



Amendment to Lockhart Local
Environmental Plan 2012
Minimum Lot Size Amendment

JUNE 2024

Submitted to NSW Department of Planning and Environment
On behalf of Lockhart Shire Council

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Contents

Executive Summary	5
1. Introduction	6
1.1. Overview	6
1.2. Background & Pre-Lodgement Advice	6
1.3. Scope and Format of Planning Proposal.....	7
1.4. Supporting Plans and Documentation	8
2. Site Description	9
3. Planning Proposal	10
3.1. Objectives and Intended Outcomes	10
3.2. Explanation of Provisions	10
3.3. Justification	13
Mapping	20
3.4. Community Consultation.....	24
3.5. Project Timeline	24
4. Conclusion	26
Attachment A: Scoping Proposal	27
Attachment B: Consistency with Riverina-Murray Regional Plan 2041	28
Attachment C: Consistency with State Environmental Planning Policies	33
Attachment D: Consistency with Section 9.1 Ministerial Directions	43

List of Figures

Figure 1 – Flowchart: Stage 2 Council-initiated planning proposal	7
Figure 2 - Location of the subject site (outlined) in Lockhart township.....	9
Figure 3 – Lot Size Map (current)	11
Figure 4 – Lot Size Map (proposed)	12
Figure 5 - 1% AEP Flood Extent (Lockhart Flood Study) subject site outlined.	20
Figure 6 - Terrestrial Biodiversity, subject site outlined.....	21
Figure 7 - Plant Community Types (NSW State Vegetation Type Map)	22
Figure 8 - Water infrastructure and services map	23

List of Tables

Table 1 – Attachments to Planning Proposal	8
Table 2 – Project Timeline (indicative)	25
Table 3 – Consistency with Riverina-Murray Regional Plan 2041	29
Table 4 – Consistency with State Environmental Planning Policies.....	34
Table 5 – Consistency with Ministerial Directions	44

Executive Summary

This Planning Proposal has been prepared by Habitat Planning on behalf of Lockhart Shire Council and is submitted to the New South Wales Department of Planning and Environment ('the Department') in support of a Planning Proposal to amend the *Lockhart Local Environmental Plan 2012* (LEP).

Specifically, the Planning Proposal seeks to amend:

- The minimum lot size for the land zoned R5 Large Lot Residential Zone, Lockhart South, bounded by East Street to the East, Federal Street and road reserve to the North, Treasure St to the West and road reserve to the South.) from 2 hectares to 7,500m².

The report has been prepared to address the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning, Infrastructure & Environment's guideline titled: *Local Environmental Plan Making Guideline* (August 2023).

For the purposes of the Guideline, the application is classified as a 'Standard' Planning Proposal as it seeks to "*change the land use zone where the proposal is consistent with the objectives identified in the LEP for that proposed zone.*"

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

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

- The proposal directly facilitates the recommendations outlined within Section 7 of the *Lockhart Local Housing and Employment Strategy* (February 2023).
- The resultant development/redevelopment of the land will not create any unacceptable environmental or social impacts.
- The proposed amendment will encourage the orderly development and availability of residential land in Lockhart.

It is recommended that Lockhart Shire Council resolve to support the changes to the LEP as detailed in this Planning Proposal and forward it to the NSW Department of Planning and Environment for a Gateway Determination.

1. Introduction

1.1. Overview

This Planning Proposal has been prepared by Habitat Planning on behalf of Lockhart Shire Council and is submitted to the NSW Department of Planning and Environment in support of a Planning Proposal to amend the *Lockhart Local Environmental Plan 2012* (LEP), through the following changes:

- Amend the minimum lot size for the land zoned R5 Large Lot Residential Zone, Lockhart South, bounded by East Street to the East, Federal Street and road reserve to the North, Treasure St to the West and road reserve to the South.) from 2 hectares to 7,500m².

This proposal has been prepared to address the requirements of Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning, Infrastructure & Environment's guideline titled: *Local Environmental Plan Making Guideline* (August 2023).

For the purposes of the Guideline, the application is classified as a 'Standard' Planning Proposal.

This report will demonstrate that the proposed amendment is consistent with the intent and objectives of the planning framework and strategic plans and policies. Consequently, this will provide the NSW Department of Planning and Environment (DPE) with the confidence to endorse the proposed amendment as sought by this Planning Proposal.

It is requested that Council forward the Planning Proposal to the Minister for Planning and Public Spaces for Gateway Determination in accordance with Section 3.34 of the EP&A Act. The Gateway Determination by the Minister will decide:

- Whether the matter should proceed (with or without variation).
- Any necessary technical studies or supporting studies.
- Whether the planning proposal needs to be amended (and possibly resubmitted to the Department) prior to exhibition.
- The duration and extent of community consultation.
- Whether consultation with State or federal authorities (if required).
- Whether a local contributions plan is to be exhibited at the same time as the planning proposal.
- Whether a public hearing is needed.
- The timeframes within which the various stages of the process for making of the proposed LEP are to be completed.
- Whether the council is to be authorised to make the proposed instrument as the Local Plan Making Authority (LPMA).
- Any other conditions.

1.2. Background & Pre-Lodgement Advice

As required by the Department's guideline titled: *Local Environmental Plan Making Guideline* (August 2023), applicants are encouraged to undertake pre-lodgement discussions with Council (if proponent initiated) and/ or the Department (where Council initiated). The purpose of this stage is to provide early feedback and identify and resolve key planning issues upfront to enable a streamlined LEP making process.

The purpose of these pre-lodgement discussions is to identify key information requirements, infrastructure needs and consultation requirements with key government agencies.

Following the completion of the initial Stage 1 Pre-Lodgement phase, a Planning Proposal (this document) is subsequently prepared and submitted to Council.

It is noted that the Planning Proposal is classified as a Council-initiated Planning Proposal. The following flowchart shows the process for a Council-initiated planning proposal.

A flowchart depicting this process is reproduced below:

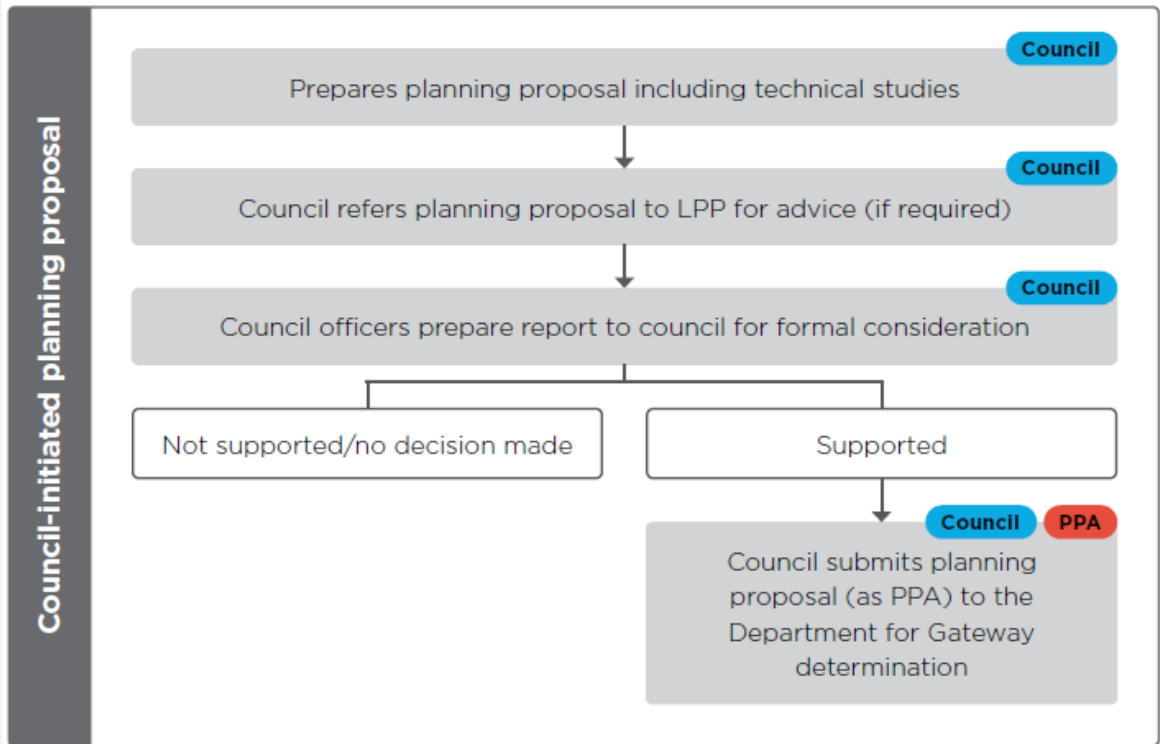


Figure 1 – Flowchart: Stage 2 Council-initiated planning proposal

In accordance with these requirements, a Scoping Report (Attachment A) was prepared and a pre-lodgement meeting was held with DPE on 16th October 2023, addressing:

- Size and complexity of planning proposal.
- Consultation requirements and relevant community groups and stakeholders

A further meeting with Biodiversity and Conservation Division regarding flood risk was held, whereby proposed amendments at The Rock would be held until the completion of a Flood Study review in late 2024.

The submission of this Planning Proposal seeks to address the matters raised in response to the Scoping Report and subsequent feedback.

1.3. Scope and Format of Planning Proposal

The Planning Proposal details the merits of the proposed changes to the LEP and has been structured in the following manner consistent with the Department of Planning & Environment’s guideline titled: *Local Environmental Plan Making Guideline*:

- Section 1.0 provides an introduction to the Planning Proposal.
- Section 2.0 provides a description of the site, its context and existing development, including identification of the land to which the changes are proposed.

- Section 3.0 contains the Planning Proposal, prepared in accordance with the matters to be considered in the Department of Planning’s document titled: *Local Environmental Plan Making Guideline*; and
- Section 4.0 provides the conclusions and recommendations to proceed with the Planning Proposal to Gateway Determination to amend the LEP.
- Appendices contains supporting plans and documentation.

1.4. Supporting Plans and Documentation

The Planning Proposal has been prepared with input from a number of technical studies and assessments which have been prepared to accompany the request. These documents are included as attachments to this report and are identified in Table 1.

Table 1 – Attachments to Planning Proposal

No.	Document Name	Prepared by
A	Scoping Proposal	Habitat Planning
B	Consistency with Riverina-Murray Regional Plan 2041	Habitat Planning
C	Consistency with State Environmental Planning Policies	Habitat Planning
D	Consistency with Section 9.1 Ministerial Directions	Habitat Planning

2. Site Description

This subject Planning Proposal relates to housing in the Lockhart Shire LGA, focused on the Lockhart township.

The site is the R5 Large Lot Residential Zone in Lockhart. It is bounded by Albury Road and East Street to the East, Federal Street and road reserve to the North, Showground Road and Treasure St to the West and a road reserve, unnamed, to the South.

Described locally as “South Lockhart”, it is located to the south of the Boree Creek rail line and the RU5 village zone. To the west is the Lockhart Showgrounds, racecourse and water treatment, and to the south and east is R1 Primary Production land.



Figure 2 - Location of the subject site (outlined) in Lockhart township.

3. Planning Proposal

This section of the report addresses the Department of Planning's document titled *Local Environmental Plan Making Guideline* and Section 3.33 of the EP&A Act. Specifically, this section provides:

- Objectives and intended outcomes;
- Explanation of provisions;
- Justification;
- Mapping
- Community consultation; and
- Project timeline.

3.1. Objectives and Intended Outcomes

The objective of this Planning Proposal is to amend the *Lockhart Local Environmental Plan 2012* through the changes described in section 3.2.

The rezoning will encourage residential development in preferred areas of Lockhart LGA, in accordance with the Lockhart Local Housing and Employment Strategy, addressing a shortfall in availability and providing an orderly provision of residential land supply.

3.2. Explanation of Provisions

The intended outcomes discussed above and within this report will be achieved by amending the LEP to make the following changes:

Amendments to Minimum Lot Size

Lockhart South R5 Zone

This Planning Proposal seeks to amend the Minimum Lot Size Map LSZ_001 and LSZ_001_B by reducing the minimum lot size of the area outlined (currently the R5 Large Lot Residential Zone, bounded by East Street to the East, Federal Street and road reserve to the North, Treasure Street to the West and road reserve to the South) from 2 hectares to 7,500m².

In addition, the subject site will have the label "Area B" removed from Lot Size Map. The Area label enacts clause **4.1A Subdivision of land in Zone R5 using average lot sizes**, which is at odds with the purpose of planning proposal:

"the average size of all the lots resulting from the subdivision of the land identified as "Area B" on the Lot Size Map will not be less than 3 hectares,"

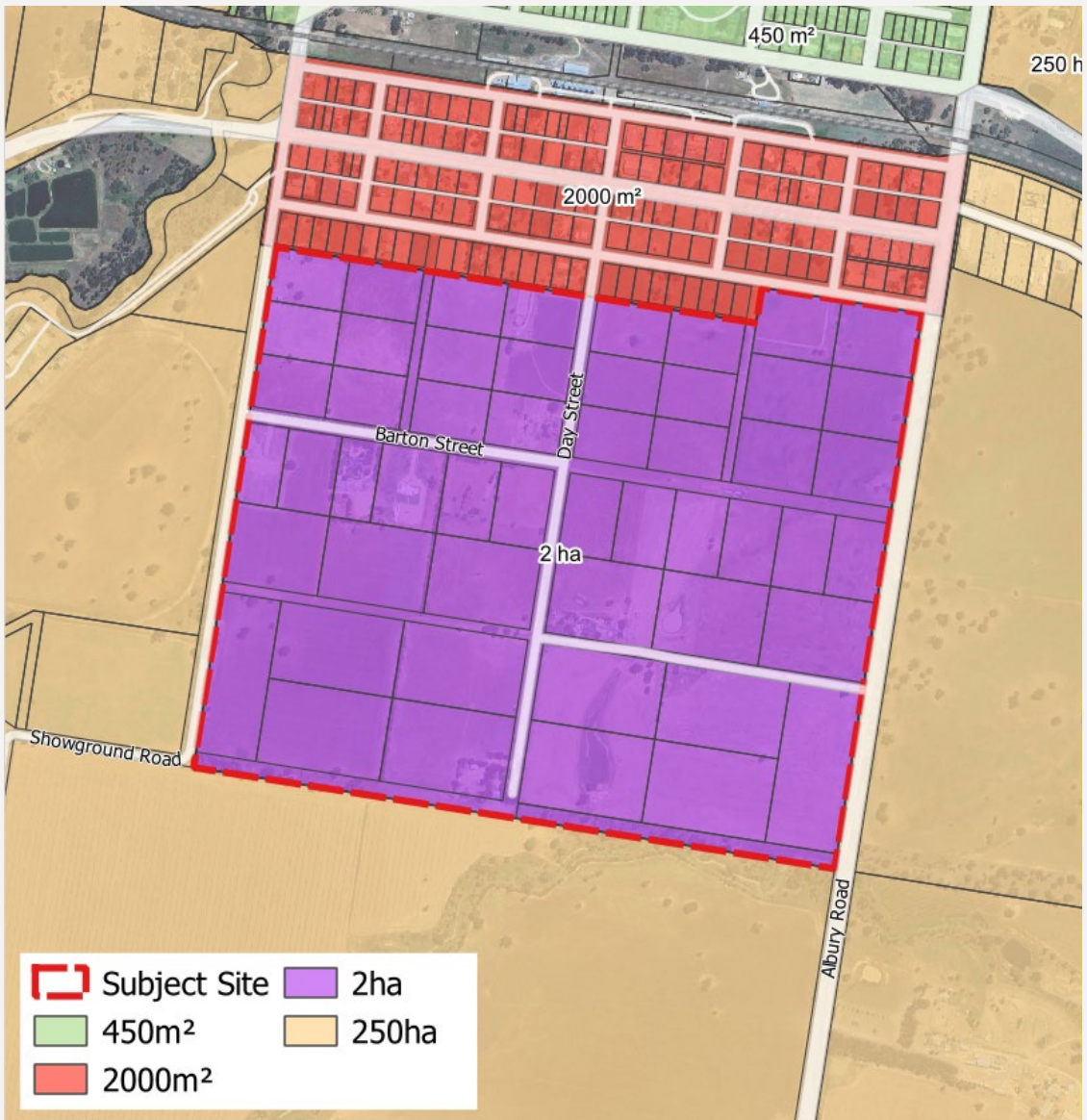


Figure 3 – Lot Size Map (current)

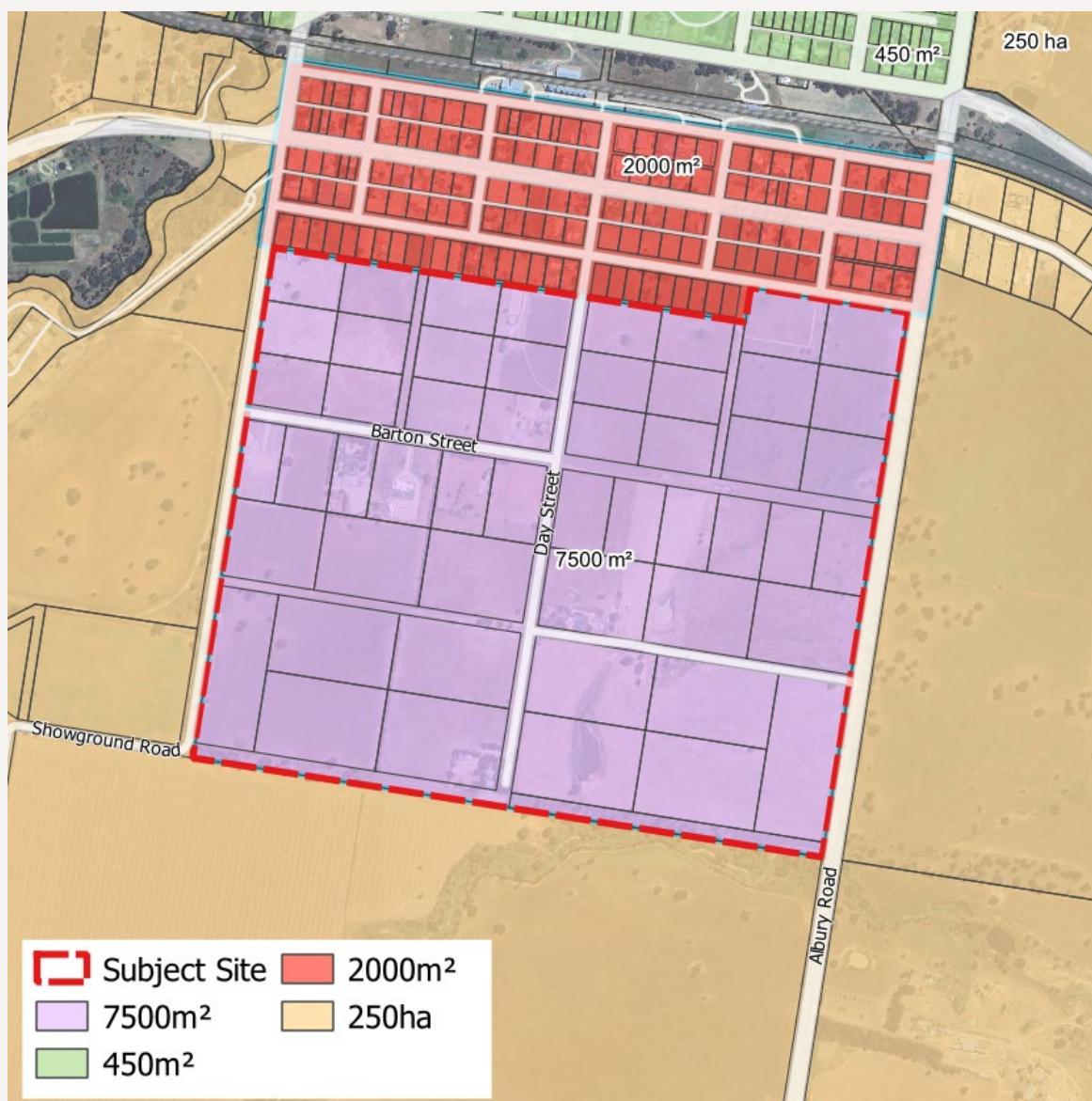


Figure 4 – Lot Size Map (proposed)

The Lot Size Amendment will affect the following lots;

Lot 108 of DP756429, Lot 106 of DP756429, Lot 140 of DP756429, Lot 144 of DP756429, Lot 148 of DP756429, Lot 83 of DP756429, Lot 87 of DP756429, Lot 107 of DP756429, Lot 137 of DP756429, Lot 141 of DP756429, Lot 145 of DP756429, Lot 84 of DP756429, Lot 88 of DP756429, Lot 105 of DP756429, Lot 139 of DP756429, Lot 143 of DP756429, Lot 147 of DP756429, Lot 82 of DP756429, Lot 86 of DP756429, Lot 104 of DP756429, Lot 138 of DP756429, Lot 142 of DP756429, Lot 146 of DP756429, Lot 81 of DP756429, Lot 85 of DP756429, Lot 89 of DP756429, Lot 4 of DP1220859, Lot 2 of DP1218464, Lot 10 of DP1261516, Lot 11 of DP1261516, Lot 91 of DP756429, Lot 100 of DP756429, Lot 130 of DP756429, Lot 134 of DP756429, Lot 125 of DP756429, Lot 129 of DP756429, Lot 132 of DP756429, Lot 136 of DP756429, Lot 76 of DP756429, Lot 103 of DP756429, Lot 126 of DP756429, Lot 133 of DP756429, Lot 80 of DP756429, Lot 92 of DP756429, Lot 99 of DP756429, Lot 128 of DP756429, Lot 131 of DP756429, Lot 135 of DP756429, Lot 75 of DP756429, Lot 79 of DP756429, Lot 90 of DP756429, Lot 127 of DP756429, Lot 102 of DP756429 and Lot 101 of DP756429.

3.3. Justification

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

3.3.1 Section A - Need for the Planning Proposal

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

The Planning Proposal accords with the outcomes of the *Lockhart Local Housing and Employment Strategy (2023)*, as well as being generally consistent with the *Lockhart Local Strategic Planning Statement (LSPS)*.

Lockhart Shire Council Local Strategic Planning Statement

Prepared and endorsed in 2020, the Lockhart Local Strategic Planning Statement (LSPS) considers the shire's economic, social and environmental priorities, land use requirements and a framework of actions to "...*deliver the priorities for the community's vision.*"

The LSPS sought to give effect to directions set out in the Riverina Murray Regional Plan 2036 (now superseded by the Riverina Murray Regional Plan 2041):

Priorities for Lockhart under the Riverina Murray Regional Plan 2036:

- *Leverage opportunities from the shire's close proximity to Wagga Wagga and provide an appropriate mix of land uses supported by infrastructure.*
- *Deliver healthy built environments with sufficient community infrastructure and improve the appearance of towns and villages*
- *Protect important agricultural lands to support the strong agribusiness sector.*

The LSPS is structured under the four pillars of the 2036 Regional Plan and the relevant priorities are provided here:

Planning Priority 1 – Protect agricultural land and grow agribusiness sector.

Seeks to ensure agricultural land is not encroached upon, or fragmented by inefficient residential land uses, providing clearly defined boundaries between different land use types.

Planning Priority 7 – Development controls of high quality, to maintain resident amenity and promote a sense of place.

Action:

- *In conjunction with a residential land study for Lockhart, employ market research and community consultation to identify preferred housing choices in residential areas for a diverse demographic.*

Planning Priority 8 – Growing, active and connected communities.

Planning priority eight provided the impetus for the local Strategy which analysed and proposed residential land use throughout the shire for the next twenty years. Actions included:

- *Deliver a residential land study for Lockhart and The Rock*
- *Encourage development of diverse housing and accommodation options for youth and young families through development control plans and provision of fully serviced lots in The Rock east*

Lockhart Local Housing and Employment Strategy (2023)

Endorsed in 2023, the Lockhart Shire Local Housing and Employment Strategy (the Strategy) identified a lack of availability of suitably zoned land for residential use that could fulfill the demand, cater to future expansion and encourage new development.

The subject site was identified as a key development site in the Strategy and a short-term opportunity to review the minimum lot size.

The Strategy highlighted the supply within the urban boundaries, serviceability, infrastructure provision and sequencing were important considerations.

Note on sequencing: In section 7.3/page 76 of the Strategy, the site is identified as a medium term opportunity, which is incorrect. The investigation is considered a short term opportunity, as it was within the urban area of Lockhart and already zoned for residential use. It was recommended in the Land Use Planning Recommendations (section 8.1/page 85).

The Strategy has considered rural residential development throughout The Rock and Lockhart townships, which can be contained within the existing urban boundaries. While the residential lots in the LGA tend towards larger sites, the amendments to decrease the minimum lot size seeks to balance affordability, availability, intensity of potential development and the provision of infrastructure.

Landowner sentiment has also played a large role in the timing of this proposal. As noted in the Supply and Demand section (below), while land sales and interest are relatively strong, the appetite to develop land is less so, due to the expense. The price land can command has for some time been less than the cost to develop. This has led to Council developing lots which have been sold and developed.

This is an instance of a private landowner now having the confidence to subdivide and sell land, citing the appetite and commercial confidence to do so.

Supply and Demand

As outlined in the Strategy. Sales data between 2011 and 2021 indicate turnover of houses and residential land in Lockhart is reasonably healthy and growing.

Ensuring the land use planning structures enable, rather than restrict affordable development is a priority for the Local Strategy as well as the impetus for this planning proposal.

Submissions to Council on the final Local Strategy indicated interest from local landowners who had the financial confidence to subdivide their land and anecdotally, the demand for more manageable, rural residential lots, which this proposal seeks to provide.

Throughout the development of the Strategy, the preferred method of intensifying residential development was through identifying infill opportunities.

Recently, the financial constraints (the price of developing vs the price a lot can command) has resulted in lots not being developed privately. Instead, a small amount have been developed and sold by Council who financially, only seek to “break even” rather than maximise a profit from the venture. Where Council has funded land development in Lockhart, it has been popular and fully developed.

While there are limited mechanisms to incentivise development, or disincentivise holding onto land, it is a pragmatic outcome to make it possible for a willing landowner to develop within an already zoned urban area of Lockhart.

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

The Planning Proposal is considered the best means of achieving the objectives or intended outcomes.

While there are provisions within the LEP to allow lot sizes down to 450m² within the subject site, lots must be connected to a reticulated sewage system:

“4.1 (4A) Despite subclause (3), development consent may be granted for the subdivision of the land identified as “Area A” on the Lot Size Map to create lots of at least 450 square metres if the consent authority is satisfied that each lot will be connected to a sewage reticulation system managed by the Council.”

Within Lockhart township, the cost to develop serviced residential lots has been prohibitive, relative to the price they can command, which undermines the intent of the clause.

Throughout the subject site, larger rural residential lots with Aerated Wastewater Treatment Systems are a more pragmatic and affordable outcome for Council, developers and landowners.

3.3.2 Section B – Relationship to Strategic Planning Framework

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

The *Riverina Murray Regional Plan 2041* was adopted by the NSW government in 2022 and is the relevant regional strategy that provides the strategic planning framework to guide decision-making and development in the Riverina Murray region for the next 20 years.

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

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

Each of these parts and objectives is supported by a number of different strategies and actions, which seek to achieve the objectives of the goal.

The Planning Proposal addresses the following objectives:

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

Each of these goals is supported by strategies, actions and collaboration activities. The proposed amendment responds to the Regional Plan by aligning with the following;

Strategy 5.1 – Councils are required to prepare local housing strategies (standalone or included in other strategic work)

The Local Strategy has provided a clear evidence base to support the amendments in this planning proposal.

Strategy 5.3 – (New Urban Development)

Informing this planning proposal, the Local Strategy has considered a broad and contextual set of criteria when investigating potential residential sites and future urban development.

Collaboration Activity 7 – (New Rural Residential Development)

Q4. Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Q1 addresses the planning proposal's alignment with the endorsed:

- Lockhart Shire LSPS (2020)
- Lockhart Local Housing and Employment Strategy (2023)

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

The Planning Proposal is consistent with other relevant State or Regional studies and strategic as outlined below:

Housing 2041 – NSW Housing Strategy

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

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

A 20-Year Economic Vision for Regional NSW

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

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

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

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

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

Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides for the Minister for Planning and Homes to give directions to Councils' regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of LEP's. A Planning Proposal needs to be consistent with the requirements of the Direction but in some instances can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of "minor significance".

An assessment of all s.9.1 Directions is undertaken in **Attachment D**. In summary, the Planning Proposal is either consistent, or justifiably inconsistent with the relevant Directions. Where there is an inconsistency, it has been justified utilising the provisions within each of the Directions.

3.3.3 Section C – Environmental, Social and Economic Impact

Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The planning proposal may be subject to a biodiversity assessment report that can assess the likelihood of threats to critical habitats, threatened species, populations or ecological communities as a result. Any recommendations from the report can be taken into consideration.

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

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

Initial Council advice has indicated a lot size of at least 2000m² is required to service an AWTS, less than the proposed 7500m².

At the scoping proposal stage, feedback from Department of Climate Change, Energy, the Environment and Water – Biodiversity and Conservation Science indicated

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

Generally, social and economic effects should be positive for the Lockhart township.

One of the major drivers of inflated regional housing prices is a lack of supply. While increasingly, there is turnover in the residential housing market (section 4.8 of Local Strategy), the modest population growth as well as shrinking household groups which are spreading out through the existing dwellings is creating pressure for growth.

Regionally, a growing industrial and economic capacity (and the required workforce) will place further pressure on existing housing stock and residential land supply, which this proposal seeks to address.

Locally, a higher working age population will drive further demand for local business, amenity and capture local spending (local multiplier effect).

The potential for land use conflict has been considered, in respect to sources of noise/odour in the Strategy.

Railway – The railway is used only a few times a year and is unlikely to provide any ongoing source of noise to residents.

Water treatment – While Lockhart's water treatment plant is located some 500m from the nearest point of the subject site, it is considered reasonably well screened and utilised to a relatively low intensity.

Industrially zoned land – Per the Strategy, current uses are best categorised as 'light industrial', storage and should not pose too great an impact on residential use.

3.3.5 Section D – State and Commonwealth Interests

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

The subject land is in each case, directly adjacent to the existing residential zones and the proposal seeks to consolidate residential land use in the LGA.

Consequently, the subject land has access to, or the suitable extension of relevant infrastructure including reticulated water, sewerage, drainage, gas, electricity and telecommunications.

This will reduce the pressure on and expense for public infrastructure by making better use of existing infrastructure and services.

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

A scoping report was prepared, shared, and discussed with the NSW Department of Planning and Environment. The Department provided feedback on the Planning Proposal Scoping Report noting:

- A biodiversity assessment report.
- Bushfire mapping and RFS consultation.
- Address relevant state and local strategies, 9.1 Ministerial Directions.
- Consultation with relevant state departments and stakeholders should occur.

Notwithstanding, it is expected that the Planning proposal will still be referred to any other relevant government agencies as stipulated by the conditions of the Gateway Determination.

See Section 2.5 of this proposal for further details regarding community consultation.

This proposal for a lot size amendment reflects only one of the many sites covered in the scoping report. BCS feedback to the scoping report while extensive, is broad and may need to be reassessed prior to Gateway Determination.

Mapping

The Planning Proposal seeks to amend the following maps

- Lot Size Map LSZ_001 and LSZ_001_B

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

Flooding

The Lockhart Flood Study was endorsed in 2014 and represents the most up to date flood risk mapping for the township. Recommendations and protection measures in the report have been acted upon by Council.

The foremost issue for flooding at the subject site and Lockhart more generally is overland flooding and drainage to the nearby Brookong Creek. The 1% AEP risk is generally avoided in subject site (Figure), aside from small sections of the north-west and south west corners. Recommended infrastructural measures have been implemented since the report which are anticipated to decrease the impact of flood events and the study is yet to be reviewed.

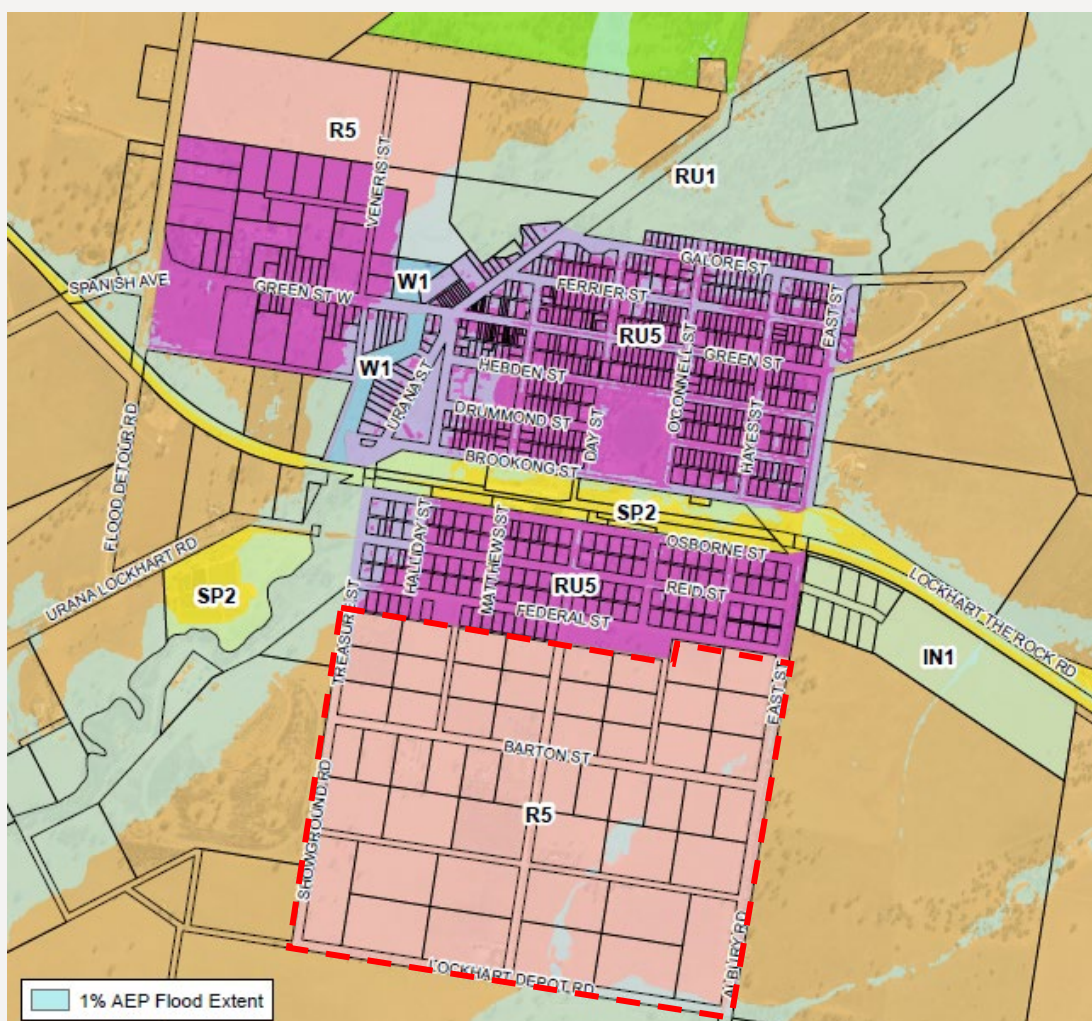


Figure 5 - 1% AEP Flood Extent (Lockhart Flood Study) subject site outlined.

Terrestrial Biodiversity

Mapped terrestrial biodiversity be minimally impacted by development on the subject site. Earlier feedback has indicated terrestrial biodiversity mapping is likely outdated and may need to be reviewed.



Figure 6 - Terrestrial Biodiversity, subject site outlined

Plant Community Types



Figure 7 - Plant Community Types (NSW State Vegetation Type Map)

While not extant throughout the subject site, Plant Community Type mapping indicates some small stands of vegetation adjacent, including:

- PCT 75 Yellow Box - River Red Gum tall grassy riverine woodland of NSW South Western Slopes Bioregion and Riverina Bioregion
- PCT 80 Western Grey Box - White Cypress Pine tall woodland on loam soil on alluvial plains of NSW South Western Slopes Bioregion and Riverina Bioregion.

Given the previous uses of the site and it being cleared in the past, it is unlikely there is any significant vegetation or the presence of threatened ecological communities.

Servicing Capacity



Figure 8 - Water infrastructure and services map

Lots within the subject site can be provided with an extension of the reticulated water supply. Waste water will be treated onsite via aerated wastewater treatment system (AWTS). Council has confirmed a lot size of at least 2000m² is required.

3.4. Community Consultation

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

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

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

The future consultation process is expected to include:

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

The written notice will contain:

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

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

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

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

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

3.5. Project Timeline

The project timeline for the Planning Proposal is outlined in Table 2.

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

Table 2 – Project Timeline (indicative)

Project Milestone	Anticipated Timeframe
<p>Lodgement</p> <p>Lodge Planning Proposal with council and make any necessary adjustments or changes prior to council accepting the plan.</p>	<p>2 weeks for council to review and provide any comments regarding the submitted Planning Proposal and for the report to be updated.</p> <p>July 2024</p>
<p>Council Report (seeking Gateway Determination)</p> <p>Council planning officers to prepare a report to council seeking council endorsement of the Planning Proposal and referral to the NSW DPIE seeking the issuing of a Gateway Determination.</p>	<p>2 weeks to prepare council report and include on council agenda.</p> <p>July 2024</p>
<p>Request Gateway Determination</p> <p>Council to request a Gateway Determination from the NSW Department of Planning to proceed to Planning Proposal to public exhibition (including any delegation of plan-making powers to council)</p>	<p>2 weeks following Council resolution and request for a Gateway determination</p> <p>July 2024</p>
<p>Public Exhibition</p> <p>Undertake public exhibition of Planning Proposal in accordance with the conditions of the Gateway Determination.</p>	<p>2 weeks to prepare and place a public notice in the paper and 4 weeks to publicly exhibit the Planning Proposal.</p> <p>August/September 2024</p>
<p>Consider Submissions & Finalise Document</p> <p>Council planning officers to consider, respond and report on submissions received and issues raised (if any) and where necessary, recommended relevant changes to the Planning Proposal.</p>	<p>2 weeks to collate, consider and respond to submissions received (if any).</p> <p>September 2024</p>
<p>Council Report (consideration of submissions)</p> <p>Council planning officers to prepare a report to council post public exhibition that considers any submissions received.</p>	<p>4 weeks to prepare council report and include on council agenda.</p> <p>October 2024</p>
<p>Submission to NSW DPIE/Parliamentary Counsel</p> <p>Forward Planning Proposal to NSW DPE/Parliamentary Counsel (if delegated) for finalisation following public exhibition.</p>	<p>4 weeks</p> <p>November 2024</p>
<p>Notification</p> <p>Finalisation/gazettal of Planning Proposal</p>	<p>2 weeks</p> <p>December 2024</p>

4. Conclusion

The Planning Proposal seeks to amend the *Lockhart Local Environmental Plan 2012* (LEP) by providing an increased residential land supply through an amendment to the minimum lot size in Lockhart.

The report has been prepared to address the requirements of the Environmental Planning and Assessment Act 1979 (EP&A Act), as well as satisfying the requirements of the NSW Department of Planning, Infrastructure & Environment's guideline titled: *Local Environmental Plan Making Guideline* (August 2023).

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

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

- The proposal is generally consistent with the strategic planning framework including State, Regional, District and local planning strategies for Lockhart.
- The Planning Proposal has been prepared as a direct result of the Lockhart Shire Local Housing and Employment Strategy which recommended the addition of further residential land to the Shire's supply.
- The resultant development of the land will not create any unacceptable environmental or social impacts.
- There will be a net economic benefit for the Lockhart community in terms of growth and investment via the provision of additional residential allotments.
- The subject land can be provided with all relevant urban services.

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

Attachment A: Scoping Proposal

Attachment B: Consistency with Riverina-Murray Regional Plan 2041

Table 3 – Consistency with Riverina-Murray Regional Plan 2041

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
Part 1 – Environment		
Objective 1 – Protect, connect and enhance biodiversity throughout the region.	The subject sites included in this proposal have been selected to avoid environmentally significant land.	<p>While acknowledging the land zoning, the proposal seeks to minimise any impacts on environmentally significant land.</p> <p>Sites will be subject to the relevant biodiversity assessment and the proposal will adhere to the recommendations.</p>
Objective 2 – Manage development impacts within riverine environments	The subject sites do not adjoin any waterways.	N/A
Objective 3 – Increase natural hazard resilience	<p>Some subject sites are partially covered by a bushfire risk ‘vegetation buffer.’</p> <p>Lockhart townships are subject to some overland and/or riverine flooding during major flood events.</p>	<p>Future residential development on the subject sites is not expected to increase risk to natural hazards.</p> <p>Comment will be sought from RFS on the proposal and dwellings can be constructed to an appropriate standard.</p> <p>The subject sites have been chosen to avoid flooding risk as much as practicable.</p>
Part 2 – Communities and places		
Objective 4 – Support Aboriginal aspirations through land use planning.	Not yet applicable, as the subject land is not known to contain any culturally significant land.	In the absence of any broader strategy for the area, the proposal will adhere to current legislation. Consideration of matters regarding Aboriginal Cultural Heritage is

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
		required under the NSW <i>National Parks and Wildlife Act 1974</i> .
Objective 5 – Ensure housing supply, diversity, affordability and resilience.	This planning proposal seeks primarily to create more residential land availability throughout the Lockhart township.	This objective has been considered through the development of the Lockhart Local Housing and Employment Strategy.
Objective 6 – Support housing in regional cities and their sub-regions	Yes, the Planning Proposal seeks to achieve residential outcomes.	Lockhart LGA is not identified as a regional city, but rather forms part of the sub-regions.
Objective 7 – Provide for appropriate rural residential development.	The proposal seeks to provide rural residential development	The proposal seeks to provide more affordable and manageably sized R5 Large Lot Residential lots. The subject sites are located in areas already zoned for residential use.
Objective 8 – Provide for short-term accommodation	Not applicable.	Not applicable
Objective 9 – Plan for resilient places that respect local character	Not applicable	Not applicable

Part, Objective and Actions	Relevance to Planning Proposal	Consistency
Objective 10 – Improve connections between Murray River communities	Not relevant, as the proposal doesn't relate to connections between Murray River Communities.	Not applicable
Objective 11 – Plan for integrated and resilient utility infrastructure.	At a local level, the proposal will likely require some extension of local infrastructural networks.	<p>Council have confirmed that there is ample capacity within their existing infrastructure to accommodate any expected development that may be achieved as a result of this Planning Proposal.</p> <p>Further consultation with Riverina Water and any other stakeholders and/or referral authorities may be required.</p>
Part 3 - Economy		
Objective 12 – Strategically plan for rural industries	Not applicable	Not applicable
Objective 13 – Support the transition to net zero by 2050	Not relevant, as the proposal does not relate to energy use.	Not applicable
Objective 14 – Protecting and promoting industrial and manufacturing land	Not applicable	Not applicable

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

Attachment C: Consistency with State Environmental Planning Policies

Table 4 – Consistency with State Environmental Planning Policies

Policy	Applicable to Planning Proposal	Consistency
State Environmental Planning Policy (Biodiversity and Conservation) 2021		
Chapter 2 – Vegetation in non-rural areas	Applies to subject sites	<p>This proposal is only for amendments to a minimum lot size. No vegetation is proposed to be removed at this stage. The SEPP will be considered during development applications.</p> <p>Notwithstanding, the proposal seeks to avoid land of environmental significance.</p>
Chapter 3 – Koala habitat protection 2020	Not applicable.	Not applicable.
Chapter 4 – Koala habitat protection 2021	Not applicable.	Not applicable.
Chapter 5 – River Murray lands	Not applicable.	Not applicable.
Chapter 6 – Bushland in urban areas	Not applicable.	Not applicable.
Chapter 7 – Canal estate development	Not applicable.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
Chapter 8 – Sydney drinking water catchment	Not applicable.	Not applicable.
Chapter 9 – Hawkesbury-Nepean River	Not applicable.	Not applicable.
Chapter 10 – Sydney Harbour Catchment	Not applicable.	Not applicable.
Chapter 11 – Georges River Catchment	Not applicable.	Not applicable.
Chapter 12 – Willandra Lakes Region World Heritage Property	Not applicable.	Not applicable.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Applies to all land in the State.	Not applicable to the current Planning Proposal.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Applies to all land in the State.	The Planning Proposal does not conflict with the aims and functions of this SEPP with respect to exempt and complying development provisions.
State Environmental Planning Policy (Housing) 2021		

Policy	Applicable to Planning Proposal	Consistency
Chapter 2 – Affordable housing	Applies to all land in the State.	The subject Planning Proposal does not derogate from the aims and objectives of this State Environmental Planning Policy.
Chapter 3 – Diverse housing	Applies to all land in the State.	The subject Planning Proposal does not derogate from the aims and objectives of this State Environmental Planning Policy.
State Environmental Planning Policy (Industry and Employment) 2021		
Chapter 2 – Western Sydney employment area	Not applicable.	Not applicable.
Chapter 3 – Advertising and signage	Applies to all land in the State.	Not applicable to the current Planning Proposal.
State Environmental Planning Policy No. 65 – Design Quality of Residential Apartments	Applies to all land in the State.	Not applicable to the current Planning Proposal.
State Environmental Planning Policy (Planning Systems) 2021		
Chapter 2 – State and Regional Development	Applies to all land in the State.	Not applicable to the current Planning Proposal.
Chapter 3 – Aboriginal land	Not applicable.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
Chapter 4 – Concurrences and consents	Applies to all land in the State.	Not applicable to the current Planning Proposal.
State Environmental Planning Policy (Precincts – Central River City) 2021		
Chapter 2 – State significant precincts	Applies to all land in the State.	Not applicable to the current Planning Proposal.
Chapter 3 – Sydney region growth centres	Not applicable.	Not applicable.
Chapter 4 – Homebush Bay area	Not applicable.	Not applicable.
Chapter 5 – Kurnell Peninsula	Not applicable.	Not applicable.
Chapter 6 – Urban renewal precincts	Not applicable.	Not applicable.
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021		
Chapter 2 – State significant precincts	Applies to all land in the State.	Not applicable to the current Planning Proposal.
Chapter 3 – Darling Harbour	Not applicable.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
Chapter 4 – City West	Not applicable.	Not applicable.
Chapter 5 – Walsh Bay	Not applicable.	Not applicable.
Chapter 6 – Cooks Cove	Not applicable.	Not applicable.
Chapter 7 – Moore Park Showground	Not applicable.	Not applicable.

State Environmental Planning Policy (Precincts – Regional) 2021

Chapter 2 – State significant precincts	Applies to all land in the State.	Not applicable to the current Planning Proposal.
Chapter 3 – Activation precincts	Not applicable.	Not applicable.
Chapter 4 – Kosciuszko National Park and alpine resorts	Not applicable.	Not applicable.
Chapter 5 – Gosford city centre	Not applicable.	Not applicable.

State Environmental Planning Policy (Precincts – Western Parkland City) 2021

Policy	Applicable to Planning Proposal	Consistency
Chapter 2 – State significant precincts	Applies to all land in the State.	Not applicable to the current Planning Proposal.
Chapter 3 – Sydney region growth centres	Not applicable.	Not applicable.
Chapter 4 – Western Sydney Aerotropolis	Not applicable.	Not applicable.
Chapter 5 – Penrith Lakes Scheme	Not applicable.	Not applicable.
Chapter 6 – St Mary's	Not applicable.	Not applicable.
Chapter 7 – Western Sydney Parklands	Not applicable.	Not applicable.
State Environmental Planning Policy (Primary Production) 2021		
Chapter 2 – Primary production and rural development	Not applicable as the subject land has not been identified as state significant agricultural land on the draft SSAL Map prepared by NSW DPI.	Not applicable.
Chapter 3 – Central Coast plateau areas	Not applicable.	Not applicable.

Policy	Applicable to Planning Proposal	Consistency
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State Environmental Planning Policy (Resilience and Hazards) 2021

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

State Environmental Planning Policy (Resources and Energy) 2021

Chapter 2 – Mining, petroleum production and extractive industries	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to mining, petroleum production and extractive industries as provided for in the SEPP.
Chapter 3 – Extractive industries in Sydney area	Not applicable.	Not applicable.

State Environmental Planning Policy (Sustainable Buildings) 2022

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Policy	Applicable to Planning Proposal	Consistency
Chapter 2 – Standards for residential development - BASIX	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP.
Chapter 3 – Standards for non-residential development	Not applicable.	Though not applicable to the planning proposal, consideration of the SEPP may be required when assessing proposed developments for the site.
Chapter 4 - Miscellaneous	Not applicable.	Not applicable.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 – Infrastructure	Applies to all land in the State.	The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP.
Chapter 3 – Educational establishments and child care facilities	Applies to all land in the State.	Not applicable to the current Planning Proposal.

Policy	Applicable to Planning Proposal	Consistency
Chapter 4 – Major infrastructure corridors	Not applicable.	Not applicable.
Chapter 5 – Three ports – Port Botany, Port Kembla and Newcastle	Not applicable.	Not applicable.
Draft State Environmental Planning Policies		
Corridor Protection SEPP	Not applicable.	Not applicable.

Attachment D: Consistency with Section 9.1 Ministerial Directions

Table 5 – Consistency with Ministerial Directions

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

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

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

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

No.	Title	Applicable to Planning Proposal	Consistency
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Design and Place [This Focus Area was blank when the Directions were made]

Nil			
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Biodiversity and Conservation

3.1	Conservation Zones	Yes, as this Direction applies to all Planning Proposals.	This planning proposal does not apply to land within a conservation zone or land otherwise identified for conservation/protection purposes.
3.2	Heritage Conservation	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this direction because it does not affect existing provisions within LEP relating to the protection of known European and Aboriginal heritage.
3.3	Sydney Drinking Water Catchment	Not applicable to the Lockhart Local Government Area.	Not applicable.
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs.	Not applicable to the Lockhart Local Government Area.	Not applicable.

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

No.	Title	Applicable to Planning Proposal	Consistency
Resilience and Hazards			
4.1	Flooding	The townships of Lockhart and The Rock are subject to riverine and overland flooding.	<p>Council adopted the draft Lockhart – Flood Study in 2014 and the recommendations contained within it have been acted upon. The sites investigated through the Local Strategy have sought to avoid flood affected land as much as is practicable.</p> <p>Specific to this proposal, the subject site is generally unaffected by 1% AEP flood extent. Additionally, since the 1%AEP was calculated, infrastructural measures from the Lockhart Floodplain Risk Management Study and Plan have been implemented, which will decrease any immediate risk to the area.</p> <p>Refer to section in this report.</p>
4.2	Coastal Management	Not applicable as the subject land is not located in a coastal management area.	Not applicable.
4.3	Planning for Bushfire Protection	Not applicable.	The site is not subject to mapped bushfire risk.
4.4	Remediation of Contaminated Land	Yes, as the subject Planning Proposal applies to the main urban area of Lockhart.	<p>The subject Planning Proposal is consistent with the aims and objectives of this Direction.</p> <p>The land is not known to be contaminated from any historical use (NSW EPA Contaminated Land Record, October 2023)</p>

No.	Title	Applicable to Planning Proposal	Consistency
4.5	Acid Sulphate Soils	Not applicable, as the subject land is not identified as containing acid sulphate soils.	Not applicable.
4.6	Mine Subsidence & Unstable Land	Not applicable, as the subject land is not within a Mine Subsistence District.	Not applicable.
Transport and Infrastructure			
5.1	Integrating Land Use and Transport	Yes, as the Planning Proposal relates to urban land.	<p>The land is already urban zoned and developed and the further redevelopment/intensification of this land is not expected to have an adverse impact on the established road network.</p> <p>Despite the scarce provision of public/active transport availability throughout Lockhart LGA, the proposal seeks to consolidate residential land use and support their viable operation in the future.</p> <p>The Planning Proposal does not conflict with the aims or objectives of the two reference Transport studies outlined in this Direction.</p>
5.2	Reserving Land for Public Purposes	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this Direction because it does not create, alter or reduce any provisions relating to land for public acquisition purposes.

No.	Title	Applicable to Planning Proposal	Consistency
5.3	Development Near Regulated Airports and Defence Airfields	Not applicable, the planning proposal does not seek to create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.	Not applicable.
5.4	Shooting Ranges	Not applicable, as the subject land is not located in the vicinity of a shooting range.	Not applicable.

Housing

6.1	Residential Zones	The planning proposal relates to residential land zones.	<ul style="list-style-type: none"> The planning proposal seeks to provide further residential land within the already defined urban areas of Lockhart and The Rock townships. The subject sites have been investigated through the Lockhart Local Housing and Employment Strategy. The proposal seeks to broaden the choice of building typologies and locations in the LGA The proposal makes use of existing infrastructure.
6.2	Caravan Parks & Manufactured Home Estates	Yes, as this Direction applies to all Planning Proposals.	The Planning Proposal is consistent with this Direction as it does not reduce the opportunities for caravan parks and manufactured homes within the Lockhart LGA

No.	Title	Applicable to Planning Proposal	Consistency
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Industry and Employment

7.1	Business and Industrial Zones	Not applicable.	Not applicable
7.2	Reduction in non-hosted short term rental accommodation period	Not applicable.	Not applicable.
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable, as the subject land is not located within proximity to the Pacific Highway.	Not applicable.

Resources and Energy

8.1	Mining, Petroleum Production and Extractive Industries	Not applicable as the Planning Proposal does not impact on mining, petroleum or extractive industries.	<p>The subject planning proposal will not</p> <p>(a) prohibit the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</p> <p>(b) restrict the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</p>
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No.	Title	Applicable to Planning Proposal	Consistency
Primary Production			
9.1	Rural Zones	Applicable to this planning proposal	Not applicable.
9.2	Rural Lands	Not applicable, does not apply to the Lockhart Local Government Area.	Not applicable.
9.3	Oyster Aquaculture	Not applicable as the subject site is not identified as a 'Priority Oyster Aquaculture Area' and is not identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy (2006)</i>	Not applicable.
9.4	Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable, does not apply to the Lockhart Local Government Area.	Not applicable.