

Planning Proposal for Land Reclassification of 4 parcels

Proposal Title :	Planning Proposal for Land Reclassification of 4 parcels		
Proposal Summary :	The planning proposal enables the reclassification of four parcels of land in Botany Bay local government area from community to operational land.		
PP Number :	PP_2012_BOTAN_001_00	Dop File No :	12/01873

Planning Team Recommendation

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

S.117 directions :

- 3.1 Residential Zones
- 3.5 Development Near Licensed Aerodromes
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions

Additional Information : It is recommended that the proposal proceed subject to the following conditions and recommendations:

1. The proposal is to be exhibited as follows:

- In accordance with section 57 of the Environmental Planning and Assessment Act 1979 (EP&A Act), the planning proposal will be placed on public exhibition for a minimum of 28 days, as the proposal is to reclassify land from community land to operational land and therefore is not considered to be a low impact planning proposal;
- In accordance with section 29(1) of the Local Government Act 1993, a public hearing will be held. In accordance with the Department of Planning Circular (PN09-003) the public hearing will be held after the close of the 28-day exhibition period. Public notice of the public hearing will be sent and published at least 21 days before the start of the public hearing; and
- 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. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

3. SECTION 117 DIRECTIONS

It is also recommended that;

The Director General or his delegate agree that the proposal is justifiably inconsistent with Section 117 Direction 6.2 Reserving Land for Public Purposes. The proposal results in a reduction in community land. This inconsistency is considered minor.

Supporting Reasons : The proposal seeks to: rectify historical anomalies, reflect the existing site uses, reclassify surplus land. The proposal will not have any major impact on the resulting land use or community access to public land.

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Panel Recommendation

Recommendation Date : 08-Mar-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 must be made publicly available for 28 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:

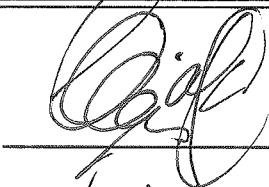
- Transport for NSW

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:

Neel McGaffin

Date:

8.3.12