

It was noted, the time being 1:35pm Cllrs Davison and Treavors rejoined the meeting.

**ITEM - 27 PLANNING PROPOSAL - LAND AT EUGOWRA AND
MANILDRA**

MOTION (Walker/Gosper)

THAT pursuant to section 59 of the Environmental Planning & Assessment Act 1979, the council forward the Planning Proposal to the Department of Planning and Infrastructure for the Minister to make a Local Environmental Plan to rezone or rename the following land:

- (a) The area of land located east and west of Nanima Street, Eugowra zoned IN2 Light Industry by Cabonne Local Environmental Plan 2012 to be rezoned RU5 Village, and
- (b) Lot 164 DP 750159 off Dripping Rock Road, Eugowra, zoned RU1 Primary Production by Cabonne Local Environmental Plan 2012 to be rezoned E1 National Parks and Nature Reserve, and
- (c) Correct a mapping anomaly on numbered sheets 002 and 002A to replace reference to MR 61 from Federation Way to its current title of Henry Parkes Way.

15/03/03 Carried all for

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the motion as follows:

For: Cllrs Hayes, Dean, Nash, MacSmith, Gosper, Wilcox, Smith, Durkin, Treavors, Walker, Davison and Culverson.

Against: Nil.

It was noted, the time being 1:38pm Cllr Nash declared an interest (identified as a pecuniary interest) in the following item due to her husband being an employee at the Manildra Flour Mill which has an interest in the MSM factory and left the Chambers.

It was noted, that at this time, Cllr MacSmith also declared an interest (identified as a pecuniary interest) in the following item due to being a cousin to the proponent and having a contractual arrangement with the Director of MSM and left the Chambers.

It was noted, the time being 1:38pm Mr Mackay on behalf of the 'No coal for Manildra committee' addressed Council speaking against the development and tabled a letter from D Williamson.

ITEM - 28 DA 2014/0092 INDUSTRY (ANCILLARY DEVELOPMENT -

ITEM 27 - PLANNING PROPOSAL - LAND AT EUGOWRA AND MANILDRA**REPORT IN BRIEF**

Reason For Report	To obtain council approval to proceed with the process of amending Cabonne Local Environmental Plan 2012
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.3.a. Provide efficient and effective development assessment
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\\LAND USE AND PLANNING\\ZONING\\REZONING APPLICATIONS - 629628

RECOMMENDATION

THAT pursuant to section 59 of the Environmental Planning & Assessment Act 1979, council forward the Planning Proposal to the Department of Planning and Infrastructure for the Minister to make a Local Environmental Plan to rezone or rename the following land:

- (a) The area of land located east and west of Nanima Street, Eugowra zoned IN2 Light Industry by Cabonne Local Environmental Plan 2012 to be rezoned RU5 Village, and
- (b) Lot 164 DP 750159 off Dripping Rock Road, Eugowra, zoned RU1 Primary Production by Cabonne Local Environmental Plan 2012 to be rezoned E1 National Parks and Nature Reserve, and
- (c) Correct a mapping anomaly on numbered sheets 002 and 002A to replace reference to MR 61 from Federation Way to its current title of Henry Parkes Way.

DIRECTOR OF ENVIRONMENTAL SERVICES' REPORT

Council at its meeting of 19 August 2014 resolved to submit to the Department of Planning a Planning Proposal for rezoning of renaming of land described as:

- (a) The area of land located east and west of Nanima Street, Eugowra zoned IN2 Light Industry by Cabonne Local Environmental Plan 2012 to be rezoned RU5 Village, and
- (b) Lot 164 DP 750159 off Dripping Rock Road, Eugowra, zoned RU1 Primary Production by Cabonne Local Environmental Plan 2012 to be rezoned E1 National Parks and Nature Reserve, and
- (c) Correct a mapping anomaly on numbered sheets 002 and 002A to replace reference to MR 61 from Federation Way to its current title of Henry Parkes Way.

The proposal was forwarded to the department on 8 January 2015. A Gateway Determination was issued by the department on 15 January 2015.

In accordance with the Gateway Determination the Planning Proposal was placed upon public exhibition for a period of 28 days. During the exhibition

period the Planning Proposal and all relevant documents were publically available at the council's Molong and Cudal offices, the Manildra Post Office, the Eugowra Post Office/ Rural Transaction Centre, and through council's web site. Notification was made through public advertisement placed in the Central Western Daily newspaper, Forbes Advocate as well as community newspapers and newsletters.

Written notification was provided to adjacent and nearby landowners of the Nanima Street precinct and the Dripping Rock Road land at Eugowra. Residents along Henry Parkes Way were not individually notified as the proposal seeks to correct a mapping name anomaly and has no impact upon landowners. The mapping correction was however notified through local media and by public exhibition at the Manildra Post Office.

The Gateway Determination required consultation with Rural Fire Service who has reviewed the Planning Proposal and has no objection to the rezoning proceeding.

By the close of the exhibition period twenty two (22) pro forma submissions had been received. The submissions related to the Nanima Street land at Eugowra and were in support of the rezoning of the land from industrial to village. Seven (7) of the submissions were from residents within the Nanima Street precinct to be rezoned.

Two separate submissions were received also in support of the Nanima Street rezoning and suggesting council pursue the rezoning of its land located off Casuarina Drive, Eugowra for rural industrial use. It should be noted that in regard to the latter - rural industries are currently a permissible use within the rural zone applying to that land.

There were no submissions relating to the Dripping Rock Road land rezoning or the correction to the mapping anomaly.

A submission from RFS provided guidance for consideration of bushfire related matters to be considered should residential development of the Nanima Street land proceed in the future. This information has been noted. There are no RFS objections to the rezoning proceeding.

It is suggested that council proceed with the rezoning proposal and submit the Planning Proposal and relevant documentation to the Department of Planning and Infrastructure for the Minister to make a Local Environmental Plan to rezone or rename the land to which this report applies.