

Rezone Lot 7307 DP 1146411 Nattai Street Welby

Proposal Title : **Rezone Lot 7307 DP 1146411 Nattai Street Welby**

Proposal Summary : **Wingecarribee Council wishes to amend "Schedule 1 - Additional permitted uses" of Wingecarribee Local Environmental Plan 2010 to allow a Rural Fire Service training facility (including a helipad) at Lot 7307 Nattai Street, Welby. The site is zoned E2 Environmental Conservation.**

PP Number : **PP_2011_WINGE_004_00** Dop File No : **11/20618**

Planning Team Recommendation

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

S.117 directions : **2.1 Environment Protection Zones
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 instead of amending Schedule 1, the land use of emergency services facilities should be included as permissible with consent in the E2 land use table as discussed previously.**

The proposal is considered to be routine, requiring 28 days exhibition and should be completed within 6 months of the week following the Gateway Determination.

The planning proposal as modified above is consistent with s117 Directions 1.5; 2.1; and 6.3. Consultation has been undertaken with SCA and it will be consulted again on the modified planning proposal; and the NSW Rural Fire Service will be consulted prior to exhibition and the proposal is therefore consistent with s117 Directions 4.4 and 5.2. It is considered that s117 Direction 6.1 does not apply and the proposal is considered consistent with all other applicable s117 Directions.

Supporting Reasons : **Retention of the E2 zone is preferable due to the environmental value of the land particularly due to the endangered ecological community of Southern Highlands Shale Woodlands identified on the site.**

A significant demand for other emergency services facilities throughout the LGA would be unlikely, particularly as there are only seven other organisations that fall within the definition of emergency services organisation.

Panel Recommendation

Recommendation Date : **25-Jan-2012** Gateway Recommendation : **Passed with Conditions**

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

- 1. Council should proceed with the Planning Proposal adopting one of the following two options:**
 - insert 'Emergency service facilities' as permissible with consent in the E2 land use table; or**
 - rezone the site to E3 Environmental Management and insert 'Emergency service facilities' as permissible with consent in the E3 land use table.**

The Planning Proposal should be amended prior to exhibition to reflect Council's preferred

approach.

2. In relation to S117 Direction 5.2 Sydney Drinking Water Catchments, Council is to consult with the Sydney Catchment Authority prior to undertaking community consultation for the planning proposal and take into account any comments made in progressing the draft LEP.

3. In relation to S117 Direction 4.4 Planning for Bushfire Protection, Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made in progressing the draft LEP.

4. 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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 14 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

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

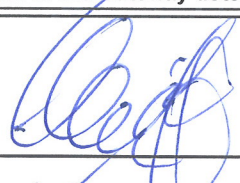
- NSW Rural Fire Service
- Sydney Catchment Authority

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.

6. 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).

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

Signature:



Printed Name:

Neil McGaffin

Date:

2.2.12