

Amendment 2, Lot 12 DP1131006, Lorking Street

Proposal Title : **Amendment 2, Lot 12 DP1131006, Lorking Street**

Proposal Summary : **To spot rezone the RU1 Primary Production zone land at Lot 12 DP 1131006, Lorking Street, Parkes, to R1 General Residential and also amend the minimum lot size from 400 hectares to 600m2.**

PP Number : **PP_2014_PARKE_001_00**

Dop File No : **14/07138**

Proposal Details

Date Planning
Proposal Received : **23-Apr-2014**

LGA covered : **Parkes**

Region : **Western**

RPA : **Parkes Shire Council**

State Electorate : **ORANGE**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **Lorking Street**

Suburb :

City : **Parkes**

Postcode : **2870**

Land Parcel : **Lot 12 DP1131006**

DoP Planning Officer Contact Details

Contact Name : **Ryan Thomas**

Contact Number : **0268412196**

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RPA Contact Details

Contact Name : **Annalise Cummings**

Contact Number : **0268412373**

Contact Email : **council@parkes.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Wayne Garnsey**

Contact Number : **0268412192**

Contact Email : **wayne.garnsey@planning.nsw.gov.au**

Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub

Consistent with Strategy : **N/A**

Regional Strategy :

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MDP Number :

Date of Release :

Area of Release (Ha) : **10.00**

Type of Release (eg Residential / Employment land) : **Residential**

No. of Lots : **0**

No. of Dwellings (where relevant) : **90**

Gross Floor Area : **0**

No of Jobs Created : **0**

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

If No, comment :

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

If Yes, comment :

Supporting notes

Internal Supporting Notes : **The property is located on the north eastern side of Parkes. The property is 10.4 hectares. Majority of the property is zoned RU1 Primary Production zone, apart from some R1 General Residential (about 4600m2) land to the south fronting Barton Street. The land is vacant and cleared of any significant vegetation. There is existing residential development to the south and east and rural residential development to the north.**

External Supporting Notes :

Adequacy Assessment

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

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

Comment : **The statement of objectives sets out the intended outcome of the planning proposal which is to rezone a RU1 Primary Production zoned land for residential purposes in accordance with the endorsed Parkes Land Use Strategy, with the view of undertaking a residential subdivision.**

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

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

Comment : **The planning proposal reflects the provisions of the endorsed Parkes Shire Council Land Use Strategy 2011 which identifies the land as being suitable for future residential development. The proposal would rezone the RU1 Primary Production zone land at Lot 12 DP 1131106, Lorking Street, Parkes, to R1 General Residential and also amend the minimum lot size from 400 hectares to 600m2.**

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

1.2 Rural Zones

* May need the Director General's agreement

1.3 Mining, Petroleum Production and Extractive Industries

1.5 Rural Lands

2.3 Heritage Conservation

3.1 Residential Zones

**3.4 Integrating Land Use and Transport
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions**

Is the Director General's agreement required? **Yes**

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

d) Which SEPPs have the RPA identified?

**SEPP No 44—Koala Habitat Protection
SEPP No 55—Remediation of Land
SEPP (Rural Lands) 2008**

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

The proposal to rezone rural land is inconsistent with s117 Directions 1.2 Rural Zones and 1.5 Rural Lands however the delegate of the Minister can be satisfied that such inconsistencies are of minor significance as the proposal is consistent with the endorsed Parkes Land Use Strategy 2011.

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council proposes consultation is proposed with the following agencies:

- NSW Roads and Traffic Authority
- NSW Office of Environment and Heritage
- NSW Department of Health
- NSW Department of Education and Training
- NSW Industry and Investment
- CSIRO (as operators of the Parkes Observatory)
- Civil Aviation Safety Authority (CASA)
- Telstra
- Country Energy
- AGL

Council considers the planning proposal to be low impact development and has determined to exhibit the planning proposal for 14 days.

As the planning proposal is assessed as being low impact and consistent with an endorse Strategy there is no need to specify any statutory referrals.

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons :

In accordance with section 55(3) of the EP&A Act 1979 the Director General has issued "A guide to preparing planning proposals" and "A guide to preparing local environmental plans". The planning proposal has generally addressed the matters set out in both guidelines.

Overall adequacy of the proposal

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

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **November 2012**

Comments in relation to Principal LEP : **The Parkes Local Environmental Plan 2012 was notified on 28/11/2012.**

Assessment Criteria

Need for planning proposal : **The planning proposal will facilitate the future subdivision of the land for residential purposes. The Parkes Land Use Strategy 2011 identifies that a distinct lack of vacant residential land in desirable locations has in the past been a disincentive for settling in the Parkes Township. The objective of the Strategy from a residential perspective provides focus on the provision of residential land stock in attractive and serviceable locations that are free of constraints.**

Consistency with strategic planning framework : **The development accords with the provisions of the endorsed Parkes Land Use Strategy 2011.**

Environmental social economic impacts : **The planning proposal determined that it is unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal. No other likely environmental impacts were identified.**

There are no known items or places of European or Aboriginal cultural heritage on or in the vicinity of the site.

The planning proposal is considered to have beneficial economic impacts as residential land on the north eastern side of Parkes is in short supply and would likely result in downward pressure on land prices. A Net Community Benefit assessment determined no adverse economic impacts.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - s56(2)(d) :

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **The Planning Proposal should proceed because it is supported by the Parkes Shire Council Land Use Strategy 2011 and will provide additional residential land supply.**

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

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If Other, provide reasons :

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
Letter from Council dated 17 April 2014.pdf	Proposal Covering Letter	No
Extract from 2011 LUS.pdf	Study	No
Council minutes.pdf	Determination Document	No
planning proposal.pdf	Study	No
evaluation criteria.pdf	Proposal	No

Planning Team Recommendation

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

S.117 directions:

- 1.2 Rural Zones
- 1.3 Mining, Petroleum Production and Extractive Industries
- 1.5 Rural Lands
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions

Additional Information :

The Planning Proposal:

1. Should proceed without variation.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 as follows:
 - a) the planning proposal must be made publicly available for a minimum of 14 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 Local Environmental Plans' (Department of Planning and Infrastructure, 2013).
3. Consultation is not required with public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act 1979.
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning and Assessment Act 1979. 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).
6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.
7. Council is authorised to exercise delegation to finalise the planning proposal.

Supporting Reasons :

The proposal is supported for the following reasons:

- The planning proposal is considered consistent with state policy framework and the rezoning is identified in a Director General endorsed local strategy and it provides additional residential land supply in an area adjoining urban residential development.
- The proposal is assessed to be a low impact proposal according to section 5.5.2 of the 'A guide to Preparing Local Environmental Plans' as it is consistent with the pattern of surrounding land use zones and with the strategic planning framework.

Signature:



Printed Name:

RYAN THOMAS

Date:

8/5/14

Endorsed .

W GARNSEY
W GARNSEY
A/TL

8/5/14

Endorsed

A Albany
General Manager
Western Region