



151-159 Pioneer Drive, Jindera (Wagner Drive)

MAY 2021

Prepared for

Pioneer One Pty Ltd

Contact

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

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

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

Project Number 02600

Document Control

REVISION NO	DATE OF ISSUE	AUTHOR	APPROVED
3.0	27/05/2021	MJ	DH
4.0	21/02/2023	MY	MY

Contents

Executive Summary	5
1. Introduction	6
1.1. Overview	6
1.2. Scope and Format of Planning Proposal	6
1.3. Supporting Plans and Documentation.....	7
2. Site Analysis	8
2.1. Site Details & Locality.....	8
2.2. Site Description	8
2.3. Surrounding Development and Built Form	11
3. Proposed Amendment	12
3.1. Objectives and Intended Outcomes	12
3.2. Explanation of Provisions	14
3.3. Justification.....	15
3.4. Mapping.....	24
3.5. Community Consultation	25
3.6. Project Timeline.....	26
4. Conclusion	28
Attachment A: Concept Plan	29
Attachment B: Consistency with Riverina-Murray Regional Plan 2036	30
Attachment C: Consistency with State Environmental Planning Policies	37
Attachment D: Consistency with Section 9.1 Ministerial Directions	45

Figures

Figure 1 – Location of the subject site (outlined) in context to Jindera (Source: NSW LPI 2020)	8
Figure 2 – Aerial view of subject site (note area subject to existing R2 zoning shown shaded.	10
Figure 3 – Conceptual subdivision layout following rezoning	13
Figure 4 – Existing Land Zoning Map	14
Figure 5 – Proposed Land Zoning Map	14
Figure 6 – Existing Minimum Lot Size Map	15
Figure 7 – Proposed Minimum Lot Size Map	15
Figure 6 – Extract of the recommended Zoning and Minimum Lot Size Maps for Jindera indicating the subject land (Source: draft Jindera Residential Land Use Strategy, 2021)	19
Figure 7 – Extent of land mapped for biodiversity (Source: GHLEP)	22
Figure 8 – Extent of flooding on the subject land in a 1:100 year ARI (Source: Jindera Flood Study)	23
Figure 9 – Infrastructure servicing plan (Source: draft Jindera Residential Land Use Strategy, 2021)	24

Tables

Table 1 Attachments to Planning Proposal	7
Table 2 Consideration of Greater Hume Local Strategic Planning Statement	16
Table 3 Project Timeline (indicative)	26
Table 4 Consistency with Riverina-Murray Regional Plan	31
Table 5 Consistency with State Environmental Planning Policies	38
Table 6 Consistency with Ministerial Directions	46

Executive Summary

This Planning Proposal has been prepared by Habitat Planning on behalf of Pioneer One Pty Ltd in support of an amendment to the *Greater Hume Local Environmental Plan 2012* (LEP).

Specifically, the Planning Proposal seeks to amend the Land Zoning Map as it applies to 151-159 Pioneer Drive, 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.

It is recommended that Greater Hume Council resolve to support the changes to the LEP as detailed in this Planning Proposal and forward it for a Gateway Determination to undertake the following:

- Amend the Land Zoning Map (Sheet LZN_002C) as it relates to part Lot 224 in DP1280394 to the subject land, from RU4 Primary Production Small Lots to R2 Low Density Residential.
- Amend the Minimum Lot Size Map (Sheet LSZ_002C) as it relates to part Lot 224 in DP1280394 from a minimum lot size of 8 hectares to a minimum lot size of 2,000m².

1. Introduction

1.1. Overview

This Planning Proposal has been prepared by Habitat Planning on behalf of Pioneer One Pty Ltd in support of an amendment to the Greater Hume Local Environmental Plan 2012 (“the LEP”). Specifically, the Planning Proposal seeks to amend the Land Zoning Map as it applies to 151-159 Pioneer Drive, 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.

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, Infrastructure & Environment’s documents titled:

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

This report will demonstrate that the proposed amendment to the Land Zoning and Minimum Lot Size Maps are consistent with the intent and objectives of the planning framework 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.

It is requested that Council forward the Planning Proposal to the Minister for Planning for Gateway Determination in accordance with Section 56 of the EP&A Act. The Gateway Determination by the Minister will decide:

- Whether the matter should proceed (with or without variation).
- Whether the matter should be resubmitted for any reason (including for further studies or other information, or for the revision of the Planning Proposal).
- The community consultation required before consideration is given to the making of the proposed instrument.
- Whether a public hearing is to be held into the matter by the Planning Assessment Commission or other specified person or body.
- The times within which the various stages of the procedure for the making of the proposed instrument are to be completed.

1.2. Scope and Format of Planning Proposal

The Planning Proposal details the merits of the proposed changes to the LEP 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 the LEP.

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

No.	Document Name	Prepared by
A	Concept Plan	JCA
B	Consistency with Riverina-Murray Regional Plan 2036	Habitat Planning
C	Consistency with State Environmental Planning Policies	Habitat Planning
D	Consistency with Section 9.1 Ministerial Directions	Habitat Planning

2. Site Analysis

2.1. Site Details & Locality

The subject site comprises a single parcel of land described as Lot 224 in DP1280394 at 151-159 Pioneer Drive, Jindera (“the subject site”) within the Greater Hume Local Government Area.

It is located on the fringe of the Jindera urban area and approximately 1.5 kilometres from the Jindera town centre and 10 kilometres north west of the Lavington town centre (within the adjacent Albury City LGA).

The location of the site is shown at **Figure 1**.

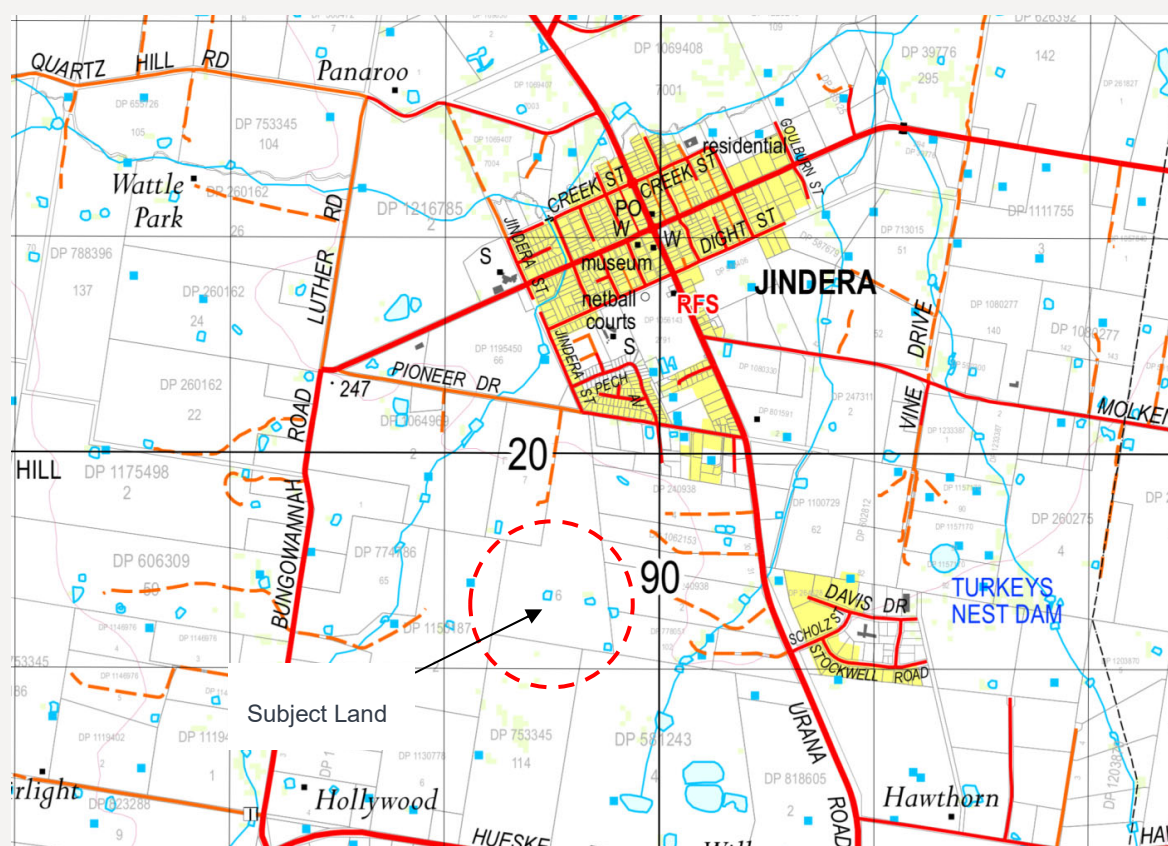


Figure 1 – Location of the subject site (outlined) in context to Jindera (Source: NSW LPI 2020)

2.2. Site Description

The subject site is an irregular shaped parcel with a total area of 36 hectares. It has a frontage of approximately 124 metres to Pioneer Drive, which provides the only road frontage to the site. The eastern boundary of the lot extends alongside adjoining low density residential properties for a distance of approximately 1.1 kilometres. The western boundary is shaped around an existing established low density residential subdivision and rural properties. The rear boundary of the lot, to the south, runs alongside the Jindera Brickworks property.

The area of the subject site which is subject to this amendment request is the southern portion, comprising approximately 23 hectares. The remaining 13 hectare portion at the north of the site is zoned R2 Low Density Residential and is subject to an approved development consent for residential subdivision. Subdivision works have commenced at the Pioneer Drive frontage and are nearing completion.

The topography of the land is gently undulating rising from Pioneer Drive through the centre of the land before sloping downwards again to the south and south east. The land has also been extensively cleared as part of former rural uses, with only planted perimeter trees and a small patch of remnant vegetation remaining to the southern portion of the land.

Two stock dams are contained within the land, both to the southern boundaries. Other rural infrastructure including fencing is established across the remainder of the property.

An aerial image of the property is provided in **Figure 3**.

