

Minutes of the Wollondilly Local Planning Panel held in the
Council Chamber, 62-64 Menangle Street, Picton, on Thursday 26 July 2018

Sustainable and Balanced GROWTH Reports

LOCAL PLANNING PANEL REPORTS - SUSTAINABLE AND BALANCED GROWTH

1. Draft Planning Proposal – Heritage Housekeeping Amendments

DEVELOPMENT INFORMATION

Reason for LLP referral	To comply with the Local Planning Panels Direction for Planning Proposals
DA No:	TRIM 8738
Subject Site	Various
Proposal	Draft Planning Proposal to correct inaccuracies in Schedule 5 and the associated Heritage Map in the Wollondilly Local Environment Plan 2011
Zoning	Various
Permissibility	Various
Cost of Development	N/A
Applicant	Wollondilly Shire Council
Owner	Various
Notification	June 2017 & February 2018
Submissions	1
Variations	N/A
Site Inspection	N/A
Recommendation	Referred for advice

EXECUTIVE SUMMARY

- The purpose of this report is to seek the Panel's advice on a proposed Council initiated planning proposal for housekeeping amendments to *Wollondilly Local Environmental Plan 2011* to correct and/or update provisions as they apply to individual heritage.
- The changes are necessary to ensure adequate protection of heritage items and landscapes and also to remove unnecessary statutory burdens where there are no heritage items.
- This matter has been referred to the Panel for advice in accordance with Section 2.19 of the *Environmental Planning & Assessment Act 1979*.
- It is requested that the Local Planning Panel provide advice on the proposed Heritage Housekeeping Planning Proposal for various sites to amend the *Wollondilly Local Environmental Plan 2011* ahead of a report to Council.

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Public Submissions

There were no submitters for this item.

Panel Commentary

- The Panel did not undertake site inspections due to the number of items in the planning proposal and the general 'housekeeping' nature of the proposal.
- The Panel was addressed by Council's Acting Director Planning, Manager Sustainable Growth and Strategic Planning Team Leader.
- In reviewing the Draft Planning Proposal, the Panel noted:
 - That the matter had not yet been reported to Council and that formal community consultation has not yet been undertaken.
 - That with the exception of landowners within the proposed extension of the Menangle Landscape Conservation Area (MLCA), all affected landowners had been contacted by Council during the preparation of the Draft Planning Proposal.
 - That only one written submission had been received which was in support of the Draft Planning Proposal
 - That with the exception of the MLCA and two items relating to amendments to the land zoning map, as it affected St Mark's Anglican Church, Picton and St Luke's Anglican Church, Wilton, the proposed amendments are all minor changes to correct weaknesses in the Local Environmental Plan.
 - That no new heritage items are proposed under this Draft Planning Proposal and that to date, no specialists studies have been undertaken.
- The Panel was advised that Council considered this Planning Proposal appropriate to address current deficiencies as a comprehensive review of the Local Environmental Plan is to be undertaken within the next two years.
- The Panel was satisfied that the previously refused Planning Proposal referred to in the report was pre-emptive of the release of the Macarthur growth area and was therefore not relevant to the matter before the Panel.
- The Panel noted that its role in providing this advice was in accordance with the Local Planning Panels Direction – Planning Proposals under Section 9.1 of the *Environmental Planning & Assessment Act 1979*.

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Decision

That the Wollondilly Shire Local Planning Panel supports the progression of the Draft Planning Proposal to the Gateway Determination, in accordance with the NSW Department of Planning and Environment Guidelines, subject to Council approval and with the following recommendations:

1. That the landowners in the Menangle Landscape Conservation Area (MLCA) extension area be advised of the preparation of the planning proposal prior to the reporting of the matter to Council, to ensure all landowners are given the same opportunity to comment.
2. That all landowners of land proposed to be included in the Draft Planning Proposal be notified and invited to attend when this item is listed at a Council Community Forum prior to being reported to Council.
3. That the Table of Changes to Schedule 5 (Attachment 1 in Report) be reviewed to ensure:
 - a. Where the places of public worship listed in this table have a special use zone, the correct land use description has been used.
 - b. The reference to curtilage in Item 187 be removed and replaced with a more descriptive reference.

Voting

The Panel voted 4/0

Advisory Notes

In addition, the Panel in discussion recognises the importance of the protection of Aboriginal Cultural Heritage and provides the following advisory note:

- That during the preparation of Council's next comprehensive Local Environmental Plan review, it explores the opportunity to work with senior members of its First Nations people to further its understanding of the Aboriginal Cultural Heritage of Wollondilly Shire and how to protect it.

WOLLONDILLY SHIRE COUNCIL

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Closing

CLOSING

There being no further business, the Chair declared the Wollondilly Shire Local Planning Panel Meeting closed at 6.12 pm.

This and the preceding seven pages are the Minutes of the Wollondilly Shire Local Planning Panel Meeting held on Thursday 26 July 2018 and were confirmed in the subsequent meeting held on Thursday 30 August 2018.

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Chair

Closing