

17 Maidensmith Drive, Moama

AUGUST 2021

Amendment to Murray Local Environmental Plan 2011
Prepared on behalf of North East Survey Design

Prepared for

North East Survey Design

Contact

Habitat Planning
409 Kiewa Street
Albury NSW 2640
02 6021 0662
habitat@habitatplanning.com.au
habitatplanning.com.au

Habitat Planning Pty Ltd
ABN 29 451 913 703
ACN 606 650 837

The information contained in this document produced by Habitat Planning is solely for the use of the person or organisation for which it has been prepared. No section or element of this document may be removed from this document, reproduced, electronically stored or transmitted in any form without the written permission of Habitat Planning.

Project Number 21098

Document Control

REVISION NO	DATE OF ISSUE	AUTHOR	APPROVED
A	10/06/2021	Matthew Yeomans/ Matt Johnson	David Hunter
B	18/08/2021	Matthew Yeomans	David Hunter

Contents

1. Introduction.....	5
1.1. Overview.....	5
1.2. Scope and Format of Planning Proposal	5
1.3. Supporting Plans and Documentation.....	5
2. Site & Context Description	7
2.1. Site Context and Locality.....	7
2.2. Site Description	7
2.3. Surrounding Development and Built Form	8
3. Proposed Amendment	9
3.1. Objectives or Intended Outcomes	9
3.2. Explanation of Provisions	9
3.3. Justification.....	10
3.4. Mapping.....	18
3.5. Community Consultation	18
3.6. Project Timeline	19
4. Conclusion	21
Appendix A: Consistency with Riverina Murray Regional Plan 2036	22
Appendix B: Consistency with State Environmental Planning Policies.....	31
Appendix C: Consistency with Section 9.1 Ministerial Directions.....	40
Appendix D: Biodiversity Impact Assessment	51
Appendix E: Servicing Strategy.....	52

List of Figures

Figure 1: Context Map (Source: SixMaps)	7
Figure 2: Site Map (Source: Nearmap, 2020).....	8
Figure 3 Existing Minimum Lot Size Map	9
Figure 4 Proposed Minimum Lot Size Map	9
Figure 5 Strategic Land Use Plan for Moama indicating the subject land.....	13
Figure 6: Extract of Bushfire Prone Land Map (Source: NSW Planning Portal)	17

List of Tables

Table 1: Attachments to Planning Proposal	6
Table 2: Consideration of the Murray River Council Local Strategic Planning Statement	10
Table 3: Project Timeline (indicative)	19
Table 4: Consistency with Riverina Murray Regional Plan 2036.....	23
Table 5: Consistency with State Environmental Planning Policies.....	32
Table 6: Consistency with Section 9.1 Ministerial Directions	41

1. Introduction

1.1. Overview

The Planning Proposal has been prepared by Habitat Planning on behalf of North East Survey Design in support of an amendment to the *Murray Local Environmental Plan 2011* (MLEP 2011). Specifically, the Planning Proposal seeks to amend the Lot Size Map as it applies to 17 Maidensmith Drive Moama 2731 (Lot 17 DP 258661) by reducing the minimum lot size from 3,000m² down to 1,000m².

This report has been prepared to address the requirements of Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning, Industry and Environment's guidelines titled:

- *A Guide to Preparing Local Environmental Plans* (December 2018); and
- *A Guide to Preparing Planning Proposals* (December 2018)

This report will demonstrate that the proposed amendment to the MLEP 2011 is consistent with the intent and objectives of the planning frameworks and strategic plans and policies. Consequently, this will provide both Council and the NSW Department of Planning, Industry and Environment (DPIE) with the confidence to endorse the proposed amendment as sought by this Planning Proposal.

1.2. Scope and Format of Planning Proposal

The Planning Proposal details the merits of the proposed change to the MLEP 2011 and has been structured in the following manner:

- Section 1.0 provides an introduction to the Planning Proposal;
- Section 2.0 provides a description of the site, its context and existing development, including identification of the land to which the changes are proposed;
- Section 3.0 identifies the planning framework applicable to the site and considers the Planning Proposal against the relevant strategic plans and policies. This section also contains the Planning Proposal, prepared in accordance with the matters to be considered in the Department of Planning's document titled *A Guide to Preparing Planning Proposals*; and
- Section 4.0 provides the conclusions and recommendations to proceed with the Planning Proposal to Gateway Determination to amend MLEP 2011.

1.3. Supporting Plans and Documentation

The Planning Proposal has been prepared with input from a number of technical documents and investigations which have been prepared to accompany the application. These documents are included as attachments to this report and are identified in **Table 1**.

Table 1: Attachments to Planning Proposal

Document Name	Prepared by
Consistency with State Environmental Planning Policies	Habitat Planning
Consistency with Section 9.1 Ministerial Directions	Habitat Planning
Consistency with Riverina Murray Regional Plan 2036	Habitat Planning
Biodiversity Impact Assessment	Steve Hamilton
Servicing Strategy	North East Survey Design

2. Site & Context Description

2.1. Site Context and Locality

The subject land to which this Planning Proposal relates is described as Lot 17 DP258661 and addressed as 17 Maidensmith Drive, Moama.

The subject site is located within an Urban Release Area located north-west of the Moama town centre. The location of the site is shown at **Figure 1**.

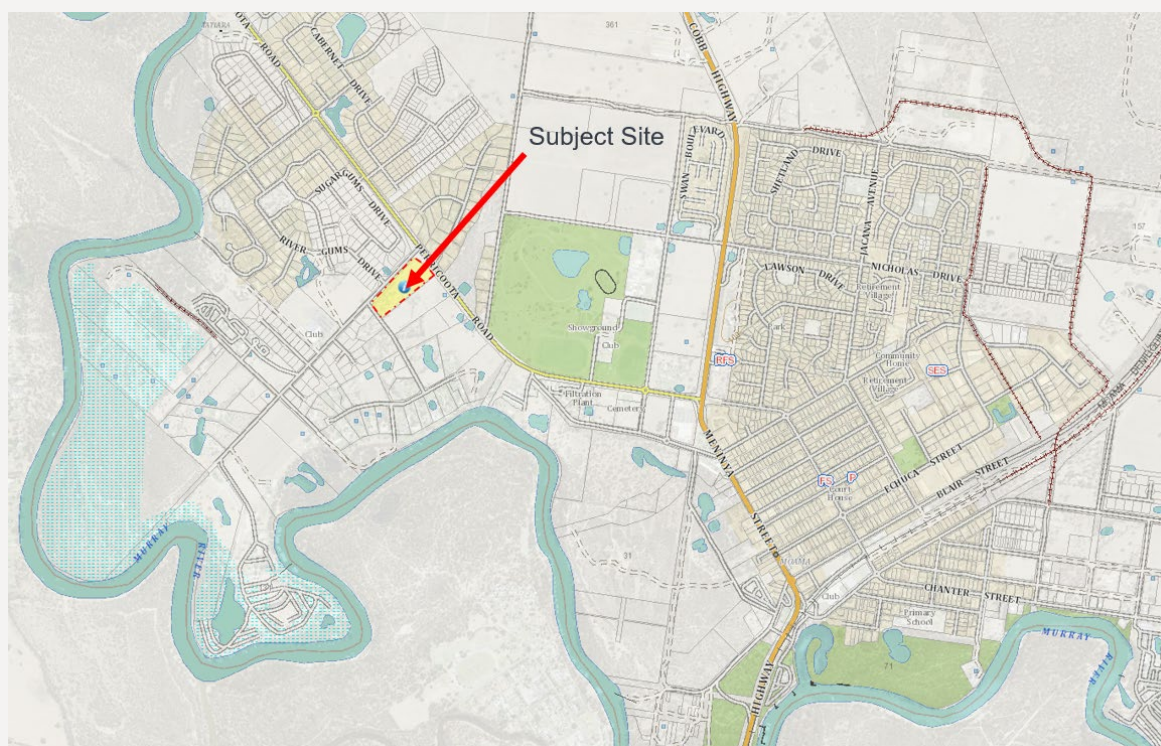


Figure 1: Context Map (Source: SixMaps)

2.2. Site Description

The subject land is located on the corner of Merool Road, Maidensmith Drive and Perricoota Road within a low density residential zone to the north west of Moama's town centre. The property is generally rectangular in shape and has a total area of approximately 3.08 hectares.

