

Rural lifestyle/residential development at Merungle Hill, Leeton

Proposal Title : Rural lifestyle/residential development at Merungle Hill, Leeton

Proposal Summary : Reduction in Minimum Lot size from 150ha to 8ha to facilitate rural lifestyle development at the locality of Merungle Hill, Leeton.

PP Number : PP_2013_LEETO_002_00 Dop File No : 13/11735

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
4.4 Planning for Bushfire Protection

Additional Information : **1. Prior to exhibition, Council provide advice to the Department on any known historic activities of dipping/spraying of livestock on the subject land. If evidence is present on site that these activities have occurred, Council will be required to undertake further site investigations to determine the extent of contamination risks.**

2. The planning proposal should be exhibited for 28 days.

3. The following agencies must be consulted during the exhibition period:

- Department of Trade and Investment (NSW Office of Water)
- Office of Environment and Heritage (Biodiversity, Contaminated Land)
- Department of Primary Industries (Agriculture)
- NSW Rural Fire Service
- Murrumbidgee Catchment Management Authority

4. Following the making of this LEP, Council must prepare a land use strategy which addresses rural residential land supply and demand in order for any future LEP amendments to be considered for Gateway determination in relation to rural subdivision/rural residential development.

Supporting Reasons : **The proposal is supported for the following reasons:**

- the proposal fills a void in current housing supply, and contributes to housing choice in the community
- part of the site is already developed for rural lifestyle purposes
- the land is not irrigated, thus agricultural viability is questionable
- the land is located on the corridor between the Shire's two major urban settlements - Leeton and Yanco, which are approximately 2.5km away.
- the constraints of the land are able to be managed through a development assessment process, where building envelopes could be established on sites to mitigate bushfire hazard and/or ensure protection of vegetation
- allowing subdivision of the subject site to a MLS of 8ha may decrease pressure for this type of development in other locations which have more constraints from adjoining agricultural uses, or be located further away from urban areas.
- inconsistencies with s117 Ministerial Direction 1.2 Rural Zones are considered minor in the context of the LGA.

Consultation with relevant agencies will determine the extent of environmental impacts.

Panel Recommendation

Rural lifestyle/residential development at Merungle Hill, Leeton

Recommendation Date : 18-Jul-2013

Gateway Recommendation : Passed with Conditions

Panel

The planning proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to undertaking public exhibition, Council is to update the planning proposal to include a project timeline, consistent with Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals. The project timeline is to provide a mechanism to monitor the progress of the planning proposal.

2. Council is to ensure that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 – Remediation of Land, given there may be historic activities of dipping/spraying of livestock on the subject land. If required, Council is to prepare an initial site contamination investigation report, which is to be placed on public exhibition with the planning proposal.

1. 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 a minimum of 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Department of Trade and Investment - NSW Office of Water
- Office of Environment and Heritage
- Department of Primary Industries - Agriculture
- Murrumbidgee Catchment Management Authority
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. 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).

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

Signature:



Printed Name:

JEFF HORN

Date:

22/07/13