

Coffs Harbour LEP 2013 Amendment - 2 Arrawarra Road, Mullaway

Proposal Title : Coffs Harbour LEP 2013 Amendment - 2 Arrawarra Road, Mullaway

Proposal Summary : This Planning Proposal seeks to amend the Coffs Harbour LEP 2013 by:

1. Rezoning Lot 1, DP 417132, 2 Arrawarra Road, Mullaway from part RU2 Rural Landscape and part RE1 Public Recreation to R2 Low Density Residential; and

2. Altering the minimum lot size for the subject land to 400m2.

PP Number : PP_2014_COFFS_001_00 Dop File No : 14/16298

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
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.2 Reserving Land for Public Purposes

Additional Information : It is recommended that:

1. The planning proposal be supported and proceed as a "routine" planning proposal.
2. Prior to public exhibition, Council amend Part 1 and 2 of the Planning Proposal to clearly show that this Proposal includes both the rezoning of the land and the amendment of the minimum lot size for the subject land.
3. The Planning Proposal be exhibited for 28 days.
4. The planning proposal be completed within 9 months.
5. The Director-General's delegate agree that the inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands, 4.1 Acid Sulfate Soils and 6.2 Reserving Land for Public Purposes are justified as of minor significance.
6. Consultation with the Office of Environment and Heritage be undertaken;
7. Consultation with the NSW Rural Fire Service be undertaken in accordance with S117 Direction 4.4 Planning for Bushfire Protection;
8. Draft LEP Maps prepared in accordance with the Department's standard technical requirements for LEP maps in relation to zoning and minimum lot size are to be prepared prior to the legal drafting of the amendment.
9. Delegation to finalise the Planning Proposal be issued to the Council.

Supporting Reasons : This Planning Proposal is supported because it is consistent with Council's approved local settlement strategy and the Mid North Coast Regional Strategy and inconsistencies of the proposal with the S117 directions are of minor significance.

Panel Recommendation

Coffs Harbour LEP 2013 Amendment - 2 Arrawarra Road, Mullaway

Recommendation Date :

Gateway Recommendation :

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 :

07-Oct-2014

Gateway Determination :

Passed with Conditions

Decision made by :

General Manager, Northern Region

Exhibition period :

28 Days

LEP Timeframe :

9 months

Gateway

Determination :

1. Prior to undertaking public exhibition, Council is to:

- a. amend Part 1 and 2 of the Planning Proposal to clearly show that this Proposal includes both the rezoning of the land and the amendment of the minimum lot size for the subject land; and
- b. include the proposed minimum lot size map.

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 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).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and to comply with the requirements of relevant S117 Directions:

- NSW Rural Fire Service; and
- Office of Environment and Heritage

Each public authority 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 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 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

7 OCTOBER 2014