

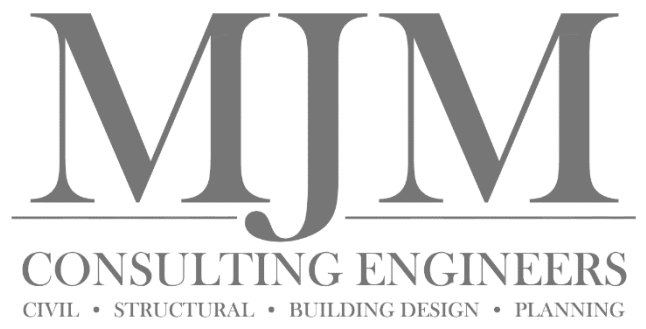
Planning Proposal

93 Campbells Lane, Coolamon, NSW 2701


Lot 21 DP1224134

Planning Proposal - Rezoning

Prepared for Brian Fleming



Document Verification Schedule

<div><p>MJM CONSULTING ENGINEERS CIVIL • STRUCTURAL • BUILDING DESIGN • PLANNING</p></div>				<div><p>Project</p><p>Planning Proposal - Rezoning</p><p>93 Campbells Lane, Coolamon, NSW 2701</p></div>			
Revision	Date	Prepared By		Checked By		Approved By	
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Final	06/12/2022	Name	Nimeka Pathirana	Name	Michael McFeeters	Name	Michael McFeeters
Final – Rev A	24/02/2023	Name	Nimeka Pathirana	Name	Michael McFeeters	Name	Michael McFeeters

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INTRODUCTION

The Planning Proposal has been prepared on behalf of Brian Fleming for the rezoning of 93 Campbells Lane Coolamon NSW 2701. The subject site is legally registered as Lot 21 DP 1224134 and has an area of approximately 67 ha. The subject site is in the RU1 zone (primary production) and is surrounded by Bartletts Lane to the north, Campbells Lane to the east, Davies Drive to the west and residential lots in RU4 (Primary production small lots) to the south. Figure 1 below depicts the proposed land and its surrounding.

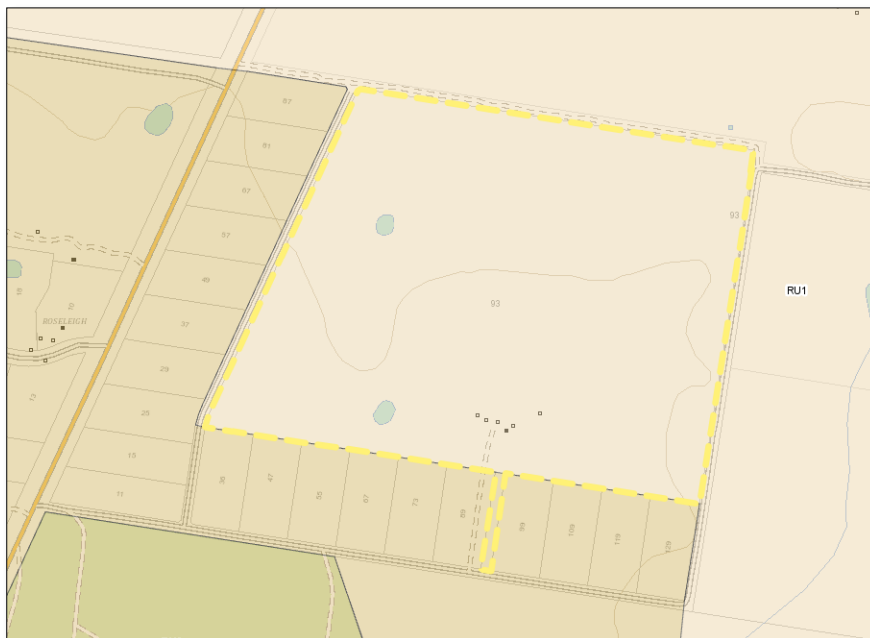


Figure 1 : Land Zoning Map (Source: NSW Planning Portal Spatial Viewer, 2022)

PART 1 - OBJECTIVES AND INTENDED OUTCOMES

The objective of the planning proposal is to rezone the existing large lot (Lot 21 DP 1224134) which is zoned as RU1 (Primary Production) to R5 (Large lot residential).

