

Corowa LEP 2012 - Amend Minimum Lot size and zoning for Balldale & Daysdale and various allotments

Proposal Title :	Corowa LEP 2012 - Amend Minimum Lot size and zoning for Balldale & Daysdale and various allotments		
Proposal Summary :	Amend the Land Zoning Map to reflect change of zoning from RU1 Primary Production to E3 Environmental Management on land Lot 51 & 52 DP 553550, Lot 8 & 9 DP 25658, Lot 1 DP 1093838, Lot 297 DP 753734, Lot 2 DP 862442, SP 53310, Lot 2 DP 235495, Lot 1 DP 745900, Corowa. Amend the Land Zoning Map to reflect change of zoning from SP2 Infrastructure to R1 General Residential on Lot 1 DP 789429, Howlong. Amend the Minimum Lot Size Map to reflect a reduction in minimum lot size to 2000 square metres for the Villages of Balldale & Daysdale.		
PP Number :	PP_2015_COROW_003_00	Dop File No :	15/13634

Proposal Details

Date Planning Proposal Received :	08-Sep-2015	LGA covered :	Corowa
Region :	Western	RPA :	Corowa Shire Council
State Electorate :	ALBURY	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	Balldale & Daysdale		
Suburb :	Balldale & Daysdale	City :	Balldale & Daysdale
Land Parcel :	Villages of Balldale & Daysdale		
Street :	Corowa		
Suburb :	Corowa	City :	Corowa
Land Parcel :	Lot 1 DP 789429, Pearce St, Howlong		
Street :	Corowa		
Suburb :	Corowa	City :	Corowa
Land Parcel :	Lot 51 DP 553550, No. 466 Honour Ave, Corowa		
Street :	Corowa		
Suburb :	Corowa	City :	Corowa
Land Parcel :	Lot 52 DP 553550, No. 532-554 Honour Ave, Corowa		
Street :	Corowa		
Suburb :	Corowa	City :	Corowa
Land Parcel :	Lot 8 DP 235658, No. 566 Honour Ave, Corowa		

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Street :	Corowa		
Suburb :	Corowa	City :	Corowa
		Postcode :	2646
Land Parcel :	Lot 9 DP 235658, No. 532-554 Honour Ave, Corowa		
Street :	Corowa		
Suburb :	Corowa	City :	Corowa
		Postcode :	2646
Land Parcel :	Lot 1 DP 1093838, Honour Ave, Corowa		
Street :	Corowa		
Suburb :	Corowa	City :	Corowa
		Postcode :	2646
Land Parcel :	Lot 297 DP 753734, Honour Ave, Corowa		
Street :	Corowa		
Suburb :	Corowa	City :	Corowa
		Postcode :	2646
Land Parcel :	Lot 2 DP 862442, No. 620-624 Honour Ave, Corowa		
Street :	Corowa		
Suburb :	Corowa	City :	Corowa
		Postcode :	2646
Land Parcel :	Lots 1-2 SP 53310, No. 1,2 & 18 Honour Ave, Corowa		
Street :	Corowa		
Suburb :	Corowa	City :	Corowa
		Postcode :	2646
Land Parcel :	Lot 2 DP 235495, Honour Ave, Corowa		
Street :	Corowa		
Suburb :	Corowa	City :	Corowa
		Postcode :	2646
Land Parcel :	Lot 1 DP 745900, No. 620-624 Honour Ave, Corowa		

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre :	Release Area Name :
Regional / Sub	Consistent with Strategy :
Regional Strategy :	

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MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
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 : **Map Sheet LZN_006A made as Corowa LEP 2012 Amendment 5 was inconsistent with the intent of the Amendment, which inadvertently rezoned a number of lots from E3 Environmental Management to RU1 Primary Production in Corowa. This amendment proposes to reinstate the correct zone to the subject allotments on Map Sheet LZN_006A.**

The planning proposal seeks to amend the Lot Size Maps for the Balldale and Drysdale villages from 5ha to 2000m2 which is consistent with the RU5 Village land use zone.

The planning proposal seeks to zone some SP2 Infrastructure zoned land to R1 General Residential, Map Sheet LZN_009A, and apply a 550m2 minimum lot size development standard. This lot was previously mapped as Township (residential) but was inadvertently rezoned to SP2 Infrastructure during an amendment. The proposed amendments are supported.

External Supporting Notes :

Adequacy Assessment

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

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

Comment : **The planning proposal states the objectives are to amend the Land Zoning Map and the Minimum Lot Size Map on various parcels of land.**

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

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

Comment : **The explanation of provisions states that the objective of the planning proposal is to amend the Land Zoning Map and the Minimum Lot Size Map and is consistent with the objectives of the proposal.**

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.2 Rural Zones
1.5 Rural Lands
2.1 Environment Protection Zones
2.3 Heritage Conservation
3.1 Residential Zones
3.2 Caravan Parks and Manufactured Home Estates
3.3 Home Occupations
3.4 Integrating Land Use and Transport
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions

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 No 1—Development Standards
SEPP No 21—Caravan Parks
SEPP No 30—Intensive Agriculture
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)
SEPP No 33—Hazardous and Offensive Development
SEPP No 36—Manufactured Home Estates
SEPP No 44—Koala Habitat Protection
SEPP No 50—Canal Estate Development
SEPP No 55—Remediation of Land
SEPP No 62—Sustainable Aquaculture
SEPP No 64—Advertising and Signage
SEPP No 65—Design Quality of Residential Flat Development
SEPP No 70—Affordable Housing (Revised Schemes)
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing for Seniors or People with a Disability) 2004
SEPP (Infrastructure) 2007
SEPP (Major Projects) 2005
SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP (Rural Lands) 2008

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

1.2 Rural Zones: The Ministerial Direction applies to protect the agricultural production value of rural land. The direction is relevant to the planning proposal as it proposes to rezone some land zoned RU1 Primary Production to E3 Environmental Management. The planning proposal is consistent with this direction in that there is no rural land being rezoned to residential, business, industrial, village or tourist zones nor does it contain any provisions to increase the permissible density of any rural land. The subject land has environmental value, partly containing riverine wetlands, and reinstating the previous E3 zoning will provide additional protection to the land.

1.5 Rural Lands: The Ministerial Direction applies to protect the agricultural value of rural land and to facilitate the orderly and economic development of rural lands for rural and related purposes. This direction is relevant to the proposal as it proposes to change land zoned rural to environmental. The planning proposal is consistent given that it is not inconsistent with the Rural Planning/Subdivision Principles listed in the State Environmental Planning Policy (Rural Lands) 2008.

3.1 Residential Zones: This Ministerial Direction is relevant as the residential zoned land

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will have a decreased minimum lot size apply which will assist in allowing for greater diversity in building types and a reduced demand for land consumption given the higher dwelling density that will be achievable. The minimum lot size is considered appropriate and consistent to the village land.

3.4 Integrated Land Use & Transport: This Ministerial Direction is relevant as the planning proposal alters the minimum lot size of urban land. The planning proposal is consistent with this direction.

SEPP (Rural Lands) 2008: This SEPP is applicable to the proposal. The planning proposal is consistent with the aims of this policy in that it will not jeopardise the economic and orderly use of rural land given the land use zoning will change to E3 Environmental Management which will better reflect the existing land use.

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : Adequate locality maps have been provided which identify the subject land. A condition will be imposed on the Gateway determination requiring the preparation of amending Lot Size Map - Sheet LSZ_004, LSZ_009A & LSZ_008 and also the Land Zoning Map - Sheets LZN_009A & LZN_006A to comply with the map technical guidelines at Section 59 stage.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : The planning proposal will be publicly exhibited for a period of 28 days.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **June 2012**

Comments in relation to Principal LEP :

Assessment Criteria

Need for planning proposal : In the making of Corowa LEP 2012 Amendment 5, there was minor mapping inconsistencies with the intent of the Amendment. These errors are corrected in this planning proposal.

Additionally, the mapped minimum lot size for the Villages of Balldale and Drysdale will be corrected.

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The planning proposal is the best mechanism to amend the land use zoning map anomalies.

Consistency with strategic planning framework :

There is currently no regional plan applicable to the subject land.
The proposal is consistent with the Corowa Strategic Land Use Plan 2011-2031, in particular, the villages of Daysdale and Balldale which are identified as being urban and provides sufficient land for future predicted growth. In this regard the planning proposal will facilitate this in providing a smaller and more appropriate lot size allowing for a greater diversity of housing stock.

The planning proposal is not inconsistent with the applicable SEPPs and Section 117 Directions.

Environmental social economic impacts :

The two villages, Daysdale and Balldale are existing urban areas. There is no evidence of any critical habitat or threatened species within the village zones.
The villages are not connected to the effluent sewage system. This is the existing situation and the planning proposal is not likely to increase the impact as it is consistent with the existing zone and past lot size controls.

The proposal will provide residential development opportunities within the village zones and the General Residential zone within Howlong which will have social and economic benefits.

Assessment Process

Proposal type :	Consistent	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 months	Delegation :	RPA
Public Authority Consultation - 56(2) (d) :	Office of Environment and Heritage - NSW National Parks and Wildlife Service		

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 :

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Documents

Document File Name	DocumentType Name	Is Public
Consistency with SEPPS, 117s.pdf	Proposal	No
Corowa Council Report.pdf	Proposal	No
Corowa Cover Letter.pdf	Proposal	No
Corowa Draft Maps.pdf	Proposal	No

Planning Team Recommendation

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

S.117 directions:

- 1.2 Rural Zones
- 1.5 Rural Lands
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.2 Caravan Parks and Manufactured Home Estates
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions

Additional Information :

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 required to be made publicly available on exhibition for 28 days as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).

(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.

No consultation with agencies is required.

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. Prior to submission of the planning proposal under Section 59 of the EP&A Act, the LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for LEP maps'.

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

Supporting Reasons :

The planning proposal seeks to amend the Lot Size Maps for the Balldale and Drysdale villages to 2000m2 which is consistent with the RU5 Village land use zone.

Various lots are being zoned E3 Environmental Management from RU1 Primary Production as the E3 land use zone better reflects the intended land use. Given the land was previously zoned as E3, but was erroneously rezoned to RU1 during a previous planning proposal, the rezoning is supported.

The planning proposal seeks to zone some SP2 Infrastructure zoned land to R1 General

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Residential. This lot was previously mapped as Township but was erroneously rezoned to SP2 Infrastructure during a previous planning proposal. Rezoning this land to R1 is supported.

Signature:



Printed Name:

Timothy Collins

Date:

02.10.2015

Endorsed
Wyamsey
TL WR
2/10/15