

Proposed Multiple Occupancy , 226 Fowlers Lane near Bangalow

Proposal Title : **Proposed Multiple Occupancy , 226 Fowlers Lane near Bangalow**

Proposal Summary : **This planning proposal will allow land at No 226 Fowlers Lane Bangalow to be developed for multiple occupancy ("rural land sharing") purposes in accordance with clause 4.2B of Byron LEP 2014.**

PP Number : **PP_2014_BYRON_005_00** Dop File No : **14/16510**

Planning Team Recommendation

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

S.117 directions: **1.2 Rural Zones
1.3 Mining, Petroleum Production and Extractive Industries
1.5 Rural Lands
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies
5.3 Farmland of State and Regional Significance on the NSW Far North Coast
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions**

Additional Information : **It is recommended that:**

- 1) the planning proposal should proceed as a routine planning proposal;**
- 2) the Secretary (or an officer nominated by the Secretary) agrees that the inconsistencies with s117 Directions 1.2 Rural Zones and 1.5 Rural Lands are justified as of minor significance;**
- 3) the officer note that the inconsistency with 4.4 Planning for Bushfire Protection will be resolved through consultation with the NSW Rural Fire Service prior to exhibition;**
- 4) supplementary information as suggested by the Council be obtained concerning bushfire risk, contamination risk, flora and fauna and traffic and access issues, to be placed on exhibition with the planning proposal;**
- 5) a map indicating amendment to the Multiple Occupancy / Community Title Maps in Byron LEP 2014 be prepared in accordance with the Department's Technical Guidelines and placed on public exhibition;**
- 6) the planning proposal be considered as low impact and be exhibited for 14 days;**
- 7) the planning proposal be completed in nine(9) months; and**
- 8) delegation be issued to Council to finalise the planning proposal.**

Supporting Reasons : **This proposal is minor and local in nature and is an appropriate means of permitting multiple occupancy development on land suitable for that purpose.**

Panel Recommendation

Recommendation Date : **07-Oct-2014**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal is considered to be of local significance and is being determined by the General Manager, Northern Region**

Gateway Determination

Decision Date : **07-Oct-2014**

Gateway Determination : **Passed with Conditions**

Decision made by : **General Manager, Northern Region**

Exhibition period : **14 Days**

LEP Timeframe : **9 months**

Gateway Determination : **Determined that the planning proposal should proceed subject to the following conditions:**

- 1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental**

Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Planning & Infrastructure 2013) and must be made publicly available for a minimum of 14 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Planning & Infrastructure 2013).
2. Supplementary information as suggested by the Council be obtained concerning bushfire risk, contamination risk, flora and fauna and traffic and access issues, to be placed on exhibition with the planning proposal.
 3. A map indicating amendment to the Multiple Occupancy / Community Title Maps in Byron LEP 2014 be prepared in accordance with the Department's Technical Guidelines and placed on public exhibition.
 4. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the EP&A Act to comply with the requirements of S117 Direction 4.4 Planning for Bushfire Protection. The NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
 5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
 6. The timeframe for completing the LEP is to be nine (9) months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

7 OCTOBER 2014