

Bland LEP 2011 - Rezoning of 37 Lots in Neeld Street, Wyalong from B6 to R1

Proposal Title :	Bland LEP 2011 - Rezoning of 37 Lots in Neeld Street, Wyalong from B6 to R1		
Proposal Summary :	To amend the Bland Local Environmental Plan 2011 to rezone Lots 11 - 20 Section 36 DP 759123, Lots 1 - 7 Section 37 DP 759123, Lots 1 - 10 Section 48 DP 759123 and Lots 11 - 20 Section 49 DP 759123, Neeld Street, Wyalong, from B6 - Enterprise Corridor to R1 - General Residential.		
PP Number :	PP_2013_BLAND_001_00	Dop File No :	13/20577

Planning Team Recommendation

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

S.117 directions : **1.1 Business and Industrial Zones**

Additional Information : **That Gateway determine and support the Planning Proposal, subject to the following conditions:**

1. Proceed and finalise the planning proposal within 9 months of the Gateway Determination date.
2. Community and agency consultation to occur for a minimum of 28 days.
3. Council is to prepare amended maps which are at an appropriate scale and clearly identify the subject land for the Section 59 submission that are compliant with the Departments Standard technical requirements for LEP maps. The following maps are to be amended:
 - Land Zoning Map (LZN_007F); and
 - Lot Size Map (LSZ_007F)
4. Council is to request the drafting and finalisation of the amendment no later than 6 weeks prior to the projected making of the amendment date.
5. Consult with Roads and Maritime Services, given the land is adjacent to the Newell Highway.
6. Consult with NSW Office of Environment and Heritage.
7. Authorise Bland Shire Council to utilise delegations to finalise the Planning Proposal.

Supporting Reasons : **The proposed R1 zoning is considered more appropriate to the site which is comprises predominantly residential land uses, and the B6 zoning is not conducive to commercial growth, due to the small number of vacant allotments which could potentially be developed for commercial enterprises.**

The existing commercial activities will continue to enjoy existing use rights from their current approval as a result of the change in zoning.

Panel Recommendation

Recommendation Date :	24-Jan-2014	Gateway Recommendation :	Passed with Conditions
Panel Recommendation :	The planning proposal should proceed subject to the following conditions: 1. Prior to undertaking public exhibition, Council is to update the planning proposal to include a land application map, which is at an appropriate scale and clearly identifies the subject lots in the context of the surrounding area.		

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 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).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Office of Environment and Heritage
- Transport for NSW – Roads and Maritime Services

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.

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).

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

Plan making delegation:

The Minister delegated his plan making powers to councils in October 2012. Council has requested to be issued with delegation for this planning proposal. Council should be issued with plan making delegation because the proposal is considered to be a matter of local planning significance.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

29/1/14