

**Narrabri LEP 2012 - Amendment to Schedule 1**

Proposal Title : **Narrabri LEP 2012 - Amendment to Schedule 1**

Proposal Summary : **The Planning Proposal aims to amend Narrabri LEP 2012 through the insertion of an additional permitted land use in Schedule 1 that will permit a 'function centre' and 'hotel or motel accommodation' on Lot 113 DP 1097382, Narrabri, with consent.**

PP Number : **PP\_2014\_NARRB\_006\_00**      Dop File No : **14/18728**

**Proposal Details**

Date Planning Proposal Received : **05-Nov-2014**      LGA covered : **Narrabri**

Region : **Northern**      RPA : **Narrabri Shire Council**

State Electorate : **BARWON**      Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

**Location Details**

Street : **177 Riverside Drive**

Suburb :      City : **Narrabri**      Postcode : **2390**

Land Parcel : **Lot 113 DP 1097382**

**DoP Planning Officer Contact Details**

Contact Name : **Gina Davis**

Contact Number : **0267019687**

Contact Email : **gina.davis@planning.nsw.gov.au**

**RPA Contact Details**

Contact Name : **Hamish McTaggart**

Contact Number : **0267996863**

Contact Email : **hamishm@narrabri.nsw.gov.au**

**DoP Project Manager Contact Details**

Contact Name :

Contact Number :

Contact Email :

**Land Release Data**

Growth Centre : **N/A**      Release Area Name : **N/A**

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

**Narrabri LEP 2012 - Amendment to Schedule 1**

|                             |                                                      |            |
|-----------------------------|------------------------------------------------------|------------|
| MDP Number :                | Date of Release :                                    |            |
| Area of Release (Ha) :      | Type of Release (eg Residential / Employment land) : | <b>N/A</b> |
| No. of Lots : <b>0</b>      | No. of Dwellings (where relevant) :                  | <b>0</b>   |
| Gross Floor Area : <b>0</b> | No of Jobs Created :                                 | <b>0</b>   |

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

If No, comment : **The Department of Planning and Environment's Code of Practice in relation to communications and meetings with lobbyists has been complied with to the best of the Region's knowledge. The Northern Region has not met with any lobbyists in relation to this proposal, nor has the Northern Region been advised of any meeting between other Departmental Officers and lobbyists concerning the proposal.**

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

If Yes, comment :

**Supporting notes**

Internal Supporting Notes :

External Supporting Notes :

**Adequacy Assessment****Statement of the objectives - s55(2)(a)**

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

Comment : **The objectives and intended outcomes of the Planning Proposal are adequately expressed for the proposed amendment to Narrabri LEP 2012.**

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

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

Comment : **The Planning Proposal provides a clear explanation of the intended provisions to achieve the objectives and intended outcomes.**

**Justification - s55 (2)(c)**

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA : **3.1 Residential Zones**  
**4.3 Flood Prone Land**

\* May need the Director General's agreement

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**

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 :

#### **Mapping Provided - s55(2)(d)**

Is mapping provided? **No**

Comment : **The Planning Proposal relates to the insertion of an additional permitted land use in Schedule 1 of the the written document only. No associated mapping is required. The identification mapping contained in the proposal is considered to be adequate for public exhibition purposes.**

#### **Community consultation - s55(2)(e)**

Has community consultation been proposed? **Yes**

Comment : **Council considers the proposal as being relatively low impact. This is considered appropriate and a 14 day exhibition period is recommended.**

#### **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 : **The Planning Proposal and accompanying documentation are considered to satisfy the adequacy criteria by:**

- 1. Providing appropriate objectives and intended outcomes;**
- 2. Providing a suitable explanation of the provisions proposed by the LEP to achieve the outcomes;**
- 3. Providing an adequate justification for the proposal;**
- 4. Outlining a proposed community consultation program; and**
- 5. Providing a project time line.**

**Council is seeking an authorisation to exercise its plan making delegations. As the Planning Proposal deals only with matters of local significance, it is considered appropriate that an authorisation to exercise its plan making delegations be issued to Council.**

**Council's project timeline has outlined a 6 month time frame for the Planning Proposal with the LEP expected to be ready for submission to the Department for notification by late March 2015. This is considered adequate subject to its amendment to include the additional plan making tasks required should an authorisation to exercise plan making delegations be granted to Council.**

#### **Proposal Assessment**

**Principal LEP:**

Due Date :

Comments in relation to Principal LEP :

