

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2013_MIDWR-001_00 ✓
Date Sent to Department under s56	07/01/2013 ✓
Date considered at LEP Review Panel	24/01/2013 ✓
Gateway determination date	05/02/2013 ✓

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited	15/5/13 – 31/5/13 ✓	
Date of public hearing (if held)	—	
Date sent to PCO seeking Opinion	13/11/13	
Date Opinion received	2/4/14	
Date Council Resolved to Adopt LEP	24/7/13 ✓	
Date LEP made by GM (or other) under delegation	4.4.14	
Date sent to DP&I requesting notification	4.4.14	

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information:

Councillors	Ayes	Nays
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson		✓
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb		✓
Cr White		✓

6.2.3 PLANNING PROPOSAL – BELLEVUE ROAD RESIDENTIAL AREA MUDGEES

A0100056, P1889211, A0420241

256/13

MOTION: Shelley/Cavalier**That:**

1. the report by the Strategic Planner on the Planning Proposal – Bellevue Road Mudgees be received;
2. the Planning Proposal for the rezoning of land on Bellevue Road to R1 General Residential be forwarded to the Minister under section 58 of the Environmental Planning and Assessment Act requesting that the proposal proceed and that the Minister make the plan in accordance with section 59 of the Act.

The motion was put and carried.

Councillors	Ayes	Nays
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson		✓
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb	✓	
Cr White		✓

6.2.4 CRUDINE RIDGE WIND FARM

A0100056, A0420255

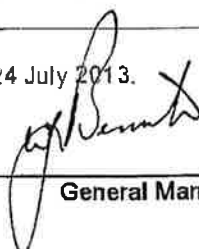
257/13

MOTION: Weatherley/Shelley**That:**

1. the report by the General Manager on the Crudine Ridge Wind Farm be received;
2. Council strongly requests that the Department of Planning & Infrastructure place the application for the Crudine Ridge Wind Farm back on public exhibition for a further 60 days, because the



Mayor



General Manager

6.2.3 Planning Proposal – Bellevue Road Residential Area Mudgee

REPORT BY THE STRATEGIC PLANNER TO 24 JULY 2013 COUNCIL MEETING

Bellevue Road Planning Proposal

A0100056, P1889211, A0420241

RECOMMENDATION

That:

- 1. the report by the Strategic Planner on the Planning Proposal – Bellevue Road Mudgee be received;**
- 2. the Planning Proposal for the rezoning of land on Bellevue Road to R1 General Residential be forwarded to the Minister under section 58 of the Environmental Planning and Assessment Act requesting that the proposal proceed and that the Minister make the plan in accordance with section 59 of the Act.**

Executive summary

On 19 December 2012 Council resolved to endorse the Planning Proposal (PP) for the rezoning of land on Bellevue Road Mudgee. The PP was subsequently forwarded to the Department of Planning and Infrastructure for Gateway Determination. The PP went on Public Exhibition for a period of 16 days and 5 submissions were received. The PP was also referred to the NSW Rural Fire Service for comment and no response was received.

The PP was prepared by Minespex on behalf of Jabek Pty Ltd and will involve the rezoning of Lots 7 and 8 DP 842234, and Lots 7 and 8 DP 1096581 from R2 Low Density Residential to R1 General Residential. Minimum lot size is proposed to change from 2000m² to 600m². The proposed subdivision layout in the PP includes a range of lot sizes from 638m² to 5895m² with a total lot yield of 36 lots.

The public submissions raised the following valid concerns:

- Loss of rural lifestyle;
- Impact on local road network, specifically Albans Lane and Kilkenny Avenue;
- Smaller lot sizes;
- Impact on drainage easement between Kilkenny Avenue and Bellevue Road;
- Lack of demand to justify rezoning.

The rezoning of this land will allow for the continued growth and expansion of Mudgee in an orderly and economic manner and is within the residential zone boundary of the Council endorsed Comprehensive Land Use Strategy.

Detailed report

Following the resolution to proceed with the rezoning in December 2012, the proposal was forwarded to the Department of Planning and Infrastructure on 7 January 2013 for Gateway Determination.

On 11 February Council received a response from the Department to advise that the proposal may proceed subject to the following:

- Consultation with the NSW RFS;
- Amend the Proposal to include a project timeline;
- Undertake Community Consultation for minimum period of 14 days.

A copy of the Gateway Determination is Attachment 1 and the Planning Proposal is located at the end of the Business Paper.

The PP was prepared by Minespex on behalf of Jabek Pty Ltd and includes the following land:

- Lots 7 and 8 DP 842243;
- Lots 7 and 8 DP 1096571

The land is currently zoned R2 Low Density Residential under the LEP 2012. The Planning Proposal is to change the zoning to R1 General Residential and to reduce the minimum lot size from 2000m² to 600m².

The subject site has an area of 6.06ha which will provide a lot yield of approximately 36 residential lots ranging in size from 638m² to 5895m².

The rezoning of the land will assist in facilitating residential growth in Mudgee in the short to medium term. The PP includes:

- A concept plan showing a lot layout with 36 lots with the majority in excess of 800m².
- A layout which responds to the topography of the site and incorporates a drainage detention basin and an easement for electricity transmissions lines;
- A design that does not include cul-de-sacs which is a desirable outcome.

Servicing

Water and sewer are available and the site can be connected to Council's reticulated water and sewerage system. Other essential services such as electricity and telecommunications are available to service any future subdivision.

Project Timeline

	Date
Date of Gateway Determination	Gateway determined 05 February 2013. Received by Council on 11 February 2013.
Anticipated timeframe for completion of technical information	Council made request to Department for relevant mapping to be prepared on 28 June 2013.
Timeframe for Government Agency consultation	
Commencement and completion of public exhibition	Public exhibition held from 15 May 2013 till 31 May 2013.
Timeframe for consideration of submissions	Submissions reviewed 1 June 2013 till 10 July 2013.
Timeframe for consideration of proposal post exhibition	1 June 2013 till 10 July 2013.

Date of submission to Department to finalise LEP	7 August 2013
Anticipated date RPA will make the plan (if delegated)	No delegation has been made.
Anticipated date RPA will forward to Department for notification	7 September 2013

Provisions

The intention of the Planning Proposal is to increase the residential land supply within the Mudgee. The provisions will comprise of:

- An amendment to the Mid-Western Regional Local Environmental Plan 2012 Land Zoning Map to apply the R1 General Residential zone to the site; and
- An amendment to the Mid-Western Regional Local Environmental Plan 2012 Lot Size Map to reflect a minimum lot size of 600m².

Public Submissions

The PP was placed on public exhibition for a period of 16 days and 5 submissions were received. The following is a summary of the submissions:

Submission	Issues
Fisher	• Loss of rural lifestyle blocks • Noise • Traffic • Privacy • Visual amenity
Goodlet	• Oppose increased density • Perceived lack of demand for proposal • Capacity of local road network, specifically Albans Lane/Kilkenny Ave
Constable	• Loss of rural lifestyle blocks
Furney	• Loss of rural lifestyle blocks • Oppose increase in density
Rheinberger	• Capacity of local road network, specifically Albans Lane/Kilkenny Ave • Lot sizes too small • Impact on drainage easement between Kilkenny Avenue and Bellevue Road

*Note: Council is required to notify a Planning Proposal in a local Newspaper. This was done. Given the scale of the proposed application, and the fact that not everyone will read the newspaper, the extra step of writing to individual owners who joined the proposal was also taken.

Response to Public Submissions

The land is mapped as being within the residential zone boundary as identified in the Comprehensive Land Use Strategy and is able to connect to essential services. Although it was not earmarked at this stage for General Residential development, the land is directly opposite an existing R1 General Residential zone which has a minimum lot size of 600m². One of the submissions proposes that the minimum be 800m², however this would be inconsistent with all other R1 General Residential zone in the Mudgee area.

It will be inevitable that there will be an increase in traffic if and when the land is subdivided in the future and it is acknowledged that Kilkenny Avenue and Albans Road are currently not up to the standard required to handle the additional traffic. This is an issue that can be addressed when a future development application is lodged.

The drainage detention basin will need to be designed to ensure that post-development flows do not exceed pre-development flows. This can be addressed at the development assessment stage.

The proposed lot layout will also mean that the existing drainage easement will run through Lot 7 DP 1096581 will need to be altered. This is another issue that can be addressed at DA stage.

Growth in the resources sector has placed pressure on the housing market resulting in high demand for the release of new residential land. Although the resources sector has been the subject of a recent slow-down, partly due to a reduction of the coal price, Council cannot assume that this will remain the case and needs to be pro-active in ensuring adequate residential land supplies are available in the future. A Local Services Assessment commissioned by the State Government reports that the population of the region could reach 33,100 by 2030 and result in a deficiency in the number of available residential lots. Other Planning Proposals such as Caerleon (1000 lots) and Saleyards Lane (350-400 lots) will go some way to addressing this issue in the longer term, however smaller rezoning such as this PP will ensure an adequate residential land supply in the short to medium term.

The supply of rural lifestyle blocks is not severely affected by this proposal as other subdivisions, such as the 68 lot subdivision on Broadhead Road will go some way to ensuring that a variety of residential land and lot sizes are available for future development.

The issues of visual amenity and privacy are not considered relevant at this stage as they can be addressed at the development application stage.

Public Authority Submissions

Council notified Public Authorities in accordance with the Gateway Determination. The NSW Rural Fire Service was provided to opportunity to comment and given a minimum 21 days to respond as per the Gateway Determination. No submission was received.

Financial implications

Not applicable.

Strategic or policy implications

The planning proposal will reinforce the direction of growth as set through the Comprehensive Land Use Strategy and provide certainty in terms of the ongoing supply of residential land in the medium to long term.

MARK LYNDON
STRATEGIC PLANNER



CATHERINE VAN LAEREN
DIRECTOR DEVELOPMENT & COMMUNITY SERVICES

7 March 2013

- Attachments:**
1. Public Submissions (following at the end of the Business Paper)
 2. Gateway Determination (following at the end of the Business Paper)
 3. Planning Proposal (following at the end of the Business Paper)

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER