

"Darraby" Broughton St, Moss Vale - Amend lot size map for urban release area

Proposal Title : "Darraby" Broughton St, Moss Vale - Amend lot size map for urban release area

Proposal Summary : The proposal involves amendment the Lot Size Map to reduce the minimum lot size over Lot 3, DP 603903 and Lot 54, DP 1107101, Broughton St, Moss Vale (also known as "Darraby"), from 700sqm to 500sqm.

PP Number : PP_2013_WINGE_002_00 Dop File No : 13/01668-1

Proposal Details

Date Planning Proposal Received : 14-Jan-2013 LGA covered : Wingecarribee

Region : Southern RPA : Wingecarribee Shire Council

State Electorate : GOULBURN Section of the Act : 55 - Planning Proposal

LEP Type : Policy

Location Details

Street : Broughton Street

Suburb : Moss Vale City : Postcode : 2577

Land Parcel : Lot 3, DP 603903 and Lot 54, DP 1107101

DoP Planning Officer Contact Details

Contact Name : Meredith McIntyre

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RPA Contact Details

Contact Name : David Matthews

Contact Number : 0248680773

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DoP Project Manager Contact Details

Contact Name : Mark Parker

Contact Number : 0242249468

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Land Release Data

Growth Centre : N/A Release Area Name : N/A

Regional / Sub Regional Strategy : Sydney-Canberra Corridor Consistent with Strategy : Yes

Regional Strategy : Regional 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 :	311	No. of Dwellings (where relevant) :	311
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 :	A Master Plan has been prepared for the site and Council has agreed to increase residential densities over parts of the site.
External Supporting Notes :	In 2012, Council approved a subdivision application for Stage 1 of the development of the subject land for a 33 lot subdivision of 700sqm each. Prior to finalising the subdivision approval for the remainder of the site, the applicant requested that Council consider a proposed Master Plan for the whole of the site (including the lots approved in 2012 as Stage 1) for a reduced lot size of 500sqm. The Master Plan provides for a range of lot sizes; almost 50% of which will still be 700sqm or above. Only 20% of the site is proposed to contain lots of 500-599sqm.

Adequacy Assessment**Statement of the objectives - s55(2)(a)**

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

Comment : **The objective is to reduce the lot size applying to the subject land.**

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

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

Comment : **The proposal will amend Lot Size Map LSZ_007D for the subject site by changing the lot size applying to the site from 700sqm to 500sqm.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.3 Mining, Petroleum Production and Extractive Industries
3.1 Residential Zones
3.3 Home Occupations
3.4 Integrating Land Use and Transport
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies
5.2 Sydney Drinking Water Catchments
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions

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

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

d) Which SEPPs have the RPA identified?

**SEPP (Mining, Petroleum Production and Extractive Industries) 2007
Drinking Water Catchments Regional Environmental Plan No. 1**

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

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

If No, explain :

Council has incorrectly identified that S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries applies to this Planning Proposal. The proposal does not provide for the prohibition or the restriction of potential development of resources, therefore it doesn't apply.

There are no inconsistencies with the S117 directions as the land is already zoned for residential development and the proposal involves increasing the density of residential development on the land.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Council has provided an adequate amendment to the lot size map.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council is proposing a 28 day public exhibition of the proposal.

A timeline has been provided and assumes a commencement date in late January 2013, public exhibition in April.

Additional Director General's requirements

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

If Yes, reasons :

This is a minor proposal adequately covered by the material provided by Council.

Overall adequacy of the proposal

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

If No, comment :

This is a minor proposal that has been adequately considered by Council. There are no issues of concern.

Council has identified it would like use its delegations to complete this proposal. It is recommended that delegations would be appropriate to be used in this instance as the proposal is considered of minor significance, will increase residential densities and there are no outstanding issues of concern.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP :

Principal LEP was made in 2010.

Assessment Criteria

Need for planning proposal :	The subject land is currently vacant land within Moss Vale township zoned R2 Low Density Residential with a minimum lot size of 700sqm. It is bounded on 2 sides by rural land and 2 sides by R2 zoned land with the same minimum lot size. The subject land is a large parcel of undeveloped residential land and has the potential for increased densities, similar to those recently achieved for other nearby urban development areas, such as the Renwick site. The applicant has prepared a Master Plan for the site that provides for a range of minimum lot sizes. Council has agreed to the Master Plan. As such, the current minimum restricts the potential for the Master Plan to be implemented and achieve its outcome of providing housing choice.
Consistency with strategic planning framework :	Council has identified that the proposal would be consistent with the Wingecarribee Community Strategic Plan 2031. Council intends to include the outcomes of the Master Plan and various precinct controls in its Moss Vale Town Plan Development Control Plan. Council prefers this approach over the option of using clause 4.6 in the Wingecarribee LEP 2010 for future development applications on the site.
Environmental social economic impacts :	There are benefits to increasing the density of the subject land, including better use of infrastructure & services without the need for medium density housing, and the ability to provide for a range of housing types and sizes on the site.

Assessment Process

Proposal type :	Minor	Community Consultation Period :	28 Days
Timeframe to make LEP :	9 Month	Delegation :	RPA
Public Authority Consultation - s56(2)(d) :	NSW Rural Fire Service		

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **The matter is considered appropriate to proceed and the Gateway should consider issuing authority for Council to use its delegation to complete the LEP.**

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

The Council has requested to use its delegation for this matter and has submitted the appropriate application form. This form has been completed by both Council and the Regional Team. It is considered appropriate for delegations to be used in this instance.

Identify any internal consultations, if required :

No internal consultation required

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Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal Darraby.pdf	Proposal	Yes
Council Report 24 Oct 2012 - Darraby.pdf	Proposal	Yes
Lot Size Map Draft - Darraby.pdf	Map	Yes
MasterPlan Darraby.pdf	Map	Yes
SCA response Broughton St Moss Vale.pdf	Proposal	Yes
Application to use delegation - Broughton St, Moss Vale.pdf	Proposal	Yes

Planning Team Recommendation

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

- S.117 directions:
- 1.3 Mining, Petroleum Production and Extractive Industries**
 - 3.1 Residential Zones**
 - 3.3 Home Occupations**
 - 3.4 Integrating Land Use and Transport**
 - 4.4 Planning for Bushfire Protection**
 - 5.1 Implementation of Regional Strategies**
 - 5.2 Sydney Drinking Water Catchments**
 - 6.1 Approval and Referral Requirements**
 - 6.3 Site Specific Provisions**

Additional Information : It is recommended that the delegate of the Minister for Planning and Infrastructure determine under section 56(2) of the EP&A Act, that an amendment to the Wingecarribee LEP 2010 to:

(a) Provide for a reduction in the minimum lot size on the subject land by amending the Lot Size Map to reduce the lot size to 500sqm,

should proceed subject to the following conditions:

1. Community consultation should be undertaken for a minimum of 28 days under section 56(2) of the EP&A Act.

2. Consultation should be undertaken with the Rural Fire Service to ensure that it does not object to the proposal prior to undertaking community consultation. Consultations are not required with any other State Government agency.

3. No public hearing is required to be held into the matter 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.

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway Determination.

5. Council be offered the Minister's plan making delegation under sections 59(2),(3)&(4) of the Environmental Planning and Assessment Act 1979.

6. SECTION 117 DIRECTIONS - It is recommended that:

(a) The Director-General can be satisfied that the Planning Proposal is consistent with s117 Direction 3.1 Residential Zones, 3.4 Integrating Land Use and Transport, 5.1 Regional Strategies, 5.2 Sydney Drinking Water Catchment, and 6.3 Site Specific Provisions; and

(b) Council will need to satisfy the Director-General that the proposal is consistent with

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s117 Direction 4.4 Planning for Bushfire Protection, and

(d)no further consultation or referral is required in relation to s117 Directions (other than Direction 4.4 Planning for Bushfire Protection).

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

Supporting Reasons :

This is a relatively minor proposal providing for the increased density of a new residential development in a large town. It is currently zoned for residential development and the proposed reduction in minimum lot size is not considered excessive. It will ensure that a wider range of housing types are provided as part of the subdivision.

This proposal is considered adequate in its consideration of the issues and Council should be encouraged to use its delegations to complete the process.

Signature:

 A/Local Planning Manager

Printed Name:

Graham Towers

Date:

23/1/13