

Briton Court Road Stroud - Large Lot Residential

Proposal Title : **Briton Court Road Stroud - Large Lot Residential**

Proposal Summary : **To rezone approximately 17 hectares of land currently zoned 1(a) Rural under Great Lakes LEP 1996 and proposed RU2 Rural Landscape under draft Great Lakes LEP 2013 to R5 Large Lot Residential, following the making of Great Lakes LEP 2013**

PP Number : **PP_2013_GLAKE_001_00** Dop File No : **13/18825**

Planning Team Recommendation

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

S.117 directions : **1.2 Rural Zones
1.5 Rural Lands
2.1 Environment Protection Zones
2.3 Heritage Conservation
3.3 Home Occupations
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies**

Additional Information : **The planning proposal should proceed with conditions.**

- 1. Council's intention to undertake an ecological study, traffic assessment, Aboriginal due diligence assessment, preliminary contamination assessment and provide information on conceptual stormwater management, prior to public exhibition is supported.**
- 2. It is noted that a vegetative buffer is proposed between the adjoining existing light industrial area (which includes a Mid Coast Water treatment plant) and the proposed rural residential development. However, it would be prudent to advise Council to carefully consider the need for noise and odour studies to be undertaken, prior to public exhibition. This will ensure that any land use compatibility issues are adequately addressed upfront as part of the planning proposal.**
- 3. The Director General's delegate should approve the minor inconsistency with s117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 5.1 Implementation of Regional Strategies.**
- 4. Council's recommendation that consultation with the following agencies be undertaken is supported:**
 - * Midcoast Water**
 - * NuEnergy**
 - * Telstra**
 - * Kaurah Local Aboriginal Land Council.**
- 5. Council's recommendation for a 28 day exhibition period is supported because of the variation to the Mid North Coast Regional Strategy.**
- 6. A twelve month timeframe to complete the proposal is proposed because of the need for a number of studies to be undertaken, prior to public exhibition.**
- 7. The planning proposal is considered to have minor impacts. It is therefore recommended Council be given plan-making delegations. Council's planner has also**

Supporting Reasons :

verbally indicated that Council would be happy to accept delegations for this matter.

Albeit that the proposal is inconsistent with the Mid North Coast Regional Strategy (MNCRS) it is consistent with The Great Lakes Rural Living Strategy (GLRLS) which identifies an area west of Stroud, including the subject land, as being suitable for Rural Fringe development. It is also noted that the MNCRS states that industrial land supply should be at or near higher order centres (which is not the case for this site) and encourages rural residential development close to existing settlements away from the coast.

Land supply analysis has shown that there is a significant supply of existing and proposed industrial land in the more major town of Gloucester, 30 minutes north of Stroud.

There are also ample opportunities for standard low density residential development in Stroud but a shortage of large lot residential opportunities. The proposal will therefore arguably provide an increase in housing /living diversity and choice in the Stroud area and there are tangible economic benefits from increased housing opportunities that meet market requirements as well as employment opportunities in building and allied trades.

The site is well located on the fringe of Stroud and the proposed large residential land uses will have good access to and will help support the existing community and retail/ commercial services and facilities provided in the Stroud town centre.

The proposal has been assessed against and satisfies the MNCRS Appendix 1 Sustainability Criteria used for considering innovative proposals that are outside the urban and employment land release areas identified by the Strategy.

Council supports the proposal. On balance it is considered the proposal will have positive environmental, social and economic impacts and that there is an overall public benefit in it proceeding.

Panel Recommendation

Recommendation Date : **05-Dec-2013**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

- 1. Prior to exhibition, the planning proposal shall be updated to consider the outcomes of the following studies:**
 - a study of the current ecological attributes
 - a traffic assessment outlining potential traffic impacts from the rezoning
 - an Aboriginal heritage assessment
 - a contamination assessment
 - a stormwater management plan
 - a noise and odour assessment in regards to potential adjacent industrial land use conflicts
- 2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:**
 - Midcoast Water
 - NuEnergy
 - Telstra
 - Kaurah Local Aboriginal Land Council

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

Once the above consultation with public authorities has been undertaken, Council is to update the planning proposal to reflect the outcomes of the work and consultation undertaken prior to exhibition.

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and**
- (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).**

4. 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).

5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Plan making delegation:

The Minister delegated his plan making powers to councils in October 2012. Council has not sought delegation for this planning proposal. Council should be issued with plan making delegation because the proposal is considered to be a matter of local planning significance.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

5/12/13.