

14/04/24 RESOLVED (BRAZEL/GALL):

That there be a short break in the meeting.

The break in the meeting began at the time being 5.31pm and resumed at the time being 5.51pm.

Appendix 11-17

REPORT TITLE:	10. PLANNING PROPOSAL TO AMEND MOREE PLAINS LOCAL ENVIRONMENTAL PLAN 2011 BY REZONING LOTS 11, 12, 13, 46 AND 227 IN DP 755980 TO R5 LARGE LOT RESIDENTIAL AND RU4 PRIMARY PRODUCTION SMALL LOTS
REPORT FROM:	DIRECTOR OF PLANNING AND DEVELOPMENT
FILE NUMBER:	FILE 14/115

SUMMARY:

This report recommends adoption of an amendment to the Moree Plains Local Environmental Plan (LEP) 2011. The attached Planning Proposal outlines the proposed rezoning of land located on Kentucky Road, to the west of Boggabilla and south of the Macintyre River and the township of Goondiwindi. It is proposed that this land be considered for rezoning from RU1 - Primary Production to R5 - Large Lot Residential and RU4 - Primary Production Small Lots. The subject allotments are Lots 11, 12, 13, 46 and 227 in DP 755980.

The owner and applicant of the proposal is Bedajama Pty Ltd.

The Planning Proposal would be implemented by amending the following maps:

- Lot Size Map Sheet LSZ_003C
- Land Zoning Map Sheet LZN_003C.

The Goondiwindi Regional Council has expressed their satisfaction with the flood modelling report and has agreed to pump, treat and deliver a potable water supply to the subdivision subject to conditions. Specific details of any agreements between our shires can be bedded down as the proposed rezoning progresses.

The existing zoning plan from Moree Plains LEP 2011 outlining the subject land is shown at **Appendix 11**, the proposed zoning plan of the subject site at **Appendix 12**, the existing lot size map sheet at **Appendix 13**, and the proposed lot size map sheet at **Appendix 14**, Goondiwindi Town Council's approval to service the development at **Appendix 15**, Goondiwindi Town Council's satisfaction with the flood modelling at **Appendix 16** and the comprehensive Planning Proposal at **Appendix 17**.



MAYOR

10 April 2014



GENERAL MANAGER

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14/04/25 RESOLVED (GALL/PRICE):

That Council:

1. Amend the Moree Plains LEP 2011 to rezone Lots 11, 12, 13, 46 and 227 in DP 755980 from RU1 - Primary Production to R5 - Large Lot Residential and RU4 - Primary Production Small Lots and forward the Planning Proposal to the Department of Planning and Infrastructure with a request for a Gateway Determination.
2. Delegate to the General Manager any necessary amendments required to the Planning Proposal as a result of Council's resolution, considerations by the Department of Planning and Infrastructure or as a result of the Gateway Determination.

REPORT

BACKGROUND:

A rezoning submission was lodged with Council during the preparation of the Plan First LEP in 2004/5 to rezone the land for rural residential purposes. Due to the state government's introduction of the Standard Instrument (Local Environmental Plans) order 2005, the rezoning did not proceed at that time.

In 2007 another approach was made to Council which, in consultation with state government bodies, requested additional studies, particularly in relation to potential flood impacts from the proposal on the Goondiwindi town levee. The Kentucky Road area is located on the southern bank of the Macintyre River, directly opposite the town of Goondiwindi.

In 2009 as part of a comprehensive review of LEP 1995, Council endorsed a draft LEP which included the rezoning of the subject land as recommended in the Moree Plains Shire Growth Management Strategy. At this time a comprehensive flood study had not been completed to the satisfaction of state government bodies and subsequently the rezoning of this land did not progress in the draft LEP.

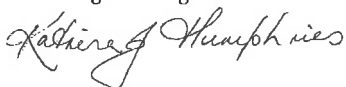
The Goondiwindi Regional Council was consulted during the flood assessment process and participated in a review of the initial findings and comprehensive assessment of flood impacts. The flood modelling was undertaken by Cardno Lawson Treloar between 2007 and 2012. The modelling concluded that once fully developed the proposal would have a negligible impact on Goondiwindi's town levee.

Upon completion of the comprehensive flood study the landowner proceeded to develop a Planning Proposal for the intended rezoning. Should the Planning Proposal be endorsed by Council and a Gateway Determination provided by the Department of Planning and Infrastructure, the proposal would be formally referred to all relevant government agencies for their concurrence.

The Proposal

The proposed LEP amendment would see the subject land rezoned from RU1 - Primary Production to a mixture of R5 - Large Lot Residential and RU4 - Primary Production Small Lots. At present, the permissibility of new dwellings on lots of less than 100ha is restricted by the land zoning and associated clauses in the LEP.

