



Precise Planning

Planning | Development | Management

12 June 2018

Our Ref: 1458

The General Manager
Wollondilly Council
PO Box 21
PICTON NSW 2571

Dear Sir

Planning proposal – West Tahmoor Minimum Lot Size Amendment No 3

I refer to the above matter and in particular Council's letter dated 4 May 2018. This letter provides a detailed response to the matters raised by Council.

In summary, please note the following:

- 1) This planning proposal does not seek to amend the underlying R2 Low Density Residential zone. It seeks merely to amend the minimum lot size to bring it into line with the minimum lot size across the majority of the precinct.
- 2) The proposal does not involve the extension of the existing Tahmoor urban area. The proposal is "*local infill development*" and applies solely to the existing urban area.
- 3) Fundamentally, the proposal can be considered from a place-based planning approach. It consolidates the existing edge of the township and is not contrary to the function Tahmoor plays in terms of the overall Wollondilly area. This application has the potential to create a maximum of 18 additional lots which will (in part) satisfy existing unmet local demand for land in Tahmoor.
- 4) All services and infrastructure are already in place to support a greater density of development. The planning proposal (and subsequent construction of dwellings) will have no unfunded demands for infrastructure for any tier of government, as all services infrastructure is in place and local and state contributions will ensure this proposal carried its share of the load in terms of the provision of infrastructure.
- 5) A preliminary review of the existing vegetation at the site confirms that there would be no significant impact as a result of the proposed reduction in the minimum lot size¹.

¹ Refer to letter from Ecoplanning dated 20 March 2018

- 6) The proposal is consistent with the principles, priorities, objectives, strategies and actions contained in the *Greater Sydney Region Plan: A Metropolis of Three Cities* ('GSRP') and the *Western City District Plan* ('WCDP').

Greater Sydney Region Plan and Western City District Plan

Responses to the matters raised in relation to the *Greater Sydney Region Plan: A Metropolis of Three Cities* ('GSRP') and the *Western City District Plan* ('WCDP') are provided in the following Tables.

Objectives

<i>Objectives</i>	<i>Response</i>
<p>Objective 22: <i>Investment and business activity in centres</i></p> <ul style="list-style-type: none"> <i>Expanding rural towns and villages beyond their current boundaries to accommodate new business activity should be considered only when this is linked to a growth management plan for the whole town or village, and should not compromise the values and character of nearby rural and bushland areas</i> 	<p>This proposal DOES NOT extend rural towns and villages beyond their current boundaries. The proposal relates to land which is already located in an R2 Low Density Residential zone and proposes a reduction in the minimum lot size, from 2,000sqm to 450sqm.</p> <p>The proposal is located within an area identified in the endorsed growth management plan.</p>
<ul style="list-style-type: none"> Objective 24: <i>Economic sectors are targeted for success</i> <i>The proximity of rural residential development to agricultural, mining and extractive industries that generate odour, noise and other pollutants can be a source of conflict. There is a need to provide important rural industries with certainty so their operations can continue without encroachment from incompatible land uses. At the same time, the protection of land for biodiversity offsets and the rehabilitation of exhausted resource extraction areas support the re-establishment of significant ecological communities in the Metropolitan Rural Area into the future.</i> 	<p>This planning proposal is not seeking to create a rural-residential subdivision, so this objective is not relevant to this proposal. The land is <u>already located</u> in an R2 Low Density Residential zone</p>
<p>Objective 27: <i>Biodiversity is protected, urban bushland and remnant vegetation is enhanced</i></p> <ul style="list-style-type: none"> <i>Providing incentives for landowners in the Metropolitan Rural Area to protect and enhance the environmental values of their land and connect fragmented areas of bushland can deliver better outcomes for biodiversity and greater opportunities to create biodiversity offsets</i> 	<p>The adjoining land is already the subject of a biobank certificate issued by OEH. A preliminary review of the existing vegetation at the site confirms that there would be no significant impact as a result of the proposed reduction in the minimum lot size².</p>
<p>Objective 28: <i>Scenic and rural landscapes are protected.</i></p>	<p>The proposed reduction in the minimum lot size will not threaten the scenic and rural landscape</p>

