

Liverpool Plains LEP 2011 – Rezoning 1172 New England Highway, Willow Tree

Proposal Title : **Liverpool Plains LEP 2011 – Rezoning 1172 New England Highway, Willow Tree**

Proposal Summary : **The planning proposal seeks to rezone 8 hectares of land at Lot 3 DP 1121681, 1172 New England Highway, Willow Tree from RU1 Primary Production to IN2 Light Industrial.**

PP Number : **PP_2017_LPLNS_001_00**

Dop File No : **17/05819**

Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones**
- 1.2 Rural Zones**
- 1.5 Rural Lands**
- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 3.4 Integrating Land Use and Transport**
- 4.4 Planning for Bushfire Protection**
- 5.1 Implementation of Regional Strategies**
- 6.1 Approval and Referral Requirements**
- 6.3 Site Specific Provisions**

Additional Information : **It is recommended that the planning proposal proceed subject to the following conditions:**

- 1. Prior to the commencement of community consultation, Council is to update Parts 1 and 2 of the Planning Proposal to:**
 - a) incorporate the removal of clause 1 "Use of certain land at New England Highway, Willow Tree" from Schedule 1, including an explanation as to why the use of Schedule 1 is no longer necessary;**
 - b) reference the required removal of 'Additional Permitted Uses' Map under 'Part 4 Mapping';**
 - c) include a site identification map and current APU mapping of a suitable size and scale; and**
 - d) include a plain English explanation of the intended provisions.**
- 2. 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:**
 - a) Roads and Maritime Services**
 - b) Rural Fire Service**
- 3. 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 14 days;**
 - 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 Environment 2016).**
- 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 9 months from the week following the date of the Gateway determination.

It is also recommended that:

6. The Secretary's delegate determines that the inconsistencies with s117 Direction 1.1 Business and Industrial Zones and 1.2 Rural Zone are justified as they are of minor significance.

7. The Secretary's delegate note the outstanding inconsistency of the proposal with s117 Direction 4.4 Planning for Bushfire Protection and;

8. That a written authorisation to exercise plan making delegations be issued to Liverpool Plains Shire Council.

Supporting Reasons : The reasons for the recommendation are as follows:

1. The land is relatively unconstrained and the proposed zoning is commensurate with the existing and approved land uses.
2. The proposal is consistent with the strategic planning framework and the inconsistencies are considered to be of minor significance.

Panel Recommendation

Recommendation Date : **24-Apr-2017**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : The proposal is considered to be of local significance and can be appropriately considered by the Director Regions, Northern.

Gateway Determination

Decision Date : **24-Apr-2017**

Gateway Determination : **Passed with Conditions**

Decision made by : **Regional Director, Northern Region**

Exhibition period : **14 Days**

LEP Timeframe : **9 months**

Gateway Determination : 1. Prior to the commencement of community consultation, Council is to update Parts 1 and 2 of the Planning Proposal to:

(a) incorporate the removal of clause 1 "Use of certain land at New England Highway, Willow Tree" from Schedule 1 Additional Permitted Uses and associated LEP mapping, including an explanation as to why the use of Schedule 1 is no longer necessary due to the permissibility of the IN2 Light Industrial zone;

(b) reference the required removal of 'Additional Permitted Uses' Map under 'Part 4 Mapping';

(c) include a site identification map and the current Additional Permitted Use mapping of a suitable size and scale; and

(d) include a plain English explanation of the intended provisions.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013) and must be made publicly available for a minimum of 14 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 Environment 2016).

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:

- (a) Roads and Maritime Services
- (b) NSW Rural Fire Service

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 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Craig Diss

Date:

24 April 2017

