

HS5) PLANNING PROPOSALS FOR REZONING - JERRICKS LANE AND CAMPBELLS LANE COOLAMON (P.03-01, SC297)

Clr Hutcheon declared a pecuniary interest and left the meeting at 4.20pm.

Summary

Council has received two (2) individual planning proposals, requesting the rezoning of land within the Coolamon Local Government Area.

This report requests that Council resolve to support the planning proposals to rezone the subject areas of land and request Gateway Determination from the NSW Minister for Planning.

Background

Council is in receipt of two (2) individual planning proposals requesting the rezoning of land within the Coolamon Local Government Area.

1) Planning Proposal Number 1 - Jerricks Lane:

This Planning Proposal is submitted to Coolamon Shire Council to request an amendment to the Coolamon Local Environmental Plan 2011 (CLEP) to rezone Lot 47, DP 1252259 Jerricks Lane, Coolamon, from RU1 (Primary Production) to R5 (Large Lot Residential) with a 2 Ha minimum lot size.

The subject site is known as 1 Jerricks Lane, Coolamon and is legally described as Lot 47, DP 1252259. The site of the proposed rezoning is approximately 65.2 Ha in area and has direct road frontage Dyces Lane and will have access from Nestrom Drive (new road being constructed under an approved subdivision).

The primary objective and intended outcome of the Planning Proposal is to enable subject land to be developed for large lot residential purposes. This can be achieved by amending the CLEP 2011 to change the zoning and minimum lot size control applying to the land.

2) Planning Proposal Number 2 - Campbells Lane:

This Planning Proposal has been prepared for the rezoning of 93 Campbells Lane Coolamon. 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.

The primary objective and intended outcome of the Planning Proposal is to enable subject land to be developed for large lot residential purposes. This can be achieved by amending the CLEP 2011 to change the zoning and minimum lot size control applying to the land.

Considerations

There are a number of issues relating to these proposals which are reflected in the extent of the areas being recommended for rezoning in the attached formal Planning Proposals. They are:

- Aboriginal Cultural Heritage
- Biodiversity
- Bushfire
- Flood and Drainage Impacts
- Land Contamination
- Servicing
- Strategic Merit

Both Planning proposals are accompanied by detailed specialist consultant reports that satisfactorily address the considerations identified above.

Both Planning Proposals are consistent with the recently approved Coolamon Shire Settlement Strategy 2040.

The Settlement Strategy identifies both sites, as sites that are suitable for rezoning from RU1 Primary Production to RU4 Primary Production Small Lot with a minimum lot size of 2 Ha.

It is noted that advice from the Department of Planning in respect of land identified in the settlement strategy for rezoning, from RU1 Primary Production to RU4 Primary Production Small Lots, that the Department seeks for Council to consider zoning the land identified as being rezoned as RU4 Primary Production Small Lot as being rezoned to R5 Large Lot Residential.

The staging plan attached to the Settlement Strategy identifies that both sites could be considered for rezoning between 2022 and 2025.

Planning Proposals

The elements of the attached Planning Proposals (Attachment 1 and 2) are described below:

1) JERRICKS LANE PLANNING PROPOSAL

The Planning Proposal will require an amendment to the CLEP 2011 maps and inclusion of an R5 Large Lot Residential Land Use Table.

The following actions are required to facilitate this planning proposal:

- a) Amendment to Land Zoning Maps – Land Zoning Map - Sheet LZN_003E and Land Zoning Map - Sheet LZN_003G from RU1 Primary Production to R5 Large Lot Residential.
- b) Amendment to Lot Size Map - Sheet LSZ_003E and Lot Size Map - Sheet LSZ_003G - Amend lot size restriction applying to Lot 47, DP 1252259 from 200 Ha to 2 Ha.
- c) Inclusion of an R5 Large Lot Residential Land Use Table into the CLEP 2011.
- d) Amendment to Clause 4.2B 'Erection of dwelling houses in certain rural zones' of the CLEP 2011, to include the R5 Zone in Clause 4.2b (2) to include R5 Large Lot Residential as land to which this clause applies.

The proposed change in land use zoning to R5 Large Lot Residential is considered the most appropriate and logical land use zone in respect of the site context and character of the area.

The R5 Large Lot Residential Zone would allow for more consistent and compatible development given the lot is isolated and whilst adjoined by RU4 Primary Production zoned land, such land is predominately being used for large lot residential land use purposes, confirmed by a land use survey. It is considered that the R5 Large Lot Residential Zone objectives and land use table is more consistent with the property characteristics and adjoining land uses when compared to its current zoning of RU1 Primary Production.

Although the request is for the amendment to the zoning of the land, other mapping amendments would also be required to be amended to be consistent with the adjoining development provisions and to control bulk and scale.

The Lot Size map requires amendment. Currently there is a minimum lot size applying to the land of 200 Ha and the amendment proposes to introduce a Lot Size control of 2 Ha. The 2 Ha is consistent with the lot size of RU4 zoned land adjoining the site to the north and west. The 2 Ha proposed will ensure Large Lot Residential land uses and ancillary dwelling houses can be accommodated on any future allotments created.

The minimum lot size of 2 Ha is therefore justified having regard to the following:

- the total site area of Lot 47 will be 65.2 Ha (after registration of current subdivision) and is inconsistent with lot sizes adjoining to the north and east;
- the 2 Ha is proposed as it reflects the lot sizes that adjoin the site to the north and east;
- the site demonstrates merit to proceed to development for the purposes of large lot residential lots.

The Coolamon Local Environmental Plan 2011 (CLEP 2011) does not currently contain an R5 Large Lot Residential Zone. The CLEP 2011 would be required to be amended to include a land use table.

As a result of there being no R5 Large Lot Residential Zone in the CLEP, an amendment to Clause 4.2B 'Erection of dwelling houses in certain rural zones' of the CLEP 2011, to include the R5 Zone in Clause 4.2b (2) to include R5 Large Lot Residential as land to which this clause applies would be required. It is presumed that Council will require the clause to be amended to include R5 Zoned land. The clause would be amended to provide for: 'Erection of dwelling houses and dual occupancies on land in certain residential and rural zones'.

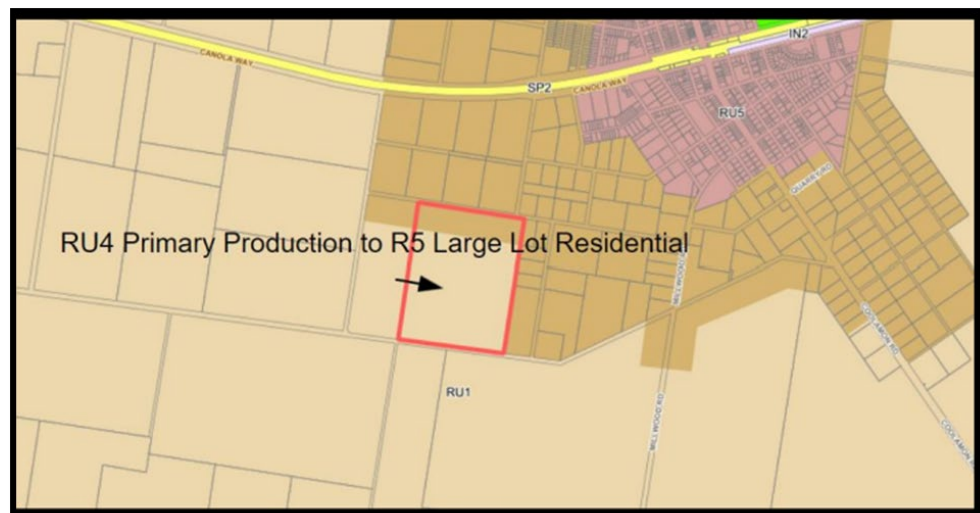


Figure 1: Proposed Rezoning of Jerricks Lane from RU1 Primary Production to R5 Large Lot Residential

2) CAMPBELLS LANE PLANNING PROPOSAL

The Planning Proposal will also require an amendment to the CLEP 2011 maps and inclusion of an R5 Large Lot Residential Land Use Table.

The following actions are required to facilitate this planning proposal:

- a) Amendment to Land Zoning Maps – Land Zoning Map - Sheet LZN_003F from RU1 Primary Production to R5 Large Lot Residential.
- b) Amendment to Lot Size Map - Lot Size Map - Sheet LSZ_003F, Amend lot size restriction applying to Lot 21, DP 1224134 from 200 Ha to 2 Ha.
- c) Inclusion of an R5 Large Lot Residential Land Use Table into the CLEP 2011.
- d) Amendment to Clause 4.2B 'Erection of dwelling houses in certain rural zones' of the CLEP 2011, to include the R5 Zone in Clause 4.2b (2) to include R5 Large Lot Residential as land to which this clause applies.

The proposed change in land use zoning to R5 Large Lot Residential is considered the most appropriate and logical land use zone in respect of the site context and character of the area.

It is considered that the R5 Large Lot Residential Zone objectives and land use table is more consistent with the property characteristics and adjoining land uses when compared to its current zoning of RU1 Primary Production.

Although the request is for the amendment to the zoning of the land, other mapping amendments would also be required to be amended to be consistent with the adjoining development provisions and to control bulk and scale.

The Lot Size map requires amendment. Currently there is a minimum lot size applying to the land of 200 Ha and the amendment proposes to introduce a Lot Size control of 2 Ha. The 2 Ha is consistent with the lot size of RU4 zoned land adjoining the site to the north and west. The 2 Ha proposed will ensure large lot residential land uses and ancillary dwelling houses can be accommodated on any future allotments created.

The minimum lot size of 2 Ha is therefore justified having regard to the following:

- the 2 Ha is proposed as it reflects the lot sizes that adjoin the site to the north and east;
- the site demonstrates merit to proceed to development for the purposes of large lot residential lots.

The Coolamon Local Environmental Plan 2011 (CLEP 2011) does not currently contain an R5 Large Lot Residential Zone. The CLEP 2011 would be required to be amended to include a land use table.

As a result of there being no R5 Large Lot Residential Zone in the CLEP, an amendment to Clause 4.2B 'Erection of dwelling houses in certain rural zones' of the CLEP 2011, to include the R5 Zone in Clause 4.2b (2) to include R5 Large Lot Residential as land to which this clause applies would

be required. It is presumed that Council will require the clause to be amended to include R5 Zoned land. The clause would be amended to provide for: 'Erection of dwelling houses and dual occupancies on land in certain residential and rural zones'.



Figure 2: Proposed Rezoning of Campbells Lane from RU1 Primary Production to R5 Large Lot Residential

Next Steps

Following endorsement by Council, the Planning Proposal will be forwarded to the Department of Planning, Infrastructure and Environment seeking a Gateway determination to proceed with the amendment. The Gateway decision will set out requirements for any additional investigations, consultations and the timing of any required changes to the CLEP 2011.

Consultation

There has been no public consultation on these proposed changes as yet.

With Council approval, there will be a formal public exhibition period if the planning proposal proceeds past the Department of Planning's Gateway process.

Conclusion

The proposed amendments to CLEP 2011 detailed in this report are considered to be of a routine nature.

The proposed rezoning, amendments to minimum lot size and inclusion of an R5 Large Lot Residential Zone land use table are considered to be consistent with the Coolamon Settlement Strategy, and promote a wider array of land use activities with the potential to garner positive social and economic benefits to the local government area.

➔ **Attachments**

- 1) Jerricks Lane – Scoping Report and Draft Planning Proposal.
Attachment No: 16.1
- 2) Campbells Lane – Scoping Report and Draft Planning Proposal.
Attachment No: 16.2

Recommendation

- 1) That Council receive and note the report.
- 2) That Council forward the group planning proposal to the Department of Planning and Environment under section 3.34, requesting that the Minister issue a “gateway determination” that will allow the planning proposals to proceed.
- 3) That, subject to the response from the Department of Planning and Environment, public consultation be undertaken.

RESOLVED on the motion of Clr Perkin and seconded by Clr Crocker: 254/12/2022

- 1) That Council receive and note the report.
- 2) That Council forward the group planning proposal to the Department of Planning and Environment under section 3.34, requesting that the Minister issue a “gateway determination” that will allow the planning proposals to proceed.
- 3) That, subject to the response from the Department of Planning and Environment, public consultation be undertaken.

The Mayor called for a division

Those voting in favour of the motion: All those present

Those voting against the motion: Nil

Clr Hutcheon returned to the meeting at 4.23pm.

Scoping Proposal

Rezoning of RU1 Primary Production Zoned Land to R5 Large Lot Residential Zoned Land

1 Jerricks Lane, Coolamon, NSW 2701

Lot: 47, DP: 1252259

Prepared for Bruce Hutcheon

By

Jenna Amos

1st September 2022

Project

Scoping Report for Proposed Rezoning RU1 (Primary Production) to R5 (Large Lot Residential)

1 Jerricks Lane, Coolamon, NSW 2701

Revision		Date		Prepared By		Checked By		Approved By	
Final		1- 09-22		Name	Jenna Amos	Name	Bruce Hutcheon	Name	Bruce Hutcheon

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1 INTRODUCTION

Table 1 Scoping Report Summary Table

Proponent's Details	Name: Bruce Hutcheon Address: 2395 Millwood Road, Coolamon NSW, 2701 Relationship to the site: Landowner Contact email: b.hutcheon@coolamon.com.au Contact phone: 0427 273 439
Site Address	1 Jerricks Lane, Coolamon, NSW 2701
Legal Description (Lot and DP Numbers)	Lot: 47, DP: 1252259
Simple description of the proposed amendments	Amendment to the Coolamon Local Environmental Plan 2011 (CLEP) to rezone Lot 47, DP 1252259 Jerricks Lane, Coolamon, from RU1 (Primary Production) to R5 (Large Lot Residential) with a 2 Ha minimum lot size.
LEP to be amended	Coolamon Local Environmental Plan 2011.
Has previous consultation been undertaken in relation to this property/proposal?	Yes. Who? With Colby Farmer (Executive Manager Development and Environmental Services, Coolamon Shire Council). When? July 2022 and prior to lodgement of Scoping Report and Planning Proposal.

Aerial Image of the site provided in [Figure 1](#) below.



Figure 1 Aerial Image of the development site and surrounds (Source: Mecone Mosaic)

This scoping report is a prelude to a Proposed Proposal that will request an amendment to the Coolamon Local Environmental Plan 2011 (CLEP) to rezone land located at Lot 47, DP 1252259 Jerricks Lane, Coolamon from RU1 Primary Production to R5 Large Lot Residential and amend the lot size control.

Initial discussions were undertaken in July 2022 with Council, regarding the level of detail required for a Planning Proposal at the subject site.

The Planning Proposal to rezone the subject site is considered to be minor and have no adverse impacts to the overall strategic outcomes of the Coolamon LGA and is consistent with the Coolamon Shire Council Settlement Strategy.

If Council endorses the scoping report and provides in principle support, any subsequent Planning Proposal will be prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the NSW Government's *A Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*.

2 THE PROPOSAL

The objective of a Planning Proposal will be to enable the subject land to be rezoned and developed for large lot residential purposes, consistent with the uses of adjoining nearby properties in Cains and Jerricks Lanes, and to facilitate the preparation of a LEP amendment to rezone the land from RU1 Primary Production to R5 Large Lot Residential and amend the minimum lot size map to a minimum lot size of 2 Ha.

A Planning Proposal will allow the site to be developed in an orderly and economic manner and will facilitate future development to be consistent with the predominant adjoining development which, while zoned primary

production small lot, is used for large lot residential purposes.

The development recently constructed to the east is zoned primary production small lots and in reality, is used for large lot residential purposes, closest to the subject site boundary (Figure 3). Therefore, the site would be bound by primary production small lot development to the north (recently approved subdivision), and east of the site. The Planning Proposal would essentially allow the erection of residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality and would be consistent with low density rural residential land and surrounding land uses.

The proposed rezoning allows the subject site to be subdivided into 21 lots for residential purposes. Please refer to proposed subdivision layout identified in Figure 2 below.



Figure 2 Concept Lot Layout (Source Xeros Piccolo)

3 THE SUBJECT SITE AND CHARACTERISTICS

3.1 THE SITE

The subject site is known as Lot 47, DP 1252259 Jerricks Lane, Coolamon.

The site has direct road frontage from Dycles Lane and will be provided access via an extension of Nestrom Drive, a new road that comes off Jerricks Lane and which was created under DA 2021/97. The approval issued under DA 2021/97 was for an 8-lot subdivision, for primary production small lot purposes, with a minimum lot size of 2 Ha. The subdivision was approved by Coolamon Shire Council on 21 September 2021 and civil works are nearing completion which will then facilitate the registration of these allotments. The total site area, incorporating this unregistered subdivision, is approximately 84.2 Ha.

The site, subject of this planning proposal, is a rectangular shaped lot with a total area of approximately 65.2 Ha (residue lot after registration of subdivision under DA2021/97). The site is currently vacant and used for small scale agricultural purposes.

The site is situated approximately 1.7 km south – west from the Coolamon Township / Main Street. The adjoining land, located to the north and east, is used for primary production small lot purposes and zoned RU4, while the land located to the west and south of the site is used for agricultural and zoned RU1 Primary Production.

The site is generally cleared and devoid of vegetation with the exception of a remnant patch of native vegetation located in the centre of the site.

The site is generally flat with a slight east to west slope.

3.2 PREVIOUS, PRESENT, AND PROPOSED USE OF THE LAND

The site is currently utilised for intermittent small scale agricultural (cropping and grazing) purposes and has been used for such purposes for many years.

A planning proposal for the rezoning of a portion of the site from RU1 Primary Production to RU4 Primary Production Small Lots, was supported by Council and the NSW Department of Planning and Environment as Amendment No. 3 to the CLEP 2011 and was gazetted on the NSW Legislation website on 22 June 2018.

The rezoning of the portion of land subsequently resulted in a development application for subdivision (DA 2021/97) being lodged and approved by Council. The application proposed the subdivision of 1 allotment into 8 new allotments. 7 of the allotments were to be for primary production small lot purposes, with the residue lot being used for agricultural and future large lot residential purposes (the land subject of this planning proposal).

The existing lot is approximately 84.2 Ha in size and comprises of dual zoning. The land fronting Jerricks Lane is zoned RU4 (Rural Small Holdings) for an area of approximately 200 m deep by 800 m long. The residue land is zoned RU1 (Primary Production). This residue land is the land subject of this planning proposal.

The subdivision (DA 2021/97) was for primary production small lot purposes and the allotments that will be created are the following sizes:

- Proposed lot 54: 2 ha
- Proposed lot 55: 2.2 ha
- Proposed lot 56: 2.2 ha
- Proposed lot 57: 2.2 ha
- Proposed lot 58: 2.2 ha
- Proposed lot 59: 2.2 ha
- Proposed lot 60: 2.67 ha
- Proposed lot 61: 65.2 ha (land subject of this planning proposal).

The subdivision provided for the provision of infrastructure in the form of a new road, stormwater, water, telecommunications and electricity infrastructure. The completion of the subdivision is imminent.

4 CURRENT ZONING

The subject land is zoned RU1 Primary Production under the Coolamon Local Environmental Plan (CLEP) 2011.

See Figure 3 which illustrates 'lot identification, zoning and location to surrounding land uses in relation to the site.

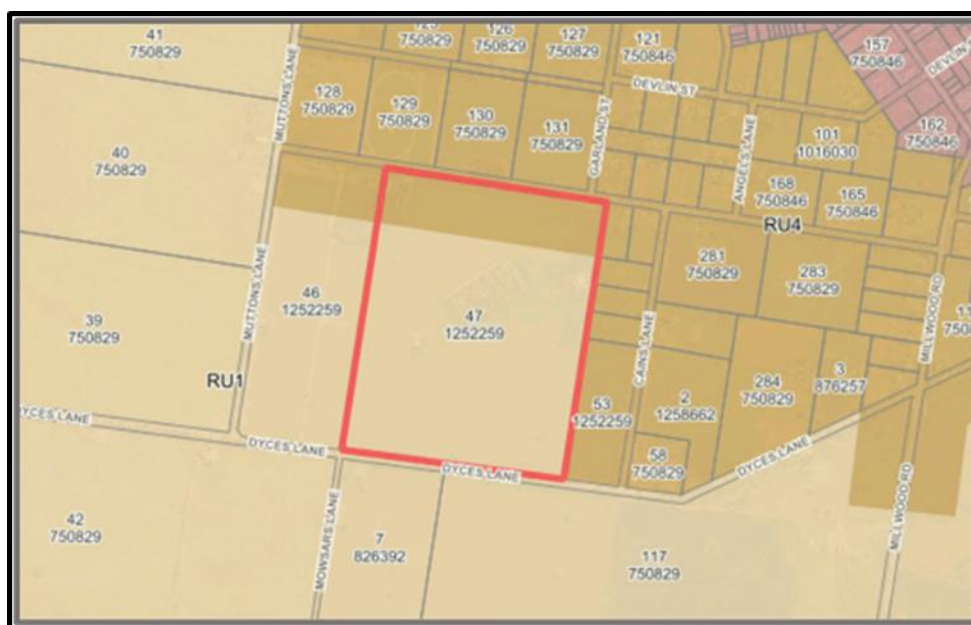


Figure 3 Site Identification and Zoning Map (Source: CSC IntraMaps)

5 LOCAL ENVIRONMENTAL PLAN AMENDMENTS

5.1 PROPOSED AMENDMENTS TO THE CLEP 2011

Control Type	Current Control	Proposed Control	Comment
Zoning	RU1 Primary Production	R5 Large Lot Residential	The objective of a Planning Proposal will be to enable the subject land to be zoned and developed for large lot residential purposes consistent with the uses of adjoining nearby properties in Cains and Jerricks Lanes, and to facilitate the preparation of a LEP amendment to rezone the land from RU1 Primary Production to R5 Large Lot Residential. Amendment to Land Zoning Maps – Land Zoning Map - Sheet

			LZN_003E and Land Zoning Map - Sheet LZN_003G from RU1 Primary Production to R5 Large Lot Residential.
Minimum Lot Size	200 Ha	2 Ha	Amendment to Lot Size Map - Sheet LSZ_003E and Lot Size Map - Sheet LSZ_003G - Amend lot size restriction applying to Lot 47, DP 1252259 from 200 Ha to 2 Ha.
Include a R5 Land Use Table in CLEP 2011	N/A – there is no current R5 Zoning Table contained within the CLEP 2011.	Land use table to be inserted by Council providing for: <ul style="list-style-type: none"> - Zone Objectives - Development Permitted without Consent - Development Permitted with Consent; and - Development that is prohibited. 	Inclusion of an R5 Large Lot Residential Land Use Table into the CLEP 2011 is required with provisions to be determined by Coolamon Shire Council.
Amendment to Clause 4.2B'Erection of dwelling houses in certain rural zones' of the CLEP 2011.	R5 Large Lot Residential Zone is not currently included in the Clause.	Council to consider an Amendment to Clause 4.2B to provide 'Erection of dwelling houses in certain residential zones and rural zones' of the CLEP 2011, to include the R5 Zone in Clause 4.2b (2) to include R5 Large Lot Residential as land to which this clause applies.	The amendment to the clause will enable the replacement of lawfully erected dwelling houses and dual occupancies in residential zone – the new R5 Zone and would be consistent with other LEPs in the Region.

5.2 COMPARISON OF KEY CONTROLS OF CURRENT AND PROPOSED ZONE

The land subject to the proposed rezoning adjoins RU1 and RU4 zoned land and is currently zoned as RU1. The following table provides a comparison of key objectives and controls of the proposed R5 zone with the sites

existing RU1 Zone and adjoining RU1 and RU4 zones.

As previously identified an R5 zone is not currently provided in the Coolamon Local Environmental Plan 2011 (CLEP 2011), R5 Zone Objectives have been sourced from the Wagga Wagga Local Environmental Plan 2010 (WWLEP 2010) and Junee Local Environmental Plan 2011 (JLEP2012) for comparison purposes.

Table 2 Comparison of RU1 and R5 Zone Objectives

RU1 ZONE (CLEP 2011)	R5 (WWLEP 2010)	R5 (JLEP2012)
<ul style="list-style-type: none"> - To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. - To encourage diversity in primary industry enterprises and systems appropriate for the area. - To minimise the fragmentation and alienation of resource lands. - To minimise conflict between land uses within this zone and land uses within adjoining zones. - To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities. 	<ul style="list-style-type: none"> - To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. - To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. - To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. - To minimise conflict between land uses within this zone and land uses within adjoining zones. - To ensure that the clearing of native vegetation is avoided or minimised as far as is practicable. 	<ul style="list-style-type: none"> - To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. - To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. - To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. - To minimise conflict between land uses within this zone and land uses within adjoining zones. - To facilitate and promote an increased range of living opportunities by providing for low intensity residential development compatible with the rural characteristics of the locality.

Table 3 Comparison of RU4 and R5 Zone Objectives

RU4 ZONE (CLEP 2011)	R5 (WWLEP 2010)	R5 (JLEP2012)
<ul style="list-style-type: none"> - To enable sustainable primary industry and other compatible land uses. - To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more 	<ul style="list-style-type: none"> - To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. - To ensure that large residential lots do not hinder the proper and orderly development of 	<ul style="list-style-type: none"> - To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. - To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.

intensive in nature. - To minimise conflict between land uses within this zone and land uses within adjoining zones.	urban areas in the future. - To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. - To minimise conflict between land uses within this zone and land uses within adjoining zones. - To ensure that the clearing of native vegetation is avoided or minimised as far as is practicable.	- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. - To minimise conflict between land uses within this zone and land uses within adjoining zones. - To facilitate and promote an increased range of living opportunities by providing for low intensity residential development compatible with the rural characteristics of the locality.
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It is clear that the RU1 Primary Production and RU4 Primary Production Small Lot Zone objectives are predominately related to promoting sustainable primary production/agricultural land use practices, economic and employment opportunities and minimising land use conflict.

The R5 Large Lot Residential zone objectives are predominately promoting residential development types on large lots in a rural setting.

A key theme of all 3 zone objectives is the minimisation of land use conflicts.

The proposed zoning of the land from RU1 to R5, and R5 Zone objectives are considered suitable for this site as:

1. The site is considered to be isolated as primary production zone land and logically appears to present as a large lot residential property/zoning, this is due to the lot pattern and access arrangements currently available and proposed to the site. The site would not practicably be able to function or operate in an orderly and economic manner with the permissible land uses of a RU1 zone. Figure 3 shows the site location in the context of adjoining zoned land.
2. A number of land uses are permitted in both zones, but predominantly the land uses in the RU1 zone would lend itself to adverse impacts in relation to agricultural practices and primary production small lots. Therefore, potentially rendering the site unsuitable for the majority of permitted land uses in existing RU1 zone. It would appear that a large lot residential land use would be the most appropriate land use for this property given these circumstances.
3. Large lot residential allotments would provide much need form of residential housing choice that will serve to support the agricultural industry and be able house future agricultural workers and their families.
4. Subdivision patterns are emerging to the north of the property with great opportunity for future connections or integration of the site to any large lot residential zoned land that has frontage/access to Nestrom Drive and Dycles Lane. It could be argued that the existing adjoining allotments would have been more appropriately zoned as large lot residential as opposed to primary production small lots.
5. In any event, given the location of this property in the context of the remainder of the RU1 zoned land and adjoining RU4 zoned land, it would be unsustainable for agricultural land use activities which would not be desirable given the size of the property and existing primary production small lot uses adjoining.

6 KEY PROPOSAL METRICS

The Coolamon Shire Council Settlement Strategy identifies that the Coolamon LGA has experienced relatively consistent population growth in recent years. The LGA has grown by 7% since 2001. This trend is expected to continue, with a projected population of 4,612 by 2040.

The most significant population growth has occurred in the township of Coolamon and the town is expected to grow by 15.8% between 2020 and 2040 with the town growing from a resident population of 2336 in 2020 to 2705 in 2040.

The rezoning of this land and subsequent development of the site into residential allotments will cater to the growing population of the township and support the aim of creating a sustainable resident population, attracting new residents and supporting the agricultural sector.

The subject site is identified within the Coolamon Shire Settlement Strategy as being a site which is supported for a rezoning from RU1 Primary Production to RU4 Primary Production Small Lots. It is noted that advice from Council has been that the Department of Planning, Industry and Environment would prefer consideration to be given to the actual end use of the site from a zoning perspective and to this end have suggested that an R5 Large Lot Residential Zone may be more appropriate to final land uses being undertaken for future rezoning's / future allotments.

This rezoning will address a specific market demand for large lot residential land in Coolamon. There is strong demand for such allotments in Coolamon, with very limited supply. This has been demonstrated by the fact that the majority of recent subdivisions, similar in nature, have been sold 'off plan' and prior to lot registration. It is important that housing supply meets the needs and demands of the community, and this PP will assist in providing a land and future housing product that meets the needs of the Coolamon and Riverina Community.

7 STRATEGIC MERIT

The Riverina Murray Regional Plan was approved in 2018. The plan is the overarching strategic framework for the region, guiding each Council's more detailed local planning. The vision for the region, as outlined within the plan, is 'a diversified economy founded on Australia's food bowl, iconic waterways and a network of vibrant connected communities'.

The plan mentions the growth of towns and regional cities will encourage future investment, increase supply of housing, diversify industry and increase job opportunities and services – this rezoning would achieve this intent. Direction 1 of the Plan seeks to protect the regions diverse and productive agricultural land, emphasizing that new development must not create or exacerbate land use conflicts. A proposed rezoning of the site is not inconsistent with this direction.

The proposed rezoning is consistent with Directions 23 and 27 which seek to encouraging Local Government Areas to build resilience in towns and villages and to manage rural residential development. The proposed rezoning of the subject land will give effect to this direction by focusing growth on the existing towns and peri urban areas of Coolamon, as opposed to seeking adhoc land rezoning for residential purposes without strategic merit.

The proposed rezoning is considered to be consistent and achieve the aims of the Riverina Murray Regional Plan.

The LSPS contains 10 Planning Priorities, identified as follows and which have informed the creation of this Settlement Strategy:

Planning Priority -

1. Promote the protection of agricultural land. Planning Priority
2. Support agricultural research & development opportunities via a flexible and responsive Local Land Use Planning Framework. Planning Priority
3. Protect Environmental Heritage Assets. Planning Priority
4. Promote opportunities for local employment. Planning Priority
5. Adapt to the impacts and hazards of climate change. Planning Priority
6. Improve access to, from and within the Coolamon Shire, and encourage active transport. Planning Priority
7. Advocate to State and Federal Governments for development to be supported by Infrastructure funding. Planning Priority
8. Investigate opportunities for residential and rural residential land rezoning Planning Priority
9. Ensure that building design and construction is of high quality, and maintains resident amenity and promotes sense of place. Planning Priority
10. Provide diverse housing choices and opportunities to meet changing demographics and population needs, with housing growth in the right locations.

Importantly, the LSPS and Planning Priority 8 'Investigate opportunities for residential and rural residential land rezoning' commits Council under one of the nominated actions to the 'Development of Residential Land Strategy by 2025'.

The Planning Proposal is consistent with the LSPS and builds on the findings and recommendations of the Coolamon Settlement Strategy, which identifies this site for rezoning.

The majority of the State Environmental Planning Policies (SEPPs) that are relevant to the Planning Proposal are better addressed at the detailed stage of a development application on the site. However, it is considered that the Planning Proposal is generally consistent with the relevant State Environmental Planning Policies as outlined in table 1 below:

Table 4 SEPP Assessment

SEPP	Consistency	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	Any PP is required to be consistent with the aims, objectives and provisions of this SEPP. It is noted that a Biodiversity Report has been created and will accompany any PP and that this demonstrates that there will be no adverse effects to biodiversity values on the site.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	N/A	Compliance with this SEPP will be further demonstrated for a future application on the site for future rural residential development.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A	Compliance with this SEPP will be further demonstrated for a future application on the site for future rural residential development.
State Environmental Planning Policy (Housing) 2021	N/A	N/A
State Environmental Planning Policy (Industry and Employment) 2021	N/A	N/A
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	N/A	N/A
State Environmental Planning Policy (Planning Systems) 2021	N/A	The development is not a type identified in this SEPP.
State Environmental Planning Policy (Precincts—Central River City) 2021	N/A	N/A
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	N/A	N/A
State Environmental Planning Policy (Precincts—Regional) 2021	N/A	N/A
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	N/A	N/A
State Environmental Planning Policy (Primary Production) 2021	Yes	This Direction applies as the PP proposes to rezone the subject land from part RU1 Primary Production to R5 Large Lot Residential Zoned Land. The PP is potentially inconsistent with the Direction in that the PP will result in a loss in rural zoned land through a rezoning, and reduction in the minimum lot size. However, it could be argued that the size of the subject site has in essence already lost its agricultural viability as it will exist at a size that will not sustain routine agricultural purposes. The rezoning will result in the elimination of the potential for land use conflict with adjoining lots that are currently being used for rural residential purposes.
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	The PP will be consistent with the aims, objectives and provisions of this SEPP.

		A contaminated land report (PSI and DSI) accompanies this PP and demonstrates that there is no contamination present that effect the use of the land for the intended and final purposes of proposed land use. The land is also subject to overland flooding and a Flood Impact assessment accompanies this planning proposal and clearly demonstrates that flooding can be managed and will have no adverse effects to future development or adjoining land.
State Environmental Planning Policy (Resources and Energy) 2021	N/A	N/A
State Environmental Planning Policy (Transport and Infrastructure) 2021	N/A	N/A.

8 SITE-SPECIFIC CONSIDERATIONS

The allotment is currently used for agricultural purposes and is vacant. The site is situated approximately 1.7 km south – west from the Coolamon Township / Main Street.

The site is bound by Jerricks Lane to the North, Cains Lane to the East, Dyces Lane to the South and Lot: 46 DP: 1252259 to the West (agricultural land holding in private ownership).

The adjoining land, located to the North and East is used for quasi rural residential purposes and zoned RU4, while the land located to the South and West of the site is used for intermittent agricultural purposes and is zoned RU1.

The site is generally cleared and devoid of vegetation with a remnant patch of native vegetation occurring along Jerricks lane and in the north western corner of the site.

The site is generally flat with a slight east to west slope.

Risks, hazards and land features related to the proposed rezoning and any future residential subdivision were identified via discussion with Council, review of land use planning data applicable to the site and by considering the previous and present uses of the land and the features of surrounding lands. These matters are discussed below:

Easements

The site contains easements for gas pipeline and electricity.

The easements located on the property present no barriers to the consideration of this planning proposal. Consultation has been undertaken with APA and advice attached to this scoping report and planning proposal which confirms that there are no issues with the proposed planning proposal.

Topography

The site is relatively level and has no distinct topographical features.

Vehicular Access

There is vehicular access available to the site from Dyces Lane and from Nestrom Drive (new road being constructed under an approved subdivision).

Utilities and Services

There is access to water and electricity services which have recently been augmented to service the subdivision approved under DA 2021/97. The land can be serviced by all required services.

Confirmation of servicing ability has been provided from Golden Fields Water County Council and is attached to this report and the PP.

Vegetation / Biodiversity

The site contains a remnant patch of vegetation and a biodiversity assessment will be required to accompany any application for a planning proposal.

Biodiversity Report is also attached to this Scoping Report.

Bushfire

The site is not mapped as bushfire prone land (BFPL) according to Coolamon Shire Council Bush Fire Prone Mapping layer.

However, a Bushfire Assessment Report will be undertaken and accompany any planning proposal application.

Bushfire Report is also attached to this Scoping Report.

Flooding

A portion of the subject site is identified as being subject to major overland flooding and a Flood Impact Analysis will accompany any application for a planning proposal.

Flood Impact Analysis is also attached to this Scoping Report.

Aboriginal Cultural Heritage

The site has no known Aboriginal Cultural Heritage Value, however an Aboriginal Cultural Heritage Assessment will be undertaken to inform any planning proposal application.

Aboriginal Cultural Heritage Report is also attached to this Scoping Report.

Contaminated Site Report (PSI and DSI)

The site contains no known land contamination, however a contaminated land assessment will be undertaken and inform any planning proposal application.

Contaminated Site Report is also attached to this Scoping Report.

Odour Assessment

A small portion of the land is located within the Landfill Buffer Area and an Odour Assessment will be undertaken and accompany any application for a planning proposal.

Odour does not present any issue in regards to the rezoning of this site.

Odour Report is also attached to this Scoping Report.

Concept Servicing Plan

Water, Electricity and power are available to the site and a concept servicing plan demonstrating proposed

servicing will accompany any planning proposal application.

A concept servicing is also attached to this Scoping Report.

9 MAPPING

It is expected that Council will prepare final maps for the Gateway process that will be carried out in accordance with the Standard technical requirements for LEP maps and in accordance with its relevant GIS software to ensure consistency. It is proposed to amend the Land Zoning and Minimum Lot Size Map as outlined below:

1. Amendment to Land Zoning Maps – Land Zoning Map - Sheet LZN_003E and Land Zoning Map - Sheet LZN_003G from RU1 Primary Production to R5 Large Lot Residential.
2. Amendment to Lot Size Map - Sheet LSZ_003E and Lot Size Map - Sheet LSZ_003G - Amend lot size restriction applying to Lot 47, DP 1252259 from 200 Ha to 2 Ha

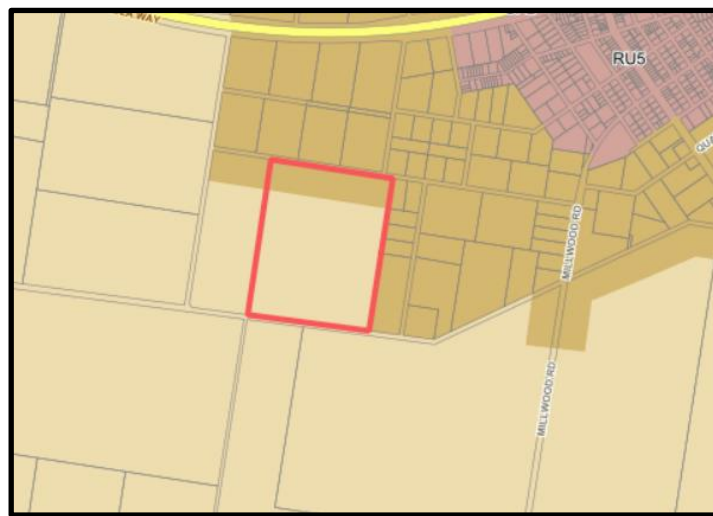


Figure 4 Existing Site Zoning RU1 (Source: CSC IntraMaps)

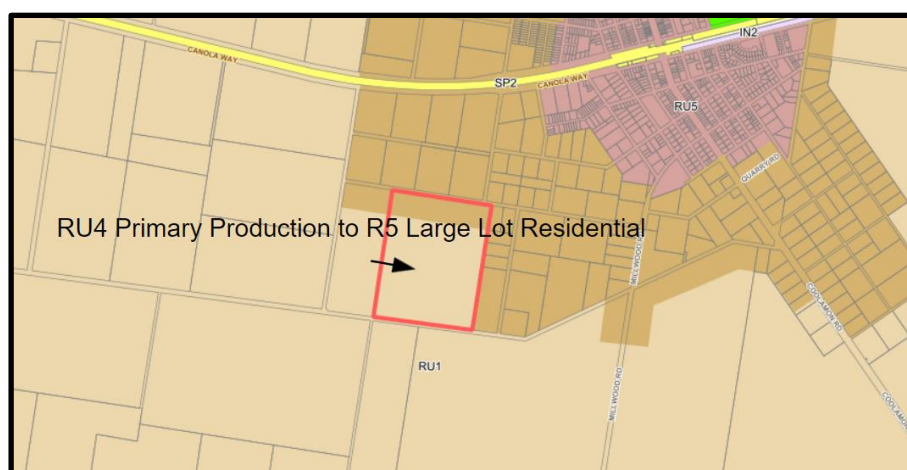


Figure 5 Proposed Zoning RU1 to R5 (Source: CSC IntraMaps)

10 CONSULTATION

No Commonwealth or State public authorities have been consulted in the process of preparing this Planning Proposal as yet. Relevant State and Commonwealth authorities will be consulted in accordance with the EP&A Act 1979, following the outcome on the Gateway Determination.

It is noted that the site is included in the Coolamon Shire Settlement Strategy and that the NSW Department of Planning and Environment have supported the adopted strategy.

Any Planning Proposal will need to be subject to the statutory community consultation processes in accordance with the Environmental Planning and Assessment Act 1979 and provisions of the Environmental Planning and Assessment Regulation 2000.

If Council endorses the planning proposal, Gateway Determination from the NSW Department of Planning, Industry and Environment will confirm the consultation requirements; it is expected that the PP will be exhibited following Gateway determination and consultation with the RFS, NSW DPI and APA. As per the NSW Guidelines for Preparing Planning Proposals, the PP would be subject to an exhibition period of a minimum of 28 days.

The Planning Proposal will be notified in local newspapers that circulate the areas affected, Council's website, in writing to adjoining landowners and public authorities. Details as to the Planning Proposal and how to make a submission will be included. The applicant will respond to any feedback from the Council, public authorities and the community in relation to the Planning Proposal and expect that this section will be updated as the Gateway process progresses, and the community consultation period concludes.

11 CONCLUSION

This scoping report outlines a proposal to amend the Coolamon LEP 2011 in relation to 1 Jerricks Lane, Coolamon (Lot 47, DP 1252259) for the purpose of enabling future large lot residential lot development, is provided with the attached supporting information and in accordance with the NSW Government's Riverina Murray Regional Plan.

The PP seeks to address a specific market demand for large lot residential lots in Coolamon and effectively presents a natural extension of such zoned land. As outlined in the report, the subject land has limitations in relation to its agricultural capability and is not considered viable agricultural land. The proposal is supported by a number of specialist reports that demonstrates the suitability of the land for rural residential purposes.

The proposal is consistent with the Coolamon Local Strategic Planning Statement, Coolamon Shire Settlement Strategy, SEPPS and applicable Section 9.1 Directions. The outcome of the PP will provide a greater land and housing choice in Coolamon and address a specific housing need / demand in the area.

It is recommended that this scoping report be endorsed by Coolamon Shire Council and that Council endorse that the accompanying Planning Proposal be forwarded to the Minister for Planning for a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.

Planning Proposal
Rezoning of RU1 Primary Production Zoned
Land to R5 Large Lot Residential Zoned Land

1 Jerricks Lane, Coolamon, NSW 2701

Lot: 47, DP: 1252259

Prepared for Bruce Hutcheon

By

Jenna Amos

September 2022

Project

Planning Proposal to Rezone RU1 (Primary Production Land) to R5 (Large Lot Residential)

1 Jerricks Lane, Coolamon, NSW 2701

Revision		Date		Prepared By		Checked By		Approved By	
Final		20-09-22		Name Jenna Amos		Name Bruce Hutcheon		Name Bruce Hutcheon	

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1 EXECUTIVE SUMMARY

This Planning Proposal is submitted to Coolamon Shire Council to request an amendment to the Coolamon Local Environmental Plan 2011 (CLEP) to rezone Lot 47, DP 1252259 Jerricks Lane, Coolamon, from RU1 (Primary Production) to R5 (Large Lot Residential) with a 2 Ha minimum lot size. This Planning Proposal has been prepared on behalf of Bruce Hutcheon.

The subject site is known as 1 Jerricks Lane, Coolamon and is legally described as Lot 47, DP 1252259 (the site). The site of the proposed rezoning is approximately 65.2 Ha in area and has direct road frontage Dyces Lane and will have access from Nestrom Drive (new road being constructed under an approved subdivision).

The primary objective and intended outcome of the Planning Proposal is to enable subject land to be developed for large lot residential purposes. This can be achieved by amending the CLEP 2011 to change the zoning and minimum lot size control applying to the land. Initial discussions have been undertaken with Coolamon Shire Council. Matters raised in these discussions are addressed in this Planning Proposal.

This report demonstrates that there is site specific planning merit, and that the planning proposal is consistent with relevant strategic planning documents including, the relevant regional and sub-regional strategies, the relevant State policies, Ministerial Directions, and preliminary assessment of the environmental impacts. It is recommended that this Planning Proposal be endorsed by Coolamon Shire Council and that Council commence the Gateway process.

Surrounding lots comprise of a combination of primary production and primary production small lots land uses as illustrated in the aerial image of the site and its surrounds provided in [Figure 1](#) below.

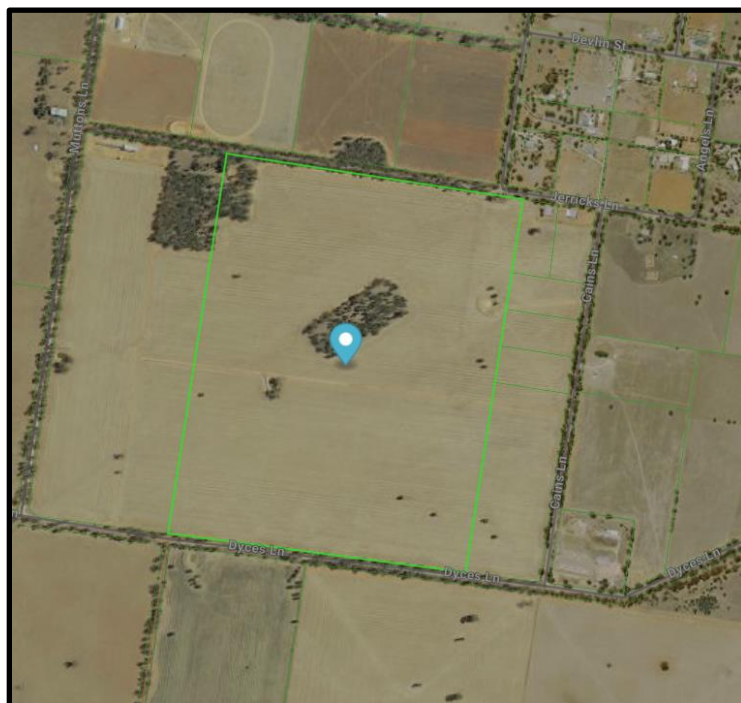


Figure 1 Aerial Image of the development site and surrounds (Source: Mecone Mosaic)

2 INTRODUCTION

This Planning Proposal is submitted to Coolamon Shire Council to request an amendment to Coolamon

Local Environmental Plan 2011 (CLEP) to rezone land at Lot 47, DP 1252259 Jerricks Lane, Coolamon from RU1 Primary Production to R5 Large Lot Residential and amend the lot size control. Initial discussions were undertaken in July 2022 with Council, regarding the level of detail required for the Planning Proposal. The Planning Proposal is considered to be minor and have no adverse impacts to the overall strategic outcomes of the Coolamon LGA and is consistent with the Coolamon Shire Council Settlement Strategy. This Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the NSW Government's *A Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*. It is requested that Council forward this Planning Proposal to the Minister for Planning and Environment for a 'gateway determination' in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979.

3 THE SUBJECT LAND

3.1 THE SUBJECT SITE AND CHARACTERISTICS

The subject site is known as Lot 47, DP 1252259 Jerricks Lane, Coolamon.

The site has direct road frontage from Dyces Lane and will be provided access via an extension of Nestrom Drive, a new road that comes off Jerricks Lane and which was created under DA 2021/97. The approval issued under DA 2021/97 was for an 8-lot subdivision, for primary production small lot purposes, with a minimum lot size of 2 Ha. The subdivision was approved by Coolamon Shire Council on 21 September 2021 and civil works are nearing completion which will then facilitate the registration of these allotments. The total site area incorporating this unregistered subdivision is approximately 84.2 Ha.

The site, subject of this planning proposal, is a rectangular shaped lot with a total area of approximately 65.2 Ha (remnant lot after registration of subdivision under DA2021/97). The site is currently vacant and used for small scale agricultural purposes.

The site is situated approximately 1.7 km south – west from the Coolamon Township / Main Street. The adjoining land, located to the north, east and a portion of the land adjoining the Western side of the site is used for primary production small lot purposes and zoned RU4, while the land located to the west and south of the site is used for agricultural and zoned RU1 Primary Production.

The site is generally cleared and devoid of vegetation with the exception of a remnant patch of native vegetation located in the centre of the site.

The site is generally flat with a slight east to west slope.

A planning proposal for the rezoning of a portion of the site from RU1 Primary Production to RU4 Primary Production Small Lots, was supported by Council and the NSW Department of Planning and Environment as Amendment No. 3 to the CLEP 2011 and was gazetted on the NSW Legislation website on 22 June 2018.

The rezoning of the portion of land subsequently resulted in a development application for subdivision (DA 2021/97) being lodged and approved by Council. The application proposed the subdivision of 1 allotment into 8 new allotments. 7 of the allotments were to be for primary production small lot purposes, with the residue lot being used for agricultural and future large lot residential purposes (the land subject of this planning proposal).

The existing lot is approximately 84.2 Ha in size and comprises of dual zoning. The land fronting

Jerricks Lane is zoned RU4 (Rural Small Holdings) for an area of approximately 200 m deep by 800 m long. The residue land is zoned RU1 (Primary Production). This residue land is the land subject of this planning proposal.

The subdivision (DA 2021/97) was for primary production small lot purposes and the allotments that will be created are the following sizes:

- Proposed lot 54: 2 ha
- Proposed lot 55: 2.2 ha
- Proposed lot 56: 2.2 ha
- Proposed lot 57: 2.2 ha
- Proposed lot 58: 2.2 ha
- Proposed lot 59: 2.2 ha
- Proposed lot 60: 2.67 ha
- Proposed lot 61: 65.2 ha (land subject of this planning proposal).

The subdivision provided for the provision of infrastructure in the form of a new road, stormwater, water, telecommunications and electricity infrastructure. The completion of the subdivision is imminent.

Easements

The site contains easements for gas pipeline and electricity.

A Survey prepared by Wagga Surveyors (formerly Hinchcliffe and Associates) accompanies the Planning Proposal identifying the property and the easements.

The easements located on the property present no barriers to the consideration of this planning proposal.

Topography

The site is relatively level and has no distinct topographical features.

Vehicular Access

There is vehicular access available to the site from Dycles Lane and from Nestrom Drive (new road being constructed under an approved subdivision).

Utilities and Services

There is access to water and electricity services which have recently been augmented to service the subdivision approved under DA 2021/97. The land can be serviced by all required services.

Refer to attached concept servicing plan prepared by Xeros Piccolo.

Vegetation

The site contains no significant vegetation and a biodiversity assessment prepared by EnviroFact Pty Ltd, Trading as The Environmental Factor accompanies this planning proposal.

3.2 SURROUNDING LAND USES AND DEVELOPMENT

The subject site is located in the town of Coolamon, is situated in a predominantly primary production small lot/rural residential area. The site is currently vacant and is bound by future primary production small lot subdivision to the north (recently approved subdivision), primary production small lot development to the east and primary production zoned land to the south and west.

3.3 PRESENT AND PREVIOUS USES OF THE SITE

The site is currently utilised for intermittent small scale agricultural (cropping and grazing) purposes and has been used for such purposes for many years.

3.4 LAND HAZARDS

3.4.1 BUSHFIRE

The site is not mapped as bushfire prone land (BFPL) according to Coolamon Shire Council Bush Fire Prone Mapping layer.

However, a Bushfire Assessment Report accompanies the planning proposal application. The report concludes that:

Although the land is not itself identified as bushfire prone nor is any land within its proximity, given the rural nature of the site a BAR was undertaken to consider the bushfire hazard and associated potential bushfire threat to ensure that proposed future land uses are appropriate to minimise the risk to life and property from bush fire attack.

The proposal is considered to have a low bushfire risk when considering the characteristics of the site, its surrounds and vegetation. It is also considered that the proposal satisfies all relevant specifications and requirements of Planning for Bush Fire Protection 2019, and that any further subdivision and associated residential development of the site will also be able to satisfy all relevant PBP 2019 provisions as applicable.

3.4.2 FLOODING

A portion of the subject site is identified as being subject to major overland flooding and a Flood Impact Analysis accompanies this planning proposal application.

WMS was commissioned to undertake a Flood Impact Assessment for 1 Jerricks Lane, Coolamon to define design flood behaviour under pre-development conditions, determine whether the proposed works adversely impact flood behaviour in the region, and provide advice on minimum finished floor level requirements.

Summary of findings:

- Under pre-development conditions the site is traversed by several overland flow paths and is subject to average flood depths of approximately 200 mm in the 1% AEP event;
- Under post-development conditions the introduction of several roads, swales and culverts alleviates flooding in the majority of the site especially in its northwestern portion, but causes an increase in flood affectation on the proposed lots along the eastern and southern boundaries of the site. Dwellings on these lots are to be of suspended construction to ensure they do not obstruct the overland flow paths;
- The proposed development results in limited impact on flood behaviour offsite, with most of the impact contained within the site itself. Minor localised impacts on the southern boundary and Dycles Road are observed, however the hazard classification is not worsened; and
- Minimum FFLs have been provided for each of the proposed lots that are affected by flooding. Due to the sloping nature of the terrain within the site, an FFL range has been assigned to each lot rather than a global value. Sites that require dwellings to be of suspended construction are also identified. This assessment provides information and advice based on

the data provided. Any flood level advice provided is based on the most accurate information currently available and may change if new information becomes available

3.5 CURRENT ZONING

The subject land is zoned RU1 Primary Production under the Coolamon Local Environmental Plan (CLEP) 2011.

See [Figure 2](#) which illustrates 'lot identification, zoning and location to surrounding land uses in relation to the site.

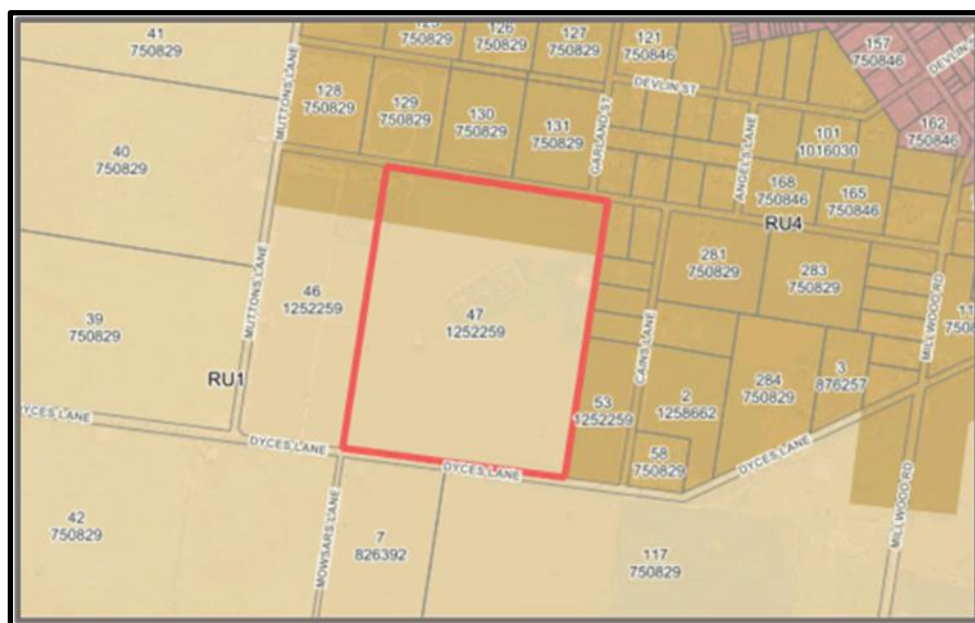


Figure 2 Site Identification and Zoning Map (Source: CSC IntraMaps)

4 PART 1 – OBJECTIVES OR INTENDED OUTCOMES OF THE PLANNING PROPOSAL

The objective of the Planning Proposal is to enable the subject land to be zoned and developed for large lot residential purposes consistent with the uses of adjoining nearby properties in Cains and Jerricks Lanes, and to facilitate the preparation of a LEP amendment to rezone the land from RU1 Primary Production to R5 Large Lot Residential and amend the minimum lot size map to add a minimum lot size of 2 Ha.

The intended outcome is to allow the site to be developed in an orderly and economic manner and for any future development to be consistent with the predominant adjoining development which, while zoned primary production small lot, is used for large lot residential purposes.

Consideration of rezoning the site and conclusion of the intended outcomes includes:

1. The site is considered to be isolated as primary production zone land and logically appears to present as a large lot residential property/zoning, this is due to the lot pattern and access arrangements currently available and proposed to the site. It would not practicably be able to function or operate in an orderly and economic manner with the permissible land uses of a RU1 zone. Figure 2 shows the site location in the context of adjoining zoned land.
2. A number of land uses are permitted in both zones, but predominantly in the RU1 zone would

lend itself to adverse impacts in relation to agricultural practices and primary production small lots. Therefore, potentially rendering the site unsuitable for the majority of permitted land uses in existing RU1 zone. It would appear that a large lot residential land use would be the most appropriate land use for this property given these circumstances.

3. Subdivision patterns are emerging to the north of the property with great opportunity for future connections or integration of the site to the primary production small lots zoned land that has frontage/access to Nestrom Drive and Dycles Lane. It could be argued that the adjoining allotments would have been more appropriately zoned as large lot residential as opposed to primary production small lots.
4. In any event, given the location of this property in the context of the remainder of the RU1 zoned land and adjoining RU4 zoned land, it would be unsustainable for agricultural land use activities which would not be desirable given the size of the property and existing primary production small lot uses adjoining.

The development recently constructed to the east is zoned primary production small lots and in reality, is used for large lot residential purposes, (Figure 2). Therefore, the site would be bound by primary production small lot development to the north (recently approved subdivision), and east of the site. The Planning Proposal would essentially allow the erection of residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality and would be consistent with low density rural residential land and surrounding land uses.

4.1 PART 2 – EXPLANATION OF PROVISIONS

The Planning Proposal will require an amendment to the CLEP 2011 maps and inclusion of an R5 Large Lot Residential Land Use Table.

The following actions are required to facilitate this planning proposal:

1. Amendment to Land Zoning Maps – Land Zoning Map - Sheet LZN_003E and Land Zoning Map - Sheet LZN_003G from RU1 Primary Production to R5 Large Lot Residential.
2. Amendment to Lot Size Map - Sheet LSZ_003E and Lot Size Map - Sheet LSZ_003G - Amend lot size restriction applying to Lot 47, DP 1252259 from 200 Ha to 2 Ha.
3. Inclusion of an R5 Large Lot Residential Land Use Table into the CLEP 2011.
4. Amendment to Clause 4.2B 'Erection of dwelling houses in certain rural zones' of the CLEP 2011, to include the R5 Zone in Clause 4.2b (2) to include R5 Large Lot Residential as land to which this clause applies.

The proposed change in land use zoning to R5 Large Lot Residential is considered the most appropriate and logical land use zone in respect of the site context and character of the area. The R5 Large Lot Residential Zone would allow for more consistent and compatible development given the lot is isolated and whilst adjoining by RU4 Primary Production zoned land, such land is predominately being used for large lot residential land use purposes, confirmed by a land use survey.

It is considered that the R5 Large Lot Residential Zone objectives and land use table is more consistent with the property characteristics and adjoining land uses when compared to its current zoning of RU1 Primary Production.

Although the request is for the amendment to the zoning of the land, other mapping amendments

would also be required to be amended to be consistent with the adjoining development provisions and to control bulk and scale. The Lot Size map requires amendment. Currently there is a minimum lot size applying to the land of 200 Ha and the amendment proposes to introduce a Lot Size control of 2 Ha. The 2 Ha is consistent with the lot size of RU4 zoned land adjoining the site to the north and west. The 2 Ha proposed will ensure small scale primary production land uses and ancillary dwelling houses can be accommodated on any future allotments created.

The minimum lot size of 2 Ha is therefore justified having regard to the following:

- the total site area of Lot 47 will be 65.2 Ha (after registration of current subdivision) and is inconsistent with lot sizes adjoining to the north and east;
- the 2 Ha is proposed as it reflects the lot sizes that adjoin the site to the north and east;
- the site demonstrates merit to proceed to development for the purposes of large lot residential lots.

The Coolamon Local Environmental Plan 2011 (CLEP 2011) does not currently contain an R5 Large Lot Residential Zone. The CLEP 2011 would be required to be amended to include a land use table.

As a result of there being no R5 Large Lot Residential Zone in the CLEP, an amendment to Clause 4.2B 'Erection of dwelling houses in certain rural zones' of the CLEP 2011, to include the R5 Zone in Clause 4.2b (2) to include R5 Large Lot Residential as land to which this clause applies would be required. It is presumed that Council will require the clause to be amended to include R5 Zoned land. The clause would be amended to provide for:

'Erection of dwelling houses and dual occupancies on land in certain residential and rural zones'.

5 PART 3 – JUSTIFICATION

5.1 SECTION A – NEED FOR THE PLANNING PROPOSAL

5.1.1 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

Yes.

The Planning Proposal is consistent with the recently approved Coolamon Shire Settlement Strategy 2040.

The strategy identifies the subject site as a site that is suitable for rezoning from RU1 Primary Production to RU4 Primary Production Small Lot with a minimum lot size of 2 Ha.

It is noted that advice from the Department of Planning in respect of land identified in the settlement strategy for rezoning, from RU1 Primary Production to RU4 Primary Production Small Lots, that the Department seeks for Council to consider zoning the land identified as being rezoned as RU4 Primary Production Small Lot as being rezoned to R5 Large Lot Residential.

The staging plan attached to the Settlement Strategy identifies that the site could be considered for rezoning between 2022 and 2025.

The planning proposal is accompanied by:

- Survey Plan of site and proposed future subdivision layout
- Aboriginal Cultural Heritage Report
- Biodiversity Report

- Contaminated Site Report (PSI and DSI)
- Odour Assessment
- Flood Impact Assessment
- Concept Servicing Plan
- Bush Fire Assessment Report

The proposal is only minor and considered to have no adverse impacts in the overall strategic context of Coolamon or the broader Coolamon Local Government Area.

5.1.2 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 most appropriate and only means of achieving the objectives and intended outcomes.

The intended outcomes on the site are to allow the site to be developed in an orderly and economic manner, consistent with the predominant adjoining development which whilst zoned Primary Production Small Lots, is being used for large lot residential purposes. To retain the current zoning would render the site difficult to use for sustainable and economically viable agricultural practices given the site characteristics, particularly the size of the allotment and adjoining land uses.

There is no other means that would enable the permissibility of dwellings on the site/future allotments, which is the most appropriate use of this site. The amendments to CLEP, the land zoning and lot size maps are the most appropriate means of achieving the objectives and intended outcomes of the Planning Proposal as it will minimise land use conflicts and enable the economic and orderly development of the site.

The site location and characteristics lends itself to large lot residential lots and a low density rural residential development outcome. The proposed zoning will allow the subject land to be developed for a purpose that it is better suited to and is consistent with adjoining land to the north and east.

The site is not suitable for agricultural –

- a. The site is a residue lot of a subdivision that was undertaken in 2021. The proposed rezoning supports orderly development of the land and helps retain the established rural residential lots character of the area.
- b. The small size of the land, adjoining primary production small lot zone/rural residential uses and make it unsuitable for the types of development permitted in the R5 Large Lot Residential zone.
- c. Genuine agricultural land use practices on the site will have negative impacts on surrounding rural residential properties. In particular, the properties to the north and east the site.

5.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

5.2.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUBREGIONAL STRATEGY?

Yes.

Riverina Murray Regional Plan (2036) The Riverina Murray Regional Plan was approved in 2018.

The plan was developed collaboratively with the Department of Planning, Industry & Environment together with local Councils in the region, along with stakeholder and community input. It is the overarching strategic framework for the region, guiding each Council's more detailed local planning.

The vision for the region, as outlined within the plan, is ‘a diversified economy founded on Australia’s food bowl, iconic waterways and a network of vibrant connected communities’.

The Plan builds on the Riverina Murray’s excellent freight connections, strong and connected centres, quality education institutions, varied landscapes and potential for industry diversification and innovation.

The plan mentions the growth of towns and regional cities will encourage future investment, increase supply of housing, diversify industry and increase job opportunities and services – all of which will benefit the immediate and broader regional community.

Direction 1 of the Plan seeks to protect the regions diverse and productive agricultural land, emphasizing that new development must not create or exacerbate land use conflicts. This planning proposal will reduce land use conflict opportunity at the site, and create land for large lot residential purposes which is typically what surrounding land is being utilised for.

The planning proposal is consistent with Directions 23 and 27 which encourage Council’s to build resilience in towns and villages and to manage rural residential development. This Planning Proposal supports these directions by focusing growth on the existing towns and peri urban areas of Coolamon as opposed to opening up new development fronts.

Direction 15 sets out the actions required for Councils to protect important environmental assets, particularly those which have been identified with the Plan. The planning proposal does not compromise environmental assets.

The proposal does not compromise the priorities for the Coolamon LGA and there are no inconsistencies given the minor nature of the Planning Proposal.

5.2.2 IS THE PLANNING PROPOSAL CONSISTENT WITH LOCAL COUNCIL’S COMMUNITY STRATEGIC PLAN, OR OTHER LOCAL STRATEGIC PLAN?

Yes.

The proposal is consistent with all relevant Council Plans and strategies.

Coolamon Local Strategic Planning Statement 2020

The Local Strategic Planning Statement (LSPS) sets out the 20-year vision for land use planning in the Coolamon Shire, outlining how growth and change will be managed to maintain the high levels of environmental amenity, liveability and landscape quality that characterises the Coolamon LGA.

It identifies the special characteristics that contribute to the local identity of the towns and villages within the Shire and recognises the shared community values to be maintained and enhanced. This Statement identifies 10 Planning Priorities to achieve the Council’s vision for the Shire, along with actions and the means for monitoring and reporting on the delivery of these actions. The Statement is consistent with the NSW Government’s strategies and directions for land use planning contained in the Riverina Murray Regional Plan 2036, released by the NSW Department of Planning and Environment in 2017 and is aligned with Council’s Community Strategic Plan.

The LSPS contains 10 Planning Priorities, identified as follows and which have informed the creation of this Settlement Strategy: Planning Priority

1. Promote the protection of agricultural land. Planning Priority
2. Support agricultural research & development opportunities via a flexible and responsive Local Land Use Planning Framework. Planning Priority
3. Protect Environmental Heritage Assets. Planning Priority
4. Promote opportunities for local employment. Planning Priority

5. Adapt to the impacts and hazards of climate change. Planning Priority
6. Improve access to, from and within the Coolamon Shire, and encourage active transport. Planning Priority
7. Advocate to State and Federal Governments for development to be supported by Infrastructure funding. Planning Priority
8. Investigate opportunities for residential and rural residential land rezoning Planning Priority
9. Ensure that building design and construction is of high quality, and maintains resident amenity and promotes sense of place. Planning Priority
10. Provide diverse housing choices and opportunities to meet changing demographics and population needs, with housing growth in the right locations.

Importantly, the LSPS and Planning Priority 8 'Investigate opportunities for residential and rural residential land rezoning' commits Council under one of the nominated actions to the 'Development of Residential Land Strategy by 2025'.

The Planning Proposal is consistent with the LSPS.

The Coolamon Settlement Strategy 2040

The Coolamon Settlement Strategy 2040 was adopted by Council in 2022 and the planning proposal is consistent with the themes of the strategy which provide for:

- Environmentally, socially and economically sustainable settlements.
- Growth focussed on existing towns and villages and settlement expansion, rather than isolated land release sites.
- The provision of cost effective water infrastructure is essential for growth.
- Establish, strengthen and enhance the role, function and character of settlements.
- Consistency with the Coolamon Local Strategic Planning Statement and the Riverina Murray Regional Plan 2036

The subject site is identified in the strategy as being considered for rezoning from RU1 Primary Production to RU4 Primary Production Small Lots with a minimum lot size of 2 Ha between 2022 and 2025.

As previously noted, advice from the Department of Planning in respect of land identified in the settlement strategy for rezoning, from RU1 Primary Production to RU4 Primary Production Small Lots, that the Department seeks for Council to consider zoning the land identified as being rezoned as RU4 Primary Production Small Lot as being rezoned to R5 Large Lot Residential.

5.2.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The majority of the State Environmental Planning Policies (SEPPs) that are relevant to the Planning Proposal are better addressed at the detailed stage of a development application on the site. However, it is considered that the Planning Proposal is generally consistent with the relevant State Environmental Planning Policies as outlined in table 1 below:

Table 1 SEPP Assessment

SEPP	Consistency	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	The PP is consistent with the aims, objectives and provisions of this SEPP. A Biodiversity Report accompanies this PP and

		<p>demonstrates that there will be no adverse effects to biodiversity values on the site. The findings and recommendations of this assessment have been addressed elsewhere in this report.</p> <p>Full Report attached.</p>
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	N/A	Compliance with this SEPP will be further demonstrated for a future application on the site for future rural residential development.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A	Compliance with this SEPP will be further demonstrated for a future application on the site for future rural residential development.
State Environmental Planning Policy (Housing) 2021	N/A	N/A
State Environmental Planning Policy (Industry and Employment) 2021	N/A	N/A
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	N/A	N/A
State Environmental Planning Policy (Planning Systems) 2021	N/A	The development is not a type identified in this SEPP.
State Environmental Planning Policy (Precincts—Central River City) 2021	N/A	N/A
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	N/A	N/A
State Environmental Planning Policy (Precincts—Regional) 2021	N/A	N/A
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	N/A	N/A
State Environmental Planning Policy (Primary Production) 2021	Yes	<p>This Direction applies as the PP proposes to rezone the subject land from part RU1 Primary Production to R5 Large Lot Residential Zoned Land.</p> <p>The PP is potentially inconsistent with the Direction in that the PP will result in a loss in rural zoned land through a rezoning, and reduction in the</p>

		minimum lot size. However, it could be argued that the size of the subject site has in essence already lost its agricultural viability as it will exist at a size that will not sustain routine agricultural purposes. The rezoning will result in the elimination of the potential for land use conflict with adjoining lots that are currently being used for rural residential purposes.
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	<p>The PP is consistent with the aims, objectives and provisions of this SEPP.</p> <p>A contaminated land report (PSI and DSI) accompanies this PP and demonstrates that there is no contamination present that effect the use of the land for the intended and final purposes of proposed land use.</p> <p>The land is also subject to overland flooding and a Flood Impact assessment accompanies this planning proposal and clearly demonstrates that flooding can be managed and will have no adverse effects to future development or adjoining land.</p>
State Environmental Planning Policy (Resources and Energy) 2021	N/A	N/A
State Environmental Planning Policy (Transport and Infrastructure) 2021	N/A	N/A.

5.2.4 IS THE PLANNING CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS?

Yes.

Table 2 - 9.1 Ministerial Directions

Section 9.1 Ministerial Direction	Consistency	Comments
1.1 Implementation of Regional Plans	Yes	This Strategy is consistent with this direction. Section 4 of this Strategy provides the regional planning context and specifically addresses the

		relevant directions of the Riverina Murray Regional Plan 2026.
1.2 Development of Aboriginal Land Council land	N/A	N/A
1.3 Approval and Referral Requirements	Yes	This PP is/will be consistent with applicable approval and referral requirements as issued via gateway conditions. This PP is consistent with this direction.
1.4 Site Specific Provisions	N/A	N/A
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	N/A
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	N/A
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	N/A
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	N/A
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	N/A
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A	N/A
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	N/A
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	N/A
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	N/A
1.14 Implementation of Greater Macarthur 2040	N/A	N/A
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	N/A
1.16 North West Rail Link Corridor Strategy	N/A	N/A
1.17 Implementation of the Bays West Place Strategy	N/A	N/A
3.1 Conservation Zones	Yes	This PP is consistent with this direction, as this PP does not seek to reduce environmental protections on the subject site or within the LGA. The PP takes an evidence-based approach to identify and main environmental values.

		<p>This PP has sought to 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.</p> <p>This PP has considered the natural and physical constraints of the land, including but not limited to, topography, size, location, and water availability and ground and soil conditions. A clear methodology has been established to consider land constraints and land use planning principles to provide new land zoning where needed in a staged and logical way.</p> <p>The PP is accompanied by a Biodiversity Report, Flood Impact Assessment, Aboriginal Cultural Heritage Assessment (Due Diligence Report), Bush Fire Assessment Report and Infrastructure Servicing Plan that clearly demonstrate that this PP is consistent with this direction.</p>
3.2 Heritage Conservation	Yes	<p>The is no Aboriginal or European Heritage value associated with this site. The PP is consistent with this direction and is accompanied by an Aboriginal Cultural Heritage Assessment (Due Diligence Report). The Report was prepared by Biosis and dated 7th September 2022. The report concludes:</p> <p><i>'This assessment has determined that there is low potential for Aboriginal sites to be located within the entirety of the current study area. This is due to the significant levels of disturbance seen throughout the northern portion of the study area, absence of archaeologically sensitive landforms, and distance from permanent water sources, which decreases the likelihood of potential. The results of this assessment are also demonstrated in the due diligence flow chart provided by the Code.'</i></p> <p>The report recommends that:</p> <p>Recommendation 1: No further archaeological assessment is required. Recommendation 2: Discovery of Unanticipated Aboriginal Objects. Recommendation 3: Discovery of Aboriginal Ancestral Remains.</p> <p>See full report attached.</p>
3.3 Sydney Drinking Water Catchments	N/A	N/A

3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	N/A
3.5 Recreation Vehicle Areas	N/A	N/A
3.6 Strategic Conservation Planning	N/A	N/A
4.1 Flooding	Yes	<p>This PP has been informed by a Flood Impact Analysis and with regards to current and draft flood plain risk management plans.</p> <p>A clear evidence-based methodology has been established to identify land constraints, including flooding to inform land zoning decision making.</p> <p>The FIA confirms that whilst the land is subject to minor overland flooding that such flooding can be managed and is not a constraint that should prevent the realisation of this PP or future rural residential development.</p> <p>The PP is consistent with this direction.</p>
4.2 Coastal Management	N/A	N/A
4.3 Planning for Bushfire Protection	Yes	The land is not mapped as bushfire prone, however given its rural nature, a bushfire assessment report has been prepared and accompanies this PP and demonstrates consistency with this direction.
4.4 Remediation of Contaminated Land	Yes	The PP is consistent with this direction and is accompanied by a contaminated land report (PSI and DSI) that demonstrates that the land is suitable for the proposed rezoning and future development that would be permissible under a large lot residential land use table.
4.5 Acid Sulphate Soils	N/A	Not applicable. There are no acid sulphate soils located within the LGA upon review of the Acid Sulphate Soils Planning Maps.
4.6 Mine Subsidence and Unstable Land	N/A	N/A
5.1 Integrating Land Use and Transport	N/A	N/A
5.2 Reserving Land for Public Purposes	N/A	N/A
5.3 Development Near Regulated Airports and Defence Airfields	N/A	N/A
5.4 Shooting Ranges	N/A	N/A
6.1 Residential Zones	N/A	N/A
6.2 Caravan Parks and Manufactured Home Estates	N/A	N/A
7.1 Business and Industrial Zones	N/A	N/A

7.2 Reduction in non-hosted short-term rental accommodation period	N/A	N/A
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	N/A
8.1 Mining, Petroleum Production and Extractive Industries	N/A	N/A
9.1 Rural Zones	Yes	<p>This PP is consistent with this direction and also the Coolamon Shire Settlement Strategy. It seeks to provide for the expected growth of the Local Government Area and Region through the logical provision of rural residential land.</p> <p>The provision of rural residential land will be achieved through the provision of land on the fringe of the Coolamon Township.</p> <p>The Coolamon Settlement Strategy recommended that some land around the Township of Coolamon is zoned from RU1 Primary Production Land to RU4 Primary Production Small Lots and this PP is consistent with this and the Department of Plannings advice that the land be considered for a R5 Large Lot residential zoning.</p>
9.2 Rural Lands	Yes	<p>This PP seeks to rezone some land from RU1 Primary Production Land to R5 Large Lot Residential.</p> <p>This PP responds to an established need and adopts best practice planning principles. This PP has been made in accordance with the CLSPS and Settlement Strategy.</p> <p>The agricultural productivity of land has been considered as part of this PP. The subject site is marginal agricultural land around the strategic centre of Coolamon, with access to infrastructure and low biodiversity values. This PP has sought to 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. This PP has considered the natural and physical constraints of the land, including but not limited to, topography, size, location, and water availability and ground and soil conditions. The PP seeks to limit and effectively manage land use conflict. Rezoning of land has been strategically considered to limit land use conflict through easing the intensity of development around the town.</p>

		This PP has considered the social, economic and environmental interests of the community to maximise outcomes. The proposed changes will provide economic benefits through appropriate provision of rural residential land.
9.3 Oyster Aquaculture	N/A	N/A
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	N/A

5.3 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

5.3.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OR THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

The Planning Proposal will not alter any provisions or statutory requirements in the future development assessment as it relates to flora and fauna. The site is generally void of any significant vegetation, with the exception of a remnant patch located in the centre of the site and does not form any vegetation or biodiversity corridor.

The Planning Proposal is accompanied by a Biodiversity Assessment prepared by The Environmental Factor, dated September 2022.

The findings of the assessment are as follows:

The Subject Land measures a total area of 65.19 ha with a total direct impact area of 36.03 ha. This includes:

- *0.37 ha of native vegetation to facilitate the proposed allowable building envelopes for the subdivisions,*
- *Additional 35.65 ha (0.37 ha of native vegetation and 35.28 ha of non-native vegetation) allowable clearing for the Rural Boundary Clearing Code (RBC Code).*
- *Total vegetation removal of 0.75 ha of native vegetation, and 35.28 ha of non-native vegetation comprised of predominantly cropped paddocks.*

The property has a minimum lot size of 200ha, and subsequently the clearing threshold for the site, based on the minimum lot size, is > 1 ha. Subsequently, the Proposal does not trigger the Area Clearing Threshold. Additionally, no areas of high biodiversity value, as identified on the Biodiversity Values Map (BVM) were identified, and the Proposal will not impact significantly on any threatened species, ecological communities or their habitats occurring within the Subject Land.

As such it is determined that participation in the BOS, is not required. Preclearance surveys and the presence of a fauna spotter are recommended to be undertaken prior to and during the removal of any native vegetation on the site.

Appropriate assessments will be carried out against the relevant legislation if required at the time of a development application is considered for individual allotments created via future subdivision of the site.

5.3.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

The Planning Proposal will allow for large lot residential land uses / allotments to be developed on the site. Accordingly, any future development would be subject to those controls and potential impacts considered as part of a Development Application.

Potential impacts may relate to access, drainage, urban design and built form. There will be no immediate environmental impacts arising from this specific Planning Proposal.

Council have requested the following documentation/studies be conducted and these are attached to the planning proposal and indicate that there will be no adverse environmental effects resulting from the proposal:

Supporting Study/Report	Prepared by / Dated	Findings/Comments
Concept Servicing Plan	Xeros Piccolo / August 2022	That the site and any future subdivision can be adequately serviced.
Aboriginal Cultural Heritage Report (Aboriginal Cultural Heritage Assessment (Due Diligence Report)	Biosis / September 2022	<p>The report concludes:</p> <p><i>‘This assessment has determined that there is low potential for Aboriginal sites to be located within the entirety of the current study area. This is due to the significant levels of disturbance seen throughout the northern portion of the study area, absence of archaeologically sensitive landforms, and distance from permanent water sources, which decreases the likelihood of potential. The results of this assessment are also demonstrated in the due diligence flow chart provided by the Code’.</i></p> <p>The report recommends that:</p> <p>Recommendation 1: No further archaeological assessment is required. Recommendation 2: Discovery of Unanticipated Aboriginal Objects. Recommendation 3: Discovery of Aboriginal Ancestral Remains.</p> <p>See full report attached.</p>
Biodiversity Report	EnviroFact Pty Ltd, Trading as The Environmental Factor / September 2022	<p>The findings of the assessment are as follows:</p> <p>The Subject Land measures a total area of 65.19 ha with a total direct impact area of 36.03 ha. This includes:</p> <ul style="list-style-type: none"> • 0.37 ha of native vegetation to facilitate the proposed allowable building envelopes for the subdivisions, • Additional 35.65 ha (0.37 ha of native vegetation and 35.28 ha of non-native vegetation) allowable clearing for the Rural

		<p>Boundary Clearing Code (RBC Code).</p> <ul style="list-style-type: none"> Total vegetation removal of 0.75 ha of native vegetation, and 35.28 ha of non-native vegetation comprised of predominantly cropped paddocks. <p>The property has a minimum lot size of 200ha, and subsequently the clearing threshold for the site, based on the minimum lot size, is > 1 ha. Subsequently, the Proposal does not trigger the Area Clearing Threshold. Additionally, no areas of high biodiversity value, as identified on the Biodiversity Values Map (BVM) were identified, and the Proposal will not impact significantly on any threatened species, ecological communities or their habitats occurring within the Subject Land. As such it is determined that participation in the BOS, is not required. Preclearance surveys and the presence of a fauna spotter are recommended to be undertaken prior to and during the removal of any native vegetation on the site. Appropriate assessments will be carried out against the relevant legislation if required at the time of a development application is considered for individual allotments created via future subdivision of the site.</p>
Contaminated Site Report (PSI)	Aitken Rowe /September 2022	<p>Preliminary Site Investigation Report</p> <p>Based on the data and evidence collected in the course of the PESI the results of this investigation are as follows:</p> <ul style="list-style-type: none"> The development site comprises the southern portion of the property and was originally developed (land cleared) for agricultural purposes. The development will consist of a 29 large lot (minimum 2Ha) residential subdivision and road network. Coolamon Shire Council Landfill is located approximately 230m to the south east of the site. Significant and widespread contamination at the site is considered low. Soil sampling and analysis was undertaken to provide additional data to aid this PESI. All results for were

		<p>found below the adopted criteria for all analytes tested.</p> <ul style="list-style-type: none"> The site is suitable for the proposed large lot residential development provided consideration is given to Section 9.
Odour Assessment	Advitech Pty Limited / September 2022	<p>In relation to the Odour Assessment, Council required that the landowner undertake an Odour Assessment, due to the location of the subject site in relation to the Coolamon Landfill Facility, as required under Clause 6.7 of the Coolamon Local Environmental Plan 2011, 'Development in proximity of sewage treatment plants and waste disposal facilities. A small portion of the sites southern fringe is affected by the land fill buffer map.</p> <p>The Odour Assessment was prepared by Advitech Pty Limited and is dated September 2022 and provided:</p> <p>'Advitech concluded that although there are some odour sources at the current and proposed operations, the risks associated with the odours are low and the impacts within the proposed subdivision and local environment (including the Coolamon township) are likely to be minimal. Advitech also concluded that the relevant odour criteria are unlikely to be exceeded and the rezoning for rural residential purposes is suitable. Advitech provides the following recommendations for the minimisation of odour impacts, not only within the proposed subdivision but also for the local environment:</p> <ul style="list-style-type: none"> Plant additional and thick fast-growing trees along the south west and south sections adjacent to the landfill, i.e. to the east of Cain's lane and near the landfill; and to the south and near the landfill. This includes any boundaries where there are currently no trees (e.g., the boundary immediately west of the landfill), whilst not limiting access to either the landfill or the subdivision. Proposed Lots 83-86 (inclusive) be built on the western side of the subdivision. This will increase the separation distance between the waste transfer station and those Lots'.
Flood Impact Assessment	WMS / November 2022	<p>Summary of findings:</p> <ul style="list-style-type: none"> Under pre-development conditions the site is traversed by several overland flow paths and is subject to average flood

		<p>depths of approximately 200 mm in the 1% AEP event;</p> <ul style="list-style-type: none"> • Under post-development conditions the introduction of several roads, swales and culverts alleviates flooding in the majority of the site especially in its northwestern portion, but causes an increase in flood affectation on the proposed lots along the eastern and southern boundaries of the site. Dwellings on these lots are to be of suspended construction to ensure they do not obstruct the overland flow paths; • The proposed development results in limited impact on flood behaviour offsite, with most of the impact contained within the site itself. Minor localised impacts on the southern boundary and Dycles Road are observed, however the hazard classification is not worsened; and • Minimum FFLs have been provided for each of the proposed lots that are affected by flooding. Due to the sloping nature of the terrain within the site, an FFL range has been assigned to each lot rather than a global value. Sites that require dwellings to be of suspended construction are also identified.
Bush Fire Assessment Report	Jenna Amos / August 2022	<p>This Bushfire Assessment Report has been prepared to support a planning proposal to rezone Lot 47, DP 1252259 Jerricks Lane, Coolamon, from RU1 Primary Production zoning to R5 Large Lot Residential zoning with a 2 Ha minimum lot size.</p> <p>Although the land is not itself identified as bushfire prone nor is any land within its proximity, given the rural nature of the site a BAR was undertaken to consider the bushfire hazard and associated potential bushfire threat to ensure that proposed future land uses are appropriate to minimise the risk to life and property from bush fire attack.</p> <p>The proposal is considered to have a low bushfire risk when considering the characteristics of the site, its surrounds and vegetation. It is also considered that the proposal satisfies all relevant specifications and requirements of Planning for Bush Fire Protection 2019, and that any further subdivision and associated residential development of the site will also be able to satisfy all relevant PBP 2019 provisions as applicable.</p>

Table 3 Supporting Documents and Consultant Reports

5.3.3 HAS THE PLANNING ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

The PP seeks to address a specific market demand for large lot residential lots in Coolamon. There is strong demand for such allotments in Coolamon, with very limited supply. This has been demonstrated by the fact that the current subdivision at the site has been sold 'off plan' and prior to lot registration. It is important that housing supply meets the needs and demands of the community, and this PP will assist in providing a land and future housing product that meets the needs of the Coolamon and Riverina Community.

5.4 SECTION D – STATE AND COMMONWEALTH INTERESTS

5.4.1 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

There is adequate public infrastructure to support the proposed low-scale rural residential development of the site as outlined below.

Water Supply

Existing development on Jerricks lane is connected to Golden Fields Water County Council water mains and it is anticipated that the future development of the site will also be connected to the reticulated water supply subject to further studies. The landowner has undertaken significant water supply augmentation works in consultation with Golden Fields Water for current subdivision and in anticipation of this rezoning and future subdivision – the site has access to adequate water supply.

A copy of correspondence from Golden Fields Water County Council accompanies this application, dated 30th August 2022, and confirms that:

There is sufficient capacity in the Coolamon Reticulation Network to supply the lots as detailed in the plan supplied in your email (attached).

Sewer

The immediate area does not have access to reticulated sewer. As such, it is not considered feasible to connect the subject land to the sewer and it is intended for each dwelling to manage their wastewater on-site consistent with the surrounding rural residential development in the area.

The actual type of system to be installed for each dwelling will be subject to confirmation at the DA stage.

Stormwater

The PP is supported by a Flood Impact Assessment prepared by Xeros Piccolo and attached to this report. Stormwater flood modelling shows that the proposed rezoning and subsequent development would have a beneficial impact on the immediate catchment. A plausible, non-intrusive impact treatment train has been proposed to manage the water quality post-development without leaving onerous maintenance costs.

Electricity

There is sufficient capacity in the existing Essential Energy high voltage feeder line to support the proposed development.

It is anticipated that a padmount substation may be required on the site.

Traffic

The subject land has direct access from Dyces Lane and Nestrom Drive.

A Traffic Impact Assessment may be required to support a future development application over the site, and minor upgrades may be required around the proposed access point to the subdivision. It is anticipated that any upgrades will be addressed as a condition of development consent as part of a future development application over the site.

Gas

APA's pipeline and associated easement are located on a north-west alignment through the southwest portion of Lot 47 on DP1252259.

The following details regarding easement management are therefore provided by APA for general information. To ensure compliance with the safety requirements of AS2885, APA needs to ensure our easement is managed to an appropriate standard. This includes:

- Ensuring the easement is maintained free of inappropriate vegetation and structures.
- Place warning signs at various mandated points along the pipeline route, including any change in property description/boundaries.
- Maintain a constant line of sight between warning signs.
- Undertake physical patrols and inspections of the easement.

5.4.2 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION?

No Commonwealth or State public authorities have been consulted in the process of preparing this Planning Proposal. Relevant State and Commonwealth authorities will be consulted in accordance with the EP&A Act 1979, following the outcome on the Gateway Determination.

It is noted that the site is included in the Coolamon Shire Settlement Strategy and that the NSW Department of Planning and Environment have supported the adopted strategy.

6 PART 4 – MAPPING

It is expected that Council will prepare final maps for the Gateway process that will be carried out in accordance with the Standard technical requirements for LEP maps and in accordance with its relevant GIS software to ensure consistency. It is proposed to amend the Land Zoning and Minimum Lot Size Map as outlined below:

1. Amendment to Land Zoning Maps – Land Zoning Map - Sheet LZN_003E and Land Zoning Map - Sheet LZN_003G from RU1 Primary Production to R5 Large Lot Residential.
2. Amendment to Lot Size Map - Sheet LSZ_003E and Lot Size Map - Sheet LSZ_003G - Amend lot size restriction applying to Lot 47, DP 1252259 from 200 Ha to 2 Ha

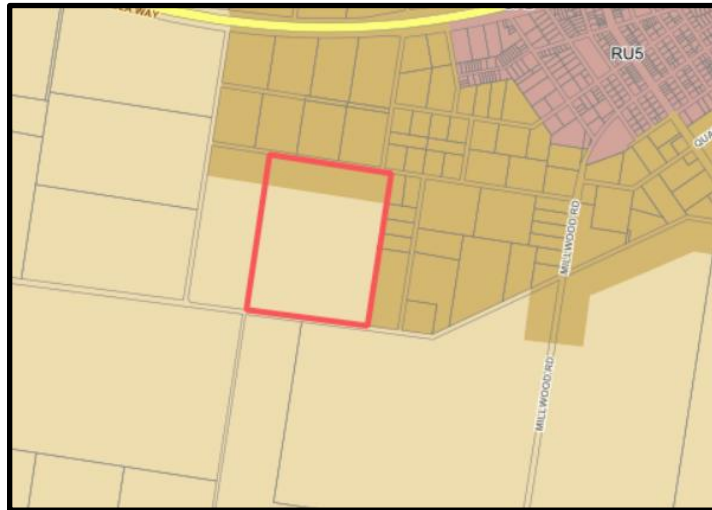


Figure 3 Existing Site Zoning RU1 (Source: CSC IntraMaps)

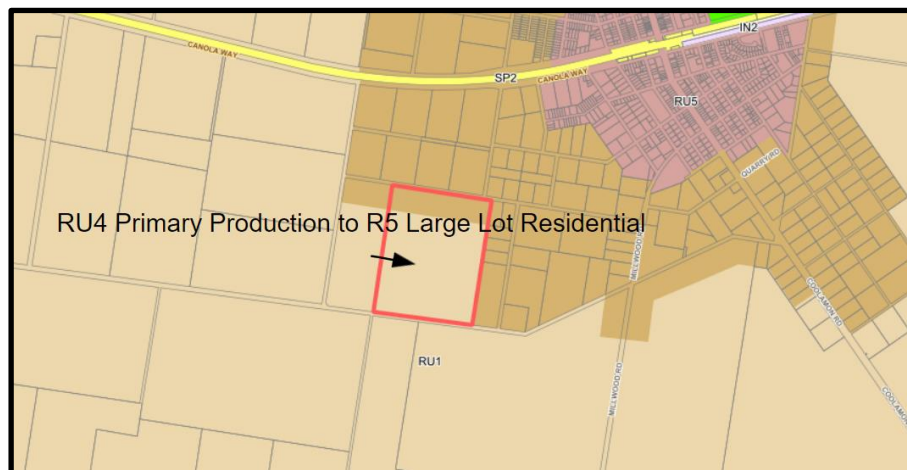


Figure 4 Proposed Zoning RU1 to R5 (Source: CSC IntraMaps)



Figure 5 Concept Plan of Future Subdivision (Source: Xeros Piccolo Engineering)

7 PART 5 – COMMUNITY CONSULTATION

This Planning Proposal will need to be subject to the statutory community consultation processes in accordance with the Environmental Planning and Assessment Act 1979 and provisions of the Environmental Planning and Assessment Regulation 2000.

The Gateway Determination will confirm the consultation requirements; it is expected that the PP will be exhibited following Gateway determination and consultation with the RFS, NSW DPI and APA. As per the NSW Guidelines for Preparing Planning Proposals, the PP would be subject to an exhibition period of a minimum of 28 days.

The Planning Proposal will be notified in local newspapers that circulate the areas affected, Council's website, in writing to adjoining landowners and public authorities. Details as to the Planning Proposal and how to make a submission will be included. The applicant will respond to any feedback from the Council, public authorities and the community in relation to the Planning Proposal and expect that this section will be updated as the Gateway process progresses, and the community consultation period concludes.

8 PART 6 – PROJECT TIMELINE

Table 4 Project Timelines

Milestone	Timeframe
Council resolution endorsing the Planning Proposal for a Gateway Determination	February 2023
Gateway Determination issued by the Minister for Planning and Environment	March 2023
Public Exhibition period including consultation with public authorities	February - March 2023

Assessment of the Planning Proposal and consideration of public submission	March – April 2023
Council report of submissions and endorsing of Planning Proposal to be submitted to the Department to finalise the LEP	April – June 2023
LEP will be notified on legislation website	June – August 2023

It is understood that these timeframes may differ as they are dependent on when the matter is reported to Council and when the Minister issues the Gateway Determination.

9 CONCLUSION

The proposal to amend the Coolamon LEP 2011 in relation to 1 Jerricks Lane, Coolamon (Lot 47, DP 1252259) for the purpose of enabling future large lot residential lot development, is provided with the attached supporting information and in accordance with the NSW Government’s Riverina Murray Regional Plan.

The PP seeks to address a specific market demand for large lot residential lots in Coolamon and effectively presents a natural extension of such zoned land. As outlined in the report, the subject land has limitations in relation to its agricultural capability and is not considered viable agricultural land. The proposal is supported by a number of specialist reports that demonstrates the suitability of the land for rural residential purposes.

The proposal is consistent with the Coolamon Local Strategic Planning Statement, Coolamon Shire Settlement Strategy, SEPPS and applicable Section 9.1 Directions. The outcome of the PP will provide a greater land and housing choice in Coolamon and address a specific housing need / demand in the area.

It is recommended that this Planning Proposal be endorsed by Coolamon Shire Council and it is requested that the Planning Proposal be forwarded to the Minister for Planning for a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.

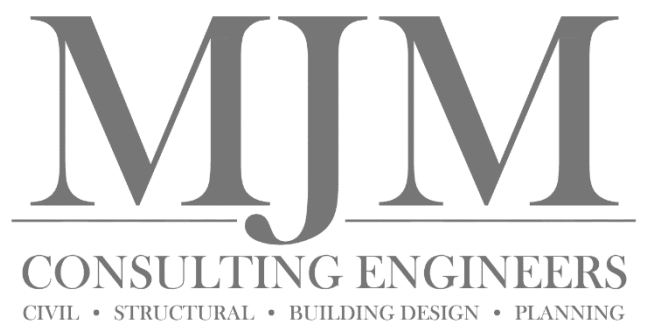
Scoping Proposal


93 Campbells Lane, Coolamon, NSW 2701

Lots 21 DP1224134

Scoping Proposal -Rezoning

Prepared for Brian Fleming



<div><div>CONSULTING ENGINEERS</div><div>CIVIL • STRUCTURAL • BUILDING DESIGN • PLANNING</div></div>				<div>Project</div> <div>Scoping Proposal - Rezoning</div> <div>93 Campbells Lane, Coolamon, NSW 2701</div>			
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1. INTRODUCTION

The scoping proposal has been prepared on behalf of Brian Pleming for 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 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.

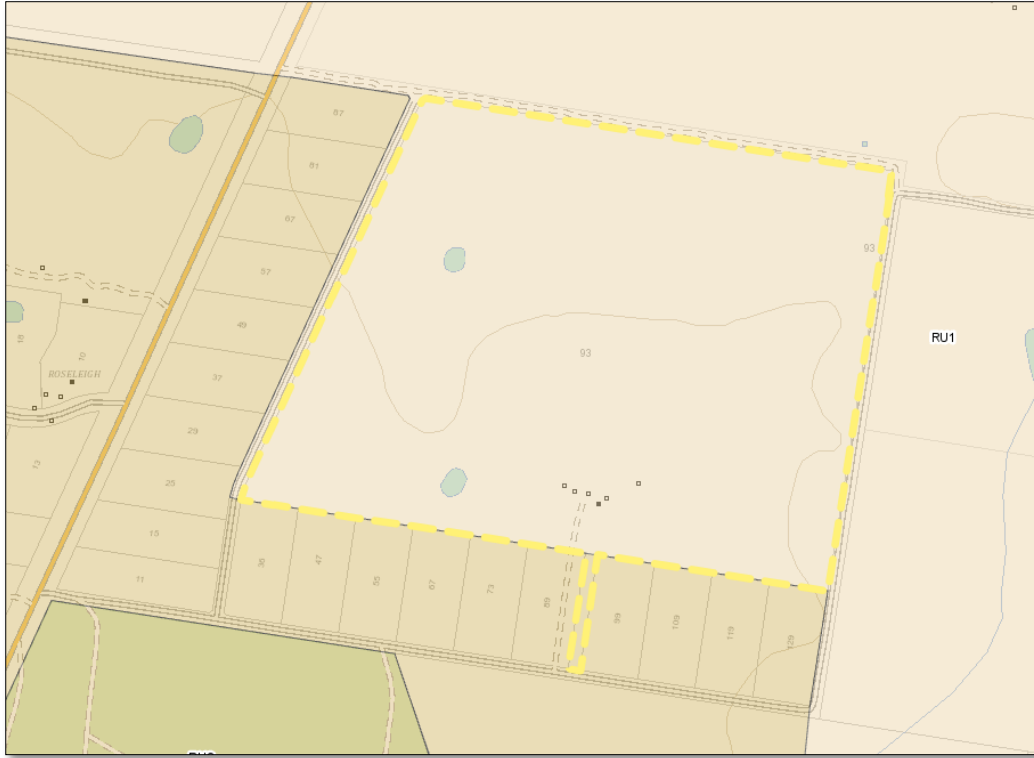


Figure 1 : Land Zoning Map (Source: NSW Planning Portal Spatial Viewer, 2022)

The planning proposal seeks to rezone the existing large lot (Lot 21 DP 1224134) which is zoned as RU1 (Primary Production) to R5 (Large lot residential). The Coolamon Shire Settlement strategy 2040 identified to rezone the land bounded by Darvies Drive and Bartlett's Lane from RU1 (Primary Production) to RU4 (Primary Production Small Lots) with 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 propose to amend the Coolamon Local Environmental Plan 2011 to create R5 zone controls, include 93 Campbells Lane Coolamon NSW 2701 (Lot 21 DP 1224134) to R5 zone, amend Coolamon Shire Section 7.11 Contributions Plan 2017 to include the subject land to the peripheral area and to amend Coolamon Shire Settlement Strategy 2040 including R5 zone.

2. THE PROPOSAL

2.1 PREVIOUS, PRESENT, AND PROPOSED USE OF THE LAND

The subject site has been used for agricultural purposes and residential purposes over the history of land. The proposal is to rezone the subject land to R5 zone (large lot residential) for residential purposes. Moreover, the subject land is proposed to be subdivided into 25 large lot residential lots and the proposed subdivision will be started within one year after the rezoning approval. Please refer to the Appendix A for the proposed subdivision layout.

2.2 KEY PROPOSAL METRICS

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.

As proposed rezoning allows the subject site to be subdivided into 25 lots for residential purposes, it supports to fulfil the residential requirement of future population.

Furthermore, this project enhance the 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 contributes 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.

2.3 COMPARISON OF KEY CONTROLS OF CURRENT AND PROPOSED ZONE

The land subject to the proposed rezoning is situated next to the RU4 zone and currently zoned as RU1. Therefore, to ensure the impacts of rezoning, following comparison of key controls of zone R5 with the zone RU1 and zone RU4 with zone R5 was undertaken. As an R5 zone is not identified in Coolamon Local Environmental Plan 2011, the Wagga Wagga Local Environmental Plan 2010 and Griffith Local Environmental Plan 2014 were considered to compare R5 zone controls.

Table 1 Comparison of RU1 and R5 zone objectives

RU1 (Coolamon Local Environmental Plan 2011)	R5 (Wagga Wagga Local Environmental Plan 2010)	R5 (Griffith Local Environmental Plan 2014)
<ul style="list-style-type: none"> • To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. • To encourage diversity in primary industry enterprises and systems appropriate for the area. • To minimise the fragmentation and alienation of resource lands. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities. 	<ul style="list-style-type: none"> • To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. • To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. • To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To ensure that the clearing of native vegetation is avoided or minimised as far as is practicable. 	<ul style="list-style-type: none"> • To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. • To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. • To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. • To minimise conflict between land uses within this zone and land uses within adjoining zones.

Table 2 Comparison of RU4 and R5 zone objectives

RU4 (Coolamon Local Environmental Plan 2011)	R5 (Wagga Wagga Local Environmental Plan 2010)	R5 (Griffith Local Environmental Plan 2014)
<ul style="list-style-type: none"> To enable sustainable primary industry and other compatible land uses. To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature. To minimise conflict between land uses within this zone and land uses within adjoining zones. 	<ul style="list-style-type: none"> To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. To minimise conflict between land uses within this zone and land uses within adjoining zones. To ensure that the clearing of native vegetation is avoided or minimised as far as is practicable. 	<ul style="list-style-type: none"> To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. To minimise conflict between land uses within this zone and land uses within adjoining zones.

Referring to the above comparison, the RU4 and RU1 zones primary objective is to support the development of primary industries while R5 zone primary objective is to provide residential housing in rural areas. Moreover, dwellings are permitted with consent in all three zones. Although R5 zone does not accommodate primary industries, it provides residential facilities for rural workers which directly supports the development of rural industries in future. It is considered that by rezoning the subject land as an R5 zone and subdividing the subject land for residential lots will not cause conflicts between the objectives of adjoining zones.

The existing minimum lot size for the subject land is 200 ha and the minimum lot size for RU4 zoned lands adjoining to the subject land is 2 ha. So, to minimize the conflicts between land uses within the proposed zone and adjoining zones, and to get the maximum use of the land area, this scoping proposal suggests having 2 ha minimum lot size for the proposed site. Moreover, the Coolamon Shire Settlement Strategy 2040 recommend adopting minimum lot size of 2 Ha for the subject land while up zoning the land from RU1 (Primary Production) to RU4 ((Primary Production Small Lots).

2.4 AMENDMENTS REQUIRED TO THE COOLAMON LOCAL ENVIRONMENTAL PLAN 2011

The land use zones identified in Coolamon Local Environmental Plan 2011 are rural zones, special purpose zones and recreation zones. Under the rural zones, only RU1 (Primary Production), RU3 (Forestry), RU4 (Primary Production Small Lots) and RU5 (Village) zones are identified. Therefore, following amendments are required to the Coolamon Local Environmental Plan 2011 to include R5 zone and its controls.

Table 3 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.
Clause 4.2 B Erection of dwelling houses in certain rural zones	Clause 4.2 B Erection of dwelling houses in certain rural zones require to be changed as "Erection of dwelling houses and dual occupancies on land in certain residential and rural zones". And also, it is required to include R5 zone under 4.2B (2) as a zone which this clause applies to.

2.5 AMENDMENTS REQUIRED TO THE EXISTING CONTRIBUTION PLAN

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.

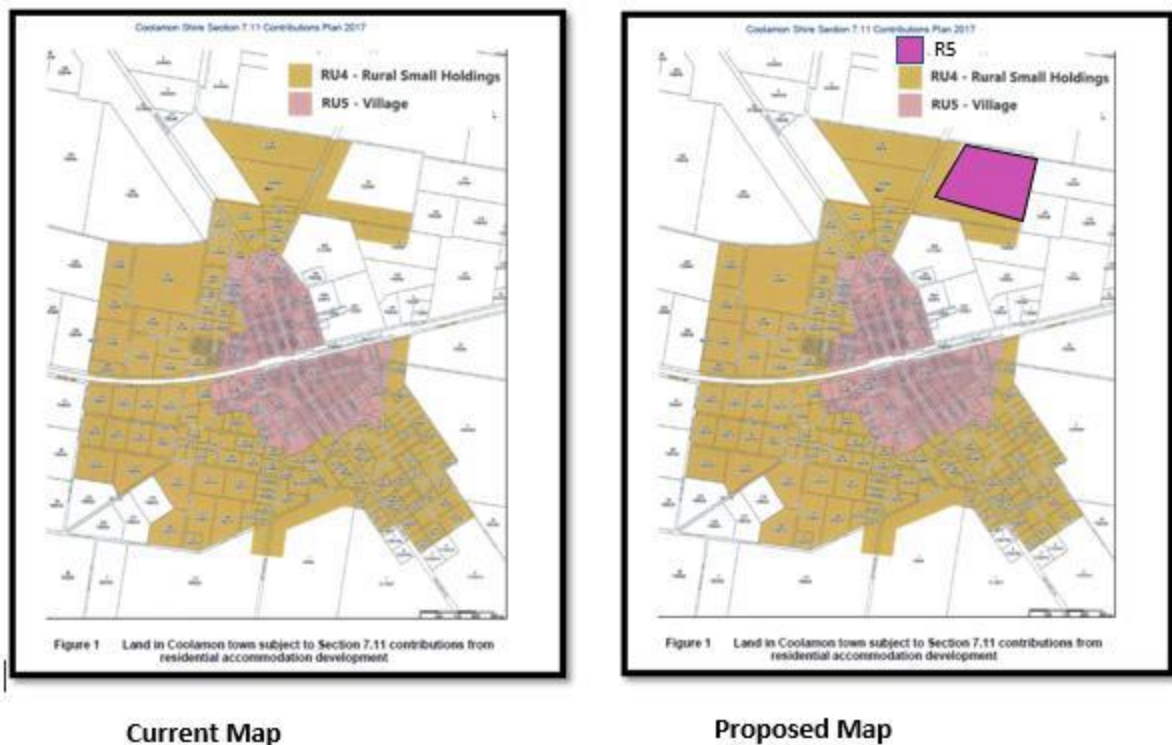


Figure 2: Amendments to the Figure 1 in page 6 of Section 7.11 Contributions Plan 2017

2.6 AVAILABILITY OF INFRASTRUCTURE AND SERVICES

Water Services

Referring to the attached letter from Goldenfields Water (Appendix B), 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 (Appendix C), 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 (Appendix D) 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 (Appendix E), 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. STRATEGIC MERIT

3.1 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 4 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	

3.2 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 5 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.

3.3 THE LOCAL STRATEGIC PLANNING STATEMENT (2019-2039) – COOLAMON SHIRE COUNCIL

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.

3.4 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 a combined result of Recommendations in Coolamon Shire Settlement Strategy 2040 and the consultation from NSW Department of Planning.

4. SITE-SPECIFIC CONSIDERATIONS

Risks or hazards and land features related to the proposed residential subdivision and rezoning were identified in below by considering the previous and present uses of the land and the features of surrounding lands for past few decades.

4.1 BIODIVERSITY

Referring to the attached biodiversity assessment report (Appendix F), '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, 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).

4.2 IMPACT FOR ABORIGINAL CULTURAL HERITAGE

Referring to the attached report submitted by Biosis Pty Ltd (Appendix G), there is low potential for Aboriginal sites to be located within the entirety of the current study area. This is due to the significant levels of disturbance seen throughout the study area and distance from permanent water sources, which decreases the likelihood of potential (Biosis,2022).

4.3 BUSHFIRE HAZARD

The proposed land is not identified as a bushfire prone land according to e-planning spatial viewer of NSW planning portal. As the adjoining lands in southern and western direction are bushfire prone lands, a strategic bushfire study has been prepared and is accompanies this report as a separate attachment. Referring to the accompanying strategic bushfire study, if the required bushfire risk mitigation plans were executed appropriately by the adjoining landowners, the bush fire risk associated with the subject land is very low

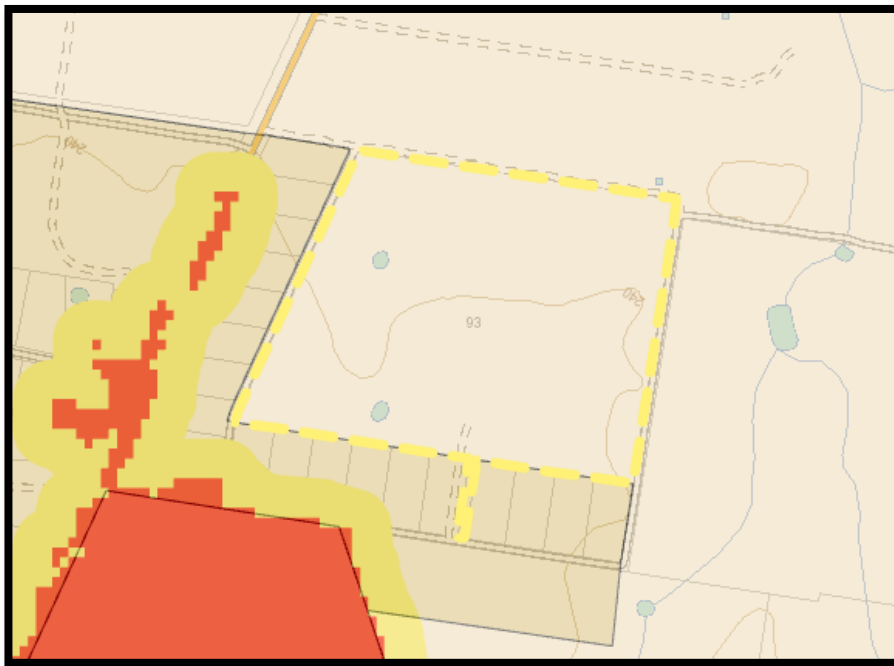


Figure 3 Bushfire Prone Land (NSW Planning Portal, 2022)

4.4 FLOODING

The subject land is not identified in the flood planning map of the Coolamon Local Environmental Plan 2011. Therefore, flood planning considerations are not required for the developments in the subject land. However, the increased overland stormwater flow due to the future development will be controlled by providing a detention basin.

4.5 LAND CONTAMINATION

The subject land has historically been utilised for agricultural purposes. Due to this previous use, a Preliminary Site Investigation (PSI) for contamination was undertaken by McMahon Earth Science. Please refer to the Appendix H for the complete PSI report.

Following are the findings of the PSI which include contamination sources and further assessments.

- 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 and future site users. Ecological exceedances for zinc were found around the sheep yards that will require remediation, these exceedances are likely to be surficial and localised. Validation sampling is required around the yards once the infrastructure and surficial soil is removed.
- Machinery maintenance and associated potential fuel/oil storage in and around the existing machinery shed. Further investigation is required in this area once the shed has been removed and an unexpected finds protocol is recommended to be developed around potential fuel storage.
- Remnants of hazardous building material (asbestos and lead paint) around the demolished house and garage. Some intact fragments of bonded asbestos containing material was found within the demolished house and garage footprint and this will require further investigation and remediation.
- The potential septic system from the demolished house. Further investigation is recommended, and this can be managed during development.
- The filled farm dam on site will require further investigation to assess the type and nature of the fill material. No other filled gullies or dams were observed but these are common on farmland in erosional landscapes. An unexpected finds protocol is recommended to be developed around this.

However, the PSI summarised, “there is no gross soil contamination across the proposed subdivision site from the historical and current agricultural land use. The other potential contamination sources identified are localised and do not preclude the rezoning or subdivision of the site, however, will be necessary to assist in the preparation of detailed development plans for site suitability specific to any future development. Owing to the latent nature of the localised potential contamination sources identified, McMahon assesses that these can be managed during development” (Preliminary Site Investigation, DM McMahon Pty Ltd, 2022). Therefore, the proposed rezoning and subdivision can be implemented in the subject land.

4.6 SERVICES AVAILABILITY

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

5. PRELIMINARY ENVIRONMENTAL CONSIDERATIONS

The proposed land and its adjoining lands has been used for agricultural purposes over the history of land. Due to this historic use, following contamination sources and further assessments were identified in the preliminary site investigation.

- 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 and future site users. Ecological exceedances for zinc were found around the sheep yards that will require remediation, these exceedances are likely to be surficial and localised. Validation sampling is required around the yards once the infrastructure and surficial soil is removed.
- Machinery maintenance and associated potential fuel/oil storage in and around the existing machinery shed. Further investigation is required in this area once the shed has been removed and an unexpected finds protocol is recommended to be developed around potential fuel storage.
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- The potential septic system from the demolished house. Further investigation is recommended, and this can be managed during development.
- The filled farm dam on site will require further investigation to assess the type and nature of the fill material. No other filled gullies or dams were observed but these are common on farmland in erosional landscapes. An unexpected finds protocol is recommended to be developed around this.

(PSI, DM McMahon Pty Ltd, 2022)

Therefore, a detailed site investigation is required prior to the planning proposal approval.

6. CONSULTATION REQUIREMENTS

The proposal is to rezone the subject land to R5 zone which is not identified in the Coolamon Local Environmental Plan and the subject land is near to a bushfire prone land. By considering those key features of the proposed rezoning and geographic features of the land, following consultations are identified to be included as a part of planning proposal documentation.

- Consultation from Rural Fire Services - 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.
- Consultation with local community – As a new zone will be introduced to the Coolamon local area, informing the community regarding new rezoning with its benefits and collecting the opinion of the community will be needed prior to the planning proposal.

7. DISCUSSION

The proposed rezoning is to rezone 93 Campbells Lane Coolamon NSW 2701 (Lot 21 DP 1224134) to R5 (large lot residential) zone. The proposed rezoning directly address the goals and challenges identified in Riverina Murray Regional Plan and Coolamon Shire Council strategic planning statement. As R5 zone is not identified in Coolamon Local Environmental plan 2011, the Local environmental plan needed to be amended including the R5 zone and its controls. Moreover, the Coolamon Shire Settlement Strategy 2040 needed to be amend including R5 zone and Coolamon Shire Section 7.11 Contributions Plan 2017 needed to be amend including the proposed land into the contribution plan and adequate infrastructure facilities may needed to be supplied to accommodate as a residential lot.

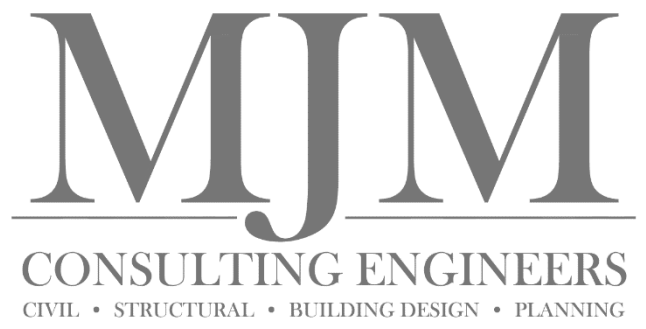
Planning Proposal

93 Campbells Lane, Coolamon, NSW 2701

Lot 21 DP1224134

Planning Proposal - Rezoning

Prepared for Brian Fleming



Document Verification Schedule

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Revision	Date	Prepared By		Checked By		Approved By	
Draft A	12/09/2022	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.

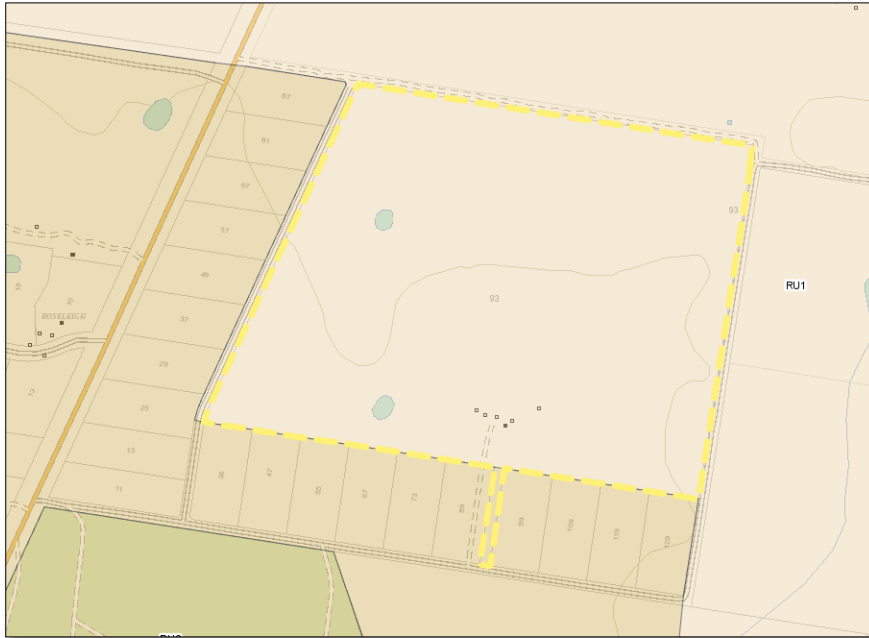


Figure 1 : Land Zoning Map (Source: NSW Planning Portal Spatial Viewer, 2022)

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.
Clause 4.2 B Erection of dwelling houses in certain rural zones	Clause 4.2 B Erection of dwelling houses in certain rural zones require to be changed as "Erection of dwelling houses and dual occupancies on land in certain residential and rural zones". And also, it is required to include R5 zone under 4.2B (2) as a zone which this clause applies to.

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.

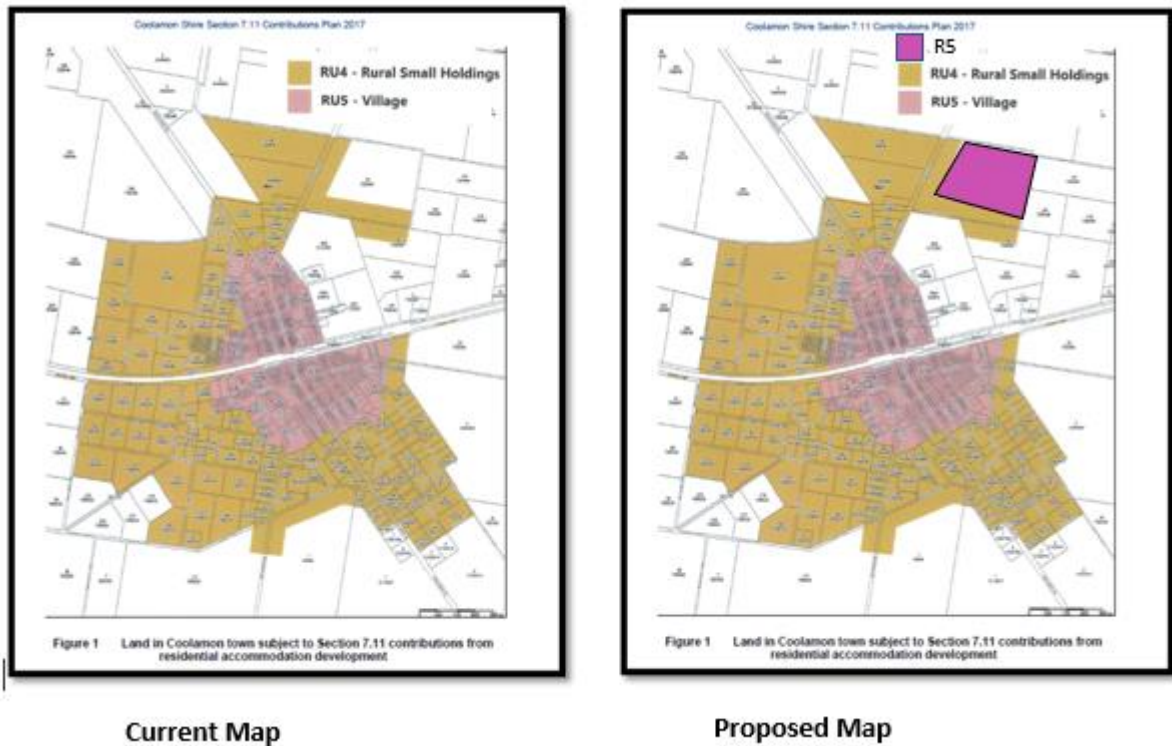


Figure 4 Amendments to the Figure 1 in page 6 of Section 7.11 Contributions Plan 2017

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>
<p>State Environmental Planning Policy (Resilience and Hazards) 2021</p>	<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

Council will develop a timeline indicating council considerations, gateway determination, pre exhibition, public exhibition, post exhibition, submission to the department for finalization and gazettal of LEP amendment following the lodgement of planning proposal.