

Gunnedah LEP 2012 Amendment No 8 - Rezoning land at Curlewis

Proposal Title : Gunnedah LEP 2012 Amendment No 8 - Rezoning land at Curlewis

Proposal Summary : This Planning Proposal aims to:

1. Amend the Gunnedah Local Environmental Plan 2012 (LEP) to rezone land at Curlewis for rural lifestyle, infrastructure (Curlewis Cemetery) and recreation (Curlewis Golf Club) purposes;
2. Apply a 10ha minimum lot size to the proposed rural lifestyle areas and no minimum lot size to the proposed infrastructure or recreation areas;
3. Amend the 'Dwelling Opportunity Maps' contained in the LEP to remove dwelling opportunities that expired in July 2014 under the provisions of clause 4.2A(4) of the LEP and to include the proposed rural lifestyle areas at Curlewis; and
4. Remove the redundant sunset provision Clause 4.2A(4) from the LEP.

PP Number : PP_2015_GUNNE_005_00

Dop File No : 15/14703

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
 - 2.1 Environment Protection Zones
 - 2.3 Heritage Conservation
 - 3.1 Residential Zones
 - 3.4 Integrating Land Use and Transport
 - 4.4 Planning for Bushfire Protection
 - 6.1 Approval and Referral Requirements
 - 6.2 Reserving Land for Public Purposes

Additional Information : It is recommended that:

1. The Planning Proposal be supported;
2. The Planning Proposal be exhibited for 28 days;
3. The Planning Proposal be completed within 6 months;
4. The proposal be amended prior to community consultation to zone the Curlewis Golf Club as RE2 Private Recreation;
5. That prior to community consultation the proposed 'Dwelling Opportunities Map' be reviewed to ensure that only the 38 lots that will benefit from the opportunity are highlighted (and any road reserves or former road reserves are not included);
6. That consultation with the NSW Rural Fire Service, the Office of Environment and Heritage, the Roads and Maritime Service and the Australian Rail Track Corporation be undertaken;
7. That the Secretary's delegate determines that the inconsistencies with s117 Directions 2.1 Environmental Protection Zones and 2.3 Heritage Conservation are justified as matters of minor significance;
8. That the Secretary's delegate notes that the inconsistency with s117 Direction 4.4 Planning for Bushfire Protection is outstanding until consultation with the NSW Rural Fire Service is complete; and
9. That a written authorisation for Council to exercise its plan making delegations be granted for this matter.

Supporting Reasons : This proposal is supported as it will provide rural lifestyle style development opportunities on the fringes of Curlewis that can help meet the expected demand created by the

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anticipated growth in the local mining industry. The proposal will appropriately zone the Curlewis Golf Club and the Curlewis Cemetery and will remove a redundant clause and amend the associated mapping within the LEP.

Panel Recommendation

Recommendation Date : 15-Oct-2015

Gateway Recommendation : Passed with Conditions

Panel Recommendation : This planning proposal is considered minor and the Gateway determination is to be issued under delegation by the General Manager. Therefore the planning proposal will not be considered by the panel.

Gateway Determination

Decision Date : 15-Oct-2015

Gateway Determination : Passed with Conditions

Decision made by : General Manager, Northern Region

Exhibition period : 28 Days

LEP Timeframe : 6 months

Gateway Determination : 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:

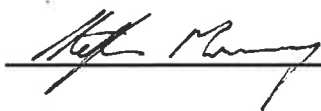
- NSW Rural Fire Service;
- Office of Environment and Heritage;
- Roads and Maritime Service; and
- Australian Rail Track Corporation.

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.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

15 OCTOBER 2015.