

Tamworth Regional LEP 2010 Amendment No 4 - Coledale

Proposal Title : **Tamworth Regional LEP 2010 Amendment No 4 - Coledale**

Proposal Summary : **This Planning Proposal aims to facilitate the redevelopment of under-utilised public open space areas (redundant parklands) and the development of vacant lands within the suburb of Coledale, West Tamworth.**

The redevelopment opportunities are an outcome of an initiative between Housing NSW and Tamworth Regional Council to implement the Coledale Revitalisation Strategy. The strategy recommends a number of actions for the revitalisation of the Coledale public housing estate in West Tamworth which have been explored with the intention to increase greater accessibility to the area with improved road infrastructure and development of sites for affordable housing for low to moderate income earners.

The proposal also seeks to reclassify two parcels of land from "community land" to "operational land" under the Local Government Act.

PP Number : **PP_2013_TAMWO_002_00** Dop File No : **13/01214**

Planning Team Recommendation

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

S.117 directions : **1.2 Rural Zones
1.5 Rural Lands
4.3 Flood Prone Land
6.2 Reserving Land for Public Purposes**

Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

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

- **Department of Primary Industries – Catchment and Land – Crown Lands Division.**

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.

Council is to consult the Crown Lands Division seeking approval to reduce existing zonings or reservations of land for public purposes, prior to undertaking community consultation. Council is to take into account any comments made and amend the planning proposal (if necessary).

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. Council is to exhibit the following documents concurrently with this Planning Proposal

- **Coledale Revitalisation Strategy;**
- **Coledale Master Plan;**

- The Flora and Fauna Study pertaining to the subject site;
- Preliminary Site Contamination Investigation and the results of any further investigations pertaining to the subject site;
- Flood Investigation and the results of any further flood studies pertaining to the subject lands; and
- Archaeological Analysis pertaining to the subject site.

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.

6. The Delegate of the Director General agrees that the inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands, 4.3 Flood Prone Land are justified as being of minor significance

7. The Delegate of the Director General approve the reduction of existing zonings or reservations of land for public purposes in accordance with the provisions of S117 Direction 6.2 Reserving Land for Public Purposes.

Supporting Reasons : This Planning Proposal should proceed as it aims to facilitate the development of more housing and neighbourhood/community uses. The proposed changes to the Tamworth Regional Local Environmental Plan 2010 are a result of strategic planning work carried out by NSW Housing in conjunction with Council. It is also linked to \$10.7million funding provided by the Federal Government under the "Building Better Regional Cities" program.

Panel Recommendation

Recommendation Date : 17-Jan-2013

Gateway Recommendation : Passed with Conditions

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

1. Council has identified that additional information regarding flora and fauna, flood prone land and archaeological analysis is being prepared to support the planning proposal. Council is to place this additional information on public exhibition with the planning proposal. The Coledale Revitalisation Strategy and Coledale Master Plan should also be placed on public exhibition with the planning proposal.
2. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy No 55 (SEPP 55) – Remediation of Land. Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.
3. Council is to consult with the Crown Lands Division regarding the reduction of land used for public purposes. Council is to amend the planning proposal, if necessary, to take into consideration additional information received, prior to undertaking public exhibition.
4. 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 LEPs (Department of Planning & Infrastructure 2012).
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

