

Wollondilly LEP 2011 – Rezoning of land at 1 Abbotsford Road, Picton

Proposal Title : **Wollondilly LEP 2011 – Rezoning of land at 1 Abbotsford Road, Picton**

Proposal Summary : To permit large lot subdivision (in the order of approximately 40 lots at 4,000sqm), and associated housing , on land at Picton. In particular, the Planning Proposal seeks to rezone part of the ‘Abbotsford’ site at 1 Abbotsford Road, Picton, from RU2 Rural Landscape to part Zone R5 Large Lot Residential, part Zone E3 Environmental Management and part Zone RE1 Public Recreation under Wollondilly LEP 2011. Consequently, relevant Wollondilly LEP 2011, Land Use Zoning Map, Lot Size Map and Height of Building Map are also proposed to be amended.

PP Number : **PP_2011_WOLLY_017_00** Dop File No : **11/22598**

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
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.2 Mine Subsidence and Unstable Land
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes

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

1. Studies as proposed, including a visual assessment, are undertaken and considered by Council. Subsequently, Council prepares and adopts a revised Planning Proposal and submits it to Sydney West Region of the Department for attention.
2. Council fully considers the relevant s117 Directions and applicable SEPPs. Justify where necessary, and advises Sydney West Region.
3. The Planning Proposal is completed within 12 months from the week following the Gateway Determination.

Supporting Reasons : The proposal is supported as it will provide housing to meet needs within an appropriate location.

Early in-principle support by the Gateway will provide some certainty prior to the completion of studies.

Panel Recommendation

Recommendation Date : **19-Jan-2012** Gateway Recommendation : **Passed with Conditions**

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

1. Council is to undertake the following studies prior to the commencement of community consultation:
 - o State and Regional Planning Context
 - o Biodiversity
 - o Bushfire
 - o Aboriginal and European Heritage

- o Water Quality and Flood Risk
- o Parking Traffic and Transport
- o Agricultural Land Capability
- o State and Local Infrastructure
- o Socio-Economic Assessment
- o Contaminated Land
- o Salinity
- o Geotechnical Report
- o Onsite Wastewater Feasibility
- o Onsite Flooding
- o Visual Assessment Study

2. Council is to ensure that the studies respond directly to the requirements of the relevant S117 Direction and/or SEPP, and where inconsistencies are identified, sufficient justification is provided to approve of the inconsistency. All applicable S117s and SEPPs are to be considered and addressed in the planning proposal.

3. Council is not to commence public exhibition until the studies, as required by Condition 1, have been completed and copies have been provided to the Department's Regional Office.

4. Council is to amend the planning proposal to reflect the outcomes of the studies and provide a copy to the Department's Regional Office prior to public exhibition.

5. 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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and 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).

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

- Department of Education and Communities
- Office of Environment and Heritage
- NSW Department of Primary Industries – Agriculture
- Integral Energy
- Mine Subsidence Board
- Transport for NSW
- NSW Health
- NSW Rural Fire Service
- Roads and Maritime Authority
- Sydney Water
- Telstra
- Adjoining LGAs

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.

7. 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).

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

Gateway Determination

Decision Date : Gateway Determination : **Passed with Conditions**

Decision made by :

Exhibition period : **28 Days** LEP Timeframe : **24 Month**

Gateway Determination : **The Planning Proposal should proceed subject to the following conditions:**

1. Council is to undertake the following studies prior to the commencement of community consultation:
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 - o Biodiversity
 - o Bushfire
 - o Aboriginal and European Heritage
 - o Water Quality and Flood Risk
 - o Parking Traffic and Transport
 - o Agricultural Land Capability
 - o State and Local Infrastructure
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 - o Contaminated Land
 - o Salinity
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2. Council is to ensure that the studies respond directly to the requirements of the relevant S117 Direction and/or SEPP, and where inconsistencies are identified, sufficient justification is provided to approve of the inconsistency. All applicable S117s and SEPPs are to be considered and addressed in the planning proposal.
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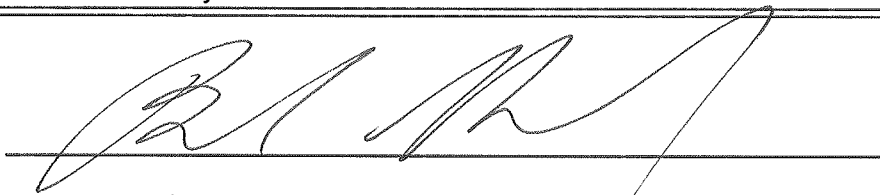
- Transport for NSW
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8. The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

BRAD HAZZARD

Date:

24.4.12