

# Planning Proposal 3/2019

**Proposed Amendment to Narrabri Local Environmental Plan 2012**

**Amendments to the RU1 Primary Production Land Use Table and Zone Objectives**

**Version 01**

# **PART 1: OBJECTIVES OR INTENDED OUTCOMES**

## **SECTION A – BACKGROUND**

A core objective of Narrabri Shire Council's (Council) Operational Plan is the 'review and development of statutory and non-statutory plans to ensure for orderly and sustainable development'. As part of Council's commitment to this objective Council Staff have been completing a review of the Narrabri Local Environmental Plan (LEP) 2012 Land Use Table. The Narrabri LEP 2012 is the statutory environmental planning instrument applicable to development in the Narrabri Local Government Area (LGA).

The Narrabri LEP 2012 Land Use Table review has focused on the RU1 Primary Production, IN1 General Industrial and IN2 Light Industrial land use zonings. This planning proposal relates only to the RU1 Primary Production zone, and the changes sought to this zone as an outcome of the Narrabri LEP 2012 review.

The scope of the review as it related to the RU1 Primary Production zone was:

- Identification of land uses permitted without consent, permitted with consent and prohibited within the land use zone;
- Review of the prohibited land uses in the RU1 Primary Production zone in context with the following:
  - Identify the range of land uses that would be reasonable to be permitted with consent in the RU1 Primary Production zone, considering the 100-hectare minimum lot size applicable to the zone, the opportunity for certain types of development to be located in a way that minimises its impact on sensitive receptors due to the typically large size of rural holdings within the zone, changing land use pressures affecting the zone associated with establishment of mining, the construction of the inland rail and potential coal seam gas developments in the region.
  - Consider the current opportunity for tourism orientated developments to be carried out in the RU1 Primary Production and if amending the land use table to broaden the scope at which such development is permitted (subject to appropriate controls) is likely to have positive outcomes in terms of supporting potential environmental tourism opportunities and promoting the image of the Narrabri LGA as a tourist destination.
  - Review the range of land uses permissible in the RU1 Primary Production zone for LGA's in the North West Region that have rural land with characteristics comparable to rural land in the Narrabri LGA.
  - Review the range of land uses permissible in the RU1 Primary Production zone across a wider range of rural LGA's in NSW with demographics and areas of rural land comparable to the demographics and rural land in the Narrabri.
  - Review the range of land uses permissible in the RU1 Primary Production zone across LGA's identified on the proposed alignment for the Melbourne to Brisbane Inland Rail.
- Identify the range of land uses that would be reasonable to be permitted in the RU1 Primary Production zone given the findings of the above review, with a particular emphasis on ensuring that the RU1 Primary Production zone has the capacity and flexibility to adapt to changing land use pressures associated with the establishment of mining, the construction of the inland rail and potential coal seam gas developments in the region.

This also involves ensuring that the RU1 Primary Production Land Use Table does not leave the Narrabri LGA at a competitive disadvantage to consider development applications for a range of land uses in this zone in comparison to comparable LGA's within the North West Region and LGA's to be interconnected by the Inland Rail.

- Review of the RU1 Primary Production land use zone objectives in context with the findings of the Land Use Table Review and anticipated changing development pressures affecting the RU1 Primary Production arising from the establishment of mining, the construction of the inland rail and potential coal seam gas developments in the region.
- Identify any changes to the land use zone objectives considered to be logical or necessary to improve the versatility of the RU1 Primary Production zone and support the changes to the Land Use Table recommended by the review.

This planning proposal has been informed by the Narrabri LEP 2012 Land Use Table Review, as completed to date, and seeks to give effect to changes to the Land Use Table and Land Use Zone Objectives for the RU1 Primary Production zone recommended by the review.

This document sets out the justification for and explains the intended effect of the recommended amendment.

The preparation of the planning proposal is the first step in NSW Planning and Environment's Gateway Process, the process for making or amending local environmental plans. It has a number of steps, set out in Table 1 that requires this document to be revised as it progresses through the Gateway Process. This document is currently at Step: 1 Planning Proposal.

No.	Step	Explanation
1.	Planning Proposal	Council prepares a document explaining the effect of and justification for making or amending a local environmental plan.
2.	Gateway Determination	The Department of Planning and Environment determines whether a Planning Proposal should proceed.
3.	Community Consultation	The Planning Proposal is publicly exhibited.
4.	Assessment	Council considers any submissions it receives in response to the public exhibition, changing the Planning Proposal as necessary.
5.	Drafting	Parliamentary Counsels Office prepares a draft local environmental plan.
6.	Decision	The minister (or delegated plan making authority) approves the local environmental plan, making it law.

*Table 1: Gateway Process*

The remainder of this document is split into the following parts:

Part	Explanation
1.	The objectives and intended outcomes of the proposal
2.	An explanation of the provisions to be included in LEP 2012
3.	Justification for the objectives and intended outcomes
4.	Mapping
5.	Projected timeline

*Table 2: Parts of Planning Proposal*

## SECTION B – OBJECTIVES

The objectives and intended outcomes of this planning proposal are:

1. To adjust the land uses permitted with consent in the RU1 Primary Production land use zone under the Narrabri LEP 2012 to account for the following:
  - a) To ensure the range of development permitted within the RU1 Primary Production zone accounts for changing land use pressures associated with the growth of mining, construction of the inland rail and potential coal seam gas developments in the region.
  - b) To ensure the Narrabri LEP 2012 Land Use Table for RU1 Primary Production zone permits with consent an array of development which would be reasonable to carry-out within the zone given its 100-hectare minimum lot size and the opportunity for certain types of development to be located in a way that minimises its impact on sensitive receptors and/or utilises.
  - c) To ensure tourism orientated development at a scale and intensity that would not compromise the establish land use zone objectives of the RU1 Primary Production zone is permitted with consent.
  - d) To provide reasonable opportunity for owners of land in the RU1 Primary Production land use zone to carry-out tourism orientated development so to take advantage of the rural character and qualities of the land, without compromising that character or those qualities.
  - e) To ensure that the types of development permitted and prohibited under the Narrabri LEP 2012 Land Use Table does not leave Narrabri LGA at competitive disadvantage to consider development applications for a range of land uses within the RU1 Primary Production zone in comparison to LGA's in the North West Region and other rural LGA's across NSW with similar demographics and land use pressures.
  - f) To ensure that the types of development permitted and prohibited under the Narrabri LEP 2012 Land Use Table does not leave Narrabri LGA at competitive disadvantage to consider development applications for a range of land uses within the RU1 Primary Production zone in comparison to LGA's to be interconnected by the Melbourne to Brisbane Inland Rail Project.
2. To adjust the land use zone objectives of the RU1 Primary Production zone to account for the recommended changes to the Land Use Table for the zone and changing development pressures affecting this zone arising from the growth of mining, the construction of the inland rail and potential coal seam gas developments in the region.

## **PART 2: EXPLANATION OF PROVISIONS**

To achieve the planning proposal's objectives, it is proposed to amend the Narrabri LEP 2012 Land Use Table and zone objectives for the RU1 Primary Production zone from:

<b>Current Narrabri LEP 2012 Land Use Table for the RU1 Primary Production Zone</b>
<b>1 Objectives of Zone</b> <ul style="list-style-type: none"> <li>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>To minimise the fragmentation and alienation of resource lands.</li> <li>To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>To allow for non-agricultural land uses that will not restrict the use of other land for agricultural purposes.</li> </ul>
<b>2 Permitted without consent</b> Building identification signs; Environmental protection works; Extensive agriculture; Farm buildings; Forestry; Home occupations; Intensive plant agriculture; Roads
<b>3 Permitted with consent</b> Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Depots; Dual occupancies; Dwelling houses; Environmental facilities; Extractive industries; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Helipads; Home businesses; Home industries; Information and education facilities; Intensive livestock agriculture; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roadside stalls; Rural industries; Rural workers' dwellings; Signage; Turf farming; Water recreation structures; Water supply systems
<b>4 Prohibited</b> Any development not specified in item 2 or 3

TO,

<b>Proposed Narrabri LEP 2012 Land Use Table for the RU1 Primary Production Zone</b>
<b>1 Objectives of Zone</b> <ul style="list-style-type: none"> <li>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>To minimise the fragmentation and alienation of resource lands.</li> <li>To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>To allow for non-agricultural land uses that will not restrict the use of other land for agricultural purposes.</li> <li>To allow for tourist and visitor accommodation that does not have an adverse impact on agricultural activities.</li> <li>To allow for certain non-agricultural land uses on land with appropriate site qualities and servicing constraints to support such uses.</li> </ul>
<b>2 Permitted without consent</b> Building identification signs; Environmental protection works; Extensive agriculture; Farm buildings; Forestry; Home based childcare; Home occupations; Intensive plant agriculture; Roads

### **3. Permitted with Consent**

Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Backpackers' accommodation; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Crematorium; Correctional centres; Cellar door premises; Cemeteries; Community facilities; Depots; Dual occupancies; Dwelling houses; Environmental facilities; Extractive industries; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Function centre; Funeral homes; Helipads; Highway service centre; Home businesses; Home industries; Industrial retail outlets; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Landscaping and material supplies; Markets; Mortuaries; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Roadside stalls; Rural industries; Rural workers' dwellings; Signage; Truck depots; Turf farming; Veterinary hospital; Warehouse or distribution centre; Water recreation structures; Water supply systems; Any other development not specified in item 2 or 4

### **4. Prohibited**

Amusement centres; Boat building and repair facilities; Business premises; Centre based child care facility; Commercial premises; Charter and tourism Boating facilities; Eco-tourist facility; Entertainment facilities; Exhibition homes; Exhibition villages; Health service facilities; Hotel or motel accommodation; Industry; Jetties; Marinas; Moorings; Mooring pens; Places of public worship; Port facilities; Public administration building; Recreation facilities (indoor); Registered clubs; Residential accommodation; Respite day care; Restricted premises; Service centres; Serviced apartment; Sex service premises; Storage Premises; Vehicle body repair workshops; Vehicle repair stations; Wharf or boating facilities; Wholesale supplies.

The proposed changes would make the following types of development permissible with consent, where they are currently prohibited development within the RU1 Primary Production zone under the Narrabri LEP 2012 (there would be no changes to the types of development permitted without consent within the zone):

#### **Land uses which are currently prohibited in the RU1 Primary Production zone which are proposed to become permissible with consent under this planning proposal:**

Backpackers' accommodation; Car parks; Caravan parks; Crematorium; Correctional centres; Function centre; Funeral homes; Highway service centre; Industrial retail outlets; Industrial training facilities; Markets; Mortuaries; Truck depots; Veterinary hospital; Warehouse or distribution centre; Any other development not specified in item 2 or 4

The following Zone Objectives would be added to the current RU1 Primary Production Land Use Zone Objectives under the Narrabri LEP 2012 (no existing zone objectives would be altered or removed):

#### **Additional Land Use Zone Objectives proposed by this Planning Proposal:**

- To allow for tourist and visitor accommodation that does not have an adverse impact on agricultural activities.
- To allow for certain non-agricultural land uses on land with appropriate site qualities and servicing constraints to support such uses.

The planning proposal intends to improve the zone objectives and to specify that defined land uses are permitted with consent unless they are expressly prohibited or permitted without consent. This would have the effect of diversifying the potential land uses within the RU1 Primary Production zone to include appropriate types of commercial and industrial development.

## **PART 3: JUSTIFICATION**

In accordance with the Department of Planning and Infrastructure's *Guide to Preparing Planning Proposals*, this section considers the following issues:

- Section A: Need for the planning proposal
- Section B: Relationship to strategic planning framework
- Section C: Environmental, social and economic Impact
- Section D: State and Commonwealth Interests

### **SECTION A – NEED FOR THE PLANNING PROPOSAL**

#### **1. Is the planning proposal the result of any strategic study?**

The planning proposal is not a direct result of a strategic study or report. However, the proposal has been informed by a detailed review of the Land Use Table for the RU1 Primary Production zone. It is submitted that the objectives of the planning proposal are not contrary to the objectives or outcomes sought by the *New England North West Regional Plan 2036* (the relevant regional strategic plan) or the *Community Strategic Plan 2027*, which presents the community endorsed vision and strategic plan for Narrabri Shire which was prepared in 2017 and relates to the entirety of the Narrabri Local Government Area.

A comprehensive review of ten (10) Local Environmental Plans (LEP's) including those along the Melbourne to Brisbane Inland Rail route was undertaken as part of this planning proposal, including the following Local Government Areas:

- Junee
- Narromine
- Parkes
- Wagga Wagga
- Albury
- Gwydir
- Gundagai
- Moree
- Gunnedah
- Bathurst

It is considered that the 'Open Rural Zone' approach provides an improved Land Use Table mechanism for managing land use planning whilst enabling greater flexibility. The planning proposal will also minimises the need to undertake 'spot rezoning's' or other ad hoc LEP amendments to permit additional acceptable land uses that were not anticipated during the initial LEP preparation which didn't contemplate such significant linear infrastructure projects such as the Melbourne to Brisbane Inland Rail.

It is noted that Gunnedah, Bathurst, Moree and Tamworth Councils have or are proposing 'Open Rural Zones' in their LEP's.

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

It is considered that an amendment to the Narrabri LEP 2012 is the only method to achieve the objectives and outcome sought by this planning proposal.

The objectives and intended outcomes listed in Part 1 of this report have been informed by a review of the prohibited land uses within the Narrabri LEP 2012 RU1 Primary Production land use zone. This review identified a number of land uses currently prohibited within the RU1 Primary Production zone which may be in the public interest to establish as forms of development permissible with consent.

Reasoning supporting the further investigation of establishing these land uses as forms of development permitted with consent included:

- Ensuring a range of development is permitted with consent within the RU1 Primary Production zone which accounts for changing land use pressures associated with the growth of mining, construction of the inland rail and potential coal seam gas developments in the region. An open RU1 Primary Production zone allows for a broader variety of land uses to be considered and offers greater flexibility. It minimises the need to undertake 'spot rezonings' or other ad hoc LEP amendments to permit additional acceptable uses that were not anticipated during the initial LEP preparation;
- Ensuring that a range of development is permissible with consent within the RU1 Primary Production zone which may be reasonable to carry out within that zone considering its 100 hectare minimum lot size and ability for certain types of development to be located in such a way that would minimise its impact on sensitive receptors and/or utilises;
- Ensuring there are appropriate opportunities for low impact tourism orientated developments to be carried out within the RU1 Primary Production land use zone at a scale that would not compromise the zones land use objectives;
- To ensure that the types of development permitted and prohibited under the Narrabri LEP 2012 Land Use Table does not leave Narrabri LGA at competitive disadvantage to consider development applications for a range of land uses within the RU1 Primary Production zone in comparison to LGA's in the North West Region and other rural LGA's across NSW with similar demographics and land use pressures;
- To ensure that the types of development permitted and prohibited under the Narrabri LEP 2012 Land Use Table does not leave Narrabri LGA at competitive disadvantage to consider development applications for a range of land uses within the RU1 Primary Production zone in comparison to LGA's to be interconnected by the Melbourne to Brisbane Inland Rail Project.

It is considered that a planning proposal such as this proposal is the only method of giving effect to the objectives of this planning proposal and broadening the scope of the types of development permitted with consent within the RU1 Primary Production consistent with the findings of the land use zone review.

**2a. What is the merit for the inclusion of each referenced land use as a use permitted with consent within the RU1 Primary Production zone?**

This sub-heading has been included in the planning proposal in addition to the standard matters for consideration headings to provide additional justification for some of the land uses recommended to be included in the new use permissible with consent in the RU1 Primary Production zone under the Narrabri LEP 2012.

1. **"Heads of consideration"** to be included in the Narrabri LEP 2012 for "Truck Depot" and "Warehouse Distribution Centre" land uses similar to those proposed in Moree Plains Council planning proposal however justification was provided on why heads of consideration are required



for these two land uses. The proposed local clauses (heads of consideration) put forward by Moree Plains Council are as follows:

***\*Warehousing and Distribution in the RU1 Primary Production Zone***

- (1) The objective of this clause is to establish matters which the consent authority must consider in assessing applications for Warehousing and Distribution within the RU1 Primary Production Zone.*
- (2) This Clause applies to any application for Warehousing and Distribution within the RU1 Primary Production zone.*
- (3) Development consent must not be granted for Warehousing and Distribution within the RU1 Primary Production Zone unless the consent authority is satisfied that:*
  - a. Adequate road access is available or can be made available to the site to support the scale of the proposed development, and*
  - b. The proposed development would facilitate:*
    - i. The aggregation of freight either to or from the primary industry sector, and*
    - ii. The movement of freight by rail, and*
  - c. The proposal would not increase rural land use conflict in the locality.*

***\*Truck Depot in the RU1 Primary Production Zone***

- (1) The objective of this clause is to establish matters which the consent authority must consider in assessing applications for Truck Depot within the RU1 Primary Production Zone.*
- (2) This Clause applies to any application for Truck Depot within the RU1 Primary Production zone.*
- (3) Development consent must not be granted for Truck Depot within the RU1 Primary Production Zone unless the consent authority is satisfied that:*
  - a. Adequate road access is available or can be made available to the site to support the scale of the proposed development, and*
  - b. The proposed development would predominantly serve vehicles engaged in supporting the primary industry sector, and*
  - c. The proposal would not have significant amenity impacts on the locality. “*

Council does not believe that heads of consideration should be included in this planning proposal for these two land uses (or any proposed land uses in the RU1 Primary Production) zone for the following reasons: -

- a. Practice Note 11-002 provides guidance on the use of standard zones and use of the standard instrument. PP 11-002 states that where appropriate LEPs may set out additional local provisions that apply to land that has particular environmental, hazard or build construction constraints which would be accompanied by a relevant map and heads of consideration. It is considered that these local provisions are more appropriately suited for hazardous constraints or restrictive requirements as opposed to specific land uses such as a warehouse distribution centre and truck depot.
- b. With the exception of Moree Plain LEP, other LEPs within the state do not contain heads of consideration for these two land uses or any other type of land use within the RU1 Primary Production zone. I.e Tamworth Regional LEP 2010, Bathurst Regional LEP 2014, Gwydir LEP 2013.
- c. While it may be argued that warehouse or distribution centres and truck depots are generally considered to be more appropriately located in an industrial zone, Council seeks that these uses be permitted with consent to enable development around and along the Brisbane to Melbourne Inland Rail corridor and its associated intermodal facilities and

within other locations in the RU1 Primary Production zone to assist in serving the needs of the local agricultural sector.

- d. It is considered unlikely that Council will see a proliferation of these land uses in rural areas and does not want to constrain the opportunity or competitive advantage that Narrabri LGA seeks by being required to include local clauses relating to land uses within the RU1 Primary Production zone. Council prefers that site specific potential impacts be considered and addressed through the Development Application process.

2. ***“Highway Service Centre”*** – A *“Highway Service Centre means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following:*

- a) A restaurant or café,*
- b) Take away food and drink premises,*
- c) Service stations and facilities for emergency vehicle towing and repairs,*
- d) Parking of vehicles,*
- e) Rest areas and public amenities.”*

The following justification is provided for “Highway Service Centre” being a land use that is permissible with consent in the RU1 Primary Production zone;

- a. **Accessibility** – Good accessibility is considered critical for the location of a “Highway Service Centre”. The Service Centre itself is not intended to generate vehicle trips, rather it is intended to service the travelling public. Most land outside of the urban centres, that is located on a main Highway or major road connections is surrounded by RU1 Primary Production zoned land and it is therefore considered appropriate to include this use within the RU1 zone.
- b. **Potential conflict with surrounding land uses** – RU1 Primary Production zoned land is generally less populated than other zones and therefore is more appropriately located as the potential impact from noise, light and activity around the clock is less likely.
- c. **Infrastructure requirements** – It is anticipated that any proposed “Highway Service Centre” will need to ensure that there are adequate provisions for infrastructure to be provided to the development. Proponents will take this into consideration when undertaking due diligence and lodging Development Applications.
- d. **Loss of agricultural land** – Council will take this into consideration when assessing a Development Application for a proposed site within the RU1 zone. If the site is identified to have agricultural value Council can refuse the application on these grounds. There may however be sites that are considered non-productive or not suitable for agricultural uses and therefore a proposal for a “Highway Service Centre” would be appropriate. Council could request an Agricultural Assessment Study be undertaken to support any Development Application, this would provide a detailed assessment of the impact of the proposal on the agricultural value of the land.  
It should also be noted that this planning proposal does not change the minimum lot size requirements for subdivision within the RU1 Primary Production zone and therefore could not be used for the purpose of creating a subdivision of land. It is also considered that in most cases a “Highway Service Centre” would occupy approximately 5ha and therefore have minimal impact on the viability of agricultural land.
- e. **Traffic safety** – A “Highway Service Centre” located in the RU1 Primary Production zone will provide a safe place to stop and rest for both light and heavy vehicle traffic that may not be able to stop, due to size, within urban centres.
- f. **Additional process** – As outlined in Section B, one of Councils objectives in undertaking this planning proposal is to ensure that Narrabri LGA is not left at a competitive disadvantage to consider Development Applications for a wide range of land uses within the RU1 Primary Production zone in comparison to LGA’s to be interconnected by the Melbourne to Brisbane Inland Rail Project. The requirement to undertake a planning proposal on a case

by case basis for a land use such as a “Highway Service Centre” is considered contrary to the objective of Councils objectives.

3. **“Function Centre”** – A *“function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility”*.

Two (2) additional zone objectives are proposed by this planning proposal, being;

- *To allow for tourist and visitor accommodation that does not have an adverse impact on agricultural activities.*
- *To allow for certain non-agricultural land uses on land with appropriate site qualities and servicing constraints to support such uses.*

It is considered that “function centre” is a potential land use that fulfils these two (2) new objectives. In some cases, a “function centre” may be taking advantage of rural characteristics, environmental opportunities or location advantages and site qualities (such as remoteness, views or river side location) that is offered by land that is zoned RU1 Primary Production.

This land use potentially offers the opportunity to supplement income from agricultural activities and a uniqueness within Narrabri LGA.

As with all Development Applications, matters such as traffic, security, infrastructure, amenity and so on will need to be considered and addressed during assessment of each individual application.

## SECTION B –RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

### 3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The *New England North West Regional Plan 2036*, hereby referred to as the *Regional Plan*, was prepared by the Department of Planning and Environment to give strategic direction to development in the New England North West Region and is a relevant consideration for this planning proposal.

The *Regional Plan* recognises the network of regional cities and centres support diverse industries and that as their industries grow, centres will thrive and require high quality health, education and recreation options. The *Regional Plan* goes on to further recognise the regional cities of Tamworth and Armidale and the strategic centres of Narrabri, Moree, Inverell and Glen Innes will be the focus of employment and services.

The *Regional Plan* sets out four regionally focused goals and Direction's and Actions as policy measures targeted toward achieving the plans goals.

The goals of the *New England North West Regional Plan 2036* are:

Goal 1 – A strong and dynamic regional economy

Goal 2 – A healthy environment with pristine waterways

Goal 3 – Strong infrastructure and connected transport networks for a connected future

Goal 4 – Attractive and thriving communities

The amendments proposed to the RU1 Primary Production land use zone by this planning proposal are considered to be compatible with all of the strategic goals in some way. In particular the following Directions are considered relevant to this planning proposal:

*Direction 1: Expand Agribusiness and Food Processing Sectors* – This planning proposal does not seek to alter or affect the current opportunities for agricultural uses to be carried out within the RU1 Primary Production zone.

Existing agriculture and agribusiness opportunities will be retained while a range of additional uses are proposed to be made permissible within the land use zone. These additional uses include uses which could be carried out to provide additional income streams to a commercial operating farm. Examples of such uses include home-based child care, eco-tourism facilities and function centres.

It is also observed that the range of permitted uses this planning proposal seeks to implement within the RU1 Primary Production zone would include uses not associated with agriculture, such as heavy industry, crematorium and high technology industries. It is not anticipated that existing or potential agriculture and agribusiness opportunities would be adversely affected by establishing such uses as development permissible with consent within the RU1 Primary Production zone.

This position is informed by the limited current and expected demand for such forms of development within the LGA, an appreciation that it is unlikely that development for such purposes would need to be situated in remote areas with limited available services to support the use and that from an economic perspective it is considered unlikely that demand would arise for the location of such development in remote areas or on highly productive agriculture land.

Notwithstanding the above, it is considered reasonable to have such development permissible with consent in the RU1 Primary Production zone as development that meets these use characterisations may need to be located in rural areas to provide a separation between the development and residential receptors.

It is submitted that this planning proposal would be in accordance with the following Actions promoted by the *Regional Plan* as measures to accomplish the aim of this Direction.

- *Action 1.2 – Promote the expansion of agribusiness and associated value-adding activities through local plans*
- *Action 1.4 – Encourage commercial, tourist and recreation activities that compliment and promote a stronger agricultural sector, and build the sector’s adaptability.*

*Direction 2: Build Agricultural Productivity* – This planning proposal will not affect the capacity for agricultural activities to be carried out on RU1 Primary Production zoned land. The proposed development will create the possibility of additional land uses being carried out within this zone with development consent.

Expanding the scope of development which may be carried out with development consent in the RU1 Primary Production zone is not anticipated to detrimentally impact agricultural activity by significantly impacting the potential for land use conflict.

This planning proposal does not present any issue in relation to the Actions recommended by the Regional Plan as measures to achieve this Direction.

*Direction 3: Protect and Enhance Agricultural Lands* – As outlined in the *Regional Plan*, agricultural land has historically been protected by limiting rural land subdivision. This has assisted in limiting land fragmentation to maximise production efficiencies.

This planning proposal does not propose to alter the minimum lot size within the RU1 Primary Production zone. It is seen as an opportunity to manage the interface between important agricultural lands and other land uses whilst offering flexibility by requiring uses to be permitted with consent. The development application process allows for planning controls to manage compatibility between land uses and to address any land use conflict that may arise.

*Direction 4: Sustainably Manage Mineral Resources* – The planning proposal will not affect the opportunity to achieve the objective of this Direction.

*Direction 5: Grow the New England North West as the Renewable Energy Hub of NSW* – The planning proposal will not affect the opportunity to achieve the objective of this Direction.

*Direction 6: Deliver New Industries of the Future* – The planning proposal is considered compatible with this Direction as it proposes to make additional industrial type uses (heavy industry and high technology industry) permissible with consent in the RU1 Primary Production zone.

The Standard Instrument Order definitions for these heavy and high technology industries are quite broad and may relate to a large array of industrial operations, some of which may be best located outside urban areas. As such it is considered prudent to update the Narrabri LEP 2012 to allow for the carrying out of each use with development consent within the RU1 Primary Production zone.

It is considered that this planning proposal would be compatible with the following Action of the *Regional Plan* which is proposed as a measure to achieve the objective of this Direction:

- *Action 6.1 – Encourage green industry by reviewing local plans to ensure land use zonings reflect industry requirements.*

*Direction 7: Build Strong Economic Centres* – This Direction and the associated Actions promotes the reinforcement of regional cities and towns as locations for commerce and industry and the preparation of strategies and environmental planning instruments supportive of the co-location and central location of such enterprise.

The purpose of this planning proposal is to allow the expansion of the range of uses permitted with development consent within the RU1 Primary Production zone.

*Direction 8: Expand Tourism and Visitor Opportunities* – This Direction and the associated Actions promotes the facilitation of an expanding tourism visitation and expenditure given the spectacular environment, diverse landscapes, climate and friendly communities of the New England North West. The *Regional Plan* specifically mentions opportunities for broadacre farming areas and other agricultural pursuits can also offer farm-based tourism.

The planning proposal enhances the opportunity for tourist orientated development to be undertaken in the RU1 Primary Production zone that has the potential to lead to tourism generated employment and business growth through the Narrabri LGA.

*Direction 9: Coordinate growth in the cities of Armidale and Tamworth* – The planning proposal will not affect the opportunity to achieve the objective of this Direction.

*Direction 10: Sustainably manage and conserve water resources* – The planning proposal will not affect the opportunity to achieve the objective of this Direction.

*Direction 11: Protect areas of potential high environmental value* – The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

*Direction 12: Adapt to natural hazards and climate change* – The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

*Direction 13: Expand emerging industries through freight and logistics connectivity* – This Direction identifies that the region is uniquely positioned to leverage opportunities associated with growing global and domestic markets with the proposed Melbourne to Brisbane Inland Rail having the potential to reshape freight movements.

The preferred alignment for the Inland Rail passes through Narrabri and Moree with growth in containerised freight of grain and meat products potentially requiring new intermodal terminals and supporting rail infrastructure.

The *Regional Plan* identifies Narrabri, Moree and Tamworth supporting existing and proposed intermodal terminals and recognises that these locations will continue to be significant areas for outbound containerised freight.

The *Regional Plan* goes on to further state that any new freight and logistics hubs and intermodal facilities must be close to freight network corridors and infrastructure. The assets should also be protected from urban encroachment and incompatible land uses to protect freight and cargo handling capacity.

It is considered that this planning proposal offers the most flexible and appropriate way to ensure that Narrabri LGA is in a competitive position to take advantage of any opportunities that arise from the Inland Rail project and freight and logistics industry by opening up the RU1 Primary Production zone to allow for additional uses to be permitted with consent. The planning proposal offers a form of consistency of permissible with consent land uses across a number of the LGAs along the Inland Rail route.

Given the location and size of the lots located within the RU1 Primary Production zone it is considered that greater protection can be offered to assets associated with the freight and logistics industry from urban encroachment and incompatible land uses.

It is considered that this planning proposal would be compatible with the following Action of the *Regional Plan* which is proposed as a measure to achieve the objective of this Direction:

- *Action 13.4 – Locate freight and logistics facilities to maximise existing infrastructure, support future industrial development and capitalize on inter-regional connections and external markets.*

*Direction 14: Enhance transport and infrastructure networks* – Further to Direction 13, the *Regional Plan* recognises that NSW’s freight volumes are projected to double by 2030 and triple by 2050. A large share of this growth is expected in the New England North West.

As with Direction 13, it is considered that this planning proposal offers the most flexible and appropriate way to ensure that Narrabri LGA is in a competitive position to take advantage of opportunities that arise from the enhancement of the quality, capacity and efficiency of the freight, transport and infrastructure networks within the Narrabri LGA.

*Direction 15: Facilitate air and public transport infrastructure* – The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

*Direction 16: Coordinate infrastructure delivery* – The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

It is considered that this planning proposal assists in providing consistency in the RU1 Primary Production zone between surrounding LGA along the Inland Rail Line which is suggested in *Action 16.4 – Integrate cross-border land use planning between NSW and Queensland*.

*Direction 17: Strengthen community resilience* - The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

*Direction 18: Provide greater places to live* – The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

*Direction 19: Support healthy, safe, socially engaged and well connected communities* – The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

*Direction 20: Deliver greater housing diversity to suit changing needs* – The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

*Direction 21: Deliver well planned rural residential housing* – The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

*Direction 22: Increase the economic self-determination of Aboriginal communities* – The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

*Direction 23: Collaborate with Aboriginal communities to respect and protect Aboriginal culture and heritage* – The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

*Direction 24: Protect the region’s historic heritage assets* – The planning proposal will not affect the opportunity to achieve the objectives of this Direction.

The *Local Government Narratives* within the *Regional Plan* identifies priorities for each Council within the *Regional Plan* area. For Narrabri LG area the priorities include:

- *Encourage diversification in agricultural, horticultural and agribusiness to grow these sectors and harness domestic and international opportunities* – it is considered that this planning proposal is a positive and proactive way in achieving this priority as it allows for greater land use diversity to occur in the RU1 Primary Production zone as it allows greater flexibility and additional land uses that may be permitted with consent.
- *Continue to develop access and logistics infrastructure on appropriate sites to encourage new industry opportunities* – it is considered that this planning proposal offers many opportunities for achieving this priority by opening up the RU1 Primary Production zone to a wider range of permissible with consent land use that are currently not available under the existing Narrabri LEP 2012.

**4. Is the planning proposal consistent with the local Council’s Community Strategic Plan or other local strategic plan?**

The *Narrabri Growth Management Plan* is a local strategic plan which was prepared in 2009 and relates to the entirety of the Narrabri Local Government Area (LGA).

This planning proposal does not directly relate to any provisions or outcomes of this *Plan*, however it is considered to be broadly compatible with its recommendations regarding the protection of biodiversity values and the management of rural land use conflict.

The planning proposal would rationalise planning controls in place for the construction of dual occupancies on rural and environmental protection zoned land, imposing controls consistent with those in place for the construction of dwelling houses on the same land.

**5. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

Yes. This planning proposal is considered to be consistent with relevant State Environmental Planning Policies. The NSW Government publishes State Environmental Planning Policies (SEPPs) for matters of State and regional planning significance. The table below examines the consistency of this planning proposal with the relevant SEPPs;

Relevant SEPP/Deemed SEPP	Consistency of Planning Proposal
State Environmental Planning Policy No. 1 – Development Standards	Not applicable. No variations to development standards sought.
State Environmental Planning Policy No. 19 – Bushland in Urban Areas	Not applicable.
State Environmental Planning Policy No. 21 – Caravan Parks	Not applicable.
State Environmental Planning Policy No. 30 – Intensive Agriculture	Not applicable.
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development	Not applicable.
State Environmental Planning Policy No. 36 – Manufactured Home Estates	Not applicable.
State Environmental Planning Policy No. 44 – Koala Habitat Protection	Not applicable.



Relevant SEPP/Deemed SEPP	Consistency of Planning Proposal
State Environmental Planning Policy No. 47 – Moore Park Showground	Not applicable.
State Environmental Planning Policy No. 50 – Canal Estate Development	Not applicable.
State Environmental Planning Policy No. 24 – Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
State Environmental Planning Policy No. 55 – Remediation of Land	Not applicable.
State Environmental Planning Policy No. 62 – Sustainable Aquaculture	Not applicable.
State Environmental Planning Policy No. 64 – Advertising and Signage	Not applicable.
State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development	Not applicable.
State Environmental Planning Policy No. 70 – Affordable Housing (Revised Scheme)	Not applicable.
State Environmental Planning Policy (Affordable Rental Housing) 2009	Not applicable.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Not applicable.
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	Not applicable.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Not applicable.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Not applicable.
State Environmental Planning Policy (Infrastructure) 2007	Not applicable.
State Environmental Planning Policy (Integration and Repeals) 2016	Not applicable.
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	Not applicable.
State Environmental Planning Policy (Rural Lands) 2008	<p>Not applicable. This planning proposal would place restrictions on the construction of dual occupancies on rural land in the Narrabri LGA that reflect restrictions currently imposed on the construction of dwellings on rural land.</p> <p>It is considered that the planning proposal would not conflict with any aims or controls of this SEPP, and would impose controls compatible with the following aims of the SEPP:</p> <p>(a) <i>To facilitate the orderly and economic use and development of rural lands for rural and related purposes; and</i></p> <p>(c) <i>To implement measures designed to reduce land use conflict.</i></p>
State Environmental Planning Policy (State and Regional Development) 2011	Not applicable.
State Environmental Planning Policy (State Significant Precincts) 2005	Not applicable.

Relevant SEPP/Deemed SEPP	Consistency of Planning Proposal
State Environmental Planning Policy (Urban Renewal) 2010	Not applicable.

Table 3: Consistency with SEPPs

## 6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

The Minister for Planning issues Local Planning Directions that Council must follow when preparing a planning proposal. The directions cover the following broad categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk

Each S. 9.1 Ministerial Direction is listed in the table below with an annotation stating whether it is relevant to the planning proposal and comments relating to its consistency with the corresponding objective. The planning proposal has considered all Ministerial Directions and is consistent with all Local Planning Directions.

S. 9.1 Direction Title	Consistency of Planning Proposal
1.1 Business and Industrial Zones	Not applicable. The planning proposal does not propose to rezone land and will not affect the provision of this Direction.
1.2 Rural Zones	The planning proposal does not propose to rezone land and will not affect provisions relating to this Direction. The planning proposal is considered to be consistent with this Directive as it would broaden the variety of potential development types on rural land. Unsuitable land uses will be listed as prohibited.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4 Oyster Aquaculture	Not applicable.

## 1.5 Rural Lands

This Directive is relevant to this planning proposal as it would affect rural zoned land. Where this Directive applies the planning proposal proposed must be consistent with the Rural Planning Principles contained in SEPP (Rural Lands) 2008. The rural Planning Principles are listed below and comments have been included under each principle considering its relationship with the planning proposal:

- the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas.  
Planning Comment: the planning proposal would not affect the opportunity for rural land to be used for productive agriculture or economic purposes. The proposal would restrict the opportunity for dual occupancies to be constructed on certain rural properties, however it is considered that this restriction would have a negligible impact on the overall opportunity for rural lands to be used for productive agricultural activity.
- recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State.  
Planning Comment: the proposal would have a limited impact in relation to this planning principle.
- recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development.  
Planning Comment: the planning proposal would not affect any existing rural land uses or the opportunity for such uses to be carried out on rural land.
- in planning for rural lands, to balance the social, economic and environmental interests of the community.  
Planning Comment: the planning proposal would put in place controls on the development of dual occupancies on rural land which reflect existing expectations and controls for residential type development of rural land.
- the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land.  
Planning Comment: the planning proposal would not cause any impacts that relate to this planning principle.
- the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities.  
Planning Comment: The planning proposal would restrict the construction of dual occupancies, a form of residential development more intensive than single dwelling houses, from being carried out on land which development involving dwelling houses is currently restricted. The planning proposal is therefore not seen to be obstructive to the reasonable development of rural lifestyle, settlement and housing.

S. 9.1 Direction Title	Consistency of Planning Proposal
	<ul style="list-style-type: none"> <li>the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing. <u>Planning Comment:</u> the planning proposal would impose restrictions on rural housing development and would not increase expectations or reliance on services and infrastructure.</li> <li>ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General. <u>Planning Comment:</u> the planning proposals relationship with strategic plans has been discussed above under the relevant sections of this document. The proposal is considered to be broadly compatible with existing local and regional land use strategies.</li> </ul> <p>In line with the comments above the planning proposal is considered to be consistent with the Rural Planning Principles of the SEPP (Rural Lands) 2008 and therefore the requirements of this Directive.</p>
2.1 Environment Protection Zones	Not applicable.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	The planning proposal does not propose to rezone any land rather “open up” the land uses permitted with consent in the RU1 Primary Production zone. Any items, areas, objects or places that are of environmental heritage significance and indigenous heritage significance will continue to be protected and require consideration at the Development Application stage. This planning proposal is considered consistent with this Direction.
2.4 Recreation Vehicle Areas	Not applicable.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable.
3.1 Residential Zones	Not applicable.
3.2 Caravan Parks and Manufactured Home Estates	The planning proposal would broaden the potential land uses on rural land including the potential for caravan parks on rural land. The planning proposal is considered to be consistent with this Directive.
3.3 Home Occupations	The planning proposal will retain the provisions of the principle LEP which provides for this use without consent in most circumstances.
3.4 Integrating Land Use and transport	Not applicable.

<b>S. 9.1 Direction Title</b>	<b>Consistency of Planning Proposal</b>
3.5 Development Near Licensed Aerodromes	The planning proposal does not propose to rezone any land rather “open up” the land uses permitted with consent in the RU1 Primary Production zone. Any land that is zoned RU1 Primary Production and within proximity to the Narrabri Airport will continue to be required to comply with Part 6.3 Airspace Operations of the LEP. Any Development Application will continue to be required to address the objectives of the LEP which is to provide for the effective and ongoing operation of the Narrabri Airport by ensuring that such operation is not compromised and to protect the community from undue risk from the operation of the airport. This planning proposal is not considered to be inconsistent with this Direction.
3.6 Shooting Ranges	Not applicable.
4.1 Acid Sulphate Soils	Not applicable.
4.2 Mine Subsidence and Unstable Land	Not applicable.
4.3 Flood Prone Land	The planning proposal does not directly affect provisions relating to flood prone land. Flood policy would continue to be enforced on flood-prone land. Any Development Application within flood prone land that is zoned RU1 Primary Production will be required to address this constraint. This planning proposal is not considered to be inconsistent with this Direction.
4.4 Planning for Bushfire Protection	The planning proposal would not affect existing bushfire planning provisions. These provisions would continue to be enforced for developments on bushfire prone land and will be required to be addressed at the Development Application stage. This planning proposal is not considered to be inconsistent with this Direction.
5.1 Implementation of Regional Strategies (Revoked 17 October 2017)	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 Highway, North Coast	Not applicable.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Not applicable.
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008)	Not applicable.
5.7 Central Coast (Revoked 10 July 2008)	Not applicable.
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	As outlined in Section B, it is considered that this planning proposal is generally consistent with the New England and North West Regional Plan. The benefits associated with “opening up” that land uses that may be permitted with consent in the RU1 Primary Production zone offer many social and economic benefits to the Narrabri LGA.
6.1 Approval and Referral Requirements	Not applicable.
6.2 Reserving Land for Public Purposes	Not applicable.
6.3 Site Specific Provisions	Not applicable.
7.1 Implementation of A Plan for Growing Sydney	Not applicable.

<b>S. 9.1 Direction Title</b>	<b>Consistency of Planning Proposal</b>
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Plan	Not applicable.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.

Table 4: Consistency with Ministerial Directions

## SECTION C – ENVIRONMENTAL SOCIAL AND ECONOMIC IMPACT

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

This planning proposal would impose a new restriction on type of development permitted on rural zoned land. As the proposal would decrease the development potential of affected land it is considered that the planning proposal would not have an adverse impact on critical habitats or threatened species.

No additional adverse effects are anticipated, subject to normal merit assessment of Development Applications.

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

This planning proposal would impose a new restriction on type of development permitted on rural zoned land, and as such Council considers that the proposal would not give rise to any significant environmental effects.

### **9. How has the planning proposal adequately addressed any social and economic effects?**

It is considered that the planning proposal would have positive social and economic effects. The proposal would rationalise the planning controls relating to the construction of dual occupancies on rural zoned land, and would impose provisions in line with those affecting the construction of dwelling houses on the same land. The planning proposal would put in place restrictions on the development of rural land that would be in accordance with the community's expectations of how that land is to be developed.

The planning proposal delivers increased flexibility in the regulation of land use developments while not requiring ad hoc planning proposals for appropriate but unlisted land uses.

## SECTION D – COMMONWEALTH AND STATE INTERESTS

### **10. Is there adequate public infrastructure for the planning proposal?**

Not applicable. It is considered that there are no additional infrastructure implications from this planning proposal.

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

Relevant State and Commonwealth Government Agencies will be consulted in accordance with the requirements of any Gateway Determination.

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## **PART 4: MAPPING**

This planning proposal is limited to amendment to the written instrument only and no mapping changes are proposed. Narrabri LEP 2012 maps can be viewed online on the NSW Legislation website.

[www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

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## **PART 5: COMMUNITY CONSULTATION**

In accordance with the *NSW Department of Planning Guidelines to preparing LEP's*, upon Gateway Determination adjoining landholders and any affected community organisations will be formally notified of the proposal and invited to provide comment.

In accordance with prevailing Departmental Guidelines and the provisions of the Environmental Protection Authority Act, the Planning Proposal will also be notified publicly for the prescribed period in local newspapers and Council's website at <http://www.narrabri.nsw.gov.au/>

Public exhibition will be carried out in accordance with the requirements of the EPA Act, EPA Regulations and the Gateway Determination.

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## PART 6: PROJECT TIMELINE

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It is expected that the relevant steps in the planning proposal process will be completed as set-out in the table below:

Milestone	Timeframe
Council endorse the Planning Proposal	October 2018
Gateway Determination issued by the Department of Planning and Environment	November 2018
Completion of technical assessment	December 2018
Public exhibition of the planning proposal and any required consultation with any public authorities	January-February 2019
Consideration of any submissions received made during public notification/consultation	March 2019
Refer proposal to Parliamentary Counsel and obtain Opinion	March 2019
Determination to make the LEP and notification of the LEP on legislation website	April 2019

**Note:** this project timeline has been drafted on the assumption that Council will be permitted to utilise its delegated plan making powers by the Department of Planning and Environment. Timeframes for achieving milestones may be subject to change pending issues arising during the planning proposal process.