

6.3 PLANNING PROPOSAL: 23 and 25 LOWER WAMBAT STREET
FORBES

Report Author: Town Planner

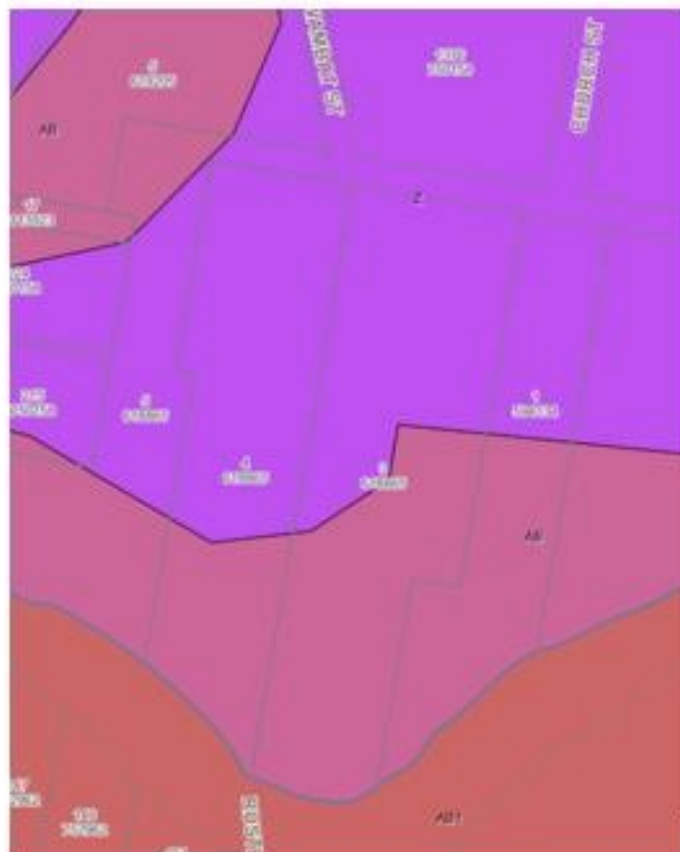
Responsible Officer: Director Planning and Growth

Executive Summary

This report seeks endorsement from Council to initiate a Planning Proposal to amend the minimum lot size of the Forbes Local Environmental Plan 2013 for 23 and 25 Lower Wambat Street Lots 3 and 4 of DP 618865.

Detailed Report

Council has received a Planning Proposal Application to amend the minimum lot size for Lot 3 and 4 DP 618865 (23 and 25 Lower Wambat Street) from a split zone 2ha/10ha to 2ha only. The split zoning means that any subdivision of the lots must meet the higher of the two minimum lot size. As Lot 3 is approximately 5ha and Lot 4 is 4ha, it is not possible to subdivide the land to meet the 10ha minimum. The proposal aims to create only one Minimum Lot Size for the land, thus enabling subdivision.



Current Minimum Lot Size where AB denotes 10ha and Z denotes 2ha.

DIRECTOR PLANNING AND GROWTH REPORT TO COUNCIL cont'd



Proposed Minimum Lot Size as depicted in the Planning Proposal



Proposed Subdivision of Land as depicted in the Planning Proposal

DIRECTOR PLANNING AND GROWTH REPORT TO COUNCIL cont'd

The following table addresses key issues for the proposal and how they have been addressed.

Issue	Description	Mitigation
Flood Risk	10ha portion of the lot is a High Hazard Floodway. The Department of Planning and Environment have a history of refusing proposals in flood prone land.	The proposed lot layout will not create an opportunity for new dwellings in the High Hazard Floodway zone. Dwellings in low hazard flood storage is considered to be managed through Council's DCP controls.
Services	The site must have sufficient infrastructure to service the site. The site is currently serviced by water. There is no sewer to the site and given the sites proximity to the river onsite disposal is not considered satisfactory. Councils DCP requires the site to be connected to Councils Sewer.	The proposal suggests to extend the existing sewer line along Wambat Street to the site to allow the proposed lots to be fully serviced by both water and sewer. This would be considered a suitable solution for effluent disposal.
Precedence	The proposal may increase the precedence of spot rezoning for Lower Minimum Lot Size in Flood Zones.	The proposal does not create lots smaller than those in the surrounding area. All Planning Proposals must be assessed on their merits.

Council staff have reviewed the application and have deemed it to be satisfactory and recommend requesting a Gateway Determination from the NSW Department of Planning and Environment.

RECOMMENDATION

That Council:

- 1. support the planning proposal to change the minimum lot size for 23 and 25 Lower Wambat Street, Forbes;**
- 2. authorise the General Manager to prepare a planning proposal in relation to the above amendment;**
- 3. authorise the General Manager to submit the above planning proposal to the Department of Planning and Environment requesting Gateway Determination in accordance with the requirement of Section 3.33 of the Environmental Planning and Assessment Act 1979; and**
- 4. authorise the General Manager to place the proposal on public exhibition following the receipt of the Gateway Determination.**

Alignment with Strategic Plan

E4.2: Ensure Best practice planning controls and building compliance.

Financial and Resource Implications

Nil – report to be completed by staff.

Policy Implications

Nil.

Risk Considerations

Nil.

Statutory/Regulatory Implications

Complies with Environmental Planning and Assessment Act 1979.

Consultation conducted

Nil – consultation will be held after Gateway Determination.

Attachments

Planning Proposal prepared by Geolyse in support of the proposal – refer Appendix 1