

Gunnedah LEP 2012 - Boundary Road Amendment

Proposal Title : **Gunnedah LEP 2012 - Boundary Road Amendment**

Proposal Summary : **This Planning Proposal seeks to amend the Gunnedah LEP 2012 by:**

- rezoning part of Lot 5 DP 828373, Boundary Road, Gunnedah, from RU1 Primary Production to R2 Low Density Residential;
- amending the minimum lot size map for Lots 1 and 5 DP 828373, Boundary Road, Gunnedah, to 6,000m² for the land identified as proposed Lots 1-3 and 650m² for the land identified as proposed Lot 5 on the Concept Sketch; and
- permitting the following land uses on the proposed Lots 1-3 on the Concept Sketch by amending Schedule 1 - Additional Permitted Uses of the LEP:
 - i. Vehicle sales or hire premises
 - ii. Vehicle repair stations
 - iii. Warehouse or distribution centre
 - iv. Wholesale supplies
 - v. Highway service centre
 - vi. Function centre
 - vii. Landscaping material supplies
 - viii. Garden centre

PP Number : **PP_2014_GUNNE_002_00**

Dop File No :

14/07106

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
3.4 Integrating Land Use and Transport
4.3 Flood Prone Land
6.3 Site Specific Provisions**

Additional Information : **It is recommended that:**

1. The Planning Proposal be supported to the extent that it only rezones part of the subject land from RU1 Primary Production to R2 Low Density Residential and amends the minimum lot size for that area to 650m²;
2. The Planning Proposal is not support to the extent that it amends Schedule 1 Additional Permitted Uses to allow the proposed commercial land uses;
3. The Planning Proposal be exhibited for a period of 14 days;
4. The Planning Proposal should be completed within 9 months;
5. That an authorisation to exercise delegation be issued to Council as the revised Planning Proposal is dealing with matters of local significance ;
6. The Director General, or his delegate, approve the inconsistency with section 117 Direction 1.2 Rural Zones, 1.5 Rural Lands and 4.3 Flood Prone Land as matters of minor significance.

Supporting Reasons : **The Planning Proposal is supported in relation to the rezoning of land to R2 Low Density Residential as it increases the size of an existing residential area that can be serviced by Council infrastructure and will help provide additional housing choice.**

The additional commercial uses for the site are not supported as it is inconsistent with Council's adopted (and Director General approved) Gunnedah Commercial and Industrial Land Use Strategy 2008, as well as the recommendations of Council's Gunnedah Satellite Development Strategy Report. It is considered that opportunities to explore alternative

sites for this type of development are available in more appropriate locations of Gunnedah as identified in Council's strategic planning work.

Panel Recommendation

Recommendation Date : **08-May-2014**

Gateway Recommendation : **Passed with Conditions**

Panel

Recommendation :

The planning proposal should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to remove the provision to permit vehicle sales or hire premises, vehicle repair stations, warehouse or distribution centre, wholesale supplies, highway service centre, function centre, landscaping material supplies and garden centre as additional permitted uses on land at Boundary Road, Gunnedah and remove the provision to amend the minimum lot size to 6,000sqm for the subject land.
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 and Environment 2013) and must be made publicly available for a minimum of 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).
3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
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 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).
5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Plan making delegation:

The Minister delegated plan making powers to councils in October 2012. Council has now accepted this delegation. Council should be issued with plan making delegations for this proposal.

Signature:



Printed Name:

TROY LOVEDAY

Date:

14.05.14