

New South Wales Government Department of Urban Affairs and Planning

.....

Dorin Hart
Acting Secretary
Bellingen Multiple Occupancy Action Group
C/- 3, Casuarina Avenue
BELLINGEN NSW 2454

Contact:

Our Reference: S95/00998

Your Reference:

Dear M/S Hart

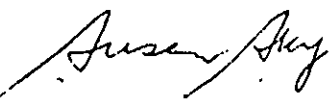
I refer to your letter of 30 January, 1997 in which you raised a number of issues relating to a Development Control Plan for State Environmental Planning Policy 15, - Multiple Occupancy.

Development Control Plans for Local Environmental Plans and Regional Environmental Plans are prepared according to the Environmental Planning and Assessment Act, 1979. There is no provision in the EP&A Act for the making of Development Control Plans for State Environmental Planning Policies (SEPPs).

It is possible for Councils to make and adopt general policies on any matter that Council believes to be important for the local area. Where a council takes this course of action, then the situation with such policies is very much a matter for the local council. The status of the policy you mention will depend on whether Council has revoked the policy or not. Therefore it is appropriate that you discuss the status of this document with Bellingen Shire Council.

Thank you for your inquiry. I trust this information clarifies this particular issue of the making of plans for SEPPs.

Yours sincerely


Susan Sky
Acting Manager
Planning and Design Branch

28/2/97

Governor Macquarie Tower
1 Farrer Place, Sydney 2000
Box 3927 GPO, Sydney 2001

Telephone: (02) 9391 2000
Facsimile: (02) 9391 2111

8.51 DCP - REP

Director may make DCP or is it REP under
Policy advice

Policy. can not prohibit that head
lease -

Can have advisory policy.

not the name

51A

"preferred position"

State power rep to local powers.

DCP Not merged

○ Council can make a SEPP

Considered necessary

○ When S. 51 DCP → SEPP

In legal volume

Defer - send back & redraft a
percentage of abolition of sub legal change.

Loc. extract

Lindsay Taylor C^o

Went to reviewing
S. 94

NEROC In legal A

To go to Exhibitor / There will

Rob. SEPP + DCP may be to our advantage...
Could be a good guide.

Sets of DCP in LEP.

FAX DOCUMENT FROM PETER HAMILTON

✓ 1/50 Paterson Street, Byron Bay, 2481 (02) 6685 8648 (F/T) email: peterh@nor.com.au

Pan Community Council Homepage:- <http://www.nor.com.au/users/pancom>

TO: Di

FAX No: DATE: 30-7-98

Number of pages (including this sheet): 2

SUBJECT: DCP to a SEPP

COMMENTS: Herewith copy of the letter requested.

Regards
Peter

New South Wales Government Department of Urban Affairs and Planning

Dorin Hart
Acting Secretary
Bellingen Multiple Occupancy Action Group
C/- 3, Casuarina Avenue
BELLINGEN NSW 2454

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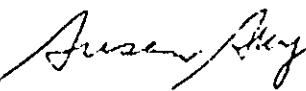
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BELLINGEN
MULTIPLE
OCCUPANCY
ACTION
GROUP

C/- 3, Casuarina Avenue, Bellingen, NSW 2454

Tel 066 551 721 FAX 066 551 888

30 January 1997

Ms Susan Sky
Department of Urban Affairs and Planning
GPO Box 3927, Sydney, NSW 2000

Dear Mr Sky

Re: Development Control Plans and SEPP 15

Bellingen MOAG is currently preparing its submission on draft SEPP 15. As part of this we need some clarification from your department on DCPs.

When SEPP 15 was in operation, Bellingen Shire introduced a DCP Multiple Occupancy. This was worded in such a way by the planner that its existence hinged on SEPP 15. No provision for MO was made at the time in the shire's LEP, though MOAG had always been under the impression that this would be done. The terms of the DCP were negotiated with the existing multiple occupancy groups and as a result strictly adhered to by them when seeking, and then after receiving, development consent for Multiple Occupancy. A major feature of this is that the housing density provisions were half that allowed under SEPP 15.

Bellingen MOAG seeks urgently your opinion on the following:

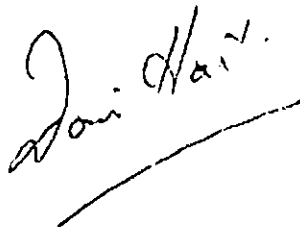
1. Will Bellingen's DCP MO be automatically 're-activated' with the reintroduction of SEPP 15? / IF NOT
2. What planning provisions would be needed to achieve this?
3. IF NO DCP IS POSSIBLE / What would be the implications for housing density of a) existing b) future MOs in Bellingen Shire?
4. State-wide disregarding the historical position of Bellingen
4. Is it practical for local councils to have DCPs under SEPP 15? / IF NOT
5. What would be the administrative steps to make this so, if DCPs are felt to be desirable?

