

Amendments to the Uralla LEP 2012 Flood Planning Map

Proposal Title : **Amendments to the Uralla LEP 2012 Flood Planning Map**

Proposal Summary : **The Planning Proposal seeks to amend the Uralla LEP 2012 Flood Planning Map to identify additional land located within a flood planning area as a result of the completion of the Rocky and Uralla Creeks Flood Study.**

PP Number : **PP_2015_URALL_001_00** Dop File No : **15/05910**

Proposal Details

Date Planning Proposal Received : **07-Apr-2015** LGA covered : **Uralla**

Region : **Northern** RPA : **Uralla Shire Council**

State Electorate : **NORTHERN TABLELANDS** Section of the Act : **55 - Planning Proposal**

LEP Type : **Policy**

Location Details

Street :

Suburb : City : Postcode :

Land Parcel : **Land in the Uralla township as shown in Illustrations 1.1 and 2.1 of the Planning Proposal**

DoP Planning Officer Contact Details

Contact Name : **Craig Diss**

Contact Number : **0267019685**

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RPA Contact Details

Contact Name : **Elizabeth Cumming**

Contact Number : **0267786300**

Contact Email : **ECumming@uralla.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **N/A** Release Area Name : **N/A**

Regional / Sub Regional Strategy : **N/A** Consistent with Strategy : **N/A**

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MDP Number :		Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **The Department of Planning and Environment's Code of Practice in relation to communications and meetings with lobbyists has been complied with to the best of the Region's knowledge. The Northern Region has not met with any lobbyists in relation to this proposal, nor has the Northern Region been advised of any meeting between other Departmental Officers and lobbyists concerning the proposal.**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes :

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objectives and intended outcomes of the Planning Proposal are adequately expressed for the proposed amendment to Uralla LEP 2012.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The Planning Proposal provides a clear explanation of the intended provisions to achieve the objectives and intended outcomes.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :	1.1 Business and Industrial Zones
	1.2 Rural Zones
* May need the Director General's agreement	3.1 Residential Zones
	4.3 Flood Prone Land

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **N/A**

e) List any other matters that need to be considered :

The New England North West Strategic Regional Land Use Plan applies to the Uralla LGA.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **Refer to discussion below.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **While the amended LEP map sheets have not been provided at this stage, the Planning Proposal includes maps identifying the proposed changes to the flood planning area and the locations that will be affected. The maps provided are considered sufficient for the Planning Proposal to proceed and for public exhibition purposes.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The RPA has identified a 14 day exhibition period for the proposal.**

As additional land will be identified as being within a flood planning area, it is considered more appropriate that a 28 day notification period be undertaken to provide affected landowners with an adequate opportunity to review the proposal.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **The Planning Proposal and accompanying documentation are considered to satisfy the adequacy criteria by:**

- 1. Providing appropriate objectives and intended outcomes;**
- 2. Providing a suitable explanation of the provisions proposed by the LEP to achieve the outcomes;**
- 3. Providing an adequate justification for the proposal;**
- 4. Outlining a proposed community consultation program; and**
- 5. Providing a project time line.**

Council is seeking an authorisation to exercise its plan making delegations. As the Planning Proposal deals only with matters of local significance, it is considered appropriate that an authorisation to exercise its plan making delegations be issued to Council.

The RPA has provided a project time line which estimates that the LEP will be ready for submission to the Department for finalisation in August 2015 and completion by October 2015. It is noted that a revised project time line (that addresses the additional steps to be completed by Council if an authorisation to exercise delegation is issued) will need to be included in the Planning Proposal prior to public exhibition. To ensure an adequate period for finalisation of this matter, a 9 month time frame for completion of the proposal is recommended.

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

Uralla LEP 2012 was notified on 23 March 2012.

Assessment Criteria

Need for planning
proposal :

The proposal to amend the LEP is the result of the Rocky and Uralla Creeks Flood Study being completed and adopted by Council in June 2014. The Rocky and Uralla Creeks Flood Study has been prepared in accordance with the NSW Floodplain Development Manual 2005 and identifies a flood planning area in the Uralla township based on the 1% AEP flood event plus 0.5m freeboard.

The Planning Proposal is needed to amend the Uralla LEP 2012 Flood Planning Map to incorporate the outcomes of the Rocky and Uralla Creeks Flood Study.

Consistency with
strategic planning
framework :

While no Regional Strategies apply to the Uralla LGA, the New England North West Strategic Regional Land Use Plan does apply. The Planning Proposal is considered to be consistent with the provisions of the Regional Land Use Plan.

The Planning Proposal has been identified as being consistent with all applicable SEPPs, section 117 Directions and Council's Secretary approved local growth management strategy (New England Development Strategy 2010).

Environmental social
economic impacts :

No adverse environmental impacts have been identified as resulting from the proposal.

The land identified within the flood planning area in the Uralla township affects a range of zones including the R1 General Residential Zone, B2 Local Centre Zone, B4 Mixed Use Zone and IN2 Light Industrial Zone. As much of the identified land is held in private ownership, some economic and social impacts could result to private land owners due a limitation on the development potential of their land due to flooding. This impact is not considered significant as the development potential of the land is impinged by its flood nature and would already need to be assessed at the development application stage in accordance with section 79C of the Environmental Planning and Assessment Act 1979. The benefits to public safety and improved community knowledge associated with natural hazards resulting from the identification of this land in the LEP is also considered to outweigh any potential minor impacts to individual land owners.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
Timeframe to make LEP :	9 months	Delegation :	RPA
Public Authority Consultation - 56(2) (d) :	Office of Environment and Heritage		

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Is Public Hearing by the PAC required?

No

(2)(a) Should the matter proceed ?

Yes

If no, provide reasons : **As the proposal seeks to make changes to the identified flood planning area in Uralla LEP 2012, it is considered appropriate that consultation on this matter be undertaken with the Office of Environment and Heritage - Floodplain Unit.**

Resubmission - s56(2)(b) : No

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

No additional studies are considered necessary.

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? No

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council Letter.pdf	Proposal Covering Letter	Yes
Council Report and Resolution.pdf	Proposal	Yes
Planning Proposal.pdf	Proposal	Yes

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
3.1 Residential Zones
4.3 Flood Prone Land**

Additional Information : **1. The Planning Proposal be supported;
2. The Planning Proposal be exhibited for 28 days;
3. The Planning Proposal be completed within 9 months;
4. Council is to consult with the Office of Environment and Heritage - Floodplain Unit;
5. That an authorisation to exercise delegation be issued to Council; and
6. That a revised project time line (that incorporates the additional tasks associated with a written authorisation to exercise plan making delegations) be included in the Planning Proposal prior to public exhibition.**

Supporting Reasons : **The Planning Proposal is needed to amend the Uralla LEP 2012 Flood Planning Map to incorporate the outcomes of the Rocky and Uralla Creeks Flood Study and ensure compliance with the NSW Floodplain Development Manual 2005.**

Signature: _____



Printed Name: _____

Cray Duss

Date: _____

8/4/15