



Planning Proposal

Neeld Street, Wyalong

EXECUTIVE SUMMARY

This planning proposal seeks to amend the Bland Local Environmental Plan 2011 to rezone Lots 11 to 20 Section 36 DP759123, Lots 1 to 7 Section 37 DP759123, Lots 1 to 10 Section 48 DP759123 and Lots 11 to 20 Section 49 DP759123, Neeld Street, from B6 Enterprise Corridor to R1 General Residential. The total area subject to the rezoning is 3.75 hectares and consists of 37 lots with an approximate size of 1012 square metres. The following table is a breakdown of the land uses currently undertaken on the land subject to the planning proposal:

Land Use	No of Lots
Dwelling House	24
Vacant Land	7
Vehicle Repair Station	2
Garden Centre	2
Storage Shed (ancillary to Vehicle Repair Station)	1
Dual Occupancy	1

The land subject to the planning proposal is serviced by reticulated water and sewer, gas, electricity and telecommunication services. The subject lots have frontage to the Newell Highway (Neeld Street) and are kerbed and guttered. The land is considered suitable for development for the purposes of residential development.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objectives and intended outcomes of the planning proposal are:

- To rezone land known as Lots 11 to 20 Section 36 DP759123, Lots 1 to 7 Section 37 DP759123, Lots 1 to 10 Section 48 DP759123 and Lots 11 to 20 Section 49 DP759123, Neeld Street, Wyalong (as outlined in red in Figure 1 in Section 5 of this report) to reflect the current use of the land.
- To rezone the subject land from B6 Enterprise Corridor to R1 General Residential as the existing character and lot size is not considered suitable for commercial development.

PART 2 – EXPLANATION OF PROVISIONS

The proposed outcome as stated above will be achieved on completion of the following actions:

- amendment to Map LZN_007F pertaining to Lots 11 to 20 Section 36 DP759123, Lots 1 to 7 Section 37 DP759123, Lots 1 to 10 Section 48 DP759123 and Lots 11 to

20 Section 49 DP759123, Neeld Street, from B6 Enterprise Corridor to R1 General Residential.

- Amendment to Map LSZ_007F pertaining to Lots 11 to 20 Section 36 DP759123, Lots 1 to 7 Section 37 DP759123, Lots 1 to 10 Section 48 DP759123 and Lots 11 to 20 Section 49 DP759123, Neeld Street from not applicable to 500 square metres.

PART 3 – JUSTIFICATION

Section A – Need for the Planning Proposal

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

The planning proposal is not the result of any planning study or report. The planning proposal has resulted because the current zoning is not compatible with the existing predominant land use. It is considered necessary to rezone the land to ensure the orderly development of land within West Wyalong and Wyalong. The current zoning prohibits development as the land is not considered suitable for commercial development.

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

Rezoning is considered to be the most appropriate means in which to achieve the objectives and intended outcomes. A planning proposal is required to rezone land and to comply with the requirements under the Environmental Planning and Assessment Act 1979.

Section B – Relationship to Strategic Planning Framework

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

There are no applicable regional strategies prepared or endorsed by the Department of Planning and Infrastructure that affect the Bland Local Government Area and accordingly an assessment of the site specific merit is detailed below:

Site Specific Merit

Natural Environment

- The subject land is located within an area that is predominantly developed with residential dwellings. There are no significant views or vistas from the site and there have been threatened species of flora and fauna identified on the subject site. It is not considered that the land has any significant environmental values.
- The subject land is not identified as bushfire prone land or flood prone land. The area is not known to be affected by mine subsidence.

Existing Uses

- The land subject to the planning proposal is residential in character with twenty four lots are associated with single dwelling houses.

- The average allotment size is 1012 m² which is considered to be more suitable for residential development than commercial development as it does not allow sufficient size for onsite car parking, loading and unloading activities as would be required for a commercial development.

Services and Infrastructure

- The site is serviced by water, telecommunication, electricity and sewer to a standard sufficient to meet the demands of residential development. The planning proposal would not result in any significant upgrading of existing infrastructure.

Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Council undertook to convert the Bland Local Environmental Plan 1993 to the new Standard Instrument in 2011. This plan was a conversion LEP where zones were transferred from the 1993 LEP to Standard Instrument Zones. As a result of this conversion process it was not considered necessary to prepare a Local Environmental Study or other local strategy.

Is the planning proposal consistent with applicable State Environmental Policies?

Attachment 1 outlines the consistency of the planning proposal with relevant State Environmental Planning Policies.

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

Attachment 2 outlines the proposal against all of the relevant directions that apply under Section 117 of the Environmental Planning and Assessment Act 1979. It is considered that the planning proposal is consistent with all the relevant directions with the exception of 1.1 Business and Industrial Zones.

1.1 Business and Industrial Zones

This direction is relevant when a relevant planning authority prepares a planning proposal that will affect land zoned business or industrial. The subject land is zoned B6 Enterprise Corridor and is proposed to be rezoned to R1 General Residential. The planning proposal is inconsistent as it proposes to reduce employment land, however, it is considered that the inconsistency is of minor significance as the land is predominantly currently used for residential purposes with minimal potential for commercial growth.

Section C – Environmental, Social and Economic Impact

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?

The land is not identified as containing threatened or endangered flora or fauna. It is not considered likely that critical habitat, threatened species, populations or ecological communities or their habitats will be adversely affected by the proposal.

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

The area subject to the planning proposal has been extensively developed for residential purposes. The remaining vacant land is cleared and relatively free from existing vegetations. It is not considered that the proposal has any significant environmental impacts.

Has the planning proposal adequately addressed any social and economic effects?

No social or economic effects have been identified as being likely to result from the planning proposal.

Section D – State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

This site is an established residential area and is serviced with electricity, water, telecommunication services and sewer. The existing infrastructure is adequate to meet future demands resulting from development of the remaining vacant land.

What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Council will consult with the Roads and Maritime Service in relation to the site fronting the Newell Highway following gateway determination.

PART 4 – MAPPING

The following maps have been provided in the attachments as follows

- Land Subject to Planning Proposal (Attachment 3)
- Aerial Photograph (Attachment 4)
- Current Land Use Zones (Attachment 5)
- Current Land Use Analysis (Attachment 6)
- Current Development Standards – Lot Size Map (Attachment 7)
- Proposed Alternative Zone (Attachment 8)
- Current Standard Instrument Land Zoning Map LZN_007F & Lot Size Map LSZ_007F (Attachment 9)
- Proposed Standard Instrument Land Zoning Map LZN_007F & Lot Size Map LSZ_007F (Attachment 10)

PART 5 – COMMUNITY CONSULTATION

The planning proposal is considered to be a low impact proposal (as described in the Department of Planning's publication "A Guide to Preparing Local Environmental Plans") as the proposal:

- Is consistent with the existing land use activities in the area
- Presents no issues with regard to infrastructure servicing
- Is not a principal Local Environmental Plan, and

- Does not reclassify public land.

Accordingly it is proposed to exhibit the planning proposal for a period of 14 days.

Community & Affected Land Owners

The key means to notify the community of the planning proposal would be as follows:

- Write to all land owners affected by the planning proposal and provide them an opportunity to make comments;
- Advertise within the West Wyalong Advocate once a week for four weeks;
- Place notices & supporting information at Council's administration building;
- Place notice & supporting information on Council's website;

The notice will include the following information:

- Description of the objectives or intended outcomes of the planning proposal;
- Indicate the land affected by the planning proposal;
- State where and when the planning proposal can be inspected;
- Provide the name and address for receipt of submissions; and
- Indicate the closing date for submissions.

The feedback received from the Community and affected land holders will be summarised and provided to the Councillors' and the Department of Planning and Infrastructure to justify any potential amendments to the plan after exhibition.

PART 6 – PROJECT TIMELINE

Weeks after Gateway Determination	Item
0	Gateway determination
4 weeks	Start of exhibition Period
6 weeks	End of exhibition Period
10 weeks	Public hearing if required
12 weeks	Consideration of submissions
14 weeks	Consideration of proposal post exhibition
16 weeks	Request to Minister to finalise the Local Environmental Plan.

ATTACHMENT 1 – State Environmental Planning Policies

SEPP	Applicable	Consistent/Inconsistent	Reasons for Consistency/Comment
No.1 – Development Standards	No	Not applicable	Does not apply due to Clause 1.9(2) Bland Local Environmental Plan 2011
No.4 – Development without Consent and Miscellaneous Complying Development	Yes, with the exception of Clauses 6 – 10	Consistent	Provisions of SEPP are additional to the provisions of the Bland Local Environmental Plan 2011
No.6 – Number of Storeys in a Building	Yes	Consistent	Clause 4.3 was not adopted in the Bland Local Environmental Plan 2011
No.14 – Coastal Wetlands	No	Not applicable	Does not apply as Bland LGA is not identified on the map.
No.15 – Rural Land Sharing Communities	Yes	Not Applicable	The proposal relates to land located within an urban area within the Village of Wyalong and is not subject to the provisions of the SEPP.
No.21 – Caravan Parks	Yes	Consistent	Development is permissible within the proposed R1 General Residential Zone.
No.22 – Shops and Commercial Premises	Yes	Not applicable	The proposal is to rezone land from a business zone to a residential zone.
No.26 – Littoral Rainforests	No	Not applicable	Does not apply as Bland LGA is not identified on the map.
No.30 – Intensive Agriculture	Yes	Not applicable	The SEPP is not applicable to this proposal as this type of development is prohibited within the current B6 zone and prohibited

			within the proposed R1 zone.
No.32 – Urban Consolidation (Redevelopment of Urban Land)	Yes	Consistent	The provisions of the planning proposal are consistent with the aims of the policy.
No.33 – Hazardous and Offensive Development	Yes	Not applicable	The policy does not apply to this proposal as the subject land are located within the village of Wyalong and currently zoned B6 Enterprise Corridor where hazardous and offensive industries are prohibited development.
No.36 – Manufactured Home Estates	Yes	Consistent	The provisions of the planning proposal do not limit the development of manufactured home estates
No.39 – Spit Island Bird Habitat	No	Not applicable	The Bland LGA is located within the mapped area.
No.44 – Koala Habitat	No	Not applicable	The Bland LGA is not listed in Schedule 1 of the policy.
No.47 – Moore Park Showground	No	Not applicable	Not applicable to the Bland LGA.
No.50 – Canal Estate Development	Yes	Consistent	The planning proposal does not include canal development.
No.52 – Farm Dams and other Works in Land and Water Management Plan Areas	No	Not applicable	The Bland LGA is not located within an irrigation area.
No.55 – Remediation of Land	Yes	Consistent	The planning proposal are consistent with the aims of the policy.
No.59 – Central Western Sydney Economic and Employment Area	No	Not applicable	The Bland LGA is not located within the Central Western Sydney Economic and

			Employment Area.
No.60 – Exempt and Complying Development	No	Not applicable	This policy does not apply to the Bland LGA.
No.62 – Sustainable Aquaculture	Yes	Not applicable	The policy is not applicable to this planning proposal as aquaculture is prohibited in the current B6 zone and is prohibited in the proposed R1 zone.
No.64 – Advertising and Signage	Yes	Consistent	The planning proposal is consistent with the aims of the policy.
No.65 – Design Quality of Residential Flat Buildings	Yes	Consistent	Residential flat buildings is permissible in the proposed R1 zone. The proposal is consistent with the aims of the policy.
No.70 – Affordable Housing (Revised Schemes)	No	Not applicable	The Bland LGA is not located within the Greater Metropolitan Region.
No.71 – Coastal Protection	No	Not applicable	The Bland LGA is not located within the coastal zone.
Affordable Rental Housing 2009	Yes	Consistent	The proposal is consistent with the aims of the policy.
Building Sustainability Index: BASIX 2004	Yes	Yes	The proposal is consistent with the aims of the policy.
Development on the Kurnell Peninsula 1989	No	Not applicable	The Bland LGA is not located on the Kurnell Peninsula
Exempt and Complying Development Codes 2008	Yes	Consistent	The Bland LEP 2011 adopts the provisions of this policy.