² Refer to letter from Ecoplanning dated 20 March 2018

Objectives Response

<ul style="list-style-type: none"> The Metropolitan Rural Area and the Protected Natural Area (ie National Parks) create a range of attractive visual settings to the north, west and south of Greater Sydney. With rising demand for biodiversity offsets and continuing support for traditional forms of agriculture within the Metropolitan Rural Area, more opportunities can be realized to protect and enhance natural landscapes. 	
<p>Objective 29: Environmental, social and economic values in rural areas are protected and enhanced.</p> <ul style="list-style-type: none"> Urban development is not consistent with the values of the Metropolitan Rural Area. This Plan identifies that Greater Sydney has sufficient land to deliver its housing needs within the current boundary of the Urban Area, including existing Growth Areas (ie Wilton). This eliminates the need for the Urban Area to expand into the Metropolitan Rural Area. From time to time, there may be a need for additional land for urban development to accommodate Greater Sydney's growth, but not at this stage. Future region plans will identify if additional areas of land in the Metropolitan Rural Area are required for urban development. Restricting urban development in the Metropolitan Rural Area will help manage its environmental, social and economic values, help to reduce land speculation, and increase biodiversity from offsets in Growth Areas and existing urban areas. Towns and villages: Maintaining and enhancing the distinctive character of each rural and bushland town and village is a high priority. Ongoing planning and management of rural towns and villages will need to respond to local demand for growth, the character of the town or village and the values of the surrounding landscape and rural activities. Rural lands: Parts of the urban-rural fringe are owned by Local Aboriginal Land Councils. Future planning of these areas may be more flexible in order to balance rural values with greater economic participation, and community and cultural uses by Aboriginal people 	<ul style="list-style-type: none"> This proposal is <u>not an expansion</u> of the Urban Area, insofar as the current R2 Low Density Residential zone will be retained. The proposal merely represents a modest intensification of the yield for the land in question. The proposal will not result in unmanageable environmental, social and economic impacts. The land, for all intents and purposes, is already constructed for residential development, with sewer, water, electricity, NBN and gas services all connected. Stormwater infrastructure is in place and a biobank certificate has already been issued by OEH for the adjoining land. A preliminary review of the existing vegetation at the site confirms that there would be no significant impact as a result of the proposed reduction in the minimum lot size³. The existing R2 Low Density Residential zone already permits a range of land uses other than residential accommodation, many of which are <u>urban</u> in nature. For example, the existing zone permits Boarding Houses, Child Care Facilities, Educational Establishments, Group Homes, Neighbourhood shops, Places of Public Worship, Respite Day Care Centres and Veterinary Hospitals. Therefore, "urban development" is already permitted on the site. Amending the minimum lot size to 450sqm as proposed will result in a high level of certainty as to the type of "urban development" is ultimately erected on the site, because the smaller lot sizes are really only appropriate for dwellings. Maintaining a 2000sqm minimum lot size in this location will not necessarily ensure a large lot single dwelling style development.

³ Refer to letter from Ecoplanning dated 20 March 2018

Objectives Response

- The land is not rural land, nor is it on the urban-rural fringe. The land to the west is a recreational zone.

TABLE 1

Objectives – Greater Sydney Regional Plan

Strategies

Strategy	Response
Strategy 16.1: Manage the interfaces of industrial areas, trade gateways and intermodal facilities (such as the Western Sydney Airport and Badgerys Creek Aerotropolis) by providing buffer areas to nearby activities such as residential uses that are sensitive to emissions from 24-hour port and freight functions	I see no relevance for this strategy in relation to the current planning proposal.
Strategy 29.1: Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes	The modest increase in dwelling density that would result from this planning proposal is consistent with, and not antithetic to, the environmental, social and economic outcomes pursued by the original rezoning of this precinct in 2014.
Strategy 29.2: Limit urban development to within the Urban Areas of Wollondilly	This proposal i) does not extend the Urban Area of Tahmoor; and ii) will not necessarily increase the “urbanization” of the land; and iii) is already zoned for urban purposes.

TABLE 2

Strategies – Greater Sydney Regional Plan

Planning Priorities

Planning Priority	Response
The District Plan informs local strategic planning statements and local environmental plans, the assessment of planning proposals as well as community strategic plans and policies	This proposal is not antithetic to the relevant principles, priorities, objectives, strategies and actions contained in the GSRP and WSDP
Liveability: A place-based and collaborative approach is required to maintain and enhance the liveability of the Western City District. This can be achieved by the following Planning Priorities: W3 – Providing services and social infrastructure to meet people’s changing needs W4 – Fostering healthy, creative, culturally rich and socially connected communities. W5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport.	W3 – Social infrastructure is typically assets such as schools, universities, hospitals, prisons, community housing, libraries, community centres, halls/hubs, childcare centres, affordable housing, sporting fields and the like. The proposal will assist in the provision of some of these social infrastructure assets through developer contributions to both Council and the State government.

