

Lake Macquarie LEP 2004 and Draft Lake Macquarie LEP 2013 – Morisset Town Centre

Proposal Title : **Lake Macquarie LEP 2004 and Draft Lake Macquarie LEP 2013 – Morisset Town Centre**

Proposal Summary : **The planning proposal seeks to rezone land by redistributing and rationalising residential and business zones to facilitate the orderly expansion of Morisset Town Centre.**

PP Number : **PP_2013_LAKEM_012_00** Dop File No : **13/13801**

Planning Team Recommendation

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

S.117 directions : **1.1 Business and Industrial Zones
1.3 Mining, Petroleum Production and Extractive Industries
2.3 Heritage Conservation
3.1 Residential Zones
3.4 Integrating Land Use and Transport
4.2 Mine Subsidence and Unstable Land
5.1 Implementation of Regional Strategies**

Additional Information : **1. 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 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
☐ Roads and Maritime Services
☐ Mine Subsidence Board (S117 Direction 4.2 Mine Subsidence and Unstable Land)
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.
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 9 months from the week following the date of the Gateway determination.**

Supporting Reasons : **1. Place on exhibition all lot and deposited plan numbers affected by the planning proposal.
2. The planning proposal fulfils the intent and purpose of the Regional Strategy's identification of Morisset as an emerging major regional centre.**

Panel Recommendation

Recommendation Date : **05-Sep-2013**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The planning proposal should proceed subject to the following conditions:**

- 1. Prior to undertaking public exhibition, Council is to update the planning proposal to include all lot and DP numbers which are subject to this planning proposal.**
- 2. 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).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Transport for NSW - Roads and Maritime Services
- NSW Education and Communities
- Mine Subsidence Board (S117 Direction 4.2 Mine Subsidence and Unstable Land)

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.

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 requested to be issued with delegation for this planning proposal. Council's request to be issued with plan making delegation should be supported.

Signature:



Printed Name:

Sabine Miller

Date:

12 Sept 2013