Housing for Seniors or People with a Disability 2004	Yes	Consistent	Seniors housing is permissible within the proposed R1 zone. The proposal is consistent with the aims of the policy.
Infrastructure 2007	Yes	Consistent	The proposal is consistent with the aims of the policy.
Kosciuszko National Park – Alpine Resorts 2007	No	Not applicable	The subject land is not included on the map.
Major Development 2005	Yes	Consistent	The proposal is consistent with the aims of the policy.
Mining, Petroleum Production & Extractive Industries 2007	Yes	Not applicable	Not applicable to the subject land.
Penrith Lakes Scheme 1989	No		
Port Botany and Port Kembla 2013			
Rural Lands 2008	Yes	Not applicable	The subject land is not rural land.
SEPP 53 Transitional Provisions 2011			
State and Regional Development 2011			
Sydney Drinking Water Catchment 2011			
Sydney Region Growth Centres 2006	No	Not applicable	The Bland LGA is not located with a growth centre.
Temporary Structures 2007	Yes	Consistent	The proposal is consistent with the aims of the policy. Provisions are additional to those within the Bland Local Environmental Plan

			2011.
Urban Renewal 2010			
Western Sydney Employment Area	No	Not applicable	The Bland LGA is located within the Western Sydney Employment Area.
Western Sydney Parklands	No	Not applicable	The Bland LGA is not located within the Western Sydney Parklands.

ATTACHMENT 2 – s117 Ministerial Directions

1. Employment and Resources

Direction	Applicable	Consistent/Inconsistent	Reasons for Consistency/Comment
1.1 Business and Industrial Zones	Yes	Inconsistent	The planning proposal may be inconsistent with the terms of the direction as the provisions of the LEP are of minor significance.
1.2 Rural Zones	No	Not applicable	The planning proposal relates to business and residential zones and this direction is not applicable to this planning proposal.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	Consistent	The planning proposal will not affect the availability of resources.
1.4 Oyster Aquaculture	No	Not applicable	This direction does not apply to the Bland Local Government Area.
1.5 Rural Lands	No	Not applicable	The planning proposal relates to business and residential zones and this direction is not applicable to this planning proposal.

2. Environment and Heritage

Direction	Applicable	Consistent/Inconsistent	Reasons for Consistency/Comment
2.1 Environment Protection Zones	No	Not applicable	The planning proposal relates to business and residential zones and this direction is not applicable to this planning proposal.

2.2 Coastal Protection	No	Not applicable	This direction does not apply to the Bland Local Government Area.
2.3 Heritage Conservation	Yes	Consistent	One (1) heritage item is located within the subject land. The planning proposal does not seek to amend 5.10 of the Bland Local Environmental Plan 2011.
2.4 Recreation Vehicle Areas	No	Not applicable	The planning proposal does not affect applicable zones or areas with the Bland Local Government Area.

3. Housing Infrastructure and Urban Development

Direction	Applicable	Consistent/Inconsistent	Reasons for Consistency/Comment
3.1 Residential Zones	Yes	Consistent	This direction is applicable to the proposed R1 General Residential zone and the intention to allow development of residential land.
3.2 Caravan Parks and Manufactured Homes	Yes	Consistent	Caravan parks and manufactured homes are permissible within the proposed R1 zone.
3.3 Home Occupations	Yes	Consistent	Home occupations are permissible without consent in the R1 General Residential zone.
3.4 Integrating Land Use and Transport	Yes	Consistent	The proposed R1 zone reflects the current existing use of the site, changes to the existing local transport arrangements are not anticipated as a result of the planning proposal.
3.5 Development of Licensed Aerodromes	No	Not applicable	The subject land is not located within the

			vicinity of a licensed aerodrome.
3.6 Shooting Ranges	No	Not applicable	The subject land is not adjoining or adjacent to an existing shooting range.

4. Hazard and Risk

Direction	Applicable	Consistent/Inconsistent	Reasons for Consistency/Comment
4.1 Acid Sulfate Soils	No	Not applicable	The Bland Local Government Area is not affected by acid sulfate soils.
4.2 Mine Subsidence and Unstable Land	No	Not applicable	The Bland Local Government Area is not identified as being an area subject to mine subsidence within the meaning of section 15 of the Mine Subsidence Compensation Act 1961 or has been identified as unstable land.
4.3 Flood Prone Land	No	Not applicable	The land subject to the planning proposal is not identified as being flood prone land.
4.4 Planning for Bushfire Protection	No	Not applicable	The land subject to the planning proposal is not mapped as being bushfire prone land and is not located in proximity to land mapped as being bushfire prone land.

5. Regional Planning

Direction	Applicable	Consistent/Inconsistent	Reasons for Consistency/Comment
5.1 Implementation of Regional Strategies	No	Not applicable	This direction does not apply to the Bland LGA.

5.2 Sydney Drinking Water Catchment	No	Not applicable	This direction does not apply to the Bland LGA.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	Not applicable	This direction does not apply to the Bland LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	Not applicable	This direction does not apply to the Bland LGA.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	No	Not applicable	Revoked 18 June 2010
5.6 Sydney to Canberra Corridor	No	Not applicable	Revoked 10 July 2008
5.7 Central Coast	No	Not applicable	Revoked 10 July 2008
5.8 Second Sydney Airport: Badgerys Creek	No	Not applicable	This direction does not apply to the Bland LGA.

