



## **ATTACHMENTS TO REPORTS**

### **ORDINARY MEETING OF COUNCIL**

Wednesday 13 October 2021

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## Attachments to Reports

**Item**

**10.6** Sutherland Park Drive, Burradoo - Planning Proposal

**ATTACHMENT 1** Planning Proposal.....4

## ATTACHMENTS TO REPORT

### **Item 10.6**

**Sutherland Park Drive, Burradoo - Planning Proposal**

**Attachment 1**    Planning Proposal

# Planning Proposal

Tyraquay, Eridge Park Road,  
Burradoo

8201816301



Prepared for  
Tyree Pastoral Partnership

21 August 2020



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3	30/07/2020	Draft Planning Proposal	SP & MK	DL
4	21/08/2020	Final Planning Proposal	SP & MK	DL

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## Executive Summary

This Planning Proposal aims to deliver an urban release area with measurable economic, social, cultural and environmental benefits exceeding the standards set by previous greenfield developments in the Wingecarribee LGA.

The Planning Proposal application focusses on a site known as Tyraquay. The application also encourages Council to consider a broader master planned area continuous with the urban footprint of Bowral. The master planned area is located between Eridge Park Road and the Wingecarribee River extending from Tyraquay to Bong Bong Racecourse.

The masterplanned area has the potential to create measurable benefits in terms of:

- > Diversity of housing and a balanced mix of land uses
- > Affordable housing
- > Land use patterns to benefit new and existing uses
- > Efficient infrastructure planning and delivery including improvements for existing urban land
- > Connectivity of transport and movement benefitting new and established land uses
- > Improved riparian and ecological corridors including protection of habitat trees and endangered species
- > Connected public open spaces and environmental corridors exceeding current standards of provision in Bowral
- > Enhancement and protection of water quality and water management
- > Planning controls, design standards and sustainability measures to protect the character of Bowral as a Regional Centre in a rural setting.

Changes are proposed to land use zones and to standards for minimum lot size, building height and floor space ratio. An additional permitted use is proposed to allow shop-top housing on a limited neighbourhood scale. Changes are also sought to improve environmental management of riparian land and trees of ecological significance. Proposed LEP changes have been selected to deliver best practice in planning, environmental management and design based on objective and robust evidence from multiple reliable sources.

A site specific DCP as well as design guidelines to accompany property titles are proposed for finer-grained sustainability measures, building envelopes, a high standard of public domain infrastructure and publicly accessible spaces.

Supporting studies inform the LEP changes and the master plan. Further investigations will refine the delivery of an outstanding and comprehensive development concept. The proposal can be staged spatially and temporally to optimise efficient roll out of infrastructure, delivery of new housing and open spaces and protection of environmental assets. The roll out time frame can meet the pattern of demand for new urban land. Staging can also match Council's responsibilities for land use changes anticipated by state, regional and local strategic plans.

A fundamental aim of this project is to deliver measurable, day-to-day benefits to the local community and to the environment. It is clear from the comprehensive nature of this report and supporting studies that this project devotes exceptional effort to demonstrate it will retain the well-defined urban footprint characteristic of Bowral and establish a town edge along the natural waterfront of the Wingecarribee River that is a community and environmental asset and an effective green buffer to the rural setting of the town.

## Summary of Master Plan and Planning Proposal

The Planning Proposal application and master plan includes:

- > A mix of housing types including medium density, seniors housing, low density and large lot/clustered 'Hamlet' housing to be consistent with character and design themes specific to Bowral and Burradoo
- > A small neighbourhood centre adjacent to new public recreational space to serve the local community and visitors and establish a neighbourhood-scale live-work-play hub
- > Restoration of riparian vegetation and improvements to water quality in the drinking water catchment
- > A long-term green edge to Bowral regional centre protecting riparian areas and rural lands

- > Protection of an Aboriginal Scar tree
- > Enhanced buffers to the setting of European Heritage assets
- > Strategies for management of *Eucalyptus macarthurii* (endangered species) and isolated remnant paddock trees of habitat value
- > New areas of public open space and environmental management with interpretive and educational opportunities as well as recreation and movement connection to local places of interest inspiring and supporting local tourism and recreation
- > Networks of public pathways and new roads setting a new standard for greenfield connectivity
- > Essential services that will benefit the adjoining urban areas such as water sensitive stormwater management, water and sewer service augmentation and SMART connectivity
- > Extension of East Bowral Bus Route 815 and the Wingecarribee River walk

A Concept Plan is contained in **Section 3.15**.

The character of the new neighbourhood is intended to adopt and promote housing and road designs and other neighbourhood features distinctive to the character of the Southern Highlands and Bowral.

The road hierarchy, streetscape and lot size distribution is based on land capabilities, protection of riparian lands and heritage items, links with existing surrounding land uses and efficient layout of infrastructure. Lot size has also been selected to establish a rural-urban interface of long-term integrity.

The environmental lands will be subject to rehabilitation and conservation for continuity along the Wingecarribee River and its tributaries. The changes intend to achieve ecological integrity, recreational opportunities and learning through experiences and places that are also culturally relevant.

The following intentions are embodied in the preliminary concept plan:

- > Apply Zone R2 Low Density Residential and Zone R3 Medium Density Residential to achieve a diversity of housing types, tenures and price points
- > Apply Zone R5 Large Lot Residential in conjunction with design guidelines for 'Hamlet-style' clustered rural residential development
- > Apply Zones E2 Environmental Conservation and riparian management to land ground-truthed as having riparian and habitat value
- > Set separation distances for long term protection and management of environmental and heritage assets and a permanent green edge to Bowral township
- > Nominate landscaped setback areas to improve the public domain and relationship with neighbouring properties
- > Create a small neighbourhood centre for daily convenience needs and a work-live-play 'hub' which supports the social and recreational use of open space and environmental lands. Planned at a neighbourhood scale it will not detract from the Bowral town centre
- > Deliver a range of lot sizes and housing types for housing diversity and affordability including land for an aged care provider and ancillary community-accessible wellness centre
- > Establish a perimeter public road for the urban edges that adjoin riparian protected lands for:
  - o Public access to and views of the Wingecarribee River, and surrounding riparian and rural lands
  - o Street trees to enhance and frame the character of streetscapes and vistas
  - o Utilities and services on urban land to protect the integrity of the green edge
- > Create new public open spaces with a variety of recreational experiences of exceptional standard
- > Enhance the existing public spaces and broad footpath reserve connecting to Bowral with an accessible shared path, street furniture, new landscaping and public assets.

## Enhanced Conservation Outcome

Key elements of the proposal are restoration, conservation and sustainability targets. A Vegetation Management Plan (VMP) is to be implemented by the developer during the civil subdivision works. The extent

of works, remediation and planting would be identified through a VMP with a five-year establishment period. Planting would be compatible with the endemic ecological communities within and surrounding the site. Costs for the capital works and 5-year maintenance will be incorporated into a Voluntary Planning Agreement (VPA) or similar. Council will have the opportunity for ownership of a rehabilitated riparian network with the potential for connectivity to the broader Wingecarribee River network and Cecil Hoskins Reserve to create an outstanding community asset.

## Affordable Housing and Housing Diversity

The Housing Supply and Demand Review currently being produced to inform this Planning Proposal application demonstrates housing affordability and supply are persistent and worsening issues in the Wingecarribee LGA, particularly in Bowral (see **Section 3.14**).

One intention of this Planning Proposal is to make genuine and innovative long-term improvements to address local housing affordability and diversity. Mechanisms for delivery include:

- > variety in housing form and tenure
- > partnerships with local housing providers making selected sites available for affordable housing
- > discount pricing structures in construction and fitout partnerships with local builders and suppliers
- > design guidelines to establish a specific character, reduce assessment timeframes and achieve lifetime operational savings through sustainability measures
- > environmental performance standards aimed at reducing lifetime operational and maintenance costs.

## Public Benefits

The public benefits from the proposal are to be established by way of a Voluntary Planning Agreement (VPA) in coordination with the development contributions under Council's adopted Contributions Plans and Development Servicing Plans (DSPs).

An analysis of utilities and infrastructure requirements is proposed to be undertaken subject to further discussion with Council. The analysis is proposed to identify the essential services required to support the redevelopment of the Tyraquay site as well as the broader release area. The analysis will be refined to include costing and timing strategies with the intention of informing a site-specific delivery mechanism for Tyraquay as well as a delivery mechanism on a master-planned scale. The information will be suitable for VPAs and Special Infrastructure Levies for both State and local infrastructure delivery times in conjunction with the development of land for urban purposes.

Public benefits to be investigated and negotiated with Council as part of the VPA include:

- > Inclusion of SMART technologies and environmental performance standards for new development to reduce carbon emissions and water and energy usage and opportunities for micro-grid energy generation
- > SMART infrastructure installation opportunities
- > Public open space embellishment and dedication
- > New shared pathways with longer term potential for completing a Bowral town loop
- > Street trees and street furniture
- > Riparian habitat restoration
- > Water quality improvements and stormwater management devices servicing new and existing urban lands
- > Restoration and protection of heritage items and interpretive information
- > Road design to include provisions for a new bus route and bus stops
- > Improvements to the local road network and streetscape

## Summary

The studies undertaken as part of this Planning Proposal application to date show the site is more suitable as an urban release area than all other greenfield sites surrounding the Bowral urban footprint. The studies also support Tyraquay being Stage 1 to a larger master planned urban release area, represented by the Bowral South New Living Area (Bowral South NLA) identified in the draft Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS) for Wingecarribee. Urban development of Tyraquay and the master plan area brings benefits on a broader scale and focusses the efficient use of land and infrastructure in a coordinated manner.

This proposal will measurably outperform previous urban release areas in the Wingecarribee LGA in terms of:

- > land use and housing diversity
- > delivery of affordable housing
- > public space and environmental protection lands as a ratio to new urban land
- > SMART and efficient infrastructure benefitting new and existing urban areas
- > Environmental performance standards for new housing
- > Movement connections to and through the site
- > water quality improvements
- > protection of heritage and ecological assets.

The proposal will not change the character of the nearby Burradoo neighbourhood, but rather will adopt compatible design elements to protect the existing character of Burradoo such as visual screening and high quality streetscapes. Burradoo large lot residential area will remain a distinctly separate precinct with no through traffic and no compromise to infrastructure and servicing. There will be substantial improvements to the quality and accessibility of public open space and water quality.

The Planning Proposal application is a catalyst for a range of positive social, economic and environmental benefits. It will set an outstanding precedent for greenfield sites and masterplanning by:

- > enhancing new and existing land uses and infrastructure in the Burradoo and Bowral locality; and
- > out-performing previous greenfield site with measurable, evidence-based environmental planning indicators.

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- Appendix B** Aboriginal Archaeological Survey Report
- Appendix C** Historical Heritage Assessment
- Appendix D** Water Cycle Management Study
- Appendix E** Service Utility Investigation
- Appendix F** Groundwater Assessment
- Appendix G** Preliminary Geotechnical and Contamination Assessment
- Appendix H** Preliminary Ecological Investigation
- Appendix I** Traffic Impact Assessment
- Appendix J** Bushfire Assessment

# 1 Introduction

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## 1.1 Purpose of this Report

Tyree Pastoral Partnership have considered a variety of options for future use of its land holding identified as “Tyraquay” located at Eridge Park Road, Burradoo. The site is legally described as Lot 20 in Deposited Plan 1220167.

Options considered for future use included agricultural produce industries and ecotourist facilities. The viability of both options was enhanced by the river front location and water extraction license.

This Planning Proposal was considered the highest and best use option taking into consideration the potential broader benefits to the local community and positive impacts for neighbouring and nearby properties.

This report is part of an application for a Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 (WLEP 2010) as it applies to the site.

This report presents an analysis of the site and surrounds, presents a concept redevelopment plan for the broader locality and a more detailed layout concept for Tyraquay.

The content of the application addresses the requirements for a Planning Proposal consistent with:

- > *Environmental Planning and Assessment Act 1979 and Regulation 2000*
- > Standard Instrument (Local Environmental Plans) Order 2006 and Standard Instrument—Principal Local Environmental Plan
- > A Guide to preparing Local Environmental Plans – Department of Planning and Environment (DPE) (December 2018)
- > A Guide to Preparing Planning Proposals – DPE (December 2018)
- > Various Practice Notes and Planning Circulars issued by the DPE as referenced throughout the report
- > Draft Urban Design Guide for Regional NSW (GAO and DPE 2018)
- > Better Places (GAO and DPE 2018)
- > Wingecarribee Shire Council’s adopted Planning Proposal Guidelines.

A range of consultants, including Cardno, have examined the site and surrounds and prepared information for evidence-based decisions on new statutory planning provisions and potential development guidelines.

The site investigations and specialist studies all conclude Tyraquay is an outstanding opportunity for:

- > preservation and enhancement of the Wingecarribee River corridor and tributaries
- > protection and management of endangered *Eucalyptus macarthurii* and an Aboriginal scar tree
- > new development with a diversity of housing, active and passive open space and a neighbourhood hub; and
- > delivery of new infrastructure and building designs which set a new standard of sustainability and environmental performance

## 1.2 Research, Investigations and Studies

Specialist studies have been initiated to provide a preliminary evidence base to determine land capability. The preliminary studies identify opportunities for land use changes that deliver measurable environmental, social and economic benefits. The specialist studies contained in this application are intended to be further developed with the progression of this planning proposal.

The studies which have been included in the current submission are described in the following table:

Table 1-1 Reports and files submitted with this Planning Proposal

Report name	Date	Author	Appendix	To be superseded by
Concept Masterplan	05/08/2020	Cardno	A	NA
Aboriginal Archaeological Survey Report	12/09/2019	Austral Archaeology	B	Aboriginal Archaeological Survey Report (updated)
Historical Heritage Assessment	12/08/2020	Austral Archaeology	C	NA
Water Cycle Management Study	13/09/2019	Cardno	D	NA
Service Utility Investigation	06/08/2020	Cardno	E	Servicing and Infrastructure Strategy
Groundwater Assessment	04/05/2005	Southern Geotechnics	F	Geotechnical Report
Preliminary Geotechnical and Contamination Assessment	18/02/2005	Network Geotechnics	G	Preliminary Site Investigation, Detailed Site Investigation & Geotechnical Report
Preliminary Ecology Investigation	06/08/2020	Cardno	H	Preliminary Ecology Investigation (updated)
Traffic Impact Assessment	06/08/2020	Cardno	I	Traffic Impact Assessment (updated)
Bushfire Assessment	20/09/2019	Peterson Bushfire	J	NA

**Table 1-2** describes the reports currently under development for this Planning Proposal.

Table 1-2 Forthcoming reports

Report name	Author	Estimated completion
Preliminary Site Investigation	Cardno	TBC
Detailed Site Investigation	Cardno	TBC
Geotechnical Report	Cardno	TBC
Aboriginal Archaeological Survey Report (updated)	Austral Archaeology	October
Servicing and Infrastructure Strategy	Cardno	November
Traffic Impact Assessment (updated)	Cardno	TBC
Preliminary Ecological Investigation (updated)	Cardno	TBC
Wingecarribee Housing Supply and Demand Review	Cardno	August

### 1.2.2 Summary of Initial Capabilities and Constraints Analysis

There is potential for Council to consider Tyraquay as a first stage of a broader masterplanned area. This Planning Proposal application is not a spot-rezoning. It has the potential to deliver well considered and evidence-based benefits on a broader scale to greenfield sites and established land uses in the immediate vicinity of Tyraquay.

The potential benefits include:

- > A single, staged urban release area encompassing existing separate Planning Proposals (Pepperfield and 21 Boardman Road South)
- > An urban release area potentially subject to consistent planning controls and standards for character and land use patterns, environmental performance measures and coordinated conservation management plans

- > Spatially focussed infrastructure and servicing provision for efficiency in investment and installation effort
- > Continuity with the existing urban area and a permanent green town edge
- > Benefits of connectivity with the Southern Highlands Botanic Gardens, shared pathway network, bus routes, schools, Bong Bong Racecourse and the Wingecarribee River corridor
- > Benefits to new and existing residents, the broader community and visitors with the creation of public open space, riparian corridors, connecting paths, bus routes and walkable communities.

This Planning Proposal is a unique opportunity available to Council to deliver a variety of land uses, recreational, ecological, social and cultural improvements for the local community and new residents.

The role of Tyraquay within this broader masterplanned area has been investigated in further detail to the extent required to satisfy a Gateway determination. The supporting details of this Planning Proposal such as a site-specific DCP or design guidelines linked to land title, are anticipated to be further developed post-Gateway and prior to public exhibition.

The Planning Proposal includes a masterplan concept which has considered the land bounded by Eridge Park Road and the Wingecarribee River extending from the Cec Hoskins Nature Reserve south west of the site to Bong Bong Racecourse to the east. The masterplan concept is described in detail in **Section 3.15**.

The master plan demonstrates Tyraquay can be considered as Stage 1 to a comprehensively planned and serviced New Living Area for the Bowral South locality (Bowral South NLA), as identified in the draft Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS) (see **Section 2.6** for detail).

### 1.3 Intentions

The intentions of this application for a Planning Proposal are to:

- > Provide evidence of the site and surrounds and locality context to demonstrate land capability, strategic merit and appropriate LEP controls
- > Commence the process to amend WLEP 2010 and potentially facilitate future development
- > Apply the most appropriate land uses specific to the site and compatible with the context and conditions
- > Enhance the connectivity and interface with surrounding urban and rural land
- > Achieve and sustain longevity in ecological management, water sensitive urban design measure and urban design guidelines for new housing, roads and ancillary development
- > Achieve sustainability targets and accreditation, water quality targets, vegetation management and sites suitable to optimise the benefits of the new land uses to the community, visitors and the environment
- > Set measurable benchmarks for development for 'Tyraquay' and the broader Master Planned area
- > Create a variety of new housing opportunities
- > Implement best practise strategic land use
- > Protect land and trees of habitat, ecological and heritage value
- > Protect and manage riparian networks
- > Facilitate installation of SMART, energy saving technology in housing, infrastructure and open spaces
- > Enhance the setting of the neighbouring heritage item
- > Create a permanent green town edge accessible by the community for recreation and environmental appreciation
- > Deliver new public assets and benefits and environmental improvements.

## 1.4 Structure of this Report

This report is structured in the following way:

- Section 1 (this section)** Describes the structure and purpose of this report.
- Section 2** Provides site context, including development history of the site and surrounding lands, and places it in relation to past and current planning strategies, including the draft LSPS and LHS.
- Section 3** Gives a detailed land capability analysis, based on its environmental, social and economic context, and also describes in detail the current Concept Masterplan for the site.
- Section 4** Describes existing planning controls for the site.
- Section 5** Outlines in detail the Planning Proposal itself, including specific changes to planning controls, justification, and legislative requirements.
- Section 6** Concludes the report and offers recommendations on further steps.

## 2 Background

### 2.1 The Site and Surrounds

#### 2.1.1 Site Description – Tyraquay

The Planning Proposal application applies to land at Eridge Park Road and Sutherland Park Drive Burradoo being Lot 20 in Deposited Plan 1220167. This report refers to Lot 20 as ‘Tyraquay’.

Tyraquay is approximately 106 hectares in area and is owned by Tyree Pastoral Partnership.

The majority of the Tyraquay property is in Zone E3 – Environmental Living as determined by Wingecarribee Local Environmental Plan 2010 (WLEP 2010). The edge of the property adjacent to Eridge Park Road is within Zone R5 - Large Lot Residential. The corridor of the Wingecarribee River along the southern boundary is in Zone E2 – Environmental Conservation.

The site has a long history of clearing of native vegetation and use as rural land for low intensity grazing. As described in the Historical Heritage Assessment (see **Appendix C**) the land was originally cleared and made available as ‘veteran’s lots’ between 1829 and 1894. The land was later consolidated and subject to several different ownerships. The land has not been used for commercial agriculture.

Within the Tyraquay property there are scattered remnant trees in the north east portion of the site and along the tributary in the north west corner of the site.

The topography of the majority of the site is gently sloping. The Wingecarribee River has been altered from its natural state and bank alignment due to long term clearing, construction of weirs, dams, vehicle crossings and irrigation infrastructure. The water supply in parts of the river can be intermittent.

There are three buildings on the Tyraquay property being a residence and two farm sheds. The area immediately surrounding the residence is formally landscaped. There is a well-maintained airstrip with a north-south and east-west runway.

Photos of the site are included below and show the site has a gentle grade, is mostly cleared including the tributaries and banks of the river.















**2.1.2 Subdivision, Use and Ownership**

The known history of the site includes Aboriginal occupation with camps and travel routes around and along the Wingecarribee River.

The initial land grant in the township of Bowral was awarded to John Oxley by the governor of New South Wales in 1823. Oxley’s grant extended from Mt. Gibraltar in the north, to Old South Road in the east, to Berrima in the west, and south to the Wingecarribee River at Burradoo.



In 1829, allotments were surveyed with intention of providing them to military veterans. **Figure 2-1** shows the original veteran’s lots located on and near Tyraquay.



Figure 2-1 Extract from 1829 Crown Plan showing 8 veterans lots along the Wingecarribee River

Bowral village was established in the 1840’s and 50’s and expanded rapidly with the construction of the Melbourne Sydney rail line. The construction of schools, reticulated water supply, reticulated sewer and electricity and construction of Bowral Hospital occurred in the 1920’s and 30’s. Expansion continued in the local townships during the interwar period and after this period.

More recently Sir William Tyree who was a prominent industrialist purchased Tyraquay in 1969. He built airstrips for his private plane. Tyree constructed a dam and weir on the Wingecarribee River and used the property for non-commercial cattle grazing. Surrounding land between Eridge Park Road and the Wingecarribee River is typically rural residential land holdings with several heritage-listed properties, a school, seniors housing and a nature reserve also in close proximity to Tyraquay and considered as part of the broader area with potential for master planning.

## 2.2 Strategic Identification of Tyraquay for High-Quality, Masterplanned Residential Development

The proposed use of Tyraquay for a high-quality residential development, complimenting and improving Bowral and the surrounding region, is the result of a long and ongoing series of detailed investigations.

An evidence-based land capability assessment for greenfield redevelopment opportunities was conducted to identify the strategic land use context of the site. The constraints and opportunities analysis considered the criteria listed below. The criteria represent sound environmental planning grounds for high level selection of greenfield development opportunities in the Bowral locality:

- > Proximity to Bowral town centre and Bowral railway station measured as a radial distance of up to 5km
- > Proximity to Bowral township in terms of connectivity by existing collector road networks and established pathways and transport options
- > Continuity with the existing urban footprint of Bowral (and hence connectivity to essential services)
- > Achieving a minimum 100m buffer for the Wingecarribee River
- > Avoiding development of land in high and medium flood risk areas
- > Avoiding steeply sloping and/or unstable land
- > Avoiding areas prone to bushfire risk
- > Avoiding areas of known or potential ecological integrity and value
- > Avoiding areas of primary production

- > Maintaining a “green separation” between the urban areas of Moss Vale, Bowral and Mittagong by protecting Wingecarribee River and its main tributaries and adjoining primary production lands and environmental protection lands

The outcome was the analysis shown in **Figure 2-2**. This figure shows Tyraquay meets all the evidence-based criteria for greenfield development, being:

- > Within 5km radius
- > In close proximity to the established collector road network
- > Adjoining the existing urban footprint
- > Able to provide more than 100m spatial buffer to Wingecarribee River
- > Avoids high and medium flood risk land (see also **Appendix D**)
- > Avoids land subject to bushfire, instability and steep slopes
- > Avoids areas of known ecological value
- > Avoids areas of primary production
- > Protects in perpetuity the green space between Bowral and Moss Vale.

The land capability assessment also identified that the outcomes for Tyraquay are likely to be generally expected for most of the land further east of Tyraquay and bordered by Eridge Park Road and the Wingecarribee River, to Boardman Road South and Bong Bong Racecourse. This land is generally outlined dashed red in **Figure 2-2**.

**Figure 2-2** shows the boundaries of the Tyraquay property (outlined solid red) and the broader area recommended for masterplanning (outlined dashed red in two sections).

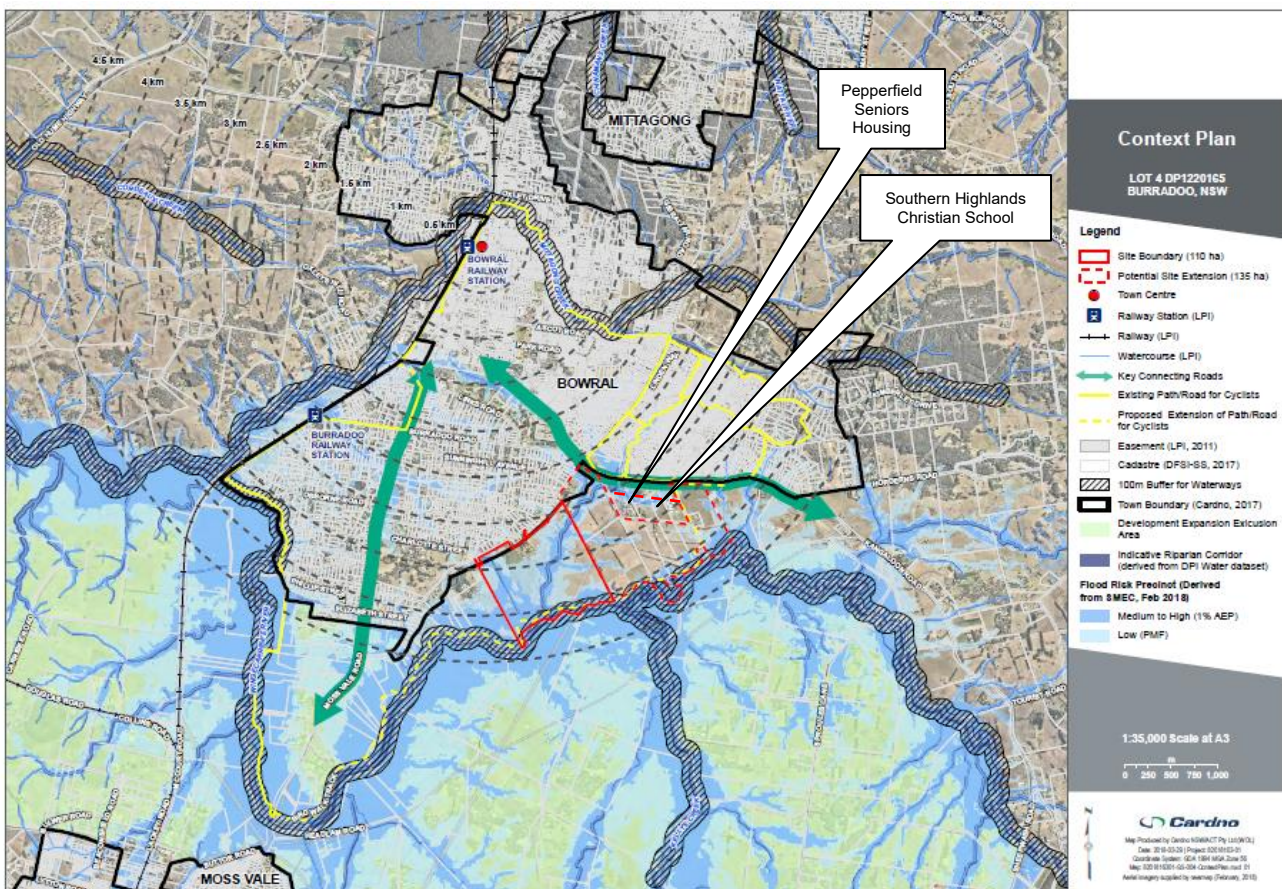


Figure 2-2 Context Plan Tyraquay and broader master planned area

Factors contributing to the site’s strategic merit as a masterplanned residential expansion for Bowral are expanded upon below.

### 2.2.2 Road network connectivity

Eridge Park Road is the primary public road connected to the site and the main road network for Bowral urban area. Eridge Park Road is a collector road linking Moss Vale, Bowral and Mittagong via Kangaloon Road and Moss Vale Road. Kangaloon Road and Moss Vale Road are classified roads and are indicated as green arrows in **Figure 2-2**.

### 2.2.3 Pathway connectivity

There is a well-established shared pathway network shown by yellow lines in **Figure 2-2**. The pathway network links the town centre with the Wingecarribee River corridor west of the Tyraquay site and links the Southern Highlands Botanic Gardens on Kangaloon Road to the north east of Tyraquay. The dashed yellow line in **Figure 2-2** shows Tyraquay and the master planned area has the potential to greatly improve the network. This includes much of the routes along Eridge Park Road, and along the Wingecarribee River, which have been proposed for bicycle routes in the Stage 1 Bicycle Strategy for Wingecarribee Shire Council.

### 2.2.4 Urban Area Connectivity

The urban footprint of Bowral is shown outlined black in **Figure 2-2**. The existing urban footprint includes the consolidated town centre with a variety of well-established commercial services located mostly within walking distance of Bowral railway station. Bowral hospital has recently been upgraded to provide a regional scale service. Medical and health related services are clustered in close proximity to the hospital. Industrial lands are located west of the rail line. Bowral commercial area is targeted to grow and become a Regional Centre as detailed in **Section 2.5.2**.

Land surrounding the town centre and east of the rail line is a mix of low and medium density residential land uses. Primary and secondary schools are scattered throughout the urban area of Bowral. The Southern Highlands Christian School is north east of Tyraquay as labelled in **Figure 2-2**.

Bowral contains many seniors housing developments ranging from small scale gated communities with self-contained dwellings to large-scale facilities providing shared recreation facilities, personal care and medical assistance.

Pepperfield is an established seniors housing development located on Wiseman Road north east of Tyraquay. A Planning Proposal to expand the site is underway (see **Section 2.4.3**). The Pepperfield site is labelled in **Figure 2-2**.

The existing large land holdings within the proposed master planned area have not been used for primary production and are expected to be categorised as having low agricultural potential with a future more detailed analysis of agricultural lands. Primary production is not recommended within the master planned area due to the close proximity to the urban edge, the intermittent nature of the flow in the Wingecarribee River and its role in the drinking water catchments.

### 2.2.5 Extension and Upgrade of Essential Services and Infrastructure

There are distinct economic and practical advantages to investing in the upgrading and extension of essential services and infrastructure to this location to support new development.

Tyraquay is both adjacent to the existing urban footprint and in close proximity to land where development uplift is being sought through a separate Planning Proposal (Pepperfield). The utilities investigations reported in **Appendix E** contains clear evidence the site can be provided with essential services. Efficient extensions and augmentations can service Tyraquay, the broader master planned area and benefit established land uses such as the Bong Bong racecourse, the Southern Highlands Botanic Garden and improve stormwater management controls from part of the established Burradoo rural residential area. Initial investigations indicate that this area can be serviced by a single pumping station on the Tyraquay site. The landowners are open to assisting Council with the planning and coordination of such services for the area.

### 2.2.6 River and Green Corridors

The Wingecarribee River forms a 'green' (non-urban) corridor separating Moss Vale and Bowral. The land on both sides of the river is within Zone E3. The river includes the Bong Bong Reservoir and the Cec Hoskins Nature Reserve south west of the Tyraquay property. The reservoir and nature reserve are regionally significant ecological and recreational assets.



Recent subdivisions of nearby land to the north east of Tyraquay containing tributaries of the Wingecarribee River have created public open space areas (Zone RE1 – Public Recreation) along revegetated watercourses.

The Wingecarribee River corridor runs close to Bowral town centre west of the town and creates an effective town boundary to the west. Further westward urban expansion would compromise the effectiveness of the river as a green setting to the town.

### 2.2.7 Urban Character

The adopted Bowral Township Development Control Plan (DCP) includes character statements for certain residential precincts. However, there is no current character statement for land on the eastern edge of Bowral. This Planning Proposal intends to evolve in conjunction with a site-specific DCP and design guidelines linked to property title that clearly identifies the desired future character for Tyraquay and the broader master planner area.

### 2.2.8 Separation from the Burradoo Rural Residential Area

The Burradoo locality is mostly land in Zone R5 – Large Lot Residential zone and includes characteristically large detached houses on large residential lots.

The land the subject of this Planning Proposal application (Tyraquay) is separated from the established large lot residential Burradoo locality by Eridge Park Road. It is also well visually separated by the local topography and the row of large lot residential properties along the southern side of Eridge Park Road.

The separation is enhanced by the fact that Eridge Park Road is a collector road linking Bowral and Moss Vale. Through-traffic or other through movement from the Planning Proposal site into the Burradoo rural residential area is highly unlikely as there are no land uses within the Burradoo large lot residential area that would be a trip destination.

### 2.2.9 Protection of Heritage Items and Conservation Areas

Land west of the site and on the southern side of Eridge Park Road are predominantly heritage items and link to the Burradoo Landscape Conservation Area. This area is recommended to remain under the current LEP controls to protect heritage assets and landscapes. Notwithstanding this, Council may wish to consider Clause 5.10 to WLEP 2010 and a strategy for dedication of river frontage land for future development applications for land in the Burradoo Landscape Conservation Area. There are outstanding community benefits to be gained from establishing a continuous public recreational and riparian corridor along the Wingecarribee River to connect Tyraquay with Bong Bong reservoir and Cec Hoskins Nature Reserve, and through to Bong Bong Racecourse and the existing pathway network.

Many of the features discussed here have contributed to the identification of Tyraquay and the surrounding area as a potential urban release area (or New Living Area) in the draft Local Strategic Planning Statement, and Local Housing Strategy. This is discussed in greater detail in **Section 2.6**. For more site-specific detail on the suitability of Tyraquay for residential development, refer to the Land Capability Analysis, **Section 0**.

## 2.3 Development History of Tyraquay

Due to many of the above-described factors, the site has been subject to several historical efforts to have the land put to residential or similar use. These efforts, including development applications and consents, and rezoning applications, are described below.

### 2.3.1 Development Consents

In May 2008, Campbell & Anderson Consulting Surveyors Pty Ltd proposed a 41-lot subdivision on Lots 44 and 45, No.5-9 Eridge Park Road Burradoo (including the Tyraquay site). The development application was refused as the application did not contain adequate information to enable Council to make a proper assessment of the proposed subdivision.

In April 2012 Development Application LUA12/0039 was lodged for a 21 lot subdivision of Lots 44 and 45, No.5-9 Eridge Park Road Burradoo. Consent was granted with conditions on 13 April 2012. Minor modifications to change road access, rights of way and the size of one new lot were approved on 28 September 2012.

Development Consent DA14/0185 was issued on 17 June 2014 for a boundary adjustment between Lot 21 DP 1189466 and Lot 44 DP 751282. However, this consent has now lapsed.

### 2.3.2 Previous Proposals for rezoning

A previous proposal to rezone the Tyraquay site (then referred to as Sutherland Park) was prepared by Smyth Planning and Cox Richardson and submitted to Wingecarribee Council in September 2015. The submission was made in response to the public exhibition of the draft Local Planning Strategy 2015-2031 (LSP 2015-31).

Council considered all submissions to the draft LSP 2015-31 at its meeting of 23 March 2016. The Agenda Item 13.3 was a report on the assessment outcomes for site-specific submissions and the extract below relates to the Sutherland Park submission.

Council's assessment comments can be summarised as not supporting the request because:

- > The zones proposed were not appropriate (although impediments could be overcome)
- > The proposal was considered contrary to State and Local Policy
- > More than adequate land supply is expected from existing towns and villages.

Evidence is included in this Planning Proposal application which shows:

- > Proposed zones reflect land capability assessment informed by specialist studies
- > State and Local policies have since been revised and this proposal is entirely consistent
- > Regional strategies and DPIE have identified that Wingecarribee council had underestimated land and housing supply potential in the draft LSP 2015-31.

For these reasons Council's resolution below is now outdated and invalid.

#### SUMMARY OF REQUEST

The site is known as Sutherland Park and covers a total area of 102.8 hectares. The applicant seeks to rezone 46.08 hectares to R2 Low Density Residential for detached dwelling development, 56.24 hectares to RE1 Public Open Space and 8,000 sqm to B2 Local Centre to provide local business services including a Medical Centre. Page 11 of the submission indicates a potential lot yield of 300-350.

#### PLANNING COMMENTS

ESSENTIAL ASSESSMENT CRITERIA		ASSESSMENT
1	Consistent with Regional Strategy.	No
2	Consistent with draft Local Planning Strategy.	No
3	Property does not compromise any buffer to rural, environmental or industrial zoned land or to any relevant infrastructure.	No
4	Property does not contain any Endangered Ecological Community.	No
5	Property is not significantly flood or bushfire affected.	No
6	There are no other site specific impediments to the proposed development.	Yes
7	Property has reticulated water and sewer available.	Yes

On 24 June 2015 Council resolved THAT Lots 44 & 45 DP 751282 & Lot 21 DP 1189466, Sutherland Park, Eridge Park Road Burradoo retain the E3 Environmental Management zone with a minimum lot size of 4 hectares over that part of the lots currently so zoned under WLEP 2010. This resolution was in response to the further consideration of a Planning Proposal lodged by Crighton Properties on behalf of the owners on 27 May 2010. That proposal sought to rezone Sutherland Park for predominantly residential purposes to achieve 350-400 residential lots. On 8 September 2010 Council resolved, *inter alia*,

1. ***THAT Council resolve not to proceed with the preparation of a formal Planning Proposal to the Department of Planning in relation to the property known as 'Sutherland Park' Eridge Park Road Burradoo at this point in time.***
2. ***THAT Council reaffirm its support for the inclusion of the Sutherland Park property for consideration for future rezoning in the preparation of the Local Planning Strategy for the Shire.***

With regard to the new Proposal lodged during the public exhibition of the draft Local Planning Strategy, the only difference between it and the Crighton Properties submission in terms of lot yield is a reduction by some 50 lots. The Assessment Table above indicates that significant impediments remain to the development of the site for residential purposes although it is acknowledged that they could be overcome through appropriate identification of potential development zones within the site.

Of greater relevance is the fact that the rezoning of the land would be contrary to both state and local policy. At the state level, the rezoning of the site to residential would be difficult to justify under the Rural Lands SEPP, the Sydney Drinking Water SEPP or the state's Flood Prone Land Policy. At the local level, W2031+ is clear in preferring that future residential development be contained as much as possible within existing town and village boundaries. The protection of the open space between Bowral and Moss Vale is also supported under the Sydney Canberra Corridor Regional Strategy (page 39).

These policies, within the context of what appears to be more than adequate residential land capacity within the existing towns and villages, militate against the rezoning of the subject site for any residential purpose at this time. It is therefore recommended that this submission also not be supported.

**RECOMMENDATION**

***THAT*** Lots 44 & 45 DP 751282 & Lot 21 DP 1189466, Sutherland Park, Eridge Park Road Burradoo remain zoned E3 Environmental Management with a minimum lot size of 4 hectares over that part of the lots to which the zoning and minimum lot size currently applicable under WLEP 2010.

