

**X. MURRAY LEP 2011 PLANNING PROPOSAL
LOT 11 DP 285511 – TWENTY FOUR LANE, MOAMA**

AUTHOR: Llyan Goodsell - Planning Support Officer
VENUE: Moama Seniors Community Centre
TRIM Reference:

Issues Considered in writing report: Community Strategic Planning –
Proposed amendment of the Murray LEP 2011.

Recommendation

- i. That the Officer's report be received and noted.
- ii. That the Planning Proposal be sent to NSW DPE for Gateway Determination.

BACKGROUND INFORMATION

Introduction

The process for preparing and amending a Local Environmental Plan (LEP) is stipulated in the *Environmental Planning and Assessment Act 1979* and covered within the attached '*A guide to preparing local environmental plans*', a copy of which has been tabled as Table Document 1 for reference.

The plan making process normally involves the following key components:-

- The preparation of a Planning Proposal;
- The issuing of a Gateway determination;
- Community and other consultation on the Planning Proposal (as required);
- Finalising the Planning Proposal;
- Drafting of the LEP;
- Making the plan; and
- Notifying the LEP on the NSW Government Legislation website.

A Planning Proposal is a document that explains the intended effect of the proposed LEP and provides the justification for making it. '*A guide to preparing planning proposals*' provides detailed advice on the preparation of a Planning Proposal.

PLANNING PROPOSAL Lot 11 DP 701453 – Twenty Four Lane, Moama

In accordance with the attached private Planning Proposal, the proponent seeks to rezone Lot 11 DP 701453 from RU1 Primary Production to R1 General Residential in order to facilitate residential development with a minimum lot size area of 750m². The Planning Proposal prepared by a suitably qualified consultant seeks a Resolution of Council to forward the

Planning Proposal to NSW DPE for a Gateway Determination, requesting consideration of amendment to the Murray LEP 2011 via:-

- Rezoning of subject land from RU1 Primary Production to R1 General Residential;
- Reduction of required minimum lot size from 120 hectares to 750m².

If the Planning Proposal is successful, the following Murray LEP 2011 mapping would require amendment:

- Land Zoning Map LZN_006A
- Land Zoning Map LZN_006B
- Minimum Lot Size Map LSZ_006A
- Minimum Lot Size Map LSZ_006B

A copy of the Planning Proposal has been tabled for reference (Tabled Document 2).

The site

The subject site is Lot 11 DP 701453 located on the corner of 24 Lane and Beer Road, Moama NSW 2731. This land has a total area of 58.78 hectares and with the exception of small pocket of trees in the south of the lot, is clear of almost all vegetation. The lot is currently zoned RU1 Primary Production and is affected by a 120 hectare minimum lot size. The red outline in Figure 1 indicates the area affected by the subject planning proposal.



Figure 1 – Subject land – Lot 11 DP 701453

The lot adjoins RE2 Private Recreation zoned land to the north, and RU1 zoning to the east, south and west. On the adjacent side of 24 Lane to the north-west of this lot, the land is zoned R5 Large Lot Residential and R1 General Residential. See Figure 2 for further information.

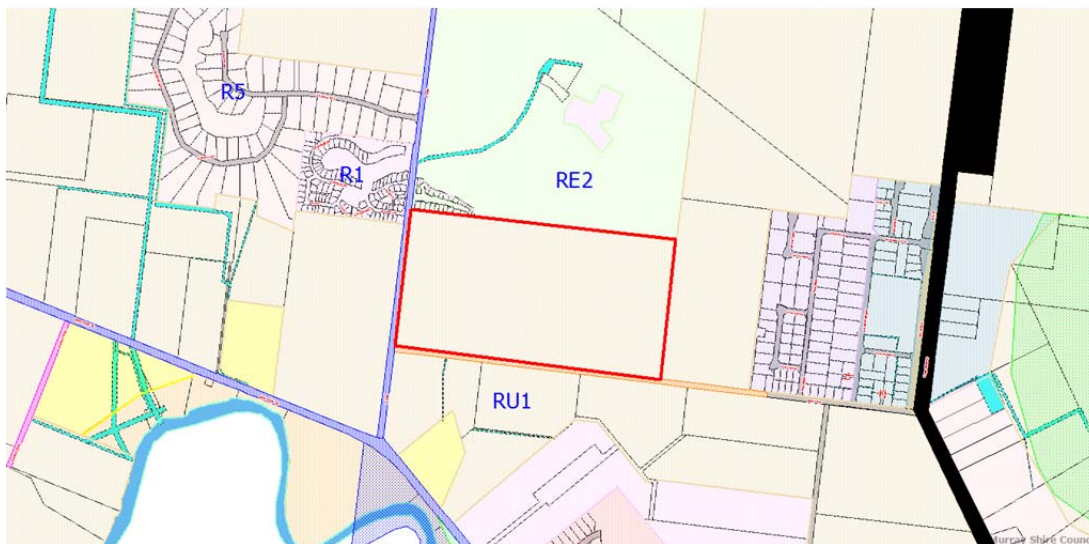


Figure 2 – Lot zoning in the surrounding area

The lot is covered by the following Council mapping:-

Murray REP 2 Mapping

The lot is covered in its entirety – See Figure 3.