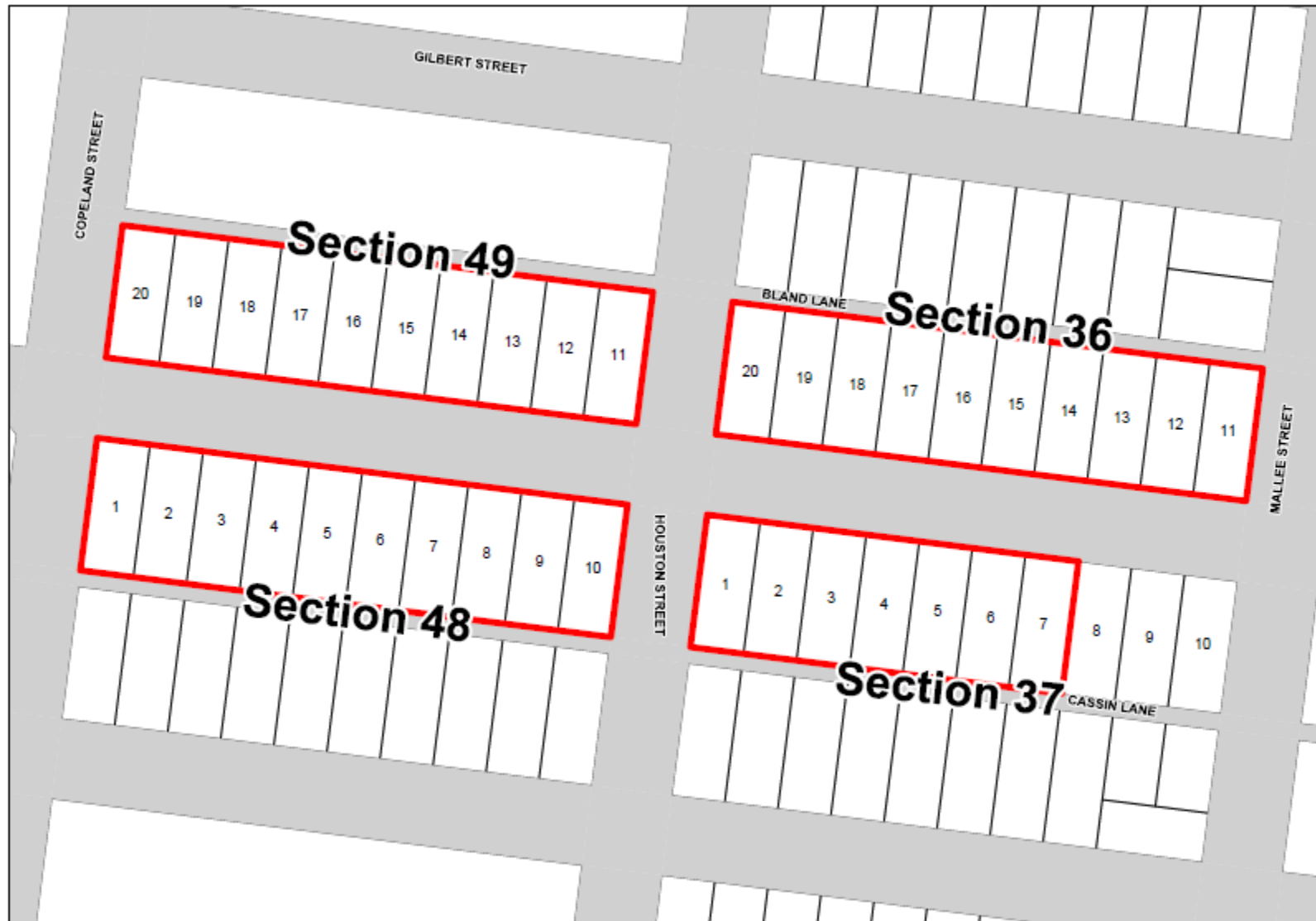
6. Local Planning Making

Direction	Applicable	Consistent/Inconsistent	Reasons for Consistency/Comment
6.1 Approval and Referral Requirements	Yes	Consistent	The planning proposal does not include any provisions that require concurrence, consultation or referral to a public authority.
6.2 Reserving Land for Public Purposes	Yes	Consistent	The planning proposal does seek to rezone or reserve land for public purposes.
6.3 Site Specific Provisions	Yes	Not applicable	The planning proposal

7. Metropolitan Planning

Direction	Applicable	Consistent/Inconsistent	Reasons for Consistency/Comment
7.1 Implementation of the Metropolitan Plan for Sydney 2036	No	Not applicable	This direction does not apply to the Bland LGA.

