

Merrioola , High Range Lane, High Range

Proposal Title : **Merrioola , High Range Lane, High Range**

Proposal Summary : **To correct a zoning error made when the 1989 LEP maps were were being converted into the new Standard Template zonings. The site was zoned Rural 1(a) under Wingecarribee LEP 1989 and the site was inadvertantly zoned E2 Environmental Conservation instead of RU2 Rural Landscape. Council also seeks to amend the Lot Size Map to apply the minimum lot size of 40 hectares to the site.**

PP Number : **PP_2013_WINGE_006_00**

Dop File No :

PWG001430

Proposal Details

Date Planning Proposal Received : **03-May-2013**

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 : **High Range Lane**

Suburb : **High Range**

City :

Postcode :

Land Parcel : **Lot 3 DP1076561, Merrioola**

DoP Planning Officer Contact Details

Contact Name : **Meredith McIntyre**

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RPA Contact Details

Contact Name : **Susan Stannard**

Contact Number : **0248680854**

Contact Email : **susan.stannard@wsc.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Mark Parker**

Contact Number : **0242249468**

Contact Email : **mark.parker@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 : **N/A**

Regional Strategy : **Regional Strategy**

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MDP Number :	Date of Release :	
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots : 0	No. of Dwellings (where relevant) :	0
Gross Floor Area : 0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with :

If No, comment :

Have there been meetings or communications with registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting Notes : **The proposal is to amend:**
- the Land Zoning Map LZN_006 to rezone Lot 3 DP 1076561 from E2 Environmental Conservation to RU2 Rural Landscape; and
- the Lot Size Map LSZ_006 in insert the notation AB2 (40 hecatres) over Lot 3 DP 1076561.
There are no significant concerns about the proposal which is correcting minor mapping errors.

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

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

Comment : **The proposal seeks to correct a drafting and mapping error in the making of WLEP 2010.**

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

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

Comment : **The provisions of the Planning Proposal will amend Wingecarribee LEP 2010 by amending LZN_006 to rezone Lot 3 DP 1076561 from E2 Environmental Conservation to RU2 Rural Landscape and to insert the notation AB2(40 hectares) on LSZ_006 over Lot 3 DP 1076561.**

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

1.2 Rural Zones
1.5 Rural Lands
2.1 Environment Protection Zones
2.3 Heritage Conservation
3.3 Home Occupations
4.2 Mine Subsidence and Unstable Land
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection

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5.1 Implementation of Regional Strategies

5.2 Sydney Drinking Water Catchments

6.3 Site Specific Provisions

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 (Rural Lands) 2008

Drinking Water Catchments Regional Environmental Plan No. 1

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

The current E2 Zone does not protect any environmentally significant land or attributes. Assessment of any environmental impact will be undertaken during any future DA assessment phase.

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

If No, explain :

The Director General can be satisfied that any potential inconsistencies with relevant s117 Directions are only of minor significance.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Land Zoning Map and Lot Size Map sheets consistent with the mapping guidelines will need to be prepared for the amending local environmental plan.

Community consultation - s55(2)(e)

Has community consultation been proposed? **No**

Comment :

Council is seeking to have the exhibition requirements of the Planning Proposal dispensed with on the basis that the Planning Proposal seeks to correct a drafting error.

The current owners have a purchaser who has been granted a 3 month delayed settlement to provide time for the error to be corrected.

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 : **June 2010**

Comments in relation to Principal LEP :

This corrects a drafting error which was found when the owner sought to sell the lot.

Assessment Criteria

Need for planning proposal :

The Planning Proposal corrects a drafting error, and will ensure the lot is zoned appropriately.

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Consistency with strategic planning framework :

The Planning Proposal will ensure the land is zoned consistent with the surrounding land.

Environmental social economic impacts :

There are no environmental , economic or social impacts in the implementation of the Planning Proposal. It provides consistency with local and Regional strategies and corrects an error when the WLEP 2010 was made.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **Nil**

Timeframe to make LEP : **3 Month** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) :

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

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

If no, provide reasons :

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 - Merrioola.pdf	Proposal	Yes
Merrioola request for Gateway.pdf	Proposal Covering Letter	Yes
Merrioola Report 13 March 2013.pdf	Proposal	Yes
Merrioola Resolution 13 March 2013.pdf	Proposal	Yes
Merrioola Delegation Form.doc	Proposal	Yes

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

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- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.3 Home Occupations
- 4.2 Mine Subsidence and Unstable Land
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 5.2 Sydney Drinking Water Catchments
- 6.3 Site Specific Provisions

Additional Information : **Recommended that the Planning Proposal proceed subject to the following conditions.**

1. No exhibition or consultation is required.
2. The timeframe for completion of the LEP is 3 months from 1 week after the Gateway determination.
3. Council be authorised to use its delegations to progress the local environmental plan (LEP) to finalisation. Once Maps are completed Council may seek Parliamentary Counsel's drafting of the LEP.
4. The Director General can be satisfied that any inconsistencies with relevant s117 Directions are only of minor significance. No further referral is required in relation to s117 Directions while the planning proposal remains in its current form.

Supporting Reasons : **This corrects an error and ensures that the owners of the property can use the site without being encumbered with an inappropriate zone made in error.**

Signature:



Printed Name:

MARK PARKER
Local Planning Manager

Date:

24th May 2013