

Richmond Valley LEP 2012 - Various amendments to Land Use Tables and Clauses

Proposal Title : **Richmond Valley LEP 2012 - Various amendments to Land Use Tables and Clauses**

Proposal Summary : **This planning proposal seeks to amend the Richmond Valley LEP 2012 to:**

- 1. Add boundary adjustment subdivision provisions to allow adjustments between existing lots in rural areas;**
- 2. Correct an omission in clause 4.2B relating to development on rural land where the minimum lot size has been varied under clause 4.6;**
- 3. Permit detached dual occupancies on rural areas through variation to the Land Use Table; and**
- 4. Add 'Special Events on Public Land' to Schedule 2 - Exempt Development.**

PP Number : **PP_2015_RICHM_001_00** Dop File No : **15/09882**

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**
- 4.1 Acid Sulfate Soils**
- 4.3 Flood Prone Land**
- 4.4 Planning for Bushfire Protection**
- 5.1 Implementation of Regional Strategies**
- 5.3 Farmland of State and Regional Significance on the NSW Far North Coast**
- 6.1 Approval and Referral Requirements**
- 6.2 Reserving Land for Public Purposes**

Additional Information : **It is recommended that**

- 1. The planning proposal should proceed as a 'routine' planning proposal.**
- 2. A community consultation period of 28 days is necessary.**
- 3. The planning proposal is to be completed within 9 months.**
- 4. A delegate of the Secretary agree that the inconsistencies of the proposal with S117 Directions 1.2, 4.1 and 4.3 are justified in accordance with the terms of the directions.**
- 5. The RPA consult with the NSW Rural Fire Service concerning the alteration to provisions relating to detached dual occupancy dwellings in bushfire-prone areas, to resolve any inconsistency with S117 direction 4.4 Planning for Bushfire Protection;**
- 6. The RPA consult with the Department of Primary Industries concerning the alteration to provisions relating to detached dual occupancy dwellings and the proposal to add provisions to allow boundary adjustments in rural areas to Richmond Valley LEP 2012; and**
- 7. A written authorisation to exercise delegation be issued to Richmond Valley Council for this planning proposal.**

Supporting Reasons : **Each of the items in this planning proposal is relatively minor in nature. It is unlikely to result in substantial community concern.**

In view of the minor nature of the proposed amendments delegation to Council to finalise the proposal is appropriate.

Panel Recommendation

Recommendation Date :

Gateway Recommendation :

Panel Recommendation :

Gateway Determination

Decision Date : **26-Jun-2015** Gateway Determination : **Passed with Conditions**

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

Exhibition period : **28 Days** LEP Timeframe : **9 months**

Gateway Determination : **The planning proposal should proceed subject to:**

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

(a) the planning proposal is classified as routine as described in A Guide to Preparing LEPs (Department of Planning and Environment 2013) and 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 and Environment 2013).

2. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:

;

- NSW Department of Primary Industries in relation to potential impacts on agricultural activities;**
- NSW Rural Fire Service; and**
- Office of Environment and Heritage.**

Each public authority 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.

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 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:

STEPHEN MURRAY

Date:

26 June 2015