

10.5 LOUTH PARK URBAN RELEASE AREA - LEP AMENDMENT

File No:	RZ06008
Attachments:	1. Locality Plan 2. Previous Report 14 September 2010 3. Planning Proposal 4. Plan showing individual landowners 5. Submissions 6. Constraints Map
Responsible Officer:	Bernie Mortomore - Executive Manager Planning, Environment and Lifestyle Ian Shillington - Manager Urban Growth
Author:	Mark Roser - Strategic Town Planner
Maitland 2021	Outcome 7: Diverse and affordable housing
Council Objective:	7.2.1 To ensure land and housing choice is consistent with forecast demographic demand

EXECUTIVE SUMMARY

*At its meeting of 14 September 2010, Council considered and supported a report and planning proposal for the Louth Park Investigation Area (IA) which proposed an amendment to the Maitland Local Environmental Plan (LEP) 1993 providing for 1(c) Rural Small Holding and 1(d) Rural Residential zones over the subject lands. A copy of the 14 September 2010 report is appended to this report as **Attachment 2**.*

Pursuant to the provisions of the Environmental Planning and Assessment Act (EP&A Act) 1979, the planning proposal for the Louth Park IA was submitted to the Department of Planning and Infrastructure (DoPI) for a Gateway Determination. On 15 December 2010 Council received notification from the DoPI recommending the planning proposal not proceed through Gateway and that further investigations occur into the ability of the land to support a higher lot yield.

In addition to the above, Council at its meeting of 30 August 2011 considered a report on the Maitland Urban Settlement Strategy (MUSS) 2010 review, which included, amongst other things, a component relating to the Louth Park IA. Council resolved at this meeting that the Louth Park IA rezoning proposal can be identified as an R5 Large Lot Residential zone when reported back to Council.

The purpose of this report is to inform Council of the progression and findings of the investigations into a higher lot yield, how this may fit into the R5 Large Lot Residential zone of the Maitland LEP 2011, and to propose that the new planning proposal and draft LEP amendment be submitted to the DoPI for Gateway Determination.

OFFICER'S RECOMMENDATION**THAT**

1. The draft local environmental plan for the Louth Park Investigation Area be endorsed as the Louth Park Urban Release Area rezoning the land to R5 Large Lot Residential, as detailed in the attached planning proposal.
2. Pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, the planning proposal for the Louth Park Urban Release Area be submitted to the Department of Planning and Infrastructure for a Gateway Determination.
3. A further report be presented to Council following the public consultation period, to demonstrate compliance with the gateway determination and to provide details of any submissions received during that process.

PROCEEDINGS IN BRIEF

A motion was moved as follows:

THAT:

1. The draft local environmental plan for the Louth Park Investigation Area be endorsed as the Louth Park Urban Release Area rezoning the land to R5 Large Lot Residential, as detailed in the attached planning proposal.
2. Pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, the planning proposal for the Louth Park Urban Release Area be submitted to the Department of Planning and Infrastructure for a Gateway Determination.
3. Council prepare and exhibit a Draft Development Control Plan (DCP) and Section 94 Contributions Plan for the Louth Park Urban Release Area, to be exhibited concurrently with the planning proposal.
4. A further report be presented to Council following the public consultation period for the planning proposal, DCP and section 94 Contribution Plan, to demonstrate compliance with the gateway determination and to provide details of any submissions received during that process.

(Clr Geoghegan / Clr Mudd)

The motion when put to the meeting was declared carried.

COUNCIL RESOLUTION**THAT**

1. The draft local environmental plan for the Louth Park Investigation Area be endorsed as the Louth Park Urban Release Area rezoning the land to R5 Large Lot Residential, as detailed in the attached planning proposal.
2. Pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, the planning proposal for the Louth Park Urban Release Area be submitted to the Department of Planning and Infrastructure for a Gateway Determination.

3. Council prepare and exhibit a Draft Development Control Plan (DCP) and Section 94 Contributions Plan for the Louth Park Urban Release Area, to be exhibited concurrently with the planning proposal.
4. A further report be presented to Council following the public consultation period for the planning proposal, DCP and section 94 Contribution Plan, to demonstrate compliance with the gateway determination and to provide details of any submissions received during that process.

Moved Cllr Geoghegan, Seconded Cllr Mudd

CARRIED

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

The division resulted in 13 for and 0 against, as follows:

For:	Cllr Baker	Against:
	Cllr Blackmore	
	Cllr Casey	
	Cllr Fairweather	
	Cllr Garnham	
	Cllr Geoghegan	
	Cllr Humphery	
	Cllr Meskauskas	
	Cllr Mudd	
	Cllr Penfold	
	Cllr Procter	
	Cllr Tierney	
	Cllr Wethered	