

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)?

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.

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.

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	Objective	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.

3.3	Home Occupations	The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	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

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

Attachment B

Consistency with SEPP's

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

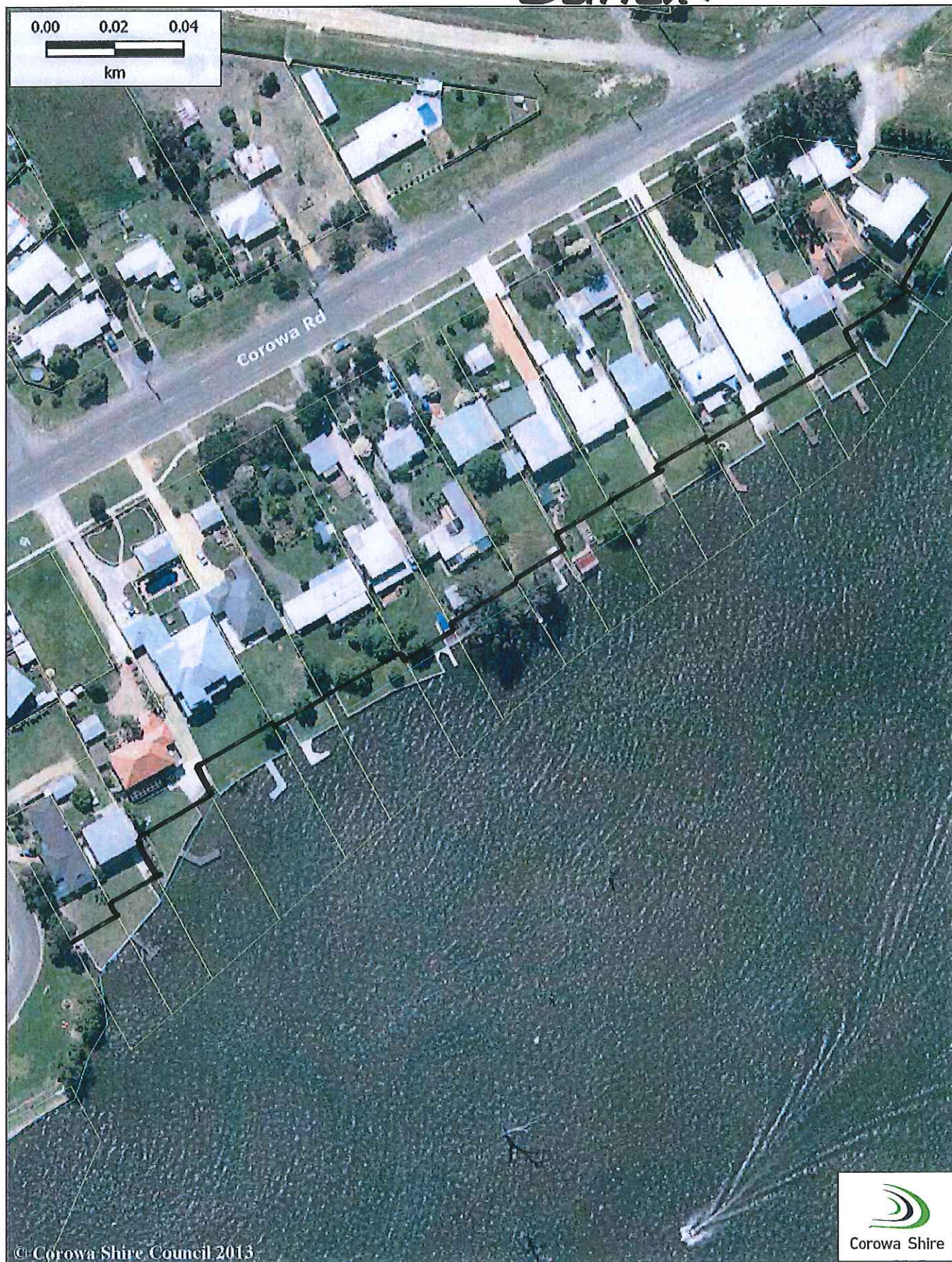
EPI	Applicable	Relevant	Consistent	Comments
Murray Regional Environmental Plan No 2—Riverine Land	Yes	Yes	Yes	The PP is generally consistent with the provisions of the MREP
State Environmental Planning Policy No 1—Development Standards	Yes	Yes	Yes	This SEPP may apply to development of the land to which 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

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

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

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

Current



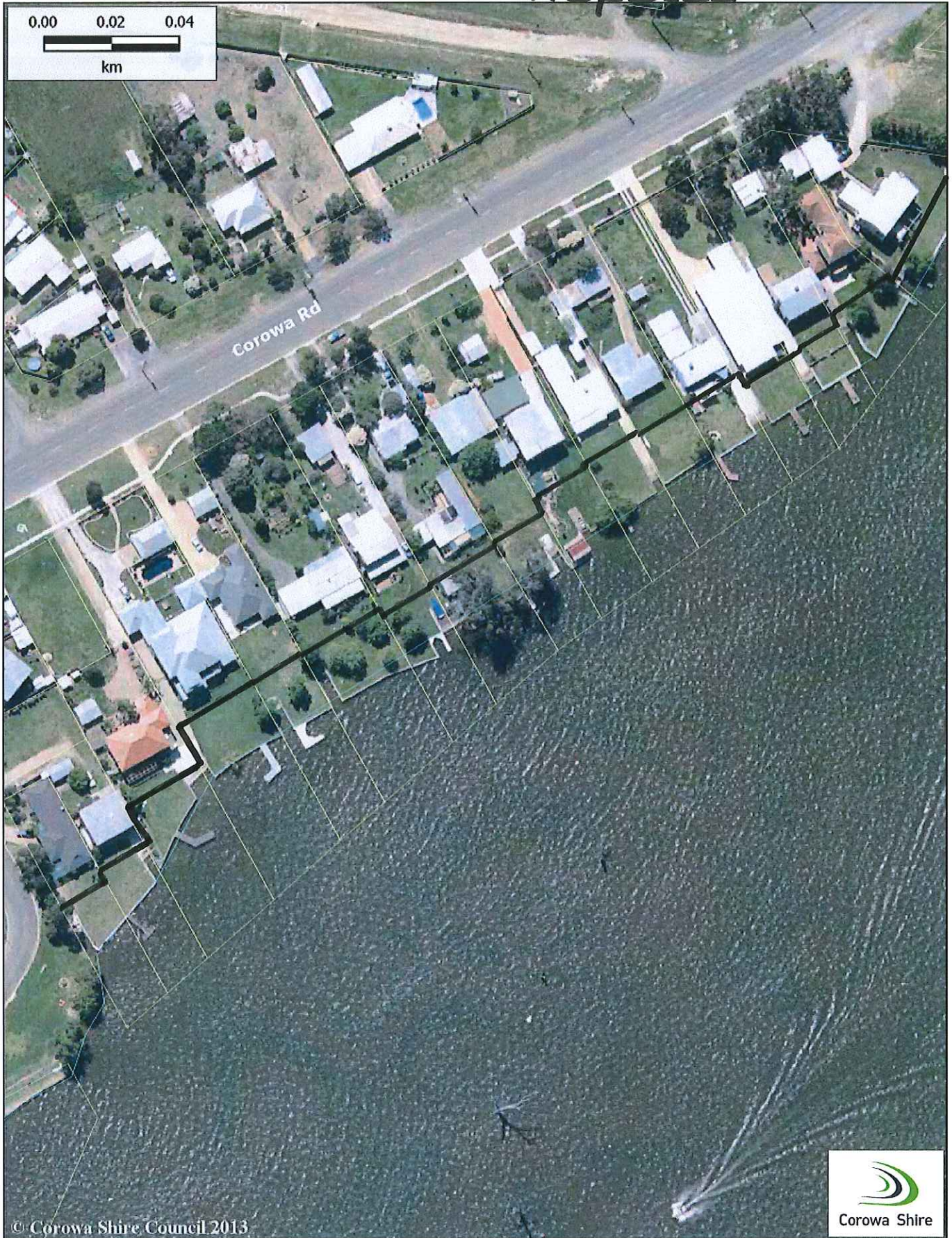
About this Document

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.

Proposed



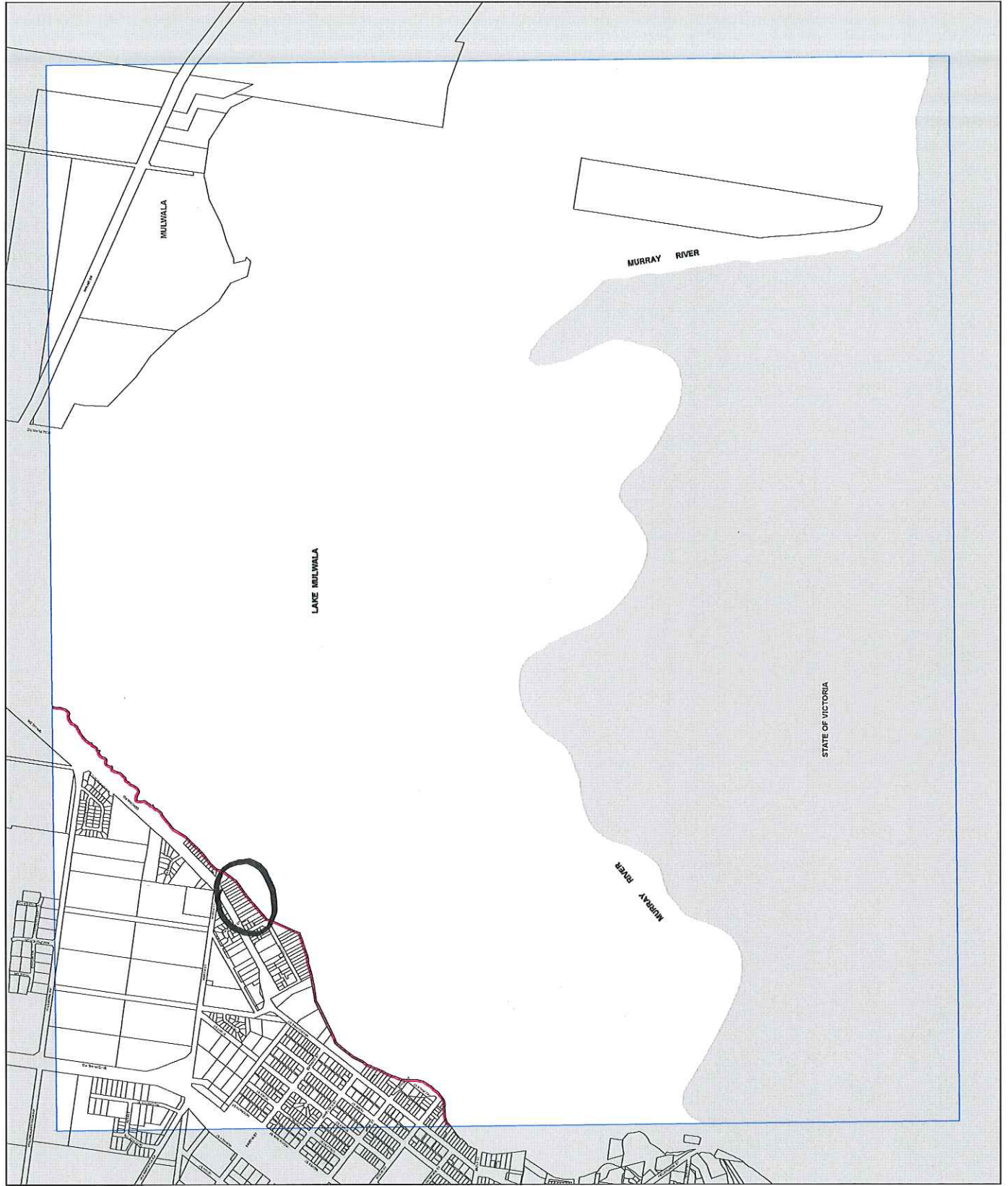
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Current



**Corowa Local
Environmental
Plan 2012**

**River Front Building Line Map -
Sheet RBL_003B**

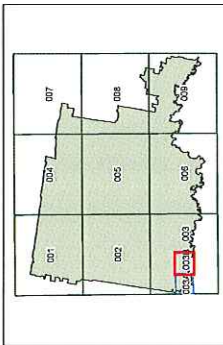
River Front Building Line

- Land Below River Front Building Line
- River Front Building Line (10m)

Cadastral

- Cadastral

Cadastral 12/11/2010 © NSW LPM



Scale: 1:20,000 @ A3

Projection: GDA 1984
MGA Zone 55

Map identification number: 2300_CCM_RBL_003B_020_20120426

Proposed

Corowa Local
Environmental
Plan 2012

River Front Building Line Map -
Sheet RBL_003B

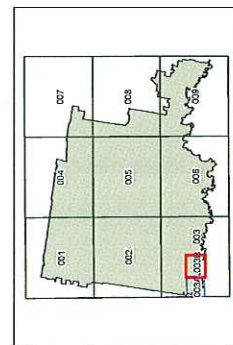
River Front Building Line

 Land Below River Front Building Line

— River Front Building Line (10m)

Cadastre

☐ Cadastre 12/11/2010 © NSW LPMA

Projection: GDA 1994
MGA Zone 55

Map Identification number:

2300_COM_RBL_003B_020_20120426

Proposed

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Land Schedule

Lot DP	Street Address	Proposed River Front Building Line
Lot 2 DP 539336	69 Lang Street	15 metres
Lot 12 DP587683	71 Lang Street	15 metres
Lot 5 DP 228967	53 Corowa Road	15 metres
Lot 24 DP 1059738	55 Corowa Road	20 metres
Lot 1 DP 228967	57 Corowa Road	20 metres
Lot 1 DP 214523	59 Corowa Road	20 metres
Lot 2 DP 214523	61 Corowa Road	20 metres
Lot 2 SP 53187	63A Corowa Road	20 metres
Lot 1 DP 524784	65 Corowa Road	20 Metres
Lot 2 DP 31429	67 Corowa Road	20 metres
Lot 3 DP 31429	69 Corowa Road	20 metres
Lot 4 DP 31429	71 Corowa Road	18 Metres
Lot 5 DP 31429	73 Corowa Road	18 metres
Lot 6 DP 31429	75 Corowa Road	15 metres
Lot 7 DP 31429	77 Corowa Road	15 metres
Lot 1 DP 526577	79 Corowa Road	15 metres
Lot 2 DP 526577	81 Corowa Road	10 metres