

Bellingen LEP 2010 (Amendment No 4) Secondary dwellings, Boundary adjustment and Split zone clauses, Sched.1

Proposal Title :	Bellingen LEP 2010 (Amendment No 4) Secondary dwellings, Boundary adjustment and Split zone clauses, Sched.1		
Proposal Summary :	<p>Amend Bellingen LEP 2010 to:</p> <ol style="list-style-type: none"> 1. permit secondary dwellings with consent in Rural Zones; 2. permit boundary adjustments of land in certain rural and environmental protection zones between lots where one or more resultant lots do not meet the minimum lot size; 3. provide for the subdivision of lots that are within more than one zone; and 4. amend Schedule 1 to permit the erection of a single dwelling house on Lots 293, 258, 224 & 63 DP755553, 105 Cabans Road, Raleigh. 		
PP Number :	PP_2013_BELLI_001_00	Dop File No :	13/08100

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : Recommended with Conditions	
S.117 directions :	<ol style="list-style-type: none"> 1.2 Rural Zones 1.4 Oyster Aquaculture 1.5 Rural Lands 2.1 Environment Protection Zones 2.2 Coastal Protection 3.1 Residential Zones 4.1 Acid Sulfate Soils 4.3 Flood Prone Land 4.4 Planning for Bushfire Protection 5.1 Implementation of Regional Strategies
Additional Information :	<p>It is recommended that</p> <ol style="list-style-type: none"> 1. The planning proposal proceed as a routine planning proposal; 2. The planning proposal should be completed in 6 months; 3. A community consultation period of 28 days is necessary; 4. The Director General (or Delegate) agrees that the inconsistency with s117 Direction 4.4 Planning for Bushfire Protection remains outstanding and will require justification following consultation with the NSW Rural Fire Service; 5. The Director General (or Delegate) agrees the inconsistency with s117 Direction 1.2 Rural Zones is justified by an approved local strategy and that the inconsistency with s117 Direction 4.1 Acid Sulfate Soils is of minor significance; and 6. An authorisation to exercise delegation to make the plan be issued to the RPA for this planning proposal
Supporting Reasons :	<p>The planning proposal will address various local issues in relation to providing additional dwelling opportunities in the rural area and permitting subdivisions not currently permissible in the Bellingen LEP 2010. Further, it will address an administrative dwelling entitlement anomaly.</p>

Panel Recommendation

Recommendation Date :	23-May-2013	Gateway Recommendation :	Passed with Conditions
Panel Recommendation :	<p>The planning proposal should proceed subject to the following conditions:</p> <ol style="list-style-type: none"> 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: 		

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(a) the planning proposal must be made publicly available for a minimum of 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

2. Consultation is required with the NSW Rural Fire Service (RFS) as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. No other consultation is required under section 56(2)(d) of the EP&A Act. RFS 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. If necessary, the planning proposal is to be updated to take into consideration any comments made by RFS, prior to undertaking public exhibition.

3. 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).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

NEIL SELVON

Date:

28/5/13