

(e) Reason for Consideration by Council

The application has been referred to Council for determination as a number of submissions were received in response to the public exhibition period raising concerns in relation to odour impacts and the ongoing management of the farm.

CONCLUSION:

This report provides an assessment of the development with regard to all relevant matters listed under Sections 96(2) and 79C(1) of the Environmental Planning and Assessment Act 1979. The concerns raised in public submissions have also been addressed.

The key issue related to poultry development, specifically broiler farms is air quality and noise impacts. In this instance, it has been demonstrated that as the proposal does not seek an increase in the number of birds beyond the approved number of 247,000, the proposed additional shed will have minimal impact on the surrounding locality which is likely attributed to size of the land and the distance between the facility and sensitive receptors.

The outstanding compliance issues have been discussed previously in this report and it is considered that subject to the Applicant demonstrating that compliance with the subject development consent is achieved, the proposal will have minimal impact.

Further, it is considered that the development will have a positive input into the local and regional economy as identified by the submission in support of the proposal. Consequently, it is recommended that the modification application be determined by approval, subject to conditions.

7.2 PLANNING PROPOSAL TO REZONE PART OF 59-73 PIPER STREET FROM RE1 'PUBLIC RECREATION' ZONE TO R1 'GENERAL RESIDENTIAL' – FILE NO SF5976

DIRECTORATE: PLANNING AND COMMUNITY SERVICES

AUTHOR: Nathan Bartlett, Strategic Planner

Reference: Item 12.3 to Ordinary Council October 2012 - Minute No. 311/12

2 ANNEXURES ATTACHED

1 CONFIDENTIAL ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report "Planning Proposal to Rezone Part of 59-73 Piper Street from RE1 'Public Recreation' Zone to R1 'General Residential'", Council resolve to forward the enclosed "59-73 Piper Street" Planning Proposal to the Minister for Planning and Infrastructure in order to receive a gateway determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.

SUMMARY

This report seeks Council's consideration of a Planning Proposal to amend the *Tamworth Regional Local Environmental Plan 2010* (TRLEP 2010) concerning the subject land identified as Lot 12, DP 1076924, 59-73 Piper Street, North Tamworth, as shown in the **ATTACHED Site Map**, refer **ANNEXURE 1**. The objective of this proposal is to amend the zoning of part of the land zoned *RE1 Public Recreation Zone* to *R1 "General Residential" Zone*, and introduce a Minimum Lot Size (MLS) restriction in the *R1 – General Residential*

zone.

The land has not been utilised for recreational purposes for a number of years and is considered surplus in terms of its recreational value with the exception of the playground. The intention is to retain and relocate the existing play equipment to the western side of Lot 12, DP 1076924 should the proposal be approved.

COMMENTARY

Background

This planning proposal is the result of a report to Ordinary Council 9 October 2012, being Item 12.3 Minute 311/12, which authorised the lodgement of a rezoning/subdivision application for the land.

It is the intention of this proposal to amend the zoning of part of the land known as Lot 12 DP 1076924, 59-73 Piper Street North Tamworth, shown on the **ATTACHED** Site Map, refer **ANNEXURE 1**, to facilitate the subdivision and redevelopment of part of the land for residential purposes. The total area of land subject to the proposed rezoning is approximately 3,863m². It is intended to retain the remainder of the land for public recreational use. The outcome of the proposed amendment will facilitate a higher land use that is also consistent with the surrounding locality.

The Planning Proposal aims to rezone part of Lot 12, DP 1076924 from *RE1 Public Recreation Zone* to R1 "General Residential" Zone, as indicated on the **ATTACHED** plan, refer **ANNEXURE 2**. The Proposal will also introduce a 600m² Minimum Lot Size on the proposed residential land for the purpose of future residential development. The portion of the subject site that is proposed to be retained for public recreational purposes is approximately 1,955m². This area will be embellished with the existing play equipment on the eastern side of the subject land.

The subject land, which also contains the disused North Tamworth Tennis courts, is considered to be surplus to the recreational needs within the City. The Tennis Courts have not been formally maintained/used since 2008 when the North Tamworth Tennis Club advised Council that it was no longer in a position to maintain the lease of the facility. The purpose of the rezoning is to facilitate a higher land use in keeping with the surrounding locality. The planning proposal is considered to be consistent with the objectives, actions and priorities outlined in the *Tamworth Regional Development Strategy 2008*.

The rezoning of part of the subject land from *RE1 Public Recreation* to *R1 General Residential* will encourage and support development that is not only consistent with the locality, but will also provide additional residential land close to the Central Business District (CBD), Northgate Shopping complex, hospitals and impending University Campus, as outlined within Council's Strategic Plan.

In order to amend the TRLEP 2010, Council is required to initiate a Planning Proposal to rezone part of the subject land R1 'General Residential' to permit residential development on the site, refer **CONFIDENTIAL ENCLOSURE 1**, for the Planning Proposal. This planning proposal has been written in accordance with the Department of Planning's 'A Guide to preparing Local Environmental Plans' and 'A Guide to preparing Planning Proposals' as a requirement for the preparation of the gateway determination by the Department. The planning proposal also meets the requirements (Best Practice Guideline) for rezoning Council-owned land. This includes the preparation of a 'statement of interest', which will accompany the planning proposal should it proceed to exhibition.

CONCLUSION

The Planning Proposal is the first step in the 'gateway' plan-making process and explains the effect of and justification for the initiative. If approved, the Minister will provide a determination regarding the procedure and whether further studies are required and resources allocated for the preparation of the Proposal, as well as any specific requirements for public exhibition. It is recommended that the planning proposal be referred to the Department of Planning for a Gateway determination to initiate the process.

(a) Policy Implications

The Planning Proposal will result in the amendment of the TRLEP 2010 Zone and MLS Maps.

(b) Financial Implications

Nil

(c) Legal Implications

Any potential amendment to the TRLEP 2010 would change the legal planning controls for the affected land.

(d) Community Consultation

The proposed rezoning of Lot 12, DP 1076924 has not been the subject of any formal Community Consultation. However, after a review of the Planning Proposal, the Gateway Panel will advise Council of the necessary Community Consultation requirements.

7.3 TAMWORTH REGIONAL CRIME PREVENTION PLAN – FILE NO SF2264

DIRECTORATE:

PLANNING AND COMMUNITY SERVICES

AUTHOR:

Victoria St Lawrence, Community Development Officer

1 ANNEXURES ATTACHED

RECOMMENDATION

That in relation to the report "Tamworth Regional Crime Prevention Plan", Council:

- (i) approve and note the Draft Tamworth Regional Crime Prevention Plan 2013-2016; and*
- (ii) place the Draft on public exhibition for a period of 28 days, commencing 13 March 2013 and concluding 12 April 2013.*

SUMMARY

The purpose of this report is to seek approval from Council to place the Draft Tamworth Regional Crime Prevention Plan 2013-2016 as **ATTACHED**, refer **ANNEXURE 1**, on public exhibition for 28 days.

The Tamworth Regional Crime Prevention Working Group met on 15 February and 1 March 2013, to develop the Tamworth Regional Crime Prevention Plan 2013-2016, using a template and guidelines from NSW Department of Attorney General and Justice.

Crime data from NSW Bureau of Crime Statistics and Research and NSW Police was used to