
Land Owner Initiated Planning Proposal

Application to Amend the Minimum Lot Size Requirement

Subject Land: Lot 102 DP 846886 (30 Minerva Road, Wedderburn);
Lot A DP 449151 (15 Aberfoyle Road, Wedderburn);
Lot 801 DP 1170166 (7 Minerva Road, Wedderburn), and;
Lot 3 DP 1175503 (26 Aberfoyle Road Wedderburn)

13 June, 2017

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1 INTRODUCTION

This report has been prepared to accompany the lodgement of a Planning Proposal Application, which seeks to amend the Minimum Lot Size Map contained within Campbelltown Local Environmental Plan 2015 (CLEP 2015). The application relates to four properties situated in the central area of Wedderburn around the intersection of Wedderburn Road and Minerva Road being:

- Lot 102 DP 846886
- Lot 801 DP 1170166
- Lot 3 DP 1175503
- Lot A DP 449151555

The whole of the Wedderburn suburb is presently subject to a minimum lot size requirement of 10ha, except in specific circumstances where there is a concessional lot availability wherein 2ha lots are permissible.

The Planning Proposal seeks to amend the Lot Size Map under Campbelltown Local Environmental Plan 2015 (**CLEP 2015**) as it applies to the subject land to permit subdivision to a minimum lot size of 1ha.

The total area of the relevant land to which the subject application relates is 34ha. The Planning Proposal would provide opportunity for 17 additional rural residential lots. Lot sizes range from 1ha to 3ha.

The Planning Proposal follows a previous Planning Proposal which was lodged in February 2016 (**The 2016 Planning Proposal**), but which applied only to land at the south-western corner of the intersection of Minerva Road and Wedderburn Road (Lot 102 DP 846886). The 2016 Planning Proposal put forward two development scenarios, which can broadly be described as a small lot cluster housing concept, and a more traditional larger lot subdivision. A final decision concerning which of the options would be pursued, was intended to be deferred pending input from key stakeholders.

Subsequent to lodgement of the 2016 Planning Proposal, Council undertook an independent and unrelated strategic planning review of Wedderburn. As part of that process, Council wrote to the RFS seeking its views as to whether it would support additional subdivision within the broader Wedderburn suburb. The RFS advised Council by letter of 29 March 2016, that for a variety of reasons, including increased demands on evacuation loads, the RFS did not support the notion of reduced lot sizes within Wedderburn.

Whilst the RFS advice of 29 March 2016 was not made specifically in reference to the 2016 Planning Proposal, two things became clear. First the choice between the smaller lot cluster housing concept and the larger lot, more traditional subdivision concept had been

effectively made. The larger lot concept involved a lesser population increase and was therefore clearly preferable in terms of evacuation loads. Secondly, the 2016 Planning Proposal required a higher level of bushfire constraint and opportunity analysis than had been originally submitted.

As a consequence of these two conclusions, the 2016 Planning Proposal was withdrawn.

The subject Planning Proposal has now been prepared on the basis of detailed bushfire planning analysis which has been provided from Travers Bushfire and Ecology.

The 29 March 2016 RFS advice had identified that the existing Wedderburn suburb is presently faced with a highly undesirable level of bushfire risk and threat. The suburb's isolated position has the potential to constrain and hinder evacuation attempts. Emergency vehicle access is vulnerable to being cut off by vegetation pinch-points on both the main Wedderburn Road access as well as the alternative emergency access via the former colliery road. Additionally, there is no reticulated water supply such that there is limited supply of fire fighting water.

The essence of the Strategic Context of the subject Planning Proposal is that it seeks to reduce this existing level of threat and risk exposure, but in a way which minimises the additional population. The Planning Proposal will do this by providing a Voluntary Planning Agreement (VPA) which will fund:

- A Community Safe Refuge for bushfire retreat. The facility will be designed and constructed under the VPA in accordance with RFS requirements.
- A fire hydrant supplied from existing dams which will be available for fire truck water re-filling;
- The preparation of a Wedderburn specific Bushfire Risk Management Plan. In this regard, whilst Wedderburn is included within the Macarthur Bushfire Risk Management Plan, there are very few (and in the opinion of John Travers of Travers Bushfire and Ecology, wholly inadequate) risk management actions and strategies for Wedderburn.

In 2001, the Department of Urban Affairs and Planning wrote to Council to express support for additional rural residential supply opportunity in the central part of the Plateau and specifically around the intersection of Wedderburn Road and Minerva Road. Since that time, there have been numerous studies and two Draft LEPs. However in all cases, the land area affected by proposed planning changes was significantly larger than that which is the subject of this Planning Proposal. The 29 March 2016 RFS advice puts to rest any prospects for broad reaching planning changes in Wedderburn for the foreseeable future. Given the small area of land concerned; limited additional population which would result; the central location of the site, and its substantially cleared nature, the subject Planning Proposal is different in both essence and substance, to previous Draft LEP amendments which have been considered in the past. It also likely represents the only opportunity for private

investment to fund infrastructure and professional work to manifestly improve bushfire safety in Wedderburn.

At the date of this report, there are a number of additional studies which will be required. These are (including possibly required studies):

- A Site Specific Development Control Plan which will provide a large suite of supplementary controls which are foreshadowed in this Report.
- Updated ecological assessment for 26 Aberfoyle Road. The owner of this property had recently had completed an ecological assessment for a proposed new dwelling. That report is submitted on a preliminary basis, however a new report which relates to the impacts of potential subdivision is required.
- A total water cycle management study.
- An Aboriginal and European heritage impact assessment;
- An agronomists report in respect of 15 Aberfoyle Road which is the only lot within the Relevant Land which has not been previously identified by the Department of Agriculture as having poor agricultural potential.

Full detail in respect of each of these items is not required in order to determine whether the Planning Proposal warrants referral to Gateway. If Council is of a mind to support the Planning Proposal, the above studies can form part of Gateway's requirements to be completed prior to public exhibition of a Draft LEP.

Additionally, input is required from the RFS in relation to the siting, design and use of the proposed Community Safe Refuge.

The preference of this Practice is that it be located in the cleared area of the southernmost lot on No 15 Aberfoyle Road. Attempts were made, by letter of 28 November 2016 from this Practice, to seek, via Council, clarification from the RFS in relation to these matters. However in the absence of there being a formal Planning Proposal before Council at that time, it is understandable that no action appears to have been taken.

A significant element of the 2016 Planning Proposal was that is proposed artists' workshop facilities to support the Wedderburn artists' colony which adjoins part of the Relevant Land to the west. Preliminary discussions with the Campbelltown Art Gallery suggested interest in promoting Wedderburn as a venue for art workshops if an appropriate facility were available.

Subject to RFS acceptance of joint usage of the Community Safe Refuge, that opportunity would remain available under the current Planning Proposal. Additionally, we have identified a range of additional potential dual uses (none of which need be mutually exclusive). These include science and teaching facilities, community activities, and permaculture and local produce sales. However any potential dual use of the facility cannot be formally proposed until the preferences and expectations of the RFS are known.

Having regard to the above background, it is requested, that upon receipt of the subject application, Council arrange for a meeting to be attended by the Applicant's bushfire consultant (John Travers), the RFS, Council officers and David Haskew of this Practice.

2 SITE DETAILS

2.1 Site Location

The subject site is situated on each corner of the intersection of Minerva Road and Wedderburn Road Wedderburn, but excludes the 2ha concessional lots at the south-eastern corner of the intersection which has been excised from its parent holdings. The site's location is shown in the Region Context as Figure 1. Aerial photographs are included as Figure 1 and Figure 3 in the Local Context and Detailed Site View Respectively.

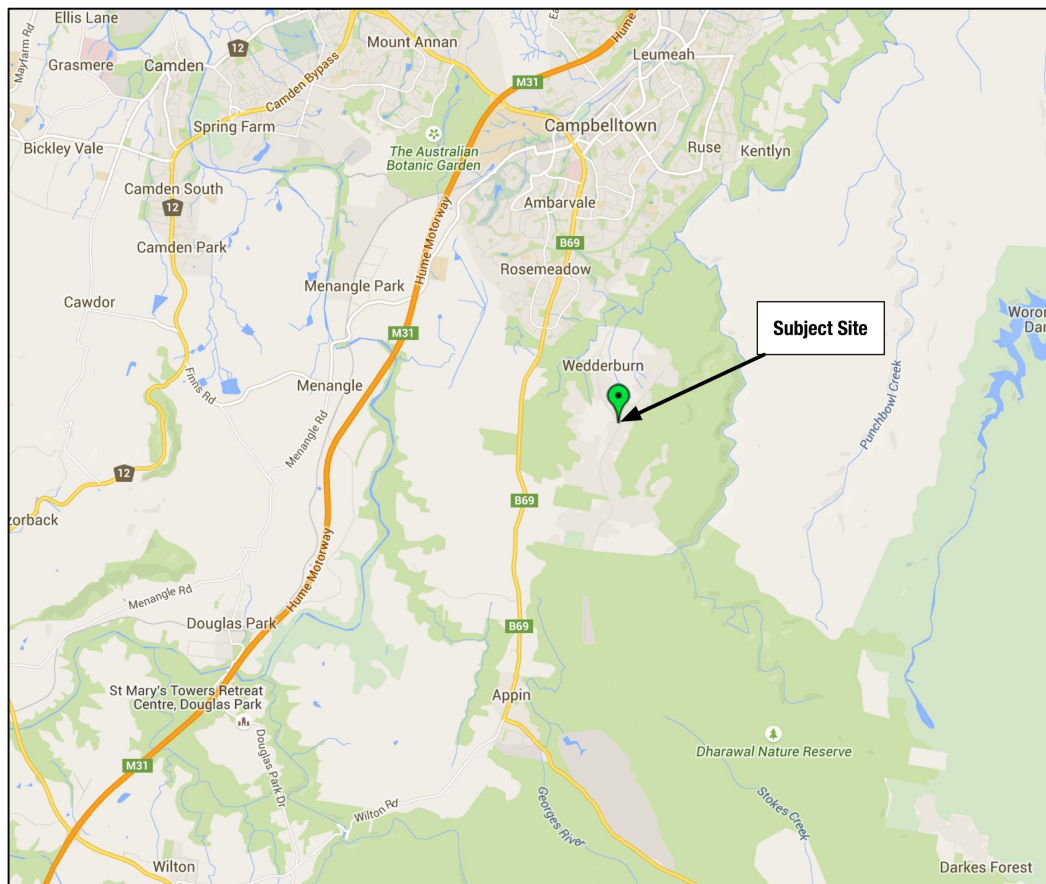


Figure 1: Site Location - Regional Context



Figure 2: Site Location – Local Context

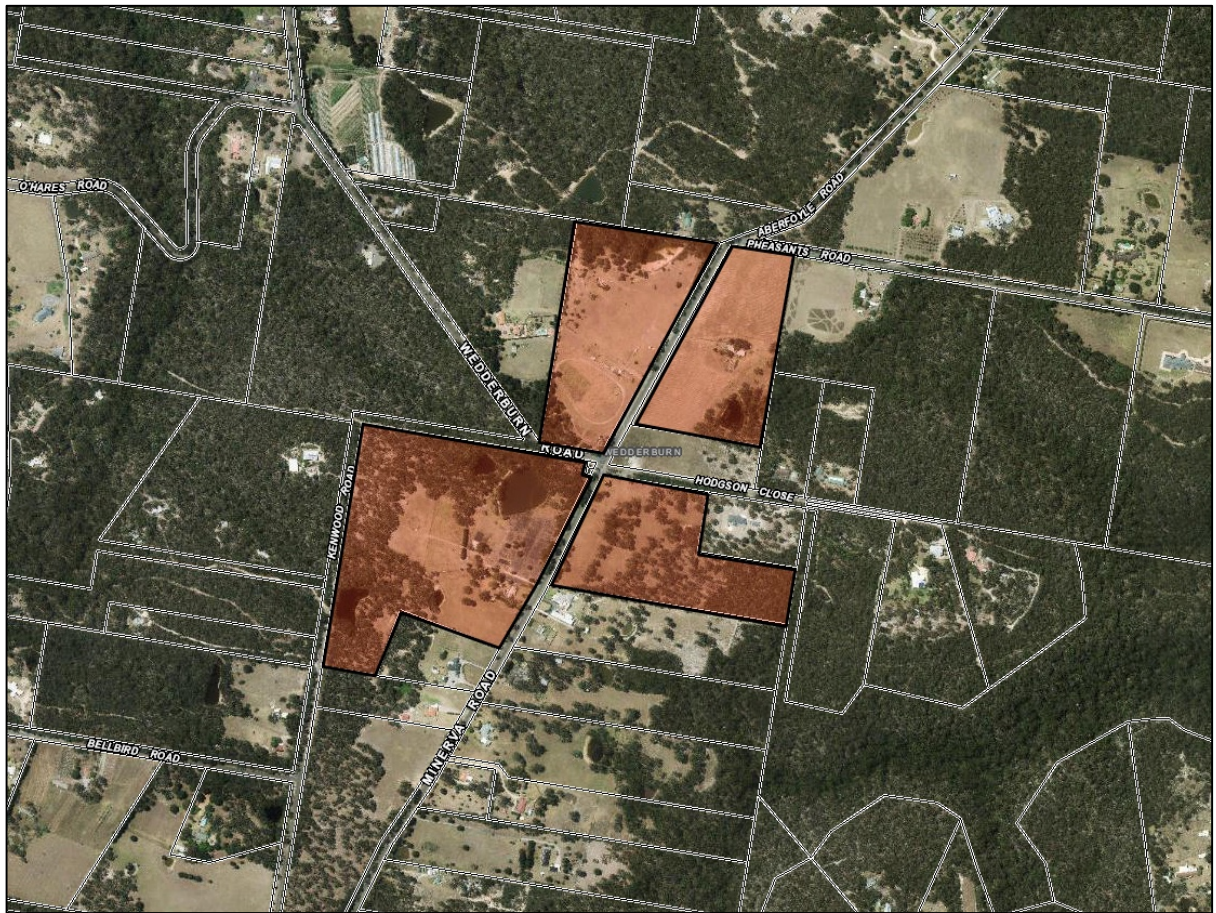


Figure 3: Site Location - Detailed Site View Aerial Photograph

2.2 Site Description

The site comprises four allotments, the descriptions of which are summarised in the following table.

Address	Lot and DP	Area (ha)
15 Aberfoyle Road (North West Corner)	Lot A DP 449151	7.48
30 Minerva Road (South West Corner)	Lot 102 DP 846886	13.83
7 Minerva Road (South East Corner)	Lot 801 DP 1170166	6.68
26 Aberfoyle Road (North East Corner)	Lot 3 DP 1175503	6.20
Total		34.19

2.3 Existing Development

All but 7 Minerva Road contain existing dwellings. There are no improvements on 7 Minerva Road. In addition to existing dwellings, the remaining properties contain various rural residential improvements including farm sheds and existing dams.

2.4 Surrounding Development

Rural residential land uses adjoin the site in all directions. Land to the north and west of the site is heavily vegetated. Of particular note, adjoining to the west of 30 Minerva Road is the Wedderburn Artists' Colony which has been home to many famous Australian Artists including Elisabeth Cummings, John Peart and Roy Jackson.

In close proximity to the south east of the site is the Wat Buddhalavarn Buddhist Temple.

Wedderburn Rural Fire Service is located to the north west of the site, fronting Wedderburn Road.

2.5 Topography and Drainage

The subject site is situated in the central area of the Wedderburn Plateau. As such it is relatively level land. In the main, each of the lots slope gently downwards from north to south. The eastern parts of 26 Aberfoyle Road and 7 Minerva Road slope downwards to the east towards Pheasants Creek. The following Figure 4 provides a contour map of the surrounding area.

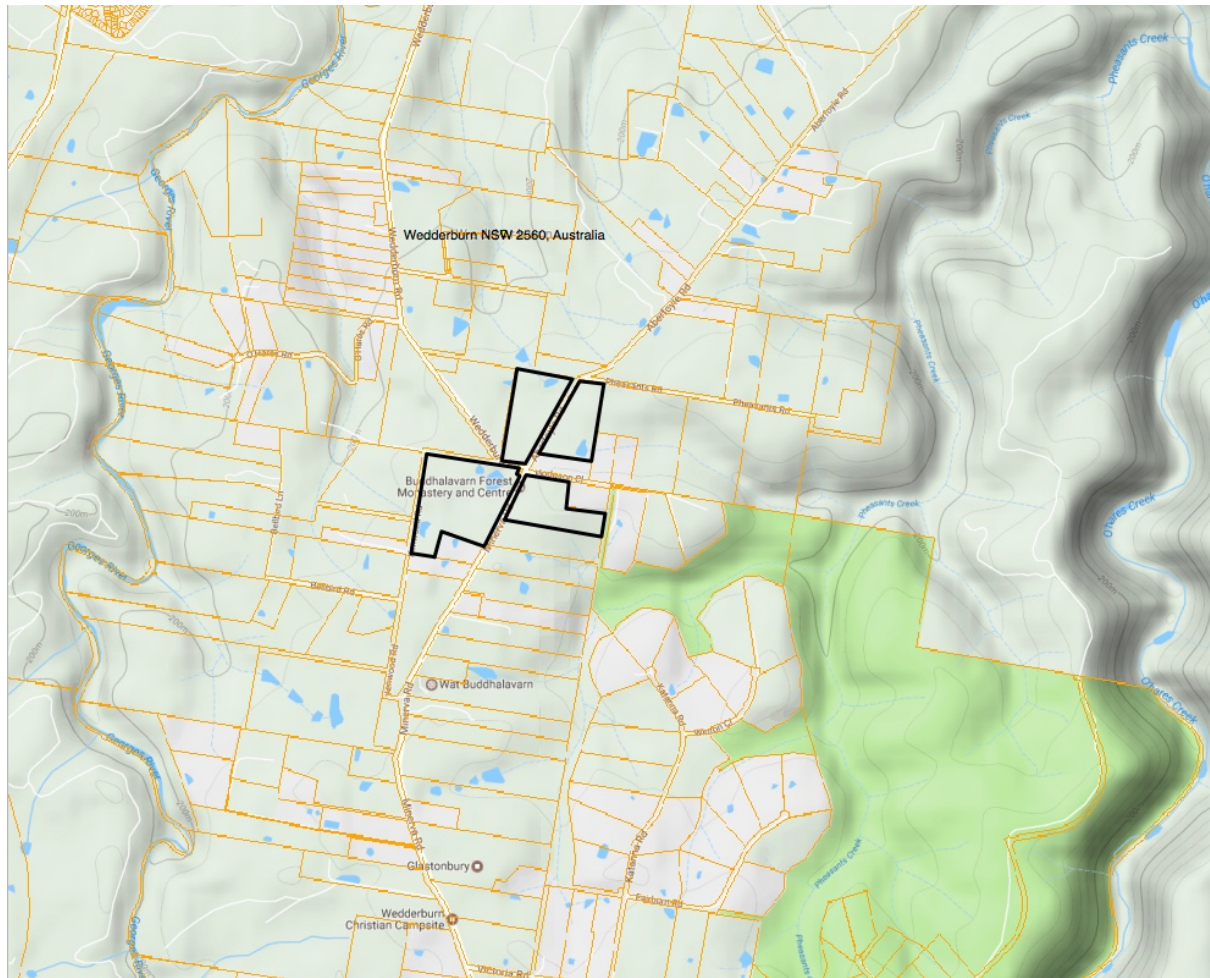


Figure 4: Contour Map of Surrounding Area

2.6 Vegetation

Each of the lots are characterised by varying levels of vegetation coverage. The ecological values of the land are discussed in detail at Section 5.1 of this Report. By way of introductory comment to this issue, it is fundamental to the vision for future development of the sites, that building areas are contained to the existing cleared area of the site so that the amount of tree removal needed to accommodate future subdivision is negligible.

The Planning Proposal has been accompanied by a Flora and Fauna Survey and Ecological Assessments which has been undertaken by UBM Ecological Consultants in respect of each of the component lots, but for Lot 3. These reports are submitted under separate cover. In the case of Lot 3, an ecological assessment has yet to be undertaken. We acknowledge that the same will be required, but request that the report be deferred pending further advice from the RFS in relation to siting of the Community Safe Refuge.

On the basis that the present Planning Proposal Application is dependent on initial advice from the RFS, costs for the preparation of a subdivision specific ecological assessment for Lot 3 have been deferred pending RFS comment.

3 BACKGROUND

The Wedderburn locality has been the subject of a long history of planning and environmental studies carried out over the past 25 years. A brief overview of relevant planning history is provided as follows:

3.1 Rhodes Thompson and Associates 1990

This report was a Local Environmental Study in respect of a proposal to vary subdivision controls applying under Campbelltown Local Environmental Plan 1 (CLEP 1). It identified an original study area (based merely on private land ownership patterns) however that study area has been used and refined in later studies.

3.2 Draft LEP 127

Resolution to prepare a Draft LEP for the area identified by Rhodes Thompson was made by Council on 30/10/90 and formally adopted by Council in 1991. The Draft LEP created two relevant zones on currently private lands, being 7(l) -Environmental Protection (Plateau) and 7(r) – Environmental Protection (restricted development). The 7(l) zoned land was available for subdivision into 2ha parcels (against the current 10ha standard) provided that so much of the subdivided land which fell within Zone 7(r) was transferred to Council at no cost to be “managed for the protection of the natural environment”.

A copy of the Draft LEP 127 Plan is included as Figure 5 over page.

Draft LEP 127 was ultimately refused by the Minister in 1997.

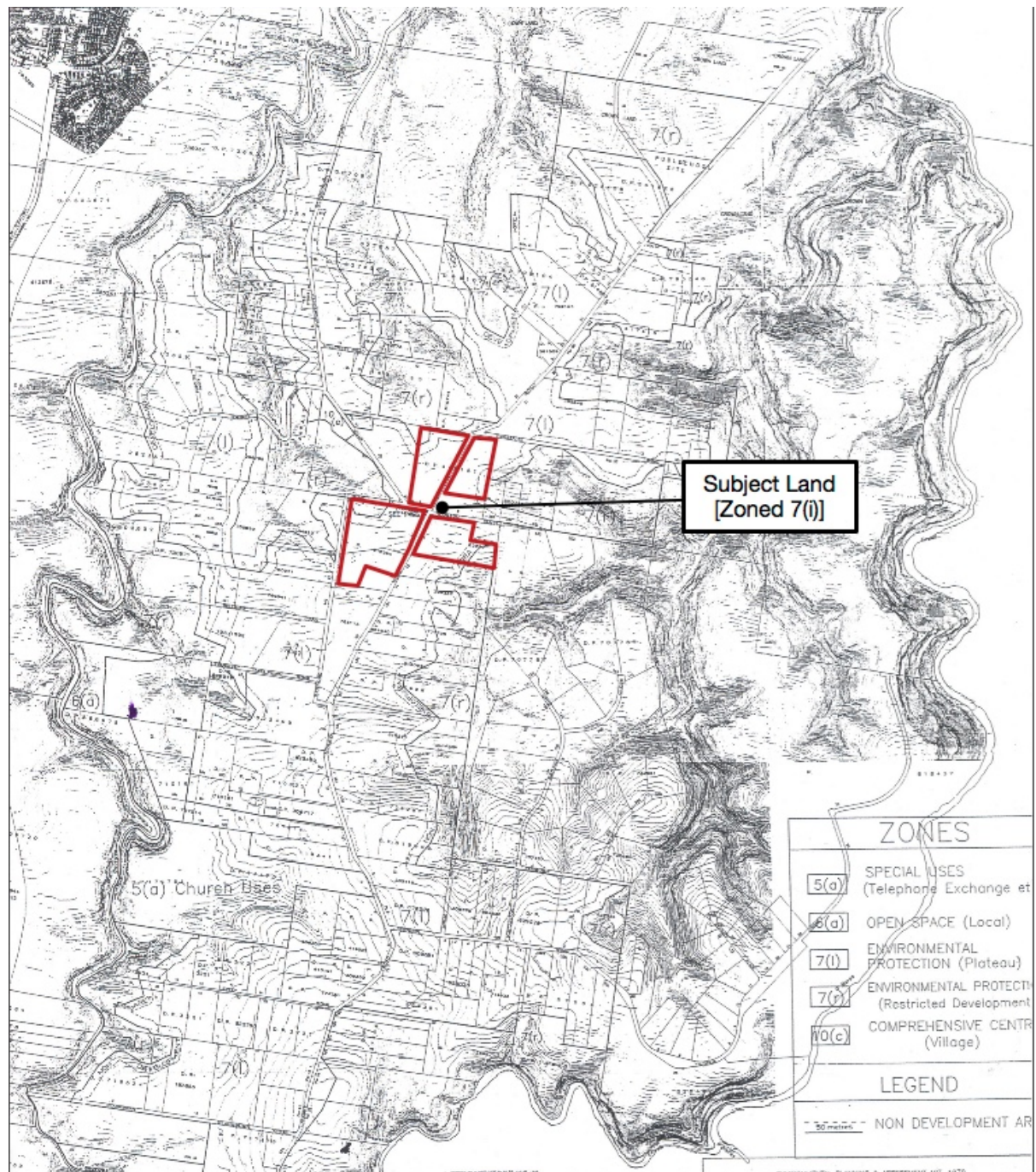


Figure 5: Draft LEP 127 Zoning Map

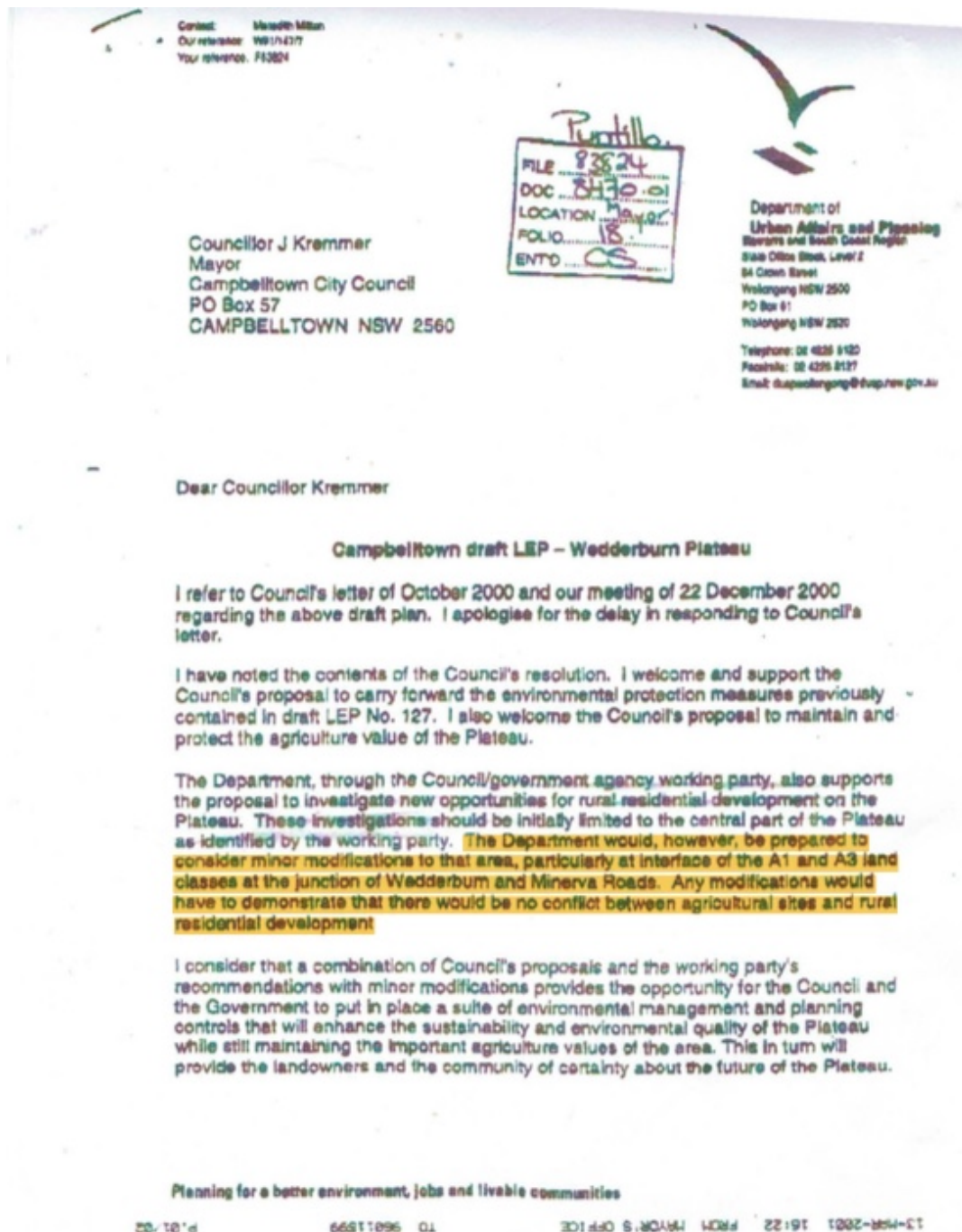
3.3 Inter Agency Working Party

Following the Minister's refusal of DLEP 127, Council established an Inter Agency Working Party which comprised representatives of Council, NPWS, NSW Agriculture and the then Department of Urban Affairs and Planning.

Over an 18 month period the Inter Agency Working Party established an agreed constraints map which took into account ecologically sensitive areas, wildlife corridors, koala habitat and soil mapping.

This area became known as "The Revised Study Area".

The Department of Urban Affairs and Planning wrote to Council (letter undated but circa 2001). The Department advised that it supported the then proposal to investigate new opportunities for rural residential development around the central part of the plateau. Land at the junction Minerva Road and Wedderburn Road was specifically referenced.



3.4 Rhodes Haskew and Urban Bushland Management 2003 Investigations

In 2003, Rhodes Haskew Associates (RHA) and Urban Bushland Management (UBM) were engaged by Campbelltown Council to carry out two concurrent investigations. The task set to RHA was a housing supply study which was to determine whether the Wedderburn Plateau would ever be required for future Urban Development and this was concluded in the negative. The task set to UBM was to identify the natural constraints to the Plateau in which future development could sustainably occur.

Both studies involved independently conducted constraints mapping. UBM's constraints mapping was based on flora and fauna considerations, whilst the constraints mapping of RHA was based on land use planning principals. Both constraints mapping exercises yielded practically identical results such that there is a very high degree of certainty as to which areas of the plateau can be sustainably developed, with negligible impact on endangered ecological communities or other sensitive flora and fauna species.

3.5 Draft LEP 221

Together, the RHA and UBM studies, resulted in the preparation of Draft LEP 221. That LEP was adopted by Council on 5 September 2000 and is presently with the Department of Planning where it is being held in abeyance pending the finalisation of a review of the Draft Georges River Regional Environmental Plan.

4 THE PRESENT WEDDERBURN

4.1 Lot Sizes and Land Ownership

Lot sizes within the central plateau area vary considerably. Whilst there are several examples of 10ha lots in the locality, there is a large number of 2ha lots which have likely been created as concessional lots under the current subdivision LEP controls. Of particular note is that lots on the eastern side of Minerva Road are, with only one exception, in the range of 5-6ha with two concessional 2ha lots also located within that area.

The following Figure 6 provides a summary overview of existing lot sizes surrounding the subject site.



Figure 6: Existing Lot Sizes in the Vicinity of the Site

Whilst the existing subdivision standard is 10ha, it is clear that the central plateau area is characterised by prevailing lot sizes which are considerably smaller than the standard.

It is not appropriate to include land ownership details in this report, however it is accurate to describe the ownership pattern as highly disparate. We have not been able to identify any instances of two adjoining lots being in common ownership.

4.2 Active Agricultural Sites

Within the central plateau area, there is no existing agricultural activities. However within the wider plateau, there appears to be 9 currently active orcharding sites. These are concentrated at the southern end of the plateau, however at the northern end of the wider plateau area is a very large orcharding operation which straddles Aberfoyle Road. The following Figure 7 shows the location of active orchards.



Figure 7: Active Orchards

4.3 Demographics

The following Table 1 summarises key and relevant demographic data for the Wedderburn Suburb as compared with the Campbelltown LGA Average.

Table 1: Demographics

Statistic	Wedderburn	Campbelltown LGA
Total Population	584	145,967
Total households	167	49,085
Tenure		
Percentage of Dwellings Owned Outright or Being Purchased	87.1	66%
Percentages of Dwellings Being Rented	11.2%	30%
Percentage of population of school age (4 ≤ 19)	22.6%	22.4%
Average Occupancy Rate	3.5	3.2
Median Age	41	33
Median Weekly Household Income	\$1,874	\$1,251
Median Mortgage Repayments (weekly)	\$495	\$1800
Median Rent (weekly)	\$1874	\$260
Average Motor Vehicles per dwelling	2.7	2.1

From the above demographic data, the following general conclusions can be reached which are relevant to strategic planning:

- Wedderburn represents a very minor contribution to Campbelltown's housing stock, being a mere 0.4% of LGA wide housing. The area does not play any strategic role whatsoever in contributing to Metropolitan housing supply targets identified with the Metropolitan Strategy (*A Plan for Growing Sydney*).
- Median age is noticeably older in the Wedderburn suburb, however the percentage of school age children is at parity with the LGA. Examination of the more detailed age structure characteristics confirms that Wedderburn accommodates a slightly disproportionately higher number of people aged 60 years and over (18.2%) compared with the LGA percentage of over 60s being 15%. Importantly however, the demographic data indicates that Wedderburn is equally important for traditional families with children as the LGA as a whole.
- Wedderburn residents are substantially more affluent than the Campbelltown LGA as a whole. Weekly household income for Wedderburn is 50% higher than the LGA average. Also, given the very high rates of land ownership (see below) together with the fact that average mortgage repayment levels are significantly lower than the LGA, it is fair to conclude that there is substantially more disposable income and opportunity for discretionary spending than exists for the LGA as a whole.
- Land ownership levels are significantly higher in Wedderburn with nearly 90% of all properties either owned outright or being purchased. High levels of land ownership tend to promote longer occupation and for that reason as well as other socio economic similarities between landowners, stronger social ties are usually evident in areas with high ownership levels. This characteristic of the Wedderburn community, together with its small size predicts very high levels of community participation when decisions are being made concerning the future of the area.

5 CONSTRAINTS ANALYSIS

The Wedderburn Locality generally, is highly constrained land. The primary constraints relate to bushfire and ecology. However in addition to these is a relatively broad ranging suite of separate an/or related issues including the only non-emergency ingress and egress to / from the area; the absence of reticulated sewerage or water supply infrastructure and ecological and bushfire constraints to the provision of expanded social infrastructure including the school and / or a neighbourhood community centre. Given the historic orcharding activities which have occurred widely through the central plateau area, there is potential for widespread soil contamination arising from pesticides.

However not all of these constraints apply equally over the plateau area and it is also the case, that many of the above listed constraints can be managed through tailored development solutions.

This section of the Report provides a general constraints based analysis for the broader Wedderburn Plateau. It then hones into the subject site for more detailed and site specific analysis which has been informed by specialist reports relating to bushfire, ecology and hydrology.

5.1 Ecology

The most comprehensive ecological constraints map for the Wedderburn Plateau prepared to date, is that prepared by Urban Bushland Management in 2003. A copy of that map is provided at Error! Reference source not found. over page.

The 2003 UBM Ecological Constraints Mapping identifies that there are four relatively large areas of land which are described as "Low Combined Conservation Value. The cleared area of the subject site is that way described.

A site specific ecological investigations have been undertaken by UBM for the purposes of the subject Planning Proposal. Those reports are:

30 Minerva Road dated 9 February 2015

7 Minerva Road dated 13 March 2017

15 Aberfoyle Road dated 2 March 2017

The owner of 26 Aberfoyle Road has become a participant in the Land Owner Initiated Planning Proposal late in the preparation process. A site specific ecological constraints investigation has not been prepared for that lot at this stage. Nevertheless, an ecological assessment has been carried out for that lot in assessment of a proposed new dwelling

house (including demolition of the existing). We note that No. 26 Aberfoyle Road is entirely cleared land except for extant vegetation around the existing dam at the south-eastern corner of the lot. Subdivision of that land and the erection of dwellings and asset protection zones (**APZs**) is unlikely to require the removal of any existing trees. As such, it is considered reasonable that any additional costs associated with the preparation of a subdivision specific assessment be deferred pending initial advice and feedback from the RFS.

The following provides a summary of the key issues arising from the site specific ecological studies:

5.1.1 30 Minerva Road

Vegetation Community	Dry Sclerophyll Woodland/Open Forest and Woodland/Dry Sclerophyll Open Forest.
Presence of Threatened Ecological Community?	Yes. Dry Sclerophyll Woodland/Open Forest is equivalent to Shale Sandstone Transition Forest (High sandstone influence). It is located at the far north-eastern corner and south-western corner of the site. None of this community will be affected by the proposed subdivision layout. Dwellings and asset protection zones do not involve any impact on this community.
Presence of Threatened Species?	Yes. One (1) threatened flora species was located on the Subject Property, <i>Grevillea parviflora</i> subsp. <i>parviflora</i> , which is a shrub listed as 'Vulnerable' under the TSC Act (1995). 13 ENVT fauna species were recorded within an around the site.
Recommendations	UBM recommends that the intact bushland areas be retained as part of any future rezoning and development, and that a Management Plan be prepared detailing measures to protect and enhance the native bushland on the Subject Property, including management of the Threatened <i>Grevillea</i> sub-population and the EEC remnants. The intact bushland areas show evidence of under-scrubbing. It is recommended that subject to the

	<p>requirements of the Bushfire legislation, the understorey be allowed to regenerate where possible to enhance site habitats.</p> <p>Noxious (Privet, Patterson's Curse, Bridal Creeper and Blackberry) and keystone environmental weeds should be controlled across the Property as a matter of priority, and a targeted weed control program undertaken prior to commencement of any development works.</p> <p>Native vegetation (bushland) retained around the proposed development areas should be subject to regular weed control, as required. Weeds should not be cleared using machinery.</p> <p>Tree planting and future landscaping undertaken as part of the proposed residential subdivision should endeavour to use locally indigenous species, but if introduced horticultural species are used, the species chosen must be known not to naturalise in bushland.</p> <p>Fauna habitat variety should be maintained. Currently, areas of open woodland, rocky outcrops and aquatic habitats are present on the Property. Maintaining a diversity of habitats will ensure that the large suite of native fauna utilising the resources of the Subject Property will continue to do so.</p> <p>Geological features (sandstone floaters/outcrops) which provide fauna habitat should be protected and retained, and where bushfire considerations allow, any large native trees on the perimeters of the new allotments should also be retained as fauna habitat.</p> <p>Wherever possible retain native vegetation in aquatic habitats and along the dam walls and in nearby (ephemeral) drainage lines.</p> <p>Encourage regeneration and replanting of local flora species, including the shrub layer that is absent in most of the open woodland present around the proposed development area but within the requirements of bushfire safety.</p>
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	<p>Retain all mature hollow-bearing trees wherever possible. Such trees to be clearly marked with a view of possible future relocation of hollows if trees are nominated for removal.</p> <p>If any habitat trees are proposed for clearing, it is recommended that an experienced Ecologist or an Environmental Representative will be present on site at the time of clearing for the capture, identification and relocation of fauna species present.</p> <p>It is also recommended that nesting boxes be erected in selected native trees to replace any existing hollows removed by the possible felling of habitat trees. In particular, the installation of nesting boxes for microbats should be considered, due to the number of EVNT microbat species recorded on the Subject Property.</p>
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5.1.2 7 Minerva Road

Vegetation Community	Cumberland Shale Sandstone Ironbark Forest
Presence of Threatened Ecological Community?	No, however, a very small stand of the CEEC Cumberland Shale Plains Woodland has been mapped by other workers in the far north-western corner of the property.
Presence of Threatened Species?	<p>Yes. One (1) threatened flora species was located on the Subject Property, <i>Grevillea parviflora</i> subsp. <i>parviflora</i>, which is a shrub listed as 'Vulnerable' under the TSC Act (1995).</p> <p>The 'Vulnerable' Koala (<i>Phascolarctos cinereus</i>), Gang-gang Cockatoo (<i>Callocephalon fimbriatum</i>) and seven (7) microbats listed on the TSC Act were identified during the current ecological investigations (the latter with varying reliability of identification, see Appendix 4). An additional six (6) listed fauna species are considered likely to use the resources of the Subject Property. Assessments of Significance for these 15 species are presented in Appendix 7.</p>

Recommendations	<p>The intact Native Bushland in the eastern portion of the Subject Property should be retained and managed for its natural conservation values. To that end, 88B Restrictions on the Title of the newly created lots should be imposed.</p> <p>In accordance with the <i>Campbelltown Development Control Plan</i> (Campbelltown City Council 2016), wherever possible, given the requirements of bushfire safety, clearing of native vegetation should be confined to the smallest area required for development and provide for the future recruitment of hollow-bearing trees from younger age classes. Hollow-bearing trees, stags, and Koala food trees (<i>E. punctata</i>, <i>E. eugenioides</i> and <i>E. resinifera</i>) should be preferentially retained, except where they pose a hazard.</p> <p>The installation nest boxes or sculptured hollows (specifically targeting threatened hollow- dependant fauna in the Region, e.g. microbats) may be required if any hollow-bearing trees are removed as part of future residential development (Campbelltown City Council 2016).</p> <p>A Vegetation Management Plan should be prepared detailing measures to protect and enhance the Native Bushland on the Subject Property, including management of the threatened <i>Grevillea parviflora</i> subsp. <i>parviflora</i>.</p> <p>Noxious and environmental weeds should be controlled across the Property as a matter of priority, and a targeted weed control program undertaken prior to commencement of any development works. See Table 3-2 for a list of target weeds.</p> <p>Many of the trees growing to the east of the open grassland (development footprint) are diseased or are in poor condition. UBM recommends that a qualified arborist be engaged to carry out a Safe Useful Life Expectancy (SULE) assessment, and trees which pose a potential hazard should be removed.</p>

	<p>Tree planting and future landscaping undertaken should endeavour to use locally indigenous species, thus retaining local landscape character, but also maintaining habitat connectivity for small woodland birds. However, if introduced horticultural species are used, the species chosen must be known not to naturalise in bushland. Positive Covenants on the new Title of any newly created lots are recommended to that effect.</p> <p>In accordance with <i>SEPP 44</i>, the preparation of an Individual Koala Plan of Management (IKPoM) or compliance with the CCKPoM will be required at the Development Application stage.</p> <p>If an unexpected threatened species is found on the Subject Property, the Council must be notified immediately. The Proposal is not to proceed until an Assessment of Significance has been conducted for the threatened species and it is determined that an impact is not likely to occur.</p> <p>A site specific DCP addressing the following issues (where they are not already addressed under existing DCPs or LEPs) should be prepared: Protection of bushland during construction; pre-clearance surveys; relocation of fauna prior to and during construction; "fauna friendly" fencing; and the potential spread of weeds and disease during construction.</p>
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5.1.1 15 Minerva Road

Vegetation Community	Sydney Hinterland Transition Woodland and Sydney Hinterland Transition Woodland
Presence of Threatened Ecological Community?	No.
Presence of Threatened Species?	<p>No. However One (1) threatened flora species was located along the road verges adjacent the site, <i>Grevillea parviflora</i> subsp. <i>parviflora</i>, which is a shrub listed as 'Vulnerable' under the TSC Act (1995).</p> <p>The 'Vulnerable' Koala (<i>Phascolarctos cinereus</i>) and 6 threatened microbats.</p>
Recommendations	<p>Native vegetation on the Subject Property should be retained and managed for its natural conservation values. To that end, 88B Restrictions on the Title of the newly created lots should be imposed.</p> <p>In accordance with the <i>Campbelltown Development Control Plan</i> (Campbelltown City Council 2016), wherever possible, given the requirements of bushfire safety, clearing of native vegetation should be confined to the smallest area required for development and provide for the future recruitment of hollow-bearing trees from younger age classes. Koala food trees (<i>E. punctata</i>, <i>E. eugenioides</i> and <i>E. oblonga</i>) should be preferentially retained, and the understorey allowed to regenerate, except where they pose a hazard.</p> <p>A Vegetation Management Plan should be prepared detailing measures to protect and enhance the native vegetation on the Subject Property, including management of the threatened <i>Grevillea parviflora</i> subsp. <i>parviflora</i>.</p> <p>Noxious(Privet, Madeira Vine, Asparagus and Black berry)and environmental weeds should be controlled across the Property as a matter of priority, and a targeted weed control program undertaken prior to commencement of any development works.</p>

	<p>Tree planting and future landscaping undertaken should endeavour to use locally indigenous species, thus retaining local landscape character, but also maintaining habitat connectivity for small woodland birds. However, if introduced horticultural species are used, the species chosen must be known not to naturalise in bushland. Positive Covenants on the new Title of any newly created lots are recommended to that effect.</p> <p>In accordance with SEPP 44, the preparation of an Individual Koala Plan of Management (IKPoM) or compliance with the CCKPoM will be required at the Development Application stage. Additionally, depending on the final location of the Community Safer Place and development footprints, the Koala Vegetation Assessment Report included in the current report may require updating with a stadia-metric survey at the Development Application stage.</p> <p>If an unexpected threatened species is found on the Subject Property, the Council must be notified immediately. The Proposal is not to proceed until an Assessment of Significance has been conducted for the threatened species and it is determined that an impact is not likely to occur.</p> <p>A site specific DCP addressing the following issues (where they are not already addressed under existing DCPs or LEPs) should be prepared: Protection of bushland during construction; pre-clearance surveys; relocation of fauna prior to and during construction; "fauna friendly" fencing; control of grazing stock; and the potential spread of weeds and disease during construction.</p>
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5.1.1.1 Key Ecological Constraints Maps

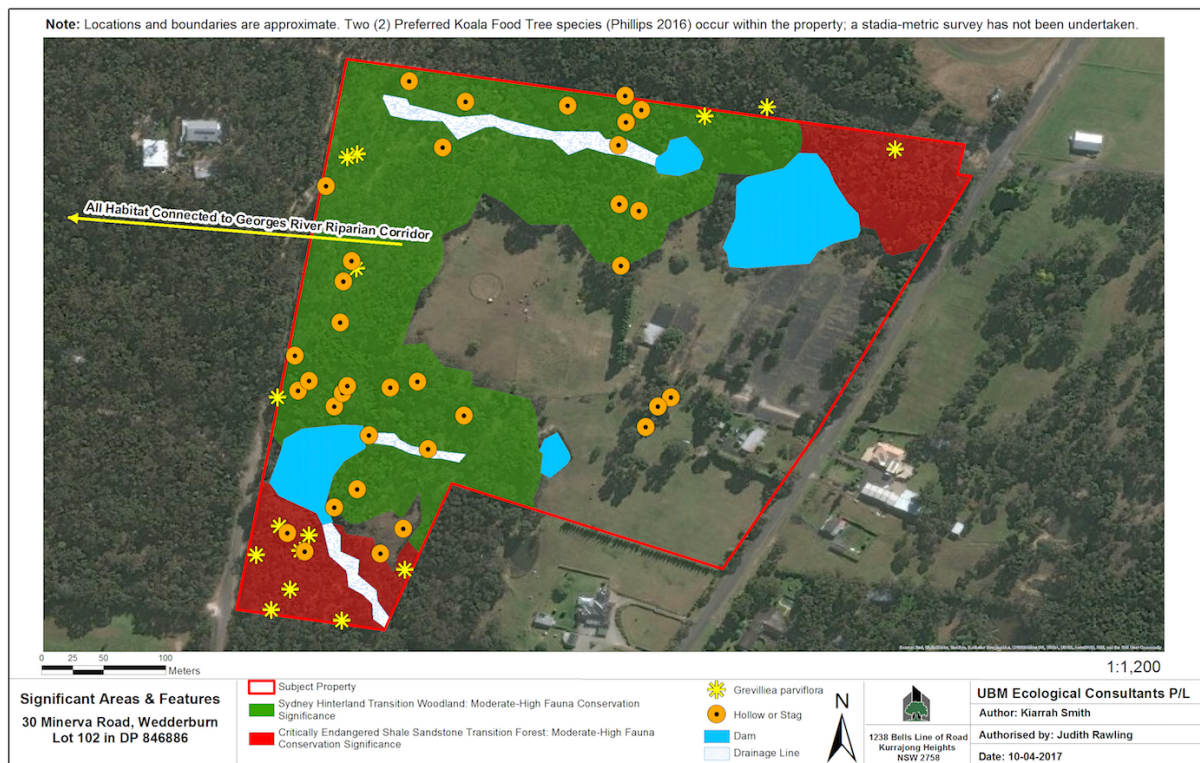


Figure 8: 30 Minerva Road Ecological Constraints Map (UBM)

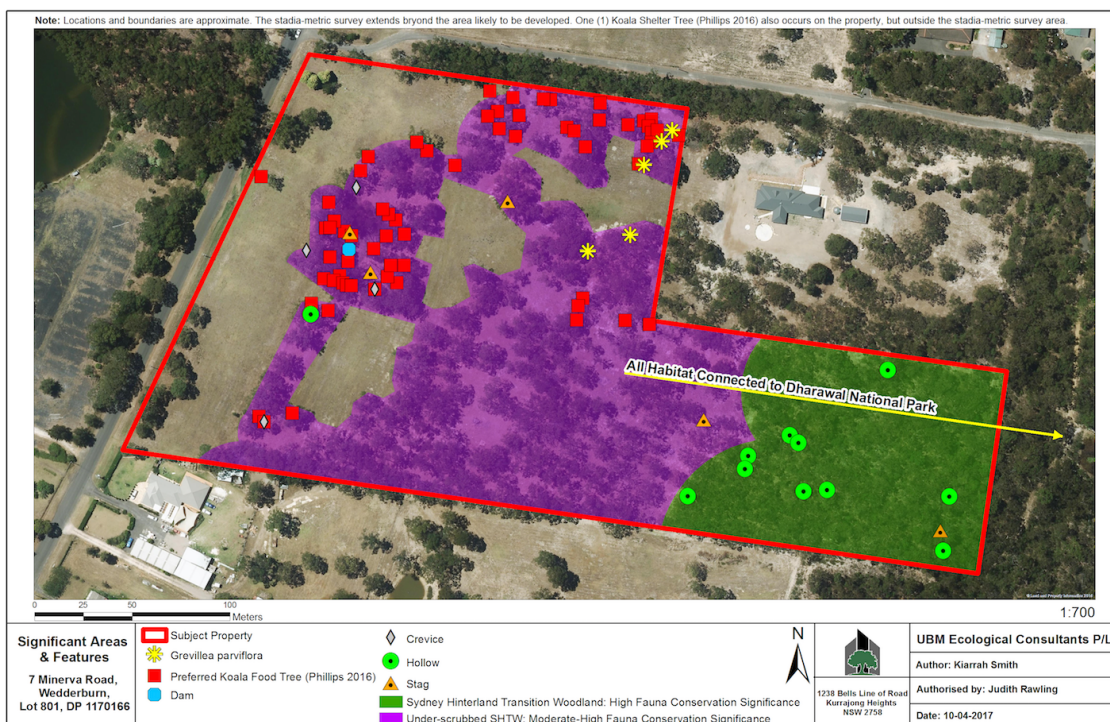


Figure 9: 7 Minerva Road Ecological Constraints Summary Map (UBM)

See note over page in relation to Koala Food Trees

The Koala Food Trees identified in Figure 9 (previous page) do not represent all of the Koala Food Trees on the property. Rather, only those located within 20m of any future building footprint have been identified. The proposed building envelopes will not necessitate the removal of any Koala Food Trees.

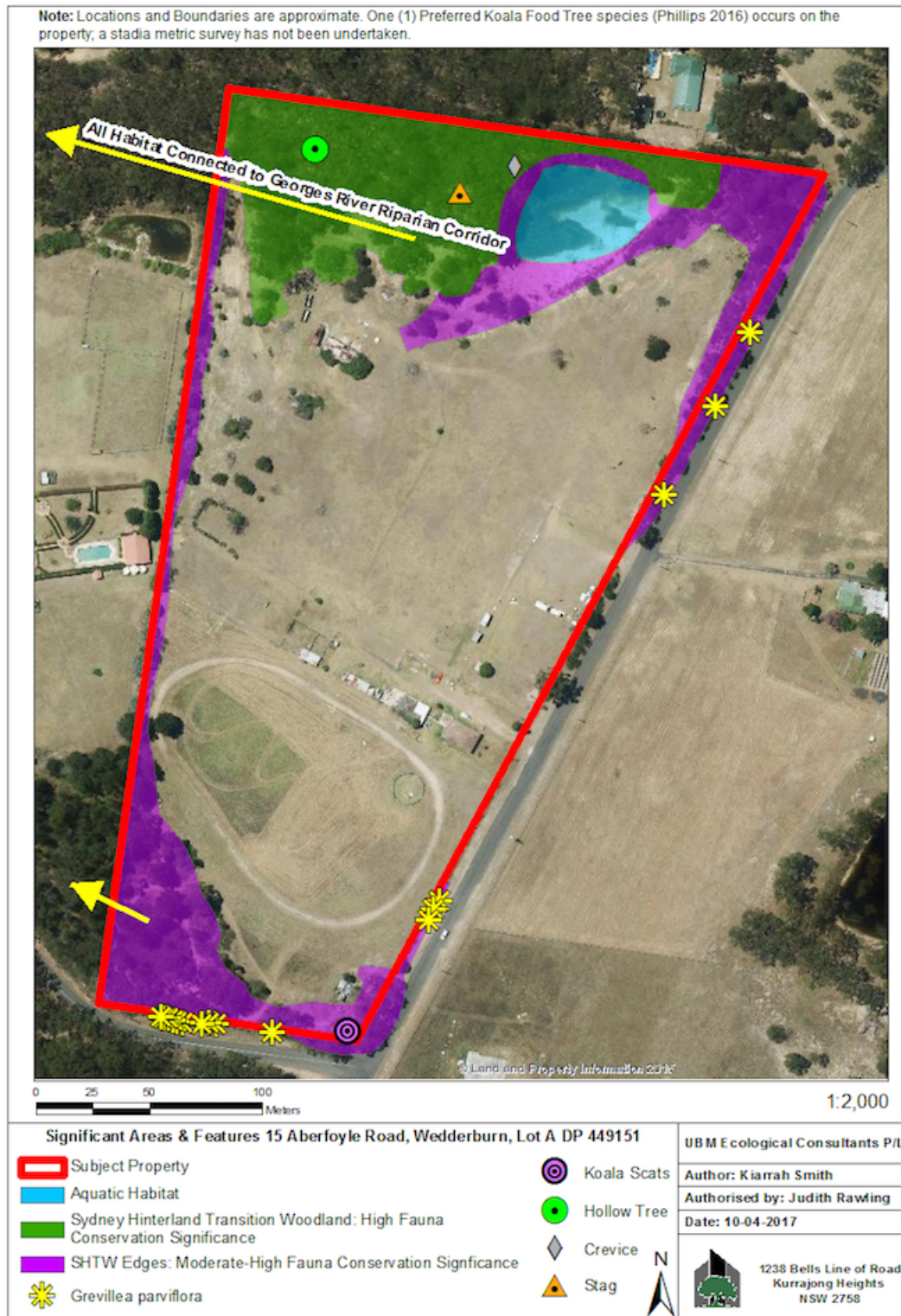


Figure 10: 15 Minerva Road Ecological Constraints Map

5.2 Bushfire

The Application is accompanied by a Report prepared by Travers Bushfire and Ecology entitled “Wedderburn Bushfire Planning Review, dated September 2016.

The report deals with both high level strategic planning considerations and well as site specific Asset Protection Zone (**APZ**) requirements.

As Council is aware, the 2016 Planning Proposal, which related to Lot 102 DP 846886 (30 Minerva Road Wedderburn) was lodged in March 2016. At that time, Council was undertaking an unrelated review of development potential within Wedderburn as part of Campbelltown LEP 2015 (CLEP 2015) Stage 1 Review. As part of Council's investigations, it sought advice from the Rural Fire Service (RFS) in relation to the suitability of land within Wedderburn generally to accommodate additional subdivision in order to support a higher population.

The RFS replied to Council by letter dated 29 March 2016 and it is fair to say that the summary of that advice was that additional population was not supported.

The primary concerns from the RFS related to the following issues:

- The likelihood of placing additional residents at threat from bushfire risk
- Increasing the evacuation load in a bushfire event;
- The isolated nature of the area constrains access and impedes evacuation;
- The above is compounded by the presence of 'pinch points' along Wedderburn Road as well as alternative emergency egress options including the former colliery road.
- The limited volume of static water with no reticulated supply.
- The impact of asset protection zones on vegetation.

What is clearly evidence from the above range of issues, is that irrespective of the subject application, the existing situation for existing residents with regard to bushfire safety can be described as, at best “undesirable”.

As a consequence of that advice, TBE were engaged to provide recommendations as to whether a small scale subdivision can provide a vehicle to bring about improvement to that existing situation, if so, how, and lastly, what is the upper limit for additional population which could be accommodated.

To that end, TBE have recommended a number of actions and strategies which would improve bushfire safety for existing residents. The most significant and substantial of these is the provision of a Community Fire Refuge (CFR) within Wedderburn itself. At present,

Wedderburn is only serviced by a Neighbourhood Safer Place (NSP) which is located at St Helens Park Woodland Road Baseball Complex). Access to the NSP can only occur via Wedderburn Road and past the pinch points identified by the RFS.

5.2.1 Provision of a New Community Safe Refuge

The subject Planning Proposal offers the provision of a Community Safe Refuge to be delivered by Voluntary Planning Agreement (VPA). There are several possible siting options. As such, early consultation with Council and the RFS (via Council) is being undertaken.

To the best of our knowledge, there are no Community Safe Refuge facilities in NSW, although we understand one has been supported by the RFS in Heathcote (Travers Report Page 18). Rather, NSW has traditionally relied on areas called "neighbourhood safer places". These are open space areas and for Wedderburn, the designated Neighbourhood Safer Place is Woodlands Road Baseball Complex being approximately 5km from the centre of Wedderburn and 8-10km from the southernmost dwellings in Wedderburn. It is only accessible via Wedderburn Road, which the RFS has identified contains vegetation pinch points which have the potential to deny use of the road during a bushfire event.

In Victoria there are 5 existing Community Safe Refuge facilities, of which 3 are attached to new fire stations and 2 are attached to existing schools. All 5 are full funded by government.

As a consequence of the absence of any existing Community Safe Refuge buildings in NSW, there are no design or siting guidelines which can be relied on to advance a specific proposal. As such, early liaison with the RFS is required.

We set out below further detail in relation to the size and nature of the CFR which is contemplated.

- Sized to accommodate 350 people at 1.5sqm per person (525sqm refuge area).
- Additional floor area to accommodate amenities, storage (for chairs, tables and communication equipment)
- Facility to be solar powered with battery storage.
- Water supply to be via on-site storage tank at >35,000 litres.
- Carbon filtered reverse cycle air conditioning

In order to gain maximum community benefit and usage of the facility, it would seem to us that dual use to support existing local interests should be investigated. A range of possible dual uses (which need not be exclusive uses) include:

- Accommodate artists' workshops as a coordinated venture between Council and the Campbelltown Art Gallery.
- A science and biology facility to support Western Sydney University and / or NPWS. Opportunity for secure storage of equipment combined with a large open area

would facilitate biology and ecology classes as well as a local outpost for koala monitoring activities.

- A venue for annual bushfire awareness programs.
- A venue for permaculture awareness and weekend markets of locally grown produce.

5.2.1.1 What is a Community Fire Refuge and What is a Neighbourhood Safer Place?

From the RFS Neighbourhood Safer Places Guide (2012)

Community Fire Refuge – A designated building open to the public that can provide short- term shelter from the immediate life-threatening effects of a bushfire event.

Neighbourhood Safer Place (NSP) – A NSP is a location where people facing an immediate threat to their personal safety or property can gather and seek shelter from the impact of a bushfire.

The Victoria Country Fires Association described the difference between the two facility types as follows:

Most Neighbourhood Safer Places are open-air spaces such as sports ovals, whereas Community Fire Refuges are enclosed buildings that are built or modified to withstand bushfire. Both are last resort options only for when all other plans have failed.

Given the density of vegetation within Wedderburn, there are no feasible locations for a NSP closer to the Wedderburn population than the existing facility at St Helens Park.

What would be proposed as part of a Planning Proposal would be a Voluntary Planning Agreement (VPA) to provide a CFR proximate to the intersection of Wedderburn Road and Minerva Road.

The facility would be sized to accommodate approximately 350-400 people. Accepting that many if not most Wedderburn residents will evacuate rather than defend their properties, the proposed Community Safe Refuge would service the whole of the Wedderburn suburb. It would also provide a refuge of last resort to RFS volunteers.

The following **Figure 11** shows an existing Community Safe Refuge at Blackwood Victoria. The proposed CFR would likely be slightly smaller in scale.



Figure 11: Existing CFR at Blackwood, Victoria

The proposed Community Safe Refuge relative to the location of the existing NSP is shown in the following **Figure 12**.

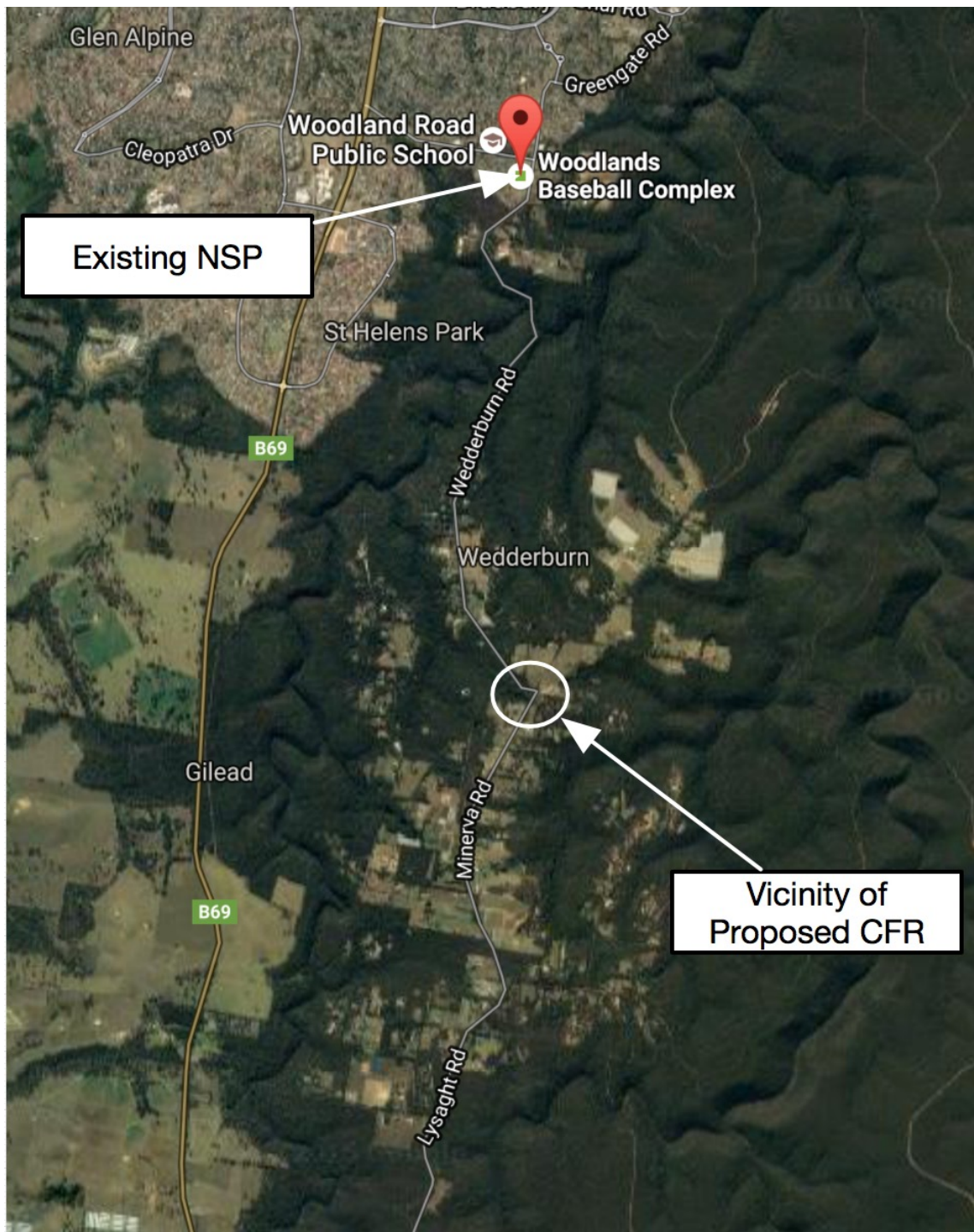


Figure 12: Location of Proposed CFR Relative to the Existing NSP

Early liaison with the RFS is request to determine the most suitable location for the siting of a Community Safe Refuge.

5.2.2 Other Bushfire Safety Improvements

In addition to the Community Safe Refuge, the Planning Proposal would deliver the following:

- Installation of a fire hydrant at the south-western corner of the intersection of Minerva Road and Wedderburn Road. The large dam at the north-eastern corner of 30 Minerva Road would supply the hydrant. Pumps would be powered by electricity mains, with generator input available in the event of power outage. Fire trucks would be able to re-fill from this point rather than return to St Helens Park as we understand is the existing situation.
- Preparation of a bushfire management plan prepared specifically for the Wedderburn Community.

5.2.2.1 Additional Population

Recognising the RFS' preference not to increase evacuation loads, the Planning Proposal would need to strike a balance between generating a sufficient lot yield to fund the CFR and other commitments, but providing no more yield than necessary to achieve that outcome.

In accordance with TBE recommendations, the maximum acceptable population increase is 100-150 persons or the equivalent of **20 to 30 additional lots**.

The proposed development delivers 17 additional lots and is therefore considered to be extremely conservative relative to both the costs of the VPA and the substantial public benefit which will arise from it.

Net Community Benefit

The Planning Proposal would have the effect of increasing population and evacuation loads by between 60 to 85 people.

The existing population of Wedderburn is 584 people.

The existing population is exposed to the undesirable bushfire safety conditions which have been described by the RFS in its letter to Council of 29 March 2016.

There are no presently available ways of improving access and escape opportunities for the existing population. The former colliery road is in the ownership of the Aboriginal Land Council and there is no funding mechanism for its surface to be maintained and pinch points managed. Blackburn Road bridge has been contemplated for nearly two decades, but funding has never been secured.

Despite the absence of viable options, Council will be aware from community participation in the LEP 2015 Stage 1 Review, that local residents have expressed strong and unanimous support for improving bushfire evacuation opportunities.

The provision of a centrally located CFR, represents a feasible alternative to new evacuation routes and may well reduce the level of concern Wedderburn residents presently have in relation to bushfire threat and evacuation. In addition to improving bushfire safety for all 584 existing residents, The CFR would also mitigate the adverse impacts of additional population by reducing the risk for incoming residents. Lastly, it would also provide a refuge of last resort for RFS fire-fighting volunteers.

We specifically note with regard to volunteer fire-fighters, that the existing 167 homes and 584 people mean that volunteers will always be needed to put themselves in harm's way when bushfire threatens the Wedderburn locality. Pinch points identified by the RFS have the potential to cut off escape routes to both the north and south. The provision of a CFR is therefore seen as a significant asset for the safety of both professional and volunteer fire fighters.

Council is respectfully requested to liaise with the RFS to seek its views in relation to the above matters. The nature and specifics of advice from the RFS will inform the details of finalisation of the Planning Proposal.

5.2.2.2 Asset Protection Zones

We have overlaid the APZ plan (page 20 of the Travers Report) with a preliminary subdivision layout. The results of that overlay (Figure 13) show that building envelopes of approximately 450sqm are available on each of the proposed lots.

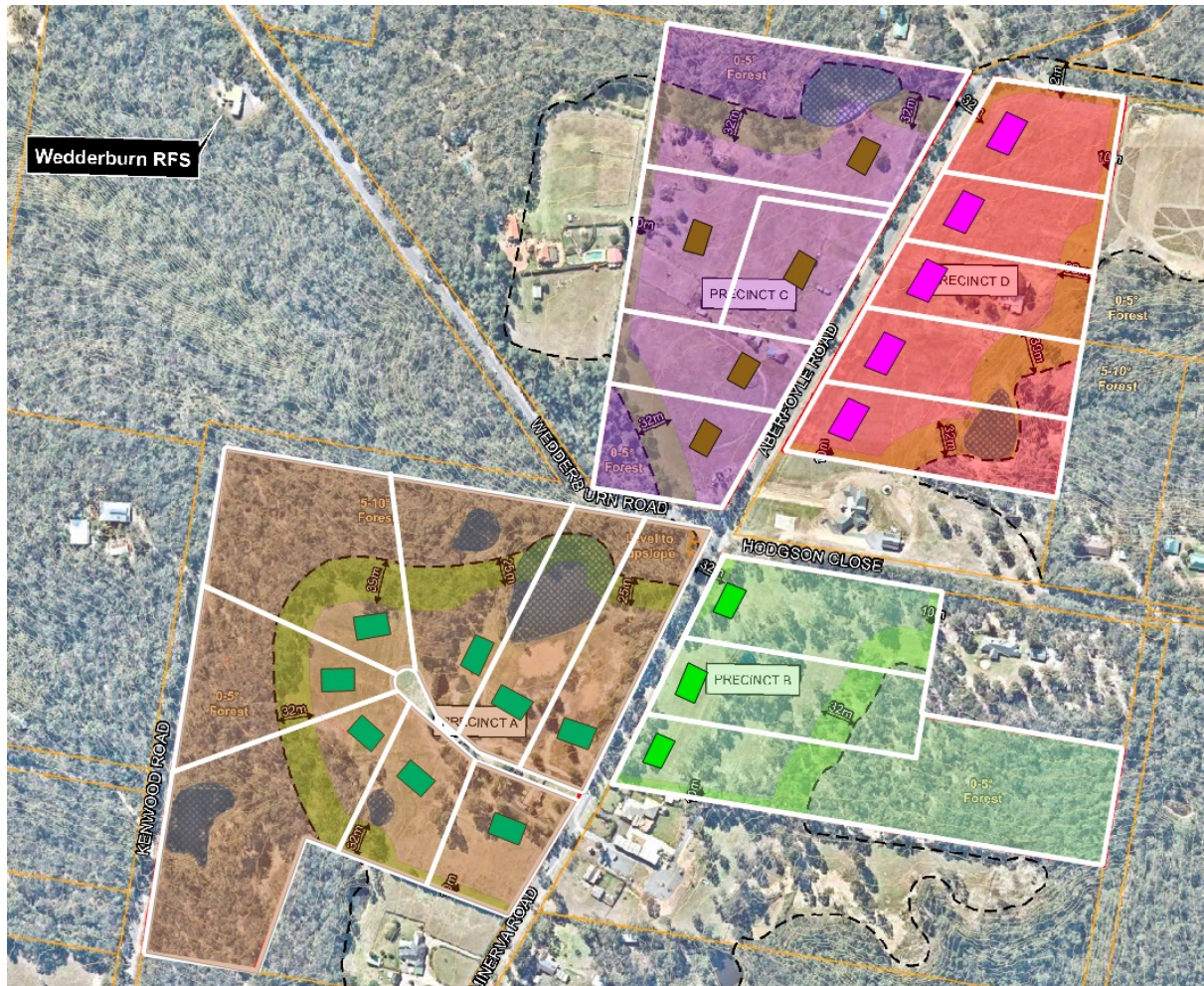


Figure 13: Overlay of Concept Subdivision Layout on Travers Recommended APZ Plan

5.3 Servicing and Infrastructure

Wedderburn is unsewered and also not supplied with reticulated water supply. Electricity and telecommunications services are available, however consultation with service providers will need to be undertaken to confirm adequate capacity is available.

The absence of sewer and water supply is a constraint which necessitates careful consideration.

Preliminary advice has been sought from Dr Peter Bacon of Woodlots and Wetlands in relation to constraints associated with on-site waste water disposal. A copy of that advice, which has been prepared in respect of only one of the alternative development scenarios contemplated in the 2016 Planning Proposal Report, is submitted under separate cover.

In respect of water supply, assuming a 300m² collectable surface area and a 100,000L tank, potable water will be available 98.7% of the time based on historic rainfall data. Under this scenario, water carting would be required for the remaining 1.3% of the time.

However, if dam water from the three large dam located on the land is used for toilet flushing and laundry use, then based on rainfall data over the last 43 years, dwellings would be supplied with water 100% of the time.

Further consultation with Council and NSW Health will be required to determine the acceptability or otherwise of dam water reliance. The outcome of those discussions will also likely have consequential bearing on the preferred development model.

In respect of wastewater disposal, the preliminary advice is that 564 L/day per dwelling must be disposed of, and that the same will require 1128m² land area per dwelling.

These metrics, particularly the sizing of the effluent disposal area will need to be refined and designed to precise detail subsequent to resolution of the preferred development model.

5.4 Heritage

The subject site is adjoined to the north by three heritage items being:

Item 101: Charcoal Pits

Item 104 – Old Wedderburn Post Office

Item 102 – Union Church Site

The adjoining heritage items are shown in the following Figure 14.



Figure 14: Proximate Heritage Items

Upon the RFS' position regarding the subdivision concept, and its preferred location for the CSR being known, a Heritage Study will be carried out. We would defer to Council's preference as to whether this be conducted before or after the Planning Proposal is submitted to Gateway.

At this stage however, it is observed that the subject site is visually screened from the northern adjoining property by dense vegetation and a significant grade difference. It is highly unlikely that the proximity of the site to the northern adjoining heritage items would constitute a constraint to subdivision or development of the land.

6 PROPOSED SUBDIVISION

The Planning Proposal seeks to amend the Lot Size Map under CLEP 2015 by specifying a minimum lot size of 1 ha for the Relevant Land. In addition, a site-specific DCP is proposed, the details of which are outlined later in this Section. Lastly, a Voluntary Planning Agreement (VPA) is proposed in order to provide funding for a new Community Safe Refuge (CSR) as well as other works related to bushfire improvement in the locality and in the Wedderburn suburb generally.

A concept plan of the proposed subdivision layout is provided as Figure 15 below.



Figure 15: Concept Plan of Proposed Subdivision Layout

Viewed within the context of the broader locality, the proposed subdivision is considered to fit comfortably with the prevailing lot size.



Figure 16: Concept Subdivision Layout Shown Within the Broader Context

6.1 Key Development Outcomes

The following summarises the main features of the proposed concept subdivision as well as the outcomes which are intended to be delivered by subdivision of the Relevant Land.

6.1.1 Development Metrics

- Minimum lot size of 1ha
- Average lot size: 1.6ha
- Indicative minimum clear buildable area: 450sqm



Figure 17: Indicative Subdivision Lot Sizes

6.1.2 Key Deliverables

- Voluntary Planning Agreement to fund the construction of a new Community Safe Refuge. The land to be occupied by the CSR will be dedicated to Council or the RFS at Council's preference. The refuge building will be constructed prior to issue of subdivision certificates.
- Installation of a fire hydrant on the western side of Minerva Road, supplied by the large dam at the north-eastern corner of 30 Minerva Road.
- VPA to fund the preparation of a Wedderburn specific Bushfire Management Plan

6.1.3 Site Specific DCP Outcomes

Subject to RFS referral response, the application will be updated to include a Site Specific DCP. The DCP will provide specific controls and protections in relation to:

- Subdivision design

- Building siting and site design
- Architecture and aesthetics
- Passive and active sustainable development technologies
- Bushland protection
- Waste water re-use and disposal
- Landscaping and permaculture

The provisions of Campbelltown DCP 2015 will also continue to apply by adoption.

With regard to architecture and aesthetics, the impact of any future dwellings on the rural character of the Wedderburn Plateau is a critical and fundamental issue to be managed through the design and development process. The site specific architectural design controls will ensure high amenity living for future residents in a manner which embraces the rural character and setting of Wedderburn.

The following photomontage provides a suite of existing dwellings which collectively represent the design language which is suggested as appropriate for Wedderburn and which could be enacted through the Site Specific DCP.

15-014 SD06 SUSTAINABLE HOUSING EXAMPLES



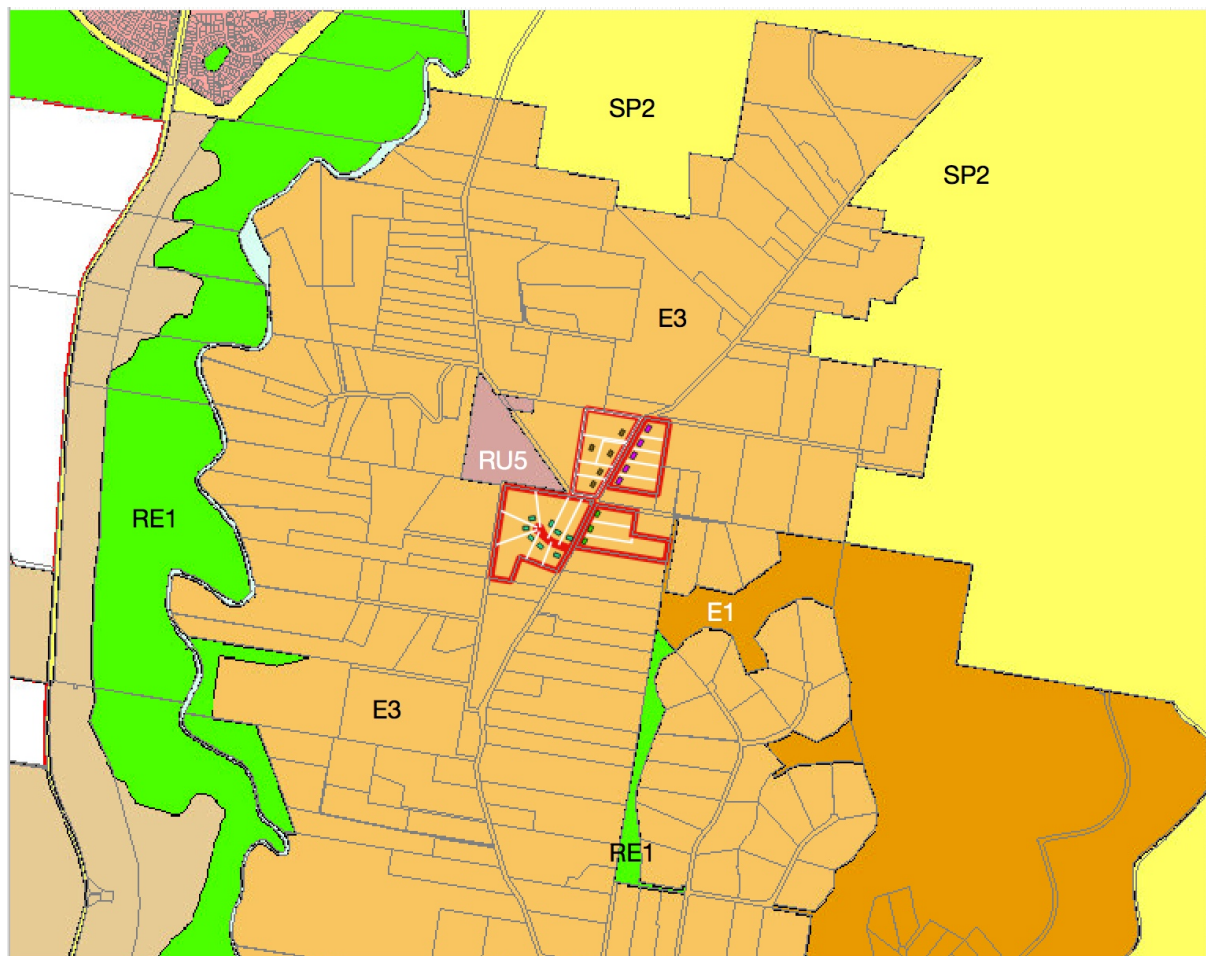
Figure 18: Indicative Architectural Design and Aesthetics

7 EXISTING STATUTORY PLANNING FRAMEWORK

7.1 Campbelltown Local Environmental Plan 2015

The subject site is zoned E3 – Environmental Management under CLEP 2015. The following Figure 19 provides an extract of the zoning map.

Figure 19: CLEP 2015 Zoning Map Extract



Relevantly it is to be noted that land to the north west of the subject site has been zoned RU5 – Village as compared to its former zoning of Rural 1(c) under LEP 1.

The zone objectives and development control table for the E3 and RU5 zones are provided as follows:

Zone E3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To enable development for purposes other than rural-residential only if that development is compatible and complementary, in terms of design, size and scale, with the character of land in the zone.
- To allow cellar door premises, restaurants and cafes only where they are directly associated with the agricultural use of the land.
- To protect, and maintain the environmental, ecological and visual amenity of, the Scenic Hills, the Wedderburn Plateau and environmentally sensitive lands in the vicinity of the Georges River from inappropriate development.
- To preserve the rural heritage landscape character of the Scenic Hills.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To protect bushland, wildlife corridors and natural habitat, including waterways and riparian lands.
- To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.

2 Permitted without consent

Home occupations

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Cellar door premises; Dual occupancies (attached); Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Flood mitigation works; Home-based child care; Home businesses; Home industries; Horticulture; Places of public worship; Recreation areas; Restaurants or cafes; Roads; Roadside stalls; Rural workers' dwellings; Viticulture; Water supply systems

4 Prohibited

Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone RU5 Village

1 Objectives of zone

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*
- *To minimise adverse environmental impacts on adjoining land uses and the natural environment.*
- *To maintain environmental and visual amenity.*

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Business premises; Car parks; Child care centres; Community facilities; Dwelling houses; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Garden centres; Hardware and building supplies; Home-based child care; Home businesses; Home industries; Information and education facilities; Markets; Neighbourhood shops; Office premises; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Roadside stalls; Rural supplies; Schools; Service stations; Shop top housing; Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

The subject Planning Proposal does not seek to amend the current zoning under CLEP 2015. However the recently applied RU5 – Village zone for land to the north west of the subject site is relevant to the current Proposal. In this regard, if additional housing and population density is to be accommodated within the Wedderburn Plateau, the subject site is well suited to take advantage of the wide range of retail and other convenience type land uses which will become permissible in the RU5 – Village zone.

Figure Figure 20 provides an extract of the minimum lot size map.

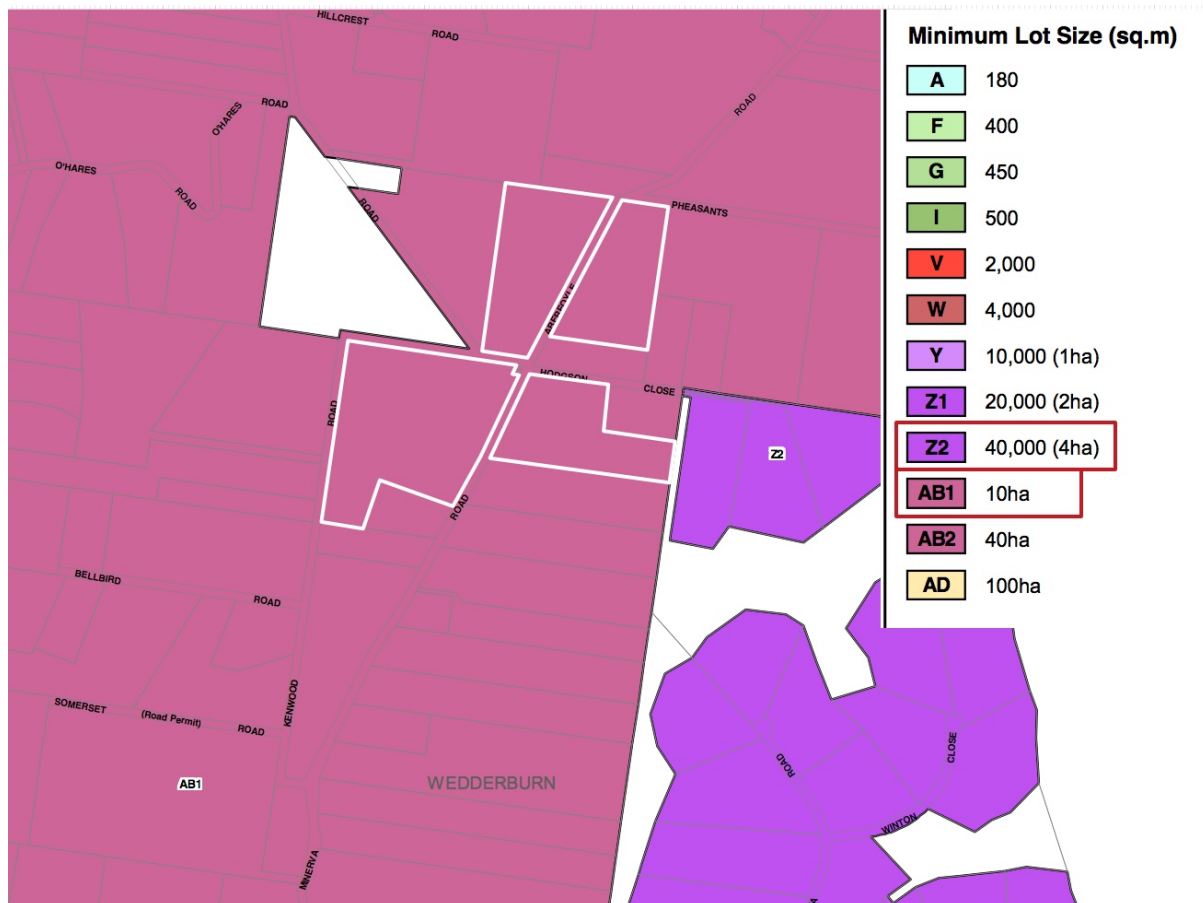


Figure 20: Draft CLEP 1 Lot Size Map

Pursuant to clause 4.1 of LEP 2015, the minimum lot size for Torrens Title subdivision of the subject site is 10ha. Similarly, clause 4.1AA operates to ensure the same minimum lot size for Community Title subdivision.

However clause 4.2C allows a concessional lot subdivision in circumstances where the parent parcel is greater than 10ha and existed as a separate parcel on 26 June 1981. These are the same subdivision controls as applied under the now superseded LEP 1.

The RU5 – Village zoned is excluded from minimum lot size provisions under the Draft LEP.

7.2 Deemed SEPP - Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment

Given that former Draft LEP 221 was deferred pending finalisation of a review of GMREP 2, early advice is requested from Gateway as to what studies will be necessary to determine satisfactory impact on water quality within the catchment. At this stage, we note the following:

GREP 2 applies to the site and aims to maintain and improve the water quality of river flows of the Georges River and its tributaries. It sets out requirements to ensure that development is managed in a manner that is in keeping with the national, state, regional and local significance of the catchment.

The aims and objectives of REP 2 are provided at Clause 5 of the plan. The relevant aims and objectives of this plan are:

- a) to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment,*
- b) to protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner,*
- c) to ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries.*

The relevant aims and objectives of REP 2, as outlined above, relate to the impacts of development on water quality within the Georges River Catchment. In this respect, the potential impacts of the development on water quality relate to wastewater disposal from any future dwellings on the additionally proposed lots.

The Planning Proposal is accompanied by preliminary waste water advice which indicates that traditional large lot subdivision is readily capable of accommodating required waste water disposal area. Further studies and investigations may need to be carried out subsequent to gateway determination. The site specific DCP will include provisions in relation to the siting and sizing of waste water irrigation area

The REP sets out general and specific planning principles, which are to be applied when a Local Environmental Plan is being prepared.

The general principles, together with a comment in relation to each are provided as follows:

8 General principles

When this Part applies the following must be taken into account:

(a) the aims, objectives and planning principles of this plan,

Comment: Development potential of the site needs to be carefully managed to ensure the maintenance or improvement of water quality within the catchment. One means by which this can be ensured is MUSIC Modelling with a view to demonstrating Neutral or Beneficial Effect (NorBE) on the water quality of receiving water courses.

(b) the likely effect of the proposed plan, development or activity on adjacent or downstream local government areas,

Comment: Subject to demonstration of NorBE, there would be no impacts on adjacent or downstream Local Government Areas.

(c) the cumulative impact of the proposed development or activity on the Georges River or its tributaries,

Comment: The subject Planning Proposal seeks site specific LEP amendment. Given the most recent advice from the RFS in relation to the strategic planning future of Wedderburn, the potential for subsequent planning proposals is considered unlikely.

(d) any relevant plans of management including any River and Water Management Plans approved by the Minister for Environment and the Minister for Land and Water Conservation and best practice guidelines approved by the Department of Urban Affairs and Planning (all of which are available from the respective offices of those Departments),

Comment: Additional residential subdivision opportunity of the scale proposed would not result in any conflict or inconsistency with the Plan of Management.

(e) the Georges River Catchment Regional Planning Strategy (prepared by, and available from the offices of, the Department of Urban Affairs and Planning),

Comment: Additional residential subdivision opportunity of the scale proposed would not result in any conflict or inconsistency with the Strategy.

(f) all relevant State Government policies, manuals and guidelines of which the council, consent authority, public authority or person has notice,

Comment: It would be reasonably expected that detailed assessment against relevant policies and guidelines would form part of a Water Cycle Management Study to be undertaken post Gateway determination.

(g) *whether there are any feasible alternatives to the development or other proposal concerned.*

Comment: The only feasible alternative to the current Proposal is to retain the existing controls. This outcome would not achieve the delivery of a Community Safe Refuge, and outcome which would be to the detriment of the existing Wedderburn Population. Accordingly, it is considered to be an inferior alternative.

Specific Planning Principles are set out at clause 9. Of relevance to the subject Planning Proposal is Principle (6) which states:

(6) *On-site sewage management*

The potential adverse environmental and health impact associated with effluent disposal is to be recognised and guarded against by meeting the criteria set out in the Environment Health Protection Guidelines: On-site Sewage Management for single households and the provisions of the Local Government (Approvals) Regulation 1993.

Preliminary advice received to date indicates that there are no impediments to satisfactory effluent disposal for traditional large lot subdivision. Subsequent to Gateway Determination, a detailed Water Cycle Management Study would be carried out and it would be essential that the same demonstrate consistency with this Principle.

Campbelltown (Sustainable City) Development Control Plan 2014

Campbelltown Development Control Plan 2014 (DCP 2014) applies to the site. Whilst it is the case that Chapter 4 – Residential Development within Non-Residential Land has most relevance to development potential in the existing situation, the subject Planning Proposal would include the preparation of a Site Specific DCP to be included as a subsequent part to Volume 2 of the DCP.

The Site Specific DCP is proposed to be prepared post gateway determination and subsequent to all specialist studies being concluded. Nevertheless, content and material which is known to be recommended at this stage, is discussed at Section 6.1.3 of this Report.

8 JUSTIFICATION OF PROPOSED OBJECTIVES, OUTCOMES AND PROVISIONS

This section of this report provides the justification for the making of a LEP to amend LLEP 2008. Reference has been made to the Department of Planning's guidelines for the preparation of planning proposals (2009).

8.1 Section A - Need for the planning proposal

8.1.1 Is the planning proposal the result of any strategic study or report?

Metropolitan Planning - A Plan For Growing Sydney

A Plan for growing Sydney was released on 14 December 2014 and is an action plan which will guide land use planning decisions up to 2034.

It consists of a number of directions and action focused around four (4) goals:

- **ECONOMY;** a competitive economy with world class services and transport.
- **HOUSING;** a city of housing choice with homes that meet our needs and lifestyles.
- **LIVEABILITY;** a great place to live with communities that are strong, healthy and well connected.
- **ENVIRONMENT;** a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

Each Goal is accompanied by a number of Directions and Actions. Campbelltown is identified in the Strategy as a Regional City Centre however the majority of goals, directions and actions which are relevant to Campbelltown as a Regional City Centre have little or no relevance to the planning direction for Wedderburn. Given that Wedderburn offers negligible contribution to housing supply within the LGA, it is our opinion that strategic directions related to metropolitan housing supply are also not relevant to land use planning in Wedderburn.

The subject Planning Proposal is not inconsistent with any of the Metropolitan Plan Directions. However of most relevance is the Environment Direction, which we address in detail below.

8.1.1.1 Environment

A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources

The Environment Goal of the Metropolitan Plan contains three directions and actions. Comment in relation to the consistency of the proposed development in relation to each Direction is provided within the following Table 2.

Table 2: Consistency Assessment with Environment Goal Directions of the Metropolitan Plan

Direction and Action	Comment
<p>PROTECT OUR NATURAL ENVIRONMENT AND BIODIVERSITY</p> <ul style="list-style-type: none"> • Protect and deliver a network of high conservation value land by investing in green corridors and protecting native vegetation and biodiversity. • Prepare a strategic framework for the Metropolitan Rural Area to enhance and protect its broad range of environmental, economic and social assets. • Investigate opportunities to integrate the marine estate and adjacent coastal land uses. 	<p>The subject Planning Proposal is squarely aligned with this Direction. The concept subdivision design provides for preservation of high conservation value land.</p> <p>The subject Planning Proposal will protect environmental assets whilst at the same time, seeking to improve present economic and social infrastructure servicing the Wedderburn Plateau.</p> <p>Not relevant to Wedderburn</p>
<p>BUILD SYDNEY'S RESILIENCE TO NATURAL HAZARDS</p> <ul style="list-style-type: none"> • Provide local councils and communities with tools and information to shape local responses to natural hazards. • Complete and implement the Hawkesbury-Nepean Valley Floodplain Management Review. • Map natural hazard risks to inform land use planning decisions 	<p>Bushfire is a key consideration for the subject Planning Proposal. The primary net community benefit which is intended to be delivered by the Proposal is the improvement in bushfire risk exposure which is presently experienced by the existing Wedderburn population. This outcome will be achieved through the provision of a Community Safe Refuge; the provision of a new firetruck replenishing hydrant; and the preparation of a</p>

	<p>Wedderburn Specific Bushfire Management Plan.</p> <p>As Council is aware pinch points across both Wedderburn Road and the former Colliery Road have the potential to cut off emergency evacuation routes. Council has been seeking to secure funding for the Blackburn Road Bridge for nearly 2 decades. The provision of a privately funded Community Safe Refuge will provide an alternative to evacuation and will remain available to existing Wedderburn residents in the event of evacuation routes having been cut off.</p>
<p>MANAGE THE IMPACTS OF DEVELOPMENT ON THE ENVIRONMENT</p> <ul style="list-style-type: none"> • Apply Urban Green Cover Technical Guidelines. • Identify and protect land for new waste management facilities. 	<p>The Urban Green Cover Guidelines broadly relate to increasing vegetation within urban areas for the purposes of mitigating microclimate impacts of large expanses of impervious surface. The guidelines are unlikely to have any relevance to any future development within the Wedderburn Plateau.</p> <p>The identification of land for new waste management facilities is not relevant to the subject Planning Proposal.</p>

8.1.1.2 Sub-Regional Planning

Draft South West District Plan

The Draft Southwest District Plan has been prepared by Greater Sydney Commission and aims to give local direction and affect to the Metropolitan Plan.

The strategic relevance of the document to the subject Planning Proposal is set out in section 1.1.2 as follows.

As a document for discussion, this draft District Plan proposes actions that could influence how different levels of government plan for the District, and how public and private investment decisions are made – directly influencing growth and change.

For local government, this draft District Plan will:

- inform the preparation of local environmental plans*
- inform assessments or planning proposals*
- guide strategic land use, transport and infrastructure planning across local government areas*
- inform infrastructure planning.*

Section 75A1 of the Environmental Planning and Assessment Act 1979 (EP&A Act) requires local environment plans to be updated to give effect to each District Plan as soon as practicable after a District Plan is made.

The Draft Plan focuses on three areas of strategic priority being: "a productive city"; "a liveable city", and; "a sustainable city".

Given the rural residential nature of the Planning Proposal and the semi-rural nature of the locality, the proposal has little relevance (but does not otherwise offend) those directions related to "a productive city". We note in this regard that the relevant land is not being used for agricultural production, has not been used for those purposes in nearly 2 decades and that due to poor soil quality, there are no reasonable prospects for agricultural uses to occur in the future. Further discussion in relation to cultural soil mapping is provided later in this report.

In relation to a "liveable city" the Draft Plan sets out six priorities being "improve housing choice"; "improve housing diversity and affordability"; "coordinate and monitor housing outcomes and demographic trends"; "create great places - not just buildings"; "foster cohesive communities in the South-West District"; "respond to people's need for services - developing complete communities".

The first three of these directions relate to housing within the context of metropolitan housing supply. Wedderburn does not play any role in housing supply for the purposes of metropolitan planning and accordingly, the first three directions are not specifically relevant.

Nevertheless, we note that new urban development in the growth priority areas has had the effect of displacing a relatively large number of residents who preferred a rural residential rather than a suburban lifestyle. Additional rural residential supply in appropriate locations assists in mitigating those impacts.

The direction "create great places - not just buildings" is relevant to the Planning Proposal and will have particular importance in informing the contents and controls of the site-specific DCP.

The Draft Plan adopts the Department of Environment and Planning's Draft Policy on Urban Design and Architecture, which establishes seven principles of urban design. We repeat those principles below together with a comment in relation to how these site-specific DCP will address those principles.

Principle 1: Contextual, local and of its place. *The urban environment is where most of us live, work and recreate.*

Places should be designed to be integral with local people and cultures and connected to their landscape and setting. In this way, a place will be 'of its location' - distinctive, resonant and engaging.

Comment: in order to ensure that the proposed subdivision will result in contextually appropriate dwellings, strict design controls will need to be included in a site-specific DCP. Example built form outcomes have been provided in Figure 18 on the advice of Pidcock Architects. Subject to Gateway approval Pidcock Architects will be engaged to assist in the preparation of a site-specific DCP. Controls and guidelines contained within the document will direct outcomes in relation to the following:

- Setbacks and siting;
- Building height;
- Building materials, with a focus on timber, lightweight cladding and colour bond as opposed to masonry, brick and tile construction;
- Active and passive energy-efficient design;
- Vehicular parking including minimising visual impacts, bulk and scale of garages.

Principal 2: Sustainable, efficient and durable. *Cities, towns and the infrastructure that they require have both a positive and negative impact on the environment quality and climate change.*

An urban area should be designed to be accessible and compact; to minimise consumption of energy, water and natural resources; and to avoid detrimental impacts on natural systems. It should be designed to respond and adapt to changes over time.

Comment: Future residential development will be subject to BASIX requirements. Subject to Gateway Approval a detailed water cycle study is proposed to be undertaken. This will inform grey water and black water recycling opportunities.

Given the size of the proposed lots there will be ample opportunity for domestic permaculture gardens. The site-specific DCP will include site planning criteria to support on-site food growing and will also provide a resource list for further information and assistance in permaculture production.

Principle 3: Equitable, inclusive and diverse. *The city represents the coming together of the full spectrum of society in a mutually beneficial arrangement.*

Cities and towns must accommodate and provide access to opportunities for all. Urban design should provide equitable access to housing, employment, public transport, public space and social opportunities.

Comment: Given the small scale of the proposed development there is little realistic opportunity for the Planning Proposal to provide meaningful contributions with regard to these issues. That said, there are no aspects of the proposal which are contrary to this principle.

Principle 4: Enjoyable, safe and comfortable. *How people experience it is as a daily impact on people's lives, and investment in development and infrastructure can have an impact for decades and generations.*

Urban design should be people focused, providing environments that are user-friendly, enjoyable, accessible and dignified.

Comment: Wedderburn is a suburb characterised by high natural amenity, but which is poorly serviced in terms of access to urban facilities such as daily convenience retailing and social support services. It lacks a community hub or focal point. It is also exposed to a high level of bushfire threat.

Previous Planning Proposals, including one which was lodged and withdrawn and one which was presented to Council for preliminary comment but which was not lodged, have attempted to address these issues and deliver positive outcomes through the development process. However, each of those proposals anticipated a density of development which would have been unsupportable by the RFS on the basis of increased bushfire evacuation loading and associated risks.

In the absence of a more substantial population increase, it is unlikely for there to be a sufficient customer base to support a local shop. Whilst not proposed as part of this application opportunity is available to Council to amend the list of permissible uses within the E3 – Environmental Management zone to permit "neighbourhood shops". Should there be sufficient demand to support the same, a small shop of less than 100 m² would naturally be located on Wedderburn Road north of the Relevant Land or in close proximity to the intersection of Wedderburn Road and Minerva Road.

Significantly, however, the proposed development facilitates the provision of a Community Safe Refuge. Having regard to the RFS' most recent advice relation to the present level of bushfire threat with which the existing Wedderburn community is exposed, the Community Safe Refuge is considered to be a significant and important asset to the Wedderburn community provides a practical alternative to the Blackburn Road bridge, which remains an unfunded proposal after nearly two decades of investigation.

Having regard to the above, the Planning Proposal is considered to be consistent with this principle and will actively to improve safety outcome for the existing community.

Principal 5: Functional, responsive and fit for purpose. *As the setting for our daily lives, the urban environment must work well for a wide range of purposes.*

Urban design can influence the functionality and workability of urban areas permanently, and so design quality at the outset is essential.

Functional, responsive and fit for purpose design will be facilitated through the provision of the proposed site-specific DCP, to be prepared subsequent to Gateway determination. The Planning Proposal is considered to be consistent with this Principle.

Principle 6: Value-creating and cost-effective. *Substantial investment goes into the urban environment and infrastructure from a range of sources.*

Well-designed urban places have the potential to be highly cost-effective over the long-term, creating ongoing and increasing value for all.

Comment: The Planning Proposal provides for the orderly and economic development of the Relevant Land, provides for the ongoing protection and preservation of ecological assets and will deliver substantial benefit to the existing Wedderburn community through the provision of the proposed Community Safe Refuge as well as other bushfire mitigation and response measures as proposed. The Planning Proposal is considered to be consistent with this Principle.

Principle 7: Distinctive, visually interesting and appealing. *For most people, the urban environment is where we live our daily lives.*

The design of the city or precinct is fundamental to how it looks, feels and works for people. For design has a lasting, negative impact, design provide ongoing benefit for all.

Comment: consistency of the Planning Proposal with this Principle is dependent on the architectural and aesthetic outcomes arising from the construction future dwelling houses on the Relevant Land. As mentioned, this, in turn, is proposed to be carefully controlled through the preparation of a site-specific DCP which will be prepared in consultation with Pidcock Architects subsequent to Gateway Determination.

Subject to the preparation of the site-specific DCP, the Planning Proposal is considered to be capable of satisfying this Principle.

A Sustainable City

Chapter 5 of the Draft District Plan has particular relevance to strategic planning decision-making in ecologically sensitive locations. page 127 of the Draft Plan observed the following

with regard to the distribution, characteristics and conservation potential for non-urban land which surrounds the southwest metropolitan area.

The South West District is set out as a series of horseshoes, one inside the other. National parks, protected water catchments, rugged mountains and scenic hills cradle the horseshoe of the metropolitan rural lands where narrow roads curve through bushland and open paddocks and up scenic ridgelines, where historic towns and villages dot the landscape.

This draft District Plan proposes priorities and actions that can protect, conserve, maintain and enhance the District's biodiversity and natural beauty, its rural landscape setting and its scenic views, hills and ridgelines.

The Draft Plan identifies a series of sustainability priorities for scenic, ecologically sensitive and/or rural land within the South-West District. The following summarises each of those priorities and provides an assessment comment as to the consistency of the Planning Proposal with the same.

Sustainability Priority 1: Improve protection of rural lands and scenic landscapes.

This priority encourages Council to identify and map areas with high scenic value and to develop strategies, planning and development controls that protect important scenic landscapes and vistas.

Comment: The E3 – Environmental Management zone objectives include reference to aesthetic values and certainly the Wedderburn locality as a particular aesthetic character for which radical change or transformation is not warranted. However, the visual character of Wedderburn is observed and appreciated from within the suburb itself. This means that its scenic landscape qualities are not of the same order of significance as is the case for say the Central Hills. The Planning Proposal aims to ensure future development will be complimentary to the existing character of Wedderburn by a site-specific DCP which will include controls which will direct a specific built form outcome for each of the proposed lots.

Subject to the site-specific DCP controls, it is considered that the Planning Proposal will be consistent with this Sustainability Priority.

Sustainability Priority 2: Maintain and improve water quality and waterway health.

The Planning Proposal is accompanied by a preliminary wastewater opportunities analysis. This report identifies that soil quality will support on-site wastewater disposal. Subject to Gateway determination, it is recommended that detailed MUSIC modelling be undertaken in order to identify all water cycle management measures, necessary to ensure that future

development of the land will achieve a neutral or beneficial effect on the water quality of the Georges River and its tributaries.

Subject to demonstration and implementation of neutral or beneficial effect, the Planning Proposal would be considered to be consistent with this Sustainability Priority.

Sustainability Priority 3: Avoid and minimise impacts on biodiversity.

This priority directs that biodiversity values should be protected and adverse impacts minimised "as far as practicable" it is only when impacts cannot be avoided or minimised should consideration be given to offsetting those impacts.

The Planning Proposal is accompanied by ecological reports which address each of the component lots separately and the primary findings and recommendations of each of those reports have been addressed at Section 5.1 above.

The subdivision design and identification of future building areas is based on ensuring that requisite asset protection zones can be accommodated wholly within existing cleared areas of the Relevant Land and that no ecologically significant vegetation need to be removed or otherwise impacted to accommodate the proposed development. As such it is considered that the Planning Proposal is consistent with the Sustainability Priority in that it fully protects core biodiversity value land and minimises the impact on all other vegetation.

Sustainability Priority 4: Aline strategic planning to the vision for the Green Grid.

The Green Grid refers to a Greater Sydney region wide open space network and it is considered that this Sustainability Priority is not applicable to the subject Planning Proposal.

Sustainability Priority 5: Protect, enhance and extend the urban canopy.

Given the nonurban context and zoning of the Relevant Land, this Sustainability Priority is of limited relevance. Nevertheless, the site-specific DCP will include detailed controls in relation to landscape design. Such controls will go to the identification of appropriate species; shade provision and solar penetration; maintenance of fuel loadings within asset protection zones as well as streetscape and aesthetic considerations. Subject to implementation of the DCP controls in that regard, the Planning Proposal is considered to be consistent with this Sustainability Priority, albeit that it is of limited relevance.

Sustainability Priority 6: Discourage urban development in the Metropolitan Rural Area

The proposal does not contemplate urban development and is not offend this Sustainability Priority.

Sustainability Priority 7: Consider environmental, social and economic values when planning for the Metropolitan Rural Area

Sustainability Priority 7 is of significant relevance to the subject Planning Proposal. Priority 7 directs the following:

Agriculture and primary industries are essential to Greater Sydney and to the South West District's economy. They need to be planned and protected to avoid their transition to higher and better uses (in financial terms) such as suburban residential development.

In planning for the Metropolitan Rural Area, the relevant planning authority should undertake its own review of the land use activities in the context of the environmental, economic and social values, and consider our research regarding the multiple values and activities in their District to better understand how they are operating, the range of uses operating within them, their interdependencies, key constraints and opportunities to their effective operation and evolution.

On this basis, when planning for the Metropolitan Rural Area in the South West District, relevant planning authorities should consider how to:

- Provide greater certainty with regards to built form outcomes in and around villages*
- Articulate the different landscape and heritage values and character of rural areas, with different planning and development controls*
- Clarify what the future should be for rural lands to prevent speculation and protect against encroachment*
- Conserve Aboriginal cultural heritage*
- Maximise opportunities from the agricultural industry's proximity to Western Sydney Airport.*

The Planning Proposal is considered to be satisfactory having regard to the above directions:

- The site-specific DCP will provide a highly prescriptive built form outcome which will communicate full certainty to future prospective residents.
- The Planning Proposal relates to four properties around the intersection of Minerva Road and Wedderburn Road. The location of these properties, together with the land size and extensive areas of existing cleared land, make them distinguishable from any other property in Wedderburn. Council resolved at its meeting of 14 June 2016 to retain existing planning controls for Wedderburn generally. However Council's recommendation excluded 30 Minerva Road specifically, which was, as the time of that report, the subject of a separate Planning Proposal. It is considered that Council has sufficiently communicated that for all but the Relevant Land, the existing planning controls support the existing character. However the Relevant

Land is distinguishable from the remainder of Wedderburn for reasons mentioned above, and the Planning Proposal will deliver substantial community benefit through the provision of the Community Safe Refuge.

- Council has clarified its expectations about the future of planning controls in Wedderburn. The subject Planning Proposal is not inconsistent with those expectations but importantly, it provides opportunity to mitigate existing bushfire hazard risk exposure.
- There are no known aboriginal cultural heritage issues. An AHIMS search has been undertaken which demonstrates there are no known significant sites on, or within 1 km radius of the intersection of Minerva Road and Wedderburn Road.
- There is no reasonable prospect for the Relevant Land to be used for Agriculture. In any event, transport infrastructure between the Relevant Land and the arterial network to Western Sydney Airport is not ideal.

Sustainability Priority 9: support opportunities for District Waste Management.

Given the location of the subject site relative to existing waste management facilities, there are not potential issues and the Planning Proposal is considered to be consistent with this Priority.

Sustainability Priority 10: Mitigate the urban heat island effect

Given the low site coverage which is expected for future development of the Relevant Land, the Planning Proposal will not introduce any microclimate impacts.

Sustainability Priority 11: Integrate land use and transport planning to consider emergency evacuation needs.

Whilst this sustainability priority is more particularly targeted at urban development, it is particularly appurtenant to the subject Planning Proposal. The existing Wedderburn population is at risk of having both escape routes cut off from vegetation pinch points over Wedderburn Road and the former Colliery Road. The Planning Proposal seeks to mitigate that existing situation by providing safe refuge for those who do choose to defend their properties, but are forced to retreat after full evacuation is cut off.

Sustainability Priority 12: Use buffers to manage the impacts of rural activities on noise, odour and air quality.

Given the rural residential context of the Relevant Land, this Priority is not considered to be relevant to the subject Planning Proposal.

Sustainability Priority 13: Assist local communities develop a coordinated understanding of natural hazards and responses that reduce risk.

The Planning Proposal seeks to fund by way of VPA a Wedderburn specific bushfire management plan. The existing management plan has been reviewed by TBE to be too broad, covering too many and too disparate localities. It will also be outdated subsequent to the development of a Community Safe Refuge. As such, the proposal to develop a Wedderburn Specific Bushfire Management Plan is consistent with Sustainability Priority 13.

South West Sydney Regional Action Plan

The south west Sydney Regional Action Plan identifies four key priorities to shape the growth of Western Sydney over the 10 year period since December 2012, being:

- Promote an economic powerhouse
- Deliver a well connected region
- Support a strong and inclusive region
- Manage the environment sustainably

Of the above, the fourth direction (manage the environment sustainably) has most relevance to strategic planning in Wedderburn. However in terms of the detail which is canvassed at the sub-regional planning level, it is fair to say that the priorities of the South West Sydney Regional Action Plan are focused on the river systems (and catchments) of the Hawkesbury-Nepean River and the Georges River.

As discussed above, subsequent to Gateway Determination, it would be appropriate to carry out a water cycle management study for the proposed subdivision, in order to ensure that Neutral or Beneficial Effect on downstream receiving water courses is achieved.

The proposed subdivision will involve minimal impact on existing vegetation and accordingly, is considered to be consistent with the Action Plan's aims in relation to biodiversity conservation.

8.1.1.3 Council Reports and Business Papers

Wedderburn has been the subject of a very large number of Council Reports over several decades. The most recent report was 14 June 2016 which provided the basis of Staff's Recommendations regarding LEP review for Wedderburn as well as a number of other areas.

In respect of Wedderburn, the report observed that the locality is highly constrained by ecology, bushfire, flood free egress (although it is observed that Council has committed to upgrading the Wedderburn Road causeway). It also recorded the referral comments from the RFS made in its letter of 29 March 2016.

The report makes the following specific comments and recommendations of page 131:

*The suitability of the remnant isolated patches on the main spine is also questionable.
If any development is to occur on any of these parcels it will need to present a truly*

unique and acceptable sustainable development solution and hazard management strategy. However, given the advice from NSW Rural Fire Service the risk associated with allowing additional dwellings will be difficult to overcome.

It is noted that Council is in receipt of a Planning Proposal Request (PPR) for a Lifestyle Village at 30 Minerva Road (adjacent to the constrained area zoned Rural Village RU5) which is promoting options of a cluster housing model (30 dwellings) or traditional large lot residential subdivision (15 lots/dwellings). This PPR is currently being reviewed and will be presented to Council shortly for consideration.

Any PPR in the subject precinct should be resourced by the proponents and adopt a holistic approach.

The following aspects of the Planning Proposal directly respond to the above comments:

- The site specific DCP will be prepared in accordance with Pidcock Architects, who are industry leaders in sustainable development design and technologies. Given the significant expense which is associated with preparing a Site Specific DCP of the type proposed, the preparation of this document has been deferred pending Gateway Determination and advice from the RFS in relation to its acceptance of both the Community Safe Refuge and the proposed additional population levels.
- The Community Safe Refuge, new fire truck water refilling hydrant and Wedderburn Specific bushfire management plan have been proposed on the advice of John Travers whose reputation and credibility within the industry needs no introduction.

There are some trade-offs which need to be balanced between “a truly unique sustainable development” and the RFS desire to minimise population growth.

With higher yield, comes more opportunities and possibilities regarding sustainable development outcomes. For example, a very sizeable yield in the order of 500-600 people would likely create opportunity a centralised waste water treatment system. A larger critical mass of population density would make possible innovative solutions to address transport disadvantage through for example, community car sharing programs administered through on-line entities such as carnextdoor.com.au.

However, for a relatively small subdivision as currently proposed, the practicality of many of those option must be questioned.

As a consequence, what is proposed is a focus of an holistic analysis of Wedderburn and delivering a means of improving the present level of bushfire risk exposure. At the same time, sustainable development will be assured through the site specific DCP. We would draw short however, of claiming those sustainable development outcomes as being “truly unique”. Contextually appropriate, sensitive design and strong use of sustainable development design and technology will be delivered. However, with such limited

population increase available, a world class model for sustainable development cannot realistically form an aspiration for the subject Planning Proposal.

9 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (s.117 DIRECTIONS)?

The applicable Ministerial Directions have been identified and comment provided below.

9.1 Direction 1.2 - Rural Zones

Objective

(1) The objective of this direction is to protect the agricultural production value of rural land.

Where this direction applies

*(2) (a) Clause 4(a) of this direction applies to all relevant planning authorities.
(b) Clause 4(b) of this direction applies in the following local government areas:*

Ashfield; Auburn; Bankstown; Baulkham Hills; Blacktown; Blue Mountains; Botany Bay; Burwood; Camden; Campbelltown; Canada Bay; Canterbury; City of Sydney; Fairfield; Gosford; Hawkesbury; Holroyd; Hornsby; Hunters Hill; Hurstville; Kogarah; Ku-ring-gai; Lake Macquarie; Lane Cove; Leichhardt; Liverpool; Manly; Marrickville; Mosman; Newcastle; North Sydney; Parramatta; Sutherland; Warringah; Waverley; Willoughby; Wollondilly; Woollahra; Wollongong; Wyong

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).

What a relevant planning authority must do if this direction applies

(4) A planning proposal must:

- 1. (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.*
- 2. (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).*

Consistency

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(e) justified by a strategy which:

(i) gives consideration to the objectives of this direction,

(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and

(iii) is approved by the Director-General of the Department of Planning, or

(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or

(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or

(d) is of minor significance.

Comment: It is considered that 117 Direction 1.2 does not apply to the subject Planning Proposal because the site is zoned E3 – Environmental Management which is not a rural zone. Nevertheless, to the extent that the Department of Primary Industries expressed preference for retention of the existing 10ha subdivision patterns during consultation associated with Draft LEP 2014, it is relevant that in it has been an agreed position since the Inter Agency Working Party of the later 1990s to 2000, that three of the four lots are located in land which has been agreed not to be suitable for productive agriculture based on its poor soil type. In respect of Lot A (15 Aberfoyle Road) the soil type was classified by the Inter-Agency Working Party as category A1. Its agricultural capability was described as “Can be formed into raised beds of adequate depth and drainage for stone and pome fruit and vegetable culture”. Its soil type was described as “sandy surface / more clayey subsoil”.

Whilst Lot A would appear to have better agricultural production potential, it has not been used for agricultural purposes for several decades. Based on present day land values, which are seismically higher than they were in the Inter Agency Working Party years, it is considered that the highest and best use of the land as existing is for its rural residential living capabilities and that agriculture is highly unlikely to become an economically viable land use for the site.

Should Council have any doubt about this, then it would be appropriate for it to request the Applicant engage an Agronomist to provide an independent assessment of agricultural

viability. However, if this is Council's preferred course of action, we would respectfully request the same be required subsequent to Gateway Determination.

