

Amendment to Murray Local Environment Plan 2011

Lots 2-3 in DP1213161 and Lot 15 in DP1273625
Beer Road and Perricoota Road, Moama

AUGUST 2024

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Executive Summary

The report has been prepared to address the requirements of the Environmental Planning and Assessment Act 1979 (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning, Infrastructure & Environment's guidelines titled: *Local Environmental Plan Making Guideline* (December 2021).

1.1. Overview

This Planning Proposal has been prepared by Habitat Planning on behalf of Oakbridge Dungala Pty Ltd and is submitted to Murray River Council in support of a Planning Proposal to amend the *Murray Local Environmental Plan 2011* (LEP).

Specifically, the Planning Proposal that Murray River Council resolve to support the changes to the LEP as detailed in this Planning Proposal and forward it for a Gateway Determination to undertake the following:

- Amend the Land Zoning Map as it relates to Lots 2 and 3 in DP1213161 and Lots 15 in DP1273625, from RU1 Primary Production Small Lots to R1 General Residential zone.
- Amend the Minimum Lot Size Map as it relates to Lots 2 and 3 in DP1213161 and Lots 15 in DP1273625, from a minimum lot size of 120 hectares to a minimum lot size of 500m².

The report has been prepared to address the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning, Infrastructure & Environment's guideline titled: *Local Environmental Plan Making Guideline* (September 2022).

For the purposes of the Guideline, the application is classified as a 'Standard' Planning Proposal as it relates to the rezoning of lots to General Residential Zone, consistent with the recommendations of the Murray Local Housing Strategy 2023.

In this instance, the Planning Proposal is sought in response to the recommendations of the Murray Local Housing Strategy 2023 which recommend the subject site be progressed for infill development of the Moama future urban area. The outcome is directly the result of the Local Strategic Planning Statement and a Strategic Study of Council.

This outcome is broadly in line with the key strategic planning principles and a long term urban outcome that is derived for physical conditions of the land.

The Planning Proposal has strategic merit and is in the public interest for the following reasons:

- The proposal is generally consistent with the strategic planning framework including State, Regional and local planning strategies for Murray River Shire.
- The proposal is consistent with the recommendations of the recently exhibited *Local Housing Strategy*.
- The resultant development of the land will not create any unacceptable environmental or social impacts.
- Development of this land as sought by this Planning Proposal can be fully integrated with residential development surrounding, both existing and proposed.
- There is clear evidence and demand for this form of residential product.
- There will be a net benefit for the community.
- The subject land can be provided with all urban services.

It is recommended that Murray River Council resolve to support the changes to the LEP as detailed in this Planning Proposal and forward it for a Gateway Determination

Table 1 Executive Summary Table

Item	Description
Site Address	Perricoota Road & Beer Road, Moama
Property Descriptor	<p>Lot 2 in DP1213161</p> <p>Lot 3 in DP1213161</p> <p>Lot 15 in DP1273625</p>
Existing Planning Controls	<p>Land Zoning RU1 Primary Production</p> <p>Minimum Lot Size 120 ha</p> <p>Height of Buildings N/A</p> <p>Floor Space Ratio N/A</p> <p>Heritage N/A</p> <p>Land Reservation Acquisition N/A</p> <p>Site Specific Local Provisions N/A</p> <p>Bush Fire Prone Land No</p>
Proposed Amendment	<p>Amend the Land Zoning Map as it relates to Lots 2 and 3 in DP1213161 and Lots 15 in DP1273625, from RU1 Primary Production Small Lots to R1 General Residential zone.</p> <p>Amend the Minimum Lot Size Map as it relates to Lots 2 and 3 in DP1213161 and Lots 15 in DP1273625, from a minimum lot size of 120 hectares to a minimum lot size of 500m².</p>
Type of Amendment	Standard

2. Introduction

2.1. Overview

This Planning Proposal Scoping Report has been prepared by Habitat Planning on behalf of Oakbridge Dungala Pty Ltd and is submitted to Murray River Council in support of a Planning Proposal to amend the Murray Local Environmental Plan 2011 (LEP) as it relates to Lots 2 and 3 in DP1213161 and Lot 15 in DP1273625 at Perricoota Road and Beer Road, Moama.

This report has been prepared to address the requirements of Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning and Environment (DPE) guideline *Local Environmental Plan Making Guideline* (December 2021)

This report demonstrates that the proposed amendment to the Land Zoning and Minimum Lot Size Maps are consistent with the intent and objectives of the planning framework and strategic plans and policies. Consequently, this will provide both Council and the NSW DPE with the confidence to endorse the proposed amendment as sought by this Planning Proposal.

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

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

2.2. Scope and Format of Planning Proposal

The Planning Proposal details the merits of the proposed changes to the LEP and has been structured in the following manner:

- Section 1.0 provides an introduction to the Planning Proposal;
- Section 2.0 provides a description of the site, its context and existing development, including identification of the land to which the changes are proposed;
- Section 3.0 identified the planning framework applicable to the site and considers the Planning Proposal against the relevant strategic plans and policies;
- Section 4.0 contains the Planning Proposal, prepared in accordance with the matters to be considered in the Department of Planning's document titled *A Guide to Preparing Planning Proposals*; and
- Section 5.0 provides the conclusions and recommendations to proceed with the Planning Proposal to Gateway Determination to amend the LEP.

2.3. Supporting Plans and Documentation

The Planning Proposal has been prepared with regard to preliminary supporting documents which have been prepared to accompany the application. These documents are included as attachments to this report and are identified in **Table 1**.

Table 2 Attachments to Planning Proposal

No.	Document Name	Prepared by
A	Development Concept Plan	Development Outcomes
B	Consistency with Riverina-Murray Regional Plan 2041	Habitat Planning
C	Consistency with State Environmental Planning Policies	Habitat Planning
D	Consistency with Section 9.1 Ministerial Directions	Habitat Planning
E	Preliminary Site Investigation	McMahon Earth Sciences

3. Site Description

3.1. Site Location and Context

The subject land to which this application relates comprises three (3) adjoining parcels of land to the north west of the Moama urban area, located near the intersection of Beer Road and Twenty-Four Lane.

The lots are described as Lots 2 and 3 in DP1213161 and Lot 15 in DP1273625 and present a narrow and irregular shaped holding of land to the south of Beer Road with a total area of 31.2 hectares. The lots are addressed as Beer Road and Perricoota Road, Moama.

Figure 1 below shows the location of the subject in context to the broader area of Moama.

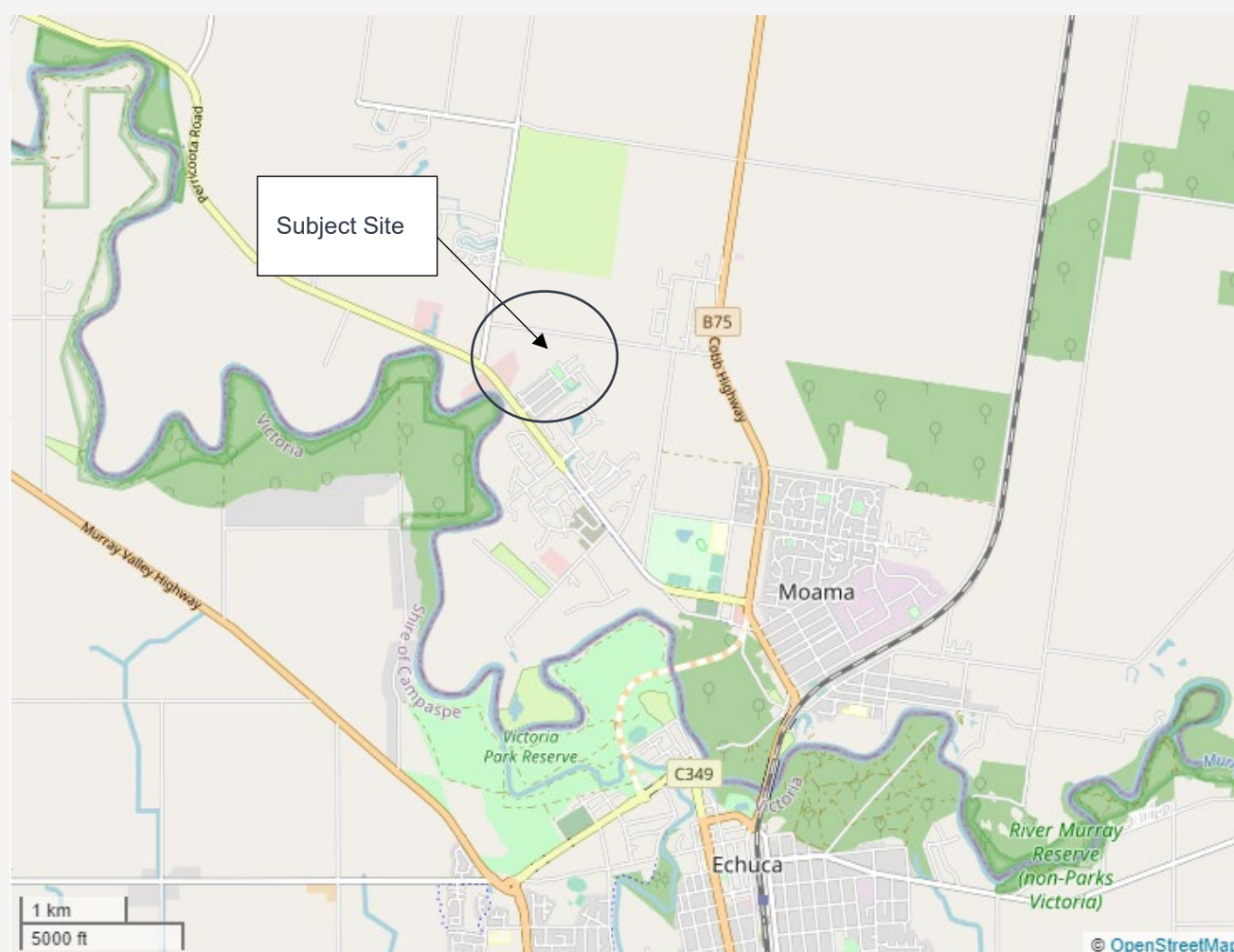


Figure 1 – Site Map



Figure 2 – Aerial view of the subject land (Nearmap)

3.2. Site Description

The site is located within a former rural area which is transitioning into urban residential properties in the north west of the Moama township. It is located to the south of an establishing residential development above Beer Road and immediately adjoining residential developments along Perricoota Road. The location of the land is within the well defined growth area of the Moama urban area.

The land is former rural land which has been used for intensive agricultural production (horticultural) and associated functions. There are no buildings and structures located on the lots, with the land only improved with planted vineyards.

The topography of the site is very flat with minimal changes in grade across the full property. There are some minor depressions noted through the centre of the lot.

The site was formerly used for vineyards, with the produce trees having been established across the full extent of the property. The land has been completely cleared of any indigenous vegetation and significantly disturbed at the ground layer.

Vehicular access is provided to each lot via informal access from Beer Road and Twenty-Four Lane with unconstructed vehicle crossovers noted at both frontages.

Twenty Four Lane is a sealed urban road with a off-street pathway along the western boundary. Beer Road is also a sealed urban road which has clear line marked two-way movements along its frontage with the subject land.



Figure 3 – Existing conditions plan showing the subject land

3.3. Surrounding Development

The subject land is located in a transitioning rural area, currently comprising primarily of establishing residential land and scattered intensive agricultural uses.

Land to the north comprises the established residential development known as 'The Range' and which occupies the area north of Beer Road and abutting the Rich River Golf Club. This area now comprises new urban uses and disturbed land which will be used for later stages of the development.

Land to the east contains a variety of scattered residential development as well as vacant rural land which is expected to accommodate future urban uses in the short to medium term. This area abuts the Cobb Highway, which is the primary northern approach to Moama. The Moama CBD is also located approximately 5 kilometres south east from the site.

Land to the south consists of recently development residential development within the Dungala Estate, which are established up to the common boundary of the subject land. This area accommodates a range of single detached dwellings as well as an accommodation use. Land further south and south west beyond Perricoota Road consists of larger lot residential properties located along the Murray River foreshore.

4. Proposed Amendment

This section of the report addresses the NSW Department of Planning and Environment (DPE) guideline *Local Environmental Plan Making Guideline* (December 2021).

4.1. Objectives and Intended Outcomes

The objective of this Planning Proposal is to amend the Murray Local Environmental 2011 to enable the land to be used for residential development, consistent with the establishing residential areas surrounding the land.

The subject land is well positioned to rely on existing services and infrastructure through the growth areas of Moama and efficiently release urban land surrounding existing and establishing developments.

An indicative subdivision plan for the future development of the subject land has been developed for the land and envisages a range of lot sizes, generally below 1,000m².

A key outcome of the amendment is to add to the supply of residential land in Moama and provide additional choice in location and living environments for future residents. It is intended that the development of the subject land will provide for the strong demand for residential lots in the Echuca-Moama region.

4.2. Explanation of Provisions

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

- Amend the Land Zoning Map as it relates to Lots 2 and 3 in DP1213161 and Lots 15 in DP1273625, from RU1 Primary Production Small Lots to R1 General Residential zone.
- Amend the Minimum Lot Size Map as it relates to Lots 2 and 3 in DP1213161 and Lots 15 in DP1273625, from a minimum lot size of 120 hectares to a minimum lot size of 500m².

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

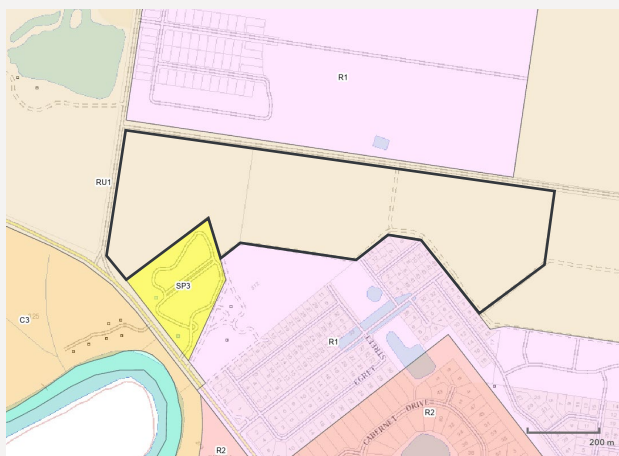


Figure 4 – Existing Land Zoning Map

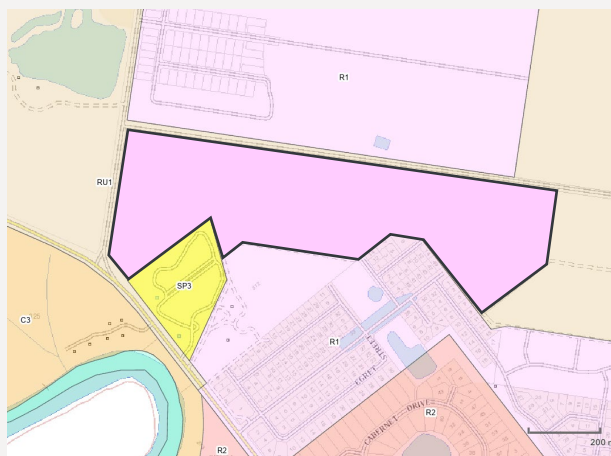


Figure 5 – Proposed Land Zoning Map

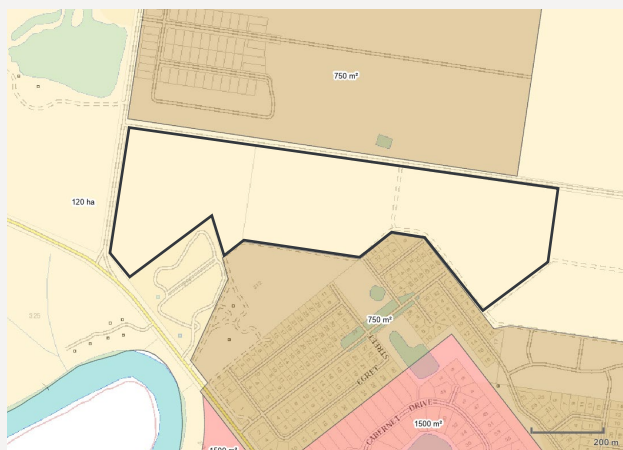


Figure 6 – Existing Minimum Lot Size Map

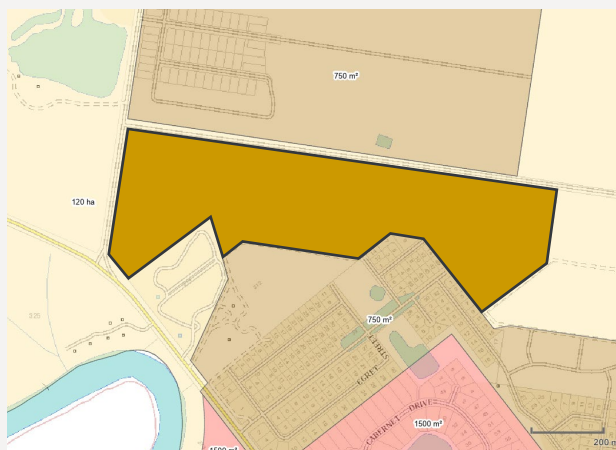


Figure 7 – Proposed Minimum Lot Size Map

4.3. Justification

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

3.3.1 Section A - Need for the Planning Proposal

Q1. Is the planning proposal a result of an endorsed Local Strategic Planning Statement (LSPS), strategic study or report?

The Planning Proposal has been prepared consistent with the recommendations and actions contained within the Murray River Council Local Strategic Planning Statement and the Murray River Shire Local Housing Strategy.

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

Murray River Council Local Strategic Planning Statement

The *Murray River Council Local Strategic Planning Statement* (LSPS) sets the social, environmental and economic land use needs over the next 20 years. The LSPS provides a platform to document community priorities and aspirations which will guide our planning decisions on future land use. It addresses the planning and development issues of strategic significance to the Council through planning priorities and actions, spatial land use direction and guidance.

The LSPS gives effect to the *Riverina Murray Regional Plan 2041* implementing the directions and actions at a local level. It is also informed by other State-wide and regional policies including *Future Transport Plan 2056* and the *NSW State Infrastructure Strategy 2018 – 2038*.

The LSPS is based on three key themes as follows:

- A robust, growing and innovative economy.
- Liveable communities with social capital.
- Environment, heritage and climate change.

An assessment of the subject planning proposal has been provided in response to the Murray LSPS as outlined below.

Table 3 Consideration of the Murray River Council Local Strategic Planning Statement

Priority	Applicable to the Planning Proposal	Comment
Theme 1 – A robust, growing, and innovative economy		
Priority 1 – Grow, strengthen and sustain agriculture	Not applicable to the subject Planning Proposal	The planning proposal does not seek agricultural outcomes. Whilst it is acknowledged that the subject proposal does seek rural outcomes, the loss of rural land for urban development is considered appropriate in this instance.
Priority 2 – Grow and strengthen tourism	Not applicable to the subject Planning Proposal	Not applicable
Priority 3 – Create an ‘open-for-business’ identity	Not applicable to the subject Planning Proposal	Not applicable
Theme 2 – Liveable Communities with Social Capital		
Priority 4 – Housing growth, supply and density	Yes.	The LSPS states that this will be achieved by ensuring residential housing expands in areas that are practicably serviceable by Council’s infrastructure and services, not constrained by hazards (such as flooding or bushfire) unless the hazards can be adequately mitigated, not located in areas of important biodiversity or cultural heritage value and not considered to be important productive agricultural land.
Priority 5 – Recreation and open space	Not applicable to the subject Planning Proposal	Not applicable
Priority 6 – Servicing and utility infrastructure	Yes	The subject land is within an area that is identified short term growth and which will extend Council’s existing servicing infrastructure
Theme 3 – Environment, heritage, and climate change		

Priority	Applicable to the Planning Proposal	Comment
Priority 7 – Identify and protect environmental values	Not applicable to the subject Planning Proposal	Not applicable
Priority 8 – Celebrate culture and heritage	Yes, as consideration of matters regarding Aboriginal Cultural Heritage is required under the NSW <i>National Parks and Wildlife Act 1974</i> .	<p>The Planning Proposal is consistent with the vision and actions of this Planning Priority as consideration of Aboriginal Cultural Heritage Values has been undertaken.</p> <p>Following a review of the subject, the likelihood of items of Aboriginal Cultural Heritage being present on-site is considered low as the subject land is heavily disturbed and does not contain any identified landscape features.</p>
Priority 9 – Climate change and natural hazards	Not applicable to the subject Planning Proposal as the land is not identified as being subject to any natural hazards.	Not applicable.

