

MAYORAL MINUTE

SUBJECT/FILE NO.: COUNCIL'S REVIEW OF MULTIPLE OCCUPANCY AND DRAFT DEVELOPMENT CONTROL PLAN NO. 20 - MULTIPLE OCCUPANCY OF RURAL LANDS (MRS:MR: S/523)

REASON: To advise Council of several drafting errors and omissions in the report to Council, and of representations made on behalf of the Far North Coast County Council concerning identification and management of noxious weeds on multiple occupancies.

OBJECTIVE: Correction of report and inclusion of additional matters as suggested by FNCC in the Development Control Plan for the adoption of Council.

CORPORATE PLAN REF: Function: Strategic Planning
Strategy: 1
Action: (j)

PROGRAMME BUDGET REF: Page: D2

CONTENTInformation:

1. On March 31, 1994, it was brought to the attention of the Planning Services Division that the report on Development Control Plan No. 20 - Multiple Occupancy contained several drafting grammatical errors and omissions. Additionally the Division was made aware of comments made by the Far North Coast County Council regarding noxious plant control which are considered appropriate for inclusion in the Development Control Plan.

2. Following are the proposed corrections, amendments and additions: *to paper of 5 April '94*

✓ 1) Page 20 Business Paper

✓ cl. 1.7.2 item 3: full stop after "only".
item 6: "BA stage" to read "DA stage". ✓

2) Page 24 Business Paper item 6 .. "holiday accommodation" to be amended to read "tourist accommodation" for purposes of consistency within the plan. ✓

cl. 2.2.3 Plans additional item i) as suggested by the FNCC, to read:

✓ "A plan showing the current situation in relation to noxious weeds including a report/certificate from the local control authority (as defined in the Noxious Weeds Act 1993)." ✓

✓ 3) Page 25 Business Paper

cl. 2.2.4 item c) include the words:

✓ "and community management structure" after ".....ownership"

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LISMORE CITY COUNCIL - MEETING HELD APRIL 5, 1994

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- 2 -

The requirement to provide this information with the DA was accidentally omitted, and is considered necessary so as Council can form an opinion as to whether or not subdivision of the land as defined within SEPP No. 15 is proposed.

- 4) Page 25 Business Paper
cl. 2.2.4 item d) include the following requirement:

"A noxious weed control programme drawn up in consultation with or approved by the local control authority to conform with the regional noxious plants control strategy."

- 5) Page 26 Business Paper
cl. 2.2.5 the words ".....peg flag stake,..." to read .."peg/flag/stake ...". Either of the forms of identification as suitable provided they are of a visible height.

- 6) Page 36 Business Paper
cl. 3.7.1 permits the use of earth closets and pit toilets as a temporary means of effluent disposal. Concern was expressed as to the definition of "temporary". This has been discussed with the Environmental Health and Building Services Division who have indicated that "temporary" should align with the period for approved temporary residential occupation of rural land, ie 2 years, in accordance with Council's adopted policy. The clause is to be amended to read:

"Earth closets and pit toilets will only be considered as a temporary means of effluent disposal. Approved systems shall be in place within two years of issuance of a temporary residential occupation licence or Building Application for the dwelling."

- 7) Page 37 Business Paper
cl. 3.7.6 item 3(i) delete reference to "dual occupancy" as it may lead to confusion or an assumption that dual occupancy is permissible on each approved MO dwelling site.

- 8) Page 37 Business Paper
cl. 3.8.2 item b) to be deleted as it repeats requirements provided elsewhere in the clause.

- 9) Page 38 Business Paper
cl. 3.9.3 include the word "pasture" in reference to ... "prime crop and land".

- 10) Page 40 Business Paper
cl. 3.13.3 include at the end of the clause the words "and fire retardant species".

cl. 3.13.4 reference to fire refugees in high bushfire risk area. Initial consultation with the Fire Control Officer identified that such refugees were inappropriate. This clause should also be deleted together with cl. 3.13.5 as indicated in the report.

- 11) Page 42 Business Paper
cl. 3.15.1 - the current wording of this clause has caused some confusion as to what is and what is not permissible on land approved for multiple occupancy use. The following alternative wording is recommended:

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"No holding approved for multiple occupancy shall be developed for a purpose prohibited under the provisions of the City of Lismore Local Environmental Plan 1992. The zoning provisions of this plan prohibit certain uses in rural zones such as residential flat buildings, shops (other than convenience shops and shops ancillary to a permitted use) warehouses etc.

Other forms of development such as rural tourist facilities, motels, hotels, caravan parks, industries, etc are permissible in certain rural zones subject to the development consent of Council being obtained prior to the commencement of that use."

Declaration:

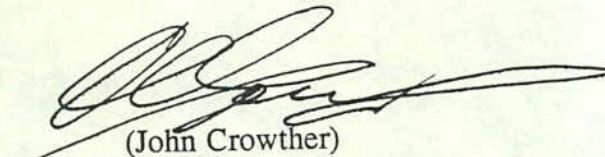
'I hereby declare, in accordance with Section 451 of the Local Government Act, that I do not have a pecuniary interest in the matter/s listed in this report.'

RECOMMENDATION (PLAN57)

RECOMMENDATION

That the amendments as detailed in this minute be incorporated into Development Control Plan No. 20 - Multiple Occupancy of Rural Land.

ADOPTED


(John Crowther)
MAYOR

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