

Amendment to Port Macquarie Hastings LEP 2011 - Changes to the Minimum Lot Size Maps for certain Zone R5 Large Lot Residential Land at King Creek

Proposal Title :	Amendment to Port Macquarie Hastings LEP 2011 - Changes to the Minimum Lot Size Maps for certain Zone R5 Large Lot Residential Land at King Creek		
Proposal Summary :	Planning Proposal to amend Port Macquarie Hastings LEP 2011 Lot Size Maps for certain land at King Creek zoned R5 Large Lot Residential to permit rural residential subdivision to a minimum lot size of 1.2ha consistent with surrounding land.		
PP Number :	PP_2012_PORTM_004_00	Dop File No :	12/09784

Planning Team Recommendation

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

S.117 directions : **3.1 Residential Zones**
 3.4 Integrating Land Use and Transport
 4.4 Planning for Bushfire Protection
 5.1 Implementation of Regional Strategies
 6.1 Approval and Referral Requirements
 6.3 Site Specific Provisions

Additional Information : It is recommended that:

- 1) the proposal proceed as a minor Planning Proposal;
- 2) the Planning Proposal is publicly exhibited for 28 days;
- 3) the Planning Proposal is completed within 12 months;
- 4) the Director General's delegate agree that the inconsistency with s117 Direction 4.3 Flood Prone Land is justified as being of minor significance;
- 5) Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage
 - NSW Rural Fire Service

Supporting Reasons : The reasons for the above recommendation are as follows:

- 1) The proposed rural residential use of the land is consistent with all relevant local and regional planning strategies.
- 2) The Planning Proposal introduces a 1.2ha minimum lot size to facilitate rural residential subdivision to meet identified demand.
- 3) The proposed minimum lot sizes will be consistent with the surrounding development and will produce lots that can be economically serviced with adequate existing infrastructure available to the land.

Panel Recommendation

Recommendation Date : **21-Jun-2012** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

1. It is noted that the Council identified within the 'Background' section at pages 2-6 of the planning proposal that 10 lots are subject to the proposed lot size amendment, but only identified one (1) lot on the 'Site Identification Map' at Appendix C. Council needs to clarify exactly which lots are the subject of the proposed amendment and revise the planning proposal / locality map accordingly. Council is to provide a copy of the revised planning

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proposal to the Department's Regional Team.

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 must be made publicly available for 28 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

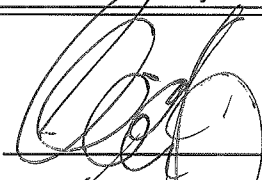
- Office of Environment and Heritage
- NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning 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.

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:

Neil McGuffin

Date:

27.6.12