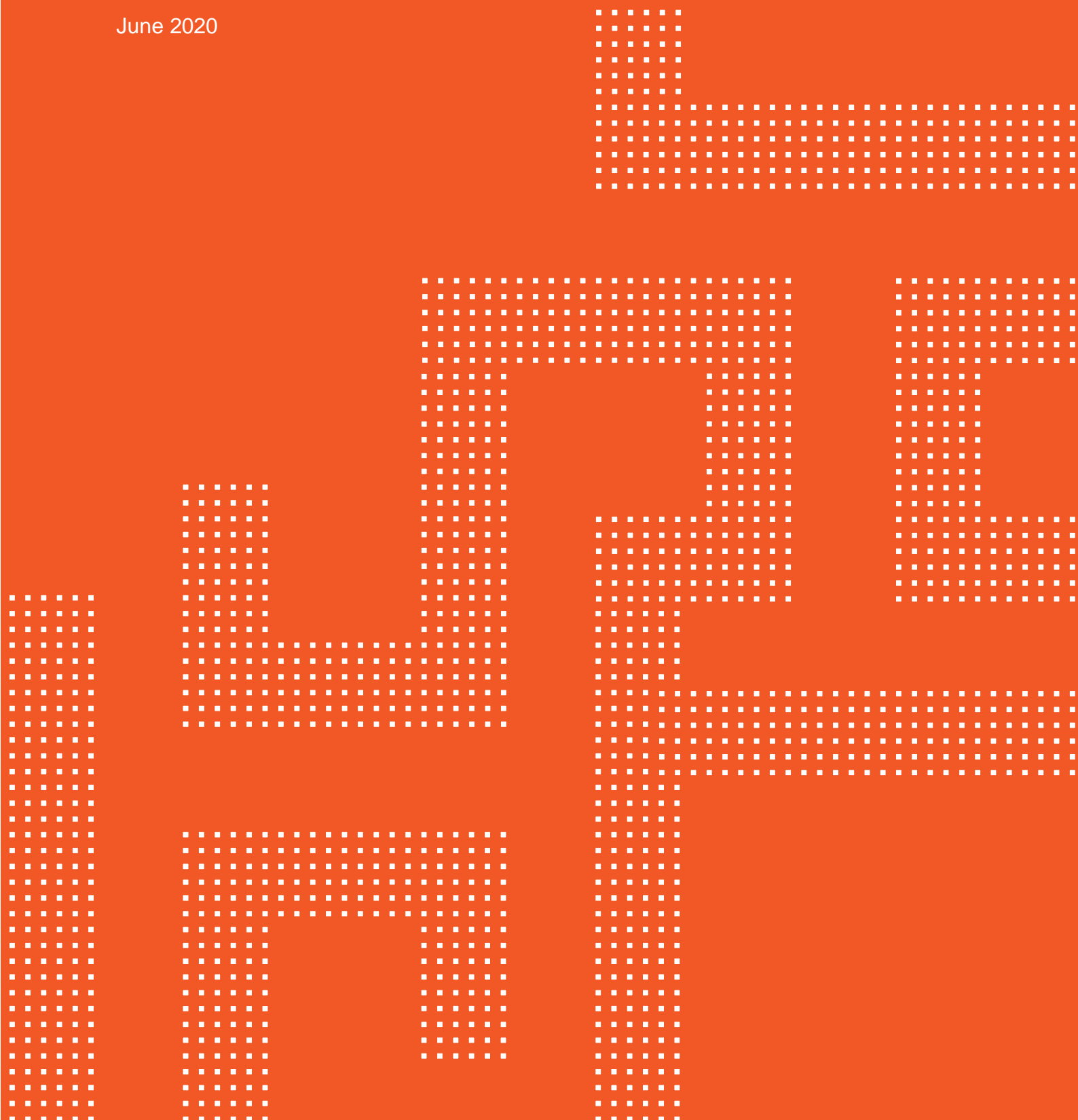


habitat planning

Planning Proposal

Zoning & minimum lot size changes
for Culcairn

June 2020





Prepared for

Greater Hume Council

Habitat Planning

Suite 1, 622 Macauley Street
ALBURY NSW 2640

p. 02 6021 0662

e. habitat@habitatplanning.com.au

w. habitatplanning.com.au

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Introduction

This is a Planning Proposal seeking amendments to the *Greater Hume Local Environmental Plan 2012* (GHLEP). The amendments relate to a change of land use zoning and Minimum Lot Size (MLS) for four parcels of land in the township of Culcairn (see **Figure 1**). Aerial views of the four parcels are shown in **Figures 2, 3, 4 & 5**.

The changes propose to reinstate some township and rural small holdings zones originally intended for the GHLEP but later excluded due to a lack of flooding information following the 2012 major flood event in the Shire. This information is now available following completion of the *Culcairn Floodplain Risk Management Study and Plan* in 2017 that can be viewed using the following link <https://www.greaterhume.nsw.gov.au/files/sharedassets/public/environment-and-planning/flood-studies/wma-water-culcairn-floodplain-risk-management-study-and-plan-apr-2017-adopted-final.pdf>

The Planning Proposal has been structured and prepared in accordance with the Department of Planning and Environment's (DPE) *A guide to preparing planning proposals* ("the Guide").

Culcairn township is located on the Olympic Highway and Main Southern Railway 514 kilometres south of Sydney and 362 kilometres north of Melbourne. The nearest regional centre is Albury 53 kilometres to the south and Wagga Wagga is slightly further away to the north. The township itself had a population of 1,136 at the 2016 census that increases to 1,473 people when the surrounding area is included. There were 641 residences recorded in Culcairn at the 2016 Census. Both the number of residents and dwellings has been increasing at a small rate.

The commercial activities in Culcairn are focused on the main street and include a supermarket, motels, hotels and a range of other local and specialty shops and services. There is no defined industrial area for Culcairn, although there has been an increase in industrial type activities on the northern side of town as well as the large feedlot further north. Community services include two primary schools, a secondary school, churches, post office, land fill depot, public hall, nursing home/aged care hostel, rural transaction centre and a hospital.

Culcairn provides a broad range of open space and recreational facilities for residents and visitor including an oval (Australian football/cricket), netball courts, tennis courts, golf club, swimming pool and lawn bowls club. More passive open space is provided in local parks around the township including along the Olympic Highway and Billabong Creek.

The water treatment plant services 571 rateable properties and has spare capacity. The sewerage treatment plant was commissioned in the 1960's and is an 'extended aeration plant' utilising a pacifier channel. The system is designed for 1,000 equivalent persons (EP's) and 365 equivalent tenements (ET's) or households. Based on these raw figures, it would appear that Culcairn's sewerage system is already over capacity, but this is dependent on Council's settings for the program which can be adjusted to provide for a larger number of ET's. Electricity and telecommunications are readily available and not considered to be a constraint to the future development of Culcairn.

Culcairn's history and pace of development over time (lack of pressure for redevelopment) has resulted in a large number of heritage buildings for a town of its size, including the significant Culcairn Hotel. In addition to specific heritage items, parts of Balfour Street are also designated as

Conservation Areas that recognises an area or precinct as having heritage significance. There are 19 Aboriginal objects or Aboriginal places recorded in and around Culcairn according to the OEH Aboriginal Heritage Information Management System (AHIMS).

PART 1. Intended outcomes

The intended outcome of this Planning Proposal is principally to create additional opportunities for a range of residential development in Culcairn. A portion of one parcel requested for rezoning (CU2) is preferred for industrial development.

The Planning Proposal seeks to reinstate changes to land zoning and lot size maps in around Culcairn. These changes were previously proposed as part of the new Standard Instrument GHLEP but deferred because of a major flood event in 2012 that raised questions as to the suitability of some land. The subsequent preparation of a flood study for Culcairn now provides a definitive assessment as the impact of flooding on the nominated areas.

A summary of the intended outcomes of the Planning Proposal is provided in **Table 1**.

Table 1: Summary of potential increase in lot supply resulting from rezoning in Culcairn.

Location	Area	Intended outcome	Estimated lot yield ¹	Qualification on yield calculation
Baird Street (CU1)	72ha	RU4 Primary Production Small Lots 4ha MLS	15	Is likely to be less having regard for the proximity of the sewerage treatment works and flooding.
Railway Parade (CU2)	15ha	RU5 Village 600m ² MLS	70	Note a portion of this area is preferred in the SLUP for industrial development. The yield for the residential component is based on a typical density for a country town of 10 lots per hectare.
Walbundrie Road (CU3)	10ha	RU5 Village 600m ² MLS	100	Based on a typical density for a country town of 10 lots per hectare. Likely to be less given the configuration of the parcel and points of access.
Balfour Street (CU4)	5ha	R2 Low Density Residential 4,000m ² MLS	10	Likely to be less when flooding constraint factored in.

1. The purpose of this column is to give an indication as to the number of additional lots that might be achieved in the proposed zone. Calculating lot yields by mathematical division is misleading as there is nearly always a range of factors that will prevent the theoretical maximum number being achieved.

As part of the process for drafting the current 2012 GHLEP, a *Strategic Land Use Plan* (SLUP) was prepared to review land use planning in the Shire's towns and villages. From this exercise a number of land parcels were identified as having development potential and consequently recommended for further assessment through a Local Environmental Study (LES).

An LES was undertaken for each parcel to consider the environmental consequences of 'up zoning' and compliance with State planning requirements. Several drafts of the LES were prepared in consultation with DPE and as a result a number of parcels were removed from consideration of 'up zoning' or modified for the GHLEP. In 2011 the LES was finalised with DPE and Council in agreement as to which parcels were to be rezoned. Extracts from the LES where it relates to the candidate sites for Culcairn are included at **Attachment E** for reference purposes.

Following the major 2012 flood event and comments from government agencies, the final version of the LES was again amended to remove areas that had previously been deemed suitable for 'up zoning' by DPE but were now under suspicion of flooding in a major event. The changes proposed to zoning and minimum lot size provisions in this Planning Proposal seek to reinstate these agreed areas in Culcairn now that they have been confirmed in the flood studies as either flood free or subject to minimal low risk flooding (see **Figure 9**). These areas can now be considered as presenting little risk to life and property during a major flood event.

Recent demand for residential land in the Shire is steady with around four new dwellings approved per annum in the RU5, RU4, R2 and R5 zones of Culcairn. In terms of current actual supply¹ there is just one lot available in Culcairn. This situation reveals a significant shortage of actual supply in Culcairn.

It is important to acknowledge that the dynamics of residential development in smaller country towns is different to larger urban centres such as Albury and Wagga Wagga. A straight analysis of supply based on a yield for a given area of zoned land for smaller town tends to distort the actual situation on the ground. What is most important for smaller towns is that there is a number of different opportunities to ensure that supply is not restricted to a small number of land owners or sites for which there may be no intention of development or release of land to someone willing to create some actual supply. Increasing the options can result in a theoretical over supply of zoned land in some towns, but necessary to create opportunities for development. There is no harm in this because if the land is not developed it generally remains in agricultural use despite the zoning (i.e. it does not become underutilised).

¹ Actual vacant lots available for sale.

PART 2. Explanation of the provisions

The intended outcomes of the Planning Proposal will be achieved by changes to zoning and lot size maps within the GHLEP. A summary of those changes and the land to which they apply is provided in **Table 2**. Maps of the proposed changes are provided in **Figures 6 & 7**.

Table 2: Summary of changes sought in the Planning Proposal.

Location	LEP Map Sheet reference	Land description	Current zoning & MLS	Requested zoning & MLS
Baird Street (CU1)	LZN_003B	Lots 1, 2, 3, 4, 5, 6, 7, & 8 DP 7064	RU1 Primary Production	RU4 Primary Production
	LSZ_003B	Lots 9 & 10 DP 11290	100ha	Small Lots
		Lot 291 DP 1124610		4ha
		Lot 5 DP 250901		
Railway Parade (CU2)	LZN_003B	Lot A DP 385255	RU1 Primary Production	RU5 Village
	LSZ_003B		100ha	600m ²
Walbundrie Road (CU3)	LZN_003B	Part Lot 3 DP 1105775	RU1 Primary Production	RU5 Village
	LSZ_003B		100ha	600m ²
Balfour Street (CU4)	LZN_003B	Lots 96, 97, 98, 99 & 105 DP 753757	RU1 Primary Production	R2 Low Density Residential
	LSZ_003B	Lot 126 DP 721063	100ha	4,000m ²

PART 3. Justification

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for their implementation. The questions to which responses have been provided are taken from the Guide.

Section A. Need for the planning proposal

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

The Planning Proposal is the result of recommendations made for Culcairn in the SLUP (see **Attachment A**) and now supported by the recommendations in the Flood Study for three of the four candidate sites (see **Table 3**). The fourth candidate site (CU3) was not included in the list of sites for specific assessment but is within the study area for the Flood Study.

The study provides the opportunity to adjust land use zones where the flood status of land is now confirmed, including the reinstatement of some zonings originally proposed for the GHLEP in 2012.

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

The objective of reinstating zonings proposed for the GHLEP cannot be achieved without a Planning Proposal. By not proceeding, land on the fringe of Culcairn now confirmed as 'flood free' or at minimal risk of flooding would remain in the RU1 Primary Production Zone and prevent the opportunity for the town to grow and benefit the community.

Section B. Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The *Riverina Murray Regional Plan 2036* (RMRP) was adopted by the NSW government in 2017. The Minister's foreword to the document states that the RMRP "*encompasses a vision, goals, directions and actions that were developed with the community and stakeholders to deliver greater prosperity for this important region.*"

Direction 16 of the RMRP is to "*increase resilience to natural hazards and climate change*" within which it is acknowledged that:

Managing flooding is an important priority for the NSW Government and councils. Most councils currently include flood planning area mapping in local plans and hydraulic and hazard category mapping of flood prone land, which provides government, developers and landowners with a level of certainty about the risks for particular sites.

Action 16.1 in the RMRP is to:

Locate developments, including new urban release areas, away from areas of known high biodiversity value, high bushfire and flooding hazards, contaminated land, and designated waterways, to reduce the community's exposure to natural hazards.

The Planning Proposal is consistent with action as it seeks to act on the availability of information relating to flooding in Culcairn and rule in or rule out land for development based on its known flood status.

In addition, to implement Goal 4 of the RMRP, the following directions are given:

Direction 22 – Promote the growth of regional cities and local centres.

Direction 23 – Build resilience in towns and villages.

Direction 25 – Build housing capacity to meet demand.

Direction 26 – Provide greater housing choice.

The Planning Proposal is consistent with all of these as it is advocating population growth in Culcairn.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The 2007-2030 Strategic Land Use Plan (SLUP) for the Shire was undertaken as a precursor to the 2012 GHLEP. In establishing the context for the SLUP, flooding was identified as a key, but not a major, issue for the Shire. It should be noted that the SLUP was completed prior to the record flooding that occurred in the district early in 2012. The strategic response in the SLUP to the flooding issue was nominated as “review flood data and policies”. The undertaking of a flood study for Culcairn leading to this Planning Proposal is taken as a direct response to that declared action.

The table and plan extracts at **Attachment A** provides a review of the recommendations for future land use in the SLUP for Culcairn against the changes proposed in the Planning Proposal. The areas to which the recommendations relate are depicted in Part 4 of the Planning Proposal.

Council has prepared a draft *Local Strategic Planning Statement* (LSPS) in accordance with the requirements of amendments to the EP&A Act in 2018. The LSPS is intended to shift the NSW planning system into a more strategic-led planning framework. One of the planning priorities for the Greater Hume LSPS relates to housing and land supply. To deliver on this planning priority Council has stated it will:

Monitor the uptake of residential land in the towns and villages and investigate future residential areas (as identified on the town maps). These areas will:

- Be located to avoid areas that are identified as important agricultural land or areas that create potential for land use conflict;
- Align with the utility infrastructure network and its capabilities;
- Avoid or mitigate the impacts of hazards, including the implications of climate change;

- Protect areas with high environmental value and/ or cultural heritage value and important biodiversity corridors;
- Not hinder development or urban expansion and will contribute to the function of existing townships;
- Create new neighbourhoods that are environmentally sustainable, socially inclusive, easy to get to, healthy and safe.

Investigate a mixture of smaller and larger residential lots in the towns and villages to create opportunity, respond to future demand, and to provide a range of housing options.

The planning priority is to be actioned by (amongst other things):

- Investigate and identify future potential for varied housing options in the townships of Henty, Holbrook, Morven and Culcairn – Short Term (refer plans)

The preparation and submission of this Planning Proposal is a direct response to this stated intention of Council for strategic planning.

Q5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

Attachment B provides an assessment of the Planning Proposal against all State Environmental Planning Policies (SEPP's). In summary, many of the SEPP's are not applicable to the Greater Hume local government area and even less are applicable to the circumstances of the Planning Proposal.

The assessment concludes that the Planning Proposal is not inconsistent with any of the relevant SEPP's.

Q6. *Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?*

Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides for the Minister for Planning to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of LEP's. A Planning Proposal needs to be consistent with the requirements of the Direction but in some instances can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of "*minor significance*".

An assessment of all Section 9.1 Directions is undertaken in **Attachment C**. In summary, the Planning Proposal is either consistent or has some minor inconsistencies with the relevant Directions. Where there is an inconsistency, it has been justified utilising the provisions within each of the Directions.

Section C. Environmental, social & economic impact

Q7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

With the exception of part of CU4, none of the land the subject of this Planning Proposal is mapped on the Terrestrial Biodiversity Map in the GHLEP as 'Biodiversity'. The purpose of the Terrestrial Biodiversity Map is to identify land exhibiting natural characteristics that require protection from the impacts of development.

The CU4 parcel is proposed for the R2 zone with a minimum lot size of 4,000m². This lower density will minimise the impact on the vegetation in this location and create the opportunity for development to be designed sympathetically.

In addition to federal and state legislation, the provisions of clause 6.2 of the GHLEP ensure that the impacts of development on terrestrial biodiversity are taken into account. These provisions are unaffected by the Planning Proposal.

Q8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

As mentioned earlier, the parcels of land the subject of this Planning Proposal were previously considered for 'upzoning' at the time the Standard Instrument LEP for Greater Hume was being prepared but withdrawn following a major flood event. As part of that process a Local Environmental Study (LES) was undertaken to consider the environmental effects of a change in zoning for each parcel of land.

Extracts from the LES as they apply to the parcels of land the subject of this Planning Proposal are included at **Attachment E**. The highlighted rows in the table considering the environmental impacts indicate matters relevant to the proposed zoning. Whilst this assessment is a desktop exercise, it is a relevant reference for identifying any environmental constraints to future development. Where flooding is referenced in the assessment table, the conclusions drawn in the current flood study for Culcairn now replace that response.

A summary of the conclusions reached in the flood study for Culcairn for the candidate sites in the Planning Proposal is provided in **Table 3**.

Table 3: Recommendations in Culcairn Flood Study for candidate sites in Planning Proposal

Location	Flood Study conclusions (paraphrased)
Baird Street (CU1)	Examination of the Culcairn Flood Planning Area (FPA) indicates that the majority of the proposed rezoning area is outside of the FPA extent, with the exception of two areas bordering the Olympic Highway. Therefore, from a flooding perspective this land is suitable for rezoning to RU4 Rural Small Holdings.

Railway Parade (CU2)	Examination of the Culcairn FPA indicates that the majority of the proposed rezoning area is outside of the FPA extent, with minor pockets of FPA situated on the rezoning area extent. Therefore, from a flooding perspective this land is suitable for rezoning to RU5 Village.
Walbundrie Road (CU3)	Not specifically addressed in terms of rezoning but Figure 9 shows that only small portions at the northern and southern ends would be subject to inundation in a 1% event and the hazard this presents is 'low'. Figure 3 in the Flood Study indicates that the depth of this flooding would be at the lowest mapped scale of between 100 and 500mm.
Balfour Street (CU4)	Examination of the Culcairn FPA indicates that the majority of the proposed rezoning area is outside of the FPA extent, however the Billabong Creek anabranch flows through the site and is classed as a high hazard flow area and as a floodway in the 1% AEP event. Areas situated outside of the Culcairn FPA and the Billabong Creek anabranch are suitable for rezoning to RU5 Village. <i>Note: The proposed zone for this site is now R2 Low Density Residential to better reflect the density of development envisaged (MLS of 4,000m²). The conclusions reached in the flood study for this site are equally relevant to the appropriateness of the R2 zone.</i>

Q9. Has the planning proposal adequately addressed any social and economic effects?

There is a positive economic impact from the Planning Proposal courtesy of there now being greater certainty as to the flood prone status of land in Culcairn. This significantly reduces the risk and cost of future development being inundated and damaged by floodwaters. This will also result in a positive social impact for the town.

On balance, the social and economic impact of the proposal is considered positive.

Section D. State & Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

The four land parcels nominated in this Planning Proposal are all adjoining the urban area of Culcairn, of which three can be provided with all urban public infrastructure. The parcel proposed for the RU4 zone (CU1) will have minimum lot size 4ha that allows for a lower level for some infrastructure (e.g. on-site wastewater disposal as against connection to reticulated sewerage).

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

No public authorities have been consulted prior to submitting the Planning Proposal to Council for support and subsequent request for a Gateway Determination.

It is acknowledged that the Gateway determination may specify consultation with public authorities.

PART 4. Mapping

The following maps and figures are provided in support of the Planning Proposal.

Figure 1: Location map for candidate sites

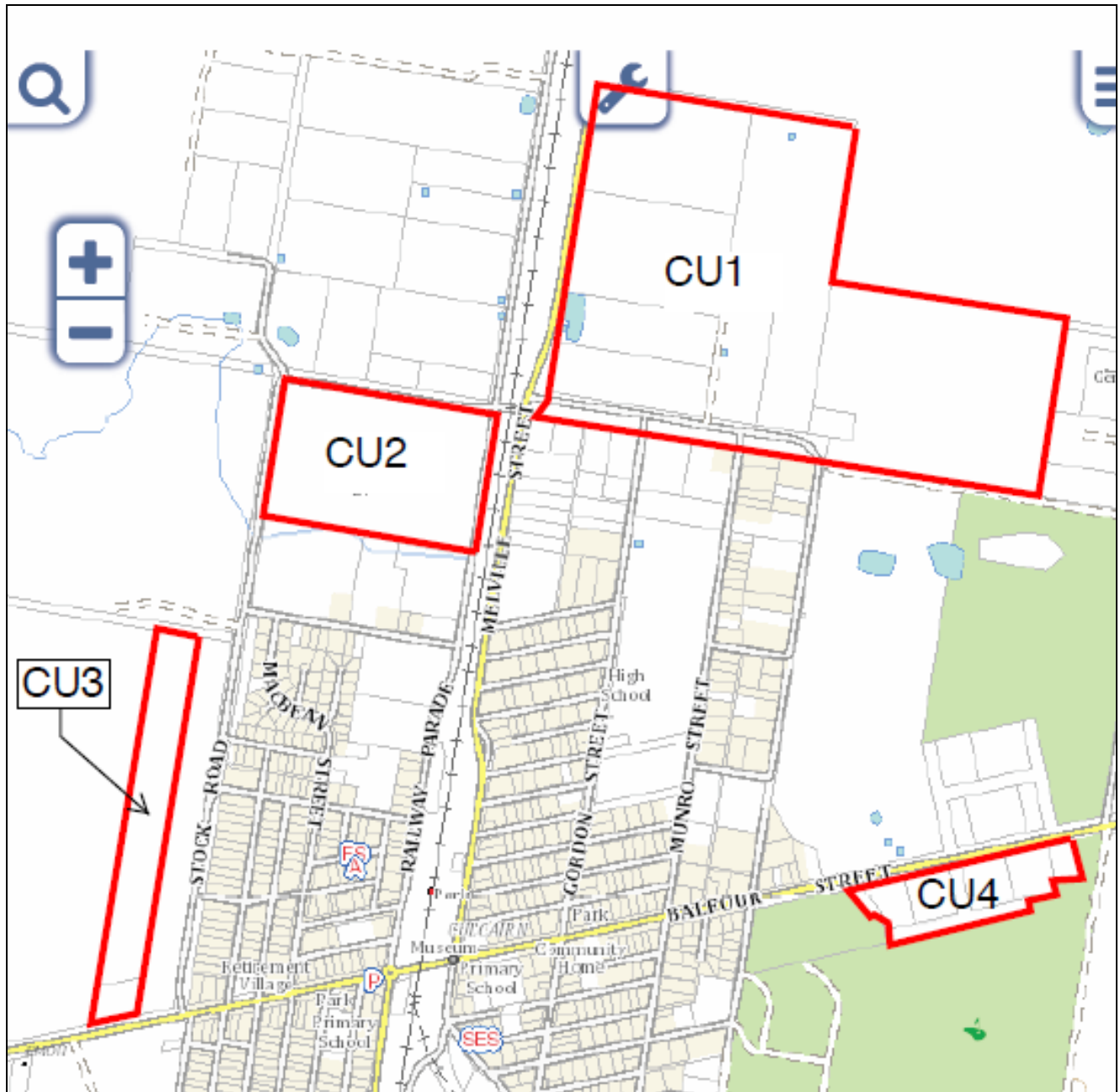


Figure 2: Aerial view of candidate site CU1



Figure 3: Aerial view of candidate site CU2



Figure 4: Aerial view of candidate site CU3



Figure 5: Aerial view of candidate site CU4



Figure 6: Proposed zoning for candidate areas

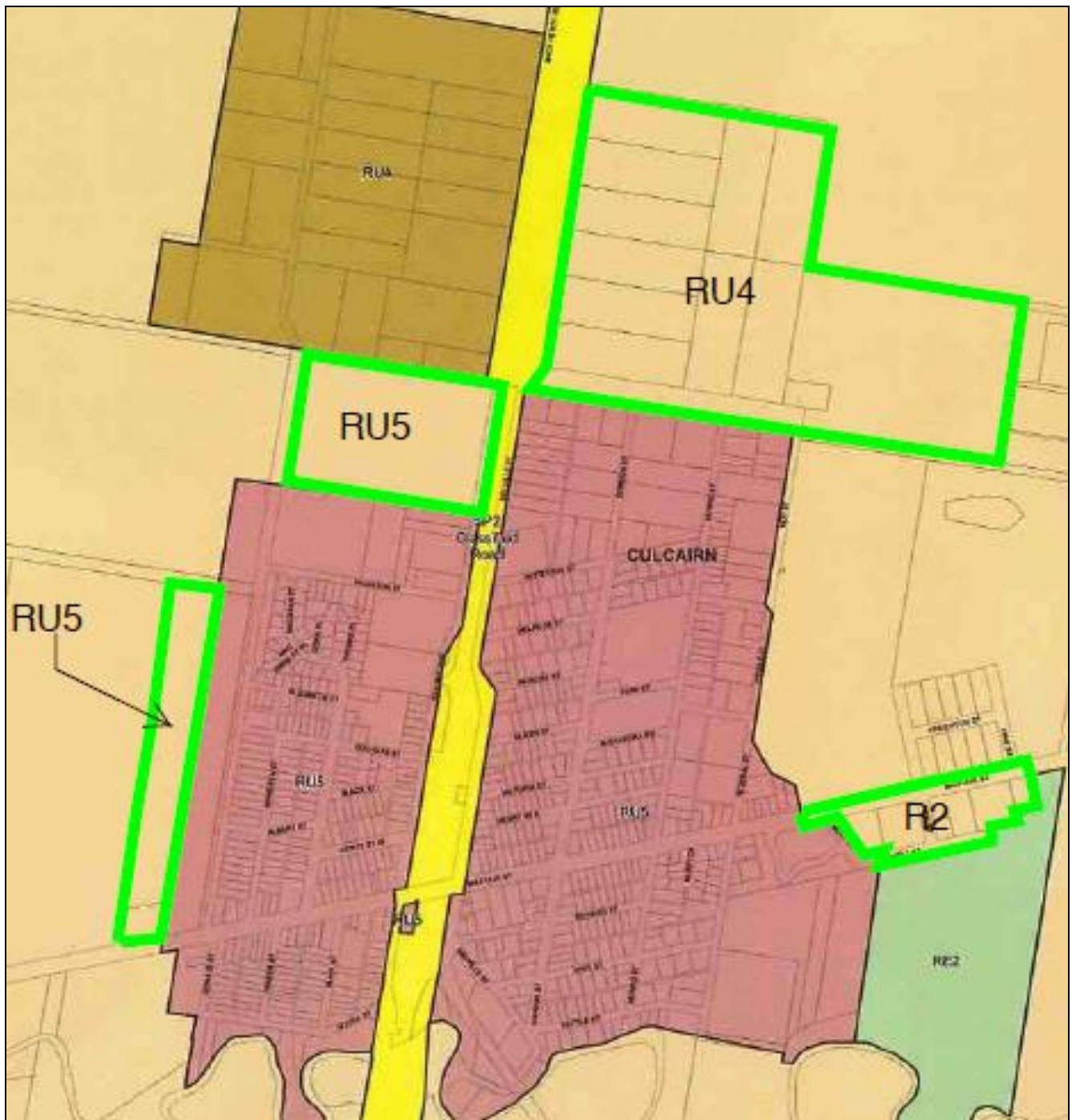


Figure 7: Proposed minimum lot size for candidate areas

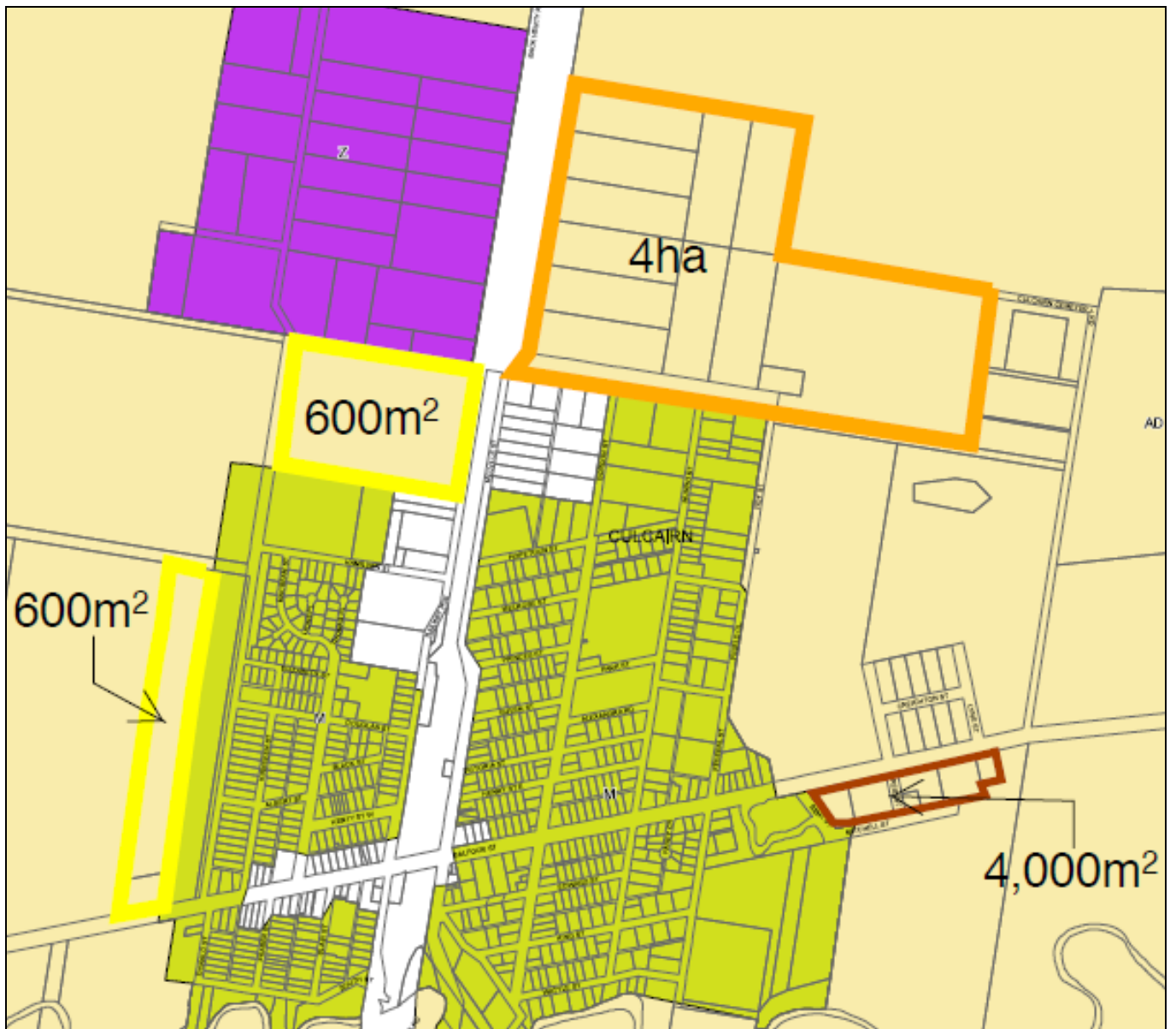


Figure 8: Proposed Flood Planning Area for Culcairn with areas assessed for rezoning
(Source: Culcairn Floodplain Risk Management Study & Plan April 2017)

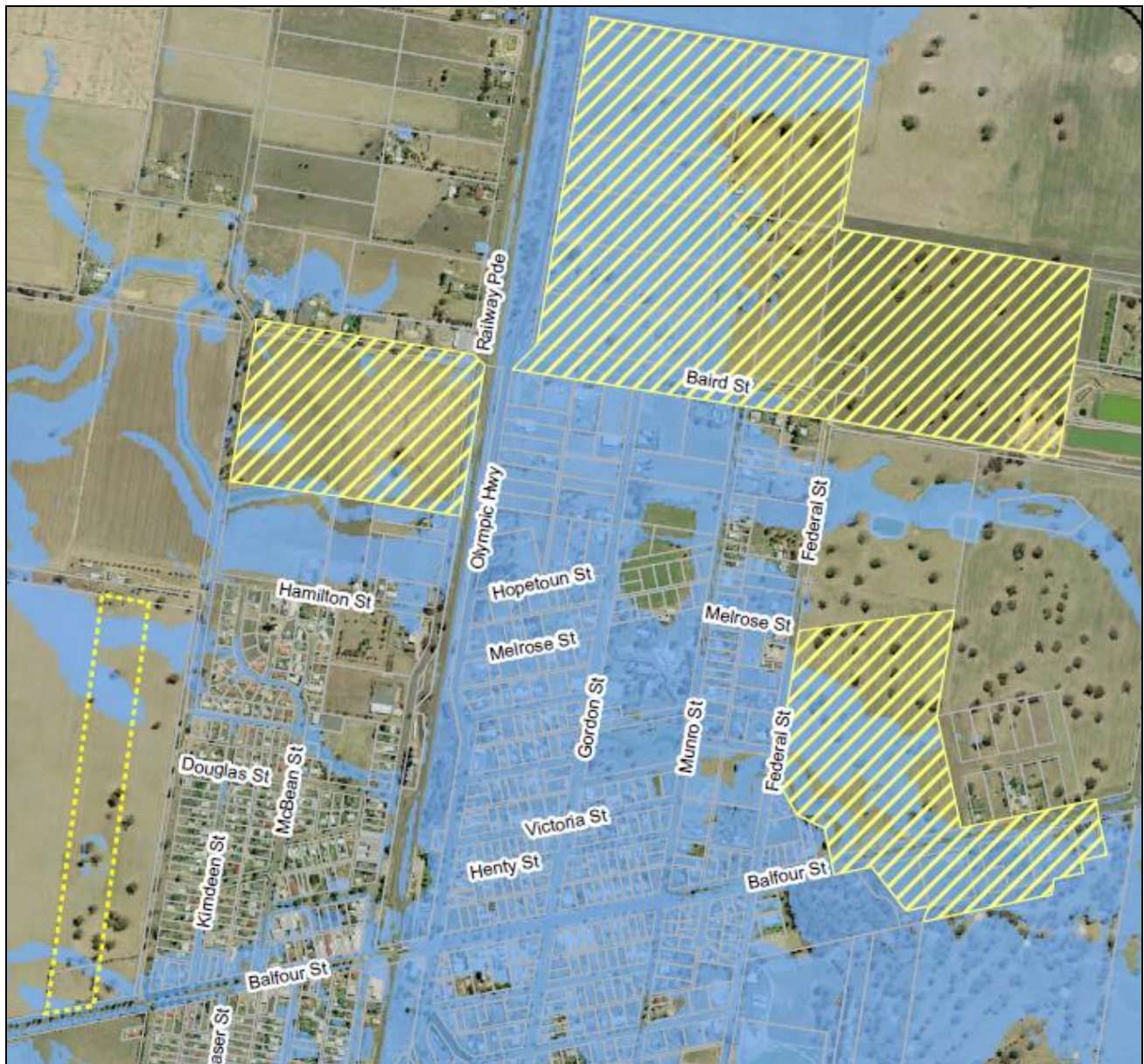
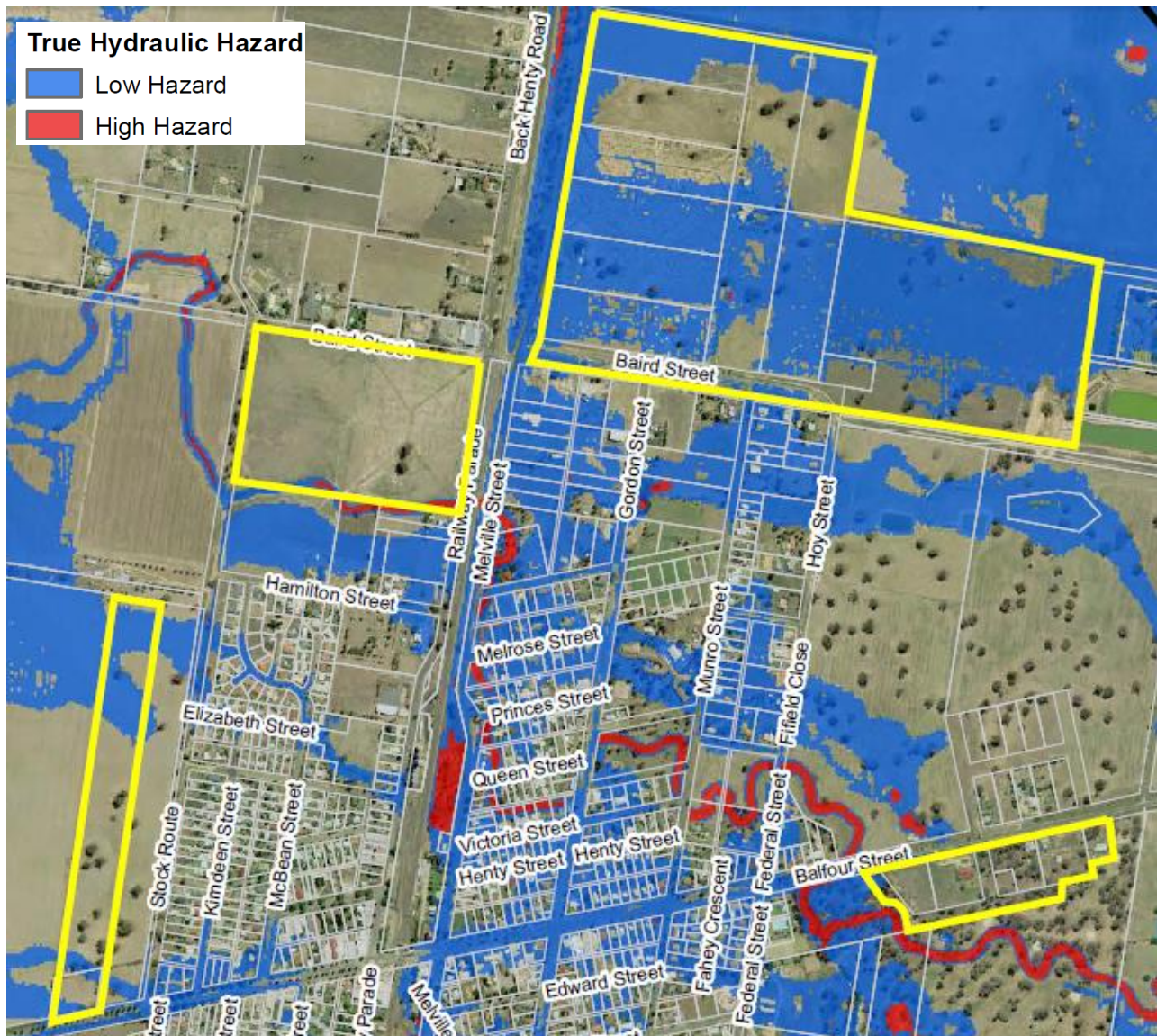


Figure 9: True Hydraulic 1% Flood Hazard Area for Culcairn with candidate areas shown
 (Source: Culcairn Floodplain Risk Management Study & Plan April 2017)



PART 5. Community consultation

The Planning Proposal will be subject to public exhibition following the Gateway process. The Gateway determination will specify the community consultation that must be undertaken for the Planning Proposal, if any. As such, the exact consultation requirements are not known at this stage.

This Planning Proposal will be exhibited for a period of 28 days in accordance with the requirements of Clause 4 in Schedule 1 of the EP&A Act and the Guide. At a minimum, the future consultation process is expected to include:

- written notification to landowners adjoining the subject land;
- consultation with relevant Government Departments and agencies, service providers and other key stakeholders, as determined in the Gateway determination;
- public notices to be provided in local media, including in a local newspaper and on Councils' website;
- static displays of the Planning Proposal and supporting material in Council public buildings; and
- electronic copies of all documentation being made available to the community free of charge (preferably via downloads from Council's website).

At the conclusion of the public exhibition period Council staff will consider submissions made with respect to the Planning Proposal, undertake any alterations and prepare a report to Council.

PART 6. Project timeline

The project timeline for the Planning Proposal is outlined in **Table 4**. There are many factors that can influence adherence with the timeframe including the cycle of Council meetings, consequences of agency consultation (if required) and outcomes from public exhibition. Consequently, the timeframe should be regarded as indicative only.

Table 4: – Project timeline

Milestone	Date/timeframe
Anticipated commencement date (date of Gateway determination)	4 weeks following Council resolution to request Gateway determination.
Anticipated timeframe for the completion of required studies	No required studies are anticipated.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	6 weeks from Gateway determination.
Commencement and completion dates for public exhibition period	6 weeks from Gateway determination.
Dates for public hearing (if required)	At some point within the public exhibition period.
Timeframe for consideration of submissions	2 weeks following completion of exhibition.
Timeframe for the consideration of a proposal post exhibition	4 weeks following completion of exhibition.
Anticipated date RPA will make the plan (if delegated)	To be set by Gateway determination.
Anticipated date RPA will forward to the department for notification (if delegated).	To be confirmed.

Conclusion

Nearing the completion of the new Standard Instrument GHLEP in 2012, parts of the Shire experienced to a major flood event. As a result, several areas proposed in the GHLEP for a change in zoning were removed subject to further investigation being undertaken relating to flooding.

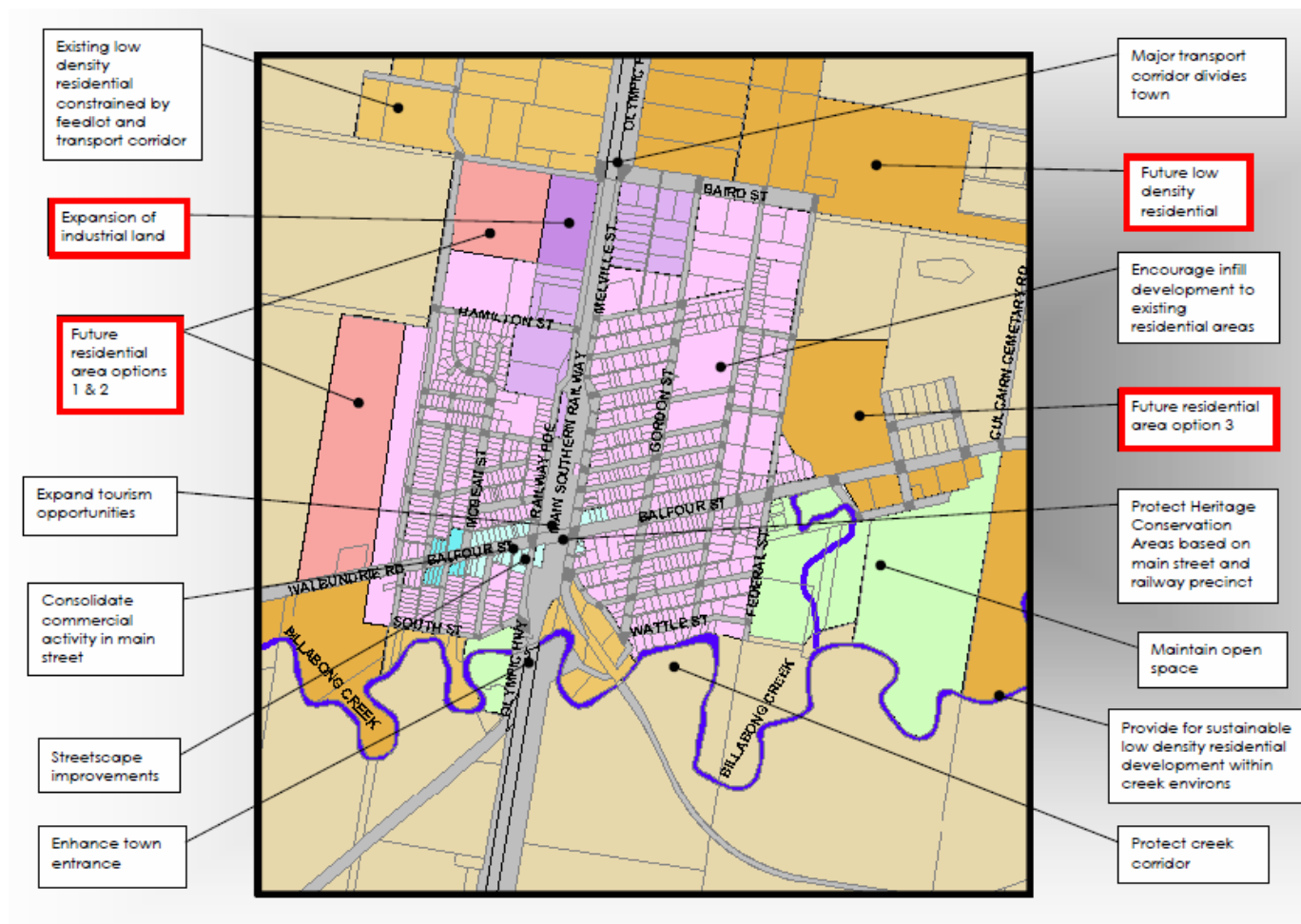
The *Culcairn Floodplain Risk Management Study and Plan* was prepared and adopted in April 2017 and provides the necessary analysis of flooding for the Planning Proposal. The flood study confirms that candidate sites CU1, CU2 and CU4 are suitable for rezoning from a flooding perspective. The analysis undertaken in the flood study also confirms that flooding does not present as an unacceptable risk for site CU3.

The Planning Proposal is also strategically supported by the *Riverina-Murray Regional Plan 2036*, the *Greater Hume Strategic Land Use Plan* and the draft *Greater Hume Local Strategic Planning Statement*. There are no major environmental constraints that would prevent the development of the candidate sites in some capacity.










In conclusion, support for the Planning Proposal is considered warranted.

Attachment 'A'

Consistency with local Strategic Land Use Plan



Legend

	Residential		Low Density Residential
	Residential (future)		Open Space
	Commercial		Rural Living (future)
	Industrial		Rural
	Industrial (future)		

Area	SLUP recommendations	Zone & MLS proposed in Planning Proposal	Consistency
CULCAIRN			
Baird Street (CU1)	Low density residential (future)	RU4 Primary Production Small Lots & 4ha	The density of development envisaged in the SLUP is higher than the 18 lot maximum yield achievable under the proposed MLS. In essence, this area is now considered more suitable for rural living purposes and will reduce the pressure for such development in more isolated rural locations away from Culcairn. The lower density is also appropriate having regard for the proximity of the town's sewerage treatment works. The more limited low-density residential market in Culcairn will be catered for in location CU4.
Railway Parade (CU2)	Part residential (future) & part industrial (future)	RU5 Village & 600m ²	Consistent with the future land uses preferred in the SLUP. It is noted that the urban areas of all townships within the Shire have been provided with the 'generic' RU5 zone with the location of the various types of urban land uses guided by a Structure Plan in the Greater Hume Development Control Plan, based on the SLUP.
Walbundrie Road (CU3)	Residential (future)	RU5 Village & 600m ²	Consistent with the future land use preferred in the SLUP.
Balfour Street (CU4)	Low density residential (future)	R2 Low Density Residential & 4,000m ²	Whilst the Planning Proposal originally advocated an RU5 zone for this proposed lower density residential enclave, the R2 zone is more appropriate having regard for its use in other towns with an associated MLS of 2,000 to 4,000m ² . This is now consistent with the recommendations of the SLUP.

Attachment 'B'

Consistency with State Environmental Planning Policies

No.	Title	Consistency
19	Bushland in Urban Areas	Not applicable to the local government area of Greater Hume.
21	Caravan Parks	The Planning Proposal does not conflict with the aims, development consent requirements, number of sites being used for long term or short term residents, permissibility of moveable dwellings where caravan parks or camping grounds are also permitted, and subdivision of caravan parks for lease purposes as provided in the SEPP.
33	Hazardous & Offensive Development	The Planning Proposal does not conflict with the aims and provisions of this SEPP relating to the definition and process of assessing potentially hazardous and offensive industry.
36	Manufactured Home Estate	The Planning Proposal does not conflict with the aims, strategies, development consent, assessment and location provisions as provided in the SEPP.
47	Moore Park Showground	Not applicable to the local government area of Greater Hume.
50	Canal Estate Development	The Planning Proposal does not conflict with the aims and canal estate development prohibitions as provided in the SEPP.
55	Remediation of Land	As the Planning Proposal will create the opportunity for residential development, Clause 6 of this SEPP requires Council to consider whether the subject land is potentially contaminated. All areas included in the Planning Proposal are rural land upon which there is no visual or known historical evidence of activities that suggest potential land contamination. Consequently, further investigation under the provisions of this SEPP is not required.
64	Advertising & Signage	The Planning Proposal does not conflict with the aims, development consent requirements and assessment criteria for advertising and signage as provided in the SEPP.
65	Design Quality of Residential Flat Development	The Planning Proposal does not conflict with the aims, development consent, assessment, information and notification requirements as provided in the SEPP.
	Affordable Housing (Revised Schemes)	The Planning Proposal does not conflict with the aims and functions of this SEPP as changes do not discriminate against the provision of affordable housing.
	Aboriginal Land 2019	The subject land is not identified on the Land Application Map for this SEPP, hence it is not applicable to the Planning Proposal.
	Affordable Rental Housing 2009	The Planning Proposal does not conflict with the aims and functions of this SEPP as changes do not discriminate against the provision of affordable housing (and consequently affordable rental housing). The GHLEP cannot influence the provision of rental housing.
	Building Sustainability Index (BASIX) 2004	The Planning Proposal does not conflict with the aims and development consent requirements relating to BASIX affected building(s) that seeks to reduce water consumption, greenhouse gas emissions and improve thermal performance as provided in the SEPP.
	Coastal Management 2018	Not applicable to the local government area of Greater Hume.
	Concurrences and consents 2018	Not applicable.

No.	Title	Consistency
	Educational Establishments & Child Care Facilities 2017	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to educational establishments and childcare facilities as provided in the SEPP.
	Exempt & Complying Development Codes 2008	The Planning Proposal does not conflict with the aims and functions of this SEPP with respect to exempt and complying development provisions.
	Gosford City Centre 2018	Not applicable to the local government area of Greater Hume.
	Housing for Seniors & People with a Disability 2004	The Planning Proposal does not conflict with the aims, development consent, location, design, development standards, service, assessment, and information requirements as provided in the SEPP.
	Infrastructure 2007	The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP.
	Koala Habitat Protection 2019	Greater Hume is one of the Councils to which this SEPP applies, however the subject land is not located within the Koala Development Application Map. Consequently, Council is not prevented from granting consent to development as long as it is satisfied that the land is not 'core koala habitat'. Having regard for the history of the candidate sites, their current circumstances and lack of any koala sightings in the area; none are considered to represent 'core koala habitat'.
	Kosciuszko National Park – Alpine Resorts 2007	Not applicable to the local government area of Greater Hume.
	Kurnell Peninsula 1989	Not applicable to the local government area of Greater Hume.
	Mining, Petroleum Production & Extractive Industries 2007	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to mining, petroleum production and extractive industries as provided in the SEPP.
	Murray Regional Environmental Plan No. 2 – Riverine Land	The subject land is not within the area to which MREP2 applies.
	Penrith Lakes Scheme 1989	Not applicable to the local government area of Greater Hume.
	Primary Production & Rural Development 2019	Not applicable as the subject land is not identified as state significant agricultural land and does not propose any artificial waterbodies.
	State & Regional Development 2011	Not applicable as the Planning Proposal is not for State significant development.
	State Significant Precincts	Not applicable as the subject land is not within a State significant precinct.
	Sydney Drinking Water Catchment 2011	Not applicable to the local government area of Greater Hume.
	Sydney Region Growth Centres 2006	Not applicable to the local government area of Greater Hume.
	Three Ports 2013	Not applicable to the local government area of Greater Hume.

No.	Title	Consistency
	Urban Renewal 2010	Not applicable as the subject land is not within a nominated urban renewal precinct.
	Vegetation in Non-Rural Areas 2017	This SEPP is relevant as it applies to the RU5 and R2 zones (but not the proposed RU4 zone). The provisions of the SEPP will be relevant if trees are proposed to be removed as part of the future development within the candidate sites. This consideration would be made as part of a development application and does not preclude the proposed zoning of the land.
	Western Sydney Employment Area 2009	Not applicable to the local government area of Greater Hume.
	Western Sydney Parklands 2009	Not applicable to the local government area of Greater Hume.

Attachment 'C'

Consistency with Ministerial Directions

No.	Title	Consistency
1.	Employment & Resources	
1.1	Business & Industrial Zones	Not applicable as the Planning Proposal does not involve business or industrial zones.
1.2	Rural Zones	<p>This Direction requires consideration because it applies to all Councils and the Planning Proposal affects land within an existing or proposed rural zone. Only the provisions of clause 4(a) relating to zoning changes are relevant as Greater Hume is not nominated as one of the Councils to which clause 4(b) relating to an increase in density applies.</p> <p>CU1</p> <p>The proposal for this land parcel is not inconsistent as it will remain in a rural zone (RU4).</p> <p>CU2, CU3 & CU4</p> <p>These three land parcels are inconsistent with the Direction because the proposal advocates a change in zoning from rural to residential (or in the case of the RU5 which is bracketed as a rural zone, likely to be developed for residential). This inconsistency is justified by a land use strategy prepared as a precursor to Council's Standard instrument LEP in 2012 (the <i>Greater Hume Strategic Land Use Plan 2007-2030</i>). Whilst this has not been literally endorsed as per this Direction, it was accepted by the Department in order to progress to the LEP. It is also noted that at the time of the GHLEP (and other LEP's) being prepared, there was no requirement for a formal endorsement of the SLUP. In addition, the preparation of the SLUP was funded and managed by the Department; not by Council.</p> <p>The table at Attachment A shows for each parcel of land the recommendation of the strategy versus the proposed zone in the Planning Proposal. The table demonstrates that the Planning Proposal for all candidate sites is generally consistent with an adopted strategy.</p> <p>The Direction also allows for a proposal to be inconsistent in the circumstances set out in clause (5). In this instance the inconsistency is justified because the proposal is in accordance with the <i>Riverina-Murray Regional Plan 2036</i> prepared by the Department of Planning (see Attachment D) and in particular <i>Goal 4 – Strong, connected and healthy communities</i>.</p> <p>Notwithstanding the above, these four land parcels have been subjected to a local environmental study when they were proposed, but subsequently withdrawn, as part of the GHLEP in 2012. Details of the environmental study as it applies to the candidate sites is included at Attachment E. These details remain relevant to the current Planning Proposal with the exception of the analysis of flooding that has since been interrogated in significantly more detail by the flood study for Culcairn. The impact of the flood study on the candidate sites is summarised in Table 3 of the Planning Proposal and replaces the analysis provided in the environmental studies.</p>
1.3	Mining, Petroleum Production & Extractive Industries	Not applicable as the Planning Proposal does not impact on mining.
1.4	Oyster Aquaculture	Not applicable as the subject land is not within a Priority Oyster Aquaculture Area.

