

SCHEDULE 1

Planning Proposal
Reduction in B2 Local Centre zone
Town centre fringes of Corowa, Howlong & Mulwala

February 2016

habitatplanning
town planning | urban design

Suite 1, 622 Macaulley Street
ALBURY NSW 2640
t 02 6021 0662 | f 02 6021 0663

Federation Council Ordinary Council Meeting - 21 June 2016

Prepared for
Corowa Shire Council

habitatplanning
town planning | urban design
Suite 1 / 622 Macauley Street
ALBURY NSW 2640
Phone: 02 6021 0882
Fax: 02 6021 0883
habitat@habitatplanning.com.au
www.habitatplanning.com.au

 **PIA** Planning
Institute
Australia
Member – NSW Consulting Planners

 **CPP**
CERTIFIED PRACTISING PLANNER

Document Control

Issue	Date	Description	Author
A	26/1/16	Draft for client review	WH
B	19/2/16	Final	WH
C	23/2/16	Revised final	WH
D	16/5/16	Revised final for changed requirements	WH

Federation Council Ordinary Council Meeting - 21 June 2016



CONTENTS

INTRODUCTION.....	1
PART 1. INTENDED OUTCOMES.....	1
PART 2. EXPLANATION OF THE PROVISIONS.....	1
PART 3. JUSTIFICATION.....	2
3.1. Need for the Planning Proposal.....	2
3.2. Relationship to strategic planning framework	3
3.3. Environmental, social & economic impact	5
3.4. State & Commonwealth interests.....	6
PART 4. MAPS.....	7
PART 5. COMMUNITY CONSULTATION	10
PART 6. PROJECT TIMELINE	10
CONCLUSION.....	11

ATTACHMENTS

- A. Consistency of Planning Proposal with State Environmental Planning Policies
- B. Consistency of Planning Proposal with Ministerial Directions
- C. Consistency of the Planning Proposal with planning principles in MREP2

INTRODUCTION

This is a Planning Proposal seeking an amendment to the *Corowa Local Environmental Plan 2012* (CLEP) to rezone land in Corowa, Howlong and Mulwala from B2 Local Centre to B4 Mixed Use.

The land is located on the fringes of the town centres of, Corowa, Howlong and Mulwala ("the subject land"). A plan showing the extent of the subject land is included in Part 4 of this report.

The Planning Proposal has been structured and prepared in accordance with the Department of Planning and Environment's (DPE) *A guide to preparing planning proposals* ("the Guide").

PART 1. INTENDED OUTCOMES

The intended outcome of the Planning Proposal is to allow greater flexibility in land use and development on the fringes of the Corowa, Howlong and Mulwala town centres.

PART 2. EXPLANATION OF THE PROVISIONS

The proposed provisions in the Planning Proposal will achieve the intended outcomes by:

- adding the Zone B4 Mixed Use to the Land Use Table in Part 2 of the CLEP;
- adding the Zone B4 Mixed Use to the list of zones in Column 2 opposite *Dual occupancy (attached)* and *Dual occupancy (detached)* in Column 1 of the table at sub-section (2) of Clause 4.1A of the CLEP;
- amending the Land Zoning Map LZN_003B in the CLEP to show the subject land zoned as B4 Mixed Use;
- amending the Land Zoning Map LZN_006A in the CLEP to show the subject land zoned as B4 Mixed Use; and
- amending the Land Zoning Map LZN_009A in the CLEP to show the subject land zoned as B4 Mixed Use.

The proposed structure and content of the B4 zone Land Use Table is as follows (additions to Standard Instrument shown in red).

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To promote development that does not detract from commercial activities in the main street of Corowa, Howlong and Mulwala.

2 Permitted without consent

Home-based child care; Home occupations; Roads

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Seniors housing; Sewage reticulation systems; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Camping grounds; Caravan parks; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Open cut mining; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Self-storage units; Sewerage systems; Sex services premises; Storage premises; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Wharf or boating facilities

PART 3. JUSTIFICATION

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for their implementation. The questions to which responses have been provided are taken from the Guide.

3.1. Need for the Planning Proposal

• Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is not the result of any specific strategic study or report. Rather it has been instigated by Council becoming aware that:

- the current B2 zoning is too inflexible in the land uses it permits on the town centre fringes;

Federation Council Ordinary Council Meeting - 21 June 2016

PLANNING PROPOSAL

COROWA LOCAL ENVIRONMENTAL PLAN 2012

- existing land uses, and particularly residences, risk becoming prohibited development in the B2 zone if their 'existing use rights' expire through a period of non-occupation;
- there being little to no demand for new commercial development that would necessitate the expansion of town centres;
- the population growth experienced between 2001 and 2006 resulting in a recommendation for expanded commercial zoning in the town centres has not been sustained;
- the risk to the commercial fabric of the town centres by allowing for potential non-commercial uses courtesy of the more flexible B4 Mixed Use zone, is low; and
- the B4 zone may create the opportunity for development on the town centre fringes.

Consequently Council resolved on 20 October 2015:

That a planning proposal to incorporate mixed business within the Local Centre zone be prepared and presented to Council.

This Planning Proposal is in response to the recommendation.

- Y **Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Applying the B4 zone to the town centre fringes will 'free up' this land for a wider variety of development and land use whilst protecting the core of the town centres from non-commercial development.

An alternative would be to leave the B2 zone in place but amend the Land Use Table to allow for a wider variety of land use and development. This would avoid the need to introduce a new zone into the CLEP, however it would run the risk of non-commercial development being undertaken in locations that should be preserved exclusively for commercial use and development such as Sanger Street in Corowa, Hawkins Street in Howlong and Melbourne Street in Mulwala.

A Development Control Plan would be ineffective in providing greater flexibility on the town centre fringes as it cannot override the provisions of the B2 zone Land Use Table.

- Y **Is there a net community benefit?**

There is an overall net community benefit to be gained from the Planning Proposal by providing greater flexibility in use and development on the fringes of the Corowa, Howlong and Mulwala town centres. The benefit can materialise through potential development opportunities as well as streetscape improvements.

3.2. Relationship to strategic planning framework

- Y **Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including exhibited draft strategies)?**

There is no adopted regional strategy applicable to the Planning Proposal.

habitatplanning

3

Federation Council Ordinary Council Meeting - 21 June 2016

PLANNING PROPOSAL

COROWA LOCAL ENVIRONMENTAL PLAN 2012

However a *draft Riverina Murray Regional Strategy* (draft RMRS) has been prepared by the Department of Planning and Environment and is on public exhibition until July 2016. This strategic document remains a matter to be considered in the Planning Proposal. Key actions of the RMRS relevant to the Planning Proposal include:

Action 3.1.3 of the RMRS is to:

Develop and deliver strategies that strengthen the commercial function of CBDs and town centres.

The proposed B4 zone will assist in focussing the limited future commercial opportunities in the three town centres into the remaining B2 zone that defines the core commercial areas. This focus will assist in maintaining and consolidating the town centres.

Action 3.4.2 of the RMRS is to:

Facilitate a more diverse range of housing for seniors.

This action acknowledges that that "higher-density development should be located within close proximity to town centres and villages to capitalise on existing infrastructure and to provide increased housing choice close to services and amenities." The proposed B4 zone is consistent with this action because it will allow for higher density residential development adjacent to the town centres.

It is noted that the land use strategy for Corowa Shire prepared as a precursor to the CLEP is intended only as a guide to use and development. This is reinforced in the Strategic Land Use Plan for each of the towns, which include a disclaimer that the location of preferred land uses is not to be interpreted as a land use zone map. The change to the zoning of the subject land is therefore not isolated or unplanned within the context of the draft MRS.

➤ **Is the Planning Proposal consistent with the local Council's community strategic plan or other local strategic plan?**

The following strategic documents are relevant to the Planning Proposal.

Community Strategic Plan

Objective 4.1.3 in Council's *Community Strategic Plan 2022 and beyond* is:

Maintaining and establishing viable and long term businesses within the shire.

The strategy to achieve this objective is to:

Continue to support existing and newly established businesses within the shire

The Planning Proposal is consistent with this objective as it will not reduce the opportunities for commercial development within the town centres of Corowa, Howlong and Mulwala by changing the zoning on the fringes from B2 to B4.

Corowa Shire Strategic Land Use Plan

The *Strategic Land Use Plan* (SLUP) for the Corowa Shire was prepared as a precursor to the CLEP and informed the allocation of the B2 zone in the town centres of Corowa, Howlong and Mulwala.

For the Corowa and Howlong townships, the strategy in the SLUP is to "encourage retail developments in the established town centre". For Mulwala it is to "consolidate commercial development to create a town centre".

Rezoning parts of the town centre to B4 does not reduce the ability of this land to be developed for commercial purposes as commercial activities that are permissible in the B2 zone are permissible in the B4 zone. The B4 zone does cater for non-commercial activities as well but the demand for additional commercial floorspace is so low that it is highly unlikely to prejudice opportunities for future commercial development within the town centres.

In conclusion, Council's principal forward planning documents that reflect the aspirations of the community generally support the intended outcomes of the Planning Proposal.

- Y **Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

Attachment 'A' provides an assessment of the Planning Proposal against all current State Environmental Planning Policies (SEPP's). In summary, many of the SEPP's are either not applicable to the Corowa Shire or the circumstances of the Planning Proposal. The assessment concludes that the Planning Proposal is not inconsistent with any of the relevant SEPP's.

- Y **Is the Planning Proposal consistent with applicable Ministerial Directions (S.117 Directions)?**

Section 117 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides for the Minister for Planning to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of LEP's. A Planning Proposal needs to be consistent with the requirements of the Direction but in some instances can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of "minor significance".

An assessment of all S117 Directions is undertaken in Attachment 'B'. In summary, the Planning Proposal is found to be consistent with all relevant directions.

3.3. Environmental, social & economic impact

- Y **Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

All three areas of the subject land are within long established urban environments that offer no habitat for threatened species. The changes advocated by the Planning Proposal will have no effect on this characteristic.

- Y **Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

There are no other environmental effects resulting from the Planning Proposal.

- Y **How has the Planning Proposal adequately addressed any social and economic effects?**

Federation Council Ordinary Council Meeting - 21 June 2016

PLANNING PROPOSAL

COROWA LOCAL ENVIRONMENTAL PLAN 2012

There will be a positive social and economic effect for the Corowa, Howlong and Mulwala communities from the Planning Proposal by providing for a greater range of land use and development on the fringes of town centres. This greater flexibility may facilitate development that otherwise would have been prohibited by the B2 zone.

3.4. State & Commonwealth interests

➤ **Is there adequate public infrastructure for the Planning Proposal?**

All three parts of the subject land are located in the centre of their respective towns and consequently have all urban infrastructure provided, including reticulated potable water, sewer, electricity and telecommunications.

➤ **What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

Having regard for the nature of the Planning Proposal, it is anticipated no public authority consultation at this level will be required.

It is acknowledged that the Gateway determination may specify Council undertake consultation with public authorities.

Federation Council Ordinary Council Meeting - 21 June 2016

PLANNING PROPOSAL

COROWA LOCAL ENVIRONMENTAL PLAN 2012

PART 4. MAPS

The following maps are provided in support of the Planning Proposal and indicate the areas within the three townships proposed to which the B4 zone is proposed to be applied.

