

Prohibit places of public worship in the R5 Large Lot Residential zone

Proposal Title : **Prohibit places of public worship in the R5 Large Lot Residential zone**

Proposal Summary : **The planning proposal (PP) would prohibit places of public worship in the R5 Large Lot Residential zone in the Maitland Local Environmental Plan (LEP) 2011. Places of public worship are currently permitted with consent.**

PP Number : **PP_2017_MAITL_001_00** Dop File No : **17/01656**

Proposal Details

Date Proposal Lodged with DOP : **19-Jan-2017** Date Proposal Uploaded to Public Website : **30-Jan-2017**

Proposal Assessment

Is Public Hearing Required by PAC? **No**

Agencies Requested to Consult : **None**

Gateway Determination

Decision Date : **31-Jan-2017** Gateway Determination : **Passed with Conditions**

Due Date of LEP : **07-Aug-2017**

Implementation

Implementation Start Date : **07-Feb-2017** Exhibition Duration : **29**

Agency consultation consistent with recommendation : **Yes**

If No, comment : **No agency consultation required.**

Agency Objections : **No**

If Yes, comment :

Documentation consistent with Gateway : **Yes**

If No, comment : **BACKGROUND**

Council advises that this PP originates as a result of a recent development application (DA) for a place of public worship at Louth Park (Louth Park is zoned R5). Council refused the DA and this decision was appealed by the applicant. The appeal has now been withdrawn by the applicant.

Noting that the PP has been considered on its strategic planning merit, and is a separate matter to the DA before the LEC.

CONSULTATION

Exhibition of the planning proposal has concluded. Two submissions were received.

Both submissions support the proposal to prohibit "Place of Public Worship" in the R5 Large Lot Residential zones. The submissions cite reasons for supporting the proposal as the incompatibility of the use with the rural residential nature of the area, reduced privacy and greater traffic and noise.

STATE PLANNING POLICIES

The proposal has been considered against state policies and is considered consistent with:

- Hunter Regional Plan
- Lower Hunter Regional Plan
- State Environmental Planning Policies
- Section 117 Directions (3.1 Residential Zones, 3.4 Integrating Land Use and Transport, and 5.10 Implementation of Regional Plans)

MAKE THE PLAN

There have been no changes made to the plan post exhibition and no known meetings with registered lobbyists.

A PC opinion was received 20.4.2017 and accepted by Council (20.4.2017). The final PC opinion was issued 21.4.2017, noting that there are no maps associate with this PP.

Council has met all of the Gateway determination conditions.

It is recommended that the plan be made.

LEP Assessment

Date Received from RPA : **03-Apr-2017**

LEP Determination

DatePublishNotification

Date sent to Parliamentary Council to Draft LEP : **12-Apr-2017**

Determination Date : **23-May-2017**

Determination Decision : **Approved**

Notification Date : **26-May-2017**