1.5	Rural Lands	<p>This Direction requires consideration because Greater Hume is not one of the Councils excluded from it and the Planning Proposal advocates changes to rural zones and minimum lot sizes.</p> <p>CU1</p> <p>This parcel is consistent as the proposal retains the land in a rural zone (RU4). Whilst it will result in the fragmentation of rural land by reducing the MLS, at 4 hectares the bulk of the land will remain in agriculture as this lot size is simply too large to do nothing on. Smaller rural lots also present the opportunity for owners to undertake diversified and innovative agricultural activities for which a large land holding is unsuitable. The land is relatively unconstrained as is demonstrated in the environmental study at Attachment E. It is also not State significant agricultural land and additional lots will provide a social and economic benefit to the Culcairn community.</p> <p>CU2, CU3 & CU4</p> <p>These three land parcels are arguably inconsistent with the Direction as the proposed RU5 and R2 zoning does not sit well with some of the criteria Council must consider such proposals against. However, the inconsistency is justified by a strategy prepared as a precursor to Council's Standard instrument LEP in 2012 (the <i>Greater Hume Strategic Land Use Plan 2007-2030</i>). The table at Attachment A shows for these three land parcels the recommendation of the strategy versus the proposed zone in the Planning Proposal. This demonstrates that the Planning Proposal is generally consistent with a strategy accepted by the Department for the purposes of the GHLEP. It is also consistent with direction of the <i>Riverina-Murray Regional Plan 2036</i> prepared by the Department of Planning (see Attachment D) where actions to increase the population of the Culcairn will achieve "<i>strong, connected and healthy communities</i>" (Goal 4).</p>
2. Environment & Heritage		
2.1	Environment Protection Zones	<p>This Direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent as it does not propose any change to the provisions of the GHLEP (namely clause 6.2) relating to biodiversity protection.</p>
2.2	Coastal Protection	Not applicable as the subject land is not within a coastal zone.
2.3	Heritage Conservation	<p>This Direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this Direction because the subject parcels do not contain any known "<i>items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance</i>" or Aboriginal objects.</p>
2.4	Recreation Vehicle Areas	<p>This Direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with the Direction because it does not advocate the designation of the subject land as a recreation vehicle area pursuant to an order in force under section 11 (1) of the <i>Recreation Vehicles Act 1983</i>.</p>

2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs.	Not applicable.
3. Housing Infrastructure & Urban Development		
3.1	Residential Zones	<p>This Direction is relevant because the Planning Proposal is advocating zones within which residential development will be permitted.</p> <p>The Planning Proposal is consistent with this Direction because it will provide the opportunity for a greater choice and supply of housing in Culcairn and make use of existing urban infrastructure. In addition, the GHLEP already contains a provision (clause 6.7) requiring development to be adequately serviced.</p>
3.2	Caravan Parks & Manufactured Home Estates	<p>This Direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this Direction because it does not reduce the opportunities for caravan parks and manufactured homes estates on the subject lands.</p>
3.3	Home Occupations	<p>This Direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal will not prevent future dwellings being used for 'home occupations' and hence is consistent with this Direction.</p>
3.4	Integrating Land Use and Transport	<p>This Direction is relevant because three of the parcels in the Planning Proposal are creating an urban zone.</p> <p>The Planning Proposal will facilitate residential development at an urban scale and within the township Culcairn. Recreational facilities are available in close proximity. Having regard for these circumstances, the Planning Proposal is considered consistent with this Direction.</p>
3.5	Development Near Licensed Aerodromes	Not applicable as none of the lots are in the vicinity of a licensed aerodrome.
3.6	Shooting Ranges	Not applicable as none of the lots are in the vicinity of a shooting range.
4. Hazard & Risk		
4.1	Acid Sulphate Soils	Not applicable as none of the lots contain acid sulphate soils.
4.2	Mine Subsidence & Unstable Land	Not applicable as none of the lots are within Mine Subsistence District.

4.3	Flood Prone Land	<p>This Direction is relevant as it applies to 'flood prone land', which is defined in the <i>Floodplain Development Manual 2005</i> as land "susceptible to flooding by the PMF event". A PMF or Probable Maximum Flood is more significant than a 1 in 100 year event.</p> <p>The requirements of this Direction however relate to the Flood Planning Areas (FPA) and not flood prone land, which are defined as land below the level of the 1 in 100 year event plus 500mm. According to the flood study, pockets of some candidate sites are within the FPA.</p> <p>This Direction prevents changing 'flood prone land' from a rural zone to a residential zone. As the Flood Study for Culcairn indicates that the whole of the township would be inundated in a PMF, sites CU2, CU3 and CU4 in the Planning Proposal are inconsistent with this Direction (CU1 is not advocating a residential zone).</p> <p>However, the Direction allows for a Planning Proposal to be inconsistent if it is in accordance with a floodplain risk management plan. In this case a floodplain risk management plan has been prepared for Culcairn that supports the proposed zonings for CU1, CU2 and CU4 and therefore the inconsistency for these parcels is justified. The inconsistency for CU3 is justified by the low flood risk this land represents as demonstrated in Figures 8 & 9 relating to the FPA and hydraulic flood risk. These figures indicate the majority of the land in CU3 is flood free and therefore suitable for residential development. In fact, most of this parcel would be one of the few in Culcairn that would not be inundated in a 1 in 200 year flood event (see maps within the Culcairn Flood Study).</p>
4.4	Planning for Bushfire Protection	Not applicable as none of the sites are mapped as bushfire prone.
5. Regional Planning		
5.1	Implementation of Regional Strategies	Revoked in 2017.
5.2	Sydney Drinking Water Catchment	Not applicable as the lots are not within the Sydney Drinking Water Catchment.
5.3	Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable as the lots are not within one of the local government areas nominated in this Direction.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable as none of the lots are near the Pacific Highway.
5.5	Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked in 2010.
5.6	Sydney to Canberra Corridor	Revoked in 2008.
5.7	Central Coast	Revoked in 2008.
5.8	Second Sydney Airport: Badgerys Creek	Not applicable as none of the lots are near the site for a second Sydney airport.
5.9	North West Rail Link Corridor Strategy	Not applicable as none of the lots are near this corridor.

5.10	Implementation of Regional Plans	<p>This Direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal complies with this Direction because it is not inconsistent with the <i>Riverina Murray Regional Plan 2036</i> (see Attachment D).</p>
6. Local Plan Making		
6.1	Approval and Referral Requirements	<p>This Direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this Direction because it does not propose any referral requirements or nominate any development as 'designated development'.</p>
6.2	Reserving Land for Public Purposes	<p>This Direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this Direction because it does not remove or propose any public land.</p>
6.3	Site Specific Provisions	Not applicable as the proposal does not propose any site-specific provisions.
7. Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	Not applicable as the lots are not within one of the local government areas nominated in this Direction.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable as the lots are not within one of the local government areas nominated in this Direction.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable as the lots are not within one of the local government areas nominated in this Direction.
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable as the lots are not within the North West Priority Growth Area.
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable as the lots are not within the Greater Parramatta Priority Growth Area.
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable as the lots are not within the Wollondilly Shire Council.

Attachment 'D'

Consistency with the Riverina-Murray Regional
Plan 2036

Goal, Direction & Action Title	Relevance to the Planning Proposal	Consistency
Goal 1 – A growing and diverse economy		
Direction 1 – Protect the region's diverse and productive agricultural land.	Relevant because the Planning Proposal relates to land zoned RU1.	The Planning Proposal will result in a loss of land used for agriculture for sites CU2 and CU3. These sites are however located on the fringe of the Culcairn township and to some extent are already constrained for the type of agriculture than can be undertaken because of potential land use conflicts. The loss of land for agriculture as a result of urban growth is not unreasonable as it is a very minor impact having regard for the availability of other land in the Shire for this purpose.
Direction 2 – Promote and grow the agribusiness sector.	Not applicable, as the proposal does not relate to or affect agribusiness.	N/A
Direction 3 – Expand advanced and value-added manufacturing.	Not applicable, as the proposal does not relate to or affect value-added manufacturing.	N/A
Direction 4 – Promote business activities in industrial and commercial areas.	Not applicable, as the proposal does not relate to or affect business activities.	N/A
Direction 5 – Support the growth of the health and aged care sectors.	Not applicable, as the proposal does not relate to or affect the health and aged care sectors.	N/A
Direction 6 – Promote the expansion of education and training opportunities.	Not applicable, as the proposal does not relate to or affect education or training.	N/A
Direction 7 – Promote tourism opportunities.	Not applicable, as the proposal does not relate to or affect tourism.	N/A
Direction 8 – Enhance the economic self-determination of Aboriginal communities.	Not applicable, as the proposal does not relate to or affect Aboriginal communities.	N/A

Direction 9 – Support the forestry industry.	Not applicable, as the proposal does not relate to or affect forestry.	N/A
Direction 10 – Sustainably manage water resources for economic opportunities.	Not applicable as the proposal does not relate to or affect water resources.	N/A
Direction 11 – Promote the diversification of energy supplies through renewable energy generation.	Not applicable as the proposal does not relate to or affect energy supplies.	N/A
Direction 12 – Sustainably manage mineral resources.	Not applicable, as the subject land is not known to contain any significant mineral resources.	N/A
Goal 2 – A healthy environment with pristine waterways		
Direction 13 – Manage and conserve water resources for the environment.	Not applicable, as the subject land is not known to contain any water resources.	N/A
Direction 14 – Manage land uses along key river corridors.	Not applicable as the subject land is not located within a key river corridor such as the Murray River.	N/A
Direction 15 – Protect and manage the region's many environmental assets.	Not applicable as the subject land has no environmental assets within the context of this Direction.	N/A
Direction 16 – Increase resilience to natural hazards and climate change.	Relevant because portions of land in the Planning Proposal are flood prone.	The flood study undertaken for Culcairn provides some definitive information relating to flooding in these towns. Whilst the studies show portions of land subject to flooding within the areas proposed for 'up-zoning', they are not so significant that it is increasing the risk to life and property. The flood study will be used to influence the type of future development to ensure this.

Goal 3 – Efficient transport and infrastructure networks		
Direction 17 – Transform the region into the eastern seaboard's freight and logistics hub.	Not relevant, as the proposal does not relate to or affect industry or freight.	N/A
Direction 18 – Enhance road and rail freight links.	Not relevant, as the proposal does not relate to or affect freight.	N/A
Direction 19 – Support and protect ongoing access to air travel.	Not relevant, as the proposal will not affect air travel.	N/A
Direction 20 – Identify and protect future transport corridors.	Not relevant to the subject proposal.	N/A
Direction 21 – Align and protect utility infrastructure investment.	Relevant as the proposal will result in vacant land being developed.	All land proposed for the RU5 and R2 zones can be provided with the urban infrastructure servicing Culcairn. That land proposed for a lower density of development will not require some of these services such as reticulated sewerage.
Goal 4 – Strong, connected and healthy communities		
Direction 22 – Promote the growth of regional cities and local centres.	Relevant because the proposal affects land within the Culcairn township.	The Planning Proposal will support and promote the growth of Culcairn by making available additional land for residential development.
Direction 23 – Build resilience in towns and villages.	Relevant because the proposal affects land within the Culcairn township.	By providing additional land for residential development as a result of the Planning Proposal, the population of Culcairn will be increased and this builds resilience.
Direction 24 – Create a connected and competitive environment for cross-border communities.	Not relevant as Culcairn is not a border town.	N/A
Direction 25 – Build housing capacity to meet demand.	Relevant because the proposal is creating the opportunity for residential development.	The Planning Proposal supports this Direction because as a consequence it will increase the supply of residential land in Culcairn.

Direction 26 – Provide greater housing choice.	Relevant because the proposal is creating the opportunity for residential development.	Additional land will provide addition choice in living environments.
Direction 27 – Manage rural residential development.	Relevant because some of the land in the Planning Proposal is proposed for rural residential development.	The land proposed for the RU4 zone (CU1) is located within the context of the Culcairn township.
Direction 28 – Deliver healthy built environments and improved urban design.	Not applicable as the rezoning in itself does not influence urban design.	N/A
Direction 29 – Protect the region's Aboriginal and historic heritage.	Relevant because all development on 'greenfields' land should consider the prospect of Aboriginal artefacts being present.	All future development should be subject to the 'due diligence' process for ascertaining the likelihood or otherwise of Aboriginal artefacts being present. This process assists in the protection Aboriginal heritage.

Attachment 'E'

Extracts from the Local Environmental Study
associated with the preparation of the Greater
Hume Local Environmental Plan 2012

CU1

Map reference number:..... CLN001

Subject land:..... Lots 1, 2, 3, 4, 5, 6, 7, 8 DP7064,
Lot 9, DP11290, Part Lot 5,
DP250901, Lot 29, DP753757

Area 65ha

Proposed change in land use: Rural to Low Density Residential

Description: Vacant rural and to east of
Olympic Highway on northern
fringe of town.

Change instigated by:..... Greater Hume Strategic Land Use Plan.

Recommendation: Support

**Ministerial Directions (to extent of inconsistency):**

No.	Title	Justification for inconsistency
1.2	Rural Zones	Inconsistent because the Direction prohibits any rezoning from rural to residential. The inconsistency is justified by the LES (including the assessment of rural lands at Appendix A.

State Environmental Planning Policies (to extent of relevance):

No.	Title	Consistency
55	Remediation of land	SEPP55 requires Council to “consider” whether land proposed in an LEP for residential use is potentially contaminated. A “preliminary investigation” under the Contaminated Lands Planning Guideline is only required if there is either “no knowledge” of the history of the land or it is known the land was previously used for one of the nominated activities that may lead to soil contamination. This site has mostly been used for cropping and grazing and there is no evidence of any more intensive agricultural or other activity that may lead to contamination. DECCW’s contaminated sites register does not show anything for this land.
	Rural Lands 2008	The assessment of rural lands at Appendix A demonstrates compliance with this SEPP.

Environmental impact:

<i>Environmental matters</i>	<i>Basis of assessment</i>	<i>Potential impacts</i>
Context	Anticipated	The subject land is not noted as having a high agriculture or existing land use and is currently used for low scale stock grazing. Rezoning of the land would not remove high quality agricultural land from production.
Flora	Aerial photograph and NPWS Wildlife Atlas	Loss of habitat. The land is cleared of vegetation and retains only a light cover of paddock trees. Remnant vegetation should be retained where possible. NPWS Wildlife Atlas listed no threatened species sightings (since 1980) in the vicinity of the site.
Fauna	NPWS Wildlife Atlas	NPWS Wildlife Atlas listed no threatened species sightings (since 1980) in the vicinity of the site or township.
Flooding	Anticipated	Flood prone land information for Greater Hume Shire is limited. This site is unlikely to be affected by a flood event.
Bushfire	Council Bushfire Prone Land Map	None. Land is not identified as bushfire prone.
Heritage	Council Heritage Study 2009	There are no listed heritage items within this area.
Archaeology	AHIMS database, Council Heritage Study 2009	There are no recorded archaeological sites.
Land capability	DECC mapping	Class I - No special soil conservation works or practices. Land suitable for a wide variety of uses. Where soils are fertile, this is land with the highest potential for agriculture, and may be cultivated for vegetation and fruit production, cereal and other grain crops, energy crops, fodder and forage crops, and sugar cane in specific areas. Includes "prime agricultural land".
Infrastructure	Council officers	Township water supply and sewage treatment by Council.
Social	Anticipated	Potential positive impact through provision of increased residential availability and population growth.
Economic	Anticipated	Anticipated positive influence through the availability of a variety of lot sizes and an increase in local population.

CU2 (part 1)

Map reference number:..... CLN002

Subject land:..... Lot A, DP385255 (Western section)

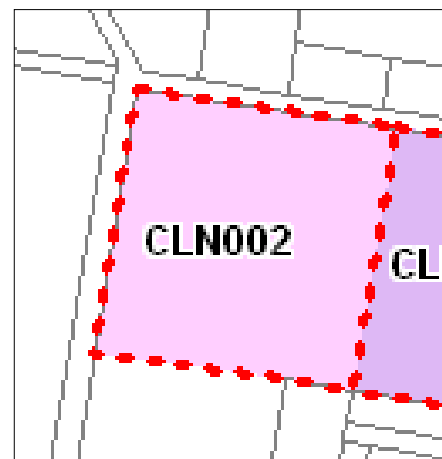
Area 10ha

Proposed change in land use: Rural to Residential

Description: Vacant rural land near Hamilton Street on eastern edge of town.

Change instigated by:..... Greater Hume Strategic Land Use Plan.

Recommendation: Support

**Ministerial Directions (to extent of inconsistency):**

No.	Title	Justification for inconsistency
1.2	Rural Zones	Inconsistent because the Direction prohibits any rezoning from rural to residential. The inconsistency is justified by the LES (including the assessment of rural lands at Appendix A.

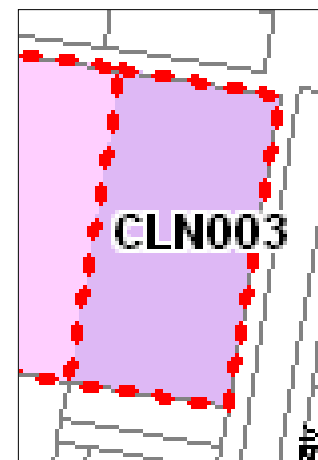
State Environmental Planning Policies (to extent of relevance):

No.	Title	Consistency
55	Remediation of land	SEPP55 requires Council to “consider” whether land proposed in an LEP for residential use is potentially contaminated. A “preliminary investigation” under the Contaminated Lands Planning Guideline is only required if there is either “no knowledge” of the history of the land or it is known the land was previously used for one of the nominated activities that may lead to soil contamination. This site has mostly been used for cropping and grazing and there is no evidence of any more intensive agricultural or other activity that may lead to contamination. DECCW’s contaminated sites register does not show anything for this land.
	Rural Lands 2008	The assessment of rural lands at Appendix A demonstrates compliance with this SEPP.

Environmental impact:

Environmental matters	Basis of assessment	Potential impacts
Context	Anticipated	The subject land is not noted as having a high agriculture or existing land use and is currently used for low scale stock grazing. Rezoning of the land would not remove high quality agricultural land from production.
Flora	Aerial photograph and NPWS Wildlife Atlas	Loss of habitat. The site has been cleared due to agricultural uses and is unlikely to have significance as habitat. NPWS Wildlife Atlas listed no threatened species sightings (since 1980) in the vicinity of the site.
Fauna	NPWS Wildlife Atlas	NPWS Wildlife Atlas listed no threatened species sightings (since 1980) in the vicinity of the site or township.

<i>Environmental matters</i>	<i>Basis of assessment</i>	<i>Potential impacts</i>
Flooding	Anticipated	Flood prone land information for Greater Hume Shire is limited. This site is unlikely to be affected by a flood event.
Bushfire	Council Bushfire Prone Land Map	None. Land is not identified as bushfire prone.
Heritage	Council Heritage Study 2009	There are no listed heritage items within this area.
Archaeology	AHIMS database, Council Heritage Study 2009	There are no recorded archaeological sites.
Land capability	DECC mapping	Class I - No special soil conservation works or practices. Land suitable for a wide variety of uses. Where soils are fertile, this is land with the highest potential for agriculture, and may be cultivated for vegetation and fruit production, cereal and other grain crops, energy crops, fodder and forage crops, and sugar cane in specific areas. Includes "prime agricultural land".
Infrastructure	Council officers	Township water supply and sewage treatment by Council.
Social	Anticipated	Potential positive impact through provision of increased residential availability and population growth.
Economic	Anticipated	Anticipated positive influence through the availability of a variety of lot sizes and an increase in local population.

CU2 (part 2)**Map reference number:**..... CLN003**Subject land:**..... Lot A, DP385255 (Eastern section)**Area** 5ha**Proposed change in land use:** Rural to Industrial**Description:** Vacant rural land on western side of Main Southern Railway.**Change instigated by:**..... Greater Hume Strategic Land Use Plan.**Recommendation:**..... Support**Ministerial Directions (to extent of inconsistency):**

No.	Title	Justification for inconsistency
1.2	Rural Zones	Inconsistent because the Direction prohibits any rezoning from rural to industrial (village). The inconsistency is justified by the LES (including the assessment of rural lands at Appendix A.

State Environmental Planning Policies (to extent of relevance):

No.	Title	Consistency
	Rural Lands 2008	The assessment of rural lands at Appendix A demonstrates compliance with this SEPP.

Environmental impact:

Environmental matters	Basis of assessment	Potential impacts
Context	Anticipated	The subject land is not noted as having a high agriculture or existing land use and is currently used for low scale stock grazing. Rezoning of the land would not remove high quality agricultural land from production.
Flora	Aerial photograph and NPWS Wildlife Atlas	Land has been cleared due to agricultural uses and is unlikely to have significance as habitat, though remnant trees should be retained where possible. NPWS Wildlife Atlas listed no threatened species sightings (since 1980) in the vicinity of the site.
Fauna	NPWS Wildlife Atlas	NPWS Wildlife Atlas listed no threatened species sightings (since 1980) in the vicinity of the site or township.
Flooding	Anticipated	Flood prone land information for Greater Hume Shire is limited. This site is unlikely to be affected by a flood event.
Bushfire	Council Bushfire Prone Land Map	None. Land is not identified as bushfire prone.

