



Amending Planning Proposal No. 3 – Industrial Land in Armidale

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| <i>Component 1:</i> | <i>Deferred Industrial Lands Matter</i> |
| <i>Component 2:</i> | <i>Rezoning of Land at 61 Bundarra Road from RU4 Primary Production (Small Lots) to IN2 Light Industrial</i> |
| <i>Component 3</i> | <i>Permissibility with Consent of Bulky Goods Retail on land specified in the Additional Permitted Uses Map</i> |
| <i>Component 4</i> | <i>Listing of two heritage archaeological items in the “Deferred Matter” area (deferred from ADLEP Amendment No. 1)</i> |

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Contact Details

Armidale Dumaresq Council

135 Rusden Street, Armidale
New South Wales 2350
Telephone +61 2 6770 3600
Email council@armidale.nsw.gov.au

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Preliminary

Context and Background

This planning proposal has been drafted in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Infrastructure's "A guide to Preparing Planning Proposals" (October 2012). The planning proposal seeks to amend the *Armidale Dumaresq Local Environmental Plan 2012* (LEP 2012) based on the recommendations of the endorsed *Armidale Industrial Lands Study 2013* (AILS) (Attachment 1). The AILS replaces the *Armidale Bulky Goods and Industrial Lands Study* (SGS, 2010) as the endorsed planning strategy for industrial land in Armidale, and facilitates the rezoning of land through LEP amendments.

The AILS was endorsed by the Director-General of the Department of Planning and Infrastructure (DP&I) on 19 April 2013 (Attachment 2). DP&I approved the recommendations of the study (with the exception of matters pertaining to the airport land that are not relevant to this Planning Proposal). Council was advised of DP&I's conditional approval at Council's Governance and Risk Committee meeting on 8 May 2013. The Governance and Risk Committee recommendation was adopted at the Council meeting on 27 May 2013. The final study, with amendments to reflect the advice from the DP&I, was provided to Council as a final Study by the AECgroup on 27 May 2013.

This Planning Proposal (LEP 2012 Amendment No. 3) includes four components. The first three components implement the recommendations of the AILS in relation to the following matters:

- Component 1:** Deferred Industrial Lands Matter. The land identified in the "Deferred Matter" area is currently zoned 4(a) *General Industrial – Armidale Dumaresq Local Environmental Plan 2008*. The zoning of this land to IN2 Light Industrial under LEP 2012 was deferred pending the finalisation of the AILS. This area of land is identified in the AILS as "Armidale West"; "West Armidale", and "Existing West Armidale Precinct".
- Component 2:** Rezoning of part of Lot 1132 DP 40754 at 61 Bundarra Road from RU4 Primary Production (Small Lots) to IN2 Light Industrial. This area of land is identified in the AILS as the "Armidale West Expansion – West".
- Component 3:** Allowing Bulky Goods Retail to be "Permissible with Consent" on land zoned IN2 Light Industrial and identified in LEP 2012 Schedule 1 Additional Permitted Uses and in an Additional Permitted Uses Map.

The fourth component implements the recommendations of the Archaeological Management Plan for Armidale (AMPA) 2010 in relation to the following matters:

- Component 4:** The listing of two heritage archaeological items that were "held over" from the recent Armidale Dumaresq LEP 2012 Amendment No.1 Heritage Planning Proposal (made on 30 August 2013) as they were located in the "Deferred Matter" area.



Part 1 Objectives or intended outcomes

Component 1

The objective of Component 1 is to zone the area in the “Deferred Matter” area identified on Armidale Dumaresq Local Environmental Plan Land Zoning Map – Sheet LZN_002AA from 4(a) Industrial to IN2 Light Industrial and to update the relevant land use mapping. In doing so, to rescind the *Armidale Dumaresq Local Environmental Plan 2008* in its entirety.

Please see the corresponding maps to Component 1 at Attachment 3 and 4. Attachment 3 identifies the “Deferred Matter” in the LEP 2012 LZN_002 Map in white shading. Attachment 4 identifies the “Deferred Matter” area to be zoned IN2 in mauve shading.

