

Rezone 10 Drapers Road, Willow Vale from IN1 to R5 (Amendment No 34)

Proposal Title : **Rezone 10 Drapers Road, Willow Vale from IN1 to R5 (Amendment No 34)**

Proposal Summary : **Rezone 10 Drapers Road, Willow Vale from IN1 General Industrial to R5 Large Lot Residential with a minimum lot size of 4,000sqm.**

PP Number : **PP_2014_WINGE_011_00** Dop File No : **14/19783-1**

Proposal Details

Date Planning Proposal Received : **25-Nov-2014** LGA covered : **Wingecarribee**

Region : **Southern** RPA : **Wingecarribee Shire Council**

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

LEP Type : **Spot Rezoning**

Location Details

Street : **10 Drapers Road**

Suburb : **Willow Vale** City : Postcode : **2575**

Land Parcel : **Lot 5, DP 10008**

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 : **Graham Towers**

Contact Number : **0242249746**

Contact Email : **graham.towers@planning.nsw.gov.au**

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) : **4.00**Type of Release (eg Residential / Employment land) : **Residential**No. of Lots : **0**No. of Dwellings (where relevant) : **5**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 :

External Supporting Notes :

Adequacy Assessment**Statement of the objectives - s55(2)(a)**Is a statement of the objectives provided? **Yes**Comment : **The statement adequately describes the intent of the proposal.****Explanation of provisions provided - s55(2)(b)**Is an explanation of provisions provided? **Yes**Comment : **The planning proposal identifies that maps LZN_0071 and LSZ_0071 need to be amended to change the zone and minimum lot size.****Justification - s55 (2)(c)**a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

3.1 Residential Zones**4.4 Planning for Bushfire Protection****5.1 Implementation of Regional Strategies****5.2 Sydney Drinking Water Catchments**Is the Director General's agreement required? **Yes**c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

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

SECTION 117 DIRECTIONS:

1.1 BUSINESS AND INDUSTRIAL ZONES: This Direction does apply to the planning proposal as it will affect land within an existing industrial zone.
The proposal is considered to be **INCONSISTENT** with this direction as it does not retain the area and location of existing business or industrial zones.

The proposal will only remove 2ha of industrial land which is insignificant in terms of overall industrial land supply for the Shire.

RECOMMENDATION: The Secretary can be satisfied that the inconsistency is of minor significance.

3.1 RESIDENTIAL ZONES: This Direction does apply to the planning proposal as it will affect land within a proposed residential zone.
The proposal is considered to be **CONSISTENT** with this direction and will provide an additional 5 lots and assist in a variety of housing types being available.

3.4 INTEGRATING LAND USE AND TRANSPORT: Council has not identified that this Direction applies to the planning proposal, however it does apply as the planning proposal as will create/alter/remove a zone/provision relating to urban land.
The proposal is considered to be **CONSISTENT** with this direction.

4.4 PLANNING FOR BUSHFIRE PROTECTION: This Direction does apply to the planning proposal as it will affect/is in close proximity to land mapped as bushfire prone land.

RECOMMENDATION: The Secretary will need to be satisfied that the requirements of the Direction have been met. A condition should be included in the Gateway determination that consultation should be undertaken with the Rural Fire Service in accordance with the Direction.

5.1 IMPLEMENTATION OF REGIONAL STRATEGIES: This Direction does apply to the planning proposal as the Sydney-Canberra Corridor Regional Strategy applies to the land.
The proposal is considered to be **CONSISTENT** with this direction.

5.2 SYDNEY DRINKING WATER CATCHMENT: This Direction does apply to the planning proposal as the land is within the Sydney drinking water catchment.
The proposal is considered to be **CONSISTENT** with this direction.

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Maps are adequate for exhibition.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **No specific timeframe has been provided.**

Additional Director General's requirements

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

If Yes, reasons :

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 :

Wingecarribee Local Environmental Plan 2010 is in place.

Assessment Criteria

Need for planning
proposal :

The subject site and adjoining lot were rezoned to IN1 General Industrial as part of Amendment 2 to the Wingecarribee LEP 2010. At that time, it was intended that an interface between the industrial area and the residential area be created.

However, the lot immediately to the north (No. 12) has now been approved as an animal boarding and breeding establishment with strict conditions to limit impacts on adjoining neighbours. As this lot is unlikely to be developed as industrial into the foreseeable future, it is felt that the subject land would strategically be more appropriate as large lot residential land and form the northern boundary of the residential/industrial area.

Consistency with
strategic planning
framework :

The rezoning is considered of minor significance and consistent with local and State strategic planning outcomes.

Environmental social
economic impacts :

The subject land, once rezoned, would be subject to Council's Northern Villages Development Control Plan and therefore appropriate controls will apply.

The site is reasonably heavily vegetated, however any future development applications would need to be consistent with relevant legislation and provide for appropriate bushfire asset protection zones. The rezoning of the site is not inconsistent with the adjoining R5 zoned land to the south.

Infrastructure is available to the site.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - 56(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 :

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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
Planning Proposal V2 Drapers Road - Gateway.pdf	Proposal	Yes
Council Report 13 August 2014 - 10 Drapers Road.pdf	Proposal	Yes
Council Resolution 13 Aug 2014 - 10 Drapers Road.pdf	Proposal	Yes
SCA response Drapers Road.pdf	Proposal	Yes
DETERMINATION DOCUMENT PP 2014 WINGE 011 10 DRAPERS ROAD WILLOW VALE.pdf	Determination Document	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
 3.1 Residential Zones
 4.4 Planning for Bushfire Protection
 5.1 Implementation of Regional Strategies
 5.2 Sydney Drinking Water Catchments

Additional Information : **It is RECOMMENDED that the General Manager, as delegate of the Minister for Planning, determine under section 56(2) of the EP&A Act that an amendment to the Wingecarribee Local Environmental Plan 2010 to rezone 10 Drapers Road, Willow Vale from IN1 to R5 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 28 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 local environmental plans (Planning and Infrastructure, 2013)'.

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

*** NSW Rural Fire Service (s117 Direction 4.4 requires consultation prior to exhibition).**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

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 (for example in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

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

6. SECTION 117 DIRECTIONS - It is recommended that:

(a) The Secretary's delegate can be satisfied that the planning proposal is consistent with s117 Directions 3.1 Residential Zones, 3.4. Integrating Land Use and Transport, 5.1 Residential Strategies, and 5.2 Sydney's Drinking Water Catchment.

(b) The Secretary's delegate can be satisfied that the planning proposal will be consistent with s117 Direction 4.4 Planning for Bushfire Protection, when Council has consulted with the Rural Fire Service prior to undertaking community consultation;

(c) The Secretary's delegate can be satisfied that the planning proposal is consistent with all other relevant s117 Directions or that any inconsistencies are of minor significance; and

(e) No further consultation or referral is required in relation to s117 Directions while the planning proposal remains in its current form.

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

Supporting Reasons :

This is a minor proposal that strategically is reasonable and consistent with surrounding land uses. It is considered of minor significance for environmental, economic and social impacts.

Signature:

Printed Name:

Date:
