

Great Lakes LEP 1996 (Amendment No 74) Bulahdelah Golf Course Residential

Proposal Title : Great Lakes LEP 1996 (Amendment No 74) Bulahdelah Golf Course Residential

Proposal Summary : To rezone approximately 127 ha of land currently zoned 1(a)Rural to 2(a)Residential (24ha approx), for the development of up to 200 dwellings, and 7(a1) Environmental Protection (103 ha approx), to protect the area having high biodiversity conservation value.

PP Number : PP_2011_GLAKE_002_00 Dop File No : 11/17419

Planning Team Recommendation

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

S.117 directions :

- 1.2 Rural Zones
- 1.3 Mining, Petroleum Production and Extractive Industries
- 1.5 Rural Lands
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies

Additional Information :

The Planning Proposal:

1. Should proceed without variation.
2. Is a routine proposal type.
3. Should be finalised as an LEP within 12 months. A 12 month time-frame is recommended because of the possible need for biodiversity offsets and associated VPA to be resolved with the Office of Environment and Heritage (OEH), and the need for any State infrastructure requirements to be identified and Rural Fire Service requirements which may need to be resolved prior to the planning proposal being submitted to the Minister's Delegate for approval.
4. Community consultation should be undertaken for a 28 day exhibition period. Consultation with relevant state authorities should take place concurrently. In particular close consultation should be undertaken with OEH, RFS and DPI (mining). Mid Coast Water should also be consulted.
5. The Director General's delegate approve the minor inconsistencies with s117 Directions 1.2 Rural Zones, 1.5 Rural Lands.

Supporting Reasons :

The proposal is consistent with the strategic framework and will facilitate the provision of additional residential opportunities within close proximity to the existing Bulahdelah community. Together with a boutique brewery and tourist facility previously approved by Council on an adjoining site, the proposed residential development could potentially provide new economic opportunities to help offset the impacts of the new Pacific Highway bypass.

A large area (approx 103 hectares) of environmentally significant land will be zoned for conservation.

The proposal also supports the Mid North Coast Regional Strategy settlement planning principal for growth in inland towns to be focused in areas where extra population is needed to make existing services more viable and if the risk of environmental degradation is low.

Panel Recommendation

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Recommendation Date : 06-Oct-2011

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to proceeding to public exhibition, Council is to update the planning proposal to include the outcomes of consultation with Department of Trade and Investment, Regional Infrastructure and Services (Mineral Resources and Energy) as required to demonstrate consistency with S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries.

2. Council is to amend the planning proposal prior to public exhibition to incorporate comments from the Commissioner of the NSW Rural Fire Service in order to achieve consistency with S117 Direction 4.4 Planning for Bush Fire Protection.

3. Prior to the commencement of public consultation, Council is to revise the planning proposal to provide further information to justify the planning proposal's consistency with S117 Directions 2.3 Heritage Conservation, 3.4 Integrating Land Use and Transport and 4.1 Acid Sulfate Soils.

4. 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).

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

- NSW Aboriginal Land Council
- Ambulance Service of NSW
- Area Health Services
- Department of Education and Communities
- Office of Environment and Heritage
- Department of Trade and Investment, Regional Infrastructure and Services (Mineral Resources and Energy)
- Energy Australia
- NSW Fire Brigades
- Department of Health
- NSW Police Service
- NSW Rural Fire Service
- Roads and Traffic Authority
- NSW Office of Water
- Mid Coast Water

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.

6. 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).

7. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

DRygate

Date:

c8/10/11