

Planning Proposal under s55 of the EP&A Act

**Village Expansion, Beechwood
Relating to Hastings LEP 2001
(Amendment No. 74)**

24 February 2011



**PORT MACQUARIE
HASTINGS**

Adoption of the Planning Proposal

This Planning Proposal was endorsed under delegation of Port Macquarie-Hastings Council on **25 February 2011**.



J R Sharp
ACTING GENERAL MANAGER

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Planning Proposal

Background

Proposal	Proposal to Rezone land from RU1 Primary Production to RU5 Village to provide for Village infill at Beechwood.
Property Details	Part Lots 3 & 4 DP831325 726 Beechwood NSW, Part Lot A DP382960, Part Lot 3 DP800211, Lot 5 DP21925 and Part Lot 1 DP789484, Neville Road, Beechwood.
Applicant Details	Port Macquarie-Hastings Council
Land owner	W & R Lane, W & D Bowen, Midco Holdings Pty Ltd, RG Willcox, ANR Investments Pty Ltd and Kayjay Superannuation Pty Ltd.

The draft planning proposal has been prepared under s55 of the EP&A Act to rezone land at Beechwood, from RU1 Primary Production with a lot size of 40ha to RU5 Rural Village and a lot size of 8000sqm. The Planning Proposal has been endorsed by Port Macquarie-Hastings Acting General Manager Jeff Sharp, under the delegation of the Council.

The site is 8.5ha in area and it adjoins the northern limit of Beechwood Village.

Beechwood Village is located less than 10.0 kilometres from a major town (Wauchope). The site is undulating and there is a gully that runs through the site. The eastern extent adjoins a disused gravel quarry on a vacant lot owned by Port Macquarie-Hastings Council.

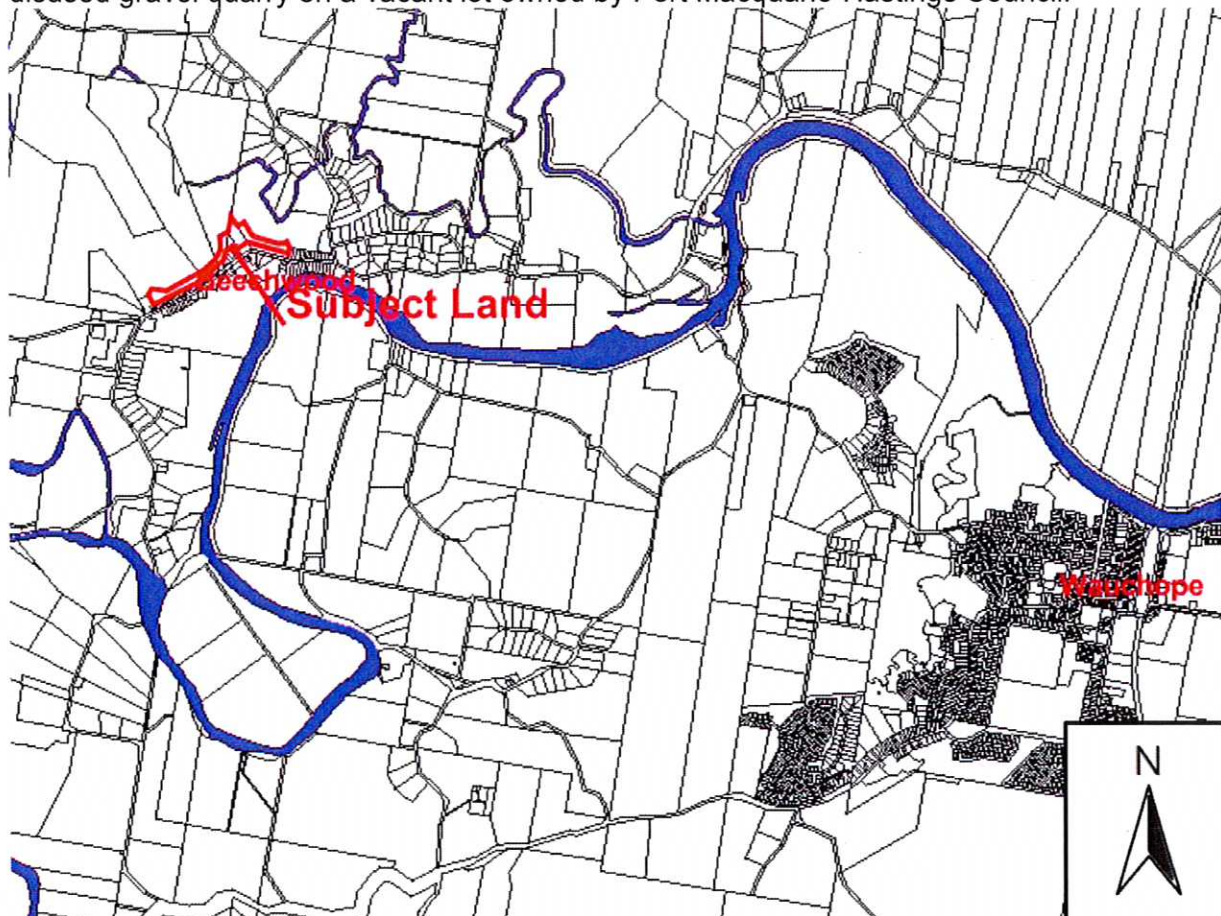


Figure 1: Location of site in relation to Beechwood and Wauchope Town Centre.

