

19 December 2012

Regional Director
Department of Planning & Infrastructure - Southern Region
Level 2
State Government Offices
84 Crown Street
WOLLONGONG NSW 2520

Attention: Graham Judge

Dear Sir

**Subject: Planning Proposal – Land Rezoning
Willowbank Road, South Albury**

At the Ordinary Council meeting held on Monday 17 December 2012, Council resolved to forward a Planning Proposal (attached) to the NSW Department of Planning & Infrastructure to amend *Albury Local Environmental Plan 2010* (ALEP 2010) as it relates to the land use zoning of Willowbank Road, South Albury (being Part Lot 156 DP 753326, Part Lot 2 DP 999814 and Part Lot 37 DP 100731) from RU2 Rural Landscape Zone to IN1 General Industrial Zone including other subsequent changes to minimum lot size provisions.

Council also resolved to endorse an Addendum (attached) to the Planning Proposal that seeks acknowledgement that further investigations, reporting and supporting documentation is necessary for the purposes of demonstrating land capability in relation to matters including reticulated water and sewer provision, groundwater and traffic/transport issues prior to agency and community consultation.

Whilst the Planning Proposal defers detailed investigations to the time of development, AlburyCity is of the view that because such matters speak to land capability, these matters need to be resolved up-front prior to any change in zoning for the site. Notwithstanding, it is considered that the Planning Proposal has substantial planning merit, and accordingly, warrants progression subject to the conditions outlined in the endorsed Addendum attached to the Planning Proposal.

Whilst the Planning Proposal has been prepared using the now superseded NSW Department of Planning and Infrastructure publication 'A guide to preparing planning proposals (July 2009)', the Council endorsed version is largely consistent with the content and subject matter requirements of the recently released publications 'A guide to preparing planning proposals (October 2012)' and 'A guide to preparing local environmental plans (October 2012)'.

Accordingly, AlburyCity requests a Gateway Determination on the Planning Proposal from the Minister for Planning & Infrastructure in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*. Please find enclosed a copy of the Officers Report to Council, Council resolution and the Planning Proposal (including the Council prepared Addendum that identifies and commits the proponent to further investigations and reporting).

Finally, please also find attached an AlburyCity prepared project timeline for the Planning Proposal that outlines anticipated timeframes for both the commencement and completion of necessary processes and actions for the further consideration and endorsement.



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

Yours faithfully



Warren Jenkinson
Acting Director
Planning & Environment

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1. Extract from Minutes of Planning and Development Committee Meeting held Monday 10 December 2012 for Item 6B – Albury Local Environmental Plan 2010 – Planning Proposal: Rezoning to Industrial – Willowbank Road, South Albury

(these Minutes were ratified at Council Meeting held Monday 17 December 2012 as written);
2. Report to Planning and Development Committee Meeting held Monday 10 December 2012 – Report 6B – Albury Local Environmental Plan 2010 – Planning Proposal: Rezoning to Industrial – Willowbank Road, South Albury;
3. Planning Proposal: Rezoning to Industrial 1 Zone – Willowbank, South Albury (October 2012);
4. Addendum to Planning Proposal: Rezoning to Industrial 1 Zone – Willowbank, South Albury;
5. Project Timeline;
6. ALEP 2010 Site Identification Map.