

PREPARATION OF PLANNING PROPOSAL

SUMMARY

The purpose of this report is to seek Council's endorsement to formally initiate a Planning Proposal to amend the Gilgandra Local Environmental Plan (LEP) 2011. The amendment is to rezone certain land fronting the Oxley Highway from RU1 Primary Production to E4 General Industrial. The rezoning will enable the development of the Oxley Highway land for employment purposes.

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Background

The Western Councils Sub Regional Land Use Strategy (2009) which underpins the Gilgandra Local Environmental Plan (LEP) 2011 identified land on the Newell Highway and Oxley Highway sites as being potential sites for industrial land use (Figure 1), with the Newell Highway site zoned for industrial purposes in 2011.

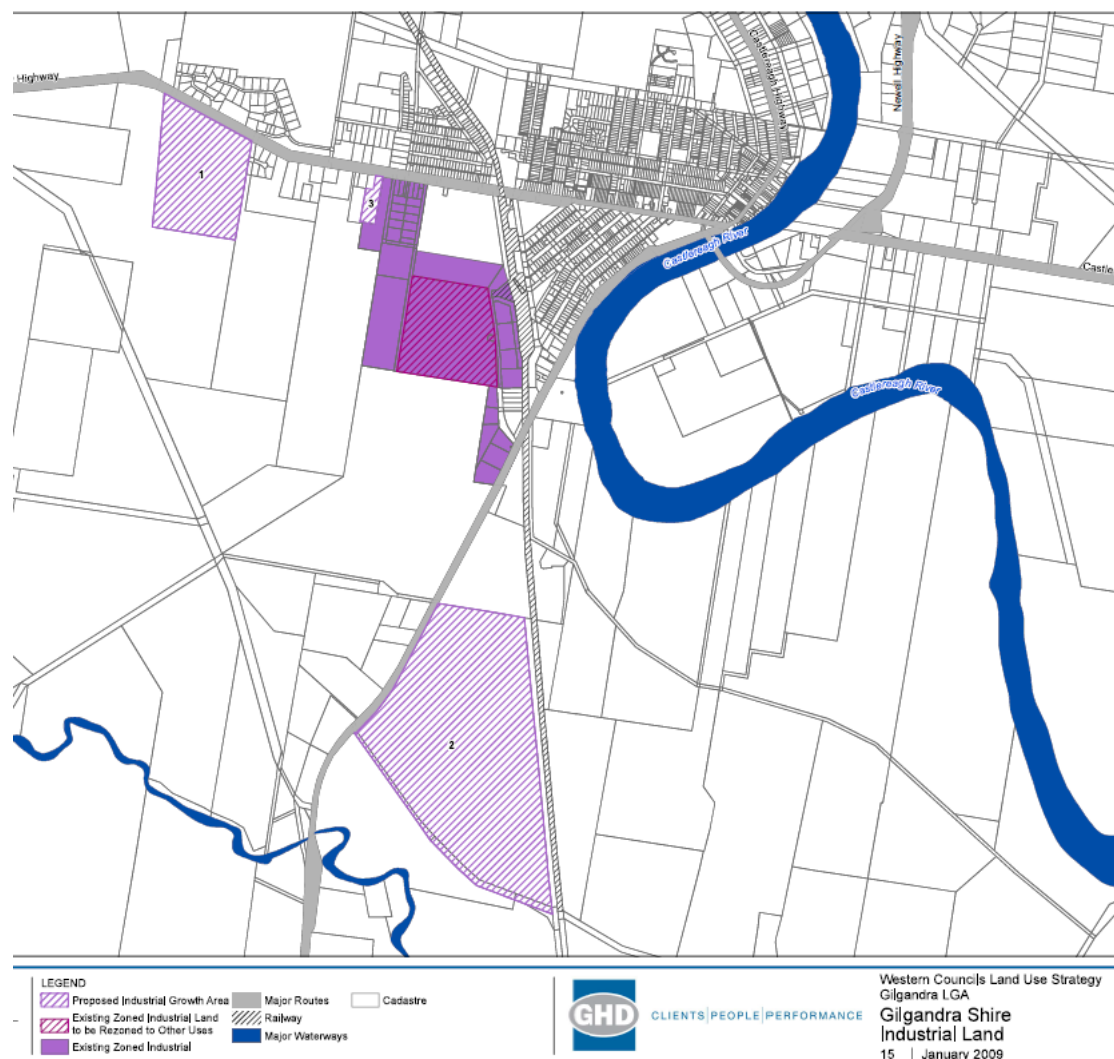


Figure 1: Extract from Western Landuse Strategy 2009

The recent withdrawal of support from the landowner to enable development by Council of the zoned industrial land on the Newell Highway has resulted in there being a limited industrial land supply for the medium to longer term. As a result, consideration needs to be given to alternative industrial growth areas with the Oxley Highway site a strategic alternative consistent with the 2009 Landuse Strategy.

Planning Proposal

Rezoning of land is a lengthy and involved process through what is known as a Planning Proposal (PP) through the Department of Planning and Environment (DPE). A PP describes the outcome and justification for an LEP amendment and is the key part of the process for making an LEP, as set out under Division 3.4 of the *NSW Environmental Planning and Assessment Act 1979*.

It is proposed to initiate a Council led PP to rezone land fronting Oxley Highway, specifically Lot 1, DP 1070081 and part Lot 2 DP 1070081 from RU1 Primary Production to E4 General Industrial. The Oxley Highway site is approximately 52 hectares in size and is proposed to be rezoned with a minimum lot size of 5,000 m² and no height limit or Floor Space Ratio development standards.

E4 zoning under the Gilgandra LEP 2011 has the following objectives:

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To ensure that new development and land uses incorporate measures that take account of their spatial context and mitigate potential impacts on neighbourhood amenity and character and on the efficient operation of the local or regional road system.

