



AGENDA FOR THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 27 June 2012

REPORT - DEPUTY GENERAL MANAGER CORPORATE & STRATEGY

cw-CS9 Planning Proposal to Subdivide Lot 1 DP 198682, 14-16 Hoddle Street, Burrawang to Place The Burrawang Hotel as a Separate Allotment

Environment

Reference: PN 628900, 5901

Responsible Officer: Manager Strategic and Community Development

PURPOSE

The purpose of this report is to recommend that Council support a request to prepare a Planning Proposal to subdivide Lot 1 DP 198682, 14-16 Hoddle Street, Burrawang in order to place the Burrawang Hotel on its own allotment so that it may operate independently from the remainder of the site.

SUMMARY

Three zonings apply to the site under the provisions of WLEP 2010 - B1 Neighbourhood Centre, R2 Low Density Residential and E3 Environmental Management. On 17 January 2012 Council received a request for consideration of a Planning Proposal to sub-divide the subject site into two (2) new lots, one containing the B1 Neighbourhood Centre portion of the site and the other containing the remainder of the site. The Burrawang Hotel is located on the B1 Neighbourhood Centre zoned portion of the site and is an Item of Heritage under the provisions of WLEP 2010.

Under the provisions of Division 4 of the Environmental Planning and Assessment Act 1979, a Planning Proposal is required to achieve this outcome.

On 21 March 2012, the Local Planning Strategy Steering Committee Sunset Working Group considered the request and indicated 'in principle' support. It is recommended that Council submit a formal Planning Proposal to the Department of Infrastructure and Planning.

DESCRIPTION OF PROPOSAL

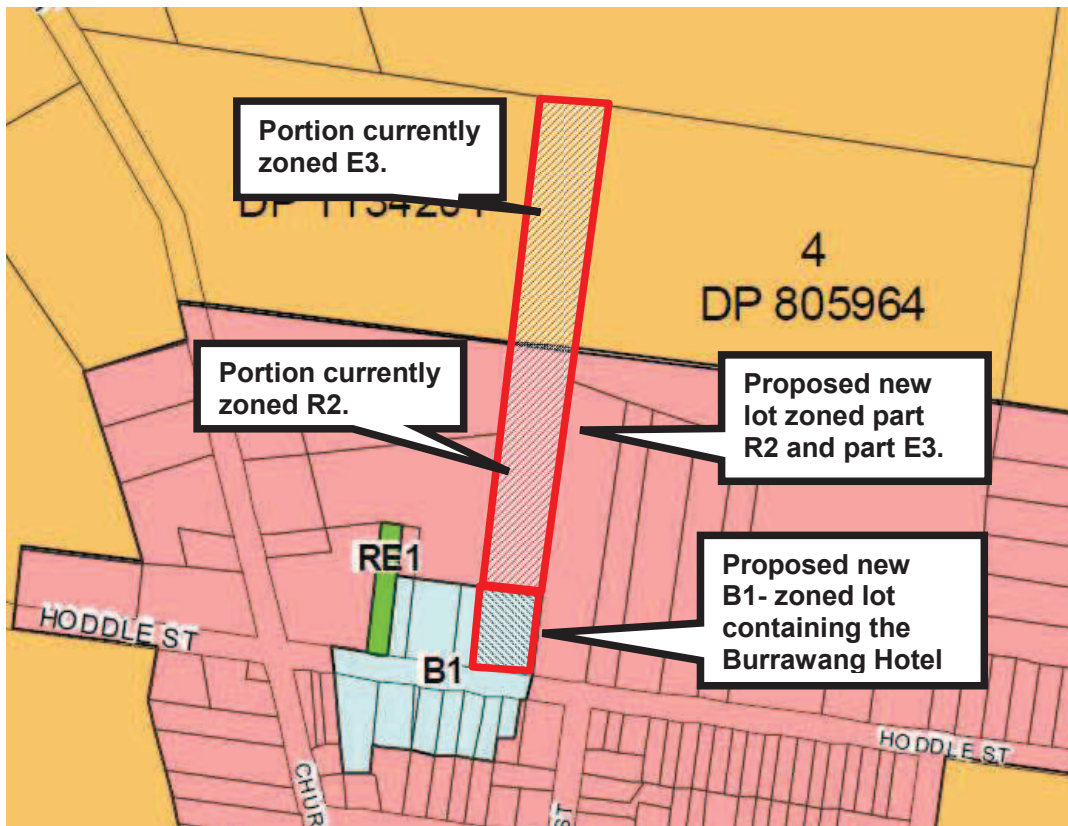
BACKGROUND

Subject Site and Locality

The property is Lot 1 DP 198682, 14-16 Hoddle Street, Burrawang. The site is a long narrow block fronting Hoddle Street and extending to the northern edge of the Burrawang Village boundary and beyond that into the surrounding E3 Environmental Management zoned land. The Burrawang Hotel is located in the B1 Neighbourhood Centre zoned portion of the site which is on the eastern edge of the Burrawang business area. The Burrawang Hotel is an Item of Heritage listed in Schedule 5 of WLEP 2010. A dwelling house is located within the R2 Low Density Residential zoned portion. A locality plan and a further plan indicating the proposed two-lot subdivision are included below:



Locality Plan of the subject site within the village of Burrawang.



Proposed subdivision of the subject site.



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DETAILS OF PROPOSAL

Three zonings apply to the site under WLEP 2010 - B1 Neighbourhood Centre, R2 Low Density Residential and E3 Environmental Management. The B1 Neighbourhood Centre portion of the site contains the Burrawang Hotel. The Burrawang Hotel is an Item of Heritage under WLEP 2010.

The applicant is seeking to sub-divide the site into two (2) new lots, one containing the B1 Neighbourhood Centre zoned portion of the site together with the Schedule 5 Heritage Listing. The other lot would contain the remainder of the site, being the R2 Low Density residential and E3 Environmental Management portions of the site. This will provide the flexibility to allow the hotel and the residential portion of the site to operate independently from each another.

It is noted that under WLEP 1989, the entire site was zoned 2c Village. Under WLEP 2010, three separate zones were applied to the site reflecting the B1 village boundary along the northern side of Hoddle Street and the northern R2 village boundary.

It is recommended that the Planning Proposal be supported. This will achieve the flexibility sought by the applicant while retaining the Item of Heritage status of the Burrawang Hotel. The subdivision would not affect the R2 or E3 portions of the site.

STATUTORY ASSESSMENT

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The Planning Proposal will not affect the current zonings or minimum lot sizes of the site. The status of the Burrawang Hotel as an Item of Heritage will be preserved.

Development Control Plans

No additional development will result from this Planning Proposal, therefore no reference to the Burrawang Village Development Control Plan is required.

State Environmental Planning Policies

No additional development will result from this Planning Proposal, therefore no SEPPs will apply.

Section 79C Evaluation

No additional development will result from this Planning Proposal, therefore no 79C evaluation is required.

Relevant State Legislation

Division 4 of the Environmental Planning and Assessment Act 1979 provides the process by which WLEP 2010 may be amended. A Planning Proposal is required to create a two lot subdivision and apply the Heritage listing under Schedule 5 to the newly created lot containing the Burrawang Hotel.



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CONSULTATION

Internal Referrals

Internal consultation has involved consideration by Council's Local Planning Strategy Steering Committee Sunset Working Group. Further Internal consultations will take place during the Planning Proposal process.

Neighbour Notification (or Advertising)/Public Participation

Community consultation and consultation with public authorities will take place during the Planning Proposal process.

SUSTAINABILITY ASSESSMENT

- **Environment**

The Proposal will cause no environmental impacts.

- **Social**

The Proposal will cause no social impacts.

- **Broader Economic Implications**

The Proposal will cause no economic impacts.

- **Culture**

The proposed subdivision of the allotment will not compromise the heritage listing of the Burrawang Hotel.

- **Governance**

The Proposal will cause no governance impacts.

RELATIONSHIP TO CORPORATE PLANS

The Proposal does not contradict any of the objectives of the 2031+ Community Strategic Plan.

RELATED COUNCIL POLICY

The assessment of the merits of the Planning Proposal has been undertaken in accordance with Council Policies.

BUDGET IMPLICATIONS

The Planning Proposal would be administered by Council staff. The appropriate Planning Proposal fee would be payable by the applicant if the Planning Proposal is supported by the Department of Planning and Infrastructure.



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OPTIONS

There are two (2) options:

1. Council resolve to prepare a Planning Proposal to create a two lot subdivision of Lot 1 DP 198682, 14-16 Hoddle Street, Burrawang, to locate the Burrawang Hotel on its own site, zoned B1 Neighbourhood Centre and listed in Schedule 5 of WLEP 2010 as an Item of Heritage.
2. Council resolve to not proceed with the Planning Proposal.

This report recommends Option 1. The proposal creates the flexibility the applicant seeks while not affecting the current zonings or land uses. The heritage status of the Burrawang Hotel would be preserved.

ATTACHMENTS

There is one (1) attachment to this report which will be distributed separately:

Attachment 1: Application for Preparation of a Planning Proposal from Bureaucracy Busters.

RECOMMENDATION

1. THAT Council, in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and the Guide to Preparing Local Environmental Plans, prepare and lodge with the NSW Department of Planning and Infrastructure, a Planning Proposal to create a two lot subdivision of Lot 1 DP 198682, 14-16 Hoddle Street, Burrawang and amend Schedule 5 to insert the newly created lot zoned B1 Neighbourhood Centre containing the Burrawang Hotel.
 2. THAT if the Planning Proposal is given a Gateway Determination to proceed, undertake consultation with the community and relevant government agencies in accordance with section 57 of the Environmental Planning and Assessment Act 1979 and the directions of the Gateway Determination.
 3. THAT the applicant be advised of Council's decision.
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(Voting on the Motion)