

Armidale Dumaresq LEP 2012 - Amendment No.5 - Heritage Matters

Proposal Title : **Armidale Dumaresq LEP 2012 - Amendment No.5 - Heritage Matters**

Proposal Summary : **It is proposed to amend Armidale Dumaresq LEP 2012 by:**
 - adding five (5) items to Schedule 5 - Part 1 Heritage Items;
 - removing one (1) item from Schedule 5 - Part 3 Archaeological Items; and
 - making various corrections and amendments to the mapping and listing information for a number of items in Schedule 5 - Environmental Heritage.

PP Number : **PP_2014_ARMID_002_00** Dop File No : **14/09140**

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
 2.1 Environment Protection Zones
 2.3 Heritage Conservation
 2.4 Recreation Vehicle Areas
 3.2 Caravan Parks and Manufactured Home Estates
 3.3 Home Occupations
 4.3 Flood Prone Land
 4.4 Planning for Bushfire Protection
 6.1 Approval and Referral Requirements
 6.2 Reserving Land for Public Purposes

Additional Information : **1. The Planning Proposal be supported;**
2. The Planning Proposal be exhibited for 28 days;
3. The Planning Proposal be completed within 9 months;
4. Council is to consult with the Office of Environment and Heritage - Heritage Branch and the NSW Rural Fire Service;
5. That the Director General (or his delegate) agree that the inconsistency with section 117 Direction 2.3 Heritage Conservation is of minor significance;
6. That the Director General (or his delegate) note the current inconsistency with section 117 Direction 4.4 Planning for Bushfire Protection and that it is anticipated that this inconsistency will need to be resolved prior to the proposal being finalised;
7. That an authorisation to exercise delegation be issued to Council; and
8. That a revised project time line (that incorporates a 28 day notification period) be included in the Planning Proposal prior to public exhibition.

Supporting Reasons : **The Planning Proposal is required to correct various mapping and heritage listing issues that have been identified since the Plan was made in 2012 and to implement the recommendations of the Dumaresq Shire Heritage Study 1997.**

Panel Recommendation

Recommendation Date : **06-Jun-2014**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **This planning proposal is considered minor and the Gateway determination is to be issued under delegation by the General Manager. Therefore the planning proposal will not be considered by the panel.**

Gateway Determination

Decision Date : **10-Jun-2014**

Gateway Determination : **Passed with Conditions**

Decision made by : **General Manager, Northern Region**

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Exhibition period : **28 Days**

LEP Timeframe : **9 months**

Gateway

The Planning Proposal should proceed subject to the following conditions:

Determination :

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 and Environment 2013).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Office of Environment and Heritage – Heritage Branch
- NSW Rural Fire Service

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.

3. 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).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

5. A revised project time line (that incorporates a 28 day notification period) is to be included in the Planning Proposal prior to public exhibition.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

10 JUNE 2014