

Table 5 – Assessment Criteria of the GMS relevant to the Planning Proposal

Criteria	Comment specific to Planning Proposal
Part 1 – Generic Assessment Criteria	All Planning Proposals must meet all Part 1 criteria
NSW State Plan, Metropolitan Strategy and Sub-regional Strategy	Reasonably consistent - See above
State Planning Policies	See LES
Ministerial Directions	See LES
LEP framework	Zones and provisions are consistent with WLEP 2011. Maps are to be amended as recommended and supported by specialist studies. Clause 6.1 is to be amended to include the land as an “Urban release area”
Key Policy Directions in the GMS	
General Policies	
P1 – All land use proposals need to be consistent with the Key Policy Directions and Assessment Criteria contained in this GMS in order to be supported by Council	See below
P2 – All land use proposals need to be compatible with the concept and vision of “Rural Living”	See checklist in Table 6 below. For those elements which can be determined at this time the Planning Proposal is reasonably compatible with the elements of rural living
P3 – All Council decisions on land use proposals shall consider the outcomes of community engagement	Initial notification has been considered by Council and deemed appropriate for the project to proceed to the preparation of an LES. Further community engagement is proposed to be undertaken as a 28 day public exhibition and any additional engagement strategies as may be directed by the Gateway process
P4 – The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals	This matter will be reinforced when the proposal is reported back to the Council post-exhibition
P5 – Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.)	The proposal is consistent with the growth planned for in the GMS and shall be compatible with the capacity of the PTT locality to accommodate additional residential lots and new households
Housing Policies	
P6 – Council will plan for adequate housing to accommodate the Shire’s natural growth forecast	The housing potentially created from the proposal has been factored in to the projections for new dwellings listed in the Housing Target Distribution Table to 2036 (see Section 5.3 to the GMS)
P7 – A high growth or accelerated growth	The future development of the precincts

scenario is not being pursued. The extra dwellings needed for the Shire's growth therefore are not intended to accommodate the urban expansion of the Sydney Metropolitan Area. (It is acknowledged that Wollondilly will continue to accommodate migration from Sydney, however this is distinct from actually accommodating the spread of the Sydney urban footprint)	for new housing will not contribute to a high or accelerated growth scenario
P8 – Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing needs of its different community members and household types	The proposal has the potential to create mostly single detached dwellings. However, the Lot Size Map is intended to control the density of future development and create opportunities for a wide variety of lot sizes which shall reflect the specific features of each allotment and precinct. Some lot sizes have the potential to be significantly smaller than the traditional lot sizes created in the locality for single detached dwellings and will therefore contribute to some form of housing variety. Smaller lots may have some impact on housing affordability by adding smaller housing types to the local market
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")	Larger lot sizes are proposed for some edge of town areas to accommodate natural assets and to define the rural-urban interface
P10 – Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages	All precincts are located adjacent to existing towns and villages
Integrating Growth with Infrastructure	
P17 – Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community	Infrastructure and service provision are investigated in detail in the LES. Most infrastructure and services can be delivered in a timely manner subject to direct transactions with the service and utility providers and through development contributions. There is one significant limiting factor being the provision of reticulated sewer which is dependent upon Sydney Water gaining approval for modification of the existing mapped servicing boundary for the Picton Sewage Treatment Plant (Sydney Water recently advised this would be submitted to the Department in September 2011). This matter is the subject of ongoing communication between Council and Sydney Water and the Department of Planning and Infrastructure.
P18 – Council will encourage sustainable growth which supports our existing towns	The proposal has the potential to achieve this principle