COROWA

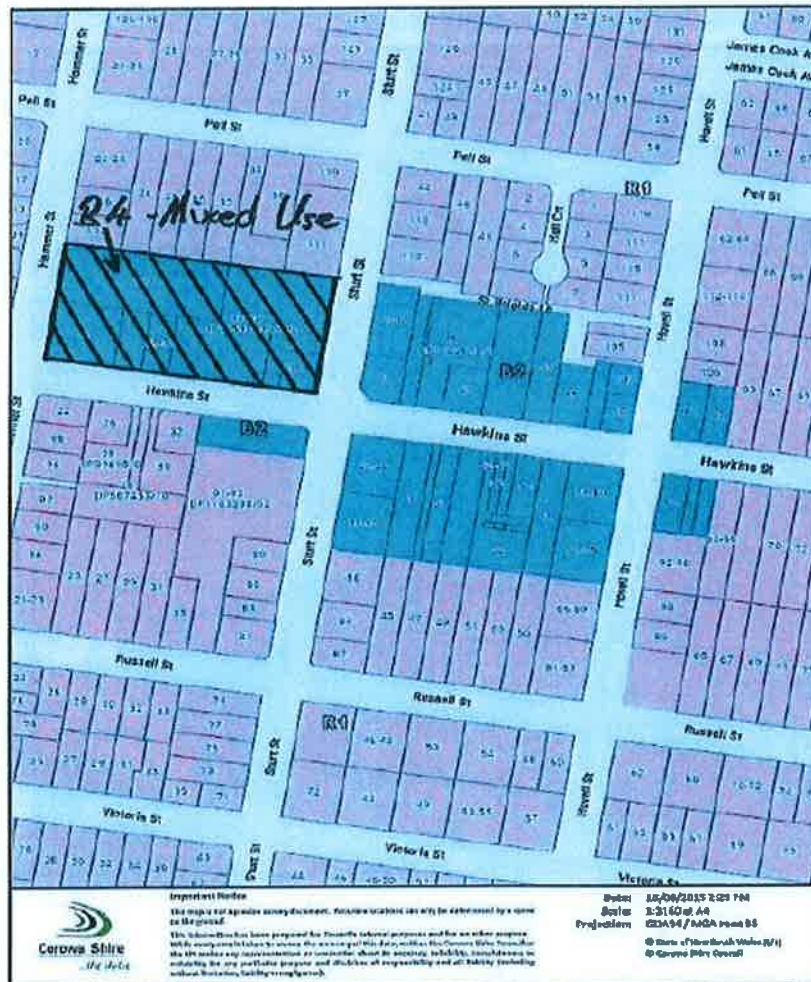


Federation Council Ordinary Council Meeting - 21 June 2016

PLANNING PROPOSAL

COROWA LOCAL ENVIRONMENTAL PLAN 2012

HOWLONG

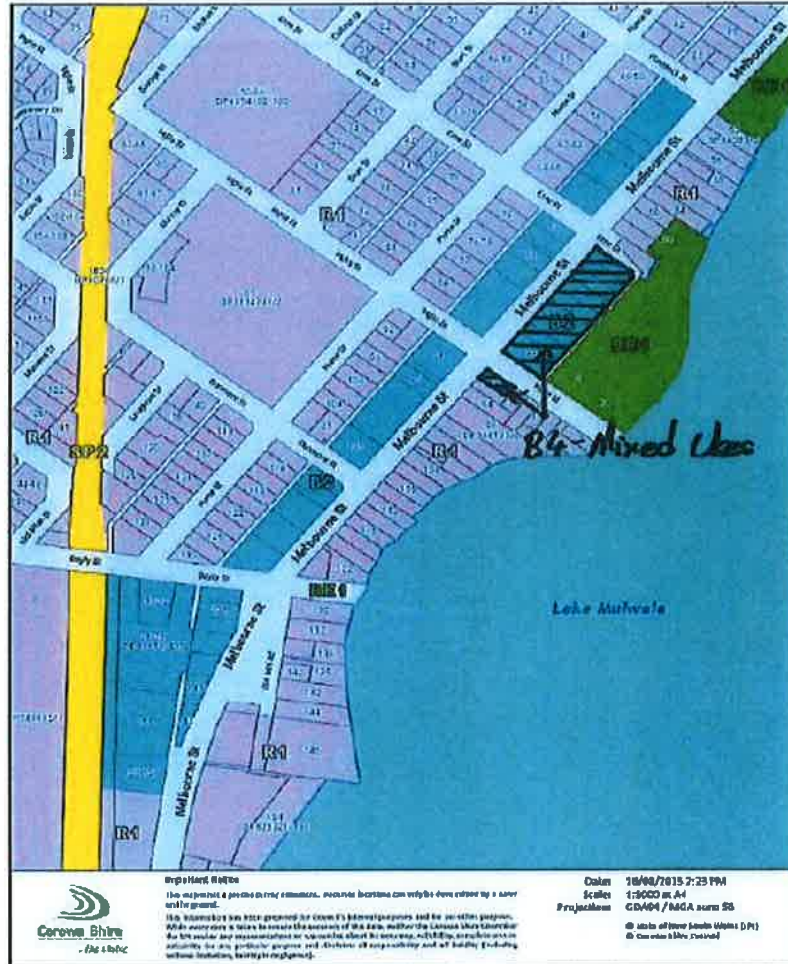


Federation Council Ordinary Council Meeting - 21 June 2016

PLANNING PROPOSAL

COROWA LOCAL ENVIRONMENTAL PLAN 2012

MULWALA



Federation Council Ordinary Council Meeting - 21 June 2016

PLANNING PROPOSAL

COROWA LOCAL ENVIRONMENTAL PLAN 2012

PART 5. COMMUNITY CONSULTATION

The Planning Proposal will be subject to public exhibition following the Gateway process. The Gateway determination will specify the community consultation that must be undertaken for the Planning Proposal, if any. As such, the exact consultation requirements are not known at this stage.

This Planning Proposal will be exhibited for a period of 28 days in accordance with the requirements of section 57 of the EP&A Act and the Guide. At a minimum, the future consultation process is expected to include:

- written notification to landowners adjoining the subject land;
- consultation with relevant Government Departments and agencies, service providers and other key stakeholders (if required by the Gateway determination);
- public notices to be provided in local media, including in a local newspaper and on Councils' website;
- static displays of the Planning Proposal and supporting material in Council public buildings in Corowa, Howlong and Mutwala; and
- electronic copies of all documentation being made available to the community free of charge (preferably via downloads from Council's website).

At the conclusion of the public exhibition period Council staff will consider submissions made with respect to the Planning Proposal and prepare a report to Council.

It is considered unlikely that a Public Hearing will be required for the proposal although this can't be confirmed until after the exhibition/notification process has been completed.

PART 6. PROJECT TIMELINE

The project timeline for the planning proposal is outlined in Table 1. There are many factors that can influence compliance with the timeframe including the cycle of Council meetings, consequences of agency consultation (if required) and outcomes from public exhibition. Consequently the timeframe should be regarded as indicative only.

Federation Council Ordinary Council Meeting - 21 June 2016

PLANNING PROPOSAL

COROWA LOCAL ENVIRONMENTAL PLAN 2012

Table 1: – Project timeline

Milestone	Date/timeframe
<i>Anticipated commencement date (date of Gateway determination)</i>	TBA.
<i>Anticipated timeframe for the completion of required studies</i>	2 months from Gateway determination (if studies are required).
<i>Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)</i>	2 months from Gateway determination.
<i>Commencement and completion dates for public exhibition period</i>	Commence within a month of Gateway determination and complete 5 weeks after commencement
<i>Dates for public hearing (if required)</i>	Within 2 weeks of public exhibition completion (if public hearing required).
<i>Timeframe for consideration of submissions</i>	4 weeks following completion of exhibition.
<i>Timeframe for the consideration of a proposal post exhibition</i>	1 month following completion of exhibition.
<i>Anticipated date RPA will make the plan (if delegated)</i>	2 weeks following consideration of proposal (depending on Council meeting cycle).
<i>Anticipated date RPA will forward to the department for notification (if delegated).</i>	2 week following consideration of proposal.

CONCLUSION

The Planning Proposal is to rezone land on the fringes of the Corowa, Howlong and Mulwala town centres from B2 Local Centre to B4 Mixed Use. The reason for the Planning Proposal is to provide greater flexibility in permitted uses in these areas as they no longer require preservation exclusively for commercial development. This is a consequence of the low growth these townships are likely to experience in the future.

In summary, the Planning Proposal is considered to have merit because:

- it is responsive to the changing circumstances being experienced by most country towns (low or stagnant population growth and Department of Planning projected population growth figures);
- it will create opportunities for types of development that otherwise would be constrained by the current zoning;
- there will be a net benefit for the Corowa, Howlong and Mulwala communities;
- it is not inconsistent with planning strategy;
- it is generally consistent with the broader planning framework (e.g. State provisions); and
- there will no detrimental environmental effects.

Federation Council Ordinary Council Meeting - 21 June 2016



ATTACHMENT A

Consistency with State Environmental Planning Policies

Federation Council Ordinary Council Meeting - 21 June 2016

Consistency of the Planning Proposal with current State Environmental Planning Policies

No.	Title	Consistency
1	Development Standards	Not applicable since gazettal of CLEP
14	Coastal Wetlands	Not applicable to Corowa Shire
15	Rural Landsharing Communities	Not applicable to Corowa Shire
19	Bushland in Urban Areas	Not applicable to Corowa Shire
21	Caravan Parks	The Planning Proposal does not conflict with the aims, development consent requirements for caravan parks relating to, the development consent requirements, the number of sites being used for long term or short term residents, the permissibility of moveable dwellings where caravan parks or camping grounds are also permitted, and subdivision of caravan parks for lease purposes as provided in the SEPP.
25	Litoral Rainforests	Not applicable to Corowa Shire
26	Western Sydney Recreation Area	Not applicable to Corowa Shire
30	Intensive Agriculture	The Planning Proposal does not conflict with the aims of this SEPP because 'intensive agriculture' is currently prohibited in the B2 zone and is proposed to be prohibited in the B4 zone.
32	Urban Consolidation (Redevelopment of Urban Land)	The Planning Proposal is consistent with this SEPP because the B4 zone will allow for 'residential accommodation' whereas it is currently prohibited in the B2 zone.
33	Hazardous & Offensive Development	The Planning Proposal does not conflict with the aims of this SEPP because 'industries' are currently prohibited in the B2 zone and are proposed to be prohibited in the B4 zone.
38	Manufactured Home Estate	The Planning Proposal does not derogate from the aims, strategies, development consent, assessment and location provisions as provided in the SEPP.
39	Salt Island Bird Habitat	Not applicable to Corowa Shire
44	Koala Habitat Protection	This SEPP applies to development applications and not Planning Proposals and consequently is not relevant.
47	Moore Park Showground	Not applicable to Corowa Shire
50	Canal Estate Development	The Planning Proposal does not conflict with the aims and canal estate development prohibitions as provided in the SEPP.
52	Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable to Corowa Shire
55	Remediation of Land	As the Planning Proposal will create the opportunity for residential development, Clause 6 of this SEPP requires Council to consider whether the subject land is potentially contaminated. However as there is a high degree of confidence that none of the subject land has been used for an activity listed in Table 1 of the Contaminated Land Planning Guidelines, a preliminary investigation as potential contamination is not necessary. It is noted this SEPP also applies to development applications and if there is any doubt as to whether a particular development site is potentially contaminated, the provisions of the SEPP can be brought to bear.
59	Central Western Sydney Regional Open Space and Residential	Not applicable to Corowa Shire
62	Sustainable Aquaculture	Not applicable as 'aquaculture' (as a subset of 'agriculture') is prohibited in the B2 zone and proposed to be prohibited in the B4 zone.

