
**PSR14/023 PLANNING PROPOSAL LOT 254 DP 773478, 1 OLD PRINCES HWY, 87.6976.R
TURLINJAH**

Responsible Officer: Lindsay Usher - Director Planning and Sustainability Services

Attachments: 1. Turlinjah Planning Proposal
2. Confidential Turlinjah Planning Proposal from Applicant

Strategic Objective: 3: Our community and environment are in harmony

Delivery Plan Link: Land Use Planning

Operational Plan Link: Land-use planning including: Local Environmental Plans

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's endorsement of a Planning Proposal to amend the lot size map of the Eurobodalla Local Environmental Plan (LEP) 2012 for the purpose of a three (3) lot subdivision in Turlinjah.

Following endorsement, the planning proposal will be forwarded to the NSW Minister for Planning & infrastructure for a gateway determination.

RECOMMENDATION

THAT Council forward the Planning Proposal to amend the lot size map in the Eurobodalla Local Environmental Plan 2012, to reduce the minimum lot size on Lot 254 DP 773478, 1 Old Princes Highway, Turlinjah from 2 hectares to 5000m² to the NSW Minister for Planning and Infrastructure for a Gateway Determination in accordance with 56 of the Environmental Planning and Assessment Act.

BACKGROUND

The subject lot was zoned R5 with the remainder of the Turlinjah settlement under the Eurobodalla LEP 2012. The minimum lot size for the subject lot is 2 ha (rather than 5000m²) in accordance with the general principle of like-for-like transfer of the old LEP provisions to the new LEP.

On 24 February, 2014, a pre lodgment meeting was conducted with the applicant, land owner and relevant Council staff to discuss the potential of making an amendment to the Eurobodalla LEP 2012, to reduce the minimum size on Lot 254 DP 773478 from 2 hectares to 5000m² for the purposes of subdivision.

On the 10 March, 2014 Council received an application for a Planning Proposal for an amendment to the Eurobodalla Local Environmental Plan 2012 to reduce the minimum lot size for the subject land. A Development Application was also submitted for a three (3) lot subdivision of the land.

Copies of the planning proposal and the proponents planning proposal submission are included as attachments to this report.

POLICY

The application has been assessed in accordance with the provisions of the Environmental Planning and Assessment Act, 1979 and the following relevant strategies and policies.

**PSR14/023 PLANNING PROPOSAL LOT 254 DP 773478, 1 OLD PRINCES HWY, 87.6976.R
TURLINJAH**

South Coast Regional Strategy (SCRS)

The proposal provides for additional residential land that is consistent with the existing pattern of subdivision in the settlement, therefore is consistent with the SCRS.

Community Strategic Plan (CSP)

The proposal provides for appropriate growth within the Turlinjah settlement and is therefore consistent with the Eurobodalla Strategic Plan- 'One Community'.

Eurobodalla Settlement Strategy

The Eurobodalla Settlement Strategy promotes settlements that optimise the efficient use of land, services and infrastructure to minimise impacts on the surrounding environment. The site is serviced by an existing common effluent system with capacity to accommodate additional dwellings. All proposed lots can be accessed by existing infrastructure which is proposed to be upgraded to meet Council's specifications.

The proposal provides for additional housing opportunity within an existing settlement utilising existing infrastructure with minimal impact on the environment and is therefore consistent with the Eurobodalla Settlement Strategy.

State Environmental Planning Policy (SEPP) 71 – Coastal Protection

A portion of the land is identified as a sensitive coastal location, however the planning proposal is consistent with the objectives of the policy.

State Environmental Planning Policy 55 (SEPP 55)

The property is not listed on Council systems as containing contaminated land and there is no evidence that any historical use would cause the land to be contaminated, therefore the planning proposal is consistent with the objectives of the policy.

State Environmental Planning Policy 14 (SEPP 14)

The property is outside the boundaries of mapped wetland and the policy does not contain any restrictions on development adjoining a coastal wetland, therefore the planning proposal is consistent with the objectives of the policy.

**PSR14/023 PLANNING PROPOSAL LOT 254 DP 773478, 1 OLD PRINCES HWY, 87.6976.R
TURLINJAH**

ENVIRONMENTAL

Threatened Species

A flora and fauna report was provided as part of the planning proposal. The findings of the assessment are that there are no threatened flora species or population issues in relation to proposed activities, no endangered ecological species communities occur within the subject site and there are no threatened fauna species issues in relation to the proposed development.

Bush Fire

The subject land is mapped as bush fire prone. A report accompanying the planning proposal confirms that the proposed subdivision satisfies the requirements of *Planning for Bush Fire Protection 2006* and standards as required by the *Environmental Planning and Assessment Act 1979*.

Heritage

The site does not contain a heritage item and no items have been located in the vicinity of the site. No Aboriginal sites or places have been recorded in or near the subject land.

CONCLUSION

A minimum lot size of 5000m² would enable subdivision generally consistent with existing allotments in the settlement of Turlinjah and contributes to the supply of residential land thereby providing opportunities for new development.

Having regard to the above, it is considered appropriate that Council progress the Planning Proposal to Gateway Determination.

PSR14/023 PLANNING PROPOSAL LOT 254 DP 773478, 1 OLD PRINCES HWY, TURLINJAH

File Ref: E87.6976.R

14/68 MOTION Councillor Thomson/Councillor Innes

THAT Council forward the Planning Proposal to amend the lot size map in the Eurobodalla Local Environmental Plan 2012, to reduce the minimum lot size on Lot 254 DP 773478, 1 Old Princes Highway, Turlinjah from 2 hectares to 5000m² to the NSW Minister for Planning and Infrastructure for a Gateway Determination in accordance with 56 of the Environmental Planning and Assessment Act.

(The Motion on being put was declared **CARRIED**)

Division

For the Motion: Clrs D Brice, L Brown, N Burnside, G Harding, L Innes, M Leslight,
P Schwarz and F Thomson.

Against the Motion: Nil.