

Tamworth Regional LEP 2010 Amendment No 7 - Masters Home Improvement Centre with associated bulky goods / food and drink premises

Proposal Title : Tamworth Regional LEP 2010 Amendment No 7 - Masters Home Improvement Centre with associated bulky goods / food and drink premises

Proposal Summary : The Planning Proposal aims to:

- Rezone part of the site from R1 General Residential and RU4 Primary Production Small Lots to B4 Mixed Use (map sheet LZN_004C);
- Remove the current minimum lot size requirements for the areas of the site being rezoned to be consistent with the remainder of the land (no minimum lot size currently applies to the area of the site zoned B4 Mixed Use) (map sheet LSZ_004C);
- Alter the Floor Space Ratio Map (map sheet FSR_004C) for the areas to be rezoned to either 1:1 (land currently zoned R1) or 0.5:1 (land currently zoned RU4); and
- Alter the Flood Planning Map (map sheet CL3_004C) to incorporate the findings of a flood study due to the proposed changes to ground levels across the site that will result from the development.

These changes will facilitate the development of the site for a Masters Home Improvement Centre with associated bulky goods and food and drink tenancies.

PP Number : PP_2013_TAMWO_006_00 **Dop File No :** 13/10847

Planning Team Recommendation

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

S.117 directions :

- 1.1 Business and Industrial Zones
- 1.2 Rural Zones
- 1.5 Rural Lands
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 5.1 Implementation of Regional Strategies

Additional Information : It is recommended that:

1. The Planning Proposal be supported;
2. That the Director General's delegate agree that the inconsistencies with Section 117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 4.3 Flood Prone Land are justified as matters of minor significance;
3. That consultation be undertaken with the following public authorities:
 - NSW Office of Environment and Heritage – Floodplain Unit
 - NSW Department of Primary Industries - Fishing and Aquaculture
 - Transport for NSW - Roads and Maritime Services
 - Department of Primary Industries – NSW Office of Water.
4. Prior to undertaking agency consultation or public exhibition, the following further studies should be prepared and included in the Planning Proposal:
 - flora and fauna;
 - flood;
 - traffic;
 - Indigenous archaeological;
5. Prior to public exhibition, mapping demonstrating the proposed amendments to the Tamworth Regional LEP Flood Planning Map shall be prepared and included in the public exhibition material,
6. That the Planning Proposal be exhibited for a period of 28 days;
7. The Planning Proposal should be completed within 12 months;
8. That an authorisation to exercise delegation be issued to Council as the Planning Proposal is dealing with issues of local significance; and

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Supporting Reasons :

9. Council is to update the project timeline within the Planning Proposal to reflect the date of Gateway Determination (if approved), the issuing of an authorisation to Council to exercise its plan making delegations and the extended project time frame.

The Planning Proposal aims to facilitate the development of a Masters Home Improvement Centre with associated bulky goods and food and drink tenancies. The development will have significant positive economic and social impacts including creating 185 construction jobs and 150 equivalent full time jobs, strengthening Tamworth's position as a major regional centre and improving competition within the retail sector, subject to the resolution of potential traffic and flooding issues associated with the development of the site.

Panel Recommendation

Recommendation Date : **04-Jul-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

Recommendation :

The planning proposal should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the project timeline within the planning proposal to reflect plan making delegations being issued to Council and to reflect the date of this Gateway determination.
2. Prior to undertaking public exhibition, Council is to update the planning proposal to include a Flood Planning Map, which demonstrates the proposed amendments to the Tamworth Regional LEP 2010. The map is to be of an appropriate scale and clearly identify the subject site.
3. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:
 - flora and fauna
 - flooding
 - traffic
 - indigenous archaeology
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 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).
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage
 - NSW Department of Primary Industries – Fishing and Aquaculture
 - Transport for NSW – Roads and Maritime Services
 - Department of Primary Industries – Office of Water

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
6. 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).
7. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

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associated bulky goods / food and drink premises**

Signature:

M. Simon

Printed Name:

NEIL SIMON

Date:

9/7/12