

PLANNING PROPOSAL TO RECLASSIFY COUNCIL OWNED LAND

Exhibition Period

17 March 2022 to 14 April 2022

Notice is hereby given that the Minister for Planning and Public Spaces has issued a Gateway Determination that the amendment to the Parkes Local Environmental Plan 2012 is to reclassify land from 'community' to 'operational' land at Lots 4, 5 & 6 DP 510590 and Lot 1 DP 1060599, 19-33 High Street, Parkes and Lot 142 DP 1071623 Hazelbank Avenue, Parkes.

This planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979. It explains the intended effect of, and justification for, the proposed amendment to the Parkes Local Environmental Plan 2012 (PLEP2012) to reclassify two parcels of Council owned land from 'community' to operational' land.

Council has been given the delegation as the Planning Proposal Authority to exhibit the planning proposal but not the authority to make the plan.

The Planning Proposal and Gateway Determination will be publicly exhibited from 17 March 2022 to 14 April 2022 and can be viewed at below between the hours of 8.30am and 5.00pm, Monday to Friday. Alternatively, plans and supporting documentation may be viewed at Council's website: www.parkes.nsw.gov.au

Any interested person may, within the aforementioned period, make written submission to the Parkes Shire Council with respect to such proposed development. If your comments are an objection, then the grounds of the objection must be specified.

Kent Boyd,
General Manager



PARKES

It all adds up.

Housekeeping Planning Proposal (Reclassification of Land)

Amendment to the Parkes Local Environmental Plan 2012

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INTRODUCTION

This planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979. It explains the intended effect of, and justification for, the proposed amendment to the Parkes Local Environmental Plan 2012 (PLEP2012) to reclassify two parcels of Council owned land from community to operational.

PART 1: OBJECTIVES OR INTENDED OUTCOMES

The intended outcome of this planning proposal is to reclassify land from community to operational.

PART 2: EXPLANATION OF PROVISION

The planning proposal seeks to amend the Parkes LEP 2012 to reflect the changes itemised below.

Item 1 Reclassification of land from community land to operational land

The following parcels of Council owned land have been identified as having an incorrect classification.

A Council water reservoir and associated infrastructure has been incorrectly classified for community purposes, despite its operational use.

Item 2.1	
Location	Lots 4, 5 and 6 DP 510590 and Lot 1 DP 1060599
LEP Clause inclusion	<ul style="list-style-type: none"> • Clause 5.2 <i>Classification and reclassification of public land [compulsory]</i> from the Standard Instrument—Principal Local Environmental Plan (2006 EPI 155a) • Schedule 4 Classification and reclassification of public land

The subject land within Hazelbank Avenue was incorrectly categorised as community land. The subject land is the residual land within a residential subdivision. Re-classifying it as operational land it'll support future residential subdivision development, which was its original intended use.

Item 2.2	
Location	Lot 142 DP 1071623
LEP Clause inclusion	<ul style="list-style-type: none"> • Clause 5.2 <i>Classification and reclassification of public land [compulsory]</i> from the Standard Instrument—Principal Local Environmental Plan (2006 EPI 155a) • Schedule 4 Classification and reclassification of public land

PART 3: JUSTIFICATION FOR PROPOSED REZONING

In accordance with the Department of Planning's 'Guide to Preparing Planning Proposals', this section provides a response to the following issues:

- + Section A: Need for the planning proposal;
- + Section B: Relationship to strategic planning framework;
- + Section C: Environmental, social and economic impact;
- + Section D: State and Commonwealth interests.

SECTION A - NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of any strategic study or report?

The matters included within this planning proposal are a result of identification of Council owned parcels that have been incorrectly classified.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

There is no better or alternate way to make the proposed changes.

3. Is there a net community benefit?

No net community benefit test has been undertaken as part of this proposal. However, the planning proposal will ensure that the PLEP2012 adequately supports development and land use in the Parkes Shire.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The planning proposal is consistent with the aims and objectives of the *Central West and Orana Regional Plan* in that these amendments to the LEP support the ongoing economic growth and development in the Parkes Shire.

5. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

The planning proposal is not inconsistent with the aims and objectives of the Parkes Community Strategic Plan and the *Parkes Local Strategic Planning Statement*.

6. Is the planning proposal consistent with applicable state environmental planning policies?

There are no specific applicable state environmental planning policies that apply to the planning proposal

7. Is the planning proposal consistent with applicable Ministerial Directions for Local Plan Making?

s117 DIRECTIONS	CONSISTENCY AND IMPLICATIONS
1. EMPLOYMENT AND RESOURCES	
1.1 Business and Industrial zones	Not Applicable
Objectives:	
a) encourage employment growth in suitable locations	
b) protect employment land in business and industrial zones	
c) support the viability of identified centres	
1.2 Rural Zones	Not Applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not Applicable
1.4 Oyster Aquaculture	Not Applicable
1.5 Rural Lands	Not Applicable
2. ENVIRONMENT AND HERITAGE	
2.1 Environment Protection Zones	Not Applicable
2.2 Coastal Protection	Not Applicable
2.3 Heritage Conservation	Not Applicable
2.4 Recreation Vehicle Areas	Not Applicable
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT	
3.1 Residential Zones	Not Applicable
Objectives:	
a) encourage a variety and choice of housing types to provide for existing and future housing needs.	
b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and	
c) to minimise the impact of residential development on the environment and resource lands.	
3.2 Caravan Parks & Manufactured Home Estates	Not Applicable
3.3 Home Occupations	Not Applicable
3.4 Integrating Land Use and Transport	Not Applicable
3.5 Development Near Regulated Airports and Defence Airfields	Not Applicable
3.6 Shooting ranges	Not Applicable

4. HAZARD and RISK

4.1 Acid Sulfate Soils	Not Applicable
4.2 Mine Subsidence and Unstable Land	Not Applicable
4.3 Flood Prone Land	Not Applicable
4.4 Planning for Bushfire Protection	Not Applicable

5. REGIONAL PLANNING

5.2 Sydney Drinking Water Catchment	Not Applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable
5.9 North West Rail Link Corridor Strategy	Not Applicable
5.10 Implementation of Regional Plans	Consistent - The planning proposal is consistent with the Central West and Orana Regional Plan.
5.11 Development of Aboriginal Land Council Land	Not Applicable

6. LOCAL PLAN MAKING

6.1 Approval and Referral	
6.2 Reserving Land for Public Purposes	Not Applicable
6.3 Site Specific Provisions	Not Applicable

7. METROPOLITAN PLANNING

7.1 Implementation of the Metropolitan Plan for Sydney 2036	Not Applicable
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SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT
8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The proposed amendments will not impact on critical habitat, threatened species, populations or ecological communities.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The planning proposal is considered to be minor amendments to the Parkes Local Environmental Plan 2012 and will not result in any adverse environmental effects.

10. How has the planning proposal adequately addressed any social and economic effects?

The planning proposal is considered to be minor amendments to the Parkes Local Environmental Plan 2012 and will not result in any adverse social and economic effects.

SECTION D - STATE AND COMMONWEALTH INTERESTS

11. Is there adequate public infrastructure for the planning proposal?

The proposed amendments will not create any significant additional demand on public infrastructure.

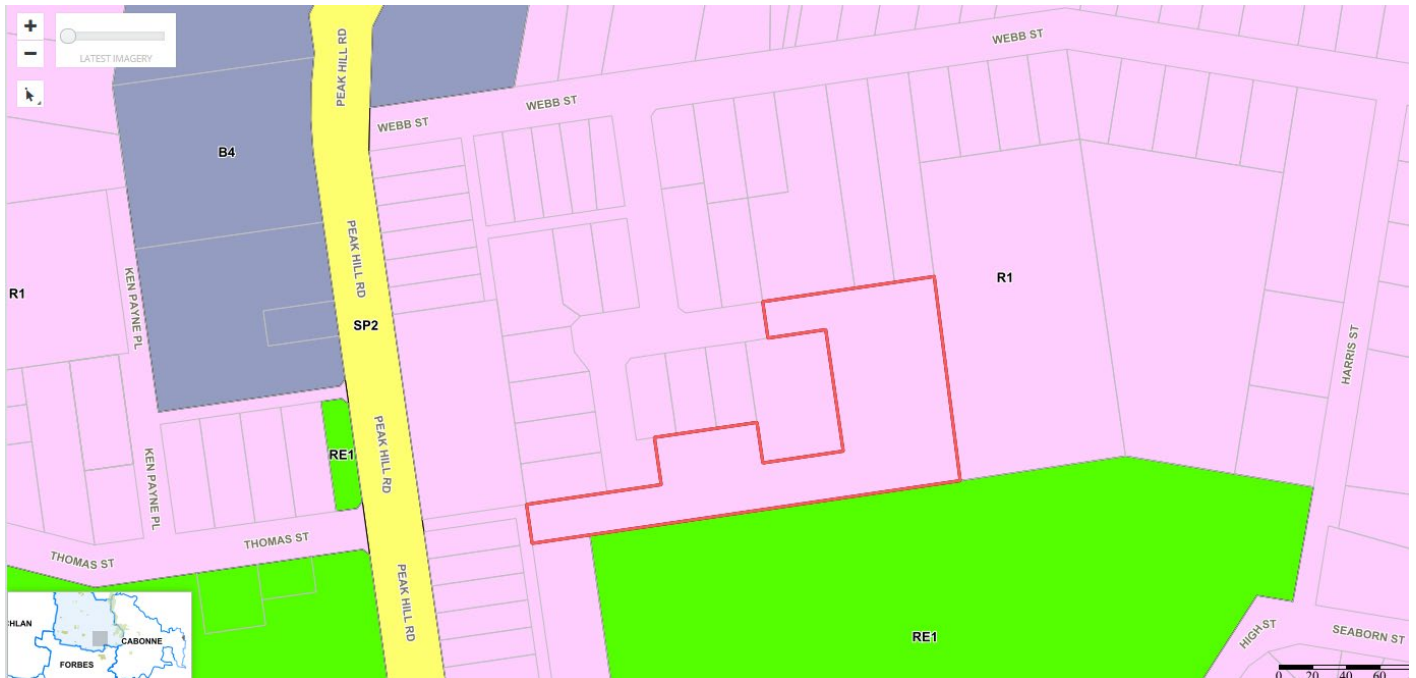
12. What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

The views of State and Commonwealth Departments will be determined during consultation, post Gateway Determination.

PART 4: LOCALITY PLANS

The following maps are for information purposes, to provide context to the locality and changes proposed. Draft LEP maps will be prepared prior to finalizing the plan and consistent with the technical guidelines.

Item 2.1 Reclassification of land from community land to operational land



Item 2.2 Reclassification of land from community land to operational land



PART 5: COMMUNITY CONSULTATION

In accordance with Section 57(2) of the Environmental Planning and Assessment Act 1979, community consultation must be undertaken by the local authority prior to the approval of the planning proposal.

In accordance with Council's Community Engagement Strategy consultation on the planning proposal will be exhibited for a period of 28 days, or as specified by the Gateway Determination. Council will also hold a public hearing post public exhibition period.

At the close of the consultation process, Council will consider all submissions received and present a report to Council for their endorsement of the planning proposal before proceeding to finalisation of the amendment.

The consultation process, as outlined above, does not present any additional consultation measures that may be determined appropriate as part of the Gateway Determination process.

PART 6: TIMEFRAMES

Project Timeline	Date
Anticipated commencement date (Gateway determination)	November 2021
Anticipated timeframe for completion of required studies	N/A
Timeframe for Government Agency consultation	December/January
Commencement and completion dates for public exhibition period	December/January
Dates for public hearing	February
Timeframe for consideration of submissions	14 days
Timeframe for consideration of proposal post exhibition	14 days
Anticipated date RPA will forward the plan to the department to be made, if not delegated	February
Anticipated date RPA will make the plan	n/a
Anticipated date RPA will forward to the department for notification (if delegated)	n/a