



Mr Ray Smith
General Manager
Bland Shire Council
PO Box 21
WEST WYALONG NSW 2671

Dear Mr Smith

Bland Local Environmental Plan 2011 – Proposed LEP Amendment for Bellarwi Road, West Wyalong – Request for further information

I am writing to you regarding Council's request received on 14 October 2019 for a Gateway determination seeking to amend the Bland Local Environmental Plan 2011 to reduce the minimum lot size from 200ha to 40ha to enable the creation of five lots with dwelling entitlements on Bellarwi Road, West Wyalong.

As previously discussed with Council, the Department supports strategic land use planning to give clear direction and intent for future land use, and as the basis for changes to planning controls.

In this case, there is no Council strategic plan to which this proposal responds. In the absence of such a plan, the proponent at this time has not provided evidence to establish the strategic merit of the proposal. At a minimum, such a proposal should be supported by:

- analysis of the existing stock of large lot residential land within the R5 zone or land with a 40ha minimum lot size (MLS) or less and evidence of how this current supply cannot meet demand without the need for changes to planning controls;
- if the need for further supply can be demonstrated, analysis to determine suitable sites, land zoning and preferred locations where this further supply can be provided;
- assessment of the different options for providing future supply at preferred locations including the appropriateness of different zones and MLS.

There are two broad options for strategic planning at the local level. Council can undertake prioritised strategic planning to establish the basis for future planning control change and development. The Riverina-Murray Regional Plan provides the framework for such planning to be undertaken and the Local Strategic Planning Statement being prepared by Council provides an ideal opportunity for Council to set out an agenda for local strategic planning it intends to undertake in the future. Alternatively, where Council's strategic planning is lacking or incomplete, a landowner-initiated proposal such as the current matter may provide the impetus for strategic planning work to be initiated. In such situations, while supporting data may be provided by a proponent to support their proposal, Council needs to undertake

analysis and assessment and consider other options for meeting the planning proposal's aims to ensure the overall needs of the Shire are considered.

It is difficult for The Department to support planning proposals without strategic merit being established. I request Council consider whether it wishes this matter to proceed to a Gateway determination or withdraw it while this strategic planning is undertaken.

Should Council wish to proceed and provide the strategic evidence that is currently missing, the following site specific matters will also need to be addressed:

- Detail consistency with the 9.1(2) Ministerial Directions specifically, 1.2 Rural Zones and 1.5 Rural Lands. The proposal increases the permissible density of land within a rural zone as well as land use conflict in rural areas.
- Detail consistency with the objectives of the State Environmental Planning Policy (Primary Production and Rural Development) 2019. Further consideration should be given to the objectives when determining the site-specific merit of the proposal. Please demonstrate that these objectives have been considered.
- Confirm that Council is satisfied that SEPP 55 – Remediation of Land has been adequately addressed particularly in relation to Lot 386 DP 752135.

The Department is available to discuss all matters related to strategic planning with the Council including the Local Strategic Planning Statement, Comprehensive Land Use Strategy or Housing Strategy process.

If you have any more questions, please contact Ms Nikki Pridgeon, Planning Officer, from the Department of Planning, Industry and Environment, Western Region office, on 5852 6800.

Yours sincerely



19.11.19

Damien Pfeiffer
Director, Western Region
Local and Regional Planning