

0.0 PLANNING PROPOSAL TO REZONE LAND: LOT 329 DP750152 (109 WOODWARD STREET, PARKES): PRE-EXHIBITION**IP&R Linkage:** Pillar: Environment**Goal:** Our built environment is functional, sustainable and meets the needs of our growing community.**Strategy:** Direct new housing growth to appropriate locations where demand is forecast**Author:** Grahame Fry, Senior Development Planner**Authoriser:** Brendan Hayes, Director Planning and Community Services**Annexures:** Nil

RECOMMENDATION

That:

1. Council refers a proponent-led Planning Proposal to rezone land for Lot 329 DP 750152 (109 Woodward Street, Parkes - Attachment 1) to the NSW Department of Planning and Environment, requesting a Gateway Determination to enable public exhibition of the Planning Proposal.
2. Council requests that the Secretary of the NSW Department of Planning and Environment issue written authorisation to Council to exercise delegation of the plan making functions under Section 3.36(2) of the *Environmental Planning and Assessment Act 1979* in respect of the Planning Proposal.
3. Pending issue of, and endorsement by the Gateway Determination, Council place the Planning Proposal on public exhibition and undertake government agency consultation, consistent with the terms of the Gateway Determination.
4. Inform the proponent and landowners of the subject land, and their consultant, of Council's resolutions.

BACKGROUND

The purpose of this report is to seek Council's endorsement to initiate a proponent-led Planning Proposal to amend *Parkes Local Environmental Plan 2012* by changing the Land Use Zone of Lot 329 DP 750152 (the subject land) from R5 Large Lot Residential to R1 General Residential, and apply an appropriate Minimum Lot Size to the subject land. The Planning Proposal is consistent with *Parkes Shire Housing Strategy 2021-2041* and the *Middleton Urban Masterplan*.

The Planning Proposal is included as Attachment 1 to this report.

ISSUES AND COMMENTARY

The Planning Proposal seeks to rezone the subject land to facilitate subdivide for (urban) residential purposes. The Planning Proposal is consistent with all relevant statutory requirements and local policies to enable Council to request a Gateway Determination (see the "Legislative and Policy Context" section of this report).

In late 2022 and early 2023, the proponent advised Council of the intention to lodge a Planning Proposal of this nature, pending Council's adoption of the Middleton Urban Masterplan which occurred in February 2023.

The subject land is located on the south-eastern edge of Parkes township, south of the Orange-Broken Hill Railway and east of the existing Newell Highway. It is bordered by Woodward Street, Lee Street and Medlyn Street. The land is included in the Middleton Urban Masterplan area as being suitable for potential urban residential rezoning. An aerial photograph of the subject land is shown in Figure 1. The subject land is shown by a red outline.



Figure 1: The subject land

The Planning Proposal seeks to make amendments to the following maps of Parkes LEP 2012:

- a) The Land Zoning Map (tile LZN_005E) amended from Zone R5 Large Lot Residential to Zone R1 General Residential or equivalent land use zone consistent with residential land to the west of the subject land; and
- b) The Lot Size Map (tile LSZ_005E) amended from Category W (4000m²) to Category M (600m²) or a suitable new size minimum lot size no greater than 800m² consistent with residential land to the west of the subject land.

The written text of Parkes LEP 2012 and the provisions of Parkes Shire Development Control Plan 2021 will remain unchanged, should the Planning proposal be progressed to amend Parkes LEP 2012.

The existing Land Use Zone map under Parkes LEP is shown in Figure 2, and the proposed Land Use Zone map is shown in Figure 3.

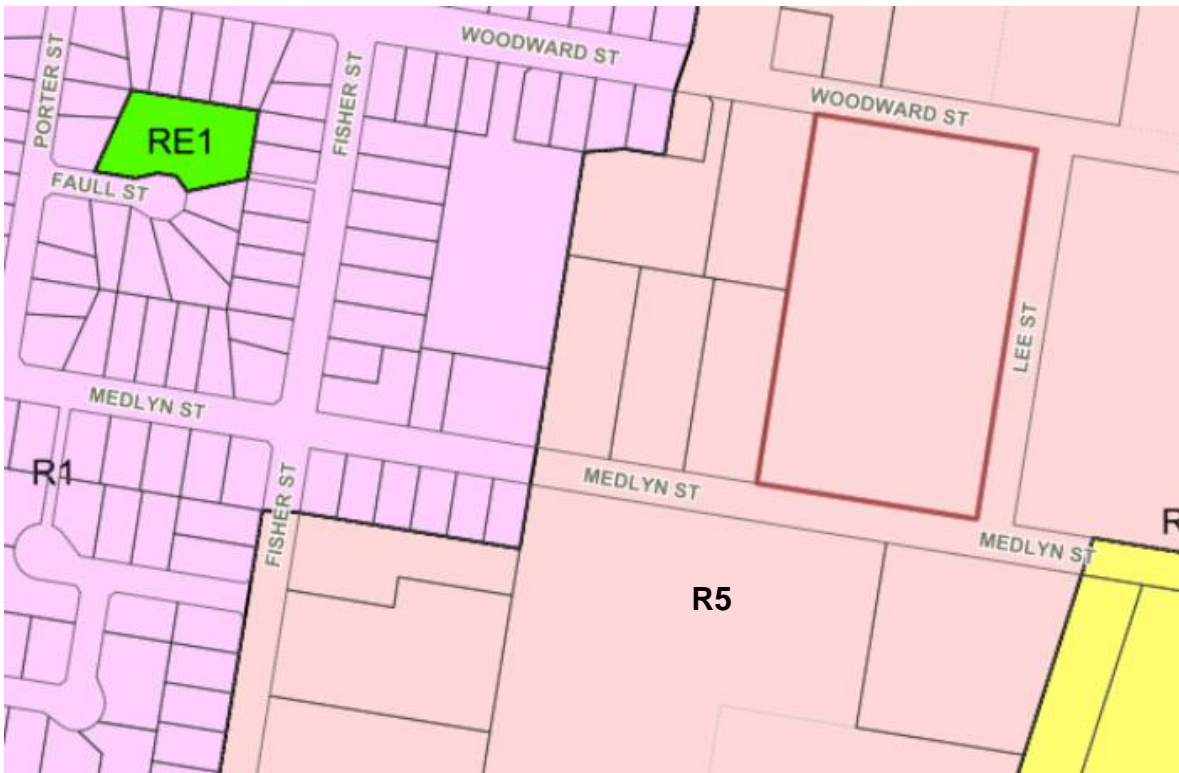


Figure 2: Existing Land Use Zone map (Parkes LEP 2012)

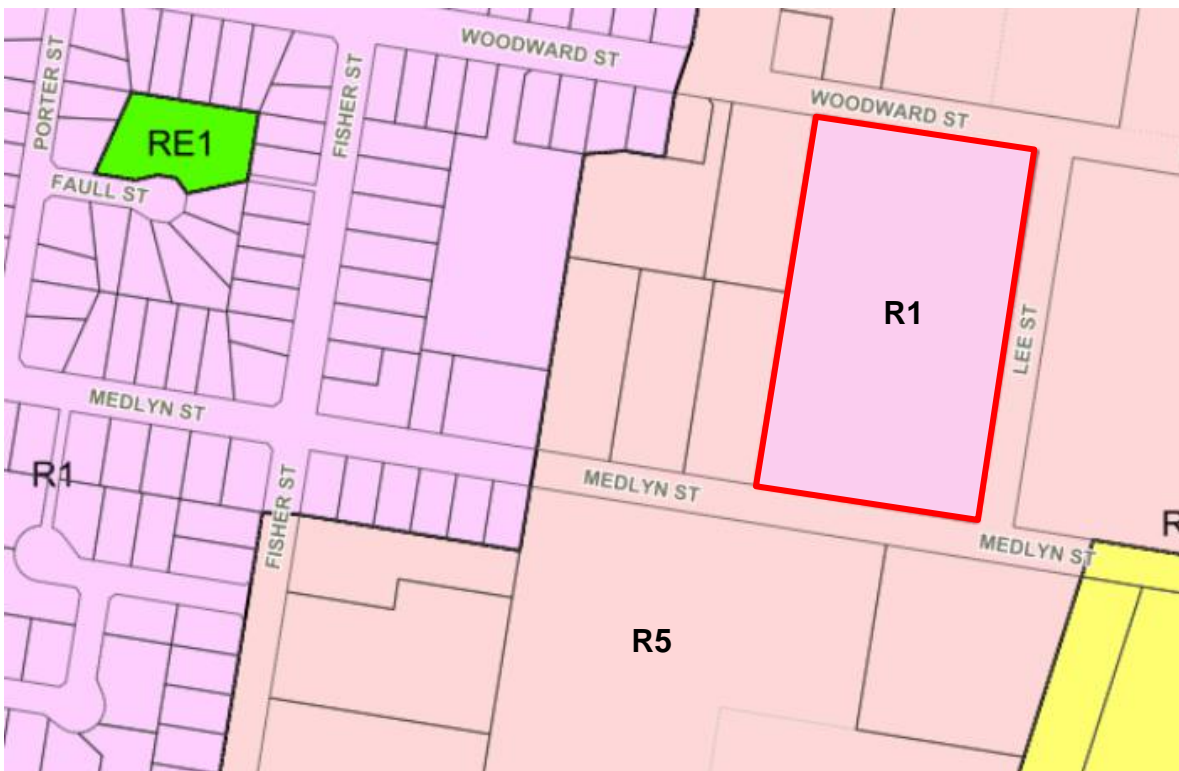


Figure 3: Proposed Land Use Zone map (Parkes LEP 2012)

The existing minimum Lot Size map under Parkes LEP is shown in Figure 4, and the proposed minimum Lot Size map is shown in Figure 5.

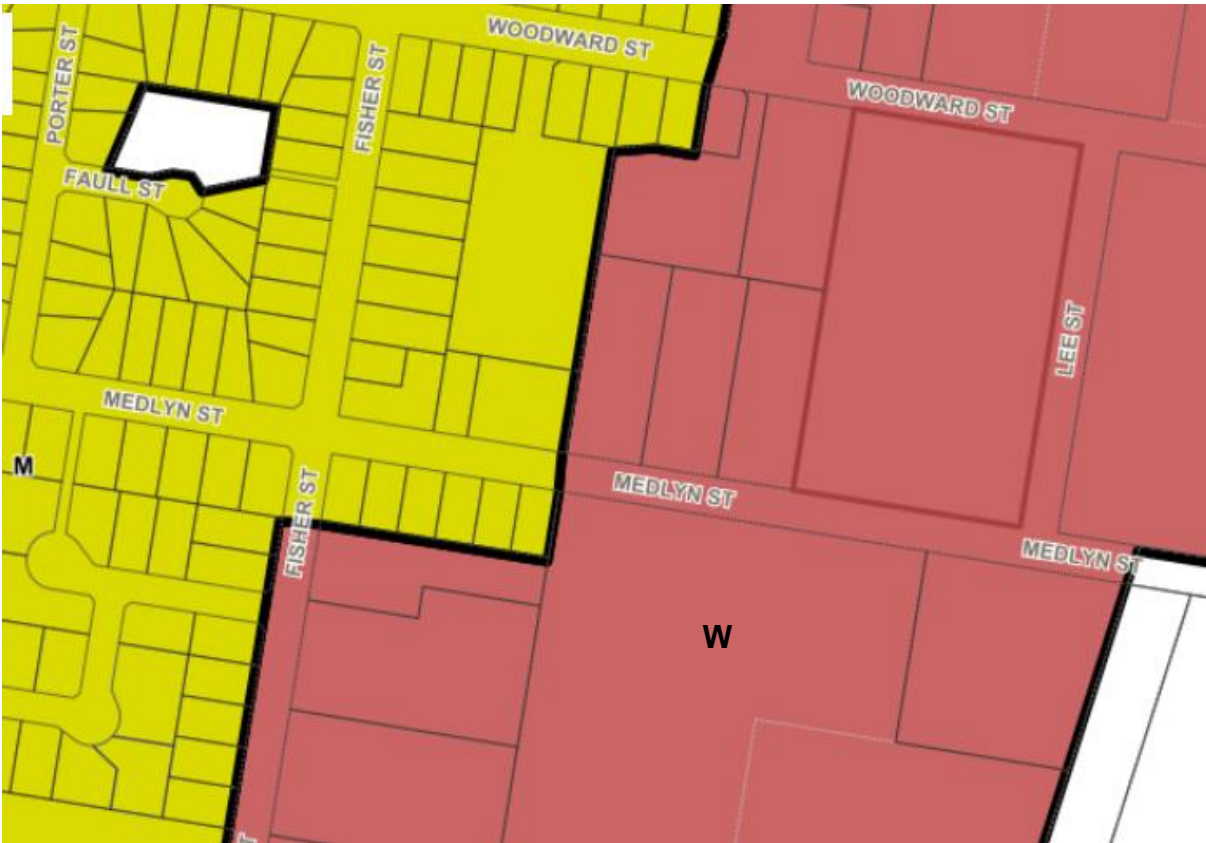


Figure 4: Existing Minimum Lot Size map (Parkes LEP 2012)

