

Gunnedah LEP 1998 Amendment No 25

Proposal Title : Gunnedah LEP 1998 Amendment No 25

Proposal Summary : The Planning Proposal seeks to reduce the minimum lot size for subdivision of Lot 84 DP 755503, 243 Stock Road, Gunnedah from 40ha to 3000m2 to permit the creation of approximately 22 low density residential allotments.

PP Number : PP_2012_GUNNE_001_00 Dop File No : 12/01598

Planning Team Recommendation

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

S.117 directions : 1.2 Rural Zones
1.5 Rural Lands
4.4 Planning for Bushfire Protection

Additional Information : It is recommended that:

1. the Planning Proposal be supported;
2. the Planning Proposal be considered as 'low impact' and be exhibited for a period of 14 days;
3. the Planning Proposal be amended prior to public exhibition to include appropriate maps identifying the site;
4. the typographical error in Part 1 of the planning proposal be rectified by replacing reference to Clause 12 with reference to Clause 11, prior to proceeding with community consultation;
5. Exhibition of the LEP should make it clear that the Planning Proposal will either amend the existing Gunnedah LEP or be absorbed into the Gunnedah Comprehensive LEP, depending on timing;
6. the Planning Proposal should be completed within 6 months; and
7. the Director General (or an officer of the Department nominated by the Director General) agree that the inconsistency with s117 Direction 1.2 Rural Zones is of minor significance; and note that the inconsistency with Direction 4.4 will be resolved when Council consults with the Rural Fire Service.

Supporting Reasons : The proposed reduction in minimum lot size for a subdivision on the land reflects the strategic intent for the area identified under the Department endorsed Bridging Report. It is also expected that the proposal will have a positive social and economic impact with the additional residential allotments adding to the housing choice currently available in Gunnedah, thus helping to meet the demand for housing being created by the development of the Gunnedah coal basin.

Panel Recommendation

Recommendation Date : 25-Jan-2012

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : The Planning Proposal should proceed subject to the following conditions:

1. Council is to exhibit this planning proposal as both an amendment to its current LEP 1998 and to the draft Gunnedah LEP so that the community is aware of the impacts this planning proposal may have on both instruments.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 14 days; and

(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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

3. Council is to exhibit this planning proposal as both an amendment to its current LEP 1998 and to the draft Gunnedah LEP so that the community is aware of the impacts this planning proposal may have on both instruments.

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- NSW Rural Fire Service

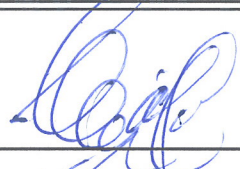
Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).

7. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

NEIL MCGOWAN

Date:

25.1.12