

Clarence Valley LEP 2011 Draft Amendment to enable a Medical Centre at 2 Providence Court Yamba.

Proposal Title : Clarence Valley LEP 2011 Draft Amendment to enable a Medical Centre at 2 Providence Court Yamba.

Proposal Summary : The planning proposal seeks to amend the Clarence Valley LEP 2011 to enable the development of a medical centre with Council consent on land zoned R2 Low Density Residential - Lot 4 DP 1104127, 2 Providence Court Yamba.

PP Number : PP_2012_CLARE_001_00 Dop File No : 12/02179

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **2.2 Coastal Protection**
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 4.1 Acid Sulfate Soils
 4.3 Flood Prone Land
 6.1 Approval and Referral Requirements
 6.3 Site Specific Provisions

Additional Information : It is recommended that;

1. The planning proposal should proceed as a 'routine' planning proposal.
2. The planning proposal is to be completed within 9 months.
3. a community consultation period of 14 days is necessary.
4. the RPA consult with Roads and Maritime Services; and
5. A delegate of the Director General agree that the inconsistency of the proposal with S117 Direction 3.1 justified in accordance with the provisions of the direction.

Supporting Reasons : The reasons for the recommendation are as follows;

1. The proposal will enable an alternative use of the existing building and infrastructure which is appropriate in the low density residential area and consistent with the objectives of the R2 Low Density Residential zone.
2. The proposed medical centre will provide a degree of community benefit in place of the benefit provided by the existing child care centre.
3. The inconsistencies of the proposal with the strategic planning framework are of minor significance.

Panel Recommendation

Recommendation Date : **09-Feb-2012** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : The Planning Proposal should proceed subject to the following conditions:

1. Council is to amend the planning proposal to proceed by rezoning the site to either R1 General Residential or R3 Medium Density Residential. Land use permissibility can then be addressed through the State Environmental Planning Policy SEPP (Infrastructure) 2007 which identifies both the R1 and R3 as 'Prescribed zones' for Health services facilities.
2. Council should also ensure that appropriate FSR, minimum lot size, and building height controls are identified for the site and included in the planning proposal. In doing so, Council is to prepare and exhibit appropriate maps for these development standards.

3. Council is to ensure that all mapping prepared for exhibition purposes including site location and context maps, and the above development standard maps, clearly identify the site and provide the community with a clear indication of the intent and outcomes of the planning proposal.

4. Following revision of the planning proposal Council is to ensure that the proposal is consistent with all relevant S177 Directions. Where additional information is required to be provided to demonstrate consistency with a S117 Direction, this information is to be prepared and placed on public exhibition with the planning proposal.

5. 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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

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

- NSW Maritime and Road Services

This public authority is to be provided with a copy of the planning proposal and any relevant supporting material. The 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.

7. 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).

8. 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:

17/2/2012