

Highway service centre and hotel or motel accommodation on Part of Lot 2, DP 1010179, Colo Vale

Proposal Title :	Highway service centre and hotel or motel accommodation on Part of Lot 2, DP 1010179, Colo Vale		
Proposal Summary :	The proposal seeks to amend Schedule 1 of the Wingecarribee LEP 2010 to permit the development of a highway service centre and hotel or motel accommodation on Lot 2, DP 1010179, 1-9 Church Ave, Colo Vale.		
PP Number :	PP_2014_WINGE_002_00	Dop File No :	14/01767-1

Planning Team Recommendation

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

S.117 directions :

- 1.2 Rural Zones
- 1.5 Rural Lands
- 2.1 Environment Protection Zones
- 3.4 Integrating Land Use and Transport
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 5.2 Sydney Drinking Water Catchments
- 6.1 Approval and Referral Requirements
- 6.3 Site Specific Provisions

Additional Information : It is **RECOMMENDED** that the Deputy Director General, as delegate of the Minister for Planning and Infrastructure, determine under section 56(2) of the EP&A Act that an amendment to the Wingecarribee LEP 2010 to permit the development of a highway service centre and hotel or motel accommodation on part of Lot 2, DP 1010179, Church Ave, Colo Vale should proceed subject to the following conditions:

1. The amendment of Schedule 1 of the Wingecarribee LEP 2010 to permit the proposal is not supported. Instead, the relevant planning authority is to rezone the subject land to SP1 Special Activities noting that 'Highway service centres' and 'Hotel and motel accommodation' are to be permitted with consent.

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 local environmental plans (Department of Planning and Infrastructure, 2013)'.

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

- Roads and Maritime Services (prior to community consultation)
- NSW Rural Fire Service (prior to community consultation s117 4.4)
- Sydney Catchment Authority (SCA s117 5.2)

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 detailed traffic impact analysis is to be prepared to assist Council in its consultation with the Roads and Maritime Services that meets the requirements of the Roads and Maritime Services as outlined in the RMS letter to the Wingecarribee Shire Council dated 10 June 2011.

5. No public hearing is required to be held into the matter 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).

6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

7. Council be authorised to use the Minister's plan making delegation under sections 59(2),(3)&(4) of the Environmental Planning and Assessment Act 1979.

8. **SECTION 117 DIRECTIONS** - It is recommended that:

(a) The Director General can be satisfied that the planning proposal is consistent with s117 Direction 1.5 Rural Lands, 3.4 Integrated Land Use and Transport, 4.4 Planning for Bushfire Protection, 5.1 Regional Strategies and 6.3 Site Specific Provisions;

(b) The Director General can be satisfied that the planning proposal will be consistent with s117 Directions 4.4 Planning for Bushfire Protection and 5.2 Sydney Drinking Water Catchments when Council has consulted with the NSW Rural Fire Service and SCA respectively;

(c) The Director General can be satisfied that the planning proposal is consistent with all other relevant s117 Directions or that any inconsistencies are of minor significance; and

(d) No further consultation or referral is required in relation to s117 Directions while the planning proposal remains in its current form.

9. The planning proposal is considered to be consistent with all relevant SEPPs.

Supporting Reasons :

The planning proposal implements the recommendations of the Southern JRPP's assessment undertaken as part of a Pre-Gateway Review. There are no outstanding issues of concern.

Panel Recommendation

Recommendation Date : **13-Feb-2014**

Gateway Recommendation : **Passed with Conditions**

Panel

Recommendation :

The Planning Proposal should proceed subject to variations as outlined by the following conditions:

1. The use of Schedule 1 to permit a highway service centre and a hotel or a motel is not supported. Council is to rezone the subject land to an appropriate zone such as SP1 Special Activities, which permits the proposed land use. Council is to amend the planning proposal accordingly prior to undertaking public exhibition.

2. A detailed traffic impact analysis is to be prepared and address requirements of Roads and Maritime Services (RMS) as outlined in the letter from RMS to Council on 10 June 2011.

3. 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).

4. Consultation is required with the following public authorities under section 56(2)(d) of

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Colo Vale**

the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

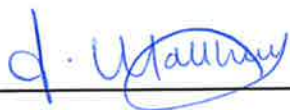
- Roads and Maritime Services
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
- Sydney Catchment Authority (S117 Direction 5.2 Sydney Drinking Water Catchments)

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.

5. 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).

6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

19/2/14