ATTACHMENT 3 – Land Subject to Planning Proposal



ATTACHMENT 4 – Aerial Photograph



ATTACHMENT 5 – Current Land Use Zones



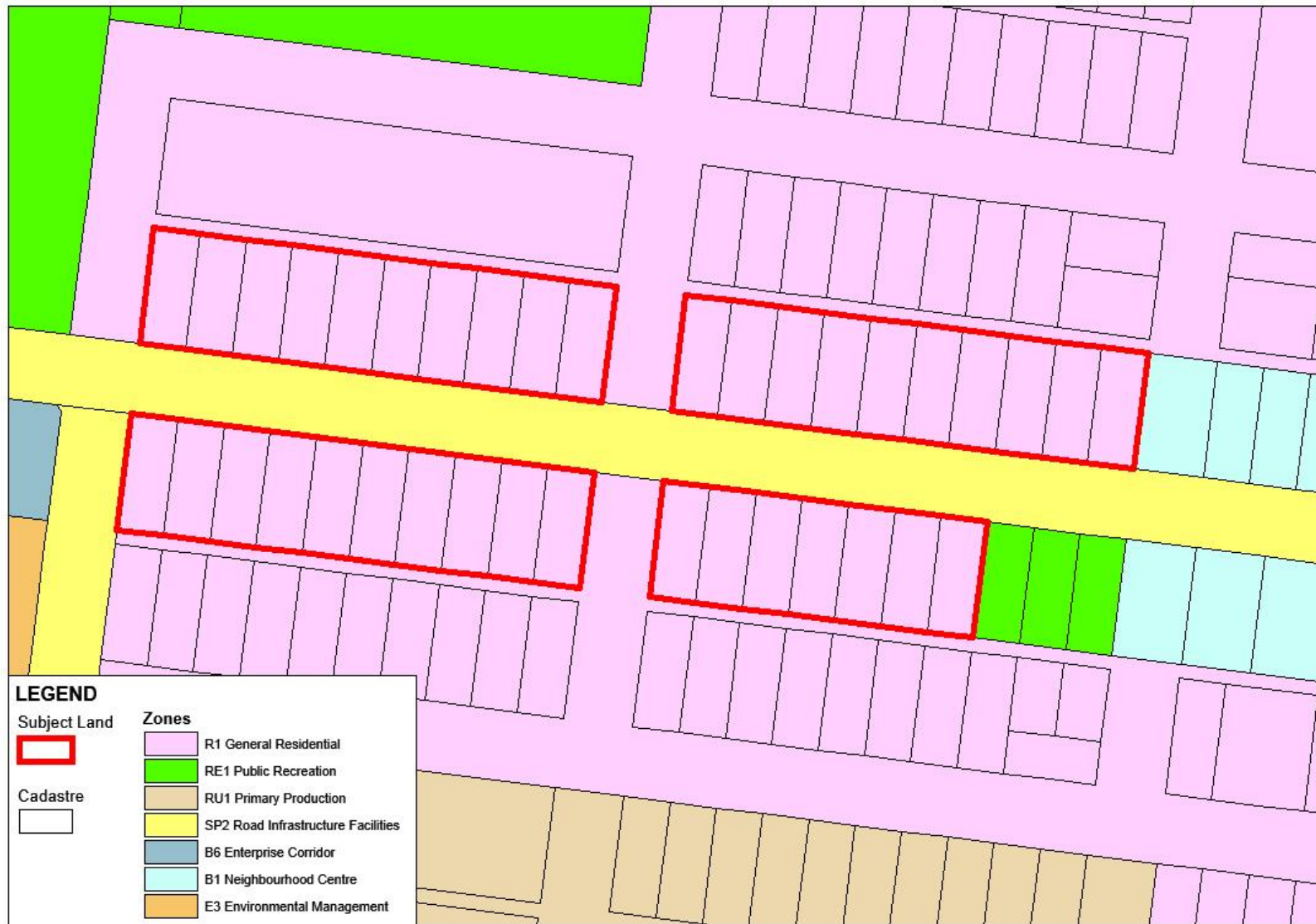
ATTACHMENT 6 – Current Land Use Analysis



ATTACHMENT 7 – Current Development Standards – Lot Size



ATTACHMENT 8 – Proposed Alternative Zone



**ATTACHMENT 9 – Current Standard Instrument Land Zoning Map
LZN_007F & Lot Size Map LSZ_007F**



**Bland Local
Environmental
Plan 2011**

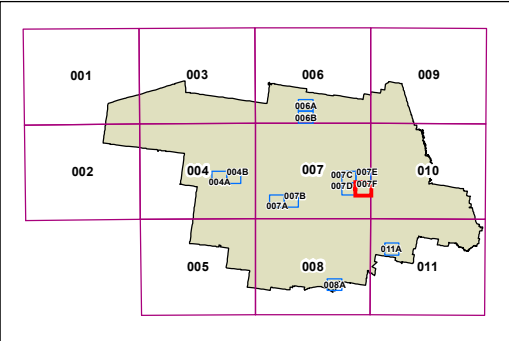
Land Zoning Map - Sheet LZN_007F

Zone

- B1** Neighbourhood Centre
- B2** Local Centre
- B5** Business Development
- B6** Enterprise Corridor
- E1** National Parks and Nature Reserves
- E3** Environmental Management
- IN1** General Industrial
- IN2** Light Industrial
- R1** General Residential
- R5** Large Lot Residential
- RE1** Public Recreation
- RE2** Private Recreation
- RU1** Primary Production
- RU3** Forestry
- RU5** Village
- SP2** Infrastructure

Cadastre

□ Cadastre 28/06/2011 © Land and Property Information (LPI)

