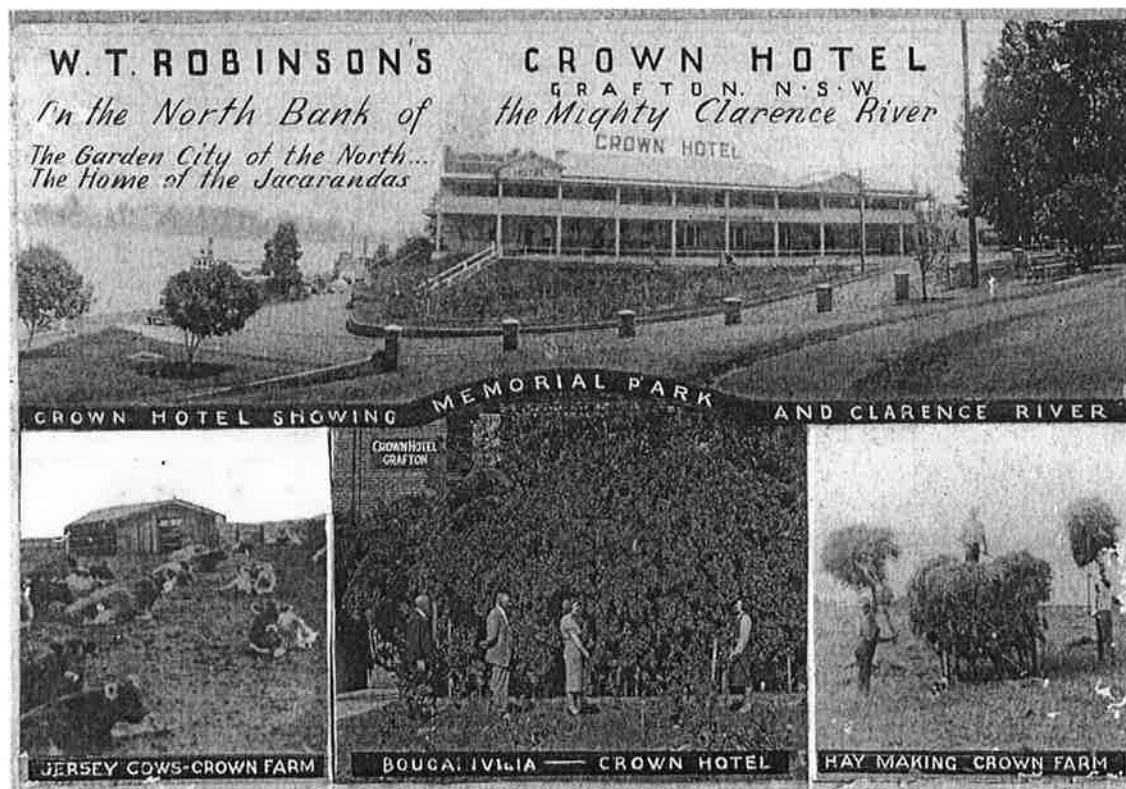




clarence
VALLEY COUNCIL

PLANNING PROPOSAL

**Proposed Listing of Deferred Heritage Items
recommended in the
Grafton Community Based Heritage Study.**



Prepared by: Clarence Valley Council
Updated 21 September 2011

TABLE OF CONTENTS

1.	Preliminary	
1.1	Context	3
1.2	Subject Land	3
1.3	Current zoning and use	3
2.	Objective or Intended Outcome	4
3.	Explanation of provisions	4
4.	Justification	
4.1	Is the Proposal a result of any strategic study or report?	4
4.2	Is the planning proposal the best means of achieving the Objectives, intended outcomes, or is there a better way?	4
4.3	Is there a net community benefit?	4
5.	Relationship to Strategic Planning Framework	
5.1	Applicable Regional Strategy – Mid North Coast Regional Strategy ..	5
5.2	Consistency with Council's community strategic plan, or other local strategic plan	5
5.3	Consistency with State Environmental Planning Policies	5
5.4	Consistency with applicable Ministerial Directions (s117 Directions) ...	5
6.	Environmental, Social and Economic Impact	
6.1	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?	5
6.2	Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	5
6.3	How has the planning proposal adequately addressed any social and economic effects?	5
7.	State and Commonwealth Interests	
7.1	Is there adequate public infrastructure for the planning proposal? ..	6
7.2	What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	6
8.	Community Consultation	6
9.	Summary of Deferred Heritage Items.....	7-9
Appendix 1	SEPP Checklist	
Appendix 2	117 Directions Checklist	
Appendix 3	Submissions received from property owners in relation to deferred items.	
Appendix 4	Report on Deferred items from Grafton Community Based Heritage Study.	

1. PRELIMINARY

1.1 Context

This planning proposal has been drafted in accordance with Section 55 of the Environmental Planning and Assessment Act, 1979 and the Department of Planning's "A guide to preparing planning proposals" (July 2009). A gateway determination under Section 56 of the Act is requested.

1.2 Subject Land

This planning proposal applies to multiple parcels of land within Clarence Valley Council defined by the former boundary of Grafton City Council as shown in Figure 1. This includes Grafton, South Grafton, and outlying rural surrounds.

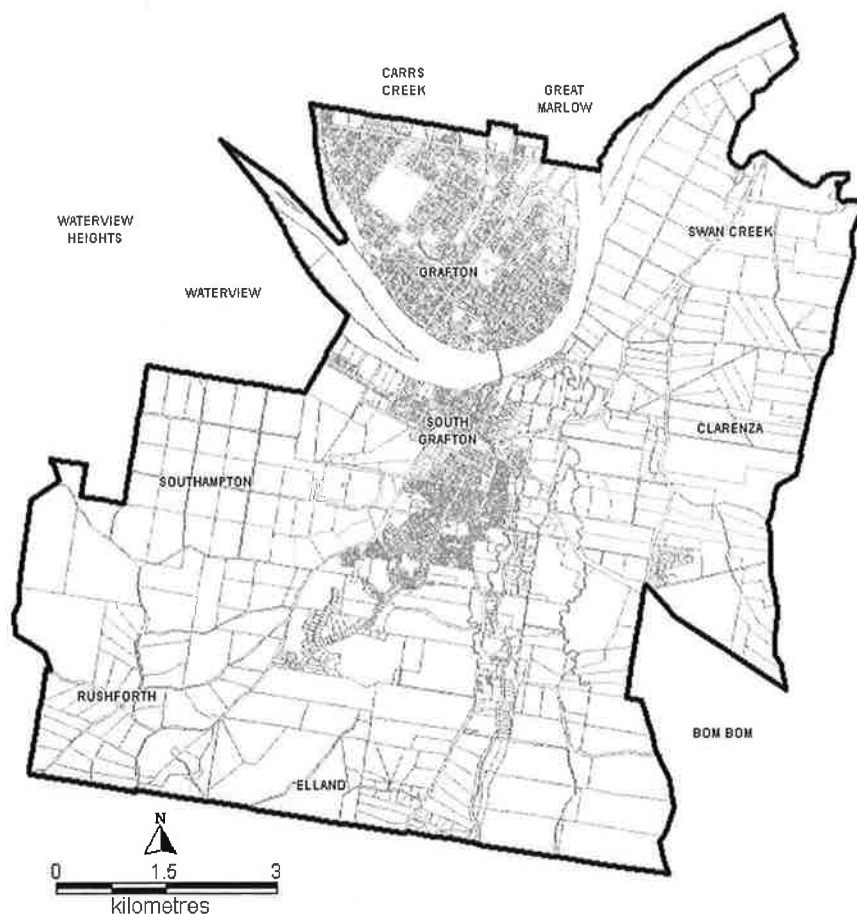


Figure 1: Grafton Community Based Heritage Study Area.

1.3 Current Zonings & Use

The study applies to a variety of zones and uses within the area covered by Grafton Local Environmental Plan 1988 and Clarence Valley Draft Local Environmental Plan 2011.

2. OBJECTIVE OR INTENDED OUTCOME

The intent of the planning proposal is to include 41 individual and group items as items of environmental heritage on Schedule 5 of Clarence Valley Draft Local Environmental Plan 2011.

3. EXPLANATION OF PROVISIONS

The proposal will legally protect the heritage items by inclusion in a local environmental planning instrument and allow the heritage clauses to be applied when assessing changes and developments, to ensure that the significance of the items is not adversely affected.

