

Amend Albury LEP 2010 - Rezone Lot A DP 354713 222 Borella Rd, Albury to B2 Local Centre Zone

Proposal Title :	Amend Albury LEP 2010 - Rezone Lot A DP 354713 222 Borella Rd, Albury to B2 Local Centre Zone		
Proposal Summary :	Council seeks to amend the Albury LEP 2010 to rezone Lot A DP 354713, 222 Borella Road, East Albury, from R3 Medium Density Zone to B2 Local Centre Zone and to; 1. amend the Lot Size Map from '450m2' to no MLS, 2. amend the Height of Buildings Map from '16 metre' to no maximum building height, and 3. amend the Floor Space Ratio Map from '2:1 floor space ratio' to no restriction on floor space.		
PP Number :	PP_2012_ALBUR_004_00	Dop File No :	12/17927-1

Planning Team Recommendation

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

- S.117 directions :
- 1.1 Business and Industrial Zones
 - 1.3 Mining, Petroleum Production and Extractive Industries
 - 2.1 Environment Protection Zones
 - 2.3 Heritage Conservation
 - 2.4 Recreation Vehicle Areas
 - 3.1 Residential Zones
 - 3.2 Caravan Parks and Manufactured Home Estates
 - 3.3 Home Occupations
 - 3.4 Integrating Land Use and Transport
 - 6.1 Approval and Referral Requirements
 - 6.2 Reserving Land for Public Purposes
 - 6.3 Site Specific Provisions

Additional Information : The Director General, as delegate of the Minister for Planning and Infrastructure, has determined under section 56 (2) of the EP&A Act that an amendment to the Albury Local Environmental Plan 2010 to rezone 222 Borella Road, East Albury (Lot A DP 354713) from R3 Medium Density Zone to B2 Local Centre Zone and including other subsequent changes to the Lot Size Map, Height of Buildings Map and Floor Space Ratio Map 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 5.5.2 of A Guide to Preparing Local Environmental Plans (Department of Planning October 2012).

2. In accordance with section 55 (2) (d) of the EP&A Act the RPA must prepare draft LEP maps showing the proposed changes to the Land Zoning Map, Lot Size Map, Height of Buildings Map and Floor Space Ratio Map to be placed on public exhibition as part of the community consultation.

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

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date of the Gateway determination.

5. The Director General can be satisfied that the inconsistencies with s117 Directions 3.1 Residential Zones and 3.2 Caravan Parks and Manufactured Home Estates are of minor significance.

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

7. No further referral is required in relation to s117 Directions while the planning proposal remains in its current form.

Supporting Reasons :

1. The PP is considered to be a routine spot rezoning and community consultation is required for 28 days.

2. Draft LEP Maps are required to be part of the planning proposal in accordance with section 55 (2) (d) of the EP&A Act.

Panel Recommendation

Recommendation Date : 15-Nov-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to commencing public exhibition, Council is to amend the planning proposal to include draft LEP maps which clearly identify the proposed site and changes to the Land Zoning Map, Lot Size Map, Height of Buildings Map and Floor Space Ratio Map. Council is to ensure all mapping is prepared in accordance with the Department's Standard Technical Requirements for LEP Maps prior to finalisation of the draft LEP.

2. 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).

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

4. 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).

5. 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 McElroy

Date:

19.11.12