

Mr Andrew Hopkins
General Manager
Uralla Shire Council
PO Box 106
URALLA NSW 2358

Dear Mr Hopkins

Planning proposal PP_2018_URALL_001_00 to amend Uralla Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to rezone land at The Gap Road, Uralla to RU4 Primary Production Small Lots and reduce the minimum lot size to 20 hectares.

As delegate of the Minister for Planning, I have now determined that the planning proposal should not proceed for the reasons in the enclosed Gateway determination.

The proposal was not supported as it is considered to be inconsistent with the intent and aims of the New England North West Regional Plan 2036, Council's Department of Planning and Environment-approved local strategy, State Environmental Planning Policy (Rural Lands) 2008 and section 9.1 Directions 1.2 Rural Zones, 1.5 Rural Lands and 5.10 Implementation of Regional Plans.

I note that the land is not in close proximity to any existing or proposed rural smallholding areas identified in Council's local strategy and is located on prime agricultural land in a primarily broadacre production area. I also understand that Council staff advised the Department that adequate rural smallholding land to meet demand for at least another 20 years already exists in the Shire in a range of locations.

As you would be aware, the *Environmental Planning and Assessment Act, 1979*, was recently amended to formally recognise the importance of strategic planning and the critical role of councils in planning for their local area. In particular, Council by July 2020 will need to prepare a local strategic planning statement that sets out a 20 year vision for land use in the local area, the special character and values that are to be preserved, and how change will be managed into the future. This statement will also need to align with the regional plan and Council's own priorities under its community strategic plan.

Consistent with this recognition of strategic planning, should Council wish to pursue similar proposals for rural smallholdings development in the future, I would recommend Council firstly review its local strategy to consider the broader implications of the proposed changes.

This review should be undertaken in consultation with key agencies such as the Department of Primary Industries and address issues such as rural land fragmentation, land use conflict risks, land constraints, access to services and infrastructure, likely demand and existing supply. The review should also be consistent with the requirements of the New England North West Regional Plan 2036, SEPP (Rural Lands) 2008 and section 9.1 Directions 1.2 Rural Zones, 1.5 Rural Lands and 5.10 Implementation of Regional Plans, and be submitted to the Department of Planning and Environment for approval.

Should you have any further enquiries about this matter, I have arranged for Ms Melissa Thomson to assist you. Ms Thomson can be contacted on 6701 9686.

Yours sincerely



David Gainsford
Acting Deputy Secretary
Planning Services

13/6/18

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2018_URALL_001_00): to rezone land at The Gap Road, Uralla to RU4 Primary Production Small Lots and reduce the minimum lot size to 20 hectares.

I, the Acting Deputy Secretary, Planning Services at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to the Uralla Local Environmental Plan 2012 to rezone land at The Gap Road, Uralla to RU4 Primary Production Small Lots and reduce the minimum lot size to 20 hectares should not proceed for the following reasons:

1. The planning proposal is inconsistent with the New England North West Regional Plan 2036, State Environmental Planning Policy (Rural Lands) 2008, section 9.1 Directions 1.2 Rural Zones, 1.5 Rural Lands and 5.10 Implementation of Regional Plans and Council's local growth management strategy.

Dated 13th day of June 2018.



David Gainsford
Acting Deputy Secretary
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning