

# **PLANNING PROPOSAL**

**INTRODUCTION OF FLOOD PLANNING AREA CONTROLS**

**FOR**

**GLENREAGH**

**Prepared by: Clarence Valley Council**

**Date: September 2018**

## Declaration

Document name: Planning Proposal – Introduction of Flood Planning Area Controls for Glenreagh

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Declaration: I, Maya Dougherty, declare that this Planning Proposal constitutes a planning proposal for the purposes of section 3.33 of the Environmental Planning and Assessment Act 1979 (the Act) and further declare that the document complies with the relevant provisions of the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environment's *A guide to preparing planning proposals* (August 2016).

Date: September 2018

| Document History and Version Control |             |             |               |                   |
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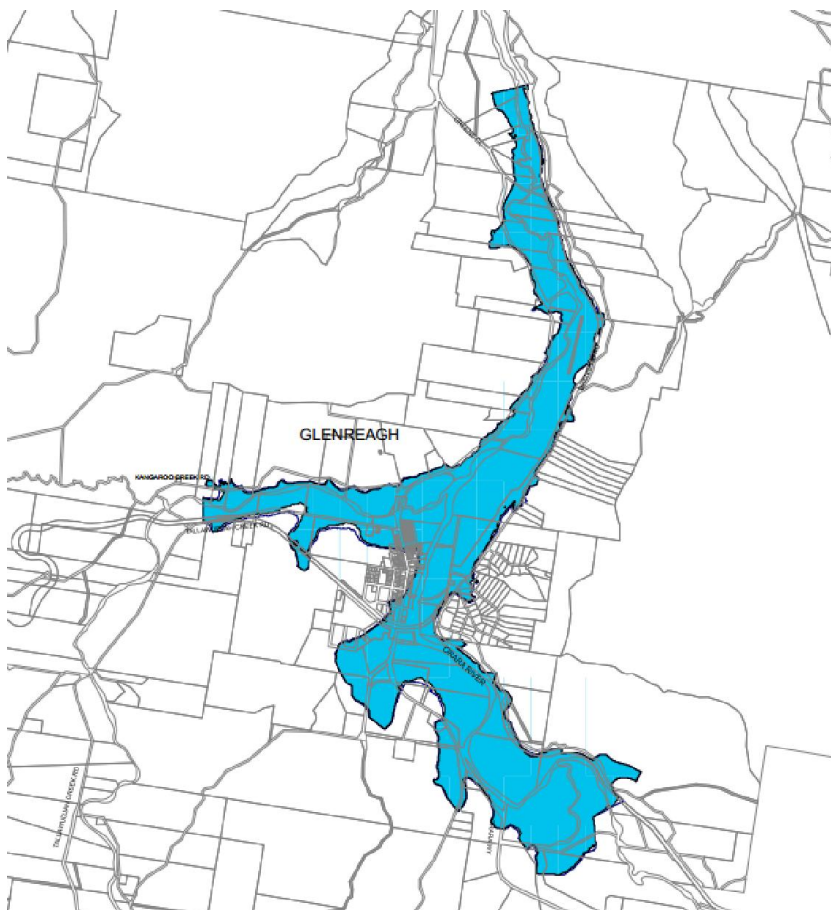
## 1. PRELIMINARY

### 1.1 Context

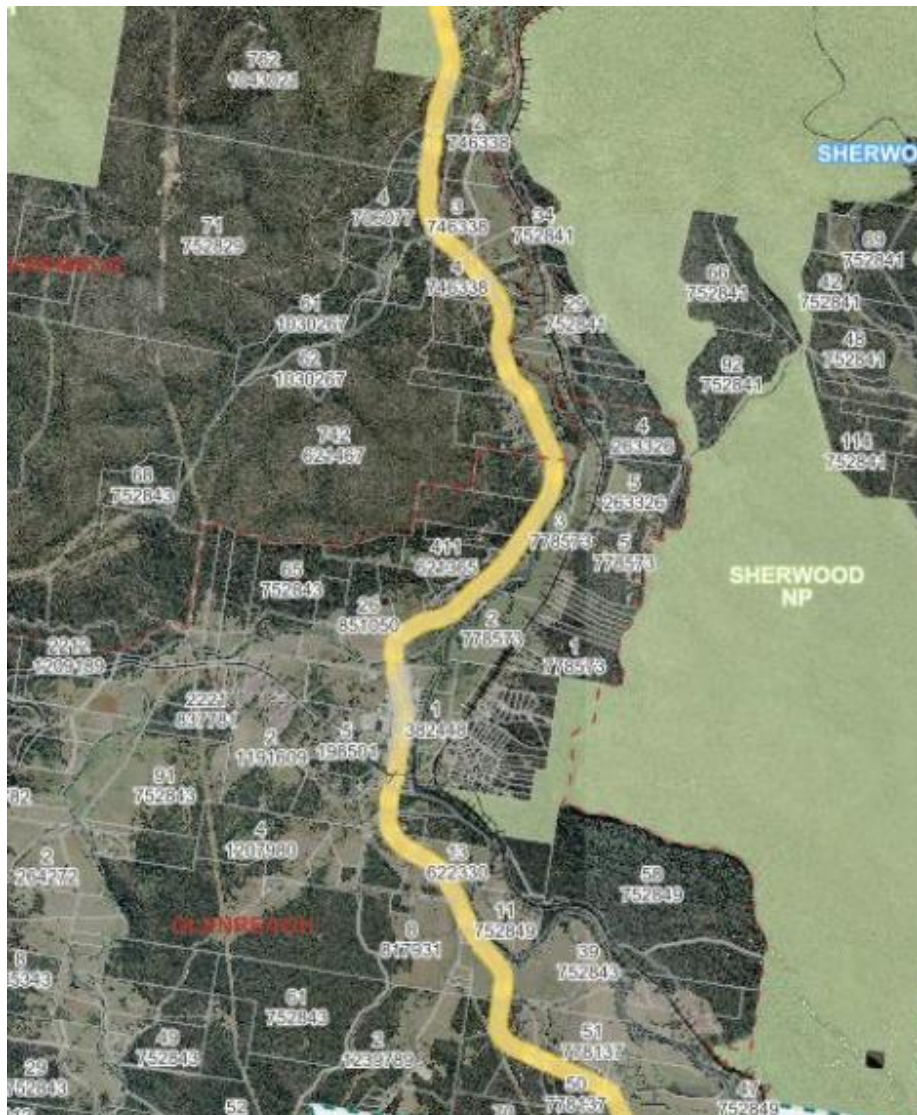
This planning proposal constitutes a document referred to in Section 3.33 of the Environmental Planning and Assessment Act 1979. It has been prepared in accordance with the Department of Planning and Environment's "*A guide to preparing planning proposals*" (August 2016). A gateway determination under Section 3.34 of the Act is requested.

