



Gateway determination report – PP-2023-2004

Rezone and MLS reduction at 420-508 Perricoota
Road, Moama

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
PP-2023-2004- Planning Proposal Report 11/08/2023
Bushfire Assessment Report 17/03/2023
Preliminary Site Investigation 30/09/2021
Test of Significance 23/09/2021
Servicing Report October 2021
Title information 20/03/2023
Proposed Concept Plan 23/02/2023
Commercial Site Plan February 2023
Proposed Staging Plan 27/04/2021
Traffic Impact Assessment Report 17/03/2023
Council meeting report 12/12/2023

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Murray River Council
PPA	Murray River Council
NAME	Rezone and MLS reduction at 420-508 Perricoota Road, Moama (232 homes, unknown jobs)
NUMBER	PP-2023-2004
LEP TO BE AMENDED	Murray LEP 2011
ADDRESS	420-508 Perricoota Road, Moama
DESCRIPTION	Lot 1, 2 and 3 DP854487, and Lot 1 DP1283567. Lot 2 DP1283567 and Lot 1 DP1231352 may also be included in this proposal, however this requires clarification.
RECEIVED	18/12/2023
FILE NO.	IRF23/3369
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The objectives of the planning proposal appear to be to:

- Enable the majority of the land to be developed into low density residential development; and
- Facilitate an area of commercial uses to service the development and surrounding area.

However the words in the planning proposal are inadequate and need updating:

- **Clarification and update of the proposal footprint area** – The Executive Summary and Section 1.1 (Overview) of the planning proposal refer to the land being Lot 1, 2 and 3 DP854487, Lot 1 and 2 DP1283567, and Lot 1 DP1231352. The mapping illustrated in Figures 2, 4, 5, 6 and 7 also includes all six lots. However, Section 3.2 (Explanation of provisions) details changes to only four lots, being Lot 1, 2 and 3 DP854487, and Lot 1 DP1283567. Title search details have been included for four lots (Lot 1, 2 & 3 DP854487, and Lot 1 DP1283567) however have not been included for Lot 2 DP1283567 and Lot 1 DP1231352. The Council report accompanying the proposal includes the same ambiguity. To resolve this, prior to public exhibition, the proposal is to be updated to:

- Clarify existing ambiguities within the proposal regarding inclusion of Lot 2 DP1283567 and Lot 1 DP1231352 as part of the amendment.
- ensure all applicable sections of the planning proposal reflect the correct land and intended amendment outcomes.
- **Existing uses** – The proposal is to be updated prior to public exhibition as follows:
 - provide a narrative around the existing use of Lot 1 DP1231352 as the site of “Pacdon Park Free Range British Butchery”, an artisan food and drink industry.
 - Address any potential ramifications of this existing land use with the proposed zoning and minimum lot size.
 - Evaluate the suitability of extending the proposed employment zoning to include Lot 1 DP1231352 and if deemed suitable, update the proposal to reflect employment zoning over Lot 1 DP1231352.
- **Application of E1 Local Centre** – The Murray LEP 2011 does not currently include E1 Local Centre zoning. As the proposal seeks to implement E1 zoning over a portion of the land, prior to public exhibition, the proposal is to be updated to:
 - Include the rationale and suitability of the E1 Local Centre zone selection (and draft land use table) as opposed to other employment zone options.
 - Depending on proposed zone boundaries compared to current lot boundaries, consider need for a split zoned parcel clause.

1.3 Explanation of provisions

As drafted, Section 3.2 of the planning proposal (Explanation of Provisions) seeks to amend the Murray LEP 2011 per the changes below:

- Amend the Land Zoning Map applying to Lot 1 DP1283567 and Lots 1–3 DP854487, from RU1 Primary Production Zone to R2 Low Density Residential Zone.
- Amend the Land Zoning Map applying to Lot 1 DP1283567 from RU1 Primary Production Zone to E1 Local Centre Zone.
- Amend the Minimum Lot Size Map applying to Lot 1 DP1283567 and Lots 1–3 DP854487, from 120 hectares to 2,000m².
- Apply a nil Minimum Lot Size requirement to the proposed area of E1 Local Centre Zone.

This does not make sense unless the references to Lot 1 DP 1283567 are changed to ‘Part Lot 1 DP 1283567’. This should be fixed in the planning proposal.

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	RU1 Primary Production.	Part R2 Low Density Residential and part E1 Local Centre (see Figure 3 – in Mapping Section of this report).
Minimum lot size (MLS)	120 hectares. Note: Planning proposal cites in error an existing minimum lot size of 100 hectares. The planning proposal is to be amended to reflect the correct existing MLS.	Proposed R2 portion of land – MLS of 2000m ² . Proposed E1 zoned land – no MLS.
Number of dwellings	4.	Approx. 108.
Number of jobs	Not identified in proposal. However, the land includes existing artisan food and drink industry (Pacdon Park).	Unknown, however as the proposal seeks to create additional employment land, additional jobs area will be created to service this area.

Subject to the items identified in Sections 1.2 and 1.3 of this report that require clarification and amendments prior to public exhibition, the planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The land affected by this proposal (as submitted) is identified as Lot 1, 2 and 3 DP854487 and Lot 1 DP1283567. The Gateway determination requires consideration of the suitability of including Lot 2 DP1283567 and Lot 1 DP1231352 in the planning proposal (see previous discussion). The lots are identified in Figure 1, indicated by the red outline. The land is located approximately 5.5km from the Moama CBD area and is set amongst development described in Table 4.

Table 4 Location context and setting

Direction	Development setting
North	<ul style="list-style-type: none"> Rural lifestyle lots of 7-10 hectares with dwellings (RU1 zoned with small-scale cropping). 'Kilkerrin Lakes' residential estate (R5 Large Lot Residential lots with 8000m² MLS).
East	<ul style="list-style-type: none"> Perricoota Vines Retreat (tourist accommodation and function facility – SP3 Tourist zoned). RU1 zoned farmland utilised for agriculture.
South	<ul style="list-style-type: none"> Perricoota Road infrastructure.
West	<ul style="list-style-type: none"> Myall Road infrastructure. Rural lifestyle lots of 7-10 hectares with dwellings (RU1 zoned with small-scale cropping).

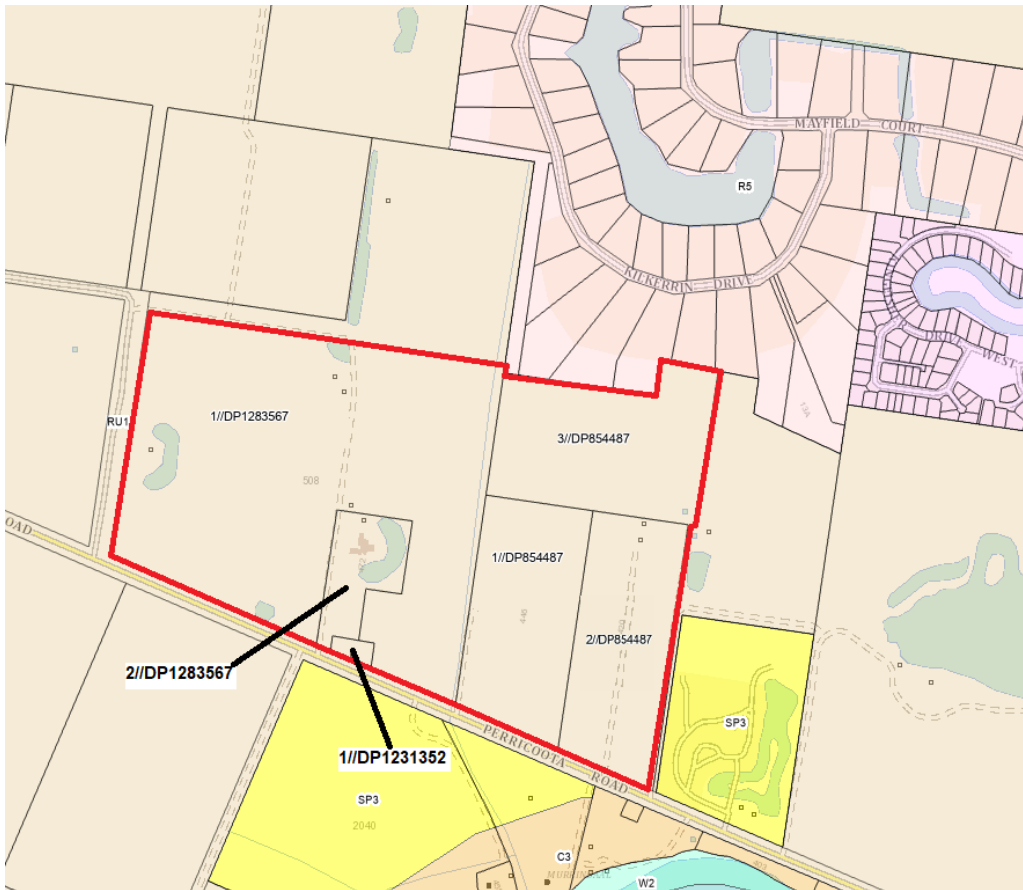


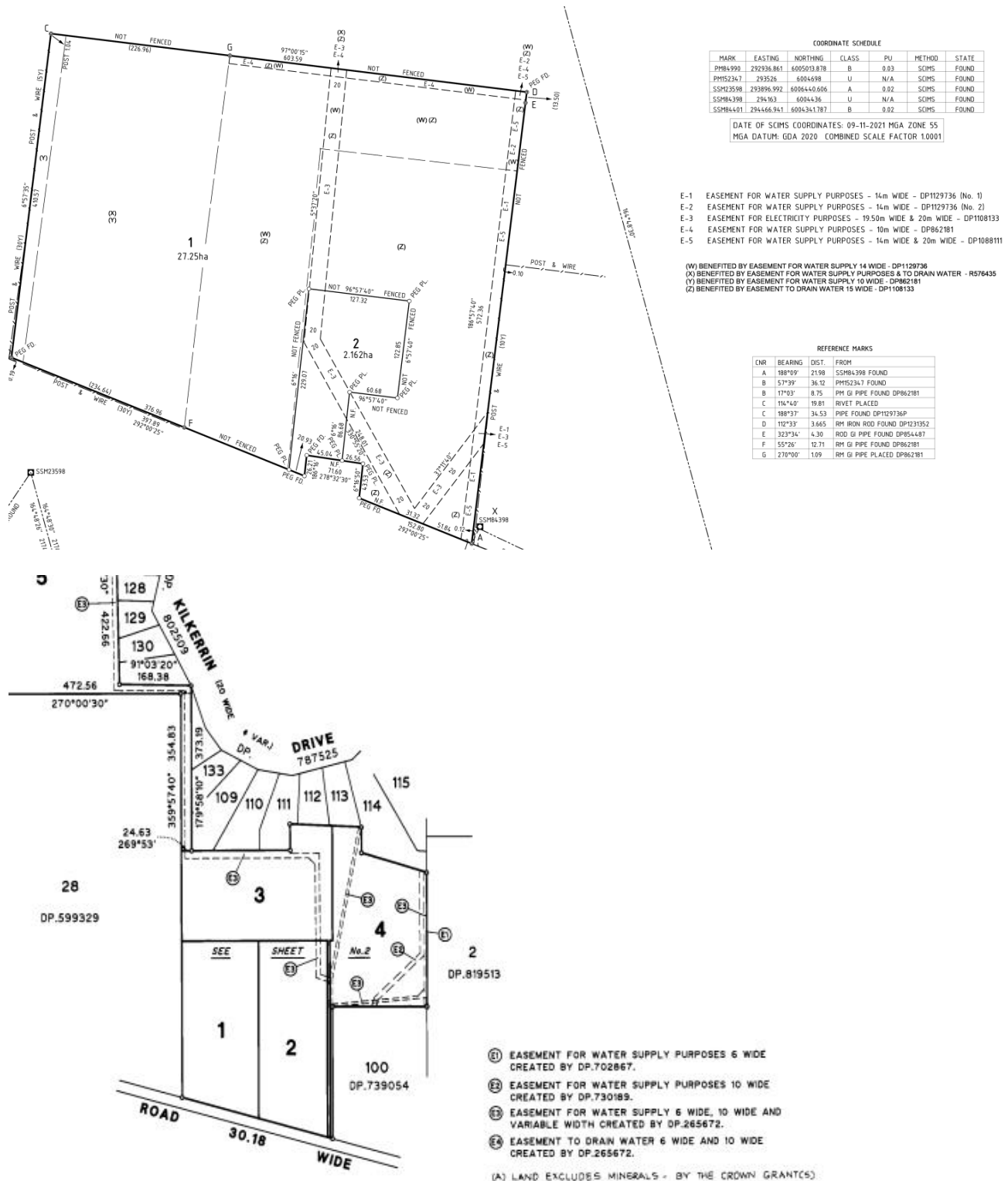
Figure 1 Subject site and site context (source: NSW Planning Portal Spatial Viewer)

