



Amendment to Greater Hume Local
Environmental Plan 2012

2028 Culcairn-Holbrook Road & Morven-
Cookardinia Road, Morven

AUGUST 2024

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Executive Summary

This Planning Proposal has been prepared by Habitat Planning and is submitted to Greater Hume Shire Council in support of a Planning Proposal to amend the *Greater Hume Local Environmental Plan 2012* (LEP).

Specifically, the Planning Proposal seeks to amend the LEP in relation to land described as Lots 136, 137 and 138 in DP753751 and Lot 1 in DP 240321 and addressed as 2028 Culcairn-Holbrook Road, Morven and Morven-Cookardinia Road, Morven.

The proposal seeks to change the zone of the subject site from RU1 Primary Production and RU4 Primary Production Small Lots to R5 Large Lot Residential and reduce minimum lot size from 100 hectares and eight (8) hectares to two (2) hectares.

The purpose of the amendment is to enable development of the subject land for a large lot residential character, consistent with the urban fringe of Morven.

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* (August 2023)

For the purposes of the Guideline, the Proposal is classified as a 'Standard' Planning Proposal as it relates to a change the land use zone where the proposal is consistent with the objectives identified in the LEP for that proposed zone, but will not result in a significant increase in demand for supporting local, regional or State infrastructure and would require infrastructure funding. This is because the land will largely be serviced by on-site infrastructure.

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.

In this instance, the Planning Proposal is sought in response to the opportunities presented for the site being on the fringe of the Morven urban area. The Greater Hume Local Strategic Planning Statement ("the LSPS") also identified that the townships of Holbrook, Culcairn and Morven be further examined for future urban growth, indicating an ability for these towns to accommodate future growth of Greater Hume's population.

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 Greater Hume Shire.
- It is considered that Morven provides a 'rural living' extension to the Culcairn village area, in that it offers lifestyle opportunities in close proximity to a main village area;
- There is demand for larger lot residential properties within Morven, given its close proximity to Culcairn and ease of access to major transport corridors to larger regional centres
- There is an opportunity for the land to utilised in a form that is expected to better represent the long-term requirements for the Morven township.
- The subject land is well placed to integrate with the core urban area of the Morven township, and represents a transition from the higher density lots to rural land beyond.

It is recommended that Greater Hume Shire Council resolve to support the changes to the LEP as detailed in this Planning Proposal.

Table 1 Executive Summary Table

| Item | Description | | | | | | | | | | | | | | | | |
|-----------------------------------|--|-------------|---|------------------|----------------|---------------------|-----|-------------------|-----|----------|-----|------------------------------|-----|--------------------------------|-----|----------------------|----|
| Site Address | 2028 Culcairn-Holbrook Road, Morven Morven-Cookardinia Road, Morven | | | | | | | | | | | | | | | | |
| Property Description | Lot 136 in DP753751 Lot 137 in DP753751 Lot 138 in DP753751 Lot 1 in DP240321 | | | | | | | | | | | | | | | | |
| Existing Planning Controls | <table border="0"> <tr> <td style="vertical-align: top;">Land Zoning</td> <td style="vertical-align: top;">RU4 Primary Production Small Lots RU1 Primary Production</td> </tr> <tr> <td style="vertical-align: top;">Minimum Lot Size</td> <td style="vertical-align: top;">8 ha 100 ha</td> </tr> <tr> <td style="vertical-align: top;">Height of Buildings</td> <td style="vertical-align: top;">N/A</td> </tr> <tr> <td style="vertical-align: top;">Floor Space Ratio</td> <td style="vertical-align: top;">N/A</td> </tr> <tr> <td style="vertical-align: top;">Heritage</td> <td style="vertical-align: top;">N/A</td> </tr> <tr> <td style="vertical-align: top;">Land Reservation Acquisition</td> <td style="vertical-align: top;">N/A</td> </tr> <tr> <td style="vertical-align: top;">Site Specific Local Provisions</td> <td style="vertical-align: top;">N/A</td> </tr> <tr> <td style="vertical-align: top;">Bush Fire Prone Land</td> <td style="vertical-align: top;">No</td> </tr> </table> | Land Zoning | RU4 Primary Production Small Lots RU1 Primary Production | Minimum Lot Size | 8 ha 100 ha | Height of Buildings | N/A | Floor Space Ratio | N/A | Heritage | N/A | Land Reservation Acquisition | N/A | Site Specific Local Provisions | N/A | Bush Fire Prone Land | No |
| Land Zoning | RU4 Primary Production Small Lots RU1 Primary Production | | | | | | | | | | | | | | | | |
| Minimum Lot Size | 8 ha 100 ha | | | | | | | | | | | | | | | | |
| Height of Buildings | N/A | | | | | | | | | | | | | | | | |
| Floor Space Ratio | N/A | | | | | | | | | | | | | | | | |
| Heritage | N/A | | | | | | | | | | | | | | | | |
| Land Reservation Acquisition | N/A | | | | | | | | | | | | | | | | |
| Site Specific Local Provisions | N/A | | | | | | | | | | | | | | | | |
| Bush Fire Prone Land | No | | | | | | | | | | | | | | | | |
| Proposed Amendment | <p>Amend the Land Zoning Map of the <i>Greater Hume Local Environmental Plan 2012</i> in relation Lots 136, 137 and 138 in DP753751 to change the zoning from RU4 Primary Production Small Lots to R5 Large Lot Residential</p> <p>Amend the Lot Size Map of the <i>Greater Hume Local Environmental Plan 2012</i> in relation Lots 136, 137 and 138 in DP753751 to change the minimum lot area from 8 hectares to 2 hectares</p> <p>Amend the Land Zoning Map of the <i>Greater Hume Local Environmental Plan 2012</i> in relation Lot 1 in DP 240321 to change the zoning from RU4 Primary Production Small Lots to R5 Large Lot Residential</p> <p>Amend the Lot Size Map of the <i>Greater Hume Local Environmental Plan 2012</i> in relation Lot 1 in DP 240321 to change the minimum lot area from 100 hectares to 2 hectares.</p> | | | | | | | | | | | | | | | | |

| Item | Description |
|-------------------------------------|---|
| Supporting Technical Studies | <p>The planning proposal is supported by following assessments and technical studies:</p> <ul style="list-style-type: none"> • Appendix A – Scoping Report • Appendix B – Consistency with Riverina-Murray Regional Plan 2041, prepared by Habitat • Appendix C – Consistency with State Environmental Planning Policies, prepared by Habitat • Appendix D – Consistency with Section 9.1 Ministerial Directions, prepared by Habitat • Appendix E – Flood Impact Assessment, prepared by Cumulus Engineering • Appendix F – Aboriginal Due Diligence Assessment, prepared by Habitat • Appendix G - Traffic Impact Assessment, prepared by onemilegrid • Appendix H – Lot Layout, prepared by Habitat • Appendix I – Preliminary Site Investigation, prepared by McMahon Earth Science |
| Type of Amendment | Standard |

1. Introduction

1.1. Overview

This Planning Proposal has been prepared by Habitat Planning and is submitted to Greater Hume Shire Council in support of an amendment to the *Greater Hume Local Environmental Plan 2012* (LEP). Specifically, the Planning Proposal seeks to amend the zone and minimum lot size of the *Greater Hume Local Environmental Plan 2012* in relation to land described as Lots 136, 137 and 138 in DP753751 and Lot 1 in DP 240321 and addressed as 2028 Culcairn-Holbrook Road, Morven and Morven-Cookardina Road, Morven.

The purpose of the amendment is to enable development of the land for a large lot residential character, consistent with the urban fringe of Morven. It is submitted by this Planning Proposal and supporting Scoping Report that Morven demonstrates demand for greater large lot residential uses given its close proximity to Culcairn and the ability to offer 'lifestyle' land opportunities while retaining access to essential services and employment.

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

For the purposes of the Guideline, the Proposal is classified as a 'Standard' Planning Proposal as it relates to a change where the proposal is consistent with the objectives identified in the LEP for that proposed zone. Although the proposed change will increase the development potential for the site, it will not result in a significant increase in demand for supporting local, regional or State infrastructure and would require infrastructure funding.

2. Site Description & Context

2.1. Site Context

The Morven township is located approximately 8 kilometres east of Culcairn, 18 kilometres west of Holbrook and 50 kilometres north of Albury. It is located on the Culcairn-Holbrook Road which provides direct access to each of the towns to the east and west. The site is identified in broader context at Figure 1 below.

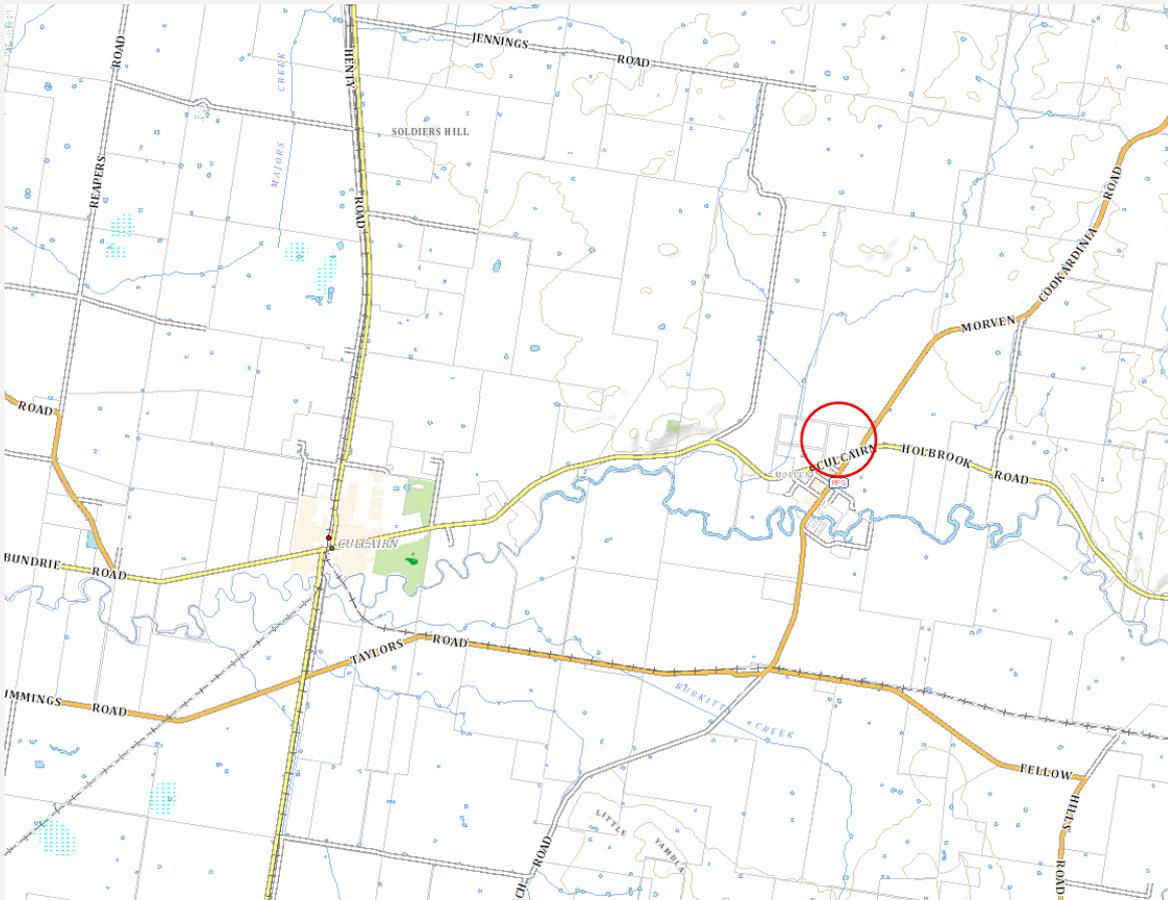


Figure 1 - Location of the subject site (highlighted) in context to Culcairn and the broader areas

2.2. Site Description

The subject land is a grouping of four (4) lots at the northern extent of the Morven township, described as Lot 136 in DP753751, Lot 137 in DP753751, Lot 138 in DP753751 and Lot 1 in DP240321. The land is bounded by Culcairn-Holbrook Road to the south and Morven-Cookardina Road to the east. Privately owned properties adjoin the west and northern boundaries of the site, comprise RU4 zoned and RU1 zoned land respectively. The subject lots are shown in Figure 2 below.

Figure 4 further illustrates the subject land in context to the land zoning of Morven and demonstrates that the location of the land within proximity to the Morven urban area.

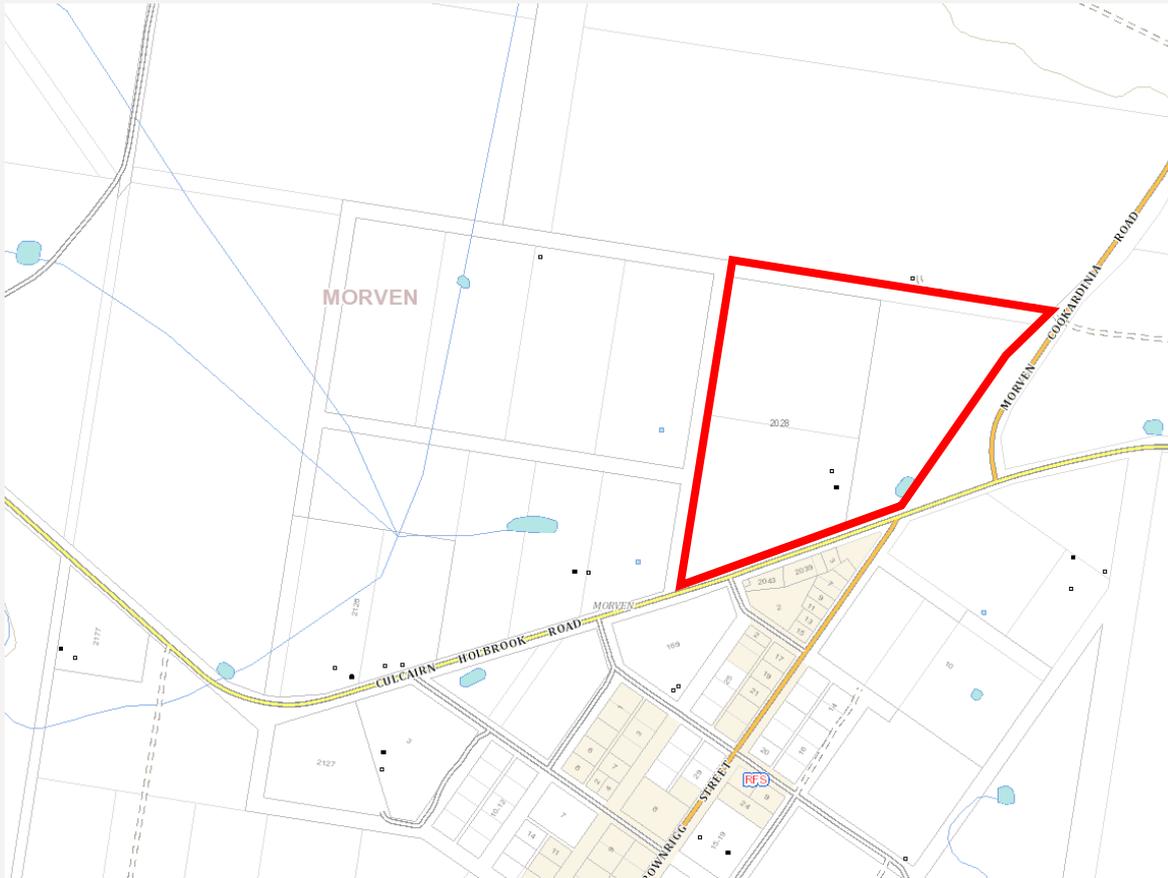


Figure 2 - Location of the subject lots in context to the Morven urban area

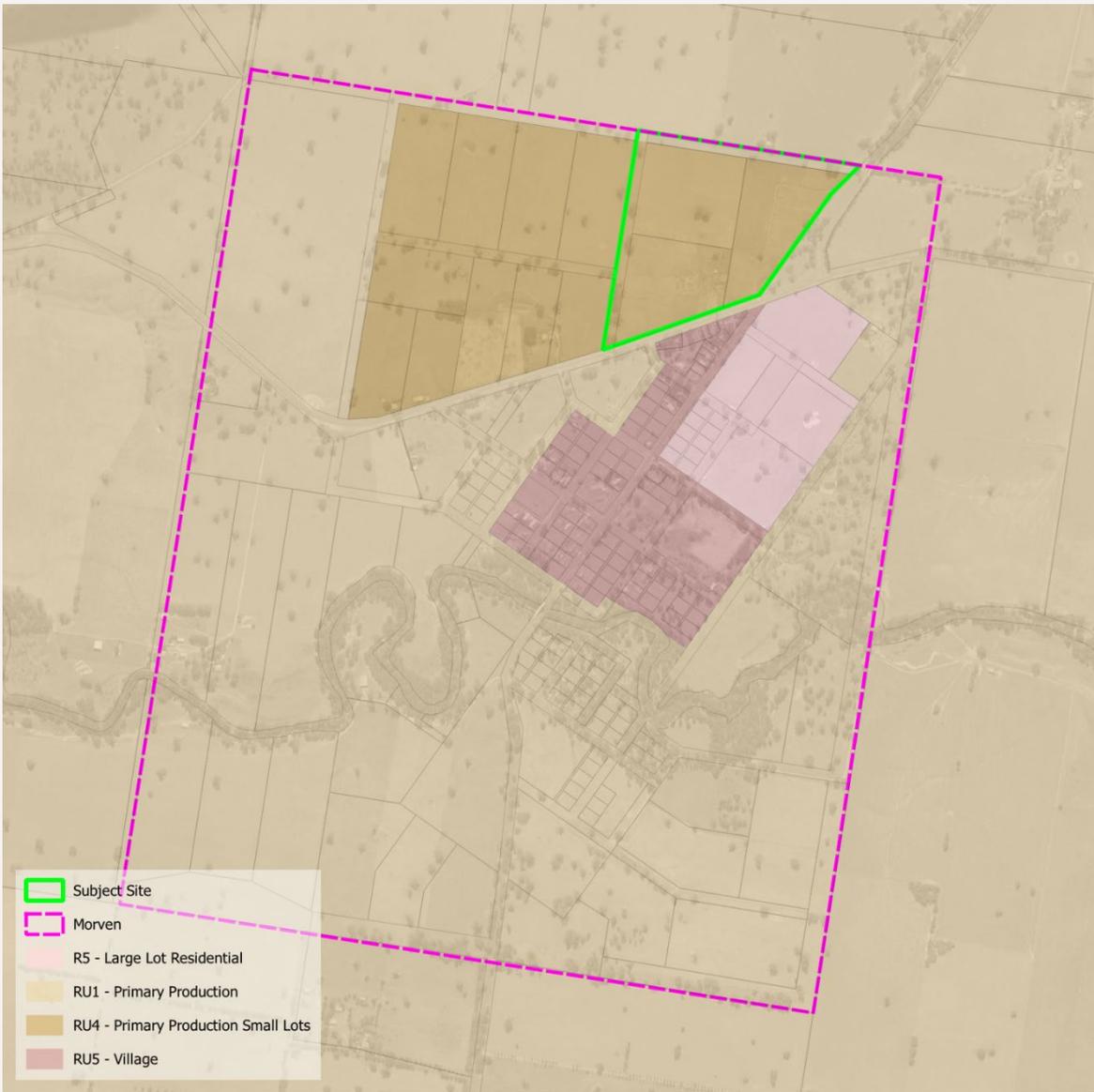


Figure 3 - Subject Site and Morven – Zoning Diagram

3. Planning Proposal

3.1. Objectives and Intended Outcomes

The objectives of the planning amendment are to rezone the subject site from RU1 Primary Production Zone and RU4 Rural Living Zone to a R5 Large Lot Residential Zone and reduce the Minimum Lot Size from 100 hectares and 8 hectares to 2 hectares.

The intended outcome is the provision of larger sized 'lifestyle lots' for residential dwellings within Morven, facilitating an orderly delivery of land supply.

3.2. Explanation of Provisions

This will be achieved by amending the Digital Land Zoning Map and Greater Hume Shire Lot Size Map Sheet LSZ_003C to change the subject site from 100 hectares/8 hectares to 2 hectares.

3.3. Justification

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?

No. This is a privately initiated planning proposal.

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

A planning proposal is the only way to achieve the intended outcomes.

3.3.2. 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)?

There is no current Greater Hume Housing Strategy. Future development is legislated and guided by:

- Riverina Murray Regional Plan 2041
- Greater Hume Local Strategic Planning Statement 2020
- Greater Hume Community Strategic Plan 2022-2032
- Greater Hume Economic Development and Social Plan 2017-2022

In the absence of a broader housing or settlement strategy completed by Greater Hume Shire, this planning proposal seeks to contextualise Morven within a broader planning context.

Morven was founded as a coach stop, though it was gradually overtaken as a strategic transport stop by the town of Culcairn and the north-south railway line. Now it is better categorised as a commuter suburb, being accessible from Culcairn and within commuting distance of Albury-Wodonga.

Culcairn has a lack of housing diversity, particularly a lack of larger lifestyle lots (see LSPS), which can be catered for in Morven, which is well positioned to serve the role of providing lifestyle lots for the Culcairn village context.

The next higher order towns are Holbrook (20km east), Albury (56km south) and Wagga Wagga (73km north). It is considered that Morven appeals to persons seeking a reasonable commuting distance of regional centres where land and housing are more diverse and relatively affordable.



Figure 4 – Location of the subject land in context to Culcairn and Holbrook

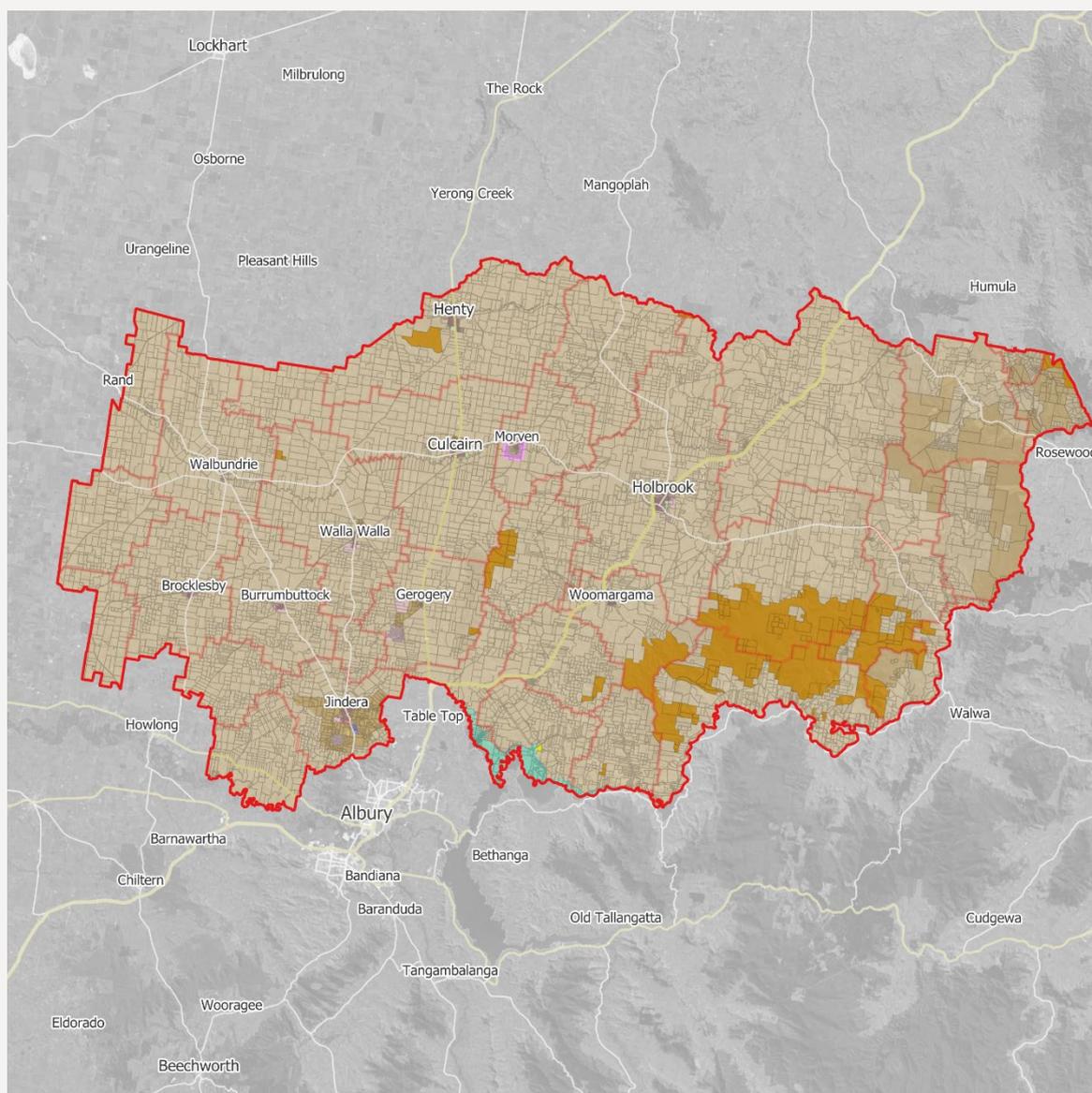


Figure 5 - Greater Hume LGA (suburbs/villages/towns)

More broadly, Greater Hume Shire is comprised of a number of small towns and villages, interspersed throughout the LGA including Morven/Culcairn, Walbundrie, Burrumbuttock, Gerogery, Holbrook, Jindera and Woomargama. Jindera is growing rapidly as commuter suburb of Albury.

There are two major transport corridors that transverse the LGA from north to south. The Hume Highway, and the Olympic Highway. The latter also runs parallel to the inland rail corridor connecting Melbourne and Brisbane, running through Culcairn and proximate to Morven. Each of these strategic transport routes has been identified in the Greater Hume LSPS as suitable for intensifying development.

Land use throughout Greater Hume LGA is generally described as productive agricultural land, dominated by broadacre farming and animal production. The LSPS notes an increase of renewable energy production (solar farms) and intensifying uses of agricultural land. As these uses become more prevalent, it will be important to clearly articulate the interface between urban areas, villages and RU1 Primary Production zones.

Zoning

Morven is host to three different zones – a small RU5 Village Zone, R5 Large Lot Residential and RU4 Primary Production Small Lot, encircled by RU1 Primary Production.

Neighbouring Culcairn is not zoned appropriately for large lot residential use but is better structured for denser village style development. It is expected to continue to provide a role as a higher density village centre in the Shire.

