



PLANNING PROPOSAL

NEW COUNCIL DEPOT AT RUSHFORTH ROAD SOUTH GRAFTON



Prepared by: Clarence Valley Council
Date: October 2014



Declaration

Document name: Planning Proposal – New Council Depot at Rushforth Road, South Grafton

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Declaration: I, Terry Dwyer, declare that this Planning Proposal constitutes a planning proposal for the purposes of section 55 of the Environmental Planning and Assessment Act 1979 (the Act) and further declare that the document complies with the relevant provisions of the Act and the Department of Planning and Environment's *A guide to preparing planning proposals* (October 2012).

Date: October 2014

Document History and Version Control				
Version	Prepared by	Approved by	Date Approved	Brief Description
1.0	TD	DM	29/9/2014	Draft planning proposal for Council adoption, pre-gateway



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1. PRELIMINARY

1.1 Context

This planning proposal constitutes a document referred to in Section 55 of the Environmental Planning and Assessment Act 1979. It has been prepared and structured in accordance with the Department of Planning and Environment's "*A guide to preparing planning proposals*" (October 2012). A gateway determination under Section 56 of the Act is requested.

1.2 Subject Land

This planning proposal applies to:

1. Lot 1 DP 557049, Rushforth Road, South Grafton (Item 1)
2. Lot 2 DP 521320 (Item 2)

A site identification plan depicting the land the subject of this planning proposal is at Appendix 1.

1.3 Current Zoning & Use

This Planning proposal applies to Lot 1 DP 557049 and Lot 2 DP 521320, Rushforth Road, South Grafton (the land). Lot 1 DP 557049 (Item 1) comprises the now redundant South Grafton Sewerage Treatment Plant site whilst Lot 2 (Item 2) is a small piece of land owned by the Department of Education.

The sites are currently zoned SP2 Infrastructure under Clarence Valley Local Environmental Plan 2011 (the LEP), with the current labelled purpose being "Sewerage treatment plant".

The land currently contains inlet works, tanks, trickling filters, effluent discharge main, sludge digester and lagoon; as well as a new sewerage pump station in the south-west corner of the site to facilitate the decommissioning of the site. The Sewerage Treatment Plant has recently been decommissioned however, all structures are still present.

1.4 Background

Since 2010 Council has been examining future land use options for seven Sewage Treatment Plants (STPs) made redundant by the Grafton Maclean Lawrence Townsend Ilarwill sewerage scheme. Council engaged consultants GHD to assess and recommend future land use options for the redundant STPs which includes the now redundant South Grafton Sewerage Treatment Plant which comprises 2 sites (sites 1 & 2) including Lot 1 DP 557049, as described above.

The report entitled "*Redundant Sewer Treatment Plants at Junction Hill (3), South Grafton, Maclean, Ilarwill and Townsend - Future Land Use Assessment (GHD June 2010)*" recommended that an R1 General Residential zone was the preferred future land use zone for Lot 1 DP 557049 (site 1).

Council's organisational planning since 2010 has seen the emergence of the Council Depot and Accommodation Rationalisation Project an outcome of which is to be the consolidation of multiple depot sites and associated infrastructure into only two (2) principal depot sites including a new depot facility based around Grafton/South Grafton. Operational needs are



such that the majority of Council's operational and works staff that are "non-field" staff also need to be co-located at the depot to maximise efficiencies. The number of works staff requiring dedicated office accommodation at the new depot could range between 50 and 100.

The redundant South Grafton STP site at Lot 1 DP 557049 has emerged as a suitable candidate site for a new depot facility to service the Grafton/South Grafton operational catchment.

On 16 September 2014 Council considered a report on the "*Depot and Accommodation Rationalisation Project – Depot Site Selection, Conceptual Master Plans and Budget*" (ITEM 20.012/14). Amongst other things Council resolved that:

1. *The site for the development of a new amalgamated Council works depot and administration building be Council's former Sewage Treatment Plant located at the corner of Rushforth Road and Tyson Street, South Grafton, described as Lot 1 on DP 557049.*
2. *A planning proposal be prepared for Council's consideration to rezone the site from SP2 – Infrastructure to SP2 – Depot and Public Administration Building.*

In contemplating how the LEP should be amended it is considered more appropriate:

- In the case of Lot 1 (Item 1) – to retain the current SP2 zone but alter the labelled infrastructure purpose on the LEP Land Zoning map from "Sewerage treatment plant" to "Depot and Public administration building".
- In the case of Lot 2 (Item 2) – alter the zoning from SP2 Infrastructure to R1 General Residential.



2. PART 1 - OBJECTIVE OR INTENDED OUTCOME

The objective of this planning proposal is to:

- (i) enable the redevelopment of Lot 1 DP 557049 at Rushforth Road, South Grafton (the land) for a Council depot and office and administrative facilities associated with Council's works and operational functions (Item 1).
- (ii) Rectify a land zoning anomaly in respect of a small portion of land owned by the South Grafton High School (Item 2).

Lot 1 DP 557049 (Item1) is the site of the now redundant South Grafton Sewerage Treatment Plant.

A site identification plan clearly depicting the land the subject of this planning proposal is at Appendix 1.

3. PART 2 - EXPLANATION OF PROVISIONS

The proposed outcome is intended to be achieved in the following manner:

Item 1 - Lot 1 DP 557049

By amending the labelled purpose on the land, currently zoned SP2 Infrastructure, on the Clarence Valley LEP 2011 Land Zoning Map from "Sewerage treatment plant" to "Depot and Public administration building".

Item 2 - Lot 2 DP 521320

Alter the zoning of Lot 2 on the Land Zoning map from SP2 Infrastructure to R1 General Residential. This will require Land Zoning map sheet LZN_007H to be amended.

A draft Land Zoning map has been prepared for the purposes of community consultation/public exhibition and is also located at Appendix 1.

Note 1: As subdivision of the site is not proposed it is not intended to amend the Clarence Valley LEP 2011 Lot size Map

Note 2: It is not intended to amend the Clarence Valley LEP 2011 Height of Buildings Map. Therefore the status quo of there being no building height development standard for either lot under the LEP is being maintained.



4. PART 3 - JUSTIFICATION

Section A – Need for the Planning Proposal

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

Item 1 - Lot 1 DP 557049

Yes. This planning proposal has emerged from Council's 16 September 2014 consideration of a report on the *"Depot and Accommodation Rationalisation Project – Depot Site Selection, Conceptual Master Plans and Budget"* (ITEM 20.012/14). On 16 September 2014 Council amongst other things resolved that:

1. *The site for the development of a new amalgamated Council works depot and administration building be Council's former Sewage Treatment Plant located at the corner of Rushforth Road and Tyson Street, South Grafton, described as Lot 1 on DP 557049.*
2. *A planning proposal be prepared for Council's consideration to rezone the site from SP2 – Infrastructure to SP2 – Depot and Public Administration Building.*

The report on the *"Depot and Accommodation Rationalisation Project – Depot Site Selection, Conceptual Master Plans and Budget"* has been preceded and informed by earlier assessment work including a "future land use assessment" of redundant sewer treatment plants. The report entitled *"Redundant Sewer Treatment Plants at Junction Hill (3), South Grafton, Maclean, Ilarwill and Townsend - Future Land Use Assessment (GHD June 2010)"* recommended that the preferred future land use zone for the site (site 1) was R1 General Residential. The report also acknowledged that, at that time, Council foreshadowed the need for part of the site for the establishment of a future depot.

Item 2 - Lot 2 DP 521320

No. The anomalous zoning of Lot 2 has only come to light in examining the depot rezoning matter and the opportunity is being taken with this proposal to rectify the zoning of Lot 2 to conform to the R1 zoning of the remainder of the South Grafton High School land.

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

Item 1 - Lot 1 DP 557049

Yes. Amending the Clarence Valley LEP 2011 to change the labelled purpose on the Land Zoning map (and not the underlying SP2 zoning) from "Sewerage treatment plant" to "Depot and Public administration building" to permit a depot and associated office and administrative facilities is the best means of achieving the objectives or intended outcomes.

Item 2 - Lot 2 DP 521320

Yes.



Section B – Relationship to Strategic Planning Framework

4.3 Applicable Regional Strategy – Mid North Coast Regional Strategy

The Mid North Coast Regional Strategy (MNCRS, March 2009) is the relevant regional strategy. It does not however provide for any outcomes, actions or policies/strategies in relation to Council's intention to establish a new depot either generally or specifically. The fact that the MNCRS remains silent on a matter such as this does not make the planning proposal inconsistent with the strategy. The proposal for Lot 2 (Item 2) is also consistent with the MNCRS.

Refer to Appendix 2 for a detailed assessment of proposals compliance against strategy sectors, outcomes and actions.

4.4 Consistency with Council's local strategies and other local strategic plans

The planning proposal is considered to be generally consistent with the provisions of the Clarence Valley LEP 2011 in so far as the proposal is for a Council infrastructure related purpose. As noted earlier it would be necessary to alter the labelling on the land on the relevant land zoning map sheet for the existing SP2 zone from "Sewerage treatment plant" to "Depot and Public administration building" to permit depot and associated office and administrative facilities to achieve the objectives or intended outcomes.

The establishment of a new depot is an integral part of Council's overall Depot and Accommodation Rationalisation Project which in turn is a key capital project in Council's 2014 - 2017 Delivery Program and 2014 - 2015 Operational Plan. The 2014 - 2017 Delivery Program and 2014 - 2015 Operational Plan seek to implement the 10 year Clarence Valley Community Plan 2015 - 2024.

The proposal for Lot 2 (Item 2) is also consistent with Council's local strategies and other local strategic plans.

Refer to Appendix 3 for an assessment against relevant Council strategies.

4.5 Consistency with applicable state environmental planning policies

There are no State Environmental Planning Policies (SEPPs) that are directly applicable. Refer to Appendix 4 for a SEPP assessment and compliance table. There is therefore no inconsistency with any SEPP.

Although the site has been detected as being subject to contamination SEPP No 55 - Remediation of Land is not directly applicable. As noted in the SEPP assessment and compliance table as the previous use is not one of the activities referred to in Table 1 (Some Activities that may Cause Contamination) of *"Managing Land Contamination: Planning Guidelines SEPP 55 Remediation of Land"* as specified in SEPP 55, clause 6 Contamination and remediation to be considered in zoning or rezoning proposal. Council is in any case stepping through a "remediation action plan" (RAP) process in respect of the contamination that has been detected at the site.

The proposal for Lot 2 (Item 2) is not inconsistent with any SEPP.



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

The planning proposal is consistent with applicable section 117 Ministerial Directions. Refer to Appendix 5 for Section 117 Ministerial Directions assessment and compliance table.

Regarding Lot 2 (Item 2) Council will be consulting with South Grafton High School/Dept Education and Communities.

Section C – Environmental, social and economic impact

4.7 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 – little likelihood. The 2010 GHD “future land use assessment” (p.50) assessed the ecological attributes in the following manner:

“Previous site studies have identified planted areas of Casuarina and Brushbox on Site 1.....The NSW National Parks and Wildlife Service Atlas of NSW Wildlife does not provide a comprehensive account for the distribution of threatened species in the Grafton area. A recent search however has identified thirty (30) threatened fauna species and one (1) threatened flora species in the Grafton area.....

Although the presence of threatened flora and fauna have been identified in the locality, the sites have been disturbed significantly by previous land uses, leaving its ability to support significant flora and fauna populations very limited. The majority of mature vegetation on Site 1 is non-native and may potentially be cleared with the consent of Council and other relevant authorities.....”.

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

There are no likely negative or adverse environmental effects as a result of the planning proposal. Any possible environmental issues (eg stormwater management, noise and lighting) will be addressed as part of the development application process including the imposition of conditions to require management of potential on site and off site environmental impacts.

Flooding (Lot 1 DP 557049)

Based on Councils current LEP “flood planning” layer approximately 1350m² of land in the northern part of Lot 1 DP 557049 (Item 1) the site is subject to the 1 in 100 year flood. This represents approximately 2.8% of the overall site area that is likely to be inundated in a 1 in 100 year flood which is considered to be minor in the circumstances. There is ample scope to plan and design depot buildings and facilities free of flood reach.

4.9 Relevant social and economic effects?

(Note: addressing this section of the planning proposal document include effects on items or places of European or Aboriginal cultural heritage not already addressed elsewhere and may also include impacts on existing social infrastructure such as schools and hospitals and impacts on existing retail centres which may result if the planning proposal proceeds).



The eventual depot facility should be capable of being developed and operated in the immediate locality without adverse social and economic effects. Any concerns raised during the community consultation phase will be considered for the detailed site planning and building design phase.

The site is separated from sensitive land uses (such as residential) by Beresford Park to the south, school agricultural plots and sports fields to the east and north, and by flood prone agricultural land to the west. This context provides a good buffer to sensitive land uses that may otherwise be impacted upon by noise and traffic. These matters can be further addressed at development application stage.

Section D – State and Commonwealth interests

4.10 Is there adequate public infrastructure for the planning proposal?

Adequate public infrastructure is available for the development and operation of a depot facility.

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

(Note: The preliminary views of any state or Commonwealth agency could be included in this section).

The views of relevant public authorities have not been sought at this early stage as a Gateway determination has not yet been issued.

The following table provides a summary of the relevant public authorities and other organisations, which in the opinion of Council, should be consulted in accordance with the Gateway determination.

Public authority/stakeholder	Issue requiring comment
Office of Environment and Heritage	Flooding – part of the site is flood prone
South Grafton High School/ Dept Education and Communities	Change of zoning to R1 General Residential
Grafton - Ngerrie Local Aboriginal Land Council	Aboriginal cultural heritage

The proposed agency/stakeholder consultation will be confirmed with any Gateway determination issued. The outcomes of the consultation will be reported back to Council following community consultation/public exhibition.

Refer also to Section 8. COMMUNITY CONSULTATION, below.

5. MAPPING



A site identification plan has been prepared to clearly indicate the land the subject of this planning proposal. This is located at Appendix 1.

A draft Land Zoning map has been prepared for the purposes of community consultation/public exhibition and is also located at Appendix 1.

