

Shire of

Gunnedah

Land of Opportunity

Planning Proposal

- Rezone part of Lot 2 DP 858991, 110 Kamilaroi Highway, Gunnedah
- Amend the Minimum Lot Size Map for part of Lot 2 DP 858991, 110 Kamilaroi Highway, Gunnedah

Prepared by

Gunnedah Shire Council

2 September 2014

PART 1 – OBJECTIVES OR INTENDED OUTCOMES OF THE PROPOSED LEP

The objectives or intended outcome of the Planning Proposal are as follows:

- to rezone part of Lot 2 858991, 110 Kamilaroi Highway Gunnedah from RU1 Primary Production and RU6 Transition to IN1 General Industrial;
- to amend the minimum lot size map for part of Lot 2 858991, 110 Kamilaroi Highway Gunnedah from 200ha to no minimum lot size

The proposed change aims to achieve additional industrial land.

PART 2 – EXPLANATION OF PROVISIONS TO BE INCLUDED IN THE PROPOSED LEP

The objectives or intended outcome of the Planning Proposal are to be achieved by amending the land zoning and lot size maps for the subject land.

PART 3 – JUSTIFICATION

Section A. Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is not the direct result of a Strategic Study or Report. The subject land was zoned 4(a) General Industrial under the provisions of the Gunnedah Local Environmental Plan, 1998. The industrial zoning was a political decision at the time of the preparation of the LEP and was not based on any strategic plan.

Development Consent for the subdivision of the subject land was granted in 2010. It was proposed to develop the land for industrial use.

The Gunnedah LEP 2012 rezoned the land to RU1 Primary Production and RU6 Transition, based on the recommendations of the Gunnedah Commercial and Industrial Strategy. However, the development consent is still valid (expiring in November 2015).

With the growth in resource development, the developer has decided to proceed with the development.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The amendment to the zoning enables the development of the land for industrial use (as approved by the Development Application), which is able to be serviced by Council's water and sewer service. The amendment to the minimum lot size enables future subdivision for industrial development, to ensure consistency with other industrial zoned land within Gunnedah. An amendment to the zoning and minimum lot size, in this case, is the only viable option to facilitate in the future development of this land.

Section B. Relationship to Strategic Planning Framework

3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including exhibited draft strategies)?

The Namoi 2030 Regional Resource Strategy was a joint initiative between Councils in the Namoi catchment for the purpose of producing a regional land use management strategy with a focus on sustainable growth. The report refers to the current and projected growth of the Gunnedah region, in particular the anticipated growth in resource development and the impact this will have on supporting industries.

The Planning Proposal will provide additional industrial land to cater for the expected growth in support industries.

4. Is the Planning Proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

Council's Community Strategic Plan identifies the value of building the Shire's economy, and in particular the impacts of mining. The Planning Proposal aims to enable the subdivision of the subject land for the purposes of industrial development, which would be a positive benefit to the Shire's economy.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is considered to be consistent with applicable State Environmental Planning Policies (refer to Appendix 1).

6. Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal is considered to be consistent with all the applicable S.117 Ministerial Directions, with the exception of 1.2 Rural Zones, 1.3 Mining, Petroleum Production and Extractive Industries, 1.5 Rural Lands.

Section C. Environmental, Social and Economic Impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Planning Proposal notes of no known threatened vegetation or ecological communities on the site. A full assessment of the impacts has been undertaken during the development application stage, which included an assessment under SEPP 44 – Koala Habitat Protection.

8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The site is not identified as being bushfire prone land. However, the site is identified as flood prone land. The environmental effects of the proposed industrial development of the site have been addressed in the assessment of the development application for the subdivision.

9. How has the Planning Proposal adequately addressed any social and economic effects?

A positive social and economic effect is expected as a result from the Planning Proposal, with additional industrial land having approval for subdivision.

Section D. State and Commonwealth Interests

10. Is there adequate public infrastructure for the Planning Proposal?

The Planning Proposal is expected to have a similar impact on existing infrastructure as industrial development carried out under the current development standards. In terms of future subdivisions and associated need for new infrastructure, this would be required to be provided in similar manner and in accordance with Council's requirements.

11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination?

To be completed following consultation with the State and Commonwealth Public Authorities that may be identified in the Gateway Determination.

PART 4 – MAPS

The proposed amendment relates to an amendment to the Land Zoning and Minimum Lot Size Maps of Council's LEP. Preliminary plans have been attached to this Planning Proposal as Appendix 3 and 4.

PART 5 – COMMUNITY CONSULTATION THAT IS TO BE UNDERTAKEN

It is proposed to exhibit the Planning Proposal for 14 days, with notice of the public exhibition being given:

- in a newspaper that circulates in the area affected by the Planning Proposal – the "Namoi Valley Independent" newspaper, and
- on Council's web-site at www.infogunnedah.com.au

PART 6 – PROJECT TIMELINE

The table below provides an indication of the timeline for the Planning Proposal.

Anticipated commencement date (date of Gateway determination)	September 2014 upon receipt of Gateway Determination by Council.
Anticipated timeframe for the completion of technical information	Technical studies have not been identified as a component of the planning proposal. The Department of Planning and Infrastructure may make prescriptions relating to technical information.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	October 2014 Subject to requirements of a Gateway Determination, agency consultation would occur during the public consultation phase.
Commencement and completion dates for public exhibition period	(14 days) 07-21 October 2014
Dates for public hearing (if required)	Not identified as being required.
Timeframe for consideration of submissions	3 weeks
Timeframe for the consideration of a proposal post exhibition	4 weeks (partly in conjunction with consideration of submissions)
Date of submission to the Department of Parliamentary Counsel to finalise LEP	10 th November 2014
Anticipated date RPA will make the plan (if delegated)	November 2014
Anticipated date RPA will forward to department for notification	November 2014

Appendix 1 Consideration of State Environmental Planning Policies

The following SEPP's apply to the Gunnedah local government area, as at 1 September, 2014.

SEPP	Applicable	Consistent
No. 1 Development Standards	No	Not applicable
No. 21 Caravan Parks	No	Not applicable
No. 30 Intensive Agriculture	No	Not applicable
No. 32 Urban Consolidation Re-development of Urban Land	No	Not applicable
No. 33 Hazardous and Offensive Development	Yes	Yes
No. 36 Manufactured Home Estates	No	Not applicable
No. 44 Koala Habitat Protection	Yes	Yes
No. 50 Canal Estate Development	No	Not applicable
No. 55 Remediation of Land	Yes	Yes
No. 62 Sustainable Aquaculture	No	Not applicable
No. 64 Advertising and Signage	Yes	Yes
No. 65 Design Quality of Residential/Flat Development	No	Not applicable
Affordable Rental Housing 2009	No	Not applicable
Building Sustainability Index: BASIX 2004	No	Not applicable
Exempt and Complying Development Codes 2008	Yes	Yes
Housing for Seniors and People with a Disability 2004	No	Not applicable
Infrastructure 2007	Yes	Yes
Major Development 2005	Yes	Yes
Mining, Petroleum Production and Extractive Industries 2007	Yes	Yes
Rural Lands 2008	Yes	Yes

