

Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

GR6

**Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

276906

TRIM 7856, 9435, 6116, 10276, 10359 & 8154-3

**EXECUTIVE SUMMARY**

- The purpose of this report is to brief Council on the ongoing assessment of current Planning Proposals that have not received Gateway Determination.
- The Proponents of these Planning Proposals were asked to provide further justification for their proposal in response to the Metropolitan Rural Area provisions contained in the Greater Sydney Region Plan: A Metropolis of Three Cities, the Western City District Plan released in March 2018 and subsequent advice received from the Greater Sydney Commission regarding application of these provisions.
- This report recommends that:
  - Council invite the Proponents for Eltondale Release Area, West Thirlmere, and Tahmoor Town Centre to withdraw their planning proposals.
  - Council continue to assess the planning proposal for Barkers Lodge Road, Picton. In terms of the ongoing assessment, Council request further justification for the proposal, particularly in terms of its ability to enhance the environmental, social and economic values of the Metropolitan Rural Area. As an alternative the Proponent may wish to withdraw the proposal.
  - Council continue to assess the planning proposals for West Tahmoor and Ironbark Road. Further reports be brought to Council with a detailed assessment for each proposal.

**REPORT**

**BACKGROUND**

At its Ordinary Meeting held 19 March 2018, Council considered Item GR5 relating to dwelling statistics across the Shire. The report provided raw statistical data on population and dwelling numbers and current planning proposals under assessment. Council resolved to note and discuss the information at a Councillor Workshop.

Since that time, a number of related strategic planning reports have been considered by Council including:

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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

- 16 April 2018: GR2 – Environmental Planning and Assessment Act Amendments and Local Planning Statements
- 18 June 2018: GR4 - Reviewing the Wollondilly Growth Management Strategy 2011
- 18 June 2018: GR1 – Proposed Commencement of Low Rise Medium Density Housing Code and Greenfield Housing Code.

At the Councillor Workshop held 4 June 2018, it was considered necessary to require the Proponents for those planning proposals which have not reached Gateway Determination stage to address the Metropolitan Rural Area ('MRA') provisions in the Greater Sydney Region Plan: A Metropolis of Three Cities ('Regional Plan') and Western City District Plan ('District Plan').

Consequently Council staff wrote to the relevant Proponents, seeking further justification for their proposal in response to the MRA provisions.

On 14 May 2018, the Greater Sydney Commission ('GSC') provided advice about the application of the MRA provisions. This advice was forwarded to the Proponents requesting that the contents of the letter be considered in their response to Council due 4 June 2018.

A copy of the submission for each proposal is included in the Attachments booklet. A brief summary of those responses is provided as follows:

**ELTONDALE RELEASE AREA, SILVERDALE**

**Proposal**

To rezone approximately 1,595 hectares of land for purposes including a range of housing types, employment lands, town and neighbourhood centres, local schooling opportunities, open space and environmental conservation.

The current proposal estimates 8,944 residential lots housing an estimated population of 25,937.

A large proportion of this site is within the protected airspace known as the Obstacle Limitation Surface ('OLS') for the Western Sydney Airport. The site is also subject to the Australian Noise Exposure Concept Contours ('ANEC') and likely to be subject to Australian Noise Exposure Forecast ('ANEF') Contours of above 20. A location map, and an OLS map for the site are provided at Attachment 1.

**Applicant's Response Summary**

Correspondence from the Proponent dated 1 June 2018 included the following points:

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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

- Council's determination of the proposal has been put on hold pending the review of its Growth Management Strategy.
- A Stage 1 Planning Proposal relating to part of the broader Eltondale site will shortly be lodged with Council. It relates primarily to the residential and tourism development of a central portion of land.
- Other stages will follow the lodgement following the Stage 1 Proposal.
- It is intended that the Stage 1 proposal will be submitted with full documentation that addresses the policy framework that is contained within the recent Region Plan and the District Plan.

**BARKERS LODGE ROAD, PICTON**

**Proposal**

The proposal would seek to rezone a portion of the site to a SP3 Tourist Zone and a separate portion on the eastern side of the site to R5 Large Lot Residential.

The aim of the proposal would be to develop a tourism facility for Picton that would include:

- a reception/convention facility
- restaurant
- short-term tourist accommodation (to be subdivided by a community scheme or strata)
- on-site package sewerage treatment plant.

The proposal also includes a standalone large lot residential precinct. Potentially 31 lots would be created housing an estimated population of 90.

