

PLANNING PROPOSAL

Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)

Tamworth Enterprise Area Planning Proposal

Amendment of Zone and Lot Size Provisions

Part 1 – Objectives or Intended Outcomes

The objective of this proposal is to facilitate the development of employment generating and business activity lands on a significant area of land located approximately seven (7) kilometres to the west of Tamworth City. The subject lands are referred to as the Tamworth Enterprise Area (TEA) in this planning proposal.

The proposed amendment will amend the *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010) Land Zoning Map and Lot Size Map*.

Location and Context

The subject lands are identified as Lot 2 in DP 816346 and Lot 462 in DP 1178998, Westdale which is a suburb of Tamworth City, NSW. The proposal also covers incidental road, rail electricity and gas infrastructure lands adjacent to the site. These lands are included to provide an orderly zoning and lot size regime but will have no operative effect on this infrastructure.

Council has assessed an overall area approximately 246 hectares located between the Westdale residential suburb (Marathon Street) in the east and the existing Glen Artney heavy industrial area to the west (Goddard Lane). The land is bounded by the Oxley Highway to the south which adjoins Tamworth Regional Airport and the Tamworth-Barraba rail line to the north which runs parallel to Wallamore Road. Refer to **Attachment 1** (Subject Lands).

Background

Council acquired the subject lands in 2016 with the aim of securing the land for future industrial and business purposes. This planning proposal follows substantial master-planning and servicing assessment with a number of studies being undertaken to confirm that the land is suitable for the preferred land-uses. Refer to **Attachment 2** (Master Plan Map).

The studies undertaken include; contaminated land assessment, Aboriginal cultural heritage assessment, Flora and fauna study and additional peer review of findings. Council also commissioned a traffic study to assess the potential impact on the road network and has finalised the stormwater/drainage strategy for the entire catchment including the subject lands. Council is in the process of finalising water and sewer servicing strategies for the precinct. Testing is currently being undertaken for the potential presence of per- & poly-fluoroalkyl substances (PFAS) due to recent attention in relation to this potential issue. Sampling to date has not found any traces of PFAS. All studies, strategies and assessments will be included in the public exhibition material in accordance with the requirements of a Gateway Determination.

Summary

The planning proposal represents a significant amendment to the *Tamworth Regional Local Environmental Plan 2010* as a considerable area of valuable employment generating land is captured by the proposed zone and lot size changes. It is important to note that while Council has analysed these broad range of issues, specific impacts relating to future development proposals will need to be addressed via development application processes to determine the feasibility of proposed development types in specific sections of the subject lands.

Part 2 – Explanation of Provisions

The proposed amendment will amend the existing *Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010) Land Zoning Map Sheet LZN_004C* as it affects 177ha (72%) of the subject lands as follows:

- In the eastern portion of the site, replacement of the *R1 – General Residential*, *R5 – Large Lot Residential* and part of the *RU4 – Primary Production Small Lots* zones with the *B7 - Business Park* zone (67ha); and
- In the central portion of the site, replacement of the remaining *RU4* zone by enlarging the area already zoned *IN3 – Heavy Industrial* from the west in the northern section of the site by 50ha and implementation of the *IN1 – General Industrial* zone on the remaining land (60ha).

Refer to **Attachment 3** Current Map Sheet *7310_COM_LZN_004C_040_20170726* and **Attachment 4** (Proposed Zoning Regime).

The proposed revised map sheet *7310_COM_LZN_004C_040_20170922* is shown at **Attachment 5**.

The proposed amendment will also amend the existing *TRLEP 2010 Lot Size Map Sheet LZN_004C* as it affects the subject lands (all 246ha) to provide flexibility for the development of the enterprise land.

It is proposed that all lot size provisions be removed from the subject lands. Consequently, the *U – 1000m²*, *AB2 – 40ha*, *Z – 2ha* and *M – 600m²* provisions will be removed from the subject lands and the site will have no lot size provisions.

Refer to **Attachment 6** Current Map Sheet *7310_COM_LSZ_004C_040_20170726*) and **Attachment 7** (Proposed Lot Size Regime).

The proposed revised map sheet *7310_COM_LSZ_004C_040_20170922* is shown at **Attachment 8**.

Part 3 – Justification

Section A – Need for the Planning Proposal

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

Extensive strategic planning has been undertaken in the period from the 1990's to the present to provide employment generating lands using Industrial and Business zones. The lands include and will expand on the Glen Artney Industrial Precinct which is identified to the north-west of the subject lands and covered by the *Glen Artney Development Strategy 2008*.

The proposal is in accordance with the *Tamworth Regional Development Strategy 2008 (TRDS)* which informed the formulation of the *TRLEP 2010*. It is also complementary to the *Tamworth Regional Airport Master Plan 2015*.

Extensive infrastructure has been constructed and is planned including water, sewer, road, power and telecommunications services. This planning proposal builds on this comprehensive strategic planning work.

A2. Is this planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the only legal method of amending the *TRLEP 2010* to update the *Land Zoning Map* and *Lot Size Map* to facilitate the development of the enterprise area for industrial and business purposes. Council is seeking Delegated Authority to make this LEP and is submitting the delegated plan making reporting template and evaluation criteria for the delegation of plan making functions with the request for a Gateway Determination.

