

Tamworth Regional Council

PLANNING PROPOSAL

Proposed Amendment to the *Tamworth Regional Local Environmental Plan 2010*

Removal of Caravan Parks from the RE2 Private Recreation Zone Land Use Table;

Change the zone of Lots 1 and 2 DP 1055796, Kennedy Street, Manilla from RE2 Private Recreation to RE1 Public Recreation; and

Change the zoning of Lot 2 DP 864981, Greg Norman Drive, Hillvue from SP3 Tourist to RE2 Private Recreation.

December 2018

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Amendment to the Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)

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Introduction

The Planning Proposal has been prepared in accordance with Sections 3.33 and 3.34 of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* and guidelines “*A Guide to Preparing Planning Proposals*” prepared by the NSW Department of Planning and Environment and addresses the following matters:

- Part 1 - Objective or Intended Outcomes;
- Part 2 - Explanation of Provisions;
- Part 3 - Justification;
- Part 4 - Mapping;
- Part 5 - Community Consultation; and
- Part 6 - Project timeline.

The Planning Proposal will result in an amendment to the *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)* to prohibit caravan parks within the *RE2 Private Recreation* zone, change the zone of Lots 1 and 2 DP 1055796, Kennedy Street, Manilla from *RE2 Private Recreation* to *RE1 Public Recreation*, and change the zoning of Lot 2 DP 864981, Greg Norman Drive, Hillvue from *SP3 Tourist* to *RE2 Private Recreation*.

Background

The potential for incompatible land uses such as caravan parks to potentially impact upon facilities and infrastructure has been recently brought to Council’s attention in relation to an application for a manufactured home estate adjoining the sporting and entertainment precinct in the suburb of Hillvue, Tamworth.

At Council’s Ordinary Council Meeting held on 30 October 2018, a development application was refused on the grounds that the proposed development for a manufactured homes estate was inconsistent with the zoning of the subject site zoned *RE2 Private Recreation*, and with the surrounding lands zoned *SP3 Tourist*. These lands are currently being developed for major Regional and National recreational and sporting activities.

Caravan parks are defined under the *TRLEP 2010* as:

- *Land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.*
- *Moveable dwellings have the same meaning as in the Local Government Act 1993.*

Moveable dwelling means:

- (a) *any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or*
- (b) *a manufactured home, or*
- (c) *any conveyance, structure or thing of a class or description prescribed by the regulations (under the Local Government Act 1993) for the purposes of this definition.*

The *Local Government Act 1993* in conjunction with *State Environmental Planning Policy (SEPP) 36 Manufactured Homes Estates* provides for the development of manufactured home estates where caravan parks are permitted.

Manufactured home estates, moveable dwellings and manufactured homes provide a diversity of housing choices in a range of locations offering short term and long term accommodation. This type of development is supported. However, caravan parks and manufactured home estates should be located within appropriate areas to provide certainty and clarity to Council, developers and property owners.

It is considered that the removal of caravan parks from lands zoned for private recreation is integral for future strategic planning and will provide confidence in relation to investment within the Region.

The *New England North West Regional Plan 2036* prepared by the Department of Planning and Environment recognises the Tamworth Region as a strong economic centre with access to international opportunities. The Regional Plan identifies priorities associated with Tamworth's Regional Sports and Entertainment Precinct, Australian Equine Livestock and Events Centre, and new industrial estate adjacent to the Tamworth Regional Airport and sets goals for these significant precincts.

To ensure good planning outcomes are achieved in accordance with the Department's Regional Plan, incompatible land uses that may impact upon the economic viability and growth of the region require addressing to ensure that future interest and investment in the region is not compromised and good strategic planning principles and priorities are set for the region and are continually achieved.

A Planning Proposal identifying a number of changes to the *TRLEP 2010* is considered the most appropriate method to ensure that a number of key development precincts for recreational, industrial and commercial purposes are protected for the future growth of the Region.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The aim of the Planning Proposal is to address the location of caravan parks within the private recreation zone that would impact upon potential future and existing development within the Tamworth Region. The proposed changes include:

- Removal of caravan parks from the *RE2 Private Recreation* zone Land Use Table;
- Change the zoning of Lots 1 and 2 DP 1055796, Kennedy Street, Manilla from *RE2 Private Recreation* to *RE1 Public Recreation*; and
- Change the zoning of Lot 2 DP 864981, Longyard Golf Course, Greg Norman Drive, Hillvue from *SP3 Tourist* to *RE2 Private Recreation*.

The Planning Proposal aims to ensure that incompatible development does not occur in close proximity to significant existing and proposed development that has been identified as economic and social drivers within the Region.

Remove caravan parks from the RE2 Private Recreation zone Land Use Table

Caravan parks are currently a permissible form of development in the *RE2 Private Recreation* zone of the *TRLEP 2010*. The regulatory framework to manage caravan park and related development sits across both the *EP&A Act 1979* and the *Local Government Act 1993*, which results in overlap and multiple approvals making the system complex with the definitions for manufactured home estates, moveable dwellings and caravan parks sitting across a number of different instruments and regulated through a dual approvals system.

NSW Legislation and Approval System for the development of caravan parks:

- *Environmental Planning and Assessment Act 1979*
- *State Environmental Planning Policy No. 21 Caravan Parks (SEPP 21)*
- *State Environmental Planning Policy No. 36 Manufactured Home Estate (SEPP 36)*
- Local Environmental Plans (Standard Instrument) – *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)*
- *Local Government Act 1993 (Section 68)*
- *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*

The complexity of the various provisions precipitates unforeseen and incompatible planning and development outcomes.

Amendments to TRLEP 2010 Zone Map

Site Identification

There are a number of sites zoned *RE2 Private Recreation* that are located within Tamworth and Manilla. These include lands for golf courses, bowling and tennis clubs, caravan parks and a motor sports complex. The majority of these lands are in private ownership.

Site 1

Those lands that are publicly owned should be more appropriately zoned *RE1 Public Recreation*. Accordingly the first site is identified as:

- Lot 1 and 2 DP 1055796, Kennedy Street, Manilla
(Refer to **Attachment 1**).

The parcel of land known as Lot 1 and 2 DP 1055796, forms the River Gums Caravan Park located in Kennedy Street, Manilla under the ownership of Crown Lands and under the control of Tamworth Regional Council. A proposed change of zone from *RE2 Private Recreation* to *RE1 Public Recreation* will be consistent with the ownership of the land and zoning of the adjacent Crown reserve known as Chaffey Park, and will facilitate the continued use of the caravan park in an appropriate location.

Changing the zoning of the parcel of land from private to public recreation will ensure the continued use of the caravan park on Lot 1 DP 1055796 as it is a permissible use within the Public Recreation zone. It should be noted that Lot 2 DP 1055796 forms a connection with Chaffey Park and supports vehicle access to the foreshore of the Namoi River. The change of zone from private recreation to public recreation will continue to support the recreational use of this riparian precinct.

Site 2

Some land is required to be rezoned to ensure the development of caravan parks and any associated uses are prohibited in close proximity to significant existing and proposed development that has been identified as economic and social drivers within the Region. Accordingly the second site is identified as:

- Lot 2 DP 864981, Greg Norman Drive, Hillvue.
(Refer to **Attachment 2**)

The land known as Lot 2 DP 864981, forms the southern portion of the Longyard Golf Course and is zoned *SP3 Tourist*. The lands that form the Longyard Golf Course are zoned *RE2 Private Recreation* with the exception of Lot 2 DP 864981. The current *SP3 Tourist* zone is a carry over from the introduction of the Standard Template by the Department and transition to the *TRLEP 2010*. Rezoning the land to *RE2 Private Recreation* will ensure consistency with the existing zone and continued land use as a golf course.