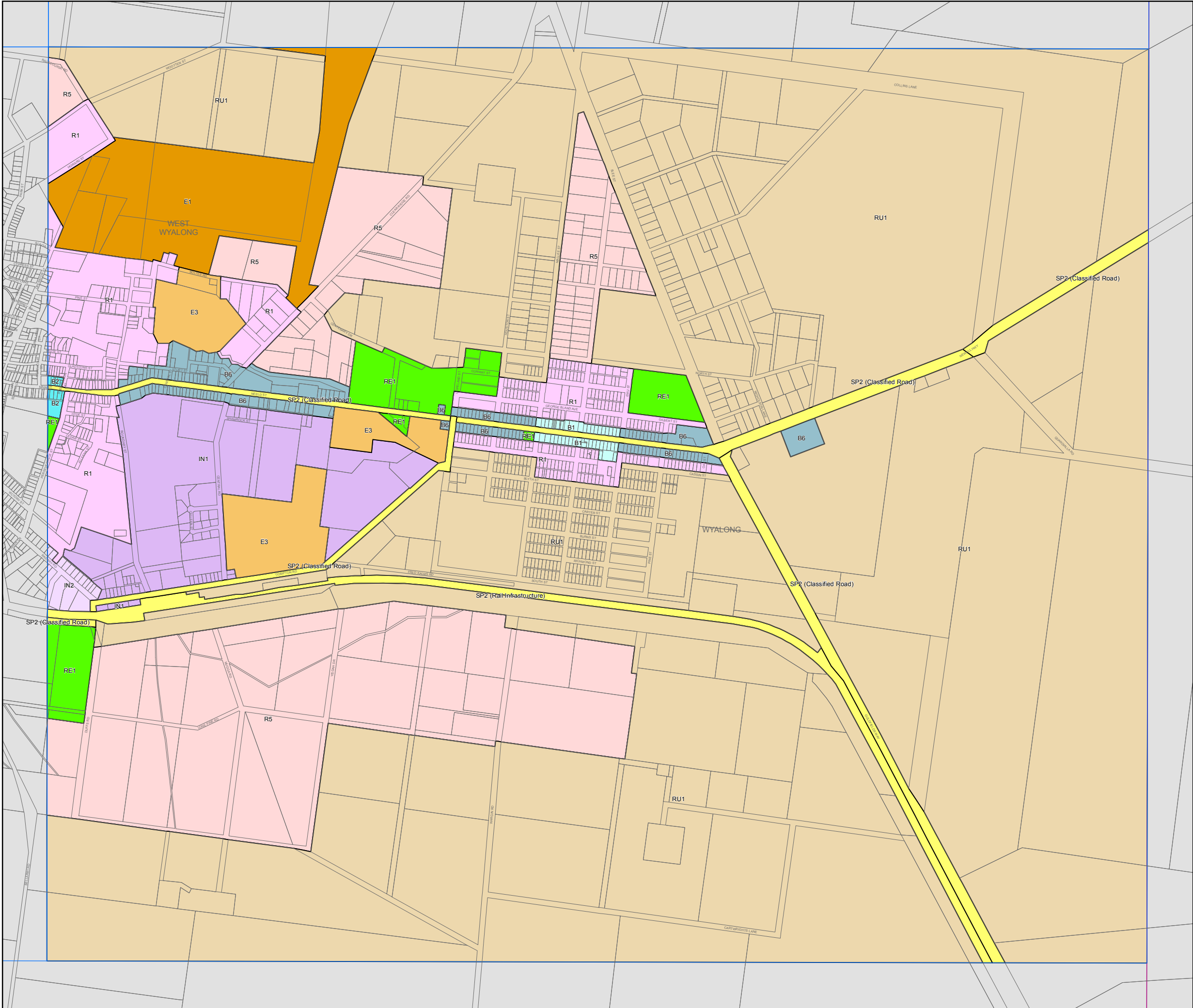


0 200 400 600 800 Metres

Scale: 1:20,000 @ A3

Projection: GDA 1994
MGA Zone 55

Map identification number: 0800_COM_LZN_007F_020_20111026





Bland Local Environmental Plan 2011

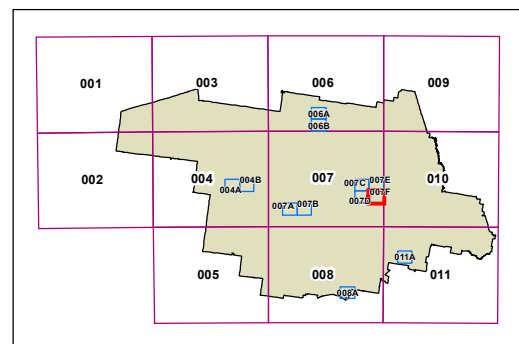
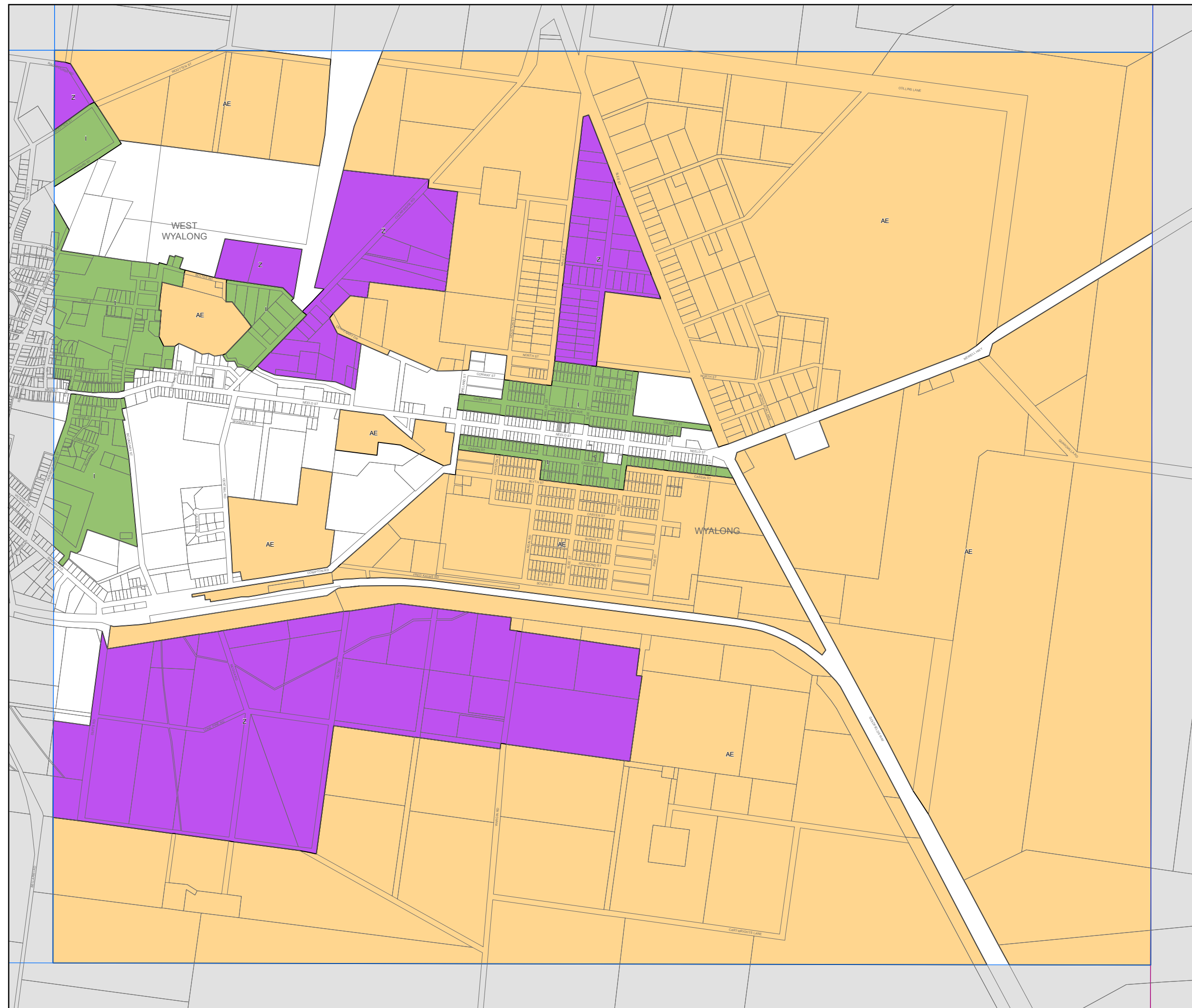
Lot Size Map - Sheet LSZ_007F

