

PLANNING PROPOSAL No. 3

YOUNG ABATTOIR LANDS



YOUNG SHIRE COUNCIL

Date Council resolved to prepare: 19 May 2010
Date sent to LEP Review Panel:
Date Gateway Determination received:
Date Council Meeting resolved to place on public exhibition:
Date Council determined submissions:

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of the planning proposal is to rezone lands used for Young abattoir so as to facilitate continuation of the existing use.

The planning proposal applies to the following lands that are known as 13 Scenic Road Young:

- Lot 481 DP 1082840;
- Lot 2 DP 345988;
- Lots 479 and 480 DP 754611;
- Lot 1 DP 133688.

Aerial photo of subject lands is provided in Attachment 1.

Site plan of subject lands is provided in Attachment 2.

PART 2 – EXPLANATION OF THE PROVISIONS

Young LEP 2010 is to be amended as follows:

- LZN mapping for the subject lands is to be amended from Deferred Matter (DM) to zone RU1 Primary Production, and
- LSZ mapping for the subject lands is to be amended from uncoloured to the colour relating to the lot size for 24 hectares being the minimum lot size of lands zoned RU1 that adjoin the subject lands.

Young LEP 2010 identified the lands mentioned above as DM (deferred matter). Council is seeking to resolve the deferred matter. The lands have been the subject of environmental complaints including odour and noise. An odour study was done in 2007 to examine this issue.

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 known as The Odour Unit conducted the Odour impact Assessment Study 2007 as part of preparing the Young LEP 2010. The Study recommended, amongst other issues, that development of Young abattoir lands be limited to a geographic area around the main abattoir building.

When preparing the plan the geographic area was identified in the mapping. General agreement was reached with relevant public authorities regarding the geographic area. The mapping in the plan reflects the correct geographic area, as agreed. Inadvertently the zone and the permitted uses in the land use table of the draft plan, permit unintended land uses.

This planning proposal is designed to resolve the deferred matter issue and provide certainty to landowners of the Young abattoir and adjoining landowners.

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

The intended outcomes for the planning proposal can be summarised as follows:

- To protect the existing land use of the Young abattoir;
- To protect the existing use of the Young Abattoir as an important adjunct for adding value for rural production and an employment generator for Young Shire and the wider region.

Justification for the planning proposal as the best means of achieving the objectives is based on the following reasons:

- Young Abattoir is an important land use that serves and provides value-adding for rural producers in Young Shire and the wider region;
- The existing land use is a facility serving rural producers, providing employment and producing meat and meat products for the Australian and International markets;
- The planning proposal is a means of identifying, for the community generally, the abattoir lands;
- Council considers that ultimately the abattoir development would be best sited elsewhere in more appropriately zoned land.

Alternative means of achieving the objective with reasons for not supporting them could include the following:

- Leave the lands as a deferred matter and existing use rights provisions of the Environmental Planning and Assessment Act and Regulation would apply;
- List the lands in Schedule 1 Additional uses permitted of the Young LEP 2010.

Maintaining the lands as a deferred matter would not provide the certainty for the owners of the abattoir lands. Zone RU1 Primary Production provides the certainty. However one negative of zoning the lands zone RU1 is that the abattoir has some potential to be expanded or modified. It will be necessary for Council to address the issues of past concerns should a development application for expansion be lodged. Moreover it is Council's opinion that the present site is at maximum capacity and modifications/improvements may well be the limit of any development proposed.

Listing the lands in Schedule 1 would provide certainty for owners of the abattoir lands and is a feasible alternative.

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.

Employment generation of the Young abattoir to 2030 is considered to be an important community benefit for residents of Young Shire and for residents of the wider region served by the abattoir. The objective of the planning proposal is to facilitate continuation of the abattoir as it is an employment generator for Young Shire and the wider region.

Net community benefit via employment strength and the sub-benefit of business growth and increased local business resilience is an intended outcome for this planning proposal.

The need to manage environmental issues arising from the abattoir use is another important community benefit. The backstop utilisation of existing use rights provision does not threaten the current business, it serves moreover to keep ever-present Council's Strategic Direction is that the development would be best served elsewhere, in time.

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?

Not relevant. Council's Community Strategic Plan is currently being prepared. This Planning Proposal is consistent with Council's Management Plan which required a comprehensive review of Council's LEP and by inference, all strategic LEP work to date.

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.	The subject land is zoned RU1 primary production. The anticipated impact is that the subject land will have limited rural use. While land use will be limited to livestock processing

			industries, such use is important as a value-adding industry for the rural area.
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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
1.2 Rural zones	Direction requires the protection of agricultural production value of rural land.	Yes.	There is an anticipated impact in that the use of the land will be limited to livestock processing industries and not wider uses (via existing use right provisions). Such limited use in an important value-adding process and this limited inconsistency is justified.
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.	There is an anticipated impact in that the use of the land will be limited to livestock processing industries and not wider uses (via existing use right provisions). Such limited use in an important value-adding process and this limited inconsistency is justified.

