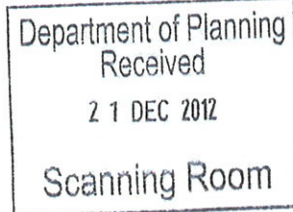




Our Reference: 6743

Mr Peter Goth
Regional Director Sydney West
Department of Planning & Infrastructure
Locked Bag 5020
PARRAMATTA NSW 2124



20 December 2012

Dear Mr Goth,

PLANNING PROPOSAL FOR LAND ADJOINING BARGO SPORTSGROUND – LOT 1 DP 635609 (No.1A) KADER STREET, BARGO

At it's Ordinary Council Meeting held on Monday 16 July, 2012 Wollondilly Shire Council resolved to prepare a Planning Proposal for the abovementioned site. The Planning Proposal has been prepared and is included with this letter.

Wollondilly Shire Council requests the Minister for Planning & Infrastructure's Gateway Determination on the Planning Proposal in accordance with section 56 of the *Environmental Planning and Assessment Act 1979*.

The attached planning proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Infrastructure's 'A guide to preparing a planning proposal' (as revised in October 2012) and 'A guide to preparing local environmental plans'.

For further enquiries in relation to this matter, please contact me direct on Phone (02) 4677 1151 or email sophie.perry@wollondilly.nsw.gov.au

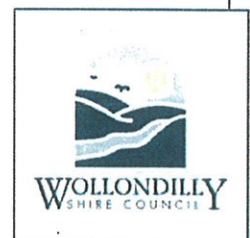
Yours sincerely,

Sophie Perry
TEAM LEADER STRATEGIC PLANNING

Planning Proposal

to amend Wollondilly Local Environmental Plan 2011

Local Environmental Plan Amendment to allow low density and large lot residential development at for land adjoining Bargo Sportsground, Kader Street, Bargo



November 2012

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List of Attachments

Attachment 1 – Agenda Item PE2 to the Ordinary Council meeting of 16 July, 2012

Attachment 2 – Council resolution 157/ 2012

Attachment 3 – Structure Plan for Bargo from Appendix 2 of the Growth Management Strategy

Attachment 4 – Nett Community Benefit Test

Attachment 5 – Checklist for compliance with the Metropolitan Strategy

Attachment 6 – Checklist for compliance with the draft Southwest Subregional Strategy

Attachment 7 – Checklist for compliance with GMS Key Policy Directions

Attachment 8 – Checklist for compliance with the definition of Rural Living

Attachment 9 – Checklist for compliance with Appendix 1 Assessment Criteria of the GMS

Introduction

This Planning Proposal seeks amendment to the provisions of the Wollondilly LEP 2011 for low density and large lot residential development on Lot 1 DP 635609 (No.1A) Kader Street, Bargo. The site is shown in Figure 1 below.

Council considered an application for changing the zoning of the site as detailed in Agenda Item PE2 of the Ordinary Council meeting of 16 July, 2012 (see Attachment 1).

Council's Resolution 157/2012 includes a direction to submit this Planning Proposal to the Minister for Planning and Infrastructure for Gateway determination (a copy of Resolution 157/2012 is included in Attachment 2).

Figure 1 – Site Map



Description of the Site and Surrounds

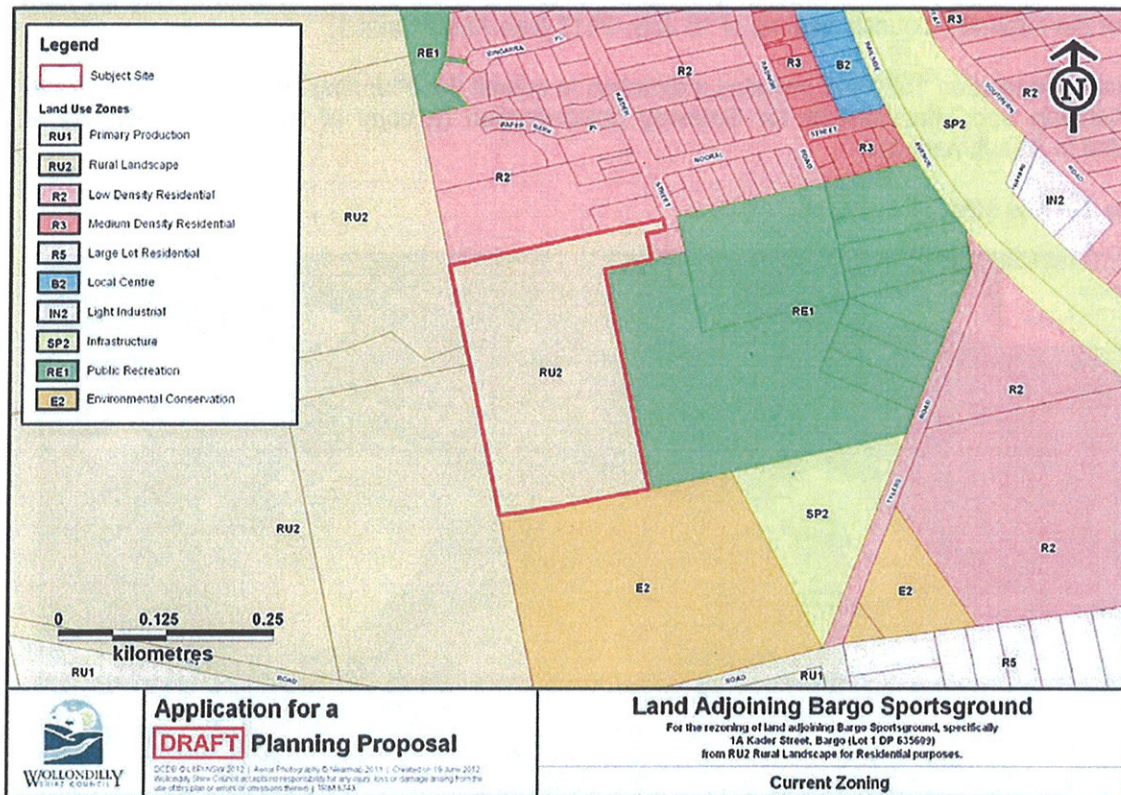
The site is located at the southern end of Kader Street and west of Bargo Sportsground. The site is within walking distance to the Bargo commercial area, Bargo railway station and Bargo Primary school.

Figure 2 shows the current land use zones in the immediate locality. Land immediately north of the site in Kader Street is within Zone R2 Low Density Residential. Land to the west is within Zone RU2 Rural Landscape and adjoining property to the south is within Zone E2 Environmental Conservation.

The total area of the site is 5.637 hectares. The majority of the site is a rectangular shape with a narrow access handle to Kader Street 13.72 metres wide.

The site is relatively flat to gently sloping with two natural watercourses running through the site. One watercourse runs across the access handle and is indicated on Council's mapping database as featuring significant ponding (which extends into Council's adjoining land being Lot 2 DP 635609 and part of the Bargo Sportsground). The other natural watercourse extends across the south west corner of the site and a large earth dam has been constructed within its channel. These features are shown in Figure 1.

Figure 2 – Current land use Zones



There are no buildings on the lot. There are scattered remnant trees throughout the site generally aligned with the watercourses. The majority of the site is cleared.

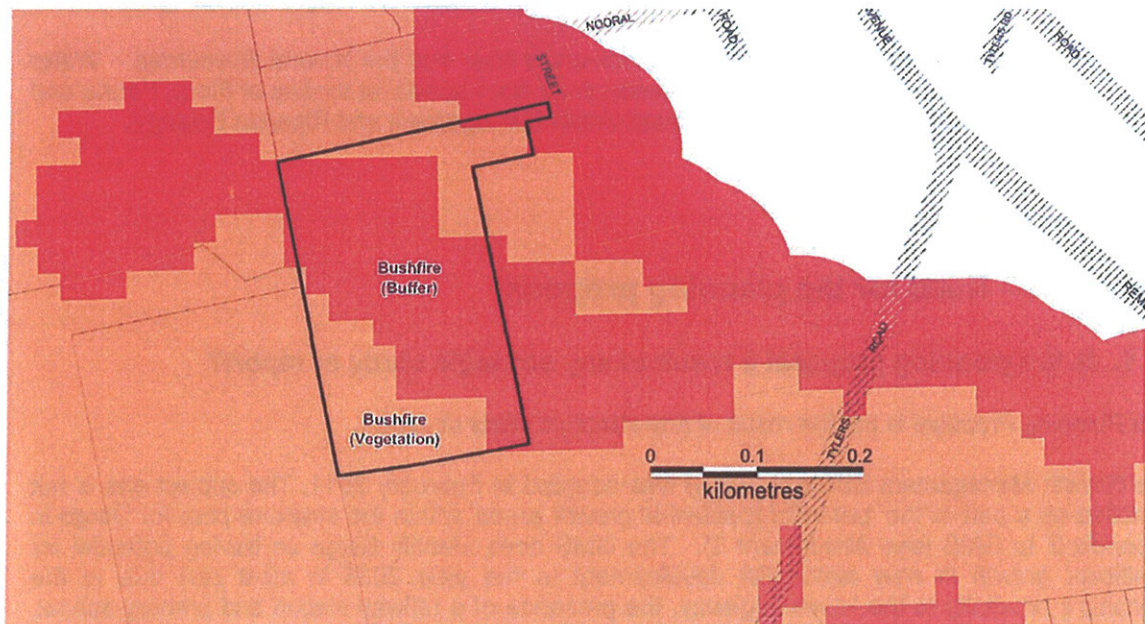
There are low density detached dwellings in Kader Street. There is one dwelling located on the southern side of the access handle to the subject site and it is set back approximately 6 metres from the shared boundary. The section of Kader Street fronting the site and this neighbouring lot to the south is unsealed.

The two properties adjoining the northern boundary are under one ownership and contain one dwelling and some outbuildings. The dwelling is set back approximately 30 metres from the shared boundary. The majority of this neighbouring property features native vegetation.

The four properties adjoining the western and southern boundaries of the site are mostly covered with native vegetation. One property to the west has a dwelling and some outbuildings with cleared land immediately surrounding these structures. Two of the adjoining properties are known to contain Shale Sandstone Transition Forest (SSTF) an Endangered Ecological Community (EEC). The vegetation and seed bank within the subject site may be identified as remnant SSTF and the habitat within the site is likely to be compatible with that for SSTF.

The subject site as well as surrounding land is bushfire prone as shown in Figure 3.

Figure 3



Bushfire Prone Land Map South West Bargo



UTM Zone 56
GDA 1994
Cadastral is (C) NSW Department of Lands

Part 1 – Objectives or Intended Outcomes

Key objective

The key objective of this Planning Proposal is to amend the provisions of Wollondilly Local Environmental Plan, 2011 as they apply to the subject site to allow for low density and large lot residential development compatible with constraints within and adjoining the site.

The intended outcomes of the Planning Proposal are as follows:

- To accommodate for the constraints within and adjoining the site
- To achieve future development which is suitably serviced by essential infrastructure
- To provide land for sustainable new residential development

Part 2 – Explanation of Provisions

The objectives of the Planning Proposal can be achieved through the inclusion of the following amendments to the Wollondilly LEP 2011 as they apply to the subject site:

- Amend the Land Use Zoning Map to part Zone R2 Low Density Residential and part Zone R5 Large Lot Residential as shown in Figure 5 and as may be refined from specialist studies
- Amend the Lot Size Map to allow for a minimum allotment size of 450m² within Zone R2 Low Density Residential and a minimum allotment size of 1,000m² within Zone R5 Large Lot Residential and as may be refined from specialist studies.

- Amend the Height of Buildings Map to allow for a maximum height of buildings of 9m
- Amend the Natural Resources – Biodiversity Map and the Natural Resources – Water Map based on information to be determined from specialist studies of Flora, Fauna and Habitats, Surface Water and Ground Water Management and Riparian Ecology.

Part 3 – Justification

Section A – Need for the planning proposal

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

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

The Growth Management Strategy (GMS) was adopted in February 2011. The subject site is not identified as a part of the *'potential residential growth areas'* within the structure plan for Bargo in Appendix 2 to GMS (see Attachment 3). The GMS does identify Bargo as having potential for significant growth in new residential development to the year 2036 in most part due to the township's proximity to the Hume Highway, the presence of a railway station and primary school, the capacity for the commercial uses to be intensified and the potential for provision of reticulated sewer services by Sydney Water. However, the provision of new residential land was anticipated by the GMS to occur on the eastern side of the existing township.

The GMS is discussed in more detail in Section B5 to this Planning Proposal.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best means of achieving the objective and intended outcome. The planning provisions currently applying to the site do not permit low density nor large lot residential development of the site with the exception of a development in accordance with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. This SEPP applies as the site adjoins land zoned for urban purposes (being land in Zone R2 Low Density Residential). The lot is less than the minimum lot size of 16 hectares and can not be subdivided under the current provisions of WLEP 2012.

The proposed Zone R2 Low Density Residential will be contiguous with existing low density residential zone and has the potential to be compatible and complementary in scale and density with the existing settlement pattern.

The proposed Zone R5 Large Lot Residential Zone would provide a transition between the urban and rural zones on the western edge of Bargo township and this is consistent with the Assessment Criteria in Appendix 1 to the GMS (see Section 5B to this Planning Proposal).

3. Is there a net community benefit?

Overall, the proposal has the potential to provide a net community benefit by resulting in a variety of new allotments for housing within the constraints of the site and surrounds and in close proximity to established services and facilities. A net community benefit can be achieved subject to the new residential land being serviced by essential infrastructure and utilities and protecting and enhancing the natural assets within and adjoining the site.

Attachment 4 addresses the evaluation criteria for conducting a "net community benefit test" as outlined in the Draft Centres Policy (2009) and as required by the Department of Planning and Infrastructure guidelines for preparing a Planning Proposal.

Section B – Relationship to strategic planning framework

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

Sydney Metropolitan Strategy

The planning proposal is largely consistent with the relevant aims of the Metropolitan and sub-regional strategies in relation to providing allotments to meet housing objectives. A detailed checklist in accordance with the Metropolitan Strategy is included in Attachment 5.

