

Clarence Valley LEP 2011 - Amendment to Schedule 1 to permit the continued use of a helipad in Golding St, Yamba

Proposal Title : Clarence Valley LEP 2011 - Amendment to Schedule 1 to permit the continued use of a helipad in Golding St, Yamba

Proposal Summary : The purpose of the planning proposal is to amend Schedule 1 of Clarence Valley LEP 2011 by including a helipad as an additional permitted use on Lot 51 DP 751395, Golding St, Yamba.

PP Number : PP_2015_CLARE_003_00 Dop File No : 15/08741

Planning Team Recommendation

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

S.117 directions: 2.1 Environment Protection Zones
3.1 Residential Zones
3.5 Development Near Licensed Aerodromes
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions

Additional Information : It is recommended that;

1. The planning proposal be supported;
2. That the planning proposal be exhibited for a period of 28 days;
3. The planning proposal is to be completed within 9 months.
4. The Secretary (or her delegate) agree that the inconsistencies of the proposal with S117 Directions 3.1, 4.1, 4.3 and 6.3 are justified in accordance with the terms of the directions.
5. The Secretary (or her delegate) note the outstanding inconsistency with section 117 Direction 4.4 Planning for Bushfire Protection and that it is anticipated this inconsistency will need to be resolved prior to the proposal being finalised;
6. Prior to public exhibition, the planning proposal should be amended to:
 - include an amended locality map which correctly identifies the subject land;
 - include a 15 year maximum period for the helipad in the statement of objectives; and
 - include a 15 year maximum period for the helipad in the explanation of provisions; and
7. That an authorisation to exercise plan making delegations be issued to Council.

Supporting Reasons : Amending Clarence Valley LEP 2011 to permit a helipad on the land is supported to allow the continued operation of the existing helipad infrastructure until the land is required for more intensive residential purposes.

Panel Recommendation

Recommendation Date : 10-Jun-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

Decision Date : 10-Jun-2015 Gateway Determination : **Passed with Conditions**

Decision made by : General Manager, Northern Region

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Exhibition period : **28 Days**

LEP Timeframe : **9 months**

Gateway
Determination :

1. Prior to exhibition the planning proposal is to be amended to include:

- (a) an Additional Permitted Use map identifying the part of the lot to which the amendment will apply;
- (b) a locality map in the Background section that identifies the correct land; and
- (c) a 15 year maximum time period for the use of the helipad in the statement of objectives and the explanation of provisions.

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

3. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the Act. The NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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 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:

STEPHEN MURRAY

Date:

10 JUNE 2015