Planning Priority Response

<p>W6 – <i>Creating and renewing great places and local centres, and respecting the District’s heritage.</i></p> <p>Sustainability: <i>For the District, an integrated approach to improving sustainability can be achieved by the following Planning Priorities:</i></p> <p>W12 – <i>Protecting and improving the health and enjoyment of the District’s waterways.</i></p> <p>W13 – <i>Creating a Parkland City urban structure and identity.</i></p> <p>W14 – <i>Protecting and enhancing bushland and biodiversity.</i></p> <p>W15 – <i>Increasing urban tree canopy cover and delivering Green Grid connections.</i></p> <p>W16 – <i>Protecting and enhancing scenic and cultural landscapes.</i></p> <p>W17 – <i>Better managing rural areas</i></p> <p>W18 – <i>Delivering high quality open space.</i></p> <p>W19 – <i>Reducing carbon emissions and managing energy, water and waste efficiently.</i></p> <p>W20 – <i>Adapting to the impacts of urban and natural hazards and climate change.</i></p>	<p>W4 – The subdivision allows the opportunity for a popular and affordable form of housing to meet local demand.</p> <p>W5 – The key focus of this priority is to provide housing diversity and choice in the right locations. The District Plan acknowledges (at page 44) the Wollondilly Growth Management Strategy 2011 which aims to focus the majority of new housing within or immediately adjacent to existing settlements. This proposal is consistent with this approach.</p> <p>The proposal provides housing supply, choice and affordability, with access to jobs because of easy access to Tahmoor, Southern Highlands, Picton and the motorway to Sydney. It is expected that public transport services will expand in the area in line with demand.</p> <p>W6 – The scale of the development and the built form will respect the District’s heritage</p> <p>W12 – The proposed development will demonstrate a Neutral or Beneficial Effect on local waterways.</p> <p>W13 – Whilst not specifically relevant, the development will include street planting in a landscaped surrounding.</p> <p>W14 – A biobank statement has already been issued over the adjoining site by OEH. A preliminary review of the existing vegetation at the site confirms that there would be no significant impact as a result of the proposed reduction in the minimum lot size⁴.</p> <p>W15 – Street tree planting will be undertaken with a future subdivision</p> <p>W16 – The site is not on a ridgeline or other scenic landscape</p> <p>W17 – The land is not rural – it is already zoned residential. This planning proposal seeks to amend the minimum lot size, not the underlying zone</p> <p>W18 – Whilst this proposal will not directly create public open space, it will contribute to the provision of open space through developer contributions</p> <p>W19 – The future development will be guided by the requirements of service agencies and the technology available at the time</p> <p>W20 – Site-specific hazards will be investigated as the Planning proposal is advanced.</p>
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⁴ Refer to letter from Ecoplanning dated 20 March 2018

Planning Priority Response

<p>W5: <i>Providing housing supply, choice and affordability, with access to jobs, services and public transport.</i></p> <ul style="list-style-type: none"> <i>Growth Area programs of the NSW DP&E guide the development of new communities in land release areas and provide significant capacity into the medium and longer term. These include the Wilton and parts of the Greater Macarthur Growth Areas.</i> 	<p>The proposal will provide a greater range of housing supply, choice and affordability generated by local demand and preferences.</p>
<p>W16: <i>Protecting and enhancing scenic and cultural landscapes.</i></p> <ul style="list-style-type: none"> <i>The Wollondilly LGA benefits from substantial areas of protected national parks, rivers and creeks, and water catchments that provide outstanding landscapes and views. Rural towns and villages in the valleys and plains to the east of the national parks are set between a series of hills and ridgelines that are special to the District's character and identity.</i> <i>Ridgelines are highly valued elements of scenic landscapes, and development should not diminish their scenic quality.</i> <i>Continued protect of the Western City District's scenic and cultural landscapes is important for the sustainability, liveability and productivity of the District. It can complement the protection of biodiversity and habitat, help manage natural hazards and support tourism. Protecting scenic and cultural landscapes can also help preserve links to Aboriginal cultural heritage.</i> 	<p>The development does not extend the existing urban area, nor does it extend to any ridgelines and therefore will not diminish their contribution to the scenic quality of the area at this location.</p> <p>A biobank certificate has already been issued for the adjoining site by OEH. A preliminary review of the existing vegetation at the site confirms that there would be no significant impact as a result of the proposed reduction in the minimum lot size⁵.</p> <p>Natural hazards will be avoided.</p> <p>An Aboriginal Archaeological investigation has been undertaken for the site and an AHIP has been issued by OEH.</p>
<p>W17: <i>Better managing rural areas.</i></p> <ul style="list-style-type: none"> <i>The Region Plan takes a strategic approach to delivering Greater Sydney's future housing needs within the current boundary of the Urban Area including Growth Areas. Urban development in the Metropolitan Rural Area will only be considered in the urban investigation areas identified in A Metropolis of Three Cities (no urban investigation areas are located in the Wollondilly Local Government Area). This approach protects and supports agricultural production and mineral resources by preventing inappropriately dispersed urban activities in rural areas.</i> <i>Maintaining and enhancing the distinctive character of each rural and bushland town and village is a high priority. Ongoing planning and management of rural towns</i> 	<ul style="list-style-type: none"> <i>This proposal does not extend the existing urban area beyond the current boundaries.</i> <i>The planning proposal will have no adverse impact on the distinctive character of Tahmoor and will have no impact on existing rural areas or agricultural operations.</i> <i>It is logical to permit an increased density in this location, rather than extend the existing limit of the Tahmoor urban area.</i>