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The land owner proposes to implement a minimum lot size of 4000m² for R5 zoned land and 5ha for RU4 zoned land. It is intended for the R5 zoned land to be used for lifestyle living in close proximity to the Macintyre River. The RU4 zoned land would provide larger blocks for hobby farms and farm contractors.

Parts of the subject land and adjacent land already have existing rural-residential land use patterns and the proposed zoning changes would be in keeping with this.

Submissions by local real estate agencies attached to the Planning Proposal have advised that these types of acreage blocks are well sought after with the supply almost exhausted in close proximity to Goondiwindi.

COMMUNITY IMPLICATIONS:

This proposal will have a positive impact on the following Community Strategic Plan and Delivery Program/Operational Plan outcome:

S2. Our community is inclusive, connected and collaborative

The proposal would facilitate additional residential development and provide business opportunities in the Moree Plains Shire.

ECONOMIC IMPLICATIONS:

This proposal will have a positive impact on the following Community Strategic Plan and Delivery Program/Operational Plan outcome:

Ec1. Our Shire is a place that attracts and retains new businesses and residents

The proposed rezoning of land will attract and retain businesses and residents, giving a boost to the local economy while improving the image of the Moree Plains Shire.

ENVIRONMENT IMPLICATIONS:

This proposal will have a positive impact on the following Community Strategic Plan and Delivery Program/Operational Plan outcome:

E3. Our built environment - our town and villages - are desirable places to be

The proposal will provide sustainable housing to the Boggabilla and Goondiwindi region and would be designed in a way that will not negatively impact the natural and surrounding environment.

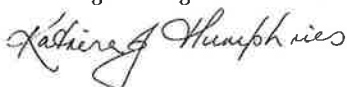
LEADERSHIP/LEGAL IMPLICATIONS:

This proposal will have a positive impact on the following Community Strategic Plan and Delivery Program/Operational Plan outcomes:

L3. We are engaged and well informed

L4. We collaborate to achieve outcomes

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The Kentucky Road subdivision shows how the Moree Plains Shire Council and Bedajama Pty Ltd have engaged and are working collaboratively to achieve a positive outcome.

FINANCIAL/OPERATIONAL PLAN IMPLICATIONS:

The proposal is considered to have a positive impact on Council's financial/operational plan due to an increase of rate payers.



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Kathrine J. Humphries

10 April 2014

[Signature]

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APPENDIX 11

Report 10

EXISTING ZONINGS – MOREE PLAINS LEP 2011 MAP LZN_003C

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Kathrine J. Humphries

10 April 2014

[Signature]

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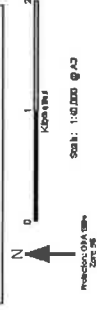
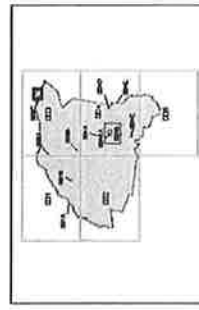
Moree Plains Local Environmental Plan 2011

Land Zoning Map
Sheet LZN_003C

- Zone**
- B1** Neighborhood Centre
 - B2** Local Centre
 - C1** Commercial Core
 - C2** Enterprise Corridor
 - B7** Business Park
 - N1** National Parks and Nature Reserves
 - E1** Environmental Management
 - E2** Environmental Living
 - I1** General Industrial
 - I2** Light Industrial
 - R1** General Residential
 - R2** Low Density Residential
 - R3** Large Lot Residential
 - R4** Public Recreation
 - R5** Private Recreation
 - RU1** Primary Production
 - RU2** Primary Production Small Lots
 - V1** Village
 - SP1** Special Activities
 - SP2** Infrastructure

Cadastre

- Bare data 2006/0071 © NSW L.P.M.A.



Produced by 1888
2008/08
LZN_003C_003C



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APPENDIX 12

Report 10

PROPOSED ZONINGS – MOREE PLAINS LEP 2011 MAP LZN_003C

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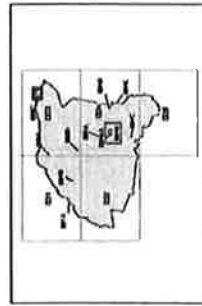
GENERAL MANAGER

