

was varied, with support indicated in some instances, further information required in others, and disagreement with the suggestions at some sites.

Before any changes are implemented, consultation with the community is required, and Council has been seeking feedback for those sites that RMS supported. These are in Mulwala, as follows:

- Melbourne Street - from the canal bridge to Lake bridge (including the bridge itself) – reduce from 60km/h to 50km/h.
- Tocumwal Road – reduce the existing 100km/h speed limit to 80km/h from a point 400m west of Barooga Road to the existing 60km/h limit near Corowa Road. This includes the railway level crossing and the Savernake Road intersection and the Riverland Gardens frontage.
- Savernake Road – reduce the existing 100km/h speed limit to 80km/h from Tocumwal Road to the existing 60km/h limit.

These proposals have been notified through Council's Snippets, and some responses have been submitted, which will be referred to RMS to assist their determination.

Further information regarding traffic counts and travel speeds will be prepared to support consideration of other locations.

For Council's information.

10.9 SECTION 59 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – PLANNING REPORT- PLANNING PROPOSAL 10

Planning proposal details:

PP_2015_corow_004_00: to amend the Corowa Local Environmental Plan 2012 to permit an additional land use of land currently zoned R1 General Residential for Light Industry.

Planning Proposal summary:

To amend the Corowa LEP to permit an additional land use of land currently zoned R1 General residential for Light Industry for the following lands:

- Lot 1 DP 198396; 124-136 Federation Avenue, Corowa
- Lot 1 DP 198395; 138 Federation Avenue, Corowa

Date of Gateway Determination

26 November 2015

1.0 SUMMARY

- The inclusion of the allotments in Schedule 1 of the Corowa LEP 2012 will permit the lands to be use for the purpose of Light Industry.
- The Planning Proposal was placed on public exhibition from 2 December 2015 until 8 January 2016.
- No submissions were received from the public.

- Roads and Maritime Services asked for the consideration of traffic generation and access arrangements to Federation Avenue are considered at the time of a Development Application being considered.
- There were no amendments proposed to the Planning Proposal as a consequence of public exhibition.

2.0 GATEWAY DETERMINATION

- The Gateway Determination was issued on 26th November 2015.
- The project timetable for the completion of the Planning Proposal is 12 months from the date following the Gateway Determination.
- The Gateway Determination was not subject to a review request.
- The conditions included in the Gateway Determination have been complied with.

3.0 COMMUNITY CONSULTATION

- The Planning Proposal was placed on public exhibition from 2 December 2015 until 8 January 2016. It was available for viewing at the Corowa Council office and on Council's website.
- No submissions were received following public exhibition.
- At its Post Exhibition Review Council resolved to proceed with the Planning Proposal as exhibited.
- The Planning proposal was not re-advertised.
- 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.
- Documentation placed on public exhibition is attached.

4.0 VIEWS OF PUBLIC AUTHORITIES

- Roads and Maritime Services requested that consideration of traffic generation and access arrangements to Federation Avenue be considered at the time of a Development Application being determined.

5.0 CONSISTENCY WITH S.117 DIRECTIONS AND OTHER STRATEGIC PLANNING DOCUMENTS

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

See attachment to report.

Consistency with SEPP's

The following relevant environmental planning instruments (EPI) have been considered in the preparation of the Planning Proposal.

See attached report.

6.0 PARLIAMENTARY COUNSEL OPINION

- An opinion was sought from Parliamentary Council on 22 February 2016.
- An opinion was given on 1 March 2016 and states that the draft environmental planning instrument may be legally 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

- Amendments to map will not be required as part of this Planning proposal. Properties to be listed in Schedule 1 of Corowa LEP 2012.

RECOMMENDATION

IT IS RECOMMENDED that Council adopt this report on Planning proposal 10, its attachments 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 Section 59 planning report.

46/16 RESOLVED on the motion of Councillors Longmire and Law that that Council adopt this report on Planning proposal 10, its attachments 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 Section 59 planning report.

VOTING

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

Against: Davey.

10.10 BUILDINGS

The following construction/complying development certificates are listed for Council's information.

2015/103	12 Inglis Street Mulwala	Dwelling
2015/248	109 Little Bull Plain Road Mulwala	Shed



Gateway Determination

Planning proposal (Department Ref: PP_2015_COROW_004_00): to amend the Corowa Local Environmental Plan 2012 (LEP) to allow for the additional permitted use of certain land zoned R1 General Residential at 124-138 Federation Avenue, Corowa (Lot 1 DP 198395 and Lot 1 DP 198396) for 'light industry'.

I, the Acting General Manager, Western Region at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* to amend the Corowa Local Environmental Plan 2012 to allow for the additional permitted use of certain land at 124-138 Federation Avenue, Corowa (Lot 1 DP 198395 and Lot 1 DP 198396) for 'light industry' 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* as follows:
 - (a) the planning proposal 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 Roads and Maritime Services under section 56(2)(d) of the *Environmental Planning and Assessment Act 1979*. Roads and Maritime Services are 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. Prior to the submission of the planning proposal under section 59 of the EP&A Act the Additional Permitted Use Map is to be compliant with the Department's "Standard technical requirements for LEP Maps".
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 **26th** day of **November** 2015.

Azaria Dobson
Acting General Manager
Western Region
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Corowa Shire Council is authorised to exercise the functions of the Minister for Planning 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_2015_COROW_004_00	Planning proposal to amend the Corowa Local Environmental Plan 2012 to allow for the additional permitted use of certain land zoned R1 General Residential at 124-138 Federation Avenue, Corowa (Lot 1 DP 198395 and Lot 1 DP 198396) for 'light industry'.

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*" and "*A guide to preparing planning proposals*".

Dated **26.11** 2015

Azaria Dobson
Acting General Manager
Western Region
Department of Planning and Environment

Delegate of the Minister for Planning



PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Corowa Local Environmental Plan 2012 (Amendment No 10)

Your ref: Bob Parr PP_2015_COROW_004_00
Our ref: FG e2016-042.d03

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



(D COLAGIURI)
Parliamentary Counsel

1 March 2016

Corowa Local Environmental Plan 2012 (Amendment No 10)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Corowa Local Environmental Plan 2012 (Amendment No 10)*.

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 land at 124–138 Federation Avenue, Corowa, being Lot 1, DP 198395 and Lot 1, DP 198396.

4 Amendment of Corowa Local Environmental Plan 2012

Schedule 1 Additional Permitted Uses

Omit “(When this Plan was made this Schedule was blank)”. Insert instead:

1 Use of land at 124–138 Federation Avenue, Corowa

- (1) This clause applies to land at 124–138 Federation Avenue, Corowa, being Lot 1, DP 198395 and Lot 1, DP 198396.
- (2) Development for the purpose of light industries is permitted with development consent.



New South Wales

Corowa Local Environmental Plan 2012 (Amendment No 10)

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

Corowa Local Environmental Plan 2012 (Amendment No 10)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Corowa Local Environmental Plan 2012 (Amendment No 10)*.

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 land at 124–138 Federation Avenue, Corowa, being Lot 1, DP 198395 and Lot 1, DP 198396.

4 Amendment of Corowa Local Environmental Plan 2012

Schedule 1 Additional Permitted Uses

Omit “(When this Plan was made this Schedule was blank)”. Insert instead:

1 Use of land at 124–138 Federation Avenue, Corowa

- (1) This clause applies to land at 124–138 Federation Avenue, Corowa, being Lot 1, DP 198395 and Lot 1, DP 198396.
- (2) Development for the purpose of light industries is permitted with development consent.



Planning Proposal

Additional Permitted Use in R1 Zone

124-138 Federation Avenue, Corowa

August 2015

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Document Control

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1. INTRODUCTION

1.1 Overview

This is a Planning Proposal relating to two lots described as Lot 1 DP198395 and Lot 1 DP198396 and addressed 128-134 Federation Avenue, Corowa ("the subject land"). The two lots are in a single ownership, and have historically accommodated industrial activities since at least 1946.

The subject land is within the R1 General Residential zone of the Corowa Local Environmental Plan 2012 ("the LEP 2012"). However, the landowner now seeks to allow for redevelopment of the property for light industrial activities. The subject land contains a number of older industrial buildings and sheds and has historically been used for industrial activities. The existing older buildings and shed are presently occupied and used for various light industrial and business uses. This Planning Proposal would also assist in improving the current built form conditions of the property by allowing for appropriate industrial uses to be established.

Consequently, this Planning Proposal requests that 'light industry' be specified as a permissible land use for the subject land within Schedule 1 to the LEP 2012.

This Planning Proposal has been prepared in accordance with the Department of Planning's *A Guide to Preparing Planning Proposals* October 2012 ("the Guide"). Consideration has also been given to the *Draft practice note on Schedule 1 – Additional Permitted Uses – in the Standard Instrument* September 2012 prepared by the Department of Planning Infrastructure.

1.2 Site Context

The subject land is located within the southern urban area of Corowa, approximately 1 kilometre south of the Corowa town centre. The property itself comprises two generally rectangular lots fronting Federation Avenue and improved with a number of industrial buildings. The northern lot (Lot 1 DP198395) has a total area of 8,081m², with the southern lot (Lot 1 DP198396) having a total area of 8,081m².

The subject land and individual lots are detailed in Figures 1 – 3 below.



Figure 1 – Subject land in context to surrounding locality.

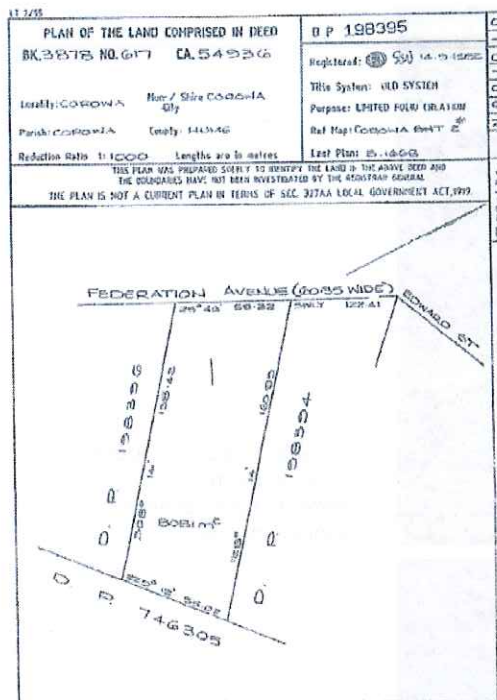


Figure 2 – Title plan of Lot 1 DP198395, being the northern lot.

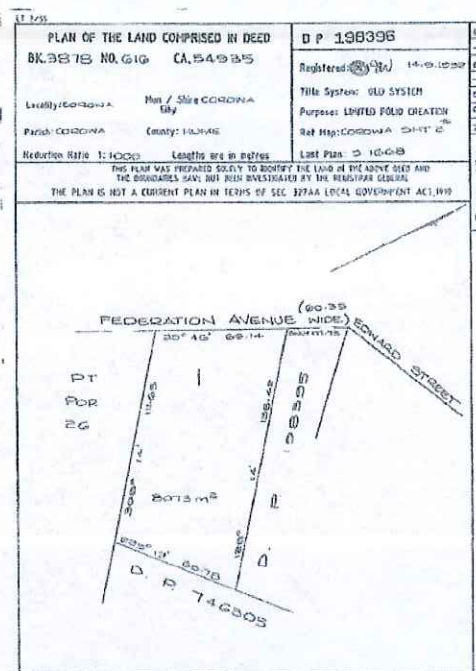


Figure 3 – Title plan of Lot 1 DP198396, being the southern lot.

Both lots contain light industrial uses and have historically been used concurrently. The original sheds were predominantly contained on the southern lot, but have been demolished in accordance with approval granted in 2007. The southern lot presently contains an open steel shed and outdoor storage areas, with the remaining area being vacant (see Figure 4 below).

The northern lot contains the majority of existing shedding and industrial land uses. Primarily, it comprises two main sheds in the central and rear parts of the lot, as well as a smaller building addressing the street. The lot also accommodates storage premises and outdoor display/storage areas associated with the industrial activities of the property.



Figure 4 – View of the southern lot from the Federation Avenue frontage.



Figure 5 – Existing buildings on the northern lot addressing the Federation Avenue frontage.



Figure 6 – View from Federation Avenue across the northern lot and towards adjacent properties to the north.



Figure 7 – Immediately adjoining property to the north of the subject land which is presently vacant.



Figure 8 – View south along the Federation Avenue frontage of the subject land. Not the wide road reserve and road infrastructure of Federation Avenue.



Figure 9 – View north west from the subject land towards adjacent properties opposite the subject land.



Figure 10 – View of the Corowa Pioneer Cemetery which immediately adjoins the southern lot.

2. INTENDED OUTCOMES

The intended outcome of this Planning Proposal is to include the subject land within Schedule 1 – Additional permitted uses to the LEP 2012 to allow for certain industrial land uses. The result of this proposed change would be to allow use and development of the land for certain light industrial land uses, subject to Council consideration.

3. EXPLANATION OF THE PROVISIONS

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

- Amending Schedule 1 of *Corowa Local Environmental Plan 2012* to provide for use of certain land at 124-138 Federation Avenue, Corowa (described as Lot 1 DP198395 and Lot 1 DP198396) for 'light industry'.

The proposed amendment will not require any new controls or introduce any new zone or minimum lot size provisions. It will also not significantly impact upon Council's long term strategic vision for the growth of Corowa township.

4. JUSTIFICATION

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for their implementation. The questions to which responses have been provided are taken from the Guide.

4.1 Need for the Planning Proposal

Is the Planning Proposal a result of any strategic study or report?

No. The Corowa Shire Strategic Land Use Plan ("the SLUP") is the primary strategic study for the Corowa LGA and sets out the growth strategies for the various townships. This Planning Proposal seeks to allow for ongoing light industrial use of the subject land, without prejudicing the long term growth strategy for Corowa. It rather reflects the current land use context of the subject land.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The provision of an additional permitted use for the subject land is considered to be the most appropriate mechanism for achieving the intended outcome. This approach is considered to be an appropriate mechanism to allow continued use and improvement of the subject land for light industrial uses whilst not prejudicing the longer term growth of Corowa as set out by the SLUP.

Schedule 1 to the LEP is best utilised where a proposed land use is appropriate on the land, but it is not generally within the current zoning. In this instance, the subject land is already used for industrial purposes and is within the fringe of the Corowa township, which exhibits a variety of fringe urban activities. Redevelopment of the land for industrial purposes would be prohibited by the R1 zone, however light industrial uses would not be inconsistent with the character of the surrounding area.

The permitted land use to be sought by this Planning Proposal is a low intensity activity, and generally reflect the nature of land uses already established within the property.

Is there a net community benefit?

On balance, there is a net community benefit to be gained from the Planning Proposal. This is considered in greater detail within the below table.

Table 4.1 – Net Community Benefit Test

Evaluation Criteria	Comment
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?	The most relevant regional strategy for Corowa Shire is the <i>Draft Murray Regional Strategy 2009</i> (‘the Draft Strategy’) which was prepared by the Department of Planning (DoP) in October 2009. The draft Strategy was also exhibited and is therefore a relevant matter to be considered in this planning proposal. Overall, the proposal is consistent with the general aims and objectives of the Draft Strategy given that it encourages new employment generating activities in regional areas. The Planning Proposal will allow for improvements to the property for new industrial activities.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Corowa is not considered a global/regional city, strategic centre or corridor. It is more appropriately considered a service centre for the surrounding rural areas.
Is the LEP likely to create a precedent or create or change in expectations of the land owner or other land owners?	The Planning Proposal reflects an exception to permissible land uses for one property which already accommodates industrial uses and has historically been used as such. The proposal is considered to be justified in this instance on the basis of the current land use and immediate context.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	The proposal is not necessarily a spot rezoning, as the zone remains the same as per the LEP 2012, but additional land uses are sought be made permissible for the subject land. Since the implementation of the LEP, there have been very few spot rezoning undertaken across the villages, particularly in the immediate area of the subject land.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	At present, the subject land accommodates older industrial infrastructure, but is intended to be improved and enlarged. The provision of new industrial development will lead to an increase in employment opportunities and other flow on economic benefits to the township.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	While the land is zoned residential, utilising land for industrial purposes will not impact upon supply and/or affordability. The LEP 2012 provided residential zoned land capable of accommodating the 20 year growth of Corowa. Notwithstanding this, more recent updates of growth data has indicated the take up of residential land has been lower than projected by the SLUP.
Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?	The site is located within the developed urban area of Corowa, and is well serviced by existing urban infrastructure. Sealed local roads service the subject land, and provide well formed vehicle and pedestrian links to the Corowa town centre. In addition, electricity, reticulated water, reticulated sewer and gas and telecommunications are also provided to the property.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	The proposal is unlikely to have any negative impacts upon travel distances or the like given the urban context of the land, and the fact industrial uses are already undertaken on the property.

Evaluation Criteria	Comment
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	There are no known significant government infrastructure investments in the immediate area which would be affected by this proposal.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	The subject land is not identified as having any significant environmental or biodiversity values. The land has been subject to previous industrial activities since approximately 1946.
Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	The surrounding context is varied in land use, despite being predominantly within the R1 zone. In particular, the subject land adjoins the Corowa Cemetery to the south, vacant land to the north and east with dwellings and accommodation to the west across Federation Avenue. More conventional residential development exists further north of the subject land. The proposal is not expected to result in any significant amenity impacts. The nature of permitted uses sought by this proposal is low intensity, and considered to be suitable for a fringe urban location. Notwithstanding this, the subject land already accommodates light industrial activities, so the proposal will not be introducing new land uses into the area. The proposal is unlikely to have any impact upon the public domain. Indirect improvements to the public domain (such as streetscape and visual amenity) will result from improvements to the subject land.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	The proposal is unlikely to have any significant impact upon choice and competition, as it will allow for new development and improvements to an existing industrial property.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	The proposal will result in additional permissible land uses for the subject land only. The R1 zone will remain as per the LEP 2012.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The public interest is served by this Planning Proposal as it will provide for opportunities to redevelop an industrial property for similar low intensity activities. In particular, future redevelopment of the property will have a positive impact on streetscape and appearance by replacing older industrial buildings.

4.2 Relationship to strategic planning framework

Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including exhibited draft strategies)?

There is no adopted regional strategy applicable to the Corowa Shire. However the draft *Murray Regional Strategy* was prepared by the Department of Planning (DoP) in October 2009. The draft Strategy was also exhibited and is therefore a relevant matter to be considered in this planning proposal. Overall, the proposal responds to the need for provision of employment lands in Murray region to cater for a continued growth in employment and industry.

Is the Planning Proposal consistent with the local Council's community strategic plan or other local strategic plan?

As identified earlier, the *Corowa Strategic Land Use Plan* (the "SLUP") was endorsed in 2011, prior to the gazettal of the new LEP in 2012 and informed the growth of the Corowa Shore generally. The subject land is within the broader future residential area of the Corowa township, which is now reflected by the R1 zoning applied to the property and the immediate surrounds. Notwithstanding this, the provision of residential land was based on a 20-30 year growth rate and previous population growth trends.

The Planning Proposal acknowledges that the longer term strategic direction for the property is residential and the proposed outcome will not prejudice this direction. Rather, it will allow for the continued use, redevelopment and improvement of the subject land for low intensity industrial purposes. It is expected that at such time that residential growth intensifies surrounding the property, opportunity for residential uses to be established would be possible.

Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

There are a number of State Environmental Planning Policies (SEPP's) relevant to the Planning Proposal. The relevant SEPP's are addressed within Table 4.4 below.

Table 4.4 - Consistency with relevant State Environmental Planning Policies

SEPP Title		Applicable to Planning Proposal	Assessment
1	State Environmental Planning Policy – Development Standards	No, does not apply to land in the Corowa LGA since gazettal of the new LEP 2012	
4	State Environmental Planning Policy – Development without consent & Miscellaneous Exempt & Complying Development	No, does not apply to land in the Corowa LGA since gazettal of the new LEP 2012	
6	State Environmental Planning Policy – Number of Storeys in a Building	Not applicable to this proposal.	
14	State Environmental Planning Policy – Coastal Wetlands	No, does not apply to the Corowa LGA	
15	State Environmental Planning Policy – Rural Landsharing Communities	No, does not apply to the Corowa LGA	
19	State Environmental Planning Policy – Bushland in Urban Areas	No, does not apply to the Corowa LGA	
21	State Environmental Planning Policy – Caravan Parks	Not applicable to this proposal.	
22	State Environmental Planning Policy – Shops & Commercial Premises	Not applicable to this proposal.	
26	State Environmental Planning Policy – Littoral Rainforests	No, does not apply to the Corowa LGA	
29	State Environmental Planning Policy – Western Sydney Recreation Area	No, does not apply to the Corowa LGA	
30	State Environmental Planning Policy – Intensive Agriculture	Not applicable to this proposal.	
32	State Environmental Planning Policy – Urban Consolidation (Redevelopment of Urban Land)	Not applicable to this proposal.	
33	State Environmental Planning Policy –	Not applicable to this	

SEPP Title		Applicable to Planning Proposal	Assessment
	Hazardous & Offensive Development	proposal.	
36	State Environmental Planning Policy – Manufactured Home Estate	Not applicable to this proposal.	
39	State Environmental Planning Policy – Spit Island Bird Habitat	No, does not apply to the Corowa LGA	
44	State Environmental Planning Policy – Koala Habitat Protection	Not applicable to this proposal.	
47	State Environmental Planning Policy – Moore Park Showground	No, does not apply to the Corowa LGA	
50	State Environmental Planning Policy – Canal Estate Development	Not applicable to this proposal.	
52	State Environmental Planning Policy – Farm Dams and Other Works in Land and Water Management Plan Areas	No, does not apply to the Corowa LGA	
53	State Environmental Planning Policy – Metropolitan Residential Development	No, does not apply to the Corowa LGA	
55	State Environmental Planning Policy – Remediation of Land	Not applicable as Planning Proposal seeks to allow continued industrial use and development.	It is noted that any future residential development of the subject would be required to consider the potential contamination status of the subject land given its historical use for industrial purposes.
59	State Environmental Planning Policy – Central Western Sydney Regional Open Space and Residential	No, does not apply to the Corowa LGA	
60	State Environmental Planning Policy – Exempt & Complying Development	Not applicable – does not apply to land in the Corowa LGA since gazettal of the new LEP 2012	
62	State Environmental Planning Policy – Sustainable Aquaculture	Not applicable to this proposal.	

SEPP Title	Applicable to Planning Proposal	Assessment
64 State Environmental Planning Policy – Advertising & Signage	Not applicable to this proposal.	
65 State Environmental Planning Policy – Design Quality of Residential Flat Development	Not applicable to this proposal.	
70 State Environmental Planning Policy – Affordable Housing (Revised Schemes)	No, does not apply to the Corowa LGA	
71 State Environmental Planning Policy – Coastal Protection	No, does not apply to the Corowa LGA	
State Environmental Planning Policy (Affordable Rental Housing) 2009	Not applicable to this proposal.	
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Not applicable to this proposal.	
State Environmental Planning Policy (Exempt & Complying Development Codes) 2008	Not applicable to this proposal.	
State Environmental Planning Policy (Housing for Seniors & People with a Disability) 2004	Not applicable to this proposal.	
State Environmental Planning Policy (Infrastructure) 2007	Yes.	Future development of the property will access Federation Avenue and may require a referral to the NSW Roads and Maritime Service depending on traffic generation.
State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007	No, does not apply to the Corowa LGA	
State Environmental Planning Policy (Major Development) 2005	Not applicable to this proposal.	
State Environmental Planning Policy (Mining, Petroleum Production & Extractive Industries) 2007	Not applicable to this proposal.	

SEPP Title	Applicable to Planning Proposal	Assessment
State Environmental Planning Policy (Rural Lands) 2008	Not applicable to this proposal as it does not involve rural land.	
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	No, does not apply to the Corowa LGA	
State Environmental Planning Policy (Temporary Structures) 2007	Not applicable to this proposal.	
State Environmental Planning Policy (Western Sydney Employment Area) 2009	No, does not apply to the Corowa LGA	
Murray Regional Environmental Plan No. 2 – Riverine Land (MREP2)	Not applicable to this proposal.	

Is the Planning Proposal consistent with applicable Ministerial Directions (S.117 Directions)?

Section 117 of the EP&A Act allows the Minister for Planning to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of draft LEPs. A Planning Proposal needs to be consistent with the requirements of the Direction but can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of "*minor significance*". Those S117 Directions considered relevant to this Planning Proposal are as follows:

Table 4.5 - Consistency with relevant Section 117 Directions

No.	Direction Title	Applicable to Planning Proposal	Consistency
1. Employment and Resources			
1.1	Business & Industrial Zones	No, while the property contains existing industrial uses, the property is zoned residential (R1).	Not applicable
1.2	Rural Zones	Not applicable	Not applicable
1.3	Mining, Petroleum Production & Extractive Industries	Not applicable	Not applicable
1.4	Oyster Aquaculture	Not applicable	Not applicable
1.5	Rural Lands	Not applicable	Not applicable
2. Environment and Heritage			
2.1	Environmental Protection Zones	Not applicable	Not applicable
2.2	Coastal Protection	No, does not apply to the Corowa LGA	Not applicable
2.3	Heritage Conservation	Yes, applies to all Relevant Planning Authorities where a Planning Proposal is prepared	The Planning Proposal does not affect or alter any heritage items or heritage conservation areas or relevant controls contained in Schedule 5 of the Corowa LEP 2012.
2.4	Recreation Vehicle Areas	Not applicable	Not applicable
3. Housing Infrastructure and Urban Development			

