



New South Wales

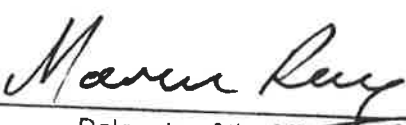
Mid-Western Regional Local Environmental Plan 2012 (Amendment No 16)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979.

Minister for Planning


Delegate of the Minister for
Planning

Mid-Western Regional Local Environmental Plan 2012 (Amendment No 16)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Mid-Western Regional Local Environmental Plan 2012 (Amendment No 16)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to Lot 63, DP 618063, George Campbell Drive, Mudgee.

4 Maps

The maps adopted by *Mid-Western Regional Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Environmental Planning and Assessment Act 1979

Mid-Western Regional Local Environmental Plan 2012 (Amendment No 16)

**Mid-Western Regional
Council**
86 Market Street
PO Box 156
Mudgee NSW 2850

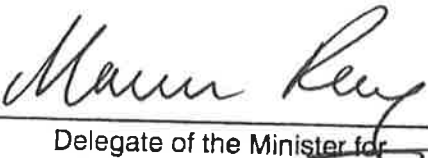
Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identification Number
Lot Size Map LSZ_006F	5270_COM_LSZ_006F_020_20140710
Land Zoning Map LZN_006F	5270_COM_LZN_006F_020_20150501

The following map sheets are adopted:

Map Sheet	Map Identification Number
Lot Size Map LSZ_006F	5270_COM_LSZ_006F_020_20161004
Land Zoning Map LZN_006F	5270_COM_LZN_006F_020_20161004


Delegate of the Minister for
Planning

Certified

12/04/17

Managing Director

[Date]

Minister for Planning

[Date]



Mr Brad Cam
General Manager
Mid-Western Regional Council
PO Box 156
MUDGEE NSW 2850

16/07666

Dear Mr Cam *Brad*

I am writing to you regarding planning proposal PP_2015_MIDWR_001_00 for the rezoning and amendment to minimum lot size of land at Lot 63 DP 618063 George Campbell Drive, Mudgee.

Mid-Western Regional Council's written authorisation to exercise the Minister's functions under section 59 of the *Environmental Planning and Assessment Act 1979* (the Act) in relation to this planning proposal was revoked on the 19 April 2016. Plan making authority for this local environmental plan amendment was returned to the Minister.

On the 16 May 2016 the Department received correspondence from Council containing minutes from Council's meeting on 20 April 2016. At this meeting Council formally noted its reasons for not supporting the planning proposal at George Campbell Drive. The Department has considered Council's reasons as follows:

- The safety risk associated with use of the right of carriageway (ROC) on George Campbell Drive and obstacle limitations surfaces at Mudgee Airport is a valid concern. The Department notes that the proponent has identified an alternative access route to the land via a ROC from Eurunderee Lane, thus removing the need to use the George Campbell Drive ROC. The Department is satisfied that this matter has been adequately addressed.
- The alternative ROC from Eurunderee Lane is bordered on either side by established vineyards. The nearest dwelling to this ROC is approximately 200 metres to the east. The proponent has engaged an independent traffic consultant to assess this ROC as a suitable means of access to the subject land and a traffic study has found that the access is well within its capacity to handle the estimated additional traffic generated by the future proposed development.

The Department is satisfied that, given the findings of the traffic study, the characteristics of the immediate area along the Eurunderee ROC being for intensive agricultural use, the closest dwelling being over 200 metres away, and the grapevines providing a buffer between the ROC and this dwelling, the potential for loss of amenity and character of the area along the Eurunderee ROC is not significant.

- In its planning proposal in 2014, Council determined the potential for land use conflict as being of minor significance. The Gateway agreed this was the case. In considering potential land use conflict, the Department notes that Council's Comprehensive Land Use Strategy (CLUS) identifies this land as an '*airport development opportunity*' and Council's Mudgee Airport Master Plan (MAMP) that was adopted by Council on the 21 October 2015 specifically identifies the land for '*rural residential development with airport access*' as a short-term development outcome by 2020. The planning proposal accords with the strategic land use outcomes of both the CLUS and MAMP. The Department is satisfied that this matter has been adequately addressed.

After careful consideration and given the particular circumstances of this planning proposal, as delegate of the Minister for Planning, I have made the Plan under section 59(2) of the Act. The land identified as Lot 63 DP 618063 is to be rezoned to Zone SP1 Special Activities – Dwelling Incidental with Aviation and the applicable minimum lot size is to be 2 hectares for this land.

These amendments will be made to the *Mid-Western Regional Local Environmental Plan 2012* maps by the Department. Under section 34(5) of the Act the amendment will take effect when published on the NSW Legislation website.

Should you have any further enquiries, please contact Wayne Garnsey, Team Leader, at the Department's Western Region office on (02) 6841 2180.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

07/04/2017



Planning & Environment

16/07666

Mr John Cole
10 Foss Street
Hunters Hill NSW 2850

Dear Mr Cole

I am writing to you regarding planning proposal PP_2015_MIDWR_001 concerning Lot 63 DP 618063 on George Campbell Drive, Mudgee.

After careful consideration and given the particular circumstances of this planning proposal, as delegate of the Minister for Planning, I have made the Plan under section 59(2) of the *Environmental Planning and Assessment Act 1979* (the Act). The land identified as Lot 63 DP 618063 is to be rezoned to Zone SP1 Special Activities – Dwelling Incidental with Aviation and the applicable minimum lot size is to be 2 hectares for this land.

Under section 34(5) of the Act the amendment will take effect when published on the NSW Legislation website.

Should you have any further enquiries, please contact Wayne Garnsey, Acting Director Regions, Western at the Department's Western Region office on (02) 6841 2180.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

07/04/2017