

# Planning Proposal



**66 Bong Bong Road, Renwick**

**AP 1151**

**February 2018**

66 Bong Bong Road, Renwick

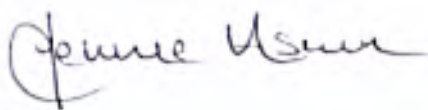
Planning Proposal for submission to  
Wingecarribee Shire Council

February 2018 I AP 1151

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Signature

Date: 2 February 2018

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# **1. INTRODUCTION**

## **1.1 Project Details**

This planning proposal relates to land legally known as Lot 5002 in DP 1160548.

The planning proposal seeks to amend the Wingecarribee Local Environmental Plan 2010 to allow for the following:

- Rezoning of part of subject site as R2 Low Density Residential
- Minimum lot size of 800m<sup>2</sup> for that part of site zoned R2

The preparation of this Planning Report has been undertaken in accordance with Section 55 of the Environmental Planning & Assessment Act, 1979 and the Department of Planning and Infrastructure's "A Guide to Preparing Planning Proposals" (July 2009).

The proposal has been prepared following advice from Council's Strategic Planning staff in a meeting with the owner of the property in June 2016. Following the meeting, email advice was sent on 24 June 2016, where Susan Stannard, Acting Co-ordinator Strategic Planning advised that the site was better suited to a minimum allotment size of 800m<sup>2</sup> rather than the 700m<sup>2</sup> control applicable to the sites to the west of the subject site.

## 1.2 The Site and Locality

The site is located to the east of Mittagong Town Centre on the northern side of Bong Bong Road.



The site comprises one (Lot 5002, DP 1160548) and has a site area of 20,592.3m<sup>2</sup>.





Existing on the site is a part one, part two storey dwelling, known as Suttor House and identified as a heritage item in the Wingecarribee Local Environmental Plan 2010.



**Suttor House – southern elevation**



**Suttor House –eastern elevation**



Other features on the site include a timber shed, tennis court to the south-eastern corner of the site and a dam to the north-eastern corner of the site.



**Timber shed with house in background**



**Tennis court and garden**





**Dam**



**Existing driveway from Bong Bong Road**



The locality is characterised by larger residential sites with a recently constructed subdivision to the north-east of the site and a school immediately adjoining to the east. To the west and north of the site are vacant lots.



Bong Bong Road looking east





**Bong Bong Road looking west**



**Opposite side of Bong Bong Road**





**Nearest property to north as viewed from Mary Street**



**Adjoining school as viewed from Bold Street to rear**



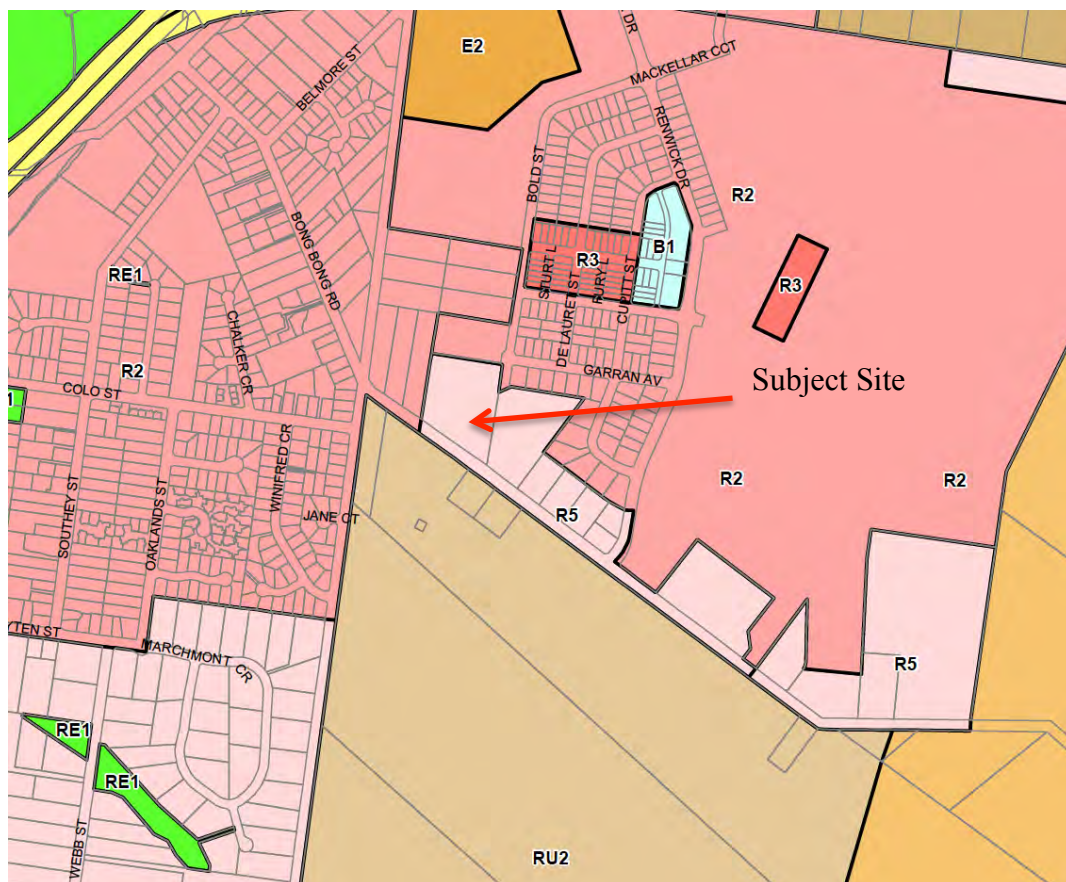


**Eastern boundary as viewed from Bold Street  
(proposed access road)**



**Development to the north-east (Renwick)**

The subject site is zoned R5 Large Lot Residential under the Wingecarribee Local Environmental Plan, 2010.

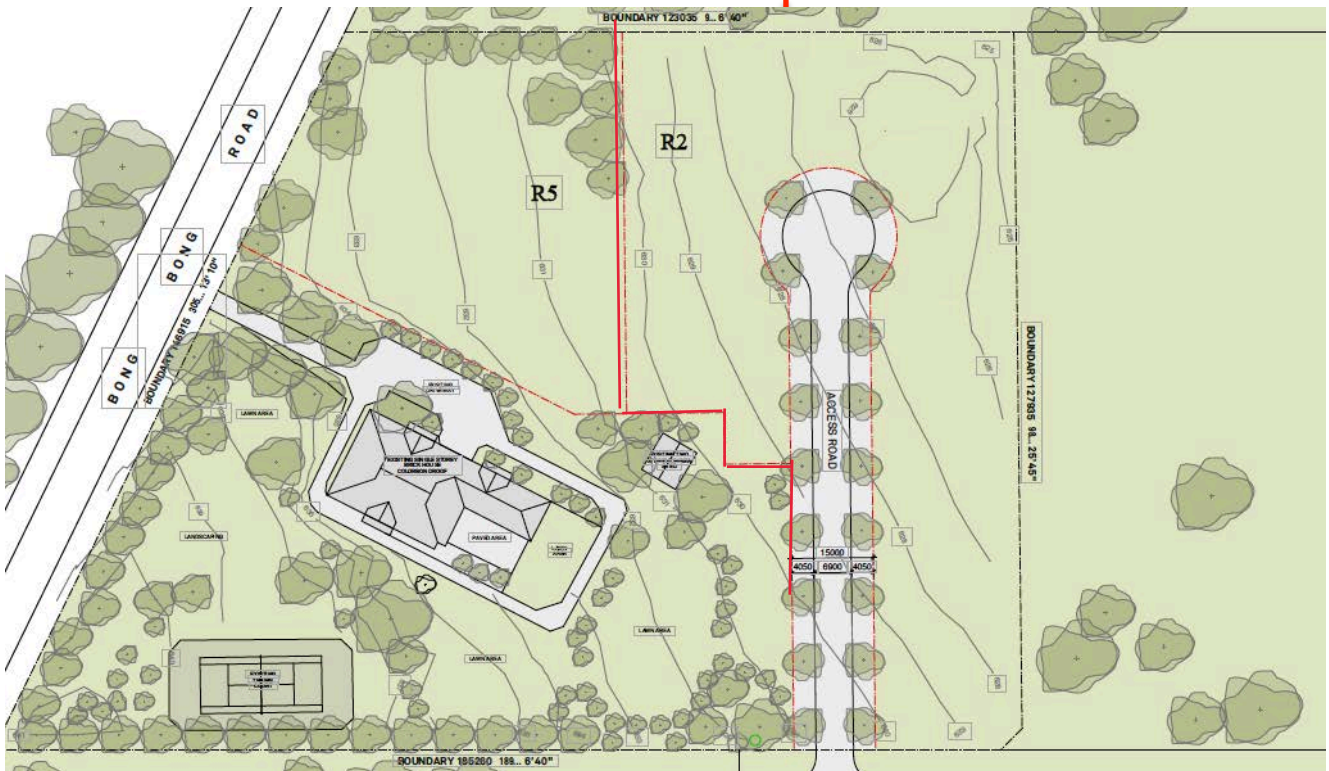


The LEP maps applicable to the subject site are attached as Appendix 1.

## 2. OBJECTIVES OR INTENDED OUTCOMES

The objective and intended outcome of the planning proposal is to rezone part of the subject site to R2 Low Density Residential and to set a minimum allotment size of 800m<sup>2</sup> for that part of the site.

Plan No SP.01A Draft Subdivision Plan (Appendix 3) illustrates the proposed boundary between the R2 and R5 zoned land. An extract is provided below:





### 3. EXPLANATION OF PROVISIONS

The proposed outcome will be achieved by:

- Amending the Wingecarribee LEP 2010 Land Zoning Map to allow for part of the site to be zoned R2; and
- Amending the Wingecarribee LEP 2010 Lot Size Map to allow the proposed R2 part of the site to have a minimum allotment size of 800m<sup>2</sup>

#### 3.1 Zoning

The subject site is zoned R5 under the Wingecarribee Local Environmental Plan, 2010:

##### ***Zone R5 Large Lot Residential***

###### ***1 Objectives of zone***

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To provide a restricted range of opportunities for employment development and community facilities and services that do not unreasonably or significantly detract from:*
  - (a) *the primary residential function, character and amenity of the neighbourhood, and*
  - (b) *the quality of the natural and built environments.*

###### ***2 Permitted without consent***

*Environmental protection works; Home-based child care; Home occupations*

**3 Permitted with consent**

*Bed and breakfast accommodation; Dual occupancies (attached); Dwelling houses; Group homes; Roads; Any other development not specified in item 2 or 4*

**4 Prohibited**

*Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Camping grounds; Car parks; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Mortuaries; Open cut mining; Passenger transport facilities; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies*

The planning proposal seeks to rezone part of the existing lot to R2 Low Density Residential:

**Zone R2 Low Density Residential****1 Objectives of zone**

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

**2 Permitted without consent**

*Environmental protection works; Home-based child care; Home occupations*

**3 Permitted with consent**

*Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dual occupancies; Dwelling houses;*

*Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Home businesses; Home industries; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Seniors housing; Serviced apartments; Signage*

**4 Prohibited**

*Any development not specified in item 2 or 3*

## **3.2 Clause 4.1 Minimum subdivision lot size**

Clause 4.1 of the Wingecarribee LEP 2010 states:

**4.1 Minimum subdivision lot size**

- (1) *The objectives of this clause are as follows:*
  - (a) *to identify minimum lot sizes,*
  - (b) *to ensure that the subdivision of land to create new lots is compatible with the character of the surrounding land and does not compromise existing development or amenity.*
- (2) *This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.*
- (3) *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.*
- (4) *This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.*

The associated Lot Size Map indicates a minimum allotment size of 4,000m<sup>2</sup> for the subject site. The current controls therefore would only allow for the subdivision of the lot into five allotments, with one dwelling permitted per allotment, including the existing heritage item.



## 4. JUSTIFICATION

### 4.1 Section A – Need for planning proposal

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

The Planning Proposal is considered to be minor in nature and does not specifically form part of any strategic study or report.

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

A review of the current zonings in the Wingecarribee LEP indicates that both the R2 zoning and R5 zoning lists dwelling houses as permissible. However, the R5 zoning would only allow a minimum allotment size of 4,000m<sup>2</sup> and therefore could not accommodate the subdivision of this part of the site into 8 allotments.

The proposed outcome can be achieved by rezoning the subject part of the site (to the north) to R2 and specifying a minimum allotment size of 800m<sup>2</sup>.

The table below indicates the permissible uses for the R5 zone and R2 zone:

Use	R5	R2
B&B Accommodation	✓	✓
Boarding Houses		✓
Community Facilities	✓	✓
Child care centres	✓	✓
Community facilities	✓	✓
Dual occupancies (attached)	✓	✓
Dual occupancies (detached)		✓
Dwelling houses	✓	✓
Educational establishment	✓	
Environmental facilities	✓	✓
Exhibition homes	✓	✓
Exhibition villages		✓
Group homes	✓	✓
Health consulting rooms	✓	✓
Health services facilities	✓	
Home-based child care	✓	✓

Use	R5	R2
Home business	✓	✓
Home industry		✓
Home occupations	✓	✓
Hospital	✓	
Place of public worship	✓	✓
Recreation areas	✓	✓
Recreation facilities (outdoor)	✓	✓
Recreation facilities (indoor)		✓
Respite day care centres	✓	✓
Roads	✓	✓
Seniors housing		✓
Serviced apartments		✓
Signage	✓	✓

The proposal is for the rezoning of part of the subject land from R5 Large Lot Residential to R2 Low Density Residential. This would allow for the following additional permissible uses:

- Boarding houses
- Detached dual occupancy
- Exhibition village
- Home industry
- Indoor recreation facilities
- Seniors housing
- Serviced apartments

It would also remove the ability to develop the proposed new R2 zoned portion for the following uses:

- Educational establishment
- Health facilities services
- Hospital

The existing site is currently zoned R5 and the objectives of the R5 zone are:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*

- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To provide a restricted range of opportunities for employment development and community facilities and services that do not unreasonably or significantly detract from:*
  - (a) *the primary residential function, character and amenity of the neighbourhood, and*
  - (b) *the quality of the natural and built environments.*

The following table outlines how the proposed R2 zoning for the subject parcel of land can still allow for the objectives to be met on the remaining R5 zoning of the site:

<b>Objective</b>	<b>Comment</b>
<i>To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.</i>	Given the adjoining R2 zoning to the north and west of the site, dwelling houses within this portion will not affect environmentally sensitive locations and will allow for the R5 zoning to the southern portion of the site to be retained in its rural setting and the existing dwelling (heritage item) to remain within an appropriate curtilage. In this regard a Heritage Impact Statement has been prepared and submitted with this planning proposal.
<i>To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.</i>	The northern portion of the site is suitable for dwelling house development having regard to adjoining R2 zoning and services, including access. The retention of the R5 zone to the south will still provide a large lot within a rural setting with no access to the R2 part of the site from Bong Bong Road.
<i>To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.</i>	Given the recent subdivision to the north-east of the site (Renwick), the subdivision of the northern part of the site for the purpose of 8 allotments will not place an overly unreasonable additional demand on the recently



	constructed public services provided.
<i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i>	The proposed R2 zone would adjoin R2 zoned land and the remaining R5 zone will adjoin R5 zoned land with rural zoning on the opposite side of Bong Bong Road. No conflict is likely to exist and in particular, the provision of access from the R2 zone to the north-east of the site (Renwick) will ensure there is no conflict between the existing allotment (as proposed to be retained) and the proposed allotments. The site as viewed and accessed from Bong Bong Road would remain unchanged.
<i>To provide a restricted range of opportunities for employment development and community facilities and services that do not unreasonably or significantly detract from:</i> (a) <i>the primary residential function, character and amenity of the neighbourhood, and</i> (b) <i>the quality of the natural and built environments.</i>	The proposed R2 zone would not affect this objective. The existing dwelling to be retained is protected from demolition through its listing as a heritage item.

## 4.2 Section B – Relationship to strategic planning framework

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

The planning proposal is consistent with the objectives and actions of the Sydney Canberra Corridor Regional Strategy and does not have the potential to detract from the objectives of the Strategy.

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## Is the Planning Proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

The Local Planning Strategy 2015 – 2031 was adopted by Council in March 2016 and is currently with the Department of Planning and Environment for endorsement.

The Strategy is made up of two parts.

Part One addresses shire-wide issues and for the purposes of this report, Chapter 4 Managing our Housing Needs are particularly relevant. In addition, comments in response to Chapter 6 Managing our Built Environment and Chapter 8 Managing Amendments to WLEP 2010 are provided below.

### **Chapter 4 Managing our Housing Needs**

This chapter of the Strategy states:

*The R5 Large Lot Residential zone (minimum lot sizes of 4000m<sup>2</sup> – 8000m<sup>2</sup>) applies to land which has been identified as environmentally sensitive or which has site constraints such a slope, or flood and bushfire potential. Consequently, these areas offer little opportunity for additional residential development. Council often receives requests for the subdivision of such land on the grounds of providing a 'more efficient' use of that land for residential purposes, however, generally the constraints which warranted the R5 Large Lot zoning in the first place cannot be overcome and opportunities to subdivide do not exist. However, the R5 Large Lot Residential zone does provide additional opportunities for housing stock through dual occupancy development even though it cannot be subdivided.*

The proposed R2 portion of the site is not constrained by slope, flood or bushfire and is located to allow for suitable vehicular access from the rear ensuing it does not utilize the front section of the site (to be retained as R5). Whilst it is appreciated that rezoning of R5 allotments is not generally supported, the unique attributes of this site enable such a rezoning to occur whilst retaining the large lot character for the front of the site.

Section 4.10 of this chapter addressed 'Achieving Infill Development'. The benefits of infill development were noted as:

- *Minimise sporadic growth on the fringes of the towns and villages;*
- *Limit the potential for settlements to merge into one another;*
- *Address increasing pressures for land for housing development;*

- *Reinforce and protect established settlement patterns and character;*
- *Utilise infrastructure with spare capacity (where same exists) and to achieve justification for base line services in some instances; and*
- *Contribute towards the provision of affordable housing for low income groups in locations enjoying reasonable access to goods and services.*

The proposed rezoning will allow for infill housing which provides these benefits, as it is located adjoining an existing recently developed subdivision with the good road infrastructure in place and will allow for the remaining lot to be continue as a large lot subdivision.

Constraints to infill development have been identified as flood affectation, subsidence and slip, contamination or access restrictions and these do not apply to the subject property.

Section 4.11 addresses housing mix and identifies that there is limited opportunities to provide for larger lots. The proposed R2 zone will also have a minimum allotment size of 800m<sup>2</sup>, adding more choice for housing and providing an appropriate transition between the R5 zone and the adjoining R2 zone with a minimum allotment size of 400m<sup>2</sup> to the north and 700m<sup>2</sup> to the west.

### ***Chapter 6 Managing our Built Environment***

Wingecarribee is recognised as a place of significant heritage conservation and in this regard, it is imperative to identify and promote buildings, places, trees, landscapes and other areas of significant cultural heritage value, ensure that the unique heritage quality of places is retained and recognize the contribution of heritage to the shire and manage change appropriately.

The premise of this planning proposal is to ensure that the setting of the existing heritage item is maintained to ensure its future preservation within a manageable site. The configuration of the site has been designed with this focus in mind allowing for the existing garden to Suttor House to be retained as its curtilage and access to the proposed subdivision from the rear as opposed to from Bong Bong Road.

### ***Chapter 8 Managing Amendments to WLEP 2010***

This chapter outlines the assessment criteria 'Test' for Planning Proposals and comments are provided in the table below in response to each theme:



#	Theme	Assessment Criteria 'Tests'
1	Compliance with State Policy and Regional Strategy	As discussed in this report, the planning proposal is consistent with the Sydney Canberra Corridor Regional Strategy, applicable SEPPs and Local Directions.
2.	Compliance with Local Policy or Strategies	<p>As discussed in this report, the planning proposal is consistent with the Wingecarribee Local Planning Strategy 2015-2031.</p> <p>In response to the test for proposals seeking to provide additional residential zoned land, the proposal seeks to allow for a future subdivision into a lot size larger than existing on the adjoining R2 zone and with an appropriate curtilage for the existing heritage item. This allows for the existing heritage item to be retained within a manageable site whilst still a large lot site. The rezoning allows for increased housing choice for the locality, having regard to the recently completed subdivision at Renwick with the ability to make efficient use of existing infrastructure and services.</p>
3	Compatibility with surrounding Rural or Urban Lands	The proposal does not seek to rezone an existing rural land. The proposed R2 zone matches the adjoining R2 zone to the north of the site.
4	Impacts on the Natural Environment	The subject site is not identified as land within a environment protection zone.
5	Site Suitability – Flood or Bushfire Affection	The site is not affected by flooding and a bushfire certificate of assessment has been provided with the planning proposal.
6	Adequate Infrastructure Arrangements	The portion of the site proposed to be rezoned can be directly accessed from the existing road network to the north at Renwick with the ability to make efficient use of existing infrastructure and services.

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Part Two of the Local Planning Strategy 2015 - 2031 contains the Town and Village Precinct Plans. The subject site is located in the Mittagong Urban Area. As part of the preparation of the Local Planning Strategy 2010-2031, a workshop was held in Mittagong to gain an understanding of the future character and development opportunities for the locality.

The key features of Mittagong identified as strengths were:

- **Attractive rural environment:**  
The planning proposal will ensure that the attractive rural environment is protected as it would only allow for a future subdivision of the rear section of the site with a minimum allotment size greater than that on adjoining R2 sites. The site as presented to Bong Bong Road would remain as existing and the boundary between the existing R5 zone and the proposed R2 zone would protect the heritage significance of the existing cottage and its rural setting.
- **Sense of community with traditional values:**  
The traditional setting of the existing cottage would be preserved through the retention of the R5 zone within the southern part of the site. The gardens and tennis court will be retained as the curtilage of this property and the presentation of the site to Bong Bong Road would remain as existing.
- **Heritage:**  
As outlined above, the proposal will retain the existing cottage and its surround to ensure the heritage value of the site is not diminished. A Heritage Impact Statement prepared by Zoltan Kovacs has been prepared and submitted with the planning proposal application and concludes that the proposed subdivision would not generate any adverse impacts on the heritage item in its vicinity and the proposed curtilage will maintain the setting of the item unaffected.
- **Affordability:**  
The provision of seven additional dwellings within a landscaped rural setting would allow for greater housing choice within the locality, without a significant increase in demand on existing services and infrastructure.

The proposal is considered to be consistent with the objective to ensure the future character and development opportunities for the site are in keeping with

the aesthetic quality and amenity of the Mittagong locality.

The weakness associated with the Mittagong area were summarised as follows:

- Poor traffic management
- Poor access over railway line
- Inadequate public transport
- Poor access between Bowral and Mittagong
- Poor track record on part of Council in previous development
- Lack of employment opportunities
- Lack of facilities and services
- Development is causing environmental and heritage damage

Some of these weaknesses are not relevant to the subject proposal. However, it is noted that the proposed rezoning would not further exacerbate these weaknesses and will allow for a low scale housing development to occur whilst minimising any impact on the existing heritage significance of the site.

In addition, any future development of this site would be subject to monetary contributions under Section 94 and Section 94A of the Environmental Planning & Assessment Act 1979. These provisions allow Council to collect monetary contributions in order to help meet the additional demand for roads and traffic, community, cultural, open space and recreational facilities generated by development associated with population growth and employment generation.

In terms of opportunities, it was identified that more housing variety and better design was needed. The future provision of seven dwellings within a larger lot subdivision would improve variety. Design of such dwellings will be assessed at DA stage against Council's relevant controls.

Another opportunity identified was to improve protection of heritage and environmental features. The premise of this planning proposal is to ensure that the setting of the existing heritage item is maintained to ensure its future preservation within a manageable site. The configuration of the site has been designed with this focus in mind allowing for the existing garden to the cottage to be retained as its curtilage and access to the proposed subdivision from the rear as opposed to from Bong Bong Road.

Threats to the area identified included the loss of rural amenity from increased population. The proposal will allow for the rural setting of the cottage to be retained with no new access for the future subdivision from Bong Bong Road.

## Is the Planning Proposal consistent with the applicable state environmental planning policies?

The planning proposal is consistent with the applicable SEPPs as follows:

State Environmental Planning Policy	Complies	Comments
SEPP 1 – Development Standards	n/a	
SEPP 4 – Development with Consent and Miscellaneous Exempt and Complying Development	n/a	
SEPP 6 – Number of Storeys in a Building	n/a	
SEPP 14 – Coastal Wetlands	n/a	
SEPP 19 – Bushland in Urban Areas	n/a	
SEPP 21 – Caravan Parks	n/a	
SEPP 22 – Shops and Commercial Premises	n/a	
SEPP 26 – Littoral Rainforests	n/a	
SEPP 29 – Western Sydney Recreation Area	n/a	
SEPP 30 – Intensive Agriculture	n/a	
SEPP 32 – Urban Consolidation	n/a	
SEPP 33 – Hazardous and Offensive Development	n/a	
SEPP 36 – Manufactured Home Estates	n/a	
SEPP 39 – Spit Island Bird Habitat	n/a	
SEPP 41 – Casino/Entertainment Complex	n/a	
SEPP 44 – Koala Habitat Protection	n/a	
SEPP 47 – Moore Park Showground	n/a	
SEPP 50 – Canal Estates	n/a	
SEPP 15 – Rural Land Sharing Communities	n/a	
SEPP 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	n/a	
SEPP 55 – Remediation of Land	Yes	There is no evidence to suggest that a contaminating use has occurred on the subject site.



<b>State Environmental Planning Policy</b>	<b>Complies</b>	<b>Comments</b>
SEPP 59 – Central Western Sydney Regional Open Space and Residential	n/a	
SEPP 60 – Exempt and Complying Development	n/a	
SPP 62 – Sustainable Aquaculture	n/a	
SEPP 64 – Advertising and Signage	n/a	Any signage associated with the use of the site will be subject to the development application process.
SEPP 65 – Design Quality of Residential Flat Development	n/a	
SEPP 70 – Affordable Housing (Revised Schemes)	n/a	
SEPP 71 – Coastal Protection	n/a	
SEPP (Penrith Lakes Scheme) 1989	n/a	
SEPP (Kurnell Peninsula) 1989	n/a	
SEPP (Housing for Seniors or People with a Disability) 2004	n/a	
SEPP (Building Sustainability Index BASIX) 2004	Yes	This is a requirement irrespective of the residential zoning of land and will be assessed at DA stage.
SEPP (Development on Kurnell Peninsula) 2005	n/a	
SEPP (Major Development) 2005	n/a	
SEPP (Sydney Region Growth Centres) 2006	n/a	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	n/a	
SEPP (Temporary Structures) 2007	n/a	
SEPP (Infrastructure) 2007	n/a	
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	n/a	
SEPP (Rural Lands) 2008	n/a	
SEPP (Western Sydney Employment Area) 2009	n/a	

State Environmental Planning Policy	Complies	Comments
SEPP (Exempt and Complying Development Codes) 2008	Yes	This SEPP is applicable statewide.
SEPP (Western Parklands) 2009	n/a	
SEPP (Affordable Rental Housing) 2009	Yes	Any application for a Boarding House or other affordable housing permissible in the R2 zone would be subject to assessment under the relevant section of this SEPP.
SEPP (Urban Renewal) 2010	n/a	
SEPP (Sydney Drinking Water Catchment) 2011	Yes	The planning proposal will adopt the Sydney Water Catchment Authority current recommended practices and is able to meet the Neutral or Beneficial Effects (NorBE) Test.
SEPP (State and Regional Development) 2011	n/a	

### Is the Planning Proposal consistent with applicable Ministerial Directions (Section 117 Directions)?

Section 117 Direction	Complies	Comments
<b>Employment and Resources</b>		
1.1 Business and Industrial Zones	n/a	
1.2 Rural Zones	n/a	
1.3 Mining, Petroleum Production and Extractive Industries	n/a	
1.4 Oyster Aquaculture	n/a	
1.5 Rural Lands	n/a	
<b>Environment and Heritage</b>		
2.1 Environmental Protection Zones	n/a	

Section 117 Direction	Complies	Comments
2.2 Coastal Protection	n/a	
2.3 Heritage Conservation	Yes	The planning proposal will ensure that the heritage significance of the existing heritage item (Suttor House) is retained and an appropriate curtilage is provided for this item.
2.4 Recreation Vehicles Areas	n/a	
<b>Housing, Infrastructure and Urban Development</b>		
3.1 Residential Zones	Yes	The planning proposal will increase housing choice within the locality whilst making use of existing infrastructure and services.
3.2 Caravan Parks and Manufactured Home Estates	n/a	
3.3 Home Occupations	n/a	
3.4 Integrating Land Use and Transport	Yes	The existing road system can handle the projected increase as a result of the proposed use. An existing road to the rear north-east of the site has the capacity to provide access to the proposed 8 allotments.
3.5 Development near Licensed Aerodromes	n/a	
3.6 Shooting Ranges	n/a	
<b>Hazard and Risk</b>		
4.1 Acid Sulfate Soils	n/a	
4.2 Mine Subsidence and Unstable Land	n/a	
4.3 Flood Prone Land	n/a	

Section 117 Direction	Complies	Comments
4.4 Planning for Bushfire Protection	Yes	A certificate of assessment has been submitted with the Planning Proposal.
<b>Regional Planning</b>		
5.1 Implementation of Regional Strategies	Yes	The planning proposal is consistent with the objectives and actions of the Sydney Canberra Corridor Regional Strategy and does not have the potential to detract from the objectives of the Strategy.
5.2 Sydney Drinking Water Catchments	Yes	The planning proposal will adopt the Sydney Water Catchment Authority current recommended practices and is able to meet the Neutral or Beneficial Effects (NorBE) Test.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	n/a	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	n/a	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 10.6.10)	n/a	
Sydney to Canberra Corridor (Revoked 10.7.08; see amended Direction 5.1)	n/a	
Central Coast (Revoked 10.7.08; see amended Direction 5.1)	n/a	
Second Sydney Airport: Badgerys Creek	n/a	



Section 117 Direction	Complies	Comments
<b>Local Plan Making</b>		
Approval and Referral Requirements	Yes	
Reserving Land for Public Purposes	n/a	
Site specific provisions	Yes	The proposed R2 zone is the most appropriate for future residential development on the land and will be limited by the proposed minimum lot size of 800m <sup>2</sup> .
<b>Metropolitan Planning</b>		
Implementation of the Metropolitan Plan for Sydney 2036	n/a	

### 4.3 Section C – Environmental, social and economic impact

**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?**

The development as proposed will have minimal impacts on flora and fauna, as the subject area is located within modified and disturbed land.

Future development on the proposed R2 site can allow for sufficient setback from the boundaries of the site where vegetation currently exists and vegetation removal can be kept to a minimum. This will need to be addressed at DA stage when more detailed design has been prepared.

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

There is no detrimental environmental impacts are anticipated as a result of the planning proposal as the siting of development is on cleared land. The impact on surrounding ecological communities will be negligible.

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

The planning proposal will not have result in any adverse social and economic impacts and will be of a benefit to the immediate locality and surrounding areas by providing additional housing within a low-density environment and improving housing choice.

The proposed rezoning and future subdivision will have a minor increase on traffic flow to the site with access to be provided from the rear using existing access roads associated with the recently constructed subdivision (Renwick).

**4.4 Section D – State and Commonwealth interests****Is there adequate public infrastructure for the planning proposal**

The proposed rezoning and future subdivision will have a minor increase on traffic flow to the site with access to be provided from the rear using existing access roads associated with the recently constructed subdivision (Renwick).

In addition, any future development of this site would be subject to monetary contributions under Section 94 and Section 94A of the Environmental Planning & Assessment Act 1979. These provisions allow Council to collect monetary contributions in order to help meet the additional demand for roads and traffic, community, cultural, open space and recreational facilities generated by development associated with population growth and employment generation.

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

No gateway determination has been made with respect to this planning proposal and therefore the views of the State and Commonwealth public authorities is unknown at this stage. Consultation will be undertaken as required in the Gateway Determination.

## 5. COMMUNITY CONSULTATION

Given the nature of the Planning Proposal, the scheme is considered to be a “low impact planning proposal” under Section 4.5 of the “Guide to Preparing Local Environmental Plans”.

The Planning Proposal will be advertised as required by the Gateway Determination.

## 6. CONCLUSION AND RECOMMENDATIONS

The planning proposal seeks to amend the Wingecarribee Local Environmental Plan 2010 to allow for the following:

- Rezoning of part of subject site as R2 Low Density Residential
- Minimum lot size of 800m<sup>2</sup> for that part of the site zoned R2

This method has the advantage of allowing a low density residential development within larger allotments than those adjoining to the north, whilst protecting the heritage significance and curtilage of the existing heritage item (Suttor House). This achieves the intentions of the planning proposal in protecting the existing attributes and character of the heritage item and locality as a whole.

The Planning Proposal is consistent with the strategic planning framework and state environmental planning instruments for the site and locality and is consistent with Section 117 Ministerial Directions.

On this basis, it is recommended that Wingecarribee Shire Council and the Department of Planning & Infrastructure amend the rezoning of the rear northern portion of the site to R2 and provide a minimum lot size of 800m<sup>2</sup> for that portion of the site.



# **APPENDIX 1**

## **WINGECARRIBEE LEP 2010 MAPS**



# Wingecarribee Local Environmental Plan 2010

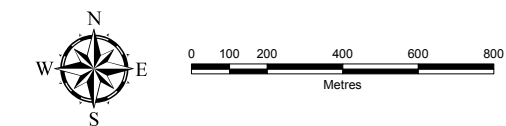
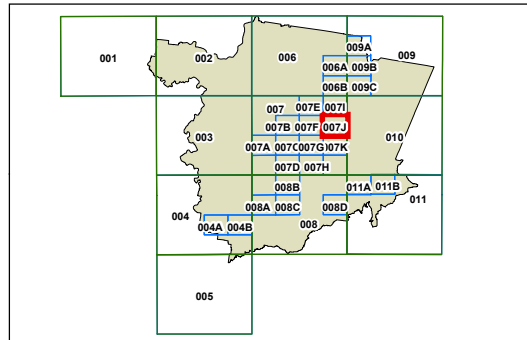
## Land Zoning Map - Sheet LZN\_007J

### Zone

- B1** Neighbourhood Centre
- B2** Local Centre
- B4** Mixed Use
- B5** Business Development
- B7** Business Park
- E1** National Parks and Nature Reserves
- E2** Environmental Conservation
- E3** Environmental Management
- E4** Environmental Living
- IN1** General Industrial
- IN2** Light Industrial
- IN3** Heavy Industrial
- R2** Low Density Residential
- R3** Medium Density Residential
- R5** Large Lot Residential
- RE1** Public Recreation
- RE2** Private Recreation
- RU1** Primary Production
- RU2** Rural Landscape
- RU3** Forestry
- RU4** Primary Production Small Lots
- SP1** Special Activities
- SP2** Infrastructure
- SP3** Tourist

### Cadastre

Cadastre 04/07/14 © Land and Property Information (LPI)

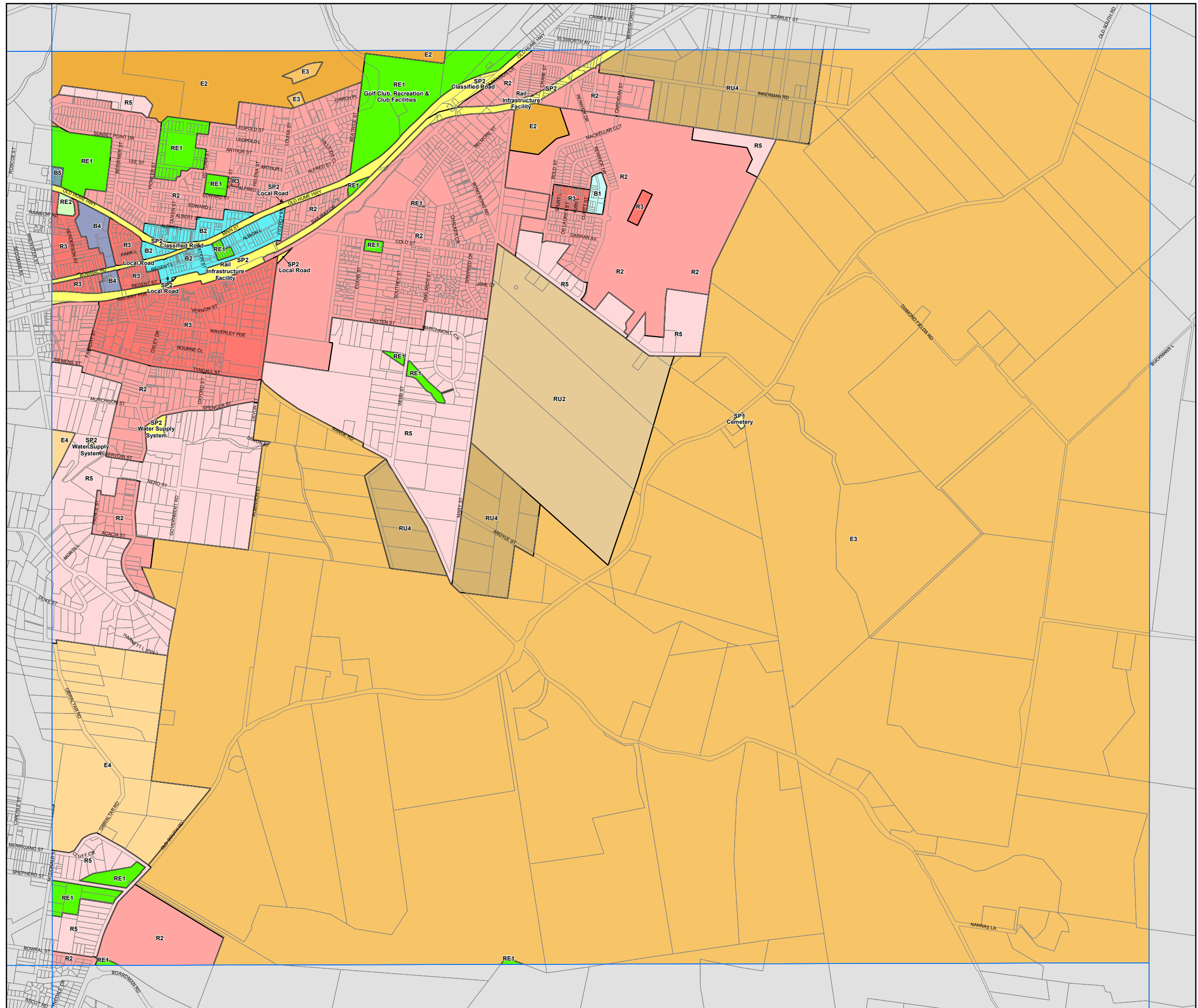


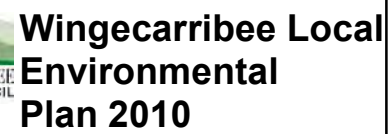
Projection: MGA  
(GDA94) Zone 56

Scale 1:20,000 @ A3

Map identification number:

8350\_COM\_LZN\_007J\_020\_20140821



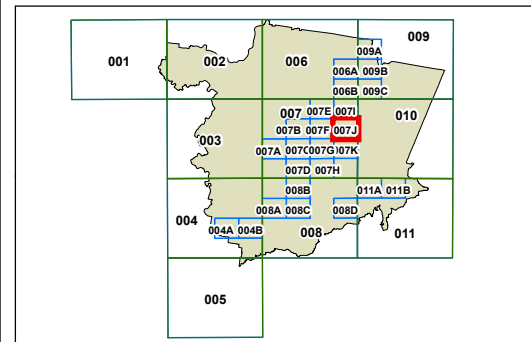


Minimum Lot size (sq m)	1000
-------------------------	------

D	300
G	450
I	500
Q	700
S	800
U	1000
V	2000
W	4000
X	8000
Y	10000 (1 ha)
Z1	20000 (2 ha)
Z2	40000 (4 ha)
AA	80000 (8 ha)
AB1	100000 (10 ha)
AB2	200000 (20 ha)
AB3	400000 (40 ha)

## Cadastre

 Cadastre 04/07/14 © Land and Property Information (LPI)

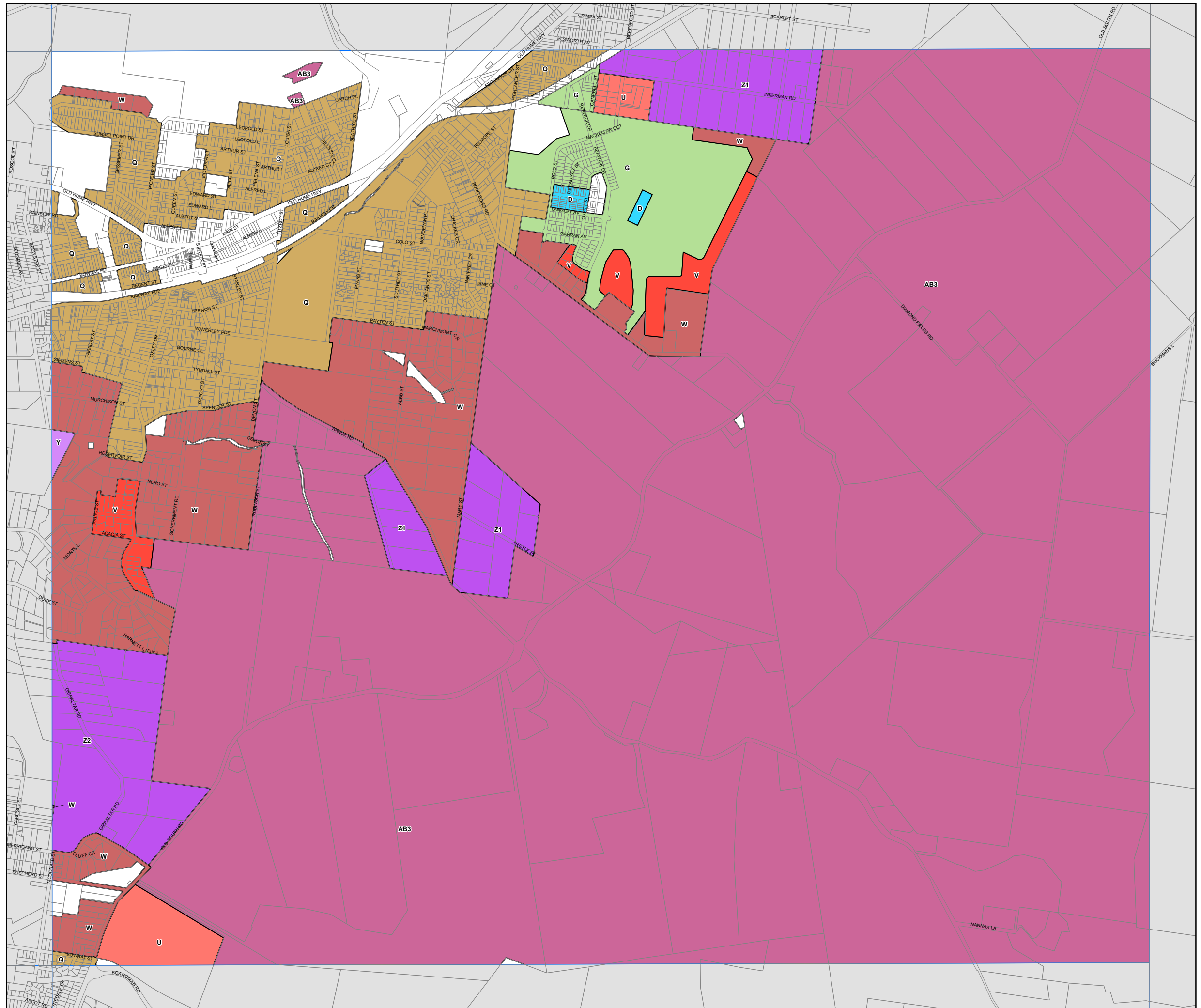


Projection: MGA  
(GDA94) Zone 56

**Scale 1:20,000 @ A3**

Map identification number:

