

Rezoned land at Belmore Street, Tamworth

Proposal Title : **Rezoned land at Belmore Street, Tamworth**

Proposal Summary : **The proposal seeks to rezone Lot 4 DP 1059291, Lot 5 DP 1117974 and the adjoining unnamed laneway, 70-72 Belmore Street, Tamworth to Zone B4 Mixed Use and apply a 1:1 Floor Space Ratio.**

PP Number : **PP_2015_TAMWO_001_00**

Dop File No : **15/08539**

Proposal Details

Date Planning
Proposal Received : **21-May-2015**

LGA covered : **Tamworth Regional**

Region : **Northern**

RPA : **Tamworth Regional Council**

State Electorate : **TAMWORTH**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **70-72 Belmore Street**

Suburb :

City : **Tamworth**

Postcode : **2340**

Land Parcel : **Lot 4 DP 1059291, Lot 5 DP 1117974 and the adjoining unnamed laneway**

DoP Planning Officer Contact Details

Contact Name : **Craig Diss**

Contact Number : **0267019685**

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RPA Contact Details

Contact Name : **Nathan Bartlett**

Contact Number : **0267675507**

Contact Email : **n.bartlett@tamworth.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **N/A**

Release Area Name : **N/A**

Regional / Sub
Regional Strategy : **N/A**

Consistent with Strategy : **N/A**

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MDP Number :		Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **The Department of Planning and Environment's Code of Practice in relation to communications and meetings with lobbyists has been complied with to the best of the Region's knowledge. The Northern Region has not met with any lobbyists in relation to this proposal, nor has the Northern Region been advised of any meeting between other Departmental Officers and lobbyists concerning the proposal.**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes :

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The statement of objectives adequately describes the intention of the Planning Proposal to amend Tamworth Regional LEP 2010.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The explanation of provisions adequately addresses the intended zoning and floor space ratio changes to Tamworth Regional LEP 2010.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

3.1 Residential Zones

3.4 Integrating Land Use and Transport

5.1 Implementation of Regional Strategies

6.3 Site Specific Provisions

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 1—Development Standards

SEPP No 15—Rural Landsharing Communities
SEPP No 21—Caravan Parks
SEPP No 30—Intensive Agriculture
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)
SEPP No 33—Hazardous and Offensive Development
SEPP No 36—Manufactured Home Estates
SEPP No 44—Koala Habitat Protection
SEPP No 55—Remediation of Land
SEPP No 64—Advertising and Signage
SEPP No 65—Design Quality of Residential Flat Development
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing for Seniors or People with a Disability) 2004
SEPP (Infrastructure) 2007
SEPP (Major Projects) 2005
SEPP (Rural Lands) 2008

e) List any other matters that need to be considered :

The New England North West Strategic Regional Land Use Plan applies to the Tamworth Regional LGA.

Have inconsistencies with items a), b) and d) being adequately justified? No

If No, explain :

The Planning Proposal is considered to be consistent with all relevant SEPPs, the New England North West Strategic Regional Land Use Plan and Council's local growth management strategy.

The inconsistency with 117 Direction 1.1 Business and Industrial Zones is discussed below.

Mapping Provided - s55(2)(d)

Is mapping provided? Yes

Comment :

The Planning Proposal submission contains maps identifying the proposed zoning and floor space ratio changes. The maps provided are considered sufficient for the Planning Proposal to proceed and for public exhibition purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? Yes

Comment :

The RPA has identified the rezoning as being 'low impact' and has proposed a 14 day exhibition period. This is considered appropriate.

Additional Director General's requirements

Are there any additional Director General's requirements? No

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? Yes

If No, comment :

The Planning Proposal and accompanying documentation are considered to satisfy the adequacy criteria by:

1. Providing appropriate objectives and intended outcomes;
2. Providing a suitable explanation of the provisions proposed by the LEP to achieve the outcomes;
3. Providing an adequate justification for the proposal;
4. Outlining a proposed community consultation program; and
5. Providing a project time line.

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Council has sought an authorisation to exercise its plan making delegations in regard to this matter. This proposal is considered to be a local matter with no issues of State or regional significance. It is therefore recommended that an authorisation to exercise its plan making delegations be issued to Council in regard to this matter.

The RPA has provided a project time line which estimates approximately 9 months for completion of the proposal. This is considered adequate.

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

Tamworth Regional LEP 2010 was notified on 2 January 2011.

Assessment Criteria

Need for planning
proposal :

The proposal is needed to make the necessary zoning and floor space ratio changes to Tamworth Regional LEP 2010.

The proposal is not the result of any strategic study or report.

The proposal seeks to rezone the land from IN1 General Industrial to B4 Mixed Use and apply a 1:1 Floor Space Ratio consistent with the other adjoining B4 Mixed Use Land. The current industrial zoning has been identified as inhibited the future commercial development of the land. The B4 Mixed Use Zone is considered more appropriate and more reflective of the nature of the existing land and its surrounds. The land is currently occupied by a hair salon and an employment / vocational training service provider with other commercial uses and residential dwellings also adjoining the site.

Consistency with
strategic planning
framework :

The Planning Proposal is considered to be consistent with all relevant SEPPs, the New England North West Strategic Regional Land Use Plan and Council's local growth management strategy that was approved by the Director General in April 2008.

The Planning Proposal is considered to be consistent with all applicable section 117 Directions, except in relation to 1.1 Business and Industrial Zones.

1.1 Business and Industrial Zones

While the Relevant Planning Authority has identified that the proposal is consistent with this Direction, it is considered that the proposal is inconsistent as it rezones land from IN1 Industrial to B4 Mixed Use and does not retain areas and locations of existing industrial land. This inconsistency is considered to be of minor significance due to the existing mixed use / commercial nature of the land and its surrounds and also as the land will still be available for a number of employment purposes with a B4 Mixed Use zoning.

Environmental social
economic impacts :

No adverse environmental, social or economic impacts associated with the proposal have been identified.

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Assessment Process

Proposal type : **Routine** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority
Consultation - 56(2)
(d) :

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **No consultation with any State agencies is considered necessary.**

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

No additional studies are considered necessary.

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Belmore Street - Letter of Submission to Department.pdf	Proposal Covering Letter	Yes
Belmore Street - Planning ProposalIV-2.pdf	Proposal	Yes
Belmore Street - Site Identification Map (Ann1)- April 2015.pdf	Map	Yes
Belmore Street - Proposed Land Zoning Map (Ann2) - April 2015.pdf	Map	Yes
Belmore Street - Proposed Floor Space Ratio Map - 2015.pdf	Map	Yes
Belmore Street - Council Report12May2015.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
3.1 Residential Zones
3.4 Integrating Land Use and Transport
5.1 Implementation of Regional Strategies
6.3 Site Specific Provisions

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Additional Information :

1. The Planning Proposal be supported;
2. The Planning Proposal be exhibited for 14 days;
3. The Planning Proposal be completed within 9 months;
4. No State agency consultation be required;
5. That the Secretary (or her delegate) agree that the inconsistency with section 117 Direction 1.1 Business and Industrial Zones is of minor significance; and
6. That an authorisation to exercise delegation be issued to Council.

Supporting Reasons : The proposal is supported as it will help the future commercial development of the land consistent with the nature of the existing site and its surrounds.

Signature:



Printed Name:

Craig Duss

Date:

26/5/15