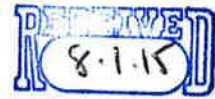




15/01358



Planning NSW
Northern Region
PO Box 550
TAMWORTH NSW 2340

10 December 2014

Dear Sir/Madam

Draft Amendment No. 5 to Gunnedah Local Environmental Plan 2012

At its meeting on 16th July 2014, Gunnedah Shire Council resolved:

That Council:

- i) *Prepare a draft planning proposal, pursuant to Section 55 of the Environmental Planning and Assessment Act, 1979, for the amendment of the Gunnedah Local Environmental Plan 2012, to:*
 - a) *Amend the lot size map as follows:*
 - i. *All of Lot 2 DP 1146441, 1349 Wandobah Road, Gunnedah to 40ha.*
 - ii. *All of Lot 1 DP 613545, 1295 Wandobah Road, Gunnedah to 200ha.*
 - iii. *All of Lot 21 DP 1003636, 1311 Wandobah Road, Gunnedah to 40 ha.*
 - iv. *Lot 118 DP 1176830, Sunnyside Farm Drive, Gunnedah, Lot 114 DP 1176830, 11 Dries Ave, Gunnedah and Lot 115 DP 1176830, 13 Dries Ave, Gunnedah to align with cadastre property boundaries.*
 - b) *Amend the zoning map as follows:*
 - i. *Lot 118 DP 1176830, Sunnyside Farm Drive, Gunnedah, Lot 114 DP 1176830, 11 Dries Ave, Gunnedah and Lot 115 DP 1176830, 13 Dries Ave, Gunnedah to align with cadastre property boundaries.*
 - ii. *Amend the wording from Water Management Facility to Waste Management Facility.*
 - c) *Insert the following clause for Boundary Changes between lots in Zone RU1 and E3:*

Boundary changes between lots in Zone RU1 and E3:

 - i) *The objective of this clause is to permit the boundary between 2 or more lots to be altered in certain circumstances, to give landowners a greater opportunity to achieve the objectives of a zone.*
 - ii) *This clause applies to land in Zone RU1 Primary Production and E3 Environmental Management.*

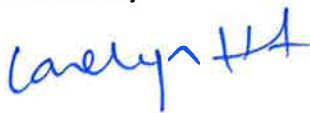
- iii) *Despite clause 4.1 (3), the size of any lot resulting from a subdivision of 2 or more adjoining lots, on land to which this clause applies, may be less than the minimum lot size shown on the Lot Size Map in relation to that land if the subdivision will not result in any of the following:*
 - (a) *An increase in the number of lots,*
 - (b) *An increase in the number of dwellings that may be erected on any of the lots.*
 - iv) *In determining whether or not to grant development consent for the subdivision of land under this clause, the consent authority must consider the following:*
 - (a) *The existing uses and approved uses of other land in the vicinity of the subdivision,*
 - (b) *Whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,*
 - (c) *Whether or not the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b),*
 - (d) *Whether or not the subdivision is likely to be incompatible with a use on(d)land in any adjoining zone,*
 - (e) *Any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d),*
 - (f) *Whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,*
 - (g) *Whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.*
 - v) *This clause does not apply in relation to a subdivision under the Community Land Development Act 1989, the Strata Schemes (Freehold Development) Act 1973 or the Strata Schemes (Leasehold Development) Act 1986.*
- ii) That the draft planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to Sections 56-58 of the Act;
 - iii) That the Secretary of the Department of Planning and Environment be requested to issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under Section 59 of the Act in respect of the planning proposal.

Council requests that the Minister for Planning provide a Gateway Determination on the Planning Proposal, in accordance with Section 56 of the Act.

Please find attached Council reports and deliberations outlining the mechanism by which this planning proposal was reached.

If you have any questions regarding this matter, please contact Council's Project Town Planner, Brendan Williams on (02) 6740 2144.

Yours faithfully



Carolyn Hunt
MANAGER DEVELOPMENT & PLANNING

Contact: C Hunt 6740 2144

Encl: Planning Proposal, Evaluation Criteria, Council Resolution