

PLANNING PROPOSAL

**PROPOSED AMENDMENT TO THE TAMWORTH
REGIONAL LOCAL ENVIRONMENTAL PLAN 2010**

**LOT 4 IN DP 1059291, LOT 5 IN DP 1117974
AND ADJOINING UNNAMED LANE
BELMORE STREET, TAMWORTH NSW**

Bath, Stewart Associates Pty Ltd

**Surveyors, Project Coordinators &
Development Consultants**

239 Marius St, PO Box 403, Tamworth NSW 2340

Ph. (02) 6766 5966 Fax. (02) 6766 5140

Email: office@bathstewart.com.au

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PROPOSED LEP AMENDMENT

Prepared by:

Company: ***Bath, Stewart Associates Pty Limited***
A.C.N. 002 745 020
PO Box 403
TAMWORTH NSW 2340

For:

Applicant: Peel Valley Training & Employment
c/-Bath Stewart Associates Pty Limited
PO BOX 403
TAMWORTH NSW 2340

Subject Land:

Lot 4 in Deposited Plan 1059291, Lot 5 in DP 1117974 and adjoining unnamed lane

Belmore Street, Tamworth NSW
Parish of Calala
County of Parry
L.G.A.: Tamworth

Declaration:

We hereby certify that we have prepared the contents of this document and to the best of our knowledge it is true in all material particulars and does not, by its presentation or omission of information, materially mislead.

Name:

BATH, STEWART ASSOCIATES P/L
per: Sonya Vickery – Senior Town Planner

Signature:

.....

Date:

February 2015

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INTRODUCTION

This document relates to a planning proposal to amend the environmental planning instrument being the *Tamworth Regional Local Environmental Plan* (TRLEP) 2010.

This planning proposal has been prepared in accordance with Section 55 (3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the associated guidelines 'A Guide to Preparing Planning Proposals' prepared by the NSW Department of Planning and Infrastructure dated October 2012 which require the following matters to be addressed:

- Part 1 - Objectives or intended outcomes;
- Part 2 - Explanation of provisions;
- Part 3 - Justification;
 - Questions to consider when demonstrating justification;
- Part 4 - Mapping;
- Part 5 - Community consultation; and
- Part 6 - Project timeline.

1.0 PART 1 – OBJECTIVES OR INTENDED OUTCOMES OF THE PLANNING PROPOSAL

The objective of the planning proposal is to amend the *Tamworth Regional Local Environmental Plan* 2010 (TRLEP 2010) by rezoning Lot 4, DP 1059291 and Lot 5, DP 1117974 **and an adjoining unnamed land for the length of the sites** from **IN1 – General Industrial** to **B4 – Mixed Use**, and **introduce a Floor Space Ratio (FSR) restriction of 1:1 in the B4 Mixed Use Zone (refer Figures 3 and 4)**. The intended outcome of the rezoning is to enable the future development of the subject land for commercial purposes.

Preliminary discussions with Tamworth Regional Council have indicated that Council is supportive of a spot rezoning in relation to the subject sites. It is acknowledged that Council will assess the proposal on a precinct basis and may recommend amendments to the planning provisions applying to other lands in the locality to achieve the most appropriate planning outcome.

The following documents have been relied upon in the preparation of this planning proposal:

- The *Tamworth Regional Local Environmental Plan* 2010 (TRLEP);
- The *Tamworth Regional Development Control Plan* 2010 (TRDCP);
- The *Tamworth Regional Development Strategy* 2008 (TRDS); and
- The *New England North West Strategic Regional Land Use Plan* 2012.

2.0 PART 2 – EXPLANATION OF PROVISIONS TO BE INCLUDED IN THE PLANNING PROPOSAL

The planning proposal would result in the following changes to the TRLEP 2010:

Amendment Applies To	Explanation of the Provision
Tamworth Regional LEP 2010 zoning map	It is proposed that the subject sites and the adjoining unnamed lane will be rezoned from Zone IN1 – General Industrial to B4 – Mixed Use and a Floor Space Ratio (FSR) restriction of 1:1 will be introduced in the B4 Mixed Use Zone.

3.0 PART 3 – JUSTIFICATION

3.1 SECTION A – NEED FOR THE PLANNING PROPOSAL

3.1.1 A1. Is the planning proposal a result of any strategic study or report?

The planning proposal is not the direct result of a strategic study or report. However, the subject land parcels are located adjacent to an area identified by Tamworth Regional Council as an 'enterprise area' with arterial road connections to the CBD and featuring a wide variety of mixed land uses.

It is considered that the current IN1 – General Industrial zoning applicable to the subject sites inhibits the future development of the land for commercial purposes. The objective of the IN1 – General Industrial Zone is as follows:

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To enable land uses that provide facilities or services to meet the day to day needs of workers in the area.

2 Permitted without consent

Roads

3 Permitted with consent

Depots; Freight transport facilities; General industries; Hardware and building supplies; Industrial training facilities; Landscaping material supplies; Light industries; Liquid fuel depots; Neighbourhood shops; Plant nurseries; Rural supplies; Shop top housing; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat sheds; Camping grounds; Caravan parks; Charter and tourism boating facilities; Child care centres; Commercial premises; Community facilities; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm

buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Home-based child care; Home businesses; Home occupations (sex services); Information and education facilities; Marinas; Mooring pens; Moorings; Places of public worship; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Wharf or boating facilities

Rezoning of the subject lots to B4 – Mixed Use would facilitate the future development of the sites for a variety of commercial or other uses. It is considered that the current industrial zoning does not reflect the prevailing land use in the area which consists, overwhelmingly, of commercial and mixed use activities.

An examination of the key site characteristics, constraints and potential impacts of the planning proposal is provided in the subsequent sections.

3.2 LOCATION AND LEGAL DESCRIPTION

The subject sites consist of two (2) adjoining commercial buildings, legally registered as Lot 4, Deposited Plan 1059291 (72 Belmore Street), Lot 5, DP 1117974 (70 Belmore Street) and an adjoining unnamed lane, Tamworth NSW, 2340.

3.3 SITE DESCRIPTION

The subject sites are located within the regional city of Tamworth. The sites' primary frontage is to Belmore Street which links directly to Bridge Street, a classified public road. Bridge Street is a key arterial road connecting to the Tamworth CBD in the north, Gunnedah Road/Oxley Highway to the west and Duri Road/Werris Creek Road to the south. Bridge Street contains a strategically important precinct populated by a wide variety of residential, commercial, retail and services based operations concentrated within a 1km corridor. The precinct is dominated by 'Tamworth Shopping World' a large multi-level shopping centre.

Lot 4 in DP 1059291 (72 Belmore Street) contains a commercial premises currently operating as the 'Belmore Cottage' hair salon. Lot 5 in DP 1117974 (70 Belmore Street) contains a not-for-profit organisation known as 'Peel Valley Training and Employment', which provides employment and vocational training services. The unnamed lane adjoining the subject lots is under the ownership of Tamworth Regional Council. The subject sites are located to the west and within 50m of Bridge Street. Development within the immediate locality consists of a combination of residential dwellings and various commercial developments. Adjacent development consists of a residential dwelling to the west and a Caltex Service Station to the east.

An aerial map (with cadastral overlay) is provided overleaf in Figure 1; the highlighted area indicates the subject lots. Plates 1-8 illustrate the subject lots and land uses immediately surrounding the sites in all directions.



FIGURE 1 - AERIAL VIEW OF SUBJECT LOTS WITH CADASTRAL OVERLAY

3.4 INFRASTRUCTURE CONSIDERATIONS

3.4.1 Traffic and Access

Traffic

The planning proposal will not result in any changes to current traffic movements at this point in time. Future re-development of the site may necessitate further investigation of traffic impacts and access arrangements.

Access

Off street access is available to service both businesses via an unsealed **and unnamed** lane, shown in Plate 6 above. Lot 5 in DP 1117974 (70 Belmore Street) currently features a dedicated car park located at the rear of the existing building which is capable of accommodating up to four vehicles. Lot 4 in DP 1059291 (72 Belmore Street) currently features a dedicated car park located at the rear of the existing building which is capable of accommodating up to eight vehicles. Rear access parking provisions are considered satisfied in relation to current permissible land uses.

Overflow parking is currently available via ample on-street unmetered parking located along both sides of Belmore Street adjacent to the subject lots. Should the planning proposal be approved the proposed B4 - Mixed Use zoning provides for a number of permissible land uses with various associated parking requirements. While there are no indications that parking provisions have the potential to become constrained in the near future it is acknowledged that future development may compel the augmentation or re-design of parking provisions.

3.4.2 Services

Electricity, telecommunications, sewer and water services are currently connected to the existing buildings. Current servicing is capable of accommodating existing land use activity and no augmentation is considered necessary in order to facilitate the proposed rezoning. However, future

re-development may require upgrades to infrastructure services according to the type of development undertaken.

3.5 ENVIRONMENTAL CONSIDERATIONS

3.5.1 Flora and Fauna

The subject sites are located in an urban environment, heavily disturbed with little or no vegetation either native or introduced. Consideration of potential impacts to flora/fauna species is not relevant to this planning proposal.

3.5.2 Heritage (European and Aboriginal)

The subject sites are located in an urban environment, heavily disturbed and considered highly unlikely to contain any objects of Aboriginal heritage or importance. With regard to European heritage the buildings occupying the sites are not considered to be historically significant and are not listed in the heritage register contained in Schedule 5 of the TRLEP 2010 or on the NSW State Heritage Register.

