

Glenwood Business Park Extension

Proposal Title : **Glenwood Business Park Extension**

Proposal Summary : **To rezone 18.7 ha of land from RU2 Rural Landscape to B5 Business Development and B6 Enterprise Corridor, and remove minimum lot size requirements.**

PP Number : **PP_2011_MAITL_004_00** Dop File No : **11/21023**

Planning Team Recommendation

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

S.117 directions :

- 1.1 Business and Industrial Zones
- 1.2 Rural Zones
- 1.5 Rural Lands
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements

Additional Information :

1. Council is to prepare an acid sulphate soils study in accordance with the requirements of S117 Direction 4.1 Acid Sulfate Soils to assess the appropriateness of the changes in land use given the possible presence of acid sulphate soils within the site. This study is to be placed on public exhibition with the planning proposal.
2. Council is to prepare a preliminary site investigation contamination study in accordance with clause 6(1) of State Environmental Planning Policy (SEPP) No. 55 – Remediation of Land. This study is to be placed on public exhibition with the planning proposal.
3. Council is to undertake an ecological assessment of the subject site including consideration of the adjoining SEPP 14 Coastal Wetlands, and consult the Office of Environment and Heritage in regards to minimising the impact of urban development on land within the adjoining SEPP 14 - Coastal Wetlands.
4. Council is to prepare a flood and drainage study of the subject site, and undertake consultation with the Office of Environment and Heritage as per the requirements of S117 Direction 4.3 Flood Prone Land.
5. Council is to ensure that appropriate mapping is provided for public exhibition purposes and in particular, the subject site is to be clearly identified in all supporting mapping placed on public exhibition. In addition, Council is to prepare and exhibit the following additional maps to support the planning proposal:
 - a. Flood prone land map;
 - b. Acid Sulfate Soils Map identifying categories of acid sulfate soils present on the site;
 - c. SEPP 14 Coastal Wetlands map;
 - d. Aerial Photo overlaid with proposed zone boundary
 - e. Proposed Maitland LEP 2011 Minimum Lot Size Map
6. 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 as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection.

7. 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 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).

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

- Mindaribba Aboriginal Land Council
- Catchment Management Authority – Hunter/Central Rivers
- Office of Environment and Heritage
- Department of Primary Industries (Agriculture)
- NSW Rural Fire Service
- Roads and Maritime Services

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.

9. 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).

10. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

11. Agree to inconsistencies with Directions 1.2 Rural Zones and 1.5 Rural Lands.

Supporting Reasons :

The proposal is consistent with the actions and outcomes of the Lower Hunter regional Strategy. The proposal is also consistent with the endorsed Maitland Urban Settlement Strategy 2008.

Further information is required for the Department to establish a more informed view on the details of the proposal generally and to assess consistency with s117 directions 4.1, 4.3 and 4.4, and SEPP 14 in particular. This information will be obtained from required studies, and through consultation with relevant agencies and the community during exhibition.

Panel Recommendation

Recommendation Date : 19-Jan-2012

Gateway Recommendation : Passed with Conditions

Panel

Recommendation :

The Planning Proposal should proceed subject to the following conditions:

1. In relation to S117 Direction 4.3 Flood Prone Land, Council is to prepare a flood and drainage study of the subject site and undertake consultation with the Office of Environment and Heritage.
2. In relation to S117 Direction 4.1 Acid Sulphate Soils, Council is to prepare an acid sulphate soils study. The study is to be placed on exhibition with the planning proposal.
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.
4. Council is to ensure that maps that propose to amend the LEP are prepared in accordance with the Department's Standard Technical Requirements for LEP maps. In

addition Council is to include a proposed zoning map that displays the proposed zones for the subject land for the purposes of public exhibition.

5. 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).

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

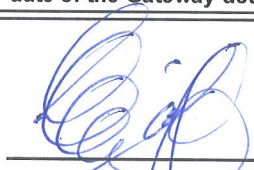
- Mindaribba Aboriginal Land Council
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7. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

8. 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:

24.1.12