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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 affected as a result of the proposal?

A creek traverses a rear portion of the site and this area has been identified on the Natural Resources Sensitivity Biodiversity Mapping (Sheet NRB_015). Council is not aware of any critical habitat or threatened species in the identified area. The site is known to officers of the NSW Department of Environment and Climate Change.

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

A large portion of the site has been identified on the Natural Resources Sensitivity Land Map (Sheet NRL_015). The identified portion is generally adjacent to the main abattoir buildings and has existed for a number of years with no known detrimental environmental effects. The site is known to officers of the NSW Department of Environment and Climate Change.

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

Social and economic effects include the needs of the urban and rural community of Young Shire and the wider region that the abattoir serves. The social and economic effects of the Young abattoir include employment generation, value adding for rural producers, reduced transport costs for rural producers.

Section D – State and Commonwealth Interests

11 Is there adequate public infrastructure for the planning proposal?

There are no changes regarding adequate public infrastructure from the planning proposal.

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 part of the consultation process prior to preparation of the draft LEP amendment. The NSW Department of Environment and Climate Change were previously involved with Council regarding this issue. This planning proposal is designed to implement the agreed arrangements between Council and the Department for the subject land.

PART 4 – COMMUNITY CONSULTATION

The proposal is considered to have wide community interest and Council will carry out the decision and direction of the Gateway Determination regarding this issue.

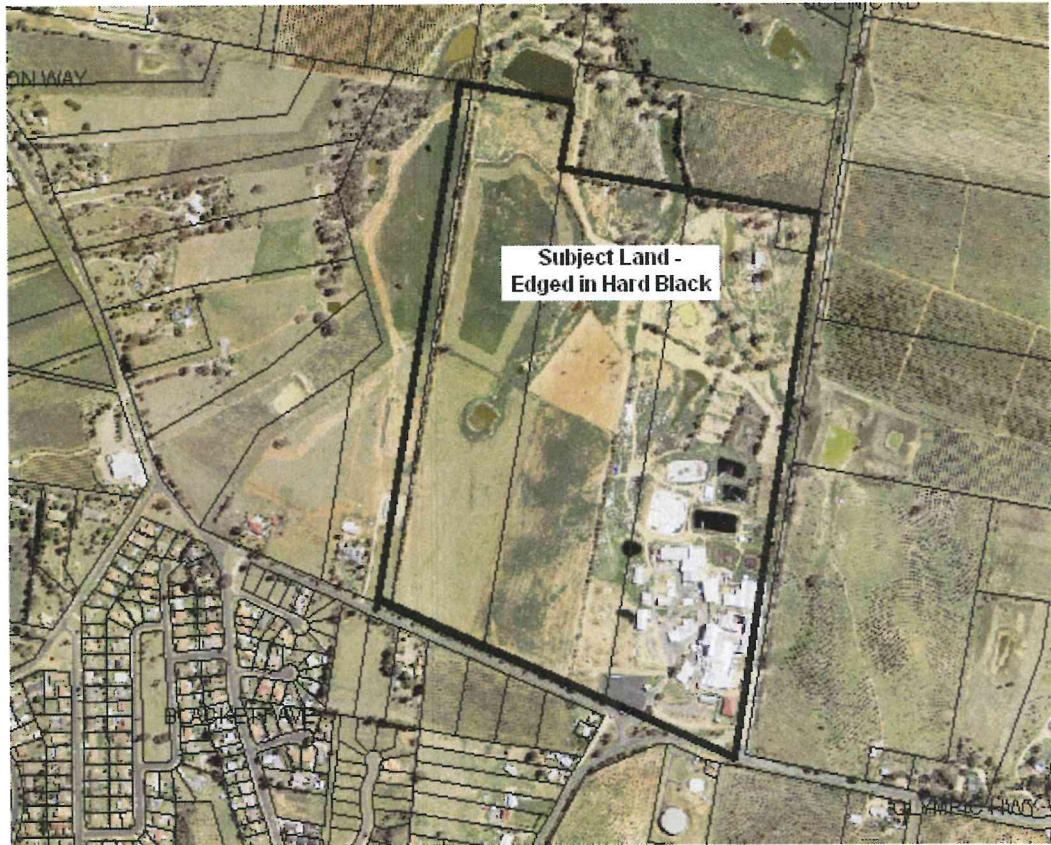
Consultation will be carried out in accordance with the statutory requirements set by the EP&A Act and its regulation.

The proposed consultation strategy for this planning proposal will be:

- Exhibition in a locally circulating newspaper.
- Notification of those landowners adjoining the lands identified in this planning proposal.

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Attachment 1 – Aerial Photograph of Subject Lands



Attachment 2 – Map Extract from Young Draft LEP 2010