PART 2 – EXPLANATION OF PROVISIONS

As described above, there are a number of changes required to be made to zoning of lands in Manilla and Tamworth that currently permit the development of caravan parks. The lots affected are listed below. (Refer to **Attachment 3 & 4** – Current Zoning Maps)

Street address	Lot & DP	Current zone	Land Area
Kennedy Street, Manilla	Lots 1 & 2 DP 1055796	<i>RE2 Private Recreation</i>	Lot 1 = 1.84ha Lot 2 = 7261.77m ²
Greg Norman Drive, Hillvue	Lot 2 DP 864981	<i>SP3 Tourist</i>	16.23ha

Proposed Changes to Land Zoning

The lots affected by the change of Land Zoning are listed below.
(Refer to **Attachment 5 & 6** – Proposed Land Zoning Maps)

Land Use	Street address	Lot & DP	Current zoning	Proposed zone
Caravan Park	Kennedy Street, Manilla	Lot 1 DP 105579	<i>RE2 Private Recreation</i>	<i>RE1 Public Recreation</i>
Vacant Land	Kennedy Street, Manilla	Lot 2 DP 105579	<i>RE2 Private Recreation</i>	<i>RE1 Public Recreation</i>
Golf Course	Greg Norman Drive, Hillvue	Lot 2 DP 864981	<i>SP3 Tourist</i>	<i>RE2 Private Recreation</i>

Proposed Changes to Lot Size

The Lot Size provisions for the subject lots will not change and will remain as zero.

PART 3 – JUSTIFICATION

Section A – Need for the Planning Proposal

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

Council Report

A development application was lodged with Council for a manufactured homes estate permissible via the definition of ‘caravan park’, on an eastern portion of the Longyard Golf Course, Greg Norman Drive, Hillvue. The application was recommended for refusal on the grounds that the use is incompatible with the Regional Sports and Entertainment Precinct located adjacent to the proposed development site.

The Planning Proposal process was initiated as a result of the Council resolution from the Ordinary Meeting on the 30 October 2018 stating:

“That the General Manager investigate and prepare a report on the process to amend the LEP to prohibit manufactured homes and caravan parks on the entire golf course precinct”.

Through that process it has come to Council’s attention that a number of other significant sites within the region may also be impacted by nearby lands zoned *RE2 Private Recreation* allowing caravan parks and consequently manufactured home estates.

The significant areas include recreational, commercial and industrial precincts that are either currently under construction or proposed under a strategy has the capacity to attract considerable economic investment. These sites have been identified in both Local and State Strategies to support economic and employment growth of these areas.

Local Strategy

The *Tamworth Regional Development Strategy 2008 (TRDS 2008)* provides Council with a strategic plan to manage growth and outlines the visions and guiding principles for urban and rural area in the Tamworth region. The strategy highlights the need to support and strengthen employment and economic development. Considerable investment has been made at a Federal, State and Local Government level toward existing and future commercial, industrial and tourist development.

The *TRDS 2008* recommended that one of the main factors of economic growth for the region was the attraction of new economic activity. The strategy recommends the following initiatives:

- *“Provide for and facilitate future economic growth in the Region”;*
- *“Ensure innovative and sustainable growth in the Tourism sector”;*
- *“Encourage and support commercial development within the Region”; and*
- *“Ensure the provision of well-located, suitable land for future industrial purposes”.*

Chapter 7 of the *TRDS 2008*, ‘Supporting Employment and Economic Development’ outlines strategic directions and actions in relation to future employment opportunities and potential economic development. Section 7.2 includes strategic directions to ‘ensure planning policy facilitates and supports business development’ and a specific direction ‘prevent residential encroachment onto land that would limit the efficient and safe operation of industrial activities’.

Chapter 11 of the *TRDS 2008*, ‘Local Area Strategies, 11.1 Tamworth City’ provides a guide for areas that have significant industrial, commercial and recreational opportunities. One principle identified as a key opportunity for the city is ‘Supporting Employment and Economic Growth’. The two main factors central to economic growth of the region are population growth and the ability for the Tamworth community to attract economic activity. References are made to the Australian Equine Livestock and Events Centre (AELEC), Sports Precinct (now Northern Inland Centre of Sporting Excellence), Tamworth Regional Entertainment Conference Centre (TRECC), expansion of industrial land and growth of the Tamworth Regional Airport.

It is considered the proposed changes to amend the *TRLEP 2010* are consistent with the aims and objectives of the *TRDS 2008* to achieve sustainable economic growth and generate employment within the Region.

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

The Planning Proposal is the only legal method of amending the *TRLEP 2010* to prohibit the future development of caravan parks and associated uses on sites that are likely to compromise future economic investment within the Region.

A3 Is there a net community benefit?

There is a significant net community benefit associated with the proposed amendments to the *TRLEP 2010*. Refer to **Attachment 7** for an analysis of the net community benefit.

Section B – Relationship to strategic planning framework

B1 Is the planning proposal consistent with the objectives and action contained within the applicable regional or sub-regional strategy?

The *New England North West Regional Plan 2036* which guides the NSW Government's land use planning priorities and decisions to 2036 supports the priorities of the Tamworth Local Government Area. The Planning Proposal is considered to be consistent with the Regional Plan and the goals and priorities outlined below:

Goal 1 – A Strong and Dynamic Regional Economy

- Direction 7 – Build strong economic centres
- Direction 8 – Expand tourism and visitor opportunities
- Direction 9 – Coordinate growth in the cities of Armidale and Tamworth

Goal 3 – Strong Infrastructure and Transport Networks for the Future

- Direction 13 – Expand emerging industries through freight and logistics connectivity ('Implement local planning controls to protect freight and logistics facilities from encroachment of sensitive land uses')

Goal 4 – Attractive and Thriving Communities

- Direction 18 – Provide great places to live ('Ensuring a wider range of housing in appropriate locations...')

The Regional Plan identifies on Figure 6 (page 31) a range of key precincts relevant to this proposal including Tamworth Regional Airport, Glen Artney Industrial area and the Regional Sport and Entertainment Precinct incorporating AELEC and the sports dome. The planning proposal is also consistent with Local Government Narrative for the Tamworth Region (page 66) which references to the importance of these precincts.

The development of caravan parks within inappropriate locations will impact upon the goals that have been identified for the Region by the Department of Planning and Environment and is likely to compromise the Tamworth Regional community both economically and socially.

B2 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The Planning Proposal is considered to be consistent with Tamworth Regional Council's *Community Strategic Plan 2017-2027* and the themes outlined below:

- The *Community Strategic Plan 2017-2027 – A Spirit of Community* identifies the following:
 - C1.2 Provide high quality sporting facilities to meet the diverse needs of the community; &
 - C1.3 Provide high quality specialised sporting facilities to drive sporting excellence for the Region and State.
- The *Community Strategic Plan 2017-2027 – A Prosperous Region* identifies the following:
 - P1.1 Support and facilitate economic development and employment opportunities;
 - P2.1 Market the Tamworth Region as a destination for living, working and leisure; and
 - P4.1 To establish rail, air, land connection to enable local, national and international trade.

Allowing the development of caravan parks within the *RE2 Private Recreation* zone would result in an impact upon the development of significant social and economic precincts that have the capacity to generate long term employment and investment within the Region.

B3 Is the planning proposal consistent with applicable state environmental planning policies (SEPPs)?

Refer to **Attachment 8**.

B4 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Refer to **Attachment 9**.

Section C – Environmental, Social and Economic Impacts

C1 Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of 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?