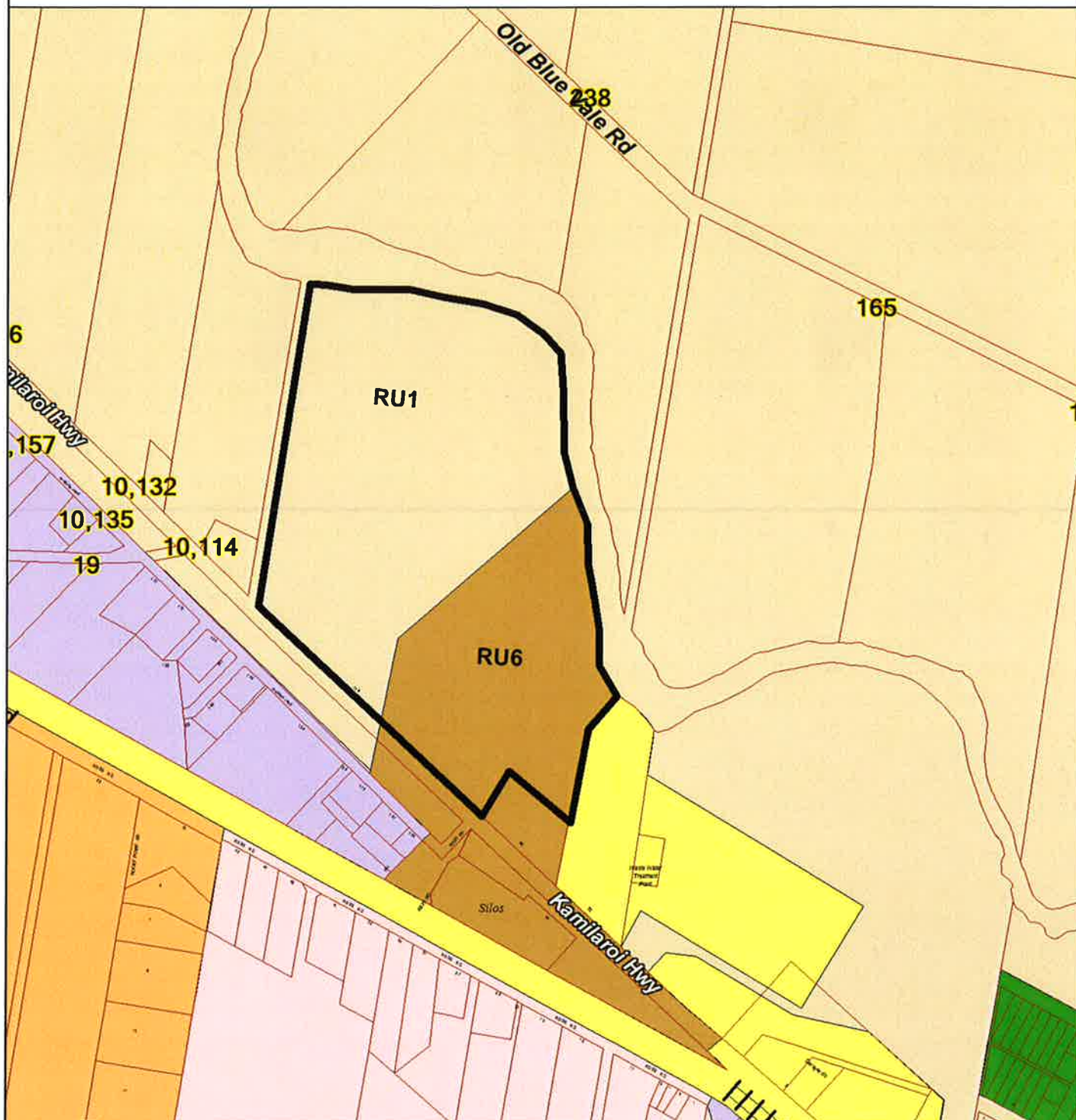
Appendix 2 Consideration of Section 117 Ministerial Directions – Assessment relative to the rural boundary adjustment Planning Proposal

S.117 Direction	Whether Planning Proposal is consistent with directions?
1. Employment and Resources	
1.1 Business and Industrial Zones	Yes – the Planning Proposal will encourage employment growth within the industrial zone.
1.2 Rural Zones	No – the Planning Proposal involves the rezoning of a small section of agricultural land that was previously zoned industrial. The section of agricultural land is located opposite existing zoned industrial land. The proposal is considered to be of minor significance.
1.3 Mining, Petroleum Production and Extractive Industries	No – the planning proposal will change the zoning that would affect the permissibility of mining on the subject lands. Given the proximity of the site to Gunnedah, the land is not identified as suitable for mining. The SEPP (Mining, Petroleum Production and Extractive Industries) prevails over the <i>GLEP 2012</i> .
1.4 Oyster Aquaculture	Not affecting LGA.
1.5 Rural Lands	No – the Planning Proposal involves an amendment to the minimum lot size of a small section of agricultural land. The section of agricultural land is located opposite existing zoned industrial land. Given the size of the subject section of land, the proposal is considered to be of minor significance.
2. Environment and Heritage	
2.1 Environment Protection Zones	Yes - the Planning Proposal does not include any elements that would reduce environmental protection standards applying to the subject lands.
2.2 Coastal Protection	Not affecting LGA.
2.3 Heritage Protection	Yes - the <i>GLEP 2012</i> contains provisions that facilitate the conservation of heritage conservation elements. Aboriginal objects or places protected under the National Parks and Wildlife Act, 1974. No study has been undertaken to identify specific objects within the Shire. It is considered that the planning proposal is justifiably inconsistent with the Direction.
2.4 Recreation Vehicle Areas	Yes - the permissibility of the land-use is not increased or affected by the Planning Proposal.
3. Residential Zones	
3.1 Residential Zones	Not applicable – the Planning Proposal does not affect the Residential zone.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable – the Planning Proposal does not affect the Residential zone.
3.3 Home Occupations	Not applicable – the Planning Proposal does not affect the Residential zone.
3.4 Integrating Land Use and Transport	Not applicable – the Planning Proposal does not affect the Residential zone.
3.5 Development Near Licensed Aerodromes	Yes –The subject land is located outside the Obstacle Limitation Surface area.
4. Hazard and Risk	
4.1 Acid Sulfate Soils	Not affecting LGA.
4.2 Mine Subsidence and Unstable Land	Not affecting LGA.
4.3 Flood Prone Land	Yes - the Planning Proposal is considered to be consistent with the Direction. Conditions of consent have been imposed on the Notice of Determination to ensure that all utility services are located above the 1% AEP level and that the development site is constructed at the 1% AEP

	level.
4.4 Planning for Bushfire Protection	Yes - the Planning Proposal is considered to be consistent with the Direction, as subject land is not identified as being bushfire prone land.
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not affecting LGA.
5.2 Sydney Drinking Water Catchments	Not affecting LGA.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not affecting LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not affecting LGA.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not affecting LGA.
5.6 Second Sydney Airport: Badgerys Creek	Not affecting LGA.
6. Local Plan Making	
6.1 Approval and Referral Requirements	Yes - the Planning Proposal does not include provisions which increase approval and referral requirements as outlined in the Direction.
6.2 Reserving Land for Public Purposes	Yes - the Planning Proposal does not include provisions which affect the reservation of land for public purposes.
6.3 Site Specific Provisions	Yes - the Planning Proposal does not relate to enabling a particular development to be carried out on the site.
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Strategy	Not affecting LGA

