

Port Macquarie Hastings Local Environmental Plan 2011 - Correction of map

Proposal Title : Port Macquarie Hastings Local Environmental Plan 2011 - Correction of map

Proposal Summary : To correct an error in the Lot Size Map 6380_COM_LSZ_013E_020_20110726 notified by Amendment No 6 to Port Macquarie Hastings LEP 2011 on 30 September 2011.
The planning proposal will remove the minimum lot size within the B4 Mixed Use, E2 Environmental Conservation and E3 Environmental Management Zones within the Area 14-1B Urban Release Area at Lake Cathie.

PP Number : PP_2011_PORTM_004_00 **Dop File No :** 11/18088

Proposal Details

Date Planning Proposal Received : 05-Oct-2011 **LGA covered :** Port Macquarie-Hastings

Region : Northern **RPA :** Port Macquarie-Hastings Council

State Electorate : PORT MACQUARIE **Section of the Act :** 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : Ocean Drive

Suburb : Lake Cathie **City :** Port Macquarie **Postcode :** 2444

Land Parcel : B4 Mixed Use, E2 Environmental Conservation and E3 Environmental Management Area 14-1B Urban Release Area

DoP Planning Officer Contact Details

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RPA Contact Details

Contact Name : Robert Corken

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DoP Project Manager Contact Details

Contact Name : Jim Clark

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Land Release Data

Growth Centre : N/A **Release Area Name :**

Regional / Sub Regional Strategy : Mid North Coast Regional Strategy **Consistent with Strategy :** Yes

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MDP Number :	Date of Release :	
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :	Both
No. of Lots : 0	No. of Dwellings (where relevant) :	0
Gross Floor Area : 0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**
If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**
If Yes, comment :

Supporting notes

Internal Supporting Notes : **Amendment No 6 to the Port Macquarie Hastings LEP 2011 was notified on 30 September 2011. This Planning Proposal seeks to correct a mapping area on the Lot Size Map introduced with this amendment whereby land zoned B4 Mixed Use, E2 Environmental Conservation and E3 Environmental Management was subject to a 40ha minimum lot size. The Planning Proposal intended that no minimum lot size applied in these zones under this amendment.**

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **Amendment No 6 to the Port Macquarie Hastings LEP 2011 was notified on 30 September 2011. The intent of this Planning Proposal is to correct a mapping error on the Lot Size Map introduced with Amendment No 6 , whereby land zoned B4 Mixed Use, E2 Environmental Conservation and E3 Environmental Management was subject to a 40ha minimum lot size. No minimum lot size was intended for these zones for this amendment.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The Planning Proposal will revoke map sheet 6380_COM_LSZ_13E_020_20110726 and adopt a revised map sheet that indicates that the B4 Mixed Use, E2 Environmental Conservation and Environmental Management Zones are not subject to a minimum lot size.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

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Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered : **The Section 117 Directions have been previously addressed. As noted above, this Planning Proposal seeks only to correct a mapping error which occurred with the notification of Amendment No 6.**

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **No**

Comment : **The proposal is consistent with that previously exhibited as Amendment No 6 for the Area 14-1B Urban Release Area at Lake Cathie.**
There were no public submissions relating to the minimum lot size of the B4, E2 or E3 zones.
The Planning Proposal involves a minor matter to correct a mapping area to reflect that these zones have no minimum lot size. Further exhibition is considered unnecessary in these circumstances.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **February 2011**

Comments in relation to Principal LEP : **Port Macquarie Hastings LEP 2011 was published on 23 February 2011.**

Assessment Criteria

Need for planning proposal : **The Planning Proposal is required to correct errors in the Lot Size Map for Amendment No 6 to the Port Macquarie Hastings LEP 2011, which was notified 30 September 2011. The Lot Size Map 6380_COM_LSZ_013E_020_2011076 incorrectly identified land zoned B4 Mixed Use, E2 Environmental Conservation and Environmental Management as having a 40 hectare minimum lot size. To be consistent with Council's intent for the development of this land, the land has no minimum lot size restriction.**

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Consistency with strategic planning framework : **Consistent**

Environmental social economic impacts : **None identified. Amendment No 6 as previously exhibited did not propose a minimum lot size for this land. No submissions relating to this issue were received to the exhibition of Amendment No 6 .**

Assessment Process

Proposal type : **Minor** Community Consultation Period : **Nil**

Timeframe to make LEP : **3 Month** Delegation : **DDG**

Public Authority Consultation - 56(2)(d) :

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required :

If Other, provide reasons :

Identify any internal consultations, if required :

Legal Services

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Port Macquarie Hastings Council_05-10-2011 00_00_00_Lot A DP 374315 Lot 4 DP 615261 Ocean Drive Lake Cathie - Mapping Error - PP_.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions:

Additional Information : **No conditions are recommended.**

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No public consultation is recommended.

The Planning Proposal is to be completed within 3 months.

Supporting Reasons :

The proposal seeks only to correct a mapping error that incorrectly applied a 40 hectare minimum lot size to B4, E2 and E3 zones to the Area 14-1B Lake Cathie Urban Release Area by the notification of Amendment No 6 to the Port Macquarie Hastings LEP 2011, on 30 September 2011.

Signature:



Printed Name:

Neil McGaffie Date: 13.10.11