



Junee Shire Council



**Planning Proposal to Amend
The Junee Local Environmental
Plan 2012 – Illabo Village
9 May 2012**

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LOCAL GOVERNMENT AREA: JUNEE SHIRE COUNCIL

NAME OF LOCAL ENVIRONMENTAL PLAN: JUNEE LOCAL ENVIRONMENTAL PLAN 2012

Part I: Objectives or Intended Outcomes

To implement amendments to the proposed Junee Local Environmental Plan 2012 in relation to the village of Illabo as follows:

- Introduce an R5 Large Lot Residential zone to existing Lots 138, 139, 140, 141, 142, 143 and 144, DP 751398.
- Allow the construction of a dwelling on each of the above vacant lots subject to the consideration and approval by Junee Shire Council.
- Not allow the further subdivision of Lots 138, 139, 140, 141, 142, 143 and 144, DP 751398.



Part 2: Explanation of Provisions

Amendment of proposed Junee Local Environmental Plan 2012 as follows:

- a. Land Zoning Map – Sheet LZN 003 be amended to zone the following parcels of land R5 Large Lot Residential:
 - Lots 138, 139, 140, 141, 142, 143 and 144, DP 751398.
- b. Lot Size Map – all Lot Map Sheets will require amending to insert the new 3 hectare lot size “z” into the map legend.

Part 3: Justification

Section A – Need for the planning proposal.

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

Yes.

A review of the Junee Residential Land Strategy 2006 and recent community consultation has identified some shortcomings within the strategy in relation to the planning and development of the village of Illabo. To address these shortcomings Council has prepared a land use strategy for Illabo aimed at providing an overview of the existing situation and needs of the village, whether planning, community, recreational or economic. This strategy also identifies and recommends those areas within and adjacent to the village that are most suitable for future growth and development, in addition to proposing solutions to existing zoning and land use constraints.

The Draft Illabo Village Strategy has provided justification for further residential and small holdings development to the east of Illabo. This proposal was not included within the Junee Residential Strategy, however a comprehensive planning assessment of the village and subsequent outcomes have determined that there is substantial merit in facilitating the further development of this land. Amendments to the Junee Residential Strategy 2006 have been endorsed by Council to reflect this.

Council resolved at its meeting held Tuesday 15 November 2011 to create special provisions in regard to specific lots to the east of Illabo. In Council's judgement this land is fragmented in both ownership and lot size.

In regard to the land shown at Appendix B, Sheet 1, the existing holding status of the majority of this area prohibits the erection of dwellings on these lots which range in area from 3.24 hectares to 4.06 hectares. Due to their size, they are unable to be utilized for productive agricultural purposes typical of the locality e.g. broadacre cropping, and do not meet the objectives of their current I(a) zoning. The intent of this planning proposal is to permit the erection of a dwelling on each existing lot.

Attached to this planning proposal is a map showing the Lot and DP numbers of the subject lands (Appendix B), a copy of the Draft Illabo Village Strategy 2011 (Appendix C) and the report to and resolution of Council regarding this proposed local environmental plan (Appendix D). It is noted that the original Planning Proposal sought approval to also introduce an R5 Large Lot Residential Zone to existing lots in Sections 13 and 14, DP 758533, having a smaller lot size than the minimum 4000 m² and to allow the construction of a dwelling on each of the vacant lots. However, the Gateway Determination, dated 12 April 2012, did not allow this to proceed. Therefore, the planning proposal has been revised in accordance with the Gateway Determination.

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

This planning proposal is considered the most effective way of achieving the objectives and intended outcomes of this planning proposal.

3. Is there a net community benefit?

The net community benefit of this plan for Illabo is sizeable. Following is a summary of the community benefits applicable to the land subject to the draft plan, in addition to a summary of the specific benefits and costs for each area of land.

Community Benefits

- Promote, maintain and enhance the existing community services and facilities that exist within and adjacent to the village. These include the Illabo Primary School, Catholic and Uniting Churches, Rural Fire Service Depot, Showground and campdraft arena, tennis courts and hall, football ground, and Red Cross rooms. Council and the local community have identified these services, particularly the primary school as a crucial facility to both the village residents and surrounding rural community.
- To promote economic and employment opportunities of the existing businesses within the village. These include transport and mechanical businesses, a hotel/motel and general store. These businesses provide essential goods and services to the village and surrounding rural community.
- Development of fragmented rural land for residential and rural small holding purposes.
- Provide for a range of affordable lifestyle opportunities.
- Provide a range of lot sizes for rural small holdings uses in close proximity to the village of Illabo.
- Minimal additional infrastructure costs to the community.
- Additional residential access points onto Eurongilly Road are able to be accommodated.
- An upgrade and widening of Eurongilly Road in 2009 enabled an increase in the daily carrying capacity of this road. Currently, approximately 100 vehicles per day utilise Eurongilly Road, however following the upgrade the road is now capable of carrying 1000 plus vehicles per day.
- Any extension of infrastructure and services will be required to be met by the developer.
- Proximity to existing public recreation areas including sportsground and showground.
- Existing lot sizes are suited to sustainable onsite effluent disposal in accordance with Council's Development Control Plan No. 20 – Onsite Sewage and Wastewater Management.

- A Reticulated water pipeline currently extends along Eurongilly Road to the intersection of Showground Road.

Costs

- The Jerelgambeth Creek Flood Study 2011 and the Jeralgambeth Creek at Illabo Floodplain Risk Management Study and Plan 2012 has shown the potential for minor flooding on parts of lots 138, 139, 140 and 141, DP 751398 (refer Sheet 1). The consideration of the requirements of these studies is required prior to the approval of any dwelling on lots within this area. Note: one of these existing lots has a current dwelling entitlement as it is a vacant existing holding.

Net Community Benefit

It is considered that there is a net benefit on land use and a positive impact on community welfare. At present the existing holding status of land within this area has resulted in several of these fragmented lots being unable to be utilised for the purpose for which they were intended. Agricultural enterprises typical of the rural locality are unable to be profitably operated on these lots. This planning proposal will have the net community benefit of being able to contribute to the local community both economically and socially, and is eagerly awaited by the Illabo community.

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

Junee Shire Council is not subject to nor forms part of a region defined by any regional or sub-regional strategies.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

In June 2009, Council adopted a Community Strategic Plan for the Junee Shire. This Plan was based on four themes, the first of which was "A Growing Community". Under this theme two of the key strategies proposed by the Plan included:

- Making changes to Council's Local Environmental Plan to enable investors to take advantage of land use and business opportunities within the shire, in Junee township and in village areas, such as rural residential on the urban edge of villages.
- Develop a town and village business plan to identify opportunities for the development and promotion of Junee, Illabo, Old Junee, Bethungra, Wantabadgery and districts.

The quantifiable performance measures that were set to identify the achievement of the above strategies included increasing the town and village populations, increasing the number of new businesses in the town and villages, and the creation of new jobs.

As part of the Community Strategic Plan, consultation workshops were held with village residents and the surrounding rural community in relation to their local community. At the Illabo workshop the issues of zoning and facilitating population growth were identified as key priorities. These priorities were then incorporated into the Community Strategic Plan as discussed above.

This planning proposal is consistent with Council's Community Strategic Plan. The outcome of the planning proposal will assist in achieving the adopted strategies of Council in regard to village growth, economic development, retention of key services and an increase in employment opportunities in village areas.

6. Is the planning proposal consistent with applicable state environmental planning policies?

The following State Environmental Planning Policy is applicable to this planning proposal:

State Environmental Planning Policy (Rural Lands) 2008

The planning proposal is considered to be consistent with the rural planning principles and rural subdivision principles contained within the SEPP, in particular through:

- Balancing of the social, economic and environmental interests of the community by promoting the residential growth and economic development whilst ensuring that the social infrastructure of these communities is retained and enhanced.
- Provision of additional opportunities for rural lifestyle, settlement and housing that retains and promotes the existing social and physical infrastructure of Illabo.
- Ensuring that future development will not have an adverse impact on natural resources as it promotes the sustainable utilisation of fragmented rural land. Future development will ensure the protection of native vegetation and introduce tree planting and vegetation standards.
- Promotion of development that utilises existing services and infrastructure and ensures that additional costs to the community are minimised in this regard.
- Prevention of rural land use conflicts between existing and future residential development and existing rural land uses.

State Environmental Planning Policy No. 55 – Remediation of Land

The Council has a Contaminated Land Register. A search of this register has revealed that the subject lots are not listed in the register as being contaminated lands. The subject land has only been used as grazing land. A site inspection has revealed that there are no former sheep dips located on the land and no other evidence of contamination.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

The following section 117 Directions are applicable to the planning proposal:

1.2 Rural Zones

The provisions of this direction are applicable to the village of Illabo.

The proposal is inconsistent with clause 4(b) of this Direction as it involves increasing the permissible density of land within a rural zone. However, under clause 5(b) of this Direction, the planning proposal is justified due to its compliance with the Draft Illabo Village Strategy which has been prepared in support of the planning proposal and complies with the objectives of this Direction. It is also considered that in regard to Clause 5(c) of the Direction the proposal is of minor significance as it will not involve the subdivision of rural land, but rather will define land for the residential and rural small holding purposes for which it was originally intended.

1.5 Rural Lands

This planning proposal has been considered in regard to this Direction and it is concluded that the planning proposal is consistent with the rural planning principles listed in SEPP (Rural Lands) 2008 (refer section 6) and is of minor significance. The planning proposal will both facilitate the orderly and economic development of land for rural small holdings purposes and protect the agricultural production value of adjoining rural land.

4.3 Flood Prone Land

In January 2011, the Council commissioned Lyall and Associates Consulting Water Engineers to prepare a Floodplain Risk Management Study and draft Plan for Jeralgambeth Creek at Illabo. Also prepared in 2011 was a “Jeralgambeth Creek at Illabo Flood Study”. The objective of this study was to define flood behaviour at the village of Illabo in terms of flows, levels and flooding patterns for flood frequencies ranging between 5 and 100 year ARI, as well as for the Probable Maximum Flood.

The Study has referenced NSW Government’s Floodplain Development Manual, 2005, and other publications, thereby complying with Clause (1) of the Direction. The Flood Study was adopted by Council at its 15 November 2011 Ordinary Meeting. The Jeralgambeth at Illabo Floodplain Risk Management Study and Plan was adopted by Council at its 20 March 2012 Ordinary Meeting.

Although the rezoning proposal appears to be non compliant with Clauses (2) and (3)(a) of the Direction, Clause (6) of the Direction allows the Director-General of the Department of Planning and Infrastructure to vary or exclude a provision or area of the Direction having regard to the provisions of Section 5 “Objects” of the Environmental Planning and Assessment Act, 1979 and if

- (a) the rezoning is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual, 2005, or

- (b) the rezoning is, in the opinion of the Director-General, of a minor significance.

This Proposal

At issue in this proposal are lots 138, 139, 140, 141, 142, 143 and 144, DP 751398. A map showing the area under consideration in the Planning Proposal from the Floodplain Risk Management Study (FRMS) document is included as Appendix G.

A map showing the “Floodway – Flood Planning Area” is included as Appendix H. A perusal of this map indicates that Lots 138, 139, 140 and 141 are affected by the “Intermediate Floodplain”, with Lot 138 also affected by the “Outer Floodplain” and Lot 139 also affected by the “High Hazard Floodway” and “Low Hazard Overland Flowpath”.

However, the map at Appendix F indicates that half of Lot 139 and a small portion of lot 140 in the North-Western corner are affected by inundation. All of these lots still have numerous “building envelopes” for the location of future dwellings.

Reference to Figure 2.6 of the FRMS shows that lots 139, 140 and 141, DP 751398, have varying degrees of flood affectation. Hydraulic modelling has shown that these lots are in the “Intermediate Floodplain”. Accordingly, there is sufficient room on these lots for development that complies with the design and structural requirements nominated in Appendix A “Flood Policy” of the FRMS.

The nature of the flooding through Illabo is such that High Hazard flows are confined to a relatively narrow corridor and the remaining flood plain is subject to low velocity, shallow inundation. As such, the hazards posed to potential residents living on a flood-prone lot are considered to be negligible.

Any future effluent disposal area is to be in the form of a Transpiration/Evapotranspiration area in accordance with Council’s Development Control Plan No. 20 – On Site Sewage and Wastewater Management, and will therefore be built up above ground level, which will reduce the potential for surface water infiltration.

Provided that any future dwelling is not constructed within the High Hazard Floodway area shown on the map in Appendix H, and the design of any future dwelling conforms to the design and structural requirements nominated in Appendix A “Flood Policy” of the Floodplain Risk Management Study, including the requirements of a Surveyor’s Report in relation to the height of the floor level of the dwelling, the provision of this Direction would be satisfied.

3.1 Residential Zones

By allowing the construction of a future dwelling on each of the lots included in this Planning Proposal, it will enable a broader choice of building (dwelling) types in the village on lots that would have otherwise remained vacant and used for grazing of a few animals.

It is considered that the Draft Illabo Village Strategy November 2011 document included with the Planning Proposal adequately addresses Clause 4 of this Direction.

In respect to Clause 5(a) of this Direction, any future Development Application or Complying Development Certificate will not be released by the Council until the applicant has submitted and obtained approval for a Section 68 (Local Government Act) Application for onsite effluent disposal.

The lots are serviced by reticulated water supplied by Goldenfields Water County Council and all applications have an appropriate condition of consent requiring the premises to be connected to a water supply and a water meter.

Electricity is available in the area and is provided by Essential Energy.

