

## Planning Team Report

Planning proposal to amend the Lot Size Map in the Pittwater Local Environmental Plan 2014

Proposal Title:

Planning proposal to amend the Lot Size Map in the Pittwater Local Environmental Plan 2014

Proposal Summary:

The planning proposal seeks to amend the Lot Size Map to ensure properties that have an

existing split zone also have a split minimum lot size under Pittwater Local Environmental

Plan 2014.

PP Number

PP\_2014\_PITTW\_002\_00

Dop File No:

14/20079

**Proposal Details** 

Date Planning

01-Dec-2014

LGA covered :

Pittwater

Proposal Received:

Metro(CBD)

RPA:

Pittwater Council

State Electorate:

PITTWATER

Section of the Act

55 - Planning Proposal

LEP Type:

Region:

Housekeeping

**Location Details** 

Street:

various

Suburb:

City:

Postcode:

Land Parcel:

Various locations across Pittwater Local Government Area - refer to Planning Proposal

**DoP Planning Officer Contact Details** 

Contact Name:

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**RPA Contact Details** 

Contact Name :

**Kelly Wilkinson** 

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0299701428

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**DoP Project Manager Contact Details** 

Contact Name:

Contact Number:

Contact Email:

**Land Release Data** 

Growth Centre:

Ν/Δ

Release Area Name :

N/A

Regional / Sub

Regional Strategy:

Metro North East subregion

Consistent with Strategy :

N/A

MDP Number: Area of Release

Date of Release: Type of Release (eg

Residential /

Employment land):

No. of Lots:

(Ha):

0.00

No. of Dwellings

(where relevant):

Gross Floor Area:

No of Jobs Created:

0

N/A

The NSW Government Yes

Lobbyists Code of Conduct has been complied with:

If No, comment :

The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. Metropolitan Delivery has not met any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.

Have there been meetings or

communications with registered lobbyists?::

If Yes, comment :

No

#### Supporting notes

Internal Supporting Notes:

Under Pittwater Local Environmental Plan 2014, a number of properties have a split zoning across the Local Government Area. During the drafting of the Standard Instrument it was identified that a number of these parcels had the incorrect minimum lot size allocated.

The housekeeping proposal is to ensure the Lot Size Map captures all land with a minimum lot size and to ensure those properties with a split zoning also have a split minimum lot size.

Council has requested delegation to carry out the Minister's function under section 59 of the EP&A Act 1979 to progress this planning proposal.

The Department supports an amended planning proposal proceeding to Gateway determination and considers the proposal suitable for delegation to Council.

External Supporting

Notes:

### Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment:

The statement of objectives adequately describes the intention of the planning proposal to amend Pittwater Local Environmental Plan 2014.

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

Is an explanation of provisions provided? Yes

Comment:

The explanation of provisions adequately addresses the intended changes to Pittwater Local Environmental Plan 2014.

### Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA:

\* May need the Director General's agreement

1.1 Business and Industrial Zones

1.2 Rural Zones

2.1 Environment Protection Zones

2.2 Coastal Protection2.3 Heritage Conservation3.1 Residential Zones

3.2 Caravan Parks and Manufactured Home Estates

3.3 Home Occupations

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils 4.3 Flood Prone Land

4.4 Planning for Bushfire Protection6.1 Approval and Referral Requirements6.2 Reserving Land for Public Purposes

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? No

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

d) Which SEPPs have the RPA identified?

N/A

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:

The proposal is consistent with the aims and objectives of all s117 Directions.

#### Mapping Provided - s55(2)(d)

Is mapping provided? Yes

Comment:

#### Community consultation - s55(2)(e)

Has community consultation been proposed? Yes

Comment:

A 28 day exhibition period is proposed.

PROJECT TIMELINE

The planning proposal contains an estimated project time line for completion by May 2015. A six month time frame is proposed.

#### **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:

Pittwater Local Environmental Plan was notified in 2014.

#### **Assessment Criteria**

Need for planning proposal:

When preparing Pittwater Local Environmental Plan 2014 Council resolved to undertake a like-for-like approach or a translation of the existing instrument. In doing so it was intended that all previous planning controls be translated as specified in Pittwater Local Environmental Plan 1993.

During drafting of the Standard Instrument it was identified that there were inconsistencies with the previous Pittwater Local Environmental Plan 1993 in relation to the Lot Size Map in that a number of parcels had the incorrect minimum lot size allocated. It is considered that the proposed amendments are consistent with Council's intention for a like-for-like translation of Pittwater Local Environmental Plan 1993.

A planning proposal is the appropriate mechanism for correcting the omissions in Pittwater LEP 2014.

Consistency with strategic planning framework:

The proposal is consistent with the objectives of Metropolitan, Regional and Local strategies.

Council considers the proposal is consistent with the Pittwater Local Planning Strategy which identified that Pittwater was on track to achieve housing and employment targets, as set by NSW State Government.

Without the need to increase housing or employment within the local government area, Council resolved to undertake a like-for-like translation of the previous local environmental plan. The was intended to include the subdivision controls as specified in Pittwater Local Environmental Plan 1993.

Environmental social economic impacts:

Given the nature of the planning proposal it is envisaged that there will be no environmental, social or economic impact as a consequence of this amendment to Pittwater Local Environmental Plan 2014.

#### **Assessment Process**

Proposal type:

LEP:

Minor

Community Consultation

28 Days

Period:

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Timeframe to make

6 months

Delegation:

RPA

Public Authority Consultation - 56(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:

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	
01. Planning Proposal.pdf	Proposal	Yes	
02. Attachement 4.pdf	Proposal	Yes	
03. Site Idendtification and Lot Size Maps.pdf	Мар	Yes	

#### Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones
- 1.2 Rural Zones
- 2.1 Environment Protection Zones
- 2.2 Coastal Protection2.3 Heritage Conservation3.1 Residential Zones
- 3.2 Caravan Parks and Manufactured Home Estates
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection 6.1 Approval and Referral Requirements 6.2 Reserving Land for Public Purposes
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information:

It is recommended that the planning proposal proceed subject to the following

conditions:

- 1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:
- (a) the planning proposal must be made publicly available for a minimum of 28 days;
- (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 5.5.2 of A Guide

to Preparing LEPs (Department of Planning & Infrastructure 2013).

- 3. 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).
- 4. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Supporting Reasons:

The Department supports the planning proposal proceeding, to allow for public exhibition and feedback on the proposal. The proposal is considered suitable for delegation to Council.

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Printed Name:

Date:

11.12.14