

IRF20/5679

Gateway determination report – PP-2021-2643

Rezone land from R5 Large Lot Residential and RU5
Village to IN1 General Industrial, Jarick Way, Jindera

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans

Greater Hume Council Ordinary Council Meeting Agenda and Minutes – 18 November 2020

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	LGA name
PPA	Greater Hume Shire Council
NAME	Rezone land from R5 Large Lot Residential and RU5 Village to IN1 General Industrial, Jarick Way, Jindera (0 homes, industrial related jobs)
NUMBER	PP-2021-2643
LEP TO BE AMENDED	Greater Hume Local Environmental Plan (GHLEP) 2012
ADDRESS	Jarick Way, Jindera
DESCRIPTION	Multiple
RECEIVED	31/03/2021
FILE NO.	IRF20/5679
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes on Page 4. It adequately explains the intent of the proposal.

The objective of the planning proposal is to provide appropriately zoned land for the growth of the Jindera industrial estate. This is in response to recent increased demand for industrial land within the estate.

The objectives and intended outcomes of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Greater Hume LEP 2012 per the changes in Table 3 below:

Table 3 Current and proposed controls

Control	Current	Proposed
---------	---------	----------

Zone	R5 Large Lot Residential and RU5 Village	IN1 General Industrial
Minimum lot size	3,000 m ² (R5 part only)	N/A
Number of dwellings	N/A	0
Number of jobs	N/A	Industrial related jobs

The subject land is also partially affected by local heritage and terrestrial biodiversity provisions of GHLEP 2012. The planning proposal does not seek changes these provisions.

The planning proposal contains an explanation of provisions on page 2 that adequately explains how the objectives of the proposal will be achieved, as stated below:

- Insert zone IN1 General Industrial under the Land Use Table as per Table 4 below.
- Amend the Land Zoning Map – Sheet LZN_002C to show the subject land as zoned IN1 General Industrial; and
- Amend the Minimum Lot Size Map – Sheet LSZ_002C to remove the 4,000m² minimum lot size that applies to the subject land.

The planning proposal proposes to use the Standard Instrument LEP definitions for the IN1 General Industrial zone. In addition to the Standard Instrument LEP definition it also proposes an 'open zone' land use table as well as permitting the following 'child' land use definitions (shown in red).

The explanation of provision has been clearly articulated, no justification or discussion has been provided to support the additional proposed land use definitions or the use of the open zone. It is considered that the land use table is appropriate, as it will provide the necessary flexibility for the precinct and does not propose any uses that are not compatible with the listed objectives. Council have also listed a number of uses (shown in red below) that will be prohibited in the new zone. The planning proposal intends to formalise and protect the Jindera Industrial Estate, by removing the opportunity for residential and standard commercial uses (such as retail, business and office premises).

Table 4 Proposed IN1 General Industrial land use table

Zone IN1 General Industrial
<p>1 Objectives of zone</p> <ul style="list-style-type: none"> • To provide a wide range of industrial and warehouse land uses. • To encourage employment opportunities. • To minimise any adverse effect of industry on other land uses. • To support and protect industrial land for industrial uses.
<p>2 Permitted without consent</p> <p>Environmental protection works; Roads</p>

Zone IN1 General Industrial

3 Permitted with consent

Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; **Kiosks; Landscape material supplies;** Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; **Plant nurseries; Rural supplies; Storage premises; Take-away food and drink premises;** Tank-based aquaculture; **Timber yards; Vehicle body repair workshop; Vehicle repair station; Vehicle sales or hire premises;** Warehouse or distribution centres; Any other development not specified in item 2 or 4.

4 Prohibited

Agriculture; Air transport facilities; Amusement centres; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correction centres; Early education and care facility; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes, Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Home businesses; Home occupations; Home occupation (sex services); Information and education facilities; Pond-based aquaculture, Recreation facilities (major); Registered clubs; Residential accommodation; Respite day care centres; Tourist and visitor accommodation; Wharf or boating facilities; Water recreation structures;

The explanation of provisions is clear and does not require amendment prior to public exhibition.

1.4 Site description and surrounding area

The subject land comprises Lot 113 DP1238348, addressed as 32 Jarick Way, Jindera (also known as 47 Hawthorn Road, Jindera) and all land contained within the existing Jindera Industrial Estate (see Figure and Table 4). The site is irregular in shape and has an area of approximately 61 ha. The site is mostly cleared of vegetation except for a strip of native species that forms part of a significant vegetative buffer to Urana Road on the western side and a single planted windbreak of non-native species in the centre. With exception of Lot 113 which is currently vacant, the site has been largely developed for various industrial purposes. An archaeological site identified as “*Hawthorn Cottage (ruin)*” in GHLEP 2021 is located at the southern boundary of the site.

The site is surrounded by a mix of residential and rural land uses (see Figure 2). Land immediately adjoining the site in all directions is zone RU4 Primary Production Small Lots with land uses that are not incompatible with industrial development. The land located nearby to the north-western corner of the site is zoned R2 Low Density Residential. The portion of land is adjacent the existing developed industrial area and is separated from the site by the Urana Road which provides a buffer.

Table 5 Lots contained in the subject land

Property address	Lot and DP Number
1 Davis Street, Jindera	Lot 1, DP1155032
2 Davis Drive, Jindera	Lot 12, DP264628
3 Davis Street, Jindera	Lot 42, DP1071093
4 Davis Drive, Jindera	Lot 11, DP264628
5 Davis Street, Jindera	Lot 46, DP1071093

Property address	Lot and DP Number
6 Davis Drive, Jindera	Lot 10, DP264628
8 Davis Drive, Jindera	Lot 16, DP1006644
10 Davis Drive, Jindera	Lot 35, DP1063377
12 Davis Drive, Jindera	Lot 43, DP1071093
14 Davis Drive, Jindera	Lot 44, DP1071093
16 Davis Drive, Jindera	Lot 9, DP1164647
2 Scholz Street, Jindera	Lot 13, DP264628
1-3 Begg Drive, Jindera	Lot 37, DP1071093
2 Begg Drive, Jindera	Lot 2, DP1144967
4 Begg Drive, Jindera	Lot 3, DP1144967
6 Begg Drive, Jindera	Lot 41, DP1071093
7 Begg Drive, Jindera	SP78594
9-11 Begg Drive, Jindera	Lot 39, DP1071093
13-15 Begg Drive, Jindera	Lot 4032, DP1264061
1 Stockwell Road, Jindera	Lot 1, DP264628
2 Stockwell Road, Jindera	Lot 8, DP264628
3 Stockwell Road, Jindera	Lot 2, DP264628
4 Stockwell Road, Jindera	Lot 7, DP264628
5 Stockwell Road, Jindera	Lot 3, DP264628
6 Stockwell Road, Jindera	Lot 6, DP264628
7 Stockwell Road, Jindera	Lot 4, DP264628
8 Stockwell Road, Jindera	Lot 29, DP1063377
9 Stockwell Road, Jindera	Lot 5, DP264628
10 Stockwell Road, Jindera	Lot 30, DP1063377
10A Stockwell Road, Jindera	Lot 12, DP1159866
10B Stockwell Road, Jindera	Lot 11, DP1159866
13 Stockwell Road, Jindera	Lot 21, DP1058386
13 Stockwell Road, Jindera	Lot 22, DP1058386
14 Stockwell Road, Jindera	Lot 33, DP1063377

Property address	Lot and DP Number
17 Stockwell Road, Jindera	Lot 24, DP1063377
19 Stockwell Road, Jindera	Lot 25, DP1063377
21 Stockwell Road, Jindera	Lot 1, DP1165491
21A Stockwell Road, Jindera	Lot 2, DP1165491
23 Stockwell Road, Jindera	Lot 27, DP1063377
25 Stockwell Road, Jindera	Lot 28, DP1063377
Scholz Street, Jindera	Lot 14, DP264628
Jarick Way, Jindera	Lot 114, DP1238348
1 Jarick Way, Jindera	Lot 112, DP1238348
2 Jarick Way, Jindera	Lot 100, DP1238348
6 Jarick Way, Jindera	Lot 101, DP1238348
11 Jarick Way, Jindera	Lot 111, DP1238348
14 Jarick Way, Jindera	Lot 102, DP1238348
15 Jarick Way, Jindera	Lot 110, DP1238348
18 Jarick Way, Jindera	Lot 103, DP1238348
19 Jarick Way, Jindera	Lot 109, DP1238348
21 Jarick Way, Jindera	Lot 108, DP1238348
22 Jarick Way, Jindera	Lot 104, DP1238348
25 Jarick Way, Jindera	Lot 107, DP1238348
26 Jarrick Way, Jindera	Lot 105, DP1238348
27 Jarick Way, Jindera	Lot 106, DP1238348
32 Jarick Way, Jindera	Lot 113, DP1238348

Source: Planning proposal, December 2020



Figure 1 Subject site (source: Planning proposal, December 2020)

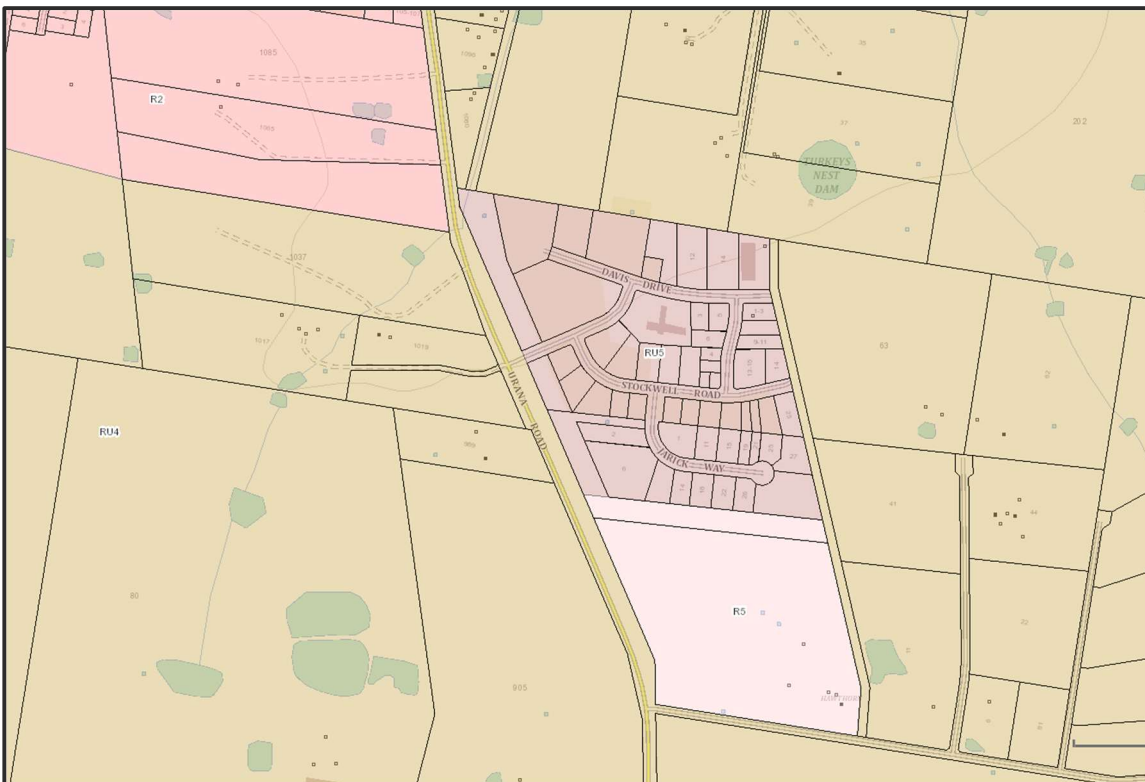


Figure 2 Site context (source: ePlanning Spatial Viewer, April 2021)

1.5 Mapping

The planning proposal requires amendment to LEP map sheets LZN_002C and LSZ_002C.

The planning proposal includes maps that adequately show the existing and proposed zoning and MLS of the subject land (see Figures 3 & 4). The maps are suitable for community consultation.

Other maps partially affecting the subject land are Terrestrial Biodiversity, Bushfire Prone Land and Heritage mappings. The planning proposal does not propose any changes to these and as such not considered necessary for inclusion in this report.



