

6. There are fees payable for any re-zoning application.
7. On completion of the study Council may then determine to submit a Draft Plan of Re-zoning to the Department. The Department then determines the appropriateness of the re-zoning and may then authorise Council to place on exhibition the Draft Plan and the Environmental Study.
8. At the close of the exhibition, Council is then required to consider any submissions and make recommendations to the Department upon those submissions.
9. The Department then may determine whether or not any amendments are necessary or allow the Draft Plan to be adopted.
10. The draft proposals are then gazetted in formal adoption changing the Junee Local Environmental Plan.

Is an Environmental Study always required?

Only in minor circumstances will the Planning Department delete the requirements for an Environmental Study. This is entirely the prerogative of that Government Department.

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RE-ZONING

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What is involved?

This information gives a brief guide as to what is involved with re-zoning and subdivision of land and buildings. It is by no means the detailed positions that have to be “put in train” with the process by the various government agencies including the Council.

Re-zoning issues

Council and the State Government have fixed land use zones as a control to ensure:

- land use values are compatible to the production costs of surrounding development;
- that the amenity is compatible to the likely impacts on the surrounding lands;
- that urban services are provided in an orderly manner that is economic for the various service providers;
- to ensure that environmental impacts are considered with any future development.

In a rural situation the intent of the zone needs to ensure that prime agricultural land is intended for rural production and that any intensification of development does not cause a property valuation which makes it uneconomic for rural producers to remain on the land.

In urban areas “spot re-zoning” well removed from the urban boundaries, is not encouraged as it may not be economically viable for service providers to extend services when it can be more cheaply provided closer to the existing urban areas. In some urban extensions the land may be unsuitable for development if it creates downstream salinity or environmental problems.

Speed of re-zoning

Re-zoning is not a simple exercise and it usually takes at least twelve months for the procedures to be observed by the Council, the applicant and the State Government. Re-zoning is a controlled activity ultimately determined by the State Government.

What are the steps with re-zoning?

1. A property owner may initially make approaches to the Council requesting a re-zoning assessment. Council has to decide whether or not to re-zone the land before going to the State Government. The fact that a person makes an approach does not guarantee that re-zoning will occur. It is advisable to present information to Council as early as possible to justify any approach for re-zoning.

2. Council makes its decision upon re-zoning.
3. It then has to seek the advice of the State Government Department of Infrastructure Planning & Natural Resources (DIPNR) whether it can proceed with an Environmental Study of the assessment.
4. The State Government normally indicates to the Council the type of information and issues to be examined in assessing any re-zoning proposal. It also determines which departments are to be consulted.
5. The Environmental Study has to be commissioned by the Council, but it is at the applicant’s expense. There may be significant costs in financing the preparation of the study for Council to be informed about the need for re-zoning. Council is responsible for giving directions to any consultant or persons preparing an Environmental Study and the report submitted reflects the views and comments sought on environmental issues identified by the Council or the Government Departments. The applicant has no role in influencing the study other than what the Council and the State Government stipulates.