

Amend Albury LEP 2010 to reclassify Riverdeck Cafe (Lot 1 DP 1182825) and Drainage Reserve (Lot 2 DP 231315) to Operational Land

Proposal Title :	Amend Albury LEP 2010 to reclassify Riverdeck Cafe (Lot 1 DP 1182825) and Drainage Reserve (Lot 2 DP 231315) to Operational Land		
Proposal Summary :	Albury City Council seeks to amend Part 2 of Schedule 4 in Albury LEP 2010 to reclassify the following two parcels of land from Community Land to Operational Land: 1. Riverdeck Cafe, Noreuil Park (Lot 1 DP 1182825), South Albury. The land is currently zoned RE1 Public Recreation Zone. No change in zone is proposed; and 2. Donnelly Court Drainage Reserve (Lot 2 DP 231315), Wagga Road, Lavington. The land is currently zoned R1 General Residential Zone. No change of zone is proposed.		
PP Number :	PP_2013_ALBUR_002_00	Dop File No :	13/06099

Planning Team Recommendation

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

- S.117 directions :
- 1.1 Business and Industrial Zones
 - 3.1 Residential Zones
 - 3.4 Integrating Land Use and Transport
 - 4.3 Flood Prone Land
 - 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 reclassify the following two parcels of land from Community Land to Operational Land;

- 1. Riverdeck Cafe, Noreuil Park, South Albury (Lot 1 DP 1182825),
- 2. Donnelly Court Drainage Reserve, Wagga Road, Lavington (Lot 2 DP 231315)

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 14 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 and Infrastructure 2012).

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 6 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

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relevant s117 Directions or that any inconsistencies are only of minor significance.

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

Supporting Reasons : The PP is considered to be a 'low impact' proposal.

Panel Recommendation

Recommendation Date : 24-Apr-2013

Gateway Recommendation : Passed with Conditions

Panel Recommendation : The planning proposal 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:

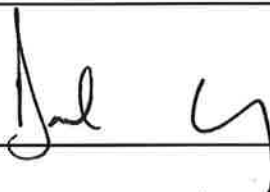
(a) the planning proposal must be made publicly available for a minimum of 28 days; and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

2. No consultation is 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 under section 56(2)(e) of the EP&A Act. However, a public hearing is required to be held into the matter in accordance with the department's practice note PN09-003, as the planning proposal involves a reclassification of land from community to operational.

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:

DANIEL KEARNEY

Date:

29/4/13