

Reference: 14/12511
Contact: Bob Parr

4 November 2014

Mr A Albury
General Manager
Western Division
Department of Planning and Environment
PO Box 58
Dubbo NSW 2830

Attention: Jenna McNabb

Dear Sir

Re: Corowa LEP 2012 (Amendment No 4) - Timetable

Although described in the Section 59 Report Council wishes to highlight the procedures that occurred that resulted in the Planning Proposal process taking in excess of the 12 months timetable prescribed by condition 5 of the Gateway Determination – PP_2013_COROW_004_00.

A summary of the procedures and processes that occurred from the Gateway Determination to the adoption of the section 59 planning report is as follows:

The Gateway Determination was granted on 1 August 2013.

The advertisement for the Planning Proposal appeared in local newspapers on 28 August 2013, 4, 11, 18 and 25 September 2013.

Letters were forward to the identified government agencies on 21 August 2013.

Letters were written to the owners of the 16 properties subject to the Planning Proposal on 22 August 2013, advising them of the public notification.

A Post Exhibition Review report was presented to the 19 November 2013 Council monthly meeting where it was resolved "that Council not proceed with the current form of the Planning Proposal and that this be reviewed with regard to the building alignment".

On 10 January 2014 Council wrote to the 16 property owners and invited them to a meeting to "discuss a suitable and practicable river front building alignment and recognising the existence of the easement for storage purposes that is applicable to all properties in Corowa Road, Mulwala between Lang and North Streets.

The meeting was held at the Mulwala Civic Centre on Wednesday 29 January 2014.

On 4 February 2014 the owners of properties that were not able to attend the meeting were written to advising of the outcome of the meeting i.e. "that the preferred location of the River Front Building Line be the 'Easement for Storage Purpose' line to which all allotments in this section of Corowa Road are subject to and that is detailed on all Certificates of Title". They were also invited to advise Council if they were supportive of the proposal or if they had an alternate location for the River Front Building Line.

The outcome of the meeting and the further invitation to the land owners not able to attend the meeting was reported to the February 2014 monthly meeting of Council.

A further report was presented to the March 2014 monthly meeting of Council after reviewing all comments from both the meeting and written submissions. It was clear that the majority of property owners were supportive of the 'Easement for Storage Purpose' option for the River Front Building Line. At this meeting it was resolved "That Planning Proposal 4 – River Front Building Line applicable to Corowa Road, Mulwala between Lang and North Streets be readvertised and that the building line be the 'Easement for Storage Purpose' that is identified on all Certificates of Title".

The new River Front Building Line was advertised on 16 April 2014 for a period of 30 Days

The applicable government agencies were again written to on 14 April 2014 notifying them of the proposed change of the location of the River Front Building Line and their comments sought.

Letters were also forwarded on 14 April 2014 to the impacted 16 property owners advising them of the documents that were on public exhibition. A copy of the proposed alignment was also attached to the notification.

A 2nd Post Exhibition Review report was presented to Council at its 17 June 2014 monthly meeting. At this meeting it was resolved "that it has reviewed the Planning Proposal following re-exhibition and resolves to proceed with the Planning Proposal as re-exhibited.

The request for a Draft Instrument was forwarded to Parliamentary Counsel on 26 August 2014.

The Opinion form PC was received on 11 September 2014.

The Section 59 report was presented to Councils at its 21 October 2014 monthly meeting where it was resolved "that Council adopts this report, its attachments and all submissions in accordance with Section 59 of the Environmental Planning and Assessment Act 1979 and Council further directs the General Manager (a delegate of the Minister for Planning) to make the Plan in accordance with this Sect 59 planning report".

Yours faithfully



Bob Parr
Director Planning & Environmental Services