



Armidale Dumaresq LEP 2012 - Amd 4 - Rezoning and Minimum Lot Size Change at 53A The Avenue and 134-162 Ross Street and the adjoining road reserve

Proposal Title : Armidale Dumaresq LEP 2012 - Amd 4 - Rezoning and Minimum Lot Size Change at 53A The Avenue and 134-162 Ross Street and the adjoining road reserve

Proposal Summary : The Planning Proposal seeks to rezone Lot 10 and part of Lot 9, DP 836850, and the adjoining road reserve, 53A The Avenue and 134-162 Ross Street, Armidale, from E4 Environmental Living to R1 General Residential. The proposal also seeks to amend the minimum lot sizes across the site to cater for the change in land zoning.

PP Number : PP_2015_ARMID_001_00 **Dop File No :** 15/05759

Planning Team Recommendation

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

S.117 directions:

- 1.3 Mining, Petroleum Production and Extractive Industries
- 1.5 Rural Lands
- 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
- 4.4 Planning for Bushfire Protection
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions

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 and the NSW Rural Fire Service;
- 5. That the Secretary (or her delegate) agree that the inconsistency with section 117 Direction 2.1 Environmental Protection Zones is of minor significance;
- 6. That the Secretary (or her 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 the additional delegated proposal tasks) be included in the Planning Proposal prior to public exhibition.

Supporting Reasons : The Planning Proposal is supported as it is considered that it will help provide improved housing choice while not undermining the broader residential growth strategy for Armidale.

Panel Recommendation

Recommendation Date : 10-Apr-2015 **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-Apr-2015 **Gateway Determination :** Passed with Conditions

Decision made by : General Manager, Northern Region

**Armidaire Dumaresq LEP 2012 - Amd 4 - Rezoning and Minimum Lot Size Change at 53A
The Avenue and 134-162 Ross Street and the adjoining road reserve**

Exhibition period : **28 Days**

LEP Timeframe : **9 months**

Gateway
Determination : **1. Community consultation is required under sections 56(2)(c) and 57 of the 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 Infrastructure 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**
- **NSW Rural Fire Service**

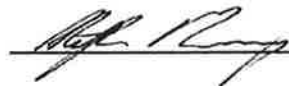
Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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. Prior to public exhibition an updated time line detailing the tasks associated with an authorisation to exercise plan making delegations shall be included in the Planning Proposal.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

10 APRIL 2015