and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating on 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	The proposal has the potential to achieve this principle
P20 – The focus for population growth will be in two key growth centres, being the Picton / Tahmoor / Thirlmere Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns	The proposal complies
Rural and Resource Lands	
P21 – Council acknowledges and will seek to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes	The proposal includes provisions to protect watercourses with riparian buffers and habitat for ecologically significant species and communities There are several items recommended for further investigation as to their potential merit for protection in the LEP
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	Not applicable
Precinct Planning	The Planning Proposal is based on multiple precincts to potentially achieve the efficient and cost effective provision of infrastructure with reduced environmental impacts
Community Strategic Plan	See above
Overall objective – the Proposal needs to include statements explaining: - what is planned to be achieved by the proposal - why a Planning Proposal is the mechanism necessary to achieve the objectives	See Part 3 above
Strategic Context	The Planning Proposal is consistent with a series of strategies and resolutions made by Council as well as being consistent with strategies and targets for the South West subregion and the Metropolitan Plan
Net Community Benefit	See Part 3 above
Summary of Likely Impacts to: - the environment - the community (existing and potential new members) - the economy	These details are investigated in the LES

And how are impacts proposed to be avoided, mitigated, managed or rehabilitated?	
Infrastructure and Services Identify the type, capacity and quality / reliability of infrastructure and services: (i) currently available (ii) scheduled to be available (must be confirmed in writing from service provider) (iii) needed to be available to support the proposal when operational	These details are investigated in the LES
Supply and Demand Analysis Analysis of land supply and demand at both local and regional scales. The analysis must be prepared by a suitably qualified and experienced analyst and shall include independently verifiable references and sources of data used to prepare a report. The report shall include short term and long term market analysis, rental availability, vacancy rates, duration of sales periods and population changes	These details are investigated in the LES
Site suitability / attributes Demonstrate using independently verifiable evidence that the site selected is the best available site to accommodate the proposed use in a local and regional context. Reasons may include, but not be limited to; consolidated site area, access advantages, utilities and other infrastructure available, fewer constraints, potential for linkages and integration with other land uses to a mutually beneficial outcome	These details are investigated in the LES
Preserving Rural Land and Character	
Character and Setting A proposal must demonstrate how it will contribute to maintaining rural character, including how it will be consistent with the definition of Rural Living contained in this GMS	See Table 6 below. Design details are intended to be included in a future DCP with particular emphasis on enhancing the rural-urban interface
Visual Attributes A proposal must create or maintain visual catchment boundaries which define the rural-urban interface A proposal must maintain rural landscape character A proposal must ensure future development is located and able to be designed so as not to impact on visually sensitive ridgelines or areas of topographical or visual significance or significant view corridors A proposal must ensure that it will have	Design details are intended to be included in a future DCP. No significant view corridors nor ridgelines have been identified for special protection. Riparian buffer zones are to be included in the proposal and amendments to the Natural Resources – Water Maps to the LEP

minimal impact on riverine scenic quality	
Rural and Resource Lands	
Where relevant, proposals should include an assessment of the potential viability of agricultural use of the land in accordance with recognised guidelines (such as the Department of Agriculture Site Suitability Assessments)	This matter is investigated in the LES
This assessment needs to demonstrate that the site can not reasonably be considered suitable as a viable agricultural holding (neither presently nor in the future) Proposals need to demonstrate that the future use of the land as proposed will not eliminate or restrict opportunities for continued or new agricultural uses on adjoining and nearby land	This matter is investigated in the LES
Environmental Sustainability	
Protection and Conservation Proposals should demonstrate how future development shall allow for the protection of threatened species, populations or ecological communities and their habitats Proposals should not require the removal of significant tracts of remnant vegetation and should enable the retention and conservation of environmentally significant land and riparian lands The protection, rehabilitation and management of environmentally significant lands and riparian lands should not negatively impact on the ownership, care, control and management responsibilities of Council in the short or long term	Areas containing natural assets worthy of protection and management have been identified. The existing provisions of the LEP are intended to be applied to these areas and they shall be identified with amendments to the Natural Resources – Biodiversity and Natural Resources – Water maps to the LEP. Additional land management provisions are proposed to be included in a future DCP to ensure appropriate long term maintenance of these natural features within private land ownership
Water Quality and Quantity Proposals should provide buffer zones to protect watercourses and provide riparian lands setbacks Proposals must demonstrate future development will protect groundwater resources and groundwater dependent ecosystems Proposals should include statements outlining: - demand for water to the site - commitments to collect water on site - commitments to reuse water on site - production of wastewater and its treatment and disposal methods Proposals must not lead to proliferation of basic Landholder Rights along the frontage of waterways or over any	Riparian buffer zones have been identified and shall be included in amendments to the Natural Resources – Water Maps to the LEP No groundwater dependent ecosystems have been identified as being threatened nor detrimentally affected by the proposals Water demand, capture, reuse and disposal of wastewater are expected to be addressed through future development assessment processes which includes the provisions of the BASIX SEPP.

