



Planning



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Department Generated Correspondence (Y)

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Our ref: PP_2010_ALBUR_003_00 (10/23463)
Your ref: FIL10/02484

Mr Les Tomich
General Manager
Albury City Council
PO Box 323
ALBURY NSW 2640

Dear Mr Tomich,

Re: Planning Proposal to rezone land from RE1 Public Recreation to G1 Residential to address a zoning anomaly and amend the Minimum Lot Size map

I am writing in response to your Council's letter dated 23 November 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Albury Local Environmental Plan 2010 to rezone Lot 1 DP 11155 96 & Lot A DP 397651 North Albury from RE1 Public Recreation Zone to R1 General Residential zone (to address a zoning anomaly), and to amend the Lot Size Map to change the lot size from "no minimum lot size" to "450 square metre" lot size on Lot 1 DP 1115596 and Lot A DP397651 in North Albury.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Direction 4.3 Flood Prone Land and S117 Direction 6.2 Reserving Land for public purposes are of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 3 months of the week following the date of the Gateway Determination. As it has been determined that this is a minor amendment, the Department will commence drafting the instrument immediately. The Regional Planning Team will remain your principal contact on this matter and will be able to advise on the progress of the draft LEP.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Graham Judge of the Regional Office on (02) 6229 7900.

Yours sincerely,

10/12/10
Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_CLARE_007_00): to rezone Lot 1 DP 11155 96 & Lot A DP 397651 North Albury from RE1 Public Recreation Zone to R1 General Residential zone (to address a zoning anomaly), and to amend the Lot Size Map to change the lot size from "no minimum lot size" to "450 square metre" lot size on Lot 1 DP 1115596 and Lot A DP397651 in North Albury.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Albury Local Environmental Plan 2010 to rezone Lot 1 DP 11155 96 & Lot A DP 397651 North Albury from RE1 Public Recreation Zone to R1 General Residential zone (to address a zoning anomaly), and to amend the Lot Size Map to change the lot size from "no minimum lot size" to "450 square metre" lot size on Lot 1 DP 1115596 and Lot A DP397651 in North Albury should proceed subject to the following conditions:

1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
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 **3 months** from the week following the date of the Gateway determination.

Dated 10th day of December 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning