

Guyra LEP 2012 - Rural Boundary Adjustment Clause and Detached Dual Occupancies in the RU1 Primary Production Zone

Proposal Title : Guyra LEP 2012 - Rural Boundary Adjustment Clause and Detached Dual Occupancies in the RU1 Primary Production Zone

Proposal Summary : The purpose of the Planning Proposal is to amend Guyra LEP 2012 to permit:
- detached dual occupancies in the RU1 Primary Production Zone; and
- include a rural boundary adjustment clause that will apply to the RU1 Primary Production Zone.

PP Number : PP_2015_GUYRA_001_00 Dop File No : 15/11867

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
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection**

Additional Information : It is recommended that:

1. The Planning Proposal be supported;
2. The Planning Proposal be exhibited for 14 days;
3. The Planning Proposal be completed within 6 months;
4. That the RPA consult with the Commissioner of the NSW Rural Fire Service in accordance with the requirements of S117 Direction 4.4 Planning for Bushfire Protection;
5. The potential unresolved inconsistency with s117 Direction 4.4 Planning for Bushfire Protection be noted;
6. The Secretary's delegate agree that the inconsistency with S117 Direction 4.3 Flood Prone Land is a matter of minor significance;
7. That an authorisation to exercise delegation be issued to Council; and
8. Prior to public exhibition the Planning Proposal be amended to:
 - include appropriate mapping illustrating the land affected by the proposal;
 - identifying the current inconsistencies with s117 Directions 4.3 Flood Prone Land and 4.4 Planning for Bushfire Protection; and
 - replacing the current draft boundary adjustment clause in the explanation of provisions with a plain English explanation.

Supporting Reasons : The proposal will result provide greater flexibility to landowners and will help address matters identified by Council through the operation of the current LEP.

Panel Recommendation

Recommendation Date : **05-Aug-2015** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : This planning proposal is considered minor and the Gateway determination is to be issued under delegation by the General Manager. Therefore the planning proposal will not be considered by the panel.

Gateway Determination

Decision Date : **06-Aug-2015** Gateway Determination : **Passed with Conditions**

Decision made by : **General Manager, Northern Region**

Exhibition period : **14 Days** LEP Timeframe : **6 months**

Gateway Determination : **1. Prior to community consultation, the planning proposal shall be amended to:**
(a) include appropriate mapping illustrating the land affected by the proposal;

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- (b) identify the current inconsistencies with S117 Directions 4.3 Flood Prone Land and 4.4 Planning for Bushfire Protection; and
- (c) include with the current draft boundary adjustment clause in the explanation of provisions a plain English explanation of the proposed clause.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning and Environment 2013) and must be made publicly available for a minimum of 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).

3. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the Act. The NSW Rural Fire Service 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.

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 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:

STEPHEN MURRAY

Date:

6 AUGUST 2015