

Grimshaw Lane, Gulgong - proposed residential

Proposal Title : **Grimshaw Lane, Gulgong - proposed residential**

Proposal Summary : **Proposal for residential development - rezone land from part rural residential and part agriculture to general residential to allow an increased residential density (lot size of 600 m2) and variety of residential opportunities**

PP Number : **PP_2012_MIDWR_004_00** Dop File No : **12/12313**

Planning Team Recommendation

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

S.117 directions :
1.2 Rural Zones
1.5 Rural Lands
3.1 Residential Zones
3.4 Integrating Land Use and Transport

Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

1. Council is to prepare additional maps to accurately indicate the proposed zoning and minimum lot size under the draft Mid-Western Regional LEP 2012. Council is to include these maps with the planning proposal for the purposes of community consultation, and provide the Department's Regional Team with a copy of the exhibition material

2. Council is to undertake a preliminary contamination assessment into potential contamination of the land in accordance with SEPP 55 – Remediation of Land to ensure the land is capable of supporting the proposed future land use. The planning proposal is to be amended to reflect the outcome of the investigation prior to the commencement of public exhibition.

3. Council needs to provide additional information within the public exhibition material regarding the following matters to identify all impacts that may result from the proposed development:

- o Aboriginal archaeology and heritage
- o Salinity assessment
- o Biodiversity

Council needs to include the outcomes of this assessment with the planning proposal to provide advice that the land is suitable for the proposed use for the purposes of community consultation.

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 must be made publicly available for 28 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:

- Central West Catchment Management Authority
- Essential Energy

- NSW Office of Water
- Office of Environment and Heritage -
- Roads and Maritime Services
- Department of Primary Industries - Catchments and Lands in respect to Crown Land.
- Telstra

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.

8. 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).

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

Supporting Reasons :

The land is identified in the approved Strategy for future large lot residential use and can be supported subject to the site specific investigations identified above being undertaken prior to finalisation of the land use change to residential.
This proposed land release will provide additional living opportunities in Gulgong to assist with accommodating additional workers associated with mine developments in the region.

Panel Recommendation

Recommendation Date : **09-Aug-2012**

Gateway Recommendation : **Passed with Conditions**

Panel

Recommendation :

The Planning Proposal should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to include a proposed zoning map and a proposed minimum lot size map for the subject land. A copy of the maps should be placed on public exhibition and be forwarded to the department's regional team.
2. Prior to undertaking public exhibition, Council is to amend the planning proposal to correct references to the zoning of the site under the Mid Western LEP 2012 as the site is entirely zoned R2 Low Density Residential.
3. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy No 55 (SEPP 55) – Remediation of Land and the Contaminated Land Planning Guidelines. Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.
4. Prior to undertaking public exhibition, additional information regarding the impacts of the proposal on Aboriginal archaeology and heritage, biodiversity including flora and fauna and salinity is to be provided. This additional information is to be placed on public exhibition with the planning proposal.
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 must be made publicly available for 28 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:

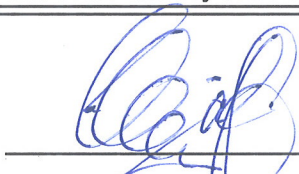
- Department of Primary Industries (Office of Water)
- Department of Primary Industries (Catchments and Lands)
- Department of Education and Communities
- Central West Catchment Management Authority
- Office of Environment and Heritage
- Roads and Maritime Services
- Transport for NSW
- Telstra
- Essential Energy

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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 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

17.8.12