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DEPARTMENT OF PLANNING AND INFRASTRUCTURE

Northern Region

EXTENSION OF TIME TO COMPLETE PLANNING PROPOSAL PP 2011 BELLI 001 00 TO RECTIFY ERRORS IN BELLINGEN LEP 2010

PURPOSE

- To recommend the Minister's delegate alter the Gateway Determination for Planning Proposal PP_2011_BELLI_001_00, to extend the time for completion of the planning proposal which proposes corrections to errors in Bellingen LEP 2010.

RECOMMENDATION

- It is RECOMMENDED that the Minister's delegate:
 - agree** pursuant to s56(7) of the Environmental Planning and Assessment Act, 1979, to amend the Gateway Determination to extend the time to complete Planning Proposal PP_2011_BELLI_001_00.

CURRENT POSITION

- Council has prepared a Planning Proposal to correct minor errors in the maps and written instrument of Bellingen LEP 2010.
- On 20 February 2011 the Gateway determined that the proposal should proceed and no community consultation was required (**Tag A**).
- The Gateway Determination required that the Planning Proposal be finalised in 3 months from the week following the date of the Gateway Determination expiring on 27 May 2011.
- On the 31 May 2011 an amendment to the gateway determination was approved to extend the period of time to complete the planning proposal (**Tag B**). The extension of time was necessary because of the complexity of the legal drafting for the large number of corrections, and the need to undertake numerous amendments to the maps.
- The planning proposal was to be completed by the 27 August 2011.
- A further extension of time is now necessary as Parliamentary Counsel has required changes to the way Schedule 5 (Heritage) of the Bellingen LEP 2010 is drafted. These changes are additional to the changes proposed by the planning proposal and have required extensive discussion with Council and the Office of Environment and Heritage.
- It is recommended that the date be extended by a further 3 months. Accordingly Planning Proposal No PP_2011_BELLI_001_00 is to be completed by 27 November 2011.

BACKGROUND

- The planning proposal is currently with Legal Services Branch and Parliamentary Counsel

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30 August 2011

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