

PP_NARRO_003_00

Proposal Title : **PP_NARRO_003_00**

Proposal Summary : **To rezone Lot 5122 DP 1083390, Mitchell Highway, Narromine (21.16Ha) from RU1 Primary Production to R5 Large Lot Residential to enable subdivision of land to 5 hectares - yielding four dwelling lots.**

PP Number : **PP_2014_NARRO_003_00**

Dop File No :

14/13060

Proposal Details

Date Planning
Proposal Received : **31-Jul-2014**

LGA covered : **Narromine**

Region : **Western**

RPA : **Narromine Shire Council**

State Electorate : **DUBBO**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street :

Suburb :

City :

Postcode :

Land Parcel : **Lot 5122 DP 1083390**

DoP Planning Officer Contact Details

Contact Name : **Rebecca Kell**

Contact Number : **0268412195**

Contact Email : **rebecca.kell@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Kylie Rowe**

Contact Number : **0268899999**

Contact Email : **krowe@narromine.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Wayne Garnsey**

Contact Number : **0268412180**

Contact Email : **wayne.garnsey@planning.nsw.gov.au**

Land Release Data

Growth Centre : **Other**

Release Area Name : **Other**

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

Consistent with Strategy :

MDP Number :

Date of Release :

Area of Release (Ha) : **21.16**Type of Release (eg Residential / Employment land) : **Residential**No. of Lots : **0**No. of Dwellings (where relevant) : **4**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 : **The proposal is justified by the Narromine Shire Rural Residential Land Use Strategy 2012. The site was identified as potential medium to long term rural residential development. The proposal is being supported to facilitate short term rural residential development in an area identified by a strategy, in the absence of other acceptable proposals.**

External Supporting Notes :

Adequacy Assessment**Statement of the objectives - s55(2)(a)**Is a statement of the objectives provided? **Yes**

Comment : **- to rezone the subject land from RU1 Primary Production to R5 Large Lot Residential
- to enable subdivision of land to 5 hectares lots to meet demand for future rural residential land. Based on the current lot size of 21.16 ha, this lot would provide four dwelling lots.**

Explanation of provisions provided - s55(2)(b)Is an explanation of provisions provided? **Yes**

Comment : **The proposed outcomes will be achieved by:**

- amending the Narromine Local Environmental Plan 2011 Land Zoning Map LZN004A on the subject site in accordance with the proposed R5 Large Lot Residential**
- amending the Narromine Local Environmental Plan 2011 Lot Size Map LSZ004A on the subject site in accordance with the proposed minimum lot size of 5 ha**

Justification - s55 (2)(c)a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

1.2 Rural Zones

* May need the Director General's agreement

1.5 Rural Lands**4.3 Flood Prone Land**

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 matters that need to be considered :

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

If No, explain : **The subject land is identified as being within the flood planning area and is therefore inconsistent with s117 Direction 4.3 Flood Prone Land.**

The inconsistency with the s117 Directive is addressed by the Narromine Shire Council Flood Policy for Developments in Urban Floodplains 2011 that provides specific development controls to guide development of land in flood prone areas within the shire and is in accordance with revised ministerial direction regarding flood prone land (Issued 31 January 2008 under section 117 of the EP&A Act 1979).

The Narromine Shire Council Flood Policy for Developments in Urban Floodplains 2011 clearly articulates how developments within the precinct are to be assessed. Council have approved two dwellings on the land in recent times in accordance with local flood policy and controls. On that basis, the inconsistency with s117 Directive 4.3 can be considered as being of minor significance and in this case no further work is required to satisfy this matter.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Mapping needs to be compliant with the Departments Technical Guidelines when submitted as part of the s59 submission**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Upon gateway approval, community consultation will be carried out in accordance with section 57 of the Act and will involve advertising of the planning proposal for a minimum of 28 days across a number of mediums including local newspapers, Council's website and Council's social media site. Adjoining owners to the lots affected will also be notified by letter and given the same period of time for comment.**

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 :

Comments in relation to Principal LEP : The Narromine Local Environmental Plan 2011 was notified on 9 December 2011

Assessment Criteria

Need for planning proposal :	The planning proposal will yield four lots with dwelling entitlements for rural residential purposes which will help meet the demand for additional dwellings to accommodate growth as outlined in the Narromine Rural Residential Land Use Strategy 2012.
Consistency with strategic planning framework :	The proposal is justified by the Narromine Shire Rural Residential Land Use Strategy 2012. The site was identified as potential medium to long term rural residential development. Given there are no acceptable proposals to address short term demand, the proposal is being supported to bring forward the release of four 5 ha lots with dwelling entitlements.
Environmental social economic impacts :	The proposal will not result in the removal of vegetation and each of the proposed lots will have sufficient area to allow for a dwelling, effluent disposal area and ancillary structures without the need to interfere with native vegetation. Flood considerations can be addressed by the Narromine Shire Council Flood Policy for Developments in Urban Floodplains 2011. The land was used as an orchard and for horticulture activities. As such, Council needs to address SEPP 55 - Remediation of Land within the s59 submission.

Assessment Process

Proposal type :	Minor	Community Consultation Period :	28 Days
Timeframe to make LEP :	9 months	Delegation :	Minister
Public Authority Consultation - 56(2)(d) :	Transport for NSW - Roads and Maritime Services		

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

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

If no, provide reasons :

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
Planning Proposal.pdf	Proposal	No
Planning Report.pdf	Proposal	No
Narromine Council letter 29 July 2014.pdf	Proposal Covering Letter	No
Flood 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
 4.3 Flood Prone Land

Additional Information : **The Planning Proposal should proceed with the following conditions:**

- 1. Community consultation is required under section 57 of the EP&A Act as follows:**
 - a. The planning proposal is required to be made publicly available on exhibition for 28 days as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012)**
 - 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**
- 2. Consultation with Roads and Maritime Services is required due to the subject land having frontage to the Mitchell Highway**
- 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. Prior to submission of the Planning Proposal under section 59 of the EP&A Act the Lot Size Map LSZ_004A and Land Zoning Map LZN_004A are to be compliant with the Department's standard technical requirements for maps**
- 5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination**
- 6. State Environmental Planning Policy 55 - Remediation of Land is to be addressed in Council's s59 submission**

Supporting Reasons : **The Planning Proposal is consistent with both the rural residential and agricultural lands strategic plans.**

The inconsistency with s117 Direction 4.3 Flood Prone Land is considered to be of minor significance as future development can be controlled by Councils Local Flood controls.

Due to the nature of the Planning Proposal, Council is to be authorised to exercise delegation.

Signature: _____



Printed Name: _____

Rebecca Kell

Date: _____

15.8.14

endorsed
 Wgansley 15/8/14
 Team leader