

Blue Mountains Local Environmental Plan 2005 - Amendment 27

Proposal Title : **Blue Mountains Local Environmental Plan 2005 - Amendment 27**

Proposal Summary : **The proposal seeks to facilitate further development of 'Blue Mountains Villages', a not-for-profit affordable accommodation facility for seniors and people with disability, by rezoning six lots from Living - Bushland Conservation to Living - General. In addition, the proposal seeks to better reflect an existing use by rezoning one lot from Living - Bushland Conservation to Regional Transport Corridor (Road).**

PP Number : **PP_2013_BLUEM_001_00**

Dop File No :

13/02702

Planning Team Recommendation

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

S.117 directions : **3.1 Residential Zones
4.4 Planning for Bushfire Protection
5.2 Sydney Drinking Water Catchments
6.1 Approval and Referral Requirements
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the proposal proceed with the following conditions:**

- (1) The Director General's delegate agrees that the inconsistency with section 117 direction 4.4 Planning for Bushfire Protection is of minor significance;
- (2) The Relevant Planning Authority, in its consideration of the planning proposal, considers the possibility of also rezoning the adjacent hospital site to Living - General in order to provide better consistency with existing uses and avoid any complications for any future development of the hospital;
- (3) Consultation with the Rural Fire Service and Sydney Catchment Authority and Office of Environment and Heritage;
- (4) Community consultation for 28 days;
- (5) The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway determination.

Blue Mountains City Council has requested written authorisation to exercise delegation over this planning proposal. Given this proposal's minor nature, this request is supported.

Supporting Reasons : **The proposal is consistent with the strategic directions in the draft North West Subregional Strategy and in the Blue Mountains Accessible Housing Strategy 2002. It will assist in providing affordable housing for seniors and people with disability, and it will rectify a mapping anomaly that has come about as a result of road widening. It is unlikely to have any significant negative impact on the environmental, social or economic fabric of the Blue Mountains.**

Panel Recommendation

Recommendation Date : **07-Feb-2013**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **1. Council is to consult with the NSW Rural Fire Services as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition.**

2. 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 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 & Infrastructure 2012).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

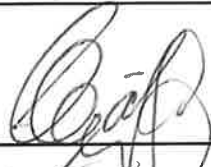
- NSW Rural Fire Service
- Sydney Catchment Management Authority
- Office of Environment and Heritage
- Transport for NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning 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 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).

5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

19.2.13