

Planning Proposal – PPL2020/0001 – Bellarwi Road, West Wyalong



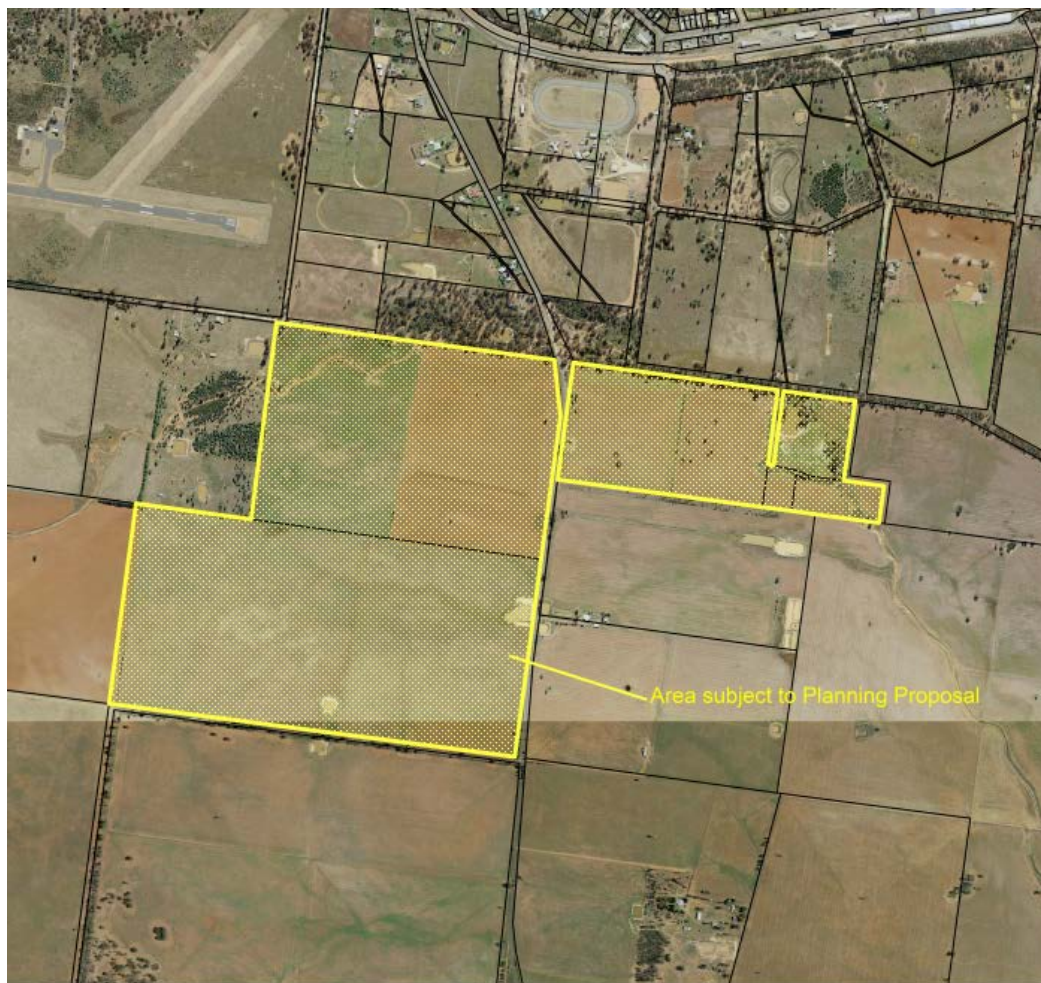
Our Prosperity - Growing our population and jobs

16.1 Ensure a sustainable environment for current and future generations through effective management and planning for the long term future by ensuring appropriate land is zoned and available to support business and industry growth.

