

Clarence Valley LEP 2011 – Additional permitted uses at 6 McLachlan St Maclean.

Proposal Title : **Clarence Valley LEP 2011 – Additional permitted uses at 6 McLachlan St Maclean.**

Proposal Summary : **The planning proposal seeks to amend Clarence Valley LEP 2011 by adding provisions to Schedule 1 of the LEP to enable serviced apartments or a residential flat building to be permissible with consent on Lot 2 DP 719897, 6 McLachlan Street, Maclean, which is currently zoned R2 Low Density Residential.**

PP Number : **PP_2014_CLARE_008_00** Dop File No : **14/20803**

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**
- 5.1 Implementation of Regional Strategies**
- 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 should proceed as a 'routine' planning proposal.**
- 2. A community consultation period of 14 days is necessary.**
- 3. The planning proposal is to be completed within 9 months.**
- 4. A written authorisation to exercise delegation be issued to Clarence Valley Council.**
- 5. A delegate of the Secretary agree that the inconsistencies of the proposal with S117 Directions 4.1, and 4.3 are justified in accordance with the terms of the directions.**

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

- 1. The proposed LEP amendment will regularise the use of an existing residential flat building on the site and enable the potential expansion of affordable housing on the site.**
- 2. The proposal will enable the building to be used for short term accommodation which is a land use of which there is limited other alternatives in Maclean and which has been identified as a future housing need.**
- 3. The proposal is consistent with the Mid North Coast Regional Strategy and the RPAs Local Strategy and the inconsistency with S117 Directions is of minor significance.**

Panel Recommendation

Recommendation Date : Gateway Recommendation :

Panel Recommendation : **This planning proposal is considered of local significance and the Gateway Determination is to be issued under delegation by the General Manager, Northern Region. Therefore the planning proposal will not be considered by the panel.**

Gateway Determination

Decision Date : **18-Dec-2014** Gateway Determination : **Passed with Conditions**

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

Exhibition period : **14 Days** LEP Timeframe : **9 months**

Gateway Determination : **The planning proposal should proceed subject to the following conditions;**

- 1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental**

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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 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).
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
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 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).
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:

18 November 2014