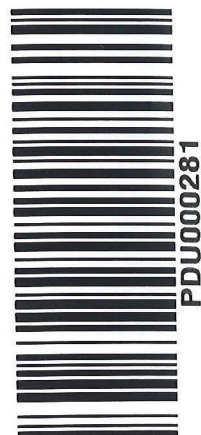




# Leeton Shire Council

## Planning Proposal for 106 Kurrajong Avenue, Leeton



### 1. Objective

To enable the redevelopment of the residential allotment Lot 3, Section 12, DP 758606, 106 Kurrajong Avenue, Leeton for commercial premises.

### 2. Explanation of the Provisions

Amendment of the Leeton Local Environmental Plan No 4 map in accordance with the proposed zoning map shown in attachment 1.

### 3A. Justification – Need for the Planning Proposal

#### ***Is the planning proposal a result of any strategic study or report?***

This planning proposal is not a result of any strategic study or report. It is however the result of a formal application made by a potential developer for the parcel of land following a long search for a suitable allotment for their specific development.

The allotments location within the business district, triple road frontages and physical dimensions lend itself very favourably to the establishment of a funeral home as desired by the developer.

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

This planning proposal is the best means of achieving its objectives. At present the land is located at the end of a developed commercial area and for quite some time now has contained a vacant house. The proposal to develop the land into a contributing parcel for the Shire requires the favourable consideration of this planning proposal and subsequent rezoning.

#### ***Is there a net community benefit?***

There is no foreseen net community benefit or disadvantage as a result of this planning proposal. The objectives seek only to rezone one (1) parcel of land to a more practical use for the area. The outcome will be the redundancy of a long term vacant house and the establishment of a new funeral home.

### 3B. Justification – Relationship to Strategic Planning Framework

#### ***Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?***

There are no applicable regional or sub-regional strategies for Leeton Shire Council.

***Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?***

The community strategic plan identifies essential services the community wants retained and developed. A "purpose built funeral home including a chapel" is a service currently unavailable in Leeton.

***Is the planning proposal consistent with applicable state environmental planning policies?***

There are no applicable State Environmental Planning Policies for this planning proposal.

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

Under Section 117(2) of the Environmental Planning and Assessment Act 1979 Council has identified and assessed three (3) Ministerial Directions under the headings set out within each direction that are applicable to this planning proposal being:

**1.1 – Business and Industrial Zones**

***(a) Give effect to the objectives set out in the direction***

The objectives of this direction are to:

- (i) encourage employment growth in suitable locations
- (ii) protect employment land in business and industrial zones
- (iii) support the viability of identified strategic centres

Council believes that all of the above objectives are given effect through this planning proposal. Although Council does not have an identified strategic centre the proposal seeks to compliment Council's existing zones by bridging a land gap between two existing commercial areas.

This complimentary zoning will in turn encourage employment growth within the town centre by allowing a larger funeral home to be established on the site. In addition, as the proposal relates to a single allotment only, the effect it can have on employment land within existing business zones is negligent if not a benefit.

***(b) Retain the areas and locations of existing business and industrial zones***

The planning proposal will not reduce the aggregate area or location of existing business zones. This proposal seeks to increase the available land to the existing business zones.

***(c) Not reduce the total potential floor space area for employment uses and related public services in business zones***

The planning proposal will not reduce the total potential floor space area for employment uses in business zones. This proposal seeks to create an opportunity for further commercial building construction within the business district.

- (d) *Not reduce the total potential floor space area for industrial uses in industrial zones*

This planning proposal does not relate to industrial zones.

- (e) *Ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning*

No strategy has been approved by the Director-General of the Department of Planning relating to Leeton Shire Council and this planning proposal in particular. The proposed employment area will bridge a gap between two existing commercial zones and is therefore seen as complimentary to the area.

### 1.3 – Mining, Petroleum Production and Extractive Industries

- (a) *Consult the Director-General of the Department of Primary Industries in regards to the matters set out in 1.3(4)(a)(i)&(ii) of the Section 117(2) Ministerial Directions*

Following a gateway determination, if favourable, Council intends to consult the relevant agencies.

- (b) *Seek advice from the Director-General of DPI on the development potential of resources identified above*

Should the Director General notify Council of any resources detailed in 1.3(4)(a)(i) of the Section 117(2) Ministerial Directions Council will seek advice as to their potential.

- (c) *Identify and take into consideration issues likely to lead to land use conflict between other land uses development of resources identified under 1.3(4)(a)(i) of the Section 117(2) Ministerial Directions and existing development identified under 1.3(4)(a)(ii) of the Section 117(2) Ministerial Directions.*

The proposal seeks to bridge a gap between two commercial zones that will create a continuation of the existing development within the area. Land use conflicts between the proposed use and any resources or existing mines/operations is non-existent as there are no mining operations in this area.

### 3.1 – Residential Zones

- (a) *Encourage the provision of housing that will broaden the choice of building types and locations available in the housing market*
- (b) *Encourage the provision of housing that will make more efficient use of existing infrastructure and services*
- (c) *Encourage the provision of housing that will reduce the consumption of land for housing and associated urban development on the urban fringe*

- (d) *Encourage the provision of housing that will be of good design.*
- (e) *Require that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it)*
- (f) *Not reduce the permissible residential density of land*

This planning proposal does not seek to create any residential zones. Council's eventual intentions are for gap between the two existing commercial zones to be zoned commercial which will see the eventual replacement or rebuilding of the remaining houses in the area. Some of these existing houses contain approved businesses.

### **3C. Justification – Environmental, Social and Economic Impact**

***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?***

Due to the location of the proposed rezoning, there is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the proposal.

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

#### *Parking and road access*

The site is located between two major commercial zones within Leeton and therefore enjoys a continuation of the kerbside parking provided to the remainder commercial zones. Any potential development on the site, if approved, would carry a condition requiring the provision of additional on-site parking for staff members.

The site has road frontage to three (3) roads being Kurrajong Avenue, Commission Lane and Lily Lane. The condition of the roads is fair to excellent and there are no foreseen issues should any commercial development be proposed on the site.

#### *Water, Sewer and Drainage*

The site is fully serviced at present and there is no foreseen impact on Council's water, sewer and drainage infrastructure through the establishment of a commercial zone on the site.

#### *Street lighting, power and telecommunications*

The site is fully serviced at present and there is no foreseen issues relating to the provision of power and telecommunications. The site is also well lit being in-between two major commercial zones. Council sees no reason for an increase in the number of street lights along the main road frontage being Kurrajong Avenue.

***How has the planning proposal adequately addressed any social and economic effects?***

The social effects of the proposal are very slight if not beneficial to the town. The amendment to the zone will create an opportunity for the replacement or rebuilding of the existing vacant dwelling. This will improve a pre-existing social hazard.

The economic effects upon the community are also slight owing to the scope of the rezoning.

There are no known items of aboriginal heritage.

**3D Justification – State and Commonwealth interests.**

***Is there adequate public infrastructure for the planning proposal?***

The site is located on Main Road 80 (Kurrajong Avenue) which is an RTA road and there is no foreseen impacts relating to this road.

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

Consultations as required by the gateway notification will be undertaken.

**4. Community Consultation**

As this is a low impact Planning Proposal Council will exhibit the plan for 14 days in addition to the following:

- (a) In the local newspaper (The Irrigator),
- (b) On Councils website, and
- (c) In writing to adjoining landowners being:
  - (i) 125 Acacia Avenue, Leeton
  - (ii) 121 Acacia Avenue, Leeton
  - (iii) 123 Acacia Avenue, Leeton
  - (iv) 104 Kurrajong Avenue, Leeton
  - (v) 102 Kurrajong Avenue, Leeton
  - (vi) 30 Coolibah Street, Leeton
  - (vii) 28 Coolibah Street, Leeton