

Proposal to amend the MLS map for Lot 9 DP 1122385

Proposal Title : **Proposal to amend the MLS map for Lot 9 DP 1122385**

Proposal Summary : **Council is proposing to amend the MLS map to allow for the subdivision of lot 9 DP 1122385 containing existing detached dual occupancy dwellings into 2 lots.**

PP Number : **PP_2013_WELLI_001_00** Dop File No : **13/09364**

Proposal Details

Date Planning Proposal Received :	31-May-2013	LGA covered :	Wellington
Region :	Western	RPA :	Wellington Council
State Electorate :	ORANGE	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	9 Tollemache Street		
Suburb :	Wellington	City :	Wellington
		Postcode :	2820
Land Parcel :			

DoP Planning Officer Contact Details

Contact Name : **Robert Bisley**
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RPA Contact Details

Contact Name : **Michael Tolhurst**
 Contact Number : **0268401700**
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DoP Project Manager Contact Details

Contact Name : **Wayne Garnsey**
 Contact Number : **0268412180**
 Contact Email : **wayne.garnsey@planning.nsw.gov.au**

Land Release Data

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

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MDP Number :	Date of Release :
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) : N/A
No. of Lots : 1	No. of Dwellings (where relevant) : 2
Gross Floor Area : 1,024.00	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 : **No known meetings have been held with registered lobbyists.**

Supporting notes

Internal Supporting Notes :

External Supporting Notes :

Adequacy Assessment

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

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

Comment : **It is clear from the statement of objectives that the planning proposal is seeking to amend the MLS to allow for the subdivision of Lot 9 DP 1122385 into two (2) lots.**

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

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

Comment : **The explanation of provisions identifies that the objectives will be achieved through the insertion of a 400m2 MLS for Lot 9 DP 1122385 on the MLS map LSZ_004C.**

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA : **1.5 Rural Lands**
2.1 Environment Protection Zones
* May need the Director General's agreement **4.3 Flood Prone Land**

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**

e) List any other matters that need to be considered : **The Planning Proposal is consistent with the applicable s117 Directions 1.5 Rural lands, 2.1 Environmental Protection Zones and 4.3 Flood Prone Land.**

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The Mapping has not been prepared in accordance with the Technical Guidelines for mapping. However, the maps provide sufficient information to inform the public if approved for public exhibition.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **14 days has been proposed and agreed due to the minor nature of the Planning Proposal.**

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 : **The Wellington LEP 2012 was notified 23 November 2012.**

Assessment Criteria

Need for planning proposal : **Yes. Required as the MLS is proposed to be amended for Lot 9 SP 1122385 to allow subdivision. Consent was granted for a dual occupancy on the subject lot under the Wellington 1995 LEP. The land was rezoned from 2(a) Residential to E3 Environmental Management with a 2000m2 MLS under the Wellington 2012 LEP. The proponent has finalised construction of the detached dual occupancy residence and is seeking to subdivide the lot. The Planning Proposal will amend the MLS map to allow for subdivision of the lot and reflect existing use of the land.**

Consistency with strategic planning framework : **The Planning Proposal has not been informed by strategic planning framework, however it is considered to be of minor significance and an accurate reflection of existing land use. The proposal does not allow for further intensification which is not strategically planned.**

Environmental social economic impacts : **Lot 9 DP 1122385 is zoned E3 due to environmental constraints (primarily flooding). Approval for dual occupancy was previously granted under the former Wellington Environmental Planning Instrument. Amendment to the MLS map will reflect existing use of the land and not allow for further intensification within the E3 zone.**

It is noted that a portion of the side has been identified as flood prone land. However, as the planning proposal is not intensifying development, only reflected existing use of the land, any proposed environmental impacts are negligible.

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Assessment Process

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

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

Public Authority
Consultation - 56(2)(d)

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

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **1.5 Rural Lands**
2.1 Environment Protection Zones
4.3 Flood Prone Land

Additional Information : **1. Proceed and finalise the Planning Proposal in 9 months.**
2. Community consultation to be undertaken for 14 days.
3. Wellington Shire Council be issued an authorisation to exercise delegation to make this Plan.
4. Council provide the proposed minimum lot size map that complies with the technical guidelines for mapping.

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Supporting Reasons : **The amendment to the minimum lot size map is a reflection of existing land use and will not further intensify development of the subject land.**

Signature: _____



Printed Name: _____

ROS BISSET

Date: _____

5.6.13

Endorsed Wymsey 5-6-13
A/Team leader.

