

Request for Initial Gateway Determination

Instructions to Users

When forwarding a planning proposal to the Minister under section 56(1), the relevant planning authority must provide the information specified on this form. This form and the required information should be sent to your local Regional Office. Please note one (1) electronic copy and two (2) hard copies of the completed Planning Proposal must be sent to your local Regional Office.

Relevant Planning Authority Details

Name of Relevant Planning Authority: Corowa Shire Council

Contact Person: Bob Parr

Contact Phone Number (02) 60338999

Contact Email Address: bob.parr@corowa.nsw.gov.au

Planning Proposal Details

1. LAND INVOLVED:

- 1 Lot 1 DP 259754 Einfield & Nixon Streets, Corowa from zone RU1- Primary Production (lot size of 250 ha) to zone R2- Low Density Residential (lot size of 1ha but if serviced can be subdivided to 4000m2) - north of sewerage plant. This land has a dwelling thereon and has an area of about 5ha thus will have the potential yield of 5 to 40 lots at 8 lots/ha. This will require an amendment to LZN_006A and LSZ-006A. Refer to attachment submission on behalf of land owner.
- 2 Lot 2 DP 259754 Cemetery Road and Nixon Street, Corowa from zone RU1- Primary Production (lot size of 250 ha) to R2 Low Density Residential (lot size of 1ha but if serviced can be subdivided to 4000m2) - north of sewerage plant. This land has a dwelling thereon and has an area of about 5.5ha thus will have the potential yield of 5 to 40 lots at 8 lots /ha. This will require an amendment to maps LZN_006A and LSZ-006A. Refer to attachment submission on behalf of land owner.
- 3 Lot 221 DP 753734 north west corner of Einfield Street and Spring Drive Corowa from RU1- Primary Production (lot size of 250 ha) to zone R2 – Low Density Residential (lot size of 1ha but if serviced can be subdivided to 4000m2) - south of sewerage plant. This land is vacant and has an area of about 4.5ha thus will have the potential yield of 4 to 30 lots at 8 lots /ha. This will require an amendment to maps LZN_006B and LSZ-006B. Refer to attachment submission on behalf of land owner.
- 4 Lot 222 DP 753734 Spring Drive from RU1- Primary Production (lot size of 250 ha) to zone R2 – Low Density Residential (lot size of 1ha but if serviced can be subdivided to 4000m2) - south of sewerage plant. This land is vacant and has an area of about 4ha thus will have the potential yield of 4 to 20 lots at 8 lots /ha. This will require an amendment to maps LZN_006B and LSZ-006B. Refer to attachment submission on behalf of land owner.
- 5 Lot 223 DP 753734 Spring Drive from RU1- Primary Production (lot size of 250 ha) to zone R2 – Low Density Residential (lot size of 1ha but if serviced can be subdivided to 4000m2) south of sewerage plant. This land is vacant and has an area of about 4.5ha thus will have the potential yield of 4 to 30 lots at 8 lots/ha. This will require an amendment to maps LZN_006B and LSZ-006B. Refer to attachment submission on behalf of land owner.
- 6 Lot 230 DP 753744 Hoddle St, Howlong - from zone E3-Environmental Management (lot size 400ha) to zone R1- General Residential (lot size 550 m2). This land has a dwelling and orchard and has and site area of about 3 ha thus will have the development potential of 20 lots at 8 lots

/ha. This will require an amendment to maps LZN_009A and LSZ-009A. Refer to attachment submission on behalf of land owner.

In respect to these lands refer to **Attachment A** for additional justification (extract from s68 submission to Corowa LEP 2012).

- 7 Amend CI 4.1AA - Minimum subdivision lot size for community title schemes - insert after subclause 2(a)

(b) Zone E3 - Environmental Management

Attached/Completed ✓

2. MAPS (If applicable – 1 electronic and 2 hard copy) ✓

- o Location map showing the land affected by the proposed draft plan in the context of the LGA (refer to 'location map').
- o Existing zoning map showing the existing zoning of the site and surrounding land and proposed zoning change for the site/s (refer to 'comparative existing/proposed zoning'). Refer to 'Current' and 'Proposed' mapping

3. PHOTOS and other visual material (if applicable)

- o Aerial photos of land affected by the Planning Proposal
- o Photos of land involved and surrounding land uses

4. COMPLETE PLANNING PROPOSAL (1 electronic and 2 hard copy) ✓

- o All matters to be addressed in a planning proposal – including Director-General's requirements for the justification of all planning proposals (other than those that solely reclassify public land) in accordance with a 'Guide to preparing a planning proposal' are completed prior to forwarding to the Regional Office in the first instance. See attached pro-forma.

4. PLANNING PROPOSAL HAS BEEN SUPPORTED BY COUNCIL ✓

- o Council has considered the written planning proposal before it is sent to the Department of Planning.
- o Attached is Council's resolution to send the written planning proposal to the Department of Planning.

8 March 2013

Signed for and on behalf of the Relevant Planning Authority

DATE: DD/MM/YY

A. PARR
Acting General Manager
Corowa Shire Council

Corowa LEP 2012 – Amendment 1

Part 1 - Objectives or Intended Outcomes

The intended outcomes for the Planning Proposal are to:-

- rezone identified land in items 1-6 above to enable future potential residential development – these outcomes were Council's desired outcomes as submitted by Council at s68 for the Corowa LEP 2012. These lands were omitted from the Corowa LEP 2012 as they were post exhibition changes. This planning proposal will provide justification and will allow agency and community consultation to occur.
- to amend the clause 4.1AA (item 7 above) so that it applies to zone E3 – Environmental management in that community title land must comply with minimum lot size. This is to rectify an oversight.

Part 2 - Explanation of Provisions

In relation to items 1- 6 above will entail amendments to the relevant land zoning and lot size maps and the map cover sheet.

Refer to the maps that accompany this Planning Proposal.

The draft maps provided comply with the Technical Guidelines.

In relation to item 7 above will entail an amendment to the subject clause as highlighted in yellow below:-

4.1AA Minimum subdivision lot size for community title schemes

- (1) The objectives of this clause are as follows:
 - (a) to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.
- (2) This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 1989 of land in any of the following zones:
 - (a) Zone RU1 Primary Production.
insert
 - (b) Zone E3- Environmental management
- (3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the Community Land Development Act 1989) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

Part 3 - Justification

Section A - Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The planning Proposal is a result of post exhibition changes proposed as part of the Corowa LEP 2012 that were omitted from the notified LEP.

Items 1- 6 are not specifically addressed or justified within the Corowa Land Use Strategy documentation (Strategy) dated July 2011 comprising Local Profile and Issues Paper, 2011–2031 Strategic Land use Plan and Site Assessment Report. The Strategy was approved by the Director-General on 25 June 2012. Therefore while these sites are not specifically identified in the Strategy they are consistent with the Strategy and demonstrated in **attachment A**.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the means to achieve the proposed outcomes as the identified land requires rezoning and lot size change to achieve the objectives.

An option is to insert the proposed changes as Schedule 1 additional permitted use but this does not provide clarity for the public as to the true objectives of the proposal.

Council's preferred option is to rezone the land.

3. Is there a net community benefit?

While not quantified there will be net community benefit realised for the identified land to allow future development with negligible environmental impacts.

Section B - Relationship to strategic planning framework.

4. Is the planning proposal consistent with the objectives and actions contained within the applicable **regional or sub-regional strategy** (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

There is no regional or sub regional strategy applicable to the subject land. The draft Murray Regional Strategy is being prepared and the proposal is not inconsistent with this as it relates to relatively minor changes to local planning near urban areas.

5. Is the planning proposal consistent with the local council's **Community Strategic Plan**, or other **local strategic plan**?

The proposal is not inconsistent with the approved Corowa Land Use Strategy and can be considered as minor.

6. Is the planning proposal consistent with applicable state **environmental planning policies**?
Yes – refer to assessment in **Attachment B**.

7. Is the planning proposal consistent with applicable **Ministerial Directions** (s.117 directions)?
Yes refer to assessment in **Attachment C**.

Section C - Environmental, social and economic impact.

8. 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?

No- the land is generally clear and free from constraints and suitable for the proposed development and adjacent to urban areas. Consultation will occur with agencies to ascertain if there are any significant species, communities or habitats.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No- the land is generally clear and free from constraints and suitable for the proposed development. There are no known environmental effects. Each of the allotments are able to be connected to existing utilities of their locality i.e. sewer, water and electricity. With the exception of Lot 230 Hoddle Street, none of the allotments are affected by natural hazards (each above the 1% flood level and not bushfire prone). Approximately 5% of Lot 230 Hoddle

Street is bushfire prone. Consultation will occur with agencies to ascertain if there are any significant constraints.

10. How has the planning proposal adequately addressed any social and economic effects?

In terms of social and environmental impacts the land is generally clear and free from constraints and suitable for the proposed development. There are no known European or aboriginal heritage located on the subject lands. Consultation will occur with agencies to ascertain if there are any significant constraints.

The proposal will provide residential development opportunities on land suitable for such use which will have social and economic benefits.

Section D - State and Commonwealth interests.

11. Is there adequate public infrastructure for the planning proposal?

Yes – the identified land can be adequately serviced by local services to cater for the proposed development.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

No consultation has occurred at this stage. Consultation with the state government agencies will be undertaken post gateway determination.

It is proposed to consult with the NSW Office of Environment and Heritage, Office of Water, Roads and Maritime Services, Primary Industries – Agriculture and NSW Environment Protection Authority.

There is no Commonwealth land involved and there is no known reason to consult with Commonwealth agencies in this case.

Section E – Reclassification of Public Land. There is no public land identified and therefore this section is not applicable.

Part 4 - Community Consultation

It is considered that the Planning Proposal is routine and it is proposed to consult with the community for 14 days and complete the proposal in 12 months.

Part 5 – Risks to the Planning Proposal.

Possible risks are that there are matters identified agencies (for example threatened species) that may result in further work being undertaken and time to resolve these issues. The proposal is such that the land is adjacent to urban areas, can be serviced and not expected to be developed at the one time thus not resulting in an oversupply of land.

Part 6 – Benchmark Timeframes for making the Plan.

Note: You cannot delete or alter any of the following statements except were directed to select an option.

1. The plan will be made within 12 months of the Gateway Determination date.
2. The Planning Proposal will be exhibited within 4 weeks of the Gateway Determination date.
3. Community Consultation will be completed 28 days from the last day the Planning Proposal must be exhibited
4. Public Authority Consultation will be completed within 35 days of the Gateway Determination date.
5. The RPA will request the Department to draft and finalise the LEP no later than 6 weeks prior to the projected making of the plan date specified in point 1.