

'Boscobel' boundary adjustment, 'Burrawang Hotel' subdivision and 'The Pavillions' erect a dwelling

Proposal Title :	'Boscobel' boundary adjustment, 'Burrawang Hotel' subdivision and 'The Pavillions' erect a dwelling		
Proposal Summary :	Three matters form part of the Planning Proposal: 1. Allow a boundary adjustment at 453 Exeter Road, Sutton Forest, with no new dwelling entitlements. 2. Provide for the subdivision of 14-16 Hoddle Street, Burrawang (including the existing Burrawang Hotel) into 2 lots. 3. Allow an existing building (being 'The Pavillions' function rooms and offices) to be converted to a dwelling.		
PP Number :	PP_2013_WINGE_001_00	Dop File No :	12/18863-1

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**

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 boundary adjustment between Lot 3, DP 1142493 and 453 Exeter Road, Sutton Forest by amending the Minimum Lot Size Map to reduce the lot size to 4,000sqm for the new small lot (currently Lot 3), and amend the Heritage Map to remove the new proposed small lot from the heritage item, and

(b) provide for the subdivision of Lot 1, DP 198682 into 2 lots by amending the Minimum Lot Size Map to change the lot size for the new non-Hotel lot to 1ha, and to amend Schedule 5 and the Heritage Map to reflect the new lot for the 'Burrawang Hotel', and

(c) amend the Land Zoning Map to zone Lot 6, Section 7, DP 2836 to E3 and amend the Minimum Lot Size Map to AB2 for the entire lot,

should proceed subject to the following conditions:

1. Prior to public exhibition, Council should request that the applicant identify the new (interim) Lot and DP numbers for the proposed subdivision of Lot 1, DP 198682, and if it is provided, include a suitable amendment to Schedule 5 Environmental Heritage to reflect the new Lot and DP number for the heritage item in the public consultation material.

2. Prior to public exhibition, Council's Heritage Planner and/or Heritage Advisor should undertake an assessment of the impact of the proposed changes on the "Boscobel" and "Burrawang Hotel" heritage items. This assessment should be included in the public consultation material.

3. Prior to public exhibition Council should be requested to provide a project timeline and include it in the planning proposal.

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

5. Council should be undertaken with the Rural Fire Service that it does not object to the

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proposals. Consultations are not required with any other State Government agency.

6. 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.

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

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

9. SECTION 117 DIRECTIONS - It is recommended that:

(a) The Director General can be satisfied that the Planning Proposal is consistent with s117 Direction 1.5 Rural Lands, 3.1 Residential Zones, 5.1 Regional Strategies and 5.2 Sydney Drinking Water Catchment; and

(b) The Director General can be satisfied that inconsistencies with the following s117 Directions are justified as they are considered of minor significance: 2.1 Environmental Protection Zones, and 3.4 Integrating Land Use and Transport.

(c) Council will need to satisfy the Director-General that the proposal is consistent with s117 Direction 2.3 Heritage Conservation and 4.4 Planning for Bushfire Protection, and

(d) no further consultation or referral is required in relation to s117 Directions (other than Direction 2.3 Heritage Conservation and 4.4 Planning for Bushfire Protection).

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

Supporting Reasons : These proposals are considered of minor significance. They should be straightforward amendments and should be able to be completed reasonably quickly (although Council does have a lot of amendments it is currently processing). Council will need to ensure that all appropriate amendments (including to the Heritage Schedule as well as the map) are publicly exhibited. Consultation with government agencies is not considered relevant for this proposal as these are very minor changes with negligible impacts and Council has already consulted with the Sydney Catchment Authority and received appropriate advice.

Panel Recommendation

Recommendation Date : 24-Jan-2013

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to include a project timeline, consistent with Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals. The project timeline is to provide a mechanism to monitor the progress of the planning proposal.
2. Prior to undertaking public exhibition, Council is to amend the planning proposal to demonstrate the proposal's consistency or justify any inconsistency with S117 Direction 2.3 Heritage Conservation. The planning proposal is to be amended to address the impacts of reducing the minimum lot size on land containing heritage items at 453 Exeter Road, Stutton Forest and the Burrawang Hotel at 14-16 Hoddle Street, Burrawang.
3. Council is to consult with the NSW Rural Fire Services as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition.
4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental

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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 LEPs (Department of Planning & Infrastructure 2012).

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

- NSW Rural Fire Service

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.

6. 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).

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

Signature:

Printed Name:



Neil McGaffin Date: 8.2.13