

Snowy River Rural LEP 2007 CI 22(1)(b) Existing Holdings sunset provisions

Proposal Title :	Snowy River Rural LEP 2007 CI 22(1)(b) Existing Holdings sunset provisions		
Proposal Summary :	The planning proposal seeks to amend the Snowy River Rural Local Environmental Plan (2007) to preserve existing development rights on rural land holdings that existed as at 26 September 1985. At present, a sunset clause within the LEP will see these development rights removed on 13 April 2012.		
PP Number :	PP_2012_SNOWY_001_00	Dop File No :	12/03190

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
 2.1 Environment Protection Zones
 2.3 Heritage Conservation

Additional Information : It is recommended that the delegate of the Minister for Planning and Infrastructure, determine under section 56(2) of the EP&A Act, that an amendment to the Snowy River Rural Local Environmental Plan 2007 to amend clause 22(1)(b) should proceed subject to the following conditions:

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 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. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.

3. The timeframe for completing the LEP is to be 3 months from the week following the date of the Gateway Determination.

s117 Directions

4. Recommend that the DG can be satisfied that the planning proposal is consistent with all s117 Directions or that any inconsistencies are only of minor significance.

5. No further referral is required in relation to s117 Directions for the planning proposal in its current form.

Supporting Reasons : The planning proposal is supported. The retention of existing holding provisions in LEPs is a matter for the Council to consider. Snowy River Council has identified that this proposal is required to remove the current uncertainty experienced by land owners in relation to existing development rights and the future potential of their land.

Panel Recommendation

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Recommendation Date : 08-Mar-2012

Gateway Recommendation : Passed with Conditions

Panel

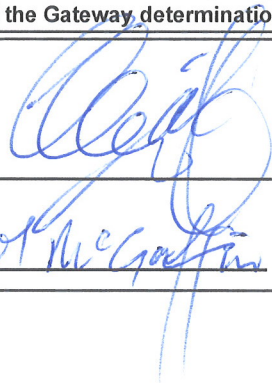
The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
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 3 months from the week following the date of the Gateway determination.

Signature:

Printed Name:


Neil McGuffin

Date:

8.3.12