

Minimum lot size change to Lot 81 DP 2855, Ugoa St, Narrabri

Proposal Title : **Minimum lot size change to Lot 81 DP 2855, Ugoa St, Narrabri**

Proposal Summary : **The Planning Proposal seeks to amend the Minimum Lot Size Map for Lot 81 DP 2855, Ugoa St, Narrabri to permit a dwelling on the land with consent.**

PP Number : **PP_2012_NARRB_002_00** Dop File No : **12/13749**

Proposal Details

Date Planning Proposal Received : **17-May-2013** LGA covered : **Narrabri**

Region : **Northern** RPA : **Narrabri Shire Council**

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

LEP Type : **Spot Rezoning**

Location Details

Street : **Ugoa St**

Suburb : City : **Narrabri** Postcode : **2390**

Land Parcel : **Lot 81 DP 2855**

DoP Planning Officer Contact Details

Contact Name : **Gina Davis**

Contact Number : **0267019687**

Contact Email : **gina.davis@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Paul Bawden**

Contact Number : **0267996855**

Contact Email : **paulb@narrabri.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **N/A** Release Area Name : **N/A**

Regional / Sub Regional Strategy : **N/A** Consistent with Strategy : **N/A**

Minimum lot size change to Lot 81 DP 2855, Ugoa St, Narrabri

MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	1
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 Department of Planning and Infrastructure's Code of Practice in relation to communications and meetings with lobbyists has been complied with to the best of the Region's knowledge. The Northern Region has not met with any lobbyists in relation to this proposal, nor has the Northern Region been advised of any meeting between other Departmental Officers and lobbyists concerning the proposal.**

External Supporting Notes :

Adequacy Assessment

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

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

Comment : **The objective of this Planning Proposal is amend the Minimum Lot Size Map for Lot 81 DP 2855, Ugoa St, Narrabri from AB2 (40ha) to Z1 (3ha) for the purpose of permitting with consent the erection of a dwelling house.**

The objectives and intended outcomes of the Planning Proposal are adequately expressed

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

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

Comment : **The explanation of provisions adequately addresses the intended changes to the Minimum Lot Size map sheet (LSZ_004B) of Narrabri LEP 2012.**

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**

1.5 Rural Lands

* May need the Director General's agreement **4.3 Flood Prone Land**

Minimum lot size change to Lot 81 DP 2855, Ugoa St, Narrabri

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 55—Remediation of Land**

e) List any other matters that need to be considered : **The New England North West Strategic Regional Land Use Plan applies to the Narrabri LGA.**

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

If No, explain : **The Planning Proposal is considered to be consistent with all the relevant SEPP's and the New England North West Strategic Land Use Plan. The inconsistencies with the relevant s117 Directions are considered to be consistent with a local strategy approved by the Director General, or are of minor significance, as discussed below.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Whilst the amended map sheet has not been provided at this stage, the Planning Proposal is accompanied by a map showing the site and proposed Minimum Lot Size. The map provided is considered sufficient for the Planning Proposal to proceed and for public exhibition purposes.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Given the nature of the proposed amendment and the existing surrounding landuse, the Planning Proposal is considered to be of a low impact nature and a 14 day consultation period is considered appropriate.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment : **The Planning Proposal and accompanying documentation are considered to satisfy the adequacy criteria by:**

- 1. Providing appropriate objectives and intended outcomes;**
- 2. Providing a suitable explanation of the provisions proposed by the LEP to achieve the outcomes;**
- 3. Providing an adequate justification for the proposal;**
- 4. Outlining a proposed community consultation program; and**
- 5. Providing a project time line.**

Council is not seeking an authorisation to exercise its plan making delegations. It understood that Council has not yet formally accepted its plan making delegations, and as such, an authorisation cannot be issued (despite the Planning Proposal dealing only with matters of local significance).

The RPA has provided a project time line. The timeline will require amendment as the Planning Proposal has been submitted by Council for Gateway Determination later than proposed in the timeline. The 6 month time frame for completion of the proposal is considered to be satisfactory.