The objectives of particular relevance to the proposal are those relating to:

- housing supply, diversity and affordability
- efficient provision of essential infrastructure
- protection of the environment
- alternative modes of transport.

In particular, Objective D1 of the Metropolitan Plan 2036 seeks an adequate supply of land and sites for residential development. Two Action Plans have been devised to achieve this objective being:

- 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; and
- 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 Planning Proposal will make a minor contribution to achieving the target number of dwellings.

Draft South West Subregional Strategy

Attachment 6 contains a detailed checklist of the matters to be considered in determining compliance with the Draft South West Subregional Strategy. This Draft 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 proposal will contribute to the new dwelling target for the Wollondilly LGA.

The objectives within the draft Subregional Strategy of most relevance to the Planning Proposal are those relating to housing supply, alternative modes of transport and protection of the environment. Further detailed studies are required to determine whether measures can be undertaken to ensure the long term potential changes to land use can be compatible with the actions.

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

Wollondilly Community Strategic Plan 2030

The Community Strategic Plan (CSP) 2030 identifies and expresses the aspirations held by the community of the Wollondilly Shire, and sets goals for the Council to achieve positive outcomes in five (5) key focus areas of Community, Economy, Environment, Infrastructure and Governance.

This Planning Proposal has the potential to make contributions towards achieving the goals of the CSP as explained below.

Environment

Goals of the CSP are:

- A community that is surrounded by a built and natural environment that is valued and preserved
- A community that has opportunities to engage with and actively care about their natural environment

The significance of the natural assets within the site are to be investigated by specialist studies focussing on:

- flora and fauna and habitats
- riparian ecology
- surface and ground water
- bushfire hazard management

Specialist studies are required to determine whether future residential development can be compatible with the natural features of the site and surrounding land. Development compatible with natural assets enhances the quality and viability of those natural features and contributes to a better community appreciation and care for the environment.

Economy

Goals of the CSP are:

- A community that has access to employment and is supported through strong and diverse economic activity
- A community that is supported through appropriate, sustainable land use.

The proposal does not have potential to generate access to employment. Some short term job activity could be expected from the construction of new dwellings and installation of infrastructure and utilities. Specialist studies can determine whether future land uses will be appropriate and sustainable.

Infrastructure

Goals of the CSP are:

- A community that has access to a range of viable transport options
- Communities that are supported by safe, maintained and effective infrastructure

As stated above the site is within walking distance of Bargo railway station and bus stops for the local and regional bus service. The capacity and availability of infrastructure needs to be verified with specialist studies. Should the development proceed, there is potential for contributions towards shared pathways and community services and facilities.

Community

Goals of the CSP are:

- A resilient community that has access to a range of activities, services and facilities
- An engaged, connected and supported community that values and celebrates diversity

The proposal would allow for additional housing development located close to existing services and facilities. Community engagement opportunities will be provided should the Planning Proposal progress. Diversity of housing types has the potential to add to the diversity of household types and the community in general.

Governance

Goals of the CSP are:

- A community that is supported through engagement, collaboration and partnerships across government agencies and private business
- A transparent, effective and sustainable Council

Should the Planning Proposal proceed, there will be several opportunities for engagement with the community. The assessment process and specialist studies will require consultation and collaboration with other government agencies. A 28-day community engagement period is recommended. A special local community meeting is considered unnecessary. A Community Forum will be conducted following the community engagement process and prior to the matter being reconsidered by Council.

Wollondilly Growth Management Strategy 2011

The *Growth Management Strategy* (GMS) was adopted by Council in February, 2011. The GMS is a strategic policy document which contains:

- Data on the current drivers of change for land use in the Shire
- Key Policy Directions for targeted future land use changes
- Assessment criteria for all proposals and for specific types of land use proposals
- Structure Plans which identify opportunities for future land use changes

All planning proposals are assessed for their consistency with the GMS and Key Policy Direction P1 states: *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.*

Attachment 7 contains a checklist for assessment of compliance with the Key Policy Directions and Assessment Criteria of the GMS.

Subject to more detailed assessment of the site and the potential impacts of likely changes in land use, the proposal is consistent with the relevant Key Policy Directions of the GMS to the extent that can be determined at this time.

The proposed changes to WLEP 2011 have the potential to create new residential land at the rural-urban edge of the established town. Specialist studies are necessary to determine the appropriate capacity of the site and the necessary arrangements for protecting and enhancing natural assets

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

A review of State Environmental Planning Policies ('SEPPs') deemed SEPPs and draft SEPPs is included in Attachment 8. Specialist studies are required in order to determine the extent to which the future development of the land for residential purposes can be compatible with the relevant requirements of the SEPPs. In particular the following investigations are required:

SEPP 55

In accordance with Clause 6 of SEPP 55 Contamination and remediation is to be considered in zoning or rezoning proposal. The site is likely to have been used for agriculture and a minimum *Stage 1 Preliminary Contamination Assessment* will be required to determine whether the site is suitable for future residential development.

SREP 20

An assessment of riparian ecology and stormwater management for the site will inform a consideration of the matters listed in SREP 20. In the absence of specialist studies the following assessment table lists the matters in SREP 20.

SREP 20 Matters	Comment
Aim of the Plan	The aim of the plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. Potential impacts of most significance relate to water quality impacts.
<ul style="list-style-type: none"> ▪ strategies listed in the Action Plan of the Hawkesbury-Nepean Environmental Planning Strategy 	Subject to appropriate management of water quality impacts the scale of the proposal is likely to be acceptable in terms of the Action Plan strategy.
<ul style="list-style-type: none"> ▪ any feasible alternatives to the development 	No alternatives if future residential development is intended (other than Seniors Housing).
<ul style="list-style-type: none"> ▪ relationship between the different impacts of the development or other proposal and the environment, and how those impacts will be addressed and monitored 	Specialist studies will need to investigate flora, fauna, habitat, natural watercourses and surface water management.

Consideration of the 'clause 6' matters is set out below:

SREP 20 Matters	Comment
1.Total catchment management	A <i>Water Cycle Management Study</i> shall be necessary to make recommendations on future wastewater and stormwater management. Flora, fauna and habitat assessments will also determine impacts within and beyond the site and methods for managing any future changes in land use.
3.Water quality	A <i>Water Cycle Management Study</i> shall be necessary to make recommendations on future wastewater and stormwater management. A 40 to 100m buffer is likely to be required to separate any on-site wastewater management system from a watercourse. Stormwater management is expected to incorporate Water Sensitive Urban Design principles.
5.Cultural heritage	The site contains no listed heritage items. The occurrence of indigenous heritage items and places will be examined in a specialist study
6.Flora & Fauna	The site is largely cleared but adjoins Shale Sandstone Transition Forest. A Flora and Fauna assessment and an assessment under SEPP 44 will be required.
10.Urban Development	Should the site be found suitable to accommodate some form of residential development then urban design options will be sought to reduce environmental impacts (such as variable lot sizes and shapes, and the clustering of development).
12.Metropolitan Strategy	Impacts in terms of waste disposal, air quality and predicted climate change are considered negligible when taking into account the relatively small scale of the proposal.

SEPP 44

SEPP 44 has the aims of encouraging the identification of areas of core koala habitat and the inclusion of areas of core koala habitat in environment protection zones.

A Flora, Fauna and Habitat assessment shall be required to investigate the potential of the site to form part of, or support, core koala habitat.

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

The planning proposal has been assessed to the extent possible at this time in accordance with Section 117 Directions as detailed in Attachment 9.

The proposal is consistent with the Directions applicable to the proposal with the exception of Direction 1.2 Rural Lands in which case Council is seeking confirmation from the Director-General that the inconsistency is of minor significance.

Section C – Environmental, social and economic impact.

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

A Flora, Fauna and Habitat Assessment is required for the site with reference to studies completed for land adjoining and surrounding the site. The Flora, Fauna and Habitat study should include (but not be limited to) the consideration of:

- Shale Sandstone Transition Forest remnants, seed banks and potential for continuity and buffers with adjoining land
- Cumberland Plain Woodland and the consideration of the *Cumberland Plain Woodland Recovery Plan* (DECCW, January 2011)
- Koala habitat within and in close proximity to the site
- riparian ecology
- bushfire hazard management which is compatible with the abovementioned features.

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

Wastewater Management

Sydney Water has indicated that Bargo Sewerage Scheme is planned for completion by 2015 with services to be made available only to existing urban zoned land and a 10% infill allowance. Therefore Council can not guarantee that the site shall be serviced by reticulated sewer operated by Sydney Water. Therefore a Water Cycle Management Plan incorporating an On-site Wastewater Assessment will be required to address the potential impacts and requirements for a self-contained package wastewater treatment plant to be operated in accordance with License issues in accordance with the *Water Industry Competition Act 2006*. These reports will be required to make comment on the potential impacts to surface and ground water and ensure that stormwater management provisions shall be compatible with on-site wastewater management.

Rural Land Use Conflict

The site is at the rural-urban fringe and specific urban design requirements will be expected to minimise the potential for rural land use conflicts and ensure compatibility with native vegetation on adjoining land and bush fire protection. Adjoining the site to the south west is a wastewater

disposal system licensed under the WICA Act, 2006. The impacts of this facility have been assessed in accordance with a development consent. The nearest existing dwelling is within 100 metres of the facility. Potential new dwellings within the subject site are likely to be more than 100 metres from the facility. No specialist study is considered necessary to address the potential impacts of this facility. As stated above provisions will need to be considered within the site to accommodate for preservation of native vegetation on adjoining land and bushfire hazard management which is compatible with this native vegetation.

Traffic and Transport

A Traffic and Transport Assessment Report shall be required to determine the compatibility (or otherwise) of potential new residential development with the capacity of the public road system as well as the constraints of the narrow access handle (which appears to coincide with a watercourse) to Kader Street. The Traffic and Transport Assessment Report will also be required to address potential links between the site and the planned and existing share pathway network including opportunities for pedestrian and cycle links to the Bargo Sportsground.

Bushfire

Council's Bushfire Prone Land Maps are in the process of revision. The current plans identify the subject site as being bush fire prone (see Figure 3 above). A Bushfire Hazard Management Plan will be required to be completed for the site and its immediate surrounds. The Plan will be required to assess and make recommendations including but not limited to the following:

- the need for bushfire hazard management within the site
- bushfire hazard management which is compatible with the protection and retention of vegetation, habitat and seed banks with protected status within and in close proximity to the site
- asset protection zones and bushfire management works which are to be contained wholly within private lands within the subject site
- means of access and egress in emergency situations.

At its Ordinary Meeting of 17 December, 2012 Council resolved to update the bushfire hazard maps. The current maps will not be superceded until the new maps are endorsed by the Commissioner to the NSW Rural Fire Service. Therefore the hazard map shown in Figure 3 is likely to be revised in the near future.

Flooding and Drainage, Water Quality and Quantity

As stated previously a Total Water Cycle Management Plan and a Wastewater Management Report will be required to be prepared in collaboration with the Flora, Fauna and Habitat assessment to investigate options for managing flooding and drainage integrated with the natural assets of the site and its surrounds.

Studies will be expected to investigate whether potential development can occur with no detrimental impact on downstream properties by incorporating measures of Water Sensitive Urban Design at flow rates for 100% AEP (1yr), 50% AEP (2yr), 20% AEP (5yr), 10% AEP (10yr), 5% AEP (20yr) and 1% AEP (100yr).

The Total Water Cycle Management Plan may need to consider stormwater issues arising from the adjoining Council-owned land.

To meet the requirements of SREP 20 and the Office of Water a *Total Water Cycle Management Study* is required to determine the current and possible future condition of surface and ground water quality and the condition of surface drainage patterns. There are no licensed bores on the site and the site is not noted as having a salinity hazard nor are there any visual signs of salinity. Soil Landscape mapping suggests that the landscape is not prone to salinity.

The study is also expected to make recommendations as to any future changes to the Natural Resources – Water Map by applying the Office of Water guidelines to a site-specific investigation.

Council's Design Engineering Specifications in terms of stormwater currently require that watercourses are not piped but are restored or reconstructed as part of any future subdivision. Council's development controls seek revegetation and rehabilitation of riparian corridors consistent with the guidelines from the Office of Water.

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

Social and economic impacts are considered to be minor and no specialist studies are required. Bargo township has established services and facilities both private and public which will be available to potential new residents should the site be considered suitable for accommodating new dwellings. The potential provision of shared pathway routes would provide alternative transport options for future and existing residents with links to the local public school, railway station, sportsground and community hall.

Section D – State and Commonwealth interests.

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

Existing roads, potable water supply, electricity and telecommunication infrastructure are the essential services currently available for augmentation in the Bargo locality. It is anticipated that all of these services can be made available to the site with reasonable works and costs to the developer. Sydney Water is committed to installation of reticulated sewer for the existing urban zoned land in Bargo by 2015. However, services are not planned to connect to the subject site.

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

Public authorities are to be consulted in accordance with the Gateway determination. The following agencies are expected to be consulted:

Mine Subsidence Board (MSB) as the site lies within the Bargo Mine Subsidence District.

NSW Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS) – Mineral Resources Branch as the site is located within Consolidated Coal Lease 747 held by Bargo Collieries Pty Ltd and Petroleum Exploration Licence 2 held by AGL Upstream Investment Limited.

Hawkesbury Nepean Catchment Management Authority (HNCMA)

Department of Primary Industry – Office of Water

NSW Rural Fire Service (RFS)

Sydney Water

Office of Environment and Heritage

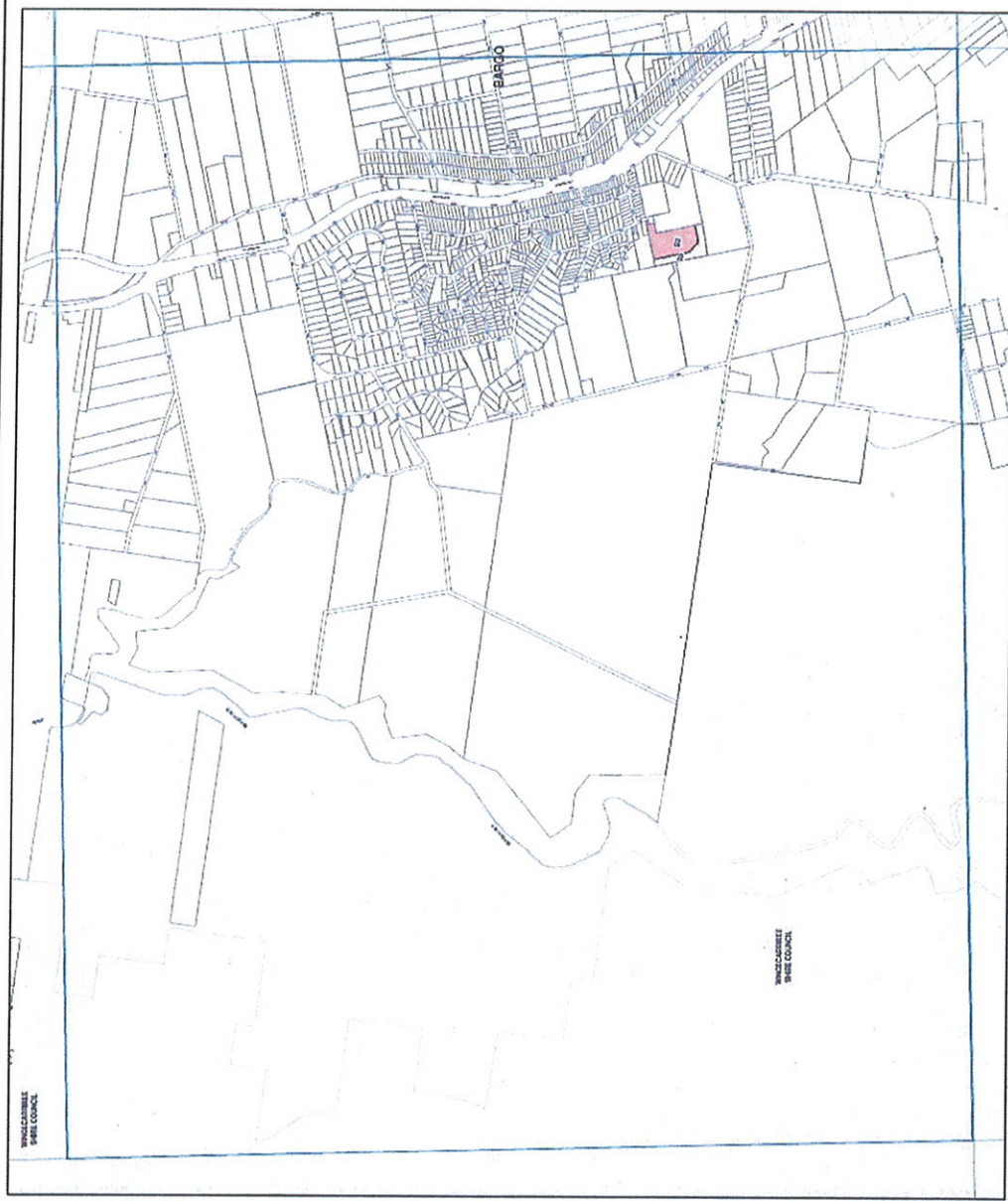
Part 4 - Maps

The following maps identify the intent of the Planning Proposal and the area to which it applies.

1. Site Identification
2. Land Zoning
3. Lot Size
4. Height of Building

NOTE Natural Resources - Water Map and Natural Resources – Biodiversity Map amendments can not be determined until specialist studies are completed.

Map 2 – Land Zoning



Wollondilly Local Environmental Plan 2011

Land Zoning Map - Sheet LZN_008E

Zone	Description
B1	Neighbourhood Centre
B2	Local Centre
B3	Mixed Use
B4	Neural Parks and Nature Reserve
B5	Environmental Conservation
B6	Environmental Management
B7	Environmental Living
B8	General Industrial
B9	Light Industrial
B10	Heavy Industrial
B11	Low Density Residential
B12	Medium Density Residential
B13	Large Lot Residential
B14	Public Recreation
B15	Private Recreation
B16	Primary Production
B17	Plaza Landscape
B18	Primary Production Small Lots
B19	Special Analysis
B20	Transition

Outdate

Wollondilly Shire Council, 2011

Scale: 1:25,000 (1:25,000)

Scale: 1:25,000 (1:25,000)

North Arrow

Map Information

Map: Wollondilly Shire Council, 2011

Map 3 – Lot Size



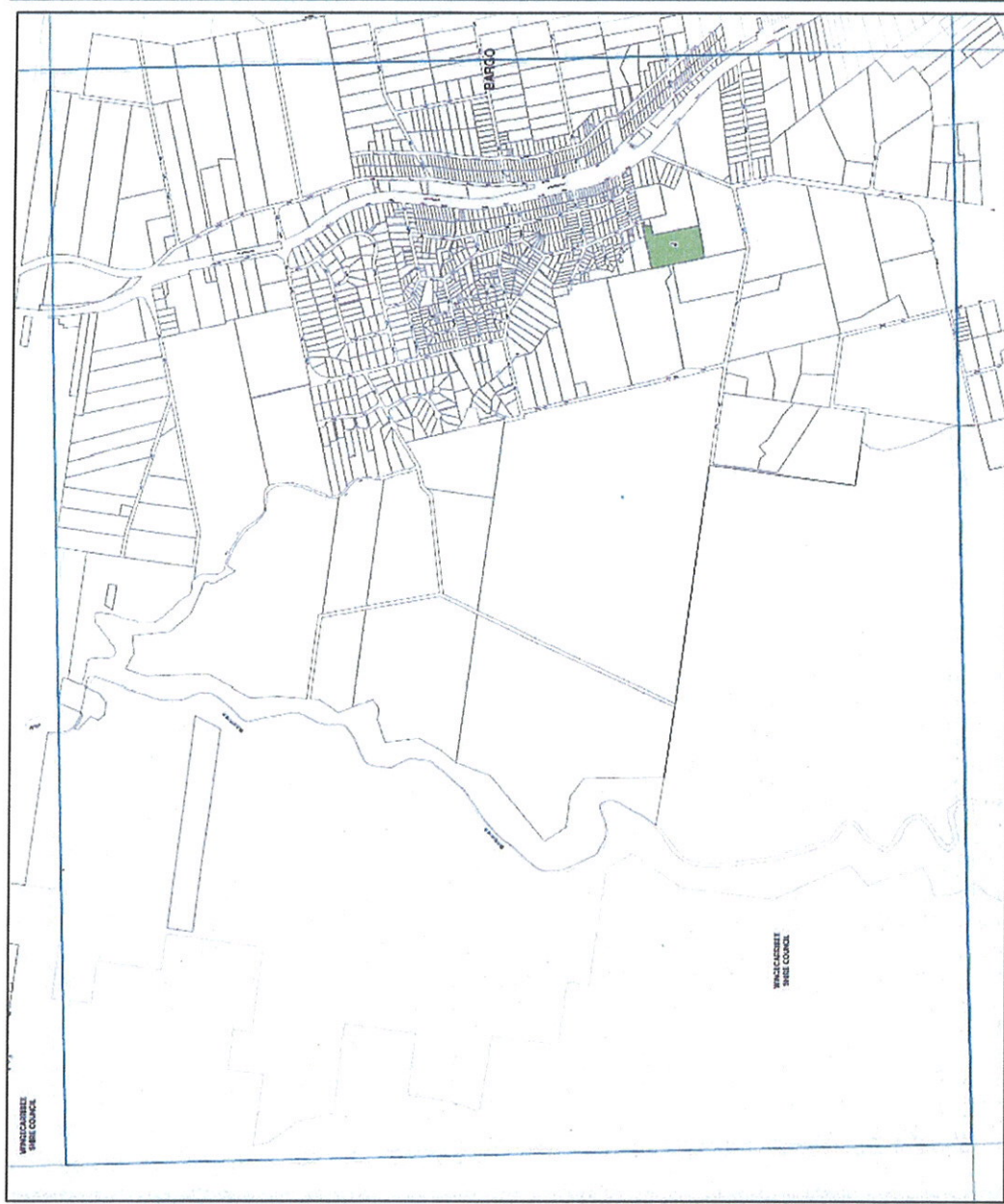
Wollondilly Local Environmental Plan 2011

Lot Size Map - Sheet LSZ_008E

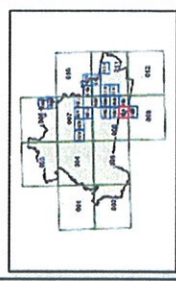
Minimum Lot Size: 644 m²

- B 200
- C 250
- D 300
- E 350
- F 400
- G 450
- H 500
- I 550
- J 600
- K 650
- L 700
- M 750
- N 800
- O 850
- P 900
- Q 950
- R 1000
- S 1050
- T 1100
- U 1150
- V 1200
- W 1250
- X 1300
- Y 1350
- Z 1400
- AA 1450
- AB 1500
- AC 1550
- AD 1600
- AE 1650
- AF 1700
- AG 1750
- AH 1800
- AI 1850
- AJ 1900
- AK 1950
- AL 2000
- AM 2050
- AN 2100
- AO 2150
- AP 2200
- AQ 2250
- AR 2300
- AS 2350
- AT 2400
- AU 2450
- AV 2500
- AW 2550
- AX 2600
- AY 2650
- AZ 2700
- BA 2750
- BB 2800
- BC 2850
- BD 2900
- BE 2950
- BF 3000
- BG 3050
- BH 3100
- BI 3150
- BJ 3200
- BK 3250
- BL 3300
- BM 3350
- BN 3400
- BO 3450
- BP 3500
- BQ 3550
- BR 3600
- BS 3650
- BT 3700
- BU 3750
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- BX 3900
- BY 3950
- BZ 4000
- CA 4050
- CB 4100
- CC 4150
- CD 4200
- CE 4250
- CF 4300
- CG 4350
- CH 4400
- CI 4450
- CJ 4500
- CK 4550
- CL 4600
- CM 4650
- CN 4700
- CO 4750
- CP 4800
- CQ 4850
- CR 4900
- CS 4950
- CT 5000
- CU 5050
- CV 5100
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- EA 6650
- EB 6700
- EC 6750
- ED 6800
- EE 6850
- EF 6900
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- EH 7000
- EI 7050
- EJ 7100
- EK 7150
- EL 7200
- EM 7250
- EN 7300
- EO 7350
- EP 7400
- EQ 7450
- ER 7500
- ES 7550
- ET 7600
- EU 7650
- EV 7700
- EW 7750
- EX 7800
- EY 7850
- EZ 7900
- FA 7950
- FB 8000
- FC 8050
- FD 8100
- FE 8150
- FF 8200
- FG 8250
- FH 8300
- FI 8350
- FJ 8400
- FK 8450
- FL 8500
- FM 8550
- FN 8600
- FO 8650
- FP 8700
- FQ 8750
- FR 8800
- FS 8850
- FT 8900
- FU 8950
- FV 9000
- FW 9050
- FX 9100
- FY 9150
- FZ 9200
- GA 9250
- GB 9300
- GC 9350
- GD 9400
- GE 9450
- GF 9500
- GG 9550
- GH 9600
- GI 9650
- GJ 9700
- GK 9750
- GL 9800
- GM 9850
- GN 9900
- GO 9950
- GP 10000
- GQ 10050
- GR 10100
- GS 10150
- GT 10200
- GU 10250
- GV 10300
- GW 10350
- GX 10400
- GY 10450
- GZ 10500
- HA 10550
- HB 10600
- HC 10650
- HD 10700
- HE 10750
- HF 10800
- HG 10850
- HH 10900
- HI 10950
- HJ 11000
- HK 11050
- HL 11100
- HM 11150
- HN 11200
- HO 11250
- HP 11300
- HQ 11350
- HR 11400
- HS 11450
- HT 11500
- HU 11550
- HV 11600
- HW 11650
- HX 11700
- HY 11750
- HZ 11800
- IA 11850
- IB 11900
- IC 11950
- ID 12000
- IE 12050
- IF 12100
- IG 12150
- IH 12200
- II 12250
- IJ 12300
- IK 12350
- IL 12400
- IM 12450
- IN 12500
- IO 12550
- IP 12600
- IQ 12650
- IR 12700
- IS 12750
- IT 12800
- IU 12850
- IV 12900
- IW 12950
- IX 13000
- IY 13050
- IZ 13100
- JA 13150
- JB 13200
- JC 13250
- JD 13300
- JE 13350
- JF 13400
- JG 13450
- JH 13500
- JI 13550
- JJ 13600
- JK 13650
- JL 13700
- JM 13750
- JN 13800
- JO 13850
- JP 13900
- JQ 13950
- JR 14000
- JS 14050
- JT 14100
- JU 14150
- JV 14200
- JW 14250
- JX 14300
- JY 14350
- JZ 14400
- KA 14450
- KB 14500
- KC 14550
- KD 14600
- KE 14650
- KF 14700
- KG 14750
- KH 14800
- KI 14850
- KJ 14900
- KK 14950
- KL 15000
- KM 15050
- KN 15100
- KO 15150
- KP 15200
- KQ 15250
- KR 15300
- KS 15350
- KT 15400
- KU 15450
- KV 15500
- KW 15550
- KX 15600
- KY 15650
- KZ 15700
- LA 15750
- LB 15800
- LC 15850
-

Map 4 – Height of Buildings



Woolendilly Local Environmental Plan 2011
Height of Buildings Map
 - Sheet HOB_008E
 Maximum Building Height (m)
 F 6.8
 G 9
 J 11
 K 11
 L 11
 Cadastre
 Address data from 2010/11 to 2011/12
 Address data from 2012/13 to 2013/14 released by Data Council



North
 W E S
 Scale 1:25,000 @ A3
 Project No. 104
 Project Name
 Project Date
 Project Author
 Project Manager
 Project Engineer
 Project Designer
 Project Checker
 Project Approver
 Project Date

Part 5 – Community Consultation

Council has notified adjoining and nearby residents in accordance with its notification policy. As a result of this notification two (2) submissions were received. One submission objected to the proposal and the other expressed support. The relevant matters raised in the submissions are included in the Report to Council's Ordinary Meeting Agenda Item PE2 of 16 July, 2012 and are reproduced in the following table.