However, it is noted that the subject lots are located to the rear of a building found at 67 Denison Street which is contained in Schedule 5 of the TRLEP 2010. This building is currently occupied for commercial purposes operating as a restaurant known as “Le Pruneau”. It is considered that the subject lots’ proximity to this building does not impact the viability of this planning proposal.

3.5.3 Visual Amenity and Scenic Impact

The proposed re-zoning will not create any negative visual or scenic impacts.

3.5.4 Natural Hazards

The subject sites are not considered by Council to be either flood or bush fire prone.

3.5.5 Landscaping

The proposed re-zoning will not require any landscaping to be undertaken on the subject sites at this point in time.

3.5.6 Noise/Dust/Odour

The proposed re-zoning will not create any negative noise, dust or odour impacts.

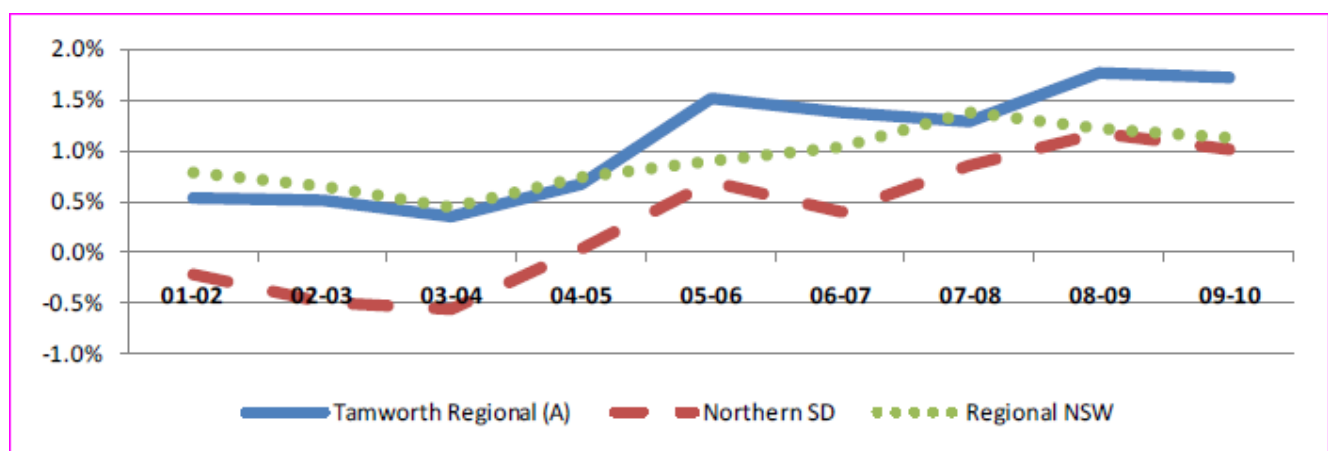
3.6 SOCIAL AND ECONOMIC ASSESSMENT

The potential impacts of the proposed re-zoning from a social and economic perspective are explored in the following paragraphs, particularly in relation to population growth and subsequent anticipated economic growth.

3.6.1 Population

According to the *Tamworth Regional Council 2010 Economic Performance Report* (TRC Website 2014, online) population growth in the region is exhibiting a positive trend, recording growth of 1.7% between 2009 and 2010 compared to just 1.1% in regional NSW during the same period, see Graph 1 below.

Graph 1 Population growth 2001 to 2010



Source: ABS Regional Population Growth (Cat. No. 3218.0), *Tamworth Regional Council 2010 Economic Performance Report*.

More recent Census population statistics released by the Australian Bureau of Statistics (ABS) in 2011 indicate population growth is continuing to gain momentum with growth rates of more than 4% recorded in the inter-censal period between 2006 and 2011 (ABS Quick Stats, Tamworth Regional (A) 2014).

Population growth is known to be a key indicator of economic growth. The Tamworth region features reasonable supplies of land for commercial and industrial development. However, rising demand (in response to population growth) will continue to place pressure on land supply particularly in urban commercial areas where access to public infrastructure and services are highly sought after.

3.6.2 Economic development

With regard to economic growth there is evidence that public and private sector investment has intensified in recent years with new education facilities, shopping centre refurbishments, new commercial retail entrants and steady growth in subdivision activity. A \$220m upgrade to the Tamworth Base Hospital is currently underway thus cementing Tamworth's role as a significant and growing regional capital. It should be noted that the subject sites are located within close proximity to the Tamworth CBD and adjacent to a strategically significant commercial precinct.