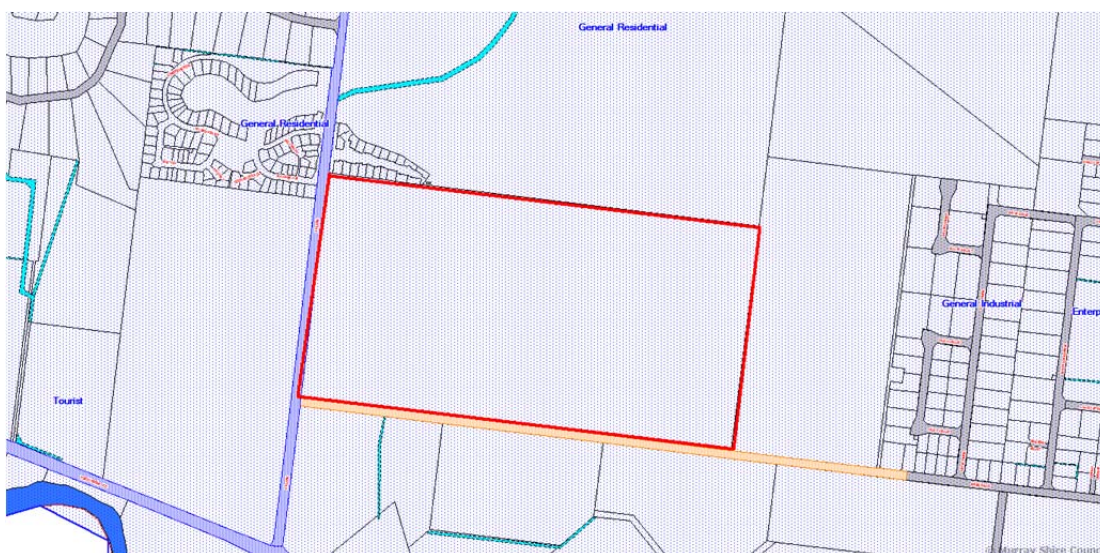


Figure 3 – Murray REP2 mapping coverage

Urban Release Area (URA) mapping

The subject lot is not currently covered by Council's URA mapping. See Figure 4 below.

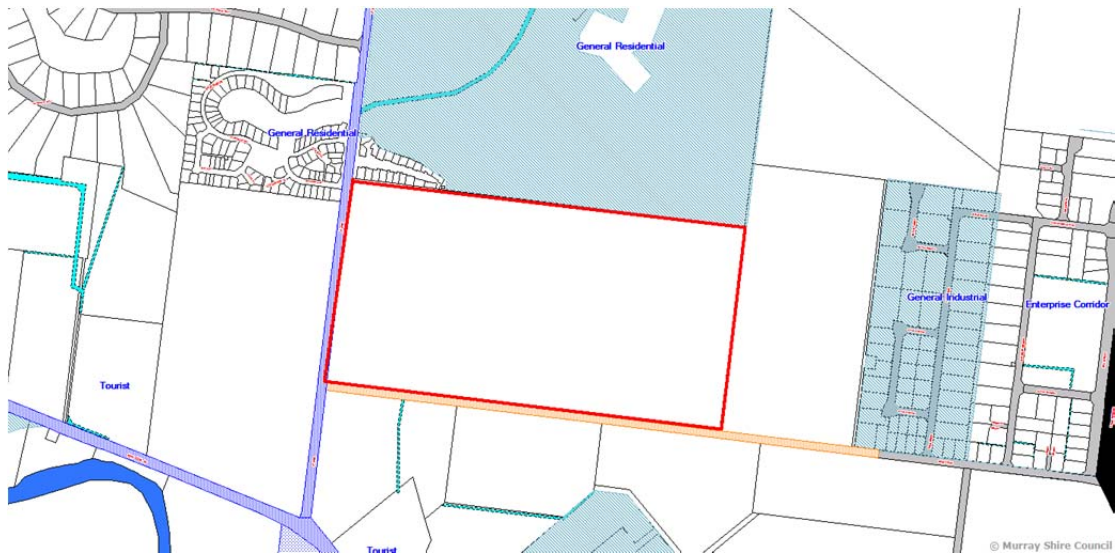


Figure 4 – Current URA mapping coverage (blue shading)

Flood planning mapping

The subject lot is not covered by Council's Flood Planning mapping of the Murray LEP 2011, as shown below in Figure 5.

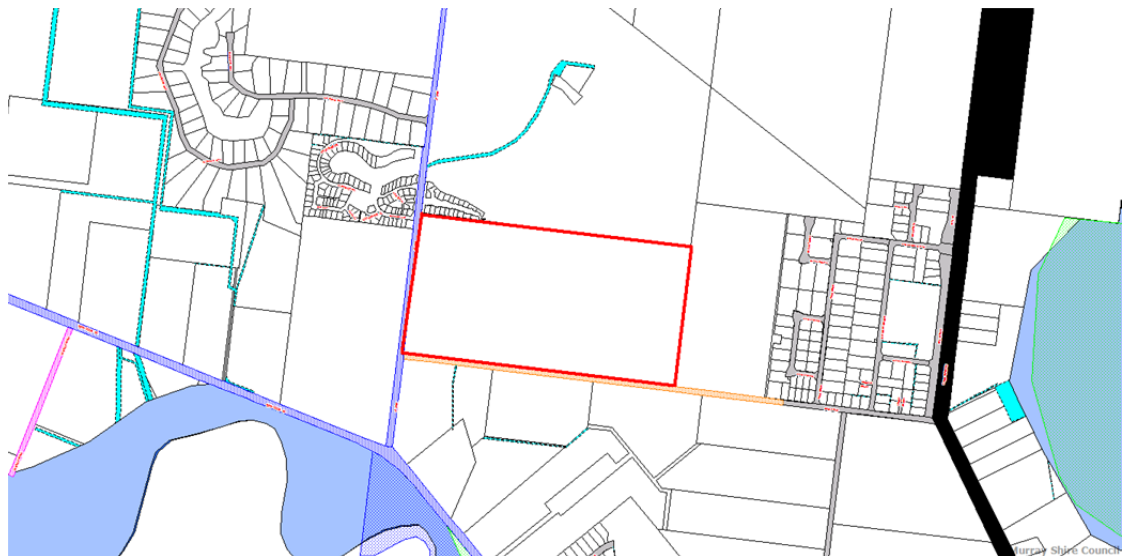


Figure 5 – Flood prone land mapping

Bushfire prone land mapping

As shown below in Figure 6, a very small section (approximately 12.5m²) of the subject lot is mapped as bush fire prone land (mapped as 'buffer area'). Figure 7 shows the bushfire mapping coverage in the north-eastern corner of the property.



Figure 6 – Bush fire prone land mapping

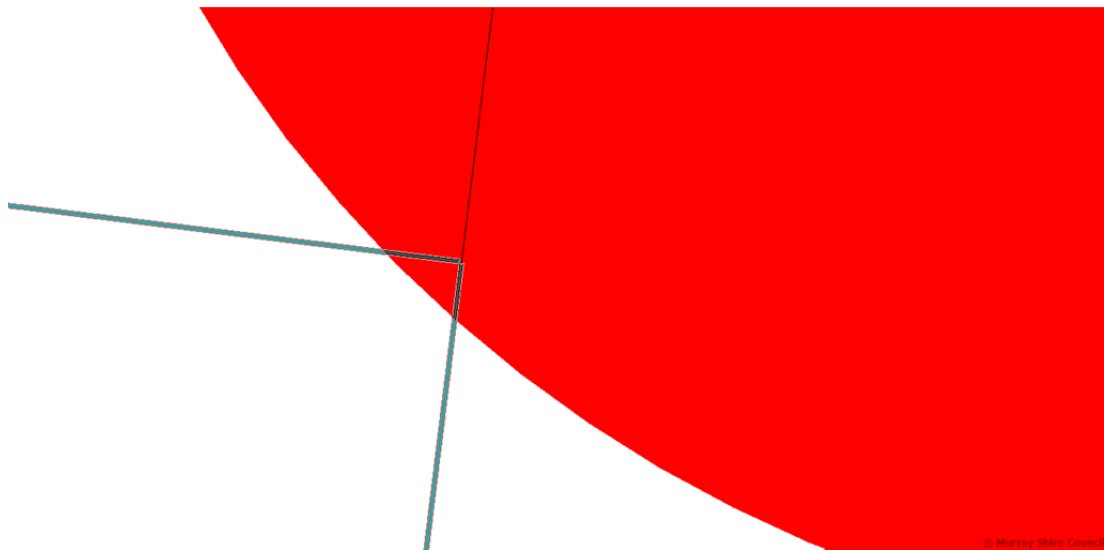


Figure 7 – Zoom of mapping showing bush fire prone land mapping coverage

The lot is not mapped as Murray LEP 2011 Watercourse, Murray LEP 2011 Wetlands, Murray LEP 2011 'Key Fish Habitat' Biodiversity, Murray LEP 2011 'Terrestrial Biodiversity', Mining Resources, or containing any known items of Aboriginal or non-Aboriginal Environmental Heritage Significance. The site is not mapped as contaminated land as outlined on Council's Contaminated Land Register.

The site currently has vehicular access from 24 Lane and is within approximately 4.5km of Moama's main town centre. The lot has access to all required services, available for connection from 24 Lane.

Assessment of Planning Proposal by Relevant Planning Authority (Murray River Council)

PART 1 – Statement of Objectives and Intended Outcomes of the Planning Instrument

Comment: This section of the proposal requires the Applicant to provide a short, concise statement setting out the objectives and intended outcomes of the Planning Proposal. The Applicant has advised that the intended outcome

of the Planning Proposal is to allow the subject land to be developed for residential purposes at a density appropriate for the location. The Applicant is considered to have provided a suitable statement in response to this Part. See tabled Planning Proposal for further information as Tabled Document 2.

PART 2 – Explanation of Provisions

Comment: This section of the planning proposal is required to demonstrate how the intended outcomes are proposed to be achieved. The Applicant has advised that the Planning Proposal is seeking to achieve the intended outcomes listed in Part 1 via rezoning of the subject land from RU1 Primary Production to R1 General Residential and subsequent amendment of Murray LEP 2011 mapping, and amending the minimum lot size provisions affecting the land:

- Land Zoning Map LZN_006A (from RU1 Zone to R1 Zone)
- Land Zoning Map LZN_006B (from RU1 Zone to R1 Zone)
- Minimum Lot Size Map LSZ_006A (from 120 hectare minimum lot size to 750m²)
- Minimum Lot Size Map LSZ_006B (from 120 hectare minimum lot size to 750m²)

The Applicant is considered to have provided a suitable statement in response to this Part. See tabled Planning Proposal for further information (Tabled Document 2).

PART 3 – Justification

Comment: This section of the proposal is required to identify any environmental, social and/or economic impacts associated with the Planning Proposal, together with suitable justification as to why the Planning Proposal should be considered.

QUESTIONS TO CONSIDER WHEN DEMONSTRATING THE JUSTIFICATION

Section A – Need for the Planning Proposal

Q1. Is the planning proposal a result of any strategic study or report?

Comment: The Planning Proposal has not been compiled as a result of a strategic study. As noted by the Applicant, the Planning Proposal has been compiled based on a broad review of the Murray LEP 2011 and preliminary public consultation involved in that process.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Comment: The Applicant has advised that based on the current zoning of the property, the subject Planning Proposal is the best means of achieving the intended outcome. It has been noted in the Planning Proposal that there would be a net community benefit via the provision of additional residential environments in Moama for additional population. The Applicant is considered to have suitably addressed the requirements of Section A of Part 3.

Section B – Relationship with Strategic Planning Framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Comment: It is noted that an amended draft Riverina Murray Regional Plan was released by NSW DPE in April 2016. A copy of the current draft Riverina Murray Regional Plan has been tabled for reference as Tabled Document 3. The subject Planning Proposal was received by Council on 31 January 2016, and therefore, the draft Plan had not yet been released and hence were not addressed in the Planning Proposal prepared by the Applicant, which addressed the previous draft Murray Regional Strategy 2009-36. A review of the current draft Plan has been undertaken by Council staff who provide the following comments in respect of assessment against this draft document:

Direction 1.1 – Grow the economic potential of the agribusiness sector

Action 1.1.1 – Provide enabling planning controls to facilitate diversification and attract investment in the agribusiness sector

Comment: The Planning Proposal is not considered to be inconsistent with this action. The Proposal does not pose an adverse impact to the local or regional agricultural supply chain and poses no impact to the primary or secondary infrastructure that supports such. The land is currently zoned RU1 Primary Production, however given the nature of the land and close proximity to the Moama township, it is considered that the rezoning of the land to R1 General Residential is not unreasonable in this instance. The land has been identified in the Murray Strategic Land Use Plan as future residential land.

Action 1.1.2 – Encourage value-add manufacturing opportunities across the region to increase regional economic diversification

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal does not pose an adverse impact to value-added manufacturing of agriculture opportunities, the export of regional agricultural commodities, the strategic positioning of future value-add enterprises, or manufacturing and intensive operations.

The proposal will not inhibit the encouragement of value-add manufacturing opportunities to increase regional economic diversification in agriculture and agribusiness, and will not adversely affect the factors which enable future agricultural enterprise to harness innovation technologies or agricultural research

Direction 1.2 – Manage productive agricultural lands in a sustainable way

Action 1.2.1- Identify and protect regionally important productive agricultural lands

Comment: The Planning Proposal is not considered to be inconsistent with this action. The Proposal is not considered to pose a significant adverse impact to resource availability and is not predicted to adversely affect agricultural efficiency or pose fragmentation of productive rural lands. While the Proposal does seek to rezone rural land which has been used in the past

for agricultural production, this lot forms part of the Stage 2 (the next coming stage) of residential land release in accordance with the Murray Strategic Land Use Plan 2010-2030 and is therefore not considered to present a parcel of land planned for long term agricultural use. The Proposal is not considered to adversely affect the agricultural supply chain or State significant agricultural lands.

Action 1.2.2 – Establish a strategic planning framework that protects the productive values of agricultural land and manages land use conflict

Comment: The Planning Proposal is not considered to be inconsistent with this action. The proposal will not inhibit the delivery of strategic plans and policies to protect rural land uses, natural resources, developing industries, or dependent industries and communities. As the surrounding land to the north-east, east, south east, south, south-west and west is flagged under the Murray SLUP 2010-2030 for future residential land release, the Proposal is not considered to result in long term land use conflict. See Figure 8, below.

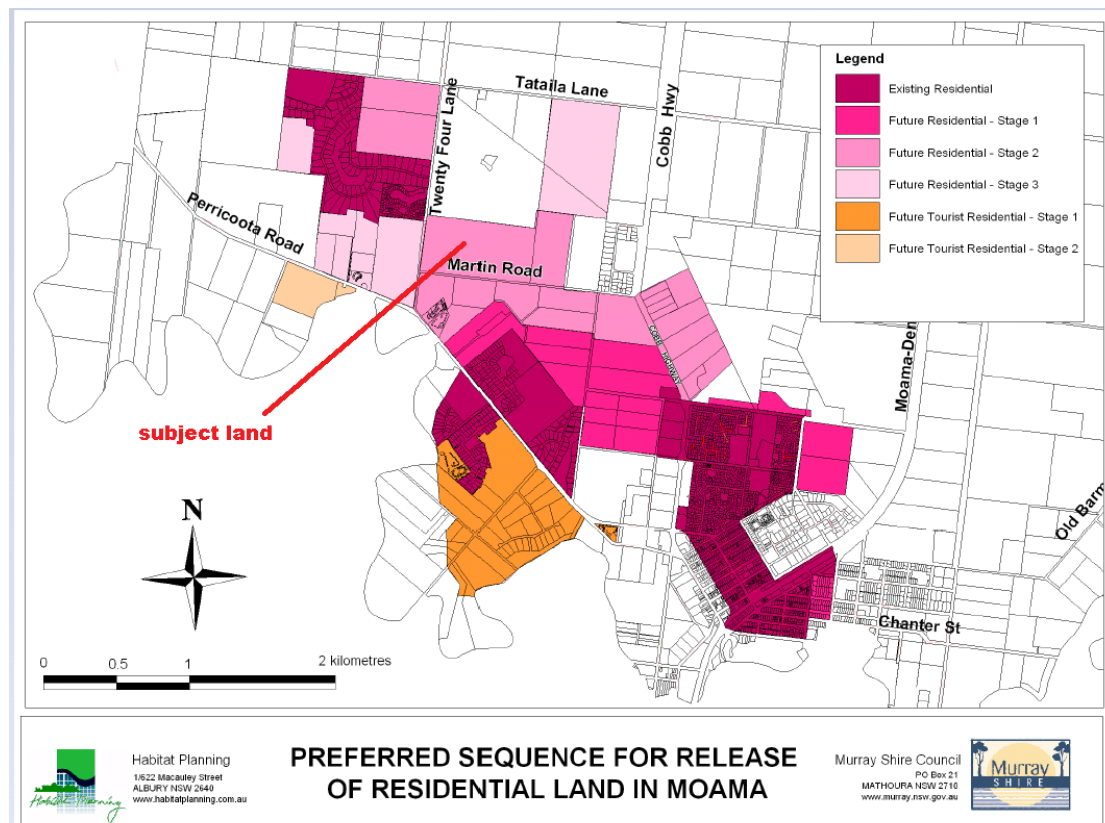


Figure 8 – Preferred sequence of release of residential land in Moama (SLUP)

Action 1.2.3 – Encourage the increased use of biosecurity measures to protect the regions agricultural assets

Comment: The Planning Proposal is not considered inconsistent with this action. The Planning Proposal is not considered to present a biosecurity risk to the region or locality. Any future application for residential development enabled as a result of the subject Planning Proposal would be subject to any measures necessary to reduce biosecurity risk (for instance the establishment of chemical spray drift buffers).

Direction 1.3 – Manage and use the regions natural resource sustainably

Action 1.3.1 – Support the sustainable use and conservation of water resources

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal is not considered to adversely impact water resources, water catchments, watercourses or riparian areas. Based on the size of the lot proposed for rezoning for urban use, the Proposal is not considered to generate significant pressure on urban water supply, and as part of the SLUP, already forms part of the area strategically planned for future residential land supply.

Action 1.3.2 – Protect areas of mineral and energy, extractive and renewable energy potential

Comment: The Planning Proposal is not considered inconsistent with this action. The subject site is not mapped as “Mineral resources” and is likely to have no affect on the aim of the plan to protect the regions natural resource base and renewable energy infrastructure potential.

Action 1.3.3 – Avoid urban expansion and rural residential development on productive agricultural land identified mineral resource and energy resources

Comment: The Planning Proposal is not considered inconsistent with this action. While the Planning Proposal does seek to convert RU1 Primary Production zoned land to R1 General Residential zoned land, urban development of the subject site is not predicted to create land use conflicts, land speculation or place significant pressure on infrastructure and services used by the primary producers, resource and energy sector. See previous comments contained in ‘Action 1.2.1. The site is not mapped as “Mineral Resources”.

Action 1.3.4 – Implement the NSW Renewable Energy Plan to increase renewable energy generation

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the implementation of this plan.

Action 1.3.5 – Support the protection of native and plantation forests from encroachment

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action. The subject site is not utilised for or located in the vicinity of land used for the forestry industry.

Direction 2.1 – Enhance the regions freight networks through coordinated investment

Action 2.1.1 - Identify and prioritise pinch points in the freight network

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action. The Proposal is not considered to pose any impact to freight efficiency, future bypasses or bridge crossings (including the Moama Echuca Bridge Crossing upgrade).

Action 2.1.2 - Identify and protect intermodal freight terminals to facilitate growth in the freight and logistics sector

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action. There are no existing or proposed intermodal terminals located in vicinity of the subject site.

Action 2.1.3 - Identify and prioritise opportunities to improve regionally significant local road connections

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action. Any future development of the site for urban use is not predicted to place significant pressure on the local freight network.

Action 2.1.4 – Work with the Australian Government on the proposed Melbourne-Brisbane inland rail corridor

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action. The proposed inland rail corridor is not located in vicinity of the subject site.

Direction 2.2 – Improve inter-regional transport services

Action 2.2.1 – Implement local planning controls that protect regional airports from the encroachment of incompatible land uses

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action. The subject site is not located in the vicinity of a regional airport.

Action 2.2.2 – Identify and protect future rail corridors

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action. The future rail corridor discussed within this direction is not located in the vicinity of the site, or Moama.

Direction 2.3 – Coordinate infrastructure delivery to facilitate economic opportunities

Action 2.3.1 – Coordinate the delivery of infrastructure to support the future needs of residents, business and industry

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal is not considered to pose an impact with respect to supply of energy, waste services, water, or telecommunication within the region and locality. The site is located with suitable access to all required utilities and services to accommodate the Proposal.

Action 2.3.2 – Establish monitoring mechanisms to enable better demand forecasting to inform infrastructure coordination

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action.

Direction 3.1 – Grow the regional cities of Albury, Wagga Wagga and Griffith

Action 3.1.1 – Develop a regional cities strategies for Albury, Wagga Wagga and Griffith

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action.

Action 3.1.2 – Implement an industrial land monitoring program to maintain a supply of well-located and serviced industrial land

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action.

Action 3.1.3 – Develop and deliver strategies that strengthen the commercial function of the CBDs and town centres

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action.

Direction 3.2 – Enhance the liveability and economic prosperity of the region's towns and villages

Action 3.2.1 – Deliver improved tools and partnerships to build community capacity in towns and villages to strengthen community resilience

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal will not adversely impact on community resilience or the alleviation of skill shortage, particularly in the agribusiness sector.

Action 3.2.2 – Support the continued identification and protection of the region's heritage

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal site is not known to contain any items environmental heritage and will not impact the consideration of heritage within the planning system, heritage protection, promotion, or management of heritage assets.

Action 3.2.3 – Deliver enabling planning controls to diversify regional tourism markets and increase tourism opportunities

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action. The Proposal will not impact local or regional tourism, tourism markets or tourism events.

Action 3.2.4 – Deliver regionally specific urban design guidelines

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal will not impact the delivery of such guidelines. As set out in the SLUP, this site forms an area earmarked for future urban release based on its ability to integrate into existing movement networks, public open space, and utilities infrastructure. The site is not constrained by significant native

vegetation and is within close proximity to Council's existing cycle and pedestrian paths along Perricoota Road.

Action 3.2.5 – Identify opportunities to provide improved and increased transport connections between the region's town and villages to the regional cities

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action.

Direction 3.3 – Enhance the economic self-determination of Aboriginal communities

Action 3.3.1 – Conduct a strategic assessment of land held by the region's Local Aboriginal Land Councils to identify priority sites for further investigation of their economic opportunities

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action. The subject site is not land owned by the Local Aboriginal Land Council.

Direction 3.4 – Provide a continuous supply of appropriate housing to suit the different lifestyles and needs of the region's population

Action 3.4.1 – Deliver enabling planning controls that facilitate an increased range of housing options including infill housing close to existing jobs and services

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the implementation of considerations discussed within this action. The existing SLUP earmarks this land for future residential land release, with future amendments to Council's strategic documents and plans required in order to achieve the aims of this Action.

Action 3.4.2 - Facilitate a more diverse range of housing for seniors

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal ultimately seeks to amend the zoning of the subject lot to allow residential development, with a minimum lot size of 750m². It is noted that given the close proximity of the lot to the town centre, access to services, community facilities and connection to transport network, the future development of these lots could be harnessed by seniors seeking to downsize to smaller allotments, however the Proposal is not specifically aimed to address such matters.

Action 3.4.3 Develop a framework to facilitate a range of accommodation options for itinerant workers

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has little effect on the considerations discussed within this action. While it is conceivable that the proposed future development of this subject land could accommodate rental properties to service seasonal workers, the Proposal is not specifically aimed to address this issue.

Action 3.4.4 – Develop and implement principles for rural residential development

Comment: The Planning Proposal is not considered inconsistent with this action. The subject Proposal does not seek to enable the development of this lot for rural-residential development, but rather, seeks to enable R1 General Residential zoning with a 750m² minimum lot size. The Proposal is consistent (in principle) with the SLUP, although this local strategic document has not been endorsed by the NSW DPE. The subject lot is located in close proximity to approved residential development (R1 and R5 zoning). Any future approved development of the subject lot will have access to existing infrastructure, which are available for connection. The subject land is consistent with the long term plans for the area for residential development and is not considered to pose land use conflict with the surrounding area, which is also earmarked for future residential development in the coming stages of residential land release by Council. The site is not an area of high environmental, cultural/heritage significance and is not considered important agricultural land. While the lot is partially mapped as bushfire prone land (buffer), the land is not flood prone and is not significantly affected by natural hazards. The proposal is considered to offer additional housing stock to the locality.

Action 3.4.5 – Facilitate the delivery of more affordable housing options through improved planning policies

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal ultimately seeks to amend the zoning of the subject lot to allow residential development, with a minimum lot size of 750m². It is noted that given the close proximity of the lot to the Moama town centre, access to services, community facilities and connection to transport network, any future approved development of these lots could be harnessed by those seeking more affordable allotments within the Moama market, however this Proposal is not specifically aimed at providing affordable housing.

Direction 3.5 – Enhance connections and planning between cross-border communities to improve service quality and infrastructure delivery

Action 3.5.1 – Investigate opportunities to improve cross-border planning outcomes, including infrastructure and service delivery

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal seeks to increase the supply of housing lot stock in the Moama area, which will continue to facilitate the movement of populace between Echuca/Moama. The Proposal will have little impact on the delivery of infrastructure or services.

Action 3.5.2 – develop a cross-border land monitoring program

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal seeks to increase the supply of housing lot stock in the Moama area, which will continue to facilitate the movement between Echuca/Moama. The Proposal will not inhibit improved tracking and forecasting of housing and employment of land release within the region.

Direction 4.1 – Protect the nationally significant Murray River

Action 4.1.1 – Actively manage settlement and competing land uses along the Murray River

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal does not seek to impact land use adjoining the Murray River.

Direction 4.2- Protect the region's environmental assets and biodiversity values

Action 4.2.1 – Facilitate improved access to quality information relating to high environmental values, to avoid, minimise and mitigate the impacts of development on significant environmental assets

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action.

Action 4.2.2 – Maintain healthy waterways and wetlands, including downstream environments

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal will have little effect on the considerations discussed within this action.

Direction 4.3 – Increase the region's resilience to natural hazards

Action 4.3.1 – Review and map natural hazard risks to inform land use planning decisions

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action. While the site is mapped as bushfire prone (buffer area), this subject proposal is not considered to pose any impact to any future review of Council's bushfire prone land mapping.

Action 4.3.2 – Support communities to build resilience to the impacts of natural hazards and climate change

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action.

Action 4.3.3 – Minimise the potential impacts of naturally occurring asbestos on communities

Comment: The Planning Proposal is not considered inconsistent with this action. The Proposal has no effect on the considerations discussed within this action.

Assessment Criteria

a) *Does the proposal have strategic merit and*

- *Is it consistent with a relevant local strategy endorsed by the Director General or*
- *Is it consistent with the relevant regional strategy or Metropolitan Plan or*

- *Can it otherwise demonstrate strategic merit, giving consideration to the relevant Section 117 Directions applying to the suite and other strategic considerations (e.g. proximity to existing urban areas, public transport and infrastructure accessibility, providing jobs closer to home etc.)*
- b) *Does the Proposal have site specific merit and is it compatible with the surrounding land uses, having regard to the following:*
- *The natural environment (including known significant environmental values, resources or hazards) and*
 - *The existing uses, approved uses, and likely future uses of the land in the vicinity of the proposal; and*
 - *The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.*

Comment: Throughout the various sections of the Planning Proposal, the Applicant has suitably demonstrated the strategic merit of the Proposal. Although not specifically addressed in this Part of the Planning Proposal, there is no applicable local strategy endorsed by the Director General affecting this area of Murray River Council. Subsequent sections of the Planning Proposal also demonstrate compliance with the relevant Section 117 Directions and the suitability of the site for the proposed use based on its close proximity to existing urban areas, public transport, infrastructure, and community facilities. The Proposal is considered compatible with the long term strategic plans for the surrounding area, the natural environment, existing uses, approved uses and the future use of land in the vicinity of the proposal. The Applicant is considered to have suitably addressed the assessment requirements.

Q4 – Is the Planning Proposal consistent with a Council's Local Strategy of other local Strategic Plan

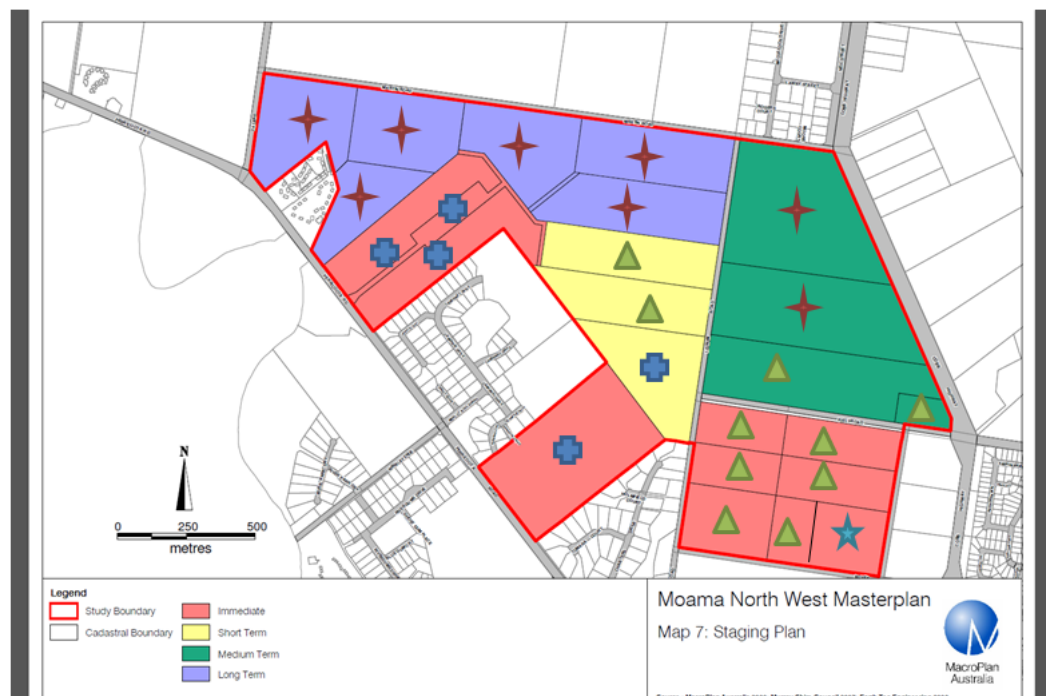
Comment: The Murray Strategic Land Use Plan 2010-2030 (SLUP) is applicable. The SLUP has been adopted by Council and has been in operation for some time; however has not been formally endorsed by the NSW Department of Planning & Environment. A copy of the SLUP has been tabled for reference As Tabled Document 4. The SLUP recommends that the subject lot be utilised for future residential development. The SLUP recommends that this land be released as 'Stage 2'

In accordance with the SLUP:

"... When the supply of zoned residential land falls below 15 years land further to the north and either side of Martin Road [now Beer Rod] should be made available (i.e. appropriately zoned) for residential development. This area will require some pre-planning' before rezoning to address such things as drainage and road network. In the longer term land between the golf course and industrial estate as well as that west of Twenty-four Lane along Perricoota Road is suitable for residential development. This will ensure residential development options are kept open for the long term future of the town (or city as it will be by then) and avoid the potential for 'land locking' by non-residential land uses..."

The subject lot is located adjoining (and directly north of Beer Road).

As can be seen from Figure 9 below, there are a number of R1 General Residential zoned land parcels/cluster areas in which no development consent for urban subdivision has been approved or applied for. Additionally, Figure 9 also highlights that the land flagged for “medium term” release has already begun to be rezoned as residential, in this instance R1 General Residential.



KEY

	RU1 – Primary Production zoned land not subject to development consent
	R1 – General Residential zoned land subject to development consent for urban subdivision
	R1 – General Residential zoned land not subject to development consent for urban subdivision
	R1 – General Residential zoned land subject to approval for alternate use (non-urban subdivision)

Figure 9 – Existing development for R1 zoned land

Based on a calculation of existing residential land which is available but not yet approved for residential subdivision, Staff calculate that approximately 74.72 hectares of existing residential zoned remains in Moama. This existing residential zoned land with the following minimum lot size:

- 20 hectares of this land has a 750m² minimum lot size
- 51.03 hectares has a 450m² minimum lot size; and
- 3.69 hectares has no minimum lot size

Using Stage 1 of Lakeview Subdivision as a guide, the total area of that stage is 32 hectares, with approximately 10 hectares of this area used for internal network (conservative). Therefore, when calculating the level of existing usable residential zoned land, staff suggests that at least one third will likely be utilised as internal road network. Based on this assumption, Moama has 74.72 hectares of land with approximately 50 hectares of usable area for residential lots.

Based on the minimum lot sizes of the existing residential land, Staff calculates that Moama potentially has approximately 983 residential lots available, as per the following:

- Approximately 13 hectares of residential zoned land with a minimum lot size of 750m², creating an anticipated lot yield of approximately 173 residential lots.
- Approximately 36.5 hectares of residential zoned land with a minimum lot size of nil - 450m², creating an anticipated lot yield of approximately 810 lots (based on 450m² lot size)

In accordance with Local Development Performance Monitoring figures, Murray Shire Council approved a total of 71 dwelling houses for the 2014/2015 financial year. The figures for 2015/2016 are not yet available; however Staff believes that Council approved more dwelling houses than in 2014/2015 financial year (upwards of 80 dwelling houses).

Using the 2014/2015 figures as a guide and the below equation

Equation: $Y = E/D$

Where:

- 'Y' equals years of residential supply remaining
- 'E' equals existing lot supply (983 lots)
- 'D' equals dwelling houses approved in 2014/2015 (71 dwelling houses)

Staff calculate that Moama has approximately **13.8 years** of existing residential land supply.

Based on this outcome, the residential land supply within Moama has fallen below the 15 years supply level, and Council should consider beginning to release Stage 2 in order to maintain usable residential land supply. While the subject lot does not form part of the Moama North West Master Plan, land scheduled to be released in the medium and long term as part of the Moama North West Master Plan (See Figure 10 below) is shaded as 'Stage 2' in the SLUP (in Figure 11):

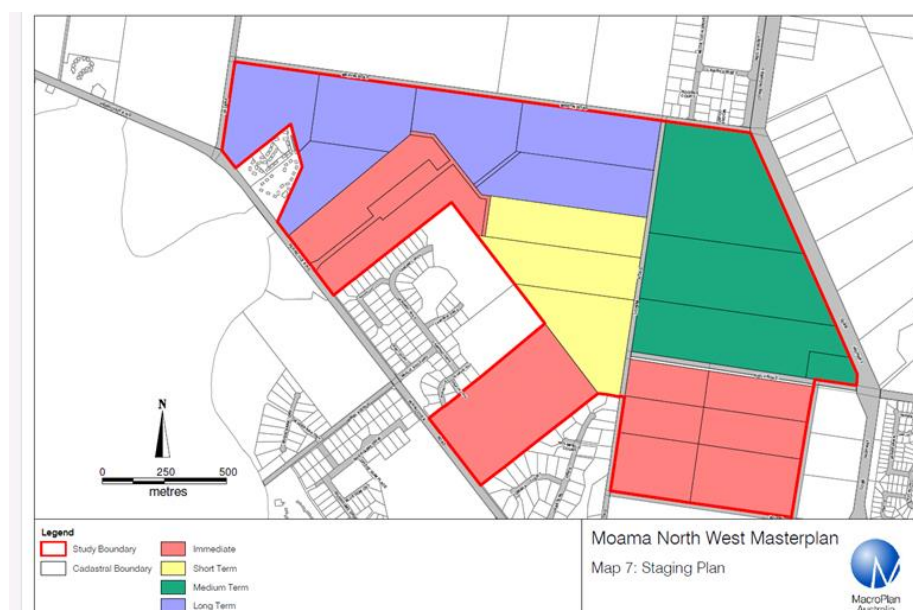


Figure 10 – MNWP Staging plan – The subject site is located directly to the north of the land shaded purple (in the north western corner of the shaded area)



Figure 11- SLUP land release schedule

The Applicant notes that the rezoning of the subject land should be brought forward to ensure that the demand for residential lots can continue to be met on a number of development fronts while facilitating forward planning in a dynamic development environment. The Applicant also notes that current supply of residential land has become stagnant. See further comments provided by the Applicant with respect to assessment against these local strategies. The site is not considered isolated and can be connected to all available services. The subject lot adjoins residential development to the north and north- west diagonally and is considered suitable for the use sought by the Planning Proposal.

Strategic Area (B) (Environmental Planning) of the Murray Shire Council Community Strategic Plan 2015/2016 – 2024/25 is also applicable, and sets out an objective to develop and implement strategic plans and planning instruments to ensure development occurs in an environmentally responsible and consistent manner. A copy of this document has been tabled for reference as Tabled Document 5. A key measure of control set out in the Community Strategic Plan is compliance with the Murray Local Environmental Plan (LEP). Any subsequent development of the site would be subject to a merit based assessment against the Murray LEP 2011 and all other relevant legislation. The Applicant is considered to have suitably addressed the considerations relating to Council's local strategy.

The site is not considered isolated and can be connected to all available services. The subject lot adjoins residential development to the north and north- west diagonally and is considered suitable for the use sought by the Planning Proposal.

