

16 July 2019

Forbes Shire Council
PO Box 333
FORBES NSW 2871

PLANNING PROPOSAL

Change of minimum lot size

Property: Lot 6 DP 619205 & Lot 1 DP 242593

River Road Forbes NSW 2871

This Planning Proposal (PP) is prepared for property owner James Kennedy who is seeking to include an additional permitted use in Schedule 1 of the Forbes Local Environmental Plan 2013.

Presently Lot 6 DP 619205 has an area of 9.81 hectares but incorporates two minimum lot sizes namely 2 hectares for the majority of the land and 10 hectares in areas of the land mapped as high hazard flood storage. The land is zoned entirely R5 Large Lot Residential.

Through an analysis of the land-use context and preparation of topographical survey plans, it is confirmed that areas are available to gain approval for and construct future dwellings outside the high hazard flood area.

Accordingly, this Planning Proposal seeks to include a provision in Schedule 1 of the Forbes Local Environmental Plan 2013 allowing the entire allotment to be subdivided into allotments with an area of 2 hectares and identified building envelopes outside the high hazard flood area.

Lot 1 DP 242593 is also in the same ownership with an applicable minimum lot size of 2 hectares and a small area. It is intended to contribute the lot area of Lot 1 DP 242593 to the overall area of Lot 619205 and facilitate a future subdivision of 2 hectare allotments.

Yours Faithfully,



Patrick Fitzsimmons
Town Planner, Director
VISION Town Planning Consultants Pty Ltd

Abbreviations

FLEP – Forbes Local Environmental Plan 2013
 DCP – Forbes Shire Council Development Control Plan 2013 (Version 2)
 Fkood Study – Forbes Flood Study (November 2001) Sinclair Knight Merz
 Act – Environmental Planning and Assessment Act 1979
 Regulations - Environmental Planning and Assessment Regulations 2000
 Regional Plan - Central West and Orana Regional Plan 2036
 PP – Planning Proposal
 FPA – Flood Planning Area
 FPL – Flood Planning Level
 APU – Additional Permitted Use

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Version 1	16 July 2019	PP1 - 2019
Authorised Recipient: James Kennedy		

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1. Executive Summary

This Planning Proposal is prepared to demonstrate the benefit of including an additional permitted use in Schedule 1 of the Forbes Local Environmental Plan 2013. The proposal aims to facilitate the practical and appropriate subdivision of Lot 6 DP 619205 and Lot 1 DP 242593 into 2 hectare allotments. Both allotments are presently in the same ownership.

Lot 6 DP 619205 has an area of 9.81 hectares and incorporates two minimum lot sizes under the provisions of the Forbes Local Environmental Plan 2013. The majority of the allotment already has a minimum lot subdivision size of 2 hectares. Small portions of the allotment have a minimum lot size of 10 hectares. These small portions are mapped to represent the parts of the allotment identified as being within the 'high hazard flood storage area' and not suitable for residential construction.

As detailed in this Planning Proposal, the proposed additional permitted use will allow the entire area of lot 6 to be subdivided in a practical design that provides a building envelope for each allotment outside the high hazard flood areas capable of catering for future dwellings. Each future allotment will have direct access to a public roadway without having to cross the high hazard flood area. Each future allotment will be connected to reticulated sewer and water located in Wambat Street.

A concept plan has been prepared to accompany this Planning Proposal to demonstrate that if permitted, building envelopes consistent with all setback requirements of the Forbes Shire Council Development Control Plan 2013 can be positioned on the allotments. The building envelopes are positioned topographically within the future allotments so that future dwellings can be designed and suitably constructed to incorporate the required 500 millimetre freeboard to the building floor level above the Flood Planning Level. Detailed consideration of the Planning Proposal and concept design in the context of the planning controls contained in the Forbes Local Environmental Plan 2013 and Forbes Shire Council Development Control Plan 2013 are included in this document and conclude if the recommendations of the Planning Proposal are adopted, future development can fully comply with all planning controls without variation.

Consideration of the proposal and what it provides for future subdivision opportunity confirms it will not have any negative environmental, social or economic impacts. This Planning Proposal and illustrative concept plan detail and illustrate the intended outcomes as appropriate.

2. Introduction

The land owner of Lot 6 DP 619205 and Lot 1 DP 242593 has engaged Vision Town Planning Consultants to prepare this Planning Proposal (PP). This PP examines the existing planning controls applicable to the land including land-use zoning, minimum lot size, flooding and other natural hazard mapping. This PP considers all these aspects as well as any possible future environmental, social and or economic impact that may be incurred as a result of the intent of the PP.

3. Site Description and land-use

3.1. Subject Site

The land comprises two allotments located at the intersection of Wambat Street extending along the eastern side of River Road through to the intersection of Possum Lane. The lot areas are:

Lot 6 DP 619205 – 9.81 hectares

Lot 1 DP 242593 – 0.16 hectares (1,600 square metres) (Approximately)

The two allotments are adjoining and their combined area is very marginally under 10 hectares. The site is cleared of any bushland vegetation having been used for the growing of crops. A number of isolated trees remain on the site that will be unaffected by this proposal.

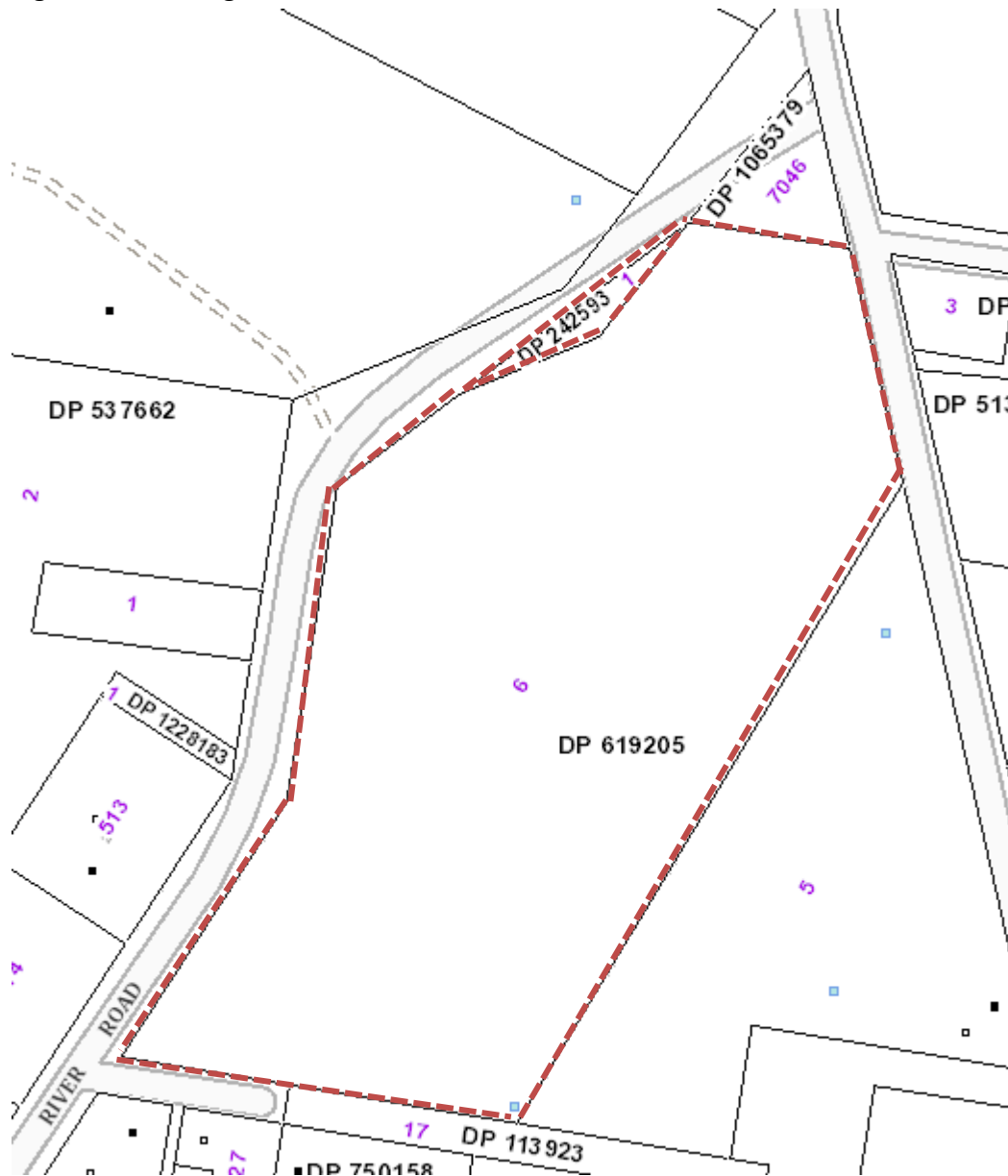
The allotment gradients vary little in height across the site with some isolated rises and the two lowest points at the eastern end of Lot 6.

The site directly adjoins 3 public roadways, River Road being a two-way sealed roadway as well as Wambat Street and Possum Lane both of which are sealed two-way formation. The road verge of River Road adjoining the site is cleared of trees for its full length providing good site distance for motorists and future driveway crossings.

3.2. Surrounding Land

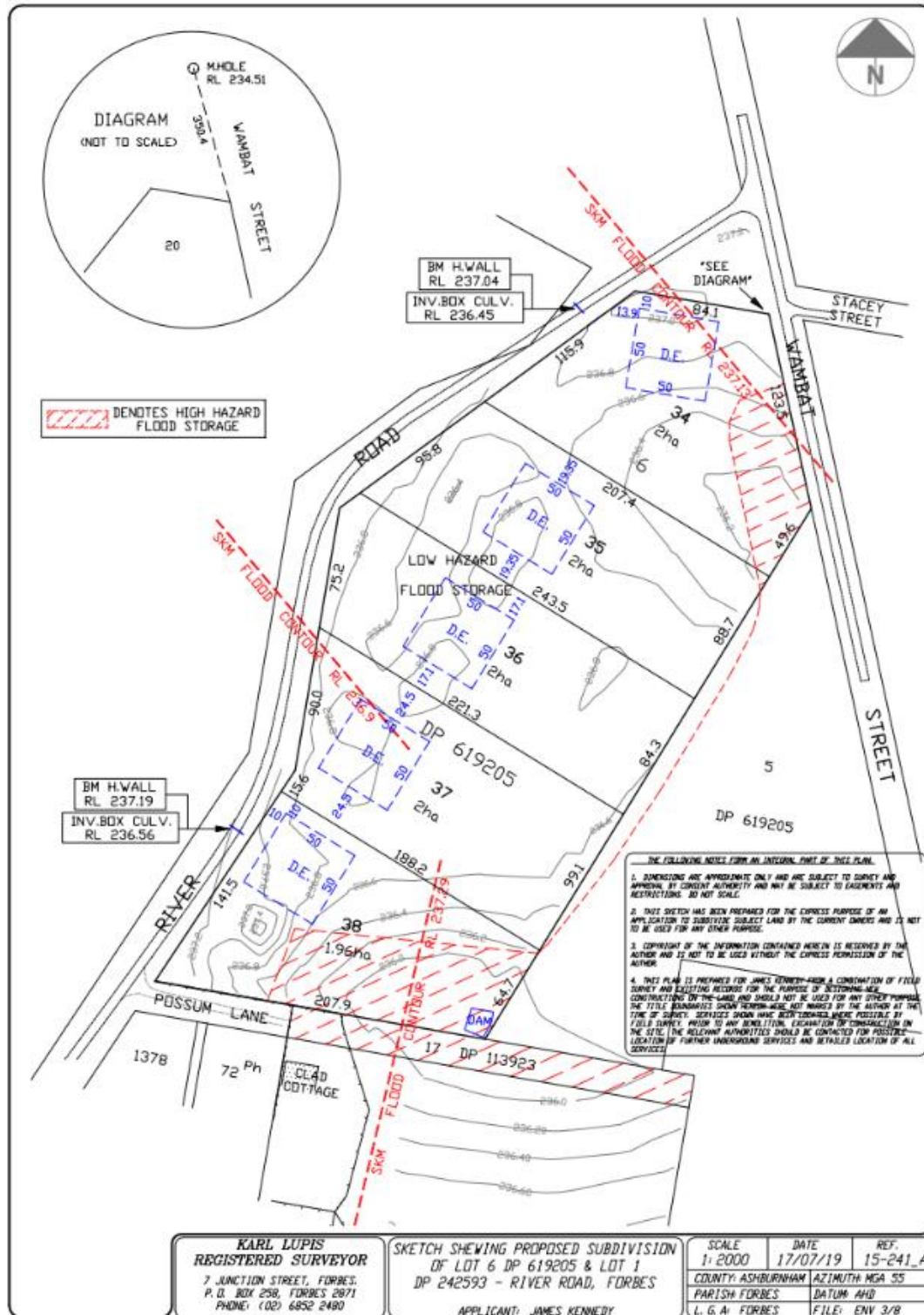
The surrounding land consists of scattered dwellings in a rural/rural residential setting. The area can be described as being almost flat with very slight undulation comprising a floodplain of the Lachlan River located nearest to the site in a southerly direction.

Figure 1 – Existing Allotments



Source: www.maps.six.nsw.gov.au

Figure 2 – Concept Subdivision Design



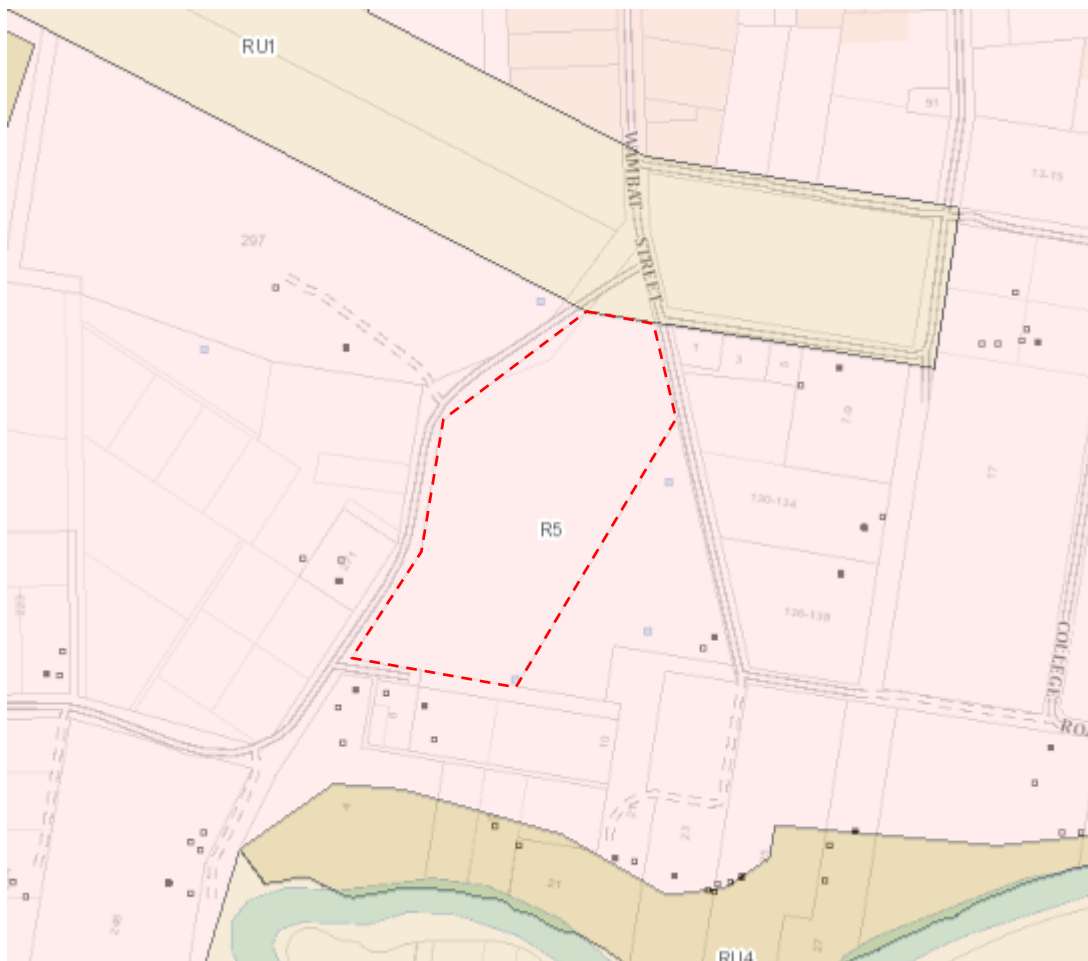
4. Existing Planning Provisions

4.1. Forbes Local Environmental Plan 2013 (FLEP)

4.1.1. Land-use zone

The land is mapped as being in the R5 Large Lot Residential land-use zone under the provisions of the Forbes Local Environmental Plan 2013 (FLEP). The majority of surrounding land is also in the R5 Large Lot Residential land-use zone. A long strip of land adjoining the northern boundary of the subject land is zoned RU1 Primary Production. An extract of the land zoning maps displaying the subject land and the surrounding land-use zones is included in Figure 1 below:

Figure 3 – Land-use Zone Map

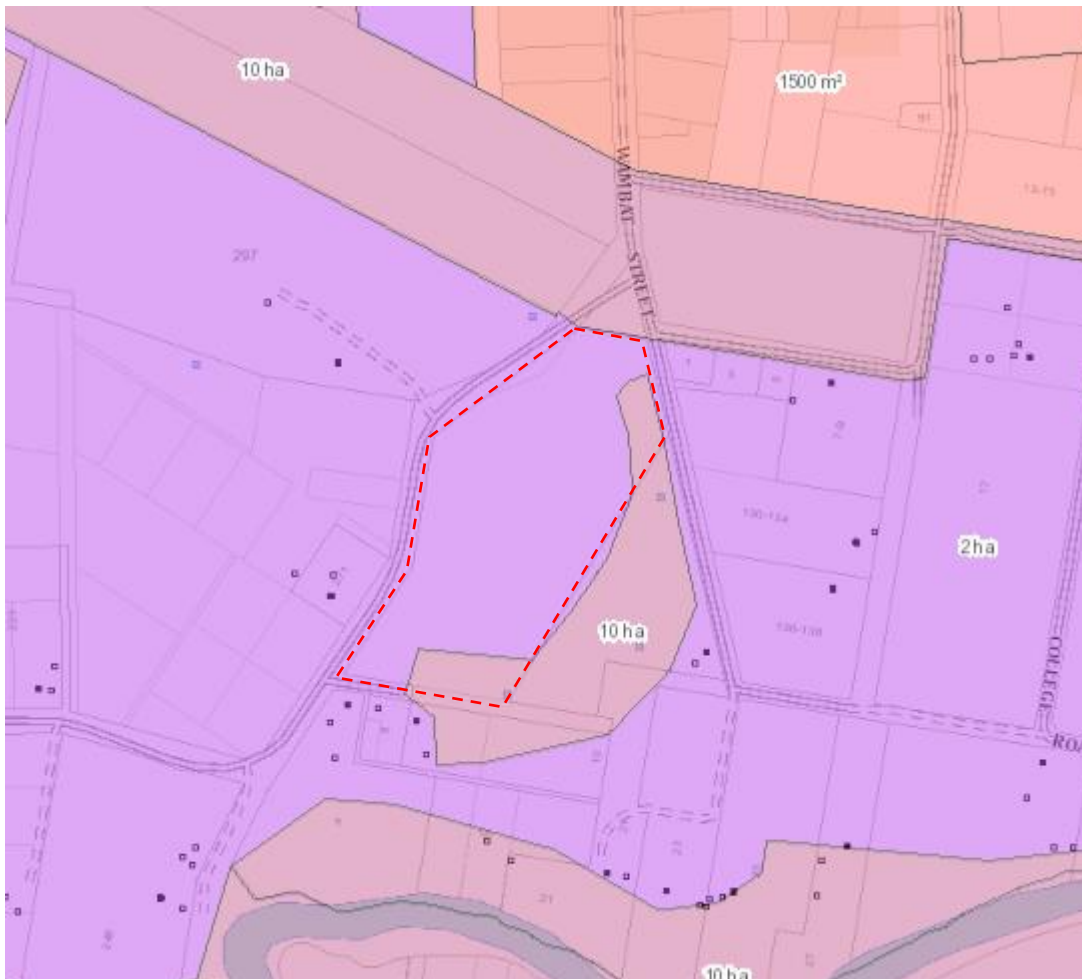


Source: www.planningportal.nsw.gov.au

4.1.2. Minimum Lot size

The minimum subdivision lot size for the land is 2 hectares for the majority of the land and 10 hectares in two small portions of lot 6. The area mapped as having a minimum lot area size of 10 hectares is defined by the area mapped as 'high hazard flood storage' under the Forbes Flood Study - November 2001 (Flood Study) prepared by Sinclair Knight Merz and adopted by Forbes Shire Council. An image displaying the distribution of the two minimum lot size areas throughout the site and surrounding areas is included in Figure 2 below. As displayed in Figure 2, two small portions of the entire site are mapped to have a minimum lot size area of 10 hectares.

Figure 4 – Minimum Lot Size Map



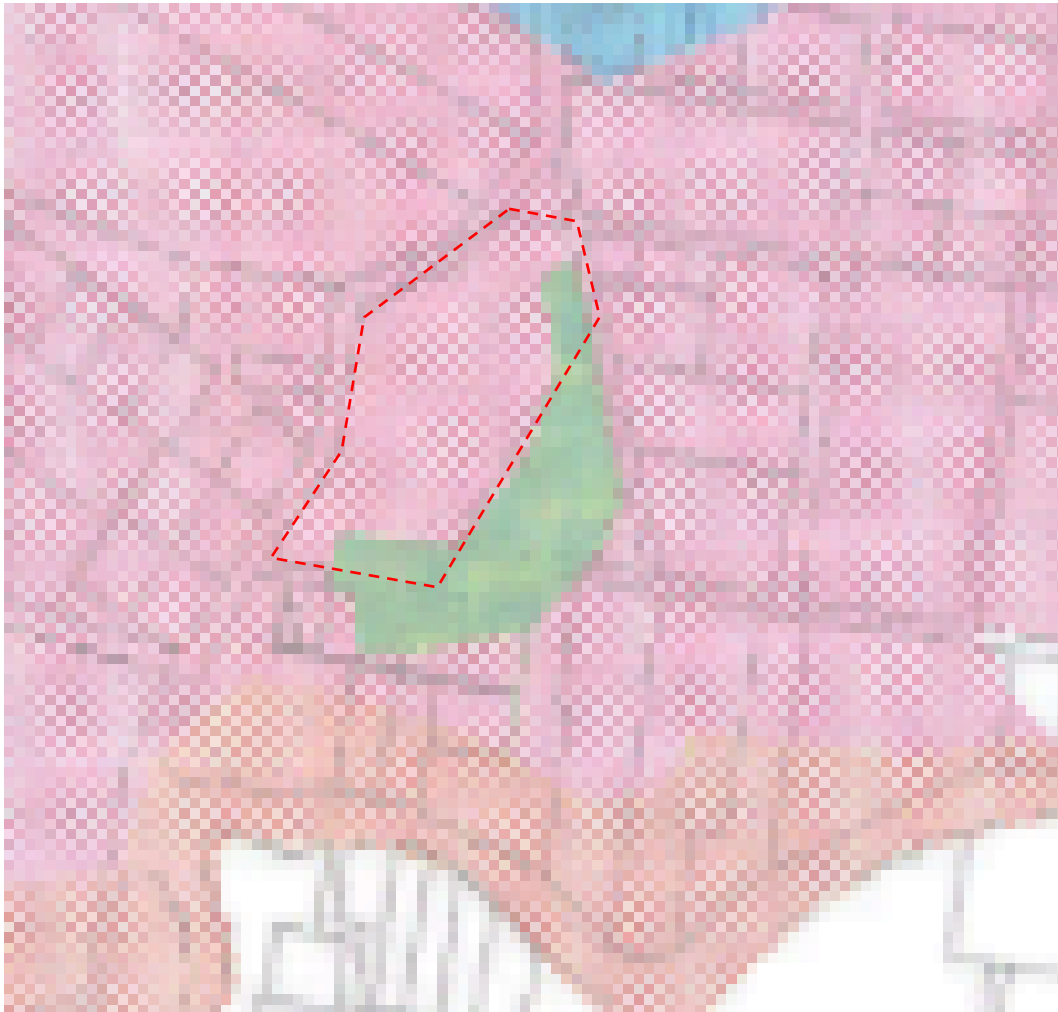
Source: www.planningportal.nsw.gov.au

Existing provisions of Clause 4.6 – Exceptions to development standards of the FLEP can be utilised to approve proposed lot 38 displayed in the concept subdivision included in Figure 2 with an area of 1.96 hectares provided the entire allotment has a minimum lot size of 2.0 hectares.

4.1.3. Flooding

The entire allotment is mapped as being within the Flood Planning Area (FPA). The majority of the site is mapped as being 'low hazard flood storage' and coloured pink in Figure 3. The area coloured green represents 'high hazard flood storage'.

Figure 5– Flood Planning Area



Source: Forbes Flood Study (November 2001) Sinclair Knight Merz – Page 38

As depicted in the concept subdivision design submitted with this PP, future building envelopes can be positioned within allotments in a subdivision of the land into two hectares so that minimal amounts of fill to raise floor levels can be incorporated into future house designs consistent with Clause 7.2 Flood planning of the FLEP. Each building envelope is located entirely outside the high hazard food area.

Schedule 3, Planning and Development Controls of the Forbes Shire Council Development Control Plan 2013 (DCP) confirms dwellings are permitted to be constructed within areas mapped as 'low hazard flood storage' provided a design satisfies particular controls. Detailed

consideration of these controls in light of the proposed alteration to the minimum lot size is included later in Section 4.5 of this PP.

4.1.4. Bushfire, Contamination, Heritage & Ground Water

The site is not presently mapped as bushfire prone. The site is used for cropping and livestock grazing. Inspection of the site did not reveal any physical evidence of prior sheds, livestock yards, dips or waste disposal areas that may have resulted in contamination. No contamination is likely and no further investigation into the site is considered necessary as part of this PP. The land does not contain any items of heritage significance listed in Schedule 5 of the FLEP. A search of the NSW Aboriginal Heritage Information Management System did not reveal any items on the land or within the adjacent road reserves. The land is cleared of bushland and does not contain any waterways or prominent ridgelines. No impacts or increase in likelihood of impacts will be incurred as part of the PP. The land is mapped as being in an area of vulnerable groundwater resources, however any future allotments will be connected to Council's reticulated sewer and water. Any external materials of future dwellings are required to be flood compatible and not hazardous in accordance with the provisions of the DCP considered later in this report. The PP will not result in development that will negatively impact on ground water resources.

4.2. Infrastructure

Both reticulated sewer and water are available adjacent to the land in Wambat Street. Above ground electrical power lines are located on the opposite side of River Road in adjacent allotments and close to the southern property boundary in the Possum Lane. Telecommunications is available in Wambat Street.

4.3. Forbes Shire Council Development Control Plan 2013 (DCP)

A number of sections of the DCP are applicable to both subdivision and permissible land-uses on the subject land. The principal objectives of the zone aim to provide for a variety of residential land-uses. This PP seeking to amend the minimum lot area size so it is uniform across the site and will not prevent the future design of development that can comply with the provisions of the DCP. The table below provides consideration of the particularly relevant planning controls contained in the DCP.

Table 1 – Consideration of proposal against DCP planning controls

Chapter	Control	Outcome
3 - Subdivision	Lot size and dimensions	Subdivision that achieves a minimum lot area and dimensions can be achieved
	Utility connections	unaffected
4 – Flood Affected Land		
Schedule 3	Residential development in low hazard flood storage	<p>Areas within the site will remain available for the construction of dwellings incorporating:</p> <ul style="list-style-type: none"> - 500 freeboard - Use of flood compatible materials - Design that is structurally sound - Allow for effective evacuation via public road network - Will not block conveyance of water or require fill to be deposited in greater than 1/3 of the potential minimum allotment areas - will not require use of any external materials that may be hazardous
	Only construction of replacement dwellings in high hazard flood storage	<ul style="list-style-type: none"> - Unaffected as there is no existing dwelling on the land - There will continue to be sufficient areas outside the

		high hazard flood storage area at appropriate height to allow for the future construction of dwellings and outbuildings
8 – Large Lot Residential Development	Section 8.15 River Road	<ul style="list-style-type: none"> - Sewer/water availability unchanged - The minimum lot size of 2 hectares will be maintained and the variation to 10 hectares considered justified with no impact - Cumulative flood impact assessment can be provided with future applications if appropriate - ground water unaffected and public road access would be available for all future lots.

Future subdivision of the land should the changes proposed in this PP be adopted can be designed to fully comply with the existing controls contained in the DCP.

5. Proposal

5.1. The Proposal

This PP is seeking Council's endorsement to include a provision in Schedule 1 Additional Permitted Uses (APU) of the LEP. The proposed APU would allow for the subdivision of the area within Lot 6 DP 619205 mapped as incorporating a minimum lot area size of 10 hectares into a lot with an area of not less than 2 hectares provided a building envelope is positioned outside the high hazard flood area in accordance with applicable planning controls. The additional permitted use could be drafted as follows:

'The subdivision of areas mapped in Lot 6 DP 619205 as having a minimum lot area size of 10 hectares are permitted to form part of a subdivision of that land provided the following criteria is met

- 1. Consolidation of Lot 6 DP 619205 and Lot 1 DP 242593 is completed, and*
- 2. Only 1 allotment may be less than 2 hectares in area provided it is not less than 1.9 hectares at a minimum, and*
- 3. A building envelope with an area of not less than 1,000 square metres included with each allotment proposed as part of a development application seeking approval to subdivide can accommodate construction of a future dwelling in accordance with applicable planning controls relating to flooding and boundary setback(s)*
- 4. The entire area of each building envelope is to be positioned outside the area nominated as having a minimum lot area of 10 hectares'*

5.2. Reason for Proposal

This PP is prepared so that the logical and practical subdivision of Lot 6 DP 619205 can occur incorporating all areas of the allotment whilst still providing building sites outside the high hazard flood storage area.

6. Statement of Objectives and Intended Outcomes

The intention of this planning proposal is to include an additional permitted use in Schedule 1 of the LEP that allows for the subdivision of lot 6 DP 619205 in a practical way that permits the subdivision of all areas of the allotment.

Intended Objectives

- To allow for the subdivision of Lot 6 DP 619205 into practical residential allotments that incorporate all areas of that lot.
- To allow for the creation of lots that facilitate the construction of dwellings outside the high hazard flood storage area
- To allow for subdivision and permissible development design that is consistent with the applicable planning controls and objectives

7. Explanation of Proposed Planning Provisions

This PP is seeking Council's endorsement to include a provision in Schedule 1 Additional Permitted Uses (APU) of the FLEP. The proposed APU would allow for the subdivision of the area within Lot 6 DP 619205 mapped as incorporating a minimum lot area size of 10 hectares into a lot with an area of not less than 2 hectares provided a building envelope of not less than 1000 square metres is identified on each lot upon which a dwelling can be designed and constructed in accordance with applicable planning controls.

8. Justification of Objectives and Outcomes

8.1. Need for Planning Proposal

Is the PP a result of a strategic study or report?

The PP has not been developed as a result of any strategic study or report.

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

The objective of the proposal is to enable the practical subdivision of Lot 6 DP 619205 to incorporate all areas of the allotment to provide usable allotments for future land-uses.

The current minimum lot size mapping adopted with the LEP does not permit the practical subdivision of Lot 6 as would be permitted with the proposed additional permitted use in place.

It is not considered that altering the minimum lot size area map prepared to reflect the mapping included in the adopted Flood Study is necessary for this isolated proposal.

There is no other identified better means of achieving the objectives or intended outcome.

Implications of not proceeding with the inclusion of the additional planning provisions.

Given the ununiform shape of the minimum lot area layout over the site, allowing the inclusion of the additional permitted use will facilitate the efficient and practical subdivision of the land into desirable large lot rural residential allotments. Each allotment will have space for the construction of future dwellings within designated building envelopes outside the area mapped as being within the 'high hazard flood storage area'.

The implications of not proceeding with the recommendations of the PP are that the practical subdivision and future use of the land would be negatively inhibited and unnecessarily restricted.

8.2. Relationship to strategic planning framework

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)?

8.2.1. Central West and Orana Regional Plan 2036

The *Central west and Orana Regional Plan 2036* (Regional Plan) is applicable to the Forbes Local Government Area. The Regional Plan is divided into a number of 'directions' that aim to achieve desired outcomes for growth in the various regions of the plan. A number of 'actions' to be implemented are included with each direction in the plan. The following summary addresses each of the Directions included in the Regional Plan:

Direction 1 Protect the region's diverse and productive agricultural land

The proposal will allow for the practical subdivision of land which is zoned R5 Large Lot Residential without infringing on any agricultural land use

Direction 2: Grow the agribusiness sector and supply chains

Repeat comments for Direction 1

Direction 3 - 11

Unaffected

Direction 12: Plan for greater land use compatibility

The proposal will allow for the practical subdivision of land which is zoned R5 Large Lot Residential without altering any potential for any land-use conflict.

Direction 13: Protect and Manage Environmental Assets

The subject land is used for the growing of crops and surrounding land-uses including residential dwellings and agricultural land-uses.

The land is zoned for large lot residential land-use and the proposal will enable the subdivision incorporating the subject land area without impacting any environmental assets.

Direction 14: Manage and conserve water resources for the environment

The proposal involves land that is subject to varying levels of flooding. The land which is zoned R5 Large Lot Residential presently permits subdivision and construction for residential purposes provided the site is connected to reticulated sewer. Other planning controls require any materials used in construction within the flood area to be flood compatible as outlined by Council DCP, any external materials to not be polluting and the finished floor level above the FPL. These measures are appropriate to ensure water resources are not impacted and are unaffected by the proposal.

Direction 15: Increase resilience to natural hazards and climate change

The comments for Direction 14 is repeated. The land is not mapped as bushfire prone or as subject to any other identified natural hazard.

Direction 16: Respect and protect Aboriginal heritage assets

A search of the Aboriginal Heritage Information Management Systems maintained by the NSW office of Heritage and Environment did not confirm the presence of any known heritage items on the land. The site is cleared of bushland vegetation and contains some isolated trees unaffected by the proposal. The land does not contain or adjoin any watercourses or contain any prominent ridgelines or hills.



AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : Kennedy
Client Service ID : 433069

Patrick Fitzsimmons
PO Box 852
COWRA New South Wales 2794
Attention: Patrick Fitzsimmons
Email: patrick@visiontpc.com.au

Date: 08 July 2019

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 6, DP:DP619205 with a Buffer of 200 meters, conducted by Patrick Fitzsimmons on 08 July 2019.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Direction 17 – 27

Unaffected

Direction 28: Manage rural residential development

The proposal will enable the practical subdivision of the rural residential land allowing for positive future rural residential development consistent with Direction 28.

Direction 29: Deliver healthy built environments and better urban design

Unaffected.

The proposal is consistent with the objectives and corresponding directions of the Regional Plan.

8.3. Is the PP consistent with Council's local strategy or other local strategic plan?

Council does not have any local strategy or strategic plan in place.

8.4. Is the PP consistent with applicable State Environmental Planning Policies

Below is a list of the State Environmental Planning Policies that apply to the land:

- State Environmental Planning Policy (Affordable Rental Housing) 2009: Land Application (pub. 31-7-2009)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004: Land Application (pub. 25-6-2004)
- State Environmental Planning Policy (Concurrences) 2018: Land Application (pub. 21-12-2018)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017: Land Application (pub. 1-9-2017)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004: Land Application (pub. 31-3-2004)
- State Environmental Planning Policy (Infrastructure) 2007: Land Application (pub. 21-12-2007)
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007: Land Application (pub. 16-2-2007)
- State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007: Land Application (pub. 28-9-2007)
- State Environmental Planning Policy (Primary Production and Rural Development) 2019: Land Application (pub. 28-2-2019)
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017: Subject Land (pub. 25-8-2017)
- State Environmental Planning Policy No 1—Development Standards: Land Application (pub. 17-10-1980)
- State Environmental Planning Policy No 21—Caravan Parks: Land Application (pub. 24-4-1992)
- State Environmental Planning Policy No 33—Hazardous and Offensive Development: Land Application (pub. 13-3-1992)
- State Environmental Planning Policy No 36—Manufactured Home Estates: Land Application (pub. 16-7-1993)
- State Environmental Planning Policy No 44—Koala Habitat Protection: Land Application (pub. 6-1-1995)
- State Environmental Planning Policy No 50—Canal Estate Development: Land Application (pub. 10-11-1997)
- State Environmental Planning Policy No 55—Remediation of Land: Land Application (pub. 28-8-1998)
- State Environmental Planning Policy No 64—Advertising and Signage: Land Application (pub. 16-3-2001)
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development: Land Application (pub. 26-7-2002)

The proposal will not result in any future development being unable to achieve applicable objectives and controls of these State Environmental Planning Policies.

8.5. Is the Planning Proposal consistent with applicable Ministerial Directions (s.117directions)?

Directions of particular relevance are Directions 3.1 and 4.3 addressed below:

The Objectives of Direction 3.1 are:

Objectives

(1) The objectives of this direction are:

- (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,
- (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- (c) to minimise the impact of residential development on the environment and resource lands.

The proposal will not alter the future potential for use of the land for residential purposes and connection to infrastructure consistent with this Direction

What a relevant planning authority must do if this direction applies

(4) A planning proposal must include provisions that encourage the provision of housing that will:

- (a) broaden the choice of building types and locations available in the housing market, and
- (b) make more efficient use of existing infrastructure and services, and
- (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and
- (d) be of good design.

(5) A planning proposal must, in relation to land to which this direction applies:

- (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
- (b) not contain provisions which will reduce the permissible residential density of land.

The PP which will facilitate the efficient subdivision of the subject land will facilitate future dwellings in a variety of designs connected to existing infrastructure entirely within an area already zoned for residential land use. Any future allotments will be serviced consistent with the DCP and the proposal does not contain any proposed controls relating to residential density.

The Objectives of Direction 4.3 are:

Objectives

(1) The objectives of this direction are:

- (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and
- (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

Details provided in this PP demonstrate that the proposal which will allow the use of all the land area in creating a subdivision can be undertaken to include the area in the high hazard flood storage area whilst providing a building area outside this flood hazard category which meets the requirements of the Floodplain Development Manual 2005 and consistent with the flood hazard category.

What a relevant planning authority must do if this direction applies

- (4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).
- (5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.
- (6) A planning proposal must not contain provisions that apply to the flood planning areas which:
 - (a) permit development in floodway areas,
 - (b) permit development that will result in significant flood impacts to other properties,
 - (c) permit a significant increase in the development of that land,
 - (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or
 - (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.
- (7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).
- (8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).

(4) The proposal can satisfy the planning controls contained in the DCP without variation and consistent with the NSW Floodplain Manual 2005 and point 4.

(5) The PP does not propose to rezone any land consistent with point 5.

(6) - The development site is not mapped as floodway

- Building envelopes included in the concept subdivision layout included in this application incorporate contours and the FPL displaying that future building pads can be constructed with minimal fill.

- The PP will allow for the practical use of the allotment without creating a significant increase in the use.

- The PP will not alter the requirement for government spending on flood mitigation in any way.

- The PP does not alter exempt development.

The development is consistent with Point 6

(7) The PP does not propose any flood planning controls consistent with Point 7

(8) The PP does not define a FPL consistent with Point 8.

The PP is consistent with Direction 4.3.

The PP is consistent with the Ministerial Directions without variation.

8.6. Environmental, Social and Economic Impact

As discussed throughout this PP, the subject land and much of the surrounding land is zoned for Large Lot Residential purpose and presently contains scattered dwellings amongst various agricultural land-uses.

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?

The land is fully cleared of remnant bushland with a few isolated trees. It is considered that the proposal will not alter any likelihood of a species, habitat or community being present.

It is considered appropriate that a report including a test whether a future development activity likely to significantly affect threatened species or ecological communities, or their habitats prepared in accordance with Section 7.3 of the Biodiversity Conservation Act 2016 should be submitted with any future development application.

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

No other likely effects identified and no management strategies required.

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

It is considered the proposal will result in the best use of the subject land resulting in improved social and economic outcomes.

8.7. State and Commonwealth Interests

Is there adequate public infrastructure for the PP?

As previously discussed, the site has appropriate access to public roadways, reticulated sewer and water, NBN network and electrical power

9. Maps

No amended maps are required.

10. Community Consultation

To be undertaken in accordance with Part 3 of the Act, Regulations and any requirements specified by the Department of Planning and Environment

11. Project Timeline

Prepare timeline in consultation with Council and the Secretary of the NSW Department of Planning and Environment in accordance with Section 55(3) of the Act.

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Figure 1 – Existing Allotments

Figure 2 – Concept subdivision Design

Figure 3 – Land-use Zone Map

Figure 4 – Minimum Lot Size Map

Figure 5 – Flood Planning Area

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Table 1 – Consideration of proposal against DCP planning controls