

Corowa Local Environmental Plan 2012 - Amendment No. 5 - Rezoning of Lot 13 DP 193072 and Lot 14 DP 193072, No. 249 Honour Avenue, Corowa from B2 - Local Centre to R1 - General Residential

Proposal Title :	Corowa Local Environmental Plan 2012 - Amendment No. 5 - Rezoning of Lot 13 DP 193072 and Lot 14 DP 193072, No. 249 Honour Avenue, Corowa from B2 - Local Centre to R1 - General Residential		
Proposal Summary :	To rezone Part Lot 13 DP 193072 and Part Lot 14 DP 193072, No. 249 Honour Avenue, Corowa from B2 - Local Centre to R1 - General Residential		
PP Number :	PP_2014_COROW_001_00	Dop File No :	14/1101

Proposal Details

Date Planning Proposal Received :	23-Dec-2013	LGA covered :	Corowa
Region :	Western	RPA :	Cowra Shire Council
State Electorate :	ALBURY	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	249 Honour Avenue		
Suburb :	City :	Postcode :	2646
Land Parcel :	Lot 13 DP 193072		
Street :	249 Honour Avenue		
Suburb :	City :	Postcode :	2646
Land Parcel :	Lot 14 DP 193072		

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	2	No. of Dwellings (where relevant) :	2
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **The Planning Proposal involves the rezoning of Lot 13 and 14 DP 193072, No. 249 Honour Avenue, Corowa, from B2 - Local Centre to R1 - General Residential.**

The subject allotments form part of a boundary adjustment development application which is currently before Council, to subdivide the allotments from the adjoining Lot 1 DP 193072.

The Newmarket Hotel currently exists on Lot 1, and Lots 13 and 14 have previously been utilised for the purposes of a beer garden associated with the hotel, however, have not been for some years and are now considered to be surplus to the needs of the hotel. The subject site is now vacant.

Lots 13 and 14 are deemed to have little potential to ever be utilised for a commercial purpose, given they directly adjoin residential land to the north-east, fronting John Street (see map).

The proposed amendment will introduce a R1 - General Residential zoning to the property, and also impose a 550m2 minimum lot size provision, in accordance with the surrounding residential area.

The subject site was zoned B2 under the Corowa LEP 2012, in accordance with the Corowa Strategic Land Use Plan (endorsed 25 June 2012), however, at a site specific level, the subject site is more suited to residential land uses.

External Supporting Notes :

Adequacy Assessment

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Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The statement of objectives clearly identifies the intent of the planning proposal is to rezone the subject allotments from B6 to R1.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The intended outcome of the planning proposal will be achieved by**

*** Amending the Land Zoning Map LZN_006A showing the subject allotments zoned R1 - General Residential; and**

*** Amending Lot Size Map LSZ_006A showing the subject allotments as having a minimum lot size of 550m².**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

3.1 Residential Zones

3.4 Integrating Land Use and Transport

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **The planning proposal is consistent with the s117 directions.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **A period of 28 days community consultation has been proposed. This is considered to be sufficient.**

Additional Director General's requirements

Are there any additional Director General's requirements? **N/A**

If Yes, reasons :

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Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP :

The Corowa LEP 2012 was notified on 5 October 2012.

Assessment Criteria

Need for planning proposal :

The Corowa Shire Strategic Land Use Plan considered the future growth potential for all villages within the Corowa LGA, including the Corowa township. This document provided a background document to the formulation of the new principal LEP. The Strategy encourages new commercial and retail development to be established primarily within the existing town center and along major spines and nodes. The current B6 zoning reflects the intention for encouraging new business growth, however, at a site specific level, the application of a commercial zone to two rear lots within a residential context is not considered to reflect the future urban intentions of Corowa.

Residential land uses are prohibited in the existing B2 zone.

The planning proposal is therefore required to provide a more appropriate zoning to the subject land, which is better served as residential land than commercial land, when assessed in a local context.

Consistency with strategic planning framework :

The Strategy identifies the subject land as being located on the fringe of the commercial area of Corowa, and also shows the adjacent residential land.

The proposed zoning change, whilst inconsistent with the preferred land use identified in the strategy, is considered to be more appropriate at a site specific level.

Environmental social economic impacts :

The proposed rezoning does not trigger any immediate environmental or social impacts.

Any impacts would be assessed via Section 79C of the EP & A Act at the development stage. Currently, any proposed commercial development proposed on the subject site would need to consider the adjacent residential zoning, and propose mitigation for any adverse impacts on adjoining land. The proposed rezoning to R1 would require a residential dwelling to consider the adjacent commercial premises at 79C stage of assessment.

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Assessment Process

Proposal type : **Consistent** Community Consultation Period : **28 Days**
 Timeframe to make LEP : **12 months** Delegation : **RPA**
 Public Authority Consultation - 56(2) (d) : **Essential Energy Office of Environment and Heritage**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
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Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport**

Additional Information : **The planning proposal is supported, with 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

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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. 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).

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

4. Council is to consult with the following agencies:

- Essential energy
- NSW Office of Environment & Heritage.

5. Council is to prepare amended maps which are at an appropriate scale and clearly identify 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:

- Lot Size Map (LSZ_006A); and
- Land Zoning Map (LZN_006A)

6. Council be issued with authorisation to complete the planning proposal.

Supporting Reasons :

The proposed R1 zoning is considered to be a more appropriate zoning for the subject land, which is better suited for residential use than commercial use, when assessed in a local context.

Signature:



Printed Name:

Azaria Dobson

Date:

10/1/14