

PE6

Draft Planning Proposal - Picton East - Remembrance Drive and Menangle Street

41KCAR

TRIM 6842

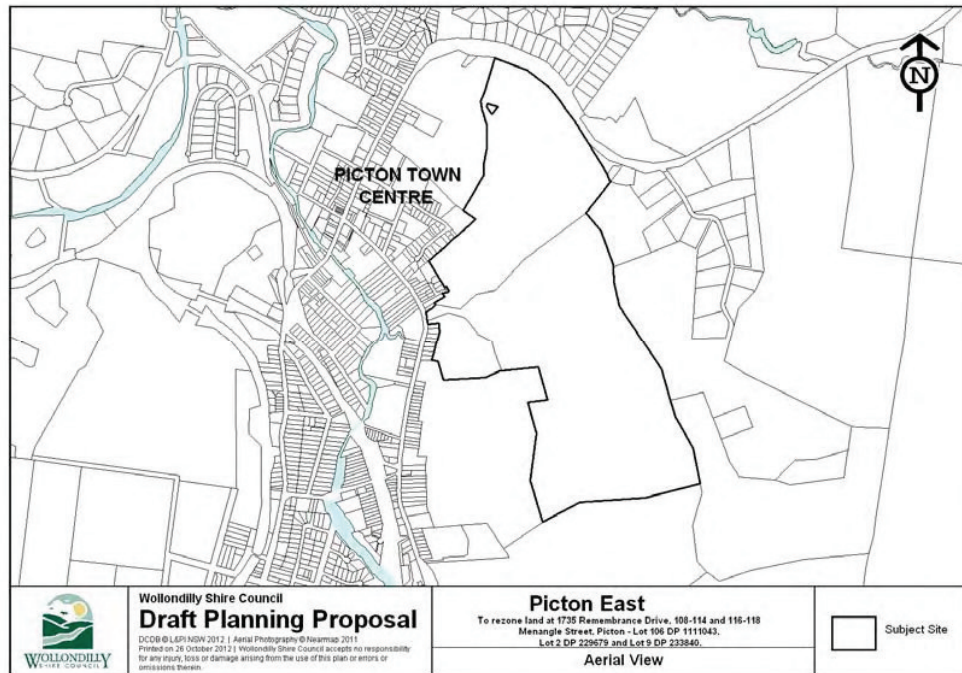
APPLICANT:

Michael Brown

OWNER:

LW Baxter and A & C Wilton

REPORT



EXECUTIVE SUMMARY

- Council has received a draft Planning Proposal to rezone land at Picton for residential and rural residential purposes at 1735 Remembrance Drive (Lot 106 DP 1111043), 108-114 Menangle Street (Lot 2 DP 229679) and 116-118 Menangle Street (Lot 9 DP 233840).
- A preliminary assessment of the proposal and the submissions received from community consultation indicated substantial concerns with the proposal so it is proposed to amend the draft Planning Proposal to address these concerns.
- Accordingly this report recommends:
 - That Council support the amended draft Planning Proposal for Picton East at 1735 Remembrance Drive and 108-114 and 116-118 Menangle Street, Picton being Lot 106 DP 1111043, Lot 2 DP 229679 and Lot 9 DP 233840.
 - That the draft Planning Proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination; and
 - That the persons who made submissions regarding the draft Planning Proposal be notified of Council's decision.

BACKGROUND

Site Description

The site encompasses three properties which are located immediately east of Picton Town Centre straddling land including Vault Hill, between the two major roads leading into Picton, namely Remembrance Drive and Menangle Street. Steep hills skirt the eastern edge of the site leading down to low cleared hills around Menangle Street and Margaret Street. Small streams flow down from these steeper hills into Reeves Creek which then flows into Stonequarry Creek.

The three properties comprise a total area of 120.771 hectares extending between 270m to 1.75kms south-east of Picton Town Centre. Most of the site is within Zone RU2 Rural Landscape except for land including Vault Hill which is within Zone RE1 Public Recreation.

There are two roads leading into the site, Margaret Street and Baxter Lane. The site incorporates the Vault Hill Cemetery, a disused dairy and two houses with ancillary buildings but is otherwise vacant. The site comprises cleared land previously used for dairying and currently used for grazing purposes. Significant stands of vegetation are located along the ridgelines of the outlying hills, along the banks of creeks and on some of the steeper slopes of the lower inner hills. There are also a large number of scattered mature trees throughout the site.

Description of Draft Proposal

The draft proposal aims to provide additional residential land around 270m and up to a distance of around 1.75 kms from Picton Town Centre with rural residential land along the outer hills. Land around the major creek lines is proposed to be conserved and used for public recreation.

The original proposal included land at 136-154 Menangle Street Picton being Lot 12 DP 1126525. The original proposal was amended to exclude this land as it is subject to a current planning proposal which has received a Gateway determination and is proceeding with the undertaking of specialist studies.

CONSULTATION

Consultation with Council Managers and Specialist Staff

Comments on the application were sought from the following Managers and Specialist staff within Council:

- Manager Community Services
- Manager Infrastructure Planning
- Manager Environmental Services
- Manager Development Assessment and Strategic Planning
- Manager Facilities and Recreation.

The main matters raised by Council staff requiring further investigation are:

- ecology (flora and fauna)
- drainage and stormwater
- flooding
- bushfire hazard
- traffic and transport
- contaminated land investigation
- heritage
- geotechnical
- wastewater management
- open space.

Community Consultation

In accordance with Council's notification policy, initial community consultation has been undertaken. The draft Planning Proposal was published on Council's website in May-June and a letter was sent to residents with a written submission period of 28 days from Wednesday 16 May 2012 until Friday 8 June 2012. At the end of the notification period a total of 20 submissions had been received. A summary of the submissions received are outlined in the table below.

Summary table of submissions received from draft Planning Proposal

Key Issue	Summary of Comments
Landscape Character	▪ Loss of views across Stonequarry Creek and the hills behind Picton ▪ Significant visual impact on the hills surrounding Picton ▪ High visual impact on the current landscape and combined with residential development nearby on Regreme Road will significantly alter the existing rural backdrop ▪ Hills around Picton add to its beauty and are visible from many parts of the town and should be kept clear. ▪ This will result in 'mutilation' of the hills. ▪ The character and setting will be irrevocably changed as the hills will be developed. ▪ Any development beyond existing housing will impinge on hills and rural appearance. ▪ Loss of rural landscape marking the entrance to Picton. ▪ Picton's quaint appearance is based on these hills and is attractive to residents and tourists alike so developers should leave them alone. ▪ Council's goal should be to maintain the rural character. ▪ New homes likely to be visually uncomplimentary to surroundings as there are many examples of homes prominent on ridgelines.
Infrastructure	▪ An increase of around 1400 people would have a

Key Issue	Summary of Comments
	major impact on Picton infrastructure. - Only sufficient infrastructure for 35 large residential lots not for the 450 low density lots which will overwhelm current infrastructure, particularly along Menangle Street. - Development of this magnitude should have all infrastructure improvements well underway or completed before any approvals are considered. - Additional burden on the drainage system which is already unable to cope. - Major strains on existing infrastructure and community services which are at capacity. - There is not sufficient infrastructure to support the size of this proposal. - Picton STP is at or close to capacity. The idea of using private package systems on the hill slopes would be unacceptable as wastewater would end up in backyards. - Need to address stormwater and drainage issues behind houses in Menangle Street. - Picton High School is overcrowded, dirty and dingy and there is nowhere for the school to expand and the government refuses to admit that another school is needed. Not everyone can afford to send their children to Wollondilly Anglican School. - Insufficient infrastructure in terms of roads, public transport and schools.
Traffic & Transport	- Will require additional - traffic controls at all access points, parking spaces in Picton town centre and commuter parking at/near Picton railway station. - No indication of transport routes - Current roads inadequate to cater for additional traffic – particularly Menangle Street - Increased traffic flows and population pressure placed on local resources and infrastructure. - Existing traffic congestion will worsen - Poor public transport will need to be improved - The proposal will dramatically increase the volume of traffic and create major traffic concerns particularly on Menangle Street. - Traffic chaos will increase on Menangle Street with two access points and widening is not an option. - The claim that the development will be within easy walking distance is refuted given the extent of housing proposed on hilly country. - There is currently inadequate and minimal public transport which does not accord with requirements in the Sydney Metropolitan Strategy. - Menangle Street has inadequate capacity to cater for additional traffic - Major traffic problems result from closure of Prince Street bridge and freeway diversion through Menangle

Key Issue	Summary of Comments
	Street ▪ The proximity of Victoria Park to the Menangle Street access point will cause traffic conflict when sporting events are held. ▪ Need for a range of traffic controls and infrastructure to deal with potential traffic problems. ▪ Road maintenance is currently inadequate and will worsen with additional traffic ▪ Maintenance of roads is already difficult and more funding will be required.
Geotechnical	▪ Inherent instability of the local topography and resulting soil creep. ▪ There is a considerable amount of unstable land namely slippage, flooding and mine subsidence. ▪ Hills prone to slumps particularly with longwall mining. ▪ Instability and slippage are well known and visible. ▪ Slippage problems are an issue and controls would be required to ensure hillside lots are safe and will not impact on existing properties. ▪ Potential slippage problems and increase risk of natural disaster from overdevelopment of steep hills. ▪ The site is largely unsuitable for building especially the 16-25% gradients. ▪ Razorback Range is unstable and prone to landslips and slippage with development is likely to lead to disaster. ▪ Trees are required to stabilise these hills and the few remaining are likely to be cut down for housing and associated development. ▪ There are land areas better suited to development at Thirlmere, Bargo, Tahmoor or Wilton.
Flooding	▪ The additional proposed development will increase potential flooding over and above the current risk as detailed in the Floodplain Risk Management Plan. ▪ Flood plain land has been developed and built up over recent years exacerbating the flood problem. ▪ Excessive development will impact on floodplain. ▪ Flood and stormwater hazard will increase. ▪ Issues with stormwater and flooding from run-off from hills.
Bushfire	▪ The area has a high bushfire rating. ▪ Ferocity and speed of bushfires requires consideration of bushfire control and escape routes.
Heritage	▪ The development is too large and will overshadow the existing historic feel of the town. ▪ Picton is one of the most significant examples of agricultural heritage left in NSW. ▪ Picton's cultural heritage should not be eroded by such a vast planning proposal. ▪ Existing growth has protected the historic part of town. ▪ Houses would surround the existing heritage items and conservation area and detract from their

Key Issue	Summary of Comments
	significance. The development would impact on the adjoining heritage conservation area.
Economic	- Picton could lose its attractiveness for tourists as this large proposal will be a blight on the area. - The Picturesque rural scenery is a major drawcard for potential residents and tourists. - Picton is the antithesis of Sydney's urban sprawl and tourists are attracted to its hills and rural landscape. - The proposal will compromise all the aesthetic aspects and rural landscape of the towns which attracts visitors and residents and give it its rural feel. - The proposal will alter the scenic visual amenity of the hills which are attractive for both residents and tourists. - The land is supposed to be developed for tourist accommodation. - The land is only of "<i>marginal agricultural value</i>" because the land owner has allowed it to become this way. - Construction jobs will be short term only. - It is not against the public interest for the land to remain in a "<i>residential holding pattern</i>" and there is no reason why the land cannot be maintained with grazing stock for example. - Need a vision for a rural village atmosphere that attracts business for retailers for eg. a caravan park. - Not enough employment for additional population - Loss of agricultural land for Picton and the wider Sydney basin
Biodiversity	- Impact on Cumberland Woodland remnant habitat for native fauna. - Native fauna is under threat. - Loss of habitat for protected species of flora and native animals generally many of which are regularly seen. - Council's goal should be to protect the Shire's natural environment.
Community Consultation	- Poor community consultation as the maps have no legend and are extremely difficult to read. - Photos in the report are taken from the tops of the hills which gives a false impression of the visual impact. - Many of the statements in the proposal are incorrect and there are also omissions. - Diagrams in the proposal are difficult to read due to their condensed size and absence of legends.
Planning Policies	- Picton's essential geographic, geological and innate peculiarities make this development inappropriate. - Disagrees with proposed overhead rather than underground power lines.