There is a dedicated road access to the site from Neville Road. Planning Agreements have been finalised in relation to provision of utilities.

The subject land provides for a minor extension of the existing village zone on the northern side of Beechwood Road. The purpose of the planning proposal is to rectify the effects on the land of *Port Macquarie-Hastings Local Environmental Plan 2011* (PMH LEP 2011), Notified on 23 February 2011.

Due to be a drafting error, the new Principal LEP has failed to incorporate recent land use changes introduced as a result of *Hastings Local Environmental Plan 2001 (Amendment 74)*, Notified 26 November 2010.

Hastings LEP 2001 (Amendment 74) rezoned the land from Rural A1 to Residential V 'village'. The plan was publicly exhibited from 11 December 2009 to 22 January 2010 and one submission, with eighteen signatories was received.

The submission expressed resident concerns in relation to adequacy of the existing road network to cater for additional traffic and pedestrian safety; the potential for increased excessive traffic noise; potential for increased crime and safety issues in the area; lack of existing services to cater for the population; potential for adverse impact to the existing character and amenity of the village and a mapping anomaly in drafting of the LEP. The issues raised in the submission are addressed in the town planners Report to the Ordinary meeting of Council held 28 April 2010, a copy of which is attached for reference.

Comments were also requested from the Department of Primary Industries, NSW Rural Fire Service, NSW Department of Community Services, Department of Environment and Climate Change NSW, Telstra, Country energy and local Aboriginal Land Council's. Written responses from these authorities raised no objections to the draft plan.

The provisions of former Sections 66, 67 and 68 of the EP& A Act, 1979 in relation to public involvement in the preparation of the plan were satisfied and relevant planning instruments, the Minister's Directions under Section 117 and the views of the Local Member, Andrew Stoner, considered.

The effect of the new Principal LEP has been to reverse the effects of Amendment No. 74. This is an obvious error which Council seeks to correct as a high priority.

Council, in consultation with the Regional office of the Department of Planning, has determined to prepare a planning proposal under clause 55 of the Act and seek the Minister's determination to expedite a local environmental plan pursuant to Section 56 of the EP&A Act, 1979.

This submission explains the intended effect of the proposed instrument and sets out the justification for making the proposed instrument.

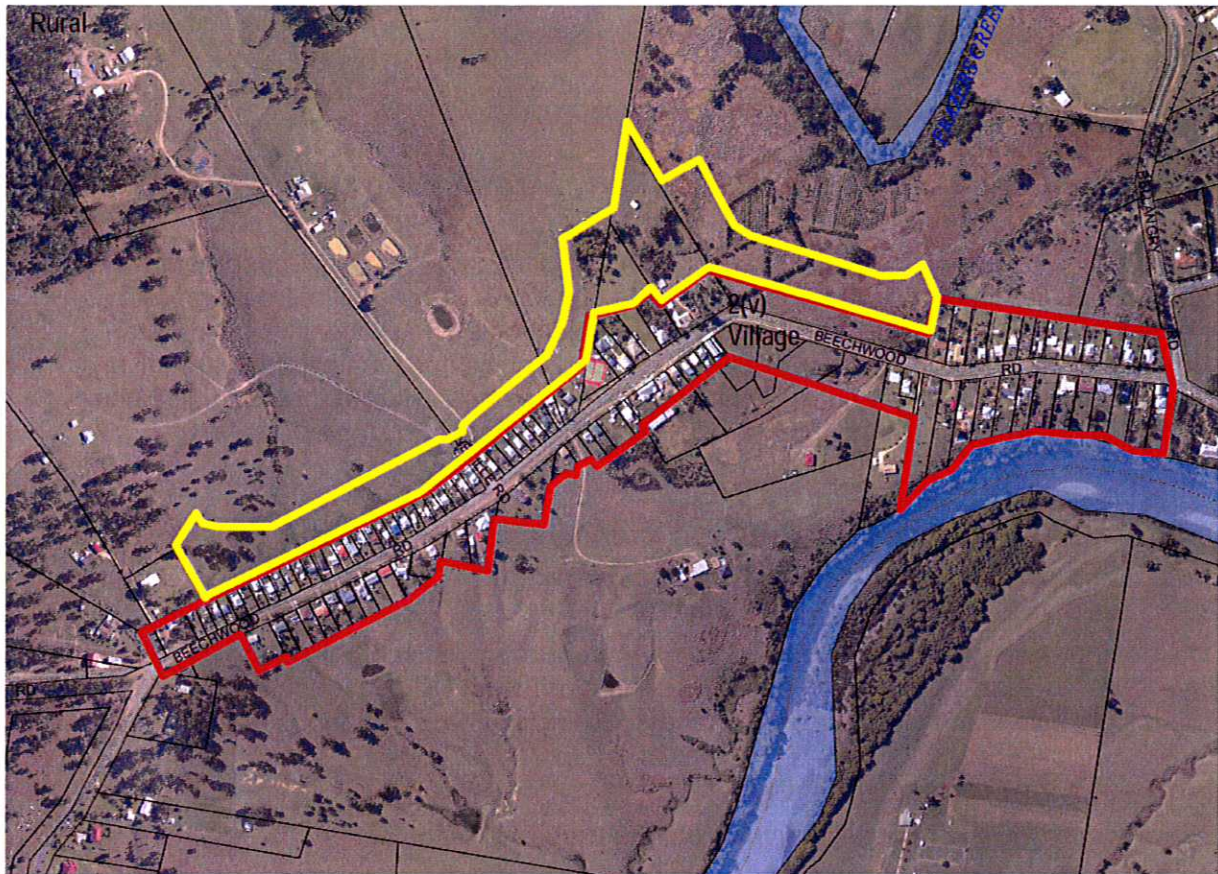


Figure 22: Location of site in relation to Beechwood and showing former 2(v) Village zone.

Part 1 - Objectives or Intended Outcomes

To enable the development of land adjacent to Beechwood, described as Part Lots 3 & 4 DP831325 726 Beechwood NSW, Part Lot A DP382960, Part Lot 3 DP800211, Lot 5 DP21925 and Part Lot 1 DP789484, Neville Road, Beechwood, for residential and compatible land uses.

Part 2 - Explanation of Provisions

The purpose of the Planning Proposal is to amend the Port Macquarie-Hastings LEP 2011 by revoking map sheets :

Land Zoning Map	Sheet LZN_010A	6380_COM_LZN_010A_020_20110124, and
Lot Size Map	Sheet LSZ_010A	6380_COM_LSZ_010A_020_20110125

and adopting the following maps sheets:

Land Zoning Map	Sheet LZN_010A	6380_COM_LZN_010A_020_20110223, and
Lot Size Map	Sheet LSZ_010A	6380_COM_LSZ_010A_020_20110223

No changes to the written instrument are required.

Part 3 – Justification

Section A - Need for the planning proposal.

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

In finalising and endorsing *Hastings Local Environmental Plan 2001 (Amendment No.74)*, Council and the Department of Planning, have previously indicated their support for extension of the current village zone over the subject site. The proposal will facilitate expanded village activities and diversity of housing choice in a location that is relatively unconstrained and suited to urban infill development consistent with the strategic objectives of the *Port Macquarie-Hastings Urban Growth Management Strategy December 2010*.

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

The zoning of the site has reverted to primary production which prohibits the subdivision of the site for lots less than 40Ha. The effect of the proposal will cause the zone and minimum lot size provisions to be consistent with the adjoining village zoned land.

Is there a net community benefit?

There is a positive community benefit from the proposed rezoning.

It is the expectation of the community that the site has been previously rezoned for residential village purposes. It is in close proximity to existing village and urban nodes and will provide additional land for housing and ancillary purposes. It has access to the existing road network which may be further augmented by Section 94 contributions derived from development of the land.

As a site previously zoned for infill development, provision and funding of services and utilities has been addressed. There are no other spot rezoning proposals in the locality that need to be considered as part of this proposal.

Council has consulted the Regional Office of the Department of Planning in relation to how to correct the zoning and lot size anomaly arising from Notification of PMH LEP 2011 and relevant landowners have been contacted.

Section B - Relationship to strategic planning framework.

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The site has previously been identified and zoned for urban development. Omission of the previous planning controls applying to the site into the new principal LEP is an obvious error which council seeks to address.

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

The site is located between the existing village of Beechwood and land which has recently been zoned for rural residential development in accordance with the Port Macquarie-Hastings Rural Residential Strategy (2004). *Hastings LEP 2001 (Amendment No. 74)* was completed on the basis that the area in question is a logical extension of the existing Beechwood village.

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

SEPP - Rural Lands

Clause 7 of the SEPP sets out 8 "Rural Planning Principals" that must be considered in preparing any LEP amendments affecting Rural Lands.

- a) *The promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,*
- b) *Recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,*
- c) *Recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,*
- d) *In planning for rural lands, to balance the social, economic and environmental interests of the community,*
- e) *The identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,*
- f) *The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,*
- g) *The consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,*
- h) *Ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.*

The proposed rezoning is assessed against these principals as follows:

- The site has not been identified in any planning document, including the NSW Mid North Coast Farmland Mapping Strategy as being "prime" agricultural land or of regional significance for farming activities;
- No natural resources or areas of significant biodiversity or native vegetation would be adversely impacted by the proposal;
- The site has no forestry value or forestry industry potential;
- The site is not identified as being significant, or potentially significant in terms of its agricultural value;
- The site is within an established rural village location and is surrounded by other urban, non-rural land-uses;
- The proposal to apply a rural village zone over the site is consistent with council's planning policy in this location.

Mid North Coast Farmland Mapping Project

This Mid North Coast Farmland mapping document has sought to map and help protect the region's most significant agricultural land.

It identifies significant farmland parcels on a regional level in the local government areas of the Mid North Coast area, including the Port Macquarie - Hastings Area.

The subject site is identified future urban land under the mapping project.

