

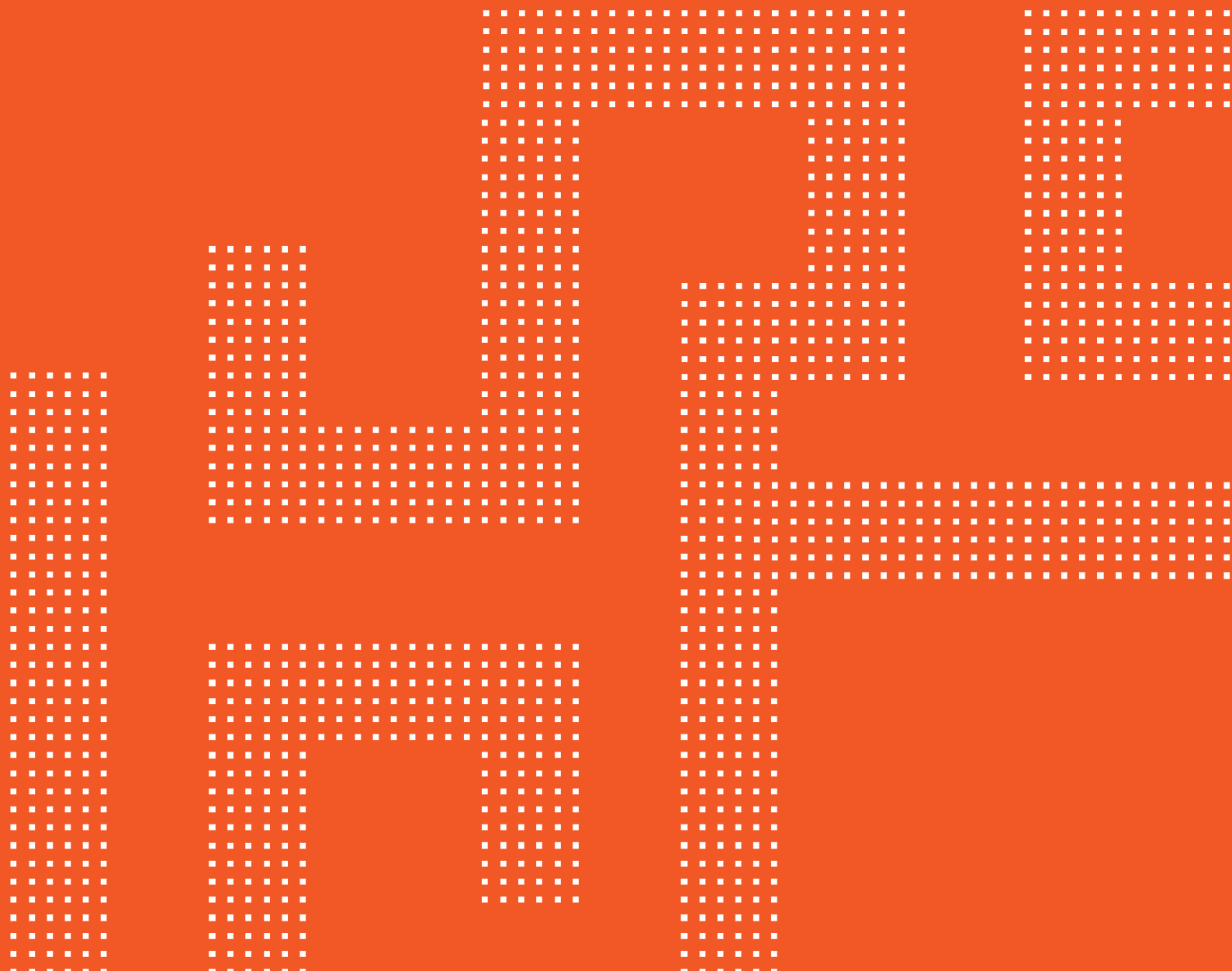
habitat planning

Planning Proposal

Cygnets Lane & 51 Swan Hill Road (Part),
Murray Downs

Rezone land from RU1 Primary Production to
IN1 General Industrial

September 2021





Prepared for

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Contents

1.	Introduction.....	1
2.	Site & Context Description	2
3.	Objectives or Intended Outcomes	4
4.	Explanation of Provisions	5
5.	Justification.....	5
5.1	Section A – Need for the planning proposal	5
5.2	Section B – Relationship to strategic planning framework	6
5.3	Section C – Environmental, social and economic impact.....	7
5.4	Section D – State and Commonwealth interests	8
6.	Mapping.....	9
7.	Community Consultation	10
8.	Project Timeline.....	11
9.	Conclusion.....	12

Attachments

- A. Consistency with State Environmental Planning Policies
- B. Consistency with Ministerial Directions
- C. Consistency with the *Riverina Murray Regional Plan 2036*
- D. Consistency with planning principles in *Murray Regional Environmental Plan No 2 – Riverine Land*

1. Introduction

The purpose of this Planning Proposal is to support an amendment to the Wakool Local Environmental Plan 2013 (Wakool LEP 2013) that seeks to rezone Lot 11, DP748011 addressed as Cygnet Lane, as well as part Lot 16, DP835451 addressed as 51 Swan Hill Road, Murray Downs from RU1 Primary Production to IN1 General Industrial with no minimum lot size.

The proposal represents an extension of the industrial zone and minimum lot size applied to land adjoining to the west.

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 & Environment's documents titled:

- A Guide to Preparing Local Environmental Plans (August 2016); and
- A Guide to Preparing Planning Proposals (August 2016).

As is required by the EP&A Act, a Planning Proposal has been prepared in support of the proposed amendment.

This report will demonstrate that the proposed rezoning of the subject land to IN1 General Industrial is consistent with the intent and objectives of relevant planning instruments. Consequently, this will provide both Council and the NSW Department of Planning and Environment with the confidence to endorse the proposed amendment to land zoning as sought by this planning proposal.

2. Site & Context Description

The land which is the subject of this Planning Proposal is described as Lot 11, DP748011 and addressed as Cygnet Lane, as well as, part Lot 16, DP835451 addressed as 51 Swan Hill Road, Murray Downs (“the subject land”). The subject land is located approximately 2 kilometres to the north east of Swan Hill and adjoins Cygnet Lane (see Figure 1).

The subject land is rectangular in shape and has general dimensions of 180 metres x 150 metres with a total area of approximately 3 hectares. The land is generally flat and rural in nature (see Figure 2). The land is largely undeveloped and contains no trees and is currently used for the grazing of cattle.

The current zoning of the subject land is RU1 Primary Production under the provisions of the Wakool Local Environmental Plan 2013 (see Figure 3).

The surrounding area is mixed and comprises both established general industrial development to the west along Cygnet Lane, as well as broadacre rural activities to the north, east and south.



Figure 1: Location of the subject land (outlined) within the context of Swan Hill (Source: NearMap, 2019)

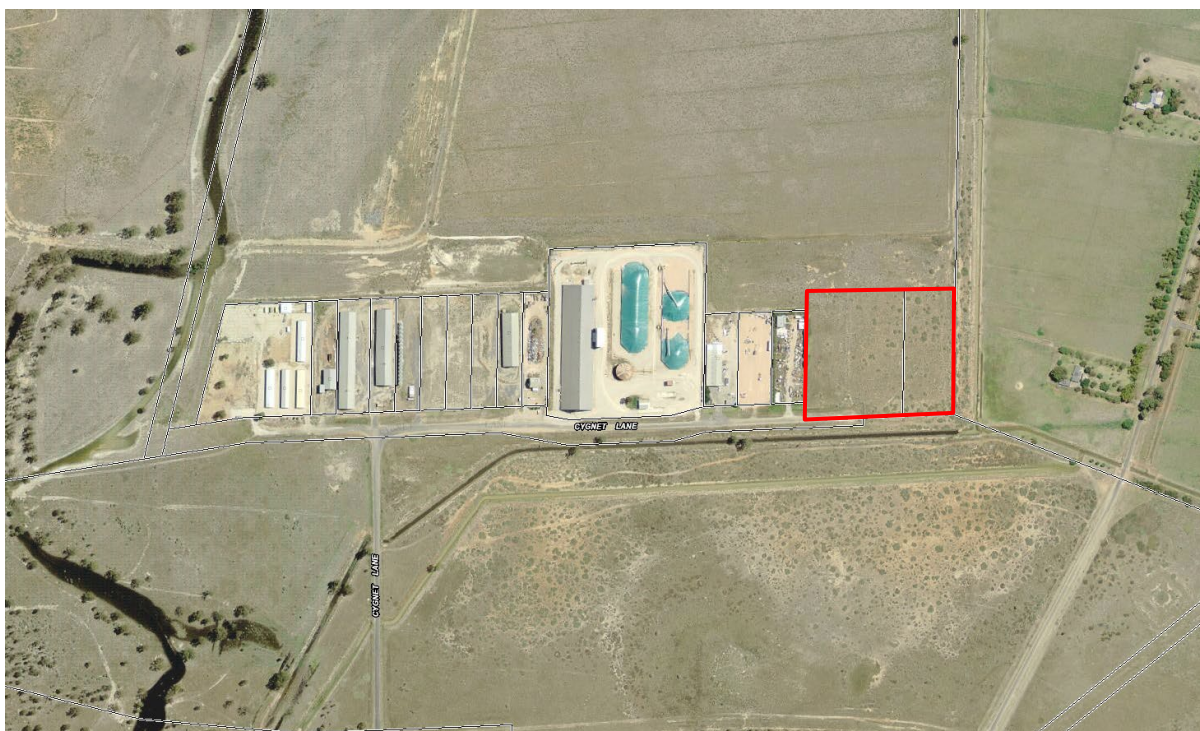


Figure 2: Aerial photograph of the subject land (outlined) within the context of its immediate surrounds (Source: SixMaps, 2019)

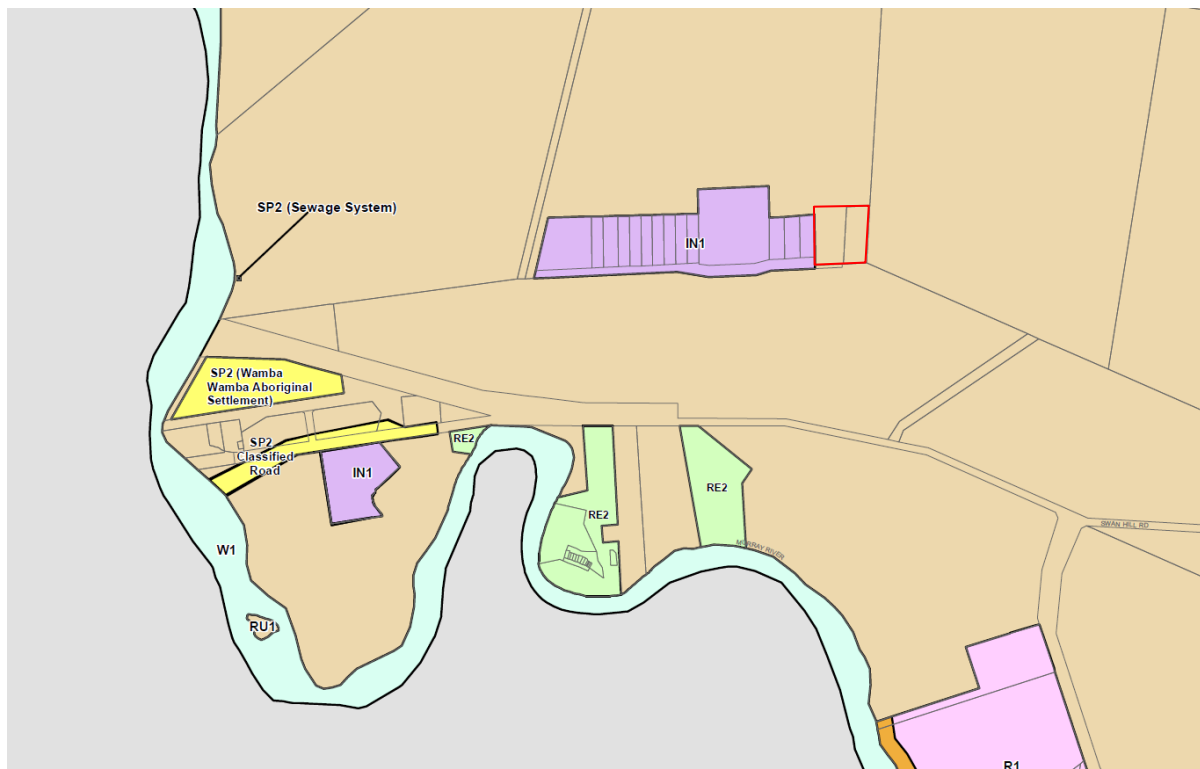


Figure 3: Zoning of the subject land (outlined)(Source: Wakool, LEP 2013)

3. Objectives or Intended Outcomes

The objective or intended outcome of the Planning Proposal is to rezone the subject land from RU1 Primary Production to IN1 General Industrial (see Figure 4). The intention is to develop the land for industrial purposes, subject to a separate development application.

The proposal will also result in a consequential amendment to the LEP by removing the 500 hectare minimum lot size requirement that currently applies to the subject land, consistent with other industrial zoned land (see Figure 5).

