

<b>DATE OF DECISION</b>	12 December 2018
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), Bruce McDonald, Nicole Gurrán, Peter Wright and Ally Dench
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Nil

### REZONING REVIEW

2018WCI001 – LGA – Wollondilly - RR\_2018\_WOLLY\_001\_00 – at Lot 112 DP 1229771, West Tahmoor (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☐ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☒ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

### PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☐ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☒ **should not** be submitted for a Gateway determination because the proposal has
  - ☒ not demonstrated strategic merit
  - ☐ has demonstrated strategic merit but not site specific merit

The decision was unanimous.

### REASONS FOR THE DECISION

The site to which the planning proposal relates is situated at the western edge of an area rezoned in 2014 to its present R2 Low Density Residential mapping, opposite the Wollondilly pony club.

The majority of that precinct is mapped to allow lot sizes with a minimum of 450 square metres.

The site of this planning proposal alone is mapped to permit a minimum lot size of 2,000 square metres.

The Panel were of the view that the obvious purpose of that differing density control was to serve as a buffer area to present visually towards the west as a means of integrating the two rural and residential land uses.

This is a rational and desirable objective, and is consistent with principles expressed in the Wollondilly Growth Management Strategy 2011 and good planning.

The proponent submitted to the Panel that a 450 m<sup>2</sup> minimum lot size would encourage first home buyers in houses similar to that constructed on the rest of the subdivision. Such development would result in a better presentation to the rural development towards the west than that which would be likely from a 2,000 m<sup>2</sup> minimum lot size where large houses and inconsistent uses would (the proponent submitted) be expected.

The Panel did not agree.

The substantially larger minimum lot size would be encouraging of less dense development with more capacity for significant landscaping.

In that context the Panel unanimously considered that the proposal ought not be supported having regard to considerations of strategic and site specific merit.

### **STRATEGIC MERIT**

The 2 most significant strategic statements in assessing this proposal are;

- Western City District Plan
- Wollondilly Growth Management Strategy

#### **Western City District Plan**

It is considered that the matters discussed below are the principles identified within the District Plan most relevant to determining the strategic merit of the proposal.

Planning Priority W5 - housing supply, choice and affordability, with access to jobs and services.

The Tahmoor village is sited within the Metropolitan Rural Area as set out in “A Metropolis of Three Cities”. The Greater Sydney Commission has advised that towns and villages within the Metropolitan Rural Areas will not play a role in meeting regional or district scale demand for residential growth.

The present allotment sizes map which provides for both 450 m<sup>2</sup> options and a smaller number of minimum 2000, m<sup>2</sup> options, provides a wider housing choice within Tahmoor village than would be the case if the planning proposal were to be approved.

Notably, “*Planning Priority W17 – Better managing rural areas*” identifies as “Action 78”:

“Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes.”

While this site is located in a residential zone, its role in providing a logical land use buffer to that more urban land use is consistent with that Action.

It is true that this planning proposal would offer the potential to increase the number of allotments by 15 within the context of Tahmoor Village. However, as this area is removed from the planned employment locations and major housing development areas of the District, that increase of itself is not considered a compelling strategic reason for supporting the Planning proposal, particularly taking into account “Action 79” of *Planning Priority W17* which envisages that further urban development within the Urban Area, except for the investigation areas at Horsley Park, Orchard Hills, and east of The Northern Road, Luddenham.

## Wollondilly Growth Management Strategy

A stated aim of the Wollondilly Growth Management Strategy (GMS) is to provide a strategic framework against which to consider planning proposals. (ref Sec. 1.4)

The GMS specifically addresses “Urban Development on Town Edge” which is the form of development the subject of this planning proposal.

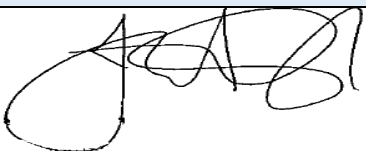

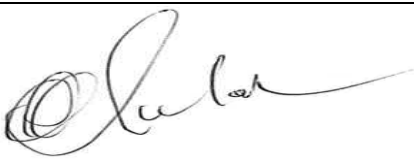


Discussion on this topic within the GMS emphasises that this form of development can produce a suburban look with large houses on small lots which can detract from the aesthetic appeal of traditional rural setting and landscapes. The strategy responds to this issue by referencing density controls that integrate the development with its setting by placing larger lots on the town edges. (ref P59 GMS).

That approach is captured by Key Policy Direction P9:

‘Dwelling densities where possible and environmentally acceptable should be higher in proximity to centres and lower on the edge of towns (on the “rural fringe”).’

It is considered this key direction is central to consideration of the planning proposal and that the present density provision better satisfies that direction than that proposed, as less dense housing will present a village with a more rural character. This is reinforced by the subject land being visible from a main entry to the village when approached via Thirlmere Way. The lesser density will also present that more rural aspect to those utilising the public recreation areas opposite.

It would appear that the current allotment size provisions adopted when the land was rezoned for residential development in 2014 were based on that policy approach. There are no compelling reasons to reduce the allotment size requirements.

PANEL MEMBERS	
	
Justin Doyle (Chair)	Nicole Gurran
	
Bruce McDonald	Ally Dench
	
Peter Wright	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2018WCI001 – LGA – Wollondilly - RR_2018_WOLLY_001_00 – at Lot 112 DP 1229771, West Tahmoor
2	LEP TO BE AMENDED	Wollondilly Local Environmental Plan 2011
3	PROPOSED INSTRUMENT	The proposal seeks to amend the Wollondilly Local Environmental Plan 2011 to amend the Lot Size Map from a minim lot size for subdivision of 2000sqm to 450sqm on Lot 112 DP 1229771, West Tahmoor
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Rezoning review request documentation</li> <li>Briefing report from Department of Planning and Environment</li> </ul>
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li> <b>Site inspection:</b> 12 December 2018 (Panel members in attendance – Justin Doyle, Bruce McDonald, Nicole Gurran, Peter Wright and Ally Dench) <ul style="list-style-type: none"> <li>Department of Planning and Environment (DPE) staff in attendance: Dimitri Gotsis and Edith Barnes</li> </ul> </li> <li> <b>Briefing meeting Council:</b> 12 December 2018, from 1.30pm to 2.30pm <ul style="list-style-type: none"> <li>Panel members in attendance: Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Peter Wright and Ally Dench</li> </ul> </li> <li>DPE staff in attendance: Dimitri Gotsis and Edith Barnes</li> <li>Council representatives: Ron Dowd and Patrick Lopez</li> <li> <b>Briefing meeting Proponent:</b> 12 December 2018, from 2.10pm to 3.25pm <ul style="list-style-type: none"> <li>Panel members in attendance: Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Peter Wright and Ally Dench</li> </ul> </li> <li>DPE staff in attendance: Dimitri Gotsis and Edith Barnes</li> <li>Proponent representatives: Francisco Medina, Tom Baxter and Helen Deegan</li> <li> <b>Panel discussion: 3.30pm</b> <ul style="list-style-type: none"> <li>Panel members in attendance: Justin Doyle (Chair), Bruce McDonald, Nicole Gurran, Peter Wright and Ally Dench</li> </ul> </li> </ul>