

**Louth Park Urban Investigation Area (Stage 2)**

Proposal Title : Louth Park Urban Investigation Area (Stage 2)

Proposal Summary : The planning proposal seeks to rezone 156.4 ha of land at Louth Park from RU2 Rural Landscape to R5 Large Lot Residential, and amend the minimum lot size provisions to a mix of 1500m<sup>2</sup>, 2000m<sup>2</sup>, 3000 m<sup>2</sup>, and 4000m<sup>2</sup> sizes in order to manage site constraints. The proposal will accommodate up to 430 new dwellings.

PP Number : PP\_2012\_MAITL\_005\_00      Dop File No : 12/11299

**Planning Team Recommendation**

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

S.117 directions :      **1.2 Rural Zones**  
                                  **1.5 Rural Lands**  
                                  **4.1 Acid Sulfate Soils**  
                                  **4.2 Mine Subsidence and Unstable Land**  
                                  **4.4 Planning for Bushfire Protection**

Additional Information :      **The Planning Proposal should proceed subject to the following conditions:**

1. It is noted that Council resolved to exhibit a Development Control Plan (DCP) and Section 94 Development Contributions Plan with the Planning Proposal. It is understood that a Structure Plan will form part of the DCP. The DCP should demonstrate how the proposed zone and minimum lot size boundaries can be managed. The Planning Proposal should reflect, and be updated, if the DCP identifies opportunities to increase residential yield through changes to the land use zone or minimum lot size maps.
2. The Planning Proposal and Development Control Plan should be provided to the Regional Office before commencement of exhibition for endorsement by the Department.
3. 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 is classified as not of low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 28 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
4. In relation to Section 117 Direction 4.4 Planning for Bushfire Protection, Council is to consult with the Commissioner of the NSW Rural Fire Service and amend the planning proposal (if necessary) to take into consideration any comments prior to undertaking exhibition of the planning proposal.
4. In relation to Section 117 Direction 4.2 Mine Subsidence and Unstable Land , Council is to consult with the Mine Subsidence Board and amend the planning proposal (if necessary) to take into consideration any comments prior to undertaking exhibition of the planning proposal.
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

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- Office of Environment and Heritage
- Department of Primary Industries (Agriculture)
- NSW Rural Fire Services
- Mine Subsidence Board

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

6. 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).

7. The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

8. That the DG agree to inconsistencies with Directions 1.2 Rural Zones, 1.5 Rural Lands and 4.4 Acid Sulfate Soils as they are minor and justified by an endorsed strategy.

Supporting Reasons : It is considered that the Council has provided sufficient justification and consistency with the strategic planning framework for the proposal to proceed. However, development of a Structure Plan will enable Council to clearly demonstrate how the proposed zone boundaries and minimum lot size layout achieve a suitable residential yield consistent with the LHRs and MUSS.

### Panel Recommendation

Recommendation Date : 19-Jul-2012

Gateway Recommendation : Passed with Conditions

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

1. As part of the material placed on public exhibition Council is to include a Development Control Plan (DCP) to justify the proposed minimum lot size provisions and detail the outcomes of structure planning for the investigation area. If the DCP identifies opportunities to increase residential yield through changes to the land use zone or minimum lot size map, the planning proposal should be updated to reflect this change.
2. Council is to consult the Mine Subsidence Board in accordance with Section 117 Direction 4.2 Mine Subsidence and Unstable Land and amend the planning proposal, if necessary, to take into consideration any comments prior to undertaking exhibition of the planning proposal.
3. Council is to consult with the Commissioner of the NSW Rural Fire Service in accordance with Section 117 Direction 4.4 Planning for Bushfire Protection, and amend the planning proposal, if necessary, to take into consideration any comments prior to undertaking exhibition of the planning proposal.
4. 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 28 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
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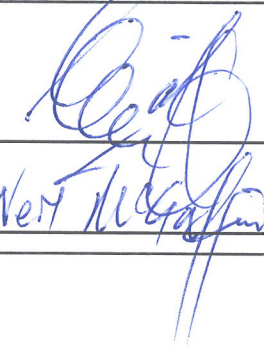
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7. The timeframe for completing the LEP is to be 18 Months from the week following the date of the Gateway determination.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_



Neil McCallum

7.8.12