**Applicant's Response Summary**

Regional Plan Objectives:

*Objective 22: Investment and business activity in centres*

- a tourist facility such as the one proposed is most appropriately located in a rural area
- the proposal is not "expanding rural towns and villages beyond their current boundaries", rather proposing a tourist facility in a rural area

*Objective 24: Economic sectors are targeted for success*

- a significant number of smaller rural residential lifestyle lots have already been created to the west and east (and to a lesser degree to the south) of the subject land, to the extent that the creation of the lots proposed by this application could almost be considered "infill development"

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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

- proposed lots would not create land use conflict with any agricultural, mining or extractive use into the future, certainly to no greater degree than the small lots already created
- the proponent is prepared to examine bio-banking opportunities
- the proponent would be agreeable to increase the minimum lot size from 4,000m<sup>2</sup> to 1 ha.

*Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced*

- redevelopment areas of the site would not impact on any significant biodiversity areas, urban bushland or remnant vegetation.

*Objective 28: Scenic and rural landscapes are protected*

- historic clearing of the land has occurred and it has been used for light, low-impact grazing over many years
- the tourist facility will be architecturally designed to be sensitive to the environment and the character of the area, particularly in relation to height and use of materials.

*Objective 29: Environmental, social and economic values in rural areas are protected and enhanced*

- the predominant purpose of the planning proposal relates to the tourist facility but in order to ensure that the tourist facility continues to be sustainable, the small lot rural residential component would be a hedge for the risk involved in the project
- in terms of place-based planning it is argued that Picton requires an economic stimulus and this may be partly achieved by tourism
- both the tourist facility and the small lot development is meeting a demonstrated demand within the local area.

Regional Plan Strategies:

*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*

- see Objective 29 above.

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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

*Strategy 29.2: Limit urban development to within the Urban Areas of Wollondilly*

- there are no existing urban areas in Wollondilly that are providing 1ha lots as a lifestyle choice
- whilst urban development in its truest sense may be confined to urban areas, the tourist facility is not urban in character and the 1ha subdivision, being sufficient land for small scale rural pursuits is also not “urban” in character.

District Plan - Planning Priorities:

*Liveability: A place-based and collaborative approach is required to maintain and enhance the liveability of the Western City District (Priorities W3-W6)*

- the tourist facility provides a function centre for hire and its ambition to provide a platform for local produce growers to showcase their fresh fruit and vegetables
- a dynamic meeting place is envisaged for locals, through the restaurant and the fresh produce fair
- opportunity for a popular form of housing (1ha lots) to meet local demand is created.

*Sustainability: For the District, an integrated approach to improving sustainability can be achieved through a number of planning priorities (Priorities W12-20)*

- local waterways would be protected
- the location of the development generally coincides with cleared pasture paddocks and bio-banking is feasible on some areas of the site
- avoidance of development on the ridgelines would protect the scenic landscape
- the proposal is a productive and efficient use of rural land
- investigation of utilising alternate forms of delivering energy to the development would be undertaken by the proponent
- the rural residential component of this proposal should be included in the “limited growth of rural residential development could be considered” category, as the proposal offers areas for bio-banking and provides a platform for increased economic activity for local fresh produce growers.

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

District Plan Actions:

*Action 35: Protect and support agricultural production and mineral resources (in particular, construction materials) by preventing inappropriately dispersed urban activities in rural areas*

- it is argued the Proponent's contention that the proposal has the potential to support agricultural production.

*Action 41: Consider opportunities to enhance the tourist and visitor economy in the District, including a coordinated approach to tourism activities, events and accommodation*

- it is espoused that proposal actively satisfied this Action.

*Action 78: Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes*

- see Objective 29 and Planning Priorities Liveability above.

*Action 79: Limit urban development to within the Urban Areas of Wollondilly (including the Wilton Growth Area)*

- the proposal is based on furthering the interests of the Picton area through a place based planning approach, delivering tourism facilities and a small-scale, low-impact subdivision to meet the aspirational demands of locals in the second, third and fourth home buyer market.

*Action 88: 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*

- the subject site is not subject to flooding
- geotechnical stability assessments can be undertaken as the proposal progresses
- bushfire risks may be mitigated by maintaining Asset Protection Zones.

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

**WEST THIRLMERE**

**Proposal**

The application seeks to rezone the southern portion of the subject lands directly west of residential Thirlmere to Low Density Residential (Zone R2) to permit residential development and a small Neighbourhood Centre (Zone B1). The application seeks to rezone the mid portion of the subject lands to Large Lot Residential (Zone R5), and the northern portion of the subject lands to Rural Small Holdings (Zone RU4).

Potentially 1,800 lots would be created housing an estimated population of 4,200.

It is noted that the submission from the Proponent now describes the proposal as:

*'This Planning Proposal is not intended to accommodate new business activity. It is for rural urban fringe development equivalent to the R5 Zone in WLEP 2011.'*

The application covers some 172 existing allotments of land.

**Applicant's Response Summary**

Regional Plan Objectives:

*Objective 24: Economic sectors are targeted for success*

- a number of rural/agricultural industries that have the potential to generate odour, noise and other pollutants including several poultry farms and a large orchard are included within the land area
- the rezoning to RU1 was intended to protect existing agricultural enterprises and promote new ones
- despite the RU1 zoning there are only two (2) commercial poultry farms, the Thirlmere Duck farm which has been forced to close or reduce operations and Silm's orchard operating in that zone
- the area has some considerable vegetation and watercourse constraints that will be impediments on future development, but the greatest problem for agricultural production is the current fragmentation
- whilst protection is required to maintain the existing poultry farms it is unlikely that any new ones will be established in the study area due to public objection
- low intensity R5 zoned allotments in appropriate areas can still achieve Objective 24.



**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

*Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced*

- if Council supports the proposal to the Gateway determination, specialist studies would be carried out to identify the biodiversity corridors and environmental values
- rezoning to R5 would provide an incentive to land owners to protect and enhance the environmental values

*Objective 28: Scenic and rural landscapes are protected*

- Thirlmere has changed in the last 20 years from an agricultural area to a rural lifestyle area.
- intensive poultry farms are more akin to industrial than agricultural use
- the proposed R5 rezone would protect and enhance the remaining natural landscapes.

*Objective 29: Environmental, social and economic values in rural areas are protected and enhanced*

- Thirlmere has almost all its development east of Matthews Creek and thus Thirlmere has struggled for commercial viability and has not competed well with Picton or Tahmoor
- expansion to the West Thirlmere area with R5 style development is an enhancement of the existing village of Thirlmere without the urban sprawl
- future specialist studies would include an Aboriginal Cultural Impact Assessment so any sites of concern could be identified and protected
- the number and type of allotments in the Wilton Growth area would do nothing to enhance Thirlmere village
- the PP provides an opportunity for the expansion of Thirlmere to meet the growing demand for larger allotments that is not being catered for within the urban growth areas.

Regional Plan Strategies:

*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*

- this proposal is based on Thirlmere's characteristics and the future development for lifestyle allotments would achieve the targeted outcomes
- from an environmental outcome, the sensitive areas and corridors can be identified and mapped so as to enhance and protect them from future development



---

Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

- this proposal presents an opportunity for significant flood water detention (through the use of rainwater tanks) having a potentially positive effect on flooding as a substantial proportion of flood waters enter Stonequarry Creek via the Cedar Creek catchment.

*Strategy 29.2: Limit urban development to within the Urban Areas of Wollondilly*

- the West Thirlmere PP is not seen as urban development as it would be quite diverse with the environmental constraints but it is around the existing urban area and enhances the existing village of Thirlmere.

District Plan - Planning Priorities:

*Liveability: A place-based and collaborative approach is required to maintain and enhance the liveability of the Western City District (Priorities W3-W6)*

- Thirlmere has well-formed social infrastructure thus opportunity for a popular form of housing (1ha lots) to meet local demand is created
- development in West Thirlmere will enhance the strong social and community values that exist in Thirlmere  
the overall number of allotments and rate of delivery of allotments has not kept pace with the demand for larger lifestyle allotments especially as there are an increasing number of people coming from the Badgerys Creek, Leppington, Rossmore areas looking for larger allotments as they are squeezed out
- when people move from smaller allotments to larger allotments they leave behind second hand dwellings that are suitable for the affordable housing market thus West Thirlmere will provide for a range of affordability and housing types
- Thirlmere village has the heritage precincts and buildings as well as the historical cadastral framework and the development of West Thirlmere would assist in making this local centre more viable without impacting on other business centres.

