

Mid-Western Regional Council LEP - Planning Proposal - Lot 110 DP1029542

Proposal Title : **Mid-Western Regional Council LEP - Planning Proposal - Lot 110 DP1029542**

Proposal Summary : **The Planning Proposal relates to land that seeks to rezone part of the subject land from RU1 Primary Production to R5 Large Lot Residential and amend the minimum lot size from 100ha to 12ha.**

PP Number : **PP_2014_MIDWR_001_00** Dop File No : **14/05217**

Proposal Details

Date Planning Proposal Received : **14-Mar-2014** LGA covered : **Mid-Western Regional**

Region : **Western** RPA : **Mid-Western Regional Council**

State Electorate : **ORANGE** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **Black Springs Road**

Suburb : **Eurunderee** City : **Mudgee** Postcode : **2850**

Land Parcel : **Lot 110 DP1029542, rezone part of the subject land from RU1 Primary Production to R5 Large Lot Residential**

DoP Planning Officer Contact Details

Contact Name : **Rebecca Kell**

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RPA Contact Details

Contact Name : **Mark Lyndon**

Contact Number : **0263782850**

Contact Email : **mark.lyndon@midwestern.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

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) : **51.80**Type of Release (eg
Residential /
Employment land) : **Residential**No. of Lots : **0**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 notesInternal Supporting
Notes :External Supporting
Notes :**Adequacy Assessment****Statement of the objectives - s55(2)(a)**Is a statement of the objectives provided? **Yes**Comment : **Council has adequately identified the intention of the Planning Proposal.****Explanation of provisions provided - s55(2)(b)**Is an explanation of provisions provided? **Yes**Comment : **The intended outcome of the Planning Proposal is to be achieved by amending the land zoning and minimum lot size maps.****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

Is the Director General's agreement required? **Yes**c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

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

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 : **However, it must be amended to reflect the lot yield of four.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The applicant has advised that community consultation will be undertaken in accordance with the requirements of A Guide to Preparing Planning Proposals**

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 Mid Western Regional Local Environmental Plan 2012 was notified on 10 August 2012.**

Assessment Criteria

Need for planning proposal : **The subject site falls on the edge of the Area C - Rural Lifestyle as identified in the CLUS.**

Consistency with strategic planning framework : **The land was identified in Area C of the CLUS as being a short term priority for rural lifestyle lots. The site adjoins existing R5 residential allotments and directly fronts Black Springs Road which is sealed.**
The indicative lot layout submitted with the planning proposal shows lots 1 - 4 at 12ha, with lot 5 proposed to be a split zone of E3 Environmental Management and R5 Large Lot Residential.

Lots 1 - 4 are supported, however lot 5 does not provide sufficient land with the proposed R5 part of the lot to meet the minimum lot size of 12ha recommended in Part 4.8.3 of the CLUS and prescribed in Council's LEP 2012.

Environmental social economic impacts : **The proposal will not result in the removal of vegetation and each of the proposed lots will have sufficient area to allow for a dwelling, effluent disposal area and ancillary structures without the need for removing any native vegetation.**

Assessment Process

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

Timeframe to make LEP : **6 months** Delegation :

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
Letter from Council dated 10 March 2014.pdf	Proposal Covering Letter	No
Planning Proposal information.pdf	Proposal	No
Supporting documentation from Council.pdf	Proposal	No

Planning Team Recommendation

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

S.117 directions: **3.1 Residential Zones**

Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

1. Prior to undertaking public exhibition, the applicant is to amend the concept plan with the LEP mapping in accordance with the Agency's Standard Technical Requirements for LEP Maps to reduce the estimated lot yield to four.

2. 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 & Infrastructure 2012) 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Supporting Reasons : The applicant proposed five lots whereas a yield of four lots has been supported and the mapping must reflect this.

Signature:



Printed Name:

ERIN STRONG

Date:

26/3/14



26.03.14

Rebecca Kell