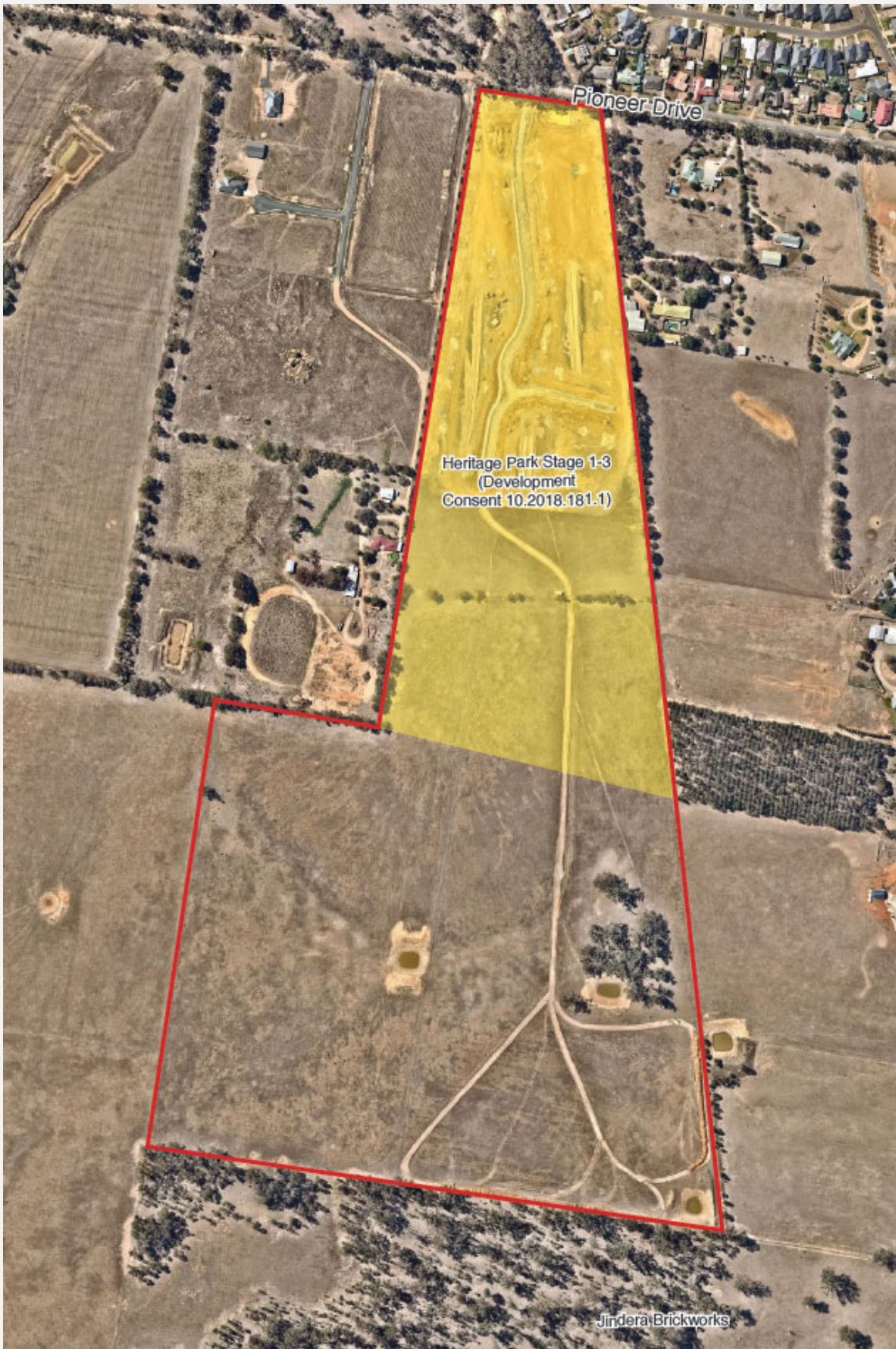


Figure 2 – Aerial view of subject site (note area subject to existing R2 zoning shown shaded).

2.3. Surrounding Development and Built Form

The site is located at the fringe of the Jindera urban area and therefore represents a variety of residential, low density residential and rural land uses.

Land to the north beyond Pioneer Drive comprises the existing urban area of Jindera, with well-established conventional residential areas located beyond. The town centre of Jindera is located approximately 1.5 kilometres north along Urana Road. A large vacant residential parcel with scattered vegetation and used for rural purposes is located to the north west of the land, beyond Pioneer Drive.

A partially constructed low density residential development is located immediately adjacent to the north west of the subject land, with the remaining western interface being to rural properties. Smaller scale rural properties are located further west through to Bungowannah Road, with a number of smaller lots and dwellings located through this area.

Land to the south comprises a variety of smaller rural properties with associated dwellings in a generally fragmented lot arrangement. The Jindera Brickworks is established immediately south of the subject site and extends through to Hueske Road. The immediate interface of the subject site to the Brickworks is to a relatively dense stand of remnant native vegetation, with the operational buildings of the brickworks being located 1 kilometre south east.

Existing low density residential development is established immediately east along Pioneer Drive. These lots comprise 4,000m² and larger lots with single dwellings. Larger rural residential properties are noted to the south east of the land through to Urana Road. The Jindera Industrial Estate is located further south east beyond Urana Road.

3. Proposed Amendment

This section of the report addresses the Department of Planning's document titled *A Guide to Preparing Planning Proposals*.

3.1. Objectives and Intended Outcomes

The objective of this Planning Proposal is to amend the Greater Hume Local Environmental 2012 to enable the southern portion of the land to be used for residential development, consistent with the surrounding low density residential precinct to the north.

It is intended to take advantage of available urban services and enable new low density residential development within a portion of land that is contiguous with approved subdivision and integrated to the establishing low density precinct of Jindera.

An indicative subdivision plan for the future development of the subject land is shown at **Figure 3** below.

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.



Figure 3 – Conceptual subdivision layout following rezoning

3.2. Explanation of Provisions

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

- Change the Land Zoning Map LZN 002C as it relates to part Lot 224 in DP1280394 from RU4 - Primary Production Small Lots to R2 Low Density Residential.
- Change the Lot Size Map LSZ 002C as it relates to part Lot 224 in DP1280394 from a minimum lot size of 8 hectares to a minimum lot size of 2,000m².
- 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).

An extract of the existing and proposed *Land Zoning and Minimum Lot Size Maps* are contained within Figures 10-13.

