

PLANNING PROPOSAL

Part Lot 73 DP 1107041

Corner of Peel and Roderick Street, Tamworth

Amendment to the

**Tamworth Regional Local Environmental Plan (TRLEP)
2010**

January 2017

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PLANNING PROPOSAL

Part Lot 73 DP 1107041, Corner Peel and Roderick Street, Tamworth

Amendment to the

Tamworth Regional Local Environmental Plan (TRLEP) 2010

Introduction

The Planning Proposal has been prepared in accordance with Section 55 (3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and guidelines 'A Guide to Preparing Planning Proposals' prepared by the NSW Department of Planning and Infrastructure. The following matters are required to be addressed as a component of the proposal:

- Part 1 – Objectives or intended outcomes
- Part 2 – Explanation of provisions
- Part 3 – Justification
- Part 4 – Mapping
- Part 5 – Community Consultation
- Part 6 – Project Time line

Background

The Tamworth Region provides an economic hub for the New England North West area and supports a number of existing centres in relation to goods and services. The Tamworth Region is also accessible to other local towns such as Gunnedah, Armidale and Inverell as well as being well serviced by transport networks and infrastructure.

The *Tamworth Regional Development Strategy (TRDS)* prepared in 2008, provides Council with a strategic plan to manage growth and outlines the visions and guiding principles for urban and rural area in the Tamworth region. The strategy highlights the need to strengthen the Tamworth Central Business District (CBD) and retail hierarchy to ensure the CBD remains the 'heart' of Tamworth. It also supports the expansion of the *B3-Commercial Core* zone in a north westerly and south easterly direction of the existing CBD to further enhance this unique precinct.

Considerable investment has been made by Council toward maintaining and sustaining the Tamworth CBD including the upgrade of Peel Street in 1996 and the proposed future upgrade of Fitzroy Street in 2017. Provision has been made with regard to planning instruments including those made in the *Tamworth Regional Local Environmental Plan (TRLEP) 2010* to ensure the commercial core was not compromised by large retail developers wanting to locate outside of the precinct.

With the recent development of the former Capital Theatre site in Bridge Street and the new retail development at the eastern end of the CBD, a shortage of commercially zoned land has been identified within this core location. The changes to the lands will ultimately encourage future employment generation and contribute to economic growth of Tamworth as a Regional Service Centre.

Site Identification

The subject site is currently used for the purpose of a Velodrome and forms part of the Bicentennial Park precinct. The land is located near the Peel River and associated riparian zone which is separated from the river by an existing levee bank. The land is bound by Roderick Street, Peel Street and Murray Street with access currently available from Roderick Street.

The land was classified Operational land in the Tamworth City Council's Local Environmental Plan 1996. The Velodrome site occupies approximately 1.25 hectares and is a portion of land that forms part of Bicentennial Park which is currently zoned *RE1 - Public Recreation*.

The subject site is currently zoned *RE1 - Public Recreation* with no minimum lot size or floor space ratio. The aim of the Planning Proposal is to subdivide the land, change the zoning, and introduce a floor space ratio to allow for future commercial development.

Part 1 – Objectives or Intended Outcomes

The Planning Proposal aims to change the zoning of Part Portion 73 DP 1107041 from *RE1–Public Recreation* to *B3–Commercial Core*. A lot size is currently not specified for the land and this is not proposed to change. A floor space ratio of 4:1 will be introduced to encourage development that will be consistent with the height levels of the existing structures within the commercial core.

(Refer to **Attachment 1** – Site Identification Map).

Part 2 – Explanation of Provisions

There are a number of changes required to be made to enable the subject site to be used for a commercial purpose. The lots and road reserves affected by these changes are listed below.

Street address	Lot & DP	Current zone	Area
Corner of Peel and Roderick Street, Tamworth	Part Lot 73 DP 1107041	<i>RE1 – Public Recreation</i>	1.25ha
Roderick Street	Road Reserve - Portion of Roderick Street	<i>B3 – Commercial Core</i>	N/A
Peel Street	Road Reserve - Portion of Peel Street	<i>B3 – Commercial Core</i>	N/A

Proposed Changes to Land Zoning

The lots affected by the change of Land Zoning are listed below. (Refer to **Attachment 2** – Current Land Zoning Map and **Attachment 3** - Proposed Land Zoning Map)

Land Use	Street address	Lot & DP	Current zoning	Proposed zone
Velodrome	Corner of Peel and Roderick Street, Tamworth	Part Lot 73 DP 1107041	<i>RE1 – Public Recreation</i>	<i>B3 – Commercial Core</i>

Proposed Changes to Lot Size (LS)

The Lot Size for the subject lots will not change and will remain as zero. (Refer to **Attachment 4** – Current Lot Size Map).

Address	Lot and DP	Current MLS	Proposed MLS
Corner Peel and Roderick Street, Tamworth	Part Lot 73 DP 1107041	0	0
Roderick Street	Road Reserve - Portion of Roderick Street	0	0
Peel Street	Road Reserve - Portion of Peel Street	0	0

Proposed Changes to Floor Space Ratio from 0 to 1:1

The Floor Space Ratio for the subject lots and road reserves is proposed to change. (Refer to **Attachment 5** – Current Floor Space Ratio Map and **Attachment 6** – Proposed Floor Space Ratio Map).

Address	Lot and DP	Current FSR	Proposed FSR
Corner Peel and Roderick Street, Tamworth	Part Lot 73 DP 1107041	0	4:1
Roderick Street	Road Reserve - Portion of Roderick Street	0	2:1
Peel Street	Road Reserve - Portion of Peel Street	1:1	2:1

Part 3 – Justification

Section A – Need for the Planning Proposal

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

The Planning Proposal is supported by the *Tamworth Regional Development Strategy (TRDS) 2008*. The TRDS 2008 provides Council with a strong strategic framework to manage growth and to provide long term direction for commercial development within the Tamworth Region. The strategy assists in coordinating future development activities by identifying an orderly and efficient supply of lands to adequately service the Regional community.

The TRDS supports the land located at the south eastern end of the CBD as having potential future commercial growth and development. The TRDS recommended that one of the main factors of economic growth for the region was the attraction of new economic activity. The strategy recommends the following initiatives:

- “Encourage and support commercial development within the Region”; and
- “Investigate the expansion of the commercial core”.

Chapter 7 of the TRDS, ‘Supporting Employment and Economic Development’ outlines strategic directions and actions in relation to future employment opportunities and potential economic development. The strategic directions and actions relating to lands within the Commercial Core of the Tamworth Central Business District include:

- Ensure planning policy facilitates and supports business development; by
- Protecting and enhancing the Tamworth Central Business District”; and
- Investigate the expansion of the commercial core (refer to chapter 11).

Chapter 11 of the TRDS, 'Local Area Strategies' outlines strategic actions for the Tamworth City including the "Protection and enhancing of the Urban Centre". An action suggests:

- *Investigation of the expansion of the commercial core; and the*
- *Protection the Retail Hierarchy - Retain and expand the commercial core.*

The proposed changes to the subject lands are consistent with the aims and objectives of the TRDS 2008.

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 permit the future commercial use of the land.

Statement of Council's Interest in the Subject Site

The following information outlines Council's interest in the subject site.

History of Land Ownership

According to the City of Tamworth Parish Map, Edition 10 dated 11 July 1972:

- The Part of Bicentennial Park now containing the velodrome was formerly known as the Prince of Wales Oval.
- Land was dedicated for the purposes of Public Recreation and Athletics Ground (18 January 1911, 25 March 1966 and 24 November 1972).
- Land was resumed by Tamworth City Council vide Government Gazette (17 September 1976).
- Land was vested in Tamworth City Council vide Government Gazette (25 February 1977).

The velodrome was constructed on the land in 1993/1994.

The land where the velodrome was constructed was classified as "Operational" in 1994 and the public reserve status of the land was expunged in Amendment 17 in 2002.

What is the purpose for which the property was originally acquired?

The velodrome is part of Bicentennial Park which was originally dedicated to Council in 1911 as a recreation reserve.

How did Council acquire the property?

The property was vested in Council as a public reserve. It was reclassified to operational land on 1st March, 2002 and the public reserve status was removed. The purpose of the reclassification was to facilitate the issue of leases over the land if required (e.g. cafe, restaurant, kiosk etc.)

Is the property subject to a trust for a public purpose or to any other estates, interests, dedications, conditions, restrictions or covenants affecting this land?

There are no restrictions or covenants affecting the land.

Are there any natural or man-made hazards that affect the property?

There are no natural or man-made hazards affecting the property.

What is the past, present and potential future use of the property (including any leases/licences associated with the property)?

The land was used as a Public Reserve until 1993 when the current velodrome was built. The velodrome is used for cycling. The site's improvements include an amenities building and a concrete velodrome.

Reason for Proposed Rezoning

In December 2014, Council endorsed a funding strategy for the Northern Inland Centre of Excellence which includes the sale of the velodrome site to enable the construction of a new cycling facility within the sporting precinct to be located adjacent to Jack Smyth Drive in South Tamworth. The sale of the existing velodrome facility is not possible until the site has a separate title and is rezoned.

The establishment of a centre of sporting excellence in Tamworth involves Council facilities in the precinct around Jack Smyth Drive including the Australian Equine and Livestock Events Centre, Tamworth Regional Entertainment and Conference Centre and Tamworth Sports Dome.

Financial Implications of the Reclassification and/or Rezoning

Funds from the sale of the velodrome will be invested in the Northern Inland NSW Cycling Centre, the facility is part of a wider Council strategy to enhance key sports facilities in the South Tamworth precinct around Jack Smyth Drive to establish a Northern Inland Centre of Excellence.

A3 Is there a net community benefit?

There is a significant net community benefit associated with the proposed amendments to the *TRLEP 2010*. Refer to **Attachment 7** for the analysis of the net community benefit.

Section B – Relationship to strategic planning framework

The Planning Proposal is consistent with the strategic planning direction outlined in the *Tamworth Regional Development Strategy (TRDS)*, in relation to the future provision of commercial lands.

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

The Planning Proposal is consistent with the Draft New England North Western Regional Growth Plan.

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 *Tamworth Regional Development Strategy 2008*, as noted above. The proposal is also consistent with Tamworth Regional Council's *Community Strategic Plan*.

B3 Is the planning proposal consistent with applicable state environmental planning policies (SEPPs)?

Refer to **Attachment 8**.

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

Refer to **Attachment 9**.

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?

There are no critical habitat or threatened species, population or ecological communities, or their habitats that will be adversely affected as a result of the proposal.

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

There will be no other environmental effects as a result of the Planning Proposal.

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

The proposal has significant positive social and economic outcomes. The increase of commercial lands for future development within the Tamworth Central Business District will provide for potential future economic investment within the area. This in turn will provide for employment opportunities and additional services and facilities within the city's commercial core.

Section D – State and Commonwealth interests

D1 Is there adequate public infrastructure for the planning proposal?

The subject lands are serviced by road, water, wastewater, electricity and telecommunications infrastructure. Due to the nature of the proposed development of the subject lands provision will be made for the increased demand for public infrastructure for the site.

D2 What are the views of State and Commonwealth Public Authorities consulted in accordance with gateway determination?

Roads and Maritime Services

A Tamworth Traffic Study was prepared in 2012 and determined that there would be an increase in traffic in particular areas of the city. The intersection at Scott Road, Peel Street and Murray Street will see an increase in traffic however does not require upgrading due to the existing dual lane roundabout. Council will continue to liaise with Roads and Maritime Services in regard to the future access to the site and traffic volumes that may be potentially generated from a future commercial use.

Part 4 – Mapping

Refer to attached mapping throughout this document.

Part 5 – Community Consultation

Community consultation has been undertaken in relation to the preparation and exhibition of the Northern Inland Centre of Excellence with key community stakeholders including the Tamworth Cycle Club. Group workshops were also conducted to establish expectations and time frames proposed for the development of the future sporting facility. The community consultation process significantly informed the preparation of the Northern Inland Centre of Excellence master plan with regard to types of sporting uses, staging and future requirements to support the facility.

Council, in accordance with the requirements of a Gateway determination and the NSW Department of Planning's *Guidelines to Preparing LEP's*, will formally notify adjoining landholders and government stakeholders of the proposal and extend an invitation to make comment. Public exhibition following a Gateway determination can be expected to include advertising in local newspapers, displays at Council offices and publication of public exhibition material on Council's website, www.tamworth.nsw.gov.au, for the prescribed period.

Part 6 – Project timeline

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

Anticipated commencement date (date of Gateway determination)	January 2017
Anticipated timeframe for the completion of technical information	To be determined by the DP&E
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	January/February 2017
Commencement and completion dates for public exhibition period	February 2017
Dates for public hearing (if required)	Not required
Timeframe for consideration of submissions	4 weeks
Timeframe for the consideration of a proposal post exhibition	N/A
Date of submission to department to finalise LEP	April 2017
Anticipated date RPA will make the plan (if delegated)	May 2017
Anticipated date RPA will forward to the Department for notification	May 2017



Tamworth Regional Local Environmental Plan 2010

Attachment 1

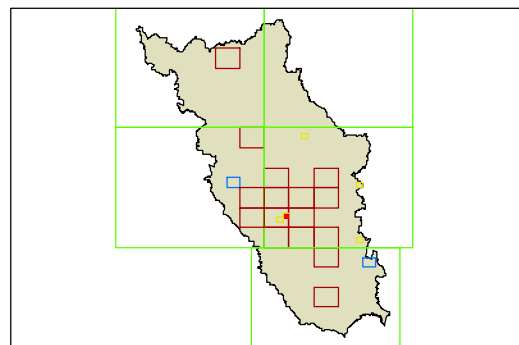
Planning Proposal
Part Lot 73 DP 1107041
Corner of Peel and
Roderick Street, Tamworth