There will be no other environmental effects as a result of the Planning Proposal.

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

The social and economic outcomes will not change for those lands affected by the removal of caravan parks from the *RE2 Private Recreation* zone. Those lands affected by the rezoning will continue their existing uses as a caravan park and golf course and continue to provide economic and social benefit to the community.

Section D – State and Commonwealth interests

D1 Is there adequate public infrastructure for the planning proposal?

The subject lands are currently serviced by road, water, sewer, electricity and telecommunications infrastructure. No future infrastructure is required as part of this Planning Proposal process.

D2 What are the views of State and Commonwealth Public Authorities consulted in accordance with gateway determination?

The proposed changes to remove caravan parks from the *RE2 Private Recreation* zone and the rezoning of lands will not require consultation with any public authorities.

PART 4 – MAPPING

The proposed amendment will update the existing *Tamworth Regional Local Environmental Plan 2010 Land Zoning Map*. The proposed revised map sheets are:

7310_COM_LZN_002B_040_20181115 shown at **Attachment 5**; and

7310_COM_LZN_004C_040_20181115 shown at **Attachment 6**.

PART 5 – COMMUNITY CONSULTATION

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 all relevant landowners, adjoining landholders and other 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 exhibition period.

PART 6 – PROJECT TIMELINE

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

Anticipated commencement date (date of Gateway determination)	January 2019
Anticipated timeframe for the completion of technical information	Further technical information should not be required.
Timeframe for Government Agency consultation (pre and post exhibition as required by Gateway determination)	Further Government Agency consultation should not be required
Commencement and completion dates for public exhibition period	February 2019
Dates for public hearing (if required)	Not required
Timeframe for consideration of submissions	1 week
Timeframe for the consideration of a proposal post exhibition	1 week
Date of submission to department to finalise LEP	March 2019



Tamworth Regional Local Environmental Plan 2010

Planning Proposal
Lot 1 & 2 DP 1055796
Kennedy Street
Manilla

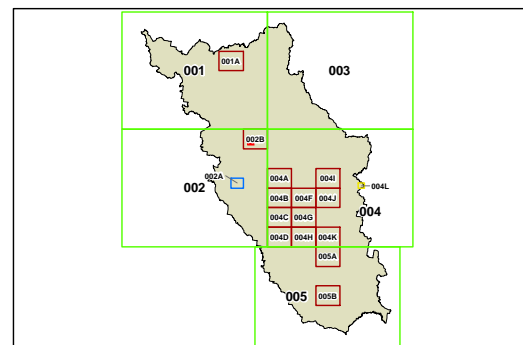
Subject Lands

Cadastre

Base Data 15/11/2018 © NSW Spatial Services

Subject Lands

Lots 1 & 2 DP 1055796



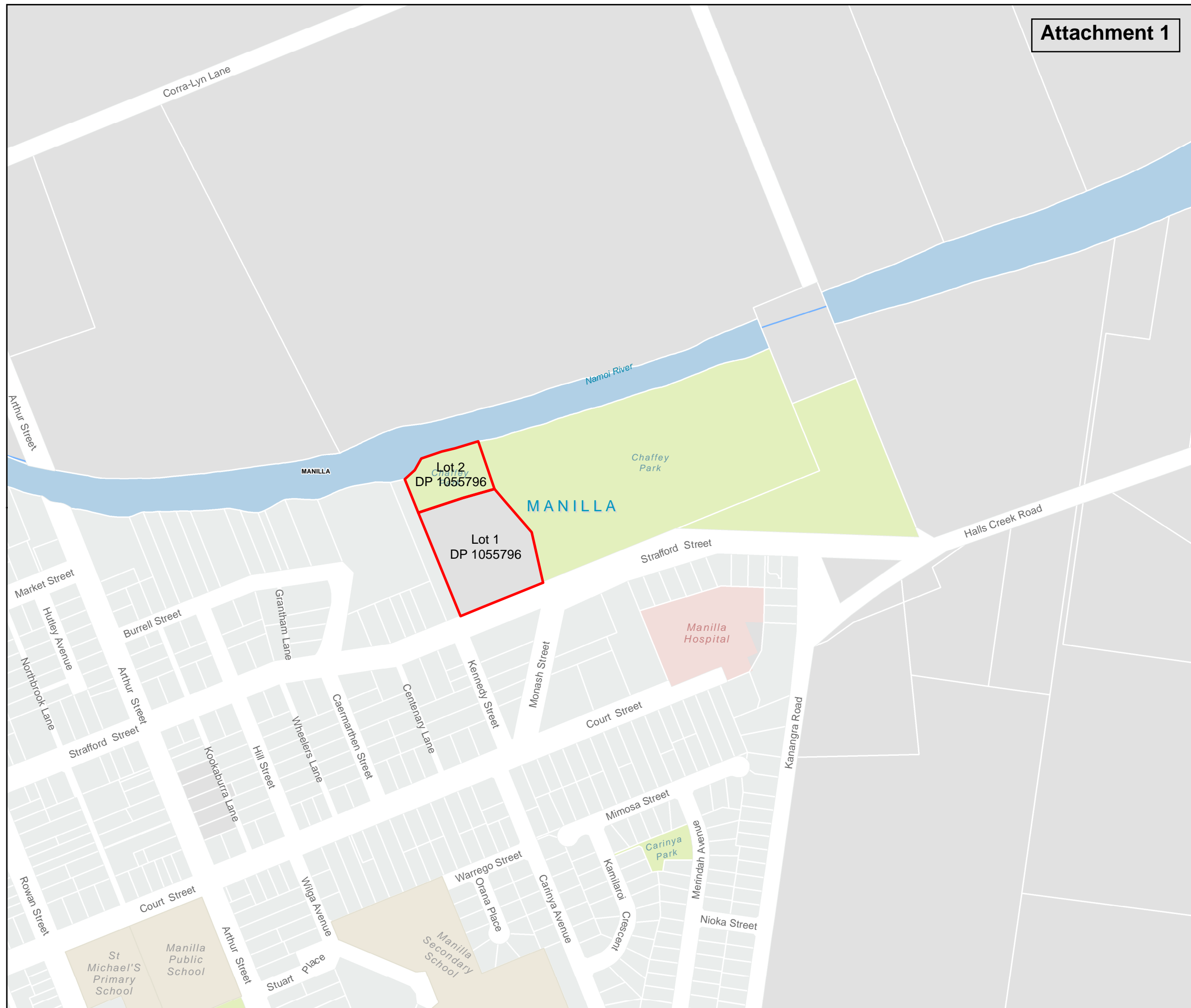
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Projection: GDA 1994
Zone 56

Map Identification Number
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Attachment 1





Tamworth Regional Local Environmental Plan 2010

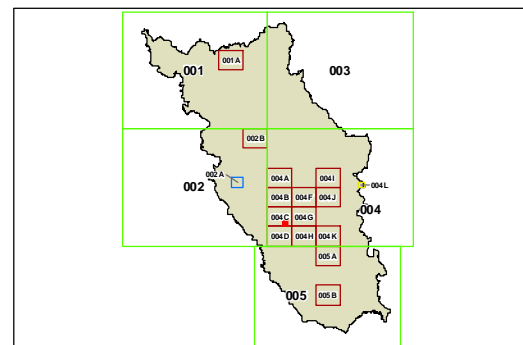
Planning Proposal
Lot 2 DP 864981
Greg Norman Drive
Hillvue

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Subject Lands

Lot 2 DP 864981



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Projection: GDA 1994
Zone 56

Map Identification Number
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Attachment 2