6. COMMUNITY CONSULTATION

Council will undertake community consultation following the issue of a Gateway Determination that, in Council's opinion, contains reasonable and standard conditions. For the purposes of public notification, Council considers that the planning proposal is low impact in accordance with the Department of Planning and Environment's *"A guide to preparing local environmental plans"*. However, notwithstanding that, a twenty eight (28) day public exhibition period is deemed appropriate.

Notification of the exhibited planning proposal will include:

- Placement of an advertisement in a newspaper circulating within the area affected by the planning proposal
- Notification on Council's website
- Written neighbourhood notification – owners of all residential zoned and other occupied properties within 100 metres of the boundaries of the land.

A public hearing is not considered necessary in this instance.

Note - Although Council is not reclassifying the land, nor discharging its interests in terms of section 30 of the LG Act, a *"Statement of Council's Interest"* has been prepared in order to comply with the Department's *"LEPs and Council Land"* Best Practice Guideline. The *"Statement of Council's Interest"* is included at Appendix 6.

7. PROJECT TIMELINE

An estimated timeline for this project is 9 months from the issue of a Gateway determination, providing such determination does not impose conditions that are onerous to satisfy. The table below provides some estimated timeframes or dates for specific milestones.

Specific milestone	Milestone timeframe or date
Anticipated commencement date (date of Gateway determination)	December 2014
Anticipated timeframe for the completion of required technical information	N/A (assumes that there are to be no further technical studies specified as part of the Gateway determination)
Timeframe for government agency consultation (post exhibition as required by Gateway determination)	21 days
Commencement and completion dates for public exhibition period	Commence – 21 January 2015 Close – 20 February 2015 Intended duration - 28 days min.
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	28 days min.
Timeframe for the consideration of a	14 April 2015 - Environment Planning and

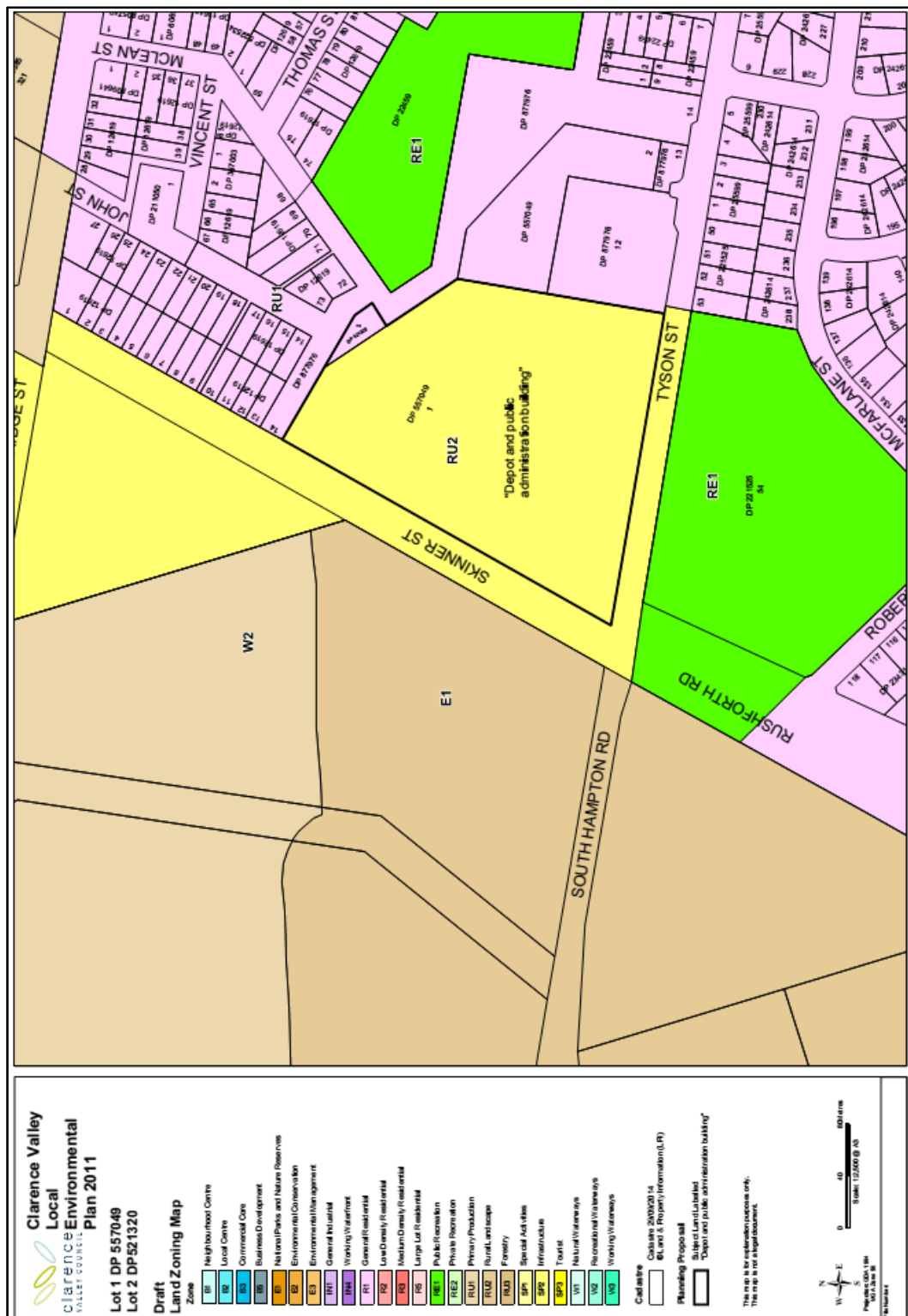


proposal post exhibition	Community Committee 21 April 2015 – Ordinary Council meeting
Date of submission to the department to finalise the LEP (if not delegated to Council)	28 April 2015
Anticipated date RPA will make the plan (if delegated)	June 2015
Anticipated date RPA will forward to the department for notification	June – July 2015

APPENDIX 1: SITE IDENTIFICATION PLAN AND DRAFT LAND ZONING MAP



Site identification plan



Draft Land zoning map



APPENDIX 2: MID NORTH COAST REGIONAL STRATEGY COMPLIANCE

MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
Strategy sector - Settlement and housing		
Outcomes		
Actions – Urban settlement 1. <i>Local growth management strategies, local environmental plans and other statutory planning controls will align with the Regional Strategy's settlement network (as shown on the growth area maps) to contain the spread of urban development, efficiently utilise existing services and infrastructure, and protect areas of high conservation value.</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Urban settlement 2. <i>Councils will plan for a range of housing types of appropriate density, location and suitability that are capable of adapting and responding to the ageing of the population.</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Urban settlement 3. <i>Councils will consider a range of affordable housing strategies, including forms of low cost housing, suitable zonings and development controls to improve housing affordability and choice. These strategies must be consistent with relevant State policies.</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Urban settlement 4. <i>Where development or rezoning increases the need for State infrastructure, the Minister for Planning may require a contribution to the provision of the infrastructure having regard to the State Infrastructure Strategy and equity considerations.</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Urban settlement 5. <i>Local environmental plans cannot use the 'Transition zone' to identify land for future urban investigation.</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Urban settlement 6. <i>Local environmental plans will maintain interurban</i>	Complies	Complies - though strategy sector is not relevant.