Site Identification Map

Planning Proposal

 Subject Land

Aerial Imagery Date: 20 January 2016



0 25 50 Metres

Scale 1:2000@ A3

Projection: GDA 1994
Zone 56





Tamworth Regional Local Environmental Plan 2010

Attachment 2

Planning Proposal
Part Lot 73 DP 1107041
Corner of Peel and
Roderick Street, Tamworth

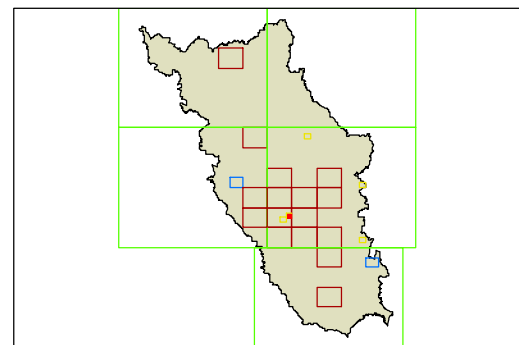
Current Land Zoning Map

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** Rural Small Holdings
- RU5** Village
- RU6** Transition
- SP1** Special Activities
- SP2** Infrastructure
- SP3** Tourist

Cadastre

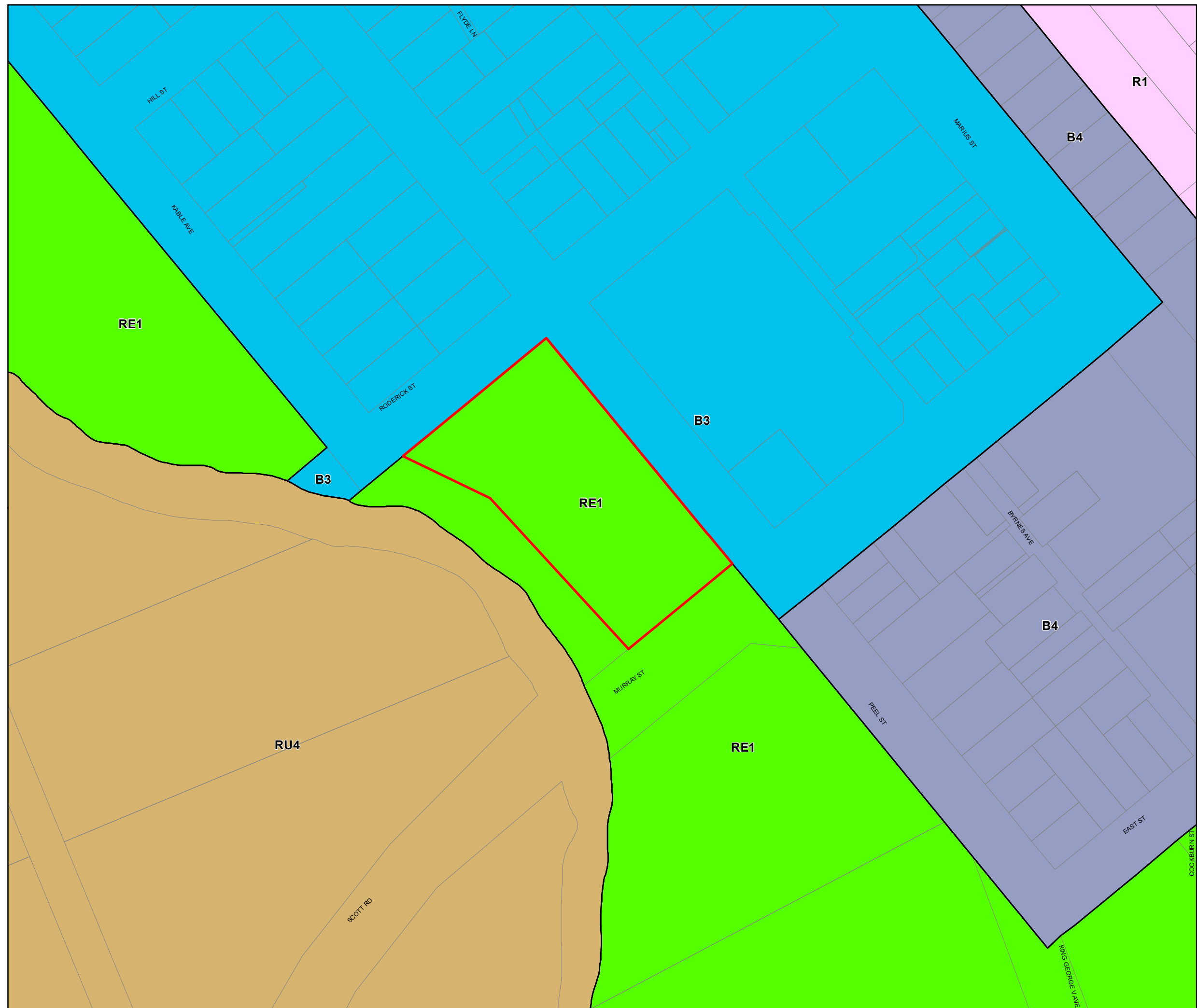
- Base Data 09/01/2017 © NSW LPMA
- Subject Land



0 25 50 Metres

Scale 1:2000@ A3

Projection: GDA 1994
Zone 56





Tamworth Regional Local Environmental Plan 2010

Attachment 3

Planning Proposal
Part Lot 73 DP 1107041
Corner Peel and
Roderick Street, Tamworth

Proposed Land Zoning Map

Zone

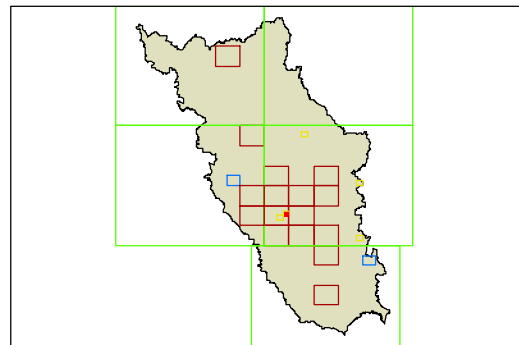
- B1** Neighbourhood Centre
- B2** Local Centre
- B3** Commercial Core
- B4** Mixed Use
- B5** Business Development
- B7** Business Park
- E1** National Parks and Nature Reserves
- E2** Environmental Conservation
- E3** Environmental Management
- IN1** General Industrial
- IN3** Heavy Industrial
- R1** General Residential
- R2** Low Density Residential
- R5** Large Lot Residential
- RE1** Public Recreation
- RE2** Private Recreation
- RU1** Primary Production
- RU3** Forestry
- RU4** Rural Small Holdings
- RU5** Village
- RU6** Transition
- SP1** Special Activities
- SP2** Infrastructure
- SP3** Tourist

Cadastre

Base Data 21/06/2011 © NSW LPMA

Planning Proposal

B3 Subject Land

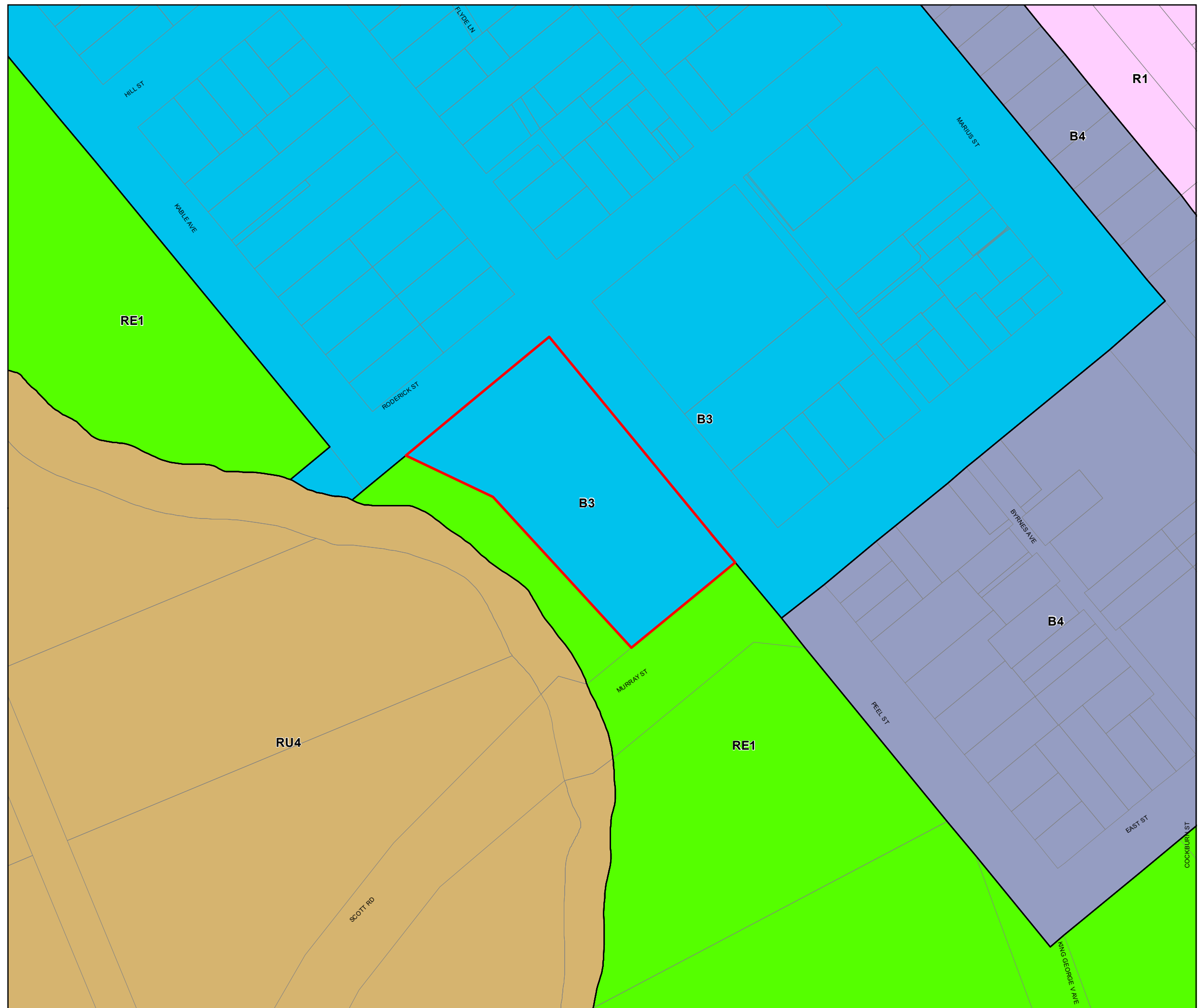


0 25 50 Meters

Scale 1:2000@A3

Projection: GDA 1994
Zone 56

Map Identification Number





Tamworth Regional Local Environmental Plan 2010

Attachment 4

Planning Proposal
Part Lot 73 DP 1107041
Corner of Peel and
Roderick Street, Tamworth

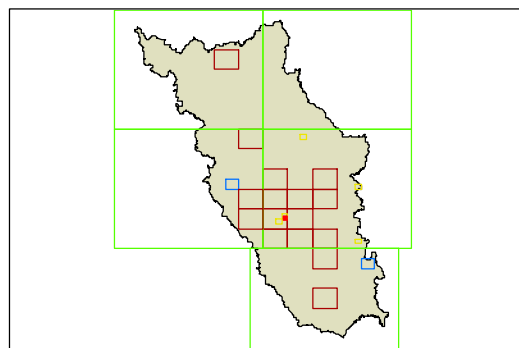
Current Lot Size Map

Minimum Lot Size (sq m)

M	600m ²
U	1000m ²
V	2000m ²
W	4000m ²
Y	1 ha
Z	2 ha
AA1	5 ha
AA2	9.9 ha
AB1	20 ha
AB2	40 ha
AD	100 ha
AF	400 ha
AH	800 ha

