

APPENDIX 17: COUNCIL REPORTS

15.7. PLANNING PROPOSAL - DRAFT MIDCOAST LOCAL ENVIRONMENTAL PLAN

REPORT INFORMATION

Report Author	Sue Calvin - Senior Land Use Planner
Date of Meeting	25 October 2023
Authorising Director	Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report recommends that a planning proposal be submitted to the NSW Department of Planning and Environment so that a Gateway Determination can be sought to continue the development of a new MidCoast Local Environmental Plan.

The new draft MidCoast Local Environmental Plan will provide a consistent approach to planning that is relevant, robust and responsive to the diverse landscapes and the desired character of the MidCoast

RECOMMENDATION

1. That the planning proposal (Attachment 1 including Appendices 1-7 and Attachments 2-9) be endorsed and submitted to the NSW Department of Planning and Environment to seek a Gateway Determination for the draft MidCoast Local Environmental Plan.
2. That the draft MidCoast Local Environmental Plan mapping (Attachment 10) be endorsed and submitted to the NSW Department of Planning and Environment for consideration through the Gateway Determination process.

FINANCIAL / RESOURCE IMPLICATIONS

The development of the planning proposal and draft MidCoast Local Environmental Plan (draft MidCoast LEP) have been undertaken within the Land Use Planning budget.

LEGAL IMPLICATIONS

The planning proposal (Attachment 1) has been prepared in accordance with Division 3.4 of the Environmental Planning and Assessment Act 1979 and relevant Department of Planning and Environment guidance, including the Local Environmental Plan Making Guideline (August 2023).

The draft MidCoast Local Environmental Plan (provided as Appendix 1 of Attachment 1) has been prepared in accordance with the Standard Instrument (Local Environmental Plans) Order 2006, Standard Instrument - Principal Local Environmental Plan 2006 and relevant NSW Government planning legislation, policies and guidelines.

RISK IMPLICATIONS

There are a number of risks associated with the planning proposal:

- Council aims to undertake community consultation in May-June 2024 (prior to the Local Government election). This is reliant on the timely completion of NSW Government consultation. Council has undertaken pre-Gateway consultation to identify and consider significant NSW Government issues, but some issues remain unresolved at this point in time.
- The NSW Government pre-Gateway consultation has resulted in amendments to directions previously set in Council's supporting documents. These changes need to be clearly identified in the planning proposal to show transparency to the community as to 'why' changes have been required.

- The draft MidCoast Local Environmental Plan mapping (Attachment 10) needs to be accurate to ensure the intended land use outcomes will be achieved. The Land Use Planning Team has adopted a mapping review process to reduce the likelihood of these risks. This review process will continue as the planning proposal progresses through the Gateway Determination process.
- New clauses included in the draft MidCoast Local Environmental Plan (provided as Appendix 1 of Attachment 1) need to be approved by Parliamentary Counsel's Office (PCO) when the instrument is being formally drafted. There is a risk that some clauses may not meet the requirements of PCO, and these clauses may need to be amended or removed. With the Department of Planning and Environment (the Department), Council is seeking an early review of these clauses by PCO to reduce this risk.

BACKGROUND

Currently, there are three Local Environmental Plans (LEPs) that apply to the MidCoast Council Local Government Area, being:

- Gloucester Local Environmental Plan 2010
- Great Lakes Local Environmental Plan 2014
- Greater Taree Local Environmental Plan 2010

Instead of consolidating the three existing LEPs, planning strategies have been developed and reviews have been undertaken resulting in a suite of supporting documents to create new planning controls for the MidCoast. These supporting documents include:

- MidCoast Housing Strategy
- MidCoast Rural Strategy – The Way Forward
- Paper Subdivision Analysis Report
- Recreation Zones Review
- Employment Zones Review
- Infrastructure Zones Review
- Manning Health/Taree CBD Precinct Plan
- Zoning in Urban – Response to feedback.

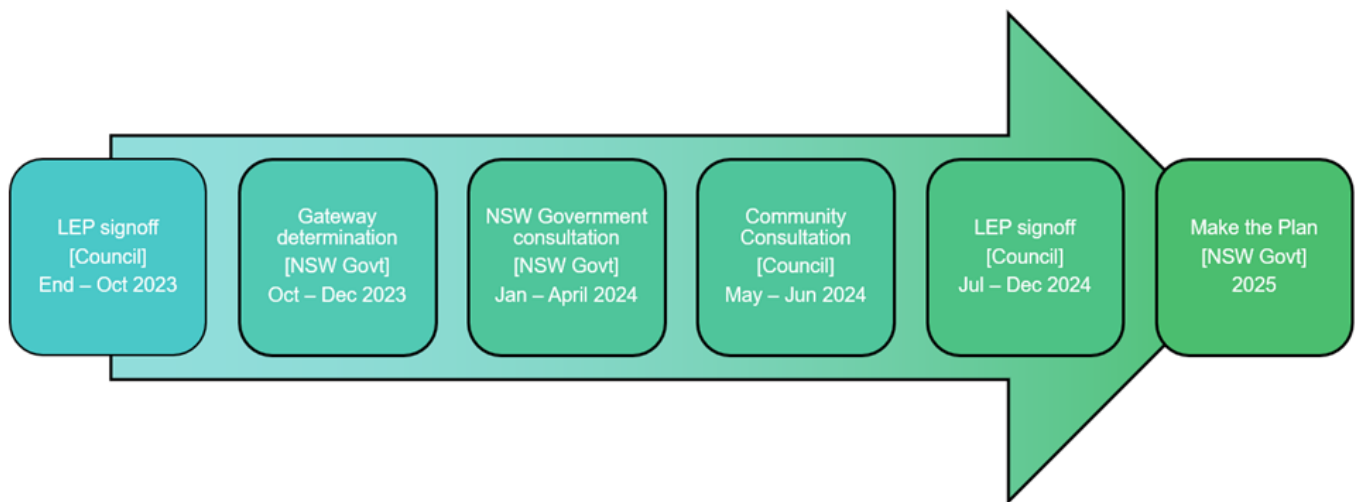
Each of these documents were developed in consultation with the community and have guided the development of the draft MidCoast Local Environmental Plan (referred to as the 'draft MidCoast LEP').

Given the importance of these documents, they are referred to throughout the planning proposal to justify the draft MidCoast LEP. These documents also form part of the planning proposal, being Appendices 8-15 and are available as Attachment 2-9.

The draft MidCoast LEP is provided as Appendix 1 to Attachment 1. It aims to provide a consistent approach to land use planning that is relevant, robust and responsive to the diverse landscapes and desired character across the MidCoast.

The planning proposal (Attachment 1) explains and justifies the provisions in the draft MidCoast LEP. The planning proposal has been developed in accordance with the Department's Local Environmental Plan Making Guideline (August 2023).

Once the draft MidCoast LEP is endorsed by Council and submitted to the Department for a Gateway Determination, the following process will be undertaken. This process could take up to 18 months to complete.



The purpose of this report is to commence the process outlined above, with the aim to make the draft MidCoast LEP by 2025.

DISCUSSION

1. Planning proposal

The planning proposal has been developed in accordance with the Department's Local Environmental Plan Making Guideline (August 2023). The planning proposal is made up of six parts:

- Part 1 provides the objective and anticipated outcomes of the draft MidCoast LEP. The objective is to create a single MidCoast Local Environmental Plan that will apply to the whole of the MidCoast.
- Part 2 explains the provisions that are proposed within the draft MidCoast LEP. A summary of the draft MidCoast LEP is provided, along with a breakdown of how the land use zones are currently and are proposed to be applied across the MidCoast, with a focus on the towns and villages.
- Part 3 forms a significant part of the planning proposal, by providing the justification. The draft MidCoast LEP is considered against a range of strategic policies and plans (local, State and Commonwealth) to determine if it is consistent. Inconsistencies have been identified in terms of:
 - **Hunter Regional Plan 2041** (Strategy 3.1, 5.3 and 9.6) – these strategies relate to enabling certain uses in employment and residential zones and the process for extending villages. The draft MidCoast LEP is based on the extensive strategic work undertaken in the Housing Strategy, the MidCoast Rural Strategy – The Way Forward and Employment Zones Review. These strategies and review were undertaken in consultation with the community and relevant NSW Government Departments, and these supporting documents justify the inconsistency with the Hunter Regional Plan 2041.
 - **Ministerial Directions** – the planning proposal is justifiably inconsistent with a number of the Ministerial Directions, many of which arise from the draft MidCoast LEP bringing the three existing LEPs into one LEP. Existing urban areas have been historically developed and can be constrained by issues such as flooding, bushfires, contaminated land and coastal risk. These areas cannot be retrospectively changed to address the current planning requirements, and as a result they are 'justifiably consistent' with some Ministerial Directions.

The evidence-based findings of the supporting documents assist to explain how the planning provisions are not being applied as a 'one size fits all' approach but have been tailored to the diverse character and values of both the urban and rural landscapes across the MidCoast.

Part 3 also contains the consultation undertaken with the NSW Government Departments. This consultation has resulted in changes to the draft MidCoast LEP to address issues raised by the NSW Government Departments. A summary of this consultation is provided below in section 2 of this report.

- Part 4 provides an overview of the draft MidCoast LEP maps and how they will be accessed. At this stage the mapping is provided as PDFs (Attachment 10) but will progress to online mapping for the community consultation. When complete, the draft MidCoast LEP mapping will be provided online including through the NSW Government's Planning Portal.
- Part 5 outlines the consultation to be undertaken on the draft MidCoast LEP. Consultation will be undertaken in accordance with the requirements set out in the Gateway Determination and Council's Community Engagement Strategy.
- Part 6 outlines the proposed project timeline.

2. NSW Government consultation

Prior to requesting a Gateway Determination, consultation was undertaken with relevant NSW Government Departments between June and August 2023. In order to address the issues raised by the NSW Government Departments, changes have been made to the draft MidCoast LEP to progress this planning proposal. Key changes include:

- a review of the alignment of the RU1 Primary Production zone around the Gloucester Basin. This was undertaken to address Department of Primary Industries (Agriculture) concerns about potential fragmentation of rural lands and the impact on the agricultural activities
- a review of the application of residential zones in our towns and villages to address potential flooding impacts. The Biodiversity and Conservation Division (BCD) requires the assessment of new residential areas or intensification of residential development against the Probable Maximum Flood level (referred to as the PMF) rather than the flood planning area used for the Housing Strategy.

The list of changes is outlined in section 3.5.1 of the planning proposal and in Appendix 7 of Attachment 1 that accompanies this report. It is important to note that these changes replace the directions established in the supporting documents, particularly those in the Housing Strategy and the MidCoast Rural Strategy – The Way Forward. It is important that the community understands why these changes have been made.

Consultation with some NSW Government Departments is ongoing, with Council staff continuing to work through a number of issues as outlined in section 3.5.1 of the planning proposal.

3. Work in progress

Other projects are progressing in parallel to the draft MidCoast LEP which may result in changes to the draft document. These projects are outlined below:

- **Hallidays Point Place Strategy** – this Strategy includes the coastal villages of Diamond Beach, Red Head, Black Head and Tallwoods. This location has experienced significant growth over the last five years. The Strategy is being developed in partnership with the Department of Planning and Environment to examine with the community the character of the area, ecological values, bushfire risks, traffic requirements and future growth.

It is envisaged that the Strategy will recommend changes to the draft MidCoast LEP. A key area of potential change is the tourist precinct in North Diamond Beach. The Housing Strategy recommended that this land be included in the R3 Medium Density Residential zone with a master planning process to determine the infrastructure requirements. This area will now be considered through the Strategy, so the land will remain in the SP3 Tourist zone in the draft MidCoast LEP.

- **Heritage Conservation Areas Review** – a review was required to help bring together the 14 heritage conservation areas across the three existing LEPs. The purpose of the review

was to ensure a consistent approach was being applied. A draft review has been completed and is subject to further consultation, prior to inclusion in the draft MidCoast LEP.

- **Conservation lands** – across the MidCoast a range of agreements are in place with landowners to conserve their land. A review is being undertaken to determine if these lands were to be conserved in perpetuity, and whether the land use zone can be changed to a conservation zone to better reflect the intent for the land. Consultation with landowners is currently underway and changes to the land use zones of these sites are anticipated to be included in the draft MidCoast LEP.
- **NSW Government planning reforms** – new planning controls are consistently being developed by the NSW Government. Some of these reforms are mandatory and some are optional. Where Council makes the decision to adopt new planning controls, implementation may be required through the draft MidCoast LEP. Council will continue to work with the NSW Government as the reform is released to ensure the reform can be effectively implemented in the MidCoast.
- **Site specific planning proposals** – Council is currently considering several planning proposals relating to specific sites in the MidCoast. Where these site-specific amendments are made prior to the finalisation of this planning proposal, it is intended they will also be incorporated into the draft MidCoast LEP.

CONSULTATION

Extensive consultation was undertaken in the development of the supporting documents to ‘check-in’ with the community prior to preparing the draft MidCoast LEP. The consultation was grouped as follows:

- Know Your Urban Zone - 5 February until 9 April 2020
- Know Your Rural Zone - 30 August 2021 until 28 January 2022.

Given the draft MidCoast LEP will result in changes to the land zones and development controls for large areas of the MidCoast, the consultation period will be critical. This will provide the community with the opportunity to seek further information and provide any feedback or submissions.

Community consultation will involve:

- notifications across different media platforms
- information on Council's website with online mapping to see how the proposed draft MidCoast LEP controls will apply to their property and neighbourhoods
- information sessions held in towns and villages across the MidCoast
- phone and email enquiries
- presentations to community/stakeholder groups.

The community consultation will be outlined in an Engagement Plan that will be reported to Council prior to commencement of the consultation. This plan will be in accordance with the community consultation requirements of the Gateway Determination.

COMMUNITY IMPACTS

Council is committed to engaging with our community in a meaningful way to develop relationships with our community while delivering benefits in ways that add value and build trust. We will engage with a range of stakeholders during the community consultation being the community (including residents and ratepayers), business chambers, the development industry, traditional owners and Aboriginal stakeholders, environmental groups, community groups, relevant NSW Government Departments, Councillors and Council staff.

Moving toward one set of planning controls will be beneficial in terms of applying a consistent approach to planning across the MidCoast.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The project reflects many of the key values, objectives and outcomes of the MidCoast 2022-2032: Shared Vision, Shared Responsibility (MidCoast Community Strategic Plan), and is particularly consistent with Community Outcome 2: An integrated and considered approach to managing our natural and built environments.

The draft MidCoast LEP is a major project in the MidCoast Delivery Program 2022-2026 and Operational Plan 2023-24.

TIMEFRAME

The process and timeframe provided in the Background section outlines the key milestones and timeframes for the progression of the draft MidCoast LEP. We are working towards having community consultation commence in May 2024, prior to the Council election. This timeframe is reliant on completing the NSW Government Department consultation in a timely manner.

LIST OF ATTACHMENTS

The following attachments are available on the meeting page of Council's website under the 'Attachments to Agenda' heading:

Attachment 1 Planning Proposal: Draft MidCoast LEP (including Appendices 1-7) (317 pages)

Attachment 2 Planning Proposal Appendix 8 - MidCoast Housing Strategy (92 pages)

Attachment 3 Planning Proposal Appendix 9 - MidCoast Rural Strategy - The Way Forward (84 pages)

Attachment 4 Planning Proposal Appendix 10 - Paper Subdivision Analysis Report (153 pages)

Attachment 5 Planning Proposal Appendix 11 - MidCoast Recreation Zones Review (35 pages)

Attachment 6 Planning Proposal Appendix 12 - MidCoast Employment Zones Review (345 pages)

Attachment 7 Planning Proposal Appendix 13 - MidCoast Infrastructure Zones Review (53 pages)

Attachment 8 Planning Proposal Appendix 14 - Manning Health-Taree CBD Precinct Plan (65 pages)

Attachment 9 Planning Proposal Appendix 15 - Zoning in Urban - Response to feedback (163 pages)

Attachment 10 Draft MidCoast Local Environmental Plan mapping (19 pages)

16.9. PLANNING PROPOSAL - DRAFT MIDCOAST LOCAL ENVIRONMENTAL PLAN MAPPING

REPORT INFORMATION

Report Author	Sue Calvin - Senior Land Use Planner
Date of Meeting	28 February 2024
Authorising Director	Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The draft MidCoast Local Environmental Plan mapping has been reviewed to ensure accuracy in the application of zones and planning controls across the MidCoast. This report outlines proposed mapping amendments and recommends that they be incorporated into the draft MidCoast Local Environmental Plan mapping prior to community consultation. This will ensure high quality mapping is available for the community to review and provide feedback on.

RECOMMENDATION

1. That the draft MidCoast Local Environmental Plan mapping amendments (Attachment 1) be endorsed and incorporated in the draft MidCoast Local Environmental Plan mapping (previously endorsed by Council on 30 October 2023).
2. That the draft MidCoast Local Environmental Plan mapping amendments (Attachment 1) be submitted to the NSW Department of Planning, Housing and Infrastructure for consideration through the Gateway determination process.

FINANCIAL / RESOURCE IMPLICATIONS

The development of the planning proposal and draft MidCoast Local Environmental Plan (referred to as 'draft MidCoast LEP') have been undertaken within existing budgets.

LEGAL IMPLICATIONS

The draft MidCoast LEP (including mapping) has been prepared in accordance with the Standard Instrument (Local Environmental Plans) Order 2006, Standard Instrument - Principal Local Environmental Plan 2006 and relevant NSW Government planning legislation, policies and guidelines.

RISK IMPLICATIONS

The key risk associated with the proposed mapping amendments, is the NSW Department of Planning, Housing and Infrastructure's timely review process and issuing of an amended Gateway determination. An ongoing collaborative approach with the NSW Department of Planning, Housing and Infrastructure will facilitate the timely review. If any mapping amendments are considered too complex, they may need to be removed from the list of amendments to ensure the community consultation can commence in mid-2024.

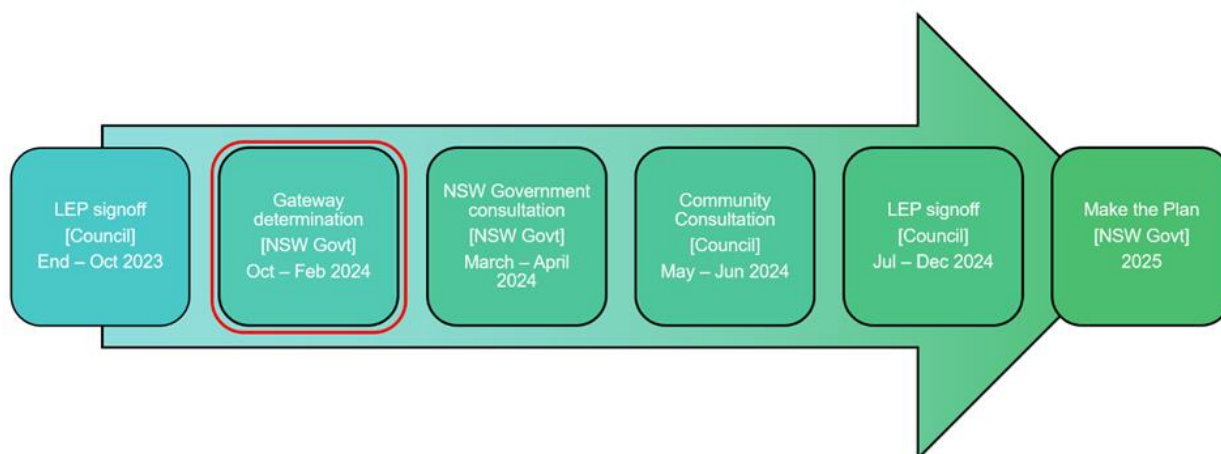
BACKGROUND

The Planning Proposal – Draft MidCoast Local Environmental Plan, was endorsed by Council at the Ordinary Meeting on 30 October 2023 to seek a Gateway determination from the NSW Department of Planning, Housing and Infrastructure.

The Council report included ten attachments covering all aspects of the planning proposal, the draft MidCoast LEP and background studies. Attachment 10 - Draft MidCoast Local Environmental Plan Mapping is the subject of this report. This report recommends amendments to the mapping in 59

locations across the MidCoast to ensure accuracy in the application of the zones and planning controls.

The process for the Planning Proposal – Draft MidCoast Local Environmental Plan is outlined below, and the draft MidCoast LEP is currently at the Gateway determination stage. It is anticipated that the Gateway determination will be issued by the NSW Department of Planning, Housing and Infrastructure in February 2024. While there has been a delay in this stage of the project, we are still working towards commencing community consultation in mid-2024. The graphic below provides an indicative overview of the Gateway determination timelines.



DISCUSSION

Reviews of the draft MidCoast LEP mapping have been undertaken by the Land Use Planning Team to ensure accuracy in the application of the zones and planning controls.

A number of changes are proposed to the draft mapping as outlined in Attachment 1. The mapping amendments cover 59 locations across the MidCoast and have been grouped as follows:

1. **RE1 Public Recreation zone review** – amendments are based on the principles outlined in the Recreation Zone Review. Land in the RE1 Public Recreation zone should be in public ownership or there is an intention for Council to acquire the site. This is not the case for the two sites identified at Hawks Nest.
2. **Council managed land** – twenty-three locations have been identified which are managed by Council. The proposed zone changes aim to recognise the important environmental values of the sites, provide a consistent approach across the MidCoast and include sixteen cemeteries in the SP2 Infrastructure zone.
3. **Mapping review** – five locations have been identified as being in the incorrect zone due to a range of reasons such as boundary realignments, the historic development of the site, the application of infrastructure zones and the review of rural zones within the urban footprint. Each amendment is consistent with the principles applied to zones through the Housing Strategy, Rural Strategy and zone reviews.
4. **Conservation zone review** – land identified as ‘coastal wetlands’ in the *State Environmental Planning Policy (Resilience and Hazards) 2021* have been included in the C2 Environmental Conservation zone across the MidCoast. A review of the application of this zone identified four locations where changes are required to ensure coastal wetlands are included in the C2 Environmental Conservation zone. An additional site required an amendment to the minimum lot size to reflect a historical approval.
5. **Mapping anomaly** – these amendments either:
 - reflect the current controls in existing Local Environmental Plans - some sites had specific controls (e.g. minimum lot size) that were established through strategies or rezonings and included in the existing Local Environmental Plans. It is important that these site specific controls are carried forward into the draft MidCoast LEP; or

- correct mapping errors – this has occurred where zones have changed but the other land use controls, such as height of building or minimum lot size, have not been changed to reflect the new zone.

These mapping amendments require changes to the draft MidCoast LEP mapping (endorsed by Council on 30 October 2023). The process to amend the draft MidCoast LEP mapping involves:

- seeking Council endorsement of the mapping amendments (purpose of this report)
- submitting the mapping amendments to the NSW Department of Planning, Housing and Infrastructure to consider through the Gateway determination process.

By making these mapping changes, we are ensuring the community has access to the best available mapping during community consultation for the Planning Proposal – Draft MidCoast Local Environmental Plan.

CONSULTATION

Consultation on the mapping amendments has occurred with staff from the following Departments to ensure that a consistent approach has been applied:

- Natural Systems
- Major Assessments and Regulatory Services
- Community Spaces.

Community consultation on the Planning Proposal – Draft MidCoast Local Environmental Plan will be outlined in a Consultation Plan that will be reported to Council prior to commencement of the consultation. This plan will be prepared in accordance with the community consultation requirements of the Gateway determination and Council's Community Engagement Strategy.

COMMUNITY IMPACTS

Council is committed to engaging with our community in a meaningful way to develop relationships with our community while delivering benefits in ways that add value and build trust. We will engage with a range of stakeholders during the community consultation being the community (including residents and ratepayers), business chambers, the development industry, traditional owners and Aboriginal stakeholders, environmental groups, community groups, relevant NSW Government Departments, Councillors and Council staff.

Moving toward one set of planning controls will be beneficial in terms of applying a consistent approach to planning across the MidCoast. Ensuring the community is provided with the best mapping available will provide accuracy to the community consultation process, and also help the community understand the implications of the draft MidCoast LEP on their property and community.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The project reflects many of the key values, objectives and outcomes of the MidCoast 2022-2032: Shared Vision, Shared Responsibility (MidCoast Community Strategic Plan), and is particularly consistent with Community Outcome 2: An integrated and considered approach to managing our natural and built environments.

The draft MidCoast LEP is a major project in the MidCoast Delivery Program 2022-2026 and Operational Plan 2023-24.

TIMEFRAME

The process and timeframe provided in the Background section of this report outlines the key milestones and timeframes for the progression of the Planning Proposal – Draft MidCoast Local Environmental Plan. We are working towards having community consultation commence in mid-

2024, prior to the Council election. This timeframe is reliant on completing the NSW Government consultation in a timely manner.

LIST OF ATTACHMENTS

The following attachment is available on the meeting page of Council's website under the 'Attachments to Agenda' heading:

Attachment 1 - Draft MidCoast Local Environmental Plan mapping amendments (60 pages)

16.9. PLANNING PROPOSAL - DRAFT MIDCOAST LOCAL ENVIRONMENTAL PLAN MAPPING

ATTACHMENT 1 - DRAFT MIDCOAST LEP MAPPING AMENDMENTS (60 PAGES)

ATTACHMENT 1



Draft MidCoast LEP Mapping Amendments

To ensure the accuracy of the draft MidCoast LEP mapping, reviews have been undertaken. There are a number of changes proposed to the draft mapping which have been grouped as follows:

1. **RE1 Public Recreation zone review** – amendments are based on the principles outlined in the Recreation Zone Review. Land in the RE1 Public Recreation zone needs to be in public ownership or there is an intention for Council to acquire the site. This is not the case for the two sites identified at Hawks Nest.
2. **Council managed land** – twenty-three locations have been identified which are managed by Council. The proposed zone changes aim to recognise the important environmental values of the sites, provide a consistent approach across the MidCoast and include sixteen cemeteries in the SP2 Infrastructure zone.
3. **Mapping review** – five locations have been identified as being in the incorrect zone due to a range of reasons such as boundary realignments, the historic development of the site and the review of rural zones within the urban footprint. Each amendment is consistent with the principles applied to zones through the Housing and Rural Strategies and zone reviews.
4. **Conservation zone review** – land identified as 'coastal wetlands' in the State Environmental Planning Policy (Resilience and Hazards) 2021 have been included in the C2 Environmental Conservation zone across the MidCoast. A review of the application of this zone identified four locations where changes are required to ensure coastal wetlands are included in the C2 Environmental Conservation zone. An additional site required an amendment to the minimum lot size to reflect a historical approval.
5. **Mapping anomaly** – these amendments either:
 - reflect the current controls in existing LEPs - some sites had specific controls (e.g. minimum lot size) that were established through strategies or rezonings. It is important that these site specific controls are carried forward into the draft MidCoast LEP, or
 - correct mapping errors – this has occurred where zones have changed but the other land use controls, such as height of building or minimum lot size, have not been changed to reflect the new zone.

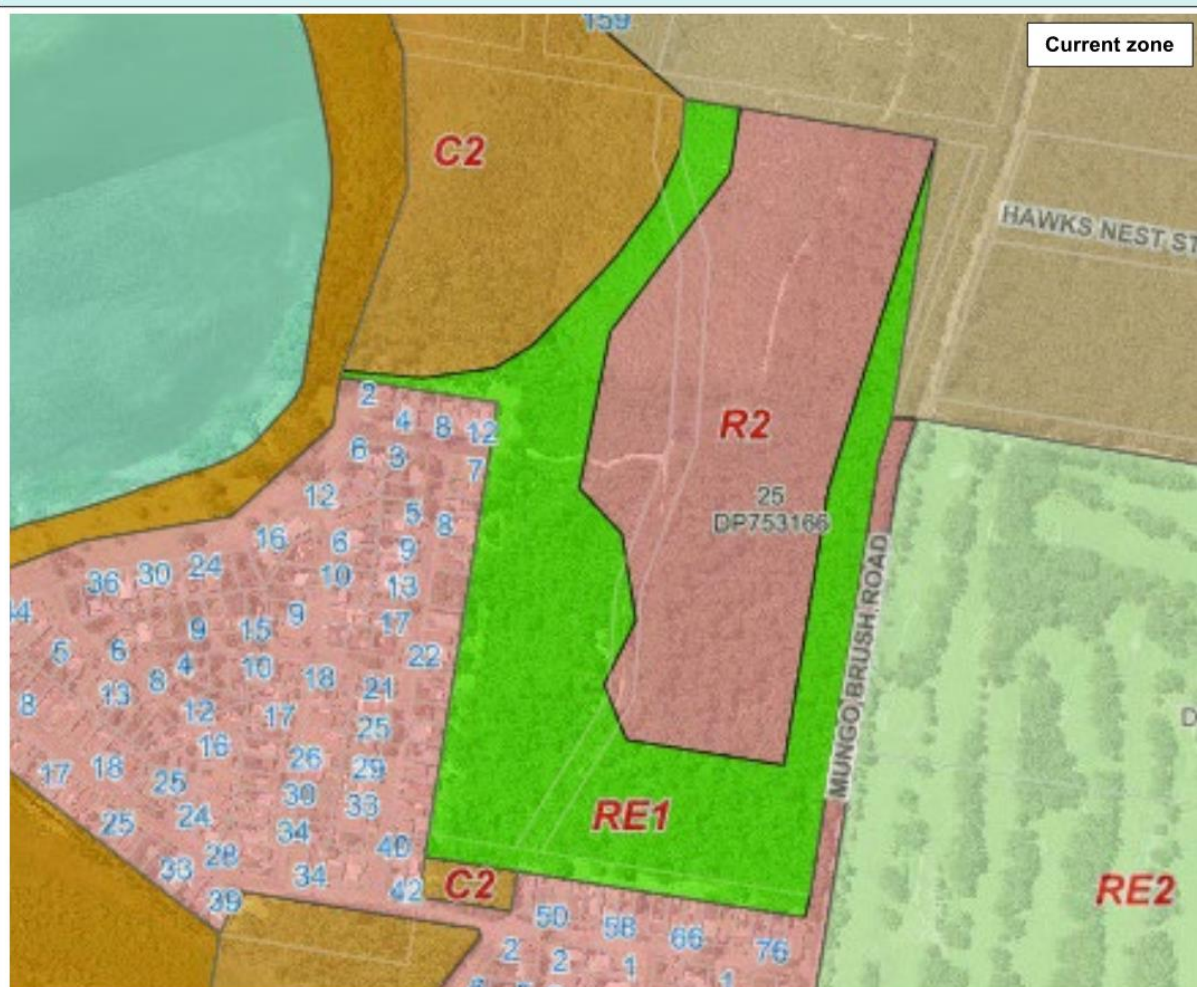
For each site, the following information is provided:

- a map showing the current zone and, in some cases, maps to explain the proposed change
- details about the current zone, and in some cases the current minimum lot size (MLS) and the relevant LEP (Great Lakes, Greater Taree or Gloucester)
- the development controls contained in the current draft MidCoast LEP
- the proposed amendment
- the status, which is the reason why the change is being proposed.

Please note - where a zone change is proposed, the respective development controls (e.g. minimum lot size, height of building) will also be amended to reflect the controls of the proposed zone.

RE1 Public Recreation zone review

Hawks Nest – Mungo Brush Road (part of Lot 25 DP753166 and Lot 6511 DP1205308) and adjoining Mungo Brush Road reserve and road reserve to the south



Current zone	Draft MidCoast LEP	Amendment	Status
RE1 Public Recreation zone (Great Lakes LEP 2014)	RE1 Public Recreation zone	C3 Environmental Management zone	Council does not propose to acquire the land for recreation purposes. The C3 Environmental Management zone reflect the values of the land and is consistent with the adjoining land to the north which is identified for inclusion in the C3 Environmental Management zone.

RE1 Public Recreation zone review

Hawks Nest – Mungo Brush Road (part of Lot 1 and part of Lot 2 DP1290852)



Current zone	Draft MidCoast LEP	Amendment	Status
RE1 Public Recreation zone (Great Lakes LEP 2014)	RE1 Public Recreation zone	Apply the C3 Environmental Management zone to the part of Lot 2 which adjoins the golf course. Apply the C2 Environmental Conservation zone to the part of Lot 1 which adjoins the beach.	Council does not propose to acquire the land for recreation purposes. The C2 Environmental Conservation and C3 Environmental Management zone reflect the values of the land and is consistent with the zones applied to the adjoining land

Council managed land

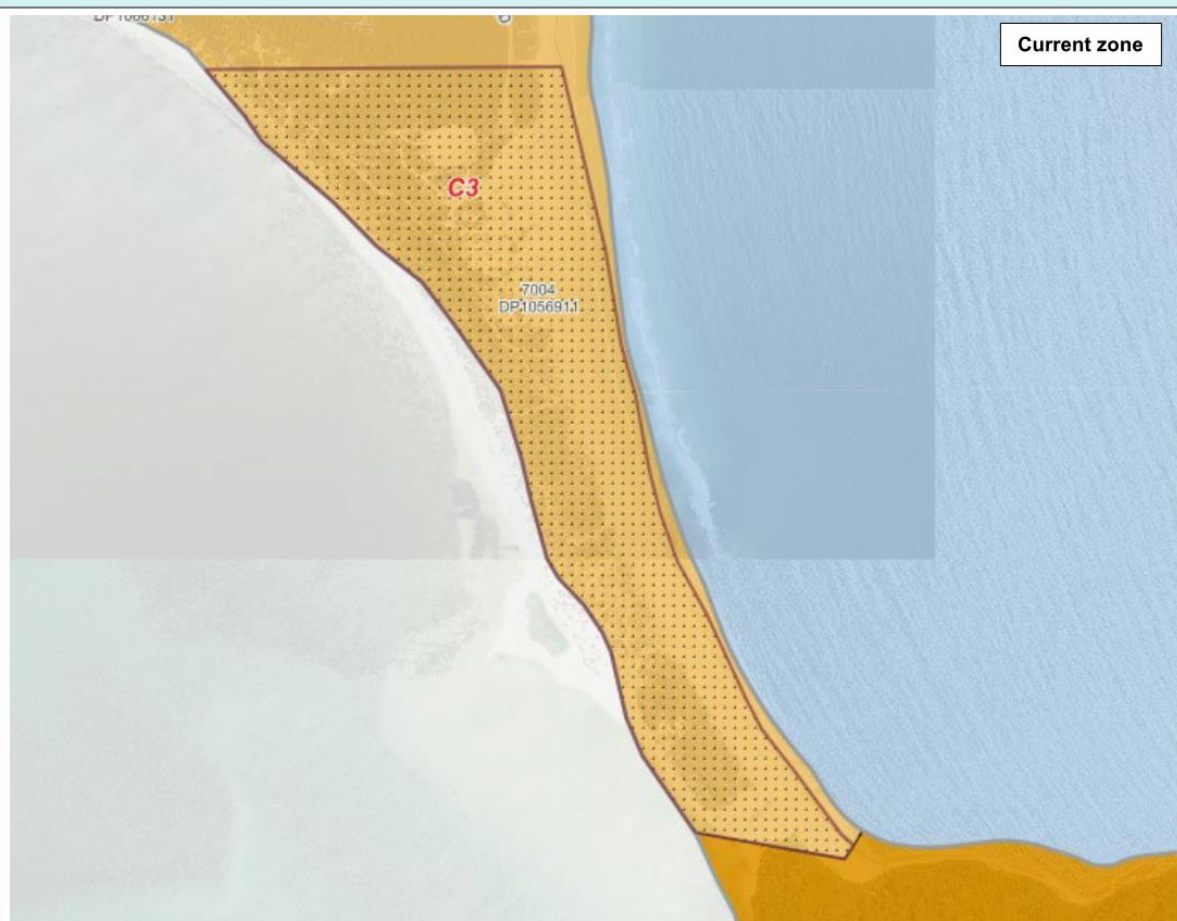
Harrington – 54 Manor Road (Lot 7 DP1217806)



Current zone	Draft MidCoast LEP	Amendment	Status
C2 Environmental Conservation and RE1 Public Recreation zone (Greater Taree LEP 2010)	C2 Environmental Conservation and RE1 Public Recreation zone	Land shown in blue is to be included in RE1 Public Recreation zone and the remainder of the site in C2 Environmental Conservation zone	Significant rehabilitation has occurred reducing the extent of land used as passive open space. The reduced application of the RE1 Public Recreation zone reflects to rehabilitation works undertaken, and the C2 Environmental Conservation zone is consistent with the adjoining zoned land.

Council managed land

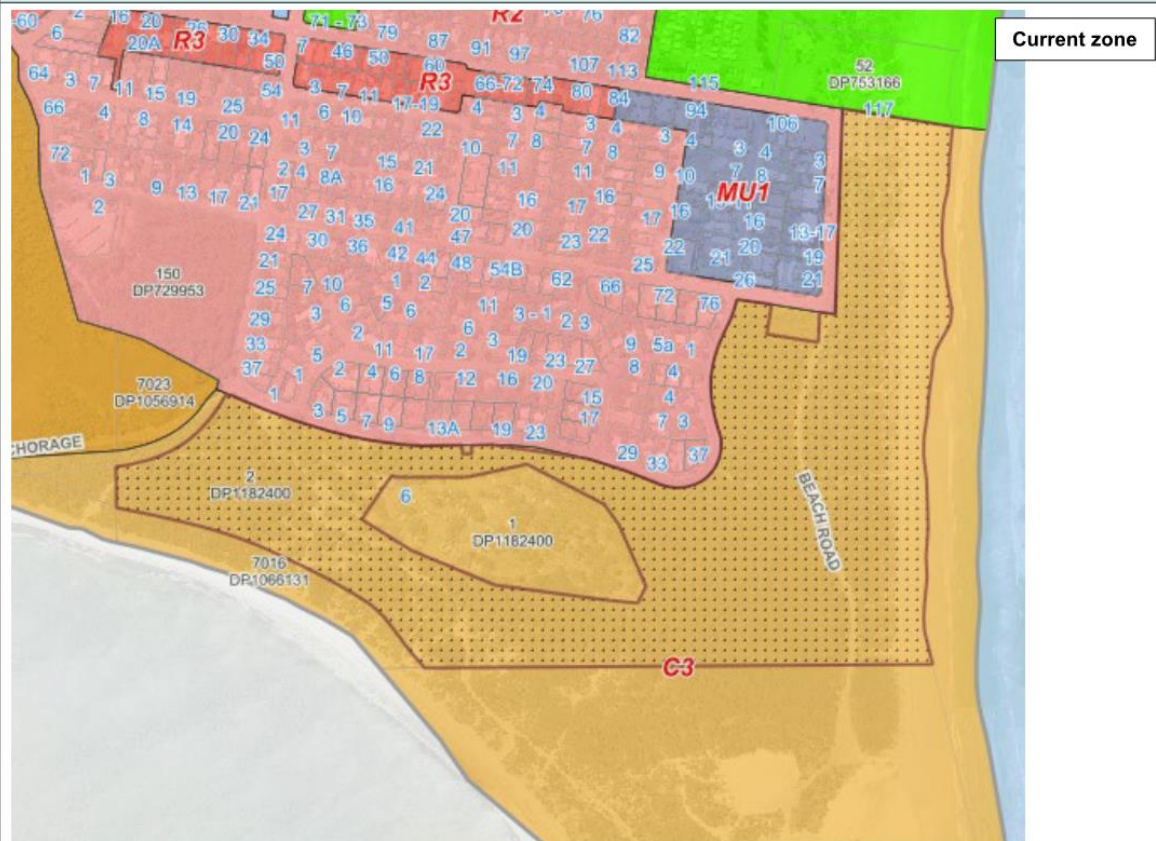
Hawks Nest – Lot 7004 DP1056911 and adjoining coastal strip



Current zone	Draft MidCoast LEP	Amendment	Status
C3 Environmental Management zone (Great Lakes LEP 2014)	C3 Environmental Management zone	Include land in C2 Environmental Conservation zone	Land managed by Council with significant environmental values and the C2 Environmental Conservation zone is consistent with the adjoining zoned land to the south

Council managed land

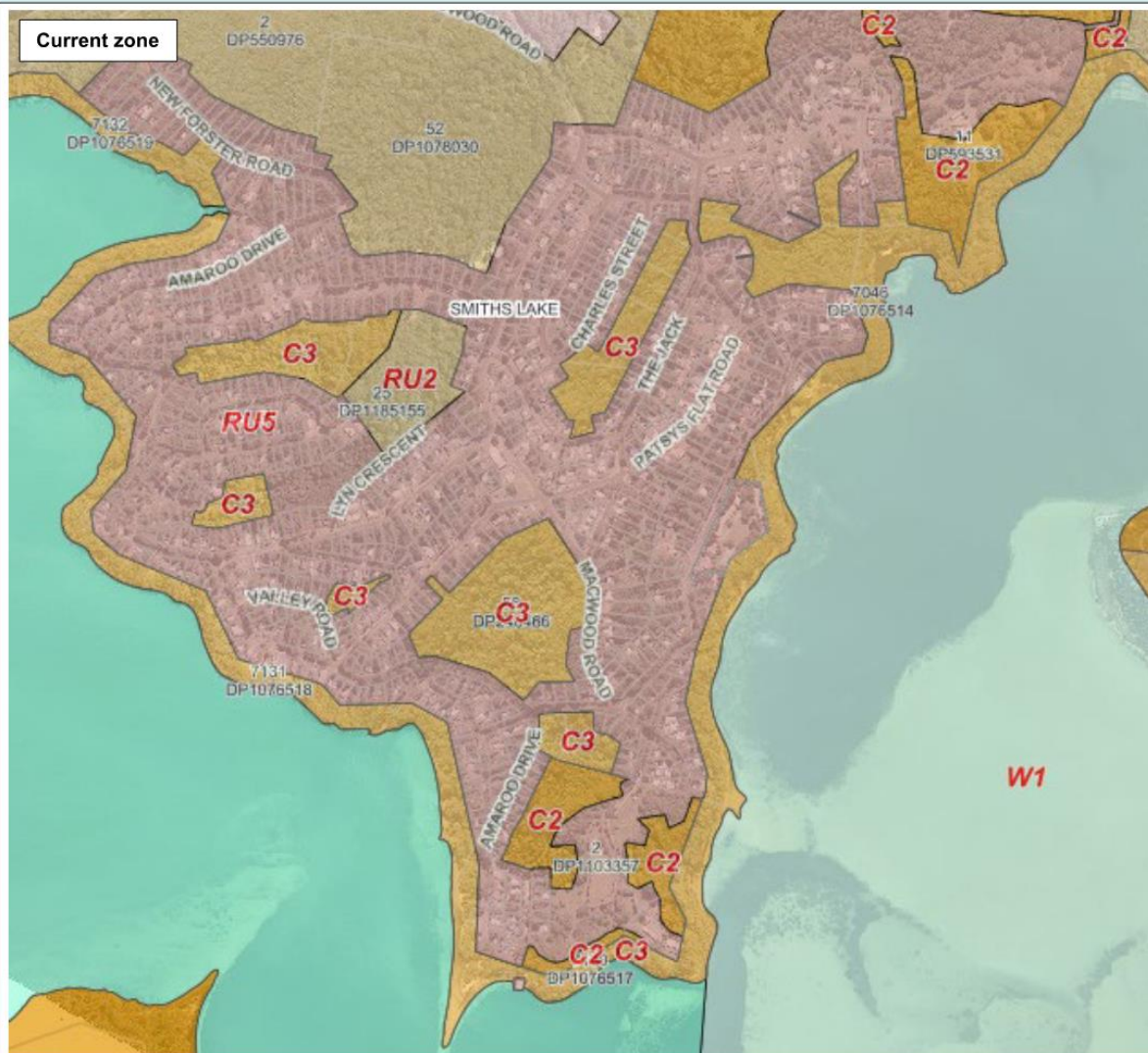
Hawks Nest – Bennetts Beach (Lot 2 DP1182400) and eastern coastal strip



Current zone	Draft MidCoast LEP	Amendment	Status
C3 Environmental Management zone (Great Lakes LEP 2014)	C3 Environmental Management zone	Include land in C2 Environmental Conservation zone	Land managed by Council with significant environmental values and the C2 Environmental Conservation zone is consistent with the adjoining zoned land to the west and south

Council managed land

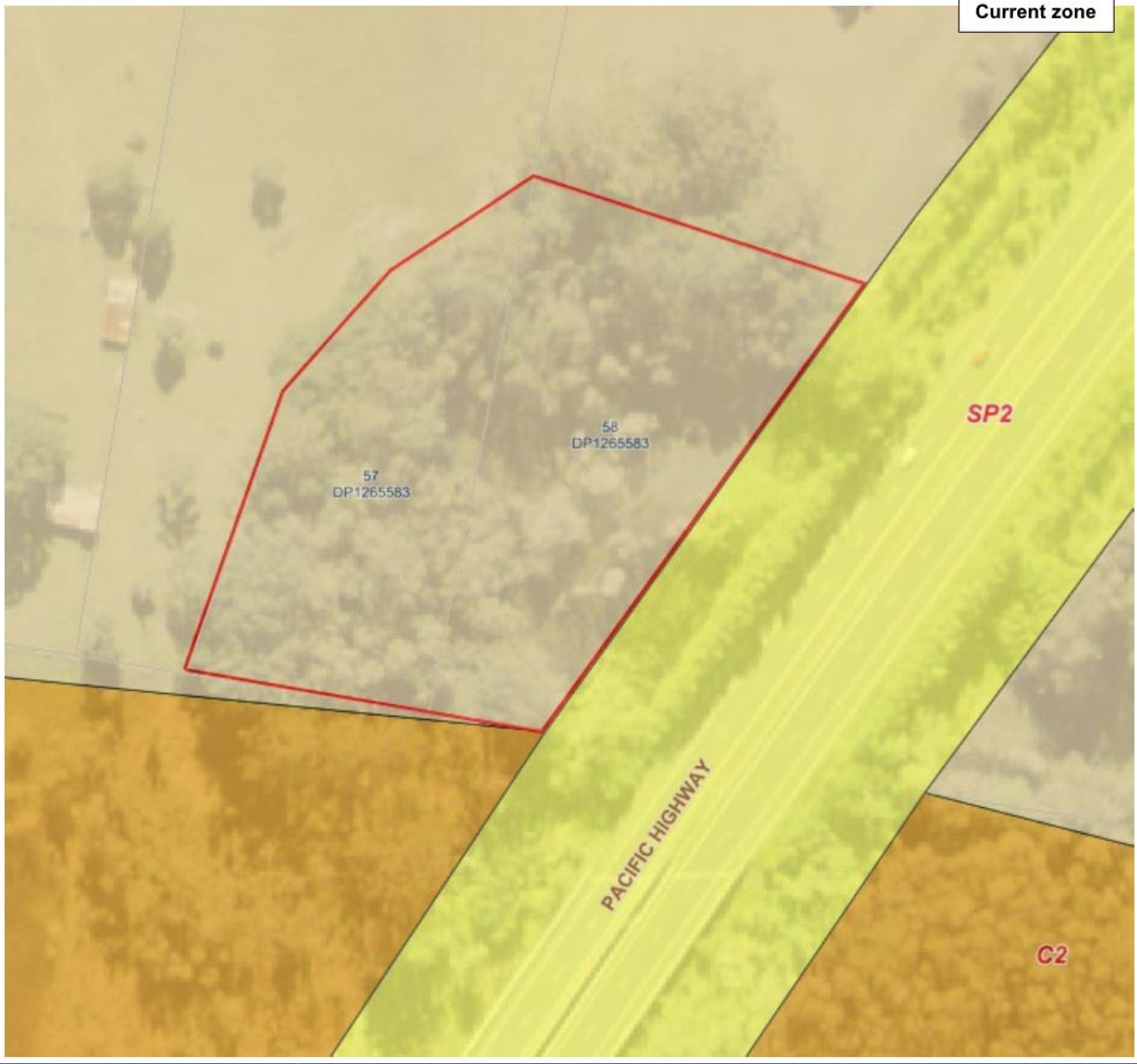
Smiths Lake – Council reserves



Current zone	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape, C2 Environmental Conservation zone and C3 Environmental Management zone (Great Lakes LEP 2014)	C2 Environmental Conservation and C3 Environmental Management zone	Include all Council Reserves in the C2 Environmental Conservation zone	Land managed by Council with significant environmental values

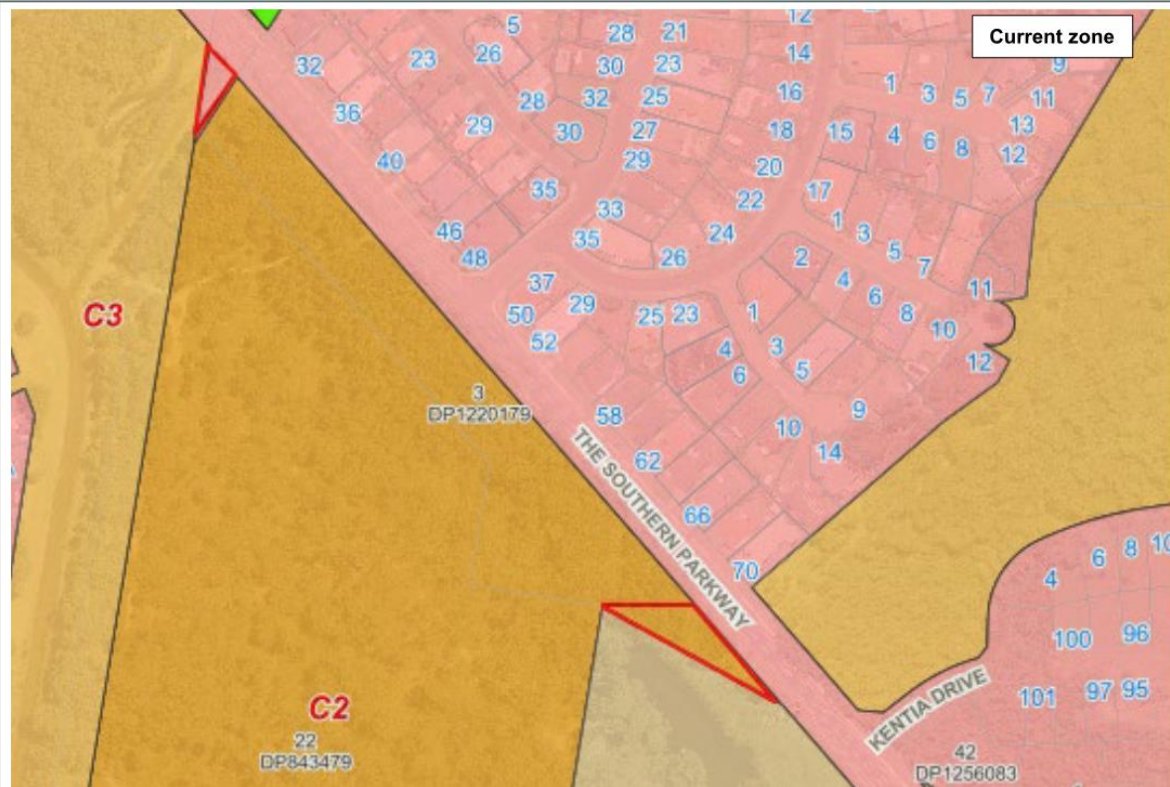
Council managed land

Cooperbrook – George Gibson Drive (Lot 57 and Lot 58 DP1265583)

<div>  <div>Current zone</div> </div>			
Current zone	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone (Greater Taree LEP 2010)	RU4 Primary Production Small Lots zone	Include in C2 Environmental Conservation zone	Land managed by Council for environmental conservation purposes

Council managed land

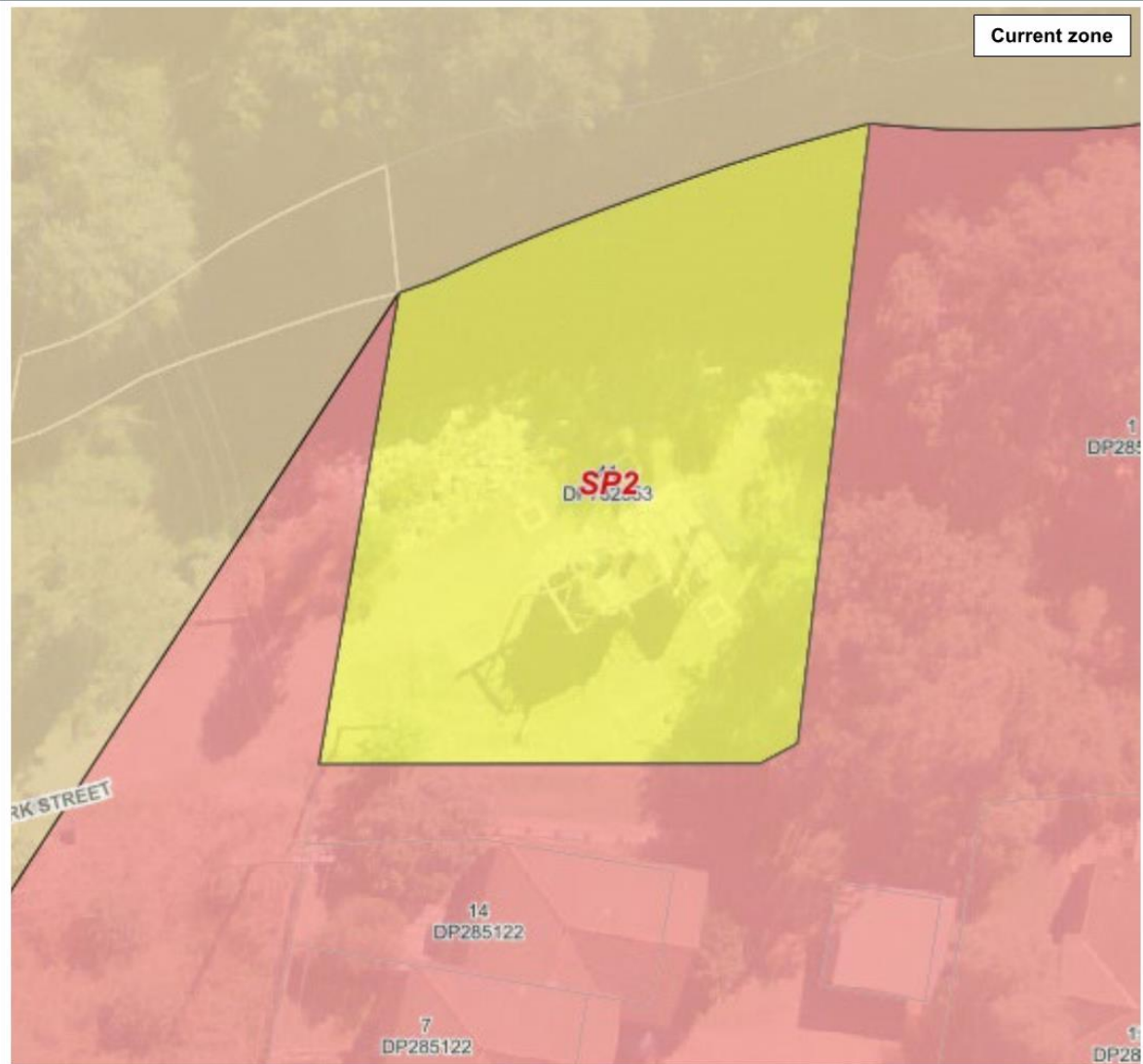
Forster –The Southern Parkway Reserve (part of Lot 52 DP738442 and part of Lot 3 DP1220179)



Current zone	Draft MidCoast LEP	Amendment	Status
R2 Low Density Residential and C2 Environmental Conservation (Great Lakes LEP 2014)	R2 Low Density Residential zone	Include both locations (shown in red) in the C2 Environmental Conservation zone	The southern site is a mapping error. Both sites are managed by Council and need to be included in the C2 Environmental Conservation zone

Council managed land

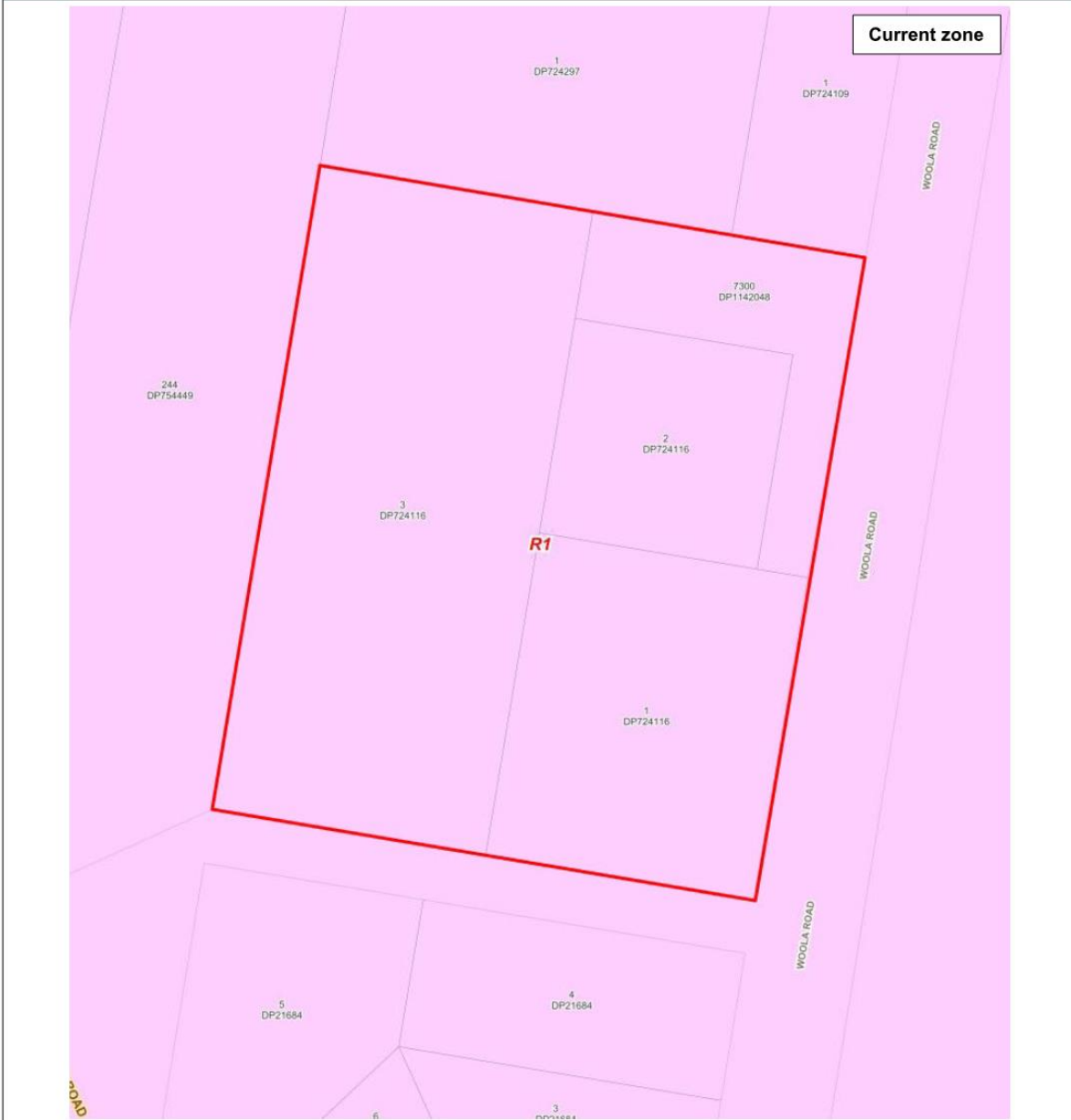
Gloucester – Church Street (Lot 41 DP732553)



