

PLANNING PROPOSAL

Clarence Valley Local Environmental Plan 2011 Housekeeping Amendments 2018

Prepared by Clarence Valley Council

CVLEP Housekeeping 2018 Planning Proposal

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Declaration

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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 <i>A guide</i> <i>to preparing planning proposals</i> (August 2016).
Date:	November 2018

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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 specific parcels of land in various localities throughout the Clarence Valley LGA (see appendix 5).

1.3 Current Zoning & Use

The planning proposal applies to a variety of zones and uses within the Clarence Valley Local Environmental Plan 2011 (CVLEP) area.

1.4 Background

This planning proposal has been prepared to resolve a number of anomalies in the provisions and maps of the CVLEP 2011 that have been identified in the time since the last planning proposal for CVLEP Housekeeping Amendment was prepared in September 2017.

There are five amendments relating to:

- realigning the lot size and/or zoning maps to align with property boundaries
- updating Schedule 5 to the CVLEP and/or heritage LEP map so that one erroneous listing is removed and another reflects changes in lot boundaries
- updating the zoning to E1 National Parks and Nature Reserves of approximately 70 lots that are now gazetted as part of National Parks and Wildlife Service reserves.



2. PART 1 - OBJECTIVE OR INTENDED OUTCOME

The objectives of the planning proposal are to make minor amendments to the CVLEP to rectify minor errors and reflect recent updates.

3. PART 2 - EXPLANATION OF PROVISIONS

The objectives of the Proposal will be achieved by:

- 1. Amending a number of CVLEP maps including the Land Zoning Map, Lot Size Map and Heritage Map.
- 2. Deleting one heritage listing (i492) in Schedule 5 to the CVLEP.

Full details of each of the five amendments are provided in Appendix 5, including amendment ID number, amendment title, land description/address, land owners(s), description of issue, description of proposed amendment to the CVLEP and relevant maps.



4. PART 3 - JUSTIFICATION

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

The planning proposal is not a result of any strategic study or report. It is the result of a periodic review of the CVLEP 2011 which has identified a number of minor errors, anomalies and updates in its provisions and maps.

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

The planning proposal is considered the best and only means of achieving the objectives listed in Part 2.

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 plans goals, directions and actions is at Appendix 1 (consistency checklist).

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

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.

The planning proposal is consistent with Council's Delivery Program 2017-2021, specifically the Action under Strategy 5.1.6 which states *Review of CVLEP and DCPs to address anomalies and prepare draft and refer to Council for pre-Gateway decision.*



An assessment of the planning proposal against the relevant strategies is at Appendix 2 (consistency checklist).

4.5 Consistency with applicable state environmental planning policies

The proposal is consistent with applicable state environmental planning policies (SEPPs).

Refer to the consistency checklist against these policies 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?

There will be no adverse impact on any of these matters as a result of this planning 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?

No adverse environmental effects are likely to arise as a result of the planning proposal.



4.9 Relevant social and economic effects?

The proposed amendments to the CVLEP maps and provisions are not likely to create any adverse social or economic impacts.

STATE AND COMMONWEALTH INTERESTS

4.10 Is there adequate public infrastructure for the planning proposal?

Not applicable – the planning proposal will not place any additional demand on public infrastructure.

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

The views of relevant public authorities have not been sought at this stage as a Gateway Determination has not yet been issued. However, verbal approval to rezone the relevant National Parks and Reserves has been given by the NPWS. Council will be required to consult with the NSW Rural Fire Service in accordance with s9.1 Ministerial Direction 4.4 Planning for Bushfire Protection. Consultation will be undertaken with other State government agencies as required by the Gateway determination.

Note: The National Parks and Wildlife Service will be separately notified as owner of land affected by various proposed amendments.

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

5. PART 4 - MAPPING

Appendix 5 contains detailed outlines of each proposed CVLEP amendment, including locality maps and existing CVLEP maps for those amendments proposing a change to mapping. At this stage, proposed CVLEP maps have not been prepared for all mapping amendments. Rather a simple text explanation of the proposed amendment is provided and is illustrated using the existing CVLEP map in some cases. The exception is the NPWS land proposed to be rezoned. There are a series of maps showing all relevant parcels of land at Appendix 6.

Proposed CVLEP maps will be prepared in accordance with the Standard Instrument LEP format prior to public exhibition if required by the Gateway.

6. PART 5 - COMMUNITY CONSULTATION

Council will undertake community consultation following the issue of a Gateway Determination. 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".*

On this basis, it is intended that the planning proposal be advertised for 14 days in accordance with Section 5.5.2 of "*A guide to preparing local environmental plans*".

Notification of the exhibited planning proposal will include:

a) Placement of an advertisement in a newspaper circulation within the Clarence Valley LGA.



- b) Exhibition in Council's customer service centres and on Council's website.
- c) Written notification to the owners of properties affected by the proposal (including National Parks and Wildlife Service).
- d) Notify the NSW Rural Fire Service in relation amendments on bushfire prone land.

A public hearing is not considered necessary.

7. PART 6 - PROJECT TIMELINE

A proposed timeline for the completion of the planning proposal is below. While it may be possible to finalise the planning proposal in 7 months as indicated below, a 9 month timeframe will be requested given the potential for unforeseen issues to be raised during the public exhibition of the proposal that require more detailed consideration by Council. Council will make reasonable efforts to finalise the planning proposal ahead of this timeframe.

Table	T ime of C = 100 a	O successful to d
Task	Timeframe	Completed
Referral of Planning Proposal	October 2018	
to Department of Planning &		
Environment (DP&E) for	with additional information	
Gateway determination		
Gateway determination issued	December 2018	
Amend Planning Proposal in	January 2018	
accordance with any		
requirements of Gateway		
determination		
Public exhibition and State	February 2018	
government agency		
consultation		
Consider submissions	March 2018	
Report to Council to adopt final	March 2018	
Planning Proposal		
Obtain opinion from	April 2018	
Parliamentary Counsel's Office		
LEP made by Council delegate	May 2018	
LEP notified	May 2018	

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
Goal 1 - The most stunning environment in NSW Direction 1 - Deliver environmentally sustainable growth		
Action 1.1 - 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	
Goal 1 - The most stunning environment in NSW Direction 2 - Enhance biodiversity, coastal and aquatic habitats, and w	ater catchments	
<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	
Goal 1 - The most stunning environment in NSW Direction 3 - Manage natural hazards and climate change	· · · · · ·	
<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.	N/A	
<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.	N/A	
<u>Action 3.3</u> - Incorporate new knowledge on regional climate projections and related cumulative impacts in local plans for new urban development.	N/A	
Goal 1 - The most stunning environment in NSW Direction 4 - Promote renewable energy opportunities		
Action 4.1 - Diversify the energy sector by identifying renewable energy	N/A	

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NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS	CONSISTENCY	COMMENTS
resource precincts and infrastructure corridors with access to the electricity		
network.		
Action 4.2 - Enable appropriate smaller-scale renewable energy projects	N/A	
using bio-waste, solar, wind, small-scale hydro, geothermal or other	N/A	
innovative storage technologies.		
Action 4.3 - Promote appropriate smaller and community-scale renewable	N/A	
	N/A	
energy projects. Goal 2 - A thriving, interconnected economy		
Direction 5 - Strengthen communities of interest and cross-regional rel	ationships	
Action 5.1 - Collaborate on regional and intra-regional housing and	N/A	
employment land delivery, and industry development.	N/A	
Action 5.2 - Integrate cross-border land use planning between NSW and	N/A	
South East Queensland, and remove barriers to economic, housing and	N/A	
jobs growth.		
Action 5.3 - Encourage ongoing cooperation and land use planning	N/A	
between the City of Gold Coast and Tweed Shire Council.		
Action 5.4 - Prepare a regional economic development strategy that drives	N/A	
economic growth opportunities by identifying key enabling infrastructure		
and other policy interventions to unlock growth.		
Goal 2 - A thriving, interconnected economy		
Direction 6 - Develop successful centres of employment		
Action 6.1 - Facilitate economic activity around industry anchors such as	N/A	
health, education and airport facilities by considering new infrastructure		
needs and introducing planning controls that encourage clusters of related		
activity.		
Action 6.3 - Promote knowledge industries by applying flexible planning	N/A	
controls, providing business park development opportunities and		
identifying opportunities for start-up industries.		
Action 6.3 - Reinforce centres through local growth management	N/A	
strategies and local environmental plans as primary mixed-use locations		
for commerce, housing, tourism, social activity and regional services.		
Action 6.4 - Focus retail and commercial activities in existing centres and	N/A	
develop place-making focused planning strategies for centres.		
Action 6.5 - Promote and enable an appropriate mix of land uses and	N/A	
prevent the encroachment of sensitive uses on employment land through		
local planning controls.		
Action 6.6 - Deliver an adequate supply of employment land through local	N/A	

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NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS & ACTIONS	CONSISTENCY	COMMENTS		
growth management strategies and local environmental plans to support jobs growth.				
<u>Action 6.7</u> - Ensure employment land delivery is maintained through an annual North Coast Housing and Land Monitor.	N/A			
Goal 2 - A thriving, interconnected economy Direction 7 - Coordinate the growth of regional cities				
 <u>Action 7.1</u> - Prepare action plans for regional cities that: ensure planning provisions promote employment growth and greater housing diversity; promote new job opportunities that complement existing employment nodes around existing education, health and airport precincts; identify infrastructure constraints and public domain improvements that can make areas more attractive for investment; and deliver infrastructure and coordinate the most appropriate staging and sequencing of development. 	N/A			
Goal 2 - A thriving, interconnected economy Direction 8 - Promote the growth of tourism				
<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: identify culturally appropriate Aboriginal tourism opportunities; encourage tourism development in natural areas that support conservation outcomes; and strategically plan for a growing international tourism market. 	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.	Yes	The proposal to rezone NPWS land to E1 will ensure the purposes of that zone are carried out included "to identify land that is to be reserved under the National Parks and Wildlife Act 1974 and protect the environmental significance of that land."		
Action 8.5 - Preserve the region's existing tourist and visitor accommodation by directing permanent residential accommodation away	N/A			

NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS &	CONSISTENCY	COMMENTS	
ACTIONS			
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.			
Goal 2 - A thriving, interconnected economy			
Direction 9: Strengthen regionally significant transport corridors			
Action 9.1 - Enhance the competitive value of the region by encouraging	N/A		
business and employment activities that leverage major inter-regional			
transport connections, such as the Pacific Highway, to South East			
Queensland and the Hunter.			
Action 9.2 - Identify buffer and mitigation measures to minimise the impact	N/A		
of development on regionally significant transport infrastructure including			
regional and state road network and rail corridors.			
Action 9.3 - Ensure the effective management of the State and regional	N/A		
road network by:			
 preventing development directly adjoining the Pacific Highway; preventing additional direct (at grade) appage to material along 			
 preventing additional direct 'at grade' access to motorway-class sections of the Pacific Highway; 			
 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			
 identifying strategic sites for major road freight transport facilities. 			
Goal 2 - A thriving, interconnected economy			
Direction 10 - Facilitate air, rail and public transport infrastructure			
Action 10.1 - Deliver airport precinct plans for Ballina-Byron, Lismore,	N/A		
Coffs Harbour and Port Macquarie that capitalise on opportunities to			
diversify and maximise the potential of value-adding industries close to			
airports.			
Action 10.2 - Consider airport-related employment opportunities and	N/A		
precincts that can capitalise on the expansion proposed around Gold			
Coast Airport.			
Action 10.3 - Protect the North Coast Rail Line and high-speed rail corridor	N/A		
to ensure network opportunities are not sterilised by incompatible land			
uses or land fragmentation.			
Action 10.4 - Provide public transport where the size of the urban area has	N/A		
the potential to generate sufficient demand.	N1/A		
Action 10.5 - Deliver a safe and efficient transport network to serve future	N/A		

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NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS &	CONSISTENCY	COMMENTS	
ACTIONS			
release areas.			
Goal 2 - A thriving, interconnected economy Direction 11: Protect and enhance productive agricultural lands			
Action 11.1 - Enable the growth of the agricultural sector by directing	N/A		
urban and rural residential development away from important farmland and	N/A		
identifying locations to support existing and small-lot primary production,			
such as horticulture in Coffs Harbour.			
Action 11.2 - Deliver a consistent management approach to important	N/A		
farmland across the region by updating the Northern Rivers Farmland			
Protection Project (2005) and Mid North Coast Farmland Mapping Project			
(2008).			
Action 11.3 - Identify and protect intensive agriculture clusters in local	N/A		
plans to avoid land use conflicts, particularly with residential and rural			
residential expansion.			
Action 11.4 - Encourage niche commercial, tourist and recreation activities	N/A		
that complement and promote a stronger agricultural sector, and build the			
sector's capacity to adapt to changing circumstances.			
Action 11.5 - Address sector-specific considerations for agricultural	N/A		
industries through local plans.			
Goal 2 - A thriving, interconnected economy			
Direction 12 - Grow agribusiness across the region	N1/A		
Action 12.1 - Promote the expansion of food and fibre production, agrichemicals, farm machinery, wholesale and distribution, freight and	N/A		
logistics, and processing through flexible planning provisions in local			
growth management strategies and local environmental plans.			
Action 12.2 - Encourage the co-location of intensive primary industries,	N/A		
such as feedlots and compatible processing activities.			
Action 12.3 - Examine options for agribusiness to leverage proximity from	N/A		
the Gold Coast and Brisbane West Wellcamp airports.			
Action 12.4 - Facilitate investment in the agricultural supply chain by	N/A		
protecting assets, including freight and logistics facilities, from land use			
conflicts arising from the encroachment of incompatible land uses.			
Goal 2 - A thriving, interconnected economy			
Direction 13 - Sustainably manage natural resources			
$\frac{\text{Action } 13.1}{\text{C}}$ - Enable the development of the region's natural, mineral and	N/A		
forestry resources by directing to suitable locations land uses such as			
residential development that are sensitive to impacts from noise, dust and			

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

NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS &	CONSISTENCY	COMMENTS	
ACTIONS			
Direction 17: Increase the economic self-determination of Aboriginal c	ommunities		
Action 17.1 - Deliver opportunities to increase the economic independence			
of Aboriginal communities through training, employment and tourism.			
Action 17.2 - Foster closer cooperation with Local Aboriginal Land	N/A		
Councils to identify the unique potential and assets of the North Coast			
communities.			
Action 17.3 - Identify priority sites with economic development potential	N/A		
that Local Aboriginal Land Councils may wish to consider for further			
investigation.			
Goal 3 - Vibrant and engaged communities			
Direction 18 - Respect and protect the North Coast's Aboriginal heritage			
Action 18.1 - Ensure Aboriginal objects and places are protected,	N/A		
managed and respected in accordance with legislative requirements and			
the wishes of local Aboriginal communities.			
Action 18.2 - Undertake Aboriginal cultural heritage assessments to inform	N/A		
the design of planning and development proposals so that impacts to			
Aboriginal cultural heritage are minimised and appropriate heritage			
management mechanisms are identified.	N1/A		
Action 18.3 - Develop local heritage studies in consultation with the local	N/A		
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	N/A		
'investigation' areas, where culturally appropriate, to inform planning strategies and local plans to protect Aboriginal heritage.			
Goal 3 - Vibrant and engaged communities			
Direction 19 - Protect historic heritage			
Action 19.1 - Ensure best-practice guidelines are considered such as the	N/A		
Australia International Council on Monuments and Sites (ICOMOS)			
Charter for Places of Cultural Significance and the NSW Heritage Manual			
when assessing heritage significance.			
Action 19.2 - Prepare, review and update heritage studies in consultation	Yes	Three of the amendments are related to	
with the wider community to identify and protect historic heritage items,		update the accuracy of heritage listings	
and include appropriate local planning controls.		and/or maps.	
Action 19.3 - Deliver the adaptive or sympathetic use of heritage items and	N/A		
assets.			
Goal 3 - Vibrant and engaged communities			
Direction 20 - Maintain the region's distinctive built character			

NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS &	CONSISTENCY	COMMENTS	
ACTIONS			
Action 20.1 - Deliver new high-quality development that protects the	N/A		
distinct character of the North Coast, consistent with the North Coast			
Urban Design Guidelines (2009)			
Action 20.2 - Review the North Coast Urban Design Guidelines (2009).	N/A		
Goal 3 - Vibrant and engaged communities			
Direction 21 - Coordinate local infrastructure delivery			
Action 21.1 - Undertake detailed infrastructure service planning to support	N/A		
proposals for new major release areas.			
Action 21.2 - Maximise the cost-effective and efficient use of infrastructure	N/A		
by directing development towards existing infrastructure or promoting the			
co-location of new infrastructure.			
Goal 4 - Great housing choice and lifestyle options			
Direction 22 - Deliver greater housing supply	• • • •		
Action 22.1 - Deliver an appropriate supply of residential land within local	N/A		
growth management strategies and local plans to meet the region's			
projected housing needs.	N1/A		
Action 22.2 - Facilitate housing and accommodation options for temporary	N/A		
residents by:			
 preparing planning guidelines for seasonal and itinerant workers accommodation to inform the location and design of future facilities; 			
and			
 working with councils to consider opportunities to permit such facilities 			
through local environmental plans.			
Action 22.3 - Monitor the supply of residential land and housing through	N/A		
the North Coast Housing and Land Monitor.			
Goal 4 - Great housing choice and lifestyle options			
Direction 23 - Increase housing diversity and choice			
Action 23.1 - Encourage housing diversity by delivering 40 per cent of new	N/A		
housing in the form of dual occupancies, apartments, townhouses, villas or			
dwellings on lots less than 400 square metres, by 2036.			
Action 23.1 - Develop local growth management strategies to respond to	N/A		
changing housing needs, including household and demographic changes,			
and support initiatives to increase ageing in place.			
Goal 4 - Great housing choice and lifestyle options			
Direction 24: Deliver well-planned rural residential housing areas			
Action 24.1 - Facilitate the delivery of well-planned rural residential	N/A		
housing areas by:			

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NORTH COAST REGIONAL PLAN 2036 GOALS, DIRECTIONS &	CONSISTENCY	COMMENTS
ACTIONS		
• 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		
• 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).		
Action 24.2 - Enable sustainable use of the region's sensitive coastal strip	N/A	
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.		
Goal 4 - Great housing choice and lifestyle options		
Direction 25 - Deliver more opportunities for affordable housing		
Action 25.1 - Deliver more opportunities for affordable housing by	N/A	
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.		
Action 25.2 - Prepare guidelines for local housing strategies that will	N/A	
provide guidance on planning for local affordable housing needs.		



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	The proposal is relevant to the following Community Plan
	themes and objectives:
	5.1 To have a strong, accountable and representative government that:
	5.1.8 Ensures good governance, effective risk management
	and statutory compliance
Council's Delivery Program and	The proposal is relevant to the following objectives, strategies
Operational Plan (Note: this changes	& activities:
annually)	5.1.6 Ensure decisions reflect the long-term interest of the
	community and support financial and infrastructure sustainability – review of Clarence Valley Local
	Environmental Plan and Development Control Plan to
	address anomalies and prepare draft and refer to Council for
	pre-Gateway decision.
Maclean Urban Catchment Local	N/A
Growth Management Strategy 2011	
South Grafton Heights Precinct	N/A
Strategy	
Clarence Valley Settlement Strategy	N/A
Lower Clarence Retail Strategy (May	N/A
2007) Yamba Retail/Commercial Strategy	N/A
(May 2002)	
Clarence Valley Economic	N/A
Development Strategic Plan	
Clarence Valley Industrial Lands	N/A
Strategy Clarence Valley Affordable Housing	N/A
Strategy	
Clarence Valley Council Biodiversity	N/A
Management Strategy 2010	
Clarence River Way Masterplan 2009	N/A
Clarence Valley Open Spaces	N/A
Strategic Plan 2012	



APPENDIX 3: STATE ENVIRONMENTAL PLANNING POLICY CONSISTENCY CHECKLIST

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

(Note - refer to section 4.5 of this temp Name of SEPP		Comment/statement of consistency
		current and whilst not all may be applicable
		some are considered in more detail where
relevant.	being acknowledged and	some are considered in more detail where
	No	Not applicable to the CV/LED 2011 or to
State Environmental Planning Policy	No	Not applicable to the CVLEP 2011 or to
No 1 - Development Standards	Nia	the planning proposal.
State Environmental Planning Policy	No	N/A
No 19 - Bushland in Urban Areas		
State Environmental Planning Policy	No	N/A
No 21 - Caravan Parks		
State Environmental Planning Policy	No	N/A
No 30 - Intensive Agriculture		
State Environmental Planning Policy	No	N/A
No 33 - Hazardous and Offensive		
Development		
State Environmental Planning Policy	No	N/A
No 36 - Manufactured Home Estates		
State Environmental Planning Policy	No	N/A
No 44 - Koala Habitat Protection		
State Environmental Planning Policy	No	N/A
No 47 - Moore Park Showground		
State Environmental Planning Policy	No	N/A
No 50 - Canal Estate Development		
State Environmental Planning Policy	No	N/A
No 52 - Farm Dams and Other Works	_	
in Land and Water Management Plan		
Areas		
State Environmental Planning Policy	No	N/A
No 55 - Remediation of Land		
State Environmental Planning Policy	No	N/A
No 62 - Sustainable Aquaculture	110	
State Environmental Planning Policy	No	N/A
No 64 - Advertising and Signage	110	
State Environmental Planning Policy	No	N/A
No 65 - Design Quality of Residential	NO	IN/A
Apartment Development	No	N1/A
State Environmental Planning Policy No 70 - Affordable Housing (Revised	No	N/A
Schemes)	Nia	N1/A
State Environmental Planning Policy	No	N/A
(Affordable Rental Housing) 2009		
State Environmental Planning Policy	No	N/A
(Building Sustainability Index: BASIX)		
2004		
State Environmental Planning Policy	No	
(Exempt and Complying Development		N/A
Codes) 2008		
State Environmental Planning Policy	No	N/A
(Housing for Seniors or People with a		
Disability) 2004		
State Environmental Planning Policy	No	N/A
(Infrastructure) 2007		
State Environmental Planning Policy	No	N/A
(Kosciuszko National Park - Alpine		
Resorts) 2007		
State Environmental Planning Policy	No	N/A

00		

Name of SEPP	Relevant/applicable?	
(Kurnell Peninsula) 1989		comment statement of consistency
State Environmental Planning Policy	No	N/A
(State Significant Precincts) 2005		
State Environmental Planning Policy	No	N/A
(Mining, Petroleum Production and		
Extractive Industries) 2007		
State Environmental Planning Policy	No	N/A
(Miscellaneous Consent Provisions)		
2007		
State Environmental Planning Policy	No	N/A
(Penrith Lakes Scheme) 1989		
State Environmental Planning Policy	No	N/A
(Rural Lands) 2008		
State Environmental Planning Policy	No	N/A
(State and Regional Development)		
2011		
State Environmental Planning Policy	No	N/A
(Sydney Drinking Water Catchment)		
2011	N	N1/A
State Environmental Planning Policy	No	N/A
(Sydney Region Growth Centres) 2006	N -	N1/A
State Environmental Planning Policy	No	N/A
(Three Ports) 2013 State Environmental Planning Policy	No	N/A
(Urban Renewal) 2010	INO	N/A
State Environmental Planning Policy	No	N/A
(Western Sydney Employment Area)	NO	N/A
2009		
State Environmental Planning Policy	No	N/A
(Western Sydney Parklands) 2009	110	DVA
State Environmental Planning Policy	No	N/A
(Vegetation in Non Rural Areas) 2017		
State Environmental Planning Policy	No	N/A
(Educational Establishments and Child		
Care Facilities) 2017		
State Environmental Planning Policy	No	N/A
(Coastal Management) 2018		
State Environmental Planning Policy	No	N/A
(Gosford City Centre) 2018		



APPENDIX 4: SECTION 9.1 DIRECTION CONSISTENCY CHECKLIST

SECTION 9.1	CONSISTENCY	COMMENTS
DIRECTION		
1. EMPLOYMENT AND RESC	DURCES	
1.1 Business and	Not applicable.	
Industrial Zones		
1.2 Rural Zones	Not applicable.	
1.3 Mining, Petroleum Production and	Not applicable.	
Extractive industries	Not applicable	
1.4 Oyster Aquaculture	Not applicable.	
1.5 Rural Lands	Not applicable.	
2. ENVIRONMENT AND HER	ITAGE	
2.1 Environmental protection Zones	Yes	Rezoning National Parks land to the E1 zone is supported by this direction as it clearly designates the land for environmental protection on the planning maps.
2.2 Coastal management	Not applicable.	
2.3 Heritage Conservation	Yes	Improving the accuracy of heritage listings will assist to facilitate the conservation of these items, in line with this direction.
2.4 Recreation Vehicle Areas	Not applicable.	
2.5 Application of E2 and E3 Zones and		This direction does not apply to the Clarence Valley Council area.
Environmental Overlays in Far North Coast LEPs	Not applicable.	
3. HOUSING, INFRASTRUCT	URE AND URBAN D	EVELOPMENT
3.1 Residential Zones	Not applicable.	
3.2 Caravan Parks and Manufactured Home Estates	Not applicable.	
3.3 Home Occupations	Not applicable.	
3.4 Integrated Land Use and Transport	Not applicable.	
3.5 Development Near Licensed Aerodromes	Not applicable.	
3.6 Shooting Ranges	Not applicable.	
4. HAZARD AND RISK		
4.1 Acid Sulfate Soils	Not applicable.	
4.2 Mine Subsidence and Unstable land	Not applicable.	
4.3 Flood Prone Land	Not applicable.	
4.4 Planning for Bushfire Protection	Not applicable.	
5. REGIONAL PLANNING	Not applicable	No longer applicable as the Mid North Coast
5.1 Implementation of Regional Strategies	Not applicable.	No longer applicable as the Mid North Coast Regional Strategy has now been replaced by the



SECTION 9.1 DIRECTION	CONSISTENCY	COMMENTS
		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.	Revoked 18 June 2010
5.6 Sydney to Canberra Corridor	Not applicable.	Revoked 10 July 2008 - See amended Direction 5.1
5.7 Central Coast	Not applicable.	Revoked 10 July 2008 - See amended Direction 5.1
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.	Revoked 20 August 2018
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	Not applicable.	
6. LOCAL PLAN MAKING		
6.1 Approval and Referral Requirements	Not applicable.	
6.2 Reserving Land for Public Purposes	Not applicable.	
6.3 Site Specific Provisions	Not applicable.	
7. METROLPOLITAN PLANN	ING	
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 Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.	This Direction does not apply to the Clarence Valley Council area.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure	Not applicable.	This Direction does not apply to the Clarence Valley Council area.



SECTION 9.1 DIRECTION	CONSISTENCY	COMMENTS
Implementation Plan		
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.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Not applicable.	This Direction does not apply to the Clarence Valley Council area.
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable.	This Direction does not apply to the Clarence Valley Council area.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable.	This Direction does not apply to the Clarence Valley Council area.



APPENDIX 5: DETAILED EXPLANATION OF PROVISIONS

Amendment ID: 1

435 Bent Street, South Grafton

Land affected: Lot 401 DP 1153969 – 435 Bent Street, South Grafton

Lot 400 DP 1153969 – 425 Bent Street, South Grafton (golf course)

Land owner/s:

Julie-Ann Dougherty & Mathew Robert McKee

Grafton District Golf Club





The above images show the existing zoning (top) and the proposed zoning realignment to mathch the property boundary (left) and the minimum lot size map to show 435 Bent Street to be entirely within the 1.5 ha minimum lot size (right).

Description of issue:

The zoning and lot size maps don't align with property boundaries. The residential land at 435 Bent Street is partially within the RE2 zone and the adjoining golf course is partially within the R5 zone. The lot size map also reflects the zoning boundaries.

Proposed amendment:

• Amend the zoning and lot size maps to align with the property boundaries.

Applicable SEPPs and consistency:

Consistent with all applicable SEPPs.

Applicable Ministerial (s117) Directions and consistency: Consistent with all applicable Section 117 Directions.



147 Bacon Street, Grafton

Land affected: Lot 2 DP 868616 – 147 Bacon Street, Grafton

Land owner/s: Joy Ford





The above images show a current image of the dwelling from the street (top), the existing Heritage Item mapping, with I492 applied to 147 Bacon Street (right) and the proposed Heritage Map Sheet with I492 removed from 147 Bacon Street.

Description of issue:

The dwelling is heritage listed (i492) but is not of heritage significance. It is thought that it is an erroneous listing that was intended for 153 Bacon Street, which is nevertheless listed under i495.

The cottage has been substantially altered (approval dated 1977) resulting in the gable roof and elevations being quite different to the pattern of hipped roof cottages.





The above elevations are of the dwelling as it was in 1977 (left) and the approved changes under BA77/126 (right). This is how it appears today.



The above floor plans show the dwelling as it was in 1977 (left) and the approved changes under BA77/126 (right).

Proposed amendment:

• Remove heritage item number 492 from the LEP map and from Schedule 5 to the CVLEP.

Applicable SEPPs and consistency:

Consistent with all applicable SEPPs.

Applicable Ministerial (s117) Directions and consistency: Consistent with all applicable Section 117 Directions.



15 Riverside Drive, South Grafton

Land affected: Lot 102 DP 1246282 – 15 Riverside Drive, South Grafton

Land owner/s:

Mervyn William Smidt



The above images show the existing zoning (left) and the proposed zoning (right) so that all of Lot 102 DP 1246282 is entirely within the R1 zone.

Description of issue:

The land is privately owned but partly within the RE1 zone. There were previous concerns regarding contamination, however this has since been investigated and resolved. A Preliminary SEPP 55 Investigation report by Ardill Payne and Partners dated February 2013 and additional testing report in March 2013 clearly states this site is suitable for residential use (see results for testing site 5B in attached reports).

Therefore, this portion of the land can now be rezoned to R1 to match the bulk of the lot.

Proposed amendment:

• Amend zoning map so Lot 54 DP 1196678 is entirely within the R1 zone.

Applicable SEPPs and consistency:

Consistent with all applicable SEPPs.

Applicable Ministerial (s117) Directions and consistency:

Consistent with all applicable Section 117 Directions.

NOTE: Due to a recent subdivision, the lot number is different to the Council Report, however the land and zoning issue is the same.



Land in the National Park estate

Land affected:

Land in the National Park estate that is not currently within the E1 zone.