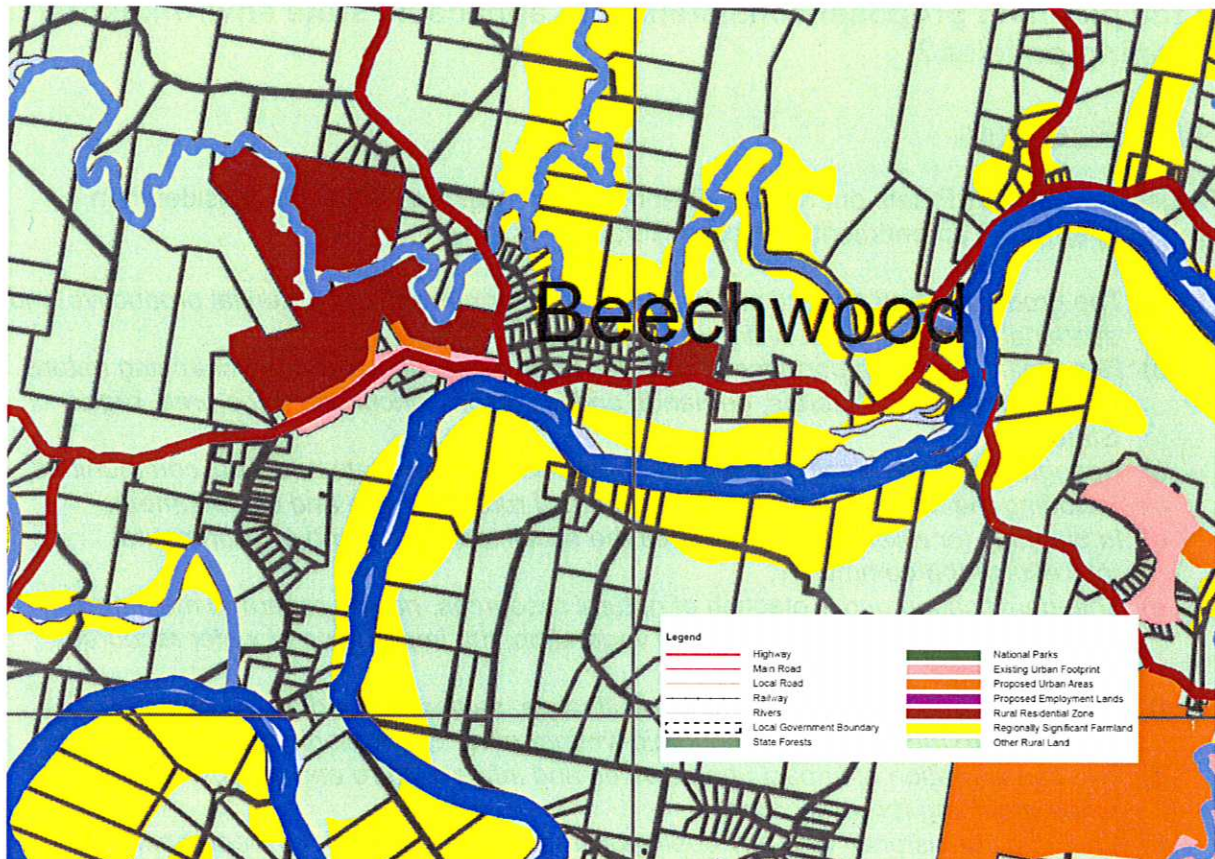


Figure 3: Mid North Coast Farmland Mapping Project

Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The relevant s117 directions are:

No 1.2 – Rural Zones

This direction states that land shall not be rezoned from rural purposes without the land being identified in a strategy approved by Council and approved by the Director General. The Planning Proposal is inconsistent with the Direction as it rezones land from rural to village, but being of minor significance is considered justified.

Hastings LEP 2001 (Amendment No. 74) was completed on the basis that the area in question is a logical extension of the existing Beechwood village.

No 1.5 – Rural Zones

This direction applies to any planning proposal affecting rural land and, or changing the minimum lot size provisions applying to rural zoned land. Consistency is measured in terms of a conformity with *SEPP Rural Lands; Rural Planning Principles and Rural Subdivision*

Principles. For consistency with the Rural Planning Principles see SEPP comments elsewhere in this proposal. The *Rural subdivision Principles* include:

- (a) *the minimisation of rural land fragmentation,*
- (b) *the minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses,*
- (c) *the consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands,*
- (d) *the consideration of the natural and physical constraints and opportunities of land,*
- (e) *ensuring that planning for dwelling opportunities takes account of those constraints.*

Note. Under section 117 of the Act, the Minister has directed that councils exercise their functions relating to changes in minimum lot sizes under local environmental plans in accordance with the Rural Planning Principles and the Rural Subdivision Principles. Under section 55 of the Act, the Minister may also direct a council to prepare a local environmental plan.

The proposed rezoning is assessed against these principals as follows:

- The subject site has previously been endorsed for urban 'Village' development. It is proposed to extend current minimum lot size provisions of 8000sqm for unsewered village zoned land over the subject site.
- In aligning zoning of the subject site with the existing village, the potential for land use conflict between residential and rural uses is minimised.
- The proposed rezoning is sound and logical; retaining an elongated narrow strip of land with a minimum lot size of 40ha between the extent of the current village zone and rural residential zoned land to the north is impractical.
- The site is free of known flood and landslip hazards. It is considered otherwise unconstrained. The existing village is serviced by a post office, general store, pub, school, two churches and a community hall. Provision and funding of infrastructure has been finalised in consultation with landowners and formalised by way of individual Voluntary Planning Agreements.

No 4.3 – Flood Prone Land

The site is not affected by flooding.

No 2.3 – Heritage Conservation

The subject site is not within the vicinity of a designated heritage item under the Council's LEP 2001.

The site has been significantly disturbed by previous agricultural practices. Site investigations, including ecology, cultural heritage, land contamination and social impact were completed during preparation of *Hastings LEP 2001 (Amendment No. 74)*, and did not preclude the change of land use from agricultural to urban village.

A standard condition on the development permit relating to the uncovering of archaeological items will be placed on any permit issued for works on the site.

