
ENVIRONMENTAL AND PLANNING SERVICES REPORT – PART 3.**12. SECTION 59 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – PLANNING REPORT****Planning Proposal No. 4.:**

PP_2013_COROW_004_00: to Amend River Front Building Line for 16 properties at Lang Street and Corowa Road, Mulwala and amendment of applicable mapping.

Planning Proposal summary:

To amend the River Front Building Line of 16 properties with frontages to Lang Street and Corowa Road, Mulwala and to amend the applicable mapping sheets. The land is generally Corowa Road bound by Lang and North Streets.

Date of Gateway Determination:

1 August 2013

1.0 SUMMARY

- The new river front building line will ensure the existing character and vista of the area.
- The Planning Proposal was initially placed on public exhibition from 28 August 2013 until 27 September 2013.
- At its 19 November 2013 meeting Council resolved to not proceed with current form of the Planning Proposal and that the river front building line be reviewed.
- Public meeting held on 29 January 2014 to explore suitable river front building line.
- Second public exhibition of Planning Proposal from 16 April 2014 to 16 May 2014.
- No points raised by government agencies to the planning proposal.
- Minor mapping amendments added to maps as a consequence of public exhibition.

2.0 GATEWAY DETERMINATION

- The Gateway Determination was Issued on 1 August 2013.
- The project timetable for the completion of the Planning Proposal is 12 months from the week following the date of the Gateway Determination.
- The Gateway Determination was not subject to a review request.
- The timetable has not been adhered to due to Council reviewing its initial proposal, the holding of a public meeting and readvertising of the planning proposal.
- The conditions included in the Gateway Determination have been complied with, with the exception of the timetable.

3.0 COMMUNITY CONSULTATION

- The Planning Proposal was initially placed on public exhibition from 28 August 2013 until 27 September 2013. The Planning Proposal was available for viewing at Council offices in Corowa and Mulwala, as well as being exhibited on Council's website.
- Following public exhibition 4 objections were received and 2 submissions supporting the Planning Proposal.
- An amended Planning Proposal was placed on public exhibition from 16 April 2014 until 16 May 2014. The Planning Proposal was available for viewing at Council offices at Corowa and Mulwala, as well as being exhibited on Council's website.
- Two submissions were received following the second public exhibition. These were not in the form of objections but rather requesting minor mapping changes to create

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- a more user friendly document.
- The consultation requirements included in the Gateway Determination were complied with i.e. minimum number of days made publically available (28) and the type of material that was to be made publically available.
- Following a 2nd Post Exhibition review Council resolved to proceed with the Planning Proposal as re-exhibited.
- As there were no issues raised during public exhibition there have been no amendments made to the Planning Proposal in response of such.
- Documents placed on public exhibition are attached.

4.0 VIEWS OF PUBLIC AUTHORITIES

- The following public authorities were consulted with and provided the following responses:
 - **Office of Water** – no comment as the building line is land based.
 - **DPI – Fisheries** – no response received.
 - **Office of Environment and Heritage** – acknowledged proposal and offered no comment.
- Agency consultation occurred in accordance with the requirements of the Gateway Determination i.e. agencies were given at least 21 days to comment and the type of material that was forwarded to them.
- Following a Post Exhibition Review after re-advertising Council resolved to proceed with the Planning Proposal as exhibited.
- There were no issues raised by the state agencies and therefore none proposed to amend the Planning Proposal.
- Documents forwarded to the public agencies are attached.

5.0 CONSISTENCY WITHS.117 DIRECTIONS AND OTHER STRATEGIC PLANNING DOCUMENTS

The following Section 117 Directions have been addressed as part of the Planning Proposal: See attachment.

Consistency with SEPP's

The following relevant environmental planning instruments (EPI) have been considered in the preparation of this planning proposal. See attachment.

6.0 PARLIAMENTARY COUNSEL OPINION

- An opinion was sought from Parliamentary Counsel on 26 August 2014.
- The opinion was given on 11 September 2014 and states that the draft environmental planning instrument may legally be made. See attachment.

7.0 OTHER RELEVANT MATTERS

- No representations have been received on the Planning Proposal from State or Federal members of Parliament.
- The Council has not met with the Planning Minister in relation to the Planning Proposal.

8.0 MAPPING

- Maps indicating the current and the Planning Proposal i.e. River Front Building Line Maps are attached.

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9.0 RECOMMENDATION

RECOMMENDED that Council adopt this report, its attachments and all submissions in accordance with Section 59 of the Environmental Planning and Assessment Act 1979 AND THAT Council further directs the General Manager (a delegate of the Minister for Planning) to make the Plan in accordance with this Section 59 Planning Report.

B PARR
DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES

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PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Corowa Local Environmental Plan 2012 (Amendment No 4)

Your ref: Bob Parr
Our ref: FHG e2014-239-d02

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in black ink, appearing to read 'D Colagiuri'.

(D COLAGIURI)
Parliamentary Counsel
11 September 2014

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Corowa Local Environmental Plan 2012 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979.

Minister for Planning

e2014-239-09.002

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Corowa Local Environmental Plan 2012 (Amendment No 4) [NSW]

Corowa Local Environmental Plan 2012 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Corowa Local Environmental Plan 2012 (Amendment No 4)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the following land fronting Lake Mulwala at Mulwala:

- (a) 53-59, 61, 63A and 65-79 Corowa Road (comprising Lot 5, DP 228967, Lot 24, DP 1059738, Lot 1, DP 228967, Lots 1 and 2, DP 214523, Lot 2, SP 53187, Lot 1, DP 524784, Lots 2-7, DP 31429 and Lot 1, DP 526577, respectively),
- (b) 69 and 71 Lang Street (comprising Lot 2, DP 539336 and Lot 12, DP 587683, respectively).

4 Maps

The maps adopted by *Corowa Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Page 2

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Environmental Planning and Assessment Act 1979

**Corowa Local Environmental Plan 2012
(Amendment No 4)**

Corowa Shire Council
PO Box 77
COROWA NSW 2646

Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identification Number
River Front Building Line Map	
RBL_003	2300_COM_RBL_003_080_20120426
RBL_003A	2300_COM_RBL_003A_020_20140225
RBL_003B	2300_COM_RBL_003B_020_20120426

The following map sheets are adopted:

Map Sheet	Map Identification Number
River Front Building Line Map	
RBL_003	2300_COM_RBL_003_080_20140805
RBL_003A	2300_COM_RBL_003A_020_20140805
RBL_003B	2300_COM_RBL_003B_020_20140805
RBL_003BA	2300_COM_RBL_003BA_002_20140805

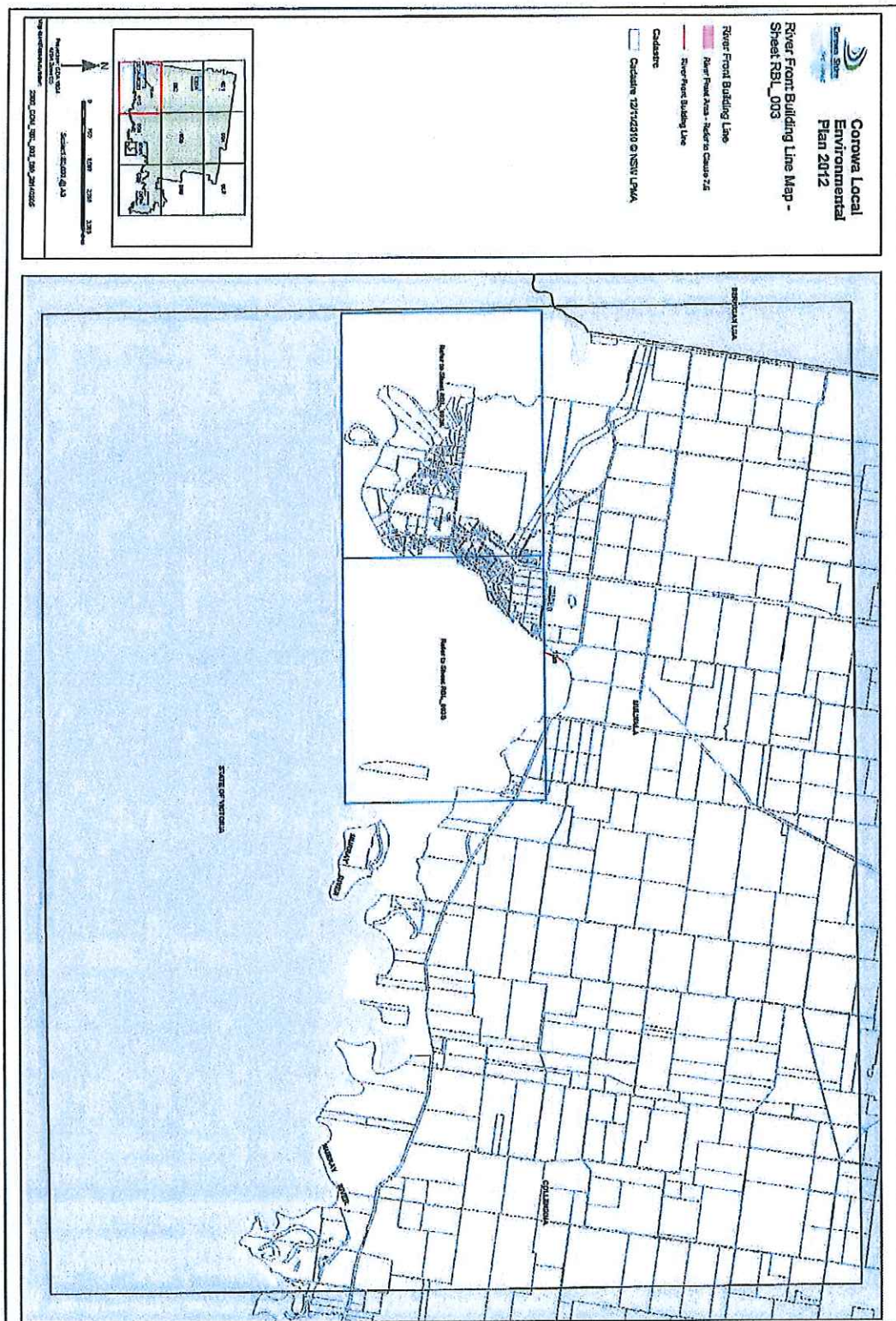
Certified
[Title of Council Delegate]
for the Minister for Planning

[Date]

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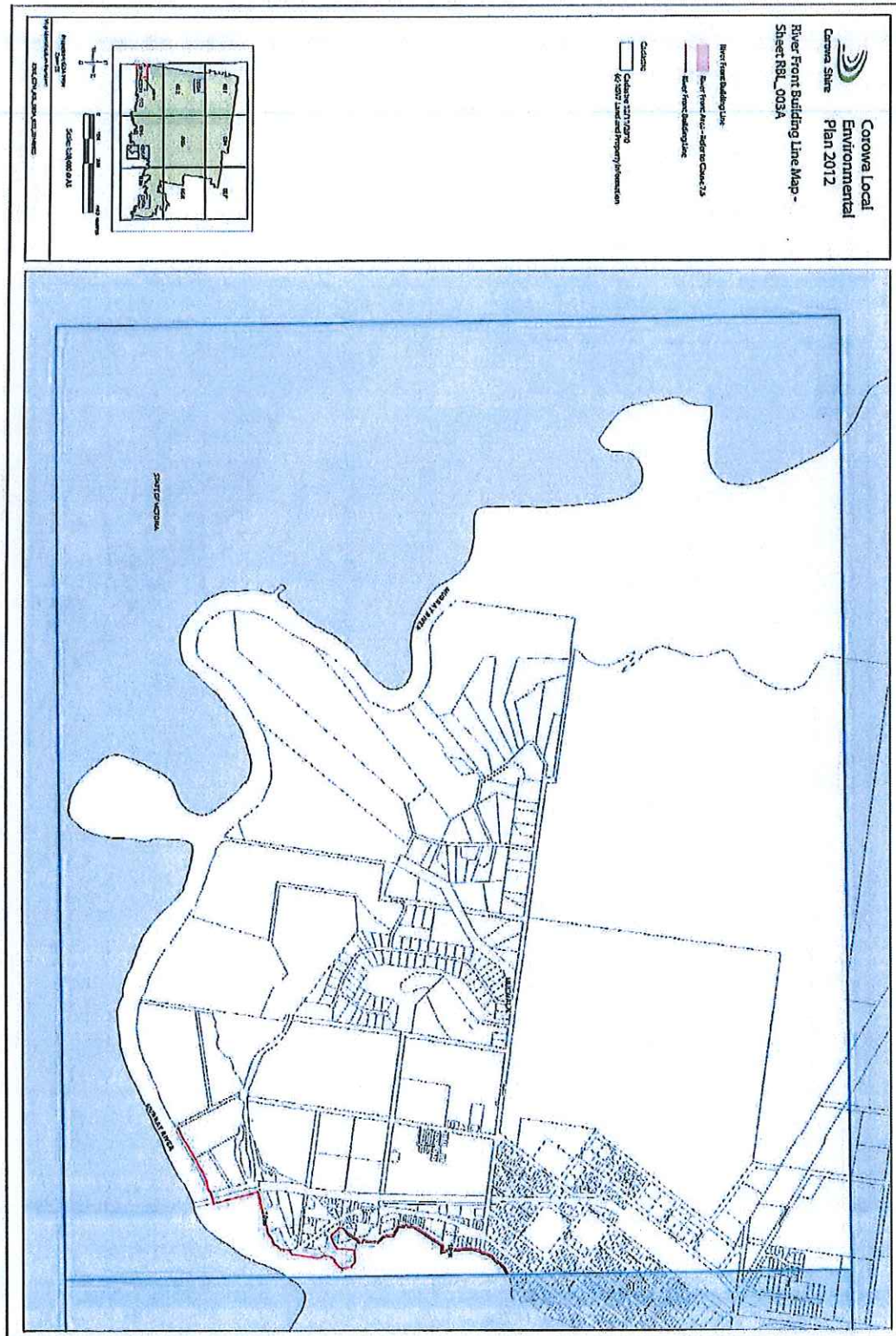
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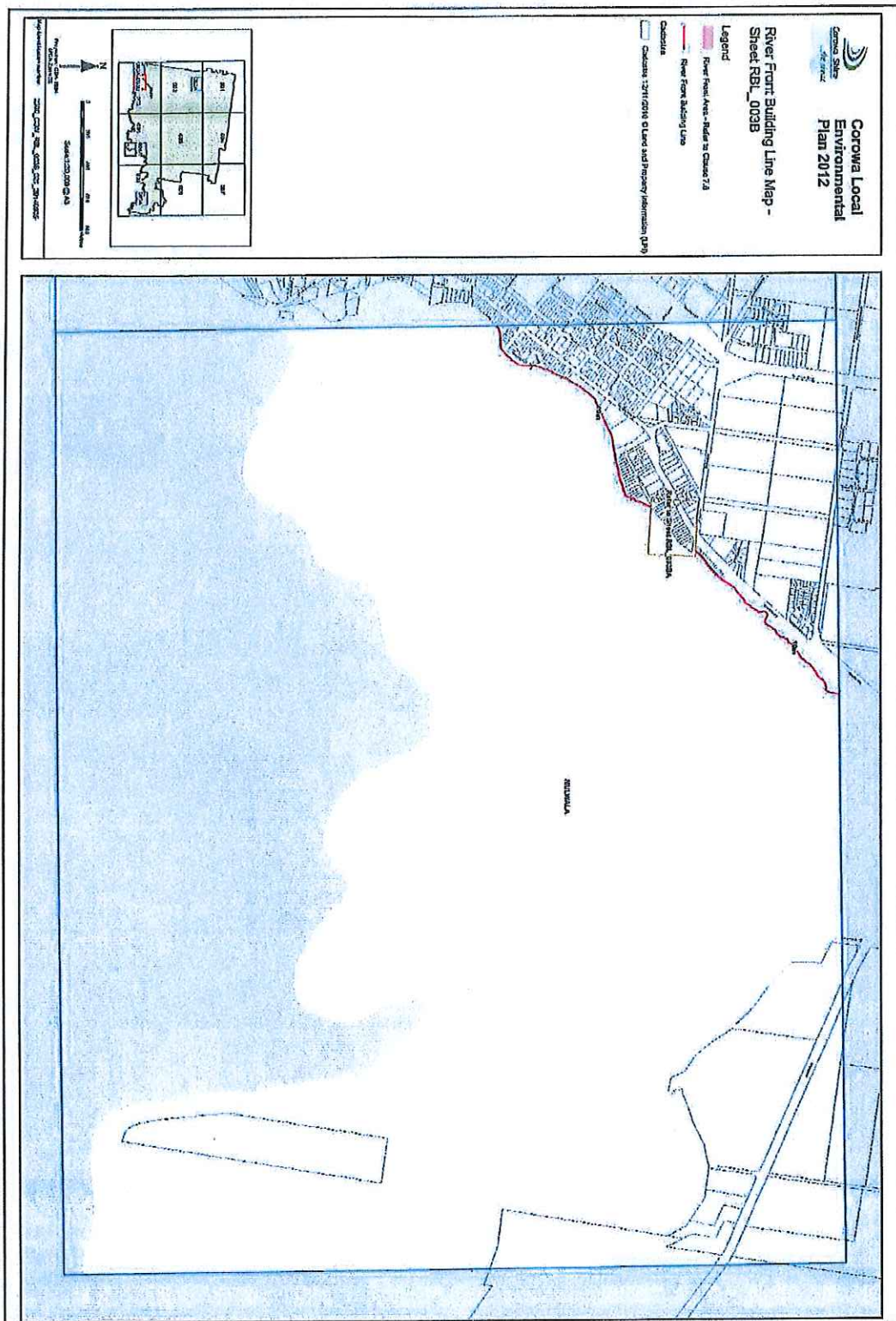
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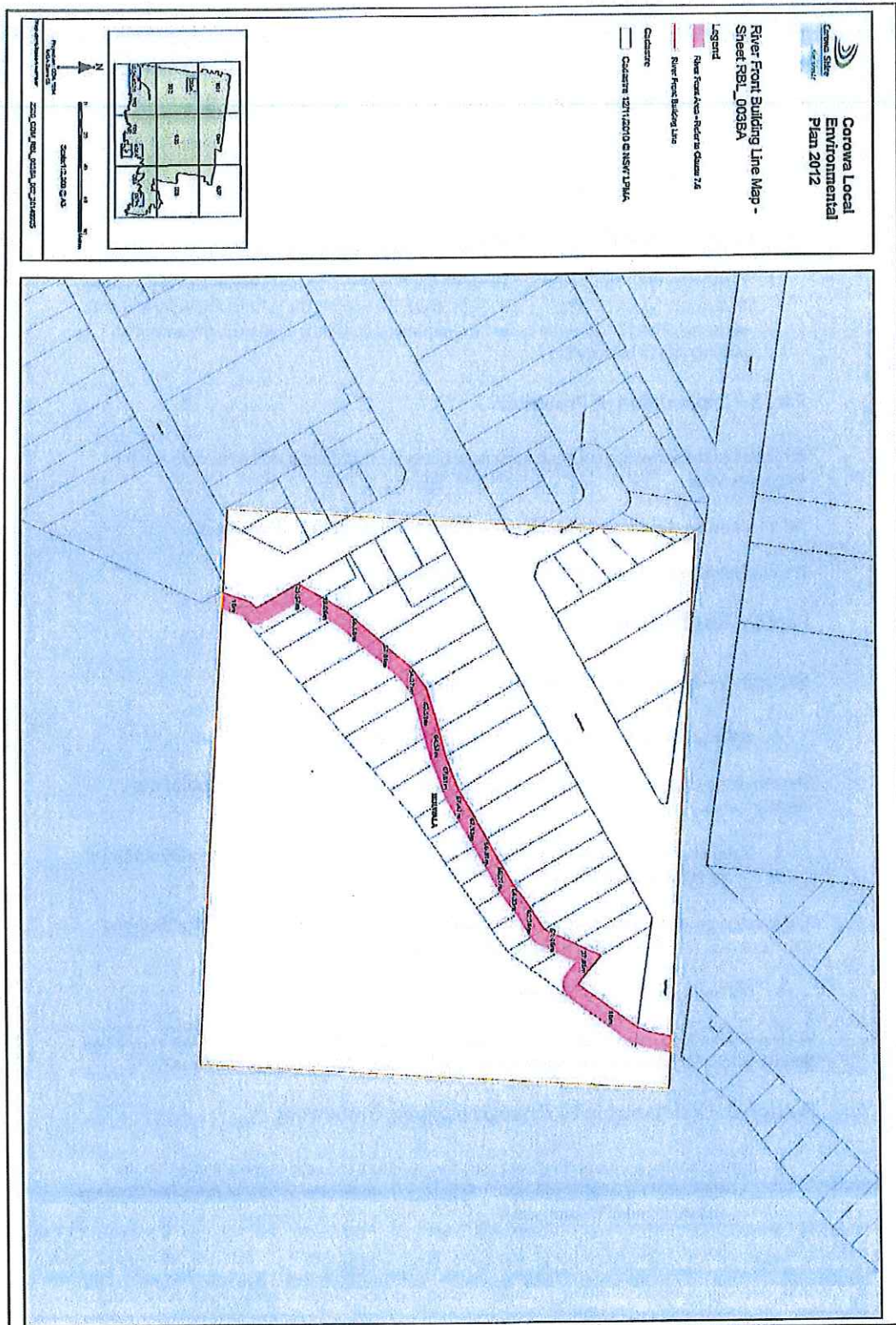
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COROWA LEP 2012 – Amendment 4

Part 1 – Objectives or Intended Outcomes

The Intended outcome of the Planning Proposal is to:-

- Amend the River Front Building Line that is applicable to allotments located in Corowa Road, Mulwala between Land Street and North Street, to maintain the existing character and vista of the neighbourhood. – The current river front building line is 10 metres, the amended building line to be variable:

Part 2 – Explanation of Provisions

In relation to the above item will entail amendments to the river front building line map and the map cover sheet.

Refer to the maps that accompany this Planning proposal and schedule of allotments.

The draft maps provided comply with the Technical Guidelines.

Part 3 – Justification

Section A – Need for the planning proposal

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

The planning proposal is to preserve the character, vista and general building setbacks of the identified area.

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

The planning proposal is the best means to achieve the proposed outcomes as the identified land requires a new river front building line to achieve the objectives.

- 3 Is there a net community benefit?

While not quantified there will be net community benefit realised for the identified land to maintain the character of the existing building lines and vista from both the land and water views.

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)?

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There is no regional or sub-regional strategy applicable to the subject lands. 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 in an urban area.

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

The proposal is consistent with the Corowa Strategic Land Use Plan and is considered minor. The majority of lands are currently occupied by dwellings and one (1) lot is vacant.

- 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 proposal will result in future dwellings and associated buildings being located further away from Lake Mulwala than previously permitted and therefore will lessen any adverse impact.

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

No – there are no known environmental effects that will result from this proposal. It is only identifying the distance a dwelling or associated structure can be located from the foreshore.

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

The planning proposal will not alter the existing social and economic impacts and opportunities; the proposal is only amending the building line from the foreshore.

Section D – State and Commonwealth interests

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

Yes – the identified lands are adequately serviced by local infrastructure to cater for the existing and future development needs.

- 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.

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It is proposed to consult with NSW Office of Water and Primary Industries – Fisheries.

There is no Commonwealth land involved and there is no 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 – Mapping

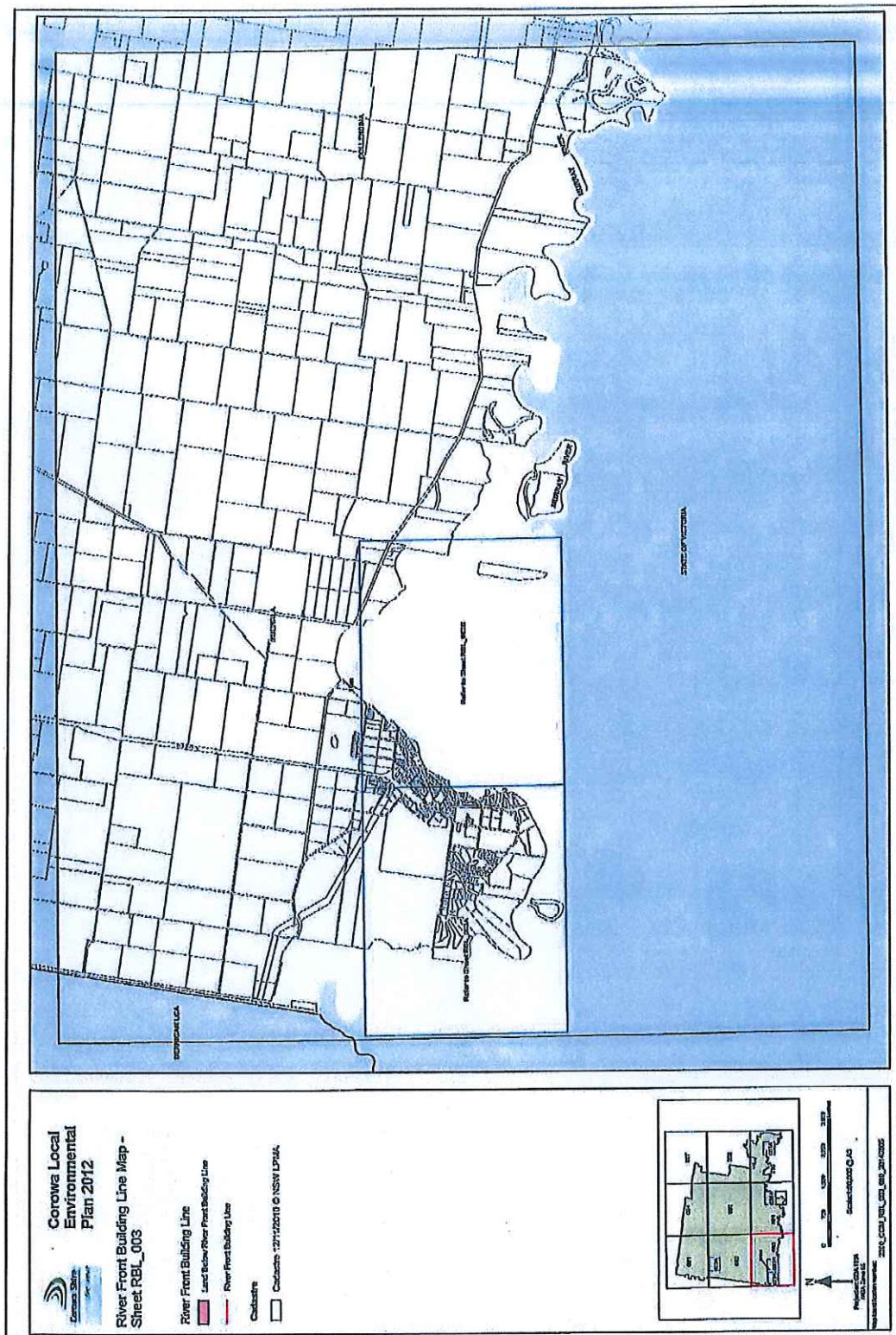
The lands are subject to two (2) zonings i.e. R1 General Residential and W2 Recreational Waterways. The planning proposal will not alter these zonings. The map that will be altered is River Front Building Line Map – Sheet RBL_003B. See attached maps and schedule indicating current and proposed building lines.

