

PE3 – Draft Planning Proposal – Great Southern Road, Bargo.

PE3

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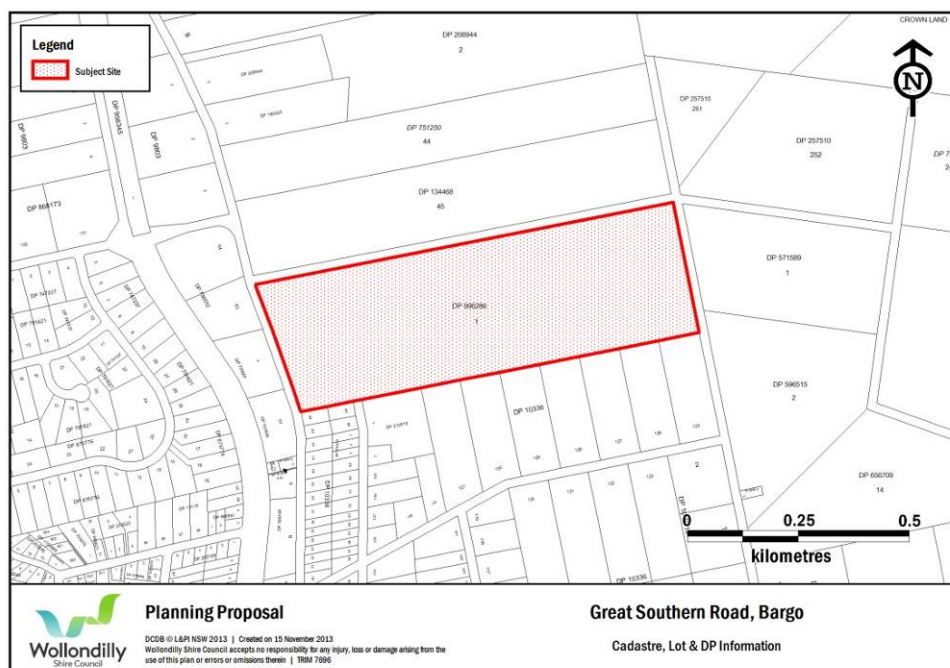
TRIM 7696

APPLICANT:

Precise Planning

OWNER:

Ironlaw Pty Ltd



Stage	Completed
Preliminary notification	2 October – 30 October 2013
Gateway Determination	Not yet issued
Consultation with Public Agencies	Not yet completed
Specialist studies	Not yet completed
Public exhibition / community consultation	Not yet completed
Referred to Minister for Publication	Not yet completed

REPORT**EXECUTIVE SUMMARY**

- A draft Planning Proposal has been received for Lot 1 DP 996286 (No. 95 Great Southern Road, Bargo).

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- The draft Planning Proposal seeks changes to the Wollondilly Local Environmental Plan, 2011 to:
 - Amend the zoning from RU2 Rural Landscape to a mixture of R2 Low Density Residential and R5 Large Lot Residential
 - Amend the minimum lot size from 16ha to a combination of 450m² and 700m² in the R2 Low Density Residential zone and 1,500m² in the R5 Large Lot Residential zone
 - Apply a maximum building height of 9m to the entire site.
- The planning proposal has been subject to initial notification and there were three (3) submissions in response. Two (2) submissions objected to the proposal and one (1) was neutral.
- This draft Planning Proposal has previously been considered by Council in December 2013 and February 2014.
- At the February 2014 meeting Council resolved:

That Council defer the preparation of a Planning Proposal for the land being Lot 1 DP 996286 (No. 95 Great Southern Road, Bargo) pending the outcome of the court case and State Significant Development application for the Bargo Waste Transfer Station.
- The Land and Environment Court approved the Development Application for the Bargo Waste Transfer Station on 2 April 2014 and conditions were issued on 29 May 2014.
- There have not been any disclosures of political donations made in regard to this planning proposal.
- It is recommended that Council support the preparation of a Planning Proposal for 95 Great Southern Road, Bargo to allow for both low density and large lot residential development and that the Planning Proposal be forwarded to the Minister for Planning for a Gateway Determination.

BACKGROUND**1.1 Site Description and Background***Site Description*

The subject site is Lot 1 DP 996286 (95 Great Southern Road, Bargo). The subject land is at the northern end of the Bargo township on the eastern side of the railway (please see aerial photo at Attachment 1).

The site is rectangular in shape and has an area of 24.28ha. The site is zoned RU2 Rural Landscape with a minimum lot size of 16ha. The land generally slopes downwards from west to east and towards the watercourse. The site contains scattered vegetation and lies within the Hawkesbury Nepean Catchment and is therefore subject to the provisions of Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP 20).

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The site has a watercourse running through the rear half of the property that flows in a north-easterly direction (this is mapped as sensitive land with a 10m buffer on the Natural Resources – Water Map). The site is relatively clear of vegetation, in the western portion, but the vegetation thickens surrounding this riparian corridor and becomes scattered between this corridor and the eastern boundary of the site. Another watercourse is identified as running in an easterly direction through the middle of the site, to meet with the aforementioned watercourse.

This site contains a heritage item, the “Old Coomeroo Homestead, Silo and Slab Shed”, located in the north-western portion of the site. It has been proposed by the proponent that a combination of the 450m² and 700m² minimum lot sizes would apply to the curtilage around this heritage item and that an appropriate lot size to include the heritage item would be subject to a study prepared by a qualified consultant at the DA stage. The proponent also envisages that the curtilage would be shown on the LEP heritage map, but not the balance of the site.

No other buildings ordinarily occupy the site however the south-west portion of the site has been used as a depot for Sydney Water’s construction of the Bargo sewerage scheme.

A portion of the eastern half of the site is bushfire prone, mostly around the riparian corridor and from vegetation to the north and east of the site. The site is within the Bargo Mine Subsidence District.

Reticulated sewer services are not currently available to this site. Council staff confirmed following a meeting with the proponent on 12 May 2014 that this Planning Proposal may proceed, knowing that it may be able to connect to the Sydney Water sewerage scheme within 12 months of commissioning of the system (July 1 2014). If sewer connection with Sydney Water is not available, then a packaged sewerage treatment plant could be considered as an alternative to supplying sewer to this development.

The Land and Environment Court approved a Development Application for the Bargo Waste Transfer Station on the lot to the north-east, being 25 Government Road (Lot 252 DP 257510). The DA was approved on 2 April 2014 and conditions were issued on 29 May 2014. This consent approves the processing of 49,000 tonnes of waste per annum. Expert evidence provided to the Court from both parties was that any impacts on development within the area of the subject Planning Proposal would be “slight and manageable”.

This land was also subject to a State Significant Development Application previously submitted to the Department of Planning & Environment for a resource recovery facility and transfer station. Director-General’s Requirements were issued for the preparation of an assessment report but this application was withdrawn on 1 May 2014.

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Land to the east on the opposite side of Government Road (nos. 35-55) is used for rural purposes and is the subject of a Planning Proposal to rezone to R5 Large Lot Residential to allow for a mixture of 4,000m² and 2ha lots. This Planning Proposal for 35-55 Government Road, Bargo was reported to the December 2013 Council meeting and Council resolved the following:

That Council defer the preparation of a Planning Proposal for the land being Lot 1 DP 571589 and Lot 2 DP 596515 (No. 35 and 55 Government Road, Bargo) pending the outcome of the court case and State Significant Development application for the Bargo Waste Transfer Station.

Following this, the proponent requested that the proposal be amended to rezone to the E4 Environmental Management zone with a 3ha minimum lot size for subdivision. This Planning Proposal was placed on preliminary notification from 28 May to 25 June 2014 in this form and it is expected to be reported to a future meeting of Council. The proponent for the Planning Proposal for 35-55 Government Road, Bargo has applied for a pre-gateway review for this proposal in its previous form (R5 Large Lot Residential with a combination of 2ha and 4,000m² minimum lot sizes) but this has not yet been assessed in detail by the Department of Planning and Environment.

Immediately to the north of the site, beyond the unformed crown road Anthony Road, are rural-residential lots. Anthony Road will be constructed as part of the works associated with the approved Waste Transfer Station. Land to the west contains rural-residential lots. Land to the south is a mixture of residential and rural-residential lots. The northernmost end of Hawthorne Road abuts the southern boundary of the site.

Previous Reports to Council

This draft Planning Proposal was lodged in its current form (i.e. a combination of R2 and R5 zones), but a request was received to amend the Planning Proposal prior to the December Council meeting to zone the site entirely R5 Large Lot Residential with a minimum lot size of 1,500m².

This draft Planning Proposal has previously been considered by Council in December 2013 and February 2014 as R5 Large Lot Residential with a minimum lot size of 1,500m².

At the December 2013 meeting Council resolved:

That the representations made in regard to the report on the Draft Planning Proposal for 95 Great Southern Road, Bargo be noted, the issues investigated and a revised report (if required) be submitted to Council for consideration in February 2014 once the issues are resolved.

A revised report was prepared for the February 2014 meeting, at which Council resolved:

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That Council defer the preparation of a Planning Proposal for the land being Lot 1 DP 996286 (No. 95 Great Southern Road, Bargo) pending the outcome of the court case and State Significant Development application for the Bargo Waste Transfer Station.

A pre-gateway review request was received for this Planning Proposal by the Department of Planning and Environment on 10 January 2014 and was refused on 2 June 2014.

Meeting held with proponent

The proponent has subsequently had discussions with Council staff about reverting back to the Planning Proposal in its original form (i.e. a combination of R2 and R5 zones) and met with Council staff on 12 May 2014, where the following advice was provided:

- The use of the entirety of the land for large lot residential (as per the previous proposal) is considered to be undesirable as it will be an underutilisation of the land asset
- The land comprising the eastern portion of the site and in the vicinity of the watercourse should be considered for large lot residential
- The land along the frontage of the site to Great Southern Road should be provided with a suitable minimum allotment standard to ensure the character of the streetscape is maintained
- Higher yields should be provided towards the middle of the site
- A planning proposal may proceed on the basis that it will either be seweraged by Sydney Water or a package treatment plant.

An amended Planning Proposal has been lodged in accordance with the above advice, as described in section 1.2 of this report.

1.2 Description of Draft Planning Proposal

The current zoning prevents the development of the subject site from achieving the intended objective of the planning proposal. To achieve this objective it is proposed to amend the planning controls applying to the land in the following manner:

- Amend the zoning from RU2 Rural Landscape to a mixture of R2 Low Density Residential and R5 Large Lot Residential
- Amend the minimum lot size from 16ha to a combination of 450m² and 700m² in the R2 Low Density Residential zone and 1,500m² in the R5 Large Lot Residential zone
- Apply a maximum building height of 9m to the entire site.

This is illustrated in *Attachment 2* to this report.

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A Preliminary Bushfire Assessment has been prepared to support this Planning Proposal, with regard to the use of the rear of the site for lots with a minimum size of 1,500m². This assessment indicates that 1,500m² lots could support the necessary setback requirements for bushfire compliance (as per AS 3959-2009), but would be subject to BAL-19 and BAL-12.5 construction standards.

CONSULTATION**2.1 Consultation with Council Managers and Staff**

The following comments on the draft planning proposal were received from Council staff:

Manager Planning

The Manager Planning offered the following comments:

- Care should be taken to avoid potential land use conflict with Council's existing Waste Management/Recovery Centre.
- Care should also be taken to avoid future land use conflict with the approved waste transfer station at 25 Government Road, Bargo, to the immediate north of the site.
- Council would need to be satisfied that there is sufficient separation from the impacts of potentially conflicting land uses to any residential premises.

Manager Growth Centres

The Manager Growth Centres offered the following comments:

- The current Growth Management Strategy (GMS) Structure Plan for Bargo appears to indicate the potential residential growth areas extending to the southern boundary of the subject site, but not including the subject site.
- If Anthony Road were to be constructed it would seem logical to extend the north-eastern Bargo residential precinct to at least Anthony Road and include the subject site. The parcel is a large property in single ownership which provides some advantages in simplifying a co-ordinated and effective approach to development in the precinct.
- In principle, no objection is raised to the future residential boundary extending north to include the subject site.

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- In my previous advice I raised the potential for land use conflict with the proposed Waste Transfer Station (WTS). The Land & Environment Court of NSW has now granted development consent to the WTS for processing 49,000 tonnes per annum. Expert evidence provided to the Court from both parties was that any impacts on development within the area of the subject Planning Proposal would be “slight and manageable”. The proponent has also withdrawn the State Significant Development Application to increase the processed tonnage per annum. On this basis I do not consider this aspect to be a threshold issue requiring resolution prior to a Gateway determination.
- In respect to the proposed R5 zoning to the east of the natural watercourse, no objections are raised. For future development within the adjoining areas to the south consideration needs to be given as to how the proposed R5 zone boundary interfaces or relates to these lands.

Senior Health Officer

No concerns are raised with this Planning Proposal if there is a package sewerage treatment plant provided or if there is access to the sewer for the site, as the lots are definitely not suitable for onsite wastewater disposal.

In regards to noise these properties will be less impacted by the actual operation of the waste transfer station comparatively to the Planning Proposal at 35-55 Government Road, Bargo. However, they will be more impacted by the noise of the truck movements, although this should not prohibit the subdivision as a large number of properties will be affected by the additional truck movements.

Therefore overall no concerns are raised with this Planning Proposal.

Team Leader Mapping/Property & Administration

Consideration of the proposal has been assessed by the Property Department with the following comments:

It is noted that property contains significant heritage structures, it is requested that the proposal ensure conservation of the homestead and silo.

That the developer provides a flood study on the land. This watercourse has previously flooded houses to the south along Hawthorn Road.

An impact report be requested on the proposed development of the Waste Transfer Station to the east of the property. If the developer/owner is the same people then an independent company be engaged to provide that report.

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The road in front of the property known as Great Southern Road is in a substandard condition with no formed road shoulders. Some years ago the road was upgraded to Lot 44 DP 10336 Great Southern Road with no road improvement works being extended in front of this property. Consideration be given for the developer to provide road upgrade, road shoulder widening and provision of a cycleway to connect to the village and railway station.

Tree planting to the southern boundary be considered to block out the visual impact of the adjacent sewerage plant. An impact report be submitted in relation to the adjacent sewerage plant.

Bargo business area currently lacks parking facilities in the afternoon resulting in customers parking in a haphazard method. This proposal would have an impact on the local business sector with the projected increase of population growth.

Consideration be given to a disaster resilience concept to be established with the development and future proposed structures.

There is no proposal with the application declaring any lands as E2 zoned or land being proposed to be dedicated to Council. If there is a future outcome which dedicates land as public land then it is requested that the Property Department become involved in those discussions.

It is noted that Anthony Road is to be formed. Consideration to be given if new roads are formed by developers then the developers contributed towards future funding and maintenance of those roads.

On any future proposals, the subject site should not be permitted to direct water onto land owned by Council known as Lot 251 DP 257510 Government Road, Bargo.

Team Leader Environmental Services

The Team Leader Environmental Services offered the following comments:

The property is modelled as supporting remnant Shale Sandstone Transition forest along the riparian area in the eastern portion of the site.

The proposed lot sizes could potentially adversely impact on the SSTF and the water quality of the stream and these aspects need to be considered. At this point in time until further studies are conducted the potential to have lots as small as this would need to be deferred until the appropriate assessment processes and mechanisms are established. The fire report supports the proposal however Bushfire impacts must still be considered in regards to access and also land management.

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Having the creek line placed within private ownership presents an issue with regards to water quality and the maintenance of clean water objectives.

Potentially an *E3* or *E4* zoning would benefit the eastern portion of the site, a flora and fauna report would give greater detail to the most appropriate zoning at this location.

Options could be:

- E3 or E4 zoning on the eastern portion of the site, with the lot size to be established through appropriate assessment, this would allow a better protection of the EEC and threatened species and a greater lot size to allow for better planning for bushfire protection outcomes.
- R5 but larger lot sizes (than 1,500m²) to accommodate for the assessment of the threatened species and BioBanking to be established.
- Combination of zones (split zones) which allow for a combination of development and conservation.

Manager Infrastructure

The proposal is located adjacent to the proposed new road link associated with the Bargo Waste Station in Anthony Road. As such it is expected that there will be cumulative traffic impacts associated with the two major developments. The construction of the current unmade section of Anthony Road also provides opportunities for simplifying the nearby road network, and reducing traffic impacts on other sections of the road network.

Depending on the exact mix of densities for the proposal, there will be some impacts on traffic volumes on Great Southern Road through the shopping and school precincts, while the capacity of the intersection of Wellers Road and Remembrance Driveway will need to cater for this proposal.

Drainage impacts will require further assessment due to the presence of several significant drainage paths through the development.

2.2 Consultation with Public Agencies

No public agencies have yet been consulted. It would be expected that consultation will be needed with the Department of Planning & Environment (DP&E), the Office of Environment & Heritage (OEH), The Mine Subsidence Board and NSW Rural Fire Service on the Planning Proposal. It is considered that should the proposal be supported, the Gateway determination will outline further consultation requirements with the aforementioned agencies and any other relevant government agencies.

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In accordance with Council's notification policy, initial community consultation was undertaken from 2 October to 30 October 2013. The draft planning proposal was made available on Council's website and in Council's offices and letters were sent to owners of adjoining and potentially affected properties.

A total of three (3) submissions were received and of these submissions; two (2) objected, and one (1) was neutral.

Issues raised in submissions that are relevant to the assessment of the draft planning proposal were as follows:

Issue Raised	Assessment Comment
Size of the blocks was too small, half an acre is a more appropriate size. Allowing smaller blocks will create over development in the area and impact on the rural lifestyle of Bargo.	This site is seen as having potential for the expansion of the existing urban area of Bargo and therefore presents an opportunity to provide a mixture of smaller lot sizes. There is scope for the phasing of lot sizes across the site from smaller to larger the greater the distance from the existing smaller lot residential development. Council also has implemented a program of educating new residents with notices on 149 Certificates and publications such as the Rural Living Handbook.
State of current road infrastructure and its ability to cope with increased traffic and how access would be gained to the possible development.	As part of a potential rezoning traffic and road infrastructure issues will need to be investigated and addressed. The unformed section of Anthony Road is proposed to be constructed as part of the Bargo Waste Transfer Station approval and would provide an opportunity for improved access to the subject site.
Privacy was raised as a concern due to the close vicinity of potential new housing.	This is a matter which is best dealt with at the Development Assessment stage.

One of the submissions that objected was from Tahmoor Coal. This submission was also made with regards to the Government Road Planning Proposal, and raised the following specific issues:

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- Mining Lease – Tahmoor Coal holds mining tenement CCL747, which is held over the Bargo and Pheasants Nest localities. The Tahmoor South Project proposes underground longwall mining of the coal resource from within CCL747.
- Mine Subsidence District – Tahmoor Coal note that the Bargo locality is designated within the Bargo Mine Subsidence District and recommend that the Picton office of the Mine Subsidence Board also be consulted regarding building design controls and guidelines to accommodate subsidence for any residential development proposed.
- Tahmoor South Project – Tahmoor Coal has submitted to the Department of Planning & Environment a Preliminary Environmental Assessment (PEA) and obtained Director General's Requirements (DGRs) for the Tahmoor South Project. The PEA provides details of the proposed underground mining operation and longwall mine plan and outlines potential subsidence impacts.
- Tahmoor South Proposed Vent Shaft Site – An entity controlled by Tahmoor Coal's parent company own 125 Anthony Road, Bargo (Lot 245 DP 751250). This property was identified based on its distance from existing residential areas and being located near other industrial type land uses such as the Council landfill and proposed waste management facility.

Based on this Tahmoor Coal proposes that both this site and the Government Road Planning Proposal site retain their zoning as rural.

Specialist studies prepared in accordance with a gateway determination could determine the compatibility of new residential uses with the proposed vent shaft site.

Further community consultation opportunities would occur as part of the preparation and exhibition of the Planning Proposal.

RELEVANCE TO COMMUNITY STRATEGIC PLAN OUTCOMES

All Planning Proposals are assessed in accordance with the strategies of the Wollondilly Community Strategic Plan (CSP). The following CSP strategies have significance for the proposal as described below.

