

### Tamworth Regional LEP 2010 Amendment No 5 - Rezoning of North Tamworth Tennis Courts, 59-73 Piper Street, Tamworth

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|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------|
| Proposal Title :   | Tamworth Regional LEP 2010 Amendment No 5 - Rezoning of North Tamworth Tennis Courts, 59-73 Piper Street, Tamworth                                                                                                                                                                                                                                             |               |          |
| Proposal Summary : | This Planning Proposal aims to rezone land at 59-73 Piper Street, Tamworth from RE1 Public Recreation to R1 General Residential and alter its minimum lot size to permit residential development. The land is commonly known as the North Tamworth Tennis Courts and currently consists of a small playground, an unused clubhouse and 5 unused tennis courts. |               |          |
| PP Number :        | PP_2013_TAMWO_003_00                                                                                                                                                                                                                                                                                                                                           | Dop File No : | 13/05500 |

#### Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **6.2 Reserving Land for Public Purposes**

Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
  - (a) the planning proposal must be made publicly available for 14 days; and
  - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
2. No consultation with Government agencies is required.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway Determination.
5. The Director General, or his delegate, approve the inconsistency with section 117 Direction 6.2 Reserving Land for Public Purposes as a matter of minor significance.
5. Council be issued with a 'Written Authorisation to Exercise Delegation' to make this plan.

Supporting Reasons : **The Planning Proposal should proceed as it aims to facilitate the redevelopment of an underutilised area of public open space with adequate open space and recreation facilities still available to service the needs of residents of the area.**

#### Panel Recommendation

Recommendation Date : **28-Mar-2013** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
  - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
  - (b) the relevant planning authority must comply with the notice requirements for public

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exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).

2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

NEIL SELMON Date: 4/4/13