Part 5 – Community Consultation

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

Part 6 – Project Timetable

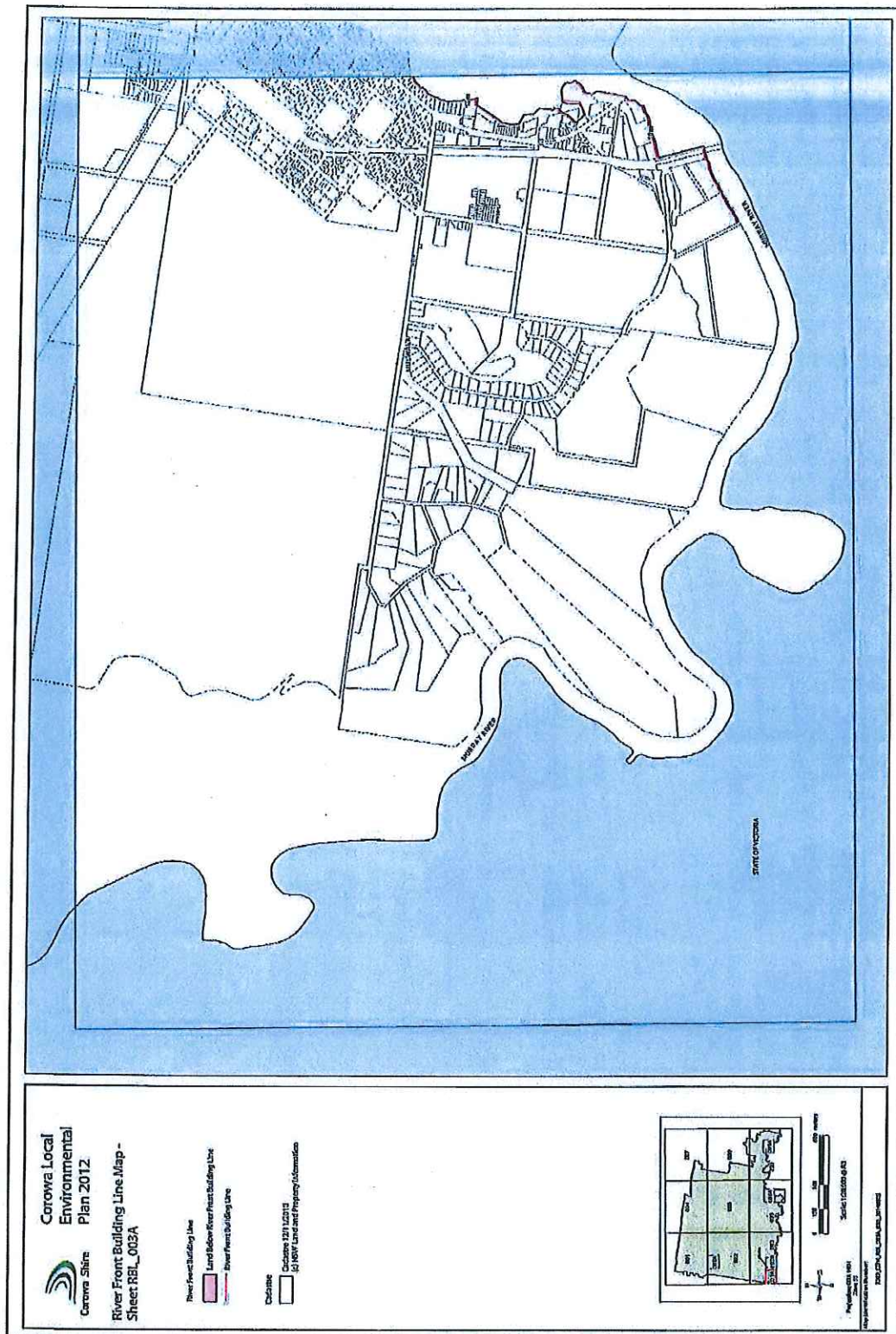
- The plan will be made within 12 months of the Gateway Determination date.
- The planning proposal will be exhibited within 4 weeks of the Gateway Determination date.
- Community consultation will be completed 28 days from the last day the Planning Proposal must be exhibited.
- Public Authority consultation will be completed within 60 days of the Gateway Determination date.
- 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 the first dot point.



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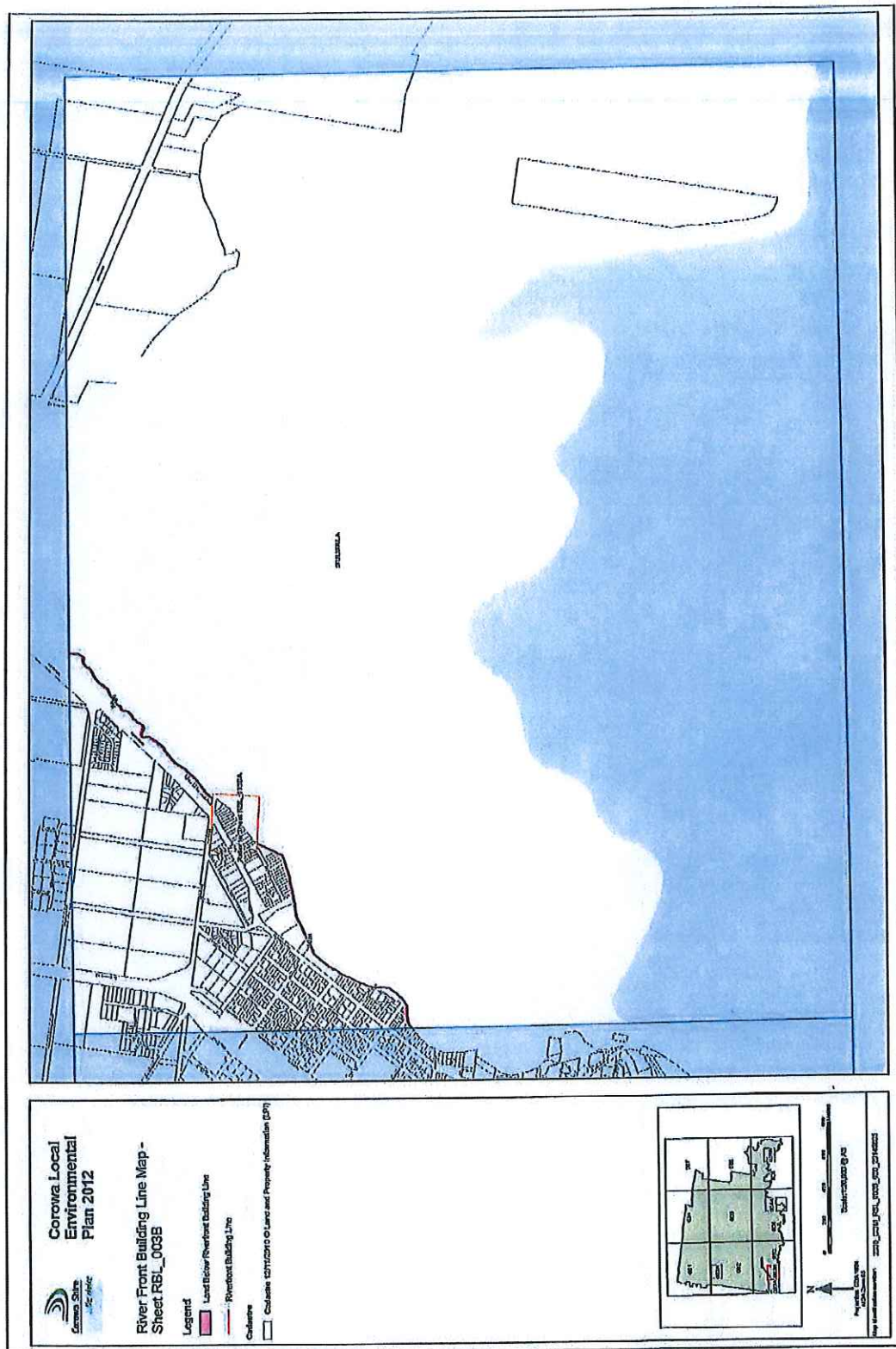
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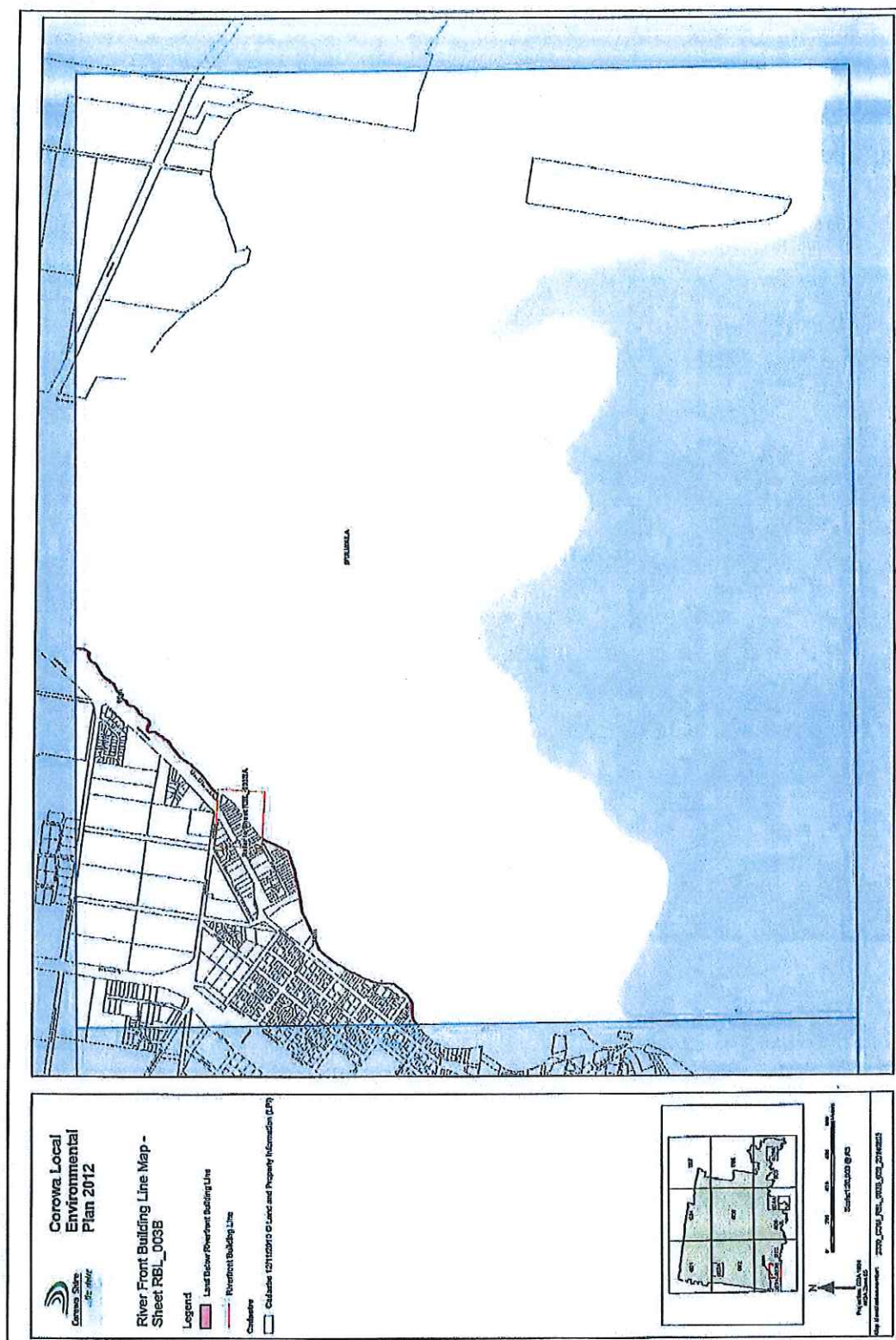
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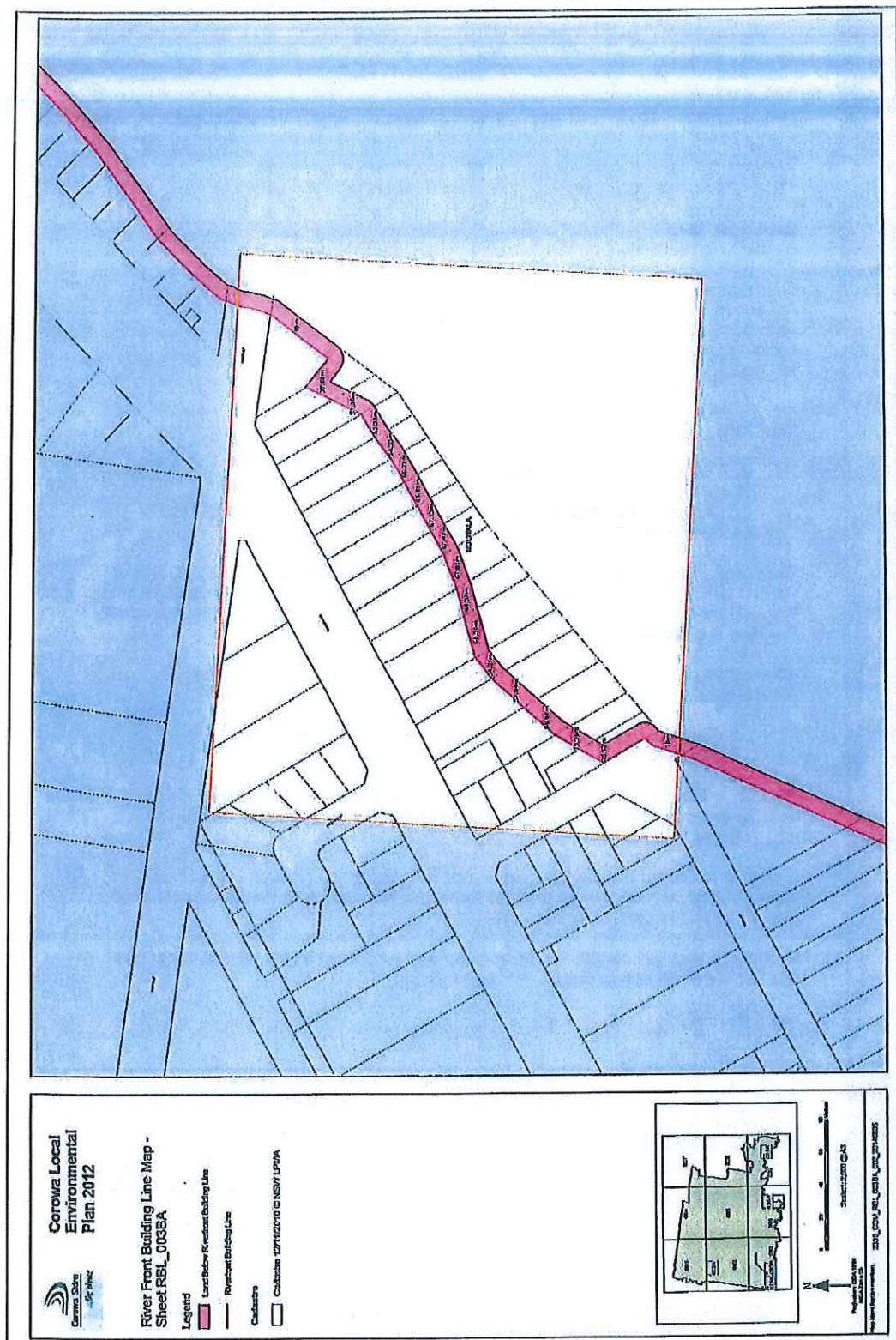
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REFERENCE: BP:LA - Planning
CONTACT: MR BOB PARR

