

PLANNING PROPOSAL

Tamworth Regional Local Environmental Plan (TRLEP) 2010

59-73 Piper Street - Planning Proposal

Amendment of Zoning within North Tamworth, NSW

Introduction

This planning proposal has been prepared as per Council Resolution 312/12 made on the 9 October 2012. The proposal aims to outline the intended effect and justification of an amendment to the Tamworth Regional Local Environmental Plan (TRLEP) 2010 pertaining to part of the land known as 59-73 Piper Street (commonly known as the North Tamworth Tennis Courts). It is proposed to rezone part of the subject parcel from *RE1 - Public Recreation* to *R1 - General Residential* and introduce a Minimum Lot Size (MLS) of 600m², to facilitate its redevelopment for the purposes of residential development.

The subject property consists of one parcel, containing a small playground, a dilapidated clubhouse and five clay tennis courts in various states of disrepair. The land has not been utilised for its intended purpose for a number of years and is considered surplus in terms of its recreational value with the exception of the playground. The intention is to retain and relocate the existing play equipment to the western side of the parcel should the proposal be approved.

Site Identification

The subject land is located approximately 2 kilometres north-west of the Tamworth Central Business District (CBD) (refer to **Attachment 1**). The property comprising an area of 5,817m², is identified as 59-73 Piper Street, Lot 12, DP 1076924 and is located in North Tamworth (refer to Figure 1.1 below).



Figure 1.1 - Cadastral map identifying land affected by the planning proposal.

Part 1 - Objectives or Intended Outcomes

The object of this proposal is to amend the zoning of part of land known as Lot 12 DP 1076924, 59-73 Piper Street to facilitate the subdivision and redevelopment of part of the land for residential purposes. The remaining area of approximately 1,955m² will be retained for public recreational purposes, specifically a playground. The intention of the amendment is to facilitate a higher land use that is also consistent with the surrounding locality.

The proposed amendment is consistent with the objectives, actions and priorities outlined within the Tamworth Regional Development Strategy 2008 and Tamworth Regional Local Environmental Plan 2010 in respect to residential land and its development.

Part 2 - Explanation of Provisions

The proposed outcome outlined above will be achieved on completion of the following actions:

- Amendment of the zoning and minimum lot size indicated on Map LZN 004C pertaining to part of Lot 12 DP 1076924, 59-73 Piper Street, from RE1 'Public Recreation' to R1 'General Residential' (refer to **Attachment 2**); and
- Part of the parcel to remain under the RE1 'Public Recreation' zoning for the purposes of public recreational use, specifically a playground.
- Subdivision of the parcel to facilitate the redevelopment of the land for residential purposes.

Part 3 - Justification

Section A - Need for the Planning Proposal

A1 Is the planning proposal a result of any strategic study or report?

This planning proposal is the result of a report to Council on the 9 October 2012 relating to the sale of Council owned land, in which Resolution 312/12 was made. The report identified previous considerations relating to the possible uses of the subject land. The report also confirmed that the existing park and playground remain for the use of the community as a requirement of any future action. It was resolved that Council:

- "(i) authorise the sale of the land under the terms detailed in the body of the report, including the exclusion of existing lighting structures from the sale,*
- (ii) authorise an application be submitted to rezone the land;*
- (iii) authorise an application be submitted to subdivide the land; and*
- (iv) authorise the affixing of the Seal of Council to the Contract of Sale, the Transfer document, the Plan of Subdivision, the Positive Covenant, and associated documents."*

In order to facilitate the above sale, it is essential that the zoning over the land is changed in order for the land to obtain the greatest possible land use, the potential for subdivision and redevelopment that is consistent with the surrounding locality.

The subject land, which also contains the disused North Tamworth Tennis courts, is considered to be surplus to the recreational needs within the City. The Tennis Courts have not been formally maintained/used since 2008. Consequently, it is considered reasonable for the land to be rezoned to contribute to the supply of residential land within the City. This is also one of the short term priorities listed within the Tamworth Regional Development Strategy 2008. Under the Tamworth Regional Local Environmental Plan 2010, the majority of the land surrounding the subject parcel is zoned R1 'General Residential'. The exception is the adjoining North Tamworth Bowling Club (Lot 11, DP 1076924), which is zoned RE2 'Private Recreation'.

The intention of the rezoning is to facilitate a higher land use in keeping with the surrounding locality. The planning proposal is deemed to be consistent with the objectives, actions and priorities outlined with the Tamworth Regional Development Strategy 2008.

A2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is required in order to comply with the requirements of the *Environmental Planning and Assessment Act 1979*. Amending the *Tamworth Regional Local Environmental Plan (TRLEP) 2010* is the only avenue available to legally change the zone and allow the potential sale and redevelopment of the land.

A3 Is there a net community benefit?

Attachment 3 outlines the response to the evaluation criteria. Overall it is considered that the development will provide a significant net benefit. No additional net costs were identified within the evaluation. It is considered that the resultant community benefit significantly outweighs the administrative cost of implementing the proposal.

Section B – Relationship to strategic planning framework.

B1 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

The New England North West Strategic Regional Land Use Plan applies and the planning proposal is consistent with the objectives and actions of the Plan.

B2 Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The current RE1 Public Recreation zoning was established over the land when the TRLEP 2010 came into effect (21 January 2011). The land was considered to be surplus after the commencement date and therefore was not taken into consideration as potential residential land within the strategy. Despite this, it is deemed that the planning proposal is consistent with the short term implementation strategies outlined within the Tamworth Regional Development Strategy 2008 in terms of the availability of residential land and opportunities for residential development close to the Central Business District.

The planning proposal is consistent with the strategic planning direction outlined in the *Tamworth RDS*, as noted above. The proposal is also consistent with Tamworth Regional Council's *Community Strategic Plan Keychange 2022*.

B3 Is the planning proposal consistent with applicable State Environmental Planning Policies?

Attachment 4 outlines the considerations made under the relevant State Environmental Planning Policies (SEPPs) applicable to the development proposal.

B4 Is the planning proposal consistent with applicable Ministerial Directions?

The planning proposal is not consistent with Direction '6.2 Reserving Land for Public Purposes'. However, this is considered to be of minor significance as the rezoning of part of the land to *R1 General Residential* will not have any impact on public open space in the Tamworth LGA. Furthermore, part of the land will be retained for future recreational purposes. **Attachment 5** assesses the proposal against all relevant Directions under Section 117 of the *Environmental Planning and Assessment Act 1979*.

Section C – Environmental, Social and Economic Impacts

C1 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?

It is highly unlikely that critical habitat, threatened species, populations or ecological communities exist on the land and therefore will not be adversely affected by the proposal.

C2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

This proposal pertains to the amendment of the zoning and intention to subdivide therefore; there are not any likely environmental effects as a result of this proposal. Environmental effects pertaining to the redevelopment of the land will be made accountable upon lodgement of an impending development application.

C3 Has the planning proposal adequately addressed any social and economic effects?

It is deemed that the planning proposal will have a minimal yet positive impact in terms of social and economic effects. The redevelopment of the site will not impede on listed heritage items within the locality nor will it detrimentally reduce recreational opportunities. The redevelopment will provide additional residential land close to the Central Business District (CBD), Northgate Shopping Complex, hospitals and impending University Campus as outlined within Council's Strategic Plan.

Section D – State and Commonwealth interests

D1 Is there adequate public infrastructure for the planning proposal?

The current infrastructure available to the site is more than adequate to cater for the proposed redevelopment. The site is within close proximity to the Central Business District, hospitals, local schools and shopping centres and is part on an established public transport link.

The subject land is serviced by road, water, wastewater, electricity and telecommunications infrastructure. An upgrade of existing facilities may be required depending on the proposed future residential development. However, this will be determined at the development application stage of any future development proposal.

D2 What are the views of State and Commonwealth public authorities consultant in accordance with the Gateway determination?

The proposed redevelopment of the site will not require any consultation with other public authorities.

Part 4 – Mapping

The current maps and proposed changes required under the TRLEP 2010 are provided within Attachment 2. The maps have been completed to satisfy the requirements of 'standard requirements for LEP maps'.

Part 5 – Community Consultation

As part of the planning process for the TRLEP 2010, Council undertook and implemented an extensive consultation strategy engaging with the community using a range of means including; media, internet, community presentations and displays at each of the Council Branches and the Kootingal Library. At Ray Walsh House in Peel Street, Tamworth, a comprehensive display provided detailed information and many members of the community attended the building to discuss aspects of interest with the relevant Council planning officers. Following this the Environmental Planning Instrument (EPI) was adopted. Within the Plan, Lot 12 DP 1076924 (59-73 Piper Street), was zoned RE1 'Public Recreation'.

Council, in accordance with the requirements of a Gateway determination and the NSW Department of Planning's *Guidelines to Preparing LEP's*, will formally notify adjoining landholders and government stakeholders of the proposal and extend an invitation to make comment. Public exhibition following a Gateway determination can be expected to include advertising in local newspapers, displays at Council offices and publication of public exhibition material on Council's website, www.tamworth.nsw.gov.au, for the prescribed period. The planning proposal will also meet the requirements (Best Practice Guideline) for rezoning Council-owned land. This includes the preparation of a 'statement of interest', which will accompany the planning proposal should it proceed to exhibition.

Part 6 – Project Timeline

The table below provides an indication of the timeline for the planning proposal.

Anticipated commencement date (date of Gateway Determination).	Early to Mid April 2013
Commencement and Completion dates for public exhibition period	April/May 2013
Date for public hearing if required	Early June 2013
Timeframe for consideration of submissions	2 weeks
Timeframe for consideration of proposal post exhibition	2 weeks
Date of submission to department to finalise the LEP	May/June 2013
Anticipated date RPA will make the plan (if delegated)	July/August 2013
Anticipated date RPA will forward to the department for notification	July/August 2013

It is anticipated that processes required for the subdivision of the land will occur concurrently with the planning proposal and that the final approved subdivision plan will be included with the request to the Minister for an accurate assessment and zoning map.

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Date of Issue:
11 January 2013



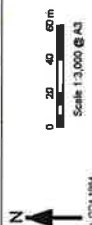
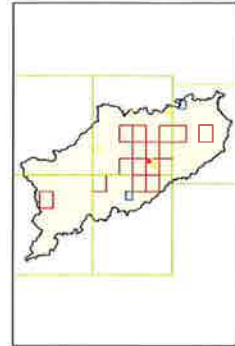
**North Tamworth Tennis Courts
Planning Proposal
Site Identification Map**

Cadastre

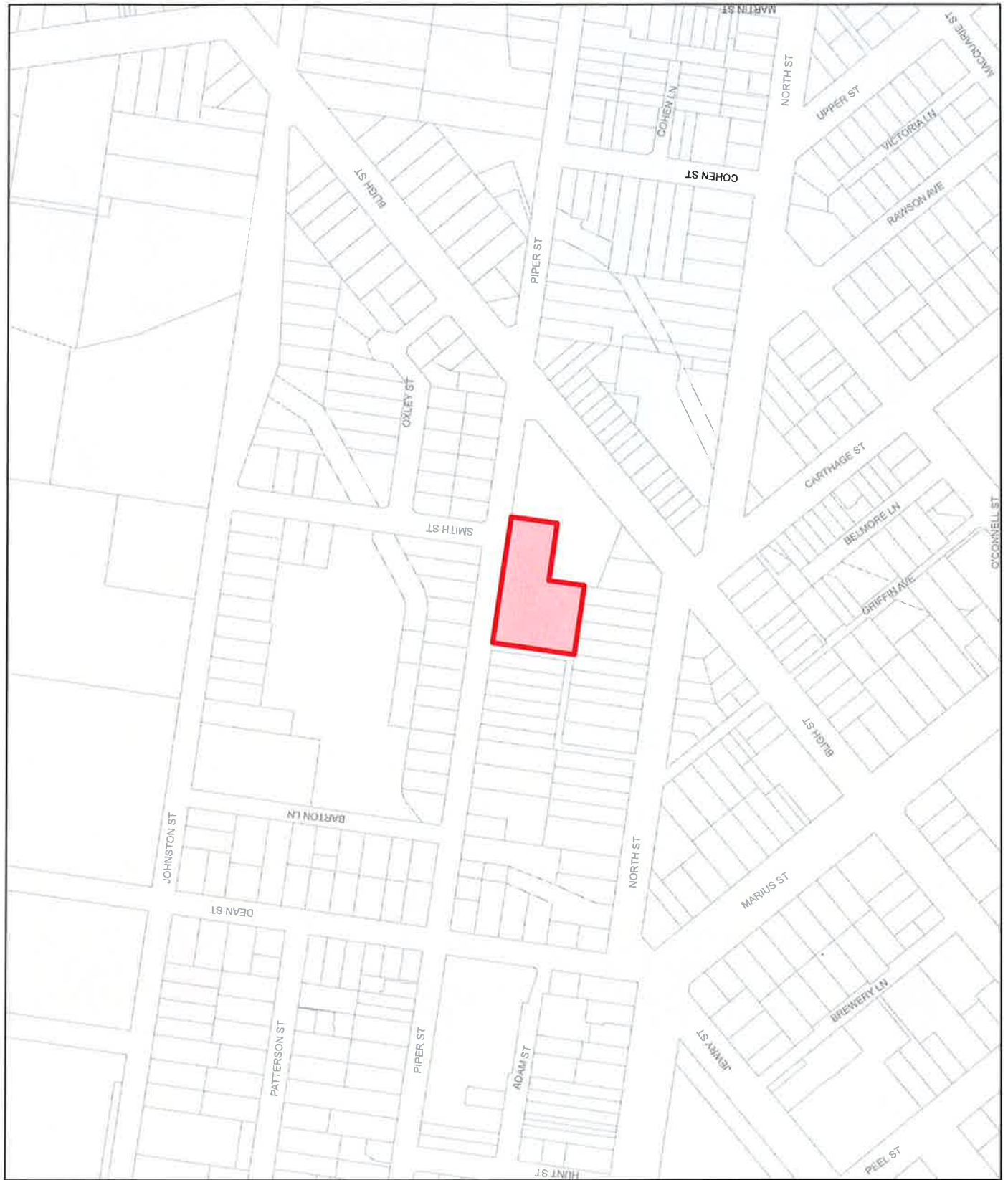
☐ Base Data 11/01/2013 © NSW LPI

☐ Planning Proposal

☒ Subject Land



Projection: GDA 1984
Map Identification Number

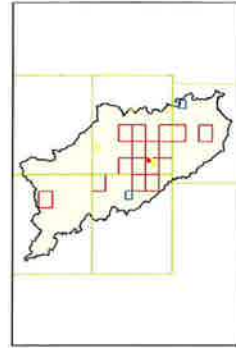


**North Tamworth Tennis Courts
Planning Proposal
Land Zoning Map**

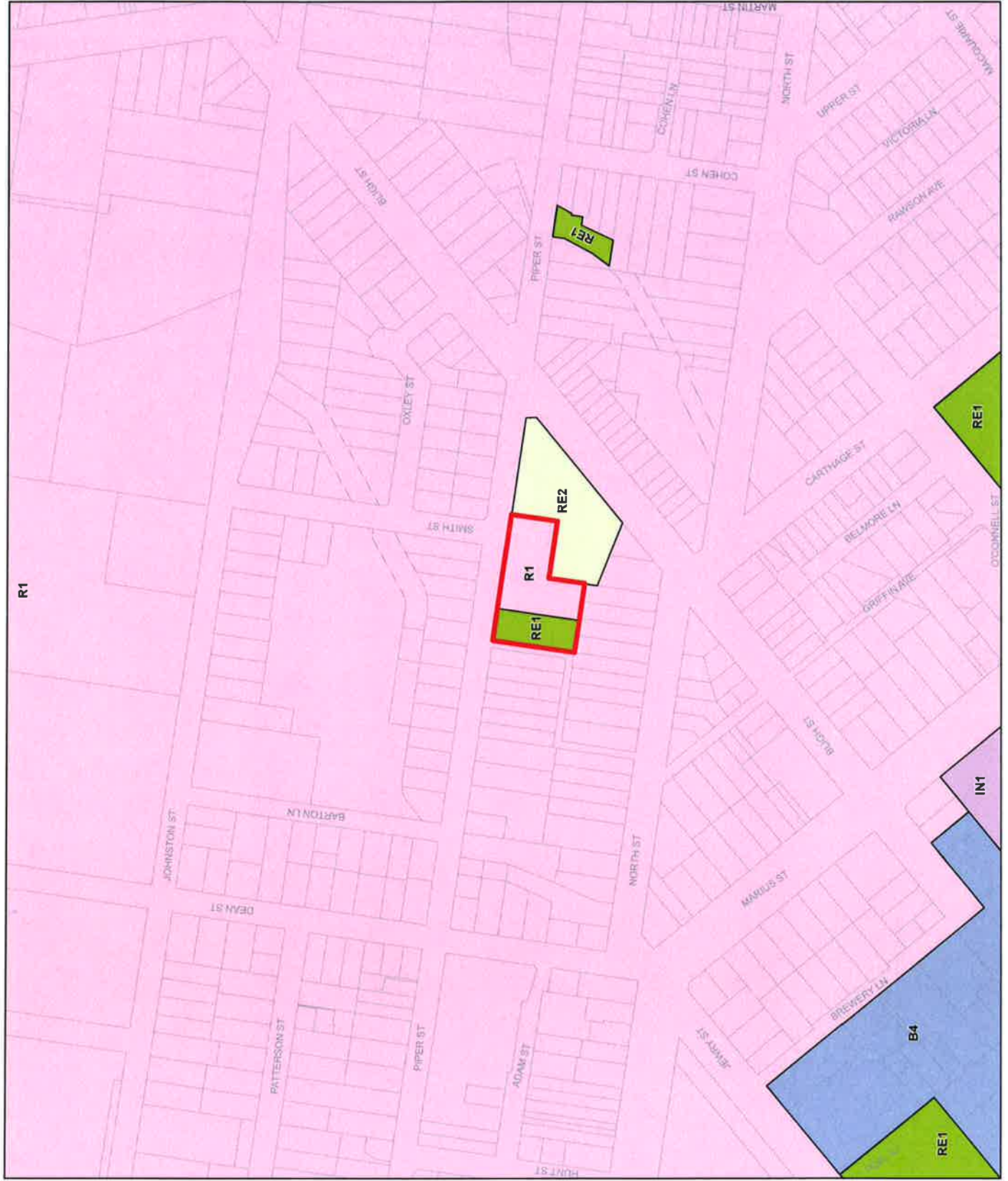
Zone	
B1	Neighbourhood Centre
B2	Local Centre
B3	Commercial Core
B4	Mixed Use
B5	Business Development
B7	Business Park
E1	National Parks and Nature Reserves
E2	Environmental Conservation
E3	Environmental Management
IN1	General Industrial
IN3	Heavy Industrial
R1	General Residential
R2	Low Density Residential
R5	Large Lot Residential
RE1	Public Recreation
RE2	Private Recreation
RU1	Primary Production
RU3	Forestry
RU4	Rural Small Holdings
RU5	Village
RU6	Transition
SP1	Special Activities
SP2	Infrastructure
SP3	Tourist

Cadastre
Base Data 11/01/2013 © NSW LPI

Planning Proposal
Subject Land



Preparation: COA 1994
Map Distribution Number



**North Tamworth Tennis Courts
Planning Proposal
Lot Size Map**

Minimum Lot Size (sq m)

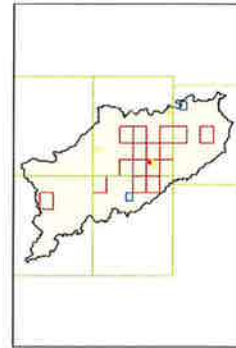
M	600m ²
L1	1000m ²
L2	2000m ²
L3	4000m ²
L4	1 ha
L5	2 ha
AA1	5 ha
AA2	9.9 ha
AB1	20 ha
AB2	40 ha
AD	100 ha
AE	400 ha
AS	800 ha

Cadastre

Base Data 11/01/2013 © NSW LPI

Planning Proposal

Subject Land

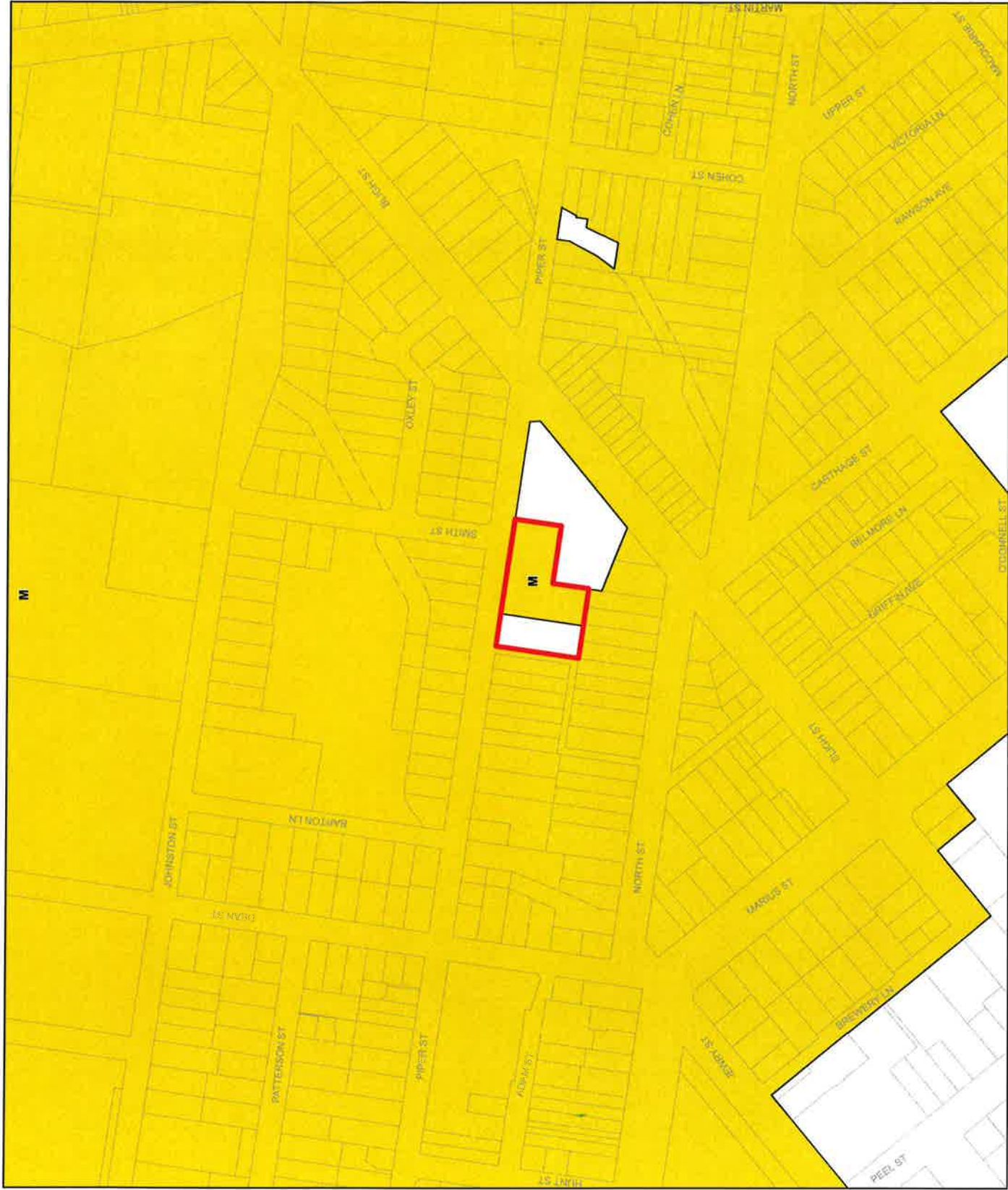


0 20 40 60 m
Scale 1:3000 @ A3

N

Proprietary Data Visible
Scale 1:3000

Map Information Summary



**ATTACHMENT 3 – ANALYSIS OF NET COMMUNITY BENEFIT CRITERIA
PIPER STREET - PLANNING PROPOSAL**

EVALUATION CRITERIA (YES/NO RESPONSE as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION (or COMMENT)	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERIA
Is the planning proposal compatible with agreed State and Regional strategic direction for development in the area? YES	The RE1 zoning does not permit residential development and limits the development potential of the land.	The planning proposal will enable the redevelopment of part of a recreational facility that is disused and increase the availability of residential land available within the City. The local playground will be retained and remain within the RE1 zone.	It is considered that the planning proposal may be neutral in terms of costs and benefits based on this criterion.
Is the planning proposal located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or another regional/sub-regional strategy? NO	Not located in any of these specified areas.	Not applicable.	Not applicable.
Is the proposal likely to create a precedent or create or change the expectations of the landowner or other landholders? YES	The RE1 zoning is not consistent with the surrounding land restricting the potential redevelopment of the land.	The planning proposal may change the expectations of surrounding land holders in respect to the future redevelopment.	An increase of available residential land in close proximity to the central business district, hospitals and schools is considered a significant benefit based on this criterion.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations? N/A	No spot rezoning proposals have been considered or implemented in the locality.	Not applicable.	Not applicable.

**ATTACHMENT 3 – ANALYSIS OF NET COMMUNITY BENEFIT CRITERIA
PIPER STREET - PLANNING PROPOSAL**

EVALUATION CRITERIA (YES/NO RESPONSE as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION (or COMMENT)	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERIA
Will the planning proposal facilitate a permanent employment generating activity? NO	The current land use does not support any employment generating activities. The zoning prohibits the development potential of the land.	Not Applicable	Not Applicable
Will the planning proposal impact upon the supply of residential land and therefore housing supply and affordability? YES	The zoning of the land inhibits the development potential.	The proposal will enable the release of residential land within close proximity to the Central Business District (CBD), hospitals and schools.	The proposal is deemed to have significant benefit for the community through allowing the provision of additional residential land within the City.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? YES	The land is currently serviced by local roads connecting to higher arterial roads. Utilities are available to the land with a bus stop located within the street.	The existing infrastructure has the capacity to service the land use change outlined within this planning proposal with access points existing on site. In terms of public transport, there is a regular bus service available with the capacity to support the land use proposed.	The proposal is considered to have a neutral benefit in respect to this criterion on the basis that the existing services are capable of supporting the proposed increase in density.
Is public transport currently available or is there infrastructure capacity to support future public transport? YES	The land is serviced by a local road linking to an arterial road. Negligible impacts in terms of greenhouse gas emissions, operating costs and road safety.	The planning proposal intends to increase the development potential of the land for residential purposes. It is anticipated that the potential increase in density and redevelopment of the land for residential purposes will not	It is deemed that the planning proposal has a neutral benefit in regards to this criterion.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? NO	If so, what are the likely impacts in terms of greenhouse gas		

**ATTACHMENT 3 – ANALYSIS OF NET COMMUNITY BENEFIT CRITERIA
PIPER STREET - PLANNING PROPOSAL**

EVALUATION CRITERIA (YES/NO RESPONSE as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION (or COMMENT)	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERIA
emissions, operating costs and road safety?		affect travel distances for the public.	
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal?	Not Applicable	Not Applicable	Not Applicable
NO			
If so, what is the expected impact?			
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors?	Not Applicable	Not Applicable	Not Applicable
NO			
Will the LEP be compatible or complementary with surrounding land uses? What is the impact on amenity in the location and wider community?	The land is currently zoned RE1 Public Recreation, being somewhat complementary.	The planning proposal enables the majority of the land to be consistent and therefore compatible with the surrounding land uses. It is anticipated that the local amenity will be improved with the removal of the dilapidated clubhouse and ill conditioned clay tennis courts.	The land use will be more consistent within the locality and the removal of the disused structure and courts will add value to the streetscape.
Will the public domain improve?			The locality is still able to retain the playground area and equipment, to be relocated
YES			

**ATTACHMENT 3 – ANALYSIS OF NET COMMUNITY BENEFIT CRITERIA
PIPER STREET - PLANNING PROPOSAL**

EVALUATION CRITERIA (YES/NO RESPONSE as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION (or COMMENT)	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERIA
		The retention and relocation of the existing playground will improve the public area.	onsite for better access. It is deemed the planning proposal will have a significant positive community benefit in regards to this criterion.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area? NO	Not applicable	Not Applicable	Not Applicable
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future? N/A	Not Applicable	Not Applicable	No Applicable
What are the public interest reasons for preparing the draft plan?	The existing development is considered redundant and surplus to the City's recreational needs. The land is in close proximity to the central business district and is not able to reach its full potential under the current zoning.	The planning proposal will enable the land to be redeveloped for residential purposes, to a density consistent with the surrounding parcels.	The release of new residential land within close proximity to the central business district, hospitals, schools and local shopping centre is considered a significant benefit to the community.
Summary	A significant net community benefit is identified by this analysis for 5 of the 7 applicable criteria examined above. No significant net cost was identified relating to any of the criteria considered.		

**Attachment 4: Consideration of State Environmental Planning Policies
Relative to the Piper Street Planning Proposal.**

The following SEPP's apply to the Tamworth Regional Council Area Local Government Area, as at 30 January 2013.

SEPP	Applicable to TRC?	Consistent/ Inconsistent	Reason for inconsistency or comment
No. 1 Development Standards	No	Not Applicable	SEPP1 does not apply to the Local Government Area (LGA) as per Cl.1.9 of the <i>TRLEP 2010</i> .
No. 4 Development Without Consent and Miscellaneous Exempt and Complying Development	Yes (N/A Cl.6 & parts 3&4)	Consistent	SEPP 4 provisions additional to those in <i>TRLEP 2010</i> .
No. 6 Number of Storeys in a Building	Yes	Consistent	Height of buildings (Cl.4.3) not adopted in <i>TRLEP 2010</i> . LEP 2010 Airport provisions (Cl.7.6) limit height of buildings per Obstacle Height Limitation Map. The SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
No. 15 Rural Land sharing Communities	Yes	Not Applicable	The subject parcel is located within the City of Tamworth and currently zoned RE1 Public Recreation. This policy does not apply in this instance.
No. 21 Caravan Parks	Yes	Consistent	Permissible within the proposed R1 zone. The SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
No. 22 Shops and Commercial Premises	Yes	Not Applicable	This policy does not apply in this instance as commercial premises and shops are prohibited in the current RE1 zone and generally prohibited in the R1 zone.
No. 30 Intensive Agriculture	Yes	Not Applicable	The subject parcel is located within the City of Tamworth and currently zoned RE1 Public Recreation. This policy does not apply in this instance.
No. 32 Urban Land Consolidation (Redevelopment of Urban	Yes	Consistent	The provisions of the planning proposal are consistent with the aims for the SEPP. The SEPP provisions are additional to

**Attachment 4: Consideration of State Environmental Planning Policies
Relative to the *Piper Street Planning Proposal*.**

SEPP	Applicable to TRC?	Consistent/ Inconsistent	Reason for inconsistency or comment
Land)			those in the <i>TRLEP 2010</i> .
No. 33 Hazardous and Offensive Development	Yes	Not Applicable	The subject parcel is located within the City of Tamworth and currently zoned RE1 Public Recreation. This policy does not apply in this instance.
No. 36 Manufactured Home Estates	Yes	Consistent	The provisions of the planning proposal do not limit the development of manufacture home estates. The SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
No. 44 Koala Habitat Protection	No	Not Applicable	Not applicable to the subject land
No. 50 Canal Estate Development	No	Not Applicable	Not applicable to the subject land
No. 55 Remediation of Land	Yes	Not Applicable	The subject land is not recorded as being potentially contaminated.
No. 62 Sustainable Aquaculture	Yes	N/A	Not applicable to the subject land
No. 64 Advertising and Signage	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .

**Attachment 4: Consideration of State Environmental Planning Policies
Relative to the *Piper Street Planning Proposal*.**

No. 65 Design Quality of Residential Flat Development	Yes	Consistent	Residential Flat Development is permissible in the R1 zone. SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
Housing for Seniors or People with a Disability 2004	Yes	Consistent	Seniors housing is permissible in the R1 zones. SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
Building Sustainability Index: BASIX 2004	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
Major Development 2005	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
Mining, Petroleum Production and Extractive Industries 2007	Yes	Not Applicable	Not applicable to the subject land
Temporary Structures 2007	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
Infrastructure 2007	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
Rural Lands 2008	Yes	Not Applicable	The subject parcel is located within the City of Tamworth and currently zoned RE1 Public Recreation. This policy does not apply in this instance.
Exempt and Complying Development Codes 2008	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
Affordable Rental Housing 2009	Yes	Consistent	Permissible within the R1 zone. SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
Urban Renewal 2010	Yes	Not Applicable	Not applicable to the subject land.

**Attachment 5: Consideration of Section 117 Ministerial Directions
Assessment relative to the *Piper Street* - *Planning Proposal***

1. Employment and Resources

Direction	Applicable	Consistent	Reason for inconsistency or comment
1.1 Business and Industrial Zones	No	Not Applicable	The proposal is relates to recreational and residential zones only and is not applicable in this instance.
1.2 Rural Zones	No	Not Applicable	The proposal is relates to recreational and residential zones only and is not applicable in this instance.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	Consistent	Planning proposal is in accordance with all requirement of S.117 Direction.
1.4 Oyster Aquaculture	No	Not Applicable	Uses do not affect Tamworth LGA
1.5 Rural Lands	No	Not Applicable	The proposal is relates to recreational and residential zones only and is not applicable in this instance.

2. Environment and Heritage

Direction	Applicable	Consistent	Reason for inconsistency or comment
2.1 Environment Protection Zones	No	Not Applicable	The proposal does not apply to land within an environmental protection zone.
2.2 Coastal Protection	No	Not Applicable	Does not affect Tamworth LGA
2.3 Heritage Conservation	Yes	Consistent	The subject land is not located within a Heritage Conservation Area and is located more than 200 metres from any listed items of significance.
2.4 Recreation Vehicle Areas	No	Not Applicable	Does not affect applicable zones or areas.

**Attachment 5: Consideration of Section 117 Ministerial Directions
Assessment relative to the Piper Street - Planning Proposal**

3. Housing, Infrastructure and Urban Development

Direction	Applicable	Consistent	Reason for inconsistency or comment
3.1 Residential Zones	Yes	Consistent	Applicable to the R1 zone and the intention to increase housing availability within the locality.
3.2 Caravan Parks and Manufactured Home Estates	Yes	Consistent	Caravan parks are permitted within the R1 zone.
3.3 Home Occupations	Yes	Consistent	Use is permitted without consent in the R1 zone.
3.4 Integrating Land Use and Transport	Yes	Consistent	Planning Proposal will rezone land to increase the density and development potential. No changes are anticipated to the existing local transport arrangements.
3.5 Development Near Licensed Aerodromes	No	Not Applicable	Not affecting subject lands.
3.6 Shooting Ranges	No	Not Applicable	Not affecting subject lands.

**Attachment 5: Consideration of Section 117 Ministerial Directions
Assessment relative to the Piper Street - Planning Proposal**

4. Hazard and Risk

Direction	Applicable	Consistent	Reason for inconsistency or comment
4.1 Acid Sulfate Soils	No	Not Applicable	Not affecting LGA.
4.2 Mine Subsidence and Unstable Land	No	Not Applicable	Not affecting LGA.
4.3 Flood Prone Land	No	Not Applicable	The subject land is not identified as being flood prone.
4.4 Planning for Bushfire Protection	No	Not Applicable	The subject land is not identified as being bushfire prone.

5. Regional Planning

Direction	Applicable	Consistent	Reason for inconsistency or comment
5.1 Implementation of Regional Strategies	No	Not applicable	Not affecting Tamworth LGA.
5.2 Sydney Drinking Water Catchments	No	Not applicable	Not affecting Tamworth LGA.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	Not applicable	Not affecting Tamworth LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	Not applicable	Not affecting Tamworth LGA.
5.8 Second Sydney Airport: Badgerys Creek	No	Not applicable	Not affecting Tamworth LGA.

6. Local Plan Making

**Attachment 5: Consideration of Section 117 Ministerial Directions
Assessment relative to the *Piper Street - Planning Proposal***

Direction	Applicable	Consistent	Reason for inconsistency or comment
6.1 Approval and Referral Requirements	Yes	Consistent	Planning proposal is in accordance with all requirement of S.117 Direction.
6.2 Reserving Land for Public Purposes	Yes	Inconsistent	The rezoning of part of the land to <i>R1 Residential</i> will not have any impact on public open space in the Tamworth LGA. The existing land contains disused tennis courts and part of the land will be retained for future recreational purposes.
6.3 Site Specific Provisions	Yes	Consistent	Land to be rezoned from <i>RE1</i> to <i>R1</i> to enable the land to be developed to a density that is consistent with the surrounding land.

7. Metropolitan Planning

Direction	Applicable	Consistent	Reason for inconsistency or comment
7.1 Implementation of the Metropolitan Strategy	No	Not Applicable	Not affecting Tamworth LGA.