

12.4 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL AMENDMENT 11 - REZONE RU1 PRIMARY PRODUCTION ZONE TO R5 LARGE LOT RESIDENTIAL ZONE, LOT 24 DP 756961, 7 RIVER ROAD DARETON AND BACKZONE R5 LARGE LOT RESIDENTIAL ZONE TO RU1 PRIMARY PRODUCTION ZONE, PART LOT 7321 DP 1178721, RIVER ROAD, DARETON

File Number: RPT/16/893

Responsible Officer: Ken Ross - Director, Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Michele Bos - Strategic Development Officer

Delivery Program Objective: 2. Growth & Development

Delivery Program Strategy: 2.3 Encourage land development and housing construction

Summary

Council, at its meeting held 17 February 2016, resolved to submit a Planning Proposal to the Department of Planning and Environment for consideration of a Gateway Determination to rezone 7 River Road, Dareton from RU1 Primary Production to R5 Large Lot Residential zone, with a minimum lot size of 3,000 square metres.

A Gateway Determination was issued by the Department on 14 March 2016. The conditions imposed on the Gateway Determination have been acted upon and complied with and as such, the planning proposal has now progressed to the stage of being submitted to Parliamentary Counsel for Opinion, and the Department of Planning and Environment for finalisation and notification.

Options

- Seek an Opinion for Planning Proposal Amendment No 11 from Parliamentary Counsel, and
- Submit the Planning Proposal Amendment No 11 to the Department of Planning & Environment for finalisation and notification.

Recommendation

That Council seeks an Opinion for Planning Proposal Amendment No 11 to the Wentworth Local Environmental Plan 2011 from Parliamentary Counsel.

That Council submits the Planning Proposal Amendment No 11, including the Parliamentary Counsel Opinion, to the Department of Planning and Environment for finalisation and notification of the amendment to the Wentworth Local Environmental Plan 2011, in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.

Detailed Report

Purpose

The purpose of this report is to seek Council approval to progress to the final stage of the amendment process by submitting Planning Proposal Amendment No 11 to Parliamentary Counsel for Opinion, and then to the Minister of the Department of Planning and Environment (the Department) for finalisation and notification of the amendment on the legislative website.

Background

The subject site is located on the corner of River and Yanco Roads, Dareton. The planning proposal will rezone the site from RU1 Primary Production zone to R5 Large Lot Residential

zone and amend the minimum lot size from 10,000 hectares to 3,000 square metres. This will allow the future subdivision of the land into five lots, all with access to power, telecommunications, water, sewer and a sealed road.

Matters under consideration

Consistent with the planning proposal report submitted to the Department, the Gateway Determination included a condition that the planning proposal must include the back zoning of an additional parcel of land, from R5 Large Lot Residential to RU1 Primary Production zone.

This area of land, comprising approximately 23.8 hectares with a minimum lot size of 5,000 square metres, is Crown land and located approximately three kilometres south of Dareton on River Road.

Refer to Attachment 1 Proposed back zone map.

The amendment maps are currently being created to show both sites to be rezoned with the applicable minimum lot sizes, in compliance with the Gateway Determination.

In accordance with the Gateway Determination, community consultation was conducted for 28 days from 4 June 2016 to 1 July 2016.

At the close of the consultation period, Council had received two submissions in support of the planning proposal.

Submission 1 was received from a local resident and business person. This submission commended the rezoning proposal due to;

- the decline in horticulture activities in the area, and
- the development will satisfy the growing demand for large lot residential development in Dareton.

Consultation was also required with Department of Primary Industries – Lands, allowing this Department 21 days to comment on the proposal.

Submission 2 was received from the Department of Primary Industries – Lands. The submission stated;

- no objection to rezoning Lot 24 in DP 756961 to R5 Large Lot Residential zone, and
- support of the rezoning of part Lot 7321 DP 1178721 to RU1 Primary Production zone.

All conditions of the Gateway Determination dated 14 March 2016 have been satisfactorily completed.

Options

Based on the information contained in this report, the options available to address this matter are to;

- seek an opinion for Planning Proposal Amendment No 11 from Parliamentary Counsel, and
- submit Planning Proposal Amendment No 11 to the Department of Planning and Environment for finalisation and notification.

Implications

The decision item has the following implications for Council:

The options contained in this report facilitate the progression of the planning proposal to the Department for completion and notification of the amendment on the legislative website.