Q5. Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?

State Environmental Planning Policies (SEPPs)

Comment: As set out in Attachment A of the subject Planning Proposal, the Applicant has identified the SEPPs relevant to the Planning Proposal and notes consistency with each applicable SEPP. The Applicant states that SEPP 52 - Farm Dams and Other Works in Land and Water Management Plan Areas is not applicable to parts of Murray River Council, however it is noted that this SEPP does apply. Council staff considers that the subject Proposal is not inconsistent with the aims and objectives of SEPP 52. The Applicant is considered to have provided suitable detail for the purposes of assessment at this stage.

Q6. Is the Planning Proposal consistent with the applicable Ministerial Directions (S.117 Directions)?

Comment: Please see Tabled Document 6 for a copy of the relevant Section 117 Directions referred to in this section. As set out in Attachment B of the subject Planning Proposal, the Applicant has identified that the subject proposal is either consistent or inconsistent, but able to satisfy the relevant criteria to justify inconsistency, or proposing a minor significance with the applicable Directions.

Direction 1.2 – Rural Zones

The Applicant notes that the Planning Proposal is inconsistent with this Direction however this inconsistency is justified by the Council's strategy (SLUP) – See comments set out in Attachment B.

Direction 1.5 – Rural Lands

The Applicant notes that the Planning Proposal is consistent with this Direction – See comments set out in Attachment B. It is noted that the Applicant states that the subject land is not classified as bushfire prone, however Council's mapping does partially cover this lot. Nonetheless, the Applicant's assessment against Direction 1.5 is considered satisfactory.

Direction 2.1 – Environmental Protection Zones

The Applicant notes that the Planning Proposal is consistent with this Direction – See comments set out in Attachment B.

Direction 2.3 – Heritage Conservation

The Applicant notes that the Planning Proposal is consistent with this Direction – See comments set out in Attachment B.

Direction 2.4 – Recreational vehicles

The Applicant notes that the Planning Proposal is not inconsistent with this Direction – See comments set out in Attachment B.

Direction 3.1 – Residential zones

The Applicant notes that the Planning Proposal is consistent with this Direction – See comments set out in Attachment B.

Direction 3.2 – Caravan parks and manufactured home estates

The Applicant notes that the Planning Proposal is not inconsistent with this Direction – See comments set out in Attachment B.

Direction 3.3 – Home occupations

The Applicant notes that the Planning Proposal is not inconsistent with this Direction – See comments set out in Attachment B.

Direction 3.4 – Integrated land use and transport

The Applicant notes that the Planning Proposal is consistent with this Direction – See comments set out in Attachment B.

Direction 4.4 – Planning for Bushfire Protection

The Applicant notes that the Planning Proposal is consistent with the Direction – See comments set out in Attachment D.

Direction 6.1 – Approval and referral requirements

The Applicant notes that the Planning Proposal is consistent with this Direction – See comments set out in Attachment B.

Direction 6.2 – Reserving land for public purposes

The Applicant notes that the Planning Proposal is consistent with this Direction – See comments set out in Attachment B.

The Applicant is considered to have suitably addressed the Section 117 Directions.

Section C – Environmental, Social and Economic Impact**Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result if the Proposal?**

Comment: The lot is not covered by Council's biodiversity mapping. There is no critical habitat known to exist on this lot. As noted by the Applicant, it is unlikely that the subject proposal will have a significant adverse impact on threatened species, populations, ecological communities, or habitats. Any future development of the site will be subject to a merit based assessment against Section 79C of the *EP&A Act 1979* and all other relevant legislation. See comments provided by the Applicant for further information. The Applicant is considered to have suitably addressed the assessment requirements of Section C.

Q8. Are there any likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Comment: The Applicant notes that there are not predicted to be any other environmental effects resulting from the Planning Proposal. The Applicant is considered to have suitably addressed the assessment requirements.

Q9. Has the Planning Proposal adequately addressed any social and economic effects?

Comment: The Applicant notes that the proposal will result in a positive social and economic effect to the town. There are no known items of Aboriginal or non-Aboriginal items of cultural heritage located onsite or in the vicinity of the subject site. See comments provided by the Applicant for further information.

The Applicant is considered to have suitably addressed the assessment requirements.

Section D – State and Commonwealth Interests

Q10 – Is there adequate public infrastructure for the Planning Proposal?

Comment: The Applicant notes that there is adequate public infrastructure in place to service to the subject proposal. No demand creating a shortfall is predicted to result. The Applicant is considered to have suitably addressed the assessment requirements.

Q11. What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway determination?

Comment: The Applicant notes that the nature of the proposal is unlikely to trigger any necessary public authority consultation, and no preliminary consultation has been carried out to date. It is noted that any consultation required as a result of the Gateway Determination will be completed as required. The Applicant is considered to have suitably addressed the assessment requirements.

PART 4 – Mapping

Comment: The Applicant has provided the relevant mapping applicable to this proposal detailing the land, current land uses in the vicinity, mapping associated with the SLUP and flood mapping. The Planning Proposal has provided detail regarding the zoning and current development standards affecting the site in Part 3 of the document. There are no heritage items or conservation areas known to be located onsite. See Planning Proposal for further information.

Amendments to the affected Zoning and Minimum Lot Size mapping will be undertaken should the proposal be successful. The Applicant is considered to have suitably addressed the assessment requirements of Part 4.

PART 5 – Community Consultation

Comment: No preliminary public consultation has been undertaken, with the consultation requirements to be dictated by the requested Gateway Determination. The Applicant notes that they predict that at a minimum, the Planning Proposal will be exhibited for a period of 28 days in accordance with the requirements of Section 57 of the *EP&A Act 1979* and will include various forms of consultation. See comments provided by the Applicant for further information. The Applicant is considered to have suitably addressed the assessment requirements of Part 5.

PART 6 – Project timeline

Comment: The Planning Proposal includes a project timeline extending over approximately 8 months. See relevant section within the Planning Proposal for further details. The Applicant is considered to have suitably addressed the assessment requirements of Part 6.

Conclusion

After a review of the submitted Planning Proposal, Council staff is of the opinion that the submission by the Applicant provides sufficient detail to meet the requirements of the Act and 'A guide to preparing Planning Proposals'.