

Amendment to Wellington LEP 2012 - Rezone land from SP2 Infrastructure (Railway) to IN1 General Industrial

Proposal Title : **Amendment to Wellington LEP 2012 - Rezone land from SP2 Infrastructure (Railway) to IN1 General Industrial**

Proposal Summary : **Rezone Lot 1 DP 819164 at Elong Elong from zone SP2 Infrastructure (Railway) to zone IN1 General Industrial.**

PP Number : **PP_2015_WELLI_004_00** Dop File No : **15/04850-1**

Proposal Details

Date Planning Proposal Received : **12-Mar-2015** 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 :

Suburb : **Elong Elong** City : **Wellington** Postcode : **2831**

Land Parcel : **Lot 1 DP 819164**

DoP Planning Officer Contact Details

Contact Name : **Nicole Dukinfield**

Contact Number : **0268412180**

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RPA Contact Details

Contact Name : **Peter Harlow**

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DoP Project Manager Contact Details

Contact Name : **Wayne Garnsey**

Contact Number : **0268412180**

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Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Consistent with Strategy :

Regional Strategy :

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MDP Number :

Date of Release :

Area of Release
(Ha) :

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes
Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been No
meetings or
communications with
registered lobbyists? :

If Yes, comment : There have been no known meetings or communications 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 : The planning proposal states that the objective of the proposed rezoning is to enable use and development of the land for the purposes of machinery storage and mechanical servicing.

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

Is an explanation of provisions provided? Yes

Comment : The explanation of provisions states that the planning proposal seeks to rezone Lot 1 DP 819164 from zone SP2 Infrastructure (Railway) to zone IN1 General Industrial.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

6.1 Approval and Referral Requirements

Is the Director General's agreement required? No

c) Consistent with Standard Instrument (LEPs) Order 2006 : Yes

d) Which SEPPs have the RPA identified?

SEPP (Infrastructure) 2007

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

Section 117 Directions

1.1 Business and Industrial Zones: This direction applies when a planning proposal will affect land within an existing or proposed business or industrial zone. As the planning proposal seeks to rezone land from SP2 Infrastructure (Railway) to IN1 General Industrial, this direction applies. The direction states that a planning proposal must give effect to the objectives of the direction, retain the areas and locations of business and industrial zones, not reduce the total potential floor space area for employment uses and related public services, not reduce the total potential floor space area for industrial uses and ensure that new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment. As the planning proposal seeks to rezone land to increase the available industrial land within the LGA, the planning proposal is consistent with most of the items listed above. However, the planning proposal is not consistent with an approved strategy. As the area to be rezoned is along a rail corridor and is unlikely to cause significant impacts on the supply and demand of industrial land within the LGA, the General Manager Western Region can be satisfied inconsistency with this direction is of minor significance.

6.1 Approval and Referral Requirements: This direction applies when a planning proposal is prepared. The direction states that a planning proposal must minimise the inclusion of provisions that require concurrence, consultation or referral of development applications to a Minister or public authority. The planning proposal is consistent with the above terms as the planning proposal contains no such provisions.

SEPPs

SEPP (Infrastructure) 2007: The planning proposal states that as the size and capacity of the land is less than 5000m² the development would not constitute traffic generating development pursuant to clause 104 – Traffic Generating Development and Schedule 3 of the SEPP. The planning proposal also states that the proposal will not affect the safe operation of the adjacent classified road as pursuant to clause 101 – Development with frontage to classified road and would not result in any adverse impacts on rail safety as pursuant to clause 85 – development immediately adjacent to rail corridors. It is considered that the planning proposal is consistent with this SEPP. Referral and consultation with the Roads and Maritime Services is recommended as the land has frontage to the Golden Highway.

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 : Adequate locality mapping has been provided. A condition will be imposed on the Gateway Determination requiring the preparation of an amending Land Zoning Map LZN_003 in accordance with the Standard Technical Requirements for LEP Maps.

Industrial land in Wellington LEP 2012 does not have a minimum lot size and none has been proposed for this land.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : The planning proposal proposes a community consultation period of 14 days. However as the planning proposal is not consistent with an approved strategy, and is not consistent with surrounding land uses, the proposal is not considered low impact and is recommended to be publicly exhibited for a period of 28 days.

A condition will be imposed on the Gateway determination to ensure community

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consultation is carried out consistent with the Department's Guide to Preparing Local Environmental Plans.

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 Local Environmental Plan was notified on 23 November 2012.

Assessment Criteria

Need for planning proposal :

The planning proposal is required to permit development for the purposes of machinery storage and mechanical servicing activities. The land is currently zoned SP2 Infrastructure (Railway) and the proposed development is prohibited in this zone. The planning proposal seeks to rezone the land to zone IN1 General Industrial, which will permit the desired activities and is the best mechanism to this outcome.

Consistency with strategic planning framework :

The planning proposal is not in response to an endorsed strategy, however seeks to make use of currently underutilised land.

As the proposed land is approximately 1.9 hectares in the village of Elong Elong, the increase in industrial land is unlikely to result in an oversupply of industrial land within the Wellington LGA.

The proposed activities are compatible with the surrounding area and are located between an existing rail and road corridor.

Environmental social economic impacts :

The planning proposal states that the subject land is not identified as containing any known sensitive environmental features that would preclude the use of the site as proposed. Given the longstanding historical storage use and level of existing disturbance, the site is not known to contain any critical habitats or threatened species.

The site is also not known to contain bush fire prone land or flood hazards.

village town Permitting the subject development will enable increased economic activity within the village town of Elong Elong and provide additional mechanical servicing opportunities for the community to utilise. It will also enable to reuse of an existing resource.

It is unlikely there will be negative social impacts as the proposed land use is adjacent to an existing highway and rail corridor.

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Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Transport for NSW**
Transport for NSW - Roads and Maritime Services

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
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Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
6.1 Approval and Referral Requirements

Additional Information : **1. 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 required to be made publicly available on exhibition for 28 days as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).

(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.

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General Industrial**

2. Consultation is required with the following State Agencies under Section 56 (2)(d) of the EP&A Act and/or to comply with the requirements of relevant section 117 Directions:

- (a) Transport for New South Wales, on behalf of the ARTC
- (b) NSW Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the planning proposal prior to community consultation.

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. Prior to submission of the planning proposal under Section 59 of the EP&A Act, an amending Land Zoning Map LZN_003 must be prepared and be compliant with the Department's 'Standard Technical Requirements for LEP maps'.

5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Supporting Reasons :

The planning proposal seeks to facilitate development of surplus and underutilised land within the rail corridor by providing opportunities for machinery storage and mechanical servicing.

It is not considered that the proposal will result in an oversupply of industrial land within the Wellington LGA as the subject land is within the village of Elong Elong on the northern border of the LGA.

As the subject land is in private ownership and no longer used as grain storage facility, the planning proposal is an appropriate use of the land and will reuse an existing resource.

Signature:



Printed Name:

NICOLE DUKINFELD

Date:

30/3/15

Endorsed

W. Ganley 1/4/15
TLWR