Key Issue	Summary of Comments
	▪ Council has spent a large amount of money on the LEP. What is the point of the LEP being changed constantly. ▪ Vision 2025 supported by Councillors indicated that Picton would always remain a rural village with planned, appropriate and minimal growth. ▪ It does not meet the objectives of the GMS which is aimed to ensure that this type of unfettered growth and large development would not threaten the heritage, history and rural aspect of Wollondilly towns such as Picton. ▪ The proposal is for an entire new suburb and is in opposition to 'Vision 2025' which was drawn up to ensure Picton would not become an urban area. ▪ The Growth Management strategy appears to have been ignored – the proposal will adversely affect the heritage, history and rural aspect of Picton. ▪ The proposal does not comply with Council's GMS criteria in relation to visual impact and geotechnical ▪ The proposal does not accord with the targeted strategy in the GMS which refers to land in the immediate vicinity of existing residential land. ▪ Major variation – one third of the village of Picton - to the LEP which took 5 years to prepare ▪ Remaining landowners also likely to seek a variation which result in inappropriate development and poor infrastructure. ▪ The LEP should be revised as an integrated whole to achieve balanced development.
General Planning Concerns	▪ It is probable that should this planning proposal be supported then there will be further proposals. ▪ The development will encourage further development around Picton and further detract from its small town appeal. ▪ Council should ensure that development does not adversely affect property values and safety. ▪ Individual land owners should not change the face of a community in such a profound way ▪ Proposal will completely change Picton from a rural village to an urban sprawl ▪ Cumulative impacts of 27 planned large developments, Xstrata stacks, employment lands and possible airport on quality of air and land and children's health. ▪ The proposal needs to be pared back considerably. ▪ Councillors should ensure that as elected representatives that they keep Picton rural. ▪ Size and scope of the development will adversely affect Picton ▪ It is grossly inappropriate and will forever change the face of the 'Rural Living' held dear by residents, Councillors and Council

Key Issue	Summary of Comments
	▪ Hope that Council and Councillors will protect and honour that vision. ▪ The proposal does not meet the expectations of the community and is for vested self interest not long term benefit ▪ Will not improve the area and the wider community does not want the development. ▪ A VPA does not equate to improvement of the public domain. ▪ Increase in population pressure will lower the quality of life ▪ Proposal to rezone to medium density but unclear where proposed new zones are located ▪ The target hillsides extend nearly 2 kilometres along Menangle Road and along both main entry points into Picton township. ▪ Subdivisions would extend to the ridge tops all along the valley and development would be near the top.

Assessment of Draft Planning Proposal

A preliminary assessment of the original draft planning proposal was undertaken with reference to the submissions made by the community and comments from Council staff. As a result of that assessment it was determined that the Planning Proposal would require amendment for the following reasons:

Scale of the Development

The main issue with the original planning proposal as evidenced by community submissions relate to the scale of the development which covered an extensive area to the east of Picton town centre. The proposal for development extending almost two kilometres to the south and almost one kilometre to the east would potentially result in a major change to the rural character of Picton impacting on a large proportion of the existing population. Servicing such a large area with roads and other infrastructure would be expensive. There are also significant concerns regarding bushfire hazard, flooding and drainage, protection of environmentally significant land and geotechnical concerns.

Cumulative Growth

The cumulative growth from this proposal for around 400 dwellings, when added to those proposals already planned would result in the zoning target for dwellings for Picton, Tahmoor and Thirlmere almost being reached within 2 years of the release of the GMS. This was not envisaged by the GMS which is a longer term approach over 25 years with growth occurring gradually. The planning proposal has not provided evidence of a strong demand for residential land in Picton and there are indications that the current supply is well able to meet demand. When the current planning proposals are realised there may be an oversupply of land with a resultant impact on the local real estate market.

Provision of a significant number of additional dwellings over a relatively short term would also place strain on infrastructure, services, facilities and Council resources. The land is outside the Sydney Water servicing boundary and there are strong indications that Sydney Water would not have the capacity to service the proposed housing with reticulated water and sewer.

Rural-Residential Development

The draft proposal includes a high proportion of rural residential zoned land being divided into relatively small 5000m²-2ha allotments which would potentially impact on the landscape character of the hills around Picton. The proposed rezoning of land for rural residential and large lot residential purposes would also result in the fragmentation of a significant amount of land suitable for larger scale agricultural purposes.

The proposed large lot residential land along Remembrance Driveway is considered to be unsuitable in this location due to the steep slope and the potential issues with wastewater management in addition to being at the entrance to the town of Picton. In addition the proposed access point to this land from this section of Remembrance Driveway would impact on traffic flow and create traffic conflict and is unlikely to be supported by Roads and Maritime Services.

There appears to be limited demand for rural residential land in the Shire with the converse being a demand by many rural-residential land owners to reduce the size of their landholdings due to the difficulty and cost of maintenance. In the longer term there would be pressure for further rezoning of this rural residential land to allow increase subdivision potential.

Topography and Geotechnical

The site is topographically a series of hills and valleys and a significant area of the site is impacted by steep slopes. Further assessment of the suitability of the land within the amended planning proposal site for residential development would be required to determine the most appropriate zone and allotment size for the proposed residential development. Some land in the lower, nearest hills to Picton would need to be maintained in their natural vegetated state due to potential issues with erosion and slip.

Amended Draft Planning Proposal

It is proposed to amend the proposal to reduce the area of the site subject to rezoning. This would enable a more compact better serviced development and ensure that most of the site remains in larger landholdings suitable for continued agricultural use. This would also result in better environmental outcomes with less fragmentation of environmentally significant land, less rural land use conflict and reduced potential for bushfire hazard impacts for new residents and lower infrastructure servicing costs. An indicative concept zoning plan for a portion of the site is attached (**Attachment 2**) and would be further refined by specialist studies should Council resolve to support the amended draft proposal.

Consultation with Government Departments

If endorsed by Council, consultation will be required with the Department of Planning & Infrastructure (DP&I), the Office of Environment & Heritage (OEH) and other government agencies on the Planning Proposal. It is considered that should the proposal be supported the Gateway Determination will outline the further consultation requirements with the DP&I, OEH and any other relevant government agencies.

Further community consultation

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

RELEVANCE TO COMMUNITY STRATEGIC PLAN OUTCOMES

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

Outcome – Environment – A community that is surrounded by a built and natural environment that is valued and preserved.

The community of Picton values the surrounding natural environment and would like to ensure that it is preserved and that there is minimal encroachment of the built environment into this land.

Outcome – Economy – A community that is supported through appropriate, sustainable land use.

Development should be largely catered for by existing infrastructure, services and facilities and not impose additional burden on the local economy or the natural environment over the longer term.

POLICIES & LEGISLATION

Planning Proposals

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

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

Council's Options/Role

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

Council's options are:

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

Option 2 is the recommendation of this report.

Gateway Determination

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

At the Gateway Determination, the Minister will decide:

- Whether the proposal is justified on planning grounds
- Whether the Planning Proposal should proceed (with or without variation)
- Whether the Planning Proposal should be resubmitted for any reason (including for further studies or other information, or for the revision of the Planning Proposal)
- The community consultation required
- Any consultation required with State or Commonwealth agencies
- Whether a public hearing by the Planning Assessment Commission or other specified person or body is required
- The timeframes for the various stages of the procedure to make the draft amendment
- Whether the function of making the LEP is to be exercised by the Minister for Planning & Infrastructure or delegated to Council.

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

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

Wollondilly Local Environmental Plan 2011

The site is currently zoned RU2 Rural Landscape Zone under Wollondilly LEP 2011. The minimum lot size for this area is currently 100 hectares. The three allotments within the subject site are less than 100 hectares in area and therefore have no further potential for subdivision.

It is proposed to amend the WLEP 2011 in the following manner:

- Amend the Land Zoning Map to allow for zones suited to the site depending on the results of the specialist studies. Indicative zones include R3 Medium Density Residential Zone, R2 Low Density Residential Zone, R1 Public Recreation Zone, E2 Environmental Conservation Zone and E3 Environmental Management Zone, and
- Amend the Lot Size Map to allow for a range of lot sizes depending on the results of the specialist studies and the choice of zones, and
- Amend the Height of Buildings Map to allow for a maximum height of 9 metres for new development.

Additional amendments to the Natural Resources Water and Biodiversity Maps are also likely to be required depending on the outcome of the specialist studies.

Site Specific Development Control Plan (DCP)

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

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

The range of provisions included in the DCP would be informed by specialist studies undertaken to support the proposal and would be reported to Council when prepared.

Alternatively, Council may choose to only apply the existing controls contained within Wollondilly Development Control Plan 2010, Volume 3 – Residential and Tourist Uses.

RELEVANT CONSIDERATIONS

Wollondilly Growth Management Strategy (GMS)

Wollondilly GMS has recently been adopted by Council. Planning Proposals are required to be assessed against the GMS to determine whether they should or should not proceed.

 Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 17 December 2012

The GMS sets directions for accommodating growth in the Shire for 25 years. The GMS contains Key Policy Directions which form the overarching growth strategy for Wollondilly. The amended draft planning proposal conforms to the main aim of the GMS which is to provide for housing which is conveniently located near existing towns and villages and which results in consolidated growth reducing infrastructure and facility requirements and supporting services.

