

9.1 PLANNING PROPOSAL - AMENDMENT TO LACHLAN LOCAL ENVIRONMENTAL PLAN 2013 TO ALLOW AN ANIMAL SHELTER AT THE CONDOBOLIN SEWERAGE TREATMENT PLAN SITE

TRIM Number: R20/270

Author: Manager- Town Planning

PURPOSE

The purpose of this report is to seek Council's endorsement to amend Lachlan Local Environmental Plan 2013 (LLEP 2013) to include "Animal Shelter", as a purpose shown on the SP2 Infrastructure - Land Zoning Map, Sheet LZN_010A currently identified for only "Sewerage Systems". The amendment is to be carried out through the preparation and lodgement of a Planning Proposal. This will allow an animal shelter to be permitted with consent at the site, being Lot 16 DP 914643 which currently contains the Condobolin sewerage treatment system. A separate approval, for the animal shelter would still be required.

SUPPORTING INFORMATION

Nil

BACKGROUND

At the August 2020 Ordinary Council meeting, Council endorsed Report 20/231 (Resolution 2020/219) "Local Road and Community Infrastructure Grant Projects" and allocated \$300,000 towards a new Animal Shelter in Condobolin. This would replace the existing facility, which is located on the former Abattoir site, which is past its useful life.

ISSUES AND COMMENTS

After reviewing several sites, the most suitable site for the new animal shelter was deemed to be on the site which currently comprises the Condobolin Sewerage Treatment System, as it is within close proximity to the town, is suitably distanced from residential/sensitive receivers and is under constant surveillance. The preferred site for the new animal shelter is identified in Figure 1, below.

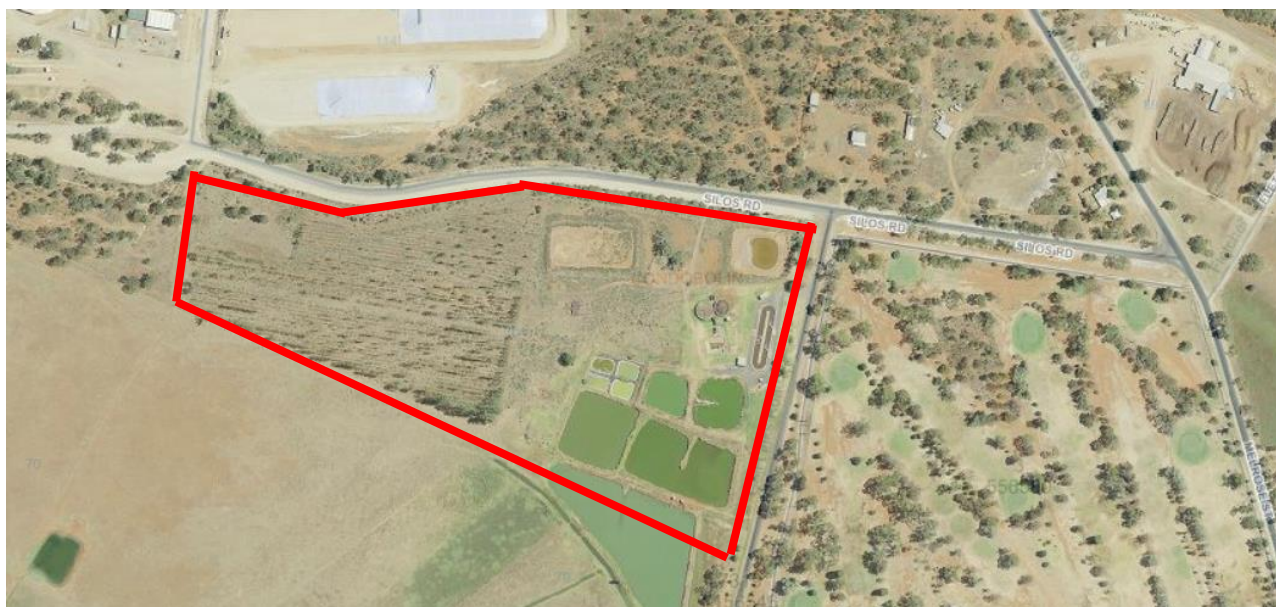


Figure 1 – Proposed site for new animal shelter

The site has an area of approximately 16.33 hectares, with the infrastructure located on the eastern side of the site.

An extract of the current zoning map for the site, from Lachlan Local Environmental Plan 2013, is provided in Figure 2, below. The site is currently zoned SP2 Infrastructure “Sewerage Systems”.

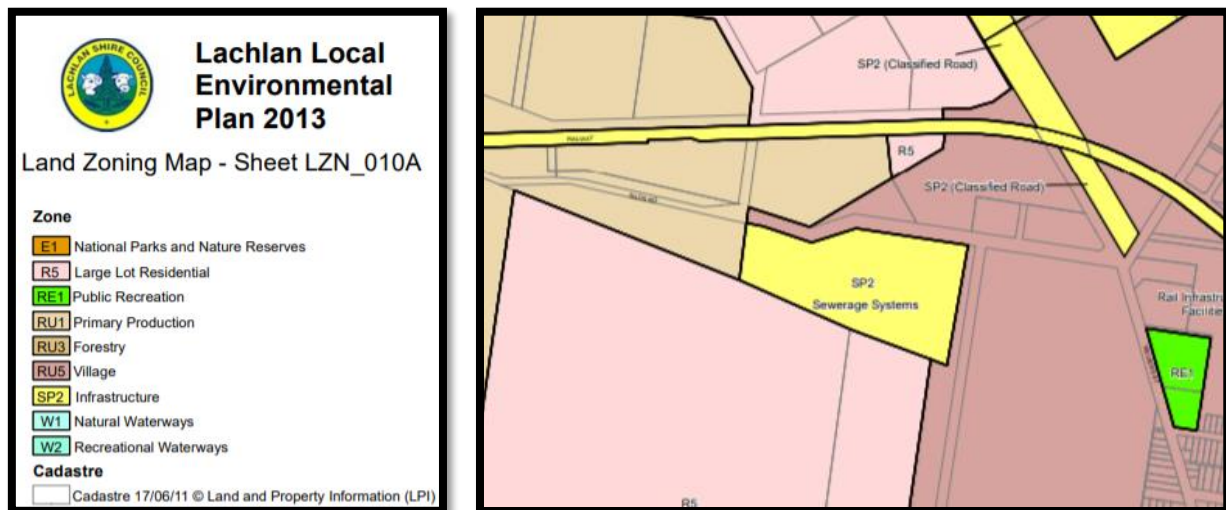


Figure 2 – Land Zoning Map and Sheet LZN_10A

The inclusion of Animal Shelter as a purpose on the Land Zoning Map (Sheet LZN_010A) for the SP2 portion currently identified for only “Sewerage Systems”, is necessary to ensuring the proposal is permissible under Lachlan Local Environmental Plan 2013 (LLEP 2013).

The preparation and lodgement of a planning proposal would be completed in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 and the relevant guidelines prepared by the Department of Planning, Industry and Environment.

The key assessment matters such as noise, traffic, access, contamination and servicing along with the location of the animal shelter on the site will be addressed later through the preparation of plans and supporting documentation and through the relevant approval process, following completion of the planning proposal process.

FINANCIAL AND RESOURCE IMPLICATIONS

The preparation and lodgement of the Planning Proposal would be done within existing budgets, utilising existing staff members. There will be no additional financial or resource implications.

LEGAL IMPLICATIONS

The addition of the words “Animal Shelter” on the site under Land Zoning Map, Sheet LZN_010A of Lachlan Local Environmental Plan 2013 (LLEP 2013) will ensure that an animal shelter is permissible with consent on the site.

The approval pathway for the animal shelter on the site will be determined following the completion of the Planning Proposal process.

RISK IMPLICATIONS

The preferred site for the animal shelter cannot be used at the moment as the zoning of the site does not permit the development. There is a risk that Council will not be able to develop the animal shelter with the grant funding (by the due date) as an alternative site has not been established at this point in time.

STAKEHOLDER CONSULTATION

Council officers have discussed the planning proposal with officers from the Department of Planning, Industry and Environment and have been advised that a Planning Proposal is the required pathway to allow animal shelters to be a permissible use on the site under Lachlan LEP 2013.

Once the Planning Proposal is lodged public consultation will be undertaken in accordance with Council's Community Participation Plan (CPP).

OPTIONS

1. Endorse the preparation and lodgement of a planning proposal to include Animal Shelter on Land Zoning Map, Sheet LZN_010A - SP2 Infrastructure, Lachlan Local Environmental Plan 2013.
2. Decide that Council will not include Animal Shelter as a purpose shown on the Land Zoning Map, Sheet LZN_010A within the Lachlan Local Environmental Plan 2013 and provide reasons for this decision.

CONCLUSION

This report seeks Council's endorsement to amend Lachlan Local Environmental Plan 2013 (LLEP 2013) to include Animal Shelter as a purpose shown on the SP2 Infrastructure - Land Zoning Map, Sheet LZN_010A currently identified for only "Sewerage Systems". The amendment is to be carried out through the preparation and lodgement of a Planning Proposal. This will allow an animal shelter to be permitted with consent at the site, being Lot 16 DP 914643 which currently contains the Condobolin sewerage treatment system. A separate approval, for the animal shelter would still be required.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and Responsive Council

5.3 Ensure that animals are properly controlled

ATTACHMENTS

Nil

RECOMMENDATION

That

1. The Director of Environment, Tourism and Economic Development Report No. R20/270 be received and noted.
2. Council endorse the preparation and lodgement of a planning proposal to amend Lachlan Local Environmental Plan 2013, to include the words "animal shelter" as a purpose shown on Sheet LZN_010A for the SP2 portion that is currently only identified for "Sewerage Systems".
3. Council approve the Planning Proposal for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination.
4. Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation of all functions of the relevant local plan making authority under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect the Planning Proposal.
5. Authority be delegated to the General Manager to make any minor variations to the Planning Proposal, following receipt of the Gateway Determination.
6. A further report be brought back to Council following the public exhibition of the Planning Proposal detailing any submissions received during the public exhibition period.