

Planning Proposal

Gol Gol Heights Pty Ltd

Rezoning of Lot 4 DP845486

Silver City Highway

GOL GOL NSW 2648

Date: 25th April, 2013

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PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The purpose of this planning proposal is to enable a minimum lot size of 3000m² on 12.8 hectares of land at Silver City Highway Gol Gol within the Wentworth Shire Local Government area which is described in Certificate Title as Lot 4 in deposited plan 845486 DP845486.

The site is currently zoned R5 Large Lot Residential, minimum lot size 5000m².

The land to which the planning proposal applies is shown at attachment A (Deposited Plan Land Map).

PART 2 – EXPLANATION OF PROVISIONS

Amend Wentworth Shire Local Environmental Plan 2011 as follow:

Amend the Wentworth LEP 2011 Lot Size Map (Sheet LSZ_004G) to identify the site as minimum lot size 3000m² as shown in attachment B, the proposed Lot Size Map.

PART 3 – JUSTIFICATION

SECTION A – Need for the Planning Proposal

1. Is the planning proposal a result of any strategy study or report?

Yes. The planning proposal is consistent with the Wentworth Shire Council Residential Strategy report in 2007 and LEP 2011.

The objectives of the zone R5 Large Lot Residential identified in the Wentworth LEP 2011 are to:

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.

- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To restrict the construction of new residential and other sensitive uses in flood prone areas.

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

In the Wentworth rural Residential Strategy paper, it was identified at item 7.3 that “With respect to the issue of lot size, there was a unanimous view that whilst Council has historically set 5000m² as a minimum lot size for a small rural lot, it is considered this is too large, and 4000m² is a size which is more appropriate.” Since this paper, discussions with Council have indicated a review of this recommendation to 3000m² would be preferable to cater for economic and environmental concerns by residents to maintain a property of this size preferable due to water concerns. It is also considered that this lot size would cater to a market, not currently provided for in either of the Wentworth Shire Council and the adjacent Mildura Rural City Council.

Item 9, concluded that “in order to reflect demand, it is recommended that a minimum lot size of 4000m² be set as a determinant for a low density site with the strict provisions that minimum standards must be adhered to ensure that social and environmental standards are maintained.”

Item 11, concludes that rezoning applications will be considered in line with strategy, and the applicant/landowner will be required to lodge a rezoning submission addressing all the relevant issues.

Servicing requirements issues under the review are covered with the provision for filtered and unfiltered water readily available to this lot.

A Land Capability Assessment conducted on the 21st of February, 2013 (appendix f) has established for this site, that to meet the requirements of a domestic effluent disposal system in New South Wales for on-site domestic waste management “a disposal area of 148m² would be required, which represents only 4.9% of a proposed allotment area of 3000m² which is considered to be supportable.”

Wentworth Shire Council State of the Environment, Supplementary Report 2011/2012 Appendix C (1), identifies that “water supply remains the top current and future issue for Councils,” with Wentworth Shire being identified as the Council with the lowest rainfall within the Riverina & Murray Organisation of Councils.

The Wentworth Shire Development Control Plan 2011 identifies the Buronga Gol Gol area as a priority for encouraging residential development through

the expansion of the range of community facilities and services, improvement of public transport links, provision of additional government and health services, aged care services, child care facilities, education/training services and a promotion of community image and events including sport and recreations.

Currently under Wentworth LEP 2011 rural residential is provided through land zoned R5 Large Lot Residential. This planning proposal identifies the need to establish alternative lot sizes of 3000m² to cater for changing economic and environmental circumstances. The continued trend toward water conservation and restriction endorses the ability to provide large lot living within close proximity to the township of Gol Gol.

The location of the land provides for easy access to services such as the Gol Gol water treatment plant as shown in attachment (c).

SECTION B – Relationship to Strategic Planning Framework

3. Is the planning proposal consistent with the objectives and actions contained within the application region or subregional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Wentworth Shire Council completed a Rural Residential Strategy in 2007 which was exhibited. Part of the Rural Residential Strategy formed the basis of the Wentworth LEP 2011.

Within the Rural Residential Strategy the subject land was identified as zoned R5 Large Lot Residential, minimum lot size 5000m².

The planning proposal is consistent with the draft strategy as the rezoning will allow for additional future growth of the Gol Gol township, being well serviced adjoining the township.