⁵ Refer to letter from Ecoplanning dated 20 March 2018

Planning Priority Response

<p>and villages will need to respond to local demand for growth, the character of the town or village and the surrounding landscape and rural activities. Rural and bushland towns and villages will not play a role in meeting regional or district scale demand for residential growth.</p> <ul style="list-style-type: none"> Rural-residential development is not an economic value of the District's rural areas and further rural residential development is generally not supported. Limited growth of rural residential development could be considered where there are no adverse impacts on the amenity of the local area and the development provides incentives to maintain and enhance the environmental, social and economic values of the Metropolitan Rural Area. <p>W20: Adapting to the impacts of urban and natural hazards and climate change.</p> <ul style="list-style-type: none"> Consideration of natural hazards and their cumulative impacts includes avoiding growth and development in areas exposed to natural hazards and limiting growth in existing communities that are exposed and vulnerable to natural hazards 	<p>The subject site is not subject to flooding or geotechnical instability.</p> <p>Bushfire risks may be mitigated by maintaining APZs.</p>
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TABLE 3

Planning Priorities – Western City District Plan

Actions

<i>Actions</i>	<i>Response</i>
<p>Action 35: Protect and support agricultural production and mineral resources (in particular, construction materials) by preventing inappropriately dispersed urban activities in rural areas</p>	<p>There will be no loss of agricultural production nor mineral resources.</p> <p>This location is not “inappropriately dispersed”, but rather is an appropriate intensification of an existing urban area.</p>
<p>Action 41: Consider opportunities to enhance the tourist and visitor economy in the District, including a coordinated approach to tourism activities, events and accommodation</p>	<p>N/A</p>
<p>Action 78: Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes</p>	<p>As noted previously, the proposal relates to land currently zoned for residential purposes which is identified within the Council endorsed Wollondilly Growth Management Strategy 2011.</p>

Actions Response

	<p>The proposal will not limit the delivery of the specific environmental, social and economic outcomes intended by Amendment 3 WLEP 2011 as:</p> <ul style="list-style-type: none"> • Environmentally sensitive riparian areas have been protected as part of the initial rezoning • Developer contributions will help fund social outcomes • Building activities will generate economic activity and increased population will generate increased commercial activity in Tahmoor
<p>Action 79: <i>Limit urban development to within the Urban Areas of Wollondilly (including the Wilton Growth Area)</i></p>	<p>Action 79 refers to the extension of existing urban areas beyond the current limits of the town. As noted, this planning proposal does not extend the limits of the urban area beyond the town, but rather is based on an existing R2 zone. The proposal does not seek to change the underlying zone, rather it seeks to simply amend the minimum lot size to enable the same density of development that is applicable across the majority of the precinct.</p>
<p>Action 88: <i>Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards</i></p>	<p>The subject site is not subject to flooding or geotechnical instability. Bushfire risks may be mitigated by maintaining APZs.</p>

TABLE 4

Actions – Western City District Plan

This proposal will be a positive outcome for the local area, in terms of environmental, social and economic outcomes. It is contended that this proposal is consistent with, and not antithetic to, the Greater Sydney Regional Plan and the Western City District Plan, as demonstrated above, because it has evolved through a place-based planning approach. This proposal is good for Wollondilly and Council’s support is strongly encouraged.

I look forward to a favourable outcome.

Yours faithfully

PRECISE PLANNING