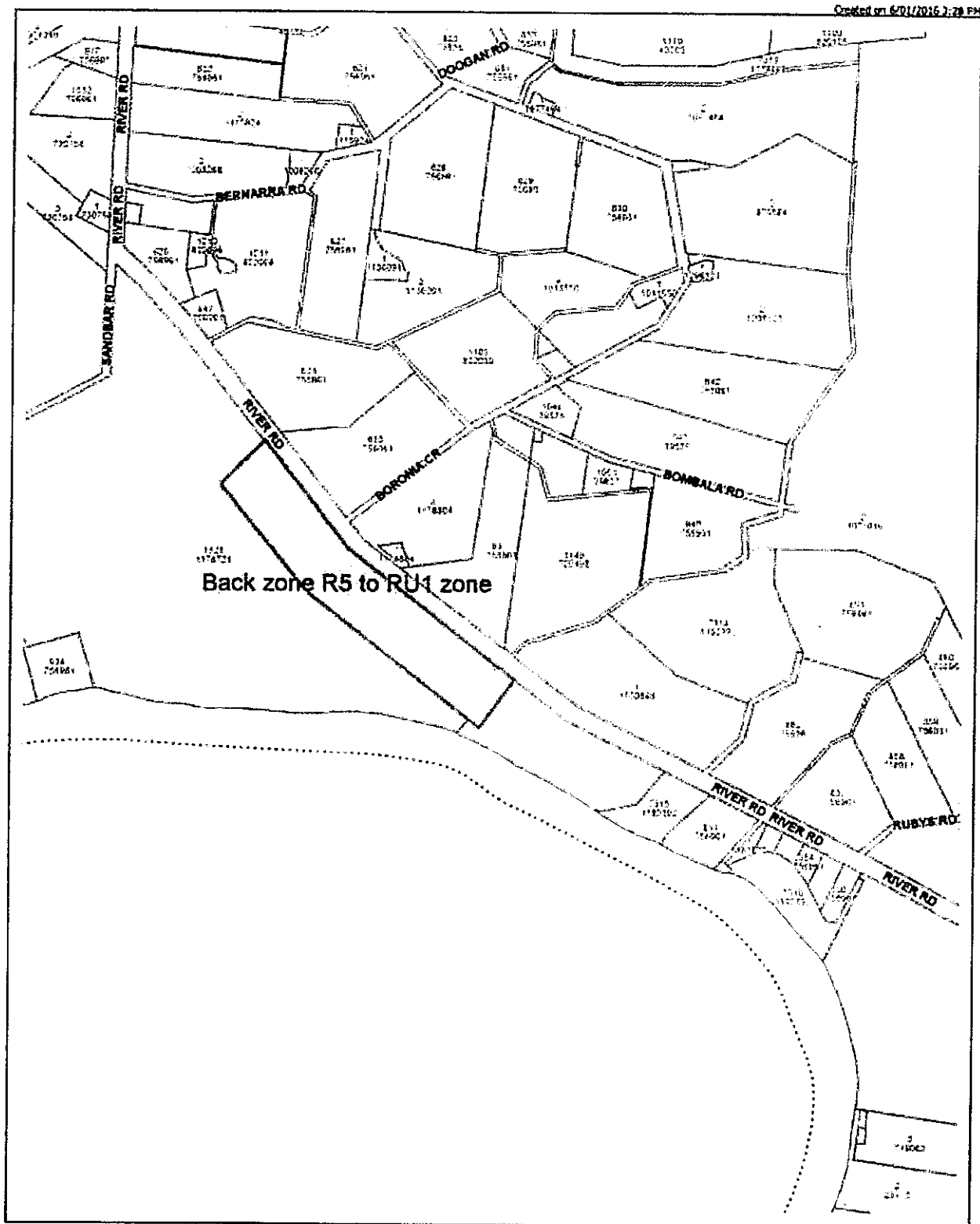
There are no financial implications for Council.

Conclusion

It is necessary for Council to endorse the recommendations of this report to allow for the planning proposal to progress to the Department for finalisation and notification. This will then allow the proponent the opportunity to continue with the development of the site to provide large rural residential lots adjacent to the town of Dareton.

Attachments

1. Proposed Back Zone Map.



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[illegible]

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**Planning Proposal to
backzone R5 to RU1
zone**

Map Scale: 1:17077 at A4

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Council Resolution

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Moved Councillor P Nunan, Seconded Councillor D McKinnon

CARRIED

In accordance with Section 375A of the Local Government Act the Mayor called for a division.

*For the Motion : Crs B Clarke, P Cohrs, M Hederics, D McKinnon, P Nunan,
B Wakefield, Bill Wheeldon and I Whitfield.*

Against the Motion: Nil.