In respect to Clause 5(b) of the Direction, the proposal, if approved, will increase the permissible residential density of the land, not reduce it.

Section C – Environmental, social and economic impact

8. 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?

To the best knowledge of Council, there are no documented critical habitats or threatened species populations or ecological communities that are currently recognised within the land subject to the planning proposal.

There exists some remnant White Box trees within the land shown on Sheet 1 however the removal of these trees will be considered as part of any future development consent or complying development certificate.

Further assessment of the above will be undertaken as part of the public authority consultation process however it is considered that any advice that will be provided by relevant authorities will be in regard to trees on land shown on Sheet 1.

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

There are no other likely environmental effects as a result of the planning proposal. None of the subject lots are bushfire prone according to the Council's Bushfire Prone Land Map.

10. How has the planning proposal adequately addressed any social and economic effects?

Council is not aware of any identified items or places of European or Aboriginal cultural heritage within the land subject to this planning proposal.

Additional social and economic effects of the proposal have been discussed in Section B.

Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?

Yes, there is adequate public infrastructure to support this planning proposal, as follows:

- Public infrastructure and utilities are available and readily accessible to support the planning proposal. Essential infrastructure services such as roads, utilities (water, electricity and telephone) and waste management are available.
- Ready access to primary school education within the village (Illabo Public School), businesses providing basic goods and services, and sporting and social facilities are presented.
- Community facilities such as halls and sporting areas contribute to the public infrastructure, whilst the larger centres of Junee, Cootamundra and Wagga Wagga provide close access to goods and services.
- The existing lots are considered to be of sufficient size to provide sustainable on-site effluent disposal and avoid land use conflicts in accordance with Council's Development Control Plan No. 20 – Onsite Sewage and Wastewater Management.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with relevant State and Commonwealth public authorities has not yet occurred, however will be undertaken and addressed as part of the Local Plan Making Process.

Part 4: Community Consultation

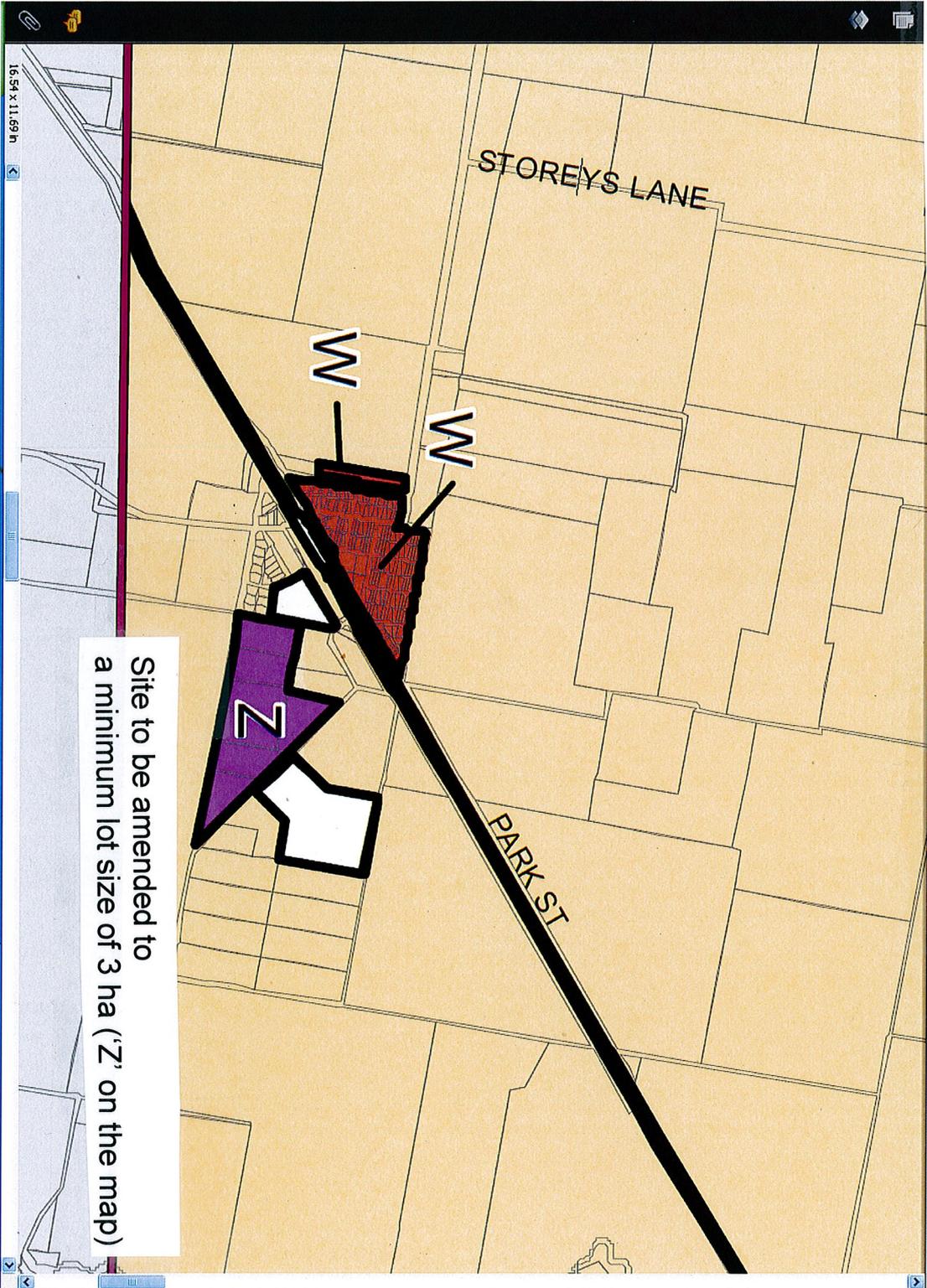
Extensive community consultation will be undertaken with both the landowners and adjoining landholders of the land subject to the planning proposal, in addition to the Illabo residents and wider rural community. This consultation will follow the principles specified within the Department of Planning "Guide to Preparing Local Environmental Plans".

Whilst it is considered that the planning proposal is a "low impact planning proposal", consultation will be extended to 28 days to allow additional time for interested persons to consider the proposal and make submissions to Council in this regard.

Any additional requirements specified by the Gateway determination will be complied with.

Appendix A

Amended Lot Size Map and Land Zoning Map





Junee Local Environmental Plan 2012

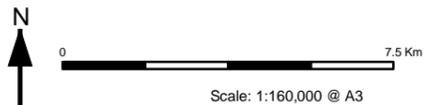
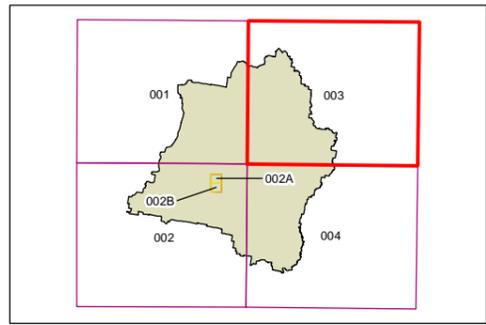
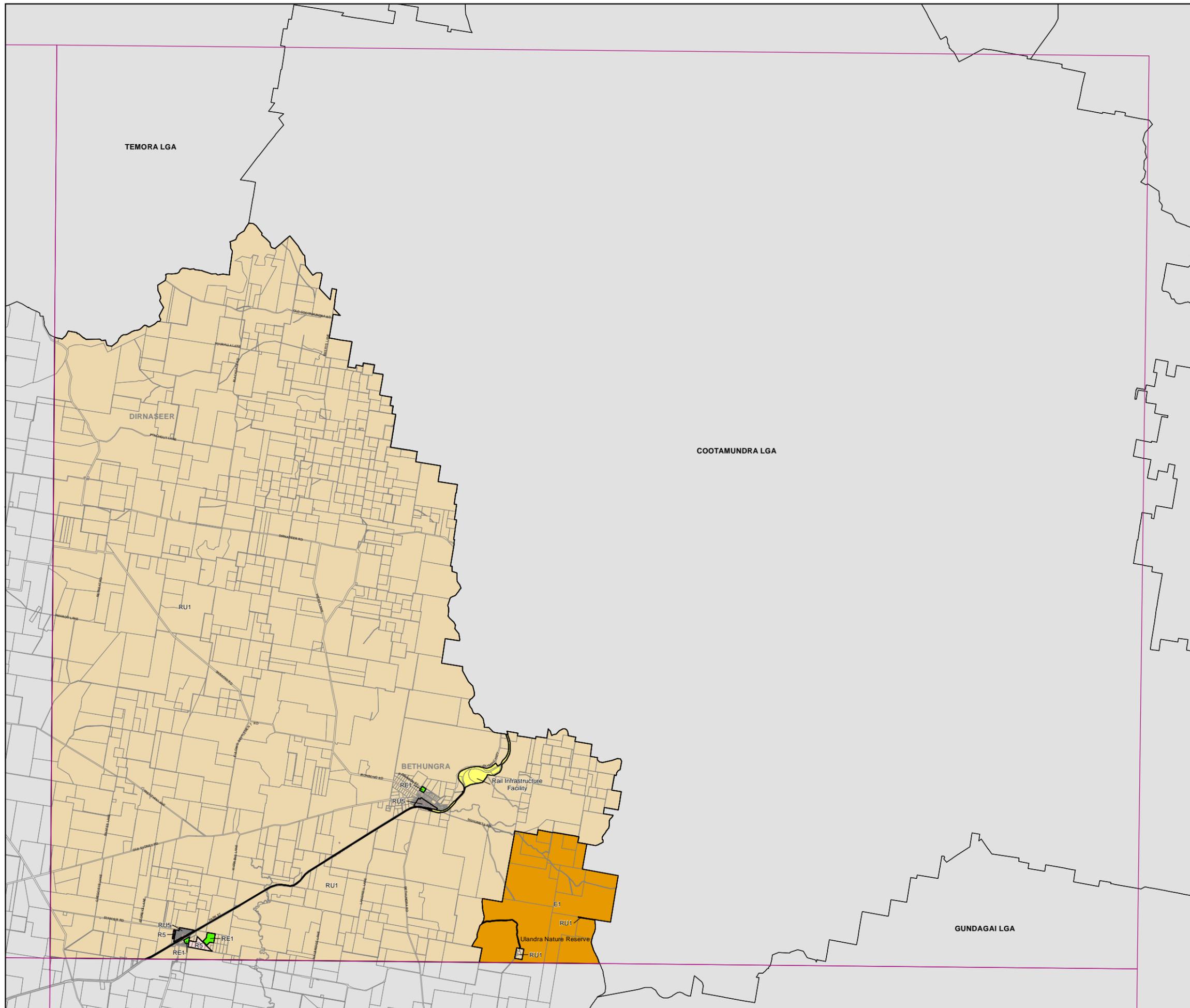
Land Zoning Map - Sheet LZN_003

Zone

- E1 National Parks and Nature Reserves
- IN2 Light Industrial
- R5 Large Lot Residential
- RE1 Public Recreation
- RE2 Private Recreation
- RU1 Primary Production
- RU5 Village
- SP2 Infrastructure

Cadastre

Cadastre 17/06/11 © Land and Property Information (LPI)



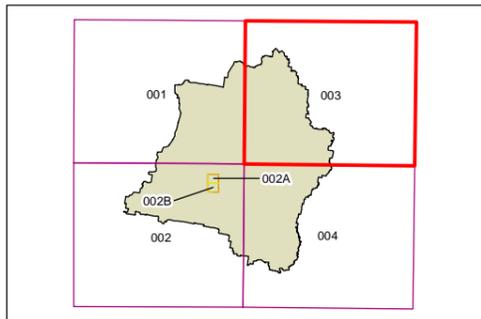
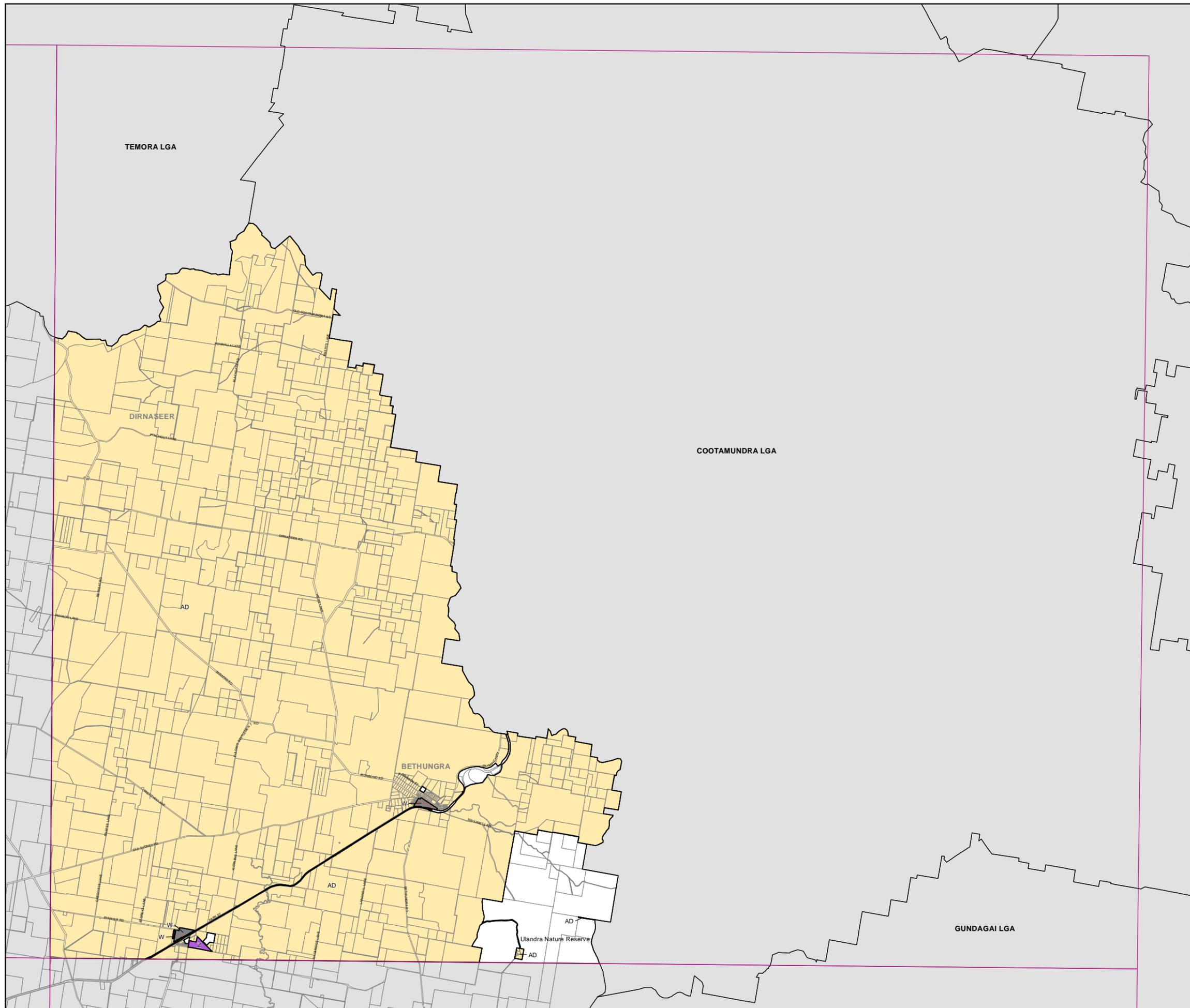
Projection: GDA 1994
MGA Zone 55
Map identification number: 4300_COM_LZN_003_160_20120503