*Sustainability: For the District, an integrated approach to improving sustainability can be achieved through a number of planning priorities (Priorities W12-20)*

- the West Thirlmere Planning Proposal study would provide the opportunity for studies of waterways to take place and this would lead to better identification of strategies to protect and enhance the local waterways
- R5 type of development envisaged would by necessity put a greater emphasis on enhancing the bushland and biodiversity and critical areas could be given an E2 zone

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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

- agricultural land has been historically fragmented and a large section of the West Thirlmere study area is already zoned RU4 (not identified as prime agricultural land) for rural lifestyle lots of 2 ha size
- it would be necessary for private landowners to provide shared cycle ways and pedestrian routes throughout the West Thirlmere area and this will not occur without the incentive of development
- it is quite clear that Wollondilly Shire Council's intention for the past 20 years has been to have some form of rural/residential development in this locality
- it is espoused that the PP involves limited growth with positive outcomes for the management of natural hazards.

District Plan Actions:

*Action 35: Protect and support agricultural production and mineral resources (in particular, construction materials) by preventing inappropriately dispersed urban activities in rural areas*

- support for agricultural production is no longer economically sustainable or practical in the West Thirlmere Area because the cost of purchasing land in the West Thirlmere study area is also prohibitive for agricultural production as it is valued as residential lifestyle land.

*Action 41: Consider opportunities to enhance the tourist and visitor economy in the District, including a coordinated approach to tourism activities, events and accommodation*

- Thirlmere would only have strong local businesses and tourism undertakings if they are supported by additional residents and additional patronage.

*Action 78: Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes*

- the West Thirlmere PP area is place-based that provides for housing, large allotment sizes, protection of its unique landscapes, greater protection from bushfire hazards and countless other outcomes which not apply to anywhere else.

*Action 79: Limit urban development to within the Urban Areas of Wollondilly (including the Wilton Growth Area)*

- it is suggested that the West Thirlmere PP area is not considered to be urban in nature but it does augment an existing village and is not a green fields site.

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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

*Action 88: 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*

- see 'Strategy 29.1' above
- geotechnical stability assessments can be undertaken as the PP progresses
- bushfire risks may be mitigated by maintaining Asset Protection Zones.

Issues raised in correspondence received from the Greater Sydney Commission dated the 10th May 2018:

*Maintaining and enhancing the distinctive character of each rural and bushland town and village is a high priority*

- low-density R5 development would enhance the bushland areas and distinctive character of Thirlmere by providing development that is consistent with its history whilst restoring its position as a viable rural village.

*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 surrounding landscape and rural activities*

- see the section under 'Liveability' earlier in this part of the report.

*Rural and bushland towns and villages will not play a role in meeting regional or district scale demand for residential growth*

- it is submitted that the West Thirlmere PP area will not play a role at all in meeting regional and district scale growth as regional growth is extremely large scale and district growth includes new suburbs or towns.

**65-95 IRONBARK ROAD, BARGO**

**Proposal**

The Planning Proposal is seeking to rezone the land from RU4 Primary Production Small Lots to a mix of R2 Low Density Residential and R3 Medium Density Residential. It also entails amending the minimum lot size map from 2ha to a mix of 700m<sup>2</sup> and 975m<sup>2</sup> and introducing a maximum building height of 9 metres.

Potentially 60 lots would be created housing an estimated population of 174.

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

**Applicant's Response Summary**

A response was received on 6 June 2018 and the following general points were made:

- The planning proposal is consistent with both Council's and the community's expectations for growth in Bargo, as set out in the Growth Management Strategy 2011 ('GMS')
- It is not proposed to extend residential development beyond the confines of the existing village, because the edge of the village to the north is now 95 Great Southern Road
- It is understood Council does not favour the introduction of R3 zoned land at this locality. The R3 proposal was introduced to encourage some housing diversity. The proponent is agreeable to enter into discussions with Council in relation to zone and minimum lot sizes, provided it is generally supportive of the proposal
- The Proponent is open to approaching the landowners up to Hawthorne Road to be included and notes that Council could unilaterally include them in the planning proposal in any case. If this were to occur, the proposal would adjoin existing residential zoned land and address Council's concern regarding this land "leapfrogging" other land
- No unfunded demands for infrastructure for any tier of government would arise from the proposal
- In terms of GMS targets Bargo would have a shortfall of 1,627 houses.

**Regional Plan Objectives:**

*Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced*

- the vegetation on the site has been assessed by Ecoplanning and it is considered too small an area for preservation under bio-banking. There is no opportunity to reconnect fragmented bushland due to the imminent rezoning of 95 Great Southern Road and 55 Government Road.

