

### Bronzewing Street, Tahmoor

Proposal Title : **Bronzewing Street, Tahmoor**

Proposal Summary : **To rezone the subject land for residential purposes.**

PP Number : **PP\_2012\_WOLLY\_008\_00**

Dop File No : **13/01072**

### 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 (Council should consolidate and reduce the 4 months + 3 weeks + 3 months proposed for considering submissions);**

**3. The Director General approves the inconsistency with section 117 Direction 1.2 – Rural Zones on the basis that the inconsistency is of minor significance;**

**4. Council should consult with the Mine Subsidence Board and subsequently demonstrate consistency with section 117 Direction 4.2 Mine Subsidence and Unstable Land;**

**The following conditions should be met prior to community consultation:**

**5. Council should consult with the Department of Trade & Investment (Mineral Resources and Energy) and subsequently demonstrate consistency with section 117 Direction 1.3 Mining, Petroleum Production and Extractive Industries;**

**6. Council should prepare a flora and fauna study and consult with the NSW Office of Environment and Heritage and the Commonwealth Department of Sustainability, Environment, Water, Population and Communities. Compliance with s.34A of the Environmental Planning and Assessment Act 1979 is also necessary. Council should subsequently demonstrate consistency with Direction 2.1 Environment Protection Zones and address SEPP 44;**

**7. Council should consult with the Commissioner of the Rural Fire Service and subsequently demonstrate consistency with section 117 Direction 4.4 Planning for Bushfire Protection;**

**8. Council should prepare the following studies:**  
**- a heritage assessment (regarding the impact on the local heritage item located on the**

- adjoining land),
- a preliminary land contamination investigation (and subsequent demonstration of compliance with SEPP 55 - Remediation of Land),
- a hydrology study (dealing with drainage and stormwater and water sensitive urban design options),
- a traffic and transport study, and
- a bushfire hazard assessment.

**9. Council should additionally consult with the following public authorities:**

- the Hawkesbury-Nepean Catchment Management Authority,
- Sydney Water,
- Roads and Maritime Services, and
- Endeavour Energy.

Supporting Reasons : The Proposal will provide additional housing opportunities through the orderly expansion of the existing Tahmoor centre.

**Panel Recommendation**

Recommendation Date : 17-Jan-2013

Gateway Recommendation : Passed with Conditions

Panel Recommendation : The Planning Proposal should proceed subject to the following conditions:

1. It is noted that Council has identified that additional information regarding hydrology including drainage, stormwater and water sensitive urban design options, traffic and transport and bushfire hazard is required to fully investigate the impacts of the planning proposal. Council is to undertake the necessary work prior to undertaking public exhibition and amend the planning proposal to reflect the outcomes of this additional information.
2. Prior to undertaking public exhibition, Council is to amend the project timeline within the planning proposal to reflect the 12 month timeframe allocated for completing the LEP.
3. Council is to consult with the Department of Trade and Investment (Mineral Resources and Energy) as per the requirements of S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition.
4. Council is to amend the planning proposal to include additional information on flora and fauna to demonstrate consistency with S117 Direction 2.1 Environmental Protection Zones and SEPP 44 Koala Habitat Protection. Council is also to consult with the NSW Office of Environment and Heritage and the Commonwealth Department of Sustainability, Environment, Water, Population and Communities and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition. If required, Council is to amend the Natural Resources - Biodiversity Map to reflect the outcomes of this additional information.
5. Council is to consult with the Mine Subsidence Board in accordance with S117 Direction 4.2 Mine Subsidence and Unstable Land and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition.
6. Council is to consult with the NSW Rural Fire Services as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition.
7. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy No 55 (SEPP 55) – Remediation of Land. Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.
8. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2012).

9. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Hawkesbury Nepean Catchment Management Authority
- NSW Office of Environment and Heritage
- Department of Trade and Investment
- Mine Subsidence Board
- NSW Rural Fire Service
- Transport for NSW – Roads and Maritime Services
- Sydney Water
- Endeavour Energy

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

10. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

11. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

NEIL SELMAN

Date:

05/02/2013