

**Nambucca LEP 2010 Draft Amendment No 4 – Change of Minimum Lot Size for Lot 11
Dudley Street Macksville**

Proposal Title :	Nambucca LEP 2010 Draft Amendment No 4 – Change of Minimum Lot Size for Lot 11 Dudley Street Macksville		
Proposal Summary :	The planning proposal seeks to amend the minimum lot size map for Lot 11 DP 805157, Dudley Street Macksville, to enable the subdivision of the land to create a 3ha lot for the construction of an educational facility.		
PP Number :	PP_2011_NAMBU_003_00	Dop File No :	11/17723

Planning Team Recommendation

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

S.117 directions :

- 1.2 Rural Zones**
- 1.5 Rural Lands**
- 2.2 Coastal Protection**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 4.3 Flood Prone Land**
- 5.1 Implementation of Regional Strategies**
- 5.3 Farmland of State and Regional Significance on the NSW Far North Coast**

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

- 1. The planning proposal proceed as a 'routine' planning proposal .**
- 2. The planning proposal is to be completed within 6 months.**
- 3. That no community consultation is necessary for the planning proposal.**
- 4. It is recommended that a delegate of the Director General agree that the inconsistencies of the proposal with S117 Direction 1.2 is justified in accordance with the provisions of the direction. The proposal is otherwise consistent with S117 directions and SEPPs.**

Supporting Reasons :

The reasons for the recommendation are as follows;

- 1. The proposal will ultimately enable the development of a school which will generate employment and provide much needed educational services for Macksville and surrounding areas.**
- 2. The provision of an active gateway determination will facilitate an expedient amendment to the LEP if the Land and Environment Court appeal is upheld, thereby enabling an efficient start to a project which will bring jobs and modern educational facilities to Macksville.**

Panel Recommendation

Recommendation Date : **13-Oct-2011** Gateway Recommendation : **Passed with Conditions**

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

- 1. Prior to requesting the Department to draft and finalise the LEP amendment, Council is to submit proof of the Land and Environment Court ruling on the appeal against the refusal of the Development Application for an educational facility, to the Department's Northern Region Office.**
- 2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:**

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(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature: _____

Printed Name: _____

Date: _____