

# PLANNING PROPOSAL

## Under Section 55 of the EP&A Act

'Annual Review' to Glen Innes Severn Local  
Environmental Plan 2012

Prepared by: GLEN INNES SEVERN COUNCIL  
Date: MAY 2017  
REV 1: AUGUST 2017 – FOR PUBLIC EXHIBITION



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## PLANNING PROPOSAL STATUS

STAGE	VERSION / DATE Blank until achieved
Draft	May 2017
Reported to Council (section 55)	25 May 2017
Endorsed by Council and referred to Department of Planning (sec 56(1))	25 May 2017
Gateway Panel determination (sec 56 (2))	3 July 2017
Revisions required: Yes: (timeline, mapping, property descriptions, SEPP consistency)	21 August 2017
Public exhibition (where applicable) (sec 57) (28 days)	WE ARE HERE
For Council review (sec 58 (1))	
Adopted by Council for final submission to Department of Planning (sec 58(2))	

# 1

## Introduction

### 1.1 Purpose

The purpose of this Planning Proposal (PP) is to outline the third general review of Glen Innes Severn Local Environmental Plan (GIS LEP) 2012.

The PP incorporates a number of amendments to the GIS LEP 2012 that have arisen from strategic and development matters occurring over the preceding two years.

### 1.2 Property Details

Details of the land affected by the proposed LEP amendments are found at Appendix A and D.

# 2

## Planning Proposal

### 2.1 Part 1: Objectives or Intended Outcomes

The objective of this PP is to provide a mechanism to review and amend the Glen Innes Severn Local Environmental Plan (GIS LEP) 2012 where necessary to ensure that it provides the most up to date and accurate information as it applies to development in the Glen Innes Severn Local Government Area (LGA).

It is intended to amend GIS LEP 2012 as follows:

1. Modify Land Zoning Map – LZN\_003A and include a new zone, R2 Low Density Residential, in the GIS LEP 2012.  
The affected land is identified as the Hunter Street Urban Release Area. It is intended to amend the present R1 General Residential to R2 Low Density Residential.
2. Modify the land use table to prohibit Animal Boarding and Training Establishments in the RU5 Village zone;
3. Modify the Dwelling Opportunity Maps to identify certain parcels of land with a dwelling opportunity.
4. Include the former Queenswood Grammar School located at 82 Wentworth Street in Schedule 5 Environmental Heritage.
5. Reclassification of Community Land to Operational land – 100 Lambeth Street, Glen Innes for the Northern Tablelands Fire Control Centre.

Full details of the above are contained in Appendix A and D.

### 2.2 Part 2: Explanation of the Provisions

The PP proposes several amendments to GIS LEP 2012, which have been identified as necessary in the ongoing implementation of the LEP. These issues have been identified in a range of ways (through the Development Application assessment process, strategic planning for the Hunter Street Urban Release Area, landowner enquiries and internal reviews etc) and have been systematically logged to enable an update of the LEP. Given the complexity of the LEP and associated mapping, this is an important continuous improvement process.

Summary:

1. **Hunter Street Urban Release Area**

Modify Land Zoning Map – LZN\_003A.

Modify the zoning of the land identified as the Hunter Street Urban Release Area from R1 General Residential to R2 Low Density Residential.

The R2 Low Density Residential zone has not previously been included in the GISLEP 2012. This will be a new zone. The LEP document and map LZN\_003A will require amendment.

The following zone will be included in the written LEP document.

**Zone R2 Low Density Residential**

**1 Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

**2 Permitted without consent**

Building identification signs; Home-based child care; Home occupations

**3 Permitted with consent**

Bed and breakfast accommodation; Boarding houses; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Information and education facilities; Neighbourhood shops; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Seniors housing; Water storage facilities;

**4 Prohibited**

Any development not specified in item 2 or 3

The minimum lot size of 800 m<sup>2</sup> for the Hunter Street Urban Release Area will not be altered.

The reason for the amendment is to limit the type of residential accommodation that is permissible with consent in the Hunter Street Urban Release Area to low density dwellings and dual occupancies.

The amendment will better reflect the residential development controls of Chapter 10 Hunter Street Urban Release Area of the Glen Innes Severn Development Control Plan 2014.