PART 2 – EXPLANATION OF PROVISIONS

To achieve the objective of the planning proposal the Coolamon Local Environmental Plan 2011 is needed to be amend as identified in the below table.

Table 1 Amendments required to the Coolamon Local Environmental Plan 2011

Required Amendment	Description
Land Zoning Map LZN003F	Amendment is required to change the zone of subject land from RU1 (Primary Production) to R5 (Large lot residential).
Lot Size Map LSZ003F	Amendment is required to change minimum lot size of the subject land from 200 ha to 2 ha.

Following indicative maps depicts the intended outcome of the proposed amendments to the maps of Coolamon Local Environmental Plan 2011.



Figure 3 Amendments to the Land Zoning Map



Figure 2 Amendments to the Lot Size Map

The Coolamon Shire Section 7.11 Contributions Plan 2017 is also needs to be amended to achieve the objectives of the planning proposal.

The Coolamon Shire Section 7.11 Contributions Plan 2017 is applied only to the “residential accommodation development on land in Coolamon town that is zoned RU4 Rural Small Holdings Lots and RU5 Village and such land that is updated by any zoning amendment to include such land”. So, the section 7.11 Contributions Plan 2017 needs to be amended to include R5 large lot residential zone.

Moreover, the subject land needed to be included in the map of ‘Land in Coolamon town subject to Section 7.11 contributions from residential accommodation development’ and will needed to be amend the relevant calculations of the Coolamon Shire Section 7.11 Contributions Plan 2017. Below indicative map shows the intended amendment to the Figure 1 in page 6 of Section 7.11 Contributions Plan 2017.

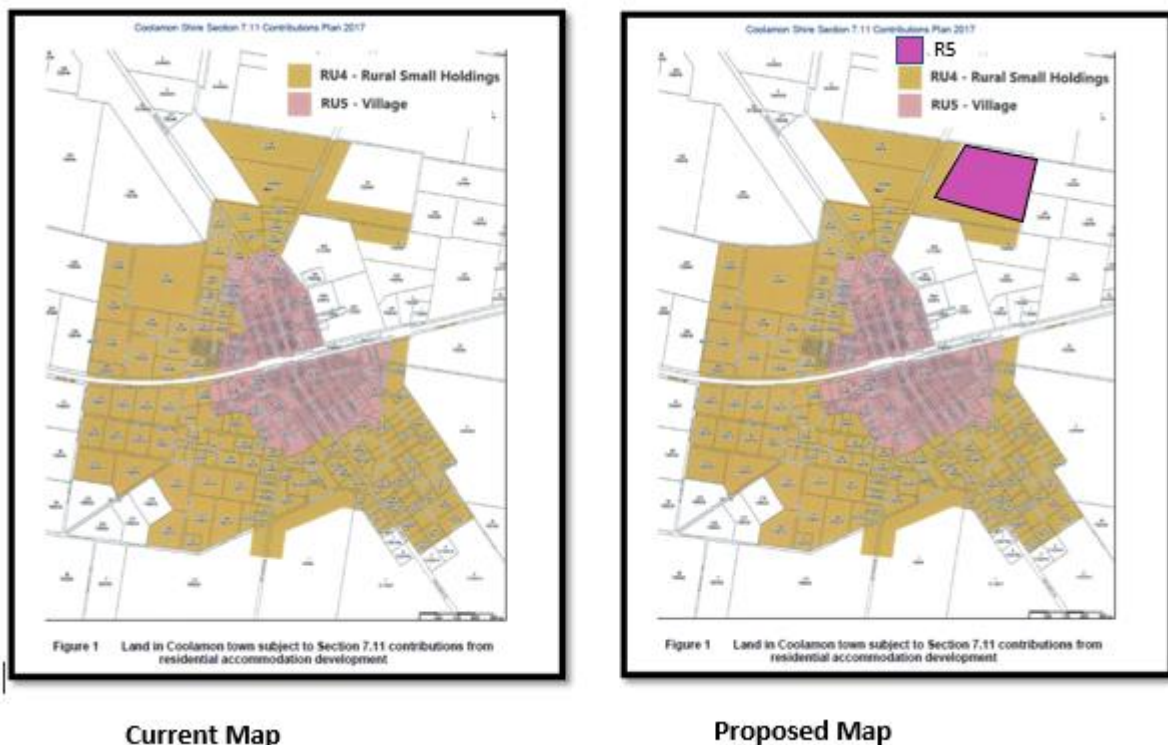


Figure 4 Amendments to the Figure 1 in page 6 of Section 7.11 Contributions Plan 2017

PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

3.1 NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The Coolamon Shire Settlement Strategy 2040 states that the population of Coolamon local government area is forecasted to be increased by 6.8 % between 2020 to 2040 and majority of growth will occur in the Coolamon Township with a 15.8% growth rate. Moreover, the report indicates that the Coolamon local government area should aim to accommodate a total population of 3000 people and is assumed to have 280 to 300 additional dwellings between 2016 to 2041.

To accommodate the expected population growth, the Coolamon Shire Settlement Strategy 2040 recommend to up zone the area bounded by Davies Drive and Bartlett's Lane (Lot 21, DP 1224134) (subject site) from RU1 (Primary Production) to RU4 ((Primary Production Small Lots) while adopting minimum lot size of 2 Ha.

As per the consultation from NSW Department of Planning, it has been requested that future rezonings of RU1 to RU4 to be considered for R5 rezoning. Therefore, this planning proposal is a combined result of Recommendations in Coolamon Shire Settlement Strategy 2040 and the consultation from NSW Department of Planning.

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

Yes, the planning proposal is the only way to achieve the intended outcome as it is required to amend the Local Environmental Plan to include R5 (large lot residential) zone which is not previously identified and described in the Coolamon Local Environmental Plan 2011.

3.2 RELATIONSHIP TO THE STRATEGIC PLANNING FRAMEWORK

3. 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 proposed rezoning give effects to the objectives and goals of Draft Riverina Murray Regional Plan 2041 and Riverina Murray Regional Plan 2036.

Draft Riverina Murray Regional Plan 2041

The proposed rezoning give effects to the objectives of draft Riverina Murray Regional Plan 2041. Following table outline the objectives of the regional plan with the proposed rezoning outcomes.

Table 2 Objectives of the Draft Riverina Murray Regional Plan 2041 with Proposed rezoning

Objectives	Relationship with the proposed rezoning
Objective 5 - Ensure housing supply, diversity, affordability and resilience	The proposed rezoning is to up zone the subject land from RU1 to R5. As proposed rezoning change the minimum lot size from 200Ha to 2 Ha, the number of allotments that the subject land can be subdivided will be increased. Therefore, the proposed rezoning supports the objective 5,6 and 7 as it generates more lots to provide housing facilities.
Objective 6 - Support housing in regional cities and their sub-regions	
Objective 7 - Provide for appropriate rural residential development	

Riverina Murray Regional Plan 2036

The proposed rezoning supports to achieve goal 4 (Strong, connected, and healthy communities) of Riverina Murray Regional Plan 2036. Following is a summary which describes how the proposed development aligns with the directions of goal 4.

Table 3 Proposed Development with Directions of Goal 4

Direction	Description
Direction 22: Promote the growth of regional cities and local centres	The proposed rezoning provides housing facilities to the growing population, and this leads to the development of infrastructure facilities, industries, services while promoting the growth of Coolamon city.
Direction 23: Build resilience in towns and villages	To enhance communities to becoming more self-sufficient, the challenges such as, declining populations, the ageing of populations and decline in younger adult populations needed to be addressed. The proposed residential lots fulfil the housing requirement of the younger generation while attracting more people to settle in Coolamon region to support agricultural industry. Therefore, the challenges such as, declining populations, the ageing of populations and decline in younger adult populations can be addressed by the proposed residential lots and will build resilience in towns and villages.
Direction 25: Build housing capacity to meet demand	The proposed residential lots provides a space to build houses to satisfy the increasing demand.
Direction 26: Provide greater housing choice	The proposed residential lots provides space to build different choices of houses.