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
<i>breaks between existing and new settlements.</i>		
Actions – Urban settlement 7. <i>Greenfield sites outside the growth areas contained in local growth management strategies may be developed, subject to satisfying the Sustainability Criteria in Appendix 1. This provision does not apply in the Coastal Area as shown on the Strategy map.</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Rural residential development 1. <i>Future rural residential land will only be zoned for release if it is in accordance with a local growth management strategy agreed to between council and the Department of Planning and consistent with the principles of the Settlement Planning Guidelines.</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Rural residential development 2. <i>No new rural residential development will be permitted within the Coastal Area, other than development already zoned or in an approved current or future local growth management strategy (or rural residential land release strategy).</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Rural residential development 3. <i>Planning for rural residential land must be integrated with the supply of infrastructure and transport.</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Subdivision, houses and other uses in rural zones 1. <i>Councils will maintain appropriate subdivision standards for rural zones consistent with the principles of the State Environmental Planning Policy (Rural Lands) 2008.</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Subdivision, houses and other uses in rural zones 2. <i>Local environmental plans will include minimum subdivision standards for rural and environment protection zones.</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Subdivision, houses and other uses in rural zones 3. <i>Local environmental plans will include provisions to</i>	Complies	Complies - though strategy sector is not relevant.



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
<i>limit dwellings in rural and environmental zones.</i>		
Actions – Subdivision, houses and other uses in rural zones 4. <i>New caravan parks and manufactured home estates where there is any potential for permanent accommodation to occur, generally should be located in urban areas.</i>	Complies	Complies - though strategy sector is not relevant.
Actions – Subdivision, houses and other uses in rural zones 5. <i>Local environmental plans generally should locate major health and education facilities in urban areas.</i>	Complies	Complies - though strategy sector is not relevant.
Strategy sector - Settlement character and design		
Outcomes		
Actions 1. <i>Councils will prepare desired character statements for their localities, having regard for the Department's North Coast urban design guidelines (2009). Provisions should be included in development control plans to ensure that new development enhances the desired character and is based on the 'neighbourhood planning principles' listed below as well as the following:</i> <i>New buildings will be designed to maximise adaptability for changing demographic trends and alternative future uses.</i> <i>New development will be designed to respond to the subtropical and temperate climate of the Region through best practice energy efficient design, landscaping and materials.</i> <i>Land use and transport planning will be integrated to minimise the need to travel, and to encourage energy and resource efficiency.</i> <i>New development will be designed to reflect and enhance the natural, cultural, visual and built character and values of the local and regional landscape.</i>	Complies	Complies. Although desired character statements have not been prepared for Council's localities the size and topography of the site presents good opportunities to site and design building and facilities to integrate and be compatible with the character of the area.



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
2. <i>New and changing urban areas will provide access to natural features such as coastal foreshore and riparian lands, consistent with the maintenance of ecological values.</i>	Complies	Complies - though the specific action is not relevant.
3. <i>New and changing settlement areas will incorporate open space that is accessible to the public and which provides opportunities for recreation, nature conservation, social interaction, and visual enhancement and amenity.</i>	Complies	Complies - though the specific action is not relevant.
4. <i>Commercial centres in villages will be multifunctional, mixed-use areas (including residential) catering for diverse community needs.</i>	Complies	Complies - though the specific action is not relevant.
5. <i>Coffs Harbour, Port Macquarie-Hastings, Greater Taree and Clarence Valley councils will be encouraged to review the building height limits in the central business areas of Coffs Harbour, Port Macquarie, Taree and Grafton respectively with a view to increasing heights (and therefore development densities) where consistent with heritage and other local considerations.</i>	Complies	Complies - though the specific action is not relevant.
6. <i>Local environmental plans will set building heights in urban areas. Height limits should reflect the landscape character, function and hierarchy of the future settlement and visual and cultural amenity of its location.</i>	Complies	Complies. The Clarence Valley LEP 2011 establishes building height in certain circumstances via the LEPs Height of Buildings map. The current Height of Buildings map does not establish a building height for the land. The planning proposal does not intend that a building height be established. The size and topography of the site presents good opportunities to site and design building and facilities to integrate and be compatible with the character of the area.
7. <i>Local environmental plans for areas subject to the NSW Government Coastal Policy will incorporate provisions to achieve the outcomes of the Coastal Policy with respect to overshadowing. Generally, development on urban land in Coffs Harbour, Port Macquarie or Forster-Tuncurry will not result in the beach or adjoining open space being overshadowed before 3.00 p.m. midwinter (standard time) or 6.30</i>	Complies	Complies - though the specific action is not relevant.



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
<i>p.m. midsummer (daylight savings time). For other beaches or waterfront open space in the Region, development will generally not result in overshadowing before 4.00 p.m. (midwinter) or 7.00 p.m. midsummer (daylight saving time).</i>		
8. <i>Local environmental plans, development control plans (and subsequent land release development) will be consistent with the Settlement planning guidelines: Mid and Far North Coast regional strategies (NSW Department of Planning 2007) North Coast urban design guidelines (NSW Department of Planning 2009) and the NSW Government's Coastal design guidelines for NSW (Coastal Council of NSW 2003) as applicable.</i>	Complies	Complies. Adequate development controls are already in place in "Clarence Valley Council Development Control Plan – Development in E and other zones 2011",
9. <i>Local environmental plans, development control plans, bike plans and pedestrian access and mobility plans will provide for an accessible and integrated network of walking and cycling routes for safe and convenient travel to local destinations and between key land uses within urban places.</i>	Complies	Complies. The site has excellent vehicle and pedestrian/bike access. A pedestrian/cycle path is located along the Rushforth Road frontage of the site.
Strategy sector - Economic development and employment growth		
Outcomes		
Actions - Employment in centres 1. <i>Local environmental plans (and other planning provisions) will facilitate employment growth in the major regional centres and major towns, as well as facilitate appropriate local jobs in towns and villages and recognise appropriate home-based employment opportunities.</i>	Complies	Complies - though the specific action is not relevant.
Actions - Employment in centres 2. <i>In preparing local environmental plans councils will liaise with water and energy providers and make provision for any regional gas, water or electricity infrastructure corridors that may be required.</i>	Complies	Complies - though the specific action is not relevant. The site is serviced by adequate infrastructure for the intended purpose.
Actions - Employment in centres	Complies	Complies - though the specific action is not relevant.



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
3. <i>The opportunities and development potentials of commercial centres will be explored by councils and identified in local growth management strategies, local environmental plans and development control plans. Councils will identify opportunities for bulky goods style retailing in accessible locations in or near commercial centres and restrict this form of retailing in industrial zones as set out in the NSW Government policy The right place for business and services.</i>		
Actions - Employment in centres 4. <i>Planning for commercial uses is to be integrated with transport, public domain and infrastructure opportunities.</i>	Complies	Complies - though the specific action is not relevant.
Actions - Employment in centres 5. <i>Highway service centres may be located beside the Pacific Highway at Maclean (at one of the Maclean interchanges), Woolgoolga (at one of the Woolgoolga interchanges), Kempsey (at the southern interchange), Port Macquarie (on the eastern side of the Pacific Highway at the interchange with the Oxley Highway) and Taree (at the Old Bar Road interchange). In the future, additional highway service centres could be located at Nambucca Heads (at the northern interchange) and Port Macquarie (on the western side of the Pacific Highway at the Oxley Highway interchange), subject to review of need by the Roads and Traffic Authority at a five year review of the Strategy. No other zonings to permit new out-of-town commercial development will occur along the Pacific Highway. This includes any industrial zones that could permit commercial uses such as bulky goods premises.</i>	Complies	Complies - though the specific action is not relevant.
Actions - Employment lands 1. <i>Local environmental plans will ensure that sufficient lands which are zoned industrial and business and currently vacant are protected to accommodate the</i>	Complies	Complies. The planning proposal is neither directly adding to nor detracting from any land currently industrial and business. However old and redundant depot sites resulting from the CVC Depot development at this site may, in certain



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
<i>new jobs required for each local government area until 2031.</i>		circumstances, offer industrial and business opportunities subject to proper assessment. This is outside the scope of this planning proposal.
Actions - Employment lands 2. <i>The Department of Planning will work with councils to ensure that appropriate opportunities for employment lands, as identified in the Strategy's growth area maps, are brought on stream via local growth management strategies and local environmental plans.</i>	Complies	Complies - though the specific action is not relevant.
Actions - Employment lands 3. <i>In the case of some marine-based industries that depend upon access to navigable waterways, additional opportunities for industry establishment may be provided outside the growth areas. The Department of Planning will work with the Department of Environment and Climate Change and other relevant State government agencies on suitable locational criteria to assist in guiding any future development opportunities.</i>	Complies	Complies - though the specific action is not relevant.
Actions - Employment lands 4. <i>In consultation with councils, industry, business and other stakeholders, the Mid North Coast Regional Development Board will implement its Regional Economic Profile (2008) to encourage/facilitate industry and employment growth and investment opportunities. It will particularly focus on those innovative, high-skill and high-wage industries that have the greatest potential to develop in the Region. The Northern Rivers Regional Industry and Economic Plan will also be used to provide economic guidance to the Clarence Valley.</i>	Complies	Complies - though the specific action is not relevant.
Actions - Tourism development 1. <i>Councils will plan strategically for tourism development in an agreed local growth management strategy. Planning for tourist facilities and tourism</i>	Complies	Complies - though the specific action is not relevant.



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
<i>development will adopt the following principles:</i> <i>Acknowledgement of and consistency with the North Coast Regional Tourism Plan 2004–2007 (or latest version) and Northern Rivers Regional Tourism Plan 2003–2006 (or latest version).</i> <i>A range of tourism experiences and forms of tourist accommodation will be provided for in urban areas, including 'bed and breakfast'.</i> <i>No tourism development should be located near the Pacific Highway, except within towns.</i> <i>Local environmental plans will locate large scale tourism development in prime tourism development areas unless other proposed locations are consistent with an approved local growth management strategy.</i> <i>Local environmental plans will prevent permanent residential accommodation in tourism development, except where it is ancillary to existing tourism development or part of an area otherwise identified for urban expansion in an approved local growth management strategy.</i>		
Actions – Monitoring 1. <i>The Department of Planning will incorporate an employment land component into the Mid North Coast Housing and Land Monitor to ensure an ongoing supply of industrial land.</i>	Complies	Complies - though the specific action is not relevant.
Strategy sector - Environment and natural resources		
Outcomes		
Actions – Preparation of local environmental plans 1. <i>Local environmental plans will protect and zone land with high environmental, vegetation, habitat, riparian, aquatic, coastal or corridor values for environmental protection.</i>	Complies	Complies. Sufficient environmental controls and protections can be implemented as part of the design, approval, construction and ongoing operation of a future depot facility.
Actions – Preparation of local environmental plans 2. <i>Local environmental plans will zone regionally significant farmland to protect agricultural values.</i>	Complies	Complies - though the specific action is not relevant.



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
Actions – Preparation of local environmental plans 3. <i>Local environmental plans will identify and zone land of landscape value (including scenic and cultural landscapes) to protect those values.</i>	Complies	Complies - though the specific action is not relevant. The site does not possess any significant landscape value.
Actions – Preparation of local environmental plans 4. <i>Local environmental plans will protect land identified as having extractive resources of regional significance and their haulage routes (see Appendix 3 and Ministerial section 117 Direction No. 1.3).</i>	Complies	Complies - though the specific action is not relevant.
Actions – Preparation of local environmental plans 5. <i>Subdivision and dwelling standards in local environmental plans will reflect the Rural Lands SEPP, the Regional Strategy and the objectives of the relevant zones.</i>	Complies	Complies - though the specific action is not relevant.
Actions – Preparation of local environmental plans 6. <i>New development adjoining or adjacent to farmland, extractive resources, waterways, wetlands and areas with high value biodiversity will incorporate buffers to avoid land use conflict.</i>	Complies	Complies. Land use conflict with any adjoining or adjacent farmland or rural land is considered unlikely. There are no nearby extractive resources, waterways, wetlands and areas with high value biodiversity.
Actions – Biodiversity 1. <i>The Department of Environment and Climate Change will prepare a Regional Conservation Plan to guide local councils and State and Commonwealth governments in achieving conservation outcomes.</i>	Complies	Complies - though the specific action is not relevant.
Actions – Biodiversity 2. <i>Local environmental plans will include provisions to encourage habitat and corridor establishment in future zoning of land with environmental and rural values.</i>	Complies	Complies - though the specific action is not relevant.
Actions – Farmland mapping 1. <i>Regionally significant farmland will not be available for future urban or rural residential rezoning other than in the limited circumstances as permitted by the Mid North Coast Farmland Mapping Project Final Recommendations Report (2008).</i>	Complies	Complies - though the specific action is not relevant.
Actions – Farmland mapping 2. <i>Mapped farmland will be protected from the impacts</i>	Complies	Complies - though the specific action is not relevant.



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
<i>of new neighbouring development through conflict risk assessment and buffers, consistent with the Mid North Coast Farmland Mapping Project and the Rural Lands State Environmental Planning Policy.</i>		
Actions – Farmland mapping 3. <i>The Department of Primary Industries and the Department of Planning will work with councils to complete a review of land suitable for predominantly frost-free coastal horticulture, to protect the identified land.</i>	Complies	Complies - though the specific action is not relevant.
Actions – Natural resource management 1. <i>Local environmental plans will include provisions on land fronting watercourses to limit the creation of additional water rights.</i>	Complies	Complies - though the specific action is not relevant.
Actions – Natural resource management 2. <i>Local environmental plans will include provisions to protect the water quality in town water supply catchments, other waterways and significant groundwater reserves.</i>	Complies	Complies - though the specific action is not relevant.
Actions – Natural resource management 3. <i>Councils will work with the Northern Rivers and Hunter-Central Rivers catchment management authorities to ensure that the aims and objectives of catchment action plans are considered in the future management and planning of local council areas.</i>	Complies	Complies - though the specific action is not relevant.
Strategy sector - Natural hazards		
Outcomes		
Actions 1. <i>In order to manage risk associated with climate change, councils will undertake flood investigations over lands with the potential to be affected by sea level rise and inundation to ensure that risks to public and private assets are minimised.</i>	Complies	Complies. Approximately 1350m ² of land in the northern part of Lot 1 DP 557049 (Item 1) the site is subject to the 1 in 100 year flood. This represents approximately 2.8% of the overall site area that is likely to be inundated in a 1 in 100 year flood which is considered to be minor in the circumstances. There is ample scope to plan and design depot buildings and facilities free of flood reach.
2. <i>Local environmental plans will make provision for adequate setbacks in areas of coastal erosion risk</i>	Complies	Complies - though the specific action is not relevant.



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
<i>and ocean based inundation in accordance with coastal zone management plans.</i>		
3. <i>Until the above plans and investigations are complete, councils will not zone land or approve new development or redevelopment in potential hazard areas, unless assessed within a risk assessment framework adopted by the council.</i>	Complies	Complies. Approximately 1350m ² of land in the northern part of Lot 1 DP 557049 (Item 1) the site is subject to the 1 in 100 year flood. This represents approximately 2.8% of the overall site area that is likely to be inundated in a 1 in 100 year flood which is considered to be minor in the circumstances. There is ample scope to plan and design depot buildings and facilities free of flood reach.
4. <i>Zoning of land for future development within the catchments of coastal lakes (as defined in Schedule 1 of State Environmental Planning Policy No. 71 – Coastal Protection) must consider a coastal lake sustainability assessment if one has been prepared.</i>	Complies	Complies - though the specific action is not relevant.
5. <i>Local environmental plans will zone areas subject to high hazard to reflect the limitations of the land.</i>	Complies	Complies - though the specific action is not relevant.
Strategy sector - Cultural heritage		
Outcomes		
Actions		
1. <i>Councils are to ensure that cultural and community values that are important to Aboriginal communities are considered and resolved in the future planning and management of the local government area.</i>	Complies	Complies. No known or apparent Cultural heritage values. However, the Grafton - Ngerrie Local Aboriginal Land Council will be consulted as part of the community consultation/public exhibition process following the issue of any Gateway determination to proceed.
2. <i>The Department of Planning and councils will review the scope and quality of the existing statutory lists of heritage items and ensure that all places of significance are included in the heritage schedules of local environmental plans.</i>	Complies	Complies - though the specific action is not relevant.
3. <i>The cultural heritage values of major regional centres and major towns that will be the focus of urban renewal projects will be reviewed, with the aim of protecting cultural heritage.</i>	Complies	Complies - though the specific action is not relevant.
Strategy sector - Water and energy resources		
Outcomes		
Actions		
1. <i>Local environmental plans will recognise and protect</i>	Complies	Complies - though the specific action is not relevant.



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
<i>regional water supply catchments and systems through appropriate planning provisions.</i>		
<i>2. In preparing local environmental plans councils will liaise with water and energy providers and make provision for any regional water, electricity and gas infrastructure corridors that may be required.</i>	Complies	Complies - though the specific action is not relevant.
<i>3. Councils or water supply authorities will complete integrated water cycle management plans for their local areas.</i>	Complies	Complies - though the specific action is not relevant.
<i>4. The Department of Water and Energy and local water authorities will prepare a Regional Water Plan to ensure long term regional water efficiencies and improved drought security.</i>	Complies	Complies - though the specific action is not relevant.
<i>5. All future development is to apply water sensitive urban design principles and meet stormwater management targets that support environmental values of the catchments.</i>	Complies	Complies. The design and construction of the depot facility and associated buildings will water sensitive urban design principles.
<i>6. Suitable locally generated and/or renewable energy projects such as wind, solar, bio-waste and wave power will be supported.</i>	Complies	Complies. The design and construction of the depot facility and associated buildings will exploit all practical opportunities to incorporate energy efficiency into design and ongoing operations.
Strategy sector - Regional transport		
Outcomes		
Actions		
<i>1. Local environmental plans will provide for a passenger interchange in the four major regional centres, the major towns and the towns that are well connected to pedestrian and cycle ways.</i>	Complies	Complies - though the specific action is not relevant.
<i>2. Local environmental plans will recognise and protect the regional transport network through appropriate planning provisions.</i>	Complies	Complies - though the specific action is not relevant.
<i>3. New development will be located to ensure that ribbon/strip development along major roads does not occur and that it does not impact on the safety and efficiency of arterial roads.</i>	Complies	Complies - though the specific action is not relevant.
<i>4. Planning and construction of the Pacific Highway</i>	Complies	Complies - though the specific action is not relevant.



MID NORTH COAST REGIONAL STRATEGY OUTCOMES/ACTIONS	COMPLIANCE	COMMENTS
<i>upgrades through the Region will continue to completion.</i>		



APPENDIX 3: COUNCILS LOCAL STRATEGY AND STRATEGIC PLAN CHECKLIST

Strategy/Strategic Plan	Comment/relevant component
Clarence Valley Community Plan 2015 - 2024	The proposal is relevant to the following Community Plan themes and objectives:
	Theme – Infrastructure Objective 2.3 - Communities that are well serviced with essential infrastructure while: 2.3.5 implementing Council's strategic asset management plans and continuing to develop asset systems, plans and practices for infrastructure assets
	Theme - Leadership Objective 5.1 - To have a strong, accountable and representative government that: 5.1.6 makes prioritised decisions in the long-term interest of the broad community and has regard to financial and infrastructure sustainability.
Council's 2014 - 2017 Delivery Program and 2014 - 2015 Operational Plan	The establishment of a new depot is an integral part of Council's overall Depot and Accommodation Rationalisation Project (project 5A) which in turn is a key capital project in Council's 2014 - 2017 Delivery Program and 2014 - 2015 Operational Plan.
	The 2014 - 2017 Delivery Program and 2014 - 2015 Operational Plan seek to implement the 10 year Clarence Valley Community Plan 2015 – 2024.



APPENDIX 4: STATE ENVIRONMENTAL PLANNING POLICY CHECKLIST

Name of SEPP	Relevant?	Comment/statement of consistency
<i>The following State Environmental Planning Policies (SEPPs) are current and are applicable to the Clarence Valley LGA and are required to be considered whether applicable or not in a particular circumstance.</i>		
State Environmental Planning Policy No 1 - Development Standards	No	N/A
State Environmental Planning Policy No 14 - Coastal Wetlands	No	N/A
State Environmental Planning Policy No 15 - Rural Landsharing Communities	No	N/A
State Environmental Planning Policy No 19 - Bushland in Urban Areas	No	N/A
State Environmental Planning Policy No 21 - Caravan Parks	No	N/A
State Environmental Planning Policy No 26 - Littoral Rainforests	No	N/A
State Environmental Planning Policy No 29 - Western Sydney Recreation Area	No	N/A
State Environmental Planning Policy No 30 - Intensive Agriculture	No	N/A
State Environmental Planning Policy No 32 - Urban Consolidation (Redevelopment of Urban Land)	No	N/A
State Environmental Planning Policy No 33 - Hazardous and Offensive Development	No	This is not a development application (DA). The future proposed depot is not considered to be hazardous and offensive development.
State Environmental Planning Policy No 36 - Manufactured Home Estates	No	N/A
State Environmental Planning Policy No 39 - Spit Island Bird Habitat	No	N/A
State Environmental Planning Policy No 44 - Koala Habitat Protection	No	This is not a development application (DA). SEPP No. 44 to be considered at the DA stage.
State Environmental Planning Policy No 47 - Moore Park Showground	No	N/A
State Environmental Planning Policy No 50 - Canal Estate Development	No	N/A
State Environmental Planning Policy No 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	No	N/A
State Environmental Planning Policy No 55 - Remediation of Land	No	N/A - as the previous use is not one of the activities referred to in Table 1 (Some Activities that may Cause Contamination) of "Managing Land Contamination: Planning Guidelines SEPP 55 Remediation of Land" as specified in clause 6 Contamination and remediation to be considered in zoning or rezoning proposal. Council is in any case stepping through a "remediation action plan" (RAP) process in respect of the contamination



Name of SEPP	Relevant?	Comment/statement of consistency
		that has been detected at the site.
State Environmental Planning Policy No 59 - Central Western Sydney Regional Open Space and Residential	No	N/A
State Environmental Planning Policy No 62 - Sustainable Aquaculture	No	N/A
State Environmental Planning Policy No 64 - Advertising and Signage	No	N/A
State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development	No	N/A
State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)	No	N/A
State Environmental Planning Policy No 71 - Coastal Protection	No	N/A
State Environmental Planning Policy (Affordable Rental Housing) 2009	No	N/A
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	No	N/A
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	No	N/A
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	No	N/A
State Environmental Planning Policy (Infrastructure) 2007	No	N/A. This is not an infrastructure type covered by the "Infrastructure SEPP".
State Environmental Planning Policy (Kosciuszko National Park - Alpine Resorts) 2007	No	N/A
State Environmental Planning Policy (Kurnell Peninsula) 1989	No	N/A
State Environmental Planning Policy (Major Development) 2005	No	N/A
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	No	N/A
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	No	N/A
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	No	N/A
State Environmental Planning Policy (Rural Lands) 2008	No	N/A
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	No	N/A
State Environmental Planning Policy (State and Regional Development) 2011	No	N/A
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	No	N/A
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	No	N/A
State Environmental Planning Policy (Three Ports) 2013	No	N/A



Name of SEPP	Relevant?	Comment/statement of consistency
State Environmental Planning Policy (Urban Renewal) 2010	No	N/A
State Environmental Planning Policy (Western Sydney Employment Area) 2009	No	N/A
State Environmental Planning Policy (Western Sydney Parklands) 2009	No	N/A

**APPENDIX 5: SECTION 117 DIRECTION CHECKLIST**

SECTION 117 DIRECTION	CONSISTENCY	COMMENTS
1. EMPLOYMENT AND RESOURCES		
1.1 Business and Industrial Zones	Not applicable	Direction not applicable in this instance.
1.2 Rural Zones	Not applicable	Direction not applicable in this instance.
1.3 Mining, Petroleum Production and Extractive industries	Not applicable	Direction not applicable in this instance.
1.3 Oyster Aquaculture	Not applicable	Direction not applicable in this instance.
1.5 Rural Lands	Not applicable	Direction not applicable in this instance.
2. ENVIRONMENT AND HERITAGE		
2.1 Environmental protection Zones	Yes	Direction not applicable in this instance. The land does not possess environmental values of any significance.
2.2 Coastal protection	Not applicable	Direction not applicable in this instance.
2.3 Heritage Conservation	Yes	Direction not applicable in this instance. The site does not involve or affect any items, areas, objects and places of environmental heritage significance and indigenous heritage significance.
2.4 Recreation Vehicle Areas	Not applicable	Direction not applicable in this instance.
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	Yes. Applicable to Lot 2 (Item 2) only.	Lot 2 (Item 2) - Consistent. The proposal will rezone the land owned by South Grafton High School/Dept Education & Communities to R1 in order to conform to the R1 zoning of the remainder of the South Grafton High School land.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable	Direction not applicable in this instance.
3.3 Home Occupations	Not applicable	Direction not applicable in this instance.
3.4 Integrated Land Use and Transport	Yes	Although the land is urban land it is not one of the zone types specified in part 3 of the Direction. Notwithstanding this the site is well located within the South Grafton urban footprints enjoys good accessibility by private and public modes of transport as well as good



SECTION 117 DIRECTION	CONSISTENCY	COMMENTS
		access to local services and facilities.
3.5 Development Near Licensed Aerodromes	Yes	The site, whilst located in relatively close proximity to the South Grafton airfield, does not impact upon the functioning of the airfield nor is impacted by the airfield. The landing strip is not oriented toward the site and is located at least 500 – 600m distance to the site.
3.6 Shooting Ranges	Not applicable	Direction not applicable in this instance.
4. HAZARD AND RISK		
4.1 Acid Sulfate Soils	Yes	The site is predominantly class 5 Acid Sulfate Soils (ASS) with a small quantum of class 3 ASS. Any future development application should address the provisions of clause 5.6 Acid Sulfate Soils of CVLEP 2011, particularly if site works are proposed more than 1 metre below the natural ground surface in that part of the site mapped as class 3 ASS.
4.2 Mine Subsidence and Unstable land	Not applicable	Direction not applicable in this instance.
4.3 Flood Prone Land	Yes	Lot 1 DP 557049 (Item 1) - Approximately 1350m² of land in the northern part of Lot 1 DP 557049 (Item 1) is subject to the 1 in 100 year flood. This represents approximately 2.8% of the overall site area that is likely to be inundated in a 1 in 100 year flood which is considered to be minor in the circumstances. There is ample scope to plan and design depot buildings and facilities free of flood reach. The direction is relevant or applicable in part but only in so far as the labelled use of the SP2 zone on the land zoning map will alter. The main SP2 zone will not alter. There will arguably be an intensification of development on the site. However there is ample opportunity to design and site future buildings and facilities out of the reach of flood risk. For this reason the planning proposal is deemed to be consistent with S.117 Direction 4.3. Lot 2 (Item 2) – a very minor portion (approx 40m²) of Lot 2 is subject to 1 in 100 year flood. Arguably this can be considered to be inconsistent with the Direction. However it is considered to be of minor significance under Direction 4.3 (9) (b) and given this any inconsistency deemed as justifiable.
4.4 Planning for Bushfire Protection	Yes	Direction not applicable in this instance as the land is not bushfire prone land.



SECTION 117 DIRECTION	CONSISTENCY	COMMENTS
5. REGIONAL PLANNING		
5.1 Implementation of Regional Strategies	Yes	The planning proposal is consistent with the Mid North Coast Regional Strategy (MNCRS). Refer to separate assessment of planning proposal against MNCRS outcomes and actions.
5.2 Sydney Drinking Water Catchments	Not applicable.	Direction not applicable in this instance.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.	Direction not applicable in this instance.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.	Direction not applicable in this instance.
5.5 Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable.	<i>Revoked 18 June 2010</i>
5.6 Sydney to Canberra Corridor	Not applicable.	<i>Revoked 10 July 2008 - See amended Direction 5.1</i>
5.7 Central Coast	Not applicable.	<i>Revoked 10 July 2008 - See amended Direction 5.1</i>
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.	Direction not applicable in this instance.
6. LOCAL PLAN MAKING		
6.1 Approval and Referral Requirements	Yes	The planning proposal is not intending to introduce concurrence, consultation or referral requirements nor identify development as designated development.
6.2 Reserving Land for Public Purposes	Not applicable.	Direction not applicable in this instance.
6.3 Site Specific Provisions	Not applicable.	Direction not applicable in this instance.
7. METROPOLITAN PLANNING		
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Not applicable.	Direction not applicable in this instance.



