



Walgett Shire Council

Amendment to Walgett Local Environmental Plan 2013
Proposed Rezoning of Land for Large Lot Residential Purposes

28 February 2017

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Appendices

Appendix A - Consideration of applicable State Environmental Planning Policies

Appendix B - Consideration of applicable Section 117 Directions

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Acronyms

DA	Development application
DP&E	Department of Planning and Environment
DP&I	Department of Planning and Infrastructure (now DP&E)
EEC	Endangered ecological community
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
GHD	GHD Pty Ltd
IDO	Interim development order
LALC	Local Aboriginal land council
LEP	Local environmental plan
LGA	Local government area
NES	Matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
OEH	NSW Office of Environment and Heritage (formerly DECCW)
RPA	Relevant planning authority
SEPP	State environmental planning policy

1. Introduction

1.1 Overview

The preparation of a local environmental plan requires a Planning Proposal. The Planning Proposal is a document which explains the objectives, intended effect of, and justification of a rezoning proposal.

Walgett Shire Council (Council) has commissioned a planning proposal to rezone Lot 42 DP 750291 and Lot 80 DP 750291, Come By Chance Road, Walgett and Lots 1-73 DP 838673, Bill O'Brien Way, Lightning Ridge from RU1 Primary Production and SP1 Special Purposes (Lightning Ridge site only) to R5 Large Lot Residential under *Walgett Local Environmental Plan (LEP) 2013*.

This Planning Proposal assesses the proposed rezoning in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning Guidelines including "A Guide to Preparing Local Environmental Plans" and "A Guide to Preparing Planning Proposals".

Walgett Shire Council is the relevant planning authority for this purposes of this Planning Proposal.

1.2 Background

GHD was commissioned by Council to prepare the *Walgett Shire Rural Residential Strategy* (Strategy) to guide decisions on the future use and development of rural residential land across the LGA. The Strategy focused on the three main population areas of the LGA including Walgett, Lightning Ridge and Collarenebri.

The Strategy was placed on public exhibition from Monday 22 June 2015 until the close of business Friday 28 August 2015.

Seven (7) submissions were received in relation to the draft Strategy.

Council subsequently considered the recommendations of the Strategy at its meeting on 26 April 2016. A summary of Council's deliberations is outlined below:

In Walgett, two candidate areas were identified as most suitable for rezoning to provide large lot residential land stock for Walgett. Candidate Area 1 is Crown land and the leaseholder expressed no interest in rezoning the land. Candidate Area 2 is freehold land (Lot 42 DP 750291 and Lot 80 DP 750291), and the owner made a submission requesting the land be rezoned.

In Lightning Ridge, three candidate areas were identified as being most suitable for rezoning to provide large lot residential land stock for Lightning Ridge. One submission was received from the leaseholder of a portion of Candidate Area 2 supporting the strategy, however:

- The land is Crown Land, where there are likely to be significant costs, delays, and uncertainty in obtaining freehold title.
- The submission raised several concerns regarding how the subdivision would proceed, most notably about the leaseholder potentially changing their mind, cost and viability, and whether Council was intending to purchase the land.

Council subsequently considered an alternative to rezoning any of the three Lightning Ridge candidate areas identified in the Strategy which involved pursuing the rezoning and some consolidation of Lots 1-73 DP 838673 on the corner of Bill O'Brien Way and the Castlereagh Highway, Lightning Ridge that Council owns and subdivided in 1994.

In Collarenebri, no submissions in support of rezoning the two candidate areas identified in the Strategy were received. Given numerous vacant rural lots within 5 km of the Collarenebri urban area with dwelling entitlements, Council resolved that this land stock is considered sufficient for the medium to long term given ongoing population decline in the area.

Council resolved on 26 April 2016 to pursue the rezoning of the Walgett Candidate Area No. 2 as well as the rezoning of Lots 1-73 DP 838673 on the corner of Bill O'Brien Way and the Castlereagh Highway, Lightning Ridge. Council also decided to not pursue the rezoning of the Crown land in Walgett, Lightning Ridge, and Collarenebri for large lot residential use as:

1. There is little certainty in outcomes as Department of Primary Industries and Crown Lands, have indicated that they could not reasonably support the rezoning/freehold conversion/sale of Crown land by private treaty in the context of population decline.
2. There are likely to be very significant time delays.
3. There are likely to be very significant costs to Council.
4. Walgett and Collarenebri now have numerous rural lots with dwelling entitlements following NSW Department of Planning & Infrastructure's change in interpretation of the Interim Development Order (IDO).
5. Council has already purchased Crown land specifically for this purpose in Lightning Ridge and converted it to freehold.
6. The landowner of Walgett Candidate Area Two has made a submission requesting his freehold land be rezoned.
7. Support from leaseholders for rezoning of Crown land candidate areas is minimal, and where it does exist, it is problematic.

1.3 Structure of report

Section 55 (2) of the Act outlines that a planning proposal must include the following components:

Part 1 – A statement of the objectives and intended outcomes of the proposed instrument

Part 2 – An explanation of the provisions that are to be included in the proposed instrument

Part 3 – The justification for those objectives, outcomes and the process for their implementation

Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

Part 5 – Details of the community consultation that is to be undertaken on the planning proposal

Part 6 – Project timeline.

This report has been structured in the above format following the site description chapter below.

2. Site description

2.1 Site location

The site or sites comprise parcels of land at Walgett and Lightning Ridge within the Walgett LGA.

The Walgett site is located approximately 2.3km by road from the Walgett town centre. The site comprises Lot 42 DP 750291 and Lot 80 DP 750291, Come By Chance Road, Walgett and has a total area of 162.8 hectares and a perimeter of 5.93 kilometres.

The Lightning Ridge site is located approximately 5km by road from Lightning Ridge town centre. The site comprises Lots 1-73 DP 838673, Bill O'Brien Way, Lightning Ridge has a total area of 44 hectares and a perimeter of 3.3 kilometres.

2.2 Site description

2.2.1 Walgett Site

The northern boundary of Lot 42 is 900m from sealed RR7716 Come By Chance Road. Current access is via black soil tracks and unformed Crown roads.

Contour data (0.2m interval) and a digital elevation model (DEM) show the site as being relatively elevated compared to nearby land. Maximum relief across the site is about 0.6m (132.6 to 132.0m AHD).

Mapping in 2012 by NSW Office of Environment and Heritage indicates that the vegetation on the site is "Coolibah - Poplar Box - Belah woodlands". Coolibah woodlands are listed as an endangered ecological community by both the NSW and Federal governments. A Property Vegetation Plan applies to most of the site.

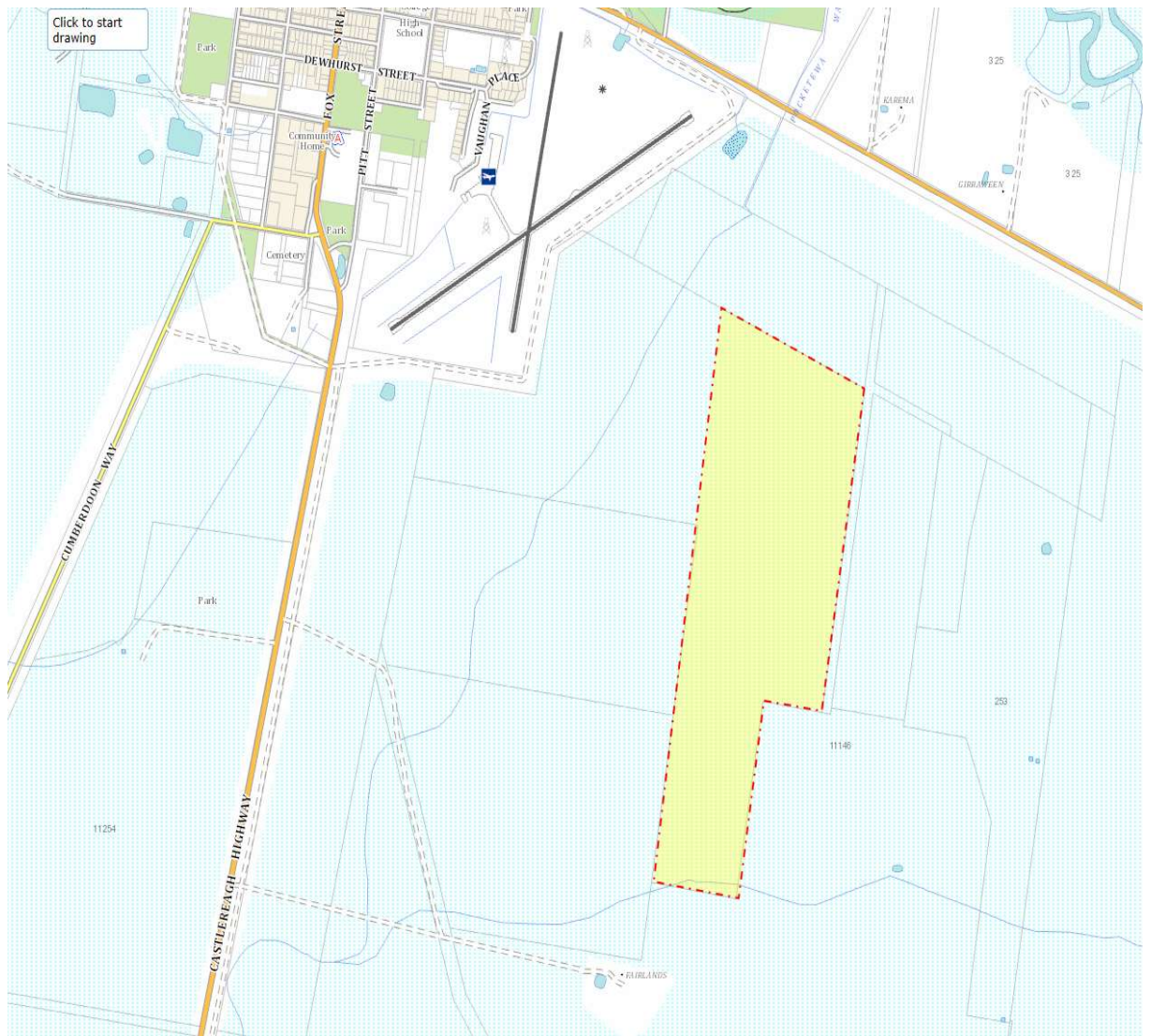
An aerial photograph (about 45% coverage) from a flood in February 2012 shows very shallow water on part of the site. Such floodwater has a very low velocity, given the site's higher relief relative to the Pocketawa Warrambool which flows during significant flood events.

No items of Aboriginal heritage have been recorded within 0.5km radius of the site according to the Walgett Shire Aboriginal Heritage Study and the results of a search of the Office of Environment and Heritage Aboriginal Heritage Information Management System.

The site is currently zoned RU1 Primary Production under Walgett LEP 2013.

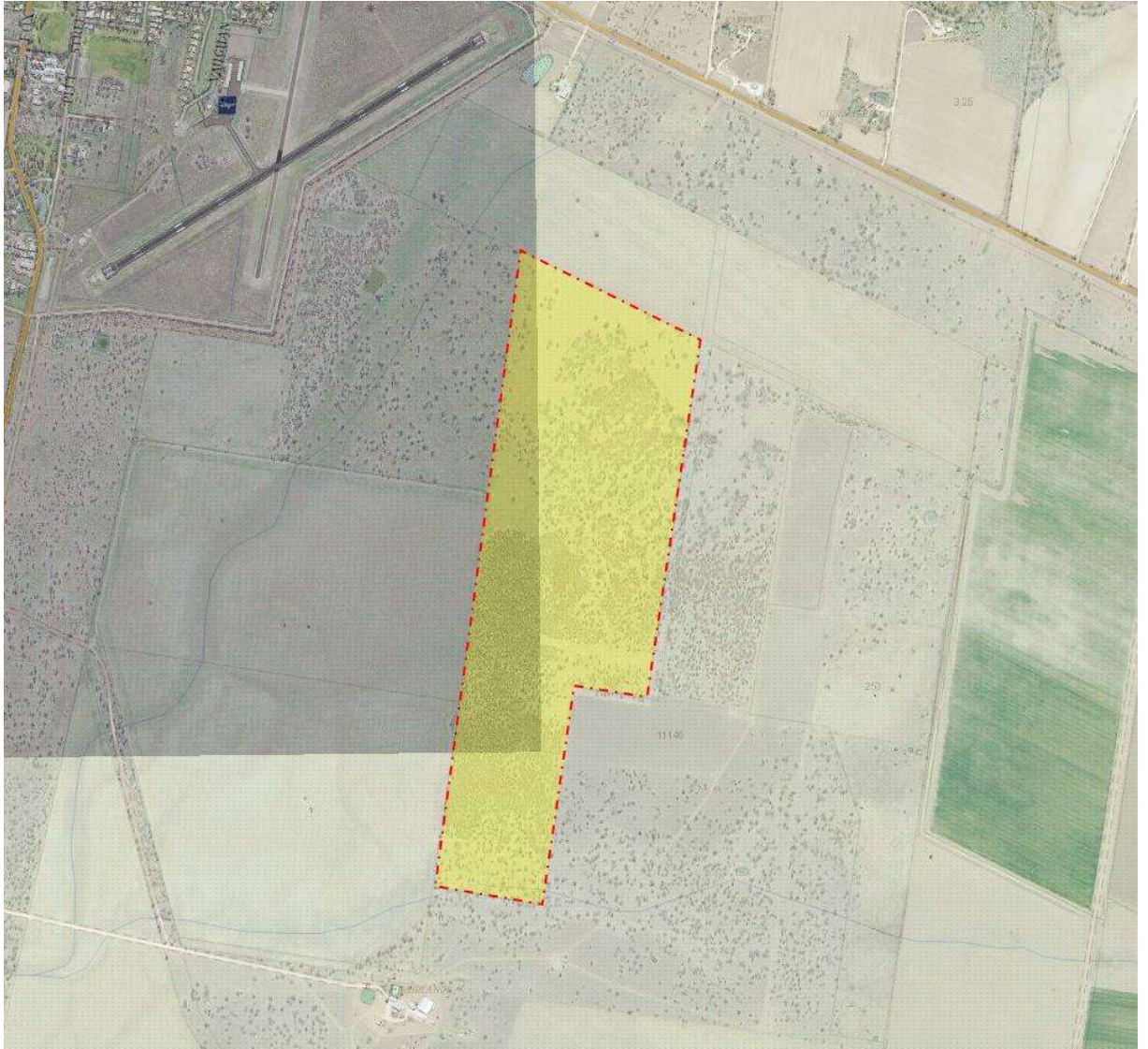
Existing electricity and telecommunications are located immediately to south of Come By Chance Road, about 870m from the site.

The site and its surrounds are illustrated in Figures 1 and 2, whilst the current zoning of the site and surrounds is shown in Figure 3.



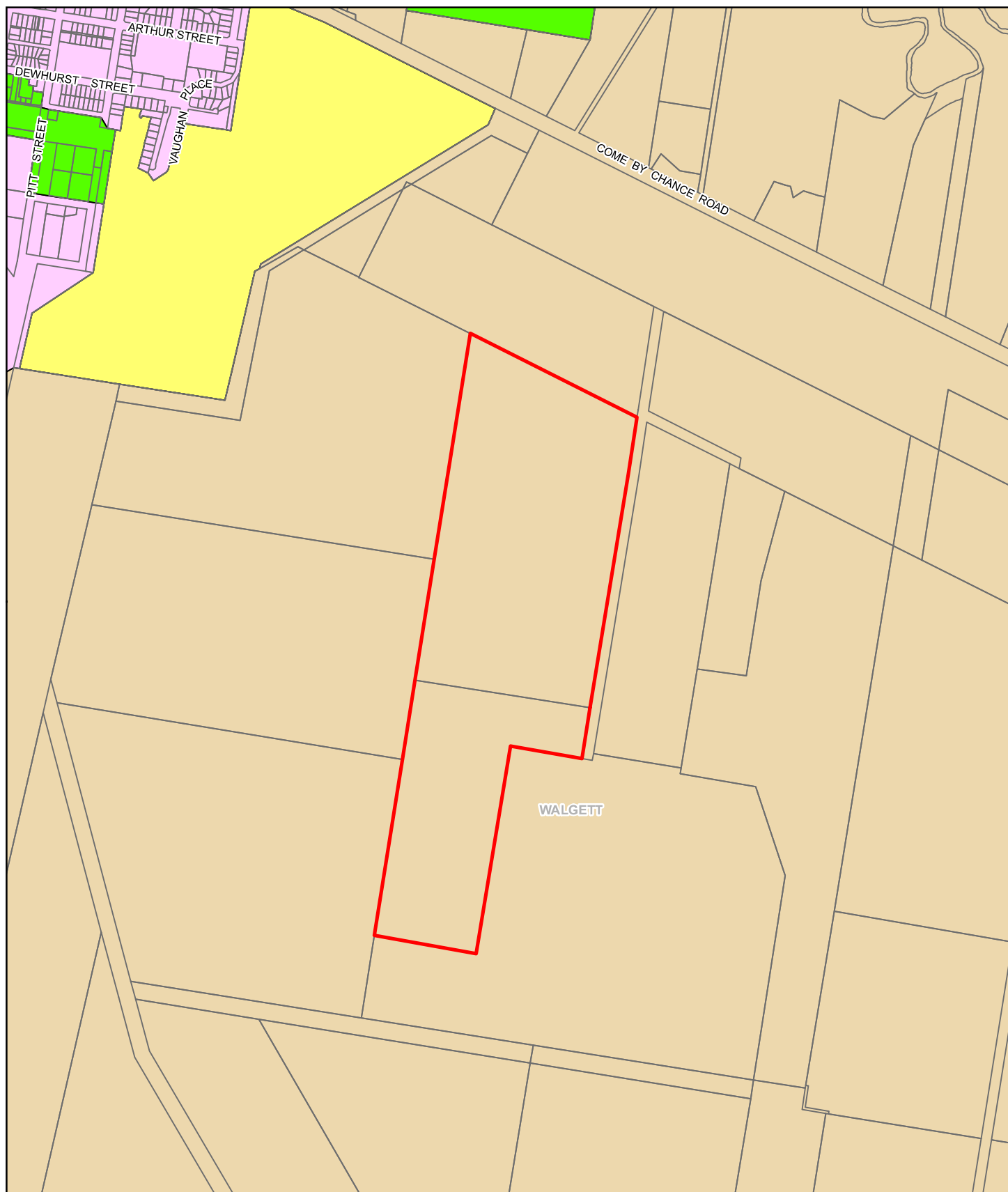
Source: NSW Six Maps, 2016

Figure 1 Walgett Site









Source: Google Earth, 2016

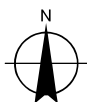
Figure 2 Walgett Site Aerial



LEGEND

- | | |
|---|--|
|  Site location |  SP2 Infrastructure |
|  R1 General Residential |  Cadastre |
|  RE1 Public Recreation | |
|  RU1 Primary Production | |

Paper Size A4
0 140 280 420 560
Metres
Map Projection: Transverse Mercator
Horizontal Datum: GDA 1994
Grid: GDA 1994 MGA Zone 55



Walgett Shire Council
Walgett and Lightning Ridge
Large Lot Residential Planning Proposal

Job Number	0909787
Revision	
Date	20 Oct 2016

Walgett
current zoning

Figure 3

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S:\Environment & Water Business Group\Spatial\Pre Project Directory Stuff\220909787\GIS\Maps\Deliverables\220909787_P001_CurrentZoning_DDP_A.mxd

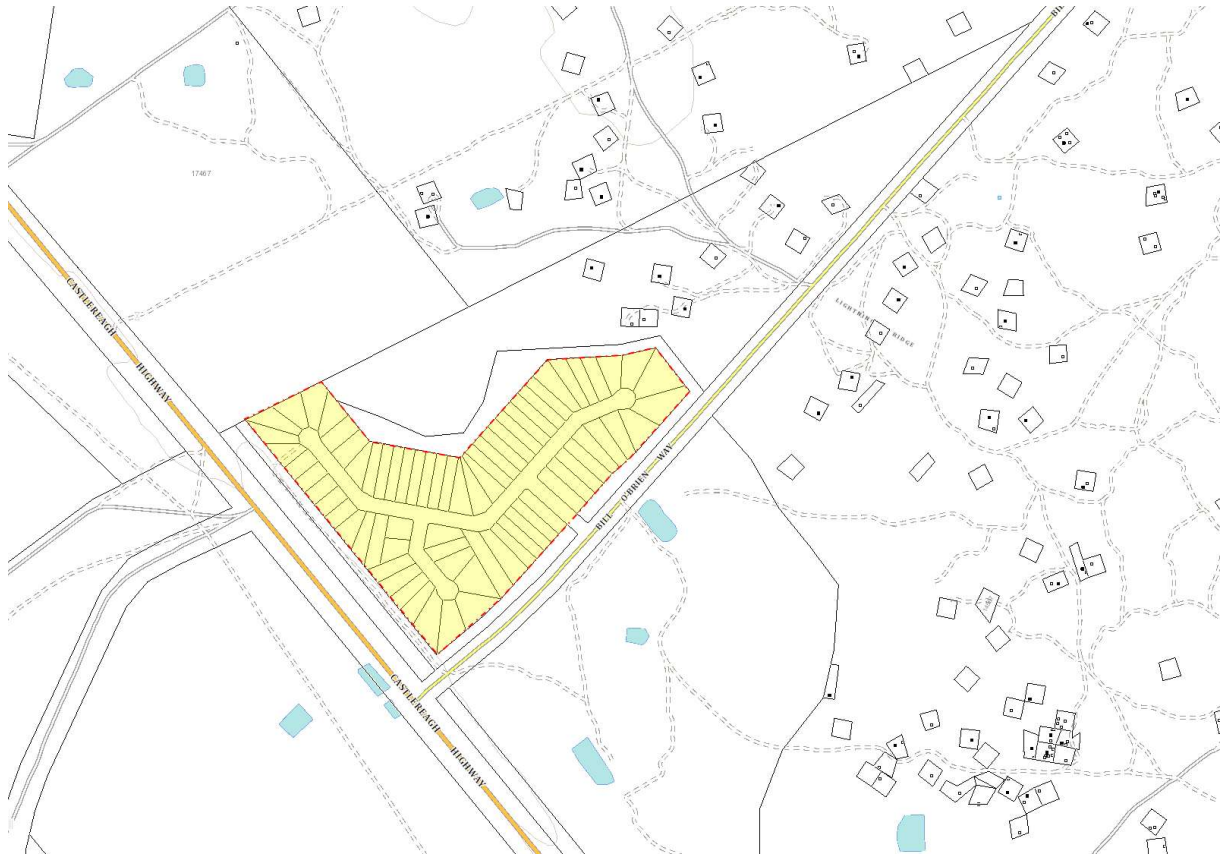
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Data source: LPI: DTDB / DCDB, 2012; DPE: Zoning, 2016. Created by: fmackay

2.2.2 Lightning Ridge Site

The Lightning Ridge site lies on the corner of Bill O'Brien Way and the Castlereagh Highway and is currently owned by Council. It covers an area of 43.87 ha and a perimeter of 3.33km. The site is partially situated on potentially opal bearing ridge country. The site has an elevation of 140m along its western boundary gradually rising towards the north east.

The site and its surrounds are illustrated in Figures 4 and 5, whilst the current zoning of the site is shown in Figure 6.



Source: NSW Six Maps, 2016

Figure 4 Lightning Ridge Site

Mapping in 2012 by NSW Office of Environment and Heritage indicates that the vegetation on the site is not considered endangered ecological community however the vegetation does appear to be mature and potential habitat for threatened flora and fauna species.

Helicopter surveys during the January and February 2011 flood event indicated about 35% of the southern part of the site was inundated by shallow, low velocity flood water. The site appears to be slightly elevated compared to the surrounding flood plain given the flow paths of the 2011 and 2012 flood events and the minor inundation of the area.

No items of Aboriginal heritage have been recorded within 0.5km radius of the site according to the Walgett Shire Aboriginal Heritage Study and the results of a search of the Office of Environment and Heritage Aboriginal Heritage Information Management System.

The site is currently zoned RU1 Primary Production and SP1 Special Purposes under Walgett LEP 2013. The current zoning of the site is shown in Figure 6.

An existing 22kV main power line runs along Castlereagh Highway adjacent to the site.

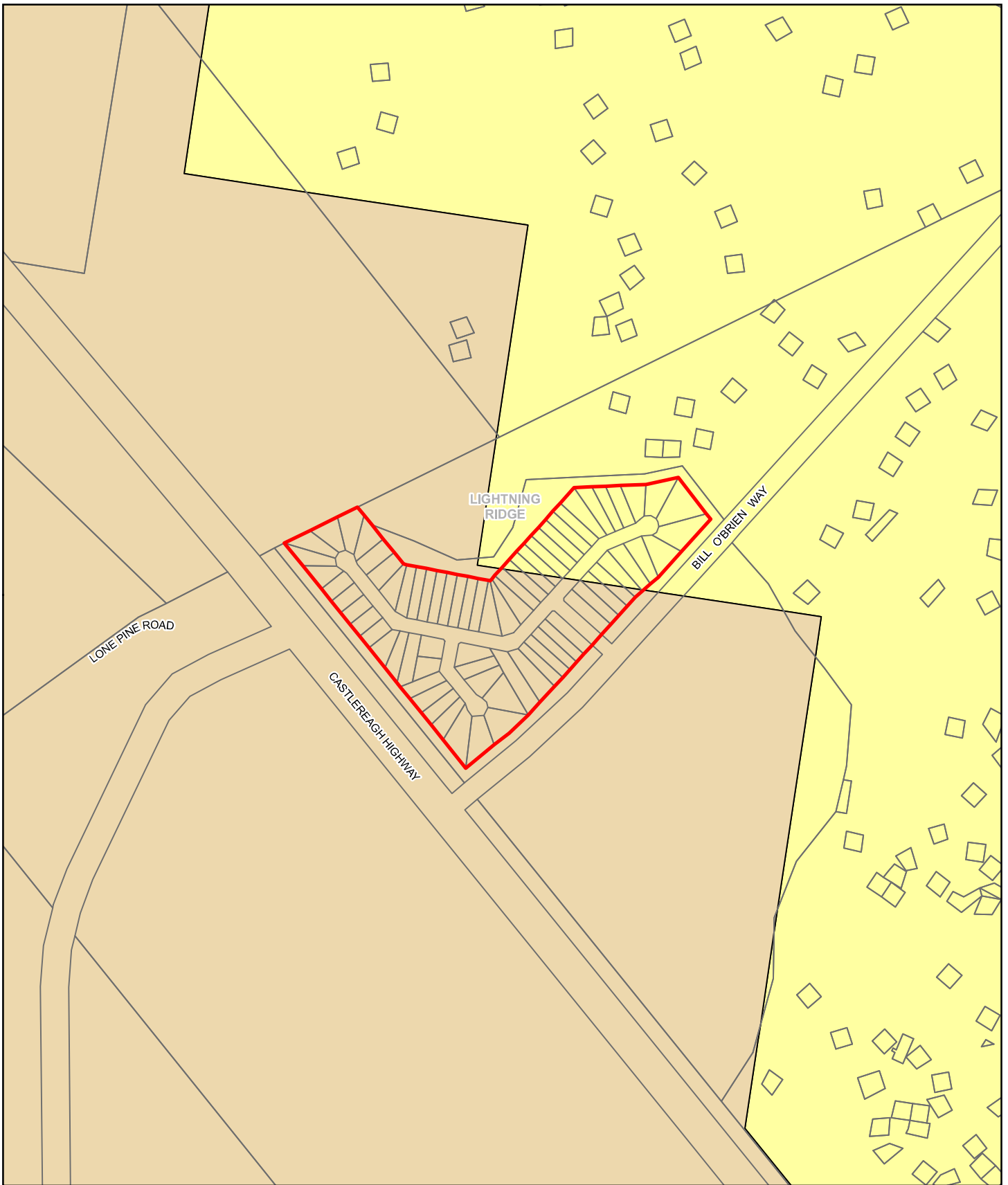


Source: Google Earth, 2016





Figure 5 Lightning Ridge Site Aerial

Review of Council minutes shows that some consultation was done with mining stakeholders prior to subdivision, and some support for the project was eventually attained. This support, coupled with anecdotal evidence from the Lightning Ridge Miners Association and sundry miners, suggests that the land is not recognised as viable for opal mining. Further, rezoning of the lots does not necessarily preclude mining claims over the land (notwithstanding the provisions of the Mining Act 1992).

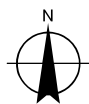
Presently the lots have no dwelling entitlements, as the original project did not satisfy the provisions of Interim Development Order No 1 Shire of Walgett which was in force at the time. It is reasonable to suggest that the Department of Planning and Environment may be supportive of the proposal if the 73 lots were consolidated to about 22 lots (unserved), enabling R5 Large Lot Residential zoning.



LEGEND

-  Site location
-  RU1 Primary Production
-  SP1 Special Activities
-  Cadastre

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 0 100 200 300 400
 Metres
 Map Projection: Transverse Mercator
 Horizontal Datum: GDA 1994
 Grid: GDA 1994 MGA Zone 55



Walgett Shire Council
 Walgett and Lightning Ridge
 Large Lot Residential Planning Proposal

Job Number 0909787
 Revision
 Date 20 Oct 2016

Lightning Ridge
 current zoning

Figure 6

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 S:\Environment & Water Business Group\Spatial\Pre Project Directory Stuff\220909787\GIS\Maps\Deliverables\220909787_P001_CurrentZoning_DDP_A.mxd

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Data source: LPI: DTDB / DCDB, 2012; DPE: Zoning, 2016. Created by: fmackay

3. Part 1 - Objectives or intended outcomes

To evaluate a change in zoning to enable both the Walgett and Lightning Ridge sites to be developed for large lot residential purposes.

4. Part 2 - Explanation of the provisions

The explanation of provisions is an explicit statement of how the objectives and intended outcomes are to be achieved by means of new controls on development imposed via a local environmental plan.

The proposed outcome will be achieved by evaluating the justification for:

- Amending the Walgett LEP 2013 Land Zoning Map for each site in accordance with the proposed zoning map shown in Appendix C; which indicates a rezoning of each site from RU1 Primary Production and SP1 Special Purposes (Lightning Ridge site only) under Walgett Local Environmental Plan (LEP) 2013 to R5 Large Lot Residential
- Amending the Walgett LEP 2013 Lot Size Map for each site in accordance with the proposed lot size map, shown in Appendix C, which indicates a minimum lot size of 2ha for the Walgett site and 1ha for the Lightning Ridge site.

5. Part 3 - Justification of proposal

The following questions are set out in the Department of Planning's *A Guide to Preparing Planning Proposals* and address the need for the planning proposal, its strategic planning context, the environmental and social impacts and the implications for State and Commonwealth agencies.

The following sections examine the justification provided by the proponent for the planning proposal in more detail.

5.1 Section A - need for a planning proposal

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

Yes. The Walgett Rural Residential Strategy 2015.

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

Yes, the Planning Proposal is the best means of achieving the objectives and intended outcomes of rezoning each site.

Each site is currently zoned RU1 Primary Production and SP1 Special Purposes (Lightning Ridge site only) under Walgett LEP 2013. Subdivision with a dwelling entitlement on lots smaller than 400ha is not permitted in the zone and therefore a change of zone is required.

3. Is there a net community benefit?

The Planning Proposal would facilitate additional rural residential land within the LGA and would provide existing and future residents with an alternative housing choice other than large rural holdings and smaller residential properties. Any concerns associated with environmental, social and economic impacts are addressed in Section 5.3 of this report.

5.2 Section B - relationship to strategic planning framework

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

Not applicable.

Is the planning proposal consistent with the Council's Community Strategic Plan, or other local strategic plan?

The Planning Proposal is considered to be consistent with Council's Community Strategic Plan.

Is the Planning Proposal Consistent with applicable State Environmental Planning Policies?

Consideration of the applicable State Environmental Planning Policies (SEPP) is contained in Appendix A.

The Planning Proposal is considered to be consistent with all relevant SEPPs.

Is the Planning Proposal consistent with applicable Ministerial Directions (Section 117 Directions)?

Consideration of the relevant Section 117 Directions is contained in Appendix B.

The Planning Proposal is considered to be consistent with all relevant Ministerial Directions with the exception of Directions 1.2 (Rural Zones), 4.2 (Mine Subsidence), 4.3 (Flood Prone Land) and 4.4 (Planning for Bushfire Protection).

The inconsistency with Direction 1.2 is considered to be of minor significance as each site has been identified for rural residential purposes and have been the subject of Council resolutions supporting their future use for rural residential purposes.

The Planning Proposal is not consistent with Directions 4.2, 4.3, and 4.4. The subject sites are partially flood prone.,. Whilst these constraints could be addressed through development controls, additional analysis is required to determine the potential impacts on future development.

Flooding is not considered to be an absolute constraint to the development of large lot rural residential dwellings however development controls need to be identified to ensure future residents are protected from any potential hazard and risk at each site.

This is also discussed in detail in Section 5.3.2.

5.3 Section C - environmental, social and economic impacts

Is there any likelihood that critical habitat, threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the Proposal?

5.3.1 Ecology

Walgett Site

OEH mapping prepared in 2012 indicates that the vegetation is "Coolibah - Poplar Box - Belah woodlands". Coolibah woodlands are listed as an endangered ecological community by both the NSW and Federal governments. A Property Vegetation Plan applies to most of the area. This may also have an impact on any rezoning proposal. A detailed assessment of the potential impacts of the large lot residential development of the site, including impacts on EECs and threatened flora and fauna should be undertaken following gateway determination. Figure 7 shows the vegetation of the site and its surrounds.

Lightning Ridge Site

Mapping in 2012 by NSW Office of Environment and Heritage indicates that the vegetation on the site is not considered endangered ecological community however the vegetation does appear to be mature and potential habitat for threatened flora and fauna species. A detailed assessment of the potential impacts of the large lot residential development of the site, including impacts on EECs and threatened flora and fauna should be undertaken following gateway determination. Figure 8 shows the vegetation of the site and its surrounds.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

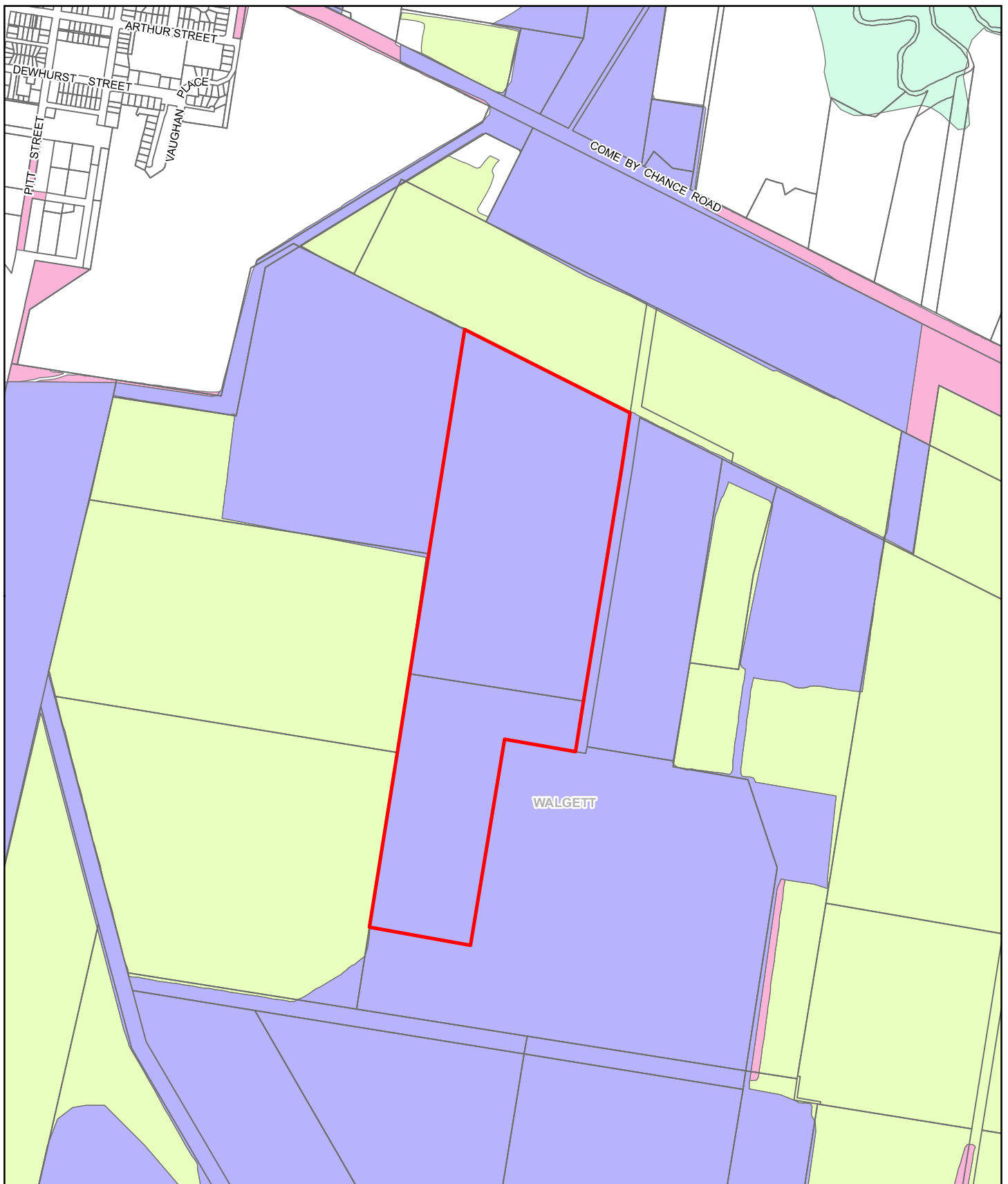
5.3.2 Land Use Conflict

Walgett Site

The site is currently used for grazing, hence its rezoning would effectively limit its use in the medium to long term. There are significant amounts of similar land available and the land would facilitate a choice in housing options for future residents. There does not appear to be any land uses, such as quarries, landfills or treatment plants which would conflict with the future large lot residential development of the subject site. Cropping occurs on several sites adjoining the site (3.94km of adjoining frontage). Minor dust or spray drift might arise in adverse circumstances. However given the proposed minimum lot size of future lots (2ha), land use conflict is considered to be negligible.

Lightning Ridge Site

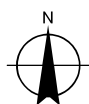
The site has some minor history of cattle grazing, hence its rezoning would effectively limit this use in the long term. There are ample amounts of similar land available for this purpose, and the land would facilitate a choice in housing options for future residents. There does not appear to be any land uses, such as quarries, landfills or treatment plants which would conflict with the future large lot residential development of the subject site. Cattle grazing occurs on several sites adjoining the site. Minor dust and odour might arise in adverse circumstances. However given the proposed minimum lot size of future lots and surrounding land, land use conflict is considered to be negligible.



LEGEND

- | | | | |
|--|--|---|---|
|  Site location | Vegetation |  Cropping |  River Red Gum riverine woodlands and forests, Darling Riverine Plains, Brigalow Belt South and Nandewar |
|  Cadastre |  Coolibah - Poplar Box - Belah woodlands on floodplains, mainly Darling Riverine Plains and Brigalow Belt South |  Dry grasslands of alluvial plains, Darling Riverine Plains and Brigalow Belt South - derived occurrence | |

Paper Size A4
0 140 280 420 560
Metres
Map Projection: Transverse Mercator
Horizontal Datum: GDA 1994
Grid: GDA 1994 MGA Zone 55



Walgett Shire Council
Walgett and Lightning Ridge
Large Lot Residential Planning Proposal

Job Number	0909787
Revision	
Date	20 Oct 2016

**Walgett
Vegetation**

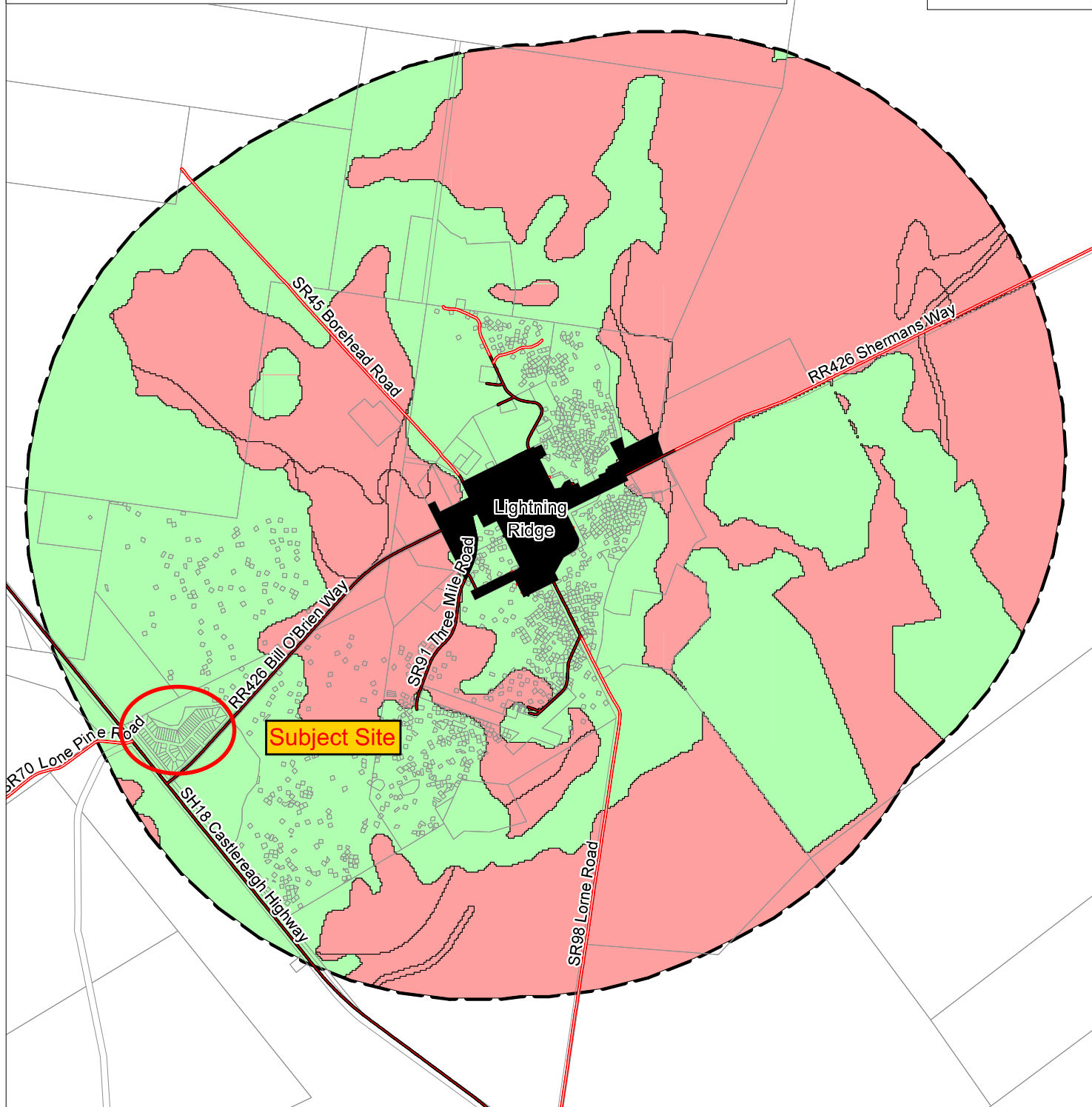
Figure 7

Level 13, GHD Tower, 24 Honeysuckle Drive, Newcastle NSW 2300 T 61 2 4979 9999 F 61 2 4979 9988 E ent@mail@ghd.com W www.ghd.com.au
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Data source: LPI: DTDB / DCDB, 2012; OEH: Vegetation, 2009 Created by: fmmackay

LIGHTNING RIDGE AREA - LARGE LOT RESIDENTIAL PLANNING PROPOSAL - ENDANGERED ECOLOGICAL COMMUNITY STATUS



0 1 2 3 4 5

Kilometres

Scale: 1:70,000 @ A4

Projection: GDA 1994 (MGA94 Zone 55)



Cadastre

Cadastre 2012 © Land and Property Information (LPI)

Area of Interest

5km Town Buffer

Public Roads

Sealed
 Unsealed

Endangered Ecological Community (EEC)

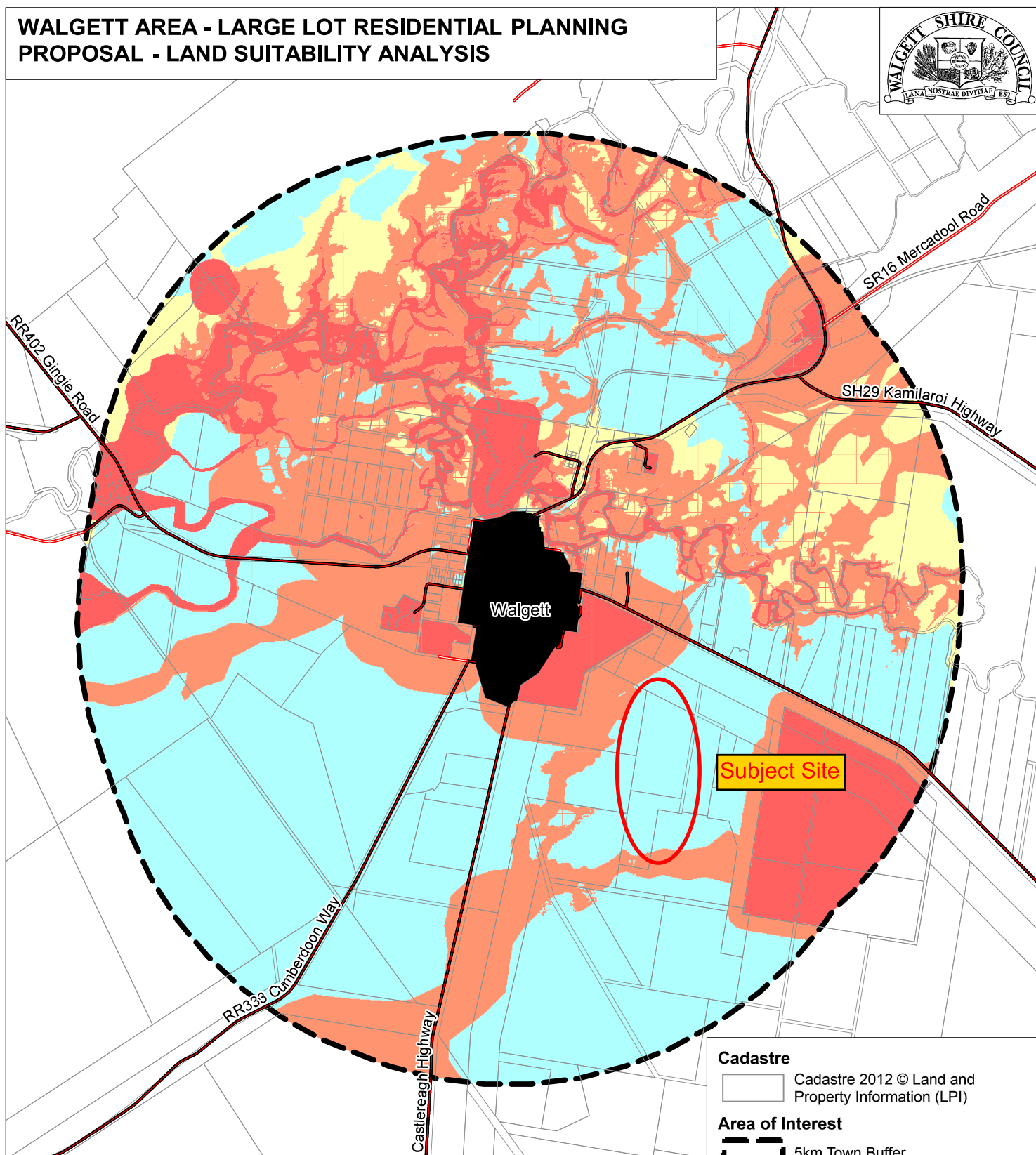
EEC Area
 Non - EEC Area

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Endangered Ecological Community (EEC) mapping derived from GIS data, dated 19-9-2012, provided by NSW Office of Environment and Heritage.

Figure 8

WALGETT AREA - LARGE LOT RESIDENTIAL PLANNING PROPOSAL - LAND SUITABILITY ANALYSIS



Scale: 1:70,000 @ A4
Projection: GDA 1994 (MGA94 Zone 55)



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Walgett Area - Rural Residential Strategy - Land Suitability Analysis Map produced using "INDEGO" Multiple Criteria Analysis (MCA) methodology provided to Walgett Shire Council by GHD - October 2013.

Cadastre

Cadastre 2012 © Land and Property Information (LPI)

Area of Interest

5km Town Buffer

Public Roads

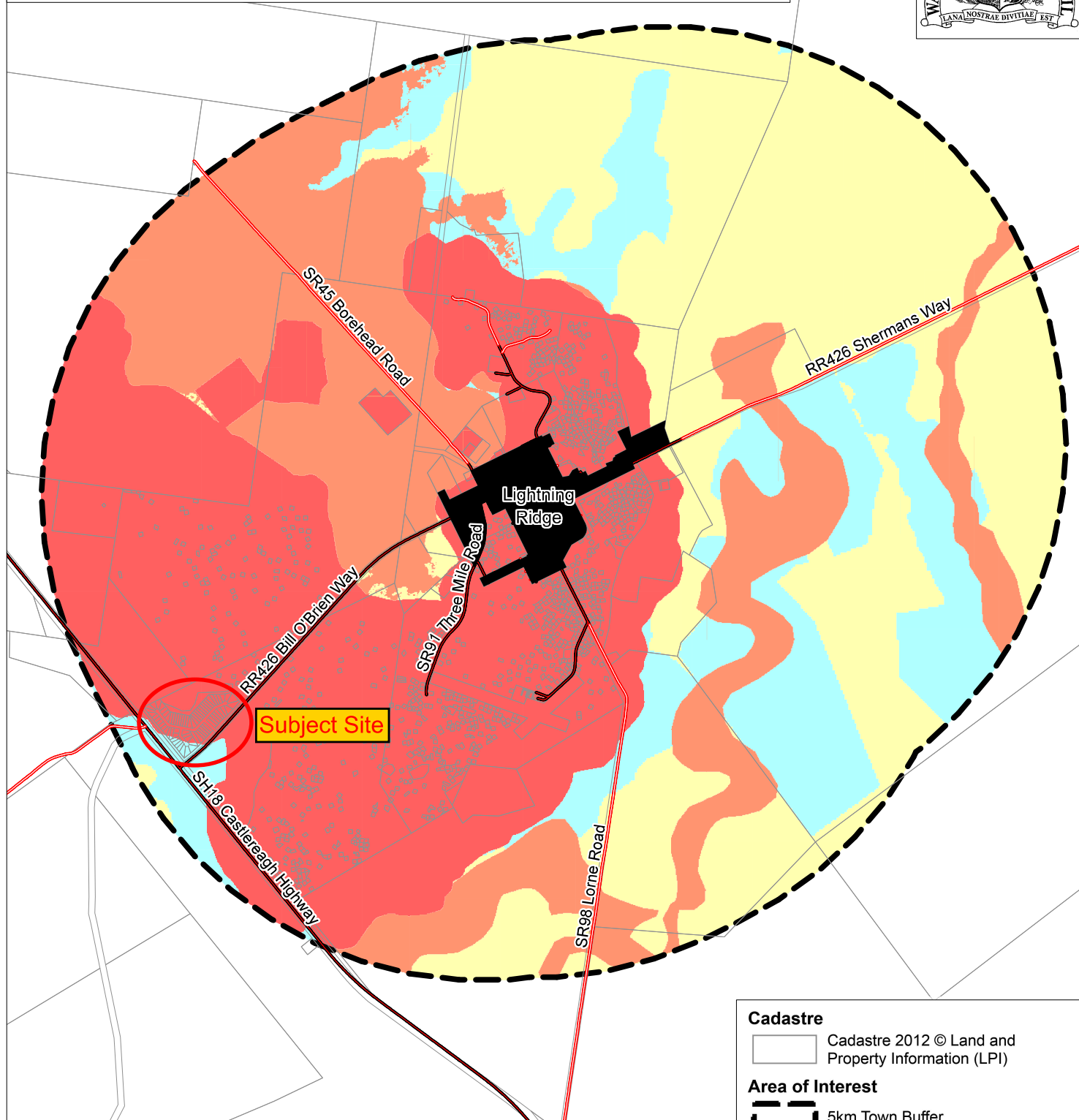
Sealed
 Unsealed

Land Suitability

Highly suitable
 Suitable
 Highly constrained
 Very highly constrained
 Highly unsuitable

Figure 9

LIGHTNING RIDGE AREA - LARGE LOT RESIDENTIAL PLANNING PROPOSAL - LAND SUITABILITY ANALYSIS



0 1 2 3 4 5
Kilometres

Scale: 1:70,000 @ A4

Projection: GDA 1994 (MGA94 Zone 55)



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Lightning Ridge Area - Rural Residential Strategy - Land Suitability Analysis Map produced using "INDEGO" Multiple Criteria Analysis (MCA) methodology provided to Walgett Shire Council by GHD - October 2013.

Cadastre

Cadastre 2012 © Land and Property Information (LPI)

Area of Interest

5km Town Buffer

Public Roads

Sealed
 Unsealed

Land Suitability

Highly suitable
 Suitable
 Highly constrained
 Very highly constrained
 Highly unsuitable

Figure 10

5.3.3 Flooding impacts and proposed flooding mitigation

Walgett Site

Maximum relief across the site is about 0.6m (132.6 to 132.0m AHD). Contour data (0.2m interval) and a digital elevation model (DEM) show the site as being relatively elevated compared to nearby areas, such as the Pocketawa Warrambool which flows during significant flood events (refer to Figure 11). An aerial photograph (about 45% coverage) from a flood in February 2012, believed to be a 1 in 100 year flood, shows very shallow water on part of site. Such floodwater has a very low velocity, given the low relief of the terrain in this area.

Lightning Ridge Site

Helicopter surveys during the January and February 2011 flood event, believed to be a 1 in 100 year flood, indicated about 35% of the southern part of the site was inundated by shallow, low velocity flood water (refer to Figure 12). The site appears to be slightly elevated compared to the surrounding flood plain given the flow paths of the 2011 and 2012 flood events and the minor inundation of the area.

5.3.4 Contamination

Walgett Site

Whilst the past use of the site for grazing purposes may have resulted in some contamination at the site, it is unlikely that this contamination would sterilise the use of the land for large lot residential purposes (refer to Figure 13).

Lightning Ridge Site

The site has had a history of cattle grazing and mining. There is the potential that these uses have resulted in some contamination at the site, however it is unlikely that this contamination would sterilise the use of the land for large lot residential purposes (refer to Figure 14).

5.3.5 Bushfire Hazard

Walgett and Lightning Ridge Sites

The vegetation on the site is considered to be open woodland and has not been mapped as bush fire prone land (refer to Figures 15 and 16). Any future dwellings on the land would be subject to the provisions of the Planning for Bushfire Protection guideline prepared by NSW Rural Fire Service, 2006.

5.3.6 Visual Amenity

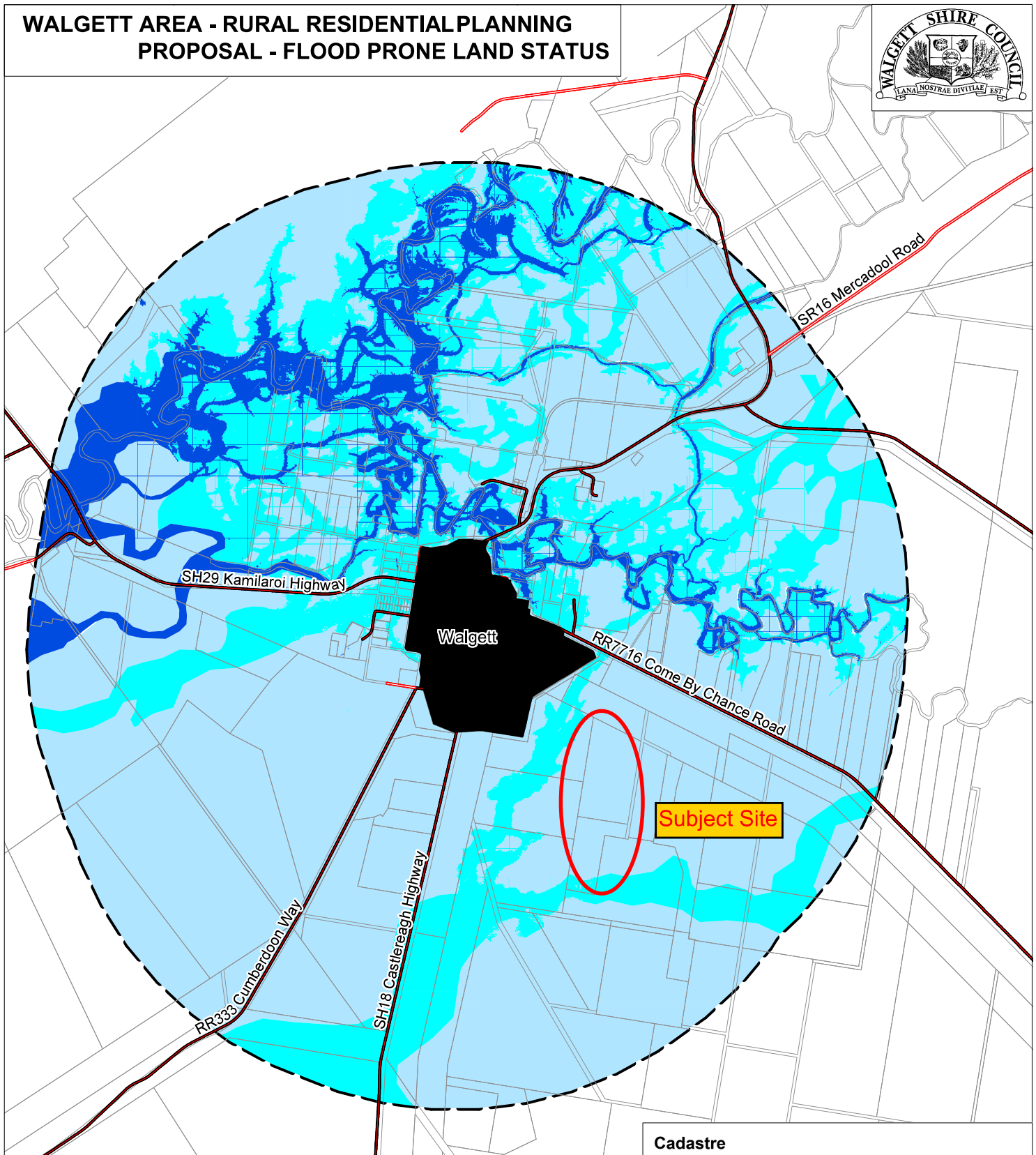
Walgett Site

As the site is over 800m from the nearest public road and given the vegetated nature of the site, the potential for impacts on the visual amenity of the surrounding area would be significantly reduced.

Lightning Ridge Site

The Lightning Ridge site is situated on the corner of two major arterial roads. The paper subdivision incorporates a buffer lot around the current lot configuration which would assist in screening future development from public view along both road frontages. Any future development application would need to be mindful of screening development from these vantage points.

WALGETT AREA - RURAL RESIDENTIAL PLANNING PROPOSAL - FLOOD PRONE LAND STATUS



0 1 2 3 4 5

Kilometres

Scale: 1:70,000 @ A4

Projection: GDA 1994 (MGA94 Zone 55)



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Flood Prone Land Status map created by extrapolating watercourses from a Digital Elevation Model (DEM), derived from LIDAR data captured by LPI, July 2012. Interpretation of ADS40 high resolution aerial imagery and digitization of defined water courses outside of LIDAR also contributed to the production of this map. ADS40 imagery supplied by LPI and captured at various dates.

Cadastral

Cadastral 2012 © Land and Property Information (LPI)

Area of Interest

5km Town Buffer

Public Roads

Sealed
 Unsealed

Flood prone land

Low velocity flood prone
 Medium velocity flood prone/intermittent water body
 High velocity flood prone

Figure 11

LIGHTNING RIDGE AREA - RURAL RESIDENTIAL PLANNING PROPOSAL - FLOOD PRONE LAND STATUS



0 1 2 3 4 5
Kilometres

Scale: 1:70,000 @ A4

Projection: GDA 1994 (MGA94 Zone 55)



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Flood Prone Land Status map created by extrapolating watercourses from a Digital Elevation Model (DEM), derived from LiDAR data captured by LPI, October 2012. Interpretation of ADS40 high resolution aerial imagery and digitization of defined water courses outside of LiDAR also contributed to the production of this map. ADS40 imagery supplied by LPI and captured at various dates.

Cadastre

— Cadastre 2012 © Land and Property Information (LPI)

Area of Interest

— 5km Town Buffer

Public Roads

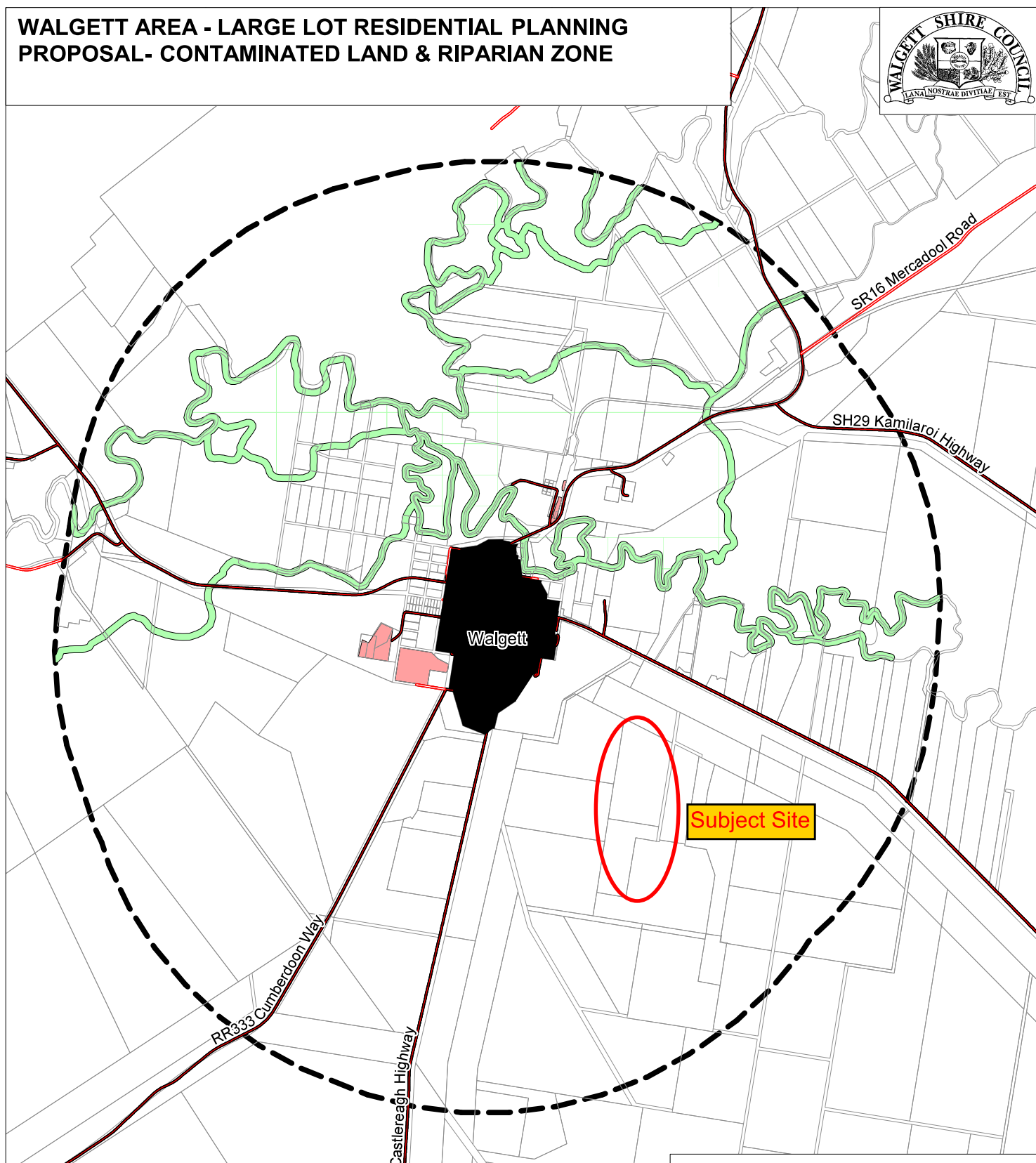
— Sealed
— Unsealed

Flood prone land

— Elevated Ridge
— Low velocity flood prone
— Medium velocity flood prone/intermittent water body
— High velocity flood prone

Figure 12

WALGETT AREA - LARGE LOT RESIDENTIAL PLANNING PROPOSAL- CONTAMINATED LAND & RIPARIAN ZONE



0 1 2 3 4 5
Kilometres

Scale: 1:70,000 @ A4
Projection: GDA 1994 (MGA94 Zone 55)



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Contaminated Land derived from records of potentially contaminated land, based on previous land uses known to Council. Riparian Zone based on channels of perennial watercourses.

Cadastre

Cadastre 2012 © Land and Property Information (LPI)

Area of Interest

5km Town Buffer

Public Roads

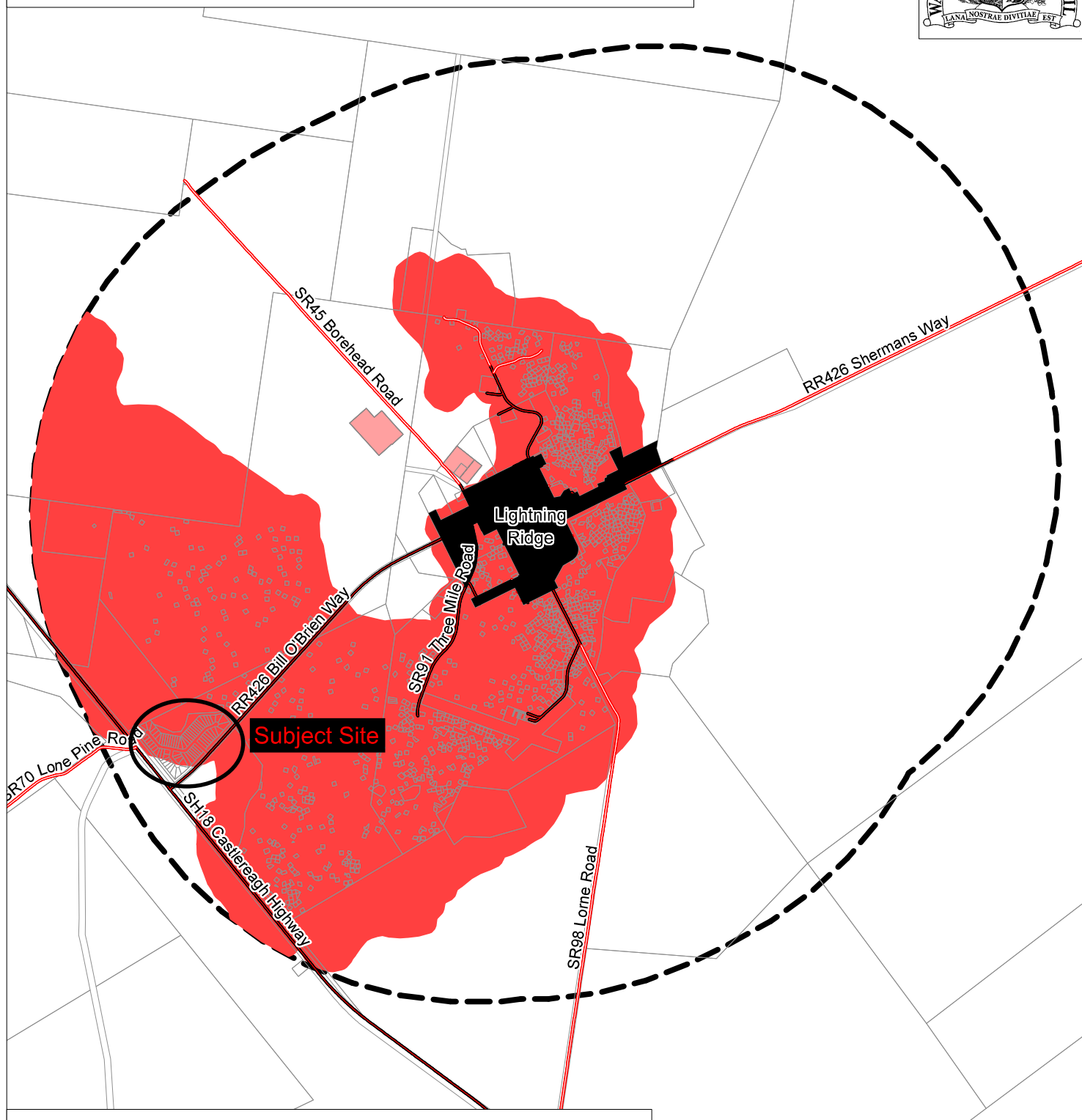
Sealed
 Unsealed

Contaminated and Riparian

Contaminated Land
 Riparian Zone

Figure 13

LIGHTNING RIDGE AREA - LARGE LOT RESIDENTIAL PLANNING PROPOSAL - MINING & CONTAMINATED LAND



0 1 2 3 4 5
Kilometres

Scale: 1:70,000 @ A4

Projection: GDA 1994 (MGA94 Zone 55)



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Mining area created by extrapolating ridges from Digital Elevation Model (DEM), derived from LiDAR data captured by LPI, October 2012 and interpreting high resolution aerial imagery. A 100m buffer has been placed on the ridges extending onto the flood plain. Elevated ridges of Cretaceous rock in the Lightning Ridge area are frequently opal bearing. Contaminated Land derived from records of potentially contaminated land, based on previous land uses known to Council.

Cadastre

Cadastre 2012 © Land and Property Information (LPI)

Area of Interest

5km Town Buffer

Public Roads

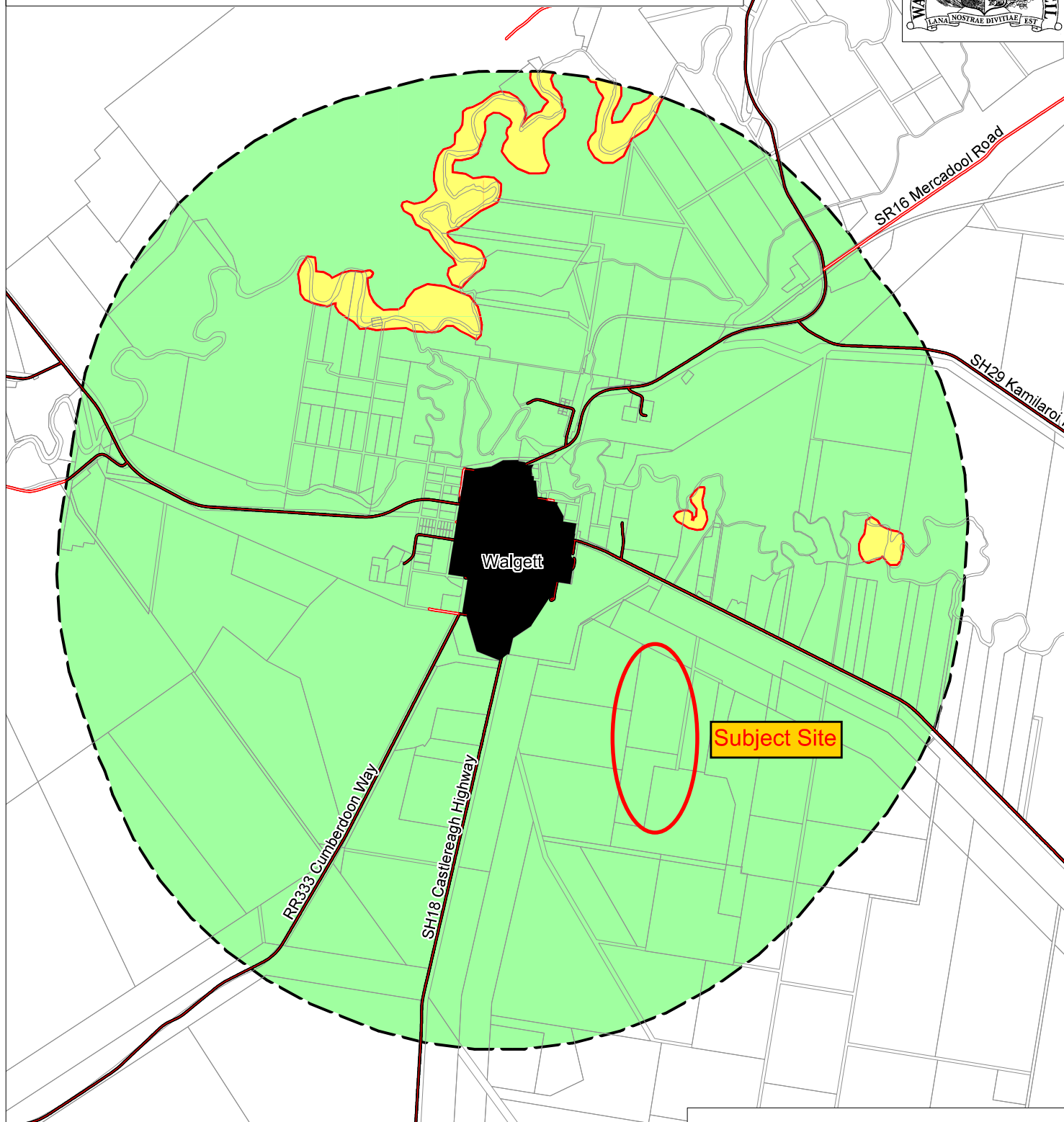
Sealed
 Unsealed

Mining and Contamination

Opal Mining Area
 Contaminated Land

Figure 14

WALGETT AREA - LARGE LOT RESIDENTIAL PLANNING PROPOSAL - BUSH FIRE PRONE LAND STATUS

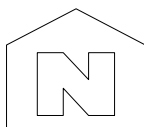


0 1 2 3 4 5

Kilometres

Scale: 1:70,000 @ A4

Projection: GDA 1994 (MGA94 Zone 55)



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Bush Fire Prone Land Status derived from the Walgett Shire Bush Fire Prone Land Map as certified by the Rural Fire Service on 10 June 2011 in accordance with Section 146 of the Environmental Planning and Assessment Act, 1979.

Cadastral

Cadastral 2012 © Land and Property Information (LPI)

Area of Interest

5km Town Buffer

Public Roads

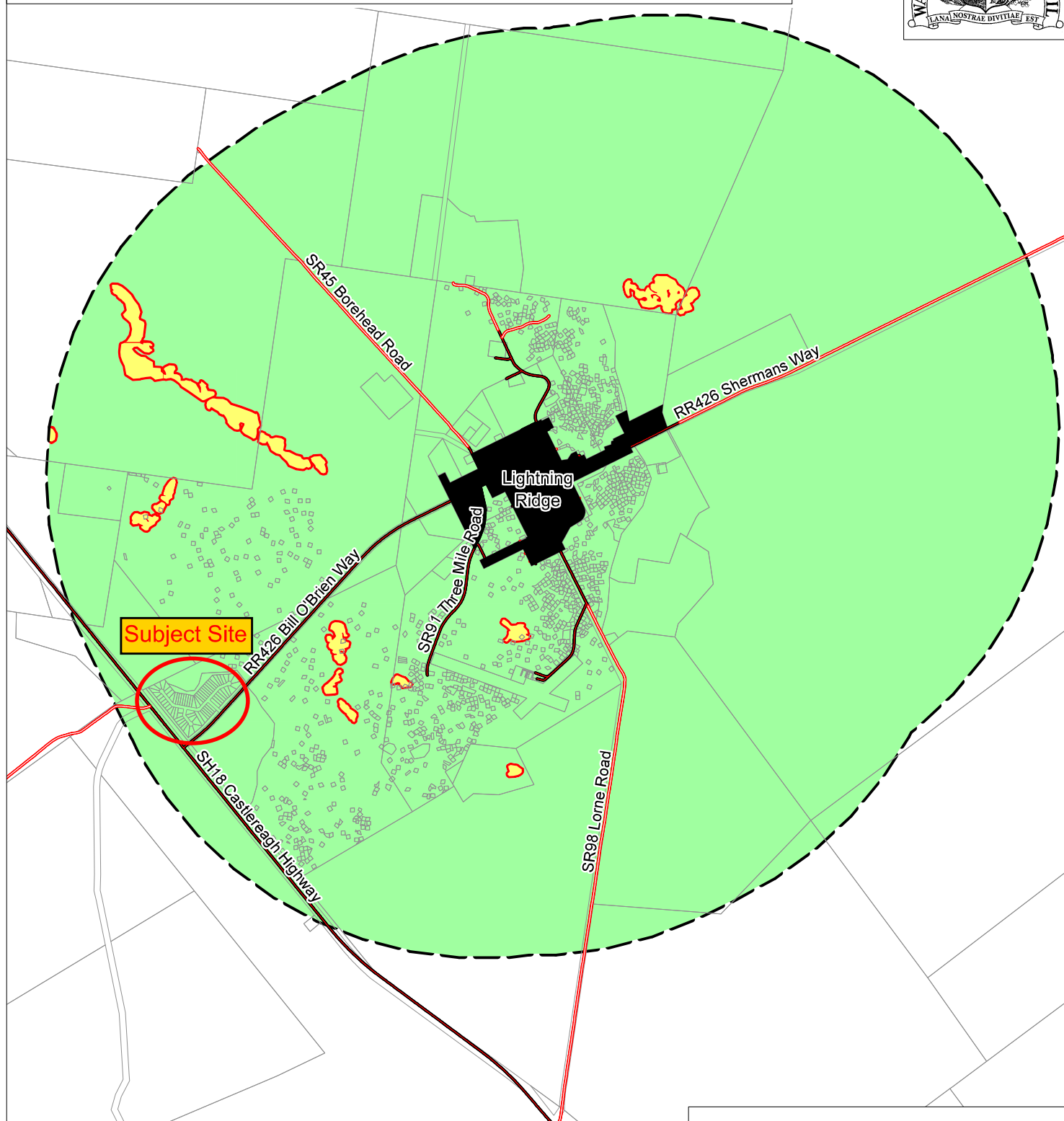
Sealed
Unsealed

Bushfire Prone Land

Bush Fire Prone
Bush Fire Prone Buffer
Non - Bush Fire Prone

Figure 15

LIGHTNING RIDGE AREA - LARGE LOT RESIDENTIAL PLANNING PROPOSAL - BUSH FIRE PRONE LAND STATUS



Cadastre

Cadastre 2012 © Land and Property Information (LPI)

Area of Interest

5km Town Buffer

Public Roads

Sealed
 Unsealed

Bushfire Prone Land

Bush Fire Prone
 Bush Fire Prone Buffer
 Non - Bush Fire Prone

0 1 2 3 4 5
Kilometres

Scale: 1:70,000 @ A4

Projection: GDA 1994 (MGA94 Zone 55)



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Bush Fire Prone Land Status derived from the Walgett Shire Bush Fire Prone Land Map as certified by the Rural Fire Service on 10 June 2011 in accordance with Section 146 of the Environmental Planning and Assessment Act, 1979.

Figure 16

5.3.7 Noise

Walgett and Lightning Ridge Sites

Adjacent residents may have concerns in relation to short term impacts resulting from the construction activities on the site. Noise from earth moving operations may impact on adjacent residents. It is anticipated that any development consent for the future development of the land will stipulate hours of operation for construction activities.

Adjacent residents are not expected to be impacted from noise following the development of dwellings and associated infrastructure over and above that noise that might otherwise be expected from a rural environment.

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

5.3.8 Traffic

Walgett Site

The northern boundary of the site is located 900m from the sealed RR7716 Come By Chance Road. Current access to the site is via black soil tracks and unformed Crown roads. With an area of 162.8ha the site has the potential to accommodate between 65 to 75 dwellings into the future. This development could be expected to generate in the order of 553 to 638 vehicle movements per day. This increase in traffic could potentially have a detrimental impact upon the capacity of Come By Chance Road. Upgrading of the Crown road from the site to Come By Chance Road would be required as part of any future development application for the site. An assessment of the potential traffic impacts, in particular site distances and the need for traffic management measures would be required following gateway determination.

Lightning Ridge Site

The site has direct access to Bill O'Brien Way. With an area of 44ha the site has the potential to accommodate between 25 to 35 dwellings into the future (depending upon the adopted minimum lot size for the site). This development could be expected to generate in the order of 231 to 298 vehicle movements per day. This increase in traffic is not expected to have a detrimental impact upon the capacity of Bill O'Brien Way of the Castlereagh Highway. An assessment of the potential traffic impacts, in particular site distances and the need for traffic management measures would be required following gateway determination.

5.3.9 Heritage

Walgett Site

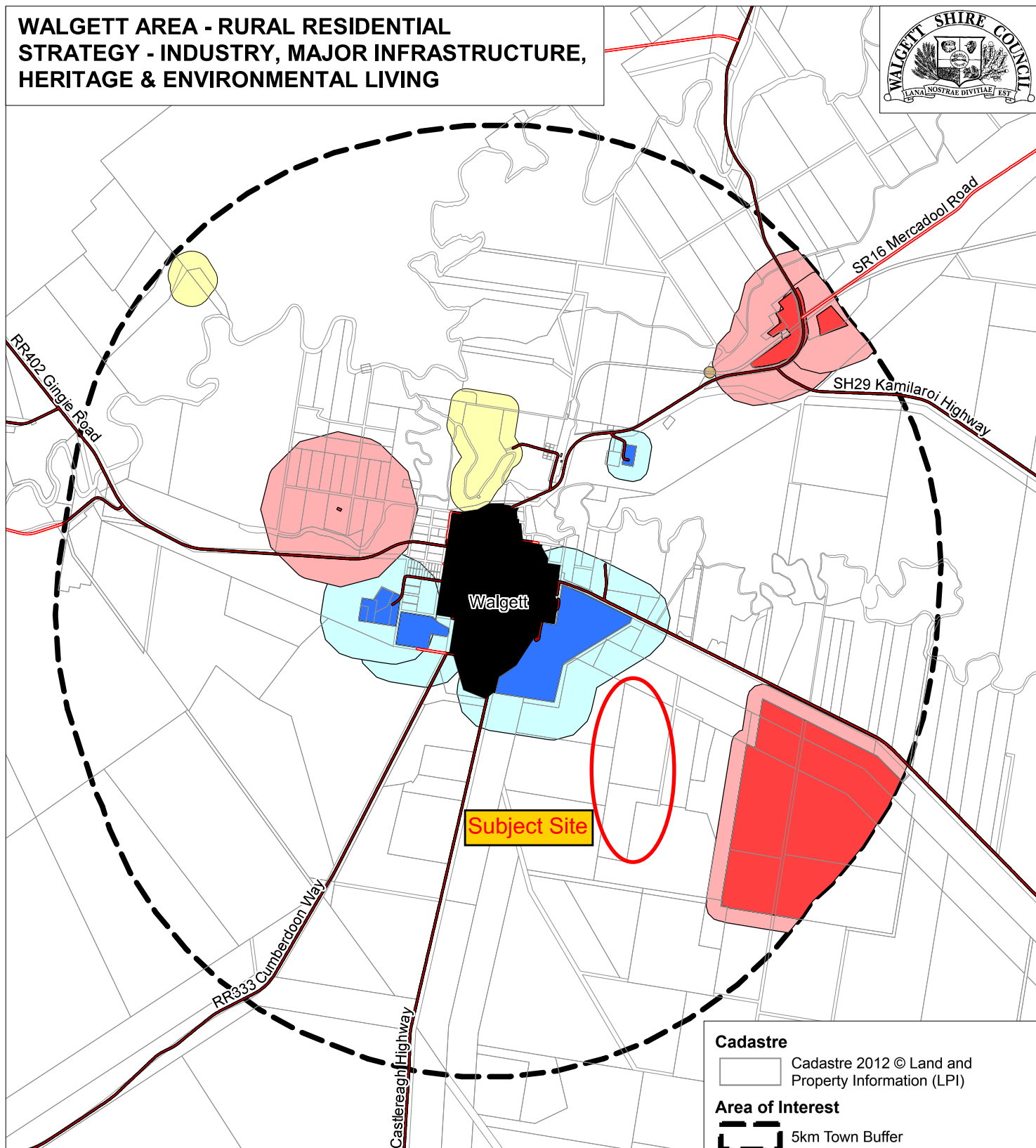
A search of the Office and Environment Aboriginal Heritage Information Management System and review of the Walgett Shire Aboriginal Heritage Study have revealed no Aboriginal heritage has been recorded within 0.5km radius of the site. Searches of relevant Commonwealth, State and local registers have revealed that no European heritage is known to occur within the site.

Figure 17 illustrates the known heritage at the site and surrounds.

Lightning Ridge Site

A search of the Office and Environment Aboriginal Heritage Information Management System and review of the Walgett Shire Aboriginal Heritage Study have revealed no Aboriginal heritage has been recorded within 0.5km radius of the site. Searches of relevant Commonwealth, State and local registers have revealed that no European heritage is known to occur within the site. Figure 18 illustrates the known heritage at the site and surrounds.

WALGETT AREA - RURAL RESIDENTIAL STRATEGY - INDUSTRY, MAJOR INFRASTRUCTURE, HERITAGE & ENVIRONMENTAL LIVING



Cadastre

Cadastre 2012 © Land and Property Information (LPI)

Area of Interest

5km Town Buffer

Public Roads

Sealed
 Unsealed

Industry, Major Infrastructure, Heritage & Environmental Living

Industry Area
 Industry Area Buffer
 Major Infrastructure
 Major Infrastructure Buffer
 Heritage Item
 Environmental living area

0 1 2 3 4 5

Kilometres

Scale: 1:70,000 @ A4

Projection: GDA 1994 (MGA94 Zone 55)

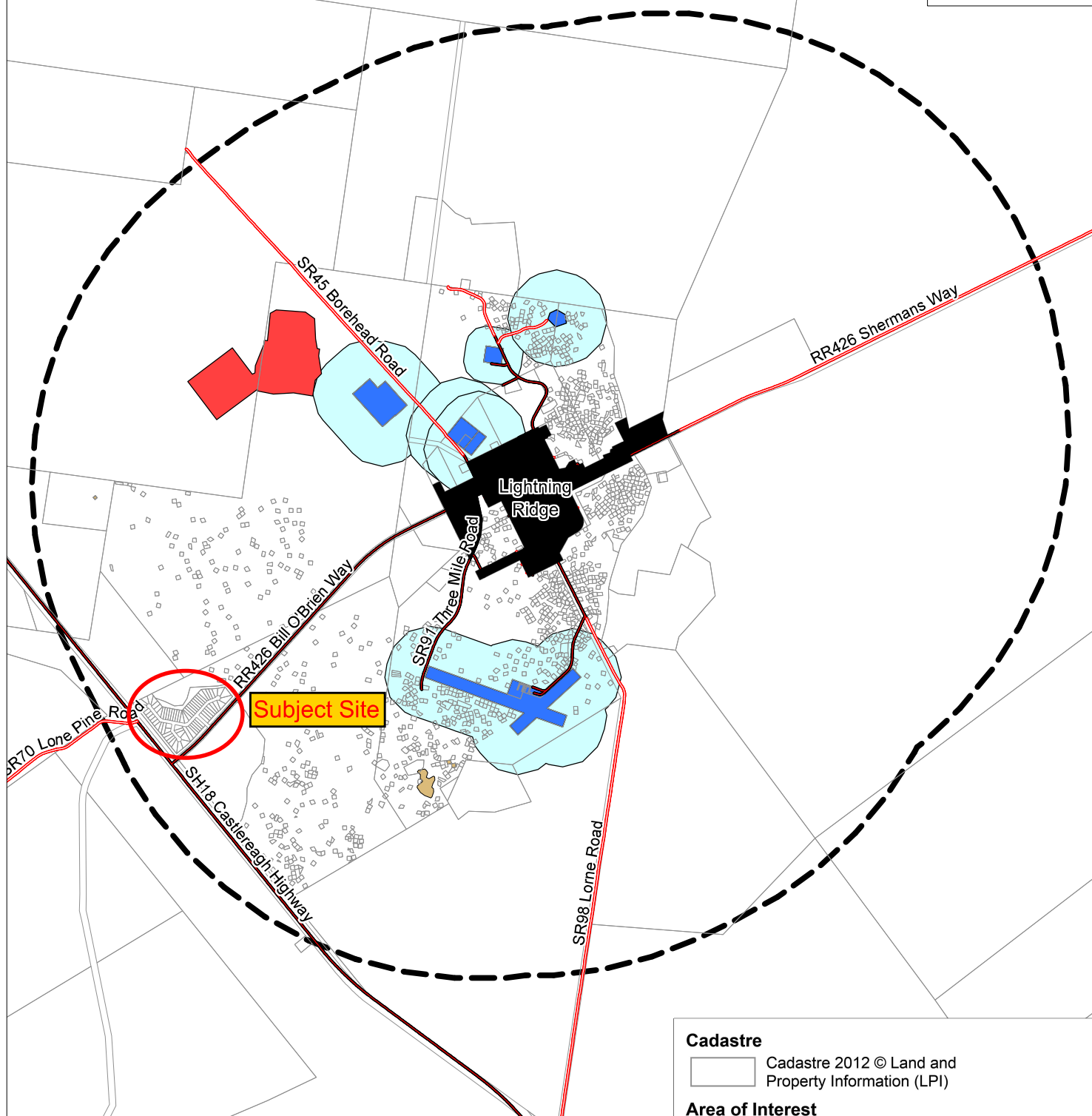


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Industry and Infrastructure mapping derived from Council records of existing land uses that could have a significant adverse impacts on the area. Heritage mapping derived from known heritage items/areas within the area of interest. Environmental Living derived from areas zoned as E4 under the Walgett LEP 2013.

Figure 17

LIGHTNING RIDGE AREA - LARGE LOT RESIDENTIAL PLANNING PROPOSAL - INDUSTRY, MAJOR INFRASTRUCTURE & HERITAGE



Cadastre

Cadastre 2012 © Land and Property Information (LPI)

Area of Interest

5km Town Buffer

Public Roads

Sealed
 Unsealed

Industry, Major Infrastructure & Heritage

Industry Area
 Industry Area Buffer
 Major Infrastructure
 Major Infrastructure Buffer
 Heritage Item

0 1 2 3 4 5

Kilometres

Scale: 1:70,000 @ A4

Projection: GDA 1994 (MGA94 Zone 55)



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Industry and Infrastructure mapping derived from Council records of existing land uses that could have a significant adverse impacts on the area. Heritage mapping derived from known heritage items/areas within the area of interest.

Figure 18

5.3.10 Social and Economic

The proposed rezoning would have the following benefits:

- Economic Multipliers -The rezoning of the land would facilitate the further investment in the Walgett LGA economy for land development and construction of future dwellings.
- Employment Generation -Future development would provide additional employment through the construction of roads, infrastructure and dwellings as well as construction supplies.

5.4 Section D – State and Commonwealth matters

Is there adequate public infrastructure for the Planning Proposal?

5.4.1 Electricity

Walgett Site

Power lines (22kV) exist along Come By Chance Road, 800m north of the site and would need to be extended to the site. The need for any augmentation of the infrastructure would need to be confirmed with Essential Energy at the time of development.

Lightning Ridge Site

An existing 22kV main power line runs along Castlereagh Highway adjacent to the site. The need for any augmentation of the infrastructure would need to be confirmed with Essential Energy at the time of development.

5.4.2 Water

Walgett and Lightning Ridge Sites

Water for any future dwellings would be provided via on-site water tanks or groundwater bores.

5.4.3 Sewer

Walgett and Lightning Ridge Sites

Future dwellings would be serviced via on-site effluent disposal systems. Given each future lot would have a minimum area of 1ha and would require some landform modification to elevate dwellings above the 1% AEP flood event, there are not expected to be any constraints to disposing of effluent on-site.

5.4.4 Telecommunications

Walgett Site

A telecommunications line exists immediately to south of Come By Chance Rd, about 870m from the site. The need for any augmentation of the infrastructure would need to be confirmed with Telstra at the time of development. Any future development application for the site would need to be accompanied by an up to date assessment on the ability of the site to be serviced.

Lightning Ridge Site

An existing phone line adjoining Castlereagh Highway near the western boundary of the site would provide the closest connection point for any future subdivision. The need for any augmentation of the infrastructure would need to be confirmed with Telstra at the time of development. Any future development application for the site would need to be accompanied by an up to date assessment on the ability of the site to be serviced.

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

No consultation has been undertaken as part of this Planning Proposal. The most recent relevant consultation was undertaken during the exhibition of the Walgett Rural Residential Strategy.

5.4.5 Consultation during Strategy

The Government agency submissions received during the exhibition of the Strategy included:

- NSW Roads and Maritime Services
- NSW Rural Fire Service
- Transport for NSW
- NSW Department of Trade and Investment, Resources and Energy

The issues raised by the Government agencies are detailed in Table 1 below.

Table 1 Submissions received during preparation of Strategy

Agency	Agency comment	Action
Roads and Maritime Services	<p>RMS notes purpose of Strategy and does not object to the draft Strategy and provides the following comments for consideration:</p> <p>A number of candidate areas adjoin classified roads. Under Clause 101 of the SEPP Infrastructure before granting consent for vehicular access to a classified road Council as consent authority must be satisfied vehicular access to the lands cannot practically be obtained via a road other than a classified road , and, that the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the operation of the development. Classified roads in the Walgett LGA include:</p> <ul style="list-style-type: none">• Castlereagh Highway (HW18)• Kamilaroi Highway (HW29)• Gwydir Highway (HW12)• Bill O'Brien Way (MR426)• Cumberdoon Way (MR333)• Come by Chance Road (MR7716)• Gundbloui Road (MR457)• Ridge Road (MR426) <p>Under Section 138(2) of the Roads Act 1993, prior to consent being granted for any new vehicular access to a classified road, the concurrence of the RMS is required.</p> <p>Planning for Candidate Area 3 near Lightning Ridge will need to consider vehicular access between this area and the Castlereagh Highway and, most likely, an upgrade to the existing Lone Opine Road and Castlereagh Highway intersection.</p>	Noted
NSW Rural Fire Service	<p>NSW RFS notes the Strategy has mapped environmental constraints around the towns of Walgett, Lightning Ridge and Collarenebri, NSW RFS has no objection to the Strategy in its current form.</p>	Noted

Agency	Agency comment	Action
	<p>RFS advises that AS3959-2009 'Construction of Buildings in Bushfire Prone Areas' also identifies grassland as a bushfire hazard. It is acknowledged that large lot residential land use zones can generally accommodate grassland construction and asset protection zone requirements. Council should be aware that vegetation consisting of grassland attributes should be considered in any development application process under 79C of the Environmental Planning and Assessment Act 1979.</p>	
Transport for NSW (TfNSW)	<p>TfNSW has reviewed the submitted information and has no comment on the Strategy.</p> <p>RMS will provide a separate response to the Strategy.</p>	Noted
Department of Industry (Resources and Energy)	<p>Response from DPI – Geological Survey. A separate response may be received from DPI – Agriculture and Fisheries and Forestry Corporation.</p> <p>GSNSW has previously provided general comments in relation to this matter at the discussion paper stage on 12 February 2014.</p> <p>Based upon available information there are no recognised mineral or extractive resources within or adjacent to the candidate areas in the vicinity of Walgett or Collarenebri.</p> <p>The three candidate areas in the vicinity of Lightning Ridge overlap to various extents with the Lightning Ridge Opal Field Identified Resource Area and/or its one kilometre wide transition area as defined in the latest Mineral Resource Advice to Walgett Shire Council. However, closer scrutiny of these areas in relation to the known geology, current and historic opal mining activity, likely future opal mining activity and the current distribution of residential dwellings adjacent to the areas indicates that there is very low potential for conflict between future rural residential dwellings in those areas and opal mining.</p> <p>In conclusion, GSNSW has no objection to the proposed rezonings.</p>	<p>The area now identified at Lightning Ridge will need to be reviewed by GSNSW to ensure no conflict with the Lightning Ridge Opal Field Identified Resource Area and its one kilometre wide transition area.</p>

6. Part 4 - Mapping

Mapping for this Planning Proposal, is provided in Appendix C as detailed below.

- Land Zoning Map rezoning Lot 42 DP 750291 and Lot 80 DP 750291, Come By Chance Road, Walgett from RU1 Primary Production to R5 Large Lot Residential (Figure C-1)
- Land Zoning Map rezoning Lots 1-73 DP 838673, Bill O'Brien Way, Lightning Ridge from RU1 Primary Production to R5 Large Lot Residential (Figure C-2)
- Minimum Lot Size Map to change Lot 42 DP 750291 and Lot 80 DP 750291, Come By Chance Road, Walgett from 400ha to 2ha (Figure C-3)
- Minimum Lot Size Map to Lots 1-73 DP 838673, Bill O'Brien Way, Lightning Ridge from 400ha to 1ha (Figure C-4).

7. Part 5 - Community consultation

Community consultation would be carried out in accordance with Section 4.5 of A Guide to Preparing Local Environmental Plans (DP&I 2013).

The consultation strategy would be determined following the gateway determination. If the Department of Planning and Environment confirm that the proposal is of low impact, the proposal would be placed on exhibition for 28 days.

When Council is exhibiting a draft LEP that applies to Council-owned land which is proposed to be rezoned, additional information needs to be provided in accordance with the document titled LEPs and Council Land – Best Practice Guideline as follows:

- The nature of the Council's interest in the land

The Walgett land is privately owned. Whilst the Lightning Ridge land is Council freehold.

- When Council first acquired an interest in the land;

Council has owned the Lightning Ridge land for over 30 years.

- Why Council acquired an interest in the land (e.g. for an extension to the adjoining park, Council was given responsibility for the land by a State authority);

For future residential subdivision

- How Council acquired its interest in the land (e.g. the land was purchased, through s.94); and

The Lightning Ridge land was bought through consolidated revenue.

- For land previously owned or controlled by Council, whether any aspect of the LEP formed part of the agreement to dispose of the land, and the terms of any such agreement.

No aspect of the Planning Proposal formed part of the agreement to dispose of the land.

7.1 Future Consultation

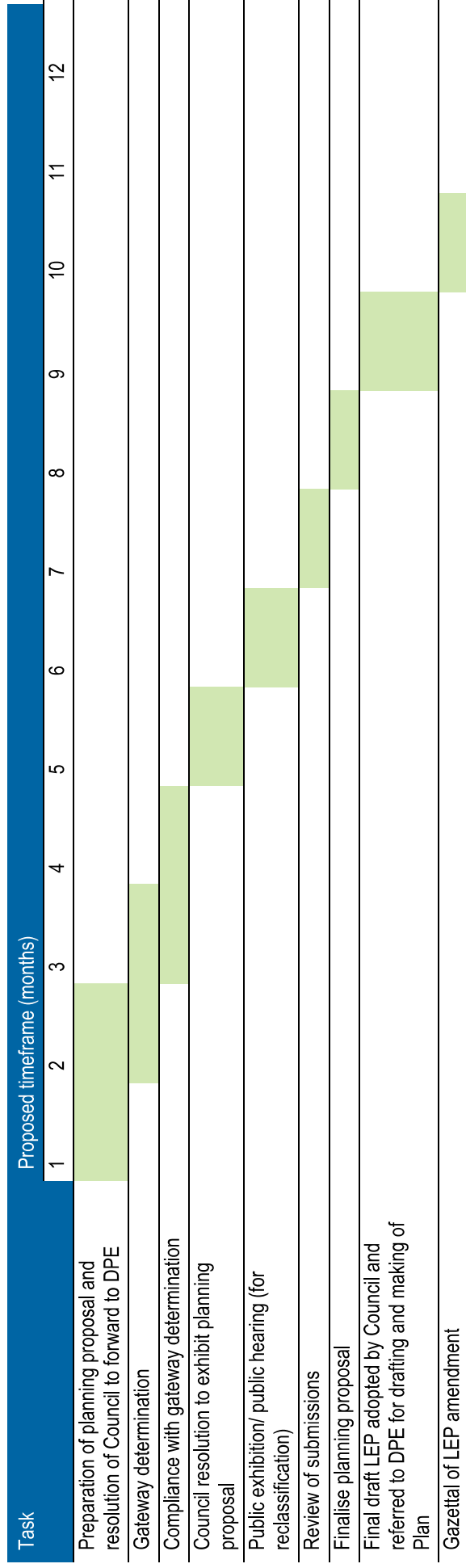
Future consultation activities would include:

- Publication of notification advertisements in local newspaper
- Notification letters to surrounding property owners
- Notification letters to relevant government agencies
- Update Council's website with exhibition material
- The Planning Proposal, maps and background information being made available to view at Council's Offices: 77 Fox Street, Walgett NSW. (Mon-Fri 8:30am-4pm).
- Public hearing (if required)

8. Part 6 - Project timeline

The project timeline for the Planning Proposal is outline in the gantt chart below.

Table 2 Project timeframe



9. Part 7 - Summary and Conclusion

Council, as the relevant planning authority, is obligated under section 55 of the EP&A Act to prepare a document that explains the intended effect of the proposed LEP amendment (the subject of the Planning Proposal) and sets out the justification for making the LEP amendment. Pursuant to section 55(2)(c) of the EP&A Act, the Planning Proposal is to include the justification for the objectives, provisions and the process for their implementation including whether the LEP amendment will comply with relevant directions under section 117 of the EP&A Act.

The Planning Proposal to rezone Lot 42 DP 750291 and Lot 80 DP 750291, Come By Chance Road, Walgett and Lots 1-73 DP 838673, Bill O'Brien Way, Lightning Ridge from RU1 Primary Production and SP1 Special Purposes (Lightning Ridge site only) under Walgett Local Environmental Plan (LEP) 2013 to R5 Large Lot Residential to permit rural residential development should be supported subject to the following investigations:

- Ecology
- Traffic

In the interests of good strategic land use planning, it is recommended that these investigations be undertaken following the gateway determination from Department of Planning and Environment.

Appendices

Appendix A - Consideration of applicable State Environmental Planning Policies

State Environmental Planning Policy (SEPP)	Statement of Consistency
SEPP No 1 – Development Standards	Replaced by clause 4.6 of Walgett LEP 2013. The Planning Proposal does not seek to change these provisions.
SEPP No. 15 – Rural Land-Sharing Communities	Not applicable.
SEPP No. 19 – Bushland in Urban Areas	Not applicable.
SEPP No 21 – Caravan parks	Caravan parks are a permissible use in the R5 Large Lot Residential zone. The Planning Proposal does not seek to change these provisions.
SEPP No. 26 – Littoral Rainforests	Not applicable.
SEPP No 30 – Intensive agriculture	Agriculture is prohibited in the R5 Large Lot Residential zone. The Planning Proposal does not seek to change these provisions.
SEPP No 33 – Hazardous and offensive development	Any hazardous and offensive development in each identified site would need to be assessed on its planning merits.
SEPP No 36 – Manufactured home estates	Caravan parks are permitted with consent in the R5 zone in Walgett LEP. The Planning Proposal does not seek to change these provisions.
SEPP No 44 – Koala habitat protection	There are no provisions in the Walgett LEP or recommendations from this Planning Proposal that contravene this SEPP. An assessment of each site's potential impact on the koala would be required as part of a future iteration of this Planning Proposal.
SEPP No 52 – Farm dams and other works in land water management plan areas	There are no provisions in Walgett LEP or recommendations this Planning Proposal that contravene this SEPP.
SEPP No 55 – Remediation of land	Assessments would be required as part of a future iteration of the planning proposal following gateway determination.
SEPP No 60 – Exempt and complying development	There are no provisions in the Walgett LEP or recommendations from this Planning Proposal that contravene this SEPP.
SEPP No 64 – Advertising and signage	There are no provisions in the Walgett LEP or recommendations from this Planning Proposal that contravene this SEPP.
SEPP No 65 – Design quality of residential flat development	Not applicable.
SEPP No 70 – Affordable housing (Revised Scheme)	Not applicable.
SEPP Building Sustainability Index: BASIX 2004	The Walgett LEP supports sustainable development and is consistent with this SEPP. Future dwellings in each of the candidate areas would need to comply with this SEPP.
SEPP Exempt and Complying Development 2008	The exempt and complying tables in the Walgett LEP have been carefully developed to be consistent with this SEPP. The Planning Proposal would not change these provisions.
SEPP Housing for Seniors and People with a Disability 2004	There are no provisions in the Walgett LEP or recommendations from this Planning Proposal that contravene this SEPP.
SEPP Infrastructure 2007	There are no provisions in the Walgett LEP or recommendations from this Planning Proposal that contravene this SEPP.

State Environmental Planning Policy (SEPP)	Statement of Consistency
SEPP Major Development 2005	There are no provisions in the Walgett LEP or recommendations from this Planning Proposal that contravene this SEPP.
SEPP Mining, Petroleum Production and Extractive Industries 2007	Whilst prohibited in the R5 zone, any proposals for open cut mines or extractive industries would need to be assessed against the provisions of this SEPP.
SEPP Temporary Structures and Places of Public Entertainment 2007	There are no provisions in the Walgett LEP or recommendations from this Planning Proposal that contravene this SEPP.
SEPP Rural Lands 2008	The Planning Proposal is generally consistent with Council's Rural Residential Strategy and subsequent Council resolutions which have considered the principles outlined in SEPP Rural Lands.
SEPP Affordable Rental Housing 2009	There are no provisions in the Walgett LEP or recommendations from this Planning Proposal that contravene this SEPP.

Appendix B - Consideration of applicable Section 117 Directions

Assessment against Ministerial Directions

Section 117(2) Direction		Relevant to Planning Proposal	Consistent with the Direction?	Justification
1. Employment and Resources				
1.1	Business and Industrial Zones	Not Applicable		
1.2	Rural Zones	Yes	No – minor significance	Direction 1.2 allows a draft LEP to be inconsistent where inconsistency is of minor significance. This Strategy supports the rezoning of rural land around Walgett and Lightning Ridge for large lot residential purposes.
1.3	Mining, Petroleum Production and Extractive Industries	Yes	Yes	Direction 1.3 applies as there are mineral resources within the LGA. With the possible exception of the Lightning Ridge site, the Planning Proposal would not impact upon any mineral resources in the LGA.
1.4	Oyster Aquaculture	Not applicable		
1.5	Rural Lands	Yes	Yes	<p>The Planning Proposal advocates the rezoning of rural land at Walgett and Lightning Ridge for large lot residential purposes. The subject sites have been assessed against the Rural Planning Principles from SEPP Rural Lands 2008.</p> <p>Rural Planning Principles</p> <p>(a) Promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas</p> <p>The Walgett LEP allows a range of actions to protect sustainable activities in the rural zones of the LGA. This includes planning controls for intensive agriculture and small holding development in appropriate locations.</p> <p>(b) Recognition of the importance of agriculture and the changing nature of agriculture in the region</p> <p>The value of agriculture to the LGA and local economies has been recognised in adopting the minimum lot size for the RU1 zone. The Walgett LEP promotes flexibility in permitting a wide range of rural land uses that can cater for change and emerging opportunities. This Strategy facilitates large lot residential opportunities on land not considered to be prime crop and pasture land.</p>

Section 117(2) Direction	Relevant to Planning Proposal	Consistent with the Direction?	Justification
			<p>(c) Recognition of the significance of rural land uses to the state and rural communities including social and economic benefits</p> <p>The Walgett LEP identifies objectives that make the LGA distinctive and contribute to its competitive advantage. Rural land has been protected through the application of the RU1 zone and by limiting the encroachment of urban land into adjoining rural lands.</p> <p>(d) Balance the social, economic and environmental interests of the community</p> <p>The Planning Proposal would allow for the development of rural residential housing at Walgett and Lightning Ridge. These areas have been selected based on the detailed suitability and capability criteria contained in the Walgett Rural Residential Strategy and Council's subsequent analysis of the Lightning Ridge site. The provision of this form of housing provides for alternative lifestyle preferences to traditional residential or rural housing options.</p> <p>(e) Identification and protection of natural resources, maintaining biodiversity, protecting native vegetation and water resources and avoiding constrained land</p> <p>The Planning Proposal has considered potential impacts on natural resources, biodiversity, surface and ground water, on site waste water disposal in the identification of each candidate area.</p> <p>(f) The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities</p> <p>Consideration has been given to the supply and demand for large lot residential land in the Walgett Rural Residential Strategy to ensure that realistic stocks are or can be made available to respond to legitimate demand for this land use.</p> <p>(g) Consideration of the impacts on services and infrastructure and appropriate location when providing for rural housing</p> <p>Consideration has been given to services and infrastructure in the identification of additional land for large lot residential purposes.</p>
2.	Environment and Heritage		
2.1	Environment Protection Zones	Yes	Yes
2.2	Coastal Protection	Not Applicable.	

Section 117(2) Direction		Relevant to Planning Proposal	Consistent with the Direction?	Justification
2.3	Heritage Conservation	Yes	Yes	The Planning Proposal has identified sites located outside of known heritage areas and artefacts.
2.4	Recreation Vehicle Areas	Yes	Yes	Recreational vehicle areas are permitted with consent in the R5 zone in Walgett LEP 2013.
3. Housing, Infrastructure and Urban Development				
3.1	Residential Zones	Yes	Yes	The Planning Proposal would allow for the development of rural residential housing at Walgett and Lightning Ridge. These areas have been selected based on the detailed suitability and capability criteria contained in the Walgett Rural Residential Strategy and Council's subsequent analysis of the Lightning Ridge site. Walgett LEP contains provisions compliant with this direction.
3.2	Caravan Parks and Manufactured Housing Estates	Yes	Yes	Caravan parks are permitted with consent in the R5 zone in Walgett LEP.
3.3	Home Occupations	Yes	Yes	Home occupations are permitted without consent in the R5 zone in Walgett LEP.
3.4	Integrated Land Use and Transport	Not applicable.		
3.5	Development near Licensed Aerodromes	Yes	Yes	Each site is adequately separated from licensed aerodromes.
3.6	Shooting Ranges	Not applicable.		
4. Hazard and Risk				
4.1	Acid Sulfate Soils	Not applicable.		

Section 117(2) Direction	Relevant to Planning Proposal	Consistent with the Direction?	Justification
4.2 Mine Subsidence and Unstable Land	Yes	No	With the possible exception of the Lightning Ridge site, each site has been located outside of known mine developments and mine subsidence and can be developed in such a way to comply with this direction. This Planning Proposal recommends further analysis be undertaken to ensure the Lightning Ridge site is suitable for long term rural residential development.
4.3 Flood Prone Land	Yes	No	Each site can be developed in such a way to comply with this direction, subject to satisfactory arrangements being made to minimise impacts.
4.4 Planning for Bushfire Protection	Yes	Yes	Each site can be developed in such a way to comply with this direction, subject to satisfactory arrangements being made to minimise impacts.
5. Regional Planning			
5.1 Implementation of Regional Strategies	Not applicable.		
5.2 Sydney Drinking Water Catchments	Not applicable.		
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.		
5.4 Commercial and Retail Development along the Pacific	Not applicable.		

Section 117(2) Direction	Relevant to Planning Proposal	Consistent with the Direction?	Justification
Highway, North Coast			
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable.		
5.8 Second Sydney Airport: Badgery's Creek	Not applicable.		
6. Local Plan Making			
6.1 Approval and Referral Requirements	Not applicable.		
6.2 Reserving Land for Public Purposes	Not applicable.		
6.3 Site Specific Provisions	Yes	Yes	The Planning Proposal is considered consistent with this clause as it does not 'amend' a draft Planning Instrument but rather identifies land for LEP amendments for specific sites to be prepared in the future.

Appendix C - Mapping

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Document Status

Rev No.	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
0	B Wood/ D Collaguazo	S Lawer	<i>S Lawer</i>	S Lawer	<i>S Lawer</i>	Oct 16
1	B Wood	S Lawer	<i>S Lawer</i>	S Lawer	<i>S Lawer</i>	Dec 16
2	S Martin	S Lawer	<i>S Lawer</i>	S Lawer	<i>S Lawer</i>	Feb 17