

Received 7/5/14

ADDRESS ALL CORRESPONDENCE TO:
GENERAL MANAGER,
P.O. BOX 56,
DENILIKUIN, N.S.W. 2710



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16 December 2013

Mr Ashley Albury
Regional Director --Western Region
Department of Planning & Infrastructure
PO BOX 38
DUBBO NSW 2830

Dear Ashley

Conargo Local Environmental Plan 2013 -Proposed Amendment - Section 73A Environmental Planning & Assessment Act

Conargo Shire Council resolved on 12 December 2013 to amend the Conargo Local Environmental Plan 2013 and to request that the Minister for Planning make the plan under section 59 and section 73A of the Environmental Planning & Assessment Act 1979.

The following supporting documents for the submission are attached ;

- Section 73A EP&A Act submission report
- Copy of Resolution of Council
- Conargo LEP 2013 gazetted Land zoning Map LZN_007A and Lot size Map LSZ_007A and Draft Amending Maps LZN_007A and LSZ_007A
- Sheet CL1_006 Riparian Land and Watercourse Map Conargo Local Environmental 2013
- Supporting documentation - LEP Fact Sheet Conargo LEP 2013, Map of Conargo Village boundaries - Conargo LEP 1987

Yours sincerely

Marie Sutton

MARIE SUTTON
DEVELOPMENT MANAGER

DEVELOPMENT MANAGER'S REPORT

Clause 1. CONARGO LOCAL ENVIRONMENTAL PLAN 2013 – SECTION 73A AMENDMENT

106 **Resolved** on the motion of Crs McCrabb and Wallace that:

1. That Council endorse the submission of a Section 73A Environmental Planning & Assessment Act submission to the Department of Planning & Infrastructure for the amendment of Conargo Local Environmental Plan to amend the following matters ;
 - Amend Conargo LEP 2013 Land Zoning Map LSZ 007A to correct the alignment of the RU5 Conargo Village boundary to the alignment previously shown as the Conargo Village boundary in the former Conargo LEP (1987)
 - Amend Lot Size Map LSZ 007A to show the correct Lot sizes within the amended boundary of the Conargo Village
 - Amend the Watercourses, Groundwater Vulnerability, Wetlands Map to include map CL1 _006 which was erroneously omitted from the gazetted maps
2. That the amendment be made under part 73A (1) (c) of the Act, to "deal with matters that the Minister considers do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any adverse impact on the environment or adjoining land."

Environmental Planning and Assessment Act 1979

Conargo Local Environmental Plan 2013 (Amendment No 1)

Conargo Shire Council
PO Box 56
Deniliquin
NSW 2710

Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identification Number
Lot Size Map LSZ_007A	1800_COM_LSZ_007A_020_20130711
Land Zoning Map LZN_007A	1800_COM_LZN_007A_020_20130711

The following map sheets are adopted:

Map Sheet	Map Identification Number
Lot Size Map LSZ_007A	1800_COM_LSZ_007A_020_20130919
Land Zoning Map LZN_007A	1800_COM_LZN_007A_020_20130919

Certified

[Title of Council Delegate]

[Date] Minister for Planning and Infrastructure

[Date]



Section 73A EP&A Act Submission

Part A. Council to complete

Subject:

CONARGO LOCAL ENVIRONMENTAL PLAN 2013(AMENDMENT 1)

Report requesting the making of amending local environmental plan under section 59 and section 73A of the *Environmental Planning and Assessment Act 1979*.

Background:

CONARGO SHIRE COUNCIL resolved on 12 December 2013

to amend Conargo Local Environmental Plan 2013 and to request that the Minister for Planning make the plan under section 59 and section 73A of the *Environmental Planning and Assessment Act 1979*.

The draft amending plan is attached. (*Attach copy of resolution.*)

The land to which this amendment applies is

1. Northern Section of Conargo Village as per attached plan and property detail schedule
2. North-east portion of Shire shown as Sheet CL1_006 Grid on Watercourse Map, Groundwater Vulnerability Map, Wetlands Map, as per attached map

Why there is a need for the amendment:

1. To re-incorporate an area of land into the Conargo Village which was omitted in error from the Gazetted Land Zone and Lot Size Maps
2. To Include Map CL1_006 Watercourse Map, Groundwater Vulnerability, Wetlands Map which was omitted in error from the Gazetted Map

What the amendment does:

1. Re-instates the correct boundary of the Conargo Village to include all land zoned 2 Village under the previous Conargo LEP (1987) and as was intended to be converted into the RU5 zone under the current Conargo LEP 2013
2. Include mapped area CL1_006 into the Watercourse Map, Groundwater Vulnerability Map, Wetlands Map that was omitted from the Gazetted Maps

Why the amending plan is suitable to be made in accordance with section 73A:

The amending plan is suitable to be made in accordance with section 73A as it complies with the following provisions:

- 73(1) a The amending plan will correct an obvious error in the principal instrument, and
- 73(1) c Will deal with matters that the Minister considers do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land

The council requests that the Minister agree to make draft Conargo Local Environmental Plan 2013 (Amendment 1)

Signed: 

Date: 16/12/13

Name: BARRY BARLOW

Position: GENERAL MANAGER

On behalf of: CONARGO SHIRE COUNCIL



Section 73A EP&A Act Submission

Part B. Department of Planning use only

Date of referral to LEP Panel: (Insert date)

Department position:

The draft LEP amendment has been considered by the Department and it is satisfied that the amendment comes within the application of section 73A (see advice tagged 'A').

Parliamentary Counsel opinion:

The Parliamentary Counsel has provided an opinion indicating that the plan may legally be made (tagged 'B').

Recommendation:

It is recommended that the Minister:

- (a) under sections 59(2) and section 73A of the *Environmental Planning and Assessment Act 1979* maketagged 'B')
(Name of LEP Amendment No)
- (b) authorise the Department to advise council of the Minister's decision.

Date:

Signed: Name:

Position:
for Director-General

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