At the same Ordinary Council meeting of 23 March 2016 Council made the following resolution specific to the Sutherland Park rezoning proposal:

- 20. Lots 44 & 45 DP 751282 & Lot 21 DP 1189466, Sutherland Park, Eridge Park Road Burradoo remain zoned E3 Environmental Management with a minimum lot size of 4 hectares over that part of the lots to which the zoning and minimum lot size currently applicable under WLEP 2010.***

The feedback provided from Council Agenda Item 13.3 of 23 March 2016 has been considered in the preparation of this application for a Planning Proposal. The assessment outcomes from Council Agenda Item 13.3 are listed in **Table 2-1**. These matters have been investigated in studies contained in the Appendices to this application and referred to throughout this report.

The Tyraquay project has been designed to overcome the issues previously raised by Council and the community in the preparation and adoption of the LPS 2015-31. This new proposal has potential to deliver solutions and benefits as listed in **Table 2-1**.

Table 2-1 Reasons for past planning proposal rejection and new solutions

Reasons for Rejection of previous rezoning request	Solutions demonstrated by this Planning Proposal Application	Solution achieved?
Inconsistent with regional strategies being the Sydney Canberra Corridor Strategy, Rural Lands SEPP, Drinking Water SEPP and Flood Prone Land Policy.	<p>The Sydney Canberra Corridor Strategy was revised in 2017. See <b>Section 2.5.1</b> which shows this proposal is compliant.</p> <p>The Rural Lands SEPP was repealed in 2018. See <b>Section 5.8.3</b> for demonstrated compliance with the replacement SEPP.</p> <p>The proposal is compliant with the Drinking Water Catchments SEPP. See <b>Section 5.8.3</b> for demonstrated compliance.</p> <p>The proposal includes consideration of flood prone lands consistent with the NSW Policies. See <b>Section 5.8.4</b> for demonstrated compliance.</p>	✓
Inconsistent with the Wingecarribee draft Local Planning Strategy 2015 - 2031. The strategy outlines the importance of residential development	Refer to <b>Section 2.5.2</b> . The proposal will create a town boundary of high integrity compatible with land	✓



<p>in the future to be contained within existing town and village boundaries.</p>	<p>constraints, environmental benefits and improved connectivity.</p> <p>Note that the LPS 2015-31 is in the process of being superseded by the LSPS, discussed in <b>Section 2.6</b>.</p>	
<p>Rezoning of land would be contrary to both state and local policy. This includes the Rural Lands SEPP, Sydney Drinking Water SEPP and the state's Flood Prone Land Policy.</p>	<p>Refer to <b>Sections 2.4, 2.6, 2.6.2, 5.8.3 and 5.8.4</b>, which demonstrate compliance.</p>	<p>✓</p>
<p>The property is indicated in maps endorsed by Council to be significantly flood and bushfire effected. This is due to the large amounts of vegetation and rural lands in and around the site as well as the location of Wingecarribee River adjacent to the site.</p>	<p>Refer to <b>Section 3</b>.</p> <p>A Water Cycle Management Report undertaken by Cardno has extensively modelled flooding at the site, and the current concept masterplan has been designed around flood constraints. The study has determined that the current planning proposal, and the residential development it would facilitate does not pose any additional risk from flood.</p> <p>Specialist investigations by Peterson Bushfire conclude there are no bushfire hazards within or adjoining the site with the exception of the grasslands within the riparian areas.</p> <p>Where revegetation of the riparian lands will establish vegetated areas exceeding 40m in width, asset protection zones of 14m plus a perimeter road have been accommodated in the concept layout.</p> <p>This proposal has fully addressed existing and future bushfire hazard management.</p>	<p>✓</p>

## 2.4 Development History of Nearby and Comparable Sites

Several sites surrounding Tyraquay have also been explored for residential and similar uses. The development histories of the most relevant of these have been summarised here for reference.

### 2.4.1 590 Moss Vale Road, Burradoo (2.2km south west of Tyraquay)

- > Development Consent DA17/0751 was issued on 15 February 2019 for a seven (7) lot rural residential subdivision
- > The minimum lot size is 4 hectares
- > The site is within Zone E3 (the same zoning as the majority of the subject site)
- > The subdivision fragments the ownership along the Wingecarribee River and creates very narrow lots suitable only for rural residential purposes as insufficient buffers are available to support primary production
- > Land along the river frontage has been fragmented and is not conducive to public access and consistent management and restorative works within the riparian corridor
- > This pattern of subdivision should be avoided in the future.
- > Inclusion of land west of Tyraquay through to Cec Hoskins Nature Reserve in the Bowral South NLA master plan will provide opportunities to reconsider planning provisions that are more consistent with the values and visions for sustainable future development of the urban edge of Bowral



**2.4.2 Planning Proposal for certain land at Bowral Street Bowral (2.5km north east of Tyraquay)**

- > Seeks to rezone land on the corner of Old South Road and Bowral Street from R5 large lot residential to R2 Low Density Residential and reduce minimum lot size to 1000m<sup>2</sup>
- > Public exhibition concluded 6 September 2019
- > Council considers the proposal to be consistent with the SCCRS (2006 – 2031) and the Wingecarribee LPS (2015 – 2031)
- > The site is in close proximity to Bowral Town Centre and Train Station
- > The subdivision increases the density of development on the edge of the Bowral urban footprint and will permit Seniors Housing throughout the site
- > Inclusion of this site in the master planned area will improve consideration of the synergies of future land use patterns as well as the provision of appropriate infrastructure and utilities to support the proposed urban densities



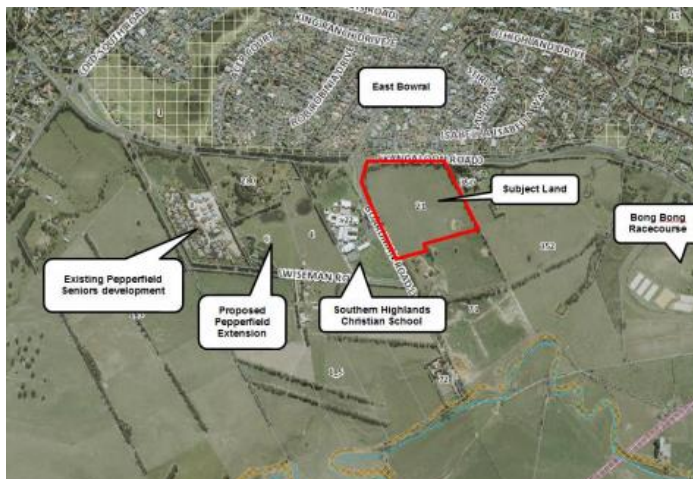
**2.4.3 Seniors Housing Development – 6 Wiseman Road, Bowral (850m east of Tyraquay)**

- > The planning proposal seeks to permit seniors housing on the combined site area of 6 and 8 Wiseman Road extending the existing Pepperfield Lifestyle Resort to the west, onto land located at 6 Wiseman Road
- > The site was originally zoned E3 – Environmental Management under the WLEP 2010
- > Seniors housing is a prohibited use in parcels of land zoned E3
- > Council resolved on 9 May 2018 not to support the Planning Proposal application
- > The application was supported by a Gateway Review by the Southern Regional Planning Panel and a Gateway determination issued 23 January 2019. The draft LEP is yet to be publicly exhibited.
- > Inclusion of this site in the master planned area will improve consideration of the synergies of future land use patterns as well as the provision of appropriate infrastructure and utilities to support the proposed urban densities



**2.4.4 Seniors Housing Additional Permitted Use – 21 Boardman Road, Bowral (approx 1km east of Tyraquay)**

- > The planning proposal sought to permit seniors housing at 21 Boardman Road by applying an Additional Permitted Use clause
- > The site is 9.3 hectares and could accommodate 120 seniors housing dwellings as reported by Council
- > The site is within Zone E3 – Environmental Management under the WLEP 2010
- > Seniors housing is a prohibited use in parcels of land zoned E3
- > Council resolved on 26 June 2019 not to support the Planning Proposal application
- > An application for Gateway Review was lodged on 14 June 2019, but was rejected on 1 November 2019. Reasons cited included a lack of overall strategic merit, and an unwillingness to pursue singular development before release of the LSPS
- > It is not known whether the land owners will pursue development at this site in another form
- > Inclusion of this site in the master planned area will improve consideration of the synergies of future land use patterns as well as the provision of appropriate infrastructure and utilities to support the proposed urban densities



**2.4.5 Summary of consideration of nearby Planning Proposals and Development Consents**

Council did not support the Planning Proposals for Pepperfield and 21 Boardman Road South. Reasons for Council’s objection included:

- > Seniors housing is more suited to land in Zone R2 and R3
- > Seniors housing should be located within accessible walking distance to transport and services
- > Seniors housing sites should be serviced by reticulated water and sewer
- > The proposals preceeded Council’s LSPS

The draft LSPS has applied evidence-based strategic planning criteria to determine Tyraquay and the Bowral South masterplanned area are suitable locations for further investigation as potential a new urban release area.

The outcomes to be delivered by development of the Tyraquay site and the master planned Bowral South NLA will bring infrastructure, transport and services and utilities to the locality.

Without a comprehensive strategy for new urban land uses surrounding Bowral, the role and functionality of Bowral as a future regional centre will be vulnerable to fragmented and uncoordinated development proposals such as those summarised above.

In contrast to the fragmented, uncoordinated development applications and planning proposals detailed in **Sections 2.4.1 to 2.4.4**, the master planning for Bowral South is a well-considered, evidence based strategy founded on sound environmental planning grounds. It has the potential to coordinate new development supporting the anticipated growth of Bowral regional centre. Infrastructure, land use change, open space provision and environmental protection can all be delivered in a controlled and efficient manner to supply the majority of greenfield housing needs of the Wingecarribee LGA. Greenfield urban release can be staged over time with the landowners of Tyraquay committed and well-resourced to deliver Stage 1 of the Bowral South NLA.



## 2.5 History of Previously Adopted Planning Provisions and Planning Strategies

This section of the report places the Planning Proposal in the context of historical strategies, land uses, contemporary planning evidence and future trends.

Land development and land use changes have, in the past, often been met with negative responses from the Wingecarribee community. Wingecarribee Council have fostered a semi conservative view in facilitating increased housing stock. This is particularly so for greenfield development. Council have been cautious in supporting changes from rural to urban land based on the aesthetic, environmental value, agricultural production potential and village settings.

For these reasons this Planning Proposal commits to measurable outcomes to be set by a site-specific DCP and monitored over the lifetime of the redevelopment scheme to set and maintain an outstanding precedent for new urban release development.

### 2.5.1 Sydney Canberra Corridor Regional Strategy 2006 – 2031

The Sydney Canberra Corridor Regional Strategy (SCCRS) is prepared and revised by the Department of Planning. The original strategy was published in 1995. It was most recently revised in 2017. Revisions are scheduled for every five years. This Planning Proposal application has been demonstrated to be entirely consistent with the relevant matters listed in the SCCRCS as detailed in **Section 5.8.1.2**.

### 2.5.2 Wingecarribee Local Planning Strategy 2015 – 2031

The *Wingecarribee Local Planning Strategy* (LPS) was adopted by Council on 23 March 2016. It has been superseded by the Local Strategic Planning Statement (LSPS).

Note **Section 2.3.2** presents Council's reasons why a previous rezoning request for Sutherland Park was rejected from the draft LPS.

The LPS highlights the importance of maintaining the rural landscape character whilst accommodating an increasing population. The LPS seeks to reinforce the distinctive character of Bowral, Mittagong and Moss Vale through the separation of their respective urban areas by extensive bushland, floodplain and rural land.

The Precinct Plan for Bowral Township in Part 2 of the LPS noted Bowral is to be a major centre for retail and commercial services and tourism. The precinct plan identified the potential for further residential growth in both Bowral and Burradoo. The LPS identified potential for 15% growth in dwelling supply in the Bowral Township and further 20% growth in Burradoo.

As highlighted in the Bowral Township Precinct Plan, there are a number of key issues that have been raised by locals through community consultation workshops. These locally sourced concerns are identified below as well as possible mitigative strategies associated with the proposal. These are discussed in detail in **Section 5.9.3** and demonstrate this Planning Proposal application positively addresses community concerns regarding future growth and land use changes.

### 2.5.3 Wingecarribee Community Strategic Plan 2011

The *Wingecarribee Shire Community Strategic Plan* (CSP) represents the vision, aspirations, goals, priorities and challenges for the community. The strategy is comprised of five themes – People, Places, Environment, Economy and Leadership. These themes provide the focus and direction for the development of goals and strategies for the community. The themes and goals of relevance to the project are discussed in detail in **Section 5.8.2.3**.

### 2.5.4 Wingecarribee Local Environment Plan (LEP) 2010

The provisions of the *Wingecarribee Local Environment Plan* (2010) that presently apply to the site and surrounds are detailed in **Section 4**. This planning proposal application examines the conditions of the site and is setting within the broader locality and presents evidence and reasons for adjustments to the current provisions.

## 2.6 Local Strategic Planning Statement and Local Housing Strategy

Wingecarribee Shire Council released its draft LSPS and draft Local Housing Strategy (LHS) on 11 March 2020, in accordance with the statutory requirements of Section 3.9 to the EP&A Act and DPIE guidelines. Although final strategies are yet to be endorsed, both of these documents seek to provide planning

strategies for Wingecarribee for the next 20 years, and are therefore highly relevant to this Planning Proposal.

**2.6.1 Local Strategic Planning Statement 2020**

The draft LSPS uses robust and reliable evidence directly relating to economic, social and environmental matters to outline a 20-year strategy for the LGA. In doing so it, it is broadly aligned with adopted strategic plans for the region and with Council’s Community Strategic Plan.

Of particular relevance to this planning proposal is the Proposed New Living Area located adjacent to the south east edge of the existing Bowral urban area. This New Living Area (NLA) is referred to in Council’s draft LSPS and the draft LHS as Bowral South.

Page 46 to the draft LSPS includes the graphic reproduced here as **Figure 2-3**, with the proposed NLAs indicated in red.

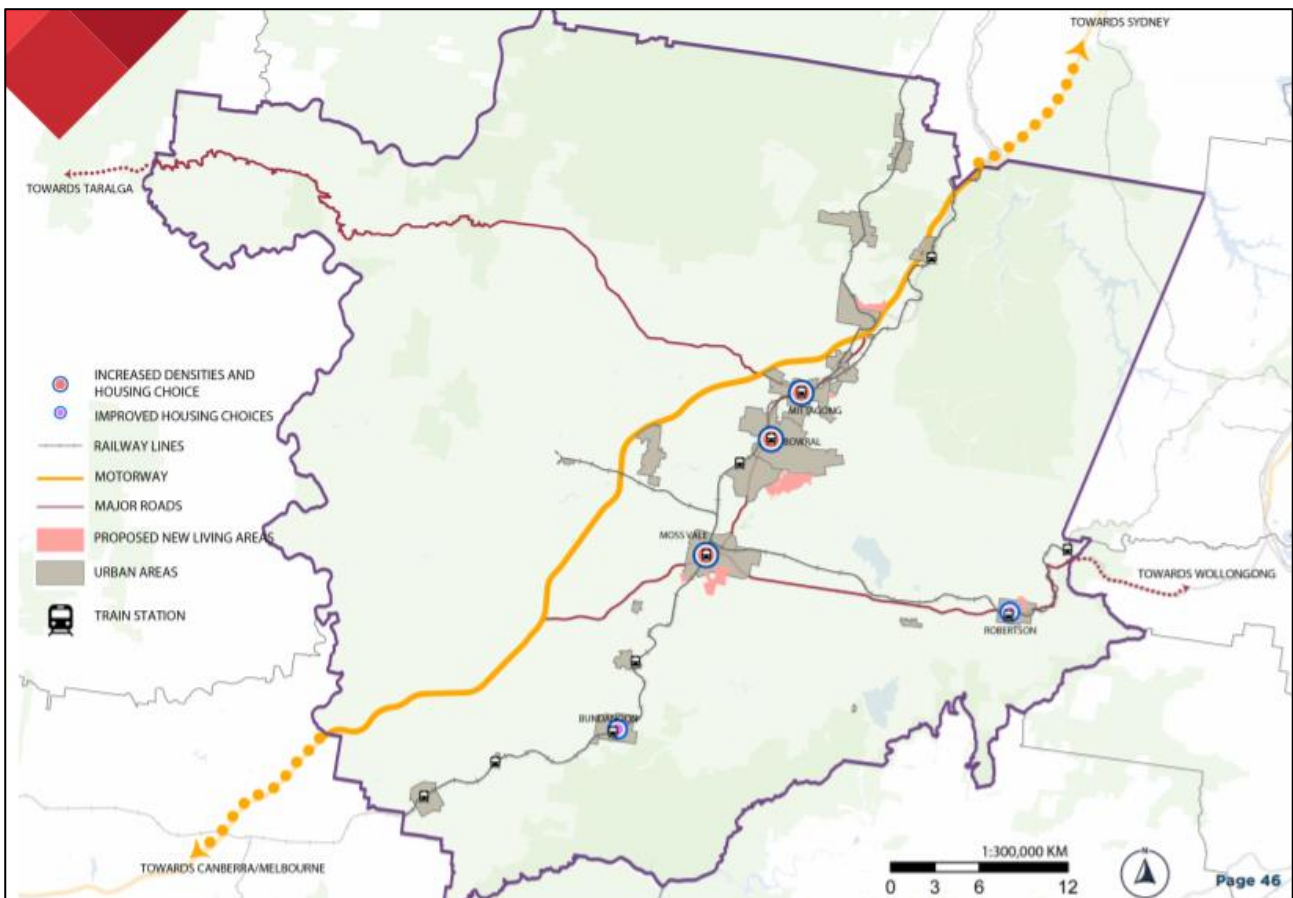


Figure 2-3 Extract from Page 46 to Draft LSPS

Tyraquay falls within the Bowral South NLA area.

Specific treatment of the Bowral South NLA is given in greater detail in the draft LHS.

The consistency of this Planning Proposal with the general priorities and actions of the draft LSPS is discussed in detail in **Section 5.8.2.1**.

**2.6.2 Local Housing Strategy 2020**

In addition to the LSPS, Council have also prepared a draft LHS for Wingecarribee, informing the next 20 years of housing across the LGA. Consistent with guidelines issued by DPIE, it has been informed by robust and reliable data and aligned with sustainable strategic planning principles.

The draft LHS includes the graphics reproduced in **Figure 2-4** below.

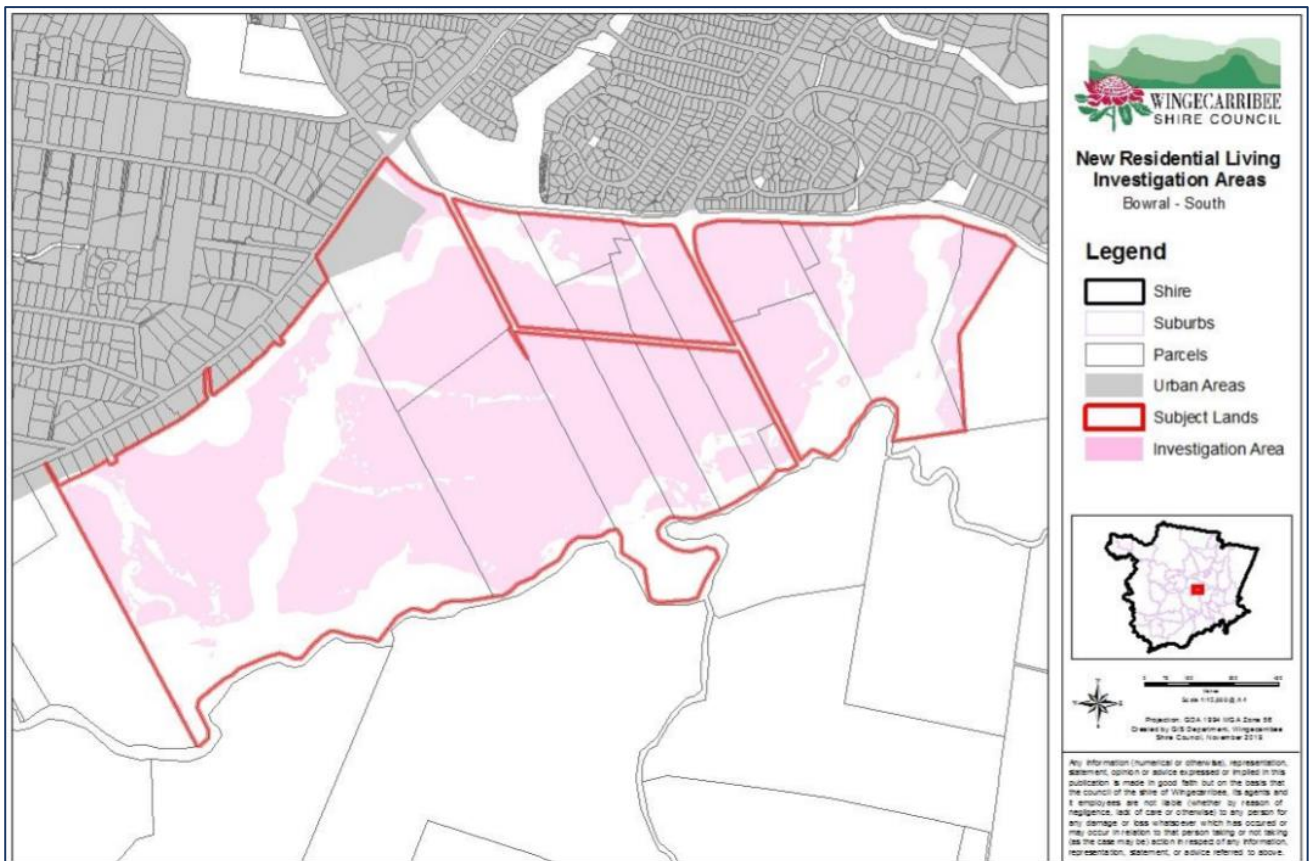


Figure 2-4 Map of investigation area for Bowral South NLA

As in the LSPS, Tyrarquay falls within the Bowral South NLA.

The draft LHS listed the following particular matters to be addressed with any future Planning Proposal application for land in the Bowral South NLA:

Infrastructure upgrades

The proposed NLA will need investigation of the potential traffic and transport impacts to determine what stage(s) of redevelopment will trigger the need for infrastructure upgrades including but not limited to:

- Intersection and carriageway upgrades on Eridge Park Road
- Intersection of Moss Vale Road and Eridge Park Road
- Extended Cycleway on Eridge Park Road

Future investigations will need to assess the capacity of the Bowral Sewerage Treatment Plan and the Wingecarribee Water Treatment Plant.

Land capability

A future Planning Proposal application will need to include:

- An Aboriginal Cultural Heritage Due Diligence assessment
- A Heritage Impact Assessment
- A Phase 1 Preliminary Site Investigation (Contamination)
- An ecological assessment

Design Principles

The following design principles are intended to guide the future development of the site to ensure that development will provide a high-quality urban environment in keeping with the community’s expectations.

*“1. The Wingecarribee River will form the long-term eastern edge of the Bowral township*

- 2. The Bowral (South) living area will be characterised by a diverse mix of housing typologies, strong visual connections to rural landscapes to the east and high quality public open space along the Wingecarribee River and its tributaries*
- 3. A perimeter road along the eastern edge of the development (with new houses addressing the Wingecarribee River) will support a quality urban interface and promote passive surveillance of the public open space adjacent to the river*
- 4. A new cycleway and open space along the Wingecarribee River will connect with the existing cycleway networks to the north and south*
- 5. A new neighbourhood centre in the Kangaloon / Boardman Road area will service the day to day needs of the new community and the broader East Bowral area.*
- 6. A mix of lot sizes are proposed in the visually prominent area to the east of Boardman Road, with larger lots to minimise the visual impact of development and provide a transition of lot sizes towards the Bong Bong race course and adjoining rural landscapes.”*

The current Concept Design, which includes many of the above elements, is described in detail in **Section 3.15**.

Consistency of the current proposal with the Bowral South NLA design principles is demonstrated in **Section 5.8.2.2, Table 5-8**.

Given its position within the Bowral South NLA, its high level of intrinsic suitability for sensitive residential development, and the highly progressed state of investigation and conceptual development for the site, Tyraquay can become a logical Stage 1 site for Council to undertake development of the NLA. This is discussed further in **Section 5.5.2**.

## 3 Land Capability Analysis

### 3.1 Land Ownership and Site Boundaries

The site is identified and described in **Section 2.1**.

The Planning Proposal application applies to Tyraquay because the landowners have funded specialist investigations into the land capability of this property and support the lodgement of a Planning Proposal application.

The master planned broader area from Cec Hoskins Nature Reserve through to Bong Bong Racecourse has been identified through consideration of:

The uncoordinated and ad hoc outcomes from recent development applications and planning proposals in the immediate locality

- > the adopted strategic plans for Bowral at state, regional and local scales
- > the land capability analysis specific to Tyraquay and by desk top review of nearby land
- > efficient infrastructure and servicing planning and delivery
- > protecting and enhancing neighbourhood character and
- > the opportunities for broad scale improvements to the land use and infrastructure of East Bowral.

This application encourages Council to support further studies and investigate landowner cooperation to make LEP amendments for the master planned area with the confidence that the Tyraquay proposal is well resourced and committed to become Stage 1 of the broader master planned release area.

### 3.2 Land Capability Summary

The following is a summary of the land capability investigations contained in **Sections 3.3 to 3.14** and **Appendices B to K**.

Geotechnical	No constraints
Contamination	No constraints
Water Management	No constraints Water quality improvement opportunities
Potable water infrastructure	No constraints Augmentation of the mains lines and increase in the storage capacity of the Wingecarribee Water Treatment Plant by approximately 1.4ML Potential service benefits for surrounding urban area
Reticulated Sewer infrastructure	No constraints Gravity feed achievable for the majority of the site Upgrade works to local pipe network and installation of a new 1.5KW sewer pumping station within the site
Electricity	No constraints New feeder line to Moss Vale Zone Substation
Natural gas	No constraints
Telecommunications	No constraints
Ecology	Manageable constraints



	<p>33 remnant <i>Eucalyptus macarthurii</i> and 20 habitat trees to be subject to detailed impact management plans post- Gateway</p> <p>VMP for all riparian restoration works implemented with construction</p> <p>Aquatic habitat management plan and potential water bird habitat subject to detailed impact management plans post Gateway</p>
Aboriginal Archaeology and cultural significance	<p>Manageable constraint</p> <p>Scar tree to be subject to more detailed management investigations with an Aboriginal Cultural Heritage Assessment Report post Gateway</p>
European Heritage	<p>No constraints</p> <p>Landscaping to enhance the curtilage of Moidart to the western boundary</p> <p>Statement of Heritage Impact to be prepared post Gateway</p>
Transport and Access	No constraints
Bushfire hazard	No constraints
Rural Lands Capability	<p>No constraints</p> <p>Application of mapping criteria for of Important Agricultural Lands applied post Gateway</p>
Visual Amenity	No constraints
Housing Supply and Demand	<p>No constraints</p> <p>Essential to meet the worsening trends of lack of supply and declining affordability</p> <p>Essential to meet the lack of affordable housing</p>

### 3.3 Topography

A slope analysis of the site is included in **Figure 3-1** and shows the gradient of the site is minimally constrained. The gradients of the site are far less than that of the established urban areas of Burradoo north west of the site.



Figure 3-1 Slope Analysis of Tyraquay and Surrounds

### 3.4 Geotechnical

Soil testing and geotechnical analysis was completed by Southern Geotechnics Consulting Engineers in their report dated 4 May 2005. There has been no change to the geotechnical conditions of the site since this report was prepared. The soil testing concluded the soils outside the watercourse and riparian areas are not dispersive. The soils are slightly acidic and non-saline. The soils are suitable for building and no additional measures are required for construction and site management specific to the soil types.

The report by Southern Geotechnics Consulting Engineers is contained in **Appendix F**.

A new geotechnical investigation is currently underway which will address the land capability specific to the concept plan and Planning Proposal application. The new investigation will be submitted to Council upon completion.

### 3.5 Contamination

Network Geotechnics Pty Ltd report dated 18 February 2005 formed part of Development Consent LUA12/0039. The report contained a Preliminary Site Investigation (PSI) and a slope risk analysis. The report concluded the risk of slope instability throughout the site was low. The PSI identified isolated areas for further detailed site investigation (DSI) for contaminants as follows:

- > Airstrip and sheds for potential storage of chemicals
- > General use of herbicides and pesticides from agricultural use
- > Fill material in the construction of the airstrip, dams and internal roadways

The results of the PSI are typical for a well maintained rural property. The PSI concluded further DSI in accordance with standard procedures.

The Network Geotechnics report is included in **Appendix G**.

A new PSI and Detailed Site investigation (DSI) are currently underway. These investigations will be specific to the proposed changes to land use, the anticipated construction activity and future development and long term management of the site consistent with the concept plan and Planning Proposal application. The new PSI and DSI will be submitted to Council upon completion.

### 3.6 Water Cycle Management Report

A Water Cycle Management Report (WCMR) was prepared by Cardno dated 13 September 2019. The report included MUSIC modelling for stormwater quality improvement estimates, hydrological and TUFLOW modelling to determine flooding and surface water flows. The full report is contained in **Appendix D**.

The WCMR demonstrates the proposal is in accordance with the environmental controls and NSW Guidelines for floodplain management and stormwater management. The report also shows water sensitive urban design methods can be implemented to comply with the Wingecarribee Development Control Plan (WDCCP) for urban development and to achieve a Neutral or Beneficial Effect (NorBE) as required by WaterNSW for development in the drinking water catchments.

On the basis of water quality and quantity modelling results, the findings of this report include:

- > The majority of floodwater in the existing conditions are contained within the Wingecarribee River and its tributary
- > The main channels of Wingecarribee River and the tributary traversing the site can be considered an areas of high hazard
- > Earthworks can be implemented to achieve roads and residential lots above the 100 year ARI and probable maximum flood (PMF) level
- > All impacts of flood and stormwater management changes can be contained within the site
- > There is not net increase to flood hazard and risk to life and property as a result of this development
- > The provision of RWTs, GPTs, a sedimentation pond and constructed wetland is sufficient to meet the required annual load reductions and NorBE outcomes for TSS, TN, and GP

Strategic land and water capability assessments (SLWCA) assist councils in preparing and reviewing their local environment plans (LEP). Water NSW provides guidelines to councils with SLWCA data, maps and training that encourage appropriate land use zoning.

The SLWCA maps show land use capability, based on risk to water quality, according to the following classification rating system:

Map Display	Land Use Capability	Risk to water quality
Green	High	Low
Yellow	Moderate	Moderate
Orange	Low	High
Red	Very Low	Extreme

Source: Water NSW

This tool assists to determine the impact of future land changes on water quality by incorporating capability information at land rezoning stage. This enables selection of land uses most likely to have a neutral or beneficial effect on water quality. This data will contribute to the high quality of water on site.

Stormwater and catchment improvements will reduce runoff velocities and improve water quality. In particular notable improvements can be gained from the redevelopment of Tyraquay through the restoration of the existing drainage channel near the western edge of the site. Currently this stormwater channel conveys largely untreated runoff from rural residential properties (some with on-site wastewater management systems) directly into the Wingecarribee River.

The Water Cycle Management report is currently being revised to address issues raised by Water NSW regarding the Dam Safety Audit for the Wingecarribee Reservoir. A revised report will be submitted to Council as soon as it is available.

### 3.7 Services

The current location and capacity of all essential services and utilities has been investigated by Cardno in the report dated September 2019 and included in **Appendix E**. The report also identifies where and when augmentation, extension or new infrastructure is required to service the proposal and/or improve or maintain services for existing land uses.



A more detailed infrastructure and utilities servicing strategy (including costs to deliver and maintain) is currently in preparation for the site. The investigation will also take into consideration the sequencing and capacity of utilities and infrastructure on a broader master planned scale for the East Bowral RE. It will be submitted to Council as soon as it is available.

### 3.7.1 Potable Water

This assessment of water network capability utilised the latest WSC water model of the Southern Highlands Region. It should be noted that this model is representative of the current water performance, based on existing development yields. The potable water infrastructure will need augmentation of the mains lines as well as a potential increase in the storage capacity of the Wingecarribee Water Treatment Plant by approximately 1.4ML.

### 3.7.2 Wastewater

To undertake this assessment Cardno utilised the latest WSC sewer model of Bowral. It should be noted that this model is representative of the current sewer performance, based on existing development yields.

New sewerage infrastructure within the site can mostly be installed as gravity fed lines with pressurised lines along the western edge of the site.

There are two (2) potential connection points for the Tyraquay development. The connections are:

- > DN225 gravity sewer (maintenance hole GH02254), located along Charlotte Street
- > DN300 gravity main (maintenance hole GH02207), located at the junction of Charlotte Street and Moss Vale Road

Upgrade works and development contributions are likely to be required and well as installation of a new 1.5KW sewer pumping station within the site.

### 3.7.3 Electricity

Endeavour Energy is the electricity provider servicing the locality. The existing high voltage feeder line located on the northern side of Eridge Park Road has the potential to service the development site. If this line is at capacity an additional feeder will be required from Moss Vale Zone Substation. This zone substation has sufficient capacity to support the new development

### 3.7.4 Natural Gas

There are two (2) Jemena natural gas mains along Eridge Park Road. The Jemena Network has sufficient capacity to service the development. The location of the connection point will need to be confirmed with a final lot layout.

### 3.7.5 Telecommunications - NBN & Telstra

Eridge Park Road is serviced by NBN along the entire northern boundary of the development site through Telstra owned conduits, pits and infrastructure. It is anticipated that the existing network will have sufficient capacity for the development.

## 3.8 Ecology

The Preliminary Ecological Investigation by Cardno dated 16 September 2019 is in **Appendix H**. The preliminary report contains the outcome of literature reviews, database references and field work to identify Plant Community Types (PCT's), Endangered Ecological Communities (EEC's), threatened species within the site and habitats likely to support threatened and protected species. The report also evaluates the ecological integrity and condition of the habitat within and adjacent to the site. All species have been assessed on the basis of the presence of suitable habitat and the likely significance of that habitat to support a viable local population.

In summary 33 remnant *Eucalyptus macarthurii* occur as scattered paddock trees within the northern section of the site (see **Figure 3-2**). *E.macarthurii* is an endangered species. The presence of *E.macarthurii* does not trigger the threshold criteria for the *Environmental Protection Biodiversity Conservation Act*, (EPBC Act) due to the complete lack of understorey. However, in accordance with the *Biodiversity Conservation Act, 2016* (BC Act) any clearance of *E.macarthurii* must be considered a serious or irreversible impact.

No threatened fauna species under the BC Act and/or EPBC Act were detected during the field survey.

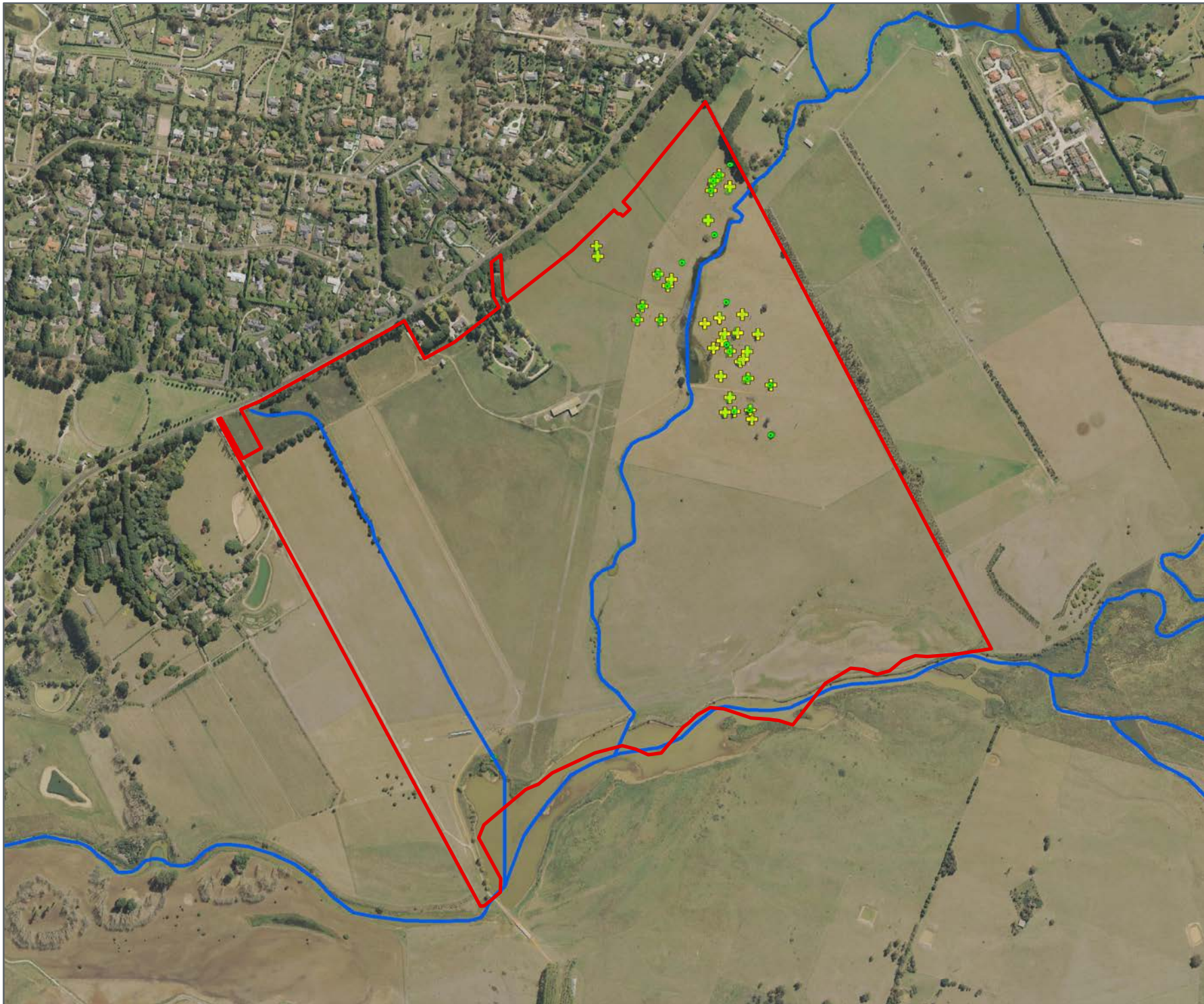
The ecological value of vegetation is limited having been heavily disturbed and degraded by long term grazing. There are 20 habitat trees (of which 6 are dead trees). Habitat tree locations are indicated in **Figure 3-2**.

A number of threatened fauna species are considered to have at least a moderate likelihood of occurring within the Study Area based on the presence of suitable habitats and local records.

Further consideration of potential impacts to these species, should be undertaken during the detailed ecological assessment for any future works which would require a change to the use of land and/or clearing. Any future DA would also need to consider the requirements under the NSW Biodiversity Offset Scheme (BOS) in accordance with the Biodiversity Assessment Method (BAM).

No feed trees or habitat trees suitable to support koalas exist on or adjoining the site and SEPP 44 does not need to be considered with any future development proposed.





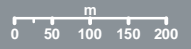
# Ecological Features

SUTHERLAND PARK PEI

- Legend**
- Study Area
  - Southern Highlands Shale Woodlands
  - Watercourses
  - Habitat Tree
  - Eucalyptus macarthurii

FIGURE 3-1

1:10,000Scale at A4



Map Produced by Cardno NSW/ACT (Water & Environment)  
Date: 2019-09-15 | Project: 8201816301  
Coordinate System: GDA 1994 MGA Zone 56  
Map: 8201816301 PEI Ecological Features.mxd 01

## 3.9 Heritage

### 3.9.1 Aboriginal

Aboriginal due diligence advice has been provided by Austral Archaeology in their report dated 12 September 2019 (see **Appendix B**).

An extensive search for the *Aboriginal Heritage Information Management System (AHIMS)* identified 43 previously recorded sites in a ten kilometre by ten-kilometre square, centred around the study area. This included an artefact-open camp site 100 metres south of the study area (#52-4-0109), three (3) modified trees, one (1) grinding groove and 36 artefacts. However, none of these AHIMS sites are within the subject site.

The field survey identified Sutherland ST1 Scar Tree in the northeast portion of the study area. The area surrounding the scar tree has been identified as an area of high potential for further investigation. Due to the nature of trees and their associated finite lifespan, scar trees are considered rare in NSW and therefore have high archaeological significance.

Four areas of moderate archaeological potential have been identified for further investigation. The long history of disturbance of the site due to the clearing of trees and remnant vegetation, ploughing and grazing suggests that many potential surface or sub surface sites have been disturbed or destroyed.

The environment of the study area was likely used in the traditional gatherer lifestyle of the Aboriginal inhabitants. The location of water, namely the Wingecarribee River and the unnamed second order stream largely define where sites and Aboriginal archaeology are likely to be found. The site ST1, recorded during the field survey is of a significant nature and should be protected from impacts at the development stage of the project. The five (5) areas identified as having high and moderate archaeological potential should be subject to further investigation prior to the development of the site.

#### 3.9.1.1 Recommendations

As a result of the outcomes in the field survey, it is recommended that:

- > The re-zoning proceed as no ground disturbance will occur as part of this activity
- > Site Sutherland ST1 must be protected and impact to the site is avoided. If impacts cannot be avoided, an AHIP must be sought.
- > Prior to ground disturbance, areas of high and moderate archaeological potential, an Aboriginal Cultural Heritage Assessment (ACHA) should be undertaken. The ACHA will involve consultation with the local Aboriginal community
- > The ACHA should further investigate the areas of archaeological potential in the form of archaeological test excavations
- > An unexpected finds protocol is to be developed for all future works.

### 3.9.2 European

The following heritage items are listed in Schedule 5 to WLEP 2010 and are in close proximity to Tyraquay:

- > Old South Road (Item I102), now known as Eridge Park Road borders the study area to the north and consists of Old South Road/Eridge Park Road/Moss Vale Road. The road itself is an item of local significance and the streetscape is recognised in this Planning Proposal application as a significant element setting the character of the locality. The majority of the site is separated from the road by a row of large lot housing.
- > Moidart House and Garden (Heritage Item No. I348) adjoins the western boundary of Tyraquay and is defined by a curtilage of large trees separating it from the site.
- > The 'Greyleaves' house and garden (Items I072 & I342) is located on the northern side of Eridge Park Road and is separated from the site by large lot houses fronting the southern side of Eridge Park Road.



Figure 3-3 Shows the location of heritage items No. I348, No. I102, No.I072 & I342 as identified in the heritage maps to WLEP2010. Other heritage items shown in Figure 3-3 are well separated from the site and will not be impacted by the Planning Proposal.



Figure 3-3 Heritage items listed in WLEP 2010 inside and around the Site (HER\_007D)

The concept design to support the Planning Proposal has given appropriate consideration to the curtilage and setting of each nearby heritage item. The streetscape of Eridge Park Road will be enhanced for consistency with road and verge improvement works further east and landscaping at the intersections is intended to further aesthetically improve the streetscape. A setback to the boundary with Moidart house will be informed by a more detailed visual impact assessment of the curtilage of Moidart house and gardens. However, the gardens to Moidart house include dense vegetation which visually contains the item. The curtilage to Moidart has been estimated as approximately 60m and the Tyraquay property is separated from the curtilage by approximately 200m.

As discussed in **Section 2.1.2** the Tyraquay site was previously subdivided to create veterans lots. These lots were reported to have contained wooden cottages. The lots were mostly abandoned or sold to other private ownership over time. A site inspection and archival search did not find any records of structures associated with the use of the land for veteran accommodation.

Contemporary records show the airstrip was used for transporting participants of the Commonwealth Heads of Government meeting to Bowral due to the military lock down of Sydney CBD following the Hilton Hotel bombing on 13 February 1978. Austral Archaeology recommends some interpretive material provided to reflect this event. This theme will be further investigated with a SoHI prior to public exhibition.

### 3.9.2.2 Recommendations

It is recommended that:

- > The planning proposal is considered acceptable from heritage standpoint
- > The study area contains heritage values and any prospective development will need to incorporate the following studies and approvals:
  - o A SoHI that refers to the detailed subdivision design and which mitigates impacts of potential archaeological remains of early settlement as part of the subdivision
  - o An Archaeological Assessment and research design that details the requirements of an archaeological program associated with early settlement of the study area and documents

the pre-1940's use of the study area. This must support an application under section 140 of the Heritage Act

- > Should the proposed development be altered significantly from designs and specifications outlined in this report then a reassessment of heritage/archaeological impacts may be required. This includes any impacts not explicitly stated in this report, and the installation of any subsurface services

### 3.10 Transport & Access

A preliminary Traffic Impact Assessment (TIA) has been completed by Cardno and the report dated 19 September 2019 is included in **Appendix I**. The traffic analysis and modelling has been based on a maximum lot yield/maximum traffic generating scenario and is therefore highly conservative.

#### 3.10.1 Existing Transport Infrastructure

The findings of the TIA for the existing transport and movement environment are summarised as follows:

A new bus service can be provided to the masterplanned site through a simple loop extension of the current East Bowral Route 815. This route can provide services Monday to Saturday linking to Bowral town centre and the railway station;

- > No intersection or road capacity upgrades will be triggered by the concept layout for Tyraquay
- > The connection points from Tyraquay to Eridge Park Road will use the existing intersections of Tirrikee Lane and Sutherland Park Drive. The safe sight distance of these intersections and the road environment of Eridge Park Road can be made safe and compliant with AusRoads standards
- > Works in Eridge Park Road would be recommended to extend existing share pathways into the site
- > The SIDRA analysis at Moss Vale Road/Eridge Park Road intersection indicate a Level of Service F in 2031 for the east-bound leg right turn only. The model indicates this will impact 1 vehicle in the AM peak and 2 vehicles in the PM peak. In reality, drivers have multiple route options instead of this turn movement. Driver behaviour will likely make this functional limitation irrelevant as travel decisions will avoid this movement
- > The SIDRA analysis of intersections of Eridge Park Road/Kangaloon Road, Moss Vale Road/Kangaloon Road, Eridge Park Road/Tirrikee Lane indicate that the proposed development of Tyraquay will not have significant impact on the intersection performance and no upgrades will be required

Therefore, it can be concluded that increased traffic generation as a result of the proposed development of Tyraquay will not detract from the safety and Levels of Service (LOS) at the nearest major intersections and will not be detrimental to the capacity and safety of the immediate road network.

Should council be supportive of the broader master planned concept, Cardno recommends further traffic and transport analysis and anticipates opportunities would be identified for road and intersection upgrades.

#### 3.10.2 Internal Road Layout

A new road layout and hierarchy, inclusive of footpaths and cycleways is indicated in the Concept Layout plan (see **Figure 3-4**). The road network minimises cul de sacs and optimises through links. Perimeter roads are to conform to the requirements of *Planning for Bushfire Protection 2006* (and the imminent revisions of this document).

Share pathways are to be included in the road design of most internal road carriageways.

A regionally significant pathway route is proposed to be provided adjacent to Wingecarribee River.

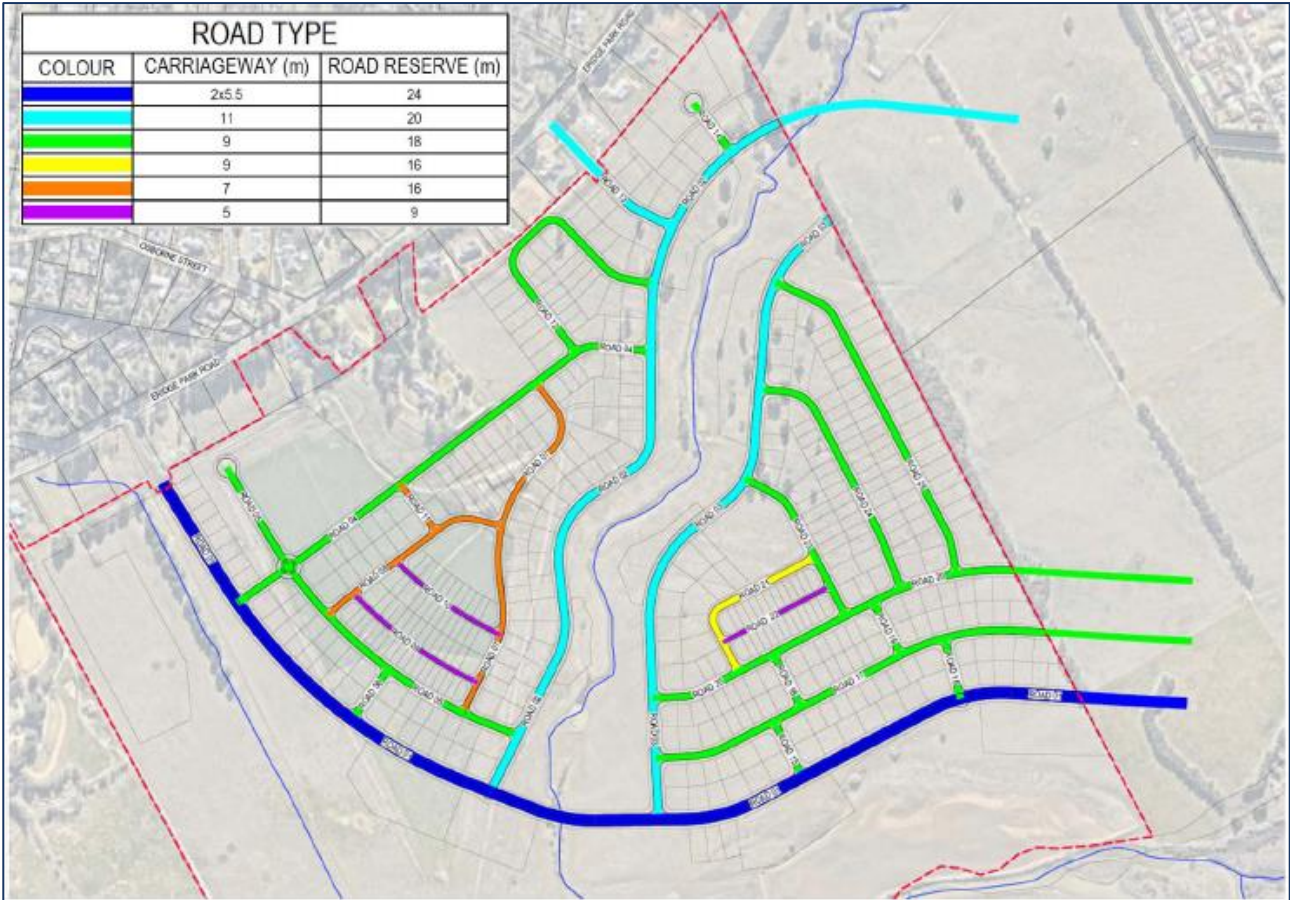
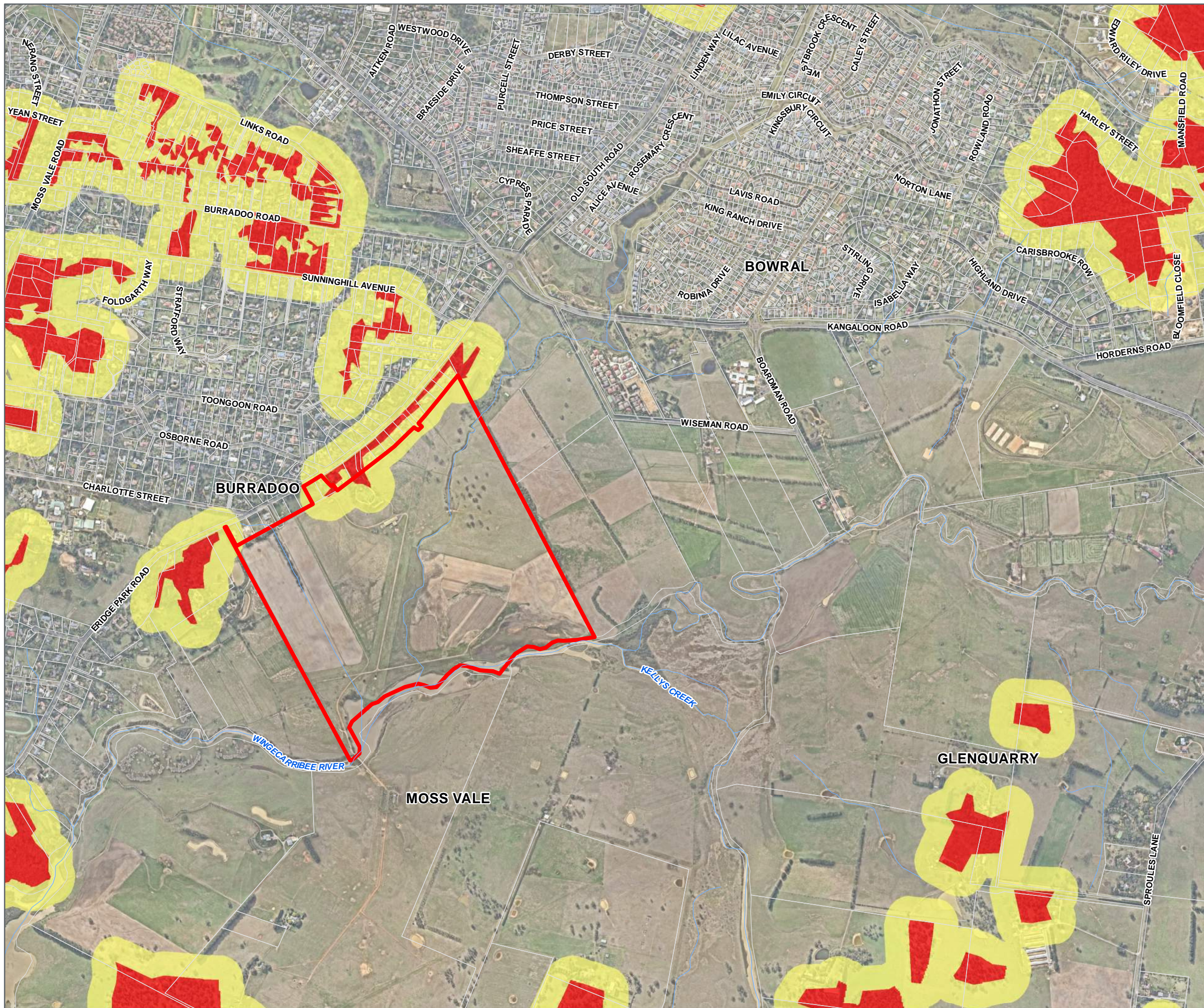


Figure 3-4 Proposed internal road layout concept

### 3.11 Bushfire

Peterson Bushfire Consulting has provided preliminary guidelines and controls based on the conceptual layout for Tyraquay. A copy of the Preliminary Bushfire Report is included in **Appendix J**. Despite the hazard mapping endorsed by council and NSW RFS for the potential identification of land with bushfire hazard (see **Figure 3-5**), the report has found there are no bushfire hazards within or adjoining the site in its current state. The exception is the grassland within the riparian corridor which requires an asset protection zone (APZ) of 10 to 12m. This APZ is recommended along the eastern side boundary to account for potential regrowth on neighbouring land.





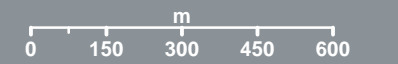
# Bushfire Prone Land

'SUTHERLAND PARK'  
BURRADOO, NSW

## Legend

- Site Boundary (109 ha)
- Watercourse (LPI)
- Cadastre (NSW SS, 2019)
- Bushfire Prone Land (RFS, 2018)**
- Vegetation Category 1
- Vegetation Buffer

1:15,000 Scale at A3



**Cardno**

Map Produced by Cardno NSW/ACT Pty Ltd (WOL)  
 Date: 2020-08-21 | Project: 82018163-01  
 Coordinate System: GDA 1994 MGA Zone 56  
 Map: 8201816301-GS-012-BushfirePlan.mxd\_02  
 Aerial imagery supplied by nearmap (April, 2019)



The report also recommends that revegetation of riparian corridors resulting in a continuous area of vegetation exceeding 40m in width would create a new bushfire hazard risk. This would require a new APZ to the outer edges of the riparian lands with a perimeter road plus an APZ totalling 29m wide.

Access and egress for firefighting purposes and evacuation can meet RFS requirements. The redevelopment of the site will reduce the overall hazard to the Burradoo locality by establishing potable water connections and managed lands to the urban perimeter. Details of water servicing requirements will be established with a VPA with Council as the water servicing provider.

### 3.12 Rural Lands Impact - Preliminary Assessment

Biophysical Strategic Agricultural Land (BSAL) has been mapped to inform State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 (SEPP MPEI) with limited map coverage produced in 2012. An extract of the BSAL map for the Bowral locality and surrounds is included in **Figure 3-6**. Tyraquay and the broader master planned area is not identified as meeting BSAL criteria.

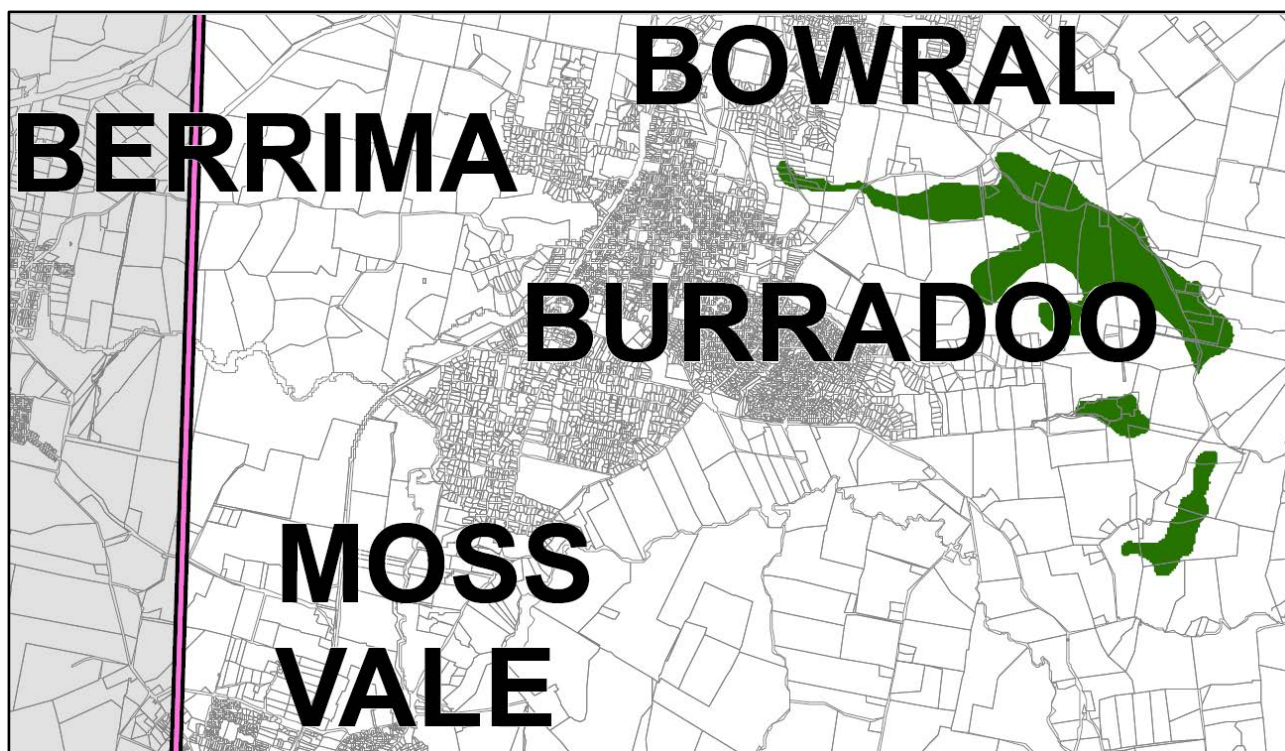


Figure 3-6 Extract from BSAL maps to SEPP MPEI

The BSAL criteria are set out in the *'Interim Protocol for site verification and mapping of biophysical strategic agricultural land'* (DPE April 2013). The criteria are as follows:

- > properties with access to a reliable water supply, defined by:
- > rainfall of 350mm or more per annum (9 out of 10 years), OR
- > a regulated river (maps show those within 150m), OR
- > a 5th order or higher unregulated river (maps show those within 150m), OR
- > an unregulated river which flows at least 95 per cent of the time (maps show those within 150m), OR
- > highly productive groundwater sources, as declared by the NSW Office of Water. These are characterised by bores having yield rates greater than 5L/s and total dissolved solids of less than 1,500mg/L and exclude miscellaneous alluvial aquifers, also known as small storage aquifers.

And

- > *land that falls under soil fertility classes 'high' or 'moderately high' under the Draft Inherent General Fertility of NSW (OEH), where it is also present with land capability classes I, II or III under the Land and Soil Capability Mapping of NSW (OEH), OR*
- > *land that falls under soil fertility classes 'moderate' under the Draft Inherent General Fertility of NSW (OEH), where it is also present with land capability classes I or II under the Land and Soil Capability Mapping of NSW (OEH).*

The more appropriate criteria is the assessment of the land in accordance with the Important Agricultural Lands (IAL) assessment criteria specified by the NSW DPI in 'A guideline to identifying important agricultural lands in NSW' (April 2017) to the site and surrounds. IAL is defined as:

*"existing or future location of local or regionally important agricultural industries or resources as mapped that is consistent with the NSW DPI Guideline to Identifying Important Agricultural Lands in NSW"*

This assessment requires implementation of four mapping tools being:

- 1. a current land use map that identifies where agricultural industries are located*
- 2. a simple map of important biophysical resources for agriculture applicable across all agricultural industries*
- 3. an additional extra overlay of socio-economic information also applicable across all agricultural industries*
- 4. an agricultural industry map that identifies the location of specific agricultural industries using critical biophysical criteria, access to infrastructure and socio-economic location criteria."*

The IAL assessment will be done post-Gateway and prior to public exhibition.

### **3.13 Visual Amenity**

In the undertaking of the draft LHS, Council conducted a visual impact assessment of the Bowral South NLA site. The assessment determined the NLA, and in particular the western region including the subject lands to be recessive in the landscape from the key locations such as Moss Vale Road and Kangaloon Road.

The site nonetheless contains significant internal viewsheds of the Wingecarribee River which would benefit from being accessible to the public.

Council's visual impact assessment from the draft LHS has been included in **Figure 3-7**, below.



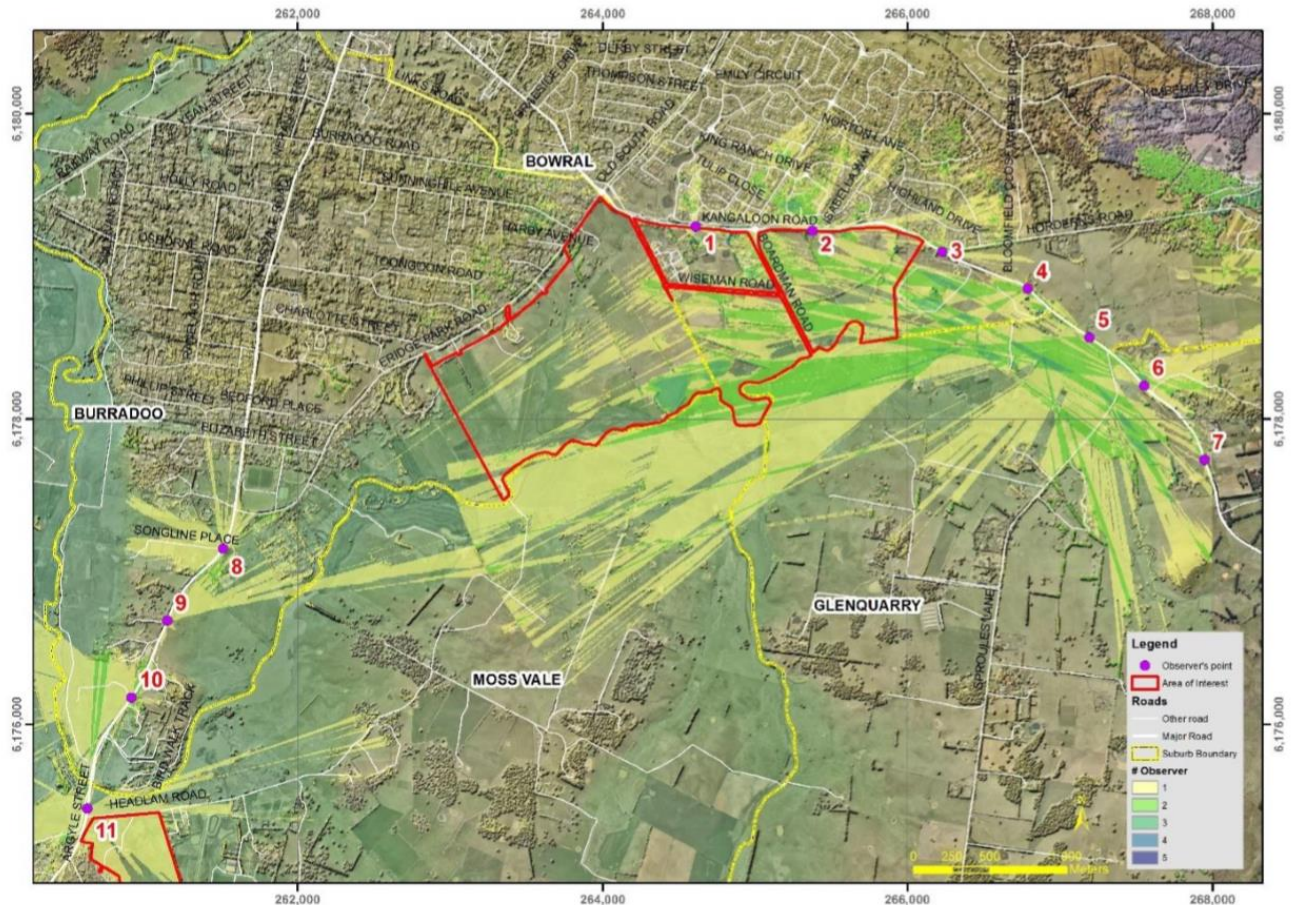


Figure 3-7 Bowral South NLA Visual Impact Assessment from the draft LHS.

Specific strategies to achieve a redevelopment scheme compatible with the broader landscape include:

- > Retention and restoration of the Wingecarribee River corridor for continuity for ecological integrity, water quality, aesthetic and recreational purposes
- > Restoration of the riparian network for visual and experiential links through the site to Eridge Park Road and Kangaloon Road
- > Character-defining streetscapes to match the road hierarchy
- > Building design guidelines to promote character elements desirable of the Southern Highlands and Bowral with an emphasis on including single storey elements to all building designs
- > Identifying and preserving unique visual elements within the new landscape such as the Scar Tree.
- > View corridors to, from and along the river, outlooks towards rural lands beyond the site
- > A diverse mix of housing to best suit site conditions and create interest and variety to the streetscape and interfaces with public open space, rural land and riparian corridors.

### 3.14 Housing Demand and Supply

The demand and supply data for housing that supports this Planning Proposal application is consistent with the analysis undertaken for Council’s adopted Housing Strategy 2020.

Dynamic and vibrant communities are founded on diversity, inclusion and equity which needs to be sustained through a diversity of housing, employment, recreational, educational and cultural opportunities accessible to the resident population. Current socio-demographic trends are showing a reduced diversity of households and this is not consistent with Council’s adopted goals and strategies in the Community Strategic Plan including:

*Goal 2.1 Our people have the opportunity for a happy and healthy lifestyle*

*Goal 2.2 We are an inclusive community which actively reduces barriers for participation in community life*

*Goal 2.3 Wingecarribee values and nurtures a diverse, creative and vibrant community*

A detailed, evidenced-based analysis of Housing Supply and Demand for Wingecarribee LGA and specifically the Bowral locality is currently being produced by Cardno, and will be completed around the end of August. The analysis so far has investigated existing and future housing supply based on the 2016 ABS population and housing data and with consideration to recent shifts in market forces. The analysis includes:

- > A review of strategic planning documents for housing supply and demand;
- > Benchmarking strategic targets with real development data;
- > Commentary on the current and likely future scenarios for housing supply and demand in the short and medium term; and
- > GIS analysis of vacant land, housing supply and future development opportunities.

Understanding demand and supply for housing is fundamental to strategically planning for new housing, infrastructure and utilities and overall land use dynamics. This understanding is the basis for compulsory Local Strategic Planning Statements and Local Housing Strategies being prepared by Councils throughout NSW.

### 3.14.1 Evidence of Demand Exceeding Supply

Strategic planning and policy making for the Wingecarribee Shire has been informed by a number of key documents that set the overall benchmarks for housing supply and demand across the LGA. A summary of projected housing supply and demand potential as stated in each strategic document is provided in the report and repeated in **Table 3-1** below.

Table 3-1 Summary of Demand and Supply Estimates

Author/Publication	Demand	Supply
<i>Sydney-Canberra Corridor Regional Strategy 2006-31</i>	8,700	5,700
<i>Wingecarribee Demographic and Housing Study</i>	6,284	28,965
<i>Local Planning Strategy 2015-2031</i>	7,560	11,084
<i>South East Tablelands Regional Plan 2036</i>	3,300	<i>Not stated</i>

Wingecarribee Shire Council's (Council) current policy position is that the LGA has surplus developable land within the existing town boundaries to meet future housing demand. However, the DPIE published strategies do not match Council's data as shown in **Table 3-1**.

Cardno has undertaken GIS analysis to determine the availability of vacant land in Bowral. The analysis has identified the following supply potential for lots within the existing urban-zoned land of Bowral:

- > 9,218 lots have capacity for 0 additional dwellings
- > 122 lots have capacity for 1-2 additional dwellings
- > 30 lots have capacity for 3-5 additional dwellings
- > 10 lots have capacity for 6-10 additional dwellings
- > 3 lots have capacity for >10 additional dwellings

The majority of urban-zoned lots in Bowral represent a potential additional dwelling yield of zero (0). Only ten (10) lots were identified as capable of supplying 6-10 dwellings and three (3) lots capable of supplying ten (10) or more dwellings.



The lack of vacant land and land with redevelopment potential in Bowral is an initial indication that relying on urban infill to meet housing demand is unrealistic.

The *Sydney Canberra Regional Corridor Strategy* (Sydney Canberra Strategy) identified the population of Wingecarribee LGA is expected to grow to 58,700 by 2031 (656 per year), which equates to a dwelling demand of approximately 8,700 new dwellings to 2031

The 2018 ABS Census data projection revealed that growth per annum in Wingecarribee Shire is 1,024 people which is almost double the annual growth estimated by the Sydney-Canberra Strategy. This indicates that more housing stock is required to accommodate the rapid population growth than indicated in adopted DPIE Strategies.

**Table 3-2** summarises the data from relevant reference material collated in the forthcoming Housing Supply and Demand Analysis report.

Table 3-2 Council vs. Cardno Housing Supply and Demand Estimates

Author/Publication	Demand	Supply (Bowral, Mittagong and Moss Vale)	Over/Undersupply
NSW Department of the Planning and Environment 2008 ( <i>Sydney-Canberra Corridor Regional Strategy 2006-31</i> )	5,655	3,705	-1,950
SGS Economics 2012 ( <i>Wingecarribee Demographic and Housing Study</i> )	3,821	13,608	+9,787
Wingecarribee Shire Council ( <i>Local Planning Strategy 2015-2031</i> )	4,914	7,204	+2,291
Cardno Housing Supply and Demand Review (This Report)	4,223	4,134	89
<i>Cardno re-estimate</i>			-11 dwellings

When comparing Cardno's analysis against Council's own estimates on housing supply and demand to the year 2031, the estimated balance differs dramatically. The source of the difference is based on how accurately the supply estimate reflects availability of developable land as opposed to just theoretical redevelopment capacity.

The broad implication of these observations is that Council is relying largely on a misconception of capacity in lieu of available land. The Housing Supply and Demand Analysis will demonstrate specifically how Council's data results in an overestimation of the potential housing supply.

### 3.14.2 Evidence of Lack of Housing Diversity

Trends in dwelling approvals in Wingecarribee Shire have decreased between 2017-18 and 2018-19. There has been a decline in the number of approved multi-unit developments (-55) in the past 2 years. At the same time the following trends have been indicated by ABS data for Wingecarribee LGA and for Bowral:

- > Average household size is decreasing
- > An ageing population 'down-sizing' housing products
- > There has been a consistent increase in the proportion of households categorised as 'couple without children' and 'lone person' households in Bowral and in Wingecarribee Shire more broadly.
- > The 2016 ABS Census data indicates there was a total of 4,035 separate houses (82.5%), 87 medium density dwellings (16.8%) and no high-density dwellings in Bowral in 2016. Housing diversity is declining.

Evidence contained in the Housing Supply and Demand Analysis shows there is

- > a definite and proven undersupply of housing

- > increasing demand for housing from households outmigrating from the Sydney metropolitan area
- > households relocating from the Sydney Metro area drive market prices upwards based on comparative Sydney housing prices
- > a current unmet need for new housing, greater housing diversity and choice and a need for affordable housing for people on low to medium incomes.

Records show a sustained demand for residential property in Wingecarribee even during the recent broader market downturn. However, reports from local estate agents indicate the housing stock available has not matched the current demand for medium and high-density dwellings.

### 3.14.3 Evidence of Affordability Declining

Residential property values have been increasing in Bowral at a rapid rate. Housing in Wingecarribee was rated in the top five least affordable housing localities in NSW based on data compiled by Corelogic in 2018 and 2019.

High income households are comparatively substantially benefitted from increased house prices at the same time as lower income households are increasingly financially stressed. Applying this to Wingecarribee Shire means that the stable and high median house prices persisting through the recent housing market downturn will further exacerbate the lack of affordability of housing in a supply-constrained market into the future.

### 3.14.4 Key recommendations

Based on the findings of this report, the following key recommendations are made:

- > There are severely limited opportunities for additional dwellings within existing urban zoned land in Bowral
- > New greenfield development is required to meet the existing and projected housing demand in Bowral in a strategically appropriate way
- > There are opportunities to increase housing supply through appropriately located, new greenfield development sites as determined from strategic constraints analysis
- > New greenfield sites are an opportunity for a greater diversity in housing through a mix of lot sizes, densities, built forms and tenure options not currently available within the existing urban area.
- > It is vital that Council provides additional opportunities for a range of new dwelling types that meet the needs indicated by the socio-demographic changes within the Wingecarribee LGA population as well as the socio-demographics of potential new households seeking to relocate to the Shire.
- > Policy decisions for new housing need to address the structural, market and socio-economic factors that result when demand for housing consistently exceeds supply. Decisions are needed to avoid discouraging demand and to allow supply which is responsive to a more equitable and vibrant market
- > A lack of affordable housing and housing affordability problems means that both demand and supply issues need to be addressed. Policies focusing on land use development capacity and improved efficiencies from existing urban zoned land are keys to address housing affordability.

There is a proven need for new residential development that is:

- > A new greenfield development contiguous with the existing urban zoned land in Bowral
- > Readily serviced by simple extensions of existing infrastructure
- > Well connected to the existing Bowral township in terms of a variety of transport modes, streetscape continuity, visual impacts, land use compatibility, environmental corridors, public open spaces, buffers and rural-urban interfaces of high integrity
- > Does not erode the green space between the townships of Bowral and Moss Vale and protects agricultural viability of viable rural holdings
- > Extends and improves upon riparian land corridors with abundant potential for environmental, tourism, recreational and community benefits

- > Delivers diversity in housing form, lot size, densities and tenure whilst respecting and exemplifying the local character of Bowral in terms of architectural style, urban form and function and respect for environmental and rural assets.

The Housing Supply and Demand Analysis provides an evidence base for the Planning Proposal for Tyraquay. The concept for redevelopment of Tyraquay is strategically aligned with the relevant aims of WLEP 2010 and meets the following objectives:

- > Greenfield development contiguous with the existing urban zoned land in Bowral whilst maintaining the settlement pattern of compact towns and villages in a setting of rural and environmental landscape
- > Readily serviced by simple extensions of existing infrastructure
- > Well connected to the existing Bowral township in terms of a variety of transport modes, streetscape continuity, visual impacts, land use compatibility, environmental corridors and public open spaces
- > Does not erode the green space between the townships of Bowral and Moss Vale and protects agricultural viability of viable rural holdings with buffers and rural-urban interfaces of high integrity
- > Extends and improves upon riparian land corridors with abundant potential for environmental, tourism, recreational and community benefits. Specifically, the proposal would open a substantial portion of the regionally significant Wingecarribee River to the public
- > Delivers diversity in housing form, lot size, densities and tenure whilst respecting and exemplifying the local character of Bowral in terms of architectural style, urban form and function and respect for environmental and rural assets
- > Offers standard and small lot, low maintenance housing on individual title as an alternative to self-care retirement on large lots as currently dominates in Burradoo and Bowral
- > Boosts the diversity of socio-demographic attributes and the local economy by providing housing for people who are currently limited in their housing choice by attracting and retaining households in the down-sizing, first home, newly independent and newly working cohorts
- > Future residential development to deliver a variety of lot sizes and housing forms, with guidelines implemented to ensure the following:
  - o Identify and protect the existing neighbourhood character;
  - o Identify a range of housing designs and forms to create diversity and choice, attractive streetscapes and high-quality affordable housing;
  - o Guide development that is energy and water efficient; and
  - o Establish landscaping compatible with enhancing habitat and catchment assets.

### **3.15 Concept Plan – Identified Land Capability and Future Land Use Layout**

#### **3.15.1 Overview**

A Concept Plan for future layout and land uses has been developed for Tyraquay accommodating for the constraints identified in the studies discussed above. The constraints and opportunities specific to the site are as follows:

- > No constraints resulting from geotechnical, contamination or flooding as per current planning guidelines
- > No constraints resulting from essential services extensions and capacity
- > New areas of public open space, riparian restoration and enhancement of existing reserves
- > Recreation and ecological links to the broader locality
- > Road and share pathway links and new bus routes

- > Parts of the site highly suited to medium density housing and seniors housing due to proximity to public open space, low gradients, frontages to collector roads and proposed accessible pathway networks
- > Sufficient land area to allow setbacks for:
  - Buffers to adjoining rural lands
  - Buffers to riparian land management areas
  - Enhancement of the streetscape and public domain
  - Protection of outlooks and views
- > Land for restoration of riparian vegetation and stormwater management improvements compatible with the drinking water catchment standards

The draft conceptual layout plan for Tyraquay has been included as **Appendix A**.

## 4 Existing Planning Controls

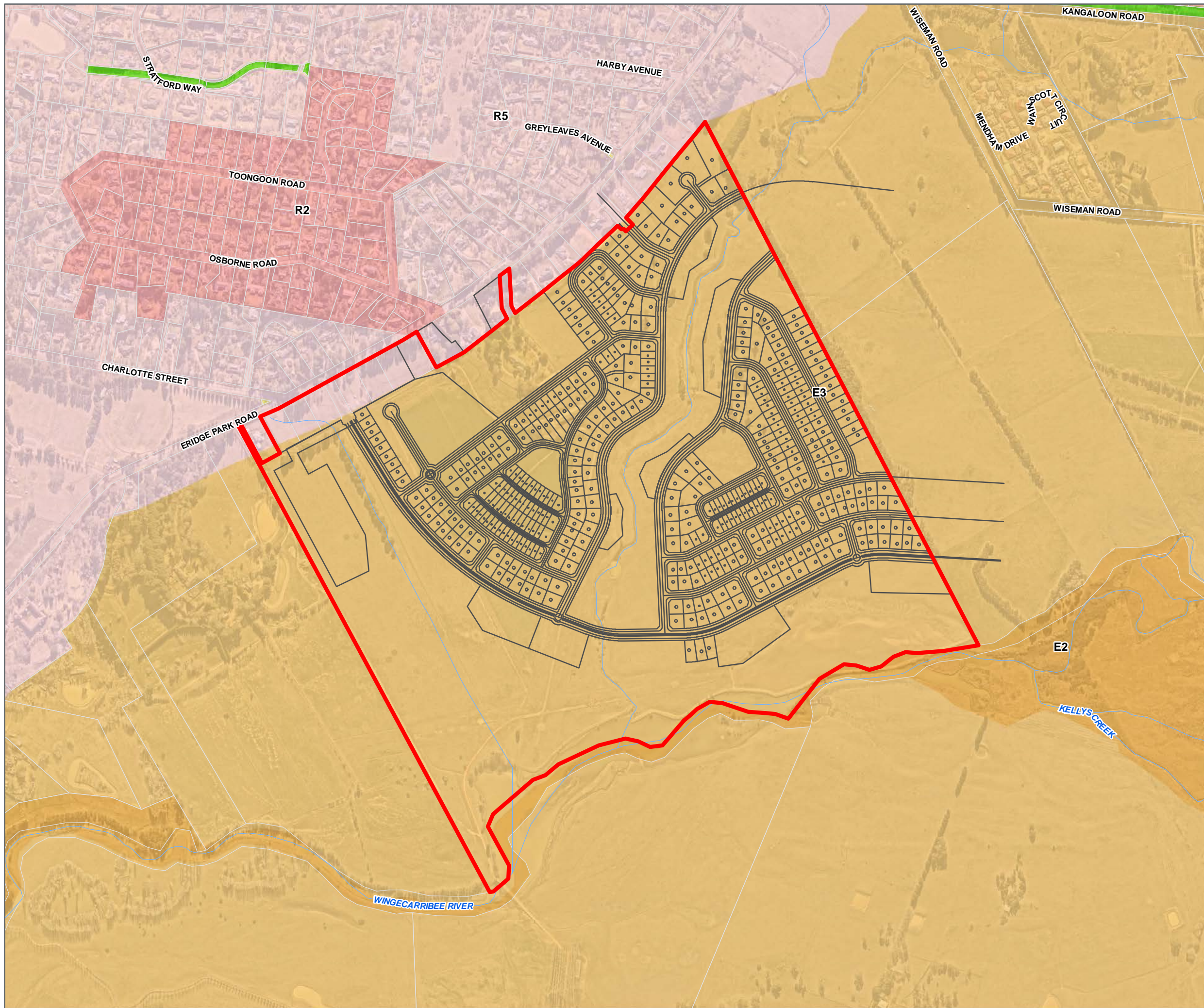
### 4.1 Wingecarribee Local Environmental Plan 2010

(WLEP) 2010 contains objectives and development controls applicable to the site. The provisions currently applying to Tyraquay and the broader master planned area are summarised in **Table 4-1**. Both Tyraquay and the masterplanned area are included in the table to demonstrate the common planning provisions. There are currently no development standards for height of buildings and floor space ratio.

Table 4-1 Summary of current WLEP 2010 controls

(WLEP) 2010 Provision	Applicable to Tyraquay	Applicable to the master planned area
Land use zones See <b>Figure 4-1</b>	Zone E3 Environmental Management Zone R5 Large Lot Residential Zone E2 Environmental Management	Zone E3 Environmental Management Zone R5 Large Lot Residential Zone E2 Environmental Management
Clause 4.1 Minimum lot size	Zone E3 4 ha Zone R5 4000m2 Zone E2 N/A	Zone E3 4 ha Zone R5 4000m2 Zone E2 N/A
Clauses 5.10 Heritage conservation	In proximity to heritage items No. I348, No. I102, No.I072 & I342.	Contains heritage items I155, I159, I364, I187, I363, I241, I347, I348, I174 and Burradoo Landscape Conservation Area C1834.
Clause 6.5 Riparian land and watercourses See <b>Figure 4-2</b>	Site contains Category 1, 2 and 3 Watercourses	Site contains Category 1, 2 and 3 Watercourses





# Existing Zoning

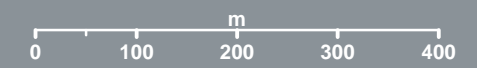
LOT 20 DP 1220167  
BURRADOO, NSW

## Legend

- Site Boundary
- Proposed Lot Layout
- Watercourse (LPI)
- Cadastre (DFSI-SS, 2018)
- E2 - Environmental Conservation
- E3 - Environmental Management
- R2 - Low Density Residential
- R5 - Large Lot Residential
- RE1 - Public Recreation
- SP2 - Infrastructure

## Zoning Wingecarrabee LEP, 2010 (DPE, Feb 2019)

1:7,500 Scale at A3



Map Produced by Cardno NSW/ACT Pty Ltd (WOL)  
Date: 2019-08-23 | Project: 82018163-01  
Coordinate System: GDA 1994 MGA Zone 56  
Map: 8201816301-GS-017-PP\_ExistingZoning.mxd 01  
Aerial imagery supplied by nearmap (July, 2018)



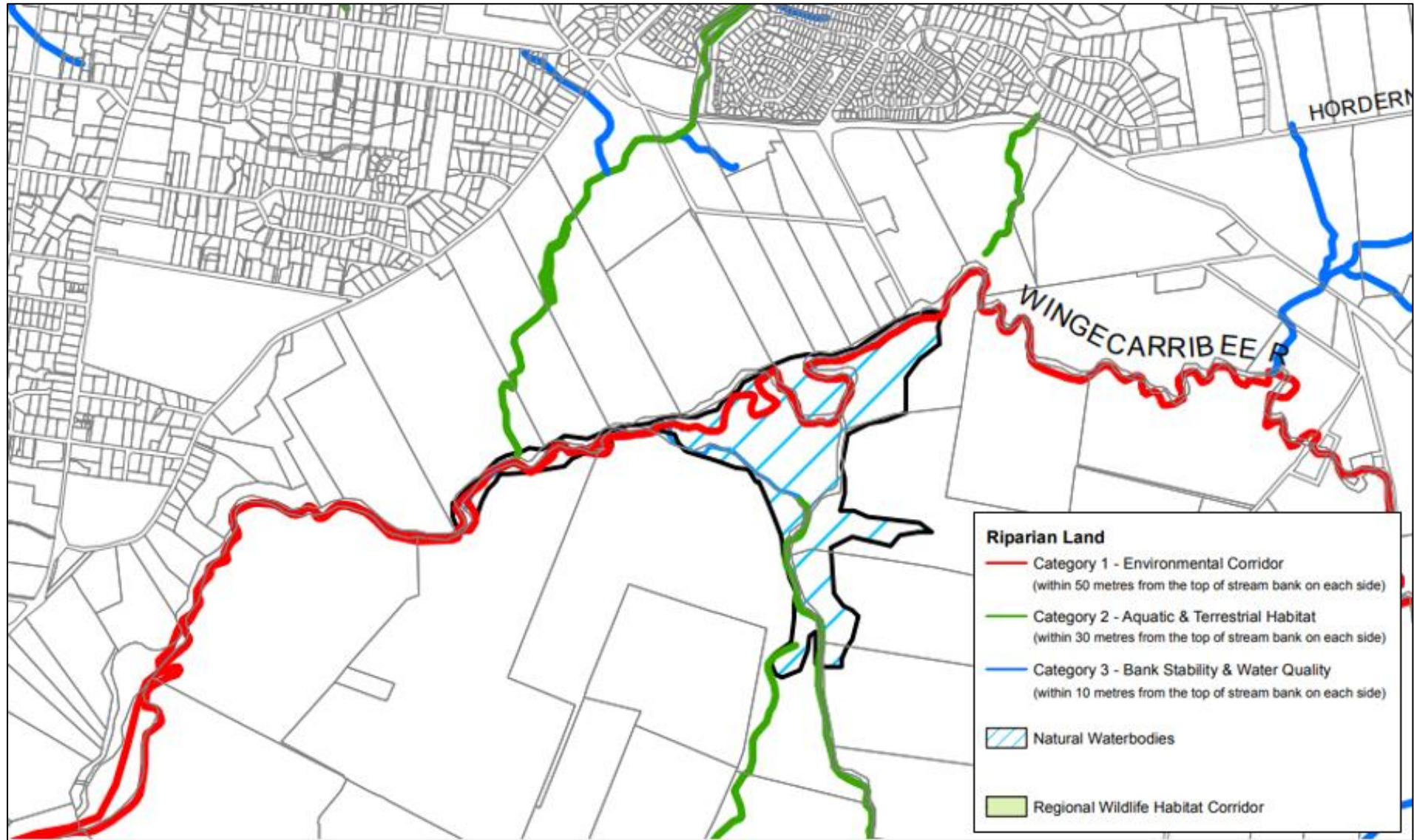


Figure 4-2 Extract from Natural Resources Sensitivity Map to WLEP 2010

## 4.2 Wingecarribee Development Control Plan 2010

The site is currently subject to the Rural Living Development Control Plan (Rural Living DCP). The proposed change to land use zones will make the provisions of this DCP no longer applicable. The areas of the site proposed for Hamlet-style large lot housing represent a typology of housing not previously addressed in Council’s adopted DCPs. New provisions are proposed in an amended version of the Bowral Township Development Control Plan addressing Hamlet-style low density housing specific to the site.

The provisions of Bowral Township Development Control Plan (Bowral Township DCP) do not currently apply to Tyraquay or the broader masterplanning area. The Bowral Township DCP currently applies to the area defined by the adopted town boundary shown in **Figure 4-3**. A site-specific DCP is intended to apply to Tyraquay and, subject to Council support, the rest of the Bowral South NLA identified in the draft LSPS and LHS.

Site-specific DCP provisions and urban design guidelines linked to property title are intended to be prepared for the site to define a specific character and set new building design guidelines, infrastructure standards and site-specific land management provisions for the site. These site-specific provisions are intended to be included in Part C to the Bowral Township DCP as a new riverfront/town edge precinct.

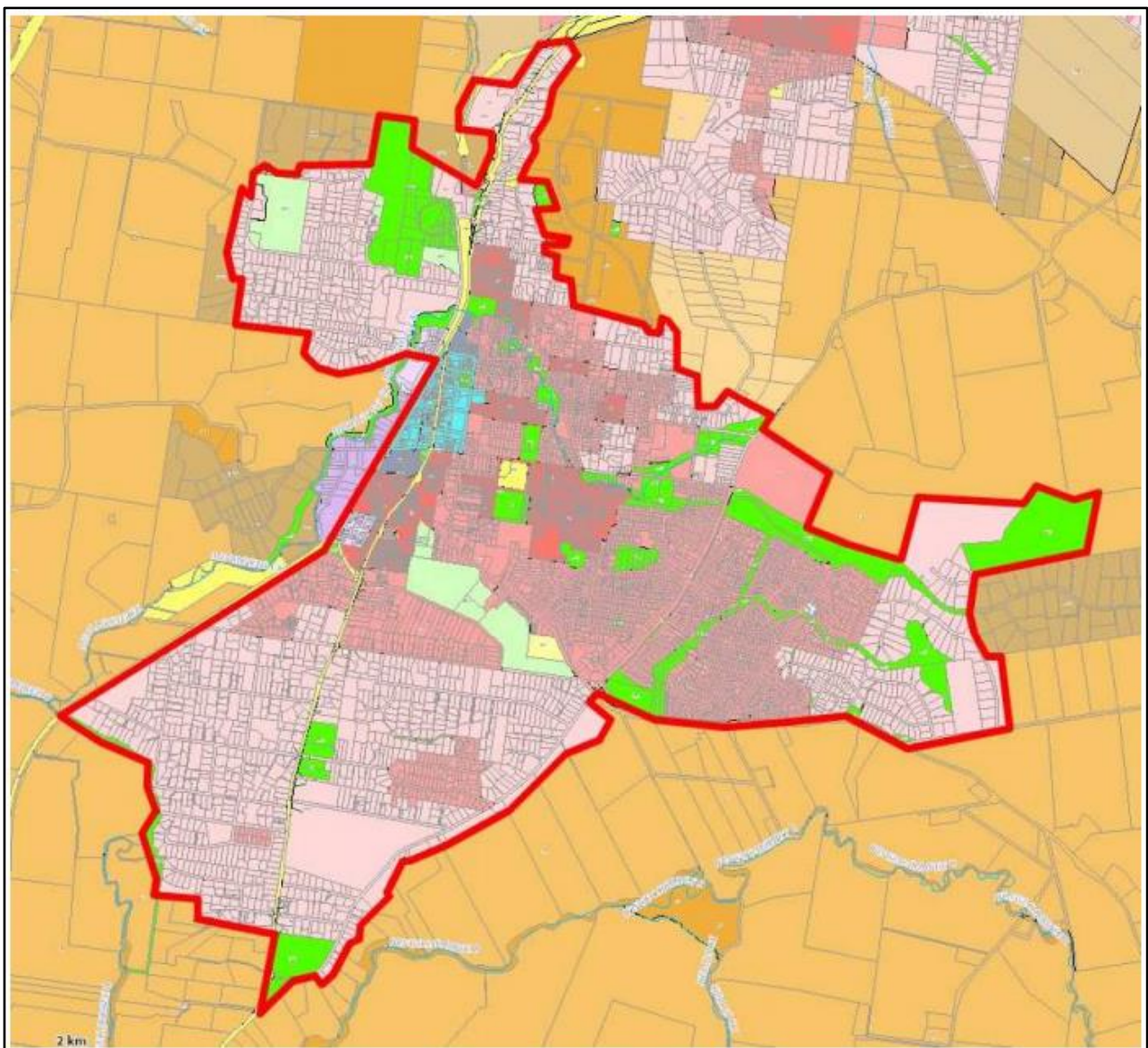


Figure 4-3 Bowral township town boundary as adopted in Bowral Township DCP



## 5 Planning Proposal

### 5.1 Overview

This Planning Proposal application demonstrates the proposal has merit and meets all the requirements and matters for consideration to be addressed in accordance with

- > *Environmental Planning and Assessment Act 1979 and Regulation 2000*
- > Standard Instrument (Local Environmental Plans) Order 2006 and Standard Instrument—Principal Local Environmental Plan
- > A Guide to preparing Local Environmental Plans – Department of Planning and Environment (DPE) (December 2018)
- > A Guide to Preparing Planning Proposals – DPE (December 2018)
- > Various Practice Notes and Planning Circulars issued by the DPE as referenced throughout the report
- > Draft Urban Design Guide for Regional NSW (GAO and DPE 2018)
- > Better Places (GAO and DPE 2018)

It is noted that Council is preparing a Draft Housing Strategy for public exhibition. The Housing Strategy along with the Local Strategic Planning Statement (LSPS) will replace the LPS. Therefore, whilst this application demonstrates consistency with the LPS, it has also been developed in accordance with the DPIE instructions for Housing Strategies and LSPS.

In summary, this Planning Proposal application is an evidence-based land use strategy worthy of support by Council for referral to Gateway determination.

### 5.2 EP&A Act requirements

Section 3.33 of the EP&A Act contains the requirements that a Planning Proposal must address. These requirements are listed in **Table 5-1** along with the corresponding sections of this application that provide the relevant information.

Table 5-1 Key Components of a Planning Proposal as outlined in Section 3.33 of the EP&A Act

Key Components	Response
(a) A statement of the objectives or intended outcomes of the proposed instrument.	Refer to <b>Section 5.3</b>
(b) An explanation of the provisions that are to be included in the proposed instrument.	Refer to <b>Section 5.4</b>
(c) The justification for those objectives, outcomes and provisions and the process for their implementations (including whether the proposed instrument will give effect to the local strategic planning statement of the council of the area and will comply with relevant directions under section 9.1).	Refer to <b>Section 5.5</b>
(d) If maps are to be adopted by the proposed instrument, such as maps for proposed land use zones; heritage areas; flood prone land – a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument.	Refer to <b>Figure 5-1 to Figure 5-6</b>
(e) Details of the community consultation that just to be undertaken before considerations is given to the making of the proposed instrument.	Refer to <b>Section 5.12</b>

### 5.3 Part 1 - Statement of Objectives and Intended Outcomes

The objectives of this application are listed in **Table 5-2**, along with intended outcomes to achieve specific objectives. Note that this application applies to the Tyraquay property as sufficient land capability assessment has been completed to inform the LEP amendments for this land.



It is recommended Council support further investigations into the broader master planned area in which case a larger-scale Planning Proposal would be required.

Table 5-2 Objectives and Intended Outcomes of the Planning Proposal for Tyraquay

Objective	Intended Outcomes
To define the investigation area for detailed land capability assessment	An LEP amendment for land legally described as Lot 20 in Deposited Plan 1220167.
To request an amendment to WLEP 2010 to permit residential development, public open space and riparian lands restoration and management	Council becomes the responsible planning authority for the Planning Proposal and WLEP 2010 is amended.
To identify ecological and heritage assets worthy of protection, retention and management	<p>Large, consolidated areas containing ecological assets are to be protected by inclusion in Zone E2 and Zone RE1 and subject to Vegetation Management Plans (VMPs), Plans of Management (POM) and Biodiversity Offsetting as appropriate.</p> <p>Small areas containing ecological assets are to be protected with site-specific DCP provisions, and a Cultural Heritage Management Plan (CHMP) will be used for heritage values as appropriate.</p> <p>See <b>Section 5.9</b></p>
To provide justification for the LEP amendments and link redevelopment to additional opportunities for public benefits	<p>See <b>Section 5.5</b> for Justification.</p> <p>See <b>Sections 5.5.11</b> and <b>Section 5.9</b> for public benefits.</p>
To demonstrate the Planning Proposal is consistent with the relevant local and regional strategic plans	See <b>Sections 5.8.1</b> and <b>5.8.2</b>
To create a permanent environmental and recreational asset encompassing riparian land that will be managed in perpetuity, connected to a wider network and a permanent green edge to the Bowral township	<p>Riparian lands will be subject to a VMP, POM and possibly a Biodiversity Offsetting arrangement to be determined by more detailed investigations prior to the public exhibition period. VMP, POM and Biodiversity offsetting calculations are anticipated to be recommended from the Gateway determination and council assessment.</p> <p>For detail see <b>Section 5.9</b>.</p>
<p>To establish planning provisions that facilitate a greenfield urban release area which is:</p> <ul style="list-style-type: none"> <li>&gt; Diverse</li> <li>&gt; Affordable</li> <li>&gt; Environmentally sustainable</li> <li>&gt; Socially sustainable</li> <li>&gt; Employment generating</li> <li>&gt; Walkable</li> <li>&gt; Respectful of, and improving on, the character and distinction of existing residential areas in Bowral and Burradoo</li> <li>&gt; Responsive to the housing and infrastructure needs identified through evidence-based analysis</li> </ul>	<p>A mix of housing types including large lot 'Hamlet' typologies, low density detached housing, small lot detached and attached housing, medium density housing, seniors living and shop top housing.</p> <p>Housing affordability delivered through housing design, size, tenure options and low lifetime operational costs through durable and sustainable certified design. Potential for a partnership with an affordable housing provider.</p> <p>Ancillary support services to assisted-care seniors housing and recreational and social facilities that generate employment.</p> <p>Neighbourhood-scale shops and SOHO/work-from-home options which generate employment and reduce demand for travel.</p> <p>Recreational, community-based and neighborhood scale non-residential uses to serve the daily needs of locals and generate employment.</p> <p>Design guidelines and controls to specify neighbourhood character, building footprints and envelopes.</p>

	<p>Layout and development controls to protect heritage and environmental assets, maintain outlooks and buffers and integrate with the context and setting.</p> <p>See <b>Section 5.5</b>.</p>
<p>New publicly accessible spaces that are welcoming, safe, useful and durable that represent the array of opportunities for improving wellbeing through movement, appreciation of the environment and positive social interactions.</p>	<p>Publicly accessible space represents approximately 40% of the site.</p> <p>New public open space areas with a variety of settings, topography, facilities, natural areas and uses.</p> <p>New public roads to include shared pathways for movement choices.</p> <p>A precedent for a continuous river corridor of open space and pathways.</p> <p>New recreational and social facilities integrated with, and supporting, a seniors housing development also available for use by visitors and the general public.</p> <p>New landscaping, street furniture and pathways.</p> <p>A community garden, childrens playground, river-based access, picnic facilities and viewing platforms.</p> <p>Public open space that protects endangered species and habitat trees for ecological benefits.</p> <p>Public open space that protects a Scar tree and part of the airstrip for heritage benefits.</p> <p>See <b>Section 5.5</b>.</p>
<p>Improvements to the road and transport network.</p>	<p>New roads to include safe intersections the Eridge Park Road.</p> <p>New roads to include a shared pathway network, new bus routes and bus stops.</p> <p>Some roads and pathways to provide accessible paths of travel for universal access to the neighbourhood centre and foreshore areas.</p>

## 5.4 Part 2 - Explanation of the Provisions and Part 4 - Maps

### 5.4.1 Local Environmental Plan Provisions

The proposed changes to WLEP (2010) to achieve the intended outcomes are detailed in **Table 5-3**.

Table 5-3 Proposed amendments to WLEP (2010) Provisions Applying to Tyraquay.

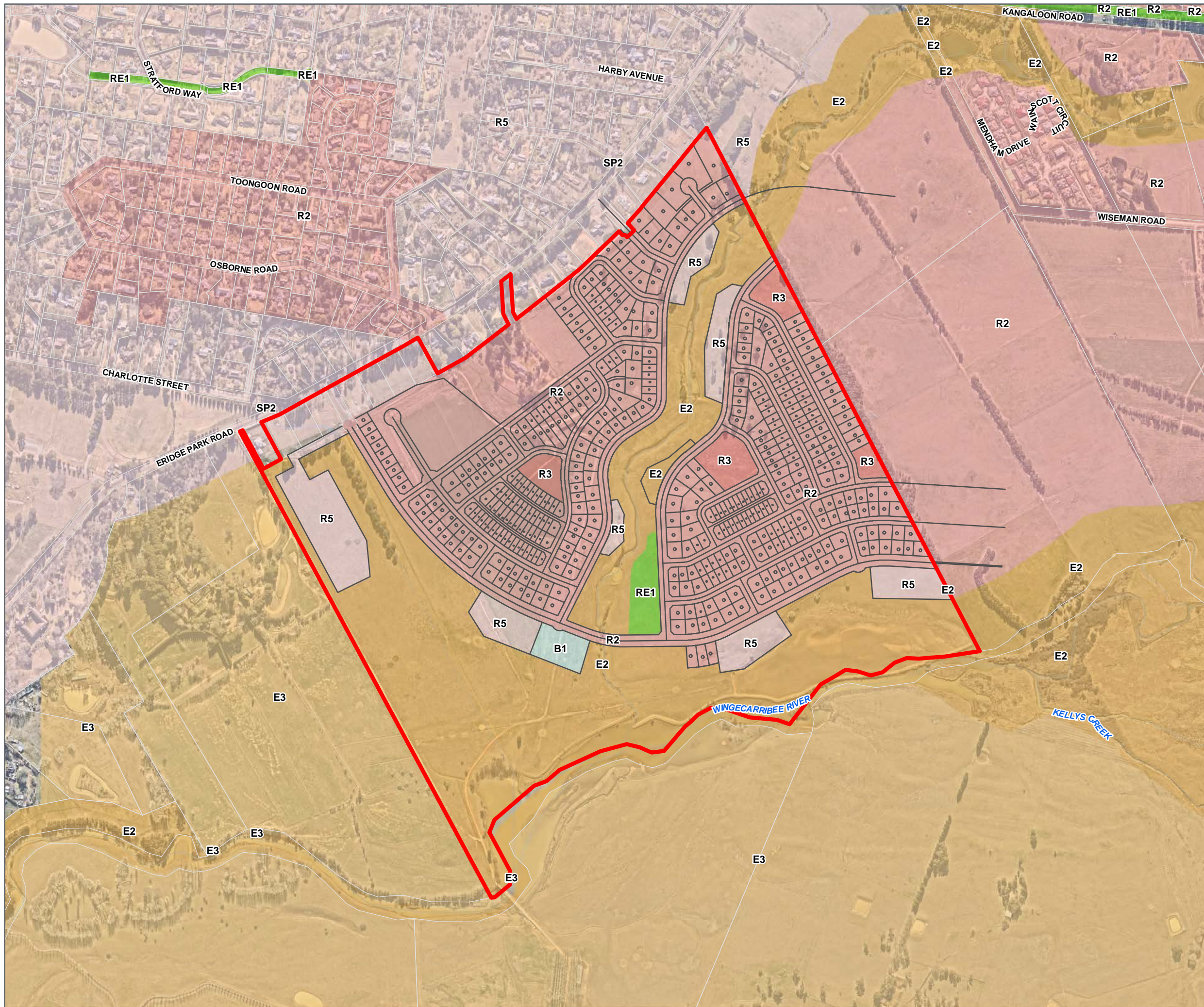
LEP Provision	WLEP (2010) Current Provision	Proposed Amendment
<p>Clause 2.1 Land Use Zones</p>	<p>Zone E3 Environmental Management</p> <p>Zone E2 Environmental Management</p> <p>Zone R5 Large Lot Residential</p>	<p>Zone B1 Neighborhood Centre</p> <p>Zone E2 Environmental Conservation</p> <p>Zone E3 Environmental Management</p> <p>Zone R2 Low Density</p> <p>Zone R3 Medium Density Residential</p> <p>Zone R5 Large Lot Residential</p> <p>Zone RE1 Public Recreation</p> <p>See <b>Figure 5-1</b>.</p>
<p>Clause 2.5 Additional Permitted Uses for particular land</p>	<p>N/A</p>	<p>Amend Map titled Local Clauses Map, Schedule 1 Map Sheet CL1_007D to outline in red that part of Lot 20 DP 1220167 to be in Zone B1 and label the land 'Sch 1 8A'</p>

		<p>See <b>Figure 5-2</b>.</p> <p>Add the following to Schedule 1:</p> <p><b>Use of certain land at Sutherland Park Drive, Burradoo</b></p> <p>(1) This clause applies to land at Lot 20 DP 1220167 being land at Tyraquay Drive, Burradoo and land in Zone B1 Neighbourhood Centre.</p> <p>(2) Development for the purposes of shop top housing is permitted only with development consent.</p>
Clause 4.1 Minimum Lot Size	<p>Zone E3 4 ha</p> <p>Zone R5 4000m<sup>2</sup></p> <p>Zone E2 N/A</p>	<p>Zone B1 Neighborhood Centre = No minimum lot size</p> <p>Zone E2 Environmental Conservation = No minimum lot size</p> <p>Zone E3 Environmental Management = 4 hectares</p> <p>Zone R2 Low Density = mix of 450m<sup>2</sup> and 850m<sup>2</sup></p> <p>Zone R3 Medium Density Residential = 300m<sup>2</sup></p> <p>Zone R5 Large Lot Residential = 1,000m<sup>2</sup></p> <p>Zone RE1 Public Recreation = No minimum lot size</p> <p>Refer to the draft Minimum lot Size Map at <b>Figure 5-3</b>.</p>
Clause 4.3 Height of Buildings	<p>The site is currently not subject to a height of buildings development standard under WLEP 2010</p>	<p>Zone B1 Neighborhood Centre = 9m</p> <p>Zone E2 Environmental Conservation = N/A</p> <p>Zone E3 Environmental Management = 9m</p> <p>Zone R2 Low Density = 9m</p> <p>Zone R3 Medium Density Residential = 9m</p> <p>Zone R5 Large Lot Residential = 9m</p> <p>Zone RE1 Public Recreation = N/A</p> <p>Refer to the draft Height of Buildings Map at <b>Figure 5-4</b>.</p>
Clause 4.4 Floor Space Ratio	<p>The site is currently not subject to a floor space ratio development standard under WLEP 2010.</p>	<p>Zone B1 Neighborhood Centre = 0.75:1</p> <p>Zone E2 Environmental Conservation = N/A</p> <p>Zone E3 Environmental Management = N/A</p> <p>Zone R2 Low Density/Minimum Lot Size 450m<sup>2</sup> = 0.75:1</p> <p>Zone R2 Low Density/Minimum Lot Size 850m<sup>2</sup> = 0.5:1</p> <p>Zone R3 Medium Density Residential = 0.75:1</p>

		<p>Zone R5 Large Lot Residential = 0.5:1                  Zone RE1 Public Recreation = N/A                  Refer to the draft Floor Space Ratio Map at <b>Figure 5-4</b>.</p>
<p>Part 6 Urban Release Areas</p>		<p>Add a Map titled Urban Release Area Map Sheet URA_007 to hatch in red Lot 20 DP 1220167                  Refer to the draft Urban Release Area Map at <b>Figure 5-6</b>.</p>

Proposed WLEP (2010) mapping amendments are shown in **Figure 5-1** to **Figure 5-6**.





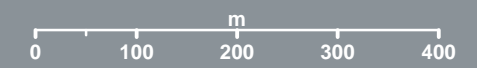
# Proposed Zoning

LOT 20 DP 1220167  
BURRADOO, NSW

## Legend

- Site Boundary
  - Proposed Lot Layout
  - Watercourse (LPI)
  - Cadastre (DFSI-SS, 2018)
- Proposed Zoning**
- B1 - Neighbourhood Centre
  - E2 - Environmental Conservation
  - E3 - Environmental Management
  - R2 - Low Density Residential
  - R3 - Medium Density Residential
  - R5 - Large Lot Residential
  - RE1 - Public Recreation
  - SP2 - Infrastructure

1:7,500 Scale at A3







Map Produced by Cardno NSW/ACT Pty Ltd (WOL)  
 Date: 2019-08-23 | Project: 82018163-01  
 Coordinate System: GDA 1994 MGA Zone 56  
 Map: 8201816301-GS-018-PP\_ProposedZoning.mxd 01  
 Aerial imagery supplied by nearmap (July, 2018)



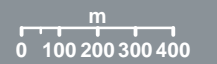
# LEP and Proposed Lot Layout

LOT 20 DP 1220167  
BURRADOO, NSW

## Legend

-  Schedule 1
-  Site Boundary
-  Proposed Lot Layout
-  Cadastre (DFSII-SS, 2018)

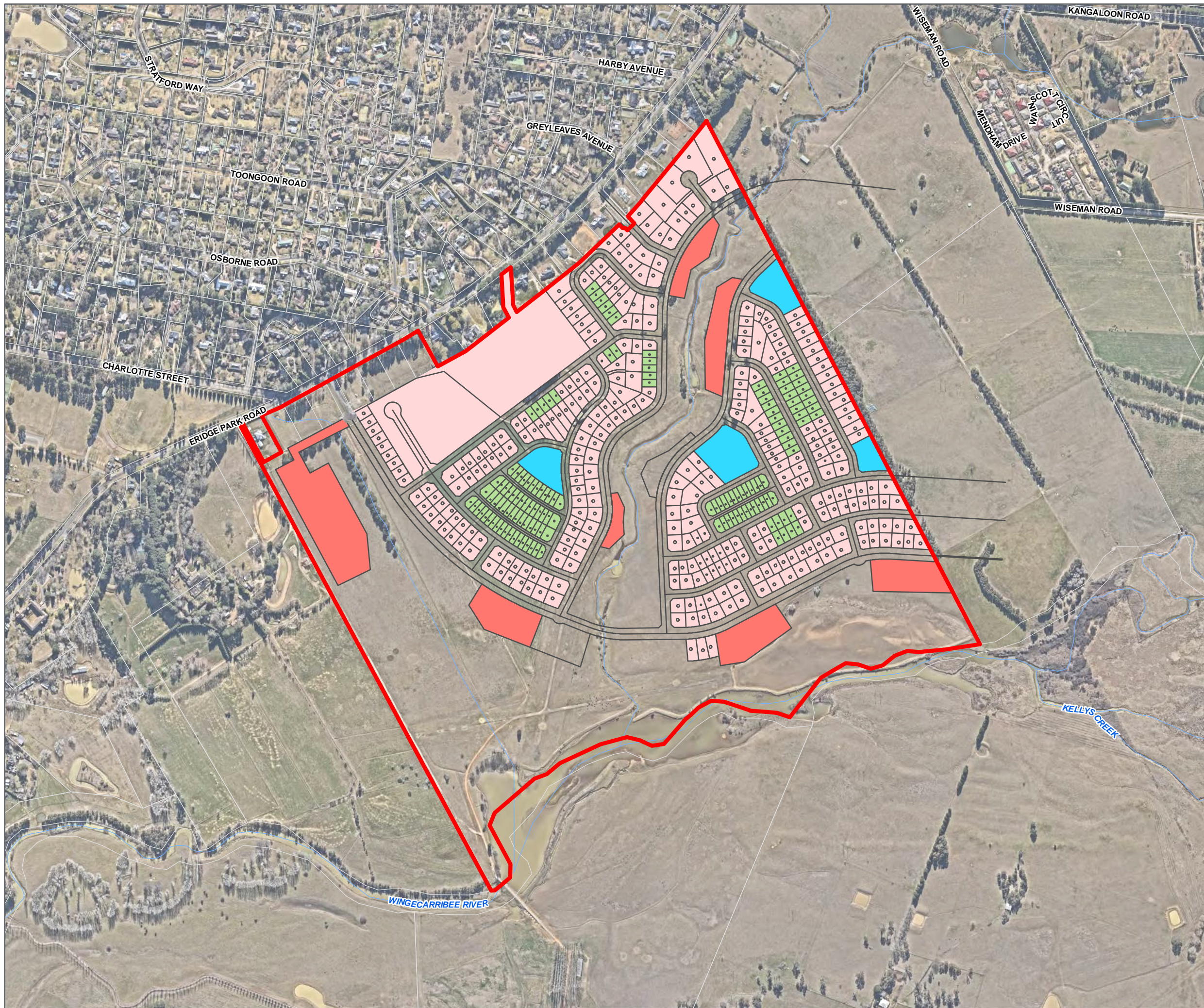
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Coordinate System: GDA 1994 MGA Zone 56  
Map: 8201816301-GS-024-PP\_ProposedLEP.mxd 01







# Proposed Minimum Lot Size

LOT 20 DP 1220167  
BURRADOO, NSW

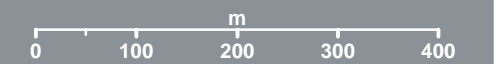
## Legend

- Site Boundary
- Proposed Lot Layout
- Watercourse (LPI)
- Cadastre (DFSI-SS, 2018)

## Proposed Minimum Lot Size

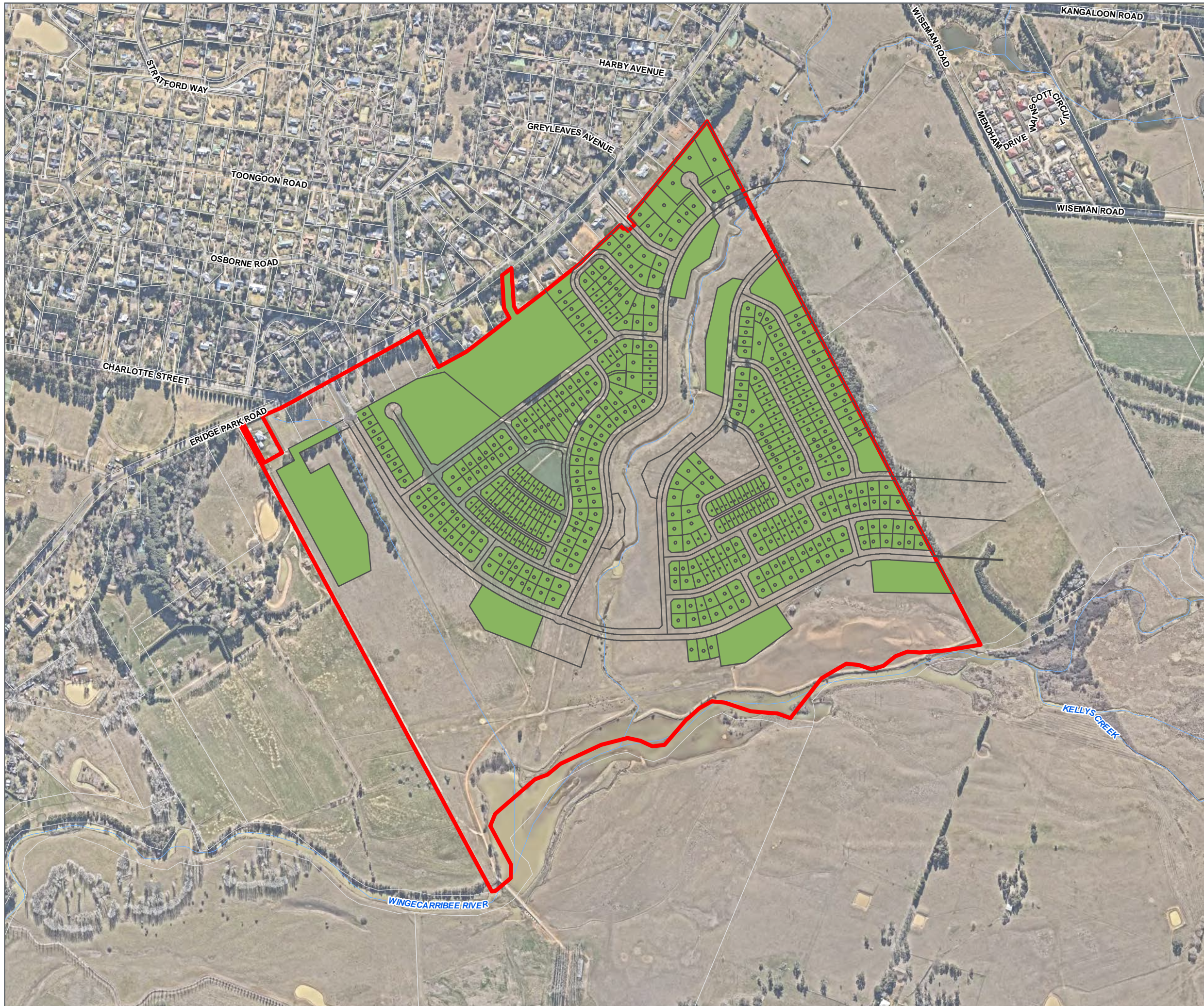
- 300m<sup>2</sup>
- 450m<sup>2</sup>
- 850m<sup>2</sup>
- 1000m<sup>2</sup> (Hamlet Areas)

1:7,500 Scale at A3



Map Produced by Cardno NSW/ACT Pty Ltd (WOL)  
Date: 2019-10-29 | Project: 82018163-01  
Coordinate System: GDA 1994 MGA Zone 56  
Map: 8201816301-GS-019-PP\_Proposed\_MLS.mxd 03  
Aerial Imagery supplied by Nearemap (July, 2018)





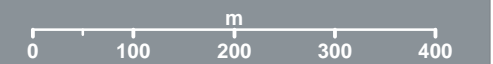
# Proposed Height of Buildings

LOT 20 DP 1220167  
BURRADOO, NSW

## Legend

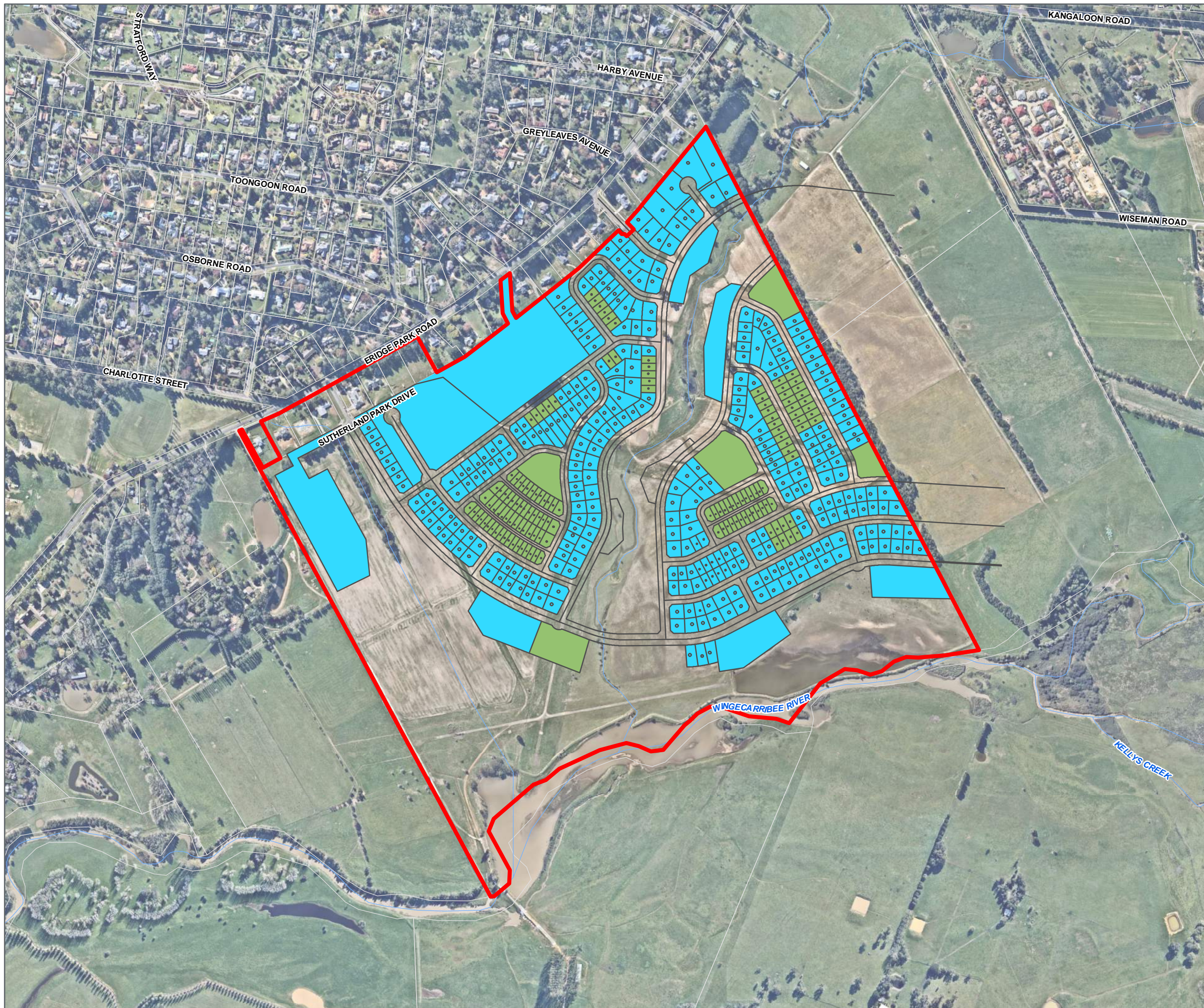
- Site Boundary
  - Proposed Lot Layout
  - Watercourse (LPI)
  - Cadastre (DFSI-SS, 2018)
- Proposed Height of Buildings**
- 9m

1:7,500 Scale at A3



Map Produced by Cardno NSW/ACT Pty Ltd (WOL)  
Date: 2019-10-29 | Project: 82018163-01  
Coordinate System: GDA 1994 MGA Zone 56  
Map: 8201816301-GS-020-PP\_Proposed\_Height.mxd 02  
Aerial imagery supplied by nearmap (July, 2018)





# Proposed Floor Space Ratio

LOT 20 DP 1220167  
BURRADOO, NSW

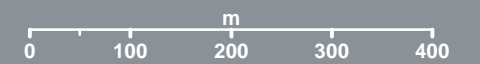
## Legend

- Site Boundary
- Proposed Lot Layout
- Watercourse (LPI)
- Cadastre (NSW SS, 2019)

## Proposed Floor Space Ratio

- 0.75:1
- 0.50:1

1:7,500 Scale at A3








Map Produced by Cardno NSW/ACT Pty Ltd (WOL)  
Date: 2020-08-14 | Project: 82018163-01  
Coordinate System: GDA 1994 MGA Zone 56  
Map: 8201816301-GS-021-PP\_Proposed\_FSR.mxd 04  
Aerial Imagery supplied by Nearmap (April, 2020)



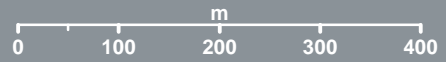


# Urban Release Area

LOT 20 DP 1220167  
BURRADOO, NSW

- Legend**
-  Site Boundary
  -  Proposed Lot Layout
  -  Watercourse (LPI)
  -  UrbanReleaseArea
  -  Cadastre (DFSI-SS, 2018)

1:7,500 Scale at A3





## 5.5 Part 3 – Justifications

The intent and outcomes of the Planning Proposal application are summarised in **Table 5-2**. The following explains how appropriate LEP and DCP provisions have been identified based on supporting evidence of specialist studies and environmental planning grounds.

### 5.5.1 Evidence base to this Planning Proposal

The proposal is well aligned with the relevant local and regional strategic plans and is compatible with the pattern of land uses and infrastructure in the locality.

Evidence-based strategic planning analysis described in **Section 2.2** and **Section 3** identify this site as:

- > Having minimal environmental and cultural constraints
- > Continuous with the existing town edge
- > Suitable for delivering a variety of new housing and land uses
- > Readily serviced by simple extension and augmentation of existing infrastructure
- > Easily connected to, and supportive of, Bowral regional centre
- > Enhancing the setting and function of surrounding land uses
- > Having potential to establishing a long term green edge to East Bowral and separation from Moss Vale
- > Having potential for delivering substantial public benefits in terms of native vegetation restoration, water quality improvements and new recreational open space
- > An important location for defining the town edge and coordinating land use in contrast to the fragmented development applications and planning proposals on the town edge.

An evidence-based analysis of greenfield land in the vicinity of Bowral (as the regional centre) resulted in the spatial pattern of land use potential in **Figure 5-1**. This analysis has been explained in **Section 2.2**. The following presents the evidence base supporting the selection of this site as an Urban Release Area.

#### 5.5.1.1 Advantages of a single, consolidated urban release area

The proposal is anticipated to be highly effective in delivering a variety of new housing for the next 20 years as a coordinated greenfield project. This contrasts with the likely inertia to be encountered for planning changes targeted redevelopment of existing urban zoned land which has led to a worsening housing supply gap in the LGA and particularly in Bowral.

The scale of the development is compatible with the strategic role of Bowral as a regional centre. The location and variety of land uses will deliver public benefits on a local and regional scale. The main public benefits are protection of endangered species, vegetation restoration, water quality improvements, recreation and movement links and a wide variety of housing and supportive land uses in a walkable community.

A site-specific DCP and urban design guidelines linked to property title can apply to the proposed urban release area. These tools are intended to clearly define the design character and sustainability performance standards for future buildings, streetscapes, infrastructure and public places.

#### 5.5.1.2 Land Capability Analysis – broad scale

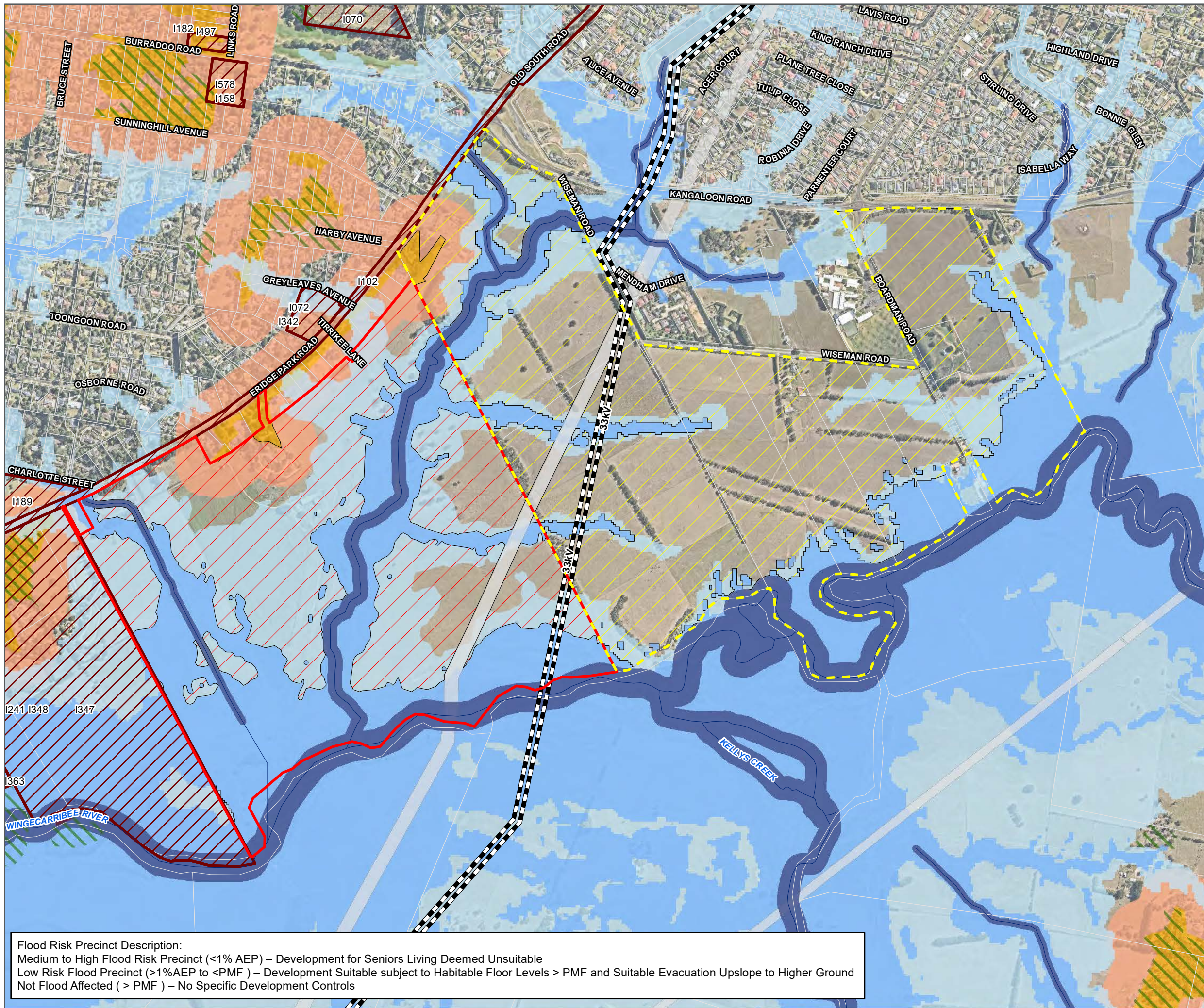
As described in **Section 2.2**, a broad land capability analysis was conducted to identify land most suitable to deliver greenfield growth supporting Bowral as a regional centre. The capability criteria are listed in **Section 2.2**, and presented graphically in **Figure 2-2**, **Figure 5-7** and **Figure 5-8**.

- > As explained in **Section 2.2**, Tyraquay contains the land most suitable for greenfield redevelopment based on the following evidence: Proximity to Bowral town centre and Bowral railway station being within 5km radius
- > Proximity to Bowral township in terms of connectivity by existing collector road networks and established pathways
- > Continuity with the existing urban footprint of Bowral (and hence connectivity to essential services)



- > Achieving a minimum 100m buffer for the Wingecarribee River
- > Avoiding development of land in high and medium flood risk areas
- > Slope relatively flat and no geotechnical constraints
- > Consolidated land more than 40m from the top of bank of a watercourse
- > Bushfire hazard areas
- > Land clear of ecological corridors and identified endangered ecological communities
- > Land not containing items of heritage significance and heritage conservation areas
- > Maintaining a “green separation” between the urban areas of Moss Vale, Bowral and Mittagong by protecting Wingecarribee River and its main tributaries and adjoining primary production lands and environmental protection lands





# Constraints Plan

LOT 4 / DP1220165,  
BURRADOO, NSW

## Legend

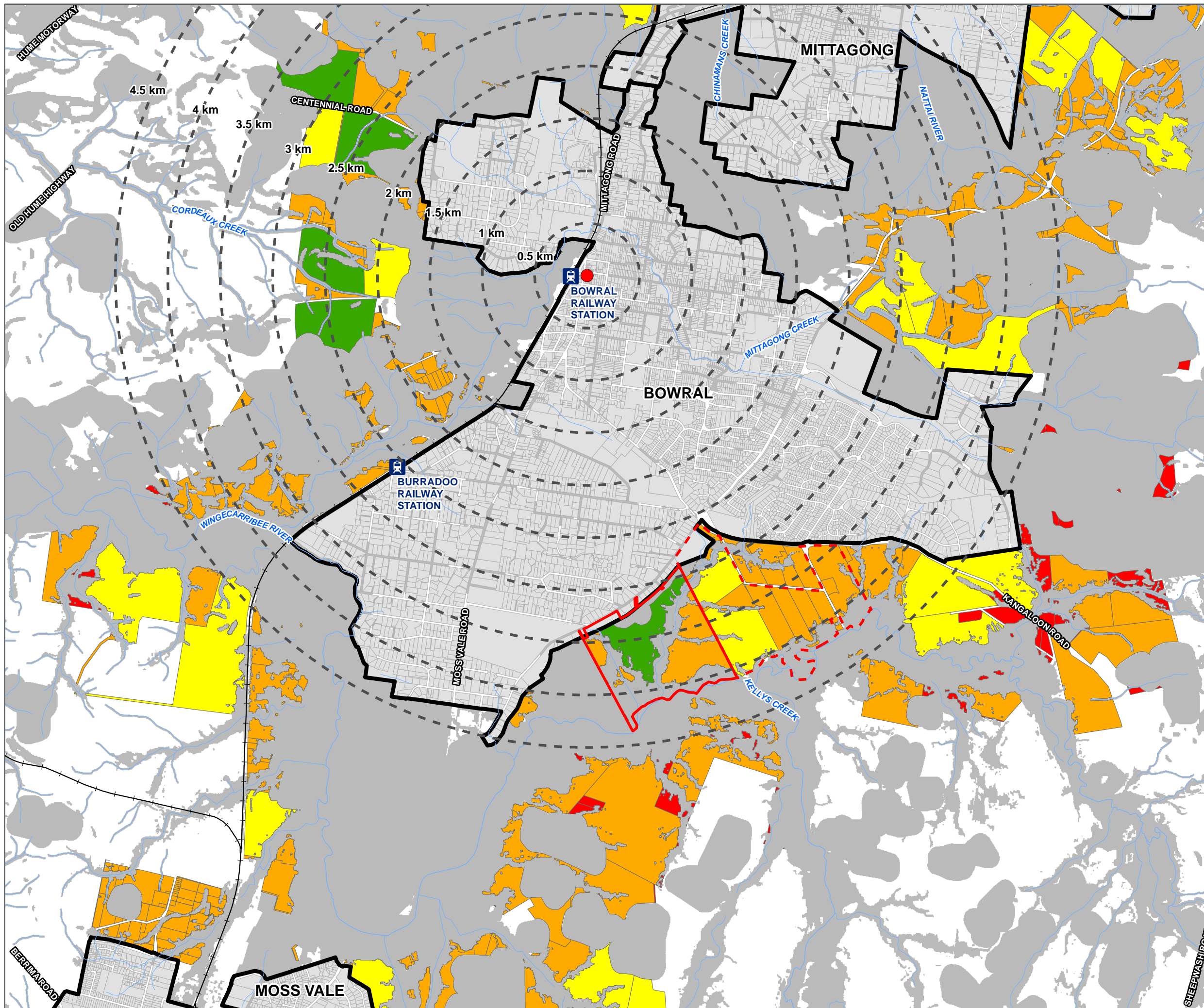
- Site Boundary (110 ha)
- Potential Site Extension (135 ha)
- Watercourse (LPI)
- Electricity Transmission Line (LPI, 2011)
- Easement (LPI, 2011)
- Cadastre (DFSI-SS, 2017)
- Potential Developable Land within Site (63 ha)
- Potential Developable Land within Potential Site Extension (102.5 ha)
- Riparian Corridor (Derived from DPI Water Stream Order)
- Flood Risk Precinct (Derived from SMEC, Feb 2018)**
- Medium to High (1% AEP)
- Low (PMF)
- South East Biometric Vegetation (LLS, 2016)**
- Southern Highlands Shale Woodland
- Tableland Swamp Flats Forest
- Heritage - Wingecarribee LEP 2010 (DPE, May 2017)**
- Item - General
- Bushfire Prone Land (RFS, 2014)**
- Vegetation Buffer
- Vegetation Category 1

1:10,000 Scale at A3



**Flood Risk Precinct Description:**  
 Medium to High Flood Risk Precinct (<1% AEP) – Development for Seniors Living Deemed Unsuitable  
 Low Risk Flood Precinct (>1%AEP to <PMF ) – Development Suitable subject to Habitable Floor Levels > PMF and Suitable Evacuation Upslope to Higher Ground  
 Not Flood Affected ( > PMF ) – No Specific Development Controls





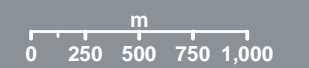
# Suitable Land for Development - Burradoo

LOT 4 DP1220165  
BURRADOO, NSW

## Legend

- Site Boundary (110 ha)
- Potential Site Extension (135 ha)
- Town Centre
- Ⓡ Railway Station (LPI)
- +— Railway (LPI)
- Watercourse (LPI)
- Hard Constraints
- Cadastre (DFSI-SS, 2017)
- Town Boundary (Cardno, 2017)
- Development Suitability**
- Least Suitable
- Potentially Suitable
- Suitable
- Most Suitable

1:35,000 Scale at A3



Map Produced by Cardno NSWACT Pty Ltd (WOL)  
Date: 2018-03-29 | Project: 82018163-01  
Coordinate System: GDA 1994 MGA Zone 56  
Map: 8201816301-GS-005-SuitableLotsPlan\_Burradoo.mxd 01



### 5.5.2 Bowral South NLA and staging of development

The Wingecarribee locality needs new, diverse, affordable and sustainable housing and walkable and connected communities with supportive and compatible non-residential uses as demonstrated in **Section 3.14**. As discussed in **Section 2.6**, the draft LSPS and LHS show Council's intent to meet part of that need with the Bowral South NLA, which includes the Tyraquay site.

Given its highly progressed state of planning, the Tyraquay site would make an ideal first stage of the Bowral South NLA. The current masterplan for the site can be adapted to accommodate the entire Bowral South NLA area following consultation with Council, the neighbouring landowners, and the greater community.

Essential services can be extended into the site and at the same time potentially improve infrastructure and servicing standards for the larger neighbourhood. The increased number of dwellings will attract the capacity for natural gas, improved NBN and potable water services and a bus route to be extended from the East Bowral route. Water quality improvements will be applied to currently uncontrolled and untreated runoff from existing urban zoned land.

If it does become the first stage of the NLA, the owners of Tyraquay are willing to work with Council to develop a high-level servicing plan which would allow infrastructure for later stages to be constructed in an optimal way.

A site-specific DCP and urban design guidelines linked to property title are intended to be developed post-Gateway and exhibited concurrent with the draft LEP.

Services, utilities and infrastructure will be delivered as works-in-kind and in accordance with VPAs for State and Local infrastructure specific to the redevelopment as well as Wingecarribee's DSP. A letter of offer is included with this application.

### 5.5.3 Strategic importance of housing variety

The existing housing stock lacks diversity and affordability as demonstrated **Section 3.14**.

Consistent with *Better Placed* urban design recommendations and well-established, sound town planning practice for housing diversity, proposed lot sizes have been matched to land capability in terms of the following:

- > Slope
- > Aspect
- > Orientation
- > Road environment
- > Connectivity to essential services
- > Buffers and asset protection
- > The nature of adjoining land uses
- > The dimensions of building envelopes respect shared outlooks

The LEP amendments facilitate low, medium and large lot housing on land highly suited for residential use. Housing form, density and lot sizes have been selected with consideration to the micro-scale features of the site and concept layout. The site for seniors housing has minimal grade and can be readily connected to services, utilities and new roads.

The additional permitted use for shop top housing on the land in Zone B1 is intended to encourage Small Office Home Office (SOHO) building forms. SOHO is a building form uncommon in the Wingecarribee LGA. SOHO buildings represent an opportunity for future residents to work from home and establish a small, supportive hub adjacent to a future recreational space of regional potential on the Wingecarribee River.

The application of low, medium and large lot zoning categories have been applied with consideration to the guiding principles contained in the Department of Planning Practice Note PN 11-002 *Preparing LEPs using the Standard Instrument: standard zones*. The following are photographs of the site where different residential zones are proposed along with relevant guidance from PN11-002.

See also the suggested inclusion of Hamlet-typologies in **Section 5.5.5**.

#### 5.5.4 Land capability and proposed lot sizes

The recommended minimum lot sizes improve on the layout, diversity and affordability created from other subdivisions in the Bowral locality. Proposed lot sizes match land capability in terms of the following:

- > Slope
- > Aspect
- > Orientation
- > Road environment
- > Connectivity to essential services
- > Buffers and asset protection
- > The nature of adjoining land uses
- > The dimensions of building envelopes required to respect outlooks

The specific matters for consideration in lot size and dimensions will be reinforced in a site-specific DCP and applied with a future application for subdivision.

#### 5.5.5 High quality design and delivery with site-specific DCP and urban design guidelines

The intended controls in a site-specific DCP and urban design guidelines will include provisions for:

- An overall neighbourhood character expressed through building design themes and streetscape
- SMART technology integration and sustainability performance standards
- Standards for coordinated stormwater management and revegetation
- Protection of *E.macarthurii*, habitat trees and the Scar Tree
- Protected views and outlooks
- Landscaping in the public and private domains
- Building setbacks and separations, colours, materials and finishes, fencing, undergrounding of utilities and canopy tree planting areas.

A new housing typology proposed for the site-specific DCP is Hamlet-style large lot residential clusters. Traditional large lot residential subdivision is proposed to be modified to cluster building envelopes to minimise visual impacts and accommodate buffers and constraints which best suit land capabilities.

In the case of Tyraquay there are scattered isolated paddock trees and habitat trees including *E.macarthurii*. The best methods of retaining and protecting these trees will be subject to a more detailed species impact assessment post-Gateway and prior to public exhibition. It is anticipated that specifying building envelopes for future houses within land in Zone R5 will result in a clustered or 'Hamlet' typology.

This is considered a preferable alternative to large lot "rural sprawl" and increasingly the most viable options for maximising sustainability.

Introducing the 'rural hamlet' into the settlement hierarchy is aimed at re-establishing the population densities of rural communities to levels experienced previously when the land was used for more intensive agricultural/farming purposes without significant impacts on agricultural or environmental uses/values. It also seeks to encourage a greater sense of community than traditional large lot rural residential subdivision.

Cluster or 'hamlet' development is the grouping of a particular development's residential structures on a portion of the least constrained land, reserving a significant amount of the site as protected open space, managed ecological lands and/or agricultural uses.

The unbuilt-upon space created by cluster developments can be used in three ways:

- > Communal use by residents as part of a community title arrangement (e.g. private passive or active recreational areas)
- > Preservation of agricultural land
- > Protection of ecological assets and habitat



This form of development can help preserve the balance between natural systems and human activity if the required open space is sufficiently large to accommodate practical buffers to rural resource activities and to re-establish environmental processes.

From a visual landscape perspective clusters can be designed to resemble farm complexes and clusters of rural buildings in rural areas.

#### **5.5.6 New Environmental Conservation land**

The proposed application of Zone E2 – *Environmental Conservation* to the riparian corridor has been ground-truthed as worthy of environmental protection and management above all other uses, as discussed in the site-specific ecological investigation at **Section 3.8**. This application proposes to increase the area of land in Zone E2 within the site. This will notably increase the level of environmental protection applied to the land and enable long term restoration of the riparian corridor befitting the status of the Wingecarribee River as a major natural asset within the drinking water catchment.

By comparison, retaining the existing planning controls for the site will not result in the scale of change for conservation lands as the dedication of land for public use could not be financially feasible or practical with large lot fragmentation.

#### **5.5.7 New public open space of local and regional significance**

New areas of public open space have been designed in accordance with the best practice document 'Open Space Planning Guidelines for Local Government (2010)', constituting over 40% of the total site area. Open space areas are diverse ranging from landscaped active recreation space adjacent to the neighbourhood centre to protected waterways restored to a natural state. The proposed local parks can accommodate a wide range of public uses including passive and active spaces, grassed areas, canopy trees, habitat trees, the Scar Tree, parts of the airstrip and stormwater treatment functions.

The spaces will be linked by shared walkways. Each area will have a distinctive setting and character and add to the diversity, utility and accessibility of public open space in Bowral.

The river corridors have the potential to form a continuous network including a loop joining with the Cec Hoskins Natural Reserve to the south west and the shared pathway along Kangaloon Road connecting back to the town centre. This has the potential to be a recreational space of regional scale and popularity enhancing the tourism attraction of the town.

Open space areas are intended to be dedicated to Council as part of the future subdivision of the land. Dedication will not occur until after a minimum 5 year establishment period for restorative planting and landscaping. A Plan of Management (POM) is intended to be prepared to assist Council's understanding and responsibilities in taking care, control and ownership of the land at the nominated time of dedication.

The scale and quality of future open space can only be supported and delivered as an outcome of the viability of the concept plan.

#### **5.5.8 Site edges compatible with neighbouring land**

Sufficient land area is available to allow setbacks and buffers from site edges for rural land, riparian and ecological land management, asset protection, streetscape planting and utilities, buffers to neighbours, shared pathways and protection of outlooks and views.

The impacts of the site will be well separated from the nearby precinct of Burradoo and will have no detrimental consequences for the integrity of the Burradoo neighbourhood. There will be no substantial change to the streetscape of Eridge Park Road which physically separates the site from the Burradoo rural-residential area.

#### **5.5.9 Transport and movement connections**

Points of connection to the existing road network will not impact existing public reserves or the efficient and safe operation of roads and pathways. The site creates the potential for a bus service connecting to Bowral, enhancing the quality of life for new and existing residents.

The site also gives Council an opportunity to establish a significant portion of the cycleways proposed along Eridge Park Road and the Wingecarribee River under the Stage 1 Bicycle Strategy for Wollondilly Shire Council. The landowners are willing to work with Council to this end.

### 5.5.10 Neighbourhood hub

The proposed neighbourhood hub is small scale intended to service the daily convenience needs of the new residents of the Tyraquay site. The limited scale will ensure the retail and service premises will not detract from the economic superiority of the Moss Vale or Bowral regional centres.

The role of the neighbourhood hub is to provide small scale commercial premises and a mix of commercial and residential uses servicing the daily convenience needs of local residents in the form of shop top housing and adaptable building forms. Adaptable buildings enable a combination of residential and small office / home office / professional suite or small shop front space within a dwelling and add an element of casual surveillance, streetfront engagement and vibrancy consistent with the local character.

Mixed use and adaptable buildings will provide occupants with a sense of community and a local clientele which enhances community spirit and cohesion. Live-work premises also reduce demand for commuting and increases opportunities to work from home. This is aligned with the goals and aspirations of the adopted Community Strategic Plan.

Adaptable buildings can include community meeting space and community facilities which can be used on a 'meanwhile' basis as the East Bowral RE expands and a new, larger community hub is located closer to Kangaloon Road and the existing school, botanic gardens and racecourse. The neighbourhood hub within the Tyraquay site would offer opportunities to create meaningful uses for the broader community at a culturally, recreational and socially important location overlooking the river and connected to public open space.

### 5.5.11 Public benefits

The outcomes of Council's recent community satisfaction survey have been considered to target public benefits deliverable by this project. The community satisfaction survey identified opportunities for improvement to services and infrastructure. Public benefits to be investigated and negotiated with Council as part of the VPA include:

- > Inclusion of SMART technologies and environmental performance standards for new development to reduce carbon emissions and water and energy usage and opportunities for micro-grid energy generation
- > Opening up of a large section of the regionally important Wingecarribee River to the broader community using public open space and road placement
- > 'Meanwhile' community use of adaptable buildings in the neighbourhood hub
- > SMART infrastructure installation opportunities
- > New public open space embellishment and dedication
- > Improvements to existing parks in the locality
- > New shared pathways with longer term potential for completing a Bowral town loop
- > Implementation of the Eridge Park Road and Wingecarribee River bicycle routes from the Stage 1 Bicycle Strategy
- > Opportunities for integration with the Southern Highlands Botanic Gardens with walking and cycling links and partnerships for community gardening events
- > Street trees and street furniture
- > Riparian habitat restoration
- > Water quality improvements and stormwater management devices servicing new and existing urban lands
- > Restoration and protection of heritage items and interpretive information
- > Road design to include provisions for a new bus route and bus stops
- > Improvements to the local road network and streetscape



### 5.5.12 Heritage

The concept plan accommodates for retention and interpretation of a part of the airstrip and the protection of the Scar Tree as recommended from the preliminary heritage investigations. More detailed investigations post-Gateway and prior to public exhibition will better inform the strategies for conservation and interpretation.

## 5.6 Part 4 – Maps

Maps identifying the specific WLEP (2010) amendments are included in **Figure 5-1 to Figure 5-6**. Amendments are discussed in **Section 5.4**.

## 5.7 Section A - Need for the Planning Proposal

### 5.7.1 Question 1: Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

While they have only been endorsed in draft form, the current iteration of the Tyraquay Planning Proposal has been released in response to Wingecarribee Shire Council's LSPS and LHS.

The draft LSPS and LHS have identified the Bowral South NLA, which includes the Tyraquay site, as an important means of achieving sustainable growth in the Wingecarribee LGA. The current Planning Proposal represents a highly considered and multi-faceted opportunity for residential growth which would preserve the social, cultural and environmental values of the LGA as represented in the LSPS, LHS and elsewhere.

Specific discussion of how the Tyraquay Planning Proposal relates to the draft LSPS and draft LHS is given in **Sections 2.6 and 5.8.2**.

### 5.7.2 Question 2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal is the only way of achieving the redevelopment of the site in the manner proposed by the Concept Plan and master planning process.

By comparison the current planning controls permit a rural residential Torrens title subdivision with minimum 4 hectare lots. The evidence collated for this site indicates a rural residential development would bring none of the public benefits or land use efficiencies identified from the concept plan. Furthermore, rural residential subdivision would fragment the riparian lands, prevent opportunities for comprehensive water quality improvements and would not enable the dedication of the river corridor to public recreation – denying the potential for a continuous corridor and share pathway loop surrounding the Bowral township.

Not only is the Planning Proposal the best means of achieving the objectives and intended outcomes, it is also a superior outcome to the current planning provisions.

As described in in **Sections 2.6 and 5.8.2**, the Planning Proposal is also highly consistent with the priorities and actions of the draft LSPS and draft LHS.

A Site Compatibility Certificate (SCC) could be developed for Tyraquay. The site fits with the criteria for seniors housing and is comparable to the site features of Pepperfield seniors housing to the north east. However, a SCC would limit housing diversity and would not have the potential to deliver public benefits to the same extent as the Planning Proposal.

A Planning Proposal to create an urban release area generates a scale of development best suited to a VPA and State Infrastructure Contribution to deliver targeted upgrades to infrastructure in the most efficient and timely manner.

## 5.8 Section B – Relationship to Strategic Planning Framework

### 5.8.1 Question 3: Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

#### 5.8.1.1 South East Tablelands Regional Plan 2036

The *South East and Tablelands Regional Plan 2036* (SETRP) is the applicable regional strategy for the Wingecarribee Shire. The strategy contains key issues, goals and decision-making framework to guide sustainable growth in the region and in Wingecarribee LGA to the year 2036.

The strategy contains four (4) goals as follows:

- > **Goal 1:** A connected and prosperous economy
- > **Goal 2:** A diverse environment interconnected by biodiversity corridors
- > **Goal 3:** Environmentally sustainable housing choices
- > **Goal 4:** Healthy and connected communities

Each goal is underpinned by a number of strategic directions. The directions relevant to this application are listed in **Table 5-4**, along with the specific ways in which the Planning Proposal will give effect to the directions.



Table 5-4 Directions of the SETRP to be Delivered by this Project

Direction	To be Delivered by Project
<b>Goal 1: A connected and prosperous economy</b>	
Promote business activities in urban centres	<ul style="list-style-type: none"> <li>&gt; Bowral is to be a regional centre – the focus for retail, service, social and commercial activity and connected to main transport routes</li> <li>&gt; A diverse and vibrant population base will reinforce the role of the regional centre with local patronage and a resident workforce</li> <li>&gt; A regionally significant recreational area on the river will attract tourism to further support the town centre</li> </ul>
<b>Goal 2: A diverse environment interconnected by biodiversity corridors</b>	
Protect important environmental assets	<ul style="list-style-type: none"> <li>&gt; Restoring terrestrial and aquatic habitats and water quality.</li> <li>&gt; Protecting threatened species and habitat trees</li> <li>&gt; Considering appropriate offsets and mitigation measures for unavoidable impacts.</li> </ul>
Enhance biodiversity connections	<ul style="list-style-type: none"> <li>&gt; Protecting and enhancing the function and resilience of riparian corridors and habitat trees.</li> <li>&gt; Potential for longer term connection of the river corridors into a continuous network focussed on the Wingecarribee River and its main tributaries</li> </ul>
<b>Goal 3: Healthy and connected communities</b>	
Build socially inclusive, safe and healthy communities	<ul style="list-style-type: none"> <li>&gt; Adopting elements of Livable Housing Australia's <i>Livable Housing Design Guidelines</i> in future development controls for housing.</li> <li>&gt; Integrating walking and cycling networks and a variety of recreational experiences into the layout and treatment of the public domain to encourage physical activity and social interaction.</li> <li>&gt; Diversity of housing tenure and form for a dynamic and diverse neighbourhood population</li> <li>&gt; Neighbourhood Centre as a social and recreational focal point</li> </ul>
Protect the region's heritage	<ul style="list-style-type: none"> <li>&gt; Protect the Scar Tree within the public realm</li> <li>&gt; Retain and interpret part of the airstrip</li> <li>&gt; Develop a CHMP if appropriate</li> </ul>
<b>Goal 4: Environmentally sustainable housing choices</b>	
Deliver greater housing supply and choice	<ul style="list-style-type: none"> <li>&gt; Provide increased housing choice in a strategic location close to existing services and jobs.</li> <li>&gt; Housing supply on a greenfield URA will have more immediate delivery capacity than the inertia of redevelopment of existing urban land (due to long term land ownership, low property turnover, community resistance to changes in local character and small scale redevelopment sites)</li> </ul>
Focus housing growth in locations that maximise infrastructure and services	<ul style="list-style-type: none"> <li>&gt; Services, utilities and infrastructure are all available and augmentation achievable</li> <li>&gt; A combination of specific VPAs, contributions and works-in-kind are appropriate</li> </ul>
Deliver more opportunities for affordable housing	<ul style="list-style-type: none"> <li>&gt; Mechanisms intended for housing affordability include:                             <ul style="list-style-type: none"> <li>– Partnership with a social housing provider for delivery and maintenance of new affordable housing;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>- Diversity of housing forms</li> <li>- House and land design packages to reduce costs of applications and approvals</li> <li>- preferred supplier agreements to reduce costs of construction and fitout</li> <li>- sustainable designs, materials and finishes to reduce life-time operational costs</li> </ul>
<p>Manage rural lifestyles</p>	<ul style="list-style-type: none"> <li>&gt; Locating new residential development close to an existing urban settlement to maximise the efficient use of infrastructure and services, including roads, water, sewer and waste services and social and community infrastructure.</li> <li>&gt; Minimising the potential for land use conflicts with long term buffers of high integrity to separate urban land form productive agricultural land and natural resources.</li> <li>&gt; Avoiding development in areas of high environmental, cultural and heritage significance, important agricultural land and areas affected by natural hazards</li> <li>&gt; Proposing a more efficient and environmentally responsible form of land use mix than allowed by the current planning controls</li> </ul>



5.8.1.2 Sydney Canberra Corridor Regional Strategy (SCCRS)

The purpose of the SCCRCS is to facilitate and accommodate growth along the corridor. The current version of the SCCRCS identifies targets of 27,800 new jobs and 25,200 new dwellings to 2031. Of the total targets, an undersupply of approximately 3,000 new dwellings has been identified in the Northern subregion (Wingecarribee LGA).

Planning for the Western Sydney Aerotropolis has advanced since the publication of SCCRCS. The role of Bowral as a Regional Centre within commuting distance to the Aerotropolis will generate additional demand for housing and supporting infrastructure and services in Bowral.

The SCCRCS identifies Bowral as a major regional centre and includes the following statements relevant to the Planning Proposal:

- “new greenfield areas and medium density housing”
- “higher order retail and commercial services”
- “regional scale retail and commercial development and services”
- “mid to higher density living, business, employment, professional services and specialised shops and associated warehouses, transport logistics and bulky goods operations”
- “subregional road and transport networks”
- “The full range of housing types”

The SCCRCS states the “majority of greenfield development will be located in Mittagong with 1000 lots and Moss Vale with 1400 lots planned for in the short to medium term. Additional greenfield development areas will need to be identified and planned for to cater for longer-term demand.”

This Planning Proposal and masterplanned concept is consistent with all of the above elements of the SCCRCS. Specifically, Tyraquay and the broader master plan area represent an opportunity to deliver sufficient greenfield housing supply to support the growth of Bowral as a regional centre and consolidate investment in new infrastructure and utilities for the anticipated medium and longer term demand identified in regional strategies including the SCCRCS.

The SCCRCS requires all new development to meet the Neighbourhood Planning Principles listed as follows:

NEIGHBOURHOOD PLANNING PRINCIPLES		
Public transport networks that link bus services into the rail system and major regional centres.	Jobs available locally and regionally – reducing the demand for transport services.	be available along with smaller, lower maintenance homes, units and terraces for older people and young singles or couples.
A range of land uses to provide the right mix of houses, jobs, open space, recreational space and green space.	Streets and suburbs planned so that residents can walk or cycle to shops and other activity spaces for their daily needs.	Conservation lands in and around the development sites, to help protect biodiversity and provide open space for recreation.
Easy access to major town centres with a full range of shops, recreational facilities and services along with smaller village centres and neighbourhood shops.	A wide range of housing choices to provide for different needs and different incomes. Traditional houses on their own block will	

This Planning Proposal application adopts all the Neighbourhood Planning Principles as follows:

- > Extension of the East Bowral Bus Route 815 through the masterplanned site. This service currently connects to Bowral Station and Bowral town centre
- > The range of land uses include medium and low density housing, clusters of Hamlets, shop top housing, seniors housing and affordable housing, a neighbourhood centre, new open space, recreational trails and a regionally significant riparian green corridor
- > New residents will utilise the services and facilities of Bowral which is to be a major regional centre
- > New residents will have daily convenience needs met by the new neighbourhood centre with small shops

- > Employment will be generated by the neighbourhood shops and seniors housing development
- > Increased local patronage of Bowral town centre will support employment generation locally
- > Road and pathway networks connect to the neighbourhood centre and create a town loop connecting Cec Hoskins reserve pathway to Kangaloon Road pathway
- > Large riparian networks for conservation, water quality improvements, recreation and rehabilitation of waterways.

The SCCRS lists key challenges and aims which are summarised in **Table 5-5** along with comments as to how this Planning Proposal has been constructed to respond positively to these challenges.

Table 5-5 Key challenges identified in the SCCRS

Key Challenges and Goals in the SCCRS	How the Planning Proposal responds	Compliance/Consistency
<b>Rural Land Challenges</b>		
<i>support the economic contribution of existing and potential primary industries to the Region maintain the rural character and diversity of land values across the Region, whilst acknowledging competing uses of rural land</i>	<p>Tyraquay does not have a history of economically productive agricultural use.</p> <p>There are no working farms or primary industries detrimentally impacted by the proposal.</p> <p>The efficient use of the site for new residential land at appropriate densities will reduce the pressure for rural land fragmentation on a broader scale.</p> <p>Primary production is not economically viable on Tyraquay unless conducted at high intensity. This land use option has been given a lower priority for the current owners given the potential for site management and lack of other benefits to the broader locality in comparison to the Planning Proposal.</p>	✓
<i>address the impact of periurban land uses (areas close to or on the edge of existing urban areas) on existing farming and future urban development by providing certainty for long term uses through appropriate land use zonings, subdivision controls and the identification of long term urban release areas manage the location and impacts of rural residential development</i>	<p>Tyraquay and the broader master planned area have potential as a long term urban release area. The consolidated master planned area ensures upgrades to infrastructure and utilities can be focused spatially with efficient returns on costs to service a focused location rather than piecemeal and fragmented infill or small scale fringe development.</p>	✓
<b>Economic Challenges</b>		
<i>provide regionally based employment opportunities (at least 27 800 new jobs) through the identification and protection of major employment lands</i>	<p>The proposal will not reduce the availability of employment lands.</p> <p>The proposal includes employment generating land uses.</p>	✓
<i>reduce the proportion of commuting/journey to work out of the Region by providing regionally based employment and housing opportunities. This should aim to reduce the proportion of the workforce commuting out of the Region from 26 percent to 20 percent build on regional strengths in employment including distribution/logistic clusters along the Hume Highway, and the proximity to Sydney and Canberra markets build the vitality and capability of centres within the corridor so they can provide employment opportunities for necessary service industries, as well as</i>	<p>The proposal includes new local jobs.</p> <p>The proposal increases the resident population concentrated around Bowral and supported the growth of Bowral as a regional centre.</p>	✓



<i>enabling the incubation of new industries and businesses</i>		
<i>protect the agricultural sector of the Region by measures including limiting uncontrolled fragmentation of rural lands through subdivision and controlling the extent and location of non-compatible land uses such as rural residential development</i>	<p>The proposal is an efficient land use alternative to rural residential fragmentation and will reduce the pressure for subdivisions of viable agricultural land.</p> <p>The proposal includes a high integrity spatial and landscaped buffer to the edge of town and separates and protects rural holdings on the southern side of the Wingecarribee River.</p>	✓
<b>Environmental Challenges</b>		
<i>ensure that development occurs in a way that safeguards and enhances the existing environmental, biodiversity and scenic assets of the Region</i>	<p>The proposal increases the area of land protected for environmental assets, restores riparian vegetation, improves scenic and visual qualities of the river and riparian network and improves water quality.</p>	✓
<i>ensure the sustainable management of natural resources and the protection of rural landscapes ensure development can help reduce the impact of climate change appropriately conserve and protect heritage items and values including European, cultural and Aboriginal, and incorporate these values within land use planning and natural resource management processes</i>	<p>Heritage items in close proximity to the site will not be detrimentally impacted.</p> <p>A long term riparian buffer will also protect rural land south of the river.</p> <p>The Scar tree within the site is to be retained and protected within public open space.</p> <p>The airstrip will be retained in part and incorporated in the riparian recreational area with supportive interpretive material as a unique community asset.</p>	✓
<i>certainty for long term uses through appropriate land use zonings, subdivision controls and the identification of long term urban release areas</i>	<p>The proposal represents a long term release area with efficient layout of new infrastructure and services supporting a locality targeted to be a regional centre.</p>	✓
<b>Aims</b>		
<i>Increase the amount of housing in existing centres to ensure the needs of future households are better met, in particular the needs of smaller households and an ageing population</i>	<p>Bowral is to be sustained as a regional centre and the proposal is consistent with establishing a definite town edge to contain the urban footprint and provide a mix of housing types.</p> <p>Tyraquay is within 5km radius of the Bowral Railway Station.</p>	✓
<i>Manage the environmental impact of settlement by focusing new urban development in existing identified growth areas such as Bowral</i>	<p>The proposal focusses growth contiguous with Bowral urban footprint</p> <p>The proposal will permanently establish a green corridor separating Moss Vale and Bowral.</p>	✓
<i>Only consider additional development sites if it can be demonstrated they satisfy the Sustainability Criteria</i>	<p>See demonstrated compliance with the Sustainability Criteria in <b>Table 5-6</b>.</p>	✓
<i>No new rural residential zones will be supported unless as part of an agreed structure plan or local settlement strategy</i>	<p>Rural residential areas are included in the proposal as part of an overall strategy for housing diversity within the site. See specific details of 'Hamlet typologies' in <b>Section 5.5.5</b>. Hamlets are designed to cluster areas of disturbance on least constrained land and protect and enhance land more suited to other purposes such as environmental management or agriculture.</p>	✓

	Hamlet cluster housing also has reduced visual impact on the landscape.	
<i>Ensure an adequate supply of land to support economic growth and provide capacity to accommodate a projected 27,800 new jobs particularly in the areas of manufacturing, transport and logistics, business services, health, aged care and tourism</i>	The seniors housing site has been selected to cater for a scale of development that includes assisted care and shared recreational and wellness facilities. The seniors housing development will generate new employment opportunities. The neighbourhood centre is in close proximity to the Wingecarribee River corridor. It will create local speciality and adaptable employment opportunities and enhance the appeal of the river corridor for tourism and recreation.	✓
<i>Limit development in places constrained by important primary industry resources and significant scenic and cultural landscapes</i>	The proposal will have no detrimental impacts to primary industry. The restoration and dedication of riparian lands will enable the scenic quality of the river to be shared with the community rather than contained on private land. Primary production is not economically viable on the small holdings in the immediate locality.	✓
<i>Protect the cultural and Aboriginal heritage values and visual character of rural towns and villages and surrounding landscapes</i>	Cultural and Aboriginal heritage to be achieved through the protection of the Scar Tree in the public realm. Visual character to be clearly defined in the site-specific DCP. See <b>Section 3.13</b> .	✓

As required by the SCCRS – new development sites must meet the Sustainability Criteria. Compliance is demonstrated in **Table 5-6**.

Table 5-6 Demonstrated compliance with SCCRS Sustainability Criteria

Threshold Sustainability Criteria for any proposed development site outside designated areas in the SCCRS	Measureable explanation of criteria	Compliance comment
<b>1. Infrastructure provision</b> <i>Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way</i>	<i>Development is consistent with the SCCRS, any subregional strategy, the State Infrastructure Strategy and relevant Section 117 Directions</i> <i>The provision of infrastructure (utilities, transport, open space and communications) is costed and economically feasible based on government methodology for determining infrastructure development contributions</i> <i>Preparedness to enter into development agreement</i>	✓ See <b>Table 5-5</b> for compliance with the SCCRS. See <b>Section 5.8.4</b> for compliance with Section 9.1 Ministerial Directions. Infrastructure capacity has been investigated – see <b>Appendix E</b> . Detailed costings will be obtained post-Gateway as part of a SIC VPA and local VPA. A letter of offer to enter into a VPA with Council is included with the Planning Proposal application. A SIC VPA must be in place in accordance with Clause 6.1 to WLEP 2010.
<b>2. Access</b> <i>Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way.</i>	<i>Accessibility of the area by public transport and/or appropriate road access in terms of:</i> <i>- Location/land use – to existing networks and related activity centres</i>	✓ Existing East Bowral bus route 815 can be extended in an efficient loop through the masterplanned area.



	<p>- network – the areas potential to be serviced by economically efficient transport services</p> <p>- catchment – the areas ability to contain or form part of the larger urban area which contains adequate transport services. Capacity for land use/transport patterns to make positive contribution to achievement of travel and vehicle use goals</p> <p>No net negative impact on performance of existing subregional road, bus, rail and freight network</p>	<p>The site is continuous with the existing urban edge to Bowral.</p> <p>Increased local population will support improved viability of local transport.</p> <p>The site adjoins the existing town edge and simple extensions of the existing road and pathway networks will be delivered.</p> <p>See <b>Appendix I</b> which shows no detrimental traffic impacts.</p>
<p><b>3. Housing Diversity</b> Provide a range of housing choices to ensure a broad population can be housed</p>	<p>Contributes to the geographic market spread of housing supply, including any government targets established for aged or affordable housing.</p>	<p style="text-align: center;">✓</p> <p>Meets requirements. See <b>Section 3.14</b>.</p> <p>The proposal aims to deliver:</p> <ul style="list-style-type: none"> <li>- seniors housing</li> <li>- lot sizes for medium density, low density and clustered large lot housing</li> <li>- shop top SOHO living opportunities within the neighbourhood centre.</li> </ul>
<p><b>4. Employment Lands</b> Provide regional/local employment opportunities to support the SCCRS expanding role in the wider regional and NSW economies</p>	<p>Maintain or improve the existing level of subregional employment self-containment</p> <p>Meets subregional employment projections:</p> <ul style="list-style-type: none"> <li>- employment related land is provided in appropriately zoned areas</li> </ul>	<p style="text-align: center;">✓</p> <p>Employment generating land uses are proposed and will contribute to local employment.</p> <p>Increased population focused in Bowral will support the role of the commercial area as a 'regional centre' through increased local patronage.</p> <p>The proposed neighbourhood centre will not detract from the regional centre role of Bowral town centre.</p>
<p><b>5. Avoidance of risk</b> Land use conflicts and risks to human health and life avoided</p>	<p>No residential development within 1:100 floodplain</p> <p>Avoidance of physically constrained land eg. High slope, highly erodible</p> <p>Avoidance of land use conflicts with adjacent or existing future land uses as planned under relevant subregional or regional strategy</p> <p>Where relevant, available safe evacuation route (flood and bushfire)</p>	<p style="text-align: center;">✓</p> <p>Site constraints analysis in <b>Figure 5-7</b> and <b>Figure 5-8</b> and Geotechnical Analysis in <b>Appendix F</b> demonstrate the land has suitable topography.</p> <p>There is no existing bushfire hazard and new APZs will be established for long term protection of revegetated riparian corridors – see <b>Appendix J</b>.</p>
<p><b>6. Natural Resources</b> Natural resource limits not exceeded/environmental footprint minimised</p>	<p>Demand for water within infrastructure capacity to supply water and does not place unacceptable pressure on environmental flows</p> <p>Demonstrates most efficient/suitable use of land</p> <ul style="list-style-type: none"> <li>- avoid identified significant agricultural land</li> <li>- avoids productive resource lands – extractive industries, mining and forestry</li> </ul>	<p style="text-align: center;">✓</p> <p>Water supply capacity must be increased by approximately 1.4ML and can be negotiated with a VPA for local infrastructure. See <b>Appendix E</b>.</p> <p>Environmental flows to the Wingecarribee River will be significantly improved with restoration of riparian vegetation and installation of WSUD.</p> <p>No BSAL lands to be impacted.</p>

	<p><i>Demand for energy does not place unacceptable pressure on infrastructure capacity to supply energy – requires demonstration of efficient and sustainable supply solution</i></p>	<p>No extractive, mining or forestry activities will be impacted. Existing energy infrastructure capacity is adequate. Reticulation infrastructure to be upgraded. See <b>Appendix E</b>.</p>
<p><b>7. Environmental Protection</b> <i>Protect and enhance biodiversity, air quality, heritage and waterway health.</i></p>	<p><i>Consistent with government-approved regional conservation plan (if available)</i> <i>Maintains or improves areas of regionally significant terrestrial and aquatic biodiversity (as mapped and agreed by DECC). This includes regionally significant vegetation communities, critical habitat, threatened species, population, ecological communities and their habitats</i> <i>Maintain or improve existing environmental condition for air quality</i> <i>- consistent with community water quality objectives for recreational water use and river health (DECC and CMA)</i> <i>- consistent with catchment and stormwater management planning (CMA and Council)</i> <i>Protects areas of Aboriginal cultural heritage value (as agreed by DECC)</i></p>	<p style="text-align: center;">✓</p> <p>No conservation plan currently applies to the land. NorBE test demonstrates water quality improvement – See <b>Appendix D</b>. Riparian vegetation to be restored. <i>E.Macarthurii</i> to be protected and managed subject to a more detailed species impact assessment and BDAR/BAM assessment. Scar tree to be protected within the public realm and subject to a POM.</p>
<p><b>8. Quality and Equity in Services</b> <i>Quality health, education, legal, recreational, cultural and community development and other government services are accessible</i></p>	<p><i>Available and accessible services</i> <i>- Do adequate services exist?</i> <i>- Are they at capacity or is some capacity available?</i> <i>- Has Government planned and budgeted for further service provision?</i> <i>- Developer funding for required service upgrade/access is available?</i></p>	<p style="text-align: center;">✓</p> <p>Services are established in Bowral and capacity can be adjusted in response to increase demand generated over the timeframe of subdivision and construction. Bowral hospital upgraded. SIC VPA contributions are required to address funding.</p>



### 5.8.2 Question 4: Will the planning proposal give effect to a Council's endorsed local strategic planning statement or another endorsed local strategy or strategic plan?

The Planning Proposal will give effect to several strategies endorsed by Council. In particular, this proposal is relevant to the draft LSPS, the draft LHS, and the CSP. These documents are described in **Sections 2.5** and **2.6**. The relation of this proposal to these strategies is given below.

#### 5.8.2.1 Relation of the proposal to the draft Local Strategic Planning Statement

While currently still at a draft stage, the Planning Proposal is highly consistent with the priorities and actions outlined in the LSPS. This is systematically shown in **Table 5-7**.

Table 5-7 Consistency with draft LSPS.

LSPS Planning Priorities and Actions	Ways in which Tyraquay can achieve consistency with the LSPS Goals
<b>ENVIRONMENT</b>	
<b>Planning Priority 1.1 - Reduce carbon emissions and increase energy, water and waste efficiencies</b>	
<b>Planning</b>	
<ul style="list-style-type: none"> <li>Ensure that new developments and alterations and additions to existing developments demonstrate improved building standards with high efficiency in energy, water and waste</li> </ul>	<ul style="list-style-type: none"> <li>A site-specific DCP and urban design guidelines are intended to set higher environmental performance standards than BASIX for dwellings such as demonstrated by these greenfield examples:                             <ul style="list-style-type: none"> <li>Mornington Peninsular <a href="https://www.liveatthecape.com.au/">https://www.liveatthecape.com.au/</a></li> <li>Blacktown, Western Sydney – Fairwater <a href="https://www.frasersproperty.com.au/nsw/fairwater">https://www.frasersproperty.com.au/nsw/fairwater</a></li> <li>Selandra Rise Retirement Living Complex, Melbourne</li> <li>Lochiel Park Green Village, Adelaide</li> </ul> </li> <li>All dwellings to be provided with grey water re-use and rainwater tanks</li> <li>A distributed energy grid is proposed</li> <li>Solar-powered LED lights will be used for lighting of the public realm</li> <li>Planting of canopy trees in the street and public open spaces will aim for at least a 40% Urban Tree Canopy for carbon sequestration and managing the urban heat island</li> </ul>
<ul style="list-style-type: none"> <li>Support suburb scale efficiency initiatives</li> </ul>	<ul style="list-style-type: none"> <li>The site-specific DCP aims to achieve ECO Certification at a 'community' scale using sustainability measures established by the Green Building Council</li> </ul>
<ul style="list-style-type: none"> <li>Consider the regional systems transition model as outlined in the Enabling Adaptation in the South East (2017) report and the Climate Change Adaption Plan when developing operational policy, undertaking strategic planning, delivering council programs and assessing future infrastructure needs</li> </ul>	<ul style="list-style-type: none"> <li>A site specific DCP will make reference to, and incorporate tools and performance checklists published through <a href="https://climatechange.environment.nsw.gov.au/Adapting-to-climate-change/Local-government">https://climatechange.environment.nsw.gov.au/Adapting-to-climate-change/Local-government</a></li> </ul>
<ul style="list-style-type: none"> <li>Review options for improving energy, water and waste efficiencies in new developments and alterations and additions to existing developments through Council's LEP and DCP controls</li> </ul>	<ul style="list-style-type: none"> <li>See <b>Section 5.5.5</b> for content of site-specific DCP</li> </ul>
<b>Waste</b>	

<ul style="list-style-type: none"> <li>• Reduce the volume of waste to landfill and waste transport requirements</li> </ul>	<ul style="list-style-type: none"> <li>• A site-specific DCP will address the minimisation of waste generated through construction of private buildings and construction and installation of infrastructure in the public realm</li> </ul>
<ul style="list-style-type: none"> <li>• Maximise re-use and recycling to support a circular economy</li> </ul>	<ul style="list-style-type: none"> <li>• A site-specific DCP will include options for using recycled materials in construction of private buildings and public infrastructure – particularly roads, footpaths and other trails</li> </ul>
<ul style="list-style-type: none"> <li>• Extend the collaboration with private industry in investing in innovative and sustainable waste/recycling processing options.</li> </ul>	<ul style="list-style-type: none"> <li>• Future planning and development applications intend to investigate options for community gardens for the recycling of organic wastes on a community scale</li> </ul>
<b>Water</b>	
<ul style="list-style-type: none"> <li>• Increase alternative water supplies to decrease dependency on distributed water</li> </ul>	<ul style="list-style-type: none"> <li>• A site-specific DCP aims to achieve sustainability certification and passive house design standards which include rainwater capture and re-use and options for greywater re-use to reduce dependency on potable water</li> </ul>
<ul style="list-style-type: none"> <li>• Increase the uptake of rainwater tanks and dual reticulation of recycled water in new developments and alterations and additions to existing developments</li> </ul>	<ul style="list-style-type: none"> <li>• See above</li> </ul>
<ul style="list-style-type: none"> <li>• Reduce potable water used for non-potable uses</li> </ul>	<ul style="list-style-type: none"> <li>• See above</li> </ul>
<b>Transport</b>	
<ul style="list-style-type: none"> <li>• Create walking and cycling friendly communities and the use of encourage public transport</li> </ul>	<ul style="list-style-type: none"> <li>• Tyraquay is an ideal site to create and set a high standard of performance for a walking and cycling community because: <ul style="list-style-type: none"> <li>- The topography is well suited to walking and cycling</li> <li>- The river frontage and riparian network are ideal routes for nature-based walking and cycling experiences</li> <li>- The site can create essential connectivity to a variety of local points of interest including the Wingecaribee River and potential connection throughout the master planned area for links to Cec Hoskins Nature Reserve, local heritage items with tourism visitation, Southern Highlands Botanic Gardens and Bong Bong racecourse</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Facilitate the use of electric vehicles in the Shire</li> </ul>	<ul style="list-style-type: none"> <li>• A distributed grid system within the Tyraquay community would allow for electric vehicle charging at no cost</li> </ul>
<ul style="list-style-type: none"> <li>• Encourage car sharing and car pooling</li> </ul>	<ul style="list-style-type: none"> <li>• Designing a community with lots of options for social interaction such as community gardens, a small neighbourhood hub, areas for public open space and recreation, walking and cycling will create opportunities for supportive community-based behaviours that facilitate car sharing and car pooling</li> </ul>
<b>Planning Priority 1.2 - As a Council and as a community, we seek to mitigate, adapt and build resilience to climate change and natural disasters</b>	
<b>Actions</b>	
<ul style="list-style-type: none"> <li>• Undertake Flood and Bushfire studies as the climate shifts to directly inform local planning controls in order to minimise the impact on the community from natural disasters</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing investigations for Tyraquay will clearly identify any areas of the site affected by flooding and implement the anticipated updated Flood Prone Land planning documents currently in draft form as detailed here ... <a href="https://www.planningportal.nsw.gov.au/flood-prone-land-package">https://www.planningportal.nsw.gov.au/flood-prone-land-package</a></li> <li>• Ongoing investigations for Tyraquay will include a detailed investigation of the existing bushfire hazards and any potential risk management requirements in accordance with the most recent version of Planning for Bushfire Protection (2016) effective from March 2020. It is anticipated that urban development of the Tyraquay site (and the master planned area) will reduce the risks of bushfire to the existing</li> </ul>



	<p>urban fringe of East Bowral through appropriate land management as well as installation of water infrastructure and road access to improve fire fighting capacities in an emergency</p>
<ul style="list-style-type: none"> <li>• Prepare and implement Bushfire Management Plans for Council bushland reserves to optimise biodiversity while still protecting life and property</li> </ul>	<ul style="list-style-type: none"> <li>• A preliminary review indicates Tyraquay is not bushfire hazard and will represent no risk to adjoining land through redevelopment to urban uses</li> <li>• Land intended to be dedicated to Council ownership will be subject to Plans of Management prepared with a future Planning Proposal including any measures for bushfire risk reduction</li> <li>• Revegetation proposals for riparian lands will be prepared in collaboration with Bushfire Specialists with a future Planning Proposal.</li> <li>• Land use zones will be nominated with consideration to prioritising biodiversity and riparian integrity and ensuring Asset Protection Zones suitably separate future dwellings and private land from any land with bushfire risk.</li> </ul>
<ul style="list-style-type: none"> <li>• Explore the potential of Aboriginal Cultural burning methods as another bushfire risk and ecological management tool in priority land management zones, strategic fire advantage zones and on existing private/Council land partnerships</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Plan for protection of critical infrastructure by using engineered solutions in addition to more traditional hazard reduction techniques to reduce the ecological footprint of asset protection.</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Incorporate climate change predictions into local planning instruments and documents</li> </ul>	<ul style="list-style-type: none"> <li>• A site specific DCP will make reference to, and incorporate tools and performance checklists published through <a href="https://climatechange.environment.nsw.gov.au/Adapting-to-climate-change/Local-government">https://climatechange.environment.nsw.gov.au/Adapting-to-climate-change/Local-government</a></li> </ul>
<ul style="list-style-type: none"> <li>• Factor ecosystem adaptation into strategic planning and land protection</li> </ul>	<ul style="list-style-type: none"> <li>• See above</li> </ul>
<ul style="list-style-type: none"> <li>• Consider and implement a range of urban design and land use planning strategies to minimise heat in local government areas described in Minimising the Impacts of Extreme Heat: A guide for Local Government</li> </ul>	<ul style="list-style-type: none"> <li>• A site-specific DCP will address building design and public realm planning measures to minimise urban heat island impacts including canopy tree planting and building materials for dwellings, roads and other paved surfaces</li> </ul>
<ul style="list-style-type: none"> <li>• Advocate the State and Federal Government for better climate change preparedness strategies such as improving building standards to cater for warmer conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<p><b>Planning Priority 1.3 - To improve biodiversity corridor connectivity and reduce fragmentation</b></p>	

Actions	
<ul style="list-style-type: none"> <li>• Ensure that subdivision of lands containing remnant native vegetation optimises the retention of that vegetation whilst maintaining the economic return to landholder. Council should investigate and implement flexibility in subdivision standards that result in the protection of remnant vegetation</li> </ul>	<ul style="list-style-type: none"> <li>• As described in <b>Section 2.1.1</b>, the land is mostly cleared of remnant vegetation. However, several isolated paddock trees remain particularly in close proximity to the watercourses.</li> <li>• A Vegetation Management Plan is proposed to be implemented with protection of trees of ecological significance within riparian corridors and the public realm such as wider street verges</li> <li>• Trees can also be accommodated on larger new lots and a future lot layout can aim to retain trees of ecological significance</li> </ul>
<ul style="list-style-type: none"> <li>• Finalise, refine and improve the Green Web Corridor project and products and utilise the existing Koala Habitat Connectivity Map as a proxy for land use planning decisions until the Green Web products are finalised</li> </ul>	<ul style="list-style-type: none"> <li>• Future work will address the Green Web Corridor and mapping of vegetation communities. Remnant paddock trees are intended to be incorporated in the future public realm and supported by restorative planting.</li> <li>• The mapping supporting State Environmental Planning Policy (Koala Habitat Protection) 2019 (SEPP Koala Habitat) indicates parts of Tyraquay and the broader master planned area trigger consideration of the Policy for any future development applications and the riparian corridors warrant detailed investigation for Koala Plans of Management. Investigations would be undertaken in conjunction with ecological assessments prepared to support a future Planning Proposal application. As described in <b>Section 2.1.1</b>, the riparian areas have been cleared of native vegetation and it is the intention that a future VMP will include restoration and replanting of the riparian areas to support their function as future habitat corridors. A snapshot of the SEPP 44 maps for the locality is included below.</li> </ul>
<ul style="list-style-type: none"> <li>• Development of policy relating to stream categories and protection of riparian corridors and investigate options for creating a requirement for setback establishment and maintenance independent of development application triggers (current situation).</li> </ul>	<ul style="list-style-type: none"> <li>• The redevelopment of Bowral South and the proposed master planned area is a unique opportunity to create of a restored river corridor to the Wingecarribee River connecting the Cec Hoskins Nature reserve to Bong Bong Racecourse.</li> <li>• This is an outstanding opportunity to create a long term community and environmental asset of regional significance</li> </ul>
<p><b>Planning Priority 1.4 - To minimise the impact of land use planning and change on threatened species and the ecosystems</b></p>	



<b>Actions</b>	
<ul style="list-style-type: none"> <li>• Maintain and improve native vegetation and threatened species and ecological community datasets to facilitate evidence-based decision making</li> </ul>	<ul style="list-style-type: none"> <li>• This Planning Proposal and the proposed master planned area represents the opportunity to restore the riparian corridor and implement restorative works that are also compatible with public recreation.</li> </ul>
<ul style="list-style-type: none"> <li>• Ensure Councils planning framework minimises the impact of land use and development on threatened species and avoid key threatening processes such as habitat loss and fragmentation</li> <li>• Continue to work with State and Federal Government agencies, and local landowners to protect and enhance koala habitat within our Shire</li> </ul>	<ul style="list-style-type: none"> <li>• Restoration of the riparian network is an opportunity to reverse past impacts of key threatened processes of land clearing which have occurred in the past</li> <li>• See above re: Koala habitat corridor potential along the Wingecarribee River</li> </ul>
<ul style="list-style-type: none"> <li>• Refer significant impacts on matters of national environmental significance to the federal Environment agency</li> </ul>	<ul style="list-style-type: none"> <li>• Detailed ecological assessments will determine the need for consideration of significant impacts and any triggers for approvals under the Commonwealth Environmental Protection and Biodiversity Conservation Act</li> </ul>
<ul style="list-style-type: none"> <li>• Refer concerns about new or emerging threatened species to the NSW Threatened Species Scientific Committee</li> </ul>	<ul style="list-style-type: none"> <li>• As described in the <b>Section 2.1.1</b>, the site has a long history of being cleared of native habitat. Restorative works and a VMP to be implemented with any future redevelopment will improve the habitat values of the site</li> </ul>
<ul style="list-style-type: none"> <li>• Develop and implement a Biodiversity Monitoring Strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<b>Planning Priority 1.5 - Conserve and protect waterways, wetlands and groundwater</b>	
<b>Actions</b>	
<ul style="list-style-type: none"> <li>• Continue to protect sensitive water catchments to maintain and improve water quality</li> </ul>	<ul style="list-style-type: none"> <li>• Part of the Tyraquay site takes stormwater runoff from parts of the Burradoo Rural Residential area. The stormwater is currently untreated. Redevelopment of the site will allow the installation of Water Sensitive Urban Design methods throughout the site</li> <li>• The riparian corridors will be revegetated with the areas of revegetation managed to match the conditions of the site, the watercourse classification, water quality and quantity targets and habitat function</li> <li>• Part of the Wingecarribee River adjacent to Tyraquay has been diverted and detained with weirs and site works. Riparian restoration works will be sensitive to the microhabitats along the river</li> </ul>
<ul style="list-style-type: none"> <li>• Waterways continue to be protected and managed in accordance with the stream categorisation in the Wingecarribee LEP</li> </ul>	<ul style="list-style-type: none"> <li>• See above</li> </ul>
<ul style="list-style-type: none"> <li>• Work collaboratively with other agencies,</li> </ul>	<ul style="list-style-type: none"> <li>• See above</li> </ul>

partners and the community to monitor and manage waterways and wetlands	
<ul style="list-style-type: none"> <li>Review environmental assessment processes to minimise impact of Council projects</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>Groundwater and groundwater dependent ecosystems will be monitored and assessed in collaboration with WaterNSW, and land use planning will need to consider impacts on groundwater quality and quantity</li> </ul>	<ul style="list-style-type: none"> <li>See above</li> </ul>
<ul style="list-style-type: none"> <li>Policies and procedures developed to protect waterways and wetlands, including mandatory set-backs and riparian land restoration</li> </ul>	<ul style="list-style-type: none"> <li>See above</li> </ul>
<ul style="list-style-type: none"> <li>Encourage land owners to increase rainfall capture and storage and slow the movement of water in the landscape through water sensitive urban design and use of grey-water systems</li> </ul>	<ul style="list-style-type: none"> <li>Rainwater storage and re-use and grey-water reticulation is intended to be incorporated into environmental performance measures on a community and individual dwelling scale and are intended to be included in a site-specific DCP</li> </ul>
<b>RURAL LANDS</b>	
<b><i>Planning Priority 2.1 - Support the productive use of our agricultural land and promote our diverse and thriving local agriculture industry and its right to farm</i></b>	
<b>Actions</b>	
<ul style="list-style-type: none"> <li>Undertake a strategic analysis of the location and current uses of agricultural land to support agribusiness and help manage potential land use conflicts</li> </ul>	<ul style="list-style-type: none"> <li>Redevelopment of the master planned area will not displace economically viable primary production.</li> <li>The master planned area has the potential to create a permanent green edge to the Bowral urban area which will also function as a permanent buffer to primary production on rural lands on the other side of the Wingecarribee River</li> </ul>
<ul style="list-style-type: none"> <li>Enhance the economic viability of agricultural land through a review of planning controls to facilitate greater flexibility and diversity in the industry</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>Work with the industry to identify and implement innovative ways to unlock the productive value of land such as lease arrangements, financial</li> </ul>	<ul style="list-style-type: none"> <li>Creating a permanent green corridor along the Wingecarribee River protects the nearby agricultural lands from the potential for rural-urban land use conflict</li> </ul>



incentives and industry innovation	
<ul style="list-style-type: none"> <li>• Continue to work with the industry and State Government to identify and introduce new land use definitions such as a 'produce door premises', to offer greater flexibility to support and value-add to existing farming operations</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Finalise Council's Rural Living Handbook to support agribusiness as a key pillar of our economy.</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<b>Planning Priority 2.2 - Maintain and enhance our connection with our rural landscapes</b>	
<b>Actions</b>	
<ul style="list-style-type: none"> <li>• Ensure that urban growth is managed in a way that reflects the communities' values and maintains the current visual and physical separation between our towns and villages</li> </ul>	<ul style="list-style-type: none"> <li>• The master planned area has the potential to create a permanent green river corridor to the south eastern edge of the Bowral township.</li> <li>• Tyraquay, as the first stage of redevelopment, has the potential to set a high standard for the rural-urban edge along the Wingecarribee River. The river frontage of Tyraquay includes: <ul style="list-style-type: none"> <li>- opportunities for primary water contact with accessible bank edges</li> <li>- shallow areas with potential for wetland habitat reconstruction</li> <li>- expansive water views across the river to the nearby rural lands.</li> </ul> </li> <li>• Landscaping and dedicating the riparian area to public access will allow the river frontage to become a community asset of regional significance.</li> <li>• Public access allows appreciation of the rural-urban interface by visitors and locals.</li> </ul>
<ul style="list-style-type: none"> <li>• Review our Development Control Plan provisions to ensure that urban design controls maintain current views and vistas to the surrounding rural landscape and, provide that, when new development occurs, those views and vistas are enhanced</li> </ul>	<ul style="list-style-type: none"> <li>• A site-specific DCP and urban design guidelines for Tyraquay will set the standard for the identification of new views and vistas along the river within land to be dedicated to the public</li> <li>• These views and vistas along the river have the potential to become community assets of regional significance</li> </ul>
<ul style="list-style-type: none"> <li>• Review our Development Control Plan provisions to ensure that future development on rural land does not adversely impact on the visual qualities of the rural landscape</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Ensure our planning framework and policies reflect our communities' values in ensuring that Wingecarribee remains a coal mining free Shire</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<b>Planning Priority 2.3 - Facilitate rural tourism that supports the agricultural production values of our rural lands, and ensure the economic benefits are balanced with the impact on our rural lands, environment and community</b>	

Actions	
<ul style="list-style-type: none"> <li>• Monitor the application of the Rural Tourism Policy to ensure that it is consistently applied and operates to provide appropriate opportunities for rural tourism while protecting the rural environment</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Liaise with key industry stakeholders to identify and promote opportunities for the establishment of agribusiness opportunities consistent with maintenance of the visual values of the rural lands</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Continue to work with the industry and State Government to identify and introduce new land use definitions such as a 'produce door premises', to offer greater flexibility to support and value-add to existing farming operations.</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>

**ECONOMY**

***Planning Priority 3.1 - Our Shire supports businesses' and attracts people to work, live and visit***

Actions	
<ul style="list-style-type: none"> <li>• Finalise, implement and monitor the 'Destination Plan' for the Shire</li> </ul>	<ul style="list-style-type: none"> <li>• The master planned area of Bowral South has the potential to create a continuous walking /cycling link along the Wingecarribee River between the Cec Hoskins Nature Reserve to Bong Bong Racecourse and the Southern Highlands Botanic Gardens</li> <li>• This river walk has the potential to be a key destination for tourists</li> </ul>
<ul style="list-style-type: none"> <li>• Undertake a review of our employment lands to ensure our planning framework facilitates the outcomes of the Destination Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Diversity of employment opportunities and walkable, self-supportive communities are important elements to best practice land use planning and can be achieved within Bowral South</li> <li>• Tyraquay is of a suitable scale to support a small neighbourhood hub to serve limited specialist day to day needs of the local community which will not detract from the primary function of Bowral town centre</li> </ul>
<ul style="list-style-type: none"> <li>• Broaden and promote the range of business and industry sectors</li> </ul>	<ul style="list-style-type: none"> <li>• A master planned area which has the potential to create supportive land uses and infrastructure in the vicinity of the Bong Bong Racecourse and Southern Highlands Botanic Gardens will enhance employment opportunities at the Racecourse and Gardens with special events, recreation and tourism opportunities</li> <li>• The redevelopment of Bowral South also represents an opportunity for a small scale community centre in the vicinity of Boardman Road South and Wiseman Road which would be readily accessible to residents of the Seniors Housing site Pepperfields and the Southern Highlands Christian School</li> </ul>
<ul style="list-style-type: none"> <li>• Ensure our planning framework facilitates new and innovative business opportunities</li> </ul>	<ul style="list-style-type: none"> <li>• See above</li> </ul>
<ul style="list-style-type: none"> <li>• Promote the Southern Highlands as a place to work, live and visit, to increase the working</li> </ul>	<ul style="list-style-type: none"> <li>• See above</li> </ul>



population and encourage new business to the Shire	
<ul style="list-style-type: none"> <li>• Work with higher education providers to promote and support higher education and training opportunities within the Shire; to attract and retain a skilled working population</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Work with the State and Federal Government to secure funding for key enabling infrastructure to unlock the development potential of the Moss Vale Enterprise Corridor</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Ensure our planning framework facilitates a broad range of tourism opportunities and balances the economic benefits of tourism with impacts on our environment and community</li> </ul>	<ul style="list-style-type: none"> <li>• Redevelopment of Bowral South as a master planned urban release area will provide opportunities for: <ul style="list-style-type: none"> <li>- A publicly accessible continuous walking / cycling trail along the Wingecarribee River linking Cec Hoskins Nature Reserve with Bong Bong Racecourse and the Southern Highlands Botanic Gardens and completing the loop circuit back to Bowral town centre. This loop walk would become a tourist attraction of regional scale</li> <li>- Supportive land uses and infrastructure adjacent to the Bong Bong Racecourse and the Southern Highlands Botanic Gardens will enhance the capacity and visitation of these places for major regional special events</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Promote the Southern Highlands' unique brand identity</li> </ul>	<ul style="list-style-type: none"> <li>• A site specific DCP and urban design guidelines provides the opportunity to define character statements and design themes for streetscapes and building frontages consistent with a Southern Highlands character and identity and enhance the attractiveness of the locality for tourism</li> </ul>
<b>Priority 3.2 - Local business is supported through a connected community</b>	
<b>Actions</b>	
<ul style="list-style-type: none"> <li>• Implement programs that support and strengthen business development</li> </ul>	<ul style="list-style-type: none"> <li>• The figure on Page 39 to the draft LSPS is shown below and indicates Bong Bong Racecourse as an important site within the economic, cultural and social 'heart' of the Shire</li> <li>• A master planned urban release area for South Bowral provides opportunities to plan for land uses and supportive infrastructure and utilities immediately adjacent to the Racecourse to enhance its role in hosting special events and more regular community, tourism and recreation uses.</li> <li>• The Master Plan and Plan of Management for the Southern Highlands Botanic Garden also sets goals for attracting special events and visitation on a regional scale</li> <li>• Planning for supportive land uses and infrastructure that enhance the visitation and use of both the Racecourse and the Botanic Gardens can be delivered through the urban redevelopment of Bowral South</li> </ul>



<ul style="list-style-type: none"> <li>• Improve collaboration between Council and the business industry to support economic development within our Shire</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Facilitate and support industry stakeholders to play a more active role in business and economic development</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Promote mentoring and development opportunities to build a connected business community</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Develop partnerships within and outside of the Shire to strengthen economic initiative</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>



### 5.8.2.2 Relation of the proposal to the draft Local Housing Strategy

The Planning Proposal is also highly consistent with the draft LHS. This is discussed in detail in **Table 5-8**.

Table 5-8 Consistency with the draft Local Housing Strategy

LHS Goals	Ways in which Tyraquay can achieve consistency with the LHS Goals
<p><b>Planning Priority 1 – Promote infill development and increased densities in appropriate locations, and facilitate a greater mix of housing types to ensure our housing stock is reflective of the needs of our community. An appropriate mix of housing types is needed to ensure that our residents have greater choice and access to housing that meets the diverse needs of our community.</b></p>	
<p><b>Actions</b></p>	
<ul style="list-style-type: none"> <li>Review Council's LEP and DCP provisions and remove any unnecessary barriers to facilitating more diverse housing options in appropriate locations</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations.</li> <li>The future development of Tyraquay is intended to include a site-specific DCP and urban design guidelines nominating targets for diversity of housing including 20% medium density and smaller residential lots</li> <li>Creation of smaller lots will create affordable alternatives for smaller household types including empty nesters and the elderly. New homes will be affordable in terms of up front costs and ongoing low maintenance and operational costs</li> </ul>
<ul style="list-style-type: none"> <li>Consider incentives to promote quality medium density development in our strategic centres of Bowral, Mittagong and Moss Vale, including bonus provisions for affordable housing and good design outcomes</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>Review Council's LEP and DCP provisions and remove any unnecessary barriers to facilitating seniors living developments in our strategic centres of Bowral, Mittagong and Moss Vale</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>Investigate options to increase housing choice in close proximity to our smaller town and village centres (i.e. Bundanoon and Robertson) to allow people to age in appropriate housing within their communities</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>Introduce integrated housing provisions into Wingecarribee LEP and DCP to facilitate smaller lot housing in appropriate locations, with detailed design controls to promote good urban outcomes</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations.</li> <li>The Planning Proposal for Tyraquay includes LEP and DCP provisions for smaller Torrens title lots, superlots and medium density zones in high amenity locations along with design guidelines to maintain character and streetscape elements important to development in the Southern Highlands and Bowral locality</li> </ul>
<ul style="list-style-type: none"> <li>Ensure Council controls do not rule out new and emerging housing types that address the housing needs of our community</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>Undertake a community education process to de-stigmatise medium density housing in the Shire</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>Develop and maintain a Wingecarribee housing monitor to track and measure housing supply and diversity</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>Manage the release of new greenfield development areas to ensure greenfield land does not compromise infill development</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations.</li> </ul>

<ul style="list-style-type: none"> <li>• Prepare new local character statements to outline the existing and desired future local character of our towns and villages</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations.</li> </ul>
<ul style="list-style-type: none"> <li>• Introduce new development controls that ensure medium density development is in keeping with the desired future character of our towns and villages.</li> </ul>	<ul style="list-style-type: none"> <li>• A site-specific DCP will be developed with streetscape guidelines to create a suitable character for future development which is consistent with the character desired by Council for the Bowral South Future Living Area</li> </ul>
<b>Indicators</b>	
1. Report annually on the housing monitor including housing typologies (by percentage of new dwellings)	Action specific to Council operations
2. Report annually on dwelling approvals against the target of 20% of all new dwellings being smaller housing options including medium density and small lot housing	Action specific to Council operations
3. Track trends in housing typologies, and embed a trigger to review planning controls if diversity targets are not met for three (3) consecutive years	Action specific to Council operations
4. Amended planning controls for smaller lots in strategic locations within 12 months.	Action specific to Council operations
<p><b><i>Planning Priority 2 – Provide a greater mix of price points in the housing market to improve housing affordability, and work with community housing providers to increase the stock of social and community housing throughout the Shire Housing affordability is an issue that requires action from all levels of Government and ensuring our community has equitable access to housing is a significant housing challenge for the Shire.</i></b></p>	
<b>Actions</b>	
<ul style="list-style-type: none"> <li>• Facilitate efficient housing markets that meet the housing needs of our community, including addressing any gaps in the market, particularly in the area of affordable and social housing</li> </ul>	<ul style="list-style-type: none"> <li>• Current data on Housing Market Analysis indicates decreasing affordability correlated with a lack of housing supply and a lack of housing diversity.</li> <li>• The potential urban development of Bowral South including Tyraquay will address gaps by increasing housing supply aligned with the delivery of essential infrastructure and a diversity of housing types and tenure options including: <ul style="list-style-type: none"> <li>○ Large lot Hamlet housing clusters</li> <li>○ A range of lot sizes for Torrens title low density residential lots</li> <li>○ Medium density development lots on the least constrained land within walking distance to the neighbourhood hub, adjacent to future public open space and along a potential local bus route</li> <li>○ A development lot for a specialist seniors housing provider</li> <li>○ SOHO housing within the neighbourhood hub</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Develop an affordable housing strategy for the Wingecarribee Shire that identifies a clear policy for affordable housing contributions and the application of SEPP 70 to new residential living areas prior to rezoning</li> </ul>	Action specific to Council operations
<ul style="list-style-type: none"> <li>• Consider incentives to promote affordable housing in our strategic centres of Bowral, Mittagong and Moss Vale, including potential bonus floor space provisions for affordable housing</li> </ul>	Action specific to Council operations
<ul style="list-style-type: none"> <li>• Work with community housing providers to maximise the potential of their existing</li> </ul>	Action specific to Council operations

housing stocks and increase the supply of affordable and social housing in the Shire	
<ul style="list-style-type: none"> <li>• Work with Aboriginal Land Councils to ensure housing needs of the Aboriginal community are met.</li> </ul>	Action specific to Council operations
<b>Indicators</b>	
1. Decreased percentage of households in rental stress where rent payments are 30% or more of household income	Action specific to Council operations
2. Report annually on the housing monitor including housing typologies (by percentage of new dwellings)	Action specific to Council operations
3. Report annually on dwelling approvals against the target of 20% of all new dwellings being smaller housing options including medium density and small lot housing	Action specific to Council operations
4. In collaboration with community housing providers, report annually on housing stock for affordable and social housing needs	Action specific to Council operations
5. Establish a target for affordable and social housing with the aim of at least retaining any housing stock in the Wingecarribee Shire, and report on this annually	
<p><b><i>Planning Priority 3 – Provide for well planned new release areas to meet the long-term housing needs of the community, and ensure that our growing communities are supported by essential infrastructure The Regional Plan identifies an additional 3,300 dwellings required to meet the Wingecarribee’s housing needs by 2036. However, uncertainty remains about the impact a growing Western Sydney, including the new Western Sydney Aerotropolis, will have on population growth and development pressure within the Wingecarribee Shire.</i></b></p>	
<b>Actions</b>	
<ul style="list-style-type: none"> <li>• Develop a staging plan for new living areas, to ensure that sufficient land is available to meet the needs of our community, without compromising infill development</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations</li> </ul>
<ul style="list-style-type: none"> <li>• Develop a land and housing monitor that tracks the supply of greenfield and infill development supply</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations</li> </ul>
<ul style="list-style-type: none"> <li>• Regularly review the staging plan and land and housing monitor to ensure that greenfield land release does not compromise infill development</li> </ul>	<ul style="list-style-type: none"> <li>• Action specific to Council operations</li> </ul>
<ul style="list-style-type: none"> <li>• Develop master plans for our new living areas, prior to rezoning, to provide for well planned, highly liveable communities into the future</li> </ul>	<ul style="list-style-type: none"> <li>• The Planning Proposal for Tyraquay includes a Master Plan for the Tyraquay site. Future planning may include Concept Master Plan for the wider Bowral South Area to demonstrate synergies and opportunities for land uses and infrastructure which create a walkable, self-sustaining neighbourhood which does not detract from the function of Bowral Town Centre</li> </ul>
<ul style="list-style-type: none"> <li>• Develop infrastructure plans and servicing strategies for new living areas prior to rezoning</li> </ul>	<ul style="list-style-type: none"> <li>• An Infrastructure Servicing Strategy is currently underway, which will nominate a sequence for delivery of new and upgraded infrastructure proportional to the delivery of new allotments and linked to a staging plan</li> </ul>
<ul style="list-style-type: none"> <li>• Formalise a value capture system to fund a portion of the cost of providing</li> </ul>	<ul style="list-style-type: none"> <li>• This will be done in consultation with Council following the completion of the Infrastructure Servicing Strategy.</li> </ul>



new or augmented infrastructure to support new development	
<ul style="list-style-type: none"> <li>Review Development Contribution Plans and Development Servicing Plans to ensure commensurate contributions are charged for greenfield development</li> </ul>	<ul style="list-style-type: none"> <li>Action specific to Council operations</li> </ul>
<ul style="list-style-type: none"> <li>Ensure Council can provide the community infrastructure support needed for planned growth</li> </ul>	<ul style="list-style-type: none"> <li>A community services needs analysis and delivery strategy will be developed for the site.</li> </ul>
<ul style="list-style-type: none"> <li>Work with NSW Government agencies to align their asset and infrastructure planning with planned housing growth to ensure delivery of adequate State infrastructure and services</li> </ul>	<ul style="list-style-type: none"> <li>State Infrastructure and services will be investigated as part of the Infrastructure Servicing Strategy currently under development.</li> </ul>
<b>Indicators</b>	
<p>1. Report on land and housing monitor each year including:</p> <p>a. Housing supply and changes to this on an annual basis</p> <p>b. Housing demand and trends over time reported annually against supply</p> <p>c. Land released, and proportion of greenfield and infill housing reported annually against the identified targets of 50% infill development and 20% medium density</p> <p>d. Targets reported to Council via an annual Housing Monitoring Report.</p>	<ul style="list-style-type: none"> <li>Action specific to Council operations</li> </ul>
<p>2. Ensure planning proposals are consistent with the Local Housing Strategy</p>	Complies.
<p>3. Value capture at the rezoning stage provides a long-term, sustainable model to fund new and augmented infrastructure to support new living areas identified in the Local Housing Strategy</p>	* Future infrastructure and community services investigations will address the means of delivery and funding apportionment for new and upgraded infrastructure
<b>Design Principles for Bowral South NLA</b>	
<p>1. The Wingecarribee River will form the long-term eastern edge of the Bowral township</p>	The proposal emphasises use of the Wingecarribee River as the natural eastern boundary of town, by planning to protect and enhance the viewshed, and opening up use of the riparian lands to the public.
<p>2. The Bowral (South) living area will be characterised by a diverse mix of housing typologies, strong visual connections to rural landscapes to the east and high quality public open space along the Wingecarribee River and its tributaries</p>	<p>The proposal includes a wide variety of lot sizes, and encourages creative housing typologies, such as hamlets, which build upon the natural and rural character of the region. The proposal will substantially increase housing choice.</p> <p>More than 40% of the site is offered as public open space, particularly around the Wingecarribee River, to facilitate its enjoyment by the community.</p>
<p>3. A perimeter road along the eastern edge of the development (with new houses addressing the Wingecarribee River) will support a quality urban interface and promote passive surveillance of the public open space adjacent to the river</p>	Lot layouts proposed by this Planning Proposal simultaneously allow for public use of the riparian area, while promoting river-facing views for residents which increases passive surveillance of these public areas.
<p>4. A new cycleway and open space along the Wingecarribee River will connect with the existing cycleway networks to the north and south</p>	The landowners wish to work with Council to develop the proposed cycleway where it falls within the Tyraquay property.

5. A new neighbourhood centre in the Kangaloon / Boardman Road area will service the day to day needs of the new community and the broader East Bowral area.	The proposal does not intend to detract from the proposed Kangaloon/Boardman Road neighbourhood centre, however, the landowners are open to use of the neighbourhood hub described in this Planning Proposal as a “meanwhile” community facility while the neighbourhood centre is being developed.
6. A mix of lot sizes are proposed in the visually prominent area to the east of Boardman Road, with larger lots to minimise the visual impact of development and provide a transition of lot sizes towards the Bong Bong race course and adjoining rural landscapes.	Does not relate to the Tyraquay site. A mixture of lot sizes however have been proposed throughout the site to soften the visual impact of the development.

### 5.8.2.3 Relation of the proposal to the Community Strategic Plan

The Wingecarribee Community Strategic Plan 2031 (CSP) was adopted by Council in June 2017. **Table 5-8** lists the themes and goals of the CSP relevant to the Planning Proposal application.

Table 5-9 Themes and Goals of the Wingecarribee Community Strategic Plan 2011

Goal	Compliance
<i>People</i>	
Goal 2.2 Wingecarribee people have a healthy lifestyle and inclusive community > Provide structure in the Shire to encourage physical activities	Continuous pathway routes will encourage walking and cycling to new open space areas and connecting to the Bowral town centre. Wingecarribee River walk has potential as part of a regional scale network. Future public open space areas throughout the site will be designed and landscaped for a variety of recreational experiences. The concept layout has been designed with consideration to the Best Practice <i>Open Space Guidelines for Local Government (2010)</i> .
Goal 2.3 Services and facilities are provided locally to meet the needs of our community > Prioritise improved, environmentally sensitive public and private transport both within and between villages and towns > Proactively value, attract and hold a diverse population of young people, families, cultures and socio-economic backgrounds to the Shire to ensure a balanced community	The proposal includes a variety of land uses that create opportunities for social, cultural and economic well-being with senior’s housing with supportive care and recreation facilities, a neighbourhood centre for daily convenience needs and a range of housing opportunities to cater for a range of demographics and household types.
<i>Places</i>	
Goal 3.1 Wingecarribee is linked by an integrated and efficient transport network > Connect towns, villages and employment centres with efficient public transport networks that are affordable, convenient, flexible and comfortable > Provide comfortable and efficient transport interchanges at transport nodes > Provide safe and efficient road, cycle and where appropriate, walking paths between and within towns and villages, and conveniently located parking areas for cars and bicycles. Ideally, all road reserves to include provision for safe walking and cycling > Encourage cycling and walking > Encourage development that will increase viability of public transport, cycling and walking infrastructure	New roads will be designed for extension of the East Bowral Bus Route 815 through the site and connecting with seniors housing, local schools and the new neighbourhood centre with Bowral town centre and railway station. Roads have also been designed with pathways encouraging walking and cycling. A new shared path along the Wingecarribee River can make a major contribution towards completing the circuit between Cecil Hoskins Nature Reserve and Kangaloon Road. The pathway is already a well-known local asset and tourist attraction and the connection would further enhance the value and utility of this community asset.

<p>Goal 3.2 Wingecarribee has maintained a distinct character of separate towns and villages</p> <ul style="list-style-type: none"> <li>&gt; Retain the rural landscape between towns and villages</li> <li>&gt; Retain and make more distinctive the special qualities that make each town or village unique</li> <li>&gt; Ensure growth of towns and villages does not compromise separation distance between those towns and villages</li> </ul>	<p>The Planning Proposal provides Greenfield development contiguous with the existing urban zoned land in Bowral. It also maintains the settlement pattern of compact towns and villages separated by rural and environmental land.</p> <p>The proposal does not erode the green space between townships and protects agricultural viability with buffers and rural-urban interfaces of high integrity.</p>
<p>Goal 3.3 Urban design in Wingecarribee creates inspiring places where people want to be</p> <ul style="list-style-type: none"> <li>&gt; Strengthen the connectivity, liveability and vibrancy of towns and villages</li> <li>&gt; Ensure future development respects the character of the area in which it is located, and reinforce that character with appropriately sited and designed new development</li> <li>&gt; Encourage development that emphasises towns as distinctive destinations</li> <li>&gt; Encourage responsible compact development and usable community space within the current urban growth boundary of each town and village</li> </ul>	<p>A site-specific DCP will focus on defining the character of the development including streetscape continuity, visual impacts, housing design and landscaping.</p> <p>In comparison to infill development – this Planning Proposal creates large areas of publicly accessible space at the same time as efficient setout of new urban land.</p>
<p>Goal 3.4 Wingecarribee housing options are diverse</p> <ul style="list-style-type: none"> <li>&gt; Provide for housing types that match projected demographic and household needs in appropriate locations</li> <li>&gt; Provide housing options in all towns and villages that will enable residents to age in their communities</li> <li>&gt; Provide for higher density development within the towns of Mittagong, Bowral, Moss Vale and Bundanoon</li> <li>&gt; Promote ‘universal design’ in housing to enable people of all ages and abilities to live independently</li> </ul>	<p>The proposal delivers diversity in housing form, size, densities and tenure. A site-specific DCP will exemplify the local character of Bowral in terms of architectural style, urban form and function and respect for environmental and rural assets.</p> <p>Future residential development will deliver a variety of lot sizes and housing forms, with guidelines implemented to ensure the following:</p> <ul style="list-style-type: none"> <li>&gt; Identify and protect the existing neighbourhood character;</li> <li>&gt; Identify a range of housing designs and forms to create diversity and choice, attractive streetscapes and high-quality affordable housing;</li> <li>&gt; Guide development that is energy and water efficient; and</li> <li>&gt; Establish landscaping compatible with enhancing habitat and catchment assets.</li> </ul>
<p>Goal 3.5 Wingecarribee is recognised as a place of significant heritage conservation</p> <ul style="list-style-type: none"> <li>&gt; Identify and promote buildings, places, trees, gardens, landscapes and other areas of significant cultural heritage value</li> <li>&gt; Ensure that the unique heritage qualities of towns, villages and special areas are protected</li> <li>&gt; Recognise where the Shire’s cultural heritage contributes to its character and manage change appropriately to reinforce local distinctiveness</li> </ul>	<p>The proposed design has incorporated the recommendations of the heritage investigations contained in <b>Appendix B</b> and <b>Appendix C</b>.</p>
<p><i>Environment</i></p>	
<p>Goal 4.1 Wingecarribee’s distinct and diverse natural environment is protected and enhanced</p> <ul style="list-style-type: none"> <li>&gt; Conserve the key natural resources of the Shire water catchments, arable land, key wildlife corridors, vegetation and scenic landscapes</li> <li>&gt; Maintain and enhance biodiversity</li> <li>&gt; Ensure no net loss of the natural resources of the Shire by replacement and/or offset of the</li> </ul>	<p>The Planning Proposal provides a restored riparian corridor improving water quality and biodiversity as well as providing recreational opportunities.</p>



unavoidable loss of trees, vegetation and other resources using an effective and transparent offset formula	
<p>Goal 4.2 Wingecarribee communities live sustainably by choice</p> <ul style="list-style-type: none"> <li>&gt; Ensure that no development takes place in Wingecarribee that would threaten the underpinning natural resources of the area as a water catchment, food bowl, and tourist and recreational attraction</li> </ul>	The Planning Proposal provides for a range of sustainable development opportunities in harmony with recreation and lifestyle choices, emerging markets and changes in technology. Environmental performance measures can be included in a site-specific DCP.
<i>Economy</i>	
<p>Goal 5.5 Wingecarribee's diverse economy drives a wide range of job and career opportunities</p> <ul style="list-style-type: none"> <li>&gt; Council to develop and implement a plan to give full support to social and economic flourishing in the Shire, both directly and as a significant actor in its own right, and indirectly through facilitating broad-based community actions to drive social and economic development</li> </ul>	The purpose of the Planning Proposal is to achieve a vision that aligns positively with the people, places, environment and economy in Bowral and provides a range of new opportunities.

### 5.8.3 Question 5: Is the planning proposal consistent with the applicable State Environmental Planning Policies?

The State Planning Policies applicable to this Planning Proposal application are listed in **Table 5-9**. The table also demonstrates the proposed LEP amendments are consistent with the intent of those Policies.

Table 5-10 Consistency with State Environmental Planning Policies

Policy	Consistency?
<p><b>State Environmental Planning Policy No.44 – Koala Habitat Protection</b></p> <p>This Policy aims to encourage preservation of vegetation that meets criteria for koala habitat</p>	The site does not contain Core Koala Habitat and does not support habitat for koalas. The proposal will not have detrimental impacts to the protection of koala habitat. For details see <b>Appendix H</b> .
<p><b>State Environmental Planning Policy No.55 Remediation of Land</b></p> <p>This Policy is a mechanism for identification of contaminated land and remediation requirements to minimise risks to the health of humans and the environment.</p>	<p>The Preliminary Contamination Report in <b>Appendix G</b> demonstrates that further investigative work is needed but that the areas for further examination are typical for rural uses or isolated areas that can be targeted.</p> <p>The Planning Proposal application is consistent with this Policy to the extent necessary at this stage. A more detailed investigation is anticipated to be required post-Gateway and prior to public exhibition to determine if the site can be made suitable for a change from Zone E3 to residential and recreational uses.</p>
<p><b>State Environmental Planning Policy No.64 – Advertising and Signage</b></p> <p>This Policy will continue to apply to the site to regulate signage and ensure signage is compatible with amenity and character, effectively communicates information and is of good design.</p>	<p>The changes to zoning will change the way that SEPP 64 applies to the land. Clause 15 of SEPP 64 currently applies to the site as it controls all signage on non-urban zoned land.</p> <p>Clause 15 will not apply to residential-zoned land and the neighbourhood centre zone. However, the Planning Proposal will not create any inconsistency in the application of SEPP 64.</p>
<p><b>State Environmental Planning Policy (Affordable Rental Housing) 2009</b></p> <p>This policy aims to provide affordable rental housing through expanded permissibility, facilitating a variety of affordable housing forms, bonus FSR and favourable development standards as well as protect and retain or offset the demolition of existing affordable housing.</p>	<p>This Policy will apply to parts of the site to be zoned for residential use in the same way it applies to other residential land in Wingecarribee LGA that is not within 400m of a railway station.</p> <p>The Planning Proposal application is consistent with this Policy.</p> <p>See <b>Section 5.9.3</b> for the variety of mechanisms to be investigated to deliver affordable housing as part of this project over and above these Policy provisions.</p>
<p><b>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</b></p>	This Policy will apply to the land to be zoned for residential use within the site in the same way it applies to other residential land in Wingecarribee LGA.

<p>This Policy sets minimum performance standards for dwelling design to achieve water and thermal efficiencies.</p>	<p>The Planning Proposal application is consistent with this Policy.</p>
<p><b>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</b></p> <p>This Policy aims to streamline the assessment and approvals process for categories of development that meet specified standards.</p>	<p>This Policy will apply to the land to be zoned for residential use and the neighbourhood centre in the same way it applies to other residential land in Wingecarribee LGA.</p> <p>The Planning Proposal application is consistent with this Policy.</p>
<p><b>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</b></p> <p>This Policy aims to apply a consistent planning framework for education and child care developments and associated infrastructure. The Policy applies minimum standards aligned with the National Quality Framework for early education and care services and with the State regulations for education and care services. Joint shared community use of facilities is encouraged.</p>	<p>This Policy will apply to the site in the same way it applies to other residential land in Wingecarribee LGA.</p> <p>The Planning Proposal application is consistent with this Policy.</p>
<p><b>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</b></p> <p>This Policy aims to increase supply and diversity of residential forms to meet the needs of seniors and people with a disability and their households. The Policy includes design and location criteria that override local controls.</p>	<p>This Policy will apply to the land to be zoned for residential use and neighbourhood centre in the same way it applies to other residential land in Wingecarribee LGA.</p> <p>The Planning Proposal application is consistent with this Policy.</p> <p>The seniors living village proposed within the site is intended to include assisted care living, shared recreational and wellness facilities and be well connected with the neighbourhood centre and new public open spaces with safe pathways and accessible routes.</p>
<p><b>State Environmental Planning Policy (Infrastructure) 2007</b></p> <p>This Policy aims to facilitate delivery of infrastructure throughout NSW by applying a standard regulatory framework and greater flexibility in location, allow redevelopment of surplus government land and specify consultation requirements.</p>	<p>This Policy will apply to the land to be zoned for residential and neighbourhood centre use in the same way it applies to other land in the same zones in Wingecarribee LGA.</p> <p>The Planning Proposal application is consistent with this Policy.</p>
<p><b>State Environmental Planning Policy (Rural Lands and Primary Production)</b></p> <p>This Policy aims to facilitate orderly, environmentally sustainable and economic use of rural lands. It includes criteria for assessment of proposals for intensive and for low impact agricultural uses. The Policy also prescribes a method for identifying State Significant Agricultural Lands.</p> <p>The Policy also aims to avoid sterilization of land used or suitable for primary production by reducing the incidence of land use conflict and balancing the space used for a variety of land uses.</p>	<p>At this time, no land has been identified as State Significant Agricultural Land. As explained in <b>Section 3.12</b>, IAL mapping will be undertaken post-Gateway and prior to public exhibition to determine whether any of the land within the site or in close proximity fits the criteria for IAL.</p> <p>Noting that the majority of Tyraquay is currently within Zone E3 – the application of the current zone indicates Council does not identify this land as being principally suited to primary production.</p> <p>The concept plan demonstrates the riparian corridor along the Wingecarribee River is intended to set an outstanding precedent for a long term green buffer to the edge of Bowral to clearly define the rural landscape setting that is to surround the town.</p>
<p><b>State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011</b></p> <p>This Policy aims to maintain and improve the health of the water catchment areas and water quality. The Policy sets out guidelines and standards and the NorBE and SLWCA tests for land use impacts and</p>	<p>As detailed in <b>Appendix D</b>, this Planning Proposal concept has been tested in accordance with WaterNSW requirements for NorBE and SLWCA and has been demonstrated compliant.</p> <p>The proposal represents an outstanding opportunity to restore riparian vegetation and installed WSUD methods which will permanently improve the health of the catchment and water quality.</p>

assessment of changes to land zoning and development applications.	
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**5.8.4 Question 6: Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 Directions**

**Table 5-10** summarises the Ministerial Directions. Where a Direction does not apply to this Planning Proposal, the reasons are noted in to table. Where a Direction applies to the Planning Proposal the table indicates whether the Proposal is consistent or inconsistent. If the proposal is inconsistent, the table includes information available to date to determine whether the inconsistency meets the specified criteria or whether additional information will be needed post-Gateway and prior to public exhibition.

In summary the Planning Proposal application is consistent with all the requirements of the Ministerial Directions that apply to the site and/or the proposed LEP amendments.



Table 5-11 Consistency with Section 9.1 Ministerial Directions

Direction Title	Direction Objectives & Planning Authority Requirements	Consistency?
<b>1. Employment and Resources</b>		
<p>1.1 Business and Industrial Zones</p>	<p><b>Objectives:</b>  <i>(a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and</i>  <i>(c) support the viability of identified centres.</i></p> <p>The Direction applies to all planning authorities.                      The Direction applies to all planning proposals affecting existing or proposed business-zone or industrial-zone land.                      When Direction 1.1 applies, a planning proposal must:                      (a) give effect to the objectives of this direction,                      (b) retain the areas and locations of existing business and industrial zones,                      (c) not reduce the total potential floor space area for employment uses and related public services in business zones,                      (d) not reduce the total potential floor space area for industrial uses in industrial zones, and                      (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment.</p>	<p>Applies to Tyraquay Planning Proposal because a new area of land in Zone B1 is proposed.                      The Planning Proposal application is consistent.                      The Planning Proposal is consistent with objective (a) because the proposed Neighbourhood Centre will provide for a variety of employment-generating land uses that are intended to cater for daily convenience needs on a local scale. The Neighbourhood Centre is intended to allow for shops and SOHO buildings to encourage work-from-home opportunities where employment of non-residents is also permitted.                      The Planning Proposal is consistent each objective (b) because it is small scale and intended to mostly serve passing opportunistic trade. Therefore, it will not detract from the trade focused on larger areas of land zoned for business and industrial use.                      The Planning Proposal is consistent with objective (c) because it will be limited in scale and the type of services available. The new residential land will increase the local population visiting Bowral regional centre for the majority of goods and services.                      For these reasons the Planning Proposal is consistent with Direction 1.1.</p>
<p>1.2 Rural Zones</p>	<p><b>Objective:</b>  <i>To protect the agricultural production value of rural land</i></p> <p>Clause 4(a) of the Direction applies to all planning authorities.                      Clause 4(b) does not apply to Wingecarribee LGA                      The Direction applies when a Planning Proposal affects land within and existing or proposed rural zone.</p>	<p>This Planning Proposal application does not affect land within an existing or proposed rural zone.                      The Direction does not apply.</p>
<p>1.3 Mining, Petroleum Production and Extraction Industries</p>	<p><b>Objective:</b>  <i>To ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</i></p>	<p>This Planning Proposal application will not have the effects which would trigger the Direction.                      The Direction does not apply.</p>

	<p>The Direction applies to all relevant Planning Authorities.</p> <p>The Direction applies when an LEP amendment would have the effect of:</p> <ul style="list-style-type: none"> <li>(a) <i>prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</i></li> <li>(b) <i>restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</i></li> </ul>	
<p>1.4 Oyster Aquaculture</p>	<p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>(a) <i>to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal</i></li> <li>(b) <i>to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers</i></li> </ul> <p>The Direction applies to Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area as identified in the NSW Oyster Industry Sustainable Aquaculture Strategy (2006) (“the Strategy”).</p>	<p>Tyraquay and immediate surrounds area not Priority Oyster Aquaculture Areas and oyster aquaculture is not proposed as part of this application.</p> <p>The Direction does not apply.</p>
<p>1.5 Rural Lands</p>	<p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>(a) <i>protect the agricultural production value of rural land,</i></li> <li>(b) <i>facilitate the orderly and economic use and development of rural lands for rural and related purposes,</i></li> <li>(c) <i>assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,</i></li> <li>(d) <i>minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,</i></li> <li>(e) <i>encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land</i></li> <li>(f) <i>support the delivery of the actions outlined in the New South Wales Right to Farm Policy.</i></li> </ul> <p>The Direction applies to Wingecarribee LGA.</p> <p>The Direction applies when an LEP amendment:</p> <ul style="list-style-type: none"> <li>3(a) <i>will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or</i></li> <li>3(b) <i>changes the existing minimum lot size on land within a rural or environment protection zone.</i></li> </ul> <p>When Part 3(a) to the Direction applies, a Planning Proposal must:</p> <ul style="list-style-type: none"> <li>(a) <i>be consistent with any applicable strategic plan, including regional and district plans endorsed by the Secretary of the Department of Planning and Environment, and any applicable local strategic planning statement</i></li> </ul>	<p>Direction 1.5 applies because the Planning Proposal seeks to change the land to which environmental protection zones applies.</p> <p>3(a) applies because the LEP amendments seek to change the boundaries of land in Zone E2 and Zone E3.</p> <p>3(b) applies because the LEP amendments seek to change the minimum lot size that currently applies to land in Zone E2 and Zone E3.</p> <p>The Planning Proposal application is consistent with Direction 1.5 Part 3(a) because:</p> <ul style="list-style-type: none"> <li>(a) The Planning Proposal is consistent with the SCCRS (see <b>Section 5.8.1.2</b>) and the SETRP (see <b>Section 5.8.1.1</b>)</li> <li>(b) The Planning Proposal acknowledges the intent of various strategic plans to identify and protect agriculture and primary production (see <b>Section 3.12</b>)</li> <li>(c) The Planning Proposal will improve biodiversity, protect <i>E.Macarthurii</i> and habitat trees, preserve a Scar Tree and improve water quality. (see <b>Appendices B, D and H</b> for details).</li> <li>(d) Land capability assessment has been demonstrated throughout this application. Further</li> </ul>

- (b) consider the significance of agriculture and primary production to the State and rural communities*
- (c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources*
- (d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions*
- (e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities*
- (f) support farmers in exercising their right to farm*
- (g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land uses*
- (h) consider State significant agricultural land identified in State Environmental Planning Policy (Primary Production and Rural Development) 2019 for the purpose of ensuring the ongoing viability of this land*
- (i) consider the social, economic and environmental interests of the community*

When Part 3(b) of the Direction applies, a Planning Proposal must demonstrate that it:

- (a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses*
- (b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains*
- (c) where it is for rural residential purposes:*
  - i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres*
  - ii. is necessary taking account of existing and future demand and supply of rural residential land.*

detailed investigations are anticipated post-Gateway and prior to public exhibition. See **Section 0** and **Section 5.5** for details of Land Capability Assessment.

(f) The right to farm is supported. The Concept Plan seeks to establish a long term buffer along the river to protect viable agricultural holdings on the southern side of the river.

(g) The Proposal is focused on a consolidated area of land immediately adjoining the existing town edge. The development will reduce the pressure for subdivision of less suitable land and/or land of a smaller scale which may not be capable of delivering the infrastructure and services proposed. By comparison the current planning provisions allow 4 hectare lot sizes and fragmentation which could not viably support a high quality riparian network restoration.

(h) No land has yet been identified as State Significant Agricultural Lands.

(i) the interests of the community have been considered and the responses to community interests are detailed in **Section 5.12**.

The Planning Proposal is consistent with all requirements of Part 3(a) except (e) because the Planning Proposal does not promote opportunities for investment in rural economic activities. This is considered to be a minor issue of inconsistency as the Planning Proposal is neutral with respect to 3(a)(e) (and not actually inconsistent). The 'neutrality' with regard to 3(a)(e) is not anticipated to prevent the Minister or his delegate to issue a Gateway approval.

The Planning Proposal is consistent with 3(b)(a) because, as a consolidated urban release area with a variety of housing forms, it will assist in timely delivery of new housing at the same time as reducing the pressure for scattered fragmentation of other land more suited to primary production. In addition, this Planning Proposal will establish a long term riparian corridor buffer to rural lands on the southern side of the river.



The NOTE to Direction 1.5 states as follows:

*Note: where a planning authority seeks to vary an existing minimum lot size within a rural or environment protection zone, it must also do so in accordance with the Rural Subdivision Principles in clause 5.16 of the relevant Local Environmental Plan.*

The Planning Proposal is consistent with 3(b)(b) as it will have no impact on productivity of rural land enterprises, rural infrastructure or supply chains supporting primary production. Tyraquay currently holds a water extraction license. This license could be reallocated to a genuine primary production enterprise if the Minister were to consider this appropriate to achieve consistency with Direction 1.5.

The Planning Proposal is consistent with 3(b)(c) in that the rural residential component of the concept plan as it will be serviced to urban standards and is proposed as a transition in density to riparian lands. The inclusion of large lot 'Hamlet-style' lots is a reflection of the character and setting of the edges of Bowral township where large lot residential housing is typically located.

Clause 5.16 to WLEP 2010 contains the following Rural Subdivision Principles for minimizing land use conflict in rural, environmental and residential zones:

- (a) *the existing uses and approved uses of land in the vicinity of the development,*
- (b) *whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,*
- (c) *whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),*
- (d) *any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).*

The minimum lot size changes in the Planning Proposal have been selected with consideration to the above-listed matters as follows:

- buffers and setbacks will apply to Moidart to the west
- buffers and setbacks and APZs will apply to the restored riparian corridors
- the masterplanned concept shows adjoining land to the east is potentially capable of accommodating greenfield development in a similar manner to Tyraquay

- a permanent green buffer along the river will protect the potential for primary production on rural properties to the south of the river

2. Environment and Heritage		
2.1 Environment Protection Zones	<p><b>Objective:</b> <i>To protect and conserve environmentally sensitive areas.</i></p> <p>The Direction applies to all relevant planning authorities. The Direction applies to the preparation of all planning proposals.</p> <p><b>Requirements:</b> <i>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</i></p> <p><i>(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”.</i></p>	<p>The Planning Proposal is consistent with Direction 2.1 for the following reasons:</p> <ul style="list-style-type: none"> <li>&gt; It does not change the manner in which Clause 5.10 and Schedule 5 to WLEP apply</li> <li>&gt; It improves the protection and conservation of environmentally sensitive areas. Currently the majority of the Tyraquay site is within Zone E3 however there are no specific measures in place for conservation and management of ecological assets. This Planning Proposal will put in place a VMP, a CHMP, potentially an offsetting requirement subject to further investigation</li> <li>&gt; It increases the area in Zone E2 which will be more effective in the conservation of land with environmental attributes.</li> <li>&gt; Zoning changes are proposed to accurately reflect evidence-based investigations of the ecological significance of the land.</li> <li>&gt; The riparian network is to be contained in a single allotment under a VMP for long term improvements and maintenance.</li> </ul> <p>See <b>Section 3.8</b> and <b>Appendix H</b> for details.</p>
2.2 Coastal Management	<p><b>Objective:</b> <i>To protect and manage coastal areas of NSW</i></p> <p>The Direction applies to land that is within the coastal zone, as defined under the Coastal Management Act 2016.</p>	<p>The Direction does not apply to the site.</p>
2.3 Heritage Conservation	<p><b>Objective:</b> <i>To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i></p> <p>The Direction applies to all relevant planning authorities. The Direction applies to the preparation of all planning proposals.</p> <p><b>Requirements:</b> A planning proposal must contain provisions that facilitate the conservation of:</p>	<p>The Direction applies.</p> <p>The Planning Proposal is consistent with Direction 2.3 because:</p> <ul style="list-style-type: none"> <li>- It will not change the current provisions of clause 5.10 to WLEP 2010</li> <li>- It will protect the Scar Tree in accordance with a CHMP to be</li> </ul>

	<p>a) <i>items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</i></p> <p>b) <i>Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</i></p> <p>c) <i>Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</i></p>	<p>developed post-Gateway and prior to public exhibition</p> <ul style="list-style-type: none"> <li>- More detailed investigations of Aboriginal heritage will be conducted post-Gateway and prior to public exhibition to ensure all aspects of Aboriginal archaeology and cultural heritage are considered in the final form of the LEP amendments</li> </ul>
<p>2.4 Recreation vehicle areas</p>	<p><b>Objective:</b> <i>To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles</i></p> <p>The Direction applies to all relevant planning authorities. The Direction applies to the preparation of all planning proposals.</p> <p><b>Requirements:</b> <i>A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983):</i></p> <p><i>(a) where the land is within an environmental protection zone,</i> <i>(b) where the land comprises a beach or a dune adjacent to or adjoining a beach,</i> <i>(c) where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority has taken into consideration:</i></p> <p><i>(i) the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985, and</i> <i>(ii) the provisions of the guidelines entitled Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985.</i></p>	<p>The planning proposal is consistent with this Direction. It does not enable land to be developed for a recreational vehicle area.</p>
<p>2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</p>	<p><b>Objective:</b> <i>To ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast</i></p> <p>The Direction applies to the local government areas of Ballina, Byron, Kyogle, Lismore and Tweed.</p>	<p>The Direction does not apply to Wingecarribee LGA.</p>
<p>2.6 Remediation of Contaminated Land</p>	<p><b>Objective:</b> <i>(1) The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</i></p>	<p>A Detailed Site Investigation is currently being undertaken for the site. The masterplan will be adjusted to suit the findings of that assessment if required. Consistency with this Direction will be confirmed as soon as the DSI is completed and this</p>



**Where this direction applies**

(2) *This direction applies to:*

- (a) *land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997,*
- (b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
- (c) *the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:*
  - (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
  - (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

**When this direction applies**

(3) *This direction applies when a planning proposal authority prepares a planning proposal applying to land specified in paragraph (2).*

*What a planning proposal authority must do if this direction applies*

(4) *A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land specified in paragraph (2) if the inclusion of the land in that zone would permit a change of use of the land, unless:*

- (a) *the planning proposal authority has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and*
- (c) *if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.*

*In order to satisfy itself as to paragraph (4)(c), the planning proposal authority may need to include certain provisions in the local environmental plan.*

(5) *Before including any land specified in paragraph (2) in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.*

**Note:** *In this direction, contaminated land planning guidelines means guidelines under clause 3 of Schedule 6 to the Environmental Planning and Assessment Act 1979.*

application can be reviewed in light of the findings and recommendations.

