

Proposed residential zoning of 160-190 North Creek Road Lennox Head

Proposal Title : **Proposed residential zoning of 160-190 North Creek Road Lennox Head**

Proposal Summary : **The proposal is to rezone the subject land from an urban investigation zone to a part residential zone and a part recreational zone.**

PP Number : **PP_2012_BALLI_003_00** Dop File No : **12/08576**

Planning Team Recommendation

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

S.117 directions : **1.2 Rural Zones
1.5 Rural Lands
2.2 Coastal Protection
3.1 Residential Zones
3.3 Home Occupations
3.4 Integrating Land Use and Transport
4.1 Acid Sulfate Soils
5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes**

Additional Information : **It is recommended that:**

- 1) the proposal proceed as a minor planning proposal;**
- 2) the planning proposal is publicly exhibited for 14 days;**
- 3) the planning proposal is completed within 9 months;**
- 4) the Director General (or an officer nominated by the Director General) agree that the inconsistency with s117 Directions 1.2 and 1.5 are justified as being of minor significance, noting also that the planning proposal is consistent with all other relevant directions;**
- 5) the RPA consult with the NSW Rural Fire Service in respect to s117 Direction 4.4 - Planning for Bushfire Protection.**

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

- 1) The proposed medium residential use of the land is consistent with all relevant local and regional planning strategies.**
- 2) The planning proposal allows a small residential infill development within the existing urban area of Lennox Heads.**
- 3) The proposed land use will be consistent with the surrounding development and can be economically serviced with a full range of infrastructure.**

Panel Recommendation

Recommendation Date : **24-May-2012** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

- 1. Council is to ensure that appropriate maps are prepared to clearly illustrate the proposed outcome for the purposes of community consultation. Council should also ensure that all mapping is prepared in accordance with the Department's Standard Technical Guidelines for LEP Maps prior to the finalisation of the planning proposal.**

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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

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

- NSW Rural Fire Service

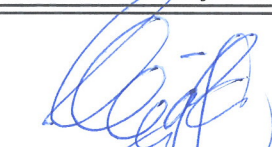
Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may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

4. Further to Condition 4 above, Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation. Council is to take into account any comments made and amend the planning proposal, if necessary as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection.

5. 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).

6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGiffin

Date:

28.5.12