Component 2

The objective of Component 2 is to rezone part of Lot 1132 DP 40754 from RU4 Primary Production (Small Lots) to IN2 Light Industrial. This land is identified for rezoning in the AILS.

The purpose of Component 2 is to provide additional zoned industrial land to meet the demand for land for future light industrial growth.

Please see the corresponding map to Component 2 at Attachment 5. Attachment 5 identifies the area at 61 Bundarra Road (Part of Lot 1132 DP 40754) proposed for rezoning from RU4 Primary Production (Small Lots) to IN2 Light Industrial. This area is identified in mauve shading.

Component 3

The objective of Component 3 is to include bulky goods retail as a “Permitted with Consent” matter in identified areas within the IN2 Light Industrial zone by adding a clause to LEP 2012 Schedule 1 Additional Permitted Uses, and introducing an Additional Permissible Use Map to the LEP 2012 map series.

The purpose of Component 3 is to allow the identified land to provide additional land uses in a manner compatible with the site context, and for the purposes of bulky goods retail.

Please see the corresponding map to Component 3 at Attachment 6. Attachment 6 introduces an Additional Permitted Uses Map and identifies the land in the IN2 zone where it is proposed to permit, with consent, Bulky Goods Retail. The area is identified by a dark blue border.

Component 4

The objective of Component 4 is to amend Schedule 5 - Environmental Heritage of the *LEP 2012* by adding two Part 3 Archaeological Sites to the current listings in the Schedule 5.

The intended outcome is to formally identify and legally protect heritage items by their inclusion in a local environmental planning instrument. This will ensure the relevant heritage provisions are applied when assessing development where items of heritage significance are present.

Please see the corresponding map to Component 4 at Attachment 7. Attachment 7 identifies the location of the two archaeological items located in the “Deferred Matter” area.

Part 2 Explanation of provisions

Component 1

The zoning of land in the deferred matter will be achieved by making the following amendments to the LEP 2012 instrument and its associated maps:

- a) Amending LEP 2012 *Clause 1.3 Land to which Plan Applies* to remove Section (1A) in relation to the “Deferred Matter”;
- b) Applying the IN2 zone to the currently zoned 4(a) “Deferred Matter” areas in the relevant Land Zoning Maps (LZN_002AA);
- c) Applying the U – 1000m² Lot Size to the “Deferred Matter” areas in the relevant Lot Size Maps (LSZ_002AA) (see Attachment 8 – Lot Size Map for Deferred Matter and Part Lot 1132 DP 40754);
- d) Updating the Land Application Map to remove the “Deferred Matter” from the legend and mapping;
- e) Removing the “Deferred Matter” from the legend of the Land Zoning Map series;
- f) Updating the Armidale Dumaresq Council logo for the Zoning and Lot Size Map series.
- g) Rescinding the Armidale Dumaresq Local Environmental Plan 2008.

Component 2

The rezoning of land on Lot 1132 DP 40754 will be achieved by making the following amendments to the LEP 2012 instrument and its associated maps:

- a) Providing evidence of support for the rezoning by the landholder. The landholder (Crown Lands) has written in support of the rezoning (see Attachment 9).
- b) Applying the IN2 Light Industrial zoning to an area of approximately 5.5ha on the corner of Bundarra Road and Mott Street (currently zoned RU4 Primary Production Small Lots).
- c) Applying the U – 1000m² Lot Size to the designated area in the relevant Lot Size Map (LSZ_002AA);
- d) Updating the Armidale Dumaresq Council logo for the Zoning and Lot Size Map series.

Component 3

The additional permitted use for bulky goods retail in specific areas identified in the West Armidale IN2 zones will be achieved by making the following amendments to the LEP 2012 instrument and its associated maps:

- a) Amending LEP 2012 *Schedule 1 Additional permitted uses* to include a new clause that includes the permissibility with consent for bulky goods retail in the West Armidale Industrial area;
- b) Creating an Additional Permitted Use map to reflect the revised Schedule 1 Additional Permitted Uses.

Component 4

The listing of two archaeological items in LEP 2012 will be achieved by making the following amendments to the LEP 2012 instrument and its associated maps:

- a) Amending LEP 2012 Schedule 5 - Environmental Heritage to include two items identified as local archaeological heritage items in the Archaeological Management Plan for Armidale (AMPA);
- b) Adding these two items to the LEP 2012 Heritage Map series – Map HER_002AA.

The Heritage Inventory Sheets for the two archaeological items can be found at Attachment 10 (Site of International Hotel – A052) and Attachment 11 (Site of Palmer’s Brickworks – A021).

Part 3 Justification

Section A Need for the planning proposal

Q1. Is the Planning Proposal a result of any strategic study or report?

Component 1, 2 & 3

The Planning Proposal is the result of the *Armidale Industrial Lands Study 2013* (AILS). The AILS was endorsed by the Deputy Director-General of the Department of Planning and Infrastructure (DP&I) on 19 April 2013. The DP&I approved the Study’s recommendations with the exception of AECgroup proposal to allow bulky goods retailing at the Airport and “Airport East” sites, due to concerns about adverse impacts of such activity on the operation of the New England Highway (Note – the “Airport” components of the AILS are not matters addressed in this Planning Proposal). The AILS replaces the Armidale Bulky Goods and Industrial Lands Study (SGS, 2010) as the endorsed planning strategy for industrial land in Armidale, and facilitates the rezoning of land through LEP amendments. The AILS final document was amended to reflect DP&I advice and the final document was received by Council from the AECgroup on 27 May 2013.

Recommendations of the Armidale Industrial Lands Study

The AILS proposes that the land in West Armidale be consolidated as the primary light industrial and bulky goods estate in Armidale. To facilitate this, the study recommends that the West Armidale Precinct “Deferred Matter” area be zoned IN2 Light Industrial with the provision for bulky goods retailing to be permissible with consent in this area.

The Study further recommends that the existing West Armidale Precinct be expanded to rezone part of Lot 1132 DP 40754 (identified as the Armidale West Expansion – West) from RU4 Primary Production Small Lots to IN2 Light Industrial, also with the provision for bulky goods retailing to be permissible with consent in the IN2 zoned portion of this Lot. The area of the proposed rezoning is approximately 5.5ha.

Component 4

In relation to Component 4, the Planning Proposal supports the objectives of the New England Development Strategy (February 2010) and the Archaeological Management Plan for Armidale 2010.

The proposed heritage listings are the result of an Armidale Council resolution in 2002 to prepare an Archaeological Management Plan for Armidale (AMPA). The Archaeological Management Plan for Armidale was developed in partnership with the UNE Heritage Futures and the Heritage Council, and provided a broad overview of identified archaeological sites in Armidale.

The majority of items in the AMPA formed part of Armidale Dumaresq Local Environmental Plan 2012 (Amendment No 1) that came into effect on 30 August 2013. The Department of Planning and Infrastructure recommended that Council defer the listing of two archaeological items because of

their location in the “Deferred Matter” area. They are now included for listing through this Planning Proposal.

Consultation on these items has occurred as part of the Armidale Dumaresq Local Environmental Plan 2012 (Amendment No 1) - Heritage.

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

Components 1, 2 and 3

The planning proposal is considered the best means of achieving the intended outcomes. The AILS has identified land for zoning, rezoning and for additional permitted use and requires a planning proposal to apply its recommendations. Under the *Environmental Planning and Assessment Act 1979*, the land may be zoned, rezoned and additional permitted uses applied through the process of amending an LEP.

Component 4

Heritage items are listed through an amending LEP. Protecting heritage through an environmental planning instrument is the most effective way of conserving heritage items and ensuring any proposed changes to the heritage item are managed in a way that values the heritage significance of the items.

Listing heritage items in an environmental planning instrument is one component of an overall strategy to raise public awareness in relation to heritage items, their management requirements and their importance to the community. It also provides an opportunity to raise awareness of heritage issues through a broad community consultation process, including dialogue with property owners.

Section B Relationship to strategic planning framework

Q3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Components 1, 2 and 3

The *New England North West Strategic Regional Land Use Plan 2012* (SRLUP) represents the NSW State Government’s proposed framework to support growth, protect the environment and respond to competing land uses, whilst preserving key regional values over the next 20 years. It includes a particular focus on protection of agricultural land and the recent growth of mining activities and emergence of the coal seam gas industry.

Actions in the SRLUP where local councils are the lead agencies and are relevant to this planning proposal are discussed below:

Balancing Agriculture and resources development – Include appropriate zonings and provisions in local environmental plans to protect agricultural land including, as a minimum, mapped strategic land.

Component 2 relates to the rezoning of a small area of land from RU4 (Primary Production Small Lots) to IN2 Light Industrial. The land is not included in the area of mapped strategic land in the local government area. Part of the area identified for rezoning is used as a Travelling Stock Route (TSR) and for intermittent grazing of stock overflow from the adjoining saleyards.

Infrastructure – LEPs are to ensure housing and employment development occurs in areas which can be appropriately serviced.

The land in the “Deferred Matter” area to be zoned IN2 is a longstanding developed industrial area with existing infrastructure.

The area of the proposed rezoning of industrial land identified in Component 2 is adjacent to the “Deferred Matter” area. Where existing infrastructure is not to standard, relevant infrastructure can be readily provided as part of the subdivision and development of the site.

Economic Development and Employment – Local Councils are to prepare local strategies to identify an adequate supply of appropriately located commercial and industrial land in order to meet local demand; and, Local Councils will zone land through their local environmental plans to ensure an adequate supply of employment land.

The request for the proposed rezoning identified in Component 2 is the result of the land being identified in the Armidale Industrial Lands Study. The study identified a number of sites for future industrial expansion. This was the only land identified that did not have significant constraints that prevented rezoning.

Natural hazards and climate change – ensure that LEPs zone areas subject to natural hazards appropriately to reflect the risks associated with the hazard and limitations of the land.

The boundary of the land subject to the proposed rezoning identified in Component 2 is drawn along the 1% AEP Flood Level + 0.5m as determined by the *Armidale Flood Study 2004* and *Martins Gully Flood Study Update 2011*. Future development would require construction of buildings at this level or above.

The land is not identified as bush fire prone on the Bushfire Prone Land map certified by the Commissioner of the Rural Fire Service.

Component 4

Cultural Heritage - Compile a database of lands currently identified for cultural heritage conservation as a result of development consents, established heritage studies, ongoing assessment and statutory heritage registers. The database will be used to inform future assessments and ensure that these areas are not compromised by further development.

The SRLUP requires the Department of Planning and Infrastructure and the Office of Environment and Heritage to compile a database of lands currently identified for cultural heritage conservation.

The items identified in Component 4 are the result of an established local archaeological heritage study. The listing of these two items is consistent with the sub-regional strategy in relation to cultural heritage, and will ensure that these sites are not compromised by further development.

Q4. Is the Planning Proposal consistent with a council’s local strategy or other local strategic plan?

Components 1, 2 and 3

The New England Development Strategy 2010 (NESD) has been prepared to identify land use planning objectives and strategies to guide growth and change in the Armidale Dumaresq local

government area. The Strategy was adopted by Council 2009. The Director-General of the Department of Planning endorsed the final Strategy on 16 March 2010.

The Strategic Analysis undertaken for the NESD concluded that industrially zoned land currently available for development exceeds demand, and estimated that there is sufficient land already zoned to meet the needs of a population of over 30,000 in Armidale.

However, despite the current supply of industrial land, Armidale is perceived to have a relative shortage of high visibility employment land. The main issue appears to be the limited choice of zoned industrial land, with the current owners of zoned land not yet proceeding to service and develop the land. The AILS was developed to address this matter.

Component 4

The Planning Proposal is consistent with the New England Development Strategy 2010 – Heritage and landscape. The NESD requires European and aboriginal heritage to be identified, protected and valued by the investigation and inclusion of items and places in an LEP and the implementation of LEP and DCP heritage provisions.

The Community Strategic Plan 2011-2016 does not refer explicitly to heritage or its conservation.

Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Refer to Appendix 1: Consideration of State Environmental Planning Policies.

Q6. Is the Planning Proposal consistent with applicable Ministerial Directions (s. 117 directions)?

Refer to the checklist at Appendix 2: Consideration of Section 117 Ministerial Directions.

Section C Environmental, social and economic impact

Q7. 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?

Component 1, 3 and 4

There are no identified adverse affects relating to these matters.

Component 2

The property (Part Lot 1132 DP 40754) at 61 Bundarra Road has light tree cover, with native plantings surrounding the depot buildings and fronting Bundarra Road. An approximate width of 5m has been fenced along the eastern boundary, and has been planted with immature native tree stock. Native flora has been identified on the site; however, no formal assessments of the sites biodiversity attributes have been made. Future development of the site will require formal Flora and Fauna studies and a SEPP 44 Koala Habitat Protection Assessment.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Components 1, 3 and 4

There are no likely environmental effects arising from the implementation of the planning proposal.

Component 2

The boundary of the land subject to the proposed rezoning identified in Component 2 is drawn along the 1% AEP Flood Level + 0.5m as determined by the *Armidale Flood Study 2004* and *Martins Gully Flood Study Update 2011*; however, the land that is the subject of the rezoning is not on flood prone land. Future development would require construction of buildings at 1% AEP Flood Level + 0.5m or above.

The land is not identified as bush fire prone on the Bushfire Prone Land map certified by the Commissioner of the Rural Fire Service.

The site is identified as “Potentially Contaminated” on Council’s Contamination Register. The contamination listing is the result of a small area of the site being used as the Livestock Rural Lands Depot. The identification of potentially contaminated land is outlined in Table 1 of Planning Guidelines SEPP 55—Remediation of Land 1988 (Department of Urban Affairs and Planning • Environment Protection Authority). Table 1 lists activities that may cause contamination. Vehicles and possibly chemicals may have been stored on site in the past, and agricultural/horticultural activities have been conducted on the site. Council is waiting for advice from the Livestock Health and Pest Authority and Crown Lands for more detailed advice of historical site use. Advice from Crown Lands indicates that the existing Livestock Rural Lands Depot buildings will remain and continue to be used by the LHPA. Contamination studies are not likely to be required on the site outside the area of the location of the depot buildings.

The Martins Gully TSR is utilised for the temporary grazing of livestock and local stock and station agents utilise the area infrequently as part of the overflow from the saleyards complex. The part of Lot 1132 DP 47054 to the west of Martins Gully will continue to be used for this purpose. Future arrangements will be negotiated with the users of the land, including Armidale Dumaresq Council (landowners of the adjacent Saleyards), Crown Lands and LHPA.

Q9. How has the planning proposal adequately addressed any social and economic effects?

Component 1, 2 and 3

The social and economic benefits of the Planning Proposal are considered to be positive. The Planning Proposal relates to the provision of well located, serviceable urban land for industrial uses. The Planning Proposal represents an opportunity to create more employment generating development. It is also noted that there are few vacant industrial sites available in the West Armidale industrial area. The increase in the zoned industrial land by approximately 5.5ha will provide opportunity for new development and employment generating business.

Component 4

When heritage listings are proposed, perceived loss of value to property and the implication of a limitation to development are key issues raised by property owners. Information has been provided to the property owners about the implications for the listing, and the Heritage Inventory Forms and other site specific matters were provided. Archaeological studies will be required if development is proposed.

Section D State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

Component 1 and 3

The “Deferred Matter” areas are long established industrial zones with existing infrastructure provision. The zoning and “additional permitted use” for bulky goods retail on the “Deferred Matter”

sites will not impact on the existing infrastructure; however, future development of the land may require upgrading and/or augmentation of some infrastructure provisions depending on the requirements in place at the time of the proposal.

Component 2

The site proposed for rezoning at 61 Bundarra Road is located adjacent to established urban industrial development. Consultation with Council's engineers has confirmed that the existing infrastructure is generally adequate, however that the future development of the land may require upgrading and/or augmentation of some infrastructure provisions.

Component 4

Not applicable.

Q11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the Gateway determination?

Component 1, 2 and 3

The proposal will proceed to Gateway Determination on submission of this planning proposal. Having regard for the circumstances of the subject land and nature of the Planning Proposal, it is anticipated that the Gateway Determination will require public authority consultation with the following agencies:

- NSW Department of Trade & Investment (Crown Lands)
- Livestock Health and Pest Authority (through Crown Lands)
- Office of Environment and Heritage - Culture and Heritage Division (Component 4 only)

It is acknowledged that the Gateway determination may specify consultation with other public authorities.

Component 4

Informal discussion with the Office of Environment and Heritage has occurred in relation to the archaeological listings identified in this Planning Proposal. Further consultation with the Office of Environment and Heritage - Culture and Heritage Division as required by the Gateway Determination.

Part 4 Mapping

Relevant mapping is included in the following attachments to the Planning Proposal:

Attachment 3	Current LEP 2012 Zoning Map LZN_002AA identifying "Deferred Matter" area.
Attachment 4	Map identifying the area referred to as the "Deferred Matter" with IN2 zoning applied.
Attachment 5	Map of 61 Bundarra Road (Lot 1132 DP 40754) identifying the area proposed for rezoning from RU4 Primary Production (Small Lots) to IN2 Light Industrial.
Attachment 6	Map identifying the area where proposed Additional Permitted Uses will be permissible.
Attachment 7	Map identifying the two archaeological items located in the "Deferred Matter" area.
Attachment 8	Map identifying proposed amendments to Lot Size Map – LSZ_002AA.

LEP Maps (consistent with Department of Planning and Infrastructure Standard Technical Requirements) will be prepared prior to exhibition to support further community consultation.

Part 5 Community consultation

Component 1 - 4

Varying levels of consultation have been undertaken for the matters covered by this proposal. In addition, the public consultation process required by the Department of Planning after the Gateway Determination is also outlined below.

Community Consultation - Post Gateway Determination

It is considered that the proposal is a “low impact planning proposal” under Section 5.2.2 of *“A guide to preparing local environmental plans”* as the planning proposal is:

- consistent with the pattern of surrounding land use zones and land uses
- consistent with the strategic planning framework
- presents no issues with regard to infrastructure servicing
- is not a principal LEP
- does not reclassify public land, and
- is the result of an endorsed study.

Community consultation will commence by giving notice of the public exhibition of the planning proposal:

- a) in the Council’s news page of a local Armidale newspaper;
- b) on Council’s web-site at www.armidale.gov.au.

The number of affected and adjoining landowners makes individual notification impractical.

Written notice will be provided to relevant Government Departments and agencies, service providers and other key stakeholders, as determined in the Gateway determination

The written notice will provide:

- a) a description of the objectives or intended outcomes of the planning proposal;
- b) the land affected by the planning proposal;
- c) advice where and when the planning proposal can be located and viewed;
- d) the contact details for the receipt of submissions; and
- e) the closing date for submissions.

During the exhibition period, the following material will be made available:

- a) the planning proposal, including appendices and attachments, in the form approved for community consultation by the Director General of Planning;
- b) the Gateway determination; and

- c) any studies relied upon by the planning proposal.

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

It is considered unlikely that a Public Hearing will be required for the proposal.

Part 6 Project timeline

The project timeline for the planning proposal is as follows. There are many factors that can influence compliance with the timeframe including the cycle of Council meetings, the outcome of agency consultation and the number and content of submissions from the public exhibition. Consequently the timeframe should be regarded as indicative only.

Table 1: Project Timeline

Task	Anticipated timeframe
Anticipated date of Gateway Determination	By mid November 2013
Completion of required technical information, studies if required.	No further studies expected.
Government agency consultation (pre exhibition as required by Gateway Determination)	By mid December 2013
Any changes made to Planning Proposal resulting from technical studies and government agency consultations. Resubmit altered Planning Proposal to Gateway panel. Revised Gateway determination issued, if required.	January 2014
Commencement and completion dates for public exhibition.	February 2014
Dates for public hearing	No public hearing is likely.
Consideration of submissions, report from public hearing and Planning Proposal post exhibition	April 2014
Date of submission of proposal to Department to finalise the LEP	May/June 2014

