

**Liverpool Plains LEP 2011 Amendment No 4 - Quirindi North Rural Residential Area,
Boundary Adjustment Clause and Farm Buildings.**

Proposal Title :	Liverpool Plains LEP 2011 Amendment No 4 - Quirindi North Rural Residential Area, Boundary Adjustment Clause and Farm Buildings.		
Proposal Summary :	This Planning Proposal aims to: 1. Rezone land in the 'Quirindi North Rural Residential Area' for large lot residential purposes; 2. Amend the minimum lot size provisions for the 'Quirindi North Rural Residential Area'; 3. Amend the land use table for land zoned R5 Large Lot Residential to permit with consent 'farm buildings'; and 4. Introduce a new local clause to permit rural boundary adjustments on certain rural, residential and environmental zoned land where both lots are below the minimum lot size.		
PP Number :	PP_2016_LPLNS_002_00	Dop File No :	15/18037

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
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.2 Caravan Parks and Manufactured Home Estates
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection

Additional Information : It is recommended that:

1. The Planning Proposal be supported;
2. The Planning Proposal be exhibited for 28 days;
3. The Planning Proposal be completed within 12 months;
4. That prior to community consultation the following site investigations are to be undertaken:
 - a preliminary contamination assessment be made of land that is proposed to be rezoned surrounding the land zoned SP2;
 - a noise assessment for the potential impact of noise from the rail corridor on future residential land uses; and
 - an aboriginal cultural heritage assessment.
5. That the Secretary's delegate notes that the inconsistencies with s117 Directions 2.1 Environmental Protection Zones and 4.4 Planning for Bushfire Protection are outstanding until consultation with the NSW Office of Environment and Heritage and the NSW Rural Fire Service has been completed;
6. That the Secretary's delegate determines that the inconsistency with s117 Direction 3.1 Residential Zones is justified in accordance with the terms of the direction;
7. That State agency consultation be undertaken with the Rural Fire Service, Office of Environment and Heritage, NSW Office of Water, DPI Agriculture and Roads and Maritime Services, and the Australian Rail Track Corporation; and
8. That a written authorisation for Council to exercise its plan making delegations be

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granted for this matter.

Supporting Reasons : This Planning Proposal will facilitate the development of land that has been identified by a endorsed Development Strategy in a manner that addresses the environmental constraints of the land.

Panel Recommendation

Recommendation Date : 08-Apr-2016

Gateway Recommendation : Passed with Conditions

Panel Recommendation : This planning proposal is considered of local significance and the Gateway Determination is to be issued under delegation by the Acting Director Regions, Northern. Therefore the planning proposal will not be considered by the panel.

Gateway Determination

Decision Date : 08-Apr-2016

Gateway Determination : Passed with Conditions

Decision made by : Regional Director, Northern Region

Exhibition period : 28 Days

LEP Timeframe : 12 months

Gateway Determination : 1. Prior to community consultation the following site investigations are to be conducted for the land at Quirindi North which is to be rezoned, and if necessary the planning proposal is to be amended to take into account the findings of these investigations:

- (a) A noise assessment for the potential impact of noise from the rail corridor on future residential land uses;
- (b) An Aboriginal cultural heritage assessment; and
- (c) A preliminary contaminated land assessment for land adjacent to the former sanitary depot (shown zoned SP2 Waste or Resource Management Facility in the Liverpool Plains LEP 2011).

These investigations are to accompany the planning proposal for community consultation.

2. Community consultation is required under sections 56(2)(c) and 57 of the 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 and Infrastructure 2013).

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

- NSW Roads and Maritime Services
- NSW Office of Water
- NSW Department of Primary Industries – Agriculture
- NSW Office of Environment and Heritage
- NSW Rural Fire ServiceFirst
- Australian Rail Track Corporation

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 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 12 months from the week following the

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date of the Gateway determination.

Signature:



Printed Name:

Craig Diss

Date:

8 April 2016