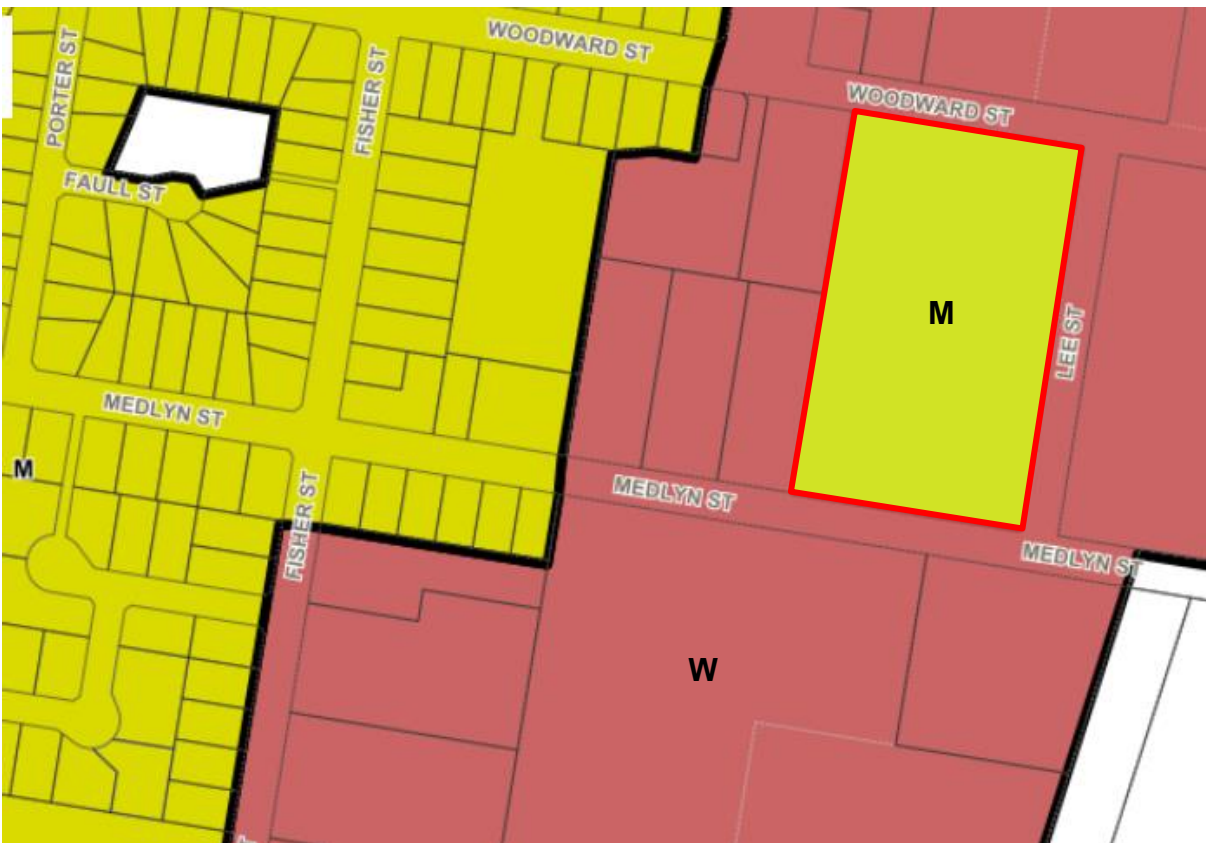


Figure 5: Proposed Minimum Lot Size map (Parkes LEP 2012)

LEGISLATIVE AND POLICY CONTEXT

The Planning Proposal has been prepared in accordance with the provisions of the NSW Environmental Planning and Assessment Act 1979 and the NSW Department of Planning document Local Environmental Plan Making Guideline (August 2023). Other relevant legislative and policy documents are listed below:

Statutory Documents:

Parkes Local Environmental Plan 2012
Central West and Orana Regional Plan 2041
Relevant State Environmental Planning Policies (SEPPs)
Section 9.1 Ministerial Directions

Local Planning Policies:

Parkes Shire - Local Strategic Planning Statement (LSPS) 2020
Parkes Shire - Housing Strategy 2021-2041
Middleton Urban Masterplan

The Planning Proposal (Attachment 1) has demonstrated compliance and consistency with all the statutory documents and policies listed above.

FINANCIAL IMPLICATIONS

There are no financial implications to Council by progressing this Planning Proposal, which has been prepared and funded by the proponent. In terms of capital investment in infrastructure, additional land for residential purposes has the potential to generate additional income and employment opportunities, which is beneficial to the local economy and community.

RISK IMPLICATIONS

The Planning Proposal (Attachment 1) and supporting documents (Attachments 2-5 inclusive) have addressed any environmental constraints which are relevant to the subject land and demonstrate that these constraints can be managed effectively, therefore minimising any associated risks concerning progression of this Planning Proposal. This is considered sufficient to allow Council to confidently support initiation of this Planning Proposal to the next stage of the LEP making process (ie requesting the issue of a Gateway Determination).

COMMUNITY CONSULTATION

Should Council resolve to initiate the Planning Proposal and a Gateway Determination is subsequently issued by the NSW Department of Planning and Environment endorsing public exhibition, the Planning Proposal will be exhibited in accordance with the terms and directions of the Gateway Determination and the relevant provisions of the *Environmental Planning and Assessment Act 1979*. Consultation with government agencies and other stakeholder may also be required if specified by the Gateway Determination.

Consultation will also be undertaken in accordance with *Parkes Shire Community Participation Plan 2022*.