

Lismore LEP 2012 Mapping - Amendment to rectify cadastral inaccuracies

Proposal Title : **Lismore LEP 2012 Mapping - Amendment to rectify cadastral inaccuracies**

Proposal Summary : **The planning proposal has been prepared to correct cadastral errors that occurred in the Lismore LEP 2012 maps during the final stages of the plan making process. Council is also seeking to update the LEP mapping cadastre in and around the village of Clunes and parts of East Lismore in accordance with the NSW land and Property Information updated cadastral base.**

PP Number : **PP_2013_LISMO_003_00**

Dop File No :

13/08763

Proposal Details

Date Planning
Proposal Received : **21-May-2013**

LGA covered : **Lismore**

Region : **Northern**

RPA : **Lismore City Council**

State Electorate : **LISMORE**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Housekeeping**

Location Details

Street :

Suburb :

City :

Postcode :

Land Parcel : **Various locations within the Lismore LGA**

DoP Planning Officer Contact Details

Contact Name : **Jennifer Vallis**

Contact Number : **0266416606**

Contact Email : **jenny.vallis@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Greg Yopp**

Contact Number : **0266250042**

Contact Email : **greg.yopp@lismore.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **James Clark**

Contact Number : **0266416604**

Contact Email : **jim.clark@planning.nsw.gov.au**

Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub **N/A**

Consistent with Strategy : **Yes**

Regional Strategy :

Lismore LEP 2012 Mapping - Amendment to rectify cadastral inaccuracies

MDP Number :		Date of Release :	
Area of Release (Ha)		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0
The NSW Government Lobbyists Code of Conduct has been complied with : Yes			
If No, comment :	The Department of Planning Code of Practice in relation to communication and meetings with lobbyists has been complied with to the best of the Region's knowledge.		
Have there been meetings or communications with registered lobbyists? :	No		
If Yes, comment :	Northern Region has not met any lobbyist in relation to this proposal, nor has the Northern Region been advised of any meeting between other Departmental officers and lobbyists concerning this proposal.		

Supporting notes

Internal Supporting Notes :

External Supporting Notes : **The planning proposal is necessary to initiate corrections across the series of LEP maps that includes missing blocks of cadastre, distorted cadastre, missing boundaries of lots and mapping attributes such as zones, height of buildings and floor space ratios.**

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objectives and intended outcomes of the planning proposal are adequately expressed for the proposed amendment.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The planning proposal provides a clear explanation of the intended provisions to achieve the objectives and intended outcomes. Some examples of mapping inaccuracies have been provided by Council.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment : **Council is not required to supply the maps as the Department will be undertaking the work to correct the maps. It is understood that most of the inaccuracies were due to technical problems experienced by the Department's mapping division at the time the Lismore LEP 2012 was made. The Department's GIS staff were notified of the cadastre issues when the LEP maps were published on the legislation website in February 2013. The mapping team have agreed to make the necessary amendments to the maps.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **No**

Comment : **This is a minor matter involving corrections to mapping.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **The planning proposal satisfies the adequacy criteria by:**
1. Providing appropriate objectives and intended outcomes;
2. Providing suitable explanation of the provisions proposed for the LEP to achieve the outcomes;
3. Providing adequate justification for the proposal;
4. Outlining why community consultation is not proposed;
5. Providing a project timeline.

A project timeline of three months is provided by Council. Due to the minor nature of the proposal, with no public exhibition or consultation with Government agencies, this timeframe is considered to be adequate. The community was consulted on the draft Lismore LEP on two separate occasions in accordance with the legislative requirements of the plan making process. This planning proposal does not involve any policy changes or changes to the maps apart from correcting the errors.

The evaluation criteria form for the delegation of plan making functions has not been completed as Council does not wish to exercise delegations for plan making in this instance. Council is of the opinion there would be no net gain in receiving delegation for this amendment. This is acceptable as Council is not amending the LEP maps, the corrections are being undertaken by the Department.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Lismore LEP 2012 was published on 22 February 2013. The proposal seeks to make corrections to the recently made LEP Maps.**

Assessment Criteria

Need for planning proposal : **The need for the planning proposal is to correct cadastral inaccuracies in the LEP 2012 maps. The LEP maps have to be accurate for Council to provide good customer service and to be able to exercise its regulatory functions under the EP&A Act 1979. The planning proposal is the best means of achieving the objectives and the intended outcomes.**

Consistency with strategic planning framework : **The planning proposal is consistent with the strategic planning framework, the applicable S117 Ministerial Directions and the State Environmental Planning Policies**

Environmental social economic impacts : **The planning proposal will not adversely affect any critical habitat, threatened species populations or ecological communities, or their habitats. There are no likely negative environmental, social or economic effects associated with the planning proposal.**

Assessment Process

Proposal type : **Minor** Community Consultation Period : **Nil**

Timeframe to make LEP : **3 Month** Delegation : **DDG**

Public Authority Consultation - 56(2)(d)

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Lismore LEP 2012 Mapping - Amendment to rectify cadastral inaccuracies

Documents

Document File Name	DocumentType Name	Is Public
Council report & resolution meeting 14 May 2013 for Planning Proposal Cadastral Errors.pdf	Proposal	Yes
Planning Proposal Cadastral errors - DP&I checklist.pdf	Proposal	No
Lismore City Council_21-05-2013_Cadastral Inaccuracies Planning Proposal - s56_.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

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

S.117 directions:

Additional Information :

It is recommended that:

1. The planning proposal proceed as a 'minor' planning proposal;
2. The planning proposal is to be completed within 3 months;
3. Community consultation is not considered necessary; and
4. Delegation is not to be given to Council for this matter

Supporting Reasons :

This is a minor matter concerning correction of technical mapping errors which occurred during processing of Lismore LEP 2012.

Signature:



Printed Name:

JIM CLARK

Date:

23 May 2013

