



# DUNGOG SHIRE COUNCIL

All Communications to be addressed to:

The General Manager  
Dungog Shire Council  
PO Box 95  
DUNGOG NSW 2420

Telephone: (02) 4995 7777  
Facsimile: (02) 4995 7750  
Email: [shirecouncil@dungog.nsw.gov.au](mailto:shirecouncil@dungog.nsw.gov.au)  
Website: [www.dungog.nsw.gov.au](http://www.dungog.nsw.gov.au)  
ABN 62 610 350 056

Ref:TPA2039/6 - rms

6 September 2019

Regional General Manager  
Department of Planning, Infrastructure and Environment  
PO Box 1226  
NEWCASTLE NSW 2300

Attention: Paul Maher

Dear Mr Maher

**RE: DRAFT AMENDMENT TO DUNGOG LEP 2014  
PLANNING PROPOSAL – Lot 1 DP 867951, 1177 Fosterton Road, FOSTERTON**

Dungog Shire Council resolved at its 21 August 2019 Ordinary Meeting to endorse – pursuant to Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) – a Planning Proposal to amend the Dungog Local Environmental Plan 2014. The Planning Proposal related to Lot 1 DP 867951.

Lot 1 DP 867951 is currently zoned RU1 Primary Production wherein dwelling houses are permissible. The site does not, however, currently benefit from a dwelling entitlement due to Clause 4.2A of the Dungog LEP 2014 which – in this instance – prohibits dwelling houses and dual occupancies as a result of the lot not meeting the minimum lot size provisions of the Clause.

Lot 1 DP 867951 is vacant of any development and is 6.14 hectares in area.

In accordance with Section 3.34 of the EP&A Act, Council is now forwarding the Planning Proposal to the Minister for a gateway determination.

Please find attached the Planning Proposal, Council Report and minutes detailing the resolution.

Council is not seeking authorisation to exercise delegation in the making of the Local Environmental Plan.

If you require any additional information regarding this matter, please contact me on 4995 7777.

Yours faithfully

Coralie Nichols  
**General Manager**