4. JUSTIFICATION

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

Yes. The proposed heritage listings resulted from a four year Community Based Heritage Study for the Grafton City area (the former City Council area). This study followed the best practice model of the NSW Heritage Branch and was co-ordinated by Jane Gardiner, an independent Heritage Advisor.

The CBHS was based on a Thematic History which provided a broad overview of the historic themes that shaped the development of Grafton. A State Heritage Inventory database of over 800 items was compiled which matched the items to the historic themes, and assessed them under the significance criteria set out by the NSW Heritage Office.

Council adopted the majority of the proposed listings and expanded conservation areas on 24 November 2010 and these were formally gazetted on 10 June 2011.

18 potential items were deleted for various planning reasons and 52 potential items subject to outstanding objections, were deferred from the planning proposal for further consultation with property owners. Site meetings have been held with many property owners of the deferred items and all sites have been inspected. As a result of this work, the current planning proposal seeks to include 41 additional items on the heritage schedule.

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

Yes. Legal Heritage protection through the LEP is the most effective way of conserving heritage items and enable managed change to occur which respects the heritage significance of the items.

4.3 Is there a net community benefit?

Conservation of cultural heritage is of great community benefit to residents and visitors alike. Heritage provides a sense of continuity and link to history to give credence to the roots of a community.

5. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

5.1 Applicable Regional Strategy – Mid North Coast Regional Strategy

The protection of Cultural Heritage is outlined in section 9 of this strategy with an *Action* “to ensure that all places of significance are included in the heritage schedules of LEPS”. (Page 38).

5.2 Consistency with Council’s Community Strategic Plan, or other local strategic plan

Valley Vision 2020, July 2008, is Council’s adopted corporate strategic plan. The protection of cultural heritage is an important element of Council’s plan and sustainability strategy.

5.1 Consistency with applicable state environmental planning policies

The proposal is consistent with applicable state environmental planning policies. Refer to the checklist against these policies at **Appendix 1**.

5.2 Consistency with applicable Ministerial Directions (s.117 Directions)

The proposal is consistent with applicable Section 117 Directions. Refer to the checklist against these Directions at **Appendix 2**.

6. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

6.1 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.

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

No adverse environmental effects are likely to arise from the protection of cultural heritage.

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

Property ownership is an important factor in society and any perceived limitations on the right to develop are often resisted by owners. Many of the objections received in relation to these deferred items were based on a general fear of listing and its implications.

Council made a site visit to each of the deferred items and invited owners to explain their concerns. The meetings were successful in addressing many concerns. Additional information was provided to some owners about site specific matters such as further development potential etc.

The conservation of cultural heritage is important for future generations and an acceptable balance needs to be struck which ensures the conservation of the items and allows reasonable changes to occur. As experienced in Council’s recent management of

currently listed items, reasonable outcomes can generally be achieved. The loss of heritage values in the Grafton area over past years is attributed to the fact that only 80 items were listed in the original Grafton LEP 1988.

The most likely conflict would be removal or demolition of a heritage item for complete redevelopment. This poses a serious conflict with identified heritage values. Owners reserve the right to submit a development application for removal or demolition. However this underpins the need for formal listings to ensure that a rigorous heritage assessment is carried out in such circumstances and the proposal is critically assessed.

7. STATE AND COMMONWEALTH INTERESTS

7.1 Is there adequate public infrastructure for the planning proposal?

N/A

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

A gateway determination has not yet been issued.

8. COMMUNITY CONSULTATION

It is considered that the proposal is a "normal impact planning proposal" under Section 4.5 of *"A guide to preparing local environmental plans" which requires 28 days advertising*. (This has already occurred in the previous planning proposal from which these items were deferred.)

Extensive owner consultation has also been carried out in relation to the deferred items. In addition, the subject properties also formed part of the original heritage amendment. (Grafton LEP Amendment 49) with it's associated exhibition and consultation. A detailed explanatory letter, a summary of exempt and complying development for Heritage items, a Guide to Owners, and the SHI data sheets for the property were provided for each property.

The Grafton Community Based Heritage Study was publicly exhibited for two months from 1st May to 30th June 2010 and copies of the SHI data base, the Thematic History and Final Study Report, were available for inspection at Grafton Council Offices, at the Grafton Public Library and also on Council's website.

The previous planning proposal which included the subject items was placed on formal Public Exhibition from 10th September 2010 to 8th October 2010. The original submissions in relation to the subject properties are attached at **Appendix 3**

Since Council's adoption of the previous heritage amendment on 24th November 2010, Councilors and staff conducted site meetings at the subject sites and discussed concerns with the owners of the deferred items.

A full report on the deferred items is attached at **Appendix 4** and a summary is set out below.

**9. SUMMARY OF DEFERRED HERITAGE ITEMS-
GRAFTON COMMUNITY BASED HERITAGE STUDY**

	LOCALITY	Property and SHI	Within Conservati on Area?	Submission Number	LAND NUMBER	Recommendation
1	GRAFTON	16 Alice Street	y	43	19020	Include (Group Value)
2	GRAFTON	42 Alice Street 1640835	y	84	20193	Include (Group Value)
3	GRAFTON	49 Alice Street 1640835	y	60	16685	Include (Individual item)
4	GRAFTON	131 Alice Street 1640682	y	89	16491	Include (Individual item)
5	GRAFTON	180 Alice Street 1640185	y	59	23533	Include (Individual item)
6	GRAFTON	70 Bacon Street 1640794	y	56	20521	Include (Individual item)
7	GRAFTON	8 Clarence Street 1640915	y	100	16824	Delete
8	GRAFTON	155 Dobie Street 1640164	y	65	17359	Include (Individual item)
9	GRAFTON	5 Dovedale Street 1640093	y	96	17403	Include (Group Value)
10	GRAFTON	2 Fitzroy Street 1640146	y	66	17700 and 23715	Include (Individual item)
11	GRAFTON	4 Fitzroy Street 1640192	y	16	17701	Include (Group Value)
12	GRAFTON	Fairweather 168 Fitzroy Street 1640034	y	10	17744	Include (Individual item)
13	GRAFTON	187 Fitzroy Street 1640543	y	80	17785	Include (Individual item)
14	GRAFTON	54 Fry Street 1640781	n	77	17931	Delete
15	GRAFTON	143 Fry Street	y	54	51887	Delete
16	GRAFTON	75 Kent St 1640477	y	67	22826	Include
17	GRAFTON	22 Mary Street 1640074	y	61	19144	Include (Individual item)
18	GRAFTON	112 Mary Street 1640941	y	72	19166	Include (Group Value)
19	GRAFTON	122 Mary Street 1640864	y	91	19170	Include (Individual item)
20	GRAFTON	17,McHugh Street 1640189	y	48	19555	Include (Group Value)

21	GRAFTON	18,McHugh Street 1640829	y	48	19506	Include (Group Value)
22	GRAFTON	19,McHugh Street 1640113	y	49	19554	Include (Group Value)
23	GRAFTON	Old garage 26 McHugh Street 1640486	y	48	19511	Delete
24	GRAFTON	36 McHugh Street 1640013	y	27	19514	Include (Individual item)
25	GRAFTON	18 Morrison Street 1640769	n	11	19767	Include (Individual item)
26	GRAFTON	Tooheys Brewery former 160 North St 1640551	n	8	58206	Include (Individual item)
27	GRAFTON	Jacaranda Hotel 154 Pound Street	y	116	20402	<u>Delete*</u> (Individual item)
28	GRAFTON	240 Pound St	y	101	20439	Include (Group Value)
29	GRAFTON	244 Pound Street 1640405	y	74	20441	Include (Group Value)
30	GRAFTON	110 Powell Street 1641006	n	84	20535	Include (Individual item)
31	GRAFTON	Crown Hotel 1 Prince Street 1640200	y	76	24653	Include (Individual item)
32	GRAFTON	86 Prince Street (upper façade) 1640550	y	81	20753	Include (Individual item)
33	GRAFTON	29 Queen Street 1640041	y	38	21114	<u>Delete*</u> (Individual item)
34	GRAFTON	47 Queen Street 1640776	y	85	21105	Include (Individual item)
35	GRAFTON	78-80 Queen St 1640423	y	32	20946 and 24609	Include (Individual item)
36	GRAFTON	156 Queen Street 1640434	y	82	20993	Include (Individual item)
37	GRAFTON	238 Queen Street 1640010	n	95	21031	Include (Individual item)
38	GRAFTON	14 Reserve Street 1640179 1640179	y	60	21175	Include (Individual item)

39	GRAFTON	120 Victoria Street 1640966	y	69	22277	Include (Group Value)
40	GRAFTON	148 Victoria Street 1640967	y	102	22257	Include (Group Value)
41	GRAFTON	20 Villiers Street 1640676	Y	25	51952	Delete * (Group value)
42	GRAFTON	131 Villiers Street 1640715	y	92	22460	Include (Group Value)
43	GRAFTON	151 Villiers Street 1640724	y	72	22450	Include (Group Value)
44	GRAFTON	181 Villiers Street 1640012	y	90	22434	Delete
45	SOUTH GRAFTON	35 Armidale Street 1640735	n	52	18976	Delete
46	SOUTH GRAFTON	41 Armidale Street 1640735	n	75	18943	Delete
47	SOUTH GRAFTON	175 Ryan Street 1640040	y	106	21550	Include (Individual item)
48	SOUTH GRAFTON	60 Skinner Street 1640213	y	22	21708	Include (Individual item)
49	SOUTH GRAFTON	20-22 Spring Street 1640917	y	93	21818	Delete
50	SOUTH GRAFTON	110 Through Street 1640706	y	90B	23885	Include (Individual item)
51	SOUTH GRAFTON	41 Wharf Street 1640854	y	47	22644	Delete
52	SOUTH GRAFTON	47 Wharf Street 1640852	y	109	22640	Include (Individual item)
53	SWAN CREEK	Hirondelle Pacific Highway, 1640667	n	15	24490 24491 ..	Include (Individual item)

* 3 Properties deleted by Council resolution

12 properties that Council was unable to make contact with owner, that have their properties/items included in new heritage listing

APPENDIX 1 : STATE ENVIRONMENTAL PLANNING POLICY CHECKLIST

STATE ENVIRONMENTAL PLANNING POLICY	COMPLIANCE	COMMENTS
SEPP 1 Development Standards.	n/a	Not relevant.
SEPP 2 Minimum Standards for Residential Flat Buildings. Repealed by SEPP 20.	Repealed.	
SEPP 3 Castlereagh Liquid Waste Depot. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 4 Development Without Consent and Miscellaneous Complying and Exempt Development.	n/a	No specific proposals
SEPP 5 Housing for Older People with a Disability. Repealed by Seniors Living SEPP.	Repealed.	
SEPP 6 Number of Storeys in a Building	n/a	
SEPP 7 Port Kembla Coal Loader. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 8 Surplus Public Land. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 9 Group Homes. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 10 Retention of Low Cost Rental Accommodation.	Not Applicable.	
SEPP 11 Traffic Generating Developments. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 12 Public Housing (dwelling houses). Repealed by SEPP 53	Repealed.	
SEPP 13 Sydney Heliport. Repealed by Sydney REP 26.	Repealed.	
SEPP 14 Coastal Wetlands.	Complies.	None identified on this site.
SEPP 15 Multiple Occupancy of Rural Land. Repealed by SEPP 42. SEPP 15 Rural Land-Sharing Communities.	N/a	Not relevant
SEPP 16 Tertiary Institutions. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 17 Design of Buildings In Certain Business Centres.	Did not Proceed	
SEPP 18 Public Housing. .	Did not proceed	
SEPP 19 Bushland in Urban Areas.		
SEPP 20 Minimum Standards for Residential Flat Buildings. Repealed by SEPP 53.	Repealed.	
SEPP 21 Caravan Parks.	Complies.	Not applicable
SEPP 22 Shops and Commercial Premises.	N/a	Not relevant
SEPP 23	Not allocated.	
SEPP 24 State Roads.	Did not proceed	
SEPP 25 Residential Allotment Sizes. Repealed by SEPP 53.	Repealed.	
SEPP 26 Littoral Rainforests.	Complies	None identified
SEPP 27 Prison Sites. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 28 Town Houses & Villa Houses. Repealed	Repealed.	

STATE ENVIRONMENTAL PLANNING POLICY	COMPLIANCE	COMMENTS
by SEPP 25 Amendment 4.		
SEPP 29 Western Sydney Recreation Area.	Not Applicable	
SEPP 30 Intensive Agriculture	N/a	Not applicable
SEPP 31 Sydney (Kingsford Smith) Airport. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 32 Urban Consolidation (Redevelopment of Urban Land).	Complies.	Not applicable
SEPP 33 Hazardous & Offensive Development.	N/a	Not relevant
SEPP 34 Major Employment Generating Industrial Development. Repealed by Major projects SEPP.	Repealed.	
SEPP 35 Maintenance Dredging of Tidal Waterways. Repealed by Infrastructure SEPP.	Repealed/	
SEPP 36 Manufactured Home Estates.	n/a	Not relevant
SEPP 37 Continued Mines & Extractive Industries Repealed by Mining, Petroleum Production and Extractive Industries SEPP.	Repealed.	
SEPP 38 Olympic games & Related Projects. Repealed by Major Projects SEPP.	Repealed.	
SEPP 39 Split Island Bird Habitat.	Not Applicable	
SEPP 40 Sewerage Works.	Did not proceed.	
SEPP 41 Casino/Entertainment Complex.	Not Applicable	
SEPP 42 Multiple Occupancy & Rural Land.	Repealed by SEPP 15	
SEPP 43 New Southern Railway. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 44 Koala Habitat Protection.	Complies	Does not affect sites identified.
SEPP 45 Permissibility of Mining. Repealed by Mining, Petroleum Production and Extractive Industries SEPP.	Repealed.	
SEPP 46 Protection & Management of Native Vegetation. Repealed by Native Vegetation Conservation Act 1997.	Repealed.	
SEPP 47 Moore Park Showground.	Not Applicable	
SEPP 48 Major Putrescible Landfill Sites. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 49 Tourism Accommodation in Private Homes.	Draft only.	
SEPP 50 Canal Estate Development.	N/a	Not relevant
SEPP 51 Eastern Distributor. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 52 Farm Dams & Other Works in Land & Water Management Plan Areas.	Not Applicable	
SEPP 53 Metropolitan Residential Development	Not Applicable	
SEPP 54 Northside Storage Tunnel. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 55 Remediation of Land.	Complies	No specific proposals
SEPP 56 Sydney Harbour Foreshores & Tributaries. Repealed by Major Projects SEPP Amendment.	Repealed.	
SEPP 57	Not allocated.	

STATE ENVIRONMENTAL PLANNING POLICY	COMPLIANCE	COMMENTS
SEPP 58 Protecting Sydney's Water Supply. Repealed by Drinking Water Catchments REP No 1.	Repealed.	
SEPP 59 Central Western Sydney Economic & Employment Area.	Not Applicable	
SEPP 60 Exempt & Complying Development.	Not Applicable	Has an impact on draft heritage items and conservation areas with more control for some developments. The minor development clause in the standard heritage provisions will alleviate the need for development applications for sympathetic minor developments.
SEPP 61 Exempt & Complying Development for White Bay & Glebe Island Ports. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 62 Sustainable Aquaculture.	n/a	Not relevant
SEPP 63 Major Transport Projects. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 64 Advertising & Signage.	n/a	Heritage items and conservation areas are subject to more controls regulating advertisements.
SEPP 65 Design Quality of Residential Flat Buildings.	n/a	Not relevant
SEPP 66 Integration of Land Use & Transport. Draft.	Complies	Not relevant
SEPP 67 Macquarie Generation Industrial Development Strategy. Repealed by Infrastructure SEPP.	Repealed	
SEPP 68	Not allocated.	
SEPP 69 Major Electricity Supply Projects. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 70 Affordable Housing (Revised Schemes).	Not Applicable	
SEPP 71 Coastal Protection	n/a	Not within coastal zone.
SEPP 72 Linear Telecommunications Development - Broadband. Repealed by Infrastructure SEPP.	Repealed.	
SEPP 73 Kosciuszko Ski Resorts Repealed by SEPP Kosciuszko National Park – Alpine Resorts.	Repealed.	
SEPP 74 Newcastle Port & Employment Lands Repealed by Major Projects SEPP.	Repealed.	
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent.	no specific proposals.
SEPP Building Sustainability Index: BASIX 2004	Complies.	Relevant to development application stage for any new development.
SEPP (ARTC Rail Infrastructure) 2004 Repealed by Infrastructure SEPP.	Repealed.	
SEPP (Sydney Metropolitan Water Supply) 2004 Repealed by Infrastructure SEPP.	Repealed.	
SEPP (Development on Kurnell Peninsula) 2005	Not applicable	

STATE ENVIRONMENTAL PLANNING POLICY	COMPLIANCE	COMMENTS
SEPP (Major Projects) 2005	n/a	Not relevant
SEPP (Sydney Regional Growth Centres) 2006	Not applicable	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.	
SEPP (Temporary Structures and Places of Public Entertainment) 2007	Not applicable	
SEPP (Infrastructure) 2007	Not applicable	
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not applicable.	
SEPP (Rural Lands) 2008	Not applicable	
SEPP – North Coast Regional Environmental Plan 1988 (NCREP)	Applicable	Existing Heritage listings in the REP have been placed in Clarence Valley Draft LEP. This planning proposal deals only with proposed new heritage listings and expanded conservation areas.
NCREP <i>clause 45 – Plan Preparation – Hazards</i> 45(1)(b) requires that rezoning of land for urban purposes should not occur on land subject to flooding or poor drainage unless an assessment has been made of the extent of the hazard and provisions to minimize adverse impacts.	Consistent	No rezoning is proposed.
NCREP <i>clause 45A – Plan Preparation – flood liable land</i> A draft LEP should not rezone flood liable land zoned, inter alia, open space unless consistent with an adopted floodplain risk management plan.	Consistent	Much of the land within the plan area is flood liable but no rezoning is proposed.
NCREP <i>Plan Preparation – servicing urban areas</i> Draft LEPs should ensure that ensuing development will make economic use of existing services.	Not applicable	No changes proposed.
NCREP – <i>Clause 61 – Plan Preparation – health and education facilities</i> Requires that such facilities are located with good access to other complimentary developments and services	Not applicable	No changes proposed.
NCREP – <i>Clause 65 – Plan Preparation- provision of community, welfare and child care services</i> Land should not be rezoned for residential purposes unless adequately serviced by welfare services etc.	Not applicable	No changes proposed.
NCREP – <i>Plan Preparation – existing zones for public open space</i> A draft LEP should not substantially reduce zones for public open space	Not applicable.	No changes proposed

APPENDIX 2 : SECTION 117 DIRECTION CHECKLIST

SECTION 117 DIRECTION	COMPLIANCE	COMMENTS
1. EMPLOYMENT AND RESOURCES		
1.1 Business and Industrial Zones	complies	Some proposed heritage items are within existing business zones. No changes to zones are proposed.
1.2 Rural Zones	Not applicable	Some proposed heritage items are within rural zones. No changes to zones are proposed.
1.3 Mining, Petroleum Production and Extractive industries	Not applicable	
1.3 Oyster Aquaculture	Not applicable	
1.5 Rural Lands	Not applicable	
2. ENVIRONMENT AND HERITAGE		
2.1 Environmental protection Zones	Not applicable	
2.2 Coastal protection	Not applicable	
2.3 Heritage Conservation	APPLIES	This planning proposal is consistent with state planning directions to conserve cultural heritage and make provision for its future protection and management.
2.4 Recreation Vehicle Areas	Not applicable	
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	Not applicable	
3.2 Caravan Parks and Manufactured Home Estates	Not applicable.	
3.3 Home Occupations	Not applicable.	
3.4 Integrated Land Use and Transport	Not applicable	
3.5 Development Near Licensed Aerodromes	Not applicable.	
4. HAZARD AND RISK		
4.1 Acid Sulphate Soils	Not applicable	
4.2 Mine Subsidence and Unstable land	Not applicable.	
4.3 Flood Prone Land	Applies	No rezoning is sought to intensify the existing use or zoning of land.
4.4 Planning for Bushfire Protection	Not applicable.	Land is not bushfire prone.

5. REGIONAL PLANNING		
5.1 Implementation of Regional Strategies	Complies.	In accordance with Mid North Coast Strategy to protect cultural heritage.
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	Not applicable.	
5.7 Central Coast	Not applicable.	
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.	
6. LOCAL PLAN MAKING		
6.1 Approval and Referral Requirements	Complies.	The standard heritage provisions and consent requirements are within Draft Clarence Valley LEP 2011.
6.2 Reserving Land for Public Purposes	Not applicable.	
6.3 Site Specific Provisions	Not applicable	