3.7 A2. IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

The planning proposal is required in order to comply with the requirements of *the Environmental Planning and Assessment Act 1979*. Amending the *Tamworth Regional Local Environmental Plan 2010* is the only avenue available to lawfully facilitate the proposed change to the current land use.

3.8 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3.8.1 B1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The New England North West Strategic Regional Land Use Plan 2012

The *New England North West Strategic Regional Land Use Plan 2012* is the regional strategy considered applicable to development within the Tamworth Region. It is considered that the planning proposal is consistent with the general principles and aims expressed in the plan.

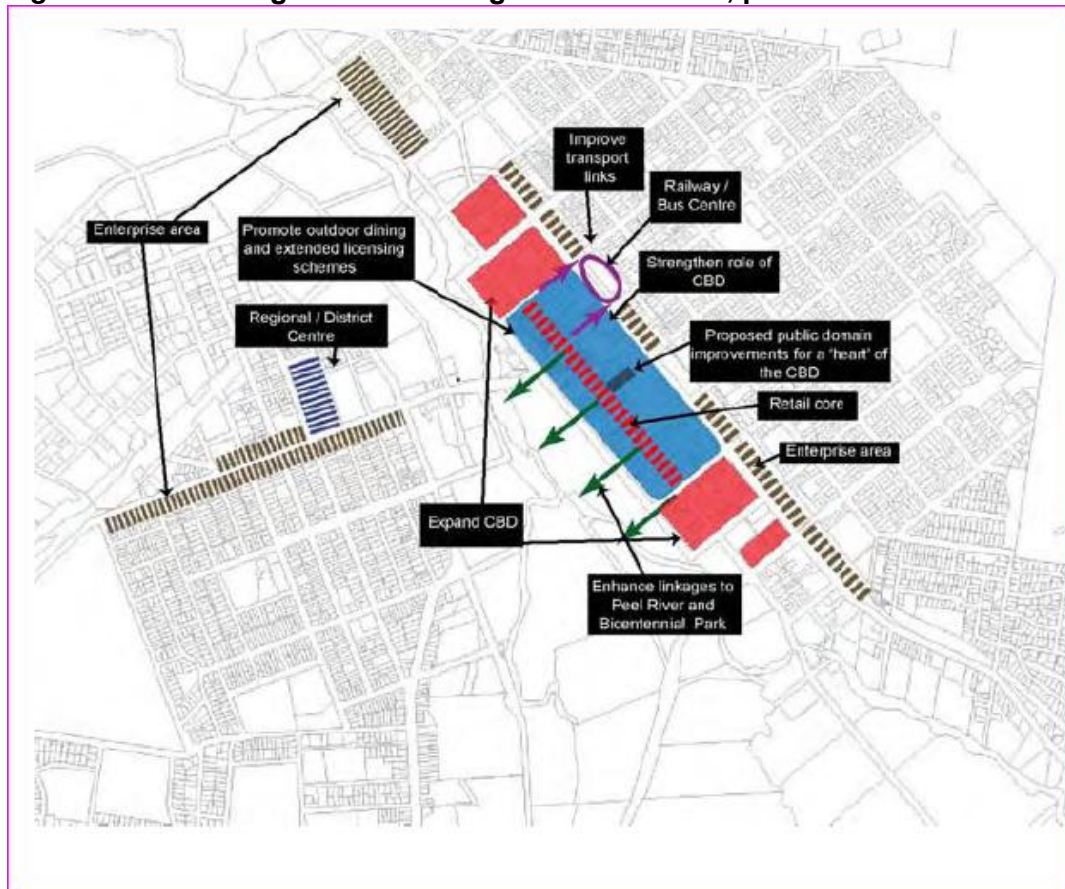
Tamworth Regional Development Strategy 2008

The TRDS does not specifically address the subject lots or make recommendations with regard to future commercial development in the immediate vicinity although it is notable that the sites are located within very close proximity to the identified enterprise area of Bridge Street (see Figure 2, overleaf). The Strategy states the importance of retaining existing centres and providing opportunities for commercial expansion within nominated areas.

Furthermore, the TRDS identifies a number of “Guiding Principles” in support of a predominant vision for the Tamworth Region which includes elements such as sustainability and liveability. Section 11 of the report presents the vision for the region, particularly with regard to supporting and strengthening existing centres. Section 11.4 provides a series of Strategic Actions and Principles identified as important to the delivery of the overall strategy. Relevant Actions and Principles are provided below:

1. Strengthen the Region and Support Existing Centres – Protecting and enhancing the Urban Centre; and
2. Protecting the Retail Hierarchy.

The objective of the planning proposal is considered commensurate with the above stated actions and principles being development which supports and strengthens the prevailing land use hierarchy.

Figure 2. 'Protecting and Enhancing the CBD' TRDS, p.43

3.8.2 B2. Is the planning proposal consistent with a Council's Local Community Strategic Plan, or other Local Strategic Plan?

The planning proposal is considered to be consistent with the stated principles contained in the *Keychange 2023 Community Strategic Plan (CSP 2023)*.

The CSP 2023 identifies a number of challenges for the future of the Tamworth Region along with key strategic actions aimed at addressing those challenges in order to facilitate the continued growth of the region.

Strategic objectives considered relevant to the planning proposal are detailed below (*Keychange 2023 CSP: Page16*):

Objectives	Strategies	Measures of success
P4. Sustainable Growth	P 4.2 Sustainable development of the region	- Population Growth - Land availability - Vacant land (commercial, industrial and residential) - Effective utilisation of development contributions to provide infrastructure - Number of business relocating to the region.

P1. A strong and diverse economic base	P1.1 Facilitate economic development P1.3 Expand existing businesses by building business capacity P1.4 Facilitate a diverse range of employment opportunities	• Annual Regional Economic Report Card • Number of business registrations • Business confidence • Skills gap • Business confidence • Employment rate
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3.8.3 B3. Is the planning proposal consistent with applicable State Environmental Planning Policies?

An assessment of possibly relevant State Environmental Planning Policies (SEPPs) against the planning proposal is provided in the table below:

Table 1: Relevant State Environmental Planning Policies

SEPP	Objectives	Relevance and Implications
SEPP1 – Development Standards	This SEPP aims to improve flexibility with regard to development standards.	The planning proposal has no implications in terms of SEPP 1
SEPP 15 – Rural Land Sharing Communities	This SEPP provides for multiple occupancy development, with council consent, in rural and non-urban zones, subject to a list of criteria outlined in the policy.	The planning proposal has no implications in terms of the application of the SEPP.
SEPP 21 – Caravan Parks	This SEPP provides for the development of caravan parks.	The planning proposal has no implications in terms of the application of the SEPP. However, it is acknowledged that caravan park development may be considered a permissible use in the B4 Mixed Use zoning.
SEPP 30 – Intensive Agriculture	This SEPP provides considerations for consent for intensive agriculture.	The planning proposal has no implications in terms of the application of the SEPP.
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)	This SEPP makes provisions for the redevelopment of urban land suitable for multi-unit housing and related development.	The planning proposal has no implications in terms of the application of the SEPP.
SEPP 33 – Hazardous & Offensive Development	This SEPP provides considerations for consent in relation to hazardous and offensive development.	The planning proposal has no implications in terms of the application of the SEPP.
SEPP 36 – Manufactured Home Estates	This SEPP aims to facilitate the development of manufactured	The planning proposal has no implications in terms of the

	home estates where suitable.	application of the SEPP. However, it is acknowledged that manufactured home estate development may be considered a permissible use in the B4 Mixed Use zoning.
SEPP 44 – Koala Habitat Protection	This SEPP applies to land across NSW greater than 1 hectare that is not a National Park or Forestry Reserve. The SEPP encourages the conservation and management of natural vegetation areas that provide habitat for koalas.	The planning proposal has no implications in terms of the application of this SEPP. The subject site is heavily disturbed and devoid of any native trees capable of supporting koalas.
SEPP 55 – Remediation of Land	This SEPP applies to land in NSW considered to be unsuitable for development due to contamination.	The planning proposal has no implications in terms of the application of the SEPP. The subject sites have been utilised for commercial purposes for many years and there are no indications that potentially contaminating activities have been undertaken on the sites.
SEPP 64 – Advertising and Signage	The SEPP aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.	The planning proposal has no implications in terms of the application of the SEPP.
SEPP 65 – Design Quality of Residential Development	This SEPP relates to residential flat development throughout NSW through the application of a series of design principles.	The planning proposal has no direct implications in terms of the application of the SEPP at this stage, however, it is acknowledged that the B4 Mixed Use zoning provides for the permissibility of multi-dwelling housing.
SEPP (Affordable Rental Housing) 2009	This SEPP provides for an increase in the supply and diversity of affordable rental and social housing in NSW.	The planning proposal has no direct implications in terms of the application of the SEPP at this stage, however, it is acknowledged that the B4 Mixed Use zoning provides for the permissibility of affordable housing development.
SEPP (Building Sustainability Index: BASIX) 2004	This SEPP provides for the implementation of BASIX in NSW.	The planning proposal has no implications in terms of the application of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	This SEPP provides exempt and complying development codes that have state-wide application.	The planning proposal has no implications in terms of the application of the SEPP at this stage. Should re-development occur in the future as a

		consequence of the successful adoption of this proposal the requirements of this SEPP will be addressed accordingly.
SEPP (Housing for Seniors or People with a Disability) 2004	This SEPP aims to encourage the provision of housing for seniors, including residential care facilities.	The planning proposal has no direct implications in terms of the application of the SEPP at this stage, however, it is acknowledged that the B4 Mixed Use zoning provides for the permissibility of seniors housing development.
SEPP (Infrastructure) 2007	This SEPP provides a consistent approach for infrastructure and the provision of services across NSW.	The subject sites are already fully serviced and will place no additional strain on infrastructure services in the area.
SEPP (Major Development) 2005	This SEPP defines certain major projects to be assessed under Part 3A of the EP&A Act 1979.	The planning proposal has no implications in terms of the application of the SEPP.
SEPP (Miscellaneous Consent Provisions) 2007	This SEPP provides for the safe erection of temporary structures and ensures that development consent is sought for the erection of a building, subdivision of land or demolition of a building not already requiring development consent.	The planning proposal has no implications in terms of the application of the SEPP.
SEPP (Rural Lands) 2008	This SEPP aims to facilitate the economic use and sustainable development of rural lands, reduce land use conflicts and provides development principles.	The planning proposal has no implications in terms of the application of the SEPP.
SEPP (State and Regional Development) 2011	This SEPP aims to identify development and infrastructure that is considered state significant and confer functions on the Joint Regional Planning Panels (JRPPs) to determine development applications.	The planning proposal has no implications in terms of the application of the SEPP.
SEPP (Urban Renewal) 2010	This SEPP aims to facilitate the renewal and revitalisation of urban areas.	The planning proposal has no implications in terms of the application of the SEPP.

3.8.4 B4. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is considered to be consistent with the applicable Ministerial Directions, under s.117 (2) of the Environmental Planning and Assessment Act, 1979. Refer to Table 2 below.

Table 2: Relevant Ministerial Directions

Ministerial Direction	Aim of Direction	Consistency and Implication
1. EMPLOYMENT AND RESOURCES		
1.1 Business and Industrial Zones	To encourage employment growth in suitable locations, protect employment land in business and industrial zones and support the viability of identified strategic centres.	The planning proposal is considered consistent with this Direction. The subject sites are located adjacent to an area defined as an “enterprise corridor” in the TRDS. The sites contain businesses which contribute to the commercial/mixed use profile of the Bridge Street precinct. The proposed rezoning is considered likely to enhance future employment growth opportunities and support the continued growth of the Bridge Street precinct.
1.2 Rural Zones	The objective of this direction is to protect the agricultural production value of rural land.	The planning proposal is not affected by this Direction.
1.5 Rural Lands	The objective of this direction is to protect the agricultural production value of rural land and to facilitate the economic development of rural land for rural related purposes.	The planning proposal is not affected by this Direction.
2. ENVIRONMENT AND HERITAGE		
2.1 Environmental Protection Zones	The objective of this direction is to protect and conserve environmentally significant or sensitive areas.	The planning proposal is not affected by this Direction.
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance.	The planning proposal is not affected by this Direction.
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	The aim is encourage a variety of housing types to provide for existing and future housing needs and to minimise the impact of residential development on the environment and resource lands.	It is acknowledged that a variety of residential uses including seniors housing and multi-dwelling housing are considered permissible in the B4 Mixed Use zone. However, it is considered that the planning proposal is consistent with this direction as the subject sites are located in

		an urbanised area already featuring a variety of housing types and other mixed uses.
3.2 Caravan Parks and Manufactured Home Estates	The aim of this direction is to provide for a variety of housing types and provide opportunities for caravan parks and manufactured home estates.	The planning proposal is not directly affected by this Direction at this time. However, it is acknowledged that caravan parks and manufactured home estates may be considered a permissible use in the B4 Mixed Use zone.
3.3 Home Occupations	The aim of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	The planning proposal is not directly affected by this Direction at this time. However, it is acknowledged that home industries are considered a permissible use in the B4 Mixed Use zone.
3.4 Integrating Land Use and Transport	The aim of this direction is to ensure that urban structures, building forms, land use localities, development designs, subdivision and street layouts achieve sustainable transport objectives.	The planning proposal is considered to be consistent with this Direction.
4. HAZARD RISK		
4.1 Acid Sulphate Soils	The aim of this direction is to avoid adverse environmental impacts arising from the use of land that has a probability of containing acid sulphate soils.	The planning proposal is not affected by this Direction.
4.3 Flood Prone Land	The aims of this direction are to ensure the development of flood prone land consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> and that the provisions of an LEP relative to flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts, both site-specific and site external.	The planning proposal is not affected by this Direction. According to Council, the subject sites are not considered to be flood prone.
4.4 Planning for Bushfire Protection	The aims of this direction are 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 to encourage sound management of bush fire prone areas.	The planning proposal is not affected by this Direction. According to Council, the subject sites are not considered to be bush fire prone.

5. REGIONAL PLANNING

5.1 Implementation of Regional Strategies	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in various regional strategies.	Consistent - the planning proposal is considered consistent with the vision, land use strategy, policies and intended outcomes of TRDS.
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6. LOCAL PLANNING

6.1 Approval and Referral Requirements	The aim of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The planning proposal does not increase the requirements for the concurrence or referral of other bodies as outlined in this Direction.
6.2 Reserving Land for Public Purposes	This direction aims to facilitate the provision of land for public purposes by reserving such land for public use.	The planning proposal is not affected by this Direction.
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Consistent- The planning proposal has been prepared for the purpose of enabling a more appropriate land use to be undertaken on the subject land.

3.9 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

3.9.1 C1. 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 subject sites are heavily disturbed and devoid of any significant native or non-native flora or fauna. Therefore, it is considered highly unlikely that critical habitat or threatened species populations or ecological communities, or their habitats, will be present on the sites.

3.9.2 C2. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

There are no other likely environmental effects envisaged as a result of this planning proposal. Council records indicate that the subject lands are not affected by any land use planning or environmental constraints.

3.9.3 C3. How has the Planning Proposal adequately addressed any social and economic effects?

The planning proposal aims to provide opportunities for businesses located on the subject sites to pursue further commercial development should the need or desire arise. At present the businesses are restricted in their activities due to the industrial zoning which applies to their sites. Furthermore, any future selling opportunities are impacted by the current zoning due to the restricted commercial options available to future potential purchasers.

It is considered that the appropriate zoning of land which is commensurate with the prevailing land use represents an efficient and sustainable use of land resources therefore satisfying social and economic considerations.

3.10 SECTION D – STATE AND COMMONWEALTH INTERESTS

3.10.1 D1. Is there adequate public infrastructure for the Planning Proposal?

The subject sites are fully serviced with existing water, sewer, power and telecommunications connections. The planning proposal will not trigger the requirement for upgrades to stormwater capabilities or other public infrastructure at this point in time.

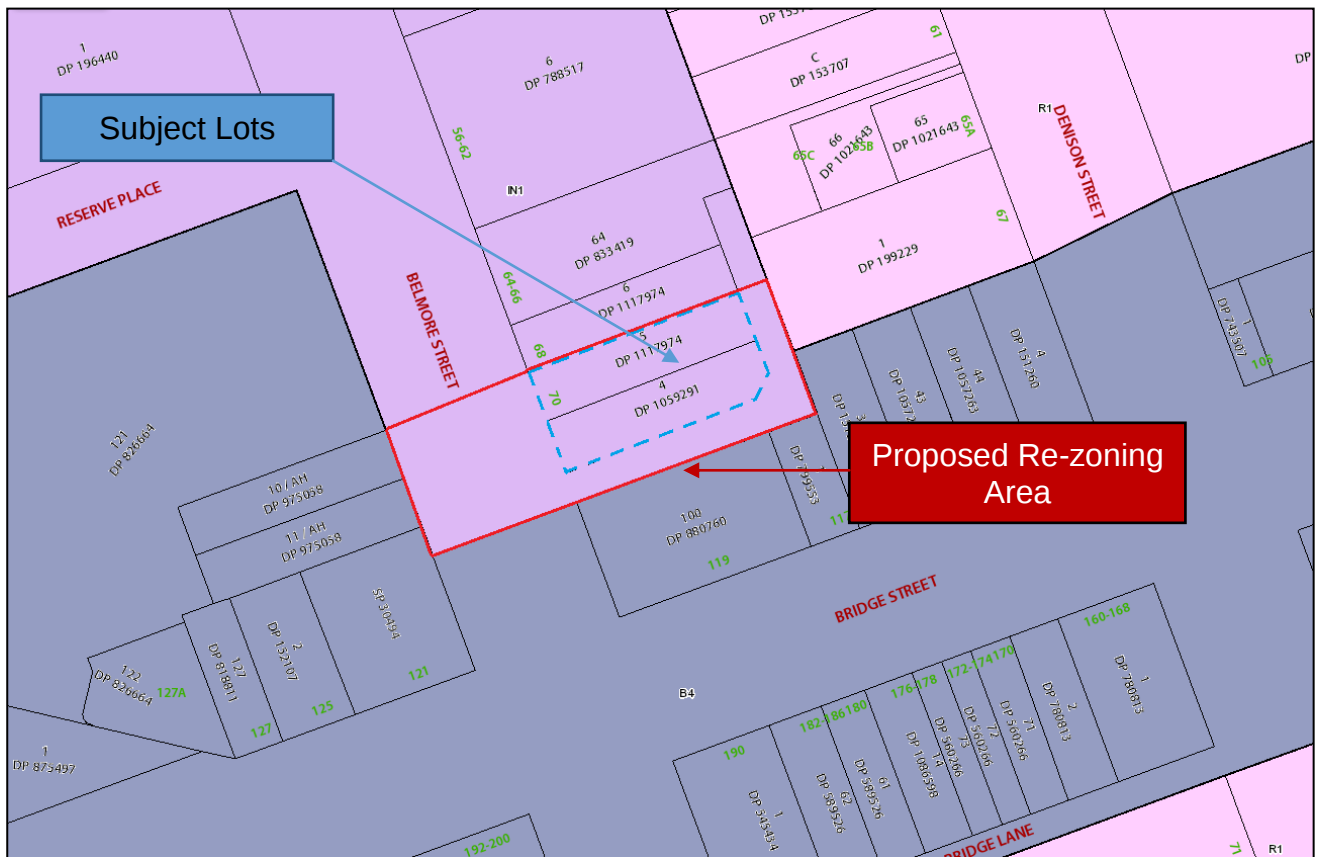
3.10.2 D2. What are the views of state and Commonwealth Public Authorities consulted in accordance with the Gateway determination?

