



Planning Proposal

Buffer to industrial activity

2 Jude Road, Howlong

November 2014

habitatplanning

town planning | urban design

Suite 1, 622 Macauley Street

ALBURY NSW 2640

t 02 6021 0662 | f 02 6021 0663

e habitat@habitatplanning.com.au

Prepared for

Cool Off Pty Ltd and Dried & True Pty Ltd

2 Jude Road
HOWLONG NSW 2643

habitatplanning

town planning | urban design

Suite 1
622 Macauley Street
ALBURY NSW 2640

Phone: 02 6021 0662
Fax: 02 6021 0663
habitat@habitatplanning.com.au
www.habitatplanning.com.au



Member – NSW Consulting Planners



Document Control

Version	Date	Author	Title	Approved
A	31/10/14	WH	Draft for client review	
B	04/11/14	WH	Final for lodgement	

© 2014 Habitat Planning

The information contained in this document produced by Habitat Planning is solely for the use of the person or organisation for which it has been prepared and Habitat Planning undertakes no duty to or accepts any responsibility to any third party who may rely upon this document.

All rights reserved. No section or element of this document may be removed from this document, reproduced, electronically stored or transmitted in any form without the written permission of Habitat Planning.

CONTENTS

1.	INTRODUCTION.....	3
1.1	Overview	3
1.2	Current site context.....	3
1.3	Surrounding land	7
1.4	Current activity.....	7
1.5	Future development.....	8
2.	INTENDED OUTCOMES.....	9
3.	EXPLANATION OF THE PROVISIONS	9
4.	JUSTIFICATION	10
4.1	Need for the Planning Proposal	10
4.2	Relationship to strategic planning framework.....	13
4.3	Environmental, social & economic impact.....	22
4.4	State & Commonwealth interests.....	22
5	COMMUNITY CONSULTATION	22
6	PROJECT TIMELINE	24

1. INTRODUCTION

1.1 Overview

This is a Planning Proposal instigated by the need to provide a buffer around an industrial facility at 2 Jude Road in Howlong to protect its current and future operation. The Planning Proposal intends to utilise a site specific existing clause within the *Corowa Local Environmental Plan 2012* (CLEP) relating to a buffer around an industrial activity in Corowa and adapt it for any industrial site for which a buffer may be appropriate. The purpose of the buffer clause is to require Council as the consent authority to consider the impact on the industrial activity of any proposed development within the buffer.

The Planning Proposal has been prepared in accordance with the Department of Planning's *A Guide to Preparing Planning Proposals* ("the Guide").

1.2 Current site context

The subject industrial activity is on land currently described as Lots 93 & 94 in DP 753744 and addressed as 2 Jude Road, Howlong. The existing development is contained within the boundaries of Lot 93, which has an area of approximately 8 hectares. The total area of the two lots is approximately 16 hectares.

The subject land is located within the Howlong Industrial Estate on the north eastern fringe of the township (see Figures 1 & 2). Specifically the site is located at the eastern edge of the industrial estate on the corner of Jude and Walbundrie Roads.

Access to the site is from Jude Road (see Figure 3) with no access from Walbundrie Road. Both these roads are constructed to Council standard and sealed.

The site is flat and there are no watercourses or remnant vegetation present or in close proximity. Drainage from the land is to table drains within the adjoining road reserves. The land is not identified in planning instruments as being flood or bushfire prone.

The industry is a scheduled activity (Livestock Processing Activities) and operates under EPA license number 11867. Waste water from the development is currently disposed of within the site via an approved on-site waste water treatment and disposal system in accordance with the EPA license. With the expansion of the facility, it is intended to direct waste water to Howlong's sewerage system.

