

2. PROPOSED DRAFT AMENDMENT TO THE GUNNEDAH LOCAL ENVIRONMENTAL PLAN, 1998

Manager Development & Planning Report

POLICY	Nil
LEGAL	Environmental Planning & Assessment Act, 1979 Gunnedah Local Environmental Plan, 1998
FINANCIAL	Nil

2.1 INTRODUCTION

Council has received a planning proposal for Lot 6 DP 10425 (23 Alford Road, Gunnedah) on the 19th October 2010. The application was noted for information at the November Planning, Environment and Development Committee meeting. The site is currently zoned 1(d) Rural (Future Investigation) under the provisions of the Gunnedah Local Environmental Plan, 1998. The applicant Mrs Rachel Frend, is seeking to rezone the subject land to 4(a) Industrial (General).

2.1 COMMENTARY

Context

The subject land adjoins land zoned 4(a) Industrial (General) and 1(d) Rural (Future Investigation) and 6(a) Open Space (Recreational). The site is currently vacant and is adjoining Council's Works Depot and Rural Fire Service Depot (Lot 5 DP 10425 - 12 Bennett Road).



Proposal

The application is seeking the rezoning of the subject land from 1(d) Rural (Future Investigation) to 4(a) Industrial (General).

Justification for Proposal

The proposed rezoning has not been considered as part of the Commercial and Industrial Land Use Strategy, as the land is currently zoned 1(d) Rural (Future Investigation). However, the objectives of the strategy encourage industrial development and growth. The 2.023 hectare site has frontage to Alford Road, with Council's water service located at the front of the property. Council's sewer services are located at the corner of Alford and O'Neil Road. The development of the site would provide additional industrial land, which is relatively level and within close proximity to Council's water and sewer services.

The subject land (and land to the south) is identified in the Draft Gunnedah Local Environmental Plan 2010 for R5 large-lot residential development with a minimum allotment size of 40 hectares. This zoning and lot size has been based on the 1982 Local Environmental Study, which identified the subject lot for future residential development.

It is highlighted that Council amended the strategic direction for part of the area in the Gunnedah Local Environmental Plan, 1998. The area previously identified in the 1982 study for residential development incorporated the land occupied by Council's Works Depot and other industrial development in Bennett Road. The former Rural (Future Urban) zone (which extend south from the Oxley Highway) permitted rural-type activities and consequently, the construction of rural industries. Based on the existing development, part of this land was zoned 4(a) Industrial (General) in 1998.

Consideration has been given to the proposed rezoning and Council's strategic development for the area. With the current levels of industrial growth, the land's proximity to existing industrial development and infrastructure services, and the area of land currently zoned for residential development and future residential development, the rezoning of the subject land to 4(a) Industrial (General) should be supported.

It is highlighted that Council's Rural Fire Service Depot is located on the corner of Bennett and Alford Roads. It is recommended, that if Council resolved to approve the rezoning of Lot 6 DP 10425 to 4(a) Industrial (General), then this land (Lot 5 DP 10425) also be rezoned to 4(a) Industrial (General). The justification for this rezoning is based on its current use and to ensure that it is not isolated parcel of Rural 1(d) (Future Urban) zoned land within an industrial area.

Planning Process

The Department of Planning has indicated that in order to facilitate development within the Shire, it would progress amendments through the "Gateway Process". This provides a more timely outcome than having to wait for the draft comprehensive LEP to be completed.

It is proposed that Council seek to make this amendment in accordance with Section 73A of the Environmental Planning and Assessment (EPA) Act, 1979. Section 73A allows for minor LEP amendments to be expedited, without the need to comply with all of the statutory procedures which normally apply to the preparation of an LEP amendment. Minor amendments to LEPs still require the approval of the Minister for Planning.

2.2 CONCLUSION

The planning proposal to rezone Lot 6 DP 10425 (23 Alford Road, Gunnedah) is considered to be consistent with the existing development in the locality. The development of the site is able to be developed as industrial land and will provide additional in the short term where there is a genuine demand being experienced. In addition, it is also recommended that Lot 5 DP 10425 (12 Bennett Road) be rezoned to 4(a) Industrial (General) given that it is currently being utilised for the Rural Fire Service Depot and to ensure that an area of 1(d) Rural (Future Residential) is not an isolated parcel of land. It is therefore recommended that Council forward the attached planning proposal to the Department of Planning for a Gateway Determination.

RECOMMENDATIONS:

1. That Council endorse the planning proposal to amend Gunnedah Local Environmental Plan 1998, to rezone Lot 6 DP 10425 (23 Alford Road, Gunnedah) and Lot 5 DP 10425 (12 Bennett Road) to 4(a) Industrial (General).
2. That Council forward the amending planning proposal to the Minister for Planning, requesting that a Gateway Determination be provided in accordance with Section 56 of the Act.

Extract from Minutes of the Meeting

COUNCIL RESOLUTIONS:

1. That Council endorse the planning proposal to amend Gunnedah Local Environmental Plan 1998, to rezone Lot 6 DP 10425 (23 Alford Road, Gunnedah) and Lot 5 DP 10425 (12 Bennett Road) to 4(a) Industrial (General).
2. That Council forward the amending planning proposal to the Minister for Planning, requesting that a Gateway Determination be provided in accordance with Section 56 of the Act.

Council Resolution

Moved Councillor KJ Martin, seconded Councillor H Allgayer

~~11.3 SECTION 96(2) MODIFICATION OF CONSENT APPLICATION NO. 397442 – MODIFY CONDITION NO. E(1)(a) TO PERMIT THE ESTABLISHMENT OF A PRIVATE RURAL ACCESS ROAD OVER PROPOSED LOT 1003 TO ACCESS LOTS 1001 AND 1002 – LOTS 174 & 466 DP 755503, 415 QUIA ROAD, GUNNEDAH~~

Councillor KJ Martin declared an Interest, left the Chamber and took no part in discussion or consideration of this item.

Manager Development and Planning Report

POLICY	Gunnedah Local Environmental Plan, 1998 Development Control Plan – Principles of Development
LEGAL	Environmental Planning & Assessment Act 1979
FINANCIAL	Nil

This is Page 34 of 126 of the MINUTES of the ORDINARY MEETING of Gunnedah Shire Council held on Wednesday 17 November 2010.

Councillor AJ Marshall
MAYOR

RE Campbell
GENERAL MANAGER