

5. **Weddin Local Environmental Plan 2011, T2.1.9**

The *Rural Settlement Project* ('Project') was prepared in 2011/2012 and adopted by Council. It was previously submitted to the NSW Department of Planning & Environment ('DPE') but is not yet endorsed. The Project provided land use strategies for most of the major land uses in Weddin Shire.

Four to five years have passed since that Project was prepared and it is appropriate to update the Project to ensure it reflects the desired future land use outcomes of the community and recent development supply/demand.

An Addendum or Update to the *Rural Settlement Project* – particularly those sections that relate to the large lot residential component of that study including:

- a) Part 2 – Supply and Demand Analysis (particularly Chapters 8-12);
- b) Part 3 – Constraints and Opportunities Analysis for Large Lot Residential (Zone R5) and Village (Zone RU5) Lands (particularly Chapters 3, 4.5-4.7, and 6.2).

As such the report references aspects of the Project that are still relevant and should be read alongside the project and its relevant chapters. The constraints in these areas have not substantially changed.

This Addendum makes a number of recommendations for potential amendments to the existing Planning controls for Zone R5 Large Lot Residential lands around the Town of Grenfell.

This Planning Proposal ('Proposal') has been prepared to modify some of the existing zoning boundaries / controls for minimum lot size for **parts** of the existing R5 Large Lot Residential zoned land around the Town of Grenfell. Therefore, this Proposal seeks to modify *Weddin Local Environmental Plan 2011* ('LEP2011').

In 2011 consultants on behalf of the Department of Planning and Environment ('DPE') and Weddin Shire Council ('Council') prepared the *Rural Settlement Project* (October 2012) ('Project') that, amongst other matters, provided a land use strategy for land utilised for large lot residential or 'lifestyle' lot purposes. In the Standard Instrument this type of land use is commonly included in Zone R5 Large Lot Residential.

Since 4-5 years have elapsed since the Project was prepared, Council has requested a review of that land use strategy and update with new or improved information resulting in an updated supply and demand analysis for large lot residential land around the Town of Grenfell. This review is in the form of an *Addendum to the Rural Settlement Project* ('Addendum').

The key recommendations of this Proposal are supported by the Addendum that provides the justification for the proposed amendments. The justifications and requirements for Planning Proposals and the Addendum should be read alongside the Proposal.

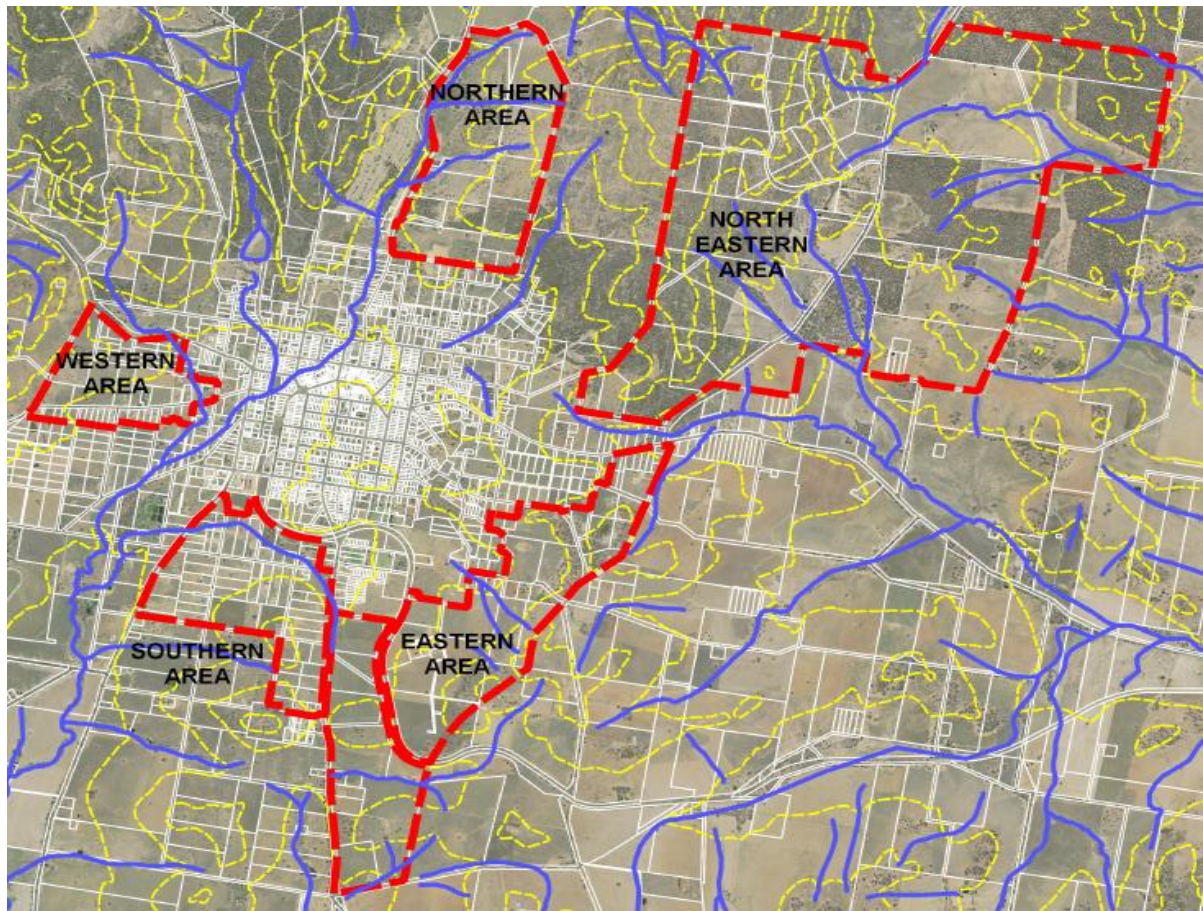


Figure 1: Location of Existing Zone R5 Large Lot Residential Land around the Town of Grenfell

All of the Shire's large lot residential areas are located around the Town of Grenfell and under *Weddin Local Environmental Plan 2011* ('LEP2011') are located in Zone R5 Large Lot Residential. There are **five (5) distinct areas** referred to in this report including (shown in Figure.1):

- a) **Northern Area** – located to the east of Gooloogong Road;
- b) **North Eastern Area** – known as 'Adelargo Heights' accessed from Adelargo Road;
- c) **Eastern Area** – south of Mid Western Highway around to Henry Lawson Way;
- d) **Southern Area** – between Henry Lawson Way and Mary Gilmore Way;
- e) **Western Area** – between Manganese Road and the Mid Western Highway.

1.1. Summary of Outcomes

The Addendum and this Proposal make recommendations to modify key controls in each of the areas excluding the area marked 'Western Area'.

The key amendments are summarised as follows:

Study Area	Key Recommendations / Planning Control Amendments
Northern Area	Retain the existing area in Zone R5 Large Lot Residential. Due to a number of site constraints and limited take-up of this area for new dwellings we recommend increasing the Minimum Lot Size for Subdivision from 5 hectares to 10 hectares.
North-Eastern Area	Retain the majority of this area in Zone R5 Large Lot Residential but remove five (5) lots that have nearly 100% vegetation coverage and high bushfire risk with limited dwelling potential. Due to a number of site constraints and limited take-up of parts of this area for new dwellings we recommend increasing the Minimum Lot Size for Subdivision from 5 hectares to 10 hectares.
Eastern Area	Retain this area in Zone R5 Large Lot Residential with slight modifications to the zone boundary to remove split zoning affecting four (4) lots resulting in a net increase of only ~2 hectares of large lot residential land. In accordance with the attached maps and in areas where there are less constraints and suitable access reduce the Minimum Lot Size for Subdivision from 10 hectares to either 1 or 2 hectares (See the maps attached to the Addendum for details).
Southern Area	Existing Southern Zone R5 area is nearly achieving 60-70% dwelling construction and is held in multiple ownerships indicating a high likelihood of development. This area should be retained in Zone R5 Large Lot Residential and retain the existing Minimum Lot Size of 4000m² in this area (though the majority of lots created are 1-2 hectares in size). Due to demand for large lot residential to the south of Grenfell and the limited site constraints we recommend extending the existing Southern Area to the south (rezoning existing Zone RU1 Primary Production land that is highly fragmented) with a Minimum Lot Size of 2 hectares.

1.2. Process Overview

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act') and the NSW Government Guideline (October 2012) '*A guide to preparing planning proposals*'.

A gateway determination under Section 56 of the EP&A Act is requested from the Department of Planning & Environment ('Department') to allow this planning proposal to be placed on public exhibition.

It is recommended to request delegation to Council (as the Relevant Planning Authority or RPA) of the power to make this amendment (subject to discussions with DPE). It is submitted that if DPE is willing to endorse the Addendum to the *Rural Settlement Project* then the

amendments will be consistent with an endorsed strategy and it is fitting that Council is provided delegation.

It is further submitted that there is sufficient detail in this Planning Proposal to justify a positive Gateway Determination considering the low complexity of the proposed amendments and limited chance of any significant impacts on adjacent land uses, the natural environment and the community.

RECOMMENDATION: that Council:-

- a) Endorse the Draft Addendum to the *Rural Settlement Project* and Draft Planning Proposal prepared in accordance with section 55(1) of the Environmental Planning and Assessment Act 1979 to modify some of the existing zoning boundaries / controls for minimum lot size for **parts** of the existing R5 Large Lot Residential zoned land around the Town of Grenfell.
- b) Submit the Draft Addendum and Draft Planning Proposal to the Minister for Planning and Environment for a Gateway Determination in accordance with section 56(1) of the Environmental Planning and Assessment Act 1979.
- c) Request that the local planning making functions in relation to this planning proposal be delegated to Council.
- d) Place the draft Addendum on public exhibition to seek feedback and consult as required.
- e) Publicly exhibit the Planning Proposal and notify and consult in accordance with any Gateway Determination requirements and Council's requirements;
- f) Authorise the Director and/or General Manager to negotiate minor amendments with DPE (if required) consistent with the intent of the Draft Addendum / PP.

Clr McClelland previously submitted a written declaration of interest and left the room.

535 RESOLVED: Clr Best and Clr Parlett that Council:-

- a) Endorse the Draft Addendum to the *Rural Settlement Project* and Draft Planning Proposal prepared in accordance with section 55(1) of the Environmental Planning and Assessment Act 1979 to modify some of the existing zoning boundaries / controls for minimum lot size for **parts** of the existing R5 Large Lot Residential zoned land around the Town of Grenfell.
- b) Submit the Draft Addendum and Draft Planning Proposal to the Minister for Planning and Environment for a Gateway Determination in accordance with section 56(1) of the Environmental Planning and Assessment Act 1979.
- c) Request that the local planning making functions in relation to this planning proposal be delegated to Council.
- d) Place the draft Addendum on public exhibition to seek feedback and consult as required.
- e) Publicly exhibit the Planning Proposal and notify and consult in accordance with any Gateway Determination requirements and Council's requirements;
- f) Authorise the General Manager in consultation with the Director Environmental Services to negotiate minor amendments with DPE (if required) consistent with the intent of the Draft Addendum / PP.

Clr McClelland returned to the room.