



Planning Proposal

This planning proposal has been prepared to make home industries permissible with consent in the R1 General Residential and B2 Local Centres zones.

PART 1 OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to make home industries permissible with consent in the R1 General Residential and B2 Local Centre zones.

PART 2 EXPLANATION OF PROVISIONS

The proposed outcome will be achieved by inserting 'home industries' into the land use tables under 'Permitted with consent' for the R1 General Residential and the B2 Local Centre zones.

PART 3 JUSTIFICATION

Home industries should be permissible in zones where dwellings are permitted with consent. This intent was identified in the land use matrix when Deniliquin Local Environmental 2013 (LEP 2013) was exhibited but was not translated to the land use tables in the LEP. The current land use tables for the R1 General Residential and B2 Local Centre zones permits dwellings with consent but prohibits home industries.

Is the planning proposal a result of any strategic study or report?

No.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The change can only be made via a planning proposal.

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

There is no regional or sub-regional strategy for the Deniliquin Local Government area.

Is the planning proposal consistent with a council local strategy or other local strategic plan?

There are no local strategies or other local strategic planning documents that would apply to this planning proposal.

Is the planning proposal consistent with the applicable State Environmental Planning Policies?

SEPP (Exempt and Complying Development Codes) 2008 makes provision for home industries and this planning proposal will be consistent with this SEPP. There are no other State Environmental Planning Policies which are applicable to this planning proposal.

Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

Refer to Appendix 1.

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No.

Has the planning proposal adequately addressed any social and economic effects?

No.

Is there adequate public infrastructure for the planning proposal?

Not applicable.

What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Unknown. Council does not believe that consultation with state and Commonwealth public authorities is required.

PART 4 MAPPING

No mapping is required.

PART 5 COMMUNITY CONSULTATION

No community consultation is proposed due to the minor nature of the planning proposal.

PART 6 PROJECT TIMELINE

Given the minor nature of the amendment and Council is not proposing any community consultation, Council intends to complete the planning proposal immediately.



Appendix 1

SEPPs	Consistent	Comments
1.1 Business and Industrial Zones	No	This direction applies as it is proposed to amend the land use table for the B2 Local Centre zone. The planning proposal is considered to be inconsistent with this direction because it potentially reduces the total potential floor space area for employment uses and related public services in a business zone. This inconsistency is considered to be of minor significance because the size of home industries is limited by clause 5.4(3) of the LEP 2013 and the number of dwellings existing and likely to occur in this zone is limited by the availability of suitable land.
1.2 Rural Zones	N/A	
1.3 Mining, Petroleum Production and Extractive Industries	N/A	The planning proposal does not affect the permissibility of mining, petroleum production and extractive industries nor will it restrict the potential development of these resources.
1.4 Oyster Aquaculture	N/A	
1.5 Rural Lands	N/A	
2.1 Environment Protection Zones	N/A	
2.2 Coastal Protection	N/A	
2.3 Heritage Conservation	N/A	
2.4 Recreation Vehicle Areas	N/A	
3.1 Residential Zones	N/A	The planning proposal does apply to land in a residential zone but it is considered that it does not apply because the planning proposal does not relate to any matters detailed in cl 4 or 5 of the direction. However it will not necessarily reduce the amount of land available for residential development because it must be associated with a dwelling and would be limited in size by clause 5.4(3).
3.2 Caravan Parks and Manufactured Home Estates	N/A	
3.3 Home Occupations	N/A	
3.4 Integrating Land Use and Transport	N/A	The planning proposal does alter a residential and business zone by

		permitting with consent home industries. However, this direction is not considered applicable to this planning proposal because it will not impact on the availability of transport infrastructure.
3.5 Development Near Licensed Aerodromes	N/A	The planning proposal does alter a zone that is within the vicinity of a licensed aerodrome. However, this direction is not considered applicable to this planning proposal because it is only altering the permissibility of a land use. Any issues associated with this use and its vicinity to a licensed aerodrome would be dealt with through the DA assessment (if a DA is required).
3.6 Shooting Ranges	N/A	There is an existing shooting range in Deniliquin but it is not adjacent to and/or adjoining the R1 General Residential or B2 Local Centre zone.
4.1 Acid Sulfate Soils	N/A	
4.2 Mine Subsidence and Unstable Land	N/A	
4.3 Flood Prone Land	N/A	All land zoned R1 General Residential or B2 Local Centre in South Deniliquin is located within the South Deniliquin Levee and as such this direction does not apply to this land. However, in North Deniliquin there is land within the North Deniliquin Levee which is zoned R1 General Residential and is at or below the flood planning level and due to the design of the levee may be inundated during a 1% AEP event. This direction is not considered to be applicable to this planning proposal because it is only inserting a land use into a land use table which is limited in size by clause 5.4(3) of the LEP 2013.
4.4 Planning for Bushfire Protection	N/A	There is land zoned R1 General Residential and B2 Local Centre which is considered to be bushfire prone. This direction is not considered to be applicable to this planning proposal because any issues associated with this use would be dealt with through the DA

		assessment (if a DA is required).
5.1 Implementation of Regional Strategies	N/A	
5.2 Sydney Drinking Water Catchment	N/A	
5.3 Farmland of State and Regional Significance on the NSW Far Coast	N/A	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	
5.8 Second Sydney Airport: Badgerys Creek	N/A	
6.1 Approval and Referral Requirements	N/A	
6.2 Reserving Land for Public Purposes	N/A	
6.3 Site Specific Provisions	N/A	