More specifically the lot numbers:

2	DP1193800	274	DP751386	175	DP751386	226	DP751386
7003	DP1055421	273	DP751386	112	DP751377	8	DP1193800
120	DP751364	340	DP751386	1	DP1199853	245	DP751386
178	DP751386	341	DP751386	7	DP1199853	349	DP751386
3	DP1193800	342	DP751386	6	DP1199853	350	DP751386
5	DP1193800	344	DP751386	8	DP1199853	351	DP751386
6	DP1193800	301	DP751386	5	DP1199853	83	DP751386
7	DP1193800	346	DP751386	2	DP1199853	345	DP751386
348	DP751386	300	DP751386	107	DP751377	303	DP751386
352	DP751386	246	DP751386	4	DP1199853	4	DP732005
1	DP1193800	218	DP751386	3	DP1199853	3	DP732005
4	DP1193800	188	DP751386	242	DP751386	133	DP752844
9	DP1199853	225	DP751386	241	DP751386	129	DP752844
220	DP751377	305	DP751386	243	DP751386	16	DP753510
211	DP751377	224	DP751386	240	DP751386	28	DP752809
304	DP751386	219	DP751386	343	DP751386	122	DP752844
271	DP751386	128	DP752844	75	DP751386	125	DP752844
27	DP752809	53	DP752847	28	DP752809	61	DP752809
132	DP752828						

Land owner/s:

National Parks and Wildlife Service

Description of issue:

There are approximately 71 lots that have been gazetted as part of National Parks and Wildlife Service reserves within the Council area over the last few years. However, as rezoning is not part of the gazettal process, the land remains in various zones.

Proposed amendment:

• Rezone to E1.

Applicable SEPPs and consistency:

Consistent with all applicable SEPPs.

Applicable Ministerial (s117) Directions and consistency: Consistent with all applicable Section 117 Directions.



1 Reserve Street, Grafton

Land affected: Lot 12 DP 1188458 – 1 Reserve Street, Grafton

Land owner/s: Mark Newport



The above images show the existing Heritage Item 950 applied to both lots 11 and 12 DP 118458 (left) and the proposed I950 solely on Lot 11 DP 118458 (right).

Description of issue:

The heritage listed Bunya Pine (i950) is located on Lot 11 at 268 Pound Street. Due to a recent adjustment in the cadastral boundaries it is appropriate to remove the heritage listing that currently applies to Lot 12 on the map and Schedule 5 of the CVLEP.

Proposed amendment:

• Remove heritage item number 950 from Lot 12 DP 1188458 from the heritage map and correct address details in Schedule 5 to the CVLEP.

Applicable SEPPs and consistency:

Consistent with all applicable SEPPs.

Applicable Ministerial (s117) Directions and consistency:

Consistent with all applicable Section 117 Directions.



APPENDIX 6: MAPS SHOWING NATIONAL PARKS AND WILDLIFE SERVICE LAND TO **BE REZONED**



Clarence Valley Local Clarence Environmental

Map 2 of 8 EVERLASTING SWAMP NP

Proposed Land Zoning Map

Zone

B1	Neighbourhood Centre
B2	Local Centre
B3	Commercial Core
B5	Business Development
E1	National Parks and Nature Reserves
E2	Environmental Conservation
E3	Environmental Management
IN1	General Industrial
IN4	Working Waterfront
R1	General Residential
R2	Low Density Residential
R3	Medium Density Residential
R5	Large Lot Residential
RE1	Public Recreation
RE2	Private Recreation
RU1	Primary Production
RU2	Rural Landscape
RU3	Forestry
SP1	Special Activities
SP2	Infrastructure
SP3	Tourist
W1	Natural Waterways
W2	Recreational Waterways
W3	Working Waterways
Cadastr	e Cadastre 13/08/2018 ©NSW Spatial Services



Planning Proposal Subject Land

This map is for explanation purposes only. This map is not a legal document. Ν 05 Kilometers Projection: GDA 1994 MGA Zone 56 Scale: 1:35,000 @ A3 Landscape Map Indentification Number





Clarence Valley 2 Local Clarence Environmental Map 4 of 8 WOMBAT CREEK SC Proposed Land Zoning Map Zone B1 Neighbourhood Centre Local Centre B2 Commercial Core B3 B5 **Business Development** E1 National Parks and Nature Reserves E2 Environmental Conservation E3 Environmental Management IN1 General Industrial IN4 Working Waterfront General Residential R1 R2 Low Density Residential Medium Density Residential R3 R5 Large Lot Residential RE1 Public Recreation Private Recreation RE2 RU1 Primary Production RU2 Rural Landscape Forestry RU3 SP1 **Special Activities** SP2 Infrastructure SP3 Tourist W1 Natural Waterways W2 Recreational Waterways W3 Working Waterways Cadastre Cadastre 13/08/2018 © NSW Spatial Services Planning Proposal Subject Land This map is for explanation purposes only. This map is not a legal document. N Kilometres Scale: 1:40,000 @ A3 Projection: GDA 1994 MGA Zone 56 Map Indentification Number