Moree Plains Local Environmental Plan 2011

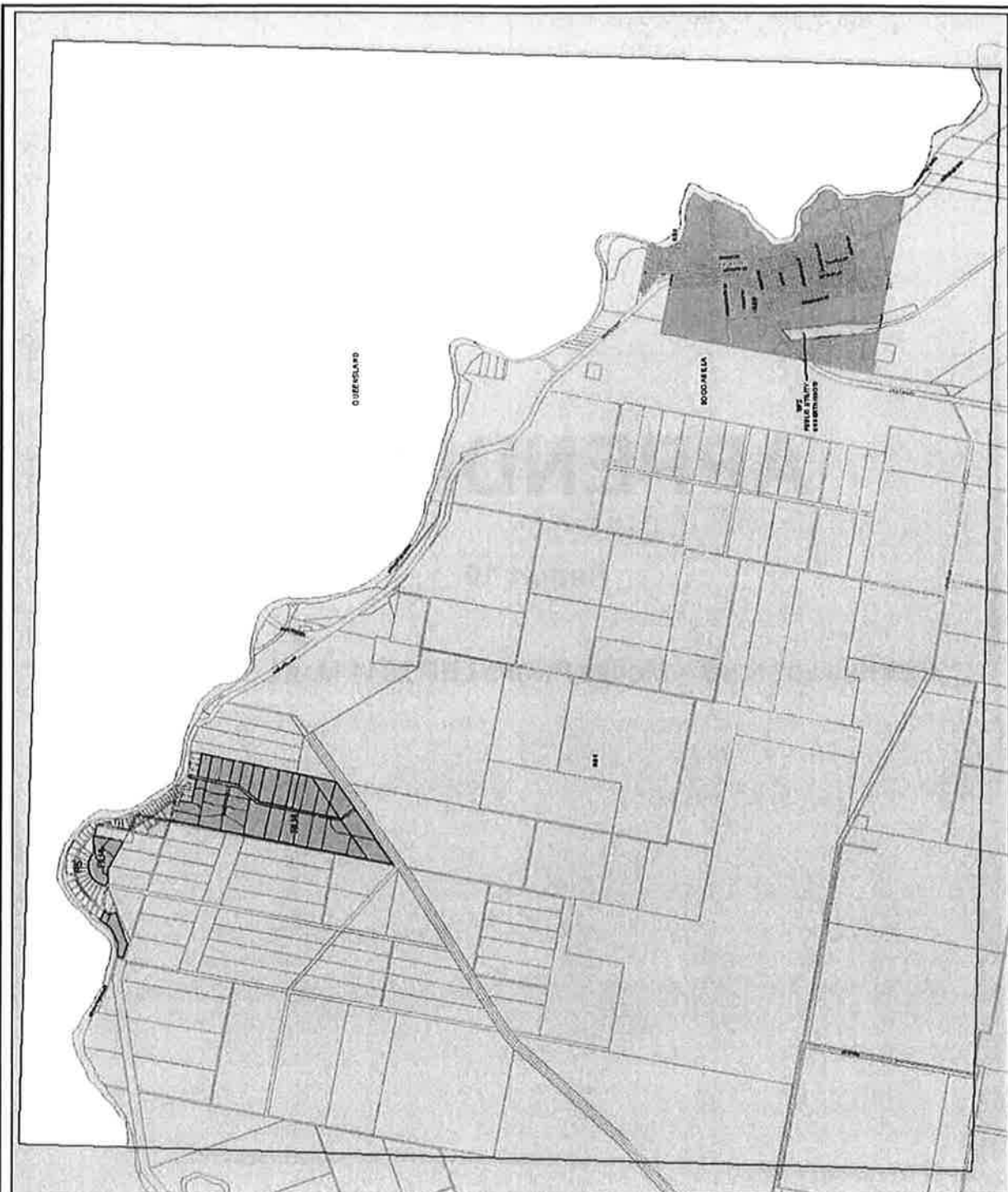
Land Zoning Map
Sheet LZN_003C

- Zone**
- B1** Neighbourhood Centre
 - B2** Local Centre
 - C1** Commercial Core
 - C2** Enterprise Corridor
 - C3** Business Park
 - N1** National Parks and Nature Reserves
 - EM1** Environmental Management
 - ER1** Overall Residential
 - ER2** Overall Residential
 - ER3** Low Density Residential
 - ER4** Large Lot Residential
 - PR1** Public Recreation
 - PR2** Private Recreation
 - PU1** Primary Production
 - PU2** Primary Production Small Lots
 - RU1** Village
 - SP1** Special Activities
 - SP2** Intersuburb

Cadastre
 Base data 2008/2011 © NSW LPA



Horizontal Datum: Zone 56
Scale 1:40,000 @ A3



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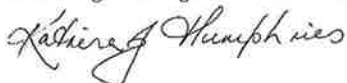
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APPENDIX 13

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EXISTING LOT SIZES – MOREE PLAINS LEP 2011 MAP LSZ_003C

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MAYOR

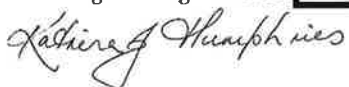
10 April 2014

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More Plains Local Environmental Plan 2011

Lot Size Map
Sheet LSZ_003C

Minimum Lot Size (m²)

600	700	800	1,000	2.5 ha	5 ha	10 ha	20 ha	100 ha
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Cadastre
 Base data 2008/2011 © NSW L.P.M.A.



