

Minor Land Zoning Changes at Thrumster, Port Macquarie

Proposal Title : Minor Land Zoning Changes at Thrumster, Port Macquarie

Proposal Summary : The proposal seeks to implement detailed neighbourhood planning undertaken by Council in the Thrumster urban release area by amending the following zonings (and any associated lot sizes or land reservations):

- relocate the B1 Neighbourhood Centre Zone in the Partridge Creek precinct 200m south;
- relocate the B1 Neighbourhood Centre Zone in the South Oxley Precinct 130m north;
- relocate the RE1 Public Recreation Zone from the South Oxley Precinct to the North Oxley Precinct; and
- rezone a small area of existing R5 Large Lot Residential land in the Partridge Creek precinct to R1 General Residential.

PP Number : PP_2014_PORTM_003_00 **Dop File No :** 14/16025

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones
- 2.1 Environment Protection Zones
- 2.2 Coastal Protection
- 2.3 Heritage Conservation
- 2.4 Recreation Vehicle Areas
- 3.1 Residential Zones
- 3.2 Caravan Parks and Manufactured Home Estates
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes

Additional Information : It is recommended that:

1. The Planning Proposal be supported;
2. Council shall prepare and include in the public exhibition material an amended site identification map , together with lot size and land reservation maps prepared in accordance with the Department's technical requirements;
3. Consultation with the NSW Rural Fire Service be undertaken;
4. The Planning Proposal be exhibited for 14 days;
5. The Planning Proposal be completed within 18 months;
6. That the Secretary's delegate determine that the inconsistencies with s117 Direction 1.1 Business and Industrial Zones and 6.2 Reserving Land for Public Purposes are justified as the matters are of minor significance;
7. The Secretary's delegate note the outstanding inconsistency of the proposal with s117 Direction 4.4 Planning for Bushfire Protection; and
8. That a written authorisation to exercise plan making delegations be issued to Council.

Supporting Reasons : The proposal is supported as it will implement detailed neighbourhood planning undertaken by Council in the Thrumster urban release area which will better align the zoning pattern with the proposed subdivision layout of the area and will help facilitate its development.

Panel Recommendation

Minor Land Zoning Changes at Thrumster, Port Macquarie

Recommendation Date : 25-Sep-2014

Gateway Recommendation : Passed with Conditions

Panel Recommendation : This planning proposal is considered minor and the Gateway determination is to be issued under delegation by the General Manager. Therefore the planning proposal will not be considered by the panel.

Gateway Determination

Decision Date : 26-Sep-2014

Gateway Determination : Passed with Conditions

Decision made by : General Manager, Northern Region

Exhibition period : 14 Days

LEP Timeframe : 12 months

Gateway Determination : The Planning Proposal should proceed subject to the following conditions:

1. Council is to include in the public exhibition material an amended site identification map that includes the land proposed to be rezoned from R5 Large Lot Residential to R1 General Residential in the Partridge Creek precinct, together with lot size and land reservation maps consistent with the Department's technical requirements.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning and Environment 2013) and must be made publicly available for a minimum of 14 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 and Environment 2013).

3. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the EP&A Act. The NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. 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).

5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

26/9/2014