

South Tahmoor and East Tahmoor Revised Precincts

Proposal Title :	South Tahmoor and East Tahmoor Revised Precincts		
Proposal Summary :	The South Tahmoor and East Tahmoor Revised Precincts Planning Proposal ('the subject proposal') seeks to rezone the remainder of the South Tahmoor and East Tahmoor precincts of the former Picton Tahmoor Thirlmere New Urban Lands Planning Proposal from Zone RU4 Primary Production Small Lots to Zone R2 Low Density Residential. The proposed rezoning will enable low density residential development.		
PP Number :	PP_2014_WOLLY_002_00	Dop File No :	13/20105

Proposal Details

Date Planning Proposal Received :	17-Jan-2014	LGA covered :	Wollondilly
Region :	Sydney Region West	RPA :	Wollondilly Shire Council
State Electorate :	WOLLONDILLY	Section of the Act :	55 - Planning Proposal
LEP Type :	Precinct		

Location Details

Street :	Bronzewing Street, Byron Road, Tahmoor Road, Progress Street, Greenacre Drive, Myrtle Creek Avenue and River Road Tahmoor		
Suburb :	Tahmoor	City :	Sydney
Land Parcel :	Various (see the property description on page 4 of the Planning Proposal document attached at Tag A).		
		Postcode :	2571

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro South West subregion	Consistent with Strategy :	Yes

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MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	730	No. of Dwellings (where relevant) :	730
Gross Floor Area :	0	No of Jobs Created :	0
The NSW Government Lobbyists Code of Conduct has been complied with : Yes			
If No, comment :			
Have there been meetings or communications with registered lobbyists? : No			
If Yes, comment : At this point in time, to the best of the regional team's knowledge, the Department's Code of Practice in relation to communications with lobbyists has been complied with.			

Supporting notes

Internal Supporting Notes : **The above estimated dwelling yield has been verbally advised by Council and will be significantly reduced if land is excluded due to odour/noise issues as recommended in this report.**

BACKGROUND

The subject land was originally part of the Picton Tahmoor Thirlmere New Urban Lands Planning Proposal ('the PTT proposal') but was excluded prior to exhibition after an odour study indicated that there would be significant odour impact from nearby Inghams poultry operations.

Council subsequently received updated odour advice (Tag B) from Inghams based on their own planning proposal to rezone two of their three poultry operations from rural to residential ('the Inghams proposal'). Consequently, Council has prepared the subject proposal to recommence the rezoning of the excluded parts of the South and East Tahmoor Precincts from rural to residential (Tag A). The subject land is shown at Tag C.

ODOUR STUDY

Inghams conducts three poultry operations at Tahmoor, consisting of a Turkey processing plant and two duck farms. The approximate location of these facilities is shown at Tag B. The Inghams proposal, which has been lodged with Council and is currently on preliminary exhibition, involves the closure of the two duck farms (subject to successful rezoning of its land), while the turkey processing plant will remain.

The potential future closure of the duck farms would remove the odour and noise impacts from those facilities, while the turkey processing plant will continue to create impacts. The extent of the odour impacts from the turkey processing plant are shown at Tag B. The dotted red line indicates a proposed 500 metre buffer around the primary odour source, i.e., the wastewater treatment ponds, and represents the area from which the odour study considers that future residential development should be excluded. The dotted black line indicates the cumulative impact from the key emission sources, which include the processing plant itself, however, this is not considered by the study to be the primary determinant of the proposed residential buffer. Similarly, noise from the turkey processing plant is not considered to be a significant issue by Council or Inghams.

When superimposed on a map of the subject land (Tag C), the proposed 500 metre odour buffer from the wastewater treatment ponds shows that several properties that are located within the western part of the East Tahmoor Precinct are affected. This is in addition to the 500m metre buffer that would apply to the duck farms if they remain. Note: Council's DCP currently requires a 500 metre buffer for residential development from poultry farms but not poultry processing plants.

INGHAMS' VIEWS

Inghams has expressed concern about the subject proposal, requesting that properties within the primary odour buffer be excluded. These properties are shown hatched in black on the map attached to Inghams' submission, i.e., nos. 36, 44 and 50 Progress Street, Tahmoor (Tag G - see page 62 of the included Council report). Note: the area shown hatched in black in Inghams' submission includes additional properties which do not form part of the subject proposal.

Inghams is also concerned that a large part of the East Tahmoor Precinct will be affected by the existing duck farms if the Inghams proposal does not proceed, as shown hatched in green on Inghams' map (Tag G). The buffer boundary for the farms has been supersimposed on a map of the subject land at Tag C.

MEETING

On 26 February 2014, officers from Metropolitan Delivery (Parramatta) met with Inghams and their planning consultant (Urbis) to discuss their concerns. Inghams reiterated the matters raised in their letter and advised that, if and when their land is rezoned, they intend to commence decommissioning of the duck farms and proceed with development.

Inghams indicated that the turkey processing plant represents an investment value of \$75M-\$80M and currently employs around 280 full time workers (excluding casual staff and contractors).

Inghams advised that its proposal would yield approximately 240 large residential lots and that a Council resolution on whether to support the proposal was expected by April 2014. The Department advised that it could not delay the South and East Tahmoor Revised Precincts Planning Proposal until the Council resolution.

Inghams emphasised that it had been working with Council for several years to progress its proposal and that its preference had always been for the East and South Tahmoor precincts (as wholes) to be jointly considered for rezoning with its own land but that Council had not supported this approach.

CONSIDERATION

The Proposal is supported, in principle, subject to the exclusion of land which is substantially located within the 500 metre buffers from Inghams' operations. Namely:

- in relation to the turkey processing plant: nos. 36, 44 and 50 Progress Street, Tahmoor, and

- in relation to the duck farms: land substantially within the area shown hatched in green on page 62 of the Council report attached to Ingham's submission (Tag G).

Note: This leaves only the remainder of the South Tahmoor Precinct and 5 allotments (3 of which will be split-zoned) in the East Tahmoor Precinct (Tag C refers).

It is considered that the amended proposal will provide some additional housing opportunities and choice in the Tahmoor area and will help to resolve the split zoning of land within the South and East Tahmoor Precincts.

DELEGATION

Council has requested delegation to exercise the Minister's plan making powers. However, in view of the circumstances of the case, it is not considered to be appropriate to accede to Council's request.

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment : The objective is to enable the development of the subject land for the purpose of low density housing.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment : It is proposed to facilitate the objectives by amending the following maps under Wollondilly LEP 2011 (as shown at Tag D):

1. Land Zoning Map
2. Lot Size Map
3. Height of Buildings Map
4. Natural Resource - Biodiversity Map
5. Natural Resource - Water Map
6. Urban Release Area Map

The proposed amendments are detailed below.

1. LAND ZONING MAP (Sheets LZN_008D, 008_G and 008_H)

The zoning will be changed from Zone RU4 Primary Production Small Lots to Zone R2 Low Density Residential.

2. LOT SIZE MAP (Sheets LSZ_008D, 008_G and 008_H)

The minimum lot size will be changed from 2,000 sqm., 4,000 sqm., 5,000 sqm., 1 ha., 1.5 ha. and 2 ha. to 450 sqm.

3. HEIGHT OF BUILDINGS MAP (Sheets HOB_008D, 008_G and 008_H)

A maximum building height of 9 metres will apply (currently, no maximum building height applies).

4. NATURAL RESOURCES - BIODIVERSITY MAP (Sheets NRB_008D, 008_G and 008_H)

Parts of the subject land will be identified as 'Sensitive Land' (i.e., containing vegetation) (Note: this map does not currently apply).

5. NATURAL RESOURCES - WATER MAP (Sheets NRW_008D, 008_G and 008_H)

Parts of the subject land will be identified as 'Sensitive Land' (i.e., watercourses) (Note: this map does not currently apply).

6. URBAN RELEASE AREA MAP (Sheet URA_008)

The subject land will be identified as an 'Urban Release Area' (Note: this map does not currently apply). Note: this would also apply to the proposed reduced area as it may be

developed in conjunction with adjoining land which is identified as an Urban Release Area.

COMMENT

The maps used to demonstrate the subject proposal are outdated. Therefore, it is considered that the Gateway determination should require Council to amend the maps prior to public exhibition to include the latest maps, as amended to reflect the reduced area, and identify the relationship of the land to odour buffers from the turkey processing plant and duck farms.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.2 Rural Zones

1.3 Mining, Petroleum Production and Extractive Industries

2.1 Environment Protection Zones

2.3 Heritage Conservation

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.2 Mine Subsidence and Unstable Land

4.4 Planning for Bushfire Protection

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **Unknown**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 44—Koala Habitat Protection

SEPP No 55—Remediation of Land

SREP No. 20 - Hawkesbury—Nepean River (No. 2 - 1997)

e) List any other matters that need to be considered :

PICTON TAHMOOR THIRLMERE NEW URBAN LANDS PLANNING PROPOSAL (PTT PROPOSAL)

A local environmental study (LES) was prepared for the PTT proposal and included the subject land. Similarly, the Planning Team Report for the PTT proposal ('the PTT report') (Tag E) also included the subject land. Therefore, it is considered that the consideration in the PTT report, where relevant, can be applied to the subject proposal. The Gateway determination for the PTT proposal was made in October 2011 (Tag F).

Council has consulted with public authorities as part of the PTT proposal and considers that it is not necessary to repeat this step for the subject proposal. However, part of the consultation was undertaken on the basis of the revised PTT proposal, i.e., which excludes the subject land. Therefore, it is considered that Council should be required to undertake such consultation anew for the subject proposal, as discussed below.

SECTION 117 DIRECTIONS

DIRECTION 1.2 RURAL ZONES

The subject proposal is inconsistent with this Direction as it seeks to rezone rural land to a residential zone.

The subject proposal document states that it will result in the loss of a small portion of rural land which has limited agricultural potential.

With regard to potential impacts on adjoining rural land, it is considered that the imposition of the proposed 500m buffers will protect existing poultry farm and processing operations (note: there are no other adjoining rural land uses which are likely to create a land use conflict).

Therefore, in view of the limited agricultural potential of the subject land and the proposed use of buffers, the inconsistency with the Direction is justified. Accordingly, it is recommended that the Director General's delegate approve the inconsistency, as required by the Direction.

Notwithstanding the above, it is considered that the Gateway determination should require Council to consult with NSW Primary Industries (Agriculture) and the NSW Environment Protection Authority, regarding potential land use conflict with Inghams' poultry operations.

DIRECTION 1.3 MINING, PETROLEUM PRODUCTION AND EXTRACTIVE INDUSTRIES

The subject land is located within a proclaimed mine subsidence district (i.e., Bargo), which indicates the likely presence of coal resources. While the subject proposal document states that it will not adversely impact any future potential subsurface mining program and that undermining of the site has occurred, it is considered that the Gateway determination should require Council to consult with the relevant authority, i.e., the Department of Trade & Investment - Resources & Energy (Coal Advice Branch) ('DTI') and subsequently demonstrate consistency with this Direction.

DIRECTION 2.1 ENVIRONMENT PROTECTION ZONES

The LES for the PTT proposal included an investigation of flora, fauna and aquatic habitat. The PTT report (Tag E) noted that the PTT lands contain Cumberland Plain Woodland (CPW) and Shale Sandstone Transition Forest (SSTF). These are identified as Critically Endangered Ecological Community and Endangered Ecological Community respectively under the Threatened Species Conservation Act 1995.

The PTT report considered the PTT proposal to be consistent with this Direction as it sought to identify land containing the abovementioned vegetation communities on the Natural Resources - Biodiversity Map. This would apply clause 7.2 Biodiversity Protection (of Wollondilly LEP 2011) to the land, requiring further consideration of impacts at the development application stage. The subject proposal, relying on the results of the LES, adopts this same approach, and this is considered to be appropriate.

Note: The PTT report indicated that the land containing CPW included a very small area at East Tahmoor which is identified as CPW Priority Conservation Lands. This land is part of the subject proposal, however, Council investigation has confirmed that the subject land does not contain CPW Priority Conservation Lands.

The PTT report also considered the PTT proposal to be consistent with this Direction by seeking to show riparian land on the Natural Resources - Water Map. This would apply clause 7.3 Water Protection (of Wollondilly LEP 2011) to the land, which provides a protective buffer to development by requiring further consideration of impacts at the development application stage. The subject proposal, relying on the results of the LES, adopts this same approach, and this is considered to be appropriate.

It is considered that, no additional investigation of flora, fauna or riparian land is necessary as part of the Gateway process. However, it is considered that the Gateway determination should require Council to consult with the Office of Environment and Heritage, the Office of Water and the Hawkesbury-Nepean Catchment Management Authority and subsequently demonstrate consistency with this Direction.

DIRECTION 2.3 HERITAGE CONSERVATION

The LES for the PTT proposal included a heritage assessment, which identified several proposed heritage items. These items were subsequently included in Wollondilly LEP

2011 under the PTT rezoning. One of these heritage items is located on land which straddles the subject land within the East Tahmoor Precinct. However, the Heritage Map under Wollondilly LEP 2011 has already been amended as part of the PTT rezoning to identify the whole of the allotment and, consequently, does not have to be amended as part of the subject proposal. The LES did not identify any other potential heritage items on the subject land.

An Aboriginal and Cultural Archaeological Assessment conducted as part of the PTT proposal found that there are no aboriginal sites on the subject land. Some land was identified as having archaeological sensitivity and Council has included this within the structure plans for each precinct.

In view of the above, it is considered that no further heritage or archaeological assessment is necessary and that the subject proposal is consistent with this Direction.

DIRECTION 3.1 RESIDENTIAL ZONES

The subject proposal document states the following:

- It does not seek to reduce the amount of residential land but, rather, will contribute to additional lands that may assist Wollondilly Shire in reaching its housing targets.
- The site is located near existing residential development and close to Tahmoor town centre and related community infrastructure.
- The site is serviced with the appropriate perimeter road and utility infrastructure which can be readily amplified to enable residential development.
- The relevant infrastructure and DCP provisions are contained in Wollondilly LEP 2011.
- No areas of environmental sensitivity will be adversely impacted.
- Underground mining has been undertaken and subsidence is likely to be completed.
- The rezoning will permit the development of a range of housing types. The planning proposal is not inconsistent with Direction 3.1.

It is considered that the subject proposal is consistent with this Direction, however, consultation with public authority infrastructure providers is recommended, as discussed further below.

DIRECTION 3.4 INTEGRATING LAND USE AND TRANSPORT

The subject proposal is considered to be generally consistent with the guideline "Improving Transport Choice - Guidelines for planning and development (DUAP 2001)" as:

- it is located within reasonable walking distance of the Tahmoor town centre,
- Tahmoor is serviced by rail, and
- bus services are provided in the area.

Therefore, it is considered that the subject proposal is generally consistent with this Direction.

DIRECTION 4.2 MINE SUBSIDENCE AND UNSTABLE LAND

The subject land is located within the Bargo Mine Subsidence District. Therefore, it is considered that the Gateway determination should require Council to consult with the Mine Subsidence Board and subsequently demonstrate consistency with this Direction.

DIRECTION 4.4 PLANNING FOR BUSHFIRE PROTECTION

The subject land includes bushfire prone land, and Council has undertaken an assessment of requirements to limit bushfire hazard in accordance with Planning for Bushfire Protection 2006. Therefore, it is considered that the Gateway determination should require Council to consult with the Rural Fire Service and subsequently demonstrate consistency with this Direction.

DIRECTION 7.1 IMPLEMENTATION OF THE METROPOLITAN PLAN FOR SYDNEY 2036

The subject proposal is considered to be generally consistent with the Metropolitan Plan for Sydney 2036 as it is supported, in-principle, by a local strategy for growth (as discussed further below).

SEPPs and DEEMED SEPPs

SEPP 44 - KOALA HABITAT PROTECTION

The subject proposal document states that there is no Koala habitat on the subject land but that there are foraging resources present. The PTT report noted that, although this SEPP applies at the development application stage, the PTT proposal sought to protect identified koala feed trees and habitat trees within the East Tahmoor and South Tahmoor precincts by identifying such land on the Natural Resources - Biodiversity Map. The subject proposal similarly seeks to amend the map and, therefore, it is considered to be consistent with this SEPP.

SEPP 55 - REMEDIATION OF LAND

Council has undertaken a preliminary contaminated land investigation due to the potential for previous use of the subject land for agricultural purposes. The investigation found that the likelihood of any potential contaminants is low and that, therefore, the land is considered to be suitable for the purposes of residential development.

SREP 20 - HAWKESBURY-NEPEAN RIVER (No. 2 — 1997)

The subject proposal includes a consideration of the requirements under this SEPP and does not consider that any significant environmental issues are raised.

Have inconsistencies with items a), b) and d) being adequately justified? **Unknown**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : As discussed above, it is considered that Council should be required to amend the subject proposal document prior to public exhibition to reflect the current Wollondilly LEP 2011 maps and the reduced rezoning area.

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Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council considers that a period of 14 days is sufficient for public exhibition due to the community consultation that was previously undertaken as part of the PTT proposal. However, it is considered that a period of 28 days is necessary due to the potential for land use conflicts.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Wollondilly LEP 2011 was notified in February 2011.**

Assessment Criteria

Need for planning proposal : **A planning proposal is the best means of facilitating the rezoning of the land. Subject to the satisfactory resolution of potential land use conflicts.**

Consistency with strategic planning framework : **The Proposal is generally consistent with the Metropolitan Plan for Sydney 2036 and the draft South West Subregional Strategy as it is supported, in principle, by Council's Growth Management Strategy. The GMS has been submitted to the Department for endorsement, however, Council has now commenced a review of the GMS.**

Environmental social economic impacts : **It is considered that the various existing studies and assessments sufficiently address all potential impacts and that no significant environmental, social or economic impacts are expected, subject to appropriate resolution of land use conflicts.**

Assessment Process

Proposal type : **Precinct** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **DDG**

Public Authority Consultation - 56(2) (d) : **Hawkesbury - Nepean Catchment Management Authority
Department of Education and Communities
Office of Environment and Heritage
NSW Department of Primary Industries - Agriculture
Department of Trade and Investment
Mine Subsidence Board
Fire and Rescue NSW
Department of Health
NSW Police Force**

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NSW Rural Fire Service
Transport for NSW
Transport for NSW - Roads and Maritime Services
State Emergency Service
Sydney Water
Other

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **TIME FRAME**

Council proposes a time frame of four months in which to finalise the subject proposal. However, given the circumstances of the case, it is considered that a time frame of 12 months is more appropriate.

CONSULTATION WITH PUBLIC AUTHORITIES

In addition to consultation with public authorities in relation to section 117 Directions, it is considered that Council should be required to consult with the following public authorities specifically in relation to the likely need for regional infrastructure contributions:

- Transport for NSW,
- Roads and Maritime Services,
- Department of Education and Communities,
- NSW Ministry of Health,
- Office of Environment and Heritage,
- State Emergency Services,
- Fire and Rescue NSW,
- NSW Police Force,
- NSW Rural Fire Service, and
- Sydney Water.

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

LOCAL ENVIRONMENTAL STUDY

The LES for the PTT proposal covers the following matters:

- Agricultural Potential
- Terrestrial Flora and Fauna Assessment,
- Aquatic Ecology Assessment,
- Bushfire Assessment,
- Aboriginal Heritage Assessment,
- Water Cycle Management Study,
- Traffic (and Transport) Impact Assessment, and

in relation to the East Tahmoor precinct:

- Noise Impact Assessment, and
- Odour Impact Assessment.

Additional investigations on demographic (supply and demand analysis), infrastructure and services and visual impact have also been carried out as part of the LES preparation.

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Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **Yes**

If Yes, reasons : **The abovementioned proposed consultation with public authorities will determine whether designated State public infrastructure is likely to be required. Given that the existing PTT lands are identified as an Urban Release Area, it is considered that, regardless of the outcome of consultation with public authorities, the subject land should be identified as the same to ensure consistency.**

Documents

Document File Name	DocumentType Name	Is Public
Tag A - Planning Proposal.pdf	Proposal	Yes
Tag B - Inghams Odour Information Sheet.pdf	Study	Yes
Tag D - Height of Buildings Map - Sheet 008D.pdf	Map	Yes
Tag D - Height of Buildings Map - Sheet 008G.pdf	Map	Yes
Tag D - Height of Buildings Map - Sheet 008H.pdf	Map	Yes
Tag D - Land Zoning Map - Sheet 008D.pdf	Map	Yes
Tag D - Land Zoning Map - Sheet 008G.pdf	Map	Yes
Tag D - Land Zoning Map - Sheet 008H.pdf	Map	Yes
Tag D - Lot Size Map - Sheet 008D.pdf	Map	Yes
Tag D - Lot Size Map - Sheet 008G.pdf	Map	Yes
Tag D - Lot Size Map - Sheet 008H.pdf	Map	Yes
Tag D - Natural Resources - Biodiversity Map - Sheet 008D.pdf	Map	Yes
Tag D - Natural Resources - Biodiversity Map - Sheet 008G.pdf	Map	Yes
Tag D - Natural Resources - Biodiversity Map - Sheet 008H.pdf	Map	Yes
Tag D - Natural Resources - Water Map - Sheet 008.pdf	Map	Yes
Tag D - Urban Release Area Map - Sheet 008.pdf	Map	Yes
Tag E - PTT Proposal - Planning Team Report.pdf	Study	Yes
Tag F - PTT Proposal - Gateway Determination.pdf	Determination Document	Yes
Tag G - Inghams' Submission.pdf	Study	Yes
Tag C - Site Identification Map.pdf	Map	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.2 Rural Zones**
- 1.3 Mining, Petroleum Production and Extractive Industries**
- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 4.2 Mine Subsidence and Unstable Land**
- 4.4 Planning for Bushfire Protection**
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the Proposal proceed subject to the following conditions:**

- 1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act 1979, for a period of 28 days;**
- 2. The timeframe for completing the Local Environmental Plan is to be 12 months from the week following the date of the Gateway determination;**
- 3. Delegation is not to be given for Council to exercise the Minister's plan making**

powers; and

4. Subject to amendments to the Proposal document as required below, the Director General approves the inconsistency with section 117 Direction 1.2 – Rural Zones on the basis that the Proposal is generally consistent with the Draft South West Subregional Strategy.

Notwithstanding any consultation with public authorities that it has undertaken previously, Council is to consult with the public authorities below.

5. Council is to consult with NSW Primary Industries (Agriculture) and the NSW Environment Protection Authority, regarding potential land use conflict with Inghams' duck farms and turkey processing plant;

6. Council is to consult with the Department of Trade & Investment - Resources & Energy (Coal Advice Branch) and subsequently demonstrate consistency with Direction 1.3 Mining, Petroleum Production and Extractive Industries;

7. Council is to consult with the Office of Environment and Heritage, the Office of Water and the Hawkesbury-Nepean Catchment Management Authority and subsequently demonstrate consistency with Direction 2.1 Environment Protection Zones;

8. Council is to consult with the Mine Subsidence Board and subsequently demonstrate consistency with Direction 4.2 Mine Subsidence and Unstable Land.

9. Council to consult with the Rural Fire Service and subsequently demonstrate consistency with Direction 4.4 Planning for Bushfire Protection.

The matters below are to be addressed prior to community consultation.

10. Council is to amend the Proposal to:

- exclude land that is located substantially within a 500 metre buffer from Inghams' turkey processing plant (i.e., nos. 44 and 50 Progress Street, Tahmoor) and its duck farms (i.e., various lots), and

- use the latest Wollondilly LEP 2011 maps, as amended to identify the reduced subject land; and

11. In addition to the abovementioned general consultation with public authorities, Council is to consult with the following public authorities specifically in relation to the likely need for regional infrastructure contributions:

- Transport for NSW,
- Roads and Maritime Services,
- Department of Education and Communities,
- NSW Ministry of Health,
- Office of Environment and Heritage,
- State Emergency Services,
- Fire and Rescue NSW,
- NSW Police Force,
- NSW Rural Fire Service, and
- Sydney Water.

Supporting Reasons :

Subject to the satisfactory resolution of potential land use conflicts, the subject proposal is expected to facilitate residential development in a generally appropriate location and rectify a split zoning issue.

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Signature:

Derryn Solen

Printed Name:

DERRYN JOHN

Date:

28 FEBRUARY 2014

