

Amend Temora LEP 2010 - 74 Ashelford Street - R1 General Residential Zone (750m2 MLS)

Proposal Title : **Amend Temora LEP 2010 - 74 Ashelford Street - R1 General Residential Zone (750m2 MLS)**

Proposal Summary : **Temora Shire Council seeks to amend Temora Local Environmental Plan 2010 to rezone 74 Ashelford Street, Temora (Lot 100 DP 1098642) from RU1 Primary Production Zone (100 ha minimum lot size) to R1 General Residential Zone (750 m2 minimum lot size).**

PP Number : **PP_2011_TEMOR_001_00** Dop File No : **11/20738-1**

Proposal Details

Date Planning Proposal Received : **21-Nov-2011** LGA covered : **Temora**

Region : **Southern** RPA : **Temora Shire Council**

State Electorate : **MURRUMBIDGEE** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **Ashelford**

Suburb : **Temora** City : **Temora** Postcode : **2666**

Land Parcel : **Lot 100 DP 1098642**

DoP Planning Officer Contact Details

Contact Name : **Graham Judge**

Contact Number : **0262297906**

Contact Email : **graham.judge@planning.nsw.gov**

RPA Contact Details

Contact Name : **Kris Dunstan**

Contact Number : **0269801100**

Contact Email : **kdunstan@temora.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Graham Towers**

Contact Number : **0242249450**

Contact Email : **graham.towers@planning.nsw.gov.au**

Land Release Data

Growth Centre : **N/A** Release Area Name : **N/A**

Regional / Sub Regional Strategy : **N/A** Consistent with Strategy : **N/A**

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MDP Number :	Date of Release :	
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots : 2	No. of Dwellings (where relevant) :	0
Gross Floor Area : 0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : Council has submitted a planning proposal prepared by planning consultant Anthony Newland acting on behalf of the land owner. Council resolved to adopt the planning proposal at its meeting 18 August 2011.

Council advised the Department that they were having difficulty in getting GIS resources to prepare the draft LEP Maps. The amending LEP maps were subsequently prepared by the Department's GIS section on behalf of Council.

The planning proposal was received by the Department on the 21 November 2011.

External Supporting Notes : Lot 100 DP 1098642 has an area of 1,850 m2 and is located on Ashelford Street, on the south eastern part of Temora township.

The land contains two dwellings and is serviced by Council's reticulated water and sewerage supply.

Detached dwelling houses are on adjoining lots to the east and west. Rural land is located to the south.

The land is not identified as flood prone on the Temora LEP 2010 Flood Prone Area Map.

Adequacy Assessment**Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? **Yes**

Comment : The PP clearly states that the objective of the PP is to seek rezoning of the subject land to R1 General Residential Zone and 750m2 minimum lot size.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The PP explains that the proposal will require an amendment to the Land Zoning Map sheet LZN__004G and the Lot Size Map sheet LSZ__004G.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA : **1.2 Rural Zones**

* May need the Director General's agreement **1.5 Rural Lands**

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **SEPP (Rural Lands) 2008**

e) List any other **No other matters to be considered**
matters that need to
be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **The site has an area of 1,850 m2 and is used for residential land use. The inconsistencies with s117 Direction 1.2 Rural Zones and 1.5 Rural Lands have been justified.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Council has submitted two amending maps sheets and an amending Map Cover Sheet; LZN_004G dated 8/11/2011
LSZ_004G dated 8/11/2011
Both maps were prepared by the Department's GIS unit on behalf of Council.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The PP recommends that the proposal be exhibited for 14 days and Council consult with the following agencies;
-Goldenfields Water,
-Essential Energy.
-Australian Rail Track Authority
-NSW Roads and Traffic Authority
-NSW Office of Environment and Heritage.**

As the dwellings exist and the proposal has no impact, it is considered that consultation with these agencies is not necessary.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **June 2010**

Comments in relation to Principal LEP : **The Temora Standard Instrument LEP was published on the 11 June 2010.**

Assessment Criteria

Need for planning proposal : **The PP will rezone residential land from RU1 Primary Production Zone (100 ha MLS) to R1 General Residential Zone (750 m2). The PP will enable the land owner to seek approval from Council to subdivide the land into two lots and separate the two dwellings currently located on the site.**

Consistency with strategic planning framework : **The site is currently used for residential purposes and serviced with water and sewerage supply. Its use is consistent with the objectives of the R1 General Residential Zone. The amendment is not inconsistent with Council's land use strategy.**

Environmental social economic impacts : **There are no likely adverse environmental, social or economic impacts as a result of the amendment and or from the future subdivision of the land into two lots.**

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 Month** Delegation :

Public Authority Consultation - 56(2)(d)

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **The PP is a minor amendment to Temora LEP 2010.**

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

N/A

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
covering letter.pdf	Proposal Covering Letter	No
Planning Proposal.pdf	Proposal	No
7350_COM_LSZ_004G_010_20111108.pdf	Map	No
7350_COM_LZN_004G_010_20111108.pdf	Map	No
Site_Location_Lot_100.pdf	Photograph	No
7350_COM_MCS_20111108.pdf	Map	No
Council_resolution_20110818.pdf	Proposal	No

Planning Team Recommendation

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

S.117 directions: **1.2 Rural Zones**
1.5 Rural Lands

Additional Information : **1. 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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 14 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).

2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

3. 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).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons : **1. The Planning Proposal is considered to be of low impact**
2. The timeframe for completing the project takes into account the Christmas/New Year holiday period.

Signature:

Graham Towers A/Local Planning Manager.

Printed Name:

Graham Towers

Date:

25/11/11.