The proposed map amendment involves specific changes to Land Zoning Map Sheet LZN\_003A as shown at Appendix A. Affected land is:

Lot 184 DP 753282  
Lot 185 DP 753282  
Lot 1 DP 1112558 (part)  
Lot 1 DP 1188712  
Lot 2 DP 1188710  
Lot 4 DP 1188709 (part)  
Veness Street Road Reserve (part)  
Taylor Street Road Reserve (part)

The R2 Low Density Residential zone has previously not been included in the Glen Innes LEP 2012. Therefore, the amendment will involve amendment to each Land Zoning Map sheet to incorporate the new zone into the legend for each map.

## **2. Modify the land use table to prohibit Animal Boarding and Training Establishments in the RU5 Village zone.**

The need for this LEP amendment arose during the processing of LEP Amendment No.2 whereby the Parliamentary Counsel Office (PCO) misread the Gateway Determination which read:

**“amend the Zone RU5 Village land use table to prohibit ‘Animal boarding or training establishments’;”**

Instead, the PCO drafted the environmental planning instrument to read

### ***Schedule 1 Amendment of Glen Innes Severn Local Environmental Plan 2012***

**[1] Land Use Table** of which stated:

*Insert “Animal boarding or training establishments:” in alphabetical order in item 3 of the matter relating to Zone RU5 Village.*

Whereas, it should have stated:

*Insert “Animal boarding or training establishments:” in alphabetical order in item 4 of the matter relating to Zone RU5 Village.*

As a result of this error, "Animal boarding or training establishments" were listed in the land use table for the RU5 Village zone as permissible with consent, rather than prohibited.

Prohibiting "Animal boarding or training establishments" from the RU5 zone was the intention of LEP Amendment No.2.

Prohibiting "Animal boarding or training establishments" from the RU5 zone is the intention of the PP.

The need to prohibit Prohibiting "Animal boarding or training establishments" from the RU5 zone was raised by the community during the assessment of a development application for such a proposal in the village zone. Council resolved to refuse the development and to prohibit such a use from the RU5 Village Zone.

This amendment does not involve any map changes.

### **3. Modify the Dwelling Opportunity Maps to identify certain parcels of land with a dwelling opportunity.**

These dwelling entitlements were identified through:

- a. The development assessment process whereby certain approvals for dwellings on rural lots, that are below the minimum lot size for a dwelling entitlement, may lapse prior to substantial commencement of those developments; and
- b. Identification as existing holdings pursuant to Clause 4.2A(2) of the GIS LEP. Whilst the definition of 'existing holding' at Clause 4.2A(5) provides for unused dwelling entitlements, it relies on the land owner's ability to demonstrate that the land was a holding as at 31 October 1975.

It is considered that unused or un-commenced dwelling entitlements, whether they are granted through the DA process or they are identified as existing holdings, should be identified on the dwelling opportunity map.

Item (3) involves the following maps and land parcels. A list of the cadastral description of each Lot and DP (lot//DP) is found at Appendix D.

There are 33 identified land parcels contained within the following Dwelling Opportunity Maps:

#### **Dwelling Opportunity Map DWE\_002**

- Lot 1 DP 701756 and Lot 1 DP 706579 – 2285 Emmaville Road Reddestone
- Lot 2 and Lot 3 DP 1129937 – Strathbogie Road Emmaville
- Lot 20 DP 753312 – Tent Hill Road Emmaville
- Lot 45 DP 753302 - 536 Carrot Farm Road, Deepwater

- Lot 1 DP 1150545 - Calthorps Road, Stannum

**Dwelling Opportunity Map DWE\_002B**

- Lot 22 DP 1184478 – Emmaville Road, Emmaville
- Lot 18 DP 753314 - Cadell Street, Emmaville

**Dwelling Opportunity Map DWE\_002C**

- Lot 13 - 2174 Wellington Vale Road Emmaville
- Lot 129 DP 753317 - 2174 Wellington Vale Road Emmaville
- Lot 1 DP 753317 - Wellington Vale Road, Emmaville
- Lot 78 DP 753317 - Wellington Vale Road, Emmaville
- Lot 66 DP753317 - 2067 Wellington Vale Road, Emmaville

**Dwelling Opportunity Map DWE\_002D**

- Lots 2 and 3 DP1128953 – 52 Wellington Vale Road, Deepwater

**Dwelling Opportunity Map DWE\_003**

- Lot 1 DP 1082861 – Doolan Road Glen Innes
- Lot 6 DP 1090701 – 72 East Pandora Road, Glen Innes
- Lot 2 DP 817344 - Wilson Rd, Glen Innes
- Lot 114 DP 753263 - Old Ben Lomond Road, Ben Lomond
- Lot 321 DP 753262 - Shannon Vale Road, Shannon Vale
- Lot 17 DP 862049 - 37 Sara River Road, Mount Mitchell
- Lot 1 DP 1193185 - West Furracabad Road, Glen Innes
- Lot 2 DP 1172119 - 101 Nutrition Station Road, Shannon Vale

**Dwelling Opportunity Map DWE\_003A**

- ~~Lot 33 DP 1152942 – Furracabad Road, Glen Innes~~

Note: Already identified on Map DWE\_003A.

**Dwelling Opportunity Map DWE\_003C**

- Lot 10 DP753306 - Greenhouse Road, Red Range,
- Lot 52 DP 753306 – Tablelands Road, Red Range

**Dwelling Opportunity Map DWE\_004**

- Lot 3 DP 609962 – Carrot Farm Road, Dundee
- Lot 91 DP 753266 - 343 Yahna Road, Bald Nob
- Lot 95 DP 753266 - Bald Nob Road, Dundee
- Lot 162 DP 753309 - 325 Bushy Park Road, Dundee
- Lot 851 DP 1211240 - 1261a Ten Mile Road, Deepwater

**Dwelling Opportunity Map DWE\_005**

- Lot 741 DP 1105815 - Pretty Valley Road, Pinkett

#### **4. Include the former Queenswood Grammar School located at 82 Wentworth Street in Schedule 5 Environmental Heritage**

Council's Heritage Advisor, Mr Graham Wilson has provided the following advice in support of the inclusion of the former school building "Queenswood" to be a locally listed heritage item.

*The Glen Innes Examiner, 8 July 1898 advertised that Miss Stephenson planned to open a private school for girls in February 1899. Miss Stephenson was a former assistant mistress of the Girls Grammar School. The school opened a boarding school on 2 February and it contained a main room for forty-five pupils and dormitories. This building was located in Macquarie Street, close to the later school building 82 Wentworth Street. The furniture in this property was sold on 26 August 1909.*

*The building at the corner of Wentworth and Macquarie Streets was extended to provide for the increased enrolment of girls at the school. Miss Atkinson, a former teacher at 'Queenswood' took charge of the school residence in July 1910 and was in turn followed by Miss Arnold.*

*Miss Stephenson closed the school in December 1934 and she died in March 1944.*

#### **Statement of Significance**

*The former school building 'Queenswood', located at 82 Wentworth Street still has the architectural detail shown in early 1900s photographs. The building has historical, social, research, rarity and representative significance. The building is historically linked to Miss Stephenson who contributed to girl's private education for some thirty-five years in Glen Innes. Social significance arises from the building as a place of education, a place of employment and a dormitory where boarding students lived. It provides the opportunity to research the development of both boys and girls' private education in Glen Innes. The building is representative of the action by individuals to provide education and dormitory facilities in a residence for the young.*

It is recommended that the property known as "Queenswood" located at 82 Wentworth Street will be included in Part 1 Heritage Items of Schedule 5 Environmental Heritage of the GIS LEP 2012.

The amendment will require an alteration to Heritage Map Sheet HER\_003AA to Lot B DP 344226 as shown at **Appendix A**.

#### **5. Reclassification of Community Land to Operational land – 100 Lambeth Street, Glen Innes for the Northern Tablelands Fire Control Centre.**

Council resolved on 23 March 2017 that a proposal to reclassify the land at Lots 1, 2, 4 and 4 in Deposited Plan 270710 as operational land be included within the next review of Council's Local Environmental Plan (LEP).

A draft Plan of Management for Community Land at 100 Lambeth Street proposing to categorise the land as "General Community Use" was publicly exhibited between 25 March 2017 and 8 May 2017 with a Public Hearing held on 9 May 2017.

There were no submissions made to the exhibition of the Public Hearing. A further report will be tabled at the 25 May 2017 Ordinary Council Meeting confirming that there were nil submissions made to the exhibition and Public Hearing, attaching a copy of the Public Hearing Report and minutes of the meeting.

The specific objective of the draft Plan of Management and reclassification of the land is to establish the Northern Tablelands Fire Control Centre within the site. A Development Application (DA 60/16-17) has been lodged for a change of use of the existing commercial, bulky goods and indoor recreational premises for use as an emergency services facility and will be determined by Council on 25 May 2017. Council's planning staff have prepared a report to Council and recommend approval subject to a number of consent conditions.

# 3

## Part 3 Justification

### 3.1 Need for a Planning Proposal

#### *Is the planning proposal a result of any strategic study or report?*

Yes. GISLEP 2013 was made by the NSW Department of Planning and Environment (P&E) Minister on 14 September 2012. GIS LEP 2012 replaced [Glen Innes Local Environmental Plan 1991](#) and [Severn Local Environmental Plan 2002](#) as the primary planning instrument to guide local development in the LGA.

The Glen Innes Severn Land Use Strategy, May 2010 was prepared to inform the transition to the present LEP. One of the recommendations of the strategy was to monitor and conduct a regular review of the new LEP (Page 54 Section 9.6).

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

Yes, the PP is the best way to achieve the intended outcomes. A PP is the most effective method of ensuring the accuracy and reliability of GIS LEP 2012 is maintained and regularly administered. It is the most feasible means of ensuring that the proposed amendments are administered expeditiously in accordance with current statutory requirements.

#### *Is there a net community benefit?*

Council and the community will benefit from the LEP review for the following reasons:

1. it will correct an inconsistency between the DCP and LEP residential controls for the Hunter Street Urban Release Area; and
2. Enable dwelling entitlements to be retained in rural areas
3. Provide additional protection for an existing building with heritage significance; and
4. Will continue the process of providing a fairer and more efficient LEP document.

### 3.2 Relationship to Strategic Planning Framework

#### *Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?*

The *Draft New England North West Regional Plan* applies to the LGA. The plan provides for the following actions and directions:

- Plan for housing to meet the needs of a growing and changing population;
- Communities resilient to change, with housing choice and services that meet shifting needs and lifestyles; and
- Protected water, environment and heritage.

Conducting housekeeping reviews of the GIS LEP 2012 will assist in maintaining consistency with the regional strategy.

***Is the planning proposal consistent with the council's local strategy or local strategic plan?***

One of the strategic objectives listed under the *Glen Innes Severn Land Use and Economic Development Community Strategic Plan 2013-2023* is to engage our Community in integrated planning incorporating land use, economic development infrastructure and social policy that reflect and retain the character of our natural and built environment. The ongoing maintenance of the GIS LEP 2012 enforces this strategy.

The Glen Innes Severn Land Use Strategy 2010 identified the need to ensure an adequate supply of residential land for future generations. Development of the Hunter Street Urban Release Area (URA) for low density residential purposes will contribute to maintaining a supply of suitable land for residential purposes.

The PP is consistent with both the Community Strategic Plan 2013-2023, the Glen Innes Severn Economic Development Strategy 2012 – 2017 and the Land Use Strategy.

***Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?***

Yes. An assessment of consistency with State Environmental Planning Policies (SEPPs) considered relevant to the proposal is at **Appendix C**.

***Is the Planning Proposal consistent with applicable Ministerial Directions (Section 117 Directions)?***

Yes. The PP is consistent with the applicable 117 Directions as shown in the table provided at **Appendix D**.

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

No. The PP will not alter any zones or development controls in a manner such that there could be adverse impacts on threatened species, populations, or ecological communities.

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

No. The amended LEP maps and addition of the R2 Low Density Residential zone will not create opportunities for substantial development that are not already permitted by the

existing provisions of the GIS LEP 2012. It cannot therefore be considered to have any environmental effects.

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

Social and economic effects of the proposal are summarised as follows:

1	Modify Land Zoning Map – LZN_003A and include a new zone, R2 Low Density Residential, in the GIS LEP 2012.	<p><b>Social</b> Positive impact by restricting residential accommodation to low density formats, similar to the surrounding neighbourhood.</p> <p><b>Economic</b> No significant impact.</p>
2	Modify the land use table to prohibit Animal Boarding and Training Establishments in the RU5 Village zone;	<p><b>Social</b> Positive impact to village communities.</p> <p><b>Economic</b> No significant impact.</p>
3	Modify the Dwelling Opportunity Maps to identify certain parcels of land with a dwelling opportunity.	<p><b>Social</b> Positive impact to landowners by preserving rural dwelling entitlements in perpetuity.</p> <p><b>Economic</b> Significant positive impact in that dwelling entitlements are an important asset within rural land.</p>
4	Include the former Queenswood Grammar School located at 82 Wentworth Street in Schedule 5 Environmental Heritage	<p><b>Social</b> Positive impact by preserving the heritage of Glen Innes pursuant to the aims of the GIS LEP to enhance and conserve places and buildings of heritage significance.</p> <p><b>Economic</b> Positive impact. Heritage listing may provide access to external heritage funding sources.</p>

5	Reclassification of Community Land to Operational land – 100 Lambeth Street, Glen Innes for the Northern Tablelands Fire Control Centre.	<p><b>Social</b> Positive impact by providing for emergency service facilities to meet the needs of Glen Innes and the surrounding region.</p> <p><b>Economic</b> Positive impact. Co-location of the Northern Tablelands Fire Control Centre with the NSW Rural Fire Services within premises that are suitable for regional scale training facilities will increase expenditure and visitation in Glen Innes.</p>
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### 3.3 State and Commonwealth Interests

#### *Is there adequate public infrastructure for the planning proposal?*

This PP will not in itself generate the need for public infrastructure as it does not alter the intensity of already permitted development.

#### *What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

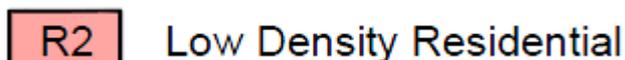
NSW Planning and Environment will indicate their views during the Gateway determination of the proposal. Consultation will occur with other state agencies following Gateway assessment and/or determination.

### 3.4 Part 4: Mapping

Amendments to the GISLEP 2012 mapping are required for the subject Planning Proposal. The following maps will require amendment:

#### **Land Zoning Map LZN\_003A**

Note that the legend of every LZN map must be amended to include the following symbol:



**Dwelling Opportunity Map DWE\_002**  
**Dwelling Opportunity Map DWE\_002B**  
**Dwelling Opportunity Map DWE\_002C**

Dwelling Opportunity Map DWE\_003  
Dwelling Opportunity Map DWE\_003A  
Dwelling Opportunity Map DWE\_003C  
Dwelling Opportunity Map DWE\_004  
Dwelling Opportunity Map DWE\_005

Heritage Map HER\_003aa

### **3.5 Part 5: Community Consultation**

In accordance with Section 57 (2) of the EP&A Act 1979, this Planning Proposal must be approved under a Gateway determination prior to community consultation being undertaken by Council.

# 4

## Project Time Line

### 4.1 Part 5 – Indicative Project Time Line

PLANNING PROPOSAL PROCESS OUTLINE	DATE
Commencement (date of Gateway determination)	3 July 2017
Timeframe for completion of required additional information	31 August 2017
Timeframe for government agency consultation as required by Gateway determination.	15 October 2017
Commencement and completion dates for public exhibition period.	11 September to 9 October 2017
Timeframe for consideration of submissions	30 October 2017
Timeframe for consideration of proposal post exhibition	30 October 2017
Date of submission to the department to finalise the LEP	30 November 2017
Date Council will make the plan under delegation	1 February 2018
Date Council will forward to the Department for notification	1 February 2018

This Planning Proposal was prepared by Keiley Hunter Urban Planner in May 2017 and amended in August 2017 as requested by the Glen Innes Severn Council.

### 4.2 Recommendation

It is request that Council:

- (a) Support this preliminary Planning Proposal based on the information provided in this report; and
- (b) Resolve to refer this preliminary Planning Proposal to NSW Planning and Environment for a Gateway Determination; and
- (c) Upon completion of any additional site assessments, consult with public authorities and publicly exhibit the final Planning Proposal.
- (d) Delegate authority to the General Manager to make any minor amendments to the Planning Proposal prior to public exhibition of the proposal.

**Note: As at 21 August 2017, tasks (a) and (b) have been completed.**

A

**MAPS**

# B

## CONSISTENCY WITH SEPPs

Key issues relevant to the Planning Proposal	Consistent / Inconsistent
<b>SEPP No. 44 - Koala Habitat Protection</b>	
<p><i>Encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range.</i></p>	<p>Consistent.</p> <p>Any future development arising from the LEP amendment(s) that may impact potential or core Koala Habitat must comply with SEPP 44.</p> <p>Development proposals for new dwellings within land that is identified as potential or core Koala habitat that has an area of 1 ha or greater must be accompanied by a Koala Plan of Management prepared in accordance with SEPP requirements.</p>
<b>SEPP No. 55 - Remediation of Land</b>	
<p><i>Introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated.</i></p>	<p>Consistent.</p> <p>Development proposals must be accompanied by preliminary or detailed Contamination assessments depending upon previous land uses and the nature of the development. The determining authority must be certain that the land is suitable for a proposed land use.</p> <p>Development for dwellings within agricultural zoned land will require a preliminary contamination assessment.</p>
<b>SEPP (Exempt and Complying Development Codes) 2008</b>	
<p><i>Streamlines assessment processes for development that complies with specified development standards.</i></p>	<p>Consistent.</p> <p>The proposed amendment will have no material effect on exempt or complying development. The Rural Housing Code does not permit</p>

Key issues relevant to the Planning Proposal	Consistent / Inconsistent
	<p>dwellings as complying development upon land that has an area of less than the minimum lot size. All of the land identified in the Dwelling Opportunity Maps has an area of less than the minimum lot size, therefore the Rural Housing Code will not apply to that land.</p>
<p><b>SEPP (Rural Lands) 2008</b></p>	
<p><i>The aim of this policy is to facilitate the orderly and economic use and development of rural lands for rural and related purposes.</i></p> <p><i>The Rural Planning Principles are as follows:</i></p> <p><i>(a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,</i></p> <p><i>(b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,</i></p> <p><i>(c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,</i></p> <p><i>(d) in planning for rural lands, to balance the social, economic and environmental interests of the community,</i></p> <p><i>(e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,</i></p> <p><i>(f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,</i></p> <p><i>(g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,</i></p>	<p>Consistent.</p> <p>The Planning Proposal is consistent with the Rural Planning Principles of the SEPP in that:</p> <p>The identification of rural holdings with unused dwelling opportunities recognises the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development, including retaining opportunities for rural dwellings in appropriate locations.</p> <p>Correctly mapping rural dwelling opportunities contributes to</p> <p>The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities</p>
<p><b>SEPP No. 65 - Design Quality of Residential Flat Development</b></p>	

Key issues relevant to the Planning Proposal	Consistent / Inconsistent
<p><i>Raises the design quality of residential flat development across the state through the application of a series of design principles.</i></p>	<p>N/A</p>
<p><b>SEPP No. 64 – Advertising and Signage</b></p>	
<p><i>SEPP No 64 applies to advertising and signage within NSW and the relevant aims of the policy as it applies to this PP are:</i></p> <p><i>(1) This Policy aims:</i></p> <p><i>(a) to ensure that signage (including advertising):</i></p> <p><i>(i) is compatible with the desired amenity and visual character of an area, and</i></p> <p><i>(ii) provides effective communication in suitable locations, and</i></p> <p><i>(iii) is of high quality design and finish, and</i></p> <p><i>.....</i></p> <p><i>(d) to regulate the display of advertisements in transport corridors, and</i></p> <p><i>(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</i></p>	<p>Consistent</p> <p>As there are no amendments relating to advertising or signage, the PP is considered to be consistent with the SEPP.</p>
<p><b>SEPP INFRASTRUCTURE 2007</b></p>	
<p><i>SEPP (Infrastructure) is a wide ranging document that covers a myriad of issues and processes. None of the actions within this PP are directly affected by this SEPP and therefore the PP is considered to be consistent with the SEPP.</i></p>	<p>Consistent.</p>
<p><b>SEPP (Affordable Rental Housing) 2009</b></p>	
<p><i>Permissibility of group homes; development standards for various forms of affordable housing.</i></p>	<p>Consistent.</p> <p>The SEPP will operate where secondary dwellings are permissible with consent in the R2 zone.</p>

C

## CONSISTENCY WITH 117 DIRECTIONS

SECTION 117 DIRECTION	CONSISTENCY OF THE PLANNING PROPOSAL
<b>EMPLOYMENT AND RESOURCES</b>	
Direction 1.1 Business and Industrial Zones	
<p><i>Applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</i></p>	<p>CONSISTENT This planning proposal will not affect Business or Industrial Zoned land in any manner listed in this S117 Direction.</p>
Direction 1.2 Rural Zones	
<p><i>The objective of this direction is to protect the agricultural production value of rural land. A draft LEP shall:</i></p> <ul style="list-style-type: none"> <li><i>a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</i></li> <li><i>b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</i></li> </ul>	<p>CONSISTENT Th proposal does not contain any provisions to rezone rural land or increase the permissible density of rural land.</p> <p>The PP gives effect to the current provisions contained within the GIS LEP as the identified dwelling opportunities currently exist however they are not mapped.</p>
Direction 1.5 Rural Lands	
<p><i>The objectives of this direction are to:</i></p> <ul style="list-style-type: none"> <li><i>a) protect the agricultural production value of rural land,</i></li> <li><i>b) facilitate the orderly and economic development of rural lands for rural and related purposes.</i></li> </ul> <p><i>This direction applies when:</i></p> <ul style="list-style-type: none"> <li><i>a) a council prepares a draft LEP that affects land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or</i></li> <li><i>b) a council prepares a draft LEP that changes the existing minimum lot size on land within a rural or environment protection zone.</i></li> </ul>	<p>INCONSISTENT</p> <p>The inconsistency is of minor significance as the dwelling opportunities to be mapped already exist within rural land.</p>
<b>ENVIRONMENT AND HERITAGE</b>	
Direction 2.1 Environment Protection Zones	
<p><i>The direction requires that a draft LEP shall include provisions that facilitate the protection and conservation of environmentally sensitive areas.</i></p> <p><i>A draft LEP that applies to land within an environment protection zone or land otherwise</i></p>	<p>CONSISTENT The PP has no impact on environmental zoned land.</p>

SECTION 117 DIRECTION	CONSISTENCY OF THE PLANNING PROPOSAL
<p><i>identified for environment protection purposes in a LEP shall not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).</i></p>	
<b>Direction 2.3 Heritage Conservation</b>	
<p><i>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i></p> <p><i>A planning proposal shall contain provisions that facilitate the conservation of:</i></p> <p>a) <i>items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</i></p> <p>b) <i>Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</i></p> <p>c) <i>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the council, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</i></p>	<p>CONSISTENT</p> <p>The PP identifies an additional property with heritage significance to be included in Schedule 5 Environmental Heritage of the GIS LEP 2012.</p>
<b>Direction 2.4 Recreation Vehicle Areas</b>	
<p><i>The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</i></p>	<p>CONSISTENT</p> <p>The PP is consistent with this direction in that there are no clauses or provisions that enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983).</p>
<b>HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT</b>	
<b>Direction 3.1 Residential Zones</b>	
<p><i>A planning proposal must include provisions that encourage the provision of housing that will:</i></p> <p>a) <i>broaden the choice of building types and locations available in the housing market, and</i></p> <p>b) <i>make more efficient use of existing infrastructure and services, and</i></p>	<p>INCONSISTENT</p> <p>The PP will rezone land from R1 General Residential to R2 Low Density Residential to better align with the planning intentions for the Hunter Street Urban Release Area.</p>

SECTION 117 DIRECTION	CONSISTENCY OF THE PLANNING PROPOSAL
<p>c) <i>reduce the consumption of land for housing and associated urban development on the urban fringe, and</i></p> <p>d) <i>be of good design.</i></p> <p>(5) <i>A planning proposal must, in relation to land to which this direction applies:</i></p> <p>a) <i>contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</i></p> <p>b) <i>not contain provisions which will reduce the permissible residential density of land.</i></p>	<p>The Hunter Street URA is already identified and zoned for residential land use with a MLS of 800 m<sup>2</sup>.</p> <p>The PP will effectively limit the types of residential accommodation to low density forms such as single dwellings and dual occupancies.</p> <p>The inconsistency is of minor significance as it only impacts the Hunter Street URA and provides for development that is consistent with the DCP provisions for that URA.</p>
<b>Direction 3.2 Caravan Parks and Manufactured Home Estates</b>	
<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> <li>- <i>to provide for a variety of housing types, and</i></li> <li>- <i>to provide opportunities for caravan parks and manufactured home estates.</i></li> </ul>	<p>CONSISTENT</p> <p>The PP is consistent with this Direction.</p>
<b>Direction 3.3 Home Occupations</b>	
<p>The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.</p> <ul style="list-style-type: none"> <li>- <i>Planning Proposals shall permit home occupations to be carried out in dwelling houses without the need for development consent.</i></li> </ul>	<p>CONSISTENT</p> <p>The PP is consistent with this Direction. Home occupations will be permitted without consent in the R2 Zone.</p>
<b>Direction 3.4 Integrating Land Use and Transport</b>	
<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> <li>a) <i>improving access to housing, jobs and services by walking, cycling and public transport, and</i></li> <li>b) <i>increasing the choice of available transport and reducing dependence on cars, and</i></li> <li>c) <i>reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i></li> <li>d) <i>supporting the efficient and viable operation of public transport services, and</i></li> <li>e) <i>providing for the efficient movement of freight.</i></li> </ul> <p><i>This direction applies when a council prepares a draft LEP that creates, alters or removes a zone or</i></p>	<p>CONSISTENT</p> <p>This direction applies as the PP seeks to modify the land use table to prohibit Animal boarding and Training Establishments in the RU5 Village zone.</p> <p>The inconsistency is minor as it is not contrary to the objectives of the direction and bears no relevant to integrating land use with transport.</p>

SECTION 117 DIRECTION	CONSISTENCY OF THE PLANNING PROPOSAL
<p><i>a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</i></p>	
<b>HAZARD AND RISK</b>	
<b>Direction 4.2 Mine Subsidence and Unstable Land</b>	
<p><i>The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</i></p>	<p>CONSISTENT The PP is consistent with the Direction. There are no known areas of mine subsidence or unstable land in the study area.</p>
<b>Direction 4.3 Flood Prone Land</b>	
<p><i>The objectives of this direction are:</i></p> <p>a) <i>to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</i></p> <p>b) <i>to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</i></p> <p><i>This direction applies when a council prepares a draft LEP that creates, removes or alters a zone or a provision that affects flood prone land.</i></p>	<p>CONSISTENT The PP is consistent with this direction.</p>
<b>Direction 4.4 Planning for Bushfire Protection</b>	
<p><i>This direction applies when a council prepares a draft LEP that affects, or is in proximity to land mapped as bushfire prone land.</i></p> <p><i>A draft LEP shall:</i></p> <p>a) <i>have regard to Planning for Bushfire Protection 2006,</i></p> <p>b) <i>introduce controls that avoid placing inappropriate developments in hazardous areas, and ensure that bushfire hazard reduction is not prohibited within the APZ.</i></p>	<p>CONSISTENT Parts of the affected land are mapped as Bush Fire Prone Land. Future development within bushfire prone land will be referred to the NSW RFS as required under s100B of the Rural Fires Act 1997 and s79BA of the EP&amp;A Act 1979.</p>
<b>LOCAL PLAN MAKING</b>	
<b>Direction 6.1 Approval and Referral Requirements</b>	
<p><i>This direction aims to minimise concurrence and referral application to Ministers and public authorities and not classify designated development unless significant impact is likely.</i></p>	<p>CONSISTENT The Planning Proposal does not include any additional referral requirements.</p>

Direction 6.2 Reserving Land for Public Purposes	
<i>This direction requires land to be reserved for public purposes in accordance with the latest directions of the relevant authority.</i>	<p>CONSISTENT</p> <p>The PP does not create, alter or reduce existing zonings or reservations of land for public purposes</p>
Direction 6.3 Site Specific Provisions	
<i>This direction discourages unnecessarily restrictive site controls.</i>	<p>CONSISTENT</p> <p>The PP does not recommend any changes to existing provisions of the LEP, that would lean to restrictive site controls.</p>

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## CADASTRAL TABLE

**LOTS TO BE IDENTIFIED AS HAVING DWELLING OPPORTUNITIES ON THE DWELLING OPPORTUNITY MAPS.**

<b>LOT//DP</b>	<b>MAP</b>
1// DP701756	DWE_002
1//DP706579	DWE_002
2//DP1129937	DWE_002
3//DP1129937	DWE_002
20//DP753312	DWE_002
22//DP1184478	DWE_002B
13//DP753317	DWE_002C
129//DP753317	DWE_002C
52//DP753306	DWE_003C
1//DP1082861	DWE_003
6//DP1090701	DWE_003
3//DP609962	DWE_004
66//DP753317	DWE_002C
2//DP817344	DWE_003
10//DP753306	DWE_003C
18//DP753314	DWE_002B
91//DP753266	DWE_004
1//DP753317	DWE_002C
114//DP753263	DWE_003
45//DP753302	DWE_002
321//DP753262	DWE_003
<del>33//DP1152942</del>	<del>DWE_003A</del> -(ALREADY MAPPED)
95//DP753266	DWE_004
2//DP1128953	DWE_002D
3//DP1128953	DWE_002D
17//DP862049	DWE_003
741//DP1105815	DWE_005
1//DP1193185	DWE_003
78//DP753317	DWE_002C
2//DP1172119	DWE_003

162//DP753309	DWE_004
851//DP1211240	DWE_004
1//DP1150545	DWE_002

**Note: Refer to existing and proposed Dwelling Opportunity Maps.**