

Gateway Determination

Planning proposal (Department Ref: PP_2015_GUNNE_005_00): to:

- rezone land around Curlewis to RU4 Primary Production Small Lots, SP2 Cemetery and RE2 Private Recreation;
- apply a 10ha minimum lot size to the proposed RU4 zoned land and no minimum lot size to the proposed SP2 or RE2 zoned land;
- amend the 'Dwelling Opportunity Maps' contained in the LEP to remove dwelling opportunities that have expired under the provisions of clause 4.2A(4) of the LEP and to include the proposed RU4 zoned areas at Curlewis; and
- remove Clause 4.2A(4) from the LEP.

I, the General Manager, Northern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Gunnedah Local Environmental Plan (LEP) 2012 to:

- rezone land around Curlewis to RU4 Primary Production Small Lots, SP2 Cemetery and RE2 Private Recreation;
- apply a 10ha minimum lot size to the proposed RU4 zoned land and no minimum lot size to the proposed SP2 or RE2 zoned land;
- amend the 'Dwelling Opportunity Maps' contained in the LEP to remove dwelling opportunities that have expired under the provisions of clause 4.2A(4) of the LEP and to include the proposed RU4 zoned areas at Curlewis; and
- remove Clause 4.2A(4) from the LEP

should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to:
 - (a) amend the planning proposal to apply a RE2 Private Recreation Zone to the Curlewis Golf Club; and
 - (b) review the proposed 'Dwelling Opportunities Map' to ensure that only the intended lots that will benefit from the opportunity are highlighted (and any road reserves or former road reserves are not included).
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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. Consultation is required with the following agencies under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- NSW Rural Fire Service;
- Office of Environment and Heritage;
- Roads and Maritime Service; and
- Australian Rail Track Corporation.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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 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 **6 months** from the week following the date of the Gateway determination.

Dated *15th* day of *October* 2015


Stephen Murray
General Manager, Northern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning