



Planning Proposal

Application Number:

07/2014

Proposal:

Rezoning RU1 to R5

Applicant:

Narromine Shire Council (Dart)

Subject Land:

Lot 145 DP 755110

Tomingley Cemetery Road, Tomingley

Part 1

A statement of the objectives or intended outcomes of the proposed instrument.

1. Identification of subject land

The land is identified as Lot 145 DP 755110, Tomingley Cemetery Road, Tomingley. The lot is 6.45 hectares in size.

2. Objectives of the Planning Proposal

- To rezone the subject land from RU1 General Rural to R5 Large Lot Residential.
- To enable the use of land to meet demand for future rural residential development.

Part 2

An explanation of the provisions that are to be included in the proposed instrument.

3. Applicable/proposed provisions

The proposed outcomes will be achieved by:

- Amending the Narromine Local Environmental Plan 2011 Land Zoning Map number LZN_005A (5850_COM_LZN_005A_020_20111027) to reflect the R5 land use zone on the lot.
- Amending the Narromine Local Environmental Plan 2011 Lot Size Map number LSZ_005A (5850_COM_LSZ_005A_020_2050320) to reflect a minimum lot size of 5 hectares on the lot.

Part 3

The justification for those objectives, outcomes and the process for their implementation.

Section A: The Need for the Planning Proposal

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

The proposal is justified by the Narromine Shire Rural Residential Land Use Strategy, 2013. The site was identified as a preferred location for rural residential development.

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

The proposed rezoning is the best means of achieving the intended outcome.

Section B: Relationship to Strategic Framework

3. Is the planning proposal consistent with the objectives and actions of the applicable sub-regional strategy?

There are no applicable sub-regional strategies.

- a. If there are no applicable sub-regional strategies, does the proposal have strategic merit and:

- i. is consistent with a local strategy endorsed by the Director General, or

Yes, the proposal is consistent with the Narromine Rural Residential Land Use Strategy 2013.

- ii. is consistent with the relevant regional strategy, or

Not applicable.

- iii. it can otherwise demonstrate strategic merit, giving consideration to the relevant s117 Directions applying to the site and other strategic considerations.

Not applicable.

- b. If there are no applicable sub-regional strategies, does the proposal have site specific merit and is it compatible with the surrounding land uses, having regard to:
 - i. The natural environment (including known significant environmental values, resources or hazards;

The land is identified as a combination of low, moderate and high groundwater vulnerability and Bushfire prone. The proposal has regard to the natural environment in that these constraints would not prohibit the proposal. Any further development would need to consider potential impacts on the groundwater table (i.e. the use of on-site sewage management systems and the location of domestic water bores). The proposal would also require further assessment from the Rural Fire Service prior to the approval of a dwelling house on the lot.

- ii. Existing uses, approved uses, and likely future uses of the land in the vicinity of the proposal; and

The current surrounding land uses are a combination of rural and recreational activities including the Tomingley Showground and Cemetery. A number of the surrounding lots are also identified in the Narromine Shire Rural Residential Land Use Strategy 2013 as suitable for Rural Residential development.

- iii. The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

Yes, while this proposal will require the extension of electricity services, it may be financially viable to do so. Subsequent developers will need to consider the costs of water supply and sewage management services. There is an existing, unsealed road to the site that is deemed to be suitable for the development.

- 4. Is the proposal consistent with a Councils local strategy or other local strategic plan?

There are no other applicable Council strategies or strategic plans.

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

The following table provides justification of the planning proposal against the relevant and applicable State Environmental Planning Policies.

Relevant SEPPs	Relevant Standard/s	Is the Proposal Consistent?	Comments
1 – Development Standards	Nil	N/A	Although this SEPP states that it applies to the land State, the Narromine LEP states that SEPP 1 does not apply in the Narromine Shire. It is therefore not relevant.
14 – Coastal Wetlands	Nil	N/A	This SEPP does not apply in the Narromine Shire.
15 – Rural Landsharing Communities	Nil	N/A	This policy does not apply to this proposal.
19 – Bushland in Urban Areas	Nil	N/A	This SEPP does not apply in the Narromine Shire.
21 – Caravan Parks	Nil	N/A	This policy does not apply to this proposal.
26 – Littoral Rainforests	Nil	N/A	This SEPP does not apply in the Narromine Shire.
29 – Western Sydney Recreation Area	Nil	N/A	This SEPP does not apply in the Narromine Shire.
30 – Intensive Agriculture	Nil	N/A	This SEPP does not apply to this proposal.
32 – Urban Consolidation	Nil	N/A	This policy does not apply to this proposal.

33 – Hazardous and Offensive Development	Nil	N/A	This policy does not apply to this proposal.
36 – Manufactured home estates	Nil	N/A	This policy does not apply to this proposal.
39 – Spit Island Bird Habitat	Nil	N/A	This SEPP does not apply in the Narromine Shire.
44 - Koala Habitat Protection	Clause 7	Yes	The land is identified as potential koala habitat. Prior to any development consent, an assessment must be conducted as to the presence of core koala habitat and if so, a plan of management must be prepared.
47- Moore Park Showground	Nil	N/A	This SEPP does not apply in the Narromine Shire.
50 – Canal Estate Development	Nil	N/A	This policy does not apply to this proposal.
52 – Farm Dams and other works in Land and Water Management Plan areas	Nil	N/A	This policy does not apply to this proposal.
55 - Remediation of Land	Clause 6	Yes	The site history statement from the applicant suggests that there were no previous activities that would contribute to land contamination.
59 – Central Western Sydney Regional Open Space and Residential	Nil	N/A	This SEPP does not apply in the Narromine Shire.
62 – Sustainable Aquaculture	Nil	N/A	This policy does not apply to this proposal.

64 – Advertising and Signage	Nil	N/A	This policy does not apply to this proposal.
65 – Design Quality of Residential Flat Development	Nil	N/A	This policy does not apply to this proposal.
70 – Affordable Housing (Revised Schemes)	Nil	N/A	This policy does not apply to this proposal.
71 – Coastal Protection	Nil	N/A	This SEPP does not apply in the Narromine Shire.
Affordable Rental Housing 2008	Nil	N/A	This policy does not apply to this proposal.
Building Sustainability Index: BASIX 2004	Nil	N/A	This policy does not apply to this proposal.
Exempt and Complying Codes 2008	Nil	N/A	This policy does not apply to this proposal.
Housing for Seniors or People with a Disability 2004	Nil	N/A	This policy does not apply to this proposal.
Infrastructure 2007	Nil	N/A	This policy does not apply to this proposal.
Kosciuszko National Park – Alpine Resorts 2007	Nil	N/A	This SEPP does not apply in the Narromine Shire.
Kurnell Peninsula 1989	Nil	N/A	This SEPP does not apply in the Narromine Shire.
Major Development 2005	Nil	N/A	This policy does not apply to this proposal.

Mining, Petroleum Production and Extractive Industries 2007	Nil	N/A	This policy does not apply to this proposal.
Miscellaneous Consent Provisions	Nil	N/A	This policy does not apply to this proposal.
Penrith Lakes Scheme	Nil	N/A	This SEPP does not apply in the Narromine Shire.

SEPP (Rural Lands) 2008	Clause 7 & 8	No	<i>Rural Planning Principles</i> The proposal is consistent with the requirements of the SEPP in that the land: a) Was selected such that it does not impact on productive agricultural land or sustainable agricultural activities, b) Does not jeopardise the progression of agriculture activities, c) Recognises the significance of rural land through the strategic consideration of suitable rural residential land release areas, d) Recognises the impacts and benefits of rural residential development on the community, e) Is not subject to biodiversity constraints, f) Provides opportunity for rural residential development, g) Requires only minor extension or provision of local infrastructure, h) Is consistent with a local strategy endorsed by the Director-General, being the Narromine Rural Residential Strategy 2013. <i>Rural Subdivision Principles</i> Additionally, the land has been selected as it: a) Will not permit any additional lots b) Is consistent with the progression/direction of rural residential development, c) Is consistent with the surrounding lot layout and lot sizes (proposed 5ha MLS), d) The site is prone to bushfire and moderate-high groundwater vulnerability, e) The proposed MLS of 5ha is suitable for the inclusion of appropriate buffers and required services.
---------------------------------------	-------------------------	-----------	--

SEPP 53 Transitional Provisions 2011	Nil	N/A	This policy does not apply to this proposal.
State and Regional Development 2011	Nil	N/A	This policy does not apply to this proposal.
Sydney Drinking Water Catchment 2011	Nil	N/A	This SEPP does not apply in the Narromine Shire.
Sydney Region Growth Centres 2006	Nil	N/A	This SEPP does not apply in the Narromine Shire.
Three Ports 2013	Nil	N/A	This SEPP does not apply in the Narromine Shire.
Urban Renewal 2010	Nil	N/A	This policy does not apply to this proposal
Western Sydney Employment Area 2009	Nil	N/A	This SEPP does not apply in the Narromine Shire.
Western Sydney Parklands 2009	Nil	N/A	This SEPP does not apply in the Narromine Shire.

6. Is the planning proposal consistent with applicable Ministerial Directions?

The following table provides justification of the planning proposal against the relevant and applicable Section 117(2) Ministerial Directions.

Relevant Ministerial Directions	Relevant Standard/s	Is the Proposal Consistent?	Comments
1.1 Business & Industrial Zones	Nil	NA	NA
1.2 Rural Zones	Clause 5	No	This proposal is justified by a strategy which gives consideration to this direction (Narromine Rural Residential Lands Strategy 2013), is identified within this strategy as a suitable site for rural residential development, and has been approved by the Director-General of the Department of Planning & Environment (Infrastructure).
1.3 Mining, Petroleum and Extractive Industries	Nil	NA	NA
1.4 Oyster Aquaculture	Nil	NA	NA

1.5 Rural Lands			The proposal is not consistent with this direction in that it is also inconsistent with the State Environmental Planning Policy (Rural Lands) 2008. An inconsistency to this direction may only be allowed if it is justified by a strategy that: gives consideration to this direction, identifies the land subject to the planning proposal and is approved by the Director-General of the Department of Planning & Infrastructure. As this is the case for the subject land, the inconsistency may be allowed.
2.1 Environment Protection Zones	Nil	NA	NA
2.3 Heritage Conservation	Clause 5	Yes	There have been no Indigenous items or places identified on the site.
2.4 Recreation Vehicle Areas	Nil	NA	NA
3.1 Residential Zones	Nil	NA	NA
3.2 Caravan Parks and Manufactured Home Estates	Nil	NA	NA
3.3 Home Occupations	Nil	NA	NA
3.4 Integrating Land Use and Transport	Nil	NA	NA

3.5 Development Near Licensed Aerodromes	Nil	NA	NA
3.6 Shooting Ranges	Nil	NA	NA
4.1 Acid Sulfate Soils	Nil	NA	NA
4.2 Mine Subsidence and Unstable Land	Nil	NA	NA
4.3 Flood Prone Land	Nil	NA	NA
4.4 Regional Planning	Nil	NA	NA
5.1 Implementation of Regional Strategies	Nil	NA	NA
6.1 Approval and Referral Requirements	Nil	NA	NA
6.2 Reserving Land for Public Purposes	Nil	NA	NA

Section C: Environmental, Social & Economic Impact

7. 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 land is not identified as containing areas of critical terrestrial biodiversity.

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

No further environmental impacts are identified at this stage.

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

The proposal claims that there would be no likely negative social or economic impacts. The development aims to encourage residents to the town and subsequent community contributions.

Section D: State & Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

Yes, the site has access to a formed, unsealed public road. Mains electricity is available in the vicinity of the lot.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

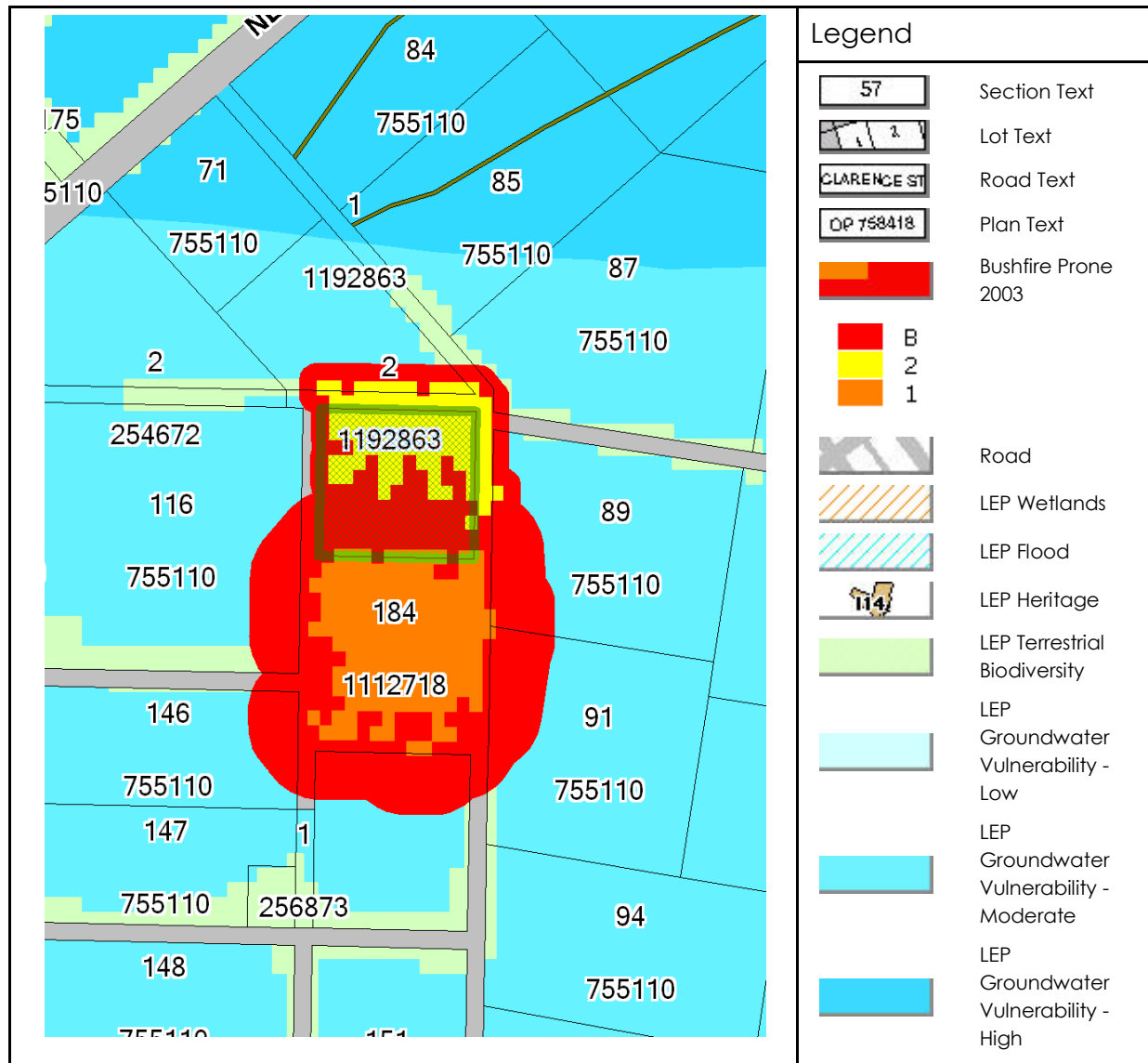
Relevant State and Commonwealth government authorities will be consulted as directed by the Gateway determination.

Part 4

Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies.

12. Mapping

GIS Print with Legend



Aerial Photo



Part 5

Details of the community consultation that is to be undertaken on the planning proposal.

13. Community Consultation

The proposal would be required to be placed on public exhibition under direction from the Minister for Planning & Environment. This is not considered a low impact proposal and as such, is recommended to be publicly exhibited for such time as indicated by the Gateway in accordance with section 57 of the EP&A Act 1979.

This exhibition will be notified in the local newspapers and on Councils website. Hard copies of the proposal will be available for viewing at Councils Administration office at 124 Dandaloo St in Narromine. The adjoining land owners will be notified by direct correspondence. The content of the notice will be in accordance with the Department of Planning's *Guide to preparing LEPs*.

Part 6

Details of the proposed timeframes in the progression of the proposal.

14. Project Timeline

The following is the anticipated time frame for the completion of the proposal.

Milestone	Anticipated Time
Commencement date	March 2015
Completion of technical information	May 2015
Government agency consultation	June 2015
Public exhibition period	July 2015
Dates for public hearing (if req'd)	July 2015
Consideration of submissions	August 2015
Post exhibition consideration	Sept/Oct 2015
Finalisation of LEP	November 2015
PCO Opinion	December 2015
Making of Plan	January 2016
Forwarded to Dept for Notification	January 2016