No.	Direction Title	Applicable to Planning Proposal	Consistency
3.1	Residential Zones	Yes. The property is zoned residential (R1) and proposes to permit certain industrial uses.	This direction applies when a council prepares a draft LEP that affects land within an existing or proposed residential zone. In this instance, the Planning Proposal affects land within an residential zone. The Direction requires that: (4) A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. (5) A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land. In this instance, the Planning Proposal does not impact upon the permissibility of residential land uses within the R1 land. Rather it seeks to allow for certain additional light industrial uses for the subject land. The proposal is therefore considered to be consistent with this direction.
3.2	Caravan Parks & Manufactured Home Estates	Not applicable	Not applicable
3.3	Home Occupations	Not applicable	Not applicable
3.4	Integrating Land Use and Transport	Not applicable	Not applicable
3.5	Development Near Licensed Aerodromes	Not applicable	Not applicable
3.6	Shooting Ranges	Not applicable	Not applicable
4. Hazard and Risk			
4.1	Acid Sulphate Soils	Not applicable	Not applicable
4.2	Mine Subsidence & Unstable Land	Not applicable	Not applicable

No.	Direction Title	Applicable to Planning Proposal	Consistency
4.3	Flood Prone Land	Not applicable	Not applicable
4.4	Planning for Bushfire Protection	Not applicable	Not applicable
5. Regional Planning			
5.1	Implementation of Regional Strategies	No (there is no regional strategy applicable to the Corowa LGA)	Not applicable
5.2	Sydney Drinking Water Catchment	No (does not apply to the Corowa LGA)	Not applicable
5.3	Farmland of State & Regional Significance on the NSW Far North Coast	No (does not apply to the Corowa LGA)	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No (does not apply to the Corowa LGA)	Not applicable
5.5	Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable. Revoked 18 June 2010	Not applicable
5.6	Sydney to Canberra Corridor	Not applicable. Revoked 10 July 2008.	Not applicable
5.7	Central Coast	Not applicable. Revoked 10 July 2008.	Not applicable
5.8	Second Sydney Airport: Badgerys Creek	No (does not apply to the Corowa LGA)	Not applicable
6. Local Plan Making			
6.1	Approval and Referral Requirements	Yes	The Planning Proposal does not propose any additional provisions which will require referral of development applications to the Minister or any other public authority.

No.	Direction Title	Applicable to Planning Proposal	Consistency
6.2	Reserving Land for Public Purposes	Not applicable	Not applicable
6.3	Site Specific Provisions	Yes, as the Planning Proposal will make certain industrial uses permissible for the subject land.	This direction applies when a planning proposal will allow a particular development to be carried out. In this instance, the proposal seeks to make certain industrial land uses permissible for the subject land, which is zoned R1. The Direction requires that: (4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. (5) A planning proposal must not contain or refer to drawings that show details of the development proposal. Having regard to the above, this Planning Proposal seeks to allow the land use on the subject land by specifically identifying the subject land within Schedule 1 to the LEP. It will not result in any changes to development standards or requirements and will not detrimentally impact other residential development outcomes. No drawings or details of future development are included or referenced within this Planning Proposal.
7.	Metropolitan Planning		
7.1	Implementation of Metropolitan Strategy	Not applicable	Not applicable

4.3 Environmental, Social & Economic Impact

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?

The proposal will not result in any disturbance to prominent habitat areas or natural features of the area because it relates to the rezoning of a highly disturbed urban location. The land has been utilised for industrial purposes for some 69 years and has limited vegetation generally scattered along the boundaries. It is not expected that the site provides for any significant habitat provision.

Having regard to the current context of the site, it is unlikely that the future industrial redevelopment will impact upon habitat for critical or threatened species.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Industrial uses present risk of emissions and other hazardous outputs, however the nature of the existing and proposed future use of the subject land is for low intensity industrial activities. While the future development of the land is expected to include intensified industrial uses, the nature of such uses will have little environmental risks given the low intensity. It is considered that standard building practices and procedures will prevent any impacts upon the surrounding environment.

How has the Planning Proposal adequately addressed any social and economic effects?

