

Moree Plains LEP 2011 - Reclassification of land and extinguishment of certain interests

Proposal Title : Moree Plains LEP 2011 - Reclassification of land and extinguishment of certain interests

Proposal Summary : This Planning Proposal seeks to reclassify land within the Moree Plains Local Government Area and to extinguish certain interests or encumbrances applying to the land.

PP Number : PP_2015_MOREE_001_00 **Dop File No :** 13/15013

Planning Team Recommendation

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

S.117 directions:

- 3.1 Residential Zones**
- 3.2 Caravan Parks and Manufactured Home Estates**
- 3.5 Development Near Licensed Aerodromes**
- 4.3 Flood Prone Land**
- 6.1 Approval and Referral Requirements**
- 6.2 Reserving Land for Public Purposes**
- 6.3 Site Specific Provisions**

Additional Information : It is recommended that the Planning Proposal be supported subject to:

- 1. That prior to public exhibition the Planning Proposal be amended to update the Project Timeline;**
- 2. That prior to the completion of this Planning Proposal, Council finalise the classification process of the 17 sites listed in Schedule 1, Part 4 of the Moree Plains LEP 2011 from operational to community;**
- 3. The Planning Proposal be exhibited for 28 days;**
- 4. The Planning Proposal be completed within 9 months;**
- 5. That no consultation with public authorities is necessary;**
- 6. That a public hearing on the extinguishment of reserve designations of the subject lands in accordance with section 57 of the Environmental Planning and Assessment Act 1979 be held 21 days after completion of the public exhibition period; and**
- 7. The Secretary's delegate agree that the inconsistency with s117 Direction 6.2 Reservation of Land for Public Purposes is of minor significance.**

Supporting Reasons : The Planning Proposal seeks to rectify errors that were made by Council during the preparation of the Moree Plains LEP 2011. Council inadvertently reclassified much of the subject land from community to operational without extinguishing the reserve designation to facilitate the development of the land or included land not owned by Council.

Many of the sites fall within the area of land proposed for redevelopment by Housing NSW to reinvigorate South Moree and to upgrade the quality of public housing. Other sites have reserve status that do not perform an 'open space function' and the extinguishment of the reserve status would facilitate further development opportunities of the land.

Panel Recommendation

Recommendation Date : 25-Mar-2015

Gateway Recommendation : Passed with Conditions

Panel Recommendation : This planning proposal is considered minor and the Gateway determination is to be issued under delegation by the General Manager. Therefore the planning proposal will not be considered by the panel.

Gateway Determination

Moree Plains LEP 2011 - Reclassification of land and extinguishment of certain interests

Decision Date : 30-Mar-2015 Gateway Determination : Passed with Conditions

Decision made by :

Exhibition period : 28 Days LEP Timeframe : 900 months

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

(a) the planning proposal 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 Infrastructure 2013).

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

3. That a public hearing on the reclassification of the subject land in accordance with section 29 of the Local Government Act 1993 and section 57 of the Environmental Planning and Assessment Act 1979 be held after the completion of the public exhibition period.

4. The planning proposal is to be amended prior to public exhibition to include a revised project timeline that is consistent with the exhibition and public hearing requirements contained in the Department's A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).

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:

STEPHEN MURRAY

Date:

30 MARCH 2015