The site has a combined area of area of approximately 51 hectares and is currently utilised for a mix of seasonal cropping and horticulture (vineyards). Four of the lots contain dwelling houses and Lot 1 DP1231352 is the site of 'Pacdon Park' artisan pork products. See aerial imagery in Figure 2.



Figure 2 Aerial imagery (source: Google Maps, 2024)

Easements affect numerous parts of the land as shown in Figure 3. See title plans supplied as attachment to the planning proposal for further information. Title plans have not been supplied for Lot 2 DP1283567 or Lot 1 DP1231352



The site is not mapped as being flood affected however a portion of the land is mapped as bushfire prone. See coverage over southern portion of the site indicated in Figure 5.

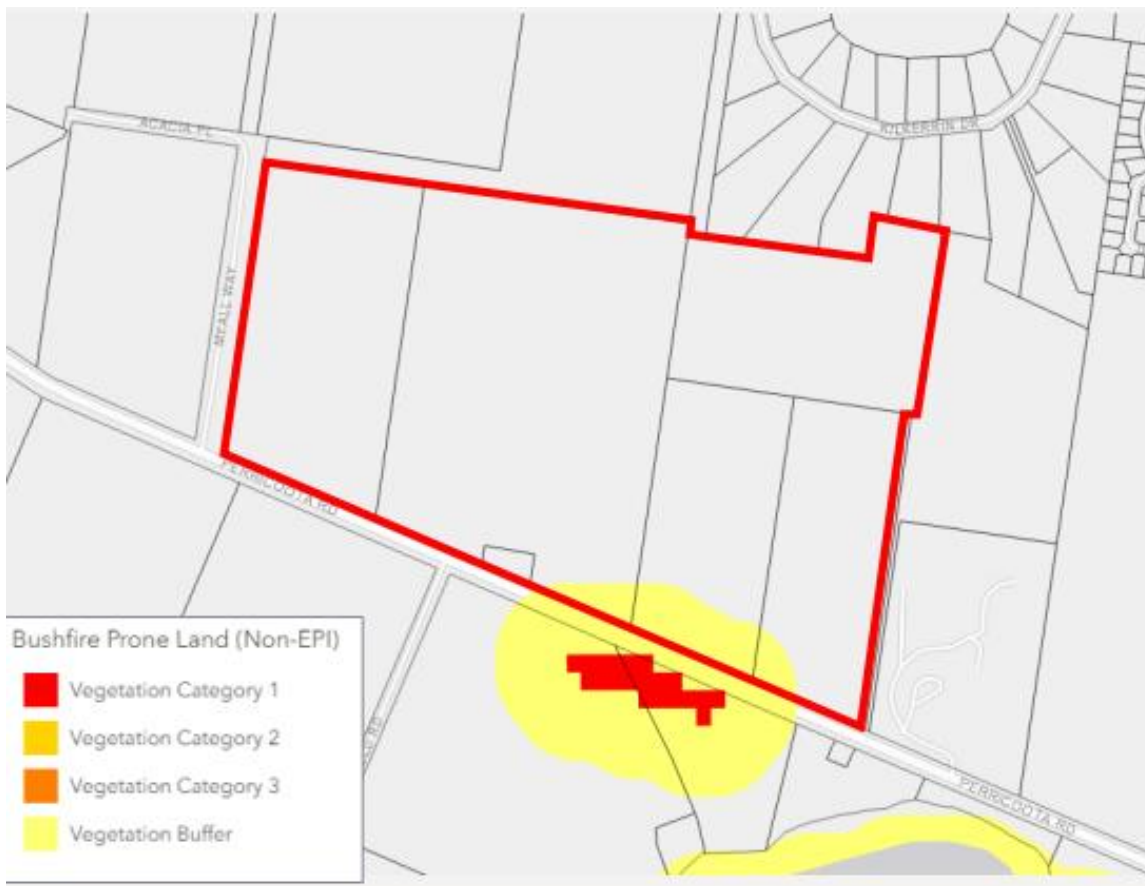


Figure 4 bushfire prone land coverage (source: PP-2023-2004 Bushfire Risk Assessment Report, p4)

The site does not contain any known heritage items and the land is not mapped as containing biodiversity value. The Test of Significance provided as part of the proposal concluded the property was not known to contain any rare or threatened plant species and the largely cleared land contained one immature River Red Gum tree, and one hollow-bearing Grey Box tree. Five threatened fauna species were considered to potentially utilise the site (Brown Treecreeper, Corben's Long-eared Bat, Little Lorikeet, Superb Parrot and Swift Parrot).

The Preliminary Site Investigation provided as part of the proposal identified low to moderate potential for significant and/or widespread contamination arising from historical agricultural activities. The Preliminary Site Investigation recommended a Detailed Site Investigation be undertaken to further evaluate areas of potential concern. This additional investigation can be done at a future development application stage.

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the zoning and minimum lot size maps. These maps are of a suitable standard for community consultation however, as noted in Section 1.2 of this report, these maps may require updates prior to community consultation.

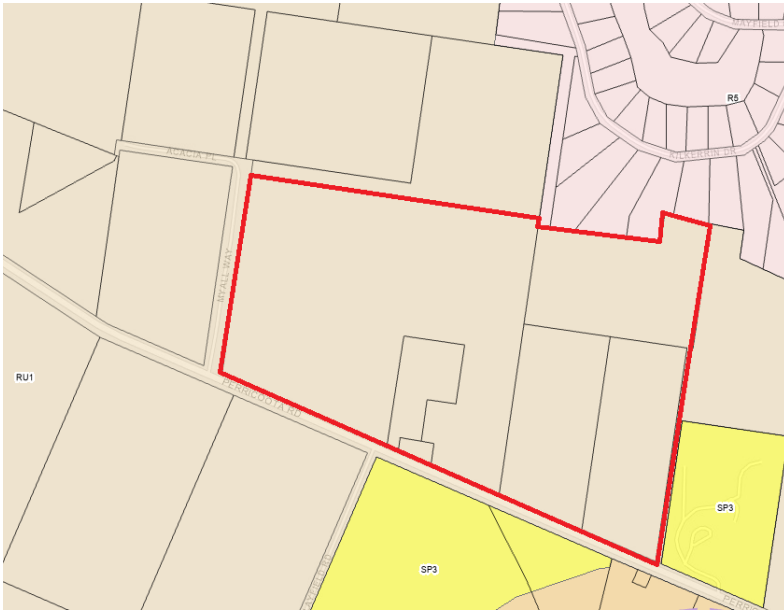


Figure 5 Current zoning map (source: NSW Planning Portal Spatial Viewer)

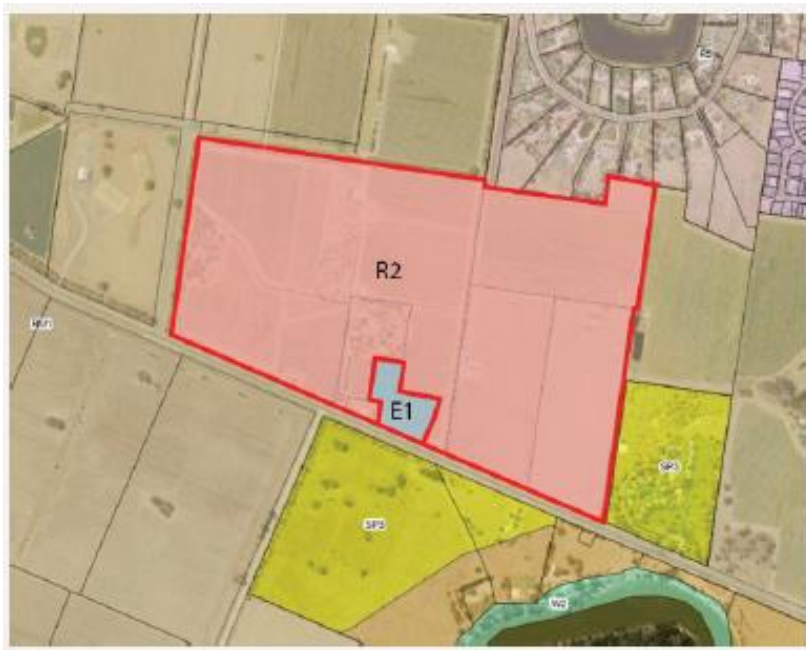


Figure 6 proposed zoning map (source: PP-2023-2004, Figure 5, p13)

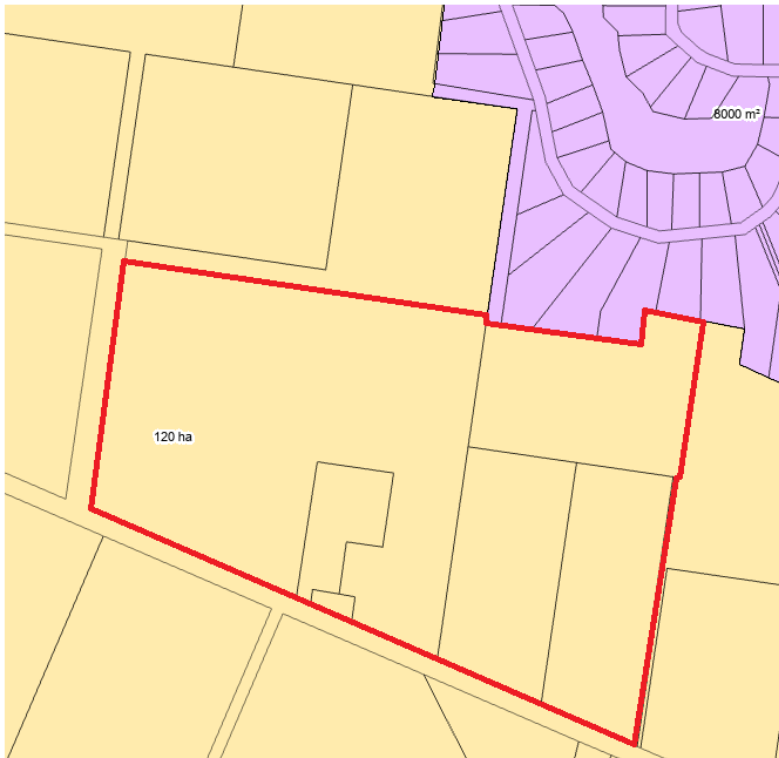


Figure 7 Current minimum lot size map (source: NSW Planning Portal Spatial Viewer)

