

Rezoning of part of Lot 4 DP 714976, 30-40 Pearson St, Guyra, Lot 1 DP 586381, 1 Coventry St, Guyra and the adjoining Coventry St road reserve from R5 Large Lot Residential to R1 General Residential and amend the minimum lot size.

Proposal Title :	Rezoning of part of Lot 4 DP 714976, 30-40 Pearson St, Guyra, Lot 1 DP 586381, 1 Coventry St, Guyra and the adjoining Coventry St road reserve from R5 Large Lot Residential to R1 General Residential and amend the minimum lot size.		
Proposal Summary :	The Planning Proposal seeks to rezone part of Lot 4 DP 714976, No 30-40 Pearson St, Guyra, Lot 1 DP 586381, 1 Coventry St, Guyra and adjoining road reserve from R5 Large Lot Residential to R1 General Residential and amend the minimum lot size for the land from 2ha to 600m2.		
PP Number :	PP_2014_GUYRA_001_00	Dop File No :	14/01105

Proposal Details

Date Planning Proposal Received :	28-Jan-2014	LGA covered :	Guyra
Region :	Northern	RPA :	Guyra Shire Council
State Electorate :	NORTHERN TABLELANDS	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	30-40 Pearson St & 1 Coventry St		
Suburb :	City :	Postcode :	2365
Land Parcel :	Part of Lot 4 DP 714976, No 30-40 Pearson St, Guyra, Lot 1 DP 586381, 1 Coventry St, Guyra and adjoining Coventry St road reserve		

DoP Planning Officer Contact Details

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RPA Contact Details

Contact Name :	Bob Furze
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DoP Project Manager Contact Details

Contact Name :	
Contact Number :	
Contact Email :	

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A
MDP Number :		Date of Release :	
Area of Release (Ha) :	2.17	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	36	No. of Dwellings (where relevant) :	0
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 objectives and intended outcomes of the Planning Proposal are adequately expressed for the proposed amendment to Guyra LEP 2012.**

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

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

Comment : **The Planning Proposal provides a clear explanation of the intended provisions to achieve the objectives and intended outcomes.**

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Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

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

6.1 Approval and Referral Requirements

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 44—Koala Habitat Protection

SEPP No 55—Remediation of Land

SEPP (Rural Lands) 2008

e) List any other matters that need to be considered :

The New England North West Strategic Regional Land Use Plan applies to the Guyra 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 relevant SEPPs, section 117 Directions and the New England North West Strategic Regional Land Use Plan.

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment :

Mapping that is adequate for exhibition purposes has been provided. LEP Map Sheets in accordance with the required technical requirements reflecting the zone and MLS change can be prepared post exhibition.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

The relevant planning authority has identified a 14 day exhibition period for the proposal. The Planning Proposal is considered to be a 'low impact' proposal and the proposed notification period is considered to be satisfactory.

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.**

The RPA is seeking an authorisation to exercise its plan making delegations. As the Planning Proposal only deals with matters of local significance, it is considered appropriate that an authorisation to exercise its plan making delegations be issued to

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the RPA.

The Planning Proposal at times is unclear that it applies to only part of Lot 4 DP 714976 and also includes Lot 1 DP 586381, 1 Coventry St, Guyra and the adjoining road reserve in the land to be rezoned. It is recommended that the RPA amend the figure on pg 1 of the Planning Proposal to more clearly identify the subject land.

The RPA has provided a project time line which estimates that the LEP will be finalised within 6 months of the Gateway approval. It is estimated however that a more realistic timeframe would be 9 months and the timeline should be amended accordingly. The time line is also incomplete in that it does not include the additional steps related to Council being issued with an authorisation to exercise delegations (should this be granted) as well as the specific dates for such tasks. The timeline should be amended to address this issue prior to public exhibition of the proposal.

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

Guyra LEP 2012 was notified on 30 November 2012.

Assessment Criteria

Need for planning
proposal :

The Planning Proposal is not the direct result of a strategic study or report.

Rezoning of the subject lots is in keeping with existing adjacent residential landuse and also with approved areas of future residential landuse as identified in the New England Development Strategy 2010. Part of Lot 4 DP 714976 is also already zoned R1 General Residential.

With the expansion of the Guyra tomato farm, the RPA has seen a growth in the need for more available housing. It is anticipated that the rezoning of the subject land would provide greater opportunity to cater for this demand.

Consistency with
strategic planning
framework :

The Planning Proposal is considered to be consistent with all relevant SEPP's, section 117 Directions, the New England North West Strategic Regional Land Use Plan and the New England Development Strategy approved by the Director General in March 2010.

Environmental social
economic impacts :

No adverse environmental, social or economic impacts have been identified as likely to occur as a result of the Planning Proposal.

Assessment Process

Proposal type :

Routine

Community Consultation
Period :

14 Days

Timeframe to make
LEP :

9 months

Delegation :

RPA

Public Authority
Consultation - 56(2)
(d) :

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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
Council Report.pdf	Proposal	Yes
Planning Proposal (vA3072074).pdf	Proposal	Yes
attachment 4.pdf	Proposal	Yes
proposal cover letter_070114.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

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

S.117 directions: **3.1 Residential Zones
3.4 Integrating Land Use and Transport
6.1 Approval and Referral Requirements**

Additional Information : **It is recommended that the Planning Proposal be supported subject to the following conditions:**

- 1) The Planning Proposal be exhibited for a period of 14 days;
- 2) The Planning Proposal should be completed within 9 months;
- 3) No agency consultation be required;
- 4) The Planning Proposal be amended prior to exhibition to:
 - clarify that the proposal applies to only part of Lot 4 DP 714976;
 - alter the figure on page 1 of the proposal to clearly identify the subject land; and
 - include a revised project time line that addresses the additional time given for completion of the LEP, specific dates for each relevant step and the additional tasks if an authorisation to exercise plan making delegations is issued.
- 5) That an authorisation to exercise plan making delegations be issued to Council.

Supporting Reasons : **The Planning Proposal aims to rezone the subject land from R5 Large Lot Residential to R1 General Residential and amend the minimum lot size to 600m2. The proposal is in keeping with surrounding landuse patterns and would create a logical expansion of the residential zone. The rezoning will allow Council to consider further development of the land for residential purposes and inturn create the potential for greater housing choice and availability.**

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Signature:



Printed Name:

Craig Diss

Date:

30/1/2014