Tamworth Regional Local Environmental Plan 2010

Planning Proposal
Lot 1 & 2 DP 1055796
Kennedy Street
Manilla

Existing Conditions

Zone

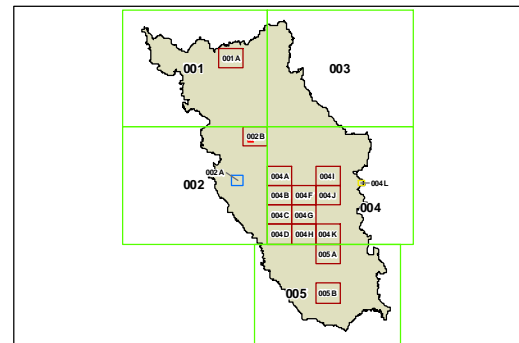
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- B2** Local Centre
- B3** Commercial Core
- B4** Mixed Use
- B5** Business Development
- B7** Business Park
- E1** National Parks and Nature Reserves
- E2** Environmental Conservation
- E3** Environmental Management
- IN1** General Industrial
- IN3** 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** Primary Production Small Lots
- RU5** Village
- RU6** Transition
- SP1** Special Activities
- SP2** Infrastructure
- SP3** Tourist

Cadastral

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Subject Lands

Proposed Zone RE1



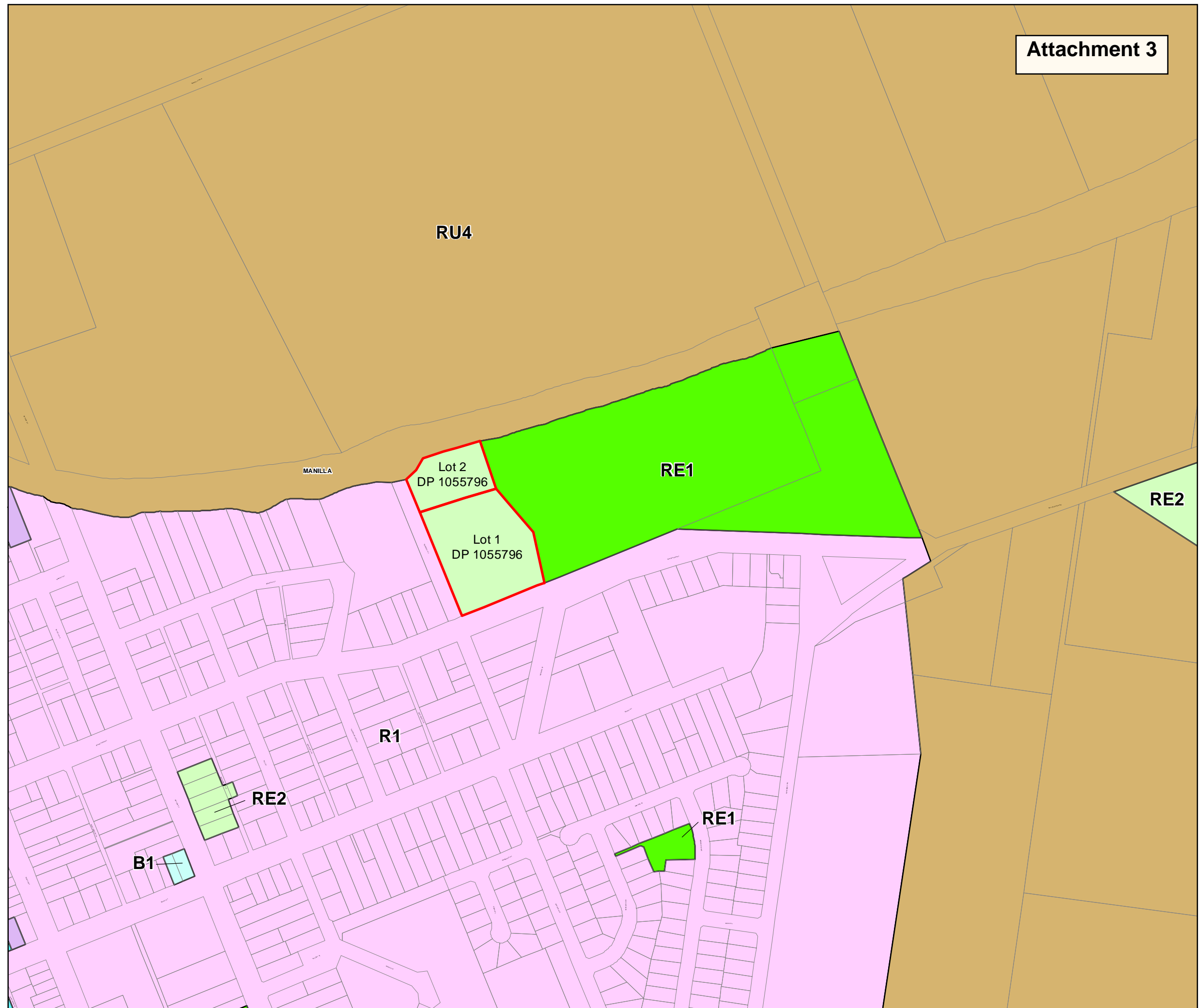
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Zone 56

Map Identification Number
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Attachment 3





Tamworth Regional Local Environmental Plan 2010

Planning Proposal
Lot 2 DP 864981
Greg Norman Drive
Hillvue

Existing Conditions

Zone

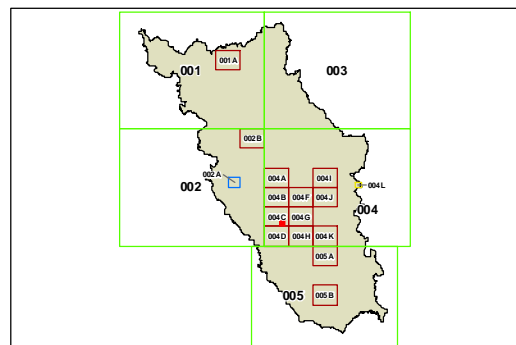
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- RU6** Transition
- SP1** Special Activities
- SP2** Infrastructure
- SP3** Tourist

Cadastral

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Subject Lands

Lot 2 DP 864981



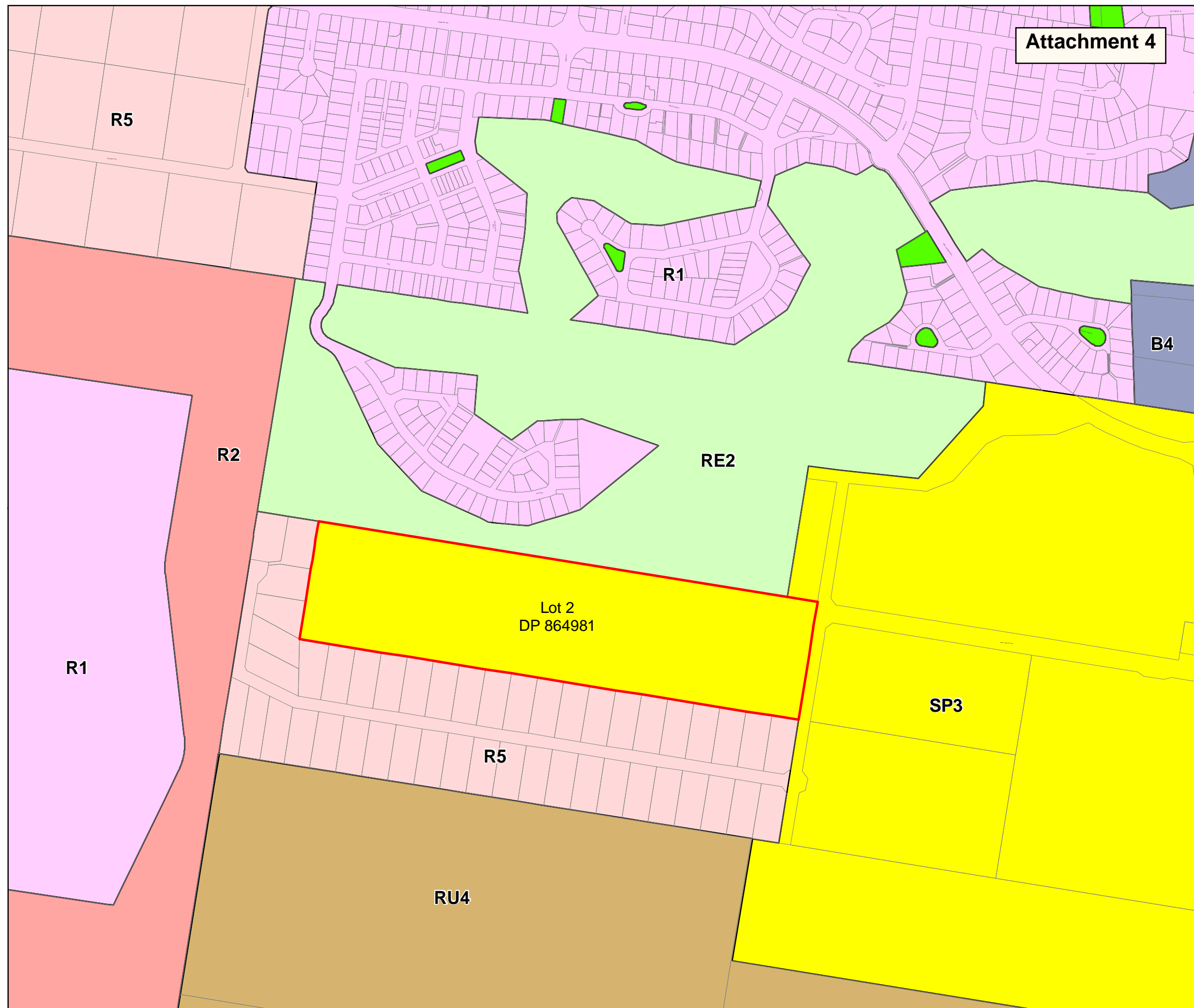
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Zone 56

Map Identification Number
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Attachment 4





Tamworth Regional Local Environmental Plan 2010

Land Zoning Map - Sheet LZN_002B

Planning Proposal
Lot 1 & 2 DP 1055796
Kennedy Street
Manilla

Proposed Zoning Map

Zone

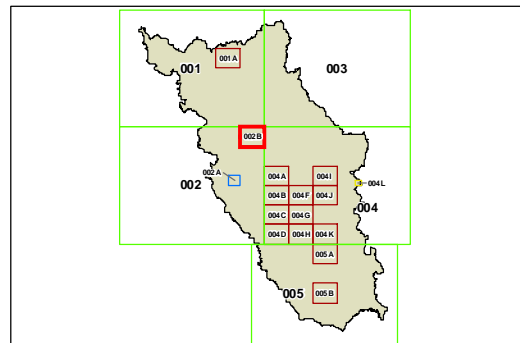
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- RU6** Transition
- SP1** Special Activities
- SP2** Infrastructure
- SP3** Tourist

Cadastral

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Subject Lands

Proposed Zone RE1



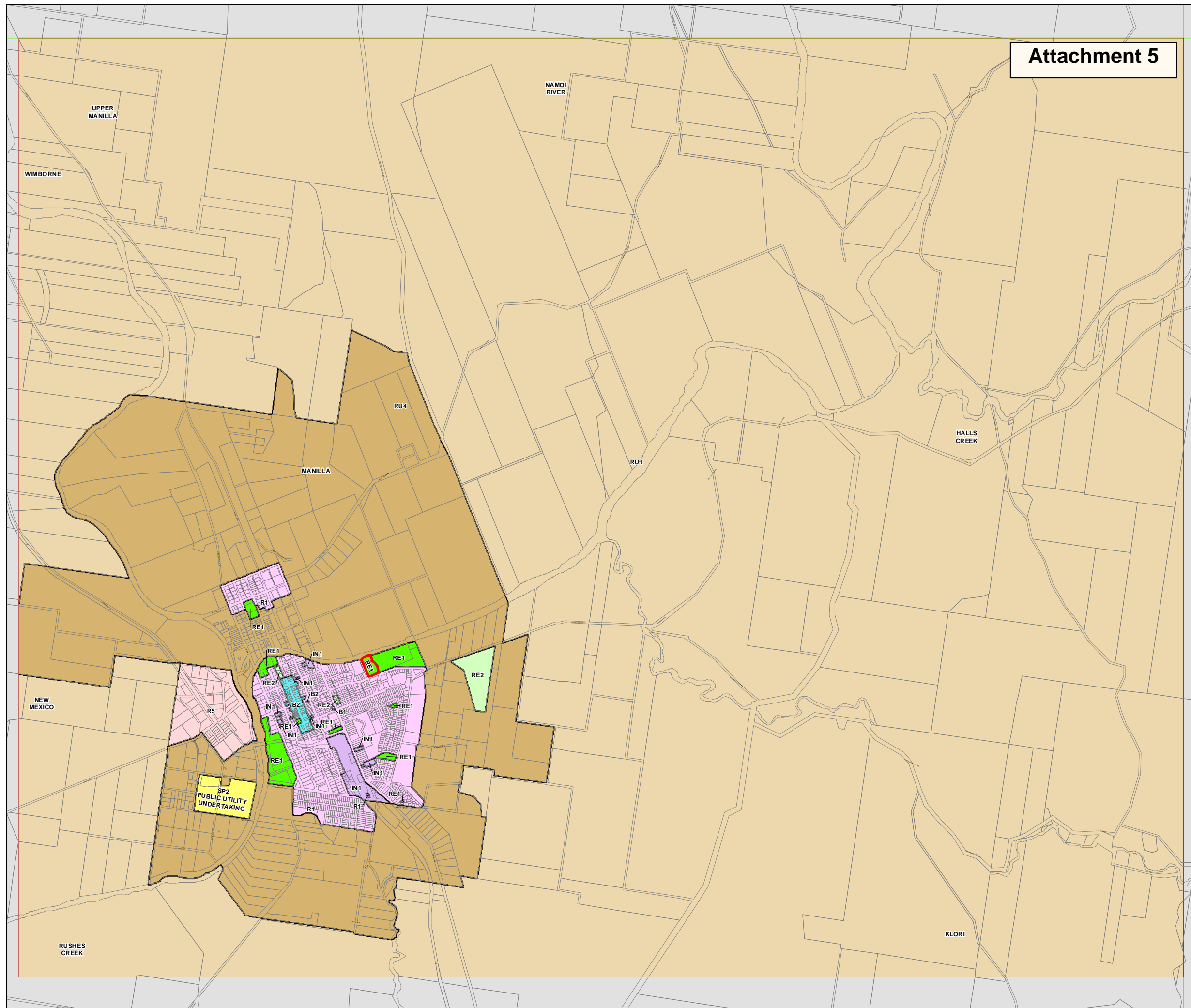
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Zone 56

Map Identification Number
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Attachment 5





Tamworth Regional Local Environmental Plan 2010

Land Zoning Map - Sheet LZN_004C

Planning Proposal
Lot 2 DP 864981
Greg Norman Drive
Hillvue

Proposed Zoning Map

Zone

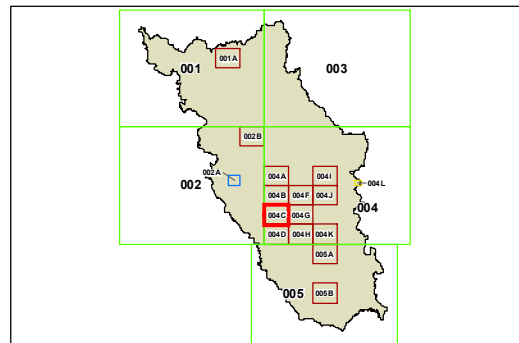
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- RU6** Transition
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- SP2** Infrastructure
- SP3** Tourist

Cadastral

- Base Data 15/11/2018 © NSW Spatial Services

Subject Lands

- Proposed Zone RE2



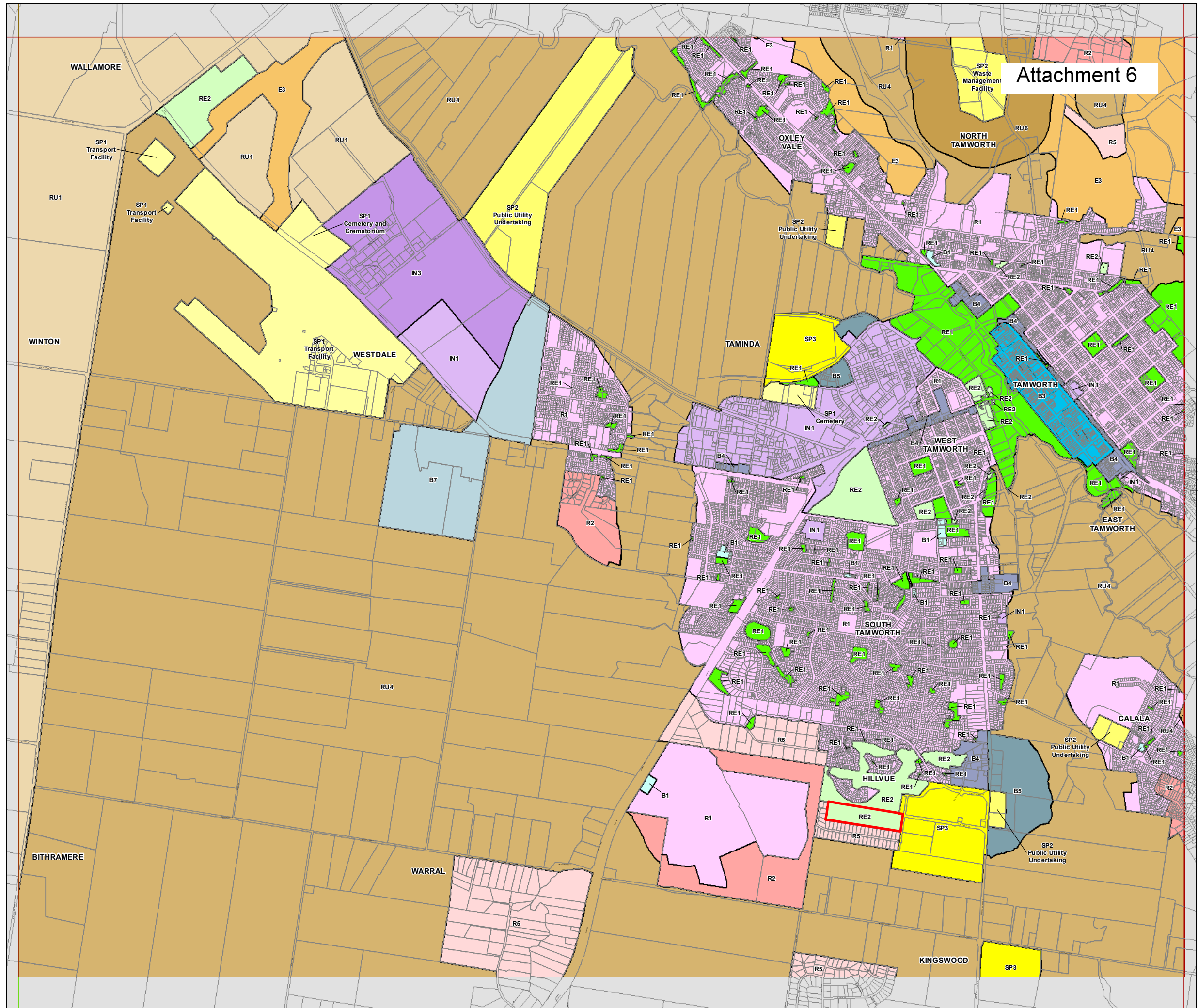
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Zone 56

Map Identification Number
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Attachment 6



Analysis of Net Community Benefit Criteria
Planning Proposal to Remove Caravan Parks from the RE2 Private Recreation Zone

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 LEP be compatible with agreed State and Regional strategic direction for development in the area? YES	The proposal is compatible with the <i>New England North West Regional Plan 2036</i> prepared by the Department of Planning and Environment and the <i>Tamworth Regional Development Strategy 2008</i> . Both plans support economic, social and employment growth within the Region.	The changes identified by the Planning Proposal will ensure the development of caravan parks are prohibited within the private recreation zone to ensure investment in significant economic and social precincts are protected throughout the Region.	The removal of caravan parks from the <i>RE2 Private Recreation</i> zone and the rezoning of Lot 1 and 2 DP 1055796, Kennedy Street in Manilla and Lot 2 DP 864981, Greg Norman Drive at Hillvue, will ensure that the regional community benefits from the investment made in commercial, industrial and recreational precincts at a Federal, State and Local Governments.
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? YES	The <i>New England North West Regional Plan 2036</i> highlights the importance of economic and social investment and employment growth within the Tamworth Region. It also supports the development of compatible land uses that will stimulate future investment and growth.	The proposed changes to the lands are supported by the goals identified by the <i>New England North West Regional Plan 2036</i> for future business, commercial and industrial development.	The <i>New England North West Regional Plan 2036</i> supports the growth of regional cities including the Tamworth Region to provide high level services and facilities. Accordingly the proposal will benefit the community both economically and socially.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations? N/A	Not Applicable	Not Applicable	Not Applicable
Will the planning proposal facilitate a permanent employment generating activity? NO	The subject sites are used for recreational purposes including golf, bowling and tennis clubs, caravan parks and motor sports complexes.	The Planning Proposal will not alter the employment activities on these lands, however will support future investment in commercial, industrial and recreational precincts that have been identified for future development, economic investment and employment growth.	A community benefit results from prohibiting incompatible land uses such as caravan parks to ensure the investment in future commercial, industrial and recreational precincts and encourage opportunities to provide permanent and part time employment.

