

# Planning Proposal

**Proponent Initiated**

To amend Wingecarribee Local Environmental Plan 2010 to include Lot 2 DP854905, Park Avenue, Aylmerton into Schedule 1 to allow the construction of a dwelling house on the land

**Prepared & Submitted by:** Lee Environmental Planning  
**On behalf of:** Marie Chalker, property owner of Lot 2 DP854905, Park Avenue, Aylmerton

**Updated by Council as Planning Proposal progresses:**

Version 1 – For Council Consideration & Determination – December 2017  
Version 2 – For Gateway Determination – November 2018



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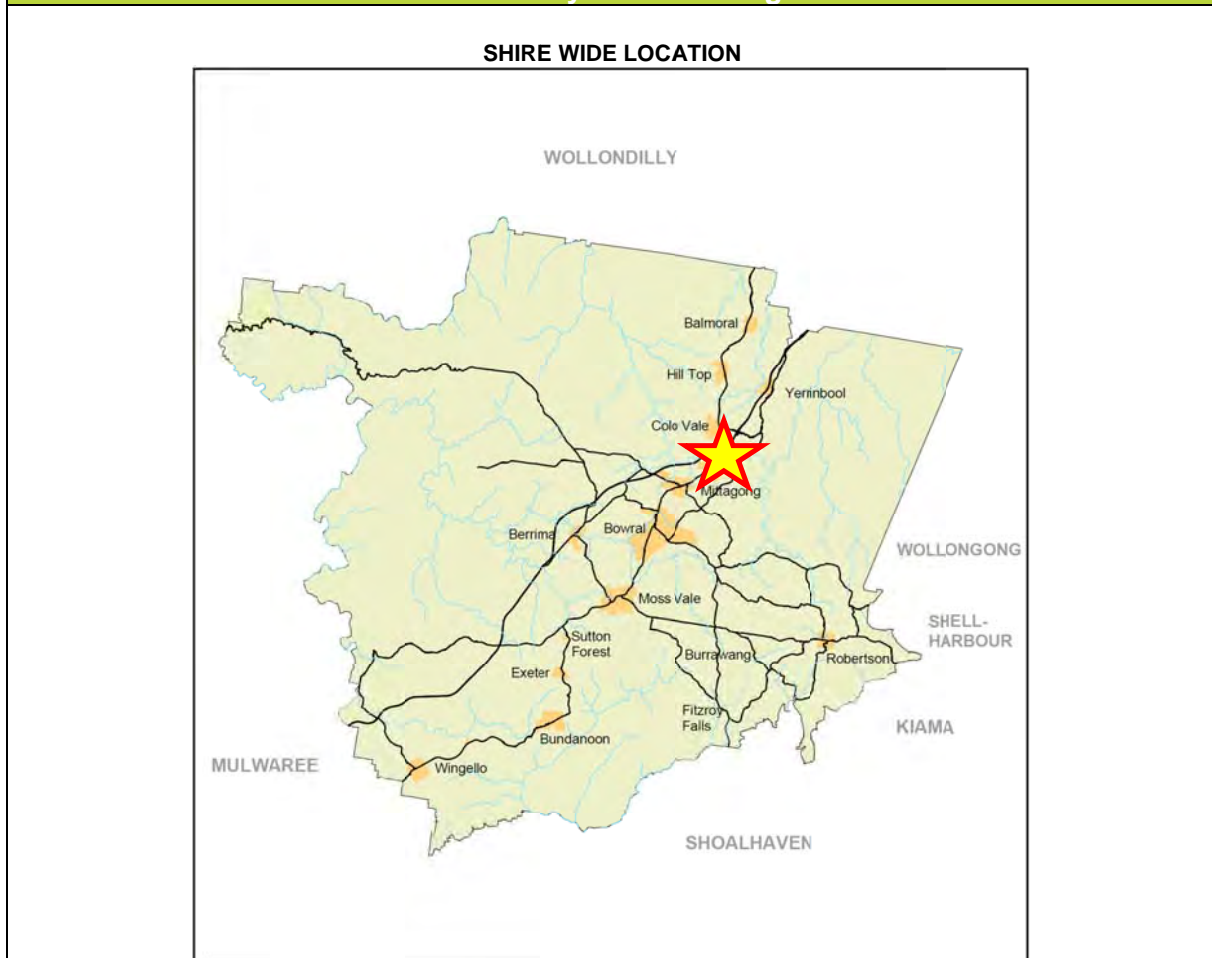
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## DOCUMENTS WHICH COMPRISE THIS PLANNING PROPOSAL

1	Planning Proposal updated by Council for Gateway Determination
2	Proponent's Building Envelope Map
3	Delegation Request Evaluation Form
4	Report to Council 11 April 2018
5	Resolution of Council 11 April 2018
6	Bushfire Assessment Report

## LOCAL GOVERNMENT AREA: WINGECARRIBEE SHIRE COUNCIL

### ADDRESS OF LAND: 2 Park Avenue Aylmerton being Lot 2 DP 854905



## SITE LOCATION & DESCRIPTION

The subject site is legally described as Lot 2 DP854905.

It is situated in the village of Aylmerton just off the Old Hume Highway near its connection with the Hume Motorway.

The site is within in a small discrete locality that sits between the Old Hume Highway as its western boundary, Park Avenue/Southern Rail Line as its eastern boundary and Aylmerton Road as its southern boundary. To the north is the residential area of Aylmerton village.

The subject site is currently vacant. It is immediately to the east of Lot 1 DP512875, that is also owned by the applicant and on which a dwelling house and farm sheds have been erected.

The site has frontage to Park Avenue along its eastern boundary of approximately 300 metres.

The site is accessed off the Old Hume Highway at Chalkerville Road and thence onto Park Avenue via Station Road, or directly off Aylmerton Road at its intersection with Park Avenue. It is not visible from the Old Hume Highway.

Only some of the land in this locality, the western portion, is visible to passing traffic on the Old Hume Highway, whereas the eastern half of the land is not visible from the Highway due to the topography.

The residential area of Aylmerton is within the R2 Low Density zone of the Wingecarribee Local Environmental Plan 2010. The land parcels in the ‘village’ are routinely 800 - 1000 square metres in area. There are approximately fifty four existing dwellings in the village built over the approximate 70 individual lots that exist.

The rural residential area between the village area and Aylmerton Road to the south, has no particular subdivision pattern. The existing development has occurred randomly and now presents as a small lot rural residential area with dwellings dotted across the sites. This is despite its current zoning that is split between RU2 Rural Landscape for the western portion and E3 Environmental Management for the eastern portion, both overlaid with a minimum lot size for subdivision of 40 hectares. Given that there are no lots in this area remotely close to this 40 hectare figure, let alone greater than it to allow subdivision, the 40 hectares is a meaningless development standard as it does not even reflect the existing pattern of development.

In total, there are twelve holdings in this locality, with eleven existing dwellings. These holdings range in size upwards from just 3700 square metres for a single lot on the corner of Aylmerton Road and Park Avenue that is within the E3 Environmental Management zone.

The subject site, Lot 2 DP854905 is approximately 4 hectares making it the largest single parcel in this locality.

However, only the subject site, Lot 2, does not enjoy the opportunity of a dwelling house, other than a series of small residential sized lots fronting Chalkerville Road that do not have individual dwelling entitlements but are attached to one of the other larger holdings that already has a dwelling constructed upon it.

The zoning split between RU2 and E3 appears to be a reflection of the topography of the site and the consequential zoning provisions of the previous local planning instrument, the Wingecarribee Local Environmental Plan 1989. Under this plan, certain land was zoned 5c Special Uses (Water Catchment). The land in this locality that drained to the east into the broader water catchment

area, fell into that zone, while the land to the west, which drained into a different catchment, was included into the standard 1(b) Rural B zone. When the new WLEP2010 was made, those zonings were simply rolled over into the equivalent zones under the standard template LEP – hence the existing split in this locality between RU2 Rural Landscape (Rural B) and E3 Environmental Management (5c water catchment).

On the following pages are some maps and photos that identify the site and surrounds.



Figure 1: Site locality plan showing existing development pattern





*Figure 2: Aerial view of site showing relationship with adjoining land uses with residential to the north and multiple small lot rural residential surrounding.*





*Figure 3: View towards the site from Old Hume Highway – actual site is beyond view lines due to topography*



