

Shire of
G u n n e d a h
Land of Opportunity

Planning Proposal

Amend the minimum allotment size for Lot 1 DP 1102185

Prepared by

Gunnedah Shire Council

28 November 2011

PART 1 – OBJECTIVES OR INTENDED OUTCOMES OF THE PROPOSED LEP

The objective of this Planning Proposal is to amend the Gunnedah Local Environmental Plan (Gunnedah LEP 1998) by reducing the minimum lot size requirement relating to Lot 1 in DP 1102185, 56-58 Kamilaroi Road Gunnedah to 6,200m². It is proposed to amend Part 3 'Special provisions relating to development of land' (Clause 11) and (Clause 12) of the Gunnedah LEP 1998 to include the subject site thus enabling large lot residential subdivision development to be undertaken on the site. The site is currently zoned 1 (d) Future Urban Zone (3.53ha) with a minimum lot size requirement of 40ha and 1 (c) Rural Residential (0.5ha) with a minimum allotment size of 6000m².

The residential yield from the site is a maximum of five dwellings.

PART 2 – EXPLANATION OF PROVISIONS TO BE INCLUDED IN THE PROPOSED LEP

The objectives or intended outcome of the Planning Proposal are to be achieved by inserting the following subclause under Clause 11 of the Gunnedah Local Environmental Plan 1998:

(11) (3) *Subclause (2) does not apply to Lot 1, DP 1102185, known as 56-58 Kamilaroi Road, Gunnedah. The Council must not consent to the subdivision of that land unless each allotment created by the subdivision has an area of not less than 6,200m².*

(12) (4) *Subclause (2) does not apply to Lot 1, DP 1102185, known as 56-58 Kamilaroi Road, Gunnedah. The Council must not consent to the subdivision of that land unless each allotment created by the subdivision has an area of not less than 6,200 square metres.*

PART 3 – JUSTIFICATION

Section A. Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is not the result of any strategic study or report.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The existing minimum lot size requirement applying to the subject land constrains the efficient use of land suitable for urban residential subdivision. An amendment to the minimum lot size requirement is the only viable option to facilitate the proposed development of the land. The site is currently surrounded by low density dwelling houses reflecting local demand and in keeping with the settlement hierarchy of the town.

3. Is there a net community benefit?

Yes. The planning proposal will enable a range of community aspirations to be met, particularly in relation to the provision of additional housing within the urban centre of Gunnedah. The economic benefit arising from this future development

will be considerable particularly due to Gunnedah's current and projected population growth and associated demand for residential building blocks with good accessibility to the town and its facilities. The site is within 2km of the town centre, therefore facilitating the efficient use of existing services and infrastructure.

Section B. Relationship to Strategic Planning Framework

1. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including exhibited draft strategies)?

The Namoi 2030 Regional Resource Strategy was a joint initiative between councils in the Namoi catchment for the purpose of producing a regional land use management strategy with a focus on sustainable growth. The report refers to the current and projected growth of the Gunnedah region; in particular the anticipated growth in mining and the impact this will have on local housing stocks. The impact of mining on the settlement patterns within the region are expected to be significant and it is anticipated that much of the demand for new housing will be facilitated by developers.

2. Is the Planning Proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

The planning proposal is not consistent with the objectives of the Gunnedah Environmental Study 1982, Gunnedah Local Environmental Study 2003, Council's Development Control Plan – Principles of Development or the Gunnedah Local Environmental Study Bridging Report 2010. These strategies recommended that the subject land be rezoned to a general residential zone for future urban development.

Gunnedah Shire Rural Strategy 2007

The Strategy outlines a rural vision, growth management philosophy, development principles, objectives, strategies and actions related to the strategic growth and development of the rural areas of the Gunnedah Shire. The Strategy aims to assist in co-ordinating the future development of the region by providing for an orderly and efficient supply of lands to satisfy demand and encourage efficient settlement hierarchies and economic development, in an environmentally acceptable way.

While the Strategy appears mostly focused on the strategic management of rural lands the proposed land rezoning is not considered to be inconsistent with the Gunnedah Shire Rural Strategy.

3. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is considered to be consistent with all applicable State Environmental Planning Policies with the exception of the Rural Lands SEPP. Justification is provided. (refer to Appendix 1).

4. Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal is considered to be consistent with all the applicable S.117 Ministerial Directions, except for:

1.2 Rural Zones

This Planning Proposal is inconsistent with this Direction as it increases the permissible density of land with a rural zone. However, the inconsistency is considered of minor significance due to the small size (4.03 ha). The land is neighboured by land zoned residential and rural residential on the edge of the Gunnedah Township. This Planning Proposal does not conflict with the objectives of this Direction due to the nature of adjacent land uses and its separation from prime agricultural land.

1.5 Rural Lands

This Planning Proposal is inconsistent with this Direction as it does not comply with State Environmental Planning Policy (Rural Land) 2008. The variation is considered of a minor nature as the subject land does not lend itself for agricultural purposes. The site is zoned 1 (d) Future Urban and is within a serviced area and is compatible with adjacent and surrounding land.

Section C. Environmental, Social and Economic Impact

1. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Planning Proposal does not change the land use of the site; it only changes the minimum allotment size for the subject land. Therefore, it is unlikely that critical habitat or threatened species, populations or ecological communities or their habitats, will be subject to any additional adverse impacts as a result of the Planning Proposal proceeding.

2. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The Planning Proposal does not change the land identified for large lot residential development, it only changes the minimum allotment size for the subject land. Therefore, it is unlikely that environmental factors (such as natural hazards like bushfire and land slip) and how they are addressed as part of a development will be significantly different to the current situation, should the Planning Proposal proceed.

3. How has the Planning Proposal adequately addressed any social and economic effects?

It is proposed to zone the subject land R5 Large Lot Residential under the Draft Gunnedah Local Environmental Plan 2011 (currently on exhibition). A positive social and economic effect is expected as a result from the Planning Proposal, with additional larger residential allotments becoming available for development adding housing choice within Gunnedah

Section D. State and Commonwealth Interests

1. Is there adequate public infrastructure for the Planning Proposal?

The Planning Proposal is expected to have a similar impact on existing infrastructure as residential subdivisions carried out under the current development standards. The site is currently serviced by water with sewer and stormwater services within 275m. Council's weekly garbage collection service is available to the site.

2. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the Planning Proposal?

To be completed following consultation with the State and Commonwealth Public Authorities that may be identified in the Gateway Determination.

PART 4 – COMMUNITY CONSULTATION THAT IS TO BE UNDERTAKEN

It is proposed to exhibit the Planning Proposal for 14 days, with notice of the public exhibition being given:

- in a newspaper that circulates in the area affected by the Planning Proposal – the "Namoi Valley Independent" newspaper, and
- on Council's web-site at www.infogunnedah.com.au

Appendix 1 Consideration of State Environmental Planning Policies

The following SEPP's apply to the Gunnedah local government area, as at 22 February 2010.

SEPP	Applicable	Consistent
No. 1 Development Standards	Yes	Yes
No. 4 Development without Consent and Miscellaneous Exempt and Complying Development	No	Not applicable
No. 6 Number of Storeys in a Building	No	Not applicable
No. 21 Caravan Parks	No	Not applicable
No. 22 Shops and Commercial Premises	No	Not applicable
No. 30 Intensive Agriculture	No	Not applicable
No. 32 Urban Consolidation Re-development of Urban Land	No	Not applicable
No. 33 Hazardous and Offensive Development	No	Not applicable
No. 36 Manufactured Home Estates	No	Not applicable
No. 44 Koala Habitat Protection	Yes	Yes
No. 50 Canal Estate Development	No	Not applicable
No. 55 Remediation of Land	Yes	Yes
No. 62 Sustainable Agriculture	No	Not applicable
No. 64 Advertising and Signage	No	Not applicable
No. 65 Design Quality of Residential/Flat Development	No	Not applicable
Affordable Rental Housing 2009	Yes	Yes
Building Sustainability Index: BASIX 2004	Yes	Yes
Exempt and Complying Development Codes 2008	Yes	Yes
Housing for Seniors and People with a Disability 2004	Yes	Yes
Infrastructure 2007	No	Not applicable
Major Developments 2005	No	Not applicable
Mining, Petroleum Production and Extractive Industries 2007	No	Not applicable
Rural Lands 2008	Yes	No – However the land is zoned 1 (d) Future Urban and is surrounded by land zoned residential, rural residential and future residential. It is consistent with clause 8 - Rural Subdivision Principles
Temporary Structures and Places of Public Entertainment 2007	No	Not applicable