APPENDIX 14

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PROPOSED LOT SIZES – MOREE PLAINS LEP 2011 MAP LSZ_003C

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Moree Plains Local Environmental Plan 2011

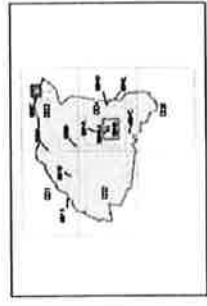
Lot Size Map
Sheet LSZ_003C

Minimum Lot Size (sqm)

100	200	300	400	500	600	700	800	900	1000	1500	2000	3000	4000
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Codebook

Bus data: 200000011 @ NSW LPA



Moree Plains Local Environmental Plan 2011
Sheet LSZ_003C



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APPENDIX 15

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GOONDIWINDI TOWN COUNCIL'S APPROVAL TO SERVICE THE DEVELOPMENT

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Telephone (07) 4671 1122
Fax (07) 4671 3013
Email
council@goondiwindi.qld.gov.au
Web
www.goondiwindi.qld.gov.au



ALL COMMUNICATIONS
TO BE ADDRESSED TO:
THE CHIEF EXECUTIVE
OFFICER
PO Box 92
GOONDIWINDI Qld 4390

GOONDIWINDI TOWN COUNCIL

100 Marshall Street
GOONDIWINDI, Qld. 4390

CM: 6/2/0

Our Ref

Your Ref

27 March 2007

SMK Consultants Pty Ltd
PO Box 422
GOONDIWINDI QLD 4390

Dear Sir

TREATMENT AND SUPPLY OF WATER TO MOLONEY SUBDIVISION

I refer to your correspondence of 2 March 2007 pertaining to the above subdivision in particular seeking Council's in principle agreement to pump, treat and deliver a potable water supply to your clients proposed development on Kentucky Road.

I advise your correspondence was tabled at Council's meeting of 26 March 2007 where Council resolved to agree in principle to pump, treat and deliver potable water supply to your clients proposed development on the following basis:

- A secure water allocation is supplied to Goondiwindi Town Council to meet the needs of residents in the proposed subdivision
- All infrastructure costs pertaining to mains extension are met by the developer
- A water network analysis relevant to the subdivision is undertaken.

I would also expect a service level agreement (setting out costs etc) would be entered into for this service and potentially for other services.

Should you wish to discuss this matter further please do not hesitate to contact Council's Engineering Department.

Yours faithfully

A handwritten signature in black ink, appearing to read "Carl Manton", written over a horizontal line.

CARL MANTON
Chief Executive Officer

A handwritten signature in black ink, appearing to read "Katherine J. Humphries", written in a cursive style.

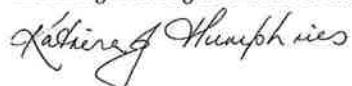
A handwritten signature in black ink, appearing to read "D. O'Connell", written in a cursive style.

APPENDIX 16

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GOONDIWINDI REGIONAL COUNCIL'S SATISFACTION WITH THE FLOOD MODELLING

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GENERAL MANAGER



Author: Rod Slack-Smith: plc
Enquiries: 07 4671 7449
Date: 4 December 2012
File: Roads

Mr John McArthur
Project Manager
CARDNO
PO Box 16 429
HORNBY CHRISTCHURCH
NEW ZEALAND 8042

Dear John,

RE: MALONEY DEVELOPMENT – FLOOD MODELLING

Council at its meeting held on Wednesday 28 November 2012, formally resolved to advise that it is now satisfied with the results of the flood plain modelling which indicates no impact on the Goondiwindi levee system from the proposed Maloney development.

Council did note however that if this development was proposed within the State of Queensland it would be contrary to the Queensland Reconstruction Authorities advice that residential developments within flood plains should be restricted or prohibited.

If you wish to discuss this matter further do not hesitate to contact Council's Engineering and Regulatory Services Department on 07 4671 7449.

Yours faithfully

Rod Slack-Smith
DIRECTOR ENGINEERING & REGULATORY SERVICES

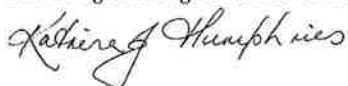
APPENDIX 17

Report 10

PLANNING PROPOSAL TO AMEND MOREE PLAINS LOCAL ENVIRONMENTAL PLAN 2011

(APPENDIX 17 WILL BE PROVIDED UNDER SEPARATE COVER AS IT IS 270 PAGES LONG)

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