Minimum Lot Size (sq m)

- I 500
- U 1500
- W 4000
- Z 3 ha
- AD 100 ha

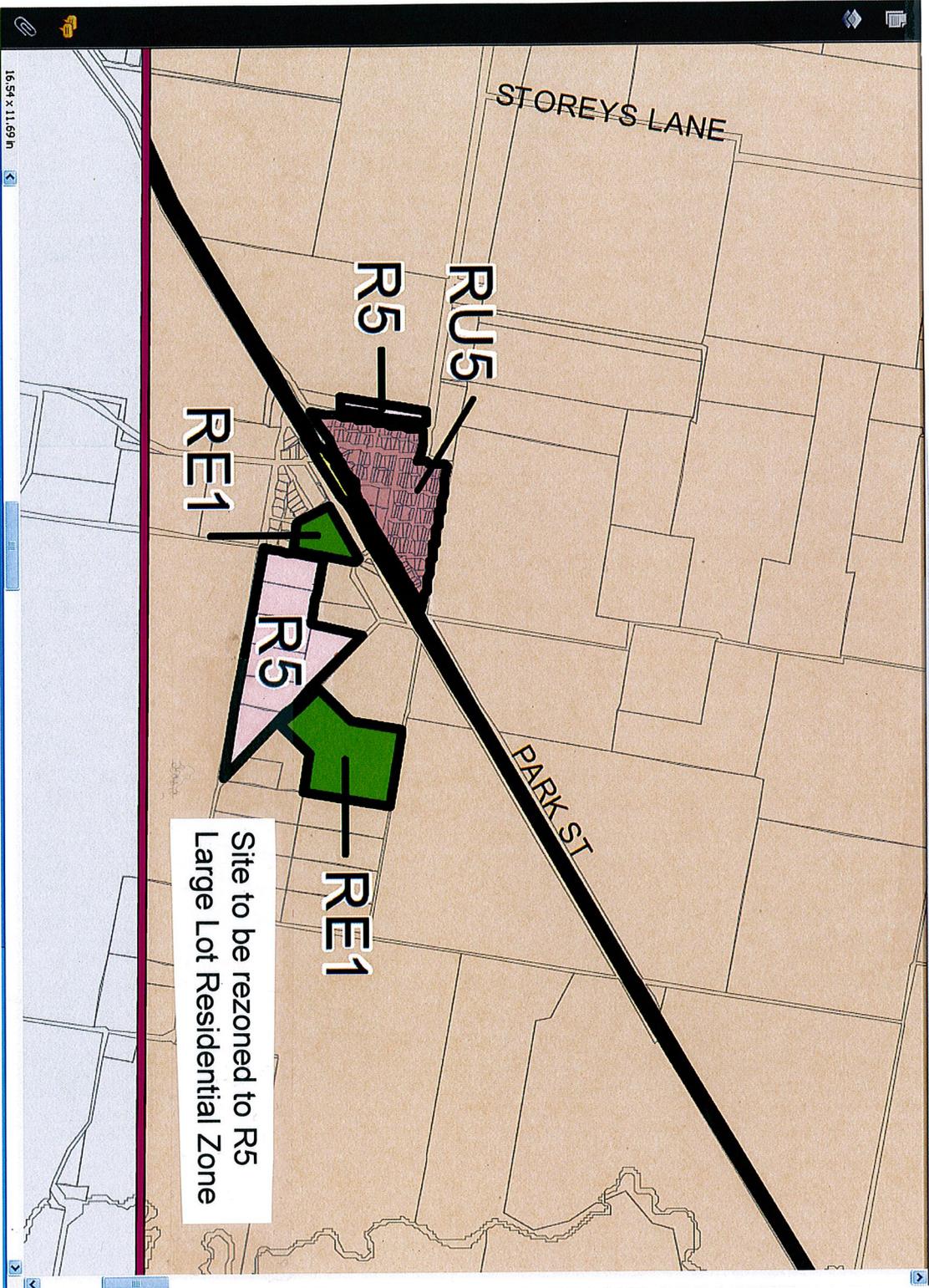
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Cadastre 17/06/11 © Land and Property Information (LPI)



Scale: 1:160,000 @ A3

Projection: GDA 1994
MGA Zone 55



Appendix B

Maps Showing Lot Numbers and DP Numbers of Subject Land

Sheet I

SHEET I



Appendix C

Illabo Village Strategy November 2011



Illabo Village Strategy

November 2011

Adopted 20 December 2011

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I. OVERVIEW

I.1 Location and Context

Illabo is a village located 16 kilometres north east of Junee on the Olympic Highway and 13 kilometres south west of the village of Bethungra. In respect of connectivity and accessibility, the village predominantly orients itself to Junee.

Of the villages located within the Junee Shire, Illabo has the greatest number of businesses, public facilities and services. The village also supports several cultural and sporting events which include an annual agricultural show, country music festival, campdraft, primary school sporting events and a biennial theatrical performance. Each of these events attract large numbers of people from within the local area, the region and interstate.

The residents of both the village and surrounding rural community are extremely strong in their support of the existing services and amenities within the village, and are eager to see these retained and enhanced where possible.

I.2 A Short History (source: Illabo: A History)

The first squatters to lay claim to the Illabo area arrived by 1842. The first “village” was near a stone quarry situated to the south-west of the current village, behind the present cemetery. The village relocated to its present position following the construction of a hotel close to the newly constructed Great Southern Railway. The first residents of the village were workers employed in the stone quarry and on the railway.

A railway station was built as a place for trains to pass and was opened in 1878. It was around this time (1884) that the primary school was established. People began to populate in this vicinity and the authorities recognized the village as a permanent development. A survey of the present village area was undertaken in 1897 by Jaz E. Lester (see Map 1). The cadastre of the village today remains similar to this original surveyed plan.



The first sale of lots was undertaken following the completion of the village plan and over the ensuing years all surveyed lots within the village gradually sold. The land to the south of the village (railway line) was subdivided in 1912. Electricity was supplied to the village in 1952.

1.3 Existing Commercial, Community and Recreational Facilities

Map 2 defines the location of these services and facilities within the village.

Map 2: Existing Commercial, Community, Industry and Recreation Landuses



1.3.1 Businesses

A number of businesses exist within the village, which are supported by both the residents of the village and wider rural community. These establishments are in part economically dependent on the surrounding rural population and are:

- Illabo Hotel and General Store – incorporates the Illabo Post Office and is the main social meeting place within the village.
- Bethungra Transport – a sizeable business employing several people. Its services extend regionally, state wide and interstate.
- Mechanical businesses providing local mechanical repairs.

1.3.2 Industry

Industry in the village is largely limited to agricultural facilities supporting the district cropping and agricultural enterprises. These industries include:

- Grain Corp Silos – a large grain receiver and grain storage complex.
- Hanlon's Grain Storage Silos – located on two individual sites within the village.
- A small fuel depot owned by South West Fuels (Cootamundra).

1.3.3 Community and Education

Within the village area there are several community facilities (non-recreational). These include:

- Illabo Primary School – the school is identified as the most significant community asset within the village.
- Uniting Church
- Catholic Church
- Red Cross Rooms
- Illabo War Memorial (recently restored)
- Illabo Rural Fire Service Truck Depot
- Waste Transfer Station and weekly village rubbish collection

1.3.4 Recreation and Open Space

There are a number of regularly used recreation and open space areas:

- Illabo Sporting Bodies Hall and Tennis Courts
- Illabo Showground and Hall– used annually for the Illabo Agricultural Show, Illabo Campdraft, Illabo Country Music Stampede, and for the biennial Illabo Melodrama theatrical performance. This facility is also regularly utilised both for private functions and local group and community meetings.
- Illabo “Sports Stadium” – available for sporting events, including rugby matches.
- Illabo Rest Area – heavily utilised by through traffic along the Olympic Highway. This facility is visible, accessible and well maintained by Council.

1.3.5 Community Organisations

The following community organizations operate within the village: (Source: www.illabo.org.au)

- Australian Red Cross
- NSW Farmers Association
- Landcare Australia
- NSW Rural Fire Service
- Catholic Church of Australia
- Uniting Church of Australia

1.4 Population and Demographic Structure

The estimated population of Illabo as at January 2009 was 72 persons. Although population counts have not been undertaken at regular intervals, it is evident from local knowledge that the population of Illabo has not risen substantially for some time, but has remained quite stable.

In regard to the above, the demographic structure and related needs and issues are somewhat unknown to Council as the ability to gain accurate demographic information is

impeded by the population of the village being under the number needed to form a separate Census District.

Issue: The ready provision of key infrastructure to support the further development of Illabo is to be taken into consideration in the development of the village strategy.

Issue: Council consider undertaking a Census of Illabo and its immediate surrounds to gain further information on the demographic, economic and social structure of the village and its residents



Aerial Photograph - Illabo

2. VILLAGE STRUCTURE AND CHARACTER

The following section provides a snapshot of the village in relation to building form and function, lot size, and visual analysis. Current zoning and land use patterns will be analysed, in addition to a survey of existing dwellings and ownership patterns.

The above will enable an insight to be gained into the character of the village and to identify opportunities that will assist in the future planning and development of Illabo.

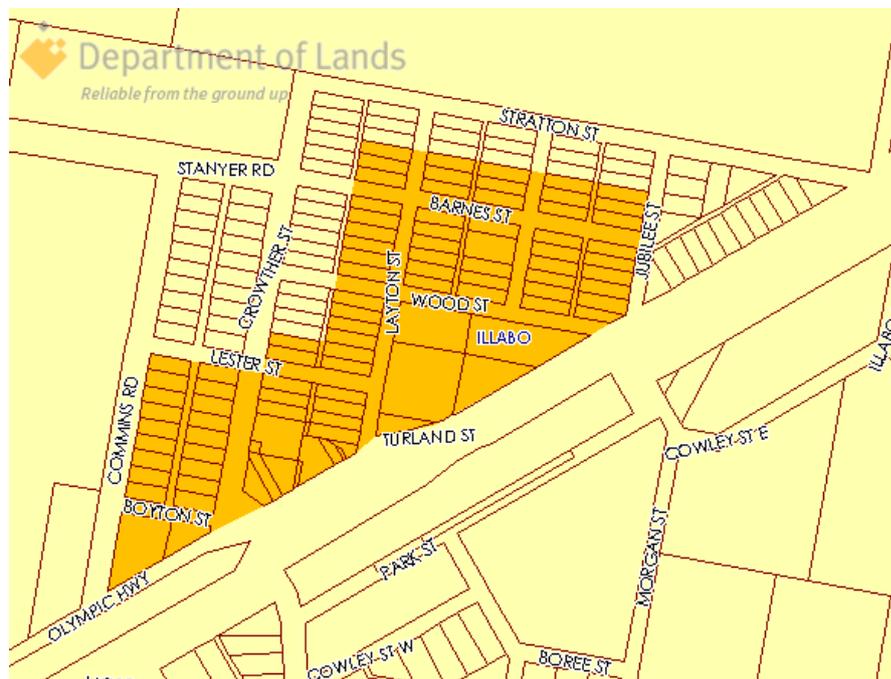
2.1 Current Zoning

Under Junee Local Environmental Plan 1992; the village of Illabo is zoned **2(v)** Village or Urban. This zone defines the majority of urban development across the Junee Shire.

The **2(v)** zone defining the main village area is encircled by land zoned **1(a)** General Rural which is the broad agricultural zone covering the rural area of the LGA.