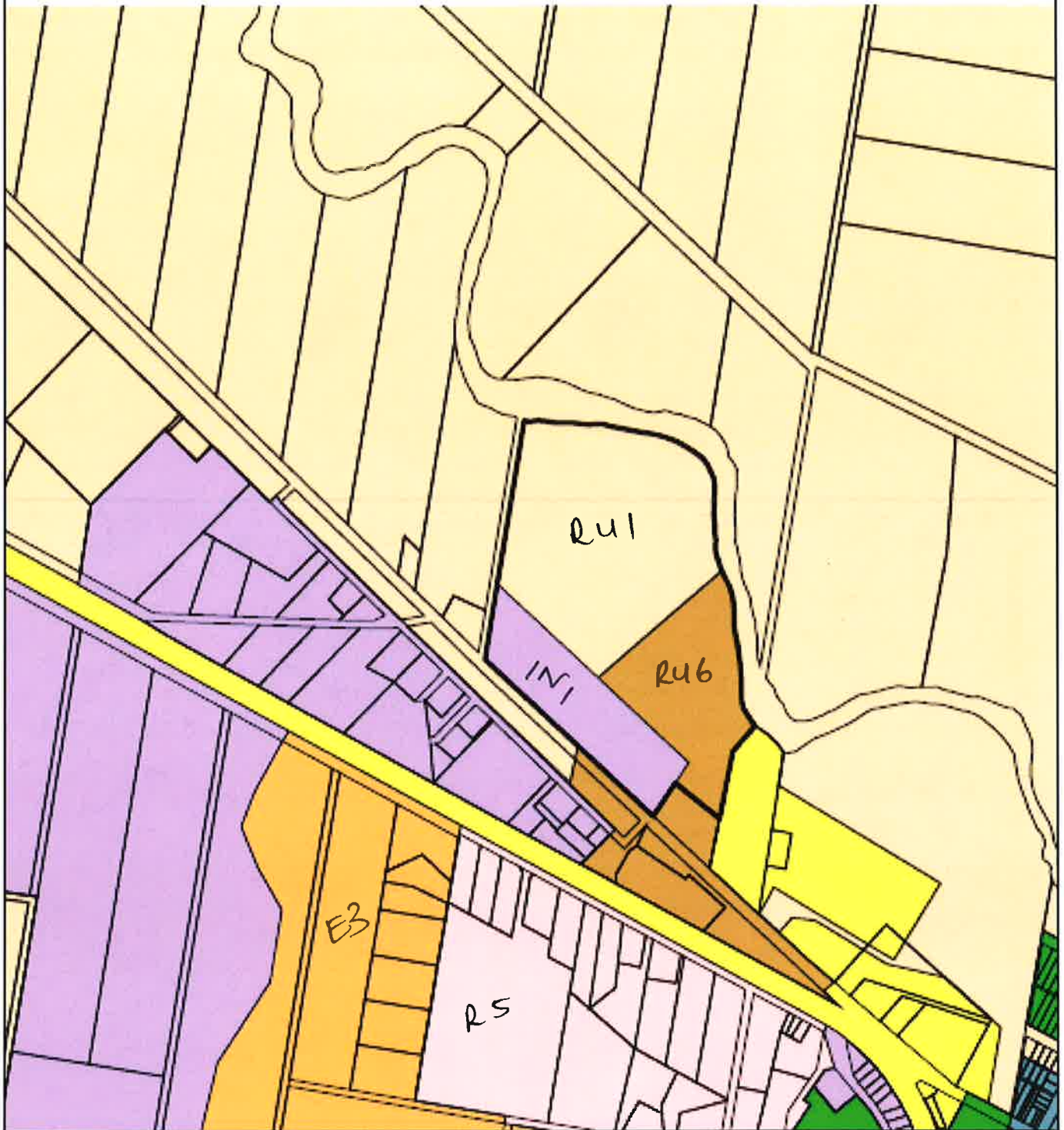
Appendix 3 Current and Proposed Land Zoning Map

Gunnedah Shire Council Current Zoning Map



Owner:		Property Address: 110 Kamilaroi Highway GUNNEDAH NSW 2380	Cadastral data is the property of NSW Dept of Lands – Last modified {Cadastre Update}
Property Details:			DISCLAIMER Although all care is taken in the preparation of this plan, GUNNEDAH SHIRE COUNCIL accepts no responsibility for any misprints, errors, omissions or inaccuracies. The information contained within this plan is for pictorial representation only. DO NOT SCALE. Accurate measurements should be undertaken by survey.
Lot	PlanNo		
2	858991		
Zoning: RU1 & RU6			
Date: 02/09/2014	Scale:	Projection: GDA94 Zone 56	

Gunnedah Shire Council Proposed Zoning Map



Property Address:

110 Kamilaroi HWY
GUNNEDAH

2380

Cadastral data is the property of NSW Dept
of Lands – Last modified 26/11/2004
12:00:00 AM

Property Details:

Lot	Section	PlanNo
2		858991

Date: 08/09/2014

Scale:

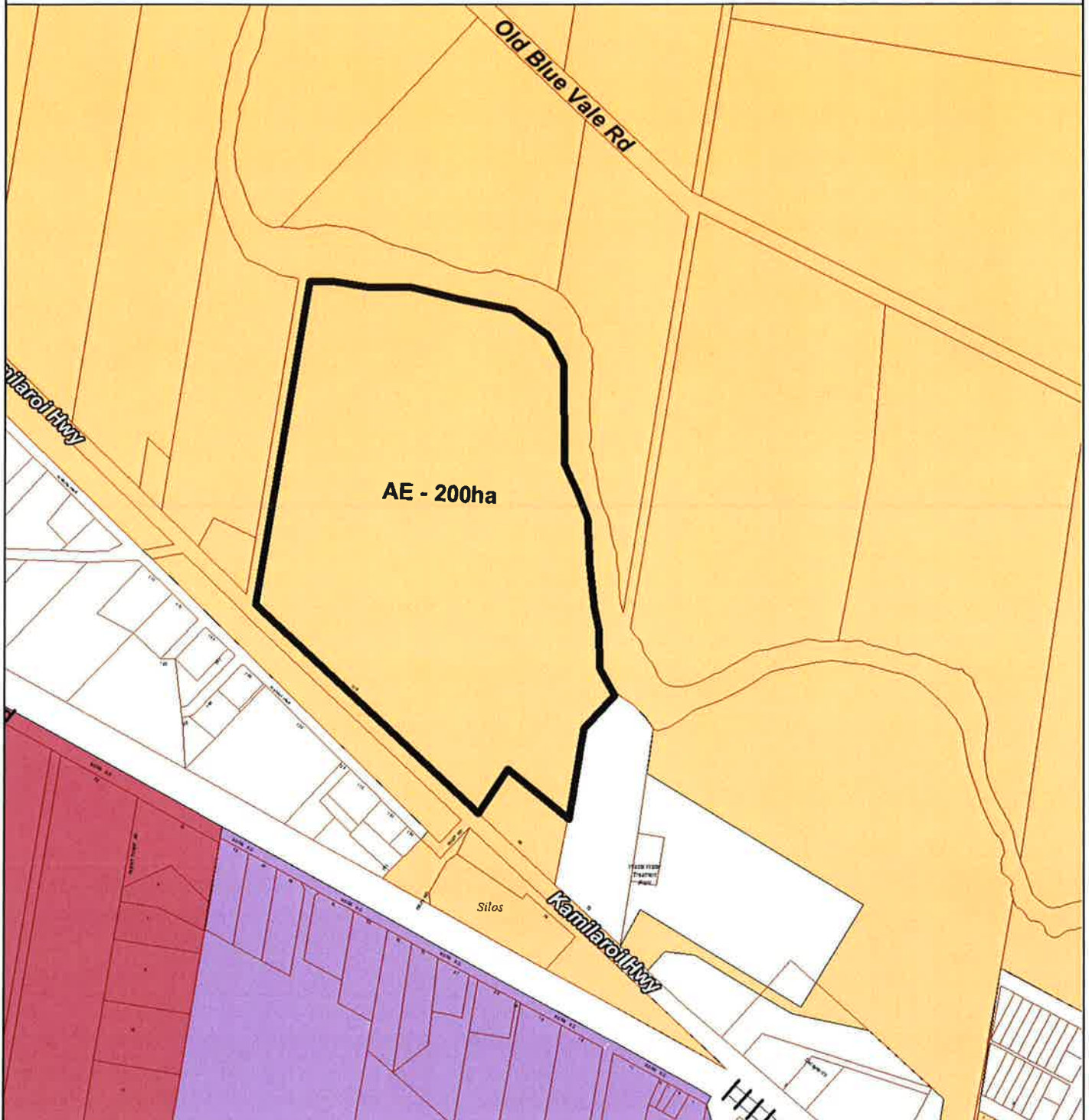
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Appendix 4 Current and Proposed Minimum Lot Size Map