Proposal Assessment

Principal LEP:

Due Date : **December 2012**

Comments in relation to Principal LEP : **Narrabri LEP 2012 was notified on 21 December 2012.**

Assessment Criteria

Need for planning proposal :

The proposal is needed to amend the minimum lot size map for the subject site from 40ha to 3ha to enable the erection of a dwelling house with consent. The erection of a dwelling on the land would be consistent with the rural residential and residential uses located to the east, west and north of the site.

Consistency with strategic planning framework :

Whilst no Regional Strategies apply the Narrabri LGA, the New England North West Strategic Regional Land Use Plan does apply. The Planning Proposal is considered to be consistent with the provisions of the Regional Land Use Plan.

The Planning Proposal is considered to be consistent with all applicable SEPPs and the recommendations of the Narrabri Growth Management Strategy approved by the Director General in April 2010.

The Planning Proposal has been identified as being consistent with all applicable section 117 Directions, except in relation to 1.2 Rural Zones and 4.3 Flood Prone Land as discussed below.

Section 117 Direction 1.2 Rural Zones was not identified as being inconsistent by Council (as the land is not being rezoned). The Direction however applies when an LEP contains provisions that will increase the permissible density of the land within the rural zone. As the Planning Proposal seeks to reduce the minimum lot size for the subject land to permit the erection of a dwelling, the Direction is applicable. The Narrabri Growth Management Strategy approved by the Director General in April 2010 identified the subject land as being suitable for rural residential development. The inconsistency with this Direction is considered to be satisfactory as it is justified by a strategy approved by the Director General.

Section 117 Direction 4.3 Flood Prone Land was identified as relevant to the proposal by Council. The Planning Proposal is considered inconsistent with this Direction as it will permit an increase in the development potential of the land. The inconsistency with this Direction is considered to be of minor significance as a Flood Impact Assessment Report has been conducted for the site and concluded that the proposal is satisfactory and will also have little impact on the flow regime of the local floodways in the event of a 1 in 100 year ARI. The inconsistency with this Direction is considered to be of minor significance. It is however recommended that the Office of Environment and Heritage be consulted prior to exhibition in regards to flooding issues.

Environmental social economic impacts :

The Planning Proposal considers the environmental, social and economic impacts associated with the amendment and identifies no specific adverse impact of the proposal.

Minimum lot size change to Lot 81 DP 2855, Ugoa St, Narrabri

Assessment Process

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

Timeframe to make LEP : **6 Month** Delegation : **DDG**

Public Authority Consultation - 56(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 : **It is recommended that consultation be undertaken the NSW Office of Environment and Heritage in regards to the issue of flooding.**

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

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Ugoa St PP_150513.pdf	Proposal	No
Ugoa St PP_Cover ltr_150513.pdf	Proposal Covering Letter	No
Proposed Amendment Map.pdf	Map	No
Locality Map.pdf	Map	No

Planning Team Recommendation

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

S.117 directions: **1.2 Rural Zones
1.5 Rural Lands
4.3 Flood Prone Land**

Additional Information : **It is recommended that:**
1. The Planning Proposal be supported;
2. That the Director General's delegate agree to the inconsistencies with section 117 Directions 1.2 Rural Zones and 4.3 Flood Prone Land as matters of minor significance, or as matters justified by a local strategy approved by the Director General;
3. That consultation be undertaken with the Office of Environment and Heritage in regards to flooding issues prior to exhibition;
4. That the Planning Proposal be considered as low impact and exhibited for a period of

Minimum lot size change to Lot 81 DP 2855, Ugoa St, Narrabri

- 14 days; and
- 6. The Planning Proposal should be completed within 6 months;
- 7. That an authorisation to exercise delegation not be issued to Council (as Council has not yet formally accepted its plan making delegations); and
- 8. That a revised project timeline be included in the Planning Proposal prior to public exhibition.

Supporting Reasons : The Planning Proposal is in keeping with the recommendations of the Narrabri Growth Management Strategy and the surrounding landuses.

Signature:



Printed Name:

Craig Diss

Date:

23 May 2013