Map 3 illustrates the current zoning of the Illabo village area. The area shown in orange is the land within the village zoned **2(v)** Village or Urban and the land surrounding the village shown in yellow is zoned **1(a)** General Rural.

Map 3: Current 2(v) Village or Urban Zoning Boundary – shown in **Orange**



2.2 Lot Size and Cadastre

As shown on Map 3, the road layout and cadastre follow the traditional grid pattern and remain almost identical to that on the original village plan at the time the village was proclaimed in 1898 (see Map 1).

The original village plan defined a road layout for land to the south of the railway line and to date this land has remained largely undeveloped and is currently zoned **I(a)** General Rural. These lots vary in size and orientation; however some were clearly defined for residential purposes.

The bulk of lots within the village are approximately 1000m² in size, and vary little in shape (rectangular) or form. These lots have approximate street frontages of 17 metres and a depth of 63 metres. The largest lot within the village is 2,800m² with the smallest being 770m².

The matter of lot size in relation to on site septic and wastewater management will be addressed later in this document.

Issue: The relevance of the existing 2(v) zoning boundary be reviewed in the context of land use planning and the relevance of the existing zoning both within the village and of the surrounding rural area. A merit based approach is preferred in the consideration of any proposed changes to the current planning controls.

2.3 Land Supply and Housing

When looking at the supply of land for residential development, it becomes apparent that what may be considered as an available supply is in reality quite different. This can largely be attributed to land ownership patterns within the village and the constraints this places on the actual supply of land.

At present, only four lots within the village are available for purchase. These lots comprise two ownerships of two lots each. Such restriction on available supply provides difficulties for potential residents to obtain land for development. Discussions were held with local real estate agents to gain further information on the restrictions on the supply of land (see section 6).

An individual assessment of vacant land and availability of land is provided below.

2.4 Vacant Land

Within the village there are 38 wholly vacant and undeveloped lots (October 2009). Nine are single owned lots whilst eight are lots forming an ownership of two lots. The remaining twenty one lots are held by only seven landholders, of which eight lots are owned by one person (who is not a resident of the village). This vacant ownership of eight lots has recently had an application for a dwelling approved on one lot.

A number of lots within the village that do not have a dwelling or business etc. on them form part of the private open space for an adjoining dwelling. The ownership of two or more lots in some instances enables a landholder to have a greater area of space by utilising the adjoining lot(s) for activities associated with the dwelling. The affordability of land in part enables this to occur in addition to ownership patterns.

The above is not a scenario that is typical of a larger urban centre due to higher land prices and the need to maximize the use of each lot. The affordability of land in Illabo provides residents with the ability and luxury to use adjoining lots for private open space whilst not feeling pressure to sell this land for development. Many of the vacant lots

within the village are single owned lots and are owned by persons who are not residents of the village. There are few ownerships within the village where the private open space associated with a dwelling does not extend onto an adjoining lot(s) under the same ownership. The subject of ownership patterns is discussed in section 2.3.2 below.

An attraction for many residents in rural villages is the ability to own larger parcels of land due to lower land prices than would be found in large urban centres and neighbouring townships. Whilst there are other factors that influence demand, the ability to own a greater area of residential land and thus gain more land for private use is an attraction to some.

2.5 Ownership Patterns

A total of 46 land holders own the 92 **2(v)** zoned lots within the village. This includes eleven ownerships that comprise the community organisations, government bodies and businesses within the village whom together own 25 of the 91 village zoned lots. Of the 38 vacant lots within the village, 27 (whether forming part of a multiple lot ownership or a single parcel) are owned by persons who are not residents of Illabo.

Map 4: Ownership Pattern and Approximate Location of Dwellings



Of most relevance when assessing ownership patterns is the effect the current ownership arrangement in the village is having on the ability for the village to grow and develop. This restriction can be demonstrated by the fact that 27 of the 28 lots that are owned by absentee landholders are vacant. With these landholders not residing in the village, there is little indication when they are likely to become available for housing in the near future.

In a larger centre or township, the issue of absentee landholders is not a significant consideration when deciding to rezone land due to many lots being bought or owned purely for investment purposes. When looking clinically at ownership patterns from a purely planning perspective it would be concluded that in the short term there is sufficient land for development within the village. It is when the characteristics of lot ownerships are further analysed that the actual supply of residential land dwindles.

Table 1 provides a breakdown of ownership patterns and the number of vacant lots as part of each.

Table 1: Lot Ownerships

Ownerships	Number of Owners	Total Lots	Number of Total Lots Vacant
Business/Industry		12	
Community/Education		9	
Recreation		1	
Crown Land		3	
Subtotal		25	
Private Ownerships			
1 lot*	16	16	9
2 lots	10	20	8
3 lots	3	9	3
4 lots	2	8	6
5 lots	0	0	0
6 lots	1	6	4
7 lots	0	0	0
8 lots	1	8	8
Subtotal		67	
Total	33	92	38

* 3 lots form part of an ownership comprising adjoining 1(a) zoned lots

It is difficult to compare the nature of development in rural villages with larger urban areas as their history of development, social structure and community cohesiveness is vastly different. The factors that would typically apply to a decision to rezone land or undertake planning projects for economic and social reasons in a larger centre in part do not correlate with the factors applying to a village such as Illabo. The need to retain and enhance these rural communities is of great importance from an economic and social perspective due to the importance of a village such as Illabo in supporting the surrounding rural population in addition to providing an alternative and affordable lifestyle choice and the ability to access facilities such as schools, recreation areas and basic goods and services.

Map 4 shows the ownership patterns of residential lots within the village; whether single lots or multiple lots held under a single ownership, in addition to showing the location of dwellings within the village.

Issue: The examination of the impact of the land ownership pattern and number of absentee landholders is to be taken into consideration when developing a strategy for the village.

2.6 Dwelling Location and Form

All dwellings within Illabo are single detached, which is typical of rural localities. Dwelling fabric is ad hoc in both the age of dwellings and type of building materials. All are single storey homes. Several dwellings are small in size and of considerable age. Each dwelling is surrounded by its own area of open space; which is largely to the rear of the dwelling.

Dwelling location follows no set pattern, with dwellings located ad hoc throughout the village and interspersed with vacant lots. The streets with the most continuity of development are Layton Street and Wood Street. Both streets are central to the village and are defined by the primary school, which has frontage onto both streets. Layton Street can be considered the main street within the village in respect of internal residential traffic and pedestrian movements.

Issue: Council examine ideas to promote infill development within the village.

2.7 Applications for Development

From 2000-2011 there have been 24 applications for development within the **2(v)** Zone and the immediate adjacent **1(a)** General Rural Zone.

The majority of these applications have been for new sheds/garages or dwelling extensions, however there has been eleven applications approved for new dwellings. Not all of these dwellings have been constructed following approval.

Four of the above eight dwellings approved during this time are located adjacent to the **2(v)** zone. This is a consideration in regard to the preference for housing on land immediately outside what is zoned for village purposes under June 1992 LEP.

Issue: Council consider the interest for housing on the 1(a) zoned lots immediately adjacent to the village in the assessment of the possible expansion of the existing village boundary.

2.8 Character

The character of a village is sometimes difficult to define, however in this instance it can be related in some part to the focal points within the village. The Illabo Public School generates the most consistent activity and community pride, whilst the Illabo Hotel and General Store functions as a main regular social meeting place for the community.

The dwelling form and fabric provides uniqueness to the village and easily identifies Illabo as a rural village with housing a mixture of age, size, type, and building material. There is a defined sense of community within the village that reduces a perception of anonymity which can occur in larger urban centres.

In regards to legibility, the village is easy to navigate and with the exception of the frontage of the village to the Olympic Way, movement through the village by foot is easily achieved. A sense of safety exists, particularly in regard to the level of recognition of residents and the surrounding rural community who travel to the village whether for education, meetings, goods or services.

The Grain Corp silo complex is one that is visually significant to the village and promotes the importance of the agricultural sector to the village. This is the structure that is most striking when travelling into and from the village.



3. COMMUNITY CONSULTATION

3.1 Community Strategic Plan

In late 2008 and early 2009, a series of workshops were held across the Local Government Area in response to the State Government's requirement for a Community Strategic Plan to be prepared and implemented for each NSW LGA. Part of this process involved meetings with residents of the villages and rural areas.

A meeting was held in Illabo at which the communities of Illabo and Bethungra were jointly invited. The aim of the meeting was to gain the community's feedback on what they would like to see for their village and rural community. This information is significant to the village strategy process.

Generically, the main themes that emerged from the workshops in relation to the villages of Illabo and Bethungra were to:

- Review and revise the road hierarchy
- Seek government funding for a village improvement program
- Improve the promotion of villages/districts
- Individual specific improvements at each of the villages

The main issues and themes to emerge from the community workshop of most significance to developing a strategy for Illabo were :

- Improved public transport – rail and bus access
- Village improvements – shelters, shade for parks, watering of parks and gardens
- Population growth
- Zoning changes – rural to residential. Need residential development to bring families with children to the area
- Address flooding issues and soil types
- Establish an Illabo marketplace – in the vicinity of the Illabo Hotel
- Provide assistance in attracting government grants

From the list provided the following five main issues emerged, the majority of which are highly relevant to this strategic process:

- Zoning
- Visitation
- Population and employment
- Accessibility to Junee and other centres
- Improved village facilities
- Good communication

(Source: Development of a Community Strategic Plan for the Junee Shire – Issues Raised at Community Consultation Workshops, Steven Blackadder & Associates, March 2009)

The outcomes from the workshop which relate most to planning and development are zoning, population and employment. The desire to see growth occur both within and around the village is intrinsically important to both the success of a village strategy and the Illabo community.

This strategy was adopted by Council in June 2009 and the outcomes of this strategy regarding planning and development have provided impetus for the development of this strategic plan for Illabo.

3.2 Junee Shire Council Social and Community Plan 2005

In 2005, a Social and Community Plan was developed for the Junee Local Government Area. During the preparation of this document, village workshops were also undertaken.

The issue of zoning was also raised as an important matter, with many residents believing that the current land use regulations (zoning) restrict development potential on the edge of the town.

The importance of the primary school was also raised with the retention of the school of great value to the future of the village. This was identified in the matter of land use planning with the idea that zoning changes and the introduction of a rural residential zone on the fringe of the village would attract new residents to the village and ensure the school's future.

Issue: Council acknowledge the priorities of the Illabo residents and rural community in the identified recommendations from the strategy process.



Illabo Public School

(School infrastructure includes two classrooms, library building, music room, staff and administration rooms, undercover play area, undercover learning area, teachers accommodation, and extensive grounds)

4. EXISTING INFRASTRUCTURE

4.1 Traffic and Access

The frontage of the village to the Olympic Way generates significant through traffic on a daily basis. Only two dwellings have direct vehicular access onto the Olympic Way, with all other access limited to either businesses or community facilities.

The village is also accessed by the Eurongilly Road, which brings traffic through the village from the east, in particular Eurongilly and Gundagai; and the Junee Reefs Road which provides access to the village from Junee Reefs and Temora to the west.

Within the village, the road surfaces vary from bitumen to gravel, however the majority are bitumen.

Traffic movement within the village itself is localised, with the majority of through traffic being on the Olympic Way, Eurongilly Road and Stanyer Road/ Crowther Street (Junee Reefs). Other than these streets, most traffic is localized to village residents and those families with children at the primary school.

Kerb and gutter is not present along any street and there are no established footpaths within the village which is typical of all villages in the Junee Local Government Area.

4.2 Road Hierarchy

There is a clearly defined road hierarchy within the village in relation to through traffic and localised traffic. As the Olympic Highway runs to the immediate south of the village, under RTA Guidelines new intersections and direct residential access to the Olympic Highway must be limited.

The village speed limit is 50km/h as is typical along most urban streets, however with the primary school, the speed limit on the highway through the village is limited to 40km/h during school commencement and finishing hours.

Vehicular traffic within the village is largely localised, with the exception of through traffic along Crowther Street. It is considered that the existing road hierarchy is sufficient to accommodate the present needs of the village and any additional housing development which may occur within the village.

In accordance with RTA policy, development which extends urban uses in a linear fashion along classified roads must be minimized.

4.3 On Site Sewage and Waste Water Management

All household sewage effluent disposal is on-site. The issue of lot size and waste disposal is of significance to the outcomes of the planning process.

Development Control Plan No. 20 details the objectives of Council in relation to on site sewage and wastewater management.

The provisions within this plan are applicable to the village of Illabo and require that certain criteria be satisfied prior to the approval of any residential development, in addition to providing information on the preferred on site sewage systems.

4.4 Rail

The main impetus behind the development of the village in the late 1800s was the construction of the Great Southern Railway. This relevance has decreased with trains no longer stopping at the village, other than for grain to be loaded from the Graincorp silo.

Rail buffer requirements introduced by the State Government require consideration in the future planning of the village. The Olympic Highway and railway run parallel and form the southern boundary of the village. Any development to the south, east or west of the current village zone would require consideration of the potential impact of the existing railway, particularly in relation to noise and vibration.

4.5 Water

The village and surrounding rural area are well serviced, with all dwellings within the village serviced by a reticulated water supply.

Water pipelines extend along both Stanyer Road (towards Junee Reefs) and Eurongilly Road (to the Illabo Showground). This access to a reticulated water supply is of worth in regard to future planning. Further consultation with Goldenfields Water must be undertaken as part of the consultation with relevant government departments.

4.6 Electricity/Telephone

These services are supplied to all dwellings within the village and adjacent rural dwellings.

4.7 Waste

Weekly garbage pick-up occurs within the village. There is a waste transfer station located on the northern village boundary that is accessed by rural landholders by key.

Issue: Council consider the long term sustainability of on-site waste water management systems when approving new dwellings and subdivisions and ensure that lot size and the type of system installed are able to effectively treat and dispose of all waste water on-site.

Issue: Council consult further with public authorities regarding access and connection to utilities such as electricity and water.

5. RURAL LANDUSES AND CONNECTION TO ILLABO

The **I(a)** General Rural Zone surrounds the defined village zone. As stated previously, there are several lots of similar size and layout that are currently zoned **I(a)** General Rural and situated immediately adjacent to the village. These lots are restricted in their use for an agricultural purpose due to their small size and fragmented ownership patterns.

Immediately to the south of the **2(v)** zone and adjacent to the railway line the Graincorp silo complex is situated. The majority of activity in this facility occurs during harvest with the delivery of grain, and then periodically with the removal and transport of grain, whether by road or rail. The railway line and adjacent rest area provide a separation of this agricultural use from the village.

The intent of the **I(a)** zone is to define land used for agricultural production, however in relation to Illabo, the zoning in part does not identify with areas of land adjacent to the **2(v)** zone. The matter of the **I(a)** zoned 1000sqm lots to the west and north of the village is an anomaly that requires consideration.

Of note is an area of **I(a)** zoned land to the south of the railway line bordered by Eurongilly Road and the Illabo Showground. The suitability of this land for rezoning and/or development is a matter that was raised by the residents of Illabo and local real estate agents during consultation. The land is fragmented in terms of lot size and includes a number of small 2000m² lots located to the south of the Graincorp Silo Complex. The land is not utilised to any extent for agricultural purposes. Several dwellings do exist within the area, in addition to a mechanic business.

This land is shown below:

Map 5: *I(a)* General Rural Zone to the South of the Railway Line



The location of the Illabo Sportsground and Illabo Showground within this area contributes to the connection of this land with the Illabo village and accessibility to open space and recreation areas.

Issue: Council consider the suitability of this land for further development and possible subdivision for rural small holdings development.

Issue: Council address the potential conflicts between agricultural, residential and rural small holdings uses in the consideration of a future plan for Illabo.

Consideration in the long term for further rural small holdings development may also be relevant to land immediately south of the village along Brabins Road. Two dwellings have recently been built on small **I(a)** lots that were existing holdings and due to the aspect of this land a demand for rural small holdings land may, in the medium to long term be considered suitable within this area. Prior to this occurring other strategy recommendations proposing future development should be achieved.

There are also a number of 6 hectare lots to the east of the Illabo Showground that form an existing holding totaling approximately 48 hectares. Justification may be made in the future to permit a dwelling to be erected on some of these lots. At present however, the land is used for agricultural purposes.

Issue: Council further consider these long term proposals when undertaking a future review of its planning instruments.

6. REAL ESTATE

Local real estate agents were consulted in regard to their views on development within the village and to gain details on real estate sales within and adjacent to the village in recent times.

Property sales in Illabo are almost wholly managed by PRD Nationwide in Junee. A meeting was held with the managers of the business and a summary of their comments is provided below.

- Illabo residents orient themselves with Junee in terms of employment and the provision of general goods and services.
- In the opinion of PRD Nationwide, for those people who work in Wagga Wagga and may wish to live in a village, Illabo is considered too far in distance and travel time. This has been an impediment on the development within the village.
- They have issues with the current **2(v)** zoning boundary within the village. It is not representative of the existing cadastre and provides difficulties with access and servicing the **1(a)** zoned lots that are the same size and orientation as adjacent **2(v)** zoned lots.
- Existing lot size and on-site septic is a significant issue.
- To the south of the railway line, problems occur on the small **1(a)** zoned lots immediately along Eurongilly Road, due to Council advising would-be buyers that the land is low-lying and could be prone to flooding. In addition, Council often also advises that the land may not have a dwelling right.
- Servicing is also an issue on the small **1(a)** zoned lots to the south of the railway line as there is a difficulty in accessing connection quotes from relevant authorities in relation to power and water.
- In respect of the demographics of purchasers; there is a good mix of age groups and family type who enquire and purchase within the village.
- In the past years there has been more real estate activity in Illabo than there has been in Old Junee (the other village in Junee LGA where PRD manages most real estate).
- A consideration of attraction to the village is the affordability of vacant land.

Land Values

(a) Vacant Lots (2009)

- Vacant lots to the north of the railway line sell from between \$9,000 and \$12,000. Several sales have involved 2 adjoining lots. Recent sales have been in the vicinity of 4-5 lots.
- 2 separate ownerships of 2 lots each are currently for sale within the 2(v) zone for \$18,000 and \$20,000 respectively.
- A vacant parcel of three 1(a) zoned lots to the east of the 2(v) zone sold for \$20,000.
- Vacant lots (1(a) zone) to the south of the railway line
- 8,250sqm lot on the market for \$30,000
- 4,000sqm lot on the market for \$20,000

(b) House Sales (2009)

There have been two house sales in the past three years:

- A single dwelling on a parcel of four **1(a)** zoned lots adjacent to the **2(v)** zone sold for \$62,000.
- A single dwelling on a parcel of 4 **2(v)** zoned lots sold for \$79,000.

The concerns of PRD Nationwide in relation to zoning boundaries and lack of ready and available data on servicing and dwelling rights are ones that are of importance in developing a strategy for the village.

Issue: Council acknowledge the information gained from PRD Nationwide when considering the current and future growth of the Illabo and aim to improve communication when providing information to agents.

7. ENVIRONMENTAL FACTORS

7.1 Flooding

The probability of flooding within and adjacent to the village is of importance to future planning and development. Council has recently prepared the Draft Jerelgambeth Creek Flood Study, which provides direction in relation to this issue.

The Jerelgambeth Creek Flood Study map shows flooding as an issue affecting potential future development for land immediately south of the Graincorp Silo through to Eurongilly Road. The findings of this study will require consideration in the assessment of any development in this location. This is an issue which will be discussed further in the consideration of strategy recommendations.

7.2 Bushfire

Illabo was severely impacted from the 2006 New Years Day bushfire with the fire extending to the south of the village, immediately adjacent to the railway line. Whilst the fire was contained to the south of the railway line, it has highlighted the susceptibility of rural areas to bushfire.

In this regard, whilst the possibility of bushfire is always present, it is not considered a matter that should impede the development of a village as long as appropriate controls are put into place and consideration is given to the requirements of the NSW Rural Fire Service in this regard. Council plans do not identify the village and surrounding rural area as a bushfire prone area.

7.3 Geographical Matters

Much of the following information is sourced from Council's Geographic Information System mapping which is based on data and surveys received from relevant authorities. Further information on the relationship of this data to the proposed strategy for the village and consultation with relevant government authorities will provide further information on the following.

7.3.1 Land Class

All **I(a)** zoned land surrounding the village is classified as Class 2 land which is defined as being suitable for regular cultivation. Soil conservation practices include strip cropping, conservation tillage and adequate crop rotation are recommended.

7.3.2 Groundwater

All **I(a)** zoned land immediately surrounding the village is considered to have low to moderate vulnerability.

This low to moderate classification is defined by site investigation with monitoring. Potential risk is indicated by a vulnerability map requiring site investigation and groundwater monitoring. The extent of work required should involve a limited

amount of site investigation, soil and water sampling and testing, definition of flow systems and reporting, in addition to a desk study.

7.3.3 Erosion

All **1(a)** Zoned land surrounding the village is considered to be of minor susceptibility to sheet erosion.

Based on this data the land surrounding the village is not considered to be unsuitable for development.

7.3.4 Topography

The village itself is relatively flat with a slope of 0-1.99%. To the north and north east of the village the topography rises to a slight ridge with a lower land capability. Directly to the south and south east of the village the land is also relatively flat, with land to the north and north east of the village rising gradually to a slight ridge.

7.3.5 Aspect

The village itself has a southern aspect, with land to the immediate east of the village continuing this aspect. Land to the south and south east of the village varies from a predominantly southern to western aspect.

7.4 Contamination

The only known potentially contaminated site within the village is the South West Fuel Depot in Layton Street. This facility is still in use. There is a Council tip located to the south of the village along Eurongilly Road, which has been closed. This site has been covered over and the visual impact removed.

Issue: Council consult further with all relevant public authorities at the time of the preparation of any plan to rezone and develop land to gain further information on any environmental issues and concerns that require consideration.

Five of the **I(a)** zoned lots are currently utilized as a grain storage facility and therefore will not be available for residential development. Buffer issues may become prevalent in this regard and will need to be considered, however to date these have posed no recorded concerns.

The **I(a)** zoned 1000m² lots located between Stratton Street (unformed) and Barnes Street may require restrictions on dwelling entitlements due to their proximity to adjoining agricultural land. A separation between agricultural and residential uses is required and potential land use conflict issues must be negated. Further consideration should be given to the potential of this land for further development in the future.

The immediate opportunity for residential development on the eastern side of Commins Street must be considered with regard to the current agricultural uses directly opposite these lots. This will be further addressed in section (ii).

From the above assessment, the following short and medium term strategy proposals are made with respect to the small **I(a)** zoned lots as shown on Map 6.

Short Term

- a. Rezone lots edged heavy red on Map 6 from 1a General Rural to 2v Village or Urban.***
- b. Acknowledge existing silo complex and identify any relevant buffer requirements applicable to future residential development.***
- c. Investigate the intent of the Department of Lands in regard to their future plans and use for the Crown Land within and adjacent to the village.***
- d. Retain current rating classification to ensure the impact of any rezoning of land does not impose a financial burden on current landowners.***
- e. Investigate the suitability of I(a) zoned land to the south of Stratton Street (unformed), and to the east of Jubilee Street as shown on Map 6 for future rezoning to 2(v) Village or Urban and subsequent development options during the comprehensive review of Council's Local Environmental Plan. This proposal was recommended in the Junee Residential Land Strategy.***
- f. During the comprehensive LEP review, the I(a) zoned lots that form a section of road be delineated on Council's Geographical Information System following consultation with the Department of Lands.***

Proposal 2: Land to the West of Commins Road

On the eastern side of Commins Road existing dwellings front onto land used for agricultural purposes. Lots between Lester Street and Boyton Street are zoned **2(v)** whilst the lots between Stanyer Road and Lester Street are zoned **1(a)** General Rural. At present, dwellings are permitted on the land zoned **2(v)**, however examination of potential conflicts between this residential land and the agricultural activity opposite has not occurred. As the **1(a)** zoned land between Stanyer Road and Lester Street is proposed to be rezoned to acknowledge the residential nature of these lots; the introduction of a buffer between incompatible land uses becomes increasingly pertinent. To achieve this, the rezoning of part of Lot 2 DP 1043524 is proposed as shown on Map 7.

The introduction of this **1(c)** Rural Small Holdings zone is necessary in order to alleviate potential land use conflicts as the future development of the village occurs. It is not intended to rezone land to provide such buffers in any other locations adjacent to the village at this time, but rather to utilise the current lot layout to address these issues in those circumstances.

The Junee Residential Land Use Strategy also proposed rezoning this land to provide a variety of lot sizes, affordability and choice.

The following proposals are made:

- a. **Rezone a 100 meter wide portion of Lot 2 DP 1043524 to the west of Commins Street as shown edged black on Map 7 from 1(a) General Rural to 1(c) Rural Small Holdings to both permit the subdivision of this land for rural residential purposes and provide a buffer between agricultural land uses and the village.**

Map 7 : Proposed Rezoning – Part Lot 2 DP 1043524



- b. **These proposed 1(c) lots to have a minimum size of 0.5 hectares. All lots must have vehicular access from Commins Street only.**

- c. ***Stipulate a building envelope on this land to maintain an adequate distance from dwellings and the rear boundary of future lots. This area is to be suitability vegetated and maintained. This setback is to be determined by Council following assessment.***

Proposal 3: Land to South-East of Railway Line

Council's aim of facilitating the future growth of Illabo places focus on the land immediately south of the railway line. At present, the railway line forms a southern boundary to the zoned village area. Between the railway and Eurongilly Road there exists fragmented **I(a)** zoned lots varying in size from 1000m² to 4 hectares. (refer Map 5).

This land encompasses several significant recreational facilities utilised by the Illabo residents and the local rural community, in addition to existing dwellings and businesses. These include the Illabo Showground and the Illabo Sportsground, the Graincorp Silo/Receival Facility and a Travelling Stock Reserve. The aforementioned landuses are closely linked with the identity of Illabo.

As addressed earlier, the fragmented cadastre and ownership patterns reduce the capacity for this **I(a)** zoned land to be utilised for viable agricultural development typical of the Illabo area. Whilst zoned **I(a)** General Rural, this land is more in keeping with the nature of a small holdings area and it is recommended that this land be utilized for small holdings development to reflect this land use pattern.

In the consideration of this area, several additional factors require consideration, which are discussed below

- Surrounding Agricultural Uses

The approval of any development application for a dwelling on the subject land must ensure that no impediment to the existing broadscale agricultural uses on the land adjoining this area occurs. This will entail the introduction of specific building envelopes and buffer distances. An important consideration of this strategy is to ensure the viability and profitability of existing adjoining agricultural activities is not impeded in any way.

The importance and continued function of the Graincorp Silo and Receival facility is also a consideration in the location of any future dwellings. The potential for dust and noise issues involved with the movement of grain to and from this facility, particularly during harvest are of relevance in this regard.