vulnerable aquifers	
Flood Hazard Proposals must demonstrate that the land to be developed is located outside of an area potentially affected by flooding in the event of a 1% AEP event or is on land where flood hazard can be managed and mitigated to acceptable standards	None of the land within the precincts has been identified as flood prone land subject to implementation of measures to manage stormwater as detailed in the LES
Geotechnical Resources / Subsidence Land to be developed must not be located in an area of low to medium risk of slope instability Planning Proposals should not sterilise access to coal resources or access to existing infrastructure associated with approved mining uses and this must be verified in writing from the appropriate government authority Planning Proposals should indicate whether the land is located outside of a Mine Subsidence area or whether coal resources have been extracted and the impacts of subsidence completed	No land within the precincts has been identified as having medium to high risk of slope instability The Mine Subsidence Board has informed Council that underground mining and associated subsidence impacts are likely to have been completed for all precincts within the timeframe prior to the commencement of construction on any new lots with the exception of the West Picton precinct.
Buffers and Spatial Separation Adequate buffers shall be provided within the site to achieve separation between the proposed uses and any adjacent incompatible development as required Proposals should provide buffer zones to protect watercourses and provide riparian lands setbacks as required	Riparian buffers are to be created (see comments above). Buffers are intended to be created to ensure future development within the East Tahmoor precinct is compatible with the adjoining poultry processing facility and poultry sheds – further details are currently being investigated.
Bushfire Hazard Where the site is identified as Bush Fire Prone Land in Council's records, the planning proposal should be able to provide appropriate protection and evacuation measures including Asset Protection Zones and perimeter roads to avoid risk to human life All bush fire hazard reduction measures and Asset Protection Zones shall be contained within the site Asset Protection Zones and other measures for bush fire hazard management must be located outside areas identified as environmentally sensitive land including habitat and riparian areas to mitigate the impact on ecological functioning	A Bushfire Protection Assessment has been completed with the LES. The recommendations of this Assessment shall be incorporated into a future DCP to ensure that future development is also compatible with the criteria of the GMS
Heritage Proposals must demonstrate no detrimental impacts to any item or place of Aboriginal or archaeological significance or on any heritage item or heritage conservation area	Three dwellings and one built item have been recommended for further investigation as part of the preparation of the DCP or at development application stage.
Resource Sustainability	These factors are required to be

Proposals should demonstrate commitment to maximising opportunities for energy efficiency, water recycling and reuse and waste minimisation	addressed in a future DCP and also in the development assessment / construction certificate assessment process.
Infrastructure	
Proposals for urban land uses shall demonstrate a commitment to the minimum provision (where appropriate) of: - electricity - reticulated water - reticulated sewer - telephone services - optic fibre - public roads integrated with the existing public road network - kerb and gutter and stormwater management infrastructure - footpaths suitable for pedestrian use - shared pathways compatible with an adopted Council strategy - street lighting to Australian Standards - public open space in accordance with best practice design guidelines and adopted strategies - bus stops - street trees - contributions towards community services and facilities as may be required by an adopted strategy and works schedules	Provisions shall be made for: - electricity, reticulated water and sewer and telephone services are to be directly negotiated between a developer and provider (subject to Sydney Water gaining separate approval for the modification of the servicing boundary for the Picton Sewage treatment plant) - new public roads and road reserves (including footpaths and shared pathways and stormwater management works and street lighting and planting, bus stops) are to be constructed by a future developer in accordance with design criteria specified by Council - no new public open space areas are considered necessary to be provided within the precincts. However, additional design effort is to be dedicated to new public road reserves. Details to be included in a future DCP - developer contributions are to be in accordance with Council's adopted Plan with additional provisions to be determined for specific road and intersection upgrades as detailed in the LES
Transport, Roads and Access Proposals must demonstrate (where possible) a commitment to improving access and movement opportunities to and through the site by means other than private cars Proposals must demonstrate a commitment to ensuring the local road network is capable of catering for future development in terms of road capacity, traffic management and safety Proposals shall allow for the acquisition, dedication and / or construction of future local or regional road links as identified in state or local environmental planning instruments Proposals should minimise new vehicle access points to a major regional or arterial road	Details are included in the Transport and Traffic Study supporting the LES
Open Space Proposals should identify opportunities	No new areas of public open space are considered necessary. Contributions

within the site for creating a variety of types of public open space and / or improving the quality of open space in the locality Provision and design standards for public open space shall be demonstrated to be consistent with best practice guidelines and adopted strategies and plans Proposals should include provision of access connections to existing or planned shared pathways	towards public open space shall be made in accordance with the Council's adopted Contributions Plan. Additional effort is to be dedicated to the design and construction of public spaces created as part of the new public road reserves within the precincts
Part 3 Residential Lands	Planning Proposals for residential lands are required to meet all applicable assessment criteria in Part 3
Location / Area / Type Planning proposals should be consistent with land identified under the relevant LEP or the GMS for rural-residential, medium density development or town edge development The planning proposal shall demonstrate how the new site will be integrated with adjacent lands and provide opportunity for effective links to other land uses (particularly town and village centres and public open spaces) and make efficient use of existing and / or new infrastructure, services and facilities The site shall be of sufficient area to accommodate a range of lot sizes, the provision of public roads, pathways and public open space and other features including buffers / setbacks	The precincts have been identified in the GMS to accommodate new residential allotments and will require the extension and augmentation of existing infrastructure and utilities. A range of lot sizes are proposed, new public roads shall be constructed and buffers and setbacks to be provided to protect natural assets and adjoining land uses where necessary and appropriate as detailed in the LES
Social Integration Gated communities are not acceptable in Wollondilly Shire The proposal shall commit to achieving a variety of housing forms to increase the potential for a mix of household types and diversity amongst residents Emphasis shall be placed on providing high quality public spaces within the site (such as streets, pathways, footpaths and open space) to provide attractive places for people to use and opportunities for informal social interaction	No precincts shall be gated communities Housing forms will be single detached dwellings. However, lot sizes may vary from the character of existing nearby residential subdivisions in order to develop land efficiently and to respond to the specific constraints and opportunities within each precinct. High quality public open spaces are intended to be achieved through specific provisions in a DCP for new road and shared pathway areas and street tree planting to encourage opportunities for residents to use public spaces
Urban on Town Edge The site shall be contiguous to existing urban land The site should be located within practical walking distance of existing town, village or neighbourhood centre The proposal needs to demonstrate that residential use of the land is the most suitable use of the land within the context	The precincts comply with the criteria in being: - contiguous to the existing urban edge - mostly within the walking catchment of Picton Tahmoor or Thirlmere - residential use is the most viable future use of the land (not

of land uses in the area The proposal should achieve physical and visual integration with the existing edge of town Proposals should include a mix of residential lot sizes and cater for a mix of housing types to assist diversity and affordability Proposals should complement existing residential areas in terms of subdivision layout and housing design, density and character Proposals should achieve an average density of 11 to 16 dwellings per hectare Proposals should provide a visually attractive transition between urban and rural areas Proposals must be capable of being serviced by reticulated water and sewerage schemes such as Sydney Water infrastructure or package treatment plant systems Proposals should enable or include connection to existing shared pathway networks Proposals should incorporate community land and proposals for development of facilities and services if demand on existing social and community services provision is likely to be increased	commercial, industrial or rural) - town edge design criteria are to be included in a future DCP - lot sizes are proposed to respond to the specific constraints and opportunities within each precinct - subdivision payout, housing design and density will be determined more by the specific features of the site and current best practices rather than the traditional patterns and features of existing nearby residential development as significant advances have been made since the creation of the existing urban residential neighbourhoods locally - reticulated water from Sydney Water shall be available subject to minor upgrades already planned by Sydney Water - reticulated sewer is subject to a separate approval process which is the responsibility of Sydney Water - all precincts are capable of being integrated with Council's adopted shared pathways plan - capacity of existing social and community services is expected to adequately cater for the needs of future residents
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Definition of "Rural Living" in Wollondilly's Growth Management Strategy

The following table lists the main elements which define the concept of "Rural Living" in Wollondilly and makes comment on whether or how these elements relate to the Planning Proposal.

Table 6: Checklist of Planning Proposal compliance with the Rural Living concept for Wollondilly

Element of "Rural Living" (see Section 2.7.1 to GMS)	Relationship to Planning Proposal
1. Rural setting and Character The rural setting is obvious with farmland and natural areas located between separate towns and villages connected by rural-type roads	The precincts are all edge-of-town locations and design criteria are intended for a future DCP to ensure that the rural-urban interface maximises the scenic and landscape quality and defines a new edge to the urban area. The development of the precincts for urban housing will retain farmland and natural areas separating the urban areas of Picton Tahmoor and Thirlmere. The roads connecting the towns and villages will be upgraded in some cases to accommodate for additional traffic but the

	existing character of the interconnecting roads will not be significantly changed by this proposal.
2. Viable Agriculture Agriculture and associated industries continue to be a productive, sustainable and visible part of our economy, our community and our landscape	The proposal will not be detrimental to the potential continued viability of existing agricultural and associated industries and their contribution to the economy, community and landscape
3. Lifestyle Residents experience and value living within a rural setting irrespective of where and how they live – ie. Whether or not they live in a town, a village, on a rural-residential holding or on a farm for example	This is a measure of perception and values of potential new residents and can not be determined at this point in time
4. Community Spirit Community spirit and involvement thrive in the towns and villages with separate but interrelated identities	This is a measure of the future activities of new residents and can not be measured at this point in time
5. Environment and heritage The Shire's natural and man-made settings have environmental and cultural heritage significance for our communities – these elements include its waterways and catchments, natural areas, aboriginal heritage, agricultural landscapes, rural heritage and its towns and villages	The Proposal includes provisions to protect and enhance watercourses and habitat of significance within the precincts as identified from specialist studies supporting the LES.
6. Towns and Villages Separate towns and villages (and particularly their centres) are focal points which provide opportunities – working, shopping, business, leisure, civic events, community facilities, education and social interactions	The proposal shall not be detrimental to the separate character and activities provided by existing towns and villages
7. Buildings and development New development aims to be sympathetic to the existing form and traditional character of our built environment which is an integral part of our townscapes and cultural heritage	Design details of future development are intended to be included in a future DCP and will aim to achieve new dwellings which are compatible with the existing built environment as well as responding to the specific features of each allotment within a precinct
8. Roads and Transport Residents understand the factors which contribute to the Shire's overall high car dependence but nevertheless seek opportunities to reduce car reliance and to use alternative modes of transport	High car dependency and the capacity of existing public transport have been considered in the research and recommendations of the Transport and Traffic Study which forms part of the LES
9. Infrastructure and Services Residents understand that despite the benefits of rural living, it can also mean having to deal with lower levels of services and infrastructure	The capacity and future demands for infrastructure and services have been investigated as part of the LES. Some additional services and utilities shall be required to accommodate the proposal and these can be achieved through direct negotiation with service providers and through development contributions

6. Is the Planning Proposal consistent with applicable state environmental planning policies?

The Planning Proposal is consistent with the applicable state environmental planning policies as summarised in Table 7 below.