4. Is there planning proposal consistent with the Local Councils Community Strategic Plan or other local strategic plan?

The planning proposal for consideration is consistent with the regional strategy and deemed to be of minor significance. It has been identified in the amendment to the Wentworth LEP 2011 that “the appropriateness of the existing minimum lot size will for an essential part of the future lands study”

5. Is the planning proposal consistent with applicable state environmental planning policies?

Relevant State Environmental Planning Policies and their relationship with the planning proposal are outlined in the table below:

SEPP	COMMENT
SEPP No. 1 – Development Standards	Consistent
SEPP No. 4 – Development without Consent & Miscellaneous Exempt & Complying Development.	Not Applicable
SEPP No. 6 – Number of Storeys in a Building	Consistent
SEPP No. 15 – Rural Land Sharing Communities	Not Applicable
SEPP No. 19 – Bushland in Urban Areas	Not Applicable
SEPP No. 21 – Caravan Parks	Not Applicable
SEPP No. 22 – Shops & Commercial Premises	Not Applicable
SEPP No. 30 – Intensive Agriculture	Not Applicable
SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)	Not Applicable
SEPP No. 33 – Hazardous & Offensive Development	Not Applicable
SEPP No. 36 – Manufactured Home Estates	Not Applicable
SEPP No. 44 – Koala Habitat Protection	Consistent, the area does not currently support Koalas.
SEPP No. 50 – Canal Estate Development	Not Applicable
SEPP No. 52 – Farm Dams & Other Works in Land & Water Management Plan Areas	Not Applicable
SEPP No. 55 – Remediation of Land	Consistent, no known contamination exists on site.
SEPP No. 60 – Exempt & Complying Development	Not Applicable
SEPP No. 62 – Sustainable Aquaculture	Not Applicable
SEPP No. 64 – Advertising & Signage	Not Applicable
SEPP No. 65 – Design Quality of Residential Flat Development	Not Applicable
SEPP No. 70 – Affordable Housing (Revised Schemes)	Not Applicable
SEPP – Affordable Rental Housing (2009)	Not Applicable
SEPP – Building Sustainability Index (BASIX) 2004	Consistent, BASIX is able to be complied at the DA stage.
SEPP – Exempt & Complying Development Codes (2008)	Not Applicable
SEPP – Housing for Seniors or People with a Disability (2004)	Not Applicable
SEPP – Infrastructure (2007)	Not Applicable
SEPP – Major Development (2005)	Not Applicable
SEPP – Mining, Petroleum Production and Extractive Industries (2007)	Not Applicable

SEPP – Rural Lands (2008)	Consistent – Refer comments below
SEPP – Temporary Structures (2007)	Not Applicable

SEPP (Rural Lands) 2008

Clause 7 of SEPP (Rural Lands) 2008 contains the following rural planning principles that require consideration as part of this planning proposal:

- (a). The promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas.
- (b). Recognition of the importance of rural lands and agricultural and the changing nature of agriculture and of the trends, demands and issues in agriculture in the area, region and state.
- (c). Recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits or rural land use and development.
- (d). In planning for rural lands, to balance the social, economic and environment interests of the community
- (e). The identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land.
- (f). The provision of opportunities for rural lifestyle, settlement and housing that contributes to the social and economic welfare of rural communities.
- (g). The consideration of impacts on services and infrastructure and appropriate location when providing rural holdings.
- (h). Ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

The planning proposal addresses the above rural planning principles as follows :

The area does not contain State Significant agricultural land and is not located within an area of regional farming significance.

The proposal achieves an appropriate balance between social, environment and economic interest of the community by providing opportunities for additional housing choices within an area that is not adversely affected by any significant restraints.

The proposal provide for large lot residential rural lifestyle opportunity which in the short to long term will benefit the township of Gol Gol.

The site is located in close proximity to the Gol Gol township and can be easily serviced.

The planning proposal is consistent with the recommendations contained in the Wentworth Shire Council Rural Residential Strategy of site.

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

The relevant section 117 directions contained within the Environment Planning Assessment Act 1979 are outlined in the table below:

1. Employment and Resources			
Direction		Applicable	Consistent
1.1	Business Industrial Zones	No	n/a
1.2	Rural Zones	Yes	No
1.3	Mining, Petroleum Production and Extractive Industries	No	n/a
1.4	Oyster Aquaculture	No	n/a
1.5	Rural Lands	Yes	No
Justification			
Direction 1.2 applies to planning proposals which effect land within an existing or proposed rural zone or states that a planning proposal must not rezones land from a rural zone to a residential zone. The inconsistency is justified in the instance as the site is identified for future residential use in the Wentworth Shire Council Rural Residential Strategy Report.			
The planning proposal is consistent with Direction 1.5 as the proposed residential use is consistent with the strategic policies adopted by Wentworth Shire Council whereby the social and environment benefits associated with rezoning of rural lands to residential lands, such as rural lifestyle and additional housing choices and opportunities as recognised.			
2. Environmental and Heritage			
Direction		Applicable	Consistent
2.1	Environment Protection Zones	No	n/a
2.2	Coastal Protection	No	n/a
2.3	Heritage Conservation	No	n/a
2.4	Recreation Vehicle Areas	No	n/a
Justification			
The area does not contain any known items of European or Aboriginal Heritage.			
3. Housing, Infrastructure & Urban Development			
Direction		Applicable	Consistent
3.1	Residential Zones	Yes	Yes
3.2	Caravan Parks & Manufactured Home Estates	No	n/a
3.3	Home Occupations	Yes	Yes
3.4	Integrating Land Use & Transport	Yes	No
3.5	Development near Licensed Aerodromes	No	n/a
3.6	Shooting Range	No	n/a
Justification			
In response to Direction 3.1 the planning proposal will broaden the choice of building types and locations available within the Wentworth Shire and will assist with the efficient use of			

Infrastructure and Services. Accordingly, the planning proposal will enable the development of land consistent with the objectives contained within section 5 of the Environmental and Planning and Assessment Act 1979 and therefore reflects evolving lifestyle and demographic trends. Home occupations will be able to carry out in a dwelling without the need for development consent, consistent with Direction No. 3.3.

Whilst the planning proposal is inconsistent with Direction No. 3.4 pertaining to integrating land use and transportation, the inconsistency is justified on the basis that the area has been the subject of comprehensive investigation and as such has been identified for residential purpose in the Wentworth Shire Rural Residential Strategy and Consideration of Environmental supporting the land Use Strategy and the Wentworth LEP 2011.

4. Hazard and Risk

Direction	Applicable	Consistent
4.1 Acid Sulphate Soils	No	n/a
4.2 Mine Subsidence and Unstable Land	No	n/a
4.3 Flood Prone Land	No	n/a
4.4 Planning for Bushfire Protection	No	n/a

Justification

The planning proposal is considered to be consistent with Direction 4.3 in that a future residential development will be allowed under a level of 0.75m freeboard of the flood planning level RL 34.65 AHD.

5. Regional Planning

Direction	Applicable	Consistent
5.1 Implementation of Regional Strategy	No	n/a
5.2 Sydney Drinking Water Catchments	No	n/a
5.3 Farmland of State and Regional Significance on NSW far North Coast	No	n/a
5.4 Commercial & Retail Development along the Pacific Highway, North Coast	No	n/a
5.5 Development in the vicinity of Ellalong, Paxton & Millfield	No	n/a
5.6 Sydney to Canberra Corridor	No	n/a
5.7 Central Coasts	No	n/a
5.8 Second Sydney Airport : Badgery's Creek	No	n/a

Justification

There is no regional strategy that applies to the area that would otherwise require consideration under Direction 5.1. Notwithstanding, the provisions of the draft Murray Regional Strategy have been addressed in Section 3.2 of this report.

6. Local Plan Maker

Direction	Applicable	Consistent
6.1 Approval & Referral Requirements	Yes	Yes
6.2 Reserving Land for Public Purpose	Yes	Yes
6.3 Site Specific Purposes	Yes	Yes

Justification

Persuant to Direction 6.1, the LEP provisions encourages the efficient and appropriate assessment of development.

Consistent with Direction 6.2, the planning proposal does not create, alter or reduce existing zoning or reservations of land for public purposes.

The planning proposal does not impose unnecessarily restrictive site specific planning controls and therefore is consistent with Direction 6.3

7. Metropolitan Planning			
Direction		Applicable	Consistent
7.1	Implementation of the Metropolitan Strategy	No	n/a
Justification			
Nil. The planning proposal has addressed the s.117 Directions prescribed by the Minister contained within the Environmental Planning and Assessment Act 1979.			

SECTION C – Environmental, Social & Economic Impact

7. 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?

No critical Habitat of threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the planning proposed.

There is minimum vegetation on the land proposed for rezoning. The majority of the land was an old fruit block which has been cleared for that purpose.

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

Any general constraints associated with the development would be addressed at the development application stage, when Council would consider Section 79C of the Environment Planning and Assessment Act 1979.

Generally the site is able to provide for future residential development, without any adverse environment impact.

9. Has the planning proposal adequately addressed any social and economic effects?

The proposal will have a positive social and economic effect on the township of Gol Gol.

The provision of manageable Rural Residential Lots (3000m²) adjoining the town will offer “in demand” rural lifestyle opportunity through wider housing choices and create opportunity to the building industry and enhance existing and future local business opportunities, within the township.

SECTION D – State & Commonwealth Interests

10. Is there adequate Infrastructure for the Planning Proposal?

The current provisions of Wentworth LEP 2011 provide for consideration of impacts on services or infrastructure at the time of subdivision of land for dwelling rural residential. The provision of the LEP ensure that consideration has been given to potential residential development and the requirements of this planning proposal for additional lots to be created from reduced lot sizes has minimal if any effect on future servicing demands on Council.

Existing Sturt Highway provides adequate bitumen road access to the site, other essential services such as emergency services (Police, Ambulance, SES), education & health services are all available in the town Gol Gol Township. Mains power, telephone and broadband cabling front the site and are more than adequate to service and meet the needs of the proposal.

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

The view of the State and Commonwealth public authorities will be known once consultation has occurred as part of the gateway determination of the planning proposal.

PART 4 – COMMUNITY CONSULTATION

Community Consultation is proposed in accordance with Section 57 of the Environment Planning and Assessment Act 1979.

A period of 28days is appropriate for the exhibition of the planning proposal as it's 'low impact' status is recognised within the Guide to Preparing Local Environment Plans prepared by the Department of Planning date 2009.

Notification is able to be conducted by signage on site, local press notices and information on the Wentworth Shire Councils website.

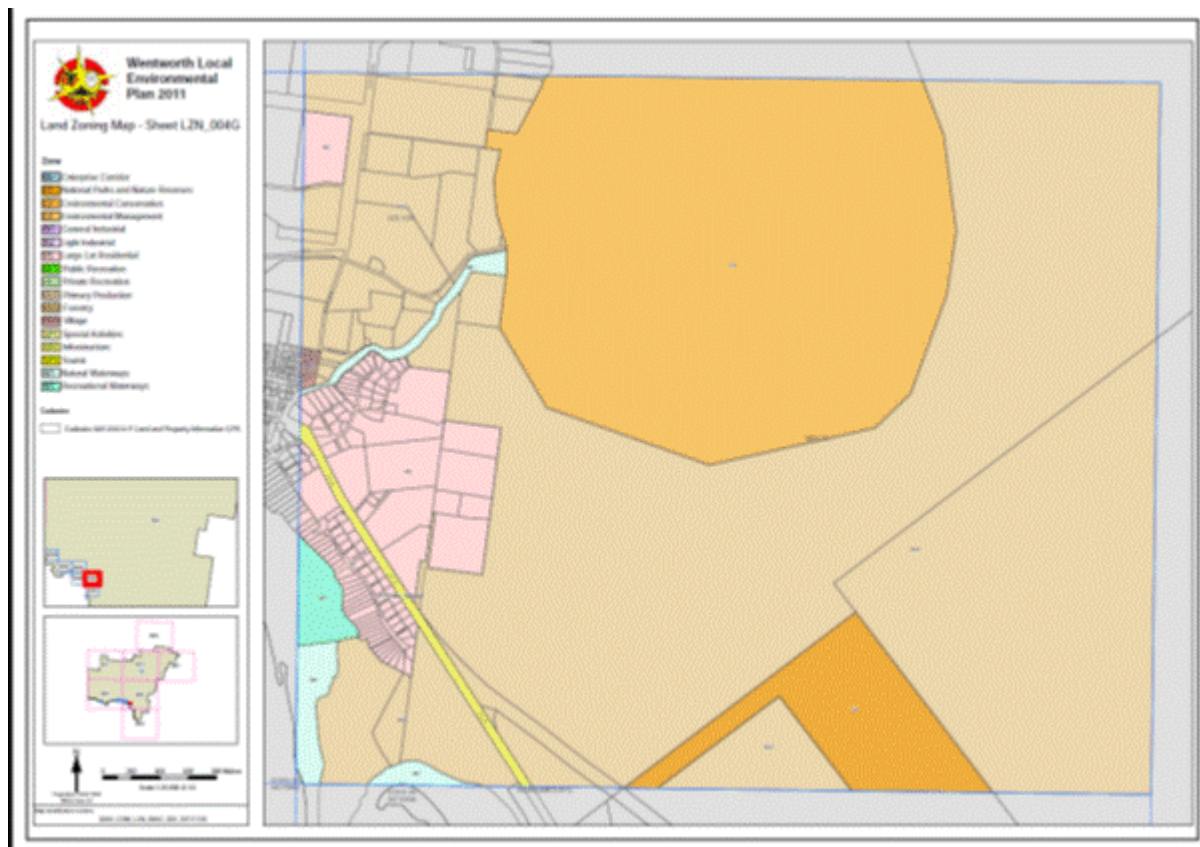
Attachments (A).

Deposited Plan Land Map



Attachments (B).

Proposed Zoning Map



Attachments (C).

Location Map Adjoining Services



Attachments (D).

Wentworth Shire Council LEP 2011

Attachments (E).

Environmental Effects Statement

Attachments (F).

Land Capability Assessment