

Planning Proposal

to amend Wollondilly Local Environmental Plan 2011

Campsie Street, Wilton

For the amendment to the Lot Size Map for that part of Lot 2 DP 854626
Campsie Street, Wilton zoned *RU2 Rural Landscape*.



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Introduction

Amendment No.57 to Wollondilly Local Environmental Plan, 1991 for Lot 200 DP 854626 Campsie Street, Wilton was incorporated into the Standard Instrument LEP adopted by Council on 17 May, 2010. The amendment rezoned approximately 1,153 square metres within Lot 200 to *R2 Low Density Residential*. The remainder of Lot 200 became *RU2 Rural Landscape* consistent with the adjoining land use zones.

The amendment was intended for the subdivision of the residential zoned portion from the remaining 3.9 hectares.

The *Land Zoning Map* and *Height of Buildings Map* have been changed appropriately. It was an oversight not to have amended the *Lot Size Map*.

This proposal is to amend Lot Size Map Ref. 8400_COM_LSZ_011C_020_20110209 to apply a minimum lot size of 3 hectares to that portion of Lot 200 DP 854626 which is within the *RU2 Rural Landscape* zone.

Part 1 – Objectives or Intended Outcomes

The intended outcome of this proposed amendment to WLEP 2011 is to resolve an oversight not to have amended the Lot Size Map for the subject land.

Part 2 – Explanation of Provisions

To achieve the objectives of the planning proposal, the following amendments to the Wollondilly Local Environmental Plan (WLEP) 2011 are proposed:

- Lot Size Map Ref. 8400_COM_LSZ_011C_020_20110209 is to be changed to apply a minimum lot size of 3 hectares for that portion of Lot 200 DP 854626 which is within the *RU2 Rural Landscape* zone. These proposed map amendments are included at Part 4 – Mapping.

Part 3 – Justification

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

This Planning Proposal is not the result of any strategic study or report.

This Planning Proposal is the result of Council Resolution 71/2012, reproduced below:

1. *That Council support the preparation of a LEP housekeeping Planning Proposal in accordance with section 55 of the Environmental Planning and Assessment Act, 1979 to amend Wollondilly Local Environmental Plan 2011 as described in this report and attachments with the exception of animal boarding or training establishments permitted with consent in Zone R2 and R5 which shall be dealt with by a separate planning proposal.*
2. *That Council support the submission of an LEP Housekeeping Planning Proposal to the Minister for Planning for a Gateway determination in accordance with Section 56 to the Environmental Planning and Assessment Act, 1979 and that the Council advise the Minister for Planning that:*
 - *no support studies are required*
 - *standard community consultation processes are appropriate being a 28-day public exhibition period*
 - *no public hearing is required*
 - *consultation with public authorities is not necessary as State and Commonwealth Authorities will not be adversely affected; and*
 - *Sydney Catchment Authority and the Office of Environment and Heritage will be consulted directly in accordance with their requests for rezoning land in their care, control and ownership.*
3. *That Council support the amendments to Wollondilly Development Control Plan 2011 as detailed in this report including attachments.*
4. *That the Housekeeping Planning Proposal for Wollondilly Local Environmental Plan, 2011 and the proposed amendments to Wollondilly Development Control Plan 2011 be publicly exhibited at the same time.*
5. *That Council request the Minister for Planning make corrections to the Heritage, Lot Size and Original Holdings Maps to Wollondilly Local Environmental Plan, 2011 in accordance with Section 73A 'Expedited amendments of environmental planning instruments' to the Environmental Planning and Assessment Act, 1979. That the mapping corrections be undertaken by the Department of Planning and Infrastructure at no cost to Council and that the Department be requested to complete the mapping corrections within 3 months.*
6. *That Council support the preparation of a separate Planning Proposal in collaboration with Sydney Catchment Authority using the Strategic Land and Water Capability Assessments to review the provisions of Wollondilly Local Environmental Plan, 2011 with respect to land zoning, lot size and land uses within catchment lands.*