Table 7: Comments on compliance with State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans)

	STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)	CONSISTENCY	COMMENTS
6	Number of Storeys in a Building	Yes	This plan does not govern the content of the Proposal. The Height of Buildings Map to the LEP shall be amended to ensure the height limits are consistent with all other land in the R2 Low Density Residential Zone in Wollondilly Shire
21	Caravan Parks	Yes	This plan does not govern the content of the Proposal.
22	Shops and Commercial Premises	NA	This plan does not govern the content of the Proposal.
30	Intensive Agriculture	NA	This plan does not govern the content of the Proposal
32	Urban Consolidation (Redevelopment of Urban Land)	NA	This plan does not govern the content of the Proposal
33	Hazardous and Offensive Development	NA	This plan does not govern the content of the Proposal
44	Koala Habitat Protection	Yes	Koala feed trees and habitat trees have been identified within the East Tahmoor and South Tahmoor precincts. The LES recommends these trees be retained and protected as part of a larger area of habitat for endangered ecological communities and identified in the LEP by Clause 7.2 and the Natural Resources – Biodiversity Map.
50	Canal Estates	NA	This plan does not govern the content of the Proposal
55	Remediation of Land	Yes	Specialist investigations concluded no contaminating substances were likely to be present on the subject land and no further detailed investigations are required nor remediation required prior to rezoning of the land.
64	Advertising and Signage	NA	This plan does not govern the content of the Proposal.
65	Design Quality of Residential Flat Development	NA	This plan does not govern the content of the Proposal.
	SEPP (Affordable Rental Housing) 2009	Yes	Although this plan does not govern the content of the Proposal, the Proposal is

	STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)	CONSISTENCY	COMMENTS
			consistent with the aims and objectives of this Plan.
	SEPP (Housing for Seniors or People with a Disability)	Yes	Although this plan does not govern the content of the Proposal, the Proposal is consistent with the aims and objectives of this plan
	SEPP (Building Sustainability Index: BASIX) 2004	YES	The Proposal is consistent with the aims and objectives of this plan
	SEPP (Major Development) 2005	NA	This plan does not govern the content and operation of the Proposal
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	The Proposal is consistent with the aims and objectives of this plan
	SEPP (Temporary Structures) 2007	NA	This plan does not govern the content and operation of the Proposal.
	SEPP (Infrastructure) 2007	NA	This plan does not govern the content and operation of the Proposal.
	SEPP (Exempt and Complying Development Codes) 2008	NA	This plan does not govern the content and operation of the Proposal
	DEEMED STATE ENVIRONMENTAL PLANNING POLICIES (FORMERLY REGIONAL ENVIRONMENTAL PLANS)	CONSISTENCY	COMMENTS
9	Extractive Industry (No 2)	NA	This plan does not govern the content or operation of the Proposal
20	Hawkesbury–Nepean River (No 2 - 1997)	YES	This plan substantially governs the content and operation of the Proposal as the subject land is within the catchment of the Nepean River. Riparian buffer zones and riparian lands have been identified for protection in accordance with Clause 7.3 to the WLEP 2011 and subject to amendment of the Natural Resources – Water Map..
1	Drinking Water Catchments Regional Environmental Plan	NA	Subject lands are not located within the jurisdiction of REP No. 1.

7. Is the Planning Proposal consistent with the applicable Ministerial Direction (s.117 Directions)?

The Planning Proposal is consistent with the intent and objectives of the applicable Ministerial Directions (section 117 directions) as summarised in Table 8 below.

Table 8: Planning proposal in relation to the provisions of Section 117 Ministerial Directions

Ministerial Direction	Applicable to Planning Proposal	Consistency of Proposal with Direction	Assessment
1. Employment and Resources			
1.1 Business and industrial Zones	No	NA	Direction does not apply
1.2 Rural Zones	YES	YES	The Planning Proposal will replace rural zoned land with residential land. However, no commercially viable agricultural uses shall be displaced. The proposal is considered acceptable given the close proximity of the precincts to existing town and village centres and the precincts are expected to accommodate projected demand for new local housing without causing further fragmentation of existing viable and potentially viable rural holdings. Therefore the proposal is considered to be consistent with the broader intent of Direction 1.2.
1.3 Mining, Petroleum Production and Extractive Industries	YES	YES	The Planning Proposal is not expected to sterilise land for mining purposes. Mine Subsidence Board advise future development is likely to occur after completion of underground mining and associated subsidence with the exception of West Picton which will be subject to further investigation with the preparation of a DCP and further consultation with the Director-General of Industry and Investment may be consulted in the preparation of the DCP to ensure compatibility with Direction 1.3.
1.4 Oyster Production	NA	NA	Direction does not apply
2. Environment and Heritage			
2.1 Environmental Protection Zones	YES	YES	The proposal intends to apply the existing provisions of Clauses 7.2 and 7.3 to WLEP 2001 and to amend the Natural Resources – Biodiversity and Natural Resources – Water maps to protect land containing natural asserts worthy of protection and conservation.
2.3 Heritage Conservation	YES	YES	Items of potential environmental or indigenous heritage were identified from specialist studies supporting the LES. Further investigations are being

