

Hawkesbury LEP 2012 (Amendment No __) - 36 Argyle Street, South Windsor

Proposal Title : **Hawkesbury LEP 2012 (Amendment No __) - 36 Argyle Street, South Windsor**

Proposal Summary : **The proposal seeks to allow development for light industrial purposes on land currently zoned for private recreation by rezoning it from RE2 Private Recreation to IN2 Light Industrial. The site is part of the South Windsor RSL Club, and is surplus to the Club's requirements.**

PP Number : **PP_2013_HAWKE_001_00** Dop File No : **13/03054**

Planning Team Recommendation

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

S.117 directions : **1.1 Business and Industrial Zones
3.4 Integrating Land Use and Transport
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 with the following conditions:**

- (1) The Director General's delegate agrees that any inconsistency with section 117 directions 4.1 (Acid Sulfate Soils) and 4.3 (Flood Prone Land) is of minor significance;
- (2) The Relevant Planning Authority consults the State Emergency Service, the Hawkesbury - Nepean Catchment Management Authority and the Office of Environment and Heritage prior to public exhibition of the planning proposal;
- (3) Community consultation for 14 days;
- (4) 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 : **While the intent of the proposal is to allow the landowner to turn 1.1ha of a 2.33ha site into industrial land, it should be noted that Hawkesbury City Council proposes to rezone the entire 2.33ha site from RE2 Private Recreation to IN2 Light Industrial. While this is more than is strictly necessary, it is not considered problematic, as registered clubs are permitted as an innominate use in the IN2 Light Industrial zone, meaning that the Club could continue to function and develop without relying on existing use rights. Further, the rezoning is consistent with the surrounding IN2 Light Industrial area. If the remainder of the site (ie. the Club) were to be eventually converted to industrial use, the Windsor and South Windsor area still contains a number of registered clubs.**

Panel Recommendation

Recommendation Date : **28-Feb-2013**

Gateway Recommendation : **Passed with Conditions**

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

1. Council may add part of Mileham Street adjoining the subject land to the planning proposal, if agreed.
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 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

Preparing LEPs (Department of Planning & Infrastructure 2012).

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

- Hawkesbury – Nepean Catchment Management Authority
- Office of Environment and Heritage
- State Emergency Service

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.

4. 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).

5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McCreaffin

Date:

6.3.13.