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The General Manager
Warrumbungle Shire Council
PO Box 191
COONABARABRAN
NSW 2357

5th June 2014

ATTN: Alia Slamet

**Re: Rezoning Part of Lot 3 in DP 1151751 Coolah for Rural Residential Development-
Booyamurra Pty Ltd (Owner)**

Dear Alia,

Reference is made to your email of the 16th May and subsequent telephone discussions.

We agree with your proposal to forward an outline of the amended "preliminary rezoning proposal" to the Department of Planning and infrastructure for to gain a preliminary understanding of its opinion.

Following on from that preliminary opinion (and dependant on the advice received from the Department) we understand that the "preliminary rezoning proposal" would be reported to Council for its consideration thus addressing the current outstanding resolution of the 18th April 2013 rezone part of the Booyamurra Pty Ltd property for rural residential development.

Should Council give its support to the "preliminary rezoning proposal" we would then prepare a formal Planning Proposal for Councils consideration prior to its submission to the Department through the "Gateway Process". The formal Planning Proposal would address all the required points of consideration including any raised by Council or the Department in their consideration of the "preliminary rezoning proposal".

To assist in this process we have prepared a brief "preliminary rezoning proposal" which can be forwarded to the Department for discussion purposes and its opinion. As part of that process we would like to attend a meeting with the relevant Council and Department staff,

as we feel a face to face meeting (preferably involving an onsite discussion) would be beneficial in addressing any issues that might arise.

We look forward to your ongoing cooperation in this matter. If there are any matters you wish to discuss please contact either Lindsay Dyce (04196393360) or John and Wendy Gill (02 6377 1079 or mob 0427771079).

In relation to written correspondence and emails please send a copy to John and Wendy Gill of Booyamurra Pty Ltd. I will liaise with the Gill's to ensure you receive a coordinated response. If there are any questions please do not hesitate to ring me 0419639336.

Yours Faithfully

(Signed) Lindsay Dyce

PRELIMINARY REZONING PROPOSAL: Part Lot 3 in DP 1151751 Coolah

THE REZONING SITE

The proposed rezoning incorporates an area of approximately 55 ha being Part of Lot 3 in DP 1151751 at Coolah as shown on attachment 1

The site is near to the northern edge of the township of Coolah generally bounded on the east by The Black Stump Way, to the south by the Coolah Golf Course and to the west and north by a rural property (the remaining part of Lot 3 not to be rezoned) and currently zoned R1(Primary Production).

The site is improved pasture with some scattered trees all of which can be retained throughout the development process.

The site is generally well elevated with exceptional views across the valley from the higher sections. Adjacency to the Golf Course adds to the amenity of the site.

OBJECTIVES OR INTENDED OUTCOMES

To rezone approximately 55 Ha of R1 (Primary Production) To R5 (Large Lot Residential) at Coolah. The intended outcome is to facilitate rural residential development on land adjacent to the Coolah Township.

To vary the minimum lot size map for the area proposed to be rezoned R5 (Large Lot Residential) at Coolah. The amendment will require a minimum lot size of 2 Ha for the subdivision of land or erection of a dwelling instead of the 600 Ha currently required

JUSTIFICATION

Relationship to Regional, sub Regional and local Strategies

The proposal would facilitate the use of land for rural residential development and use consistent with the relevant regional and subregional strategies.

The supply of undeveloped land for rural residential development in the Warrumbungle's Shire is analysed in detail in its local strategy which determines that while there is an adequate supply throughout the Shire there is no available vacant land available for rural residential lots in or near to the Coolah Township.

In this regard Council has made a commitment to making additional land adjacent to the Coolah township available for rural residential development with 2ha lot sizes by resolving to rezone an area of approximately 140 Ha of land from RU1 (Primary Production) to R5 (Large Lot Residential) at its meeting of 18th April 2013 (see Attachment 2).

This rezoning was not carried forward in the new LEP and the land remains under RU1 (Primary Production) zoning.

The area of this proposed rezoning (as Resolved by Council) would provide for approximately 65 lots well in excess of the likely demand in the foreseeable future.

Subsequent investigation has also revealed that the area Council had resolved to rezone has no access to a Public Road, and such access would require acquisition of adjoining private property or Council Land (The Golf Course or Swanston Park both of which are Community Land).

Additionally this area incorporated areas of native vegetation that on current advice would need to be the subject of a detailed and extensive ecological investigation before any development could occur, and which could preclude development of much of that area.

It is considered that the alternate rezoning as outlined in this Preliminary Rezoning Proposal can provide for rural residential development adjacent and accessible to the Coolah Township that is a positive adjunct to the town and is consistent with the local strategy.

Consistency with applicable State Environmental Planning policies and Directions

The proposal is generally consistent with the applicable State Environmental Planning policies and Directions. As part of a formal Planning Proposal detailed assessment of SEPP Rural Lands 2008, and Section 117 Directions 1.5 Rural Lands, 4.3 Flood Prone Lands and 4.4 Planning for Bushfire Protection will be provided

However the area encompassed by the Preliminary Rezoning Proposal consists of improved pasture land of lesser quality with scattered trees.

The proposed rezoning site is generally comprised of light loam or sand stone based soils a does not include significant areas of high quality agricultural soil types such as alluvial black

soils or heavy basalt soils which are associated with high quality agricultural production land in the Coolah area.

Future rural residential development can be provided with appropriate access and protected from bushfire without the need for clearing. Bushfire protection measures can be incorporated into the design, construction and ongoing management of future development.

Only a small section of the land adjacent to the natural drainage lines passing through the site would be susceptible to minor flooding of short duration. There is sufficient scope to ensure that future lots can include flood free areas suitable for dwellings and that flood free access can be provided.

ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

Likelihood of adverse impact on critical habitat, threatened species, populations or ecological communities or their habitats.

The proposed rezoning site consists of open improved pastureland with scattered trees virtually all of which can be retained throughout the development process.

No adverse impacts are anticipated, subject to the normal merit assessment at development application stage.

It should be noted that the rezoning site as resolved by Council contained areas of bushland that would need detailed assessment and if developed had the potential to cause significant impacts on the natural environment.

Likely Environmental Impacts

No significant adverse environmental impacts are anticipated subject to the normal merit assessment at development application stage.

Ground water quality will need to be protected from the impacts of onsite waste water disposal for the individual rural residential lots, however there are a range of technical solutions commercially available to ensure this issue is addressed at development application stage.

ACCESS AND SERVICES

Access to the site can be provided directly from The Blackstump Way which runs along the eastern boundary of the site, an internal access will need to be provided as part of the development phase.

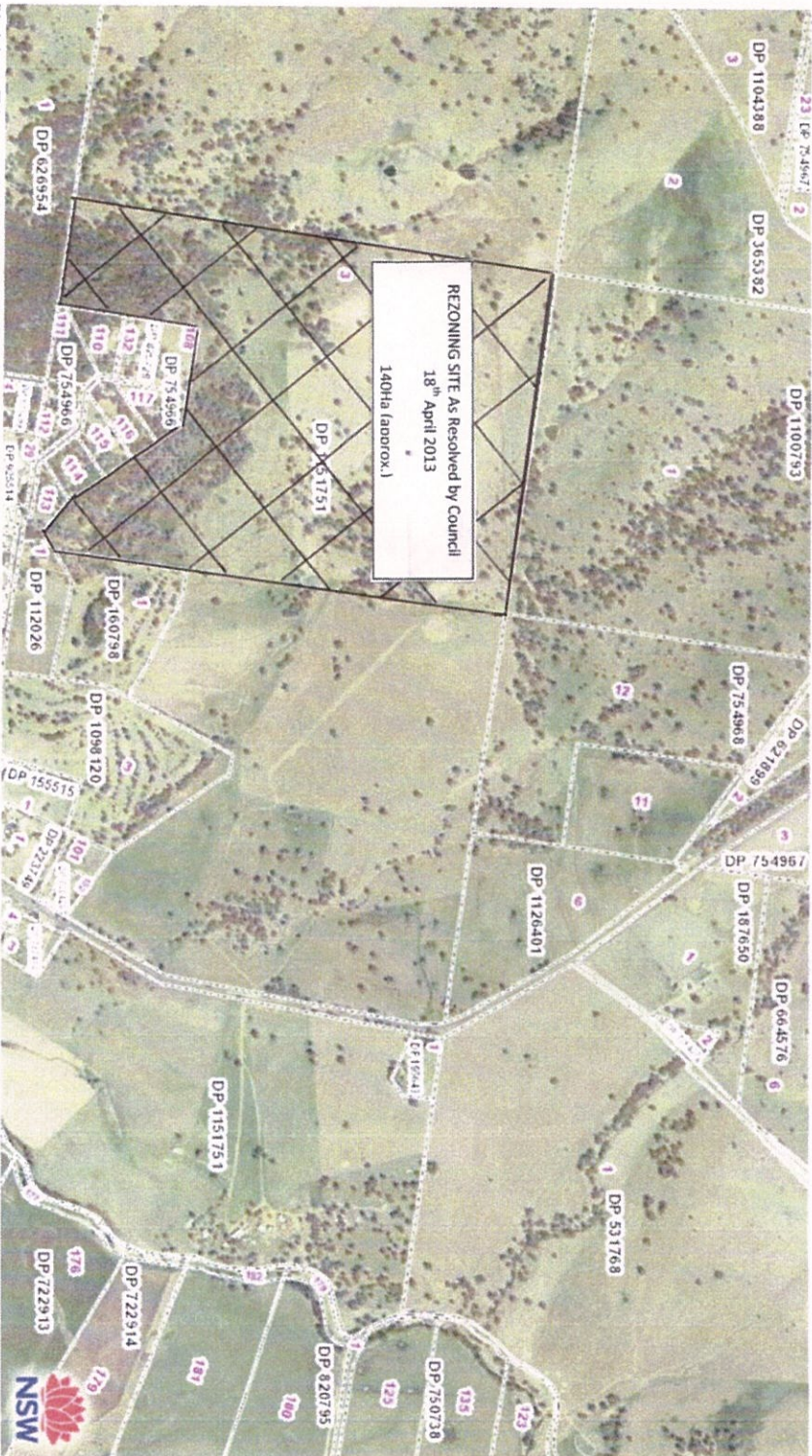
Reticulated water electricity and telecommunication services are also available from existing mains and service lines in or adjacent to The Blackstump Way. Amplification and extension of these services would form part of the development process and can be addressed at the development application stage.

