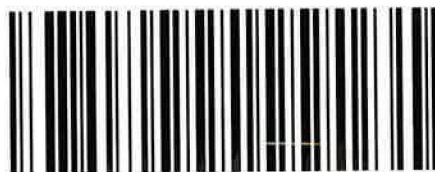




MAITLAND CITY COUNCIL



PNC001001

Our Ref. RZ06008 (845927)

Your Ref.

Phone Enquiries: 4934 9700
Mark Roser

29 November 2011

NSW Department of Planning and Infrastructure
Hunter Region Office
PO Box 1226
NEWCASTLE NSW 2300



Att: Katrine O'Flaherty

RE: Section 55 Request for Gateway Determination – Louth Park Urban Extension Site

At its ordinary meeting of 22 November 2011, Council resolved:
THAT

- 1. The planning proposal for Lots 111 & 113 DP 804336, and Lots 256 & 257 DP 813454 Louth Park Rd, Louth Park be endorsed as rezoning for Large Lot Residential purposes and apply to the land as shown in the attached plan.**
- 2. In accordance with Section 55 of the Environmental Planning and Assessment Act 1979, a planning proposal be submitted to the Department of Planning and Infrastructure**
- 3. If the Planning Proposal is given a gateway determination to proceed, consultation with the community and government agencies in accordance with Section 57 of the Environmental Planning and Assessment Act 1979, and the directions of the gateway determination, be undertaken.**
- 4. A further report be presented to Council following the public exhibition process, to demonstrate compliance with the gateway determination and to provide details of any submissions received during the process.**

In accordance with the new plan making requirements, Council has prepared a planning proposal supporting this amendment, addressing all relevant criteria as outlined in the Department's guidelines.

The planning proposal is consistent with Council's adopted policy framework for urban extension sites which was endorsed by the Department of Planning on 1 September 2009. Additionally, the site is identified within the Maitland Urban Settlement Strategy (MUSS) 2010 as a potential site for urban extension development.

The LEP amendment would proceed as an amendment to the Maitland LEP 2011. Under the provisions of the Maitland LEP 2011 the subject lands are currently zoned RU2 Rural Landscape and adjoin R5 Large Lot Residential to the north and west. The LEP amendment would rezone the lands for large lot residential purposes, including an amendment to the minimum lot size map to identify a minimum lot size of 4000m² for the subject land.

The LEP amendment would achieve the objectives of the planning proposal as it would enable development of the lands for large lot residential purposes, providing a logical extension to the existing large lot residential estate and a higher order land use for the site. In addition, the LEP amendment would ensure development would be sensitive to the existing density and scale of the adjoining Waterforde Estate.

Therefore, Council request that this proposal to amend the Maitland LEP 2011 for the purpose of an extension to the adjoining R5 Large Lot Residential zone proceed to a Gateway Determination. Council suggests that a 6 month LEP timeframe would be appropriate for this amendment, particularly given the small scale of the proposal and the logical extension of existing land uses in the locality.

If you have any questions, or require further information to assist in your assessment of this planning proposal, please contact Mark Roser, Strategic Town Planner on 49349700.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mark Roser', written over the typed name.

MARK ROSER
Strategic Town Planner

Encl – Council Report
Planning Proposal

10.4 LOUTH PARK URBAN EXTENSION SITES

File No:	RZ11-002
Attachments:	1. Locality Plan 2. Louth Park Urban Investigation Area Boundaries 3. Louth Park Urban Investigation Area Draft Plan 4. Gateway Determination 5. Proposed Zoning Area Map 6. Planning Proposal
Responsible Officer:	Bernie Mortomore - Group Manager Service Planning & Regulation
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

*A Planning Proposal has been prepared for the subject site described as Lot 113 & Lot 111 DP 804336 and Lot 256 & Lot 257 DP 813454 Louth Park Road Louth Park, to progress rezoning of the land as an urban extension site. A site locality plan is appended to this report as **Attachment 1**.*

At its meeting of 30 August 2011 Council resolved to include additional sites for potential urban infill and extension development as part of the 2010 review of the Maitland Urban Settlement Strategy (MUSS). The subject land at Louth Park was included in these additional sites and is considered consistent with Council's adopted policy position for the assessment of sites suitable for urban infill or extension development.

The subject land originally formed part of the Louth Park Urban Investigation Area and was included in the Louth Park Planning Proposal submitted to the Department of Planning on 15 September 2010.

Assessment of the rezoning submission supporting the Louth Park Urban Investigation Area Planning Proposal considered the subject lands were appropriate for urban development consistent with the adjoining Waterford Estate land use pattern, ie. a 1(c) Rural Small Holding zone. The Planning Proposal did not progress through Gateway with the Department of Planning requesting Council to consider alternative development density options for the Louth Park Urban Investigation Area.

The 2010 review of the MUSS identified the subject land as forming a natural extension to the Waterford Estate land use pattern with minimal constraints and being separate from the majority of land within the Louth Park Urban Investigation Area.

In order to therefore proceed with the rezoning of the subject site in a timely manner, consistent with Council's resolution of 30 August 2011, an LEP amendment process

needs to be commenced and progressed through to Gateway Determination. The previous assessment of the subject land has indicated that a large lot residential zone would be appropriate the identified subject land.

OFFICER'S RECOMMENDATION

THAT

1. The draft Local Environmental Plan (DLEP) for Lots 113 & 111 DP 804336 and Lots 256 & 257 DP 813454 Louth Park Road, Louth Park, be endorsed as rezoning from rural to large lot residential and apply to the land as shown in the attached plan.
2. In accordance with Section 55 of the Environmental Planning and Assessment Act 1979, a planning proposal be submitted to the Department of Planning.
3. If the planning proposal is given a gateway determination to proceed, consultation with the community and government agencies in accordance with Section 57 of the Environmental Planning and Assessment Act 1979 and the directions of the gateway determination, be undertaken.
4. A further report be presented to Council following the public exhibition process, to demonstrate compliance with the gateway determination and to provide details of any submissions received during the process.

COUNCIL RESOLUTION

THAT

1. The draft Local Environmental Plan (DLEP) for Lots 113 & 111 DP 804336 and Lots 256 & 257 DP 813454 Louth Park Road, Louth Park, be endorsed as rezoning from rural to large lot residential and apply to the land as shown in the attached plan.
2. In accordance with Section 55 of the Environmental Planning and Assessment Act 1979, a planning proposal be submitted to the Department of Planning.
3. If the planning proposal is given a gateway determination to proceed, consultation with the community and government agencies in accordance with Section 57 of the Environmental Planning and Assessment Act 1979 and the directions of the gateway determination, be undertaken.
4. A further report be presented to Council following the public exhibition process, to demonstrate compliance with the gateway determination and to provide details of any submissions received during the process.

Moved Clr Meskauskas, Seconded Clr Geoghegan

CARRIED

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

The division resulted in 11 for and 1 against, as follows:

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