

Amend Temora LEP 2010 to reduce the minimum lot size for land zoned R5 Large Lot Residential at Bundawarra Road Estate and Rosella Street Estate from 2 hectares to 1 hectare.

Proposal Title :	Amend Temora LEP 2010 to reduce the minimum lot size for land zoned R5 Large Lot Residential at Bundawarra Road Estate and Rosella Street Estate from 2 hectares to 1 hectare.		
Proposal Summary :	Council seeks to amend Temora LEP 2010 to reduce the minimum lot size for land at Bundawarra Road Estate and Rosella Street Estate from 2 hectares to 1 hectare.		
PP Number :	PP_2016_TEMOR_001_00	Dop File No :	16/13944

Proposal Details

Date Planning Proposal Received :	21-Oct-2016	LGA covered :	Temora
Region :	Southern	RPA :	Temora Shire Council
State Electorate :	MURRUMBIDGEE	Section of the Act :	55 - Planning Proposal
LEP Type :	Precinct		

Location Details

Street :	Bundawarra Rd and Rosella Street		
Suburb :	Temora	City :	Temora
		Postcode :	2666
Land Parcel :	All land zoned R5 as shown in planning proposal.		

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre :	Release Area Name :
Regional / Sub Regional Strategy :	Consistent with Strategy :

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MDP Number :		Date of Release :	
Area of Release (Ha)		Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	0	No. of Dwellings (where relevant) :	95
Gross Floor Area :	0	No of Jobs Created :	0

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

If No, comment :

Have there been meetings or communications with registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting Notes :

External Supporting Notes : **The planning proposal seeks to increase residential densities on two sites zoned R5 Large Lot Residential to increase efficiency and economic use of available land to provide additional housing and lifestyle opportunities and overcome land shortages.**

Adequacy Assessment

Statement of the objectives - s55(2)(a)

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

Comment : **Clearly states the reduced lot size is to make more efficient use of available land to increase housing supply, choice and viability.**

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

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

Comment : **The planning proposal identifies the changes to the Temora Local Environmental Plan 2010 Lot Size Map – reducing the minimum lot size from 2ha to 1ha.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

6.1 Approval and Referral Requirements

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

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e) List any other matters that need to be considered :

No SEPPs directly relate to the planning proposal.

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

If No, explain :

SECTION 117 DIRECTIONS

3.1 Residential Zones: This Direction does apply to the planning proposal as it will affect land within an existing or proposed residential zone in which significant residential development is permitted or proposed to be permitted.

The proposal is considered to be CONSISTENT with this Direction.

3.4 Integrating Land Use and Transport: The proposal is considered to be **CONSISTENT** with this Direction.

Council has considered the Department of Planning and Environment's two relevant documents 'Improving Transport Choice' and 'The Right Place for Business and Services'.

While it increases residential densities, they are located on existing road and bus links.

Any potential inconsistency could be considered to be of minor significance.

6.1 Approval and Referral Requirements

This Direction does not apply to the planning proposal.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The maps in the planning proposal are adequate for exhibition purposes. The LEP maps shall be prepared in accordance with the Standard Technical Requirements for Spatial Datasets and Maps (Department of Planning and Environment, 2015) when the plan is submitted for finalisation.

RECOMMENDATION:

Council is to prepare maps in accordance with the 'Standard Technical Requirements for Spatial Datasets and Maps (Department of Planning and Environment 2015)' when the plan is submitted for finalisation.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council has proposed 28 days for consultation which is considered adequate.

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 :

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Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Temora LEP 2010 has commenced operation.**

Assessment Criteria

Need for planning proposal :	A planning proposal is the only mechanism to amend the Lot Size Map in Temora LEP 2010.
Consistency with strategic planning framework :	The planning proposal is consistent with Council's local strategy 'Temora Shire Council Local Profile Study and Environmental Strategy 2007' which was prepared for the Principle LEP.
Environmental social economic impacts :	The planning proposal increases the residential density of two areas zoned for low density residential development. The land is extensively cleared with only scattered trees and many planted as ornamentals. The Council has undertaken soils testing that demonstrates both sites' ability to accommodate on-site effluent management with a minimum lot size of 1ha. There are unlikely to be any environmental impacts. The additional housing supply and choice will benefit Temora socially and economically in terms of housing supply, choice and affordability.

Assessment Process

Proposal type :	Precinct	Community Consultation Period :	28 Days
Timeframe to make LEP :	6 months	Delegation :	RPA
Public Authority Consultation - 56(2)(d)	Other		

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 :

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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
Temora Planning Proposal Large Lot Residential.pdf	Proposal	No
Temora Council Resolution.pdf	Proposal Covering Letter	No
Temora Covering Letter.pdf	Proposal Covering Letter	No

Planning Team Recommendation

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

S.117 directions: **3.1 Residential Zones**
 3.4 Integrating Land Use and Transport
 6.1 Approval and Referral Requirements

Additional Information : **It is RECOMMENDED that the Acting Director Regions, Southern, as delegate of the Minister for Planning, determine under section 56(2) of the EP&A Act that an amendment to the Temora LEP 2010 to, reduce the minimum lot size for land at Bundawarra Road Estate and Rosella Street Estate from 2 hectares to 1 hectare, should proceed subject to the following conditions:**

- 1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:**

(a) the planning proposal must be made publicly available for 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 local environmental plans (Department of Planning and Environment 2016)'.
- 2. Consultation is required with the Environment Protection Authority under section 56(2)(d) of the EP&A Act in relation to on-site effluent management.**
The Environment Protection 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.
- 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. The LEP maps shall be prepared in accordance with the Standard Technical Requirements for Spatial Datasets and Maps (Department of Planning and Environment, 2015) when the plan is submitted for finalisation.**
- 5. The timeframe for completing the LEP is to be 6 months from the date of the Gateway determination.**

Council be authorised to use the Minister's plan making functions under sections

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59(2),(3)&(4) of the Environmental Planning and Assessment Act 1979.

SECTION 117 DIRECTIONS - It is recommended that:

- (a) The Secretary's delegate can be satisfied that the planning proposal is consistent with all relevant s117 Directions or that any inconsistencies are of minor significance; and
(b) No further consultation or referral is required in relation to s117 Directions while the planning proposal remains in its current form.

The planning proposal is considered to be consistent with all relevant SEPPs.

Supporting Reasons :

The planning proposal does not raise any significant issues because the site is currently zone for low density residential development and has been extensively cleared. The increase in residential density will improve housing supply, choice and viability of infrastructure provision.

Signature:



Printed Name:

Deanne Frankel

Date:

26/10/16