

Bellevue Road rezoning and minimum lot size reduction

Proposal Title :	Bellevue Road rezoning and minimum lot size reduction		
Proposal Summary :	Proposal to rezone land at Bellevue Road, Mudgee from R2 Low Density Residential to R1 General Residential. Proposal to reduce minimum lot size from 2000m2 to 600m2		
PP Number :	PP_2013_MIDWR_001_00	Dop File No :	13/01671

Proposal Details

Date Planning Proposal Received :	09-Jan-2013	LGA covered :	Mid-Western Regional
Region :	Western	RPA :	Mid-Western Regional Council
State Electorate :	UPPER HUNTER	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	Bellevue Road		
Suburb :	Mudgee	City :	Mid-Western
Land Parcel :		Postcode :	2850
Street :			
Suburb :		City :	
Land Parcel :	Lot 8 DP1096571; Lot 7 DP1096571; Lot 8 DP842243; Lot 7 DP842243		

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A
MDP Number :		Date of Release :	
Area of Release (Ha) :	6.06	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	36	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 proposal is to facilitate rezoning of land from R2 Low Density Residential to R1 General Residential and changing the lot size from 2000m2 to 600m2. Adjoining the proposal to the north is land zoned R1 General Residential and surrounded to the East, South and West by land zoned R2 Low Density Residential.

The land is already zoned urban and used for living purposes

External Supporting Notes : NIL

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment : The planning proposal intends to allow for a greater density of residential development on the subject land than currently permissible under the provisions of the Mid Western Regional Local Environmental Plan 2012. Development of the subject site is intended to be in line with adjoining residential development opposite the site, including a potential recreation area with a proposed catchment beyond the proposal's site boundary.

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

Is an explanation of provisions provided? Yes

Comment : To achieve the desired outcome, both the zone and minimum lot size provisions need to be amended, to ensure consistency with development outcomes of other residential development in the R1 General Residential zone immediately to the north of the site.

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

2.1 Environment Protection Zones

2.3 Heritage Conservation

2.4 Recreation Vehicle Areas

3.1 Residential Zones

3.2 Caravan Parks and Manufactured Home Estates

3.3 Home Occupations

3.4 Integrating Land Use and Transport

4.4 Planning for Bushfire Protection

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

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

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

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP (Infrastructure) 2007

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 :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

The relevant planning authority has acknowledged that public exhibition of the proposal is required. The department recommends the proposal be exhibited for 14 days.

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 :

Comments in relation to Principal LEP :

The Mid Western Regional Local Environmental Plan 2012 was notified on 10 August 2012.

Assessment Criteria

Need for planning proposal :	The planning proposal is required to achieve the objective of developing the site for residential uses at a greater density than currently permissible under the provisions of the Mid Western Regional LEP 2012 .
Consistency with strategic planning framework :	The Mid Western Comprehensive Land Use Strategy (endorsed by the Director General on 1 August 2011) identifies the subject site as low density residential in the Mudgee Town Structure Plan. The Mid Western Comprehensive Land Use Strategy outlines that land in the low density residential area should not be developed until such time as reticulated sewerage and water, and sealed road access is available. The planning proposal outlines that necessary services and infrastructure can be provided to the subject site and that short term delivery of residential land is critical to maintaining pace with population growth. The Mid Western Comprehensive Land Use Strategy outlines that growth should be prioritised to the south and south-west of the Mudgee town centre. This small deviation from the existing strategic planning framework in this instance is not considered to be detrimental, as the proposal will efficiently use land for residential purposes and adjoins land connected to the existing infrastructure networks. Discussions with Mid Western Regional Council have indicated an eagerness to prepare an urban release strategy (subject to funding). A strategy such as this would aid in the decision making process for determining these types of planning proposals, to ensure growth is logical and sequenced appropriately.
Environmental social economic impacts :	The subject site adjoins land identified as bushfire prone. The planning proposal has addressed concerns in relation to development near bushfire prone areas, such as provision of access and infrastructure for fire fighting. Development stage design will consider these requirements. No other environmental, social or economic impacts have been identified as impediments to the proposed rezoning.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	14 Days
Timeframe to make LEP :	6 Month	Delegation :	
Public Authority Consultation - s56(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 :			

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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
7 Jan 13 Council request for PP.pdf	Proposal Covering Letter	Yes
Bellevue Road Council report 19 Dec 12.pdf	Proposal	Yes
Bellevue Road Planning Proposal.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions:

2.1 Environment Protection Zones
2.3 Heritage Conservation
2.4 Recreation Vehicle Areas
3.1 Residential Zones
3.2 Caravan Parks and Manufactured Home Estates
3.3 Home Occupations
3.4 Integrating Land Use and Transport
4.4 Planning for Bushfire Protection
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions

Additional Information :

That community consultation be undertaken for a minimum of 14 days
That the planning proposal be finalised in 6 months

Supporting Reasons :

The subject land is urban and used for living purposes. It is a small deviation from the endorsed strategy but is a logical extension to the general residential zone and will provide additional residential opportunities in the short term

Signature:



Printed Name:

Wayne Garnsey

Date:

17/1/2013