

**ATTACHMENT 9: ANALYSIS OF NET COMMUNITY BENEFIT CRITERIA
TAMWORTH ENTERPRISE AREA PLANNING PROPOSAL**

EVALUATION CRITERIA <i>YES/NO (or other comment as applicable)</i>	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION (or COMMENT)	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERION
Is the planning proposal compatible with agreed State and regional strategic direction for development in the area? YES	Currently, the lands are used for agriculture. The site is covered by four zones and corresponding lot sizes; <i>IN3 – Heavy Industry (U-1000m2), RU4 – Primary Production Small Lots AB2-40ha), R5 – Large Lot Residential (Z-2ha) and R1 – General Residential (M-600m2).</i> The <i>New England North West Regional Plan 2036</i> identifies this area as ‘Enterprise Investigation Area’ on the map relating to Tamworth on page 31.	The proposed amendments to the <i>TRLEP 2010 Land Zoning and Lot Size Maps</i> aim to give effect to the <i>New England North West Region Plan 2036</i> by maintaining the <i>IN3</i> zoned area. The remainder of the site is proposed to have a combination of <i>IN3, IN1 – General Industry and B7 – Business Park</i> zones to give effect to the strategic direction of the regional plan. The proposal includes the removal of lot size restrictions across the entire site to provide the greatest flexibility for the future use of the land.	The planning proposal is compatible with the strategic direction stipulated in the <i>New England North West Region Plan 2036</i>. A significant community benefit is identified for this criterion.

Is the planning proposal located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or another regional/sub-regional strategy? YES	The site is located in the regional city of Tamworth covered by the <i>New England North West Regional Plan 2036</i> . The subject land is shown as 'Enterprise Investigation Area'.	The planning proposal is in accordance with the regional plan and gives effect aims and objective for not only this parcel but the plan overall.	The proposed amendment involves a significant community benefit in terms of future economic and employment potential.
Is the proposal likely to create a precedent or create or change the expectations of the landowner or other landholders? YES	Currently the land is zoned <i>IN3, RU4, R5</i> and <i>R1</i> . There is no employment generating activities located on the subject land at present. The land is owned by Tamworth Regional Council.	The proposed amendments aim to provide the opportunity for the site to be developed for a wide range of business and industrial uses. This will create expectations for current and future owners of the land and landholders in the vicinity.	The purpose of the proposal is to facilitate the future development of the site as an enterprise area. Consequently, expectations for the potential development of the site will change for landholders and the community. A community benefit is identified in relation to this criterion.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations? NA	There have been no spot rezonings undertaken (or under consideration) affecting the subject lands.	NA	NA
Will the planning proposal facilitate a permanent employment generating activity? YES	Currently the land is zoned <i>IN3, RU4, R5</i> and <i>R1</i> . There is no employment generating activities located on the subject land at present.	The amendment of zone and lot size provisions will facilitate the development of substantial employment generating development on the subject lands in the business, general industrial and heavy industrial areas.	The facilitation of permanent employment generating activities on the site is a primary objective of the planning proposal. A significant community benefit is identified for this criterion.

Will the planning proposal impact upon the supply of residential land and therefore housing supply and affordability? MINOR	Currently, a 40 hectare section of the subject land is zone <i>R5 – Large Lot Residential</i> with a lot size of <i>Z – 2ha</i> and <i>6ha</i> of <i>R1 – General Residential</i> with a lot size of <i>M – 600m2</i> .	The proposal imposes a business zone on this section of the lands which prohibits residential accommodation with the exception of <i>shop top housing</i> . 2 hectare parcels are not typically considered as affordable housing in terms of cost to buyers or cost of servicing.	While there is technically an impact on the supply of residential land, the permissibility of <i>shop top housing</i> may actually provide a low cost option for residents in the locality. It is considered that the planning proposal may be benefit/cost neutral for this criterion.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is public transport currently available or is there infrastructure capacity to support future public transport? YES	The area to the north-west of the subject land (Glen Artney Industrial Estate) is developed with sewer, water and other utilities and the main road of Goddard Lane. The inactive Tamworth – Barraba rail-line borders the north-eastern boundary of the site. Public transport services are provided to the adjacent Westdale residential suburb and Tamworth Regional Airport.	The proposal includes access points from Goddard Lane and a major entrance from the Oxley Highway at the south-eastern boundary of the site. Master-planning of the site accommodates the potential reactivation of the rail-line to service the proposed intermodal freight facility. There will be the capacity for future public transport to serve the locality.	The potential efficient utilisation of existing and planned infrastructure results in a significant community benefit being identified in relation to this criterion.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? NO If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	Currently, there are no traffic generating activities located on the site. Traffic generating activities are located further to the north-west (Glen Artney) and to the south-west Tamworth Regional Airport.	The proposal aims to facilitate employment generating activities on this significant area of vacant land between Glen Artney and the Westdale residential suburb. The residents of Westdale will be well located to access the employment opportunities entailed with this new enterprise precinct.	The consolidation of employment land in this enterprise area provides efficiencies for customers, business owners and employees in terms of logistics, travel to work and business. It is considered that the planning proposal may be benefit/cost neutral for this criterion

Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? YES If so, what is the expected impact?	The Oxley Highway (SH11W), the inactive Tamworth - Barraba rail-line, Tamworth Regional Council wastewater treatment plant and Tamworth Regional Airport are adjacent to the subject lands.	The proposal involves the creation of employment generating land that will increase traffic on the Oxley Highway and increase activity at the Airport. The reactivation of the rail-line is a component of the master-plan underpinning the proposal.	The consolidation of employment land in this enterprise area provides efficiencies for the use of the significant existing and planned infrastructure in the locality. It is considered that the planning proposal provides a community benefit for this criterion
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors? STATUS QUO	The subject lands include areas which are identified by environmental and drainage studies that have been completed in the preparation of the master-plan and the planning proposal. Currently these areas are used for agriculture (mostly grazing).	The reports conclude that the areas can be managed and improved by retaining trees and grasses as well as managing drainage. The removal of the lands from agricultural purposes will allow for restoration of endemic species in an open space context.	It is considered that the planning proposal may be benefit/cost neutral for this criterion.
Will the LEP be compatible or complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve? YES	Currently the subject lands are used for agricultural purposes despite be strategically located adjacent to Tamworth Regional Airport, the established Glen Artney Industrial Precinct and an approved business park.	The LEP will be complementary to the surrounding land uses. The development of the area will entail a noticeable change to the landscape. The master-plan includes vegetated drainage corridors and buffers to mitigate undue amenity or public domain issues.	It is considered that the planning proposal provides a community benefit for this criterion.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area? YES	Currently the subject lands are used entirely for agricultural purposes despite being partially zoned <i>IN3 – Heavy Industry</i> .	The proposal will increase choice and competition by facilitating the increase the number commercial premises in the area including some retail uses.	It a key objective of the proposal to increase commercial activity on the site and a significant community benefit being identified in relation to this criterion.

If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future? NO	Currently the subject lands are used for agricultural purposes.	The proposal allows for neighborhood uses such as takeaway shops and childcare but not have the potential to develop in to a centre.	NA
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	Currently the subject lands are used for agricultural purposes despite be strategically located adjacent to Tamworth Regional Airport, the established Glen Artney Industrial Precinct and an approved business park. The site is located in the area covered by the <i>New England North West Regional Plan 2036</i> . The subject land is shown as 'Enterprise Investigation Area' in that plan.	Council has identified increasing interest by Australian and international investors in Tamworth as a regional freight and enterprise centre. The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> and gives effect to the aims and objectives for not only this parcel but the plan overall.	The proposed amendments to the <i>TRLEP 2010 Land Zoning and Lots Size Maps</i> aim to facilitate the development of the subject lands as significant employment generating and enterprise area. If the amendments to the <i>TRLEP 2010</i> are not implemented at this time, investment and development may be hampered. A community benefit is identified for this criterion.
NET COMMUNITY BENEFIT = 9 of the 12 applicable criteria above identify a clear community benefit. 3 of the 12 applicable criteria are assessed as being potentially benefit/cost neutral. 0 of the 12 applicable criteria identify a significant cost to the community. Overall, a notable net community benefit is identified in relation to this planning proposal.			