<b>3. Housing, Infrastructure and Urban Development</b>		
3.1 Residential Zones	<p><b>Objectives:</b></p> <p>(a) <i>to encourage a variety and choice of housing types to provide for existing and future housing needs,</i></p>	<p>This proposal is consistent with this Direction.</p> <p>The proposal meets the objectives in the following ways:</p>

	<p>(b) <i>to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i></p> <p>(c) <i>to minimise the impact of residential development on the environment and resource lands.</i></p> <p>The Direction applies to all relevant planning authorities.</p> <p>The Direction applies to all planning proposals.</p> <p><b>Requirements:</b></p> <p>(4) <i>A planning proposal must include provisions that encourage the provision of housing that will:</i></p> <p>(a) <i>broaden the choice of building types and locations available in the housing market, and</i></p> <p>(b) <i>make more efficient use of existing infrastructure and services, and</i></p> <p>(c) <i>reduce the consumption of land for housing and associated urban development on the urban fringe, and</i></p> <p>(d) <i>be of good design.</i></p> <p>(5) <i>A planning proposal must, in relation to land to which this direction applies:</i></p> <p>(a) <i>contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</i></p> <p>(b) <i>not contain provisions which will reduce the permissible residential density of land.</i></p>	<ul style="list-style-type: none"> <li>&gt; implementing measures for housing diversity (see <b>Section 3.14</b> and <b>Section 5.5.3</b>).</li> <li>&gt; efficiently extending existing essential services and infrastructure from adjoining residential land (see <b>Section 3.7</b>, <b>Section 3.10</b> and <b>Appendix E</b> and <b>Appendix I</b>).</li> <li>&gt; represents a greenfield urban release area which will establish a permanent town edge to conserve rural and scenic value lands beyond</li> <li>&gt; is a consolidated greenfield site at the urban edge which will reduce pressure for fragmentation of land elsewhere in the LGA</li> <li>&gt; applies a variety of mechanisms for protection and enhancement of riparian land</li> <li>&gt; A site-specific DCP will emphasise good design consistent with the desired future character of the Bowral locality</li> <li>&gt; In accordance with the Letter of Offer and Clause 6.1 to WLEP 2010 development will not proceed unless and until infrastructure provision has been resolved.</li> </ul> <p>The proposal does not reduce residential densities. The proposed residential densities (lot sizes) are comparable to the existing density of residential development in Bowral and the provisions anticipated by the pending Medium Density Housing Code.</p>
<p>3.2 Caravan Parks and Manufactured Home Estates</p>	<p><b>Objectives:</b></p> <p>(a) <i>to provide for a variety of housing types, and</i></p> <p>(b) <i>to provide opportunities for caravan parks and manufactured home estates</i></p> <p>This Direction applies to all land except reserves created under the <i>Crown Lands Act 1989</i> and <i>National Parks and Wildlife Act, 1974</i>.</p> <p>This Direction applies to all planning proposals.</p> <p><b>Requirements:</b></p>	<p>The planning proposal is consistent with this Direction.</p> <p>It does not change the current provisions of WLEP (2010) in any way that would reduce land available for caravan parks and MHE.</p>

	<p><i>(4) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</i></p> <p><i>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</i></p> <p><i>(b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.</i></p> <p><i>(5) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</i></p> <p><i>(a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located,</i></p> <p><i>(b) take into account the principles listed in clause 9 of SEPP 36 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and</i></p> <p><i>(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the Community Land Development Act 1989 be permissible with consent.</i></p>	
<p>3.3 Home Occupations</p>	<p><b>Objectives:</b></p> <p><i>To encourage the carrying out of low-impact small businesses in dwelling houses.</i></p> <p>The Direction applies to all relevant planning authorities.</p> <p>The Direction applies to all planning proposals.</p> <p><b>Requirements:</b></p> <p><i>Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent</i></p>	<p>The planning proposal is consistent with this Direction.</p> <p>It does not change the current provisions of WLEP (2010) regarding home occupations being permitted without consent in a dwelling house.</p>
<p>3.4 Integrating Land Use and Transport</p>	<p><b>Objectives:</b></p> <p><i>To ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i></p> <p><i>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</i></p> <p><i>(b) increasing the choice of available transport and reducing dependence on cars, and</i></p> <p><i>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i></p> <p><i>(d) supporting the efficient and viable operation of public transport services, and</i></p> <p><i>(e) providing for the efficient movement of freight.</i></p> <p>The Direction applies to all relevant planning authorities.</p> <p>The Direction applies when a planning proposal will <i>create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</i></p> <p><b>Requirements:</b></p>	<p>This proposal is consistent with this Direction.</p> <p>The proposal provides new homes within 2.5km radius of e Bowral town centre and is efficiently and safely connected to local roads and pathway networks.</p> <p>The proposal will facilitate a new bus route and new bus stops on a master planned scale and in the interim for Tyraquay through part of the site.</p> <p>New shared pathways are proposed throughout the site and connecting the site with a potential corridor along the river and looping back to Kangaloon Road and the Bowral share path network.</p> <p>The Neighbourhood centre is intended to reduce the number and length of daily trips.</p>



- (4) *A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:*
- (a) *Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and*
- (b) *The Right Place for Business and Services – Planning Policy (DUAP 2001).*

The pathway network provides alternative movement options to private vehicles for new residents.

There will be no impact on freight routes and capacity.

The proposal is consistent with *Improving Transport Choice – Guidelines for planning and development (DUAP 2001)* in the following ways:

Meets Key Concepts of:

- Convenience – share paths are within 100m of all proposed residential lots and all pathways connect with public open space, the neighbourhood centre and the existing network in Eridge Park road

- Information – pathways will be clearly legible in the streetscape

- Proximity – paths are within 200m of all future dwellings. Bus stops can be located within 400m of half the lots in the concept plan

- Destination choice – pathways lead to open space, residential land and neighbourhood centre as well as the broader Bowral network. Extension of Bus route 815 will connect with the East Bowral route including the town centre and railway station

- Directness – Bus route 815 is an efficient connection to the town centre

- Security – pathway options are onroad and offroad. Paths within the road carriageway will benefit from street lighting and safe separation from traffic and direct lines of sight. Offroad pathways will be subject to CPTED design considerations with further detail at Development Application stage.

Meets the relevant Accessible Principles of:

- Concentration in centres – Bowral is a regional centre and the site is within 2.5km of the commercial centre of Bowral. The proposed neighbourhood centre is centrally located to new residential lots and the proposed regionally significant recreation space to be created on the river foreshore.

- Link public transport with land use strategies – new residential lots have the potential to be in close

proximity to Bus Route 815 and close to Bowral rail station

- Improve pedestrian access – extensive pathway network to be provided as shown in concept plan in **Section 3.15**.

- Improve cycle access - extensive pathway network to be provided as shown in concept plan in **Section 3.15**.

- Improve road management – **Appendix I** demonstrates traffic generation will be within the safe operating capacity of the existing public road network

- Implement good urban design – a site-specific DCP is anticipated to be developed post-Gateway and pre-exhibition to demonstrate good urban design. Road hierarchy and movement network connections will be designed in further detail with a site-specific DCP

Meets the relevant recommendations for Housing being:

- adjoining the existing urban footprint of East Bowral/Burradoo

- within 5km of an existing railway station

- includes mix of housing densities

- can be staged in accordance with details to be developed in a site-specific DCP for the installation of pathways and potential bus routes in a serviceable and efficient manner and provide opportunities for alternatives to private vehicles at the earliest stages of occupation and use

- neighbourhood employment opportunities are included in the Neighbourhood Centre

Meets the relevant requirements for Practice issues and Initiatives:

- coordination and consultation will be undertaken with referrals to RMS and input from the community during public exhibition

- focused consultation with Berrima Bus services is anticipated in the preparation of a site-specific DCP prior to public exhibition

		<ul style="list-style-type: none"> <li>- accessible pathways mapping within the public road reserve and future public open space will be identified with the site-specific DCP with particular attention to providing accessible routes for future staff and residents of the seniors housing site</li> <li>- pedestrian and bike paths to be identified in the site-specific DCP and itemized in future VPAs with the intention of demonstrating compliance with walkable catchment planning</li> <li>- street and road design standards to be included in the site-specific DCP</li> </ul> <p>The proposal is consistent with the relevant provisions of <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i>. The Policy focused more on major business and service land uses and centres which generate demand for transport. This proposal is consistent with the Policy by providing a neighbourhood hub for daily convenience needs and work-from-home opportunities to reduce demand for travel.</p>
<p>3.5 Development near Regulated Airports and Defence Airfields</p>	<p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li><i>(a) to ensure the effective and safe operation of regulated airports and defence airfields</i></li> <li><i>(b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and</i></li> <li><i>(c) to ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</i></li> </ul> <p>This Direction applies to all planning authorities.</p> <p>This Direction applies to planning proposals <i>that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.</i></p>	<p>This Direction does not apply to this Planning Proposal.</p>
<p>3.6 Shooting Ranges</p>	<p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li><i>(a) to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range,</i></li> <li><i>(b) to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land,</i></li> <li><i>(c) to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</i></li> </ul> <p>This Direction applies to all planning authorities.</p> <p>This Direction applies to planning proposals <i>that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.</i></p>	<p>This Direction does not apply to this Planning Proposal.</p>



<p>3.7 Reduction in non-hosted short term rental accommodation period</p>	<p><b>Objectives:</b> <i>(a) mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced, and</i> <i>(b) ensure the impacts of short-term rental accommodation and views of the community are considered.</i></p> <p>This Direction applies to Byron Shire Council.</p>	<p>This Direction does not apply to this Planning Proposal.</p>
<p><b>4. Hazard and Risk</b></p>		
<p>4.1 Acid Sulfate Soils</p>	<p><b>Objective:</b> <i>to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils (ASS)</i></p> <p>This Direction applies to all land with probability of containing ASS.</p> <p>This Direction applies to planning proposals <i>that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.</i></p>	<p>This Direction does not apply to this Planning Proposal as the site is not mapped as likely to contain ASS.</p>
<p>4.2 Mine Subsidence and Unstable Land</p>	<p><b>Objective:</b> <i>To prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</i></p> <p>This Direction applies to land that: <i>(a) is within a Mine Subsidence District proclaimed pursuant to section 15 of the Mine Subsidence Compensation Act 1961, or</i> <i>(b) has been identified as unstable land.</i></p>	<p>This Direction does not apply to this Planning Proposal as the land is not within a Mine Subsidence District and is not identified as unstable land.</p>
<p>4.3 Flood Prone Land</p>	<p><b>Objectives:</b> <i>(a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</i> <i>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</i></p> <p>This Direction applies to all planning authorities responsible for flood prone land in their LGA.</p> <p>The Direction applies when a planning proposal <i>creates, removes or alters a zone or a provision that affects flood prone land.</i></p> <p><b>Requirements:</b> <i>(4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).</i> <i>(5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.</i> <i>(6) A planning proposal must not contain provisions that apply to the flood planning areas which:</i></p>	<p>This proposal can be demonstrated to be consistent with this Direction as the planning proposal progresses.</p> <p>The Planning Proposal is consistent with requirement (4) as demonstrated in <b>Appendix E</b> and <b>Section 3.6</b>, further investigations will be undertaken in accordance with <i>NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas)</i> post-Gateway determination and prior to public exhibition.</p> <p>Requirement (5) does not apply to the Planning Proposal because the site is not identified as a Flood Planning area in the map to WLEP 2010.</p> <p>The Planning Proposal can be consistent with requirement (6) because further investigations post-Gateway will inform a site-specific DCP to guide the</p>

	<p>(a) permit development in floodway areas,          (b) permit development that will result in significant flood impacts to other properties,          (c) permit a significant increase in the development of that land,          (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or          (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.</p> <p>(7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>(8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p>	<p>future site layout in accordance with requirement (6).</p> <p>The Planning Proposal can be consistent with requirement (7) as compliant flood planning levels will be identified post-Gateway and prior to public exhibition.</p> <p>The Planning proposal can be consistent with requirement (8) as detailed above.</p>
<p>4.4 Planning for Bushfire Protection</p>	<p><b>Objectives</b></p> <p>(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.</p> <p>This Direction applies to any LGA to which a bushfire prone land map has been prepared.          This Direction applies when a planning proposal affects land in or in proximity to land mapped as bushfire prone land.</p> <p><b>Requirements</b></p> <p>(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:</p>	<p>The proposal is consistent with this Direction.</p> <p>The preliminary Bushfire Risk Analysis report contained in <b>Appendix J</b> demonstrates there are presently no bushfire hazard areas within 140m of the Tyraquay site.</p> <p>The Bushfire Risk Analysis has been prepared with reference to Planning for Bushfire Protection 2006 and imminent changes to this document.</p> <p>The Bushfire Risk Analysis recommends APZs which have been used to determine the concept layout with adequate protection from future restored riparian areas and the Wingecarribee River corridor. The report also confirms that the connections to the public road network are compliant for firefighting access, egress and evacuation.</p> <p>The report recommends hydrant provisions to be included in the site-specific DCP provisions for utilities design and layout and these requirements will be contained in a site-specific DCP.</p> <p>The VMP for the environmental restoration works will include management of that land to asset protection standards that have been developed in collaboration with the Bushfire consultant and the</p>

	<ul style="list-style-type: none"> <li>(i) <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</i></li> <li>(ii) <i>an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,</i></li> <li>(b) <i>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,</i></li> <li>(c) <i>contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,</i></li> <li>(d) <i>contain provisions for adequate water supply for firefighting purposes,</i></li> <li>(e) <i>minimise the perimeter of the area of land interfacing the hazard which may be developed,</i></li> <li>(f) <i>introduce controls on the placement of combustible materials in the Inner Protection Area.</i></li> </ul>	<p>Ecological consultant (see <b>Section 3.11</b> and <b>Appendix J</b>, and <b>Section 3.8</b> and <b>Appendix H</b>).</p>
<p><b>5. Regional Planning</b></p>		
<p>5.1 Implementation of Regional Strategies</p>	<p><b>Objective</b> <i>To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies</i></p> <p>This Direction applies to land to which the following regional strategies apply:</p> <ul style="list-style-type: none"> <li>(a) <i>South Coast Regional Strategy (excluding land in the Shoalhaven LGA)</i></li> <li>(b) <i>Sydney–Canberra Corridor Regional Strategy</i></li> </ul> <p>This Direction applies to proposals on land to which the abovementioned strategies apply.</p> <p><b>Requirements</b></p> <ul style="list-style-type: none"> <li>(4) <i>Planning proposals must be consistent with a regional strategy released by the Minister for Planning.</i></li> </ul>	<p>The proposal is consistent with this Direction.</p> <p>The proposal is consistent with the SCCRS as explained in detail in <b>Section 2.5.1</b>, and <b>Section 5.8.1.2</b>.</p>
<p>5.2 Sydney Drinking Water Catchment</p>	<p><b>Objective:</b> <i>To protect water quality in the Sydney drinking water catchment.</i></p> <p>This Direction applies to the Sydney Drinking water catchment.</p> <p>This Direction applies to a <i>planning proposal that applies to land within the Sydney drinking water catchment.</i></p> <p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>(4) <i>A planning proposal must be prepared in accordance with the general principle that water quality within the Sydney drinking water catchment must be protected, and in accordance with the following specific principles:</i></li> <li>(a) <i>new development within the Sydney drinking water catchment must have a neutral or beneficial effect on water quality, and</i></li> </ul>	<p>The proposal is consistent with this Direction.</p> <p><b>Appendix D</b> demonstrates the Planning Proposal can meet the requirements of SLWCA and NorBE tests. WSUD site-specific requirements consistent with the requirements of WaterNSW are intended to form part of the site-specific DCP and will be developed post-Gateway and prior to public exhibition.</p> <p>The site is not part of the Special Areas, national parks, nature reserves or state conservation areas.</p>



	<p><i>(b) future land use in the Sydney drinking water catchment should be matched to land and water capability, and</i></p> <p><i>(c) the ecological values of land within a Special Area that is:</i></p> <p><i>(i) reserved as national park, nature reserve or state conservation area under the National Parks and Wildlife Act 1974, or</i></p> <p><i>(ii) declared as a wilderness area under the Wilderness Act 1987, or</i></p> <p><i>(iii) owned or under the care control and management of the Sydney Catchment Authority, should be maintained.</i></p> <p><i>(5) When preparing a planning proposal that applies to land within the Sydney drinking water catchment, the relevant planning authority must:</i></p> <p><i>(a) ensure that the proposal is consistent with State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011, and</i></p> <p><i>(b) give consideration to the outcomes of the Strategic Land and Water Capability Assessment prepared by the Sydney Catchment Authority, and</i></p> <p><i>(c) zone land within the Special Areas owned or under the care control and management of Sydney Catchment Authority</i></p>	<p>The Planning proposal is consistent with SEPP Sydney Drinking Water Catchment 2011 as detailed in <b>Section 5.8.3</b>.</p>
<p>5.3 Farmland of State and Regional Significance on the NSW Far North Coast</p>	<p><b>Objectives:</b></p> <p><i>(a) to ensure that the best agricultural land will be available for current and future generations to grow food and fibre,</i></p> <p><i>(b) to provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and</i></p> <p><i>(c) to reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas</i></p> <p>This Direction applies to LGAs that do not include Wingecarribee LGA.</p>	<p>This Direction does not apply to the Planning Proposal.</p>
<p>5.4 Commercial and Retail Development along the Pacific Highway, North Coast</p>	<p><b>Objectives:</b></p> <p><i>(a) to protect the Pacific Highway's function, that is to operate as the North Coast's primary inter- and intra-regional road traffic route;</i></p> <p><i>(b) to prevent inappropriate development fronting the highway;</i></p> <p><i>(c) to protect public expenditure invested in the Pacific Highway;</i></p> <p><i>(d) to protect and improve highway safety and highway efficiency;</i></p> <p><i>(e) to provide for the food, vehicle service and rest needs of travellers on the highway; an</i></p> <p><i>(f) to reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns</i></p> <p><i>This Direction applies to council areas on the north coast of NSW.</i></p>	<p>This Direction does not apply to the Planning Proposal.</p>
<p>5.9 North West Rail Link Corridor Strategy</p>	<p><b>Objectives:</b></p> <p><i>(a) promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL)</i></p>	<p>This Direction does not apply to the Planning Proposal.</p>

	<p><i>(b) ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.</i></p> <p>This Direction applies to land within the North West Rail Link Corridor.</p>	
5.10 Implementation of Regional Plans	<p><b>Objective:</b> <i>To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans</i></p> <p>This Direction <i>applies to land to which a Regional Plan has been released by the Minister for Planning</i></p> <p>This Direction applies to all planning proposals that apply to land mentioned above.</p> <p><b>Requirements:</b> <i>Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.</i></p>	The Planning Proposal is demonstrated to be compliant with the SETRP as detailed in <b>Section 5.8.1.1.</b>
5.11 Development of Aboriginal Land Council Land	<p><b>Objective:</b> <i>To provide for the consideration of development delivery plans prepared under State Environmental Planning Policy (Aboriginal Land) 2019 when planning proposals are prepared by a planning proposal authority.</i></p> <p>This Direction applies to all planning authorities.</p> <p>This Direction applies to a <i>planning proposal for land shown on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019.</i></p>	This Direction does not apply to the Planning Proposal.
<b>6. Local Plan making</b>		
6.1 Approval and Referral Requirements	<p><b>Objective:</b> <i>To ensure that LEP provisions encourage the efficient and appropriate assessment of development</i></p> <p>This Direction applies to all relevant planning authorities.</p> <p>This Direction applies to all planning proposals.</p> <p><b>Requirements:</b></p> <p><i>(4) A planning proposal must:</i></p> <p><i>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</i></p> <p><i>(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></p> <p><i>(i) the appropriate Minister or public authority, and</i></p> <p><i>(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),</i></p> <p><i>(iii) prior to undertaking community consultation in satisfaction of section 57 of the Act, and</i></p> <p><i>(c) not identify development as designated development unless the relevant planning authority:</i></p>	The proposal is consistent with this Direction. The proposal does not invoke concurrence, consultation and referrals in addition to those already applicable.

	<ul style="list-style-type: none"> <li>(i) <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</i></li> <li>(ii) <i>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</i></li> </ul>	
<p>6.2 Reserving Land for Public Purposes</p>	<p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>(a) <i>to facilitate the provision of public services and facilities by reserving land for public purposes, and</i></li> <li>(b) <i>to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition</i></li> </ul> <p>This Direction applies to all relevant planning authorities. This Direction applies to all planning proposals.</p> <p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>(4) <i>A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).</i></li> <li>(5) – (9) <i>(Not applicable)</i></li> </ul>	<p>The proposal is consistent with this Direction. In accordance with (4) the proposal does not create, alter or reduce existing land for public purposes.</p>
<p>6.3 Site Specific Provisions</p>	<p><b>Objective:</b></p> <p>To discourage unnecessarily restrictive site specific planning controls This Direction applies to all relevant planning authorities. It applies to planning proposals that will allow a particular development to be carried out.</p> <p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>(4) <i>A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</i> <ul style="list-style-type: none"> <li>(a) <i>allow that land use to be carried out in the zone the land is situated on, or</i></li> <li>(b) <i>rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</i></li> <li>(c) <i>allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</i></li> </ul> </li> <li>(5) <i>A planning proposal must not contain or refer to drawings that show details of the development proposal.</i></li> </ul>	<p>This Planning Proposals seeks a particular development to be carried out in seeking inclusion of land in the Additional Permitted Uses schedule 1 to WLEP 2010. Specifically this Planning Proposal seeks an amendment to include shop top housing as permitted only with development consent on land proposed to be within Zone B1. This Additional Permitted Use is requested as the current land use tables to WLEP 2010 prohibit shop top housing in Zone B1. The Planning Proposal is consistent with the requirements because: - it seeks to allow shop top housing only on land in Zone B1 to which the Planning proposal applies; - it does not seek to change development standards of WLEP 2010 that otherwise apply to land in Zone B1 (as there are no consistent development standards for minimum lot size, height of buildings or floor space ratio for land in Zone B1 in the LGA)</p>



		<p>- will not propose any additional development standards to those already contained in WLEP 2010 for land in Zone B1</p> <p>- the planning proposal does not rely on reference to specific plans or drawings.</p>
<b>7. Metropolitan Planning</b>		
7.1 Implementation of A Plan for Growing Sydney	<p><b>Objective:</b> <i>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.</i></p> <p>This Direction applies to land that does not include Wingecarribee LGA.</p>	This Direction does not apply to the Planning Proposal.
7.2 Implementation of Greater Macarthur Land Release Investigation	<p><b>Objective:</b> <i>To ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan (the Preliminary Strategy)</i></p> <p>This Direction applies to land that does not include Wingecarribee LGA.</p>	This Direction does not apply to the Planning Proposal.
7.3 Parramatta Road Corridor Urban transformation Strategy	<p><b>Objective:</b> <i>(a) facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Toolkit,</i> <i>(b) provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community, and</i> <i>(c) guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure</i></p> <p>This Direction applies to land that does not include Wingecarribee LGA.</p>	This Direction does not apply to the Planning Proposal.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	<p><b>Objective:</b> <i>To ensure development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy (the Strategy).</i></p> <p>This Direction applies to land that does not include Wingecarribee LGA</p>	This Direction does not apply to the Planning Proposal.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	<p><b>Objective:</b> <i>To ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the interim Plan).</i></p> <p>This Direction applies to land that does not include Wingecarribee LGA</p>	This Direction does not apply to the Planning Proposal.
7.6 Implementation of Wilton Priority Growth	<p><b>Objective:</b></p>	This Direction does not apply to the Planning Proposal.

Area Interim Land Use and Infrastructure Implementation Plan	<p><i>to ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis</i></p> <p>This Direction applies to land that does not include Wingecarribee LGA</p>	
7.7 Implementation of Glenfield to Macarthur Urban Renewal corridor	<p><b>Objective:</b> <i>To ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts</i></p> <p>This Direction applies to land that does not include Wingecarribee LGA</p>	This Direction does not apply to the Planning Proposal.
7.8 Implementation of Western Sydney Aerotropolis Interim Land use and Infrastructure Implementation Plan	<p><b>Objective:</b> <i>To ensure development within the Western Sydney Aerotropolis is consistent with the Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan dated August 2018 (the Stage 1 Land Use and Implementation Plan).</i></p> <p>This Direction applies to land that does not include Wingecarribee LGA</p>	This Direction does not apply to the Planning Proposal.
7.9 Implementation of Bayside West Precincts 2036 Plan	<p><b>Objective:</b> <i>To ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West Precincts 2036 Plan (the Plan)</i></p> <p>This Direction applies to land that does not include Wingecarribee LGA</p>	This Direction does not apply to the Planning Proposal.
7.10 Implementation of the Planning principles for the Cooks Cove Precinct	<p><b>Objective:</b> <i>To ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles</i></p> <p>This Direction applies to land that does not include Wingecarribee LGA</p>	This Direction does not apply to the Planning Proposal.

## 5.9 Section C: Environmental, social and economic impact

### 5.9.1 Question 7: Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the proposal?

**Section 3.8** and **Appendix H** report on the ecological investigations and constraints affecting the site. Further investigations are recommended to be conducted post-Gateway and prior to public exhibition to prepare VMPs, POM and possible offsetting strategies to best manage and protect the threatened species *E.macarthurii* and the habitat trees identified within the Tyraquay property.

The area of land in Zone E2 is proposed to be increased to more appropriately establish land use zones that reflect ground-truthed environmental assets.

As a result of the Planning Proposal, habitat, communities and species will receive greater protection than is currently available.

### 5.9.2 Question 8: Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The net environmental impacts of the project are potentially positive and will be achieved through the following;

- > Creation of new public open spaces supported by POMs and VMPs
- > Improvements to existing public reserves through a VPA, POMs and VMPs
- > Opportunities for health and outdoor recreation with shared pathway networks linked to existing pathways and public roads
- > Improved stormwater management and water quality
- > New essential services and home design guidelines with sustainability performance measures
- > Bushfire asset protection measures that have been designed to allow for restoration of riparian vegetation and improve safety for existing residential areas
- > New bus stops and bus routes to service the site
- > Traffic and pedestrian movement patterns compatible with the safe operating capacity of the existing network

These positive environmental impacts will be managed with the following methods:

- > Land use zones and development standards more appropriate to the constraints and capabilities of the site and surrounds
- > Design guidelines and site-specific DCP provisions for micro-scale performance of dwelling design, infrastructure installation and WSUD
- > Plans of Management for public open spaces
- > VMPs and potential offsetting strategies informed by BAM and BDAR assessment methods.

### 5.9.3 Question 9: Has the Planning Proposal adequately addressed any social and economic effects?

The proposal provides the following social and economic benefits:

- > Dwelling density matched to accessibility and land capability in close proximity to established infrastructure, commercial and recreational services and facilities.
- > Job creation resulting from the works associated with the subdivision and servicing of the site and the provision of seniors housing.
- > Short and medium term job creation resulting from the development of housing on the site
- > Housing to suit a wide variety of household needs and day-to-day support services and facilities for recreation and neighbourhood-scale retail



- > Work-from-home and small speciality enterprise, retail and service opportunities with shop top housing and SOHO housing forms permitted in the neighbourhood centre.

#### 5.9.3.1 Community issues raised with LPS

Community Workshops conducted by Council in 2015-'16 as part of the public exhibition of the LPS identified issues of concern to the community in relation to the Bowral Township Precinct. The issues listed below are relevant to the Planning proposal and have been taken into consideration in the preparation of this Planning Proposal application. The list below includes comments specific to the Planning proposal application.

##### *Issue: Inadequate Public Transport, pedestrian and cycleway access, as well as inadequate infrastructure*

- > The community have identified the need for greater services and amenities in and around the Southern Highlands with specific focus placed on Bowral and Burradoo. The proposal will contribute to public facilities and amenities through construction of a pathway network to connect to existing pathways and provide a route suitable for extension of the Bus Route 815. Additionally, the landowners are open to working with Council to facilitate the development of bicycle routes from the Stage 1 Wingecarribee Bicycle Strategy (2008) along Eridge Park Road, and the Wingecarribee River.

##### *Issue: Planning for future housing options*

- > The community have flagged a number of improvements that be made to increase housing diversity in both Bowral and Burradoo including opportunities for new release areas and changes to Wingecarribee development control plan (2010) to improve quality housing that attracts alternate buyers and increase housing density around public parks.
- > This proposal will create diversity in the local housing market and a site-specific DCP focussed on character and design elements which will be subject to public exhibition and allow community input into the design process.

##### *Issue: Weak environmental management*

- > Concerns have been raised regarding the retention of green space around town boundaries and the increased incidence of rural land being fragmented.
- > This proposal significantly increases the area of land subject to more stringent environmental protection requirements with a large proportion of the site to become restored riparian areas in Zone E2 and public open space subject to POMs and VMPs with a sustained focus on restoring and managing environmental assets.

#### 5.9.3.2 Wingecarribee Council Community Satisfaction Survey

In July 2017 Wingecarribee Council undertook a community survey to gain feedback on the effectiveness and efficiency of the council's operation in the shire. This survey examined community attitudes as well as perceptions towards current and proposed services and facilities.

The main objectives of the survey are as follows:

- > Assessing and establishing the community's priorities and satisfaction in relation to Council activities, services, and facilities
- > Identifying the community's overall level of satisfaction with Council's performance
- > Identifying the community's level of satisfaction with prompted statements surrounding response timeliness
- > Identifying the community's level of satisfaction with communication and engagement with Council

The outcomes enabled council to identify key areas in need of improvement based on community attitudes and satisfaction. The 10 key objectives set out by council can be ranked in terms of performance gaps. The performance gaps in descending order of importance to the community are:

1. Condition of local roads
2. Availability of car parking in the town and village centres
3. Managing development and growth
4. Local traffic management

5. Provision and quality of footpaths
6. Provision and quality of cyclepaths
7. Providing adequate drainage
8. Litter control and rubbish dumping/enforcement of development and building regulations
9. Encouraging waste reduction initiatives
10. Opportunities to participate in Council decision making

**Appendix I** demonstrates the proposal will be compatible with the safe operating capacity of the local road network.

**Appendix I** also demonstrates the potential for extending Bus Route 815 and potential to link pathways to create a Bowral town loop connected to the railway station and town centre. These alternative transport options can reduce the pressure for parking in the town centre.

**Appendix D** and **Appendix E** demonstrate the potential for substantial improvements to existing drainage and riparian areas. In particular, an existing uncontrolled drainage channel near the western boundary of the site is targeted for major restoration and implementation of WSUD methods to greatly improve the function of this channel to treat and improve water quality from parts of the urban areas of Burradoo.

## 5.10 Section D: State and Commonwealth Interests

### 5.10.1 Question 10: Is there adequate public infrastructure for the Planning Proposal?

The site is currently not serviced to cater for urban development.

**Section 3.7** and **Appendix E** demonstrate that all essential services can be connected to the future residential uses on the site through standard extension and augmentation of infrastructure. The proposal will include the construction of water, sewer, electricity and communication services to connect the site into the surrounding network and will likely result in improvements to existing service and utilities available to established urban areas in the locality.

The traffic generated by future residential development will not detrimentally impact on the safe and efficient operation of the local road network (see **Section 3.10** and **Appendix I**).

As stated in 'A guide to preparing planning proposals':

*"(f)for planning proposals likely to place additional demands on public infrastructure, this section will be developed following gateway determination and consultation with the public authorities responsible for the provision of that infrastructure".*

The Planning Proposal application intends to implement concurrent VPAs for State and local public services and facilities. As the public benefits to be delivered are expected to be developed in consultation with DPIE, utility and service providers and Council, the specific details are not included in this application. The landowners are willing to work with Council to develop an infrastructure plan consistent with the DSP.

Ideas for public benefits are discussed in **Section 5.5.11**.

### 5.10.2 Question 11: What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination?

State and Commonwealth Public Authorities have not yet been consulted.

Consultation requirement with agencies would occur as directed by the Gateway process.

It is anticipated that consultation with the following agencies would be required:

- > NSW Roads and Maritime Service
- > Office of Environment and Heritage
- > NSW Heritage Office
- > Water NSW
- > Utility and service providers.

## 5.11 Part 4 – Mapping

For maps of the proposed amendments to WLEP 2010 see **Section 5.4.1**.

## 5.12 Part 5 - Community Consultation

An Engagement Plan will be developed post-Gateway and prior to public exhibition. The Engagement Plan is expected to be consistent with the engagement procedures identified in Council's adopted Policy for Planning Proposal Applications includes a pre-lodgement notification and Councillor consultation process prior to a Council consideration of the gateway process.

Post-Gateway, it is anticipated the statutory 28-day notification period will be undertaken by Council to allow the community to engage with the proposal if Council has the role as a RPA.

Should the application require a Pre-Gateway Review application, it is anticipated the Gateway process will prescribe a 28-day notification period.

## 5.13 Part 6 – Project Timeline

	Timeframe	Possible Dates
Submit application for Planning Proposal to Wingecarribee Shire Council	Week 1	August 2020
Council resolution on Planning Proposal application	Week 13 (90 days)	November 2020
Submit planning proposal to NSW Department of Planning and Environment seeking Gateway determination	Week 14	November 2020
Receive gateway determination	Week 18	December 2020
Preparation of any additional studies and pre-exhibition consultation (if required)	Weeks 18 to 22	December/January 2020/2021
Exhibition of Planning Proposal and supporting studies	Weeks 23 to 27	January/February 2021
Date of Public Hearing	N/A	N/A
Review of submissions and prepare post-exhibition report to Council	Weeks 28 and 29	February 2021
Report to Council post-exhibition	Weeks 30 to 34	February/March 2021
Submission to Parliamentary Counsel Office for draft LEP amendment	6 weeks from date of submission to Parliamentary Counsel	May 2021
Anticipated date for LEP finalised and published	6 weeks from date of submission to DPE and Minister	July 2021



## 6 Conclusions and Recommendations

The planning proposal application is consistent with the requirements of:

- > *Environmental Planning and Assessment Act 1979 and Regulation 2000*
- > Standard Instrument (Local Environmental Plans) Order 2006 and Standard Instrument—Principal Local Environmental Plan
- > A Guide to preparing Local Environmental Plans – Department of Planning and Environment (DPE) (December 2018)
- > A Guide to Preparing Planning Proposals – DPE (December 2018)
- > Various Practice Notes and Planning Circulars issued by the DPE as referenced throughout the report
- > Draft Urban Design Guide for Regional NSW (GAO and DPE 2018)
- > Better Places (GAO and DPE 2018)
- > Wingecarribee Shire Council's adopted Planning Proposal Guidelines.

The proposed development concept and LEP amendments match the objectives and goals of:

- > The South East Tablelands Regional Plan 2036
- > The Sydney Canberra Corridor Regional Strategy
- > The matters previously raised by Council and the community in preparation of the Wingecarribee Local Planning Strategy 2015-2031.
- > The priorities and actions of the draft LSPS and LHS for Wingecarribee.

The proposal is consistent with the applicable Ministerial Directions and relevant State Environmental Planning Policies.

The proposal is supported by a detailed understanding of stakeholder concerns raised in the past regarding strategic land use planning and potential growth in and around Bowral regional centre.

Land capability analysis demonstrates Tyraquay and the broader master plan area are well capable of accommodating an urban release area. Measurable beneficial impacts are potentially achievable in terms of:

- > Housing supply, diversity and affordability
- > Efficient delivery and upgrade of utilities and infrastructure
- > SMART infrastructure and design opportunities
- > Open space provision in excess of adopted benchmarks for greenfield urban release areas
- > Protection and restoration of riparian corridors
- > Improvements to water quality within the site and in the drinking water catchment
- > Improvements to transport and movement options
- > Protection of endangered species, habitat trees and an Aboriginal Scar tree
- > Coordinated and timely redevelopment controlled by a site-specific DCP, VPA and SIC.

This Planning Proposal illustrates that the Concept Plan is entirely suitable for Tyraquay.

The proposal also has notable strategic planning merit as the first stage in a master planned broader area.

This application will set an outstanding precedent with measurable performance and sustainability targets. This proposal will set a higher standard for urban redevelopment projects in the Wingecarribee and greater Southern Highlands.

### 6.1 Recommendation

It is recommended that Wingecarribee Shire Council resolve to submit this documentation as a formal Planning Proposal to NSW Department of Planning and Environment with a request for a Gateway determination.

Given the recent release of the draft LSPS and LHS, and the demonstrated consistency of this proposal with those and other Council strategies, the Planning Proposal for Tyraquay presents Council with an opportunity to immediately progress the actions from those strategies. In particular, it falls entirely within the Bowral South NLA, which is proposed to support a substantial amount of sustainable residential growth for the region.

The draft LSPS is based upon sound strategic and environmental planning evidence to determine land capability and strategic benefits of land use dynamics and management of natural and cultural assets. Evidence based planning shows Tyraquay is highly suitable for greenfield urban development, and would form a logical first stage to the Bowral South NLA.

APPENDIX

A

CONCEPT MASTERPLAN - DRAFT



APPENDIX

# B

ABORIGINAL ARCHAEOLOGICAL  
SURVEY REPORT

APPENDIX

C

HISTORICAL HERITAGE ASSESSMENT

APPENDIX

D

WATER CYCLE MANAGEMENT  
STUDY



APPENDIX

E

SERVICE UTILITY INVESTIGATION

APPENDIX

F

GROUNDWATER ASSESSMENT

APPENDIX

G

PRELIMINARY GEOTECHNICAL AND  
CONTAMINATION ASSESSMENT



APPENDIX

H

PRELIMINARY ECOLOGICAL  
INVESTIGATION

# APPENDIX

## I

# TRAFFIC IMPACT ASSESSMENT

APPENDIX

J

BUSHFIRE ASSESSMENT



## About Cardno

Cardno is a professional infrastructure and environmental services company, with expertise in the development and improvement of physical and social infrastructure for communities around the world. Cardno's team includes leading professionals who plan, design, manage and deliver sustainable projects and community programs. Cardno is an international company listed on the Australian Securities Exchange [ASX:CDD].

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