21 August 2013

The Manager
Aquatic Habitat Protection Unit
Fisheries NSW
Locked Bag 1
NELSON BAY NSW 2315

Dear Sir

**RE: PLANNING PROPOSAL TO AMEND
COROWA LOCAL ENVIRONMENTAL PLAN 2012
COROWA ROAD, MULWALA BETWEEN LANG AND NORTH STREETS,
LAKE FRONTAGE**

The Gateway Determination of the above Planning Proposal, Issued by Department of Planning and Infrastructure requires that your organisation be consulted about Planning Proposal content and subject matter pursuant to Section 56(2)(d) of the Environmental Planning and Assessment Act 1979.

Accordingly please find enclosed copies of the following documents for your convenience:

- Gateway Determination and cover letter dated 1 August 2013
- Zoning Map

Additional documentation about the Planning Proposal may also be viewed and/or downloaded from the NSW Department of Planning and Infrastructure website at <http://leptracking.planning.nsw.gov.au/Default.aspx>

If your organisation has any comments about the Planning proposal, it would be appreciated if such comments could be forwarded to Bob Parr at the Corowa office of Council by Friday, 20 September 2013.

Should you require any further information, please contact Mr Bob Parr on (02) 6033 8921 or via email at bob.parr@corowa.nsw.gov.au

Yours faithfully

BJ CORCORAN
GENERAL MANAGER



COROWA SHIRE COUNCIL ABN 43 874 223 315 All correspondence to be addressed to the General Manager
100 Edward St, Ball Park, Corowa PO Box 77, Corowa NSW 2646
Phone 02 6033 8999 Fax 02 6033 3317 Email council@corowa.nsw.gov.au www.corowa.nsw.gov.au

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REFERENCE: BP:LA - Planning
CONTACT: MR BOB PARR

21 August 2013

The Manager
Office of Environment & Heritage
PO Box 318
BURONGA NSW 2736

Dear Sir

**RE: PLANNING PROPOSAL TO AMEND
COROWA LOCAL ENVIRONMENTAL PLAN 2012
COROWA ROAD, MULWALA BETWEEN LANG AND NORTH STREETS,
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**BJ CORCORAN
GENERAL MANAGER**

E-MAILED
23-8-13

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REFERENCE: BP/LA – Planning
CONTACT: MR BOB PARR

21 August 2013

The Manager
Department of Primary Industries
Office of Water
PO Box 717
DUBBO NSW 2830

Dear Sir

**RE: PLANNING PROPOSAL TO AMEND
COROWA LOCAL ENVIRONMENTAL PLAN 2012
COROWA ROAD, MULWALA BETWEEN LANG AND NORTH STREETS,
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Yours faithfully

**BJ CORCORAN
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Attachment C

Consistency with Section 117 Directions

The following relevant s117 Directions have been considered in the preparation of this planning proposal:

No.	S117 Directions	Objectives	Consistency	Comments
2	Environment and Heritage			
2.1	Environment Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas	Yes	The PP is consistent with the objectives of this direction. The portions of land that are part of Lake Mulwala will remain W2 Recreational Waterways zone
2.3	Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and Indigenous heritage significance	Yes	The PP does not affect the standard provisions for the protection of heritage and archaeological sites
3	Housing, Infrastructure and Urban Development			
3.1	Residential Zones	The objectives of this direction are: to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environment and resource lands.	Yes	The PP is consistent with the objectives of this direction.
3.2	Caravan Parks and Manufactured Home Estates	The objectives of this direction are to provide for a variety of housing types and to provide opportunities for caravan parks and manufactured home estates.	Yes	The PP allows the development of caravan parks and MHE's within the zone R1.

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3.3	Home Occupations	The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling	Yes	The PP is consistent with this direction.
3.4	Integrating Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: Improving access to housing, jobs and services by walking, cycling and public transport, and Increasing the choice of available transport and reducing dependence on cars, and reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and supporting the efficient and viable operation of public transport services and	Yes	The PP is consistent with objectives of this direction in that the subject land is in close proximity to existing urban development.
4	Hazard and Risk			
4.3	Flood Prone Land	The objectives of this direction are: to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> , and to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Yes	The PP is consistent with the objectives of this direction. All of the subject land that is in the zone R1 is located above the 1% flood level.
4.4	Planning for Bushfire Protection	The objectives of this direction are to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and to encourage sound management of bush fire prone areas	Yes	The PP is consistent with the objectives of the direction

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5	Regional Planning			
5.1	Implementation of Regional Strategies	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies	Yes	No identified regional strategies apply
6	Local Plan Making			
6.1	Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development	Yes	There are no approval or referral requirements proposed in the PP.
6.2	Reserving Land for Public Purposes	The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes, and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition	Yes	The PP does not affect land reserved for public purposes.
6.3	Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Yes	The PP does not propose site planning controls

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DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT – PART 3 AS SUBMITTED TO AN ORDINARY MEETING OF THE COROWA SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, COROWA ON 21 OCTOBER 2014.

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Attachment B**Consistency with SEPP's**

The following relevant environmental planning instruments (EPI) have been considered in the preparation of this planning proposal:

EPI	Applicable	Relevant	Consistent	Comments
Murray Regional Environmental Plan No 2—Riverine Land	Yes	Yes	Yes	The PP is generally consistent with the provisions of the MREP
State Environmental Planning Policy No 1—Development Standards	Yes	Yes	Yes	This SEPP may apply to development of the land to which the PP applies and does not affect the operation of the SEPP
State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development	Yes	Yes	Yes	This SEPP may apply to development of the land to which the PP applies and does not affect the operation of the SEPP
State Environmental Planning Policy No 6—Number of Storeys in a Building	Yes	Yes	yes	This SEPP may apply to development of the land to which the PP applies and does not affect the operation of the SEPP
State Environmental Planning Policy No 21—Caravan Parks	Yes	Yes	Yes	The PP is consistent with the provisions of the SEPP in that development of a caravan park requires the consent of Council and is permissible development in zone R1
State Environmental Planning Policy No 22—Shops and Commercial Premises	Yes	Yes	Yes	The PP will not affect the application of this SEPP
State Environmental Planning Policy No 30—Intensive Agriculture	Yes	Yes	Yes	The PP will not affect the operation of this SEPP
State Environmental Planning Policy No 32—Urban	Yes	Yes	Yes	The PP will not affect the application of this SEPP

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DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT – PART 3 AS SUBMITTED TO AN ORDINARY MEETING OF THE COROWA SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, COROWA ON 21 OCTOBER 2014.

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Consolidation (Redevelopment of Urban Land).				
State Environmental Planning Policy No 33--- Hazardous and Offensive Development	Yes	Yes	Yes	The PP will not affect the application of this SEPP
State Environmental Planning Policy No 36--- Manufactured Home Estates	Yes	Yes	Yes	The PP will not affect the application of this SEPP
State Environmental Planning Policy No 44---Koala Habitat Protection	Yes	Yes	Yes	The PP will not affect the application of this SEPP
State Environmental Planning Policy No 50---Canal Estate Development	Yes	Yes	Yes	The PP will not affect the application of this SEPP
State Environmental Planning Policy No 55--- Remediation of Land	Yes	Yes	Yes	The PP will not affect the application of this SEPP.
State Environmental Planning Policy No 62--- Sustainable Aquaculture	Yes	Yes	Yes	The PP will not affect the application of this SEPP
State Environmental Planning Policy No 64--- Advertising and Signage	Yes	Yes	Yes	The PP will not affect the application of this SEPP
State Environmental Planning Policy No 65---Design Quality of Residential Flat Development	Yes	Yes	Yes	The PP will not affect the application of this SEPP
State Environmental Planning Policy (Affordable Rental	Yes	Yes	Yes	The PP will not affect the application of this SEPP

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DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT -- PART 3 AS SUBMITTED TO
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Housing) 2009				
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.	Yes	Yes	Yes	The PP does not affect the application of the SEPP
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	Yes	Yes	The PP does not affect the application of this SEPP
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Yes	Yes	Yes	The PP does not affect the application of this SEPP
State Environmental Planning Policy (Infrastructure) 2007	Yes	Yes	Yes	The PP does not affect the application of this SEPP
State Environmental Planning Policy (Major Development) 2005	Yes	Yes	Yes	The PP does not affect the application of this SEPP
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Yes	Yes	Yes	The PP does not affect the application of this SEPP
State Environmental Planning Policy (Rural Lands) 2008	Yes	Yes	Yes	The PP does not affect the application of this SEPP
State Environmental	Yes	Yes	Yes	The PP does not affect the application of this SEPP

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Planning Policy (Temporary Structures and Places of Public Entertainment) 2007				

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2. PLANNING PROPOSAL NO. 4 – POST EXHIBITION REVIEW (2ND)

As part of the Planning Proposal process of preparing Local Environmental Plans (LEP's) Council is required to review the Planning Proposal post exhibition. This review must consider all submissions received and then determine if it wishes to proceed with the Planning Proposal as exhibited or if it wishes to vary the Planning Proposal.

Council's exhibited Planning Proposal proposed to amend the Corowa LEP River Front Building Line applicable to the following allotments:

	Lot & DP	Street Address
1	Lot 2 DP 539336	69 Lang Street, Mulwala
2	Lot 12 DP 587683	71 Lang Street, Mulwala
3	Lot 5 DP 228967	53 Corowa Road, Mulwala
4	Lot 24 DP 1059738	55 Corowa Road, Mulwala
5	Lot 1 DP 228967	57 Corowa Road, Mulwala
6	Lot 1 DP 214523	59 Corowa Road, Mulwala
7	Lot 2 DP 214523	61 Corowa Road, Mulwala
8	Lot 2 SP 53187	63A Corowa Road, Mulwala
9	Lot 1 DP 524784	65 Corowa Road, Mulwala
10	Lot 2 DP 31429	67 Corowa Road, Mulwala
11	Lot 3 DP 31429	69 Corowa Road, Mulwala
12	Lot 4 DP 31429	71 Corowa Road, Mulwala
13	Lot 5 DP 31429	73 Corowa Road, Mulwala
14	Lot 6 DP 31429	75 Corowa Road, Mulwala
15	Lot 7 DP 31429	77 Corowa Road, Mulwala
16	Lot 1 DP 526577	79 Corowa Road, Mulwala

The Planning Proposal was placed on public exhibition from Wednesday 28 August 2013 until Friday 27 September 2013.

At its 19 November 2013 monthly meeting Council resolved that Council not proceed with the current form of the Planning Proposal and that this be reviewed with regard to the building alignment.

Following this determination the owners of the above properties were invited to attend a meeting on Wednesday 29 January 2014, to explore the introduction of a River Front Building Line that is able to maintain the character of this particular section of Corowa Road and vista of the dwellings and riverscape. Of the 16 allotments that are to be subject to the River Front Building Line owners of 8 of the allotments were present.

Following discussions of possible options regarding the location of the River Front Building Line it was resolved by those present that the preferred location of the building line be the "Easement for Storage Purpose" line to which all allotments in the section of Corowa Road, Mulwala are subject to and that is detailed on all Certificates of Title.

Although not a straight line it would create an undulating line along the foreshore.

The owners of the lands not present at the meeting have been written to advising them of the meetings resolution. They were asked to advise Council if they were supportive of the proposal or if they have an alternate location or option for the River Front Building Line. Two responses were received, one supportive of the land owners resolution and the other supporting the existing 10 metre alignment.

The readvertised River Front Building Line was placed on public exhibition from Wednesday

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16 April 2014 until Friday 16 May 2014. See Schedule No. 1.

In addition to the required exhibition all 16 properties were written to advising them of the Planning Proposal.

The readvertised Planning Proposal was also directed to three government agencies. These being:

- Office of Water
- DPI – Fisheries
- Office of Environment and Heritage

Comments from the agencies were as follows:

Office of Water – no comment as the building line is land based

DPI – Fisheries – no response received

Office of Environment and Heritage – acknowledged proposal and offered no comment

Following the exhibition period 2 comments were received from the public. Neither objected to the proposed River Front Building Line, but rather raised the point that the exhibited plan was confusing to some degree. Communication with these parties has resulted in the plan being amended to remove any confusion.

Council must now determine if the Planning Proposal is to be varied and/or readvertised as a consequence of the submissions and comments or that the Planning Proposal should proceed as re-exhibited.

RECOMMENDED that Council resolves it has reviewed the Planning Proposal following re-exhibition and resolves to proceed with the Planning Proposal as re-exhibited.

3. COROWA LOCAL ENVIRONMENTAL PLAN (LEP) 2012 – AMENDMENT NO. 3

The approval of Amendment No. 3 was published in the NSW Government Gazette on Friday 30 May 2014.

The purpose of the Planning Proposal was to rezone parts of Lots 11 & 12 DP 737090 (273 & 275 Melbourne Street, Mulwala) from zone W2 – Recreational Waterway to zone R1 – General Residential.

The rezoning was to correct a mapping error in Corowa LEP 2012.

For Council's information.

4. COROWA LOCAL ENVIRONMENTAL PLAN 2012 – AMENDMENT NO. 2

The approval of Amendment No. 2 was published in the NSW Government Gazette on Friday 30 May 2014.

The purpose of the planning proposal was to rezone.

Land in the vicinity and north of "Rivalea" feedmill facility bound by Whitehead Street, Honour Avenue and Riverina Highway, Corowa from RU1-Primary Production to R5-Large Lot Residential.

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ADOPTION OF DIRECTOR ENGINEERING AND INFRASTRUCTURE REPORT.

170/14 RESOLVED on the motion of Councillors Davey and Miegel that the balance of the Director Engineering and Infrastructure Report be adopted.

DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT.

171/14 RESOLVED on the motion of Councillors Law and Bruinsma that the Environmental and Planning Services Report be dealt with.

2. PLANNING PROPOSAL NO. 4 - POST EXHIBITION REVIEW (2ND)

172/14 RESOLVED on the motion of Councillors Law and Davey that Council resolves it has reviewed the Planning Proposal No. 4 following re-exhibition and resolves to proceed with Planning Proposal No. 4 as re-exhibited.

Voting

For: Councillors Law, Davey, Miegel, Palmer, Bruinsma, Schlrmer, Wales and Longmire.

Against: Nil.

6. ACQUISITION OF LOT 1 DP 771161 / 18-22 MELBOURNE STREET, MULWALA

173/14 RESOLVED on the motion of Councillors Davey and Miegel that Council offer to purchase the land at Lot 1 DP 771161, 18-22 Melbourne Street, Mulwala for the agreed sum of \$330,000 inclusive of GST with settlement in August 2015.

8. DEVELOPMENT APPLICATION NO. 2014/080

174/14 RESOLVED on the motion of Councillors Miegel and Palmer that consent be granted for Development Application 2014/080 subject to the following conditions:

1. **INSPECTIONS:** For the purpose of inspection, the Council shall be given 48 hours notice at the following stages of construction:

- (a) After the pool is in position and all steel reinforcement placed in position, and not less than forty-eight (48) hours prior to concrete being placed in position.
- (b) Within forty-eight (48) hours of the pool being completed.
- (c) When the yard gully and sewer lines are installed, prior to backfilling.

NOTE: The pool shall not be used until a final inspection has been carried out by the Council, and approval to use the pool has been obtained from the Council in writing.

NOTE: If any of the mandatory critical stage inspections are not done, Council will not be able to issue an Occupation Certificate.

Reason: To ensure compliance with the Environmental Planning and Assessment Regulation 2000, (Clause 162A, 163) associated legislation and Council requirements.

Notice of Commencement: Notice of commencement of building work and appointment of the Principal Certifying Authority shall be lodged with Council, in writing, at least two days prior to commencement of construction. (See enclosed form).

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- Requested Inspections

Under the swimming pool barrier inspection program Council is able to set a fee for the initial inspection and then a fee for all subsequent inspections. The fees recommended are \$150 for the initial inspection and \$100 for all other additional inspections. The fees would also incorporate the issue of the Certificate of Compliance.

The above fees were advertised as part of Council's Revenue Policy which was recently adopted by Council.

Advertisements were placed in the "Snippets" and on Council's website inviting the community to submit their thoughts and options as to what level of inspections should be included in a swimming pool barrier inspection program. Six (6) responses were received. General comments included:

- Supportive of mandatory inspections
- Fees of \$150 and \$100 are excessive
- Other than mandated inspection only inspect at request of owner

Copies of the submissions are reproduced on Schedules Nos. 1 to 6.

Although the Act only mandates inspections by Councils of tourist, visitor, multi-occupancy dwellings and pools associated with property sale and lease, workshops and forums suggest the intent is to do additional inspections to ensure swimming pool barrier standards are maintained throughout the community to increase the safety of very young children around backyard swimming pools.

RECOMMENDED that Council's Swimming Pool Barrier Inspection Program includes the following:

1. Swimming pool owners who intend to sell or lease their property;
2. All tourist/visitor accommodation sites;
3. Multi-occupancy dwellings;
4. Random inspection of registered pools at a ratio of 100 per 3 years;
5. Inspections requested by pool owners;
6. Inspection fees of \$150 for the initial inspection and \$100 for all other additional inspections, inclusive of the issue of the Certificate of Compliance.

3. PLANNING PROPOSAL NO. 4 RIVER FRONT BUILDING LINE - COROWA ROAD, MULWALA BETWEEN LANG AND NORTH STREETS

This Planning Proposal seeks to change the river front building line within the following allotments:

1. Lot 2 DP 539336 - 69 Lang Street, Mulwala. Proposed to amend the river front building line from 10m to 15m. This will require an amendment to RBL_003B
2. Lot 12 DP 587683 - 71 Lang Street, Mulwala. Proposed to amend the river front building line from 10m to 15m. This will require an amendment to RBL_003B.
3. Lot 5 DP 228967 - 53 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 15m. This will require an amendment to RBL_003B.
4. Lot 24 DP 1059738 - 55 Corowa Road, Mulwala. Proposed to amend the river front building line from 10m to 20m. This will require an amendment to RBL_003B.

DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT AS SUBMITTED TO AN ORDINARY MEETING OF THE COROWA SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, COROWA ON 16 JULY 2013.

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5. Lot 1 DP 229867 – 57 Corowa Road, Mulwala. Proposed to amend the river front building line from 10m to 20m. This will require an amendment to RBL_003B.
6. Lot 1 DP 214523 – 59 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 20m. This will require an amendment to RBL_003B.
7. Lot 2 DP 214523 – 61 Corowa Road, Mulwala. Proposed to amend the river front building line from 10m to 20m. This will require an amendment to RBL_003B.
8. Lot 2 SP 53187 – 63A Corowa Road, Mulwala. Proposed to amend the river front building line from 10m to 20m. This will require an amendment to RBL_003B.
9. Lot 1 DP 524784 – 65 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 20m. This will require an amendment to RBL_003B.
10. Lot 2 DP 31429 – 67 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 20m. This will require an amendment to RBL_003B.
11. Lot 3 DP 31429 – 69 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 20m. This will require an amendment to RBL_003B.
12. Lot 4 DP 31429 – 71 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 18m. This will require an amendment to RBL_003B.
13. Lot 5 DP 31429 – 73 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 18m. This will require an amendment to RBL_003B.
14. Lot 6 DP 31429 – 75 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 15m. This will require an amendment to RBL_003B.
15. Lot 7 DP 31429 – 77 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 15m. This will require an amendment to RBL_003B.
16. Lot 1 DP 526577 – 79 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 15m. This will require an amendment to RBL_003B.
17. Lot 2 DP 526577 – 81 Corowa Road, Mulwala. 10m river front building line to remain unaltered.

The purpose of the planning proposal is to protect the character of the area and vista of the existing dwellings and riverscape.

The planning proposal documentation supporting this proposal is included in Schedule 7.

Should Council wish to support this proposal it will be necessary to resolve the following:

That Council resolves it had considered the written planning proposal and directs that the written planning proposal be sent to the Department of Planning and Infrastructure for an Initial Gateway Determination under section 56(1) of the Environmental Planning and Assessment Act 1979, the planning proposal to amend the Corowa Shire Local Environmental Plan 2012 by amending the River Front Building Line of:

	<u>Lot DP</u>	<u>Street Address</u>	<u>Proposed River Front Building Line</u>
1.	Lot 2 DP 539336	69 Lang Street	15 metres
2.	Lot 12 DP 587683	71 Lang Street	15 metres

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3.	Lot 5 DP 228967	53 Corowa Road	15 metres
4.	Lot 24 DP 1059738	55 Corowa Road	20 metres
5.	Lot 1 DP 228967	57 Corowa Road	20 metres
6.	Lot 1 DP 214523	59 Corowa Road	20 metres
7.	Lot 2 DP 214523	61 Corowa Road	20 metres
8.	Lot 2 SP 53187	63A Corowa Road	20 metres
9.	Lot 1 DP 524784	65 Corowa Road	20 Metres
10.	Lot 2 DP 31429	67 Corowa Road	20 metres
11.	Lot 3 DP 31429	69 Corowa Road	20 metres
12.	Lot 4 DP 31429	71 Corowa Road	18 Metres
13.	Lot 5 DP 31429	73 Corowa Road	18 metres
14.	Lot 6 DP 31429	75 Corowa Road	15 metres
15.	Lot 7 DP 31429	77 Corowa Road	15 metres
16.	Lot 1 DP 526577	79 Corowa Road	15 metres
17.	Lot 2 DP 526577	81 Corowa Road	10 metres

4. MULWALA PRE-SCHOOL / 75 MELBOURNE STREET, MULWALA

A request has been received from the Mulwala Pre-School to have the track that traverses the north eastern portion of the property removed.