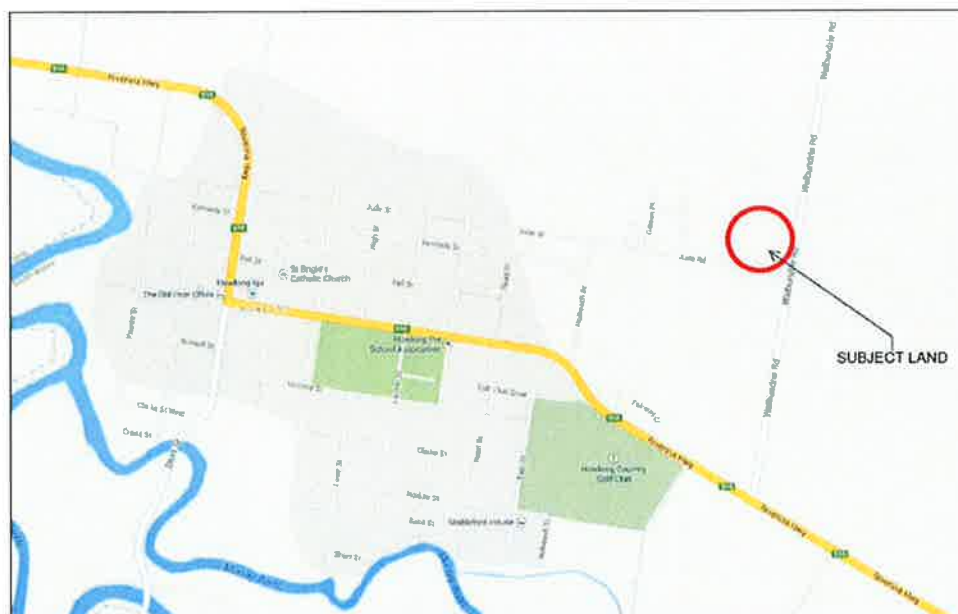


Figure 1 – Location of subject land within the context of Howlong (Source: Google Maps)



Figure 2 – Subject land (shown by red outline) within the context of its immediate surrounds (Source: Google Maps)

The site is currently developed with three large industrial buildings and ancillary structures including above ground water tanks, two dams, site office, boiler room, car parking, vehicle access and manoeuvring areas, outdoor storage and landscaping (see Figure 2).

The product freezing plant is the oldest building on the site located in the southeast corner of Lot 93. It is setback approximately 45 metres from Jude Road and 50 metres from Walbundrie Road. This building also contains the administrative area of the business (see Figure 5). It is clad in green colorbond material with several openings by way of windows and doors. The freezer storage building (see Figure 8) is located immediately behind the product freezing building and is of a similar scale and utilises the same external building material. It is setback approximately 45 metres from the Walbundrie Road boundary of Lot 93.

A concrete driveway runs along the side of these two buildings on the eastern side and provides access to the open awning areas (see Figure 9). The product packaging and storage plant is situated to the west of two other buildings and is also of a similar scale and building material. This building is setback approximately 100 metres from the Jude Road boundary (see Figure 6) and separated from the other two buildings by approximately 20 metres (see Figure 7).

Two large water tanks are located in front of the product packaging and storage building. The water for these tanks is sourced from roofs of the three main buildings and is part of the firefighting system for the site. In addition to tank storage a non-potable water supply is also available from two small dams adjacent to the Jude Road boundary.

Car parking is provided within the Jude Road setback as well as on the western side of the product packaging and storage building and on the northern side of the drying kilns (see Figures 4, 5 & 10). This car parking is not constructed but is provided with an all-weather hardstand gravel surface and functions adequately as informal space given the large area of open space available around the site. Vehicle access is provided around the site either on a compacted gravel or concrete surface.

The bulk of outdoor storage associated with the industrial activity is located in the large area between the buildings and the northern boundary of Lot 93. This area is substantially screened from public view by landscaping and the buildings. Well established landscaping is

provided along the southern, eastern and northern boundaries of Lot 93 and assists in softening the appearance of the industrial development from outside areas (e.g. Jude and Walbundrie Roads).

Lot 94 is currently vacant and is used for agriculture unrelated to the industrial activity (see Figure 2).



Figure 3

Internal view of the existing access from Jude Road.



Figure 4

Existing on-site parking between buildings and Jude Road.

Note the established landscaping along the Jude Road frontage.



Figure 5

Entrance to office component (between the two vehicles) on the southern side of the site facing Jude Road.



Figure 6

Jude Road frontage of the existing freezing plant.



Figure 7

Space between the two rows of existing buildings.



Figure 8

Inside of the existing freezer storage building.



Figure 9

Eastern side of the site between buildings and Walbundrie Road.

Vegetation on the left screens the development from Walbundrie Road.



Figure 10

Staff parking and open storage area at the rear of the buildings on the northern side. Beyond the buildings is vacant land proposed for a car park and the new packaging and storage facility.

Land to the right is proposed for a future freezer plant as Stage 2 of the development application.

1.3 Surrounding land

The site is surrounded by undeveloped land used for extensive agriculture. Whilst the proposed development will extend the facility in a westwards direction, there will still be substantial separation to adjoining land. The adjoining land to the west is also used for industry and is characterised by smaller industrial lots with modest industrial developments. This land is also zoned IN1 whereas land on the other three sides is zoned RU1 Primary Production.

The nearest residences and/or land zoned for residential purposes are more than 800 metres from the site.

1.4 Current activity

Cool Off Pty Ltd was formed to collect offal from abattoirs to supply Mars Petcare with suitable raw material for the manufacture of the Mars range of pet foods. The company started as one of four offal collectors Australia wide to supply Mars and has been supplying Mars with offal for over 25 years. Eight years ago, through the development of various technologies which produced higher quality pet food offal with long shelf life at a competitive price, Cool Off took over the collection of abattoir offal from the other collectors and became the single Australian supplier to Mars of pet food offal.

As part of its Mars arrangement, Cool Off is assessing the option to replicate the current freezing operation in another new building in 2-3 years' time. Should it proceed, this project would also incorporate advanced technologies to allow more accurate product differentiation to comply with Mars requirements as well as allowing full back up of supply. This potential project and building is Stage 2 of the application and identified on the plans at Attachment 'A'. Recently Cool Off directors met with various US manufactures who have, or will be, using Cool Off frozen product. This product is either surplus to Mars requirements or is not a Mars specified product.

US manufacturers all expressed strong interest in Australian 'novel' proteins, including lamb, kangaroo, emu and goat. Cool Off is already exporting quantities of lamb bone meat and lamb trim. Following this visit additional offers for Cool Off frozen lamb trim and MDM (mechanically de-boned meat from boning room bones) have been received. Additionally the first order for frozen kangaroo was received. The proposed development to increase drying and storage capacity for Dried & True will free up space to allow additional freezer capacity to be installed for these export products. It would be an intermediate step and separate from any future Mars backup freezing project referred to above.

Dried and True Pty Ltd was formed to manufacture and market dried pet treats as a fit for Cool Off operations. A review of the dried pet treats market in Australia highlighted:

- The market was growing at 15% p.a. year on year.
- There were no major manufacturers making dried pet treats.
- There were numerous small 'backyard' operators and numerous importers of treats of dubious quality.
- All imported pet treats had to be irradiated.
- Abattoirs in the Cool Off supply chain had available material suited to dried pet treats manufacture, that was available at very suitable cost.
- Much of suitable raw material available in Australia was unique and with strong potential to be suitable for export.

After three years of operation, Dried & True has seen some significant milestones met, including:

1. The successful trialling of a pet treats drier complex, incorporating Australia's largest thermal solar cell and associated heatbank with heat recovery system.
2. The original start up turnover increased by a factor often with corresponding increase in employment. Sixty staff are now employed on the Dried & True operation.

3. The development of a co-manufacturing arrangements with major Australian retailers, including Pet Barn, Australia's largest group of pet stores, Woolworths 'Select' home brand and supplying Dried & True's 'Aussie Pet Health Treats' brand into all Costco Australian stores.
4. The implementation of an exclusive export supply arrangement with an American pet treats distributor, 'Best Bully Sticks' which also controls the 'Barkworthie' brand.
5. The completion of a supply agreement with Petco, one of the largest pet store chains in the US, with over 1,300 stores.
6. The possible contract with Costco US for sale of product to Costco stores in US. D&T already sells products through all Australian Costco stores.

In the future, the Directors have identified significant opportunities for future products and production processes that both tie in with utilising available raw material supply to make high margin new products that the company can sell via its expanding network of domestic and export customers. Some of Dried & True current customers are already inquiring about these new products and processes. It is anticipated that facilities to manufacture these products will be part of the future growth of the Howlong site and associated employment opportunities.

1.5 Future development

The site is currently the subject of a staged development application for the expansion of the existing activity.

Stage 1 involves the expansion of the existing dried pet treats production capacity combined with an increase in current freezing/storage capacity. The expansion of dried pet treats production capacity involves the construction of a new 5,000m² shed and installation of a drier. This will provide for a 200% increase in drying capacity for Dried and True Pty Ltd to accommodate the growth in current markets and to have capacity to supply new, large volume export markets in dried pet health treats. The production capacity will be up to 5,000 tonnes per annum.

The increase in freezing/storage capacity involves replacing current pallet racking space in the existing buildings with the installation of additional freezer and related refrigeration capacity. This will provide for a 40% increase in freezing and refrigeration capacity to accommodate immediate frozen storage requirements for export opportunities of frozen offal, bone and kangaroo products into the USA and Canada.

Employment associated with this proposal will be in the order of 60 permanent and casual staff in addition to the 120 staff currently employed on the site. The proposal includes the addition of two new amenities blocks for staff working in the preparation area of the existing D&T building and those working in the packing area of the proposed new building. These two areas will operate independently of each other. Existing staff currently use the facilities in the original Cool Off building which is satisfactory due to shift work over 24 hours, but is now at maximum capacity.

The proposal includes completing the installation of a full-site fire service to upgrade the current turkey nest dam arrangement. The new facility will be fully compliant with relevant Australian Standards and includes two 280,000 litre dedicated water tanks with associated pressure pumping equipment. The facility is sized to cover current and future requirements.

An adjustment to the common boundary will also be undertaken between Lots 93 and 94 so as to contain both the existing and proposed development within the one lot. This will be completed prior to the occupation of the new facilities.

Stage 2 involves the construction of a new freezer plant on the northern side of the existing buildings on the site. The footprint of this building will be approximately 40 metres by 70 metres.

2. INTENDED OUTCOMES

The intended outcome of this Planning Proposal is to include provisions in the CLEP that will ensure the consent authority considers the impact of new development within proximity of an existing industrial activity in Howlong.

This will be achieved by adapting an existing clause within the CLEP (clause 7.11) that currently applies to a specific industrial activity on the edge of Corowa (the Riverlea Feedmill). As the provisions of this clause could equally apply to any industrial activity for which consideration needs to be given to development within proximity, it is proposed make the clause generic rather than site specific. This will enable it to be applied as appropriate to other sites within the Shire of Corowa as is the case with the Cool Off and Dried and True operation in Howlong.

The clause relates to an area surrounding an existing industrial site within which Council must consider the impact of the industrial activity on any new development within the designated buffer. The overall purpose of the clause is to avoid the potential for land use conflicts between the industrial activity and land uses within the buffer. The objectives and matters for consideration in the clause will not change as a result of the broadening of its scope.

3. EXPLANATION OF THE PROVISIONS

The provisions to achieve the intended outcome of the Planning Proposal are as follows:

1. Amending clause 7.11 of the CLEP to change an existing site specific reference to a general reference that can be applied to multiple sites in the Shire. The new clause proposed is as follows:

7.11 Development within buffer areas to industrial activities

- (1) The objectives of this clause are as follows:
 - (a) to protect the operational environment of industrial activities,
 - (b) to control development near industrial activities to minimise land use conflict.
 - (2) This clause applies to land identified as "buffer area" on the Local Clauses Map.
 - (3) Before granting development consent to development on land to which this clause applies, the consent authority must consider the following:
 - (a) the likely adverse impact that any noise or other emissions associated with existing land uses may have on the development,
 - (b) any proposed measures incorporated into the development that limit the impact of such noise and other emissions associated with the existing land use,
 - (c) the likely adverse impact of the development on the operations of the industrial activity,
 - (d) whether the development has been sited to maximise the distance between the development and the industrial activity and minimise any land use conflict.
2. Introduce a Local Clauses Map in to the CLEP (to be referenced as Local Clauses Map - Sheet LCL_009) to show a 500 metre buffer around the perimeter of Lots 93 & 94 in DP 753744 (see Figure 11) within which clause 7.11 applies.



Figure 11 – Proposed 500 metre buffer around the site.

4. JUSTIFICATION

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for their implementation. The questions to which responses have been provided are taken from the Guide.

4.1 Need for the Planning Proposal

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

As a pre-cursor to the 2012 CLEP, Council undertook a strategic planning exercise for the Shire culminating in the adoption of the *2011-2031 strategic land use plan (SLUP)*. The SLUP included strategic plans for each of the three main settlements in the Shire and these were subsequently included in the *Corowa Shire Development Control Plan 2013 (CDCP)* to assist in determination of development applications.

