



1037 Urana Road, Jindera

JULY 2021

Prepared for**David & Helene Walker****Contact**

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1. Introduction

1.1. Overview

The Planning Proposal has been prepared by Habitat Planning on behalf of David & Helene Walker in support of an amendment to the *Greater Hume Local Environmental Plan 2012* (GHLEP 2012). Specifically, the Planning Proposal seeks to amend the Land Zoning Map and Lot Size Map as it applies to 1037 Urana Road, Jindera (Lot 2 DP 240938) by:

- Rezoning the land from 'RU4 – Primary Production Small Lots' to 'R2 – Low Density Residential'
- Amending the existing minimum lot size from 80,000m² to 2000m².
- insert a clause in Greater Hume LEP 2011 with the intent to require the South Jindera Low Density Residential Development Control Plan (DCP) and Contributions Plan (CP) to be updated to include to the subject land before development consent can be granted for subdivision to ensure adequate access provisions for Lot 2 DP240938 and availability of services (unless the DCP and CP have been updated prior to finalisation of the LEP amendment)

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 GHLEP 2012 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 GHLEP 2012 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 identified the planning framework applicable to the site and considers the Planning Proposal against the relevant strategic plans and policies;
- Section 4.0 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 5.0 provides the conclusions and recommendations to proceed with the Planning Proposal to Gateway Determination to amend GHLEP 2012.

1.3. Supporting Plans and Documentation

The Planning Proposal has been prepared with input from a number of technical and design documents 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

2. Site & Context Description

2.1. Site Context and Locality

The subject land to which this Planning Proposal relates is described as Lot 2 DP240938 and addressed as 1037 Urana Road, Jindera 2642.

The subject site is located within a semi-rural area located south of the Jindera town centre. The location is shown at **Figure 1** below.

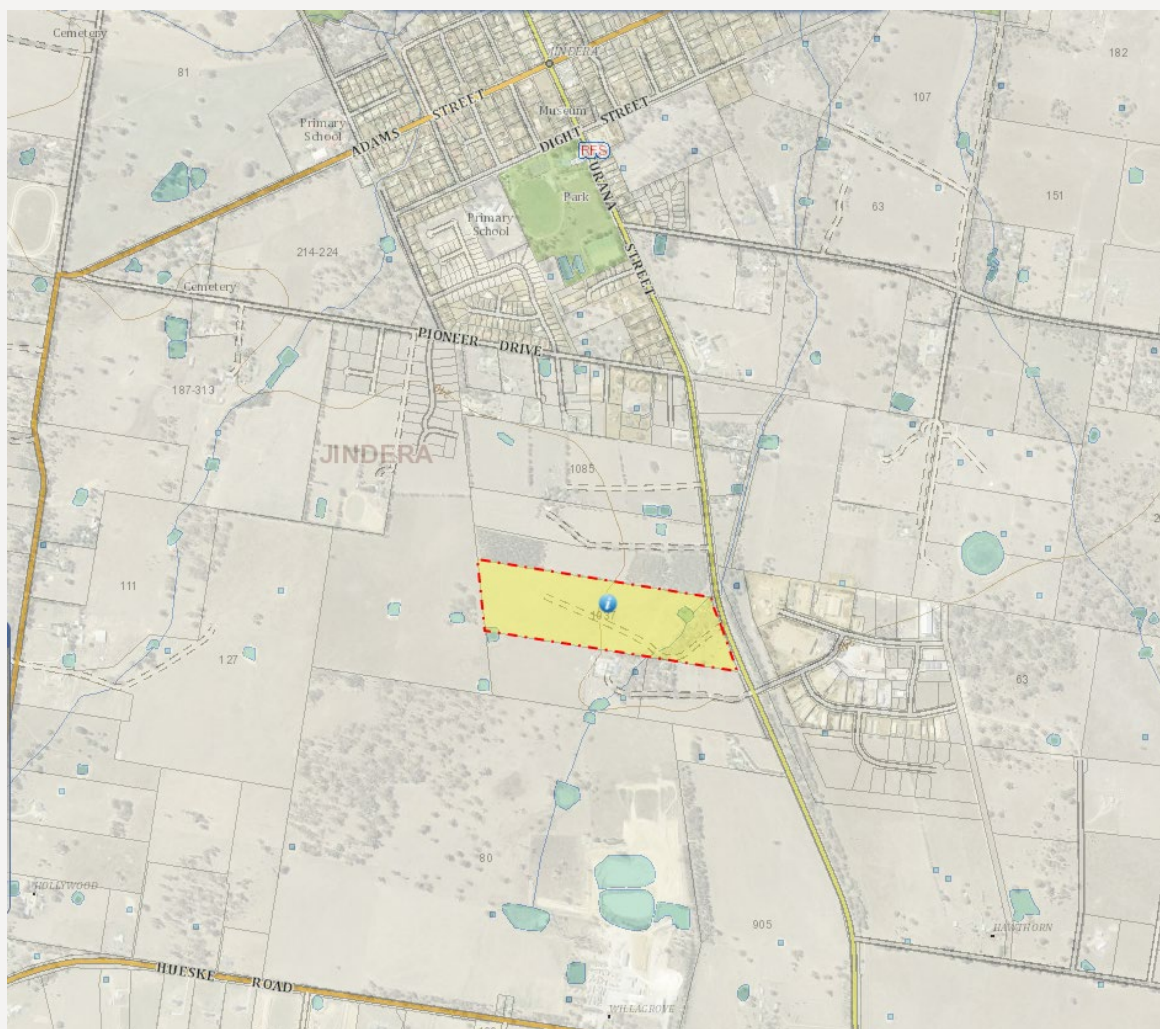


Figure 1: Context Map (Source: SixMaps)

2.2. Site Description

The subject land is located on the western side of Urana Road, Jindera within a primary production small lot zone to the south of Jindera's town centre. The property is generally rectangular in shape and is identified as one lot.

The land is improved with one dwelling and contains moderately dense vegetation to the east of the subject site. The site is generally flat to the east, and gently undulating to the west and contains no significant landforms.

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



Figure 2: Site Map (Source: NearMap)

2.3. Surrounding Development and Built Form

The subject site is located within a semi-rural area on the fringe of Jindera that has seen a dramatic change over the past 5-10 years.

To the north west of the site several subdivisions have resulted in construction and establishment of a 'general residential' zone that has lots of approximately 2000sqm and known as 'Heritage Park'. This residential area will also eventually extend to the south and will link into the subject site on the western boundary. The houses in this area have been developed and constructed over the past 2-3 years. The land to the north of the site contains large lot residential development and a tree plantation which is heavily vegetated. It is noted that the sites to the north are zoned for low density residential development and will eventually provide additional housing supply to join this divide between the urban and rural-residential area environs.

The land to the south and south east contains larger lot rural style lots and Hueske Road Brickworks. To the immediate east is the Jindera Industrial precinct, which is buffered by heavy road side vegetation.

3. Planning Proposal

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. This section provides:

- Objectives and intended outcomes;
- Explanation of provisions;
- Justification;
- Mapping
- Community consultation; and
- Project timeline.

3.1. Objectives or Intended Outcomes

This part of the planning proposal responds to Section 3.33(2)(a) of the *Environmental Planning & Assessment Act 1979* which requires a statement of the objectives or intended outcomes of the proposed instrument.

The objective of this Planning Proposal is to amend the Greater Hume Local Environmental 2012 to enable the rezoning of the lot to be used for urban residential development, consistent with the draft Jindera Land Use Strategy.

It is intended to take advantage of available urban services and enable new low density residential development within a portion of land that is integrated into the growth of the low density precinct of Jindera.

A key outcome of the amendment is to add to the supply of residential land in Jindera and provide additional choice in location and living environments for future residents. It is intended that the development of the subject land will provide for the strong demand for residential lots in Jindera. The lots will allow for Jindera to build on its reputation as having a strong family orientated community and offer a point of difference to Albury-Wodonga in terms of a residential environment.

3.2. Explanation of Provisions

This part of the planning proposal responds to Section 3.33(2)(b) of the *Environmental Planning & Assessment Act 1979* which requires an explanation of the provisions that are to be included in the proposed instrument.

The Planning Proposal seeks to:

- Amend *Greater Hume Local Environmental Plan – Land Zoning Map* (LZN_002C) to rezone the land from 'RU4 – Primary Production Small Lots' to 'R2 – Low Density Residential'.
- Amend *Greater Hume Local Environmental Plan – Lot Size Map* (LSZ_002C) to reduce the minimum lot size from 8000m² to 2000m².
- insert a clause in Greater Hume LEP 2011 with the intent to require the South Jindera Low Density Residential Development Control Plan (DCP) and Contributions Plan (CP) to be updated to include to the subject land before development consent can be granted for subdivision to ensure adequate access provisions for Lot 2 DP240938 and availability of services (unless the DCP and CP have been updated prior to finalisation of the LEP amendment)

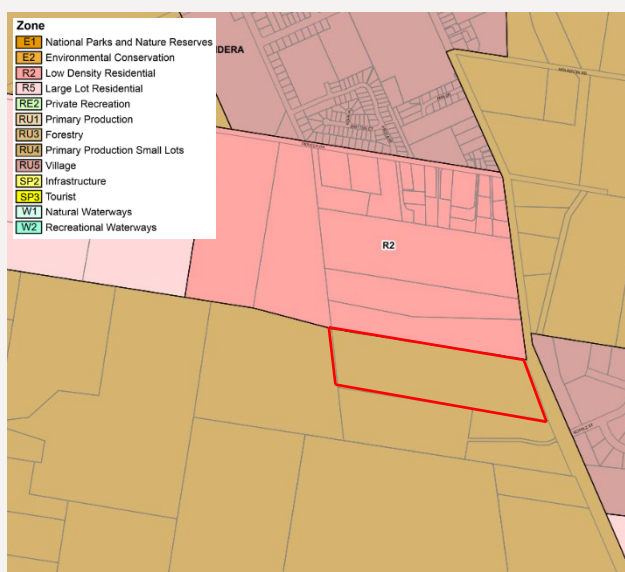


Figure 3: Existing Land Zoning Map

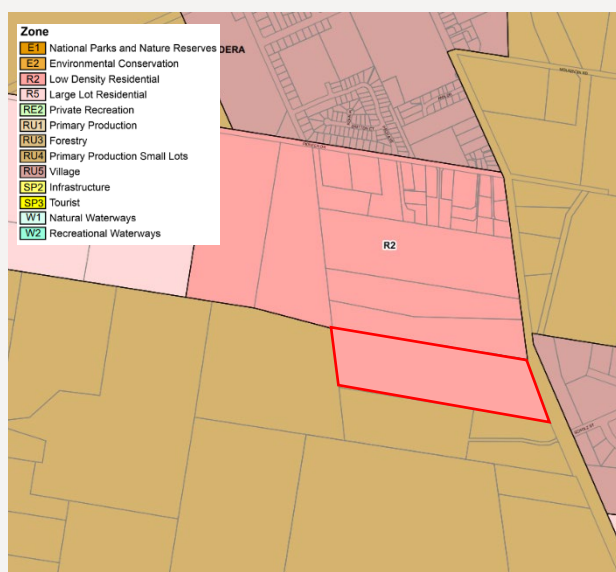


Figure 4: Proposed Land Zoning Map

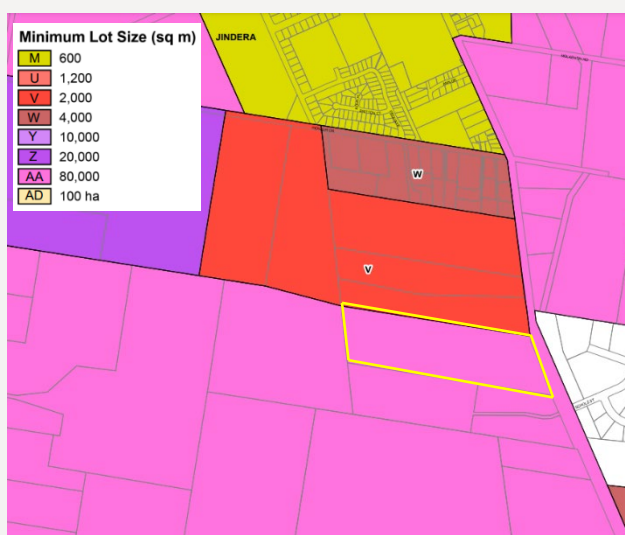


Figure 5: Existing Minimum Lot Size Map

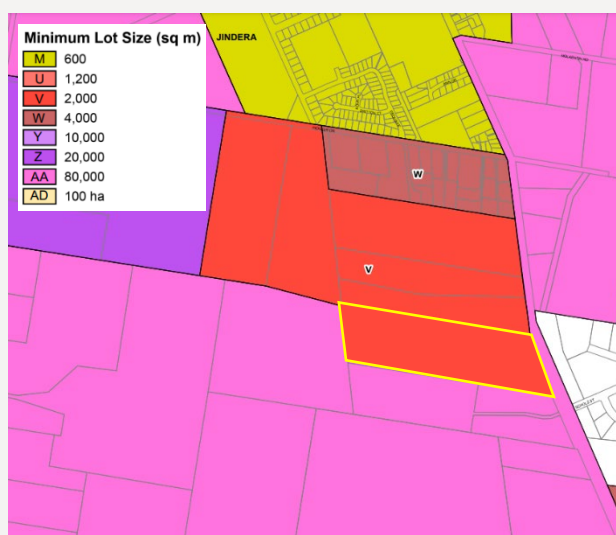


Figure 6: Proposed Minimum Lot Size Map

3.3. Justification

This part of the planning proposal responds to Section 3.33(2)(c) of the *Environmental Planning & Assessment Act 1979* which requires the justification for the objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will give effect to the local strategic planning statement of the council of the area and will comply with relevant directions under section 9.1).

3.3.1. Section A – Need for a Planning Proposal

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

The Planning Proposal has been prepared consistent with the recommendations and actions contained within the Greater Hume Local Strategic Planning Statement and the Jindera Residential Land Use Strategy.

Further details regarding both of these strategic plans are provided below.

Greater Hume Local Strategic Planning Statement

The *Greater Hume Local Strategic Planning Statement* (LSPS) sets the land use framework on a local scale for Greater Hume Council's economic, social and environmental land use needs over the next 20 years. It addresses the planning and development issues of strategic significance to the Council through planning priorities and actions, spatial land use direction and guidance.

The LSPS gives effect to the *Riverina Murray Regional Plan 2036* implementing the directions and actions at a local level. It is also informed by other State-wide and regional policies including *Future Transport Plan 2056* and the *NSW State Infrastructure Strategy 2018 – 2038*.

The vision statement the LSPS outlines the following:

Greater Hume will continue to recognize the importance of the regional cities of Albury, Wodonga and Wagga Wagga and our community's ability to access higher level services, such as higher education, health services and employment. Recognising and enhancing this connection will be a key driver to the success of Greater Hume.