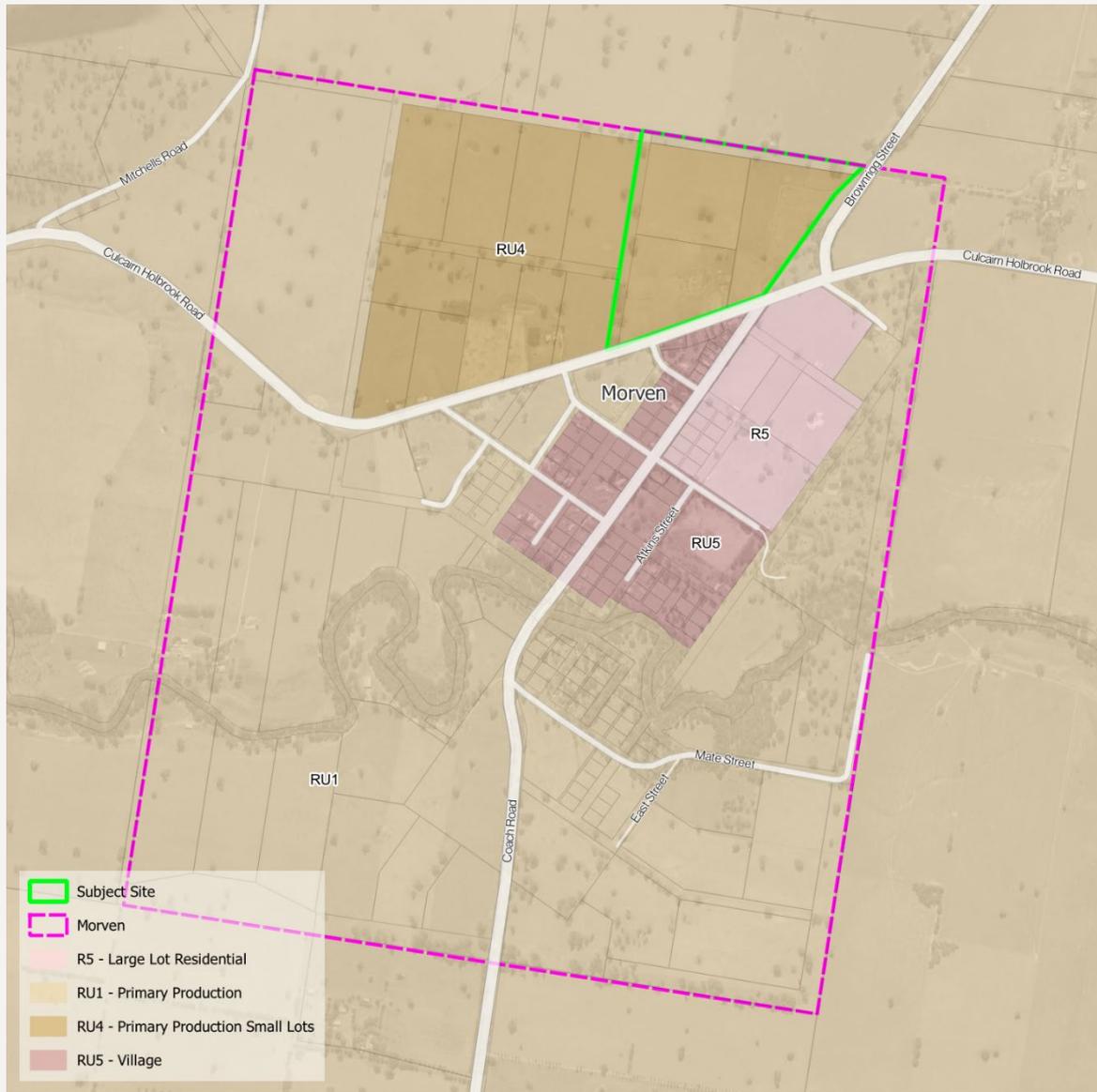


Figure 6 - Morven Zoning Map

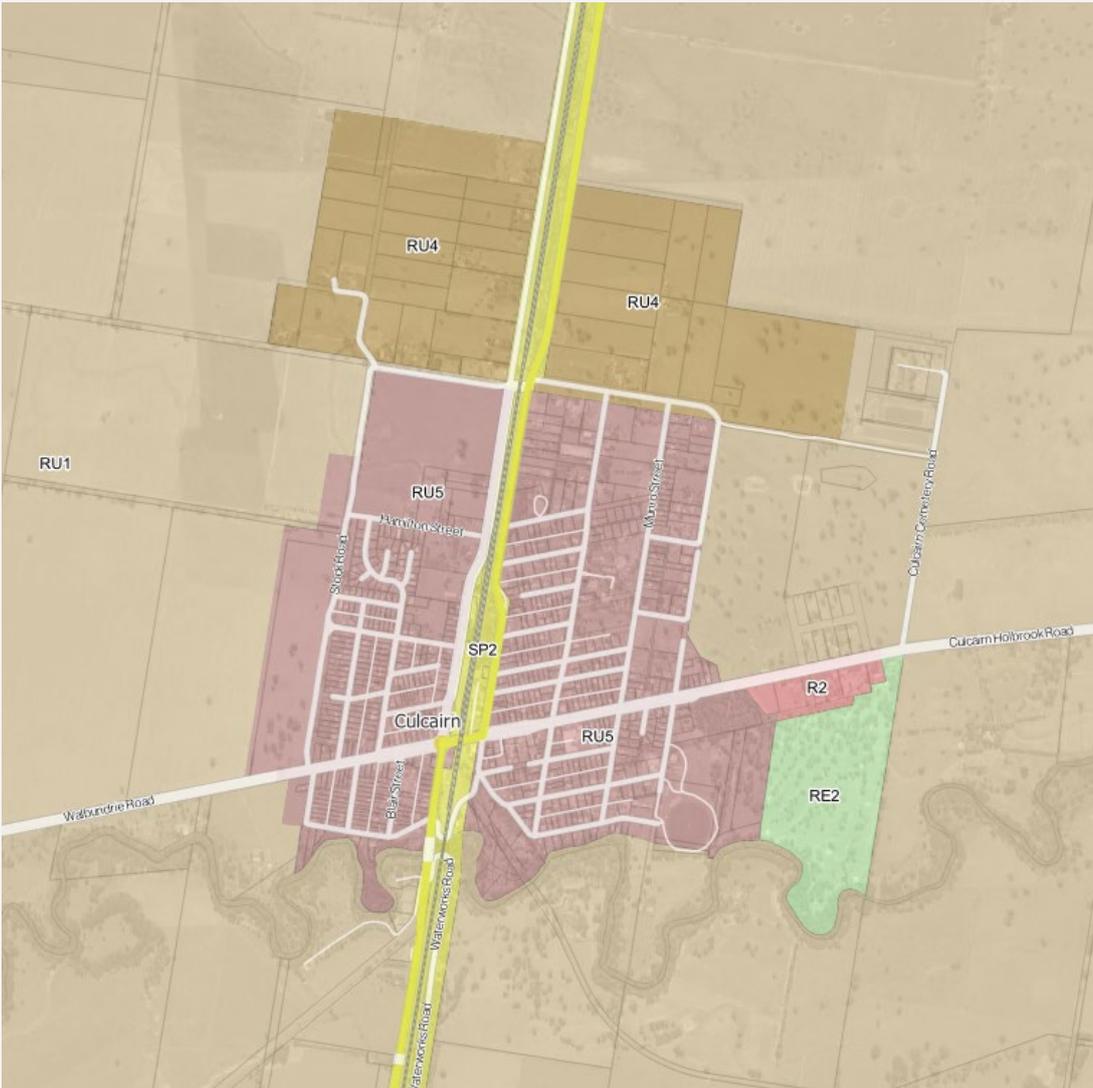


Figure 7 - Culcairn Zoning Map

Minimum Lot Size

The minimum lot sizes applied to Morven are generally larger and reflect the rural village character that has developed for the township. The core 'village' area is defined by a 1,200m² minimum lot size and comprises single dwellings on larger lots (and grouping of lots) with on-site services. The periphery of the town comprises a transition of 2 hectare and 8 hectare lot sizes, to the east and north.

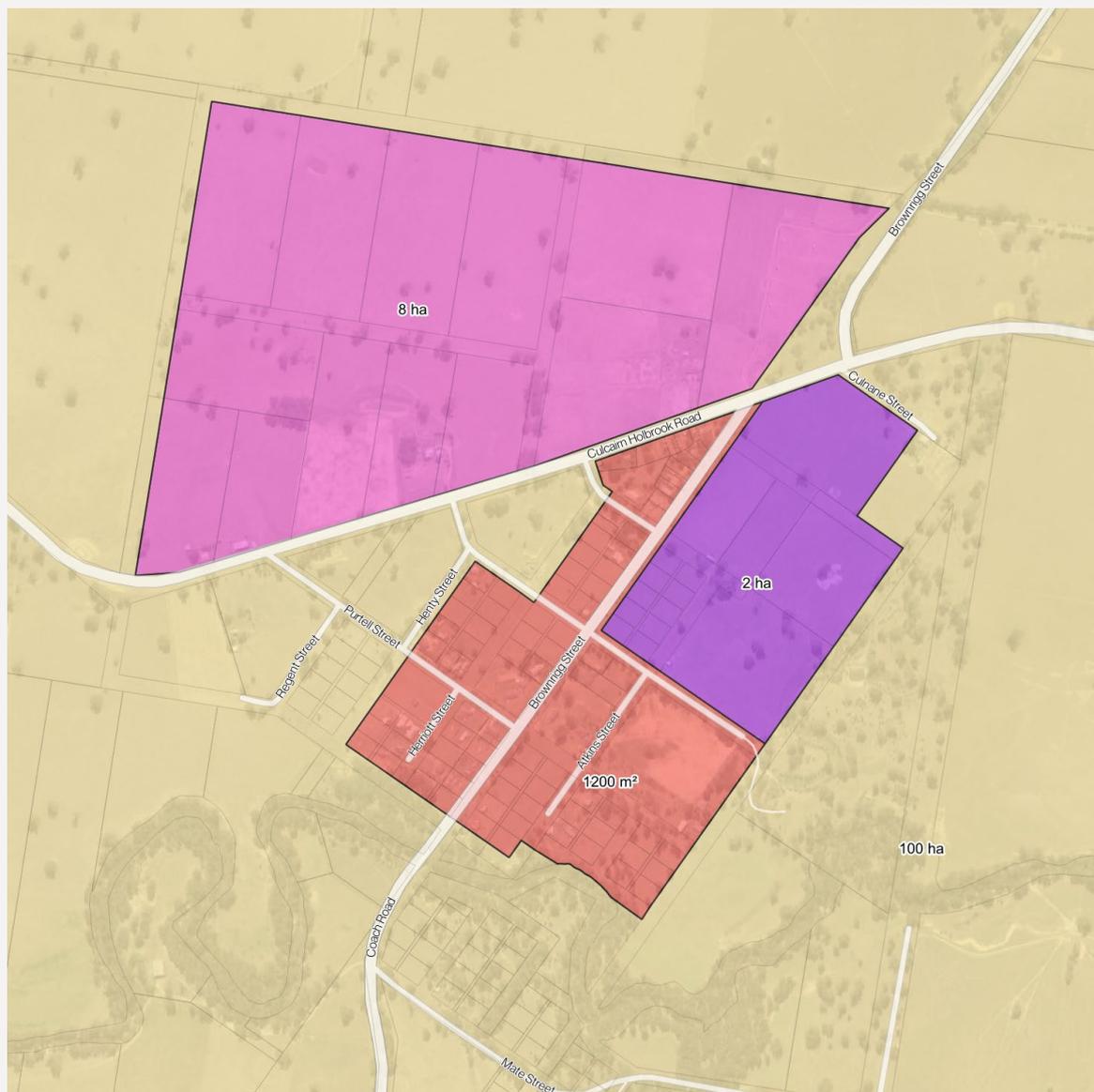


Figure 8 - Morven Minimum Lot Size

When compared to other rural villages of similar size and role in the Greater Hume LGA, there is a level of disparity between minimum lot sizes. Typically, 2 hectare minimum lot sizes are applied to the periphery of towns as the larger lot residential transition, however it is noted that the 2 hectare lot size has been applied with some areas of RU4 zone in Culcairn, Gerogery and Walla Walla which is in conflict to the zoning and MLS configuration that has been applied Morven.

It is appropriate in this instance to review the peripheral areas of Morven in contrast to their application across the other village areas.



Figure 9 - Brocklesby Zone and MLS

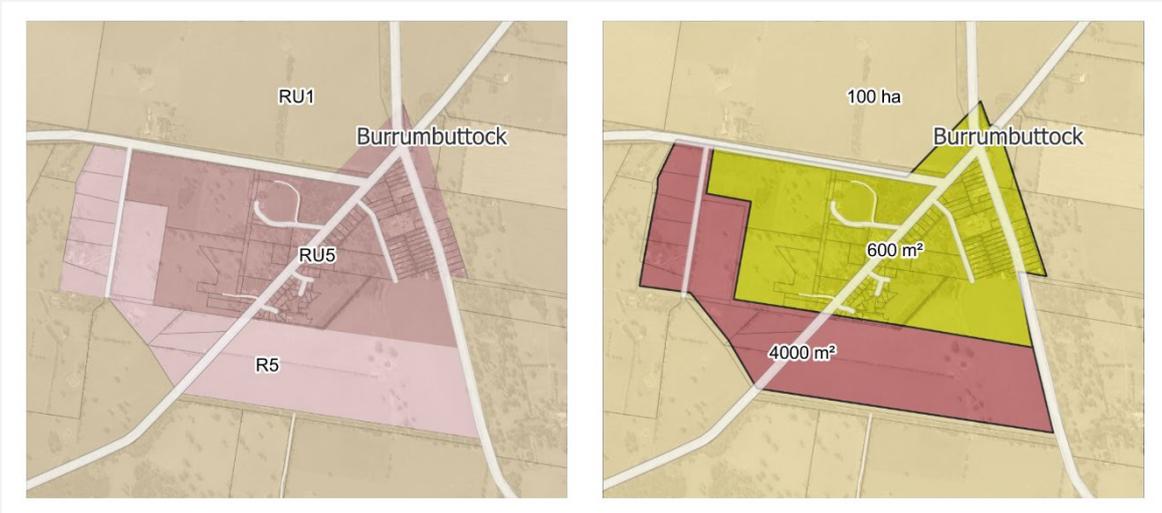


Figure 10 - Burrumbuttock Zone and MLS

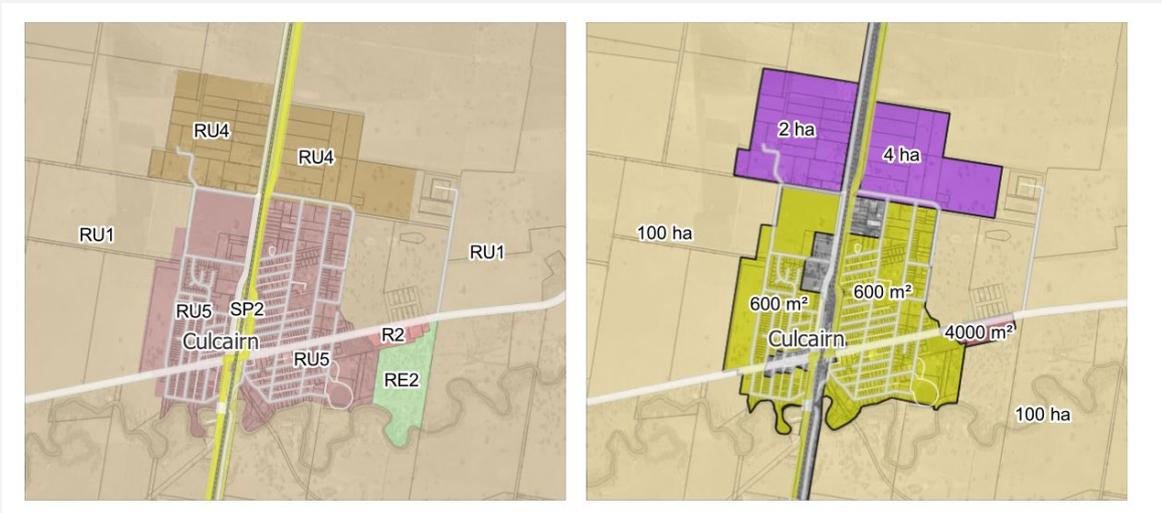


Figure 11 - Culcairn Zone and MLS

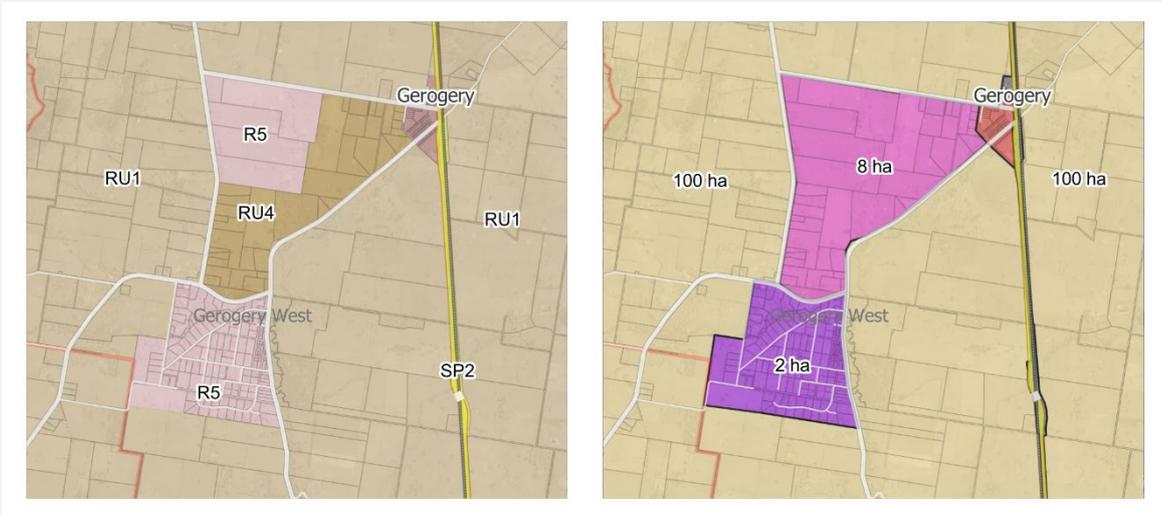


Figure 12 - Gerogery Zone and MLS

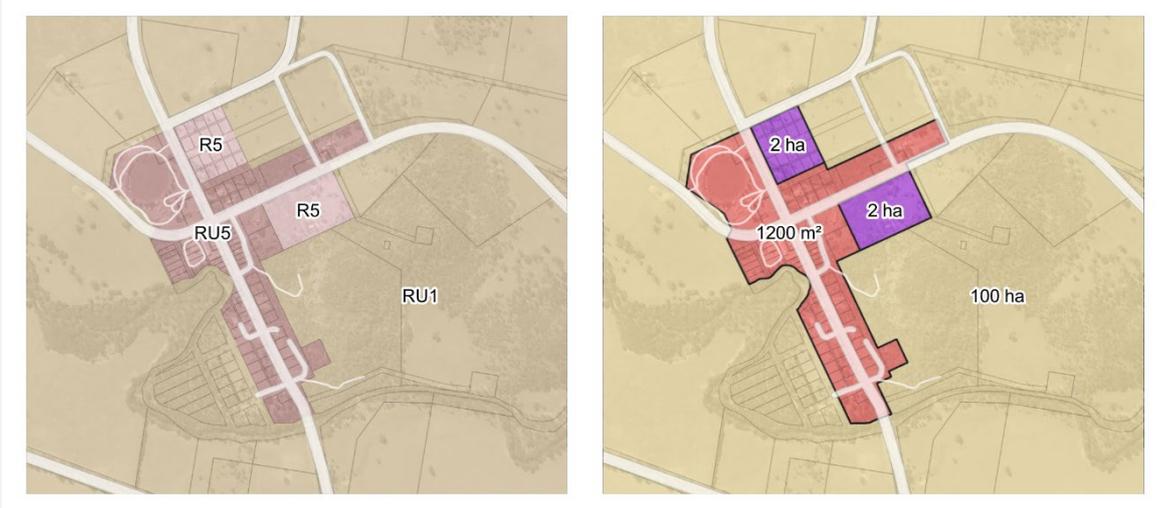


Figure 13 - Walbundrie Zone and MLS

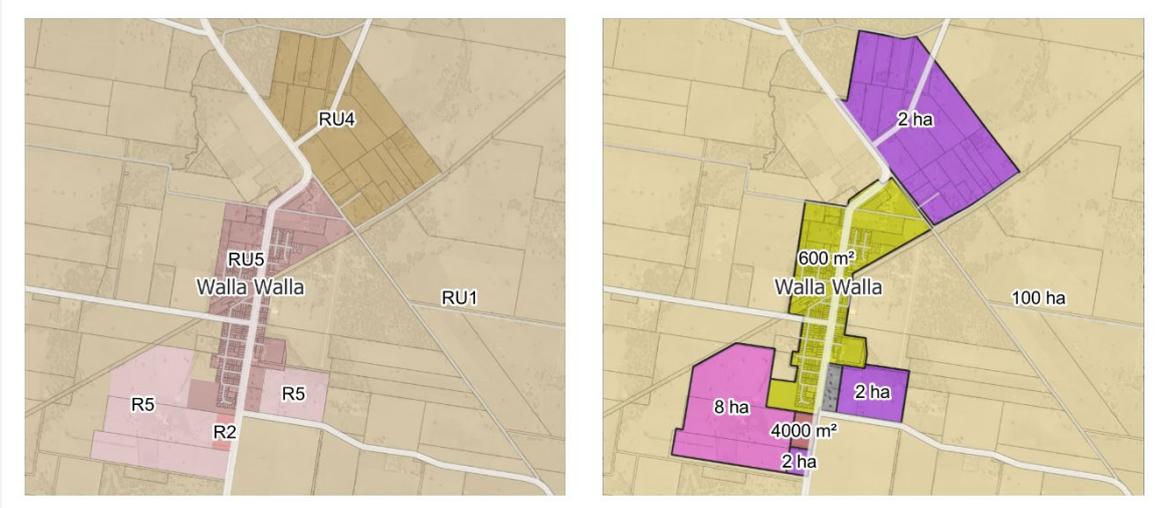


Figure 14 - Walla Walla Zone and MLS

Population and Demographics

The suburb of Morven had at the 2021 census, a population of 125 which has remained with relatively low and consistent growth (between 0-5%) over the past 20 years. It is noted that part of this stable population growth has been the retention of dwellings and minimal changeover of property in this period, as persons are able to access employment, education and services from the surrounding villages and have not been required to relocate throughout various life stages.

The population of Morven is a younger demographic than other areas of the Shire, indicating persons are likely moving to the township for lifestyle and affordability reasons while retaining accessibility to employment, larger villages and services.

In the broader Greater Hume LGA, the population is also growing rapidly, as demonstrated by the figures below. The total population of Greater Hume is also projected to increase from 10,686 to 11,765 people by 2036, requiring greater opportunities and diversity in housing.

Greater Hume LGA Population

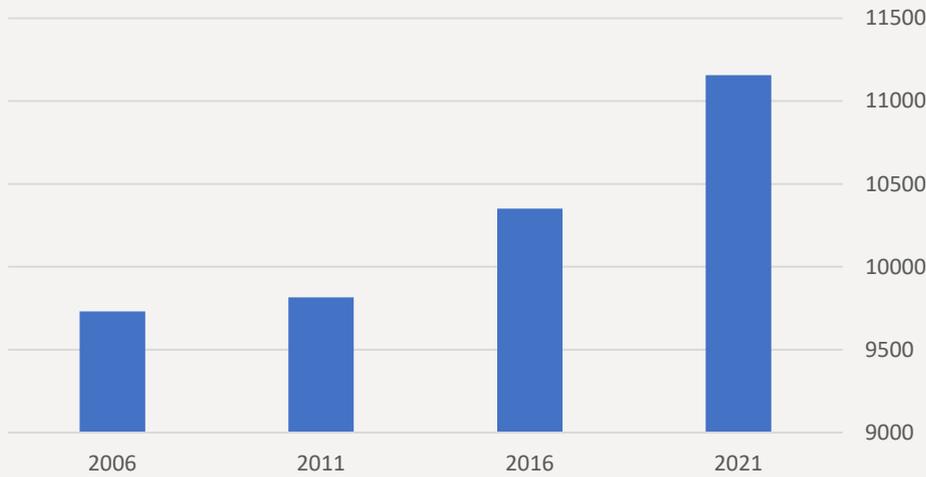


Figure 15 - Greater Hume Population (2006-2021)

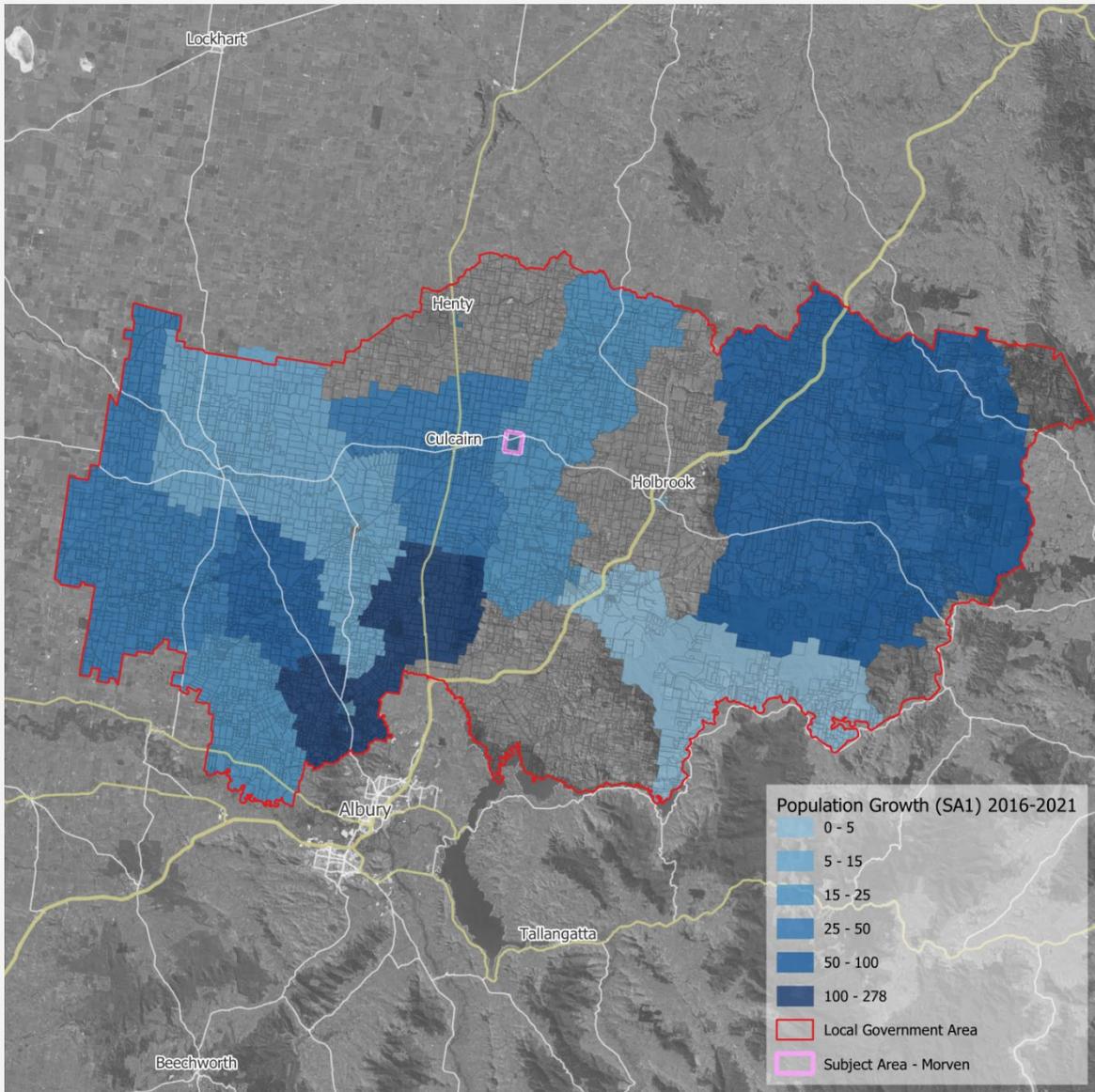
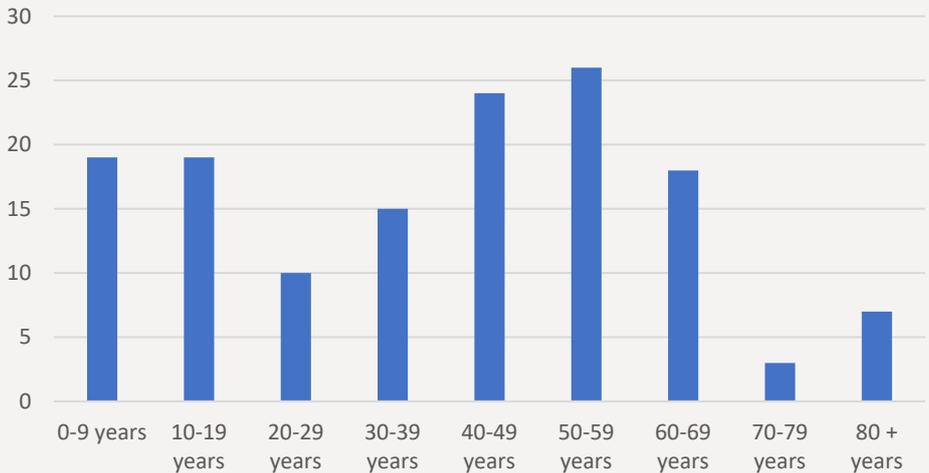


Figure 16 – Areas of population growth (by SA1 area) across Greater Hume Population (2006-2021)

Age Distribution

Relative to regional NSW, Morven has a young population; the 0-20 year and 30-50 year cohorts indicate a prevalence of families in the area. The 2021 census showed 11 couple families with children, 5 one parent families and 17 couples without children, each proportionately high for regional NSW.

Morven (suburb) Age Distribution 2021



Population Growth

Culcairn/Morven is located on the north/south transport corridor connecting Albury and Wagga Wagga, the Hume and Olympic Highways and inland rail corridor. The growth aligns with the corridors outlined in the Local Strategic Planning Statement (LSPS).

As noted in the LSPS, much of the population growth is occurring outside of the towns and villages and lacks focus, which can lead to inefficient land use outcomes. The growth map presented in the Greater Hume LSPS shows two key growth corridors that radiate north of Albury and along both the Olympic Highway and Hume Freeway corridors, leveraging the commuting proximities from Greater Hume villages.

Morven benefits from good accessibility to the Olympic Highway and is generally considered to be within the 'western growth arc' as shown within the LSPS, forming a grouping within the Culcairn village area.

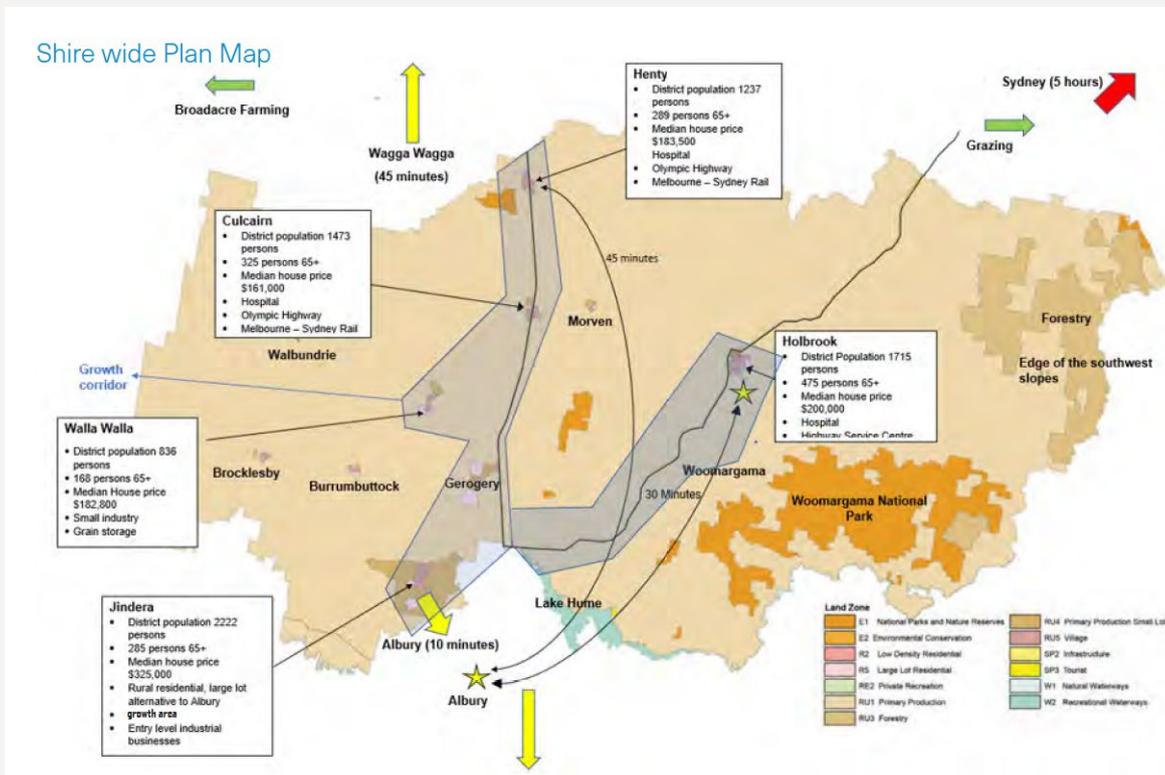


Figure 17 - Greater Hume LSPS growth map

Labour Force Participation

Morven also has a relatively high labour force participation rate (58%), and a majority of highly paid workers compared to the state average.

Overwhelmingly, people travel to work via private vehicle or work from home. The growing trend of workplace flexibility and the ability to work from home is being felt in regional Australia and particularly in Morven (10% of the working population)

Table 2 - ABS Suburb Profile (Census 2021)

| Occupation | Morven | Morven % | NSW % |
|---------------------------------|--------|----------|-------|
| Managers | 24 | 35.3 | 13.5 |
| Labourers | 16 | 23.5 | 8.8 |
| Professionals | 12 | 17.6 | 23.6 |
| Clerical and Admin | 7 | 10.3 | 13.8 |
| Community and Personal Services | 6 | 8.8 | 10.4 |
| Technicians and Trades Workers | 3 | 4.4 | 12.7 |

Table 3 - Dataset: Census of Population and Housing, 2021, ABS TableBuilder

| SAL (Usual Residence) | Morven (Greater Hume Shire - NSW) |
|---|-----------------------------------|
| MTW06P Method of Travel to Work (6 travel modes) | |
| Public Transport | 0 |
| Vehicle | 40 |
| Active Transport | 0 |
| Other Mode | 0 |
| Worked at home | 10 |

Riverina Murray Regional Plan 2041

The *Riverina Murray Regional Plan 2041* was adopted by the NSW government in 2022 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 "*provides a framework for recent government priorities around improving regional housing delivery...*"

and

"promotes more housing and greater housing choice in strategic locations throughout the region."

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

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

Each of these parts and objectives is supported by a number of different strategies and actions, which seek to achieve the objectives of the goal. Generally, the planning proposal aligns with the following objectives:

- *Objective 5 – Ensure housing supply, diversity affordability and resilience.*
- *Objective 6 – Support housing in regional cities and their sub-regions*
- *Objective 7 – Provide for appropriate rural residential development.*

A full analysis of the proposal against the objectives has been tabulated in Appendix 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?

The *Greater Hume Local Strategic Planning Statement* (LSPS) sets the land use framework on a local scale for Greater Hume Council's economic, social and environmental land use needs over the next 20 years. It addresses the planning and development issues of strategic significance to the Council through planning priorities and actions, spatial land use direction and guidance.

The LSPS gives effect to the *Riverina Murray Regional Plan 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 vision statement the LSPS outlines the following:

- *Greater Hume will continue to recognise the importance of the regional cities of Albury, Wodonga and Wagga Wagga and our community's ability to access higher level services, such as higher education, health services and employment. Recognising and enhancing this connection will be a key driver to the success of Greater Hume.*
- *Our towns and villages will capitalise on growth opportunities so that they continue to service our rural communities. Our towns will offer a variety of housing choice to retain the ageing population but will also provide an alternate rural lifestyle that will attract people to the area. As our towns continue to support new growth, our economic base will diversify. Our townships will be vibrant active places to visit and live providing a variety of basic economic and community services, within a rural heritage town setting, resilient to effects of climate change.*

To achieve this 20-year vision for Greater Hume, Council has identified nine planning priorities to focus future strategic planning consistent with the recommendations of the RMRP and Council's Community Strategic Plan 2017-2030.

Planning Priority One of the LSPS is to deliver housing and land supply and recommends monitoring of land uptake in the towns and villages and investigation of new residential areas that will:

Be located to avoid areas that are identified as important agricultural land or areas that create potential for land use conflict;

- *Align with the utility infrastructure network and its capabilities;*
- *Avoid or mitigate the impacts of hazards, including the implications of climate change;*
- *Protect areas with high environmental value and/or cultural heritage value and important biodiversity corridors;*
- *Not hinder development or urban expansion and will contribute to the function of existing townships;*
- *Create new neighbourhoods that are environmentally sustainable, socially inclusive, easy to get to, healthy and safe.*

The Actions for Planning Priority One includes:

2. Investigate and identify future potential for varied housing options in the townships of Henty, Holbrook, Morven and Culcairn – Short Term.

It is noted that the intent of this Planning Proposal is to deliver new large residential lots within Morven that will add to the diversity of housing products in the LGA generally. The provision of this housing should be considered in context with Culcairn given the close proximity and relationship that the two villages have.



Figure 18 – Morven Planning Map (Source: Greater Hume LSPS).

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 as outlined below:

Housing 2041 – NSW Housing Strategy

The four pillars of Supply, Affordability, Diversity and Resilience are the foundations of Housing 2041. While it is necessarily broad in scope, specific to Greater Hume LGA the proposal will:

- Support additional supply in areas where there is demand;
- Allow for more affordable lots, through pragmatic infrastructure and service delivery;
- Provide more diverse housing, through increasing density, reducing lot size in residential and rural residential areas; and
- Embedding housing resilience in areas where employment opportunities are growing rapidly.

A 20-Year Economic Vision for Regional NSW

Noting the strategies for driving for economic growth in Regional NSW, the proposal's proximity to Albury and the Wagga Wagga SAP, this proposal supports housing in the area and the growth of a permanent, skilled labour market to support the initiatives.

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

Appendix C provides an assessment of the Planning Proposal against all State Environmental Planning Policies (SEPPs). In summary, many of the SEPPs are not applicable to the Greater Hume Local Government Area and even less are applicable to the circumstances of the Planning Proposal.

Notwithstanding, an assessment has been tabulated in Appendix C outlining whether the Planning Proposal is consistent, or where applicable, justifiably inconsistent with relevant SEPPs.

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

Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides for the Minister for Planning and Homes 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 Appendix D.

In summary, the Planning Proposal is either consistent, or justifiably inconsistent with the relevant Directions. Where there is an inconsistency, it has been justified utilising the provisions within each of the Directions.

3.3.3. 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?

The land has been used intensively for primary production and with the exception of some scattered trees, is cleared of any significant vegetation. While this proposal is for rezoning only, the intensification of development for residential purposes is not expected to adversely affect any populations. Specific assessments can be undertaken during subsequent development applications.

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

The capacity of the subject sites to manage increased onsite water treatment (AWTS) will be considered. The outcomes of the proposal, particularly lot sizes that can be achieved will adhere to the outcomes of any relevant land and soil capability assessments.

The PSI has recommended the removal of some potentially hazardous materials and any impacts associated with eventual construction can be managed at a subsequent development application stage through the relevant legislation and policies.

The proposal is not expected to result in any disturbance of habitat areas or natural features of the area because it relates to the rezoning of a land that is largely devoid of any significant habitat. Further, the larger area of the lots being proposed means that areas of sensitivity (if identified) can be contained within future lots.

The land to be rezoned has been subject to ongoing agricultural activity for a significant period of time and has been heavily modified from its original state. There are no mapped areas of environmental land, there are no significant areas of native vegetation within the land and there are no areas of watercourses or other potentially sensitive landscapes. An area of mapped biodiversity value is noted further south along the Billabong Creek, however is well removed from the site.

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

Due to the small scale of potential residential intensification, the proposal's social and economic effects, while positive, will be negligible.

As outlined, Morven is best described as a commuter suburb of nearby Culcairn and Albury further afield. This proposal seeks to further provide large lifestyle lots in a preferred location, better supporting housing in peri-urban areas and retaining employment, spending in local economies.

3.3.4. Section D – State and Commonwealth Interests

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

The subject land is located within an area surrounded by large lot village areas and rural residential properties. The village area is serviced by sealed roads and some reticulated services, but largely contain a high proportion of on-site sewer services and wastewater disposal. The subject land can be serviced by some of these existing services, subject to upgrade and extension, however will rely on provision of new on-site services.

Electricity services are provided to the village area by Essential Energy and connected to all residential and rural properties in the village and peripheral areas. Further consultation will be undertaken with Essential Energy to confirm servicing capabilities of the network.

The small scale of the eventual subdivision will place negligible pressure on public infrastructure.

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

While this proposal is yet to be assessed by the Department of Planning Housing and Infrastructure, a scoping report was prepared, shared, and discussed with Greater Hume Shire Council.

While generally supportive, Council has requested a number of technical reports, which have been attached to this proposal.

3.4. Mapping

The planning proposal seeks to amend the following maps:

3.4.1. Digital Zoning Map

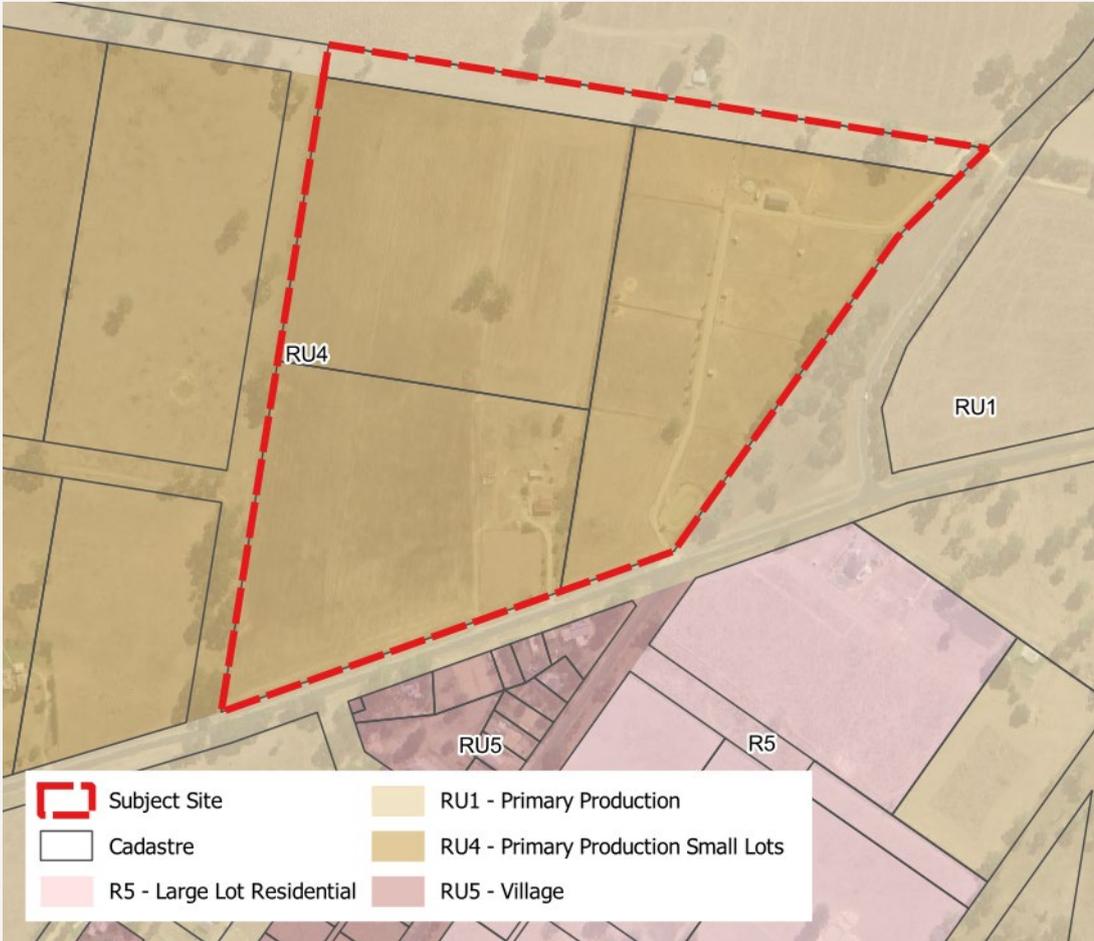


Figure 19 – Existing Digital Zoning Map (NSW DPHI)

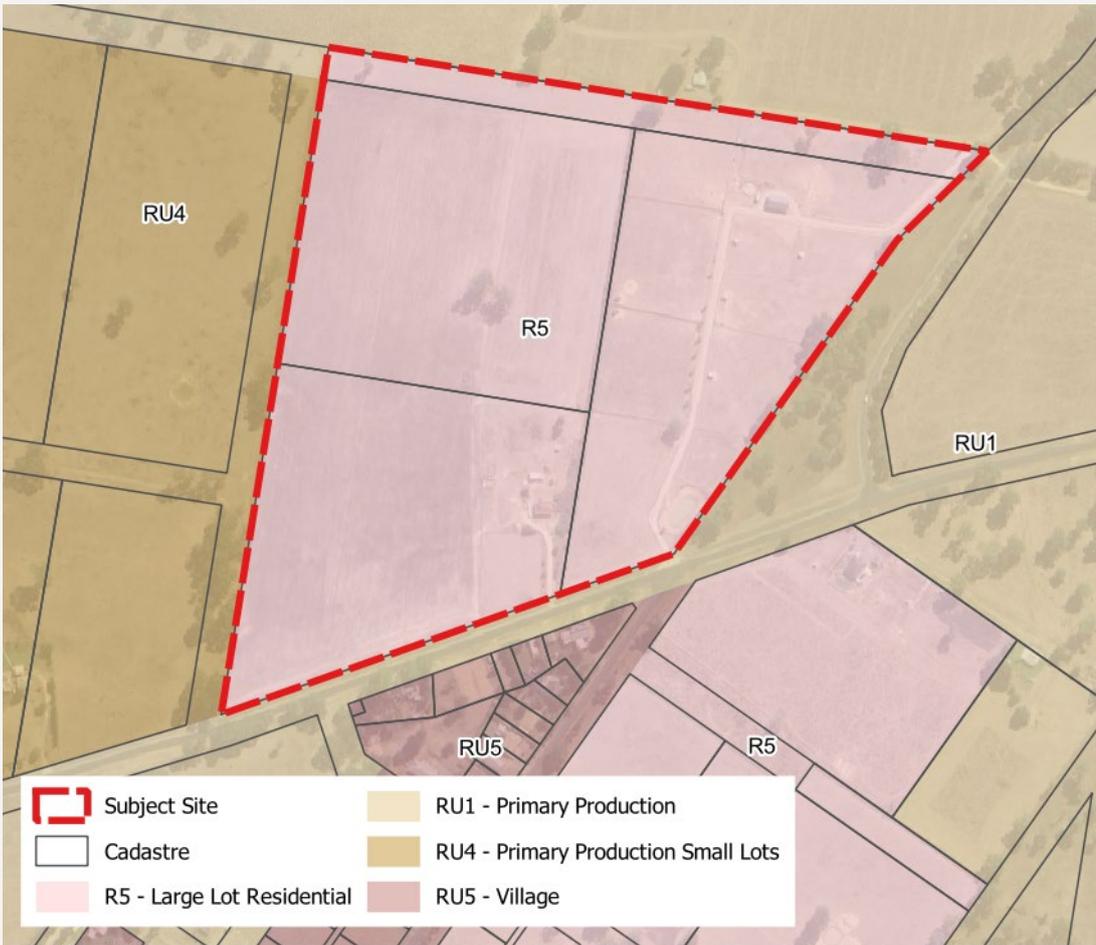


Figure 20 - Proposed Digital Zoning Map

3.4.2. Lot Size Map

The lot size is proposed to be reduced from 8ha and 100ha to 2ha for the entirety of the subject site.

The minimum lot sizes applied to Morven are generally larger and reflect the rural village character that has developed for the township. The core ‘village’ area is defined by a 1,200m² minimum lot size and comprises single dwellings on larger lots (and grouping of lots) with on-site services. The periphery of the town comprises a transition of 2 hectare and 8 hectare lot sizes, to the east and north.

When compared to other rural villages of similar size and role in the Greater Hume LGA, there is a level of disparity between minimum lot sizes. Typically, 2 hectare minimum lot sizes are applied to the periphery of towns as the larger lot residential transition, however it is noted that the 2 hectare lot size has been applied with some areas of RU4 zone in Culcairn, Gerogery and Walla Walla which is in conflict to the zone and configuration that has been applied Morven.

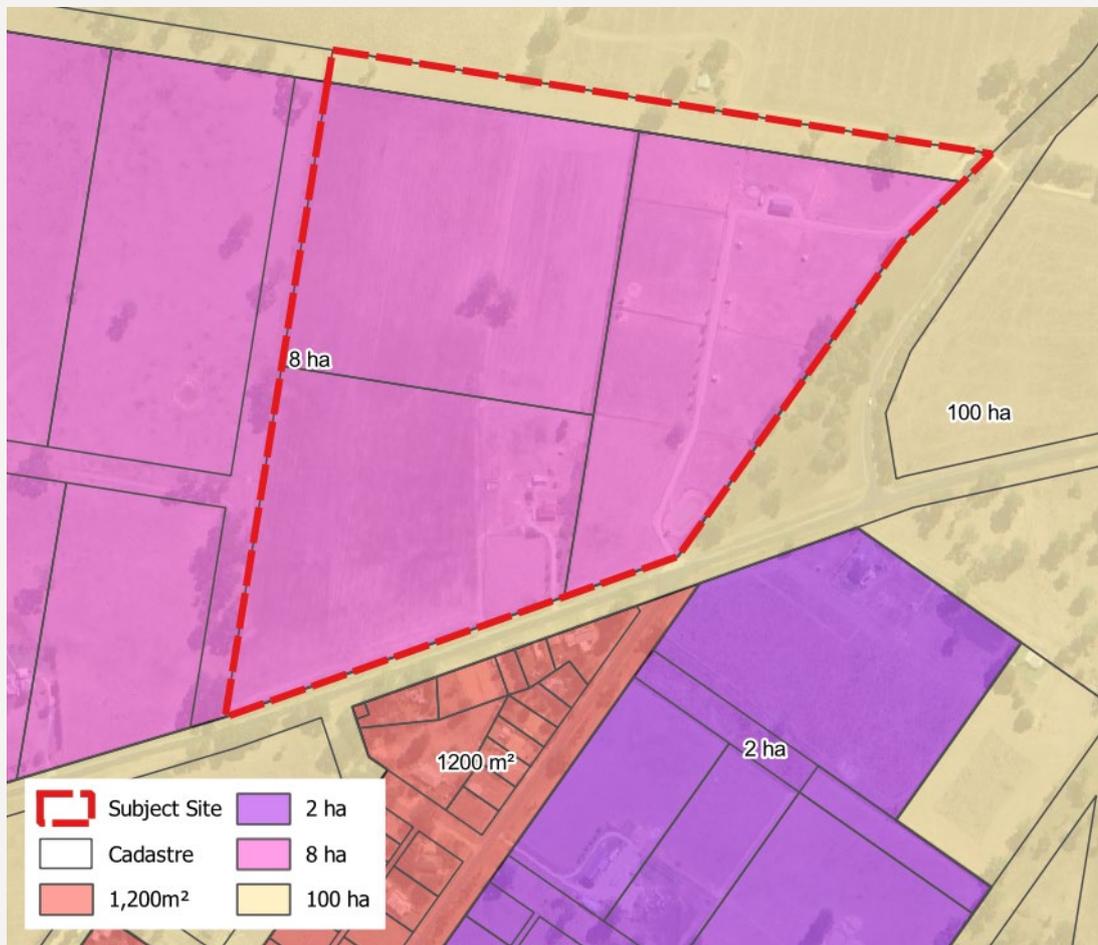


Figure 21 - Current Lot Size Map

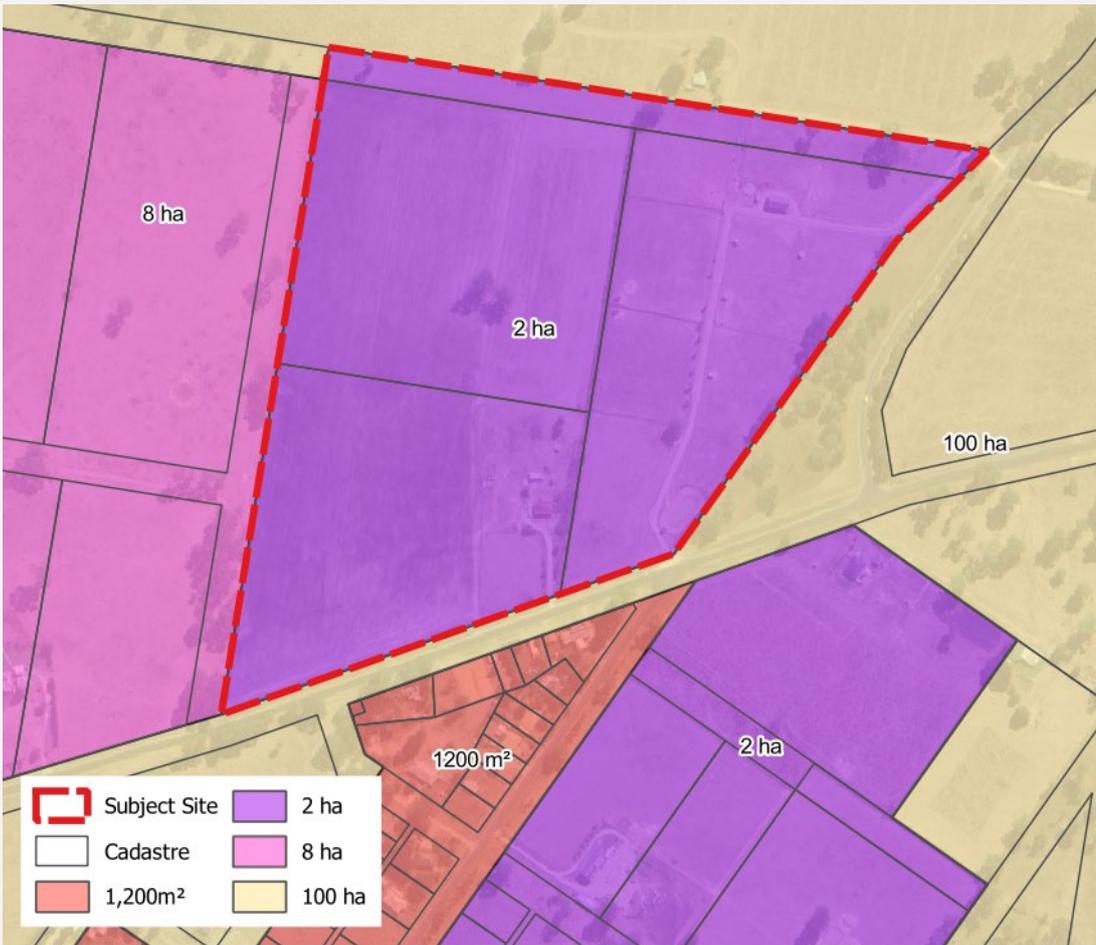


Figure 22 - Proposed Lot Size Map

3.4.3. Lot Layout

A staged lot layout has been prepared and following the planning proposal will be submitted to subdivide the subject site. (see Appendix H: Lot Layout). The lots will be of varying size, ranging from two to eight hectares.