4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

The planning proposal is consistent with Coolamon Shire Council strategic planning statement (2019-2039) and Coolamon Shire Settlement Strategy 2040.

Coolamon Shire Council strategic planning statement (2019-2039)

The strategic planning statement denotes that, council's vision includes to provide housing opportunities and choice to cater for changing demographics and population needs, ensuring that resident amenity is maintained and enhanced. The Planning Priority 8 of local strategic planning statement is to investigate opportunities for residential and rural residential land rezoning. So, to fulfill council vision and the planning priorities, investigations will be undertaken to identify suitable locations for residential rezoning. Furthermore, the Coolamon desired future character is to primarily consolidate residential development within the town area and additional rural residential areas to the northeast and southwest direction.

Therefore, granting approval for the proposed rezoning is adhered to the local strategic planning statement. Because the proposed lot is situated northeast direction from the coolamon town and proposed rezoning is to provide housing facilities.

Coolamon Shire Settlement Strategy 2040

The Coolamon Shire Settlement Strategy 2040 states that the population of Coolamon local government area is forecasted to be increased by 6.8 % between 2020 to 2040 and majority of growth will occur in the Coolamon Township with a 15.8% growth rate. Moreover, the report indicates that the Coolamon local government area should aim to accommodate a total population of 3000 people and is assumed to have 280 to 300 additional dwellings between 2016 to 2041.

To accommodate the expected population growth, the Coolamon Shire Settlement Strategy 2040 recommend to up zone the area bounded by Davies Drive and Bartlett's Lane (Lot 21, DP 1224134) (subject site) from RU1 (Primary Production) to RU4 ((Primary Production Small Lots) while adopting minimum lot size of 2 Ha.

As per the consultation from NSW Department of Planning, it has been requested that future rezonings of RU1 to RU4 to be considered for R5 rezoning. Therefore, the proposed rezoning is consistent with the recommendations in Coolamon Shire Settlement Strategy 2040 and the consultation from NSW Department of Planning.

5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The planning proposal is consistent with the 20-Year Economic Vision for Regional NSW. The 20-Year Economic Vision for Regional NSW is to drive sustainable, long-term economic growth in regional NSW while unlocking significant economic potential in regional NSW.

So, "by continuing to apply principles in the 20-Year Economic Vision for Regional NSW, regional NSW will experience higher population and jobs growth than under business as usual. Regional NSW is already forecast to grow by 270,000 people by 2038. However, the visionary approach could boost this by more than 180,000, so that regional NSW grows by close to half a million people" (A 20- Year Economic Vision for Regional NSW, 2021).

As the planning proposal is to rezone the subject land for residential purposes, the proposal supports to fulfil the residential requirement of the future growing population. Therefore, the planning proposal is consistent with the 20-Year Economic Vision for Regional NSW.

6. Is the planning proposal consistent with applicable SEPPs?

Referring to the following table, the planning proposal is consistent with the relevant SEPPs.

Table 4 Planning Proposal implications on SEPP Requirements

Requirement	Planning Proposal Implication
State Environmental Planning Policy (Housing) 2021	The future dwellings in the proposed subdivided lands will be developed complying with the State Environmental Planning Policy (Housing) 2021.
State Environmental Planning Policy (Transport and Infrastructure) 2021	<p>The future residential subdivision requires water supply, sewer management system, stormwater management system, electricity and telecommunication facilities and transportation facilities.</p> <p>All those infrastructure and transportation facilities will be provided to the future landowners adhering to the requirements and controls of the State Environmental Planning Policy (Transport and Infrastructure) 2021.</p>
State Environmental Planning Policy (Primary Production) 2021	<p>Referring to the Schedule 4, Part 2 (Subdivision of, or dwellings on, land in certain zones), the consent authority must take into account following matters when determining to grant development consent for subdivision of land for residential purposes and erection of a dwelling on both RU1 and R5 zoned lands.</p> <p>(a) the existing uses and approved uses of land in the vicinity of the development,</p> <p>(b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,</p> <p>(c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),</p> <p>(d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).</p> <p>The subject land is situated adjacent to both residential lots and agricultural lands. Moreover, part of the subject land has been used for residential purposes. Therefore, the subject land can be subdivided for residential purposes and dwelling can be erected on the subject land as it is compatible with the previous uses of the land and the surrounding uses of the land. Moreover, future residential use of the subject land will not cause conflicts with the agricultural uses of the adjoining lands.</p> <p>So, the outcome of the proposed rezoning is consistent with requirements of the State Environmental Planning Policy (Primary Production) 2021.</p>
State Environmental Planning Policy (Biodiversity and Conservation) 2021	The lands in the proposed zone R5 are subject to comply the Chapter 2 Vegetation in non-rural areas in State Environmental Planning Policy (Biodiversity and Conservation) 2021.

	<p>Therefore, a biodiversity assessment was conducted as clearing of vegetation is required for the future subdivision. The biodiversity assessment by GHD is accompanying with this proposal.</p> <p>The biodiversity assessment concluded that 'the impacts of the proposal are highly limited and would include the removal of only one White Cypress Pine tree from the centre of the proposal site to facilitate the construction of the new roadway. The loss of one low-quality tree would not impact species movement or foraging capability (where it currently exists) on site' (Biodiversity Assessment Report, GHD, 2022).</p> <p>Moreover, it emphasized that the proposal would not impact on any areas of endangered ecological community Grey Box Woodland and is also unlikely to have a significant impact on any biota listed under the EPBC Act and a referral to the Australian Government Minister for the Environment is not required (Biodiversity Assessment Report, GHD, 2022).</p> <p>So, proposed rezoning and its outcomes are consistent with the requirements of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>Referring to the clause 4.6 Contamination and remediation to be considered in determining development application, a consent authority must not consent to the carrying out of any development on land unless</p> <p>(a) it has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</p> <p>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</p> <p>A detailed site investigation (DSI) was conducted by McMahon Pty Ltd to</p> <ul style="list-style-type: none"> • Provide information regarding potential contamination sources within the development area. • Conduct soil sampling around the identified contamination sources using Data Quality Objectives (DQOs). • Develop a Conceptual Site Model detailing the potential contamination source-pathway-receptor linkages from the information collected, • Conduct a risk assessment for site suitability regarding potential contamination and the proposed development. • Provide a statement of site suitability for the proposed land use and recommendations for site management during development identify whether the site is contaminated. <p>And, included following findings.</p> <ul style="list-style-type: none"> • Persistent chemicals that could have accumulated in the soil across the farm, around the silos, chemical storage areas, and sheep yards from pesticide and agricultural chemical use. Soil sampling of these areas returned results that are assessed to be a low risk to current

	<p>and future site users. Ecological exceedances for zinc found around the sheep yards are surficial and localised. Statistical analysis supports the finding that the high levels of zinc are of low significance.</p> <ul style="list-style-type: none"> • Machinery maintenance and associated potential fuel/oil storage in and around the existing machinery shed is assessed to be of low significance. Soil surrounding the areas of concern contained levels of potential contaminants which were below the adopted criteria. • The fragments of bonded Asbestos Containing Material (ACM) found on the soil surface around the demolished house and garage during the PSI have been removed by the landholder. Subsequent testing for bonded ACM by sieving and trace analysis around the demolished house and garage returned nil detects. • The material in the filled farm dam is assessed to be natural soil and returned results below the adopted criteria. • The potential septic system from the demolished house could not be located. Further assessment is recommended if the septic is found, but this can be managed during development. <p>(DSI, DM McMahon Pty Ltd, December 2022)</p> <p>In summary, DSI (McMahon Pty Ltd, December 2022) states that pending the adoption of the recommendations of the report (DSI), the site is suitable for the proposed subdivision and residential development.</p> <p>As DSI and its outcomes are consistent with the State Environmental Planning Policy (Resilience and Hazards) 2021, the rezoning is consistent with the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021.</p>
State Environmental Planning Policy (Industry and Employment) 2021	State Environmental Planning Policy (Industry and Employment) 2021 is not applicable to the subject land.
State Environmental Planning Policy (Resources and Energy) 2021	State Environmental Planning Policy (Resources and Energy) 2021 is not applicable to the subject land.
State Environmental Planning Policy (Planning Systems) 2021	State Environmental Planning Policy (Planning Systems) 2021 is not applicable to the subject land and the proposed rezoning including future subdivision.

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

Following table assess the consistency of the planning proposal with the relevant ministerial direction.

Table 5 Assessment against the Ministerial Directions (Section 9.1 Directions)

Ministerial Directions	Planning Proposal Consistency and Implications
Focus area 1: Planning Systems	
1.1 Implementation of Regional Plans	The planning proposal is consistent with vision, goals and directions of the Draft Riverina Murray Regional Plan 2041 and Riverina Murray Regional Plan 2036. Please refer question 3 for further details.
1.2 Development of Aboriginal Land Council land	The subject land is not shown on the Land Application Map of chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021.
1.3 Approval and Referral Requirements	Planning proposal does not contain provisions requiring concurrence, consultation or referral of a Minister or public authority
1.4 Site Specific Provisions	Planning proposal is consistent with the direction 1.4.
Focus area 2: Planning Systems – Place-based	Not applicable.
Focus area 3: Biodiversity and Conservation	Not applicable.
Focus area 4: Resilience and Hazards	
4.1 Flooding	The subject land is not a flood prone land.
4.2 Coastal Management	Not applicable.
4.3 Planning for Bushfire Protection	The planning proposal is consistent with the direction 4.3. Please refer to the accompanying strategic bushfire study, which was prepared referring to the Planning for Bushfire Protection 2019, for further information.
4.4 Remediation of Contaminated Land	<p>The subject land is not listed on the state register for significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. Furthermore, a detailed site investigation was conducted by DM McMahon Pty Ltd (December 2022) to identify whether the land is contaminated. The report states that pending the adoption of the recommendations of the report (DSI), the site is suitable for the proposed subdivision and residential development. Please refer the attached report for further information.</p> <p>Therefore, planning proposal is consistent with the direction 4.4.</p>
4.5 Acid Sulfate Soils	Not applicable.

4.6 Mine Subsidence and Unstable Land	Not applicable.
Focus area 5: Transport and Infrastructure	Not applicable.
Focus area 6: Housing	
6.1 Residential Zones	The proposed future residential subdivision encourage to have provisions of housing in direction 6.1 and the subject land will be adequately serviced prior to the residential developments. Therefore, the planning proposal is consistent with direction 6.1.
6.2 Caravan Parks and Manufactured Home Estates	Not applicable.
Focus area 7: Industry and Employment	Not applicable.
Focus area 8: Resources and Energy	Not applicable.
Focus area 9: Primary Production	
9.1 Rural Zones	<p>Referring to direction 9.1, a planning proposal must not rezone a land from a rural zone to a residential, business, industrial, village or tourist zone and not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village). However, the planning proposal may consistent with the terms of the direction, if the proposal is justified by a strategy approved by the planning secretary.</p> <p>The Coolamon Shire Settlement Strategy 2040 recommend rezoning the subject land from RU1 to RU4 while adopting minimum lot size of 2 Ha. As per further consultation from NSW Department of Planning, all the future rezonings from RU1 to RU4 in Coolamon local government area will be rezoned to R5.</p> <p>Therefore, the planning proposal to rezone subject land from RU1 to R5 zone is consistent with this direction as the rezoning is justified and approved under Coolamon Shire Settlement Strategy 2040 and NSW Department of Planning.</p>
9.2 Rural Lands	<p>Although the planning proposal changes the minimum lot size 200 ha to 2 ha, the changes to the minimum lot size has been justified in the Coolamon Shire Settlement Strategy 2040. Moreover, rezoning the subject land for residential purposes does not cause land use conflicts between adjoining lands as a part of subject land was used for residential purposes and adjoining lands from south to west direction are for residential purposes.</p> <p>Therefore, the planning proposal is consistent with the direction 9.2.</p>
9.3 Oyster Aquaculture	Not applicable.

9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
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3.3 ENVIRONMENTAL, SOCIAL, AND ECONOMIC IMPACT

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

A biodiversity assessment by GHD was conducted to identify whether the subject land has the potential to contain critical habitat or threatened species, populations or ecological communities, or their habitats. Please refer to the accompanying biodiversity assessment for further information.

The biodiversity assessment concluded that 'the impacts of the proposal are highly limited and would include the removal of only one White Cypress Pine tree from the centre of the proposal site to facilitate the construction of the new roadway. The loss of one low-quality tree would not impact species movement or foraging capability (where it currently exists) on site' (Biodiversity Assessment Report, GHD, 2022).

Moreover, it emphasized that the proposal would not impact on any areas of endangered ecological community Grey Box Woodland and is also unlikely to have a significant impact on any biota listed under the EPBC Act and a referral to the Australian Government Minister for the Environment is not required (Biodiversity Assessment Report, GHD, 2022).

Therefore, critical habitat or threatened species, populations or ecological communities, or their habitats, will not be adversely affected by the proposal.

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

There is no any other environmental effects of the planning proposal as the proposal is to rezone the subject land for residential purposes which causes minimum environmental effects.

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

The planning proposal enhance social and economic development of the Coolamon region. As the proposed rezoning accommodate to subdivide the subject land into 25 residential lots, it generates new dwellings to the future population. The subject site being surrounded by agricultural lands, people get the opportunity to live while enjoying natural scenic view. Moreover, these residential lots provide opportunity for farmers and workers who are associated with the agricultural industry to live with their families as lots are near to the farmlands. So, being able to have a dwelling with a natural scenic view and having opportunity to live with the family, develop the individual mental wellbeing which positively impact for the social development.

Moreover, the proposed rezoning contribute the local economy by employing local civil contractors and building contractors at the subdivision stage and residential development stage. Moreover, these residential developments improve consumer demand of the local businesses while generating an economic development.

3.4 INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)

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

Referring to the following confirmations sent from the respective authorities, the proposed land can be utilized by all services for residential purposes with an upgrade to the existing facilities except for gas services.

Water Services

Referring to the attached letter from Goldenfields Water, the potable water service is available for the future development with an upgrade to the existing facility. An 800m long 100mm PVC main will be required to be constructed along the proposed road servicing lots 28-42 and a 300m extension of the Campbell St main will be required to service lot 45.

Sewer and Stormwater Services

Referring to the drainage analysis report, the increased stormwater flow due to the future subdivision will be controlled by providing on site detention basin. The sewer generated from the proposed residential lots will be treated by an onsite sewer management system.

Electricity Services

Referring to the attached map from, Essential Energy, electricity services can be supplied to the subject land with an upgrade to the existing facilities.

Gas Services

Referring to the attached letter from Jemena Gas Network Protection, there are no gas mains in the vicinity of the subject land.

Telecommunication Services

Fixed wireless telecommunication service is readily available in the site and upgrade will be done for the existing telecommunication services.

3.5 STATE AND COMMONWEALTH INTERESTS

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The subject land being near to a bush fire prone land, consultation from Rural Fire Services will be needed to decide the bushfire protection to the proposed development.

PART 4 MAPS

The planning proposal would require amendments to the Land Zoning Map LZN003F and Lot Size Map LSZ003F.

PART 5 – COMMUNITY CONSULTATION

During the pre-lodgement stage, a consultation with Coolamon Shire Council was undertaken. As per their recommendations a detailed site investigation was conducted to identify contamination sources in the site and to identify the remedies to the impacts of those contamination sources.

Further, government agencies and community consultation will be undertaken in accordance with the conditions of the Gateway determination. If public exhibition is needed, the exhibition will be conducted as per the duration specified in the gateway determination.

PROJECT TIMELINE

The proposed amendment to the Coolamon Local Environmental Plan 2011 will be completed by November 2023 following the below timeline.

Milestone	Timeframe
Council resolution endorsing the Planning Proposal for a Gateway Determination	December 2022 - January 2023
Gateway Determination issued by the Minister for Planning and Environment	January 2023 - February 2023
Public Exhibition period including consultation with public authorities	March – April 2023
Assessment of the Planning Proposal and consideration of public submission	April – July 2023
Council report of submissions and endorsing of Planning Proposal to be submitted to the Department to finalise the LEP	July – October 2023
LEP will be notified on legislation website	October – November 2023