The track (see Schedules 8 and 9) provides access from Melbourne Lane to Melbourne Street. It does not appear to have any legal status but adversely impacts on the development and expansion potential of the pre-school.

The track appears to have been recognised by Council in the past in that directional traffic signs have been erected at either end of the track. Also the pre-school is fenced off from the track.

The access track only appears to provide benefit to the fire station and Council's Civic Centre, however Melbourne Lane has been constructed to facilitate easy manoeuvring to enter and exit to and from Erne Street.

The property is owned by Council.

RECOMMENDED that Council resolves to notify the public that the access track over property 75 Melbourne Street, Mulwala will cease to function as from 30 August 2013.

5. DEVELOPMENT APPLICATIONS.

Since the last Council meeting the following development applications have been determined under delegated authority by the granting of consent subject to conditions.

DEVELOPMENT APPLICATION REGISTERED NO. 2013/093

Application for boundary realignment on rural land being Lot 460; DP 753734 & Lot 3; DP 538995; 719 Tom Roberts Road, Corowa.

DEVELOPMENT APPLICATION REGISTERED NO. 2013/109

Application for boundary adjustment on rural land being Lots 33, 61 & 60; DP 753728; 'Farleton', Lavis Road, Corowa.

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ADOPTION OF DIRECTOR ENGINEERING AND INFRASTRUCTURE REPORT

224/13 RESOLVED on the motion of Councillors Wales and Bruinsma that the balance of the Director Engineering and Infrastructure Report be adopted.

DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT

225/13 RESOLVED on the motion of Councillors Schlrmer and Law that the Environmental and Planning Services Report be dealt with.

2. SWIMMING POOL BARRIER INSPECTION PROGRAM

226/13 RESOLVED on the motion of Councillors Law and Schlrmer that Council's Swimming Pool Barrier Inspection Program include the following:

1. Swimming pool owners who intend to sell or lease their property;
2. All tourist/visitor accommodation sites;
3. Multi-occupancy dwellings;
4. Random inspection of registered pools at a ratio of 100 per 3 years;
5. Inspections requested by pool owners;
6. Inspection fees of \$150 for the initial inspection and \$100 for all other additional inspections, inclusive of the issue of the Certificate of Compliance.

NOTICE OF MOTION OF RESCISSION

227/13 RESOLVED on the motion of Councillors Law and Davey that Notice of Motion of Rescission relating to Item 3. of this report - Planning Proposal No. 4 be brought forward and dealt with.

228/13 MOVED by Councillors Schlrmer and Palmer that point 1 of Resolution 145/13 and all of Resolution 200/13 be rescinded.

On the motion being put to the meeting it was lost.

Voting

For: Councillors Bruinsma, Schlrmer and Palmer.

Against: Councillors Wales, Shields, Miegel, Davey, Law and Longmire.

3. PLANNING PROPOSAL NO. 4 RIVER FRONT BUILDING LINE - COROWA ROAD, MULWALA BETWEEN LANG AND NORTH STREETS

229/13 RESOLVED on the motion of Councillors Law and Davey that Council resolves it had considered the written planning proposal and directs that the written planning proposal be sent to the Department of Planning and Infrastructure for an Initial Gateway Determination under section 56(1) of the Environmental Planning and Assessment Act 1979, the planning proposal to amend the Corowa Shire Local Environmental Plan 2012 by amending the River Front Building Line of:

<u>Lot DP</u>	<u>Street Address</u>	<u>Proposed River Front Building Line</u>
1. Lot 2 DP 539336	69 Lang Street	15 metres
2. Lot 12 DP587683	71 Lang Street	15 metres
3. Lot 5 DP 228967	53 Corowa Road	15 metres

THIS IS PAGE NUMBER 3 OF THE MINUTES OF AN ORDINARY MEETING OF THE COROWA SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, COROWA ON 16 JULY 2013.

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4. Lot 24 DP 1059738	55 Corowa Road	20 metres
5. Lot 1 DP 228967	57 Corowa Road	20 metres
6. Lot 1 DP 214523	59 Corowa Road.	20 metres
7. Lot 2 DP 214523	61 Corowa Road	20 metres
8. Lot 2 SP 53187	63A Corowa Road	20 metres
9. Lot 1 DP 524784	65 Corowa Road	20 Metres
10. Lot 2 DP 31429	67 Corowa Road	20 metres
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12. Lot 4 DP 31429	71 Corowa Road	18 Metres
13. Lot 5 DP 31429	73 Corowa Road	18 metres
14. Lot 6 DP 31429	75 Corowa Road	15 metres
15. Lot 7 DP 31429	77 Corowa Road	15 metres
16. Lot 1 DP 526577	79 Corowa Road	15 metres
17. Lot 2 DP 526577	81 Corowa Road	10 metres

Voting

For: Councillors Law, Davey, Miegel, Shields, Bruinsma, Wales and Longmire.

Against: Councillors Schlrmer and Palmer.

4. MULWALA PRE-SCHOOL / 75 MELBOURNE STREET, MULWALA

230/13 RESOLVED on the motion of Councillors Davey and Law that Council resolves to notify the public that the access track over property 75 Melbourne Street, Mulwala will cease to function as from 30 August 2013.

ADOPTION OF DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT

231/13 RESOLVED on the motion of Councillors Schlrmer and Law that the balance of the Director Environmental and Planning Services' Report be adopted inclusive of :-

1. BUILDINGS

2013/018	71 Corowa Road, Howlong	Residence/ Garage/ front fence
2013/044	Burley Road Yarrawonga	Retaining wall repair
2013/102	56 Kennedy Street, Howlong	Dwelling with garage
2013/113	5 Cameron Court, Mulwala	Dwelling
2013/114	2889 Spring Drive, Mulwala	Re-roof Dwelling
2013/115	13 Wing Crescent, Mulwala	Pergola
2013/117	20 Hay Street, Corowa	Dwelling
2013/120	43 Hay Street, Corowa	Patio/Verandah
2013/122	216 Melbourne Street, Mulwala	Manufactured dwelling
2013/128	65-71 Cadell Street, Corowa	Shed
2013/129	158 Adams Street, Corowa	Shed
2013/130	80 Damlan Crescent, Mulwala	Dwelling & Shed
2013/131	71-73 Binda Road, Mulwala	Dwelling

DEVELOPMENT APPLICATIONS

The following development applications have been determined under delegated authority by the granting of consent subject to conditions.

DEVELOPMENT APPLICATION REGISTERED NO. 2013/093

Application for boundary realignment on rural land being Lot 460; DP 753734 & Lot 3; DP 538995; 719 Tom Roberts Road, Corowa.

THIS IS PAGE NUMBER 4 OF THE MINUTES OF AN ORDINARY MEETING OF THE COROWA SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, COROWA ON 16 JULY 2013.

MAYOR _____ GENERAL MANAGER _____

DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT – PART 3 AS SUBMITTED TO AN ORDINARY MEETING OF THE COROWA SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, COROWA ON 21 OCTOBER 2014.

MAYOR _____ GENERAL MANAGER _____



**Department of
Primary Industries
Office of Water**

General Manager
Corowa Shire Council
PO Box 77
COROWA NSW 2646

Contact Tim Baker
Phone 02 6841 7403
Mobile 0428 162 097
Fax 02 6884 0096
Email Tim.Baker@water.nsw.gov.au

Our ref ER22452

Attention: Bob Parr

Dear Mr Parr

**Planning proposal to amend Corowa LEP 2012 –
Corowa Rd, Mulwala between Lang and North Streets, Lake Frontage**

I refer to your letter dated 21st August 2013 requesting comments on the planning proposal to amend the Corowa LEP 2012. The NSW Office of Water has reviewed the proposal and it is recognised the key aspect is to amend the current river front building line for a set of land parcels adjacent to Lake Mulwala. Based on this review the proposal is increasing the setback distances for each of the nominated lot parcels. The NSW Office of Water is supportive of this proposal.

Should you have any further queries in relation to this submission please do not hesitate to contact Tim Baker on (02) 6841 7403.

Yours sincerely

Mitchell Isaacs
Manager Strategic Stakeholder Liaison
17 September 2013

www.water.nsw.gov.au | NSW Office of Water

209 Cobra St, Dubbo | PO Box 717 Dubbo NSW 2830 | t 02 6884 2560 | f 02 6884 0096

DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT – PART 3 AS SUBMITTED TO
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MAYOR _____

GENERAL MANAGER _____

Corowa Shire Council Mail - ORH response to Proposal to Amen... <https://mail.google.com/mail/u/0/?ui=2&ik=06c96c549a&view=p...>

Corowa Shire

Bob Parr <bob.parr@corowa.nsw.gov.au>

OEH response to Proposal to Amend Corowa LEP (Corowa Road Mulwala)
1 message

Peter Ewin <Peter.Ewin@environment.nsw.gov.au>
To: "bob.parr@corowa.nsw.gov.au" <bob.parr@corowa.nsw.gov.au>

9 September 2013 12:03

Bob,

As discussed on Friday, at this stage OEH has no comment to make in regards to the proposed amendment to the *Corowa Local Environmental Plan 2012 - Corowa Road; Mulwala between Lang and North Streets*.

I contacted Tobl Amendments in regard to the previous correspondence and hopefully he will provide a response over the next couple of days.

Do not hesitate to contact me on the number below in regard to these or any other matters.

Cheers,

Peter

Peter Ewin

Team Leader Planning, South West

Regional Operations Group (South Branch)

Office of Environment and Heritage

Ph: 03 5021 8915

Fax: 03 5022 2037

Mob: 0427 433 937

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Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the Office of Environment and Heritage, NSW Department of Premier and Cabinet.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

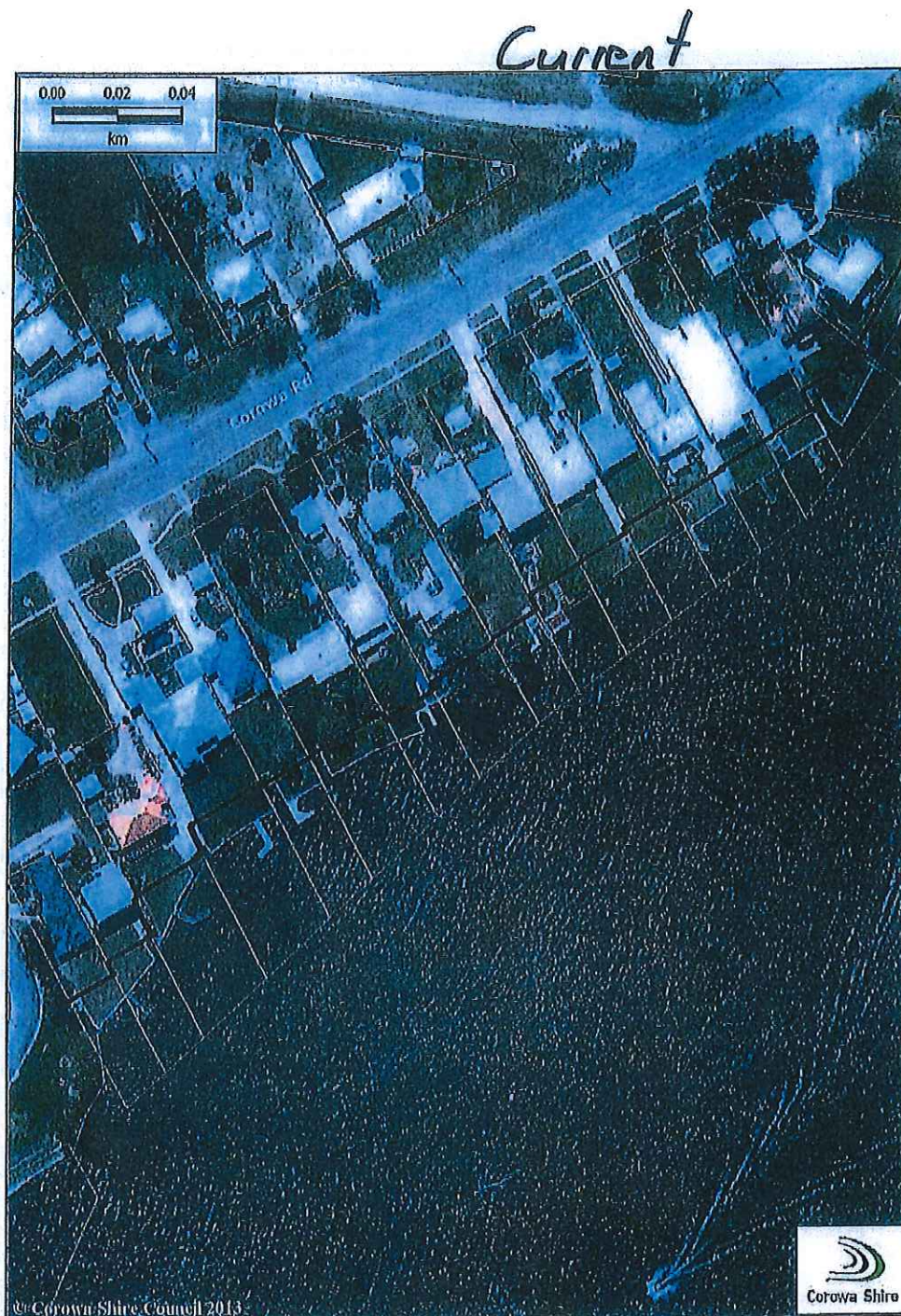
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9/09/2013 2:39 PM

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MAYOR _____

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**About this Document**

This map has been created for the purpose of showing basic locality information over Corowa Shire Council. Property boundary line network data is supplied by State Government. Any error should be reported to the GIS Officer, Corowa Shire Council.