The social and economic benefits of the Planning Proposal are considered to be positive (see net community benefit assessment contained earlier in the report) given that it will involve growth of industrial development in the township.

The provision of additional industrial uses will have direct and indirect impact upon the employment and services sectors of Corowa and the LGA generally. The proposal is likely to result in additional job creation, as well as flow on benefits to local trades and services by way of construction activity, potential demand for professional services, increased permanent population growth, increased investment in the township and the like.

The social and economic effects of the Planning Proposal are considered to be entirely positive.

4.4 State & Commonwealth interests

Is there adequate public infrastructure for the Planning Proposal?

Yes, all existing urban infrastructure is available to the property and is presently servicing existing development. Existing services include reticulated water and sewer, electricity, gas and telecommunications.

Road infrastructure comprises sealed local roads with appropriate swale drainage and collection. Federation Avenue is a wide sealed urban road which is capable of high traffic volumes and larger vehicles.

What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Responses are not required on the proposal until after the Gateway determination.

5 COMMUNITY CONSULTATION

The Planning Proposal will be subject to public exhibition and agency consultation as part of the Gateway process. The gateway determination will specify the community consultation that must be undertaken on the planning proposal. As such, the exact consultation requirements will be determined upon receipt of the gateway determination.

It is expected that the proposal will be exhibited in accordance with the requirements of section 57 of the *Environmental Planning & Assessment Act 1979* and the NSW Department of Planning and Infrastructure's: *A guide to preparing local environmental plans* (October 2012).

At a minimum, the future consultation process is expected to be in accordance with the consultation requirements set out in the Guide, being:

- written notification will be provided to adjoining and surrounding landowners who may be directly or indirectly impacted by the proposed development, with a minimum notification period of 28 days;
- consultation with relevant Government Departments and Agencies, service providers and other key stakeholders, as determined in the gateway determination;
- public notices to be provided in a local newspaper and on Councils' website;
- static displays of the Planning Proposal and supporting material Council offices;
- electronic copies of all documentation being made available to the community free of charge.

At the conclusion of the notification and public exhibition period Council staff will consider submissions made with respect to the Planning Proposal and prepare a report to Council.

It is considered unlikely that a Public Hearing will be required for the proposal.

6 PROJECT TIMELINE

The project timeline for the planning proposal is as follows. There are many factors that can influence compliance with the timeframe including the cycle of Council meetings, consequences of agency consultation and consequences of public exhibition. Consequently the timeframe should be regarded as indicative only.

Milestone	Date/timeframe
<i>Anticipated commencement date (date of Gateway determination)</i>	September 2015 (based on Council decision in August 2015)
<i>Anticipated timeframe for the completion of required studies</i>	None required.
<i>Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)</i>	October 2015
<i>Commencement and completion dates for public exhibition period</i>	Commence October 2015 and close 28 days after commencement
<i>Dates for public hearing (if required)</i>	Within 2 weeks of public exhibition completion
<i>Timeframe for consideration of submissions</i>	2 weeks following completion of exhibition
<i>Timeframe for the consideration of a proposal post exhibition</i>	1 month following completion of exhibition
<i>Anticipated date RPA will make the plan (if delegated)</i>	2 weeks following consideration of proposal
<i>Anticipated date RPA will forward to the department for notification (if delegated).</i>	1 month following consideration of proposal

7 CONCLUSION

This Planning Proposal requests the addition of the subject land at 124-138 Federation Avenue, Corowa to Schedule 1 of Corowa Local Environmental Plan 2012 to allow for 'light industry' land uses to be permissible with consent of Council. The submitted documentation contained within this report and attached is considered to indicate the merits of the proposal.

The Planning proposal is considered to be a suitable outcome as:

- the addition of certain industrial land uses for the property will not detrimental impact upon Council's long term growth for Corowa;
- the surrounding context includes a variety of land uses, including a cemetery, which are considered to be prohibitive for short term residential development;
- it represents an opportunity to allow for continued use and expansion of appropriate industrial land uses;
- it will result in an improvement to the property and streetscape context by allowing removal of older buildings and for redevelopment of the property;
- it will lead to additional employment growth for the township by way of new industrial land uses;
- it will ensure that future industrial uses of the property are low intensity to ensure that amenity impacts are minimised to surrounding residential properties;

In conclusion, the Planning Proposal is worthy of support and will deliver a net positive social and economic outcome for the residents of Corowa.