No 3.1 - Residential Zones

The objectives of this direction are:

- a) *to 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.*

The proposed rezoning will facilitate the use of an urban infill site for residential purposes. Voluntary planning agreements have been finalised in conjunction with *Hastings LEP 2001 (Amendment No. 74)*. The proposed LEP amendment will facilitate housing diversity, which will be addressed in more detail at the development application stage.

No 3.4 - Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- a) *improving access to housing, jobs and services by walking, cycling and public transport, and*
- b) *increasing the choice of available transport and reducing dependence on cars, and*
- c) *reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- d) *supporting the efficient and viable operation of public transport services, and*
- e) *providing for the efficient movement of freight.*

The site is an infill site. The site is adjacent to the village of Beechwood, which has basic urban services and is located approximately 9.0 kilometres from the major town of Wauchope. There is dedicated road access from Beechwood Road via Neville Close.

No. 4.4 – Planning for Bushfire Protection

The site is not mapped as bushfire prone land. A bushfire assessment has not been required.

No. 5.1 - Implementation of Regional Strategies

The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.

The site is located adjacent to the village of Beechwood and rural residential land. *Hastings LEP 2001 (Amendment No. 74)* was completed on the basis that the area in question is a logical extension of the existing Beechwood village.

No 6.1 - Approval and Referral Requirements

The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. The planning proposal LEP does not introduce new provisions to require the concurrence, consultation or referral of development applications to a Minister or public authority. The planning proposal is consistent with this Direction.

6.3 Site Specific Provisions

The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.

It is considered appropriate to rectify omission of the recently introduced planning controls relating to the site prior to notification of Council's principal Standard Instrument LEP on 23 February 2011.

Section C - Environmental, social and economic impact.

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?

No. The site has been cleared of native vegetation and the small number of trees on the site are not ecological significant.

The site has been previously assessed and confirmed as of little ecological importance.

Section D - State and Commonwealth interests.

Is there adequate public infrastructure for the planning proposal?

Council and the relevant landowners have formally agreed to the timing and funding of infrastructure facilities for the site, and detailed Voluntary Planning Agreements have been drafted and legally endorsed by the appropriate parties. These agreements are binding and remain valid for the site notwithstanding the zone anomaly arising further to notification of PMH LEP 2011.

What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The views of several Public Authorities and State Government agencies were consulted in relation to Hastings LEP 2001 (Amendment No. 74), including the Department of Primary Industries, NSW Rural Fire Service, NSW Department of Services, Department of Environment and Climate Change NSW, Telstra, Country energy, and Birpai Aboriginal Land Council.

Written replies received raised no objection to the extension of the existing village zone over the subject site.

No consultation with State Government Authorities is proposed in relation to the current planning proposal nor is any considered necessary due to the special circumstances involved.

Part 4 – Community Consultation

Consultation in accordance with the Council's Public Consultation Policy was completed in association with preparation of Hastings LEP 2001 (Amendment No. 74). The current expectations of the community are that land use provisions applying to the land changed from Rural A1 to Residential V 'village' in November 2010. No further consultation is considered necessary in the circumstance.

Yours Faithfully



Acting General Manager
J R Sharp

Contact Details:

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Appendix 1 Hastings LEP 2001 (Amendment No.74)

**Village Expansion, Beechwood
Relating to Hastings LEP 2001
(Amendment No. 74)**

24 February 2011





New South Wales

Hastings Local Environmental Plan 2001 (Amendment No 74)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (10/17920)

TONY KELLY, MLC
Minister for Planning

2010 No 649

Clause 1 Hastings Local Environmental Plan 2001 (Amendment No 74)

Hastings Local Environmental Plan 2001 (Amendment No 74)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Hastings Local Environmental Plan 2001 (Amendment No 74)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

