

Blue Mountains LEP 2005 (Amendment 26) - Various amendments

Proposal Title : **Blue Mountains LEP 2005 (Amendment 26) - Various amendments**

Proposal Summary : **To amend Blue Mountains LEP 2005 to facilitate various housekeeping amendments including rezoning, boundary adjustments, additional use and amendment to the Heritage Schedule.**

PP Number : **PP_2012_BLUEM_004_00**

Dop File No : **12/11527-1**

Planning Team Recommendation

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

S.117 directions : **1.1 Business and Industrial Zones
2.1 Environment Protection Zones
2.3 Heritage Conservation
3.1 Residential Zones
3.4 Integrating Land Use and Transport
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
5.2 Sydney Drinking Water Catchments
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

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

(1) The Director General agrees that the following inconsistency with section 117 directions:

- . **1.1 Business and Industrial Zones**
- . **2.1 Environmental Protection Zones;**
- . **2.3 Heritage Conservation;**
- . **4.3 Flood Prone Land;**
- . **5.2 Sydney Drinking Water Catchments; and**
- . **6.3 Site Specific Provisions;**

are justified as minor matters.

(2) Consultation with the Commissioner of the NSW Rural Fire Service, in accordance with S.117 Direction 4.4 Planning for Bushfire Protection, prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made;

(3) Community consultation 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 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);**

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

- . **Sydney Metropolitan Catchment Management Authority;**
- . **Office of Environment and Heritage; and**

- Commissioner of NSW RFS;

(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; and

(6) the timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Supporting Reasons : The planning proposal is of minor nature and is essentially a housekeeping amendment, and is supported.

Panel Recommendation

Recommendation Date : 19-Jul-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

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 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).

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

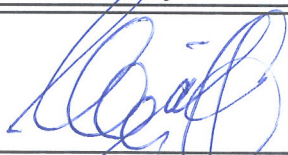
- Sydney Metropolitan Catchment Management Authority
- Office of Environment and heritage
- NSW Rural Fire Services

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.

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 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGoffin Date: 25.7.12