

1.1.1 Planning Proposal – Lot 110 DP 1029542, 277 Black Springs Road Eurunderee

REPORT BY THE STATUTORY/STRATEGIC PLANNER TO 18 JUNE 2014 COUNCIL MEETING
Black Springs Rd PP - Post exhibition report
GOV400038, LAN900045

RECOMMENDATION

That:

1. **the report by the Statutory/Strategic Planner on the Planning Proposal – Lot 110 DP 1029524, 277 Black Springs Road Eurunderee be received;**
2. **the Planning Proposal be forwarded to the Minister under section 58 of the Environmental Planning and Assessment Act requesting that the proposal proceed and that the Minister make the plan in accordance with section 59 of the Act.**

Executive summary

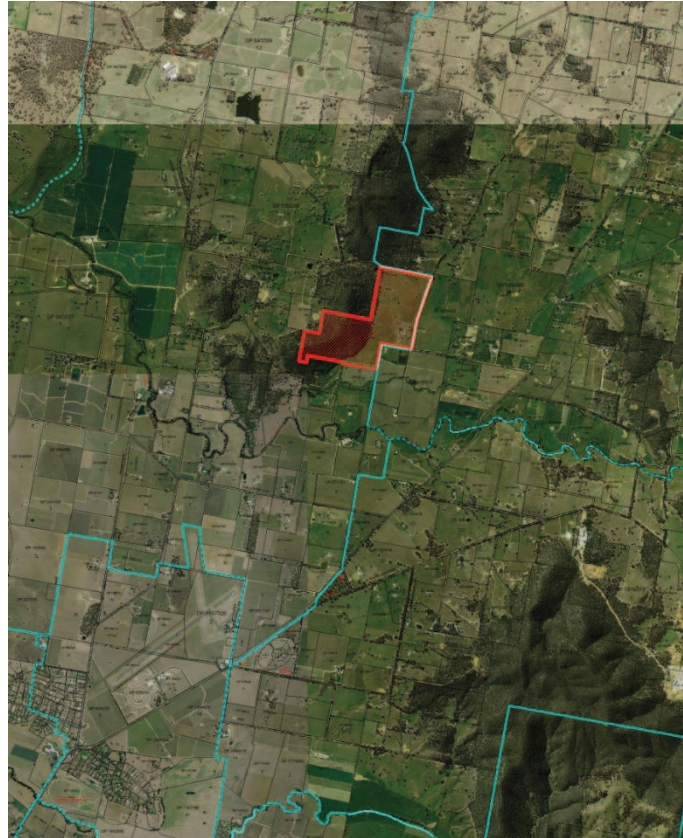
On 5 February 2014, Council endorsed the Planning Proposal (PP) for the rezoning of part of Lot 110 DP 1029524, 277 Black Springs Road Eurunderee. The Planning Proposal was subsequently forwarded to NSW Planning & Environment (formerly Planning & Infrastructure) for Gateway Determination, which was issued on 26 March 2014. The PP went on public exhibition from 11 April 2014 to 9 May 2014 as per the requirements of the Gateway Determination and no submissions were received. Two submissions were received after the exhibition period had expired, however these have been considered in the assessment of the PP.

The public submissions raised the following issues:

- Insensitive, environmentally and scenically, for the location;
- Potential conflict between residential and agricultural land uses;
- Minimum lot size too small;
- Inconsistent with surrounding land uses;
- Concerned over potential future land uses that R5 zone permits.

The PP was prepared by Minespex on behalf of R & L Allen and will involve rezoning approximately 51.5ha of land out of the total 82ha from RU1 Primary Production to R5 Large Lot Residential. The remainder of the land will remain under E3 Environmental Management zoning. The minimum lot size will also be amended from 100ha to 12ha. The estimated lot yield of the PP is 4 lots.

