



Planning Proposal

Additional Permitted Use in R1 Zone

124-138 Federation Avenue, Corowa

August 2015

Suite 1, 622 Macauley Street
ALBURY NSW 2640
t 02 6021 0662 | f 02 6021 0663
e habitat@habitatplanning.com.au

www.habitatplanning.com.au

Prepared for

Carl Upton



town planning | urban design

Suite 1, 622 Macauley Street
ALBURY NSW 2640

Phone: 02 6021 0662

Fax: 02 6021 0663

habitat@habitatplanning.com.au

www.habitatplanning.com.au



Member – NSW Consulting
Planners



Document Control

Version		Author	Reviewed	Approved
A	Draft	DH		16/07/2015
B	Final	DH	WH	20/07/2015
C	Revision	DH	WH	27/08/2015

© 2012 Habitat Planning

The information contained in this document produced by Habitat Planning is solely for the use of the person or organisation for which it has been prepared and Habitat Planning undertakes no duty to or accepts any responsibility to any third party who may rely upon this document.

All rights reserved. No section or element of this document may be removed from this document, reproduced, electronically stored or transmitted in any form without the written permission of Habitat Planning.

CONTENTS

1.	INTRODUCTION	3
1.1	Overview.....	3
1.2	Site Context.....	3
2.	INTENDED OUTCOMES	7
3.	EXPLANATION OF THE PROVISIONS	7
4.	JUSTIFICATION	7
4.1	Need for the Planning Proposal	7
4.2	Relationship to strategic planning framework.....	9
4.3	Environmental, Social & Economic Impact	20
4.4	State & Commonwealth interests.....	20
5	COMMUNITY CONSULTATION	21
6	PROJECT TIMELINE.....	22
7	CONCLUSION.....	23

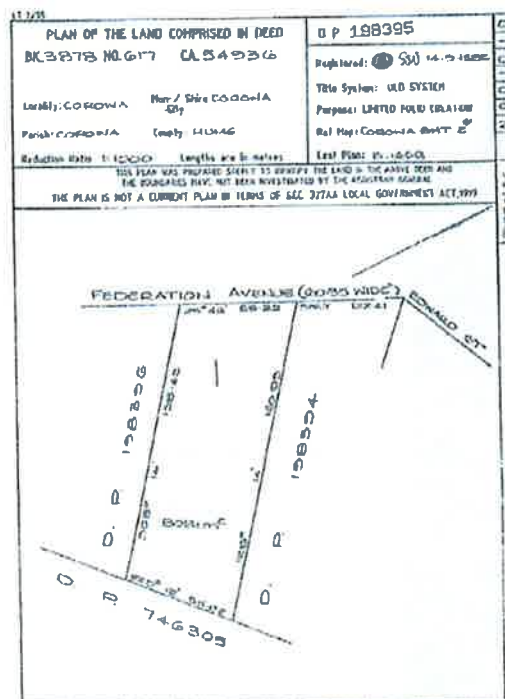


Figure 2 – Title plan of Lot 1 DP198395, being the northern lot.

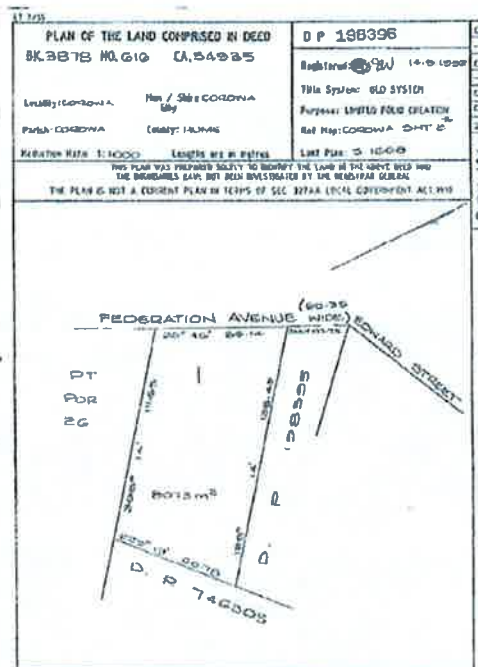


Figure 3 – Title plan of Lot 1 DP198396, being the southern lot.

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 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.

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 to 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.

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.

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
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.	

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
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.

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.

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