

Upper Lachlan Local Environmental Plan 2010 - Permit dwellings in Zone E2

Proposal Title : **Upper Lachlan Local Environmental Plan 2010 - Permit dwellings in Zone E2**

Proposal Summary : **Add "dwelling houses" to Zone E2 Environmental Conservation land use table as 'permitted with consent'.**

PP Number : **PP_2012_UPLAC_001_00** Dop File No : **12/05562-1**

Planning Team Recommendation

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

S.117 directions :

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 Upper Lachlan LEP 2010 to permit dwelling houses with consent in the E2 Environmental Conservation Zone should proceed subject to the following conditions:**

- 1. The matter should proceed as a Planning Proposal, not a s73A amendment.**
- 2. Community consultation is not required under section 56(2) of the EP&A Act.**
- 3. Consultations are not required with any State Government agency.**
- 4. The timeframe for completing the LEP is to be 3 months from the week following the date of the Gateway Determination.**
- 5. The Director General can be satisfied that the Planning Proposal is consistent with all relevant s117 Directions or that any inconsistencies are of minor significance.**

Supporting Reasons : **This is a minor proposal with sufficient merit to proceed. Council did not intentionally prohibit dwelling houses in the E2 zone during the preparation of the principal LEP and believes a drafting error occurred. It is reasonable to correct this error through a minor Planning Proposal with no consultation.**

Panel Recommendation

Recommendation Date : **14-Jun-2012** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

- 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. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act.**
 - NSW Rural Fire Service**
- 3. Further to Condition 2 above, Council is to consult with the Commissioner of the NSW Rural Fire Service and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, and forward a copy of the revised planning proposal to the Department for finalisation.**
- 4. A public hearing is not required to be held into the matter by any person or body under**

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

Signature: _____

Printed Name: _____

Date: _____