

7.4 DRAFT PLANNING PROPOSAL - 20 TYLERS ROAD, BARGO

Reason for LPP Referral:	Local Planning Panel Direction – Planning Proposals, issued on 27 September 2018, requires all planning proposals be referred to the LPP for advice before Council considers the matter.
Address:	20 Tylers Road, Bargo
Lot & DP:	Lot 2, DP 270325
Current Zoning:	SP2 Infrastructure (Sewerage System) and E2 Environmental Conservation
Proposal:	Draft Planning Proposal to amend the Wollondilly Local Environmental Plan 2011
Applicant:	L & R Projects Pty Limited

EXECUTIVE SUMMARY

The Panel's advice is sought on a draft planning proposal received for land at 20 Tylers Road, Bargo.

The draft planning proposal predominantly seeks to rezone the portion of the site which is currently zoned SP2 – Infrastructure (Sewerage System). The SP2 portion of the site previously provided private wastewater treatment facilities to service the nearby Waratah Highland Retirement Village. The System has since been decommissioned and is no longer required now that Bargo has been connected to the Sydney Water reticulated wastewater system.

The draft planning proposal seeks to amend the *Wollondilly Local Environmental Plan 2011* to enable the SP2 portion of the site to be developed for rural residential housing.

The proposal seeks to do this by rezoning the land from its current Special Purpose zone to R5 Large Lot Residential with a minimum lot size for subdivision of 4,000 square metres and a maximum building height of 9 metres. It also seeks to amend the minimum lot size for subdivision for the portion of the site zoned E2 Environmental Conservation to enable it to be separated from the remainder of the site. If rezoned in the manner proposed, the proposal indicates that the site has the capacity for an additional 6 lots.

The recommendation was that the planning proposal as submitted, not be supported at this time. If Council are of the mind to support rural residential development, it is recommended that an amended planning proposal could be considered to achieve a better outcome for the site.

The recommendation of this report was communicated to the landowner and proponent who have indicated that they do not support the approach but have chosen not to withdraw the proposal. the Officer's report was based on a sound assessment of the planning issues.

Community and stakeholder feedback was invited during a preliminary consultation period between 18 March 2020 and 15 April 2020. No community submissions were received. A total five (5) submissions were received from Public Agencies.

PUBLIC SUBMISSIONS

There were no registered speakers for this item.

PANEL CONSIDERATIONS AND REASONS FOR ADVICE

During closed deliberations, the Panel noted:

1. The Panel concurs with the recommendation of the Council Officer's Report that the proponent's planning proposal not proceed to Gateway. Additional reasons for this position identified by the Panel for Council's consideration are the:
 - cumulative impacts on cultural heritage
 - and fragmentation of wildlife corridors.
2. In addition to the option presented in the Council Officer's Report that part of the site could be rezoned to RU4 Primary Production Small Lots, the Panel advises that the rezoning of that part to E4 Environmental Living should be considered, given the environmental characteristics and constraints of the site. The outcome of the Wollondilly LGA Koala Plan of Management should inform the future zoning. This has been included in the advice of the Panel.

DECISION

The Panel advises the Council that it:

1. **Agrees that the proponent's Draft Planning Proposal does not have strategic planning merit for the following reasons:**
 - a) **The proposal is inconsistent with the strategic planning framework including:**
 - ☐ the Western City District Plan
 - ☐ Create Wollondilly Community Strategic Plan 2033 (CSP)
 - ☐ Wollondilly 2040 (Council's Local Strategic Planning Statement),
 - b) **The proposal is inconsistent with Ministerial Direction 5.10 Implementation of Regional Plans,**
 - c) **The proposal is inconsistent with the Wollondilly Local Housing Strategy,**
 - d) **The proposal is premature as the Wollondilly Hazards Analysis and Emergency Management Study has not been completed,**
 - e) **The proposal has not addressed the potential impacts on biodiversity and koala linkages,**
 - f) **The proposal has not demonstrated that the interrelationship between the necessary setbacks for bushfire, flood prone land, riparian corridor, threatened ecological communities, and wastewater servicing can adequately be managed.**
 - g) **The proposal does not adequately address the cumulative impacts on threatened species and ecological communities, fragmentation of wildlife corridors and the heritage impacts on the cultural region known as the Bargo Brush.**
2. **Not support the Draft Planning Proposal for No 20 Tylers Road, Bargo in the form submitted by the proponent.**
3. **On the basis that the current zone is no longer appropriate, the following option be investigated by Council, subject to the completion of the outcomes of the Wollondilly LGA Koala Plan of Management. The proponent is urged to work with Council in this**

regard:

- a) **Amend the Land Zoning Map to rezone the area currently zoned SP2 Infrastructure (Sewerage System) to:**
 - ☐ **E2 Environmental Conservation for the area of SSTF in the north western corner and the riparian corridor,**
 - ☐ **RU4 Primary Production Small Lots for the remaining area or E4 Environmental Living, subject to further study of the constraints of the land. A change to the minimum lot size in these zones is not supported.**
 - b) **Amend the Natural Resources – Biodiversity Map to include all of the area currently zoned SP2 infrastructure (Sewerage System).**
- 4. **Encourage Council to commence the amended planning proposal with the above changes as soon as possible.**
 - 5. **Provides advice in accordance with the Local Planning Panel Direction – Planning Proposals issued on 27 September 2018.**

VOTING

4/0

The public part of the meeting closed at 4:39PM.

The full meeting closed at 6:51PM.

The minutes of this meeting were confirmed by the Chair.