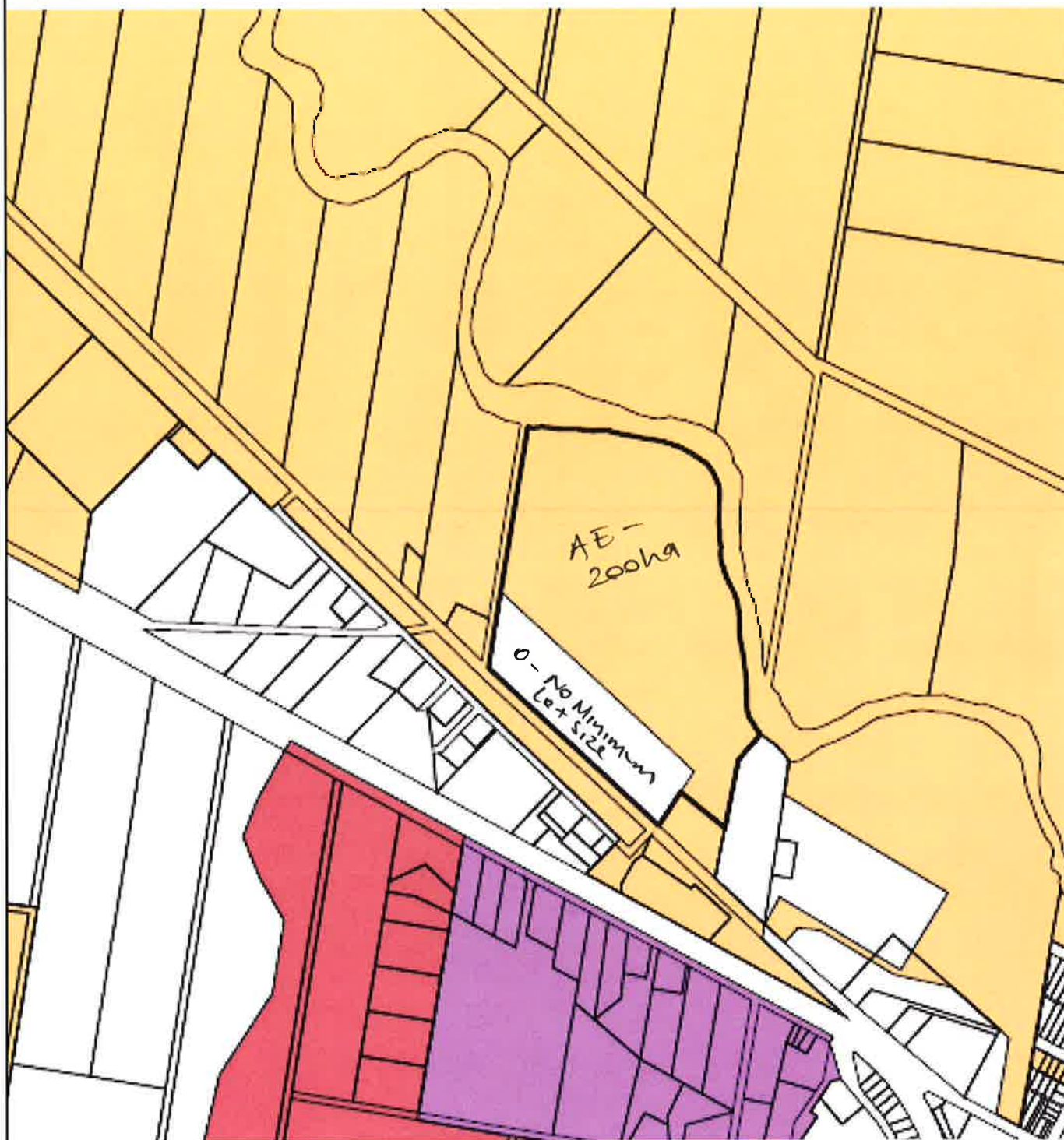
Gunnedah Shire Council Current Lot Size Map



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Lot	PlanNo	
2	858991	
Lot Size: 200ha		
Date: 02/09/2014	Scale:	
Projection: GDA94 Zone 56		

Gunnedah Shire Council

Proposed Lot Size Map



Property Address:

110 Kamilaroi HWY
GUNNEDAH 2380

Cadastral data is the property of NSW Dept of Lands – Last modified 26/11/2004 12:00:00 AM

Property Details:

Lot	Section	PlanNo
2		858991

Date: 08/09/2014

Scale:

Projection: GDA94 Zone 56

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