- Drainage Issues

The Draft Jerelgambeth Creek Flood Study 2011 applies to the small lots to the south of the Graincorp Silo and must be considered when assessing any application for residential development on these lots. The potential for flooding may require a minimum floor level to be set for new dwellings.

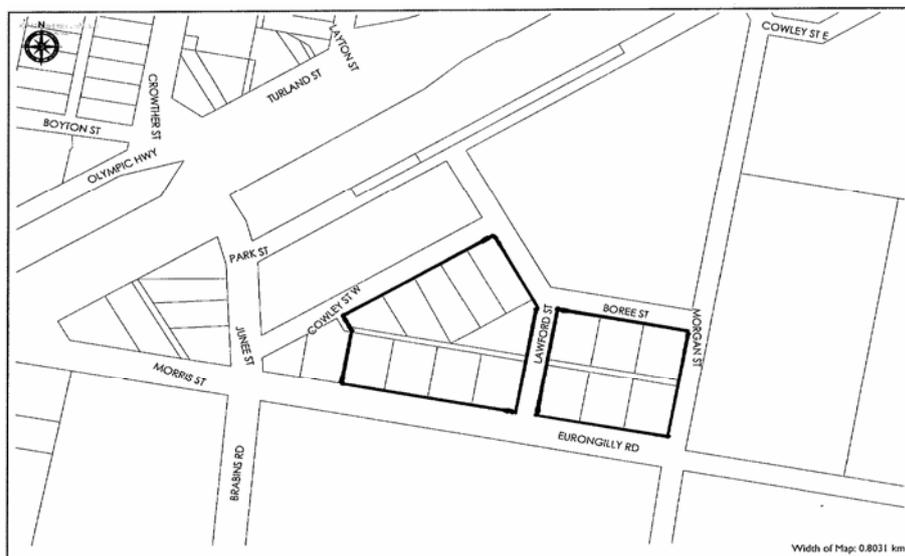
- Vegetation

Some native vegetation exists within the locality which may require retention as part of any development approval.

In regard to the land to the south of the railway line the following strategy proposals are made.

- a. **Council introduce a special provision to permit a dwelling to be erected on each existing lot shown edged heavy black on Map 8.**
- b. **No further subdivision of the land shown edged heavy black on Map 8 be permitted to occur.**
- c. **The findings and recommendations of the Draft Jerelgambeth Creek Flood Study 2011 must be considered in the assessment of any application for development on the lots shown edged heavy black on Map 8.**

Map 8: Land South of Graincorp Silo



- d. **Council introduce a special provision to permit the erection of a dwelling on each existing lot in the area bounded by Morgan Street, Cowley Street East, Showground Road, and Eurongilly Road as shown edged heavy black on Map 9.**

Map 9: Land bounded by Morgan Street, Cowley Street East, Showground Road, and Eurongilly Road



- e. **No development of land to the east of the Illabo Showground for rural small holdings should be permitted to occur in the short term until such time as sufficient demand is determined for further rural small holdings development.**
- f. **That Council delineates and acknowledges the existing community facilities and businesses and their association with the village of Illabo as part of the consideration of these strategy proposals.**
- g. **Council introduce specific buffer requirements and land use considerations that must be undertaken to ensure that no impediment to the function and viability of the existing agricultural land uses and businesses immediately surrounding this area occurs.**

Proposal 4: Development Control Plan No. 3 – Residential Development

As stated in section 2.1 the village of Illabo falls under the provisions of Council's current environmental planning instrument, Junee Local Environmental Plan 1992. The review of Council's current planning instrument will occur in line with the statutory reforms required by the NSW State Government however a date for the commencement of this review has not yet been set.

Further to this LEP, Council has a Development Control Plan (DCP) known as Junee Development Control Plan No.3 – Residential Development. The aim of this plan is to provide further details on the requirements of Council in regard to residential development within the township of Junee in addition to the villages of Bethungra, Illabo and Old Junee.

Provisions under DCP No. 3 cover items such as minimum lot size, setbacks, construction requirements, development of land for commercial, industrial and other non-residential uses, design, access, privacy, infrastructure requirements, landscaping and the like.

Under this DCP a minimum lot size for the purposes of a dwelling is 500sqm, however the DCP further specifies the consideration of a minimum lot size within a village to accommodate on-site septic disposal. This statement is generic only and does not go further into setting an appropriate minimum lot size.

Whilst this plan is detailed and encompassing, it is clearly guided towards the Junee urban area, with little reference or specifics which relate to the different character and development requirement which may be more applicable to the village areas.

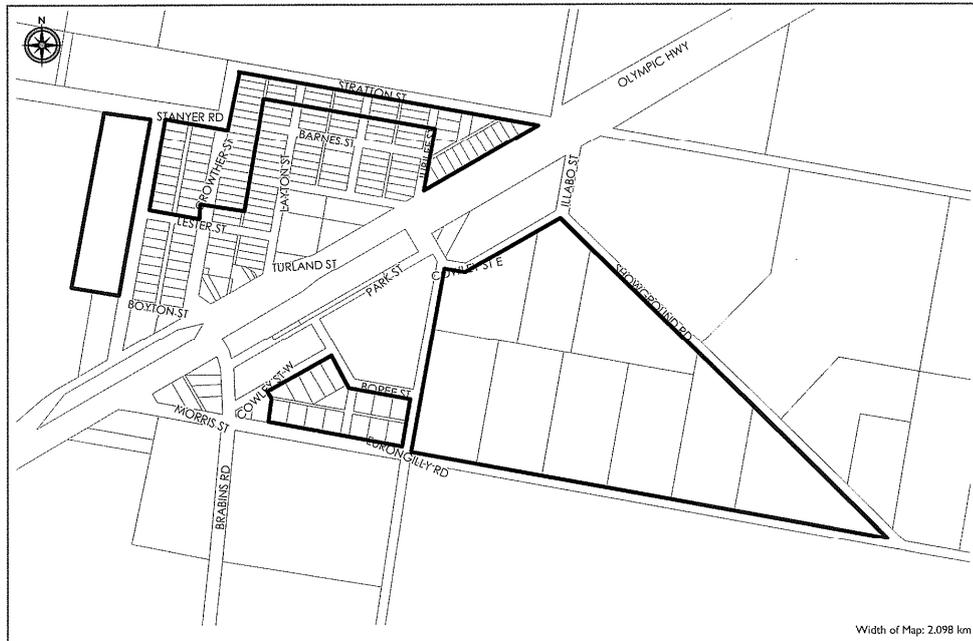
In regard to the above the following strategy proposals are made:

- a. **Council review the current Junee Development Control Plan No. 3 with the aim of developing a local plan that is relevant to the villages within the LGA. Such a plan may relate generically to all villages, or be developed to suit each village in the LGA.**
- b. **The requirements for the provision of on-site wastewater management systems as set out in Development Control Plan No. 20 be complied with to ensure the sustainable long term disposal of on-site sewage and wastewater on all village and rural small holding lots.**

9. OVERVIEW OF SHORT TERM STRATEGY RECOMMENDATIONS

The following map provides an overview of the short term land use proposals immediately within and adjacent to Illabo.

Map 10: Cadastre Plan of Proposed Short Term Strategy Recommendations



Map 11 illustrates the short term strategy recommendations overlaid on an aerial photograph of the village. This further demonstrates the proposed recommendations in relation to the context of the village.

Map 11: Location of Proposed Strategy Recommendations



10. CONCLUSION

From the above assessment a number of proposals have been made regarding the short, medium and long term growth and development of both the village itself and the rural land immediately surrounding the village. The opportunity exists to resolve a number of constraints and issues that are currently impeding the development of the village whilst also highlighting matters that require consideration prior to any approval for development, such as on-site effluent management and adjoining land uses.

The development of this strategy for Illabo will enable Council to put into place the commitment it made as part of its Community Strategic Plan to address the community's desire to see the facilitation for the growth of the village.

Illabo is viewed as a community with accessibility to crucial social and community infrastructure such as a primary school, recreation facilities and businesses that provide goods and services to residents and the surrounding rural community. The existence of this key infrastructure supports justification to promote opportunities to facilitate growth that is both achievable and sustainable.

It is considered that the proposals within this strategy are both appropriate and achievable for the short and long term growth of Illabo and will ensure the sustainability of key facilities and services and aims of Council in this regard.

Appendix D

Report to Council & Resolution

15 November 2011

GENERAL MANAGER'S REPORT TO THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD ON 15 NOVEMBER 2011.

17[DDDES] DRAFT ILLABO VILLAGE STRATEGY

In 2009, the Council commenced the process to amend the Junee LEP 1992 by Amendment No. 6.

The aim of the proposal was to prepare a Draft Junee Local Environmental Plan 1992 (Amendment No. 6) to rezone part of Lot 2 DP 1043524 to the west of Commins Street from 1(a) General Rural to 1(c) Rural Small Holdings. Note: This has been included in the current Planning Proposal as it was identified in the adopted Junee Residential Strategy August 2006. The proposal also sought to:

- a) Introduce a special provision into the plan to permit the erection of a dwelling on each existing lot on land bounded by Crowley Street West, Boree Street, Lawford Street, Morgan Street and Eurongilly Road.
- b) Introduce a special provision into the plan to permit the subdivision of land bounded by Morgan Street, Cowley Street East, Showground Road and Eurongilly Road into lots with a minimum area of two hectares.

The amended Draft Illabo Village Strategy 2011 is attached (Attachment 1) and it is requested that Councillors also refer to this document.

A report concerning this matter was referred to the Council's 20 October 2009 meeting. A copy of the report is attached (Attachment 2). All of the recommendations of the report were adopted by the Council. It is hoped that Resolution Items 1 and 2 will be done as part of the current Planning Proposal to amend the Junee LEP 1992. However, Resolution Items 3 and 4 must now be the subject of a separate Planning Proposal according to the Department of Planning and Infrastructure (DOPI) as they cannot be included in the current Planning Proposal. It can run in parallel with the current Planning Proposal, but as a separate proposal.

History

In discussions with the previous Manager of Planning, it would appear at the time that the Council had applied to the former Department of Planning for funding of \$50 000 under the Planning Reform Fund Round 6. If granted, the funding would have paid for the work required to "roll up" everything into a conversion LEP. However, despite a "wink and nod" from the Regional Office of the former Department of Planning that funding was forthcoming, the Council was, in fact, unsuccessful. The Council did not have the budget to fund the work, nor did it have the staff resources to undertake any strategic planning work as the previous Manager went to a "part-time" working arrangement in late July/early August 2010 and Mrs Nicole Hopkin's work arrangements with the Council had also come to an end.

The Council were only notified of their unsuccessful Planning Reform Fund Round 6 funding in April 2010. Therefore the proposal went no further.

What Do We Do Now?

According to SMEC Consultants, it is not possible to include the proposed Illabo changes in the current Planning Proposal as the Draft Illabo Village Strategy has not been publicly exhibited. Also the proposal will require an amendment to the Junee Residential Strategy 2006, which would also require public exhibition, as it was not included in this Strategy in 2006.

GENERAL MANAGER'S REPORT TO THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD ON 15 NOVEMBER 2011.

It is beyond SMEC's scope of work under the LEP Acceleration Fund project to assist the Council in finalising draft strategies, draft floodplain management plans or amendments to strategies that require separate Council resolution to exhibit as well as separate endorsement from the DOPI under Section 117 Ministerial Directions.

Therefore, the amendment that the Council is seeking at Illabo must be run as a separate Planning Proposal to amend the current Junee LEP 1992, not the Draft LEP 2011. It may or may not be picked up with the Draft LEP 2011, owing to the time frame required for exhibition of the strategies and adoption of the Draft Floodplain Risk Management Study, the latter of which will probably not be adopted by the Council until March 2012.

Land at Illabo

The land at Illabo that we want to be included in the new LEP is land that is referred to as **"Proposal 3: Land to South-East of Railway Line"** beginning on page 24 of the Draft Illabo Village Strategy (Maps 8 and 9 on Page 25). Maps 8 and 9 together with Maps 6 and 7 of the Draft Illabo Village Strategy are the recommended short-term land use proposals immediately within and adjacent to Illabo.

The lots that constitute "Proposal 3" are as follows:

a) **Lots 1, 2, 3, 4 5, 6 Section 14 in DP 758533 bounded by Boree Street, Morgan Street, Lawford Street and Eurongilly Road (Map 8)**

All of the above lots are vacant "existing holdings" and therefore have a dwelling entitlement pursuant to Clause 18 of the Junee LEP 1992. Lot 6 is Crown Land but this should not represent a problem. The Section 14 lots range in size from 1979m² to 2059m².

According to Development Control Plan No. 20 – On-Site Sewage and Wastewater Management, as these lots are below 4000m² in area, any subsequent Development Application for a dwelling will need to be accompanied by a Geotechnical Report/Land Capability Analysis prepared by a suitably qualified and experienced Geotechnical Engineer in accordance with AS/NZS 1547-2000-On-Site Sewage Domestic Wastewater Management. The land application would need to be an evapotranspiration area rather than an absorption trench, under Clause 4.2.1 of DCP No. 20.

Clause 4.2B of the new LEP will continue to allow dwelling entitlements on these lots as they will remain "existing holdings".

b) **Lots 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Section 13, DP758533 bounded by Cowley Street West, Lawford Street and Eurongilly Road (Map 8).**

Lots 3 and 4 are one "existing holding"; Lots 5, 6, 7 and 8 are one "existing holding"; Lots 9 and 10 are one "existing holding", however there is a dwelling on Lot 10 and therefore there are no further dwelling entitlements for this "existing holding"; Lot 11 is an "existing holding" and Lot 12 is also an "existing holding".