**Narrabri LEP was made in December 2012.**

## Assessment Criteria

|                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Need for planning proposal :                    | <p>The proposal to amend Schedule 1 Additional Permitted Uses of NLEP to insert an additional permitted use on Lot 113 DP 1097382, Riverside Drive, Narrabri for the purpose of a 'function centre' and 'hotel or motel accommodation' is not the subject of a specific strategic study or report.</p> <p>The subject land is approximately 2ha in area and is predominantly zoned R5 Large Lot Residential with a small portion bordering Narrabri Creek zoned RU1 Primary Production under NLEP 2012. The existing dwelling which has development approval to operate as bed and breakfast accommodation is located on the R5 zoned portion of the lot.</p> <p>Council considered both an alternate zoning where the proposed land uses would be permissible and/or amending the LEP to insert the land uses into the Zone R5 land use table as means of achieving the aim of the planning proposal. Council determined that including the land uses in Schedule 1 of the LEP would provide the best planning outcome as:</p> <ul style="list-style-type: none"> <li>- The site is unique in comparison to surrounding landholdings as it contains extensive existing facilities (including significant water storage) that lend themselves to the proposed uses;</li> <li>- Surrounding landholdings are serviced by Council's restricted (low flow) water and gravity fed sewerage infrastructure and therefore amending the zone table for the R5 zone to allow the proposed land uses within the area has the potential to require significant augmentation of Council's water and sewerage systems; and</li> <li>- Rezoning of the subject site to a zone that permits the specific land uses has the potential to create land use conflict, set an undesirable precedent and would not maintain the aims and objectives of the R5 zone.</li> </ul> |
| Consistency with strategic planning framework : | <p>Whilst no regional strategies apply to the Narrabri LGA, the New England North West Strategic Regional Land Use Plan does apply. The Planning Proposal is considered to be consistent with the provisions of the Strategic Regional Land Use Plan.</p> <p>The Planning Proposal is considered to be consistent with all SEPP's and s117 Directions except the following;</p> <p><b>4.3 Flood Prone Land</b></p> <p>The proposal is considered to be inconsistent with this Direction as it involves flood prone land and will allow for an intensification of the lands. The proposal is considered to be justifiably inconsistent and a matter of minor significance as the land is already utilised for residential and accommodation type purposes and is unlikely to have an impact on flood related events within the surrounding area. It is also noted that Narrabri LEP 2012 contains flood prone land planning provisions that ensure that this matter will be appropriately considered and addressed at the development application stage. It is recommended however that Council consult with the Office of Environment and Heritage in relation to the flooding issue before exhibiting the proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Environmental social economic impacts :         | <p>No significant adverse environmental, social or economic impact has been identified as resulting from the proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

### Assessment Process

Proposal type : **Routine** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 months** Delegation : **RPA**

Public Authority Consultation - 56(2) (d) :

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  |
|--------------------------------------------------------|---------------------------------|------------|
| <b>Cover Letter - PP - Amendment to Schedule 1.pdf</b> | <b>Proposal Covering Letter</b> | <b>Yes</b> |
| <b>Council Resolution.pdf</b>                          | <b>Proposal</b>                 | <b>Yes</b> |
| <b>Planning Proposal.pdf</b>                           | <b>Proposal</b>                 | <b>Yes</b> |
| <b>Att 5_completed.pdf</b>                             | <b>Proposal</b>                 | <b>Yes</b> |

### Planning Team Recommendation

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

S.117 directions: **3.1 Residential Zones**  
**4.3 Flood Prone Land**

Additional Information : **It is recommended that:**

- 1. The Planning Proposal be supported;**
- 2. The Planning Proposal be exhibited for 14 days;**
- 3. The Planning Proposal be completed within 6 months;**
- 4. That the Secretary (or her delegate) approve the inconsistency with section 117 Direction 4.3 Flood Prone Land;**
- 5. That an authorisation to exercise delegation be issued to Council;**
- 6. The Council consult with the Office of Environment and Heritage (flooding); and**

6. That the Planning Proposal be amended prior to exhibition so that the project time line addresses all the additional steps to be completed by Council due to an authorisation to exercise delegation being issued.

Supporting Reasons :

The Planning Proposal aims to amend Schedule 1 of Narrabri LEP 2012 to permit with consent a 'function centre' and 'hotel or motel accommodation' on Lot 113 DP 1097382, Narrabri.

The subject land currently contains a dwelling that has planning approval for 'bed and breakfast accommodation'. Amendment of Schedule 1 is supported in this instance due to the reasons provided by Council, due to the existing approved use of the site and as it will allow the highest economic use of the existing building and infrastructure located on the land. Due to the scale of the existing buildings on the site, and the low density residential nature of the area, it is not anticipated that the proposed use will be out of character with surrounding development and /or result in any detrimental social, economic or environmental impacts. It will also help to provide important tourist and entertainment facilities to the Narrabri area which is anticipated will have a growing demand due to its location within the Gunnedah coal basin.

Signature:



Printed Name:

Craig Diss

Date:

11 / 11 / 14