

Port Macquarie Hastings LEP 2011 Amendment No 27 Beechwood Minimum Lot Sizes

Proposal Title : **Port Macquarie Hastings LEP 2011 Amendment No 27 Beechwood Minimum Lot Sizes**

Proposal Summary : **Reduce Minimum Lot Sizes for subdivision of certain land at Beechwood to be provided with reticulated sewerage services.**

PP Number : **PP_2013_PORTM_007_00**

Dop File No : **13/10521**

Proposal Details

Date Planning **21-Jun-2013**

Proposal Received :

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 : **Policy**

Location Details

Street : **Beechwood and Neville Roads**

Suburb : **Beechwood**

City : **Port Macquarie**

Postcode : **2446**

Land Parcel :

DoP Planning Officer Contact Details

Contact Name :

Contact Number :

Contact Email :

RPA Contact Details

Contact Name :

Contact Number :

Contact Email :

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **N/A**

Release Area Name :

Regional / Sub **Mid North Coast Regional**

Consistent with Strategy : **Yes**

Regional Strategy : **Strategy**

MDP Number :		Date of Release :	
Area of Release (Ha)	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	85	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 :

If No, comment :

Have there been meetings or communications with registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting Notes :

The lot yield is Council's estimate for the land zoned RU5 Village (26ha) and will depend on the outcomes of further detailed planning at development application stage.

Council considers that the reduction of the minimum lot size in the R5 Large Lot Residential zone (31.5ha), 'doesn't promote potential additional lots'. Council granted consent to a rural residential subdivision with lot sizes between 4000 and 8000 sq m. under the previous Hastings LEP 2001. No construction of the subdivision has occurred pending finalisation of the alignment and provision of sewerage services.

External Supporting Notes :

Adequacy Assessment

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

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

Comment : **The objectives and intended outcomes of the planning proposal are adequately expressed for the proposed amendment to the Port Macquarie LEP 2011.**

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

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

Comment : **The planning proposal provides a clear explanation of the intended provisions to achieve the objectives and intended outcomes.**

The proposal will amend the Port Macquarie Hastings LEP 2011 by replacing the existing Lot Size Map Sheet LSZ_010A, to apply a minimum lot size of 5000 square metres to certain land within the R5 Large Lot Residential Zone and 450 square metres for land zoned RU5 Village at Beechwood.

The current minimum lot size for the land zoned R5 Large Lot Residential is 1.5ha and land zoned RU5 Village, 8000 square metres.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

Is the Director General's agreement required? **Yes**

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

d) Which SEPPs have the RPA identified?

N/A

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The planning proposal includes a Site Identification Map and a Draft Lot Size Map for exhibition purposes. Mapping provided is adequate.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council suggests a 14 day exhibition period would be adequate as the proposal is consistent with the pattern of surrounding land use zones and /or land uses; consistent with the strategic planning framework; presents no issues with regard to infrastructure servicing; is not a Principal LEP; and does not reclassify public land.

The proposed 14 day exhibition period is considered suitable.

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 :

The planning proposal satisfies the adequacy criteria by:

- 1. Providing appropriate objectives and intended outcomes.**
- 2. Providing a suitable explanation of the provisions proposed by the planning proposal to achieve the outcomes.**
- 3. Providing adequate justification for the proposal.**
- 4. Providing a timeline - which suggests completion of the planning proposal in 6 months.**
- 5. Providing evaluation criteria for delegation to be issued to the Council to make the plan. The proposal is suitable for delegation.**

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation
to Principal LEP :

Port Macquarie Hastings LEP 2011 was published 23 February 2011. The planning proposal is an amendment to the LEP.

Assessment Criteria

Need for planning
proposal :

The planning proposal results from Council's planned construction of a reticulated sewerage system and pumping station to service the Beechwood area, removing the need for larger lots to accommodate on-site sewage disposal systems.

Council is pursuing a program of providing sewerage to it's small villages to address the evidence of adverse environmental and public health impacts of failing on-site systems.

Consistency with
strategic planning
framework :

The Mid North Coast Regional Strategy (MNCRS) is the applicable regional strategy. The planning proposal is generally consistent with the aims and desired outcomes of the MNCRS.

The planning proposal is also consistent with the Port Macquarie Hastings Urban Growth Management Strategy 2010 prepared to align with the MNCRS objectives to manage the spread of urban development, allow efficient utilisation of existing services and infrastructure.

Council has identified S117 Direction 3.1 Residential Zones as being relevant to the proposal. Section 117 Direction 3.4 Integrating Land Use and Transport is also relevant and discussed below.

The planning proposal is consistent with all relevant S117 Directions and SEPPs except for S117 Directions 3.1 Residential Zones and 3.4 Integrating Land Use and Transport. These inconsistencies may be justified for the following reasons:

Direction 3.1 Residential Zones applies as the planning proposal affects land within an existing residential zone. Direction 3.1 provides that a planning proposal may be inconsistent with the terms of the direction if the provisions which are inconsistent are justified by a strategy, a study or regional strategy or are of minor significance. The subject land is zoned for residential use and the proposed infill development within the Village area is consistent with Council's Urban Growth Management Strategy 2010-2031 and the objectives of the Mid North Coast Regional Strategy. Therefore the inconsistency of the planning proposal with the direction is justified.

Direction 3.4 Integrating Land Use and Transport provides that a planning proposal shall locate zones for urban purposes and include provisions that give effect to and are consistent with the Department's Improving Transport Choice Guidelines for planning and development and the Right Place for Business and Services Policy. The direction applies as the planning proposal will alter a provision relating to urban land and provides that a planning proposal may be inconsistent with the terms of the direction if the provisions which are inconsistent are justified by a strategy, a study or regional strategy or are of minor significance. The amendment to the minimum lot size creates the potential for additional infill development in an existing residential zone.

The proposal is consistent with Council's Urban Growth Management Strategy and the objectives of the Mid North Coast Regional Strategy. Therefore the inconsistency of the planning proposal with the direction is justified.

Environmental social
economic impacts :

The planning proposal to reduce the minimum lot size for subdivision of certain land at Beechwood creates the potential for additional infill development on land zoned R5 Large Lot Residential and RU5 Village.

The Village of Beechwood has developed with on-site effluent disposal resulting in environmental and public health impacts, particularly water quality. The proposed provision of reticulated sewerage services to this area in 2014 will address these issues and allow for a reduced lot size with on-site disposal no longer required.

The planning proposal is likely to result in positive social and economic impacts for Beechwood.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **0 months** Delegation : **RPA**

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 :

No internal consultation required

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
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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

Additional Information : **It is Recommended that:**

1. The planning proposal should proceed as a "minor" planning proposal.

2. A community consultation period of 14 days is necessary.

3. The planning proposal is to be completed in 6 months.

4. The Director General's delegate agree that the inconsistencies with S117 Direction 3.1 Residential Zones and 3.4 Integrating Land Use and Transport are justified as of minor significance.

5. Delegation to finalise the planning proposal be issued to the Council.

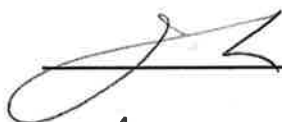
Supporting Reasons :

The reasons for conditions to the Gateway Determination are as follows:

1. The inconsistencies of the proposal with the S117 Directions are of minor significance.

2. The proposal is otherwise consistent with all relevant local and regional planning strategies, section 117 Directions and SEPPs.

Signature:



Printed Name:

JIM CLARK

Date:

25 June 2013