Murray River Council Local Housing Strategy (2023)

Murray River Council adopted the *Local Housing Strategy* in 2023 which aims to guide the future residential growth and development throughout the Shire.

The preparation of this Strategy has been in response to Murray River Council's "extraordinary demand for new housing over recent years as Australians continue to relocate from capital cities to regional areas for lifestyle reasons and in response to the global pandemic."

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

The Strategy notes that a key challenge for Murray River Council is to "*ensure adequate land supply in the right locations and the right time*". This means ensuring adequate residential land availability is crucial in meeting housing demands in suitable areas, regularly monitoring housing capacity and promptly providing land to meet future needs not only reduces land fragmentation but also facilitates efficient infrastructure development while preventing sudden price hikes due to supply shortages.

In relation to Moama, the Strategy notes that there is a predominantly larger lot character when compared to Echuca, and that this is one of the key drivers for market interest in Moama. It also notes that while there a number of subdivisions and developable land in the area, there has been significant upward pressure on land in the area.

In relation to the subject land specifically, the draft Strategy identifies land as a candidate for short term release, being that it is located within an 'infill' location surrounded by establishing residential areas. It also nominates that the land should be rezoned to R1 General Residential and have a minimum lot size of at least 750m².

To address the identified and expected growth rate for Moama, the Strategy identifies a number of recommended land zoning and minimum lot size changes as outlined in **Figure 8** below.

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

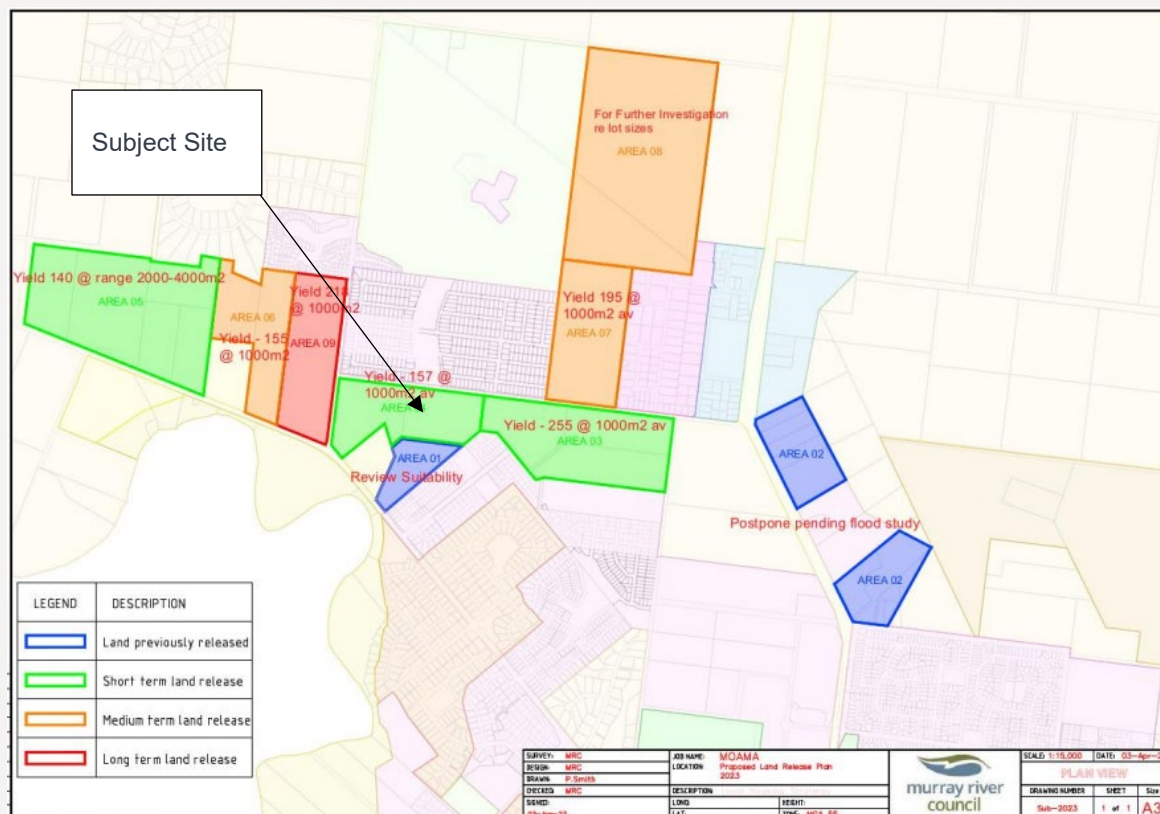


Figure 8 – Preferred development sequencing in the Local Housing Strategy. Note the subject land indicated showing ‘short term land release’ intentions.