Federation Council Ordinary Council Meeting - 21 June 2016

No.	Title	Consistency
64	Advertising & Signage	The Planning Proposal does not conflict with the aims, development consent requirements and assessment criteria for advertising and signage as provided in the SEPP.
65	Design Quality of Residential Flat Development	The Planning Proposal does not conflict with the aims, development consent, assessment, information and notification requirements as provided in the SEPP.
70	Affordable Housing (Revised Schemes)	Not applicable to Corowa Shire.
71	Coastal Protection	Not applicable to Corowa Shire.
	Affordable Rental Housing 2009	The Planning Proposal does not conflict with the aims and functions of this SEPP as the proposed changes do not discriminate against the provision of affordable housing (and consequently affordable rental housing). The CLEP cannot influence the provision of rental housing.
	Building Sustainability Index (BASIX) 2004	The Planning Proposal does not conflict with the aims and development consent requirements relating to BASIX affected building(s) that seeks to reduce water consumption, greenhouse gas emissions and improve thermal performance as provided in the SEPP.
	Exempt & Complying Development Codes 2008	The Planning Proposal does not conflict with the aims and functions of this SEPP with respect to exempt and complying development provisions.
	Housing for Seniors & People with a Disability 2004	The Planning Proposal does not conflict with the aims, development consent, location, design, development standards, service, assessment, and information requirements as provided in the SEPP.
	Infrastructure 2007	The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP.
	Kosciuszko National Park – Alpine Resorts 2007	Not applicable to Corowa Shire.
	Kurnell Peninsula 1999	Not applicable to Corowa Shire.
	Major Development 2005	Not applicable as the subject land is not a nominated State significant site.
	Mining, Petroleum Production & Extractive Industries 2007	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to mining, petroleum production and extractive industries as provided in the SEPP.
	Miscellaneous Consent Provisions 2007	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to temporary structures as provided in the SEPP.
	Penneth Lakes Scheme 1989	Not applicable to Corowa Shire.
	Murray Regional Environmental Plan No. 2 – Riverine Land	All three parts of the subject land are within the area to which MREP2 applies and consequently considerations of the planning principles in this SEPP are required. An assessment of the proposal against the general and specific planning principles is undertaken in Attachment 'C'.
	Rural Lands 2008	Whilst applicable to Corowa Shire, this SEPP is not relevant as the Planning Proposal does not involve rural land.
	SEPP93 Transitional Provisions 2012	Not applicable to Corowa Shire.
	State & Regional Development 2012	Not applicable as the Planning Proposal is not for State significant development.
	Sydney Drinking Water Catchment 2012	Not applicable to Corowa Shire.
	Sydney Region Growth Centres 2006	Not applicable to Corowa Shire.

Federation Council Ordinary Council Meeting - 21 June 2016



No.	Title	Consistency
	Three Ports 2013	Not applicable to Corowa Shire.
	Urban Renewal 2010	Not applicable as the subject land is not within a nominated urban renewal precinct
	Western Sydney Employment Area 2009	Not applicable to Corowa Shire
	Western Sydney Parklands 2009	Not applicable to Corowa Shire

Federation Council Ordinary Council Meeting - 21 June 2016



ATTACHMENT B
Consistency with Ministerial Directions

Federation Council Ordinary Council Meeting - 21 June 2016

Consistency of the Planning Proposal with Ministerial Directions given under Section 117 of the EP&A Act

