

PLANNING PROPOSAL No. 1A

INDUSTRIAL EXPANSION LANDS

[This Planning proposal supersedes Planning Proposal No 1 Industrial Expansion Lands including Heavy Vehicle Route. Planning Proposal No 1B Heavy Vehicle Route will be separately submitted.]



YOUNG SHIRE COUNCIL

Date Council resolved to prepare:	15 June 2011
Date sent to LEP Review Panel:	
Date Gateway Determination received:	
Date Council Meeting resolved to place on public exhibition:	
Date Council determined submissions:	

LOCAL GOVERNMENT AREA: Young Shire Council

ADDRESS OF LAND: VARIOUS LOTS AS LISTED

MAPS AND AERIAL PHOTOS: REFER TO ATTACHMENTS

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PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The purpose of the planning proposal is as follows:

- Firstly to implement the findings of the planning study titled “Industrial Lands Investigation Young 2011” conducted by Consultants ADW Johnson;
- Secondly to correct an inadvertent error relating to Lot xx DP xx that occurred at the time of gazettal of Young LEP 2010.

The first purpose relates to the Industrial Lands Investigation Young 2011. This planning study found that, based on supply and demand data three areas of land within the Township of Young should be rezoned as follows:

- Land identified in attached mapping and bounded by Chillingworks Road area to the west of the Township from DM Deferred Matter to part zone IN1 General Industrial and part zone RU4 Primary Production Small Lots with a minimum lot size of 2 and 4 hectares with a further part of land area zone SP2 Sewage Treatment Plant;
 - Attachment 2 shows mapping of existing Deferred Matter land;
 - Attachment 3 shows mapping of proposed zone and minimum lot size;
 - Attachment 4 shows aerial photo of location;
- Land identified in attached mapping and located in Park Avenue from DM Deferred Matter to zone R1 General Residential;
 - Attachment 5 shows mapping of existing zone;
 - Attachment 6 shows mapping of proposed zone with no minimum lot size;
 - Attachment 7 shows aerial photo of location;
- Land identified in attached mapping and located in Spring Creek Road known as Lot 7 DP 605646 and Lot 21 DP 873188 from zone RU4 Primary Production Small Lots with minimum lot size of 2 hectares to zone IN1 General Industrial with no minimum lot size;
 - Attachment 8 shows mapping of existing zone and minimum lot size;
 - Attachment 9 shows mapping of proposed zone;
 - Attachment 10 shows aerial photo of location.

The first intended outcome of the planning proposal is that land identified as “DM” Deferred Matter (two areas as mentioned above) is given a specific zone in Young LEP 2010. Land identified as Deferred Matter can create uncertainty and stifle development opportunity for the affected landowners and adjoining landowners.

The second intended outcome is to correct an inadvertent error relating to land that is located adjacent to the Deferred Matter land in Chillingworks Road Young.

Council at its Meeting on 15 June 2011 resolved that the planning proposal be prepared and forwarded to the Department of Planning and Infrastructure.

PART 2 – EXPLANATION OF THE PROVISIONS OF THE PROPOSED LEP

The proposed LEP will amend the Young LEP 2010 as described below.

Mapping will be amended as follows:

- Chillingworks Road area (Deferred Matter) to part zone IN1 General Industrial and to part zone RU4 Primary Production Small Lots with a minimum lots size of 2 and 4 hectares, as shown on the mapping. In addition land is zoned SP2 Sewage Treatment Plant. Maps LZN_013 and LSZ_013 are to be amended;
- Park Avenue area (Deferred Matter) to zone R1 General Residential, as shown on the mapping. No minimum lot size is proposed. Map LZN_016 is to be amended;
- Spring Creek Road area, Lot 7 DP 605646 and Lot 21 DP 873188 from zone RU4 Primary Production Small Lots to zone IN1 General Industry. No minimum lot size is proposed. Map LZN_014 is to be amended;
- Burrangong Hall Road, Lot 2189 DP 754611 from no minimum lot size to minimum lot size of 170 hectares. No change to zone is proposed. Map LSZ_013 is to be amended.

Written Instrument will be amended as follows in Planning Proposal No 5 Sundry Amendments. This approach is taken to ensure that development rights for DM land (Chillingworks Road area and Park Avenue area) are maintained until Planning Proposal No 1A Industrial Expansion Lands is made by the Minister:

- delete clause 1.8 (1A) Repeal of other local environmental planning instruments applying to the land;

PART 3 – JUSTIFICATION

Section A – Need for the planning proposal

1 Is the planning proposal a result of any strategic study or report?

Yes. Consultants ADW Johnson conducted the Industrial Lands Investigation Young 2011. The findings of this planning study were detailed in a report to the Ordinary Meeting of Council on 15 June 2011. The findings included the rezonings proposed in this planning proposal.

The key findings of the planning study were as follows:

- There is a low demand of approximately 6 hectares of industrial land transacted each year for the period 2001 to 2010;
- Future demand will continue to be driven from local circumstances and growth;
- There are three opportunities to motivate and encourage industrial activity in Young as follows:
 - Extend the Chillingworks Road industrial area as shown in the mapping;
 - Rectify the current problem caused by the Causmag International industrial site in Park Avenue. The site processes magnesium oxide for use in agriculture and other industries and is located adjacent to Burrangong Creek and also adjacent to the Young CBD. It is recommended that this site be

rezoned R1 General Residential so as to provide an incentive for the Company to re-locate to a more suitable area and the area is suitable for residential development due to its proximity to Boorowa Street and the Young CBD;

- Provide a small area of infill industrial zoning in the existing industrial area in Spring Creek Road by rezoning the land identified in the Attachments mentioned earlier.

In addition to the above rezonings it is proposed to correct an inadvertent error on land adjacent to the industrial land marked Deferred Matter in Young LEP 2010 and located in the Chillingworks Road area. This issue is addressed in detail in the proposed mapping changes.

2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Based on the findings of the planning study and with an understanding of industrial land activity in Young Shire, the planning proposal is considered to be the best means of achieving the intended outcomes.

The rezoning of land is the only way to achieve the outcomes Council is seeking.

3 Is there a net community benefit?

Net community benefit is examined in the context of jobs generated, business regeneration, expansion and renewal, local and regional economic effects and infrastructure implications.

The three key findings of the planning study (low demand for industrial land, demand tends to be locally driven from within Young Shire and opportunity zoning) provide the setting for employment opportunities, business regeneration and best potential for future growth and economic benefits. Details in the planning study provide sound justification for these findings and present a valuable insight into the local economic circumstances.

Young Shire is a diverse agricultural centre that is home to a wide range of rural productive industries. Providing future opportunities for these industries with an understanding of the current dynamic circumstances of the agricultural sector is considered to be the best community benefit.

The local Community need to understand that low demand for local industrial land is a reality to be accepted.

Infrastructure funding arrangements for industrial land form part of the recommendation of the planning study.

Section B – Relationship to strategic planning framework

4 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

There are no regional or sub-regional strategies applying to land in Young Shire.

5 Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

Council's Community Strategic Plan is nearing completion and adoption by Council.

Section 1.2 of the Plan relates to "Urban design, planning and building control that meets Community needs." One of the sub-sections requires Council land use planning decisions to be based on the Young Shire Strategic Landuse Strategy Towards 2030. This Strategy will be updated to include the planning study done as part of this planning proposal. By this means the land use planning Strategy will be linked to the Community Strategic Plan.

6 Is the planning consistent with applicable state environmental planning policies?

SEPPs relating to development control stage (such as SEPP (Exempt and Complying Development Codes) 2008 are not addressed below. Such SEPPs will be addressed at development control stage, as relevant, and will not affect this planning proposal.

