

Queanbeyan LEP 2012 Planning Proposal 1 - Identify certain signage as Exempt Development and permit of Home Businesses and Home Industries with dwellings

Proposal Title :	Queanbeyan LEP 2012 Planning Proposal 1 - Identify certain signage as Exempt Development and permit of Home Businesses and Home Industries with dwellings		
Proposal Summary :	Proposal to list additional exempt development for certain signage and to permit home businesses and home industries in zones where dwellings are permitted.		
PP Number :	PP_2013_QUEAN_002_00	Dop File No :	13/16524

Proposal Details

Date Planning Proposal Received :	30-Sep-2013	LGA covered :	Queanbeyan
Region :	Southern	RPA :	Queanbeyan City Council
State Electorate :	MONARO	Section of the Act :	55 - Planning Proposal
LEP Type :	Policy		

Location Details

Street :			
Suburb :		City :	Postcode :
Land Parcel :	LGA wide		

DoP Planning Officer Contact Details

Contact Name :	Martin Brown
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RPA Contact Details

Contact Name :	Beate Jansen
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DoP Project Manager Contact Details

Contact Name :	Mark Parker
Contact Number :	0242249468
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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :	Sydney-Canberra Corridor Regional Strategy	Consistent with Strategy :	N/A

Queanbeyan LEP 2012 Planning Proposal 1 - Identify certain signage as Exempt Development and permit of Home Businesses and Home Industries with dwellings

MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **These are generally minor matters which will increase the amount of exempt development within Queanbeyan LGA and raise no significant planning issues.**

External Supporting Notes : **These are generally minor matters which will increase the amount of exempt development within Queanbeyan LGA and raise no significant planning issues.**

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **Adquate**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **To include new exempt development in Schedule 2 including business identification, real estate, temporary, public and motor vehicle signs and their location and form.**

Signs on motor vehicles cannot be controlled through planning legislation. The form and legality of motor vehicles is controlled through other relevant legislation. This component should be removed from the planning proposal.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA : **3.1 Residential Zones**

* May need the Director General's agreement

Is the Director General's agreement required? **Unknown**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development**

Queanbeyan LEP 2012 Planning Proposal 1 - Identify certain signage as Exempt Development and permit of Home Businesses and Home Industries with dwellings

SEPP No 60—Exempt and Complying Development
SEPP No 64—Advertising and Signage
SEPP (Exempt and Complying Development Codes) 2008

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **Any inconsistency is considered to be of minor significance.**

SEPP 64 - Advertising and Signage requires consultation with the Roads and Maritime Services for LEPs that could potentially affect matters covered by the SEPP.

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment : **No mapping amendments are necessary as a consequence of this proposal.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council has indicated it intends to undertake community consultation but has not provided any details of this. It is considered 14 days should be an appropriate time period for this process.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Queanbeyan LEP 2012 notified 23/11/2012**

Assessment Criteria

Need for planning proposal : **Council wants to increase the amount of exempt development for minor signage matters and to permit home businesses and industries wherever dwellings are permitted. These can only be implemented by way of a planning proposal.**

Consistency with strategic planning framework : **Not inconsistent. It is consistent with State policy in relation to increasing the amount of exempt development.**

Environmental social economic impacts : **There are unlikely to be any significant economic, social or environmental impacts associated with the proposal.**

Queanbeyan LEP 2012 Planning Proposal 1 - Identify certain signage as Exempt Development and permit of Home Businesses and Home Industries with dwellings

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 months** Delegation : **RPA**

Public Authority Consultation - 56(2) (d) : **Transport for NSW - Roads and Maritime Services**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council Letter.pdf	Proposal Covering Letter	Yes
Council Report.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **3.1 Residential Zones**

Additional Information : **The Deputy Director General, as delegate of the Minister for Planning and Infrastructure, determine under section 56(2) of the EP&A Act that an amendment to Queanbeyan Local Environmental Plan 2012 to both list additional exempt development for certain signage and, to allow for home business and home industry in zones where dwellings are permitted should proceed subject to the following conditions:**

1. The planning proposal is to be amended prior to community consultation to remove 'Signs on motor vehicles' as this is controlled under other legislation.

2. Community consultation is required under sections 56(2)(c) and 57 of the

Queanbeyan LEP 2012 Planning Proposal 1 - Identify certain signage as Exempt Development and permit of Home Businesses and Home Industries with dwellings

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 5.2 of 'A guide to preparing local environmental plans (Department of Planning and Infrastructure 2013)'.

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

* Roads and Maritime Services (under provisions of SEPP 64)

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

4. No public hearing is required to be held into the matter 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 made within 6 months from the week following the date of the Gateway determination.

6. It is noted that the Council has not provided a timeline for the planning proposal. Council is to prepare a timeline for the completing the planning proposal within 6 months and include it in the planning proposal for exhibition.

7. Council is authorised to use its delegation of the Minister's plan making functions.

8. The Director General can be satisfied that any inconsistencies of the planning proposal with any s117 Directions are minor significance.

9. No further referral is required in relation to s117 Directions while the planning proposal remains in its current form.

10. Consultation with the RMS satisfies the requirements of SEPP64.

Supporting Reasons :

This is a minor matter that increases the amount of exempt development for signage and permits home businesses and industries wherever dwellings are permitted.

Signature:



Printed Name:

MARK PARKER
Local Planning Manager

Date:

18th October 2013