8350\_COM\_LSZ\_007J\_020\_20140902







# Wingecarribee Local Environmental Plan 2010

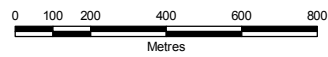
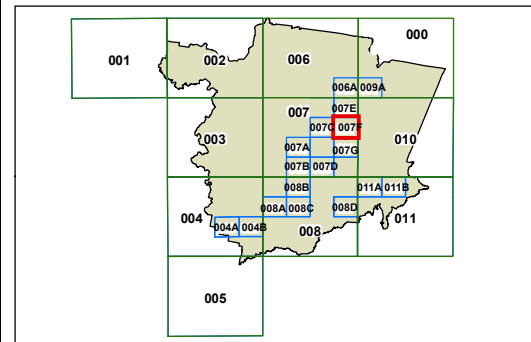
## Height of Buildings Map - Sheet HOB\_007F

### Maximum Building Height (m)

C	5
H	7.5
I	8
J	9
K	10
M	12.5
O	15
P	17

### Cadastre

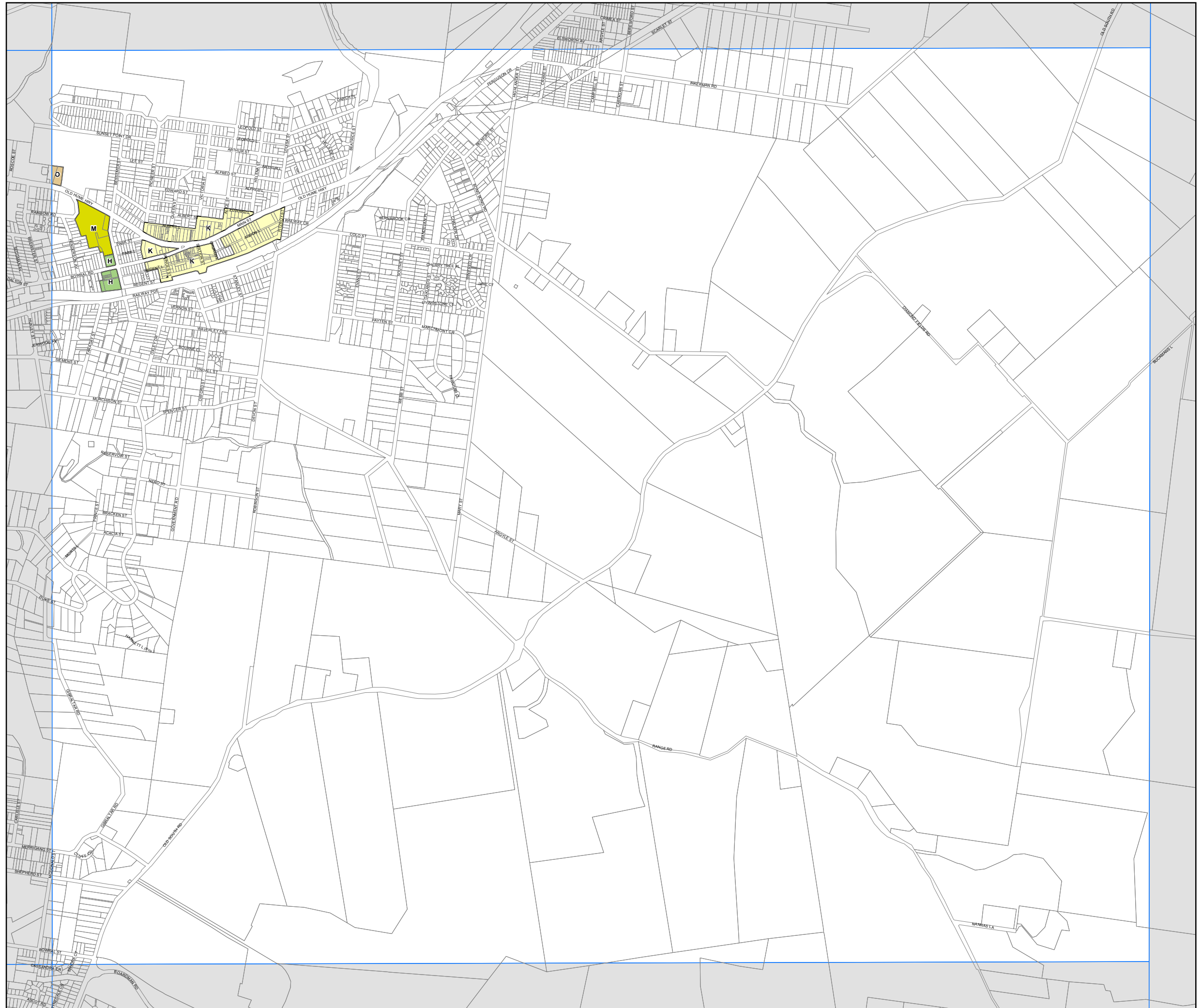
Cadastre 04/05/10 © Land and Property Management  
Authority



Projection: MGA  
(GDA94) Zone 56

Scale 1:20,000 @ A3

Map identification number:  
8350\_COM\_HOB\_007F\_020\_20100520





# Wingecarribee Local Environmental Plan 2010

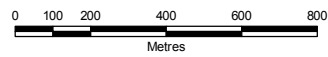
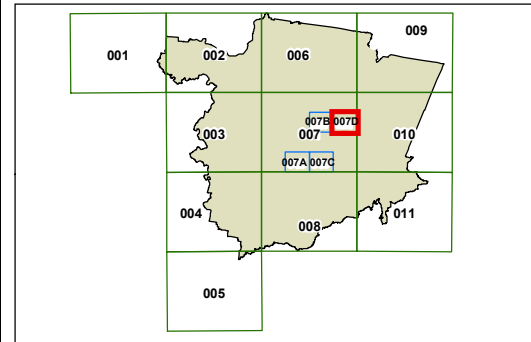
## Floor Space Ratio Map - Sheet FSR\_007D

### Maximum Floor Space Ratio (n:1)

D	0.5
H	0.7
J	0.8
L	0.9
O	1.1
S	1.5

### Cadastral

Cadastral 04/05/10 © Land and Property Management Authority

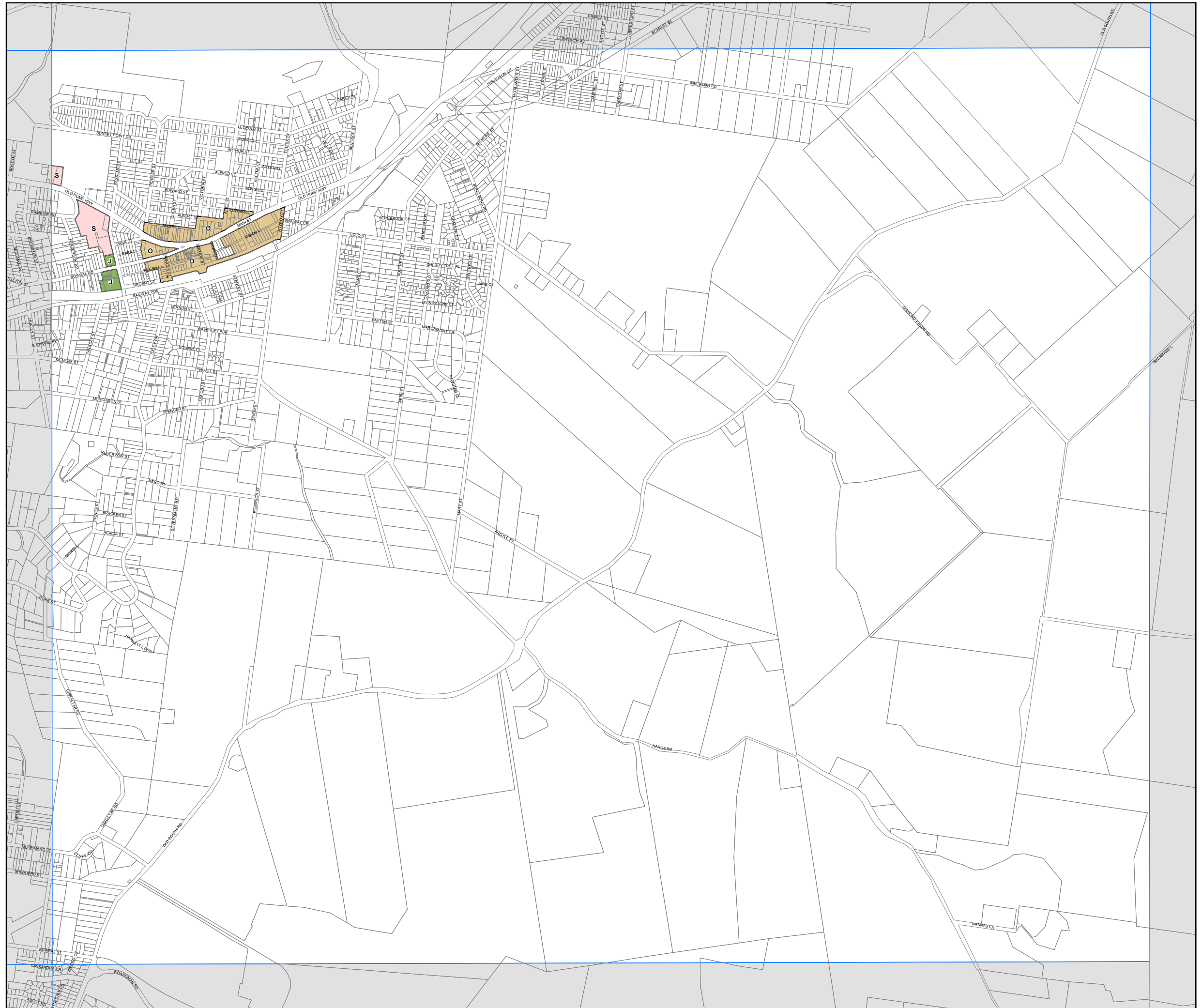


Projection: MGA (GDA94) Zone 56

Scale 1:20,000 @ A3

Map identification number:

8350\_COM\_FSR\_007D\_020\_20100520







# Wingecarribee Local Environmental Plan 2010

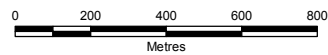
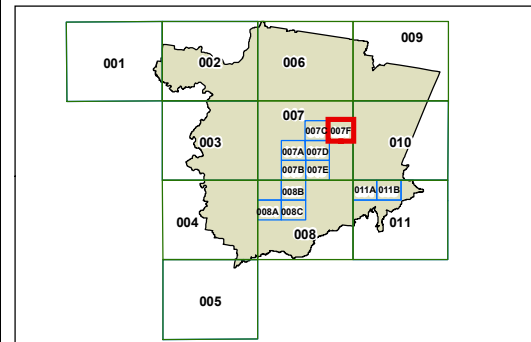
## Heritage Map - Sheet HER\_007F

### Heritage

- Conservation Area - General
- Conservation Area - Landscape
- Item - Archaeological
- Item - General
- Item - Landscape

### Cadastre

- Cadastre 04/05/10 © Land and Property Information (LPI)

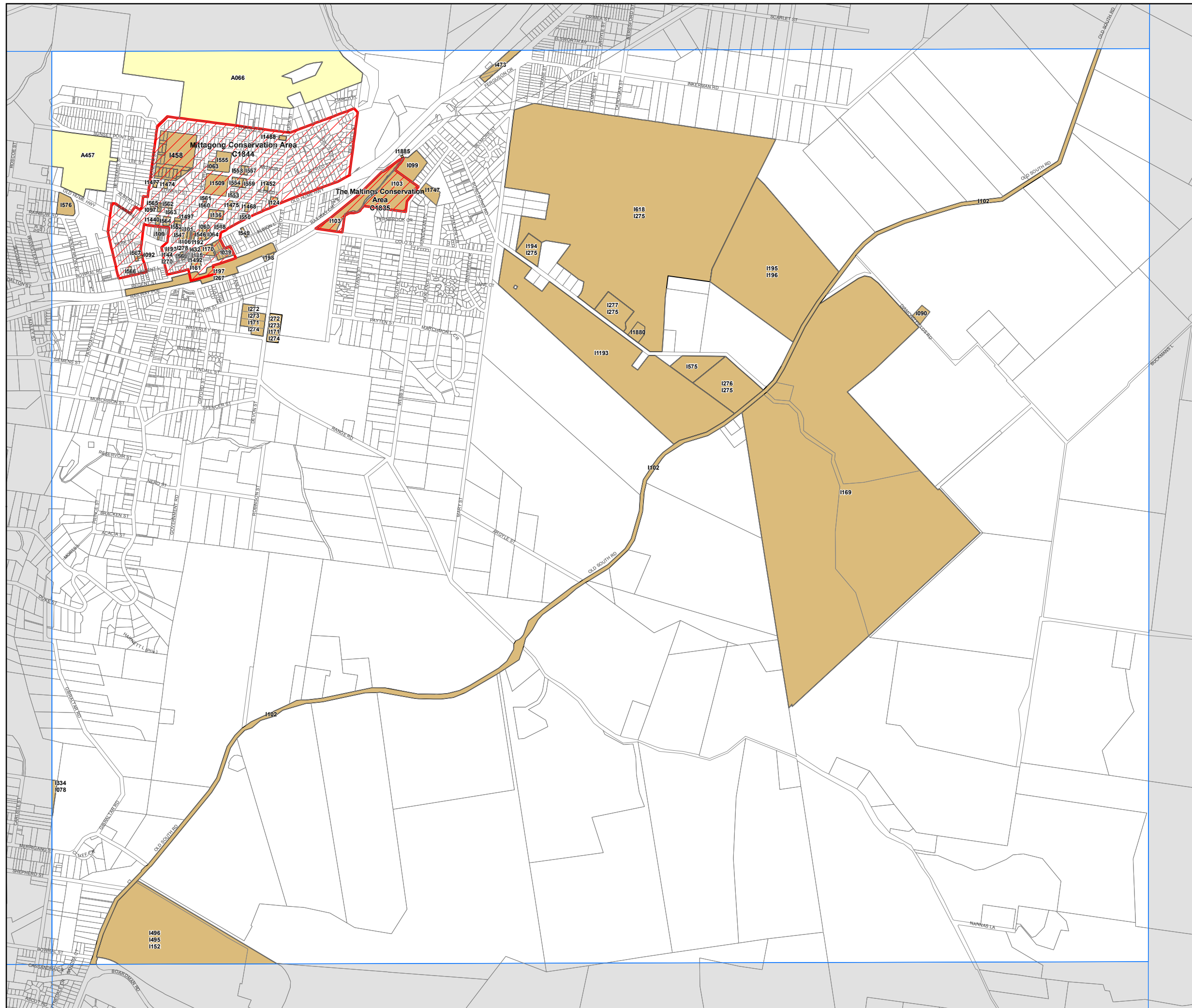


Projection: MGA  
(GDA94) Zone 56

1:20,000 @ A3

Map identification number:

8350\_COM\_HER\_007F\_020\_20170123






# Wingecarribee Local Environmental Plan 2010

Flood Planning Area Map -

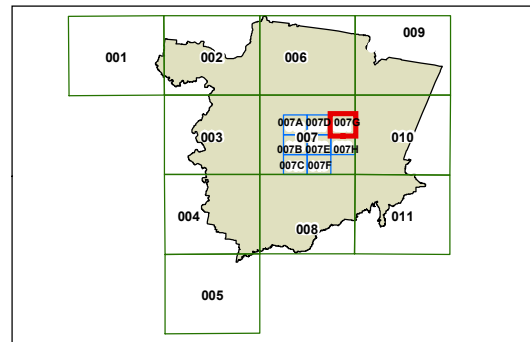
Sheet FLD\_007G

## Flood Planning Area

 100yr +0.5m Flood Extent

## Cadastre

 Cadastre 04/05/10 © Land and Property Management Authority



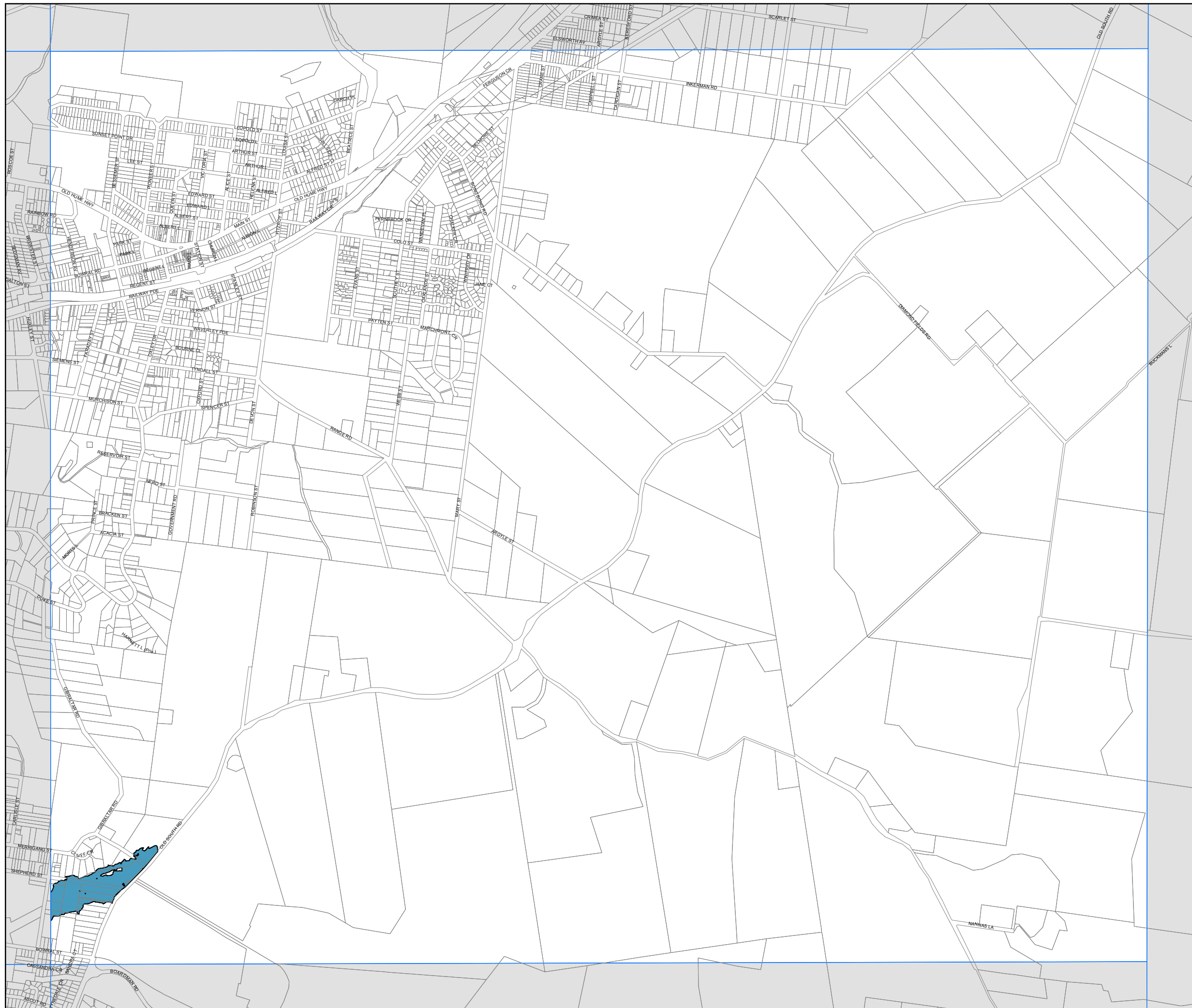
0 100 200 400 600 800  
Metres

Projection: MGA  
(GDA94) Zone 56

Scale 1:20,000 @ A3

Map identification number:

8350\_COM\_FLD\_007G\_020\_20100520









# Wingecarribee Local Environmental Plan 2010

## Minerals and Extractive Resources Land Map -

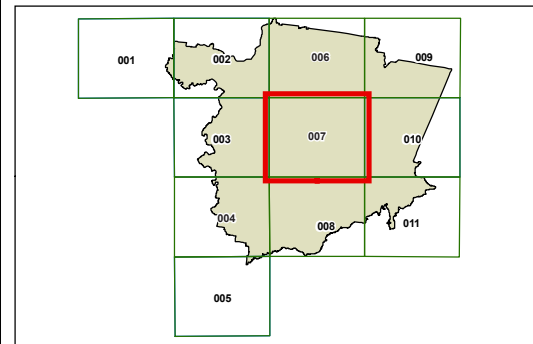
Sheet MER\_007

### Extractive Materials

-  Identified and Potential Extractive Material
-  Identified and Potential Extractive Material - Buffer Zone