Analysis of Net Community Benefit Criteria
Planning Proposal to Remove Caravan Parks from the RE2 Private Recreation Zone

EVALUATION CRITERIA (YES/NO RESPONSE as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION - or COMMENT	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERIA
<p>Will the planning proposal impact upon the supply of residential land and therefore housing supply and affordability?</p> <p>NO</p>	<p>The subject sites are currently zoned <i>RE1 Public Recreation, RE2 Private Recreation and SP3 Tourist</i>. Residential accommodation of all forms is prohibited within these zones due to the nature of core land uses and the aims and objectives of the zones.</p>	<p>The removal of caravan parks from the land use table and proposed changes to the zoning of identified lands will not impact upon the supply of housing as residential accommodation is not permitted within the <i>RE1 Public Recreation, RE2 Private Recreation and SP3 Tourist</i> zones.</p>	<p>Housing supply and affordability will not be impacted by the changes identified by the Planning Proposal.</p>
<p>Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site?</p> <p>YES</p>	<p>The existing public infrastructure currently services the sites identified by the Planning Proposal.</p>	<p>The proposed changes will not alter the use of public infrastructure or increase the demand for services.</p>	<p>The existing infrastructure is considered sufficient to service the Regional community in relation to this planning process.</p>
<p>Is public transport currently available or is there infrastructure capacity to support future public transport?</p> <p>YES</p>	<p>Public transport services are currently available throughout the City of Tamworth .</p>	<p>The proposed changes will not increase demand for public transport.</p>	<p>The community will not be impacted or compromised in relation to access to public transport as part of this proposal.</p>
<p>Will the proposal result in changes to the car distances travelled by customers, employees and suppliers?</p> <p>NO</p> <p>If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?</p>	<p>The community currently travel to the recreational uses located on the sites identified for private recreation.</p>	<p>The proposed changes will not alter the distances travelled by patrons accessing the services provided on the lands including those lands to be rezoned.</p>	<p>The community will not be impacted or compromised in relation to distances travelled as part of this proposal.</p>

Analysis of Net Community Benefit Criteria
Planning Proposal to Remove Caravan Parks from the RE2 Private Recreation Zone

EVALUATION CRITERIA (YES/NO RESPONSE as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION - or COMMENT	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERIA
<p>Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal?</p> <p>YES</p> <p>If so, what is the expected impact?</p>	<p>There are a number of significant precincts located throughout the city of Tamworth in proximity to lands zoned <i>RE2 Private Recreation</i> that have had considerable Government investment for commercial, industrial and recreational services and associated infrastructure.</p>	<p>The proposed changes will ensure the development of caravan parks and manufactured home estates are prohibited within the vicinity of these significant precincts and to ensure ongoing investment at a Federal, State and Local level to further develop these sites for economic and employment growth.</p>	<p>A community benefit will result in the protection of significant commercial, industrial and recreation precincts from incompatible development occurring within the vicinity of these sites and to maximise Government investment at all levels to ensure quality services are delivered to the Regional community.</p>
<p>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?</p> <p>NO</p>	<p>The existing lands affected by the Planning Proposal are not identified as having high environmental value.</p>	<p>The proposed changes will not affect lands having high environmental value.</p>	<p>There will be no changes to the expectation of the community in this instance.</p>
<p>Will the LEP be compatible or complementary with surrounding land uses? What is the impact on amenity in the location and wider community?</p> <p>Will the public domain improve?</p> <p>YES</p>	<p>The lands known as Lot 1 and 2 DP 1055796 are currently zoned <i>RE2 Private Recreation</i> and are located adjacent to public reserve lands zoned <i>RE1 Public Recreation</i>. The lands proposed to be rezoned from <i>SP3 Tourist RE2 Private Recreation</i> are adjacent to lands zoned <i>RE2 Private Recreation</i>.</p>	<p>The proposed rezoning of lands will be complimentary with the surrounding public and private recreation zones and land uses. The removal of caravan parks from the <i>RE2 Private Recreation</i> zone will ensure that incompatible land uses do not occur within the vicinity of significant commercial, industrial and recreational precincts.</p>	<p>The Planning Proposal will benefit the community by ensuring incompatible land uses including caravan parks and manufactured home estates are not located within the vicinity of significant regional development precincts that may impact upon the operation of these sites.</p>

Analysis of Net Community Benefit Criteria
Planning Proposal to Remove Caravan Parks from the RE2 Private Recreation Zone

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 proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area? NO	The changes are proposed for lands zoned <i>RE2 Private Recreation</i> and <i>SP3 Tourist</i> and will not alter the current operations of the lands.	The intention of the proposed changes is not to alter provisions associated with commercial land uses but to protect identified key precincts into the future.	The community will not be impacted by changes associated with business and commercial uses.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future? NO	Not Applicable	Not Applicable	The proposal does not have the potential to develop into a centre but aims to protect identified key precincts into the future.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The implications of not proceeding with the Planning Proposal will potentially result in incompatible developments such as manufactured home estates locating in the vicinity of significant strategic commercial, industrial and recreational precincts that are important to the region economically and socially.	The planning proposal will ensure that incompatible uses do not compromise lands that are currently operating or are identified for future commercial, industrial and recreational development. Not proceeding with the proposed changes will result in a conflict of land uses in these key areas.	The proposed changes will benefit the community by providing greater certainty and opportunity for the development of commercial, industrial and recreational precincts to stimulate the economy and employment growth.
Summary	A significant net community benefit is identified by this analysis for the criteria examined above. No significant net cost was identified relating to any of the criteria considered.		

**Consideration of State Environmental Planning Policies Relative to the
Planning Proposal to remove caravan parks from the RE2 Private Recreation Zone**

SEPP	Applicable to TRC?	Consistent/ Inconsistent	Reason for inconsistency or comment
State Environmental Planning Policy No. 1 - Development Standards	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy No. 19 - Bushland in Urban Areas	No	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy No. 21 - Caravan Parks	Yes	Consistent	The effect of this Planning Proposal would be to prohibit caravan parks in <u>unsuitable</u> locations. There is sufficient zoned land (other than the <i>RE2 Private Recreation</i>) to permit this use in appropriate locations. SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy No. 30 - Intensive Agriculture	Yes	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy No. 33 - Hazardous and Offensive Development	Yes	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy No. 36 - Manufactured Home Estates	Yes	Consistent	The effect of this Planning Proposal would be to prohibit manufactured home estates in <u>unsuitable</u> locations. There is sufficient zoned land (other than the <i>RE2 Private Recreation</i>) to permit this use in appropriate locations. SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy No. 44 - Koala Habitat Protection	Yes	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy No. 47 – Moore Park Showground	No	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy No. 50 - Canal Estate Development	No	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy No. 52 – Farm Dams and other works in Land and Water Management Plan Area	No	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy No.55 - Remediation of Land	Yes	Consistent	The SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy No. 62 - Sustainable Aquaculture	Yes	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy No. 64 - Advertising and Signage	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .

**Consideration of State Environmental Planning Policies Relative to the
Planning Proposal to remove caravan parks from the RE2 Private Recreation Zone**

SEPP	Applicable to TRC?	Consistent/ Inconsistent	Reason for inconsistency or comment
<i>State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development</i>	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
<i>State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i>	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
<i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
<i>State Environmental Planning Policy (Coastal Management) 2018</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</i>	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
<i>State Environmental Planning Policy (Gosford City Centre) 2018</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>	Yes	Consistent	Seniors housing and residential care facilities are prohibited in the <i>RE2 Private Recreation</i> zone.
<i>State Environmental Planning Policy (Infrastructure) 2007</i>	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
<i>State Environmental Planning Policy (Kosciuszko National Park-Alpine Resorts) 2007</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Kurnell Peninsula) 1989</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>	Yes	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007</i>	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
<i>State Environmental Planning Policy (Penrith Lakes Scheme) 1989</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.

**Consideration of State Environmental Planning Policies Relative to the
Planning Proposal to remove caravan parks from the RE2 Private Recreation Zone**

SEPP	Applicable to TRC?	Consistent/ Inconsistent	Reason for inconsistency or comment
<i>State Environmental Planning Policy (Rural Lands) 2008</i>	Yes	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (State and Regional Development) 2011</i>	Yes	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (State Significant Precincts) 2005</i>	Yes	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Sydney Regional Growth Centres) 2006</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Three Ports) 2013</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Urban Renewal) 2010</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Western Sydney Employment Area) 2009</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.
<i>State Environmental Planning Policy (Western Sydney Parklands) 2009</i>	No	N/A	Not applicable to the lands identified in the Planning Proposal.

**Consideration of Section 9.1 Ministerial Directions
Planning Proposal to Remove Caravan Parks from the
RE2 Private Recreation Zone**

1. Employment and Resources

Direction	Applicable	Consistent	Reason for inconsistency or comment
1.1 Business and Industrial Zones	Yes	Consistent	The Planning Proposal is in accordance with the requirement of the Section 9.1 Ministerial Direction. The Tamworth Regional Development Strategy 2008 encourages economic development and employment growth within the Region.
1.2 Rural Zones	Yes	Not Applicable	The proposal does not relate to rural zones, and is therefore not applicable in this instance.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	Not Applicable	The proposal does not relate to this land use, and is therefore not applicable in this instance.
1.4 Oyster Aquaculture	No	Not Applicable	Does not affect the Tamworth Regional Local Government Area.
1.5 Rural Lands	Yes	Not Applicable	The proposal does not relate to rural lands, and is therefore not applicable in this instance.

2. Environment and Heritage

Direction	Applicable	Consistent	Reason for inconsistency or comment
2.1 Environment Protection Zones	Yes	Not Applicable	The proposal does not relate to environmental protection zones, and is therefore not applicable in this instance.
2.2 Coastal Protection	No	Not Applicable	Does not affect the Tamworth Regional Local Government Area.
2.3 Heritage Conservation	Yes	Not Applicable	The proposal does not relate to heritage conservation, and is therefore not applicable in this instance.
2.4 Recreation Vehicle Areas	Yes	Not Applicable	The proposal does not relate to recreation vehicle areas, and is therefore not applicable in this instance.
2.5 Application of E2 and E3 zones and Environmental overlays in far North Coast LEP's	No	Not Applicable	Does not affect the Tamworth Regional Local Government Area.

Consideration of Section 9.1 Ministerial Directions Planning Proposal to Remove Caravan Parks from the *RE2 Private Recreation Zone*

3. Housing, Infrastructure and Urban Development

Direction	Applicable	Consistent	Reason for inconsistency or comment
3.1 Residential Zones	No	Not Applicable	The aim of the Planning Proposal is to remove caravan parks from the <i>RE2 Private Recreation</i> zone. Home occupations are not permitted within the <i>RE1 Public Recreation</i> , <i>RE2 Private Recreation</i> and <i>SP3 Tourist</i> zones. The proposal is therefore not applicable in this instance.
3.2 Caravan Parks and Manufactured Home Estates	Yes	Justifiably Inconsistent	<p>The development of caravan parks including manufactured homes estates is permissible development within a number of <i>TRLEP 2010</i> zones including public recreation, rural, residential, business and tourist zones covering a large area of suitable land.</p> <p>The Planning Proposal aims to rezone Lots 1 & 2 DP 1055796 to <i>RE1 Public Recreation</i> to ensure the continuation of the existing caravan park on the land.</p> <p>The proposed rezoning of Lot 2 DP 864981 from <i>SP3 Tourist</i> to <i>RE2 Private Recreation</i> does not affect an existing caravan park.</p> <p>Consequently, while the Planning Proposal aims to remove caravan parks from the <i>RE2 Private Recreation</i> zone it is considered to be justifiably inconsistent with this Section 9.1 Ministerial Direction on the basis that it is considered to be of a minor nature and is in accordance with the <i>New England North West Regional Plan 2036</i>. (Refer Direction 5.10 below)</p>
3.3 Home Occupations	Yes	Consistent	The aim of the Planning Proposal is to remove caravan parks from the <i>RE2 Private Recreation</i> zone. Home occupations are not permitted within the <i>RE1 Public Recreation</i> , <i>RE2 Private Recreation</i> and <i>SP3 Tourist</i> zones. The proposal is therefore consistent with the direction.
3.4 Integrating Land Use and Transport	Yes	Not Applicable	The proposal does not relate to Integrating Land Use and Transport, and is therefore not applicable in this instance.
3.5 Development Near Regulated Airport and Defence Airfields	Yes	Consistent	A parcel of land zoned <i>RE2 Private Recreation</i> is located within the vicinity of the Tamworth Regional Airport. The removal of caravan parks from the land use table will ensure incompatible land uses will not occur and impact upon the operation of the regional airport.
3.6 Shooting Ranges	Yes	Not Applicable	The proposal does not relate to land near shooting ranges, and is therefore not applicable in this instance.

Consideration of Section 9.1 Ministerial Directions Planning Proposal to Remove Caravan Parks from the *RE2 Private Recreation Zone*

4. Hazard and Risk

Direction	Applicable	Consistent	Reason for inconsistency or comment
4.1 Acid Sulfate Soils	No	Not Applicable	Does not affect the Tamworth Regional Local Government Area.
4.2 Mine Subsidence and Unstable Land	No	Not Applicable	Does not affect the Tamworth Regional Local Government Area.
4.3 Flood Prone Land	Yes	Consistent	The Planning Proposal aims to rezone the lands known as Lots 1 & 2 DP 1055796 from <i>RE2 Private Recreation</i> to <i>RE1 Public Recreation</i> . Lot 1 DP 1055796 is identified as Flood Prone Land under the <i>TRLEP 2010</i> . The change of zone does not increase development potential on the land. The proposal is consistent with this Section 9.1 Ministerial Direction.
4.4 Planning for Bushfire Protection	Yes	Not Applicable	The proposal does not relate to bushfire prone lands, and is therefore not applicable in this instance.

5. Regional Planning

Direction	Applicable	Consistent	Reason for inconsistency or comment
5.1 Implementation of Regional Strategies	No	Not Applicable	Does not affect the Tamworth Regional Local Government Area.
5.2 Sydney Drinking Water Catchments	No	Not Applicable	Does not affect the Tamworth Regional Local Government Area.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	Not Applicable	Does not affect the Tamworth Regional Local Government Area.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	Not Applicable	Does not affect the Tamworth Regional Local Government Area.
5.9 North West Rail Link Corridor Strategy	No	Not Applicable	Does not affect the Tamworth Regional Local Government Area.

**Consideration of Section 9.1 Ministerial Directions
Planning Proposal to Remove Caravan Parks from the
RE2 Private Recreation Zone**

5.10 Implementation of Regional Plans	Yes	Consistent	The proposal is in accordance with the <i>New England North West Regional Plan 2036</i> . This regional plan identifies several key precincts in Tamworth including the Tamworth Regional Airport and the Regional Sports and Entertainment Precinct which will be supported by the removal of caravan parks from the <i>RE2 Private Recreation</i> zone.
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6. Local Plan Making

Direction	Applicable	Consistent	Reason for inconsistency or comment
6.1 Approval and Referral Requirements	Yes	Consistent	The Planning Proposal is in accordance with the requirements of the Section 9.1 Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	Consistent	The Planning Proposal is in accordance with the requirements of the Section 9.1 Ministerial Direction. The rezoning of Lots 1 & 2 DP 1055796 in Manilla from <i>RE2 Private Recreation</i> to <i>RE1 Public Recreation</i> will not change the existing use of the lands as they are currently utilised for public purposes and will not be altered or compromised by the change in zoning.
6.3 Site Specific Provisions	Yes	Consistent	The Planning Proposal does not introduce any Site Specific provisions and is in accordance with the requirements of the Section 9.1 Ministerial Direction.

7. Metropolitan Planning

Direction	Applicable	Consistent	Reason for inconsistency or comment
7.1 – 7.10 Metropolitan Planning Directions	No	Not Applicable	Direction do not affect the Tamworth Local Government Area.