

Amendment to Hawkesbury LEP 2012 - Redbank at North Richmond

Proposal Title : **Amendment to Hawkesbury LEP 2012 - Redbank at North Richmond**

Proposal Summary : **PLANNING PROPOSAL (attached)**

The planning proposal is to rezone 180 ha land from Consolidated Land Holdings Zone under Hawkesbury Local Environmental Plan 1989 (HLEP 1989) to a range of urban uses (R2 Low Density Residential, R3 Medium Density Residential , R5 Large Lot Residential, B1 Neighbourhood Centre and SP2 Infrastructure) as well as recreation and environmental uses (RE1 Public Recreation and E4 Environmental Living).

PP Number : **PP_2012_HAWKE_002_00**

Dop File No :

12/08555-1

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Resubmit**

S.117 directions : **1.2 Rural Zones
1.3 Mining, Petroleum Production and Extractive Industries
2.3 Heritage Conservation
3.1 Residential Zones
3.3 Home Occupations
3.4 Integrating Land Use and Transport
4.1 Acid Sulfate Soils
4.2 Mine Subsidence and Unstable Land
4.4 Planning for Bushfire Protection
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **IT IS RECOMMENDED THAT THE PLANNING PROPOSAL NOT PROCEED BUT BE RESUBMITTED WITH THE FOLLOWING CONDITIONS:**

- (1) TO FINALISE THE TMAP (APPROACH AND ACCESS AND FUNDING AGREED BY COUNCIL);
AND
(2) TO FINALISE THE CONSERVATION MANGEMENT PLAN.**

If the planning proposal is to proceed, it should proceed with the following conditions:

- (1) The Director General's delegate agrees that any inconsistency with section 117 directions:
1.2 Rural Zones;
4.3 Flood Prone Land;
6.2 Reserving Land for Public Purpose; and
7.1 Implementation of the Metropolitan Plan for Sydney 2036;**

- (2) Consultation with:
. Transport for NSW - Roads and Maritime AuthorityRMS;
. Sydney Water;
. Office of Environment and Heritage;
. NSW Aboriginal Land Council; and
. Hawkesbury - Nepean Catchment Management Authority;**

- (3) Council is to finalise the:**

- . TMAP and Council has approved an approach to access and funding arrangements;
- . Conservation Management Plan which is endorsed by the Heritage Council;
- . review of Bushfire Prone Land map in consultation with the RFS;
- . Acid sulfate soils study in accordance with S117 4.1 Acid Sulfate Soils; and
- . review the location of the proposed B1 zoned land in accordance with S117 3.4 Integrated land Use and Transport; and

(4) Council is to submit the planning proposal to the Gateway before exhibition when the work identified in paragraph (3) are finalised and the findings of these works are reflected in the final zoning layout of the site.

Supporting Reasons : In general, the planning proposal is consistent with the Metropolitan Plan for Sydney 2036, the draft NW Subregional Strategy and relevant State and regional environmental plans. It will largely contribute to the LGA's housing targets.

Panel Recommendation

Recommendation Date : 28-Jun-2012

Gateway Recommendation : Passed with Conditions

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

1. Council is to finalise the TMAP and approve of an approach to access and funding arrangements. This agreement is to form part of a negotiated draft voluntary planning agreement with the proponent and other relevant agencies ensuring that any development of the land occurs at no cost to government. The draft voluntary planning agreement is to be exhibited with the planning proposal.
2. Council is to finalise a Conservation Management Plan and obtain endorsement of the Plan from the Heritage Council.
3. Council is to provide a response to S117 Direction 4.1 Acid Sulphate Soils and include this response within the public exhibition material.
4. Following completion of the work required by the above conditions and prior to the commencement of community consultation, Council is to revise the planning proposal, where necessary and provide a copy of the proposal and relevant information to the Department's Regional Office.
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 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:
 - Transport for NSW – Roads and Maritime Services
 - Sydney Water
 - Office of Environment and Heritage
 - NSW Aboriginal Land Council
 - Hawkesbury – Nepean Catchment Management Authority

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.

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7. Further to Condition 6 above, Council is to consult with the Commissioner of the NSW Rural Fire Service, prior to the commencement of community consultation and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, and forward a copy of the revised planning proposal to the Department.

8. 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).

9. The timeframe for completing the LEP is to be 24 months from the week following the date of the Gateway determination.

Signature: _____

Printed Name: _____

West Wyalah

Date: _____

25.7.12