<i>Environmental matters</i>	<i>Basis of assessment</i>	<i>Potential impacts</i>
Heritage	Council Heritage Study 2009	There are no listed heritage items within this area.
Archaeology	AHIMS database, Council Heritage Study 2009	There are no recorded archaeological sites.
Land capability	DECC mapping	Class I - No special soil conservation works or practices. Land suitable for a wide variety of uses. Where soils are fertile, this is land with the highest potential for agriculture, and may be cultivated for vegetation and fruit production, cereal and other grain crops, energy crops, fodder and forage crops, and sugar cane in specific areas. Includes "prime agricultural land".
Infrastructure	Council officers	Township water supply and sewage treatment by Council.
Social	Anticipated	Potential positive impact through provision of increased industrial activity and availability.
Economic	Anticipated	Anticipated positive influence through the availability of a variety of land uses encouraging new business in local area and associated increase in local population. Rezoning of the land will increase the availability of industrial land in the area and allow increased investment in the local industrial sector.

CU3

Map reference number:..... CLN004

Subject land:..... Lot 1, DP311778, Lot 2, DP865572, Lot 3, DP753757

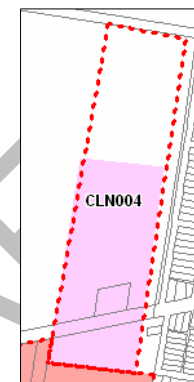
Area 27ha

Proposed change in land use zone: 1(a) General Rural to R1 General Residential

Description: 27 ha Walbundrie Road

Change instigated by: Greater Hume Strategic Land Use Plan.

Recommendation: Rezone southern half (approx. 17ha shown coloured in image)

Environmental impact:

<i>Environmental matters</i>	<i>Basis of assessment</i>	<i>Potential impacts</i>
Context	Anticipated	The subject land is not noted as having a high agriculture or existing land use and is currently used for low scale stock grazing. Rezoning of the land would not remove high quality agricultural land from production.
Flora	Aerial photograph and NPWS Wildlife Atlas	Loss of habitat The land is cleared of vegetation and retains only a light cover of paddock trees which should be retained where possible. NPWS Wildlife Atlas listed a threatened species siting (Silky Swainson pea <i>Swainsona sericea</i> since 1980) in the vicinity of the site.
Fauna	NPWS Wildlife Atlas	NPWS Wildlife Atlas listed no threatened species sitings (since 1980) in the vicinity of the site or township.
Flooding	Flood Planning Area map	Flood prone land information for Greater Hume Shire is limited. This site could be affected by a flood event.
Bushfire	Council Bushfire Prone Land Map	Land is not located within identified Bushfire Prone Lands
Heritage	NSW Heritage Council & Culcairn LEP	There are no listed heritage items within this area. Council is undertaking a heritage study.
Archaeology	AHIMS database	AHIMS recognises no sites within this area.
Land capability	DECC mapping	Class I - No special soil conservation works or practices. Land suitable for a wide variety of uses. Where soils are fertile, this is land with the highest potential for agriculture, and may be cultivated for vegetation and fruit production, cereal and other grain crops, energy crops, fodder and forage crops, and sugar cane in specific areas. Includes "prime agricultural land". Some sections are already Urban.
Infrastructure	Council officers	Township water supply and sewage treatment by Council. Sites outside of the township may require extensions to services or on site water and/or sewage.
Social	Anticipated	Potential positive impact through provision of increased residential availability and population growth.

<i>Environmental matters</i>	<i>Basis of assessment</i>	<i>Potential impacts</i>
Economic	Anticipated	Anticipated positive influence through the availability of a variety of lot sizes and an increase in local population.

CU4 (part 1)

Map reference number:..... CLN006

Subject land:..... Lots 96, 97, 105 DP753757, Lot 1, DP110622,
Lots 126, 127, DP721063
Holbrook Road

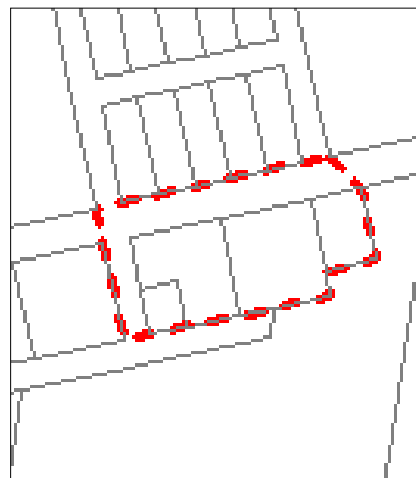
Area 135ha 84ha

Proposed change in land use: Rural to Low Density Residential

Description: Part developed low density residential land. Infill opportunity.

Change instigated by:..... Greater Hume Strategic Land Use Plan.

Recommendation: Rezone portion along Holbrook Road in response to owner request.

**Ministerial Directions (to extent of inconsistency):**

No.	Title	Justification for inconsistency
1.2	Rural Zones	Inconsistent because the Direction prohibits rezoning from rural to residential. The inconsistency is justified by the LES (including the assessment of rural lands at Appendix A).

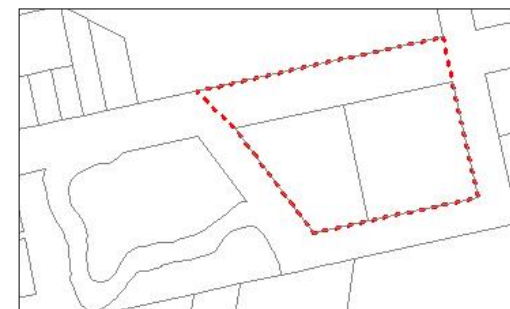
State Environmental Planning Policies (to extent of relevance):

No.	Title	Consistency
55	Remediation of land	SEPP55 requires Council to “consider” whether land proposed in an LEP for residential use is potentially contaminated. A “preliminary investigation” under the Contaminated Lands Planning Guideline is only required if there is either “no knowledge” of the history of the land or it is known the land was previously used for one of the nominated activities that may lead to soil contamination. This site historically may have been used for cropping and grazing but has been lying vacant in more recent times. There is no evidence of any more intensive agricultural or other activity that may lead to contamination. DECCW’s contaminated sites register does not show anything for this land.
	Rural Lands 2008	The assessment of rural lands at Appendix A demonstrates compliance with this SEPP.

Environmental impact:

Environmental matters	Basis of assessment	Potential impacts
Context	Anticipated	The subject land is used for low density residential purposes on the fringe of Culcairn. It is not used for agriculture.

<i>Environmental matters</i>	<i>Basis of assessment</i>	<i>Potential impacts</i>
Flora	Aerial photograph and NPWS Wildlife Atlas	Loss of habitat. The land retains only a light cover of paddock trees. Remnant vegetation should be capable of being retained in a low density residential environment. NPWS Wildlife Atlas listed no threatened species sightings (since 1980) in the vicinity of the site.
Fauna	NPWS Wildlife Atlas	NPWS Wildlife Atlas listed no threatened species sightings (since 1980) in the vicinity of the site or township.
Flooding	Anticipated	The remaining portion of this site proposed for a change in land use is not affected by flooding from the Billabong Creek.
Bushfire	Council Bushfire Prone Land Map	The remaining portion of this site proposed for a change in land use is not within a area mapped as a bushfire risk.
Heritage	Council Heritage Study 2009	The only listed heritage items within this area are located within the road reserve and such should not be affected.
Archaeology	AHIMS database, Council Heritage Study 2009	There are no recorded archaeological sites.
Land capability	DECC mapping	Part Class I - No special soil conservation works or practices. Land suitable for a wide variety of uses. Where soils are fertile, this is land with the highest potential for agriculture, and may be cultivated for vegetation and fruit production, cereal and other grain crops, energy crops, fodder and forage crops, and sugar cane in specific areas. Includes "prime agricultural land". Part Class IV - Soil conservation practices such as pasture improvement, stock control, application of fertiliser and minimal cultivation for the establishment or re-establishment of permanent pasture. Land not suitable for cultivation on a regular basis owing to limitations of slope gradient, soil erosion, shallowness or rockiness, climate, or a combination of these factors. Comprises the better classes of grazing land of the State and can be cultivated for an occasional crop, particularly a fodder crop or for pasture renewal. Not suited to the range of agricultural uses listed for Classes I to III. If used for "hobby farms" adequate provision should be made for water supply, effluent disposal, and selection of safe building sites and access roads.
Infrastructure	Council officers	Township water supply and sewage treatment by Council.
Social	Anticipated	Potential positive impact through provision of increased residential availability and population growth.
Economic	Anticipated	Anticipated positive influence through the availability of a variety of lot sizes and an increase in local population.

CU4 (part 2)**Map reference number:**..... CLN007**Subject land:**..... Lots 98, 99 DP753757, DP1060914 Holbrook Road**Area** 3ha**Proposed change in land use:** Rural to Low Density Residential**Description:** Part developed low density residential land. Infill opportunity.**Change instigated by:**..... Greater Hume Strategic Land Use Plan.**Recommendation:** Rezone eastern section (approx. 3ha) defer remaining due to tree cover and proximity to**Ministerial Directions (to extent of inconsistency):**

No.	Title	Justification for inconsistency
1.2	Rural Zones	Inconsistent because the Direction prohibits rezoning rural to residential. The inconsistency is justified by the LES (including the assessment of rural lands at Appendix A).

State Environmental Planning Policies (to extent of relevance):

No.	Title	Consistency
55	Remediation of land	SEPP55 requires Council to “consider” whether land proposed in an LEP for residential use is potentially contaminated. A “preliminary investigation” under the Contaminated Lands Planning Guideline is only required if there is either “no knowledge” of the history of the land or it is known the land was previously used for one of the nominated activities that may lead to soil contamination. This site historically may have been used for cropping and grazing but has been lying vacant in more recent times. There is no evidence of any more intensive agricultural or other activity that may lead to contamination. DECCW’s contaminated sites register does not show anything for this land.
	Rural Lands 2008	The assessment of rural lands at Appendix A demonstrates compliance with this SEPP.

Environmental impact:

Environmental matters	Basis of assessment	Potential impacts
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<i>Environmental matters</i>	<i>Basis of assessment</i>	<i>Potential impacts</i>
Context	Anticipated	The subject land is not noted as having a high agriculture or existing land use and is currently used for low scale stock grazing. Rezoning of the land would not remove high quality agricultural land from production.
Flora	Aerial photograph and NPWS Wildlife Atlas	The site has been cleared and is unlikely to have significance as habitat. NPWS Wildlife Atlas listed no threatened species sightings (since 1980) in the vicinity of the site.
Fauna	NPWS Wildlife Atlas	NPWS Wildlife Atlas listed no threatened species sightings (since 1980) in the vicinity of the site or township.
Flooding	Anticipated	There is no flooding information available but it is anticipated that part of the site could be affected in a flood event.
Bushfire	Council Bushfire Prone Land Map	None. Land is not identified as bushfire prone.
Heritage	Council Heritage Study 2009	There are no listed heritage items within this area.
Archaeology	AHIMS database, Council Heritage Study 2009	There are no recorded archaeological sites.
Land capability	DECC mapping	Class I - No special soil conservation works or practices. Land suitable for a wide variety of uses. Where soils are fertile, this is land with the highest potential for agriculture, and may be cultivated for vegetation and fruit production, cereal and other grain crops, energy crops, fodder and forage crops, and sugar cane in specific areas. Includes "prime agricultural land".
		Some land already classified "Urban".
Infrastructure	Council officers	Township water supply and sewage treatment by Council.
Social	Anticipated	Potential positive impact through provision of increased residential availability and population growth.
Economic	Anticipated	Anticipated positive influence through the availability of a variety of lot sizes and an increase in local population.