

Blayney LEP 2012 - Amend Flood Planning Map

Proposal Title : **Blayney LEP 2012 - Amend Flood Planning Map**

Proposal Summary : **Amend the Blayney LEP 2012 Flood Planning Map to update the flood planning area for the town of Blayney.**

PP Number : **PP_2017_BLAYN_002_00** Dop File No : **17/07317**

Proposal Details

Date Planning Proposal Received : **08-Jun-2017** LGA covered : **Blayney**

Region : **Western** RPA : **Blayney Shire Council**

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

LEP Type : **Housekeeping**

Location Details

Street : **Blayney**

Suburb : **Blayney** City : **Blayney** Postcode : **2799**

Land Parcel : **Various land in the vicinity of the town of Blayney.**

DoP Planning Officer Contact Details

Contact Name : **Megan Jones**

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name : **Wayne Garnsey**

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Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Consistent with Strategy :

Regional Strategy :

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

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

d) Which SEPPs have the RPA identified?

SEPP No 44—Koala Habitat Protection

SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas

SEPP No 55—Remediation of Land

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Infrastructure) 2007

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

SEPP (Rural Lands) 2008

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

1.1 Business and Industrial Zones: The Ministerial Direction is relevant as the planning proposal affects land in existing industrial zones in Blayney. The planning proposal seeks to amend the flood planning area on land zone IN1 General Industrial and IN2 Light Industrial. The planning proposal is inconsistent with the Direction as it may result in a reduction in the total potential floor space area for industrial uses in the zones. This is because the consent authority must not grant development consent to development unless it is satisfied the development is compatible with the flood hazard of the land, and the development will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties.

The Director Regions, Western can be satisfied that the inconsistency is considered to be of minor significance as the additional land affected is limited to four allotments (Lot 264 DP 41288, Lot 12 DP 667572, Lot 1 DP 957171 and Lot 1 DP 185089). Other industrial zoned land affected by the proposed flood planning area is currently partially affected by the existing flood planning area.

The proposal balances the potential industrial land development with the flood hazard of the land. No further work is required in this regard. ✓

The extension to the flood planning area is supported by the Blayney Flood Study (June 2015) and Floodplain Risk Management Study and Floodplain Risk Management Plan for Blayney (December 2016). The proposed flood planning area aligns with the extent of the 1% AEP flood plus freeboard of 0.5m (land in the mainstream floodplain) and 0.3m (land in the overland flooding area).

1.2 Rural Zones: The Ministerial Direction is relevant as the planning proposal affects land in an existing rural zone adjoining Blayney. The planning proposal seeks to amend the flood planning area on land zone RU2 Rural Landscape. The planning proposal is consistent with the Direction as it does not amend the zoning on land or increase the permissible density of land.

1.5 Rural Lands: The Ministerial Direction is relevant as the planning proposal affects land in an existing rural zone in Blayney. The planning proposal seeks to amend the flood planning area on land zone RU2 Rural Landscape. The planning proposal is consistent with the Direction as it is consistent with the Rural Planning Principles and Rural Subdivision Principles contained in SEPP (Rural Lands) 2008. The planning proposal supports Rural Planning Principle (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land by mapping land constrained by flooding. The identification of the flood planning area supports Rural Subdivision Principle (d) by informing the consideration of the natural and physical constraints and opportunities of land in relation to flooding.

2.1 Environmental Protection Zones: The Ministerial Direction applies to protect and conserve environmentally sensitive areas. The planning proposal does not alter the existing provisions of the LEP for protection and conservation of environmentally sensitive areas. The planning proposal is consistent with this Direction.

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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 Blayney Local Environmental Plan 2012 was notified on 23 November 2012**

Assessment Criteria

Need for planning proposal : **The planning proposal is required to amend the flood planning area in Blayney.**

Consistency with strategic planning framework : **The proposed amendment to the flood planning area is a recommendation of the Floodplain Risk Management Study and Floodplain Risk Management Plan for Blayney (page 19). The Plan was prepared consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.**

Environmental social economic impacts : **No significant impacts identified.**

Assessment Process

Proposal type : **Consistent** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - s56(2)(d) : **Office of Environment and Heritage**

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

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2016).

Signature:



Printed Name:

KOFaherty

Date:

19/6/17

Endorsed Wyamsey
TL WR 16/6/2017