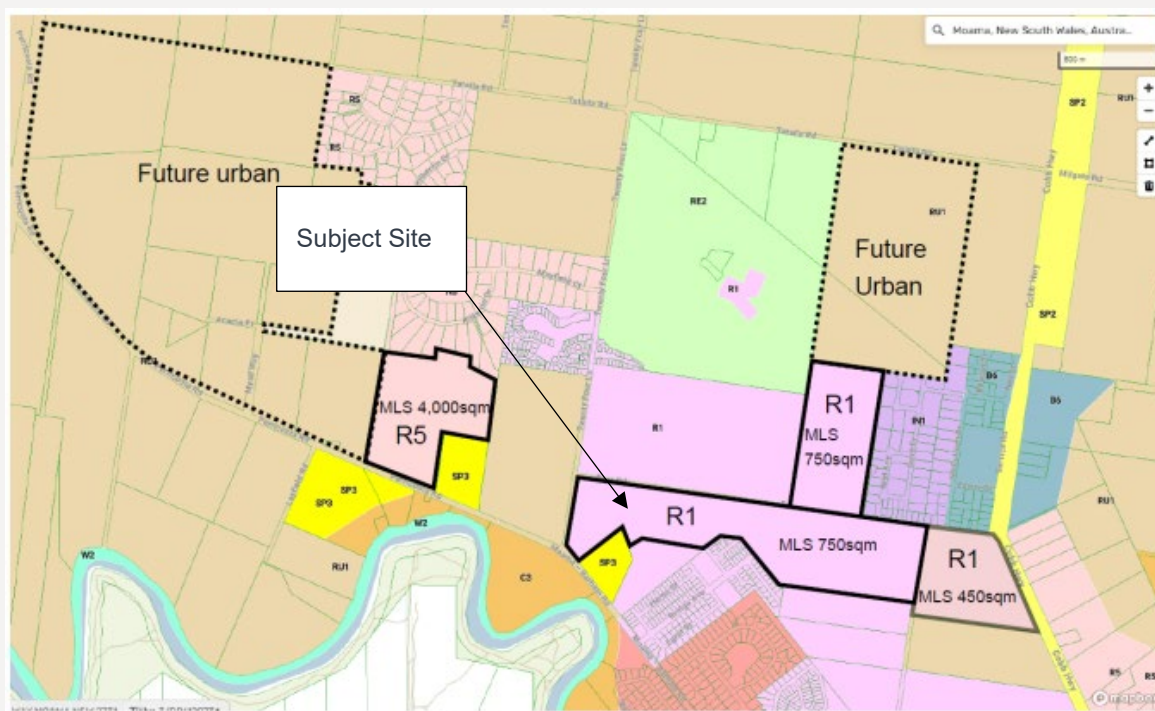


Figure 9 – Extract of the recommended Zoning and Minimum Lot Size Maps for Moama.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is considered the best means of achieving the objectives or intended outcomes as it will allow for the subdivision of land in a manner that is compatible with the surrounding development and the recommendations of key Council strategic planning policies.

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

4.3.2 Section B – Relationship to Strategic Planning Framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

The *Riverina Murray Regional Plan 2041* was adopted by the NSW government in 2023 and is the relevant regional strategy that provides the strategic planning framework to guide decision-making and development in the Riverina Murray region for the next 20 years.

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

The Regional Plan is underpinned by three (3) key parts, with 18 underlying objectives including:

- Part 1 – Environment;
- Part 2 – Communities and Places; and
- Part 3 – Economy

Each of these parts and objectives is supported by a number of strategies and actions, which seek to achieve the related objectives and outcomes. An assessment of the Planning Proposal against the relevant goals, directions and actions of the Regional Plan is undertaken in **Attachment B**.

The Planning Proposal is found to be consistent with relevant goals, directions and actions of the Regional Plan as detailed in **Attachment B**.

Q4. 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?

Consideration of the *Murray River Council Local Strategic Planning Statement* and *Local Housing Strategy* have been addressed in Section 3.1.1 of the Planning Proposal.

The *Murray River Council Community Strategic Plan 2022-2032 (CSP)* is Council's local community strategic planning document. The CSP is based on an outcome framework comprising of five (5) strategic themes;

- Theme 1 – A place of environmental sensitivity
- Theme 2 – A place of progressive leadership
- Theme 3 – A place of liveable communities
- Theme 4 – A place of inclusion, culture & wellbeing
- Theme 5 – A place of prosperity & resilience
- Theme 6 – Connected communities
- Theme 7 – Tomorrow's Technologies

Underpinning these outcomes are a series of 30 goals and 80 strategic objectives that reflect the communities' key ambitions for the future. These strategies have been developed to detail how Council, other government agencies and the community can work together to achieve these goals.

The Planning Proposal is consistent with the following outcomes and strategies under the Murray River Council CSP, in particular encouraging and supporting development across the region (theme 5). It is noted that there is limited directions and objectives outlined in the CSP that are directly related to the amendment.

Overall, the proposal is considered to be consistent, where relevant with the *Murray River Council Community Strategic Plan 2022-2032*.

Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The Planning Proposal is consistent with other relevant State or Regional studies and strategic including *A 20 Year Economic Vision for Regional NSW*, which was refreshed in 2021.

The foreword to the Strategy states: *The 20 Year Economic Vision for Regional NSW is the NSW Government's plan to drive sustainable, long-term economic growth in regional NSW. It is the roadmap to unlock significant economic potential in regional NSW.*

Accordingly, the proposal will achieve the Priority Actions and underlying principles of *A 20 Year Economic Vision for Regional NSW* as it will support diversity in housing options for Murray River broadly, and Moama specifically.

Q6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Attachment C provides an assessment of the Planning Proposal against all State Environmental Planning Policies (SEPP's). In summary, many of the SEPP's are not applicable to the Federation Local Government Area and less are applicable to the circumstances of the Planning Proposal.

Notwithstanding, an assessment has been provided attached, outlining that the Planning Proposal is consistent with the relevant SEPP's.

Q7. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 Directions)?

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

A Planning Proposal needs to be consistent with the requirements of the Direction but in some instances can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of "minor significance".

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

4.3.3 Section C – Environmental, Social and Economic Impact

Q8. 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?

No. It is unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of this proposal. The land has historically been used for intensive horticultural activities, and has been highly modified as a result.

Q9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The assessed properties have been completely cleared of indigenous vegetation and contains very limited understorey, having been extensively cleared for previous establishment of rural uses. The

future development of the land will not result in any loss of native vegetation, and particularly will be well below the thresholds to enter the Biodiversity Offset Scheme (BOS), and for a Biodiversity Development Assessment Report (BDAR) to be completed

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

The subject site is not identified as being 'flood prone' for the purposes of Clause 5.21 of the Murray LEP 2011. Therefore, no further consideration is considered relevant.

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

The subject land is a highly modified site and has a low likelihood of containing any items of cultural heritage significance. A review of the Aboriginal Heritage Information Management System (AHIMS) database was undertaken and it is confirmed that there are no recorded items of Aboriginal cultural significance within 50 metres of the subject site.

Q10. Has the planning proposal adequately addressed any social and economic effects?

The proposed subdivision will provide greater variety of urban lot sizes (i.e. below 1,000m²) and housing provision within Moama and within the Murray River region in general. The development will also increase the permanent population within Moama and lead to associated economic and social impacts as a result.

There will be a positive social and economic effect for the Moama community resulting from the development through the provision of additional choice and availability of residential land. The new residents will increase support for both community and commercial interests in the town and will provide an overall positive economic and social impact. The development provides an increase in land availability in Moama and encourages greater investment in preferred lifestyle areas of the Murray River LGA.

4.3.4 Section D – State and Commonwealth Interests

Q11. Is there adequate public infrastructure for the planning proposal?

The subject land adjoins existing developed land that is currently being developed for low density residential purposes. Therefore, the subject land has readily available access to reticulated infrastructure and services including water, sewerage, stormwater drainage, road access, telecommunications, electricity and gas.

It is noted that the Local Housing Strategy has noted that the short and medium term release areas, which includes the subject land, are based on the availability of infrastructure. The land is within the 'proposed urban growth boundary' of Moama, which is understood to have adequate servicing capacity.

Q12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

No consultation has been carried out at this stage with any State and/or Commonwealth Public Authorities in relation to the subject Planning Proposal. Having regard for the circumstances of the subject land and nature of the Planning Proposal, no public authority consultation has been undertaken.

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

4.4. Mapping

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

- Amend the **Land Zoning Map** as it relates to Lots 2 and 3 in DP1213161 and Lots 15 in DP1273625, from RU1 Primary Production Small Lots to R1 General Residential zone.

- Amend the **Minimum Lot Size Map** as it relates to Lots 2 and 3 in DP1213161 and Lots 15 in DP1273625, from a minimum lot size of 120 hectares to a minimum lot size of 500m².

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

4.5. Community Consultation

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

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

As the Planning Proposal is categorised as a 'standard' proposal, it is expected to be placed on public exhibition for 20 working days or as otherwise outlined in Council's Community Engagement Strategy. The MRC Community Engagement Strategy requires planning proposal to be exhibited for a minimum of 28 days, or the period specified by a Gateway Determination.

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

The future consultation process is expected to include:

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

The future consultation process is expected to include:

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

The written notice will contain:

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

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

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

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

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

4.6. Project Timeline

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

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

Table 4 Project Timeline (indicative)

Project Milestone	Anticipated Timeframe
Lodgement Lodge Planning Proposal with council and make any necessary adjustments or changes prior to council accepting the plan	2 weeks for council to review and provide any comments regarding the submitted Planning Proposal and for the report to be updated.
Council Report (seeking Gateway Determination) Council planning officers to prepare a report to council seeking council endorsement of the Planning Proposal and referral to the NSW DPIE seeking the issuing of a Gateway Determination.	4 weeks to prepare council report and include on council agenda.
Request Gateway Determination Council to request a Gateway Determination from the NSW Department of Planning to proceed to Planning Proposal to public exhibition (including any delegation of plan-making powers to council)	5 weeks following Council resolution and request for a Gateway determination
Public Exhibition Undertake public exhibition of Planning Proposal in accordance with the conditions of the Gateway Determination.	2 weeks to prepare and place a public notice in the paper and 4 weeks to publicly exhibit the Planning Proposal.
Consider Submissions & Finalise Document Council planning officers to consider, respond and report on submissions received and issues raised (if	6 weeks to collate, consider and respond to submissions received (if any).

Project Milestone	Anticipated Timeframe
any) and where necessary, recommended relevant changes to the Planning Proposal.	
Council Report (consideration of submissions) Council planning officers to prepare a report to council post public exhibition that considers any submissions received.	4 weeks to prepare council report and include on council agenda.
Submission to NSW DPIE/Parliamentary Counsel Forward Planning Proposal to NSW DPE/Parliamentary Counsel (if delegated) for finalisation following public exhibition.	4 weeks
Notification Finalisation/gazettal of Planning Proposal	2 weeks

5. Conclusion

This report has been prepared to address the requirements of Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning and Environment (DPE) guideline *Local Environmental Plan Making Guideline* (December 2021)

This Planning Proposal provides an analysis of the physical and strategic planning constraints and opportunities of the site and considers the relevant environmental, social and economic impacts of the proposal and its strategic merit.

The Planning Proposal has strategic merit and is in the public interest for the following reasons:

- The proposal is consistent with the strategic planning framework including State, Regional, District and local planning strategies for Moama.
- The proposal is consistent with the recommendations of the recently exhibited *Local Housing Strategy* which identifies the land for a change to General Residential zone and associated minimum lot sizes.
- The resultant development of the land will not create any unacceptable environmental or social impacts.
- Development of this land as sought by this Planning Proposal can be fully integrated with residential development surrounding, both existing and proposed.
- There is clear evidence and demand for this form of residential product.
- The density of development is sustainable for the subject land.
- There will be a net benefit for the community.
- The subject land can be provided with all urban services.

Therefore, the proposed amendment to LEP is appropriate and well-considered and warrants the support of Council before proceeding to a Gateway Determination.

Attachment A: Concept Plan

Attachment B: Consistency with Riverina-Murray Regional Plan 2041

Table 5 Consistency with Riverina-Murray Regional Plan

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
Part 1 – Environment		
Objective 1 – Protect, connect and enhance biodiversity throughout the region.	The subject sites included in this proposal have been selected to avoid environmentally significant land.	<p>While acknowledging the land zoning, the proposal seeks to minimise any impacts on environmentally significant land.</p> <p>Sites will be subject to the relevant biodiversity assessment and the proposal will adhere to the recommendations.</p>
Objective 2 – Manage development impacts within riverine environments	The subject sites do not adjoin any waterways.	N/A
Objective 3 – Increase natural hazard resilience	<p>Moama is subject to flood risk, near the River Murray. Bushfire risk shows no major issues, though Category 3 vegetation is still yet to be mapped throughout Murray River Shire.</p> <p>Regardless, the subject site is not considered bushfire prone or flood prone.</p>	<p>Future residential development on the subject sites is not expected to increase risk to natural hazards. As the subject site was previously use for agriculture, it avoids any established vegetation and commensurate bushfire risk.</p> <p>Comment will be sought from RFS on the proposal and dwellings can be constructed to an appropriate standard.</p> <p>The subject site avoids flooding risk as much as practicable, and is well clear of the 1%AEP.</p>
Part 2 – Communities and places		

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
Objective 4 – Support Aboriginal aspirations through land use planning.	Not yet applicable, as the subject land is not known to contain any culturally significant land.	In the absence of any broader strategy for the area, the proposal will adhere to current legislation. Consideration of matters regarding Aboriginal Cultural Heritage is required under the NSW <i>National Parks and Wildlife Act 1974</i> .
Objective 5 – Ensure housing supply, diversity, affordability and resilience.	This planning proposal seeks primarily to create more residential land availability throughout the Lockhart township.	This objective has been considered through the development of the Lockhart Local Housing and Employment Strategy.
Objective 6 – Support housing in regional cities and their sub-regions	The Planning Proposal seeks to support residential development.	Moama not identified as a regional city, but rather forms part of the sub-regions. It is proximate to higher order towns in Victoria - Shepparton and Bendigo.
Objective 7 – Provide for appropriate rural residential development.	Not applicable	Not applicable
Objective 8 – Provide for short-term accommodation	Not applicable.	Not applicable
Objective 9 – Plan for resilient places that respect local character	Not applicable	Not applicable

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
Objective 10 – Improve connections between Murray River communities	Moama is co-located with Echuca.	The proposal seeks to better support residential development in the Echuca-Moama area.
Objective 11 – Plan for integrated and resilient utility infrastructure.	At a local level, the proposal will likely require some extension of local infrastructural networks.	Council has confirmed that there is capacity within their existing infrastructure to accommodate any development that may be constructed as a result of this Planning Proposal.
Part 3 - Economy		
Objective 12 – Strategically plan for rural industries	Not applicable	Not applicable
Objective 13 – Support the transition to net zero by 2050	Not applicable	Not applicable
Objective 14 – Protecting and promoting industrial and manufacturing land	Not applicable	Not applicable

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
Objective 15 – Support the economic vitality of CBDs and main streets	Wider economic benefits associated with the planning proposal will support the objectives.	The Planning Proposal seeks to allow the growth of residential areas in Moama, improving spending power in the local economy.
Objective 16 – Support the visitor economy	Not relevant, as the proposal does not relate to tourism.	Not applicable
Objective 17 – Strategically plan for health and education precincts	Not relevant as the proposal does not relate to health and education precincts.	Not applicable
Objective 18 – Integrate transport and land use planning	Yes, as the planning proposal will impact existing traffic networks.	At a local level, the Planning Proposal is consistent with this objective as it utilises and consolidates existing infrastructure.

Attachment C: Consistency with State Environmental Planning Policies

Table 6 Consistency with State Environmental Planning Policies

Policy	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy (Biodiversity and Conservation) 2021		
<i>Chapter 2 – Vegetation in non-rural areas</i>	Applies to part of the Murray River Local Government Area	The assessed properties have been completely cleared of indigenous remnant vegetation. No existing native vegetation is noted on site.
<i>Chapter 3 – Koala habitat protection 2020</i>	Applies as the subject land is located in the RU1, RU2 or RU3 zones	It is considered that the development is likely to have low or no impact on koalas or koala habitat given the lack of potential habitat>
<i>Chapter 4 – Koala habitat protection 2021</i>	Not applicable as the subject land is not identified as a prescribed zone within the 2021 SEPP.	Not applicable to the current Planning Proposal.
<i>Chapter 5 – River Murray lands</i>	Applies to part of the Murray River Local Government Area	Not applicable.
<i>Chapter 6 – Bushland in urban areas</i>	Not applicable to the Murray River Local Government Area.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
<i>Chapter 7 – Canal estate development</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 8 – Sydney drinking water catchment</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 9 – Hawkesbury-Nepean River</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 10 – Sydney Harbour Catchment</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 11 – Georges River Catchment</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 12 – Willandra Lakes Region World Heritage Property</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Applies to all land in the State.	Not applicable to the current Planning Proposal.

Policy	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Applies to all land in the State.	The Planning Proposal does not conflict with the aims and functions of this SEPP with respect to exempt and complying development provisions.
State Environmental Planning Policy (Housing) 2021		
<i>Chapter 2 – Affordable housing</i>	Applies to all land in the State.	Not applicable to the current Planning Proposal.
<i>Chapter 3 – Diverse housing</i>	Applies to all land in the State.	Not applicable to the current Planning Proposal.
State Environmental Planning Policy (Industry and Employment) 2021		
<i>Chapter 2 – Western Sydney employment area</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 3 – Advertising and signage</i>	Applies to all land in the State.	Not applicable to the current Planning Proposal.
State Environmental Planning Policy No. 65 – Design Quality of Residential Apartments	Applies to all land in the State.	Not applicable to the current Planning Proposal.
State Environmental Planning Policy (Planning Systems) 2021		

Policy	Applicable to Planning Proposal	Consistency
<i>Chapter 2 – State and Regional Development</i>	Applies to all land in the State.	Not applicable to the current Planning Proposal.
<i>Chapter 3 – Aboriginal land</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 4 – Concurrences and consents</i>	Applies to all land in the State.	Not applicable to the current Planning Proposal.
State Environmental Planning Policy (Precincts – Central River City) 2021		
<i>Chapter 2 – State significant precincts</i>	Applies to all land in the State.	Not applicable to the current Planning Proposal.
<i>Chapter 3 – Sydney region growth centres</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 4 – Homebush Bay area</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 5 – Kurnell Peninsula</i>	Not applicable to the Murray River Local Government Area.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
<i>Chapter 6 – Urban renewal precincts</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021		
<i>Chapter 2 – State significant precincts</i>	Applies to all land in the State.	Not applicable to the current Planning Proposal.
<i>Chapter 3 – Darling Harbour</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 4 – City West</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 5 – Walsh Bay</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 6 – Cooks Cove</i>	Not applicable to the Murray River Local Government Area.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
<i>Chapter 7 – Moore Park Showground</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy (Precincts – Regional) 2021		
<i>Chapter 2 – State significant precincts</i>	Applies to all land in the State.	Not applicable to the current Planning Proposal.
<i>Chapter 3 – Activation precincts</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 4 – Kosciuszko National Park and alpine resorts</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 5 – Gosford city centre</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy (Precincts – Western Parkland City) 2021		
<i>Chapter 2 – State significant precincts</i>	Applies to all land in the State.	Not applicable to the current Planning Proposal.

Policy	Applicable to Planning Proposal	Consistency
<i>Chapter 3 – Sydney region growth centres</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 4 – Western Sydney Aerotropolis</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 5 – Penrith Lakes Scheme</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 6 – St Mary's</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 7 – Western Sydney Parklands</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy (Primary Production) 2021		
<i>Chapter 2 – Primary production and rural development</i>	Not applicable as the subject land has not been identified as state significant agricultural land on the draft SSAL Map prepared by NSW DPI.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
<i>Chapter 3 – Central Coast plateau areas</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy (Resilience and Hazards) 2021		
<i>Chapter 2 – Coastal management</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 3 – Hazardous and offensive development</i>	Applies to all land in the State.	Not applicable to the current Planning Proposal.
<i>Chapter 4 – Remediation of land</i>	Applies to all land in the State.	<p>A Preliminary Site Investigation has been completed for the site and has concluded that contamination from agricultural and horticultural chemicals is not present at the site, and it is suitable for the proposed development. The PSI includes a number of standard recommendations, including the following:</p> <ul style="list-style-type: none"> • The potential CCA treated timber posts are recommended to be removed and disposed of at an appropriately licenced landfill. • Appropriate waste management for the fill material is required for disposal in line with the NSW EPA (2014) Waste Classification Guidelines. • The dumped rubbish is an aesthetic issue and is recommended to be removed and disposed of at an appropriately licensed landfill. • Any other material generated from the site should be managed in accordance with the NSW EPA Waste Classification Guidelines and

Policy	Applicable to Planning Proposal	Consistency
		<p>Resource Recovery Orders, whichever is relevant. This is normally a standard development consent condition.</p> <ul style="list-style-type: none"> The filled dam and channels will require further investigation and assessment. Unexpected finds are possible. Care must be taken to identify and evaluate unexpected finds such as these during development under an unexpected finds protocol. <p>No further assessment is required, and the management conditions will be adhered to by the future developer. It would be expected that some of these items would form conditions of consent on any future Development Consent.</p>
State Environmental Planning Policy (Resources and Energy) 2021		
<i>Chapter 2 – Mining, petroleum production and extractive industries</i>	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to mining, petroleum production and extractive industries as provided for in the SEPP.
<i>Chapter 3 – Extractive industries in Sydney area</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
State Environmental Planning Policy (Transport and Infrastructure) 2021		

Policy	Applicable to Planning Proposal	Consistency
<i>Chapter 2 – Infrastructure</i>	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP.
<i>Chapter 3 – Educational establishments and child care facilities</i>	Applies to all land in the State.	Not applicable to the current Planning Proposal.
<i>Chapter 4 – Major infrastructure corridors</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
<i>Chapter 5 – Three ports – Port Botany, Port Kembla and Newcastle</i>	Not applicable to the Murray River Local Government Area.	Not applicable.
Draft State Environmental Planning Policies		

Attachment D: Consistency with Section 9.1 Ministerial Directions

Table 7 Consistency with Ministerial Directions

No.	Title	Applicable to Planning Proposal	Consistency
1. Planning Systems			
1.1	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals that apply to land where a Regional Plan has been prepared.	The Planning Proposal is consistent with the goals, directions and actions as contained within the <i>Riverina Murray Regional Plan 2041</i> . A full response in relation to this Regional Plan has been provided as Appendix C .
1.2	Development of Aboriginal Land Council Land	Not applicable, as the subject land is not identified on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019	Not applicable.
1.3	Approval and Referral Requirements	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not propose any referral or concurrence requirements or nominate any development as 'designated development'.
1.4	Site Specific Provisions	Not applicable as the proposal does not propose any site-specific provisions.	Not applicable.
1. Planning Systems – Place Based			

No.	Title	Applicable to Planning Proposal	Consistency
1.5	Parramatta Road Corridor Urban Transformation Strategy	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
1.10	Implementation of Western Sydney Aerotropolis Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
1.11	Implementation of Bayside West Precincts 2036 Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
1.14	Implementation of Greater Macarthur 2040	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
1.15	Implementation of the Pyrmont Peninsula Place Strategy	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
1.16	North West Rail Link Corridor Strategy	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
1.17	Implementation of Bays West Place Strategy	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
Design and Place Systems			
Nil			
Biodiversity and Conservation			
3.1	Conservation Zones	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this Direction because it does not involve land identified as environmentally sensitive and does not seek to reduce the environmental protection standards that apply to the land.
3.2	Heritage Conservation	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not affect existing provisions within MLEP 2011 relating to the protection of known European and Aboriginal heritage.
3.3	Sydney Drinking Water Catchment	Not applicable, as the land is not located within the Sydney Drinking Water Catchment.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs.	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.
3.5	Recreation Vehicle Areas	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not advocate the designation of the subject land as a recreation vehicle area pursuant to an order in force under section 11 (1) of the <i>Recreation Vehicles Act 1983</i> .

Resilience and Hazards

4.1	Flooding	No, as the subject site is not known to be flood prone.	Not applicable.
4.2	Coastal Management	Not applicable as the subject land is not located in a coastal management area.	Not applicable.
4.3	Planning for Bushfire Protection	Not applicable as the subject land is not mapped as bushfire prone.	Not applicable.

No.	Title	Applicable to Planning Proposal	Consistency
4.4	Remediation of Contaminated Land	Yes, Clause 4.4(b) of the direction triggers consideration of this matter.	<p>The Planning Proposal is consistent with this direction as:</p> <ul style="list-style-type: none"> • A Preliminary Site Investigation has been prepared for the site by a suitably qualified person and is submitted with this application. • The Preliminary Site Investigation has concluded that contamination from agricultural and horticultural chemicals is not present at the site, and it is suitable for the proposed development. • The Preliminary Site Investigation has recommended management conditions and other recommendations to be adhered to for any future development. • No further Detailed Site Investigation or the like is considered necessary or recommended, based on the findings of the Preliminary Site Investigation.
4.5	Acid Sulphate Soils	Not applicable, as the subject land is not identified as containing acid sulphate soils.	Not applicable.
4.6	Mine Subsidence & Unstable Land	Not applicable, as the subject land is not within a Mine Subsistence District.	Not applicable.

Transport and Infrastructure

No.	Title	Applicable to Planning Proposal	Consistency
5.1	Integrating Land Use and Transport	Not applicable as does not propose to create, alter or remove a zone or provision relating to urban land	Not applicable.
5.2	Reserving Land for Public Purposes	Not applicable,	Not applicable.
5.3	Development Near Regulated Airports and Defence Airfields	Not applicable, the planning proposal does not seek to create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.	Not applicable.
5.4	Shooting Ranges	Not applicable, as the subject land is not located in the vicinity of a shooting range.	Not applicable.
Housing			
6.1	Residential Zones	Yes, as the Planning Proposal seeks to rezone land for residential purposes.	The Planning Proposal is consistent with this Direction because it will provide the opportunity for a greater choice and supply of housing and make use of existing urban infrastructure. In addition, the LEP already contains a provision requiring development to be adequately serviced.

No.	Title	Applicable to Planning Proposal	Consistency
6.2	Caravan Parks & Manufactured Home Estates	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this Direction as it does not reduce the opportunities for caravan parks and manufactured homes estates on the subject land.
Industry and Employment			
7.1	Business and Industrial Zones	Not applicable, the planning proposal does not affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).	Not applicable
7.2	Reduction in non-hosted short term rental accommodation period	Not applicable to the Murray River Local Government Area.	Not applicable.
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable, as the subject land is not located within proximity to the Pacific Highway.	Not applicable.
Resources and Energy			

No.	Title	Applicable to Planning Proposal	Consistency
8.1	Mining, Petroleum Production and Extractive Industries	Not applicable as the Planning Proposal does not impact on mining, petroleum or extractive industries.	<p>The subject planning proposal will not</p> <p>(a) prohibit the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</p> <p>(b) restrict the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</p>

Primary Production

9.1	Rural Zones	Yes, the subject site is located in a rural zone.	<p>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary). In particular Direction (1)(a) applies to all relevant planning authorities, including Murray River Council LGA.</p> <p>Direction 9.1(1)(a) states a planning proposal must: (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p>
9.2	Rural Lands	Yes, the subject site is located in a rural zone.	<p>This direction applies to a relevant planning authority outside of the local government areas of lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the Greater Sydney Commission Act 2015) other than Wollondilly and Hawkesbury, that: (a) will affect land within an existing or proposed rural or conservation zone (including the alteration of any existing rural or</p>

No.	Title	Applicable to Planning Proposal	Consistency
			<p>conservation zone boundary) or (b) changes the existing minimum lot size on land within a rural or conservation zone.</p> <p>The proposal is consistent with subsections 1(a) to (i), inclusive. Responses relating to each have been provided in previous sections of this planning proposal.</p>
9.3	Oyster Aquaculture	Not applicable as the subject site is not identified as a 'Priority Oyster Aquaculture Area' and is not identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i> (2006)	Not applicable.
9.4	Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable, does not apply to the Murray River Local Government Area.	Not applicable.

Attachment E: Preliminary Site Investigation