An extract from the SLUP for that part of Howlong to which the Planning Proposal relates is shown at Figure 12. The SLUP shows that is intended for buffers to be applied to land surrounding the Howlong Industrial Estate. The Planning Proposal is giving effect to that desired strategic outcome.

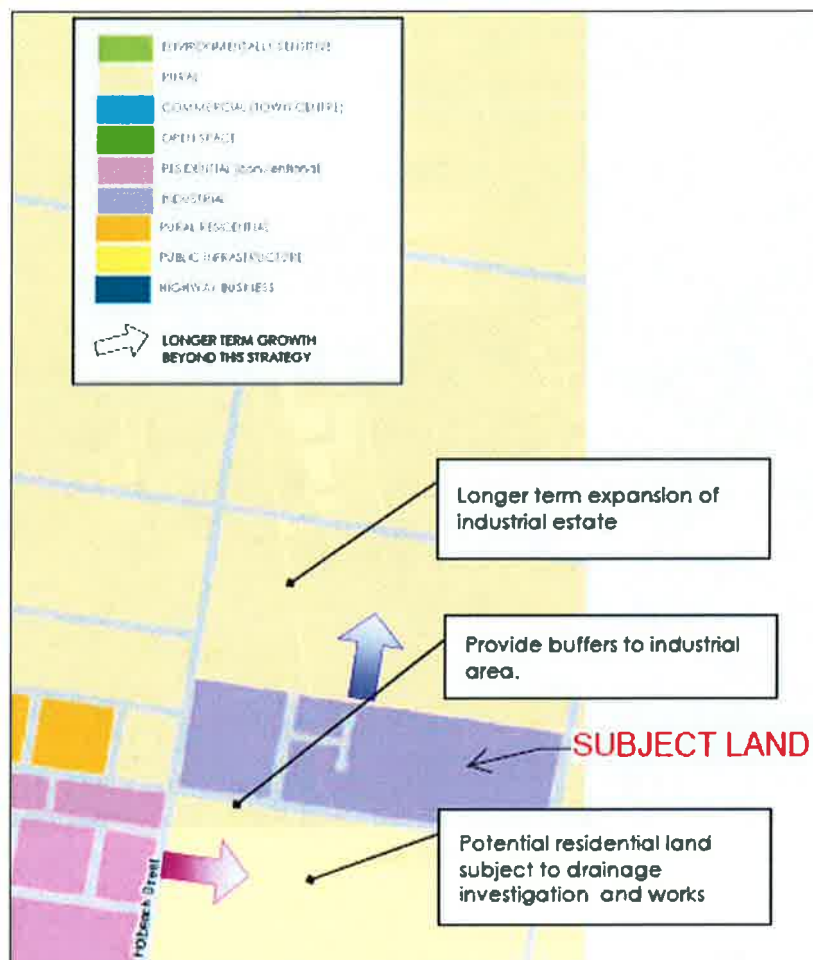


Figure 12 – Extract from 2011-2031 Strategic Land Use Plan (for Howlong)

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

The objective of avoiding potential future land use conflicts between 'greenfield' development and the existing industrial activity is best achieved through acknowledgement of the issue in local planning instruments. In a land use planning context, the intended protection afforded by the buffer is there for all to see.

In addition the existence of clause 7.11 within the CLEP provides the opportunity for a buffer to be applied to the subject site without the introduction of additional clauses.

Is there a net community benefit?

On balance, there is a net community benefit to be gained from the Planning Proposal. This is considered in greater detail within the below table.

Table 4.1 – Net Community Benefit Test

Evaluation Criteria	Comment
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?	The most relevant regional strategy for Corowa Shire is the <i>draft Murray Regional Strategy 2009</i> ('the draft Strategy') that was prepared by the Department of Planning (DoP) in October 2009 but has never been adopted. The draft Strategy was exhibited however and is therefore a relevant matter to be considered in this Planning Proposal. Overall, the proposal is consistent with the general aims and objectives of the draft Strategy given that it supports the ongoing operation and future expansion of industrial activity.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Howlong township and Corowa Shire generally, is not located within global/regional city, strategic centre or corridor.
Is the LEP likely to create a precedent or create or change in expectations of the land owner or other land owners?	The proposal may create a precedent for the application of the buffer area to other industrial activities within the Shire. The LEP will provide the owner of the subject site with greater certainty that Council will not support development within 500 metres that will potentially conflict with the current and future operation of the industrial activity. The owner(s) of land affected by the buffer is already aware of the potential for its introduction through the planning process undertaken for the CLEP (including the SLUP). It is noted that only the land immediately to the south of the industrial activity will be required for future urban development in the foreseeable future.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	The proposal is not a 'spot' rezoning.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	The provision of a buffer to the existing industrial activity will provide confidence for the owner to go ahead with expansion plans (as per the current development application with Council). The expansion will create 60 new jobs.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The proposed buffer does not impose on any land zoned for residential purposes.
Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?	Electricity, reticulated water, reticulated sewer and gas and telecommunications are also provided to the property. It is intended to convert from an on-site waste water system to reticulated sewer with the expansion of the facility. The proposal will have no impact on public transport and pedestrian access.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	Not applicable.

Evaluation Criteria	Comment
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	There are no known significant government infrastructure investments in the immediate area which would be affected by this proposal.
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 such as flooding?	The subject land and the land contained within the proposed buffer is not identified as having any significant environmental or biodiversity values.
Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	Currently all land adjoining the subject land is zoned for either rural or industrial purposes. The buffer will ensure that any future development will be compatible with the existing industrial activity. The buffer will ensure the amenity of future users of land in proximity of the site is protected (i.e. future development that has the potential to be affected by the industrial activity will not be permitted). The proposal is unlikely to have any impact upon the public domain.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Not applicable.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	Not applicable.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The public interest is served by the Planning Proposal imposing a buffer around an existing industrial activity that will prevent the potential for future land use conflicts with new development. The implications of not proceeding are that the threat of potential land use conflicts remain and consequently the ongoing and future operation of the industrial activity could be placed in jeopardy.

4.2 Relationship to strategic planning framework

Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including exhibited draft strategies)?

There is no adopted regional strategy applicable to the Planning Proposal.

However the *draft Murray Regional Strategy* was prepared by the Department of Planning (DoP) in October 2009 but never adopted. However, the draft Strategy was exhibited (and poorly received) and is therefore a relevant matter to be considered in this Planning Proposal. Overall, the proposal is consistent with the general aims and objectives of the draft Strategy given that it seeks to support and encourage industrial development in the region.

Is the Planning Proposal consistent with the local Council's community strategic plan or other local strategic plan?

The *2011-2031 strategic land use plan* (SLUP) was endorsed in 2011, prior to the gazettal of the new LEP in 2012. For Howlong, the SLUP identifies the subject land as being located in

an area that is both currently being used for industrial purposes and is preferred for industrial purposes in the future (see Figure 12). This land use designation is reflected in the CLEP with the land being zoned IN1 General Industrial.

In terms of the Planning Proposal, the SLUP indicates the intention is to provide buffers to the “industrial area” of Howlong, which includes the subject land. The proposal is therefore giving effect to this strategic planning action.

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

There are a number of State Environmental Planning Policies (SEPP's) relevant to the Planning Proposal. The relevant SEPP's are addressed within Table 4.4 below.

Table 4.4 - Consistency with relevant State Environmental Planning Policies

No	SEPP	Applicable to Corowa Shire?	Extent of consistency
1	Development Standards	No	
4	Development without consent & Miscellaneous Exempt & Complying Development	No	
6	Number of Storeys in a Building	Yes	Not applicable to this proposal.
14	Coastal Wetlands	No	
15	Rural Landsharing Communities	No	
19	Bushland in Urban Areas	No	
21	Caravan Parks	Yes	Not applicable to this proposal.
22	Shops & Commercial Premises	Yes	Not applicable to this proposal
26	Littoral Rainforests	No	
29	Western Sydney Recreation Area	No	
30	Intensive Agriculture	Yes	Not applicable to this proposal.
32	Urban Consolidation (Redevelopment of Urban Land)	Yes	Not applicable to this proposal.
33	Hazardous & Offensive Development	Yes	Whilst this SEPP has application to industrial development, it is more about assessing development applications and hence is not relevant to the proposal.
36	Manufactured Home Estates	Yes	Not applicable to this proposal.
39	Spit Island Bird Habitat	No	
44	Koala Habitat Protection	Yes	Not applicable to this proposal.
47	Moore Park Showground	No	
50	Canal Estate Development	Yes	Not applicable to this proposal.
52	Farm Dams and Other Works in Land and Water Management Plan Areas	No	

No	SEPP	Applicable to Corowa Shire?	Extent of consistency
53	Metropolitan Residential Development	No	
55	Remediation of Land	Yes	Not applicable to this proposal.
59	Central Western Sydney Regional Open Space and Residential	No	
60	Exempt & Complying Development	No	
62	Sustainable Aquaculture	Yes	Not applicable to this proposal.
64	Advertising & Signage	Yes	Not applicable to this proposal.
65	Design Quality of Residential Flat Development	Yes	Not applicable to this proposal.
70	Affordable Housing (Revised Schemes)	No	
71	Coastal Protection	No	
	Affordable Rental Housing 2009	Yes	Not applicable to this proposal.
	Building Sustainability Index: BASIX 2004	Yes	Not applicable to this proposal.
	Exempt & Complying Development Codes 2008	Yes	Not applicable to this proposal.
	Housing for Seniors & People with a Disability 2004	Yes	Not applicable to this proposal.
	Infrastructure 2007	Yes	Not applicable to this proposal.
	Kosciuszko National Park Alpine Resorts 2007	No	
	Major Development 2005	Yes	Not applicable to this proposal.
	Mining, Petroleum Production & Extractive Industries 2007	Yes	Not applicable to this proposal.
	Rural Lands 2008	Yes	Not applicable to this proposal.

No	SEPP	Applicable to Corowa Shire?	Extent of consistency
	Sydney Region Growth Centres 2006	No	
	Temporary Structures 2007	Yes	Not applicable to this proposal.
	Western Sydney Employment Area 2009	No	
	Murray Regional Environmental Plan No. 2 – Riverine Land	Yes	This SEPP establishes principles for land use and development that seek to protect the riverine environment. The proposal is not inconsistent with these principles.

Is the Planning Proposal consistent with applicable Ministerial Directions (S.117 Directions)?

Section 117 of the EP&A Act allows the Minister for Planning to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of draft LEPs. A Planning Proposal needs to be consistent with the requirements of the Direction but can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of "*minor significance*". Those S117 Directions considered relevant to this Planning Proposal are as follows:

Table 4.5 - Consistency with relevant Section 117 Directions

No.	Direction Title	Applicable to Planning Proposal	Consistency
1. Employment and Resources			
1.1	Business & Industrial Zones	Yes, as it affects land within an existing industrial zone.	The objectives of this direction are to encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified strategic centres. The proposal is consistent with this direction because it: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.
1.2	Rural Zones	No	-
1.3	Mining, Petroleum Production & Extractive Industries	No	-
1.4	Oyster Aquaculture	No	-
1.5	Rural Lands	No	-
2. Environment and Heritage			
2.1	Environmental Protection Zones	No	-
2.2	Coastal Protection	No, does not apply to the Corowa LGA	-
2.3	Heritage Conservation	Yes, applies to all Relevant Planning Authorities where a Planning Proposal is prepared	The Planning Proposal does not affect or alter any heritage items or heritage conservation areas or relevant controls contained in Schedule 5 of the Corowa LEP 2012.

No.	Direction Title	Applicable to Planning Proposal	Consistency
2.4	Recreation Vehicle Areas	No	-
3. Housing Infrastructure and Urban Development			
3.1	Residential Zones	No.	-
3.2	Caravan Parks & Manufactured Home Estates	No	-
3.3	Home Occupations	No	-
3.4	Integrating Land Use and Transport	No	-
3.5	Development Near Licensed Aerodromes	No	-
3.6	Shooting Ranges	No	-
4. Hazard and Risk			
4.1	Acid Sulphate Soils	No	-
4.2	Mine Subsidence & Unstable Land	No	-
4.3	Flood Prone Land	No	-
4.4	Planning for Bushfire Protection	No	-
5. Regional Planning			
5.1	Implementation of Regional Strategies	No (there is no adopted regional strategy applicable to the Corowa LGA)	-
5.2	Sydney Drinking Water Catchment	No (does not apply to the Corowa LGA)	-

No.	Direction Title	Applicable to Planning Proposal	Consistency
5.3	Farmland of State & Regional Significance on the NSW Far North Coast	No (does not apply to the Corowa LGA)	-
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No (does not apply to the Corowa LGA)	-
5.5	Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	No. Revoked 18 June 2010	-
5.6	Sydney to Canberra Corridor	No. Revoked 10 July 2008.	-
5.7	Central Coast	No. Revoked 10 July 2008.	-
5.8	Second Sydney Airport: Badgenys Creek	No (does not apply to the Corowa LGA)	-
6.	Local Plan Making		
6.1	Approval and Referral Requirements	Yes	The Planning Proposal does not propose any provisions that would require referral of development applications to the Minister or any other public authority.
6.2	Reserving Land for Public Purposes	No	-
6.3	Site Specific Provisions	No as the proposal is not to "allow a particular development to be carried out".	-
7.	Metropolitan Planning		
7.1	Implementation of Metropolitan Strategy	No	-

4.3 Environmental, social & economic impact

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?

The proposal relates to the imposition of a buffer within which Council has additional matters to consider development applications against. Consequently it is more likely to constrain development rather than facilitate it. Within this context the proposal is likely to be of benefit to the environment. That said, there is no critical habitat etc within the area to which the buffer is proposed.

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

The proposal relates to the imposition of a buffer within which Council has additional matters to consider development applications against. Consequently it is more likely to constrain development rather than facilitate it. Within this context the proposal is likely to have a positive outcome rather than have any detrimental environmental effects.

How has the Planning Proposal adequately addressed any social and economic effects?

The social and economic benefits of the Planning Proposal are considered to be positive (see net community benefit assessment contained earlier in the report) given mostly that it will involve provide greater certainty for both the industrial activity to which the buffer surrounds and future developers of land in the vicinity.

The buffer will also provide the owner of the industry with confidence that the existing activity can continue and expand without facing potential land use conflicts. This confidence will have a positive economic impact through retention and expansion of employment as well as substantial investment in the Shire.

Consequently both the social and economic effects of the Planning Proposal are considered to be positive.

4.4 State & Commonwealth interests

Is there adequate public infrastructure for the Planning Proposal?

Whilst not relevant to the nature of the proposal, all existing urban infrastructure is available to the property from Jude Road. Existing services include reticulated water and sewer, electricity, gas and telecommunications.

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

Responses are not required on the proposal until after the Gateway determination.

5 COMMUNITY CONSULTATION

The Planning Proposal will be subject to public exhibition and agency consultation as part of the Gateway process. The gateway determination will specify the community consultation that must be undertaken on the planning proposal. As such, the exact consultation requirements will be determined upon receipt of the gateway determination.

This Planning Proposal is considered to be a relatively minor proposal given it relates to a clause that already exists in the CLEP. The application of the buffer (and clause) to the subject site in Howlong will have no direct impact on the land to which it applies. It is noted that all land adjoining the site is zoned either rural or industrial.

The proposal will be exhibited for a period of 28 days in accordance with the requirements of section 57 of the *Environmental Planning & Assessment Act 1979* and the NSW Department of Planning and Infrastructure's: *A guide to preparing local environmental plans* (October 2012).

At a minimum, the future consultation process is expected to be in accordance with the consultation requirements set out in the Department of Planning and Infrastructure's guidelines, being:

- written notification will be provided to adjoining and surrounding landowners who may be directly or indirectly impacted by the proposed development, with a minimum notification period of 28 days;
- consultation with relevant Government Departments and Agencies, service providers and other key stakeholders, as determined in the gateway determination;
- public notices to be provided in a local newspaper and on Councils' website;
- static displays of the Planning Proposal and supporting material Council offices;
- electronic copies of all documentation being made available to the community free of charge.

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

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

6 PROJECT TIMELINE

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

Milestone	Date/timeframe
<i>Anticipated commencement date (date of Gateway determination)</i>	December 2015
<i>Anticipated timeframe for the completion of required studies</i>	None required.
<i>Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)</i>	2 months from Gateway
<i>Commencement and completion dates for public exhibition period</i>	Commence mid-January 2015 and complete 28 days after commencement
<i>Dates for public hearing (if required)</i>	Within 2 weeks of public exhibition completion
<i>Timeframe for consideration of submissions</i>	2 weeks following completion of exhibition
<i>Timeframe for the consideration of a proposal post exhibition</i>	1 month following completion of exhibition
<i>Anticipated date RPA will make the plan (if delegated)</i>	2 weeks following consideration of proposal
<i>Anticipated date RPA will forward to the department for notification (if delegated).</i>	1 month following consideration of proposal

