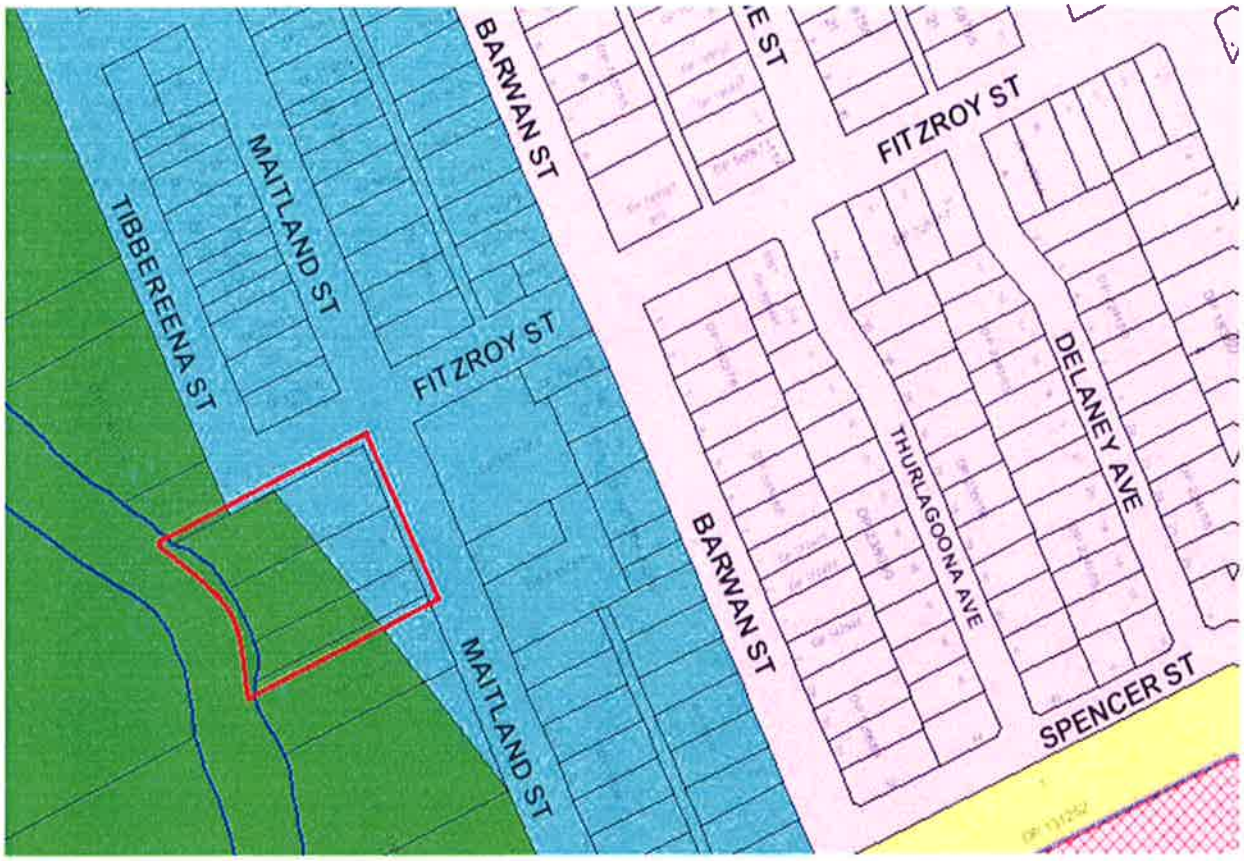
Planning Proposal
Narrabri LEP 2012

Proposed Rezoning of
Part of Lot 3, DP 519595 and Part of Lots 5 & 6 DP 533507
5-11 Maitland Street, Narrabri

Part 1 – Objectives or Intended Outcomes

To rezone part of Lot 3, DP 519595 and part of Lots 5 & 6 DP 533507, 5-11 Maitland Street, Narrabri, from RE1 Public Recreation to RE2 Private Recreation. The purpose of the proposal is to correct a mapping error in the preparation of Narrabri LEP 2012 which zoned part of the site as RE1 Public Recreation. The land is currently owned by the Narrabri RSL Club. The current club building and facilities occupy most of the site and are located partly in the B2 Local Centre Zone and partly in the RE1 Public Recreation Zone. Rezoning the land from RE1 Public Recreation to RE2 Private Recreation will correctly identify that the land is held in private ownership and is private recreational in nature. The rezoning will also help to address the current permissibility of the club facilities which have to rely upon 'existing use' rights for part of the site. 'Registered clubs' are prohibited in the RE1 Public Recreation Zone of Narrabri LEP 2012. 'Registered clubs' are however permitted with consent in the RE2 Private Recreation Zone of Narrabri LEP 2012.

Map identifying the site and the current zoning under Narrabri LEP 2012



Aerial picture of the site

Part 2 - Explanation of the Provisions

The area of Lot 3, DP 519595 and Lots 5 & 6 DP 533507, 5-11 Maitland Street, Narrabri, that are currently zoned RE1 private Recreation will be amended on Narrabri LEP 2012 map sheet LZN_004B_020_20121024 to RE2 Private Recreation.

Part 3 – Justification

Section A – Need for the Proposal

A.1 Is the planning proposal as a result of any strategic study or report?

The Planning Proposal is not a result of any strategic study or report. The Planning Proposal has been generated as a result of identifying that the land has been incorrectly zoned as RE1 Public Recreation due to a mapping issue in the preparation of Narrabri LEP 2012.

A.2 Is the planning proposal the best means of achieving the objectives or intended outcomes or is there a better way?

A Planning Proposal is the only means available to correct the mapping issue that incorrectly zoned the land as RE1 Public Recreation under Narrabri LEP 2012.

Section B – Relationship to Strategic Planning Framework

B.1 Is the planning proposal consistent with the objectives and actions of the applicable regional or subregional Strategy?

There are no Regional or Sub-Regional Strategies of relevance to the subject lands. The New England North West Strategic Land Use Plan applies to the Narrabri LGA. The proposal is not inconsistent with any of the objectives or actions of the New England North West Strategic Land Use Plan.

B.2 Is the planning proposal consistent with a council's local strategy or other local strategic plan?

It is considered that the proposed rezoning is not inconsistent with the Narrabri Growth Management Strategy, approved by the Director General of the Department of Planning and Infrastructure in April 2010, or Council's Community Strategic Plan.

B.3 Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is considered to be consistent with all relevant State Environmental Planning Policies (SEPPs). Relevant SEPPs include:-

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

B.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal is considered to be consistent or justifiably inconsistent with all applicable section 117 Directions. The following section 117 Directions are relevant to the Planning Proposal:

4.3 Flood Prone Land
This Direction requires that a Planning Proposal must not contain provisions that apply to a flood planning area that will permit a significant increase in the development of the land. The site is identified as being in a flood planning area on the Narrabri LEP 2012 Flood Planning Map. As no significant increase in the development potential of the site will result from the proposed zoning change from RE1 Public Recreation to RE2 Private Recreation, and as the proposal is only rectifying a mapping error to correctly zone the site consistent with its existing land use, the Planning Proposal is considered to be consistent with this Direction.

6.2 Reserving Land for Public Purposes

This Direction requires that a Planning Proposal must not alter or reduce existing zonings for public purposes without the approval of the relevant public authority and the Director General of the Department of Planning and Infrastructure. The Planning Proposal seeks to alter the current RE1 Public Recreation Zone to RE2 Private Recreation. While no relevant public authority is applicable in this instance, the proposal is inconsistent with the Direction as the approval of the Director General of the Department of Planning and Infrastructure has not been obtained to alter and reduce the RE1 Public Recreation Zone. This inconsistency is considered to be of minor significance as the proposal is only rectifying a mapping error to correctly zone the site consistent with its existing non-public ownership and land use.

Section C – Environmental, social and economic impact

C.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats, will be adversely affected as a result of the proposal?

The proposal will not adversely affect critical habitat or threatened species, or ecological communities, or their habitats. The site, whilst not fully developed, is generally cleared and any future development of the site will have due regard to potential environmental impacts of the overall proposal.

C.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No adverse environmental effects have been identified as a result of the rezoning part of the site from RE1 Public Recreation to RE2 Private Recreation.

C.3 Has the planning proposal adequately addressed any social and economic effects?

The Panning Proposal is considered unlikely to result in any adverse social or economic impacts.

Section D – State and Commonwealth interests

D.1 Is there adequate public infrastructure for the planning proposal?

The existing public infrastructure is adequate for the site and will not be affected by the proposed rezoning.

D.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No specific consultation with any State or Commonwealth public authorities is considered necessary in relation to the proposed rezoning.

Part 4 – Mapping

Maps illustrating the land and its current zoning, and proposed zoning, are included in Attachment 1 of the Planning Proposal.

Part 5 – Community Consultation

The proposal is considered to be a 'low impact' Planning Proposal outlined in the Department of Planning and Infrastructure's *A guide to preparing local environmental plans*. It is therefore proposed to publicly exhibit the amendment for 14 days. Public exhibition will include:

- Notification in a newspaper that circulates in the area affected by the Planning Proposal; and
- Notification on Council's website.

Part 6 – Project Timeline

Task	Anticipated timeframe
Date of Gateway Determination	August 2013
Completion of required technical information, studies	No further studies expected.
Government agency consultation (pre exhibition as required by Gateway Determination)	Not Applicable
Any changes made to Planning Proposal resulting from technical studies and government agency consultations. Resubmit altered Planning Proposal to Gateway panel. Revised Gateway determination issued, if required.	Not Applicable
Commencement and completion dates for public exhibition.	10 September 2013 – 24 September
Dates for public hearing	Not Applicable
Consideration of submissions and Planning Proposal post exhibition	October 2013 Council meeting
Anticipated date RPA will make the plan (if delegated)	1 October 2013
Anticipated date RPA will forward the plan to the department for notification (if delegated)	3 October 2013

Conclusion

The proposed rezoning of the land from RE1 Public Recreation to RE2 Private Recreation will correctly identify that the land is held in private ownership and is private recreational in nature. The rezoning will also help to address the current permissibility of the Narrabri RSL Club which occupies the site. The club currently has to rely upon 'existing use' rights for part of the site. 'Registered clubs' are prohibited in the RE1 Public Recreation Zone of Narrabri LEP 2012. 'Registered clubs' are however permitted with consent in the RE2 Private Recreation Zone of Narrabri LEP 2012.

Narrabri Local Environmental Plan 2012 - DRAFT

Land Zoning Map
Sheet LZN_004B

Zone

B1	Neighbourhood Centre
B2	Local Centre
B4	Mixed Use
	National Parks and Nature Reserves
E3	Environmental Management
IN1	General Industrial
IN2	Light Industrial
R1	General Residential
R5	Large Lot Residential
	Public Recreation
RE2	Private Recreation
RU1	Primary Production
RU3	Forestry
RU4	Rural Small Holdings
RU5	Village
SP2	Infrastructure

Cadastre

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Kilometres

Projection: GDA 1994
MGA Zone 55

Scale: 1:20,000 @ A3

Map Identification Number
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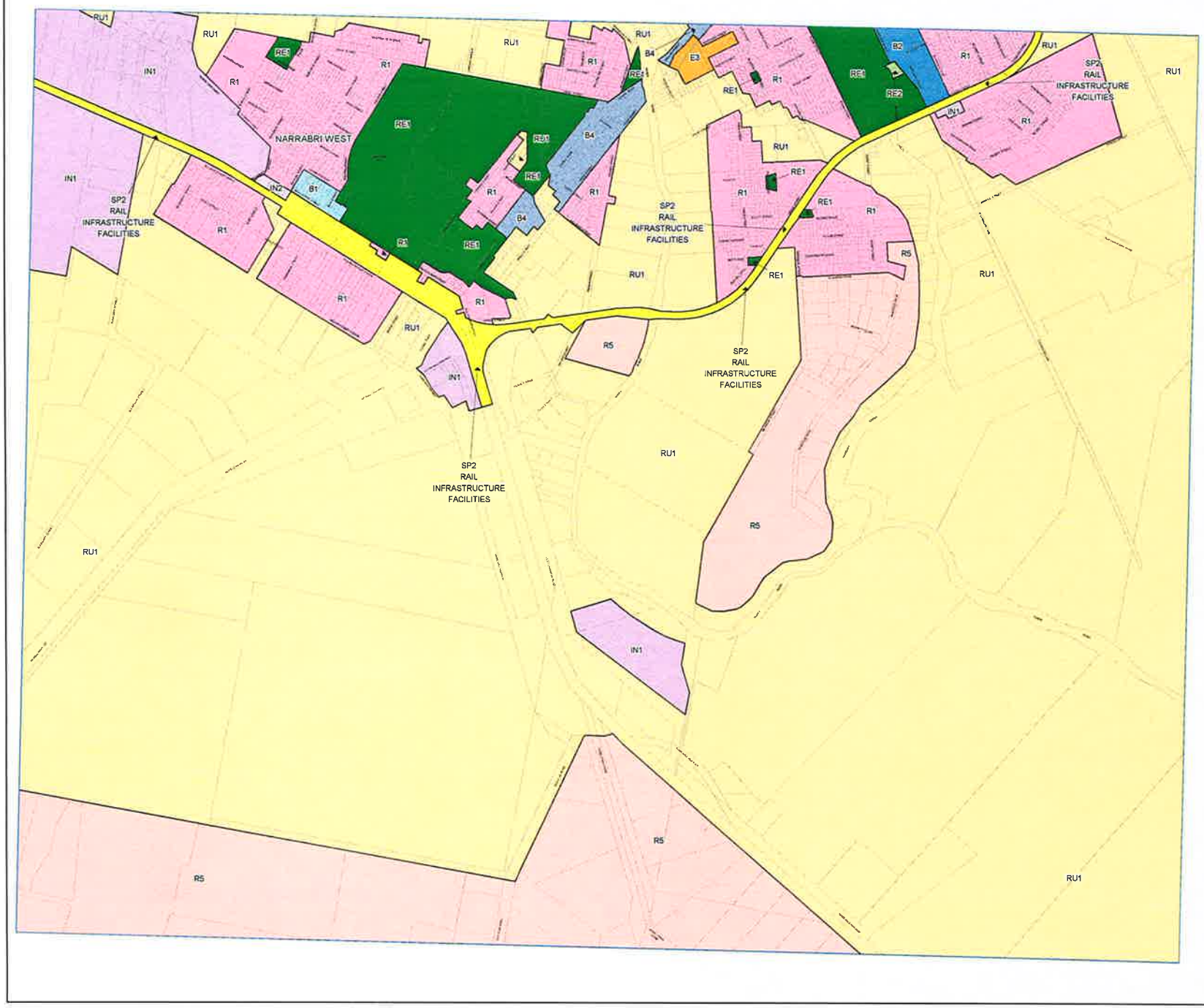

Narrabri Local Environmental Plan 2012

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	Public Recreation
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RU1	Primary Production
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RU4	Primary Production Small Lots
RU5	Village
SP2	Infrastructure

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Kilometres

Projection: GDA 1994 MGA Zone 55

Scale 1:20,000 @ A3

Map Identification Number

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