A3. Is there a net community benefit?

There is a net community benefit associated with the proposed amendment to the *TRLEP 2010*. Refer to **Attachment 9** for the analysis of the net community benefit.

It is considered that the resultant community benefit significantly outweighs the administrative cost of implementing the proposal.

Section B – Relationship to strategic planning framework

The planning proposal is consistent with the strategic planning direction outlined in the *Tamworth Regional Development Strategy 2008 (TRDS)*, in particular, Section 7 ‘Supporting Employment and Economic and Development’.

B1. Is the planning proposal consistent with the objectives and action contained within the applicable regional or sub-regional strategy?

The Department of Planning formulated the *Draft New England North West Regional Plan* which was released for public comment in late 19 December 2016 and exhibited for 9 weeks to 20 February 2017.

The *New England North West Regional Plan 2036* was approved and released on 23 August 2017. The regional plan specifically identifies the subject lands as ‘Enterprise Investigation Area’ on page 31. The combination of industrial and business zones is consistent with the aim of establishing the subject area a major enterprise site in regional NSW.

The proposal is consistent with the ‘Local Government Narratives’ in the regional plan relating to Tamworth Regional Council on Page 66.

In particular:

- Support the development of employment lands including Glen Artney; and
- Continue to development access and logistics infrastructure on appropriate sites to encourage new industry opportunities.

B2. Is the planning proposal consistent with the local council’s Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with the strategic planning direction outlined in the *TRDS*, as noted above. The proposal is also consistent with Tamworth Regional Council’s Community Strategic Plan (CSP). The *Keychange 2017-2027 Community Strategic Plan* was formulated and subject to an extensive consultation process in the first half of 2017 and was adopted by Council on 27 June 2017.

The CSP identifies Objective P1 to develop a strong and diverse economic base with a stated strategy to support and facilitate economic development and employment opportunities. The measures of success for this objective include the delivery of the Glen Artney expansion.

The CSP identifies Objective P4 to develop Tamworth as the next major freight distribution centre in regional NSW. To achieve strategies are to be developed to establish rail, air, land connections to enable local, national and international trade. An identified measure of success is the establishment the intermodal facility in Tamworth.

B3. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

Refer to **Attachment 10**.

B4. Is the planning proposal consistent with applicable S.117 Ministerial Directions?

Refer to **Attachment 11**.

Section C – Environmental, Social and Economic Impacts

C1. Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The conclusions of the flora/fauna study and subsequent peer review indicates that careful management of the Murroon Creek drainage line will ensure that there is no adverse impact on natural systems.

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

Refer to C1 above.

C3. How has the planning proposal adequately addressed any social and economic effects?

Refer to community benefit established at **Attachment 9**.

Section D – State and Commonwealth interests

D1. Is there adequate public infrastructure for the planning proposal?

Yes – It has been established that water and sewer services can be supplied to the site. Power is supplied to the area and traverses the site. It has been confirmed by a stormwater drainage study that stormwater demands relating to the site can be managed. Initial contact has been made with NBN Co who has not raised any concerns at this time. The proposal will facilitate the more efficient use of public infrastructure constructed in the area including Goddard Lane and the Oxley Highway.

D2. What are the views of State and Commonwealth Public Authorities consulted in accordance with gateway determination, and have they resulted in any variations to the planning proposal.

As part of the planning process for the *TRLEP 2010*, Council implemented an extensive consultation process with a range of government agencies through the Section 62 process.

Further consultation will be undertaken in accordance with the requirements of a Gateway Determination.

Part 4 – Mapping

The proposed amendment will update the existing *Tamworth Regional Local Environmental Plan 2010 Land Zoning Map*. The proposed revised map sheet 7310_COM_LZN_004C_040_20170922 is shown at **Attachment 5**.

The proposed amendment will also update the existing *Tamworth Regional Local Environmental Plan 2010 Lot Size Map*. The proposed revised map sheet 7310_COM_LSZ_004C_040_20170922 is shown at **Attachment 8**.

Part 5 – Community Consultation

Initial discussions have been undertaken with some of the landowners, developers and government bodies that adjoin the subject lands. A community consultation strategy for this planning proposal will be implemented to engage stakeholders and general public. The engagement process will involve displays at Council offices, media releases, public notices and interviews with landholders and stakeholders upon request. It is also planned to undertake an online consultation using Council's website and social media as appropriate.

Public exhibition and consultation will be undertaken in accordance with the requirements of a Gateway Determination.

Part 6 – Project timeline

The table below provides an indication of the timeline for the planning proposal.

Anticipated commencement date (date of Gateway Determination)	23 October 2017
Anticipated timeframe for the completion of technical information	Studies will be complete and ready for exhibition with the planning proposal.
Government agency consultation	Subject to Gateway Determination requirements.
Commencement and completion dates for public exhibition period	30 October 2017 – 27 November 2017 (4 weeks)
Dates for public hearing (if required)	Not Required
Timeframe for consideration of submissions	27 November 2017 - dependent on the level of community interest in the proposal
Timeframe for further consideration of the proposal	2-4 weeks – dependent on the level of community interest in the proposal
Date of submission to PCO and the Department to finalise the LEP	February 2018
Anticipated date Council will make the plan (if delegated)	March 2018
Anticipated date Council will forward to the department for notification	March 2018