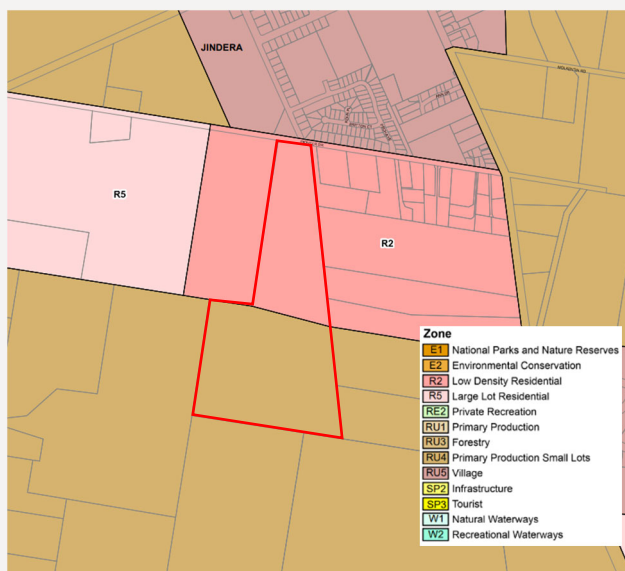


Figure 4 – Existing Land Zoning Map

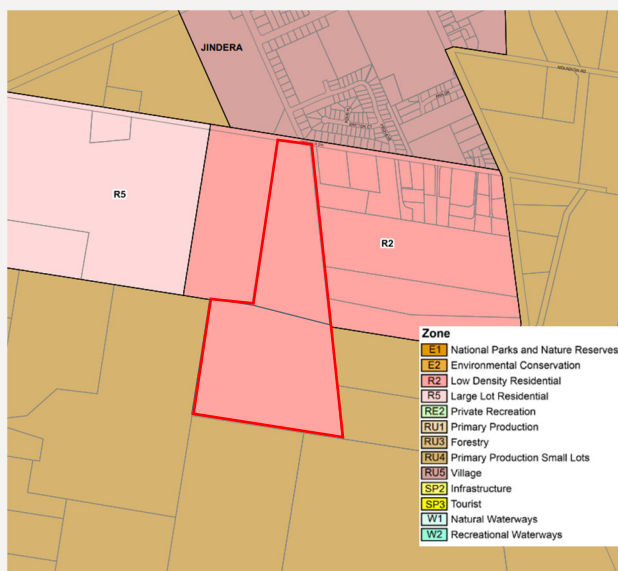


Figure 5 – Proposed Land Zoning Map

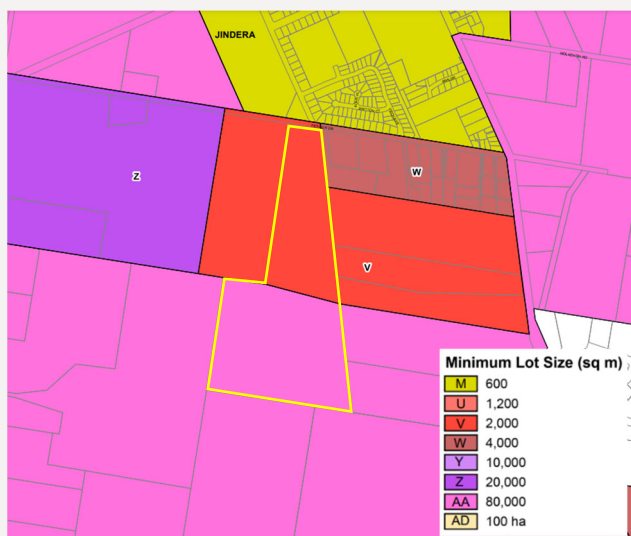


Figure 6 – Existing Minimum Lot Size Map

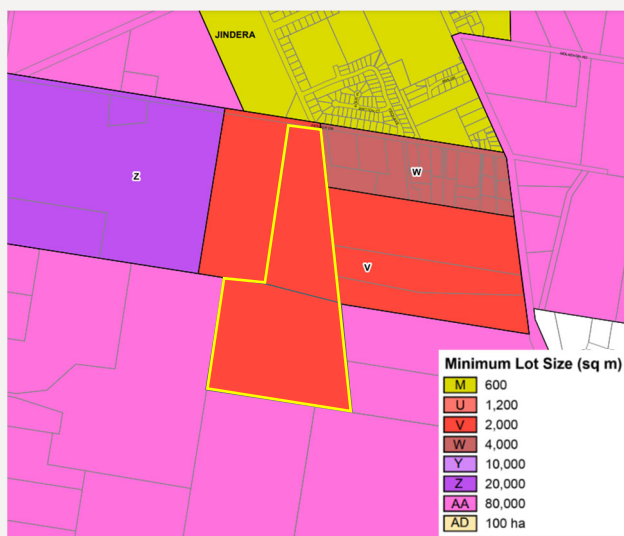


Figure 7 – Proposed Minimum Lot Size Map

3.3. Justification

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

3.3.1 Section A - Need for the Planning Proposal

Is the planning proposal a result of an endorsed 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 Consideration of Greater Hume Local Strategic Planning Statement

Planning Priorities	Consistency
Planning Priority One – Housing and Land Supply	
<p><u>Recommendations:</u></p> <ul style="list-style-type: none"> • <i>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:</i> • <i>Be located to avoid areas that are identified as important agricultural land or areas that create potential for land use conflict;</i> • <i>Align with the utility infrastructure network and its capabilities;</i> • <i>Avoid or mitigate the impacts of hazards, including the implications of climate change;</i> • <i>Protect areas with high environmental value and/ or cultural heritage value and important biodiversity corridors;</i> • <i>Not hinder development or urban expansion and will contribute to the function of existing townships;</i> • <i>Create new neighbourhoods that are environmentally sustainable, socially inclusive, easy to get to, healthy and safe.</i> <p><u>Actions:</u></p> <ol style="list-style-type: none"> 3. <i>Investigate and identify future opportunities to provided fully serviced large lot residential allotments and partially serviced rural residential allotment in Jindera – Short Term.</i> 4. <i>For the RU4 zoning in Jindera and other townships investigate the feasibility of increasing the density within the RU4 zoning</i> 	<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 north 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 Priorities	Consistency
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>Therefore, the subject land can be readily serviced with all relevant infrastructure and services including water, sewerage, stormwater, roads, electricity, gas and telecommunications.</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>
Planning Priority Four – Agricultural Lands	
<p><u>Recommendations:</u></p> <ul style="list-style-type: none"> Protect important agricultural lands in local planning controls. To avoid agricultural land fragmentation and maintain the existing rural lands minimum lot size provisions in the Greater Hume Local Environmental Plan. Manage land use conflict on agricultural land by: <ul style="list-style-type: none"> In the case of nuisance complaints supporting pre-existing, lawfully operating agricultural land uses Avoid locating incompatible land uses in and adjacent to agricultural production areas Restrict the encroachment of incompatible land uses; Ensure that land use standards for minimum subdivision sizes in the LEP reflect trends and enable a productive agricultural sector <p><u>Actions:</u></p>	<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> <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</p>

Planning Priorities	Consistency
2. <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>	surrounding agricultural activities given that none exist.

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.

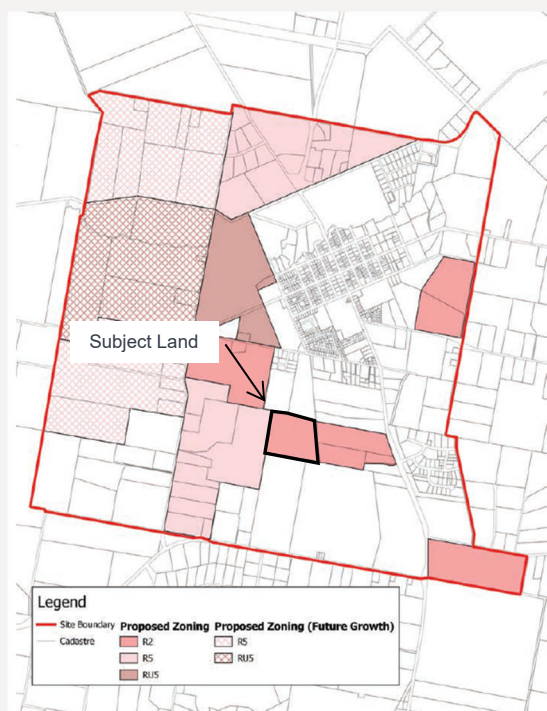


Figure 19 - Recommended Zoning Map

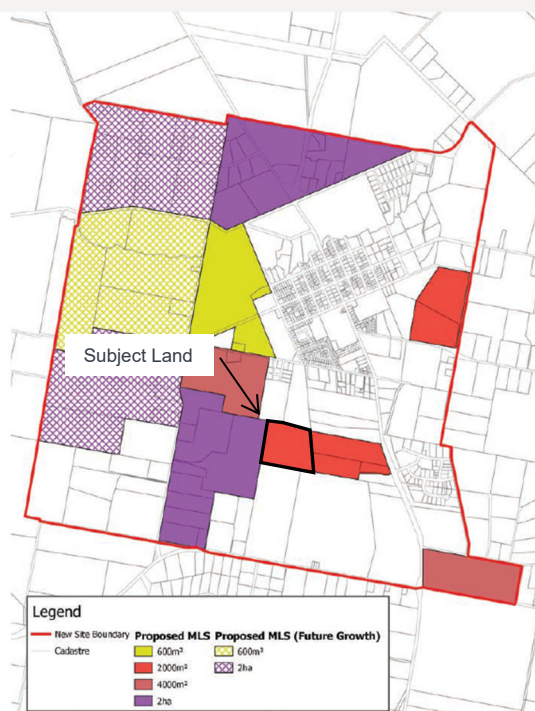


Figure 20 - Recommended Minimum Lot Size Map

Figure 8 – 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.

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.

4.3.2 Section B – Relationship to Strategic Planning Framework

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

The *Riverina Murray Regional Plan 2036* 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 region for the next 20 years.

The Minister's foreword to the document states that the Regional Plan "*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.*"

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 B**.

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

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

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.

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 and even less are applicable to the circumstances of the Planning Proposal.

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

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

Section 9.1 (formerly s. 117) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides for the Minister for Planning to give directions to Councils' regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of LEP's. A Planning Proposal needs to be consistent with the requirements of the 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 D**. 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.

4.3.3 Section C – Environmental, Social and Economic Impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The proposal will not result in any disturbance of habitat areas or natural features of the area because it relates to the rezoning of a land that is devoid of natural habitat. The land to be rezoned has been subject to ongoing non-intensive agricultural activity for more than 100 years.

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

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

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 small dam on the eastern side of the subject land (see Figure 2). It is intended for this area to be retained in a public reserve as part of the subject land's future development. On adjoining land to the south is a more significant and area of remnant vegetation but this will be unaffected.

This vegetation is mapped for 'biodiversity' on the Terrestrial Biodiversity Map in GHLEP (see Figure 7) and incorrectly includes part of the subject land along the southern boundary. This vegetation will assist in providing a buffer to the brickworks some 1,000 metres to the south in Hueske Road.

