

Proposed Amendments to Schedule 5 Environmental Heritage of Armidale Dumaresq LEP 2012

Proposal Title : **Proposed Amendments to Schedule 5 Environmental Heritage of Armidale Dumaresq LEP 2012**

Proposal Summary : **It is proposed to amend Schedule 5 Environmental Heritage of Armidale Dumaresq LEP 2012 by:**
 - adding sixteen (16) items to Part 1 Heritage Items;
 - remove one (1) item from Part 1 Heritage Items; and
 - adding forty nine (49) items to Part 3 Archaeological Sites.

PP Number : **PP_2013_ARMID_001_00** Dop File No : **13/03981**

Planning Team Recommendation

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

S.117 directions : **2.3 Heritage Conservation**

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 Office of Environment and Heritage - Heritage Branch;
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 an authorisation to exercise delegation be issued to Council; and
7. That a revised project time line (that addresses the additional steps to be completed by Council due to an authorisation to exercise delegation being issued) be included in the Planning Proposal prior to public exhibition.

Supporting Reasons : **Council has recently completed the preparation of an Archaeological Management Plan and undertaken a Significant Tree Nomination Process for Armidale. The Planning Proposal is needed to incorporate the outcomes of these processes into Armidale Dumaresq LEP 2012 to recognise and provide appropriate heritage protection to the identified items.**

Panel Recommendation

Recommendation Date : **24-Apr-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 include all relevant information, including the anticipated date Council will make the plan and the date Council will forward the plan to the department for notification, consistent with Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals.

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 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).

3. Consultation is required with the Office of Environment and Heritage (OEH) – Heritage Branch under section 56(2)(d) of the EP&A Act. OEH is to be provided with a copy of the

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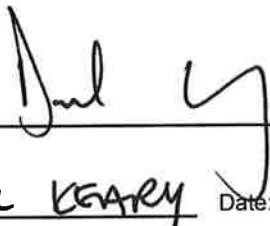
planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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: _____


DANIEL KEARY

Date: _____

29/4/13