

File No:	T5.3
Report: 213 /2017	Local Environmental Plan Amendment
Responsible Officer:	Dwayne Willoughby, Manager Environmental Services

Introduction

At the May 2017 ordinary meeting, Council resolved to endorse a draft planning proposal to amend the Bourke Local Environmental Plan 2012 (LEP) and at the July meeting it was resolved that the opinion of the parliamentary counsel be sought to prepare the draft amendment. The draft amendment has now been prepared and a Council resolution is required to enable the plan to be formally made.

The Planning Proposal

The Planning Proposal proposed amendments to the LEP to include residential accommodation within Part 3 of the Land Use Tables for the RU1 – Primary Production and R5 – Large Lot Residential Zones, and thereby enable manufactured homes to be permitted with consent in these Zones.

The Planning Proposal provided the details about the matters outlined above.

Resolution

/2017 That Council, as delegate of the Minister of Planning, make the plan under Section 59 of the EP&A Act 1979 and forward the Opinion of the Parliamentary Counsel and the amended plan to the Department of Planning and Environment requesting notification.

Moved Cr Cole

Seconded Cr Rice

Carried

Unstarred

ENVIRONMENTAL SERVICES REPORT

File No:	T5.3
Report: 208/2017	Planning Proposal – Amendment of LEP
Responsible Officer:	Dwayne Willoughby, Manager Environmental Services

Introduction:

At the May 2017 ordinary meeting, Council resolved to endorse a draft planning proposal to amend the Bourke Local Environmental Plan 2012 (LEP). This planning proposal subsequently received Gateway approval from the Department of Planning and Environment on the 1st June 2017 and has been the subject of community consultation.

The Planning Proposal:

The Planning Proposal proposed amendments to the LEP to include residential accommodation within Part 3 of the Land Use Tables for the RU1 – Primary Production and R5 – Large Lot Residential zones, and thereby enable manufactured homes to be permitted with consent in these zones.

The Planning Proposal provided the details about the matters outlined above.

Exhibition:

In accordance with the requirements of the Gateway approval, the Planning Proposal was exhibited from 22nd June to 7th July 2017. No submissions were received.

Via the Gateway approval, Department of Planning and Environment has delegated plan making powers to Council. It is therefore recommended that the Council resolve to endorse the planning proposal and send it to the Parliamentary Counsel for the amended plan to be drafted.

Resolution

257/2017

1. That the Planning Proposal to amend Bourke Local Environmental Plan 2012 to include residential accommodation within Part 3 of the Land Use Tables for the RU1 – Primary Production and R5 – Large Lot Residential zones, be endorsed;
2. That Council request Parliamentary Counsel to prepare the draft amendment to the Bourke Local Environmental Plan 2012 under Section 59(1) of the Environmental Planning and Assessment Act, 1979.

Moved Cr Barton

Seconded Cr Dorrington

Carried

Unstarred



Attachment 5 – Delegated plan making reporting template

Reporting Template for Delegated LEP Amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	
Date Sent to department under s56	
Date considered at LEP Review Panel	
Gateway determination date	

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited	22 June - 7 July 17	
Date of public hearing (if held)	N/A	
Date sent to PCO seeking Opinion	4 Aug 17	
Date Opinion received	4 Sept 17	
Date Council Resolved to Adopt LEP	25 Sept 17	
Date LEP made by GM (or other) under delegation	25 Sept 17	
Date sent to DP&I requesting notification	25 Sept 17	

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional Relevant Information:
