

Tenterfield LEP 2013 - Amendment No 5 - Tenterfield Heavy Vehicle Bypass

Proposal Title : Tenterfield LEP 2013 - Amendment No 5 - Tenterfield Heavy Vehicle Bypass

Proposal Summary : The purpose of the Planning Proposal is to rezone land from RU1 Primary Production and RU5 Village to SP2 Infrastructure 'classified road' for the purpose of a Heavy Vehicle Bypass (HVB) and to identify the land on the LEP Land Reservation Acquisition Map. To facilitate the proposal the SP2 Infrastructure Zone will also need to be inserted into the landuse tables of Tenterfield LEP 2013.

PP Number : PP_2015_TENTE_001_00 Dop File No : 15/11938

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
 2.3 Heritage Conservation
 4.3 Flood Prone Land
 4.4 Planning for Bushfire Protection
 6.2 Reserving Land for Public Purposes

Additional Information : It is recommended that:

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. Prior to public exhibition, the planning proposal should be amended to;
 - include mapping illustrating the land that will be identified on the Land Reservation Acquisition Map; and
 - amend Part 5 Community Consultation to include notification on Council's website;
5. That the Secretary (or her delegate) approved the inconsistencies with s117 Directions 1.3 Mining, Petroleum Production and Extractive Industries, 1.5 Rural Lands, 2.1 Environmental Protection Zones, 2.3 Heritage Conservation, 3.2 Caravan Parks and Manufactured Home Estates, 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes;
6. That the Secretary (or her delegate) note the current inconsistency with section 117 Direction 4.4 Planning for Bushfire Protection and that this inconsistency will need to be resolved prior to the proposal being finalised;
7. That the RPA consult with the following agencies:
 - NSW Rural Fire Service; and
 - NSW Roads and Maritime Services; and
8. That an authorisation to exercise delegation be issued to Council.

Supporting Reasons : The Planning Proposal aims to rezone land currently zoned RU1 Primary Production and R5 Village to SP2 Infrastructure 'classified road' for the purpose of identifying and reserving land for the Tenterfield heavy vehicle bypass.

Rezoning of the land will help identify and reserve the land for its future intended purpose and to provide certainty to affected landholders. It will also allow for additional investigations regarding the potential environmental, social, aesthetic and economic impact of the proposal to be undertaken. The benefits that it will provide to the CBD of Tenterfield in regards to traffic congestion and safety will also be beneficial to the community as a whole.

Panel Recommendation

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Recommendation Date : 02-Oct-2015

Gateway Recommendation : Passed with Conditions

Panel Recommendation : This matter is to be considered to under delegation by the General Manager and does not involve matters that would require its referral to the LEP Panel.

Gateway Determination

Decision Date : 02-Oct-2015

Gateway Determination : Passed with Conditions

Decision made by : General Manager, Northern Region

Exhibition period : 28 Days

LEP Timeframe : 9 months

Gateway Determination : 1. Prior to undertaking public exhibition, Council is to amend the Planning Proposal to:

- (a) include mapping illustrating the land that will be identified on the Land Reservation Acquisition Map; and
- (b) include notification on Council's website of the community consultation period.

2. 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 (Department of Planning and Environment 2013) and 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).

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

- NSW Rural Fire Service
- NSW Roads and Maritime Services

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.

4. 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).

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

Signature:



Printed Name:

Craig Diss

Date:

2 October 2015