



Edward
River
COUNCIL

Planning Proposal 10

This planning proposal has been prepared to rezone Lot 2 DP1220715 Harfleur Street, Deniliquin from SP2 Infrastructure to B2 Local Centre under the Deniliquin Local Environmental Plan 2013.

1. INTRODUCTION

Council owns two parcels of land being Lot 1 DP732067, 82-86 Hardinge Street and Lot 2 DP1220715 Harfleur Street where it is proposed to undertake a seniors housing development. Figure 1 shows the location of the land.



Figure 1 Location of Council owned land

Lot 1 DP732067, 82-86 Hardinge Street is zoned B2 Local Centre under the Deniliquin Local Environmental Plan 2013 (DLEP 2013) and Lot 2 DP1220715 is zoned SP2 Infrastructure. It is proposed that Lot 2 DP1220715 be rezoned from SP2 Infrastructure to B2 Local Centre to allow for the development of this land for seniors housing under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Living SEPP). Figure 2 shows the zoning of the subject site (Lot 2 DP1220715) and the surrounding land.



Figure 2 Zoning of subject site and surrounding land

The land is classified as operational land under the Local Government Act (Council minute 78/16) and was acquired from Victorian Rail Track for the purposes of residential accommodation. It has an area of approximately 1.2ha and has frontage to Harpleur and Poitiers Streets, Deniliquin. Whilst figure 1 shows rail infrastructure on the land, this was demolished in 2018 (DA 86/17). The site is currently vacant and there is no significant vegetation on the site. Water and sewer are available to the site and accesses to the site have been constructed on each street frontage. Photos of the subject site are in Appendix 1.

The site adjoins land zoned B2 Local Centre and part of Poitiers Street which is zoned R1 General Residential. The site is adjoined by vacant land (Lot 1 DP732067) to the north which is owned by Council and zoned B2 Local Centre and grain sheds to the south (also zoned B2 Local Centre). Across Poitiers Street (to the north east) is a nursing home, the band hall and a veterinary clinic. To the south west of the site and across Harpleur Street there is existing railway infrastructure, grain storage and commercial premises.

The Edward River Local Strategic Planning Statement (February 2020) (LSPS) identifies that 22.3% of our population is aged 65 years and over, with a median age of 45 years and 32.2% of households are occupied by a lone person. By comparison, the median age in NSW is 38, with 16.2% of the population aged 65 years and over and 23.8% of households are occupied by a lone person. The LSPS recognises that our population is ageing and that it is necessary for Council to accommodate the changes in population by ensuring that suitable services, open space, community facilities and housing options are provided to maintain the high level of liveability valued by our community. Our vision for the Edward River local government area includes providing a variety of housing choice to retain our ageing population and one of the identified priorities is to *'improve the council area liveability and lifestyle opportunities'*.

Planning Priority 5 – Housing states that the majority of our population resides in Deniliquin and housing in the Edward River LGA is dominated by single dwellings (89% of all housing) with 76% of housing containing 3 or more bedrooms. This trend conflicts with the needs of an ageing population. Therefore the LSPS identifies that it is increasingly important for Council to provide a larger variety of housing choices to cater for the changing demographic including an ageing population and the development of a retirement living facility to support our aging population is being facilitated by Council. This planning proposal supports the development of the subject site for seniors living.

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

Council has acquired the land as it is no longer required for railway infrastructure and as such, the SP2 Infrastructure zone is no longer appropriate. Secondly it is Council's intention to develop the land for seniors living and under the current zoning, this type of development is prohibited and therefore a planning proposal is the best way to achieve the intended outcomes.

Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

The planning proposal is consistent with the Riverina Murray Regional Plan 2036. Refer to Appendix 2 for consideration of the regional plan.

Will the planning proposal give effect to a council's endorsed LSPS, or another endorsed local strategy or strategic plan?

Refer to comments above regarding the LSPS. There is no other strategic plan that gives effect to this planning proposal.

Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The planning proposal is consistent with the SEPPs. Refer to Appendix 3 for consideration of the SEPPs.

Is the planning proposal consistent with applicable Ministerial Directions (s9.1) directions?

The directions are considered in Appendix 4.

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?

There is minimal vegetation on site and as such it is unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal.

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 environmental impacts or natural hazards have been identified for this site.

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

An AHIMS search has been completed (appendix 5) and no Aboriginal sites have been identified. The site is not a heritage item or located within a heritage conservation area.

In terms of social and economic impacts, the community has identified over a number of years the need for seniors' accommodation that, in particular, allows for independent living. Whilst Deniliquin has an adequate supply of residential accommodation, land close to the CBD is in short supply. This land has been purchased by Council with the intent of constructing a form of seniors' accommodation.

Is there adequate public infrastructure for the planning proposal?

There is existing infrastructure within the vicinity of the site.

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

Council has not undertaken any consultation with State and/or Commonwealth authorities. It is proposed that Council will consult with the Civil Aviation Safety Authority and Transport for NSW (Roads and Maritime) (due to the vicinity of the site to a main road being Hardinge Street).

Part 4 Mapping

DLEP 2013 Land Zoning Map – Sheet LZN_005 will be required to be amended by changing the zoning of Lot 2 DP1220715 from SP2 Infrastructure to B2 Local Centre. Figure 2 shows the location of the subject site.

No other mapping is required to be amended.

Part 5 Community Consultation

Community consultation will be undertaken in accordance with Council's Community Participation Plan (2019) and for a period of 28 days.

Part 6 Project Timeline

The project timeline is as follows:

Action	Time
Planning proposal – decision by Council to proceed	16 April 2020
Request Gateway determination	Week ending 26 April 2020
Receive Gateway determination	Week ending 24 May 2020

Commence community consultation	Week ending 7 June 2020
Community consultation completed	Week ending 12 July 2020
Preparation of mapping	Week ending 9 August 2020
Request opinion from Parliamentary Counsel's Office	Week ending 16 August 2020
Council decision to finalise	17 September 2020
Request instrument be made	Week ending 27 September 2020

APPENDIX 1
Photos of Subject Site



Photo 1 – Looking at the subject site from the south west (Harfleur Street)



Photo 2 – Looking at the subject site from the north (Poitiers Street)

Appendix 2 – Section 117 Direction 5.10 Implementation of Regional Plans Checklist

Direction 1: Protect the regions diverse and productive agricultural land

No	Action	Consistent			Comments
		Yes	No	N/A	
1.1	Develop a regional agricultural development strategy that: <ul style="list-style-type: none"> • Maps important agricultural land; • Identifies emerging opportunities for agriculture; and • Sets direction for local planning of agricultural development. 			N/A	
1.2	Protect important agricultural land identified in the regional agricultural development strategy from land use conflict and fragmentation, and manage the interface between important agricultural lands and other land uses			N/A	
1.3	Minimise biosecurity risks by undertaking risk assessments, taking into account biosecurity plans and applying appropriate buffer areas.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- How the proposal responds to the Agricultural Development Strategy, once completed; and
- How the proposal has considered land use conflict and management of the interface between land uses to support agriculture.

Note:

- If the proposal seeks to alter a provision that relates to Important Agricultural Land please consult with Department of Primary Industries – Agriculture in the preparation of your planning proposal.

- To establish whether the proposal is affected by a control order in force under the Biosecurity Act 2015 visit: <http://www.dpi.nsw.gov.au/biosecurity>

Direction 2: Promote and grow the agribusiness sector

No	Action	Consistent			Comments
		Yes	No	N/A	
2.1	Encourage agribusiness diversification by reviewing local plans and removing restrictive land use zonings and outdated land use definitions.			N/A	
2.2	Provide opportunities to improve support to agriculture through better guidance on protecting agricultural land and managing the interface with other land uses.			N/A	
2.3	Facilitate investment in the agricultural supply chain by protecting assets, including freight and logistics facilities, from land use conflict arising from the encroachment of incompatible land uses.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- nearby freight and logistics facilities and freight routes;
- any nearby or adjoining buffers which relate to freight and logistics facilities;
- how the proposal impacts on nearby or adjoining agricultural land uses and how the interface between the uses is managed; and
- any potential land use conflict arising from the encroachment of incompatible land uses.

Direction 3: Expand advanced and value-added manufacturing

No	Action	Consistent			Comments
		Yes	No	N/A	
3.1	Promote investment in advanced and value-added manufacturing by removing restrictive land use zonings and outdated land use definitions in local plans			N/A	
3.2	Protect advanced value-added manufacturing industries and associated infrastructure from land use conflict arising from the encroachment of inappropriate and incompatible land uses.			N/A	
3.3	Encourage co-location of related advanced and value-added manufacturing industries to maximise efficiency and infrastructure use, decrease supply chain costs, increase economies of scale and attract further investment.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- any potential land use conflict arising from the encroachment of incompatible land uses; and
- identify any existing manufacturing industries and consider the potential for co-location of related industries.

Direction 4: Promote business activities in industrial and commercial areas

No	Action	Consistent			Comments
		Yes	No	N/A	
4.1	Encourage the sustainable development of industrial land to maximise the use of infrastructure and connectivity to the existing freight network.			N/A	
4.2	Promote specialised employment clusters and co-location of related employment generators in local plans.			N/A	
4.3	Protect industrial land, including in the regional cities (Bomen, Nexus and Tharbogang) from potential land use conflicts arising from inappropriate and incompatible surrounding land uses.			N/A	
4.4	Encourage the consolidation of isolated, unused or underused pockets of industrial zoned land to create new development opportunities over the long-term.			N/A	
4.5	Monitor the supply and demand of employment and industrial land in regional cities to inform the planning and coordination of utility infrastructure to support new development.			N/A	
4.6	Accommodate future commercial and retail activity in existing commercial centres, unless there is a demonstrated need and positive social and economic benefits for the community.	Yes			It is proposed to rezone the land to B2 Local Centre which is consistent with the adjoining land use zones.
4.7	Require proposals for new retail development to demonstrate how they: <ul style="list-style-type: none"> • Respond to retail supply and demand needs; • Respond to innovations in the retail sector; • Maximise the use of existing infrastructure (including public transport and community facilities) commensurate with the scale of the proposal; and • Enhance the value of the public realm. 			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- the capacity of existing industrial zoned land and whether the subject land is identified in an endorsed local strategy;
- consideration of the infrastructure needs associated with the proposal;
- the potential for the proposal to take advantage of existing industry clusters and co-location; and
- potential land use conflict arising from the encroachment of incompatible land uses.

Where the proposal seeks to zone land for commercial and retail purposes, the proposal should be supported by a study that:

- considers the capacity of existing commercial centres;
- demand for additional zoned land;
- the impact of additional zoned land on existing centres; and
- provide evidence of positive social and economic benefits for the community.

Direction 5: Support the growth of the health and aged care sectors

No	Action	Consistent			Comments
		Yes	No	N/A	
5.1	Establish health precincts around hospital in the regional cities of Albury, Wagga Wagga and Griffith.			N/A	
5.2	Promote development of mixed-use facilities and precincts for research and accommodation, to meet the needs of the health and aged care service sectors.	Yes			The rezoning of the subject site is for the purposes of establishing a seniors' living development.
5.3	Facilitate multipurpose, flexible and adaptable health and education infrastructure that responds to community needs.			N/A	
5.4	Protect health facilities from the encroachment of inappropriate and incompatible land uses.			N/A	
5.5	Improve transport connections in cross-border communities to enhance access to health facilities.			N/A	

Direction 6: Promote the expansion of education and training opportunities

No	Action	Consistent			Comments
		Yes	No	N/A	
6.1	Work with stakeholders to identify opportunities to address skill shortages in the region through the development of tailored regional training programs with the regions education providers.			N/A	
6.2	Promote development of education precincts around universities and education facilities to facilitate specialisation in rural studies and cater for increasing interest from international students.			N/A	
6.3	Facilitate joint venture opportunities for the development shared community/school facilities on school sites, including sporting fields, amenities, parking, community halls, child care, arts and library facilities.			N/A	

Direction 7: Promote tourism opportunities

No	Action	Consistent			Comments
		Yes	No	N/A	
7.1	Align local land use strategies and tourism strategies with the Destination Management Plan for the Riverina Murray Destination Network.			N/A	
7.2	Enable opportunities for tourism development and associated land uses in local plans.			N/A	
7.3	Target experiential tourism opportunities and tourism management frameworks to promote a variety of accommodation options.			N/A	
7.4	Continue to implement actions and invest in boating infrastructure priorities identified in the Murray-Riverina Regional Boating Plan to improve boating safety, boat storage and waterway access.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- how the proposal impacts on the suitability of land zoned for tourism and associated land uses, through potential land use conflict or encroachment of incompatible land uses.

Direction 8: Enhance the economic self-determination of Aboriginal communities

No	Action	Consistent			Comments
		Yes	No	N/A	
8.1	Work with Local Aboriginal Land Councils to conduct a strategic assessment of their landholdings to identify priority sites with economic development potential for further investigation.			N/A	
8.2	Identify priority sites that can create a pipeline of potential projects that the Local Aboriginal Land Councils may wish to consider.			N/A	

Direction 9: Support the forestry industry

No	Action	Consistent			Comments
		Yes	No	N/A	
9.1	Facilitate long-term forestry processing requirements for plantation forest land and opportunities for industry hubs and transport network improvements.			N/A	
9.2	Encourage forestry processing operations in appropriate locations that are protected from the encroachment of other sensitive land uses.			N/A	
9.3	Protect native and plantation forests and processing industries predominantly in the Snowy Valleys and Greater Hume area from the encroachment of inappropriate and incompatible land uses.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- any existing nearby forestry processing operations or key forestry areas; and
- any impacts on opportunities for the long-term establishment and management of plantations in key forestry areas, or hubs, productivity or processing efficiency.

Note: Refer to the NSW Forestry Industry Roadmap (2016).

Direction 10: Sustainably manage water resources for economic opportunities

No	Action	Consistent		Comments
		Yes	No	N/A
10.1	Implement the Murray-Darling Basin Plan to ensure a balance of social, economic and environmental outcomes.			N/A
10.2	Finalise water resource plans for rivers and groundwater systems as part of the Murray-Darling Basin Plan and implement water sharing plans.			N/A
10.3	Plan for high-water use industries in locations where water access and security is available.			N/A
10.4	Protect land in the Murray, Murrumbidgee, Coleambally and Lowbridge irrigation areas from the encroachment of inappropriate and incompatible land uses that limit the economic potential of these areas.			N/A

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- consistency with the Murray-Darling Basin Plan, when finalised;
- where a proposal relates to a high-water use industry, consideration of the infrastructure demands of the proposal and the availability of a secure water resource; and
- where a proposal has the potential to impact the Murray, Murrumbidgee, Coleambally and Lowbridge irrigation areas, consideration of potential environmental, social and economic impacts that could limit production of irrigated produce.

Direction 11: Promote the diversification of energy supplies through renewable energy generation

No	Action	Consistent			Comments
		Yes	No	N/A	
11.1	Encourage renewable energy projects by identifying locations with renewable energy potential and ready access to connect with the electricity network.			N/A	
11.2	Promote best practice community engagement and maximise community benefits from all utility-scale renewable energy projects.			N/A	
11.3	Promote appropriate smaller-scale renewable energy projects using bio-energy, solar, wind, small-scale hydro, geothermal or other innovative storage technologies.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- locations identified for renewable energy projects; and
- consideration of land uses in proximity to existing energy projects to maximise efficiencies and address potential land use conflict.

Direction 12: Sustainably manage mineral resources

No	Action	Consistent			Comments
		Yes	No	N/A	
12.1	Consult with the NSW Department of Industry (Division of Resources and Energy) when assessing applications for land use changes (strategic land use planning, rezoning and planning proposals) and new development or expansions.			N/A	
12.2	Protect areas of mineral and energy resources potential in the region through local land use strategies and local plans.			N/A	
12.3	Protect infrastructure that facilitates mining industries from development that could affect current or future extraction.			N/A	
12.4	Support communities that are transitioning out of mining operations to manage changes in population and demand for service delivery and explore new economic opportunities.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail any exploration licenses held over the land to which the proposal applies.

Note: Consultation with the NSW Department of Industry (Division of Resources and Energy) may be required.

Direction 13: Manage and conserve water resources for the environment

No	Action	Consistent			Comments
		Yes	No	N/A	
13.1	Locate, design, construct and manage new developments to minimise impacts on water catchments, including downstream and groundwater sources.			N/A	Would be assessed with any development application
13.2	Minimise the impacts of development on fish habitat, aquaculture and waterways (including watercourses, wetlands and riparian lands) and meet the Water Quality and River Flow Objectives.			N/A	
13.3	Adopt an integrated approach to water cycle management across the region, taking into account climate change, water security, sustainable demand and growth, and the natural environment.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail any impacts on land identified as groundwater vulnerable.

Note: Consultation with NSW Water may be required.

Direction 14: Manage land uses along key river corridors

No	Action	Consistent			Comments
		Yes	No	N/A	
14.1	Prepare and implement a waterfront management strategy for the Murray River.			N/A	
14.2	Retain riverfront setback provisions in local plans and limit ribbon development along the Murray River.			N/A	
14.3	Consider and assess the potential impacts of new development on biodiversity along river corridors, including the Murray and Murrumbidgee Rivers, and manage offsets.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- the consideration and consistency with the Waterfront Management Strategy, when finalised; and
- the consideration of the existing riverfront setback provisions of the applicable Local Environmental Plan.

Direction 15: Protect and manage the region's many environmental assets

No	Action	Consistent			Comments
		Yes	No	N/A	
15.1	Protect high environmental value assets through local plans			N/A	
15.2	Minimise potential impacts arising from development in areas of high environmental value, and consider offsets or other mitigation mechanisms for unavoidable impacts.			N/A	
15.3	Improve the quality of, and access to, information relating to high environmental values.			N/A	
15.4	Protect Travelling Stock Reserves in local land use strategies.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail consideration of the potential impacts of the proposal on land identified as being of high environmental value.

Direction 16: Increase resilience to natural hazards and climate change

No	Action	Consistent			Comments
		Yes	No	N/A	
16.1	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.	Yes			Refer to consideration land contamination in appendix 3 of this planning proposal The subject site is located within the South Deniliquin flood levee and is not located within a bushfire prone area.
16.2	Incorporate the findings of the Riverina Murray Enabling Regional Adaptation Project to inform future land use planning decisions.			N/A	
16.3	Adopt a whole-of-government approach to information exchange on climate change adaptation and preparedness.			N/A	
16.4	Respond to climate-related risks by applying and communicating fine-scale climate information to support decision-making.			N/A	
16.5	Implement the requirements of the NSW Floodplain Development Manual by updating flood studies and floodplain risk management plans.			N/A	
16.6	Incorporate the best available hazard information in local plans, consistent with, current flood studies, flood planning levels, modelling and floodplain risk management plans.			N/A	
16.7	Update and share current information on environmental assets and natural hazards with councils to inform planning decisions.			N/A	
16.8	Manage the risks of disturbance in areas affected by natural occurring asbestos.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- where a proposal relates to Flood Prone Land, consistency with a current flood study endorsed by the Office of Environment and Heritage;

Notes:

- Referral to NSW RFS may be required to comply with Section 117 Direction 4.4 Planning for Bushfire Protection
- Refer to the EPA website for more information on identification, management and regulation of contaminated land: <http://www.epa.nsw.gov.au/clm/>
- A planning proposal must address SEPP 55 – Remediation of Land, Part 6 Contamination and remediation to be considered in zoning or rezoning proposal.

Direction 17: Transform the region into the eastern seaboard's freight and logistics hub

No	Action	Consistent			Comments
		Yes	No	N/A	
17.1	Strategically locate freight and logistics hubs to support further industry development.			N/A	
17.2	Support the ongoing performance of existing freight and logistics facilities, particularly those in the regional cities of Albury, Wagga Wagga and Griffith.			N/A	
17.3	Protect freight and logistics facilities from the encroachment of inappropriate land uses.			N/A	
17.4	Target opportunities for new freight and logistics facilities in areas that maximise the use of available industrial land, access to transport and specific labour market requirements.			N/A	

Direction 18: Enhance road and rail freight links

No	Action	Consistent			Comments
		Yes	No	N/A	
18.1	Identify the regional freight network (including key nation, State, regional and local roads and the rail network).			N/A	
18.2	Prioritise projects that address impediments to the regional freight network to improve capacity and opportunities in the network.			N/A	
18.3	Assess the viability of local bypasses and identify and protect future bypass corridors in strategies.			N/A	
18.4	Identify, coordinate and prioritise the delivery of local and regional road projects that help support the regional freight network.			N/A	

18.5	Protect freight and transport corridors from the encroachment of incompatible land uses.	N/A
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Direction 19: Support and protect ongoing access to air travel

No	Action	Consistent			Comments
		Yes	No	N/A	
19.1	Protect airports from the encroachment of incompatible development, including airports in Wagga Wagga, Albury, Griffith and Narrandera.			N/A	
19.2	Support the continued allocation of 20 percent of flight slots at Sydney airport to regional NSW services and seek a greater allocation in peak periods.			N/A	

Direction 20: Identify and protect future transport corridors

No	Action	Consistent			Comments
		Yes	No	N/A	
20.1	Work with the Australian Government to finalise planning, engineering design and assessment of the Melbourne-Brisbane Inland Rail Corridor.			N/A	
20.2	Work with the Australian Government to plan for future high-speed rail corridors in the region.			N/A	

Direction 21: Align and protect utility infrastructure investment

No	Action	Consistent			Comments
		Yes	No	N/A	
21.1	Monitor development and ensure that infrastructure is responsive to investment opportunities.			N/A	
21.2	Investigate opportunities for new funding models for utility infrastructure.			N/A	
21.3	Protect the function of the defence communication facilities in Wagga Wagga, Lockhart, Federation and Narrandera.			N/A	

21.4	Provide sufficient space for cemeteries and cremation by identifying appropriate site sin local land use strategies.	N/A
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Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- consideration of the infrastructure needs associated with the proposal; and
- compliance with any relevant defence communication facility buffer distances.

Direction 22: Promote the growth of regional cities and local centres

No	Action	Consistent		Comments
		Yes	No	
22.1	Coordinate infrastructure delivery across residential and industrial land in the regional cities.			N/A
22.2	Consider the role, function and relationship between regional cities and centres in local land use strategies.			N/A
22.3	Protect strategic defence establishments in Albury and Wagga Wagga and encourage compatible adjoining land uses.			N/A
22.4	Improve transport in regional cities and their connections with regional communities.			N/A
22.5	Work with local Councils local transport operators and community transport providers to identify opportunities and plan for a range of flexible transport options/models to meet specific local needs.			N/A
22.6	Improve access to regional cities and connections out of the region.			N/A

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- adequate justification for out-of-centre development using supply and demand analysis;
- consistency with an endorsed local strategy;
- how the proposed location for a new centre:
 - Integrates with existing or planned residential development;

- Promotes quality urban design; and
- Considers transport and accessibility requirements.

Direction 23: Build resilience in towns and villages

No	Action	Consistent			Comments
		Yes	No	N/A	
23.1	Update the Strengthening Rural Communities: Resource Kit.			N/A	
23.2	Work with councils to better understand the drivers of population change and implications for local communities.			N/A	
22.3	Conduct a pilot State agency and local government area roundtable meeting with Councils in the REROC area.			N/A	
22.4	Build drought resilience in rural communities by providing targeted support to primary producers and communities to improve preparedness and improve decision-making.			N/A	

Direction 24: Create a connected and competitive environment for cross-border communities

No	Action	Consistent			Comments
		Yes	No	N/A	
24.1	Work with the Victorian Government and cross-border councils to examine: <ul style="list-style-type: none"> • Barriers to and enablers of economic, housing and jobs growth; • Service delivery models; and • Infrastructure delivery, including transport infrastructure. 			N/A	
24.2	Work with the Victorian Government and adjoining Victorian Councils to develop a cross-border land and housing monitor.			N/A	
24.3	Examine opportunities to better standardise development provisions in NSW and Victorian particularly for seniors and affordable housing developments.			N/A	
24.4	Make travel across the NSW-Victorian border easier and more convenient for cross-border communities.			N/A	

Direction 25: Build housing capacity to meet demand

No	Action	Consistent			Comments
		Yes	No	N/A	
25.1	Prepare local housing strategies that provide housing choice and affordable housing.			N/A	
25.2	Facilitate increased housing choice, including townhouses, villas and apartments in regional cities and locations close to existing services and jobs.	Yes			The proposed development of the subject site will provide senior living housing in a centralised location in Deniliquin.
25.3	Align infrastructure planning with land release areas to provide adequate infrastructure.			N/A	
25.4	Locate higher-density development close to town centres to capitalise on existing infrastructure and to provide increased housing choice.	Yes			It is expected that the proposed development will be at a higher density than is currently provided for in Deniliquin.

Additional Supporting Notes

Relevant planning proposals are encouraged to detail any relationship with a release area identified in an endorsed local strategy.

Direction 26: Provide greater housing choice

No	Action	Consistent			Comments
		Yes	No	N/A	
26.1	Remove planning barriers to provide a range of low-care and independent seniors accommodation options across the region.	Yes			The rezoning of this land will allow for the development of the site for seniors' accommodation.
26.2	Promote opportunities for seniors and disability housing by reviewing the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 to identify opportunities to make it more applicable for private developers in regional areas.	Yes			The rezoning of this land will allow for the development of the site for seniors' accommodation in accordance with the Seniors Living SEPP.

26.3	Promote opportunities for retirement villages, nursing homes and similar housing needs of seniors in local land use strategies.	Yes	Whilst Council does not have a land use strategy, this planning proposal supports the opportunity for the development of a retirement village on the subject site.
26.4	Locate new housing for seniors in close proximity to existing services and facilities, and on land free from hazards.	Yes	Refer to previous comments regarding hazards. The subject site is located within the vicinity of CBD and as such has access to existing services and facilities such as shops, medical centre and community facilities.
26.5	Promote aging-in-place by adopting elements of Liveable Housing Australia's Liveable Housing Design Guidelines in development controls for housing, where possible.	Yes	The development is for seniors housing.
26.6	Release guidelines to help councils plan and manage seasonal and itinerant worker accommodation.		N/A
26.7	Promote incentives to encourage greater housing affordability, including a greater mix of housing in new release areas.		N/A

Direction 27: Manage rural and residential development

No	Action	Consistent			Comments
		Yes	No	N/A	
27.1	Enable new rural residential development only where it has been identified in a local housing strategy prepared by council and approved by the Department of Planning and Environment.			N/A	
27.2	Locate new residential areas: <ul style="list-style-type: none"> In close proximity to existing urban settlements to maximise the efficient use of existing infrastructure and services and social and community infrastructure. 			N/A	

	<ul style="list-style-type: none"> To avoid or minimise the potential for land use conflicts with productive, zoned agricultural land and natural resources; and To avoid areas of high environmental, cultural and heritage significance, important agricultural land or areas affected by natural hazards. 	
27.3	Manage land use conflict that can result from cumulative impacts of successive development decisions.	N/A

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- How the proposal is supported by any endorsed local strategic land use plan, and
- How the proposal is consistent with any endorsed local strategic land use plan.

Direction 28: Deliver healthy built environments and improved urban design

No	Action	Consistent			Comments
		Yes	No	N/A	
28.1	Release regional urban design guidelines to create healthy built environments and guide local decision-making.			N/A	
28.2	Promote high-quality open spaces that support physical activity, including walking and cycling networks in the design of new communities.	Yes			The subject site is within the vicinity of open space in Deniliquin such as Waring Gardens and the lagoons walk.
28.3	Reflect local built form, heritage and character in new housing developments.			N/A	To be determined at DA stage.
28.4	Incorporate water sensitive design in new development.			N/A	To be determined at DA stage.

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- How the proposal is supported by any endorsed local strategic land use plan, and
- How the proposal is consistent with any endorsed local strategic land use plan.

Direction 29: Protect the region's Aboriginal and historic heritage

No	Action	Consistent		Comments
		Yes	No	
29.1	Undertake and implement heritage studies, including regional Aboriginal cultural heritage studies, to inform local land use strategies.			N/A
29.2	Consult with Aboriginal people and the broader community to identify heritage values at the strategic planning stage.			N/A
29.3	Increase heritage protection and revitalise main streets and town centres, through community education and development incentives in local plans.			N/A
29.4	Recognise and conserve heritage assets that have community significance in local plans.			N/A
29.5	Provide resources for heritage advice to inform planning processes.			N/A

Additional Supporting Notes

Relevant planning proposals are encouraged to detail the results of any AHIMS search for the site.

APPENDIX 3

State Environmental Planning Policies

SEPP	Applicable	Comments
SEPP 21 Caravan Parks	N/A	Caravan parks are permissible in the B2 Local Centre zone.
SEPP 33 Hazardous and Offensive Development	N/A	-
SEPP 36 Manufactured Home Estates	N/A	The rezoning would result in a manufactured home estate being permissible on the subject site (clause 6 of the SEPP).
SEPP 50 Canal Estate Development	N/A	-
SEPP 55 Remediation of Land	Yes	<p>A preliminary site investigation (PSI) was completed as part of the consideration of DA86/17 due to the former railway activities on the site, demolition/removal of structures on site and fill material. The PSI was completed for Lot 2 DP1220715 and Lot 1 DP732067 however, DA86/17 related to Lot 2 DP1220715. DA86/17 was for the demolition of two railway platforms and turntable pit infrastructure and filling of the disused turntable, site remediation works and the installation of water and sewer connections.</p> <p>The PSI was reviewed in relation to Lot 2 DP1220715 and this particular DA. The PSI indicates the observations and test results for Lot 2 DP1220715, it does not appear that the subject site has contaminated soils on the site but the soil test results on the adjacent land (also owned by Council) indicate a level of heavy metal contamination is present. It should be noted that no groundwater investigations were completed for the PSI.</p>

		<p>The assessment concluded that the subject site appears to be suitable for the demolition of existing structures without further investigation.</p> <p>Further assessment of contamination issues will be required upon lodgement of DA for the development of the subject site and adjoining lot.</p>
SEPP 64 Advertising and Signage	N/A	The rezoning will result in a range of signs and advertising being permissible on the subject site.
SEPP 65 Design Quality of Residential Apartment Development	N/A	This SEPP will apply to the subject site where it is proposed that any building is at least 3 or more storeys and the building contains at least 4 or more dwellings.
SEPP 70 Affordable Housing (Revised Schemes)	N/A	-
SEPP (Affordable Rental Housing) 2009	N/A	This SEPP would not apply to the proposed development of this site for seniors' accommodation.
SEPP (Building Sustainability Index: BASIX) 2004	N/A	Future development of the site will be required to comply with BASIX.
SEPP (Concurrences and Consents) 2018	N/A	-
SEPP (Educational Establishments and Child Care Facilities) 2017	N/A	This SEPP would not apply to the proposed development of this site for seniors' accommodation.
SEPP (Exempt and Complying Development Codes) 2008	N/A	-
SEPP (Housing for Seniors of People with a Disability) 2004	Yes	A rezoning is required so that seniors housing under this SEPP will be permissible.

SEPP (Infrastructure) 2007	N/A	-
SEPP (Koala Habitat Protection) 2019	N/A	There are no trees on the site.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	-
SEPP (Primary Production and Rural Development) 2019	N/A	-
SEPP (State and Regional Development) 2011	N/A	-
SEPP (Vegetation in Non Rural Areas) 2017	N/A	-

Murray Regional Environmental Plan 2 (REP)

Clause 8 of the REP states that the planning principles must be considered when preparing a planning proposal being the aims, objectives and planning principles of this plan, any relevant River Management Plan, any likely effect of the proposed plan or development on adjacent and downstream local government areas and the cumulative impact of the proposed development on the River Murray (clause 9).

Planning Principles	Applicable	Comments
Aim of Plan		
To conserve and enhance the riverine environment of the River Murray for the benefit of all users.	N/A	The subject does not have river frontage and is located approximately 600m from the Edward River.
Objectives of the Plan		
To ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray.	N/A	Refer to comments above.

To establish a consistent and co-ordinated approach to environmental planning and assessment along the River Murray.	N/A	-
To conserve and promote the better management of the natural and cultural heritage values of the riverine environment of the River Murray.	N/A	Refer to comments above.
Planning Principles - Access		
The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported.	N/A	Refer to comments above.
Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only.	N/A	Refer to comments above.
Human and stock access to the River Murray should be managed to minimise the adverse impacts of uncontrolled access on the stability of the bank and vegetation growth.	N/A	Refer to comments above.
Planning Principles – Bank Disturbance		
Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.	N/A	Refer to comments above.
Planning Principles - Flooding		
Where land is subject to inundation by floodwater— (a) the benefits to riverine ecosystems of periodic flooding, (b) the hazard risks involved in developing that land, (c) the redistributive effect of the proposed development on floodwater,	N/A	The subject site is located within the South Deniliquin Flood Levee and is not within a flood planning area.

(d) the availability of other suitable land in the locality not liable to flooding, (e) the availability of flood free access for essential facilities and services, (f) the pollution threat represented by any development in the event of a flood, (g) the cumulative effect of the proposed development on the behaviour of floodwater, and (h) the cost of providing emergency services and replacing infrastructure in the event of a flood.		
Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources.	N/A	-
Planning Principles – Land Degradation		
Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats.	N/A	There is no significant vegetation on the site. Issues related to land degradation such as soil erosion etc can be assessed at the DA stage.
Planning Principles - Landscape		
Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species.	N/A	The subject site is not located within the riverine landscape.
Planning Principles – River Related Uses		

Only development which has a demonstrated, essential relationship with the river Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray.	N/A	The subject does not have river frontage and is located approximately 600m from the Edward River.
Development which would intensify the use of riverside land should provide public access to the foreshore.	N/A	Refer to comments above.
Planning Principles - Settlement		
<p>New or expanding settlements (including rural-residential subdivision, tourism and recreational development) should be located—</p> <p>(a) on flood free land,</p> <p>(b) close to existing services and facilities, and</p> <p>(c) on land that does not compromise the potential of prime crop and pasture land to produce food or fibre.</p>	N/A	-
Planning Principles – Water Quality		
All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients entering the River Murray and otherwise improve the quality of water in the River Murray.	N/A	Any future development of the subject site would be required to be connected to Council's stormwater system.
Planning Principles - Wetlands		
Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values.	N/A	-
Land use and management decisions affecting wetlands should—	N/A	

(a) provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland, (b) consider the potential impact of surrounding land uses and incorporate measures such as a vegetated buffer which mitigate against any adverse effects, (c) control human and animal access, and (d) conserve native plants and animals.		
River Management Plan		
Any relevant River Management Plan	N/A	-
Adjacent/Downstream Local Government Areas		
Any likely effect of the proposed plan or development on adjacent and downstream local government areas.	N/A	The subject does not have river frontage and is located approximately 600m from the Edward River.
Cumulative Impact		
The cumulative impact of the proposed development on the River Murray.	N/	Negligible impact on the River Murray on the basis of its distance from the Edward River.

APPENDIX 4
LOCAL PLANNING DIRECTIONS

Direction	Applicable	Comments
Employment and Resources		
1.1 Business and Industrial Zones	Yes	The planning proposal will increase land zoned for business by 1.2ha and is located within an existing B2 zoned area.
1.2 Rural Zones	N/A	-
1.3 Mining Petroleum Production and Extractive Industries	N/A	Permissibility of mining is determined by the SEPP (Mining, Petroleum Production and Extractive Industries) 2007.
1.4 Oyster Aquaculture	N/A	-
1.5 Rural Lands	N/A	-
Environment and Heritage		
2.1 Environment Protection Zones	N/A	-
2.2 Coastal Management	N/A	-
2.3 Heritage Conservation	N/A	-
2.4 Recreation Vehicle Areas	N/A	-
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	-

Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Yes	<p>This direction applies as the proposed rezoning of the land to B2 will permit residential development and in particular, seniors' accommodation.</p> <p>The planning proposal will broaden the choice of housing options available for the subject site (within the existing provisions of the B2 zone under the DLEP 2013 and the Seniors Living SEPP), is located in a central location and is within an existing serviced area.</p> <p>Clause 6.7 of the DLEP requires arrangements to be made for the provision of infrastructure to land and the planning proposal does not contain any provisions which will reduce the permissible residential density on land.</p>
3.2 Caravan Parks and Manufactured Home Estates	Yes	The planning proposal will result in caravan parks being permissible on the subject site. A manufactured home estate will also be permissible in accordance with SEPP36.
3.3 Home Occupations	Yes	Home occupations are permissible in the B2 Local Centre zone.
3.4 Integrating Land Use and Transport	No	Any inconsistency with this direction is considered to be of minor significance given that the subject site is located within an established urban area where linkages between transport and land use are well established.
3.5 Development Near Regulated Airports and Defence Airfields	No	The subject site is located approximately 2.4km of the Deniliquin airport (owned and operated by Council) and is within the OLS. Clause 6.6 of DLEP 2013 addresses development within OLS but it

		<p>does not include provisions around noise to the size and nature of the airport.</p> <p>Given the distance of the subject site from the airport, the nature of the operation of the airport and the dominance of single storey residential development in Deniliquin, any inconsistency with this direction is considered to be of minor significance.</p>
3.6 Shooting Rangers	N/A	-
3.7 Reduction in Non-Hosted Short Term Rental Accommodation Period	N/A	-
Hazard and Risk		
4.1 Acid Sulfate Soils	N/A	-
4.2 Mine Subsidence and Unstable Land	N/A	-
4.3 Flood Prone Land	Yes	<p>The planning proposal will rezone land from special uses to business.</p> <p>The subject site is located inside the South Deniliquin flood levee and is not located within a flood planning area.</p> <p>The planning proposal does not propose any changes to the flood planning controls.</p>
4.4 Planning for Bushfire Protection	N/A	-
Regional Planning		
5.1 Implementation of Regional Strategies	N/A	-

5.2 Sydney Drinking Water Catchment	N/A	-
5.3 Farmland of State and Regional Significance on the NSW Far Coast	N/A	-
5.4 Commercial and Retain Development along the Pacific Highway, North Coast	N/A	-
5.9 North West Rail Link Corridor Strategy	N/A	-
5.10 Implementation of Regional Plans	Yes	Refer to Appendix 2.
5.11 Development of Aboriginal Land Council land	N/A	-
Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The planning proposal does include any of the provisions listed in clause 4 of this direction.
6.2 Reserving Land for Public Purposes	Yes	The planning proposal does not include any reservation or proposals for reserving, public land.
6.3 Site Specific Provisions	N/A	The planning proposal allows for the rezoning of the subject site.
Metropolitan Planning		
7.1 Implementation of a Plan for Growing Sydney	N/A	-
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	-

7.3 Parramatta Road Corridor Urban Transformation Strategy	N/A	-
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	-
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	-
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	-
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	-
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N/A	-
7.9 Implementation of Bayside West Precincts 2036 Plan	N/A	-
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	-

APPENDIX 5
AHIMS SEARCH

Edward River Council

Edward River Council 180 Cressy Street
Deniliquin New South Wales 2710

Attention: Julie Rogers

Email: julie.rogers@edwardriver.nsw.gov.au

Date: 03 April 2020

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 2, DP:DP1220715 with a Buffer of 200 meters, conducted by Julie Rogers on 03 April 2020.

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. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.