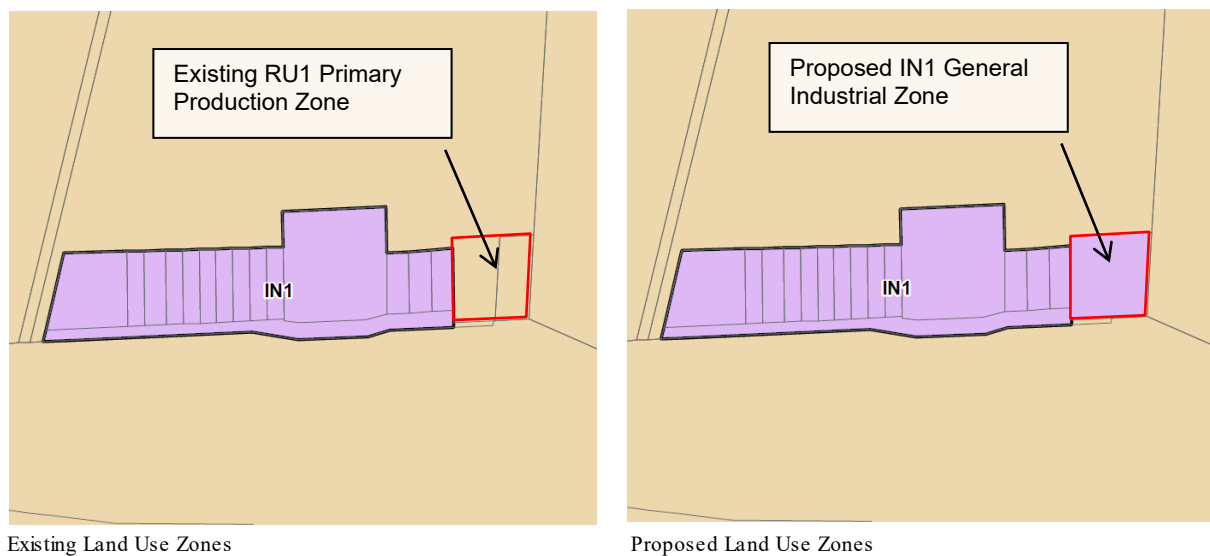


Figure 4: Existing and Proposed Land Use Zones sought by the planning proposal.

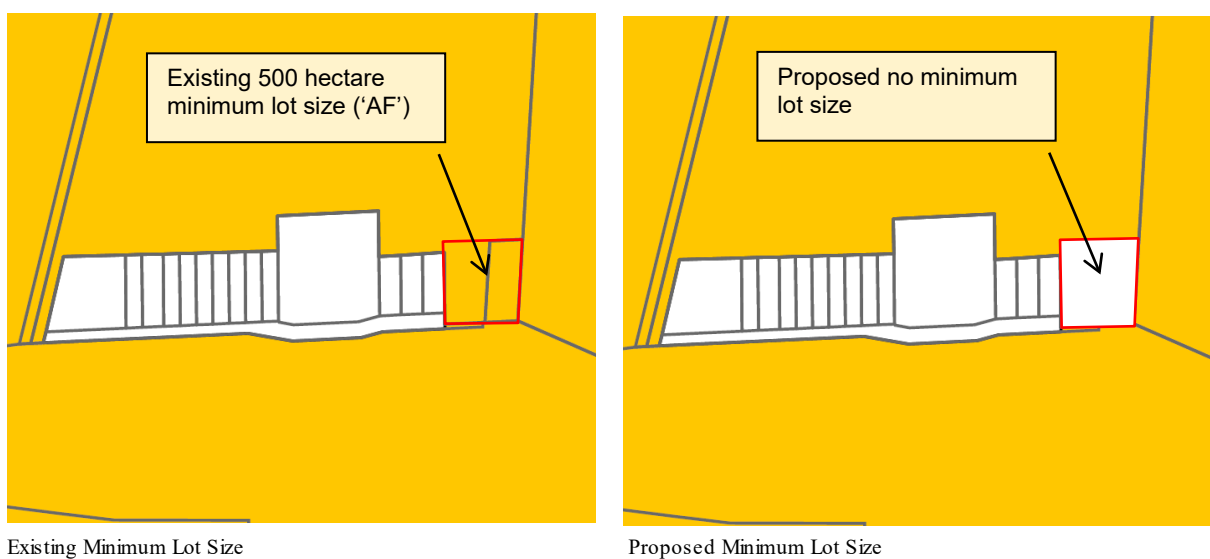


Figure 5: Existing and Proposed Minimum Lot Size sought by the planning proposal.

4. Explanation of Provisions

The Planning Proposal seeks to amend the Wakool LEP 2013 as outlined below:

- amend the Land Zoning Map – Sheet LZN_005B as it applies to the subject land, from ‘RU1 Primary Production Zone’ to ‘IN1 General Industrial Zone’ (in accordance with the proposed Land Zoning Map shown in Figure 4); and
- amend the Lot Size Map – Sheet LSZ_005B as it applies to the subject land from a 500 hectare minimum lot size to having no minimum lot size for subdivision (in accordance with the proposed Lot Size Map shown in Figure 5).

5. Justification

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

5.1 Section A – Need for the planning proposal

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

The Planning Proposal is not the result of any strategic study or report and the amendment seeks to rezone the subject land from RU1 Primary Production to IN1 General Industrial with no minimum lot size.

The Planning Proposal has been prepared in recognition of a lack of supply of industrial zoned land within Murray Downs and the wider Wakool and Swan Hill areas.

Whilst it is acknowledged that council have recently commenced preparation of a city-wide review of its existing land use plans, this review is expected to take several years to be completed and there is an identified need for available industrial zoned land in the interim.

5.1.2 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 the best means of achieving the objectives or intended outcomes for the subject land as there are limited other alternatives available to achieving industrial development outcomes on-site. In summary, development of the land for industrial purposes cannot be achieved under the current planning regime as it is not permitted in the RU1 Primary Production zone.

Consequently, the intended outcome can only be achieved through an amendment to the Wakool LEP 2013 via a planning proposal.

5.2 Section B – Relationship to strategic planning framework

5.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

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

The Minister's foreword to the document states that the RMRP "encompasses a vision, goals and actions geared towards delivering greater prosperity in the years ahead for those who live, work and visit this important region."

Accordingly, an assessment against the relevant goals, directions and actions of the RMRP is undertaken in Attachment C.

In summary the Planning Proposal is consistent, or where applicable, justifiably inconsistent with relevant goals, directions and actions of Riverina-Murray Regional Plan as detailed in Attachment C with the exception of protecting agricultural land. This inconsistency is justified on the basis of the circumstances of the subject land being located immediately adjacent to other land zoned for industrial purposes. Further details regarding this inconsistency are provided in Attachment C.

5.2.2 Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

The Murray Shire Council Community Strategic Plan 2015/2016 – 2024/2025 is Council's local community strategic planning document (as it now applies to this portion of the former Wakool Shire). The Community Strategic Plan is based on a quadruple bottom line and seeks to address four key themes of; social, economic, environmental and civic leadership, which are underpinned by a number of strategic actions.

The following strategic actions/areas are of relevance to the Planning Proposal:

Theme No. 2 – An enhanced natural environment (environmental)

Strategic Area (B): Environmental Planning

- Objective: Develop and implement strategic plans and planning instruments to ensure development occurs in an environmentally responsible and consistent manner providing an efficient and effective integrated approvals and controls process;

Theme No. 4 – A growing community (economic)

Strategic Area (D): Economic Development

- Objective: Promote the Murray Shire area as an attractive and viable area for rural, residential, commercial, industrial, recreational and tourism pursuits to ensure community sustainability.

The development is also consistent with the former Wakool Community Strategic Plan (as it previously applied to the subject land) as follows:

- EC.6 Business development – a stronger and more diverse local economy.