Minimum Lot Size (sq m)

- I 500
- V 2000
- Z 2 ha
- AE 200 ha

Cadastre

- Cadastre 28/06/2011 Land and Property Information (LPI)



0 400 800 Metres

Scale: 1:20,000 @ A3

Projection: GDA 1994
MGA Zone 55

Map Identification Number: 0800_COM_LSZ_007F_020_20111014

**ATTACHMENT 10 – Proposed Standard Instrument Land Zoning
Map LZN_007F & Lot Size Map LSZ_007F**

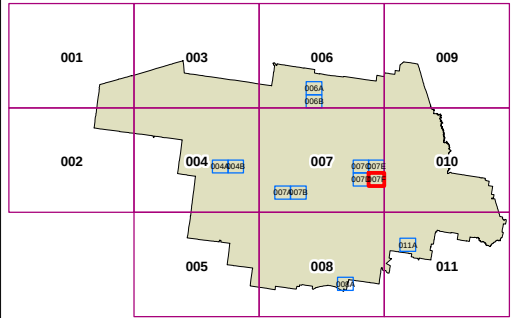
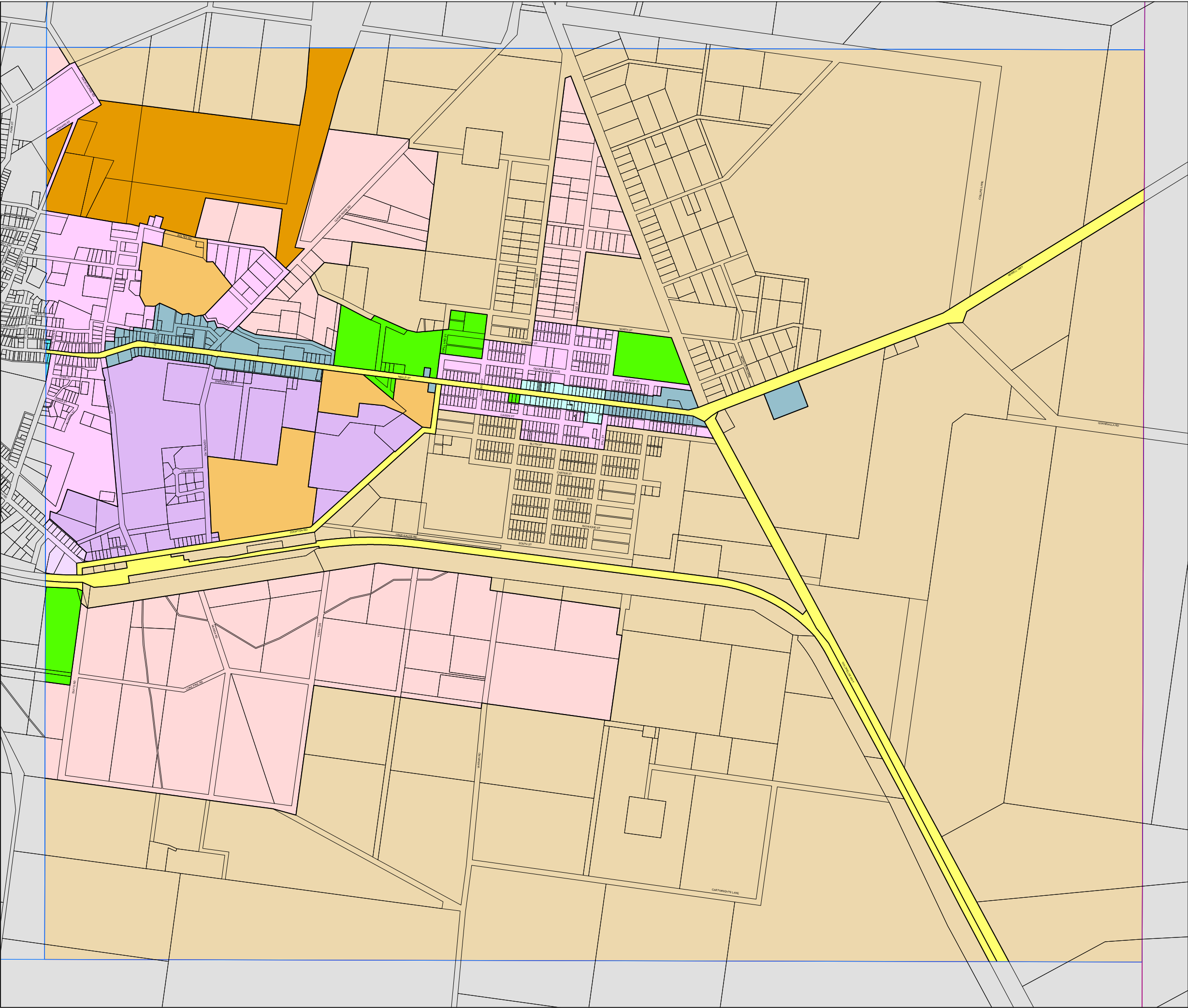


