

### Wollondilly LEP 2011 - Land adjoining Oakdale sportfields Lots 1, 2 and 6 DP 734561

Proposal Title : **Wollondilly LEP 2011 - Land adjoining Oakdale sportfields Lots 1, 2 and 6 DP 734561**

Proposal Summary : **To rezone the land from RU1 Primary Production to part R2 Low Density Residential and part E2 Environmental Conservation.**

PP Number : **PP\_2013\_WOLLY\_006\_00**      Dop File No : **13/06824**

### Planning Team Recommendation

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

S.117 directions :      **1.2 Rural Zones  
2.1 Environment Protection Zones  
2.3 Heritage Conservation  
3.1 Residential Zones  
3.4 Integrating Land Use and Transport  
4.4 Planning for Bushfire Protection  
6.2 Reserving Land for Public Purposes  
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. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act 1979 for a period of 28 days;**

**2. The time frame for completion of the local environmental plan is to be 18 months from the week following the date of the Gateway determination;**

**3. Council is to undertake the specific studies as proposed in the planning proposal including Bushfire Hazard Management Plan, Flooding & Stormwater, Flora & Fauna, Transport & Movement Assessment, Traffic Assessment, on-site sewerage treatment facility (if not connected to Sydney Water system), and Phase 1 Contamination Report. Council should also undertake the following additional studies:  
- Indigenous heritage due diligence assessment**

**4. Delegation is to be given for Council to exercise the Minister's plan making powers.**

**5. Council is required to consult the RFS prior to exhibition of the planning proposal.**

**6. Council is required to consult the following agencies: Sydney Catchment Authority, Department of Education and Communities, Office of Environment and Heritage, NSW Department of Primary Industries - Agriculture and Minerals and Petroleum, NSW Rural Fire Service, Transport for NSW - Roads and Maritime Services, Sydney Water, adjoining local government areas and other relevant authorities.**

**The consultation with RMS, OEH, Department of Education and Communities should also clearly seek comment on whether the proposal would generate a need for State infrastructure. The outcome of this consultation process is to be provided to the Department's regional team, once completed.**

**7. The proposal is to be amended prior to exhibition to include:  
- maps (Land Zoning, Height of Building and Minimum Lot Size)  
- model clauses 6.1 - 6.4 for designated State Public Infrastructure.**

**8. The Director General agrees to inconsistencies to s117 Directions 1.2 Rural Land.**

**Supporting Reasons :** The planning proposal will provide additional housing and housing choice in a generally appropriate location. The proposal is also consistent with the potential growth areas as outlined in the Wollondilly Growth Management Strategy.

**Panel Recommendation**

**Recommendation Date :** 09-May-2013

**Gateway Recommendation :** Passed with Conditions

**Panel Recommendation :** The planning proposal should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, the planning proposal is to be updated to include all relevant parts as outlined under Section 2 'Parts of the Planning Proposal' in the department's A guide to Preparing Planning Proposals, including the 'objectives and intended outcomes'.
2. Prior to undertaking public exhibition, Council is to provide existing and proposed land zoning, lot size and height of buildings maps, which are at an appropriate scale and clearly identify the subject site.
3. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:
  - bushfire hazard management
  - flora and fauna
  - flooding and stormwater
  - traffic and transport
  - on-site sewerage treatment
  - Indigenous heritage due diligence assessment
  - rural land use conflict
  - address requirements of S117 Direction 5.2 Sydney Drinking Water Catchments
4. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 - Remediation of Land. An initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone is to be prepared. This report is to be included as part of the public exhibition material.
5. Prior to undertaking public exhibition, the planning proposal is to be updated to identify the subject land as an Urban Release Area and include the department's model clauses 6.1 Arrangements for designated State public infrastructure, 6.2 Public utility infrastructure, 6.3 Development control plan and 6.4 Relationship between part and remainder of plan.
6. 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 Preparing LEPs (Department of Planning & Infrastructure 2013).
7. 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:
  - Sydney Water
  - Endeavour Energy
  - Sydney Catchment Authority
  - Department of Education and Communities
  - Office of Environment and Heritage
  - NSW Department of Primary Industries – Agriculture
  - NSW Department of Primary Industries – Minerals and Petroleum
  - Transport for NSW – Roads and Maritime Services

- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
- Adjoining LGAs

Relevant public authorities should be consulted on whether the proposal will generate a demand for the provision of State infrastructure. A copy of submissions from State agencies is to be provided to the department's regional office.

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.

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 18 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

NEIL SELMAN

Date:

15/5/2013