Table: Summary of matters raised in response to Initial Notification

Matter raised	Comment
Transport and traffic	<ul style="list-style-type: none"> • Site is close to major transport routes (road and rail) • Additional traffic not compatible with narrow access point to Kader Street • Access point to site potentially subject to flooding
New land for housing	<ul style="list-style-type: none"> • There is a demand for new housing locally • Site adjoins existing residential land
Potential flooding	Site may be subject to flooding which may create problems for access/ egress and for pump out septic systems
Local Spending	Additional population likely to use local businesses

None of the matters raised in submissions demonstrate that the site is unsuitable for further investigation to accommodate new residential uses. The issues raised can be adequately investigated in accordance with the range of specialist studies recommended in the Council's Ordinary Meeting Agenda Item PE2 of 16 July, 2012 and in accordance with any further requirements that emerge from the Gateway process.

Council is proposing to exhibit this planning proposal and draft LEP amendments and consult with the community for a 28 day period in accordance with the requirements for community consultation outlined in '*A guide to preparing local environmental plans*' (revised October 2012). The final form of consultation and engagement shall be in accordance with the Gateway determination.

Part 6 – Project Timeline

Principal Steps	Anticipated commencement	Anticipated completion
Commencement (Gateway Determination)	January – February 2013	January – February 2013
Required studies	February 2013	June 2013
Government agency consultation (pre-exhibition)	February- March 2013	March 2013
Government agency consultation (during and post-exhibition)	July-August 2013	September – October 2013
Public exhibition	July – August 2013	September – October 2013
Consideration of submissions	October 2013	October – November 2013
Consideration of Proposal Post Exhibition	November – December 2013	December 2013
RPA making the Plan / resolving to request the making of the Plan	December 2013 – February 2014	February 2014
RPA forwarding to the Department for notification (if delegated)	December 2013 – February 2014	February 2014

Attachments

1. **Agenda Item PE2 to the Ordinary Council meeting of 16 July, 2012**
2. **Council resolution 157/ 2012**
3. **Appendix 2 to the Wollondilly Growth Management Strategy – Structure Plan for Bargo**
4. **Net Community Benefit Test**
5. **Assessment Checklist in accordance with the Sydney Metropolitan Strategy**
6. **Assessment Checklist in accordance with the Draft South West Subregional Strategy**
7. **Assessment Checklist of Key Policy Directions and Assessment Criteria of the Wollondilly Growth Management Strategy 2011**
8. **Assessment Checklist of State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans)**
9. **Assessment Checklist of Section 117(2) Ministerial Directions issued under the *Environmental Planning and Assessment Act, 1979***

Attachment 1 - Agenda Item PE2 to the Ordinary Council meeting of 16 July, 2012

TRIM Reference 6743#36

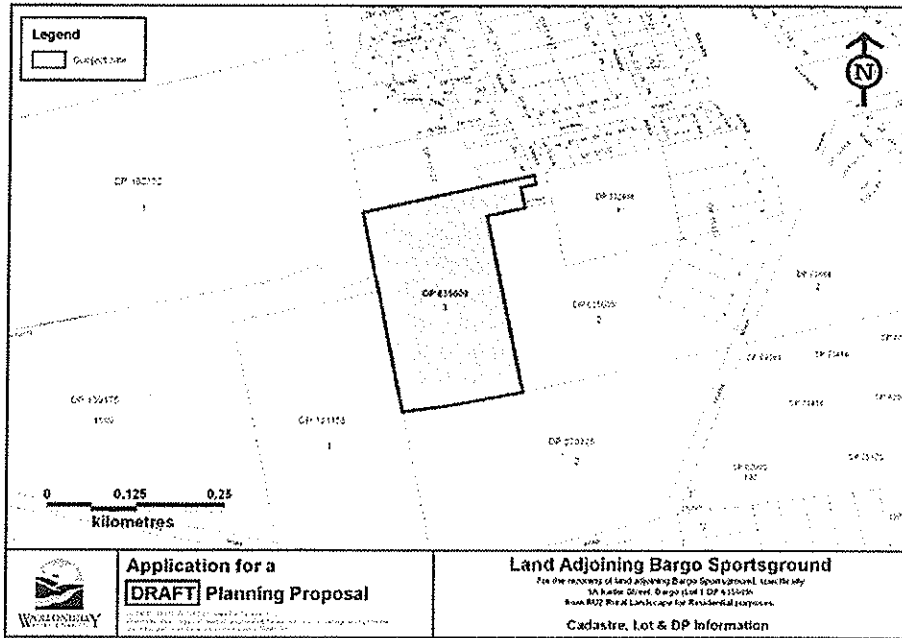
PE2

Draft Planning Proposal - Land Adjoining Bargo Sportsground
73SPER

TRIM 6743

APPLICANT: **Precise Planning**
OWNER: **H. and G. Soster**

Planning & Economy



REPORT

EXECUTIVE SUMMARY

- Council has received an application for a draft Planning Proposal for Lot 1 DP 635609 (No.1A) Kader Street, Bargo
- The application seeks to amend the provisions of Wollondilly Local Environmental Plan, 2011 that apply to the abovementioned site as follows:
 - Change the Land Zoning Map from Zone RU2 Rural Landscape to Zone R2 Low Density Residential
 - Change the Lot Size Map from a minimum lot size of 16 hectares to a minimum lot size of 975 square metres
 - Change the Height of Buildings Map to apply a maximum height limit of 9 metres

- A preliminary assessment of the application with reference to Council's Growth Management Strategy indicates that the proposal is generally consistent with the Strategy to the extent that can be determined at this time
- A preliminary assessment of the site and surrounds indicate that it is potentially possible for the site to support additional dwellings and that further specialist studies are required to determine the capabilities of the site and impacts
- Initial notification resulted in two (2) responses – one in support and one opposing
- There are no disclosures of political donations made in regard to this application
- This report recommends:
 - that Council support the preparation of a draft Planning Proposal for the subject site to investigate amending Wollondilly Local Environmental Plan, 2011 to:
 - change the Land Zoning Map to part Zone R2 Low Density Residential and part Zone R5 Large Lot Residential;
 - change the Lot Size Map to part 1,000 square metres and part 450 square metres;
 - change the Natural Resources – Biodiversity map and the Natural Resources – Water map as may be identified by specialist studies
 - change the Height of Buildings map to apply a height limit of 9 metres;
 - that the Draft Planning Proposal be forwarded to the Minister for Planning and Infrastructure for a Gateway determination; and
 - that the applicant and persons who made a submission in response to the initial notification be informed of Council's resolution.

BACKGROUND

Description of the Site and Surrounds

The site is Lot 1 DP 635609 (No.1A) Kader Street, Bargo. It is located at the southern end of Kader Street and west of Bargo Sportsground lands. The site is within walking distance to the Bargo commercial area, Bargo Railway Station and Bargo Primary School.

The total area of the site is 5.637 hectares and the land is currently in Zone RU2 Rural Landscape. The majority of the site is a rectangular shape with the access handle to Kader Street being a narrow section in the north east corner. The frontage to Kader Street is only 13.72 metres wide. The section of Kader Street fronting the site is unsealed.

The site is relatively flat to gently sloping with two natural watercourses running through the site. One watercourse runs across the narrowed access handle section of the lot and is indicated on Council's mapping data as featuring significant ponding of water (this ponding extends onto Council-owned land immediately south being Lot 2 DP 635609). The other natural watercourse extends across the south west corner of the site and a large earth dam has been constructed within the channel. There are no buildings on the lot. There are scattered remnant trees throughout the site generally aligned with the natural watercourses. The majority of the site is cleared.

To the south of the access handle is one allotment in Zone R2 Low Density Residential which contains a dwelling.

The properties adjoining the northern boundary are in Zone R2 Low Density Residential. They are under one ownership and contain one dwelling and some outbuildings. The dwelling is set back approximately 30 metres from the northern boundary of the site. The majority of this neighbouring property features native vegetation.

The three properties adjoining the western boundary of the site are within Zone RU2 Rural Landscape. The neighbouring property to the south is within Zone E2 Environmental Conservation. Two of these properties are partly cleared and contain dwellings and outbuildings with the majority of both properties featuring dense native vegetation. The other two properties are covered in dense native vegetation. Two of these adjoining properties are known to contain Shale Sandstone Transition Forest (an Endangered Ecological Community). The vegetation and seed bank within the subject site may be identified as remnant Shale Sandstone Transition Forest and habitat for Shale Sandstone Transition Forest.

The subject site as well as the land to the north, west and south and a significant proportion of the land to the east is bushfire prone land.

The application for a Draft Planning Proposal

The application for a draft Planning Proposal seeks to amend the provisions of Wollondilly Local Environmental Plan, 2011 (WLEP, 2011) for the subject site as follows:

- change the Land Zoning Map from Zone RU2 Rural Landscape to Zone R2 Low Density Residential;
- change the Lot Size Map from 16 hectares to 975 square metres
- change the Height of Buildings Map to apply a height limit of 9 metres.

The application states that the objective is:

"To facilitate the comprehensive subdivision 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 frameworks."

The application identifies the following outcomes to be achieved:

- ** A sustainable and coordinated extension to the Bargo community*
- * The natural systems will be respected*
- * Existing physical and human infrastructure will be utilised and embellished*
- * A framework will be established for comprehensive residential subdivision"*

The application states there is no other mechanism for achieving additional residential scale allotments and dwellings on the site other than to amend the provisions of WLEP 2011 as proposed.

The application proposes that all new residential allotments be serviced by pump out septic systems. This matter is examined in further detail in the section of this report titled 'Relevant Considerations'.

The application states there will be a net community benefit resulting from the amendment of WLEP 2011 and the eventual development of the site for low density residential purposes. The following reasons are identified in the application as creating a net community benefit:

- ** It constitutes a balanced and appropriate use of the 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 Subregional Strategy target*
- * The proposal provides opportunities for a mix of dwelling types that encourage social mix and provide 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*
- * It will create local employment opportunities through the construction jobs associated with the civil and building works to the benefit of the local economy*
- * It will reinforce (at a limited scale) the viability of the Bargo Service centre."*

Should Council resolve to prepare a Draft Planning Proposal for the site, the objective, outcomes and net community benefit assessment shall be independently and objectively revised.

CONSULTATION

Initial Notification

Initial notification resulted in two (2) responses – one in objection and one in support of the application. The matters raised that are relevant to assessment of the application are summarised in Table 1 below.

Table 1 – Summary of matters raised in response to Initial Notification

Key issue	Summary of Comments
Transport and Traffic	Site is close to major transport routes (road and rail) Additional traffic not compatible with narrow access point to Kader Street Access point to site potentially subject to flooding
New land for housing	Demand for new vacant lots locally Site adjoins existing residential land Lot sizes not compatible with existing residential area
Potential flooding	Site may be subject to flooding which may create problems for access / egress and for pump out septic systems
Local Spending	Additional population likely to use local businesses

None of the matters raised in submissions warrant refusal of the application at this time. Comments on the issues raised are discussed in the section of this report titled 'Relevant Considerations'.

Relevant Managers and Specialist Staff within Council

Initial comments on the application were sought from the following specialist staff within Council:

- Manager Community Services
- Manager Infrastructure Planning
- Manager Environmental Services
- Manager Development Assessment and Strategic Planning
- Manager Facilities and Recreation
- Development Engineer
- Environmental Health Officer

No issues were identified that would warrant the refusal of the application at this stage. Matters were identified which require further investigation and the following specialist studies have been identified as necessary:

- Traffic and Transport
- Flora and Fauna
- Riparian Ecology
- Stormwater Management and Flooding
- Ground and Surface Water Impact Assessment
- Aboriginal Archaeology
- Phase 1 Contamination Assessment
- Salinity Assessment
- Onsite Package Sewerage Treatment Plant feasibility study
- Bushfire Hazard management plan.

RELEVANCE TO COMMUNITY STRATEGIC PLAN OUTCOMES

Environment

- A community that is surrounded by a built and natural environment that is valued and preserved
- A community that has opportunities to engage with and actively care about their natural environment

The significance of the natural assets within the site shall be determined by specialist studies. These studies shall also determine whether there is capacity within the site to accommodate additional allotments and ancillary infrastructure. If there is capacity for development as well as restoration and protection of natural assets then appropriate Management Plans will be required. Remnant vegetation and the natural drainage system may be identified for retention, protection and enhancement with any future development of the site.

Economy

- A community that has access to employment and is supported through strong and diverse economic activity
- A community that is supported through appropriate, sustainable land use

Development of the site may increase the local resident population and potentially increase the amount of local spending in Bargo town centre. Local employment created by the proposal would be limited to short term construction contracts.

Infrastructure

- A community that has access to a range of viable transport options
- Communities that are supported by safe, maintained and effective infrastructure

Bargo is serviced by buses and rail. The site is within walking distance to the Bargo Railway Station and bus stops. The capacity and timing of bus and rail services shall be investigated with a traffic and transport study. Should the development proceed, contributions towards local shared pathways would be appropriate.

Community

- A resilient community that has access to a range of activities, services and facilities
- An engaged, connected and supported community that values and celebrates diversity

The proposal has the potential to create a variety of lot sizes generally consistent with the variety of lots and dwelling types in the locality. The development is not of a scale that would be expected to change the diversity of the community nor the range of activities, services and facilities currently available in the locality.

Governance

- A community that is supported through engagement, collaboration and partnerships across government agencies and private business
- A transparent, effective and sustainable Council

Should Council continue with the proposal, there are several opportunities for further community engagement. A 28-day public exhibition period is recommended. A local community meeting is considered unnecessary given only two (2) submissions were received to initial notification. Consultation with government agencies is also required should the proposal proceed.

