

**MINUTES OF THE ORDINARY MEETING OF THE HARDEN SHIRE COUNCIL
HELD ON WEDNESDAY, 17th JUNE, 2015 IN THE COUNCIL CHAMBERS
COMMENCING AT 5.03 PM.**

GENERAL MANAGER'S REPORTS

Clr Manchester declared a non-pecuniary interest due to a family connection to the applicant.

2.1 COMPOSTING FACILITY REQUEST FOR EXTENSION

96/06/15 **Resolved** on the motion of Councillors Campbell and Flanery that:

1. Council advise the applicant that conditions 35-37 are required to be completed by the end of the second quarter of the 2015/16 financial year, being December 2015.
2. Council advise the applicant that fortnightly updates are required to be provided to Council to demonstrate continued progression to compliance.
3. Should the applicant fail to comply with conditions 35-37 by the end of December 2015 staff be authorised to commence the process of issuing order to enforce compliance.

Cllr Manchester	For	Cllr Flanery	For
Cllr Campbell	For	Cllr Horton	For
Cllr Stadtmiller	For	Cllr Sanderson	For
Cllr Reid	For		

2.2 PLANNING PROPOSAL – LOT 1 DP1005478

97/06/15 **Resolved** on the motion of Councillors Manchester and Flanery that:

1. Council support the Planning Proposal to amend Harden Local Environmental Plan 2011 to insert SP3 Tourist Zone into the land use table and rezone Lot 1 DP1005478;
2. Council submit a gateway determination request to the Minister pursuant to Section 65 of the Environmental Planning and Assessment Act, 1979;
3. Council make a determination on the costs payable by the applicant for the portion of the work required to rezone Lot 1 DP1005478.
4. Costs to be ascertained for works to be undertaken beyond the gateway proposal and reported to Council when obtained, the costs are to include the costs for the relevant mapping.

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COMMENCING AT 5.03 PM.**

Cllr Manchester	For	Cllr Flanery	For
Cllr Campbell	For	Cllr Horton	For
Cllr Stadtmiller	For	Cllr Sanderson	For
Cllr Reid	For		

Cllr Stadtmiller left the meeting, the time being 5.51 pm.

4.1 SWIMMING POOL OPERATIONS - 2014/15

98/06/15 **Resolved** on the motion of Councillors Manchester and Campbell that:

1. Council receive and note the Swimming Pool Operations report for the 2014/15 swimming season.
2. Council provide notification to the Pool Manager that, in recognition of her satisfactory performance under the current employment contract, Council is prepared to offer continuation of the contract for a further three (3) years until 27 March 2019.
3. The Acting General Manager be delegated authority to execute the employment contract on behalf of Council.

Cllr Stadtmiller returned to the meeting, the time being 5.58pm

4.2 WORKS REPORT FOR MAY 2015

99/06/15 **Resolved** on the motion of Councillors Reid and Sanderson that Council receive and note the Works Report for May 2015.

Cllr Flanery questioned what was the status of Whitton Street and requested the linemarking for nose-in parking be undertaken.

4.3 FORWARD WORKS PROGRAM

100/06/15 **Resolved** on the motion of Councillors Manchester and Flanery that Council receive and note the Forward Works Program Report for June 2015.

**MINUTES OF THE ORDINARY MEETING OF THE HARDEN SHIRE COUNCIL
HELD ON WEDNESDAY, 20TH May, 2015 IN THE COUNCIL CHAMBERS
COMMENCING AT 5.04 PM.**

DELEGATES REPORTS

There were no Delegates Reports presented to the 20th May, 2015 meeting of Council.

CODE OF CONDUCT REPORT

There were no Code of Conduct Reports presented to the 20th May, 2015 meeting of Council.

PETITION REPORT

There were no Petition Reports presented to the 20th May, 2015 meeting of Council.

GENERAL MANAGER'S REPORTS

2.1 PLANNING PROPOSAL – SP3 TOURIST ZONE

66/05/15 **Resolved** on the motion of Councillors Manchester and Flanery that:

1. Council support the Planning Proposal to amend Harden Local Environmental Plan 2011 to insert a SP3 Tourist Zone;
2. Council submit a gateway determination request to the Minister pursuant to Section 65 of the Environmental Planning and Assessment Act, 1979.

Cllr Manchester	For	Cllr Flanery	For
Cllr Campbell	For	Cllr Horton	For
Cllr Stadtmiller	For	Cllr Sanderson	For
Cllr Reid	For		

2.2 DEVELOPMENT APPLICATION – T2015-004 – ADDITIONS TO THE EXISTING MOTEL (HARDEN COUNTRY MOTEL) AT LOTS 1 AND 2 DP112068 AND LOT 8 DP114375, 42 ALBURY STREET, HARDEN

67/05/15 **Resolved** on the motion of Councillors Campbell and Stadtmiller that Council approve the proposed development for additions to the existing motel at Lots 2 and 3 DP112068 and Lot 8 DP114375, 42 Albury Street, Harden, comprising:

Principal Activity 2 Environment

Incorporating the provision of the following services: Environmental Health; Environmental Monitoring; Public Health; Building Control; Planning and State of the Environment.

SERVICE	Planning
DEPARTMENT RESPONSIBLE	Environmental Services

Council has received a request to prepare a planning proposal from Mr J Brown in relation to inserting a SP3 Tourist Zone into Harden Local Environmental Plan 2011, particularly in relation to Lot 1, DP1005478, Moppity Road, Young to permit the development of a tourist facility on the allotment. Prior to staff undertaking any work on the proposal a Council resolution is sought in respect of the proposal.

1. Council support the Planning Proposal to amend Harden Local Environmental Plan 2011 to insert a SP3 Tourist Zone and rezone Lot 1 DP1005478, Moppity Road, Young;
2. Council not support the Planning Proposal to amend Harden Local Environmental Plan 2011 to insert a SP3 Tourist Zone and rezone Lot 1 DP1005478, Moppity Road, Young.

Principal Activity 2 – Environment - continued

IMPLICATIONS

Community Strategic Plan

This report relates to strategy 3.2.1 “Implement urban design, planning and building controls that are sustainable and meet community and industry needs” as identified in Council’s Community Strategic Plan.

Policy

There are no policy implications arising as a result of this report.

Legal

There are no legal implications arising as a result of this report.

Financial

There have been no fees paid in relation to this proposal at this stage. Should Council take the view that the creation of an SP3 Tourist Zone is of wider economic benefit to the community they may wish to support the application in a similar manner to previous planning proposal wherein staff time was not costed in respect of the fees payable by the applicant.

COMMENTARY

Council has received a request to prepare a planning proposal to amend Harden Local Environmental Plan 2011 to insert a SP3 Tourist Zone and rezone Lot 1 DP1005478 Moppity Road, Young to SP3 Tourist. The SP3 Tourist Zone is a zone within the Standard Instrument – Principal Local Environmental Plan (Standard Instrument), although this zone was not included in Harden Local Environmental Plan 2011. This Plan was a conversion of the existing controls of Harden Interim Development Order No. 1, 1979 into the Standard Instrument format. There were no tourist facilities or areas in existence that were to be converted into the Standard Instrument format therefore this land use zone was not included in Harden Local Environmental Plan 2011.

This report does not deal with the rezoning of Lot 1, DP1005478, Moppity Road, Young as no studies have been undertaken to support such. Rather it seeks Council support for the insertion of the SP3 Tourist Zone and permit the commencement of the necessary studies and permit a gateway determination to be sought from the Minister pursuant to Section 56 of the Environmental Planning and Assessment Act, 1979. When requesting a gateway determination a planning proposal is to include:

Principal Activity 2 – Environment - continued

- (a) a statement of the objectives or intended outcomes of the proposed instrument,
- (b) an explanation of the provisions that are to be included in the proposed instrument,
- (c) the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under section 117),
- (d) if maps are to be adopted by the proposed instrument, such as maps for proposed land use zones; heritage areas; flood prone land—a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument,
- (e) details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

A planning proposal is attached to this report.

The planning proposal involves the insertion of the following into Harden Local Environmental Plan 2011:

Zone SP3 Tourist

1 Objectives of zone

To provide for a variety of tourist-oriented development and related uses.

2 Permitted without consent

Nil

3 Permitted with consent

Dwelling house; Food and drink premises; Home industry; Tourist and visitor accommodation; Roads; Secondary dwelling; Any other development not specified in item 2 or 4.