This planning proposal does not require consultation with state or Commonwealth authorities with regard to the Planning Proposal:

Other State and Commonwealth public authorities will be consulted following the outcome of the gateway determination, if required. Consultation will be carried out in accordance with section 57 of the EP&A Act.

4.0 PART 4 – MAPPING

Figure 3. MAP 1 ZONING MAP – Map reference 004C



Zone

B1	Neighbourhood Centre
B2	Local Centre
B3	Commercial Core
B4	Mixed Use
B5	Business Development
B7	Business Park
E1	National Parks and Nature Reserves
E2	Environmental Conservation
E3	Environmental Management
IN1	General Industrial
IN3	Heavy Industrial
R1	General Residential
R2	Low Density Residential

R5	Large Lot Residential
RE1	Public Recreation
RE2	Private Recreation
RU1	Primary Production
RU3	Forestry
RU4	Primary Production Small Lots
RU5	Village
RU6	Transition
SP1	Special Activities
SP2	Infrastructure
SP3	Tourist

[illegible]

D	0.5
F	0.6
N	1
S	1.5
T	2
X	4
AA	6

Base Data 03/06/2014 © NSW LPI

5.0 PART 5. COMMUNITY CONSULTATION

Under Section 57(2) of the Environmental Planning and Assessment Act, before community consultation is undertaken, the Director-General of the Department of Planning must approve the form of Planning Proposals to comply with the Gateway determination.

We are of the view that this site meets the criteria as a 'low impact Planning Proposal' in its "Guide to Preparing Local Environmental Plans" therefore we consider this Planning Proposal should be exhibited for a minimum of 14 days.

We suggest that the Planning Proposal should be advertised in the following manner:-

- Advertisement in the local daily newspaper('Northern Daily Leader');
- Exhibited material will be on display at Council's Chambers throughout the duration of the exhibition period;
- Exhibition material will also be made available on Council's website throughout the duration of the exhibition period; and
- Letters will be issued to adjoining property owners advising them of the Planning Proposal.

6.0 PART 6. TIMEFRAME

The following timeframe is indicative only and is subject to change. It is estimated that the expected total timeframe for this Planning Proposal (should it be approved) is six to eight months.

Table 3. Project Timeline

Item	Estimated Time Frame
Gateway Determination	6 weeks from report to Council
Revisions/Additional Studies (if required)	1 month from Gateway Determination
Consultation with government agencies	1 month from Gateway Determination
Public hearing	Not required
Consideration of submissions	4 weeks following completion of public exhibition
Timeframe for the consideration of a proposal post exhibition	4 weeks
Date of submission to Department to finalise LEP	4 weeks
Anticipated date RPA will make the plan (if delegated)	4 weeks
Anticipated date RPA will forward to the department for notification	4 weeks

CONCLUSION

The Planning Proposal will facilitate the future re-development of two sites for commercial purposes. The Proposal is considered to be consistent with the relevant statutory and policy provisions.

Commercial development which is compatible with the surrounding environment is well serviced and site responsive will invariably add to the Tamworth region's appeal for employment generating activities. The adoption of this Planning Proposal will help enable two businesses to continue their commercial operations and further develop their sites for commercial purposes into the future.

Appendix A – Consent of owner

Appendix B – Minutes of meeting with TRC dated 23/8/13

Appendix C – Site Photos

Appendix C



Plate 1. View of subject lots



Plate 2. Northerly view of adjacent development (residential dwelling and dry cleaning business)



Plate 3. Southerly view of Belmore Street, towards Bridge Street



Plate 4. View of access road adjacent to hair salon



Plate 5. View of car park at rear of hair salon



Plate 6. View of rear lane servicing the subject sites