*Figure 4: View of site from Park Avenue looking south west*



*Figure 5: View of adjoining site on Park Avenue to the north*



*Figure 6: View of adjoining site on Park Avenue to the south*



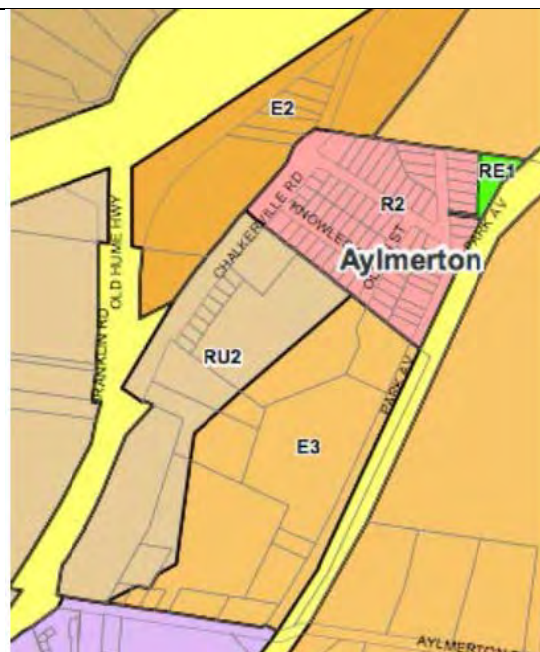


*Figure 7: View towards the site from just east of the railway bridge on Aylmerton Road – site obscured by heavy existing roadside vegetation*

The subject land is within WLEP2010 map Land Zoning Map Sheets 007I. It is identified on the Lot Size Map 007I with a minimum lot size for subdivision of 40 hectares.

#### Land Zoning Map

Extract from WLEP2010 Land Zoning Map Sheet LZN\_007I showing the site with the random range of zoning in the locality ranging from low density residential, rural, environmental management and industrial. Given the nature of the land and the prevailing usage pattern, the most appropriate land use zone would in fact appear to be RU4 Primary Production Small Lots.





### Lot Size Map

Extract from WLEP2010 Lot Size Map Sheet LSZ\_0071 showing a minimum 1000 square metres (U) for the residential properties and 40 hectares (AB3) for the RU2 and E3 land. The entire area of the combined RU2 and E3 zoning is only 22 hectares, so the development standard in that part of the locality is meaningless.



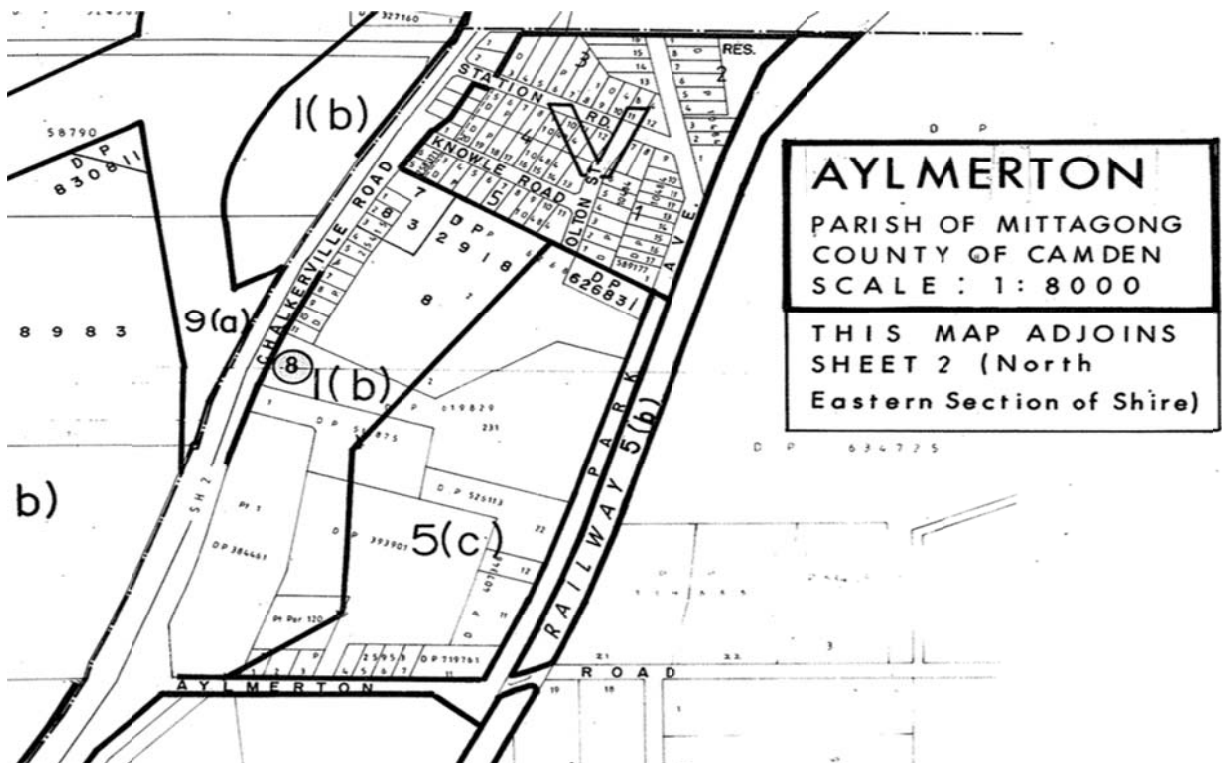


Figure 8: Extract from zoning maps of Wingecarribee Local Environmental Plan 1989 showing split zoning that has been reproduced in the WLEP2010 plan with the use of the equivalent zones.

## PART 1: OBJECTIVES OR INTENDED OUTCOMES

The objectives of this Planning Proposal are as follows:

- To provide for the future residential development of the land, being a single dwelling entitlement
- To provide the appropriate planning mechanism to give effect to the desired development outcome

The intended statutory planning outcome would be that the land (Lot 2 DP854905) is identified within Schedule 1 of Wingecarribee Local Environmental Plan 2010 so that it is recognised as having a single dwelling entitlement, notwithstanding it is below the minimum lot size for a dwelling within the E3 Environmental Management zone pursuant to the provisions of Clause 4.2A of WLEP2010.

The intended built form outcome would be, subject to the submission and assessment of a future Development Application, the construction of a dwelling house on the land. This process would involve the assessment of the existing land including the opportunities and constraints to allocate the appropriate building area for the new dwelling.

The resultant development would be completely compatible with the adjoining residential development that has occurred on all of the other existing allotments in this locality. It would

address what appears to be an unfair outcome for the property owner in that other allotments have been able to support a dwelling house, while Lot 2 has not.

There is no significant or broader issues of Shire significance attached to the Planning Proposal. However, it is important from a strategic planning perspective that Council recognise such circumstances when they exist and allow an opportunity to develop a single land parcel in the same manner as other land owners have been able to do.

The site represents a simple infill development consistent with the pattern of development in the locality and well within the sites capability to accommodate the development.

## PART 2 : EXPLANATION OF THE PROVISIONS

To achieve the intended outcomes of the Planning Proposal the following amendments to the WLEP 2010 instrument will be required:

Schedule 1 Additional Permitted Uses of the WLEP2010 instrument should be amended to include reference to the subject site with the following text:

### Use of certain land at Park Avenue, Aylmerton

- (1) This clause applies to land at Park Avenue, Aylmerton, being Lot 2 DP854905.
- (2) Development for the purposes of a dwelling house is permitted with consent.

This amendment is necessary in order to achieve the intended outcomes of the Planning Proposal.

The changes required are map related as described below.

To achieve the intended outcomes of the Planning Proposal the following WLEP 2010 maps will also require amendment:

Map to be amended	Detail of Amendment
Local Clauses Map, Schedule 1 Map Sheet CL1_007F	Include/identify Lot 2 DP854905 on the map with a corresponding reference to the LEP instrument

The choice of inclusion of the site into Schedule 1 of the WLEP2010 to allow for a dwelling house is considered warranted and the most efficient and effective way for a Planning Proposal to proceed. This is because Schedule 1 should be used only for very particular circumstances when other alternative amendments either cannot do the job or would result in odd planning control outcomes.

In this case, a minimum lot size change amendment for one lot would not be suitable as it may have repercussions on adjoining land. The prevailing subdivision pattern in this locality is already at odds with the stated minimum lot size standard and reflects the random nature of development that has occurred in this locality. The same could be said about the underlying zoning of the land. The more appropriate land use zone given the nature of the land and the usage pattern would be the RU4 Primary Production Small Lots, with a subdivision minimum of 4 hectares, however, such a change would not be reasonable for just one lot. It would need to be considered across all of the land in this locality.

In the circumstances it is reasonable to use Schedule 1 and it should be favoured over the use of either a zoning or minimum lot size change in this case.



## **PART 3 : JUSTIFICATION OF OBJECTIVES, OUTCOMES & PROCESS**

### **Section A – Need for the Planning Proposal**

#### **1. Is the Planning Proposal a result of any strategic study or report?**

The Planning Proposal is not the result of any particular Council resolution or strategic study. With regard to the Wingecarribee Local Planning Strategy 2015-2031, it does not specifically address the situation as it pertains to the subject site.

The Local Planning Strategy recognises the need to provide more housing opportunities and to do so without compromising the inherent rural character of the Shire. This Planning Proposal is made on the basis of the need for Council to consistently review its position in relation to individual circumstances as well as the broader long term strategic perspective. In this case, the Planning Proposal is more closely aligned with 'housekeeping' than it is with strategic vision, but having said that, it is not a Proposal that will undermine any of Council's broader strategic planning objectives.

For Council to be successful in achieving its strategic aims for housing within the Shire that balances 'green field' growth opportunities and 'infill' development opportunities, there will be a need to recognise those infill opportunities. This is so no matter how small that opportunity when they can contribute to this objective without causing any disruption to existing neighbourhoods or without the need for major infrastructure expenditure. This is one such opportunity.

It is in this context that this Planning Proposal is put forward as a way to address a situation that is of importance to the land owner but of little strategic consequence to Council.

Therefore while it could be argued that the Proposal is not strictly in accordance with the current Planning Strategy of Council, it is clearly in accordance with the need for Council to react in a positive way to obvious and potentially unfair consequences of earlier broader strategic planning decisions.

#### **2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

A Planning Proposal is the appropriate way to achieve the desired outcome. It is not possible to move directly to the Development Application phase to allow the construction of a dwelling house upon the land under the existing E3 Environmental Management zoning of the land and the associated provisions of Clause 4.2A that deal with the erection of dwelling houses on certain rural and environmental protection zones.

It should be reasonably assumed that a Planning Proposal pathway will be accepted by Council as the appropriate means of achieving the intended outcomes.

The combination of the current zoning of the land and the restrictions imposed by Clause 4.2B, does not allow for a reasonable redevelopment of the land that would be consistent with the character of the surrounding locality, which is predominately residential in nature despite its current rural and environmental management zoning.

One further residential development in this locality will not lead to any potential conflict with existing residential amenity and would represent the highest and best use of the land. There is

ample alternative rural land available in locations and of lot sizes that are better suited to agriculture or primary production than is the subject site.

### **Section B – Relationship to strategic planning framework**

#### **3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including draft strategies)?**

The Planning Proposal is not inconsistent with the South East and Tablelands Regional Plan that has superseded the Sydney Canberra Corridor Regional Strategy 2006-31.

In broad terms, the Regional Plan, as did its predecessor, seeks to cater for continued growth within the region, without impacting adversely upon the character of the region. This Planning Proposal achieves this by providing an opportunity for a single residential development upon the land at a density of development achievable upon the subject land, with such development being consistent with the predominant rural residential character of the locality and within the capacity of the land to accommodate residential development.

Although the site is wholly within the E3 Environmental Management zone, the locality is split between the E3 and the RU2 Rural Landscape zone. This is a reflection of maintaining the status quo from earlier planning instruments as much as it is any statement of strategic intent or judgment on the sensitivity or capacity of the land.

The strategies broad aim of protecting the sensitive elements of the natural environment is not endangered by this Planning Proposal.

Chapter 4 of the Strategy is Environmentally sustainable housing choices. This Planning Proposal supports that broad objective, albeit in a limited fashion.

Direction 24 of the Strategy is to deliver greater housing supply and choice, noting that local housing strategies need to consider community aspirations. This Planning Proposal will support this objective and would be consistent with the community aspirations as put forward in previous community workshops that show support for well located housing options and actions that have a positive impact on the issue of housing affordability within the Southern Highlands.

Housing affordability is currently a major and serious issue of concern. There are various issues that play into housing affordability, however the supply of land and housing is critical in that equation. This locality already provides housing that is well located, easily serviced and offers an affordable price point in the housing market. It is acknowledged however that this is not a major consideration in this particular Planning Proposal, although it is supportive of this issue.

Direction 25 of the Strategy Focus is for housing growth in locations that maximise infrastructure and services in particular to achieve sustainable urban outcomes that do not undermine existing strategic and local centres. The sites location amongst other like properties is ideal in the opportunity it provides to leverage off infrastructure and services already existing in this locality.

Direction 27 is to deliver more opportunities for affordable housing which this Planning Proposal can achieve.

#### 4. Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?

The Planning Proposal is not inconsistent with the local planning strategy for Wingecarribee Shire.

The relevant local strategy is the recently adopted Wingecarribee Local Planning Strategy 2015 - 2031.

Chapter 4 set out to deal with managing housing needs and it clearly identifies the ongoing pressure to ensure a supply of housing opportunities across the Shire for a range of different needs. The establishment of the Demographics and Housing Advisory Committee is part of this work.

This Planning Proposal is consistent with the Objective of Chapter 4 of the Strategy because it will eventually add to the available housing stock in a location that has access to essential services and proximity to community services, in a location already established as a rural residential neighbourhood.

The concept of 'infill' development as described in the Local Strategy, is supported by this Planning Proposal. It is dealing with land with good access to services, the development of which will not compromise the rural character of the Shire nor threaten sensitive rural landscapes. In this case it will result in a suitable and compatible land use outcome, whereas the site is not currently a productive rural property. To enforce rural activity/primary production upon the site is likely to give rise to potential land use conflict with adjoining properties, although such uses are encouraged under the present zoning.

#### 5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is not inconsistent with any State Planning Policy.

Due to the rural nature of previous land uses upon the site, it would be necessary to consider the requirements of *State Environmental Planning Policy No 55—Remediation of Land* before any final decision on rezoning was taken. The preparation of relevant contamination reports and if necessary remediation reports can be a condition of any gateway approval.

State Environmental Planning Policy	Relevance to Planning Proposal
No.1 Development Standards	No longer relevant due to Clause 4.6 of WLEP2010 being the mechanism for the consideration of variations to development standards
No.14 Coastal Wetlands	Does not apply to the subject site
No.19 Bushland in Urban Areas	Does not apply to the subject site
No.21 Caravan Parks	Potentially applicable to future development at Development Application stage, however it is noted that caravan parks are not permissible in the existing RU2 and E3 zones
No.26 Littoral Rainforests	Does not apply to the subject site



No.30 Intensive Agriculture	Does not apply to the subject site because intensive livestock agriculture is prohibited with both the RU2 and E3 zones
No.33 Hazardous and Offensive Development	Potentially applicable to future development at Development Application stage, however it is noted that industries of the type covered by the Policy are not permissible in the RU2 or E3 zones
No.36 Manufactured Home Estates	This Policy applies to land within Wingecarribee Shire. However it is noted that caravan parks are not permissible in the RU2 or E3 zones and therefore manufactured home estates will not be permissible
No.44 Koala Habitat Protection	This Policy applies to land within the Wingecarribee Shire. However the Policy requires Council to be satisfied of certain matters prior to issuing consent to Development Applications, not Planning Proposals. Clause 16 does allow for the preparation of local environmental studies, which could be required as part of any Gateway determination. However, in this case, it is not considered that the subject land contains potential koala habitat and is not core koala habitat, so the likely need for such a study is negligible.
No. 47 Moore Park Showground	Does not apply to the subject site
No.50 Canal Estate Development	Does not apply to the subject site
No.52 Farm Dams and Other Works in Land and Water Management Plan Areas	Does not apply to the subject site
No.55 Remediation of Land	This Policy applies to land within the Wingecarribee Shire. Clause 6 requires the planning authority to consider whether the land is contaminated and/or whether the land can be made suitable for purpose. The land is not within a class of land identified within Clause 6 subclause (4) however the zoning and previous rural land use history suggests that land contamination may be present although unlikely. Initial contamination assessments can be required either as part of a Gateway determination or as part of subsequent Development Applications.
No. 62 Sustainable Aquaculture	Not applicable to the form of development permissible within the proposed zones
No.64 Advertising and Signage	This policy applies to land within the Wingecarribee Shire. However, the provisions relate to the

	assessment of Development Applications and can be properly administered if relevant applications are made in the future.
No.65 Design Quality of Residential Apartment Development	This Policy applies to land within Wingecarribee Shire. However it is noted that residential flat buildings and other building types covered by the policy are not permissible in the RU2 or E3 zones
No.70 Affordable Housing (Revised Schemes)	Does not apply to the subject site
No.71 Coastal Protection	Does not apply to the subject site
Affordable Rental Housing 2009	This Policy applies to land within Wingecarribee Shire but not to the types of development permissible within the RU2 or E3 zones. It would not be applicable to this site or the outcomes arising from this Planning Proposal. The PP is not inconsistent with the Policy and any relevant Development Application lodged can be assessed against the Policy if that development seeks to rely upon the Policy
Building Sustainability Index: Basix 2004	Related to the development/building phase
Educational Establishments and Child Care Facilities 2017	This Policy applies to land within Wingecarribee Shire. However, the Policy is focused on the development application process. The RU2 zone is a prescribed zone for the purposes of the Policy which will enable certain development to proceed, with or without consent whereas the E3 Environmental Management zone is not a prescribed zone
Exempt and Complying Development Codes 2008	This Policy applies to land within Wingecarribee Shire and will be applicable in the usual way
Housing for Seniors or People with a Disability 2004	This Policy applies to land within Wingecarribee Shire. The PP is not inconsistent with the Policy. Neither the RU2 or the E3 zone are zones considered to be land zoned primarily for urban purposes and seniors housing will therefore not be permissible under the Policy, which is the same as it is under WLEP2010.
Infrastructure 2007	This Policy applies to land within Wingecarribee Shire. However it is focused upon the development application phase. A new dwelling entitlement upon the subject land would not be of a scale to trigger referral to the RMS as Traffic Generating Development under Clause 104 Schedule 3. A Gateway determination may require more detailed assessment as part of the formal exhibition process

	or the matter could be dealt with as part of the Development Application process. The PP is not inconsistent with the Policy.
Integration and Repeals 2016	Does not apply to the subject site
Kosciuszko national Park - Alpine Resorts 2007	Does not apply to the subject site
Kurnell Peninsula 1989	Does not apply to the subject site
Mining, Petroleum Production and Extractive Industries 2007	This Policy applies to land within Wingecarribee Shire. However it does not contain provisions that require any specific provisions within PPs. The policy is focused on the Development Application phase
Miscellaneous Consent Provisions 2007	This Policy applies to land within Wingecarribee Shire however has no particular relevance to this PP
Penrith Lakes Scheme 1989	Does not apply to the subject site
Rural Lands 2008	This Policy applies to land within Wingecarribee Shire. The land is not State Significant agricultural land. The Policy is not relevant to this PP.
State and Regional Development 2011	This Policy applies to land within Wingecarribee Shire however the PP does not involve land or a scale of development that is relevant to the Policy
State Significant Precincts 2005	This Policy applies to land within Wingecarribee Shire however the PP does not involve land or a scale of development that is relevant to the Policy
Sydney Drinking Water Catchment 2011	The Wingecarribee Shire is within the area covered by the Policy. The key purpose of the Policy is to ensure water quality impacts are properly assessed as part of development proposals. Any Gateway determination could require further more detailed water quality assessment to be part of the formal exhibition process or such assessment could be held over until the development application phase. The PP is not inconsistent with the Policy and there is no reason to suspect that future residential development upon the site cannot satisfy the NorBE test under the Policy
Sydney Region Growth Centres 2006	Does not apply to the subject site
Three Ports 2013	Does not apply to the subject site
Urban Renewal 2010	Does not apply to the subject site
Vegetation in Non-Rural Areas 2017	Does not apply to the subject site



Western Sydney Employment Area 2009	Does not apply to the subject site
Western Sydney Parklands	Does not apply to the subject site

## 6. Is the Planning Proposal consistent with applicable Section 117 Directions?

The following table provides an assessment of the Directions issued by the Minister for Planning under section 117(2) of the *EP&A Act 1979*:

Direction	Assessment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	The Planning Proposal will have no impact upon the available land that is zoned as employment generating.
1.2 Rural Zones	The Planning Proposal does not impact upon the rural lands of the Shire. It does not take away any existing opportunity to utilise the land for rural activities/primary production. The land in question is of such limited site area as to have no impact upon the total use of rural land within the Shire
1.3 Mining, Petroleum Production and Extractive Industries	NA
1.4 Oyster Aquaculture	NA
1.5 Rural Lands	See above
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	The land is within an environment protection zone. However, the Planning Proposal would not alter the requirement for any development proposal (future dwelling house) to properly consider the appropriate range of environmental issues, in this case, stormwater quality and native vegetation. The PP is not inconsistent with the Direction.
2.2 Coastal Protection	NA
2.3 Heritage Conservation	The land is not within a conservation area under WLEP2010, nor in proximity to any individually listed heritage item.
2.4 Recreation Vehicle Areas	NA

<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	The PP is not inconsistent with this Direction but in reality it is not particularly relevant. It simply seeks to introduce one additional residential opportunity on land that has appropriate access to infrastructure and services and would have minimal impact upon the environment. The PP is not seeking to expand the urban fringe because it is taking advantage of a site within the developed rural residential area.
3.2 Caravan Parks and Manufactured Home Estates	NA
3.3 Home Occupations	NA
3.4 Integrating Land Use and Transport	NA
3.5 Development Near Licensed Aerodromes	NA
3.6 Shooting Ranges	NA
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	NA
4.2 Mine Subsidence and Unstable Land	NA
4.3 Flood Prone Land	The land is not identified flood prone land
4.4 Planning for Bushfire Protection	The subject land is not mapped as bushfire prone on Council's Bushfire Hazard Maps. Any future Development Application can include an assessment of bushfire threat if that was considered necessary at that time
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies NB: This Direction has been revised to include previous Directions 5.6 and 5.7.	The South East and Tablelands Regional Plan (previously the Sydney – Canberra Corridor Regional Strategy) is in place and therefore relevant. The PP is not inconsistent with the regional plan that seeks to achieve additional housing opportunities within the Wingecarribee Shire.
5.2 Sydney Drinking Water Catchments	The proposed amendment to WLEP2010 would still require any future development of the land to properly consider the requirements of the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011. Any development proposal would need to demonstrate a neutral or beneficial effect on water quality as a result of the development. The land is within a developed rural residential area

