

Trent Wink

From: Alexandra Macvean <Alexandra.Macvean@greatlakes.nsw.gov.au>
Sent: Thursday, 14 April 2016 11:01 AM
To: Trent Wink; 'parliamentary.counsel@pco.nsw.gov.au'
Cc: Susan Blake
Subject: RE: Great Lakes Planning Proposal - E2016_083 - amended request for Parliamentary Counsel Opinion

Importance: High

To whom it may concern,

Please be advised that Great Lakes Council is seeking an amended Parliamentary Counsel Opinion for Planning Proposal DPE reference PP_2015_GLAKE_005_00 (LEP Amendment No.10).

In this regard Council notes the advice of the DPE Hunter-Central Coast Regional Office below and is seeking to defer the inclusion of "caravan parks" from the LEP amendment required to enact the intent of the adopted Planning Proposal.

Council's intention therefore would be to apply the provisions of Clause 4.2A to all forms of residential accommodation, tourist & visitor accommodation, camping grounds and eco-tourist facilities in RU2 Rural Landscape, E2 Environment Conservation and E3 Environmental Management zones.

The following draft clause has been prepared in a manner consistent with the existing Singleton LEP 2013 *Clause 7.7 Tourist and visitor accommodation in rural and environment protection zones* clause:

7.24 Residential and tourist accommodation in rural and environment protection zones

(1) The objective of this clause is to permit residential accommodation, tourist and visitor accommodation, camping grounds and eco-tourist facilities on land in rural and environment protection zones if a dwelling house is also permitted on that land.

(2) This clause applies to land in the following zones:

- (a) Zone RU2 Rural Landscape,*
- (b) Zone E2 Environmental Conservation,*
- (c) Zone E3 Environmental Management.*

(3) Development consent must not be granted for the purpose of residential accommodation, tourist and visitor accommodation, camping grounds or eco-tourist facilities on land to which this clause applies unless a dwelling house is permitted on that land under clause 4.2A.

Council appreciates DPE's assistance in this matter.

Yours,

Alexandra Macvean



Alexandra Macvean

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From: Trent.Wink@planning.nsw.gov.au [mailto:Trent.Wink@planning.nsw.gov.au]

Sent: Tuesday, 12 April 2016 3:56 PM

To: Alexandra Macvean

Cc: Lisa Schiff; Susan.Blake@planning.nsw.gov.au

Subject: Great Lakes Planning Proposal - Development within RU2 Rural Landscape, E2 Environmental Conservation and E3 Environmental Management

Hi Alexandra,

The Department has received a copy of your request for a Parliamentary Counsel Opinion.

It is noted that the planning proposal identifies that there is an inconsistency with the Minister's S117 Direction 3.2 Caravan Parks and Manufactured Home Estates. Council needs to obtain the Secretary's (or her delegate) approval by justifying this inconsistency with this Direction before requesting the PC opinion, because the outcomes of the planning proposal and drafting of the LEP may change.

The Department is concerned about the proposal's inconsistency with the Minister's S117 Direction, because it has potential State policy implications. However, the Department is supportive of the proposed restriction on residential accommodation (attached dwellings, boarding houses, dual occupancies, dwellings etc), tourist and visitor accommodation (backpackers', bed and breakfast, farm stay, hotel, motel, hotel accommodation and serviced apartments) and eco-tourist facilities on land zoned RU2 Rural Landscape, E2 Environmental Conservation and E3 Environmental Management. The proposed restriction being that the land use is only permitted where a dwelling is permissible under clause 4.2A. This approach is similar to that taken by Singleton and Port Macquarie- Hastings councils (relevant clauses attached).

To progress this matter, Council has the option of requesting the Secretary's approval and justifying the inconsistency with S117 Direction 3.2 Caravan Parks and Manufactured Home Estates or amending the planning proposal to exclude the restriction on caravan parks and camping grounds.

If Council decides to amend the planning proposal to exclude the restriction on caravan parks and camping grounds, please submit a revised request to parliamentary.counsel@pco.nsw.gov.au, Reference number E2016_083.

If you require any further clarification, please give Susan or myself a call

Regards

Trent Wink

Senior Planner

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Available on Monday, Tuesday, Thursday and Friday

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