

**ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL
TO BE HELD AT THE COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY COURT, HOLBROOK
ON WEDNESDAY, 21 OCTOBER 2015**

**3. AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 -
CHANGE IN PREFERRED FUTURE LAND USE FROM INDUSTRIAL TO R2 LOW
DENSITY RESIDENTIAL AND NOW TO R5 LARGE LOT RESIDENTIAL - PART
LOT 11 DP1164647 CORNER HAWTHORN AND URANA ROADS JINDERA**

Report prepared by Director Environment and Planning – Colin Kane

REASON FOR REPORT

The purpose of the report is for Council to resolve to amend a resolution it made at the September Ordinary Meeting concerning part lot 11 DP1164647 corner Hawthorn and Urana Roads Jindera (the land) to accommodate a change in the proposed zone from R2 Low Density Residential to R5 Large Lot Residential and to discuss a 50 metre buffer of land between a proposed industrial and residential land use.

REFERENCE TO DELIVERY PLAN

Goal 2.1 Attract new residents to the shire.

DISCUSSION

Council considered a report at the September Ordinary meeting which related to a Planning Proposal to make a change to the Greater Hume Local Environmental Plan 2012 ("the LEP") from industrial with a RU5 zone to R2 low density residential.

In response to that report Council resolved the following:

1. In accordance with Section 56 of the Environmental Planning and Assessment Act 1979 Council resolve to submit to the Department of Planning and Infrastructure for a Gateway Determination the planning proposal for the rezoning of part Lot 11 DP1164647 corner Hawthorn and Urana Roads Jindera to R2 Low Density Residential.
2. Council advise the Department of Planning and Infrastructure that it will utilise its delegations under Section 59 of the Environmental Planning and Assessment Act 1979 to make or not make the plan.
3. Council resolve to exhibit the planning proposal in accordance with the Gateway Determination.

The planning proposal has subsequently been lodged with the Department of Planning and Infrastructure (DPI) who has then requested a number of changes to both the proposal and Council's resolution. DPI has asked for the proposed zone to change to R5 Large Lot Residential Zone instead of the proposed R2 Low Density Zone. The basis of this request is that should the zoning remain R2 then Clause 4.6 of the Greater Hume Local Environment Plan may be utilised to reduce the size of the proposed allotments beneath 4000m². There is very limited opportunities under Clause 4.6 to reduce the size of the allotments if the land is zoned R5.

Because the site is separated from the Jindera township the DPI is reluctant to allow a situation where small residential allotments could be developed on the site. Council staff are aware of this issue and concede that such an outcome would be undesirable.

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HAWTHORN AND URANA ROADS JINDERA [CONT'D]

The DPI request does not change the development outcome that will occur because the minimum lot size is remaining at 4000m². Council staff have already made the requested changes within the planning proposal and sent that document to the DPI. The DPI requires a new resolution because it is the Council resolution that triggers the rezoning process.

The second DPI issue relates to the 50 metre wide buffer that is intended to separate the residential development and the industrial land. The DPI requests that Council make a resolution to confirm that any future development application assessed by Council will not approve any development within the 50 metre wide buffer.

BUDGET IMPLICATION

There was a minor cost in altering the Planning Proposal documents.

CONCLUSION

The amended Planning Proposal will result in a change to the Greater Hume Local Environmental Plan 2012 ("the LEP") from industrial to R5 large lot residential at part lot 11 DP1164647 corner Hawthorn and Urana Roads Jindera.

RECOMMENDATION

1. In accordance with Section 56 of the Environmental Planning and Assessment Act 1979 Council resolve to submit to the Department of Planning and Infrastructure for a Gateway Determination the planning proposal for the rezoning of part Lot 11 DP1164647 corner Hawthorn and Urana Roads Jindera to R5 Low Density Residential.
2. Council advise the Department of Planning and Infrastructure that it will utilise its delegations under Section 59 of the Environmental Planning and Assessment Act 1979 to make or not make the plan.
3. Council resolve to exhibit the planning proposal in accordance with the Gateway Determination.
4. Council resolve to prevent through the development assessment process any development upon the 50 metre wide land buffer.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL
HELD AT THE COUNCIL CHAMBERS, BALFOUR STREET, CULCAIRN
AT 4.30PM ON WEDNESDAY, 21 OCTOBER 2015**

ENVIRONMENT AND PLANNING

1. DEVELOPMENT APPLICATION 10.2015.83 – CONSTRUCT A NEW STORAGE SHED – LOT 6 & 7 DP36035 – 58 COMER STREET HENTY

4196 RESOLVED [Schoff/Schilg]

That consideration of Development Application 10.2015.83 be deferred to November meeting.

Cr O'Neill left the meeting room at 5.36pm.

2. APPOINTMENT OF COUNCIL REPRESENTATIVE TO THE MURRAY REGIONAL WEEDS COMMITTEE

4197 RESOLVED [Osborne/Heriot]

That Council nominate Noxious Weeds Officer, Neil Hibberson as its committee member for the Murray Regional Weeds Committee.

3. AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - CHANGE IN PREFERRED FUTURE LAND USE FROM INDUSTRIAL TO R2 LOW DENSITY RESIDENTIAL AND NOW TO R5 LARGE LOT RESIDENTIAL - PART LOT 11 DP1164647 CORNER HAWTHORN AND URANA ROADS JINDERA

Cr O'Neill returned at 5.37pm. Cr Schilg left the meeting room at 5.37pm, returning at 5.39pm.

4198 RESOLVED [Schoff/Meyer]

1. In accordance with Section 56 of the Environmental Planning and Assessment Act 1979 Council resolve to submit to the Department of Planning and Infrastructure for a Gateway Determination the planning proposal for the rezoning of part Lot 11 DP1164647 corner Hawthorn and Urana Roads Jindera to R5 Low Density Residential.
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COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Heriot Meyer O'Neill Osborne Quinn Schilg Schoff Wilton		McInerney	

**4. OUT OF HOURS ACCESS TO COUNCIL SWIMMING POOLS BY SCHOOLS
WITHIN GREATER HUME SHIRE**

4199 RESOLVED [Meyer/Schoff]

That Council endorse the proposed opening hours for the 2015/2016 swimming season which have been made to accommodate access to the swimming pool facilities by schools.

GOVERNANCE

**1. PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE MAYOR
AND COUNCILLORS POLICY**

4200 RESOLVED [O'Neill/Meyer]

That the Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy as publicly exhibited be adopted.