

Armidale Dumaresq LEP 2012 Amendment No.6 - Various Corrections and Amendments

Proposal Title : Armidale Dumaresq LEP 2012 Amendment No.6 - Various Corrections and Amendments

Proposal Summary : Armidale Dumaresq LEP 2012 Amendment No.6 seeks to undertake various corrections and amendments, including:

- Amending Clause 4.1AA Minimum Subdivision Lot Size for Community Title Schemes to apply to Zone R2 Low Density Residential;
- Amending Clause 4.1A Minimum Subdivision Lot Size for Strata Plan Schemes in Certain Rural, Residential and Environmental Protection Zones to apply to Zone R2 Low Density Residential;
- Amend a drafting error in Clause 4.1B Subdivision in Zone E3 and Zone E4 to permit buildings to be located on 'resulting' lots created under the clause on the area of the lot zoned E4; and
- Include a boundary adjustment clause for Zones RU1, RU4, R5, E3 and E4.

PP Number : PP_2014_ARMID_001_00 **Dop File No :** 14/07375

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
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 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 14 days;
- 3. The Planning Proposal be completed within 6 months;
- 4. Council is to consult with the NSW Rural Fire Service;
- 5. That the Director General (or his delegate) agree that the inconsistencies with section 117 Directions 2.1 Environmental Protection Zones and 3.1 Residential Zones are of minor significance;
- 6. That the Director General (or his delegate) note the currently unresolved inconsistency with section 117 Direction 4.4 Planning for Bushfire Protection; and
- 7. That an authorisation to exercise delegation be issued to Council.

Supporting Reasons : The proposal is supported as it seeks to rectify translation and drafting issues that occurred in the preparation of Armidale Dumaresq LEP 2012 and to introduce a boundary adjustment clause that was not available when Armidale Dumaresq LEP 2012 was made. The Planning Proposal is the only mechanism available to implement the intended objectives and to allow the LEP to operate more effectively and efficiently.

Panel Recommendation

Recommendation Date : 07-May-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.

Armidale Dumaresq LEP 2012 Amendment No.6 - Various Corrections and Amendments

Gateway Determination

Decision Date : 09-May-2014 Gateway Determination : Passed with Conditions

Decision made by : General Manager, Northern Region

Exhibition period : 14 Days LEP Timeframe : 6 months

Gateway Determination : 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 is classified as low impact as described in A Guide to Preparing LEPs (Planning & Infrastructure 2013) and must be made publicly available for a minimum of 14 days;

(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. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the EP&A Act. The NSW Rural Fire Service 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 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

9 May 2014