

Rezoning of part Lot 1578 DP 763289, 107 Pooncarie Road Wentworth NSW 2648

Proposal Title : **Rezoning of part Lot 1578 DP 763289, 107 Pooncarie Road Wentworth NSW 2648**

Proposal Summary : **To rezone rural land (nominated as 25ha) for residential purposes, being part Lot 1578 DP763289, 107 Pooncarie Road Wentworth NSW.**

PP Number : **PP_2012_WENTW_002_00** Dop File No : **12/18335**

Planning Team Recommendation

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

S.117 directions : **3.3 Home Occupations
3.4 Integrating Land Use and Transport
4.3 Flood Prone Land
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions**

Additional Information : **1. Completion of flood study for the area, which is in the course of preparation, being completed prior to the exhibition of the Planning Proposal. 2. Completion of the Primary Production Strategy, which has commenced preparation, to justify rezoning of rural land for residential purposes, to be completed prior to the exhibition of the Planning Proposal. 3. Consultation with the following public authorities:
Aboriginal Land Council, CMA - Lower Murray-Darling, Office of Environment and Heritage, Department of Primary Industries (Agriculture, Fisheries, Catchment and Lands), NSW Office of Water, NSW Roads and Maritime, State Emergency Service, Minerals and Resources
4. Prior to exhibition advice on the status of the Pooncarie Road reserve and whether the road reserve has been closed.
5. A public hearing is not required
6. The timeframe is to be 12 months to account for the completion of additional studies.**

Supporting Reasons : **Insufficient information in support of the Planning Proposal at this time in relation to flooding, status of Pooncarie Road reserve and the need for additional residential land. The site is flood prone and has not been supported in the past by strategic work. Servicing is also an issue. The Wentworth LEP 2011 was notified less than 12 months ago and two amendments approx 12 months ago released a land supply of land for residential purposes.**

Panel Recommendation

Recommendation Date : **22-Nov-2012** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

- 1. Council is to provide information on access and building envelopes above the flood level. Council is to include this additional information as part of the exhibition material and if necessary amend the planning proposal to take into account any findings the additional information has on the Primary Production and Flood Strategy currently being undertaken.**
- 2. Prior to exhibition, Council is to amend the planning proposal to advise the status of the Pooncarie Road reserve and whether the road has been closed.**
- 3. 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 must be made publicly available for 28 days; and
(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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

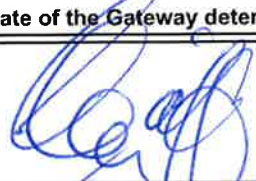
- NSW Aboriginal Lands Council
- Lower Murray Darling Catchment Management Authority
- Office of Environment and Heritage
- NSW Department of Primary Industries – Agriculture
- NSW Department of Primary Industries – Fishing and Aquaculture
- NSW Department of Primary Industries – Minerals and Petroleum
- NSW Department of Primary Industries – Catchment and Lands
- NSW Rural Fire Service
- NSW Office of Water
- Transport for NSW
- Transport for NSW Roads and Maritime Services
- State Emergency Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. 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).

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

Signature:



Printed Name:

Neil McGowan

Date:

13-12-12