

Narrabri LEP 2012 Amendment No 3 - Minor Amendments

Proposal Title : **Narrabri LEP 2012 Amendment No 3 - Minor Amendments**

Proposal Summary : **The purpose of Narrabri LEP 2012 Amendment No 3 is to;**
 - rectify minor anomalies and insert additional uses in the RU1, RU4, B1, IN1, IN2, & RE1 zone landuse tables,
 - insert a heads of consideration clause relating to the consideration of detached dual occupancies in the RU1 and RU4 zones,
 - rezone Lots 8 & 9, Section 28, DP 758756, Wukuwa St, Narrabri from RE1 to R1, and
 - rezone Lot 169 DP 755475, 80 Walton St, Boggabri from SP2 to R1.

PP Number : **PP_2014_NARRB_001_00** Dop File No : **14/08516**

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
1.5 Rural Lands
3.1 Residential Zones
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
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 be supported;
2. The Planning Proposal be exhibited for 28 days;
3. The Planning Proposal be completed within 6 months;
4. That the RPA consult with the Commissioner of the NSW Rural Fire Service in accordance with the requirements of S117 Direction 4.4 Planning for Bushfire Protection;
5. That the Director General (or his delegate) agree that the inconsistencies with section 117 Directions 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes are of minor significance;
6. That the Director General (or his delegate) note the current 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;
7. That an authorisation to exercise delegation be issued to Council; and
8. That a revised project time line (that addresses all the additional steps to be completed by Council due to an authorisation to exercise delegation being issued) be included in the Planning Proposal prior to public exhibition.
9. That the Planning Proposal be amended prior to exhibition so that it only contains a plain English explanation of the intent of the proposed detached dual occupancy in Zones RU1 and RU4 clause.

Supporting Reasons : **The Planning Proposal will make various corrections and amendments that are considered important in allowing the LEP to operate effectively and accurately.**

Panel Recommendation

Recommendation Date : **03-Jun-2014**

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 Regional Director. Therefore the planning proposal will not be considered by the panel.**

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Gateway Determination

Decision Date : 05-Jun-2014 Gateway Determination : Passed with Conditions

Decision made by : Regional Director, Northern Region

Exhibition period : 28 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 Planning and Assessment Act 1979 ("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 Environment 2013).

2. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the EP&A Act. 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.

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.

5. A revised project time line (that addresses all the additional steps to be completed by Council due to an authorisation to exercise delegation being issued) be included in the Planning Proposal prior to public exhibition.

6. The Planning Proposal be amended prior to exhibition to remove the proposed detached dual occupancies in Zones RU1 and RU4 clause and replace it with a plain English explanation of the intent of the proposed clause.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

5 JUNE 2014