Figure 3 Current and proposed zoning map (source: Planning proposal, December 2020)

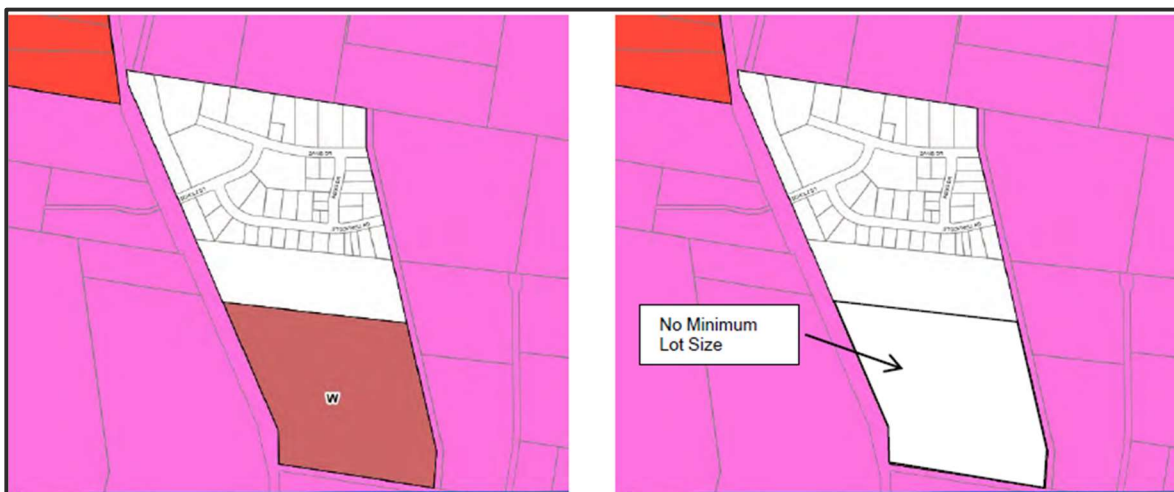


Figure 4 Current and proposed MLS map (source: Planning proposal, December 2020)

1.6 Background

- The planning proposal was initially submitted to DPIE in November 2020 seeking Gateway Determination to rezone Lot 113 to RU5 Village to support industrial development
- Following initial review, it was determined that the proposed RU5 Village zone did not adequately support the intended outcome of the proposal.

- On 3 December 2020, DPIE requested for additional information asking Council to consider alternative zone that can adequately support the intended outcome of the planning proposal.
- On 15 March 2021, Council lodge amended planning proposal via the Online Planning Proposal Portal seeking to rezone an expanded subject land, which comprises Lot 113 and land within Jindera Industrial Estate to IN1 General Industrial.

2 Need for the planning proposal

Justification for the proposed amendment has been provided in Part 3, Section A (pages 3-4) of the planning proposal.

The planning proposal is not a direct result of a recent strategic study, rather a response to growing demand for industrial land and the need to appropriately support/reflect existing and future industrial development in the Jindera Industrial Estate.

The proposal is consistent with the Greater Hume Strategic Land Use Plan (SLUP), which identified Lot 113 as expansion site for the Jindera Industrial Estate (see Figure 5). The planning proposal indicates that this site was rezoned to R5 Large Lot Residential circa 2015 following industrial land analysis which found that demand for land at the estate was soft. However, no steps have been taken to develop for residential purposes since the rezoning.

In recent times however, there has been high demand for industrial land in the estate with all lots from a recent subdivision by Council *“either sold or on hold with sales pending”*. The planning proposal further states development approval has been granted for a six lot industrial subdivision on the remaining undeveloped portion of the industrial estate and that no there will be no appropriately zoned land available for industrial development in Jindera after these lots have been taken up and developed. This has prompted the need to rezone of the industrial estate and the adjoining R5 zoned land to IN1 General Industrial to meet growing demand for industrial land and better support/reflect existing and future industrial development.

Although the current RU1 Village zone of the Jindera Industrial Estate allows for industrial land uses, it does not specifically support and protect the land for industrial development and creates potentials for land use conflicts. Moreover, industries are prohibited in the R5 Lot Large Residential Lot zone applied to Lot 113 while the current MLS of 4,000m² cannot appropriately support the varying requirements of different industrial developments, particularly, small industrial development. Therefore, it is agreed that there is the need for the planning proposal, and it is the best means for achieving the intended outcomes.

It is however considered that further evidence of industrial land demand in the inform of industrial development applications and vacant land transfer notifications is required to further strengthen the anecdotal industrial land demand information presented in the planning proposal. A condition has been recommended to this effect.

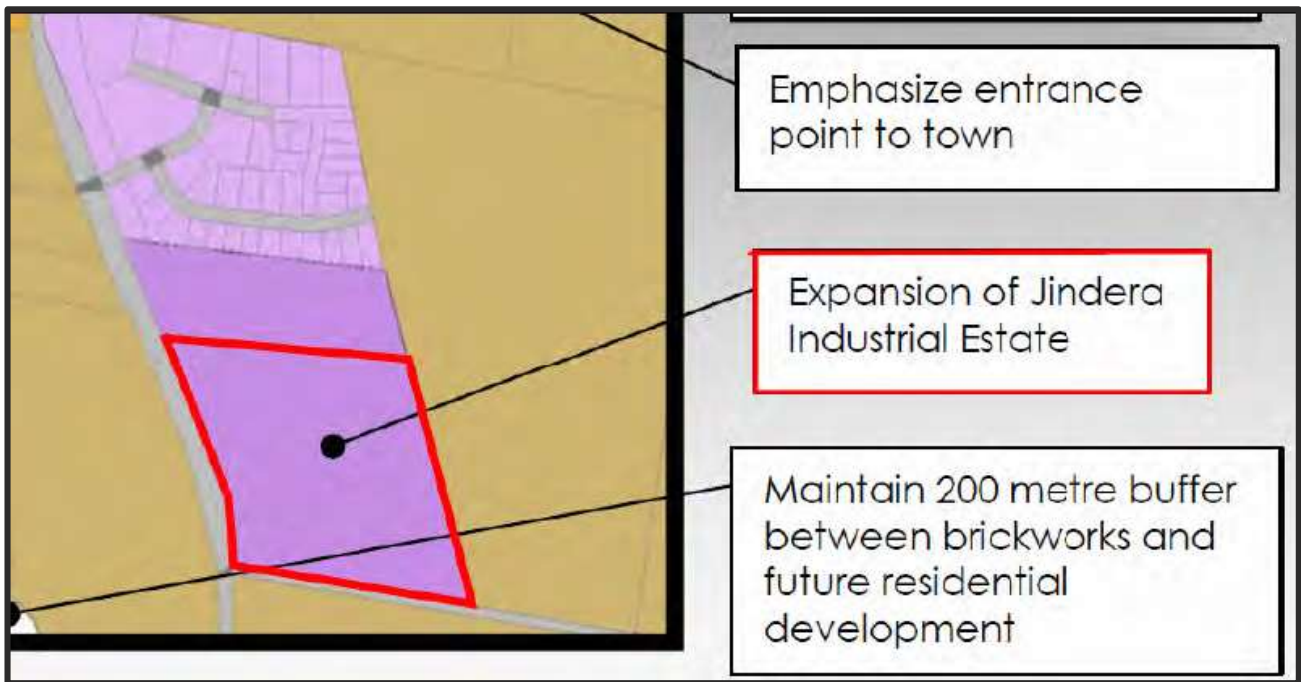


Figure 5 Subject land as depicted in the Greater Hume Strategic Land Use Plan (source: Planning proposal, December 2020)

3 Strategic assessment

3.1 Regional Plan

The planning proposal has undertaken an assessment against the Riverina Murray Regional Plan in Attachment A.

Table 6 provides an assessment of the planning proposal against relevant directions of the regional plan.

Table 6 Regional Plan assessment

Regional Plan Objectives	Justification
Direction 4 – Promote business activities in industrial and commercial areas	The planning proposal is consistent with this Direction as it supports and promotes growth of industrial activities in Jindera.
Direction 16: Increase resilience to natural hazards and climate change	This Direction is relevant as the north-eastern portion of the subject land is mapped as Vegetation Category 2 and Vegetation Buffer in Bushfire Prone Land map. However, any inconsistency is of minor significance as the affected area is already developed for industrial purposes and has therefore already considered matters regarding the requirements of Planning for Bushfire Protection Guidelines 2019 (or its predecessor). Any relevant bushfire prone land building requirements can be adequately assessed and addressed as part of future development application.

Direction 21 – Align and protect utility infrastructure investment.	The planning proposal is consistent with this Direction as the subject land is and/or can be adequately provided with urban infrastructure and services
Direction 22 – Promote the growth of regional cities and local centres.	The planning proposal is consistent with this Direction as it will support and promote the growth of Jindera by making available land for industrial development.
Direction 23: Build resilience in towns and villages	The proposal is consistent with this Direction as it facilitates industrial development which will help to attract new residents and economic development to build resilience of Jindera.
Direction 25: Build housing capacity to meet demand	The planning proposal is inconsistent with this Direction as it seeks to reduce residential land to industrial. However, this inconsistency is of minor significance as the subject land not considered suitable for residential development to potential land use conflict. Also, Council is preparing Residential Land Use Strategy for Jindera which is likely to identify new sites as suitable for residential development.
Direction 26: Provide greater housing choice	The planning proposal is inconsistent with this Direction as it seeks to reduce residential land to industrial. However, this inconsistency is of minor significance as the subject land is not considered suitable for residential development due to potential land use conflict from the existing industrial uses. Also, Council is preparing Residential Land Use Strategy for Jindera which is likely to identify new sites as suitable for residential development.
Direction 27 – Manage rural residential development	Although the planning proposal is inconsistent with this Direction because it seeks to reduce rural residential land (R5 zoned land), this is of minor significance as discussed under Direction 26 above.

3.2 Local

The proposal states that it is consistent with the local plans (pages 5-6). Table 7 provides assessment of the proposal against the relevant local strategic plans.

Table 7 Local strategic planning assessment

Local Strategies	Justification
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Local Strategic Planning Statement	<p>The planning proposal is consistent with the LSPS as it facilitates industrial development in Jindera. The planning proposal specifically relates to Planning Priority 6 – Supporting our industries – of the LSPS which seeks to:</p> <ul style="list-style-type: none"> • Support existing industrial land uses and precincts for freight and logistics, industry, warehousing and similar activities in locations that minimise amenity impacts. • Investigate opportunities for the expansion of existing and new industrial precincts in our townships that do not impact on residents. • Protect and recognise existing industrial precincts and uses to avoid any land use conflicts from future residential development • Encourage the co-location of complementary industry alongside agricultural enterprises that enhance the efficiency of the agricultural land use
Community Strategic Plan 2017-2030	The planning proposal is consistent with this plan as it supports the plan's objective of growing prosperous and diverse local businesses and economy. This is because the proposed rezoning will support and promote industrial development in Jindera.
Strategic Land Use Plan 2007-2030	The planning proposal is consistent with this plan which earmarks the subject land for industrial purposes.

3.3 Section 9.1 Ministerial Directions

The planning proposal has undertaken assessment against the applicable s9.1 Directions in Attachment C. The consistency of the planning proposal with relevant Directions is discussed in Table 8 below.

Table 8 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Business & Industrial Zones. The aim is to encourage employment growth in suitable location by protecting and supporting viability of employment land in business and industrial zones	Yes	This Direction is relevant as the planning proposal seeks to rezone land for industrial purposes. The planning proposal is consistent with this direction as it protects and expands industrial land to facilitate industrial development and employment growth within and adjacent existing industrial estate.

2.1 Environment Protection Zones. The aim is to protect and conserve environmentally sensitive areas.	No	This Direction is relevant as small strips of land along the eastern and western boundaries of the subject land are within the Terrestrial Biodiversity Map of GHLEP 2012. While the planning proposal does not seek to reduce the environmental protection standards that apply to the land, it does not include provisions that facilitate the protection and conservation of environmentally sensitive areas, and therefore partially inconsistent with the terms of this Direction. This inconsistency is of minor significance as most of the affected land is a road reserve or already developed and therefore unlikely to be impacted by future development from this planning proposal. In addition, existing provisions in the Terrestrial Biodiversity provisions in GHLEP are considered adequate for protecting and conserving the environmentally sensitive area within the subject land through the development assessment process.
2.3 Heritage Conservation. The aim is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	No	This Direction is relevant as an archaeological site identified as “Hawthorn Cottage (ruin)” is located at the southern boundary of the subject land. Although the planning proposal states that this item has been removed and a mounted plaque installed to mark the site, it is still considered inconsistent with the terms of this Direction as it does not contain provisions that facilitate the conservation of the heritage item. However, the inconsistency is of minor significance and justified as the archaeological item is identified and protected by the Heritage Conservation provisions under GHLEP 2012 which means its conservation can be adequately achieved through considerations of these provisions at the development application stage.
2.6 Remediation of Contaminated Land. The aim is to reduce the risk of harm to human health & the environment.	Yes	This Direction is relevant as the subject land could have been historically used for agricultural/rural activities that are potentially contaminating. However, the planning proposal is consistent with this Direction as it seeks to rezone the subject land for industrial purposes.

3.1 Residential Zones. The aim is to encourage housing diversity, maximise infrastructure and minimise impact of residential development.	No	The planning proposal is inconsistent with this Direction it seeks to reduce existing residential zone and a zone in which significant residential development is permitted. However, the inconsistency is of minor significance and justified as the planning proposal is consistent with GHSLUP which identified the land for industrial purposes. Moreover, the RU5 zoned land is already developed for industrial purposes (i.e. the rezoning is just to reflect actual uses) and the adjoining R5 zoned land is not suitably located for residential development due to potential land use conflict from the nearby industrial land uses. It is also noted that the ongoing Residential Land Use Strategy for Jindera will identify appropriate locations for residential purposes.
3.3 Home Occupations. The aim is to encourage the carrying out of low-impact small businesses in dwelling houses.	No	The planning proposal is inconsistent with this Direction as home occupations will be prohibited in the proposed IN1 General Industrial zone. The inconsistency is of minor significance as discussed under Direction 3.1 above.
3.4 Integrating Land Use and Transport. The aim is to ensure urban development achieves specified planning objectives.	Yes	This Direction applies as the proposal seeks to rezone the subject land to an industrial zone. The planning proposal is consistent with this Direction as it facilitates industrial development in an area with or in close proximity to established infrastructure and services.
4.4 Planning for Bushfire Protection. The aim is to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas and encourage sound management of these areas.	Yes	This Direction is relevant as the north-eastern portion of the subject land is mapped as Vegetation Category 2 and Vegetation Buffer in Bushfire Prone Land Map. The planning proposal is considered consistent with the terms of this Direction as the affected land is developed for industrial purposes which means the requirements of Planning for Bushfire Protection Guidelines 2019 (or its predecessor) have already been considered for this land. Moreover, any relevant bushfire prone land building requirements can be adequately assessed and addressed as part of future development applications on the affected land.
5.10 Implementation of Regional Plans. The aim is to give legal effect to the Regional Plans.	Yes	The Direction applies to all planning proposals. The proposal is largely consistent with the Direction (see discussion in Section 3.1 of this report).
6.1 Approval and Referral Requirements. The aim is to ensure LEP provisions encourage efficient and appropriate assessment of development	Yes	The Direction applies to all planning proposals. The proposal is consistent with the Direction as it does not intend to introduce any new referral or consultation requirements.

6.2 Reserving Land for Public Purposes. The aim is to reserve land for public purposes and facilitate the removal of reservations where land is no longer required for acquisition.

Yes

The Direction applies to all planning proposals. The proposal is consistent with the Direction as it does not intend to create, alter or reduce land reserved or zoned for public purposes.

3.4 State environmental planning policies (SEPPs)

The addendum to the planning proposal provides assessment of the proposal against the SEPPs in Attachment B (pages 19-22). SEPPs considered relevant to the planning proposal are:

- SEPP (Vegetation in Non-Rural Areas) 2017
- SEPP (Hazardous & Offensive Development) 1992
- SEPP (Koala Habitat Protection) 2021
- SEPP (Remediation of Land) 1998
- SEPP (Infrastructure) 2007

The planning proposal is not inconsistent with any of the objectives within the identified SEPPs above. The specific controls and provisions in each of the SEPPs are not relevant to determining the strategic merit of the planning proposal and may be considered as part of any future development applications on the land.

4 Site-specific assessment

The planning proposal provides site-specific assessment of the proposal in Section C, pages 6-9. The assessment is considered appropriate as discussed below.

4.1 Environmental

Table 9 provides an assessment of the potential environmental impacts associated with the proposal.

Table 9 Environmental impact assessment

Environmental Impact	Assessment
Natural environment	The subject land is mostly cleared of vegetation except for a strip of native species that forms part of a significant vegetative buffer to Urana Road on the western side and a single planted windbreak of non-native species in the centre. The planning proposal states that the native vegetation will be retained in future development as it is within a road reserve. It is considered that any vegetation removal and potential biodiversity impacts can be adequately assessed at DA stage.
Surrounding land uses	The subject land is mostly surrounded by rural land uses which are not incompatible with the intended industrial uses. The closest sensitive residential use is located more than 150m away and separated by a road. It is considered that amenity protection can be achieved through provisions of SEPP (Hazardous & Offensive Development) 1992 and Chapter 3 of the GHDCP relating to controls for industrial development.

4.2 Social and economic

Table 10 provides an assessment of the potential social and economic impacts associated with the proposal.

Table 10 Social and economic impact assessment

Social and Economic Impact	Assessment
Employment opportunities and population growth	The planning proposal will facilitate industrial development which will generate local employment opportunities. This may in turn attract new residents to Jindera to support and attract community and commercial services and build resilience of the town.
Heritage	The planning proposal states that the heritage item (<i>"Hawthorn Cottage (ruin)"</i>) located at the southern boundary of the subject land is only identified by a historic marker and there is no evidence of the cottage. It further reveals that the site is actually located within a drainage reserve along Urana Road and thus will not be affected by any future development. It is considered that conservation of the heritage item can be adequately achieved through the Heritage Conservation provisions under GHLEP 2012 at the development application stage.

4.3 Infrastructure

Table 11 provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal.

Table 11 Infrastructure assessment

Infrastructure	Assessment
Infrastructure and services	The existing Jindera Industrial Estate has adequate established infrastructure and services, and these can be extended to the expansion area. Detailed consideration can be undertaken at the development application stage.

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate , and forms to the conditions of the Gateway determination.

5.2 Agencies

The proposal does not specifically raise which agencies will be consulted. It is agreed that Council does not need to specifically consult with government agencies as part of the gateway

determination. Any necessary agency consultation can be undertaken at the development application stage.

6 Timeframe

Council's proposed timeframe to complete the LEP is not definitive as it does not provide time for certain stages in the plan making process. The planning proposal allocates a period of 22 weeks to complete the plan making tasks up to consideration of post exhibition submissions (see Page 11). However, no timelines have been provided for drafting, making and notification of the LEP.

The Department recommends a timeframe of 9 months to provide Council adequate time to complete the LEP while accomplishing its commitment to reduce processing times.

A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council does not request delegation to be the Local Plan-Making authority.

As the planning proposal is of local and low risk nature the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The proposal facilitates appropriate industrial development of the subject land without instigating any significant adverse environmental impact
- There are social and economic benefits to the local community
- The proposal is consistent with applicable local plans and SEPPs, as well as most of the relevant regional plan directions and s9.1 Directions.
- Inconsistencies with any regional plan directions and s9.1 Directions are minor and/or justified.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions 2.1 Environment Protection Zones, 2.3 Heritage Conservation, 3.1 Residential Zones and 3.3 Home Occupations are minor and/or justified

It is recommended the delegate of the Minister determines that the planning proposal should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - a) include the total land area of the subject land;
 - b) provide demand and supply analysis of industrial land in Jindera using industrial development approvals and land transfer notifications over the last 5 years.
2. Prior to community consultation, the planning proposal is to be revised to address condition 1 and forwarded to the Department for review and approval.
3. The planning proposal should be made available for community consultation for a minimum of 28 days.

4. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.
5. Given the nature of the proposal, Council should be the local plan-making authority.



____ (Signature)

15/04/2021____ (Date)

Haydon Murdoch

Manager, Western Region



____ (Signature)

19 April 2021 (Date)

Garry Hopkins

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