Appendix A – Consideration of State Environmental Planning Policies

SEPP	Applicable	Consistent	Comment
SEPP No. 44 Koala Habitat Protection	Yes	Yes	SEPP No. 44 applies to the land proposed for rezoning identified as Component 2 of this Planning Proposal. A SEPP 44 Assessment will be required at the time of development of the land.
SEPP No. 55 Remediation of Land	Yes	Yes	SEPP No. 55 applies to the land proposed for rezoning identified as Component 2 of this Planning Proposal. The land at Part Lot 1132 DP 40754 is identified as “potentially contaminated” in Council’s Contaminated Land Use Register. This register identifies land where development for a purpose identified in Table 1 of the Managing Land Contamination Planning Guidelines SEPP 55–Remediation of Land has been carried out. A contamination report may be necessary under the provisions of SEPP 55 at the time of development of the land.
SEPP No. 64 Advertising and Signage	Yes	Yes	SEPP No. 64 applies to the land subject of this Planning Proposal. The provisions of SEPP 64 will be applied as development occurs.
SEPP Mining, Petroleum Production and Extractive Industries 2007	Yes	Yes	A SEPP prevails to the extent of any inconsistency with another environmental Armidale Dumaresq LEP 2012 prohibits extractive industries in the IN2 zone. Open cut mining is Permitted with Consent (mandated under the Standard Instrument) in the IN2 zone.
Draft State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) Amendment (Resource Significance) (Draft SEPP)	Yes	Yes	Armidale Dumaresq LEP 2012 prohibits extractive industries in the IN2 zone. Open cut mining is Permitted with Consent (mandated under the Standard Instrument) in the IN2 zone.
SEPP Infrastructure 2007	Yes	Yes	SEPP Infrastructure permits certain infrastructure and services in the IN2 zone.
SEPP Rural Lands 2008	Yes	Yes	No inconsistency with the SEPP as the Planning Proposal is consistent with an approved local strategy which identified the land for industrial use.
SEPP Exempt and Complying Development Codes 2008	Yes	Yes	Provides development standards for certain exempt and complying development.

Appendix B– Consideration of Section 117 Ministerial Directions

Direction	Applicable	Consistent	Comment
1. EMPLOYMENT AND RESOURCES			
1.1 Business and Industrial Zones	Yes	Yes	Consistent with 117 Direction as it is prepared in accordance with an approved strategy endorsed by the Director-General.
1.2 Rural Zones	Yes	No	Of minor significance - in accordance with an approved strategy endorsed by the Director-General.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	No	Of minor significance – this is a small area of land, is close to industrial and urban development, and is in accordance with an approved strategy endorsed by the Director-General. No resources were identified on this site in the DPI Mineral Resource Audit undertaken by DPI Minerals in August 2012.
1.5 Rural Lands	Yes	No	Of minor significance - in accordance with an approved strategy endorsed by the Director-General. Not identified as strategic agricultural land in the New England North West Strategic Regional Land Use Plan (SRLUP).
2. ENVIRONMENT AND HERITAGE			
2.3 Heritage Conservation	Yes	Yes	Consistent with 117 Direction as it is protecting conservation to protect heritage in accordance with Council's Archaeological Management Plan for Armidale (AMPA).
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT			
3.4 Integrating Land Use and Transport	Yes	Yes	Consistent with 117 Direction as it is prepared in accordance with an approved strategy endorsed by the Director-General. Expanded area reinforces existing West Armidale Industrial precinct and is therefore in accordance with The Right Place for Business and Services – Planning Policy (DUAP 2001). Improving Transport Choice – Guidelines for planning and development (DUAP 2001)
4. HAZARD AND RISK			
4.3 Flood Prone Land	Yes	Yes	Consistent with 117 Direction as the proposal is not increasing the

			development potential of any land below the 1% AEP Flood Level + 0.5m Flood Planning Level.
5. REGIONAL PLANNING			
6. LOCAL PLAN MAKING			
6.1	Approval and Referral Requirements	Yes	Yes
6.2	Reserving Land for Public Purposes	Yes	No
6.3	Site Specific Provisions	Yes	No
			Consistent with 117 Direction as because it does not require any approval or referral requirements.
			Applicable as the PP is not changing any land reservations. While part of the land is used is a TSR, the current landholder's permission has been sought. Inconsistent with 117 Direction as the Director-General has not approved any reduction or reservation of land for public purposes. This inconsistency is of minor significance as relevant landowner's approval has been obtained.
			The proposal intends to impose an additional permissible use (bulky goods retail) as a "Permissible with Consent" in addition to development standards or requirements currently contained in the principal planning instrument.
			Of minor significance - in accordance with an approved strategy endorsed by Director-General.

INFORMATION CHECKLIST → → → Attachment 1¶
> STEP 1: REQUIRED FOR ALL PROPOSALS¶
(under s55(a) – (e) of the EP&A Act)¶

••Objectives and intended outcomes¶	••Explanation of provisions¶
••Mapping (including current and proposed zones)¶	••Justification and process for implementation (including compliance assessment against relevant section 117 direction/s)¶
••Community consultation (agencies to be consulted)¶	

> STEP 2: MATTERS - CONSIDERED ON A CASE-BY-CASE BASIS¶
(Depending on complexity of planning proposal and nature of issues)¶

PLANNING MATTERS OR ISSUES¶	To be considered	N/A ¶	PLANNING MATTERS OR ISSUES¶	To be considered	N/A ¶
Strategic Planning Context¶			Urban Design Considerations¶		
••Demonstrated consistency with relevant Regional Strategy¶	☒ ¶	☐ ¶	••Existing site plan (buildings, vegetation, roads, etc)¶	☒ ¶	☐ ¶
••Demonstrated consistency with relevant sub-regional strategy¶	☐ ¶	☒ ¶	••Building mass/block diagram study (changes in building height and FSR)¶	☐ ¶	☒ ¶
••Demonstrated consistency with or support for the outcomes and actions of relevant DG-endorsed local strategy¶	☒ ¶	☐ ¶	••Lighting impact¶	☐ ¶	☒ ¶
••Demonstrated consistency with Threshold Sustainability Criteria¶	☐ ¶	☒ ¶	••Development yield analysis (potential yield of lots, houses, employment generation)¶	☒ ¶	☐ ¶
Site Description/Context¶			Economic Considerations¶		
••Aerial photographs¶	☒ ¶	☐ ¶	••Economic impact assessment¶	☒ ¶	☐ ¶
••Site photos/photomontage¶	☒ ¶	☐ ¶	••Retail centres hierarchy¶	☐ ¶	☐ ¶
Traffic and Transport Considerations¶			••Employment land¶	☒ ¶	☐ ¶
••Local traffic and transport¶	☒ ¶	☐ ¶	Social and Cultural Considerations¶		
••TMA¶	☐ ¶	☒ ¶	••Heritage impact¶	☒ ¶	☐ ¶
••Public transport¶	☐ ¶	☒ ¶	••Aboriginal archaeology¶	☐ ¶	☒ ¶
••Cycle and pedestrian movement¶	☐ ¶	☒ ¶	••Open space management¶	☐ ¶	☒ ¶
Environmental Considerations¶			••European archaeology¶	☒ ¶	☐ ¶
••Bushfire hazard¶	☐ ¶	☒ ¶	••Social and cultural impacts¶	☒ ¶	☐ ¶
••Acid Sulphate Soil¶	☐ ¶	☒ ¶	••Stakeholder engagement¶	☒ ¶	☐ ¶
••Noise impact¶	☐ ¶	☒ ¶	Infrastructure Considerations¶		
••Flora and/or fauna¶	☒ ¶	☐ ¶	••Infrastructure servicing and potential funding arrangements¶	☒ ¶	☐ ¶
••Soil stability, erosion, sediment, landslip assessment, and subsidence¶	☐ ¶	☒ ¶	Miscellaneous/Additional Considerations ¶		
••Water quality¶	☐ ¶	☒ ¶	List any additional studies: ¶		
••Stormwater management¶	☐ ¶	☒ ¶			
••Flooding¶	☒ ¶	☐ ¶			
••Land/site contamination (SEPP55)¶	☒ ¶	☐ ¶			
••Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)¶	☐ ¶	☒ ¶			
••Sea level rise¶	☐ ¶	☒ ¶			