Council proposes to purchase and develop the northern-most approximate 21-hectare section with frontage to the Oxley Highway as a fully serviced industrial subdivision with access off the Highway through a new intersection. A preliminary access point off Oxley Highway has been identified for the proposed industrial land as shown in Figure 2. Access to the proposed industrial subdivision would not be via Aralee Road noting the use of this road is predominantly for residential access to Aralee Estate.



Figure 2: Subject land, with indicative proposed site access, Oxley Highway

The balance of the land would be retained by the landowner and potential longer term industrial growth land, noting there is a solar farm development approval on this land (not yet constructed).

Council has initiated preliminary discussions with key agency stakeholders via preparation of a Scoping Report (Attachment 1 – saved in folder) and has commenced preparation of site-specific studies that are required to be lodged with the PP. Specific studies being prepared include Traffic Impact Assessment, Aboriginal Cultural Heritage Due Diligence, Biodiversity Assessment Report, Bushfire Hazard Report, Landuse Conflict Risk Assessment, Water and Sewer Servicing Strategy and Preliminary Land Contamination report. Community consultation and formal exhibition of the PP will form a key part of the process. This will be undertaken following a gateway determination being issued by DPE and when site specific studies have been completed.

<u>Principal Activity:</u>	Grow
<u>Policy Implications:</u>	Nil
<u>Budget Implications</u>	No budget implications. There is an allocation of \$100,000 in the 23/24 planning budget for strategic landuse planning
<u>Delivery Program Actions</u>	3.2.2.2 Review Council's Local Environmental Plan 3.2.2.4 Facilitate the development of Industrial Land

RECOMMENDATION

That Council:

1. Staff prepare a planning proposal to Rezone RU1 Primary Production land for employment purposes to E4 General Industrial being Lot 1 DP 1070081 and part Lot 2 DP 1070081, Oxley Highway, Gilgandra.
2. Submit the planning proposal to the NSW Department of Planning and Environment seeking a "Gateway Determination".
3. Exhibit the planning proposal and undertake government agency consultation based on the Gateway Determination issued by the NSW Department of Planning and Environment. The exhibition will include any required studies or supporting information.
4. Note that a further report will be brought back to Council for consideration following public exhibition of the planning proposal. This will include any submissions and any recommended changes to the planning proposal.

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