The lots range in size from 1255m² to 2141m². The same applies to these lots as the lots in Section 14 as far as on-site effluent disposal is concerned.

GENERAL MANAGER'S REPORT TO THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD ON 15 NOVEMBER 2011.

- c) **Lots 136, 137, 138, 139, 140, 141, 142, 143 and 144, DP751398 bounded by Morgan Street, Cowley Street East, Showground Road and Eurongilly Road (Map 9).**

Lots 136, 137, 140, 141, 142, 143 and 144 constitute one "existing holding". There is a dwelling on Lot 143, and therefore no further dwelling entitlements for any of these lots.

Lot 138 is an "existing holding" and contains a dwelling. Lot 139 is an "existing holding".

The lots range in size from 3.24 hectares to 4.06 hectares.

The lots above are located in the Rural 1(a) Zone. Under the Junee LEP 1992, they cannot be subdivided as the minimum lot size for any subdivided lots is 100 hectares. Under the Draft LEP 2011, it is proposed that this land be zoned RUI Primary Production with a 100 hectare minimum lot size.

Review of Draft Illabo Village Strategy

A review of the Draft Illabo Village Strategy was undertaken by staff. This review has identified required changes to the Draft Illabo Village Strategy that should be made prior to any decision to proceed with the exhibition of the Draft Illabo Village Strategy. These are as follows:

- a) Map 6, Page 21 – Stratton Street

The Draft Illabo Village Strategy 2009 considered land to the north of Stratton Street (unformed) as having the potential for subdivision for small holdings development in the medium term. This was also suggested in the adopted Junee Residential Strategy 2006. Further discussions with Council's Engineering Department have indicated that this area would not be suitable for small holdings development due to runoff and drainage issues. As a result, it is recommended that this area of land be removed from the Draft Illabo Village Strategy as a potential area for future development.

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The other area on Map 6 identified as "Potential 2(v)" has, however, been included in the current Planning Proposal.

- b) Map 8, Page 25

Introduction of a special provision (clause) into Junee LEP 1992 to permit a dwelling entitlement on existing lots in Sections 13 and 14 bounded by Cowley Street West, Lawford Street, Boree Street, Morgan Street and Eurongilly Road is still supported by staff. No further subdivision of these lots will be permitted, but the special provision will allow a dwelling to be erected on each existing vacant lot, not solely on "existing holdings". Therefore, no changes to Map 8 are proposed.

- c) Map 8, Page 25

This includes land bounded by Morgan Street, Cowley Street East, Showground Road and Eurongilly Road.

GENERAL MANAGER'S REPORT TO THE ORDINARY MEETING OF JUNEESHIRE COUNCIL HELD ON 15 NOVEMBER 2011.

It is recommended that the Draft Illabo Village Strategy be amended to only permit the erection of a dwelling on each existing lot bounded by the above streets. The Draft Strategy prepared in 2009 had recommended that Council amend Junee LEP 1992 to permit the subdivision of this land for lots with a minimum area of two hectares and the erection of a dwelling on each lot. As these lots range in size from 3.2 hectares to 4.6 hectares, they are of a size and layout conducive to small holdings development and further subdivision of this land is not warranted. The retention of the existing lot layout with the ability for a dwelling to be erected on each lot would also provide flexibility in the location of future dwellings and ensure that sufficient setback from adjoining agricultural uses to minimise any potential land use conflicts can be achieved.

In regard to the above, if Council wishes to proceed with this recommendation, it is required to amend the resolution from its meeting held on 20 October 2009 which included a decision to prepare a draft plan to permit the subdivision of this land for two hectare development.

d) Flooding

At the time of the compilation of the Draft Illabo Village Strategy in 2009, Council had not yet prepared the Draft Jeralgambeth Creek Flood Study. As this flood study has now been prepared, amendment to the Draft Strategy has been required to bring the document into line with the recommendations of the Draft Flood Study. These amendments have been made where necessary and essentially relate to the need for the Council to consider the findings of the Draft Flood Study in the approval of any residential development, particularly in the area to the south of the Graincorp Silos through to Eurongilly Road.

Review of Junee Residential Strategy 2006

As part of this second Planning Proposal, staff are required to amend Section 13.2 "Illabo" of the Junee Residential Strategy 2006 and to also exhibit this amended section of the Strategy with the Draft Illabo Village Strategy.

Recommendation:

- 1. That the Council resolve to amend the Junee Local Environmental Plan 1992 to introduce a special provision into this plan to permit the erection of a dwelling on each existing vacant lot on land bounded by Cowley Street West, Lawford Street, Boree Street, Morgan Street and Eurongilly Road.**
- 2. That the Council resolve to amend the Junee Local Environmental Plan 1992 to introduce a special provision into this plan to permit the erection of a dwelling on each existing vacant lot on land bounded by Cowley Street East, Showground Road, Eurongilly Road and Morgan Street.**
- 3. That the Council consider the findings and recommendations of the Draft Jeralgambeth Creek Flood Study 2011 in the assessment of any application for development on land bounded by Cowley Street West, Lawford Street, Boree Street, Morgan Street and Eurongilly Road.**

GENERAL MANAGER'S REPORT TO THE ORDINARY MEETING OF JUNEE SHIRE COUNCIL HELD ON 15 NOVEMBER 2011.

4. *That the Council resolve to place on public exhibition for a period of 28 days the amended Draft Illabo Village Strategy and the amendment to Section 13.2 Illabo of the Junee Residential Strategy 2006.*
5. *That the Council endorse the proposed amendments to the Draft Illabo Village Strategy.*
6. *That the Council rescind its resolution from its 20 October 2009 Ordinary Meeting (Resolution Item Number 4) regarding the creation of a special provision to permit the subdivision of land bounded by Cowley Street East, Showground Road, Eurongilly Road and Morgan Street into lots with a minimum area of two hectares.*
7. *That the Council prepare and submit the required Planning Proposal and documentation to the Department of Planning and Infrastructure for their consideration.*

17[DDDES] DRAFT ILLABO VILLAGE STRATEGY

21.11.11 **RESOLVED** on the motion of Cr R Callow seconded Cr N Smith that:

1. *The Council resolve to amend the Junee Local Environmental Plan 1992 to introduce a special provision into this plan to permit the erection of a dwelling on each existing vacant lot on land bounded by Cowley Street West, Lawford Street, Boree Street, Morgan Street and Eurongilly Road.*
2. *The Council resolve to amend the Junee Local Environmental Plan 1992 to introduce a special provision into this plan to permit the erection of a dwelling on each existing vacant lot on land bounded by Cowley Street East, Showground Road, Eurongilly Road and Morgan Street.*
3. *The Council consider the findings and recommendations of the Draft Jeralgambeth Creek Flood Study 2011 in the assessment of any application for development on land bounded by Cowley Street West, Lawford Street, Boree Street, Morgan Street and Eurongilly Road.*
4. *The Council resolve to place on public exhibition for a period of 28 days the amended Draft Illabo Village Strategy and the amendment to Section 13.2 Illabo of the Junee Residential Strategy 2006.*
5. *The Council endorse the proposed amendments to the Draft Illabo Village Strategy.*
6. *The Council rescind its resolution from its 20 October 2009 Ordinary Meeting (Resolution Item Number 4) regarding the creation of a special provision to permit the subdivision of land bounded by Cowley Street East, Showground Road, Eurongilly Road and Morgan Street into lots with a minimum area of two hectares.*
7. *The Council prepare and submit the required Planning Proposal and documentation to the Department of Planning and Infrastructure for their consideration.*

As required under Section 375A of the Local Government Act, the following is the record of voting for this planning matter.

FOR: Cr L Cummins, Cr N Bray, Cr R Callow, Cr A Clinton, Cr R Cuttle, Cr J Macaulay, Cr R MacPherson and Cr N Smith.

AGAINST: NIL

Appendix E

Report to Council & Resolution

17 January 2012

6[DDES] PLANNING PROPOSAL FOR ILLABO

Previous advice from the SMEC Planning Consultant suggested that the Illabo planning amendments were to be dealt with as an amendment to the Junee Local Environmental Plan 1992.

Mr Graham Judge of the Queanbeyan Regional Office of the Department of Planning and Infrastructure (DOPI) has now advised that it is more appropriate for the matter to be included as part of the new Junee Local Environmental Plan 2012 process rather than an amendment to the LEP 1992, as an amendment to the Junee LEP 1992 would overlap the processing of the new LEP 2012 that will repeal the LEP 1992. This would present issues regarding the timing of the amendment to the LEP 1992 and the LEP 2012.

Staff are now busy working on a revised Planning Proposal for the DOPI. The only difference now will be that the nominated areas at Illabo will be rezoned from the new RUI Primary Production Zone to an R5 Large Lot Residential Zone, notwithstanding the fact that the lots in Section 13 and Section 14 will be below the new minimum lot size of 4000 sq metres proposed for the R5 Large Lot Residential Zone.

It is still proposed that each of the existing lots in Section 13 and Section 14 bounded by Cowley Street West, Lawford Street, Boree Street, Morgan Street and Eurongilly Road and existing lots bounded by Morgan Street, Cowley Street East, Showground Road and Eurongilly Road, be given a dwelling entitlement but no further subdivision potential.

An amended Council resolution is therefore required.

Recommendation:

- 1. That the Council resolve to amend the proposed Junee Local Environmental Plan 2012 to permit the erection of a dwelling, but no further subdivision, on each existing vacant lot on land bounded by Cowley Street West, Lawford Street, Boree Street, Morgan Street and Eurongilly Road, Illabo.***
- 2. That the Council resolve to amend the proposed Junee Local Environmental Plan 2012 to permit the erection of a dwelling, but no further subdivision, on each existing vacant lot on land bounded by Cowley Street East, Showground Road, Eurongilly Road and Morgan Street, Illabo.***

6[DDES] PLANNING PROPOSAL FOR ILLABO

07.01.12 **RESOLVED** on the motion of Cr P Holdsworth seconded Cr N Smith that:

1. *The Council resolve to amend the proposed Junee Local Environmental Plan 2012 to permit the erection of a dwelling, but no further subdivision, on each existing vacant lot on land bounded by Cowley Street West, Lawford Street, Boree Street, Morgan Street and Eurongilly Road, Illabo.*
2. *The Council resolve to amend the proposed Junee Local Environmental Plan 2012 to permit the erection of a dwelling, but no further subdivision, on each existing vacant lot on land bounded by Cowley Street East, Showground Road, Eurongilly Road and Morgan Street, Illabo.*

As required under Section 375A of the Local Government Act, the following is the record of voting for this planning matter.

FOR: Cr L Cummins, Cr N Bray, Cr R Callow, Cr A Clinton, Cr R Cuttle, Cr P Holdsworth, Cr J Macaulay, Cr R MacPherson and Cr N Smith.

AGAINST: NIL

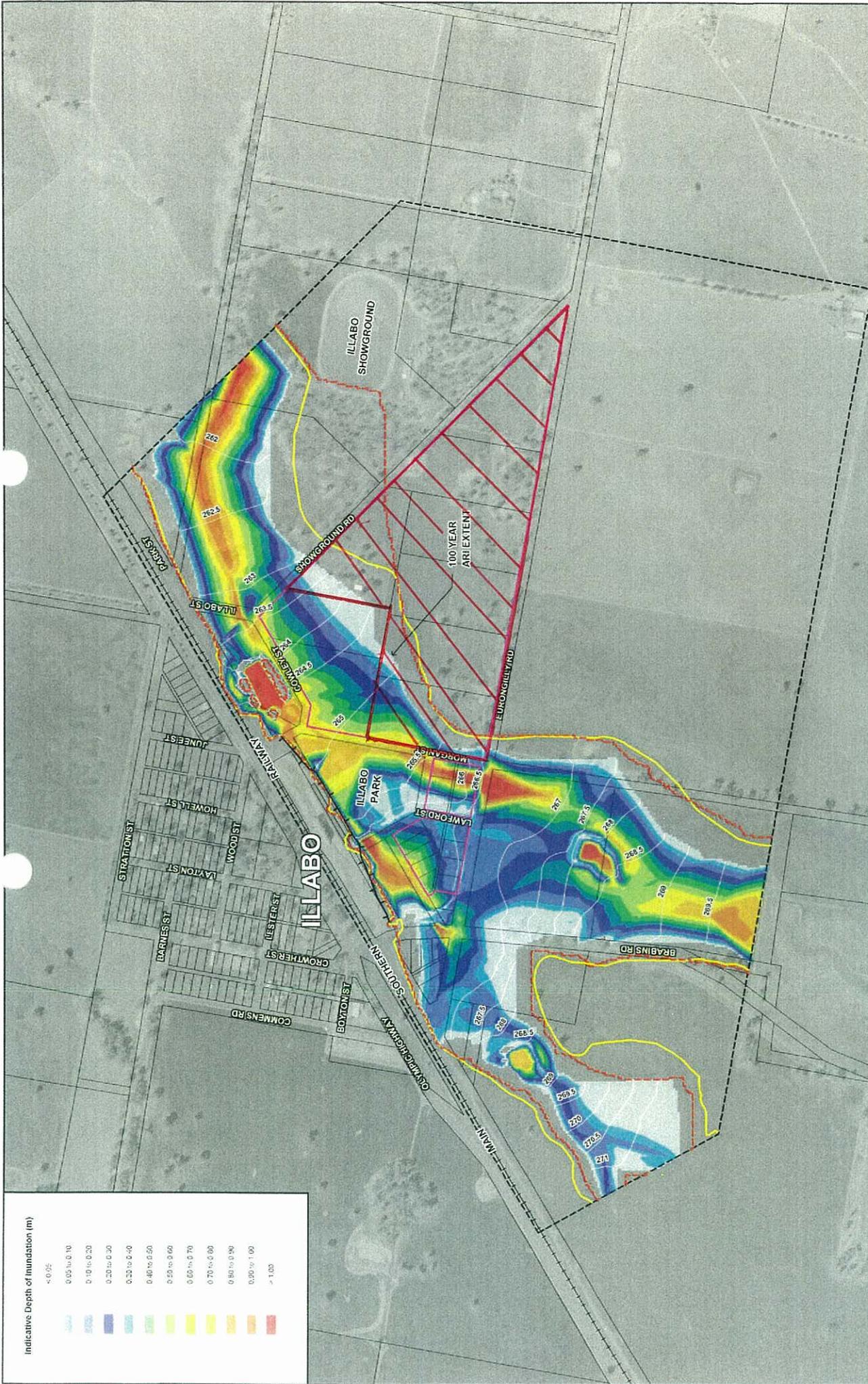
Appendix F

Map Showing Indicative Extents of Inundation

**JERALGAMBETH CREEK AT ILLABO
FLOODPLAIN RISK MANAGEMENT STUDY**

Figure 2.3

INDICATIVE EXTENTS OF INUNDATION



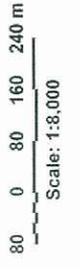
Indicative Depth of Inundation (m)