Current zone	Draft MidCoast LEP	Amendment	Status
SP2 Infrastructure zone (Gloucester LEP 2010)	SP2 Infrastructure zone	Include the site in the R2 Low Density Residential zone	The principles applied to the infrastructure sites was for minor infrastructure like pump stations to be included in the neighbouring zone

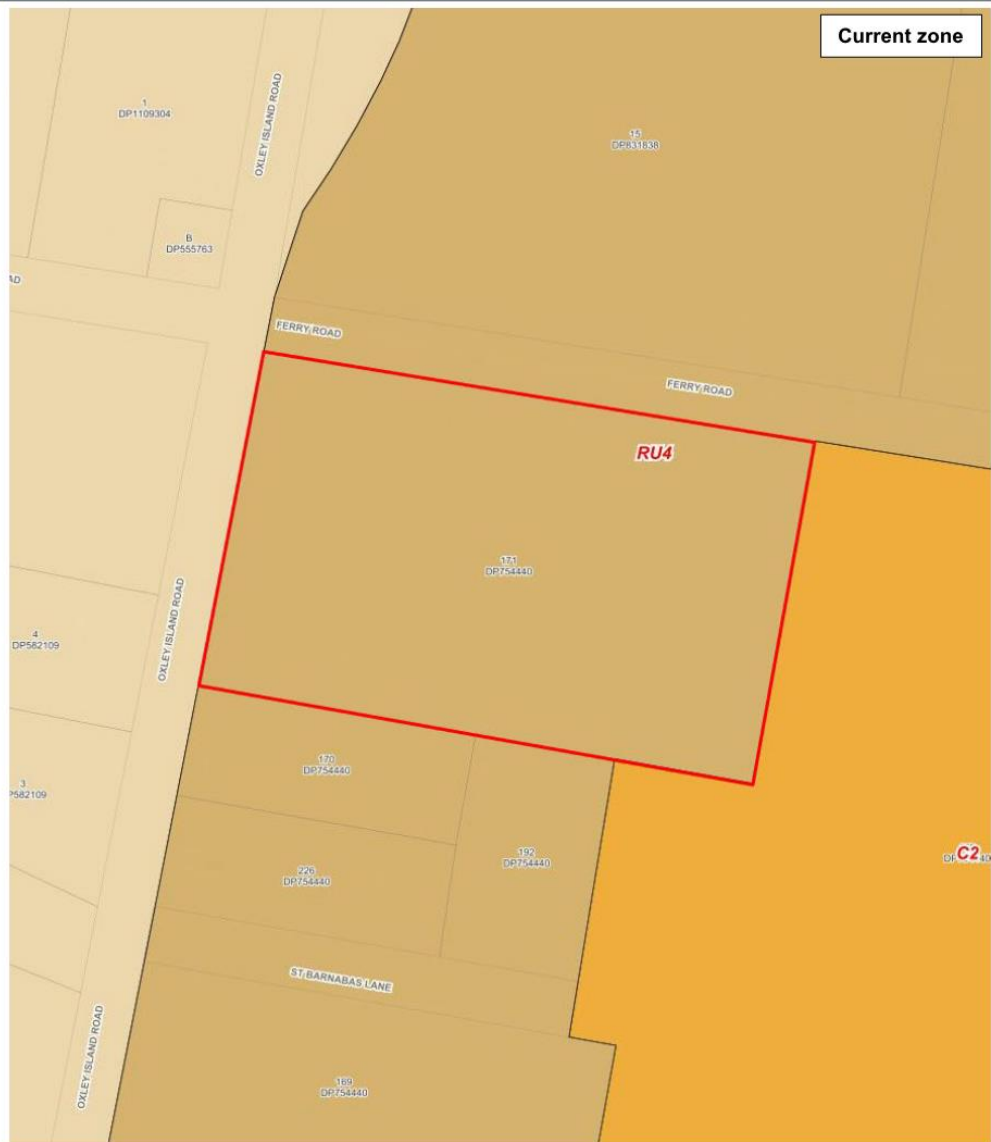
Council managed land

Woola Cemetery – Woola Road

			
Current zone and MLS	Draft MidCoast LEP	Amendment	Status
R1 General Residential zone with a minimum lot size of 450m ² (Greater Taree LEP 2010)	R1 General Residential zone with a minimum lot size of 450m ²	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

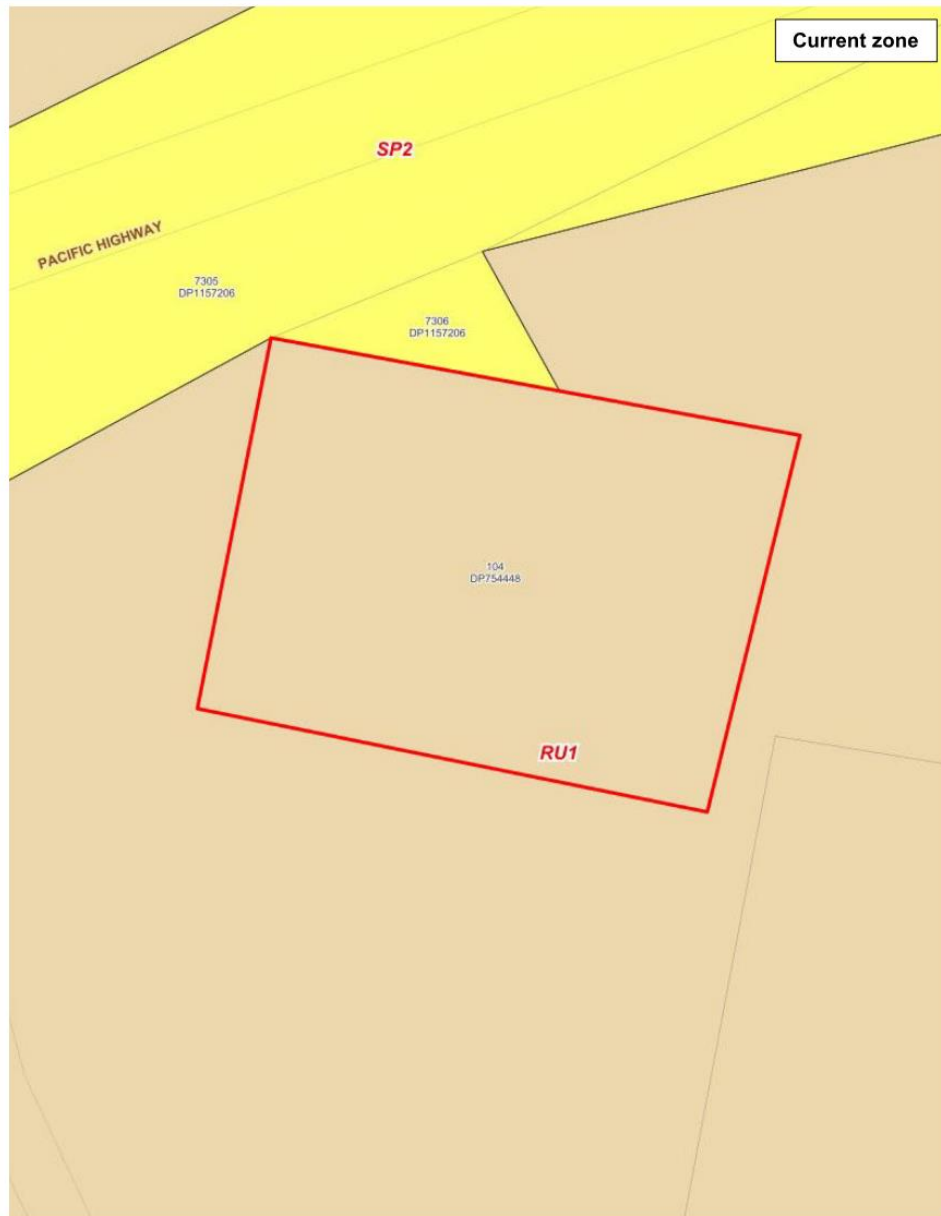
Oxley Island Cemetery – Oxley Island Road and Ferry Road



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU4 Primary Production Small Lots zone with a minimum lot size of 20ha (Greater Taree LEP 2010)	RU4 Primary Production Small Lots zone with a minimum lot size of 20ha	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

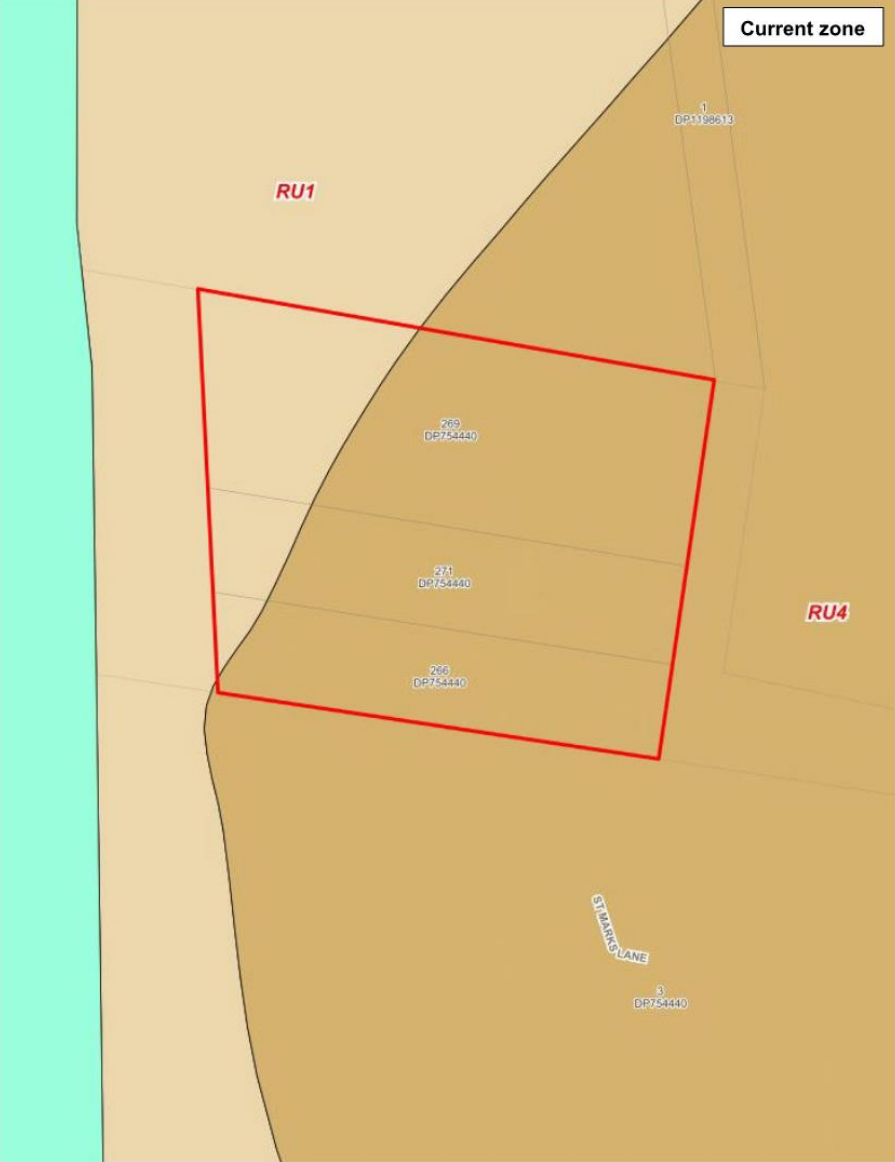
Moorland Cemetery – Pacific Highway



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone with a minimum lot size of 40ha (Greater Taree LEP 2010)	RU4 Primary Production Small Lots zone with a minimum lot size of 40ha	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

Mitchells Island Cemetery – St Marks Lane

			
Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU4 Primary Production Small Lots zone and RU1 Primary Production zone with a minimum lot size of 20ha and 40ha respectively	RU4 Primary Production Small Lots zone with a minimum lot size of 20ha and 40ha	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

Marlee Cemetery – Bulga Road

			
Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone with a minimum lot size of 40ha (Greater Taree LEP 2010)	RU4 Primary Production Small Lots zone with a minimum lot size of 40ha	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

Krambach Cemetery – Cocumbark Lane



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone with a minimum lot size of 40ha (Greater Taree LEP 2010)	RU4 Primary Production Small Lots zone with a minimum lot size of 40ha	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

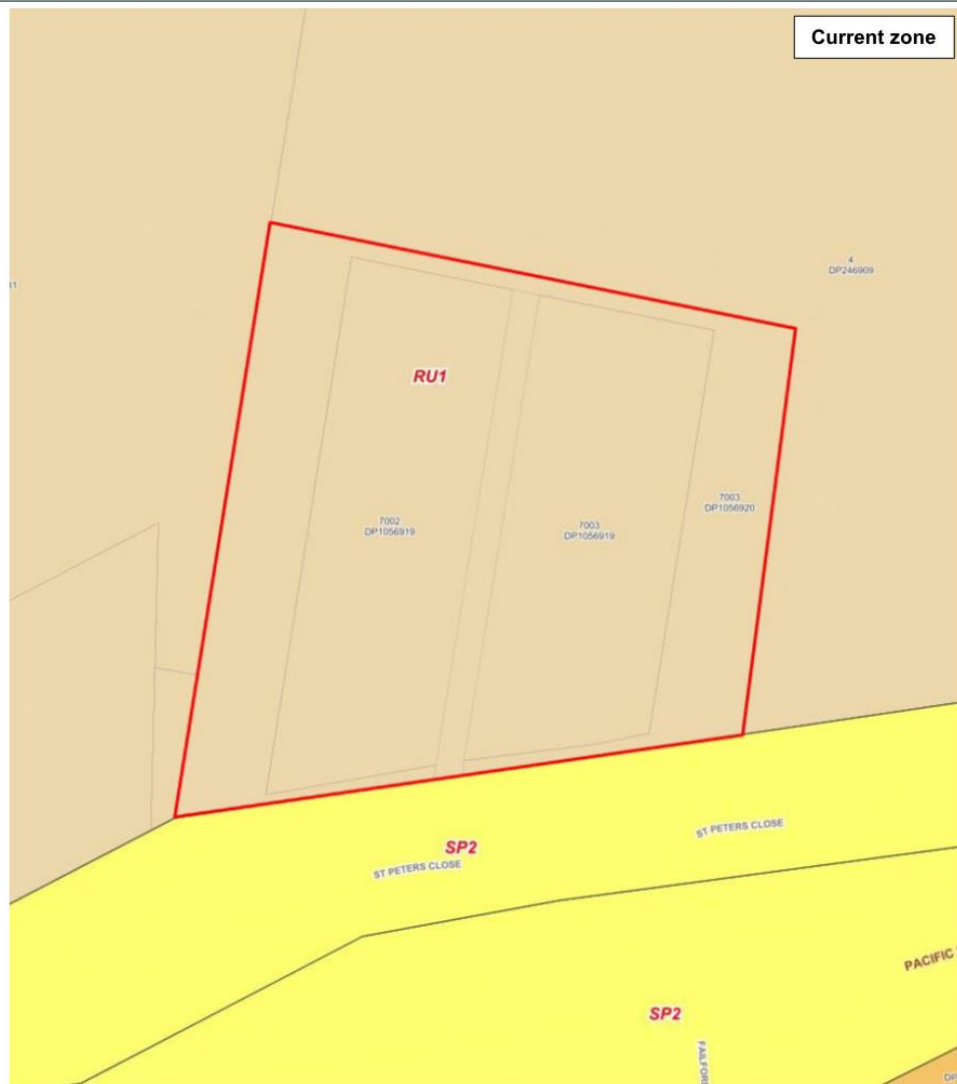
Killabakh Cemetery – Comboyne Road



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone with a minimum lot size of 40ha (Greater Taree LEP 2010)	RU4 Primary Production Small Lots zone with a minimum lot size of 40ha	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

Failford Cemetery – St Peters Close



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone with a minimum lot size of 40ha (Greater Taree LEP 2010)	RU4 Primary Production Small Lots zone and the SP2 Infrastructure zone, with a minimum lot size of 40ha	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

Elands Bulga Cemetery



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone with a minimum lot size of 40ha (Greater Taree LEP 2010)	RU4 Primary Production Small Lots zone with a minimum lot size of 40ha	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

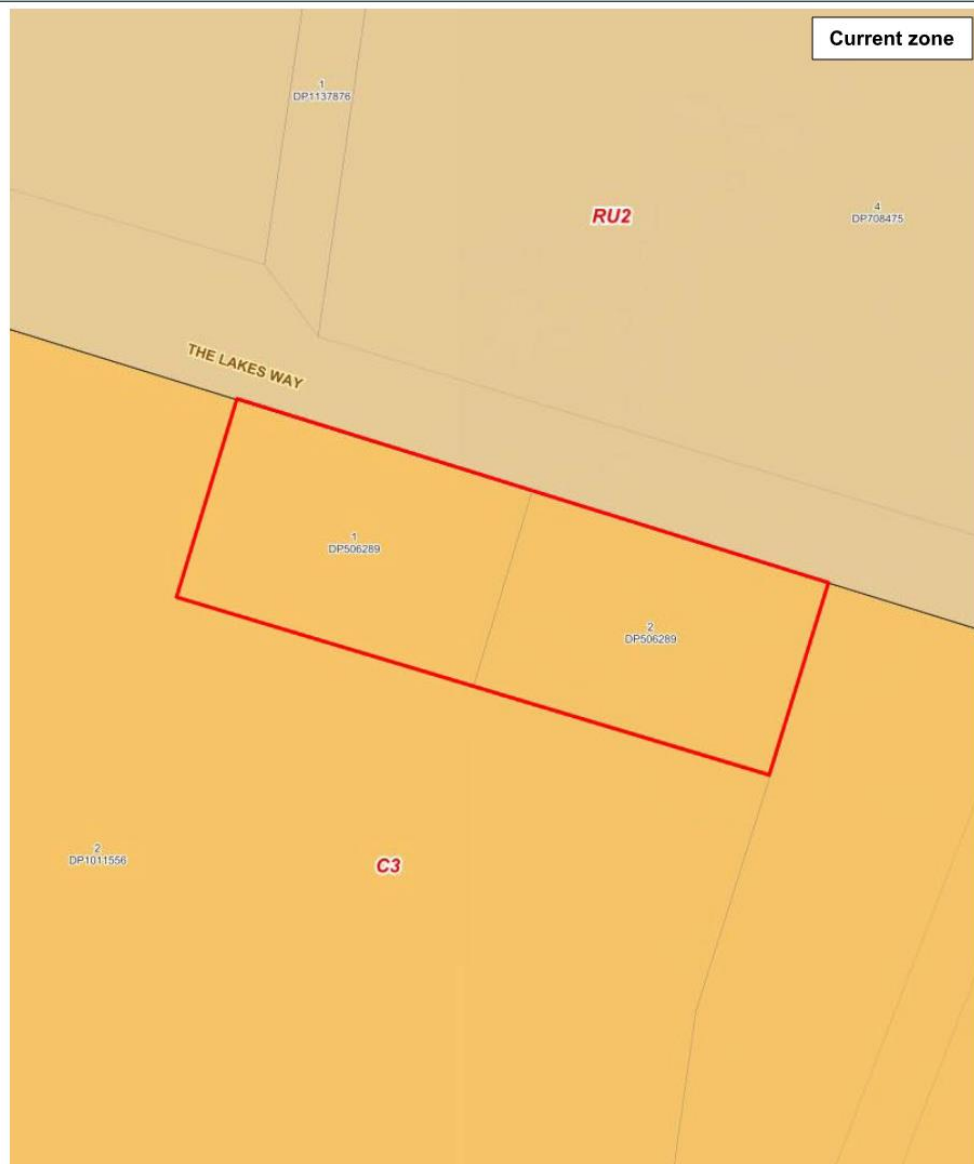
Council managed land

Bo Bo Creek Cemetery – Hillview Lane

			
Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone with a minimum lot size of 40ha (Greater Taree LEP 2010)	RU4 Primary Production Small Lots zone with a minimum lot size of 40ha	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

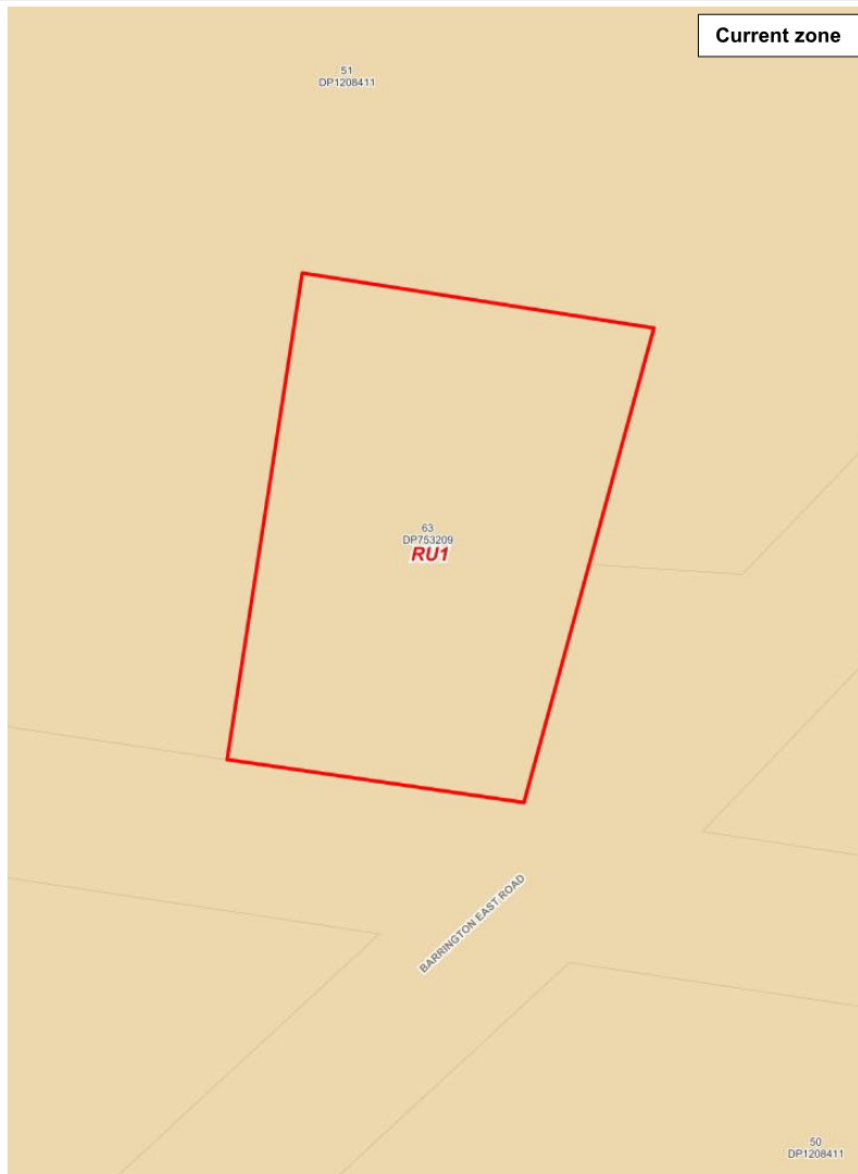
Bungwahl Cemetery – The Lakes Way



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
C3 Environmental Management zone with a minimum lot size of 40ha (Great Lakes LEP 2014)	C3 - Environmental Management zone with a minimum lot size of 40ha.	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

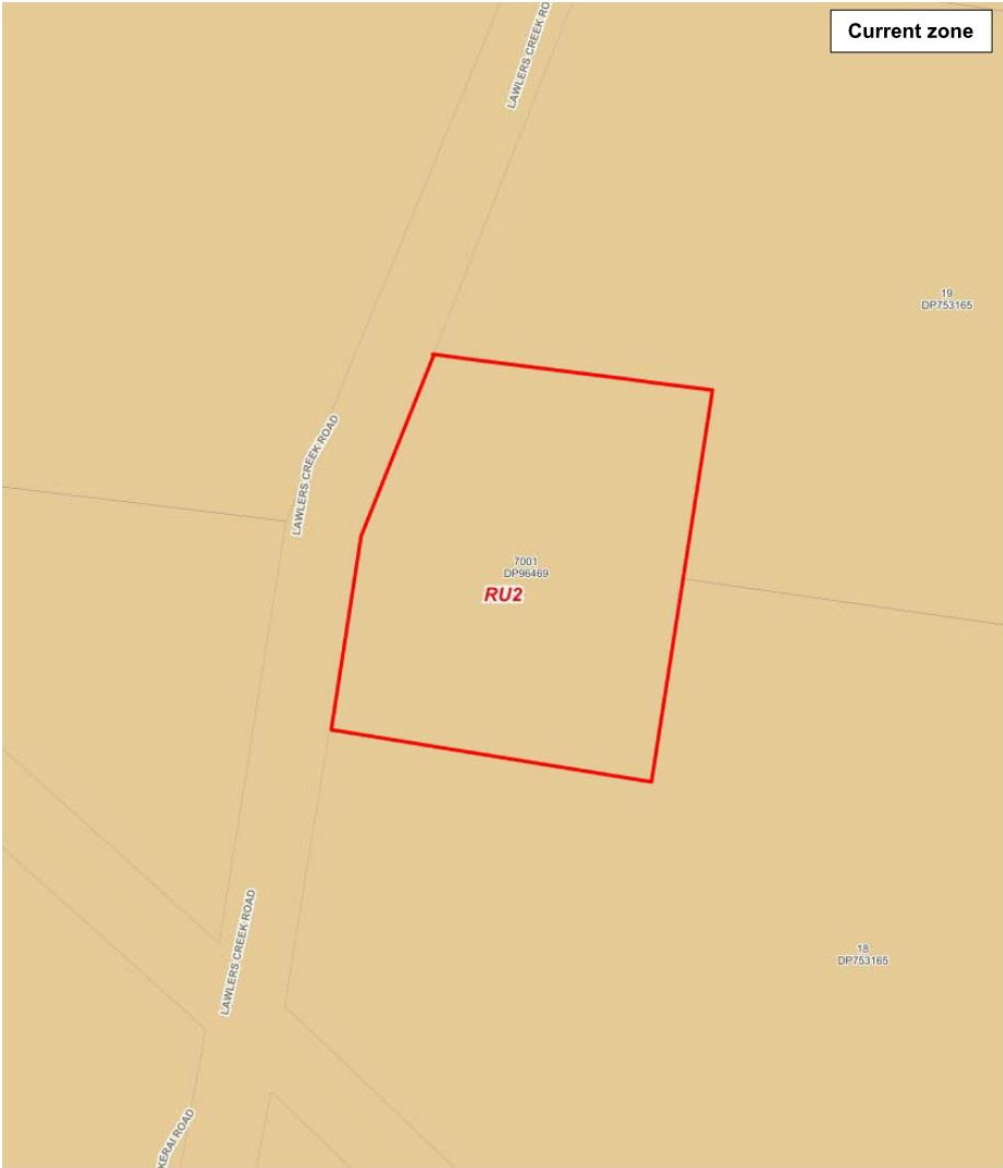
Barrington Cemetery - Barrington East Road



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone with a minimum lot size of 100ha.(Gloucester LEP 2010)	RU1 Primary Production zone with a minimum lot size of 60ha.	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

Monkerai Cemetery – Lawlers Creek Road

			
Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone with a minimum lot size of 40ha (Great Lakes LEP 2014)	RU4 Primary Production Small Lots zone with a minimum lot size of 40ha.	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

Mount George Pioneer Cemetery – Norwood Lane



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone with a minimum lot size of 40ha (Greater Taree LEP 2010)	RU4 Primary Production Small Lots zone with a minimum lot size of 40ha.	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

Wards River Cemetery – Burtons Road



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone with a minimum lot size of 40ha (Great Lakes LEP 2014)	RU4 Primary Production Small Lots zone with a minimum lot size of 40ha	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Council managed land

Willow Point Cemetery – Willow Point Road



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone with a minimum lot size of 40ha (Great Lakes LEP 2014)	RU4 Primary Production Small Lots zone with a minimum lot size of 40ha	Include the cemetery in the SP2 Infrastructure zone	The principle applied to Council owned cemeteries was reviewed and it is proposed to include cemeteries in the SP2 Infrastructure

Mapping review

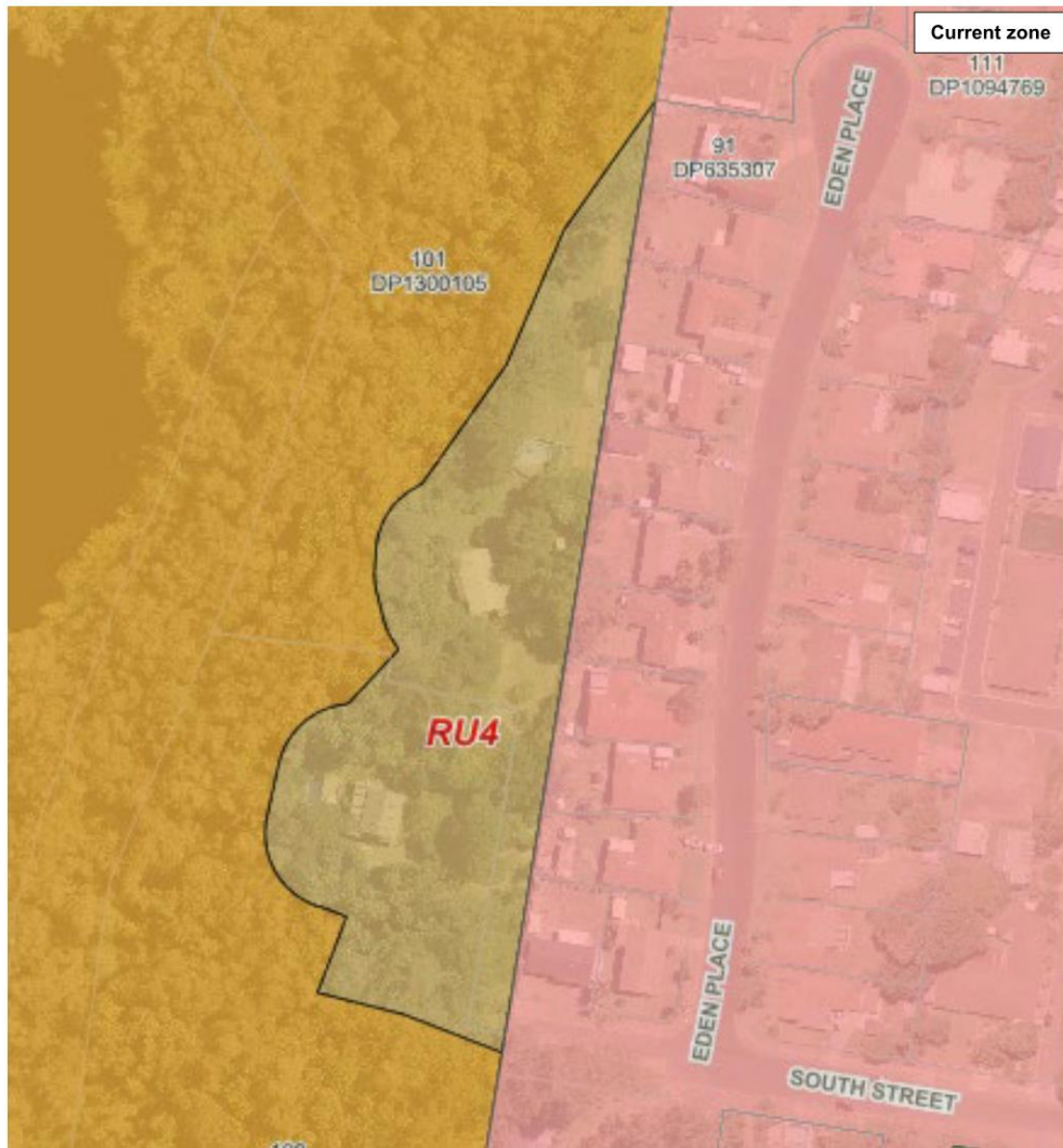
Tallwoods – 21 Illusions Court (Lot 101 DP1293007)



Current zone	Draft MidCoast LEP	Amendment	Status
R1 General Residential and RE2 Private Recreation zone (Greater Taree LEP 2010)	R2 Low Density Residential and RE2 Private Recreation zone	Include whole site in R2 Low Density Residential zone	A recent boundary adjustment resulted in part of the golf course being transferred to the owner of the residential lot. The proposed residential zone reflects the current use of the land

Mapping review

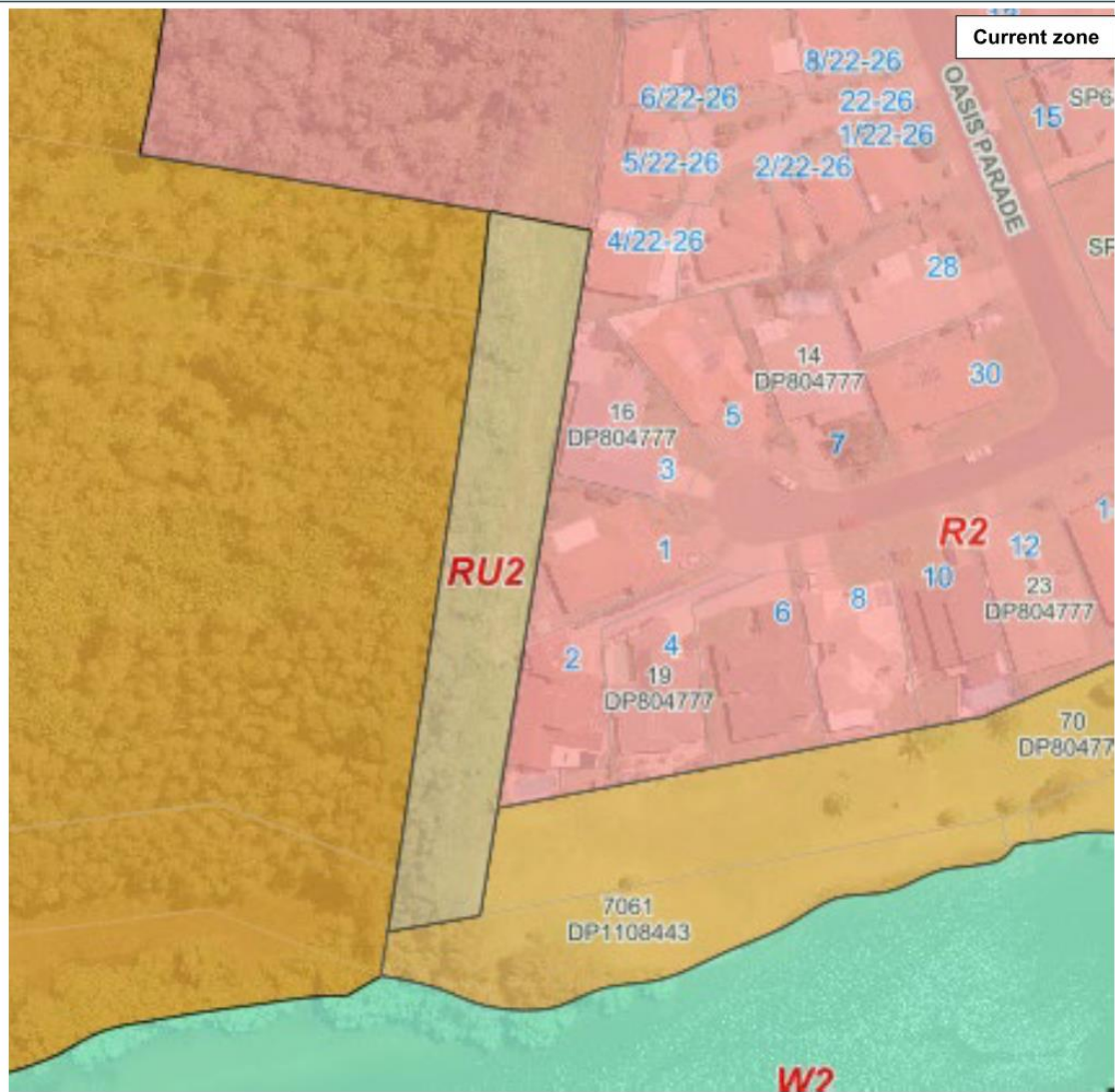
Tuncurry – 143 South Street (part of Lot 100 and Lot 101 DP1300105)



Current zone	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone (Great Lakes LEP 2014)	RU4 Primary Production Small Lots zone	Include land in C4 Environmental Living zone with a 10ha minimum lot size	A review of rural zones within the urban footprint identified this site. It is proposed to be included in the C4 Environmental Living zone to reflect the use and values of the area

Mapping review

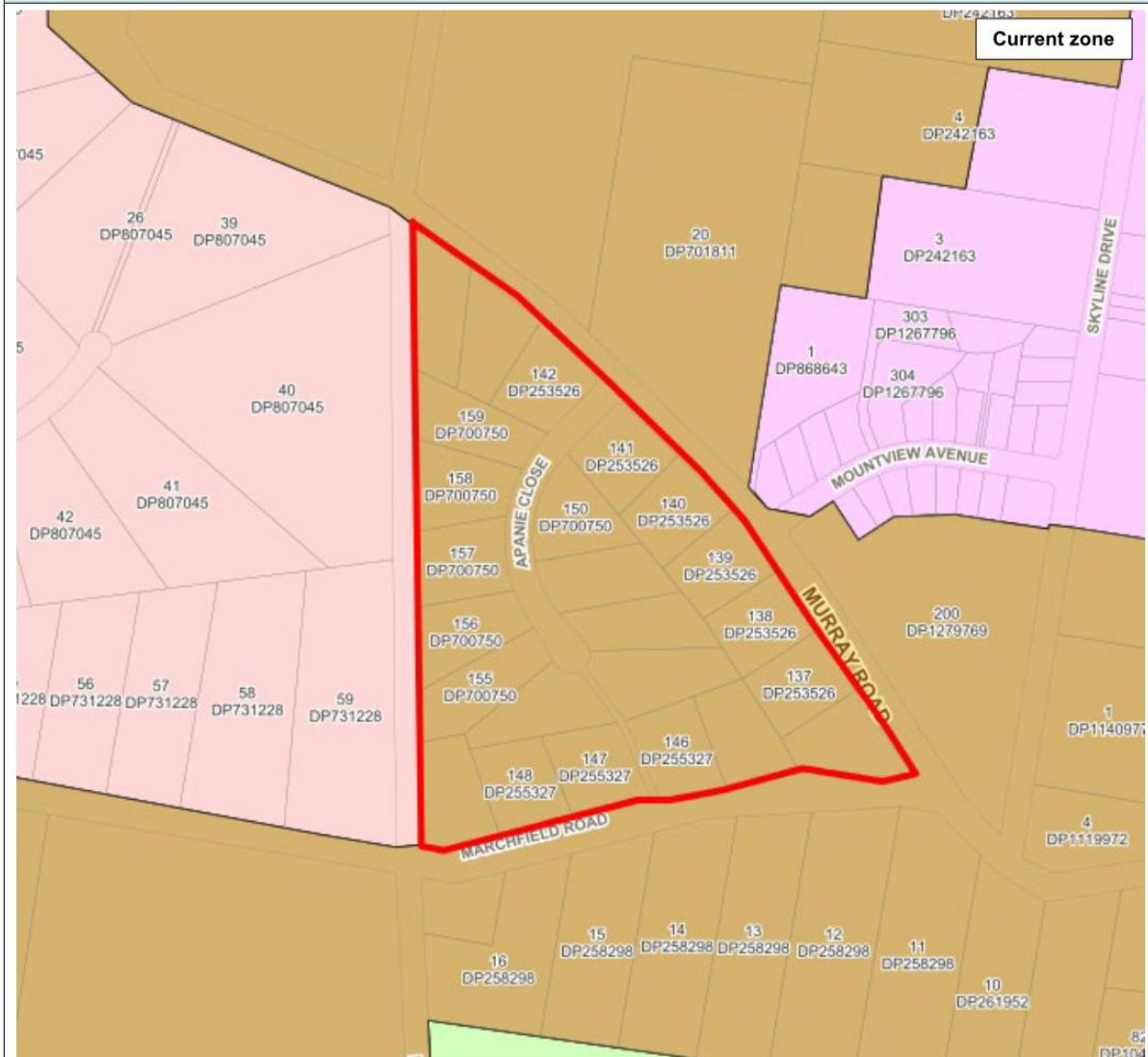
Tuncurry – 143 South Street (part of Lot 100 and Lot 101 DP1300105)



Current zone	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone (Great Lakes LEP 2014)	RU4 Primary Production Small Lots zone	Include land in C2 Environmental Conservation zone	A review of rural zones within the urban footprint identified this site, which is an unformed road reserve. It is proposed to be included in the C2 Environmental Conservation zone to reflect the use and values of the area

Mapping review

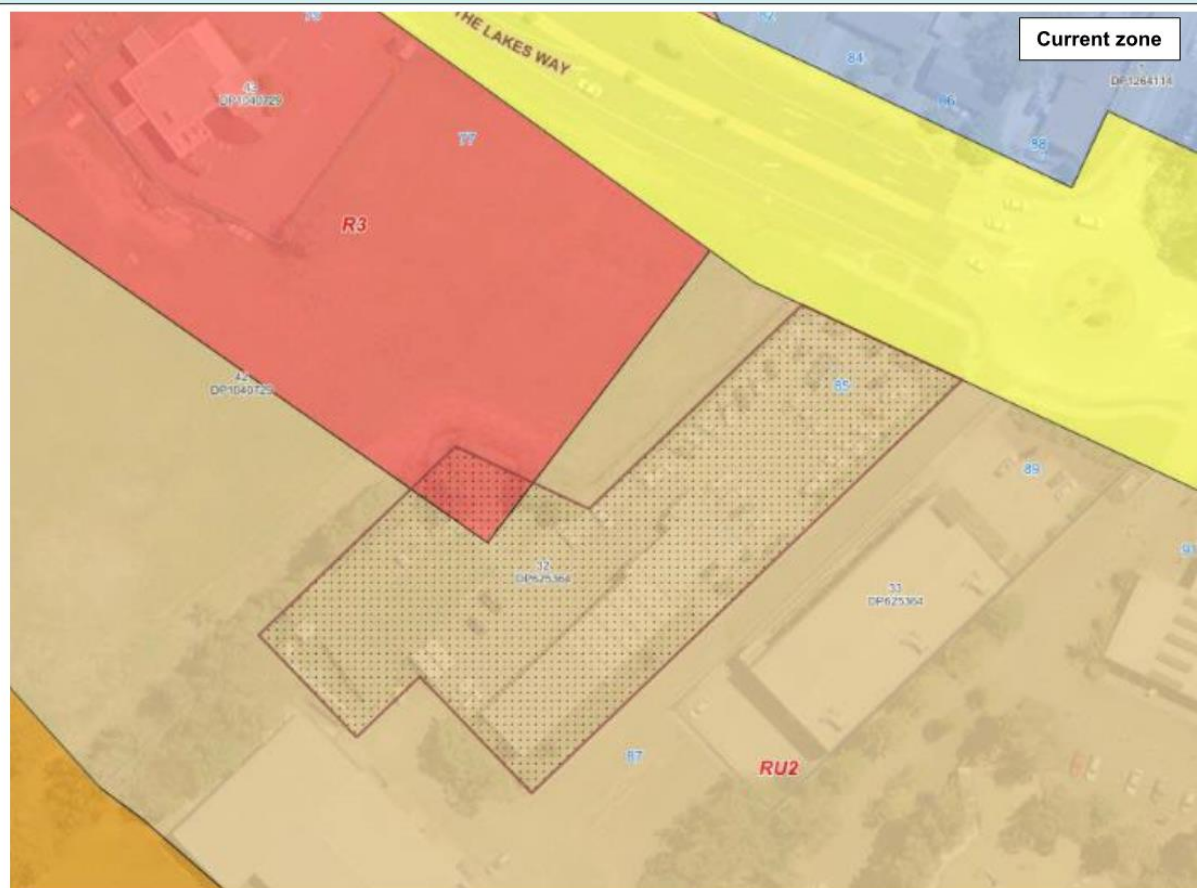
Wingham – numerous lots fronting Alpine Close, Marchfield Road and Murray Road



Current zone	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone (Greater Taree LEP 2010)	RU4 Primary Production Small Lots zone	Include land in R5 Large Lot Residential zone with a 1.5ha minimum lot size	A review of rural zones within the urban footprint identified this site. It is proposed to be included in the R5 Large Lot Residential zone to reflect the character and nature of the existing residential estate

Mapping review

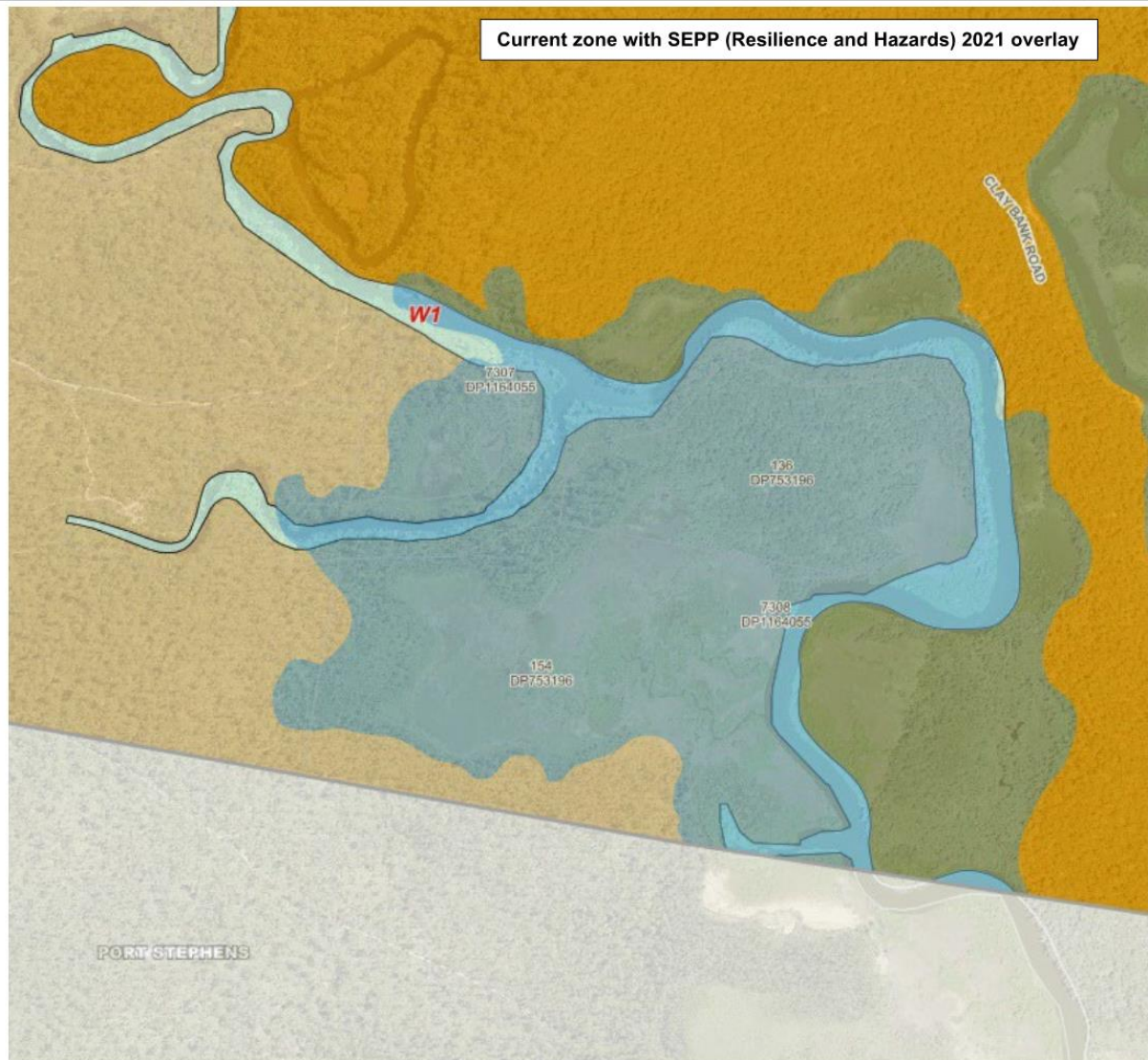
Forster – 85 The Lakes Way (Lot 32 DP625364)



Current zone	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape and R3 Medium Density Residential zone (Great Lakes LEP 2014)	RU4 Primary Production Small Lots and R3 Medium Density Residential zone	Include whole site in RU4 Primary Production Small Lots zone	A review of rural zones within the urban footprint identified this site. The partial application of the R3 Medium Density Residential zone on this lot appears to be a historic mapping error. It is proposed to include the whole site in RU4 Primary Production Small Lots zone. Note this is an urban release area that will be subject to a future planning proposal

Conservation zone review

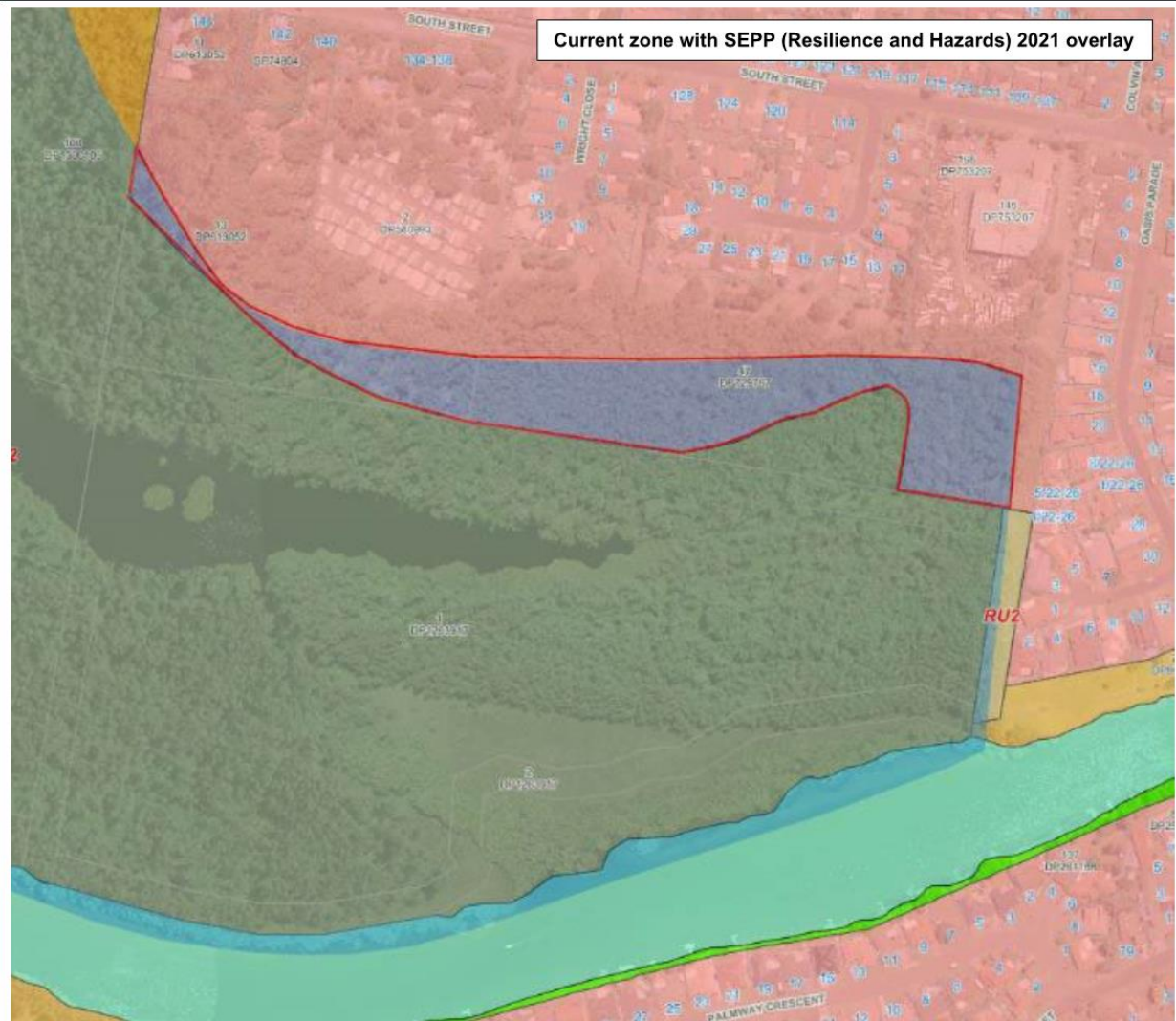
Limeburners Creek – Foreshore Reserve of Limeburners Creek and 18 Shetland Drive (Lot 7308 DP1164055, Lot 136 and Lot 154 DP753196, and part of Lot 2 DP1172865)



Current zone	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape (Great Lakes LEP 2014)	RU4 Primary Production Small Lots	Include land covered by the SEPP (Resilience and Hazards) 2021 overlay (shown as blue) in the C2 Environmental Conservation zone	This land is identified as Coastal Wetlands under the SEPP (Resilience and Hazards) 2021 and is required to be included in the C2 Environmental Conservation zone

Conservation zone review

Tuncurry – 134-140 South Street and Porter Close (part of Lot 13 DP613052, part of Lot 2 DP580993, part of Lot 47 DP729767)



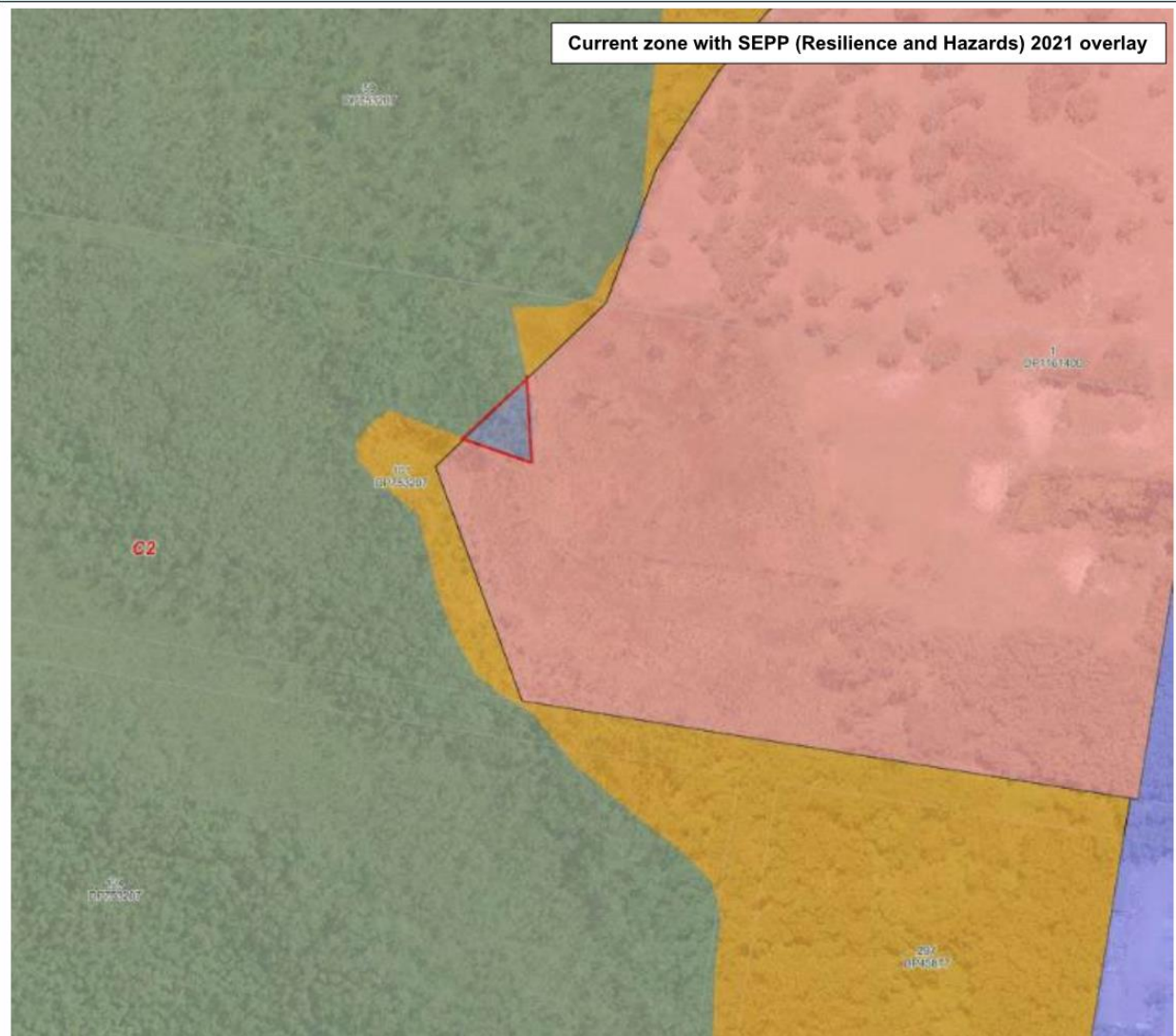
Current zone	Draft MidCoast LEP	Amendment	Status
R2 Low Density Residential zone (Great Lakes LEP 2014)	R2 Low Density Residential zone	Include land covered by the SEPP (Resilience and Hazards) 2021 overlay (shown as purple with red outline) in the C2 Environmental Conservation zone	This land is identified as Coastal Wetlands under the SEPP (Resilience and Hazards) 2021 and is required to be included in the C2 Environmental Conservation zone

The map shows a large area with several colored zones. A large red zone is labeled 'C2' and contains many lots with numbers and addresses. A blue zone is labeled 'E1' and contains a few lots. A yellow zone is labeled 'R2' and contains a few lots. A green zone is labeled 'R3' and contains a few lots. A grey zone is labeled 'RU2' and contains a few lots. The map also shows several streets: 'MAXWELL STREET' and 'CHARLES STREET'. A box in the top right corner is labeled 'Current zone'.

