

PE6

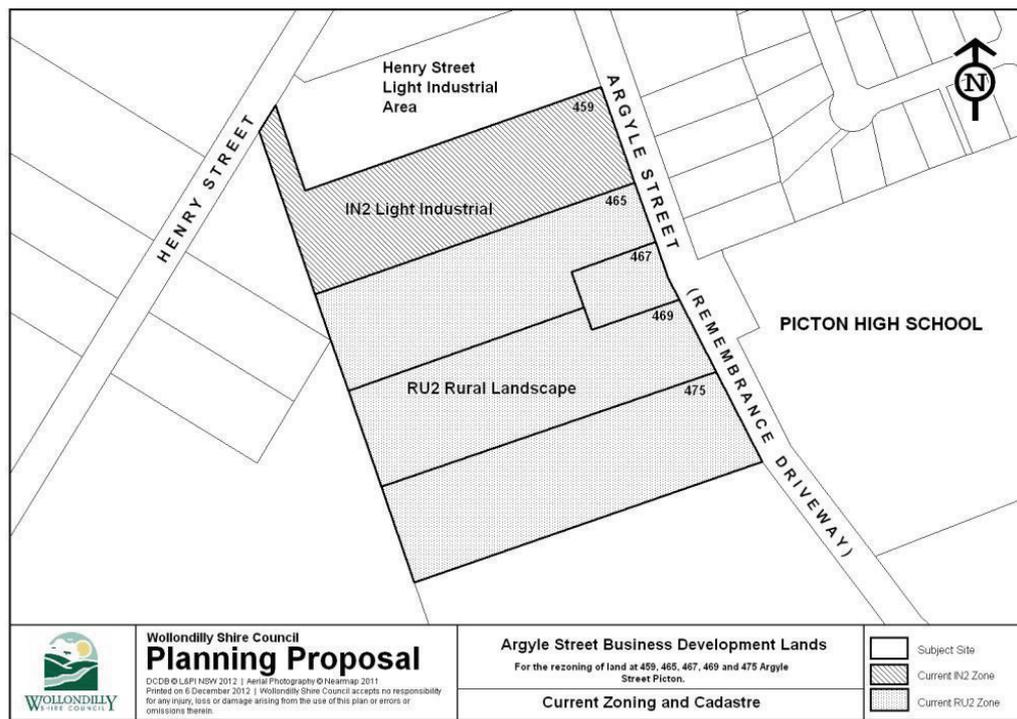
Draft Planning Proposal – Argyle Street Business Development Lands
41KCAR

TRIM 7236

APPLICANT: Precise Planning
OWNER: Clearcom Pty Limited, Mr F Romeo & Mrs R Romeo & Miss J Romeo, Mr J Khoury & Mrs I Khoury, Mr A Richardson & Mrs C Richardson

Planning & Economy

REPORT



<p>Wollondilly Shire Council Planning Proposal <small>DCDB © LEP1 NSW 2012 Aerial Photographs © Neimap 2011 Printed on 6 December 2012 Wollondilly Shire Council accepts no responsibility for any injury, loss or damage arising from the use of this plan or errors or omissions therein.</small></p>	<p>Argyle Street Business Development Lands For the rezoning of land at 459, 465, 467, 469 and 475 Argyle Street Picton.</p>	<p>Subject Site Current IN2 Zone Current RU2 Zone</p>
	<p>Current Zoning and Cadastre</p>	

Stage	Completed
Preliminary notification	10 December 2012 - 28 January 2013
Gateway Determination	not yet completed
Consultation with government authorities	not yet completed
Specialist studies	not yet completed
Public exhibition/community consultation	not yet completed

EXECUTIVE SUMMARY

- Council has received a draft Planning Proposal to rezone land at Nos 459, 465, 469 and 475 Argyle Street, Picton being Lot 212 DP 1094898, Lot 141 DP 997490, Lot 1 DP 537245, Lot 15 DP 1105675 and Lot 16 DP 979250 from RU2 Rural Landscape and IN2 Light Industrial to Zone B5 Business Development with a maximum building height of 12 metres.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

- A preliminary assessment of the draft proposal against the Growth Management Strategy indicates that the proposal is consistent with the relevant key principles and assessment criteria.
- There have not been any disclosures of political donations made in regard to this application.
- Accordingly this report recommends:
 - That Council support the draft Planning Proposal for the amendment to the provisions of WLEP 2011 as they apply to land at Nos 459, 465, 469 and 475 Argyle Street, Picton being Lot 212 DP 1094898, Lot 141 DP 997490, Lot 1 DP 537245, Lot 15 DP 1105675 and Lot 16 DP 979250;
 - That the draft Planning Proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination; and
 - That the applicant and persons who made submissions regarding the draft Planning Proposal be notified of Council’s decision.

BACKGROUND

Site Description

The subject land comprises five properties with a total area of approximately 5 ha as detailed in the table below:

Address	Lot and DP	Area in ha
459 Argyle Street	Lot 212 DP 1094898	1.277
465 Argyle Street	Lot 141 DP 997490	1.085
467 Argyle Street	Lot 1 DP 537245	0.198
469 Argyle Street	Lot 15 DP 1105675	1.230
475 Argyle Street	Lot 16 DP 979250	1.275
Total		5.065

The site is located adjoining the Henry Street light industrial area on the western side of Argyle Street and is opposite Picton High School and residential properties on the eastern side of Argyle Street. Four of the properties are within Zone RU2 Rural Landscape and three are used for rural residential purposes and Lot 141 DP 997490 is vacant. Lot 212 DP 1094898 is within Zone IN2 Light Industrial but is currently used for rural residential purposes. Neighbouring properties to the south and west comprise large rural landholdings. Most of the site slopes relatively gently to the south west and then rises more steeply in the rear half of Lot 16 DP 979250 to a hill on the adjoining property to the south. The site is largely cleared comprising maintained grass and scattered trees.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

Description of Draft Proposal

The application proposes to amend the provisions of Wollondilly LEP 2011 (WLEP 2011) as they apply to the subject site to:

- change the Land Zoning Map from Zone RU2 Rural Landscape to Zone B5 Business Development for Lots 141 DP 997490, Lot 1 DP 537245, Lot 15 DP 1105675 and Lot 16 DP 979250 and;
- change the Land Zoning Map from Zone IN2 Light Industrial to Zone B5 Business Development for Lot 212 DP 1094898 and;
- change the Height of Buildings Map to impose a height limit of 12 metres.
- change the Lot Size Map by removing the 16 ha minimum lot size and having no minimum lot size.

The proposed B5 land use table outlined below has the same provisions as the table submitted for the Tahmoor South Business Development Lands Planning Proposal which has been supported by Council at its meeting of 10 July 2012. The text in bold is the mandatory text from the Standard Instrument (Local Environmental Plans) Order, 2011.

Zone B5 Business Development

1. Objectives of zone

- To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To maintain the economic strength of centres by limiting retail activity
- To provide a mixture of compatible land uses
- To enable other land uses that that provide facilities or services to meet the day to day needs of workers in the area

2. Permitted without consent

- Nil

3. Permitted with consent

Bulky goods premises; Child care centres; Garden centres; Hardware and building supplies; Landscaping material supplies; Light industries; Neighbourhood shops; Passenger transport facilities; Respite day care centres; Roads; Self-storage units; Warehouse or distribution centres; Wholesale supplies; any other development not specified in item 2 or 4.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

4. Prohibited

Agriculture; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Business premises; Camping grounds; Caravan parks; Car Parks; Cellar Door premises; Cemeteries; Charter and tourism boating facilities; Community facilities; Correctional centres; Crematoriums; Eco-tourist facilities; Electricity generating works; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Flood mitigation works; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home business; Home occupations; Home occupation (sex services); Industries; Information and education facilities; Jetties; Marinas; Moorings; Mooring pens; Mortuaries; Open cut mining; Plant nurseries; Recreation Areas; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Roadside stalls; Rural industries; Sewerage systems; Sex services premises; Shops; Storage premises; Tourist and visitor accommodation; Stock and sale yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities.

Objective

The application states that the objective of the proposed changes to WLEP 2011 is as follows:

To facilitate the comprehensive development of the land for employment purposes in a manner which sensitively interfaces with surrounding development, leverages off and embellishes existing infrastructure and conserves and enhances the underpinning natural systems framework.

CONSULTATION

Consultation with Council Managers and Specialist Staff

Comments on the application were sought from Managers and Specialist staff within Council including the following:

- Manager Community Services
- Manager Infrastructure Planning
- Manager Environmental Services
- Manager Development Assessment and Strategic Planning
- Manager Facilities and Recreation

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

The main matters raised by Council staff requiring further investigation are:

- traffic and transport
- stormwater and drainage
- heritage
- landscape and visual
- noise
- lighting
- economic impact and feasibility.

Traffic and Transport

The properties all have frontages and access to Argyle Street and Lot 212 additionally has access onto Henry Street. A preliminary traffic assessment was undertaken by the applicant and found that rezoning the site for business development purposes such as warehousing and landscaping supplies would increase daily traffic levels to and from the site to the adjoining public roads by 10-15% and AM/PM peaks by 6-31%. The assessment found that vehicular access from Argyle Street into the site would exacerbate current traffic congestion occurring in the vicinity of the high school particularly during drop off and pick up periods. During the day there would be some impact on local traffic flows within Argyle Street with vehicles entering and exiting the street.

Traffic management options outlined in the traffic assessment include the installation of a roundabout into the site, intersection treatment including north and south bound turning lanes and other measures such as fenced median strips to prevent pedestrians crossing the road to and from the school and extension of the school zone in north and south directions by 80-100m.

Council staff have examined the preliminary traffic assessment and the proposed traffic management option and consider that vehicular access into the site from Argyle Street is not supported. The preferred access would be via Henry Street with the provision of an internal road from Lot 212 into the site. A roundabout would be required at the intersection of Henry Street with Argyle Street.

A Traffic and Transport Study should be undertaken to examine the option of vehicular access via Henry Street and the impact on traffic more broadly in the vicinity of the site and issues of pedestrian access and safety and alternative transport options such as cycleways. Should the Traffic and Transport study identify specific works in the public road reserve required to accommodate this change of land use then a Voluntary Planning Agreement should be investigated in negotiation with the applicant and landowners. Argyle Street is a classified road and accordingly the Roads and Maritimes Services would need to be consulted should the planning proposal receive a positive Gateway determination.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

Stormwater and Drainage Assessment

There are no drainage lines or waterways on the site and the main impact from development of the site would be through increased run-off. An assessment of the potential impact from stormwater on local drainage systems resulting from development of the site and any necessary improvements in drainage infrastructure is required.

Heritage Assessment

There are no heritage items or conservation areas located on the site. 'Koorana Homestead' is located on the hill to the south west and around 360 metres from the site and is unlikely to be impacted by the draft planning proposal. One of the properties included in the draft planning proposal includes a house 'Tyrone' which may have heritage value. A heritage assessment of 'Tyrone' and the property should be undertaken to determine its heritage value.

Visual Impact and Urban Design

The site is located on the outskirts of Picton and forms part of the rural backdrop to the town. However it should be noted that there is currently potential for additional industrial development as Lot 212 DP 1094898 is zoned for light industrial purposes although it currently is used as a rural residential property. The major part of the site is located directly opposite Picton High School and residential properties are located on the opposite side of Argyle Street on the northern end of the site. A maximum building height of 12 metres is proposed for future development. An assessment of the potential visual impact resulting from likely development in relation to the streetscape and on residential properties including overshadowing is required. The assessment should also detail measures for minimising impact using appropriate urban design principles for this location.

Noise Impact

A rezoning of the site would allow for a range of land uses and an increase in potential for noise impacts from both increased traffic and from the various types of land uses which would be permissible within the B5 Business Development Zone. An assessment of potential noise impacts on the nearby residential area and high school and measures to alleviate such impacts should be undertaken.

Lighting Impact

This area is currently rural in nature and there are low levels of lighting at night. An assessment of the potential impacts of lighting on the local area from future potential development and measures for minimising such impacts should be undertaken.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

Economic Impact and Feasibility

A study would be required to examine whether the potential future development of this site would impact on the economic viability of Tahmoor, Bargo, Thirlmere and Picton town centres. This study would also assess the economic feasibility of future likely development in this location and determine the demand for land zoned for B5 Business Development uses particularly as Council is already considering a similar planning proposal for land at south Tahmoor.

Community Consultation

Initial notification was undertaken from 10 December 2012 until 28 January 2013 which was an extended period of six weeks due to the Christmas/New Year and school holiday period. A total of five (5) submissions were received from this notification period. The main issues identified by the community are outlined in Table 1.

