

**Tamworth LEP 2010 Amendment No 4 - Rezone Lot 1 DP 803644, 89 Marius Street, Tamworth, from IN1 General Industrial to B4 Mixed Use.**

Proposal Title : Tamworth LEP 2010 Amendment No 4 - Rezone Lot 1 DP 803644, 89 Marius Street, Tamworth, from IN1 General Industrial to B4 Mixed Use.

Proposal Summary : To rezone Lot 1 DP 803644, 89 Marius Street, Tamworth from IN1 General Industrial to B4 Mixed Use.

PP Number : PP\_2012\_TAMWO\_001\_00      Dop File No : 12/09271

**Planning Team Recommendation**

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

S.117 directions :      **1.1 Business and Industrial Zones**  
                                 **3.4 Integrating Land Use and Transport**

- Additional Information :
1. The Planning Proposal be supported;
  2. The Planning Proposal be exhibited for 28 days;
  3. The Planning Proposal be completed within 9 months;
  4. That consultation be undertaken with the Roads and Maritime Services due to the potential impact on intersections with Peel Street (MR 63);
  5. The Director-General's delegate agree that the inconsistency with s117 Direction - 1.1 Business and Industrial Zones is of minor significance;
  6. The Planning Proposal be amended prior to exhibition to clearly detail that the Tamworth Regional LEP 2010 Floor Space Ratio Map (FSR\_004) is to be amended by this process; and
  7. The Planning Proposal Location Map be amended prior to exhibition to include Lot 1 DP 70023, 8 O'Connell Street, Tamworth.

Supporting Reasons :      The proposal to rezone the land is considered to be appropriate and is supported. The proposed B4 Mixed Use will allow the site to be redeveloped in a fashion more appropriate to its location and surrounding uses than the current industrial zoning. The change of zoning will also accommodate a range of potential uses that could have positive social and economic impacts upon Tamworth and the Region. The application of a 1:1 floor space ratio will ensure the appropriate development of the land in keeping with its surroundings, while exclusion of the land from Clause 7.4 of Tamworth Regional LEP could enable the development of a significant retail premises in a location that Council considers will support the CBD, should the opportunity arise.

**Panel Recommendation**

Recommendation Date : 07-Jun-2012      Gateway Recommendation : **Passed with Conditions**

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

1. Council is to clarify that it intends to apply a maximum floor space ratio control of 1:1 to Lot 1 DP 803644. Council needs to amend the planning proposal prior to community consultation to reflect the intended outcome and provide a copy of the revised planning proposal to the Department's Regional Office.
2. Council needs to revise the Site Identification Map at Attachment 1 to ensure the subject land is clearly identified, including land at 8 O'Connell Street, for the purposes of community consultation.
3. 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 is classified as low impact as described in A Guide to Preparing

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LEPs (Department of Planning 2009) and must be made publicly available for 28 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).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

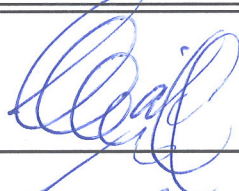
- Transport for NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. 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).

6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

17.6.12