

Nambucca LEP 2010 Draft Amendment No 10 – Provisions for subdivision of split zoned lots.

Proposal Title : Nambucca LEP 2010 Draft Amendment No 10 – Provisions for subdivision of split zoned lots.

Proposal Summary : The planning proposal seeks to introduce a new clause to enable the subdivision of split zoned lots which have multiple minimum lot sizes applying on the Minimum Lot Size Map

PP Number : PP_2012_NAMBU_003_00 Dop File No : 12/06919

Planning Team Recommendation

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

- S.117 directions :
- 1.1 Business and Industrial Zones
 - 1.2 Rural Zones
 - 1.3 Mining, Petroleum Production and Extractive Industries
 - 1.4 Oyster Aquaculture
 - 1.5 Rural Lands
 - 2.1 Environment Protection Zones
 - 2.2 Coastal Protection
 - 2.3 Heritage Conservation
 - 3.1 Residential Zones
 - 3.4 Integrating Land Use and Transport
 - 4.1 Acid Sulfate Soils
 - 4.3 Flood Prone Land
 - 4.4 Planning for Bushfire Protection
 - 5.1 Implementation of Regional Strategies
 - 5.4 Commercial and Retail Development along the Pacific Highway, North Coast
 - 6.1 Approval and Referral Requirements
 - 6.2 Reserving Land for Public Purposes
 - 6.3 Site Specific Provisions

- Additional Information : It is recommended that;
1. The planning proposal proceed as a 'routine' planning proposal.
 2. The planning proposal is to be completed within 9 months.
 3. That a community consultation period of 14 days is necessary for the planning proposal.
 4. That the RPA consult with the Commissioner of the NSW Rural Fire Services in accordance with the requirements of S117 Direction 4.4 Planning for Bushfire Protection.

- Supporting Reasons : The reasons for the recommendation are as follows;
1. The proposed provisions will facilitate the efficient and orderly subdivision of split zoned land and land that has multiple minimum lot sizes.
 2. The proposal will enable the Nambucca LEP 2010 to operate as intended, in manner which is not inconsistent with the intent of the Standard LEP.
 3. The proposal is consistent with the Department's preferred policy position for subdivision of split zoned lots.

Panel Recommendation

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Recommendation Date : 26-Apr-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

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:

- (a) the planning proposal 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).

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

- NSW Rural Fire Service

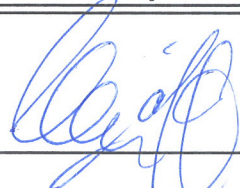
Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. Further to Condition 2 above, Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made and amend the planning proposal, if necessary as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection.

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 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).

5. 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 McEwen

Date:

2.5.12