Ministerial Direction	Applicable to Planning Proposal	Consistency of Proposal with Direction	Assessment
			undertaken to determine whether these items are of sufficient significance to be listed in Wollondilly LEP, 2011.
2.4 Recreation Vehicle Area	YES	NA	The proposal does not facilitate land to be used for a recreational vehicle area.
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	YES	YES	The proposal is intended to create a range of lot sizes which respond to the specific features of the land. Some lot sizes are smaller than the typical low density residential density of existing surrounding land in Zone R2 and some lots (particularly those containing riparian land, land of biodiversity value and land on the rural-urban interface) shall be larger than typical R2 Low Density Residential lots. In accordance with the existing provisions in WLEP 2011 the land shall not be developed until adequate infrastructure and utilities can be provided. Therefore the Proposal is not inconsistent with Direction 3.1.
3.2 Caravan Parks and Manufactured Home Estates	YES	YES	The Proposal does not affect the potential permissibility of Caravan Parks and Manufactured Home Estates within WLEP 2011 and therefore is not inconsistent with Direction No. 3.2.
3.3 Home Occupations	YES	YES	The Proposal does not affect the provisions in WLEP relating to Home Occupations and is therefore consistent with Direction 3.3.
3.4 Integrating Land Use and Transport	YES	YES	A Traffic and Transport Assessment has been completed to inform the LES and recommends some upgrades to local roads and intersections to accommodate projected increase in private motor vehicle use. Existing public transport services (namely buses and trains) have already been identified as unsuitable for commuting journeys for local residents. The potential increase in the number of commuters who can not use existing services will add to the number of commuter-related private motor vehicle trips. Provisions are intended to be included in a future DCP to

Ministerial Direction	Applicable to Planning Proposal	Consistency of Proposal with Direction	Assessment
			provide high quality and attractive road reserves and shared pathways to provide opportunities to replace non-commuting trips with walking and cycling. Therefore the Proposal will create opportunities within limitations to integrate new development with more transport and movement options for new residents and is as consistent as can be expected in the circumstances with Direction No. 3.4.
4. Housing, Infrastructure and Urban Development			
4.2 Mine Subsidence and Unstable Land	NA	NA	The subject land is within a Mine Subsidence District and advice from Mine Subsidence Board is that the timing of future development shall be compatible with the timing of underground mining and limits of subsidence with the exception of West Picton. Further consultation shall be conducted at the time of preparation of a future DCP to determine whether the timing of mining remains compatible. Therefore the Proposal is consistent with the intent of Direction 4.2 at the current time
4.4 Planning for Bushfire Protection	YES	YES	A Bush fire Hazard Assessment has been completed with the LES and adequate provisions can be accommodate within the subject land to ensure future development can be compatible with the risks subject to implementation of hazard reduction management works. Further site and development-specific details are required to be investigated with the future preparation of a DCP. The Proposal is consistent with the intent of Direction 4.4 to the extent possible at this time.
5. Regional Planning			
5.1 Implementation of Regional Strategies	NA	NA	See Table 3 which demonstrates that the Proposal is consistent with the relevant actions identified in the Draft South West Subregional Strategy.
6. Local Plan Making			
6.1 Approval and Referral Requirements	YES	YES	The Proposal does not contain provisions requiring concurrence, consultation or

Ministerial Direction	Applicable to Planning Proposal	Consistency of Proposal with Direction	Assessment
			referral to a Minister or public authority and is consistent with Direction No. 6.1.

