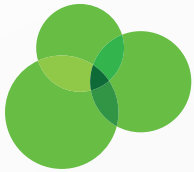


13 October 2025



planning proposal

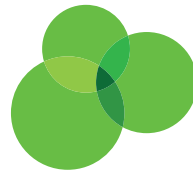
Lot 330 DP 751742 and Lot 3 DP 1067105
Brobenah Road Leeton

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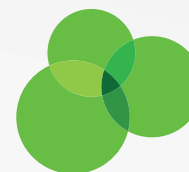
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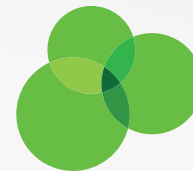
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EXECUTIVE SUMMARY



Leeton Shire has prepared a Planning Proposal to rezone Lot 330 DP 751742 and Lot 3 DP 1067105 from R1 General Residential to a R3 Medium Density Residential zone as well as to apply a 300m² minimum subdivision lot size standard applying to the site under the Leeton Local Environmental Plan 2014.

Liveable Leeton 2035 sets the vision for the Leeton Shire - where we are a healthy, safe and connected community that respects people and the environment, enjoying active lives in a strong local economy underpinned by quality, accessible infrastructure, reliable water supplies and strong leadership.

The vision for Leeton Shire is reflected in the Leeton Housing Strategy 2024 and Leeton Housing Strategy Implementation Plan 2025 which identifies Lot 330 DP 751742 and Lot 3 DP 1067105 as a growth area for medium density housing.

Following development of a Brobenah Road Options Analysis 2024, a preferred option of medium density terrace style housing on Torrens Title lots is supported by Council.

Lot 330 DP 751742 and Lot 3 DP 1067105 has an area of approximately 1.51 hectares and is considered highly suitable for redevelopment for medium density residential purposes, given its central location and access to infrastructure and services.

The original Planning Proposal dated 10 February 2025 received Gateway Determination from the NSW Department of Planning, Housing and Infrastructure on 22 July 2025 advising that the proposed amendment to the Leeton Local Environmental Plan 2014 should proceed subject to the following:

- + Identification of an appropriate minimum lot size for the site.
- + Maps showing flood impacts to the site and further justification to resolve inconsistencies with Ministerial Direction 4.1 Flooding.
- + Updated existing maps to be clear and suitable for community consultation and include proposed zoning and lot size maps.

An update to the Planning Proposal has been undertaken in accordance with this report, dated 13 September 2025 to address the above requirements, including a flood risk assessment from WMS Engineering dated 25 September 2025, based on their most recent flood modelling prepared in support of the Leeton Flood Study Review.

It is intended that Leeton Shire Council will now place the Planning Proposal on public exhibition in accordance with Section 3.34(2)(c) and Clause 4 of Schedule 1 of the NSW Environmental Planning and Assessment 1979.

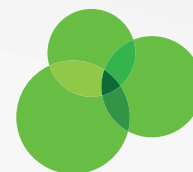
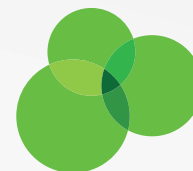


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PROJECT INTRODUCTION

1.1 Project Overview

Housing is the biggest single cost of living pressure in NSW, with mortgage payments and rents representing the largest expense for most households.

Leeton Shire Council is taking action on addressing housing issues in Leeton Shire, with the completion of the Leeton Housing Strategy 2024 and the Leeton Housing Strategy Implementation Plan 2025. Both the Leeton Housing Strategy and Implementation Plan recommend a medium density residential development on Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road, Leeton.

Lot 330 DP 751742 and Lot 3 DP 1067105 (the Brobenah Road site) has a number of benefits for medium density housing, as it comprises a relatively large area of residential zoned land in close proximity to the Leeton Hospital, TAFE, High School and Public School as well as Southern Cross Aged Care, Mens Shed and a neighbourhood shop. The site also has existing access to robust road and active transport networks, open spaces and urban utilities.

A number of conceptual redevelopment options for the Brobenah Road site were work-shopped with Council (as landowner) with a preferred option involving medium density housing on Torrens Title lots.

This Planning Proposal has been prepared to rezone Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road, Leeton to R3 Medium Density Residential zone and to apply a 300m² minimum lot size to the site.

Proposed changes to the Leeton Local Environmental Plan (LEP) 2014 will allow a Development Application for subdivision to be processed by Leeton Shire Council.

Figure 1 - Site Overview Map



1.2 Structure and Form

The Planning Proposal has been prepared in accordance with the NSW Department of Planning, Housing and Infrastructure (DPHI) Local Environmental Plan Guideline, dated August 2023.

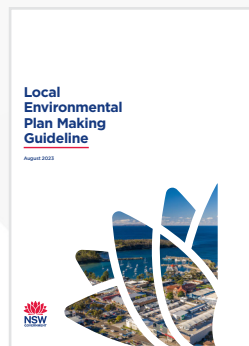
Section 2 of the DPHI LEP Guideline 2023 includes detailed guidance on what content needs to be included in a Planning Proposal.

Table 1 includes a checklist of all of the information required by the DPHI Local Environmental Plan Guideline and a reference on where the information can be found within this Planning Proposal.

The Guideline requires that the Planning Proposal must be prepared to a high standard and complying generally with the requirements detailed in Table 1.

Table 1 - Format of the document

Section No	Section Heading	Description
Section 1	Project Introduction	Section 1 includes introductory information relating to the project, including a project overview and relevant background information.
Section 2	The Existing Environment	Section 2 includes a detailed description of the site, including location, land title and land-use descriptions as well as an assessment of the existing environmental conditions applying to the land.
Section 3	Existing Planning Framework	Section 3 includes a description of the existing planning framework applying to the subject land including provisions under the Leeton LEP 2014.
Section 4	Description of the Proposal	Section 4 includes a detailed description of the proposal, including the scope of the proposed changes to the Leeton LEP 2014.
Section 5	Strategic Alignment	Section 5 includes detailed information describing how the planning proposal aligns with the strategic planning framework applying to the subject land.
Section 6	Planning Proposal - Part 1	Section 6 addresses the Part 1 matters for consideration under the DPHI Local Environmental Plan Guideline.
Section 7	Planning Proposal - Part 2	Section 7 addresses the Part 2 matters for consideration under the DPHI Local Environmental Plan Guideline.
Section 8	Planning Proposal - Part 3	Section 8 addresses the Part 3 matters for consideration under the DPHI Local Environmental Plan Guideline.
Section 9	Planning Proposal - Part 4	Section 9 addresses the Part 4 matters for consideration under the DPHI Local Environmental Plan Guideline.
Section 10	Planning Proposal - Part 5	Section 10 addresses the Part 5 matters for consideration under the DPHI Local Environmental Plan Guideline.
Section 11	Planning Proposal - Part 6	Section 10 addresses the Part 6 matters for consideration under the DPHI Local Environmental Plan Guideline.



1.3 Supporting Documentation

The Planning Proposal is supported by a number of strategy documents that have been developed to support the future development of Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road, Leeton. These documents are included as separate reports to the Planning Proposal as a means of demonstrating the strategic merit of the site for rezoning to R3 Medium Density Residential with a 300m² minimum subdivision lot size applying to land. A description of the main documents is as follows:

1.3.1 Leeton Housing Strategy 2024

The Leeton Housing Strategy 2024 identifies seven (7) growth areas for more detailed investigation, with the Brobenah Road site recommended for medium density housing.

1.3.2 Leeton Housing Strategy implementation Plan 2025

The Leeton Housing Strategy Implementation Plan 2025 undertook more detailed analysis of the Brobenah Road site. The site is deemed suitable for medium density housing due to its close proximity to Leeton Town Centre, Leeton Hospital, TAFE, High School, Public School, Southern Cross Aged Care, Mens Shed, Goodstart Early Learning and Leeton Tourist Supermarket, open spaces, active transport pathways and utilities.

The site is zoned R1 General Residential under the Leeton Local Environmental Plan 2014, which permits a wide range of residential development.

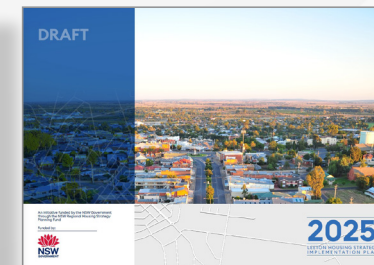
1.3.3 Draft Leeton Shire Flood Study

A draft Leeton Shire Flood Study has been prepared by WMS Engineering to review the Leeton Flood Study 2015. The WMS Flood Study uses dated from the 2022 flood event, and provides high resolution flood mapping for the towns/villages of Leeton. The draft Study is currently on public exhibition.

In relation to Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road, Leeton the draft Study has removed the classification of the site as 'flood storage', with a new classification of 'flood fringe' being applied. The extent of inundation has also been reduced.

1.3.4 Currajong Development Application Documentation

A Plan of Subdivision and a Statement of Environmental Effects have been prepared for the proposed subdivision of Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road, Leeton into 20 Torrens Title Lots. The DA documentation covers all aspects of the proposal as specified under the NSW Environmental Planning and Assessment Regulation 2021.



THE EXISTING ENVIRONMENT

2.1 Location and Title

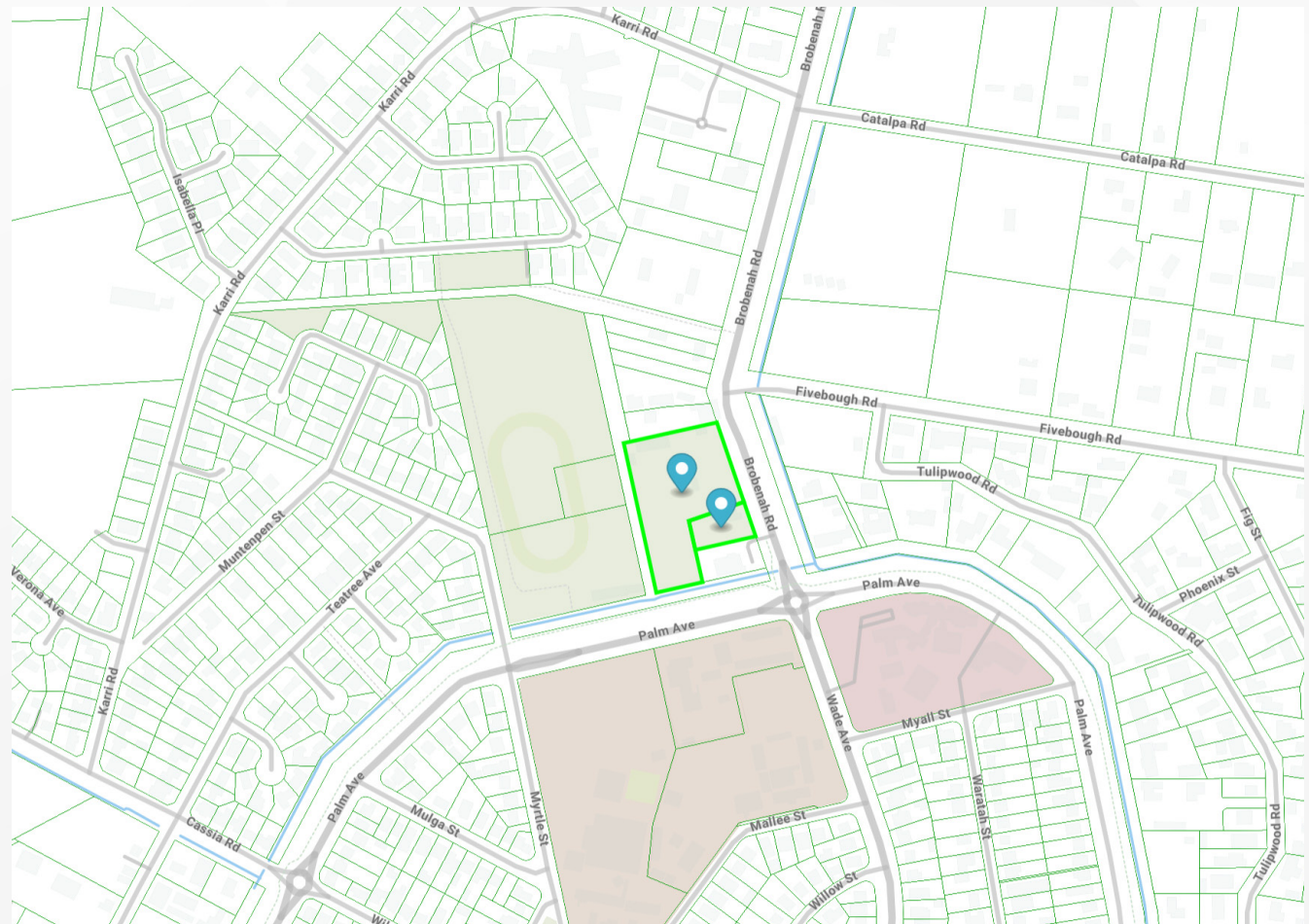
The land which is the subject of this Planning Proposal is comprised of Lot 330 DP 751742 and Lot 3 DP 1067105, Brobenah Road, Leeton (the site).

The site is located approximately 800m north of the Leeton Central Business District (CBD). The total area of the site is calculated to be approximately 1.51 hectares.

Leeton Shire Council owns the site, which has previously been used as a caravan park and associated manager's residence. More recently the site has been used as an off-leash area, with the existing dwelling and outbuilding (shed) leased as a private residence.

Figure 2 shows the site and its location within the Leeton township.

Figure 2 - Site Location Map



2.2 Land-use and Development

The Council owned Brobenah Road site has an area of approximately 1.51 hectares and is relatively flat land, with drainage to the adjoining Brobenah Road (east) and a Council managed drainage canal (west).

The subject site is currently zoned R1 General Residential under the Leeton LEP 2014.

Lot 330 DP 751742 was previously used as a caravan park and more recently an off leash area. Several planted trees, internal roads, water services, disused amenities building and parkland seating are established on the site.

Lot 3 DP 1067105 has an existing dwelling and outbuilding (shed) and is currently used as a private residence.

Access to the combined site is from an existing access to Brobenah Road, which is a regional road managed by Leeton Shire Council.

Figure 3 shows the zoning of Lot 330 DP 751742 and Lot 3 DP 1067105 and surrounding lands.

LEGEND

E1	E1 Local Centre
E3	E3 Productivity Support
E4	E4 General Industrial
R1	R1 General Residential
R2	R2 Low Density Residential
R3	R3 Medium Density Residential
R5	R5 Large Lot Residential
RE1	Public Recreation
SP2	Infrastructure

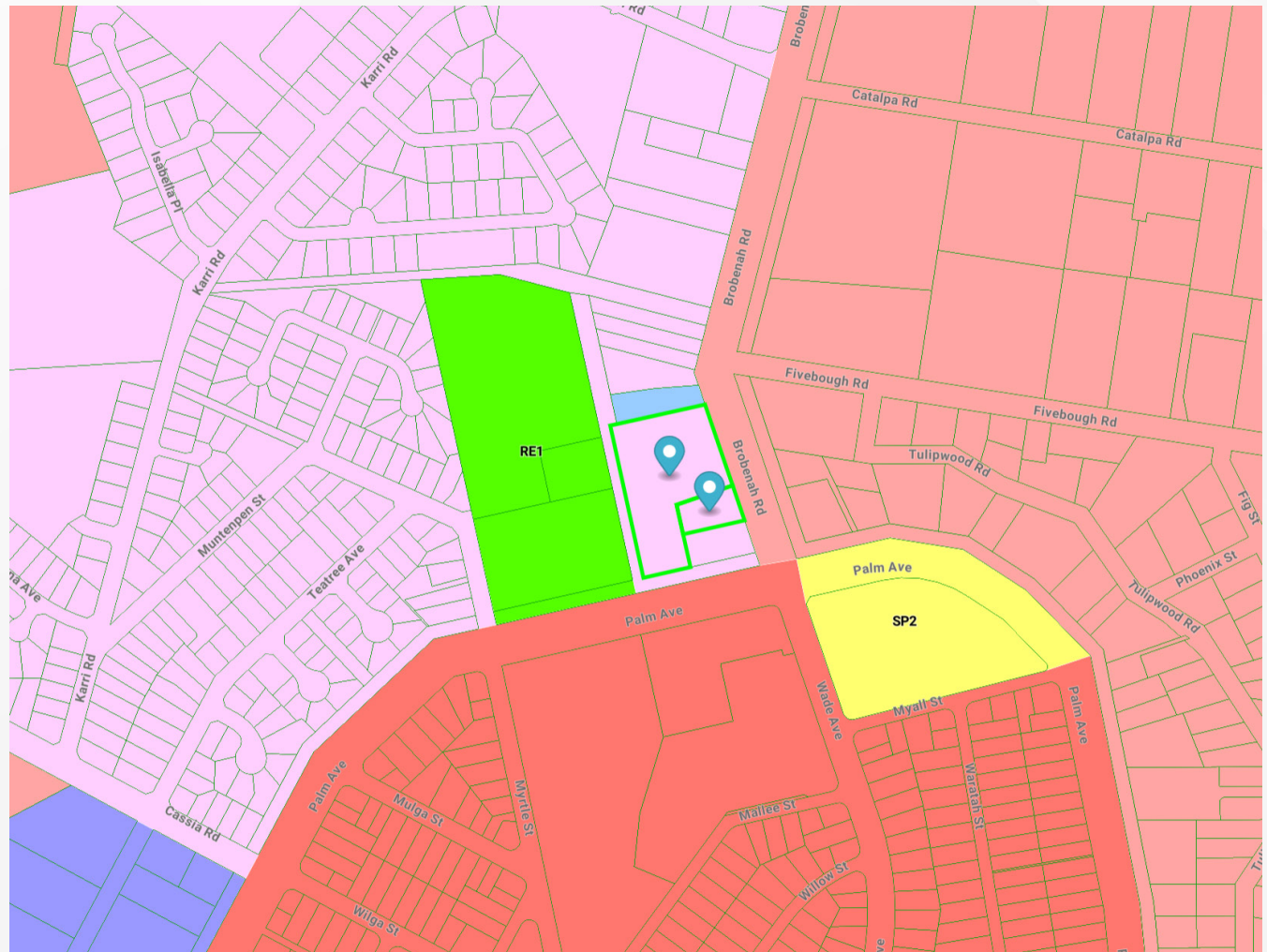


Figure 3 - Land-use Activities Map

2.3 Surrounding Land-use

An analysis of surrounding land-uses has been completed and the following observations are made:

- + Lot 330 DP 751742 and Lot 3 DP 1067105 has a central location in Leeton township, with orientation to Brobenah Road and Palm Avenue.
- + The land surrounding the site comprise a mix of zones - R1 General Residential and R3 Medium Density Residential (south), R2 Low Density Residential (east), E1 Local Centre and R1 General Residential (north) and RE1 Public Recreation (west).
- + Nearby land-uses include the Leeton Hospital, TAFE, High School and Public School as well as the Goodstart Early Learning Centre, Southern Cross Aged Care, Leeton Mens Shed and a neighbourhood shop.
- + Other notable land-use activities in the area include playing fields to the west.

Figure 4 shows the site and surrounding land-uses in the area.

Figure 4 - Land-use Map



LEGEND

	Recreation Uses
	Education Uses
	Community Uses

2.4 Lot Sizes

Analysis of the minimum subdivision lot sizes in the area has been completed and the following observations are made:

- + Lot 330 DP 751742 and Lot 3 DP 1067105 currently have a 750m² minimum subdivision lot size.
- + The land surrounding the site comprise a mix of minimum allotment sizes - 750m² (north), 4,000m² (east), 500m² (south) and no prescribed minimum size in the open space to the west of the site.
- + Land further to the south comprises the Leeton CBD which does not have a prescribed minimum subdivision lot size.
- + The neighbourhood shop to the north does not have a prescribed minimum subdivision lot size.
- + The existing subdivision pattern, particularly the land to the east features a number of existing allotments / developments that do not comply with the prescribed minimum subdivision lot size (4,000m²).

Figure 5 shows the lot size standards applying in the area.



	750m ² MLS
	500m ² MLS
	4000m ² MLS

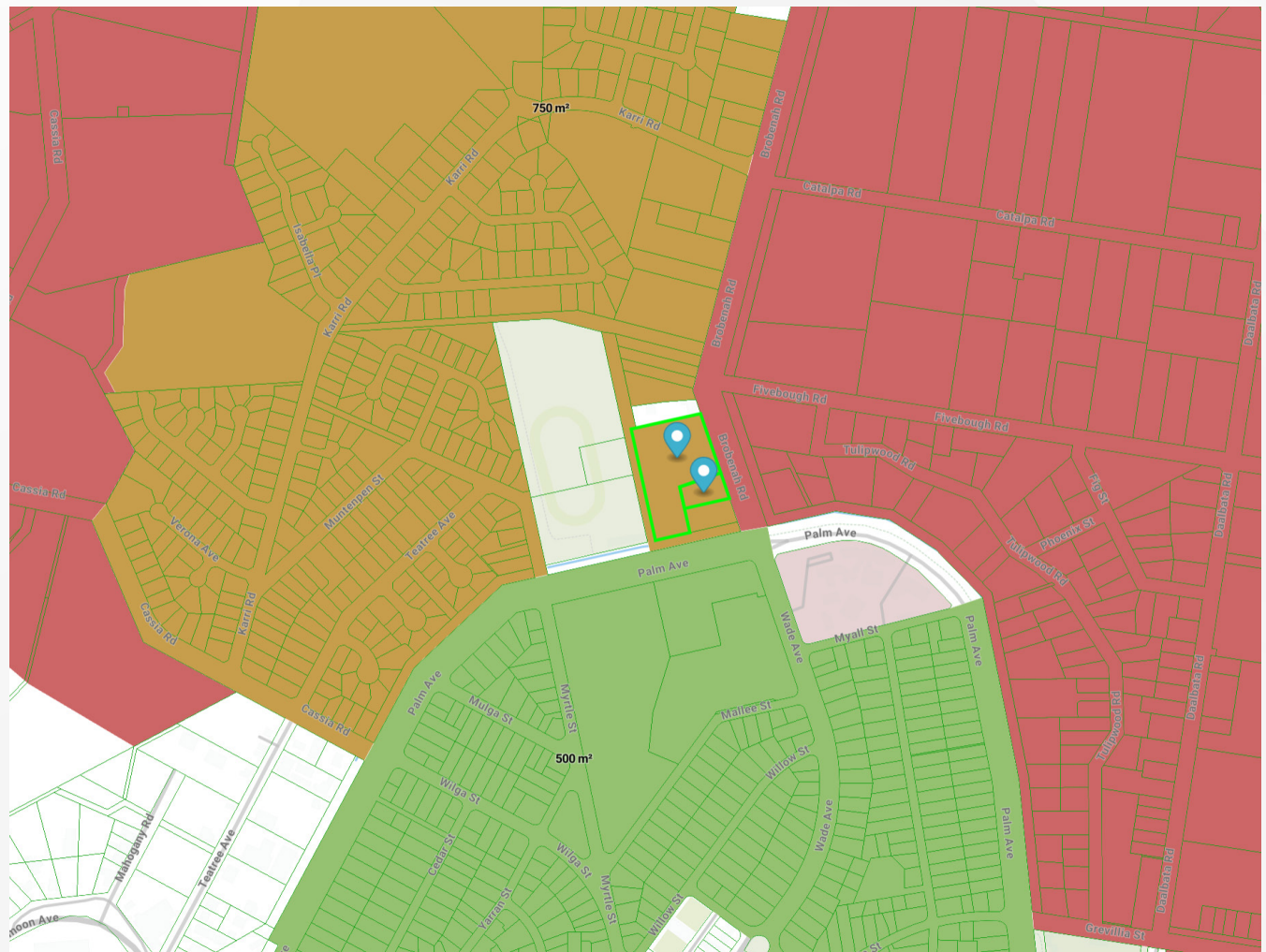


Figure 5 - Lot Size Map

2.5 Biodiversity

The site is not mapped in the Leeton LEP 2014 as containing Terrestrial Biodiversity.

A significance assessment and has been undertaken to determine whether any redevelopment at the site is likely to significantly affect threatened species and / or trigger the NSW Biodiversity Offsets Scheme (BOS).

The potential for the site to significantly affect threatened species is assessed to be low, due to the absence of required habitat for endangered ecological communities. The potential for foraging over the site is also severely restricted given the context and setting of the site. The site is not a declared area of outstanding biodiversity value. Existing vegetation is sparse and mostly planted native species, with clearing of the site unlikely to trigger the BOS.

The potential impacts on the condition, ecological value and significance of fauna and flora on the site are considered to be low and will not change as a result of any redevelopment.

2.6 Heritage

A search of the Aboriginal Heritage Information System (AHIMS) has been completed for the subject land, which showed no Aboriginal sites / places in or near the subject land.

The site is not listed as a heritage item or within a conservation area under the Leeton LEP 2014 or State Heritage Register.

There are no features of the site that are particular rare or have significant heritage value. The proposed development site is relatively well-separated from identified heritage sites / conservation areas.

2.7 Access, Transport and Traffic

The site has an existing access to Brobenah Road, which is a bitumen sealed regional road managed by Leeton Shire Council. This access is shared by the Leeton Mens Shed and other minor land-use activities. A layback access is also established to Lot 3 DP 1067105 that accommodates the existing Council owned dwelling.

The site also adjoins Palm Avenue to the south, however direct access is not readily available as there is a public car park and irrigation canal that separates the site from Palm Avenue, making access from this road difficult.

Angle parking, kerb and gutter and street lighting is available along Brobenah Road adjoining the site. A public car park also operates from Palm Avenue.

2.8 Bushfire Hazard

According to mapping prepared by the NSW Rural Fire Service, the subject land is not identified as being within a bushfire prone area. Site specific investigations confirm that bushfire risk is not a key constraint to new housing growth in the Brobenah Road site.

2.9 Topography and Hydrology

The Brobenah Road site is located on the northern fringe of the elevated areas of Leeton CBD.

The site is relatively flat and does not contain any exposed areas that are shown to be causing soil erosion impacts on the land. Any redevelopment is unlikely to significantly impact on soils, erosion or surface water resources.

The site is sufficiently distanced from existing waterways, drinking water catchments and environmentally sensitive areas. A review of the Leeton Shire Council Flood Study 2015 is currently being progressed by WMS Engineering Pty Ltd on behalf of Leeton Shire Council, who advise the site is not subject to flooding of any rivers, creeks or waterways.

Part of the site is shown as vulnerable groundwater on Leeton LEP 2014 mapping, with reticulated sewerage being required to be augmented for any redevelopment option.

Review of the CSIRO Acid Sulphate Risk Map and the NSW DPI Naturally Occurring Asbestos Hazard Map indicates a low probability of acid sulphate soils or naturally occurring asbestos at the site.

The likelihood of soil erosion, groundwater and / or surface water impacts are assessed to be low.

2.10 Flooding

Part of the site is shown as low hazard flood storage in the Leeton Shire Council Flood Study 2015. Figure 6 shows the areas of flood storage on the site as per the Leeton Shire Council Flood Study 2015. Section 3.3.8 of the Leeton Shire Council Floodplain Risk Management Study and Plan (FRMS&P) cautions against development in flood storage areas. It also states that if development is proposed, it should be supported by site-specific development controls to minimise flood risk.

A draft Leeton Shire Flood Study has been prepared by WMS Engineering to review the Leeton Flood Study 2015. The WMS Flood Study uses data from the 2022 flood event, and provides high resolution flood mapping for the towns / villages of Leeton. The draft Study is currently on public exhibition. In relation to Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road, Leeton the draft Study has removed the classification of the site as 'flood storage', with a new classification of 'flood fringe' being applied.

WMS Engineering have been requested to undertake a site-specific flood risk assessment of Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road, Leeton. In their letter dated 25 September 2025 WMS Engineering advise the site is 'flood fringe' and note there is a reduced extent of inundation in the 1% AEP. A copy of the WMS Flood Risk Assessment is included in Appendix A to this report.

Figure 7 shows the revised flood assessment findings with the site being free of flooding. WMS Engineering advise there is a swale drain running along the eastern boundary parallel to Brobenah Road where stormwater accumulates, but does not spill into the site in a 1% AEP event.

WMS Engineering advise no issue from a flood perspective with increasing the density for residential development under the PP.

Figure 6 - Flood Imagery 2015

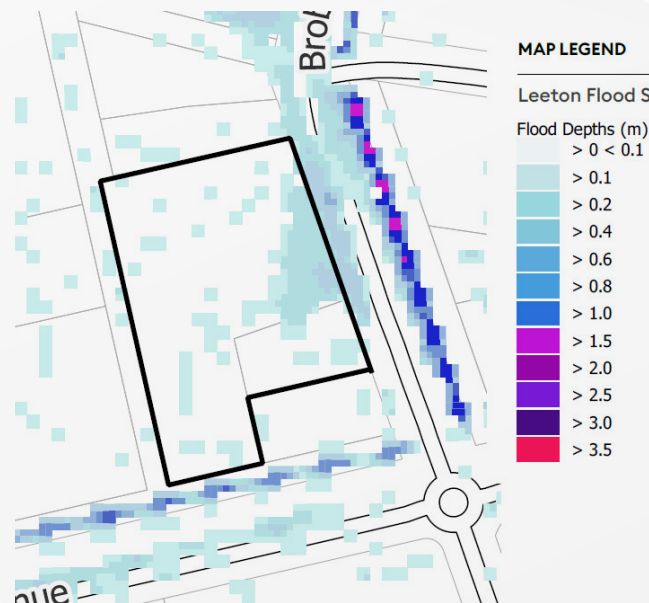
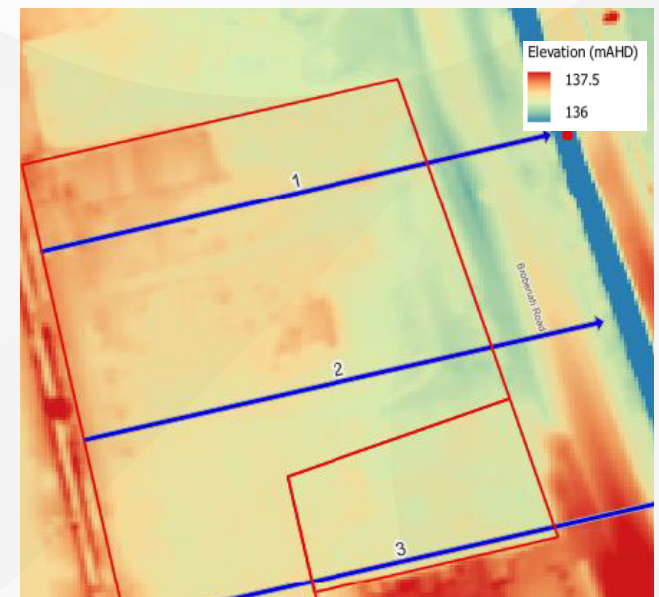


Figure 7 - Flood Imagery 2025

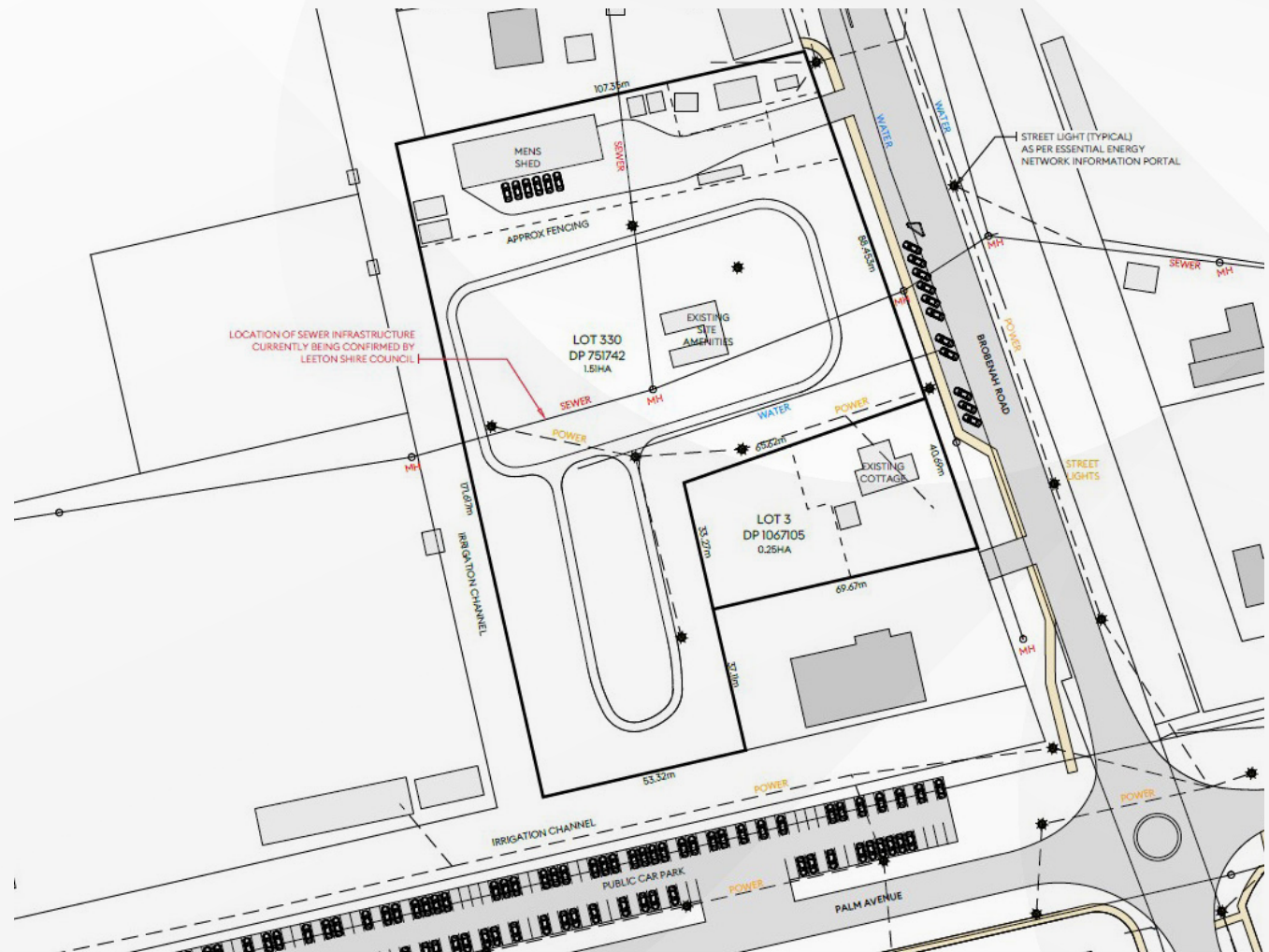


2.11 Infrastructure and Services

- + **Sewerage** - The Brobenah Road site is already connected to reticulated sewerage in accordance with Leeton Shire Council specifications and requirements. Sewer mains traverse the middle of the site in a east-west direction and also along the northern half of the site. New sewer mains and connections would need to be designed as part of any redevelopment in order to service dwellings. Separation from existing mains is a requirement of redevelopment to ensure integrity of sewer assets and access for maintenance / repairs. Easements for sewer mains would also be necessary to provide access for maintenance / repairs.
- + **Water Supply** - The Brobenah Road site is already connected to reticulated water supply in accordance with Leeton Shire Council specifications and requirements. New water supply connections would need to be designed as part of any redevelopment in order to provide separate connections / meters to dwellings and to comply with the National Construction Code in relation to pressure and flow for firefighting purposes. Water supply mains and hydrants are proposed along new roads.
- + **Public and Private Drainage** - The Brobenah Road site is relatively flat and does not form part of a larger drainage catchment or overland flow path. The site drains west to a concrete drain and the Brobenah Road drainage system to the east. It is proposed to implement a Stormwater Management Plan to ensure all stormwater is drained to the public drainage system, east and west of the site. Easements for drainage may be necessary to ensure stormwater can drain to a legal point of discharge.

Figure 8 shows the location of existing infrastructure available at the site.

Figure 8 - Infrastructure and Servicing Map



EXISTING PLANNING FRAMEWORK

3.1 Leeton Local Environmental Plan 2014

The Leeton LEP 2014 is the principal environmental planning instrument applying to the subject land. The Leeton LEP 2014 provides the statutory framework for planning, development and building within the Leeton Shire through zoning controls, development standards and other planning provisions.

The site is currently zoned R1 General Residential and classified as Operational Land. Adjoining land-use comprises a mix of urban land-use zoned R1 General Residential and R3 Medium Density Residential (south), R2 Low Density Residential (east), E1 Local Centre and R1 General Residential (north) and RE1 Public Recreation (west).

Nearby land-uses include Leeton Hospital, TAFE, Leeton High School and Public School, Goodstart Early Learning Centre, Southern Cross Aged Care, Leeton Mens Shed and a neighbourhood shop.

Figure 9 shows the existing zoning framework applying to the subject land under the Leeton LEP 2014.

LEGEND

E1	E1 Local Centre
E3	E3 Productivity Support
E4	E4 General Industrial
R1	R1 General Residential
R2	R2 Low Density Residential
R3	R3 Medium Density Residential
R5	R5 Large Lot Residential
RE1	Public Recreation
SP2	Infrastructure

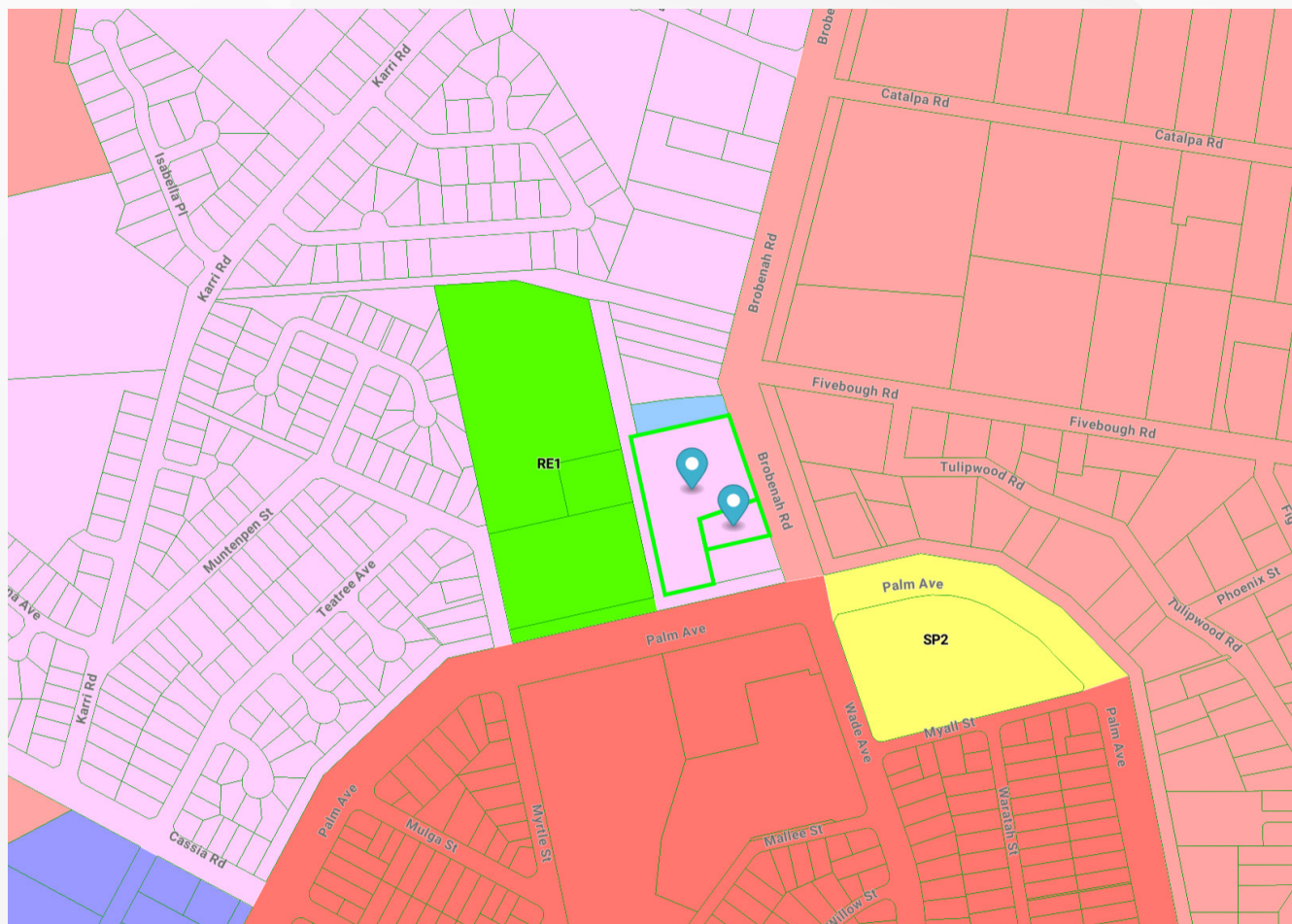


Figure 9 - Leeton LEP 2014 Existing Zoning Map

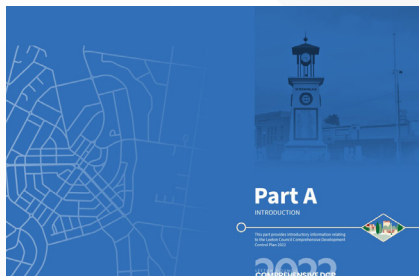
3.1 Leeton Shire Development Control Plan 2022

The Leeton Shire Development Control Plan (DCP) 2022 applies to the whole of the Leeton Shire and provides detailed planning and design guidelines to support the Leeton LEP 2014.

The Leeton DCP 2022 provides development controls relating to residential, commercial, industrial and associated infrastructure development. There are also a number of site-specific chapters to be considered in the assessment of development applications lodged with Council for particular development types and at particular locations.

The following parts of the Leeton DCP 2022 contain provisions which are likely to be relevant to any future development of the subject land.

- + Part A - Introduction.
- + Part B - Design Guidelines.
- + Part C - Subdivision Development.
- + Part D - Residential Development.



3.2 Leeton Section 7.12 Contributions Plan 2023

The Leeton Shire Council Section 7.12 (Fixed Levy) Contributions Plan was adopted by Leeton Shire Council on 1 June 2023. The aim of the plan is to allow the Council to impose a condition on Development Consents that levies a certain percentage of the total cost of the development.

For development projects costing over \$100,000 but less than \$200,000 a contribution amount of 0.5% is levied by Council. For development projects costing over \$200,000, a contribution amount of 1% is levied.

The Leeton Shire Council Section 7.12 (Fixed Levy) Contributions Plan 2023 does not apply to Council-led developments.



DESCRIPTION OF THE PROPOSAL

4.1 Description of the Development Proposal

The Planning Proposal has been prepared to rezone Lot 330 DP 751742 and Lot 3 DP 1067105 to R3 Medium Density Residential, similar to R3 zoned land to the south of Palm Avenue. It is also proposed to apply a 300m² minimum subdivision lot size applying to the land.

Following consideration of several redevelopment options for the Brobenah Road site by Leeton Shire Council, a preferred option of medium density development on Torrens Title lots is supported by Council.

The Brobenah Road Options Analysis Report 2024 explored different concept designs for housing redevelopment on the site. Leeton Shire Council is supportive of small Torrens Title lots that would allow terrace or villa style housing. This style of subdivision / housing is becoming popular with young adults, renters, young couples without children or having the one child and older couples where their children have moved on and they are seeking a smaller dwelling close to shops and health services.

Final design of residential land-use on individual lots would be determined under a Development Application and Construction Certificate process, generally in accordance with the following design principles:

- + Internal roads to allow movement of cars, emergency services vehicles, postal services and garbage truck kerbside pick-up services.
- + Internal streetscape to maximise street tree plantings for shade, lighting and passive surveillance.

- + Buildings designed as detached structures under Torrens Title subdivision.
- + Uniform building envelopes to achieve a consistent building interface and streetscape and solar access to future dwellings, solar collectors on roof profiles and gardens.
- + Restrictions on title guiding contemporary house type, colours and finishes to provide variation along the streetscape as well as use of open gable roofs to cover alfresco areas at the rear of dwellings to promote all-year-round use of outside spaces.
- + Landscaping, including trees and other vegetation to be provided to create high levels of privacy, shade and amenity.

A Development Application has been prepared for the proposed subdivision of Lot 330 DP 751742 and Lot 3 DP 1067105 into 20 Torrens Title lots, which includes the following:

- + Proposed Subdivision Layout Plan.
- + Proposed Servicing Plan.
- + Proposed Landscaping Plan.
- + Statement of Environmental Effects.
- + Stormwater Management Plan.

It is intended the Development Application would be lodged with Leeton Shire Council for the proposed subdivision of Lot 330 DP 751742 and Lot 3 DP 1067105 into 20 Torrens Title lots on or around the same time as the Planning Proposal.

Figures 10 and 11 shows the existing and proposed zoning framework and Figures 12 and 13 show the existing and proposed minimum lot size to apply to the site, as per the Planning Proposal.

LEGEND - ZONING

E1	E1 Local Centre
E3	E3 Productivity Support
E4	E4 General Industrial
R1	R1 General Residential
R2	R2 Low Density Residential
R3	R3 Medium Density Residential
R5	R5 Large Lot Residential
RE1	Public Recreation
SP2	Infrastructure

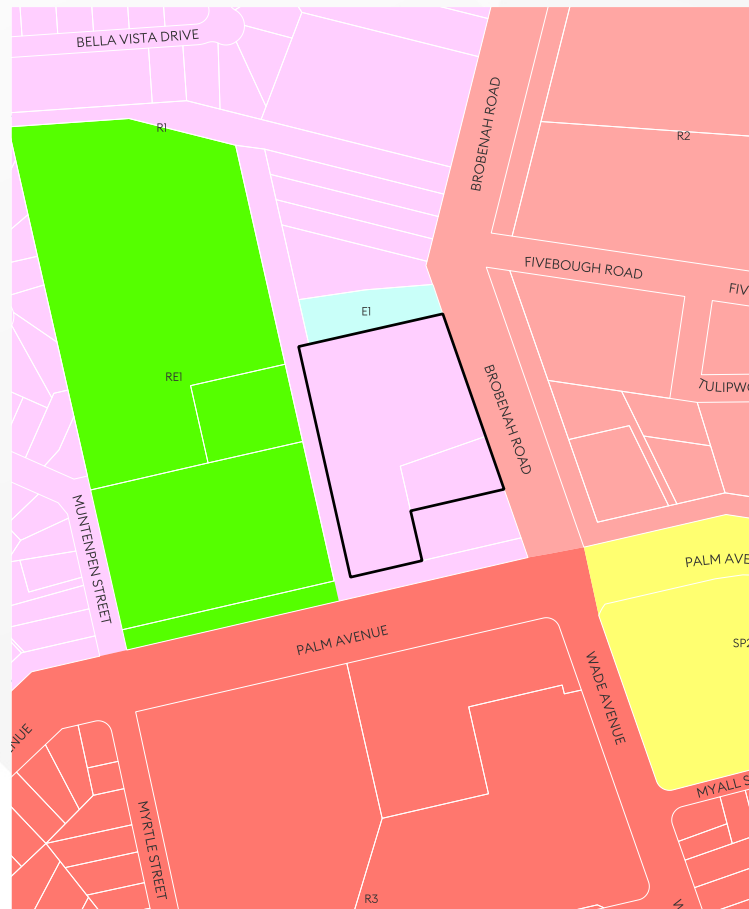


Figure 10 - Existing Zoning Map

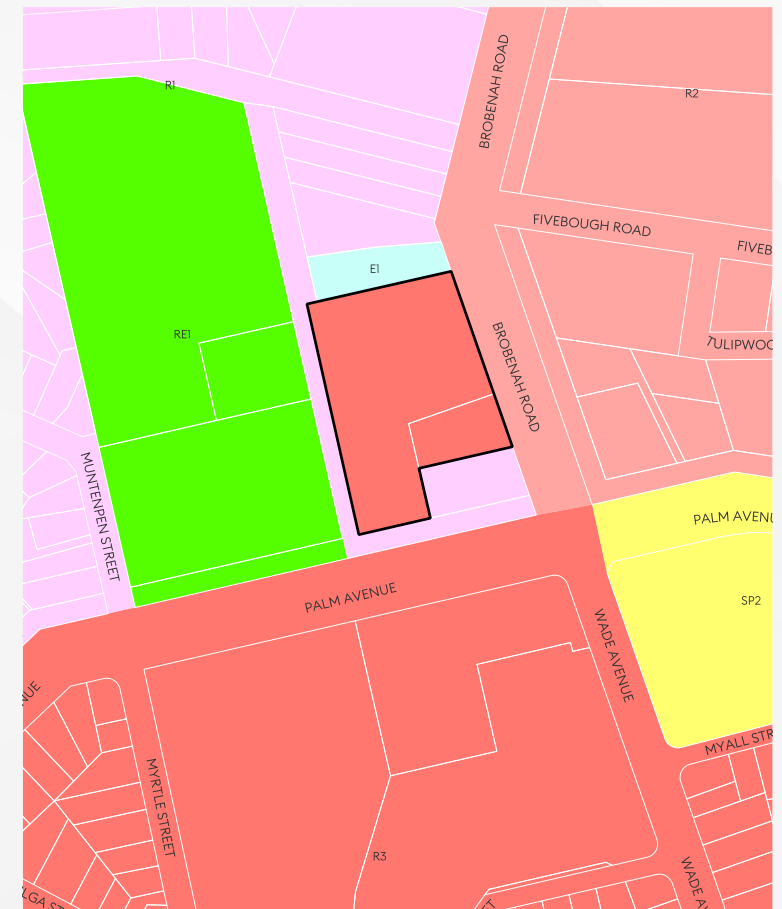


Figure 11 - Proposed Zoning Map

LEGEND - MINIMUM LOT SIZE

	300m ² MLS
	750m ² MLS
	500m ² MLS
	4,000m ² MLS

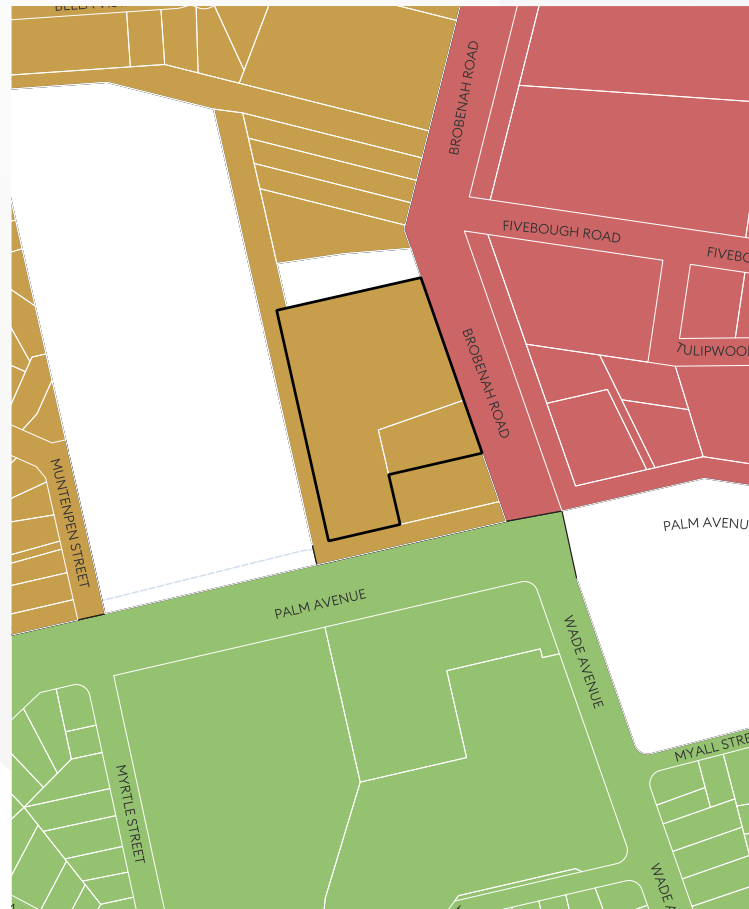


Figure 12 - Existing Zoning Map

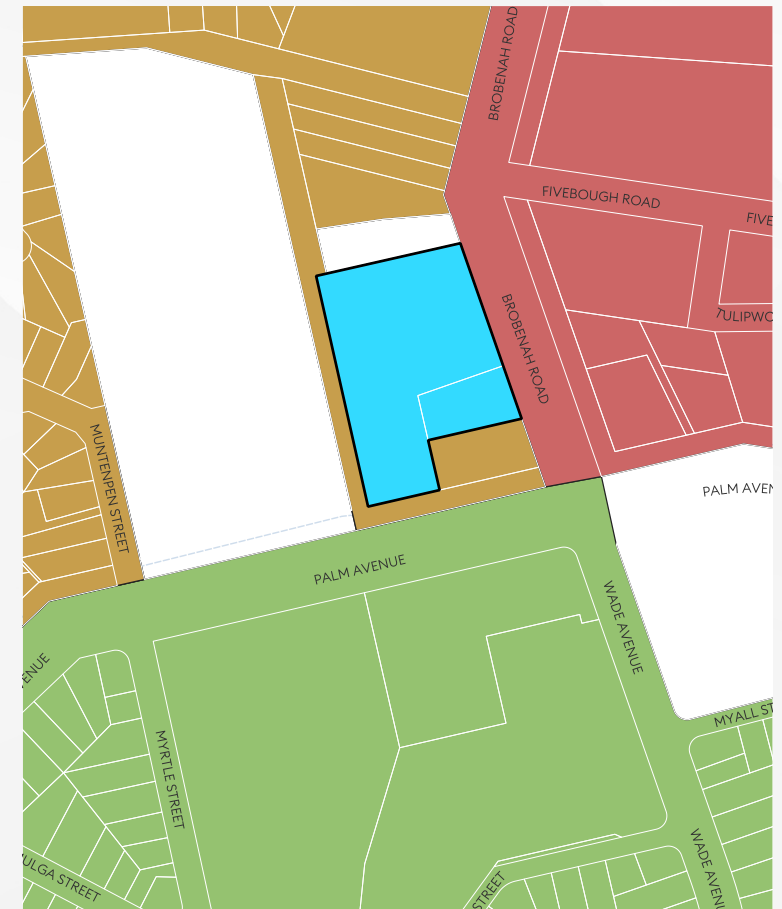


Figure 13 - Proposed Zoning Map

STRATEGIC ALIGNMENT

The Planning Proposal is consistent with the Riverina-Murray Regional Plan 2041, Leeton Housing Strategy 2024 and the Leeton Housing Strategy Implementation Plan 2025.

The Brobenah Road site is ideally suited for medium density land-use, as outlined below:

- + The site has a history of higher density living, having previously used as a caravan park.
- + The site has a central location in proximity to Leeton Hospital, TAFE, Leeton High School and Public School, Southern Cross Aged Care, Mens Shed and a neighbourhood shop.
- + The site has existing access to robust road and active transport networks, open spaces and urban utilities.
- + The site is suitably separated from sensitive land-uses.
- + All potential environmental and amenity impacts associated with the proposal are able to be suitably mitigated within the site.
- + The proposal aligning with the strategic vision for the Leeton Shire and the Riverina-Murray Region by supply new medium density housing which is in short supply.

A plan showing the general layout of a future subdivision is shown in Figure 14. If the Planning Proposal did not proceed, there would be less examples of quality medium density housing in Leeton Shire.



Figure 14 - Medium Density Concept Design

PLANNING PROPOSAL PART 1

Plan Making Guidance - Part 1

The NSW DPHI Local Environmental Plan Making Guidelines require Part 1 of the Planning Proposal to:

- + Provide a clear and concise description of the Planning Proposal and be written in plain English, so it is easily understood by the community.
- + Provide a description of the objectives and intended outcomes of the planning proposal so that they are specific enough to reflect the objective of the proposal yet flexible enough to allow for alternatives.

7.1 Objectives and Intended Outcomes

Section 3.33(2)(a) of the EP&A Act 1979 requires a Planning Proposal to include a statement of the objectives or intended outcomes of the proposed amendments.

Objective

To amend the Leeton LEP 2014 to:

- + Rezone Lot 330 DP 751742 and Lot 3 DP 1067105 Brobenah Road to R3 Medium Density Residential.
- + Change the minimum subdivision lot size applying to Lot 330 DP 751742 and Lot 3 DP 1067105 Brobenah Road from 750m² to 300m².

Intended Outcomes

- + Extend the existing R3 Medium Density Residential zone to the north.
- + Rationalise the site in the context of adjoining childcare facility, neighbourhood shops, open spaces, roads and active transport connections.
- + Provide opportunity for medium density residential subdivision and development, subject to all consent conditions, approvals and licences being granted.

PLANNING PROPOSAL PART 2

Plan Making Guidance - Part 2

The NSW DPHI Local Environmental Plan Making Guidelines require Part 2 of the Planning Proposal to:

- + Provide a detailed statement of how the objectives or intended outcomes will be achieved by amending the LEP.
- + Provide an explanation of provisions, clearly stated and containing enough information on the proposal to assist legal drafting of the LEP.
- + Provide information relating to the proposed zones and / or development standards if known at this stage in the Planning Proposal.

8.1 Explanation of Provisions

Section 3.33(2)(b) of the EP&A Act 1979 requires the Planning Proposal to include an explanation of the provisions that are to be included in the proposed amending instrument.

Intended Provisions

The Planning Proposal seeks to amend the Leeton LEP 2014 by:

- + Rezoning Lot 330 DP 751742 and Lot 3 DP 1067105 Brobenah Road to R3 Medium Density Residential.
- + Applying a 300m² minimum subdivision lot size applying to Lot 330 DP 751742 and Lot 3 DP 1067105 Brobenah Road.

No other changes to the Leeton LEP 2014 are proposed.

PLANNING PROPOSAL PART 3

Plan Making Guidance - Part 3

The NSW DPPI Local Environmental Plan Making Guidelines require Part 3 of the Planning Proposal to:

- + Provide a detailed assessment of the proposal's strategic and site-specific merit to determine whether the Planning Proposal should be supported.
- + Integrate findings from supporting studies and investigations.
- + Provide justification for the proposed amendments to the LEP.
- + Consider the interaction between these findings and whether the proposal will align with the strategic planning framework.
- + Consider whether the proposal will have any environmental, social or economic impacts.

The assessment criteria for strategic merit includes:

- + Whether the proposal gives affect to the relevant Regional Plan.
- + Whether the proposal demonstrates consistency with the relevant LSPS or endorsed Strategy.
- + Whether the proposal responds to a change in circumstances that has not been recognised by the existing planning framework.

The LEP should include site-specific merit assessment of:

- + The natural environment on the site and other affected land.
- + Existing, approved and likely future uses of the land.
- + Services and infrastructure requirements of the proposal.

9.1 Need for the Planning Proposal

9.1.1 Is the Planning Proposal a result of any strategic study or report?

The need for the Planning Proposal is a direct result of the Leeton Housing Strategy 2024 and the Leeton Housing Strategy Implementation Plan 2025 prepared by Leeton Shire Council.

Justification for the Planning Proposal has been provided generally throughout this report, however the following key reasons underpin the proposed changes to the Leeton LEP 2014:

- + The site has a history of higher density living, having previously been used as a caravan park.
- + The site is already zoned for general residential purposes.
- + The site has a central location in proximity to Leeton Hospital, TAFE, High School, Public School, Southern Cross Aged Care, Mens Shed and a neighbourhood shop.
- + The site has existing access to robust road and active transport networks, open spaces and urban utilities.
- + The site is suitably separated from sensitive land-uses.
- + All potential environmental and amenity impacts associated with the proposal are able to be suitably mitigated within the site.

- + The proposal aligns with the strategic vision for the Leeton Shire and the wider region by supplying new medium density housing, which is in short supply.

9.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The most efficient and effective means of achieving the objectives and intended outcomes of the Planning Proposal are to rezone the Brobenah Road site to R3 Medium Density Residential and to remove the existing minimum subdivision lot size applying to the land.

The following alternatives have been considered by Council, but do not provide an appropriate pathway to lead the redevelopment of the site, as described in this Planning Proposal:

- + Use of Clause 4.6 of Leeton Local Environmental Plan 2014 relating to the variation of a development standard or control.
- + Continued reliance on R1 General Residential zone with a Planning Proposal to change in the minimum lot size map only.

9.2 Relationship to the strategic planning framework

9.2.1 Will the planning proposal give effect to the objectives and actions of the applicable regional plan?

The Riverina-Murray Regional Plan 2041 establishes a strategic framework, vision and direction for land-use, addressing future needs for housing, jobs, infrastructure, a healthy environment, access to green spaces and connected communities. It leverages the region's central location and builds on its strengths to provide smart, efficient and reliable connections that bring residents and visitors closer to jobs, centres, education and the natural environment.

The Riverina Murray Regional Plan 2041 is structured around multiple strategies and collaboration activities, managed under the following themes:

- + Environment.
- + Communities and places.
- + Region-shaping investment.

The following objectives are particularly relevant in the context of the Planning Proposal:

- + Objective 5 - Ensure housing supply, diversity, affordability and resilience.
- + Objective 6 - Support housing in regional cities and their sub-regions.
- + Objective 8 - Provide for short-term accommodation.
- + Objective 9 - Plan for resilient places that respect local character.
- + Objective 11 - Plan for integrated and resilient utility infrastructure.

Table 2 includes a brief assessment of the Planning Proposal against the relevant objectives and priorities in the Regional Plan.

Table 2 - Planning Proposal Assessment - Regional Plan

Objective	Preliminary Assessment
5	Implementation of the changes in the Planning Proposal will address an important recommendation in the Leeton Housing Strategy 2024 to increase the supply in medium density housing in strategic sites in Leeton township. Planning and development of the site has been investigated in more detail as part of the Leeton Housing Strategy Implementation Plan 2025, Brobenah Road Options Analysis 2024 and the drafting of DA documentation for proposed subdivision. The Brobenah Road site is well suited to medium density residential housing, given its proximity to Leeton Hospital, TAFE, Leeton High School and Public School, Southern Cross Aged Care, Mens Shed and a neighbourhood shop. The site also has access to robust road and active transport networks, open spaces and urban utilities. The Planning Proposal is of a scale that is of local planning significance. Notwithstanding, the proposal is demonstrated to provide leadership on a critical medium density housing services which are lacking in the region.
6	
8	
9	
11	



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

The Leeton Shire Local Strategic Planning Statement (LSPS) 2020 contains planning priorities and actions for a 20-year vision for the Leeton Shire outlining how growth and change will be managed into the future.

In relation to the Brobenah Road site, the Leeton LSPS 2020 identifies the following priorities / actions:

- + Ensure the community has access to diverse housing options.
- + Complete a local housing strategy to ensure adequate supply of diverse housing choices.
- + Review local planning controls to provide greater housing choice by investigating existing density standards and minimum lot sizes.

Table 3 includes an assessment of the Planning priorities / actions in the Leeton LSPS 2020 that are considered to be of particular relevance to the Planning Proposal.

Table 3 - Planning Proposal Assessment - Leeton LSPS 2020

Direction	Preliminary Assessment
Ensure the community has access to diverse housing options.	The need for the Planning Proposal is a direct result of the Leeton Housing Strategy 2024 and the Leeton Housing Strategy Implementation Plan 2025 prepared by Leeton Shire Council. Planning for the site has been investigated in more detail as part of the Leeton Housing Strategy Implementation Plan 2025, Brobenah Road Options Analysis 2024 and the drafting of DA documentation for proposed subdivision. The site is free of hazardous flooding, bushfire prone land or site contamination.
Complete a local housing strategy to ensure adequate supply of diverse housing choices.	The site is well suited to medium density residential housing, given its proximity to Leeton Hospital, TAFE, High School, Public School, Southern Cross Aged Care, Mens Shed and a neighbourhood shop. The site also has access to robust road and active transport networks, open spaces and urban utilities.
Review local planning controls to provide greater housing choice by investigating existing density standards and minimum lot sizes.	The changes proposed to the Leeton LEP 2014 are generally considered to be of local significance only to the site and immediate surrounds, and do not create any inconsistencies with the planning priorities and actions contained in the Leeton LSPS 2020.



9.2.3 Is the planning proposal consistent with any other applicable State or regional studies or strategies?

The following strategies / studies have been considered in the preparation of the Planning Proposal:

- + NSW Housing Strategy 2041.
- + Regional Housing Delivery Plan.
- + Future Transport Strategy 2056.
- + NSW Government Architect - Greener Places.
- + State Infrastructure Strategy, a 20 year Economic Vision for Regional NSW.

The Planning Proposal is assessed to be consistent with all relevant State and regional strategies / studies.

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

Table 4 shows a list of the State Environmental Planning Policies that have applicability to land within the Leeton LGA.

The table includes an assessment on whether there are provisions within the each SEPP that need to be considered in relation to the Planning Proposal.

Where it is identified that further assessment is required, this work is presented in the following pages.

Table 4 - Preliminary SEPP Assessment

Name of SEPP	Applicability	Further Assessment Warranted?
SEPP (Biodiversity and Conservation) 2021	Applicable	Yes
SEPP (Sustainable Buildings) 2022	Not applicable	No
SEPP (Exempt and Complying Development Codes) 2008	Not applicable	No
SEPP (Housing) 2021	Applicable	Yes
SEPP (Industry and Employment) 2021	Not applicable	No
SEPP (Planning Systems) 2021	Applicable	Yes
SEPP (Primary Production) 2021	Not applicable	No
SEPP (Precincts - Central River City) 2021	Not applicable	No
SEPP (Precincts - Eastern Harbour City) 2021	Not applicable	No
SEPP (Precincts - Western Parkland City) 2021	Not applicable	No
SEPP (Precincts - Regional) 2021	Not applicable	No
SEPP (Resilience and Hazards) 2021	Applicable	Yes
SEPP (Resources and Energy) 2021	Not applicable	No
SEPP (Transport and Infrastructure) 2021	Applicable	Yes

SEPP (Biodiversity and Conservation) 2021

The Biodiversity and Conservation SEPP 2021 aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. Provisions protecting bushland, trees, heritage items, waterways, wetlands and koalas are also included in the SEPP.

The SEPP is applicable to the assessment of the Planning Proposal as it affects land in a non-rural zone and will facilitate a development outcome that is likely to result in the clearing of native vegetation with resulting potential impacts in terms of the biodiversity resources of the land.

The site is largely cleared of native vegetation, the result of use of the land for a caravan park, dwelling-house and urban parkland activities. The site comprises a number of fixed buildings, roads and drainage improvements within cleared areas sown down to Kikuyu grass, surrounded by patches of planted vegetation. As a result, the site is predominately cleared of native vegetation. Habitat value is generally assessed as low.

No clearing of native vegetation as defined under Local Land Services Act 2013 and at levels triggering the BOS is required as part of the Planning Proposal. Assessment of biodiversity impacts under Section 1.7 of the EP&A Act 1979 (which takes into consideration Part 7 of the BC Act 2016) reveals no significant affects on threatened species or their habitats.

Having regard to the above, the Planning Proposal does not create any inconsistencies with the provisions contained in this SEPP.

SEPP (Housing) 2021

This SEPP aims to enable the delivery of diverse housing types, encourage housing that meets the needs of more vulnerable members of the community, and promote the delivery of appropriately designed housing in appropriately planned locations.

The need for the Planning Proposal is a direct result of the Leeton Housing Strategy 2024 and the Leeton Housing Strategy Implementation Plan 2025 prepared by Leeton Shire Council.

The Planning Proposal requests changes to the local planning framework that will enable an optimum development outcome for the Brobenah Road site.

Leeton Shire Council is committed to developing the land into a quality residential subdivision estate that will directly support the creation of new housing opportunities at Leeton in accordance with the principles and provisions of this SEPP.

Development for the purposes of affordable housing, secondary dwellings, group homes, co-living housing, build-to-rent housing, and housing for seniors and people with a disability will all be permissible in the R3 Medium Density Residential zone proposed for the site.

The Planning Proposal is unlikely to create any inconsistencies with the provisions contained in this SEPP.

SEPP (Planning Systems) 2021

The Planning Systems SEPP 2021 provides the framework to determine whether a proposed development is:

- + State Significant Development.
- + State Significant Infrastructure.
- + Regionally Significant Development.

The proposed subdivision of the land into new residential allotments is not identified to meet any of the triggers for State Significant Development and is not State Significant Infrastructure.

The capital investment value of the proposed subdivision works has been costed at less than \$5M, and is therefore not likely to be Regionally Significant Development.

SEPP (Resilience and Hazards) 2021

This SEPP requires that a consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.

The Planning Proposal relates only to land which has already been identified by Leeton Shire Council as being suitable for residential purposes.

The following background information has been established by Leeton Shire Council in order to determine the level of assessment required in relation to the issue of potential land contamination at the subject land:

- + The land is not declared to be a significantly contaminated site within the meaning of the Contaminated Land Management Act 1997.
- + The land has not been regulated by the EPA or other regulatory authority in relation to land contamination.
- + There is no history of land-use activities occurring on the land which might give rise to concerns about contamination risk.
- + Site inspection did not identify any earthworks or built improvements which indicate the undertaking of historic land-use activities that could have led to the potential contamination of the land.

On the basis of the above, there is a low likelihood that the site is contaminated and no warrant for further investigations in the form of a Preliminary Contamination Investigation as part of this Planning Proposal.

SEPP (Transport and Infrastructure) 2021

The Transport and Infrastructure SEPP 2021 aims to facilitate the effective delivery of infrastructure across NSW by providing a consistent planning framework for infrastructure provision, and identifying where a more detailed assessment or consultation response may be required for specific types of infrastructure development.

In accordance with Schedule 3 of the SEPP, subdivision developments involving the creation of 200 or more allotments and involving the opening of a public road are identified to be traffic-generating developments of a kind that requires referral to Transport for NSW.

The Planning Proposal relates to a subdivision development that proposes the creation of less than 200 lots and does not require referral to Transport for NSW.

Having regard to the above, the Planning Proposal does not create any inconsistencies with the provisions contained in this SEPP.

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

An assessment of the Planning Proposal against each applicable Section 9.1 Ministerial Direction is included as follows:

Focus Area 1 - Planning Systems

Direction 1.1 - Implementation of Regional Plans

The Direction applies to the Planning Proposal as it relates to land to which the Riverina-Murray Regional Plan 2041 applies. The Direction requires the Planning Proposal to be consistent with the requirements of the Riverina-Murray Regional Plan 2041. An assessment against the Regional Plan is included in this Planning Proposal. No inconsistencies have been identified. The Planning Proposal is assessed to be consistent with Ministerial Direction 1.1.

Direction 1.2 - Development of Aboriginal Land Council Land

The Direction does not apply to the Planning Proposal as it does not relate to any land that is shown on the Land Application Map of Chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021.

Direction 1.3 - Approval and Referral Requirements

The Direction generally requires the Planning Proposal not to include provisions requiring concurrence, consultation or referral of a DA to a Minister of a public authority without prior approval. The Planning Proposal seeks to rezone Lot 330 DP 751742 and Lot 3 DP 1067105 from R1 General Residential to R3 Medium Density Residential and to apply a 300m² minimum subdivision lot size under the Leeton LEP 2014. The changes proposed to the Leeton LEP 2014 will not alter existing consultation or concurrence obligations prescribed in legislation for new development. The Planning Proposal is assessed to be consistent with Ministerial Direction 1.3.

Direction 1.4 - Site Specific Provisions

The Direction applies when a Planning Proposal will allow a particular development to be carried out. Direction 1.4(1) does not apply because the Planning Proposal does not include a request to introduce or change the permissibility of a land-use on any of the existing zonings that affect Lot 330 DP 751742 and Lot 3 DP 1067105. Direction 1.4(2) requires that the Planning Proposal must contain or refer to drawings that show details of the proposed development. The Planning Proposal is assessed to be consistent with Ministerial Direction 1.4(2).

Focus Area 2 - Planning Systems - Place Based

Ministerial Directions 1.5 to 1.22 are not applicable to the subject land. Further consideration is not considered to be necessary.

Focus Area 2 - Design and Place

This Focus Area was blank when the Directions were made.

Focus Area 3 - Biodiversity and Conservation

Direction 3.1 - Conservation Zones

Direction 3.1(1) requires that a Planning Proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. Direction 3.1(2) requires that the Planning Proposal must not reduce the conservation standards that apply to the land. The Planning Proposal does not propose any changes of zoning or development on land that is identified as an environmentally sensitive area. The Planning Proposal is consistent with the terms of Ministerial Direction 3.1.

Direction 3.2 - Heritage Conservation

Direction 3.2(1) requires that a Planning Proposal must contain provisions that facilitate the conservation of any environmental heritage items identified in a study of the environmental heritage of the area, Aboriginal objects or places protected under the National Parks and Wildlife Act 1974 or identified by an Aboriginal heritage

survey prepared by or on behalf an Aboriginal Land Council, Aboriginal body or public authority.

The planning proposal is assessed to be consistent with this Ministerial Direction for the following reasons:

- + The Planning Proposal does not impact on any known items of Aboriginal cultural heritage significance.
- + The subject land is not mapped in the Leeton LEP 2014 as a heritage item.
- + The Planning Proposal does not change, alter or reduce any of the existing provisions in Leeton LEP 2014 which facilitate the protection and conservation of heritage areas.
- + Clause 5.10 of the Leeton LEP 2014 would continue to apply to any future development on the land.

Direction 3.3 - Sydney Drinking Water Catchments

The Direction does not apply to the Planning Proposal as it does not affect land in any of the Local Government Areas located within the Sydney Drinking Water Catchment.

Direction 3.4 - Application of C2 and C3 zones and Environmental Overlays in Far North Coast LEPs.

The Direction does not apply to the Planning Proposal as it does not affect land on the New South Wales Far North Coast.

Direction 3.5 - Recreation Vehicle Areas

Direction 3.5(1) requires that a Planning Proposal must not enable land to be developed for the purposes of a recreation vehicle area where:

- + The land is within a conservation zone.
- + Where the land comprises a beach or a dune adjacent to or adjoining a beach.

- + Where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of NSW, September, 1985.
- + The provisions of the guidelines entitled Recreation Vehicles Act 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985.

The Planning Proposal is assessed to be consistent with this Ministerial Direction for the following reasons:

- + The proposal does not involve land within a C3 Environmental Management zone.
- + The proposal is to allow the land to be developed for residential land-uses only.

Direction 3.6 - Strategic Conservation Planning

This Direction does not apply to the Planning Proposal as it does not relate to land that is identified as 'avoided land' or a 'strategic conservation area' under State Environmental Planning Policy (Biodiversity and Conservation) 2021.

Direction 3.7 - Public Bushland

This Direction does not apply to the Planning Proposal as it does not relate to land in a prescribed LGA.

Direction 3.8 - Willandra Lakes Region

This Direction does not apply to the Planning Proposal as it does not relate to land identified as the Willandra Lakes World Heritage Property.

Direction 3.9 - Sydney Harbour Foreshores and Waterways area

This Direction does not apply to the Planning Proposal as it does not relate to land within the Foreshores and Waterways Area.

Direction 3.10 - Water Catchment Protection

This Direction does not apply to the Planning Proposal as it does not relate to land within a regulated catchment.

Focus Area 4 - Resilience and Hazards

Direction 4.1 - Flooding

Direction 4.1 requires that a Planning Proposal must include provisions that give effect to and are consistent with:

- + The NSW Flood Prone Land Policy.
- + The principles of the Floodplain Development Manual 2005.
- + The Considering flooding in land use planning guideline 2021.
- + Any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.

The Planning Proposal is assessed to be consistent with the requirements of Direction 4.1 for the following reasons:

- + The subject site is not located in close proximity to major watercourses, with the main stream of the Murrumbidgee River being located approximately 10km to the south.
- + The site is not subject to major riverine flood events.
- + The site is not located within a floodway or high hazard area.
- + The site is currently shown in the Leeton Shire Council Flood Study 2015 to be in a low hazard flood storage area.
- + A draft Leeton Shire Flood Study has been prepared by WMS Engineering to review the Leeton Flood Study 2015, based on the 2022 flood data. The draft Study is currently on public exhibition. The draft Study shows Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road, Leeton as 'flood fringe' and not 'flood storage'.

- + WMS Engineering have undertaken site specific analysis of Lot 330 DP 751742 and Lot 3 DP 1067105. In their letter dated 25 September 2025 WMS Engineering advise the site is 'flood fringe' and note there is a reduced extent of inundation in the 1% AEP. A copy of the WMS Flood Risk Assessment is included in Appendix A to this report. WMS Engineering advise there is a swale drain running along the eastern boundary parallel to Brobenah Road where stormwater accumulates, but does not spill into the site in a 1% AEP event.
- + WMS Engineering advise no issue from a flood perspective with increasing the density for residential development under the PP.
- + Construction of a new entry to the site and removal of the landscaped drainage strip would allow for all stormwater from new development to directed into the public drainage system in Brobenah Road and the constructed concrete drainage channel managed by Leeton Shire Council on the western boundary of the site.
- + It is assessed that no flooding of the site will occur, subject to a detailed stormwater management plan being implemented at Construction Certificate stages. The proposal is unlikely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, including road infrastructure, flood mitigation infrastructure and utilities.

Direction 4.2 - Coastal Management

The Direction does not apply to the Planning Proposal as it does not affect land within the coastal zone, as defined under the Coastal Management Act 2016.

Direction 4.3 - Planning for Bushfire Protection

The Direction does not apply to the Planning Proposal as it does not affect land that is mapped as bushfire prone land, or land that is within proximity to land that is mapped as bushfire prone land.

Direction 4.4 - Remediation of Contaminated Land

The Direction applies to the Planning Proposal as it relates to land that is to be used for residential development purposes.

Direction 4.4(1) requires that a Planning Proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless:

- + The Planning Proposal Authority has considered whether the land is contaminated, and
- + If the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and
- + If the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.

Direction 4.4(2) requires, before including any land to which this direction applies in a particular zone, the Planning Proposal Authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.

The Planning Proposal relates only to land which has already been identified by Leeton Shire Council as being suitable for residential purposes.

The following background information has been established by Leeton Shire Council in order to determine the level of assessment required in relation to the issue of potential land contamination at the subject land:

- + The land is not declared to be a significantly contaminated site within the meaning of the Contaminated Land Management Act 1997.

- + The land has not been regulated by the EPA or other regulatory authority in relation to land contamination.
- + There is no history of land-use activities occurring on the land which might give rise to concerns about contamination risk.
- + Site inspection did not identify any earthworks or built improvements which indicate the undertaking of historic land-use activities that could have led to the potential contamination of the land.

The site is considered suitable for medium density residential land-use as proposed in the Planning Proposal. As such, the Planning Proposal does not create any inconsistencies with the provisions contained in this SEPP.

Direction 4.5 - Acid Sulphate Soils

The Direction does not apply to the Planning Proposal as it does not affect land having a probability of containing acid sulfate soils.

Direction 4.6 - Mine Subsidence and Unstable Land

The Direction does not apply to the Planning Proposal as it does not affect land that is within a declared mine subsidence district.

Focus Area 5 - Transport and Infrastructure**Direction 5.1 - Transport and Infrastructure**

Direction 5.1(1) requires that a Planning Proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:

- + Improving Transport Choice – Guidelines for planning and development (DUAP 2001).
- + The Right Place for Business and Services – Planning Policy (DUAP 2001).

The Planning Proposal does not create, alter and remove a zoning provision relating to urban land. The development scenario that

is to be facilitated by this Planning Proposal is not be expected to compromise the safety or function of the surrounding road network.

Direction 5.1(1) requires that the Planning Proposal must include provisions that give effect to and are consistent with the aims, objectives and principles of:

- + Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and
- + The Right Place for Business and Services – Planning Policy (DUAP 2001).

The Planning Proposal is assessed to be consistent with this Ministerial Direction for the following reasons:

- + Lot 330 DP 751742 and Lot 3 DP 1067105 is located within the Leeton Urban Area.
- + Lot 330 DP 751742 and Lot 3 DP 1067105 has featured in the Leeton Housing Strategy 2024, Leeton Housing Strategy Implementation Plan 2025 and Brobenah Road Options Analysis Report 2024 as a suitable site for medium density style development.
- + The Planning Proposal does not propose significant changes to the planned uses for the land, which will continue to be for residential purposes.
- + Traffic impacts are assessed to be manageable and within the capacity of the road network.

Direction 5.2 - Reserving land for public purposes

Direction 5.2(1) requires that a Planning Proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary). The Planning Proposal does not reduce the amount of land reserved for public purposes.

Direction 5.3 - Development Near Regulated Airports and Defence Airfields

The Direction does not apply to the Planning Proposal as it does not create, alter or remove a zone or provision relating to land near a regulated airport.

Direction 5.4 - Shooting Ranges

The Direction does not apply to the Planning Proposal as it does not create, alter or remove a zone or provision relating to land adjacent to and / or adjoining an existing shooting range.

Focus Area 6 - Housing

Direction 6.1 - Residential Zones

The Direction applies to the Planning Proposal as it affects land within an existing or proposed residential zone.

Direction 6.1(1) requires the Planning Proposal to include provisions that encourage the provision of housing that will:

- + Broaden the choice of building types and locations available in the housing market, and
- + Make more efficient use of existing infrastructure and services, and
- + Reduce the consumption of land for housing and associated urban development on the urban fringe, and
- + Be of good design.

The Planning Proposal is assessed to be consistent with the requirements of Direction 6.1(1). The proposed subdivision design has been developed to be generally consistent with the Leeton DCP 2022. The Brobenah Road residential subdivision project will contribute to the supply of quality housing opportunities in Leeton.

Direction 6.2(2)(a) requires that the Planning Proposal must contain a requirement that residential development is not permitted until land is adequately serviced or that appropriate arrangements have been made for the servicing of the land. The Planning Proposal is assessed to be consistent with the requirements of this Direction

as appropriate arrangements have been made for the supply of all necessary infrastructure and servicing to Brobenah Road site.

Direction 6.2(2)(b) requires that the Planning Proposal not contain provisions which will reduce the permissible residential density of land. The Planning Proposal requests that changes be made to Leeton LEP 2014 which will have the effect of increasing the permissible density of residential housing on the subject land. The Planning Proposal is consistent with the Direction.

Direction 6.2 - Caravan Parks and Manufactured Home Estates

The Planning Proposal does not seek to identify suitable zones, locations and provisions for caravan parks or manufactured home estates.

The permissibility of these land-use types in any existing zone under the Leeton LEP 2014 will not be changed as a result of this Planning Proposal.

The Planning Proposal is not inconsistent with the requirements of the Direction.

Focus Area 7 - Industry and Employment

Direction 7.1 - Business and Industrial Zones

The Direction does not apply to the Planning Proposal as it does not affect land within an existing or proposed business or industrial zone.

Direction 7.2 - Reduction in non-hosted short-term rental accommodation period

The Direction does not apply to the Planning Proposal as it does not affect land within the Byron LGA.

Direction 7.3 - Commercial and Retail Development along the Pacific Highway, North Coast

The Direction does not apply to the Planning Proposal as it does not affect land within those council areas on the North Coast that the Pacific Highway traverses.

Focus Area 8 - Resources and Energy

Direction 8.1 - Mining, Petroleum Production and Extractive Industries

The Direction does not apply to the Planning Proposal as it does not have the effect of:

- + Prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials.
- + Restricting 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.

Focus Area 9 - Primary Production

Direction 9.1 - Primary Production

The Direction does not apply to the Planning Proposal as it does not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.

Direction 9.2 - Rural Lands

The Planning Proposal affects land within an existing or proposed rural or conservation zone. It does not propose changes to the existing minimum lot size on land within a rural or conservation zone.

Direction 9.3 - Oyster Aquaculture

This Direction does not apply to the Planning Proposal as it does not affect land within a 'Priority Oyster Aquaculture Area'.

Direction 9.4 - Farmland of State and Regional Significance on the NSW Far North Coast

This Direction does not apply to the Planning Proposal as it does not affect land within a Far North Coast LGA.

9.3 Environmental, Social and Economic Impact

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

A review of the Terrestrial Biodiversity Map in the Leeton LEP 2014 confirms the site is not mapped as biodiversity.

The site is largely cleared of native vegetation, the result of use of the land for a caravan park, dwelling-house and urban parkland activities. Habitat value is generally assessed as low.

No clearing of native vegetation as defined under Local Land Services Act 2013 and at levels triggering the BOS is required as part of the Planning Proposal. Assessment of biodiversity impacts under Section 1.7 of the EP&A Act 1979 (which takes into consideration Part 7 of the BC Act 2016) reveals no significant affects on threatened species or their habitats.

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

- + **Flooding** - The site is currently shown in the Leeton Shire Council Flood Study 2015 to be in a low hazard flood storage area. A new Flood Study is currently being progressed by WMS Engineering which shows Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road, Leeton as 'flood fringe' and not 'flood storage'. In their letter dated 25 September 2025 WMS Engineering advise there is a swale drain running along the eastern boundary parallel to Brobenah Road where stormwater accumulates, but does not spill into the site in a 1% AEP event. WMS Engineering advise no issue from a flood perspective with increasing the density for residential development under the PP. Construction of a new entry to the site and removal of the landscaped drainage strip would allow for all stormwater from new development to be directed into the public drainage system in Brobenah Road and the constructed concrete drainage channel managed by Leeton Shire Council on the western boundary of the site. The proposal is unlikely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, including road infrastructure, flood mitigation infrastructure and utilities.
- + **Bushfire** - According to mapping prepared by the NSW Rural Fire Service, the subject land is not identified as being within a bushfire prone area. Site specific investigations confirm that bushfire risk is not a key constraint to new housing growth in the Brobenah Road site.
- + **Contamination** - The Planning Proposal relates only to land that has already been identified by Leeton Shire Council as being suitable for residential purposes. There is no evidence of site contamination that would prohibit residential development.

9.3.3 Has the planning proposal adequately addressed any social and economic effects

Social Impact Assessment

An assessment of potential impacts of the Planning Proposal and the resultant medium density development has been undertaken with regards to scoping methodology outlined in the DPHI Social Impact Assessment Guideline 2017 (SIA Guideline).

Table 5 provides an assessment of the Planning Proposal against the criteria in the SIA Guideline.

Table 5 - SIA Guideline - Social Impact Assessment

Matters	Key links to social impacts	Risk of impact without mitigation	Nature of Impact	Explanation
Amenity				
Acoustic	Way of life	Unlikely	Negative	The Planning Proposal is unlikely to generate negative impacts
Visual	Surroundings	Likely	Negative	The Planning Proposal is unlikely to generate negative impacts
Odour	Surroundings	Unlikely	Negative	The Planning Proposal is unlikely to generate negative impacts
Micro climate	Surroundings	Unlikely	Negative	The Planning Proposal is unlikely to generate negative impacts
Access				
Access to property	Way of life	N/A	Nil	The Planning Proposal is unlikely to generate negative impacts
Utilities and public transport	Access to infrastructure, services and facilities	Unlikely	Negative	Existing connections to reticulated water supply, electricity supply and telecommunications are established. New connections to urban service and utilities will be required as part of any subdivision works
Road and rail	Personal and property rights	Likely	Negative	The proposed medium density development of the Brobenah Road site is within the capacity of local road conditions
Built Environment				
Public domain	Community	Likely	Nil	The Planning Proposal does not alter land zoned for public purposes
Public infrastructure	Access to infrastructure, services and facilities	Unlikely	Negative	The Brobenah Road site is within proximity of Leeton CBD, urban services and facilities
Other built assets	Surroundings; Personal and property rights	Unlikely	Nil	The Planning Proposal is unlikely to generate negative impacts
Heritage				
Natural	Way of life	Unlikely	Nil	The Planning Proposal is unlikely to generate negative impacts
Cultural	Community	Unlikely	Nil	The Planning Proposal is unlikely to generate negative impacts
Aboriginal culture	Culture	Unlikely	Negative	The Planning Proposal is unlikely to generate negative impacts
Built	Surroundings	Unlikely	Negative	The Planning Proposal is unlikely to generate negative impacts
Community				
Health	Health and wellbeing	Unlikely	Negative	The Planning Proposal is unlikely to generate negative impacts

Matters	Key links to social impacts	Risk of impact without mitigation	Nature of Impact	Explanation
Safety	Surroundings	Likely	Negative	The Planning Proposal has addressed identified safety risks related to flooding
Services and facilities	Way of life, Access to infrastructure, services and facilities	Unlikely	Nil	Existing connections to reticulated water supply, electricity supply and telecommunications are established. New connections to urban service and utilities will be required as part of any subdivision works
Cohesion	Way of life; Community; Culture	Likely	Positive	The Planning Proposal is unlikely to generate impacts
Housing	Way of life, Personal and property rights	Unlikely	Negative	The Planning Proposal will result in a well-designed and construction housing project that is likely to have positive impacts for the local community
Economic				
Natural resource area	Way of life	Unlikely	Negative	The Planning is unlikely to generate negative impacts
Livelihood	Surroundings	Unlikely	Negative	The Planning Proposal is likely to have a positive impact
Opportunity cost	Personal and property rights	Unlikely	Negative	The Planning is unlikely to generate negative impacts
Air				
Air emissions.	Surroundings	Unlikely	Negative	The Planning Proposal is unlikely to generate negative impacts
Biodiversity				
Native vegetation and fauna	Surroundings	Unlikely	Negative	The Planning Proposal is unlikely to generate negative impacts
Land				
Land capability, topography	Surroundings	Unlikely	Negative	The Planning Proposal is unlikely to generate negative impacts
Water				
Quality, availability, hydrological flows	Surroundings	Unlikely	Negative	The Planning Proposal is unlikely to generate negative impacts

Having regard to the findings of the Social Impact Assessment presented in Table 5, it is generally concluded the proposed changes to the Leeton LEP 2014 are unlikely to be adverse. Only positive changes are expected for the following reasons:

- + Leeton Shire Council's commitment to design and construct a premium residential land subdivision that creates housing opportunity and choice for the Leeton community.
- + Leeton Shire Council's commitment to create a development that is generally consistent with the Leeton DCP 2022 in terms of the placement of large, standard and compact housing forms.
- + Leeton Shire Council's commitment to the provision of public infrastructure and services.

Economic Impact Assessment

Due to the nature and scale of the Planning Proposal, a detailed Economic Impact Assessment has not been prepared for the Planning Proposal.

The Planning Proposal is not seeking changes to the Leeton LEP 2014 which are likely to create adverse economic consequences.

The Planning Proposal is justified on the basis that it is a long-standing urban land parcel in proximity to Leeton CBD, services and facilities and the residential subdivision project will contribute to the supply of quality housing opportunities in Leeton.

9.4 Infrastructure (Local, State and Commonwealth)

9.4.1 Is there adequate public infrastructure for the Planning Proposal?

The Planning Proposal seeks to amend the Leeton LEP 2014 by rezoning Lot 330 DP 751742 and Lot 3 DP 1067105 to R3 Medium Density Residential, similar to R3 zoned land to the south of Palm Avenue and by applying a 300m² minimum subdivision lot size applying to the land.

Existing infrastructure and services are available at the site, including bitumen sealed roads, reticulated water supply electricity supply and telecommunications.

The Planning Proposal does not create an increased demand for public infrastructure and services above or beyond the capabilities of the existing reticulated networks. New connections to urban service and utilities will be required as part of any subdivision works.

9.5 State and Commonwealth Interests

9.5.1 What are the views of state and Federal public authorities and government agencies consulted in order to inform the Gateway determination

State Government Interests

The specific changes that are requested to the Leeton LEP 2014 are likely to have interest to NSW DPHI, Murrumbidgee Irrigation and TfNSW.

Preliminary consultation has been carried out with all these agencies as part of the preparation of the DA for subdivision as well as Leeton Shire Council.

Federal Government Interests

The Planning Proposal is unlikely to be of any particular interest to the Federal Government.

PLANNING PROPOSAL PART 4

Plan Making Guidance - Part 4

The NSW DPPI Local Environmental Plan Making Guidelines provides the following guidance:

- + Mapping must be consistent with the Department's Standard Technical Requirements for Spatial Datasets and Maps, using the same format, symbology, labeling and appropriate scale.
- + All existing and proposed mapping submitted to the Department as part of a Planning Proposal should be accompanied by GIS data. All LEP mapping should commence as early as possible in GIS, particularly with complex planning proposals or Principal LEPs.
- + Mapping may include the subject site and immediate surrounds, current zoning, current development standards and any alternative zones if a change is proposed.
- + Other relevant maps or figures may include maps illustrating changes of development standards, extent of heritage conservation areas, location of specific heritage items, extent of native vegetation, extent of environmental conservation areas and areas to which a local provision will apply.
- + Additional material such as aerial photographs clearly identifying the subject site should also be included where appropriate.

10.1 Project Mapping

The need for the Planning Proposal is a direct result of the Leeton Housing Strategy 2024 and the Leeton Housing Strategy Implementation Plan 2025 prepared by Leeton Shire Council.

The Planning Proposal has been prepared with reference to a Proposed Subdivision Plan, Servicing Plan and a Landscape Plan.

Given the Planning Proposal involves changes to zoning and minimum lot size standards, mapping changes to the Leeton LEP 2014 are required.

PLANNING PROPOSAL PART 5

Plan Making Guidance - Part 5

The NSW DPHI Local Environmental Plan Making Guidelines provides that Part 5 of the Planning should describe:

- + Consultation and outcomes undertaken with council, state agencies or authorities during the pre-lodgement stage.
- + Any community consultation undertaken, or consultation with other key stakeholders
- + The extent of consultation having regard for the public exhibition requirements in Section 1 of the guideline.
- + The required public exhibition period based on the different planning proposal categories.
- + Community consultation will be considered at the Gateway stage, with the Gateway determination confirming the requirements.
- + The Gateway determination may also specify additional information or studies to be finalised before any consultation commences, often to make sure that everyone can make an informed opinion. In some cases, the Gateway determination may require the PPA to submit studies to the Department for review prior to public exhibition.

11.1 Consultation - Pre-lodgement Stage

The Brobenah Road site was recommended in the Leeton Housing Strategy 2024 and Leeton Housing Strategy Implementation Plan 2025 for medium density housing, which was publicly exhibited in accordance with the Leeton Community Participation Plan 2019.

No submissions / objections to the proposed rezoning of the site was received as a result of community consultation.

PLANNING PROPOSAL PART 6

Plan Making Guidance - Part 6

The NSW DPHI Local Environmental Plan Making Guidelines provides that Part 6 of the Planning Proposal should describe the project timeline as a tool for the Planning Proposal Authority, DPHI and the Parliamentary Counsel's Office to monitor the project through the LEP making process and manage resources accordingly.

As a minimum, the project timeline should describe:

- + Anticipated commencement date (of Gateway determination).
- + Anticipated time frame to finalise the infrastructure studies/plan.
- + Anticipated time frame for completion of any additional technical studies, not completed prior to Gateway.
- + Time frame for public agency consultation.
- + Anticipated dates of public exhibition and, if required, a public hearing.
- + Time frame for submissions to be considered.
- + Time frame for the consideration of a proposal after the exhibition.
- + Date the plan will be made (where council is the LPMA) or date of submission to the Department to finalise the LEP.
- + Date of notification.

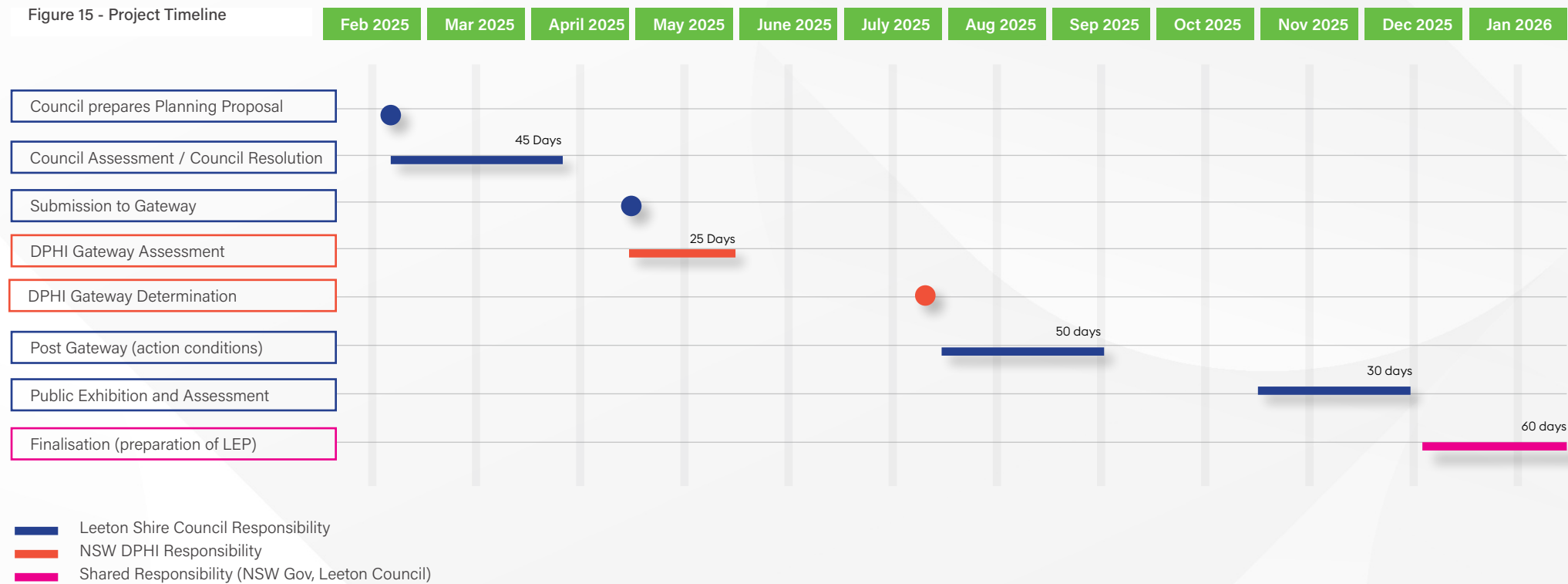
12.1 Project Timeline

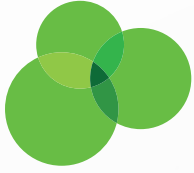
The Planning Proposal is deemed to fall into the Standard Planning Proposal Category.

An anticipated timeline has been developed for the project and is based on the maximum time frame recommendations provided in the NSW DPHI Local Environmental Plan Making Guidelines for a standard category Planning Proposal.

The timeline is shown in Figure 15.

Figure 15 - Project Timeline





Appendix A

Flood Risk Assessment



CIVIL | WATER | ENVIRONMENT

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Ref | 20194-L01-0

Date | 25 September 2025

Leeton Shire Council

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Australia

Attn: Francois Van Der Berg

Manager Planning, Building & Health

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E | francoisv@leeton.nsw.gov.au

Planning Proposal for 5-9 Brobenah Road, Leeton - Flood Information

Dear Francois,

Thank you for contacting WMS Engineering to provide site specific flood information regarding 5-9 Brobenah Road, Leeton. Please see enclosed an overview of flood risk at and in the vicinity of the site to inform the Planning Proposal currently being prepared by Leeton Shire Council (Department Ref: PP-2025-984).

1 OBJECTIVES

Leeton Shire Council (LSC) is in the process of preparing a planning proposal to rezone 5-9 Brobenah Road, Leeton (Lot 330 DP 751742 and Lot 3 DP 1067105), ("The Site"), from R1 General Residential to R3 Medium Residential.

WMS Engineering is currently engaged by Leeton Shire Council to complete the Leeton Flood Study Review, and the Draft Report is currently on Public Exhibition. Whilst it is not yet formally adopted, there are no material changes anticipated to the study results and findings.

As such, LSC has asked WMS to prepare an overview of flood risk at the site based on the recently completed hydraulic modelling in the Leeton Flood Study Review.

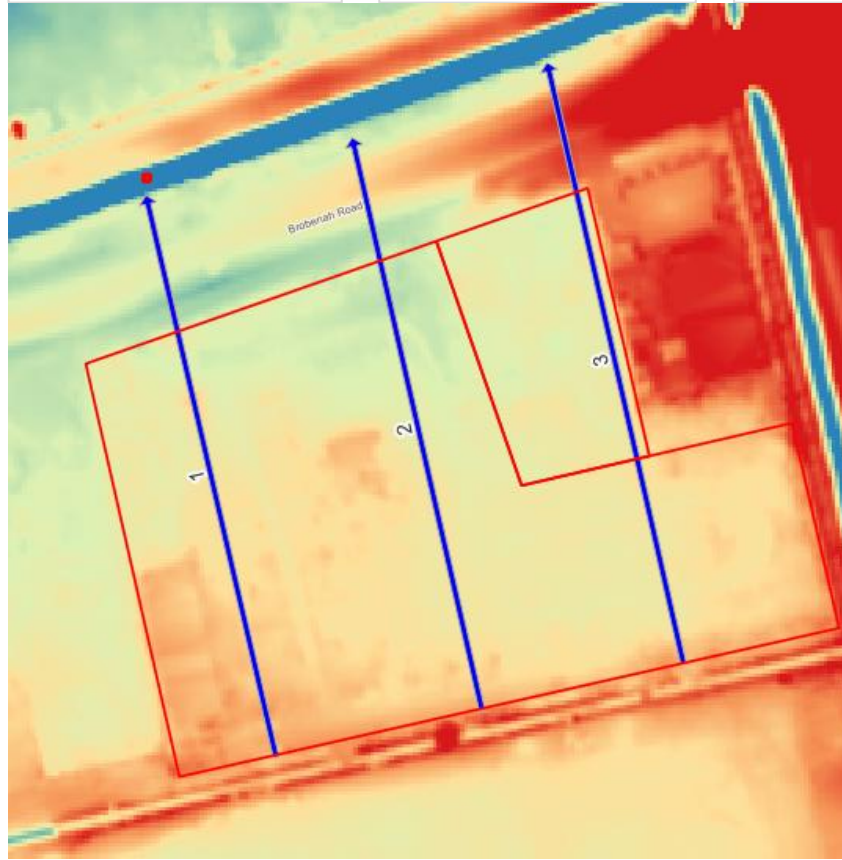
2 AVAILABLE FLOOD INFORMATION

The information provided in this letter has been taken from the Draft Leeton Flood Study Review (WMS Engineering, 2025), which supersedes the Leeton Flood Study (Engeny, 2015) and the Leeton Floodplain Risk Management Study and Plan (2019).

The 2025 Draft Study has been produced in line with guidance set out in the NSW Floodplain Management Manual 2023 and has been reviewed at each milestone stage by both Leeton Shire Council and NSW DCCEE. At the Council meeting on the 23rd of September 2023, Leeton Shire Council resolved to place the Draft Flood Study Review on Public Exhibition for 28 days.

3 TOPOGRAPHIC CHARACTERISTICS

The ground levels in and around the site are shown in **Figure 3-1** based on 1 m LiDAR-derived topographic data captured in 2021, with three indicative cross-sections provided alongside for greater detail. Ground levels within the site range are relatively flat, gently falling from west to east, from around 137.2 mAHD to 136.4 mAHD on the eastern boundary. Outside the site, there is a swale drain running along the eastern boundary parallel to Brobenah Road. As shown in the cross-sections and subsequent mapped flood information, water accumulates in this drainage channel but does not spill into the site in a 1% AEP event.



Elevation (mAHD)

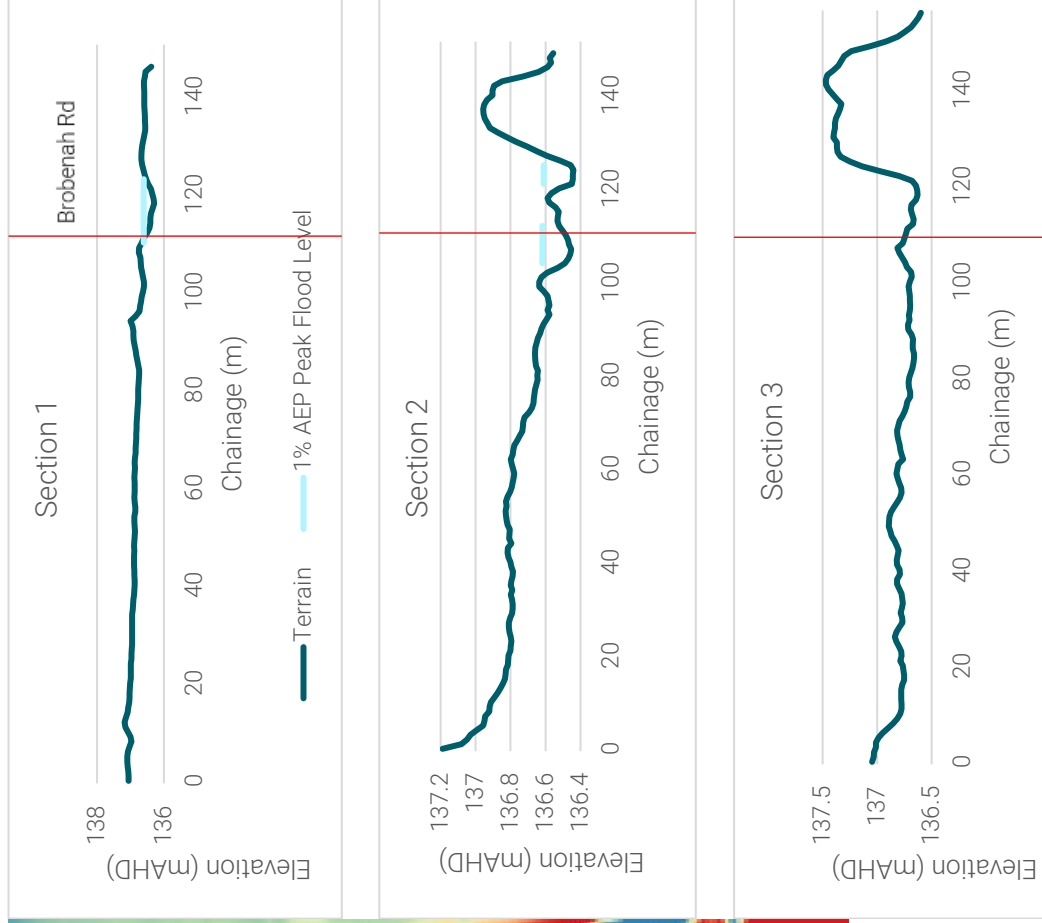
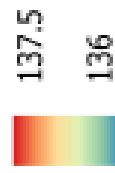


Figure 3-1 Topographic Characteristics across the Site

4 FLOOD BEHAVIOUR AT THE SITE

Flood risk within the site is described as follows:

- In the 1% AEP event there is a localised area of shallow, low hazard (H1) inundation on the eastern side of Lot 330 DP 751742 (the northern, larger lot), with depths between 0.1-0.2 m, correlating with a local low point in the ground levels. It is anticipated that this ponding could be partially if not wholly managed with a site-specific stormwater management plan and site grading/culvert to allow this runoff to drain to the adjacent swale.
- In the PMF event, the southern portion of the site is inundated with shallow, low hazard (H1) overland flow, reaching depths of up to 0.3 m in parts of the site.
- In both events, the flood function is categorised as flood fringe, indicating that this land is not considered as “flood storage” (i.e. does not generally provide for the temporary storage of floodwaters) nor “floodway” (i.e. areas that typically convey a significant discharge of water during floods and that would be sensitive to changes that impact flow conveyance). This gives confidence that the site could be developed without materially impacting on existing flood behaviour in and around the site.
- The site is almost entirely outside of the Interim Flood Planning Area as defined in the 2025 Flood Study Review. The area of local ponding has a peak flood level of 136.62 mAHD and would require a minimum Flood Planning Level of 136.92 mAHD to comply with Council requirements (in which the FPL is based on the 1% AEP plus 0.3 m freeboard).
- In terms of access and evacuation, Brobenah Road on the eastern boundary, and Palm Avenue on the southern boundary both experience shallow inundation in the PMF with a hazard classification of H1 (no restrictions). It is considered that access to Wade Avenue to continue southwards would be possible should an evacuation be required, with a preference being to access Brobenah Road via a driveway at the southeastern end of the site.
- The flood metrics described above are shown in **Figure 4-1** to **Figure 4-9**.

4.1 PEAK FLOOD DEPTHS



Figure 4-1 1% AEP Peak Flood Depths



Figure 4-2 PMF Peak Flood Depths

4.2 FLOOD FUNCTION



Figure 4-3 1% AEP Flood Function



Figure 4-4 PMF Flood Function

4.3 HAZARD CLASSIFICATION



Figure 4-5 1% AEP Hazard Classification

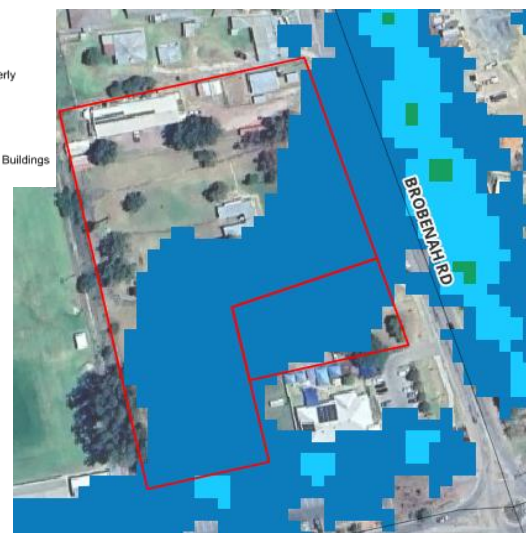


Figure 4-6 PMF Hazard Classification

4.4 ACCESS AND EVACUATION



Figure 4-7 PMF FERC



Figure 4-8 PMF Depths indicating an evacuation route would be available to the south if required

4.5 FLOOD PLANNING AREA AND FLOOD PLANNING LEVELS



Peak 1% AEP Flood Level: 136.2 mAHd

Flood Planning Level: 136.92 mAHd

Alternatively,
earthworks/grading/stormwater
management within the site could
remove this affectation altogether.

Figure 4-9 Flood Planning Area

5 CLOSURE

WMS has reviewed flood risk at the site based on results from the 2025 Draft Flood Study Review (currently on Public Exhibition).

We note the following:

- The site is not subject to flooding from any waterways and does not provide conveyance or storage function during floods.
- There is a localised patch of inundation that occurs as a result of accumulated local runoff, to depths of less than 0.2 m in the 1% AEP event.
- Under existing conditions, inundation also occurs in the swale drain/nature strip between the eastern site boundary and Brobenah Road.
- With due consideration and a site-specific stormwater management plan, WMS considers there is a feasible solution available (from a flooding perspective) to remove both areas of inundation by redirecting runoff into a piped system on/beside Brobenah Road. In addition, it is considered feasible to ensure the driveway is designed and located so as to pass over the swale while allowing sufficient conveyance beneath (e.g. through a culvert) to avoid any inundation of the driveway.
- Increasing the residential density at the site is not considered to increase the number of occupants at risk as i) the site is largely well above the 1% AEP level and could feasibly be developed to be above the PMF level, and ii) there is access to the south should an evacuation be required, noting that the shallow inundation of Brobenah Road and Palm Avenue in the PMF is classified as H1 (No Restrictions).

The above findings provide confidence that the Planning Proposal is consistent with Ministerial Direction 4.1, which aims to ensure development of flood prone land is consistent with NSW flood planning policy, and considers potential impacts of the subject site. The key finding is that the updated modelling confirms the site is *not* classified as Flood Storage (as previously defined in the 2015 Flood Study), and as such development within the site could be undertaken in line with both local and state floodplain management requirements.

Please contact me if you wish to discuss further.

Yours sincerely,



Catherine Walker

Director