



PLANNING PROPOSAL 24 – HOUSEKEEPING AMENDMENT

Simplified Version

What is proposed?

Council periodically undertakes amendments to the Bellinghen Local Environmental Plan 2010 (BLEP 2010) to reflect certain changes in circumstance, implement strategies or rectify issues that have emerged with the operation of the Plan. This is called a "Housekeeping" Amendment whereby a range of matters are dealt with via the one planning process rather than a separate process for each matter.

A Housekeeping Amendment is proposed to implement three (3) changes to the BLEP 2010. These include updating the heritage map to reflect the location of an item after the land has been subdivided, providing that the subdivision of land associated with a road closure can take place as "exempt development", and including an additional control that confirms the need for essential services to be provided in association with development to the satisfaction of Council.

Why are we doing it?

When land is mapped as containing a heritage item it means that approval from Council might be required for things that would normally not need approval from Council. Land included in the recently approved "Taylors Rise" subdivision in Bellinghen is affected by this scenario because it used to be part of a larger lot upon which a heritage item exists, and the heritage map hasn't yet been updated to show that the new subdivision area isn't impacted by the heritage listing. Updating the heritage map will mean that land owners within the Taylors Rise subdivision will be able to undertake more lower impact activities without needing development consent, which is appropriate for a new release urban area.

Council sometimes identifies the need, or receives a request, to close a Council public road. It is not uncommon to find examples of road reserves that are impractical to construct, surplus to need or unnecessary in view of the existence of a better option elsewhere. In these circumstances, there is a formal process followed for the closure of the road as per the provisions of the Roads Act 1993 involving things like consultation with affected landowners. Whilst the planning system provides subdivision approval pathways to allow for things like road widening to occur without the need for a Development Application (e.g. when a road might encroach on private land and the road reserve needs to be widened to accommodate it) it does not provide a comparably simple option for subdivision associated with the closure of a public road. The proposal to make these subdivisions a form of exempt development will simplify the process and remove unnecessary regulatory obstacles.

The provision of appropriate infrastructure for development is an important planning consideration. When a matter is prescribed for consideration in a Local Environmental Plan (LEP) it has greater legal weight than something prescribed in a Development Control Plan for example. Councils current LEP has a provision that deals with infrastructure but this provision only applies in a small area of North Bellinghen. The proposal will

Proposed revised extent of heritage listing



What do I do if I want to make a submission to Council about this matter?

Council is seeking public feedback on this matter from Thursday 4 July 2024 until Wednesday 31 July 2023.

All relevant documents are available for viewing at the following link.

<https://www.bellingen.nsw.gov.au/Your-Council/Council-News-Updates/Items-on-Public-Exhibition>

Submissions should preferably be emailed to council@bellingen.nsw.gov.au using the Reference Planning Proposal 24 – Submission.

Written submissions should be addressed to;

The General Manager

Bellingen Shire Council

PO Box 117

BELLINGEN NSW 2454

If you do send written correspondence, please ensure that you provide an email contact to ensure that Council can contact you in a timely manner regarding any subsequent consideration of this proposal by Council.

Who can I talk to if I have questions about this?

For further details please contact Daniel Bennett on 6655 7300 between 8.30am – 4.30pm, Monday to Friday.

What happens next?

Council will consider any submissions that are received during the public exhibition period. A report will then be prepared that the elected Council will consider which will include a recommendation as to whether the proposal should be supported and finalised. People who made a submission will be notified when it gets reported back to Council and may request to speak at the Council Meeting.
