

ITEM NO. 9 - PLANNING PROPOSAL TO REZONE LAND AT DARLINGTON POINT TO E4 GENERAL INDUSTRIAL

Council Meeting:	25 February 2025
Report Date:	22 January 2025
Author:	Senior Planner
File #:	SC98/SC212-002
Approval:	General Manager

EXECUTIVE SUMMARY

Council, at its meeting on 27 August 2024, resolved to lodge a planning proposal to the Department of Planning, Housing and Infrastructure (DPHI) for the rezoning of Lot 149 DP 750908 Darlington Point from RU1 Primary Production to E4 General Industrial, along with separate planning proposals for the rezoning of land at Coleambally and Jerilderie and the consolidation of the Murrumbidgee and Jerilderie Local Environmental Plans.

The DPHI has advised that the planning proposal for the rezoning of Lot 149 DP 750709 is able to proceed subject to the conditions contained in the Gateway Determination (see attachments 4 and 5).

The report is seeking a resolution to place that planning proposal for the LEP amendments on exhibition.

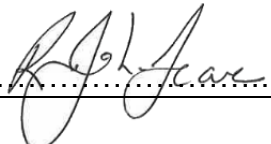
To facilitate the processing of the remaining planning proposals, a resolution is also sought to place those remaining planning proposals on exhibition as soon as Gateway Determinations from the Department are received.

RECOMMENDATION

That:

- a. Council place the Planning Proposal for the rezoning of Lot 149 DP 750908, Darlington Point, and any supporting material, on public exhibition pursuant to any requirements of the Gateway Determination and Schedule 1, clause 4 of the EP&A Act 1979;
- b. Should no objections be received, furnish a copy of this report and other relevant information to the NSW Department of Planning, Housing & Infrastructure and/or NSW Parliamentary Counsel's Office, in accordance with the EP&A Act 1979, and requests the Minister for Planning (or a delegate on their behalf) undertake the appropriate actions to secure the making of the proposed amendment;

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.......... General Manager

.......... Mayor

- c. Council place the planning proposals for the rezoning of Lot 534 DP 1097168 Kingfisher Avenue, Coleambally and Lot 19 DP 1225744 Conargo Rd, Jerilderie from RU1 Primary Production to RU5 Village, and the consolidation of Jerilderie LEP 2012 and Murrumbidgee LEP 2013, on exhibition upon receipt of a Gateway Determination from the Department of Planning, Housing & Infrastructure.
- d. Delegate to the General Manager the ability to sign any documentation associated with this planning proposal;
- e. Council to undertake a division and record all votes for and against.

DISCUSSION

At its meeting of 27 August 2024, Council was informed the rezoning of the three areas of land at Darlington Point, Coleambally and Jerilderie listed were extremely important and that by removing these three items and resubmitting them as separate planning proposals, the Department would be able to expedite their assessment and approval towards the issue of the Gateway Determination which will permit the continuation of the approval process.

Separate planning proposals for these re-zonings were duly lodged, with Council receiving the first of the Gateway Determinations.

STATUTORY COMPLIANCE/POLICY

- Environmental Planning & Assessment Act, 1979
- Environmental Planning & Assessment Regulation, 2021

FINANCIAL

The current project has no immediate financial implications for Council.

INTEGRATED PLANS

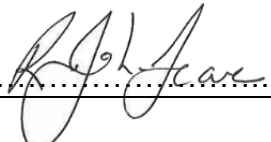
Sustainable Living


11. 3 - The planning proposal achieves a balance between growth, development and environmental protection by facilitating sustainable land use planning.

Opportunities

13.1 - The planning proposal will ensure that working and investing in the area is enticing by addressing and advocating measures that overcome barriers to business and industry expansion through land availability.

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.......... General Manager

.......... Mayor

Leading by Example

14.2 - The planning proposal emphasises a collaborative culture through meaningful engagement with the community.

RISK MANAGEMENT

Provided that the legislative requirements specified in the Environmental Planning & Assessment Act, 1979 and associated regulations are followed there are no foreseeable risks.

CONSULTATION / ENGAGEMENT

- Director Planning & Infrastructure

CONCLUSION

The planning proposals that seeks to amend Council's environmental planning instruments has been a lengthy process, and the end result of having a single local environmental plan is nearing fruition. Council has been guided by the DPHI and lodged separate planning proposals, all of which have been prepared in accordance with Ministerial directions and has given due regard to Council's adopted Land Use Strategy.

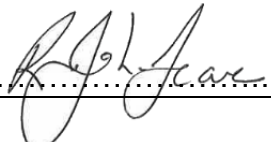
OPTIONS

Option 1 (Recommendation)

That:

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- b. Should no objections be received, furnish a copy of this report and other relevant information to the NSW Department of Planning, Housing & Infrastructure and/or NSW Parliamentary Counsel's Office, in accordance with the EP&A Act 1979, and requests the Minister for Planning (or a delegate on their behalf) undertake the appropriate actions to secure the making of the proposed amendment.
- c. Council place the planning proposals for the rezoning of Lot 534 DP 1097168 Kingfisher Avenue, Coleambally and Lot 19 DP 1225744 Conargo Rd, Jerilderie from RU1 Primary Production to RU5 Village, and the consolidation of Jerilderie LEP 2012 and Murrumbidgee LEP 2013, on exhibition upon receipt of a Gateway Determination from the Department of Planning, Housing & Infrastructure.

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- d. Delegate to the General Manager the ability to sign any documentation associated with this planning proposal;
- e. Council to undertake a division and record all votes for and against.

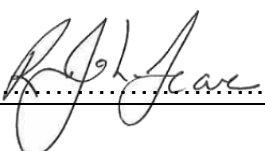
Option 2


Any other resolution of Council.

ATTACHMENTS

Attachment # 4: DPHI Gateway determination
Attachment # 5: DPHI Gateway conditions

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.....General Manager

.....Mayor