No.	Title	Consistency
1. Employment and Resources		
1.1	Business & Industrial Zones	This direction is relevant because the planning proposal affects land within a business zone. The planning proposal is consistent with this direction because: (a) it won't affect the opportunity for employment growth in the town centres; (b) the area available for commercial development won't change; and (c) the potential floorspace for commercial and public services won't be reduced.
1.2	Rural Zones	Not applicable as the planning proposal does not affect an existing or proposed rural zone.
1.3	Mining, Petroleum Production & Extractive Industries	Not applicable as the planning proposal does not impact on mining.
1.4	Oyster Aquaculture	Not applicable as the subject land is not within a Priority Oyster Aquaculture Area.
1.5	Rural Lands	Not applicable as the planning proposal does not affect land within a rural or environment zone.
2. Environment and Heritage		
2.1	Environment Protection Zones	This direction is relevant because it applies to all planning proposals. The planning proposal is consistent with the direction because the subject land has no "environmentally sensitive areas" that are affected.
2.2	Coastal Protection	Not applicable as the subject land is not within a coastal zone.
2.3	Heritage Conservation	This direction is relevant because it applies to all planning proposals. There are a number of heritage items within Corowa and Howlong that are within the area proposed to be rezoned to B4. The planning proposal is consistent with this direction because it does not advocate a change to any of the existing provisions in the CLEP relating to heritage protection (namely clause 5.10).
2.4	Recreation Vehicle Areas	This direction is relevant because it applies to all planning proposals. The planning proposal is consistent with the direction because it does not advocate the designation of the subject land as a recreation vehicle area pursuant to an order in force under section 11 (1) of the <i>Recreation Vehicles Act 1983</i> .
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable as the subject land is not on the Far North Coast of NSW.
3. Housing Infrastructure and Urban Development		
3.1	Residential Zones	This direction is relevant because the planning proposal is advocating a zone that permits residential development. The planning proposal is consistent with this direction because it will provide for a greater choice and supply of housing in Corowa, Howlong and Mulwala. It will also make use of existing urban infrastructure and provide residential opportunities within the existing urban areas of the Corowa, Howlong and Mulwala townships. In addition, the planning proposal does not advocate a reduction in the density of residential development and the CLEP already contains a provision (clause 7.9) requiring development to be adequately serviced.

Federation Council Ordinary Council Meeting - 21 June 2016

No.	Title	Consistency
3.2	Caravan Parks & Manufactured Home Estates	This direction is relevant because it applies to all planning proposals. The planning proposal is not inconsistent with this direction because it does not contemplate "suitable zones, locations and provisions" for caravan parks and manufactured homes estates in Corowa, Howlong and Mulwala.
3.3	Home Occupations	This direction is relevant because it applies to all planning proposals. The planning proposal will not prevent future dwellings being used for 'home occupations' and hence is consistent with this direction.
3.4	Integrating Land Use and Transport	This direction is relevant because the planning proposal seeks to change an urban zone (B2 to B4). The planning proposal will facilitate development at an urban scale and within the urban boundaries of Corowa, Howlong and Mulwala. All three parts of the subject land are within walking distance of a commercial centre. Recreational facilities are also available in close proximity. Having regard for these circumstances, the planning proposal is considered consistent with this direction.
3.5	Development Near Licensed Aerodromes	Not applicable as the subject land is not in the vicinity of a licensed aerodrome
3.6	Shooting Ranges	Not applicable as the subject land is not in the vicinity of a shooting range
4. Hazard and Risk		
4.1	Acid Sulphate Soils	Not applicable as the subject land does not contain acid sulphate soils.
4.2	Mine Subsidence & Unstable Land	Not applicable as the subject land is not within Mine Subsidence District.
4.3	Flood Prone Land	Not applicable as the planning proposal does not create, remove or alter a zone or provision that affects flood prone land.
4.4	Planning for Bushfire Protection	Not applicable as the subject land is not mapped as bushfire prone land.
5. Regional Planning		
5.1	Implementation of Regional Strategies	Not applicable as the subject land is not within one of the regional strategies nominated in this direction.
5.2	Sydney Drinking Water Catchment	Not applicable as the subject land is not within the Sydney Drinking Water Catchment.
5.3	Farmland of State & Regional Significance on the NSW Far-North Coast	Not applicable as the subject land is not within one of the local government areas nominated in this direction.
5.4	Commercial and Retail Development Along the Pacific Highway, North Coast	Not applicable as the subject land is not near the Pacific Highway.
5.5	Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked in 2010
5.6	Sydney to Canberra Corridor	Revoked in 2008
5.7	Central Coast	Revoked in 2008.
5.8	Second Sydney Airport, Badgerys Creek	Not applicable as the subject land is not near the site for a second Sydney airport.

Federation Council Ordinary Council Meeting - 21 June 2016

No.	Title	Consistency
5.9	North West Rail Link Corridor Strategy	Not applicable as the subject land is not near the corridor.
5.10	Implementation of Regional Plans	This direction is relevant because the Minister for Planning has released, in draft form at least, a Regional Plan for the Riverina Murray region. The planning proposal is consistent with this direction for the reasons given in Section 3.2 of this report.
6. Local Plan Making		
6.1	Approval and Referral Requirements	This direction is relevant because it applies to all planning proposals. The planning proposal is consistent with this direction because it does not propose any referral requirements or nominate any development as 'designated development'.
6.2	Reserving Land for Public Purposes	This direction is relevant because it applies to all planning proposals. The planning proposal is consistent with this direction because it does not remove or propose any public land.
6.3	Site Specific Provisions	Not applicable as the proposal does not propose any site specific provisions.
7. Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	Not applicable as the subject land is not within one of the local government areas nominated in this direction.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable as the subject land is not in the area to which this Direction applies.

