

Port Macquarie Hastings LEP 2011 Draft Amendment No 25 -to Rezone Land at Major Innes Road and Iona Avenue Port Macquarie

Proposal Title : **Port Macquarie Hastings LEP 2011 Draft Amendment No 25 -to Rezone Land at Major Innes Road and Iona Avenue Port Macquarie**

Proposal Summary : **Planning Proposal to rezone land at Major Innes Road and Iona Avenue, Port Macquarie for residential, environmental conservation and environmental management purposes.**

PP Number : **PP_2013_PORTM_003_00** Dop File No : **13/04443**

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
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies**

Additional Information : **It is recommended that;**

- 1. The planning proposal should proceed as a 'minor' planning proposal.**
- 2. Prior to public exhibition, Council is to provide existing and proposed maps, at an appropriate scale and in accordance with the Department's 'Standard Technical Requirements for LEP Maps', which clearly identify the subject site and the intent of the planning proposal. In particular, maps identifying the following attributes and development standards are to be prepared and placed on public exhibition:**
 - a. Proposed Land Zoning (LZN)**
 - b. Proposed Lot Size (LSZ)**
 - c. Proposed Floor Space Ratio (FSR)**
 - d. Proposed Height of Building (HOB)**
 - e. Proposed Land Reservation Acquisition (LRA)**
- 3. The planning proposal is to be completed within 6 months.**
- 4. A community consultation period of 14 days is necessary.**
- 5. Consultation with the following agencies be required:**
 - NSW Rural Fire Service (prior to exhibition as required by S117 Direction 4.4)**
 - Office of Environment and Heritage**
 - NSW Trade and Investment Crown Lands**
- 6. The Director General (or an officer of the Department nominated by the Director General) agree that the inconsistencies with s117 Directions 1.2 Rural Zones 1.5 Rural Land, 4.1 Acid Sulfate Soils, 4.3 Flood Prone Land are justified;**
- 7. The Director General note that the inconsistency with Direction 4.4 will be resolved through consultation with the NSW Rural Fire Service before or during exhibition;**
- 8. An Authorisation to exercise delegation to make the plan be issued to the Council for this planning proposal.**

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- Supporting Reasons : **The reasons for the recommendation are as follows;**
- 1. The proposal will result in the provision of additional housing in a major regional centre.**
 - 2. The inconsistencies of the proposal with the S117 directions are of minor significance.**
 - 3. The proposal is consistent with all relevant local and regional planning strategies, and SEPPs.**

Panel Recommendation

Recommendation Date : **14-Mar-2013**

Gateway Recommendation : **Passed with Conditions**

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

- 1. Council may wish to provide existing and proposed floor space ratio, height of buildings, land use zoning, lot size and land reservation acquisition maps at a larger scale, for public exhibition purposes.**
- 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 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 Infrastructure 2012).**
- 3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:**
 - NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)**
 - Office of Environment and Heritage**
 - NSW Trade and Investment – Crown Lands Division**

Each public authority 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 6 months from the week following the date of the Gateway determination.**

Signature:



Printed Name:

NEIL SIMON

Date:

15/03/2013