



Precise Planning

Planning | Development | Management

PLANNING PROPOSAL

PROPOSED RESIDENTIAL REZONING

95 Great Southern Road Bargo

Lot 1 DP 996286

July 2013

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1. INTRODUCTION

1.1 BACKGROUND

This Report represents the formative phase in the development of a Planning Proposal geared toward rezoning the land known as No 95 Great Southern Road Bargo (Lot 1 DP 996286) at Bargo, for urban purposes. The rezoning is to be effected through the preparation of a relevant Local Environmental Plan (LEP) amendment, it being proposed to amend the Wollondilly LEP 2011.

1.2 SCOPE OF REPORT

This Report has been prepared in accordance with the former NSW Department of Planning's (DoP) documents *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. The latter document requires the Planning Proposal (PP) to be provided in four (4) parts, being:

- Part 1 – A statement of the objectives or intended outcomes of the proposed LEP;
- Part 2 – An explanation of the provisions that are to be included in the proposed LEP;
- Part 3 – The justification for those objectives, outcomes and provisions and the process for their implementation;
- Part 4 – Details of the community consultation that is to be undertaken on the Planning Proposal.

1.3 REPORT STRUCTURE

The remainder of this Report, in providing an outline PP, is structured in the following manner:

- Section 2 provides an overview of the sites that are the subject of this PP and the development intent
- Section 3 contains a statement of the objective and/or intended outcomes of the proposed LEP
- Section 4 provides justification for the objectives, outcomes and provisions of the proposed LEP
- Section 5 provides details of the community consultation that would be undertaken in respect of the PP
- Section 6 provides a conclusion

2. THE SUBJECT LAND / SITE

2.1 LAND DESCRIPTION

The site comprises a single lot, as described in Part 1.1 of this Report. The site is located in the Wollondilly Local Government Area (LGA).

2.2 THE SITE

The site presents as a rectangular-shaped parcel, with road frontage to Great Southern Road to the west, Government Road to the east and a currently unformed Crown road to the north. The northernmost end of Hawthorne Road abuts the southern boundary of the subject land. The overall site area is approximately 24.28ha. and supports an existing dwelling house, sheds and a silo.

The structures erected upon the subject land (see plan at Appendix 'A') are listed in Wollondilly LEP 2011 as items of local heritage significance (item I 20).

An unnamed watercourse diagonally traverses the site as depicted on the aerial photograph at Figure 1. This watercourse is a second order stream based on the Strahler system of ordering.

Substantial sections of the site have been historically cleared for agricultural purposes. The only tree vegetation retained is along the alignment of the abovementioned unnamed watercourse (see Figure 1 below).

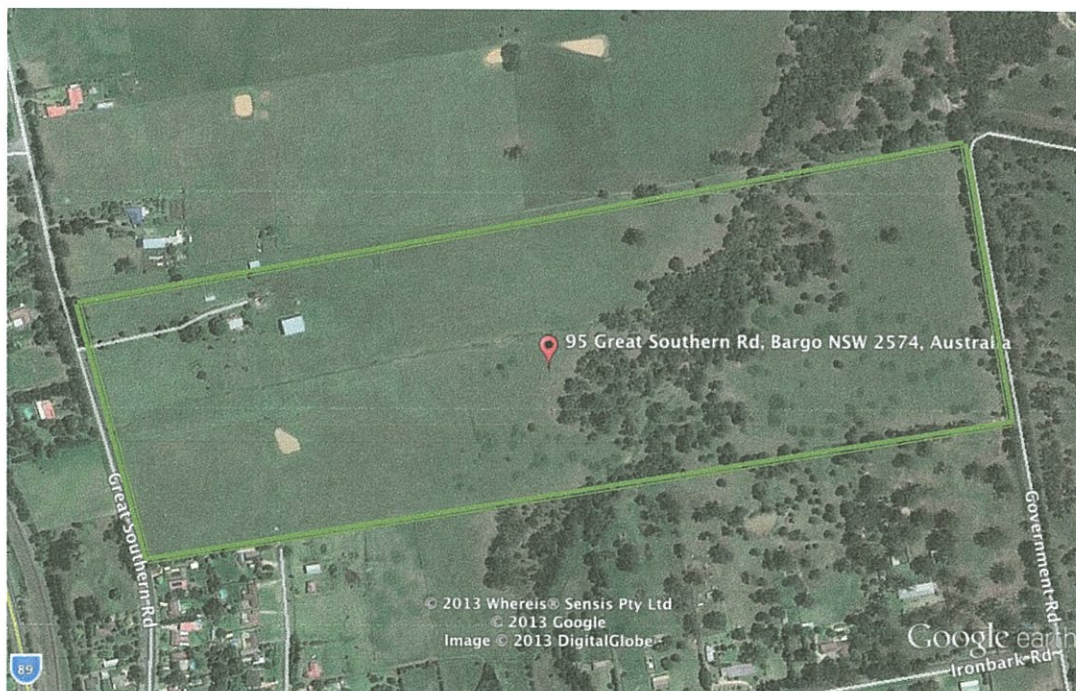


Figure 1

Aerial view

2.3 CONTEXT

The subject land is contiguous with the existing residential and rural residential area of Bargo to the south, as depicted in the aerial view at Figure 1. To the north of the site are semi rural lots, utilized predominantly for hobby farming and residential purposes. Land to the east, beyond Government Road, is currently rural (although not used for any purpose) and is currently the subject of a rezoning application for R5 large lot residential purposes. Land to the west, beyond Great Southern Road, is effectively utilized for large lot residential purposes.

2.4 TOPOGRAPHY / DRAINAGE REGIME

The plan at Appendix A depicts the topography and natural drainage pattern of the subject land. The predominant feature is the abovementioned unnamed watercourse and the land generally drains surface water in the direction toward the watercourse.

2.5 GEOLOGY

The Geological Map of Wollongong - Port Hacking (Geological Series Sheet 9029-9129, Scale 1:100,000, Edition 1, 1985), published by the Department of Mineral Resources indicates the site is bordering on two different geological profiles. Triassic Age Shale of the Wianamatta Group, comprising laminite and dark grey siltstone and Hawkesbury Sandstone comprising medium to coarse grained quartz sandstone, very minor shale and laminite lenses.

2.6 ECOLOGY

A substantial part of the site has been cleared completely in the past and presently supports pasture grasses. Riparian vegetation exists along the line of the unnamed watercourse traversing the property.

It will likely be a Gateway requirement that an assessment of significance in accordance with Section 5A of the EP and A Act and the "Threatened Species Assessment Guidelines" as the planning proposal evolves. In addition, the Department of Primary Industries – Office of Water will have input in relation to the treatment of the unnamed watercourse.

2.7 BUSHFIRE HAZARD

The land is shown as being partially bushfire prone on the Bushfire maps held at Wollondilly Council offices. It will likely be a Gateway requirement that further investigations be carried out to determine the impacts of compliance with Planning for Bushfire Publication 2006.

2.8 EFFLUENT DISPOSAL

At this point in time, reticulated sewerage services are not available in Bargo, although design of the proposed Sydney Water Sewerage System is underway. Preliminary enquiries to Sydney Water indicate that the current approval does not extend to allow the inclusion of lots to be rezoned for residential purposes. Therefore, to facilitate the proposed rezoning of this land, it is, at this stage, proposed to install a packaged sewerage treatment plant, which will be privately owned and operated collectively by the future landowners.

2.9 STORMWATER

The site drains toward the unnamed watercourse traversing the site. This is outside the Sydney Catchment area and accordingly is not subject to the provisions of Sydney Regional Environmental Plan No 1 (Sydney Drinking Water Catchments) 2011.

Design and implementation of a simple stormwater management system, based on the principles of Water Sensitive Urban Design, will likely be further canvassed as the gateway process is advanced. An integrated stormwater management system will address stormwater management and achieve acceptable water quality outcomes in particular.

2.10 RETICULATED WATER

Sydney Water's water mains are located in Hawthorne Road and also Great Southern Road. It is feasible to connect to both these water mains. Should Council and the Gateway support this proposal, Sydney Water will be contacted for more detailed requirements.

2.11 SITE CONTAMINATION

Given the rural residential proposed use it is recommended that a Phase 1 investigation be undertaken following gateway approval, moving to a Phase 2 investigation if required. Should any areas of environmental concern be detected in a Phase 2 investigation, appropriate remediation works will be planned and implemented so that the land becomes suitable for residential purposes.

Should any historical uses indicate areas of environmental concern, appropriate remediation works can be planned and implemented, rendering the land suitable for human contact.

2.12 TRAFFIC / ACCESSIBILITY

The proposed development may be accessed from Great Southern Road, Government Road, Hawthorne Road or the existing unformed Crown Road to the north of the site.

The subject network has capacity to accommodate likely additional traffic movements, subject to possible minor road widening and intersection treatments. A bus route focuses on Remembrance Driveway, whilst a formed footpath may be required. A detailed traffic assessment will be undertaken as this proposal advances through the Gateway process to establish final design elements.

2.13 HERITAGE

The site contains an item of local heritage significance (Coomeroo Homestead, Silo and Slab Shed – Item I 20 in WLEP 2011). The European heritage implications of the proposed rezoning will require further assessment as this Planning Proposal is advanced. It may also be necessary to undertake a due diligence survey of the site to determine if any Aboriginal Cultural Heritage Values will be adversely impacted upon. Should either study identify any significant impact on Aboriginal Cultural Heritage Values, further investigation and a strategy will be required to ameliorate any such impact.

3. INTENT AND PROVISIONS (PARTS 1 AND 2)

3.1 OBJECTIVES OR INTENDED OUTCOMES (PART 1)

This Planning Proposal has the express purpose of facilitating the urbanization of that component of the site that is not subject to environmental constraints / sensitivity.

Objective

To facilitate the comprehensive development of the land for residential purposes in a manner which sensitively interfaces with surrounding development, leverages off and embellishes existing infrastructure and conserves and enhances the underpinning natural systems framework.

Outcomes

In delivering the foregoing objective, it is intended that the following outcomes can be realized:

- An increase in housing choice
- A sustainable and coordinated expansion of local employment opportunities
- The natural systems will be respected
- Existing physical and human infrastructure will be utilized and embellished

3.2 EXPLANATION OF PROVISIONS (PART 2)

The Wollondilly LEP 2011 will be amended in the following ways:

- Amendment of Wollondilly LEP 2011 land Zoning Map – Bargo, from RU2 (Rural Landscape) to R2 (Low Density Residential).
- Amendment of Wollondilly LEP 2011 Land Zoning Map – Bargo, from RU2 (Rural Landscape) to R5 (Large Lot Residential).
- Amendment of Wollondilly LEP 2011 Lot Size Map – Bargo, from 16ha (AB1) to 450sqm (G).
- Amendment of Wollondilly LEP 2011 Lot Size Map – Bargo, from 16ha (AB1) to xxx

It is proposed to extend the existing 9m (J) building height, which currently applies to other residentially-zoned land in Bargo, to the subject land.

4. JUSTIFICATION (PART 3)

4.1 JUSTIFICATION OVERVIEW

4.1.1 INTRODUCTION

This overview establishes the case for the zoning change proposed in the LEP amendment. It should be noted that the level of justification is commensurate with the impact of the rezoning proposal and an acknowledgment of the need for future issue-specific studies.

4.1.2 METROPOLITAN PLANNING

The Metropolitan Plan for Sydney 2036 (2010) provides a framework for promoting and managing growth. It documents a vision for Greater Sydney over the ensuing 25 year period, in which

Sydney will be a more compact, networked city with improved accessibility, capable of supporting more jobs, homes and lifestyle opportunities within the existing urban footprint.

In pursuit of this vision are a series of strategies focused upon, namely:

- Strengthening the City of Cities
- Growing and Renewing Centres
- Transport for a Connected City
- Housing Sydney's Population
- Growing Sydney's Economy
- Balancing Landuses on the City Fringe
- Tackling Climate Change and Protecting Sydney's Natural Environment
- Achieving Equity, Livability and Social Inclusion
- Delivering the Plan

The Metropolitan Plan highlights, inter alia, the need for 770,000 additional homes by 2036 and a need to expand Sydney's employment capacity by 760,000. To accommodate this expanding population, the Strategy projected a need for 231,500 new homes (30%) on the fringe of the City and approximately 540,000 new homes (70%) in existing suburbs.

The South West Sub Region will remain a priority growth area projected to meet an increased dwelling demand of 155,000 by 2036 and an employment target of 141,000 new jobs – more than double the 133,000 jobs in the southwest in 2006.

Balancing land uses on the City fringe is identified as a clear challenge.

4.1.3 SUB REGIONAL PLANNING

The Department of Planning (DOP) has reinforced its expectations of future Shire urban growth over recent years and most recently in the Draft South West Sub-regional Strategy. The Draft Strategy, in promoting a vision to 2031, has established a growth target in Wollondilly Shire of 5,230 additional dwellings, comprising some additional 1,230 additional "infill" dwellings and 4,000 "greenfield" dwellings (i.e. a 24%/76% split).

Additionally, DOP has outlined the need for housing product diversity for any future urban lands, with lot sizes of a variable nature exceeding a minimum of eight dwellings per hectare, but not necessarily attaining 15 dwellings per hectare.

4.2 NEED FOR THE PLANNING PROPOSAL (SECTION A)

4.2.1 IS THE PLANNING PROPOSAL THE RESULT OF ANY STRATEGIC STUDY OR REPORT?

The Planning Proposal has its origins in the principles contained in the Wollondilly Shire Council's Growth Management Strategy (GMS) adopted on 21 February 2011.

The subject land is located adjacent to an area generally identified as part of the 'potential residential growth areas' on the Bargo Structure Plan (refer to Appendix C). The land is also contiguous with the existing Bargo urban settlement and exhibits similar qualities to that expressly identified for expansion in the GMS. Further, some of the areas expressly identified will not deliver the desired urban outcomes as more detailed urban capability analysis is undertaken, a reality that the GMS readily concedes.

The Strategy contains a Housing Target Distribution Table for Bargo. At Section 5.3, the Strategy anticipates a total dwelling target for Bargo of 2000 new dwellings. This figure comprises 40 dwellings approved for construction but not built and 1960 additional dwellings needed. In order to achieve this target, some existing rural / residential land in Bargo will have to be rezoned for residential development, given there are very few development opportunities in the stock of existing residentially zoned land.

Further, it is consistent with the Metropolitan Plan and Draft Sub Regional Strategy objectives of providing increased housing opportunities, employment opportunities particularly as an expansion of existing urban areas.

4.2.2 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

The rezoning of the subject land is the best means of achieving the objectives and intended outcomes of the GMS. The GMS is a policy document with associated mapping, containing key directions and principles to guide proposals and Council decisions on growth.

The proposed rezoning is importantly stylized as an amendment to Wollondilly LEP 2011, notably adopting relevant zoning, minimum lot size and maximum height of buildings provisions. It represents the most logical way of achieving the intended objective and outcomes, there being no readily available and better alternative under the prevailing legislation.

The property is currently zoned RU2 Rural Landscape under WLEP 2011 and further subdivision of the site is not possible under the current zone minimum lot size standard.

The proposed R2 Low Density Residential component will achieve an efficient utilization of the land resource and provide opportunities for residential development with minimal environmental impacts. The proposed R5 Large Lot Residential will provide flexibility in housing choice, whilst also accommodating the opportunity to sensitively manage the existing riparian area along the unnamed watercourse.

4.2.3 IS THERE A COMMUNITY BENEFIT?

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

Evaluation Criteria	Y/N	Comment
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Y	The proposed rezoning is compatible with the Metropolitan Plan, the Draft South West Sub-regional Strategy and the local GMS (refer to targets at 4.1.2, 4.1.3 and 4.2.1 above)
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/sub-regional strategy?	N	Bargo is situated on the rural / urban interface of the Sydney Metropolitan region and has direct access to the Hume Highway. It is located along the Main Southern Railway route but is not situated within a strategic centre or corridor. The site is generally identified within the GMS as having potential for future urban growth.
Is the LEP likely to create a precedent or create a change in expectations for the landowner or other landowners?	N	The proposed rezoning is unlikely to create a precedent within the locality or change the expectations in respect of the site, as it is located in an area generally identified for future urban growth.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Y	All other spot rezonings before Council in the Wollondilly LGA generally comply with the Council's strategic direction. This planning proposal will result in a positive contribution to urban expansion in the following ways: - By increasing the density and diversity of housing close to the existing urban centre; and - By improving the economies of scale to deliver infrastructure and utility services for the residential expansion of the Bargo township
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Y	The site is not currently zoned to facilitate employment, so there will be no loss of employment land. The proposal will create employment through the construction jobs to install the infrastructure, and build the homes, therefore delivering an economic benefit to the community. Further, an increase in population creates demand for commercial services, which leads to increased employment opportunities. Some modest home business opportunities and tradesman residency opportunities will accrue.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	Y	The proposal will have a positive impact on the residential land supply by adding to the amount of available residential land. The proposal will increase the housing choice and type of housing and contribute to meeting local residential targets.
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?	Y	The existing road, rail and bus infrastructure in Bargo is adequate to meet the needs of the proposal. The site has access to reticulated water and is on the fringe of an established urban area. A reticulated private STP is proposed to manage effluent treatment and disposal. Pedestrian and cycling facilities within the subject site can be provided as part of the future development. The residential development will support the Bargo Service Centre. Local buses service the area. However, they are limited and primarily cater for school children. Nevertheless, increased patronage through population growth will increase

		the viability of additional bus services.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	N/A	N/A
Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?	N	No. The proposal does not require significant further investment in public infrastructure. It will utilize the existing infrastructure and services. The developer will extend and upgrade infrastructure where necessary to service the needs of the development, at no cost to government.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values)? Or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	N	The site has not been identified for conservation purposes. Some conservation initiatives are likely to be focused on the riparian area along the creek. The land is not mapped as flood prone. However, it will be a likely Gateway requirement that further investigations in relation to potential flooding of the unnamed watercourse be undertaken in conjunction with other studies.
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?	Y	Adjoining land to the south has been identified by the GMS for future residential growth. Land to the east is subject to a current application for rezoning to Large Lot Residential. Otherwise, the site immediately adjoins existing residential development at the southwest of the site. Land to the north of the site is generally used for hobby farming activities and is considered to be compatible with residential land uses. The site is not an isolated residential development and is well serviced and proximate to the Bargo Service Centre
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	N	The development will, however, contribute to the improved trade of nearby facilities / centres through increased patronage, due to the increase in population.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N/A	N/A
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at this time?		The proposal will provide additional housing to assist in meeting the housing growth and dwelling mix actions from the sub-regional and local strategies. If the rezoning were not supported, the provision of additional housing would not be realized. Further, the holistic urbanization of the precinct would not be realized, as incremental urban development occurred.
Will the public domain improve?	Y	Section 94 Contributions/Developer Agreement commitments will be required in respect of open space/community facilities and new road integration

Table 1
Net Community Benefit Test

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

- It constitutes a balanced and appropriate use of land and is in keeping with the adjoining residential character.

- The proposal will contribute to Council's requirement to facilitate new dwelling growth, in accordance with the Sub-regional Strategy target.
- The proposal provides opportunities for a mix of dwelling types that encourage social mix and provides housing choice to meet the needs of the community.
- It forms part of the Bargo Service Centre catchment, which has adequate infrastructure to support the development.
- The proposal will not result in any significant adverse environmental impacts.
- The proposal will create local employment opportunities through the construction jobs associated with the civil and building work, as well as longer-term jobs created through increased demand for local businesses because of population growth.
- The proposal will reinforce the viability of the Bargo Service Centre and public transport services (provided by the private sector)

4.3 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK (SECTION B)

4.3.1 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)?

The Metropolitan and sub-regional planning context have been briefly detailed at 4.1.2 and 4.1.3 above.

On 16 December 2010, the NSW government released the Metropolitan Plan 2036, which is a follow up of the 'City of Cities' Metropolitan Strategy released in 2005. The Draft South West Subregional Strategy still remains a draft and will be considered in this submission.

As detailed in the Net Community Benefit Test (see section 4.2.3) and in discussing relevant S117 Directions (see section 4.3.4) it is considered that the planning proposal is consistent with the Metropolitan Plan and the Draft Subregional Strategy for the following reasons:

Objective D1 of the Metropolitan Plan 2036 is to ensure an adequate supply of land and sites for residential development. Two action plans have been devised to achieve this objective:-

Action D1.1 of the Metropolitan Plan 2036 requires that at least 70 per cent of new dwellings (about 540,000 homes) will be located within existing urban areas. Also under the Action, greenfield development is to continue to contribute to Sydney's housing supply as the remainder of new dwellings (about 230,000 homes) is to be located in well-planned new precincts. This rezoning will generally be consistent with the Action.

Action D1.2 requires Councils to incorporate the Plan's targets and strategic directions into their LEPs. The targets set out in the Metropolitan Plan 2036 represent a minimum and the plan encourages Councils to plan for higher capacity where appropriate. The proposed rezoning of the subject land will contribute, albeit in a minor way, to achieving the target number of dwellings, as set out above in the Metropolitan Plan.

The Draft South West Subregional Strategy aims to provide 155,000 new homes within the subregion for the period up to 2031. In respect to the Wollondilly LGA, it identifies a target for the period of 5,230 additional dwellings, comprising 1,230 additional infill housing and an additional 4,000 as greenfield

development. Accordingly, the proposed rezoning would support the aspirations for additional dwellings in the Wollondilly LGA.

4.3.2 IS THE PLANNING PROPOSAL CONSISTENT WITH THE LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN OR OTHER LOCAL STRATEGIC PLAN?

The GMS is a policy document with associated mapping, which contains key directions and principles to guide proposals and Council decisions on growth. The GMS states that the 'assessment criteria' will apply to any planning proposal seeking to develop land for residential and employment uses, as outlined in the GMS.

State and Regional Strategies and Policies	
Criteria	Response
NSW State Plan, Metro Strategy, Sub-Regional Strategy	Consistent with relevant provisions
State Planning Policies	Consistent with relevant provisions
Ministerial Directions	Consistent with relevant provisions, or where not consistent, is justified
LEP Framework	The proposed amendments to WLEP 2011 are in accordance with the Standard Planning Instrument
Local Strategies and Policies	
Criteria	Response
Key Policy Directions on the GMS	Consistent with the relevant provisions
Precinct Planning	This planning proposal request involves a single lot comprising 24.28ha
Wollondilly Community Strategic Plan	Consistent with the relevant provisions
Project Objectives and Justification	
Criteria	Response
Overall Objective	Consistent with the relevant provisions
Strategic Context	Consistent with the relevant provisions
Net Community Benefit?	Consistent with the relevant provisions
Summary of Likely Impacts	Consistent with the relevant provisions
Infrastructure and Services	Consistent with the relevant provisions
Supply and Demand Analysis	When taking into account the scale of the proposed LEP amendment it is considered that a detailed supply and demand analysis is not warranted. Nevertheless, it is noted that there is limited vacant land supply in the Bargo township for the types of lot sizes proposed and the proposal offers an opportunity to service potential demand.

Site suitability / analysis	The land is immediately adjacent to land identified in the GMS for future residential growth. Other than along the line of the unnamed watercourse, the land has been cleared of native vegetation, but is underutilized as a rural resource. The proposed R5 rezoning would provide a necessary transitional buffer between the residential land to the west and land zoned E2 Environmental Conservation, further to the east. Traffic generation from the resulting development would still be within the environmental capacity of the surrounding road network and will be the subject of detailed investigations as the proposal is advanced.
Preserving Rural Land and Character	
Criteria	Response
Character Setting	The proposal is consistent with future expectations for the land. It is an extension of the existing residential settlement of Bargo.
Visual Attributes	As the existing site is grazing paddocks, the construction of housing will obviously alter the visual attributes of the land. However, the proposal would not impact unacceptably on the visual character of the locality by reason that (i) the proposal provides an appropriate visual transition at the edge of the township; and (ii) would not cause the removal of significant landscape features
Rural and Resource Lands	The land is not currently used as an agricultural holding and is unlikely to be considered as a viable agricultural holding in the future, given its proximity to existing residential development. The proposal will not restrict opportunities for future agricultural uses on adjacent lands.
Environmental Sustainability	
Criteria	Response
Protection and Conservation	The proposal will not require the removal of significant remnant vegetation. Mature remnant vegetation along the unnamed watercourse is proposed to be retained where possible and this will be the subject of a riparian management plan as the proposal advances.
Water Quality and Quantity	The proposal would not cause unacceptable water quality impacts, subject to a more detailed STP study. The scale nature of the proposal would be unlikely to cause unmanageable water quality impacts, subject to the implementation of a Water Sensitive Urban Design strategy.
Flood Hazard	The unnamed watercourse will be investigated for potential flooding as part of the post-Gateway suite of specialist studies.
Geotechnical/Resources/Subsidence	The subject land is contained within the Bargo Mine Subsidence District. Consultations will take place with the Mine Subsidence Board regarding any implications for the Tahmoor Colliery.
Buffers and Spatial Separation	The proposal is consistent with nearby/adjoining current and future development to the south, east and west.

	Approximately 500 metres east of the easternmost point of the land is the existing Bargo Waste Management centre. Approximately 250m east of the easternmost point of the land is the edge of a proposed Waste Transfer Station, which is currently being assessed by the Department of Planning and Infrastructure as State Significant Development. It will be necessary to make an assessment of the potential impacts of the existing Waste Management centre and the proposed Waste Transfer Station, should it be approved, following Gateway approval.
Bushfire Hazard	The bushfire hazard can be readily managed under the provisions of Planning for Bushfire Protection 2006
Resource Sustainability	Opportunities for energy efficiency, water recycling and reuse and waste minimization can be readily applied to future residential development arising
Heritage	The Coomeroo Homestead, Silo and Slab Shed, which are located on the site, are listed in WLEP 2011 as items of local heritage significance. The impact of the proposal on these items will have to be investigated post-Gateway determination.
Infrastructure	
Criteria	Response
Efficient Use and Provision of Infrastructure	The proposal will result in more efficient use of existing infrastructure. Some services (water, electricity and telephone) would require extension. Preliminary investigations indicate it is feasible to undertake these extensions.
Transport, Road and Access	The land is accessed with existing public roads – Great Southern Road, Government Road and Hawthorne Road. These roads are bitumen-sealed. The existing unformed Crown road may also be used to access the site, in the event it is constructed as part of the proposed waste transfer station. Any works to existing road system necessitated by the proposal would be undertaken at the development stage, at full cost to the developer. Public transport in Bargo comprises trains (providing access to Campbelltown and Sydney CBD, as well as south), buses and taxis. The local bus company provides a daily bus service between Bargo and higher order centres in the Shire and Macarthur region. A traffic/transport study would be an important element of the post Gateway investigations.
Open Space	Potential open space provisions are likely to be managed through Council's s.94 plan.
Residential Lands	
Criteria	Response
Location/Area/Type	The proposal is consistent with land identified in the GMS for town edge development.
Social Integration	A gated community is not proposed and a variety of housing is achievable by a mix of lot sizes. The existing street

	network servicing the proposal provides good opportunity for informal social interaction, once developed.
Urban on Town Edge	The site is contiguous with proposed urban land and within practical walking/cycling distance of town services. The proposed scale of residential development is suitable to the context and location and: Achieves physical and visual integration with the existing edge of town; Allows a mix of small and large residential lot sizes, which will cater for a mix of housing types; The scale of the proposal does not warrant the inclusion of community land or facilities, separate from the usual s.94 contributions

Table 2
Strategic framework

Additionally, the GMS is characterized by the following supplementary aims:

- To outline clear policy directions on growth issues
- To provide Council and the community with a strategic framework against which to consider planning proposals
- To achieve a long-term sound and sustainable approach to how the Shire develops and changes into the future
- To inform Council decisions and priorities regarding service delivery and infrastructure provision
- To provide direction and leadership to the community on growth matters
- To assist in advocating for better infrastructure and services
- To provide a strategy/response for how the State Government's Metropolitan and sub-regional planning strategies are seen to be implemented at the local level

This Planning Proposal is consistent with the relevant aims of the GMS. Importantly, it establishes a platform for a sustainable urban module that dovetails with local and sub-regional strategic direction.

The GMS also contains Key Policy Directions, those relevant to this Planning Proposal include, inter alia:

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.

Comment: The planning proposal is consistent with the relevant Key Policy Directions as listed and discussed below.

P2 – All land use proposals need to be compatible with the concept and vision of "Rural Living".

Comment: Section 2.7.1 of the GMS identifies nine (9) characteristics of rural living, the one particularly relevant to this proposal being 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, rural landscapes and cultural heritage".

The planning proposal will not offend the concept and vision of “rural living”. The proposal represents a logical planning outcome for the future growth of the Bargo township by providing an appropriate extension of the existing residential development to the south.

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.).

Comment: The planning proposal is considered to be appropriate growth because it is consistent with the thrust of the GMS. The subject land is also proximate to existing residential and rural residential development, thus reducing infrastructure limitations.

P6 – Council will plan for adequate housing to accommodate the Shire’s natural growth forecast.

Comment: The proposal is consistent with the growth forecasts for Bargo.

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.

Comment: The proposal intends to develop a range of minimum lot sizes (450sqm to 1500sqm), which will provide a mix of housing, given the site's location/context.

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”).

Comment: The proposal is consistent with this policy direction by providing both higher and lower density in this location.

P10 – Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.

Comment: The subject land is located directly adjacent to land specifically identified for future residential growth.

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.

Comment: Existing water, telephone and electricity services are available at Great Southern Road and Hawthorne Road. The subject site is, or can be, connected to these services. Effluent will be managed by a private packaged STP.

The proposal will not create unsustainable burdens on Council or the Shire's existing and future community.

Public transport in Bargo comprises trains (providing access to Campbelltown and ultimately Sydney CBD), buses and taxis. The local bus company provides a daily bus service between Bargo and higher order centres within the Shire and Macarthur region.

Bargo has the following community services available:

- Bargo Community Hall / clubhouse
- Bargo Bowling Club
- Bargo Hotel
- Bargo Public School
- Bonnie Cottage
- Bargo Sportsground, including children's park and skate park
- Tennis Courts
- Wirrimbirra Wildlife Sanctuary
- Churches

Retail and business facilities in Bargo include newsagency, post office, butcher, bottle shop, bakery, chemist, hair salon, medical services, restaurants/cafes/takeaway food outlets, supermarket, service station, video outlet and veterinary services. Council has also recently granted consent to a new grocery store development (1423sqm floor area) in the Bargo township.

It is anticipated that existing services and infrastructure will be able to absorb the additional demand created by the proposal. In particular, increased demand for commercial services and public transport services will increase their viability.