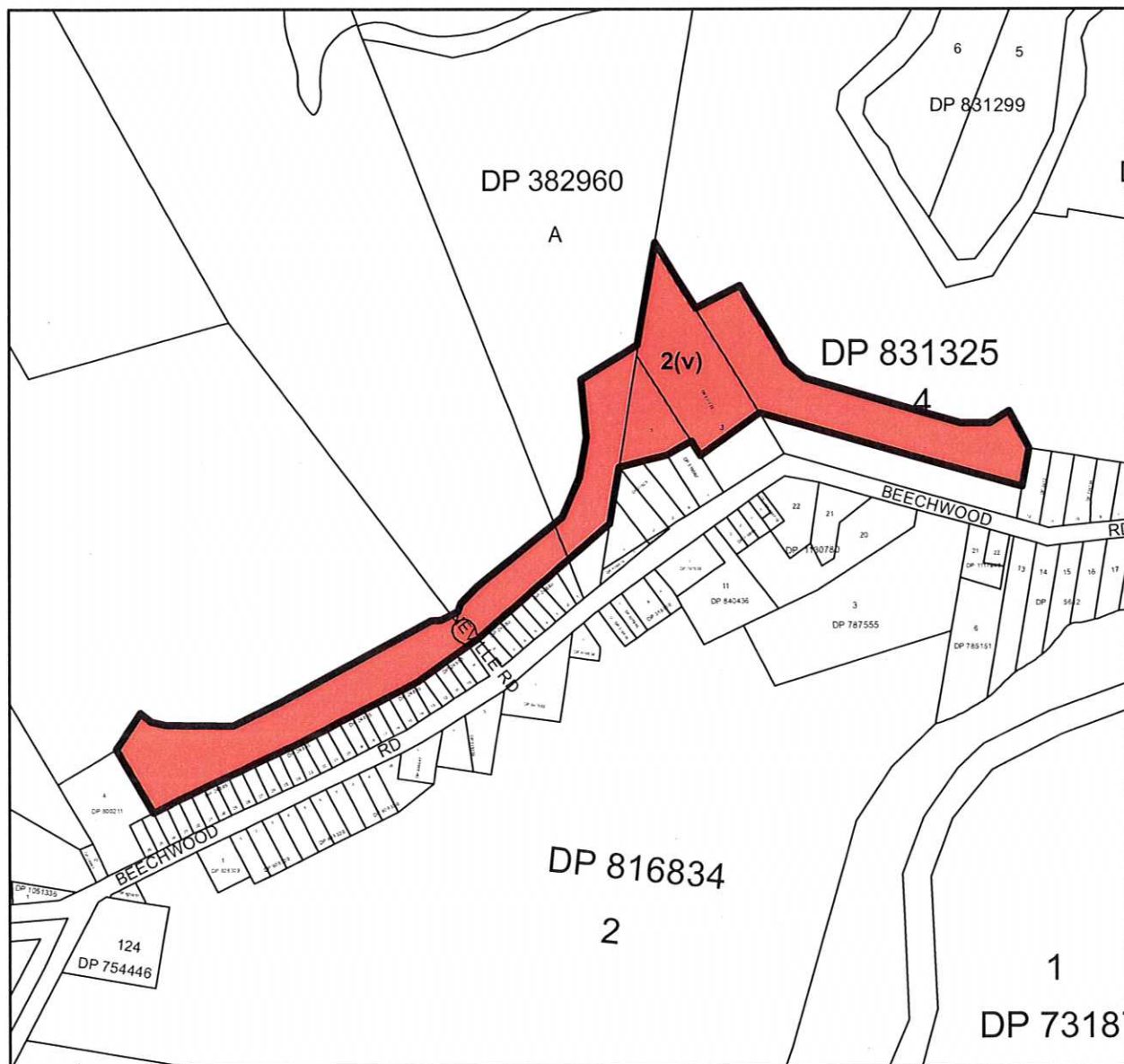
3 Land to which Plan applies

This Plan applies to the land shown edged heavy black, distinctively coloured and lettered “2 (v)” on the map marked “Hastings Local Environmental Plan 2001 (Amendment No 74)” deposited in the office of Port Macquarie-Hastings Council.

4 Amendment of Hastings Local Environmental Plan 2001

Hastings Local Environmental Plan 2001 is amended by inserting in appropriate order in Part 2 of Schedule 6:

Hastings Local Environmental Plan 2001 (Amendment No 74)



SCALE 1:7,500

LOCALITY: Beechwood

 2(v) Village



ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
HASTINGS
LOCAL ENVIRONMENTAL PLAN 2001
(Amendment No. 74)

PLANNING OFFICER Sandra Bush	STATEMENT OF RELATIONSHIP WITH OTHER PLANS Amends Hastings Local Environmental Plan 2001
COUNCIL FILE No. 32.2008.0001.01	
DEPT FILE No. GRA6323929-2	
ENDORSED FOR S65 CERTIFICATE Peter Cameron	PLAN PUBLISHED ON THE NSW LEGISLATION WEBSITE ON 26/11/2010
DATE CERTIFICATE ISSUED UNDER SEC.65 EP&A ACT 1979 7/12/2009	Compiled by C. Bennett 10/12/2009
ENDORSED FOR S69(1) SUBMISSION 25/10/2010	NOTES Cadastral Base copyright Land & Property Information NSW 2001

Appendix 2
Council Report
pursuant to s68 EP&A
Act, 1979
28 April 2010

Relating to Hastings LEP 2001
(Amendment No. 74)

Environment

Action Created

Meeting Date: 28/04/2010 - Environment

Item 22

**Subject DRAFT LEP - PROPOSED EXTENSION OF VILLAGE ZONE
AT BEECHWOOD (RA 2008-0001)
Director MATT ROGERS (DES)**

The purpose of this report is to consider the issues raised in response to the public exhibition of a draft amendment to Hastings LEP 2001 to rezone land at Beechwood to permit future village residential infill development between the existing village and recently approved rural-residential subdivision to the north.

The report recommends that the draft plan be progressed to the Department of Planning for finalisation subject to the completion of Voluntary Planning Agreements for two (2) of the six (6) landowners to meet infrastructure requirements necessary to service the land.

RECOMMENDATION

1. That subject to satisfactory completion of voluntary planning agreements relating to Lot 3 DP 831325 and Lot 5 DP 21925, the amended draft plan as outlined in this report be forwarded to the Department of Planning under the transitional provisions of the Environmental Planning and Assessment Act 1979 seeking finalisation.
2. That the Council delegate authority to the General Manager to enter into and execute the voluntary planning agreements relating to Lot 3 DP 831325 and Lot 5 DP 21925 on behalf of Council.
3. That all persons who lodged a public submission be advised of Council's decision in writing.