Bland Local Environmental Plan 2011

Land Zoning Map - Sheet LZN_007F

- Zone**
- B1 Neighbourhood Centre
 - B2 Local Centre
 - B5 Business Development
 - B6 Enterprise Corridor
 - E1 National Parks and Nature Reserves
 - E3 Environmental Management
 - IN1 General Industrial
 - IN2 Light Industrial
 - R1 General Residential
 - R5 Large Lot Residential
 - RE1 Public Recreation
 - RE2 Private Recreation
 - RU1 Primary Production
 - RU3 Forestry
 - RU5 Village
 - SP2 Infrastructure

Cadastre
Cadastre 28/06/2010 © LPMA



0 100 200 300 400 500
Meters

Scale: 1:20,000 @ A3

Projection: GDA 1994
Zone 55

Map Identification Number:
0800_COM_LZN_007F_020_20131121



**Bland Local
Environmental
Plan 2011**

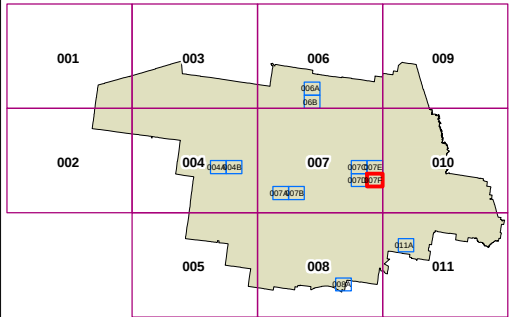
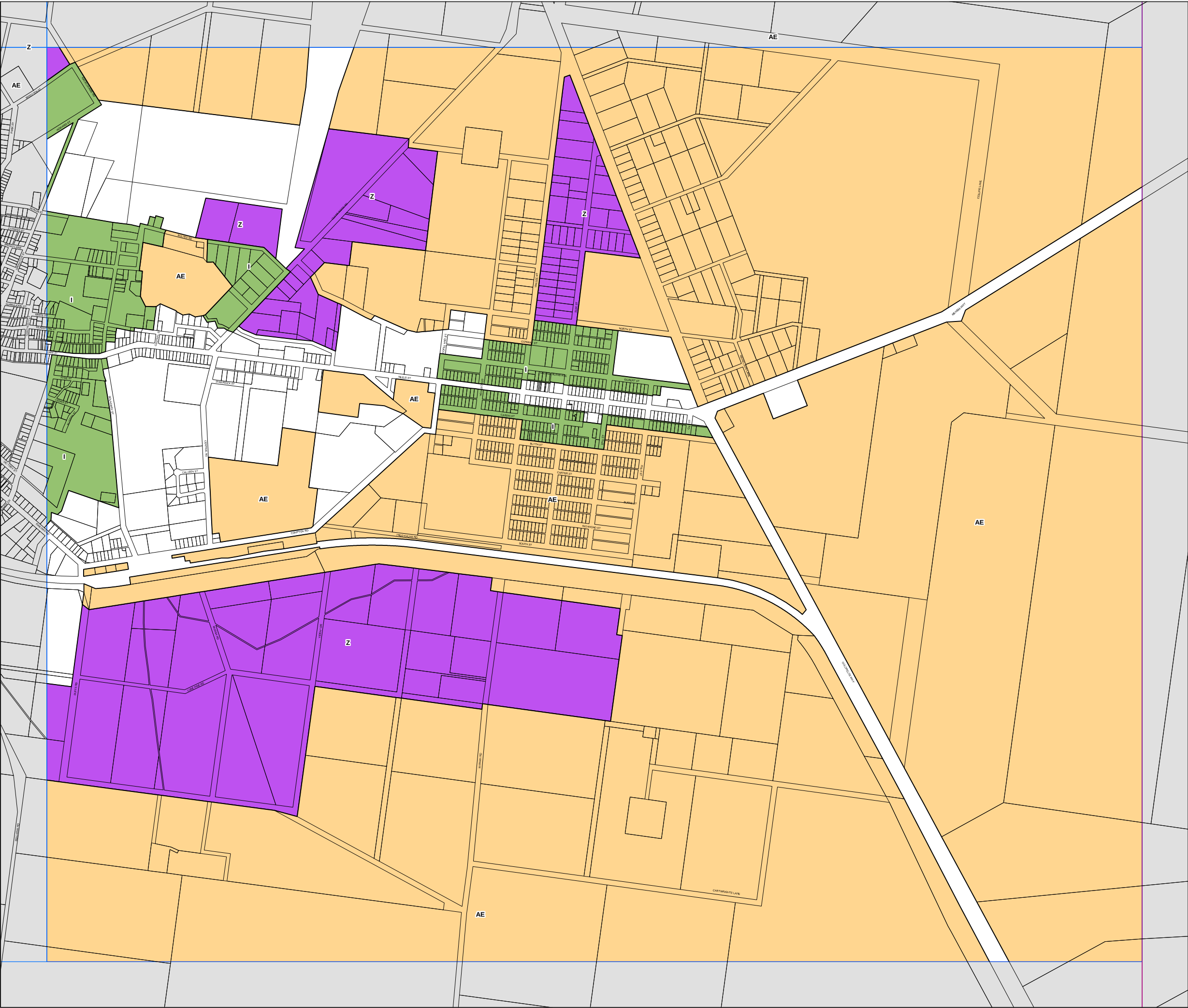
**Lot Size Map -
Sheet LSZ_007F**

Lot Size

- I** 500 m2
- V** 2,000 m2
- Z** 2 ha
- AE** 200 ha

Cadastre

Cadastre 28/06/2010 © LPMA



0 100 200 300 400 500

Scale: 1:20,000 @ A3

Projection: GDA 1994
Zone 55

Map Identification Number:

0800_COM_LSZ_007F_020_20131121