

SECTION 59 PLANNING REPORT

Planning proposal details:

Planning Proposal (PP_2014_PARKE_003_00) - housekeeping amendments

Planning proposal summary:

The planning proposal included the following amendments:

1. Include the land use term of 'hospital' in a Zone SP2 Road Infrastructure Facilities located between the Broken Hill Railway Line and the Newell Highway, generally through Medlyn Street Parkes
2. Include the permissibility of 'caravan park' and 'market' in Zone RE1 Public Recreation
3. Include the permissibility of 'water storage facility' in Zone RU1 Primary Production
4. Correct an omission to the Lot Size Map and Land Zone Map by rezoning land from Zone R5 Large Lot Residential to Zone R! General Residential at some properties along Molong Road Parkes
5. Amend wording and minor type error of Clause 4.2A Erection of dwelling houses, dual occupancies (attached) and secondary dwellings

Date of Gateway determination:

8 August 2014

1.0 SUMMARY

A housekeeping planning proposal was prepared to amend several minor anomalies.

The planning proposal included the following amendments:

1. Include the land use term of 'hospital' in a Zone SP2 Road Infrastructure Facilities located between the Broken Hill Railway Line and the Newell Highway, generally through Medlyn Street Parkes
2. Include the permissibility of 'caravan park' and 'market' in Zone RE1 Public Recreation
3. Include the permissibility of 'water storage facility' in Zone RU1 Primary Production
4. Correct an omission to the Lot Size Map and Land Zone Map by rezoning land from Zone R5 Large Lot Residential to Zone R! General Residential at some properties along Molong Road Parkes
5. Amend wording and minor type error of Clause 4.2A Erection of dwelling houses, dual occupancies (attached) and secondary dwellings

The planning proposal was publicly exhibited from 22 August to 5 September 2014. No submissions were received.

2.0 GATEWAY DETERMINATION

The Gateway Determination was issued on 8 August 2014. The timeframe for completion of the proposal was 9 months from the week following the 8 August 2014 and was not the subject to a review request. The conditions included in the Gateway determination have been complied with.

3.0 COMMUNITY CONSULTATION

- Dates of exhibition - 22 August 2014 to 5 September 2014
- Number of submissions received - no submissions were received
- Issued raised during exhibition - N/A
- Responses to issues - N/A
- Whether the planning proposal was re-exhibited - N/A

- Whether the consultation requirements included in the Gateway determination were complied with - Yes
- What amendments were made to the planning proposal to respond to the issues raised during public exhibition - None

4.0 VIEWS OF PUBLIC AUTHORITIES

- No public authorities were consulted as per the conditions in the gateway determination.

5.0 CONSISTENCY WITH S.117 DIRECTIONS AND OTHER STRATEGIC PLANNING DOCUMENTS

Section 117 Direction		Applicable to PP	Consistent	Remarks
1. Employment and Resources				
1.1	Business and Industrial Zones	No	N/A	N/A
1.2	Rural zones	No	N/A	N/A
1.3	Mining, Petroleum Production and Extractive Industries	No	N/A	N/A
1.4	Oyster Aquaculture	No	N/A	N/A
1.5	Rural Lands	No	N/A	N/A
2. Environment and Heritage				
2.1	Environment Protection Zones	No	N/A	N/A
2.2	Coastal Protection	No	N/A	N/A
2.3	Heritage Conservation	No	N/A	N/A
2.4	Recreation Vehicle Areas	No	N/A	N/A
3. Housing, Infrastructure and Urban Development				
3.1	Residential Zones	Yes	Yes	This planning proposal will affect land within an existing residential zone (proposed amendment 4). It is noted that the subject land is suitably serviced for the proposed zoning. The amendment is rectifying a mapping error and therefore is considered to be of minor significance.
3.2	Caravan Parks	Yes	Yes	This planning proposal will permit caravan parks on RE1 Public Recreation zoned land. The planning proposal is consistent with this direction and is considered to be of a minor nature.
3.3	Home Occupations	No	N/A	N/A
3.4	Integrating Land Use and Transport	No	N/A	N/A

3.5	Development Near Licensed Aerodromes	No	N/A	N/A
3.6	Shooting Ranges	No	N/A	N/A
4. Hazard and Risk				
4.1	Acid Sulfate Soils	No	N/A	N/A
4.2	Mine Subsidence and Unstable Land	No	N/A	N/A
4.3	Flood Prone Land	No	N/A	N/A
4.4	Planning for Bushfire Protection	No	N/A	N/A
5. Regional Planning				
5.1	Implementation of Regional Strategies	No	N/A	N/A
5.2	Sydney Drinking Water Catchment	No	N/A	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A	N/A
5.4	Commercial and Retail Development along the Pacific Highway North Coast	No	N/A	N/A
5.8	Second Sydney Airport: Badgerys Creek	No	N/A	N/A
5.9	North West Rail Link Corridor Strategy	No	N/A	N/A
6. Local Plan Making				
6.1	Approval and Referral Requirements	Yes	Yes	Will be consistent with Ministerial Direction
6.2	Reserving Land for Public Purposes	No	N/A	N/A
6.3	Site Specific Provisions	Yes	No	
7. Metropolitan Planning				
7.1	Implementation of the Metropolitan Plan for Sydney 2036	No	N/A	N/A

6.0 PARLIAMENTARY COUNSEL OPINION

Council contacted Parliamentary Counsel on Thursday 18 October 2014 to request the preparation of a draft LEP.

The PCO provided the 1st draft on 23 September 2014.

A final draft was issued on 13 October 2014.

The PCO Opinion was issued on 24 October 2014.

7.0 OTHER RELEVANT MATTERS

- *Not applicable.*

8.0 MAPPING

Please refer to the attached maps and map cover sheet.

9.0 RECOMMENDATION

At Council's Meeting on 16 September 2014 Council made the following recommendation:

1. Receive and note that no submissions were received during the public exhibition period.
2. Proceed to make the Local Environmental Plan without any variation.
3. Send a request to the Parliamentary Counsel's Office that a draft instrument be prepared under Section 59(1) of the Environmental Planning and Assessment Act 1979.