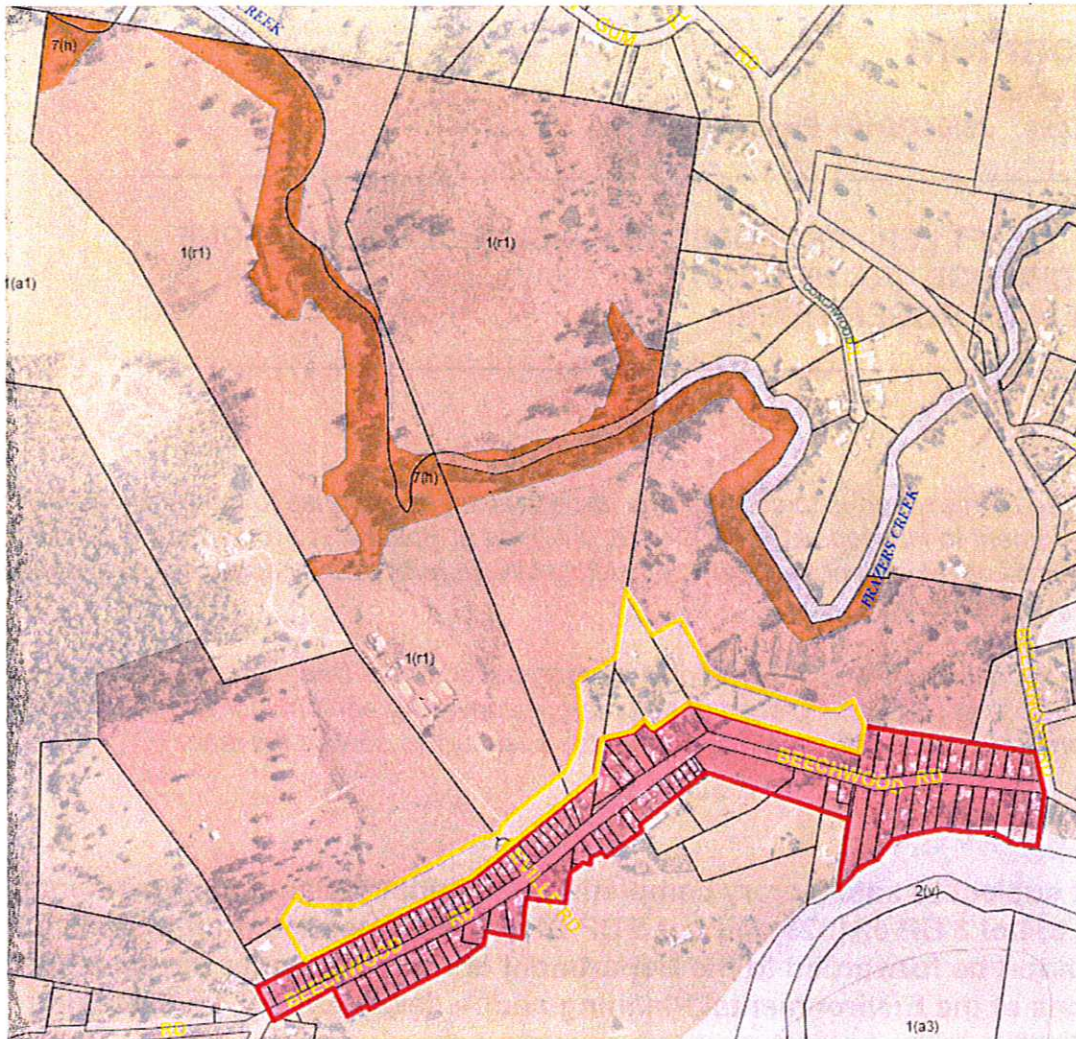
Discussion

At the Ordinary meeting held on 25 June 2008, Council resolved to prepare a draft plan to rezone a residue "strip" of rural land (approx 8.5ha) between Beechwood village and a rural-residential area to the north as a minor extension to the existing village.



A link to the Council report is attached.  [Item36ORD25Jun08.pdf](#)

A plan showing the location of the land, as outlined in yellow, is below.



In response to notification of Council's resolution, the Department of Planning advised that in this instance, an environmental study is not required, however, issues relating to water and sewer infrastructure to support increased residential development are to be resolved prior to the plan being finalised.

Site investigations to demonstrate the suitability and capability of the land for future village development were completed during 2009 along with work to prepare draft Voluntary Planning Agreements (VPAs) to resolve infrastructure servicing requirements by two (2) of the six (6) landowners. It is anticipated that these draft VPAs will be placed on public exhibition in the near future.

VPAs to deal with these issues for the four (4) remaining landowners were finalised at the end of 2009 as part of the rural-residential subdivision development application (DA) for the land to the north.

Following receipt of the site investigations (ecology, aboriginal heritage, land contamination & social impact), a draft plan to rezone the residue land from 1(a1) Rural to 2(v) Village was prepared as an amendment to Hastings Local Environmental Plan (LEP) 2001.

The draft plan and site investigations were placed on public exhibition from 11 December 2009 to 22 January 2010. As a result of the exhibition, one submission signed by eighteen (18) residents has been received. A copy of the submission is attached below:



submission.pdf

In summary, the issues raised relate to the adequacy of Beechwood Road to cater for additional traffic and pedestrian safety; the potential for increased excessive traffic noise; potential for increased crime and safety issues in the area; lack of existing services to cater for the new population; and potential for adverse impact to the existing character and amenity of the village.

The submission also questions the need for additional village residential zoning given that 150 rural-residential lots have recently been approved to the north of Beechwood village and ample land exists near Wauchope to meet current demand (for eg 340 lots at River Breeze, Yippen Creek and Clareville Estates).

During the exhibition, additional issues raised by other interested persons included management of stormwater run-off from Beechwood Road and existing village lots; the frequent failure of septic systems and flows onto the subject site; and lack of open space and recreation facilities to cater for the additional population from both the proposed village extension and approved rural-residential subdivision to the north.

The above issues are addressed below:-

Adequacy of Beechwood Road

Any additional lots created as a result of the proposal would add to the cumulative need for road improvements in Beechwood and a monetary contribution would be levied towards road upgrade works as a condition of any future DA consent, in accordance with Council's *Major Roads Section 94 Contributions Plan*.

Traffic Noise

In this instance, noise impacts can be considered at the DA stage. At this stage, Council is considering the nature of the land use, rather than the layout of the future subdivision. Detailed subdivision plans are not required for consideration of a rezoning proposal.

Crime & Safety

Council is required under the EP&A Act to consider the crime implication of a development proposal. Therefore, any future DA for the land would need to demonstrate that general design elements have been taken into account when formulating the proposal, to reduce opportunities for crime and anti-social behaviour.

Adequacy of existing services

Unlike towns and larger settlements, villages have limited local services. Beechwood presently contains a general store, a hotel, a post office, a church and a primary school. A Council-owned community hall is also located in the village. These services/facilities are considered adequate to cater for the proposal, in combination with the greater range of services in the nearby town of Wauchope.

Village character/amenity

The 2(v) Village zoning primarily aims to retain the character of rural villages and provide a full range of compatible facilities for smaller inland rural communities. Merit based assessment of future DAs for the residue will aim to ensure maintenance of the integrity and character of the existing rural village atmosphere.

Demand for additional village land

Beechwood village will play an increasingly important role as a local service centre over coming years. The proposed village zone is a consolidation between existing zoned areas and there is expected to be sufficient demand for development in the Beechwood area.

Stormwater runoff

Stormwater runoff from Beechwood Road and existing village lots onto the subject site is an overland stormwater drainage issue that would need to be dealt with as part of any future DA for subdivision of the land through an appropriate stormwater management strategy.

Septic failures

Provision of sewer to the village is listed in Council's rolling works program for 2011/12. Subdivision of the residue land will not be able to proceed until sewer is available. At that time, adjoining existing lots will also have been connected including the decommissioning of existing septic systems.

Open space/recreation facilities

It is acknowledged that there is a need for additional open space in Beechwood and in this regard, negotiations have commenced for acquisition of land (location & size to be determined) for inclusion in an Open Space Contributions Plan. This is a broader issue for the Beechwood community as a whole.

Amendment to draft LEP Map

A mapping anomaly to the extent of proposed 2(v) Village zone indicated for the western edge of the draft exhibited LEP map has been corrected to exclude Lot 4 DP 800211. A copy of the final draft LEP text and map is below.



BeechwoodLEP2001Am74_text.pdf



LEP2001Am74ver2.pdf

Alignment With Strategic Direction

Rationalisation of the residue rural land to permit future village residential infill is consistent with Council's strategic direction for Beechwood and is consistent with the Mid North Coast Regional Strategy.

Consultation

In addition to the public exhibition period as discussed previously, several State authorities were consulted in relation to the proposal including the Department of Primary Industries, NSW Rural Fire Service, NSW Department of Community Services, Department of Environment and Climate Change NSW, Telstra, Country Energy and Birpai Aboriginal Land Council. The responses received from these authorities raised no objections to the draft plan (see copy responses below).



DECCletter_31Jul09.pdf

Planning and Policy Impact

There are no significant planning and policy impacts associated with the draft plan. The proposal will allow for more appropriate village residential infill to occur on the residue land and assist in the efficient delivery of service infrastructure to Beechwood village.

Financial & Economic Implications

The costs associated with the draft plan preparation have been funded by the landowners and any upgrade works to service future development will be required via appropriate conditions of consent relating to works and/or payment of developer contributions.

Options

Council has the option of proceeding with the proposal, or not. On balance, rationalisation of the residue land and rezoning to permit a minor expansion of Beechwood village as proposed is the recommended option.

COUNCIL RESOLUTION:

The Administrator advised of a request to address Council from Jim Hutcheon and Tony Thorne.

Mr Hutcheon indicated that a group of residents at Beechwood are opposed to the recommendation as Council does not have the funds to construct essential infrastructure to support the increased population that follow any approval. He sought an amendment to the recommendation that would see Council address residents' concerns with the construction of a footpath all the way through Beechwood and give consideration to the speed limit.

Mr Thorne spoke in favour of the recommendation and indicated that he represented 4 of the 6 land owners affected by this report. Mr Thorne expressed the concerns of these land owners regarding the pushing back of the previously agreed time frame for the construction of the STP for Beechwood. He stated that the landowners are keen to work closely with the Council so that the lots are supplied in an orderly and timely fashion and are fully serviced.

ADOPTED:

- 1. That subject to satisfactory completion of voluntary planning agreements relating to Lot 3 DP 831325 and Lot 5 DP 21925, the amended draft plan as outlined in this report be forwarded to the Department of Planning under the transitional provisions of the Environmental Planning and Assessment Act 1979 seeking finalisation.**
- 2. That the Council delegate authority to the General Manager to enter into and execute the voluntary planning agreements relating to Lot 3 DP 831325 and Lot 5 DP 21925 on behalf of Council.**
- 3. That all persons who lodged a public submission be advised of Council's decision in writing.**