	and does not represent a risk to water quality within the catchment. Residential development of the land represents a manageable risk to water quality. The PP is not inconsistent with the Direction
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA
5.8 Second Sydney Airport: Badgerys Creek	NA
5.9 North West Rail Link Corridor Strategy	NA
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	A PP that seeks to allow a single dwelling house on a designated land parcel is not inconsistent with the Direction.
6.2 Reserving Land for Public Purposes	NA
6.3 Site Specific Provisions	The PP does not propose to have any site specific provisions

### Section C – Environmental, Social & Economic Impacts

**7. 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 Planning Proposal?**

No. The land is not identified as containing any critical habitat or threatened species, populations or ecological communities or their habitats

**8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

There are no immediate environmental impacts arising from the Planning Proposal.

As a consequence of the PP, there will be a Development Application for a dwelling house upon the land. This Development Applications will provide the appropriate mechanism for the thorough assessment of any potential environmental impacts and these can be managed through the imposition of conditions of development consent as appropriate.



There is no reason to suggest that the subject land is not capable of accommodating an additional dwelling house.

Taking into account the pattern and usage of adjoining land, any future dwelling will be compatible with adjoining properties. This would be a positive outcome.

#### **9. Has the Planning Proposal adequately addressed any social and economic effects?**

There are no particular social impacts arising from the Planning Proposal. It is a site specific issue, rather than one that may have broader implications throughout the community. It will eventually provide for an additional dwelling, the occupants of which will then contribute to the local community and the Southern Highlands more generally.

From an economic perspective, the PP will provide for the economic and best use of the land.

### **Section D – State and Commonwealth Interests**

#### **10. Is there adequate public infrastructure for the Planning Proposal?**

Appropriate and adequate public infrastructure is available to service the resultant development (power, water etc). The increase of one dwelling will not place any significant burden upon these services. The existing road network is capable of accommodating the minor traffic increase generated by the PP. If additional infrastructure analysis was considered necessary, then this could be a condition of any Gateway approval, to be carried out prior to any formal change to the WLEP2010.

### **PART 4 – MAPPING**

The subject land is situated at Aylmerton. The following maps require amendment as indicated below:

<b>Map to be amended</b>	<b>Detail of Amendment</b>
Local Clauses Map, Schedule 1 Map Sheet CL1_007F	Include Lot 2 DP854905 on the map with a corresponding reference to the LEP instrument

### **PART 5 – COMMUNITY CONSULTATION**

Community consultation will occur as directed in the Gateway Determination and in accordance with the Department's Guide to preparing LEPPs. It is noted that Council normally provides at least 28 days of public exhibition that includes, as relevant, notification by letter/email to adjoining property owners and weekly advertising in the Southern Highland News for the duration of the exhibition period. Copies of the Planning Proposal and relevant documentation are provided on Council's website, at the Customer Service Counter at the Civic Centre and at all relevant libraries including Council's Rural Outreach & Delivery Service (ROADS) Mobile Library.

## PART 6 – TIMELINE

It is anticipated that the Planning Proposal will progress in accordance with the following key timeline milestones:

MILESTONE	ACTUAL ( <i>INDICATIVE</i> ) DATES
Receipt of proponent's Planning Proposal by Council	December 2017
Resolution of Council to proceed to a Gateway Determination	11 April 2018
Submission of Planning proposal for Gateway Determination	October 2018
Gateway Determination	November 2018
Agency Consultation	<i>December 2018-January 2019</i>
Public Exhibition	<i>February 2019</i>
Report to Council on exhibition of Planning Proposal.	<i>March 2019</i>
Draft Opinion Request to PCO	<i>April 2019</i>
Approximate completion date	<i>May 2019</i>

## DELEGATIONS

Council seeks delegation for the processing of this Planning Proposal. A copy of the Delegation Request Form is attached.