Table 1 – Results from Community Notification

Issue	Comment	Response
Heritage	<ul style="list-style-type: none"> <li data-bbox="592 1032 1110 1267">▪ The house 'Tyrone' at 467 Argyle Street has historical importance as it was the home for an important family in the early 19th century and includes intact architectural features from that period and should be retained. <li data-bbox="592 1267 1110 1402">▪ 'Tyrone' and the property were important in the past social life of local residents as a place where dances were held. <li data-bbox="592 1402 1110 1603">▪ 'Tyrone' is in a visually significant location on the outskirts of Picton and enhances the historic and rural associations connected with Picton. <li data-bbox="592 1603 1110 1673">▪ The current owners of 'Tyrone' are opposed to the rezoning. 	A heritage study would be required to investigate the heritage significance of 'Tyrone' and the property at 467 Argyle Street.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

Issue	Comment	Response
Traffic Hazards and Safety Risks	<ul style="list-style-type: none"> ▪ There is a considerable amount of traffic in this area. ▪ The proposed barrier to prevent children from crossing the road is not supported. ▪ There are current safety issues with traffic, parking and children crossing Argyle Street associated with Picton High School. ▪ Traffic does not comply with speed limit. ▪ Residents have difficulty accessing driveways ▪ There is a need for a roundabout at one or more nearby intersections to control traffic. ▪ There are many buses travelling along this section of Argyle Street due to the location of the bus terminal in Wonga Road nearby and also because of Picton High School. 	Access to the site should be from Henry Street. The issues associated with traffic in this location are recognised by Council and a Traffic and Transport Study would be required to investigate these issues and future traffic management options.
Noise and Lighting	<ul style="list-style-type: none"> ▪ There are currently issues with noise from the Henry Street industrial area which will increase with additional development. ▪ Noise is sometimes unbearable making it difficult to sleep. ▪ Lighting of the development will be both during and outside business hours. 	An assessment of current and potential future noise issues would be undertaken and measures to mitigate noise would be investigated. Lighting impacts will also be assessed.
Air Quality	<ul style="list-style-type: none"> ▪ Issues with air quality have not been addressed in the past ▪ Future development would need to comply with State Government guidelines. 	Any future development would be required to comply with State Government guidelines and either Council or State agencies aim to ensure these guidelines are met.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

Issue	Comment	Response
Planning	<ul style="list-style-type: none"> ▪ The land should be rezoned for residential purposes rather than light service industrial due to the historic home 'Tyrone' and the leisure centre. ▪ Light industrial development should be undertaken in the Maldon area. 	<p>This site is not considered suitable for rezoning to residential due to the adjoining industrial area. This proposal is for a business development zone which allows for a range of permissible uses, particularly <i>bulky goods premises</i> which are not a permissible use in the industrial zone at Maldon.</p>
Communication	<ul style="list-style-type: none"> ▪ Web page information for this planning proposal should have remained for a longer period to enable parents at Picton High School to comment. 	<p>The proposal was notified for an extended period of six weeks due to the Christmas/New Year and school holidays. Should this planning proposal progress another opportunity for the community to comment would be available during public exhibition.</p>
Residential Amenity and Property Values	<ul style="list-style-type: none"> ▪ There will be a loss of privacy due to the proposed development. ▪ Residential amenity will be impacted from large buildings, overshadowing, increased traffic and noise and lighting impacts. ▪ Property values will decrease because of the lower residential amenity. 	<p>An assessment of potential impacts on residential amenity and measures to alleviate these through landscaping and urban design will be undertaken.</p>

Planning & Economy

Consultation with Government Departments

If endorsed by Council, consultation will be required with the Department of Planning & Infrastructure (DP&I). Consultation with the following government agencies is expected to be required subject to a positive Gateway Determination.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

- Roads and Maritime Services
- Office of Environment and Heritage
- Department of Trade and Investment
- Mine Subsidence Board.

Further community consultation

If this draft planning proposal progresses, further community consultation opportunities will occur as part of the preparation and exhibition of a draft local environmental plan in accordance with the Gateway process. Council has the opportunity to recommend the engagement process and other consultation appropriate for this draft proposal. Picton High School representatives are proposed to be included in future consultation.

RELEVANCE TO COMMUNITY STRATEGIC PLAN OUTCOMES

The following is a preliminary assessment of the draft Planning Proposal with consideration to the relevant outcomes sought by the Community Strategic Plan.

Community Outcomes

- CO-1 The safety, health and well being of the Wollondilly community is improved
- CO-3 Wollondilly community is more engaged, more caring and more inclusive

Community safety in terms of safe traffic and transport is an issue which must be investigated should the Planning Proposal proceed. There will be further opportunities for community engagement should Council resolve to continue with this Proposal.

Economy Outcomes

- EO-1 An economic base which is broader, more competitive, more flexible and more resilient to cyclical economic swings
- EO-2 Employment generating industries that are both more effective in strengthening Wollondilly's economy and more environmentally friendly
- EO-3 Sufficient skills training and enterprise support to stimulate Wollondilly's economic development and meet the employment needs of residents

It is recommended that further investigation of potential economic impacts be undertaken if the Planning Proposal proceeds. These investigations would aim to determine if changes to land use within the site shall improve opportunities which enhance the economic viability of the locality without detracting from the established towns and villages. Additional employment-generating lands also have the potential to provide new employment for local residents.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

Environment Outcomes

- EO-2 The impact of existing and new development on the environment is reduced
- EO-3 The Wollondilly community lives and works more sustainably

These are aims which will be embodied in the assessment and outcomes of this (and every) Planning Proposal.

Infrastructure Outcomes

- IO-1 The growing vibrancy and liveability of the Shire's towns and villages enhances their strong sense of local identity and place
- IO-2 Well-managed infrastructure supports sustainable living

The capacity of essential infrastructure required to support the potential changes in land uses will be investigated should the Planning Proposal proceed.

Governance Outcomes

- GO-1 Stronger partnerships between all levels of government and the Wollondilly community facilitate the delivery of effective and accountable services

Consultation with government agencies is an essential step in the Planning Proposal process.

POLICIES & LEGISLATION

Planning Proposals

The draft Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* and relevant Department of Planning & Infrastructure guidelines including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. The draft Planning Proposal addresses the matters required by the Director-General to be addressed in all Planning Proposals.

The application for a Planning Proposal that has been submitted by the applicant is requesting the rezoning of the subject land. If Council wishes to proceed with the proposal to rezone the land, Council must resolve to support the draft Planning Proposal and to forward it to the Minister for Planning & Infrastructure for a Gateway Determination.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

Council's Options/Role

In deciding whether to forward the Planning Proposal on to the Minister for Planning & Infrastructure for a Gateway Determination, Council is effectively endorsing the Planning Proposal in principle and from that point on the Planning Proposal is deemed to be *Council's* Planning Proposal - no longer the applicant's Planning Proposal. Despite the Planning Proposal becoming Council's at that point, the costs of any required studies are to be borne by the applicant.

Council's options are:

1. Resolve to support the draft Planning Proposal. Council then sends it to the Minister for a Gateway Determination. Unresolved matters are assumed to be capable of resolution through future studies as determined by the Gateway process.
2. Resolve that the Planning Proposal needs to be amended before it can receive Council support and be forwarded to the Minister for a Gateway Determination.
3. Resolve not to support the Planning Proposal. The applicant could choose to revise/amend their proposal and submit a new application. (Note that there are no appeal rights through the Land and Environment Court against Council's refusal to support a Planning Proposal).

Option 1 is the recommendation of this report

- In late 2012, Planning Circular PS12-006 described two changes to plan making processes under Part 3 of the Environmental Planning and Assessment Act 1979. These changes came into effect on 2 November 2012 and are intended to increase transparency, provide greater certainty, and increase councils' roles and responsibilities in plan making, by:
 - delegating the making of some Local Environmental Plans (LEPs) to councils; and
 - allowing for independent reviews of some council and departmental decisions in the plan making process.

The changes give local councils responsibility for LEPs of local significance and streamline the processing of their LEPs by removing duplicative steps in the making of these LEPs. The delegations operate in respect of a draft LEP on receipt by council of a Written Authorisation to Exercise Delegation (the Authorisation). The Authorisation is issued to councils as part of the Gateway Determination. When submitting a planning proposal, councils are required to identify whether they wish to exercise the Authorisation for each planning proposal.

It is recommended that Council request this planning proposal be delegated to Council for the making of the LEP.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

At the Gateway Determination, the Minister will decide:

- Whether the proposal is justified on planning grounds
- Whether the planning proposal should proceed (with or without variation)
- Whether the planning proposal should be resubmitted for any reason (including for further studies or other information, or for the revision of the planning proposal)
- The community consultation required
- Any consultation required with State or Commonwealth agencies
- Whether a public hearing by the Planning Assessment Commission or other specified person or body is required
- The timeframes for the various stages of the procedure to make the amendment
- Whether the function of making the LEP is to be exercised by the Minister for Planning & Infrastructure or delegated to Council.

The Planning Proposal and supporting studies are placed on public exhibition. The written draft local environmental plan amendment (the draft LEP) is prepared by Parliamentary Counsel when the Planning Proposal is finalised, immediately before it is made by the Minister or delegate. The LEP takes effect when it is published on the NSW legislation website. The ultimate development of the land would then require further approvals through detailed Development Applications.

State Environmental Planning Policy 55 - Remediation of Land (SEPP55)

Under SEPP 55, planning authorities are required to consider the potential for contamination to adversely affect the suitability of a site for its proposed use. The policy states that land must not be developed if it is unsuitable for a proposed use due to contamination.

Historically the subject site may have been used for agricultural purposes which can result in contamination and therefore a Stage 1 preliminary investigation into potential contamination is required to determine whether a more detailed Stage 2 investigation and sampling is required.

Wollondilly Local Environmental Plan 2011 (WLEP)

Currently WLEP does not contain the Zone B5 Business Development Lands (B5) in the Land Use Table and this rezoning proposes to amend that table to include the B5 zone. Another current planning proposal *Tahmoor South Business Development Lands* being considered by Council is also proposing to rezone land to B5. Further consideration will need to be made when considering both proposals to ensure that the permissible uses within the B5 zone are appropriate for both locations. This is particularly important in terms of maintaining the economic viability of existing towns and ensuring that the new B5 zone does not create the potential for the development of alternative centres competing with these towns.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

Site Specific Development Control Provisions

Consideration needs to be given to Part 6 Urban release area of WLEP which requires the provision of adequate arrangements for the provision of public infrastructure and development controls to achieve planning objectives.

Site Specific Development Control Provisions may be prepared for the subject land which would include specific site objectives and development controls for the future development of the site. These provisions would be expected to include a range of design and built form controls, including (but not limited to):

- Building footprints, building envelope and site coverage
- Streetscape and building setbacks
- Site landscaping
- Pedestrian links
- Effective treatment of the business and rural interface
- Urban sensitive water design
- Sensitive building design which relates to the semi- rural location
- Noise mitigation measures.

The range of provisions included would be informed by specialist studies undertaken to support the proposal. Any site specific provisions would be reported to Council when prepared.

RELEVANT CONSIDERATIONS

Growth Management Strategy (GMS)

The site is identified in the Structure Plan for Picton as a 'potential employment area – industrial' as the land adjoins a current industrial area.

The proposed Zone B5 – Business Development includes light industrial as a permissible land use but allows for a wider range of land uses requiring larger portions of land and land uses that would complement the adjoining industrial and rural area. Accordingly the proposed B5 zone is considered to be compatible with the structure plan.

Table 2 summarises the Key Policy Directions of the GMS that are relevant to the assessment of the application. Comments as to how the Key Policy Directions relate to the application are also included in the Table.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

Key Policy Direction	Comment
General Policies	
<i>P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.</i>	The proposal is consistent with these criteria.
<i>P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS)</i>	The draft proposal is consistent with the concept and vision of 'Rural Living' to the extent that can be determined at this time as it has the potential to consolidate business growth adjoining an established industrial zone.
<i>P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.</i>	The results of initial notification are included in the section of this report titled 'Community Consultation'. The matters raised can be further investigated should the Planning Proposal proceed. There were no matters raised which prevent the progress of the Planning Proposal at this stage.
<i>P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.</i>	There have been no representations regarding this draft proposal.
<i>P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.).</i>	The potential impacts of additional employment lands on the established local towns and villages is recommended to be further investigated with specialist studies should the Planning Proposal proceed.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

Key Policy Direction	Comment
Employment Policies	
<i>P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes</i>	The proposal has the potential to create land for business opportunities and the degree to which this may contribute positive local and regional employment shall be subject to specialist studies.
<i>P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.</i>	The suitability of the location and land uses is required to be investigated in more detail should the Planning Proposal proceed.
Integrating Growth and Infrastructure	
<i>P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community.</i>	The capacity of public infrastructure to service the proposed land use changes shall be investigated should the Planning Proposal proceed. A Voluntary Planning Agreement may be appropriate for local traffic management in particular. Likely state and regional infrastructure demands will be assessed by relevant agencies post Gateway Determination.
<i>P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.</i>	The site will require servicing with potential amplification and extension of existing public utility infrastructure.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

Key Policy Direction	Comment
Rural and Resource Lands	
<p><i>P21 Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.</i></p>	<p>The subject land is within the area to which State Environmental Planning Policy, Sydney Regional Environmental Plan 20 – Hawkesbury Nepean River applies. This Policy requires consideration of potential impacts on water quality.</p> <p>Other potential environmental impacts to be investigated with specialist studies should the Planning Proposal proceed are:</p> <ul style="list-style-type: none"> - traffic and transport - loss of agricultural lands and the potential for rural land use conflicts - items and places of Aboriginal significance - European Heritage - Landscape, streetscape and visual analysis - Noise and amenity
<p><i>P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.</i></p>	<p>Key Policy Direction P22 is not applicable to the draft Planning Proposal.</p>

Financial Implications

As noted previously in this report, the draft Planning Proposal is deemed to be Council's Planning Proposal once endorsed by Council and forwarded to the Minister. Despite the Planning Proposal becoming Council's at that point, the costs of any required studies and editing of these studies by Council are to be borne by the applicant.

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

As the Planning Proposal proceeds there may be a need to prepare specific development controls and planning documents for public exhibition which will be undertaken by Council staff.

A voluntary planning agreement may be appropriate to ensure the timely provision of local infrastructure required to service potential development of the site.

This matter has no financial impact on Council's adopted budget or forward estimates.

CONCLUSION

The draft planning proposal seeks to rezone land from Zone RU2 Rural Landscape and Zone IN2 Light Industrial to Zone B5 Business Development to allow for the development of a range of specific business types such as bulky goods retailing, warehousing in addition to light industrial/service industries. The proximity of the site to the Henry Street industrial area would consolidate development in this area and should aim to integrate the site with this area. Further investigation is required to determine the most suitable permissible uses within the proposed B5 zone to ensure that potential development does not have an adverse effect on the viability of existing town centres. The aim would be to achieve development which is designed to be sensitive to surrounding and nearby land uses by in terms of building design and minimising potential impacts from increased levels of traffic and noise and overshadowing.

The draft proposal is consistent in principle with Council's recently adopted Growth Management Strategy and it is therefore recommended that the Planning Proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination

ATTACHMENTS

1. Aerial photo map of the site
2. Map showing proposed zoning of site

RECOMMENDATION

1. That Council support the draft Planning Proposal for Argyle Street Business Development Lands to amend the provisions of Wollondilly Local Environmental Plan 2011 as they apply to 459, 465, 467, 469 and 475 Argyle Street Picton, being Lot 212 DP 1094898, Lot 141 DP 997490, Lot 1 DP 537245, Lot 15 DP 1105675 and Lot 16 DP 9769250 to:

PE6 – Draft Planning Proposal - Argyle Street Business Development Lands

- apply Zone B5 Business Development to Lots 141 DP 997490, Lot 1 DP 537245, Lot 15 DP 1105675 and Lot 16 DP 979250 and; Lot 212 DP 1094898
 - change the Height of Buildings Map to impose a height limit of 12 metres over the entire site
 - change the Lot Size Map by removing the 16 ha minimum lot size to no minimum lot size for the entire site
 - change the Land Use Table by including a Zone B5 Business Development Zone with permissible uses to be determined after further assessment.
2. That the draft Planning Proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination with a request that the Planning Proposal be delegated to Council.
 3. That the applicant and persons who made submissions regarding the draft Planning Proposal be notified of Council's decision.

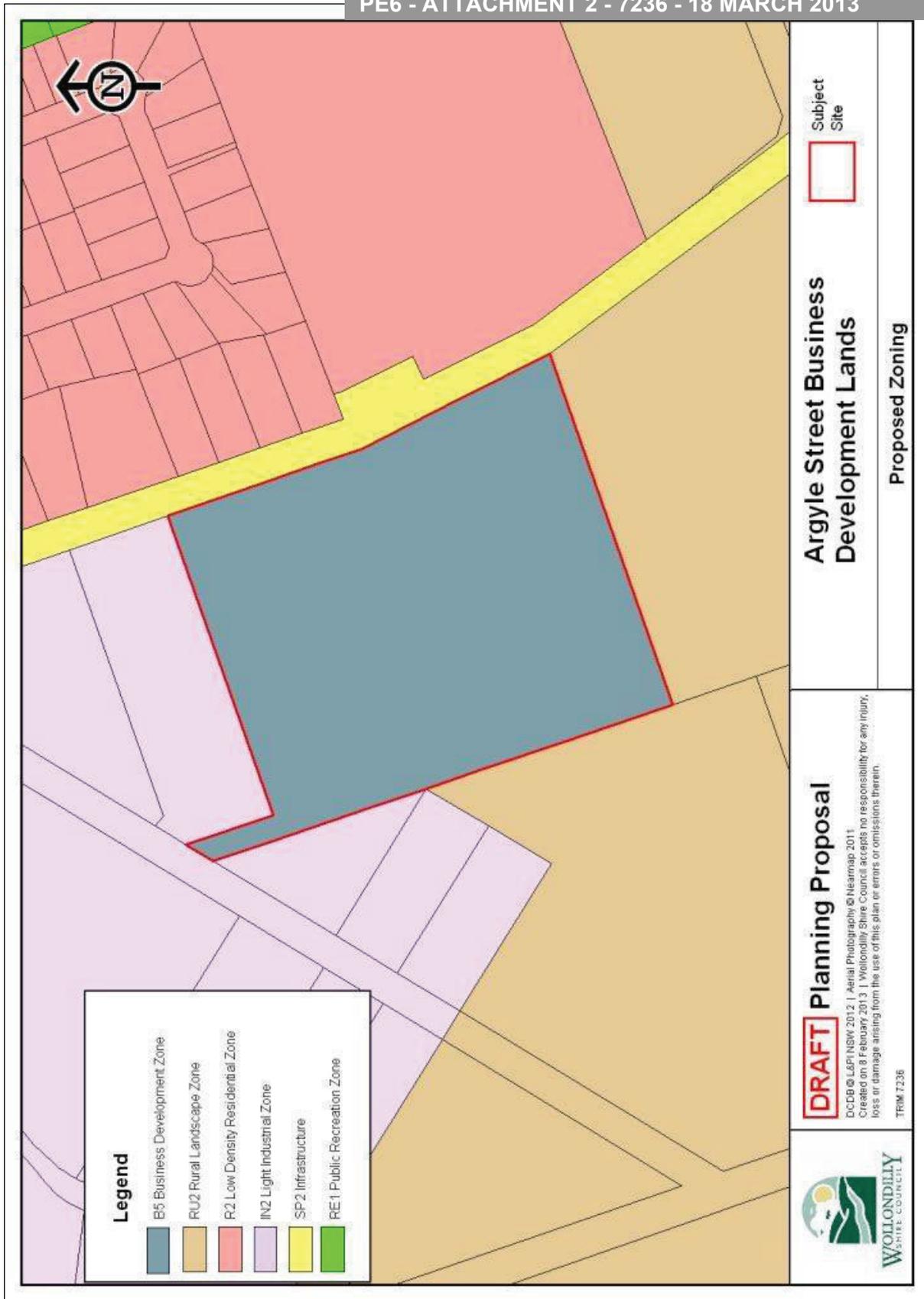
PE6 - ATTACHMENT 1 - 7236 - 18 MARCH 2013



 <p>Subject Site</p>	<p>Argyle Street Business Development Lands For the rezoning of land at 459, 465, 467, 469 and 475 Argyle Street Picton. Aerial View</p>	<p>Wollondilly Shire Council Planning Proposal DCCD & L&PI NSW 2012 Aerial Photography © Neamap 2011 Printed on 6 December 2012 Wollondilly Shire Council accepts no responsibility for any injury, loss or damage arising from the use of this plan or errors or omissions therein.</p>	
---	--	--	---

Planning & Economy

PE6 - ATTACHMENT 2 - 7236 - 18 MARCH 2013



Planning & Economy