

Young LEP 2010 - Sundry Amendments (Burrangong Picnic Races; Young Sewage Treatment Plant; Caravan Parks in RU5; & heritage amendments)

Proposal Title : **Young LEP 2010 - Sundry Amendments (Burrangong Picnic Races; Young Sewage Treatment Plant; Caravan Parks in RU5; & heritage amendments)**

Proposal Summary : **This Planning Proposal (PP) proposes to:**

- rezone land owned by the Burrangong Picnic Race Club from RU4 Primary Production Small Lots to RE2 Private Recreation to reflect the current use of the site;
- rezone land around the Young Sewage Treatment Plan (STP) to accommodate the proposed expansion of the STP and rezone surplus land from SP2 to RE1 Public Recreation for use for sporting purposes;
- allow caravan parks in the RU5 Village Zone; and
- correct 4 item number errors on Heritage Map sheet number HER_026.

PP Number : **PP_2012_YOUNG_001_00**

Dop File No : **12/18886**

Proposal Details

Date Planning Proposal Received : **26-Nov-2012**

LGA covered : **Young**

Region : **Southern**

RPA : **Young Shire Council**

State Electorate : **BURRINJUCK**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **69 Milly Milly Lane**

Suburb : **Burrangong**

City : **Young**

Postcode : **2594**

Land Parcel : **Lot 3 DP 251891**

Street :

Suburb :

City :

Postcode :

Land Parcel : **Other lands identified in the Planning Proposal and Maps**

Young LEP 2010 - Sundry Amendments (Burrangong Picnic Races; Young Sewage Treatment Plant; Caravan Parks in RU5; & heritage amendments)

DoP Planning Officer Contact Details

Contact Name : Louise Wells
Contact Number : 0242249463
Contact Email : louise.wells@planning.nsw.gov.au

RPA Contact Details

Contact Name : Kerry Callaghan
Contact Number : 0263801214
Contact Email : kerry.callaghan@young.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 :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha)		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : Yes
If No, comment :

Have there been meetings or communications with registered lobbyists? : No
If Yes, comment :

Supporting notes

Internal Supporting Notes : Burrangong Picnic Race Club - this land was intended to be zoned RE2 Private Recreation in the Young LEP 2010 but was inadvertently zoned RU4. This land is used for Private Recreation and it is appropriate for it to be zoned to reflect its use.

Sewage Treatment Plant - The design and construction details for the expansion of the STP have been finalised. All the relevant land is owned by Council. It is appropriate to zone land that has been earmarked for STP expansion to SP2 Infrastructure Zone to reflect its future use. The upgrade of the STP was identified in Council's strategic planning document "Young Shire Strategic Landuse Study - Towards 2030". Other Council owned land will be rezoned RE1 Public Recreation for sporting purposes.

Caravan Parks in RU5 Village - Council always intended to permit caravan parks in the RU5 Village Zone. When Young LEP 2010 was exhibited, caravan parks fell within the group term definition of tourist and visitor accommodation (which is permitted in the RU5 Zone). Changes to the Standard Instrument resulted in caravan parks being removed from the definition and becoming a stand alone land use term. This had the unintended consequence of making caravan parks prohibited in the RU5 Zone as an innominate use.

Heritage Map - Council has identified that 4 heritage items incorrectly numbered on the Heritage Map.

External Supporting
Notes :

Adequacy Assessment

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

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

Comment : **Council has adequately explained the intended outcomes of the planning proposal.**

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

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

Comment : **The explanation of provisions adequately identifies all changes to maps and the written instrument.**

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

1.2 Rural Zones

* May need the Director General's agreement

1.5 Rural Lands

2.3 Heritage Conservation

3.2 Caravan Parks and Manufactured Home Estates

6.2 Reserving Land for Public Purposes

Is the Director General's agreement required? **Yes**

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

d) Which SEPPs have the RPA identified?

SEPP No 21—Caravan Parks

SEPP (Infrastructure) 2007

SEPP (Rural Lands) 2008

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

The Council has not included a timeline as now required by the guidelines.

RECOMMENDATION: Council be requested to provide the Regional Director of the Southern Region with a proposed timeline for major milestones in the process prior to exhibition of the PP.

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

If No, explain :

s117 Direction 1.2 Rural Zones

This Direction does not apply as neither rezoning from a rural zone to residential, business, industrial, village or tourist zone; nor an increase in permissible density is sought.

s117 Direction 1.5 Rural Lands

The Planning Proposal (PP) rezones a small parcel of land from RU4 Primary Production Small Lots to SP2 Infrastructure to accommodate the future expansion of the Young Sewerage Treatment Plant; and removes minimum lot size provisions from this area. The land adjoins existing SP2 zoned land and will accommodate the expansion of the

Young LEP 2010 - Sundry Amendments (Burrangong Picnic Races; Young Sewage Treatment Plant; Caravan Parks in RU5; & heritage amendments)

existing Sewerage Treatment Plant.

The PP also rezones land that is owned and operated by the Burrangong Picnic Race Club from RU4 Primary Production Small Lots to RE2 Private Recreation. This area was intended to be zoned RE2 Private Recreation (to reflect its current use) in the Young LEP 2010 but was inadvertently zoned RU4.

RECOMMENDATION: The Director General can be satisfied that the above inconsistencies are of minor significance.

s117 Direction 3.2 Caravan Parks and Manufactured Home Estates
The PP is consistent with this Direction.

s117 Direction 6.2 Reserving Land for Public Purposes
The PP rezones an area of land from SP2 Infrastructure to RE1 Public Recreation to facilitate the use of the site for the Australian Rules Football Club. The site adjoins the Young Sewerage Treatment Plant and is not required for the expansion of the facility.

RECOMMENDATION: The Director General can be satisfied that the rezoning of land to RE1 Public Recreation is of minor significance and approve of this rezoning. No further referral is required in relation to this Direction.

RECOMMENDATION: The PP is consistent with other relevant section 117 Directions or any inconsistencies can be considered to be of minor significance.

The PP is consistent with relevant SEPPs.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : Council has provided mapping that identifies the changes that will result from the PP.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : It is proposed to exhibit the PP for a period of 14 days.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons : As noted above, the Director General's approval is needed in relation to s117 Direction 6.2 Reserving Land for Public Purposes.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : Young Local Environmental Plan 2010 is in operation.

Assessment Criteria

Need for planning proposal :

The PP is the best way to achieve Council's intended outcomes.

Milly Milly Lane - The Young Shire Strategic Landuse Study - Towards 2030 identified the RE2 Private Recreation Zone as appropriate for this 8.9ha site. The site is adjacent to the Toompang Racecourse and owned by the Burrangong Picnic Race Club. The site was inadvertently zoned RU4 Primary Production Small Lots in the Young LEP 2010. This PP will rectify that oversight.

Young Sewerage Treatment Plant (STP) - The design and construction details for the expansion of the STP have been finalised. Based upon this work, Council has identified which lands are required for the expansion of the facility - and those which are no longer needed. It is appropriate to zone land earmarked for expansion as SP2 Infrastructure (all subject land in this area is Council owned). It is also reasonable to apply a more appropriate zone for land that is no longer required for the STP. Surplus land is proposed to be zoned RE1 Public Recreation (consistent with adjoining land).

Caravan Parks - Council always intended to permit caravan parks in the RU5 Village Zone. Changes to group terms and definitions in the Standard Instrument during finalisation of the Young LEP 2010 led to this use being accidentally omitted from the Land Use Table in the RU5 Zone. This PP will rectify that oversight.

Heritage items - Council has identified numbering errors with 4 heritage items.

Consistency with strategic planning framework :

The PP is consistent with the Young Shire Strategic Land Use Study - Towards 2030.

There is no regional strategy that applies to Young Shire.

Environmental social economic impacts :

The changes proposed in this PP are relatively minor. The proposed rezonings will not have a negative environmental impact; and do have the potential to provide social and economic benefits.

The STP rezonings will facilitate the expansion of the Young STP which will benefit the current population and provide for future growth. It will also increase the amount of recreational land available for use by the public by rezoning land that is not needed for the STP to RE1 Public Recreation.

The Milly Milly Lane rezoning will allow for additional recreational opportunities associated with the adjoining racecourse. In particular, the Young Pro Rodeo Club is investigating options for the land. There may be tourist or other economic benefits associated with the future use of this land by the Race Club and/or the Rodeo Club.

Allowing caravan parks in the RU5 Zone will provide additional options for tourist developments in the Village Zone.

Assessment Process

Proposal type :

Routine

Community Consultation
Period :

14 Days

Timeframe to make LEP :

6 Month

Delegation :

DG

Public Authority
Consultation - 56(2)(d)

Office of Environment and Heritage
NSW Department of Primary Industries - Agriculture

Young LEP 2010 - Sundry Amendments (Burrangong Picnic Races; Young Sewage Treatment Plant; Caravan Parks in RU5; & heritage amendments)

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
PP6 - Sundry Amendments - Planning Proposal.pdf	Proposal	Yes
PP6 - Young letter.pdf	Proposal Covering Letter	Yes
PP6 - Young - maps.pdf	Map	Yes

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**
- 2.3 Heritage Conservation**
- 3.2 Caravan Parks and Manufactured Home Estates**
- 6.2 Reserving Land for Public Purposes**

Additional Information : **The Director General, as delegate of the Minister for Planning and Infrastructure, has determined under section 56 (2) of the EP&A Act that an amendment to the Young Local Environmental Plan 2010 to:**

- **rezone land owned by the Burrangong Picnic Race Club from RU4 Primary Production Small Lots to RE2 Private Recreation;**
- **rezone land around the Young Sewage Treatment Plant to SP2 Infrastructure and RE1 Public Recreation;**
- **allow caravan parks in the RU5 Village Zone; and**
- **correct 4 heritage item numbers on the Heritage Map;**

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 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 4.5 of A Guide to

Young LEP 2010 - Sundry Amendments (Burrangong Picnic Races; Young Sewage Treatment Plant; Caravan Parks in RU5; & heritage amendments)

Preparing LEPs (Department of Planning 2009).

2. Due to the minor nature of the changes involved consultation with public authorities is not considered necessary.

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 timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

5. It is noted that the Council has not provided a timeline for key stages of the process. It is recommended Council be requested to provide the Regional Director of the Southern Region with a proposed timeline for major milestones in the process prior to exhibition of the planning proposal.

SECTION 117 DIRECTIONS

6. s117 1.5 Rural Lands - The Director General can be satisfied that the inconsistencies with this Direction are of minor significance.

7. s117 6.2 Reserving Land for Public Purposes - The Director General can be satisfied that the rezoning of land to RE1 Public Recreation is of minor significance and approve of this rezoning.

8. The Director General can be satisfied that the planning proposal is consistent with all other s117 Directions or that any inconsistencies are only of minor significance.

9. Further referral under any Directions is not required for the planning proposal while it remains in its current form.

Supporting Reasons :

The planning proposal will apply appropriate zones to land in Milly Milly Lane, Young and land surrounding the Young Sewerage Treatment Plant - consistent with the Young Shire Strategic Landuse Study. The rezonings will reflect the current and future use of each of the two sites. The introduction of 'caravan parks' as permissible with consent in the RU5 Village Zone reflects Council's intentions and was an oversight when the Young LEP 2010 was notified. The PP will also correct errors with item numbers in Heritage mapping for 4 items.

Signature:



Printed Name:

MARK PARKER
Local Planning Manager

Date:

20th December 2012