Federation Council Ordinary Council Meeting - 21 June 2016



ATTACHMENT 'C'

Consideration of principles within MREP2

Federation Council Ordinary Council Meeting - 21 June 2016


Consistency of the Planning Proposal with specific planning principles in MREP2

Principles to be taken into account	Compatibility of proposal
General	
<i>(a) the aims, objectives and planning principles of this plan.</i>	Satisfaction against the general objectives can be determined by the assessment against the specific principles below.
<i>(b) any relevant River Management Plan</i>	There are no river management plans relevant to the proposal.
<i>(c) any likely effect of the proposed plan or development on adjacent and downstream local government areas.</i>	Polluted stormwater is the only consequence of the development that potentially could have a detrimental downstream impact. As the change in zoning will essentially have no impact on the use or development of the subject land, there will be no downstream effects.
<i>(d) the cumulative impact of the proposed development on the River Murray.</i>	None.
Access	
<i>The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported.</i>	The proposal does not prevent access to the river.
<i>Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only.</i>	Not applicable.
<i>Human and stock access to the River Murray should be managed to minimise the adverse impacts of uncontrolled access on the stability of the bank and vegetation growth.</i>	None of the three parts of the subject land have frontage to the river.
Bank disturbance	
<i>Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.</i>	None of the three parts of the subject land have frontage to the river.
Flooding	
<i>Where land is subject to inundation by floodwater:</i>	The Flood Planning Map in the CLEP shows that none of the three parts of the subject land are flood prone in a 1 in 100 year event.
<i>(a) the benefits to riverine ecosystems of periodic flooding,</i>	
<i>(b) the hazard risks involved in developing that land,</i>	
<i>(c) the redistributive effect of the proposed development on floodwater,</i>	
<i>(d) the availability of other suitable land in the locality not liable to flooding,</i>	
<i>(e) the availability of flood free access for essential facilities and services,</i>	
<i>(f) the pollution threat represented by any development in the event of a flood,</i>	
<i>(g) the cumulative effect of the proposed development on the behaviour of floodwater, and</i>	
<i>(h) the cost of providing emergency services and replacing infrastructure in the event of a flood.</i>	

Federation Council Ordinary Council Meeting - 21 June 2016

Principles to be taken into account	Compatibility of proposal
<p><i>Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources</i></p>	<p>Not applicable.</p>
<p>Land degradation</p> <p><i>Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats.</i></p>	<p>The planning proposal does not create the opportunity for different or more intensive development on the subject land, hence there is no greater risk of land degradation.</p>
<p>Landscape</p> <p><i>Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species.</i></p>	<p>All three areas of the subject land are within long established urban environments that no longer exhibit any riverine landscape characteristics.</p>
<p>River related uses</p> <p><i>Only development which has a demonstrated, essential relationship with the River Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray</i></p> <p><i>Development which would intensify the use of riverside land should provide public access to the foreshore.</i></p>	<p>None of the subject land is on or adjacent to the river.</p> <p>None of the subject land is 'riverside' land.</p>
<p>Settlement</p> <p><i>New or expanding settlements (including rural-residential subdivision, tourism and recreational development) should be located:</i></p> <p><i>(a) on flood free land,</i></p> <p><i>(b) close to existing services and facilities, and</i></p> <p><i>(c) on land that does not compromise the potential of prime crop and pasture land to produce food or fibre.</i></p>	<p>The planning proposal relates to land central to the townships of Corowa, Howlong and Mulwala. Consequently it does not relate to 'new or expanding settlements'.</p>
<p>Water quality</p> <p><i>All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients entering the River Murray and otherwise improve the quality of water in the River Murray.</i></p>	<p>The planning proposal does not affect the 'use or management of riverine land'.</p>

Federation Council Ordinary Council Meeting - 21 June 2016



<i>Principles to be taken into account</i>	<i>Compatibility of proposal</i>
<p>Wetlands</p> <p><i>Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values.</i></p> <p><i>Land use and management decisions affecting wetlands should:</i></p> <p><i>(a) provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland,</i></p> <p><i>(b) consider the potential impact of surrounding land uses and incorporate measures such as a vegetated buffer which mitigate against any adverse effects,</i></p> <p><i>(c) control human and animal access, and</i></p> <p><i>(d) conserve native plants and animals</i></p>	<p>None of the three parts of the subject land contain a wetland.</p>