Look after the Community

CO-3 Social Planning

Undertake strategic Social Planning and Research regarding community needs and issues.

Comment

The proposal will be subject to detailed assessment post-gateway.

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Implement excellence in our community engagement by listening to and responding to the needs and concerns of residents.

Comment

In accordance with Council's notification policy, initial community consultation was undertaken from 2 October to 30 October 2013. The draft planning proposal was made available on Council's website and in Council's offices and letters were sent to owners of adjoining and potentially affected properties.

This initial community consultation indicated that there were concerns over the size of blocks, potential impacts on privacy, road infrastructure and on the adjoining Tahmoor Coal site. For an assessment of this see section 2.3 above.

Building a Strong Local Economy**EC3 Manage Growth**

Encourage and manage growth to ensure that it contributes to economic well-being.

Comment

The subject site is outside the current northern extent of the area identified for the residential expansion of the eastern side of Bargo in Council's Growth Management Strategy (GMS). Areas to the south of the subject site have been identified in the GMS for the residential expansion of East Bargo, however the subject site adjoins the existing residential area and offers the opportunity for the orderly expansion of the Bargo urban area with the development of a large parcel in one single holding.

EC4 Managing Development and Land Use

Manage and regulate land use and development in order to achieve a high quality built environment which contributes to economic well-being.

Comment

The site has some environmental constraints that could likely be overcome, in the form of a riparian corridor and associated vegetation and bushfire impacts. Additionally, there is the potential for land use conflict with the approved Bargo Waste Transfer Station and Council's existing Waste Management Centre at Bargo in the form of noise and vibration, odour, dust and traffic impacts from trucks using the proposed Crown Road Anthony Road. However, it is considered that these issues can be addressed through the provision of specialist studies that could be recommended as part of a Gateway Determination.

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EC5 Protect Natural Resources

Protect natural resources so as to contribute to the Shire's economic well-being.

Comment

It is likely that the environmental constraints that affect the site could be overcome, by providing a buffer to the riparian corridor, retaining vegetation and mitigating against bushfire impacts by providing larger lots in this area of the site affected by these constraints.

Caring for the Environment

EN1 Biodiversity Resilience

Protect and conserve biodiversity and natural resources, including waterways, riparian lands and groundwater dependent ecosystems.

Comment

As previously stated, development of the part of the site with the riparian corridor and vegetation could occur with the protection and conservation of biodiversity in mind.

EN2 Growth Management

Apply best practice environmental principles to the management of future growth.

Comment

The site is considered to be outside the northern edge of the east Bargo township, as identified in the GMS, however there is potential for this site to form the northern border of the eastern side of Bargo. Areas to the south of the subject site have been identified in the GMS for the residential expansion of East Bargo, however the subject site adjoins the existing residential area and offers the opportunity for the orderly expansion of the Bargo urban area with the development of a large parcel in one single holding.

There is the potential for land use conflict with the approved Bargo Waste Transfer Station and Council's existing Waste Management Centre at Bargo in the form of noise and vibration, odour, dust and traffic impacts from trucks using the proposed new access road (Anthony Road). However, it is considered that these issues can be addressed through the provision of specialist studies that could be recommended as part of a Gateway Determination.

IN4 Emergency Management

Plan for and assist in the community's response to emergencies such as bushfires and flooding.

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The subject site is partly bushfire prone, mainly around the watercourse in the eastern half of the site. It is yet to determine whether any flooding impacts may be experienced from said watercourse. This would be investigated as part of the gateway process if it is determined that these specialist studies are required.

POLICIES & LEGISLATION

- Environmental Planning and Assessment Act, 1979 (EP&A Act, 1979)
- Environmental Planning and Assessment Regulation, 2000 (EP&A Regs, 2000)
- Local Government Act, 1993
- Standard Instrument (Local Environmental Plan) Order, 2006 (SI Order, 2006)
- State Environmental Planning Policies (SEPPs)
- Wollondilly Local Environmental Plan, 2011 (WLEP, 2011)
- Wollondilly Development Control Plan, 2011
- Wollondilly Contributions Plan 2011
- Draft Metropolitan Strategy for Sydney to 2031 (Draft Metro 2031)
- Draft South West Sydney Subregional Strategy to 2031
- Draft Planning Proposal Policy (Draft PP Policy).

3.1 Preparation of a Planning Proposal

Should Council resolve to support the draft proposal, a Planning Proposal will be prepared in accordance with Section 55 to the *Environmental Planning and Assessment Act, 1979* and guidelines published by the Department of Planning and Environment. The Planning Proposal is then forwarded to the Minister for Planning and Environment for a Gateway Determination.

In deciding to forward a Planning Proposal to the Gateway process, Council is endorsing the Planning Proposal and it is deemed to be *Council's* Planning Proposal.

Council's options are:

1. Resolve to support the draft planning proposal in its original form and prepare a Planning Proposal accordingly. Matters can be more fully investigated and resolved with future specialist studies as determined by the Gateway process.
2. Resolve that a Planning Proposal be prepared in a form different to the draft proposal. Matters can be more fully investigated and resolved with future specialist studies as determined by the Gateway process.
3. Resolve not to support a Planning Proposal for this site. The applicant can choose to apply for a Pre-Gateway Review as a result of this option.