Page 34 of 60

Conservation zone review

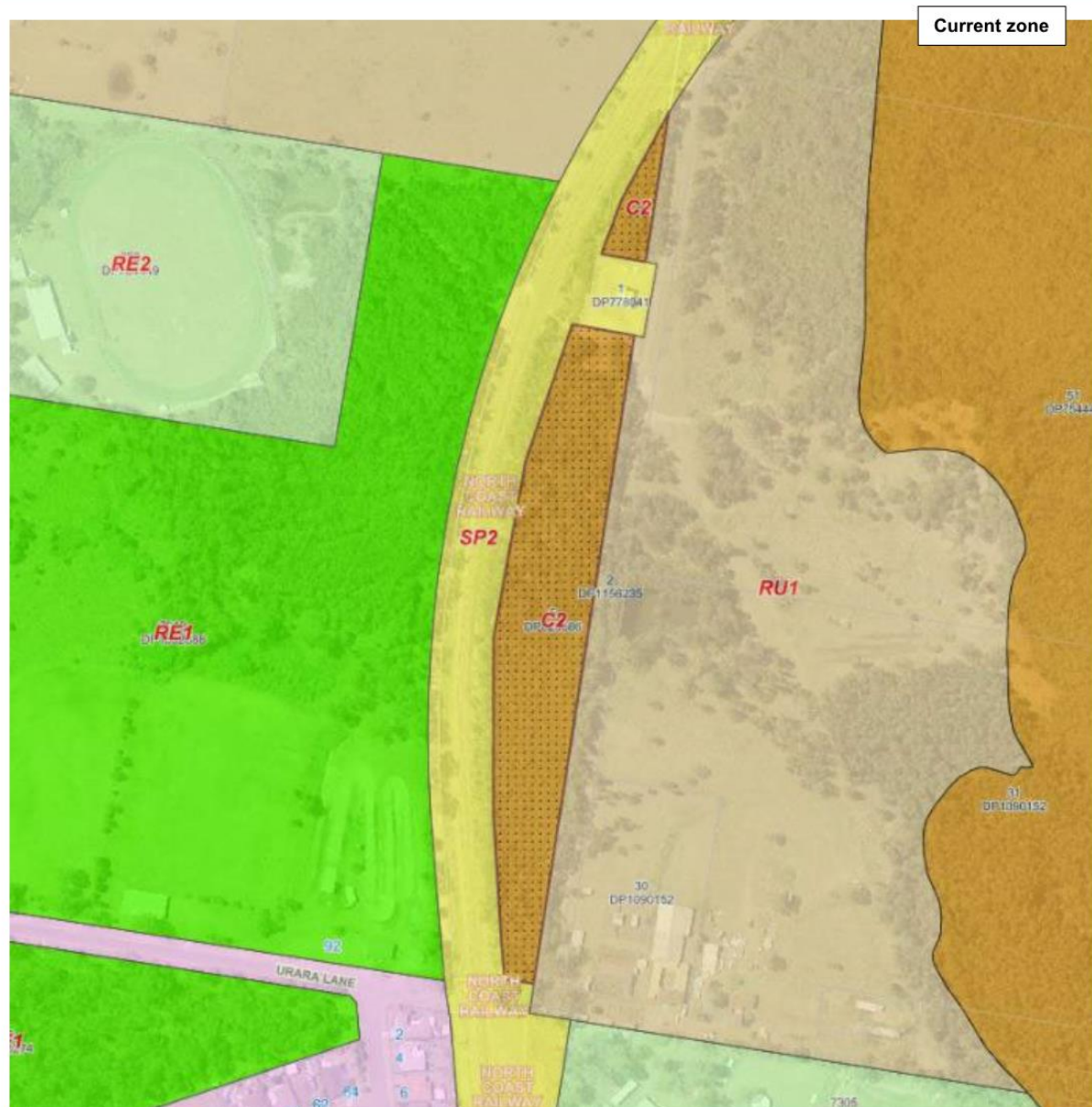
Tuncurry – 18-38 Chapmans Road (part of Lot 101 DP753207)



Current zone	Draft MidCoast LEP	Amendment	Status
R2 Low Density Residential zone (Great Lakes LEP 2014)	R2 Low Density Residential zone	Include land covered by the SEPP (Resilience and Hazards) 2021 overlay (shown as purple with red outline) in the C2 Environmental Conservation zone	This land is identified as Coastal Wetlands under the SEPP (Resilience and Hazards) 2021 and is required to be included in the C2 Environmental Conservation zone

Conservation zone review

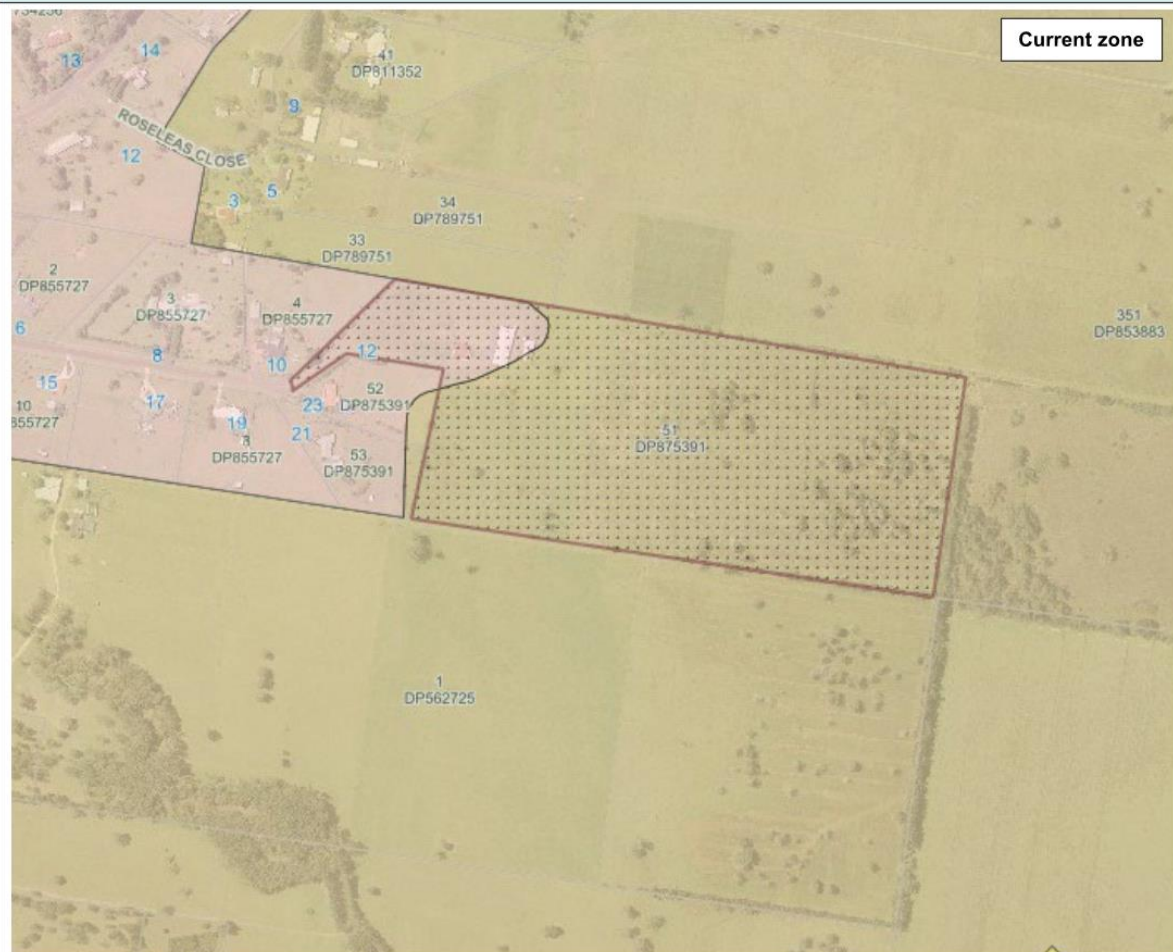
Taree – Urara Lane (Lot 5 DP828386)



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
C2 Environmental Conservation zone with 1.5ha minimum lot size (Greater Taree LEP 2010)	C2 Environmental Conservation zone with 40ha minimum lot size	Amend the minimum lot size to be 1.5ha	This is a mapping error. The minimum lot size should be consistent with the current LEP

Mapping anomaly

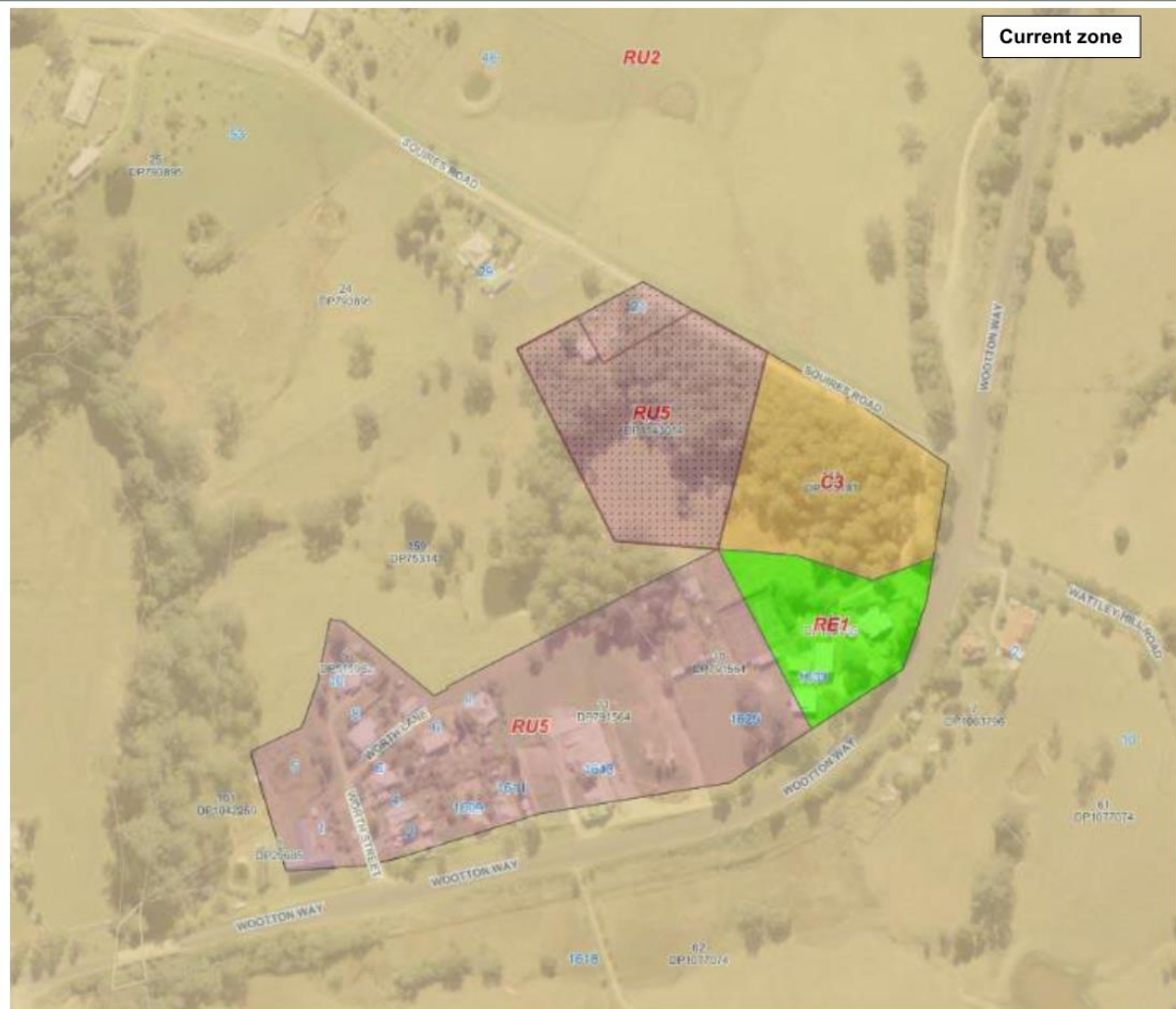
Cundletown – 12 Seaton Park Close (part of Lot 51 DP875391)



Current zone and HOB	Draft MidCoast LEP	Amendment	Status
R5 Large Lot Residential zone with 8.5m height of building and RU1 Primary Production zone with no height of building control (Greater Taree LEP 2010)	R5 Large Lot Residential zone and RU4 Primary Production Small Lots zone with an 8.5m height of building control over the whole site	Remove the height of building control from the land included in the RU4 Primary Production Small Lots zone	This is a mapping error as rural land does not have a height of building control applied

Mapping anomaly

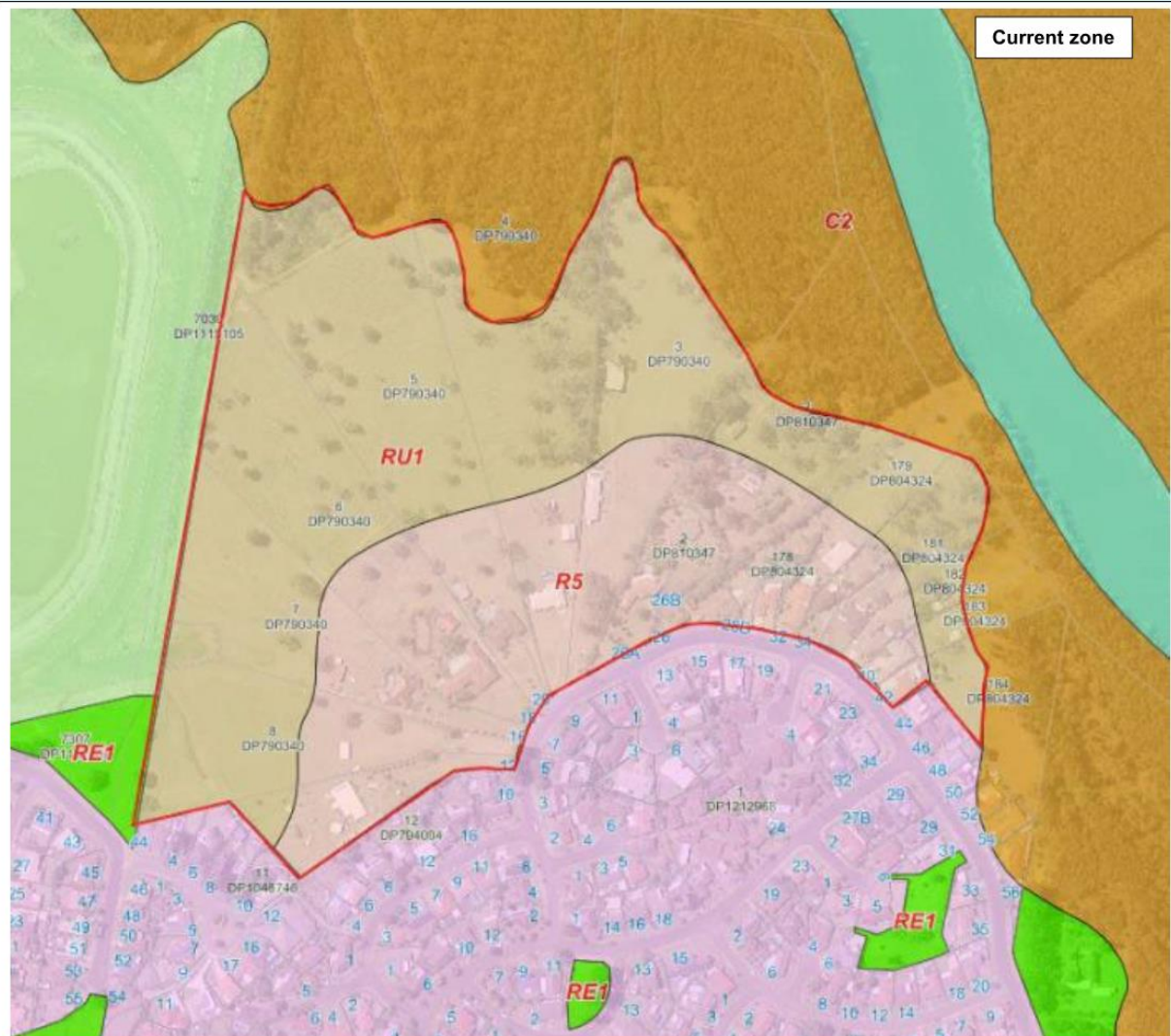
Wootton – Ph Bachelor and 21 Squires Rd (Lot 148 DP1143014 and Lot 163 DP822642)



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU5 Village zone (Great Lakes LEP 2014) with 1,000m ² minimum lot size	RU5 Village zone with a 1.5ha minimum lot size	Amend the minimum lot size to be 1,000m ²	The minimum lot size should be consistent with the current LEP provisions and the other sites included in the RU5 Village zone

Mapping anomaly

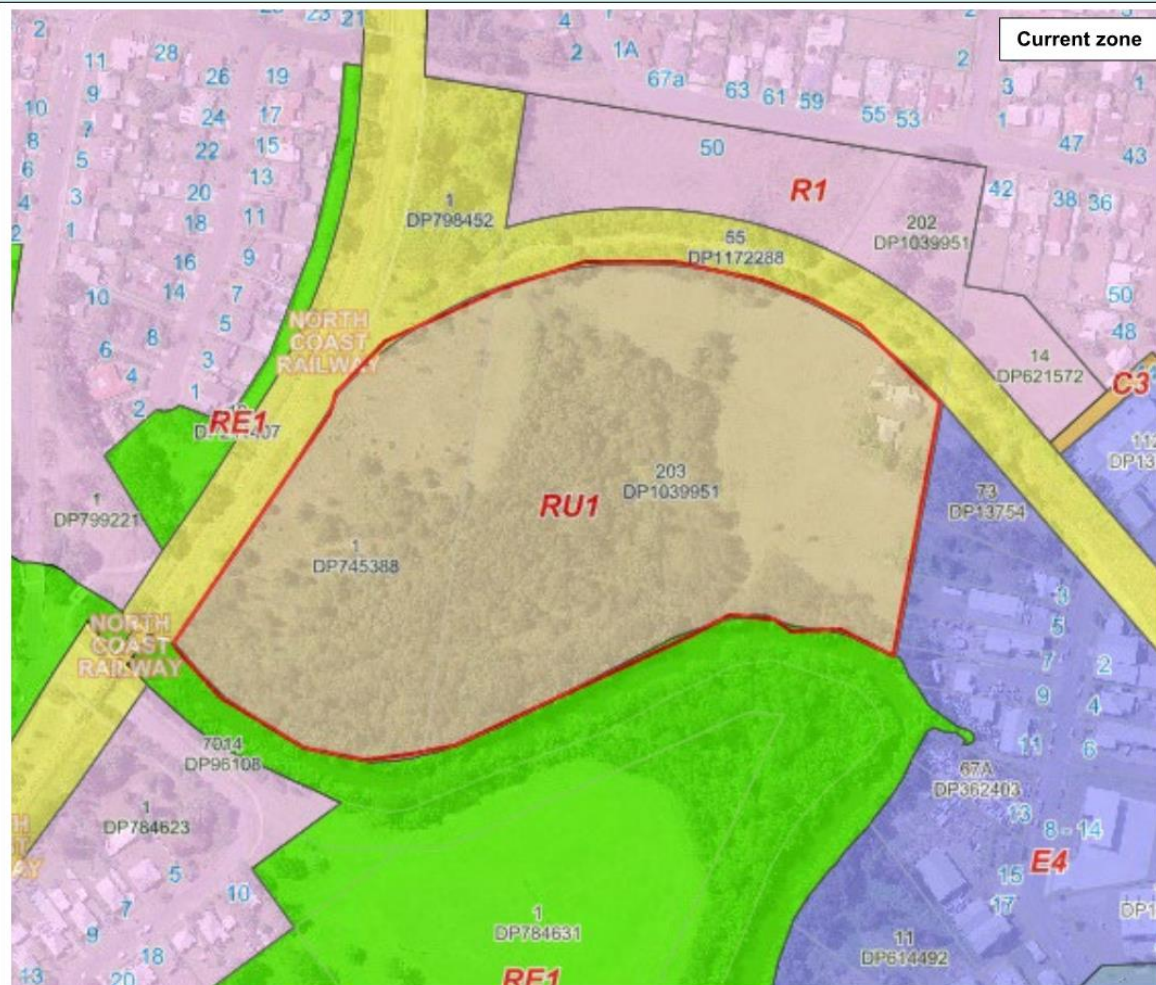
Taree – numerous lots fronting Kurrajong Crescent



Current zone	Draft MidCoast LEP	Amendment	Status
R5 Large Lot Residential zone and RU1 Primary Production zone (Greater Taree LEP 2010)	C4 Environmental Living zone	Amend the minimum lot size to include all sites with 10ha minimum lot size	The RU1 Primary Production zone minimum lot size was not changed to reflect the new C4 Environmental Living minimum lot size being 10ha

Mapping anomaly

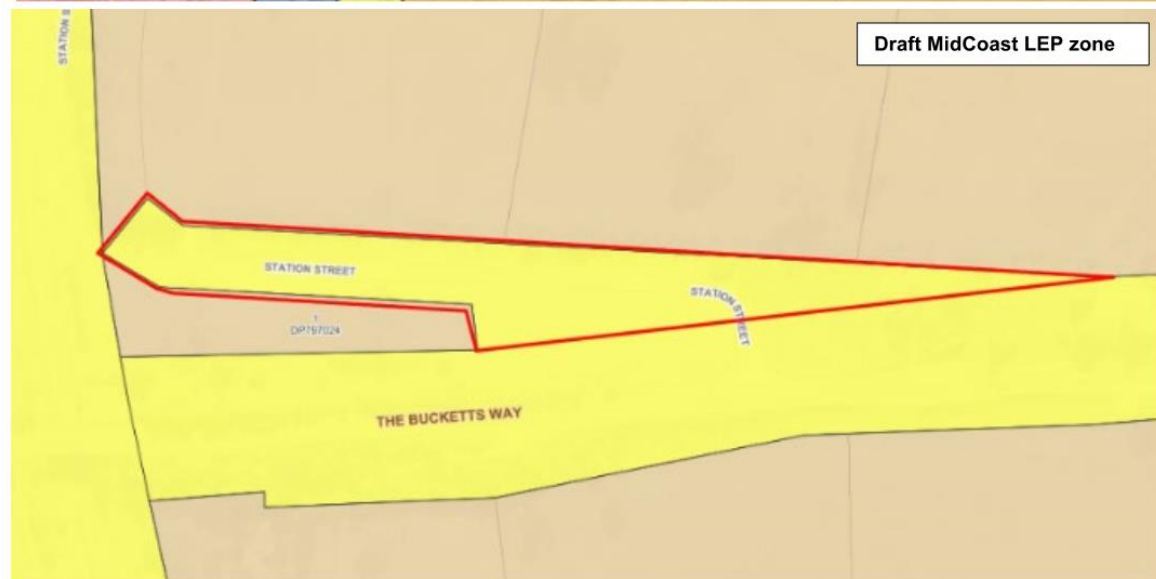
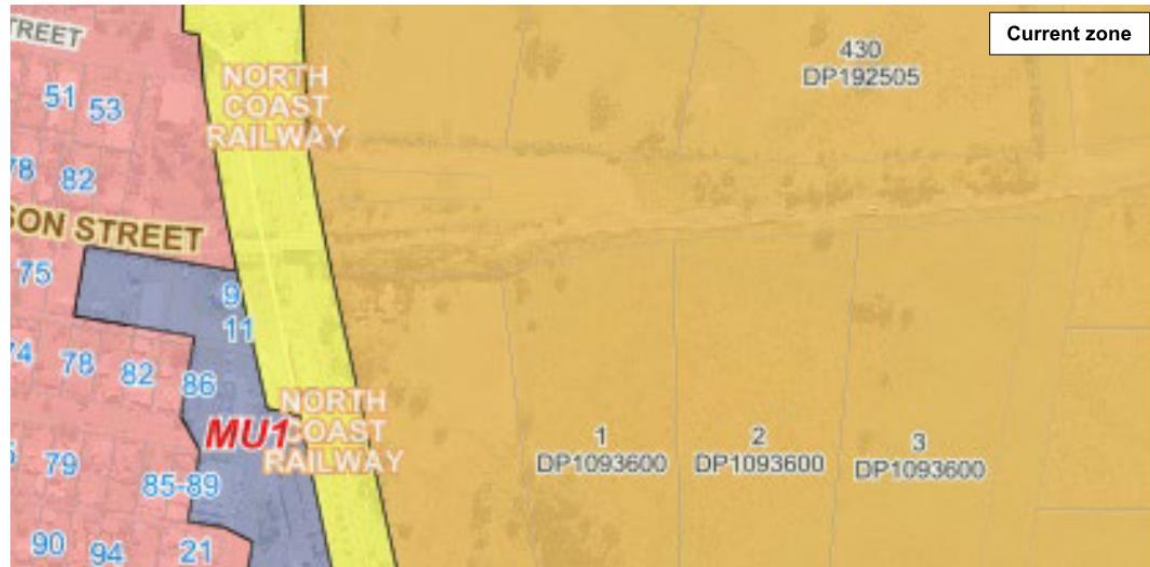
Taree – Bent and Milligan Street (Lot 1 DP745388 and part of Lot 203 DP1039951)



Current zone	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone (Greater Taree LEP 2010)	C4 Environmental Living zone	Amend the minimum lot size to be 10ha	The C4 Environmental Living zone minimum lot size for these lots should be 10ha

Mapping anomaly

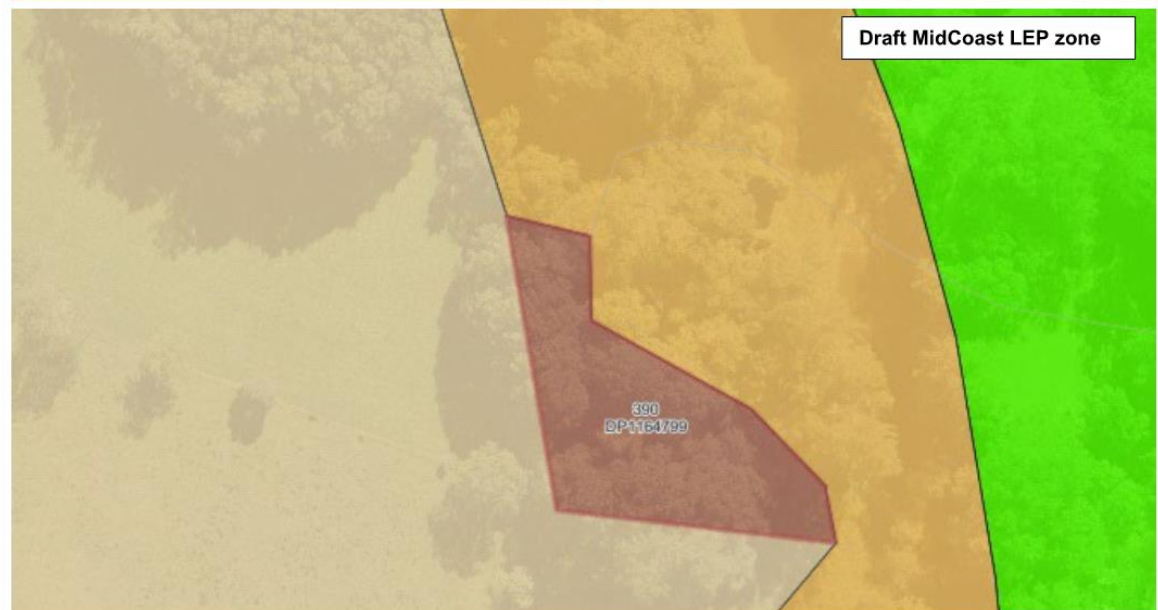
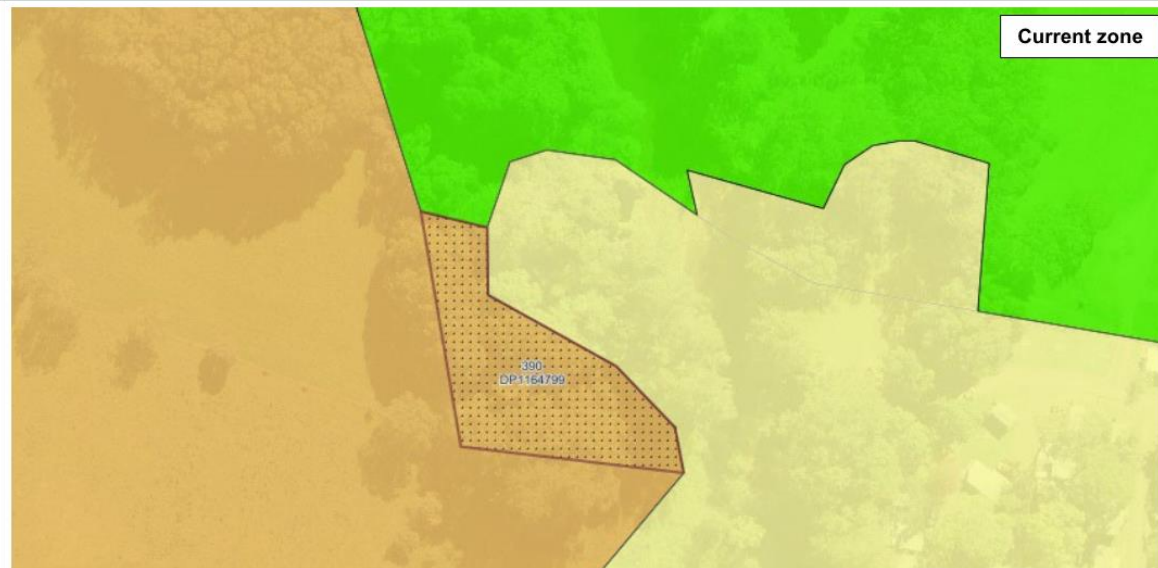
Gloucester – Station Street road reserve



Current zone	Draft MidCoast LEP	Amendment	Status
C3 Environmental Management zone (Gloucester LEP 2010)	SP2 Infrastructure zone	Include road reserve (shown with red outline) in RU1 Primary Production zone	This is a mapping error that occurred when The Bucketts Way was included in the SP2 Infrastructure zone. The road reserve is to be included in the adjoining zone