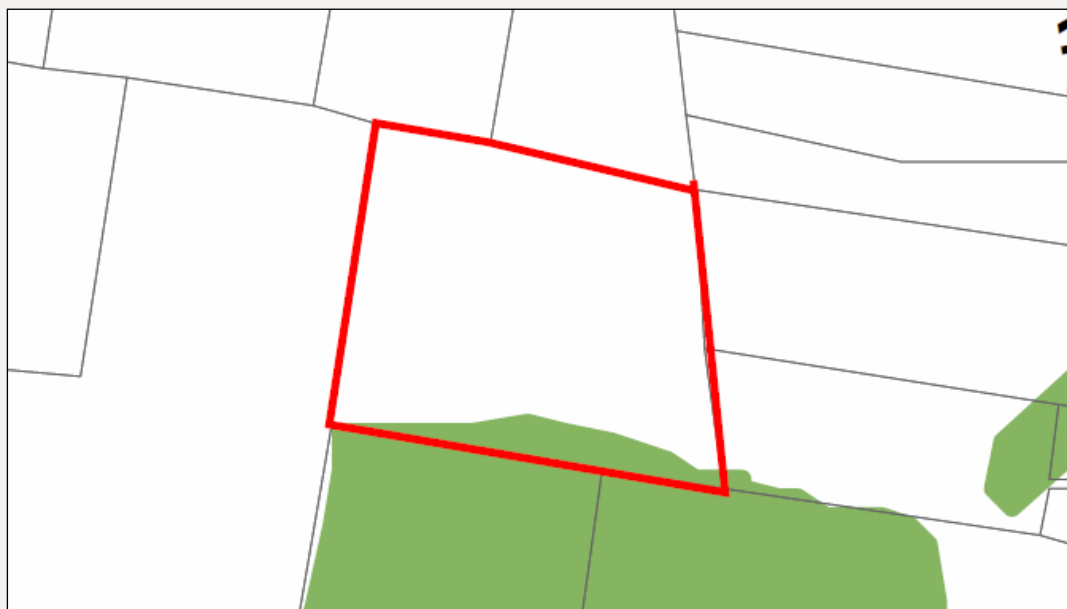


Figure 9 – Extent of land mapped for biodiversity (Source: GHLEP)

Natural Hazards

The subject land is not identified as bushfire prone on Council's bushfire prone land map.

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 south west corner, in a 1 in 100 year ARI event the depth of flooding will be less than 300mm placing it within the hydraulic category of 'flood fringe' and the hazard category of 'low'. 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.

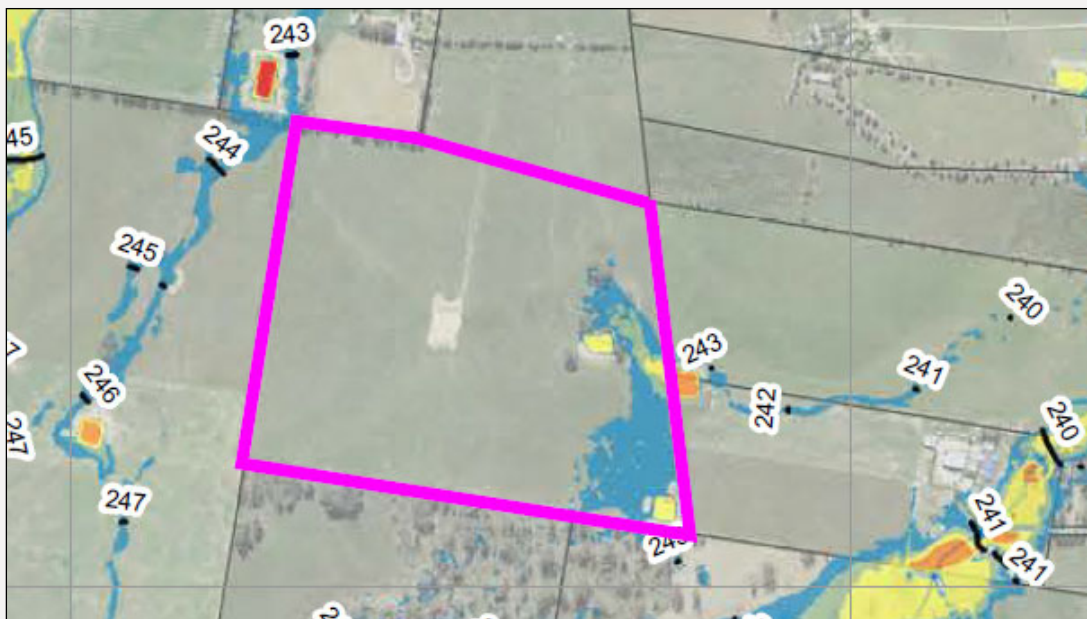


Figure 10 – Extent of flooding on the subject land in a 1:100 year ARI (Source: Jindera Flood Study)

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.

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.

4.3.4 Section D – State and Commonwealth Interests

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).

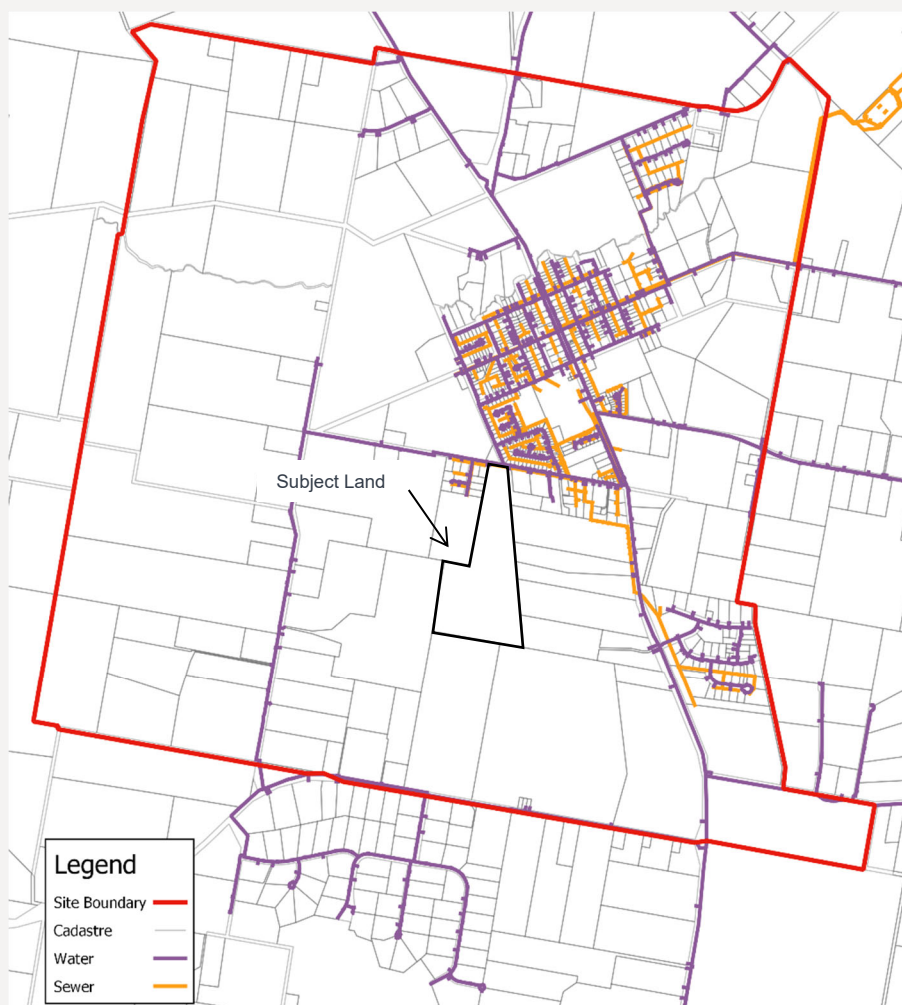


Figure 11 – Infrastructure servicing plan (Source: draft Jindera Residential Land Use Strategy, 2021)

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

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 224 in DP1280394 from RU4 - Primary Production Small Lots to R2 Low Density Residential.
- Change the Lot Size Map LSZ 002C as it relates to part Lot 224 in DP1280394 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 4-7.

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

3.5. Community Consultation

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

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

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

The future consultation process is expected to include:

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

The written notice will contain:

- a brief description of the intended outcomes of the Planning Proposal.
- an indication of the land which is affected by the proposal.
- information on where and when the Planning Proposal can be inspected.
- the name and address of Council for the receipt of submissions.
- the closing date for submissions; and
- confirmation whether the Minister has chosen to delegate Plan Making powers to Council.

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

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

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

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

3.6. Project Timeline

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

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

Table 3 Project Timeline (indicative)

Project Milestone	Anticipated Timeframe
Lodgement Lodge Planning Proposal with council and make any necessary adjustments or changes prior to council accepting the plan	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.
Consider Submissions & Finalise Document Council planning officers to consider, respond and report on submissions received and issues raised (if any) and where necessary, recommended relevant changes to the Planning Proposal.	2 weeks to collate, consider and respond to submissions received (if any).
Council Report (consideration of submissions) Council planning officers to prepare a report to council post public exhibition that considers any submissions received.	4 weeks to prepare council report and include on council agenda.
Submission to NSW DPIE/Parliamentary Counsel Forward Planning Proposal to NSW DPE/Parliamentary Counsel (if delegated) for finalisation following public exhibition.	4 weeks
Notification	2 weeks

Project Milestone	Anticipated Timeframe
Finalisation/gazettal of Planning Proposal	

4. Conclusion

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.

Attachment A: Concept Plan

Attachment B: Consistency with Riverina-Murray Regional Plan 2036

Table 4 Consistency with Riverina-Murray Regional Plan

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

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
Direction 8 – Enhance the economic self-determination of Aboriginal communities.	Not applicable, as the proposal does not relate to Aboriginal communities.	N/A
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

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
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 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

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
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.
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.

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
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.
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.

Goal, Direction & Action Title	Relevance to Planning Proposal	Consistency
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

Attachment C: Consistency with State Environmental Planning Policies

Table 5 Consistency with State Environmental Planning Policies

No.	Title	Applicable to Planning Proposal	Consistency
19	Bushland in Urban Areas	Not applicable to the local government area of Greater Hume.	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.
33	Hazardous & Offensive Development	Not applicable as the existing and proposed activities on site do not constitute hazardous and offensive development.	Not applicable.
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.
47	Moore Park Showground	Not applicable to the local government area of Greater Hume.	Not applicable.
50	Canal Estate Development	Applies to all land in the State.	The Planning Proposal does not conflict with the aims and canal estate development prohibitions as provided for in the SEPP.

No.	Title	Applicable to Planning Proposal	Consistency
55	Remediation of Land	Applies to all land in the State.	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 has been undertaken to investigate and assess the potential for contamination. The report is appended separately, please refer to this report for specific conclusions and recommendations.
64	Advertising & Signage	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, development consent requirements and assessment criteria for advertising and signage as provided for in the SEPP.
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)	Applies to all land in the State.	The Planning Proposal does not conflict with the aims or objectives as provided for in the SEPP.
	Aboriginal Land 2019	Not applicable to the local government area of Greater Hume.	Not applicable.
	Activation Precincts 2020	Not applicable as the subject land is not located within an activation precinct.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
	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.
	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 Greater Hume.	Not applicable.
	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.
	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 childcare 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 childcare facility.
	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.

No.	Title	Applicable to Planning Proposal	Consistency
	Gosford City Centre 2018	Not applicable to the local government area of Greater Hume.	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 for in the SEPP.
	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.
	Koala Habitat Protection 2020	Not applicable as the subject land is not contained in the RU1, RU2 or RU3 zones	Not applicable.
	Koala Habitat Protection 2021	Applies to the Greater Hume local government area.	<p>Greater Hume is one of the Councils to which this SEPP applies.</p> <p>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 sitings in the area. Notwithstanding, the proposed subdivision concept plan prepared for the land (Attachment A) seeks to remain a small patch of remnant vegetation within a public reserve for its ongoing protection.</p> <p>This is considered to achieve the general aims and objectives of this SEPP.</p>

No.	Title	Applicable to Planning Proposal	Consistency
	Kosciuszko National Park – Alpine Resorts 2007	Not applicable to the local government area of Greater Hume.	Not applicable.
	Kurnell Peninsula 1989	Not applicable to the local government area of Greater Hume.	Not applicable.
	Major Infrastructure Corridors 2020	Not applicable to the local government area of Greater Hume.	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 for in the SEPP.
	Penrith Lakes Scheme 1989	Not applicable to the local government area of Greater Hume.	Not applicable.
	Primary Production and Rural Development 2019	Not applicable as the subject land is not state significant agricultural land and does not propose any artificial waterbodies.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
	Murray Regional Environmental Plan No 2 – Riverine Land	Not applicable to the local government area of Greater Hume.	Not applicable.
	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 Greater Hume.	Not applicable.
	Sydney Region Growth Centres 2006	Not applicable to the local government area of Greater Hume.	Not applicable.
	Three Ports 2013	Not applicable to the local government area of Greater Hume.	Not applicable.
	Urban Renewal 2010	Not applicable as the subject land is not within a potential precinct.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
	Vegetation in Non-Rural Areas 2017	Applies as the subject land is proposed to be zoned R2 Low Density Residential.	This SEPP is relevant as the proposed R2 zone is a zone to which it applies. However, the future development of the land in accordance with the proposed concept plan will not require the removal of any trees (see Attachment A). The existing stand of trees will be contained in a public open space reserve.
	Western Sydney Aerotropolis 2020	Not applicable to the local government area of Greater Hume.	Not applicable.
	Western Sydney Employment Area 2009	Not applicable to the local government area of Greater Hume.	Not applicable.
	Western Sydney Parklands 2009	Not applicable to the local government area of Greater Hume.	Not applicable.

Attachment D: Consistency with Section 9.1 Ministerial Directions

Table 6 Consistency with Ministerial Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Employment and Resources			
1.1	Business and Industrial Zones	Not applicable as the subject land is not zoned business or industrial.	Not applicable.
1.2	Rural Zones	Yes, as the subject land is rurally zoned.	<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 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.

No.	Title	Applicable to Planning Proposal	Consistency
1.5	Rural Lands	Yes, as the Planning Proposal affects land within an existing rural zone.	<p>The Direction requires that the planning proposal must:</p> <ul style="list-style-type: none"> 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> b) <i>consider the significance of agriculture and primary production to the State and rural communities</i> 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> 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> e) <i>promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</i> f) <i>support farmers in exercising their right to farm</i> 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> 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> i) <i>consider the social, economic and environmental interests of the community.</i>

No.	Title	Applicable to Planning Proposal	Consistency
			<p>The planning proposal can be considered to satisfy these requirements for the following reasons:</p> <ul style="list-style-type: none"> a) 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; b) 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; c) 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; d) other than very minor flooding, the land has no physical constraints; 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; f) the subject land is not part of a commercial farming operation (that would require protection); 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; h) the subject land is not identified as State significant; and i) there will be a net benefit to the Jindera community through an increase in population.

No.	Title	Applicable to Planning Proposal	Consistency
			Having regard for the above, the proposal is considered to be justifiably inconsistent with this Direction.
2. Environment and Heritage			
2.1	Environment Protection Zones	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this Direction because it does not involve land identified as environmentally sensitive and does not seek to reduce the environmental protection standards that apply to the land.
2.2	Coastal Management	Not applicable 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 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.
2.4	Recreation Vehicle Areas	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not advocate the designation of the subject land as a recreation vehicle area pursuant to an order in force under section 11 (1) of the <i>Recreation Vehicles Act 1983</i> .
2.5	Application of E2 and E3 Zones and Environmental	Not applicable to the Greater Hume Local Government Area.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
	Overlays in Far North Coast LEPs.		
2.6	Remediation of Contaminated Land	Not applicable, as the subject land is not identified as an investigation area under the Contaminated Land Management Act 1997, nor has it been used for a purpose referred to in Table 1 of the contaminated land planning guidelines.	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.
3. Housing, Infrastructure and Urban Development			
3.1	Residential Zones	Yes, as the Planning Proposal seeks to rezone land for residential purposes.	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	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 (both the RU4 and R2 zones permit caravan parks).
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 residential purposes.	The Planning Proposal will facilitate residential development at an urban scale within Jindera. Recreational facilities are available in close proximity. Having regard for

No.	Title	Applicable to Planning Proposal	Consistency
			these circumstances, the Planning Proposal is considered consistent with this Direction.
3.5	Development Near Licensed Aerodromes and Defence Airfields	Not applicable, as the subject land is not in the vicinity of a licensed aerodrome.	Not applicable.
3.6	Shooting Ranges	Not applicable, as the subject land is not located in the vicinity of a shooting range.	Not applicable.
3.7	Reduction in non-hosted short term rental accommodation period	Not applicable to the Greater Hume Local Government Area.	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 will alter a zone within a flood planning area.	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.

No.	Title	Applicable to Planning Proposal	Consistency
			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.
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	Revoked 17 October 2017.	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 Greater Hume Local Government Area.	Not applicable.

No.	Title	Applicable to 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 Bega Valley Shire Local Government Area.	Not applicable.
5.10	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	<p>The Planning Proposal is generally consistent with the goals, directions and actions as contained within the <i>Riverina-Murray Regional Plan 2036</i> for the reasons outlined in Attachment B.</p> <p>A full response in relation to this Regional Plan has been provided in Attachment B.</p>

No.	Title	Applicable to Planning Proposal	Consistency
5.11	Development of Aboriginal Land Council Land	Not applicable, as the subject land is not identified on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019	Not applicable.
6. Local Plan Making			
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.

No.	Title	Applicable to Planning Proposal	Consistency
7.2	Implementation of Greater Macarthur Land Release Investigation	Revoked 28 November 2019.	Not applicable.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable, does not apply to the Greater Hume 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 Greater Hume 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 Greater Hume Local Government Area.	Not applicable.
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Greater Hume Local Government Area.	Not applicable.
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable, does not apply to the Greater Hume Local Government Area.	Not applicable.

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