

PLANNING PROPOSAL No. 6

SUNDRY AMENDMENTS 2012



YOUNG SHIRE COUNCIL

Date Council resolved to prepare:	21 November 2012
Date Gateway Determination received:	
Date Council Meeting determined submissions:	
Date Final Version sent to Department:	

LOCAL GOVERNMENT AREA: Young Shire Council
ADDRESS OF LAND: VARIOUS LOTS AS LISTED
MAPS AND AERIAL PHOTOS: REFER TO ATTACHMENTS

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PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The purpose of the planning proposal is to correct anomalies that have been identified during operation of the Young LEP 2010 as well as minor rezoning issues requested for wider public benefit reasons.

Each amendment proposed in the planning proposal is generally compatible with the intent of Young Shire Strategic Landuse Study Towards 2030.

Council at its Meeting on 12 November 2012 considered the matters identified in this planning proposal and resolved that the planning proposal be sent to the Department of Planning and Infrastructure for assessment and processing.

PART 2 – EXPLANATION OF THE PROVISIONS OF THE PROPOSED LEP

The proposed LEP will amend the Young LEP 2010 as described below.

Mapping will be amended as follows:

- To facilitate use of land for rodeo and related purposes it is proposed to rezone land identified as Lot 3 DP 251891, 69 Milly Milly Lane Burrangong and located adjacent to Burrangong Racecourse from zone RU4 Primary Production Small Lots to zone RE2 Private Recreation. Details of mapping amendments are;
 - Amend LZN_012 from zone RU4 Primary Production Small Lots to zone RE2 Private Recreation for relevant land;
 - Amend LSZ_012 from minimum lot size of 2 hectares to no minimum lot size for relevant land;
- To correctly identify the location of Young Sewage Treatment Plant it is proposed to rezone land identified from zone RU4 Primary Production Small Lots to zones SP2 Infrastructure and RE1 Public Recreation. Details of mapping amendments:
 - Amend LZN_013 from zone RU4 to zones SP2 and RE1 for relevant land;
 - Amend LSZ_013 from 4 hectares to no minimum lot size for relevant land;
- Amend the following details on the mapping as identified. The property and address details in Schedule 5 Environmental Heritage Part 1 Heritage items such as Lot, DP and the like for these properties is correct and no change is needed;
 - Map HER_026 – delete I64 and insert I63;
 - Map HER_026 – delete I63 and insert I64;
 - Map HER_026 – delete I55 and I56 and insert I55;
 - Map HER_026 – delete I57 and insert I56

Written Instrument will be amended as follows:

- Land Use Table for zone RU5 Village is amended by inserting in alphabetical order the term Caravan parks.

PART 3 – JUSTIFICATION

Section A – Need for the planning proposal

1 Is the planning proposal a result of any strategic study or report?

No. A specific strategic study or report has not been done for the proposed amendments but the proposed amendments comply with the provisions of Young Shire Strategic Landuse Study Towards 2030 (the Strategy) as explained below.

Rezoned to RE2 Private Recreation

In respect of the amendment relating to the rodeo and related purposes in Milly Milly Lane Burrangong, the subject land is owned by Burrangong Picnic Race Club, owners of the adjacent Toompang racecourse land in zone RE2 Private Recreation.

When preparing Young Shire Strategic Landuse Study Towards 2030 the intent was to have all lands owned by Burrangong Picnic Race Club in zone RE2 Private Recreation. It was intended to provide public recreation land for the whole community with private enterprise management opportunities.

The subject land is large in area (8.94 hectares) and directly joins the Burrangong Picnic Race Club land. Rodeo and related purposes are compatible and the club has written to Council advising that they agree to the activities of the Young Pro Rodeo Club on the subject land.

Rezoned to SP2 Infrastructure and RE1 Public Recreation

In respect of land relating to the Young Sewerage Treatment Plant (STP), design and construction details for expansion of the STP have been finalised and amendment of the zoning details is required. The proposed lands for rezoning to SP2 Infrastructure with notation Sewage Treatment Plant are owned by Council and to RE1 Public Recreation. The proposed rezoning includes land for future expansion.

The upgrade and lands required was stalled for many years and the final layout not established at the 2010 execution of the LEP. This is clear now and thus the planning proposal.

Young Shire Strategic Landuse Study Towards 2030 identified the STP as important infrastructure that was to be upgraded on its current site. Amendment in this planning proposal is an expected consequence.

Heritage Items

In respect of heritage items there are two issues:

- Firstly, for Murrumbidgee map HER_026 there are several number changes for items to match the items as numbered in the written instrument;

- Secondly for noting only, heritage item located at 7 Chillingworks Road remains unchanged in Schedule 5 Heritage items. Owner had requested removal of the item from the Schedule at Council at the Ordinary Meeting on 21 November 2012 resolved that the item remain listed. There is no change to mapping for written instrument.

The proposed amendments comply with the Community Based Heritage Study 2008 that is called up in the Strategy.

Caravan Parks

In respect of the caravan parks definition in Young LEP 2010 written instrument, the proposed amendments correct an inadvertent anomaly that was not readily identified at Standard Instrument Template State wide update.

Young Shire Strategic Landuse Study Towards 2030 intended that in zone RU5 Village, land uses that provide development opportunities such as caravan parks should be included in the zone. Amendment State wide of Standard Instrument definition Tourist and Visitor Accommodation removed caravan parks from such definition. The consequential effect was that definition caravan parks became an innominate use and therefore prohibited. The proposal amendment in this planning proposal reinstates original intent.

The proposed caravan park definition includes camping grounds, sites for caravans and other moveable dwellings such as RVs (recreation vehicles). The definition would permit, subject to development application caravan parks from rustic to resort standards and would be valuable in all lands in zone RU5 Village in the Young LEP 2010.

2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

It is considered that the planning proposal is the best means of achieving the intended outcomes.

The rezoning of land is the only way to achieve the outcomes Council is seeking and to address landowner and community expectations and opportunities.

Amendment of heritage details and the Sewage Treatment Plant details is the only means to correct such details.

3 Is there a net community benefit?

Net community benefit is examined in the context of jobs generated, business regeneration, expansion and renewal, local and regional economic effects and infrastructure implications.

The proposed rezoning related to rodeo use provides an economic opportunity for local recreation activity that could attract local community activity. The proposed rezoning related to the sewage treatment plant provides legal correctness for present and future expansion of an important local infrastructure facility. The proposed definition amendment to facilitate caravan parks and camping grounds in the village zones could provide economic opportunities for such areas as well as to energise

and reinvigorate potentially declining villages. Proposed heritage related amendments provide legal correctness when development occurs on such land.

Section B – Relationship to strategic planning framework

4 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

There are no regional or sub-regional strategies applying to land in Young Shire.

5 Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

Council's Community Strategic Plan has been adopted by Council and the relevant section is explained below.

Section 1.2.1 of Plan Young of the above Plan relates to "Urban design, planning and building control that meets Community needs." One of the sub-sections requires Council land use planning decisions to be based on the Young Shire Strategic Landuse Strategy Towards 2030.

Section 3.2.4 of Grow Young of the above plan relates to "Support the growth and development of new and existing businesses and industry" and applies to the definition of caravan parks. This amendment will provide opportunity for such industry to develop.

Section 3.3.2 of Grow Young of the above plan relates to "Plan for the attraction of many and varied sport, recreation and cultural opportunities and venue plan for same and applies to the rezoning relating to the Young Pro rodeo Club on the Toompang racecourse land.

Section 4.3.2 of Live Young of the above plan relates to "Support and promote community and cultural events that foster participation, celebration and pride in the Shire" and applies to the rezoning relating to the Young Pro rodeo Club on the Toompang racecourse land.

Section 4.5.3 of Live Young of the above plan relates to "Encourage collaboration between sporting and recreation groups to maximise resources" and applies to the rezoning relating to the Young Pro rodeo Club on the Toompang racecourse land.

6 Is the planning consistent with applicable state environmental planning policies?

SEPPs identified below relate to the issues in the planning proposal and their consistency and relevance are addressed.

SEPP No 21 - Caravan Parks

The aim of the policy is to ensure that where caravan parks and camping grounds are permitted under an LEP, then movable dwellings (defined in the Local

Government Act 1993) are also permitted. The policy ensures that development consent is required for new caravan parks, camping grounds and additional long term site in existing caravan parks.

Relevance to planning proposal:

The SEPP is relevant because the planning proposal will ensure that caravan parks and camping grounds are permissible with development consent.

Consistency:

Consistency comes in that the planning proposal supports the development of caravan parks and camping grounds in the zone RU4 Primary Production Small Lots so that if there is a demand for caravan parks and camping grounds, then development can be facilitated.

Implications:

The proposed amendment will permit caravan parks and camping grounds in zone RU5 Village under LEP Young 2010.

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SEPP (Infrastructure) 2007

The aim of the policy is to provide a consistent planning regime for infrastructure and the provision of services across NSW, along with providing consultation with public authorities during the assessment process.

Relevance to planning proposal:

The planning proposal rezones land for Sewage Treatment Plant purposes to protect the lands for future similar use.

Consistency:

The planning proposal is consistent with the SEPP.

Implications:

The proposed amendment will protect lands for future Sewage treatment Plant uses.

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SEPP (Rural Lands) 2008

The aim of the policy is to facilitate the orderly and economic use and development of rural lands for rural and related purposes.

Relevance to planning proposal:

The planning proposal includes some rezoning of land in zone RU4 Primary Production Small Lots to zone SP2 Infrastructure. The lands lost to zone RU4 are currently not productive rural lands and the lot size precludes any major agriculture.

Consistency:

The planning proposal is consistent with the SEPP.

Implications:

There are no implications.

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7 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

S117 Ministerial Directions impose certain requirements on the preparation of a draft LEP. Directions identified below relate to the issues in the planning proposal and their consistency and relevance is addressed.

Ministerial Direction: 1.2 - Rural Zones

The objective is to protect the agricultural production value of rural land.

Relevance:

For the Sewage Treatment Plant rezoning lands in zone RU4 Primary Production are being rezoned to SP2 Infrastructure.

Consistency:

The planning proposal is consistent with the Direction because the relevant lands are relatively small in area, not currently used for primary production and are adjacent to the existing Sewage Treatment Plant.

Implications:

There are no implications.

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Ministerial Direction: 1.5 - Rural Lands

The objective is protect the agricultural production value of rural land and facilitate orderly and economic development of rural lands for rural and related purposes.

Relevance:

For the Sewage Treatment Plant rezoning lands in zone RU4 Primary Production are being rezoned to SP2 Infrastructure.

Consistency:

The planning proposal is consistent with the Direction because the relevant lands are relatively small in area, not currently used for primary production and are adjacent to the existing Sewage Treatment Plant.

Implications:

There are no implications.

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Ministerial Direction: 2.3 - Heritage Conservation

The objective is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

Relevance:

Legal correctness for the Murringgo heritage items and retention of the building at 7 Chillingworks road Young are relevant.

Consistency:

The planning proposal is consistent.

Implications:
There are no implications.

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Ministerial Direction: 3.2 - Caravan Parks etc

The objective is to provide variety of housing types and provide opportunities for caravan parks and manufactured homes estates.

Relevance:

Amendment of the caravan parks definition will provide the opportunities mention in the objective above.

Consistency:

The planning proposal is consistent.

Implications:

There are no implications.

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Ministerial Direction: 6.2 Reserving Land etc

The objective is to facilitate provision of public services and facilities by reserving land for public purposes and to facilitate removal of reservations of land for public purposes where the land is no longer required for acquisition.

Relevance:

Rezoning of the land adjoining the Sewage Treatment Plant for recreation purposes will enable the existing sporting facility (Australian Rules Football) to provide facilities needed for participants and spectators for present and future use.

Consistency:

The planning proposal is consistent.

Implications:

There are no implications.

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Section C – Environmental, social and economic impact

8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely effected as a result of the proposal?

The minimal land use changes in the planning proposal will not have any detrimental effect on any critical habitat or other environmental circumstances.

9 Are there any other likely environmental effects as a result of the planning proposal and how they are proposed to be managed?

Similar comments to those in Item 8 above.

10 How has the planning proposal adequately addressed any social and economic effects?

Given that the planning proposal is generally correcting anomalies and that the amendments comply with YSSLUST 2030, there are unlikely to be any social or environmental impacts.

Section D – State and Commonwealth Interests

11 Is there adequate public infrastructure for the planning proposal?

Due to the minor nature of the proposed amendments, it is unlikely that there will be any impacts on public infrastructure.

Upgrading of the Young Sewerage treatment plant is a major public infrastructure improvement for Community benefit.

12 What are the views of State and Commonwealth public authorities consulted in accordance within this gateway determination?

The views of Commonwealth and State public authorities will be sought as required by the Gateway Determination when issued by the Department of Planning and Infrastructure.

PART 4 – COMMUNITY CONSULTATION

Consultation with the Community and public authorities will be carried out in accordance with the requirements of the Gateway Determination issued by the Department of Planning and Infrastructure.

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ATTACHMENT 2

MAPPING

INDICATING EXISTING & PROPOSED MAPPING CHANGES AS A RESULT OF THIS PLANNING PROPOSAL

- **Burrangong Rodeo Lands**
- **Sewage Treatment Plant Lands**
- **Murringgo Heritage Mapping**

Young LEP 2010

Planning Proposal 6 (BPR Club & Rodeo Lands)

Submission No.

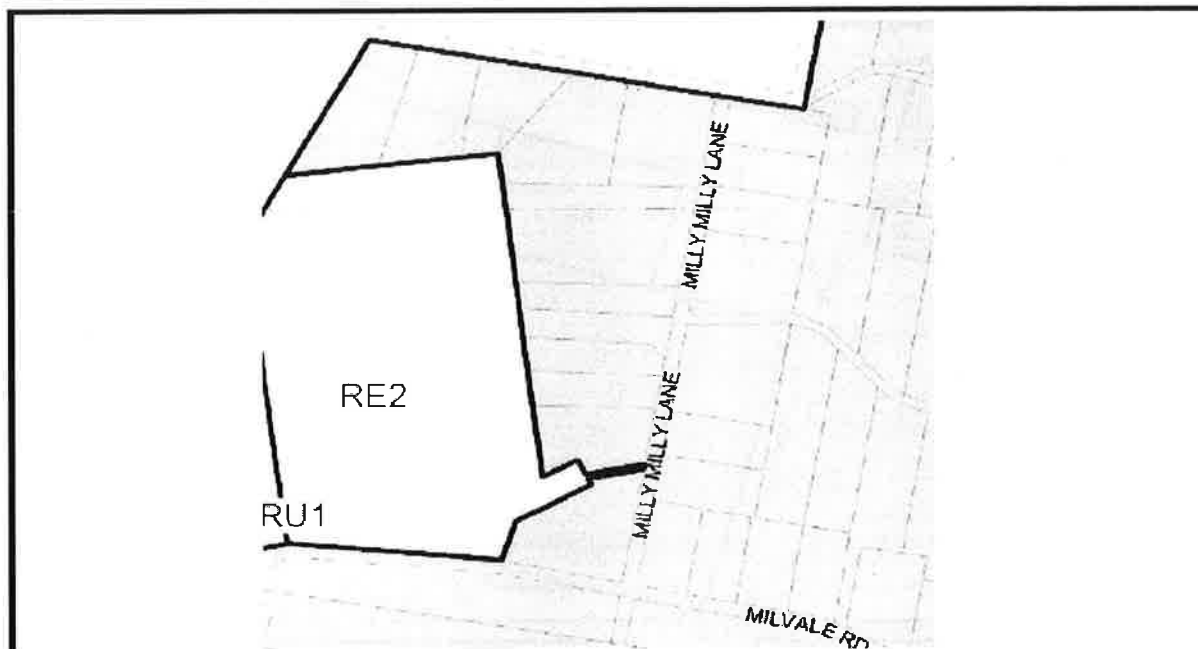
n/a

Address

Lot 3 DP 251891, 69 Milly Milly Lane, Burrangong

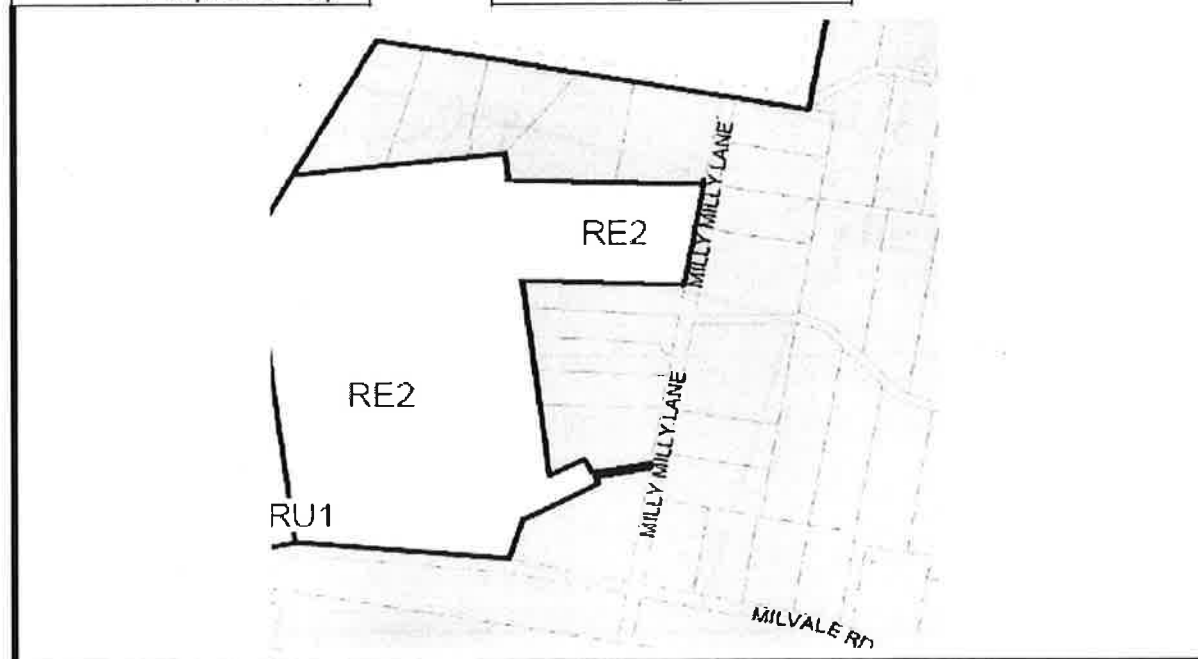
Extract Exist Map

LZN_012



Extract Proposed Map

LZN_012

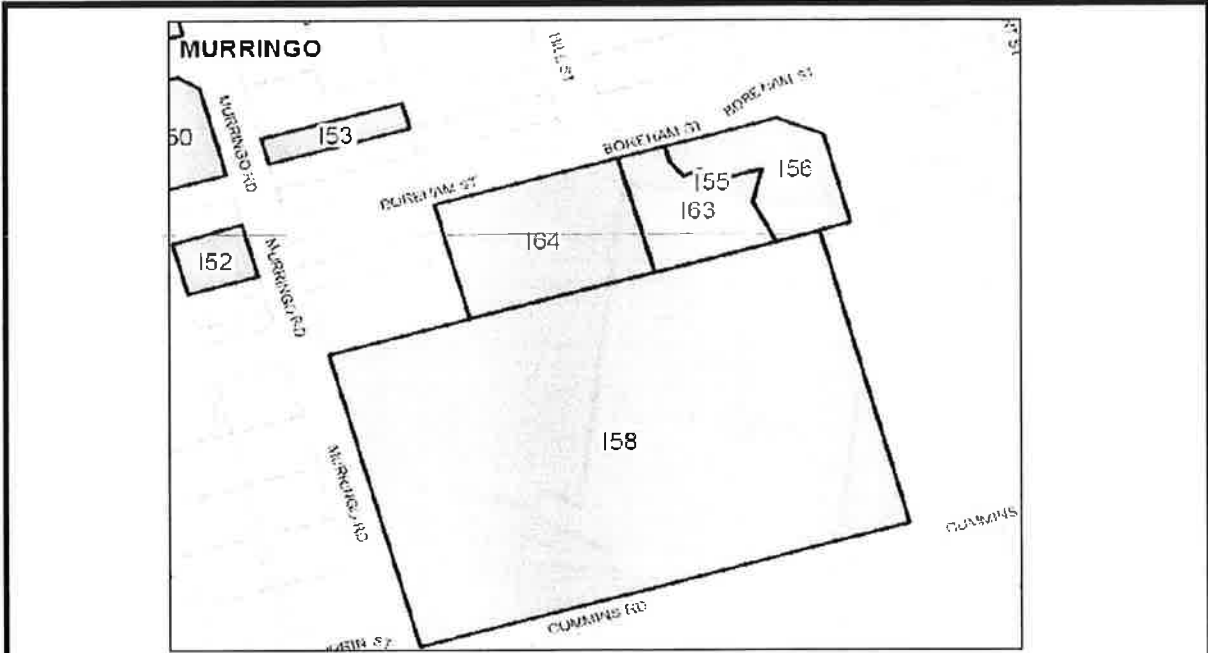


Note: LSZ Maps will be changed consistent to Council's Lot Sizes for equivalent zoned lands

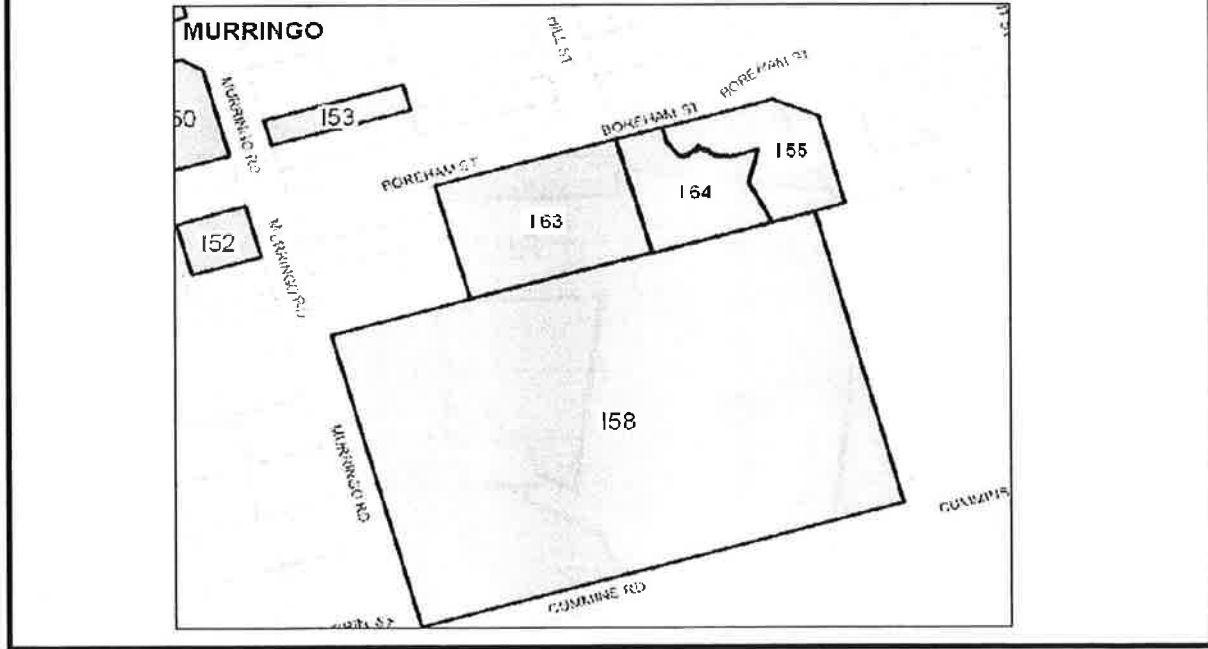
Young LEP 2010

Planning Proposal 6 (HER Murringo A Amended)

Submission No.	n/a
Address	several Geegullaong Rd Murringo
Extract Exist Map	HER_026



Extract Proposed Map	HER_026
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These extracts will appear as features on the wider HER_026

Young LEP 2010

Planning Proposal 6 (HER Murringo B Amended)

Submission No.