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.

Comment: This site is adjacent to an area explicitly identified for future residential growth.

P19 – Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.

Comment: This site is adjacent to an area explicitly identified for future residential growth.

P20 – The focus for population growth will be in two key growth centres, being the Picton / Thirlmere / Tahmoor (PTT) area and the Bargo area. Appropriate smaller growth opportunities are identified for other towns.

Comment: The planning proposal is located within the Bargo area and will assist in implementing the required population growth.

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.

Comment: The planning proposal is not located in a dispersed rural area.

This Planning Proposal assists in the achievement of, or is consistent with, the above Key Policy Directions.

The Strategy contains a Housing Target Distribution Table for Bargo. At Section 5.3, the Strategy anticipates a total dwelling target for Bargo of 2000 new dwellings. This figure comprises 40 dwellings approved for construction but not built and 1960 additional dwellings needed. In order to achieve this target, some existing rural / residential land in Bargo will have to be rezoned for residential development, given there are very few development opportunities in the stock of existing residentially zoned land.

Further, it is consistent with the Metropolitan Plan and Draft Sub Regional Strategy objectives of providing increased housing opportunities, employment opportunities particularly as an expansion of existing urban areas.

Wollondilly Community Strategic Plan 2030

The Wollondilly Community Strategic Plan 2030 (CSP) identifies and expresses the aspirations held by the community of the Wollondilly Shire, and will assist in building a resilient community. It aims to highlight the way forward for the Wollondilly Shire through five (5) key focus areas of

- Community
- Economy
- Environment
- Infrastructure
- Governance

There are ten (10) Community Outcomes along with a number of key strategies outlined in this Plan. The Community Outcomes have been developed in response to community feedback and local knowledge.

Of specific relevance to this proposal is the focus area of Economy. Eight (8) key strategies were identified within the Draft Community Strategic Plan 2030 in relation to the economy and the community was asked to prioritise these strategies in order of importance. The top three priorities in relation to economy were then cross referenced with the feedback obtained through community research and two community outcomes for the economy were determined.

The community outcome relevant to the consideration of this proposal is:

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

With regard to this proposal, the relevant priority key strategy is EC7:

Support the economic viability of our towns and villages by encouraging appropriate residential development in and around those towns.

This proposal would be consistent with this key strategy by providing for a scale of residential development in and around the Bargo township appropriate to location and context.

4.3.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES

The precinct is subject to the provisions of a raft of State Environmental Planning Policies (SEPP)s.

The subject policies are noted below and importantly do not prohibit and/or significantly constrain the Planning Proposal.

SEPP	Comment
SEPP 1 – Development Standards	Not applicable (As referenced in WLEP 2011, Clause 4.6 makes provision for variations to development standards)
SEPP 4 – Development without Consent and	Not inconsistent

Precise Planning

Planning Proposal – 95 Great Southern Road Bargo

Miscellaneous Exempt and Complying Development	(As referenced in WLEP 2011, Clause 6 and Parts 3 and 4 do not apply)
SEPP 6 – Number of Storeys in a Building	Not inconsistent (Maximum building height will be subject to maximum height expressed in metres)
SEPP 15 – Rural Landsharing Communities	Not applicable (Wollondilly Shire is not included in the land applicable schedule)
SEPP 19 – Bushland in Urban Areas	Not applicable (Wollondilly Shire is not included in the land applicable schedule)
SEPP 21 – Caravan Parks	Not applicable (Caravan parks are prohibited under the proposed R2 and R5 zones currently prevailing in WLEP 2011)
SEPP 22 – Shops and Commercial Premises	Not inconsistent (WLEP 2011, however, only permits limited commercial and retail facilities in the R2 zone)
SEPP 26 – Littoral Rainforests	Not applicable
SEPP 29 – Western Sydney Recreational Area	Not inconsistent
SEPP 30 – Intensive agriculture	Not applicable (WLEP 2011, R2 and R5 zones do not permit agricultural uses)
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)	Not applicable (The land is not in a position that can optimize urban consolidation outcomes)
SEPP 33 – Hazardous and Offensive Development	Not applicable (WLEP 2011, R2 and R5 zones do not permit hazardous or offensive industries)
SEPP 36 – Manufactured Home Estates	Not applicable (WLEP 2011 is in the Sydney Region which is excluded from the Policy's application)
SEPP 44 – Koala Habitat Protection	Not inconsistent
SEPP 50 – Canal Estate Development	Not applicable
SEPP 52 – Farm Dams and Other Works in Land and Water Management Plan areas	Not applicable
SEPP 53 – Metropolitan Residential Development	Not applicable
SEPP 55 – Remediation of Land	Applicable (The provisions will need to be complied with in converting the land to residential use)
SEPP 59 – Central Western Sydney Regional Open Space	Not applicable (Land is not located in Central Western Sydney)
SEPP 60 – Exempt and Complying Development	Limited application at this stage
SEPP 62 – Sustainable Agriculture	Not applicable (WLEP 2011, R2 and R5 zones do not permit Aquaculture)
SEPP 64 – Advertising and Signage	Not inconsistent
SEPP 65 – Design Quality of Residential Flat Development	Not applicable (WLEP 2011, R2 and R5 zones do not permit residential flat buildings)
SEPP 70 – Affordable Housing (revised schemes)	Not inconsistent

SEPP 71 – Coastal Protection	Not applicable
SEPP (Affordable Rental Housing) 2009	Not inconsistent
SEPP (Building Sustainability Index: BASIX) 2004	Not inconsistent (The relevant principles will inform subdivision design and subsequent development)
SEPP (Exempt and Complying Codes) 2008	Not inconsistent
SEPP (Housing for Seniors or People with a Disability) 2004	Not inconsistent
SEPP (Infrastructure) 2007	Not applicable
SEPP (Major Development) 2005	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable
SEPP (Rural Lands) 2008	Not inconsistent

Table 3
Relevance of SEPPs

4.3.4 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (SECTION 117 DIRECTIONS)?

Section 117 Directions detail matters to be addressed in LEP's so as to achieve particular principles, aims and objectives or policies.

All relevant Directions can be adequately accommodated or departures justified in the preparation of an LEP amendment of the nature foreshadowed in this Planning Proposal.

The relevant considerations in respect of the Section 117 Directions highlighted to be of relevance are summarized below.

1. Employment and Resources

Direction	Applicable	Consistent
1.1 Business and Industrial Zones	NO	N/A
1.2 Rural Zones	YES	NO
1.3 Mining, Petroleum Production and Extractive Industries	NO	N/A
1.4 Oyster Aquaculture	NO	N/A
1.5 Rural Lands	YES	NO

Table 4
Ministerial Direction – employment and resources

Justification

Direction 1.2 applies to planning proposals affecting land within an existing or proposed rural zone and states that a Planning proposal must not rezone land from a rural zone to a residential zone.

The inconsistency is justified in this instance as the site is contiguous with the existing urban area and generally consistent with the principles of the Wollondilly GMS and is not inconsistent with the prevailing Draft Sub-regional Strategy.

It is noted that the area has been undermined and subsided in the past; further, it is unlikely that minerals, petroleum and/or extractive materials will constrain the Proposal. Importantly, should an inconsistency with the Direction be identified as a result of consultation with the Director General, DPI, it is likely that a relevant strategy can be developed.

The Planning Proposal is inconsistent with Direction 1.5. Such inconsistencies are, however, justified, as the proposed residential use is consistent with the strategic policies adopted by Wollondilly Council. The social and environmental benefits associated with rezoning rural land to residential, such as housing choice and opportunities, are recognized.

2. Environment and Heritage

Direction	Applicable	Consistent
2.1 Environmental Protection Zones	YES	YES
2.2 Coastal Protection	NO	N/A
2.3 Heritage Conservation	YES	YES
2.4 Recreation Vehicle Areas	NO	N/A

Table 5
Ministerial Direction – environment and heritage

Justification

The land does not comprise land for environmental protection purposes. Further, provisions already exist in the Wollondilly LEP 2011 for the protection and conservation of environmentally sensitive areas and the conservation of all heritage items, areas, objects, and places of heritage significance.

Accordingly, the Planning Proposal is consistent with Direction 2.1.

It will be necessary to undertake a due diligence study of the site, as a minimum, to determine the impacts of Aboriginal Cultural Heritage, as well as an assessment of impact of the proposal on the item of local heritage significance on the land.

3. Housing, Infrastructure and Urban Development

Direction	Applicable	Consistent
3.1 Residential Zones	YES	YES
3.2 Caravan Parks and Manufactured Home Estates	NO	N/A
3.3 Home Occupations	YES	YES
3.4 Integrating Land Use and Transport	YES	NO

3.5 Development near Licensed Aerodromes	NO	N/A
3.6 Shooting Ranges	NO	N/A

Table 6
Ministerial Direction – housing, infrastructure and urban development

Justification

In response to Direction 3.1, the Planning Proposal will broaden the choice of building types and locations available within the Wollondilly LGA and will optimize efficient use of infrastructure and services. Accordingly, the Planning Proposal will enable the development of land consistent with the objects contained within Section 5 of the EPA Act 1979 and therefore reflects evolving lifestyle and demographic trends.

Home occupations in the form of low-impact small business will be able to be carried out in a dwelling without the need for development consent, consistent with Direction 3.3.

Whilst the planning proposal is partially inconsistent with Direction 3.4, pertaining to integrating land use and transport, with only limited access to the Bargo Service Centre and public transport and access to “alternative means of transport”, the inconsistency is justified on the basis that the site is consistent with the principles establishing future residential development within the GMS prepared by Wollondilly Council.

4. Hazard and Risk

Direction	Applicable	Consistent
4.1 Acid Sulphate Soils	NO	N/A
4.2 Mine Subsidence and Unstable Land	NO	N/A
4.3 Flood Prone Land	NO	N/A
4.4 Planning for Bushfire Protection	YES	NO (on current information)

Table 7
Ministerial Direction – hazards and risk

Justification

The subject land is not defined as flood prone, however, it may be subject to local inundation in the vicinity of the unnamed watercourse. Appropriate local flooding considerations and a flood study will occur as the planning proposal is advanced.

The land is not considered to represent unstable land and all future development is considered capable of being designed to comply with reasonable Mine Subsidence parameters.

The subject land and surrounding land is partially identified as bushfire prone land on Council’s relevant mapping. Such mapping generally occurred at a broad scale and has minimal regard for the immediate

local circumstance of the subject land. As the Planning Proposal is progressed, an appropriate strategy will be developed in accordance with "Planning for Bushfire Protection, 2006", and in concert with a more accurate understanding of the bushfire hazard.

5. Regional Planning

Direction	Applicable	Consistent
5.1 Implementation of Regional Strategies	NO	N/A
5.2 Sydney Drinking Water Catchments	NO	N/A
5.3 Farmland of State and Regional Significance on NSW Far North Coast	NO	N/A
5.4 Commercial and Retail Development along Pacific Hwy North Coast	NO	N/A
5.5 Development in the vicinity of Ellalong, Paxton and Millfield	NO	N/A
5.6 Sydney to Canberra corridor	NO	N/A
5.7 Central Coast	NO	N/A
5.8 Second Sydney Airport: Badgerys Creek	YES	YES

Table 8
Ministerial Direction – regional planning

Justification

The land is not subject to any of the Regional Strategies identified in Direction 5.1. The land is also sufficiently free of any operational constraint should a second Sydney Airport ever be developed at Badgerys Creek.

6. Local Plan Making

Direction	Applicable	Consistent
6.1 Approval and Referral Requirements	YES	YES
6.2 Reserving Land for Public Purposes	YES	YES
6.3 Site Specific Purposes	YES	YES

Table 9
Ministerial Direction – local plan making

Justification

Pursuant to Direction 6.1, the LEP provisions encourage the efficient and appropriate assessment of development as proposed and do not extend beyond those adopted in the Wollondilly LEP 2011.

Consistent with Direction 2, the Planning Proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.

The Planning Proposal does not impose unnecessarily restrictive site-specific planning controls and therefore is consistent with Direction 6.3.

7. Metropolitan Planning

Direction	Applicable	Consistent
7.1 Implementation of the Sydney Metropolitan Plan, 2036	YES	YES

Table 10
Ministerial Direction – metropolitan planning

Justification

The Planning Proposal is not inconsistent with the general direction of the Metropolitan Plan 2036, or the Draft South West Sub-Regional Strategy. Further, the Planning Proposal has addressed the S.117 Directions prescribed by the Minister contained within the EPA Act 1979.

4.4 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT (SECTION C)

4.4.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITATS OR THREATENED SPECIES, POPULATIONS, ECOLOGICAL COMMUNITIES OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

The site may contain elements of Endangered Ecological Communities (vegetation) along the unnamed watercourse and is within a bio sub-region with known threatened fauna species.

Further threatened species investigations will occur as the planning proposal is advanced.

4.4.2 ARE THERE ANY OTHER LIKELY ENVIRONMENT EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

Comment: This site is adjacent to an area explicitly identified for future residential growth. Environmental impacts considered are as follows:-

1) Water Quality

The planning proposal is for the development of the subject land with minimum lot sizes ranging from 450sqm to 1500sqm. The entire development will manage its effluent disposal by a private packaged STP, which eliminates the major cause of potential degradation of water quality. A stormwater strategy will be undertaken in accordance with the principles of Water Sensitive Urban Design.

2) Bushfire

It would appear from observations of the existing vegetation and slope that more than adequate buffers to potential bushfire threats could be readily achieved with the minimum size lots as proposed. A reticulated water supply is available and would be extended to service each lot. In addition there are 3 and possibly 4¹ exits from the subject site, which could be used for evacuation.

3) Drainage

An unnamed watercourse exists at the eastern side of the land.

Treatment of this watercourse will be investigated post Gateway determination and a concept drainage plan prepared, including 1 in 100 year overland flow paths.

4) Impacts from Bargo Waste Management Centre and proposed Waste Transfer Station

▪ Noise

Further investigations will be undertaken, should this proposal be supported by Council and the Gateway, to determine an appropriate separation distance from the existing waste management centre and the proposed waste transfer station.

▪ Air Quality

Further investigations will be undertaken, should this proposal be supported by Council and the Gateway, to determine an appropriate separation distance from the existing waste management centre and the proposed waste transfer station.

▪ Traffic

Should the proposed waste transfer station to the northeast of the site be approved and constructed, traffic related to the transfer station and the existing facility is likely to be re-routed through the extension of Anthony Road.

In the event that the proposed waste transfer station is not approved, traffic to the existing facility is unlikely to be an impediment to the future development of the subject site.

All the preceding potential impacts are importantly manageable and will inform the final design and development and implementation of management guidelines.

4.4.3 HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

The Proposal will help to address the current land supply limitations and move toward fulfilling the accommodation needs attached to the sub-regional population and housing projections. In doing so, affordability of housing is likely to be enhanced.

Further, the development process will have a positive economic impact upon the development / construction industry, inclusive of the prospects of local employment on many fronts, both in design and

¹ In the event the Crown Public road between Government Road and Great Southern Road is constructed as part of the proposed Waste Transfer Station application.

construction. The local businesses at Bargo and other proximate centres such as Tahmoor and Picton are likely to benefit through enhanced trade.

The new residential population will have a positive impact on key employment industries such as schools and education centres, cafes, restaurants and takeaway food services and will generate increased demand for these services, thereby providing an economic benefit to the area.

4.5 STATE AND COMMONWEALTH INTERESTS (SECTION D)

4.5.1 INTRODUCTION

The Gateway determination will identify any consultation required with State or Commonwealth Public Authorities. This will include:

- Consultation required under section 34A of EPA Act, where the Responsible Planning Authority (RPA) is of the opinion that critical habitat or threatened species, populations, ecological communities or their habitats will or may be adversely affected by the Planning Proposal;
- Consultation required in accordance with a Ministerial Direction under S117 of EPA Act; and
- Consultation required because, in the opinion of the Minister (or delegate), a State or Commonwealth public authority will or may be adversely affected by the proposed LEP.

4.5.2 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

Public infrastructure will be required to be augmented to support the urbanization of the subject land, as communicated in this Planning Proposal.

The nature and extent of augmentation will be finally determined having regard to more detailed investigations as part of the continued evolution of this Planning Proposal and subsequent subdivisional planning in respect of the land.

As a minimum, the existing reticulated water system in the adjoining urban area will need to be extended to service a new housing estate. Further liaison will need to occur with the service provider in this regard, namely Sydney Water.

The logistics (physical and economic) of providing such requisite infrastructure are considered realizable. The catchment and nature of the land is such that a comprehensive Stormwater Management Plan predicated on the principles of Water Sensitive Urban Design can be readily designed and implemented as part of the envisaged development scheme.

Such scheme will likely be dedicated to Council as part of the development process, for ongoing care and maintenance, and will require Council's input at the design stage so as to ensure acceptance of the prospects of ultimate dedication.

Reticulated electricity, telecommunications facilities and gas will also be provided as service infrastructure. Such are capable of ready installation in a pragmatic physical and economic sense.

Development of the land as proposed in this Planning Proposal will entail the construction and ultimate dedication of an appropriate subdivisional road network. Such network should integrate efficiently with the existing network.

Detailed traffic modeling will identify the suitability of such network and any impacts on the “external” system, which require redress / rationalization.

Amplification / enhancement of public infrastructure will involve relevant contributions pursuant to S94 EPA Act and / or a Voluntary Planning Agreement. Such contributions will be determined in response to more detailed planning actions as the Planning Proposal progresses.

4.5.3 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION, AND HAVE THEY RESULTED IN ANY VARIATIONS TO THE PLANNING PROPOSAL?

The relevant State and Commonwealth public authorities would be consulted following the outcome of the Gateway determination. Council would be responsible for carrying out this consultation in accordance with S57 of the EPA Act.

Typical authorities likely to be consulted include:

- Department of Premier and Cabinet
- Parks and Wildlife Group
- Office of Environment and Heritage
- Environment and Heritage Policy and Programs
- Department of Education and Communities
- NSW Ministry of Health
- Department of Trade and Investment, Regional Infrastructure and Services, Primary Industries Resources and Energy, NSW Office of Water
- Department of Planning and Infrastructure
- Transport for NSW
- Roads and Maritime Services
- Sydney Water, Endeavour Energy, Telstra, AGL

5. COMMUNITY CONSULTATION (PART 4)

Community consultation remains an important element of the Plan making process. The companion document “A Guide to Preparing Local Environmental Plans” outlines community consultation parameters.

The subject provisions in respect of notification and the exhibition materials to support the consultation will be observed.

It is considered that the Planning Proposal is of a “low impact” nature and should be exhibited for a minimum period of 14 days.

Before proceeding to public exhibition, the Director General of Planning (or delegate) must approve the form of the Planning proposal as being consistent with the “Gateway” determination (EPA Act, S57(2)).

Notification is able to be conducted by way of direct correspondence to the surrounding owners, publication within the local press and information on Wollondilly Shire Council’s website.

Any submissions received in response to community consultation would need to be fully considered, in accordance with the prevailing statutory provisions.

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.

The planning proposal does not include the extinguishment of any interests in the land.

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

The landowner is supportive of the proposal.

Map

Proposed Land Use Zone and Minimum Lot Size Map

Appendices

Appendix ‘A’	-	Detail plan
Appendix ‘B’	-	Proposed Land Zone and Minimum Lot Size Map
Appendix ‘C’	-	GMS – Bargo Structure Plan
Appendix ‘D’	-	Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River

6. CONCLUSION

The subject Planning Proposal has documented a persuasive case for the rezoning of the subject land for urban purposes, via an amendment to Wollondilly LEP 2011.

Limited additional environmental and infrastructure investigations will need to be undertaken and broad commitments to infrastructure provision made as the Planning Proposal is advanced.

Council, as the Responsible Planning Authority (RPA), is requested to support and forward this proposal to the Department of Planning and Infrastructure for progressing through the "Gateway" in an expedient manner.

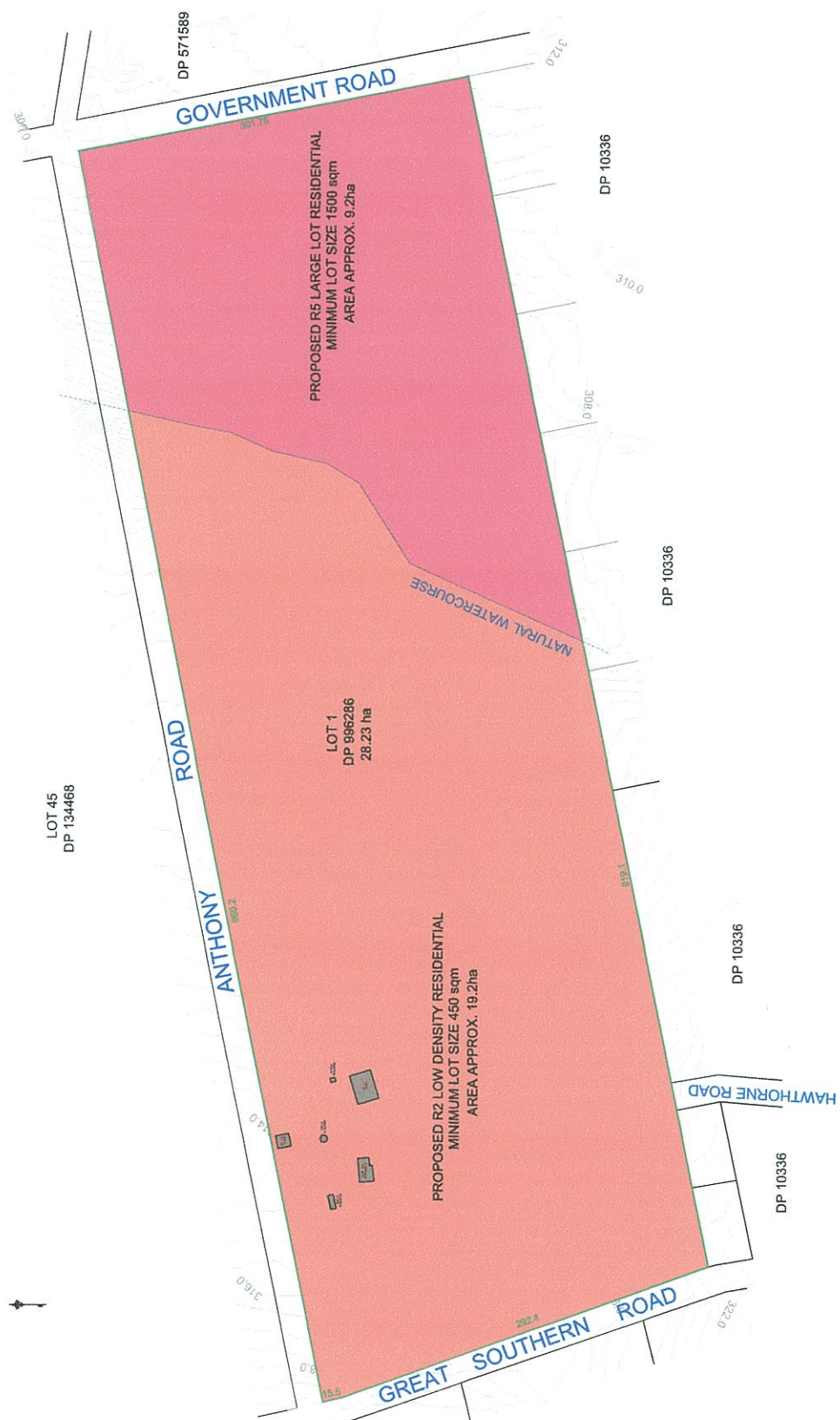
Appendix “A”

EXISTING ALLOTMENT



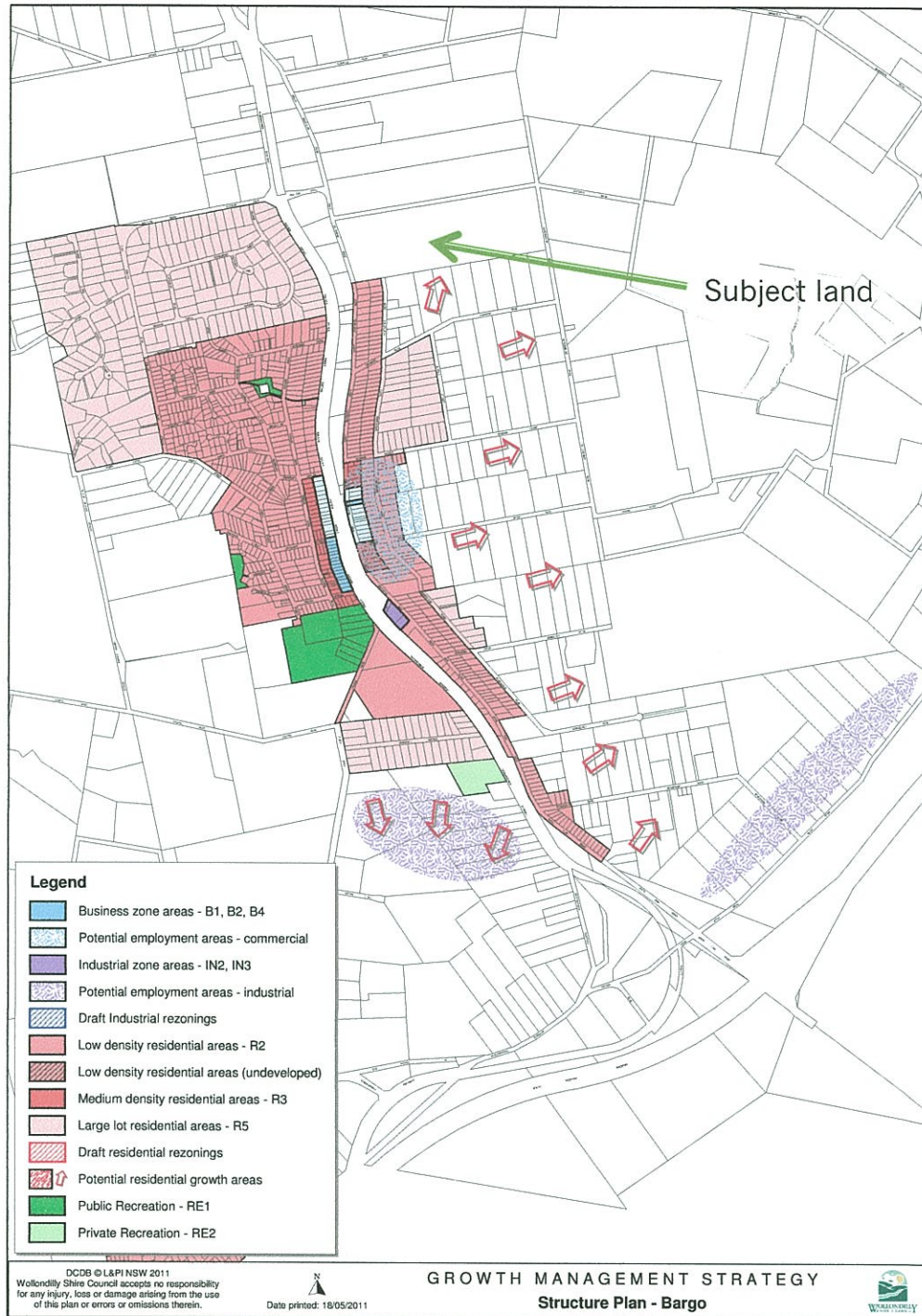
Appendix “B”

PROPOSED LAND ZONING PLAN



Appendix “C”

GMS – BARGO STRUCTURE PLAN



Appendix “D”

SYDNEY REGIONAL ENVIRONMENTAL PLAN NO 20 – HAWKESBURY NEPEAN RIVER

Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River

This Plan seeks to ensure the protection of the environment of the Hawkesbury – Nepean River System by ensuring that the impacts of future land uses are considered in a regional context.

Clause 4 details provisions in respect of the application of general considerations, specific planning policies and recommended strategies.

Clause 5 outlines general planning considerations, the nature of which have been complied with in the subject context.

Clause 6 details specific planning policies and recommended strategies, with such being addressed below.

Policy/Strategies	Compliance/Non Compliance
1. Total Catchment Management	The proposal represents an extension of the existing urban area. The property slopes generally toward the unnamed watercourse, which is the natural drainage regime. The proposed development will be subject to implementation of a comprehensive Stormwater Management System based on principles of Water Sensitive Urban Design (WSUD).
2. Environmentally Sensitive Areas	There are no environmentally sensitive areas on this site. Existing vegetation does not pose an outright constraint to development. Nevertheless, a detailed study of the riparian area along the unnamed watercourse will be required following gateway approval. The land is not contiguous with local reserves or land dedicated under the National Parks and Wildlife Act.
3. Water Quality and 4. Water Quantity	Disposal of sewerage effluent will be managed by an approved packaged treatment plant in this circumstance. The proposal is not likely to cause land degradation. Drainage options will be investigated at development application stage, once likely dwelling house locations are known. Stormwater generated from the future development of the land will not adversely impact the water balance equation, including groundwater/water table. A "neutral or beneficial effect" can be achieved. A comprehensive sediment and erosion control plan will be required at development application stage, thereby mitigating land degradation and achieving satisfactory water quality outcomes.
5. Cultural heritage	The subject land does not comprise a riverine environment, with such being the focus of heritage considerations.
6. Flora and fauna	The proposal will be subject to the usual flora and fauna investigations, which will ensure appropriate management strategies

	are derived and implemented in respect of the broader catchment.
	No fish habitats will be adversely impacted.
	No wetlands are adversely impacted.
7. Riverine Scenic Quality	The subject property is not proximate to the immediate riverine environment/corridor.
8. Agriculture/Aquaculture and fishing	The land is of some limited agricultural value. The proposal has no impact on aquaculture and fishing.
9. Rural Residential development	The proposal is not rural residential.
10. Urban Development	A Water Cycle Management Study will be incorporated into the overall stormwater strategy. The proposal makes provision for variations in lot sizes.
11. Recreation and Tourism	The value of the riverine corridor (significantly removed from the site) as a significant recreation and tourist resource will not be diminished.
12/ Metropolitan Strategy	The proposal is consistent with the Metropolitan Strategy and its broader objectives, reflected in the subregional planning strategy

Clause 8 details the application of development controls.

Clause 9 has been repealed and Clause 10 is not applicable.

Clause 11 outlines development controls in respect of specific land uses. No specific provisions are detailed regarding this type of proposal.

Clause 12 details provisions in respect of the relationship of the Plan to other planning instruments. Such relationship is acknowledged and shall be considered in processing/assessment of this proposal.

Clause 13 and 14 detail definitions and savings provisions respectively and are noted in the application of the Plan.