Author: Manager Development and Regulatory Services

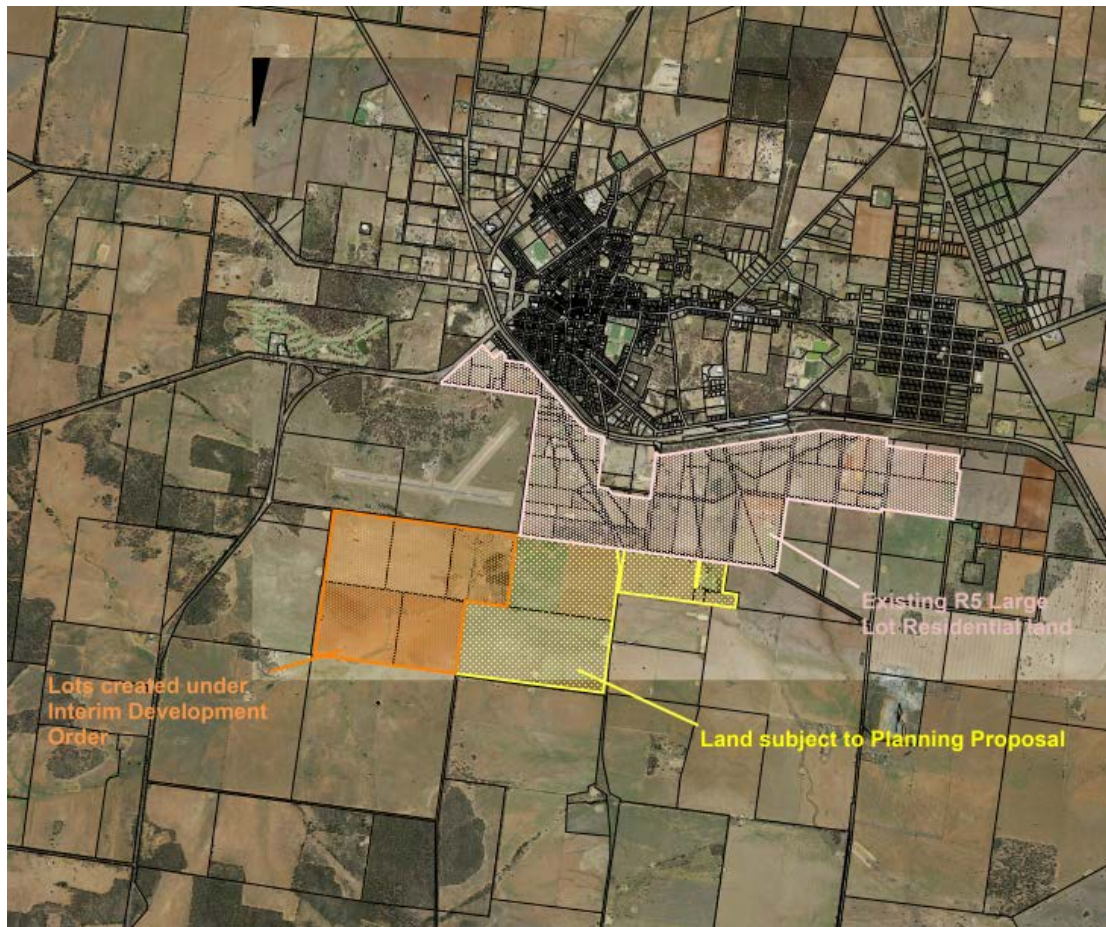
Introduction

An application has been received by Council to amend the *Bland Local Environmental Plan 2011* to enable the erection of dwelling houses on land zoned RU1 Primary Production with a minimum lot size of 40 hectares at 155 Bellarwi Road, West Wyalong. The proposal would enable the creation of five (5) x 40 hectares rural lots with a dwelling entitlement.



Subject Land

The subject land adjoins existing R5 Large Lot zoned land south of West Wyalong along Bellarwi Road. Adjoining the site to the West is an area of RU1 Primary Production zoned land that was subdivided under the Interim Development Order and as a result each of the lots created have a dwelling entitlement. The proposed amendment to the minimum lot size in relation to the subject land is consistent with the existing subdivision.



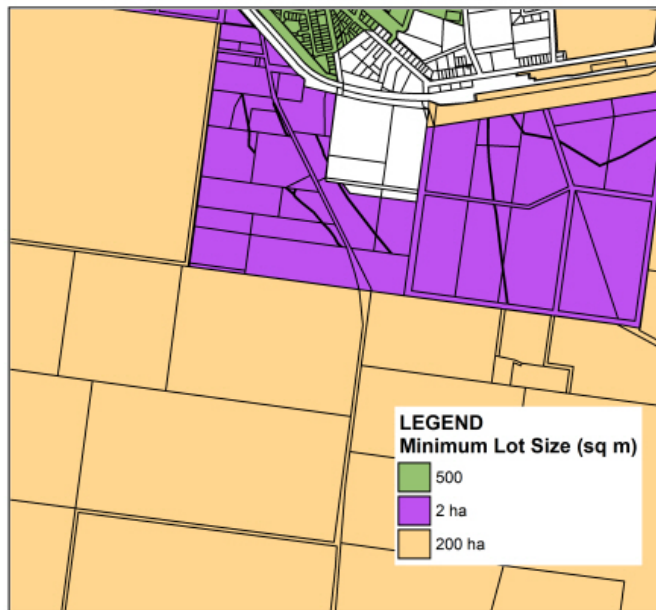
The subject land comprises a total area of approximately 218 hectares:

Legal Description	Area (ha)
Lot 171 DP775929	72.58
Lot 174 DP812471	102.8
Lot 373 DP753135	30.47
Lot 386 DP753135	7.10
Lot 392 DP753135	4.06
Lot 404 DP753135	1.626

Existing and Proposed Land Use Provisions of the Subject Site

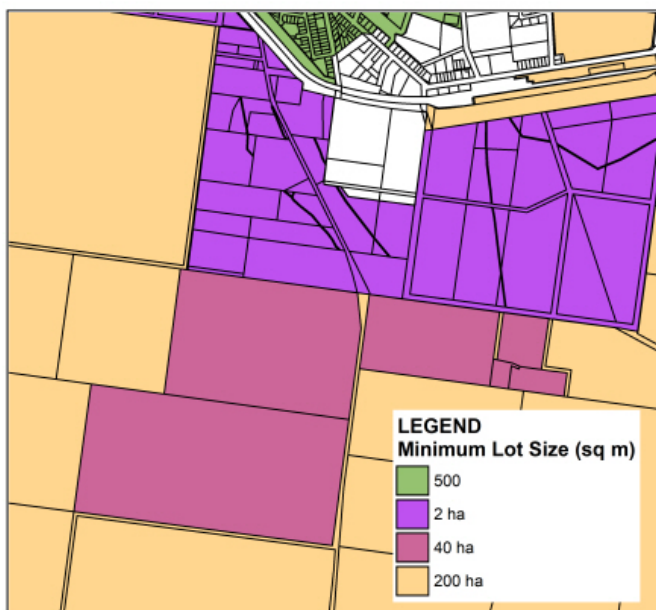
Existing Land Use Provisions

The land is currently zoned RU1 Primary Production. Clause 4.2A prevents the erection of a dwelling house on Lots 373, 386, 392 and 404 in Deposited Plan 753135. A dwelling may currently be permissible on Lots 171 and Lots 174 under Clause 4.2A (3) (b) of the Bland Local Environmental Plan 2011. A copy of Clause 4.2A of the Bland Local Environmental Plan 2011 is attached for information.



