

Amend Albury LEP 2010 - Reclassify Land in Milro Ave and 546 Dean St to Operational Land

Proposal Title : Amend Albury LEP 2010 - Reclassify Land in Milro Ave and 546 Dean St to Operational Land

Proposal Summary : Council seeks to amend Albury LEP 2010 reclassifying the following two parcels of land from Community Land to Operational Land;

1. Lot 33 DP 21896 Milro Avenue, East Albury - linear drainage reserve in a residential area.
2. Lot 25 DP 1169423 546 Dean Street, Albury - Area 56.9 m2 within Albury CBD.

PP Number : PP_2012_ALBUR_002_00 Dop File No : 12/09962

Planning Team Recommendation

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

S.117 directions :

- 1.1 Business and Industrial Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes

Additional Information : That the Director General, as delegate of the Minister for Planning and Infrastructure, determine under section 56(2) of the EP&A Act that an amendment to the Albury Local Environmental Plan 2010 to reclassifying the following two parcels of land from Community Land to Operational Land;

A. Lot 33 DP 21896 Milro Avenue, East Albury - linear drainage reserve
B. Lot 25 DP 1169423 546 Dean Street, Albury - Area 56.9 m2

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 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).

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

3. No public hearing is required to be held into the matter 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 9 months from the week following the date of the Gateway Determination.

5. The Director General can be satisfied that the planning proposal is consistent with all relevant s117 Directions or that any inconsistencies are of minor significance.

6. No further referral is required in respect of s117 Directions while the planning proposal remains in its current form.

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- Supporting Reasons :
1. The PP is for the reclassification of land and is therefore not considered low impact in accordance with 'A guide to preparing local environmental plans'.
 2. The PP adequately justifies any inconsistencies with the relevant s117 Directions or establishes that any inconsistencies are of minor significance.

Panel Recommendation

Recommendation Date : 21-Jun-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

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 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).

2. Consultation is not 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 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McKeefin

Date:

27.6.12