< 0.05
0.05 to 0.10
0.10 to 0.20
0.20 to 0.30
0.30 to 0.40
0.40 to 0.50
0.50 to 0.60
0.60 to 0.70
0.70 to 0.80
0.80 to 0.90
0.90 to 1.00
> 1.00

LEGEND

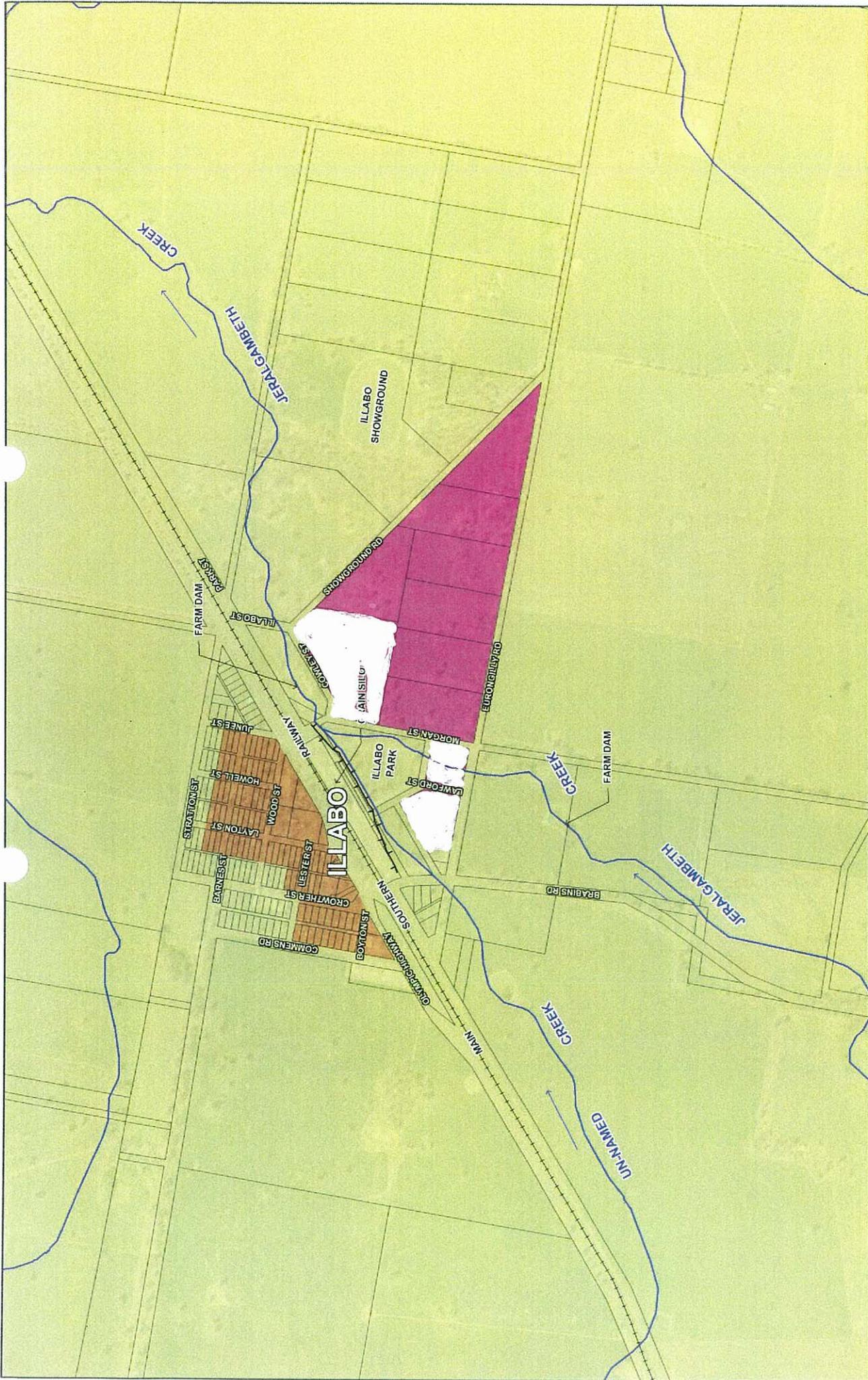
- Two Dimensional Model Boundary
- Peak Water Surface Elevation
- Contour (m AHD) - 100 Year ARI
- Boundary of Area Subject to Council's Planning Proposal for **feathering** (Proposed RS Large Lot Zone)
- Extent of Flood Planning Area (100 Year ARI + 500 mm)
- Extent of PMF
- Levee

NOTE
THE EXTENTS OF INUNDATION SHOWN WERE DETERMINED FROM SURVEYED CROSS SECTIONS OF THE CREEK AND FLOODPLAIN AND AVAILABLE DATA AND ARE APPROXIMATE ONLY. THE EXTENT OF INUNDATION OF INDIVIDUAL ALLOTMENTS SHOULD BE DETERMINED BY A SITE SPECIFIC SURVEY.



Appendix G

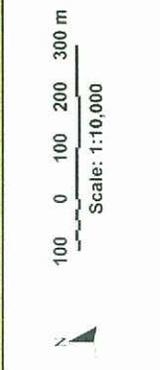
Map Showing the Area Under Consideration for the Rezoning



**JERALGAMBETH CREEK AT ILLABO
FLOODPLAIN RISK MANAGEMENT STUDY**

Area subject to Council's Planning Proposal for Rezoning (Proposed R5 Large Lot Zone)

- LEGEND**
- Area subject to Council's Planning Proposal for Rezoning (Proposed R5 Large Lot Zone)
 - Zone 1A - General Rural
 - Zone 2V - Village
 - Levee
 - Existing Residence



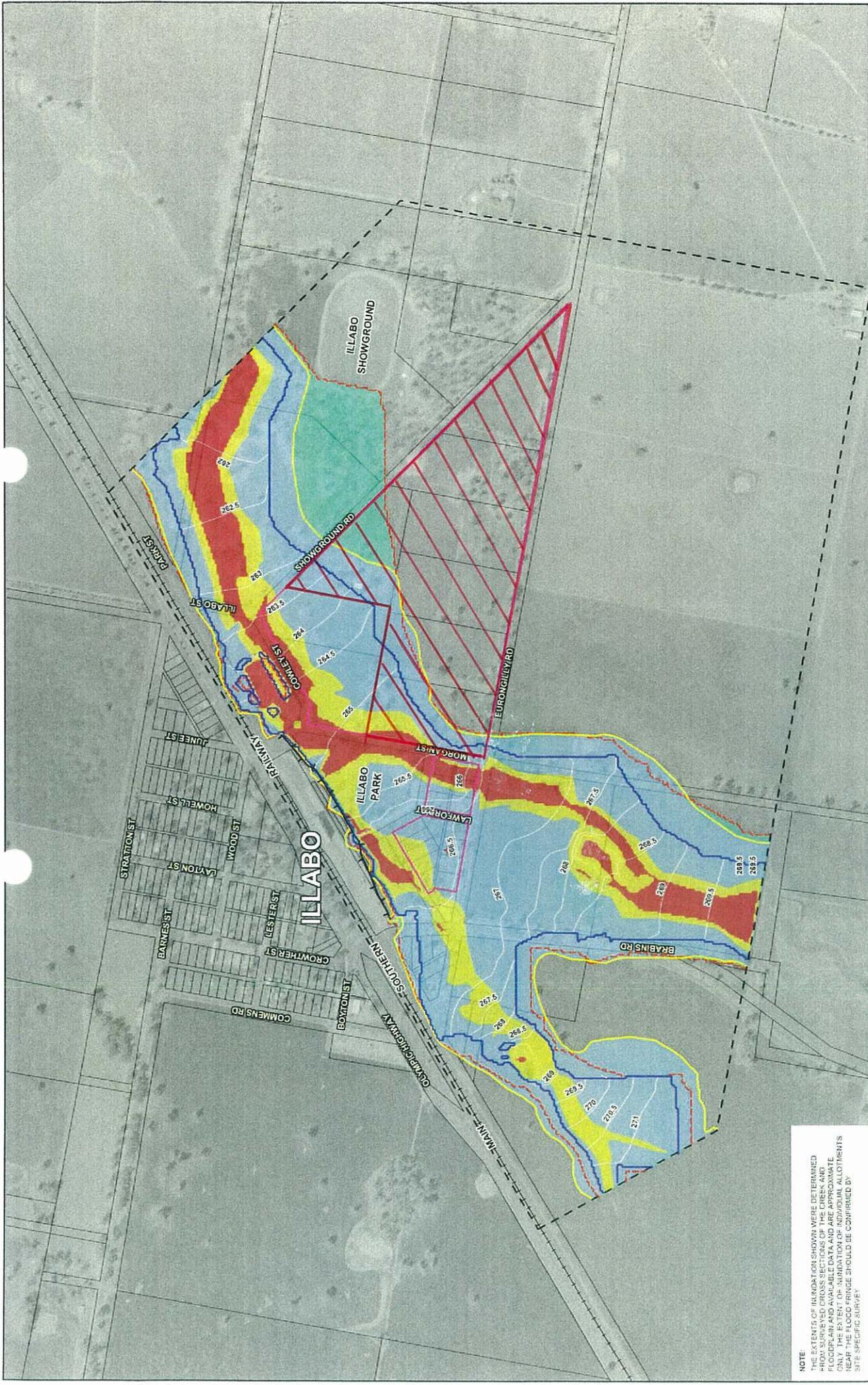
Appendix H

Map Showing the Floodway – Flood Planning Area

**JERALGAMBETH CREEK AT ILLABO
FLOODPLAIN RISK MANAGEMENT STUDY**

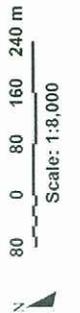
Figure 2.6

FLOODWAY - FLOOD PLANNING AREA



- LEGEND**
- High Hazard Floodway
 - Low Hazard Overland Flowpath
 - Intermediate Floodplain
 - Outer Floodplain
 - Extent of Hydraulic Modelling
 - Extent of 100 Year ARI
 - Extent of Flood Planning Area (100 Year ARI + 500 mm)
 - Existing Residence
 - Boundary of Area Subject to Council's Planning Proposal for Rezoning (Proposed RP Large Lot Zone)
 - Levee
 - Extent of PMF
 - Peak Water Surface Elevation Contour (m AHD)

NOTE:
THE EXTENTS OF INUNDATION SHOWN WERE DETERMINED FROM SURVEYED CROSS SECTIONS OF THE CREEK AND CONTOUR DATA. THE EXTENT OF INUNDATION IS BASED ON THE EXTENT OF INUNDATION OF INDIVIDUAL ALLOTMENTS NEAR THE FLOOD FRINGE SHOULD BE CONFIRMED BY SITE SPECIFIC SURVEY



Appendix I

Copy of Gateway Determination for Illabo Planning Proposal

Gateway Determination

Planning Proposal (Department Ref: PP_2012_JUNEE_002_00): to rezone land in the village of Illabo from RU1 Primary Production Zone to R5 Large Lot Residential Zone and to reduce the minimum lot size of the subject land

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the draft Junee Local Environmental Plan 2012 to rezone land in Illabo Village from RU1 Primary Production Zone to R5 Large Lot Residential Zone and to reduce the minimum lot size from 100ha to 1250sq.m and 3ha should proceed subject to the following conditions:

1. The planning proposal has not justified the need to rezone flood prone land for additional housing supply. Therefore, Council is to amend the planning proposal to only rezone those lots that are flood free (i.e. 138, 139, 140, 141, 142, 143 and 144 DP 751398) to R5 Large Lot Residential with a 3ha minimum lot size. Council is to revise the planning proposal to remove the remaining flood prone lots and amend the LEP Map sheets and provide a copy to the Department's Regional Office prior to the commencement of community consultation
2. 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)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage
 - NSW Department of Primary Industries – Agriculture
 - Department of Trade and Investment
 - Transport for NSW – Railcorp
 - Goldfields Water County Council
 - Department of Industry and Investment – Crown Lands

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.

4. 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).



Planning & Infrastructure

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

Dated 12th day of April 2012.


Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure