

ITEM NO. 13

FILE NO: 17/146428
RM8 REF NO: PSC2016-02354

PLANNING PROPOSAL 74 SOUTH STREET MEDOWIE

REPORT OF: MICHAEL MCINTOSH - GROUP MANAGER DEVELOPMENT SERVICES
GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Receive and note the submissions and petition received during the public exhibition of the planning proposal for 74 South Street, Medowie (Lot 712 DP 1077195) and summarised in **(ATTACHMENT 1)**.
- 2) Not proceed with the planning proposal as publicly exhibited **(ATTACHMENT 2)** based on submissions received in relation to the potential for 'multi-dwelling housing' in the R2 Low Density Residential Zone under the *Port Stephens Local Environmental Plan 2013* (c4.1B).
- 3) Proceed with a revised planning proposal that removes the potential for 'multi-dwelling housing' by seeking:
 - a. No zone change (retain the R5 Large Lot Residential Zone);
 - b. No height of building limit change (no maximum building height);
 - c. Amending the minimum lot size from 2,000m² to 900m².

This revised planning proposal would require a revised gateway determination to be sought from the NSW Department of Planning and Environment which, if provided, would require the planning proposal to be placed on public exhibition.

**ORDINARY COUNCIL MEETING - 1 AUGUST 2017
MOTION**

199	Councillor Chris Doohan Councillor Geoff Dingle It was resolved that Council: 1) Receive and note the submissions and petition received during the public exhibition of the planning proposal for 74 South Street, Medowie (Lot 712 DP 1077195) and summarised in (ATTACHMENT 1). 2) Not proceed with the planning proposal as publicly exhibited (ATTACHMENT 2) based on submissions received in relation to the potential for 'multi-dwelling housing' in the R2 Low Density Residential Zone under the <i>Port Stephens Local Environmental Plan</i>
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MINUTES ORDINARY COUNCIL - 1 AUGUST 2017

	2013 (c4.1B).
3)	Refund the planning proposal fees paid by the applicant.

In accordance with Section 375 (A) of the *Local Government Act 1993*, a division is required for this item.

Those for the Motion: Mayor Bruce MacKenzie, Crs Geoff Dingle, Chris Doohan, Sally Dover, Ken Jordan, Peter Kafer, John Nell and Steve Tucker.

Those against the Motion: Nil.

BACKGROUND

The purpose of this report is to advise Council of submissions and petition received in response to the planning proposal principally for 74 South Street Medowie and to recommend that Council resolve not to proceed with the planning proposal as exhibited.

On 5 August 2016, Council received a planning proposal requesting amendment to zoning and lot size provisions in the Port Stephens Local Environmental Plan 2013 (the LEP) for 74 South Street, Medowie (the site) to enable further subdivision for residential purposes.

At its meeting 13 December 2016, Council resolved to prepare a planning proposal to rezone the site from R5 Large Lot Residential to R2 Low Density Residential; amend minimum lot size provisions from 2,000m² to 900m²; and amend building height provisions to 9m. The objective of the proposal is to facilitate low density residential development consistent with existing adjoining development to the east.

A further administrative component was included in the proposal to amend the lot size map from 2,000m² to 900m² for adjoining land to the east (being 66, 68, 70 and 72 South Street) that is already zoned R2 Low Density Residential and developed with single dwellings on lots of 900m².

The Council resolution included submitting the proposal to the NSW Department of Planning and Environment (the Department) for a gateway determination, including a request for plan-making functions to be delegated to Council.

The Department granted a gateway determination and the proposal was placed on public exhibition for an extended period of 28 days from 8 June to 6 July 2017.

57 Submissions were received during the exhibition objecting to the proposal. A petition with 232 signatures was also received. The main issues are summarised as:

1. Process and format of the proposal and exhibition material;
2. Impact on large lot residential amenity and streetscape character;