



Reference: AB:RH – 18/37657
Contact: Kate Larnach

23 August 2018



Department of Planning & Environment – Western Region
PO Box 58
DUBBO NSW 2830

Attention: Katrine O'Flaherty
Director Regions
Western Planning Services

Dear Katrine,

**Subject: Request for a Gateway Determination
Corowa Local Environmental Plan 2012 (Amendment No. 12)
Change of zoning to IN1 General Industrial with no Minimum Lot Size for subdivision
Lots 67, 68, 69 & 70 DP753744 - Kywong-Howlong Road, Howlong**

At the Ordinary Council meeting held on 19 December 2017, Federation Council resolved to forward a Planning Proposal (enclosed) to the NSW Department of Planning and Environment (DPE) to amend the *Corowa Local Environmental Plan 2012* (CLEP). The Planning Proposal relates to land described as Lots 67, 68, 69 & 70 DP753744 located in Kywong-Howlong Road, Howlong ("the subject land"). The purpose of the Planning Proposal is to change the zoning of the subject land from RU1 Primary Production with a Minimum Lot Size (MLS) of 400 hectares to IN1 General Industrial with no MLS.

The Planning Proposal is consistent with the *Corowa Shire Strategic Land Use Plan* that nominates the subject land as the preferred location for future industrial development in Howlong. The Planning Proposal has been instigated on the basis there is a current shortage in supply of vacant zoned industrial land in Howlong and the existing Cool-Off industrial development adjoining the subject land is planning a major expansion.

The attached Planning Proposal has been prepared in accordance with Section 3.33 (previously Section 55) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Department of Planning's *A Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*.

The Planning Proposal also includes relevant maps and figures clearly showing the location, context and extent of land included in the Planning Proposal.

Accordingly, Federation Council requests that a Gateway Determination be issued by the Minister for Planning in accordance with Section 3.34 (previously Section 56) of the EP&A Act. It is also requested that Federation Council receive written authorisation to exercise delegation and the functions of the Minister for Planning under Section 3.36 (previously Section 59) of the EP&A Act.

Please find enclosed relevant documentation (as listed) to assist in the issuing of a Gateway Determination:

- Report to Council Meeting 19 December 2017 – Item No. 8.4 – Planning Proposal 12 rezoning from RU1 Primary Production to IN1 General Industrial and to remove the Minimum Lot Size (MLS) for subdivision;
- Council Meeting Minutes from 19 December 2017;
- Planning Proposal, Habitat Planning, November 2017;
- Attachment 4 – Evaluation Criteria for the Delegation of Plan Making Functions; and
- Completed Section 3.33 (previously Section 55) Request Form – Request for Initial Gateway Determination.

If you have any queries regarding the Planning Proposal, please contact Council's Manager Planning and Environment, Kate Larnach on (02) 6033 8921 or kate.larnach@federationcouncil.nsw.gov.au

Yours sincerely



Adrian Butler
General Manager

Encl.

Financial Implications

~~There is no financial impacts expected due to the proposed road closures.~~

Strategic Implications

~~The proposed road closures of Lambruk Lane and the un-named roads do not have any foreseeable strategic implications for Council.~~

~~The proposed road closure of Pell Street will impact Council's Asset Management Strategy through the road reserve becoming a privately owned parcel of land with Council assets protected by easements only.~~

RECOMMENDED:

- ~~1. THAT Council consent to the closure of Lambruk Lane, Mulwala and provide a letter of consent to the landowner;~~
- ~~2. THAT Council consent to the closure of the un-named road, Urana and provide a letter of consent to the landowner;~~
- ~~3. THAT Council **not consent** to the closure of Pell Street, Howlong; and~~
- ~~4. THAT Council consent to the closure of the un-named road, Oaklands and provide a letter of consent to the landowner.~~

8.4 PLANNING PROPOSAL 12 REZONING FROM RU1 PRIMARY PRODUCTION TO IN1 GENERAL INDUSTRIAL AND TO REMOVE THE MINIMUM LOT SIZE (MLS) FOR SUBDIVISION

Summary

This report Planning Proposal seeking an amendment to the Corowa Local Environmental Plan 2012 (CLEP) to rezone land on the north east fringe of the Howlong township from RU1 Primary Production to IN1 General Industrial and to remove the Minimum Lot Size (MLS) for subdivision.

Lots 67, 68, 69 and 70 in DP753744

Background

The Planning Proposal documentation supporting this proposal has been prepared by Habitat Planning and is included as an attachment.

Attachments

8.4.1 Planning Proposal Lots 67, 68, 69 and 70 in DP753744 – November 2017.

Financial Implications

Nil.

RECOMMENDED that Council has considered the written planning proposal and directs that the written proposal be sent to the Department of Planning and Infrastructure for an initial Gateway Determination under section 56(1) of the Environmental Planning and Assessment Act, the planning proposal to amend the Corowa Local Environmental Plan 2012 to rezone the subject lands from RU1 Primary Production to IN1 General Industrial and to remove the minimum lot size (MLS) for subdivision.

~~247/17FC RESOLVED on the motion of Councillors Law and Whitechurch:~~

- ~~1. THAT Council consent to the closure of Lambruk Lane, Mulwala and provide a letter of consent to the landowner;~~
- ~~2. THAT Council consent to the closure of the un-named road, Urana and provide a letter of consent to the landowner;~~
- ~~3. THAT Council not consent to the closure of Pell Street, Howlong; and~~
- ~~4. THAT Council consent to the closure of the un-named road, Oaklands and provide a letter of consent to the landowner.~~

~~Cr Thomas returned to the meeting 11.20 am~~

8.4 **PLANNING PROPOSAL 12 REZONING FROM RU1 PRIMARY PRODUCTION TO IN1 GENERAL INDUSTRIAL AND TO REMOVE THE MINIMUM LOT SIZE (MLS) FOR SUBDIVISION**

Summary

This report Planning Proposal seeking an amendment to the Corowa Local Environmental Plan 2012 (CLEP) to rezone land on the north east fringe of the Howlong township from RU1 Primary Production to IN1 General Industrial and to remove the Minimum Lot Size (MLS) for subdivision.

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Attachments

8.4.1 Planning Proposal Lots 67, 68, 69 and 70 in DP753744 – November 2017.

Financial Implications

Nil.

RECOMMENDED that Council has considered the written planning proposal and directs that the written proposal be sent to the Department of Planning and Infrastructure for an initial Gateway Determination under section 56(1) of the Environmental Planning and Assessment Act, the planning proposal to amend the Corowa Local Environmental Plan 2012 to rezone the subject lands from RU1 Primary Production to IN1 General Industrial and to remove the minimum lot size (MLS) for subdivision.

248/17FC **RESOLVED** on the motion of Councillors Miegel and Kennedy that Council has considered the written planning proposal and directs that the written proposal be sent to the Department of Planning and Infrastructure for an initial Gateway Determination under section 56(1) of the Environmental Planning and Assessment Act, the planning proposal to amend the Corowa Local Environmental Plan 2012 to rezone the subject lands from RU1 Primary Production to IN1 General Industrial and to remove the minimum lot size (MLS) for subdivision.

Cr Thomas left the meeting 11.21am due to a non pecuniary interest in the upcoming report.

8.5 PROPOSED STATE SIGNIFICANT DEVELOPMENT - SOLAR FARM MULWALA

Summary

This report is to provide Council with information for a proposed state significant solar farm at Mulwala and to ascertain if there are any concerns with this proposal prior to lodgement of a development application with the NSW Department of Planning.

The proposed land is located at Tocomwal Road and Saverlake Road (8.5.1).

Background

Council recently received an enquiry regarding a proposed solar farm to be located in Mulwala. The size of this solar farm is of a scale considered State Significant Development and as such the NSW Department of Planning will determine the application.

The proposed land is located at Tocomwal Road and Saverlake Road (8.5.1).

The surrounding land uses are rural, large lot residential, and industrial. Part of the proposed site includes land zoned R2.

As part of the preliminary environment assessment, the consultant preparing the Environmental Impact Statement are seeking comment from Council in particular, any concerns that may arise in relation to the proposed development.

The items for consideration from Council include;

- ▲ The project is aligned with the LEP and Council's objectives
- ▲ Does the project have full support from Council?
- ▲ Are there any strategic and land use plans for Mulwala which could be impacted by this development

ENSCO Pacific have provided an estimated timeframe for this project

Timeframe:

- ▲ Finalising the preparation of a Preliminary Environment Assessment (PEA) – Scoping report. Lodge the PEA report in December 2017.
- ▲ Obtain the Secretary's Environmental Assessment Requirements (SEARs) by the end of January
- ▲ Preparation of the EIS would start early February
- ▲ lodgement late autumn, early winter depending on the project's complexity
- ▲ Community consultation would be at the end of summer
- ▲ Project construction would not start before 2019