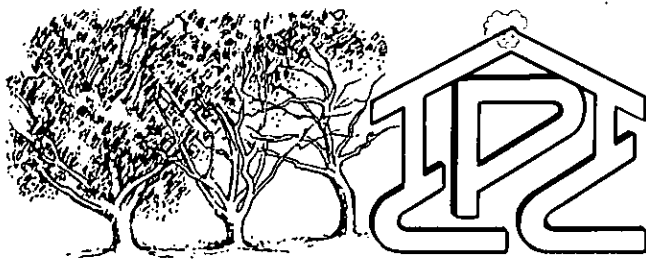
Bellingen MOAG will be holding a meeting on SEPP 15 on Saturday 15 February. We would greatly appreciate some clarification on these points before that date.

With thanks

Dorin Hart

Acting Secretary, Bellingen MOAG





PAN-COMMUNITY
COUNCIL
P.O. BOX 102,
NIMBIN 2480

*1/50 Paterson Street,
Byron Bay, 2481
(F/T) 066-858-648*

13 March 1997

*The Manager, Planning and Design Branch,
Department of Urban Affairs and Planning,
GPO, Box 3927,
Sydney, NSW 2001.*

Attention: Mr. Roger Elliott

Dear Roger Elliott,

Re: Review of Draft SEPP-15 Multiple Occupancy of Rural Land

Notwithstanding our correspondence with the Department over the years we view it as possible that the Purdon Report may be seen as a substantive source of information on Multiple Occupancy.

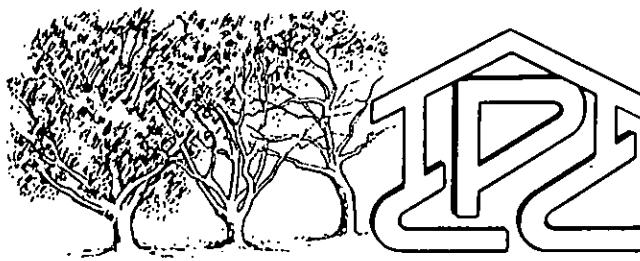
Our Council is most concerned at what we regard as the inappropriate conclusions drawn in the Purdon Report and that these conclusions are not taken by Departmental Officers as being definitive information about Multiple Occupancies.

We are so concerned about this that we strongly urge Departmental Officers involved in the review and, those who will be attending the scheduled meetings on the 17th and 18th of March with council planners, councillors and ourselves, to pre-read the attached "Analysis and Critique of the Purdon Report" as our Council endorses the analysis and findings of this critique.

Thanking you in anticipation of your support to this end.

Yours sincerely,

Peter Hamilton
Peter Hamilton
For Pan Community Council,
Multiple Occupancy Review Collective



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Correspondence*

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Sydney, NSW 2001.*

Attention: Mr. Roger Elliott

Dear Roger Elliott,

*Re: Pan Com Proposed Interim Amendments to the Draft SEPP-15
Multiple Occupancy of Rural Land*

*Herewith our proposed interim amendments to the above Policy for the purpose of
discussion in principle at our meeting on 18th March.*

*It appears to us that it would be an efficient use of the limited time we will have together to
narrow down the items to those on which you seek further clarification or consider there to
be sound planning grounds for their deletion etc.*

*We appreciate of course that the final drafting will be carried out by the Parliamentary
Counsel. This is not of concern at this stage as our aim at the forthcoming meeting is, if
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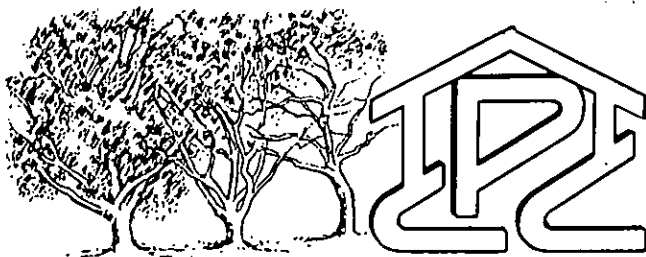
*If you are able to identify in the attached paper, the most important items from your point
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Thanking you in anticipation.

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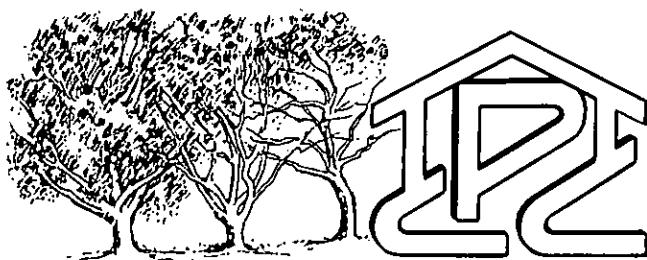
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