Figure 23 - Lot Layout

3.4.4. Flooding

A complete flood risk assessment is provided in Appendix E. Shown is the 1% AEP flood depth overlaying the indicative lot layout. The report has recommended a freeboard of 500mm above the 1% AEP and the majority of the subject site will not be constrained for dwellings or access at the 1% AEP category. (Figure 25).

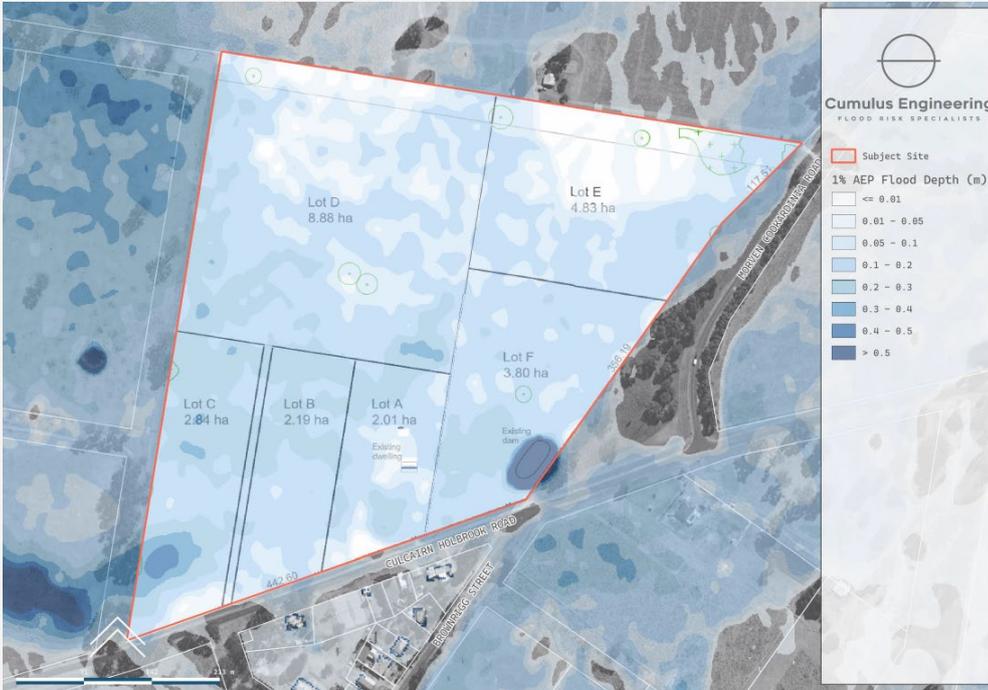


Figure 24 - 1% AEP Flood Depth (Cumulus Engineering)



Figure 25 - 1% AEP Hazard (Cumulus Engineering)

3.4.5. Bushfire

There is no mapped bushfire risk for the site, only at the nearby Billabong Creek. Category 3 Vegetation (Grassland) has not been updated into the Bushfire mapping, though can be assessed during subsequent development applications and should not affect the viability of the planning proposal.



Figure 26 - Mapped Bushfire Risk (NSW RFS)

3.4.6. Biodiversity

Plant Community Types



Figure 27 - Plant Community Types

Plant Community Types mapped on the site indicate the potential presence of threatened ecological communities. Mapped for the site are areas of PCT 277: Blakely's Red Gum - Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion

On site observations have indicated the mapped trees do not exist within the lot boundaries and that the mapping has most likely not been appropriately ground truthed. Regardless, the size of the proposed lots (minimum 2 hectares) will ensure that development can avoid any areas of sensitivity.

Terrestrial Biodiversity

Similarly, the site avoids areas of mapped Terrestrial Biodiversity and the large lot sizes can generally facilitate avoidance of any areas of sensitivity or accommodate these within the proposed future lots. Notwithstanding, the location of mapped terrestrial biodiversity is beyond the boundaries of the subject land.



Figure 28 - Terrestrial Biodiversity Map (NSW DPHI)

3.4.7. Traffic Impact

A Traffic Impact Assessment has been completed for the proposal, analysing any additional volumes expected to be generated by the eventual subdivision. The TIA has considered the existing traffic volumes for the adjoining road network and anticipated the potential future volumes that will be generated from the site, based on the proposed zone and minimum lot size changes.

In relation to rate of traffic produced by the Proposal, the TIA states that *“the traffic volumes generated by the proposed development are very low, and are expected to be easily absorbed into the surrounding road network.”*

The TIA has also considered the impact of additional access points being created to the surrounding road network. In particular, the Culcairn-Holbrook Road has been noted as a higher order regional road. In this instance, there are a number of existing access points which will be utilised by the proposed development to minimise the creation of additional accesses to the road network. A total of three (3) new access crossovers are anticipated on the Culcairn-Holbrook Road, with two (2) existing accesses on the Culcairn-Holbrook Road and one (1) existing access on Morven-Cookardinia Road are to be retained and utilised.

The TIA generally concludes that:

- The proposed subdivision design is considered to be generally in accordance with the transport related requirements of the Greater Hume DCP and the Rural Housing Code in the State Environmental Planning Policy;
- The access design is appropriate;
- The proposed development is expected to have a negligible impact on the surrounding road network when compared to the existing operation.”



Figure 29 - New and existing crossovers (onemilegrid)

4. Consultation and Timeline

4.1. Community Consultation

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

As the Planning Proposal is categorised as a 'standard' proposal, it is expected to be placed on public exhibition for 20 days or as otherwise outlined in Council's Community Participation Plan.

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

The written notice will contain:

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

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

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

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

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

4.2. Project Timeline

The project timeline for the Planning Proposal is outlined in Table 4.

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 |
|--|--|
| <p>Lodgement</p> <p>Lodge Planning Proposal with council and make any necessary adjustments or changes prior to council accepting the plan.</p> | 2 weeks for council to review and provide any comments regarding the submitted Planning Proposal and for the report to be updated. |
| <p>Council Report (seeking Gateway Determination)</p> <p>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.</p> | 2 weeks to prepare council report and include on council agenda. |
| <p>Request Gateway Determination</p> <p>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)</p> | 2 weeks following Council resolution and request for a Gateway determination |
| <p>Public Exhibition</p> <p>Undertake public exhibition of Planning Proposal in accordance with the conditions of the Gateway Determination.</p> | 2 weeks to prepare and place a public notice in the paper and 4 weeks to publicly exhibit the Planning Proposal. |
| <p>Consider Submissions & Finalise Document</p> <p>Council planning officers to consider, respond and report on submissions received and issues raised (if any) and where necessary, recommended relevant changes to the Planning Proposal.</p> | 2 weeks to collate, consider and respond to submissions received (if any). |
| <p>Council Report (consideration of submissions)</p> <p>Council planning officers to prepare a report to council post public exhibition that considers any submissions received.</p> | 4 weeks to prepare council report and include on council agenda. |
| <p>Submission to NSW DPIE/Parliamentary Counsel</p> <p>Forward Planning Proposal to NSW DPE/Parliamentary Counsel (if delegated) for finalisation following public exhibition.</p> | 4 weeks |

| | |
|---|----------------|
| <p>Notification Finalisation/gazettal of Planning Proposal</p> | <p>2 weeks</p> |
|---|----------------|

5. Conclusion

This Planning Proposal Scoping Report has been prepared by Habitat Planning and is submitted to Greater Hume Shire Council in support of a Planning Proposal to amend the *Greater Hume Local Environmental Plan 2012* (LEP) as it applies to the land addressed as 2028 Culcairn-Holbrook Road, Morven and Morven-Cookardinia Road, Morven

In order to achieve this outcome, the Planning Proposal seeks to:

- Change the Land Zoning Map of the *Greater Hume Local Environmental Plan 2012* in relation Lots 136, 137 and 138 in DP753751 to change the zoning from **RU4 Primary Production Small Lots** to **R5 Large Lot Residential**
- Change the Lot Size Map of the *Greater Hume Local Environmental Plan 2012* in relation Lots 136, 137 and 138 in DP753751 to change the minimum lot area from **8 hectares** to **2 hectares**
- Change the Land Zoning Map of the *Greater Hume Local Environmental Plan 2012* in relation Lot 1 in DP 240321 to change the zoning from **RU4 Primary Production Small Lots** to **R5 Large Lot Residential**
- Change the Lot Size Map of the *Greater Hume Local Environmental Plan 2012* in relation Lot 1 in DP 240321 to change the minimum lot area from 100 **hectares** to **2 hectares**.

In this instance, the Planning Proposal is sought in response to the opportunities presented for the site to accommodate future large lot residential growth opportunities and support the surrounding village areas (particularly Culcairn) as a large lot commuter village.

The outcome is not directly the result of a local strategic planning statement, strategic study or report, however it is noted that the LSPS has identified Morven as a key short term opportunity site to accommodate growth to ensure Greater Hume achieves the envisaged population increases.

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 Greater Hume Shire.
- It is considered that Morven provides an 'rural living' extension to the Culcairn village area, in that it offers lifestyle opportunities in close proximity to a main village area;
- There is demand for larger lot residential properties within Morven, given its close proximity to Culcairn and ease of access to major transport corridors to larger regional centres
- There is an opportunity for the land to utilised in a form that is expected to better represent the long-term requirements for the Morven township.
- The subject land is well placed to integrate with the core urban area of the Morven township, and represents a transition from the higher density lots to rural land beyond.

It is recommended that Greater Hume Shire Council resolve to support the changes to the LEP as detailed in this Planning Proposal.

Appendix A: Scoping Report

Appendix B: Consistency with Riverina-Murray Regional Plan 2041

Table 5 – Consistency with Riverina-Murray Regional Plan 2041

| Part, Objective and Actions | Relevance to Planning Proposal | Consistency |
|--|--|--|
| Part 1 – Environment | | |
| Objective 1 – Protect, connect and enhance biodiversity throughout the region. | The proposal and eventual subdivision will increase density in Morven, though is restricted to areas already zoned for urban and peri-urban residential development. | While acknowledging the land zoning, the proposal seeks to minimise any impacts on environmentally significant land. Sites will be subject to the relevant biodiversity assessment and the proposal will adhere to the recommendations. |
| Objective 2 – Manage development impacts within riverine environments | The subject sites do not adjoin any waterways. | N/A |
| Objective 3 – Increase natural hazard resilience | The subject site is not known to be at risk from Bushfire. Morven is within the Billabong Creek catchment area and is subject to overland flooding and drainage | Future residential development on the subject sites is not expected to increase risk to natural hazards. A Flood Risk Analysis has been undertaken (Appendix E) and is generally supportive of Large Lot Residential development and recommends a floor level of 500mm above freeboard. |
| Part 2 – Communities and places | | |
| 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 |

| Part, Objective and Actions | Relevance to Planning Proposal | Consistency |
|---|--|--|
| | | 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 Morven village. | This objective has been considered through the development of the Greater Hume Local Housing and Employment Strategy. |
| Objective 6 – Support housing in regional cities and their sub-regions | Morven is considered part of a ‘sub-region’ | Morven is not identified as a regional city, but rather forms part of the sub-regions, with proximity to both Wagga Wagga and Albury. |
| Objective 7 – Provide for appropriate rural residential development. | The proposal seeks to provide rural residential development. | The proposal seeks to provide more affordable and manageably sized R5 Large Lot Residential lots. The subject sites are located in areas zoned for peri-urban residential use. |
| 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 | Not relevant, as the proposal doesn't relate to connections between Murray River Communities. | Not applicable |
| Objective 11 – Plan for integrated and resilient utility infrastructure. | At a local level, the proposal may require some augmentation of local infrastructural networks. | Water is supplied to Morven from Riverina Water and Electricity from Essential Energy networks. Sewage will likely be treated onsite, and connection to any services can be proposed at subdivision/DA stage. |
| 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 relevant, as the proposal does not relate to energy use. | Not applicable |
| Objective 14 – Protecting and promoting industrial and manufacturing land | Not applicable | Not applicable |
| Objective 15 – Support the economic vitality of CBDs and main streets | Not applicable | Not applicable |

| Part, Objective and Actions | Relevance to Planning Proposal | Consistency |
|--|---|--|
| 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. |

Appendix 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 | | |
| Chapter 2 – Vegetation in non-rural areas | Not applicable | Not applicable |
| Chapter 3 – Koala habitat protection 2020 | Not applicable. | Not applicable. |
| Chapter 4 – Koala habitat protection 2021 | Not applicable. | Not applicable. |
| Chapter 5 – River Murray lands | Not applicable. | Not applicable. |
| Chapter 6 – Bushland in urban areas | Not applicable. | Not applicable. |
| Chapter 7 – Canal estate development | Not applicable. | Not applicable. |
| Chapter 8 – Sydney drinking water catchment | Not applicable. | Not applicable. |
| Chapter 9 – Hawkesbury-Nepean River | Not applicable. | Not applicable. |

| Policy | Applicable to Planning Proposal | Consistency |
|---|-----------------------------------|---|
| Chapter 10 – Sydney Harbour Catchment | Not applicable. | Not applicable. |
| Chapter 11 – Georges River Catchment | Not applicable. | Not applicable. |
| Chapter 12 – Willandra Lakes Region World Heritage Property | Not applicable. | 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. |
| 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 | | |
| Chapter 2 – Affordable housing | Applies to all land in the State. | The subject Planning Proposal does not derogate from the aims and objectives of this State Environmental Planning Policy. |

| Policy | Applicable to Planning Proposal | Consistency |
|---|-----------------------------------|---|
| Chapter 3 – Diverse housing | Applies to all land in the State. | The subject Planning Proposal does not derogate from the aims and objectives of this State Environmental Planning Policy. |
| State Environmental Planning Policy (Industry and Employment) 2021 | | |
| Chapter 2 – Western Sydney employment area | Not applicable. | Not applicable. |
| Chapter 3 – Advertising and signage | Applies to all land in the State. | Not applicable |
| 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 | | |
| Chapter 2 – State and Regional Development | Applies to all land in the State. | Not applicable to the current Planning Proposal. |
| Chapter 3 – Aboriginal land | Not applicable. | Not applicable. |
| Chapter 4 – Concurrences and consents | Applies to all land in the State. | Not applicable to the current Planning Proposal. |

| Policy | Applicable to Planning Proposal | Consistency |
|--------|---------------------------------|-------------|
|--------|---------------------------------|-------------|

State Environmental Planning Policy (Precincts – Central River City) 2021

| | | |
|--|-----------------------------------|--|
| Chapter 2 – State significant precincts | Applies to all land in the State. | Not applicable to the current Planning Proposal. |
| Chapter 3 – Sydney region growth centres | Not applicable. | Not applicable. |
| Chapter 4 – Homebush Bay area | Not applicable. | Not applicable. |
| Chapter 5 – Kurnell Peninsula | Not applicable. | Not applicable. |
| Chapter 6 – Urban renewal precincts | Not applicable. | Not applicable. |

State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021

| | | |
|---|-----------------------------------|--|
| Chapter 2 – State significant precincts | Applies to all land in the State. | Not applicable to the current Planning Proposal. |
| Chapter 3 – Darling Harbour | Not applicable. | Not applicable. |
| Chapter 4 – City West | Not applicable. | Not applicable. |

| Policy | Applicable to Planning Proposal | Consistency |
|---|-----------------------------------|--|
| Chapter 5 – Walsh Bay | Not applicable. | Not applicable. |
| Chapter 6 – Cooks Cove | Not applicable. | Not applicable. |
| Chapter 7 – Moore Park Showground | Not applicable. | Not applicable. |
| State Environmental Planning Policy (Precincts – Regional) 2021 | | |
| Chapter 2 – State significant precincts | Applies to all land in the State. | Not applicable to the current Planning Proposal. |
| Chapter 3 – Activation precincts | Not applicable. | Not applicable. |
| Chapter 4 – Kosciuszko National Park and alpine resorts | Not applicable. | Not applicable. |
| Chapter 5 – Gosford city centre | Not applicable. | Not applicable. |
| State Environmental Planning Policy (Precincts – Western Parkland City) 2021 | | |
| Chapter 2 – State significant precincts | Applies to all land in the State. | Not applicable to the current Planning Proposal. |

| Policy | Applicable to Planning Proposal | Consistency |
|--|--|-----------------|
| Chapter 3 – Sydney region growth centres | Not applicable. | Not applicable. |
| Chapter 4 – Western Sydney Aerotropolis | Not applicable. | Not applicable. |
| Chapter 5 – Penrith Lakes Scheme | Not applicable. | Not applicable. |
| Chapter 6 – St Mary’s | Not applicable. | Not applicable. |
| Chapter 7 – Western Sydney Parklands | Not applicable. | Not applicable. |
| State Environmental Planning Policy (Primary Production) 2021 | | |
| Chapter 2 – Primary production and rural development | 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. |
| Chapter 3 – Central Coast plateau areas | Not applicable. | Not applicable. |
| State Environmental Planning Policy (Resilience and Hazards) 2021 | | |

| Policy | Applicable to Planning Proposal | Consistency |
|---|-----------------------------------|---|
| Chapter 2 – Coastal management | Not applicable. | Not applicable. |
| Chapter 3 – Hazardous and offensive development | Applies to all land in the State. | Not applicable to the current Planning Proposal. |
| Chapter 4 – Remediation of land | Applies to all land in the State. | Not applicable to the current Planning Proposal. Specific consideration of this SEPP will be undertaken as part of any subsequent Development Applications for infill development. |

State Environmental Planning Policy (Resources and Energy) 2021

| | | |
|--|-----------------------------------|--|
| Chapter 2 – Mining, petroleum production and extractive industries | 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. |
| Chapter 3 – Extractive industries in Sydney area | Not applicable. | Not applicable. |

State Environmental Planning Policy (Sustainable Buildings) 2022

| | | |
|---|-----------------------------------|---|
| Chapter 2 – Standards for residential development - BASIX | Applies to all land in the State. | The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, |
|---|-----------------------------------|---|

| Policy | Applicable to Planning Proposal | Consistency |
|---|---------------------------------|--|
| | | capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP. |
| Chapter 3 – Standards for non-residential development | Not applicable. | Though not applicable to the planning proposal, consideration of the SEPP may be required when assessing proposed developments for the site. |
| Chapter 4 - Miscellaneous | Not applicable. | Not applicable. |

State Environmental Planning Policy (Transport and Infrastructure) 2021

| | | |
|--|-----------------------------------|---|
| Chapter 2 – Infrastructure | 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. |
| Chapter 3 – Educational establishments and child care facilities | Applies to all land in the State. | Not applicable to the current Planning Proposal. |
| Chapter 4 – Major infrastructure corridors | Not applicable. | Not applicable. |

| Policy | Applicable to Planning Proposal | Consistency |
|--|---------------------------------|-----------------|
| Chapter 5 – Three ports – Port Botany, Port Kembla and Newcastle | Not applicable. | Not applicable. |
| Draft State Environmental Planning Policies | | |
| Corridor Protection SEPP | Not applicable. | Not applicable. |

Appendix 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 B . |
| 1.2 | Development of Aboriginal Land Council Land | Not applicable, as the subject land is not identified on the Land Application Map of <i>State Environmental Planning Policy (Aboriginal Land) 2019</i> | 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 Planning Proposal does not seek to create 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 to the Greater Hume Local Government Area. | Not applicable. |
| 1.6 | Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 1.7 | Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 1.8 | Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 1.9 | Implementation of Glenfield to Macarthur Urban Renewal Corridor | Not applicable to the Greater Hume Local Government Area. | Not applicable. |

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

| No. | Title | Applicable to Planning Proposal | Consistency |
|------|--|---|-----------------|
| 1.17 | Implementation of Bays West Place Strategy | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 1.18 | Implementation of the Macquarie Park Innovation Precinct | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 1.19 | Implementation of the Westmead Place Strategy | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 1.20 | Implementation of the Camellia-Rosehill Place Strategy | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 1.21 | Implementation of South West Growth Area Structure Plan | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 1.22 | Implementation of the Cherrybrook Station Place Strategy | Not applicable to the Greater Hume Local Government Area. | Not applicable. |

| No. | Title | Applicable to Planning Proposal | Consistency |
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|-----|-------|---------------------------------|-------------|

Design and Place [This Focus Area was blank when the Directions were made]

| | | | |
|-----|--|--|--|
| Nil | | | |
|-----|--|--|--|

Biodiversity and Conservation

| | | | |
|-----|--|---|---|
| 3.1 | Conservation Zones | Yes, as this Direction applies to all Planning Proposals. | This planning proposal does not apply to land within a conservation zone or land otherwise identified for conservation/protection purposes. |
| 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 LEP relating to the protection of known European and Aboriginal heritage. |
| 3.3 | Sydney Drinking Water Catchment | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 3.4 | Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs. | Not applicable to the Greater Hume Local Government Area. | Not applicable. |

| No. | Title | Applicable to Planning Proposal | Consistency |
|------|--|--|---|
| 3.5 | Recreation Vehicle Areas | Yes, as this Direction applies to all Planning Proposals. | The Planning Proposal is consistent with this direction as the land will not be developed for the purpose of a recreational vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>) |
| 3.6 | Strategic Conservation Planning | Not applicable, as the land is not identified as avoided land or a strategic conservation area under <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> . | Not applicable. |
| 3.7 | Public Bushland | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 3.8 | Willandra Lakes Region | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 3.9 | Sydney Harbour Foreshores and Waterways Area | Not applicable to the Greater Hume Local Government Area. | Not applicable. |
| 3.10 | Water Catchment Protection | Not applicable to the Greater Hume Local Government Area. | Not applicable. |

| No. | Title | Applicable to Planning Proposal | Consistency |
|-------------------------------|----------------------------------|---|---|
| Resilience and Hazards | | | |
| 4.1 | Flooding | The subject site experiences overland flooding and drainage. | <p>Following the scoping report a Flood Risk Assessment was prepared, which concluded:</p> <ul style="list-style-type: none"> • <i>“The flood depths and hazards are generally low across the site, and it is concluded that the proposed low-density residential development is appropriate from a floodplain management perspective, provided that the recommended flood mitigation measures, such as minimum floor levels, are implemented.</i> • <i>A freeboard of 500mm above the applicable 1% AEP flood level is recommended for the (a) proposed dwelling. Specific levels can be provided once building footprint locations are known.</i> • <i>A sensitivity analysis on Billabong Creek has been conducted and shows the site is not impacted in the 1% AEP by Billabong Creek”</i> <p>Refer to Appendix E.</p> |
| 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. | The site is not subject to mapped bushfire risk and is generally devoid of significant vegetation, having been historically used for primary production. Noting Council has |

| No. | Title | Applicable to Planning Proposal | Consistency |
|-----|----------------------------------|---|--|
| | | | not yet mapped Vegetation Category 3 (Grassland), the bushfire risk to proposed dwellings can be specifically assessed at a DA stage. |
| 4.4 | Remediation of Contaminated Land | A Section 10.7 Planning Certificate (Certificate No: 5854) was obtained from Council on 6 May 2024 and the certificate states the site has no matters prescribed within the meaning of the Contaminated Land Management Act 1997. | <p>At the request of Council, a Preliminary Site Investigation (PSI) was undertaken in accordance with relevant guidelines and legislation, concluding:</p> <ul style="list-style-type: none"> “Based on the findings of the PSI, it is concluded that contamination is potentially present and the information available is insufficient to enable an appropriate level of site-specific risk assessment for future development. As such further investigation and assessment is required.” “... however the identified potential contamination sources do not preclude the proposed rezoning.” <p>Refer to Appendix I.</p> |
| 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 | Yes, as the Planning Proposal relates to urban land. | <p>The land is to be urban zoned and developed; the further development/intensification of this land is not expected to have an adverse impact on the established road network.</p> <p>Despite the scarce provision of public/active transport availability throughout Greater Hume LGA, the proposal seeks to consolidate residential land use and support their viable operation in the future.</p> <p>The Planning Proposal does not conflict with the aims or objectives of the two reference Transport studies outlined in this Direction.</p> |
| 5.2 | Reserving Land for Public Purposes | Yes, as this Direction applies to all Planning Proposals. | The Planning Proposal is consistent with this Direction because it does not create, alter or reduce any provisions relating to land for public acquisition purposes. |
| 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

| No. | Title | Applicable to Planning Proposal | Consistency |
|--------------------------------|--|---|---|
| 6.1 | Residential Zones | The planning proposal relates to residential land zones. | <ul style="list-style-type: none"> The planning proposal seeks to provide further residential land within the already defined urban areas of Morven. The subject site, demographics and broader planning milieu has been investigated through the scoping report The proposal seeks to broaden the choice of building typologies and locations Morven. The proposal makes use of existing infrastructure. |
| 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 within the Greater Hume LGA |
| Industry and Employment | | | |
| 7.1 | Business and Industrial Zones | Not applicable. | Not applicable |
| 7.2 | Reduction in non-hosted short term rental accommodation period | Not applicable. | Not applicable. |

| No. | Title | Applicable to Planning Proposal | Consistency |
|-----------------------------|--|--|---|
| 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 | | | |
| 8.1 | Mining, Petroleum Production and Extractive Industries | Not applicable as the Planning Proposal does not impact on mining, petroleum or extractive industries. | The subject planning proposal will not (a) prohibit the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (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. |
| Primary Production | | | |
| 9.1 | Rural Zones | Applicable to this planning proposal | Not applicable. |
| 9.2 | Rural Lands | Not applicable, does not apply to the Greater Hume Local Government Area. | Not applicable. |

| No. | Title | Applicable to Planning Proposal | Consistency |
|-----|--|--|-----------------|
| 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 Greater Hume Local Government Area. | Not applicable. |

Appendix E: Flood Impact Assessment

Appendix F: Aboriginal Due Diligence Assessment

Appendix G: Traffic Impact Assessment

Appendix H: Lot Layout

Appendix I: Preliminary Site Investigation