APPENDIX 6: STATEMENT OF COUNCIL'S INTEREST

Statement of Council's Interest To Accompany Public Exhibition/Community Consultation - Planning Proposal – New Council Depot At Rushforth Road, South Grafton

1. Purpose of this statement

This "Statement of Council's interest" has been prepared to support the planning proposal for a new Council depot at Rushforth Road, South Grafton. Its purpose is to serve as the required "Statement of Council's interest" referred to in the Department of Planning and Environment's "LEPs and Council Land" Best Practice Guideline (DUAP 1997). The statement is incorporated into the planning proposal and is to be exhibited in order to comply with the Best Practice Guideline. The Statement applies to Lot 1 DP 557049 only.

2. Statement of Council's Interest

Detail in relation to Council's interest	Response
Nature of Council's interest in the land	Council owns the land freehold. It is legally described as Lot 1 DP 557049.
Date when Council first acquired an interest in the land.	Council first acquired an interest in 1939 when it entered into agreement/contract to construct the sewerage treatment works on the land. Title of the land transferred to Council on 2 January 1941.
Reason/s for Council acquiring an interest in the land.	Construction of a sewerage treatment works on the land.
How council interest in the land was acquired.	The land was purchased by the former Council of the Municipality of South Grafton for 160 pounds, with title transferring to Council on 2 January 1941.

3. Purpose of the draft LEP

Item	Comment
Why the draft LEP is being prepared.	To facilitate the redevelopment of Lot 1 DP 557049 for a Council depot and office and administrative facilities associated with Council's works and operational functions.
How the draft plan will affect planning control	The draft LEP will amend the labelled purpose on the land, currently zoned SP2 Infrastructure, on the Clarence Valley LEP 2011 Land Zoning Map from "Sewerage treatment plant" to "Depot and "Public administration building".
What promoted preparation of the draft LEP	Preparation of the planning proposal and LEP has been precipitated by Councils Delivery Program action to rationalise and consolidate its works depot sites and assets with a longer term aim of achieving both financial and operational efficiencies.



4. Anticipated development

It is anticipated that the site will be developed for a new Council works depot and associated administration facility. This should include a range of proposed buildings and structures (including staff office/amenities, stores, workshop, works department as well as extensive parking, driveway/manoeuvring and open storage areas.

5. Financial Implications

Council is not dealing with the land in a manner that is intended to bring financial gain or benefit to it by way of sale or leasing of the land. The rezoning and ultimate development of the site for a new works depot and associated administration facility should however yield longer term financial and operational efficiencies.

6. Special Notification Requirements

The Best Practice Guidelines issued by DUAP in January, 1997 is intended to be included with the material to be exhibited with the Planning Proposal.

COUNCIL RESOLUTION – ITEM 20.012/14 - DEPOT AND ACCOMMODATION RATIONALISATION PROJECT – DEPOT SITE SELECTION, CONCEPTUAL MASTER PLANS AND BUDGET - 16 SEPTEMBER 2014

COUNCIL RESOLUTION – 20.012/14

(Crs Williamson/Hughes)

That

1. The site for the development of a new amalgamated Council works depot and administration building be Council's former Sewage Treatment Plant located at the corner of Rushforth Road and Tyson Street, South Grafton, described as Lot 1 on DP 557049.
2. The required site rehabilitation works and associated bulk earthworks be undertaken as part of the project and be entirely funded from the Sewer Fund at an indicative cost of \$2 million dollars subject to detailed design and cost estimate development.
3. Council purchase Lot 1 on DP 557049 from the Sewer Fund for the sum of \$80,400 to be funded from the Strategic Building Reserve upon successful completion of the rehabilitation works as detailed in point 2.
4. A planning proposal be prepared for Council's consideration to rezone the site from SP2 – Infrastructure to SP2 – Depot and Public Administration Building.
5. Council endorse Schreiber Hamilton Architecture plans SK1103 (rev B) and SK2306 as conceptual master plans for the depot at the corner of Rushforth Road and Tyson Street, South Grafton and the office accommodation at 2 Prince Street, Grafton respectively.
6. Council notify the NSW Office of Local Government of the project in accordance with its Capital Expenditure Guidelines.

Voting recorded as follows

For: Councillors Williamson, Howe, Hughes, Kingsley, Challacombe

Against: Councillors Toms, Baker, McKenna, Simmons

ATTACHMENT 4 – EVALUATION CRITERIA FOR THE DELEGATION OF PLAN MAKING FUNCTIONS

Checklist for the review of a request for delegation of plan making functions to councils

Local Government Area: Clarence Valley Council

Name of draft LEP: Clarence Valley Local Environmental Plan 2011 (proposed amendment to)

Address of Land (if applicable): Lot 1 DP 557049, Rushforth Road, South Grafton

Intent of draft LEP: to enable redevelopment of the site for the purposes of a new Council depot and office/administrative facilities by altering the labelled purpose of current SP2 Infrastructure zone on the relevant Land Zone map sheet from “Sewerage treatment plant” to “Depot and Public administration building”.

Additional Supporting Points/Information: None other than the minuted officer report considered by Clarence Valley Council on 15 July 2014.

Evaluation criteria for the issuing of an Authorisation (Note: where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Is the planning proposal consistent with the Standard Instrument Order 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Director-General?	Y			
Does the planning proposal adequately address any consistency with all relevant S117 Planning Directions?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
Minor Mapping Error Amendments	Y/N			
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?		✓		
Heritage LEPs	Y/N			
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?		✓		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		✓		
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		✓		

Reclassifications	Y/N			
Is there an associated spot rezoning with the reclassification?		✓		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		✓		
Is the planning proposal proposed to rectify an anomaly in a classification?		✓		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		✓		
Will the draft LEP discharge any interests in public land under section 30 of the Local Government Act, 1993?		✓		
If so, has council identified all interests; whether any rights or interests will be extinguished; any trusts and covenants relevant to the site; and, included a copy of the title with the planning proposal?		✓		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) Classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land?		✓		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		✓		
Spot Rezoning	Y/N			
Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?		✓		
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?		✓		
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?		✓		
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		✓		

Does the planning proposal create an exception to a mapped development standard?		✓		
Section 73A matters				
Does the proposed instrument a. correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?; b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or c. deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land? (NOTE – the Minister (or Delegate) will need to form an Opinion under section 73(A(1)(c) of the Act in order for a matter in this category to proceed).		✓		

NOTES

- Where a council responds 'yes' or can demonstrate that the matter is 'not relevant', in most cases, the planning proposal will routinely be delegated to council to finalise as a matter of local planning significance.
- Endorsed strategy means a regional strategy, sub-regional strategy, or any other local strategic planning document that is endorsed by the Director-General of the department.