*Objective 28: Scenic and rural landscapes are protected*

- this area is not a rural area in the common understanding of the term because it is at the edge of existing urban development constituting a holding pattern awaiting a rezoning so that it can become productive again.

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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

*Objective 29: Environmental, social and economic values in rural areas are protected and enhanced*

- this proposal is consistent with the GMS, which is in essence a place-based planning document
- the proposed development will result in manageable environmental, social and economic impacts
- there is a demonstrable local demand for lots in Bargo, as recently demonstrated by the marketing activity that has occurred on 95 Great Southern Road
- the proposal will enhance the distinctive character of Bargo, through the creation of residential lots at the edge of the existing village.

Regional Plan Strategies:

*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*

- see response to 'Objective 29' immediately above.

*Strategy 29.2: Limit urban development to within the Urban Areas of Wollondilly*

- it is contended this strategy relates to developments that are intended to play a role in helping to achieve regional and district housing targets for the whole of Sydney rather than local development.

District Plan - Planning Priorities:

*Liveability: A place-based and collaborative approach is required to maintain and enhance the liveability of the Western City District (Priorities W3-W6)*

- the proposal would assist in the provision of some social infrastructure assets through developer contributions
- an opportunity for a popular and affordable form of housing to meet local demand would be created
- the proposal provides housing supply, choice and affordability, with access to jobs because of easy access to the Bargo village, southern highlands, Tahmoor/Picton and the motorway to Sydney. It is expected that public transport services will expand in the area in line with demand
- scale of the development and the built form would respect the District's heritage.

---

Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

*Sustainability: For the District, an integrated approach to improving sustainability can be achieved through a number of planning priorities (Priorities W12-20)*

- no detrimental impact on waterways is anticipated
- removed vegetation will be offset with credits
- street tree planting would be undertaken
- the site is not on a ridgeline or other scenic landscape
- proximity to the existing residential area means the site is not used for any intensive rural use
- whilst this proposal will not directly create public open space, it will contribute to the provision of open space through developer contributions
- site-specific hazards would be investigated as the Planning Proposal is advanced.

District Plan Actions:

*Action 35: Protect and support agricultural production and mineral resources (in particular, construction materials) by preventing inappropriately dispersed urban activities in rural areas*

- an infill subdivision is proposed on land already identified for potential residential growth.

*Action 78: Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes*

- see response to 'Objective 29' above.

*Action 79: Limit urban development to within the Urban Areas of Wollondilly (including the Wilton Growth Area)*

- see 'Strategy 29.2' above.

*Action 88: 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*

- see 'Sustainability' above
- the subject site is not subject to flooding, geotechnical stability assessments can be undertaken as the Planning Proposal progresses and Bushfire risks may be mitigated by maintaining Asset Protection Zones.

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

Issues raised in correspondence received from the Greater Sydney Commission dated the 10th May 2018:

Matters included in the abovementioned correspondence were not separately addressed in the submission. It is considered that the information provided above provides relevant information in any event.

**TAHMOOR TOWN CENTRE**

**Proposal**

The key objective of this proposal is to allow for an increase in the maximum building height limit currently applicable to the subject site, being the land bounded by Thirlmere Way, York Street, Larkin Street and George Street in Tahmoor. This would facilitate a future vertical extension to the already approved expansion of Tahmoor Town Centre, to allow for medium density residential development in the form of apartment style housing above ground floor retail use.

The maximum building height sought would be an increase from the current limit of 11 metres to a maximum of 30 metres for the subject site equating to a six storey building height.

Potentially 432 dwellings would be created housing an estimated population of 1,253.

**Applicant's Response Summary**

Regional Plan Objectives:

*Objective 24: Economic sectors are targeted for success*

- vertical expansion of Tahmoor Town Centre sought in the subject proposal allows the increased provision of more diverse and affordable housing within an established local centre whilst avoiding the need for additional release of rural, environmental, landscape or otherwise valued land for urban purposes.

*Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced*

- the proposal is located on an already developed site and seeks a vertical extension of Tahmoor Town Centre so the proposal would not impact upon any environmental values or sensitive land.



