



Nambucca Shire Council

**Planning Proposal
Nambucca Local Environmental Plan
Amendment No. 24**

House Keeping Amendments

Prepared by:
*Development & Environment Section
Nambucca Shire Council*

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TABLE OF CONTENTS

PRELIMINARY	1
PART 1 OBJECTIVES AND INTENDED OUTCOMES.....	1
PART 2 EXPLANATION OF PROVISIONS.....	2
PART 3 JUSTIFICATION	6
SECTION A – NEED FOR THE PLANNING PROPOSAL	6
SECTION B –RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK.	7
SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT	17
SECTION D – STATE AND COMMONWEALTH INTERESTS	17
PART 4 MAPPING.....	17
PART 5 COMMUNITY CONSULTATION	17
PART 6 PROJECT TIMELINE.....	17
ATTACHMENT 1 - MAPS	
ATTACHMENT 2 – ITEM 4 ECOLOGICAL ASSESSMENT	

Preliminary

This planning proposal has been drafted in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979*, and 'A guide to preparing planning proposals' (DoP, 2016) for amendment to the Nambucca Local Environmental Plan 2010 (LEP). A gateway determination under Section 3.34 of the Act is requested.

Part 1 Objectives and Intended outcomes

The objectives and intended outcomes of this planning proposal are to:

Item 1: Include restrictions on the height and floor space ratio of buildings on Lot 12 DP 804952 - 2A Banyandah Road, Hyland Park; Lot 22 DP 1036142 - Treleaven Street, Hyland Park; Lot: 2 Sec: C DP: 5574 & Lot: 6 DP: 722732 - 65 Wallace Street, Macksville; Lot: 1 DP: 129408 & Lot: 2 DP: 386999 - 78 Wallace Street Macksville.

Item 2: Remove floor space ratio controls on commercial land within High Street, Bowraville to facilitate the activation of Adam Lane.

Item 3: Rezone Lot 30 DP 635529 - 45 Old Coast Road, Nambucca Heads to a residential zone to reflect its current use, amend the minimum lot size map, and implement floor space ratio and height of building controls.

Item 4: Rezone Lot 701 DP 1054525 - Boronia Street, Nambucca Heads to a residential zone to reflect current/intended use and implement floor space ratio and height of building controls.

Item 5: Enable temporary events on public reserves and roads to be carried out without development consent.

Item 6: Rezone Lot 1 DP 525851 & Lot 11 DP 1076031 - 21 Riverside Drive, Nambucca Heads from its existing residential zoning to an Environmental Conservation zone in recognition of the cultural significance of the site and its recent acquisition by the crown for public purposes.

Item 7: Rezone existing residential zoned land within the road reserve at the intersection of Hyland Park Road and Mann Street, Nambucca Heads to facilitate development on the land which is consistent with development permissible on the adjoining business zoned allotment.

Item 8: Alter the commercial zone within the Macksville CBD to permit residential development in fringe areas which are predominantly characterised as residential areas.

Item 9: List the Reserve Hall (known now as the Rec hut) on the Crown Reserve at Scotts Head as a heritage item.

Item 10: Amend the minimum lot size for the Valla Beach caravan park to enable the subdivision of a residential lot from the existing large lot containing the caravan park.

Item 11: Insert a new standard clause which requires consideration to be given to measures to manage risk to life from flood in areas above the flood planning level.

Item 12: Include a 'pub' as an additional permitted use on Lot 519 DP 859627 and on part of Lot 1 DP 1187844 & Lot 520 DP 859627 – Wellington Drive, Nambucca Heads to make the existing pub (V-Wall Tavern) a permissible use as well as future additions to the pub.

Item 14: Include a 'caravan park' as an additional permitted use on part of Lot 7003 DP 1113130, Lot 7001 DP 1117183 and Lot 70 DP 1187005 so that it is permissible to approve development applications seeking approval to legalise existing encroachments onto these lots from the Big 4 and Foreshore caravan parks in Nambucca Heads.

Item 15: Amend the Land Zoning Map at 4 and 6 Back Street, Nambucca Heads (Lot 1 DP 114320, Lots 1 & 2 DP 213368) by rezoning the rear western halves of these lots from B3 Commercial Core to a residential zone to be consistent with surrounding lots and practical with regards to the topography of the land. Amend the Floor Space Ratio, Height of Building, and Minimum Lot Size maps on the areas to be

rezoned to R3 Medium Density Residential by including standards that are consistent with adjoining land already zoned R3.

Item 16: Provide an exemption for the creation of a grave or monument in an existing cemetery.

Item 17: Provide an exemption for the placement of an A-frame sign on a public footpath within a business zone.

Item 18: Delete existing exempt and complying development provisions within Schedules 2 and 3 of the LEP which have no effect.

Part 2 Explanation of Provisions

The proposed outcomes will be achieved (in numerical order as identified above) by:

Item 1: Amending the LEP Height of Buildings and Floor Space Ratio maps as shown in attachment 1 so that the following lots have a maximum building height limit of 8.5m and maximum floor space ratio of 0.55:1:

- Lot 12 DP 804952 - 2A Banyandah Road, Hyland Park and Lot 22 DP 1036142 - Treleaven Street, Hyland Park.

Amending the LEP Height of Buildings and Floor Space Ratio maps so that the following lots have a maximum building height limit of 10m and maximum floor space ratio of 1:1:

- Lot: 2 Sec: C DP: 5574 & Lot: 6 DP: 722732 - 65 Wallace Street, Macksville; Lot: 1 DP: 129408 & Lot: 2 DP: 386999 - 78 Wallace Street Macksville.

Currently, the above mentioned lots do not have any maximum height of building or floor space ratio controls applicable to them. The above proposed controls are consistent with those on surrounding allotments.

Item 2: Amending the LEP Floor Space Ratio map as shown in attachment 1 by removing the floor space ratio controls on the following land on the western side of High Street, Bowraville to facilitate the activation of Adam Lane by permitting increased development footprints fronting the laneway:

- Lots 1 & 2 DP 1083368 – 82 High Street; Lots 1 & 2 DP 1088352 – 86 High Street; Lot 1 DP 982339 & Lot 2 DP 921273 – 88 High Street; Lots 1 & 2 DP 315965 – 90 High Street; Lots A & B DP 398302 – 78 & 80 High Street; Lot 1 DP 334892 – 84 High Street; Lot 1 DP 909679 – 92 High Street; Lot 1 DP 1116306 – 94 High Street; Lot 1 DP 510320 – 96 High Street; Lot 2 DP 510320 – 98 High Street; Lot 2 DP 1110903 – 44 High Street; Lot 6 DP 666989 – 70 High Street; Lot 7 DP 664103 – 76 High Street; Lots 1 & 2 DP 948816 – 40 & 42 High Street; Lot 1 DP 575454 – 38 High Street; Lot 1 DP 950036 – 54 High Street; Lot 4 DP 654671 – 56 High Street; Lot 1 DP 933803 – 58 High Street; Lot 1 DP 958895 & Lot 1 DP 958894 – 72 High Street; Lot 14 Section 9 DP 758150 and Lot 1 DP 361405 – 34 High Street; Lot 2 DP 361405 – 36 High Street; Lots C & D DP 5611 – 46 & 48 High Street; Lots 30 & 31 DP 558328 – 50 & 52 High Street; Lot 3 DP 900933 – 60 High Street; Lots A & B DP 399273 – 62 & 64 High Street; Lots A & B DP 316099 – 66 & 68 High Street; Lot 1 DP 330860 – 74 High Street.

Item 3: Amending the LEP Land Zoning Map for Lot 30 DP 635529 - 45 Old Coast Road, Nambucca Heads by changing the current RU2 Rural Landscape zone to R1 General Residential, as well as the height of buildings, minimum lot size, and floor space ratio maps to restrict floor space ratio to 0.55:1, minimum lot size to 450m², and maximum building heights to 8.5m as shown in attachment 1. This land is a small lot currently substantially modified and occupied by an existing dwelling. The proposed amendments will be consistent with surrounding land.

Item 4: Amending the LEP Land Zoning Map for Lot 701 DP 1054525 - Boronia Street, Nambucca Heads by changing the current RE1 Public Recreation zone to part R1 General Residential and part E3 Environmental Management. It is also proposed to amend the height of buildings and floor space ratio maps for this land to restrict floor space ratio to 0.55:1 and maximum building heights to 8.5m as shown in attachment 1.

The Nambucca Heads Local Aboriginal Land Council (NHLALC) currently owns this lot. The lot is currently connected to reticulated sewer and water, with both legal and physical access available from Boronia Street and Pacific Street.

The RE1 Public Recreation Zone is generally intended for a wide range of public recreational areas and activities including local and regional parks and open space. As this lot is owned by the NHLALC and has not been reserved for public recreation purposes on the Land Reservation Acquisition Map, it is not considered that its current zoning is appropriate for the location and nature of the site, an opinion shared by the NHLALC.

While the development potential of the site is constrained due to steep slopes and watercourses; it is considered that some form of residential development could potentially occur on the site subject to matters such as slope, flora and fauna, bushfire, and drainage been addressed during the development assessment process. Please note that a dwelling on the proposed residential section of the site with a Bushfire Attack Level (BAL) of BAL 29 or less would require a minimum 42m Asset Protection Zone (APZ); however, this could be reduced to 33m if a dwelling was constructed to BAL Flame Zone requirements provided by Australian Standard 3959-2009. An Ecological Assessment has been undertaken on the lot by a suitably qualified person with the findings being that future development could occur on the land without any adverse impacts on threatened species. The ecological assessment has been included within attachment 2.

As part of this rezoning, it is also recommended that the residential part of the lot be provided with 450m² minimum lot size and the E3 Environmental Management be provided with a 40HA minimum lot size. Further, the Height of Buildings Map would show a maximum building height of 8.5m, and the Floor Space Ratio Map a maximum floor space ratio of 0.55:1. The inclusion of these standards and zones will provide consistency with adjoining land. Further to this it is noted that this land was previously zoned 2(a) Residential (Low-Medium Density) and the proposed R1 and E3 zones provide a sustainable balance to the potential future development of the land.

Item 5: Insert a new clause within the local provisions of the LEP that permits temporary events on public reserves and roads to be carried out without development consent. It is proposed to implement the following clause:

Events permitted without development consent

(1) *The objective of this clause is to provide for the temporary use of public reserves and public roads for exhibitions, meetings, concerts or events.*

(2) *Despite any other provision of this Plan, development (including any associated temporary structures) for the purpose of a temporary event may be carried out on a public reserve or public road without development consent.*

Note. Other approvals may be required, and must be obtained, under other Acts, including the [Local Government Act 1993](#), the [Roads Act 1993](#) and the [Crown Lands Act 1989](#).

(3) *[State Environmental Planning Policy \(Temporary Structures\) 2007](#) does not apply to development to which this clause applies.*

(4) *In this clause:*

public reserve *has the same meaning as in the [Local Government Act 1993](#).*

temporary event *means an exhibition, meeting, concert or other event that is open to the public for which land is used for a period of not more than 52 days (whether or not consecutive) in any period of 12 months*

Item 6: Rezone Lot 1 DP 525851 & Lot 11 DP 1076031 - 21 Riverside Drive, Nambucca Heads from R1 General Residential to E2 Environmental Conservation. Recently there were archaeological discoveries on the land which included the discovery of skeletal remains which were found to be approximately 600 years old. The social and cultural significance of the site to the Gumbaynggirr nation resulted in the NSW Planning Ministerial Corporation acquiring the site. An agreement has been made which will see the land transferred to Councils ownership. The agreement requires the land to be re-zoned to RE1 Public Recreation or E2 Environmental Conservation for heritage preservation purposes.

Given the heritage significance of the land, the E2 Environmental Conservation zone is considered to be the most appropriate. Having regard to this and the land use table for the E2 zone, it is also proposed to amend the Lot Size map from 450m² to 40ha to ensure the land cannot be subdivided and add the land to

the list of heritage items in Schedule 5. Given structures are still permissible on the land, it is not considered appropriate to amend the Floor Space Ratio or Height of Buildings maps.

Maps of the above mentioned amendments are provided within attachment 1.

Item 7: Rezone land within the road reserve at the intersection of Hyland Park Road and Mann Street, Nambucca Heads from R1 General Residential to B7 Business Park. The rezoning will facilitate development on the land which is consistent with development permissible on the adjoining Lot 133 DP 1233905.

This area of the road reserve was created to accommodate a future roundabout at the intersection. However, due to the volume of traffic generated from Hyland Park which has little potential for expansion; a roundabout is no longer considered necessary for the intersection. The area of this land suitable for development (excluding area to accommodate a sufficient road reserve for the existing intersection) is approximately 3,500m².

The proposed amendment will enable the land to be used for a practical purpose which will be facilitated by a future road closure/boundary adjustment.

It is also intended to amend the Height of Buildings Map for this section of land to 10m to be consistent with the adjoining B7 land, and the Lot Size map by removing the minimum lot size requirement.

Maps illustrating the proposed amendments have been included within attachment 1.

Item 8: Amending the LEP Land Zoning map to B4 mixed use in the fringe areas of the Macksville CBD and alter the Floor Space Ratio, and Lot Size Maps to be consistent with adjoining areas in accordance with the plans shown within attachment 1.

Item 9: Amending Schedule 5 of the LEP by adding the Reserve Hall (known now as the Rec hut) on the Crown Reserve at Scotts Head (Lot 1 DP 1126093) to the list of heritage items. The location and image of this building as well as a part map to be included within Schedule 5 is shown within attachment 1. Information provided to Council indicates that the hall was built in 1928 and is one of the oldest buildings remaining in the village. It was the focal point for entertainment and gatherings in Scotts Head, and was used as a school for 3 years from 1947. Today it is popular for recreational use as part of the reserve as well as a stage for entertainment.

Item 10: Amending the LEP Lot Size map for the Valla Beach caravan park located at Lot 1 DP 1212394 – 1 Regatta Drive, Valla Beach as shown in the plan within attachment 1. The amendment will alter the existing area mapped with a minimum lot size of 40ha to 16ha. This will enable the subdivision of a residential lot from the area mapped with a minimum lot size of 450m² from the existing large lot containing the caravan park. The proposed 16ha minimum lot size will not enable further subdivision of the land as the large lot will have an approximate area of 17ha.

Item 11: Insert a new clause within the local provisions of the LEP titled 'Floodplain Risk Management' which requires consideration to be given to measures to manage risk to life from flood in areas above the 'Flood Planning Level' up to the 'Probable Maximum Flood' level. Currently the flood planning controls within the LEP only apply to areas at or below the 'Flood Planning Level' (1:100 event).

Item 12: Amending Schedule 1 of the LEP by adding a 'pub' as an additional permitted use on Lot 519 DP 859627 and on part of Lot 1 DP 1187844 & Lot 520 DP 859627 – Wellington Drive, Nambucca Heads. It is intended to create an Additional Permitted Uses Part Map as shown in attachment 1 to illustrate the areas on the above mentioned lots where a pub would be permissible.

Item 13: Amending Schedule 1 of the LEP by adding a 'caravan park' as an additional permitted use on part of Lot 7003 DP 1113130, Lot 7001 DP 1117183 and Lot 70 DP 1187005 so that it is permissible to approve development applications seeking approval to legalise existing encroachments onto these lots from the Big 4 and Foreshore caravan parks Nambucca Heads. It is intended to create Additional Permitted Uses Part Maps as shown in attachment 1 to illustrate the areas on the above mentioned lots where a caravan park would be permissible.

Currently there are sites with both permanent and short term accommodation which encroach from the above mentioned parks. These encroachments occurred many years ago without development consent. The alternative to creating the above mentioned Additional Permitted Use Part Maps would be to issue development control orders for the removal of these sections of the caravan parks. Given that they have

been established for many years, contain permanent residents who may find it difficult to find alternate accommodation, and are not resulting in any adverse environmental impacts; the option to create additional permissible uses over those sections of the caravan parks is considered to be the most reasonable.

Item 14: Amending the Land Zoning map at 4 and 6 Back Street, Nambucca Heads (Lot 1 DP 114320, Lots 1 & 2 DP 213368) by rezoning the rear western halves of these lots from B3 Commercial Core to R3 Medium Density Residential. This amendment is considered appropriate as the steep topography of the land and narrow allotments does not facilitate practical or viable commercial construction. The owner of 4 Back Street intends to do a boundary adjustment with 3 Bank Street to obtain an accessible frontage to Bank Street to undertake residential development.

To support this amendment, for the areas to be rezoned to R3 Medium Density Residential it is also proposed to amend the Floor Space Ratio map to 1.4:1, Height of Buildings to 12m, and Minimum Lot Size to 450m² which is consistent with direct adjoining land already zoned R3 Medium Density Residential.

Maps illustrating the above mentioned amendments are outlined within attachment 1.

Item 15: Amending Schedule 2 of the LEP by adding a clause that permits the creation of a grave or monument in a cemetery and any necessary maintenance works as exempt development. It is proposed to implement the following clause:

Cemeteries and burial grounds (other than those to which clause 5.10 applies)

Must only be development comprising:

- (a) the creation of a new grave or monument, or*
- (b) an excavation or disturbance of the land for the purpose of carrying out conservation or repair of a monument or grave marker.*

Note.

Clause 5.10 contains provisions that deal with the disturbance of human remains, relics in the form of grave goods or places of Aboriginal heritage significance

Item 16: Amending Schedule 2 of the LEP by adding a provision that permits the placement of an A-frame sign on a public footpath within a Business Zone as exempt development. Currently development consent is required for the placement of an A-frame sign on a footpath as well as approval under section 68 of the Local Government Act 1993. Council has prepared a Local Approvals Policy under section 158 of the Local Government Act 1993 which provides an exemption from the requirement to obtain approval subject to it meeting specified standards. The intention of this is to make it easier for business owners to have lawful A-frame signs at the front of their premises. However, the requirement to obtain development consent for the placement of these signs obstructs this process as it adds cost and delay to the business operator.

As such, it is proposed to implement the following clause in Schedule 2 of the LEP:

Signage—business zones

A-frame

- a. only 1 sign per commercial premises, and*
- b. must not be located on a footpath adjacent to a classified road, and*
- c. must be removed from the footpath outside of the approved operating hours of the related business.*

Item 17: Amending Schedules 2 and 3 of the LEP by deleting the provisions relating to the following:

- Re-stumping and existing building.
- Signage (excluding the inclusion of A-frame signs referred to above in Item 17).
- Tennis courts.
- Alterations and additions to industrial buildings.
- Strata subdivision.

The above provisions are specified in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the SEPP). In accordance with clause 1.9 of the SEPP, the above provisions within the LEP have no effect and cannot be utilised.

Part 3 Justification

Section A – Need for the Planning Proposal

1 Is the planning proposal the result of any strategic study or report?

The following items are the result of a strategic strategy/report:

Item 8 - A review of the land use zones for Macksville has been identified as an action in Council's 'Macksville observations and opportunities report'. The intention of the action was to assist the town to prepare for change with the Highway Bypass.

The North Coast Employment Land Review, undertaken for the Department in March 2015, states that "Generally, our assessment has concluded that there is sufficient zoned employment land to accommodate the future employment needs of the Nambucca LGA out to 2031. It is estimated:

- *Supply of business land will exceed demand by 22.2 hectares" (p460)*

The Review notes on page 481 that approximately 9 hectares of B3 zoned land is being used for residential purposes and has removed that area from their totals of commercial land available.

Therefore, rezoning this land to B4 will not adversely impact the supply of employment lands in the Shire.

The observations and opportunities report also indicated the following:

- *The B3 Commercial Core Land use zone should be reconsidered in areas where the actual land use is predominately residential.*
- *An alternative may be to rezone the land B4 Mixed Use which allows either commercial or residential uses, acknowledge the potential for land use conflicts or the land could be rezoned to the predominant use in that area (an appropriate residential zone).*

There are approximately 78 dwellings presently located in the predominantly residential fringe areas of the B3 Commercial Core zone in Macksville which rely on existing use rights for modifications, additions or extensions. Council may receive a 'change of use' application for a commercial use for one of these dwellings which are generally located in areas dominated by residential character and amenity.

If for any reason an approved commercial business in these areas fails, the B3 Commercial Core zone does not permit the owner to change the use back to residential; it can only retain its commercial status or provide shop-top housing. This provides uncertainty for business and can affect the residential marketability of property.

Council has received representations from some land owners currently in this situation within Matilda Street. An example of this is a business previously located in Matilda Street has moved into the CBD and the former business premises are for sale. A number of enquiries were received to use the property for residential purposes; however, because the property is not zoned residential it cannot be changed back to a residential use despite all the surrounding uses being residential.

The uncertainty for potential purchasers of a property in this situation could lead to difficulties in marketing and potential pricing variations. As such, it is proposed to amend the zone of these areas from B3 Commercial Core to B4 Mixed Use. This will ensure that the potential commercial use of these areas is not impacted while eliminating the above mentioned uncertainty created by the existing zoning.

Item 11 – In 2017 Council prepared a 'Floodplain Risk Management Study' which formed the basis for the 'Floodplain Risk Management Plan'. A recommendation of the study was to include a new standard clause titled 'Floodplain Risk Management' into the LEP. The terms of the recommended clause were:

Floodplain risk management

(1) The objectives of this clause are as follows:

- (a) in relation to developments with particular evacuation or emergency response issues - to enable the evacuation of land subject to flooding above the flood planning level,*

(b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events.

(2) This clause applies to land between the flood planning level and the probable maximum flood level.

(3) Development consent must not be granted to development for the following purposes on land to which this clause applies unless the consent authority is satisfied that the development incorporates appropriate measures to manage risk to life from flood:

- a) caravan parks,*
- b) correctional facilities,*
- c) emergency services facilities,*
- d) group homes,*
- e) hospitals,*
- f) residential care facilities,*
- g) tourist and visitor accommodation,*
- h) educational establishment.*

(4) In this clause, probable maximum flood has the same meaning as it has in the Floodplain Development Manual (ISBN 0 734754760) published in 2005 by the NSW Government.

The addition of this clause will ensure greater weight is to be given to Councils 'Floodplain Risk Management Plan' during the development assessment process for the specified development in areas located between the flood planning level and the probable maximum flood level.

Mapping of the shires flood planning level and probable maximum flood level does not form part of this proposal. The reasons for this are that these levels have only been surveyed within the eastern half of the shire and not within the rural areas in the west of the shire. A map illustrating the extent of the existing mapped probable maximum flood level has been included within attachment 1. Having a map which does not illustrate the full extent of the flood levels within the shire included within the LEP would result in those areas not captured in the mapping excluded from the operation of the proposed clause and the existing clause 7.3.

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

It is considered that the planning proposal is the best and only means of achieving the objectives and intended outcomes.

Section B – Relationship to strategic planning framework.

3 *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?*

It is not considered that the proposed amendments to the LEP will be contrary to the North Coast Regional Plan 2036. This is due to the majority of amendments being minor amendments to rectify errors or incorporate minor additions.

With regards to Items 2, 8, 14, and 15 and the directions provided for by the North Coast Regional Plan 2036; it is considered that these items will:

- Promote the growth of tourism by facilitating the continued use of existing short term sites within the affected caravan parks.
- Assist in the development of healthy, safe, socially engaged, and well connected communities as well as great places to live and work through the ability to activate Adam Lane, focus commercial development within the identifiable commercial core of Macksville, while facilitating increased development opportunities within the immediate surrounds.
- Increased housing supply and choice will be made available which will assist affordability.

While the land to which Item 3 applies may be outside the mapped urban growth area, the proposal to rezone the land from rural to urban is considered to be consistent with the variation principles as it will not be contrary to the objectives of the plan; will not require any additional infrastructure provision; the land is substantially modified with no areas of high environmental, heritage, or agricultural value; it will be consistent with surrounding land use zones; the land is not significantly affected by land use constraints; and it is not within the coastal area.

4 *Is the planning proposal consistent with the local Council's Community Strategic Plan, or other strategic plan?*

The proposed amendments will not be contrary to Councils Community Strategic Plan or any other strategic plan.

5 *Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP's)?*

The following State Environmental Planning Policies (SEPPs) are considered applicable to and have been considered in the preparation of this planning proposal:

- **State Environmental Planning Policy No. 44 – Koala Habitat Protection**

SEPP 44 encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range.

Under SEPP 44, potential koala habitat is defined as areas of native vegetation where the trees listed in Schedule 2 of the SEPP constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.

The planning proposal is not considered to be contrary to the requirements of this SEPP as the land the subject of the proposal is not potential koala habitat as it is highly modified with limited presence of native vegetation in areas of land that may be disturbed as a result of the amendments.

- **State Environmental Planning Policy No 55 – Remediation of Land**

SEPP 55 provides that Council is not to include in a particular zone any specified land if the inclusion of the land in that zone would permit a change of use of the land unless:

*“(a) the planning authority has considered whether the land is contaminated, and
(b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and
(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.”*

This SEPP is only relevant to Items 3, 4, 6, 7, 8, and 15. Given the Boronia Street site has always been vacant land formally zoned residential; that the proposed B4 land within Macksville will still facilitate commercial development; that the Back Street and Old Coast Road sites contain existing residential development; it is not considered that the land the subject of the proposal is contaminated. Further investigations can be undertaken at the development assessment stage.

- **State Environmental Planning Policy (Coastal Management) 2018**

The aim of this policy is to promote an integrated and coordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*, including the management objectives for each coastal management area. Much of the land the subject of this planning proposal is located within the coastal environment and use areas. It is not considered that future development resulting from the proposal would be contrary to any of the relevant matters for consideration.

- **State Environmental Planning Policy No 21—Caravan Parks**

The amendments outlined within Item 14 will enable the existing parks to comply with this policy.

6 *Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?*

Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979 applicable to this planning proposal are addressed as follows:

1 Employment and Resources

Direction 1.1 Business and Industrial Zones

The objectives of this direction are to:

- a encourage employment growth in suitable locations,
- b protect employment land in business and industrial zones, and
- c support the viability of identified strategic centres.

This direction applies when a council prepares a draft LEP that affects land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).

A draft LEP shall:

- 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.

The planning proposal will result in a reduction in the availability of B3 Commercial Core zoned land in Nambucca Heads (Item 15). However, it is unlikely that areas being rezoned to residential as part of this amendment would suit commercial developments due to topography constraints.

There will still be undeveloped land parcels in the remaining Commercial Core zone to provide for future growth. Additional demand for growth can be accommodated by redeveloping lots and maximising permissible building heights which are currently underutilised.

Item 15 of the planning proposal is considered a minor inconsistency to this direction.

Items 7 and 8 of the planning proposal are considered to be consistent with this direction as existing business zoned land in Macksville will be maintained and business zoned land at Nambucca Heads will be increased.

Direction 1.2 Rural Zones

The objective of this direction is to protect the agricultural production value of rural land.

This direction applies when a council prepares a planning proposal that affects land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary). Because the land is currently zoned RU1 Primary Production (rural zone), this direction is applicable.

The planning proposal is inconsistent with the terms of this direction because it proposes to rezone land from a rural zone to a residential zone (Item 3).

However, a planning proposal may be inconsistent with this direction if Council can satisfy the Director-General of the Department of Planning that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:
 - (i) gives consideration to the objectives of this direction,
 - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
 - (iii) is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or
- (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) is of minor significance.

The land at 45 Old Coast Road, Nambucca Heads is not considered to be productive agricultural land due to its size (1500m²); it has an existing residential use on it; it is boarded by the former Pacific Highway, Old Coast Road, and adjoining residential land; and any attempt to productively use the land for agricultural would most likely be unviable and result in conflict with adjoining uses.

Direction 11 of the North Coast Regional Plan 2036, which was prepared by the Department of Planning, seeks to protect and enhance productive agricultural lands. The land is not mapped as productive agricultural land within this regional plan.

It is considered that the above demonstrates that the land has no agricultural production value worth protecting and provides sufficient justification for the planning proposals inconsistency with this direction to be deemed of minor significance by the Director-General of the Department of Planning.

Direction 1.5 Rural Lands

The objectives of this direction are to:

- protect the agricultural production value of rural land,
- facilitate the orderly and economic development of rural lands for rural and related purposes.

This direction applies when:

- (a) a council prepares a planning proposal that affects land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or
- (b) a council prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.

What a council must do if this direction applies

- A planning proposal to which clauses (a) or (b) apply must be consistent with the Rural Planning Principles listed in *State Environmental Planning Policy (Rural Lands) 2008*.
- A planning proposal to which clause (b) applies must be consistent with the Rural Subdivision Principles listed in *State Environmental Planning Policy (Rural Lands) 2008*.

The planning proposal affects land within rural zone as it includes the rezoning of the land from rural to residential. The planning proposal is considered to be consistent with this direction as outlined under State Environmental Planning Policy (Rural Lands) 2008 earlier in this report.

2 Environment and Heritage

Direction 2.1 Environment Protection Zones

The objective of this direction is to protect and conserve environmentally sensitive areas. This direction applies when a council prepares a planning proposal.

What a council must do if this direction applies:

- a A planning proposal shall include provisions that facilitate the protection and conservation of environmentally sensitive areas.
- b A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP shall not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "*Rural Lands*".

This direction only applies to Item 14 of the planning proposal. Given the land on which the caravan parks currently encroach within the E3 Environmental Management zone are not identified as environmentally sensitive areas and that the land is currently significantly modified as part of the establishment of the caravan parks; it is not considered that the proposal is contrary to this direction.

Direction 2.2 Coastal Protection

The objective of this direction is to implement the principles in the NSW Coastal Policy. This direction applies when a council prepares a planning proposal that applies to land in the coastal zone.

A planning proposal shall include provisions that give effect to and are consistent with:

- a the *NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997*, and
- b the *Coastal Design Guidelines 2003*, and
- c the manual relating to the management of the coastline for the purposes of section 733 of the *Local Government Act 1993* (the *NSW Coastline Management Manual 1990*).

The planning proposal is not considered to be contrary to this direction as permissible development within the proposed zones can be undertaken in accordance with the above documents.

Direction 2.3 Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. This direction applies when a council prepares a planning proposal.

A planning proposal shall contain provisions that facilitate the conservation of:

- a items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,
- b Aboriginal objects or Aboriginal places that are protected under the *National Parks and Wildlife Act 1974*, and
- c Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the council, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

The amendments within this planning proposal are not contrary to the requirements of this direction as they will not impact the conservation of the above.

Direction 2.4 Recreation Vehicle Areas

The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.

This direction applies when Council prepares a planning proposal. The planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the *Recreation Vehicles Act 1983*):

- (a) where the land is within an environmental protection zone,
- (b) where the land comprises a beach or a dune adjacent to or adjoining a beach,
- (c) where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority has taken into consideration:
 - (i) the provisions of the guidelines entitled *Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985*, and
 - (ii) the provisions of the guidelines entitled *Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985*.

The planning proposal is not contrary to this direction as it does not enable land to be developed for the purpose of a recreation vehicle area.

3 Housing, Infrastructure and Urban Development

Direction 3.1 Residential Zones

The objectives of this direction are:

- a to encourage a variety and choice of housing types to provide for existing and future housing needs,
- b to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- c to minimise the impact of residential development on the environment and resource lands.

This direction applies when a council prepares a planning proposal that affects land within:

- a an existing or proposed residential zone (including the alteration of any existing residential zone boundary),
- b any other zone in which significant residential development is permitted or proposed to be permitted.

A planning proposal shall include provisions that encourage the provision of housing that will:

- a broaden the choice of building types and locations available in the housing market, and
- b make more efficient use of existing infrastructure and services, and
- c reduce the consumption of land for housing and associated urban development on the urban fringe, and
- d be of good design.

A planning proposal shall, in relation to land to which this direction applies:

- a contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
- b not contain provisions which will reduce the permissible residential density of land.

This direction applies to Items 1, 2, 3, 4, 8, and 15 of the planning proposal as they include the creation of a new residential zones and the alteration to restrictions on land within those zones. The planning proposal is considered to be consistent with this direction because the relevant amendments will be rectifying errors by zoning land residential so that it is consistent with its existing and surrounding uses, implementing restrictions on floor space ratio and height of buildings to be consistent with the surrounding area, and will be removing floor space ratio controls within High Street, Bowraville to encourage the activation of Adam Lane by permitting a broadened choice of building types and more efficient use of existing infrastructure.

Although Item 7 will result in a reduction of residential zoned land; it is not considered that this land is suitable for residential development due to conflicts with the adjoining business zone, intersection, and bushfire constraints posed by the adjoining state forest.

Direction 3.2 Caravan Parks and Manufactured Home Estates

The objectives of this direction are:

- (a) to provide for a variety of housing types, and
- (b) to provide opportunities for caravan parks and manufactured home estates.

This direction applies to Council when it prepares a planning proposal.

In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:

- (a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and
- (b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.

In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:

- (a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located,
- (b) take into account the principles listed in clause 9 of SEPP 36 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and
- (c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the Community Land Development Act 1989 be permissible with consent.

This direction is only relevant to Item 14 of the planning proposal. The planning proposal is not considered to be contrary to this direction as the purpose of Item 14 is to enable the retention of sections of existing caravan parks which have over time encroached within adjoining land. Furthermore, this planning proposal does not seek to identify any suitable zones, locations or provisions for MHEs.

3.3 Home Occupations

The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses. This direction applies when Council prepares a planning proposal.

The direction requires planning proposals to permit home occupations to be carried out in dwelling houses without the need for development consent.

The subject planning proposal does not include any amendments that would alter the existing permissibility to carry out a home occupation without development consent.

3.4 Integrating land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) improving access to housing, jobs and services by walking, cycling and public transport, and
- (b) increasing the choice of available transport and reducing dependence on cars, and
- (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
- (d) supporting the efficient and viable operation of public transport services, and
- (e) providing for the efficient movement of freight.

This direction applies when Council prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.

The direction requires a planning proposal to locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:

- (a) Improving Transport Choice - Guidelines for planning and development (DUAP 2001), and
- (b) The Right Place for Business and Services - Planning Policy (DUAP 2001).

The planning proposal is considered to be consistent with this direction due to its consistency with the provisions of '*Improving Transport Choice - Guidelines for planning and development*' (the guideline) and '*The Right Place for Business and Services - Planning Policy*'. The proposal will result in maximising the use of existing infrastructure by encouraging development within existing urban areas.

4 Hazard and Risk

Direction 4.1 Acid Sulfate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

This direction applies when a council prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.

Council shall consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.

When a council is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions shall be consistent with:

- a the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or
- b such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.

A council shall not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the council has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. Council shall provide a copy of any such study with its statement to the Director-General of the Department of Planning under section 64 of the EP&A Act.

The planning proposal is considered to be consistent with this direction because it does not include any changes to the existing provisions within clause 7.1 of the LEP which regulates works in acid sulfate soils or intensification of development on land which has the probability of containing acid sulfate soils that would be contrary to that clause.

4.3 Flood Prone Land

The objectives of this direction are:

- (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and
- (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

This direction applies when a Council prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land. The direction requires that:

- A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).
- A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.
- A planning proposal must not contain provisions that apply to the flood planning areas which:
 - (a) permit development in floodway areas,
 - (b) permit development that will result in significant flood impacts to other properties,
 - (c) permit a significant increase in the development of that land,
 - (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or
 - (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.
- A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).
- A planning proposal must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).

The planning proposal is considered to be consistent with this direction because:

- The existing provisions within clause 7.3 of the LEP will be maintained which give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005. Item 11 will give greater affect to these documents through the implementation of the proposed clause.
- Land within Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones will not be changed to Residential, Business, Industrial, Special Use or Special Purpose Zones.
- It will not significantly increase potential development within the flood planning area.
- The proposed additional clause in Item 11 does not apply to residential development.
- It does not include the determination of a flood planning level.

4.4 Planning for Bushfire Protection

The objectives of this direction are:

- (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- (b) to encourage sound management of bush fire prone areas.

This direction applies when Council prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.

The direction requires Council to consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination from the Minister and take into account any comments made. It also requires the planning proposal to:

- (a) have regard to Planning for Bushfire Protection 2006,
- (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and
- (c) ensure that bushfire hazard reduction is not prohibited within the APZ.

The planning proposal is considered to be consistent with this direction because:

- Consultation with the Commissioner of the NSW Rural Fire Service will occur once gateway approval has been received from the Minister.
- All future resulting from the relevant amendments will be capable of being compliant with the aims and objectives of Planning for Bushfire Protection 2006.
- It will not create potential for new inappropriate developments in hazardous areas.
- Will not prohibit hazard reduction.

5 Regional Planning

Direction 5.10 Implementation of Regional Plans

The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans. This direction applies to land to which a Regional Plan has been released by the Minister for Planning.

This direction applies when Council prepares a planning proposal. Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.

As outlined earlier, this planning proposal is considered to be consistent with the North Coast Regional Plan 2036 (the plan) because it will:

- Promote the growth of tourism by facilitating the continued use of existing short term sites within the affected caravan parks.
- Assist in the development of healthy, safe, socially engaged, and well connected communities as well as great places to live and work through the ability to activate Adam Lane, focus commercial development within the identifiable commercial core of Macksville, while facilitating increased development opportunities within the immediate surrounds.
- Increased housing supply and choice will be made available which will assist affordability.

6 Local Plan Making

Direction 6.1 Approval and Referral Requirements

The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

A planning proposal shall:

- a minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and
- b not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the council has obtained the approval of:
 - i the appropriate Minister or public authority, and
 - ii the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),
 prior to a certificate under section 65 of the Act being issued, and
- c not identify development as designated development unless the council:

- i can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and
- ii has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to a certificate being issued under section 65 of the Environmental Planning and Assessment Act 1979.

This Planning Proposal does not require the implementation of any concurrence provisions. The planning proposal is consistent with this direction.

Direction 6.2 Reserving Land for Public Purposes

The objectives of this direction are:

- a to facilitate the provision of public services and facilities by reserving land for public purposes, and
- b to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

A planning proposal shall not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).

When a Minister or public authority requests a council to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991*, the council shall:

- a reserve the land in accordance with the request, and
- b include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and
- c identify the relevant acquiring authority for the land.

When a Minister or public authority requests a council to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the council shall:

- a include the requested provisions, or
- b take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired.

When a Minister or public authority requests a council to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the council shall rezone and/or remove the relevant reservation in accordance with the request.

This Planning Proposal is consistent with this direction

Direction 6.3 Site Specific Provisions

The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. It requires a planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out to either:

- a) Allow that land use to be carried out in the zone the land is situated on, or
- b) Rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or
- c) Allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principle environmental planning instrument being amended.

Site specific provisions will be applied as part of Item 12. The proposal is consistent with this direction as there will be no development standards or requirements imposed in addition to those already contained in the existing LEP.

Section C – Environmental, social and economic impact

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?*

It is not considered that the proposal will have any significant effects on threatened species, populations, communities or their habitats as all land the subject of the proposal is heavily modified; with the minor disturbance required on the Boronia Street site (Item 4) addressed within the attached Ecological Assessment.

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

Given the disturbed/modified nature of the land the subject of this planning proposal and the existing planning controls applicable to future development on the land, it is not considered that there will be any other likely environmental effects as a result of the planning proposal.

9 *Has the planning proposal adequately addressed any social and economic effects?*

The planning proposal is expected to provide a number of social and economic benefits including:

- Providing certainty to permissible development within the Macksville town centre;
- Ensure development is consistent with other development on surrounding land through the implementation of development standards,
- Make it easier for people to undertake public events; and
- Minimise the risk to life during flood events.

Section D – State and Commonwealth Interests

10 *Is there adequate public infrastructure for the planning proposal?*

Yes. All land the subject of this planning proposal with future development potential is currently adequately provisioned with the necessary public infrastructure.

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

Government authorities have not been formally involved in this planning proposal as it is yet to receive gateway approval.

Part 4 Mapping

It is proposed to amend the Land Zoning, Minimum Lot Size, Floor Space Ratio, and Building Heights maps. Draft maps have been included within the attachment 1 of this planning proposal.

Part 5 Community Consultation

It is intended to undertake community consultation by way of an advertisement in the local newspaper and Councils website and notification to adjoining landowners advising of the planning proposal and the opportunity to make a submission. It is intended to advertise the planning proposal for 28 days.

Part 6 Project Timeline

September 2019	Gateway determination issued by Department of Planning & Environment
October 2019	Public exhibition of planning proposal and consultation with government agencies
November 2019	Analysis of public submissions and agency responses Preparation of Council report
December 2019	Endorsed planning proposal submitted to Department of Planning and Environment for finalisation

Attachment 1

Item 1

Existing Floor Space Ratio



Proposed Floor Space Ratio



Existing Height of Building Hyland Park



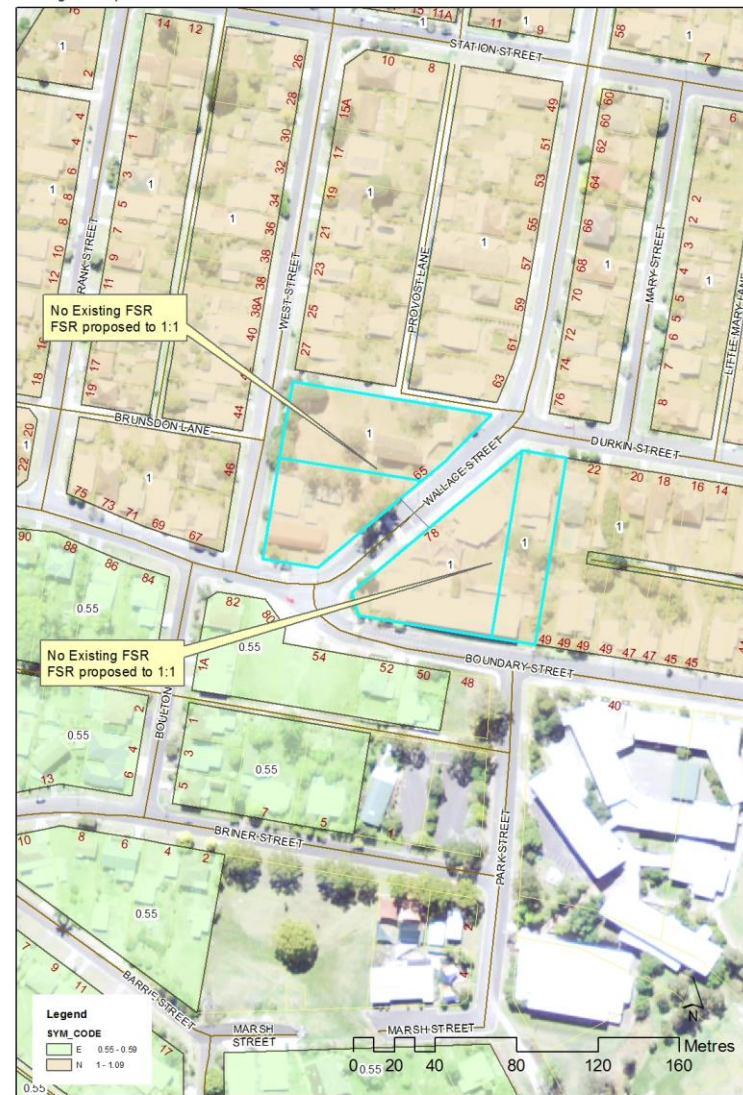
Proposed Height of Building Hyland Park



Proposed Height of Building Wallace Street Macksville



Existing Floor Space Ratio - Wallace St Macksville



Item 2



Item 3

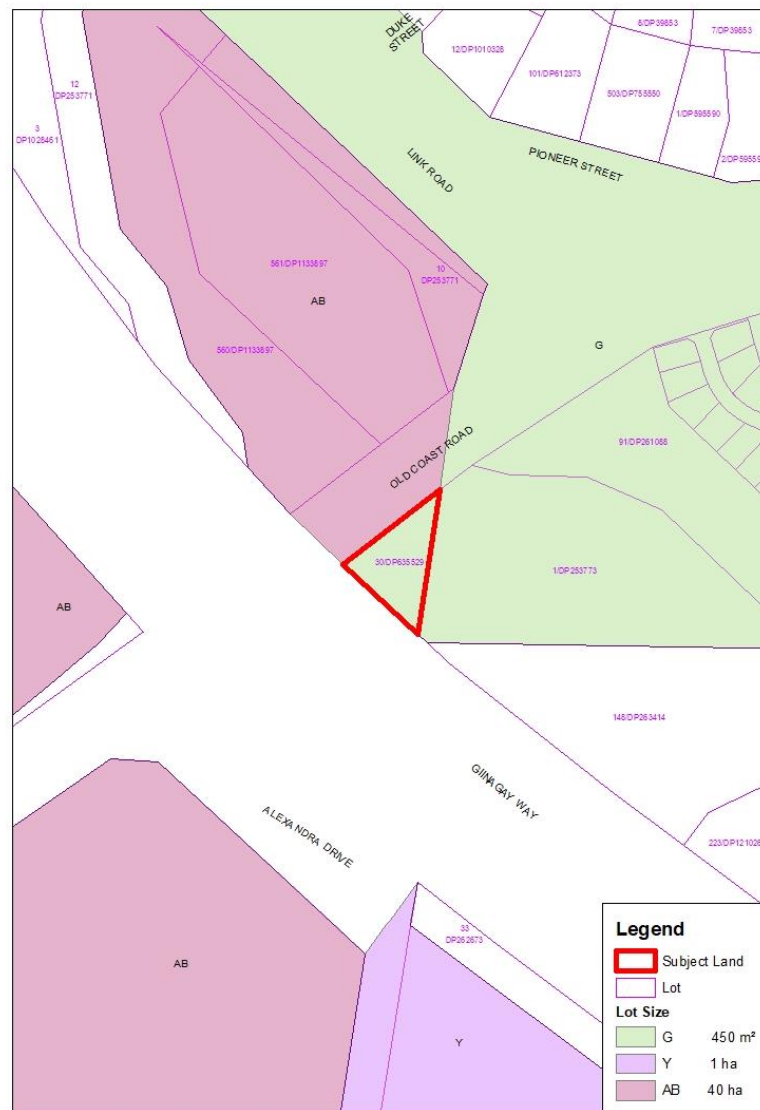
Proposed Land Use Zone of Building Old Coast Road



Proposed Height of Building Old Coast Road



Proposed Floor Space Ratio

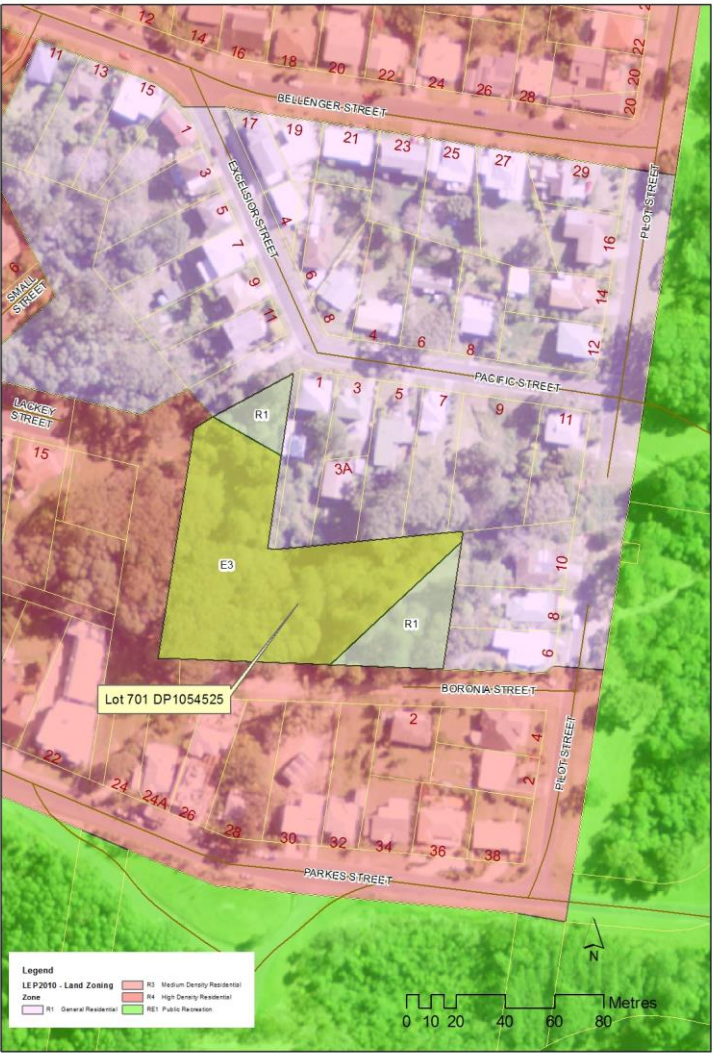


Item 4

Existing Land Use Zone Boronia Street Nambucca Heads



Proposed Land Use Zone Boronia Street Nambucca Heads



Existing Floor Space Ratio



Proposed Floor Space Ratio



Existing Height of Building Boronia Street



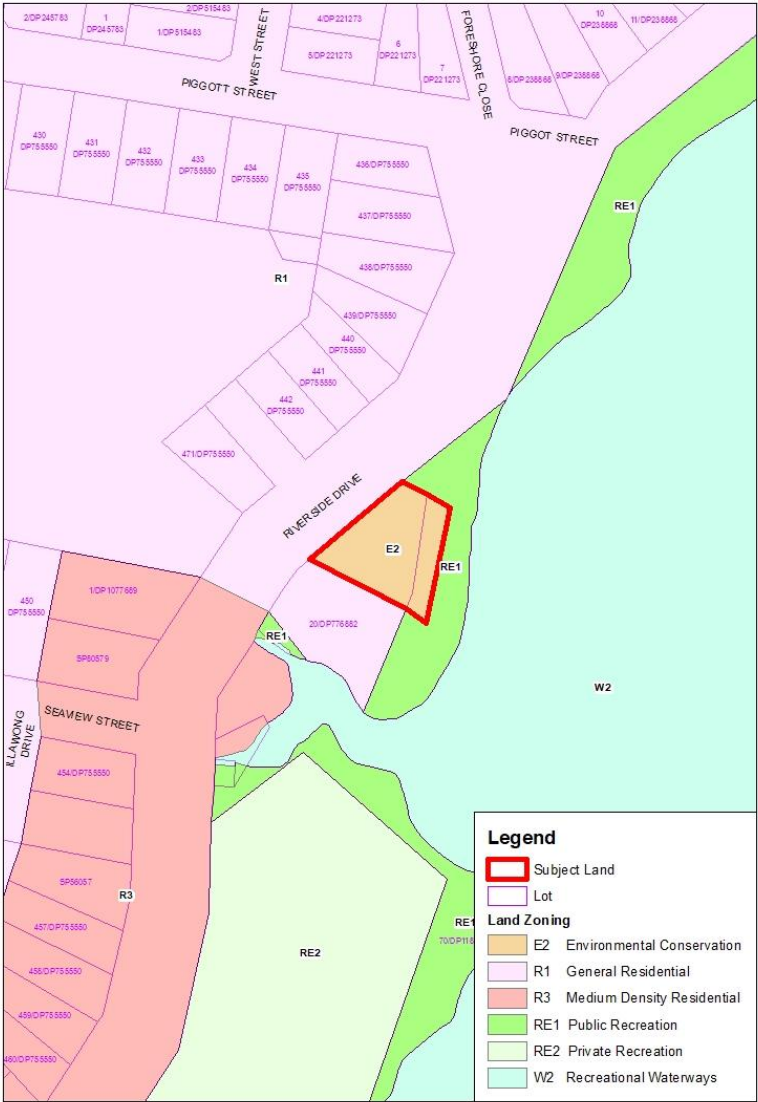
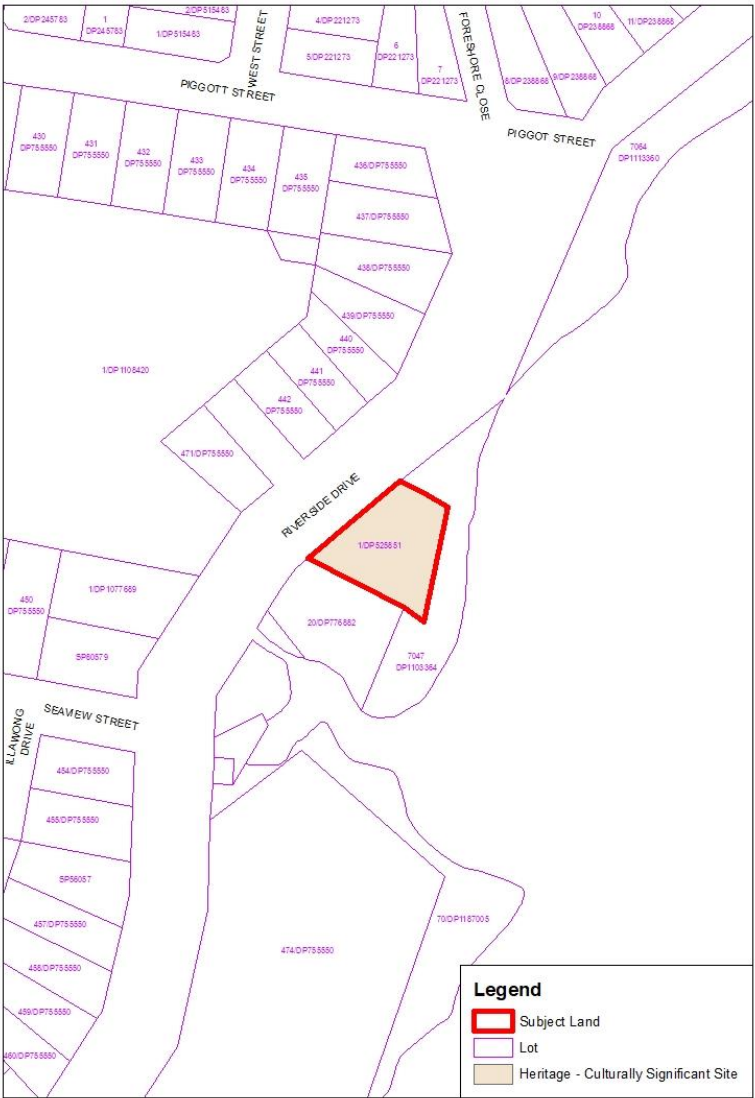
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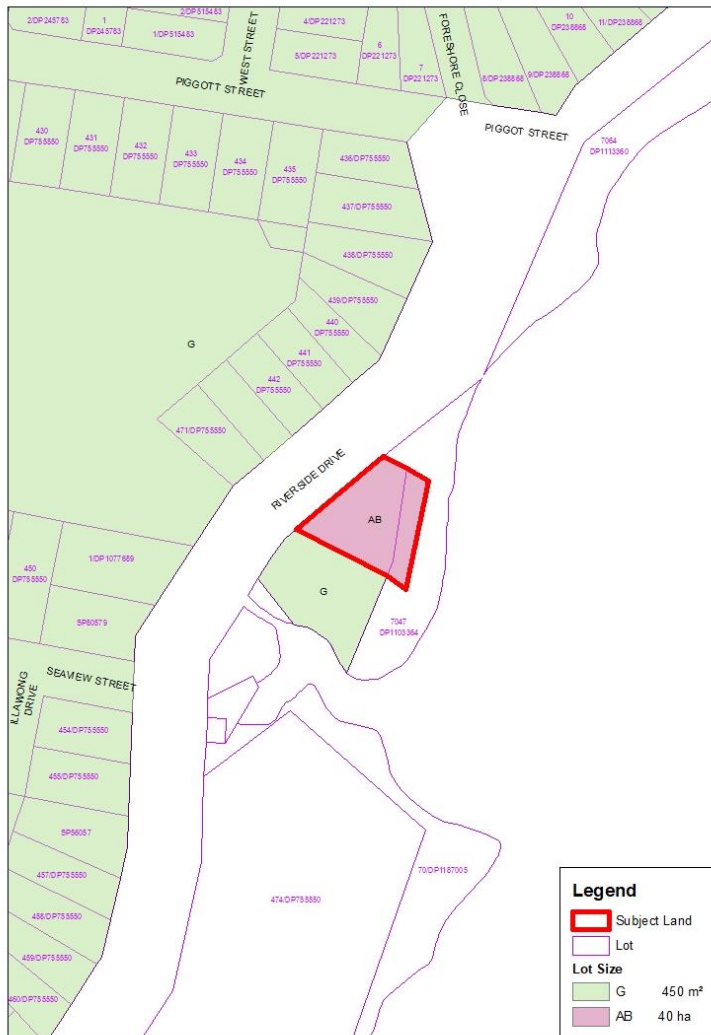


Proposed Minimum Lot Size

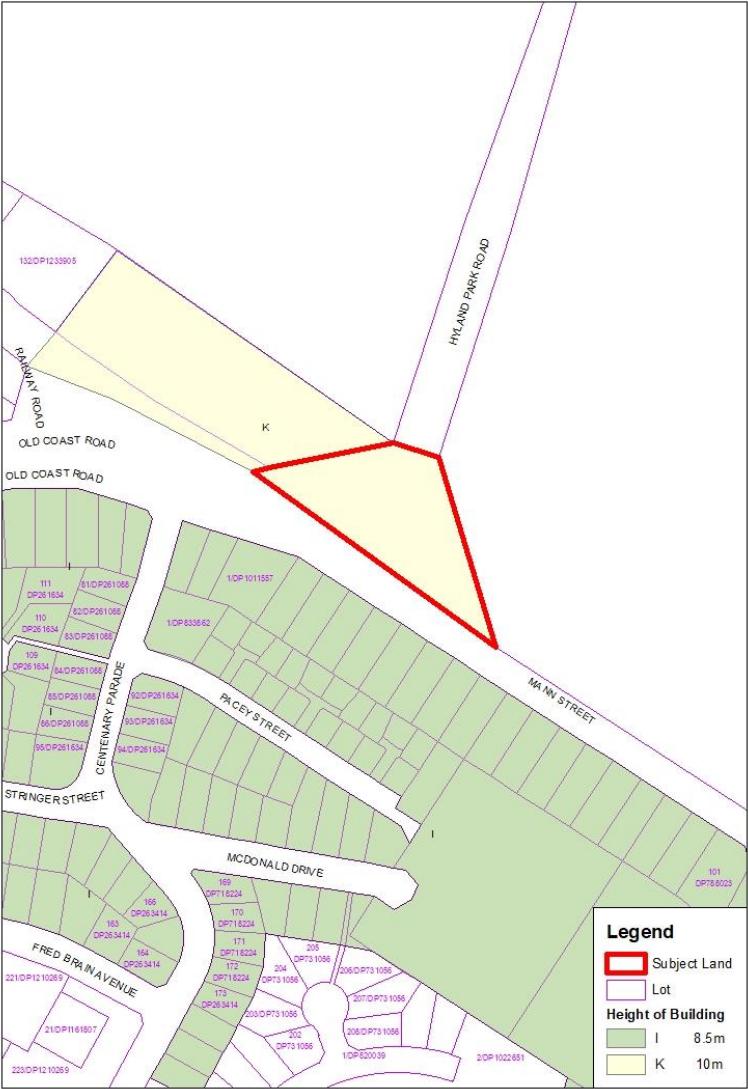
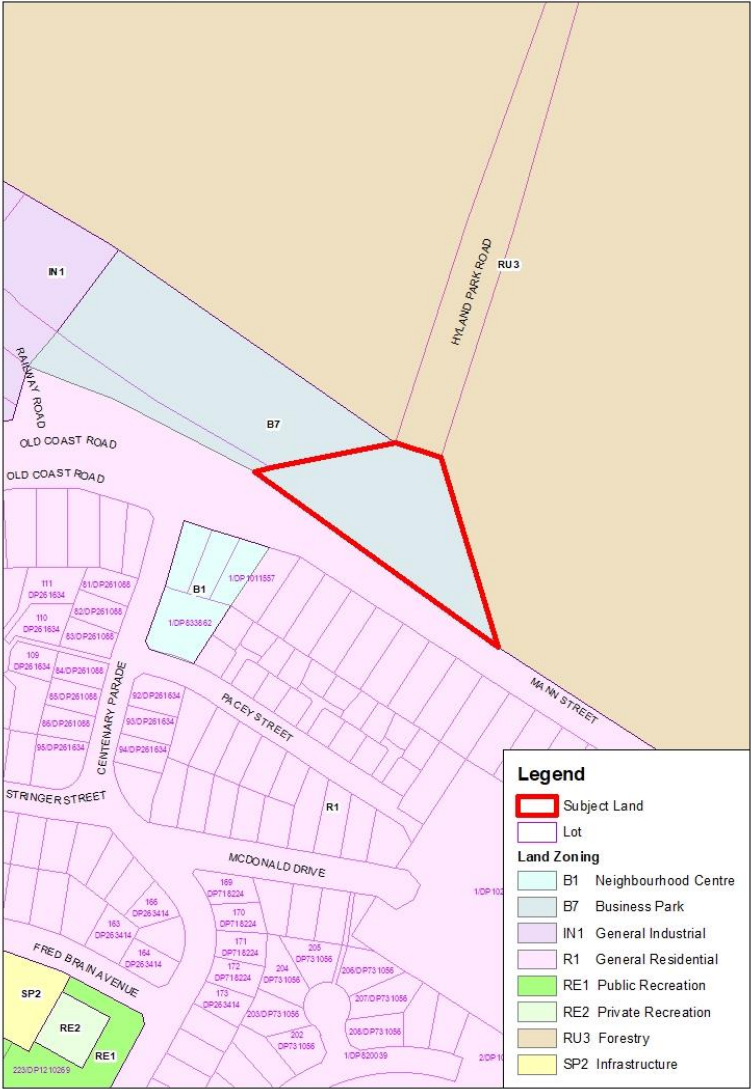


Item 6



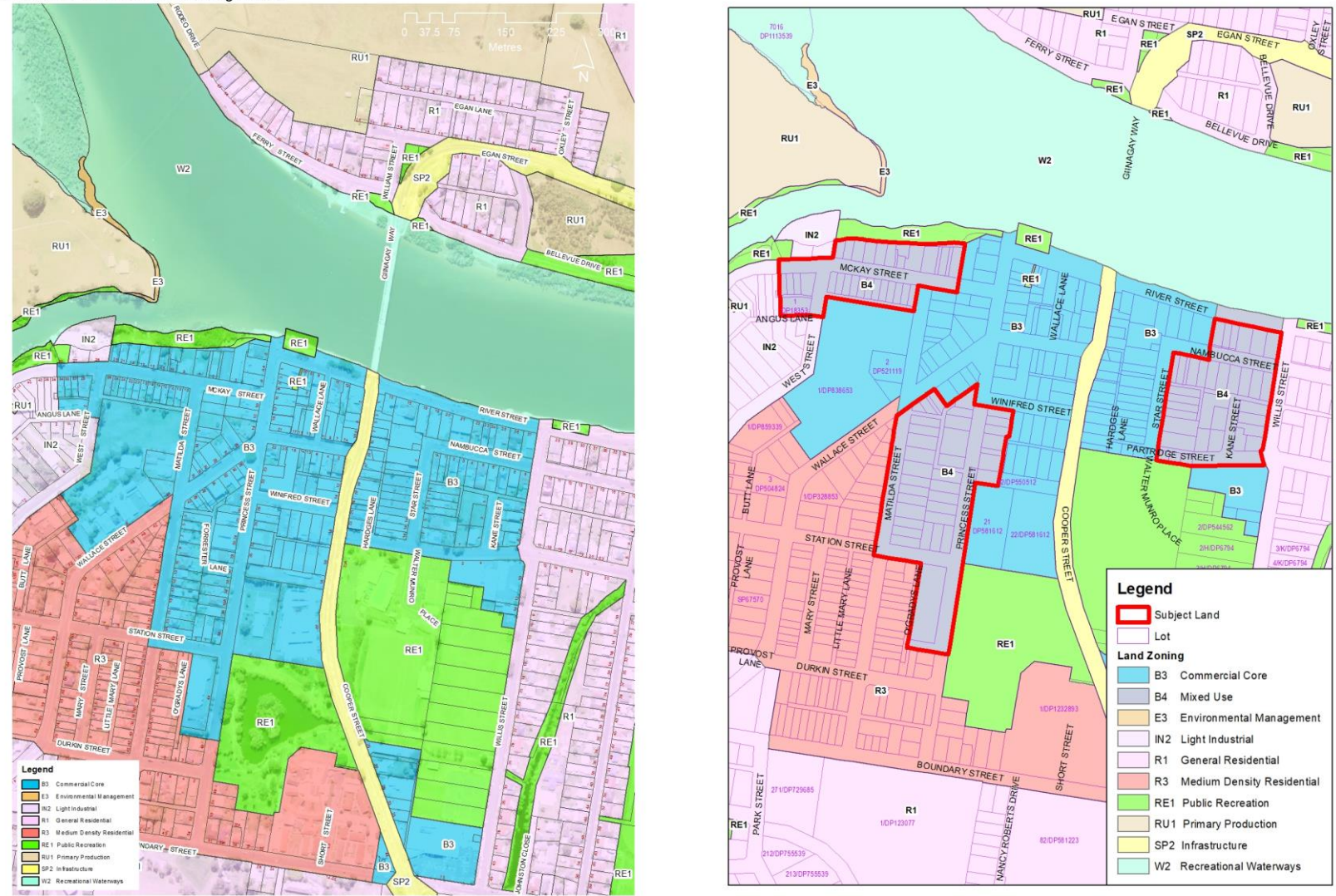


Item 7



Item 8

Macksville Town Centre - Existing Zones



Macksville Town Centre - Existing Floor Space Ratio



Macksville Town Centre - Proposed Floor Space Ratio Amendments




Existing and Proposed Minimum Lot Size Maps





Item 9



Legend

 Subject Land

 Lot

 Heritage

Item 10

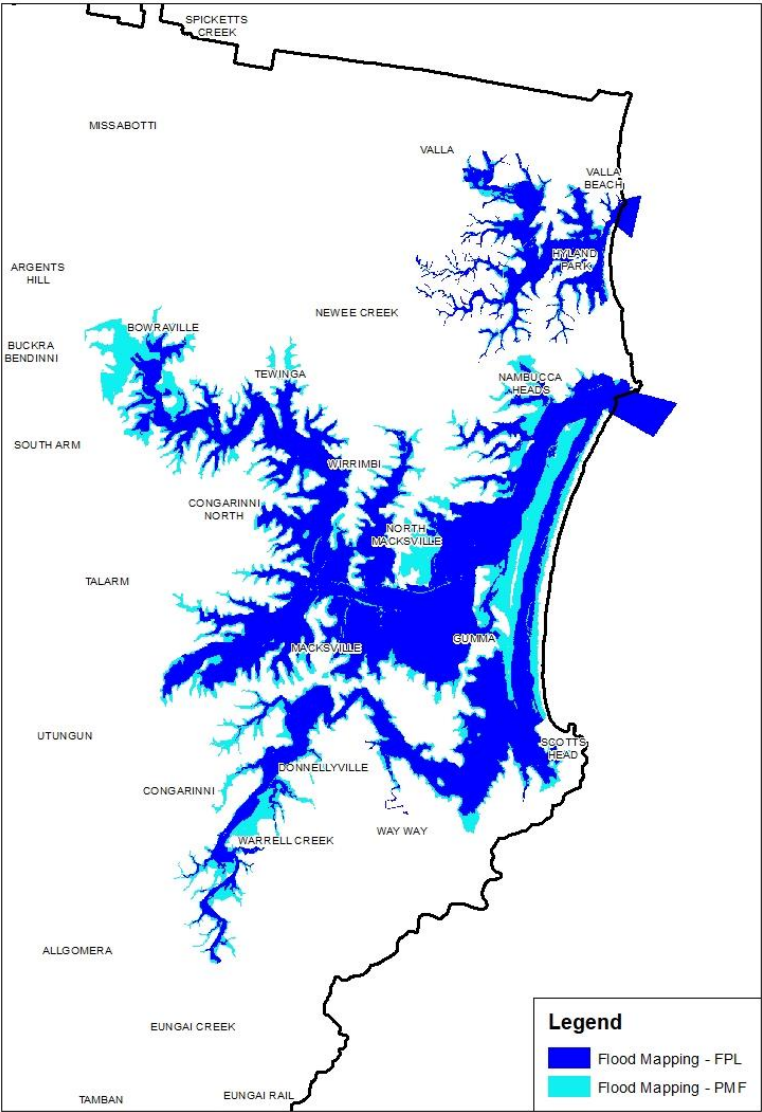
Existing Minimum Lot Size Valla Beach



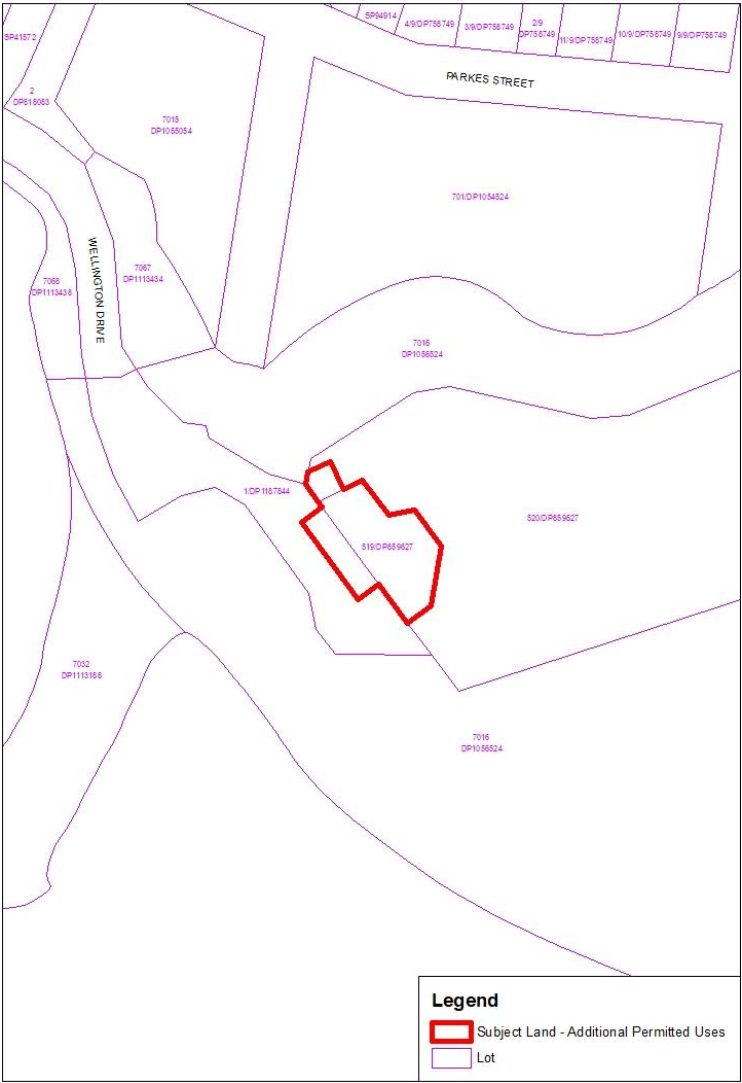
Proposed Minimum Lot Size Valla Beach



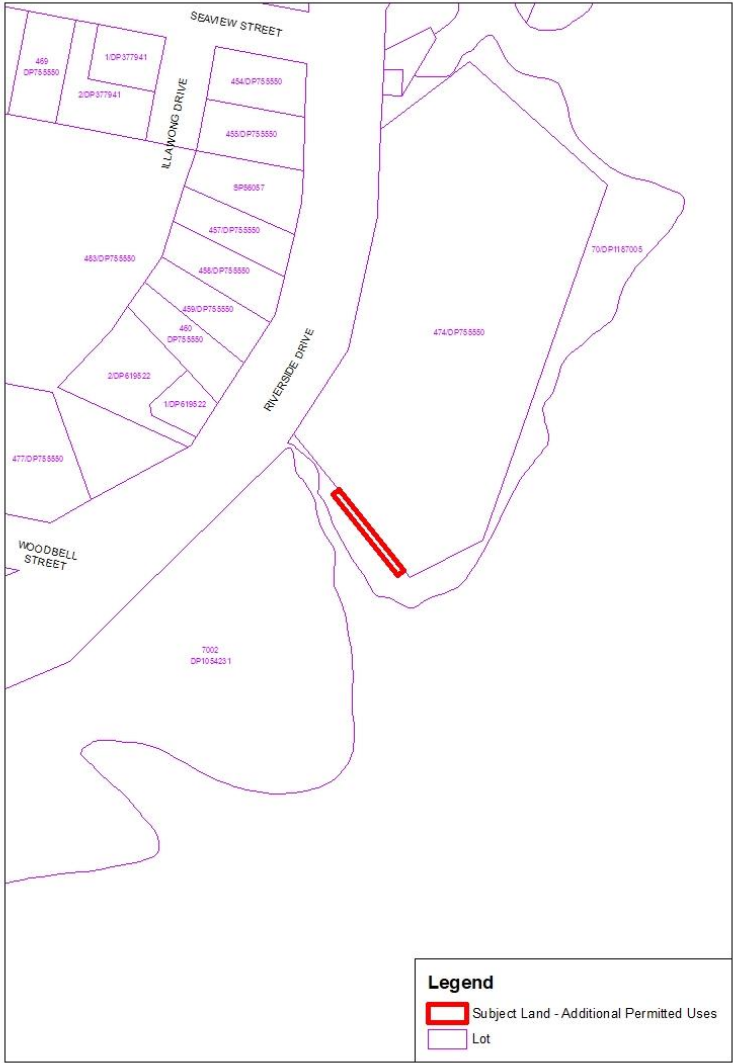
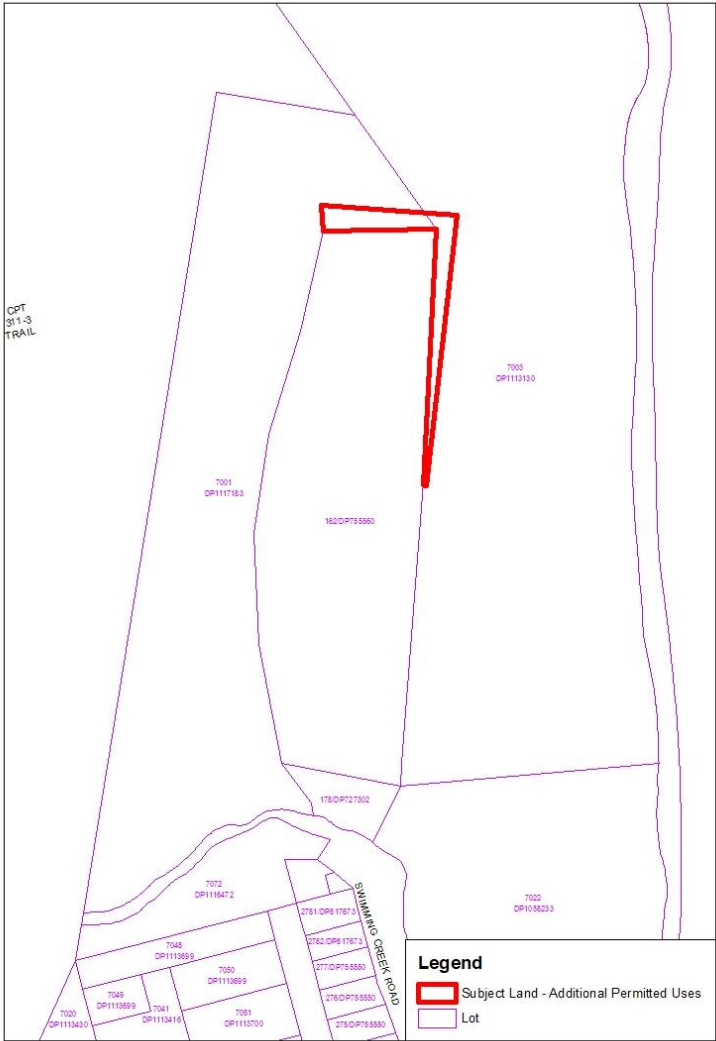
Item 11