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

Key Policy Direction	Comment
General Policies	
P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.	In its amended form the draft planning proposal is considered to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS.
P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS)	The amended draft proposal is generally consistent with the concept and vision of 'Rural Living' as it is of a suitable scale, maintains the existing town and landscape character and should be capable of being serviced with minor augmentation of existing infrastructure.
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	The amended draft proposal has considered the community response which outlined a range of significant issues with the original draft proposal.
P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.	There have been no such representations regarding this draft proposal and therefore this Key Policy Direction has been satisfied.
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 draft proposal represents a logical rezoning of the subject site for low and medium density residential purposes in keeping with adjoining land uses. Land with environmentally significant characteristics is proposed to be zoned for environmental conservation and management purposes. Land is also proposed for open space/recreation purposes but an assessment of the need for additional open space requirements should be undertaken. Within the constraints of the site the proposal is considered appropriate as it will facilitate the provision of an additional range of low and medium density residential land well located in relation to the existing township of Picton. Conservation and enhancement of natural systems is intended. Existing infrastructure is to be utilised and embellished.

Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 17 December 2012

Housing Policies	
P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.	The draft proposal contributes toward Council's dwelling target for Picton outlined in the GMS. The Structure Plan for Picton, Tahmoor and Thirlmere includes the subject land as a 'potential residential growth area'.
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.	It is proposed to provide a mix of residential sites to improve housing diversity with the majority of lots being similar in size to surrounding low density allotments in a range of from 450m ² to 700m ² . A small section of medium density sites may be considered and these would have a minimum lot size of 975m ² in conformity with existing medium density zones. Areas proposed for environmental management zones would remain in single lots to improve environmental management outcomes.
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").	The amended draft proposal is near Picton town centre and could provide low density and some medium density for housing such as villas and townhouses.
P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.	The amended draft planning proposal is located immediately adjacent to the town of Picton and extends a distance of almost 1km from the town centre.
Macarthur South Policies	
Key Policy Directions P11, P12, P13 and P14 are not applicable to this Planning Proposal. The subject land is not with the Macarthur South area	Not applicable
Employment Policies	
P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes	The proposal will create short-term employment opportunities through the construction jobs associated with the civil and building works, and will provide stimulus to the local economy by boosting population.
P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.	The site is not proposed to be zoned to facilitate further employment opportunities. Modest opportunities exist for home business and tradesman residency.
Integrating Growth and Infrastructure	
P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable	The amended draft planning proposal would allow for the development of a limited amount of additional residential allotments in the locality which is not likely to adversely burden Council. Developer contributions payable at the development application stage will fund the necessary local infrastructure required to support any future development.

 Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 17 December 2012

<i>burdens on Council or the Shire's existing and future community.</i>	Likely state and regional infrastructure demands will be assessed by relevant agencies post Gateway Determination.
P18 <i>Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.</i>	The amended draft proposal limits the extent of growth which will ensure that the provision of services and infrastructure would be more cost-effective leading to a longer term more sustainable development.
P19 <i>Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.</i>	The amended draft proposal does not contribute toward dispersed population growth as it proposes urban growth adjacent to the urban area.
P20 <i>The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns.</i>	The amended draft proposal would be likely to contribute around 200 new dwellings and is within one of the key growth areas nominated for population growth. The draft proposal contributes toward Council's dwelling target for Picton identified in the GMS.
Rural and Resource Lands	
P21 <i>Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.</i>	Ecologically valuable riparian land is proposed to be conserved by zoning for environmental conservation purposes. Land which contributes to the scenic value of Picton is proposed to be zoned for environmental management purposes. The proposal would not result in any adverse environmental impacts provided the scale of the proposal is reduced as proposed.
P22 <i>Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.</i>	Key Policy Direction P22 is not applicable to the draft proposal.

FINANCIAL IMPLICATIONS

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

If the Planning Proposal receives a positive Gateway Determination it will proceed to the next stage which involves further investigations into contributions towards infrastructure and facility provision through planning agreements and section 94 contributions.

CONCLUSION

The amended draft proposal is consistent in principle with Council's adopted Growth Management Strategy and it is therefore recommended that the Planning Proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination.

ATTACHMENTS

1. Aerial photo of the site
2. Concept Zoning Map for amended Draft Planning Proposal
3. Draft Zoning Map
4. Draft Lot Size Map

RECOMMENDATION

1. That Council support the amended draft Planning Proposal for the rezoning of land at Picton East at 1735 Remembrance Drive and 108-114 and 116-118 Menangle Street, Picton being Lot 106 DP 1111043, Lot 2 DP 229679 and Lot 9 DP 233840.
2. That the draft Planning Proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination.
3. That the persons who made submissions regarding the draft Planning Proposal be notified of Council's decision.

