

Liverpool Plains LEP 2011 Amendment No 2

Proposal Title : **Liverpool Plains LEP 2011 Amendment No 2**

Proposal Summary : **This Planning Proposal aims to achieve 4 key outcomes. It seeks to:**

- 1. Enable minor anomalies, misdescriptions and errors to be rectified as part of a 'housekeeping amendment' to the Liverpool Plains Local Environmental Plan 2011 (LPLEP 2011);**
- 2. Facilitate development proposals that were identified as part of the LPLEP 2011 exhibition process but were unable to be addressed as part of the comprehensive LEP process due to the potential to require re-exhibition of the draft LPLEP 2011 and delay it finalisation;**
- 3. Rezone certain additional lands identified in, or that are in accordance with, the strategic objectives of the Liverpool Plains Growth Management Strategy 2009;**
- 4. Permit certain additional site-specific uses (temporary workers' accommodation) within particular land use zones under the LPLEP 2011.**

PP Number : **PP_2012_LPLNS_001_00** Dop File No : **12/09843**

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**
 - 3.4 Integrating Land Use and Transport**
 - 4.3 Flood Prone Land**
 - 4.4 Planning for Bushfire Protection**
 - 6.2 Reserving Land for Public Purposes**

- Additional Information :
- 1. The Planning Proposal be supported;**
 - 2. The Planning Proposal be exhibited for 28 days;**
 - 3. The Planning Proposal be completed within 9 months;**
 - 4. Consultation be undertaken with the Roads and Maritimes Services, ARTC, NSW Rural Fire Service and The Heritage Branch of the Office of Environment and Heritage;**
 - 5. The Director-General's delegate determines that the inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport, 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes are of minor significance and notes that the inconsistency with 4.4 will be resolved when Council consults with the NSW Rural Fire Service;**
 - 6. Prior to exhibition of the Planning Proposal, maps should be included into the proposal for each LEP Map that is being amended. These maps should clearly show the changes to the LEP Maps that are proposed. The proposal should be resubmitted to the Department's Regional Office before exhibition to confirm these maps are adequate; and**
 - 7. Prior to the exhibition of the Planning Proposal, Chapter 4 shall be amended to include a draft local provision for 'Temporary workers accommodation' that includes a suitable definition and heads of consideration for this matter. The proposal should be resubmitted to the Department's Regional Office before exhibition to confirm the suitability of the proposed local provision.**

- Supporting Reasons :
- This Planning Proposal seeks to:**
- 1. enable minor anomalies, misdescriptions and errors to be rectified as part of a 'housekeeping amendment' to the Liverpool Plains Local Environmental Plan 2011 (LPLEP 2011);**
 - 2. facilitate development proposals that were identified as part of the LPLEP 2011 preparation, but were unable to be addressed as part of the comprehensive LEP process**

- due to the potential to require re-exhibition of the draft LPLEP 2011 and delaying its finalisation;
3. rezone certain additional lands identified in, or that are in accordance with, the strategic objectives of the Liverpool Plains Growth Management Strategy 2009;
 4. permit certain additional site-specific uses (temporary workers' accommodation) within particular land use zones under the LPLEP 2011.

The Planning Proposal is considered to be appropriate and is supported subject to the above recommendations.

Panel Recommendation

Recommendation Date : 21-Jun-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to community consultation, Council needs to ensure that appropriate LEP Maps are included with the planning proposal that clearly show the proposed changes to the subject land. All maps are to be prepared in accordance with the Department's Standard Technical Requirements for LEP Maps for the purposes of public exhibition. Council needs to provide a copy of the maps to the Department's Regional Team prior to exhibition.

2. The Department supports Council's intention to provide alternative accommodation options for workers related to the resources sector, which can offer accommodation solutions and facilitate development in appropriate areas. However, the proposed amendment to the 'tourist and visitor accommodation' definition is not supported as this is a mandated definition under the Standard Instrument LEP. It is considered that a draft local provision for 'Temporary workers accommodation' that includes a suitable definition and heads of consideration for this matter, is the best way to achieve Council's intent and distinguish development from other forms of accommodation. Council is to consult the department's Regional Team on the form and content of the clause, and amend the planning proposal prior to the commencement of public exhibition.

3. 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 must be made publicly available for 28 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).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage – Heritage Branch
- Office of Environment and Heritage – Floodplain Management Team
- Transport for NSW – Roads and Maritime Services
- NSW Rural Fire Service
- Australian Rail Track Corporation

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

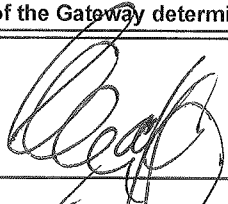
5. Further to Condition 2 above, Council is to consult the Commissioner of the NSW Rural Fire Service, prior to undertaking community consultation. Council is to take into account any comments made and amend the planning proposal (if necessary) as per the requirements of S117 Direction Planning for Bushfire Protection.

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6. 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).

7. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil W. Griffin

Date:

6.7.12