The land is improved with an existing dwelling and is surrounded by both remnant and planted vegetation primarily along the driveway and perimeter of the site. The topography of the land is generally flat and contains no significant landforms.

An aerial image of the property is provided in **Figure 2**.



Figure 2: Site Map (Source: Nearmap, 2020)

2.3. Surrounding Development and Built Form

The subject site is located within a greenfield housing area that has seen a dramatic change over the past 5-10 years.

To the north west of the site are several recently constructed residential subdivisions with lots ranging in size from 1000-1500m². The subsequent houses that have been constructed on this land have all been developed over the past 5 years. The land to the north and north east of the site contains large lot residential development, as well as a reserve which is heavily vegetated and contains a stormwater drainage basin.

The land to the south and south east of the site has been developed for residential purposes with lot sizes ranging from low density residential lots (approximately 1,500m² in size) up to larger semi-rural style lots (approximately 7,000m² in size) that have frontage to the Murray River. Land located further south along Merool Road contains the Moama RSL Club, Discovery Parks Moama, Morrisons Winery, as well as the Merool Holiday Park.

3. Proposed Amendment

This section of the report addresses the Department of Planning's document titled *A Guide to Preparing Planning Proposals* and Section 3.33 of the EP&A Act.

3.1. Objectives or Intended Outcomes

The objective of this Planning Proposal is to amend the minimum lot size controls that apply to the subject land, which will facilitate the development of the land for low density residential purposes consistent with the established and emerging residential character of the area.

A key outcome of the amendment is to add to the supply of residential land in Moama and provide additional housing choice for future residents. The intention of the Planning Proposal is to respond to the strong demand for residential land currently being experienced in Moama, which will add to the currently limited supply.

The amendment to the minimum lot size controls would facilitate the development of additional housing in line with Council's adopted land-use strategies, policies and Urban Release Area provisions relating to the site.

3.2. Explanation of Provisions

The intended outcomes discussed above and within this report will be achieved by amending the MLEP as follows:

- a) Amend the *Murray Local Environmental Plan 2011 – Lot Size Map (LSZ_006B)* as it relates to Lot 17 DP258661 and addressed as 17 Maidensmith Drive, Moama from a minimum lot size of 3,000m² to a minimum lot size of 1,000m².

An extract of the existing and proposed *Lot Size Maps* is contained within Figures 3 and 4.

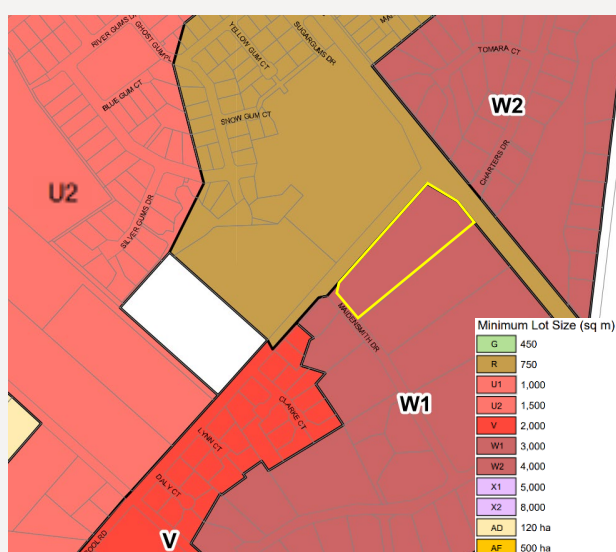


Figure 3 Existing Minimum Lot Size Map

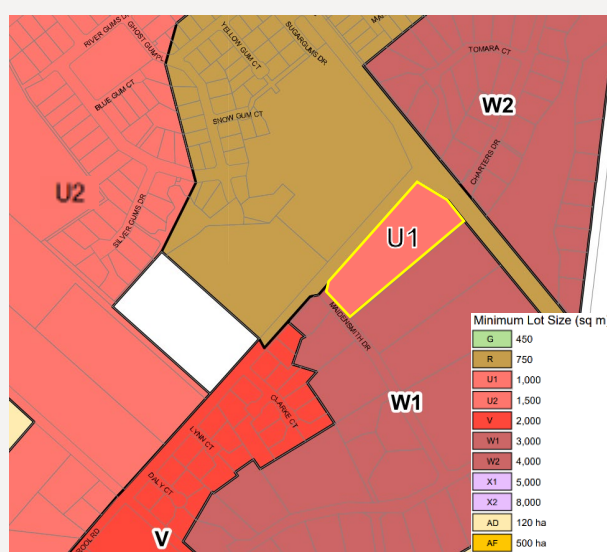


Figure 4 Proposed Minimum Lot Size Map

3.3. Justification

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, identifies the strategic planning context and outlines what the community benefit will be.

3.3.1. Section A – Need for a Planning Proposal

Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The subject Planning Proposal has been prepared consistent with the recommendations and actions contained within the *Murray River Council Local Strategic Planning Statement 2020-2040*, as well as other strategic studies and reports prepared by Council.

Further details regarding these strategic plans are provided below.

Murray River Council Local Strategic Planning Statement

The *Murray River Council Local Strategic Planning Statement 2020-2040* (LSPS) establishes Council's 20-year vision for land use planning and growth focusing on the key themes of social, environmental and economic considerations. The LSPS establishes the community's priorities and aspirations which will guide Council's planning decisions on future land use activities.

The LSPS will inform future reviews of Council's Local Environmental Plan (LEP) and Development Control Plan (DCP), as well as identifying strategic planning investigations required to support future development.

The LSPS is based on three key themes as follows:

- A robust, growing and innovative economy.
- Liveable communities with social capital.
- Environment, heritage and climate change.

An assessment of the Planning Proposal against the objectives and actions of these planning priorities is provided in Table 2.

Table 2: Consideration of the Murray River Council Local Strategic Planning Statement

Priority	Applicable to the Planning Proposal	Comment
Theme 1 – A robust, growing, and innovative economy		
Priority 1 – Grow, strengthen and sustain agriculture	Not applicable to the subject Planning Proposal	Not applicable
Priority 2 – Grow and strengthen tourism	Not applicable to the subject Planning Proposal	Not applicable

Priority	Applicable to the Planning Proposal	Comment
Priority 3 – Create an ‘open-for-business’ identity	Not applicable to the subject Planning Proposal	Not applicable

Theme 2 – Liveable Communities with Social Capital

Priority 4 – Housing growth, supply and density	Yes, as the Planning Proposal seeks to increase residential land supply.	<p>The Planning Proposal aligns with the vision of Planning Priority 4 as it:</p> <ul style="list-style-type: none"> will provide additional residential housing in an area that is currently serviced by Council's infrastructure. is not constrained by any natural hazards such as flooding. does not involve land identified as important biodiversity or cultural heritage value. does not involve land identified as being of high productive agricultural value given its current zoning and use. increases the range and type of residential densities consistent with adjoining residential developments. responds to the high level of demand for residential land and a lack of supply. Council have communicated to the proponent that this high level of demand and lack of supply is evidence based, however the data is not public available at this stage and will be tested and modelled with the current Housing Strategy that is being produced by Murray River Council. <p>The proposal also aligns with the recommendations of the <i>Murray Shire Land Use Strategy 2010-2030</i>. See below for further details.</p>
Priority 5 – Recreation and open space	Yes, as the Planning Proposal seeks to develop land for urban purposes.	The Planning Proposal is consistent with the objectives and actions of this Planning Priority as the land is centrally located and has good access to nearby local recreational facilities.
Priority 6 – Servicing and utility infrastructure	Yes, as the Planning Proposal seeks to better utilise urban zoned land.	<p>The Planning Proposal is consistent with the objectives and actions of this Planning Priority as the subject land is centrally located and has access to all relevant infrastructure and services.</p> <p>By reducing the minimum lot size applicable to the land, this will ensure that infrastructure is better and more efficiently utilised.</p>

Priority	Applicable to the Planning Proposal	Comment
		Part 6 and Clause 7.1 of MLEP will also ensure adequate servicing and utility infrastructure will be provided prior to development of the site.

Theme 3 – Environment, heritage, and climate change

Priority 7 – Identify and protect environmental values	Yes, as the Planning Proposal involves land that contains existing vegetation.	<p>The Planning Proposal is generally consistent with the vision and objectives of this Planning Priority. Whilst it is acknowledged that the subject land does contain several areas and patches of remnant vegetation, a large proportion of this vegetation has been planted by the landowner.</p> <p>Similarly, the subject land is not identified on Council's Terrestrial Biodiversity, Riparian Watercourses or Wetlands Maps as contained within MLEP.</p> <p>Notwithstanding, a flora and fauna assessment has been prepared in support of the subject Planning Proposal and is included in Appendix D. This report concludes that any proposed tree removal works will not have a long-term or deleterious environmental impact subject to the requirements of the <i>Biodiversity Conservation Act 2016</i>.</p> <p>Further consideration of tree removal works will be undertaken at the development application stage.</p>
Priority 8 – Celebrate culture and heritage	Yes, as consideration of matters regarding Aboriginal Cultural Heritage is required under the NSW <i>National Parks and Wildlife Act 1974</i> .	<p>The Planning Proposal is consistent with the vision and actions of this Planning Priority as consideration of Aboriginal Cultural Heritage Values has been undertaken.</p> <p>Following a review of the subject, the likelihood of items of Aboriginal Cultural Heritage being present on-site is considered low as the subject land is heavily disturbed and does not contain any identified landscape features.</p>
Priority 9 – Climate change and natural hazards	Not applicable to the subject Planning Proposal as the land is not identified as being subject to any natural hazards.	Not applicable.

Murray Shire Strategic Land Use Plan 2010-2030

The *Murray Shire Strategic Land Use Plan 2010-2030* (Strategic Land Use Plan) seeks to guide the future development and use of land within the Shire for the next 20 years and beyond.

The subject land is located within the township of Moama and the Strategic Land Use Plan outlines the following with regards to 'residential form':

The residential market has become more sophisticated in recent times with the demand for larger residential lots being met more by lots in the range 1,000 to 1,500m² rather than the 'traditional' 4,000m² rural residential allotment. Some of the older and much larger rural residential development (e.g. Maidensmith Drive) should be considered for redevelopment at an urban density to make more efficient use of land closer to Moama's centre.

The Strategic Land Use Plan identifies the land as being within an area that should 'encourage restructuring of lots for urban development through the provision of services'.

An extract of the Strategic Land Use Plan for Moama is reproduced below.

The subject Planning Proposal seeks to amend the lot size applying the subject site in response to this 'direction' outlined in the land-use strategy. The favourable amendment of this proposal will align with this strategy that attempts to restructure lots for further urban development. The subject site is benefited from access to urban reticulated services which also compounds the strategic justification for the subject proposal.

The Planning Proposal also responds to the changing demand for larger residential lots in the range of 1,000m² to 1,500m² as compared to traditional 4,000m² rural residential allotments.

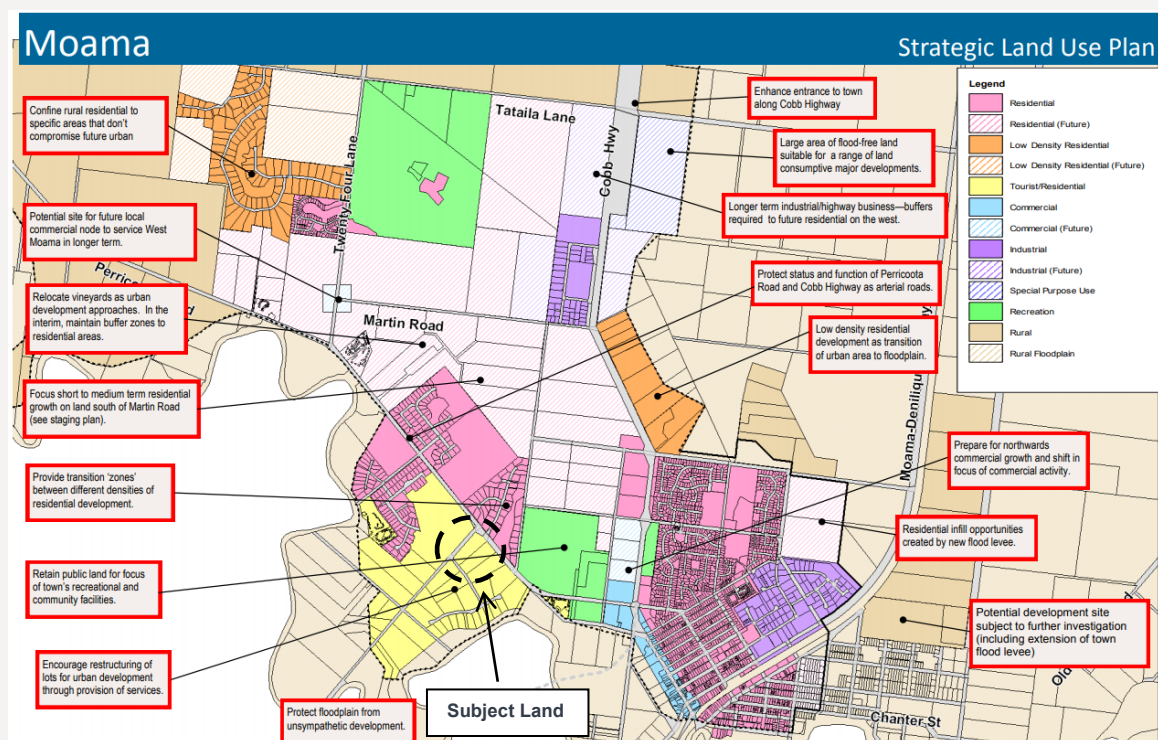


Figure 5 Strategic Land Use Plan for Moama indicating the subject land

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

The Planning Proposal is considered to be the best means of achieving the objectives and intended outcomes of this proposal as it will allow for the development of urban greenfield development in accordance with Council's adopted land use strategies and policies.

The minimum lot size proposed has strategic merit as it aims to provide a minimum lot size that takes into consideration its context, locality, and amenity impacts. The proposed minimum lot size will provide additional housing supply of a suitable lot size and configuration for the area.

Alternative options to a site-specific Planning Proposal include waiting for Council's next scheduled review of its LEP. This option is not preferred as Council is unlikely to review its LEP in the short term. Alternatively, Murray River Council are currently undertaking a Housing Strategy that will further the current evidence base to support the ability for additional housing growth. However, a Housing Strategy would still require the need for a Planning Proposal to implement any such recommendations that follow this study. The subject site is already appropriately zoned, however the amendment of the minimum lot size will allow the development of the site at a density more appropriate for the area, that aligns with the existing

Therefore, the approval of a site-specific Planning Proposal is considered the best option as it will allow the ability for the subject site to be developed in accordance with Council's adopted land-use strategies, and the extent of its urban release area. The lot size as it currently exists will not allow the further development at a density that supports the overall vision and strategic framework that underpins this areas' future growth. The proposed minimum lot size has been selected based on the current zoning of the land and seeks to provide an equivalent lot size to suit the desired density.

3.3.2. Section B – Relationship to Strategic Planning Framework

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 *Riverina Murray Regional Plan 2036* (Regional Plan) was adopted by the NSW Government in 2017 and is the relevant regional strategy that provides the strategic planning framework to guide decision-making and development in the Riverina & Murray regions for the next 20 years.

The Minister's foreword to the document states that the Regional Plan will help support *"More housing and a greater choice in housing throughout the Riverina Murray will give communities greater flexibility to accommodate an ageing population and seasonal workers."*

The Regional Plan is underpinned by four (4) key goals including:

- *Goal 1 - A growing and diverse economy*
- *Goal 2 - A healthy environment with pristine waterways*
- *Goal 3 - Efficient transport and infrastructure networks*
- *Goal 4 - Strong, connected and healthy communities.*

Each of these goals is supported by a number of different actions, which seek to achieve the objectives of the goal.

An assessment of the Planning Proposal against the relevant goals, directions and actions of the Regional Plan is undertaken in **Appendix A**.

In summary the Planning Proposal is consistent, or where applicable, justifiably inconsistent with relevant goals, directions and actions of Regional Plan as detailed in **Appendix A**.

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

Consideration of the *Murray Local Strategic Planning Statement 2020-2040* and the *Murray Shire Strategic Land Use Plan 2010-2030* have been addressed in Section 3.3.1 of the Planning Proposal.

The *Murray River Council Community Strategic Plan 2018-2028 (CSP)* is Council's local community strategic planning document. The CSP is based on an outcome framework comprising of five (5) strategic themes;

- Theme 1 - Built/Physical Environment
- Theme 2 - Natural Environment
- Theme 3 - Social Wellbeing
- Theme 4 - Economic Growth
- Theme 5 - Leadership and Governance

Underpinning these outcomes are a series of 17 objectives and strategies that reflect the communities' key ambitions for the future. These strategies have been developed to detail how Council, other government agencies and the community can work together to achieve these goals.

The Planning Proposal is consistent with the following outcomes and strategies under the Murray River Council CSP.

1.1 *Improve and maintain our built town environments*

1.3.5 *Encourage greater housing choice and development to meet our changing population needs*

4.1 *Encourage and supporting economic development across a range of sectors including promoting advantages to visit, live, work and invest.*

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

Appendix B provides an assessment of the Planning Proposal against all State Environmental Planning Policies (SEPP's). In summary, many of the SEPP's are not applicable to the Murray River Local Government Area and even less are applicable to the circumstances of the Planning Proposal.

Notwithstanding, an assessment has been provided in **Appendix B** outlining whether the Planning Proposal is consistent, or where applicable, justifiably inconsistent with relevant SEPP's.

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

Section 9.1 (formerly s. 117) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides for the Minister for Planning to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of LEP's. A Planning Proposal needs to be consistent with the requirements of the Directions but in some instances can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of "minor significance".

An assessment of all s.9.1 Directions is undertaken in **Appendix C**. In summary, the Planning Proposal is either consistent, or justifiably inconsistent with the relevant Directions. Where there is an inconsistency, it has been justified utilising the provisions within each of the Directions.

3.3.3. Section C – Environmental, social and economic impact

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 site contains a number of trees and remnant vegetation. The site is not identified on the Terrestrial Biodiversity, Riparian Waterways or the Wetlands Maps contained within MLEP. Similarly, the land is not identified on NSW Biodiversity Values Map, and is not classified as a Matter of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

A Biodiversity Assessment Report has been completed by Hamilton Environmental Services in support of the recommendations of the Planning Proposal and is attached at **Appendix D**.

In summary, the Biodiversity Assessment Report concludes that the proposed changes will not have a long-term adverse impact on matters regarding biodiversity.

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

Consideration of other likely environmental effects resulting from the Planning Proposal have been considered and are addressed below.

Heritage

The subject land is not identified as an item of environmental heritage within Schedule 5 or the Heritage Maps of MLEP.

Similarly, the subject land has been disturbed from previous agricultural activities and does not contain any landscape features such as permanent waterways, ridgelines, caves or sand dunes that would indicate the presence of items of Aboriginal Cultural Heritage significance.

Natural Hazards

The subject land is not identified as flood prone on Council's Flood Planning map. Similarly, the subject land is not known to be contaminated given previous land activities conducted on-site (large lot residential development). See response to SEPP 55 for further details.

A small portion of the subject land is however identified as bushfire prone on Council's bushfire prone land map (Figure 6) due to the presence of a large, vegetated reserve located on the northern side of Perricoota Road.

Consequently, any future development of this land will need to have regard to the requirements for *Planning for Bushfire Protection 2019* at the subdivision stage of development.

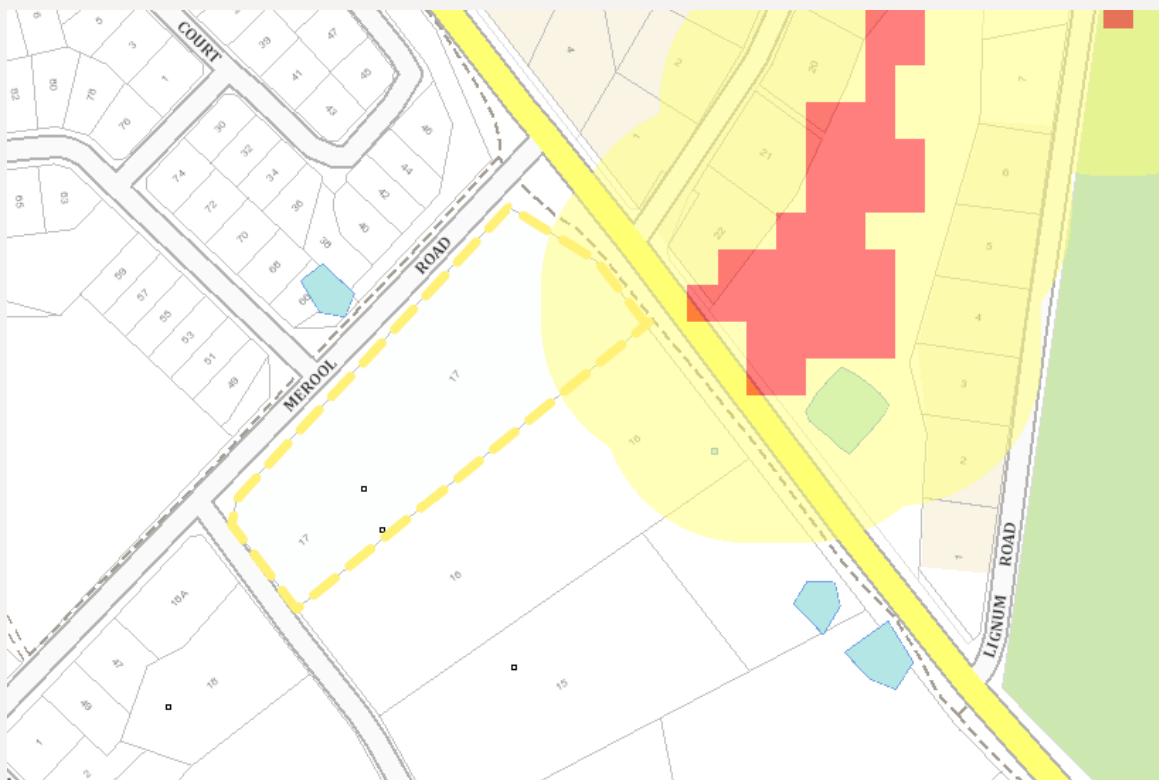


Figure 6: Extract of Bushfire Prone Land Map (Source: NSW Planning Portal)

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

The Planning Proposal has considered the likely social and economic effects. There will be a positive social and economic effect for the Moama community from the Planning Proposal through additional choice of residential land. The new residents will increase support for both community and commercial interests in the town and will provide an overall positive economic and social impact.

3.3.4. Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The subject land is currently zoned R2 Low Density Residential and adjoins a newly constructed residential subdivision to the north.

Therefore, the subject land has readily available access to reticulated infrastructure and services including water, sewerage, stormwater drainage, road access, telecommunications, electricity and gas.

The development outcomes sought by the Planning Proposal are also not expected to place undue demands on this infrastructure with additional capacity available to service any future residential subdivision of this land. A review of services carried out by the proponent clearly demonstrates that the existing infrastructure can provide appropriate supply, this information is **attached**.

Further consideration of infrastructure and services will be undertaken as part of the development application process. Specifically, Part 6 (Urban Release Areas) and Clause 7.1 of the MLEP provides requirements for the provision of infrastructure to ensure development in greenfield areas (such as the subject site) are adequately able to be serviced by public infrastructure.

As the site is located in an area where Part 6 of MLEP applies, it can be determined that adequate public infrastructure is available or will be made available prior to residential urban development occurring on the land.

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

No consultation has been carried out at this stage with any State and/or Commonwealth Public Authorities in relation to the subject Planning Proposal. Notwithstanding, any consultation requirements with relevant public authorities and service providers will occur in accordance with the conditions of the Gateway Determination.

It is considered likely that minimum consultation will be required with the NSW Rural Fire Service due to the fact that a portion of the subject land is identified as being bushfire prone.

See Section 4.5 of this proposal for further details regarding community consultation.

3.4. Mapping

The Planning Proposal seeks to amend the following map of MLEP:

- Lot Size Map – Sheet LSZ_006B (5500_COM_LSZ_006B_020_20200330) as it relates to Lot 17 DP258661 and addressed as 17 Maidensmith Drive, Moama from a minimum lot size of 3,000m² to a minimum lot size of 1,000m².

An extract of the existing and proposed Minimum Lot Size Maps are contained within Figures 3 and 4.

The draft LEP maps and associated Map Cover Sheet will be prepared in accordance with the NSW Department of Planning & Environment's: *Standard Technical Requirements for Spatial Datasets and Maps* (Version 2.0, August 2017).

3.5. Community Consultation

The Planning Proposal will be exhibited in accordance with the requirements of Part 1, Division 1, Clause 4 of Schedule 1 of the EP&A Act, the NSW Department of Planning and Environment's: *A Guide to Preparing Local Environmental Plans* and any conditions of the Gateway Determination (to be issued).

The Planning Proposal is not considered to be a 'low impact proposal' for the purposes of public exhibition and will therefore need to be publicly exhibited for a minimum period of 28 days.

Written notification of the community consultation will be provided in a local newspaper and on Councils' website. In addition to this, any affected landowner/s adjoining the subject land will be notified in writing, as well as any Public Authorities, Government Agencies and other key stakeholders as determined by the Gateway Determination.

The future consultation process is expected to include:

- written notification to landowners adjoining the subject land;
- public notices to be provided in local media, including in a local newspaper and on Councils' website;
- static displays of the Planning Proposal and supporting material in Council public buildings; and
- electronic copies of all documentation being made available to the community free of charge (preferably via downloads from Council's website).

The written notice will contain:

- a brief description of the intended outcomes of the Planning Proposal;
- an indication of the land which is affected by the proposal;

- information on where and when the Planning Proposal can be inspected;
- the name and address of Council for the receipt of submissions;
- the closing date for submissions; and
- confirmation whether the Minister has chosen to delegate Plan Making powers to Council.

During the public exhibition period the following documents will be placed on public exhibition:

- the Planning Proposal;
- the Gateway Determination;
- any technical information relied upon by the Planning Proposal;
- relevant council reports.

An electronic copy of all of the above information to be placed on public exhibition will be made available to the public free of charge.

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

3.6. Project Timeline

The project timeline for the Planning Proposal is outlined in **Table 3**.

It is noted however, that there are many factors that can influence compliance with the timeframe including Council staffing resources, the cycle of Council meetings and submissions received, and issues raised. Consequently, the timeframe should be regarded as indicative only.

Table 3: Project Timeline (indicative)

Project Milestone	Anticipated Timeframe
Lodgement Lodge Planning Proposal with council and make any necessary adjustments or changes prior to council accepting the plan	4 weeks for council to review and provide any comments regarding the submitted Planning Proposal and for the report to be updated.
Council Report (seeking Gateway Determination) Council planning officers to prepare a report to council seeking council endorsement of the Planning Proposal and referral to the NSW DPIE seeking the issuing of a Gateway Determination.	2 weeks to prepare council report and include on council agenda.
Request Gateway Determination Council to request a Gateway Determination from the NSW Department of Planning to proceed to Planning Proposal to public exhibition (including any delegation of plan-making powers to council)	4 weeks following Council resolution and request for a Gateway determination.

Pre-exhibition requirements Ensure conditions of gateway determination are met prior to public exhibition (if required)	1-2 weeks to amend Planning Proposal and provide information back to the DPIE prior to public exhibition.
Public Exhibition Undertake public exhibition of Planning Proposal in accordance with the conditions of the Gateway Determination.	2 weeks to prepare and place a public notice in the paper and 4 weeks to publicly exhibit the Planning Proposal.
Consider Submissions & Finalise Document Council planning officers to consider, respond and report on submissions received and issues raised (if any) and where necessary, recommended relevant changes to the Planning Proposal.	2 weeks to collate, consider and respond to submissions received (if any).
Council Report (consideration of submissions) Council planning officers to prepare a report to council post public exhibition that considers any submissions received.	4 weeks to prepare council report and include on council agenda.
Submission to NSW DPIE/Parliamentary Counsel Forward Planning Proposal to NSW DPE/Parliamentary Counsel (if delegated) for finalisation following public exhibition.	4 weeks
Notification Finalisation/gazettal of Planning Proposal	2 weeks

4. Conclusion

This Planning Proposal seeks to amend the *Murray Local Environmental Plan 2012* by amending the Lot Size Map as it applies to 17 Maidensmith Drive Moama 2731 (Lot 17 DP 258661) by reducing the minimum lot size from 3,000m² down to 1,000m².

The Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* as well as satisfying the requirements of the NSW Department of Planning, Infrastructure & Environment's guidelines titled: *A Guide to Preparing Local Environmental Plans* (August 2018) and *A Guide to Preparing Planning Proposals* (August 2018).

The Planning Proposal provides an analysis of the physical and strategic planning constraints and opportunities of the site and considers the relevant environmental, social and economic impacts of the proposal and its strategic merit.

Having regard to the above, the Planning Proposal has strategic merit and is in the public interest for the following reasons:

- The proposal is consistent with the strategic planning framework including State, Regional, District and local planning strategies for Moama and the broader Murray River Council LGA.
- The proposal is consistent with the recommendations of the endorsed *Murray Shire Strategic Land Use Plan 2010-2030*, which identifies a preferred minimum lot size of between 1,000m² and 1,500m².
- The proposal seeks to retain the existing zoning controls and other overlay requirements of the LEP and is only seeking an amendment to the minimum lot size to facilitate the redevelopment of the site.
- The proposal will result in additional residential land supply which responds to a high level of demand and a current shortage of available residential zoned land.
- The proposal will contribute towards Moama through investment and construction.
- The density of development is sustainable for the subject land.
- Development of this land as sought by this Planning Proposal can be fully integrated with surrounding residential development, particularly to the north.
- The resultant development of the land will not result in any unacceptable environmental impacts following the completion of a biodiversity assessment.
- The land can be provided with all urban infrastructure.

Therefore, the proposed amendment to LEP is appropriate and well-considered and warrants the support of Council before proceeding to a Gateway Determination.

Appendix A: Consistency with Riverina Murray Regional Plan 2036

Table 4: Consistency with Riverina Murray Regional Plan 2036

Goal, Direction & Action Title	Relevance to the Planning Proposal	Consistency
Goal 1 – A growing and diverse economy		
Direction 1 – Protect the region’s diverse and productive agricultural land.	Not applicable as the planning proposal does not relate to rural zoned land.	N/A
Direction 2 – Promote and grow the agribusiness sector.	Not applicable, as the proposal does not relate to or affect agribusiness or agricultural land.	N/A
Direction 3 – Expand advanced and value-added manufacturing.	Not applicable, as the proposal does not relate to or affect value-added manufacturing.	N/A
Direction 4 – Promote business activities in industrial and commercial areas.	Not applicable, as the proposal does not relate to or affect business activities.	N/A

Direction 5 – Support the growth of the health and aged care sectors.	Not applicable, as the proposal does not relate to or affect the health and aged care sectors.	N/A
Direction 6 – Promote the expansion of education and training opportunities.	Not applicable, as the proposal does not relate to or affect education or training.	N/A
Direction 7 – Promote tourism opportunities.	Not applicable, as the proposal does not relate to or affect tourism.	N/A
Direction 8 – Enhance the economic self-determination of Aboriginal communities.	Not applicable, as the proposal does not relate to or affect Aboriginal communities.	N/A
Direction 9 – Support the forestry industry.	Not applicable, as the proposal does not relate to or affect forestry.	N/A
Direction 10 – Sustainably manage water resources for economic opportunities.	Not applicable as the proposal does not relate to or affect water resources.	N/A
Direction 11 – Promote the diversification of energy supplies	Not applicable as the proposal does not relate to or affect energy supplies.	N/A

through renewable energy generation.		
Direction 12 – Sustainably manage mineral resources.	Not applicable, as the subject land is not known to contain any significant mineral resources.	N/A
Goal 2 – A healthy environment with pristine waterways		
Direction 13 – Manage and conserve water resources for the environment.	Not applicable, as the subject land is not known to contain any water resources.	N/A
Direction 14 – Manage land uses along key river corridors.	Not applicable.	The site is located approximately 600m north-west of the Murray River (at it's closest point). The land is separated from the Murray River by existing urban development and is not located on or within this river corridor. The proposal is not inconsistent with the goals or actions of Direction 14 and does not seek to amend LEP setback provisions or clauses relating to riverine development standards. All urban drainage generated by the proposed lots can be managed by Council's drainage system and the proposal does not pose any impact to the riverine corridor.
Direction 15 – Protect and manage the region's many environmental assets.	Not applicable as the subject land has no environmental assets within the context of this Direction.	N/A

<p>Direction 16 – Increase resilience to natural hazards and climate change.</p>	<p>Applicable as the subject land is bushfire prone.</p>	<p>Whilst it is acknowledged that a small portion of the subject land is identified as being bushfire prone, this is considered satisfactory in this instance as the land is already residentially zoned and is located within a managed urban environment.</p> <p>In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of Schedule 1, clause 4 of the Act, and take into account any comments so made. It is expected that any subsequent gateway determination will include the requirement to consult with the NSW RFS in accordance with this direction.</p> <p>It is noted that under Section 2.3 of Planning for Bushfire Protection 2019 (PBP2019) it is recommended that strategic bush fire planning and studies are needed to avoid <u>high risk</u> areas, ensure that zoning is appropriate to allow for adequate emergency access, egress, and water supplies, and to ensure that future compliance with this document is achievable. It is noted that the subject site is not located in a 'high risk' area, rather it is located in the 'vegetation buffer'. Whilst this still classifies the land as being bushfire prone, the risk associated with being located within the buffer is lessened. Furthermore, the land is already appropriately zoned for residential purposes. The Planning Proposal will result in the reduction of the minimum lot size, whilst this will increase the density of any future residential development (and by association the risk) it is considered that this increase is minimal and that any subsequent development would be compliant with PBP2019 and any restrictions (such as required APZ's etc).</p>
---	--	---

		<p>The affectation applying to the subject site is also minimal and occurs in the north-eastern corner of the site that faces Perricoota Road. The future development of this land will be capable of complying the PBP 2019.</p> <p>The subject land has access to all reticulated infrastructure and services (including water supply) and has sealed road access away from the nearby hazard.</p> <p>Similarly, further assessment and approval of any subsequent residential subdivision will be undertaken as part of the Development Application process, including the issuing of a Bushfire Safety Authority in accordance with the requirements of Section 100B of the <i>Rural Fires Act 1997</i>.</p>
--	--	--

Goal 3 – Efficient transport and infrastructure networks

Direction 17 – Transform the region into the eastern seaboard's freight and logistics hub.	Not relevant, as the proposal does not relate to or affect industry or freight.	N/A
Direction 18 – Enhance road and rail freight links.	Not relevant, as the proposal does not relate to or affect freight.	N/A
Direction 19 – Support and protect ongoing access to air travel.	Not relevant, as the proposal will not affect air travel.	N/A

Direction 20 – Identify and protect future transport corridors.	Not relevant to the subject proposal.	N/A
Direction 21 – Align and protect utility infrastructure investment.	Relevant as the proposal seeks to achieve greater residential densities on-site.	<p>The subject land is already zoned for residential purposes and the further intensification of this land as a result of the planning proposal can be adequately serviced by the existing utility infrastructure that services Moama.</p> <p>A servicing strategy has been prepared and submitted in support of the planning proposal demonstrating that the proposed outcomes sought by this amendment can be achieved from an infrastructure and servicing perspective. It is also noted that Part 6 and Clause 7.1 of MLEP make provision to ensure adequate utility infrastructure is in place prior to a Development Application being determined.</p>

Goal 4 – Strong, connected and healthy communities

Direction 22 – Promote the growth of regional cities and local centres.	Relevant as the proposal affects land within the township of Moama.	The Planning Proposal will support and promote the growth of Moama by making available additional land for residential development.
Direction 23 – Build resilience in towns and villages.	Relevant as the proposal affects land within the township of Moama.	The intent of this planning proposal is to provide the ability for the provision of additional housing within the township of Moama. The provision of additional housing close to the township will encourage additional growth in the population and provide the framework for community resilience that will be supported by the actions outlined in Direction 23.

Direction 24 – Create a connected and competitive environment for cross-border communities.	Relevant as the proposal affects land within the Moama township, which adjoins the twin city of Echuca in Victoria.	The outcome of this planning proposal will result in additional land capable of supporting residential housing that in turn will support the twin cities of Echuca-Moama. The provision of additional housing will support the economic viability of these towns as they co-exist and provide services for populations on either side of the border.
Direction 25 – Build housing capacity to meet demand.	Relevant as the proposal will create additional housing opportunities.	The planning proposal supports this Direction because as a consequence, it will increase the supply of vacant residential lots in Moama. Moama has demonstrated an ongoing healthy demand for residential land in recent times and this is expected to continue. Council have communicated to the proponent that the high level of demand referred to above and lack of supply is evidence based, however the data is not public available at this stage and will be tested and modelled with the current Housing Strategy that is being produced by Murray River Council.
Direction 26 – Provide greater housing choice.	Relevant as the proposal will create additional housing choice.	<p>The planning proposal seeks to provide greater housing choice to cater for changing household sizes, particularly a rise in the number of single person households and a decrease in the number of occupants in each household, the needs of tourists and an ageing population.</p> <p>The current demand for additional residential housing supply in these rural and regional centres also supports the need for a planning proposal. The current minimum lot size does not accurately align with the existing residential zoning, as such the planning proposal will unlock additional housing opportunities in line with the existing Council strategies in a location that is close to the exiting urban centre of Moama. The intention and objectives of the current low density zoning remains; however the minimum lot size inhibits</p>

		the development further than the current site conditions and intention of the zoning provides.
Direction 27 – Manage rural residential development.	Not relevant as the land is not zoned rural residential.	N/A
Direction 28 – Deliver healthy built environments and improved urban design.	Relevant as the proposal will create additional urban development.	<p>The planning proposal is generally consistent with the actions of this Direction as it seeks to encourage infill residential development within a centralised area of Moama.</p> <p>Further consideration of this direction will be undertaken at the Development Application stage once the development outcomes and subdivision layout of this property are known.</p>
Direction 29 – Protect the region's Aboriginal and historic heritage.	Relevant as all development on 'greenfield' land should consider the prospect of Aboriginal artefacts being present.	<p>All future development will be subject to the 'due diligence' process for ascertaining the likelihood or otherwise of Aboriginal artefacts being present. This process assists in the protection Aboriginal heritage.</p> <p>Notwithstanding the above, given the current use of the land, the level of disturbance previously undertaken on-site and a general lack of 'landscape features', the likelihood of items of Aboriginal Cultural Heritage significance being present on-site is considered low.</p>

Appendix B: Consistency with State Environmental Planning Policies

Table 5: Consistency with State Environmental Planning Policies

Title	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy No. 19 (Bushland in Urban Areas)	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy No. 21 (Caravan Parks)	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, development consent requirements, number of sites being used for long term or short term residents, permissibility of moveable dwellings where caravan parks or camping grounds are also permitted, and subdivision of caravan parks for lease purposes as provided in the SEPP.
State Environmental Planning Policy No. 33 (Hazardous & Offensive Development)	Not applicable as the existing and proposed activities on site do not constitute hazardous and offensive development.	Not applicable.
State Environmental Planning Policy No. 36 (Manufactured Home Estate)	Applicable to the Murray River Local Government Area.	The Planning Proposal does not conflict with the aims, strategies, development consent, assessment and location provisions as provided for in the SEPP.
State Environmental Planning Policy No. 47 (Moore Park Showground)	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy No. 50 (Canal Estate Development)	Applies to all land in the State.	The Planning Proposal does not conflict with the aims and canal estate development prohibitions as provided for in the SEPP.

Title	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy No. 55 (Remediation of Land)	Applies to all land in the State.	The existing site is currently zoned residential. There is no indication that the site would contain contamination. The site is not listed on the NSW Contaminated Land Register or the Murray Shire Council Contaminated Land Register.
State Environmental Planning Policy No. 64 (Advertising & Signage)	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, development consent requirements and assessment criteria for advertising and signage as provided for in the SEPP.
State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development)	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, strategies, development consent, assessment provisions as provided for in the SEPP.
State Environmental Planning Policy No. 70 (Affordable Housing) (Revised Schemes)	Applies to all land in the State.	The Planning Proposal does not conflict with the aims or objectives as provided for in the SEPP.
State Environmental Planning Policy - Aboriginal Land 2019	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy - Activation Precincts 2020	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy - Affordable Rental Housing 2009	Applies to all land in the State.	The Planning Proposal does not conflict with the aims and functions of this SEPP.

Title	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy - Building Sustainability Index (BASIX) 2004	Applies to all land in the State.	The Planning Proposal does not conflict with the aims and development consent requirements relating to BASIX affected building(s) that seeks to reduce water consumption, greenhouse gas emissions and improve thermal performance as provided in the SEPP.
State Environmental Planning Policy - Coastal Management 2018	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy - Concurrences and Consents 2018	Applies to all land in the State.	The Planning Proposal does not conflict with the concurrence and consent requirements as provided for in the SEPP.
State Environmental Planning Policy - Educational Establishments & Child Care Facilities 2017	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to educational establishments and child care facilities as provided in the SEPP. Furthermore, the Planning Proposal does not seek to facilitate the use of the site as an educational establishment or child care facility.
State Environmental Planning Policy - Exempt & Complying Development Codes 2008	Applies to all land in the State.	The Planning Proposal does not conflict with the aims and functions of this SEPP with respect to exempt and complying development provisions.
State Environmental Planning Policy - Gosford City Centre 2018	Not applicable to the Murray River Local Government Area.	Not applicable.

Title	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy - Housing for Seniors & People with a Disability 2004	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, development consent, location, design, development standards, service, assessment, and information requirements as provided for in the SEPP.
State Environmental Planning Policy - Infrastructure 2007	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP.
State Environmental Planning Policy -Koala Habitat Protection 2020	Not applicable as the subject land is not contained in the RU1, RU2, RU3 zones or equivalent land use.	Not applicable.
State Environmental Planning Policy -Koala Habitat Protection 2021	Applies to the Murray River Local Government Area.	<p>Murray River is one of the Councils to which this SEPP applies.</p> <p>The aim of this SEPP is to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.</p> <p>Consideration of this SEPP is required as the subject land contains a number of remnant and planted trees and other vegetation on-site and the planning proposal seeks to increase the residential densities of the land, which is likely to result in some tree removal.</p>

Title	Applicable to Planning Proposal	Consistency
		<p>In response, a Biodiversity Impact Assessment has been prepared by Hamilton Environmental Services to determine the likely impacts of the development outcomes sought on-site.</p> <p>Following the completion of this environmental assessment, the report concluded that the subject land does not form core koala habitat and the development and removal of vegetation on-site will not lead to a decline in the koala population.</p>
State Environmental Planning Policy - Kosciuszko National Park – Alpine Resorts 2007	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy - Kurnell Peninsula 1989	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy -Major Infrastructure Corridors 2020	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy - Mining, Petroleum Production & Extractive Industries 2007	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to mining, petroleum production and extractive industries as provided for in the SEPP.
State Environmental Planning Policy - Penrith Lakes Scheme 1989	Not applicable to the Murray River Local Government Area.	Not applicable.

Title	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy - Primary Production and Rural Development 2019	Not applicable as the subject land is not state significant agricultural land and does not propose any artificial waterbodies.	Not applicable.
State Environmental Planning Policy - State and Regional Development 2011	Not applicable as the Planning Proposal is not for State significant development.	Not applicable.
State Environmental Planning Policy - State Significant Precincts 2005	Not applicable as the subject land is not within a State significant precinct.	Not applicable.
State Environmental Planning Policy - Sydney Drinking Water Catchment 2011	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy - Sydney Region Growth Centres 2006	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy - Three Ports 2013	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy - Urban Renewal 2010	Not applicable to the Murray River Local Government Area.	Not applicable.

Title	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy - Vegetation in Non-Rural Areas 2017	Applies as the subject land is zoned R2 Low Density Residential.	<p>This SEPP applies as the subject land is currently zoned R2 – Low Density Residential.</p> <p>The generation of a Biodiversity Offset Scheme Entry Threshold Report reveals that the minimum Lot Size according to the Murray Local Environmental Plan 2011 is 0.08 ha, and that the Area Clearing Threshold required to enter the Biodiversity Offset Scheme (BOS), and for a Biodiversity Development Assessment Report (BDAR) to be completed, is 0.25 ha. Therefore, the development does not need to enter the BOS or require a BDAR to be undertaken, as there is no significant native vegetation to be impacted.</p>
State Environmental Planning Policy - Western Sydney Aerotropolis 2020	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy - Western Sydney Employment Area 2009	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy - Western Sydney Parklands 2009	Not applicable to the Murray River Local Government Area.	Not applicable.
Murray Regional Environmental Plan No 2 – Riverine Land (MREP)	Applies to the Murray River Local Government Area.	<p>The subject site is identified as being included as part of the MREP.</p> <p>The subject land is residentially zoned land and is well setback from the nearby Murray River. Therefore, impacts of the proposed development on</p>

Title	Applicable to Planning Proposal	Consistency
		the Murray River are considered low and further consideration of the MREP is not required in this instance.
Deemed (Draft) State Environmental Planning Policies		
Draft Environment SEPP	Not applicable to the Murray River Local Government Area.	Not applicable.
Corridor Protection SEPP	Not applicable to the Murray River Local Government Area.	Not applicable.
Design and Place SEPP	Applies to all land in the State.	<p>The Design and Place SEPP will be a principle-based SEPP, integrating and aligning good design and place considerations into planning policy, and giving effect to a number of objects of the Environmental Planning and Assessment Act 1979 including good design and amenity of the built environment, sustainable management of built and cultural heritage, and the proper construction and maintenance of buildings. It will also promote the NSW Premier's Priorities for a Better Environment (Greener Public Spaces and Greening our City).</p> <p>The deemed SEPP is not strictly applicable to the Planning Proposal, however future development of housing may be subject to the provisions of the new SEPP if legislated.</p>

Appendix C: Consistency with Section 9.1 Ministerial Directions

Table 6: Consistency with Section 9.1 Ministerial Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Employment and Resources			
1.1	Business and Industrial Zones	Not applicable as the subject land is not zoned business or industrial.	Not applicable.
1.2	Rural Zones	Not applicable as the subject land is zoned rural.	Not applicable.
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable as the Planning Proposal does not impact on mining, petroleum or extractive industries.	Not applicable.
1.4	Oyster Aquaculture	Not applicable as the subject land is not within a Priority Oyster Aquaculture Area.	Not applicable.
1.5	Rural Lands	Not applicable as the subject land is not zoned for rural or environmental protection.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
2. Environment and Heritage			
2.1	Environment Protection Zones	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this Direction because it does not involve land identified as environmentally sensitive and does not seek to reduce the environmental protection standards that apply to the land.
2.2	Coastal Management	Not applicable, the subject site is not identified under the <i>Costal Management Act 2016</i> or <i>State Environmental Planning Policy (Costal Management 2018)</i> .	Not applicable.
2.3	Heritage Conservation	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this Direction because it does not seek to vary the existing provisions in MLEP at clause 5.10 that already facilitate the conservation of “items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance” or Aboriginal objects.
2.4	Recreation Vehicle Areas	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not advocate the designation of the subject land as a recreation vehicle area pursuant to an order in force under section 11 (1) of the <i>Recreation Vehicles Act 1983</i> .

No.	Title	Applicable to Planning Proposal	Consistency
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs.	Not applicable to the Murray River Local Government Area.	Not applicable.
2.6	Remediation of Contaminated Land	Not applicable, as the subject land is not identified as an investigation area under the Contaminated Land Management Act 1997, nor has it been used for a purpose referred to in Table 1 of the contaminated land planning guidelines.	Not applicable. See response to SEPP 55 in Appendix B .

3. Housing, Infrastructure and Urban Development

3.1	Residential Zones	Yes, as the Planning Proposal seeks to alter a provision relating to residential zoned land.	The Planning Proposal is consistent with this Direction because it will provide the opportunity for a greater choice and supply of housing in Moama and make use of existing and new urban infrastructure. In addition, the LEP already contains provisions (Part 6 and clause 7.1) requiring development to be adequately serviced.
3.2	Caravan Parks & Manufactured Home Estates	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this Direction as it does not reduce the opportunities for caravan parks and manufactured homes estates on the subject land, which is already zoned R2 Low Density Residential.

No.	Title	Applicable to Planning Proposal	Consistency
3.3	Home Occupations	Revoked 9 November 2020	Not applicable.
3.4	Integrating Land Use and Transport	Yes, as the planning proposal relates to land currently zoned for residential purposes.	The Planning Proposal will facilitate residential development at an urban scale within Moama. Recreational facilities and transport connectivity are available in close proximity. Having regard for these circumstances, the Planning Proposal is considered consistent with this Direction.
3.5	Development Near Licensed Aerodromes and Defence Airfields	Not applicable, as the subject land is not in the vicinity of a licensed aerodrome.	Not applicable.
3.6	Shooting Ranges	Not applicable, as the subject land is not located in the vicinity of a shooting range.	Not applicable.
3.7	Reduction in non-hosted short term rental accommodation period	Not applicable to the Murray River Local Government Area.	Not applicable.

4. Hazard and Risk

No.	Title	Applicable to Planning Proposal	Consistency
4.1	Acid Sulphate Soils	Not applicable, as the subject land is not identified as containing acid sulphate soils.	Not applicable.
4.2	Mine Subsidence & Unstable Land	Not applicable, as the subject land is not within a Mine Subsistence District.	Not applicable.
4.3	Flood Prone Land	Not applicable, as the subject land is not identified as being flood prone.	Not applicable.
4.4	Planning for Bushfire Protection	Applicable, as a portion of the subject land is classified as bushfire prone.	The Planning Proposal is consistent with this direction as it has regard to the provisions of Planning for Bushfire Protection Guidelines 2019. Any future development (subdivision and residential) will be subject to the provisions of PBP 2019 and relevant restrictions (APZ's etc.) will be implemented at this time including the issuing a Bushfire Safety Authority under Section 100B of the <i>Rural Fires Act 1997</i> .
5. Regional Planning			
5.1	Implementation of Regional Strategies	Revoked 17 October 2017.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
5.2	Sydney Drinking Water Catchment	Not applicable, as the land is not located within the Sydney Drinking Water Catchment.	Not applicable.
5.3	Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable, as the subject land is not located within proximity to the Pacific Highway.	Not applicable.
5.5	Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked 18 June 2010.	Not applicable.
5.6	Sydney to Canberra Corridor	Revoked 10 July 2008.	Not applicable.
5.7	Central Coast	Revoked 10 July 2008.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
5.8	Second Sydney Airport: Badgerys Creek	Revoked 20 August 2018.	Not applicable.
5.9	North West Rail Link Corridor Strategy	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
5.10	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Riverina Murray Regional Plan 2036</i> as it seeks to provide additional housing stock, whilst also having regard to the environmental impacts of development.</p> <p>A full response in relation to this Regional Plan has been provided in Appendix A.</p>
5.11	Development of Aboriginal Land Council Land	Not applicable, as the subject land is not identified on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019	Not applicable.

6. Local Plan Making

No.	Title	Applicable to Planning Proposal	Consistency
6.1	Approval and Referral Requirements	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not propose any referral or concurrence requirements or nominate any development as 'designated development'.
6.2	Reserving Land for Public Purposes	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this Direction because it does not remove or propose any land for public purposes.
6.3	Site Specific Provisions	Not applicable as the proposal does not propose any site-specific provisions.	Not applicable.
7. Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	Revoked 9 November 2020.	Not applicable.
7.2	Implementation of Greater Macarthur Land Release Investigation	Revoked 28 November 2019.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
7.8	Implementation of Western Sydney Aerotropolis Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
7.9	Implementation of Bayside West Precincts 2036 Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
7.11	Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
7.12	Implementation of Greater Macarthur 2040	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
7.13	Implementation of the Pyrmont Peninsula Place Strategy	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.

Appendix D: Biodiversity Impact Assessment

Appendix E: Servicing Strategy