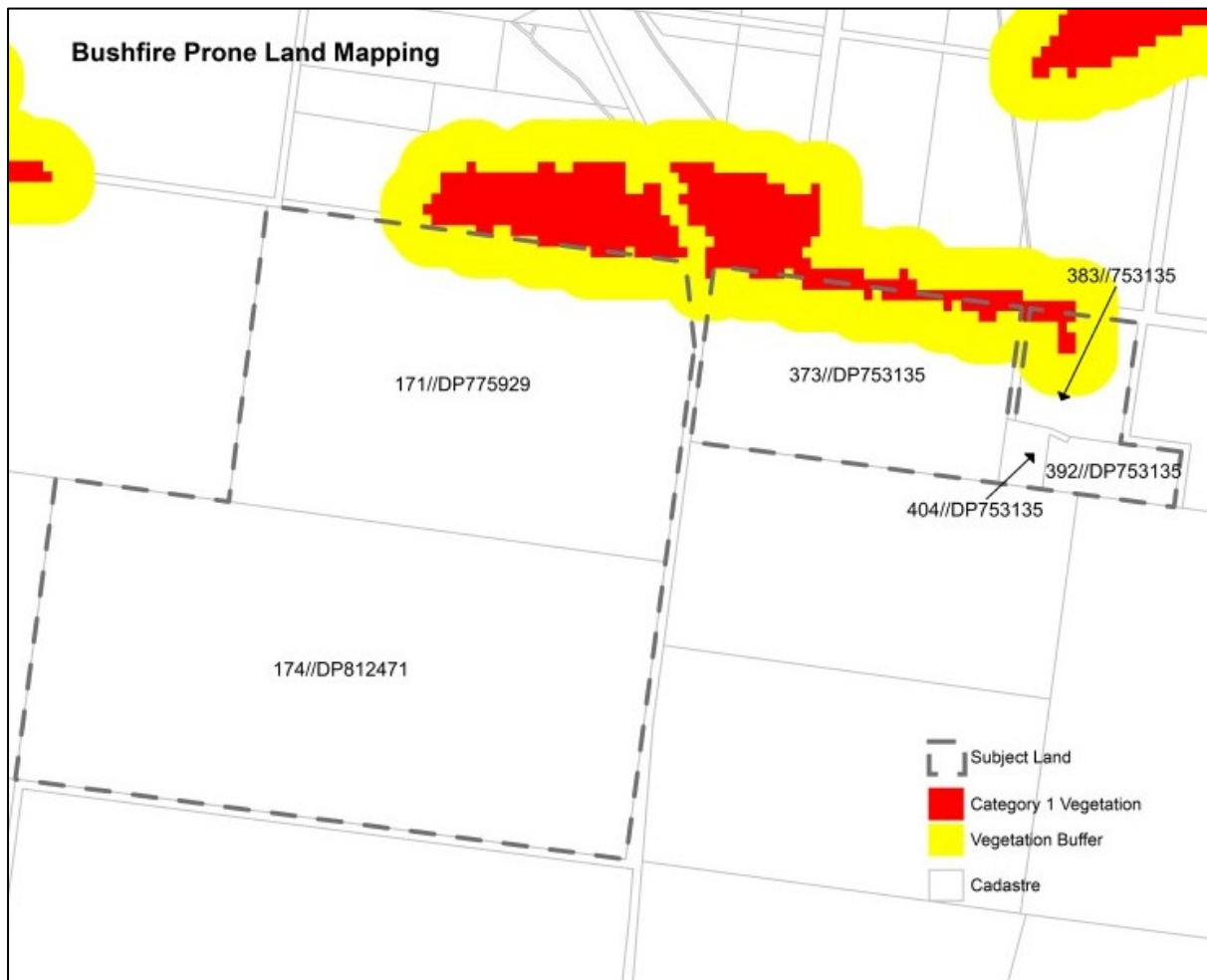
Proposed Land Use Provisions

The proposed land use is to amend the minimum lot size for the erection of a dwelling in relation to the subject land to 40 hectares. This will require amendment of Bland Local Environmental Plan Maps LSZ_007, LSZ_007D and LSZ_007F.



Natural Hazards

Part of the subject land is identified as being bushfire prone land. An area along the northern boundary of the subject land is mapped as Category 1 Vegetation and Vegetation Buffer, this does not preclude consideration of the subject site in relation to the proposed amendment. Any future development of the land would be required to comply with the NSW Rural Fire Service document Planning for Bushfire Protection.



Justification for Reduced Minimum Lot Size Provisions

The proponent provided the following justification for a reduced minimum lot size provision:

- *The subject land area is located in a key transitional area between an established large lot residential area and existing agricultural land. The subdivision pattern of the immediate area indicates rural residential lots to the north, large 40ha lots to the west, large parcel of land for airport purposes to the northwest, and general rural lots to the east and south.*
- *The proposed lot size minimum will enable the continuance of agricultural activities with the benefit of lifestyle choice.*
- *The land is adjacent to an earlier 40ha subdivision created under a previous plan that has provided an alternative lifestyle choice and has successfully coexisted with adjoining landuses with no known issues of land use conflict.*
- *The current LEP has limited choice of lot size opportunities beyond the 2.0ha minimum that is generally applied to Large Lot Residential zones. The introduction of a 40ha minimum lot size will achieve the objective of promoting lifestyle choice.*
- *The subject land area will potentially create the opportunity for five additional lots with dwelling potential, which is sufficient to meet the current demands of the local population.*

- *The proposal will contribute to the dwelling lot land use mix with minimal impact on general residential land as the primary delivery of sustainable residential living development in the local area.*
- *The proposal will access existing infrastructure services and have minimal impact on the sustainable delivery and maintenance of those services.*

Consultation

Should Council resolve to initiate the Planning Proposal and a Gateway Determination is subsequently issued by NSW Planning, Industry and Environment, the proposal is required to be exhibited in accordance with the Gateway Determination and relevant provisions of the Environmental Planning and Assessment Act 1979. Consultation with Government agencies and other stakeholders may also be required if specified within the Gateway Determination.

Financial Implications

Costs associated with progressing the planning proposal are at the applicants cost.

Summary

Council is in receipt of a planning proposal to reduce the minimum lot size for the erection of a dwelling on land zoned RU1 Primary Production. The planning proposal relates to Lot 171 DP775929, Lot 174 DP812471, Lot 373 DP753135, Lot 386 DP753135, Lot 392 DP753135 and Lot 404 DP753135. The recommendation is to proceed with the planning proposal.

Recommendation

That Council:

- 1. Support Planning Proposal PPL2020/0001 to amend the Bland Local Environmental Plan 2011**
- 2. Submit Planning Proposal PPL2020/0001 to the Department of Planning, Industry and Environment for Gateway Determination.**
- 3. Request that the Secretary of NSW Planning, Industry and Environment issue a written authorisation to Council to exercise delegation of the plan making functions under section 3.36(2) of the Environmental Planning and Assessment Act 1979 in respect of Planning Proposal PPL2020/0001.**
- 4. Receive a further report if submissions are received during the exhibition period**
 - a. Addressing any submissions made in respect of the planning proposal**
 - b. Proposing adoption of the planning proposal unless there are any recommended amendments deemed substantial and requiring further public exhibition.**