

Wentworth LEP Amendment - Dareton - Rezone RU1 land to R5

Proposal Title : **Wentworth LEP Amendment - Dareton - Rezone RU1 land to R5**

Proposal Summary : **Council is seeking to amend Wentworth Local Environmental Plan 2011 to rezone RU1 Primary Production land to R5 Large Lot Residential zone with a minimum lot size of 3,000sqm on Lot 24 DP 756961 on Yanco Road, Dareton.**

PP Number : **PP_2016_WENTW_001_00** Dop File No : **16/04069**

Proposal Details

Date Planning Proposal Received :	07-Mar-2016	LGA covered :	Wentworth
Region :	Western	RPA :	Wentworth Shire Council
State Electorate :	MURRAY DARLING	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	Yanco Road		
Suburb :	Dareton	City :	Wentworth
		Postcode :	2648
Land Parcel :	Lot 24 DP 756961 to be upzoned from RU1 to R5 with 3,000sqm MLS.		
Street :			
Suburb :		City :	
		Postcode :	
Land Parcel :	Lot 7321 DP 1178721 to be back zoned from R5 to RU1 as Gateway condition 1.		

DoP Planning Officer Contact Details

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RPA Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A
MDP Number :		Date of Release :	
Area of Release (Ha) :	1.74	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	0	No. of Dwellings (where relevant) :	5
Gross Floor Area :	0	No of Jobs Created :	0

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

If No, comment : **There have been no known meetings with registered lobbyists.**

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

If Yes, comment : **There have been no known meetings with registered lobbyists.**

Supporting notes

Internal Supporting Notes : **Council intended to back zone some current R5 land in Dareton to RU1 in a separate planning proposal, however this has been included as Condition 1 of the Gateway determination.**

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

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

Comment : **The planning proposal seeks to provide 1.74ha of new R5 Large Lot Residential land with a minimum lot size of 3,000sqm in the locality of Dareton.**

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

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

Comment : **The planning proposal seeks to amend the relevant Lot Size and Land Zone maps.**

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**

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Is the Director General's agreement required? **No**

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

d) Which SEPPs have the RPA identified? **SEPP No 55—Remediation of Land
SEPP (Rural Lands) 2008**

e) List any other matters that need to be considered : **The land has previously been used for agriculture and as such potential land contamination needs to be investigated under SEPP 55 Remediation of Land. This may be done as part of Council's development assessment process.**

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

If No, explain : **Inconsistencies with s117 Directions are minor in nature.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Clearly identifies land to be rezoned to R5.
Current R5 land intended to be rezoned to RU1 is also clearly identified.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **28 days.**

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 : **Planning proposal is adequate.**

Proposal Assessment

Principal LEP:

Due Date : **December 2011**

Comments in relation to Principal LEP : **Wentworth LEP was notified on 16 December 2011.**

Assessment Criteria

Need for planning proposal : **The planning proposal is the appropriate mechanism through which the LEP may be amended to facilitate the proposed rezoning.**

Consistency with strategic planning framework : **There is no current strategic land use plan applicable to the area. Council needs to complete its comprehensive land use strategy including rural land.**

Environmental social economic impacts : **Rezoning the proposed land for R5 will have a low environmental impact as the land is already disturbed from historical agricultural uses.**

There may be some positive social and economic impacts in providing R5 land closer to town in Dareton as this will reduce infrastructure provision costs for the development and encourage the servicing of development.

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There are other R5 zoned areas surrounding Dareton which may fill future demand for large lot residential development further out of town. Council has not provided information regarding interest or uptake in R5 land in Dareton, apart from stating that the land owner of the land to be upzoned as part of this planning proposal has been approached by "interstate visitors wanting to buy large lot residential lots for immediate development purposes".

Assessment Process

Proposal type :	Consistent	Community Consultation Period :	28 Days
Timeframe to make LEP :	9 months	Delegation :	RPA
Public Authority Consultation - 56(2)(d) :	Other		

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

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

If no, provide reasons : **Subject to consultation with "NSW DPI - Lands" in relation to the proposed rezoning of crown land from R5 to RU1.**

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

If Yes, reasons :

Identify any additional studies, if required, :

If Other, provide reasons :

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
PlanningTeamReport.pdf	Study	No
Gateway Determination Planning Proposal.pdf	Proposal	No
Planning Proposal Attachments 1.pdf	Proposal	No
Planning Proposal Attachments 2.pdf	Proposal	No
Council Report & Resolution.pdf	Proposal	No
Current R5 zone land in Dareton.pdf	Proposal	No
Dareton Planning Proposal Cover Letter.pdf	Proposal Covering Letter	No
Delegated Plan Making Reporting template.docx	Proposal	No
Evaluation_criteria_for_the_delegation_of_plan_.doc	Proposal	No
Initial request for Gateway Determination - Pearce.pdf	Proposal	No
Proposed Back Zoning Map.pdf	Map	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. The land known as part Lot 7321 DP 1178721, Dareton, that is currently Zone R5 Large Lot Residential, is to be rezoned to RU1 Primary Production with a minimum lot size of 10,000ha. This is to be reflected on the relevant Land Zone and Lot Size maps.**

2. Community Consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:

- (a) the planning proposal must be made publicly available for a minimum of 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).**

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

- (a) Department of Primary Industries - Lands.**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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 nine (9) months from the week following the date of the Gateway determination.

Supporting Reasons : **The proposed rezoning of the identified land to R5 Large Lot Residential is a sound planning outcome in conjunction with the rezoning of current (less suitable) R5 land to RU1. The rezoning will meet the immediate development interest Council has indicated there is for large lot residential land close to town in Dareton.**

Signature:



Printed Name:

Megan Tone

Date:

9/3/16.

