

Reclassification of 43-49 White Ave and 1A The Boulevard, Armidale, to operational land

Proposal Title : **Reclassification of 43-49 White Ave and 1A The Boulevard, Armidale, to operational land**

Proposal Summary : **Proposed reclassification of surplus Council owned land at Lot 20 DP 711016, 43-49 White Ave, and Lot 50 DP 732610, 1A The Boulevard, Armidale, from community to operational status. The reclassification also involves the extinguishment of an existing interest applying to Lot 50 DP 732610, 1A The Boulevard, which restricts unauthorised dealings in public reserves. Lot 50 DP 732610, 1A The Boulevard, was dedicated to Council as a public reserve.**

PP Number : **PP_2013_ARMID_002_00** Dop File No : **13/11445**

Planning Team Recommendation

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

S.117 directions : **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. That consultation with the NSW Rural Fire Service be undertaken prior to public exhibition;
5. That a public hearing on the reclassification of the subject land in accordance with section 29 of the Local Government Act 1993 and section 57 of the Environmental Planning and Assessment Act 1979 be held after completion of the public exhibition period;
6. The Director-General's delegate determines that the inconsistency with S117 Direction 6.2 Reserving Land for Public Purposes is of minor significance; and
7. That an authorisation to exercise delegation not be issued to Council.**

Supporting Reasons : **The proposal seeks to reclassify two parcels of land in Armidale. The purpose of the reclassification is to permit the disposal of the land that has been identified as being surplus to Council's needs. The Planning Proposal is needed as it is the only avenue available to Council to reclassify the land from community to operational status to permit its disposal. The subject land is currently zoned R1 General Residential under Armidale Dumaersq LEP 2012. No change in zoning or development standards is proposed or needed in association with the reclassification.**

Panel Recommendation

Recommendation Date : **18-Jul-2013**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **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 must be made publicly available for a minimum of 28 days; and**

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(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 2012).

2. Consultation is required with the NSW Rural Fire Service (RFS) as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. No other consultation is required under section 56(2)(d) of the EP&A Act. RFS 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. If necessary, the planning proposal is to be updated to take into consideration any comments made by RFS, prior to undertaking public exhibition.

3. A public hearing is not required to be held into the matter under section 56(2)(e) of the EP&A Act. However, a public hearing is required to be held into the matter in accordance with the department's practice note PN09-003, as the planning proposal involves a reclassification of land from community to operational.

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

Signature: _____

Printed Name: _____

JEFF HORN

Date: _____

19/07/13