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Note that the draft planning proposal has been with Council for more than 90 days. The applicant can apply for a pre-Gateway review in accordance with the EP&A Regulation, 2000 if Council fails to indicate support for the draft proposal within 90 days of receiving the draft proposal. As previously stated, the proponent applied for a pre-gateway review but this was refused on 2 June 2014.

Option 1 is the recommendation of this report.

3.2 Gateway Determination

When a Planning Proposal has been endorsed by Council, it is then forwarded to the Minister for Planning and Environment for a Gateway Determination. The Gateway process is a checkpoint for Planning Proposals before significant resources are committed to carrying out specialist studies and before extensive consultation with public agencies.

As part of the Gateway process, the Minister or their delegate will decide:

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

3.3 Delegation of Plan-making to Council

It is recommended that Council requests the Minister to grant Council delegation to make this amendment to WLEP, 2011 in accordance with Section 59 to the EP&A Act, 1979 and relevant Planning Circulars.

RELEVANT CONSIDERATIONS**4.1 Metropolitan Plan for Sydney to 2036**

The planning proposal is generally in accordance with the Metropolitan Plan and associated subregional strategies as it supports further residential development in Wollondilly Shire.

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The GMS sets directions for accommodating growth in the Shire for the next 25 years. The GMS contains Key Policy Directions which form the overarching growth strategy for Wollondilly and Assessment Criteria for all Planning Proposals and for specific types of land use categories. The locality of this site was identified as being adjacent to potential residential growth area on the structure plan for Bargo.

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

Key Policy Direction	Comment
General Policies	
P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.	The subject site is outside the area identified for the future growth of East Bargo in the GMS. However, it can be demonstrated that this Proposal can be consistent with the GMS and the site could provide for an expansion of the northern edge of the East Bargo urban area, as indicated by the comments received from the Growth Centres Manager, in section 2.1 of this report.
P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS).	This Planning Proposal is generally consistent with the concept and vision of 'Rural Living'. Whilst the proposal seeks to rezone land for urban purposes, this is considered to be in keeping with the residential zoning of part of the surrounding area.
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	There were three (3) submissions received during the preliminary notification period. Of these two (2) were against and one was neutral. Consideration of the issues raised during community engagement is given in section 2.3 above.
P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.	There have been no such representations regarding this Planning Proposal and therefore this Key Policy Direction has been satisfied.

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Key Policy Direction	Comment
<i>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.).</i>	It is acknowledged that there will be a need for an increase in the amount of residential land in Bargo over time. The growth of Bargo is constrained by the availability of reticulated sewer. This site could provide potential for the expansion of the Bargo urban area by providing a mix of smaller lot sizes that could connect to Sydney Water's sewerage scheme or alternatively, provide for a privately operated sewerage treatment plant.
Housing Policies	
<i>P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.</i>	This Planning Proposal would make a contribution toward Council's dwelling target for Bargo outlined in the GMS.
<i>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.</i>	The proposed minimum allotment sizes of 450m ² , 700m ² and 1500m ² give adequate opportunities for a range of lot sizes.
<i>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").</i>	The site immediately adjoins the existing Bargo residential area and dwelling densities are similar to those directly adjoining the site. The proposed densities that this proposal will provide for are considered appropriate.
<i>P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.</i>	The use of the subject site for residential is consistent with existing residential development adjoining the site in East Bargo.

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Key Policy Direction	Comment
Macarthur South Policies	
<i>Key Policy Directions P11, P12, P13 and P14 are not applicable to this planning proposal. The subject land is not with the Macarthur South area.</i>	Not applicable.
Employment Policies	
P15 <i>Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes.</i>	If this proposal were to be supported it has the potential to create short-term employment opportunities through the construction jobs associated with the civil and building works.
P16 <i>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.</i>	The site is not currently or proposed to be zoned to facilitate further employment opportunities. As with the above point, there is the potential for short-term employment opportunities to be created.
Integrating Growth and Infrastructure	
P17 <i>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.</i>	If the proposal were to proceed, developer contributions payable at the development application stage will partially fund the necessary local infrastructure required to support any future development.

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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.	The site is partially contiguous with the existing Bargo residential area and provides an opportunity to connect to or provide for reticulated sewer and utilise road upgrades proposed as part of the approved Bargo Waste Transfer Station. The Growth Centres Manager has indicated support for this Planning Proposal, in section 2.1 of this report.
P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.	The subject site adjoins the existing residential area of Bargo and is proximate to the Bargo commercial area.
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.	This site is in the general direction identified on the Structure Plan for Bargo in Council's GMS as a 'potential residential growth area' and therefore has potential for rezoning. It is considered that the proposal can proceed at this stage and will be subject to further assessment as part of the gateway process.
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.	There is some remnant Shale Sandstone Transition Forest located on the property. If the proposal were supported this would require further investigation. Further studies would also be required for Aboriginal Heritage at the very least.

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Key Policy Direction	Comment
<i>P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispread rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.</i>	Key Policy Direction P22 is not applicable to this Planning Proposal.

