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14 January 2015

Mr A Albury
General Manager Western Region
Department of Planning & Environment
PO Box 58
DUBBO NSW 2830

Dear Ashley,

Re: Planning Proposal – George Campbell Drive Mudgee

On 17 December 2014 Council considered a Planning Proposal for an amendment to the Lot Size Map Sheet LSZ_006F by removing the 20ha minimum and replacing it with a 2 ha minimum. The intended outcome of the proposal is to permit subdivision of the 16.74ha site into 2ha lots.

In considering the request there were two issues that needed to be satisfied to enable Council to support the proposal. Firstly, amending the MLS on its own will not facilitate the desired outcome due to the operation of clause 4.2B which would prohibit development other than that which is intensive agriculture. Therefore, as it stood the provisions proposed did not meet the intended outcomes.

Secondly, in order that the proposal is consistent with the Comprehensive Land Use Strategy there needs to be some relationship between the future land use and the airport.

In order to overcome these obstacles an amendment to the Land Zoning Map is also required. This is captured in the resolution of Council as a prerequisite to the support of the proposal. In the Council report (attached) and resolution an SP2 zone is the suggested mechanism for achieving this. This approach is consistent with the approach taken on a site adjoining the western boundary of the airport. However, this could as easily be achieved through an inclusion in Schedule 1 Additional Permitted Uses. The advantage of Schedule 1 is that it would enable a specific requirement for hangars associated with the dwellings, thus achieving the Land Use Strategy intent. However, as is now the process in the amendment of planning instruments, Council simply provides the intent and Parliamentary Counsel and the Department the mechanism for achieving it.

Given the minor nature of the amendments and administration required to process them individually, Council has combined the matters into a single amendment. The Planning Proposals are as follows:

- amend the Lot Size Map Sheet 006 in Spring Flat Road to facilitate the subdivision of Lot 52 DP 633029 to 20ha minimum lot size;
- rezone land to R2 Low Density Residential and amend the Lot Size Map on land in Adams Lead Road Lot 76 DP 755434 Gulgong
- rezone land in Market Street to facilitate a boundary adjustment, create an opportunity for an additional dwelling and facilitate the future acquisition of land linking Market Street with the Cudgegong River; and
- insert a provision in Local Environmental Plan 2012 which allows for the subdivision of split zoned land provided the area containing a dwelling or an opportunity for a dwelling meets the minimum lot size for land within that zone.

Attached is the combined Planning Proposal with detail relating to the amendments. The detailed proposals prepared on behalf of individuals are included as attachments to the covering proposal..

To enable the proposal to proceed please find enclosed:

- Council Report and Minute from September 2013
- Request for initial Gateway Determination
- A copy of the detailed Planning Proposal

Further, Council is seeking delegation to deal with this matter. I have attached the evaluation criteria checklist as an appendix in the proposal and am confident that the planning Proposal will meet this criteria.

Should you require further information please contact me on 0263 782850.

Yours Sincerely



LIZ DENSLEY
MANAGER STRATEGIC PLANNING