The proposed rezoning of the subject land from RU1 Primary Production to IN1 General Industrial is consistent with the above strategic actions/areas as it seeks to encourage economic development and business growth. It also increases the availability of land for industrial purposes, which will create a more diverse economy.

Whilst it is acknowledged that the proposed development will result in the loss of land currently zoned for rural/agricultural activities, this is considered appropriate in this instance as it will only result in the loss of 3 hectares of agricultural zoned land. The proposed rezoning is consistent with adjoining industrial zoned land contained along Cygnet Lane and is not expected to create any land use conflicts or adverse environmental impacts.

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

Attachment A 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 Shire Local Government Area and even less are applicable to the circumstances of the Planning Proposal.

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

5.2.4 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 Direction but in some instances can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of "minor significance".

An assessment of all s.9.1 Directions is undertaken in Attachment B. 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.

5.3 Section C – Environmental, social and economic impact

5.3.1 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 Planning Proposal relates to a small parcel of land located adjoining industrial zoned land. The land currently exists in a modified natural environment having been used for agriculture and is devoid of remnant vegetation.

It is also noted that the subject land is not identified on the Watercourses Map, Wetlands Map or Terrestrial Biodiversity Map of the Wakool LEP 2013.

The subject land is also not identified as an area of 'Outstanding Biodiversity' on the NSW Office of Environment and Heritage Biodiversity Values Map.

Consequently, the subject land does not contain any threatened species or their habitats.

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

Consideration has also been provided to other likely environmental effects as a result of the Planning Proposal.

The subject land is not mapped as being bushfire prone, or land subject to land slip, erosion, salinity or land contamination.

Whilst it is acknowledged that the subject land is classified as flood liable land in the Wakool Development Control Plan 2013, the subject land is located on the edge of the designated flood prone area and is not classified as being a 'high hazard' or being located within a 'floodway'. The subject land also adjoins land already developed for industrial purposes to the west and the land is located over 1 kilometre from the nearby Murray River.

Given the location of the land and its relatively small size (only 3ha), the future development of this land for industrial purposes is not expected to significantly alter existing flooding arrangements that apply to the subject land and its surrounds and is therefore considered to be of a 'minor significance'.

Lastly, any further development of this land for industrial development will be subject to a separate development application to ensure compliance with both council's and the state government's relevant flood planning requirements, including the provision of minimum floor heights.

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

The subject Planning Proposal has considered the likely social and economic effects of the development outcomes sought on-site and will generally have a positive outcome in regard to these matters.

More specifically, the rezoning will support business development and economic growth and will increase the current lack of supply of industrial zoned land within the shire within close proximity to the nearby Swan Hill.

The subject land is relatively isolated and adjoins other industrial and rural zoned land and is therefore not expected to create any land use conflict details. The land is also not identified as being environmentally sensitive or a heritage item.

In summary, the subject Planning Proposal is considered to have a number of positive social and economic impacts.

5.4 Section D – State and Commonwealth interests

5.4.1 Is there adequate public infrastructure for the planning proposal?

The subject land adjoins land to the west, which is zoned and developed for industrial purposes and therefore the subject land has access to or can be serviced by relevant infrastructure and services.

More specifically, the subject land has access to the sealed Cygnet Lane to the west, although it is noted that this road will require extending in order to service the subject land. Similarly, matters regarding water, sewerage, telecommunications, gas and electricity can all be extended or provided on-site to service the subject land.

5.4.2 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.

See Section 7 of this proposal for further details regarding community consultation.

6. Mapping

The Planning Proposal seeks to amend the following maps of the Wakool LEP 2013:

- Land Zoning Map – Sheet 005B (7800_COM_LZN_005B_020_20171212); and
- Lot Size Map – Sheet 005B (7800_COM_LSZ_005B_020_20171212).

An extract of these maps showing the proposed changes is contained within Figures 4-5 of this Planning Proposal.

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).

7. 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.

8. Project Timeline

The project timeline for the Planning Proposal is outlined in Table 2.

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 2 – Project Timeline (Indicative)

Project Milestone	Date/time frame	Date/s
Lodgement Lodge Planning Proposal with council and make any necessary adjustments or changes prior to council accepting the plan	6 weeks for council to review and provide any comments regarding the submitted Planning Proposal and for the report to be updated.	February 2019
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 DPE seeking the issuing of a Gateway Determination.	4 weeks to prepare council report and include on council agenda.	March 2020
Request Gateway Determination (revised) Council to request a revised 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)	2 weeks following Council resolution and request for a Gateway determination.	September 2021
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.	October 2021
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.	4 weeks to collate, consider and respond to submissions received (if any).	January 2022
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.	February 2022
Submission to NSW DPE/Parliamentary Counsel Forward Planning Proposal to NSW DPE/Parliamentary Counsel (if delegated) for finalisation following public exhibition.	4 weeks	March 2022
Notification Finalisation/gazettal of Planning Proposal	2 weeks	April 2022

9. Conclusion

This Planning Proposal has been prepared in support of a request to rezone a two small parcels of land described as Lot 11, DP748011 addressed as Cygnet Lane, as well as part Lot 16, DP835451 addressed as 51 Swan Hill Road, Murray Downs from RU1 Primary Production to IN1 General Industrial and undertake a consequential amendment to the Minimum Lot Size map as contained within the Wakool LEP 2013 that are applicable to the subject land.

An amendment to the Wakool LEP 2013 is necessary to achieve this outcome as the land is currently zoned for rural purposes.

The proposal is consistent with the requirements of the EP&A Act, NSW DPE Guidelines, relevant SEPPs, s.9.1 (formerly 117) Directions, Regional Plans and the Wakool LEP 2013.

Having regard to the above, the Planning Proposal is considered to have merit and deserves to be supported because:

- the land immediately adjoins land developed for general industrial purposes;
- there is an identified need for additional industrial zoned land within the Shire, particularly in close proximity to Swan Hill in the short term that cannot wait until council finishes its shire-wide review of existing planning controls;
- the proposal will cater for and support the predicted and continued demand for residential land in close proximity to Jerilderie and ensures that Council maintains an adequate supply of residentially-zoned land;
- the subject land is not considered viable for long-term agricultural purposes and is now compromised due to its small size (3ha) and its proximity to adjoining industrial development;
- having regard for the current circumstances, industrial development is now regarded as the highest and best use of the land;
- the land can be provided with all urban infrastructure;
- there will be a net social benefit for the Murray Downs community through additional economic growth and business opportunities resulting from an additional supply of industrial zoned land;
- the subject land is not environmentally sensitive and contains no environmental features; and
- it is generally consistent with the broader strategic planning framework for the Region, Shire and Murray Downs.

Attachment A

Consistency with State Environmental Planning Policies

No.	Title	Applicable to the Planning Proposal	Consistency
1	Development Standards	Not applicable since the gazettal of the Wakool LEP 2013.	Not applicable
19	Bushland in Urban Areas	Not applicable to the local government area of Murray River (including part of the former Wakool local government area).	Not applicable
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.
30	Intensive Agriculture	Not applicable as the Planning Proposal seeks to achieve industrial development outcomes.	Not applicable
33	Hazardous & Offensive Development	Applies as the subject planning proposal seeks industrial outcomes.	<p>Whilst the IN1 General Industrial zone does actively provide for industries subject to development consent including possible hazardous and offensive development, the future development of this land is still to be determined.</p> <p>Notwithstanding, the subject land is isolated from sensitive land uses and adjoins existing industrial development to the west.</p> <p>Depending on the nature of the future development proposed on the land, this may be subject to a separate SEPP 33 assessment.</p>
36	Manufactured Home Estate	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, strategies, development consent, assessment and location provisions as provided in the SEPP.
44	Koala Habitat Protection	Applies to the Local Government Areas of Murray and Wakool.	Whilst it is acknowledged that the provisions of this SEPP apply to the subject land, it is noted that the land does not contain any trees and therefore will not adversely affect matters regarding koala habitat.
47	Moore Park Showground	Not applicable to the local government area of Murray River Shire.	Not applicable.

No.	Title	Applicable to the Planning Proposal	Consistency
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 in the SEPP.
52	Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable as the subject land is not within any of the nominated irrigation areas or districts.	Not applicable.
55	Remediation of Land	Applies, as the planning proposal seeks to rezone land.	<p>As the Planning Proposal seeks to rezone land, consideration of matters regarding land contamination are required prior to rezoning.</p> <p>Formerly clause 6 of SEPP 55 required consideration of matters regarding land contamination, however this has since been repealed.</p> <p>Nonetheless, it is considered appropriate to assess matters regarding land contamination.</p> <p>Following a desktop assessment of the subject land and its surrounds, the land has been historically used for the purposes of broadacre agriculture, being the grazing of cattle or crop production.</p> <p>Therefore, the subject land has not be subject to high risk activities that may have resulted in land contamination. Similarly, the land does not contain any structure, outbuildings or infrastructure such as sheep dips or other potentially contaminated activities and the land shows no signs of land contamination.</p> <p>In addition, the Planning Proposal seeks to rezone the subject land for general industrial purposes, which will not allow for sensitive land use activities such as residential, child care or recreation purposes, which has the potential to cause contamination or future health concerns.</p> <p>For these reasons, the proposed rezoning of the subject land for industrial purposes is considered to be suitable for this purpose and does not require remediation.</p>
62	Sustainable Aquaculture	Not applicable as the Planning Proposal seeks to achieve industrial development outcomes.	Not applicable.
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 in the SEPP.

No.	Title	Applicable to the Planning Proposal	Consistency
65	Design Quality of Residential Apartment Development	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, development consent, assessment, information and notification requirements as provided in the SEPP.
70	Affordable Housing (Revised Schemes)	Not applicable to the local government area of Murray River Shire.	Not applicable.
	Aboriginal Land 2019	Not applicable to the local government area of Murray River Shire.	Not applicable.
	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 as changes do not discriminate against the provision of affordable housing (and consequently affordable rental housing).
	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.
	Coastal Management 2018	Not applicable to the local government area of Murray River Shire.	Not applicable.
	Concurrences 2018	Applies to all land in the State.	The Planning Proposal does not conflict with the concurrence requirements as provided in the SEPP.
	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.
	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.
	Gosford City Centre 2018	Not applicable to the local government area of Murray River Shire.	Not applicable.
	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 in the SEPP.

No.	Title	Applicable to the Planning Proposal	Consistency
	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.
	Kosciuszko National Park – Alpine Resorts 2007	Not applicable to the local government area of Murray River Shire.	Not applicable.
	Kurnell Peninsula 1989	Not applicable to the local government area of Murray River Shire.	Not applicable.
	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 in the SEPP.
	Miscellaneous Consent Provisions 2007	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to temporary structures as provided in the SEPP.
	Murray Regional Environmental Plan No. 2 – Riverine Land	Applies as the subject land is located within the confines of Murray REP No. 2	The subject land is within the area to which this SEPP applies. The Planning Proposal does not contradict the general planning principles of MREP2 as it will have little to no impact on the riverine environment. An assessment against the specific planning principles within MREP2 is undertaken in Attachment D. As the subject land is located more than 1 kilometre from the Murray River, most of the specific planning principles in Part 2 of MREP2 do not require consideration.
	Penrith Lakes Scheme 1989	Not applicable to the local government area of Murray River Shire.	Not applicable.
	Rural Lands 2008	Applies as the subject land is currently zoned RU1 Primary Production.	The Planning Proposal is justifiably inconsistent with the provisions of this SEPP including the Rural Planning Principles and Rural Subdivision Principles. A detailed assessment of the proposed rezoning against the rural planning principles and rural subdivision principles has been provided in response to Ministerial Directions 1.2 and 1.5 as outlined in Attachment B. In summary, the proposed land rezoning is considered to be justifiably inconsistent with this SEPP and will not have a long-term adverse impact on the productive agricultural value of rural lands.

No.	Title	Applicable to the Planning Proposal	Consistency
	State and Regional Development 2011	Not applicable as the Planning Proposal is not for State significant development.	Not applicable.
	State Significant Precincts 2005	Not applicable as the subject land is not within a State significant precinct.	Not applicable.
	Sydney Drinking Water Catchment 2011	Not applicable to the local government area of Murray River Shire.	Not applicable.
	Sydney Region Growth Centres 2006	Not applicable to the local government area of Murray River Shire.	Not applicable.
	Three Ports 2013	Not applicable to the local government area of Murray River Shire.	Not applicable.
	Urban Renewal 2010	Not applicable as the subject land is not within a potential precinct.	Not applicable.
	Vegetation in Non-Rural Areas 2017	Applies as the development involves land proposed to be rezoned IN1 General Industrial.	The Planning Proposal does not derogate from the aims or objectives of this SEPP as the subject land is devoid of vegetation and hence the SEPP will have no influence over its future development.
	Western Sydney Employment Area 2009	Not applicable to the local government area of Murray River Shire.	Not applicable.
	Western Sydney Parklands 2009	Not applicable to the local government area of Murray River Shire.	Not applicable.

Attachment B

Consistency with Ministerial Directions

No.	Title	Relevance to the Planning Proposal	Consistency
1.	Employment and Resources		
1.1	Business & Industrial Zones	Yes, as the planning proposal seeks to rezone land for industrial purposes	<p>The Planning Proposal is consistent with this Direction as it seeks to rezone land for industrial purposes, which responds to demands for the additional supply of appropriate industrial land within close proximity to an established regional town (Murray Downs and Swan Hill).</p> <p>The development is consistent with the objectives and requirements of this Direction as it:</p> <ul style="list-style-type: none"> ▪ Encourages employment within an area that has already been developed for industrial purposes; ▪ Will not adversely affect adjoining industrial zoned land; ▪ Will not detract from nearby identified commercial centres (Swan Hill); and ▪ Does not reduce the amount of business or industrial zoned land or total potential floor space area within the area. <p>Whilst it is acknowledged that the proposed rezoning is not the subject of any land use study or strategy, the rezoning is considered justified as it:</p> <ul style="list-style-type: none"> ▪ is consistent with adjoining industrial zoned lands to the west, ▪ seeks to consolidate and expand the area of industrial zoned land within Murray Downs; ▪ satisfies demand for additional industrial zoned land in the interim, whilst council prepares its shire-wide review of planning controls (which could be several years away); and ▪ the proposed rezoning is considered to be 'of minor significance' as it is only 3ha in size.

No.	Title	Relevance to the Planning Proposal	Consistency
1.2	Rural Zones	Yes, as the planning proposal seeks to rezone rural land for industrial purposes.	<p>Despite the provisions of this Direction, the Planning Proposal seeks to rezone the subject land from RU1 Primary Production to IN1 General Industrial. Although the land zoning and minimum lot size changes as recommended within the subject Planning Proposal are inconsistent with Clause 4(a) of this Direction, this is considered satisfactory in this instance for the reasons outlined below:</p> <ul style="list-style-type: none"> ▪ the subject land is currently not used for any productive agricultural purposes, but is rather used for the intermittent grazing of cattle; ▪ the land is not regionally important productive agricultural land; ▪ there are very limited opportunities to develop this land for agricultural purposes due to the size of the land (only 3ha) and its proximity to adjoining industrial developments. ▪ by rezoning the subject land to IN1 General Industrial, this is consistent with adjoining land uses and will therefore eliminate any potential land uses conflict that might otherwise arise; ▪ the land is better suited for urban purposes due to its proximity to adjoining urban developments, the availability and access of the subject land to infrastructure and its limited capability for intensive or viable agricultural purposes; and ▪ the proposed rezoning is considered to be 'of minor significance'. <p>The proposal has also been assessed against the relevant rural planning principles and rural subdivision principles as contained within SEPP (Rural Lands) 2008 as detailed above.</p>

No.	Title	Relevance to the Planning Proposal	Consistency
1.3	Mining, Petroleum Production & 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	Yes, as the planning proposal seeks to rezone rural land for industrial purposes.	<p>This Direction requires that the planning proposal must be consistent with the following Rural Planning Principles expressed in SEPP (Rural Lands):</p> <ul style="list-style-type: none"> a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas, b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State, c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development, d) in planning for rural lands, to balance the social, economic and environmental interests of the community, e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land, f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities, g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing, h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

No.	Title	Relevance to the Planning Proposal	Consistency
1.5	Rural Lands Cont.		<p>The planning proposal can be considered consistent with these principles for the following reasons:</p> <ul style="list-style-type: none"> a) The land is located within the township of Murray Downs and adjoins industrial development to the west. The land has already been excised off from larger adjoining rural landholdings and is not considered to be a sustainable economic rural activity due to the small size of the allotment. Consequently, it can be considered as having no economic future in a rural context. b) Whilst it is acknowledged that rural land plays an important role in the economic viability of the area, region or state, as outlined above, the land is not considered to have an economic future in a rural context. c) The loss of approximately 3ha of rural land through its rezoning and development will have no adverse impact on the local community. d) The use of the land for industrial purposes as part of an established industrial precinct is considered to be in the interests of the local community in terms of economic development and jobs growth; e) The subject land is devoid of environmental features and has been extensively grazed over time. The subject land is also well setback from nearby waterways. f) The development does not seek to achieve rural lifestyle, settlement or housing outcomes. g) The proposed industrial development will be fully serviced to minimise impacts. h) See assessment of the proposal against the Riverina Murray Regional Plan 2036 at Attachment C. <p>This Direction also requires that the planning proposal must be consistent with the following Rural Subdivision Principles expressed in SEPP (Rural Lands).</p> <ul style="list-style-type: none"> a) the minimisation of rural land fragmentation, b) the minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses,

No.	Title	Relevance to the Planning Proposal	Consistency
1.5	Rural Lands Cont.		<p>c) the consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands,</p> <p>d) the consideration of the natural and physical constraints and opportunities of land,</p> <p>e) ensuring that planning for dwelling opportunities takes account of those constraints.</p> <p>The planning proposal can be considered consistent with these principles for the following reasons:</p> <p>a) The Planning Proposal will not result in the fragmentation of rural land as the land has already been excised off from a larger rural landholding and is only 3ha in size.</p> <p>b) The development does not propose any residential land uses and instead proposes industrial development adjoining industrial land, which is not expected to create any land use conflicts.</p> <p>c) As outlined above the subject land has already been excised off from adjoining rural lands and the development does not seek residential or rural residential outcomes.</p> <p>d) The subject land does not contain any environmental features and is not identified as being subject to bushfire or land contamination. Whilst it is acknowledged that the land is identified as flood prone in the Wakool DCP, the future development of this land can be designed so as to minimise issues regarding flooding.</p> <p>e) The proposed development does not seek any dwelling opportunities.</p> <p>In summary, the proposed land rezoning is considered to be justifiably inconsistent with this Direction and will not have a long-term adverse impact on the productive agricultural value of rural lands.</p>
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 being environmentally sensitive and does not seek to reduce the environmental protection standards that apply to land.

No.	Title	Relevance to the Planning Proposal	Consistency
2.2	Coastal Protection	Not applicable as the subject land is not within a coastal zone.	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 affect existing provisions within the Wakool LEP 2013 relating to the protection of known European and Aboriginal heritage. The land is also not identified as an item of European or Aboriginal Cultural heritage significance.
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 Recreation Vehicles Act 1983.
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs.	Not applicable to the Murray River Shire Local Government Area.	Not applicable.
3. Housing, Infrastructure and Urban Development			
3.1	Residential Zones	Not applicable as the Planning Proposal does not relate to residential zones or seek residential outcomes.	Not applicable.
3.2	Caravan Parks & Manufactured Home Estates	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this Direction because it does not reduce the opportunities for caravan parks and manufactured homes estates on the subject land.
3.3	Home Occupations	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this Direction as it does not seek to change any provisions regarding home occupations.
3.4	Integrating Land Use and Transport	Yes, as the planning proposal seeks to rezone land for industrial purposes.	The Planning Proposal is consistent with this Direction as it seeks to improve the supply of industrial zoned land adjacent to land already developed for this purpose. Accordingly, the land can be serviced via an existing sealed road (Cygnet Lane), which can be extended to service the land.

No.	Title	Relevance to the Planning Proposal	Consistency
3.4	Integrating Land Use and Transport Cont.		Likewise, the Planning Proposal has regard for the two DUAP documents referenced in this Direction and will not create issues on the wider road network. It is noted that the proposal can be serviced via an extension of existing road infrastructure (Cygnet Lane) and details regarding specific traffic requirements can be best addressed as part of the Development Application process for the development of the site.
3.5	Development Near Licensed Aerodromes and Defence Airfields	Not applicable, as the subject land is not located within close proximity to a licensed aerodrome or a defence airfield.	Not applicable.
3.6	Shooting Ranges	Not applicable, as the subject land is not located in the vicinity of a shooting range.	Not applicable.
4. Hazard and Risk			
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	Yes, as the planning proposal seeks to rezone land currently identified as being flood prone.	<p>This Direction requires consideration of flooding impacts associated with the rezoning of land and requires a planning proposal to be consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.</p> <p>Whilst it is acknowledged that a planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use of Special Purpose Zone, the development is considered to be justifiably inconsistent with this Direction as outlined below.</p>

No.	Title	Relevance to the Planning Proposal	Consistency
4.3	Flood Prone Land Cont.		<p>The subject land is not identified as a 'Flood Planning Area' in the Wakool LEP, but rather is classified as flood liable land in the Wakool Development Control Plan 2013.</p> <p>It is noted however that the subject land is located on the edge of the designated flood prone area and is not classified as being 'high hazard' or being located within a 'floodway'. The subject land also adjoins land already developed for industrial purposes to the west, which is located closer to existing waterways and the land is located over 1 kilometre from the nearby Murray River.</p> <p>Given the location of the land and its relatively small size (only 3ha), the development is not expected to significantly alter existing flooding arrangements that apply to the subject land and its surrounds and is therefore considered to be of a 'minor significance'.</p> <p>Lastly, any further development of this land for industrial development will be subject to a separate development application to ensure compliance with both council's and the state government's relevant flood planning requirements.</p>
4.4	Planning for Bushfire Protection	Not applicable as the subject land is not mapped as bushfire prone.	Not applicable.
5. Regional Planning			
5.1	Implementation of Regional Strategies	Not applicable, does not apply to the Murray River Shire Local Government Area.	Not applicable.
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 Shire Local Government Area.	Not applicable.

No.	Title	Relevance to the Planning Proposal	Consistency
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.
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 Shire Local Government Area.	Not applicable.
5.10	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is generally consistent with the goals, directions and actions as contained within the Riverina-Murray Regional Plan as it seeks to support commercial/industrial development, economic development and jobs growth, whilst also having regard to the environmental impacts of development A full response in relation to this Regional Plan has been provided in Attachment C.
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

No.	Title	Relevance to the Planning Proposal	Consistency
6.	Local Plan Making		
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	Not applicable as the subject land is not within one of the local government areas nominated in this Direction.	Not applicable.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable, does not apply to the Murray River Shire Local Government Area.	Not applicable.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable, does not apply to the Murray River Shire 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 Shire 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 Shire Local Government Area.	Not applicable.

No.	Title	Relevance to the Planning Proposal	Consistency
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Murray River Shire Local Government Area.	Not applicable.
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable, does not apply to the Murray River Shire Local Government Area.	Not applicable.
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Murray River Shire Local Government Area.	Not applicable.
7.9	Implementation of Bayside West Precincts 2036 Plan	Not applicable, does not apply to the Murray River Shire 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 Shire Local Government Area.	Not applicable.

Attachment C

Consistency with the Riverina Murray Regional Plan 2036

Goal, Direction & Action Title	Relevance to the Planning Proposal	Consistency
Goal 1 – A growing and diverse economy		
Direction 1 – Protect the region’s diverse and productive agricultural land	Relevant as the land is currently zoned and used for agriculture.	The planning proposal conflicts with this Direction as the rezoning will result in the loss of productive agricultural land. Notwithstanding, this is considered justifiably inconsistent in this instance due to the small area of the land (3 hectares), as well as the fact that it already adjoins land zoned and used for industrial purposes. Due to the small size of the land, it is considered unviable long term for agricultural purposes and will have greater economic benefits as industrial zoned land.
Direction 2 – Promote and grow the agribusiness sector.	Not relevant, as the development does not propose any agricultural activities.	Not applicable.
Direction 3 – Expand advanced and value-added manufacturing.	Relevant, as the proposed seeks to achieve industrial outcomes, which could include manufacturing.	The planning proposal is consistent with this Direction as it seeks to rezone the land to general industrial, which will encourage a variety of industrial developments, including manufacturing. The subject land currently adjoins the Murray Downs industrial estate and the rezoning of this land will be consistent with this adjoining estate.
Direction 4 – Promote business activities in industrial and commercial areas	Relevant as the proposal seeks to achieve industrial outcomes.	The planning proposal is consistent with this Direction as it seeks to rezone land for industrial purposes that is well located and serviced. As outlined above, the subject land adjoins the Murray Downs industrial area and there is currently a demand for additional land within the shire, particularly given its close proximity to Swan Hill. As a consequence, the land is strategically located and has access to infrastructure and services, including the freight network.
Direction 5 – Support the growth of the health and aged care sectors	Not relevant, as the proposal does not relate to the health or aged care sectors.	Not applicable.
Direction 6 – Promote the expansion of education and training opportunities.	Not relevant, as the proposal does not relate to education and training opportunities	Not applicable.

Goal, Direction & Action Title	Relevance to the Planning Proposal	Consistency
Direction 7 – Promote tourism opportunities.	Not relevant, as the proposal does not relate to tourism.	Not applicable.
Direction 8 – Enhance the economic self-determination of Aboriginal communities	Not relevant, as the proposal does not relate to the management of Aboriginal communities.	Not applicable.
Direction 9 – Support the forestry industry.	Not relevant as the proposal does not relate to the forestry industry.	Not applicable.
Direction 10 – Sustainably manage water resources for economic opportunities.	Not relevant, as the proposal does not relate to water resources.	Not applicable.
Direction 11 – Support the diversification of energy supplies through renewable energy generation.	Not relevant as the proposal does not relate to renewable energy generation.	Not applicable.
Direction 12 – Sustainably manage mineral resources.	Not relevant as the subject land has not been identified as an area of mineral resources.	Not applicable.
Goal 2 – A healthy environment with pristine waterways		
Direction 13 – Manage and conserve water resources for the environment.	Not relevant as the proposal will have no impact on water resources.	Not applicable.
Direction 14 – Manage land uses along key river corridors	Not relevant as the subject land is not located on a river corridor adjoining the Murray, Darling or Barwon Rivers.	Not applicable.
Direction 15 – Protect and manage the region's many environmental assets.	Not relevant as the subject land is not identified as being environmentally significant or having high environmental value assets.	Not applicable.

Goal, Direction & Action Title	Relevance to the Planning Proposal	Consistency
Direction 16 – Increase resilience to natural hazards and climate change.	Relevant, as the subject land is identified as being flood prone.	<p>The planning proposal conflicts with this Direction as it proposes to rezone land that is identified in Council's DCP as being flood prone. Notwithstanding, this is considered to be satisfactory as the subject land is located on the edge of the designated flood prone area and is not classified as being 'high hazard' or being located within a 'floodway'.</p> <p>The subject land also adjoins land already developed for industrial purposes to the west and the land is located over 1 kilometre from the nearby Murray River.</p> <p>The future development of this land is not expected to significantly alter existing flooding arrangements that apply to the subject land and its surrounds and is therefore considered to be of a 'minor significance'.</p> <p>Lastly, any further development of this land for industrial development will be subject to a separate development application to ensure compliance with both council's and the state government's relevant flood planning requirements as outlined in the NSW Floodplain Development Manual.</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 a freight or logistics hub.	Not applicable.
Direction 18 – Enhance road and rail freight links.	Not relevant as the proposal does not relate to road and rail freight links.	Not applicable.
Direction 19 – Support and protect ongoing access to air travel.	Not relevant, as the subject land is not located within proximity to a regional airport.	Not applicable.
Direction 20 – Identify and protect future transport corridors.	Not relevant, as the subject land is not located within proximity to the Melbourne-Brisbane Inland Rail Corridor.	Not applicable.

Goal, Direction & Action Title	Relevance to the Planning Proposal	Consistency
Direction 21 – Align and protect utility infrastructure investment.	Not relevant as the subject land is not located within proximity to any important utility infrastructure.	Not applicable.
Goal 4 – Strong, connected and healthy communities		
Direction 22 – Promote the growth of regional cities and local centres.	Relevant, as Murray Downs is identified as a local centre.	The Planning Proposal is consistent with this Direction as it seeks to support economic development and job creation through the rezoning of land for general industrial purposes. As previously outlined, the subject land can be serviced with infrastructure and will help support the growth of Murray Downs and its cross-border town Swan Hill.
Direction 23 – Build resilience in towns and villages.	Relevant, as the development seeks to rezone land for industrial purposes.	The Planning Proposal is consistent with this Direction as it seeks to increase the supply of industrial zoned land within Murray Downs, which in turn will help improve the resilience of this small local centre.
Direction 24 – Create a connected and competitive environment for cross-border communities.	Relevant, as the subject land is classified as a cross-border community.	The Planning Proposal is generally consistent with this Direction, which applies to cross border towns such as Murray Downs and Swan Hill. The proposed rezoning of land has been undertaken in response to a lack of industrial zoned land in either of these townships and the future development of this land for industrial purposes will support each of these townships.
Direction 25 – Build Housing capacity to meet demand	Not relevant as the development does not seek residential outcomes.	Not applicable.
Direction 26 – Provide greater housing choice.	Not relevant as the development does not seek residential outcomes.	Not applicable.
Direction 27 – Manage rural residential development.	Not relevant as the development does not seek rural residential outcomes.	Not applicable.
Direction 28 – Deliver healthy built environments and improved urban design.	Not relevant as the development does not relate to a town centre.	Not applicable.

Goal, Direction & Action Title	Relevance to the Planning Proposal	Consistency
Direction 29 – Protect the region’s Aboriginal and historic heritage	Relevant, as matters regarding Aboriginal Cultural Heritage apply to all lands.	The Planning Proposal is consistent with this Direction as the land is not identified within Schedule 5 of the LEP as being of heritage significance. Having completed a due diligence assessment in relation to matters regarding Aboriginal Cultural Heritage, the land does not contain any landscape features (waterways, scarred trees or ridgelines etc) that would indicate previous occupation by traditional landowners. This is particularly the case given that the land has been highly disturbed from previous agricultural activities conducted on-site.

Attachment D

Consideration of Principles in Murray Regional Environmental Plan No 2 – Riverine Land

Principles to be taken into account	Consistency
General	
(a) the aims, objectives and planning principles of this plan.	Satisfaction against the general objectives can be determined by the assessment against the specific principles below.
(b) any relevant River Management Plan	There are no known river management plans relevant to the proposal.
(c) any likely effect of the proposed plan or development on adjacent and downstream local government areas.	Polluted stormwater is the only consequence of the development that potentially could have a detrimental downstream impact. The subject land is more than 850 metres from Murray Downs Creek and stormwater from any future industrial development will be treated prior to discharge. If the development is undertaken properly, this should result in no downstream impacts.
(d) the cumulative impact of the proposed development on the River Murray.	None.
Access	
The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported.	The proposal does not prevent access to the river.
Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only.	Not applicable.
Human and stock access to the River Murray should be managed to minimise the adverse impacts of uncontrolled access on the stability of the bank and vegetation growth.	The subject land does not have frontage to the river.
Bank disturbance	
Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.	The development is not on riverfront land and will therefore not disturb the river bank.

Principles to be taken into account	Consistency
<p>Flooding</p> <p>Where land is subject to inundation by floodwater:</p> <ul style="list-style-type: none"> a) the benefits to riverine ecosystems of periodic flooding, b) the hazard risks involved in developing that land, c) the redistributive effect of the proposed development on floodwater, d) the availability of other suitable land in the locality not liable to flooding, e) the availability of flood free access for essential facilities and services, f) the pollution threat represented by any development in the event of a flood, g) the cumulative effect of the proposed development on the behaviour of floodwater, and h) the cost of providing emergency services and replacing infrastructure in the event of a flood. <p>Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources</p>	<p>The subject land is not identified as being flood prone in the Wakool LEP 2013. It is noted however that the land is identified as being ‘flood liable land’ on the ‘Flood Liable Land Wakool Shire (South) Map’ as contained within the Wakool Development Control Plan 2013.</p> <p>Notwithstanding, it is noted that adjoining land to the west (being land located closer to the river) is already zoned IN1 General Industrial. This land has been developed for industrial purposes and has continued to operate without causing any environmental harm in terms of flooding.</p> <p>The land can be readily serviced and has access to a sealed road and any future development of this land will be subject to a development application.</p> <p>The rezoning and future development of this land is therefore not expected to create any adverse impacts with regards to flooding.</p> <p>Not applicable.</p>
<p>Land degradation</p> <p>Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats.</p>	<p>The only land disturbance arising from future development will be through site preparation for industrial development. These works will be controlled via a Soil and Water Management Plan.</p>
<p>Landscape</p> <p>Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species.</p>	<p>The subject land does not have river frontage and is not located on the riverbank or adjacent land. The land also does not contain any trees and therefore any future development of this land for industrial purposes will not adversely affect the landscape qualities of the land.</p>

Principles to be taken into account	Consistency
<p>River related uses</p> <p>Only development which has a demonstrated, essential relationship with the river Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray</p> <p>Development which would intensify the use of riverside land should provide public access to the foreshore.</p>	<p>The subject land is not 'on' or adjacent to the river.</p> <p>The subject land is not 'riverside' land.</p>
<p>Settlement</p> <p>New or expanding settlements (including rural-residential subdivision, tourism and recreational development) should be located:</p> <p>(a) on flood free land,</p> <p>(b) close to existing services and facilities, and</p> <p>(c) on land that does not compromise the potential of prime crop and pasture land to produce food or fibre.</p>	<p>The proposed development does not relate to a rural-residential subdivision, tourism or recreational development.</p> <p>Although the rezoning will result in a small loss of agricultural zoned land (3ha), this is considered satisfactory in this instance as the land is too small to be viably use for agricultural purposes and the land adjoins existing industrial zoned land.</p>
<p>Water quality</p> <p>All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients entering the River Murray and otherwise improve the quality of water in the River Murray.</p>	<p>The subject land is located over 850 metres from Murray Downs Creek and 1 kilometre from the Murray River and therefore any development of this land for industrial purposes is not expected to adversely affect water quality.</p>
<p>Wetlands</p> <p>Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values.</p> <p>Land use and management decisions affecting wetlands should:</p> <p>(a) provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland,</p> <p>(b) consider the potential impact of surrounding land uses and incorporate measures such as a vegetated buffer which mitigate against adverse effects,</p> <p>(c) control human and animal access, and</p> <p>(d) conserve native plants and animals</p>	<p>The subject land does not contain a wetland.</p>