**ATTACHMENT 10: CONSIDERATION OF RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)
TAMWORTH ENTERPRISE AREA PLANNING PROPOSAL**

SEPPs applicable to the lands subject to the planning proposal	Consistent?	Reason for inconsistency or comment
No. 21 Caravan Parks	Yes	Caravan parks are prohibited in the <i>IN3</i> , <i>IN1</i> and <i>B7</i> zones proposed for the site. The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
No. 30 Intensive Agriculture	Yes	Intensive livestock agriculture is not a permissible use in either the existing zones or the proposed zones. The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
No. 33 Hazardous and Offensive Development	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
No. 36 Manufactured Home Estates	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
No. 44 Koala Habitat Protection	Yes	Flora and fauna studies have been carried out covering the subject lands for master-planning purposes in the preparation of the planning proposal. Koala habitat was addressed and it was concluded that it was unlikely that any koala habitat was present on site. The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .

No. 55 Remediation of Land	Yes	Contamination studies have been carried out covering the subject lands for master-planning purposes in the preparation of the planning proposal. The results indicated that the land was suitable for rezoning. Testing for per – & poly-fluroalkyl substances (PFAS) is ongoing and the results will form part of the public consultation materials. The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
No. 62 Sustainable Aquaculture	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
No. 64 Advertising and Signage	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
No. 65 Design Quality of Residential Apartment Development	Yes	Shop top housing is permissible in the B7 and IN1 zones so the SEPP may become applicable. The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
Affordable Rental Housing 2009	Yes	The creation of employment generating development adjacent to the developing suburb of Westdale is in accordance with the aims of the SEPP. The provisions of the SEPP are additional to those in <i>TRLEP 2010</i>
Building Sustainability Index: BASIX 2004	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
Educational Establishments and Child Care Facilities 2017	Yes	<i>Centre-based child care facilities</i> are permissible in the proposed B7 zone. The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
Exempt and Complying Development Codes 2008	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
Housing for Seniors or People with a Disability 2004	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .

Infrastructure 2007	Yes	The proposal is in accordance with the aims of the SEPP. The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
Mining, Petroleum Production and Extractive Industries 2007	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
Rural Lands 2008	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
SEPP (State and Regional Development) 2011	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
SEPP (State Significant Precincts) 2005	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .
SEPP (Vegetation in Non-Rural Areas) 2017	Yes	The provisions of the SEPP are additional to those in <i>TRLEP 2010</i> .

**ATTACHMENT 11: CONSIDERATION OF SECTION 117 MINISTERIAL DIRECTIONS -
ASSESSMENT RELEVANT TO THE TAMWORTH ENTERPRISE AREA PLANNING PROPOSAL**

1. Employment and Resources

Direction	Applicable to TRC	Consistent	Reason for inconsistency or comment
1.1 Business and Industrial Zones	Yes	Yes	The planning proposal meets all the requirements prescribed by the S.117 Direction.
1.2 Rural Zones	Cl.2(a) Yes Cl.2(b) No	Yes	The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> which was prepared by the Department of Planning and adopted in August 2017.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	Yes	The proposed zones do not prohibit mining. The <i>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</i> prevails over the <i>TRLEP 2010</i> .
1.5 Rural Lands	Yes	Yes	The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> which was prepared by the Department of Planning and adopted in August 2017.

2. Environment and Heritage

Direction	Applicable	Consistent	Reason for inconsistency or comment
2.1 Environment Protection Zones	Yes	Yes	The planning proposal is supported by a peer reviewed environmental study which informs the master-plan for the site and future development controls. The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> which was prepared by the Department of Planning and adopted in August 2017.
2.3 Heritage Conservation	Yes	Yes	The <i>TRLEP 2010</i> contains provisions that facilitate the conservation of heritage conservation elements. Aboriginal objects or places are protected under the <i>National Parks and Wildlife Act 1974</i> . The locality has been the subject of an aboriginal heritage assessment in the process of preparing a master-plan for the site. Future development approvals would be contingent on detailed survey of the affected land. It is considered that the planning proposal is consistent with the Direction.
2.4 Recreation Vehicle Areas	Yes	Yes	The proposal does not increase the permissibility of recreation vehicle areas. The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> which was prepared by the Department of Planning and adopted in August 2017.

3. Housing, Infrastructure and Urban Development

Direction	Applicable	Consistent	Reason for inconsistency or comment
3.1 Residential Zones	Yes	Yes	The proposal includes the replacement of the <i>R1 – General Residential</i> and <i>R5 – Large Lot Residential</i> zone affecting 20% of the site with the <i>B7 – Business Park</i> zone. The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> which was prepared by the Department of Planning and adopted in August 2017.
3.2 Caravan Parks and Manufactured Home Estates	Yes	Yes	The provisions of the <i>SEPP No.36 - Manufactured Home Estates</i> prevail over the <i>TRLEP 2010</i> . The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> which was prepared by the Department of Planning and adopted in August 2017.
3.3 Home Occupations	Yes	Yes	None of the proposed zones permits dwelling houses. Home occupations are permissible in the B7 and IN1 zones where shop top housing is permitted.

3.4 Integrating Land Use and Transport	Yes	Yes	The amended planning provisions are in accordance objectives of this Direction and promote the better use of transport infrastructure. The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> which was prepared by the Department of Planning and adopted in August 2017
3.5 Development Near Licensed Aerodromes	Yes	Yes	The relevant authorities will be consulted in in the process of community consultation in accordance with the requirements of a Gateway Determination. Council is the owner of the airport and the proposal is consistent with the <i>Tamworth Regional Airport Master Plan 2015</i> . There are no proposed changes to airport controls in the locality and no intention to allow development above the OLS or inconsistent with ANEF provisions. The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> which was prepared by the Department of Planning and adopted in August 2017.
3.6 Shooting Ranges	Yes	Yes	The planning proposal does not affect land adjacent to or adjoining an existing shooting range.

4. Hazard and Risk

Direction	Applicable	Consistent	Reason for inconsistency or comment
4.3 Flood Prone Land	Yes	Yes	The proposal does not propose to amend planning provisions that affect flood prone land. The subject land drains to the Peel River downstream of Tamworth City and a comprehensive stormwater study has been undertaken to ensure that drainage into, within and from the site can be managed. Development will be required to manage stormwater in accordance with the approved strategy.
4.4 Planning for Bushfire Protection	Yes	Yes	The proposal does not affect land that is covered by bushfire mapping.

5. Regional Planning

Direction	Applicable	Consistent	Reason for inconsistency or comment
5.1 to 5.9 Not affecting Tamworth Regional Local Government Area	No	Not applicable	Not affecting LGA
5.10 Implementation of Regional Plans	Yes	Yes	The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> which was prepared by the Department of Planning and adopted in August 2017.

6. Local Plan Making

Direction	Applicable	Consistent	Reason for inconsistency or comment
6.1 Approval and Referral Requirements	Yes	Yes	It is not considered that the planning proposal entails provisions which increase approval and referral requirements as outlined in the Direction. The planning proposal is in accordance with the <i>New England North West Regional Plan 2036</i> which was prepared by the Department of Planning and adopted in August 2017.
6.2 Reserving Land for Public Purposes	Yes	Yes	The planning proposal does not entail provisions which affect the reservation of land for public purposes.
6.3 Site Specific Provisions	Yes	Yes	The planning proposal is not prepared on the basis of allowing a particular development to be carried out.

7. Metropolitan Planning

Direction	Applicable	Consistent	Reason for inconsistency or comment
7.1 to 7.6 Not affecting Tamworth Regional Local Government Area	No	Not applicable	Not affecting LGA