4.3 Recommended form of Planning Proposal

Following consideration of responses from initial consultation and notification and a preliminary assessment of the application, it is considered inappropriate to amend the existing provisions of WLEP, 2011 as they apply to this site.

4.3.1 Wollondilly Local Environmental Plan, 2011 (WLEP, 2011)

The proposed amendments to WLEP 2011 are described below:

- Amend the zoning from RU2 Rural Landscape to a mixture of R2 Low Density Residential and R5 Large Lot Residential
- Amend the minimum lot size from 16ha to a combination of 450m² and 700m² in the R2 Low Density Residential zone and 1,500m² in the R5 Large Lot Residential zone
- Apply a maximum building height of 9m to the entire site.

There may be amendments to other maps, including the Natural Resources – Biodiversity and Heritage maps. However, the details of the changes will not be known until specialist studies are completed.

4.3.2 Wollondilly Development Control Plan, 2011 (WDCP, 2011)

No amendments are proposed to WDCP 2011.

FINANCIAL IMPLICATIONS

Funding for this project to date has been achieved through the adopted Planning Proposal fees and charges.

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Council has experienced a record increase in the number of Planning Proposals submitted in addition to the Wilton Junction project. Note that the Wilton Junction project is not a Planning Proposal but has had significant impact on Strategic Planning resources. All proposals which result in an increased intensity of land use within the Shire shall also lead to increased demand for Council services and facilities over time. Council will need to consider this in the adopted budget and forward estimates.

CONCLUSION

The proposal in the form as described in Section 4.3 to this report is consistent with relevant State, Regional and Local planning strategies to the extent that can be determined at this time. It is recommended that Council support the revised Planning Proposal and forward it to the Minister for Planning for a Gateway Determination.

ATTACHMENTS

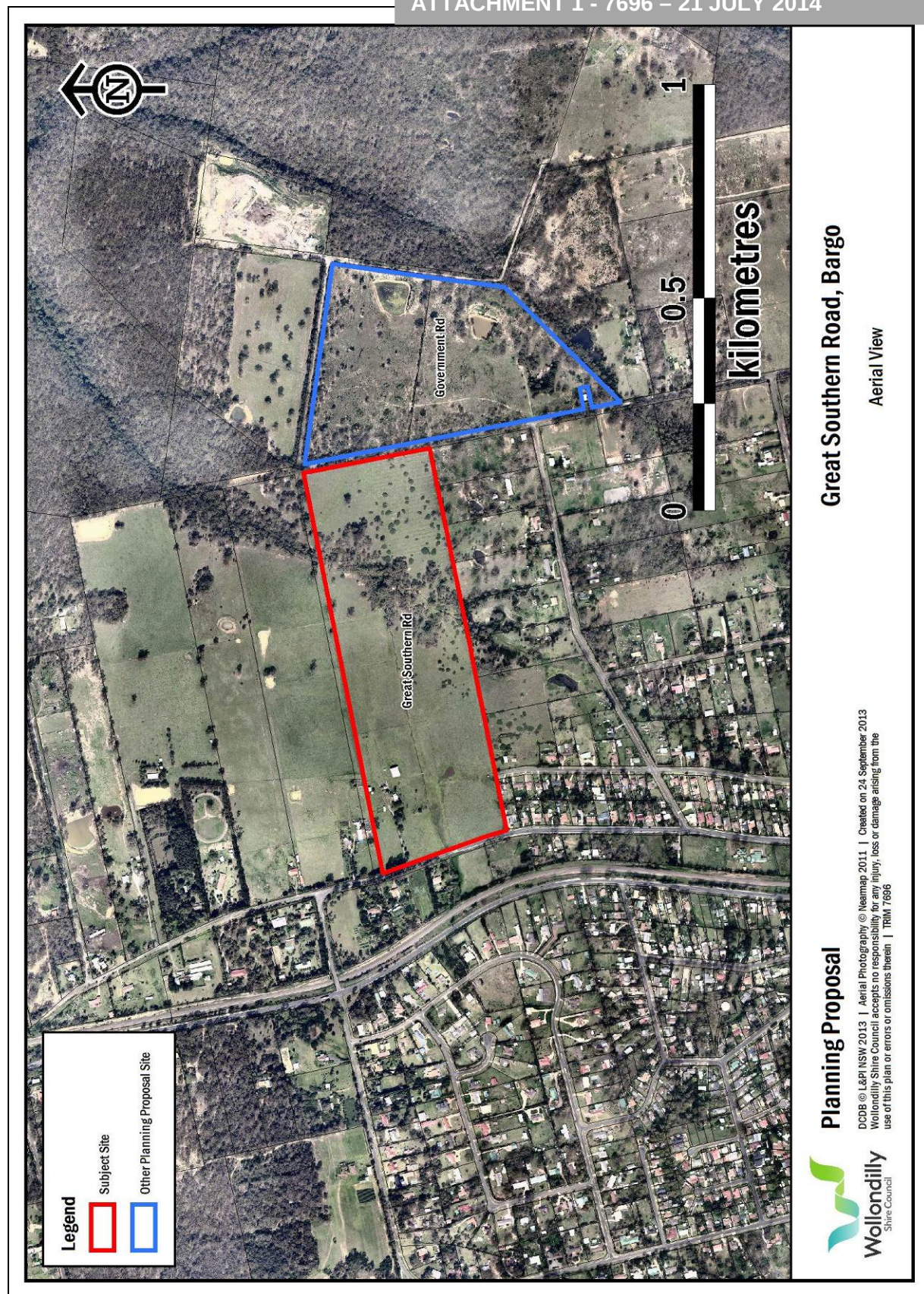
1. Aerial View
2. Proposed Zoning and Minimum Lot Size Amendment.

RECOMMENDATION

1. That Council support the preparation of a Planning Proposal for 95 Great Southern Road, Bargo to allow for both low density and large lot residential development.
2. That the Planning Proposal be forwarded to the Minister for Planning for a Gateway Determination.
3. That the applicant and persons who made submissions regarding the draft Planning Proposal be notified of Council's decision.

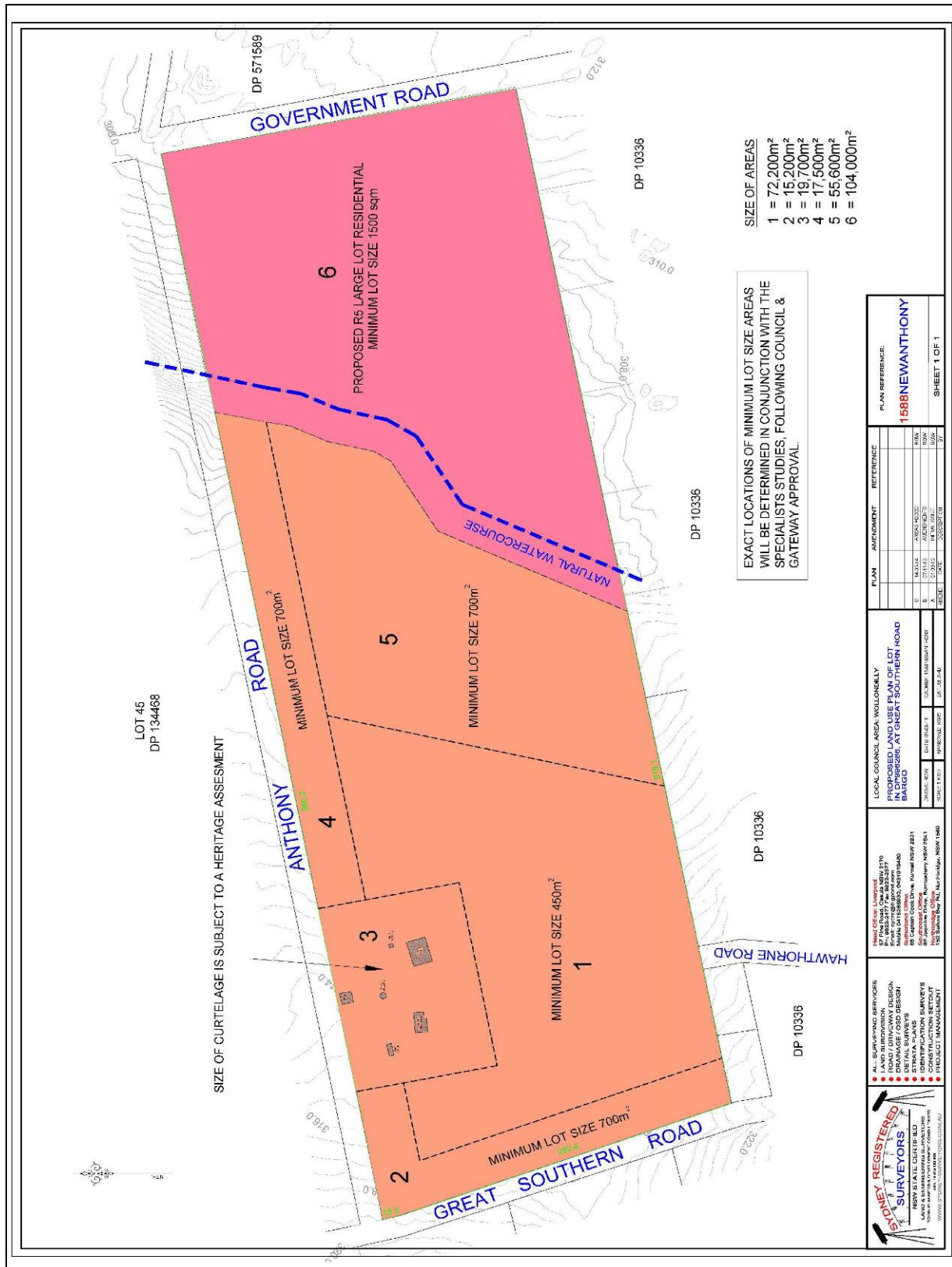
PE3 – Draft Planning Proposal – Great Southern Road, Bargo.

ATTACHMENT 1 - 7696 – 21 JULY 2014



PE3 – Draft Planning Proposal – Great Southern Road, Bargo.

ATTACHMENT 2 - 7696 – 21 JULY 2014



Planning & Economy