### 1.2 Subject Land

This planning proposal applies to the Glenreagh township and nearby rural land along the Orara River and Tallawudjah Creek and is identified in the Locality Plan below (Figure 1).



*Figure 1 Locality Sketch, showing the Glenreagh Township and rural land affected by the proposal.*

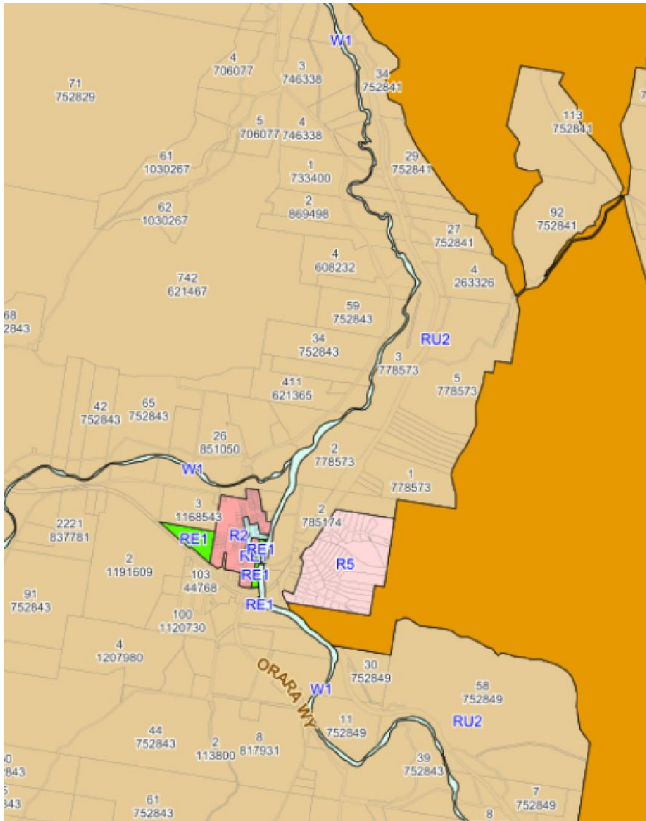


*Figure 2 Aerial Photo*

### 1.3 Current Zoning & Use

The land is currently zoned RU2 Rural Landscape, R2 Low Density Residential, RE1 Public Recreation and B1 Neighbourhood Centre under Clarence Valley Local Environmental Plan 2011 (CVC LEP).

The planning proposal does not propose changes to current zoning (see Figure 3 below).



*Figure 3 Plan indicating current land zoning of Glenreagh and surrounds*

#### 1.4 Background

The village of Glenreagh and surrounds are affected periodically by flooding of the Orara River and Tallawudjah Creek. Tallawudjah Creek is a major tributary of the Orara River with the confluence immediately downstream of the Glenreagh village.

Council commissioned a Flood Study to characterise the nature of flooding for the Glenreagh study area up to the probable maximum flood event. The Study, finalised in 2013, was funded by the NSW Government's Floodplain Management Program and Council. The Management Study and Plan follows on from the Flood Study. These Studies and Plan have been prepared in accordance with the NSW Government's Floodplain Development Manual.

The Management Study reviewed a range of management options or measures within the categories of property modification, response modification and flood modification.

Preparation of the Study and Plan involved working with Clarence Valley State Emergency Services as well as technical staff from the NSW Office of Environment and Heritage. Both of these agencies plus the Bureau of Meteorology (BoM) and Water NSW have provided feedback to the Draft Study and Plan, with resulting alterations to the recommended actions.

On 15 May 2018, Council resolved to:

1. Adopt the Glenreagh Floodplain Risk Management Plan, with an amendment such that Action P5.1 be split into two actions with the installation of a new automatic flood gauge at the Glenreagh Bridge identified with a capital cost of \$15,000 and an annual maintenance cost of \$3,000 and schedule implementation of management actions as part of the Council's future Delivery Program and Operational Plans.
2. Prepare a Planning Proposal to include the flood mapping from the Glenreagh Flood Study (2013) in an updated Flood Planning Map under the Clarence Valley Local Environmental Plan 2011 and make necessary complementary amendments to the Floodplain Management Controls within the relevant Council Development Control Plans.
3. Advise persons and NSW agencies who made submissions of the Council's resolution and for relevant NSW agencies notify where implementation of the Plan requires their action.
4. Note that an application for funding of the action to install a remote alert or webcam at Bluff Bridge through the NSW Government's Floodplain Management Program has been endorsed by Council's Executive and submitted by Council's Water Cycle Section.



## **2. PART 1 - OBJECTIVE OR INTENDED OUTCOME**

To amend Clarence Valley Local Environmental Plan to introduce “Flood Planning Area” controls over certain lands at Glenreagh.

## **3. PART 2 - EXPLANATION OF PROVISIONS**

The objective of the Proposal will be achieved by:

1. Amending LEP Map CL1\_012 to insert Flood Planning Area and Probable Maximum Flood Line by identification of land affected by flood hazard on the Orara River in Glenreagh consistent with the adopted Glenreagh Floodplain Risk Management Study and Plan 2018 (GHD).

## **4. PART 3 - JUSTIFICATION**

### **4.1 Is the planning proposal a result of any strategic study or report?**

Yes. The Glenreagh Floodplain Risk Management Study and Plan 2018 (GHD) identifies flood hazard affecting land within Glenreagh, which recommends development controls be prepared to ensure proper assessment of the potential impact of flood hazard on land and development likely to be affected by flood hazard.

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

Use of the Flood Planning Map to identify the land affected by flood hazard and ensure full and proper assessment of the hazard in association with development decisions is the best means of achieving the objectives of the planning proposal. Development controls in relevant CVC development control plans provide guidance in respect of the flood hazard. However, as Glenreagh has not been included in the Flood Planning Map previously, this will increase the accuracy and statutory weight to consideration of the latest flood modelling data in development application assessments.

Other measures have been recommended by the Glenreagh Floodplain Risk Management Study and Plan 2018 to mitigate the impacts of flooding. However these are recommended as an addition to the amendment to the CVC LEP, rather than instead of.

## **RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK**

### **4.3 Applicable Regional Plan - Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

The *North Coast Regional Plan 2036* (NCRP 2036) released in March 2017 is the applicable regional plan. It is the NSW Government’s strategy for guiding land use planning decisions for the North Coast region.

The Regional Plan comprises four goals, 25 directions and 80 actions. The goals articulate the intended outcome; the directions identify the broad issues or policy areas that need to be focused





on; and the actions represent the steps needed to be taken or initiatives that need to be implemented to achieve the goals. Actions are either implemented as strategies or as initiatives.

The North Coast Delivery, Coordination and Monitoring Committee has been established to oversee implementation of the vision, goals and actions in the Regional Plan. In this regard the North Coast Regional Plan 2036 - Implementation Plan 2017-2019 has also been released to accompany the Regional Plan.

Accordingly, the proposal is considered to be consistent with the NCRP 2036. An assessment of the planning proposal's consistency against the regional plan's goals, directions and actions is at Appendix 1 (consistency checklist).

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

The planning proposal is considered to be consistent with the provisions of the Clarence Valley LEP 2011. In particular, flood planning and floodplain risk management is identified as a consideration via Clauses 7.3 and 7.4 of the LEP.

In addition, the Clarence 2027 is Council's adopted community strategic plan. It is supported by Council's Delivery Program and Annual Operational Plan applicable at the time.

An assessment of the planning proposal against The Clarence 2027 and Council's Delivery Program and Operational Plan is at Appendix 2 (consistency checklist).

#### **4.5 Consistency with applicable state environmental planning policies**

There are no State Environmental Planning Policies (SEPPs) that are directly applicable. Refer to the consistency checklist at Appendix 3.

#### **4.6 Consistency with applicable Ministerial Directions (s.9.1 Directions)**

The proposal is consistent with applicable Section 9.1 Directions.

Refer to the consistency checklist against these Directions at Appendix 4.

### **ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT**

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

No. The planning proposal seeks to ensure an appropriate level of assessment for new development on land subject to identified flood hazard. Land zoning will remain unchanged by this proposal.

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

The proposal will reduce impacts of flooding on new developments by ensuring that development considerations in accordance with the mapping provided by the Glenreagh



Floodplain Risk Management Study and Plan are taken into account at the Development Application stage.

#### **4.9 Relevant social and economic effects?**

While Glenreagh has not previously been subject to floodplain mapping in the LEP, the flood hazard is generally well known to landowners and residents and consultation with local community members was undertaken during the development of the Glenreagh Floodplain Risk Management Study and Plan 2018.

It is expected that submissions received during the public exhibition period will present issues relevant to social and economic impact. Submissions are to be reported to Council for consideration following the public exhibition period.

### **STATE AND COMMONWEALTH INTERESTS**

#### **4.10 Is there adequate public infrastructure for the planning proposal?**

The planning proposal will not change the requirements of existing public infrastructure.

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

A gateway determination has not yet been issued. However, throughout the development of the Plan comments have been received from the SES, OEH, BoM and WaterNSW and consequently updates have been made to the report.

Refer also to Section 6. PART 5 - COMMUNITY CONSULTATION, below.

## 5. PART 4 - MAPPING

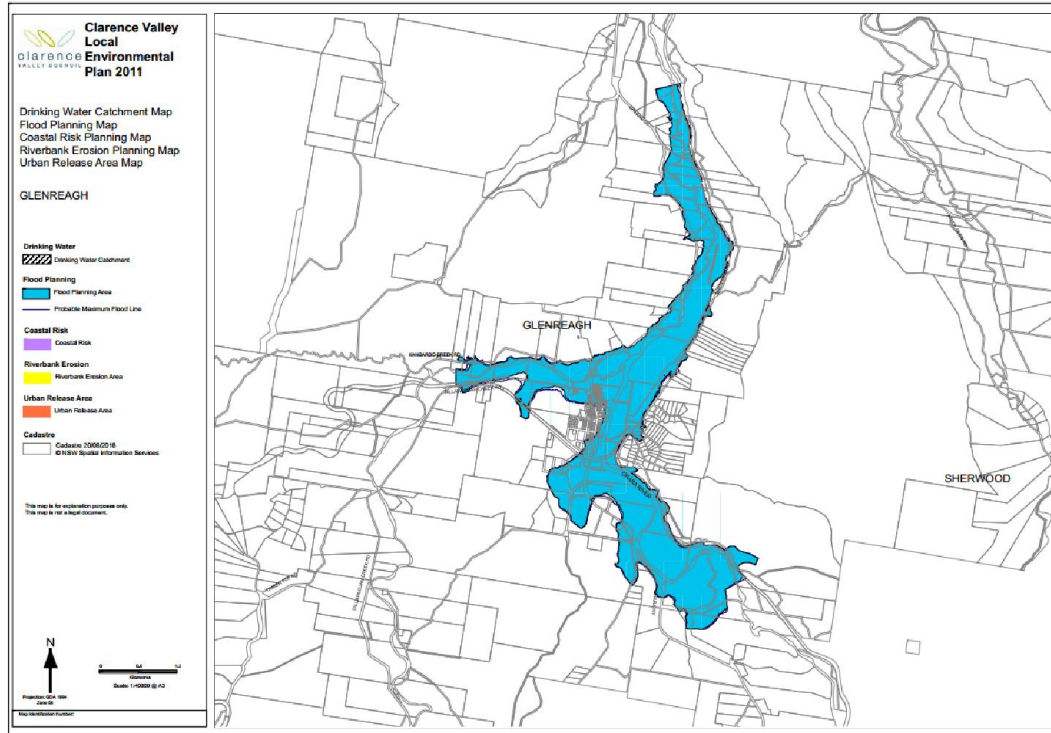


Figure 4 Draft LEP map, showing the proposed Flood Planning Area and Probable Maximum Flood Line (full-sized map attached in a separate document).



Figure 5 showing the affected area within the township of Glenreagh.

## 6. PART 5 - COMMUNITY CONSULTATION

It is considered that the proposal is 'low impact' for the purpose of community consultation under Section 5.5.2 of *"A guide to preparing local environmental plans, August 2016"*, particularly as the Glenreagh community were actively involved in the preparation of the Floodplain Management Study and Plan through public meetings and responses to mailouts within the study area. Input from community members resulted in some management measures being included that otherwise would not have been.

Although the proposal is considered as low impact, it is intended that the planning proposal be advertised for 28 days in accordance with Section 5.5.2 of *"A guide to preparing local environmental plans"*. It is also intended to provide written notification to all those properties identified as being inundated by 1% AEP and Probable Maximum Flood.

It is anticipated that state and Commonwealth authorities will be consulted following the issue of any gateway determination, including the SES, OEH, BoM and WaterNSW.

## 7. PART 6 - PROJECT TIMELINE

An estimated timeline for this project is nine months from the issue of a Gateway determination, providing such determination does not impose conditions that are onerous to satisfy. There is also potential for issues to be raised during the public exhibition that require more detailed assessment and consideration by Council that could modify this timeline. Council will make reasonable efforts to finalise the planning proposal ahead of this estimate.

| Estimated Completion Date | Milestone   |
|---------------------------|---|
| 18 September 2018         | Referral of Planning Proposal to Gateway  |
| By 16 October 2018        | Receipt of Gateway determination  |
| November 2018 (2 weeks)   | Public Exhibition of Planning Proposal  |
| February 2019             | Environment, Planning and Community Committee and Ordinary Council Meeting – consider report on submissions |
| March 2019                | Referral to Department of Planning and Environment with request to arrange making of final plan             |
| April 2019                | Notification of LEP Amendment   |

## APPENDIX 1: NORTH COAST REGIONAL PLAN 2036 CONSISTENCY CHECKLIST

(Note - refer to section 4.3 of this template document)

| NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS   | CONSISTENCY | COMMENTS   |
|--|-------------|--|
| <b>Goal 1 - The most stunning environment in NSW</b>   |             |  |
| <b>Direction 1 - Deliver environmentally sustainable growth</b>  |             |  |
| <u>Action 1.1</u> - Focus future urban development to mapped urban growth areas.   | N/A         |  |
| <u>Action 1.2</u> - Review areas identified as 'under investigation' within urban growth areas to identify and map sites of potentially high environmental value.  | N/A         |  |
| <u>Action 1.3</u> - Identify residential, commercial or industrial uses in urban growth areas by developing local growth management strategies endorsed by the Department of Planning and Environment.             | N/A         |  |
| <u>Action 1.4</u> - Prepare land release criteria to assess appropriate locations for future residential, commercial and industrial uses.  | N/A         |  |
| <b>Goal 1 - The most stunning environment in NSW</b>   |             |  |
| <b>Direction 2 - Enhance biodiversity, coastal and aquatic habitats, and water catchments</b>  |             |  |
| <u>Action 2.1</u> - Focus development to areas of least biodiversity sensitivity in the region and implement the 'avoid, minimise, offset' hierarchy to biodiversity, including areas of high environmental value. | N/A         |  |
| <u>Action 2.2</u> - Ensure local plans manage marine environments, water catchment areas and groundwater sources to avoid potential development impacts.   | N/A         |  |
| <b>Goal 1 - The most stunning environment in NSW</b>   |             |  |
| <b>Direction 3 - Manage natural hazards and climate change</b>   |             |  |
| <u>Action 3.1</u> - Reduce the risk from natural hazards, including the projected effects of climate change, by identifying, avoiding and managing vulnerable areas and hazards.                                   | Yes         | The Glenreagh Floodplain Risk Management Study and Plan 2018 (GHD) identifies hazards that result from the flooding of the Orara River.  |
| <u>Action 3.2</u> - Review and update floodplain risk, bushfire and coastal management mapping to manage risk, particularly where urban growth is being investigated.  | Yes         | The proposal is to implement flood mapping in Glenreagh to guide future development within that locality, following the recommendations of the Glenreagh Floodplain Risk Management Study and Plan 2018 (GHD). |
| <u>Action 3.3</u> - Incorporate new knowledge on regional climate projections  | N/A         |  |

| NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS  | CONSISTENCY | COMMENTS |
|---|-------------|----------|
| and related cumulative impacts in local plans for new urban development.  |             |          |
| <b>Goal 1 - The most stunning environment in NSW</b><br><b>Direction 4 - Promote renewable energy opportunities</b>   |             |          |
| Action 4.1 - Diversify the energy sector by identifying renewable energy resource precincts and infrastructure corridors with access to the electricity network.  | N/A         |          |
| Action 4.2 - Enable appropriate smaller-scale renewable energy projects using bio-waste, solar, wind, small-scale hydro, geothermal or other innovative storage technologies.   | N/A         |          |
| Action 4.3 - Promote appropriate smaller and community-scale renewable energy projects.   | N/A         |          |
| <b>Goal 2 - A thriving, interconnected economy</b><br><b>Direction 5 - Strengthen communities of interest and cross-regional relationships</b>  |             |          |
| Action 5.1 - Collaborate on regional and intra-regional housing and employment land delivery, and industry development.   | N/A         |          |
| Action 5.2 - Integrate cross-border land use planning between NSW and South East Queensland, and remove barriers to economic, housing and jobs growth.  | N/A         |          |
| Action 5.3 - Encourage ongoing cooperation and land use planning between the City of Gold Coast and Tweed Shire Council.  | N/A         |          |
| Action 5.4 - Prepare a regional economic development strategy that drives economic growth opportunities by identifying key enabling infrastructure and other policy interventions to unlock growth.                                       | N/A         |          |
| <b>Goal 2 - A thriving, interconnected economy</b><br><b>Direction 6 - Develop successful centres of employment</b>   |             |          |
| Action 6.1 - Facilitate economic activity around industry anchors such as health, education and airport facilities by considering new infrastructure needs and introducing planning controls that encourage clusters of related activity. | N/A         |          |
| Action 6.3 - Promote knowledge industries by applying flexible planning controls, providing business park development opportunities and identifying opportunities for start-up industries.  | N/A         |          |
| Action 6.3 - Reinforce centres through local growth management strategies and local environmental plans as primary mixed-use locations for commerce, housing, tourism, social activity and regional services.                             | N/A         |          |
| Action 6.4 - Focus retail and commercial activities in existing centres and develop place-making focused planning strategies for centres.   | N/A         |          |

| NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS   | CONSISTENCY | COMMENTS |
|--|-------------|----------|
| <u>Action 6.5</u> - Promote and enable an appropriate mix of land uses and prevent the encroachment of sensitive uses on employment land through local planning controls.  | N/A         |          |
| <u>Action 6.6</u> - Deliver an adequate supply of employment land through local growth management strategies and local environmental plans to support jobs growth.   | N/A         |          |
| <u>Action 6.7</u> - Ensure employment land delivery is maintained through an annual North Coast Housing and Land Monitor.  | N/A         |          |
| <b>Goal 2 - A thriving, interconnected economy</b><br><b>Direction 7 - Coordinate the growth of regional cities</b>  |             |          |
| <u>Action 7.1</u> - Prepare action plans for regional cities that:<br><ul style="list-style-type: none"> <li>ensure planning provisions promote employment growth and greater housing diversity;</li> <li>promote new job opportunities that complement existing employment nodes around existing education, health and airport precincts;</li> <li>identify infrastructure constraints and public domain improvements that can make areas more attractive for investment; and</li> <li>deliver infrastructure and coordinate the most appropriate staging and sequencing of development.</li> </ul> | N/A         |          |
| <b>Goal 2 - A thriving, interconnected economy</b><br><b>Direction 8 - Promote the growth of tourism</b>   |             |          |
| <u>Action 8.1</u> - Facilitate appropriate large-scale tourism developments in prime tourism development areas such as Tweed Heads, Tweed Coast, Ballina, Byron Bay, Coffs Harbour and Port Macquarie.   | N/A         |          |
| <u>Action 8.2</u> - Facilitate tourism and visitor accommodation and supporting land uses in coastal and rural hinterland locations through local growth management strategies and local environmental plans.  | N/A         |          |
| <u>Action 8.3</u> - Prepare destination management plans or other tourism focused strategies that:<br><ul style="list-style-type: none"> <li>identify culturally appropriate Aboriginal tourism opportunities;</li> <li>encourage tourism development in natural areas that support conservation outcomes; and</li> <li>strategically plan for a growing international tourism market.</li> </ul>  | N/A         |          |
| <u>Action 8.4</u> - Promote opportunities to expand visitation to regionally significant nature-based tourism places, such as Ellenborough Falls, Dorrigo National Park, Wollumbin–Mount Warning National Park, Iluka Nature Reserve and Yuraygir Coastal Walk.  | N/A         |          |



| NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS  | CONSISTENCY | COMMENTS |
|---|-------------|----------|
| <u>Action 8.5</u> - Preserve the region's existing tourist and visitor accommodation by directing permanent residential accommodation away from tourism developments, except where it is ancillary to existing tourism developments or part of an area otherwise identified for urban expansion in an endorsed local growth management strategy.  | N/A         |          |
| <b>Goal 2 - A thriving, interconnected economy</b><br><b>Direction 9: Strengthen regionally significant transport corridors</b>   |             |          |
| <u>Action 9.1</u> - Enhance the competitive value of the region by encouraging business and employment activities that leverage major inter-regional transport connections, such as the Pacific Highway, to South East Queensland and the Hunter.   | N/A         |          |
| <u>Action 9.2</u> - Identify buffer and mitigation measures to minimise the impact of development on regionally significant transport infrastructure including regional and state road network and rail corridors.  | N/A         |          |
| <u>Action 9.3</u> - Ensure the effective management of the State and regional road network by: <ul style="list-style-type: none"> <li>▪ preventing development directly adjoining the Pacific Highway;</li> <li>▪ preventing additional direct 'at grade' access to motorway-class sections of the Pacific Highway;</li> <li>▪ locating highway service centres on the Pacific Highway at Chinderah, Ballina, Maclean, Woolgoolga, Nambucca Heads, Kempsey and Port Macquarie, approved by the Department of Planning and Environment and Roads and Maritime Services; and</li> <li>▪ identifying strategic sites for major road freight transport facilities.</li> </ul> | N/A         |          |
| <b>Goal 2 - A thriving, interconnected economy</b><br><b>Direction 10 - Facilitate air, rail and public transport infrastructure</b>  |             |          |
| <u>Action 10.1</u> - Deliver airport precinct plans for Ballina–Byron, Lismore, Coffs Harbour and Port Macquarie that capitalise on opportunities to diversify and maximise the potential of value-adding industries close to airports.   | N/A         |          |
| <u>Action 10.2</u> - Consider airport-related employment opportunities and precincts that can capitalise on the expansion proposed around Gold Coast Airport.   | N/A         |          |
| <u>Action 10.3</u> - Protect the North Coast Rail Line and high-speed rail corridor to ensure network opportunities are not sterilised by incompatible land uses or land fragmentation.   | N/A         |          |
| <u>Action 10.4</u> - Provide public transport where the size of the urban area has  | N/A         |          |

| NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS  | CONSISTENCY | COMMENTS |
|---|-------------|----------|
| the potential to generate sufficient demand.  |             |          |
| <u>Action 10.5</u> - Deliver a safe and efficient transport network to serve future release areas.  | N/A         |          |
| <b>Goal 2 - A thriving, interconnected economy</b><br><b>Direction 11: Protect and enhance productive agricultural lands</b>  |             |          |
| <u>Action 11.1</u> - Enable the growth of the agricultural sector by directing urban and rural residential development away from important farmland and identifying locations to support existing and small-lot primary production, such as horticulture in Coffs Harbour.          | N/A         |          |
| <u>Action 11.2</u> - Deliver a consistent management approach to important farmland across the region by updating the Northern Rivers Farmland Protection Project (2005) and Mid North Coast Farmland Mapping Project (2008).   | N/A         |          |
| <u>Action 11.3</u> - Identify and protect intensive agriculture clusters in local plans to avoid land use conflicts, particularly with residential and rural residential expansion.   | N/A         |          |
| <u>Action 11.4</u> - Encourage niche commercial, tourist and recreation activities that complement and promote a stronger agricultural sector, and build the sector's capacity to adapt to changing circumstances.  | N/A         |          |
| <u>Action 11.5</u> - Address sector-specific considerations for agricultural industries through local plans.  | N/A         |          |
| <b>Goal 2 - A thriving, interconnected economy</b><br><b>Direction 12 - Grow agribusiness across the region</b>   |             |          |
| <u>Action 12.1</u> - Promote the expansion of food and fibre production, agrichemicals, farm machinery, wholesale and distribution, freight and logistics, and processing through flexible planning provisions in local growth management strategies and local environmental plans. | N/A         |          |
| <u>Action 12.2</u> - Encourage the co-location of intensive primary industries, such as feedlots and compatible processing activities.  | N/A         |          |
| <u>Action 12.3</u> - Examine options for agribusiness to leverage proximity from the Gold Coast and Brisbane West Wellcamp airports.  | N/A         |          |
| <u>Action 12.4</u> - Facilitate investment in the agricultural supply chain by protecting assets, including freight and logistics facilities, from land use conflicts arising from the encroachment of incompatible land uses.  | N/A         |          |
| <b>Goal 2 - A thriving, interconnected economy</b><br><b>Direction 13 - Sustainably manage natural resources</b>  |             |          |
| <u>Action 13.1</u> - Enable the development of the region's natural, mineral and  | N/A         |          |

| NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS   | CONSISTENCY | COMMENTS |
|--|-------------|----------|
| forestry resources by directing to suitable locations land uses such as residential development that are sensitive to impacts from noise, dust and light interference.   |             |          |
| Action 13.2 - Plan for the ongoing productive use of lands with regionally significant construction material resources in locations with established infrastructure and resource accessibility.  | N/A         |          |
| <b>Goal 3 - Vibrant and engaged communities</b><br><b>Direction 14 - Provide great places to live and work</b>   |             |          |
| Action 14.1 - Prepare precinct plans in growth areas, such as Kingscliff, or centres bypassed by the Pacific Highway, such as Woodburn and Grafton, to guide development and establish appropriate land use zoning, development standards and developer contributions. | N/A         |          |
| Action 14.2 - Deliver precinct plans that are consistent with the Precinct Plan Guidelines (Appendix C).   | N/A         |          |
| <b>Goal 3 - Vibrant and engaged communities</b><br><b>Direction 15 - Develop healthy, safe, socially engaged and well-connected communities</b>  |             |          |
| Action 15.1 - Deliver best-practice guidelines for planning, designing and developing healthy built environments that respond to the ageing demographic and subtropical climate.   | N/A         |          |
| Action 15.2 - Facilitate more recreational walking and cycling paths and expand inter-regional and intra-regional walking and cycling links, including the NSW Coastline Cycleway.   | N/A         |          |
| Action 15.3 - Implement actions and invest in boating infrastructure priorities identified in regional boating plans to improve boating safety, boat storage and waterway access.  | N/A         |          |
| Action 15.4 - Create socially inclusive communities by establishing social infrastructure benchmarks, minimum standards and social impact assessment frameworks within local planning.   | N/A         |          |
| Action 15.5 - Deliver crime prevention through environmental design outcomes through urban design processes.   | N/A         |          |
| <b>Goal 3 - Vibrant and engaged communities</b><br><b>Direction 16 - Collaborate and partner with Aboriginal communities</b>   |             |          |
| Action 16.1 - Develop partnerships with Aboriginal communities to facilitate engagement during the planning process, including the development of engagement protocols.  | N/A         |          |
| Action 16.2 - Ensure Aboriginal communities are engaged throughout the preparation of local growth management strategies and local   | N/A         |          |

| NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS   | CONSISTENCY | COMMENTS |
|--|-------------|----------|
| environmental plans.   |             |          |
| <b>Goal 3 - Vibrant and engaged communities</b>  |             |          |
| <b>Direction 17: Increase the economic self-determination of Aboriginal communities</b>  |             |          |
| Action 17.1 - Deliver opportunities to increase the economic independence of Aboriginal communities through training, employment and tourism.  | N/A         |          |
| Action 17.2 - Foster closer cooperation with Local Aboriginal Land Councils to identify the unique potential and assets of the North Coast communities.  | N/A         |          |
| Action 17.3 - Identify priority sites with economic development potential that Local Aboriginal Land Councils may wish to consider for further investigation.  | N/A         |          |
| <b>Goal 3 - Vibrant and engaged communities</b>  |             |          |
| <b>Direction 18 - Respect and protect the North Coast's Aboriginal heritage</b>  |             |          |
| Action 18.1 - Ensure Aboriginal objects and places are protected, managed and respected in accordance with legislative requirements and the wishes of local Aboriginal communities.  | N/A         |          |
| Action 18.2 - Undertake Aboriginal cultural heritage assessments to inform the design of planning and development proposals so that impacts to Aboriginal cultural heritage are minimised and appropriate heritage management mechanisms are identified. | N/A         |          |
| Action 18.3 - Develop local heritage studies in consultation with the local Aboriginal community, and adopt appropriate measures in planning strategies and local plans to protect Aboriginal heritage.  | N/A         |          |
| Action 18.4 - Prepare maps to identify sites of Aboriginal heritage in 'investigation' areas, where culturally appropriate, to inform planning strategies and local plans to protect Aboriginal heritage.  | N/A         |          |
| <b>Goal 3 - Vibrant and engaged communities</b>  |             |          |
| <b>Direction 19 - Protect historic heritage</b>  |             |          |
| Action 19.1 - Ensure best-practice guidelines are considered such as the Australia International Council on Monuments and Sites (ICOMOS) Charter for Places of Cultural Significance and the NSW Heritage Manual when assessing heritage significance.   | N/A         |          |
| Action 19.2 - Prepare, review and update heritage studies in consultation with the wider community to identify and protect historic heritage items, and include appropriate local planning controls.   | N/A         |          |
| Action 19.3 - Deliver the adaptive or sympathetic use of heritage items and assets.  | N/A         |          |

| NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS  | CONSISTENCY | COMMENTS |
|---|-------------|----------|
| <b>Goal 3 - Vibrant and engaged communities</b><br><b>Direction 20 - Maintain the region's distinctive built character</b>  |             |          |
| Action 20.1 - Deliver new high-quality development that protects the distinct character of the North Coast, consistent with the North Coast Urban Design Guidelines (2009)  | N/A         |          |
| Action 20.2 - Review the North Coast Urban Design Guidelines (2009).  | N/A         |          |
| <b>Goal 3 - Vibrant and engaged communities</b><br><b>Direction 21 - Coordinate local infrastructure delivery</b>   |             |          |
| Action 21.1 - Undertake detailed infrastructure service planning to support proposals for new major release areas.  | N/A         |          |
| Action 21.2 - Maximise the cost-effective and efficient use of infrastructure by directing development towards existing infrastructure or promoting the co-location of new infrastructure.  | N/A         |          |
| <b>Goal 4 - Great housing choice and lifestyle options</b><br><b>Direction 22 - Deliver greater housing supply</b>  |             |          |
| Action 22.1 - Deliver an appropriate supply of residential land within local growth management strategies and local plans to meet the region's projected housing needs.   | N/A         |          |
| Action 22.2 - Facilitate housing and accommodation options for temporary residents by: <ul style="list-style-type: none"> <li>▪ preparing planning guidelines for seasonal and itinerant workers accommodation to inform the location and design of future facilities; and</li> <li>▪ working with councils to consider opportunities to permit such facilities through local environmental plans.</li> </ul> | N/A         |          |
| Action 22.3 - Monitor the supply of residential land and housing through the North Coast Housing and Land Monitor.  | N/A         |          |
| <b>Goal 4 - Great housing choice and lifestyle options</b><br><b>Direction 23 - Increase housing diversity and choice</b>   |             |          |
| Action 23.1 - Encourage housing diversity by delivering 40 per cent of new housing in the form of dual occupancies, apartments, townhouses, villas or dwellings on lots less than 400 square metres, by 2036.   | N/A         |          |
| Action 23.1 - Develop local growth management strategies to respond to changing housing needs, including household and demographic changes, and support initiatives to increase ageing in place.  | N/A         |          |
| <b>Goal 4 - Great housing choice and lifestyle options</b><br><b>Direction 24: Deliver well-planned rural residential housing areas</b>   |             |          |

| NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS   | CONSISTENCY | COMMENTS |
|--|-------------|----------|
| <p><u>Action 24.1</u> - Facilitate the delivery of well-planned rural residential housing areas by:</p> <ul style="list-style-type: none"> <li>identifying new rural residential areas in a local growth management strategy or rural residential land release strategy endorsed by the Department of Planning and Environment; and</li> <li>ensure that such proposals are consistent with the Settlement Planning Guidelines: Mid and Far North Coast Regional Strategies (2007) or land release criteria (once finalised).</li> </ul> | N/A         |          |
| <p><u>Action 24.2</u> - Enable sustainable use of the region's sensitive coastal strip by ensuring new rural residential areas are located outside the coastal strip, unless already identified in a local growth management strategy or rural residential land release strategy endorsed by the Department of Planning and Environment.</p>   | N/A         |          |
| <p><b>Goal 4 - Great housing choice and lifestyle options</b><br/> <b>Direction 25 - Deliver more opportunities for affordable housing</b></p>   |             |          |
| <p><u>Action 25.1</u> - Deliver more opportunities for affordable housing by incorporating policies and tools into local growth management strategies and local planning controls that will enable a greater variety of housing types and incentivize private investment in affordable housing.</p>  | N/A         |          |
| <p><u>Action 25.2</u> - Prepare guidelines for local housing strategies that will provide guidance on planning for local affordable housing needs.</p>   | N/A         |          |

## APPENDIX 2: COUNCILS LOCAL STRATEGY AND STRATEGIC PLAN/S CONSISTENCY CHECKLIST

(Note - refer to section 4.4 of this template document)

| Strategy/Strategic Plan   | Relevant component/statement of consistency  |
|---|--|
| The Clarence 2027   | <p>The proposal is relevant to the following Community Plan themes and objectives:</p> <p>2.1 To have communities that are well serviced with appropriate infrastructure. In order to do this we will:</p> <p>2.1.2 Ensure adequate natural disaster management</p> <p>4.1 To preserve and enhance our natural environment by:</p> <p>4.1.1 Managing our coastal zone, waterways, catchments and floodplains in an ecologically sustainable manner</p> <p>4.2 To foster a balance between development and the environment considering climate change impacts as we:</p> <p>4.2.2 Plan, resource and respond to natural hazards and disasters taking into account impacts from climate change</p> |
| Council's Delivery Program and Operational Plan (Note: this changes annually) | <p>The proposal is relevant to the following objectives, strategies &amp; activities:</p> <p>Action 4.2.2 Plan, resource and respond to natural hazards and disasters taking into account impacts from climate change includes the Glenreagh Flood Plain Risk Management Plan to be completed by June 2018.</p>  |
| Maclean Urban Catchment Local Growth Management Strategy 2011                 | N/A  |
| South Grafton Heights Precinct Strategy                                       | N/A  |
| Clarence Valley Settlement Strategy   | The Strategy supports some limited growth in Glenreagh, subject to the level of services and environmental constraints. The proposal will ensure this growth is not concentrated in areas prone to flooding.   |
| Lower Clarence Retail Strategy (May 2007)                                     | N/A  |
| Yamba Retail/Commercial Strategy (May 2002)                                   | N/A  |
| Clarence Valley Economic Development Strategic Plan                           | N/A  |
| Clarence Valley Industrial Lands Strategy                                     | N/A  |
| Clarence Valley Affordable Housing Strategy                                   | N/A  |
| Clarence Valley Council Biodiversity Management Strategy 2010                 | N/A  |
| Clarence River Way Masterplan 2009  | N/A  |
| Clarence Valley Open Spaces Strategic Plan 2012                               | N/A  |



### APPENDIX 3: STATE ENVIRONMENTAL PLANNING POLICY CONSISTENCY CHECKLIST

(Note - refer to section 4.5 of this template document)

| Name of SEPP  | Relevant/applicable? | Comment/statement of consistency                              |
|---|----------------------|---|
| <i>The following State Environmental Planning Policies (SEPPs) are current and whilst not all may be applicable to the Clarence Valley LGA they are all being acknowledged and some are considered in more detail where relevant.</i> |                      |   |
| State Environmental Planning Policy No 1 - Development Standards  | No                   | Not applicable to the CVLEP 2011 or to the planning proposal. |
| State Environmental Planning Policy No 19 - Bushland in Urban Areas   | No                   | N/A   |
| State Environmental Planning Policy No 21 - Caravan Parks   | No                   | N/A   |
| State Environmental Planning Policy No 30 - Intensive Agriculture   | No                   | N/A   |
| State Environmental Planning Policy No 33 - Hazardous and Offensive Development   | No                   | N/A   |
| State Environmental Planning Policy No 36 - Manufactured Home Estates   | No                   | N/A   |
| State Environmental Planning Policy No 44 - Koala Habitat Protection  | No                   | N/A   |
| State Environmental Planning Policy No 47 - Moore Park Showground   | No                   | N/A   |
| State Environmental Planning Policy No 50 - Canal Estate Development  | No                   | N/A   |
| State Environmental Planning Policy No 52 - Farm Dams and Other Works in Land and Water Management Plan Areas   | No                   | N/A   |
| State Environmental Planning Policy No 55 - Remediation of Land   | No                   | N/A   |
| State Environmental Planning Policy No 62 - Sustainable Aquaculture   | No                   | N/A   |
| State Environmental Planning Policy No 64 - Advertising and Signage   | No                   | N/A   |
| State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development  | No                   | N/A   |
| State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)  | No                   | N/A   |
| State Environmental Planning Policy (Affordable Rental Housing) 2009  | No                   | N/A   |
| State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004   | No                   | N/A   |
| State Environmental Planning Policy (Exempt and Complying Development Codes) 2008   | No                   | N/A   |
| State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004  | No                   | N/A   |
| State Environmental Planning Policy (Infrastructure) 2007   | No                   | N/A   |
| State Environmental Planning Policy (Kosciuszko National Park - Alpine Resorts) 2007  | No                   | N/A   |
| State Environmental Planning Policy   | No                   | N/A   |

| Name of SEPP  | Relevant/applicable? | Comment/statement of consistency |
|---|----------------------|----------------------------------|
| (Kurnell Peninsula) 1989  |                      |                                  |
| State Environmental Planning Policy (State Significant Precincts) 2005                            | No                   | N/A                              |
| State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 | No                   | N/A                              |
| State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007                       | No                   | N/A                              |
| State Environmental Planning Policy (Penrith Lakes Scheme) 1989                                   | No                   | N/A                              |
| State Environmental Planning Policy (Rural Lands) 2008  | No                   | N/A                              |
| State Environmental Planning Policy (State and Regional Development) 2011                         | No                   | N/A                              |
| State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011                        | No                   | N/A                              |
| State Environmental Planning Policy (Sydney Region Growth Centres) 2006                           | No                   | N/A                              |
| State Environmental Planning Policy (Three Ports) 2013  | No                   | N/A                              |
| State Environmental Planning Policy (Urban Renewal) 2010  | No                   | N/A                              |
| State Environmental Planning Policy (Western Sydney Employment Area) 2009                         | No                   | N/A                              |
| State Environmental Planning Policy (Western Sydney Parklands) 2009                               | No                   | N/A                              |
| State Environmental Planning Policy (Integration and Repeals) 2016                                | No                   | N/A                              |
| State Environmental Planning Policy (Vegetation in Non Rural Areas) 2017                          | No                   | N/A                              |
| State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017   | No                   | N/A                              |
| State Environmental Planning Policy (Coastal Management) 2018                                     | No                   | N/A                              |

**APPENDIX 4: SECTION 9.1 DIRECTION CONSISTENCY CHECKLIST**

| <b>SECTION 9.1 DIRECTION</b>   | <b>CONSISTENCY</b> | <b>COMMENTS</b>  |
|--|--------------------|--|
| <b>1. EMPLOYMENT AND RESOURCES</b>   |                    |  |
| <b>1.1 Business and Industrial Zones</b>   | Yes                | The proposal does not reduce the total potential floor space area for employment and related public services in business zones.  |
| <b>1.2 Rural Zones</b>   | Yes                | The proposal does not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.   |
| <b>1.3 Mining, Petroleum Production and Extractive industries</b>                            | Not applicable     |  |
| <b>1.4 Oyster Aquaculture</b>  | Not applicable     |  |
| <b>1.5 Rural Lands</b>   | Not applicable     |  |
| <b>2. ENVIRONMENT AND HERITAGE</b>   |                    |  |
| <b>2.1 Environmental protection Zones</b>  | Not applicable     |  |
| <b>2.2 Coastal protection</b>  | Not applicable     |  |
| <b>2.3 Heritage Conservation</b>   | Not applicable     |  |
| <b>2.4 Recreation Vehicle Areas</b>  | Not applicable     |  |
| <b>2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</b> | Not applicable     | This direction does not apply to the Clarence Valley Council area.   |
| <b>3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT</b>                                      |                    |  |
| <b>3.1 Residential Zones</b>   | Yes                | The proposal applies to land zoned residential. The proposal is consistent with this Direction as the proposal will ensure appropriate residential development that is compatible with the identified flood hazard.                |
| <b>3.2 Caravan Parks and Manufactured Home Estates</b>                                       | Not applicable     |  |
| <b>3.3 Home Occupations</b>  | Not applicable     |  |
| <b>3.4 Integrated Land Use and Transport</b>   | Not applicable     |  |
| <b>3.5 Development Near Licensed Aerodromes</b>  | Not applicable     |  |
| <b>3.6 Shooting Ranges</b>   | Not applicable     |  |
| <b>4. HAZARD AND RISK</b>  |                    |  |
| <b>4.1 Acid Sulfate Soils</b>  | Not applicable     |  |
| <b>4.2 Mine Subsidence and Unstable land</b>   | Not applicable     |  |
| <b>4.3 Flood Prone Land</b>  | Yes                | This proposal has been prepared in accordance with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 and ensures the CVC LEP includes consideration of the potential flood |

| SECTION 9.1<br>DIRECTION   | CONSISTENCY    | COMMENTS  |
|--|----------------|---|
|  |                | impacts.  |
| 4.4 Planning for Bushfire Protection   | Not applicable |   |
| <b>5. REGIONAL PLANNING</b>  |                |   |
| 5.1 Implementation of Regional Strategies  | Not applicable | No longer applicable as the Mid North Coast Regional Strategy has now been replaced by the North Coast Regional Plan 2036. Refer to Direction 5.10 below. |
| 5.2 Sydney Drinking Water Catchments   | Not applicable | This Direction does not apply to the Clarence Valley Council area.  |
| 5.3 Farmland of State and Regional Significance on the NSW Far North Coast       | Not applicable | This Direction does not apply to the Clarence Valley Council area.  |
| 5.4 Commercial and Retail Development along the Pacific Highway, North Coast     | Not applicable |   |
| 5.5 Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) | Not applicable | <i>Revoked 18 June 2010</i>   |
| 5.6 Sydney to Canberra Corridor  | Not applicable | <i>Revoked 10 July 2008 - See amended Direction 5.1</i>   |
| 5.7 Central Coast  | Not applicable | <i>Revoked 10 July 2008 - See amended Direction 5.1</i>   |
| 5.8 Second Sydney Airport: Badgerys Creek  | Not applicable | This Direction does not apply to the Clarence Valley Council area.  |
| 5.9 North West Rail Link Corridor Strategy                                       | Not applicable | This Direction does not apply to the Clarence Valley Council area.  |
| 5.10 Implementation of Regional Plans  | Yes            | The proposal is supported by the North Coast Regional Plan 2036 (see Appendix 1).   |
| <b>6. LOCAL PLAN MAKING</b>  |                |   |
| 6.1 Approval and Referral Requirements   | Yes            | The planning proposal does not introduce concurrence, consultation or referral requirements nor identify development as designated development.           |
| 6.2 Reserving Land for Public Purposes   | Not applicable |   |
| 6.3 Site Specific Provisions   | Not applicable |   |
| <b>7. METROPOLITAN PLANNING</b>  |                |   |
| 7.1 Implementation of a Plan for Growing Sydney                                  | Not applicable | This Direction does not apply to the Clarence Valley Council area.  |
| 7.2 Implementation of Greater Macarthur Land Release Investigation               | Not applicable | This Direction does not apply to the Clarence Valley Council area.  |
| 7.3 Parramatta Road Corridor Urban Transformation Strategy                       | Not applicable | This Direction does not apply to the Clarence Valley Council area.  |
| 7.4 Implementation of North West Priority  | Not applicable | This Direction does not apply to the Clarence Valley Council area.  |

| SECTION 9.1<br>DIRECTION  | CONSISTENCY    | COMMENTS   |
|---|----------------|--|
| Growth Area Land Use and Infrastructure Implementation Plan   |                |  |
| 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | Not applicable | This Direction does not apply to the Clarence Valley Council area. |
| 7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan             | Not applicable | This Direction does not apply to the Clarence Valley Council area. |
| 7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor   | Not applicable | This Direction does not apply to the Clarence Valley Council area. |