

Planning proposal - Gwydir Carapark

Introduction

This planning proposal explains the intended effect of a proposed local environmental plan that would amend the principle plan applying to the Shire and sets out the justification for making the plan. The proposed local environment plan would rezone an area of land to either the Residential 1 zone under Draft Moree Plains LEP 2011 (shortly due for gazettal) or to Zone No 2 (a) (Residential) under Moree Plains LEP 1995, the current principal LEP. The extent of proposed rezoning together with the boundary of the existing holding together with the existing land use zones is as shown on **Attachment 1**. The holding is owned Gwydir Carapark and would facilitate the ongoing development of this important tourist facility within the Shire.

Part 1 - Statement of Objectives and Intended Outcomes

To enable the ongoing growth and development of the Gwydir Carapark.

Part 2 - Explanation of Provisions

Amendment of the Moree Plains LEP 2011 (once gazetted) in accordance with the proposed zoning map shown at **Attachment 2**

or

Amendment of Moree Plains LEP 1995 (the current LEP) in accordance with the proposed zoning map shown at **Attachment 3**.

The proposed zoning maps outline the area proposed to be changed, and place in this area within the context of the surrounding zones.

Part 3 - Justification

Section A - Need for the planning proposal

1. Is the planning proposal or result of any strategic study or report?

No specific strategic study or report is being implemented by the planning proposal. It is, however, consistent with the exhibited Growth Management Strategy and practice directions from the NSW Department of Planning with respect to the zone proposed and uses of the land.

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

The land is currently in a mixture of residential, industrial and special uses zoning as shown in **Attachment 1**. The industrial zoning is a legacy of the former use of part of the land by the NSW RTA together with an industrial "corridor" that covered both sides of the Newell Highway south of Moree township.

The Growth Management Strategy recommended that industrial development be concentrated on one side of the Newell Highway and proposed the Enterprise Corridor Zone on the western side of the highway.

The Growth Management Strategy (page 173) and Department of Planning policy also support minimisation of special use zones, with land, wherever possible, being in an appropriate zone for the use. Caravan parks and motels were recommended for a residential zone, unless included within a specific business area. In this case the enterprise corridor zone proposed for the Newell Highway corridor would be an appropriate business zone for this part of the site however the balance of the site adjoins residential areas and would be more appropriate in a residential zoning.

The land has been in the ownership of the caravan park for many years, awaiting a change of zoning through a new LEP. The Gwydir Carapark was exhibited in the draft Moree Plains LEP 2011 as being partially within the Residential 2 zone and partially within the Enterprise Corridor zone as shown on **Attachment 4**. It is not intended that this area of the Carapark remain an existing use, as this would substantially limit growth and development of the Carapark. It is therefore proposed that the area within the proposed Residential 2 zone be in an appropriate zoning that would permit tourist accommodation uses. Within the Draft Moree Plains LEP 2011 the Residential 1 zone is the most appropriate zone whereas within the current Moree Plains LEP 1995 the 2(a) Residential zone would be the most appropriate zone. In either case, an appropriate residential zone outside the highway enterprise corridor is considered to meet the Growth Management Strategy objectives as tourist accommodation uses are of a residential nature.

3. Is there a net community benefit?

The development is an established tourist accommodation facility that has been providing tourist accommodation in Moree for some 20 years. It currently includes caravan sites and camping sites. The facility has on-site hot artesian spa pools. Development of the spa pool tourist industry is a key objective of economic development within the Moree Plains Shire. The proponent seeks to expand the range of tourist accommodation and facilities on the site, by providing motel style units in addition to an on-site restaurant. These uses would complement the existing facilities. The estimated capital value of the proposal is approximately \$4 million.

Strengthening the tourist industry within Moree Plains would provide a net community benefit, through increasing both the number of overnight "stays" and also the amount expended per visitor. These amounts represent net increases in wealth to the community, in addition to transfer payments throughout the local economy. In addition, there are the benefits from added construction activity, which would assist to maintain activity and employment amongst local construction firms.

Minimal externalities are seen from the proposal, apart from a marginal increase in traffic which would be comfortably accommodated within the existing road network capacity. Accordingly, a formal cost benefit study was considered unnecessary.

Section B - Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Moree Plains Growth Management Strategy underpins the Moree Plains LEP 2011. That strategy indicates the association of unemployment with fluctuations in agricultural industries. Despite unemployment declining from peak levels of over 10% in the early 1990s, it still remains a significant problem for the Shire. Industry diversification, such as through tourism, is seen as an important element in maintaining employment, particularly for underskilled people. International tourist numbers are currently small, and declining. In part this is attributable to the lack of range of accommodation within Moree associated with the spa industry. Domestic visitor numbers are increasing slowly, however are dominated by low spending visitors. The Growth Management Strategy identifies potential growth in the visitors market for Moree particularly given the "drawcard" of the artesian spa industry. Facilitating the proposal through an appropriate zoning covering the Carapark is therefore fully consistent with the Growth Management Strategy.

5. Is the planning proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?

Council is providing explicit support to the spa industry including through the establishment of the Spa Industry Roundtable. Council is also facilitating disposal of spa water to assist the industry to meet EPA requirements. Council's strategic directions for the spa industry and tourism as outlined in Council's Community Strategic Plan support the growth and development of this facility.

6. Is the planning proposal consistent with applicable state environmental planning policies?

Consideration was given to applicable state environmental planning policies. The following policies are considered relevant.

SEPP 22 - Ensures that where caravan parks or camping grounds are permitted under an environmental planning instrument, movable dwellings, as defined in the Local Government Act 1993, are also permitted. The draft LEP is consistent with this Policy.

SEPP 55 - Remediation of land. Ensures that land changing to a more sensitive use is appropriately remediated. Although a portion of the land is currently within an industrial zone, the land has been in caravan park uses for many years. Accordingly, no formal study under SEPP 55 is seen as necessary, to support the proposed rezoning, which is a procedural in nature.

7. Is the planning proposal consistent with applicable Ministerial Directions (Section 117 directions)?

1. Employment and Resources

1.1 Business and Industrial Zones

No business or industrial zones are proposed or affected.

1.3 Mining, Petroleum Production and Extractive Industries

No existing mines, petroleum production operations or extractive industries are affected by the draft LEP.

1.4 Oyster Aquaculture

Not applicable.

1.5 Rural Lands

No rural lands are affected

2. Environment and Heritage

2.1 Environment Protection Zones

No environmental protection zones are affected

2.2 Coastal Protection

Not applicable.

2.3 Heritage Conservation

No heritage items are affected.

2.4 Recreation Vehicle Areas

Not applicable

3. Housing, Infrastructure and Urban Development

3.1 Residential Zones

The proposal would change a small area of land to a general residential zone. There would be no impact on overall residential yields given the site would be occupied by the caravan park. The development is considered consistent with the Direction.

3.2 Caravan Parks and Manufactured Home Estates

Caravan parks and manufactured home estates are considered to be forms of residential development, and accordingly a general residential zone is considered an appropriate zoning for the development. Without the rezoning, there would be a reduction in areas available for this use, as it would become an existing use within the Residential 1 zone. Use of the Residential 1 zone would also ensure compatibility with adjoining land-use zonings the opportunity is minimised for inappropriate development to occur, should the caravan park no longer be utilised for that purpose. There is no provision in the draft plan which would exclude long-term leases of manufactured home estates. Accordingly the draft plan is considered consistent with this Direction.

3.3 Home Occupations

The draft Plan is consistent with this direction.

3.4 Integrating Land Use and Transport

The development is adjacent to a main transport route and is therefore considered consistent with this direction.

3.5 Development near Licensed Aerodromes

The land is in the vicinity of Moree airport. An appropriate obstacle limitation surface is included in Councils principal LEP as well as the draft principal LEP. In addition, additional provisions have been implemented in the principal LEP and draft principal LEP which address ANEF contours. Facilitation of additional caravan park and tourist accommodation uses can occur in accordance with the relevant clauses within the principle or draft principal LEP.

The draft plan is therefore considered consistent with this Direction.

4. Hazard and Risk

4.1 Acid Sulfate Soils

Not applicable.

4.2 Mine Subsidence and Unstable Land

Not applicable.

4.3 Flood Prone Land

Not applicable.

4.4 Planning for Bushfire Protection

Not applicable

5. Regional Planning

5.1 Implementation of Regional Strategies

No regional strategies affect the Shire.

5.2 Sydney Drinking Water Catchments

Not applicable.

5.3 Farmland of State and Regional Significance on the NSW Far North Coast

Not applicable.

5.4 Commercial and Retail Development along the Pacific Highway, North Coast

Not applicable.

5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)

Not applicable.

5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)

Not applicable.

5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)

Not applicable.

5.8 Second Sydney Airport: Badgerys Creek

Not applicable.

6. Local Plan Making

6.1 Approval and Referral Requirements

The Plan is consistent with recent state policy regarding concurrence, consultation or referral. No additional concurrence, consultation or referral is proposed. No additional development has been identified as designated development.

The draft plan is therefore considered consistent with this Direction.

6.2 Reserving Land for Public Purposes

Not applicable.

6.3 Site Specific Provisions

Although applying to land within a single holding, the draft local environmental plan proposes to utilise an existing land use zone rather than site specific provisions. This is consistent with the Direction.

Section C - Environmental, social and economic impact

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

The land has been developed for urban purposes. Although it contains small amounts of native vegetation, these are in the nature of site landscaping, rather than habitat areas. Accordingly, it is not considered an assessment of significance is required or that there would be any adverse effects as a result of the proposal.

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

The proposal would generate some demands on existing urban services including water, waste, sewer and power. In addition, minor additional traffic generation would occur. These effects would be managed through the development application process, as part of the normal processes of development assessment.

10. How has the planning proposal adequately addressed any social and economic effects?

The development would have no impact on Aboriginal or European heritage areas. The development would produce a net social benefit associated with broadening the range of accommodation available to the spa industry and also through the provision of additional services and facilities which would increase the daily "spend" of the visitors. The proposal is considered to have positive social and economic impacts.

Section D - State and Commonwealth interests

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

The proposal is minor in scope and scale, and consists of a logical extension of an existing development that is already connected to urban services. Existing public infrastructure is satisfactory to serve the proposed development.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Significant consultation with relevant agencies occurred as part of the preparation of Moree Plains LEP 2011. The proposal is considered of minor significance, and although this is a matter for consideration as part of the review of the gateway proposal, it is suggested that no specific consultations would be necessary as the proposal represents a minor extension of an existing approved use.

Part 4 - Community Consultation

The development is an existing caravan park. The proposal would facilitate ongoing development of the caravan park, which would be subject to the normal development application processes as well as consideration under Section 68 of the Local Government Act, and the relevant regulations. The proposal would have minimal impact on adjoining development and accordingly it is considered that a 14 day notification period, together with written notification to directly adjoining landowners would be sufficient in this instance.