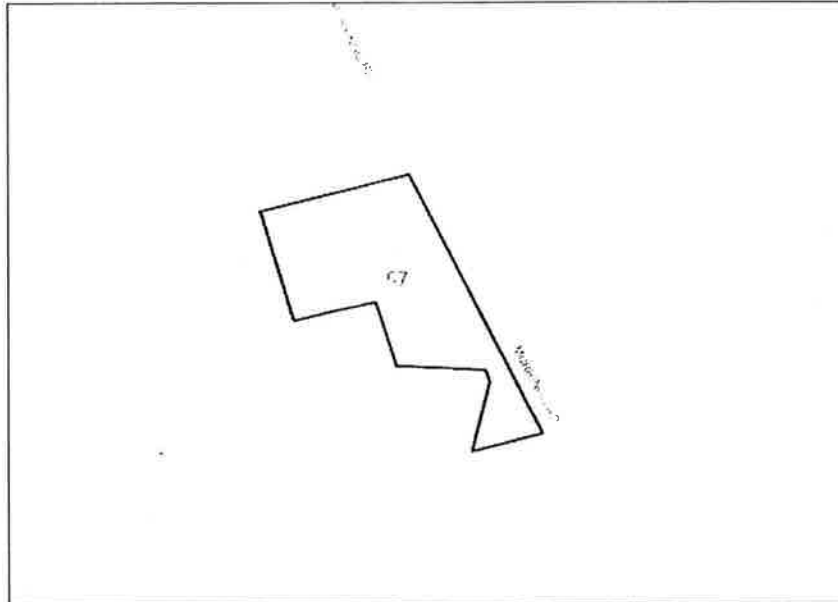
n/a

Address

Murringo Cemetery

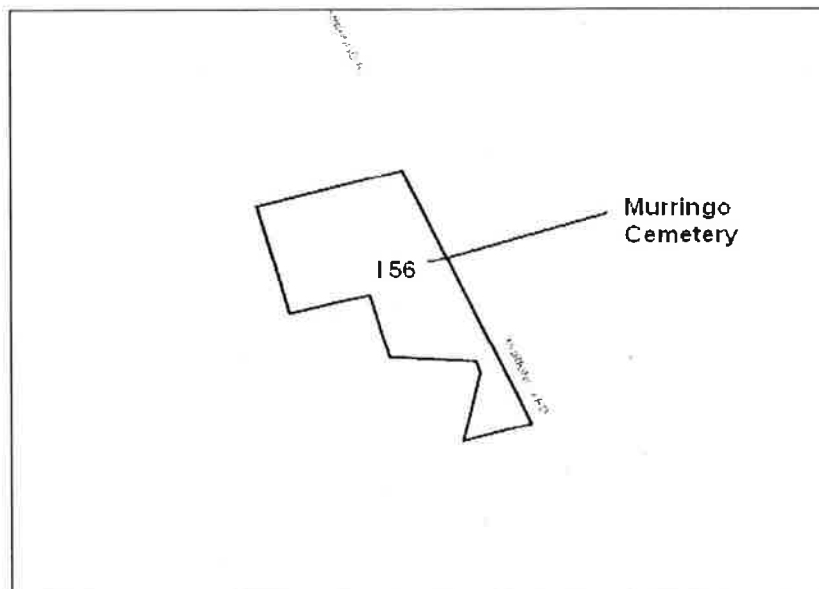
Extract Exist Map

HER_026



Extract Proposed Map

HER_026

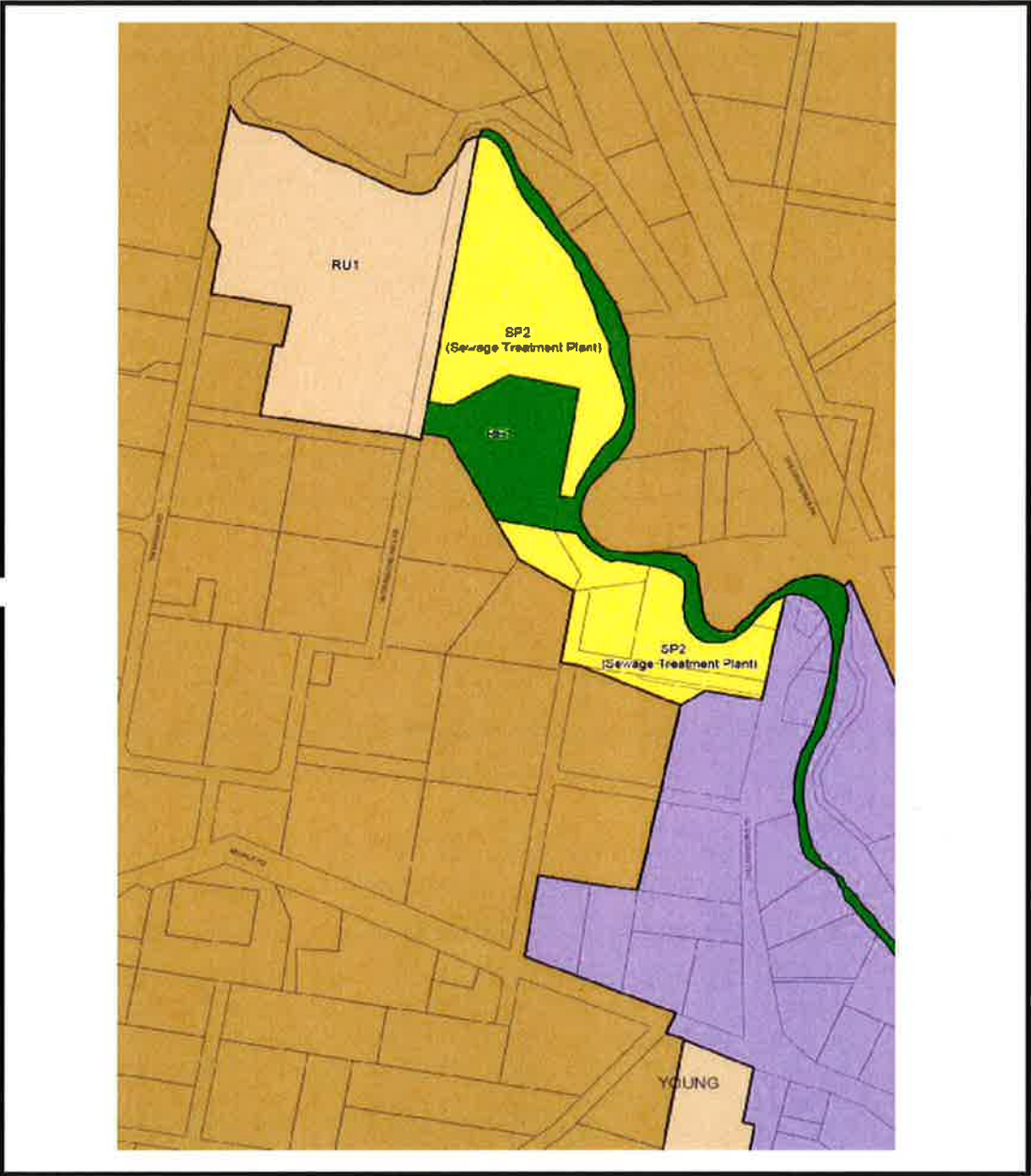


These extracts will appear as features on the wider HER_026

Young LEP 2010

Planning Proposal 6 (LZN Burrangong STW)

Submission No.	n/a
Address	Burrangong STW Lands and adjacent
Extract Exist Map	LZN_013

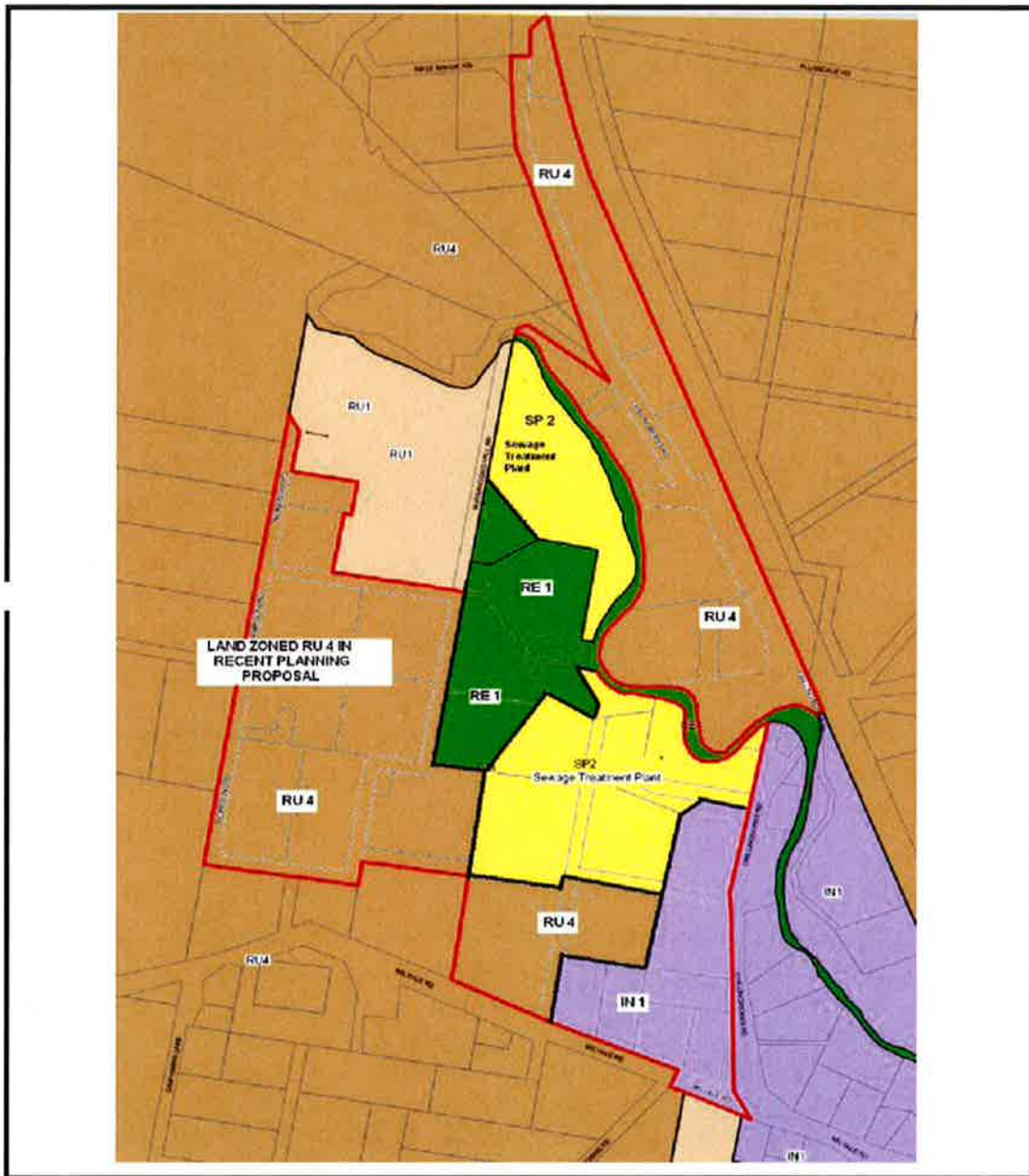


These extracts will appear as features on the wider LZN_013

Young LEP 2010

Planning Proposal 6 (LZN Burrangong STW)

Submission No.	n/a
Address	Burrangong STW Lands and adjacent
Proposed LZN Map	LZN_013



These extracts will appear as features on the wider LZN_013

Young LEP 2010
Planning Proposal 6 (LSZ Burrangong STW)

Submission No.

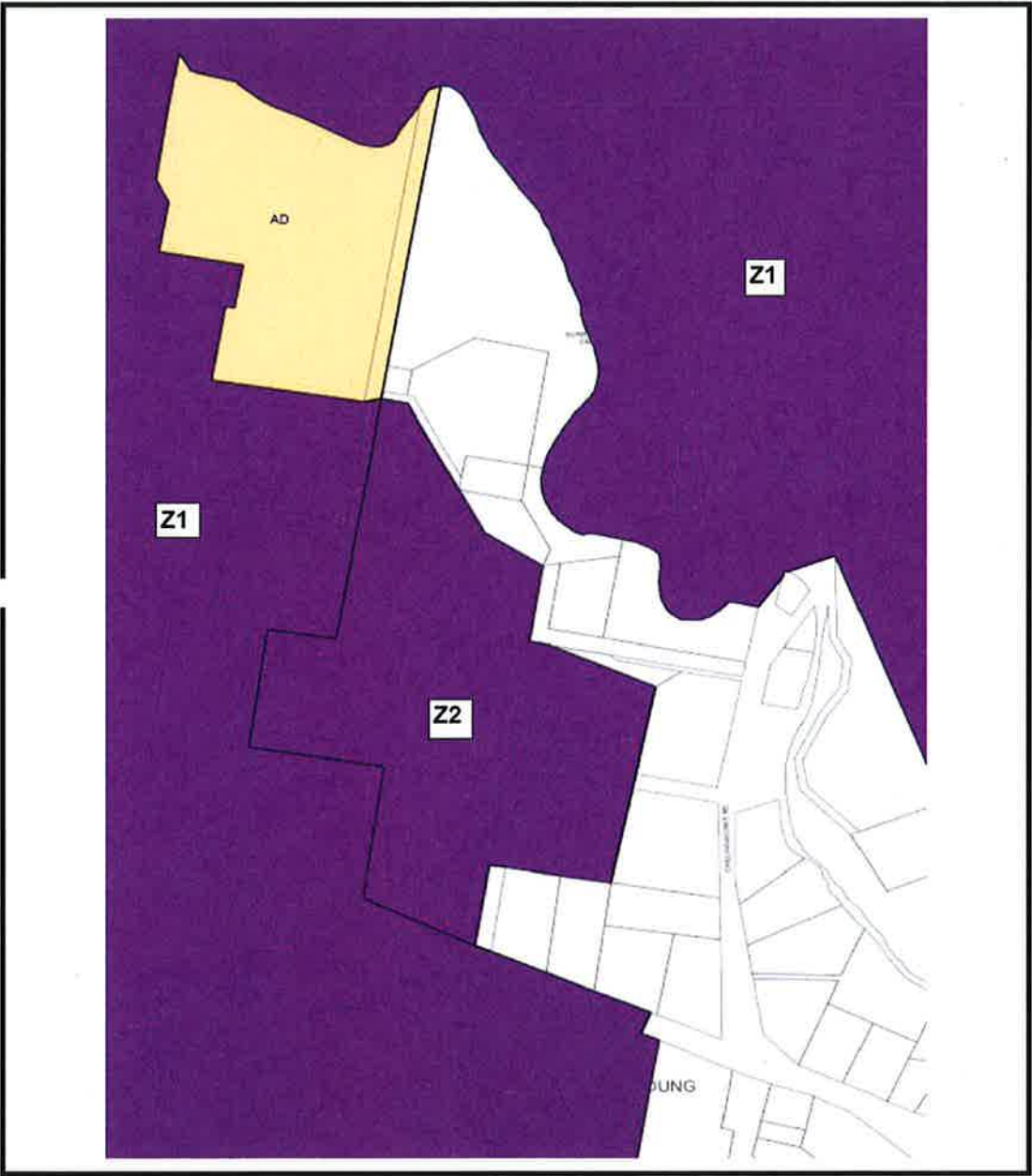
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Address

Burrangong STW Lands and adjacent

Extract Exist Map

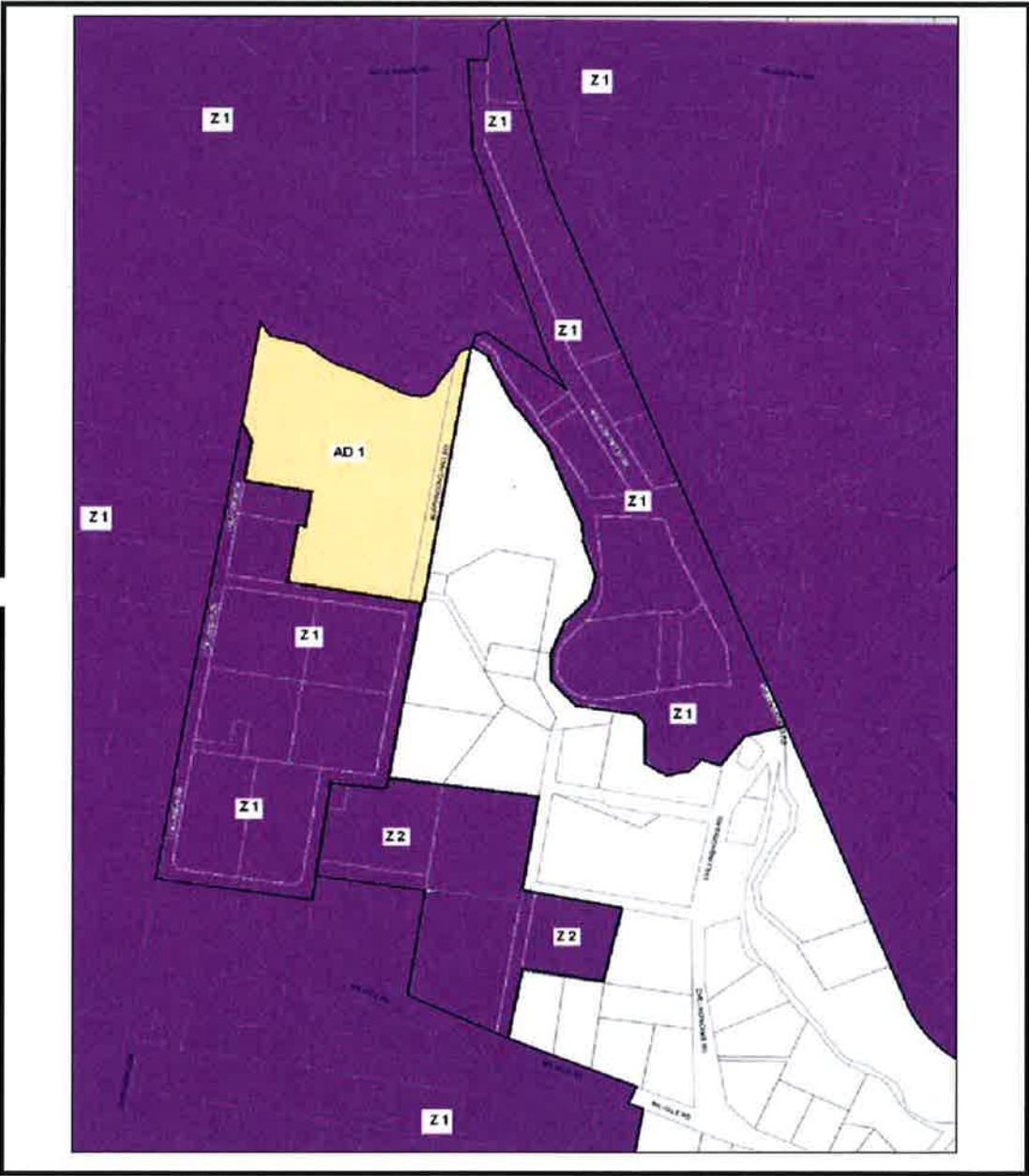
LSZ_013



These extracts will appear as features on the wider LSZ_013

Young LEP 2010
Planning Proposal 6 (LSZ Burrangong STW)

Submission No.	n/a
Address	Burrangong STW Lands and adjacent
Proposed LSZ Map	LSZ_013



These extracts will appear as features on the wider LSZ_013