POLICIES & LEGISLATION

- *Environmental Planning and Assessment Act, 1979*
- *Environmental Planning and Assessment Regulation, 2000*
- *Standard Instrument (Local Environmental Plan) Orders*

RELEVANT CONSIDERATIONS

Zone R2 Low Density Residential

Constraints to the future development of the site are most likely to be bushfire hazard management, buffers to endangered ecological communities and protection and management of natural watercourses. The extent to which these constraints may limit the compatibility of the site with residential development can only be determined by specialist studies. That is, Specialist studies are required to investigate:

- (i) whether the site is capable of supporting additional allotments, dwellings and associated infrastructure and, if so,
- (ii) to what density / lot sizes.

From initial assessment of the site and surrounds it is considered Zone R5 Large Lot Residential may be more appropriate for the western and southern edges of the site. Natural assets may also need to be identified on the Natural Resources – Biodiversity and Natural Resources – Water maps.

Attachment 3 shows the draft Land Zoning Map and Attachment 4 shows the draft Lot Size Map recommended to be the subject of the draft Planning Proposal to be prepared by Council and forwarded to the Gateway.

Essential Services – Reticulated Sewer

Sydney Water Corporation is currently designing options for servicing the *existing* urban-zoned land of Bargo, Buxton and Yanderra in accordance with the requirements of their operating license and the Priority Sewerage Program.

The potential availability of reticulated sewer services to the subject site would be dependent on the developer of the subject site providing additional funding and/or works in kind for Sydney Water Corporation to add to the services to be provided under the PSP. Sydney Water Corporation can not confirm whether services can be provided unless and until the subject site has been granted an approval for residential use in accordance with the *Environmental Planning and Assessment Act, 1979*.

The application proposes new lots be serviced by on-site pump out septic systems. This would be contrary to the provisions of Clause 7.1 Essential Services to Wollondilly LEP 2011. That is, Council could not grant development consent to a residential-scale subdivision on the site if adequate arrangements have not been made for the disposal and management of sewerage in the form of a reticulated sewerage scheme.

To address this matter at this time, the applicant must make provisions within the site for a package treatment plant to service all future allotments. This will require an area within the site for a package plant which is suitably clear of natural watercourses. The site and details of the package plant are recommended to be identified in conjunction with specialist studies.

A reticulated sewerage scheme can potentially allow for a wider variety of lot sizes and a greater diversity of dwelling types. Therefore the lot sizes as shown in Attachment 4 are recommended for a draft Planning Proposal prepared by Council and forwarded to the Gateway subject to further refinement with specialist studies.

Relationship to Public Recreation Space

The site adjoins Bargo Sportsground which is within Zone RE1 Public Recreation. The area of the sportsground immediately adjacent to the subject site is a passive recreation space and includes a dog leash free area.

The degree to which future residential development of the site may be compatible with the adjoining public recreation space can only be determined once the other constraints of the site are investigated and further decisions may be made with respect to:

- lot size
- lot density
- land reserved for buffers and management of natural assets
- access and egress for transport and movement
- surface and ground water management.

Therefore further negotiation and consultation with Council's Manager Facilities and Recreation and Council's Property Assessment Panel will be required following completion of the first draft of specialist studies.

Growth Management Strategy (GMS)

The site is not identified on the Structure Plan for Bargo as accommodating future growth nor a change in land use.

Table 2 summarises the Key Policy Directions of the GMS that are relevant to the assessment of the application. Comments as to how the Key Policy Directions relate to the application are also included in the Table.

Table 2 – Comments on the Key Policy Directions of the GMS as they relate to the application.

Key Policy Direction	Comment
General Policies	
<i>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.</i>	The proposal, as noted throughout this table, satisfies this Key Policy Directions to the extent that can be determined at this time and there are no issues identified which warrant the refusal of the application at this stage.
<i>P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS)</i>	For those elements which can be determined at this time, the Planning Proposal has the potential to be reasonably consistent with the elements of 'rural living' (see table 3 below).
<i>P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.</i>	Initial notification resulted in two (2) submissions – one in support and one opposing. Further engagement will be required after completion of specialist studies and consultation.
<i>P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.</i>	Personal financial circumstances of the owner have not been identified by the applicant as the reason motivating the application.
<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>	The capacity and suitability of the site to accommodate low density residential development will be investigated by specialist studies as identified in this report and as may be further prescribed by the Gateway process. In general terms the site is continuous with the existing urban edge of Bargo and is within walking distance of the commercial area, the railway station, the primary school and Bargo sportsground. The site is also close to collector and main roads and bus routes. In terms of its position relative to other land uses the site is potentially suitable to contribute to the growth and expansion of Bargo.
Housing Policies	

WOLLONDILLY SHIRE COUNCIL

Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 16 July 2012

Planning & Economy

Key Policy Direction	Comment
<i>P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.</i>	The GMS identifies the need for a diversity of housing types and growth proportional to the level of services, facilities and the accessibility of sites and localities. The proposal has the potential to contribute to new housing requirements.
<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>	Provided specialist studies support future development of the site and that reticulated sewer services can be provided, there are opportunities for a variety of housing. The location has factors which could contribute to affordability such as proximity to shops, school and public transport.
<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>	Specialist studies are required to determine suitable future lot sizes and dwelling densities.
<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 site adjoins the urban edge of Bargo and is consistent with this Direction.
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	
<i>P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes</i>	The proposal has the potential to create short-term employment opportunities through construction jobs.
<i>P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.</i>	The proposal does not include Employment Lands.
Integrating Growth and Infrastructure	

WOLLONDILLY SHIRE COUNCIL

Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 16 July 2012

Planning & Economy

Key Policy Direction	Comment
<i>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.</i>	The capacity and practicality of infrastructure and services is to be investigated with specialist studies. An onsite package treatment plant is to be planned pending confirmation of plans by Sydney Water Corporation for future servicing strategies.
<i>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.</i>	The site adjoins existing services urban land with the exception being the need to provide reticulated sewer services.
<i>P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.</i>	The site is adjacent to an existing population centre which is anticipated to have significant further growth and expansion to 2036.
<i>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.</i>	The proposal is potentially consistent.
Rural and Resource Lands	
<i>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.</i>	Specialist studies are required to determine the significance and management requirements for the natural assets within the site.
<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 the application.

Rural Living Criteria

Table 4 lists the features of 'Rural Living' as defined in the GMS and provides comments as to how they relate to the application to the extent that can be determined from the application at this time.

Table 3 – Comments on features of Rural Living as they relate to the application

Characteristic of Rural Living	Comment in relation to application
<p>1. Rural Setting and Character The rural setting is obvious, with farmland and natural areas located between separate towns and villages connected by rural-type roads</p>	<p>The site currently forms part of the rural setting to the Bargo township. Redevelopment of the site for residential uses shall shift the 'urban edge' further west. Should specialist studies indicate the site is suitable to accommodate residential-scale development then provisions will need to be made for addressing the interface between the urban and non-urban areas (such as buffers and setbacks and perimeter urban design treatments)</p>
<p>2. Viable Agriculture Agriculture and associated industries continue to be a productive, sustainable and visible part of our economy, our community and our landscape</p>	<p>The site is not currently used for agriculture nor associated industries. If the zoning were to remain unchanged the site could be used for agriculture on a very limited scale and subject to management plans which would protect Shale Sandstone Transition Forest on adjoining properties. Changing the use of the land to 'residential' shall require the provision of suitable buffers and other design elements to integrate the edge of the urban area with adjoining rural lands</p>
<p>3. Lifestyle Residents experience and value living within a rural setting irrespective of where and how they live – ie. Whether or not they live in a town, a village, on a rural-residential holding or on a farm for example</p>	<p>This can not be determined at this stage. However, appropriate design treatments at the rural-urban interface are necessary to establish good land use compatibility and the potential for appreciation of the rural setting.</p>

Planning & Economy

WOLLONDILLY SHIRE COUNCIL

Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 16 July 2012

Characteristic of Rural Living	Comment in relation to application
<p>4. Community Spirit Community spirit and involvement thrive in the towns and villages with separate but interrelated identities</p>	<p>Can not be determined at this stage. Social interaction can be enhanced by providing opportunities for new residents to interact with adjoining and nearby places of interest such as walking and cycling, using the local shops, schools and public open space areas. Shared pathways can assist in providing these opportunities</p>
<p>5. Environment and heritage The Shire's natural and man-made settings have environmental and cultural heritage significance for our communities – these elements include its waterways and catchments, natural areas, Aboriginal heritage, agricultural landscapes, rural heritage and its towns and villages</p>	<p>The significance of natural and cultural assets shall be determined with specialist studies.</p>
<p>6. Towns and Villages Separate towns and villages (and particularly their centres) are focal points which provide opportunities – working, shopping, business, leisure, civic events, community facilities, education and social interactions</p>	<p>Bargo town centre currently has a variety of services, facilities and features which provide focal points including: - shops - railway station - primary school - hotel - sportsground and community hall Potential future residents could use these focal points. The potential development of the site for residential purposes shall not detract from the function of these focal points.</p>

Planning & Economy

WOLLONDILLY SHIRE COUNCIL

Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 16 July 2012

Characteristic of Rural Living	Comment in relation to application
<p>7. Buildings and development New development aims to be sympathetic to the existing form and traditional character of our built environment which is an integral part of our townscapes, rural landscapes and cultural heritage</p>	<p>The capacity of the site to accommodate residential development and the potential density of that development can only be determined after completion of specialist studies</p>
<p>8. Roads and Transport Residents understand the factors which contribute to the Shire's overall high car-dependence but nevertheless seek opportunities to reduce car reliance and to use alternative modes of transport</p>	<p>A Traffic and Transport study will be required to identify opportunities for alternative transport and movement modes.</p>
<p>9. Infrastructure and Services Residents understand that despite the benefits of rural living, it can also mean having to deal with lower levels of services and infrastructure.</p>	<p>Bargo township is expected to expand and develop to 2036 and there is potential for an increased level of accessibility to services and facilities including the provision of reticulated sewer to the current urban area. Bargo has significant potential to accommodate growth and intensification of land uses in comparison to most other towns and villages within the Shire</p>

Planning & Economy

Matters raised in response to Initial Notification

The matters raised in the submissions received in response to initial notification are listed below along with assessment comments to the extent that matters can be evaluated at this early stage of the process.

Planning & Economy

Issue	Comment
<i>Site is close to major transport routes (road and rail)</i>	This is a positive factor providing opportunities for improved accessibility for future residents and potentially reducing the need for construction of new, and amplification of existing, infrastructure.
<i>Additional traffic not compatible with narrow access point to Kader Street and Issue: Access point to site potentially subject to flooding</i>	The design and engineering details of access and egress are to be determined after resolution of the capacity of the site to accommodate additional lots and dwellings.
<i>There is market demand for new vacant lots locally</i>	The GMS identifies the potential for new growth in the Bargo locality.
<i>Site adjoins existing residential land</i>	This is consistent with the Key Policy Directions of the GMS
<i>Lot sizes not compatible with existing residential area</i>	Lot sizes and the capacity of the site to accommodate new residential development can be determined with specialist studies.
<i>Site may be subject to flooding which may create problems for access / egress and pump out septic systems</i>	This will be investigated with specialist studies for ground and surface water management.
<i>Additional population likely to use local businesses</i>	This is possible and may make a minor positive contribution to local commercial premises.

Metropolitan Strategy and Draft Subregional Strategy

The Metropolitan Strategy is currently under review in accordance with the Discussion Paper titled 'Sydney over the Next 20 years'. The draft Subregional Strategy is to be revised similarly. The proposal is not inconsistent with the general principles and objectives of the current Metropolitan Strategy nor the Discussion Paper nor the draft Subregional Strategy to the extent that can be determined at this time.

Ministerial Directions in accordance with Section 117 to the Environmental Planning and Assessment Act, 1979

The following Directions shall apply to the preparation of a draft Planning Proposal:

- 1.2 Rural Zones
- 1.3 Mining, petroleum production and extractive industries
- 1.5 Rural Lands
- 2.1 Environmental Protection Zones
- 2.3 Heritage Conservation
- 2.4 Recreational Vehicle Areas
- 3.1 Residential Zones
- 3.2 Caravan Parks and Manufactured Home Estates
- 3.3 Home occupations
- 3.4 Integrated Land Use and Transport
- 4.2 Mine Subsidence and Unstable land
- 4.3 Flood prone land
- 4.4 Planning for Bushfire Protection
- 6.1 Approval and Referral Requirements
- 6.2 Reserving lands for public purposes
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

FINANCIAL IMPLICATIONS

This matter has no financial impact on Council's adopted budget or forward estimates as the application fees cover Council's resources to the point at which a Gateway determination is sought.

CONCLUSION

Draft Planning Proposal

Should Council resolve to prepare a draft Planning Proposal for the subject site it is recommended that the draft Planning Proposal be based on investigating the potential for amending the provisions of Wollondilly Local Environmental Plan, 2011 as they apply to the subject site to:

- change the Land Zoning Map from Zone RU2 Rural Landscape to part Zone R2 Low Density Residential and part R5 Large Lot Residential as shown in Attachment 3
- change the Lot Size map from 16 hectares to part 450 metres square metres and part 1,000 square metres as shown in Attachment 4;
- change the Height of Building Map to impose a maximum building height limit of 9 metres throughout the site
- change the Natural Resources – Biodiversity Map and the Natural Resources – Water Map based on information to be determined from specialist studies of Flora and Fauna, Surface Water and Groundwater Management and Riparian Ecology.

Recommended Specialist Studies

The following specialist studies are recommended to be undertaken to investigate the potential capacity of the site to accommodate additional allotments and dwellings and ancillary infrastructure as could be reasonably anticipated by a change to Residential Zoning;

- Stormwater Management Plan
- Ground and surface water impact assessment
- Riparian Ecology assessment
- Onsite wastewater Package treatment Plan feasibility study
- Flora and Fauna Assessment (including consideration of the Cumberland Plain Woodland Recovery Plan)
- Aboriginal archaeological and cultural assessment
- Transport and Traffic Study
- Bush Fire Hazard Management Assessment
- Phase 1 Contamination Assessment
- Salinity Assessment

Recommended Consultations

Consultation with the following government agencies and departments is recommended:

- Sydney Water Corporation
- Office of Environment and Heritage
- NSW Rural Fire Service

ATTACHMENTS

1. Annotated aerial photograph of site and surrounds
2. Extract of Land Zoning Map showing current land use zones
3. Extract of Land Zoning Map showing recommended land use zones
4. Extract of Lot Size Map showing recommended lot size categories

RECOMMENDATION

1. That Council prepare a draft Planning Proposal for land adjoining Bargo Sportsground being Lot 1 DP 635609 (No.1A) Kader Street, Bargo.
2. That the draft Planning Proposal seek to amend the provisions of Wollondilly Local Environmental Plan, 2011 as they apply to the subject site as follows:
 - change the Land Zoning Map from Zone RU2 Rural Landscape to part Zone R2 Low Density Residential and part R5 Large Lot Residential as shown in Attachment 3
 - change the Lot Size map from 16 hectares to part 450 metres square and part 1,000 metres square as shown in Attachment 4
 - change the Height of Building Map to impose a maximum building height limit of 9 metres throughout the site

WOLLONDILLY SHIRE COUNCIL

Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 16 July 2012

- change the Natural Resources – Biodiversity Map and the Natural Resources – Water Map based on information to be determined from specialist studies of Flora and Fauna, Surface Water and Groundwater Management and Riparian Ecology.
3. That Council submit the draft Planning Proposal to the Minister for Planning and Infrastructure for a Gateway determination.
 4. That the applicant and those who made a written submission to the initial notification be informed in writing of this recommendation.

Planning &
Economy

ATTACHMENT 1 - 6743 - 16 JULY 2012

Legend

Subject Site

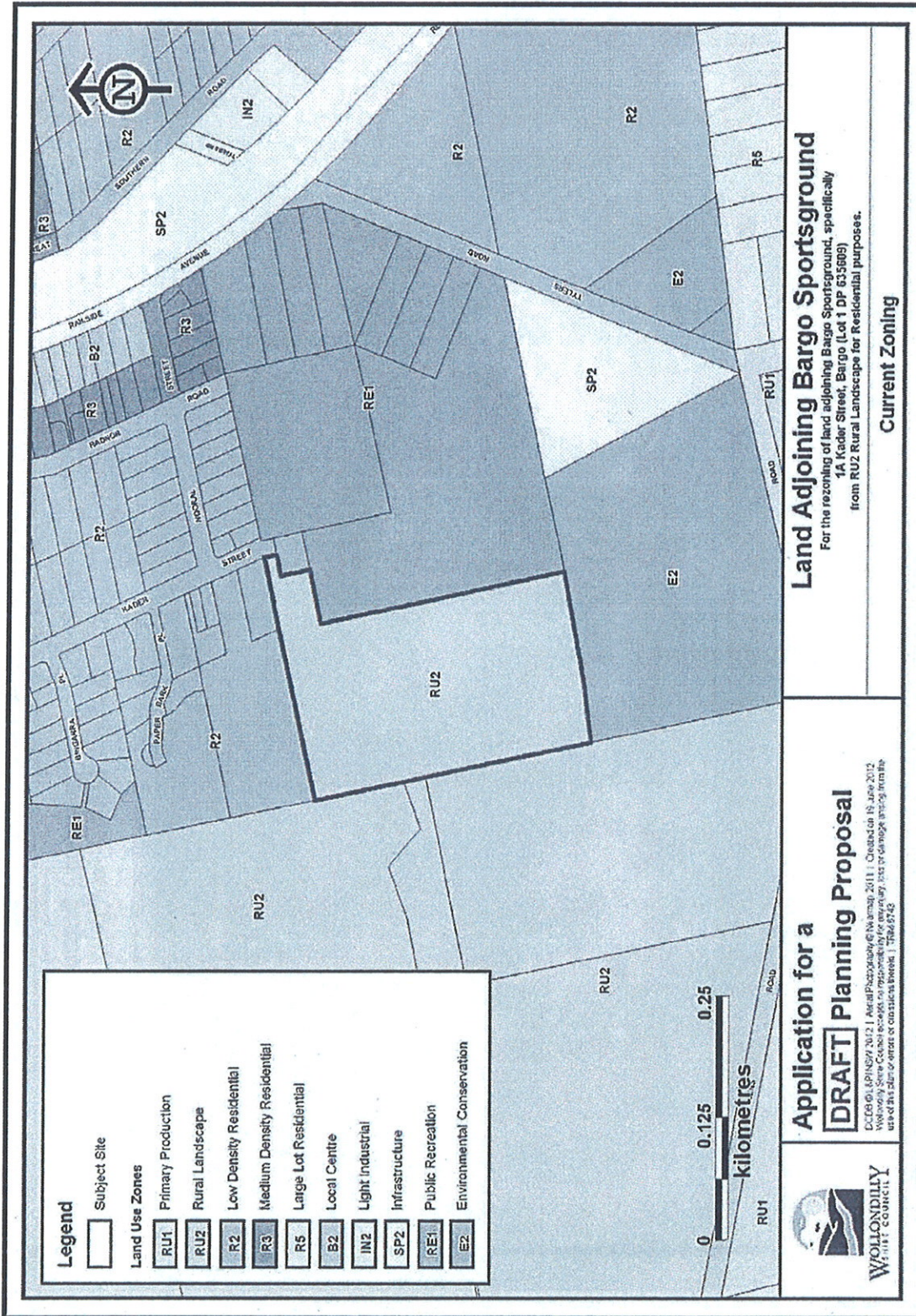
Application for a
DRAFT Planning Proposal

DCD08-GLP/HSW/2012 | Aerial Photography © Mapbox 2011 | Created on 10 July 2012
 Wollondilly Shire Council. All rights reserved. No warranty is made for any use of this plan or extracts or omissions thereon. | TRM/643

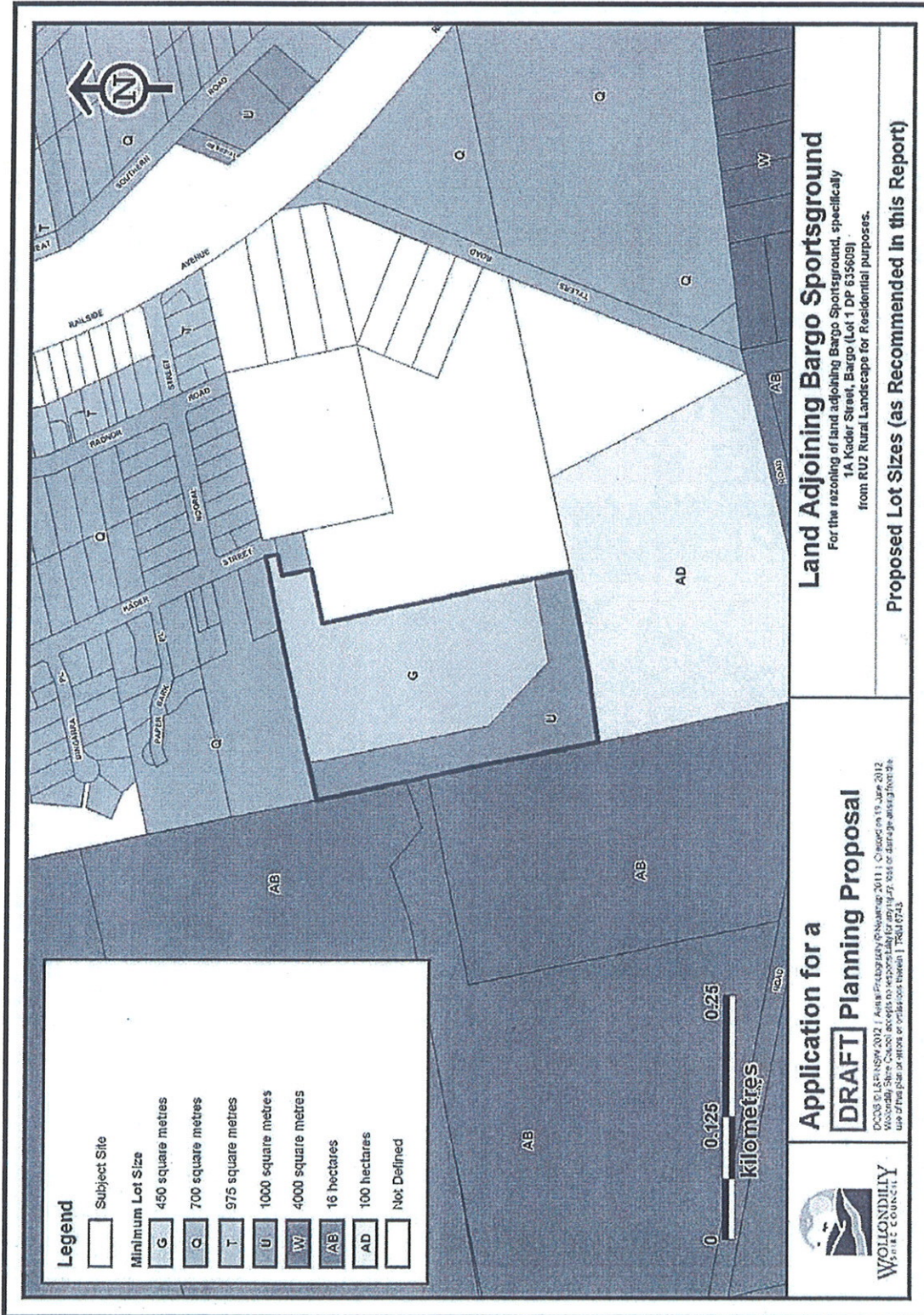
Land Adjoining Bargo Sportsground
 For the rezoning of land adjoining Bargo Sportsground, specifically
 1A Kader Street, Bargo (Lot 1 DP 635609)
 from RU2 Rural Landscape for Residential purposes.

Aerial View

Planning & Economy



Planning & Economy



Planning & Economy

Attachment 2 - Council Resolution 157/ 2012

TRIM Reference 6743#37

WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 16 July 2012, commencing at 6.30pm

Wollondilly Shire and Its Planning and Economy

PE2 Draft Planning Proposal - Land Adjoining Bargo Sportsground TRIM 6743
73SPER

Planning and
Economy

157/2012 Resolved on the motion of Crs B Banasik and Hannan:

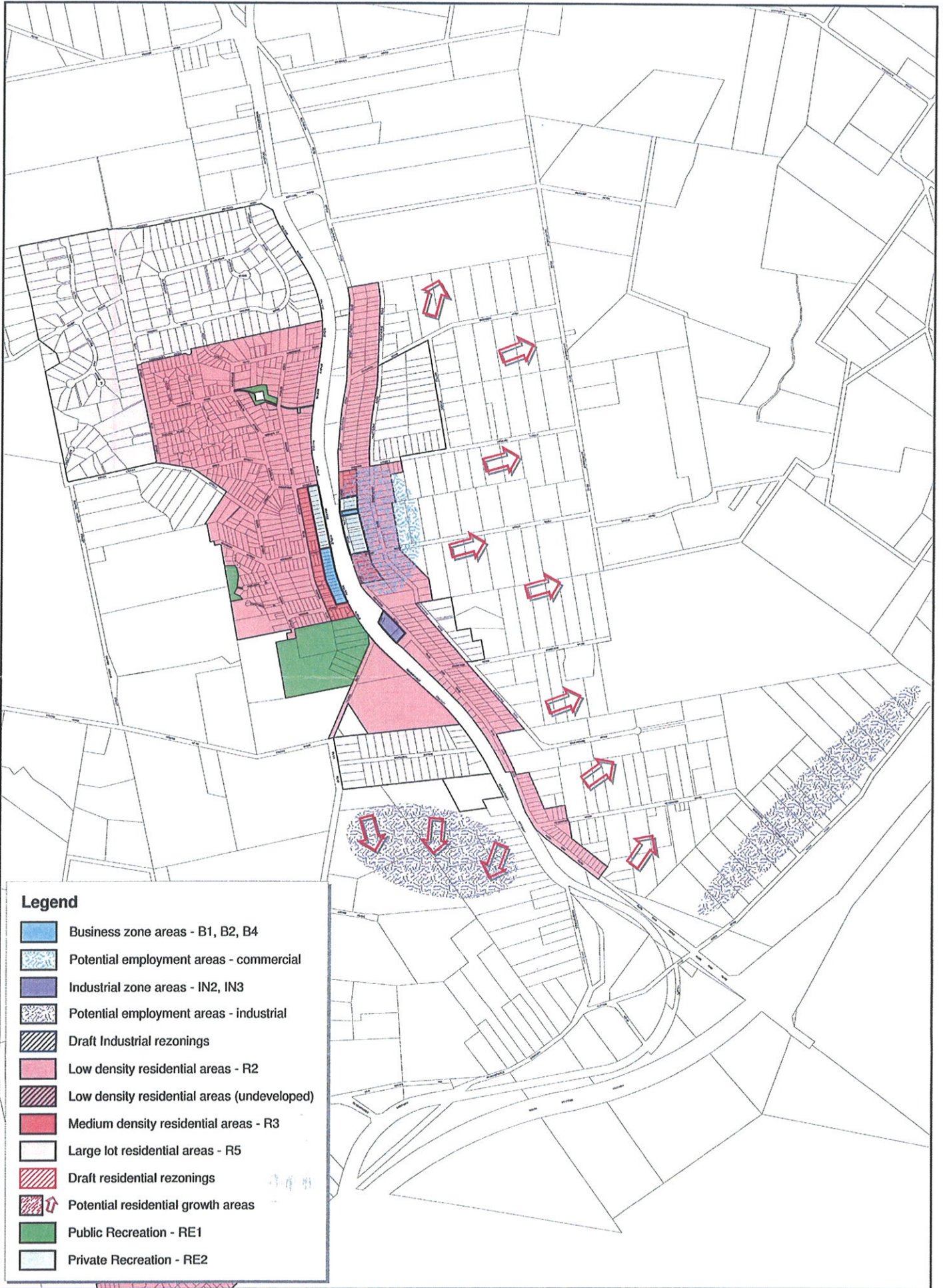
1. That Council prepare a draft Planning Proposal for land adjoining Bargo Sportsground being Lot 1 DP 635609 (No.1A) Kader Street, Bargo.
2. That the draft Planning Proposal seeks to amend the provisions of Wollondilly Local Environmental Plan, 2011 as they apply to the subject site as follows:
 - change the Land Zoning Map from Zone RU2 Rural Landscape to part Zone R2 Low Density Residential and part R5 Large Lot Residential as shown in Attachment 3
 - change the Lot Size map from 16 hectares to part 450 metres square and part 1,000 metres square as shown in Attachment 4
 - change the Height of Building Map to impose a maximum building height limit of 9 metres throughout the site
 - change the Natural Resources – Biodiversity Map and the Natural Resources – Water Map based on information to be determined from specialist studies of Flora and Fauna, Surface Water and Groundwater Management and Riparian Ecology.
3. That Council submit the draft Planning Proposal to the Minister for Planning and Infrastructure for a Gateway determination.
4. That the applicant and those who made a written submission to the initial notification be informed in writing of this recommendation.
5. *That Linkages with the sportsground be considered including issues with floodlights affecting potential residential blocks.*

On being put to the meeting the motion was declared CARRIED.

Vote: Crs M Banasik, Vernon, B Banasik, Landow, Hannan and Mitchell

**Attachment 3 - Appendix 2 to the Wollondilly Growth Management Strategy –
Structure Plan for Bargo**

TRIM 3522 # 398



Legend

- Business zone areas - B1, B2, B4
- Potential employment areas - commercial
- Industrial zone areas - IN2, IN3
- Potential employment areas - industrial
- Draft Industrial rezonings
- Low density residential areas - R2
- Low density residential areas (undeveloped)
- Medium density residential areas - R3
- Large lot residential areas - R5
- Draft residential rezonings
- Potential residential growth areas
- Public Recreation - RE1
- Private Recreation - RE2

Attachment 4 – Net Community Benefit Test

The following table addresses the evaluation criteria for conducting a "net community benefit test" within the Draft Centres Policy (2009) as required by the guidelines for preparing a Planning Proposal:

Evaluation Criteria	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)?	Yes	▪ The planning proposal is compatible with the Metropolitan Strategy and Draft South West Subregional Strategy as detailed in Attachments 5 and 6 to the extent that can be determined without specialist studies
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Yes	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.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	Yes	The proposed rezoning will create a precedent within the locality and change the expectations of landowners as it is not specifically identified in the Structure Plan to the GMS and there are numerous other properties with similar features. The landowners expectations for development potential ay be altered depending on the outcomes of specialist studies
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes	There are no recent spot rezoning in the Bargo area.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	No	The proposal will not create additional employment lands and will not result in a loss of employment land.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	Yes	The proposal has the potential to increase the supply of residential land. There is potential for some variety of allotment sizes which may translate to increase housing choice.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?	Yes and No	The existing road, rail and bus infrastructure around and near the property is adequate to support the development. Reticulated sewerage may need to be provided as a self-contained package treatment plant. Additional pedestrian and cycling facilities linking to the public school, Bargo township and railway station may be provided as part of future development.
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	No	The proposal should not require further state government investment in public infrastructure. A

Evaluation Criteria	Y/N	Comment
services in the area where patronage will be affected by the proposal? If so, what is the expected impact?		traffic study to examine the effect of additional traffic from the site on the existing road infrastructure is recommended.
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?	Yes	Specialist studies are required to determine the potential capacity of the site to accommodate changes to land use and suitably protect and enhance flora, fauna, habitats, ground and surface water
Will the LEP be compatible/ complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?	Yes	The proposal is compatible with adjoining land uses being at the urban-rural interface. The site is within walking distances of the established services and facilities of Bargo township. A change in land use to residential has the potential to be compatible with the existing amenity of the neighbourhood and the potential for improvements to the public domain including shared pathways, links to the adjoining sportsground and community hall and improvements to the public road reserve immediately adjacent to the site will be further investigated.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	N/A	N/A
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 that time?	-	The proposal has the potential to make a small contribution to the public interest should specialist studies confirm that the site has capacity for some residential development. Public interest may be served by some increased residential land supply and contributions towards public services and amenities. Not proceeding at this time would not have a significant impact on the public interest.

Attachment 5 - Assessment Checklist in accordance with the Sydney Metropolitan Strategy

Relevant Strategic Directions, Objectives and Actions from the Metropolitan Strategy	Comment
B1.3 Aim to locate 80 percent of all new housing within the walking catchments of existing and planned centres of all sizes with good public transport	Although the public transport available to Bargo is of a lower standard than established urban areas in and near major centres, the town has both bus and rail services available every day. The site is within the walking catchment (800 metres) of the commercial area, bus stops and the railway station.
C Increase the percentage of the population living within 30 minutes by public transport of a city or major centre in Metropolitan Sydney	The site is within walking distance to Bargo Railway Station and a train journey to Campbelltown is an average of 30 minutes.
D1.1 Locate at least 70 percent of new housing within existing urban areas and up to 30 percent of new housing in new release areas	The site is a greenfield site and therefore will contribute to the target applicable to 'new release areas'. Future development is required to meet the sustainability criteria (see below)
F1 Contain Sydney's urban footprint	The site represents expansion of the urban footprint. Although minor as a single site it will set a precedent and expectations for other sites within similar features.
F2 Maintain and protect agricultural activities and resource lands	The site is not currently used for agriculture and its potential is limited by the size of the holding and the proximity to low density residential development and Shale Sandstone Transition Forest. The future use of the land for residential development would not prevent the extraction of coal by underground mining in the future.
G3 Integrate environmental targets into land use planning	No targets have been set. However, specialist studies are required to determine the potential capacity of the site to accommodate residential development while implementing methods to protect and retain the Shale Sandstone Transition Forest on adjoining land (and possibly seed bank and habitat on the subject site) as well as improve and retain natural watercourses and any habitat for protected species within the site.

Relevant Strategic Directions, Objectives and Actions from the Metropolitan Strategy (continued)	Comment
G4 Improve the health of waterways. Coasts and estuaries	As stated above, specialist studies are required to make recommendations on whether future residential development can achieve protection and enhancement of the riparian lands within and adjoining the site.
G5.2 Ensure integrated water cycle management for new release areas and sites for urban renewal	A Water Cycle Management Plan will be required to investigate the capacity of the site to support new residential development which may need to be serviced by an on-site package wastewater treatment plant without negative impacts to water quality and quantity.
G6 Protect Sydney's unique diversity of plants and animals and G6.1 Implement the NSW Biodiversity Strategy to protect identified priority conservation areas and guide land use planning	Specialist studies are required to identify flora, fauna and habitats within the site and immediately adjoining the site which require specific measures if they are to be maintained and protected while accommodating new residential development within the site
H1.1 Incorporate equity, liveability and social inclusion as a strategic direction in Subregional Strategies to ensure they can be implemented at the local level and in council LEPs	The Planning Proposal does not change the existing provisions of the LEP in relation to equity, liveability and social inclusion. There is potential for improving access and social interaction should the site be developed for residential use by improving opportunities for people to access and use public space such as shared pathways and the Bargo sportsground
H1.4 Ensure the special needs of particular groups are considered in plan making and planning decision-making	No specific strategies are proposed for consideration of special needs groups with this proposal. The groups are: Older people People with a disability Children and youth Aboriginal and Torres Strait Islanders Culturally and Linguistically Diverse Given the small scale of the proposal and the fact that public space will be limited to roads and footpaths to existing design standards, special needs are more appropriately considered at the stage of a development application should the land be suitable for future residential development. In which case appropriate provisions are contained within the existing Development Control Plan

Relevant Strategic Directions, Objectives and Actions from the Metropolitan Strategy (continued)	Comment
H2 Plan and coordinate the effective and timely provision of social infrastructure and services	Should the site be found suitable for residential use then, subject to a development consent for subdivision, the creation of new lots would result in standard contributions towards social infrastructure in accordance with council's Contributions Plan. No specific social infrastructure contribution has been initiated through a Voluntary Planning Agreement.
H3.1 Design and plan for healthy, safe, accessible and inclusive places	As stated above, the potential creation of public space may be limited to shared pathways, public roads and footpaths. Opportunities for improved links with the adjoining sportsground will be investigated.

Attachment 6 - Assessment Checklist in accordance with the Draft South West Subregional Strategy

Relevant Action from Draft SW Subregional Strategy	Comment
<p>C1 Ensure Adequate supply of land and sites for residential development C1.1 30-40 per cent of New Housing in Land Release areas C.1.1. The NSW Government provide detailed planning for up to 5,500 lots per year and infrastructure from 2007-08 C1.1.4 Retain a distinct edge to urban areas where they border rural land in Wollondilly and Camden LGAs C1.2 Apply sustainability criteria for new urban development (see Metropolitan Strategy checklist Attachment 5)</p>	<p>The proposal will make a minor contribution to land for housing.</p> <p>Urban design requirements for appropriate treatment of the rural-urban interface will be investigated</p>
<p>C2 Plan for a housing mix near jobs, transport and services C2.1 Focus residential development around centres, town centres, villages and neighbourhood centres C2.1.1 South West Councils to ensure location of new dwellings increases the subregions performance against the target for State Plan Priority E5 C2.3 Provide a mix of housing Actions C2.3.4 South West Councils to provide for an appropriate range of residential zonings to cater for changing housing needs.</p>	<p>The site is contiguous with the existing urban edge of Bargo township</p> <p>Should the site be found to have capacity for future residential development then a mix of housing types may be achieved to cater for changing housing needs</p>
<p>C4.1 Improve the affordability of housing</p>	<p>The potential impact on housing affordability is yet to be investigated</p>
<p>Transport and Movement D3 Influence travel choices to encourage more sustainable travel D3.1 Improve local and regional walking and cycling networks</p>	<p>Should specialist studies determine that the site is suitable for future residential development then there may be further opportunity to add to the shared pathway network in the local area</p>

Relevant Action from Draft SW Subregional Strategy (continued)	Comment
<p>Sustainable Growth E1 Establish targets for sustainable growth (see Metropolitan Strategy checklist Attachment 5) for any new Greenfield land release areas</p>	
<p>Natural Environment E2 Protect Sydney's natural environment E2.1 Improve health of waterways, coasts and estuaries E2.1.3 Councils to seek advice from Department of Primary Industries identifying appropriate zones and provisions which improve the health of waterways E2.1.4 Councils to continue to promote water sensitive urban design E2.2 Protect Sydney's unique diversity of plants and animals E2.2.1 The NSW Government and South West councils to consider regional biodiversity matters to inform Principal LEPs E2.2.2 Councils to seek advice from Department of Environment and Climate Change on relevant information and mapping related to biodiversity E2.3 Improve Sydney's air quality E2.3.1 Councils to ensure new developments and redevelopments are designed to encourage sustainable forms of transport, including walking and cycling E2.4 Protect Aboriginal cultural heritage</p>	
<p>Containment of Built Form E3 Achieve sustainable use of natural resources E3.1 Contain Sydney's urban footprint E3.1.1 The sustainability criteria will be applied</p>	
<p>Rural and Resource Lands E4 Protect valuable rural activities and resource lands E4.1 Maintain rural activities and resource lands E4.1.1 Councils to work with the Department of Primary Industries to identify significant rural and resource lands in preparation of principle LEPs and protect them from inappropriate and incompatible uses E4.2 Protect resource lands from incompatible and inappropriate uses</p>	

Relevant Action from Draft SW Subregional Strategy (continued)	Comment
<p>Climate Change and Natural hazards E5 Adapting to climate change E5.3 Councils to identify natural hazards and risk management measures in Principal LEPs E5.3.1 Councils to plan for land affected by flooding in accordance with the Government's Flood Prone Land Policy and <i>Flood Development Manual</i> E5.3.2 Councils to develop bushfire hazard maps and Bush Fire Risk Management Plans to inform the development of their draft LEPs in accordance with Section 117 Direction No.4.4 Planning for Bushfire Protection</p>	
<p>Open Space Recreation F1 Increase access to quality parks and open spaces F1.3 Improve access to waterways and links between bushland, parks and centres F2 Provide a diverse mix of parks and public spaces F2.1 Improve the quality of local open space F2.1.1 Councils to continue to maintain or enhance the provision of local open space particularly in centres and along transport corridors where urban and particularly residential growth is being located F2.1.2 Councils to consider an open space embellishment program that improves facilities to encourage use F2.1.5 Councils to plan for local open space in new release areas to integrate and promote access to all services at a local level – from transport to jobs, to parks and open space.</p>	

Attachment 7 – Relevant GMS Criteria Assessment

Key Policy Direction	Comment
General Policies	
<i>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.</i>	The proposal, as noted throughout this table, satisfies this Key Policy Directions to the extent that can be determined at this time and there are no issues identified to date which warrant the refusal of the application at this stage.
<i>P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS)</i>	For those elements which can be determined at this time, the Planning Proposal has the potential to be reasonably consistent with the elements of 'rural living'.
<i>P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.</i>	Initial notification resulted in two (2) submissions – one in support and one opposing. Further engagement will be required after completion of specialist studies and consultation.
<i>P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.</i>	Personal financial circumstances of the owner have not been identified by the applicant as the reason motivating the application.
<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>	The capacity and suitability of the site to accommodate low density residential development will be investigated by specialist studies as identified in this report and as may be further prescribed by the Gateway process. In general terms the site is continuous with the existing urban edge of Bargo and is within walking distance of the commercial area, the railway station, the primary school and Bargo sportsground. The site is also close to collector and main roads and bus routes. In terms of its position relative to other land uses the site is potentially suitable to accommodate the growth and expansion of Bargo.
Housing Policies	
<i>P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.</i>	The GMS identifies the need for a diversity of housing types and growth proportional to the level of services, facilities and the accessibility of sites and localities. The proposal has the potential to meet the demand anticipate for Bargo.

Key Policy Direction (continued)	Comment
<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>	Provided specialist studies support future development of the site and that reticulated sewer services can be provided, there are opportunities for a variety of housing. The location has factors which could contribute to affordability such as proximity to shops, school and public transport.
<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>	Specialist studies are required to determine suitable future lot sizes and dwelling densities.
<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 site adjoins the urban edge of Bargo.
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	
<i>P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes</i>	The proposal has the potential to create short-term employment opportunities through construction jobs.
<i>P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.</i>	The proposal does not include Employment Lands.
Integrating Growth and Infrastructure	
<i>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.</i>	The capacity and practicality of infrastructure and services is to be investigated with specialist studies. An onsite package treatment plant is to be planned pending finalisation of plans by Sydney Water Corporation for servicing the site and the Bargo locality.

Key Policy Direction (continued)	Comment
<i>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.</i>	The site adjoins existing services urban land with the exception being the need to provide reticulated sewer services.
<i>P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.</i>	The site is adjacent to an existing population centre which is anticipated to have significant further growth and expansion to 2036.
<i>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.</i>	The proposal is potentially consistent.
Rural and Resource Lands	
<i>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.</i>	Specialist studies are required to determine the significance and management requirements for the natural assets within the site.
<i>P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.</i>	Key Policy Direction P22 is not applicable to the application.

State and Regional Strategies and Policies	
Criteria	Response
NSW State Plan, Metropolitan Strategy, Sub-Regional Strategy	See Attachments 5 and 6.
State Planning Policies	See Attachment 8.

Key Policy Direction (continued)	Comment
Ministerial Directions	See Attachment 9.
LEP Framework	The proposed amendments to WLEP 2011 would be in accordance with the Standard Planning Instrument.
Local Strategies and Policies	
Criteria	Response
Key Policy Directions on the GMS	See Attachment 7.
Precinct Planning	Consistent with the relevant provisions.
Wollondilly Community Strategic Plan	Consistent with the relevant provisions
Project Objectives and Justification	
Criteria	Response
Overall Objective	Consistent with the relevant provisions.
Strategic Context	A precedent for other rural-urban fringe lots on the western side of Bargo.
Net Community Benefit	Dependent on the outcome of specialist studies and subject to assessment
Summary of Likely Impacts	Dependent on the outcome of specialist studies and subject to assessment
Infrastructure and Services	All utilities and services potentially available with the exception of reticulated sewer (which is likely to be required in the form of an on-site package treatment plant).
Supply and Demand Analysis	When taking into account the small scale of the proposal, a detailed supply and demand analysis is not warranted.
Site Suitability/Attributes	Dependent on the outcome of specialist studies
Preserving Rural Land and Character	
Criteria	Response
Character Setting	The proposed development is consistent with surrounding land uses.
Visual Attributes	The proposed development would not unacceptably impact on the visual character of the locality as it is not a visually prominent site and future development can be consistent with the rural-urban fringe locality.
Rural and Resource Lands	The land currently is not used as an agricultural holding and is unlikely to be considered as a viable agricultural holding in the future given close proximity to residential land.
Environmental Sustainability	
Criteria	Response
Protection and Conservation	Subject to assessment
Water Quality and Quantity	A <i>Total Water Cycle Management Study</i> (TWCMS) is required.
Flood Hazard	Dependent on specialist studies and subject to assessment
Geotechnical/Resources/Subsidence	The site is within the Bargo Mine Subsidence District. The area is yet to be undermined and the Department of Trade and Investment and the Mine Subsidence Board can be consulted
Buffers and Spatial Separation	The proposed use is consistent with that of adjoining/nearby development and is therefore considered compatible subject to specialist studies recommending appropriate land management methods.
Bushfire Hazard	Dependent on specialist studies and subject to assessment

Key Policy Direction (continued)	Comment
Heritage	The site contains no listed heritage items of local, state or national heritage significance. Specialist studies of Aboriginal Heritage and Significance are required.
Resource Sustainability	Opportunities for energy efficiency, water recycling and reuse and waste minimization can be applied to future residential development arising.
Infrastructure	
Criteria	Response
Efficient Use and Provision of Infrastructure	Nearby networks will need to be extended. On-site package wastewater treatment is likely to be required
Transport Road and Access	A Transport and Traffic Assessment is required.
Open Space	The subject site is small scale and does not include dedication of land for public open space. There is considered to be sufficient open space in the vicinity to service the site and opportunities for improved links with Bargo Sportsground shall be investigated.
Residential Lands	
Criteria	Response
Location/Area/Type	The proposal is consistent with land identified under the GMS for town edge development.
Social Integration	A gated community is not proposed
Urban on Town Edge	The site is contiguous with existing urban land & within practical walking/cycling distance of services and facilities in Bargo township. The proposed scale of residential development is suitable to the context and location and has the potential to: <ul style="list-style-type: none"> ▪ Achieve physical and visual integration with the existing edge of town. ▪ Allow a mix of residential lot sizes to cater for a mix of housing types ▪ be connected to existing shared path networks.

Attachment 8 – Assessment Checklist of State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans)

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
1	Development Standards	NA	NA
4	Development Without Consent and Miscellaneous Complying Development	NA	NA
6	Number of Storeys in a Building	Yes	The Planning Proposal will use the Standard Instrument to control building height.
14	Coastal Wetlands	NA	Not applicable in the Shire of Wollondilly.
15	Rural Land-Sharing Communities	NA	Not applicable in the Shire of Wollondilly.
19	Bushland in Urban Areas	NA	Not applicable in the Shire of Wollondilly.
21	Caravan Parks	Yes	The Planning Proposal will not contain provisions that will contradict or will hinder the application of the SEPP.
22	Shops and Commercial Premises	Yes	Not relevant to this Planning Proposal.
26	Littoral Rainforests	NA	Not applicable in the Shire of Wollondilly.
29	Western Sydney Recreation Area	NA	Not applicable in the Shire of Wollondilly.
30	Intensive Agriculture	Yes	Not relevant to this planning proposal.
32	Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning Proposal will not contain provisions that will contradict or will hinder the application of the SEPP.
33	Hazardous and Offensive Development	NA	Not applicable in the Shire of Wollondilly.
36	Manufactured Home Estates	NA	Not applicable in the Shire of Wollondilly.
39	Spit Island Bird Habitat	NA	Not applicable in the Shire of Wollondilly.
41	Casino/Entertainment Complex	NA	Not applicable in the Shire of Wollondilly.
44	Koala Habitat Protection	Yes	Specialist studies are required to investigate the potential impact on koala habitat.
47	Moore Park Showground	NA	Not applicable in the Shire of Wollondilly.
50	Canal Estates	NA	Not applicable in the Shire of Wollondilly.
52	Farm Dams and Other Works in Land and Water Management Plan Areas	NA	Not applicable in the Shire of Wollondilly.
53	Metropolitan Residential Development	NA	Wollondilly Shire is currently exempt from this SEPP.
55	Remediation of Land	Yes	A preliminary contaminated site assessment is required.
59	Central Western Sydney Economic and Employment Area	NA	Not applicable in the Shire of Wollondilly.

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
60	Exempt and Complying Development	NA	Not applicable in the Shire of Wollondilly.
62	Sustainable Aquaculture	Yes	Not relevant to this planning proposal
64	Advertising and Signage	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP
65	Design Quality of Residential Flat Development	NA	Not relevant to this planning proposal.
70	Affordable Housing (Revised Schemes)	NA	Not applicable in the Shire of Wollondilly.
71	Coastal Protection	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Affordable Rental Housing) 2009	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of this SEPP
	SEPP (Housing for Seniors or People with a Disability)	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of this SEPP.
	SEPP (Building Sustainability Index: BASIX) 2004	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
	SEPP (Kurnell Peninsula) 1989	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Major Development) 2005	NA	Not applicable to this planning proposal
	SEPP (Sydney Region Growth Centres) 2006	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	This planning proposal will not change current provisions for mining, petroleum, production and extractive industries in the LEP.
	SEPP (Temporary Structures) 2007	Yes	This planning proposal will not change current provisions for 'temporary structures'.
	SEPP (Infrastructure) 2007	Yes	The planning proposal will not contain provisions that are inconsistent with the SEPP.
	SEPP (Kosciuszko National Park - Alpine Resorts) 2007	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Rural Lands) 2008	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
	SEPP (Western Sydney Parklands) 2009	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Western Sydney Employment Area) 2009	NA	Not applicable in the Shire of Wollondilly.
1	Drinking Water Catchments Regional Environmental Plan No 1	NA	Subject lands are not located within the jurisdiction of REP No.1.
Deemed State Environmental Planning Policies (Formerly Regional Environmental Plans)		Consistency	Comments

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
9	Extractive Industry (No 2)	NA	Not applicable in the Shire of Wollondilly.
20	Hawkesbury–Nepean River (No 20 - 1997)	No	The planning proposal is consistent with this deemed SEPP to the extent that can be determined at this time.
27	Wollondilly Regional Open Space	NA	Repealed 26/06/2009.

Attachment 9 - Assessment Checklist in accordance with relevant Section 117(2)

Directions

Ministerial Direction	Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
1. Employment and Resources			
1.1 Business and industrial Zones	NA	NA	
1.2 Rural Zones	Yes	No	Council is seeking confirmation from the Director-General that the inconsistency is of minor significance.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	Yes	The land is located in a mine subsidence district with underground mining yet to occur beneath the site. The proposed use will not impact on the potential to extract coal by underground mining methods. Consultation with the Department of Investment and Trade and Mine Subsidence Board will provide further advice. For these reasons the planning proposal is consistent with Direction 1.3.
1.4 Oyster Production	NA	NA	Direction does not apply.
1.5 Rural Lands	NA	NA	Direction does not apply.
2. Environment and Heritage			
2.1 Environmental Protection Zones	Yes	Yes	The site does not contain land deemed to be environmentally sensitive. Specialist studies are required to identify land that is environmentally sensitive with the aim of protecting and conserving this land through amendments to the Natural Resources – Biodiversity and Natural Resources – Water maps. Therefore the planning proposal is consistent with Direction 2.1.
2.2 Coastal Protection	N/A	N/A	Direction does not apply.
2.3 Heritage Conservation	Yes	Yes	The site contains no listed heritage items of local, state or national heritage significance. The site is not known to contain Aboriginal objects or Aboriginal places of heritage significance. A specialist study to investigate the presence or otherwise of Aboriginal objects or Aboriginal places of heritage significance is recommended to be conducted to inform future potential amendments to the LEP. At this stage the planning proposal is consistent with Direction 2.3.
2.4 Recreation Vehicle Area	Yes	Yes	The planning proposal does not enable land to be developed for a recreational vehicle area and is consistent with Direction 2.4
3. Housing, Infrastructure and Urban Development			

Ministerial Direction	Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
3.1 Residential Zones	NA	NA	Direction does not apply.
3.2 Caravan Parks and Manufactured Home Estates	Yes	Yes	The proposal does not affect existing LEP provisions for Caravan Parks and Manufactured Home Estates.
3.3 Home Occupations	Yes	Yes	The planning proposal does not change existing LEP provisions which permit home occupations to be carried out in dwelling houses without development consent.
3.4 Integrating Land Use and Transport	Yes	Yes	The planning proposal site is serviced by existing roads and could incorporate shared pathway links to Bargo commercial area and sportsground. The proposal is consistent with Direction No. 3.4.
3.5 Development Near Licensed Aerodromes	NA	NA	Direction does not apply.
3.6 Shooting Ranges	NA	NA	Direction does not apply.
4. Hazard and Risk			
4.1 Acid Sulphate Soils	NA	NA	Direction does not apply
4.2 Mine Subsidence and Unstable Land	Yes	Yes	The subject land is within the Bargo Mine Subsidence District. Underground mining will occur some time in the future. Any future construction must be conducted in accordance with approval from the Mine Subsidence Board. The planning proposal is consistent with Direction 4.2.
4.3 Flood Prone Land	Yes	No	The land is not known to be flood prone. An assessment of surface and ground water including potential stormwater management methods is required to determine the capacity of the site to accommodate future residential development. The planning proposal is consistent with Direction 4.3.
4.4 Planning for Bushfire Protection	Yes	Yes	The land to which the planning proposal applies is bushfire prone land. Consultation with the Commissioner of the NSW Rural Fire Service is intended to occur after specialist studies have been completed in accordance with instructions in the Gateway determination. It is considered that the planning proposal is consistent with Direction No. 4.4 to the extent that can be determined at this time.
5. Regional Planning			
5.1 Implementation of Regional Strategies	NA	NA	Direction does not apply
5.2 Sydney Drinking	NA	NA	Direction does not apply.

Ministerial Direction	Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
Water Catchments			
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA	NA	Direction does not apply
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA	NA	Direction does not apply
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	NA	NA	Direction does not apply
5.6 Sydney to Canberra Corridor	NA	NA	Although the Sydney Canberra Corridor Strategy 1995 refers to land within Wollondilly Local Government Area the Strategy has been determined to no longer apply to Wollondilly LGA.
5.7 Central Coast	NA	NA	Direction does not apply
5.8 Second Sydney Airport: Badgerys Creek	NA	NA	Direction does not apply
6. Local Plan Making			
6.1 Approval and Referral Requirements	Yes	Yes	The planning proposal does not seek to include further provisions to WLEP 2011 in respect to the concurrence, consultation or referral of development applications to a Minister of public authority. The planning proposal is consistent with Direction No. 6.1.
6.2 Reserving Land for Public Purposes	Yes	Yes	The planning proposal will not create, alter or reduce existing zones or reservations of land for public purposes. The planning proposal is consistent with Direction 6.2.
6.3 Site Specific Provisions	N/A	N/A	Direction does not apply
7. Metropolitan Planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	Yes	The planning proposal is consistent with the Metropolitan Strategy to the extent that can be determine at this time and therefore is consistent with Direction 7.1.

