

24 December 2015

Regional Director
Department of Planning & Infrastructure - Southern Region
PO Box 5475
WOLLONGONG NSW 2520

Attention: Graham Judge

Dear Sir

Subject: Planning Proposal: Rezoning of 745 Centaur Road & 774 Pearsall Street, Hamilton Valley 'Lavington Sports Ground' from R1 General Residential to RE1 Public Recreation

At the Ordinary Council meeting held on Monday 21 December 2015, AlburyCity resolved to forward a Planning Proposal (enclosed) to the NSW Department of Planning & Environment (NSW DPE) to amend *Albury Local Environmental Plan 2010* (ALEP 2010) by rezoning 745 Centaur Road (Lot A, DP 328923) & 774 Pearsall Street (Lot 25, DP 1000075), Hamilton Valley, being part of the 'Lavington Sports Ground' from R1 General Residential to RE1 Public Recreation.

The Planning Proposal has been prepared following the purchase of the subject land in 2012 and in recognition of its proposed future use as a Recreation Facility (Major), which at present is prohibited under the R1 General Residential zone. Whilst the subject land was previously identified for rezoning as part of Council's next scheduled city-wide LEP review, the success of recent grant funding bids (\$5.25M) and Council's decision to bring forward the project in its budget process to 2016/17 has necessitated the commencement of this Planning Proposal in the interim, to effect a rezoning to RE1 Public Recreation (via an amendment to ALEP 2010).

Rezoning the subject land is therefore consistent with that of the adjoining land, future proposed land use activities and development proposals. In addition, this Planning Proposal removes any potential ambiguities, obstacles or planning policy impediments in developing this land as intended in the future. In the absence of this Planning Proposal, future development of the subject land would be impeded by existing planning policy that prohibits 'Recreation facilities (major)' and associated development activities.

The attached Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Department of Planning's *A Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*.



Likewise, all mapping associated with the Planning Proposal has been prepared in accordance with NSW DPE *Standard Technical Requirements for LEP Maps (Version 2.0)*, November 2012 and *Standard Technical Requirements for Spatial Datasets and Maps (Version 1.0)*, 30 November 2015.

Accordingly, AlburyCity requests a Gateway Determination on the Planning Proposal from the Minister for Planning in accordance with Section 56 of the EP&A Act. Please find enclosed a copy of the Council resolution and Planning Proposal report.

It is also requested that AlburyCity receive written authorisation to exercise delegation and the functions of the Minister for Planning under section 59 of the EP&A Act.

AlburyCity considers the planning proposal to be a 'low impact proposal' for the purposes of public exhibition and would be seeking a public exhibition period for a minimum of 14 days only, due to the relatively minor nature of the proposal, the potential impacts upon recent successful grant funding bids and the fact that the site has already been the subject of a draft Master Plan.

Please find enclosed a copy of the Officers Report to Council, Council resolution, the Planning Proposal and associated LEP mapping to assist NSW Department of Planning and Environment deliberations on this matter.

If you have any queries regarding the Planning Proposal, please contact Council's Strategic Planner, Matt Johnson on (02) 6023 8173 or mjohnson@alburycity.nsw.gov.au.

Yours faithfully



David Christy
Acting Director
Planning & Environment

encl

1. Council Meeting Report held Monday 21 December 2015 – Report 14D – Albury Local Environmental Plan 2010 – Planning Proposal: Lavington Sports Ground;
2. Council Meeting Minutes from Meeting held Monday 21 December 2015 (including Council resolution);
3. Planning Proposal – Amendment to Albury Local Environmental Plan 2010 – Planning Proposal: Rezoning of 745 Centaur Road & 774 Pearsall Street, Hamilton Valley 'Lavington Sports Ground' from R1 General Residential to RE1 Public Recreation (December 2015);
4. Attachment 4 – Evaluation Criteria for the Delegation of Plan Making Functions;
5. Map Cover Sheet & Draft LEP Maps.