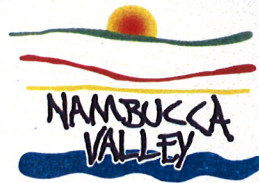


Nambucca Shire Council



Enquiries to: Mr Grant Nelson
Our Ref: SF1541

4 November 2010



PGF000648

Regional Director
Department of Planning
Locked Bag 9022
GRAFTON NSW 2460

Dear Sir/Madam

Received
- 8 NOV 2010
PG 10/04020
North Coast

NAMBUCCA LOCAL ENVIRONMENTAL PLAN 2010 PLANNING PROPOSAL

I refer to the Nambucca Local Environmental Plan 2010 (NLEP 2010) which was made on the 30 July 2010.

After the Minister made the plan, Council commenced a review the document and found a number of anomalies which need to be addressed. Staff reported these matters to Council on 16 September 2010 and Council made the following resolutions.

That Pursuant to the clause 55 of the Environmental Planning and Assessment Act 1979, Council prepare a Planning Proposal for each of the following items as appropriate following further discussions with the Department of Planning, and the Planning Proposal/s be submitted to the Minister for Planning for consideration under clause 56 of the Act:

a *The following Land be reclassified from Community land to Operational land pursuant to clause 30 of the Local Government Act 1993:*

- *Part Lot 31 DP248561 Yarrowonga St;*
- *Part Lot 40 DP711098 Kingsworth Estate; and*
- *Lot 163 DP822649 Eungai (Eungai Pre School)*

Note: The Planning Proposal title 'Public Land Reclassification' attached to this letters relates to this resolution.

b *That Council owned Operational Land at Coronation Park (Lot 2 DP864792) be amended in accordance with Council's previous resolutions under Nambucca LEP 1995 amendment no. 42 listed below:*

- *Zone Maps be amended to R1 General Residential;*
- *Lot Size Maps be amended to 450sqm;*
- *Height of Building Maps be amended to 8.5m; and*
- *Floor Space Ratio Maps be amended to 0.55:1.*

Note: The Planning Proposal title 'Nambucca Local Environmental Plan 2010 Review' relates to this resolution.

c *Lot 2 DP 1071503 Uriti Road Macksville be amended to include a height limit of 8.5m to reflect other R1 General Residential Land in the shire and previous resolutions of Council.*

Note: The Planning Proposal title 'Nambucca Local Environmental Plan 2010 Review' relates to this resolution.

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d *To ensure consistency with SEPP (Affordable Rental Housing) secondary dwellings be made a permissible use in the R5 Large Lot Residential Zone.*

Note: The Planning Proposal title 'Nambucca Local Environmental Plan 2010 Review' relates to this resolution.

e *Land at Matthew Street, Scotts Head be amended to include a 0.4:1 Floor Space Ratio in accordance with the Urban Design Strategy prepared by Bennell and Associates.*

Note: The Planning Proposal title 'Matthew Street Scotts Head' relates to this resolution.

f *Clause 4.2 Rural Subdivision be amended or a new local provision be included to ensure that a subdivision resulting in a lot less than the minimum lot size may occur on rural land where it is related to a permissible land use and does not result in an additional dwelling entitlement.*

Note: The Planning Proposal title 'Nambucca Local Environmental Plan 2010 Review' relates to this resolution.

As noted above the matters being considered have been addressed in three (3) separate planning proposals to ensure one does not delay the other:

- NLEP 2010 Review;
- Public Land Reclassifications; and
- Matthew St Scotts Head.

The Department of Planning (DoP) is advised that the recommended amendments are largely administrative issues that have either been processed previously or are required to correct minor anomalies. The individual planning proposal discuss these matters in detail and make recommendations in regards to community consultation. Of particular note is the recommendation that a public hearing should not be required to be undertaken again for the public land reclassification and exhibition of the Matthew Street Floor Space Ratio amendment has been undertaken with the DCP 2010.

Please find attached to this letter a copy of the Council report and resolutions relevant to these planning proposals and three (3) planning proposals and associated materials.

Pursuant with the requirements of clause 56 of the Environmental Planning and Assessment Act 1979 Council forwards these planning proposal to the DoP for your favourable consideration. Should you require any additional information to assist in the review of these proposals, please do not hesitate to contact the undersigned.

Yours faithfully



Grant Nelson
STRATEGIC PLANNER

GN:bp
Encs