Disclaimer

This map is a representation of the information currently held by Corowa Shire Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated.

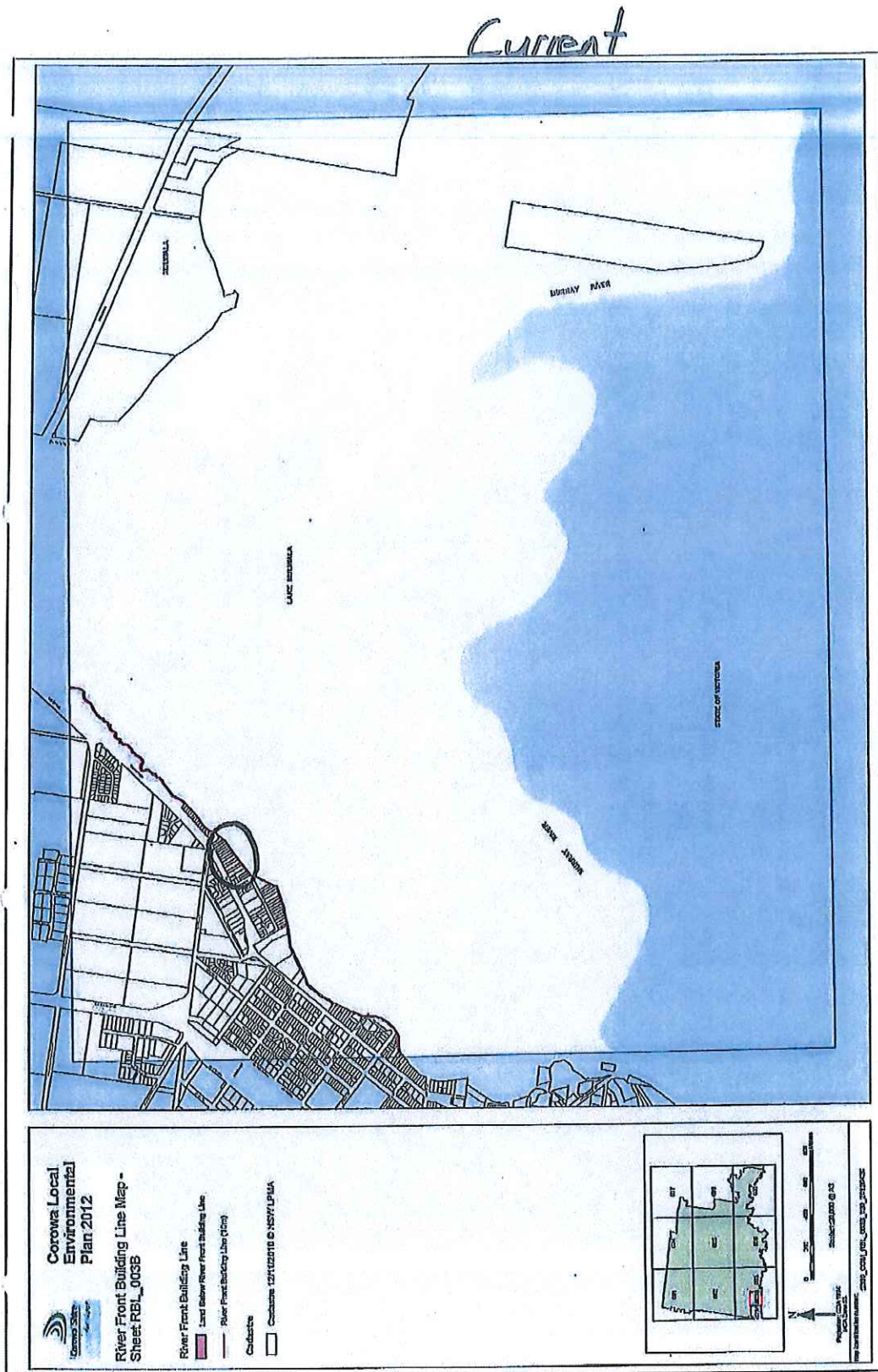
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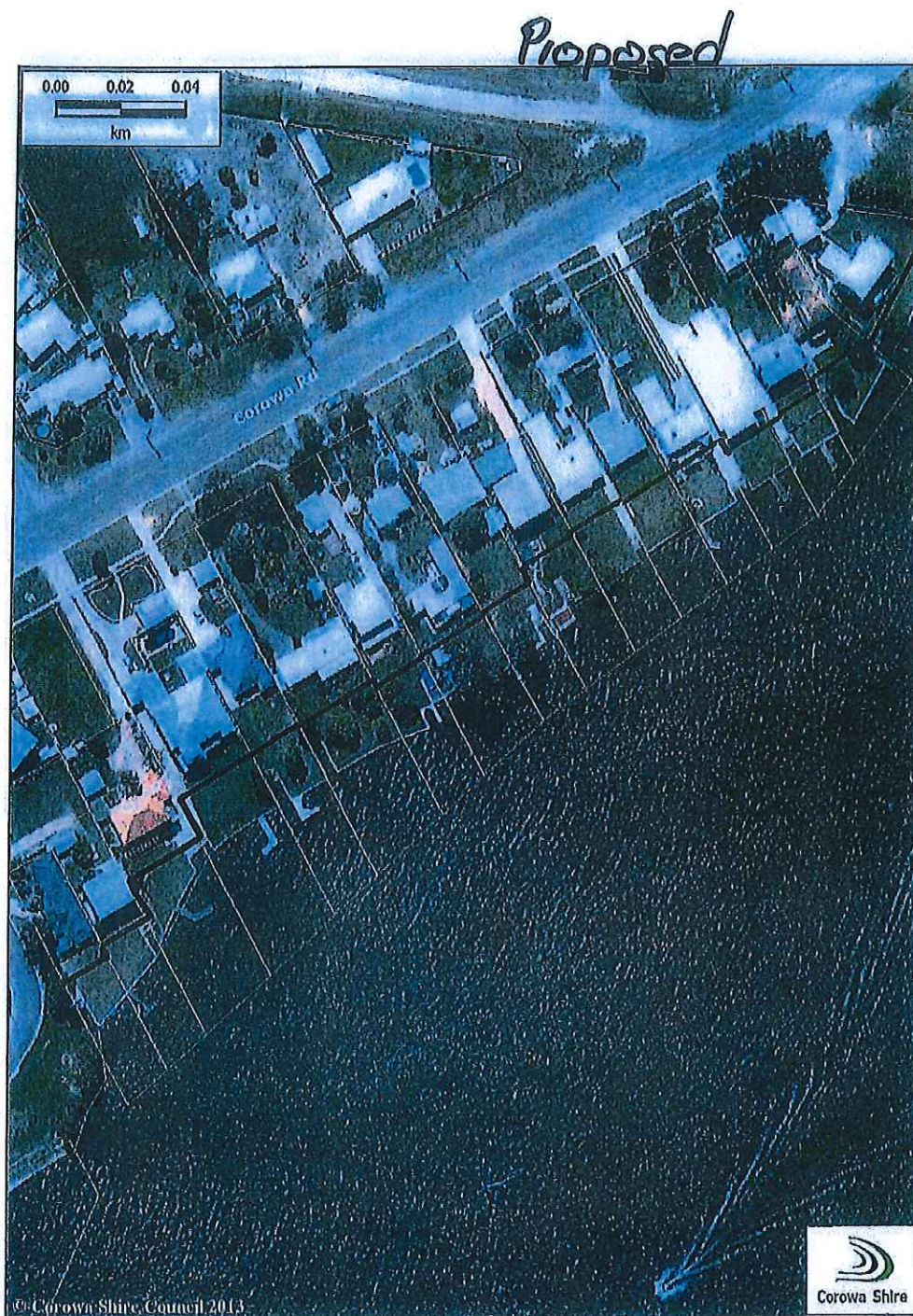
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Created: Tuesday, 9 July 2013

