have been identified based on criteria in the PTT LES including:

- a low to medium growth scenario for future population increases;
- potentially efficient and reliable extension of utilities and infrastructure with minimal environmental impacts;
- defined edges to towns and separation between urban and non-urban areas;
- consolidation and limitations to urban land development for maximising accessibility and the efficient use of land, resources and infrastructure;
- accommodating new development within constraints (see Theme 1: Constraints to development).

New urban precincts are anticipated to provide new residential land and associated land uses including roads, footpaths and open space. New urban precincts are to adopt design elements that integrate these areas with the existing landscape and surrounding neighbourhoods.

How are new urban precincts to be implemented?

New urban precincts require detailed investigation as to their suitability and capacity for providing new urban land (the majority of which is expected to be for residential use). The investigation process is to take the form of a Local Environmental Study (LES). It is envisaged that there shall be one LES for each 'new urban precinct'. Council will coordinate and manage the LES process. Matters for investigation and consideration will be common to each LES in order to standardise the process.

The new urban precincts are defined by cadastre (lot) boundaries. All affected landowners within each precinct are strongly encouraged to participate in, and contribute to, the LES in a manner to be resolved between the landowners. Council will not accept an LES that addresses only part of a precinct. In cases where a complete consensus can not be reached between all landowners within a precinct then Council may facilitate landowner participation subject to evaluation of the circumstances of the case.

Requests for rezoning of a new urban precinct are to be submitted in writing to Council on behalf of the collective group of land owners. Council will then consider each request in accordance with Section 54 to the Environmental Planning and Assessment Act, 1979.

In its coordinating and managing role Council will:

- establish the parameters and principles to be addressed in an LES encompassing matters raised by other government agencies and matters which may be specific to a precinct;
- liaise with nominated representatives responsible for the preparation and submission of an LES (the nominated representatives will be responsible for conveying information to all land owners contributing to the LES);
- negotiate to final preparation of planning agreements (if applicable);
- ensure LES's for each new urban precinct are consistent in the standard of response to set requirements;
- manage and coordinate amendments to Wollondilly Local Environmental Plan, 1991 as may arise from the recommendations of LES's and Council's subsequent determination of applications for rezoning;
- prepare precinct-specific Design Guidelines and / or Development Control Plans if necessary to ensure that issues identified at LES stage are followed through with future development.

A preliminary list of matters to be examined as part of any LES for each new urban precinct is included in Appendix 1 to this document.

Preparation of LES's may commence in accordance with the list of matters in Appendix 1 after Council has made a resolution to prepare a Draft Local Environmental Plan. However, it is important to note that an LES will not be considered complete for submission to Council until all listed matters have been addressed in full and this includes a determination of the ability to provide new urban precincts with reticulated water, sewerage, electricity and telephone services.

3.4 Theme 4: Future urban investigation precincts

What is a future urban investigation precinct?

'Future urban investigation precincts' are shown in Figure 1 as being located east and south of Thirlmere.

Future urban investigation precincts are areas of land mentioned in the PTT LES. This land may have remote potential for additional lots subject to further investigation at such time as urban development and population growth exceeds the supply of dwellings created from continued consolidation and the 'new urban precincts' (see Theme 3).

How are future urban investigation precincts to be implemented?

The time frame for further examination of these areas exceeds the scope of the Wollondilly Vision 2025 and the scope of a comprehensive LEP. Therefore no further planning resources are to be dedicated to these areas at present.

3.5 Theme 5: Medium density precincts and residential precincts

What are medium density and residential precincts?

Areas nominated as medium density residential precincts correspond with the areas in the Appendices to Development Control Plan No.50 – Residential Development (DCP 50). Residential precincts in the PTT Urban Lands Implementation Strategy correspond with existing residential zoned land.

How are medium density and residential precincts to be implemented?

There is capacity within existing residential areas for creation of new lots and construction of additional dwellings through subdivision and multiple dwelling developments as currently permissible with DCP 50. No new planning instruments are required for implementation of this theme.

3.6 Theme 6: Consolidation and definition of commercial precincts and identification of potential future commercial land**What is it?**

Commercial precincts for the PTT Urban Lands Study area are the existing 'commercial' zoned land. Consolidation and definition of commercial precincts is the intensification of the use of existing commercial sites. 'Future commercial land' has been indicated on maps supporting the Wollondilly Vision 2025 located on the northern side of Larkin Street between York Street and Tahmoor Railway Station.

How is it to be implemented?

Commercial land is defined by land use zoning and development controls. Commercial premises are permitted only within commercial-zoned land or on industrial zoned land where ancillary to industrial uses.

The consolidation of commercial land can be achieved to a very limited extent through the provisions of current planning instruments being Development Control Plan No.8 – Tahmoor Commercial and Development Control Plan No.27 – Picton Commercial Area. Both these plans are outdated and inappropriate. There is no development control plan specific to commercial development in Thirlmere. There is a need for a new planning instrument for the town centres of Picton, Tahmoor and Thirlmere and this will be developed from the Towns and Villages Centres Study.

The Concept Sketches in Figure 3a include a concept sketch for consolidation of a commercial precinct. The sketch shows infill development at a higher density balanced with improvements to footpaths, traffic management, enhanced landscaping within the public street and improved pedestrian amenity with awnings to continuous shop fronts.

3.7 Theme 7: Consolidation of civic precincts**What is consolidation of civic precincts?**

'Civic' land uses are those with a significant role in the welfare and wellbeing of the community. Civic places include:

- government buildings (such as public administration buildings, libraries and community halls);
- public open space (such as pedestrian plazas, promenades and malls, areas for public art, displays and performances, parks, gardens and playing fields); and
- public schools and churches.

The advantages of consolidating civic buildings and places include:

- an easily recognisable focal point within a town;
- concentration of community services and facilities for convenience of access and reduced demand for travel;
- improved opportunities for social interaction;
- familiar meeting places and landmarks;
- increased potential for sharing of facilities and space such as multiple government services in one venue, shared car parking and open spaces.

A multiuse civic precinct with community buildings and public spaces is illustrated in the Concept Sketches in Figure 3a.

How is consolidation of civic precincts to be implemented?

Currently civic land uses are scattered throughout each town. Opportunities exist for:

- consolidation of emergency services (Rural Fire Service, Ambulance, Police and Fire Brigade);
- integration of Council owned and operated buildings with library, Shire Hall and Administration Building in one location and Council depot, pound and community nursery in separate locations;
- pedestrian mall, plaza or promenade;
- public entertainment space for public performance, community art, outdoor civic functions and the like;
- consolidated, multi-functional civic areas;
- creating networks for public places.

Consolidation of civic places and uses is dependent upon land ownership and agreement between land users. It can be encouraged (but not controlled or directed) through a planning instrument. The opportunities for improved consolidation of civic places can be incorporated in place-specific Plans relating to town and village centres. As Council is a major provider of civic places the consolidation of such land uses should be a matter for consideration in future Management Plans and shall be evaluated with Council's Strategic Framework.

3.8 Theme 8: Enhancement and development of Historic / Tourism precincts

What is an Historic / Tourism precinct?

PTT documents to date identify the opportunity for encouraging historic / tourism related development in:

- Picton surrounding the Picton Railway Station and including the Picton Urban Conservation Area;
- Thirlmere surrounding the Thirlmere Railway Museum.

The Thirlmere and Picton Urban Conservation Areas as currently defined in Wollondilly Local Environmental Plan, 1991 are indicated in Figure 2.

How are Historic / Tourism precincts to be implemented?

The potential for development of historic / tourism precincts may be detailed in place-specific Plans and Design Guidelines. Council's Strategic Framework may also include references to the potential for historic / tourism precincts within the PTT Urban area.

Figure 3a includes a Concept Sketch for a redevelopment scenario for the Historic Precinct in the vicinity of Picton Urban Conservation Area. Redevelopment opportunities include improvements for vehicle and pedestrian movement, outdoor eating, information and directional signage and new development compatible with heritage design elements.

3.9 Theme 9: New roads and streets, open space, parks and recreation and other public facilities and public utilities**What is it?**

These items are self-explanatory and are associated both with the rezoning and redevelopment of land as well as works to improve the existing PTT Urban areas.

How is it to be implemented?

Public infrastructure is to be provided for any new development or redevelopment of land in accordance with:

- the findings of any LES;
- the provisions of a Section 94 Contributions Plan;
- the conditions of any development consent where public works are required in conjunction with a development that creates extra demand for such works;
- as may be arranged by planning agreements between developers and State agencies and Council;
- Council public works programs and public works programs by other government agencies.

3.10 Theme 10: Town signature gateways, town nodes and street enhancement programs**What is it?**

Gateways are landmarks that define a main public entry or exit for a locality. They may be artificial including:

- structures (such as recognisable buildings and bridges)
- icons (statues, monuments)
- signs.
- Gateways may also be natural features including;
- landscaping;
- watercourses;
- mountains, hills, gorges and other notable topographic features.

Gateways do not always have to be prominent but may be changes in the scenery perceived as a transition from one type of place to another.

Town Nodes are focal points within towns and are typically a site for concentration of activities such as meeting points, civic precincts (see Theme 7), multi use open space areas or major intersections.

Street Enhancement Programs are typically public works programs or joint ventures with public agencies and private land owners for improvements to streets and can include road widening or narrowing, landscaping, street furniture, road closures and traffic management devices. Concept sketches of suggested gateways, town nodes and street enhancement scenarios are included in Figure 3b.

How is it to be implemented?

The PTT themes have identified a series of suggested locations for gateways to define the edges of each town along main roads. These are indicated in Figure 2.

The 'opportunities' sketches for suggested future development scenarios in the PTT maps indicate 'gateways' as artistic signs on the roadside (see Figure 3b). To implement a gateway program of this type would require a Council Works Project for the manufacture, erection and maintenance of the structures. No project has been listed in the Wollondilly Management Plan 2005/6 to 2014/15 for gateways.

As stated above, gateways do not necessarily need to be prominent structures. They may be a change in the scenery. This can be achieved through establishing a 'town edge' by:

- edge streets with a design theme (such as street tree planting, kerb and gutter and sealed road shoulder or street signage or pavement which is different to standard forms);
- a change in the character, density and scale of development which can be perceived in the streetscape;
- recognition of existing features as the 'town edge' (such as Tahmoor Sportsground in Thirlmere Way and the stonewall and signage north of Picton on Remembrance Driveway).

Such changes can be progressively established with Design Guidelines and place-specific Development Control Plans as well as on-going public works projects such as road upgrading and road reserve landscaping. The progressive development of land under the separate strategies for PTT Urban and PTT Rural Land are expected to reinforce the difference between the urban and non urban lands. Town edges may evolve over time provided development is consistent with the intent of the PTT Urban and PTT Rural Lands strategies and Wollondilly Vision 2025.

Similarly the development of town nodes and street enhancement programs can be identified in Design Guidelines, place-specific development control plans and on-going public works projects. Council's Management Plan 2005/6-2014/15 identifies town centre revitalisation projects, creation and enhancement of commercial centre public spaces, street enhancement and intersection upgrade projects within the PTT Urban area.

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APPENDIX 1.

Preliminary list of matters to be examined in a Local Environmental Study for a new urban precinct. This list is not exhaustive and does not include additional matters that may be identified by other government agencies and matters generated by broad strategies for:

- Social plan
- economic development;
- open space;
- biodiversity;
- design guidelines;
- transport plan;
- Section 94 Contributions Plans;
- Heritage strategy.

Site Analysis and Description:

- current and historic land use within the site
- surrounding land uses
- existing improvements within the site (buildings, dams and the like)
- topography
- flora and fauna - general
- watercourses and drainage (both natural and artificial)
- ground water
- soils and geology
- contamination assessment (where necessary)
- salinity assessment
- landscape and visual analysis

State and Commonwealth legislation:

- Environmental Planning and Assessment Act, 1979
- Environmental Planning and Assessment Regulation, 2000
- Heritage Act, 1977
- National Parks and Wildlife Act, 1974
- Threatened Species Conservation Act, 1995
- Environmental Protection and Biodiversity Conservation Act, 1999
- Australian Heritage Council Act, 2003
- All relevant State Environmental Planning Policies
- All relevant Regional Environmental Planning Policies
- All relevant Local Environmental Plans and draft Local Environmental Plans
- All relevant Development Control Plans and draft Development Control Plans
- All relevant policies and strategies
- Previous Council studies and reports

Consultation with State Government

Suitable written evidence is to be submitted demonstrating consultation with:

- Department of Infrastructure, Planning and Natural Resources (and Department of Lands)
- Department of Environment and Conservation
- NSW Rural Fire Service
- Sydney Catchment Authority
- Sydney Water
- Utilities companies (Integral Energy, AGL and Telstra)
- Department of Mineral Resources
- Mines Subsidence Board
- NSW Heritage Office
- Local Aboriginal Land Councils
- Roads and Traffic Authority
- Department of Transport
- Department of Business and Regional Development
- NSW Fisheries
- Department of Primary Industries
- NSW Farmers Association
- Rural Lands Protection Board
- Catchment Management Authorities
- Others as may be considered relevant

All issues raised by government agencies in the consultation process must be addressed in the Local Environmental Study

Ecological Assessment:

- flora and fauna assessment
- inventory of flora, fauna and habitats and identification of protected species, communities or habitats of such
- koala habitat
- movement and dispersal links
- habitat management
- weed assessment and management program
- water quality assessment and management program
- threats and impact assessment

Heritage and Archaeological Assessment:

- Aboriginal archaeological and cultural significance assessment
- European heritage assessment

Land Capability Assessment:

- Landform and topography
- Geology and soils
- Hydrology
- Climate analysis
- Landscape character and visual analysis
- Contamination
- Mineral resources (including the potential for coal mining and subsidence impacts)
- Agricultural land classification and land capability for agriculture
- Rural land use impacts and potential mitigation measures
- Bushfire Hazard assessment and management plan

Services and Infrastructure:

- existing utilities, services and infrastructure
 - confirmation of the capacity for extension of services compatible with the proposed future use and the reliability and efficiency of such extensions (triple-bottom line assessment of economic, social and environmental impacts)
 - water treatment and reticulation and opportunities for efficient use and re-use
 - reticulated sewerage system
 - stormwater management and integration with the existing constructed and / or natural drainage system
 - solid waste disposal and opportunities for recycling of household waste
 - vehicular traffic management, integration with the existing road network and any requirements for upgrading or improving the road network
-
- provisions for transport alternatives to reduce dependency on private motor vehicles
 - open space requirements and opportunities for the creation of areas suitable for passive and active use areas and natural areas
 - community facilities and human services
 - electricity, gas, telecommunications

Social and Economic impacts:

- an assessment of the potential demand for various land uses within and adjoining the study area (including residential, commercial, industrial and rural lands)
- socio-economic impact assessment of the proposed development on surrounding areas at neighbourhood, locality and regional scales
- costs and benefits of the provision of open space areas
- costs and benefits of the provision of infrastructure
- costs and benefits to local and regional social services
- impacts on adjoining and surrounding lands and land uses at neighbourhood, locality and regional scales

Development Scenarios demonstrating opportunities to maximise sustainability and efficiency in construction and operation:

- recommended land use zoning provisions
- recommended development controls and guidelines including density, lot size and lot layout, layout of open space and environmental protection areas, buffer areas and their particular management requirements
- recommended design guidelines for new development including buildings and their ancillary features, landscaping, open space and infrastructure
- An assessment of the ability of the study area to accommodate and support the proposed land uses and the ability of the developed study area to be integrated with the neighbourhood, locality and region
- The costs and benefits to Council and other government agencies in terms of the provision of infrastructure and facilities and the lifecycle management requirements of public infrastructure and facilities (including landscaping of public space)
- Comparison of development scenarios (including a 'do nothing' scenario) and an examination of the relative impacts of these scenarios at neighbourhood, local and regional scales

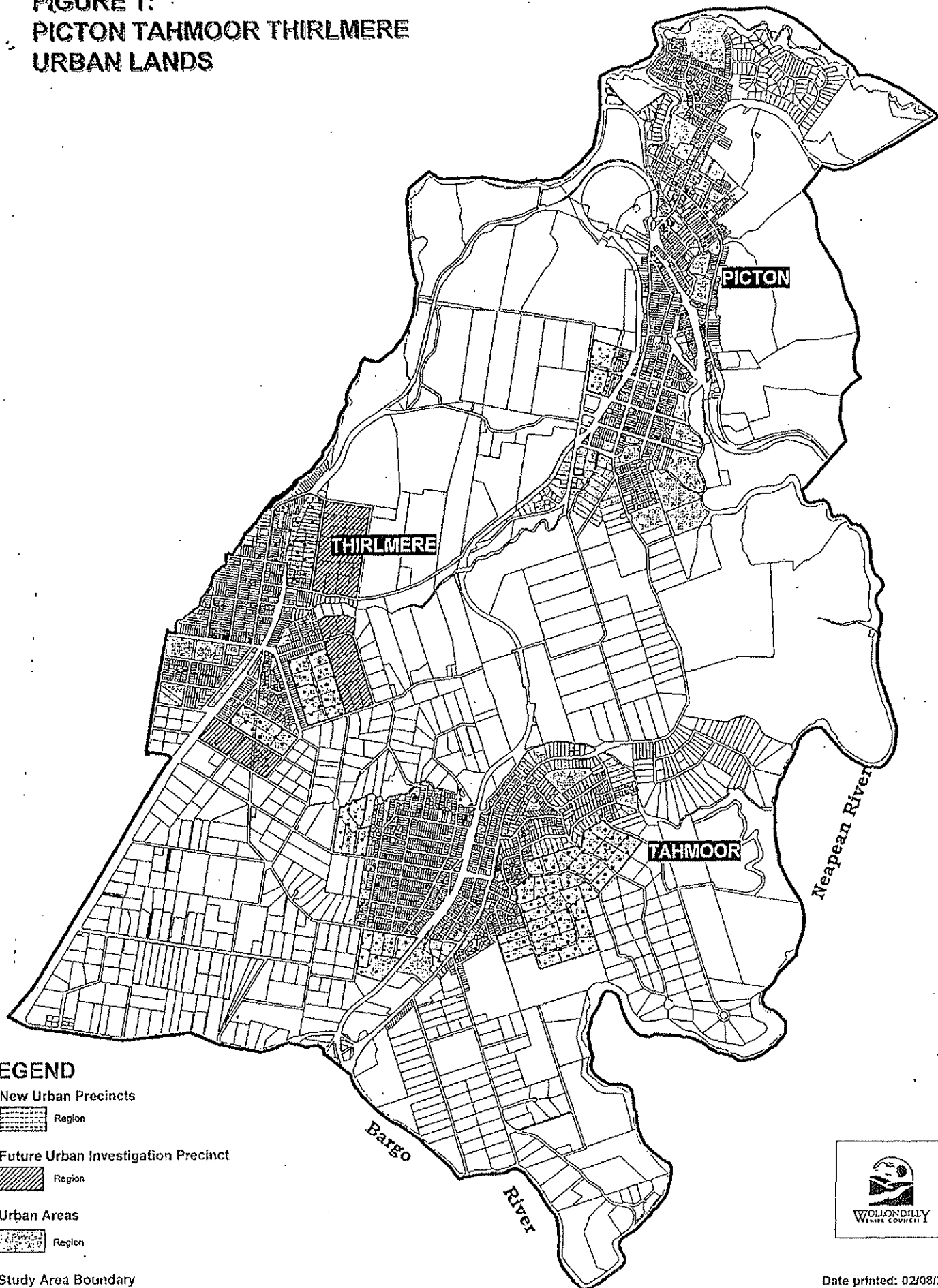
Demonstrated consistency with Council's Strategic Plans including:

- economic development;
- open space;
- biodiversity;
- design guidelines;
- transport study;
- Section 94 Contributions Plans.

Study Output

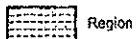
Recommendations for a preferred development scenario for the study area including zone, lot sizes, subdivision layouts, location and role of open space, infrastructure provisions, development controls and design guidelines and any staging of works and proposed time frames for staging.

FIGURE 1:
PICTON TAHMOOR THIRLMERE
URBAN LANDS



LEGEND

New Urban Precincts



Region

Future Urban Investigation Precinct



Region

Urban Areas



Region

Study Area Boundary

Picton Tahmoor Thirlmere



Region



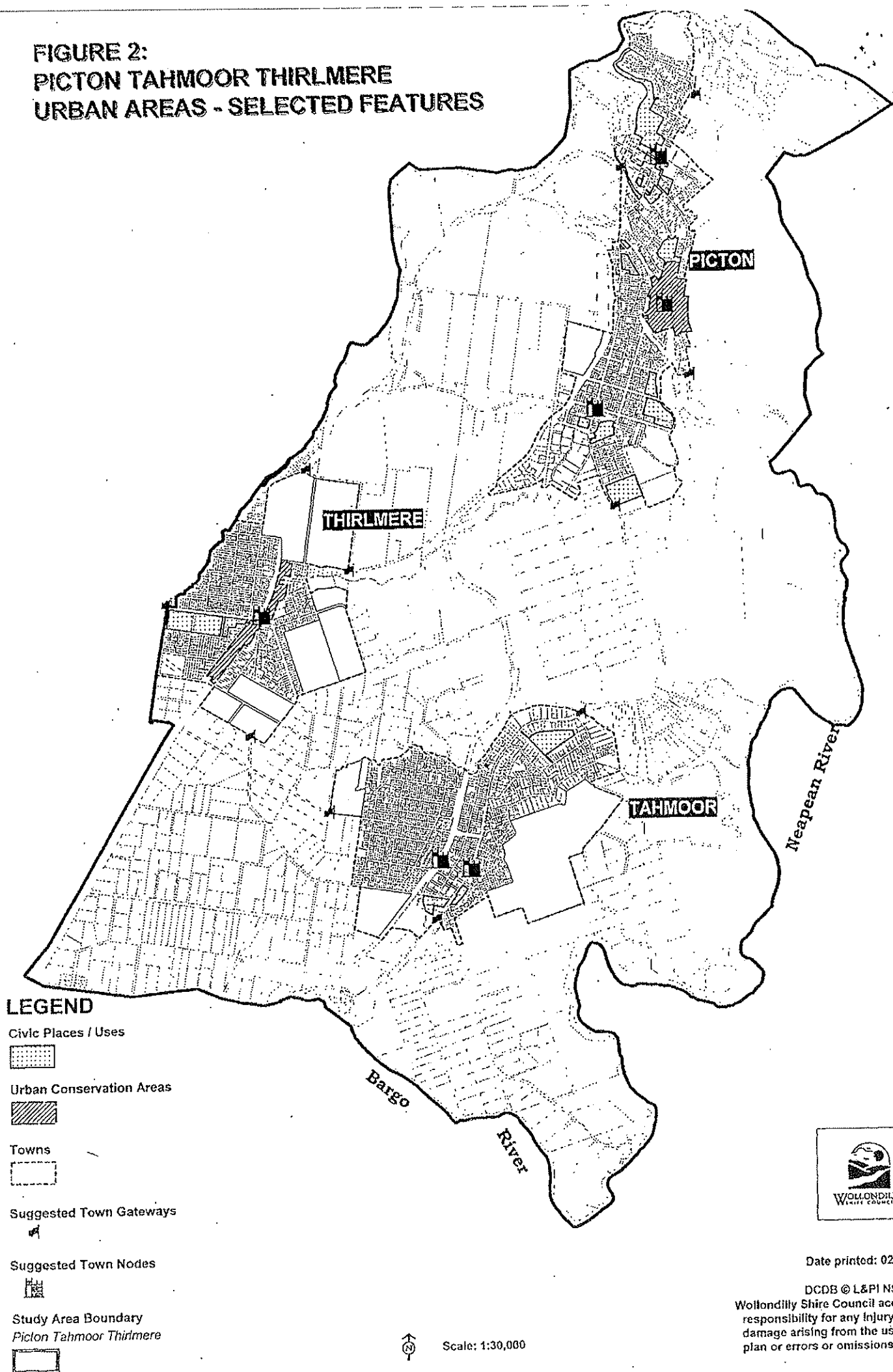
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**FIGURE 2:
PICKTON TAHMOOR THIRLMERE
URBAN AREAS - SELECTED FEATURES**



Commercial Precinct

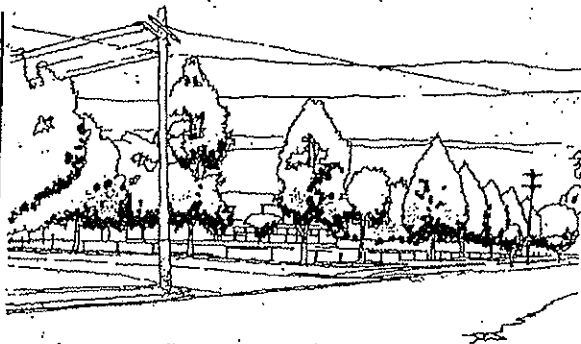


Before

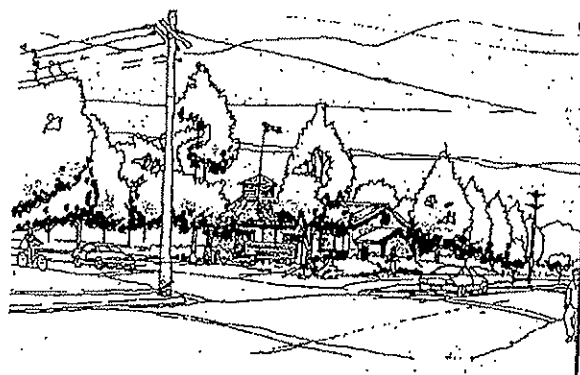


After

Existing Civic Precinct

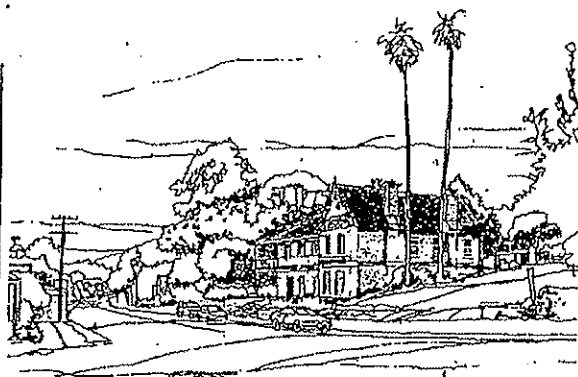


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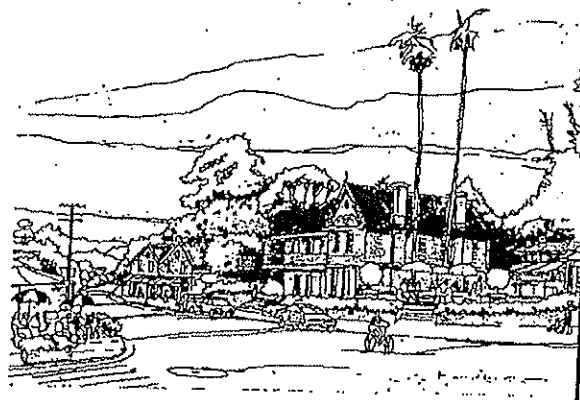


After

Historic/Tourism Precinct



Before



After

Figure 3a: Picton Tahmoor Thirlmere Urban Lands
Concept Sketches

Prepared For Wollondilly Shire Council
By
Humphrey & Edwards Architects
Urban Design & Planning Consultants



Town Signature Gateway



Before

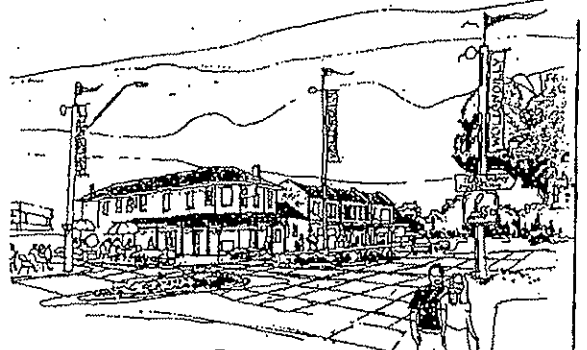


After

Town Node

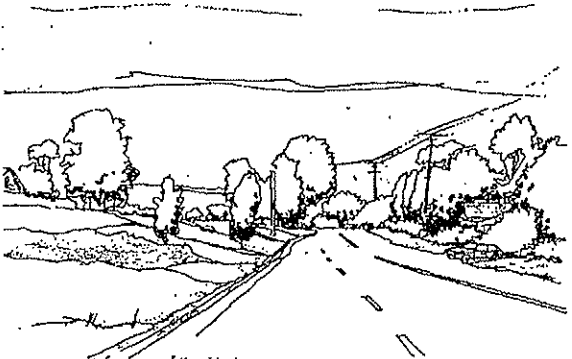


Before

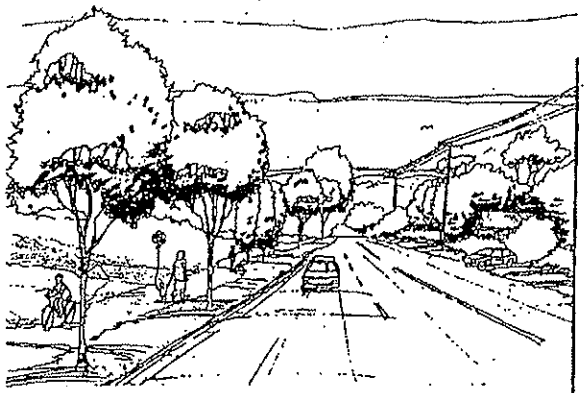


After

Street Enhancement



Before



After

Figure 3b: Picton Tahmoor Thirlmere Urban Lands
Concept Sketches

Prepared For Wollondilly Shire Council
By
Humphrey & Edwards Architects
Urban Design & Planning Consultants