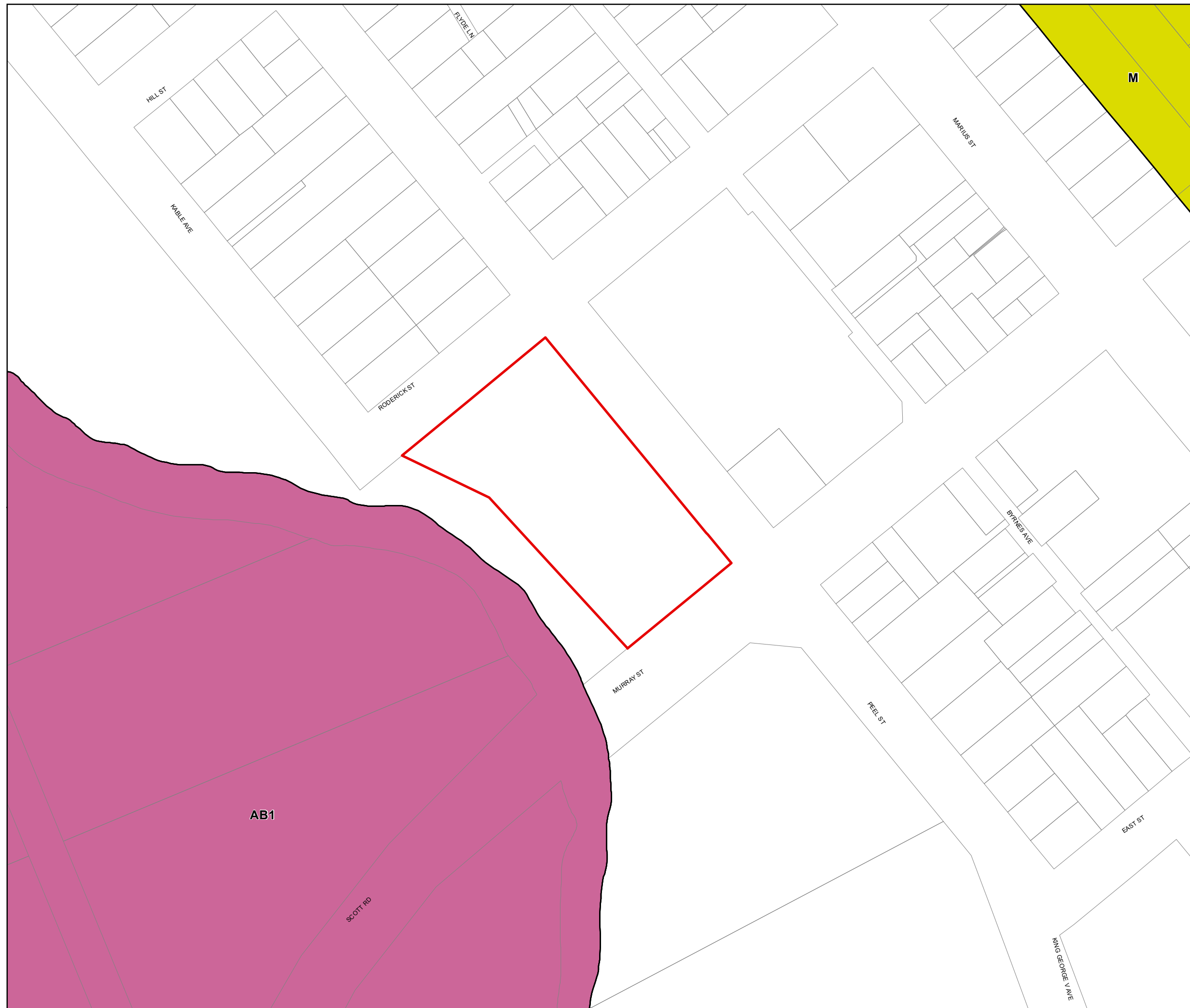
Cadastre

- Base Data 09/01/2017 © NSW LPMA
- Subject Land



0 25 50 Metres
Scale 1:2000@A3

Projection: GDA 1994
Zone 56





Tamworth Regional Local Environmental Plan 2010

Attachment 5

Planning Proposal
Part Lot 73 DP 1107041
Corner of Peel and
Roderick Street, Tamworth

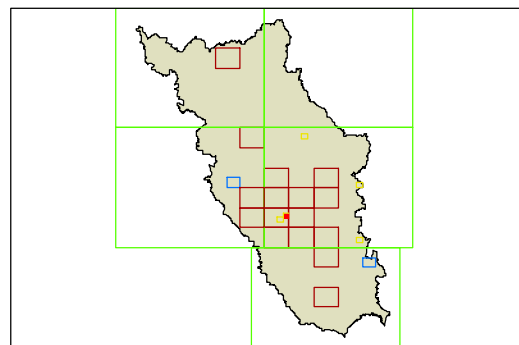
Current Floor Space Ratio Map

Maximum Floor Space Ratio (n:1)

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

Cadastre

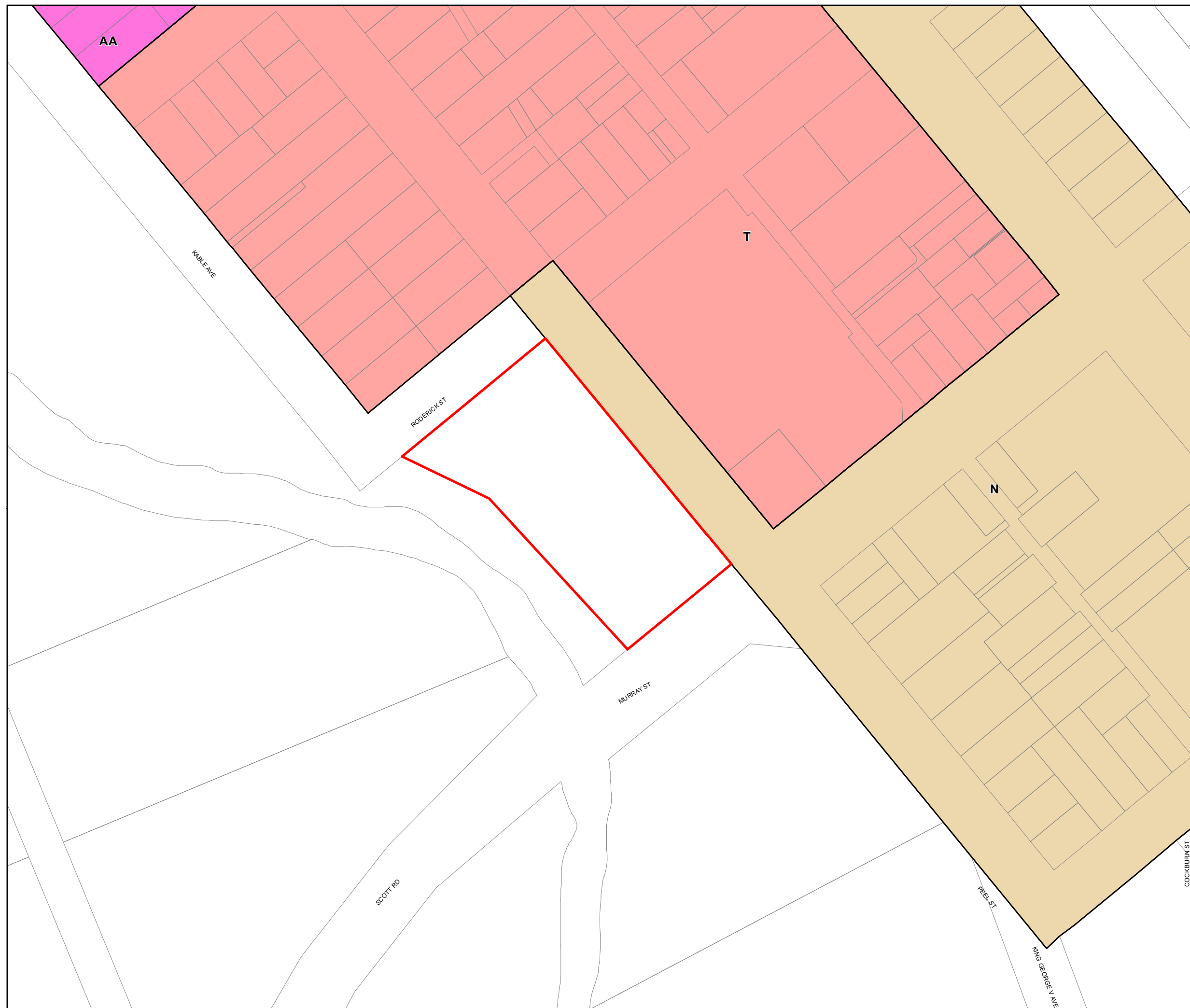
	Base Data 09/01/2017 © NSW LPMA
	Subject Land



0 25 50 Metres

Scale 1:2000@A3

Projection: GDA 1994
Zone 56



Attachment 6

Planning Proposal
 Part Lot 73 DP 1107041
 Corner of Peel and
 Roderick Street, Tamworth

Proposed Floor Space Ratio Map

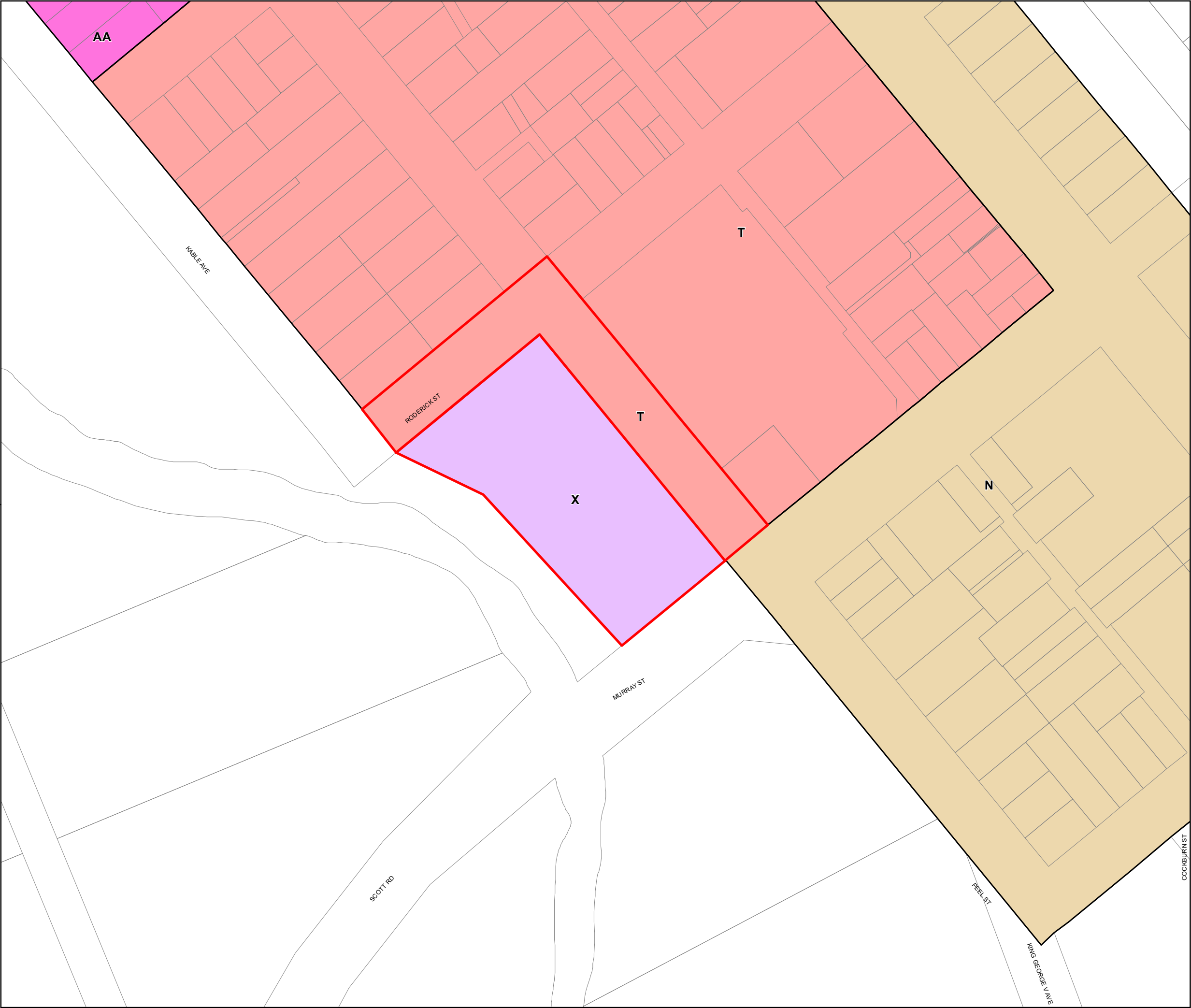
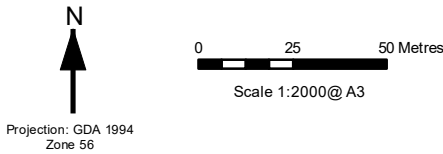
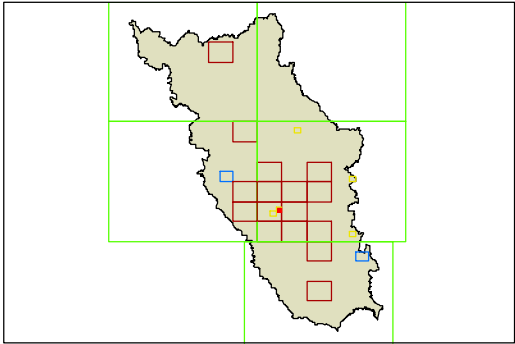
Maximum Floor Space Ratio (n:1)

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

Base Data 09/01/2017 © NSW LPMA

Planning Proposal

T	Subject Land
X	Subject Land



Attachment 7

Analysis of Net Community Benefit Criteria

Planning Proposal for Part Lot 73 DP 1107041, Corner of Peel and Roderick Street, Tamworth

EVALUATION CRITERIA (YES/NO RESPONSE as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION - or COMMENT	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERIA
Will the LEP be compatible with agreed State and Regional strategic direction for development in the area? YES	The proposal is compatible with the <i>Tamworth Regional Development Strategy 2008</i> which supports the rezoning of lands for future commercial development to stimulate economic and employment growth.	The Planning Proposal will increase the availability of core commercial lands within the Central Business District for future business and commercial development.	The rezoning of lands in the eastern precinct of the Tamworth Central Business District will benefit the community by encouraging economic activity to the area including the generation of future employment opportunities. Additional benefits may include an increase in population from employed opportunities generated by the commercial development.
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? N/A	The subject site with its current zoning is identified within The Draft New England North West Growth Plan.	The proposed changes to the lands are supported by the goals identified by the Draft New England North West Growth Plan for the increase of services and facilities within the Tamworth City Commercial Core.	The Draft New England North West Growth Plan supports the growth of regional cities including Tamworth to provide high level services and facilities to support the Tamworth region and the New England and North Western areas.
Is the proposal likely to create a precedent or create or change the expectations of the landowner or other landholders? YES	Rezoning of the lands will change the expectations of future land owners from a Recreational use to a Commercial use. The current zoning of the land is <i>RE1–Public Recreation</i> . A portion of land is to be subdivided from Bicentennial Park being a large area of open space located along the Peel River adjacent to the Tamworth City Central Business District. This portion of land and Bicentennial Park is classified as operational land.	The zoning of land will change the land use from <i>RE1–Public Recreation</i> to <i>B3–Commercial Core</i> . The lot size provisions will remain as having a zero minimum lot size and the introduction of a floor space ratio of 4:1.	The benefits that will result from the rezoning, change in minimum lot size and introduction of floor space ratio will allow for a range of uses associated with commercial development to locate on the edge of the Tamworth City Central Business District.

Attachment 7

Analysis of Net Community Benefit Criteria

Planning Proposal for Part Lot 73 DP 1107041, Corner of Peel and Roderick Street, Tamworth

EVALUATION CRITERIA (YES/NO RESPONSE as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION - or COMMENT	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERIA
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations? N/A	The subject site is not identified within any of these specified areas.	Not applicable.	Not applicable.
Will the planning proposal facilitate a permanent employment generating activity? YES	The subject site is currently used for a recreational purpose. A velodrome which includes a cycling track and associated facilities currently utilised by the community is located on the site.	The subject site is located adjacent to lands <i>zoned B3–Commercial Core</i> and is approximately 1.25 hectares. The rezoning of this major inner city site, including a zero minimum lot size and introduction of a 4:1 floor space ratio will allow for the development of a commercial premises which will generate considerable employment activities. The rezoning of this land for business development is required to support future economic growth within the region.	The investment in the construction of future business and commercial premises on the subject site and the extension of the Tamworth City Central Business District will provide an opportunity to provide permanent and part time employment in a range of trades and professions. Employment opportunities will be available for local residents and those outside the region wanting to relocate to the area. This trend may impact upon population growth with future investment potential within the local housing market.
Will the planning proposal impact upon the supply of residential land and therefore housing supply and affordability? NO	No. The land is currently zoned <i>RE1 – Public Recreation</i> and is proposed to be rezoned for a commercial purpose.	Not applicable.	Not applicable.

Attachment 7

Analysis of Net Community Benefit Criteria

Planning Proposal for Part Lot 73 DP 1107041, Corner of Peel and Roderick Street, Tamworth

EVALUATION CRITERIA (YES/NO RESPONSE as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION - or COMMENT	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERIA
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? YES	The subject site is located on the eastern fringe of the Tamworth City Central Business District. The land is bound by Roderick Street, Peel Street and Murray Street. A roundabout is located at the junction of Murray Street and Peel Street. The roundabout provides a gateway entry into the north eastern end of the Central Business District. The Tamworth Railway Station is located within the Central Business District in Marius Street.	Once the land is rezoned the development application process will determine the most appropriate access to the site.	The current road and rail infrastructure is considered sufficient to accommodate potential traffic generated by future commercial development on the subject site.
Is public transport currently available or is there infrastructure capacity to support future public transport? YES	A bus service is currently available within the Tamworth City Central Business District. The Tamworth Railway Station is located on Marius Street in north western direction from the subject site.	Future commercial development within the north eastern end of the Central Business District may generate future locations where buses may stop and provide additional services for the area.	The current road infrastructure is considered sufficient to accommodate future public transport requirements.
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?	The subject site is located on the north eastern end of the Tamworth Central Business District. Customers and suppliers currently utilise the commercial premises located across the road from the subject site and other sites within the Central Business District.	The rezoning of the subject site will not affect the car distances travelled by cars, employees and suppliers. The subject site is located at the eastern end of the Central Business District where there is existing vehicle movement.	The rezoning has the potential to provide additional commercial opportunities to the community while not affecting travelling distances or compromise the supply of good and services within this location.

Attachment 7

Analysis of Net Community Benefit Criteria

Planning Proposal for Part Lot 73 DP 1107041, Corner of Peel and Roderick Street, Tamworth

EVALUATION CRITERIA (YES/NO RESPONSE as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION - or COMMENT	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERIA
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? NO If so, what is the expected impact?	The subject site is not located in an area that contains significant Government investments in infrastructure or services.	Not applicable.	Not applicable.
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? NO	The subject site is not constrained by environmental impacts or factors.	Not applicable.	Not applicable.
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	The subject site is currently zoned <i>RE1 – Public Recreation</i> and located on the eastern fringe of the Tamworth City Central Business District which is zoned <i>B3 – Commercial Core</i> .	The rezoning of the subject site to <i>B3 – Commercial Core</i> will be complimentary with the surrounding land also zoned <i>B3-Commercial Core</i> . The future development of the site will be in context with the surrounding uses.	The amenity and public domain will be improved due to the site being development to include a business/commercial use that will complement the existing land uses.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area? YES	The subject site is currently used for public recreation in the form of a community velodrome. The site is currently vacant with an area of approximately 1.25 hectares and has the capacity to accommodate a	The rezoning of the subject site to a <i>B3 – Commercial Core</i> zone will permit future commercial development. The introduction of a floor space ratio of 4:1 will increase commercial development	The changes proposed for the subject site will permit a range of commercial uses on the land and support the extension of the Central Business District.

Attachment 7

Analysis of Net Community Benefit Criteria

Planning Proposal for Part Lot 73 DP 1107041, Corner of Peel and Roderick Street, Tamworth

EVALUATION CRITERIA (YES/NO RESPONSE as applicable)	COMMUNITY COSTS AND BENEFITS		
	BASE CASE – CURRENT SITUATION - or COMMENT	PLANNING PROPOSAL	COMMUNITY BENEFIT PER CRITERIA
	range of retail and commercial uses.	opportunities on the site and accommodate a range of commercial use.	
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future? N/A	The subject site is located on the eastern fringe of the Tamworth Centre Business District.	The rezoning of the subject site to <i>B3- Commercial Core</i> will increase the commercial area within the Tamworth Central Business District.	The increase in commercial lands within the north eastern precinct of the Tamworth Central Business District will provide the community with a range of services and contribute toward a regional commercial hub for north western NSW.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The subject site is located on the north eastern fringe of the Tamworth Central Business District and is a prominent site in this locality There has been considerable interest in the future potential of the site.	The planning proposal will rezone the lands for future commercial development that will support the surrounding commercial uses within the north eastern portion of the Central Business District. Not proceeding with the proposed changes will result in a shortage of commercial lands within the central business district.	The sale of the subject site where the community velodrome is located will fund the development of a new cycling facility to be located in South Tamworth in the new sporting precinct known as the Northern Inland Centre of Excellence.
Summary	A significant net community benefit is identified by this analysis for 10 of the criteria examined above. No significant net cost was identified relating to any of the criteria considered.		

Attachment 8
Consideration of State Environmental Planning Policies Relative to the
Planning Proposal for Part Lot 73 DP 1107041
Corner of Peel and Roderick Street, Tamworth

The following SEPP's apply to the Tamworth Regional Council Area Local Government Area, as at 9 January 2017.

SEPP	Applicable to TRC?	Consistent/ Inconsistent	Reason for inconsistency or comment
State Environmental Planning Policy No. 1 - Development Standards	Yes	N/A	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy No. 14 - Coastal Wetlands	No	N/A	Not applicable
State Environmental Planning Policy No. 19 - Bushland in Urban Areas	No	N/A	Not applicable
State Environmental Planning Policy No. 21 - Caravan Parks	Yes	Consistent	Caravan Parks are prohibited B3 – <i>Commercial Core</i> zone.
State Environmental Planning Policy No. 26 – Littoral Rainforests	No	N/A	Not applicable
State Environmental Planning Policy No. 30 - Intensive Agriculture	Yes	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy No. 33 - Hazardous and Offensive Development	Yes	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy No. 36 - Manufactured Home Estates	Yes	Consistent	The SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy No. 44 - Koala Habitat Protection	No	N/A	Not applicable
State Environmental Planning Policy No. 47 – Moore Park Showground	No	N/A	Not applicable
State Environmental Planning Policy No. 50 - Canal Estate Development	No	N/A	Not applicable
State Environmental Planning Policy No. 52 – Farm Dams and other works in Land and Water Management Plan Area	No	N/A	Not applicable
State Environmental Planning Policy No. 55 - Remediation of Land	Yes	Consistent	The SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy No. 62 - Sustainable Aquaculture	Yes	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy No. 64 - Advertising and Signage	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)	No	N/A	Not applicable
State Environmental Planning Policy No. 71 – Coastal Protection	No	N/A	Not applicable
State Environmental Planning Policy (Affordable Rental Housing) 2009	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .

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Corner of Peel and Roderick Street, Tamworth

SEPP	Applicable to TRC?	Consistent/ Inconsistent	Reason for inconsistency or comment
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy Housing for Seniors or People with a Disability 2004	Yes	Consistent	Seniors Housing and residential care facilities are prohibited within the B3 Zone.
State Environmental Planning Policy (Infrastructure) 2007	Yes	Consistent	SEPP provisions are additional to those in the <i>TRLEP 2010</i> .
State Environmental Planning Policy (Integration and Repeals) 2016	No	N/A	Not applicable
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	No	N/A	Not applicable
State Environmental Planning Policy (Kurnell Peninsula) 1989	No	N/A	Not applicable
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Yes	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	No	N/A	Not applicable
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	No	N/A	Not applicable
State Environmental Planning Policy (Rural Lands) 2008	Yes	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy (State and Regional Development) 2011	No	N/A	Not applicable
State Environmental Planning Policy (State Significant Precincts) 2005	Yes	N/A	Not applicable to the lands identified in the Planning Proposal
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	No	N/A	Not applicable
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	No	N/A	Not applicable
State Environmental Planning Policy (Three Ports) 2013	No	N/A	Not applicable
State Environmental Planning Policy (Urban Renewal) 2010	No	N/A	Not applicable
State Environmental Planning Policy (Western Sydney Employment Area)	No	N/A	Not applicable
State Environmental Planning Policy (Western Sydney Parklands) 2009	No	N/A	Not applicable

Attachment 9
Consideration of Section 117 Ministerial Directions
Assessment relative to Part Lot 73 DP 1107041
Corner Peel and Roderick Street, Tamworth

1. Employment and Resources

Direction	Applicable	Consistent	Reason for inconsistency or comment
1.1 Business and Industrial Zones	Yes	Consistent	The Planning proposal is in accordance with the requirement of the S.117 Direction. The Tamworth Regional Development Strategy 2008 encourages commercial development and employment growth within the Central Business District.
1.2 Rural Zones	Yes	Not Applicable	Does not affect the subject land.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	Not Applicable	Does not affect the subject land.
1.4 Oyster Aquaculture	No	Not Applicable	Land use does not affect Tamworth LGA
1.5 Rural Lands	No	Not Applicable	Does not affect the subject land.

2. Environment and Heritage

Direction	Applicable	Consistent	Reason for inconsistency or comment
2.1 Environment Protection Zones	No	Not Applicable	Does not affect the subject land.
2.2 Coastal Protection	No	Not Applicable	Does not affect Tamworth LGA
2.3 Heritage Conservation	Yes	Consistent	Does not affect the subject land.
2.4 Recreation Vehicle Areas	Yes	Not Applicable	Does not affect the subject land.

Attachment 9
Consideration of Section 117 Ministerial Directions
Assessment relative to Part Lot 73 DP 1107041
Corner Peel and Roderick Street, Tamworth

3. Housing, Infrastructure and Urban Development

Direction	Applicable	Consistent	Reason for inconsistency or comment
3.1 Residential Zones	No	Not Applicable	The Planning Proposal does not apply to residential zones.
3.2 Caravan Parks and Manufactured Home Estates	No	Not Applicable	Caravan Parks and Manufactured Home Estates are prohibited within the B3 – <i>Commercial Core</i> zone.
3.3 Home Occupations	Yes	Consistent	The Planning Proposal is in accordance with the requirements of the S.117 Direction.
3.4 Integrating Land Use and Transport	Yes	Consistent	The Planning Proposal will support vehicle access and public transport within the proposed commercial core precinct.
3.5 Development Near Licensed Aerodromes	No	Not Applicable	Does not affect the subject land.
3.6 Shooting Ranges	No	Not Applicable	Does not affect the subject land.

4. Hazard and Risk

Direction	Applicable	Consistent	Reason for inconsistency or comment
4.1 Acid Sulfate Soils	No	Not Applicable	Does not affect the LGA.
4.2 Mine Subsidence and Unstable Land	No	Not Applicable	Does not affect the LGA.
4.3 Flood Prone Land	Yes	Consistent	The land is considered not to be flood prone land due to the existing level bank that has been constructed adjacent to the Peel River.
4.4 Planning for Bushfire Protection	Yes	Not Applicable	Does not affect the subject land.

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5. Regional Planning

Direction	Applicable	Consistent	Reason for inconsistency or comment
5.1 Implementation of Regional Strategies	No	Not Applicable	Does not affect the Tamworth LGA.
5.2 Sydney Drinking Water Catchments	No	Not Applicable	Does not affect the Tamworth LGA.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	Not Applicable	Does not affect the Tamworth LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	Not Applicable	Does not affect the Tamworth LGA.
5.8 Second Sydney Airport: Badgerys Creek	No	Not Applicable	Does not affect the Tamworth LGA.

6. Local Plan Making

Direction	Applicable	Consistent	Reason for inconsistency or comment
6.1 Approval and Referral Requirements	Yes	Consistent	The Planning proposal is in accordance with the requirements of the S.117 Direction.
6.2 Reserving Land for Public Purposes	Yes	Consistent	The Planning proposal is in accordance with the requirements of the S.117 Direction.
6.3 Site Specific Provisions	Yes	Consistent	The Planning proposal is in accordance with the requirements of the S.117 Direction.

7. Metropolitan Planning

Direction	Applicable	Consistent	Reason for inconsistency or comment
7.1 Implementation of the Metropolitan Strategy	No	Not Applicable	Does not affect the Tamworth LGA.