CONCLUSION

Rezoning of the site being a 55 Ha Section of Lot 3 in DP1151751 at Coolah will provide opportunity for development of rural residential properties having a high degree of amenity and forming a positive adjunct to the Coolah Township. Currently there is no opportunity for such development in or around Coolah and the proposed site offers the best opportunity for rural residential living.

Rezoning Proposal - AS RESOLVED BY COUNCIL - 18th APRIL 2013

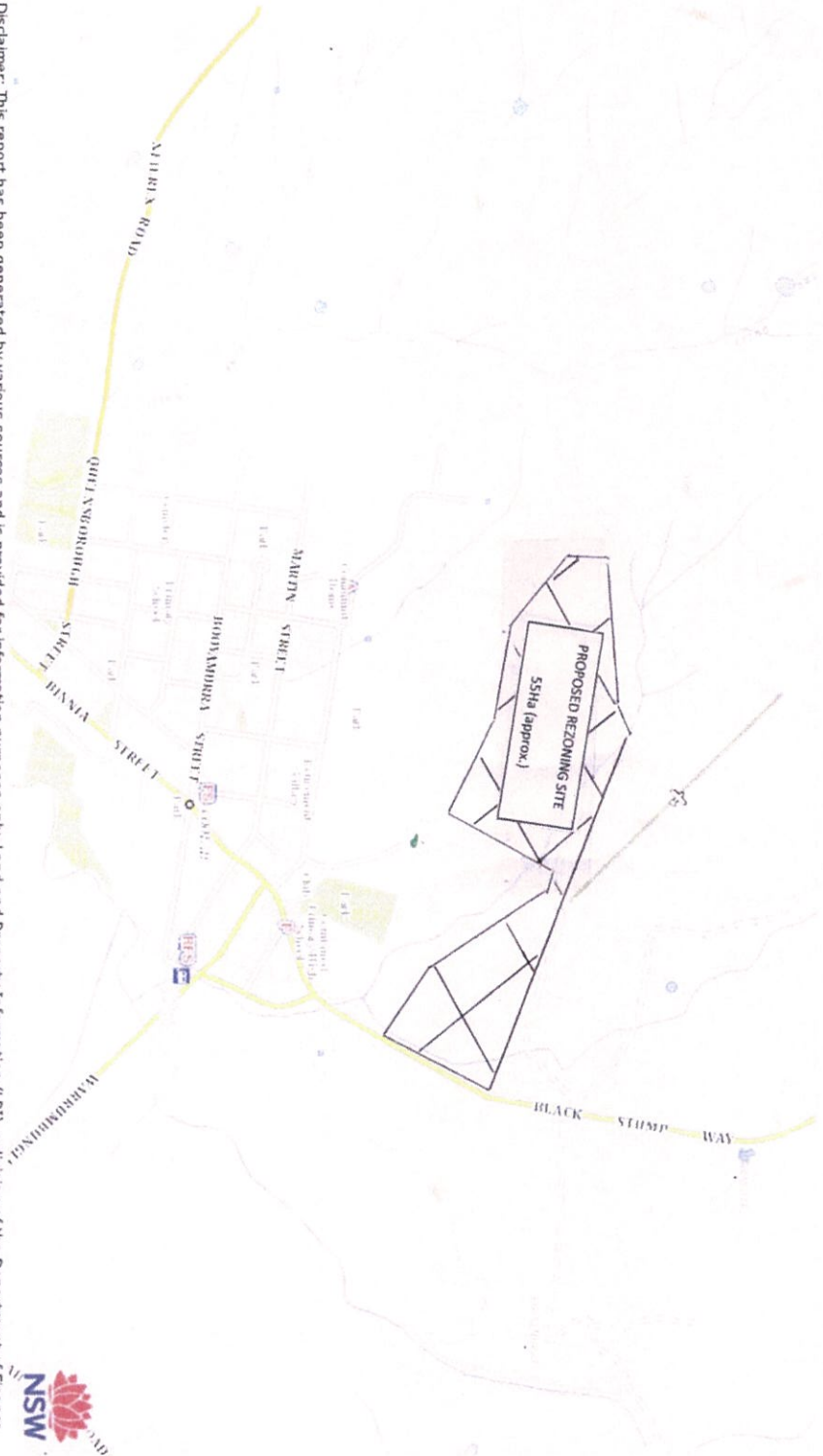
Part Lot 3 DP1151751



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Rezoning Proposal

Parcel Lot 3 DP1151751

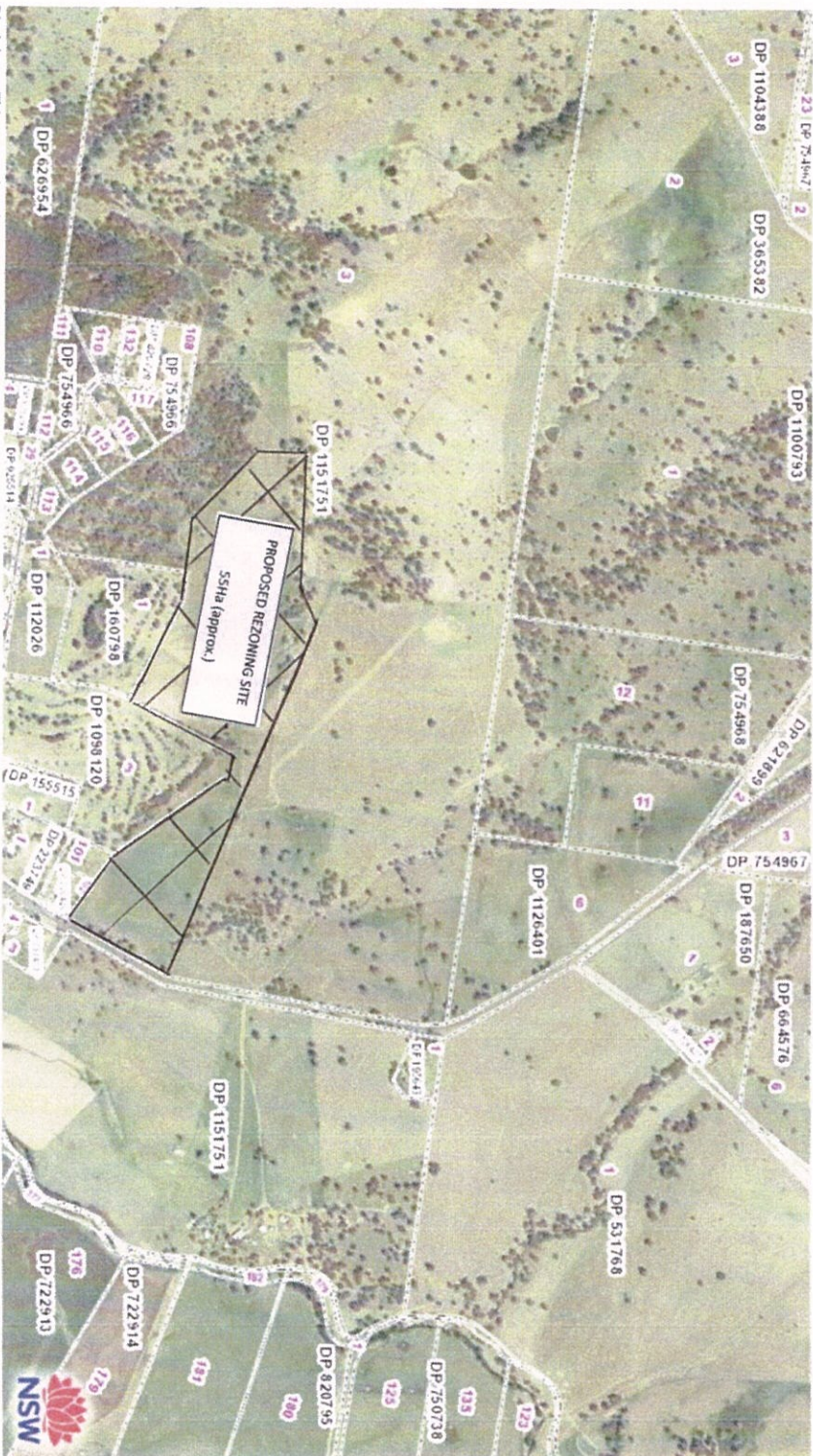


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Rezoning Proposal

Part Lot 3 DP1151751



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