Mapping anomaly

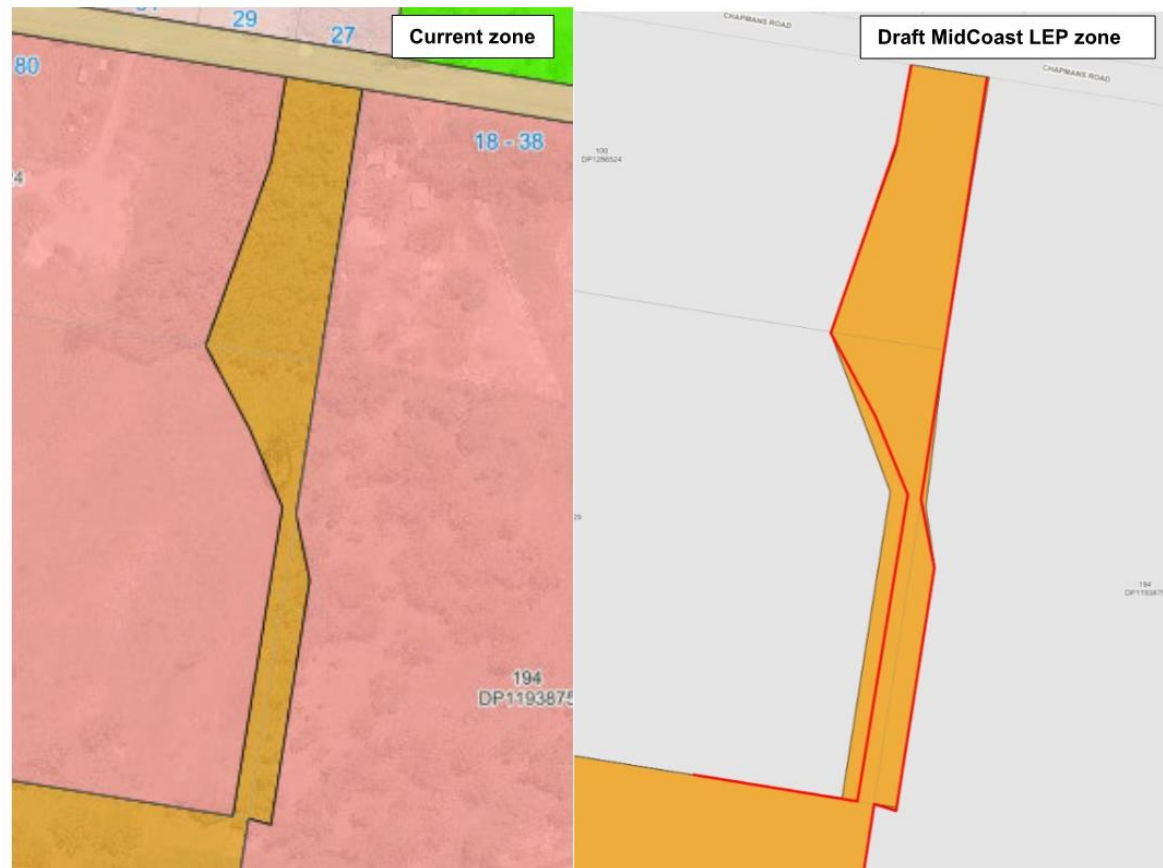
Gloucester – Bucketts Road (Lot 390 DP1164799)



Current zone	Draft MidCoast LEP	Amendment	Status
C3 Environmental Management zone (Gloucester LEP 2010)	RU1 Primary Production zone	Include the land in C3 Environmental Management zone	This is a mapping error. The zone needs to be reinstated to be consistent with the current LEP zoning due to the environmental attributes of the site

Mapping anomaly

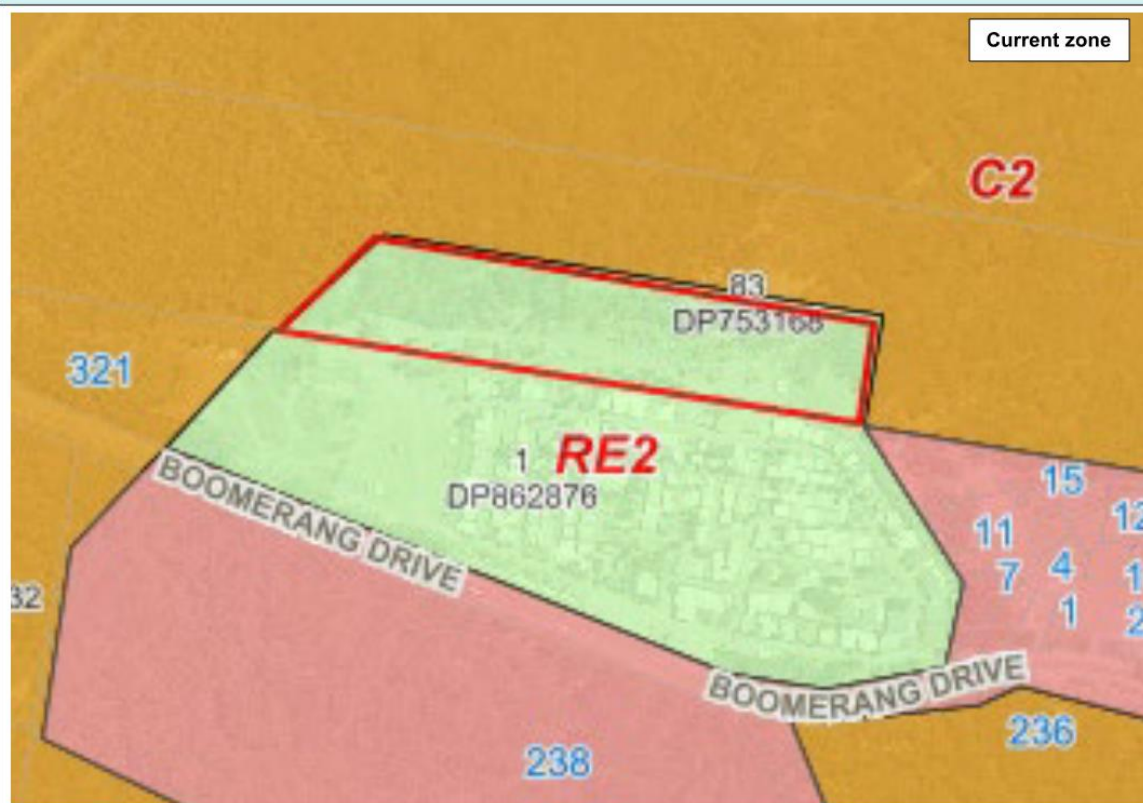
Tuncurry –Chapmans Road (part of Lot 100 DP1286524, part of Lot 194 DP1193875 and part of Lot 11 DP615229)



Current zone	Draft MidCoast LEP	Amendment	Status
C2 Environmental Conservation zone and R2 Low Density Residential zone (Great Lakes LEP 2014)	C2 Environmental Conservation zone and R2 Low Density Residential zone	Adjustment to the extent of the C2 Environmental Conservation zone as indicated by red line above	This is a mapping error. The zone alignment needs to be reinstated to be consistent with the current LEP zoning

Mapping anomaly

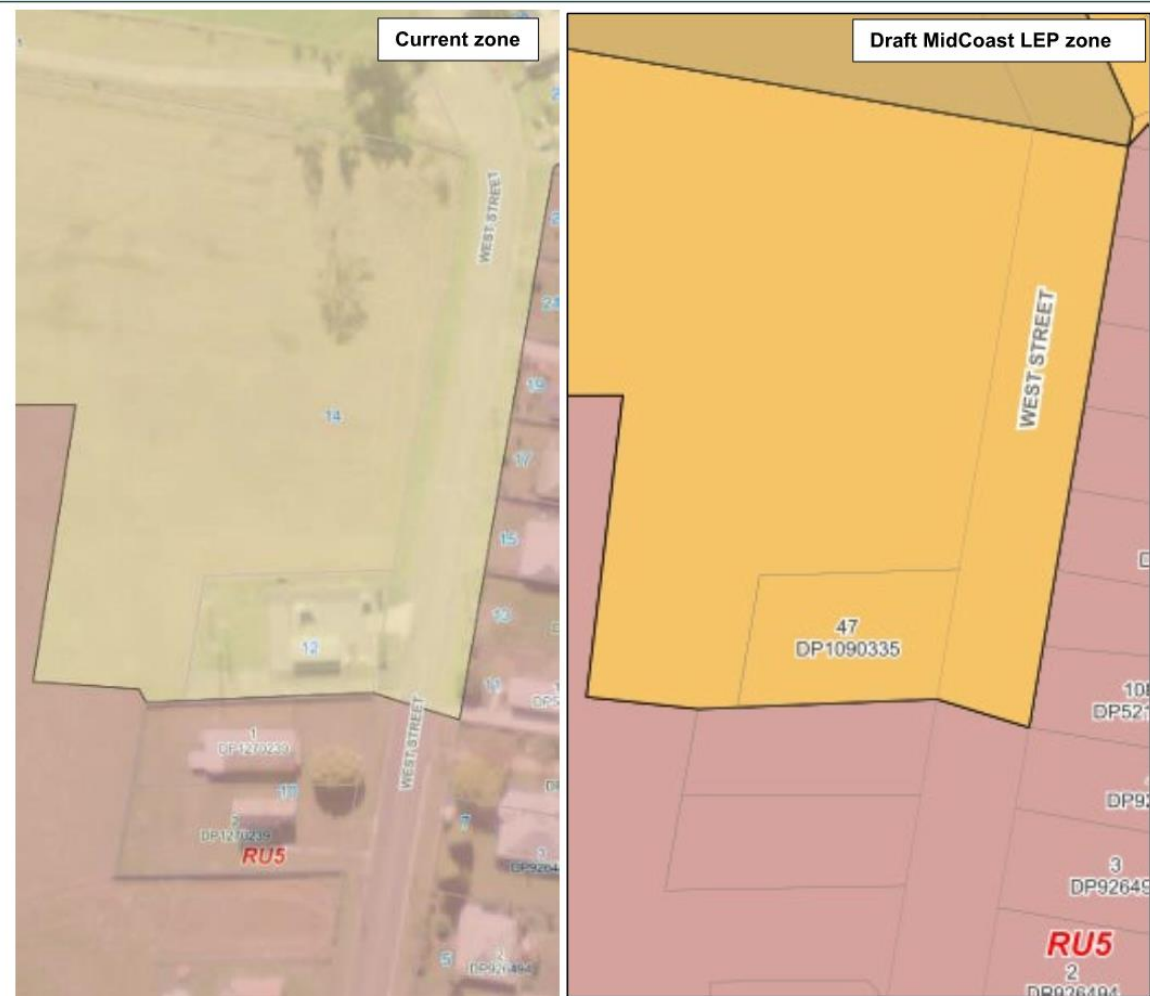
Boomerang Beach – 3801 The Lakes Way (part of Lot 83 DP753168)



Current zone	Draft MidCoast LEP	Amendment	Status
RE2 Private Recreation zone (Great Lakes LEP 2014)	C2 Environmental Conservation zone	Include the land in RE2 Private Recreation zone	This is a mapping error. The zone needs to be reinstated to the RE2 Private Recreation zone to be consistent with the current LEP and legal decision

Mapping anomaly

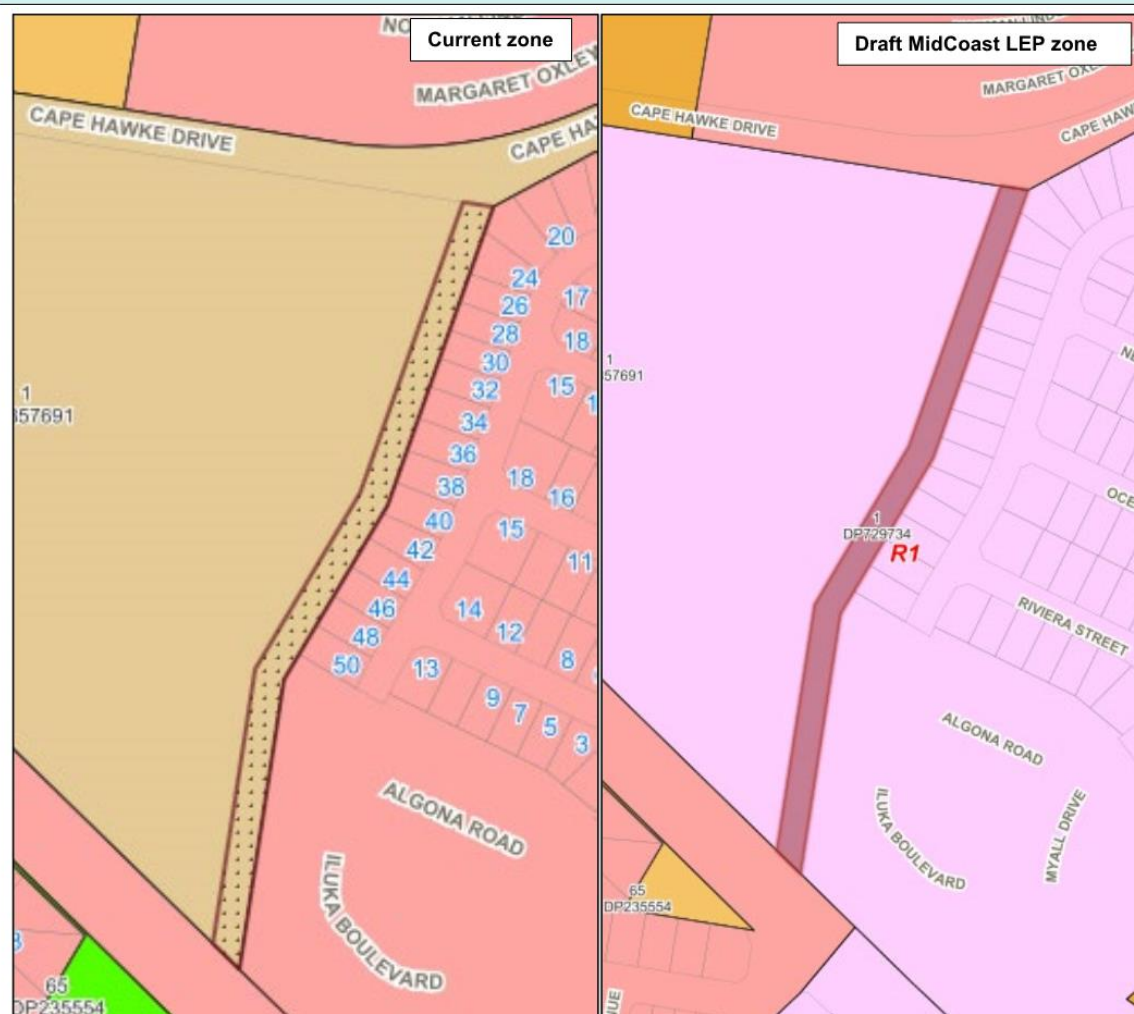
Coopernook – northern boundary of RU5 Village zone as shown below



Current zone	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production and RU5 Village zone (Greater Taree LEP 2010)	C3 Environmental Management and RU5 Village zone	Adjust the RU5 Village zone boundary to be consistent with zone current boundary	This is a mapping error. The zone alignment needs to be reinstated to be consistent with the current LEP zoning

Mapping anomaly

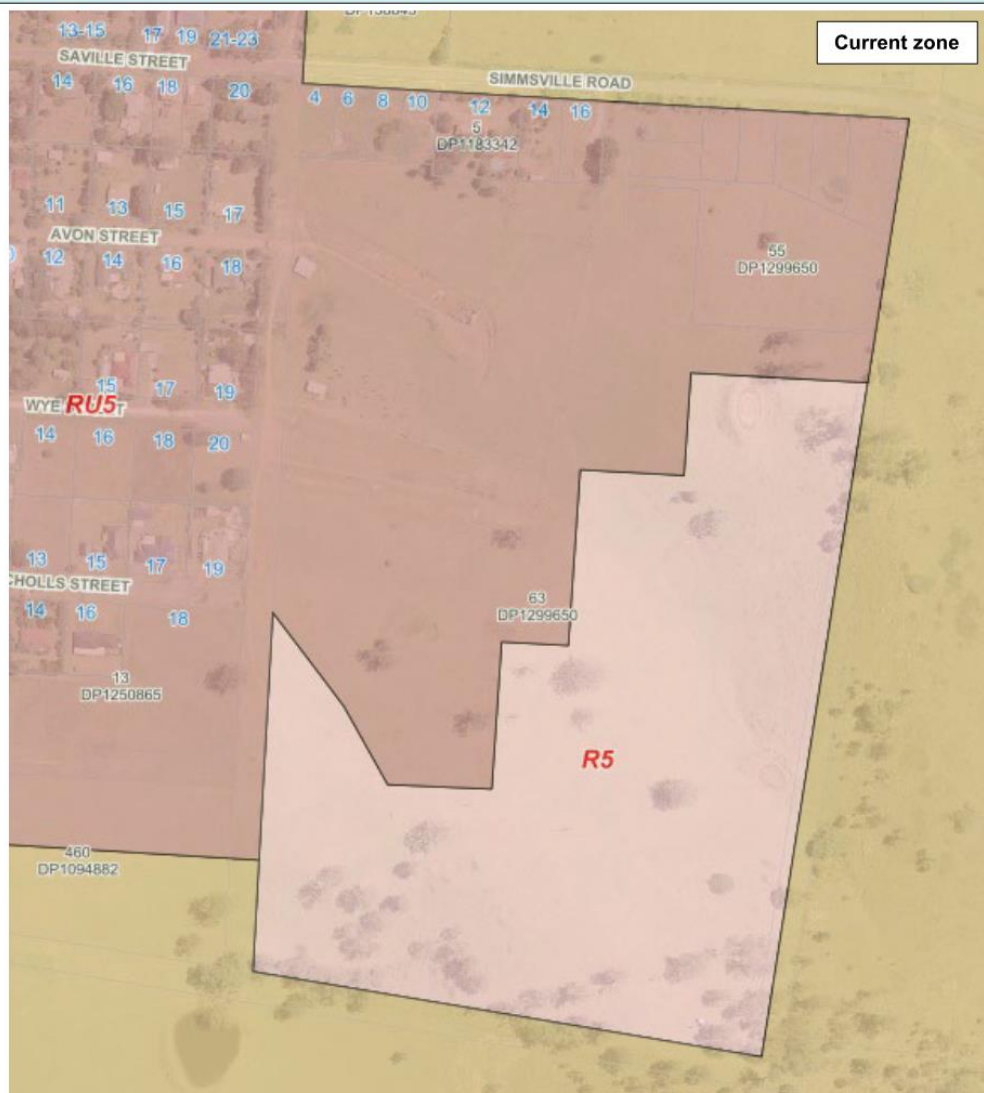
Forster – 190 Cape Hawke Drive (Lot 1 DP729734)



Current zone	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone (Great Lakes LEP 2014)	R1 General Residential zone	Include site in C3 Environmental Management zone	When the adjoining school was placed in a residential zone, this site incorrectly took on an urban zone. The C3 Environmental Management zone will provide a buffer between the school and residential estate

Mapping anomaly

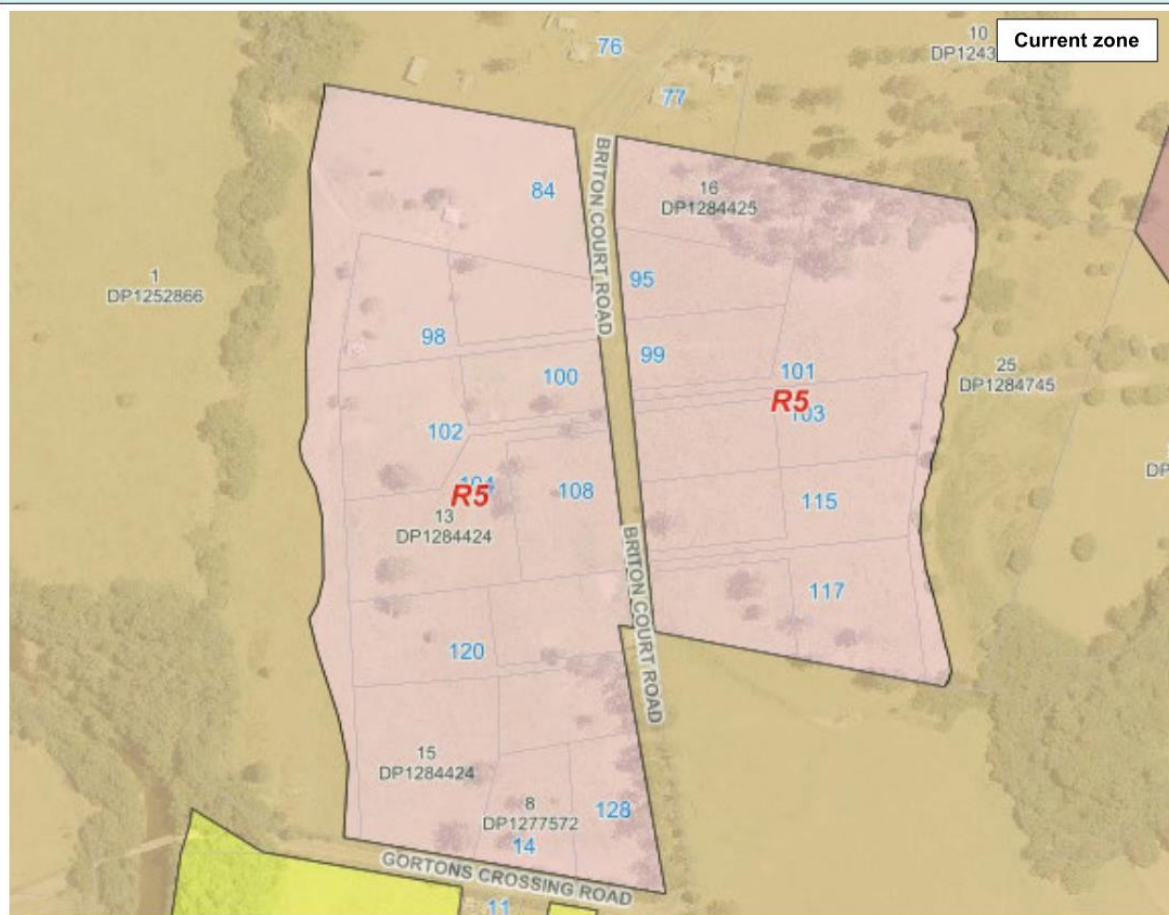
Stroud – Simmsville Road (part of Lot 63 DP1299650)



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
R5 Large Lot Residential zone with a minimum lot size of 1ha (Great Lakes LEP 2014)	R5 Large Lot Residential zone with a minimum lot size of 1.5ha	Amend the minimum lot size to be 1ha	This is a mapping error. The 1ha minimum lot size needs to be reinstated to be consistent with the current LEP

Mapping anomaly

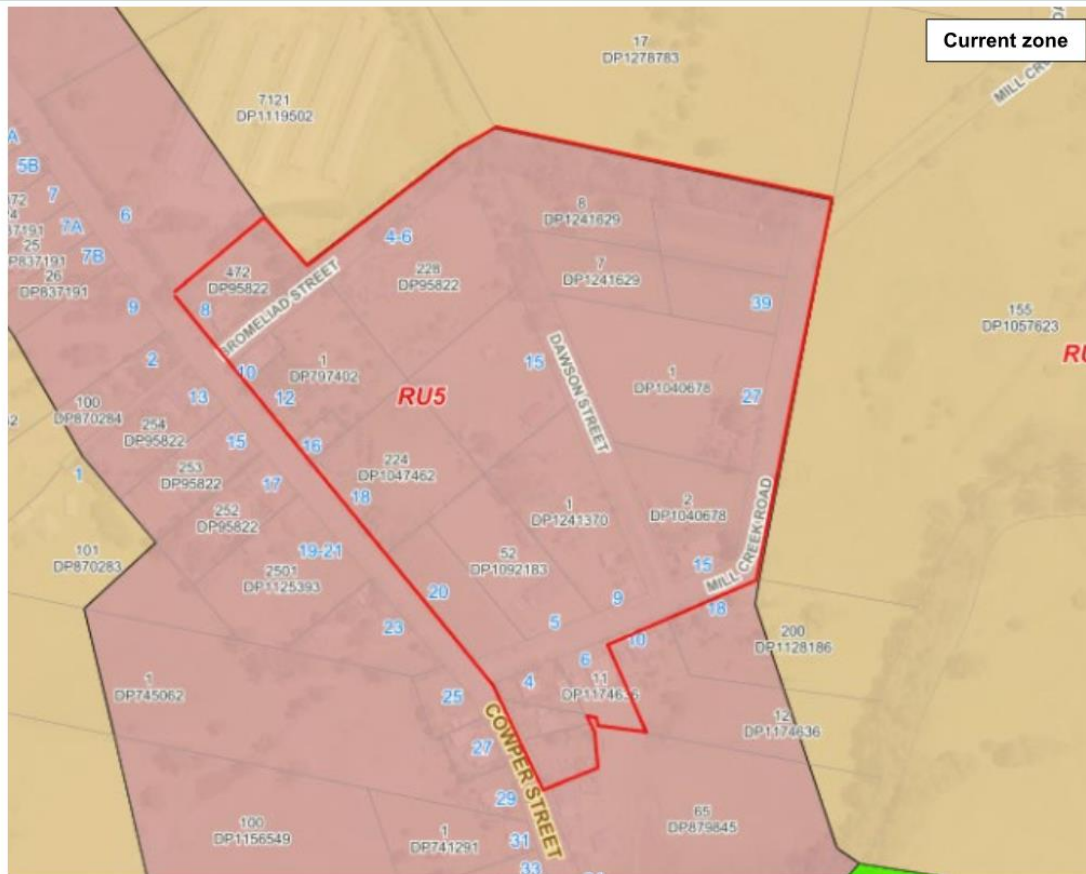
Stroud – Britton Court Road (DP1284424 & DP1284745)



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
R5 Large Lot Residential zone with a minimum lot size of 8,000m ² (Great Lakes LEP 2014)	R5 Large Lot Residential zone with a minimum lot size of 1.5ha	Amend the minimum lot size to be 8,000m ²	This is a mapping error. The 8,000m ² minimum lot size needs to be reinstated to be consistent with the current LEP

Mapping anomaly

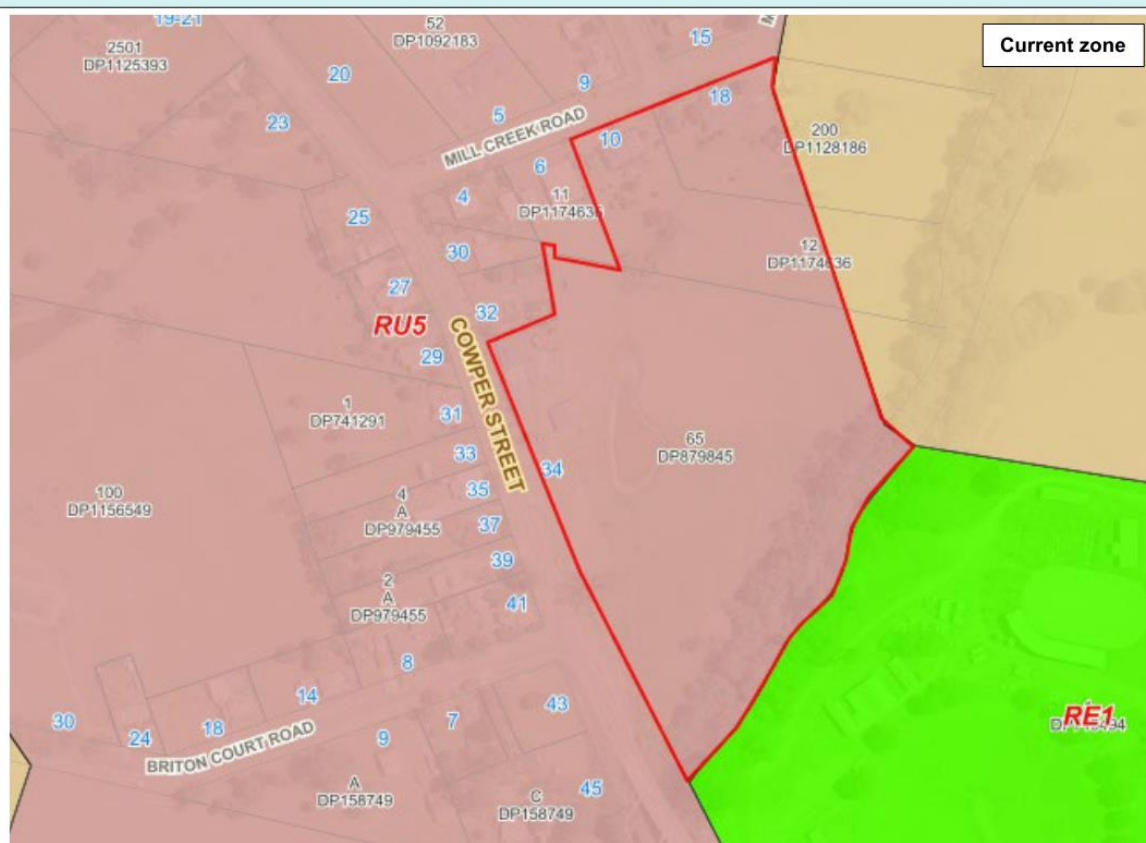
Stroud – Cowper Street, Mill Creek Road, Bromeliad Street and Dawson Street



Current zone and NLS	Draft MidCoast LEP	Amendment	Status
RU5 Village zone with a minimum lot size of 1,000m ² (Great Lakes LEP 2014)	R5 Large Lot Residential zone with a minimum lot size of 1.5ha	Include the site in the RU5 Village zone and amend the minimum lot size to be 1,000m ²	This is a mapping error. The RU5 Village zone and minimum lot size needs to be reinstated to be consistent with the current LEP

Mapping anomaly

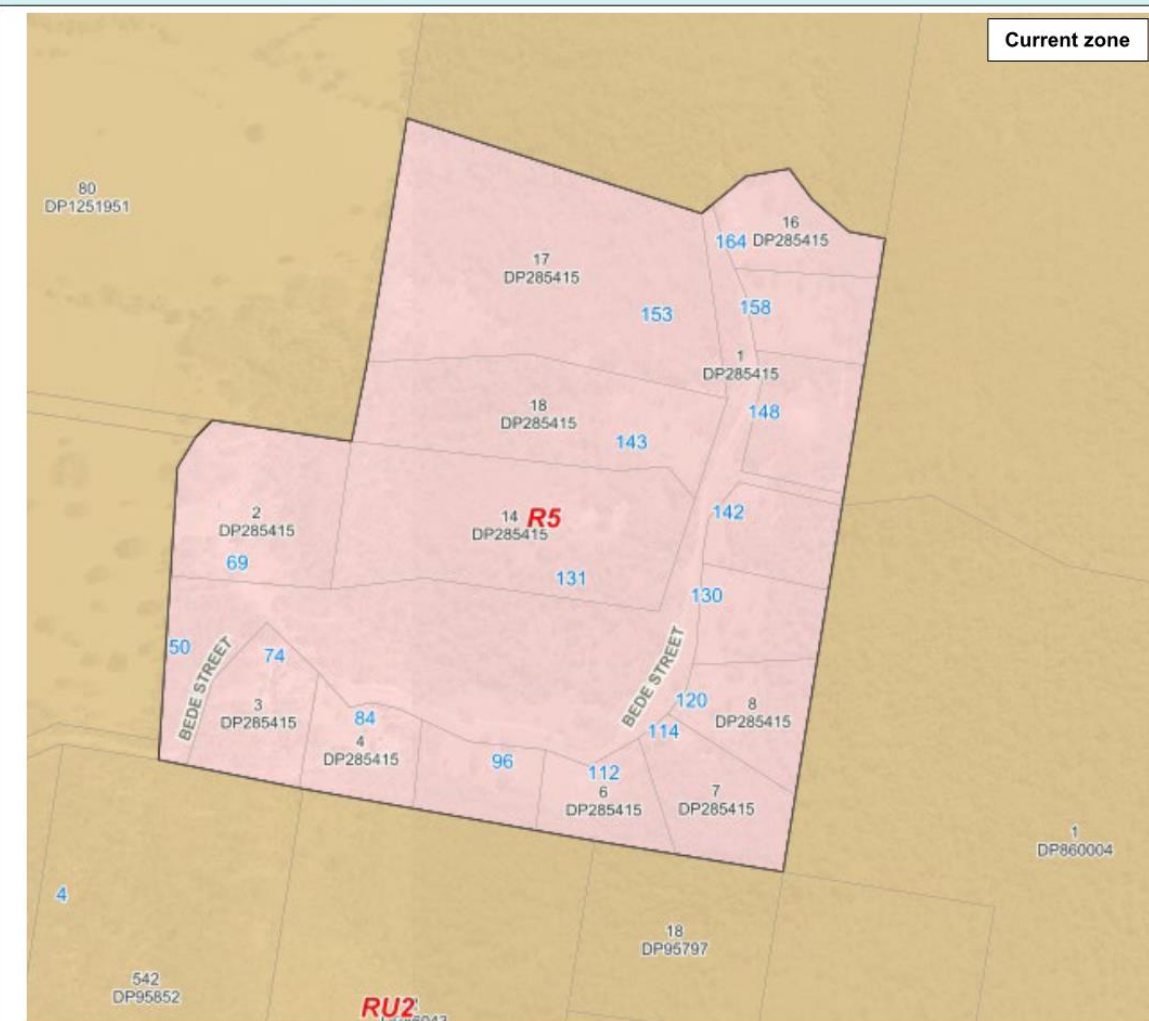
Stroud – Cowper Street and Mill Creek Road



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU5 Village zone with a minimum lot size of 1,000m ² (Great Lakes LEP 2014)	R5 Large Lot Residential zone with a minimum lot size of 1.5ha	Amend the minimum lot size to be 1ha	This is a mapping error. The minimum lot size needs to be amended to 1ha to be consistent with the site constraints, values and services

Mapping anomaly

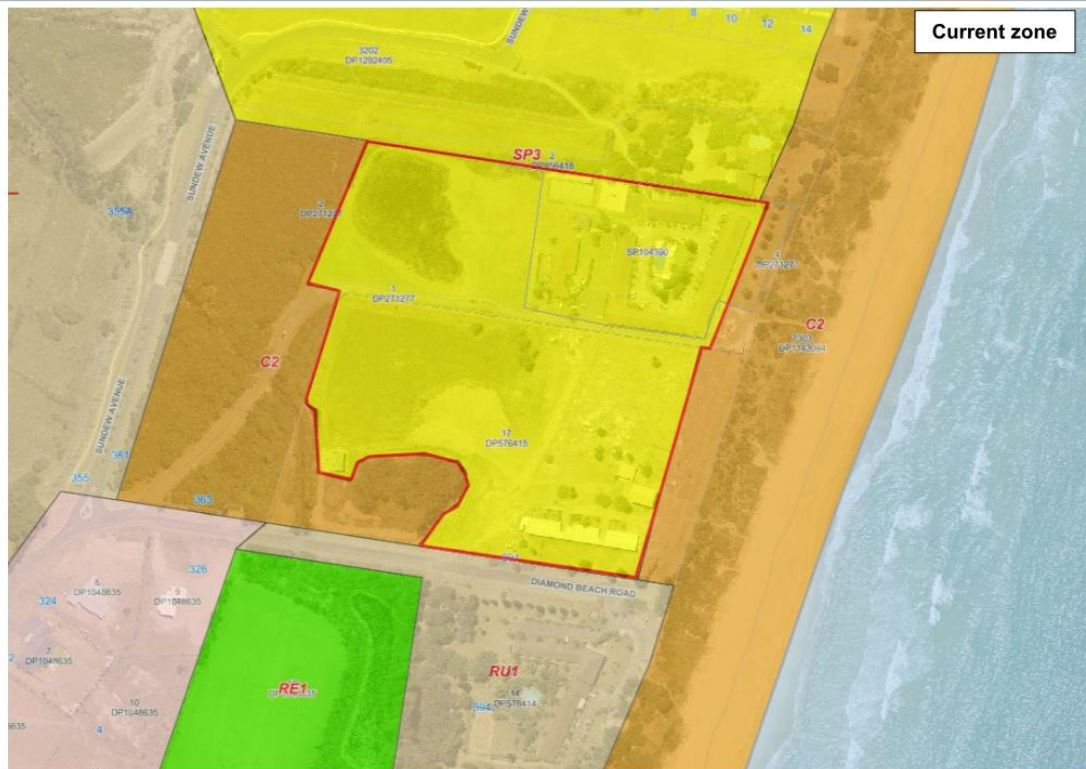
Stroud – Bede Street



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
R5 Large Lot Residential zone with a minimum lot size of 1ha (Great Lakes LEP 2014)	R5 Large Lot Residential zone with a minimum lot size of 1.5ha	Amend the minimum lot size to be 1ha	This is a mapping error. The minimum lot size needs to be reinstated to be consistent with the current LEP

Mapping anomaly

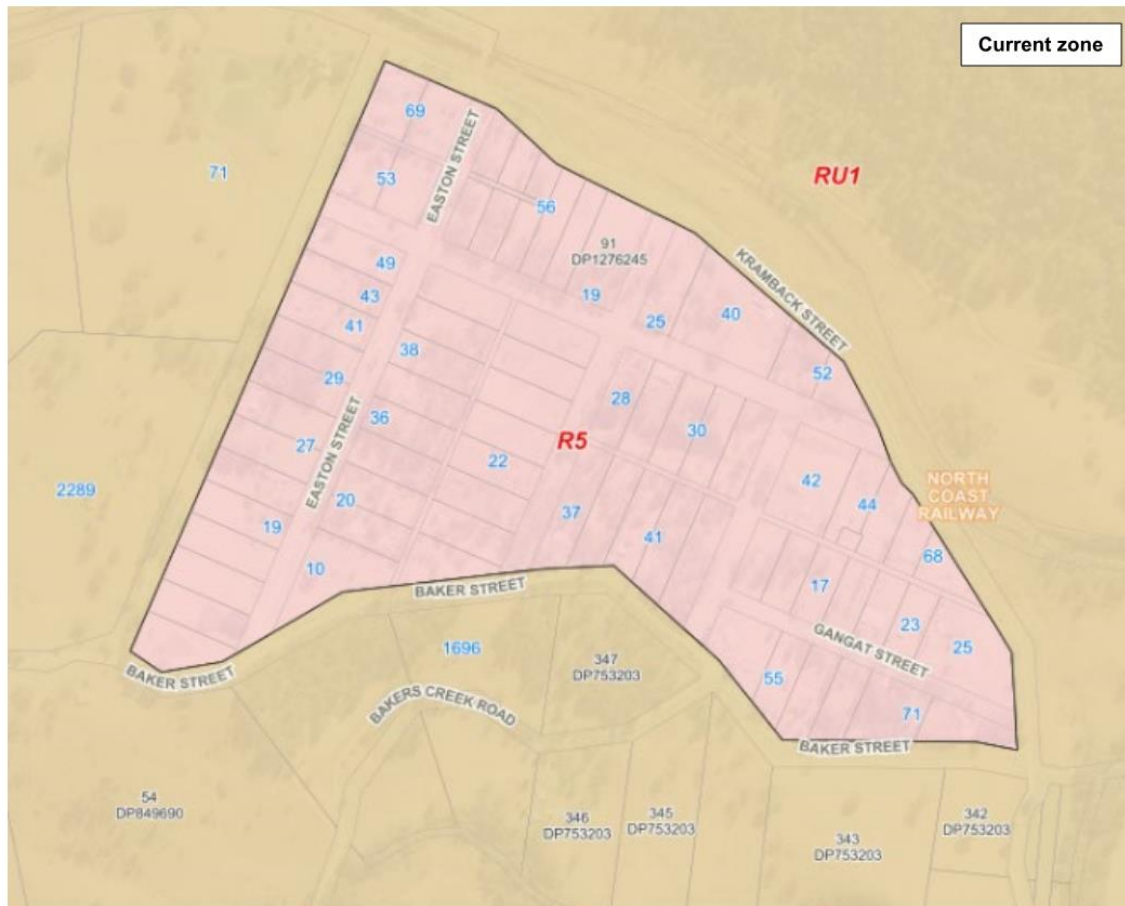
Diamond Beach – 363-391 Diamond Beach Road (part of Lot 2 DP271277, part of SP1043390, part of Lot 1 DP241277 and part of Lot 17 DP576415)



Current zone and maximum height of building	Draft MidCoast LEP	Amendment	Status
SP Infrastructure zone with a minimum lot size of 11.5m (Greater Taree LEP 2010)	SP Infrastructure zone with a minimum lot size of 11.5m	Amend the height of building to be 12m	This is a mapping error. The height of building was consolidated from 11.5m to be 12m across the MidCoast. This is the only remaining location with 11.5m

Mapping anomaly

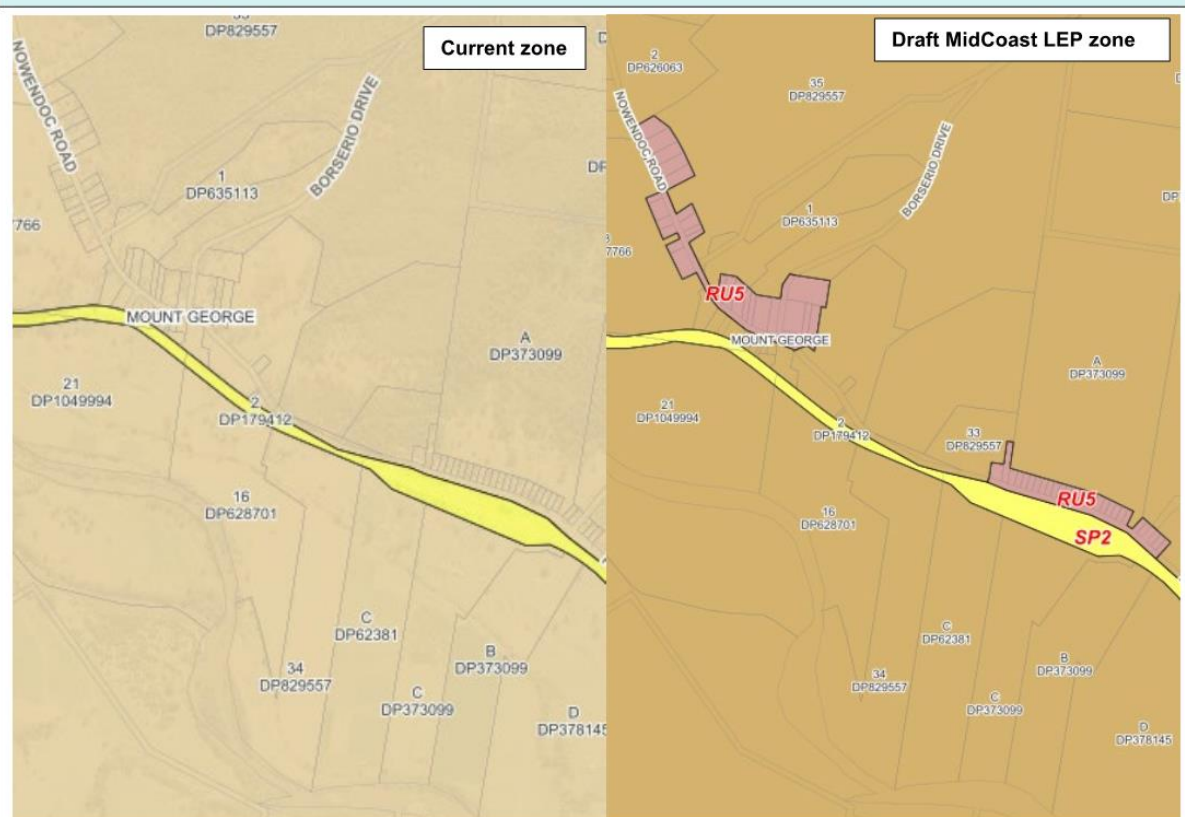
Bundook village



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
R5 Large Lot Residential zone with a minimum lot size of 8,000m ² (Gloucester LEP 2010)	RU5 Village zone with a minimum lot size of 8,000m ²	Amend the minimum lot size to be 1.5ha	This is a mapping error. The site has been included in the RU5 Village zone but the minimum lot size was not amended to reflect the principles the MidCoast Housing Strategy

Mapping anomaly

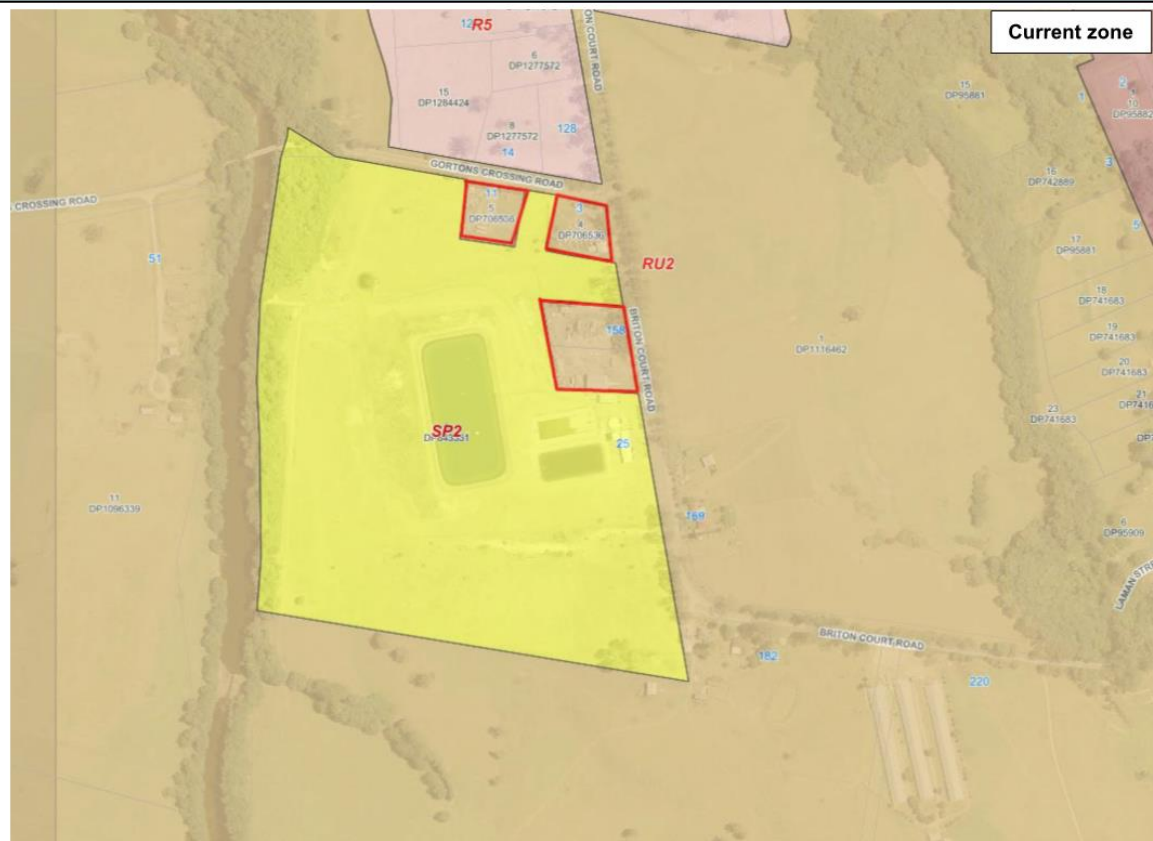
Mount George village



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone with a minimum lot size of 40ha (Greater Taree LEP 2010)	RU5 Village zone with a minimum lot size of 4,000m ²	Amend the minimum lot size to be 1.5ha	This is a mapping error. The site has been included in the RU5 Village zone but the minimum lot size was not amended to reflect the principles the MidCoast Housing Strategy

Mapping anomaly

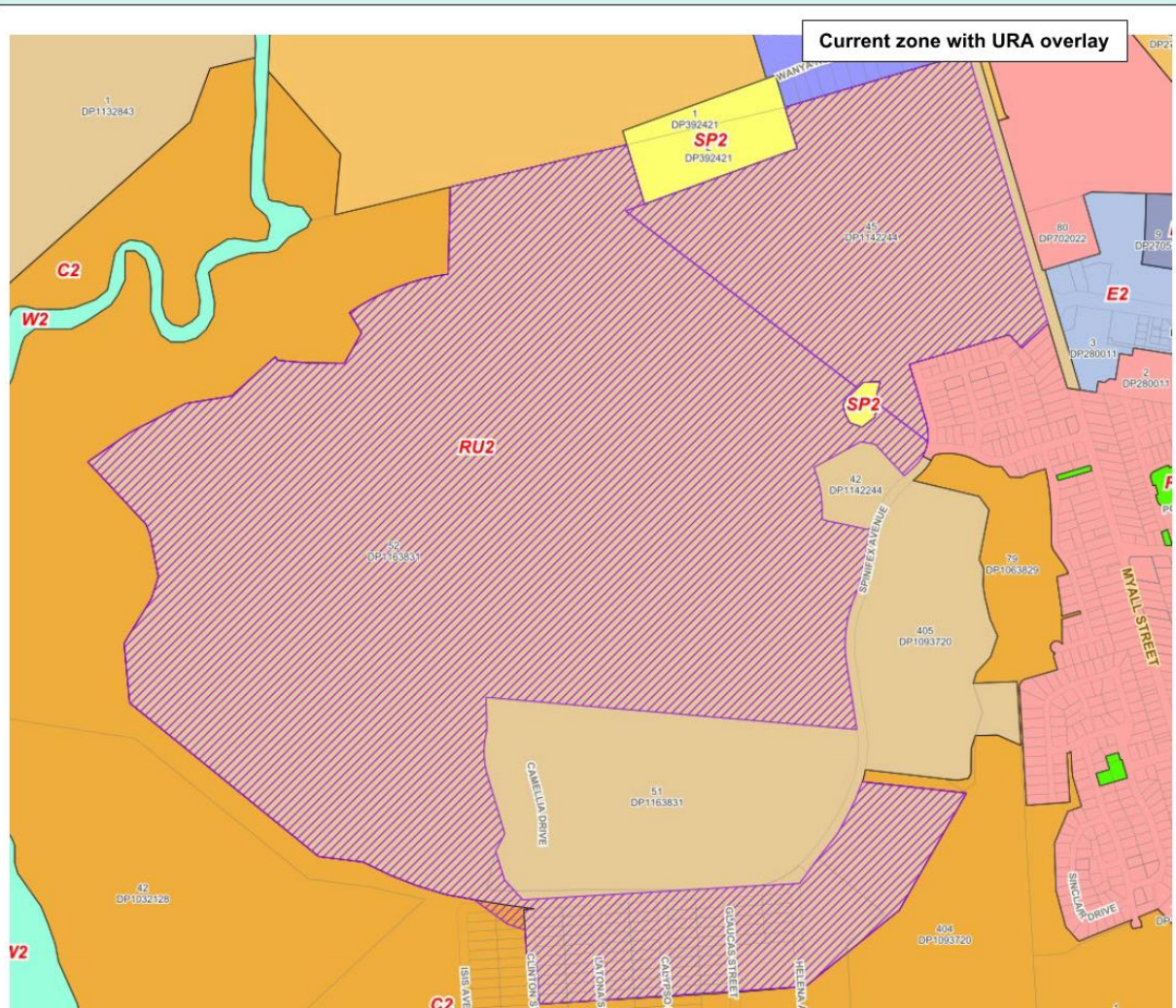
Stroud - Gortons Crossing Road (sites shown with red outline)



Current zone	Draft MidCoast LEP	Amendment	Status
RU2 – Rural Landscape zone (Great Lakes LEP 2014)	E4 General Industrial zone	Include the sites (shown with red outline) in the RU4 Primary Production Small Lots zone.	This is a mappng error. The sites need to be reinstated to a rural zone consistent with the current LEP

Mapping anomaly

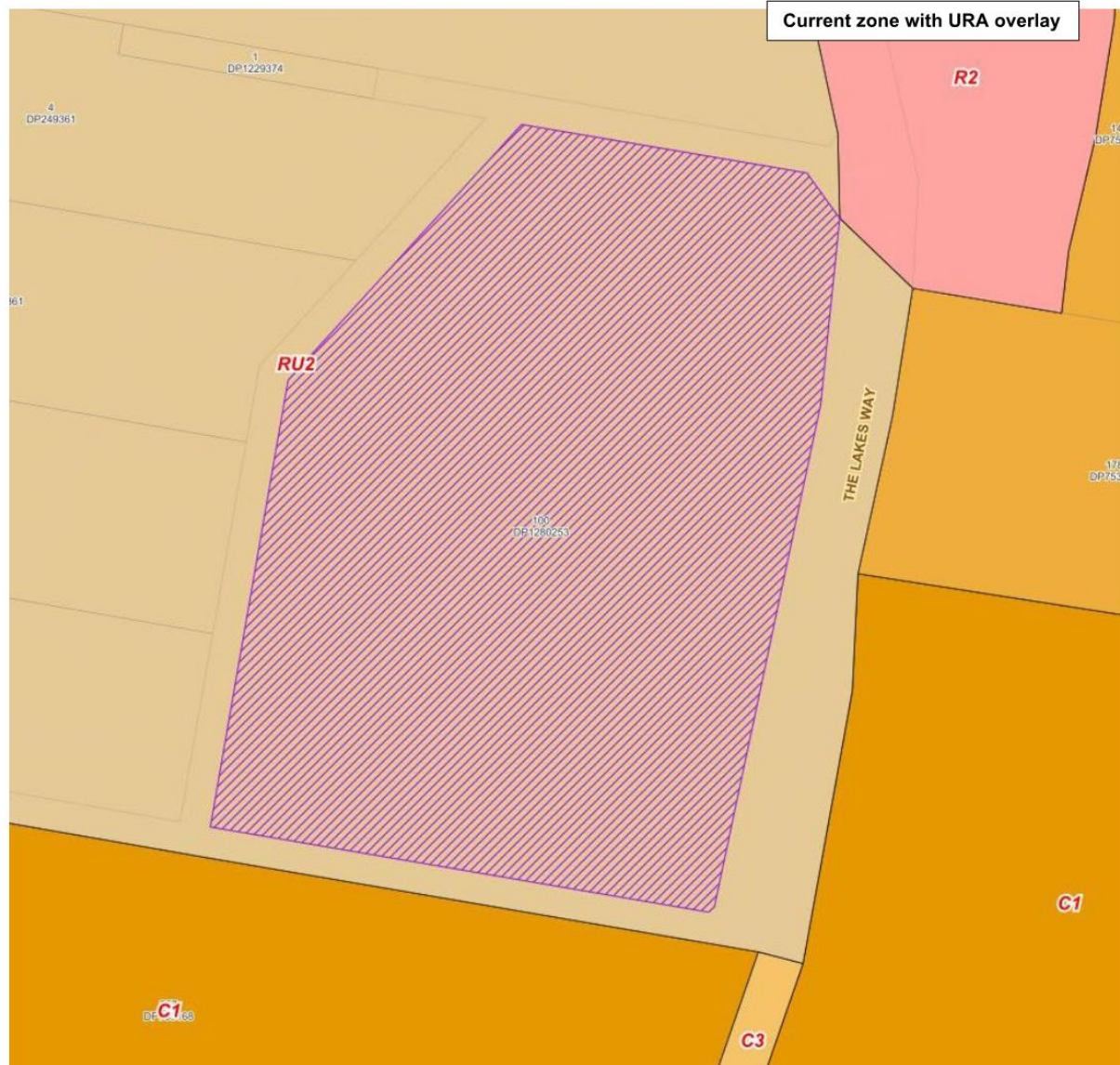
Tea Gardens – Myall Way & Spinifex Avenue (Lot 45 DP1142244 & Lot 52 DP1163831)



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone with a minimum lot size of 40ha (Great Lakes LEP 2014)	RU4 Primary Production Small Lots zone with a minimum lot size of 40ha on the southern portion and 20ha on the northern portion	Amend the minimum lot size to be 40ha over the whole urban release area	This is a mapping error. The minimum lot size should be consistent with the current LEP

Mapping anomaly

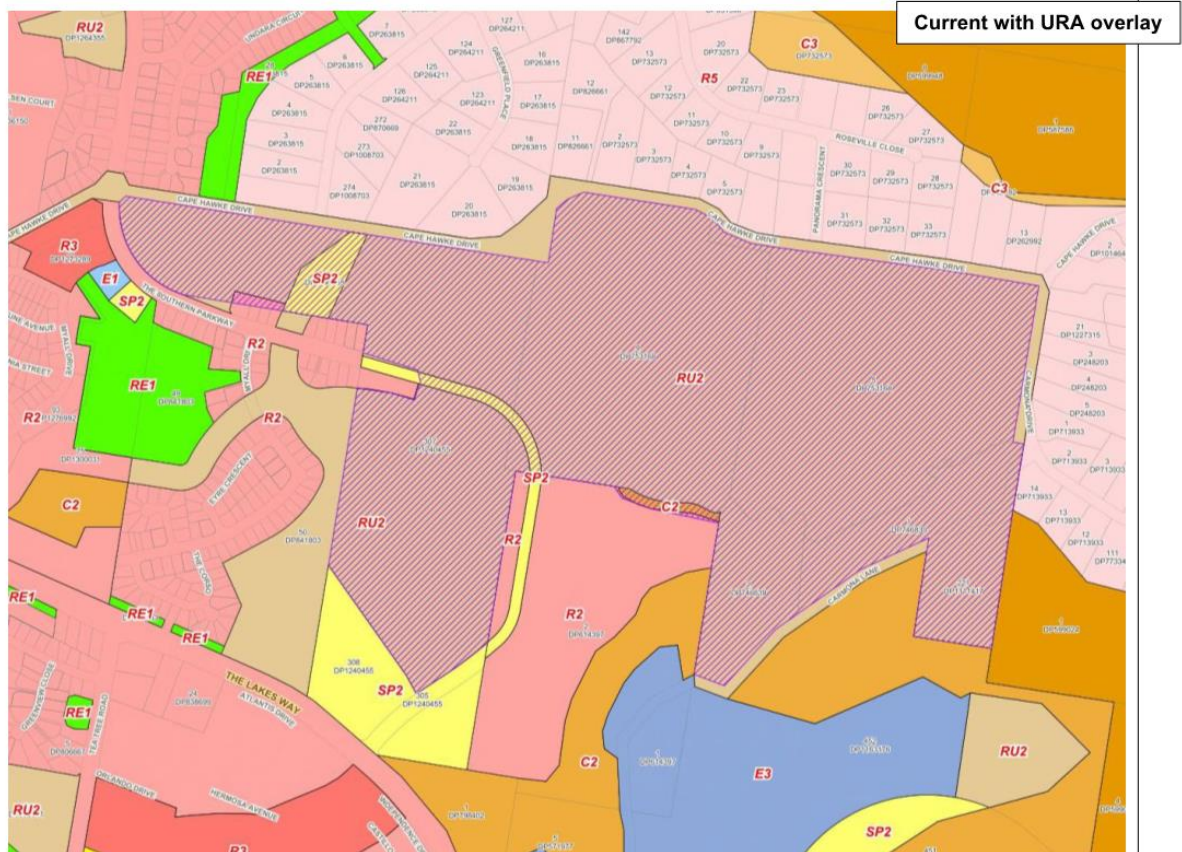
Forster – The Lakes Way (Lot 100 DP1280253)



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone with a minimum lot size of 40ha (Great Lakes LEP 2014)	RU4 Primary Production Small Lots zone with a minimum lot size of 20ha	Amend the minimum lot size to be 40ha	This is a mapping error. The minimum lot size should be consistent with the current LEP

Mapping anomaly

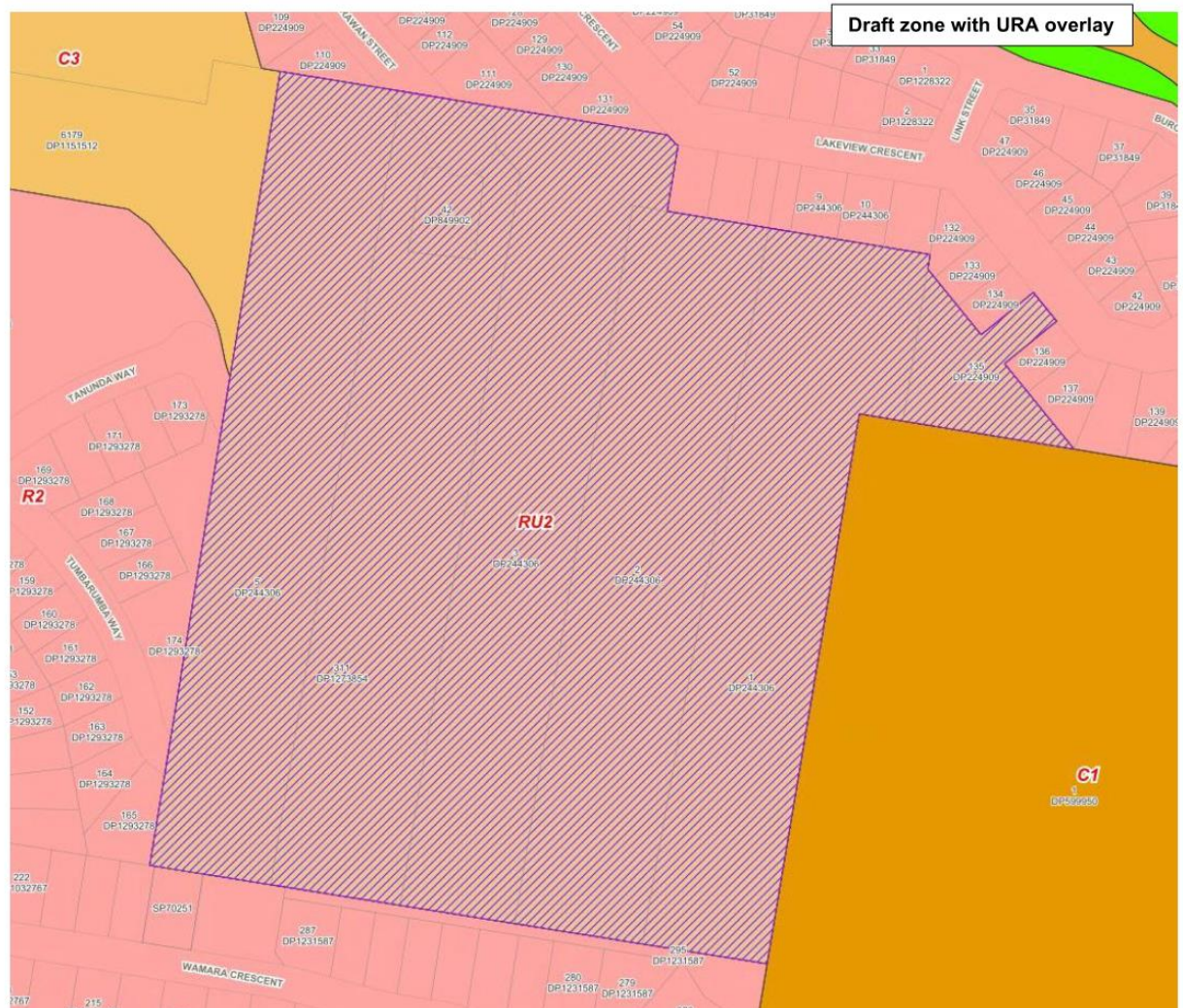
Forster – The Southern Parkway, Carmona Lane, Cape Hawke Drive (Lot 307, 5, 9 DP1240455, Lots 1 & 2 DP746839, Lot 221 DP1111417)



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone with a minimum lot size of 3ha, 15ha, 40ha (Great Lakes LEP 2014)	RU4 Primary Production Small Lots zone with a minimum lot size of 3ha, 15ha, 20ha, 40ha	Amend the minimum lot size to reflect the current minimum lot size in the Great Lakes LEP 2014. With the exception that the 15ha minimum lot size be amended to be 20ha.	This is a mapping error. The minimum lot size should be consistent with the current LEP. The exception is the 15ha minimum lot size. This lot size is only applied on this site. In order to consolidate the minimum lot sizes across the MidCoast, it is proposed to increase this to 20ha

Mapping anomaly

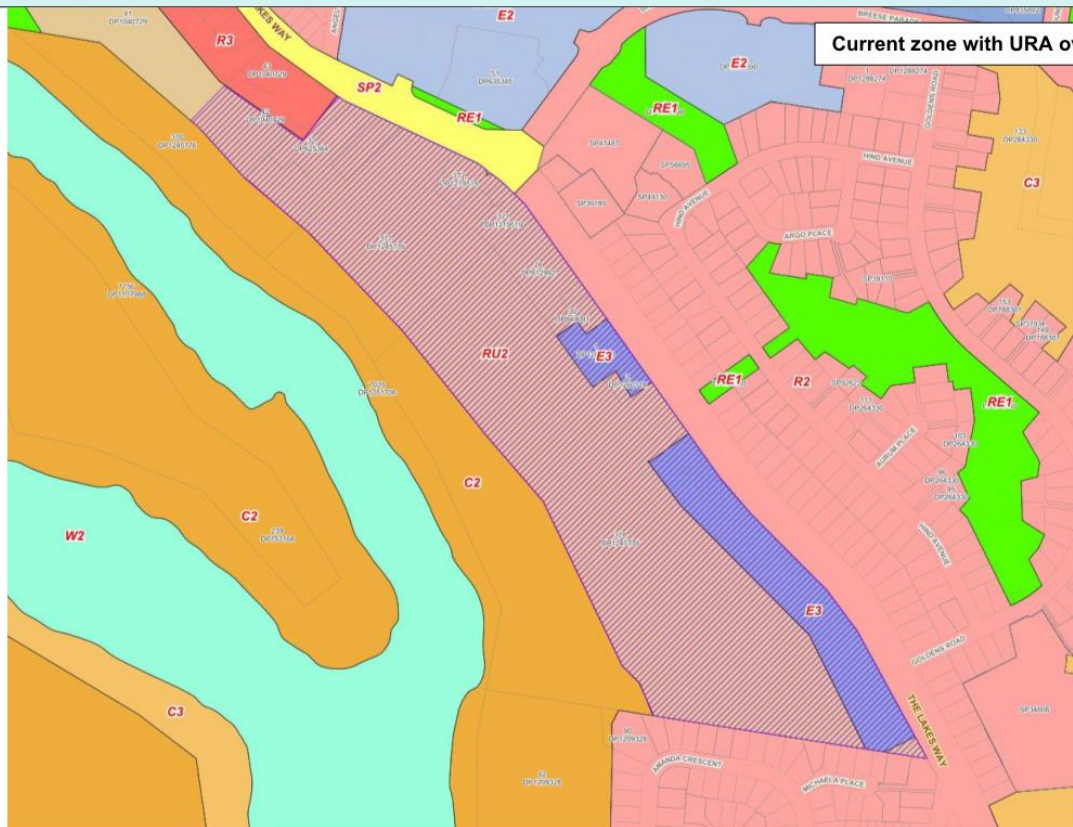
Forster – Lakeview Crescent, Tanunda Way, Tumbarumba Way (Lots 1, 2, 3, 5 DP244306, Lot 42 DP849902, Lot 135 DP224909, Lot 311 DP1273854)



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone with a minimum lot size of 40ha (Great Lakes LEP 2014)	RU4 Primary Production Small Lots zone with a minimum lot size of 20ha	Amend the minimum lot size to be 40ha	This is a mapping error. The minimum lot size should be consistent with the current LEP

Mapping anomaly

Forster – The Lakes Way (Lots 32 and 33 DP 625364, Lots 376, 377 & 378 DP1245776, Lots 371 and 372 DP1219519, Lots 2 and 3 DP654559, Lot 28 DP812992, Lot 30 DP849091, Lots 9, 11 DP22631, Lot 2 DP1260118)



Current zone and MLS	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone with a minimum lot size of 40ha (Great Lakes LEP 2014)	RU4 Primary Production Small Lots zone with a minimum lot size of 20ha	Amend the minimum lot size of the land in the rural zone to be 40ha	This is a mapping error. The minimum lot size should be consistent with the current LEP

16.4. DRAFT MIDCOAST LOCAL ENVIRONMENTAL PLAN - CONSULTATION STRATEGY

REPORT INFORMATION

Report Author	Sue Calvin - Senior Land Use Planner
Date of Meeting	20 March 2024
Authorising Director	Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report seeks Council's endorsement of the consultation approach for the draft MidCoast Local Environmental Plan.

RECOMMENDATION

That Council adopt the Draft MidCoast Local Environmental Plan Consultation Strategy provided in Attachment 1.

FINANCIAL / RESOURCE IMPLICATIONS

Consultation on the draft MidCoast Local Environmental Plan (referred to as 'draft MidCoast LEP') will be undertaken within existing budgets.

LEGAL IMPLICATIONS

Consultation on the draft MidCoast LEP will be undertaken in accordance with relevant NSW Government planning legislation, policies and guidelines.

RISK IMPLICATIONS

Given changes are proposed to many of the planning controls, there is a risk if we do not provide consultation opportunities across the whole MidCoast and with key stakeholders.

BACKGROUND

The draft MidCoast LEP aims to provide one set of planning controls for the MidCoast. This plan will replace the Gloucester, Great Lakes and Greater Taree Local Environmental Plans.

The draft MidCoast LEP will provide a common set of objectives, land use tables and planning provisions for land across the MidCoast. The draft MidCoast LEP draws upon the most up-to-date planning controls applied across regional NSW, will bring more consistency to planning controls and assist in reducing the complexity of the existing local planning framework.

The purpose of this report is to outline the consultation strategy to be used for the draft MidCoast LEP.

DISCUSSION

Extensive consultation has been undertaken since 2019 to inform the development of the draft MidCoast LEP. The approach involved developing and consulting on the Housing Strategy and Rural Strategy prior to preparing the draft MidCoast LEP. Key consultation stages include:

- Know Your Urban Zone consultation from 5 February 2020 until 9 April 2020
- Know Your Rural Zone consultation from 30 August 2021 until 28 January 2022

This next stage of consultation brings together the urban and rural planning provisions into one community consultation stage, involving the whole MidCoast. We have been building up a picture of what the planning controls may look like and making changes based on previous feedback.

This is not the start of community consultation on the new planning controls, but part of an ongoing program to 'check-in' with the community to inform, listen and adjust the planning controls.

The purpose of this stage of community consultation is to build community understanding of the new planning controls and seek their feedback.

The Consultation Strategy (Attachment 1) outlines the key consultation considerations, the approach and key location specific messages, who the stakeholders are and the timeframe and consultation activities to be undertaken.

CONSULTATION

Given the draft MidCoast LEP will result in changes to the land zones and development controls for large areas of the MidCoast, the consultation is critical. The consultation will provide the community with the opportunity to seek further information and provide any feedback or submissions.

Community consultation will involve:

- informing the whole community of the consultation and how they can be involved
- face-to-face consultation in 13 locations through drop-in sessions where the community can come along and ask questions
- phone call bookings to address initial high volumes of phone enquiries
- presentations to any interest groups (service providers, Chambers of Commerce, development industry, recreation groups)
- to actively engage with the community who may not get involved in consultation (e.g. Aboriginal groups, youth, young families).

The consultation overview is outlined in the Consultation Strategy (Attachment 1). This plan is in accordance with the community consultation requirements contained within the Gateway Determination issued by the Department of Planning, Housing and Infrastructure.

COMMUNITY IMPACTS

Council is committed to engaging with our community in a meaningful way to develop relationships with our community while delivering benefits in ways that add value and build trust. We will engage with a range of stakeholders during the community consultation being the community (including residents and ratepayers), business chambers, the development industry, traditional owners and Aboriginal stakeholders, environmental groups, community groups, relevant NSW Government Departments, Councillors and Council staff.

Moving toward one set of planning controls will be beneficial in terms of applying a consistent approach to planning across the MidCoast.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The project reflects many of the key values, objectives and outcomes of the MidCoast 2022-2032: Shared Vision, Shared Responsibility (MidCoast Community Strategic Plan), and is particularly consistent with Community Outcome 2: An integrated and considered approach to managing our natural and built environments.

The draft MidCoast LEP is a major project in the MidCoast Delivery Program 2022-2026 and Operational Plan 2023-24.

TIMEFRAME

It is anticipated that the consultation on the draft MidCoast LEP will commence in late April 2024 for a two-month period.

LIST OF ATTACHMENTS

The following attachments are available on the meeting page of Council's website under the 'Attachments to Agenda' heading:

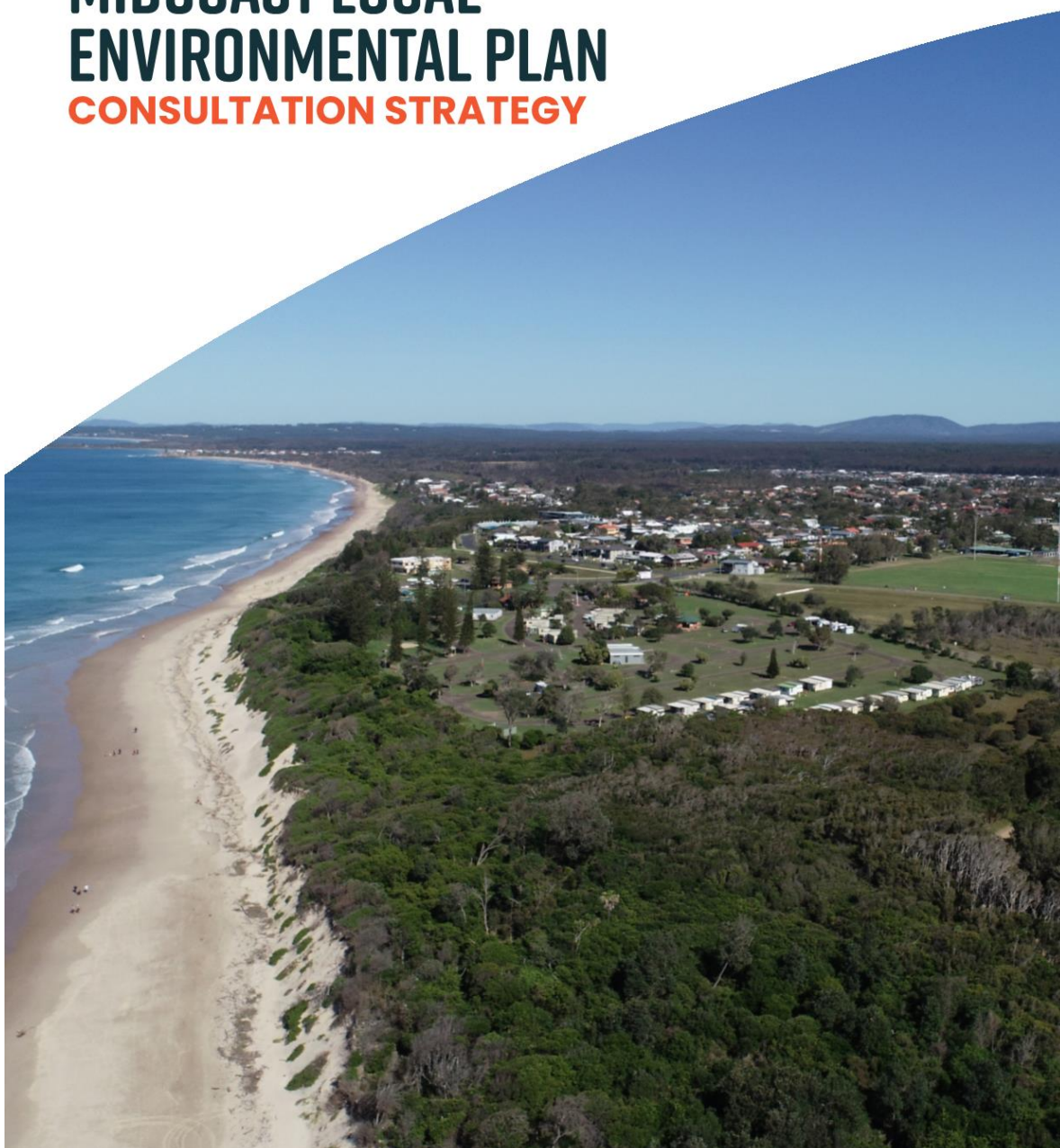
Attachment 1 Draft MidCoast Local Environmental Plan - Consultation Strategy (11 pages)

16.4. DRAFT MIDCOAST LOCAL ENVIRONMENTAL PLAN - CONSULTATION STRATEGY

ATTACHMENT 1 - DRAFT MIDCOAST LOCAL ENVIRONMENTAL PLAN - CONSULTATION STRATEGY (11 PAGES)



DRAFT MIDCOAST LOCAL ENVIRONMENTAL PLAN CONSULTATION STRATEGY



Contents

Introduction	2
Considerations	2
Know Your Zone – the next stage	2
NSW Government influence.....	2
Housing demand.....	2
Draft MidCoast Development Control Plan (DCP)	3
Strategic alignment.....	3
Community consultation.....	4
Purpose.....	4
Approach.....	4
General key messages.....	4
One Council, one plan	4
Improved planning rules.....	4
Strategies support change	4
Everyone needs to know.....	5
Location specific key messages	5
Paper subdivisions.....	5
Rural lands	5
Hallidays Point Place Strategy	5
Stakeholders	5
Timeframe and activities.....	7
Flexibility	9
Reporting.....	9

Introduction

The draft MidCoast Local Environmental Plan (referred to as 'draft MidCoast LEP') aims to provide one set of planning controls for the MidCoast. This plan will replace the Gloucester, Great Lakes and Greater Taree Local Environmental Plans.

The draft MidCoast LEP will provide a common set of objectives, land use tables and planning provisions for land across the MidCoast. The draft MidCoast LEP draws upon the most up-to-date planning controls applied across regional NSW, will bring more consistency to planning controls and assist in reducing the complexity of the existing local planning framework.

Considerations

There are a number of key considerations outlined below.

Know Your Zone – the next stage

Extensive consultation has been undertaken since 2019 to inform the development of the draft MidCoast LEP. The approach involved developing and consulting on the Housing Strategy and Rural Strategy prior to preparing the draft MidCoast LEP. Key consultation stages include:

- Know Your Urban Zone consultation from 5 February 2020 until 9 April 2020
- Know Your Rural Zone consultation from 30 August 2021 until 28 January 2022

This next stage of consultation brings together the urban and rural planning provisions into one community consultation stage, involving the whole MidCoast. We have been building up a picture of what the planning controls may look like and making changes based on previous feedback.

This is not the start of community consultation on the new planning controls, but part of an ongoing program to 'check-in' with the community to inform, listen and adjust the planning controls.

NSW Government influence

While we have tailored the planning controls to represent the MidCoast, they must align with the directions and processes set out by the NSW Government. Since the development and consultation on the Housing Strategy and Rural Strategy, NSW Government reforms have resulted in changes to some planning controls. We need to advise the community where these changes have occurred, explain what we can't change and why.

Consultation and the timing of the development of the draft MidCoast LEP are outlined by the NSW Government. While this consultation plan goes beyond the State's consultation requirements to ensure that we have consulted with the community, the timeframes for completing the draft MidCoast LEP are rigorously applied by the NSW Government. While the preference is to consult over two months, the NSW Government timeframes for completion of the draft MidCoast LEP and may influence the length of time that we can consult.

Housing demand

Across NSW there is a housing crisis. The Housing Strategy examined opportunities for increasing housing in the MidCoast. Since the development of the Housing Strategy, the NSW Government developed housing reforms which introduce more uses into the proposed residential zones. Both the Housing Strategy and the NSW Government reforms have been incorporated into the draft MidCoast LEP with an aim to increase housing opportunities to meet the demand.

Draft MidCoast Development Control Plan (DCP)

The original intent was to have the draft MidCoast DCP available alongside the draft MidCoast LEP for the community to provide feedback. Due to resourcing issues the preparation of the draft MidCoast DCP has been delayed till later in 2024 and is likely to be consulted on in early 2025. The community will be informed that this planning control, that provides the details for developing sites (e.g. building setbacks, landscaping, heritage considerations, car parking requirements, character), will be available in 2025 for community consultation.

Strategic alignment

The project and consultation plan reflects many of the key values, objectives and outcomes of the MidCoast 2022-2032: Shared Vision, Shared Responsibility (**MidCoast Community Strategic Plan**), and is particularly consistent with Community Outcome 2: An integrated and considered approach to managing our natural and built environments.

The draft MidCoast LEP is a major project in the **MidCoast Delivery Program 2022-2026** and **Operational Plan 2023-24**.

The consultation outlined in this plan follows the principles contained in MidCoast Council's **Community Engagement Strategy 2022-2025** and meets the requirements of the *Environmental Planning and Assessment Act 1979*. It emphasises inclusive participation, seeking input from a range of stakeholder groups using their preferred methods and a variety of communication channels.

Community consultation

Purpose

The purpose of the community consultation is to build community understanding of the new planning controls and seek their feedback.

Approach

We have checked-in with the community extensively over the last four years through the Housing Strategy, Rural Strategy and supporting documents. This consultation provides the last opportunity to provide feedback on the draft MidCoast LEP component of the planning controls. The Draft MidCoast Development Control Plan consultation will follow in 2025.

The proposed approach for this consultation will be:

- inform the whole community of the consultation and how they can be involved
- face-to-face consultation in 13 locations through drop-in sessions where the community can come along and ask questions
- arrange phone call bookings to address initial high volumes of phone enquiries
- present to any interest groups (service providers, Chambers of Commerce, development industry, recreation groups)
- to actively engage with the community who may not get involved in consultation (e.g. Aboriginal groups, youth, young families).

General key messages

There are four key messages that need to be consistently applied through this consultation as outlined below.

One Council, one plan

Currently we have three Local Environmental Plans that have different approaches resulting in inconsistent planning across the MidCoast. Having one MidCoast LEP will provide more certainty for the development industry and the community and will achieve good planning outcomes.

Improved planning rules

We are not only working to find the 'best-fit'; we aim to update and improve the planning controls. We have worked with the community, development industry and NSW Government to identify existing challenges and means to address them. We have drawn controls from the recent Local Environmental Plans from across NSW to provide the most up-to-date provisions and included recent NSW Government reforms. The draft MidCoast LEP will not only provide a consistent approach but will provide improved planning controls.

Strategies support change

Rather than just consolidating the three former Local Environmental Plans, we have undertaken a strategic approach to preparing the draft MidCoast LEP. Over the last four years we undertook a Housing Strategy, Rural Strategy and numerous zone reviews to outline the planning approach to be undertaken and 'checked-in' with the community through extensive consultation. This work provided the foundations for the draft MidCoast LEP.

Everyone needs to know

The draft MidCoast LEP proposes changes to property zonings, or can influence the future type of housing, shops, business or facilities in an area. We need to explore ways to let everyone in our community know that the planning rules are changing. We propose to use a range of consultation tools to inform and involve people.

The extent of change will vary, some may be significant like a change in zone and others more subtle like a change in the zone name only. There is no easy way to identify these changes. We need to have lots of conversations with the community to explain the changes. As a result, information needs to be well-presented, easily understood and accessible

Location specific key messages

While the scope of the consultation is for the whole of the MidCoast, there are some specific locational messages that are likely to arise as outlined below.

Paper subdivisions

The approach outlined in the Rural Strategy – The Way forward has been changed as directed by the NSW Government. We need to inform landowners of these changes. Given many of the landowners live outside the MidCoast, we will need to notify them through letters of the proposed approach to paper subdivisions.

Rural lands

There have been changes proposed to the application of rural lands across the MidCoast, particularly around the Gloucester Basin and to the west. These changes have been made to address the NSW Department of Primary Industries concerns. Specific consultation materials will be needed to explain the new rural zones and why the changes were made.

Hallidays Point Place Strategy

A draft Place Strategy for Hallidays Point started in 2022 and has been delayed for a number of reasons. Currently, the NSW Government is determining the strategic directions for the Place Strategy. The community will need to be informed of the process and likely timeframes.

Stakeholders

The following table outlines who we will consult with, their interest in the project, and how we may consult with them.

Stakeholder	Interest in the project	Consultation method
Residents and ratepayers	Changes to planning controls for their property or their neighbourhood	Face-to-face and digital
Businesses and business groups	Changes to planning controls for their property or their neighbourhood	Face-to-face and digital
Development industry	Changes to planning controls	Face-to-face and digital
Community groups	Changes to planning controls	Face-to-face and digital

Aboriginal groups	Changes to planning controls for their property or their neighbourhood	Face-to-face and digital
Council staff	Changes to planning controls for their property or their neighbourhood	Face-to-face and digital
Council Reference Groups	Changes to planning controls	Face-to-face and digital
Councillors	Changes to planning controls	Face-to-face and digital
Federal and State Members	Changes to planning controls	Email
Surrounding councils	Changes to planning controls in neighbouring council	Email
Previous submitters/EOI list	Changes to planning controls for their property or their neighbourhood	Email
NSW Government Departments	Changes to planning controls and impacts on their planning requirements	Email

Timeframe and activities

The consultation is anticipated to occur over an eight week timeframe. This enables enough time to undertake face-to-face consultation across the MidCoast (week 1-5) and for people to access information online. The following activities, communication tools and channels will be used to support the face-to-face and digital consultation that will take place.

Method	Timing	Details
External		
Face-to-face discussions (drop-in sessions)	Weeks 2-5	<p>These sessions will provide opportunities for members of the community to talk to planning staff about their town or village.</p> <p>Sessions will be held at:</p> <ul style="list-style-type: none"> Taree Forster/Tuncurry Harrington Old Bar Hallidays Point Pacific Palms Tea Garden/Hawks Nest Nabiac Bulahdelah Gloucester Stroud Wingham Tinonee <p>Where possible, locations will be in or near shopping centres to attract people who might not typically get involved in planning matters. Establishing a display in Taree and Forster/Tuncurry for a number of days will enable increased access for these more populated centres</p>
Online mapping tool	Ongoing during consultation	Enables the community to access information about properties in terms of the current and proposed planning controls. This will be made available on the webpage
Website	Ongoing during consultation	<p>The website will provide the central hub of information and consultation tools. It will provide access to project information, the consultation activities and how to provide feedback. The website will include:</p> <ul style="list-style-type: none"> draft MidCoast LEP and supporting documents fact sheets link to the online mapping where consultation activities are occurring project timeline – including reporting and decision dates potentially videos on key elements of the draft MidCoast LEP.
Media releases	Ongoing during consultation	Issued to print, radio, and television contacts in a timely manner to help inform the community of the consultation events and when the consultation is finalised
Email to Land Use Planning data base and previous submitters	Week 1	Advise people involved in previous consultation of this new community consultation stage and how to get involved

Method	Timing	Details
Email to community database	Week 1	Use our community databases to raise awareness and encourage feedback or offer presentations to larger groups
e-newsletter	Ongoing during consultation	Inclusion in weekly MidCoast News Wrap
Flyers or posters	Ongoing during consultation	This will support and complement face-to-face consultation. These flyers/posters will be distributed prior to the face-to-face consultation
Social media	Ongoing during consultation	Use social media channels to inform members of the community how they can participate Monitor responses and use them to inform engagement
Letters to impacted landowners	Week 1	Letters to landowners where there are significant changes proposed, which include: <ul style="list-style-type: none"> • paper subdivisions • specific Additional Permitted Use sites where changes are proposed
MidCoast wide flyer	Week 1	Advise ratepayers of the proposed LEP, how to source information and be involved
Letter to Local Aboriginal Land Councils	Week 1	Contact the Councils to set up a meeting to discuss the draft MidCoast LEP in terms of their land parcels and potential changes
Internal		
Customer Service Briefing	Prior to consultation and ongoing	Brief customer service on the project and consultation process Establish a call-back process to accommodate the potential phone calls during the initial weeks Check-in to see if any issues
Staff briefing	Prior to consultation	Briefing available to staff to encourage them and their families to get involved in the consultation process
Government consultation		
Email relevant NSW Government Departments	Week 1	Contact relevant NSW Government Departments seeking their feedback (as per the Gateway determination)
Neighbouring councils	Week 1	Email neighbouring councils advising of the draft MidCoast LEP and how to make a submission
Email State and Federal members	Week 1	Email State and Federal Members advising them of the community consultation and offering a briefing of the project.

Flexibility

This plan outlines how Council intends to listen to our community. As new information is gained, or concerns are raised by the community, the plan can be revised as required. We will remain agile enough to take advantage of the opportunities and changing circumstances that may arise.

Reporting

We will report back to our community on the outcomes of this consultation. A report will be provided to Council outlining the consultation undertaken, the themes of issues raised by the community and how the draft MidCoast LEP may be amended to respond to issues raised by the community.

midcoast.nsw.gov.au

