

Hawkesbury LEP 2012 (Amendment No 10) - rezoning of 120-188 Hawkesbury Valley Way, Clarendon

Proposal Title :	Hawkesbury LEP 2012 (Amendment No 10) - rezoning of 120-188 Hawkesbury Valley Way, Clarendon		
Proposal Summary :	The proposal seeks to rezone approximately 34 hectares of land at Clarendon from RU4 Primary Production Small Lots to B7 Business Park, and to amend Schedule 1 (Additional Permitted Uses) to include bulky goods premises on part of the site.		
PP Number :	PP_2013_HAWKE_004_00	Dop File No :	13/17483

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
 - 3.4 Integrating Land Use and Transport
 - 3.5 Development Near Licensed Aerodromes
 - 4.1 Acid Sulfate Soils
 - 4.3 Flood Prone Land
 - 6.1 Approval and Referral Requirements
 - 6.3 Site Specific Provisions
 - 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) The RPA must undertake consultation with the following agencies and update the proposal accordingly:

- a) Office of Environment and Heritage,
- b) Hawkesbury - Nepean Catchment Management Authority,
- c) Department of Trade and Investment,
- d) Office of Water,
- e) State Emergency Service,
- f) Transport for NSW - RailCorp,
- g) Transport for NSW - Roads and Maritime Services,
- h) Endeavour Energy,
- i) Transgrid
- j) Sydney Water,
- k) Telstra, and
- l) Commonwealth Department of Defence.

(2) Prior to exhibition, the relevant agencies must be consulted and the proposal updated to demonstrate consistency with, or include justification of inconsistency with, section 117 Directions:

3.5 Development Near Licensed Aerodromes (Commonwealth Department of Defence), and
4.3 Flood Prone Land (State Emergency Service and Office of Environment and Heritage).
The inconsistencies with Directions 1.2 (Rural Zones), 2.3 (Heritage Conservation) and 4.1 (Acid Sulfate Soils) are considered minor and/or justified, and no further approval is required with regard to these.

(3) Council has requested a written authorisation to exercise delegation to make the plan. Given that the Director General's further approval is required with regard to section 117 Directions 2.3, 3.5 and 4.3, it is not considered appropriate to grant delegation in this instance.

(4) Prior to exhibition, the proposal must be updated to remove the provision amending Schedule 1 to allow bulky goods retailing as an additional permitted use on certain land, and consideration given to including a B5 Business Development zone for that part of the site.

(5) Prior to exhibition, the proposal must be updated to include a map showing height of buildings (as established by consultation with the Commonwealth Department of Defence).

(6) Community consultation for 28 days.

(7) The timeframe for completing the local environmental plan is to be 18 months from the week following the date of the Gateway Determination.

Supporting Reasons : There is a solid strategic basis for rezoning this site to allow a business park. While there is less strategic justification for a Masters hardware store and other retail uses, it is recognised that that these may be necessary for the viability of the rest of the development.

There is significant potential for employment growth benefit from the proposal.

Panel Recommendation

Recommendation Date : 05-Dec-2013

Gateway Recommendation : Passed with Conditions

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

1. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Office of Environment and Heritage (to demonstrate consistency with S117 Direction 4.3 Flood Prone Land)
- Hawkesbury – Nepean Catchment Management Authority
- Department of Trade and Investment
- Office of Water
- State Emergency Service (to demonstrate consistency with S117 Direction 4.3 Flood Prone Land)
- Transport for NSW – Sydney Trains
- Transport for NSW – Roads and Maritime Services
- Endeavour Energy
- Transgrid
- Sydney Water
- Telstra
- Commonwealth Department of Defence (to demonstrate consistency with S117 Direction 3.5 Development Near Licensed Aerodromes)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

Once the above consultation with public authorities has been undertaken, Council is to update the planning proposal to reflect the outcomes of the work and consultation undertaken prior to exhibition. Further, Council is to identify how the planning proposal seeks to amend the building height and minimum lot size, and include the amended maps for the purposes of public exhibition.

2. 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 a minimum of 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

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Preparing LEPs (Department of Planning & Infrastructure 2013).

3. 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).

4. The timeframe for completing the LEP is to be 15 months from the week following the date of the Gateway determination.

Plan making delegation:

Council has requested delegation for the making of this plan. The LEP Review Panel has recommended Council be issued with plan making delegation.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

11/12/13