



Armidale Dumaresq Council

Address correspondence to the General Manager

135 Rusden Street
PO Box 75A
ARMIDALE NSW 2350

Phone: (02) 6770 3600
Freecall: 1300 136 833
Fax: (02) 6772 9275
ABN 63 781 014 253

Date 26 February 2010 Your Ref Our Ref A10/4773

Mr C Diss
Team Leader, Northern Region
Department of Planning
PO Box 550
TAMWORTH NSW 2340

Dear Mr Diss

Craig

DRAFT AMENDMENT No 5 TO ARMIDALE DUMARESQ LEP 2008

At its meeting on 22 February 2010 Armidale Dumaresq Council resolved (Minute No: 17/10):

- (a) *That Council seek to amend clause 15(7)(e) of Armidale Dumaresq Local Environmental Plan 2008 in the terms outlined in the officer's report.*
- (b) *The related Planning Proposal, prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (the Act) and included in the Attachments, be endorsed by Council and forwarded to the Minister for Planning, requesting that a Gateway Determination be provided in accordance with Section 56 of the Act.*

Please find enclosed copies of the report and Minutes from the Council meeting held on 22 February 2010.

The Planning Proposal referred to in the resolution seeks to correct a drafting error in the provisions relating to the erection of a dwelling house on land within the release area of the Rural Living 1(b) zone under Armidale Dumaresq Local Environmental Plan 2008.

The proposed amendment was initially submitted to the Department in January 2010 with a request that it be made in accordance with section 73A of the Environmental Planning and Assessment Act 1979 (Act). However, a Gateway Determination was issued advising that the matter was not considered to be of a minor nature and should not be dealt with under section 73A of the Act. A Planning Proposal should be prepared for the amendment and be submitted for a new Gateway Determination.

A Planning Proposal has been prepared, a copy of which is enclosed. Council requests that the Minister for Planning provide a Gateway Determination on the Planning Proposal, in accordance with section 56 of the Act.

www.armidale.nsw.gov.au
council@armidale.nsw.gov.au

thrive
in Armidale



Addressee:

Mr C Diss

Subject:

Draft Amendment No 5 to Armidale Dumaresq LEP 2008

If you should have any inquiries regarding the Planning Proposal, please contact Council's Strategic Planner, Ms Kathy Martin, by phone: (02) 6770 3632 or by email: kmartin@armidale.nsw.gov.au

Yours sincerely

Stephen Gow

Director Planning and Environmental Services

Encls: Council report and Minutes, 22 February 2010

Planning Proposal: Correct Drafting Error - Dwelling Houses in Release Area, Rural Living 1(b) Zone