

23 November 2010

Attention: Brett Whitworth
Regional Director
Department of Planning - Southern Region
Level 2
State Government Offices
84 Crown Street
WOLLONGONG NSW 2520

Dear Sir

Planning Proposal – Correction of a Land Use Zoning Error

At the Ordinary Council meeting held on Monday 22 November 2010, AlburyCity resolved to forward a Planning Proposal to the Department of Planning to amend *Albury Local Environmental Plan 2010* (ALEP 2010) as it relates to the land use zoning of No. 937 Waugh Road, North Albury (Lot 1, DP 1115596) and No. 467 Caroline Avenue (Part Lot A, DP 397651), North Albury from RE1 Public Recreation Zone to R1 General Residential Zone due to a land use zoning error within the Gazetted ALEP 2010.

AlburyCity requests a Gateway Determination on the Planning Proposal from the Minister for Planning in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*. Please find enclosed a copy of the Council resolution and Planning Proposal report.

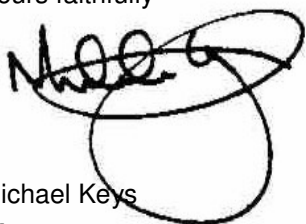
Affected landowners have identified a preference, and AlburyCity officers agree that this matter should be rectified as a matter of urgency. Accordingly, Council seeks NSW Department of Planning authority to progress this matter as either an expedited Amendment pursuant to Section 73A of the Environmental Planning and Assessment Act 1979 (EP&A Act) or as an Amendment pursuant to Part 3 of the EP&A Act with no public exhibition and State and Commonwealth Government public authority consultation requirement.

The attached Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning's *A Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*.

I am sure you can appreciate the urgency of this matter to correct a mapping error that has significant implications for both the landowner and Council. The Department's assistance and co-operation in processing this matter in a timely manner is sought and would be greatly appreciated.

If you have any queries regarding the Planning Proposal, please contact Council's Assistant Strategic Planner, Matt Johnson on (02) 6023 8173 or mjohnson@alburycity.nsw.gov.au.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Michael Keys', with a large, stylized circular flourish underneath.

Michael Keys

Director

Planning & Environment

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1. Council Meeting Minutes from Meeting held 23 November 2010 (including Council resolution)
2. Council Meeting held 22 November 2010 - Report 10B – Albury Local Environmental Plan 2010 – Planning Proposal Correction of a Zoning Error;
3. Planning Proposal – Amendment to Albury Local Environmental Plan 2010 – Correction of a Land Use Zoning Error, 937 Waugh Road and Part 467 Caroline Avenue, North Albury