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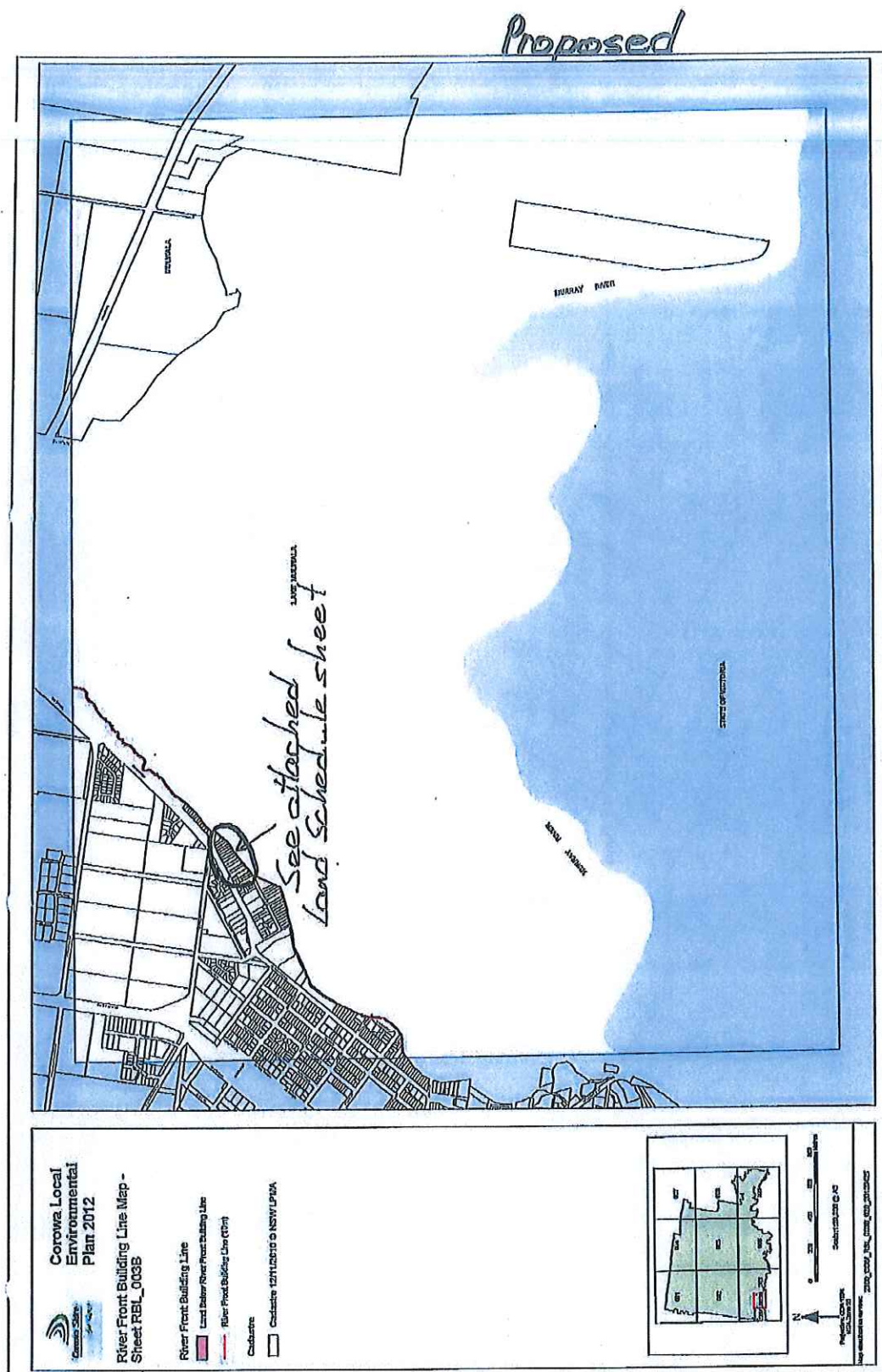
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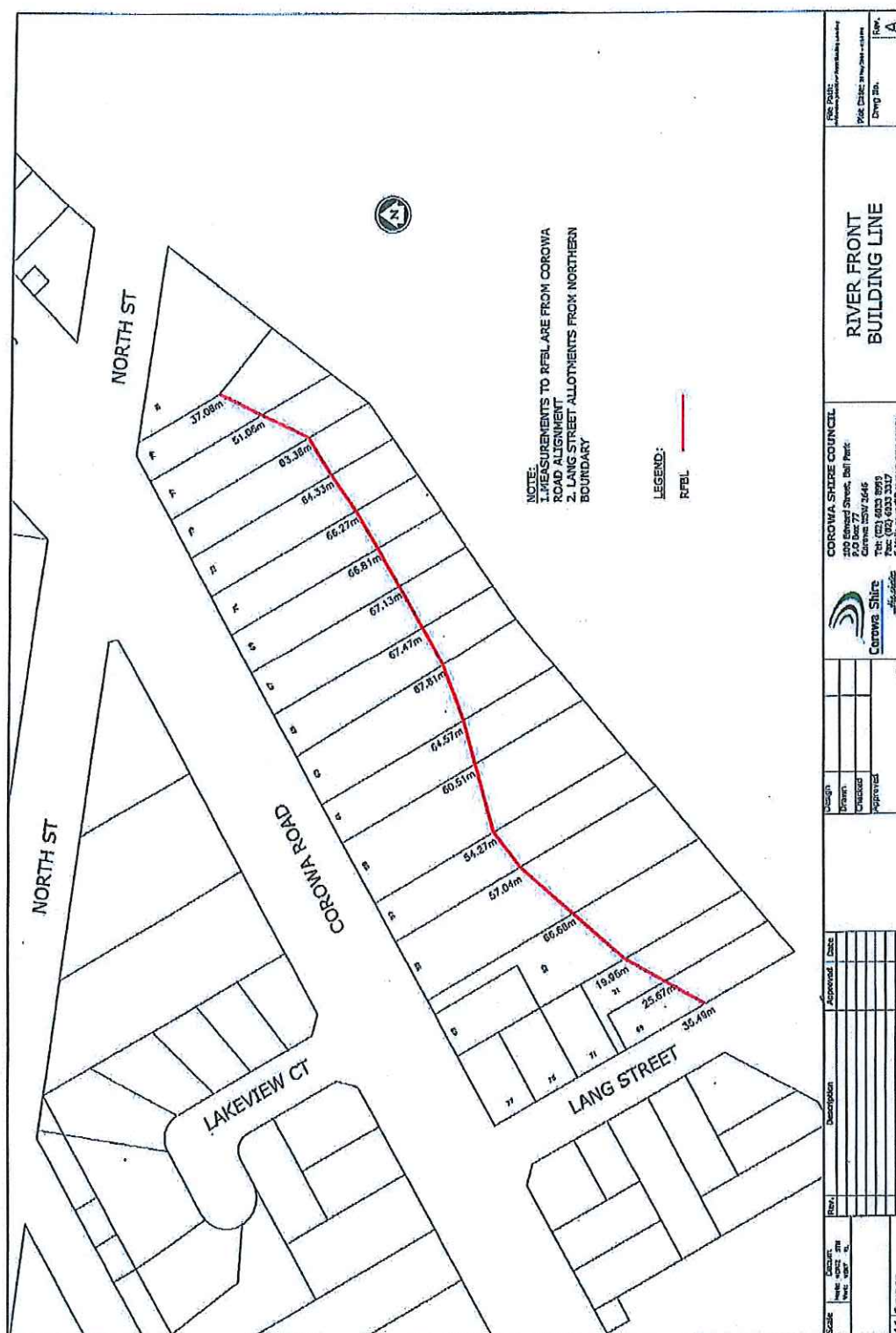
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MAYOR _____

GENERAL MANAGER _____

**Planning & Infrastructure**

Contact: Jenna McNabb
Phone: (02) 6841 2180
Fax: (02) 6884 8483
Email: jenna.mcnabb@planning.nsw.gov.au
Postal: PO Box 58, Dubbo NSW 2830

Our ref: PP_2013_COROW_004_00 (13/11219)
Your ref: BP:LA - Planning

Mr BJ Corcoran
General Manager
Corowa Shire Council
PO Box 77
COROWA NSW 2646

Dear Mr Corcoran

**Planning proposal to amend Corowa Local Environmental Plan (2012) –
Amendment 4 – Amend River Front Building Line, Lang Street & Corowa
Road, Mulwala**

I am writing in response to your Council's letter dated 26 July 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (EP&A Act) in respect of the planning proposal to amend the River Front Building Line for 16 properties in Lang Street and Corowa Road, Mulwala.

As delegate of the Minister for Planning and Infrastructure, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

It should be noted that I have not included Lot 2 DP 528577, No. 81 Corowa Road, Mulwala, in the Gateway Determination as the River Front Building Line is not being amended and will remain at 10 metres.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office (parliamentary.counsel@pco.nsw.gov.au) 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department (planmaking.monitoring@planning.nsw.gov.au) for administrative purposes.

Western Region Office: Level 1 Area 1 No 188 Macquarie Street Dubbo NSW 2830 PO Box 50 Dubbo NSW 2830
Telephone: (02) 68412102 Facsimile: (02) 68840483 Website: www.planning.nsw.gov.au

DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT – PART 3 AS SUBMITTED TO
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The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Jenna McNabb of the regional office of the department on (02) 6841 2180.

Yours sincerely

 1-08-2013
Ashley Albury
Regional Director

Western Region Office: Level 1 Area 1 No 188 Macquarie Street Dubbo NSW 2830 PO Box 58 Dubbo NSW 2830
Telephone: (02) 68412182 Facsimile: (02) 68848483 Website: www.planning.nsw.gov.au

DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT – PART 3 AS SUBMITTED TO AN ORDINARY MEETING OF THE COROWA SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, COROWA ON 21 OCTOBER 2014.

MAYOR _____

GENERAL MANAGER _____



Planning & Infrastructure

Gateway Determination

Planning proposal (Department Ref: PP_2013_COROW_004_00): to Amendment of River Front Building Line for 16 properties at Lang Street and Corowa Road, Mulwala, and amendment of applicable mapping.

I, the Regional Director, Western Region at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Corowa Local Environmental Plan (LEP) 2012 to Amendment of River Front Building Line for 16 properties at Lang Street and Corowa Road, Mulwala, and amendment of applicable mapping should proceed subject to the following conditions:

1. 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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)* and 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)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - NSW Office of Water
 - Department of Primary Industries – Fisheries
 - Office of Environment and Heritage

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.
3. Council is to prepare amended maps which are at an appropriate scale and clearly identifies the subject land for the Section 59 submission that are compliant with the Departments Standard technical requirements for LEP maps. The following maps are to be amended:
 - River Front Building Line Map applicable to the subject land.

PP_2013_COROW_003_00 (13/11219)

DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT – PART 3 AS SUBMITTED TO AN ORDINARY MEETING OF THE COROWA SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, COROWA ON 21 OCTOBER 2014.

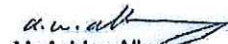
MAYOR _____

GENERAL MANAGER _____

**Planning &
Infrastructure**

4. 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).
5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Dated *1st* day of *August* 2013.


Mr Ashley Albury
Regional Director

PP_2013_COROW_003_00 (13/11219)

DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT – PART 3 AS SUBMITTED TO AN ORDINARY MEETING OF THE COROWA SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, COROWA ON 21 OCTOBER 2014.

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**Planning &
Infrastructure****WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

Corowa Shire Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by Instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_COROW_004_00	Planning Proposal for the Amendment of River Front Building Line for 16 properties at Lang Street and Corowa Road, Mulwala, and amendment of applicable River Front Building Line mapping.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "A guideline for the preparation of local environmental plans 2013" and "A guide to preparing planning proposals".

Dated *1st August* 2013


Ashley Albury
Regional Director

Delegate of the Minister for Planning and Infrastructure

DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT – PART 3 AS SUBMITTED TO AN ORDINARY MEETING OF THE COROWA SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, COROWA ON 21 OCTOBER 2014.

MAYOR _____

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**Corowa Shire***...the choice*

REFERENCE: BP:LA – Planning
CONTACT: MR BOB PARR

26 July 2013

Mr A Albury
Regional Director
Western Division
Department of Planning and Infrastructure
PO Box 58
DUBBO NSW 2830

Dear Sir

RE: REQUEST FOR INITIAL GATEWAY DETERMINATION

Relevant Planning Authority Details

Corowa Shire Council
Contact Person: Bob Parr – (02) 6033 8921 or 0407 698 789
bob.parr@corowa.nsw.gov.au

Planning Proposal Details

1 Land Involved:

- 1 Lot 2 DP 539336 – 69 Lang Street, Mulwala. Proposed to amend the river front building line from 10m to 15m. This will require an amendment to RBL_003B.
- 1 Lot 12 DP 587683 – 71 Lang Street, Mulwala. Proposed to amend the river front building line from 10m to 15m. This will require an amendment to RBL_003B.
- 2 Lot 5 DP 228967 – 53 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 15m. This will require an amendment to RBL_003B.
- 2 Lot 24 DP 1059738 – 55 Corowa Road, Mulwala. Proposed to amend the river front building line from 10m to 20m. This will require an amendment to RBL_003B.
- 3 Lot 1 DP 229867 – 57 Corowa Road, Mulwala. Proposed to amend the river front building line from 10m to 20m. This will require an amendment to RBL_003B.
- 4 Lot 1 DP 214523 – 59 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 20m. This will require an amendment to RBL_003B.
- 5 Lot 2 DP 214523 – 61 Corowa Road, Mulwala. Proposed to amend the river front building line from 10m to 20m. This will require an amendment to RBL_003B.

COROWA SHIRE COUNCIL ABN 43 874 223 315 All correspondence to be addressed to the General Manager
100 Edward St, Ball Park, Corowa PO Box 77, Corowa NSW 2646
Phone 02 6033 8999 Fax 02 6033 3317 Email council@corowa.nsw.gov.au www.corowa.nsw.gov.au

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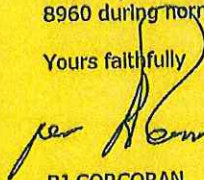
MAYOR _____

GENERAL MANAGER _____

- 6 Lot 2 SP 53187 – 63A Corowa Road, Mulwala. Proposed to amend the river front building line from 10m to 20m. This will require an amendment to RBL_003B.
 - 7 Lot 1 DP 524784 – 65 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 20m. This will require an amendment to RBL_003B.
 - 8 Lot 2 DP 31429 – 67 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 20m. This will require an amendment to RBL_003B.
 - 9 Lot 3 DP 31429 – 69 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 20m. This will require an amendment to RBL_003B.
 - 10 Lot 4 DP 31429 – 71 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 18m. This will require an amendment to RBL_003B.
 - 11 Lot 5 DP 31429 – 73 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 18m. This will require an amendment to RBL_003B.
 - 12 Lot 6 DP 31429 – 75 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 15m. This will require an amendment to RBL_003B.
 - 13 Lot 7 DP 31429 – 77 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 15m. This will require an amendment to RBL_003B.
 - 14 Lot 1 DP 526577 – 79 Corowa Road, Mulwala. Proposed to amend river front building line from 10m to 15m. This will require an amendment to RBL_003B.
 - 15 Lot 2 DP 526577 – 81 Corowa Road, Mulwala. 10m river front building line to remain unaltered.
- 2 **Maps:** See attached location maps and River Front Building Line maps
 - 3 **Completed Planning Proposal:** See enclosed
 - 4 **Planning proposal has been supported by Council:** Council has considered the written planning proposal and attached is the Council resolution to send the written planning proposal to the Department of Planning and Infrastructure.

Should you require any further information, please contact Mr Bob Parr on (02) 6033 8960 during normal office hours.

Yours faithfully


BJ CORCORAN
GENERAL MANAGER

DIRECTOR ENVIRONMENTAL AND PLANNING SERVICES' REPORT – PART 3 AS SUBMITTED TO AN ORDINARY MEETING OF THE COROWA SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, COROWA ON 21 OCTOBER 2014.

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