7. *That Council request the Minister for Planning to seek advice from the Department of Planning and Infrastructure as to whether amendment of Clause 7.1 to Wollondilly Local Environmental Plan, 2011 is necessary in order to ensure rural worker's dwellings and secondary dwellings are permitted with consent in accordance with the existing land use tables where that land is not serviced by a reticulated sewerage scheme. That if an amendment to Clause 7.1 is necessary that it be dealt with in accordance with Section 73A 'Expedited amendments of environmental planning instruments' to the Environmental Planning and Assessment Act, 1979.*
 8. *That Council await the outcomes of the Office of Environment and Heritage Working Party recommendations on legislative changes for Aboriginal Culture and Heritage before considering whether amendments to Wollondilly Local Environmental Plan 2011 and Wollondilly Development Control Plan 2011 are necessary.*
 9. *That Sydney Catchment Authority and Office of Environment and Heritage and Department of Planning and Infrastructure, Tharawal Local Aboriginal Land Council and the Aboriginal Liaison Committee be notified of this report and its recommendations.*
 10. *That a report come back to Council, following discussion at a Councillor workshop, in regard to a potential planning proposal to change to controls in Clause 4.1A (Minimum lot size for dual occupancies in residential zones) of Wollondilly Local Environmental Plan 2011 to expand the opportunities for dual occupancies to be subdivided by Torrens Title."*
2. **Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The subject site is currently zoned part *RU2 Rural Landscape* and part *R2 Low Density Residential* and is currently vacant. This site has no potential for subdivision under its current zoning. It is considered that amending WLEP 2011 is the best means of achieving the objectives of the planning proposal.

3. **Is there a net community benefit?**

Overall, the proposal will provide a net community benefit for the following reasons:

- It is a correction of an oversight;
- The amendment will allow for subdivision of the residential zoned portion from the remaining 3.9 hectares.

This is the most appropriate way for that land to achieve the objectives of the R2 zone.

An analysis of the net community benefit is provided in *Appendix C* to this planning proposal.

Section B – Relationship to strategic planning framework

4. **Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

This planning proposal is consistent with both the Metropolitan Strategy and draft South West Subregional Strategy. The Metropolitan Strategy and the draft South West Subregional Strategy consist of seven subject areas, or strategies. Each of these strategies consists of a series of actions pertaining to the following fields:

- A Economy and Employment
- B Centres and Corridors
- C Housing
- D Transport
- E Environment, Heritage and Resources
- F Parks, Public Places and Culture
- G Implementation and Governance

This planning proposal generally accords with each of the above stated seven strategies as translated within the South West Subregional Strategy. Strategies C and E are particularly relevant to the proposed rezoning application and its compatibility with these has been explored in more detail below.

C. Housing Strategy

This proposal is generally in accordance with the Housing Strategy.

155,000 additional homes were identified for the South West Subregion between 2004 and 2031. Wollondilly has been identified to provide 5,230 of those additional dwellings of which 4,000 are expected to come from greenfield sites. The Metropolitan Strategy aims to focus residential development around centres, town centres, villages and neighbourhood centres.

The subject site is considered to be a greenfield site and over time the proposal, if approved, would result in the establishment of additional new dwellings within the Wollondilly LGA, contributing toward dwelling stock in the subregion. By zoning part of the land R2 with a minimum lot size 1,164sqm the clear planning intent for the site is to deliver some housing in accordance with this strategy.

E. Environment, Heritage and Resources Strategy

Manage Urban Growth

A key challenge set for the South West Subregion is to manage and accommodate urban development whilst protecting the valuable environmental, resource and cultural heritage assets. This is aimed to be achieved through sustainable growth which means restricting the urban and environmental footprint, reducing consumption of natural resources and reducing the environmental impacts of development.

The accommodation of future growth within existing urban areas whilst protecting native bushland areas and rural and resource lands is a key priority in the strategy. The subject site is directly adjoining the existing urban area of Wilton.

Other key focuses of the Environment, Heritage and Resources Strategy pertinent to the proposal include *Rural and Resource Lands* and *Heritage* as follows:

Rural and Resource Lands and Heritage

The site is not high quality agricultural land and has been cleared. The site does not accommodate any known European heritage items and is located within a relatively rural urban environment, it adjoins existing residential development.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Wollondilly Local Environmental Plan 2011

Wollondilly Local Environmental Plan (WLEP) 2011 was published on 23 February 2011. This proposal aims to amend the LEP. The intended outcome of this proposed amendment to WLEP 2011 is to resolve an oversight not to have amended the Lot Size Map.

Wollondilly Community Strategic Plan

The Wollondilly Community Strategic Plan 2030 (WCSP) sets goals and directions for community, infrastructure, economy, governance and environment. The planning proposal is consistent with Council's Community Strategic Plan, particularly the following:

Community

CS-1 Participate in processes that build community capacity to identify, value, celebrate and respond to diversity and difference

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

Economy

EcS-7 Support the economic viability of our towns and villages by encouraging appropriate residential development in and around those centres

Environment

ES-1 Develop and sustain a carbon-neutral Shire with a small ecological footprint

ES-2 Develop high standards of sustainable water management and water conservation

ES-3 Protect and preserve a diverse range of native flora and fauna, sensitive natural environments, aboriginal cultural sites and valued rural landscapes, while allowing appropriate public engagement with those environmental resources

Governance

GS-2 Build stronger partnerships between the community, private businesses, non-government and all levels of government to achieve the best outcomes for Wollondilly as a whole

Wollondilly Growth Management Strategy 2011

Wollondilly's Growth Management Strategy (GMS) was adopted by Council on 21 February 2011. All planning proposals which come to Council must be assessed against the Key Policy Directions within the GMS. A table addressing these directions is included as *Appendix D* to this planning proposal.

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

The planning proposal is consistent with applicable State Environmental Planning Policies (see *Appendix A*).

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is consistent with applicable Section 117 Directions (for Council's complete response to this requirement (see *Appendix B*).

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?

This planning proposal will not have a detrimental impact on critical habitat or threatened species populations or ecological communities or their habitats as no changes to vegetation are proposed. The Planning Proposal does not change the legislative provisions that apply to the vegetation on the site.

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

The subject does not constitute environmentally significant land or riparian land.

Initial investigations indicate that the site is not identified as flood hazard.

The subject site is located within an area nominated as a mine subsidence area as described by the Mine Subsidence Board.

The subject site has been identified as wholly bushfire prone land.

The future use of the site is yet to be determined. However, the applicant intends the future use to result in benefits to the community and minimal environmental impact.

10. How has the planning proposal adequately addressed any social and economic effects?

Economic benefits

Is the project likely to proceed?

Council considers that the proposal has a strong likelihood of proceeding.

Is the proponent sufficiently well resourced to proceed?

The proponent has indicated to Council that they are sufficiently well resourced to proceed. The proponent has agreed in principle to fund any necessary studies should the Department request them.

Social and Public Benefit considerations

The social and public benefit considerations of the proposal are discussed below

Does the proposed development or rezoning, make a significant contribution to the stocks of residential or employment lands?

The planning proposal Amendment No.57 to Wollondilly Local Environmental Plan, 1991 for Lot 200 DP 854626 Campsie Street, Wilton was incorporated into the Standard Instrument LEP adopted by Council on 17 May, 2010.

The amendment rezoned approximately 1,153 square metres within Lot 200 to Zone R2 Low density Residential. The remainder of Lot 200 became one RU2 Rural Landscape consistent with the adjoining land use zones.

The amendment was intended to allow assessment of a development application for subdivision of the residential zoned portion from the remaining 3.9 hectares.

The zoning map and Height of Building Map have been changed appropriately. It was an oversight not to have amended the Lot Size Map.

Therefore the Lot Size Map Ref.8400_COM_LSZ_011C_020_20110209 is to be changed to apply a minimum lot size of 3 hectares for that portion of Lot 200 DP 854626 which is within Zone RU2 Rural Landscape.

What is the likely job creation from the proposal?

Short term employment would be generated during the subdivision stage. Some home employment opportunities are permissible in the R2 zone.

What are the social benefits anticipated from the project, including housing affordability?

Provisions in Volume 3 – Residential and Tourist uses of the Wollondilly Development Control Plan 2011 provide for a variety of housing choices. This DCP shall apply to the subject site.

Socially, the proposal would provide additional population to the area, strengthening the Wilton centre and community links.

Section D – State and Commonwealth interests

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

There would be no change to existing public infrastructure by this proposal. No additional public infrastructure is required to facilitate amendment to the Lot Size Map.

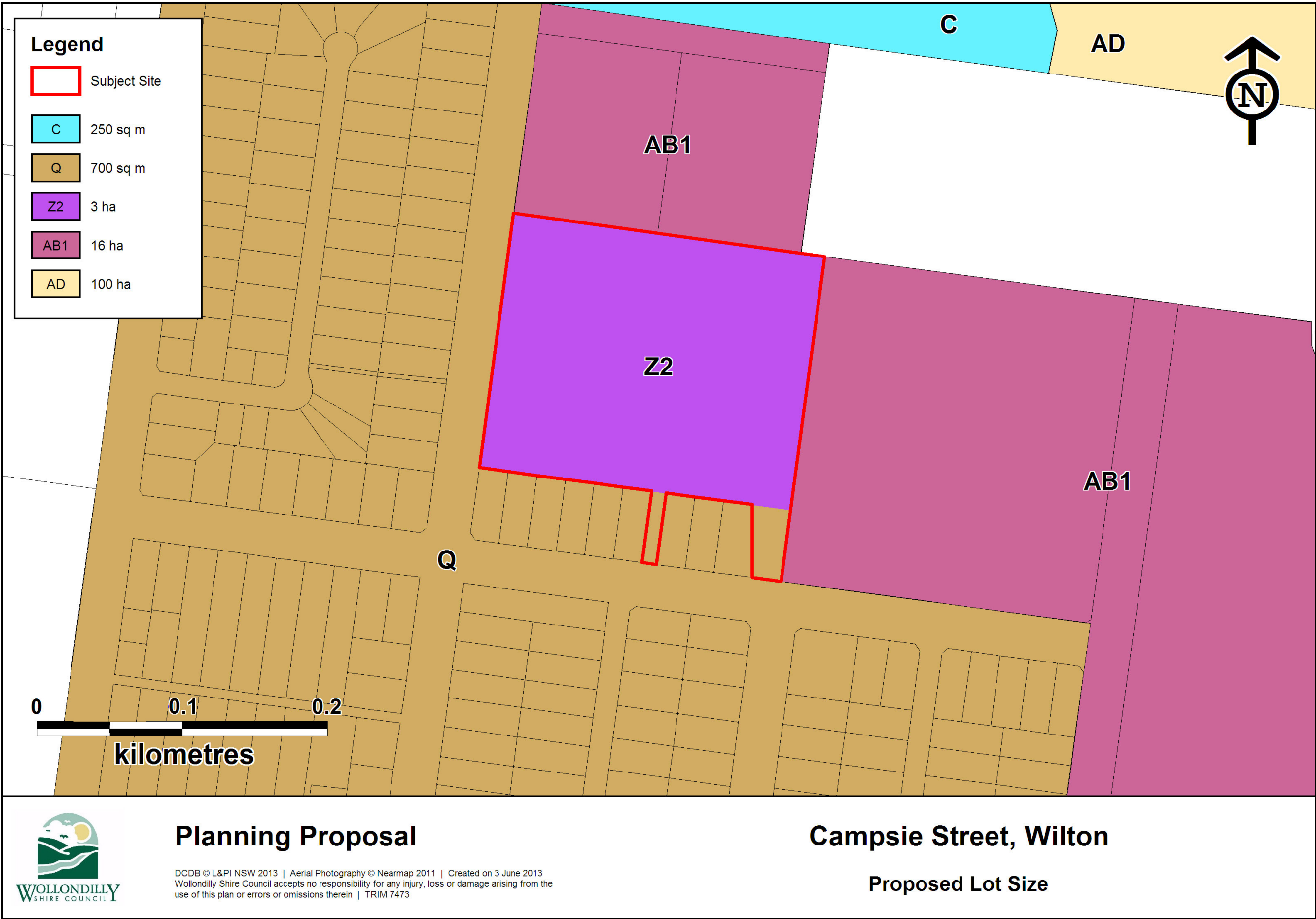
12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

A Gateway determination has not yet been issued. No State agency has been consulted on the Planning proposal to date.

Part 4 – Mapping

1. Amendment to Lot Size Map

Map 1 – Proposed Amendment to Lot Size Map (LSZ)



Part 5 – Community Consultation

Directive 4 of the Gateway Determination outlines the community consultation requirements for this planning proposal:

'Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act as follows:

- (a) the planning proposal must be made publically available for 28 days; and*
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposal and the specifications for material that must be made publically available along with planning proposal as identified in Section 4.5 of A Guide for Preparing LEPs (Department of Planning 2009).'*

During the public exhibition period the following documents will be made available for public viewing:

- the planning proposal
- the gateway determination
- the council report
- any additional information deemed necessary.

Part 6 – Project Timeline

Principal Steps	Anticipated commencement	Anticipated completion
Commencement (Gateway Determination)	June 2013	June 2013
Government agency consultation (pre-exhibition)	July 2013	August 2013
Required studies	Nil unless directed by the Department.	Nil
Public exhibition	September 2013	October 2013
Government agency consultation (during and post-exhibition)	October 2013	November 2013
Consideration of Submissions	November 2013	November 2013
Consideration of Proposal Post Exhibition	November 2013	November 2013
Resolve to request the making of the Plan	March 2014	December 2013

Appendices

A. Compliance with SEPPs

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

B. Assessment against Section 117(2) Directions

Table indicating compliance with applicable section 117(2) Ministerial Directions issued under the Environmental Planning and Assessment Act (EP&A Act) 1979.

C. Net Community Benefit Test

Table indicating compliance with the Net Community Benefit Test within the Draft Centres Policy (2009).

D. Assessment against Wollondilly GMS

Table indicating compliance with relevant Key Policy Directions within Wollondilly Growth Management Strategy (GMS) 2011.

Appendix A – Compliance with SEPPs

The table below indicates compliance, where applicable, with State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans).

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
1	Development Standards	N/A	WLEP 2011 is a Standard Instrument Local Environmental Plan. It incorporates Clause 4.6 Exceptions to Development Standards, which precludes the need for consistency with SEPP 1.
4	Development Without Consent and Miscellaneous Complying Development	N/A	
6	Number of Storeys in a Building	Yes	There shall be no change to existing LEP provisions on height of buildings.
14	Coastal Wetlands	N/A	Not applicable in the Shire of Wollondilly.
15	Rural Land-Sharing Communities	N/A	Not applicable in the Shire of Wollondilly.
19	Bushland in Urban Areas	N/A	Not applicable in the Shire of Wollondilly.
21	Caravan Parks	N/A	Not applicable to this Planning Proposal.
22	Shops and Commercial Premises	N/A	Not applicable to this Planning Proposal.
26	Littoral Rainforests	N/A	Not applicable in the Shire of Wollondilly.
29	Western Sydney Recreation Area	N/A	Not applicable in the Shire of Wollondilly.
30	Intensive Agriculture	N/A	Not applicable to this Planning Proposal.
32	Urban Consolidation (Redevelopment of Urban Land)	Yes	The planning proposal does not contain provisions that will contradict or will hinder the application of the SEPP.
33	Hazardous and Offensive Development	N/A	Not applicable to this Planning Proposal.
36	Manufactured Home Estates	N/A	Not applicable in the Shire of Wollondilly.
39	Spit Island Bird Habitat	N/A	Not applicable in the Shire of Wollondilly.
41	Casino/Entertainment Complex	N/A	Not applicable in the Shire of Wollondilly.
44	Koala Habitat Protection	N/A	Not applicable to this Planning Proposal.
47	Moore Park Showground	N/A	Not applicable in the Shire of Wollondilly.
50	Canal Estates	N/A	Not applicable to this Planning Proposal.
52	Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	Not applicable in the Shire of Wollondilly.
53	Metropolitan Residential Development	N/A	Wollondilly Shire is currently exempted from this SEPP.
55	Remediation of Land	Yes	The planning proposal does not contain provisions that will contradict or will hinder the application of the SEPP.
59	Central Western Sydney Economic and Employment Area	N/A	Not applicable in the Shire of Wollondilly.
60	Exempt and Complying Development	Yes	The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
62	Sustainable Aquaculture	N/A	Not applicable in the Shire of Wollondilly.

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
64	Advertising and Signage	N/A	Not applicable to this Planning Proposal.
65	Design Quality of Residential Flat Development	N/A	Residential flat buildings are prohibited on the subject land.
70	Affordable Housing (Revised Schemes)	N/A	Not applicable in the Shire of Wollondilly.
71	Coastal Protection	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Affordable Rental Housing) 2009	Yes	The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
	SEPP (Housing for Seniors or People with a Disability)	Yes	The planning proposal does not contain provisions that will contradict or would hinder a future application for SEPP (HSPD) housing.
	SEPP (Building Sustainability Index: BASIX) 2004	Yes	The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP. Future development applications for dwellings will need to comply with this policy.
	SEPP (Kurnell Peninsula) 1989	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Major Development) 2005	N/A	Not applicable to this Planning Proposal.
	SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	This Planning Proposal does not contain any provisions which would contradict or hinder the application of this SEPP.
	SEPP (Temporary Structures) 2007	N/A	Not applicable to this Planning Proposal.
	SEPP (Infrastructure) 2007	N/A	Not applicable to this Planning Proposal.
	SEPP (Kosciuszko National Park - Alpine Resorts) 2007	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Rural Lands) 2008	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Exempt and Complying Development Codes) 2008	Yes	The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP at future stages, post rezoning.
	SEPP (Western Sydney Parklands) 2009	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Western Sydney Employment Area) 2009	N/A	Not applicable in the Shire of Wollondilly.
Deemed State Environmental Planning Policies (Formerly Regional Environmental Plans)		Consistency	Comments
9	Extractive Industry (No 2)	N/A	
20	Hawkesbury–Nepean River (No 2 - 1997)	Yes	This proposal is consistent with this SREP.
27	Wollondilly Regional Open Space	N/A	Repealed 26/06/2009.
1	Drinking Water Catchments Regional Environmental Plan No 1	N/A	Subject lands are not located within the jurisdiction of REP No. 1.

Appendix B – Assessment against Section 117(2) Directions

The table below assesses the planning proposal against Section 117(2) Ministerial Directions issued under the Environmental Planning and Assessment Act (EP&A Act) 1979.

Ministerial Direction	Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
1. Employment and Resources			
1.1 Business and industrial Zones	No	Yes	Not applicable with respect to this Planning Proposal.
1.2 Rural Zones	Yes	Yes	The subject land is currently not utilised for any agricultural purpose. The planning proposal is considered satisfactory in this instance given the relatively low quality of the subject land for meaningful agriculture pursuits and its central and relatively urban location of Wilton. Therefore it is considered that the planning proposal is consistent with Direction 1.2.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	Yes	The proposal is consistent with the direction because potential future development can be compatible with the potential development of any resource.
1.4 Oyster Production	N/A	N/A	Direction does not apply.
1.5 Rural Lands	N/A	N/A	Not applicable in the Shire of Wollondilly.
2. Environment and Heritage			
2.1 Environmental Protection Zones	N/A	N/A	Direction does not apply.
2.2 Coastal Protection	N/A	N/A	Direction does not apply.
2.3 Heritage Conservation	N/A	N/A	Direction does not apply.
2.4 Recreation Vehicle Area	N/A	N/A	The planning proposal does not propose any provisions that would enable the land to be developed for the purpose of a recreational vehicle area. Therefore it is consistent with Direction 2.4.
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	Yes	Yes	Clause 7.1 of the Wollondilly LEP 2011 requires that land must be adequately serviced with appropriate infrastructure for development consent to be granted. The planning proposal has potential to achieve a diversity of housing choice and design. The residential design will be controlled through the application of Volume 3 – Residential and Tourist uses of the Wollondilly Development Control Plan 2011. The Planning Proposal shall not change existing provisions for housing and essential services and therefore it is considered that the planning proposal is consistent with Direction 3.1.

Ministerial Direction		Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
3.2	Caravan Parks and Manufactured Home Estates	Yes	Yes	The planning proposal retains all existing zones in which caravan parks are permitted. Therefore the planning proposal is consistent with Direction No. 3.2.
3.3	Home Occupations	Yes	Yes	The planning proposal does not alter the current exempt development provisions that enables for the development of home occupations. Therefore no further consideration of the matters in relation to Direction 3.3 is necessary.
3.4	Integrating Land Use and Transport	Yes	Yes	The Planning Proposal shall not change the provisions for land uses and building forms to the extent that the objectives of this Direction need to be involved.
3.5	Development Near Licensed Aerodromes	N/A	N/A	Direction does not apply.
3.6	Shooting Ranges	N/A	N/A	Direction does not apply.
4. Hazard and Risk				
4.1	Acid Sulphate Soils	N/A	N/A	Direction does not apply
4.2	Mine Subsidence and Unstable Land	N/A	N/A	Direction does not apply
4.3	Flood Prone Land	N/A	N/A	Direction does not apply. The subject land is not identified by Council as being flood prone.
4.4	Planning for Bushfire Protection	Yes	Yes	The subject site has been identified as being wholly bushfire prone land. The RFS does not need to be consulted at this stage as this planning proposal does not change the development on the subject site. The proposal is generally consistent with this direction.
5. Regional Planning				
5.1	Implementation of Regional Strategies	N/A	N/A	Direction does not apply.
5.2	Sydney Drinking Water Catchments	N/A	N/A	Direction does not apply.
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N/A	N/A	Direction does not apply.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N/A	N/A	Direction does not apply.
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A	N/A	Revoked.
5.6	Sydney to Canberra Corridor	N/A	N/A	Revoked.
5.7	Central Coast	N/A	N/A	Revoked.

Ministerial Direction	Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
5.8 Second Sydney Airport: Badgerys Creek	N/A	N/A	Direction does not apply
6. Local Plan Making			
6.1 Approval and Referral Requirements	Yes	Yes	The proposal is consistent with this direction because it does not alter the provisions relating to approval and referral requirements.
6.2 Reserving Land for Public Purposes	Yes	Yes	This planning proposal is consistent with this direction because it does not create, alter or reduce existing zoning or reservations of land for public purposes.
6.3 Site Specific Provisions	N/A	N/A	Direction does not apply.
7. Metropolitan Planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	Yes	This planning proposal is consistent with the Metropolitan Strategy.

Appendix C – Net Community Benefit Test

The following table addresses the evaluation criteria for conducting a Net Community Benefit Test within the Draft Centres Policy (2009) as required by the guidelines for preparing a planning proposal:

Evaluation Criteria	Yes/ No	Comment
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Yes	The proposal is compatible with the Metropolitan Strategy and Draft South West subregional Strategy.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	No	The LEP is not located in a global/regional city.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	No	The proposal is unlikely to create a precedent within the locality. It represents land located immediately in-between and adjoining Wilton. No change is proposed to the existing zoning for the subject site.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes	There have been no recent spot rezonings in the locality.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	No	The site is not zoned to facilitate employment nor will it result in a loss of employment land.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	No	This proposal will ensure the supply of residential land in accordance with the planning intent behind its current zoning.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?	Yes	The Planning Proposal does not facilitate a change to the use of the site and no change to demands for infrastructure, public transport or shared pathway access are associated with the proposal.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	No	The proposal will not result in changes to car distances travelled in the local area. The Planning Proposal will have no impact on travel requirements, greenhouse gas emissions or road safety.
Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?	No	The proposal will not adversely impact on the infrastructure and or services in the area.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	No	The Planning Proposal will have no impact on land of high biodiversity values or other environmental assets.
Will the LEP be compatible / complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?	Yes	The proposal is compatible with the current land uses in the locality. The proposal has the potential to conserve and improve the existing amenity and public domain of the locality.
Will the proposal increase choice and competition by increasing the number of retail and commercial	No	The proposal does not contain provisions for increasing

Evaluation Criteria	Yes/ No	Comment
premises operating in the area?		the availability of commercial premises.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	No	The proposal does not have the potential to develop into a centre.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?		Amendment No.57 to Wollondilly Local Environmental Plan, 1991 for Lot 200 DP 854626 Campsie Street, Wilton was incorporated into the Standard Instrument LEP adopted by Council on 17 May, 2010. The amendment rezoned approximately 1,153 square metres within Lot 200 to Zone R2 Low density Residential. The remainder of Lot 200 became one RU2 Rural Landscape consistent with the adjoining land use zones. The amendment was intended to allow assessment of a development application for subdivision of the residential zoned portion from the remaining 3.9 hectares. The zoning map and Height of Building Map have been changed appropriately. It was an oversight not to have amended the Lot Size Map. Therefore the Lot Size Map Ref.8400_COM_LSZ_011C_020_20110209 is to be changed to apply a minimum lot size of 3 hectares for that portion of Lot 200 DP 854626 which is within Zone RU2 Rural Landscape.

Appendix D – Assessment against Wollondilly GMS

Wollondilly Growth Management Strategy (GMS) was adopted by Council in February 2011 and sets directions for accommodating growth in the Shire for the next 25 years. All planning proposals which are submitted to Council are required to be assessed against the Key Policy Directions within the GMS to determine whether they should or should not proceed.

The following table sets out the planning proposal's compliance with relevant Key Policy Directions within the GMS:

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.	This proposal meets all the relevant 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 draft proposal is generally consistent with the concept and vision of 'Rural Living'. Despite its rural zoning, the land is highly constrained for agricultural uses. Therefore the proposal does not sterilise a viable agricultural resource.
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	Further opportunities for consultation with the community will occur during public exhibition of the planning proposal.
P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.	No such representations have been made 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 Planning Proposal is generally in accordance with the nominated Policy Direction.
Housing Policies	
P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.	Key Policy Direction P6 is not applicable to this proposal.
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.	Key Policy Direction P8 is not applicable to this proposal.
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").	Key Policy Direction P9 is not applicable to this proposal..
P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.	The site immediately adjoins existing residential development located in Wilton.

Key Policy Direction	Comment
Macarthur South Policies	
P11 Council does not support major urban release within the Macarthur South area at this stage.	Key Policy Direction P11 is not applicable to this proposal.
P12 Council considers that in order to achieve sound long-term orderly planning for the eventual development of Macarthur South an overall master plan is required.	Key Policy Direction P12 is not applicable to this proposal.
P13 Council will not support further significant new housing releases in Macarthur South beyond those which have already been approved. Small scale residential development in and adjacent to the existing towns and villages within Macarthur South will be considered on its merits.	Key Policy Direction P13 is not applicable to this proposal.
P14 Council will consider proposals for employment land developments in Macarthur South provided they: ▪ Are environmentally acceptable; ▪ Can provide significant local and/or subregional employment benefits; ▪ Do not potentially compromise the future orderly master planning of the Macarthur South area; ▪ Provide for the timely delivery of necessary infrastructure; ▪ Are especially suited to the particular attributes of the Macarthur South area AND can be demonstrated as being unsuitable or unable to be located in alternative locations closer to established urban areas; ▪ Do not depend on the approval of any substantial new housing development proposal in order to proceed (Employment land proposals which necessitate some limited ancillary or incidental housing may be considered on their merits).	Key Policy Direction P14 is not applicable to this proposal.
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.	Key Policy Direction P15 is not applicable to this proposal..
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.	Key Policy Direction P16 is not applicable to this proposal.
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 burdens on Council or the Shire's existing and future community.	Key Policy Direction P17 is not applicable to this proposal.

Key Policy Direction	Comment
P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.	Key Policy Direction P18 is not applicable to this proposal.
P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.	The planning proposal does not contribute toward dispersed population growth. . Key Policy Direction P19 is not applicable to this proposal.
P20 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.	Key Policy Direction P20 is not applicable to this proposal.
Rural and Resource Lands	
P21 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.	The subject land is located outside catchment lands for Sydney's drinking water supplies.
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 practicable, existing dwelling and subdivision entitlements in rural areas.	Key Policy Direction P22 is not applicable to this proposal.