### Cadastre

 Cadastre 02/11/11 © Land and Property Information



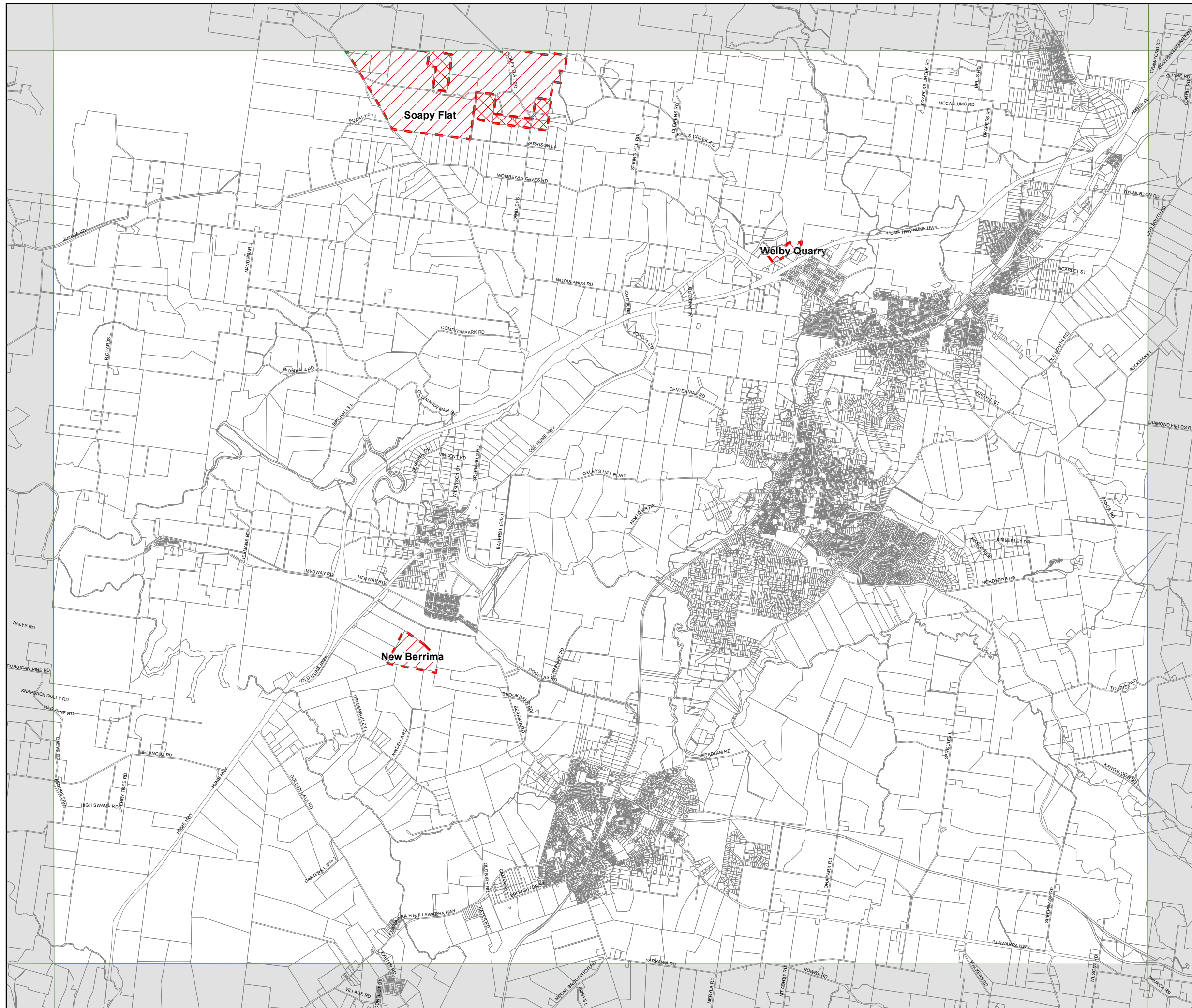
0 740 1,480 2,220 2,960  
Metres

Projection: MGA  
(GDA94) Zone 56

Scale 1:80,000 @ A3

Map identification number:

8350\_COM\_MER\_007\_080\_20120327







# Wingecarribee Local Environmental Plan 2010

## Natural Resources Sensitivity Map - Sheet NRS\_007

### Riparian Land

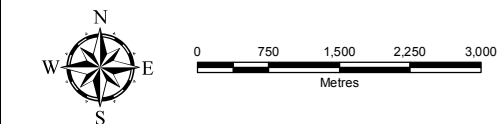
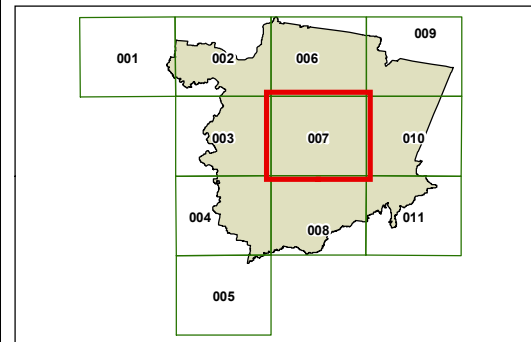
- Category 1 - Environmental Corridor  
(within 50 metres from the top of stream bank on each side)
- Category 2 - Aquatic & Terrestrial Habitat  
(within 30 metres from the top of stream bank on each side)
- Category 3 - Bank Stability & Water Quality  
(within 10 metres from the top of stream bank on each side)

Natural Waterbodies

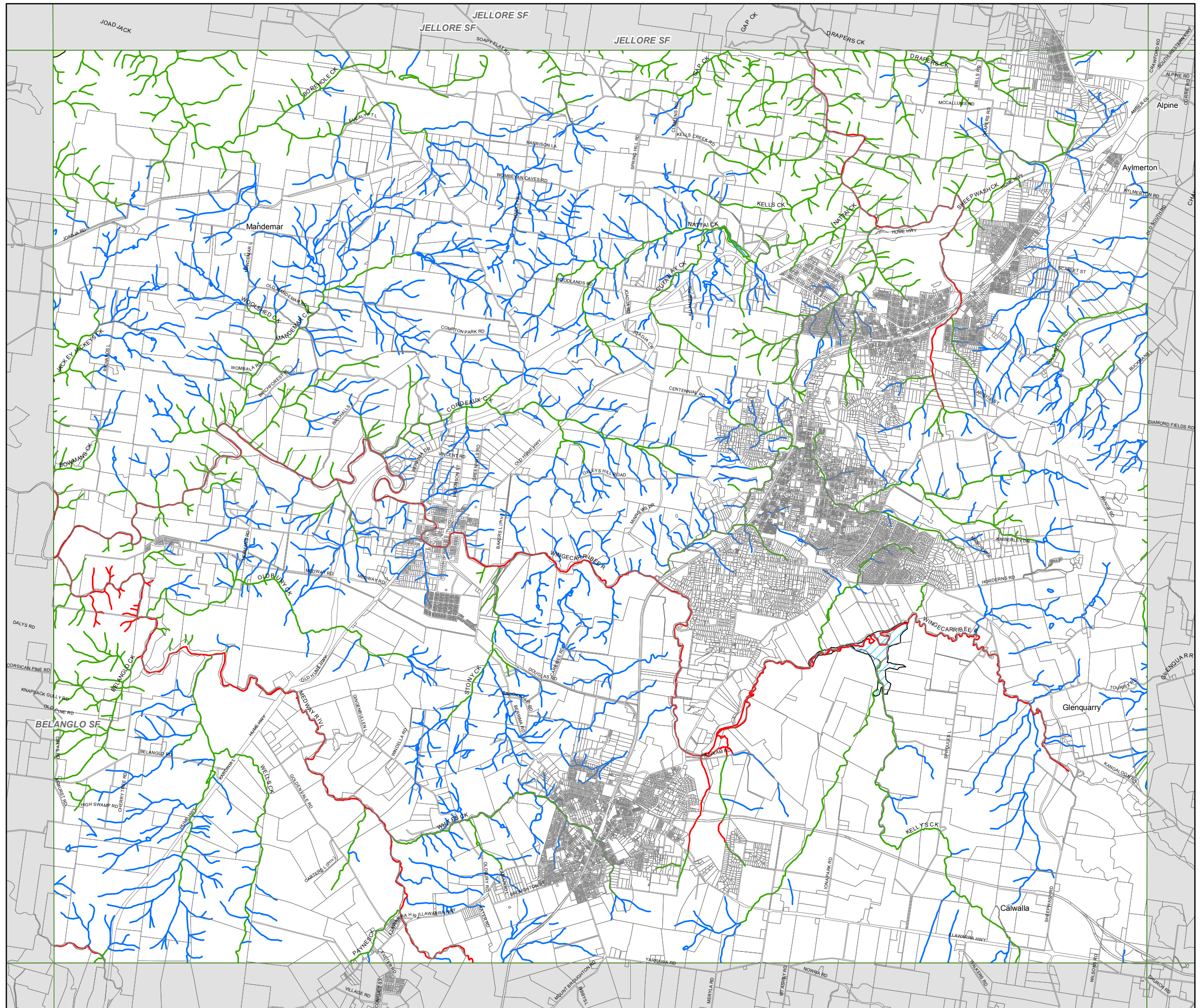
Regional Wildlife Habitat Corridor

### Cadastre

Cadastre 04/11/11 © Land and Property Information (LPI)



Projection: MGA (GDA94) Zone 56  
Scale 1:80,000 @ A3  
Map identification number: 8350\_COM\_NRS\_007\_080\_20120123







# Wingecarribee Local Environmental Plan 2010

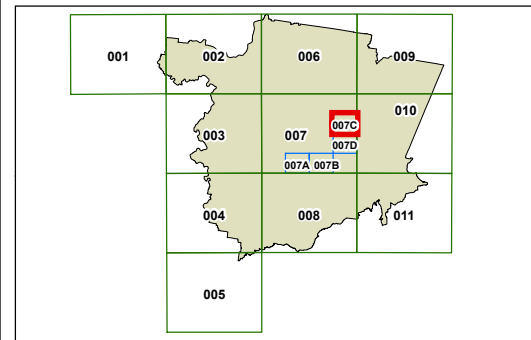
## Urban Release Areas Map - Sheet URA\_007C



Urban Release Areas

### Cadastre

Cadastre 04/07/14 © Land and Property Information (LPI)



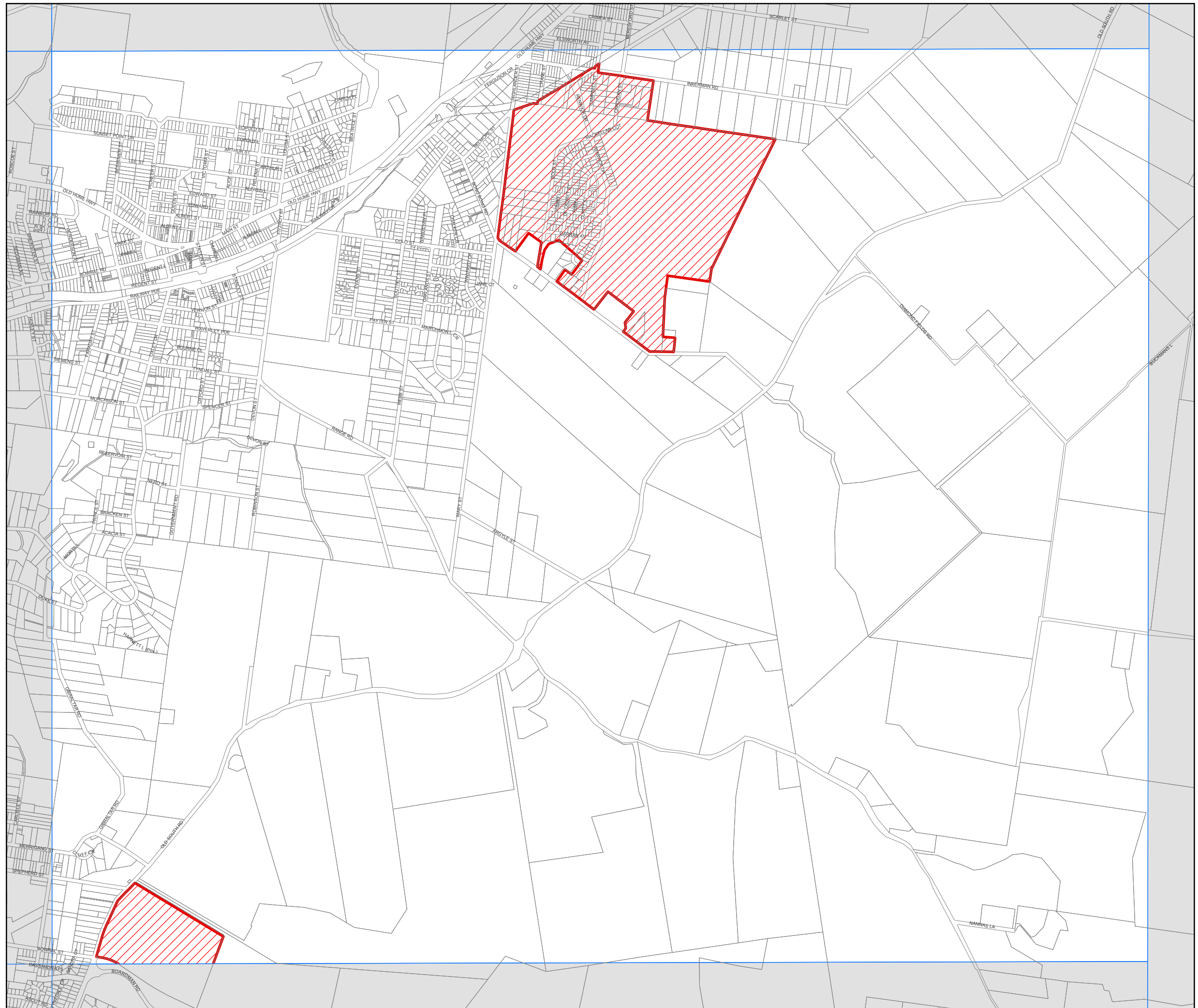
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Metres

Projection: MGA  
(GDA94) Zone 56

Scale 1:20,000 @ A3

Map identification number:

8350\_COM\_URA\_007C\_020\_20140902





# Wingecarribee Local Environmental Plan 2010

## Local Clauses Map Schedule1 Map

Sheet CL1\_007G


### Local Clauses

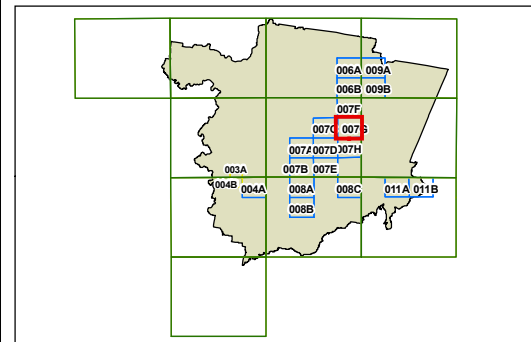
 LEP Clauses

### Schedule1

 Sch1

### Cadastre

 Cadastre 05/08/11 © Land and Property Information



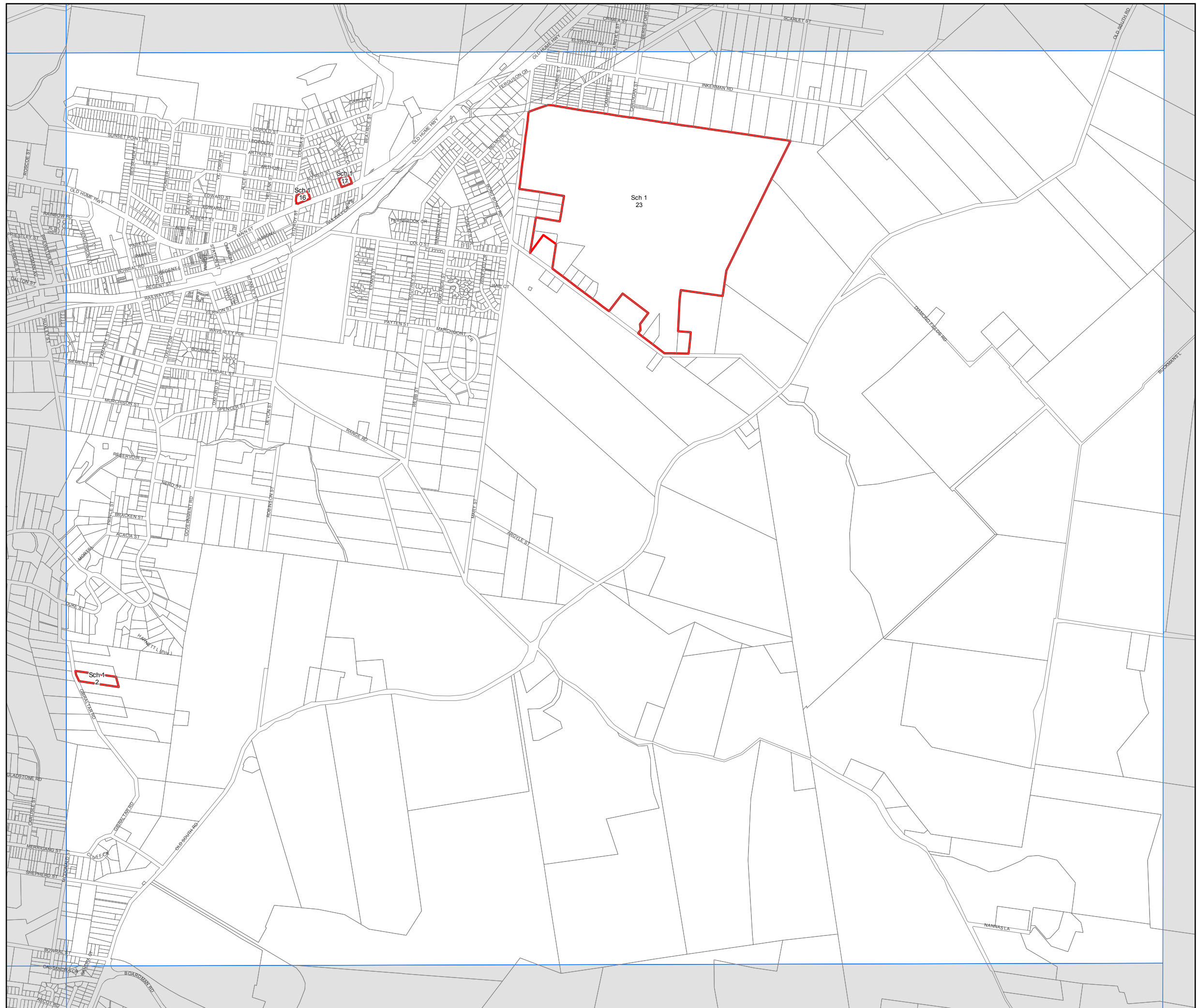
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Metres

Projection: MGA  
(GDA94) Zone 56

Scale 1:20,000 @ A3

Map identification number:

8350\_COM\_CL1\_007G\_020\_20110805





## **APPENDIX 2**

### **BUSHFIRE CERTIFICATE OF ASSESSMENT**

Suttor Estate  
**66 BONG BONG ROAD**  
**RENWICK 2575**

# CERTIFICATE OF ASSESMENT

To BCA2014 3.7.4.0 NSW variations, AS 3959-2009, and PBP  
Prepared from site visits and supplied drawings.



Fig. 1 Bushfire prone map

## ***PART A PROPERTY DETAILS***

Property address	66 Bong Bong Road
Suburb	RENWICK
Bush Fire Prone Land	None
Council	Wingecarribee Shire

## ***PART B TYPE OF PROPOSAL***

Type of proposal	infill
	
	Prepared by Roy Mock 103/71-75 Regent Street CHIPPENDALE NSW 2008 8399-1643, 0411-787-082

## PART C VEGETATION

Vegetation type within 140m from site:



Forest  
FDI-100



View West

## PART D BUSHFIRE ATTACK LEVEL AND RISK ASSESSMENT

1. Vegetation type

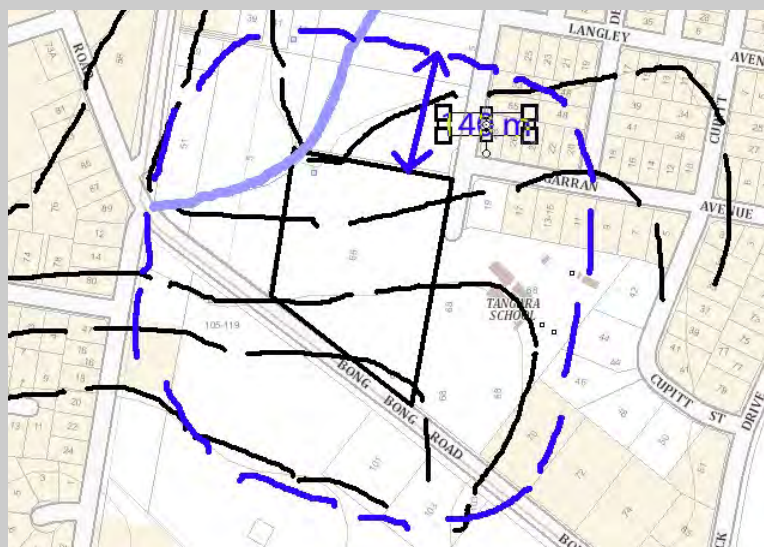
Forest  
FDI-100 at rear of property



2. Distance from proposed building to vegetation

35 meters

### 3. Effective slopes



140 m radius

5 m contours

North: 5 degrees downslope

Managed land

East: level

Managed land

South: up slope

Managed land

West: level

Managed land

AZP

North: 20 APZ

East: 20 APZ

South: 20 APZ

West: 20 APZ





4. FDI of forest

FDI-100

5. Highest available BAL

BAL nil

## PART E WATER SUPPLIES

Reticulated water supply available

Yes.

Hydrant points

Available on street

## PART F GAS SUPPLIES

Type

NA

## SUMMARY

Building to BAL-nil

## RECOMMENDATIONS

By applicant

Submit application for BAL-nil

END OF REPORT  
END OF DOCUMENT  
END OF FILE

## **APPENDIX 3**

### **DRAFT SUBDIVISION PLAN**







AERIAL PHOTO SOURCE - GOOGLE MAPS

**Location Plan**  
NOT TO SCALE

