

Armidale Dumaresq LEP 2012 - Amendment No 10 - Kurrawatha Avenue, Armidale

Proposal Title : Armidale Dumaresq LEP 2012 - Amendment No 10 - Kurrawatha Avenue, Armidale

Proposal Summary : The proposal seeks to rezone Lots 661 & 662 DP 755808, Lot 2 DP 1213220 & Lot 1 DP 1129031, Kurrawatha Avenue, Armidale from R5 Large Lot Residential to part R2 Low Density Residential and part E4 Environmental Living and amend the minimum lot size for the land to be rezoned R2 from 2ha to 4000m2 for the purpose of residential development.

PP Number : PP_2016_AREGI_001_00 **Dop File No :** 16/14441

Planning Team Recommendation

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

S.117 directions:

- 1.3 Mining, Petroleum Production and Extractive Industries**
- 1.5 Rural Lands**
- 3.1 Residential Zones**
- 3.5 Development Near Licensed Aerodromes**
- 4.3 Flood Prone Land**

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. The Planning Proposal be amended prior to consultation with agencies or exhibition to:**
 - include updated maps that utilise the colours and labelling required by the Department's technical mapping requirements;
 - review and update the threatened species assessment to ensure its currency;
 - undertake an Aboriginal cultural heritage assessment; and
 - undertake a geotechnical assessment of the land to confirm the suitability of the site for development particularly in relation to potential spring activity.
- 5. That the RPA consult with the Department of the Commonwealth responsible for aerodromes in accordance with the requirements of S117 Direction 3.5 Development Near Licensed Aerodromes;**
- 6. It is recommended the Secretary (or her delegate) agree that the inconsistency of the proposal with S117 Directions 1.3 Mining, Petroleum and Extractive Industries and 4.3 Flood Prone Land is justified in accordance with the terms of the directions;**
- 8. That consultation be undertaken with the following agencies:**
 - Office of Environment and Heritage;
 - Department of Primary Industries (Water);
- 9. A written authorisation to exercise delegation be issued to Armidale Regional Council; and**
- 10. That Council be advised that they should consider prior to exhibition whether all potentially flood prone land should be included within the E4 Zone to better identify this constrained land.**

Supporting Reasons :

The reasons for the recommendation are as follows:

- 1. The proposal will result in the provision of additional housing choice in a regional centre;**
- 2. The proposal is unlikely to have any detrimental social, economic or environmental effect on the subject land or surrounding area;**
- 3. The inconsistencies of the proposal with the S117 directions are of minor significance.**
- 4. The proposal is consistent with all relevant SEPPs.**

Panel Recommendation

Recommendation Date : **18-Nov-2016**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The proposal is considered to be of local significance and can be determined appropriately by the Acting Director Regions, Northern.**

Gateway Determination

Decision Date : **18-Nov-2016**

Gateway Determination : **Passed with Conditions**

Decision made by : **Regional Director, Northern Region**

Exhibition period : **28 Days**

LEP Timeframe : **9 months**

Gateway Determination : **1. Prior to undertaking agency or community consultation, Council is to amend the planning proposal to:**

- (a) ensure that all maps comply with the 'Standard Technical requirements for Standard Technical Requirements for Spatial Datasets and Maps (Department of Planning and Environment 2015 – Version 1.0);
- (b) update the threatened species assessment to ensure its currency;
- (c) undertake an Aboriginal cultural heritage assessment; and
- (d) undertake a geotechnical assessment of the land to confirm the suitability of the site for development particularly in relation to potential spring activity.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

- (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013) and must be made publicly available for a minimum of 14 days;
- (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 and Environment 2016).

3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- Office of Environment and Heritage
- Department of Primary Industries – Water
- the Department of the Commonwealth responsible for aerodromes

Each public authority 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.

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 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: _____

Craig Diss

Date: _____

18/11/16