**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

*Objective 28: Scenic and rural landscapes are protected*

- Tahmoor Town Centre as it stands would not comprise a regionally significant scenic or cultural landscape.
- given the location of the subject site within the centre of Tahmoor Township and the nature of proposed building height increase within only a very limited area affecting only Tahmoor Town Centre there is little scope for the subject proposal to pose any risk to any important scenic or cultural landscapes

*Objective 29: Environmental, social and economic values in rural areas are protected and enhanced*

- there is no need to alter the boundaries of the urban area or seek the release of additional non-urban areas within the Metropolitan Rural Area for urban development
- local population growth would be accommodated within Tahmoor in what is deemed to be a suitable location in terms of social, economic and environmental benefit
- the subject site has been selected for its highly suitable location in terms of economic, commercial, social, transport, health, educational, community and other essential considerations and criteria, with the location and subject site itself already destined for significant change into the future regardless of the success of this proposal
- it is acknowledged this proposal seeks a noticeable change in the nature of development scale and density within the subject site and Tahmoor Township, it is considered to be a change which can still achieve an appropriate balance between future growth and maintaining the “rural living” identity of the Shire
- this proposal is not anticipated to result in any concerns regarding aboriginal cultural heritage or the Local Aboriginal Land Council.

Regional Plan Strategies:

*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*

- it is not considered that this proposal relating only to increasing building height limits within the same building footprint would have an adverse environmental impact

---

Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

- from a social point of view the proposal site has been chosen for its highly suitable location which presents a unique opportunity given its ready access to main road transport corridors and linkages to essentially all corners of the Shire, available utility infrastructure, immediate access to public transport options including rail, commercial and recreational services and facilities, as well as being within walking distance of further community, educational, medical, religious, and other necessary and important services and facilities required to support a local residential population
- potential future urban sprawl is reduced
- proposed increased residential density will lead to a significant growth in the local consumer population base right in the centre of Tahmoor that would support the economic stability of the local centre
- production of housing at a higher density within an urban footprint as facilitated by this proposal would result in reduced development costs thus contributing to the availability of more affordable housing.

*Strategy 29.2: Limit urban development to within the Urban Areas of Wollondilly*

- the proposal does not seek to expand the physical boundaries of urban development areas in Tahmoor.

District Plan - Planning Priorities:

*Liveability: A place-based and collaborative approach is required to maintain and enhance the liveability of the Western City District (Priorities W3-W6)*

- see Objectives 28 and 29 and 'Strategy 29.1' above
- the built environment can encourage healthy communities by creating mixed-use centres that provide a convenient focus for daily activities, which is achieved by the subject proposal
- within the Wollondilly Shire the number of households in higher density forms of housing (residential flat buildings) is statistically insignificant despite being an increasingly sought-after form of residential accommodation for various sectors of the community.

*Sustainability: For the District, an integrated approach to improving sustainability can be achieved through a number of planning priorities (Priorities W12-20)*

- no detrimental impact on waterways is anticipated
- see Objectives 28 and 29 and 'Strategy 29.1' above
- the relatively small site is within the urban centre of Tahmoor where there is little scope for increasing urban tree canopy cover or delivering green corridor connections

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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

- given the very limited site-specific nature of this proposal, there is little scope for the provision of open space but the subject proposal would likely result in significant developer contributions which would be financially beneficial for the provision of local services and facilities by Council, including in relation to the provision and improvement of public open spaces within the Shire
- options for improved energy efficiency can be considered as part of the future design process of any development facilitated by this proposal
- the site is located within Bargo Mine Subsidence District and so appropriate consultation would need to be undertaken with Subsidence Advisory NSW as part of any future development of the land.

District Plan Actions:

*Action 35: Protect and support agricultural production and mineral resources (in particular, construction materials) by preventing inappropriately dispersed urban activities in rural areas*

- agricultural or mineral resources production would not be impacted upon.

*Action 41: Consider opportunities to enhance the tourist and visitor economy in the District, including a coordinated approach to tourism activities, events and accommodation*

- Tahmoor township is not known as a tourist/visitor centre of the Shire and so this action is not considered highly applicable to the subject proposal which is only for a vertical extension of Tahmoor Town Centre.

*Action 78: Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes*

- see 'Strategy 29.1' above.

*Action 79: Limit urban development to within the Urban Areas of Wollondilly (including the Wilton Growth Area)*

- see 'Strategy 29.2' above.

*Action 88: 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*

- see 'Sustainability' above
- the subject site is not affected by any natural constraints or natural hazards such as bushfire or flooding.

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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

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**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

Issues raised in correspondence received from the Greater Sydney Commission dated the 10th May 2018:

*Maintaining and enhancing the distinctive character of each rural and bushland town and village is a high priority*

- it is acknowledged that the subject proposal will result in a change in visual character of Tahmoor township however the proposal is located on top of an already approved horizontal expansion of Tahmoor Town Centre with the height limit proposed considered one which can achieve the desired nature of medium-density “shoptop” style housing without being an overwhelming or an adverse transformation of the current character of Tahmoor.

*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 surrounding landscape and rural activities*

- see the sections under 'Liveability' and 'Sustainability' earlier in this part of the report.

*Rural and bushland towns and villages will not play a role in meeting regional or district scale demand for residential growth*

- it is submitted that the Tahmoor Town Centre proposal area will not play a role at all in meeting regional and district scale growth as regional growth is extremely large scale and district growth includes new suburbs or towns.

**WEST TAHMOOR**

**Proposal**

The proposal seeks to increase the potential density of residential development on the site by reducing the minimum lot size for subdivision from 2,000 m<sup>2</sup> to 450 m<sup>2</sup>.

The subject site is 1.06 hectares and is part of the Picton Tahmoor Thirlmere (PTT) West Tahmoor Precinct. The site has current potential for 5 lots without any further rezoning.

The subject planning proposal would increase the potential yield to 20 lots housing an estimated population of 58.

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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

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**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

**Applicant's Response Summary**

A response from the Proponent dated 12 June 2018 is included in the Attachment booklet. Due to the reporting deadlines a summary of the response has not been provided in the body of this report.

**IMPLEMENTATION OF THE METROPOLITAN RURAL AREA PROVISIONS**

**Greater Sydney Commission Correspondence**

Correspondence from the Greater Sydney Commission dated 10 May 2018 regarding expansion of rural towns and villages offered the following guidance:

*'.... planning proposals that seek to facilitate growth in rural towns and villages, such as Silverdale, will need to consider how the proposal responds to local demand for growth, maintains and enhances the character of the town or village, the surrounding landscape and rural activities. In line with Action 78 of the Western City District Plan, council is to consider these issues having regard to a place-based planning approach that examines the environmental, social and economic values of the rural area. Council is also to consider the role of towns and villages in the Metropolitan Rural Area and in the context of supporting local growth.'*

*.... The Western City District Plan is clear that towns and villages in the Metropolitan Rural Area will not play a role in meeting regional or district scale demand for residential growth. This is a fundamental consideration for any planning proposal in the Metropolitan Rural Area.*

*The alignment of growth with infrastructure is a major theme on the Region and District Plans. Allowing only local growth of towns and villages in the Metropolitan Rural Area is a key part of this approach. This is particularly relevant in Wollondilly, given the capacity to accommodate growth within the Growth Areas in Wollondilly and in other nearby local government areas.'*

**Wollondilly Community Strategic Plan**

Growth is addressed in the Wollondilly Community Strategic Plan 2033 (CSP) adopted in June 2017. In respect of growth the CSP states:

*'The current estimated population of Wollondilly Shire is approximately 48,000 and Council is predicting that this number could head towards 100,000 or beyond over the next 20 to 30 years. Council will be planning for this growth to occur in accordance with the following four key principles and objectives:*

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

1. *Rural Protection*

*Council is committed to managing growth so as to:*

- *Protect our rural lands, rural landscapes, and their surrounding environments.*
- *Protect the natural resources and systems upon which agriculture depends.*
- *Support and maintain a viable agricultural industry and encourage further agricultural investment in the Shire.*
- *Minimise the fragmentation of rural lands.*
- *Minimise rural land use conflict.*

2. *Growth in and around our existing towns*

*Council will only support appropriately scaled growth within and around its existing towns and villages that:*

- *Respects the character, setting and heritage of those towns and villages.*
- *Supports the economic and social sustainability of those towns and villages.*
- *Mitigates or minimises adverse environmental impacts.*
- *Retains green space / rural lands separation between towns and villages.*
- *Incorporates appropriate and timely infrastructure provision to meet the needs of the existing and incoming population.*
- *Addresses cumulative impacts and infrastructure requirements when considered in conjunction with other growth proposals.*
- *Does not compromise or conflict with the concept and vision of Rural Living (as defined in the following section of this CSP).*
- *Has incorporated, and has been informed by, extensive community engagement.*

3. *Wilton New Town*

*Council's priority focus for growth will be the development of a new town at Wilton and Council will not support the development of new towns or villages in other areas of the Shire. The vision for Wilton is to create a major new town over the next 20 – 30 years which will incorporate 16,600 homes for a population of approximately 50,000.*



**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

The Western Sydney District Plan

In addition to the principles and actions identified above, it is noted that the District Plan provides the following clear advice in relation to the MRA:

*"Urban development in the Metropolitan Rural Area will only be considered in the urban investigation areas identified in A Metropolis of Three Cities. This approach complements Action 30 of this plan to protect and support agricultural production and mineral resources by preventing inappropriately dispersed urban activities in rural areas..."*

*The rural towns and villages of the District contain some of Greater Sydney's best examples of early colonial buildings and heritage...*

*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 surrounding landscape and rural activities.*

*...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. This could include the creation of protected biodiversity corridors, buffers to support investment in rural industries and protection of scenic landscapes."*

**Conclusion**

Based upon the MRA provisions, it is unlikely that staff will recommend the Planning Proposals for Eltondale Release Area, West Thirlmere and Tahmoor Town Centre proceed to Gateway Determination due to:

- scale (they are too large to be considered local development; it is premature to proceed as a demand analysis has not been undertaken; and GMS dwelling targets appear to have been exceeded)
- impacts upon existing urban character (in the case of Tahmoor Town Centre an increase in height from 11m to 30m for one relatively small site in advance of a comprehensive urban design analysis for the commercial area would unreasonably impact upon existing character)
- alienation of rural land and potential conflict with agricultural industries (in the instance of West Thirlmere).



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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

---

**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

Accordingly it is recommended that Council write to these Proponents and strongly recommend that they withdraw their Planning Proposal.

With respect to Barkers Lodge Road it is acknowledged that the Proponent has amended the minimum lot size proposed for the rural – residential component of the proposal. Despite the modification Council staff have concerns about the appropriateness of the proposal given:

- proximity to the existing urban zones of Picton (the site is surrounded by RU1 Primary Production and RU2 Rural Landscape zones)
- rural residential development is generally not supported by the Greater Sydney Commission
- the large lot component is not considered to maintain and enhance the environmental, social and economic values of the MRA whereas the proposed tourist component would achieve that.

Accordingly it is recommended that Council write to the Proponent expressing the above concerns and outline the need for strong justification for the proposal, particularly in terms of its ability to enhance the environmental, social and economic values of the MRA. As an alternative the Proponent may wish to withdraw the proposal.

It is also recommended that the assessment continue for the planning proposals for West Tahmoor and Ironbark Road and that detailed assessment reports on each be presented to Council at a future date.

**FINANCIAL IMPLICATIONS**

This matter has no financial impact on Council's adopted budget or forward estimates at this stage.

**ATTACHMENTS INCLUDED IN A SEPARATE BOOKLET**

1. Obstacle Limitation Surface (OLS) Map and Location Maps
2. Letter to Proponents of Draft Planning Proposals
3. Correspondence 1/6/2018 Eltondale Planning Proposal
4. Correspondence 31/5/2018 Rezoning proposal – Tourist facilities and small lot development 350 Barkers Lodge Road Picton
5. Submission 31/5/2018 Rezoning Application West Thirlmere
6. Correspondence 4/6/2018 Planning proposal – 65 – 95 Ironbark Road Bargo
7. Submission 3/6/2018 Draft Planning Proposal – Tahmoor Town Centre Height Limit – Response to Request for Additional Information
8. Submission 12/6/2018 West Tahmoor Minimum Lot Size (not mentioned in report)

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Sustainable and Balanced Growth  
Report to the Ordinary Meeting of Council held on Monday 16 July 2018

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**GR6 – Pre-Gateway Determination Planning Proposals within the Metropolitan Rural Area**

**RECOMMENDATION**

1. That Council invite the Proponents for Eltondale Release Area, West Thirlmere, and Tahmoor Town Centre to withdraw their planning proposals.
2. That Council continue to assess the planning proposal for Barkers Lodge Road, Picton. In terms of the ongoing assessment, Council request further justification for the proposal, particularly in terms of its ability to enhance the environmental, social and economic values of the Metropolitan Rural Area. As an alternative the Proponent may wish to withdraw the proposal.
3. That Council continue to assess the planning proposals for West Tahmoor and Ironbark Road. Further reports be brought to Council with a detailed assessment for each proposal.