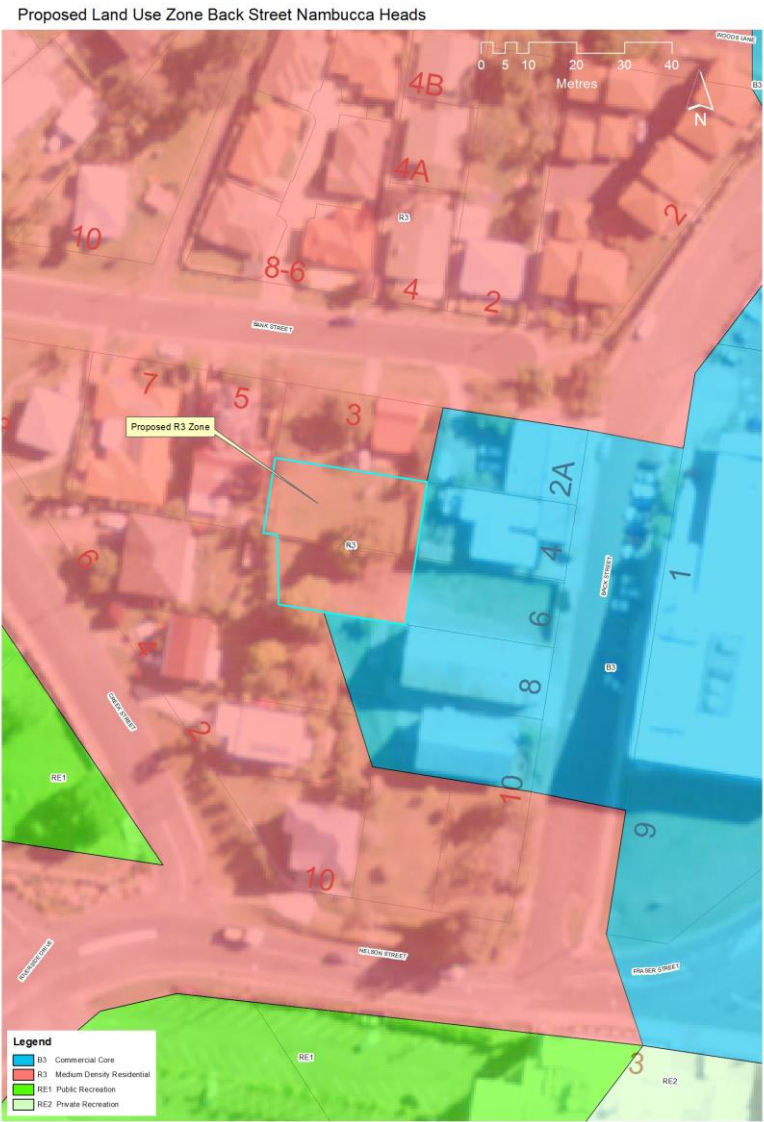
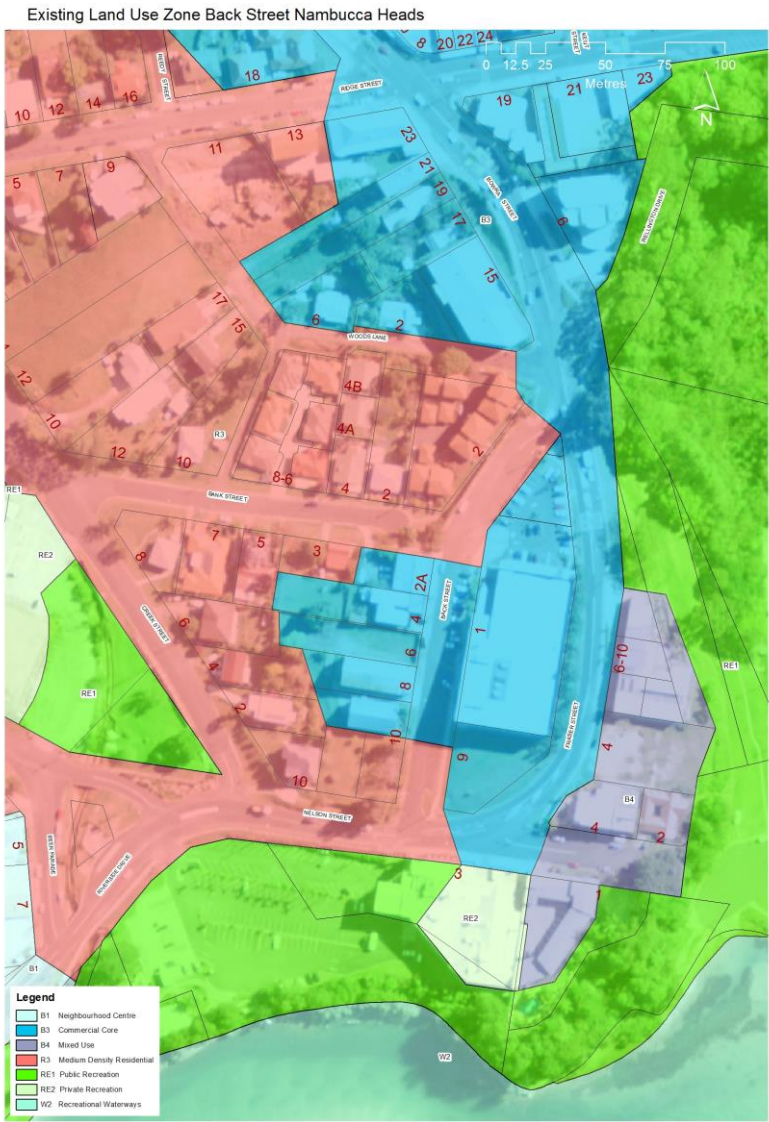
Item 12



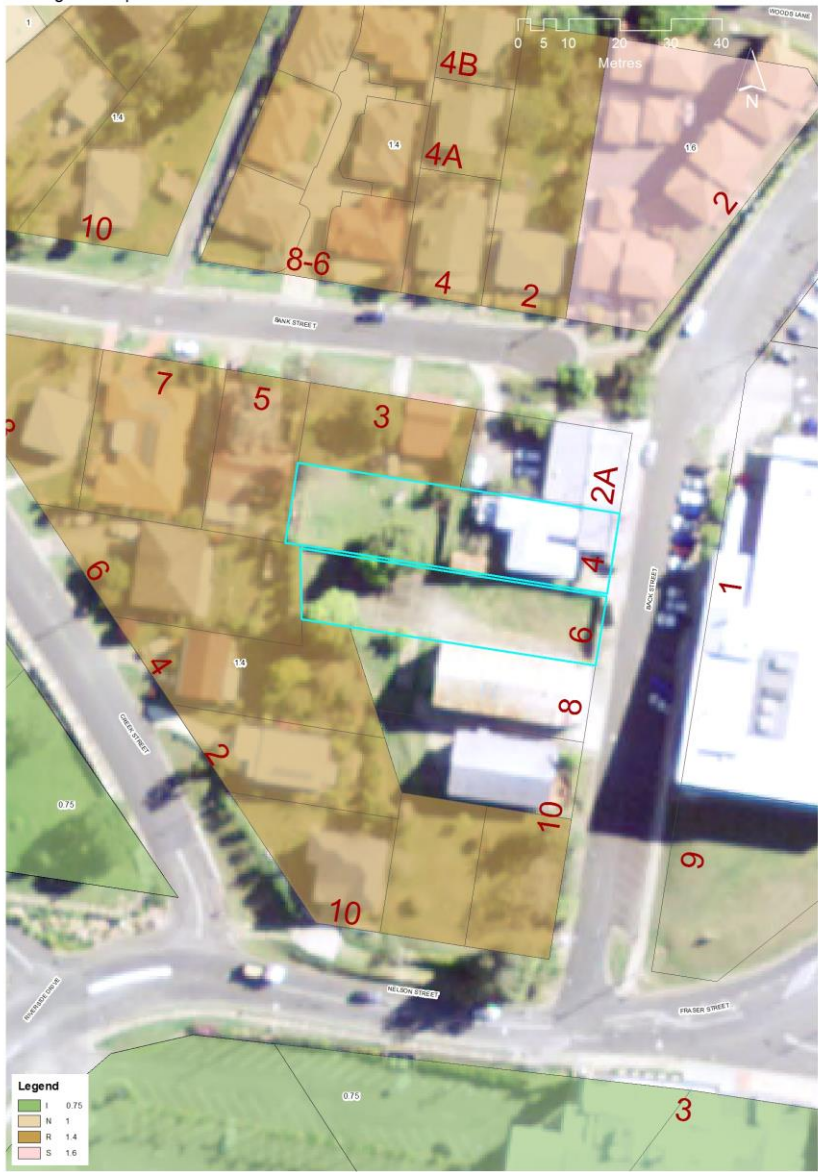
Item 13



Item 14



Existing Floor Space Ratio Back Street Nambucca Heads



Proposed Floor Space Ratio Back Street Nambucca Heads