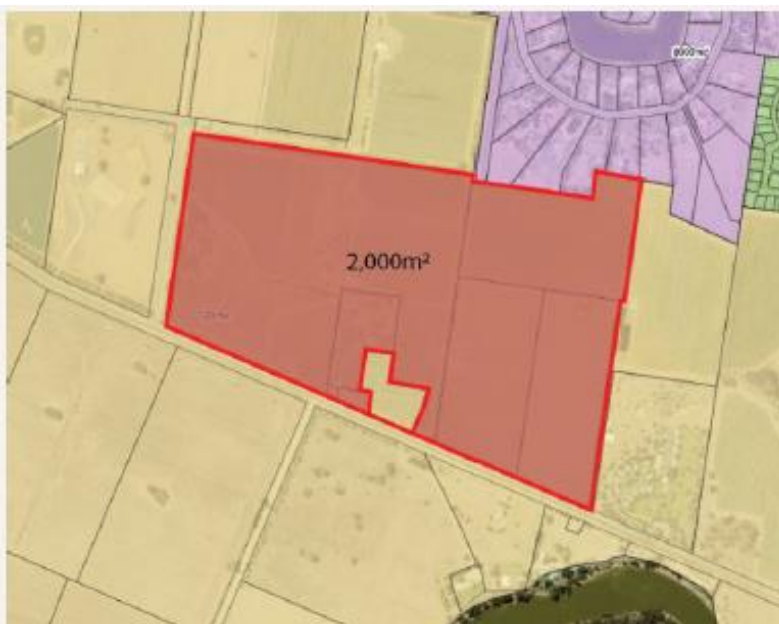


Figure 8 Proposed minimum lot size map (PP-2023-2004, Figure 7, p13)

2 Need for the planning proposal

The proposal has been prepared to implement actions of Murray River Council's endorsed strategies to diversify housing choice in Moama via provision of low density development land. The proposal suitably demonstrates the need for the planning proposal but has not considered the different alternatives of achieving the intended outcomes through different zones, minimum lot sizes and boundaries between zones/minimum lot sizes.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Riverina Murray Regional Plan 2041.

Table 5 Regional Plan assessment

Regional Plan Objectives	Justification
OBJECTIVE 3: Increase natural hazard resilience.	Part of the site is mapped as bushfire prone. The proposal is supported by a Bushfire Assessment Report prepared in accordance with the <i>Planning for Bush Fire Protection Guidelines 2019</i> and concludes that risk posed by bushfire can be suitably managed at development stage. The proposal is consistent with the Objective and Strategy 3.1. Any Gateway determination issued in respect of the proposal will include a requirement to consult with NSW Rural Fire Service during public exhibition.
OBJECTIVE 5: Ensure housing supply, diversity, affordability and resilience	<p>The proposal is consistent with the following components of Strategy 5.3 of the RMRP 2041 as it seeks to:</p> <ul style="list-style-type: none"> • avoid constraints and hazards and sensitive land with biodiversity or heritage value • integrate with Perricoota Road network and complement the low density and rural lifestyle development character of the immediate area. • provide suitably serviced land via extension of Council's infrastructure (see Service Report) <p>Further assessment is sought regarding inclusion of additional lots (as per Section 1.2 of this report) however it is anticipated that conflict with other land uses can be suitably managed (i.e. the impact to and from Pacdon Park artisan industry).</p> <p>Objective 5 of the RMRP 2041 identifies regional housing supply is dominated by large, detached dwellings that do not align with demand for smaller, accessible and affordable housing. While the proposal seeks to predominantly facilitate lower density housing, this accords with the outcomes and staging of the Murray River Council Local Housing Strategy (LHS) to increase low density options in this location.</p> <p>Strategy 5.3 of the RMRP 2041 also includes an aim to protect the viability of city and town centres. The proposal is inconsistent with this aim as it seeks to establish a new employment area outside of Moama's CBD, however this is of minor significance given the opportunity to provide positive social and economic outcomes, as detailed in the discussion relating to Regional Plan Objective 15 below.</p>
OBJECTIVE 11: Plan for integrated and resilient utility infrastructure	Based on the information provided, the proposal is broadly consistent with Strategy 11.1. As part of the future planning of the development it will be Council's responsibility to promote co-location of new infrastructure, undertake infrastructure service planning and cost-benefit analysis, and provide for the necessary infrastructure upgrades to accommodate additional growth (with developer contributions as appropriate). Given this land is located to the west of future staged residential release areas (see Figure 9) and infrastructure is required to be upgraded and extended from the east past these future release sites (Servicing Report - October 2021 – p3), it will also be Council's responsibility to ensure the servicing arrangements do not hinder the future development of medium and long term land release

areas and suitably caters for future demand on infrastructure provision. Council notes in the report and LHS that this land can be adequately serviced in the short term.