Section C – Environmental, Social and Economic Impact

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 the proposal?

Habitat worthy of protection and conservation has been identified in the following precincts:

- South Tahmoor
- West Tahmoor
- East Thirlmere
- East Tahmoor

The provisions of WLEP 2011 can be used to ensure these areas are protected and managed in accordance with Clauses 7.1 and 7.2 and mapped with amendments to the Natural Resources – Biodiversity and Natural Resources – Water maps.

Additional provisions for long term management and conservation responsibilities for future private landowners are intended to be developed with a future DCP and in the development assessment process.

For details see the specialist Flora and Fauna Assessment and the Aquatic Habitat Assessment supporting the LES.

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

The Planning Proposal has the potential to have a variety of impacts which have been investigated and assessed with the intention of avoiding, minimising or managing the possible future impacts. These matters are discussed in detail in the specialist studies supporting the LES (enclosed).

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

Social and economic impacts have been examined in the LES (enclosed).

Section D – State and Commonwealth Interests

11. Is there adequate public infrastructure for the planning proposal?

Infrastructure capacity has been investigated prior to the commencement of the LES.

Most infrastructure and services have either existing capacity or can be reasonably augmented to provide for the development likely to result from the proposal. Works can be either undertaken as part of future development processes, supplied through direct transactions with service providers or facilitated through development contributions.

The one critical factor is the provision of reticulated sewer infrastructure. The availability of reticulated sewer is dependent upon Sydney Water gaining approval from

the Department of Planning and Infrastructure for the modification of the mapped servicing boundary for Picton Sewerage Treatment Plant. This has been the subject of ongoing communications between Council and Sydney Water and the latest information from Sydney Water to Council is that a draft application for modification of consent has been prepared but not yet submitted to the Department of Planning and Infrastructure.

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

This project was commenced under legislation which has since been superseded (Draft Wollondilly Local Environmental Plan, 1991 Amendment No.73). The project is now in a transition to a Planning Proposal under current legislation. Therefore extensive consultation has been conducted in accordance with the former provisions of Section 62 to the *Environmental Planning and Assessment Act, 1979* for LEP Amendments. The details of this consultation are included in the LES. The LES has subsequently investigated all matters raised by relevant agencies in the original consultation processes. No additional consultation is considered necessary prior to public exhibition.

Should the gateway process determine that additional consultation with public agencies is required – such consultation could be combined with the proposed 28-day public exhibition period.

Part 4 – Community Consultation

It is intended to place the Planning Proposal along with the LES and specialist studies on public exhibition for 28 days. There is a long history of community consultation associated with the original strategies leading to the Council's decision to nominate specific precincts for further investigation for new housing and no additional consultation or engagement strategies are considered necessary.

Additional criteria under 'A guide to preparing local environmental plans'

If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished.

Some allotments within the East Tahmoor Precinct are burdened by a covenant on the title which limits the maximum number of dwellings to one dwelling per 5 acres. In this instance, Council would be using its discretion under Clause 1.9A of the Wollondilly LEP 2011 which allows the relevant authority to override this covenant in the assessment of any development application on the subject land.

The concurrence of the landowner, where the land is not owned by the relevant planning authority

All land the subject of the Planning Proposal is privately owned. Not all landowners have provided written consent to Council for the submission of the Planning Proposal. The project originally commenced under legislation for LEP amendments which is now superseded and owners' consent for submission or rezoning applications was not required.

List of Attachments

Attachment 1 – Maps for preparing a Draft Amended Wollondilly Local Environmental Plan 2011 Urban Release Area Map

Attachment 2 – Maps for preparing Draft Amended Wollondilly Local Environmental Plan 2011 Land Zoning Map

Attachment 3 – Maps for preparing a Draft Amended Wollondilly Local Environmental Plan 2011 Lot Size Map

Attachment 4 – Maps for preparing a Draft Amended Wollondilly Local Environmental Plan 2011 Natural Resource Biodiversity Map

Attachment 5 – Maps for preparing a Draft Amended Wollondilly Local Environmental Plan 2011 Natural Resource Water Map