SEPP	Relevance	Consistency	Implications
SEPP (Rural Lands) 2008	Aims to facilitate the orderly and economic use and development of rural lands for rural and related purposes.	Yes.	Rural productive lands are not affected by this planning proposal.
SEPP (Infrastructure) 2007	Aims to more efficiently facilitate the delivery of infrastructure through the establishment of consistent planning provisions for infrastructure and services.	Yes	Provision of infrastructure (as identified in this SEPP) will be upgraded as identified in the planning study.
SEPP No 62 Sustainable Aquaculture	Aims to encourage the sustainable expansion of sustainable aquaculture (pond-based and tank-based).	Yes.	There are no known such land uses in Young Shire.
SEPP No 55 Remediation of Land	Aims to prevent the development of land that is unsuitable for a proposed use because it is contaminated and	Yes.	Land to be rezoned in Park Avenue is currently an industrial site occupied by Causmag International. It is

	provided standards for remediation where contamination has been identified.		considered that this site needs a remedial land study prior to LEP amendment or a clause in Part 6 Additional Local Provisions to require the study prior to residential use of the land.
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7 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

S117 Ministerial Directions impose certain requirements on the preparation of a draft LEP.

Ministerial Direction	Relevance	Consistency	Implications
1.1 Business and Industrial Zones	Aims to encourage employment growth and protect employment land in business and industrial zones and support the viability of strategic centres.	Yes.	Proposed rezonings provide additional industrial land adjacent to the existing industrial land.
1.2 Rural zones	Direction requires the protection of agricultural production value of rural land.	Yes.	Rural productive lands are not affected by this planning proposal.
1.5 Rural Lands	Direction protects agricultural production value of rural land and facilitates orderly and economic development of rural lands for rural and related purposes. It is relevant to SEPP (Rural Lands) 2008.	Yes.	Rural productive lands are not affected by this planning proposal.
2.1	Direction	Yes.	No environment

Environment Protection Zones	facilitates the protection of environmentally sensitive land.		protection zone has been identified by the planning study or the planning proposal.
3.1 Residential Zones	Direction seeks to optimise housing choice and location whilst minimising impact of residential development on the environment and resource lands.	Yes.	Planning conflicts between industrial and residential land uses will not arise due to the minimal nature of the rezoning in the planning proposal.
3.3 Home Occupations	Direction requires a draft LEP to contain provisions that a Home Occupations are permissible without consent.	Yes.	Young LEP 2010 satisfies this direction.
3.4 Integrating Land Use and Transport	Direction requires consistency with State policy in terms of positioning of urban land use zones.	Yes.	A heavy vehicle route investigation is continuing and, if needed, will form part of planning Proposal No 1B Heavy Vehicle Route.
4.4 Planning for Bushfire Protection	Direction applies to land that has been identified as bushfire prone and requires consultation with the NSW Rural Fire Service, among other requirements.	Yes.	No bushfire prone land affected.
6.1 Approval and Referral Requirements	Direction minimises provisions in a draft LEP that require concurrence, consultation or referral to a Minister or public authority.	Yes.	Young LEP 2010 satisfies this direction.

Section C – Environmental, social and economic impact

- 8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely effected as a result of the proposal?**

The minimal land use changes in the planning proposal will not have any detrimental effect on any critical habitat or other environmental circumstances.

- 9 Are there any other likely environmental effects as a result of the planning proposal and how they are proposed to be managed?**

Similar comments to those in Item 8 above.

- 10 How has the planning proposal adequately addressed any social and economic effects?**

The planning proposal provides opportunity for industry to establish in Young within the low demand circumstances identified in the study. Rezoning in the planning proposal provide opportunity for industrial growth within the Shire. Employment opportunities can follow industrial growth. Economic benefits can flow from the growth of local industry within Young Shire.

Section D – State and Commonwealth Interests

- 11 Is there adequate public infrastructure for the planning proposal?**

The planning study found, amongst other matters, that some existing industrial land is not “market ready” and suggests that Council should take action to rectify this problem.

Infrastructure funding is a recommendation of the planning study that Council will implement.

Existing infrastructure is adequate for the growth within the proposed rezonings, subject to some improvement as proposed by Council.

- 12 What are the views of State and Commonwealth public authorities consulted in accordance within this gateway determination?**

The views of Commonwealth and State public authorities will be sought as required by the Gateway Determination when issued by the Department of Planning and Infrastructure.

PART 4 – COMMUNITY CONSULTATION

Consultation with the Community and public authorities will be carried out in accordance with the requirements of the Gateway Determination issued by the Department of Planning and Infrastructure.

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