9.2 Direction 2.1 – Environmental Protection Zones

2.1 Environment Protection Zones Objective

(1) The objective of this direction is to protect and conserve environmentally sensitive areas.

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal.

What a relevant planning authority must do if this direction applies

(4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.

(5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".

Consistency

(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:*
 - i. gives consideration to the objectives of this direction,*
 - ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
 - iii. is approved by the Director-General of the Department of Planning, or*

(b) *justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or*

(c) *in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*

(d) *is of minor significance.*

Comment: The subject Planning Proposal contemplates development of the existing cleared areas of the Relevant Land and will involve negligible vegetation removal. The Planning Proposal is accompanied by a ecologists reports, bushfire report and wastewater report, all of which identify that the development is capable of occurring without adverse ecological or environmental impact. Further and more detailed reports are expected to be required subsequent to Gateway Determination.

Accordingly, the Planning Proposal is considered to be satisfactory having regard to the provisions of clause (6) (a) of the Direction.

9.3 Direction 3.5 – Development Near Licensed Aerodromes

Comment: Direction 3.5 does not apply because Wedderburn Aerodrome is an unlicensed airfield. In any event, it is situated more than 4km from the subject site.

9.4 Direction 4.2 - Mine Subsidence and Unstable Land

Objective

(9) *The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.*

Where this direction applies

(10) *This direction applies to land that:*

(a) *is within a Mine Subsidence District proclaimed pursuant to section 15 of the Mine Subsidence Compensation Act 1961, or*

(b) *has been identified as unstable land.*

When this direction applies

(11) *This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that:*

(a) *is within a mine subsidence district, or*

(b) has been identified as unstable in a study, strategy or other assessment undertaken:

(i) by or on behalf of the relevant planning authority, or

(ii) by or on behalf of a public authority and provided to the relevant planning authority.

What a relevant planning authority must do if this direction applies

(12) When preparing a planning proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must:

(a) consult the Mine Subsidence Board to ascertain:

(i) if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and

(ii) the scale, density and type of development that is appropriate for the potential level of subsidence, and

(b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under (4)(a)(ii), and

(c) include a copy of any information received from the Mine Subsidence Board with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.

(13) A planning proposal must not permit development on unstable land referred to in paragraph 3(b).

Consistency

(14) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(a) justified by a strategy which:

(i) gives consideration to the objective of this direction, and

(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and

- (iii) is approved by the Director-General of the Department of Planning, or*
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*
- (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
- (d) of minor significance.*

Comment: It is understood that the Relevant Land is not located within the Mine Subsidence District and there is no evidence of soil instability on the land. Nevertheless, given the relatively close proximity of Wedderburn to declared mine subsidence areas, referral to the NSW Mine Subsidence Board would be prudent. Further assessment in relation to this issue is deferred pending that referral response.

9.5 Direction 4.4 – Planning for Bushfire Protection

Objectives

(1) The objectives of this direction are:

- (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and*
- (b) to encourage sound management of bush fire prone areas.*

Where this direction applies

(2) This direction applies to all local government areas in which the responsible Council is required to prepare a bush fire prone land map under section 146 of the Environmental Planning and Assessment Act 1979 (the EP&A Act), or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.

What a relevant planning authority must do if this direction applies

(4) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community

consultation in satisfaction of section 57 of the Act, and take into account any comments so made,

(5) A planning proposal must:

- (a) have regard to Planning for Bushfire Protection 2006,*
- (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and*
- (c) ensure that bushfire hazard reduction is not prohibited within the APZ.*

(6) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:

- (a) provide an Asset Protection Zone (APZ) incorporating at a minimum:*
 - (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and*
 - (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,*
- (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,*
- (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,*

Comment: The effect of this direction is to require consultation with the RFS subsequent to gateway determination and prior to public consultation.

Given the recent strategic planning history of Wedderburn, Council is requested to refer the subject application to RFS as among the first action items. RFS input into the preferred location of the Community Safe Refuge is required. It would not be appropriate to expend further money on specialist reports prior to that advice being received.

9.6 Direction 6.1 – Approval and Referral Requirements

Objective

(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal.

What a relevant planning authority must do if this direction applies

(4) A planning proposal must:

(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and

(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:

(i) the appropriate Minister or public authority, and

(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and

(c) not identify development as designated development unless the relevant planning authority:

(i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and

(ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.

Consistency

(5) A planning proposal must be substantially consistent with the terms of this direction.

Comment: This is a procedural Direction for which it can be expected that the Planning Proposal will comply.

9.7 Direction 7.1 – Implementation of a Plan for Growing Sydney

Objective

(1) The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

Where this direction applies

(2) This direction applies to land comprising of the following local government areas:

Ashfield; Auburn; Bankstown; Baulkham Hills; Blacktown; Blue Mountains; Botany Bay; Burwood; Camden; Campbelltown; Canada Bay; Canterbury; City of Sydney; Fairfield; Gosford; Hawkesbury; Holroyd; Hornsby; Hunters Hill; Hurstville; Kogarah; Kuring-gai; Lake Macquarie; Lane Cove; Leichhardt; Liverpool; Manly; Marrickville; Mosman; Newcastle; North Sydney; Parramatta; Sutherland; Warringah; Waverley; Willoughby; Wollondilly; Woollahra; Wollongong; Wyong

When this direction applies

(3) This direction applies when a Relevant Planning Authority prepares a planning proposal.

What a Relevant Planning Authority must do if this direction applies

(4) Planning proposals shall be consistent with:

(a) the NSW Government's A Plan for Growing Sydney published in December 2014.

Consistency

(5) A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with A Plan for Growing Sydney:

1. *(a) is of minor significance, and*

2. *(b) the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its planning principles; directions; and priorities for subregions, strategic centres and transport gateways.*

Comment: The subject Planning Proposal has been demonstrated to be consistent with A Plan for Growing Sydney at Section 8.1.1.1 above.

9.8 Direction 7.2 - Implementation of Greater Macarthur Land Release Investigation

Land to which the Greater Macarthur Land Release Investigation relates is to the west and south west of Wedderburn, being land on the western side of Georges River generally between Menangle Park and Wilton. The subject Planning Proposal does not have any bearing on or relationship with the Greater Macarthur Land Release Investigation.

10 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

10.1 Is there a likelihood that critical habitat or threatened species populations or ecological communities or their habitats will be adversely affected as a result of the proposal?

No, the ecological assessment prepared by UBM confirms that the cleared areas of the site have low conservation value and that residential development within that area can be managed to impart negligible to no ecological impacts.

It is proposed that the site specific DCP will include restrictions as to user pursuant to Section 88B of the Conveyancing Act 1919. It would be expected that any subsequent Development Consent for subdivision would impose conditions of consent requiring the implementation and execution of a weed management plan. The restrictive covenants under the 88B Instrument will set aside ecologically significant areas of the relevant land as development exclusion areas. In fact, these areas would already be protected under the Threatened Species Conservation Act 1995. However, by establishing development exclusion zones as restrictions on the title of the land, there is greater certainty that future land owners will be aware of their responsibilities. The site specific DCP to be prepared as part of the subject Planning Proposal will establish a statutory source of power by which to impose a requirement for the 88B Instrument to be registered over the Title of the newly created lots.

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

The most likely environmental effects arising from the subject Planning Proposal are in relation to bushfire and ecology.

Subject to further detail and assessment, it is considered that the Planning Proposal is capable of successfully mitigating all relevant environmental impacts. Importantly, the proposed bushfire measures, including the Community Safe Refuge and firewater refilling hydrant will deliver substantial benefit to the existing Wedderburn community.

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

The Planning Proposal does not raise any issues pertaining to economic effects of a kind relevant to the EP&A Act 1979. However there are relatively significant social planning issues associated with the Planning Proposal.

Until recently, the landowner was a long-term resident of Wedderburn and he still retains a high level of contact with local community members. From this, we are advised that there is acknowledgement that adult children of long term landowners are precluded from either buying or renting in Wedderburn due to the high cost of housing.

RP Data analysis indicates that in the last three years, properties in Wedderburn with existing houses have sold for between \$970,000 and \$1.54M. Vacant land with an apparent buildable area has sold for between \$710,000 and \$945,000. The lower of these two sales was for a vacant 2ha parcel (52 Blackburn Road)

Given the relatively small yield of the proposed subdivision, together with the proposed minimum lot size of 1ha, the Planning Proposal is likely to have a small, but positive impact on housing affordability. The proposed 1ha lots will sell for less than comparable 2ha lots and will therefore present as a more affordable option for adult children of existing residents.

Extended families provide the best support structure for grandparents to provide child care services and for adult children to provide aged care services. Fragmentation of extended family groupings forces reliance on private and public sector solutions to these needs. That in turn results in an additional cost burden to either the individuals or to the State.

Further, the general absence of housing choice within the Wedderburn locality provides little or no opportunity for long term residence to down size from the family home, whilst 'aging in place'.

This opportunity was a fundamental tenant of Council's circa 1970s Home Sites Policy. Whilst we are not aware of Council's recent DA history in terms of concessional lot subdivisions, this author can attest that he has advised 3 land owners that they do not have subdivision potential which this Practice could support by way of Statement of Environmental Effects and that the 4 of the last 5 concessional lot subdivision applications which have been prepared by this Practice (or its predecessors Haskew Planning and Rhodes Haskew Associates) involved SEPP 1 Variations to minimum lot size. In respect of 4 of those Applications, analysis was undertaken as to what other properties could potentially benefit from a precedent if the then SEPP 1 Objection was supported. The last of those applications concluded that there were no further lots which are less than 10ha for which subdivision could be approved

As such, all evidence available to this Practice strongly suggests that concessional lot subdivision under the Home Sites Policy has now been exhausted.

The subject Planning Proposal provides opportunity for smaller housing and smaller lots. This is beneficial to both aspiring residents due to improved affordability and to down sizing existing residents to more manageable maintenance and unlocking existing real estate equity for retirement funding.

As such the Planning Proposal is considered to have significant social planning advantages.

11 STATE AND COMMONWEALTH INTERESTS

11.1 Is there adequate public infrastructure for the planning proposal?

Future residential development will need to be self reliant for potable water and sewerage disposal. The preliminary water and wastewater report prepared by Woodlots and Wetlands indicates that local rainfall and soil conditions are such that both can be achieved. Further discussion is required as to whether future development can utilise existing dam water for toilet flushing and clothes washing.

Consultation with Endeavour Energy and Telstra in relation to electricity and telecommunications is required.

It would be expected that any requirement to augment the capacity of existing services will be at the developer's expense.

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

Consultation with other public authorities or the community has not yet occurred.

12 CONCLUSION

This report has been prepared to accompany a Planning Proposal which seeks to amend the minimum lot size map under CLEP 2015 as it applies 26 and 30 Aberfoyle Road and 7 and 30 Minerva Road, being land situated at the intersection of Wedderburn Road and Minerva Road, Wedderburn.

The Planning Proposal requests amendment to the minimum lot size map to permit subdivision to a minimum lot size of 1ha. Concept subdivision plans have been prepared which indicate a range of lot sizes between 1ha and 3ha. Land dimensions and site constraints are such that 1ha lot sizes cannot be realistically achieved in all cases. The delivery of larger lots around more ecologically constrained areas of the site will be reflected in a Site Specific DCP.

The Planning Proposal will deliver the following:

- 17 additional rural residential lots
- Lot sizes between 1ha and 3.5ha with an average of 1.6ha
- A Voluntary Planning Agreement which will deliver:
 - A Community Safe Refuge intended to accommodate the emergency bushfire retreat needs for the whole of Wedderburn;
 - A fire water filling hydrant
 - A Wedderburn specific Bushfire Management Plan
- A Site Specific DCP which will provide for:
 - A subdivision layout masterplan which will ensure that subdivision design at Development Application stage appropriately responds to bushfire and ecological constraints.
 - Building design controls, including aesthetics and building materials controls to ensure that future buildings are compatible with the rural character of the area
 - Active and passive energy and water efficiency design controls;
 - Waste water re-use and disposal requirements based on a total water cycle management study to be undertaken subsequent to Gateway Determination;
 - A requirement for ecologically sensitive areas of the land to be identified by an 88B Instrument in favour of Council which precludes tree and vegetation removal.
 - Water Sensitive Design solutions for new roads and hard paved areas based on MUSIC modelling to be undertaken subsequent to Gateway Determination.
 - Protection of bushland during construction; pre-clearance surveys; relocation of fauna prior to and during construction; "fauna friendly"

fencing; and the potential spread of weeds and disease during construction.

The Wedderburn locality and the central plateau area have been the subject of three Draft LEPs (the most recent being CLEP2014) of which two Draft LEPs included highly detailed constraints analysis and State Government consultation. It has been consistently held that the Wedderburn Plateau does hold some limited amount of additional development opportunity, even if, based on agricultural soil mapping, that opportunity is contained to a relatively small area. Land at the intersection of Wedderburn Road and Minerva Road in particular, was specifically identified by the then Department of Urban Affairs and Planning as being suitable to accommodate additional residential development.

As part of Draft LEP 2014, specific consideration was given to Wedderburn wherein it was the recommendation of Council officers (Business Paper 28/4/2015 page 39) that "Wedderburn be nominated as a priority area for further investigation after adoption of the Draft CLEP 2014".

A number of issues were identified in that business paper as being necessary to have detailed regard to in undertaking that specific investigation. This Report has addressed the majority of those issues as they relate specifically to the subject site and those remaining issues will form part of subsequent studies to be undertaken subsequent to Gateway Determination.

Since Council's 2015 Business Paper, the further investigations have been concluded. That review (Council business paper of 14 June 2016) identified a range of constraints, however it is fair to say that bushfire and ecology were the most significant and critical to Council's resolution to not recourse / initiate any actions to rezone land at Wedderburn.

The Relevant Land is distinguishable from all other land within Wedderburn given:

- Its central location at the intersection of Minerva Road and Wedderburn Road;
- Its existing substantial cleared areas
- All but 15 Aberfoyle Road having been identified as having poor agricultural soil capabilities. In respect of 15 Aberfoyle Road, it has not been used for agricultural purposes for some 50 years.

The Relevant Land represents the only area in Wedderburn where additional lots can be created with relatively little if any ecological impact. With that opportunity, comes the only opportunity for significant improvements to bushfire safety for existing Wedderburn residents to be realised through private sector funding.

In addition to providing bushfire retreat and refuge, the Community Safe Refuge would seem to have the opportunity of accommodating other activities, artists workshop space, science and teaching facility, community space and a venue for permaculture awareness and local produce sales.

Over the past 3 to 4 decades, Wedderburn has been the subject of numerous studies and investigations in relation to the planning controls which apply to the area. Those studies have consistently identified ecology as a significant constraint. Additionally, subsequent to the introduction of Planning for Bushfire Protection 2006, bushfire risk, as well as ecological impacts arising from the provision of asset protection zones, has added a significant layer to constraints affecting additional development potential within the locality.

Most recently, the RFS has advised that it does not support additional population growth within Wedderburn for broader reasons than ecological impacts associated with the provision of asset protection zones. It has identified the potential for ingress and egress to/from the suburb to be cut off during a bushfire event due to vegetation pinch points in several locations along both Wedderburn Road and the former Colliery Road. Coupled with the absence of reticulated water supply these factors have the potential to trap residents and RFS volunteers.

The RFS has also noted that additional population would expose new residents to this high existing threat level and that it would also require additional time and resources to evacuate residents in advance.

As a consequence of these factors, Council has resolved not to initiate any action into LEP amendment for the Wedderburn locality.

Whilst this resolution does not increase existing risk exposure, it also does not do anything to reduce it.

The subject Planning Proposal offers a means by which the existing and unacceptable risk exposure to existing residence can be reduced on a no cost to government basis. The Relevant Land is situated at the centre of Wedderburn and is in a location which has been previously supported by the Department of Planning is an appropriate location for additional rural residential housing opportunity.

A subdivision of modest yield will not add significantly to RFS evacuation loads but will provide a funding mechanism for the provision of a Community Safe Refuge at the centre of Wedderburn. The Community Safe Refuge would be designed to accommodate the expected emergency evacuation needs for the whole of Wedderburn.

Subject to RFS advice, the opportunity would also be available for the Community Safe Refuge to be put to other beneficial uses. These include accommodation of artists workshop events, science and teaching and local produce markets.

Recognising that the Planning Proposal would facilitate only a modest yield and would limit future development to those areas land which are already cleared, proposals considered to involve minimal ecological impact.

In these circumstances, it is considered that the community benefit arising from a new Community Safe Refuge, with possible additional uses to establish a community hub for Wedderburn, far outweighs the impacts.

As such, Council's support for the preliminary concept is requested. Further, it is requested that Council arrange for a meeting to be held between Council officers, the RFS, the Applicant's bushfire consultant and this Practice to enable fine-grained detail of the Planning Proposal to be finalised.