

Rezoning of Tahmoor South Business Development Lands

Proposal Title : **Rezoning of Tahmoor South Business Development Lands**

Proposal Summary : **The Planning proposal adds a new B5 Business Development zone to Wollondilly LEP 2011, and amends the zoning of a site at South Tahmoor from RU2 Rural Landscape to B5 Business Development.**

PP Number : **PP_2012_WOLLY_006_00** Dop File No : **12/12801**

Planning Team Recommendation

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

S.117 directions :

- 1.1 Business and Industrial Zones**
- 1.2 Rural Zones**
- 1.3 Mining, Petroleum Production and Extractive Industries**
- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 2.4 Recreation Vehicle Areas**
- 3.2 Caravan Parks and Manufactured Home Estates**
- 3.3 Home Occupations**
- 3.4 Integrating Land Use and Transport**
- 4.2 Mine Subsidence and Unstable Land**
- 4.4 Planning for Bushfire Protection**
- 6.1 Approval and Referral Requirements**
- 6.2 Reserving Land for Public Purposes**
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036**

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

- 1) The Director General approves the inconsistency with section 117 direction 1.2 - Rural Zones on the basis that it is of minor significance.**
- 2) The reference on page 27 of the proposal be amended to note that the proposal addresses certain matters required under Sydney REP 20.**
- 3) Council is to give consideration to an alternative zone(s) to address (a) land affected by environmental constraints and (b) land that may provide a buffer between proposed development (permitted by the proposal) and adjoining existing land uses.**
- 4) Studies into the following matters are to be undertaken prior to agency and community consultation on the Planning Proposal:**
 - Flood Management and Stormwater Management Plan**
 - On-site Waste Water Package Treatment Plant Study (dependent on advice from Sydney Water)**
 - Aboriginal Archaeological and European Heritage Cultural Assessment**
 - Transport and Movement Assessment**
 - Traffic Assessment**
 - Bushfire Hazard Management**
 - Phase i Contamination Assessment**
 - Salinity Assessment**
 - Acoustic Assessment**
 - Flora and Fauna Impact Assessment**
 - Riparian Ecology Assessment**
 - Easement Management Study**
 - Economic Feasibility Assessment**

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- Economic Impact Assessment;

As an advisory note: following completion of the flora and fauna impact assessment, Council is asked to consider the need to formally consult with the Director-General of the Office of Environment and Heritage under section 34A of the Environmental Planning and Assessment Act 1979.

5) Consultation with the public authorities identified in this report should occur prior to exhibition;

6) Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 for a period of 28 days; and

7) The timeframe for completing the Local Environmental Plan is to be 12 months from the week following the date of the Gateway determination.

Supporting Reasons : The development of the proposal for this site is at an early stage, and a number of studies are required before the environmental, economic and social impacts can be adequately assessed.

While the site contains remnant vegetation and possible other constraints, its main road location within 400 metres of Tahmoor Town Centre, in this regard, would appear to make it a suitable location for a business development zone.

Panel Recommendation

Recommendation Date : 18-Oct-2012

Gateway Recommendation : Passed with Conditions

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

1. Prior to exhibition, Council is to amend reference on page 27 of the planning proposal to note that the proposal addresses certain matters required under Sydney REP 20.
2. It is noted that the proposed site has been identified as containing sensitive vegetation. Council is to give consideration to an alternative zone or zones in order to address land that may be affected by environmental constraints. Consideration should also be given to land that may provide a buffer between the proposed development and adjoining existing land uses.
3. It is noted that Council has identified additional information regarding the following is to be undertaken to support the planning proposal:
 - Flood Management and Stormwater
 - On-site Waste Water Package Treatment Plant (dependent on advice from Sydney Water)
 - Aboriginal Archaeological and European Heritage
 - Transport and Movement
 - Traffic
 - Bushfire Hazard
 - Phase 1 Contamination
 - Salinity
 - Acoustics
 - Flora and Fauna
 - Riparian Ecology
 - Easements
 - Economic Feasibility
 - Economic Impacts;

Additionally, Council is to address the issue of odour from the site and how this may affect adjoining land owners. Council is to assemble this information prior to undertaking public exhibition and include this additional information as part of the public exhibition material.

4. 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act. This should be done prior to exhibition:

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

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.

6. 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).

7. The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Nest McGuffin

Date:

19.10.12