Figure 1 - Location of subject site



Detailed report

Following the resolution to proceed with the rezoning on 5 February 2014, the proposal was forwarded to NSW Planning & Environment (formerly Planning & Infrastructure) for Gateway Determination.

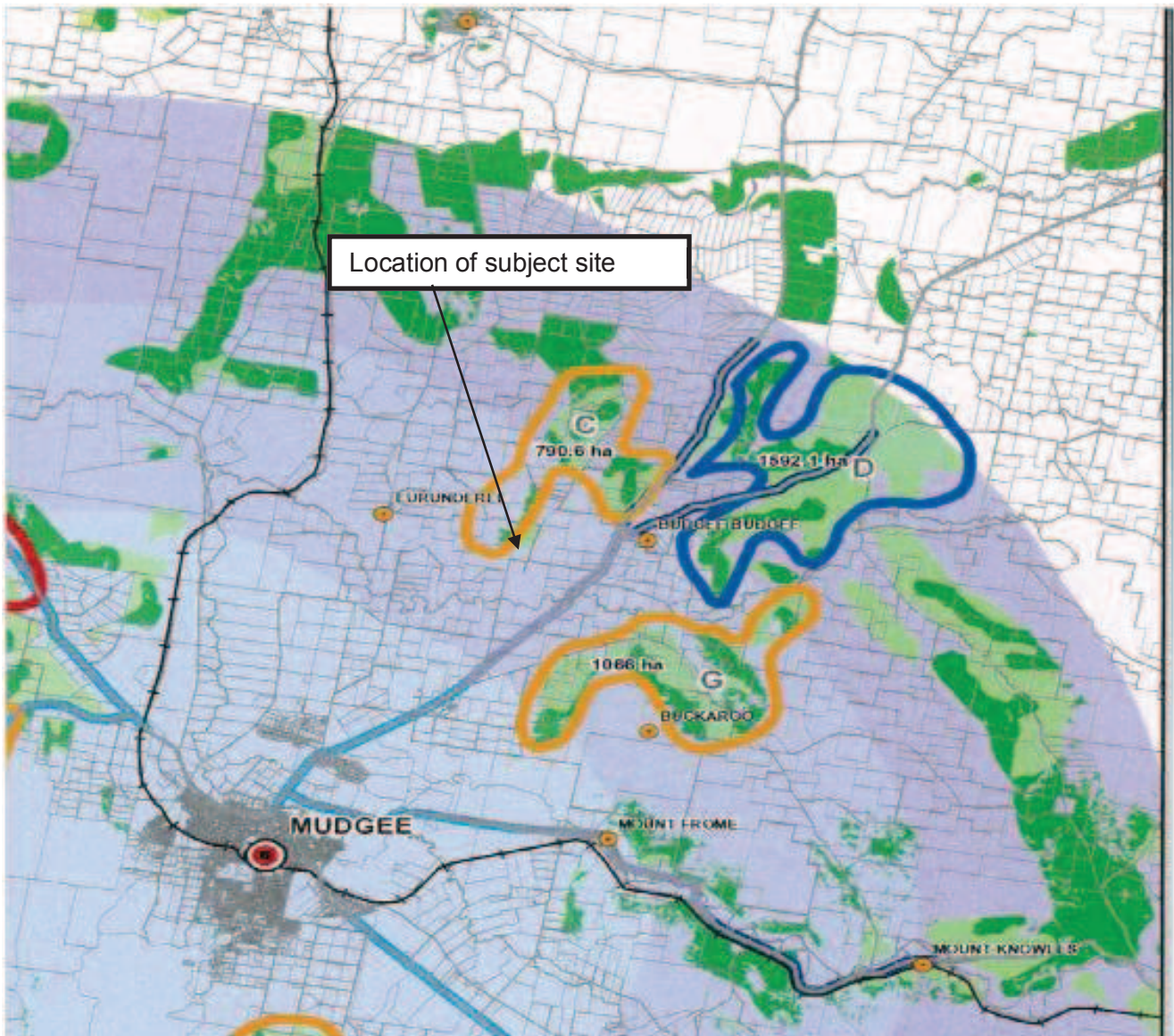
On 26 February:

- Community consultation is required to be carried out for a period of 28 days;
- No public hearing or consultation with public authorities is required;
- The timeframe for the completion of the amending LEP is 6 months from the date of the Gateway Determination.

A copy of the Gateway Determination is attached and the Planning Proposal is located at the end of the business paper.

The proposed zone is generally consistent with the Comprehensive Land Use Strategy (CLUS), although part of the land is located fractionally outside of the identified area in Figure 2.

Figure 2 – Extract from Comprehensive Land Use Strategy



The PP was prepared by Minespex on behalf of R & L Allen and seeks the rezoning of part of Lot 110 DP 1029524 from RU1 Primary Production to R5 Large Lot Residential. The land is currently split-zoned RU1 and E3 Environmental Management. The minimum lot size for the proposed R5 zoned land is to be 12ha and will yield 4 lots.

SERVICING

The land is not proposed to be serviced by reticulated water or sewer. These services will be catered for on-site which is consistent with the surrounding R5 zoned land to the north and east of the site.

Telecommunications and electricity are available and may be extended to service any additional lots created by any future subdivision.

PROJECT TIMELINE

Stage	Date/Details
Dates draft LEP exhibited	Public exhibition held from 11 April 2014 till 09 May 2014.

Date of Public Hearing (If held)	N/A
Date sent to PCO seeking opinion	Opinion to be sought upon formal adoption by elected Council.
Date Opinion received	Opinion has not been sought at this stage.
Date Council resolved to adopt LEP	Anticipated to be adopted 18/6/14.
Date LEP made by GM under delegation	N/A at this stage
Date sent to Planning & Environment requesting notification	N/A at this stage

PUBLIC SUBMISSIONS

Two submissions were received after the expiry of the exhibition period, however these have been considered in the assessment of the PP. The issues raised were:

Submission	Issues
van Gent	• Insensitive, environmentally and scenically, for the location; • Potential conflict between residential and agricultural land uses; • Minimum lot size too small.
Morris	• Inconsistent with surrounding land uses; • Concerned over potential future land uses that R5 zone permits.

Comment:

The rezoning will extend the existing R5 zoned land from the north to Black Springs Road which provides a logical zone boundary. All future lots will have frontage to a sealed road and the road reserve, in combination with the required setback for dwellings in the DCP 2013, will provide adequate separation between residential and agricultural land uses. The proposal is not considered environmentally insensitive as the E3 zoned part of the land is not changing. The subject area of land is relatively clear of vegetation and any future residential development on the site is unlikely to require clearing.

The comment regarding potential future development that may occur within the zone is relevant, however any of these uses will be subject to a development application which will thoroughly assess the suitability of any proposed development on the subject site.

The minimum lot size proposed (12ha) is consistent with other R5 land in the locality. Increasing this to 20ha is not considered reasonable as this would be more consistent with an RU4 Primary Production Small Lots zoning.

PUBLIC AUTHORITY SUBMISSIONS

No public authorities were required to be consulted with as part of the exhibition process.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

The consideration of the Planning Proposal is consistent with Theme 1 Looking After Our Community, Goal 2.3 and Theme 2 Protecting Our Natural Environment, Goal 1.1.



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT & COMMUNITY
SERVICES

MARK LYNDON
STATUTORY/STRATEGIC PLANNER

4 June 2014

Attachments: 1. Gateway Determination
2. Public Submissions
3. Planning Proposal (refer to copy supplied in 5 February 2014 business paper)

APPROVED FOR SUBMISSION:

A handwritten signature in dark ink, appearing to be 'BRAD CAM', with a long horizontal stroke extending to the right.

BRAD CAM
ACTING GENERAL MANAGER