

Amend Urana LEP 2011 - Permit 'Storage Premises' in R5 Zone

Proposal Title :	Amend Urana LEP 2011 - Permit 'Storage Premises' in R5 Zone		
Proposal Summary :	Urana Council seeks to amend the land use table under Urana LEP 2011 to permit 'Storage Premises' in the R5 Large Lot Residential Zone with consent.		
PP Number :	PP_2012_URANA_001_00	Dop File No :	12/16017

Proposal Details

Date Planning Proposal Received :	05-Oct-2012	LGA covered :	Urana
Region :	Western	RPA :	Urana Shire Council
State Electorate :	MURRAY DARLING	Section of the Act :	55 - Planning Proposal
LEP Type :	Housekeeping		

Location Details

Street :	N/A		
Suburb :	N/A	City :	Urana
		Postcode :	2645
Land Parcel :			

DoP Planning Officer Contact Details

Contact Name :	Robert Bisley
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RPA Contact Details

Contact Name :	Brent Livermore
Contact Number :	0269309100
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DoP Project Manager Contact Details

Contact Name :	Anna Cumberland
Contact Number :	0268412180
Contact Email :	anna.cumberland@planning.nsw.gov.au

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A

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MDP Number :

Date of Release :

Area of Release (Ha) **0.00**

Type of Release (eg **N/A**
Residential /
Employment land) :

No. of Lots : **0**

No. of Dwellings **0**
(where relevant) :

Gross Floor Area : **0**

No of Jobs Created : **0**

The NSW Government **Yes**
Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been **No**
meetings or
communications with
registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting Notes : **By permitting Storage premises in R5 the Large Lot Residential Zone, economic development will be supported in appropriate places in Urana Shire.**

External Supporting
Notes :

Adequacy Assessment

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

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

Comment : **The Planning Proposal clearly states Council wishes to amend Urana LEP 2011 to permit 'Storage Premises' in the R5 Large Lot Residential zone.**

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

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

Comment : **Amendment to the R5 Large Lot Residential Zone land use table requiring the deletion of 'Storage premises' from item 4. No amending maps required.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

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

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

d) Which SEPPs have the RPA identified? **N/A**

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e) List any other matters that need to be considered : **N/A**

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

If No, explain : **As Council have not indicated if any R5 Large Lot Residential zoned land is bushfire prone, the Planning Proposal is considered to be inconsistent with s117 Direction 4.4 Planning for Bushfire Protection. The inconsistencies with s117 Direction 4.4 Planning for Bushfire Protection will likely be resolved once consultation with the Commissioner of NSW Rural Fire Service has been undertaken.**

s117 Directions 3.1, 3.4 and 4.3 all apply, however the Planning Proposal is consistent with these directions.

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment : **No mapping required as part of this Planning Proposal.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council recommended an exhibition period of twenty-one (21) days. Due to the minor nature of the Planning Proposal, a minimum of 14 days is considered to be a sufficient consultation period.**

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 :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Urana LEP 2011 (Standard Instrument) was published and notified on the 23 September 2011.**

Assessment Criteria

Need for planning proposal : **Storage premises are currently prohibited in the R5 Large Lot Residential zone.**

The Urana Local Environmental Plan 2011 allows 'silos' with consent under the land use term 'farm buildings'. However, the definition of farm building requires the land use be ancillary to the agricultural use of the land.

Council intends to permit 'grain silos' (under the term Storage premises) as a permissible land use in the R5 zone, purely for storage of agricultural produce, removing the need for the primary use of the lot being agriculture.

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Urana has very few zones in it's LEP. The insertion of Storage premises in the R5 Large Lot Residential zone will not cause undue land use conflict and is considered to be an appropriate way of achieving Council's intention. Council has the opportunity to mitigate potential land use conflict caused by the development of storage premises at the development application stages through the assessment of noise, dust, traffic, etc issues.

It is noted Storage premises are permissible in the village zone. If Storage premises were prohibited in the R5 zone, developers could potentially look at placing silos inside the village leading to additional land use conflicts given the increased density of development in this zone.

The LEP amendment would encourage economic opportunities in a small rural community and is considered to be a minor amendment to the R5 Land Use Table.

In addition, Council have identified that silos were permitted with consent under the former LEP and their inclusion with consent is considered to be an oversight of the conversion process.

Consistency with strategic planning framework :

The minor nature of the Planning Proposal does not require Strategic work to be undertaken by Urana Shire Council as justification.

Environmental social economic impacts :

The planning proposal will permit, with development consent, 'Storage premises' in the R5 Large Lot Residential zone. Any proposal to establish Storage premises in the R5 Large Lot Residential zone will require the assessment of environmental, social and economic impacts by the consent authority prior to approval.

Assessment Process

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

Timeframe to make LEP : **9 Month** Delegation : **DG**

Public Authority Consultation - 56(2)(d) : **NSW Rural Fire Service**
Adjoining LGAs

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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Is the provision and funding of state infrastructure relevant to this plan?

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Letter from Council requesting PP to prepare a draft LEP.pdf	Proposal	No

Planning Team Recommendation

Preparation of the planning proposal supported at this stage :

S.117 directions:

- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection

Additional Information : Recommend that the Director General, as delegate of the Minister for Planning and Infrastructure, determine under section 56(2) of the EP&A Act that an amendment to the Urana Local Environmental Plan 2011 to permit 'Storage premises' in the R5 Large Lot Residential zone, subject to the following conditions:

1.Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 14 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- NSW Rural Fire Service
- Adjoining LGAs

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 14 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

5. Section 117 Directions

In the case of s117 Direction 4.4 Planning for Bushfire Protection referral of the proposal to the NSW Rural Fire Service and taking into account its response will satisfy the Direction.

Supporting Reasons : The amendments will support economic development in Urana Shire.

Signature:



Printed Name:

ROB BISLEY

Date:

12.10.12

Endorsed: ACumb 12.10.12

ANNA CUMBERLAND A/TEAM LEADER