

Amendment to Corowa LEP 2012 - Rivalea - rezone RU1 land to R5 and IN1

Proposal Title : **Amendment to Corowa LEP 2012 - Rivalea - rezone RU1 land to R5 and IN1**

Proposal Summary : **Rezone zone RU1 land to zone R5 (570ha) and IN1 (10ha) near the 'Rivalea' feedmill Corowa and insert a 'buffer area' provision around the 'Rivalea' feedmill development. Land is bounded by Corowa Road, Riverina Highway and Whitehead Street Corowa.**

PP Number : **PP_2013_COROW_002_00** Dop File No : **12/18865**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

- S.117 directions :
- 1.2 Rural Zones**
 - 1.3 Mining, Petroleum Production and Extractive Industries**
 - 1.5 Rural Lands**
- Additional Information :
- 1. Proceed and finalise the Planning Proposal in 12 months**
 - 2. Community consultation be undertaken for 28 days**
 - 3. Corowa Shire Council be issued an authorisation to exercise delegation to make this Plan**
 - 4. Prior to undertaking public exhibition , Council is to provide to the Department:**
 - Lot and DP descriptions for all the land the subject of this Planning Proposal**
 - Proposed land zoning, lot size and 'buffer area' maps.**
 - 5. At this time the Planning Proposal is inconsistent with section 117 Directions 1.2 Rural Zones & 1.5 Rural Lands - and consultation is required with Trade and Investment - Primary Industries to assist Council in justifying inconsistencies prior to the section 59 submission.**
 - 6. At this time the Planning Proposal is inconsistent with section 117 Directions 1.3 Mining, Petroleum and Extractive Industries- consultation is required with Trade and Investment - Resources and Energy to assist Council in justifying the inconsistency prior to the section 59 submission.**
 - 7. In relation to the proposed 'buffer area' requirements Council is to consult with Office of Environment and Heritage and provide justification with section 59 submission.**
- Supporting Reasons :
- The land to which this Planning Proposal applies was identified in the D-G approved Corowa Land Use Strategy documentation for large lot residential and industrial subject to further work being undertaken.**
- Additonal work has now been undertaken to progress this matter.**

Panel Recommendation

Recommendation Date : **16-May-2013** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The planning proposal should proceed subject to the following conditions:**

- 1. Prior to undertaking public exhibition, Council is to update the planning proposal to include the Lot and DP descriptions for all land subject to this proposal. The planning proposal is also to include existing and proposed land zoning, lot size, urban release area**

and clause application maps, which are at an appropriate scale and clearly identify the subject land.

2. Prior to undertaking public exhibition, Council is to update the project timeline within the planning proposal to include all relevant information consistent with Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals.

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal must be made publicly available for a minimum of 28 days; and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply or demonstrate consistency with the requirements of relevant S117 Directions:

- Office of Environment and Heritage (regarding the proposed buffer area requirements)
- Department of Primary Industries – Agriculture (S117 Directions 1.2 Rural Zones and 1.5 Rural Lands)
- Trade and Investment – Resources and Energy (S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries)
- Murray Catchment Management Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:

M. Selman

Printed Name:

NEIL SELMAN

Date:

23/5/13