

Planning Proposal

Amendment to the Port Macquarie Hastings LEP 2011 - Environmental Planning & Assessment Act 1979

Advisory Notes

A Planning Proposal Application must be prepared in accordance with Council's Planning Proposal Policy adopted by Council on 11 December 2019. This is in addition to any State legislative requirements mentioned in this form. An Application will not be accepted by Council for lodgement and is not considered to be a formal application unless the requirements of the Planning Proposal Policy have been met.

Where an Application has been accepted for lodgement, this does not infer that Council will be in a position to act upon the request immediately, nor that Council will agree to prepare a Planning Proposal as requested. Council reserves the right to request further information, if necessary, upon formal assessment of the proposal.

Filling in this form and the Checklist at the back of the form will help you prepare and lodge a complete Planning Proposal Application. For further information and/or enquiries contact Council's Strategic Planning Team on (02) 6581 8111.

1. Proponent Details

Council will only contact the Proponent as the point of contact and all correspondence will be forwarded to this name and address.

Contact Name:

Contact Number:

Company Name:

ABN/CAN:

Company Address:

Email:

Proponent Signature:

Date:

2. Description of the Land

Property descriptions of all land the subject of the Planning Proposal Application are required.

Lot:

Section:

DP:

Property Address:

Site area (ha):

3. Landowner Details and Consent

If extra space is required, please attach additional details.

Owner(s) name:

Contact Number:

Address:

Email:

Disclosures

I/we being the owner(s) of the properties identified above, consent to the submission of this Planning Proposal Application

I/we being the owner(s) of the land associated with the application give consent for the Proponent (listed in the Section 1 Proponent Details above) to act on my/our behalf.

Is the land Crown Land (within the definition of the *Crown Lands Act 2016*)?

Yes (if yes please ensure owner's consent has been signed by officer of the Department of Industry, authorised for these purposes by a delegate of the Minister for Planning & Public Spaces.

No

I am an employee/Councillor or relative of an employee/Councillor of Port Macquarie-Hastings Council.

Yes. State your relationship

No

Landowner(s) signature*

**If signing on the owner's behalf as the owner's legal representative, you must state the nature of your legal authority and attach documentary evidence (e.g. power of attorney, executor, trustee, company director).*

4. Pre-lodgement Meeting

Has the required pre-lodgement meeting been held with Council's Strategic Planning team prior to lodgement of this application?

Yes (data held*):

No

**Pre-lodgement meetings should be held no more than 12 months before lodgement of a Planning Proposal. Where more than 12 months has passed since the time of a Pre-lodgement meeting, a further meeting is required prior to the application being lodged.*

5. Planning Proposal Description

Proposed amendment to the LEP - What are you applying to amend? *(tick all that apply)*

- | | | |
|--------------------------------------|-------------------|--------------------------|
| Zone | Floor space ratio | Min. lot size |
| Height of building | Heritage | Additional permitted use |
| Reclassification of land | | |
| Other/Clause <i>(describe below)</i> | | |

Planning Proposal objectives and intended outcomes

Describe what the Planning Proposal Application is intended to allow e.g. a zone change to allow construction of townhouses, office development, retail etc.

6. Accompanying Documentation

List all documents and studies being lodged and refer to the Checklist at the end of this form for the information to be lodged with a Planning Proposal Application.

Document copies required:

- One electronic copy of all documents is required in PDF format and no single document/study is to be larger than 20MB
- Mapping data must be supplied in a georeferenced format, compatible with standard GIS software (e.g. georeferenced CAD file - dwg)
- Submitted via drop box – contact Council Strategic Planning staff for details.

7. Fees

Confirm that fees have been paid in accordance with Council's adopted Fees and Charges. Where Stage 2 fees apply, they will be payable prior to a notice of public exhibition being placed in local papers.

Stage 1 fee paid (*please attach proof of payment*)

Note: Refer to [Fees and Charges](#) for more information on Stage 1 fees or contact the Customer Service Team.

8. Political Donations and Gifts Disclosure

Is a Political Donations and Gifts Disclosure Statement required (*sect 10.4 (4) and (5) of the EP&A*)?

Yes (*attach statement*)

No

Note: For more information on reportable political donations and gift disclosures and whether you are required to make a disclosure, please see Council's [Political Donations and Gift Disclosure Statement Form](#)

9. Applicant's Declaration

I agree that all information given in this request is true and correct. I also understand that, if incomplete, the Planning Proposal Application may be delayed or returned. I understand payment of fees may not result in the desired change to the LEP. I understand that timeframes cannot be guaranteed and may vary.

Signature:

Date:

* **Privacy** – The personal information that Council is collecting from you on this Application is personal information for the purposes of the *Privacy and Personal Information Protection Act 1998*. Council will use the information and materials provided for notification and advertising purposes, and materials provided with this Application will be made available to the public for inspection and copying at Council's Customer Service Centre's and on the [haveyoursay](#) section of the website during any public exhibition period.

* **Copyright** – This Application and any documents submitted in association with the Application may be open access information under the *Government Information (Public Access) Act 2009*. Documents are made publically available on Council's website and in other ways that the Council considers appropriate.

10. Planning Proposal Application Checklist

The following information must be submitted with all applications.

| Item | | Proponent to tick ✓ | | Office use only |
|---|---|--------------------------|--------------------------|-----------------|
| | | Y | N | |
| 1 | Completed Application Form with land owner(s) consent | <input type="checkbox"/> | <input type="checkbox"/> | |
| 2 | Payment of Application Fee | <input type="checkbox"/> | <input type="checkbox"/> | |
| Site Information | | | | |
| 3 | Description of the subject land and the locality | <input type="checkbox"/> | <input type="checkbox"/> | |
| 4 | Current zoning | <input type="checkbox"/> | <input type="checkbox"/> | |
| 5 | Site plan drawn to scale identifying physical features such as trees, watercourses, topography, existing buildings etc. | <input type="checkbox"/> | <input type="checkbox"/> | |
| 6 | Site analysis of property and surrounding environment identifying any relevant significant issues, such as development constraints (e.g. bushfire, flooding, geotechnical, threatened species, contamination, Aboriginal/European heritage, impacts to traffic/site access etc.) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 7 | Details of current existing uses, approvals and development on the land, and surrounding properties and the potential impact of the proposal on the surrounding area | <input type="checkbox"/> | <input type="checkbox"/> | |
| 8 | Photographs of the site and surrounding area | <input type="checkbox"/> | <input type="checkbox"/> | |
| Planning Proposal | | | | |
| The Planning Proposal document must be prepared in accordance with Section 3.33 of the EP&A Act 1979 and Department of Planning & Environment's "A guide to preparing Planning Proposals" and "A guide to preparing LEPs". These can be accessed on the Department's website: https://www.planning.nsw.gov.au/ | | | | |
| 9 | Objectives and intended outcomes of the Planning Proposal – description of what the application is intended to allow | <input type="checkbox"/> | <input type="checkbox"/> | |
| 10 | Justification for those objectives, outcomes and provisions, including any anticipated public and/or environmental benefit that would result from the proposed amendment | <input type="checkbox"/> | <input type="checkbox"/> | |
| 11 | Explanation of the intended land uses/activities for the site requiring a rezoning or change to planning controls | <input type="checkbox"/> | <input type="checkbox"/> | |
| 12 | An explanation of the provisions to be included in the LEP amendment – proposed zoning, change in permissible use etc. | <input type="checkbox"/> | <input type="checkbox"/> | |
| 13 | Draft amended mapping – current and proposed indicative maps showing where the planning proposal seeks to amend the Port Macquarie-Hastings LEP 2011 in relation to Land Zoning, Height of Buildings, Floor Space Ratio, Minimum Lot Size etc. | <input type="checkbox"/> | <input type="checkbox"/> | |
| 14 | Relevant information provided to assess the environmental impacts of the proposal on the site and surrounding environment (e.g. traffic studies, commercial/economic viability analysis, ecological assessment, built form analysis, noise analysis, infrastructure servicing etc.) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 15 | Demonstrated consistency with the strategic planning framework: <ul style="list-style-type: none"> • North Coast Regional Plan 2036 • Council's Towards 2030 Community Strategic Plan • Port Macquarie-Hastings Council endorsed Strategies and Policies including the Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036 • Council approved Structure Plans and Master Plans • Applicable State Environmental Planning Policies (SEPPs) | <input type="checkbox"/> | <input type="checkbox"/> | |

| Item | | Proponent to tick ✓ | | Office use only |
|--|--|--------------------------|--------------------------|-----------------|
| | <ul style="list-style-type: none"> Applicable Ministerial Directions (s9.1 directions) | | | |
| 16 | Planning Proposal prepared in accordance with Section 3.33 of the EP&A Act 1979 and <i>A guide to Preparing Planning Proposals</i> (NSW Department of Planning & Environment) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 17 | Details provided of any consultation undertaken to inform the preparation of the Planning Proposal Application (e.g. discussions with relevant State Government agencies, adjoining neighbours etc.) | <input type="checkbox"/> | <input type="checkbox"/> | |
| Supporting Studies and Information | | | | |
| In addition to the above mandatory information, a Planning Proposal Application should be accompanied by relevant and current supporting studies (less than 12 months old) which justify the proposal, and any information identified at the Pre-Lodgement meeting. Copies of all supporting studies must be submitted at the time of lodgement. | | | | |
| 18 | Traffic and Transport An assessment considering the likely impact of the planning proposal on local traffic and transport issues, road network, public transport infrastructure and/or cycle and pedestrian movement, and access to the site | <input type="checkbox"/> | <input type="checkbox"/> | |
| 19 | Environmental Considerations May include specialist reports addressing: bushfire hazard, acid sulphate soils, noise impact, visual impact, flora and/or fauna, soil stability, erosion, sediment, landslip assessment and subsidence, water quality, stormwater management, flooding, site contamination, sea level rise, agricultural land capability/land use conflict Note: If the land is mapped as important farmland, an assessment against the Interim Important Farmland Variation Criteria at Appendix B of the <i>North Coast Regional Plan 2036</i> is required. This is in addition to any land use capability report that may be necessary. | <input type="checkbox"/> | <input type="checkbox"/> | |
| 20 | Urban Design Site analysis, building mass and/or block diagram study (changes in building height and FSR), development yield analysis (lots or jobs created), draft Development Control Plan provisions or other design guidelines | <input type="checkbox"/> | <input type="checkbox"/> | |
| 21 | Economic Economic impact and viability assessments, retail centres hierarchy and/or employment land analysis | <input type="checkbox"/> | <input type="checkbox"/> | |
| 22 | Social and Cultural Heritage impact, Aboriginal archaeology, open space management, European archaeology, social and cultural impacts and stakeholder engagement | <input type="checkbox"/> | <input type="checkbox"/> | |
| 23 | Infrastructure Infrastructure servicing and potential funding arrangements | <input type="checkbox"/> | <input type="checkbox"/> | |
| 24 | Any other matters relevant to the specific Planning Proposal | <input type="checkbox"/> | <input type="checkbox"/> | |
| Development Concept | | | | |
| 25 | An indicative development concept, illustrating the nature and scale of development envisaged for the site – built form, open space, vehicular and pedestrian access etc., and relationship with surrounding area. This information could include a draft Development Control Plan containing guidelines to assist in providing a framework to assess future development on the site. | <input type="checkbox"/> | <input type="checkbox"/> | |