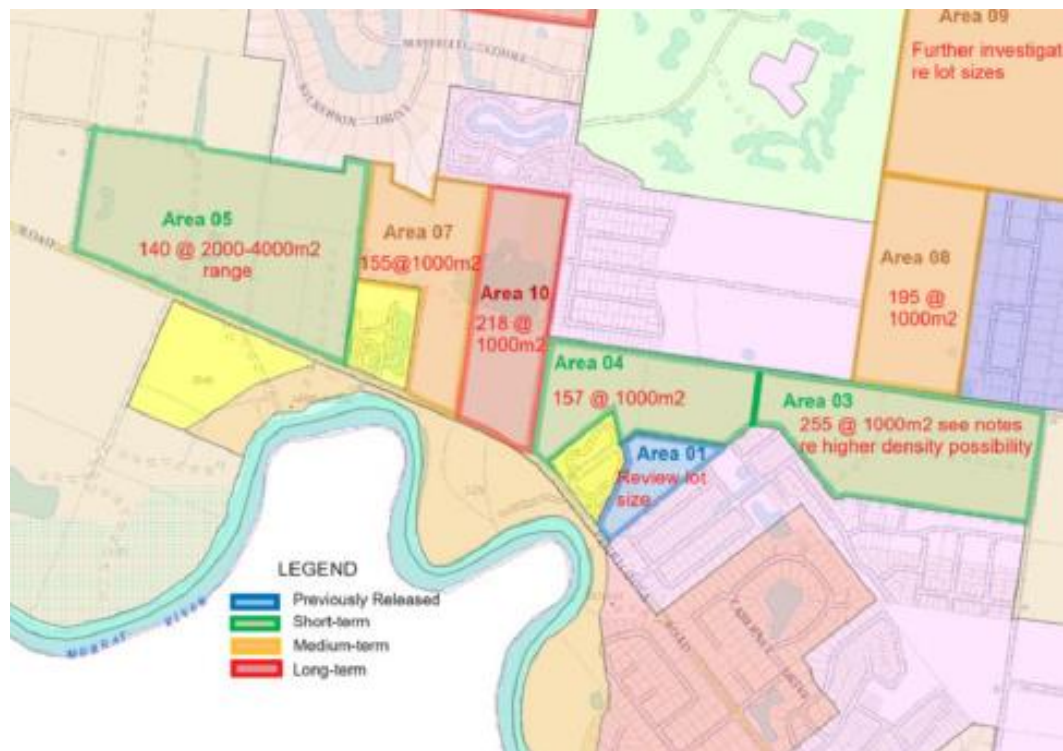


Figure 9 Sequencing plan (source: MRC LHS Implementation Plan, p40)

OBJECTIVE 15: Support the economic vitality of CBDs and main streets

Strategy 15.1 requires strategic and statutory planning maintain and strengthen the economic vitality and function of established commercial centres and focus future commercial and retail activity in these centres, unless:

- there is a demonstrated need.
- there is a lack of suitable sites within or adjoining existing centres; and
- there is positive social and economic benefit to locate activity elsewhere.

There is no existing employment strategy in place for Moama, however as noted in the planning proposal, the Moama North-West Master Plan 2010 (MNWMP) advocates for a local activity centre to be established on the corner of Twenty Four Lane and Beer Road (previously named Martin Road) - see Figure 10. Local Activity Centres are proposed within the MNWMP to ensure new areas of predominantly residential development are provided with local commercial and service facilities within walking or cycling distance of neighbourhoods.



Figure 10 Local activity centre location (source: Moama North West Master Plan Maps, p7)

The north-west quarter of the local activity centre (indicated in Figure 10 by the black star) has now been developed as “the Range” residential estate, and as such, will not be realised. The remaining area forms part of short term (Area 4) and long term (Area 10) release areas proposed by the LHS.

While the subject land is outside of the MNWMP study area, providing local commercial facilities to service residential estates has established merit. Given the development patterns of Moama and LHS release areas in Moama are disconnected from the town CBD area, this option creates a positive opportunity to provide local services to the planned release areas. While further information is required to clarify the employment land forming part of this proposal, the general outcomes are consistent with Objective 15 of the RMRP 2041.

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement	<p>Priority 3 - Create an ‘open-for-business’ identity: The proposal is consistent with the objectives to revitalise, renew, and/or create new employment lands to accommodate demand, and attract growth to the LGA.</p> <p>Priority 4 - Housing growth, supply, and density: The proposal is consistent with the objectives to respond to housing demand by providing varying housing densities</p>

	in serviceable locations free of hazards, biodiversity, important cultural heritage, and important productive agriculture.
Local Housing Strategy (Implementation Plan).	<p>The LHS identifies this land for short-term release (Area 5). The sequencing map of the LHS (Figure 2-16, p40,) suggests this land should be developed for lots ranging between 2000m² to 4000m² and LHS Figure 2-13 (p36) suggests an R5 Large Lot Residential zoning be applied. While this discrepancy between the proposal and the LHS is not addressed within the proposal or the council report, an R2 zoning and a 2000m² MLS is appropriate in this instance based on the following:</p> <ul style="list-style-type: none"> • The proposed zoning and lot size would provide a suitable transition between the adjoining R5 development to the north and rural lifestyle development to the north and west. • This proposed zoning and MLS will generate greater efficiencies in infrastructure outlay than larger lot sizes (4000m²+). <p>Given this area is identified for short term release at a lot size to supplement Moama's housing diversity, the proposal is generally consistent with the MRC LHS.</p>

3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 7 - 9.1 Ministerial Direction assessment

Directions	Consistent	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Yes	As discussed in Table 5, the proposal aligns with the strategies of the RMRP 2041.
4.3 Planning for Bushfire Protection	Yes	The proposal is supported by a Bushfire Assessment Report prepared in accordance with the <i>Planning for Bushfire Protection Guidelines 2019</i> . The associated Gateway determination will require consultation with NSW RFS as part of the exhibition process.
4.4 Remediation of Contaminated Land	Yes	A Preliminary Site Investigation concluded a level of contamination risk evident at the site (see previous comment throughout this report). For the purposes of the proposal, Council is satisfied the land will be suitable for all the proposed development. Further development of the site will be subject to a development application which will address and respond to contamination issues in specific detail.
5.1 Integrating Land Use and Transport	Yes	While the proposal is not located in an area which concentrates development in Moama's centre, connection to existing vehicle, walking and cycles routes can be achieved via extension of nearby infrastructure. Public transport routes (bus services) are not currently known to service this area, however the establishment of an employment area as part of the development could provide suitable opportunity for a public bus stop location, subject to council investigation and planning. The proposal is earmarked within the LHS as a suitable location for short term housing release and will extend available infrastructure to service the development.
6.1 Residential Zones	No	While the proposal is consistent with objectives of the direction and items 6.1(1)(a), (b), and (d), the proposal is inconsistent with item (c) as it will consume land on the urban fringe for housing and associated urban development. However, as the LHS specifically identifies this site for short term urban release, the inconsistency is of minor significance as it supported by local strategy aimed at delivering broader housing choice in compatible areas.
7.1 Employment Zones	No	Neither the planning proposal nor the council report provide a targeted response to Direction 7.1 and is noted as 'not applicable' within Attachment D - Consistency with Section 9.1 Ministerial Directions. However, the proposal is consistent with the objectives of the direction as it will facilitate employment lands to service a residential catchment located away from Moama's CBD. The proposal will complement the existing centre services and will not reduce any other employment zoned land within Moama. While the proposed employment area is not identified in accordance with a strategy approved by the Planning Secretary (or Council), as noted in the Regional Plan discussion for objective 15, the proposal is considered to have strategic merit. The inconsistency is considered

		of minor significance given it provides positive social and economic opportunities for Moama.
8.1 Mining, Petroleum Production and Extractive Industries	No	As the land is currently RU1 (open cut mining permitted) and the proposed zones (R2 and Employment) prohibit open cut mining, the proposal is technically inconsistent with direction 8.1. However, this inconsistency is of minor significance as the land is not known to contain coals, minerals, or other extractive materials, is not mapped as mineral or resource land and the land is not currently used for this purpose.
9.1 Rural Zones	No	The proposal is inconsistent with Direction 9.1(1)(a) as it seeks to rezone land from a rural zone to a residential and employment zone. However, as the LHS specifically identifies this site for short term urban release, the inconsistency is of minor significance as it is supported by local strategy aimed at delivering broader housing choice in compatible areas. The LHS and material provided as part of the proposal indicates this land is not generating significant agricultural output.
9.2 Rural Lands	No	The proposal does not adequately address Direction 9.2 and is inconsistent with 9.2(1)(e), (f), (g), and (h). However, the inconsistency is of minor significance as it is supported by local strategy which specifically identifies this site as compatible for future housing in the short term. The LHS and proposal material conclude this site has minimal agricultural production value and is used primarily as lifestyle lots with seasonal cropping. While the land is identified in the draft State Significant Agricultural Land mapping, this mapping has not been finalised or adopted and does not currently form part of the State Environmental Planning Policy (Primary Production) 2021.

3.4 State environmental planning policies (SEPPs)

The proposal is consistent with the aims of SEPP (Resilience and Hazards) 2021- Chapter 4 Remediation of land.

A Preliminary Site Investigation identifies contamination risk, as discussed within earlier sections of this report, however Council is satisfied the land will be suitable for all the proposed development. Further development of the site will be subject to a development application which will address and respond to contamination issues in specific detail.

The remaining SEPPs in force are either not triggered for application at planning proposal stage, relate to development assessment stage, or relate to specific application areas outside of the subject land.

4 Site-specific assessment

4.1 Environmental

As discussed in earlier sections of the report, the proposal does not pose significant environmental impact. The land is not mapped as containing sensitive biodiversity or known cultural heritage items

and is located amongst low density residential, lifestyle blocks, tourist, and small-scale commercial development. The site is not mapped as being flood affected, and the small portion of land mapped as bushfire prone can be managed through future design responses. Future planning to realise the intent of the proposal will be subject to further assessment and responses to avoid, mitigate and minimise environmental impact.

4.2 Social and economic

The proposal is anticipated to produce a positive social impact, by increasing varied forms of housing stock to meet demand in Moama. Given the land is disconnected from Moama CBD by approximately 5km the inclusion of employment land to service the eventual residents of the subdivision is also considered to provide positive social impacts via creation of facilities within walking/cycling distance of residential areas. The proposal is anticipated to pose a positive economic flow on given incoming population and business will be located in Moama and subsequently contribute to local spending within the Murray River Council economy.

4.3 Infrastructure

In accordance with the Servicing Report accompanying the proposal, the site has or will have access to all essential services necessary to service future development. The land is not an Urban Release Area, and it is Council's responsibility to ensure adequate funding arrangements are in place to facilitate the required upgrades and extensions triggered by the proposal. A developer contribution plan is understood to apply to the land. The following table provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal and what infrastructure is proposed in support of the proposal.

Table 8 Infrastructure assessment

Infrastructure	Assessment
Potable water	The site is currently supplied by an existing 100mm uPVC main running along Perricoota Road. This main will require upgrade from 100mm to 200mm from Twenty Four Lane, for a distance of approximately 1100m. A cross connection into the 100mm uPVC main in Kilkerrin Lakes Estate will also need to be provided.
Raw water	The site is currently supplied from a privately owned pump station and pressure main located within private property at 425 Perricoota Road. A new pump station and pressure main is to be constructed at Three and a Half Mile Creek to service the development.
Sewer.	All allotments will be serviced by gravity sewer to new onsite sewer pump stations which will be located at the two drainage reserves. The sewer pump stations will connect and discharge into the system at Kilkerrin Lakes Estate.
Stormwater	Stormwater will be managed onsite via drainage basins servicing the land. Water will be discharged to the Kilkerrin Lakes Estate (existing low-density estate to the north) via a stormwater pump station.
Roads	Development can link into Perricoota Road. New internal road networks will be constructed. The proposal includes a Traffic Impact Assessment report modelled off servicing 140 dwellings and commercial property. The report concludes that traffic implications can be suitably managed by employing the recommendations of the Traffic Impact Assessment report. Road and intersection upgrades, traffic calming measures, and connection to existing shared path infrastructure form part of the

	report recommendations. Consultation with TfNSW is required to address any issues associated with increased traffic where local roads connect to State roads.
Telecommunications	As part of the eventual subdivision, an application will be made to NBN Co to provide a fixed line service to all new allotments.
Electricity	All allotments will be provided with electricity via underground supply, from existing assets in abutting roads.
Gas	There is an existing 63mm gas main along Perricoota Road approximately 60m from the western boundary of the site. The main is expected to be extended to provide service to all future allotments.

The rezoning will result in RU1 zoned land between the site and existing residentially zoned land to the east. This creates a leapfrog effect. There is no analysis provided of the future infrastructure requirements likely to be generated by the area to the east (identified in the LHS for future residential land).

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days, or the period specified in the Gateway determination. The *Local Environmental Plan Making Guideline* (August 2023) recommends a “standard” planning proposal be exhibited for a minimum of 20 working days. An exhibition period of 20 days is considered appropriate and has been included as a condition of the Gateway determination.

The Gateway determination will include a condition requiring adjoining landholders to be directly notified in writing as part of community consultation.

5.2 Agencies

The proposal does not specifically identify which agencies will be consulted. It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Department of Primary Industries (Agriculture)
- NSW Rural Fire Service
- Transport for NSW.

6 Timeframe

Council proposes an 8 month (approximate) time frame to complete the LEP.

The LEP Making Guideline (August 2023) establishes maximum benchmark timeframes for planning proposals by category. This planning proposal is categorised as standard.

The Department recommends an LEP completion timeframe of 18/11/2024 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council has identified it would like to exercise its functions as a Local Plan-Making authority.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The proposal seeks to implement the outcomes of Council’s adopted Local Housing Strategy.
- The site is unconstrained by biodiversity, heritage, or significant hazards, and will not result in loss of significant or productive agricultural land.
- The site can be serviced by all required utilities and infrastructure via suitable upgrades and extensions, as endorsed by Council.

Based on the assessment outlined in this report, the planning proposal must be updated prior to consultation to:

- Clarify existing ambiguities regarding inclusion of Lot 2 DP1283567 and Lot 1 DP1231352 as part of the amendment. All applicable sections of the planning proposal (including mapping) are to reflect the correct land and intended amendment outcomes.
- Regarding Lot 1 DP1231352, the proposal is to be updated as follows:
 - provide a narrative around the existing use of Lot 1 DP1231352 as the site of “Pacdon Park Free Range British Butchery”, a local artisan food and drink industry.
 - Consider any potential ramifications of this existing land use with the proposed zoning and minimum lot size sought by the planning proposal.
 - As R2 Low Density zone prohibits ‘industries’ group term and by default, artisan food and drink industry, address the impact of applying the proposed R2 zoning to Lot 1 DP1231352 (subject to the next item).
 - Evaluate the suitability of extending the proposed employment zoning to include Lot 1 DP1231352 and if deemed suitable, update the planning proposal to reflect an employment zoning over Lot 1 DP1231352.
- In Explanation of provisions, and elsewhere if required, clarify if zone and MLS apply to part lots (eg. Lot 1 DP 1283567).
- Depending on proposed zone boundaries compared to current lot boundaries, consider need for a split zoned parcel clause to achieve desired future subdivision outcome.
- Include a draft E1 Local Centre zone land use table (Part 1 Objectives, Part 2 Permitted without consent, Part 3 Permitted with consent, and Part 4 Prohibited) for consideration by DPHI.
- Include the rationale and suitability of the E1 Local Centre zone selection, (and draft land use table) the extent of the zone and location as opposed to other employment zone options.

It is recommended the revised planning proposal be submitted to DPHI for final assessment and approval prior to commencement of public exhibition.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that inconsistencies with section 9.1 Directions 6.1 Residential Zones, 7.1 Employment Zones, 8.1 Mining, Petroleum Production and Extractive Industries, 9.1 Rural Zones, and 9.2 Rural Lands are minor.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. Prior to public exhibition, the planning proposal is to be updated to:

- Clarify existing ambiguities regarding inclusion of Lot 2 DP1283567 and Lot 1 DP1231352 as part of the amendment. All applicable sections of the planning proposal are to reflect the correct land and intended amendment outcomes clearly and consistently.
 - Consider the existing use of Lot 1 DP1231352, and:
 - provide a narrative around the existing use of Lot 1 DP1231352 as the site of “Free Range British Butchery”, a local artisan food and drink industry.
 - Address any potential ramifications of this existing land use with the proposed zoning and minimum lot size.
 - Evaluate the suitability of extending the proposed employment zoning to include Lot 1 DP1231352 and if deemed suitable, update the planning proposal to reflect employment zoning over Lot 1 DP1231352.
 - Include a draft E1 Local Centre zone land use table .
 - Include the rationale and suitability assessment of the E1 Local Centre zone selection (and draft land use table) as opposed to other employment zone options.
 - Update the explanation of provisions to reflect the correct existing minimum lot size for the subject site.
2. Prior to community consultation, the planning proposal is to be revised to address condition 1 and forwarded to the Department for review and approval.
 3. Consultation is required with the following public authorities:
 - Department of Primary Industries (Agriculture)
 - NSW Rural Fire Service
 - Transport for NSW.
 4. Consultation is to include written notification directly to adjoining landholders
 5. The planning proposal should be made available for community consultation for a minimum of 20 working days.

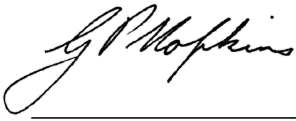
The timeframe for the LEP to be completed is on or before 18/11/2024.



19/2/2024

Tim Collins

Manager, Western Region



23/02/24

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