Our towns and villages will capitalise on growth opportunities so that they continue to service our rural communities. Our towns will offer a variety of housing choice to retain the ageing population but will also provide an alternate rural lifestyle that will attract people to the area. As our towns continue to support new growth, our economic base will diversify. Our townships will be vibrant active places to visit and live providing a variety of basic economic and community services, within a rural heritage town setting, resilient to effects of climate change.

To achieve this 20-year vision for Greater Hume, Council has identified nine planning priorities to focus future strategic planning consistent with the recommendations of the RMRP and Council's Community Strategic Plan 2017-2030.

The Planning Proposal is consistent with the following relevant planning priorities outlined in **Table 2**.

Table 2: LSPS Planning Priorities

Planning Priorities	Consistency
Planning Priority One – Housing and Land Supply	
<p><u>Recommendations:</u></p> <ul style="list-style-type: none"> • Monitor the uptake of residential land in the towns and villages and investigate future residential areas (as identified on the town maps). These areas will: • Be located to avoid areas that are identified as important agricultural land or areas that create potential for land use conflict; • Align with the utility infrastructure network and its capabilities; • Avoid or mitigate the impacts of hazards, including the implications of climate change; • Protect areas with high environmental value and/ or cultural heritage value and important biodiversity corridors; • Not hinder development or urban expansion and will contribute to the function of existing townships; 	<p>The Planning Proposal has been prepared in response to the recommendations of the draft Jindera Residential Land Use Strategy, which has identified this land for R2 Low Density Residential purposes.</p> <p>By rezoning this land from RU4 to residential, this will add additional residential land supply to Jindera, which is currently experiencing high demands for residential land and has a lack of larger lot residential properties.</p> <p>The subject land has very limited environmental constraints, can be readily serviced with infrastructure and will form an extension of the adjoining Heritage Park to the west</p>

Planning Priorities	Consistency
<ul style="list-style-type: none"> Create new neighbourhoods that are environmentally sustainable, socially inclusive, easy to get to, healthy and safe. <p><u>Actions:</u></p> <ol style="list-style-type: none"> Investigate and identify future opportunities to provided fully serviced large lot residential allotments and partially serviced rural residential allotment in Jindera – Short Term. For the RU4 zoning in Jindera and other townships investigate the feasibility of increasing the density within the RU4 zoning 	<p>resulting in a logical coordinated approach to land development.</p> <p>The development of this land for low density residential purposes, will also not adversely hinder the urban expansion of Jindera, which has been identified to the west.</p>

Planning Priority Three – Utility Infrastructure

<p><u>Recommendations:</u></p> <ul style="list-style-type: none"> Align residential and commercial growth with water and waste water capabilities.; <p><u>Actions:</u></p> <ol style="list-style-type: none"> Complete an Integrated Water Management Plan to ensure future water and sewer aligns with future growth. 	<p>The subject land is centrally located and adjoins urban development immediately to the north, which has been developed for low density residential purposes.</p> <p>The subject land can be readily serviced with all relevant infrastructure and services including water, sewerage, stormwater, roads, electricity, gas and telecommunications. Provisions will be introduced within the LEP, DCP and Contributions Plan to ensure appropriate and adequate services can be provided.</p> <p>It is also noted that Council in consultation with the NSW Public Works are currently preparing an Integrated Water Cycle Management Plan for Jindera, which will be informed by the recommendations of the Jindera Residential Land Use Strategy. As outlined above, this Strategy identifies the subject land for low density residential purposes.</p>
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Planning Priority Four – Agricultural Lands

<p><u>Recommendations:</u></p> <ul style="list-style-type: none"> Protect important agricultural lands in local planning controls. 	<p>Whilst it is acknowledged that the subject land is zoned RU4 Primary Production, the subject land is not used for any productive agricultural activity, only the intermittent grazing of cattle.</p>
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Planning Priorities	Consistency
<ul style="list-style-type: none"> <i>To avoid agricultural land fragmentation and maintain the existing rural lands minimum lot size provisions in the Greater Hume Local Environmental Plan.</i> <i>Manage land use conflict on agricultural land by:</i> <ul style="list-style-type: none"> <i>In the case of nuisance complaints supporting pre-existing, lawfully operating agricultural land uses</i> <i>Avoid locating incompatible land uses in and adjacent to agricultural production areas</i> <i>Restrict the encroachment of incompatible land uses;</i> <i>Ensure that land use standards for minimum subdivision sizes in the LEP reflect trends and enable a productive agricultural sector</i> <p><u>Actions:</u></p> <ol style="list-style-type: none"> <i>On review of the Greater Hume Local Environment Plan investigate the appropriateness of minimum lots sizes rural zones through undertaking a strategic analysis of agricultural land and practices</i> 	<p>The subject land is already fragmented, small in size and is surrounded by urban development in all directions.</p> <p>For this reason, the draft Jindera Residential Land Use Strategy has recommended that the land be rezoned to R2 Low Density Residential in recognition of its limited agricultural value.</p> <p>The rezoning and development of this land for residential purposes will also not adversely affect any nearby or surrounding agricultural activities given that none exist.</p>

Jindera Residential Land Use Strategy (Draft)

Greater Hume Council in conjunction with the NSW DPIE are currently in the process of finalising the *Jindera Residential Land Use Strategy*, which will guide the future growth and development of the Jindera Township for the next 20-30 years.

The preparation of this Strategy has been in response to Jindera's sustained and ongoing population growth, which has seen Jindera grow at an average annual rate of 4.46% since 2010. Based on current growth rates and population projections, Jindera is estimated to grow from 2,222 people in 2016 to 8,000 people by 2050.

As part of the preparation of the Strategy, a constraints and opportunities analysis was undertaken, as well as an assessment of existing residential supply and demand and infrastructure servicing capacities and constraints.

Residential demand since 2018 has seen an average of 35 new dwellings constructed in Jindera per annum in response to ongoing and sustained growth. This demand has occurred across all sectors of the residential land market. Of relevance to this Planning Proposal, demand for R2 zoned land accounts for approximately 26.5% of the total number of new dwellings constructed per annum, which equates to the construction of 11 new dwellings per annum.

It is noted however that the proportion of new home constructions occurring within the R2 zone is expected to increase in the coming years due to the recent release and large uptake (sales) of this form of residential product as part of the Heritage Park Estate located immediately to the north of the subject land. Specifically, Stage 1 of this estate was released in late 2020 with all 22 lots created within this initial stage now sold and pending development.

According to the draft Jindera Residential Land Use Strategy, Jindera has approximately 17.9 years' worth of R2 Low Density Residential zoned land.

To address this lack of residential land supply, the Strategy identifies a number of recommended land zoning and minimum lot size changes as outlined in **Figure 6** below.

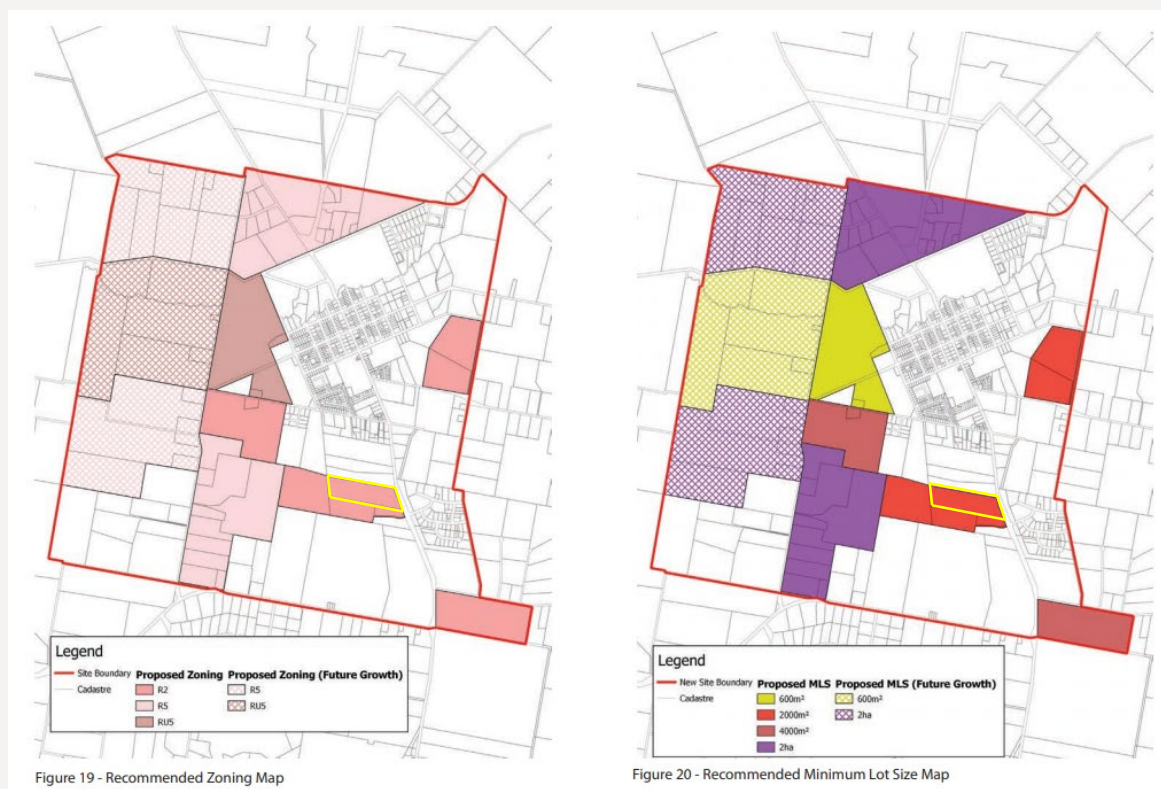


Figure 7: Extract of the recommended Zoning and Minimum Lot Size Maps for Jindera indicating the subject land (Source: draft Jindera Residential Land Use Strategy, 2021)

As can be seen, the subject land is recommended to be rezoned R2 Low Density Residential with a corresponding 2,000m² minimum lot size. Section 5.2 of the draft Strategy outlines the following in relation to proposed candidate sites for rezoning to R2 Low Density Residential

“Given their peripheral location or their location adjacent to other existing low density residential zoned land, the land is considered appropriate for low density residential purposes.

Each of these properties have readily available access to infrastructure and services and the recommended minimum lot size for these areas is proposed at 2,000m² and 4,000m² respectively.

The latter 4,000m² minimum lot size is proposed for the land located at the western end of Pioneer Drive to reflect the generally larger lot size pattern in this area and to provide a transition to R5 Large Lot Residential zoned land to the south and west.

Similarly, a 4,000m² minimum lot size is recommended for the property located on the southern side of Hawthorn Road to reflect the peripheral location of the property and its proximity to current and future industrial zoned land.

All the other remaining candidate sites are proposed to have a 2,000m² minimum lot size.

This equates to approximately 48 years’ worth of residential land supply based on current residential take-up rates.

Whilst it is acknowledged that this equates to a large level of land supply, based on recent take-up rates, demand for this form of residential product has been high with limited supply of developed residential lots artificially preventing higher take-up rates.”

The preparation of this Planning Proposal is consistent with the strategic aims and objectives of this draft Strategy.

3.3.1.2. 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 as it will allow for the subdivision of land in a manner that is compatible with the surrounding development and the recommendations of key Council strategic planning policies.

The objective and intended outcome aims to facilitate the development of the subject land for low density residential purposes consistent with the theme of adjoining land uses, particularly the establishing northern portion of the land.

The lot size map as applied to the subject land would prevent the creation of lots down to 2,000m² as it currently limits lots created by subdivision to 8 hectares. Consequently, the intended outcome can only be achieved by a Planning Proposal to change the minimum lot size for subdivision.

The current RU4 zone itself would not prevent the creation of 2,000m² lots if the minimum lot size was changed if the proposal was considered to still meet the objectives of the zone. However, the RU4 zone is a rural zone and would not be a suitable mechanism for encouraging new low density growth. The R2 zone is a residential zone that ensures consistency with the land to the north and is a more appropriate zone that reflects the development outcomes of the land. Hence whilst a change in zoning is not required to achieve the outcome, it is appropriate to do so.

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 has not identified a timeline for the preparation of an amendment to its LEP to implement the recommendations of the draft Jindera Residential Land Use Strategy. Furthermore, there is an identified lack of residential zoned land currently available, which the Planning Proposal seeks to address.

Therefore, the approval of a site-specific Planning Proposal is considered the best option as it will allow for the further development of the site consistent with the recommendations of the draft Jindera Residential Land Use Strategy.

3.3.2. Section B – Relationship to Strategic Planning Framework

3.3.2.1. 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)?

Riverina Murray Regional Plan 2036

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 15 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 connected and prosperous economy.
- Goal 2 – A diverse environment interconnected by biodiversity corridors.
- Goal 3 – Healthy and connected community.
- Goal 4 – Environmentally sustainable housing choices.

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 **Attachment 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 **Attachment A**.

3.3.2.2. 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 *Greater Hume Local Strategic Planning Statement* and *Jindera Residential Land Use Strategy* have been addressed in Section 4.3.1.1 of the Planning Proposal.

The *Greater Hume Community Strategic Plan 2017-2030* (CSP) is Council's local community strategic planning document. The CSP is based on four Strategic Directions and Themes:

- Theme 1 - Leadership and Communication.
- Theme 2 - Healthy Lifestyle.
- Theme 3 - Growth and Sustainability.
- Theme 4 - Good Infrastructure and facilities.

The subject Planning Proposal is consistent with the following outcomes and strategies under Theme 3 - Growth and Sustainability:

Our Outcome is that towns and villages in the shire are revitalised:

Strategy: Development a new Strategic Land Use Plan for the shire.

Measuring our progress:

- New Strategic Land Use Plan.

Strategy: Develop a new Resident Attraction Strategy for GHS and expand new residential estates.

Measuring our progress:

- Population growth.

- Increased number of new housing approvals.

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

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

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

3.3.2.4. 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 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

3.3.3.1. 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 site contains a large number of trees and remnant vegetation. The site is not identified on the Biodiversity Values Map and the subject land is not classified as a Matter of National Environmental Significance under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Any future subdivision of the property is expected to retain the vegetation that traverses the eastern portion of the site as public open space or reserve.

3.3.3.2. 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.

There are few environmental effects anticipated as a result of the Planning Proposal.

Biodiversity

There is a small cluster of remnant vegetation around an existing creek that traverses the eastern portion of the property. This vegetation is mapped for 'biodiversity' on the Terrestrial Biodiversity Map in GHLEP (see Figure 7). This vegetation will assist in providing a buffer to the Urana Road to the east of the subject site. Due to the location of the vegetation and the amenity value it provides it would be retained as part of any future subdivision due to its location and value. It is noted that if trees were required to be removed as a result of any future subdivision any relevant assessment will be made against the requirements of the *Biodiversity Conservation Act*.

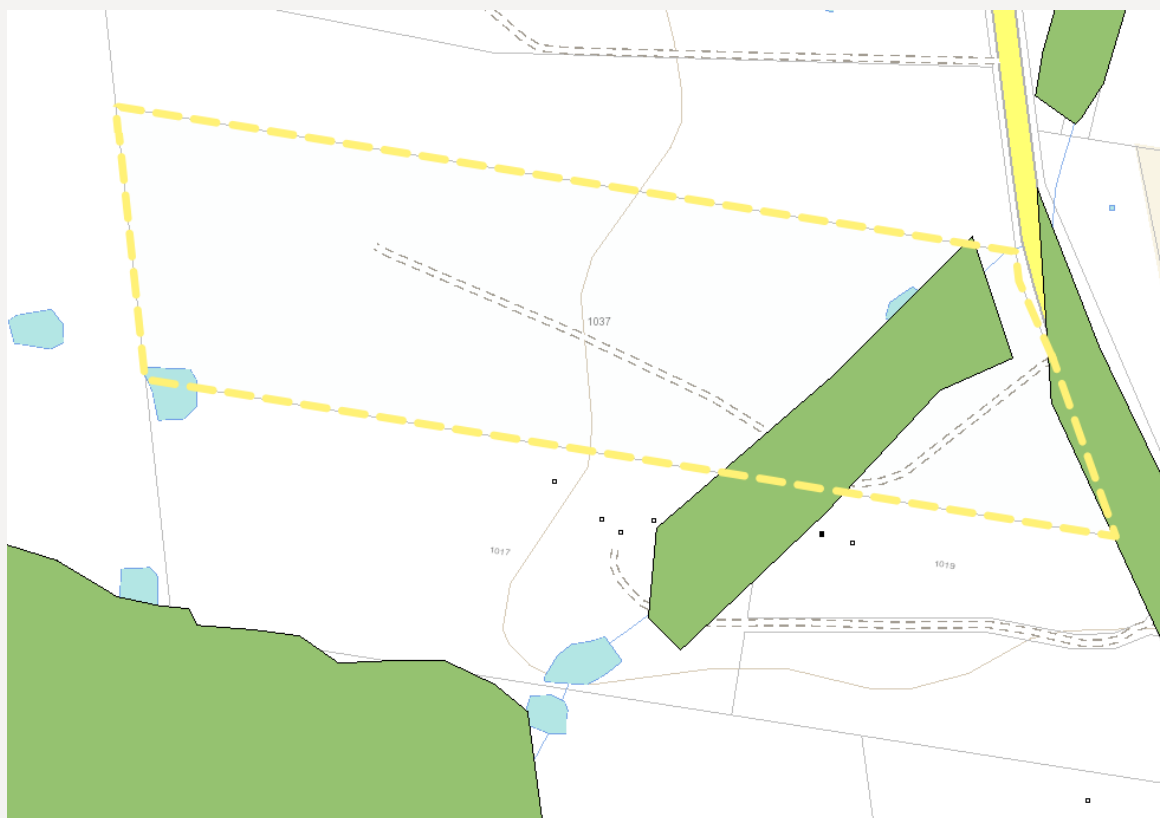


Figure 9 – Extent of land mapped for biodiversity (Source: GHLEP)

Natural Hazards

The subject land is not identified as bushfire prone on Council's bushfire prone land map. The subject land is also not known to be contaminated given previous land activities conducted on-site (broadacre grazing)(see response to SEPP 55 for further details).

A portion of the subject land is however subject to inundation in a major flood event (see **Figure 8**). With the exception of an existing dam in the north east corner, in a 1 in 100 year ARI event the depth of flooding will be less than 0.50m – 1.0m placing it within the hydraulic category of 'flood fringe' and the hazard category of 'low'. Although the mapping does identify some areas of the property as 'high hazard' these areas are within the existing dam and creek bed and not where residential development would occur. These flooding characteristics are of a minor nature and consequently can be addressed in the civil design of the subdivision (including retention and storage) to ensure there are no detrimental impacts from flooding.

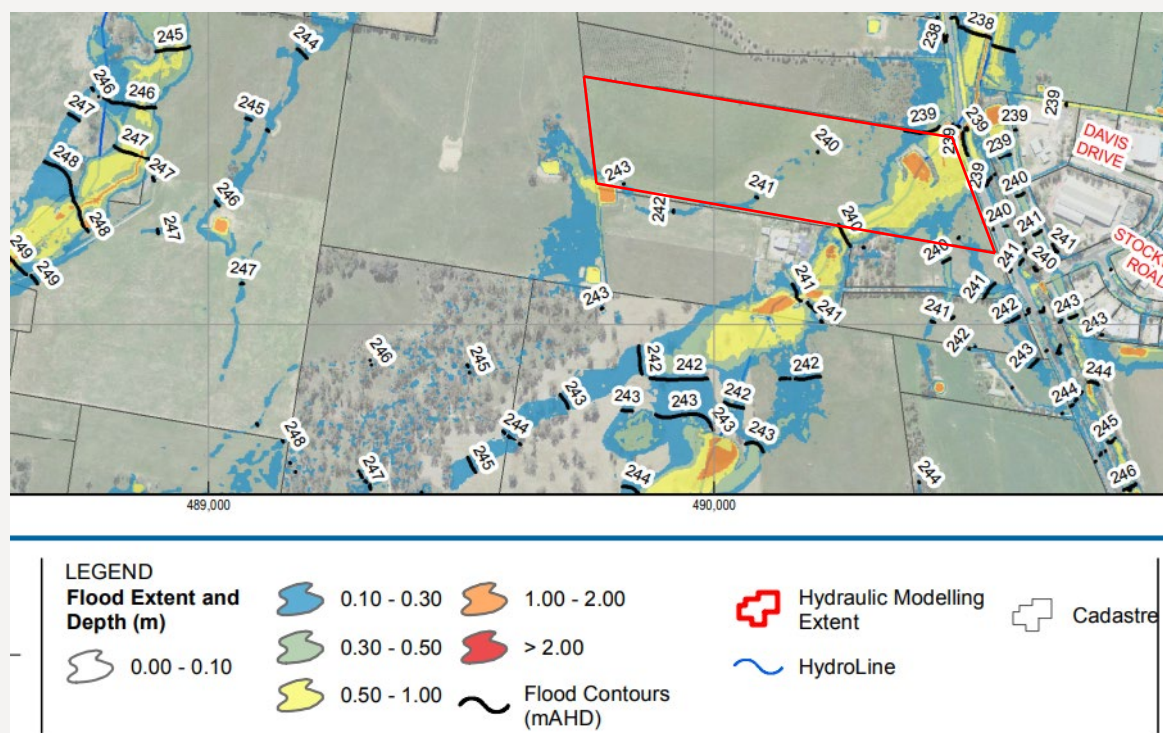


Figure 8: Extent of flooding on the subject land in a 1:100 year ARI (Source: Jindera Flood Study)

Heritage

The land is not identified as an item of environmental heritage within schedule 5 of the heritage map of the LEP. 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.

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

There will be a positive social and economic effect for the Jindera community from the Planning Proposal through additional choice of residential environments. The new residents will increase support for both community and commercial interests in the town.

3.3.4. Section D – State and Commonwealth interests

3.3.4.1. Is there adequate public infrastructure for the planning proposal?

The subject land adjoins urban zoned land that is currently being developed for low density residential purposes.

Therefore, the subject land has readily available access to reticulated infrastructure and services including water, sewerage, stormwater drainage, road access, telecommunications, electricity and gas (Figure 9).

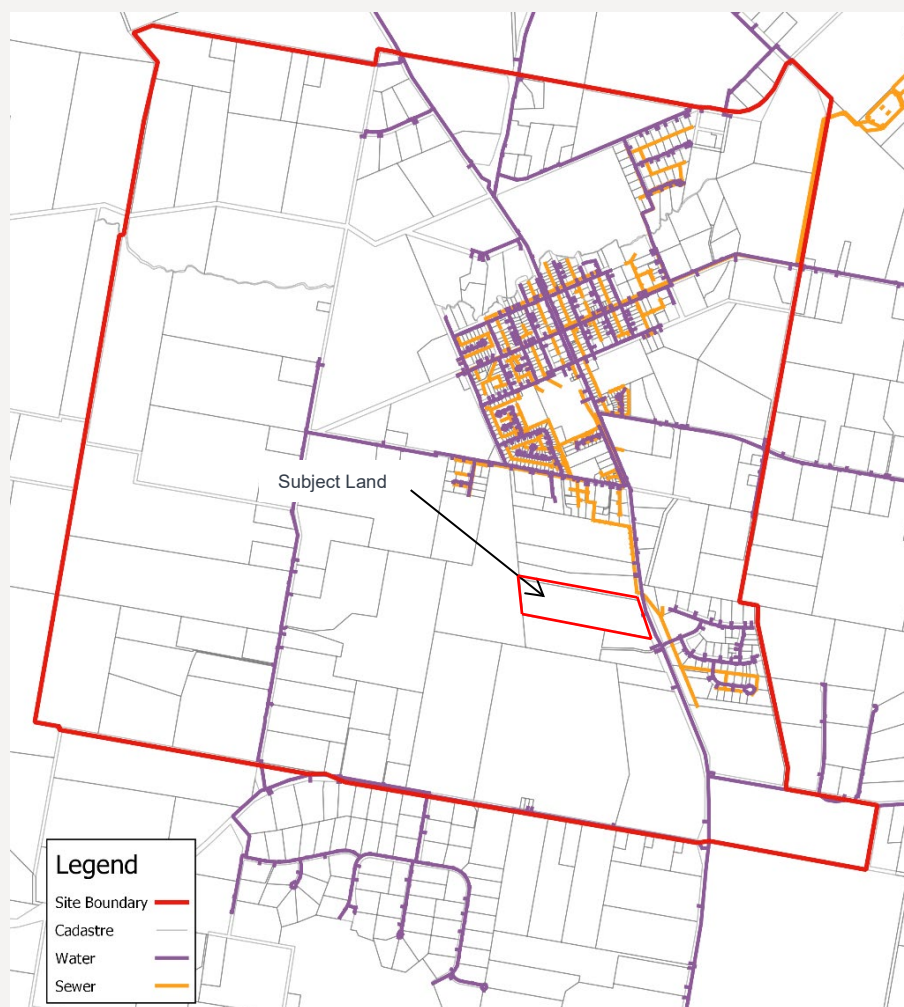


Figure 9 – Infrastructure servicing plan (Source: draft Jindera Residential Land Use Strategy, 2021)

3.3.4.2. 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. Having regard for the circumstances of the subject land and nature of the Planning Proposal, no public authority consultation has been undertaken.

Notwithstanding, any consultation requirements with relevant public authorities and service providers will occur in accordance with the conditions of the Gateway Determination.

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

3.4. Mapping

This part of the planning proposal responds to Section 3.33(2)(d) of the *Environmental Planning & Assessment Act 1979* which requires that if maps are to be adopted by the proposed instrument, such as maps for proposed land use zones; heritage areas; flood prone land—a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument be provided.

The Planning Proposal seeks to amend the following maps of the LEP as follows:

- Change the Land Zoning Map LZN 002C as it relates to part Lot 2 in DP 240938 from RU4 - Primary Production Small Lots to R2 Low Density Residential.
- Change the Lot Size Map LSZ 002C as it relates to part Lot 2 in DP 240938 from a minimum lot size of 8 hectares to a minimum lot size of 2,000m².

An extract of the existing and proposed Land Zoning and Minimum Lot Size Maps are contained within Figures 3-6.

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

This part of the planning proposal responds to Section 3.33(2)(e) of the *Environmental Planning & Assessment Act 1979* which requires the details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

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	2 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)	2 weeks following Council resolution and request for a Gateway determination
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.

Project Milestone	Anticipated Timeframe
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 DPIE/Parliamentary Counsel (if delegated) for finalisation following public exhibition.	4 weeks
Notification Finalisation/gazettal of Planning Proposal	2 weeks

4. Conclusion

The Planning Proposal seeks to amend the *Greater Hume Local Environmental Plan 2012* by amending the Land Zoning Map as it applies to 1037 Urana Road, Jindera from RU4 Primary Production Small Lots to R2 Low Density Residential. The Planning Proposal also seeks to amend the Minimum Lot Size Map applicable to the land by reducing the minimum lot size from 8 hectares down to 2,000m².

The report has been prepared to address the requirements of the Environmental Planning and Assessment Act 1979 (EP&A Act), 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).

This 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.

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 Greater Hume.
- The proposal is consistent with the recommendations of the recently exhibited *Jindera Residential Land Use Strategy* that identifies the site as R2 Low Density Residential with a 2,000m² minimum lot size.
- The resultant development of the land will not create any unacceptable environmental or social impacts.
- Development of this land as sought by this Planning Proposal can be fully integrated with residential development on the adjoining land to the north.
- There is clear evidence and demand for this form of residential product.
- The density of development is sustainable for the subject land.
- There will be a net benefit for the Jindera community.
- The subject land can be provided with all urban services.

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 Planning Proposal	Consistency
Goal 1 – A connected and prosperous economy		
Direction 1 – Protect the region’s diverse and productive agricultural land.	The subject land is within a rural zone, being the RU4 Primary Production Small Lots Zone.	The subject land is located within a large area zoned RU4 that is highly fragmented and has limited agricultural capability. Rezoning the land to R2 Low Density Residential will therefore not reduce the amount of productive agricultural land and is consistent with the recommendations of the draft Jindera Residential Land Use Strategy.
Direction 2 – Promote and grow the agribusiness sector.	Not applicable, as the proposal does not relate to agribusiness.	N/A
Direction 3 – Expand advanced and value-added manufacturing.	Not applicable, as the proposal does not relate to industry as value-added manufacturing.	N/A
Direction 4 – Promote business activities in industrial and commercial areas.	Not applicable, as the proposal does not relate to 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 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 education or training.	N/A
Direction 7 – Promote tourism opportunities.	Not applicable, as the proposal does not relate to tourism.	N/A
Direction 8 – Enhance the economic self-determination of Aboriginal communities.	Not applicable, as the proposal does not relate to Aboriginal communities.	N/A

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
Direction 9 – Support the forestry industry.	Not applicable, as the proposal does not relate to forestry.	N/A
Direction 10 – Sustainably manage water resources for economic opportunities.	Not applicable as the proposal does not relate to water resources.	N/A
Direction 11 – Promote the diversification of energy supplies through renewable energy generation.	Not applicable as the proposal does not relate to energy supplies.	N/A
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 as the subject land is not located within or near a river corridor.	N/A
Direction 15 – Protect and manage the region's many environmental assets.	The subject land contains a small stand of remnant vegetation.	Whilst the Planning Proposal seeks to rezone the subject land R2 Low Density Residential, the proposed concept plan contained in Attachment A seeks to retain the

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
		existing stand of trees in a public reserve and thus ensuring they are protected ongoing.
Direction 16 – Increase resilience to natural hazards and climate change.	A small part of the subject land is subject to minor flooding in a major rainfall event.	The extent and depth of flooding is very minor (see Figure 8) and rated as 'flood fringe' and 'low flood hazard' in the Jindera Flood Study, which will not preclude the further more intensive development of the land.
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 industry or freight.	N/A
Direction 18 – Enhance road and rail freight links.	Not relevant, as the proposal does not relate to 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.	The proposal will result in vacant land being developed.	All urban infrastructure can be extended to the subject land and with capacity to accommodate the anticipated future residential development. Provisions will be

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
		introduced within the LEP, DCP and Contributions Plan to ensure appropriate and adequate services can be provided.
Goal 4 – Strong, connected and healthy communities		
Direction 22 – Promote the growth of regional cities and local centres.	The proposal affects land within the Jindera township.	The Planning Proposal will support and promote the growth of Jindera by making available additional land for residential development.
Direction 23 – Build resilience in towns and villages.	The proposal affects land within the Jindera township.	By providing additional land for residential development, the population of Jindera will be increased, thereby building resilience. It is noted Jindera is fortunate in that unlike many smaller towns and villages, it is experiencing strong demand for residential development.
Direction 24 – Create a connected and competitive environment for cross-border communities.	Not relevant as Jindera is not a border town.	N/A
Direction 25 – Build housing capacity to meet demand.	The proposal is creating the opportunity for residential development.	The Planning Proposal supports this Direction because as a consequence, it will increase the supply of vacant residential lots in Jindera. Jindera has demonstrated an ongoing healthy demand for residential land in recent times and this is expected to continue.

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
Direction 26 – Provide greater housing choice.	The proposal is creating the opportunity for residential development.	The subject land in question is located adjoining a developing low-density residential estate and as such will create choice in living environments within Jindera as new vacant lots in this location.
Direction 27 – Manage rural residential development.	Not applicable, as the proposal does not relate to rural residential development.	N/A
Direction 28 – Deliver healthy built environments and improved urban design.	The future development of the subject land is depicted in Figure 8.	The subdivision layout proposed is integrated with that adjoining to the north that will facilitate efficient movement through the estate to the facilities within Jindera.
Direction 29 – Protect the region's Aboriginal and historic heritage.	Not relevant as the lots are unlikely to feature items of Aboriginal cultural heritage.	N/A

Appendix B: Consistency with State Environmental Planning Policies

Table 5: Consistency with State Environmental Planning Policies

Title	Applies to PP	Not Applicable to PP	Not Applicable to LGA	Comment
State Environmental Planning Policy No. 19 (Bushland in Urban Areas)			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy No. 21 (Caravan Parks)		✓		Applies to all land in the State. The Planning Proposal does not conflict with the aims or development consent requirements as provided for in the SEPP.
State Environmental Planning Policy No. 33 (Hazardous & Offensive Development)		✓		Not applicable. Not applicable as the existing and proposed activities on site do not constitute hazardous and offensive development.
State Environmental Planning Policy No. 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 for in the SEPP.
State Environmental Planning Policy No. 47 (Moore Park Showground)			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy No. 50 (Canal Estate Development)		✓		The Planning Proposal does not conflict with the aims and canal estate development prohibitions as provided for in the SEPP.
State Environmental Planning Policy No. 55 (Remediation of Land)	✓			As the Planning Proposal will create the opportunity for residential development, Clause 6 of this SEPP requires Council to consider whether the subject land is potentially contaminated. A Preliminary Site Investigation was undertaken and found that the site was suitable for the purposes of residential development.
State Environmental Planning Policy No. 64 (Advertising & Signage)		✓		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.

Title	Applies to PP	Not Applicable to PP	Not Applicable to LGA	Comment
State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development)		✓		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)		✓		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. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy - Activation Precincts 2020			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy - Affordable Rental Housing 2009		✓		The Planning Proposal does not conflict with the aims and functions of this SEPP.
State Environmental Planning Policy -Building Sustainability Index (BASIX) 2004		✓		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. Not applicable to the Greater Hume Local Government Area.
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.

Title	Applies to PP	Not Applicable to PP	Not Applicable to LGA	Comment
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. Not applicable to the Greater Hume Local Government Area.
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. The Planning Proposal does not conflict with the aims of this SEPP. The subject land is not identified as an equivalent land use zone for the purposes of the application of the SEPP.
State Environmental Planning Policy -Koala Habitat Protection 2021	✓			Greater Hume is one of the Councils to which this SEPP applies. Whilst it is acknowledged that a Koala Plan of Management has not been prepared for the land in recognition of the history of the site, its current condition and lack of any koala siting's in the area. This is considered to achieve the general aims and objectives of this SEPP.
State Environmental Planning Policy - Kosciuszko National Park – Alpine Resorts 2007			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.

Title	Applies to PP	Not Applicable to PP	Not Applicable to LGA	Comment
State Environmental Planning Policy -Kurnell Peninsula 1989			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy -Major Infrastructure Corridors 2020			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy -Mining, Petroleum Production & Extractive Industries 2007		✓		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. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy -Primary Production and Rural Development 2019		✓		The Planning Proposal does not conflict with the aims of this SEPP. It is confirmed that the subject land is not rural zoned and will not adversely affect existing agricultural operations including State Significant Agricultural Land.
State Environmental Planning Policy - State and Regional Development 2011		✓		Not applicable. Not applicable as the Planning Proposal is not for State significant development.
State Environmental Planning Policy - State Significant Precincts 2005		✓		Not applicable. Not applicable as the subject land is not within a State significant precinct.
State Environmental Planning Policy - Sydney Drinking Water Catchment 2011			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy - Sydney Region Growth Centres 2006			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy - Three Ports 2013			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy - Urban Renewal 2010		✓		Not applicable. Not applicable to the Greater Hume Local Government Area.

Title	Applies to PP	Not Applicable to PP	Not Applicable to LGA	Comment
State Environmental Planning Policy - Vegetation in Non-Rural Areas 2017	✓			This SEPP is relevant as the proposed R2 zone is a zone to which it applies. However, the future development of the land will not require the removal of any trees. It is envisioned that the existing stand of trees will be contained in a public open space reserve.
State Environmental Planning Policy - Western Sydney Aerotropolis 2020			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy - Western Sydney Employment Area 2009			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy - Western Sydney Employment Area			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
State Environmental Planning Policy -Western Sydney Parklands 2009			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.
Regional Environmental Plans				
Murray Regional Environmental Plan No 2 – Riverine Land (MREP)	✓			Applies The subject site is identified as being included as part of the MREP. The subject land is located within residential zoned land and is well setback from the nearby Murray River. Impacts of the proposed development on the Murray River are considered low and therefore further consideration of the MREP is not required in this instance.
Deemed (Draft) State Environmental Planning Policies				
Draft Environment SEPP			✓	Not applicable.
Corridor Protection SEPP			✓	Not applicable. Not applicable to the Greater Hume Local Government Area.

Title	Applies to PP	Not Applicable to PP	Not Applicable to LGA	Comment
Design and Place SEPP		✓		<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 Ministerial Directions

Table 6: Consistency with Section 9.1 Ministerial Directions

The following is a list of Directions issued by the Minister for Planning to relevant planning authorities under section 9.1(2) of the Environmental Planning and Assessment Act 1979 - previously section 117(2). These directions apply to planning proposals lodged with the Department of Planning, Industry and Environment on or after the date the particular direction was issued.

No.	Title	Consistent with Direction	Not applicable to PP.	Consistency
1. Employment and Resources				
1.1	Business and Industrial Zones		✓	Not applicable.
1.2	Rural Zones	✓		<p>The proposal is inconsistent with the Direction because it advocates a change from a rural zone to a residential zone.</p> <p>However, the Direction allows for a proposal to be inconsistent in the circumstances set out in clause (5). In this instance the inconsistency is justified because the proposal is in accordance with the Greater Hume Local Strategic Planning Statement, draft Jindera Residential Land Use Strategy and the Riverina-Murray Regional Plan 2036 prepared by the Department of Planning (see Attachment B) and in particular Goal 4 – Strong, connected and healthy communities.</p> <p>Furthermore, the proposed amendment to land zoning and minimum lot size is considered minor given the low productive agricultural value of the land.</p>
1.3	Mining, Petroleum Production and Extractive Industries		✓	Not applicable.
1.4	Oyster Aquaculture		✓	Not applicable.
1.5	Rural Lands	✓		The Direction requires that the planning proposal must:

No.	Title	Consistent with Direction	Not applicable to PP.	Consistency
				<p>a) <i>be consistent with any applicable strategic plan, including regional and district plans endorsed by the Secretary of the Department of Planning and Environment, and any applicable local strategic planning statement</i></p> <p>b) <i>consider the significance of agriculture and primary production to the State and rural communities</i></p> <p>c) <i>identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources</i></p> <p>d) <i>consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions</i></p> <p>e) <i>promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</i></p> <p>f) <i>support farmers in exercising their right to farm</i></p> <p>g) <i>prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land uses</i></p> <p>h) <i>consider State significant agricultural land identified in State Environmental Planning Policy (Primary Production and Rural Development) 2019 for the purpose of ensuring the ongoing viability of this land</i></p> <p>i) <i>consider the social, economic and environmental interests of the community.</i></p> <p>The planning proposal can be considered to satisfy these requirements for the following reasons:</p> <p>a) <i>it is consistent with the Riverina-Murray Regional Plan 2036 prepared by the Department of Planning (see Attachment B) and particularly Goal 4 – Strong, connected and healthy communities;</i></p> <p>b) <i>the subject land has been within the RU4 zone and part of a highly fragmented rural environment that contributes little to primary production and rural economy;</i></p> <p>c) <i>the subject land is cleared of vegetation with the exception of one stand of remnant trees that are proposed to be retained in a public reserve;</i></p>

No.	Title	Consistent with Direction	Not applicable to PP.	Consistency
				<p>d) other than very minor flooding, the land has no physical constraints;</p> <p>e) as RU4 zoned land there is little opportunity for agricultural innovation and investment given the small size of the property and surrounding urban development;</p> <p>f) the subject land is not part of a commercial farming operation (that would require protection);</p> <p>g) the RU4 and adjoining R2 zoned land is already highly fragmented with a high density residential development (in a rural context). Therefore, further fragmentation of this land for R2 purposes is unlikely to create land use conflicts;</p> <p>h) the subject land is not identified as State significant; and</p> <p>i) there will be a net benefit to the Jindera community through an increase in population.</p> <p>Having regard for the above, the proposal is considered to be justifiably inconsistent with this Direction.</p>

2. Environment and Heritage

2.1	Environment Protection Zones		✓	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> .
2.3	Heritage Conservation			The Planning Proposal is consistent with this Direction because it does not seek to vary the existing provisions in the GHLEP 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.

No.	Title	Consistent with Direction	Not applicable to PP.	Consistency
2.4	Recreation Vehicle Areas		✓	Not applicable.
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs.		✓	Not applicable.
2.6	Remediation of Contaminated Land	✓		The Planning Proposal is supported by a Preliminary Site Investigation that demonstrates the land is suitable for residential purposes.

3. Housing, Infrastructure and Urban Development

3.1	Residential Zones			The Planning Proposal is consistent with this Direction because it will provide the opportunity for a greater choice and supply of housing in Jindera and make use of existing urban infrastructure. In addition, the LEP already contains a provision (clause 6.7) requiring development to be adequately serviced.
3.2	Caravan Parks & Manufactured Home Estates	✓		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 (both the RU4 and R2 zones permit caravan parks).
3.3	Home Occupations		✓	Revoked
3.4	Integrating Land Use and Transport			The Planning Proposal will facilitate residential development at an urban scale within Jindera. Recreational facilities are available in close proximity. Having regard for these circumstances, the Planning Proposal is considered consistent with this Direction.

No.	Title	Consistent with Direction	Not applicable to PP.	Consistency
3.5	Development Near Licensed Aerodromes and Defence Airfields		✓	Not applicable.
3.6	Shooting Ranges		✓	Not applicable.
3.7	Reduction in non-hosted short term rental accommodation period		✓	Not applicable.

4. Hazard and Risk

4.1	Acid Sulphate Soils		✓	Not applicable.
4.2	Mine Subsidence & Unstable Land		✓	Not applicable.
4.3	Flood Prone Land	✓		<p>The Planning Proposal is inconsistent with the Direction because it proposes a change in zoning from rural to residential for land that is flood prone.</p> <p>The inconsistency with the Direction is justified on the basis that the proposal is of minor significance (see Figure 8). This is because most of the land is flood free and the minor flood characteristics of the small portion that is flood prone (flood depth, hydraulics and hazard categories) can be easily accommodated in a civil design for future low density residential subdivision and development.</p>

No.	Title	Consistent with Direction	Not applicable to PP.	Consistency
4.4	Planning for Bushfire Protection		✓	Not applicable.
5. Regional Planning				
5.1	Implementation of Regional Strategies		✓	Revoked.
5.2	Sydney Drinking Water Catchment		✓	Not applicable.
5.3	Farmland of State & Regional Significance on the NSW Far North Coast		✓	Not applicable.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast		✓	Not applicable.
5.5	Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)		✓	Revoked
5.6	Sydney to Canberra Corridor		✓	Revoked
5.7	Central Coast		✓	Revoked

No.	Title	Consistent with Direction	Not applicable to PP.	Consistency
5.8	Second Sydney Airport: Badgerys Creek		✓	Revoked
5.9	North West Rail Link Corridor Strategy		✓	Not applicable.
5.10	Implementation of Regional Plans	✓		The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Riverina-Murray Regional Plan 2036</i> for the reasons outlined in Attachment A. A full response in relation to this Regional Plan has been provided in Attachment A.
5.11	Development of Aboriginal Land Council Land		✓	Not applicable.

6. Local Plan Making

6.1	Approval and Referral Requirements	✓		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	✓		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.

7. Metropolitan Planning

No.	Title	Consistent with Direction	Not applicable to PP.	Consistency
7.1	Implementation of A Plan for Growing Sydney		✓	Revoked
7.2	Implementation of Greater Macarthur Land Release Investigation		✓	Revoked
7.3	Parramatta Road Corridor Urban Transformation Strategy		✓	Not applicable.
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan		✓	Not applicable.
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan		✓	Not applicable.
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan		✓	Not applicable.

No.	Title	Consistent with Direction	Not applicable to PP.	Consistency
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor		✓	Not applicable.
7.8	Implementation of Western Sydney Aerotropolis Plan		✓	Not applicable.
7.9	Implementation of Bayside West Precincts 2036 Plan		✓	Not applicable.
7.10	Implementation of Planning Principles for the Cooks Cove Precinct		✓	Not applicable.
7.11	Implementation of St Leonards and Crows Nest 2036 Plan		✓	Not applicable.
7.12	Implementation of Greater Macarthur 2040		✓	Not applicable.
7.13	Implementation of the Pyrmont Peninsula Place Strategy		✓	Not applicable.