4 Prohibited

Animal boarding and breeding establishment; biosolids treatment facility; brothel; bulky goods premises; business premises; child care centres; composting facilities and works; correctional centre; crematorium; dairy (pasture-based); dairy (restricted); depot; educational establishment; electricity generating works; exhibition home; exhibition village; extractive industry; feedlot; freight transport facility; funeral home; hardware and building supplies; hazardous storage establishment; health consulting rooms; health services facility; heavy industrial storage establishment; high technology industry; home occupation (sex service); hospital; hostel; industry; intensive livestock agriculture; landscaping material

Principal Activity 2 – Environment - continued

supplies; liquid fuel depot; livestock processing industry; medical centre; mortuary; office premises; place of public worship; public administration building; residential accommodation; residential care facility; respite day care centre; restricted premises; restriction facilities; rural supplies; sawmill or log processing works; stock and sale yard; storage premises; timber yard; vehicle body repair workshop; vehicle repair station; vehicle sales or hire premises; veterinary hospital; warehouse or distribution centre; waste or resource management facility.

This proposal is to insert a SP3 Tourist Zone into Harden Local Environmental Plan 2011. The recent inclusion of Harden Shire in the Capital Region Joint Organisation has resulted in a concerted effort in attracting business, visitor and tourist traffic to the region on which Harden Shire wishes to capitalize.

Harden Shire has a historic sound economic base of agriculture and horticulture. In recent times there has been some divergence into viticulture and value adding to agricultural product. The RU1 Primary Production Zone of the Harden Local Environmental Plan is closed zone written in accordance with the Department of Planning and Infrastructure guidelines. This zone prohibits the development of specifically tourist targeted facilities by virtue of the closed nature of the zone. It is acknowledged that the rural and residential lands study currently being undertaken with funding from the Department of Planning and Infrastructure will examine rural and residential land use zones, the dedication of a zone specifically targeted to tourism indicates that Harden Shire is committed to the development of a tourism industry.

Whilst this proposal has been instigated at the request of a developer, as indicated above such an amendment to Harden Local Environmental Plan 2011 signals Council's commitment to the development of tourism in the Shire and recognizes the economic benefit that this industry generates for the region overall. Should this amendment be given a positive gateway determination by the Minister it will then be up to the developer to undertake the necessary planning proposal to enable a site specific rezoning.

RECOMMENDATION

1. Council support the Planning Proposal to amend Harden Local Environmental Plan 2011 to insert a SP3 Tourist Zone;
2. Council submit a gateway determination request to the Minister pursuant to Section 65 of the Environmental Planning and Assessment Act, 1979.



PLANNING PROPOSAL

INSERT SP3 TOURIST ZONE

Prepared by Harden Shire Council

May 2015

Principal Activity 2 – Environment - continued

PART 1 – STATEMENT OF THE OBJECTIVES OF INTENDED OUTCOMES

The intent of the planning proposal is to insert a SP3 Tourist Zone into the land use table of Harden Local Environmental Plan 2011 to permit the future rezoning of Lot 1, DP1005478, Moppity Road, Young to support the burgeoning tourism industry based on the wine manufacturing sector of the local economy.

PART 2 – EXPLANATION OF PROVISIONS

The proposal will insert a new land use into Harden Local Environmental Plan 2011 and to the permit the commencement of the necessary studies to allow the future rezoning of Lot 1, DP1005478, Moppity Road, Young from RU1 Primary Production to SP3 Tourist.

PART 3 – JUSTIFICATION

SECTION A – NEED FOR THE PLANNING PROPOSAL

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

This planning proposal has been prepared in response to a request from a property owner to permit tourist development on a site. Under the current provisions of Harden Local Environmental Plan 2011 there is no zone that permits all of the activities that are normally associated with a tourist development.

Harden Local Environmental Plan 2011 was implemented in the Standard Instrument - Local Environmental Plans format by a conversion process that converted the controls of the previous 1979 environmental planning instrument, Harden Interim Development Order No 1 (IDO), into the most appropriate zones and land uses contained within the Standard Instrument – Principal Local Environmental Plans. There was no provision for tourist zone in the IDO nor were there any developments in place that warranted the insertion of such a zone. Those developments in existence that fulfilled a tourist role, such as the St Clement's retreat centre, were included in Schedule 1 of Harden Local Environmental Plan, 2011.

This planning proposal is consistent with the strategic direction of Harden Shire Council to support economic development and tourism in the local area. This commitment is evidenced by Council's recent endorsement and membership of the Canberra Region Joint Organisation which provides the branding and marketing platform for tourism in the region.

Principal Activity 2 – Environment - continued

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

There are no applicable regional strategies prepared or endorsed by the Department of Planning and Infrastructure that encompass the Harden Shire Area. However during the consultation process for the regional growth strategy for the south east area tourism was raised as a factor that required consideration and support.

As indicated above there is no tourist zone within the Harden Local Environmental Plan, 2011 due to it being a conversion of the provisions of the previous 1979 planning control document. To date existing tourism type developments have been included in Schedule 1. However with tourism now becoming more prominent in the local region and with Council having made the commitment to this burgeoning regional industry it is more appropriate to include a tourist zone within the Harden Local Environmental Plan, 2011 to permit tourism development to proceed in a planned strategic manner.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

There is no regional or sub regional strategy for the Harden Shire Local Government Area.

4. *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 recommendations contained within Council's Community Strategic Plan Outcome 2.8 "*A visitor experience based on a strong customer service culture and products that celebrate and protect the culture, heritage and outstanding natural environment of the Harden area*". The opportunity for the region to build upon, and improve, food and wine tourism was recognised as part of the Community Consultation Report of Regional Development Australia Southern Inland as far back as 2010. This document also recognises the need for additional accommodation and upgrade of existing accommodation to cater to the changing needs of visitors. This need has been recognised by the private sector in Harden Shire with the local motel undergoing recent improvements and expansion.

The Team Harden Community Vision Strategic Plan of 2010 goes further in its aims to establish harvest/produce trails linking orchards, cellar doors, fresh produce outlets and eateries that specialize in the use of fresh local produce. This trail is still in its infancy but is gaining momentum more broadly in the region. Strategy 3 under this plan to achieve this objective is "*To continue to develop the attraction, activity, product and infrastructure base of the Shire by building on the Shire's raw assets to grow visitation*". The establishment of a specific tourist zone will go a long way to promote Council's

Principal Activity 2 – Environment - continued

willingness to support the development and growth of a burgeoning tourist industry for this region.

5. *Is the planning proposal consistent with applicable state environmental planning policies?*

The planning proposal is consistent with the applicable state environmental planning policies as outlined in **Appendix 1**.

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

The proposal is consistent with applicable Section 117 Directions as outlined in **Appendix 2**.

SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

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?*

It is unlikely that critical habitat or threatened species, populations or ecological communities or their habitats, will be subject to any additional adverse impacts as a result of the planning proposal proceeding.

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

It is unlikely that there will be any ongoing other environmental effects resulting from this planning proposal.

9. *How has the planning proposal adequately addressed any social and economic impacts?*

It has been recognised through a variety of plans and studies that there is a growing interest in the Shire as a food and wine producer. Following on from that interest it is not unreasonable to expect that people will want to experience for themselves the growing, value adding and production of the food and wine for which the region is becoming renowned. At present, whilst the Shire produces some award winning wines and high quality agricultural products, many of which have been subject to value adding through a variety of home and small businesses, there is no one local place for visitors to experience this for themselves. The development of a specific tourist zone would give the opportunity for producers and stakeholders to showcase and market their products

Principal Activity 2 – Environment - continued

directly to the public. Such a zone can only have a positive economic benefit for not only the Shire but flow on benefits to the wider region.

The burgeoning tourist industry not only has economic benefits for those directly involved but also has flow on benefits to the broader local community through employment, upskilling, accommodation and community pride. A specific tourist zone permits social enjoyment of experiencing the production and consumption of products and localities.

SECTION D – STATE AND COMMONWEALTH INTERESTS

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

The planning proposal will not have an impact on public infrastructure.

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

A gateway determination has yet to be issued. Therefore no consultation has occurred with any State or Commonwealth public authority outside of those directly involved with Canberra Region Joint Organisation

PART 4 – MAPPING

No maps have been prepared at this stage.

PART 5 - COMMUNITY CONSULTATION

Council plans to exhibit the draft plan for a minimum of thirty (30) days.

It is proposed to exhibit the planning proposal with notice of the public exhibition to be given as follows:

- each of the newspapers that circulate in the area affected by the Planning Proposal – “Twin Town Times” and “Harden Express” newspapers, and
- on Council’s website at www.harden.nsw.gov.au

Principal Activity 2 – Environment - continued

PART 6 – TIMELINE

The following timeline is anticipated for this planning proposal:

ITEM	DATE
• Anticipated commencement date (Gateway Determination)	17 June 2015
• Anticipated timeline for completion of required technical information (<i>No additional technical information required</i>)	N/A
• Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	1 – 31 July 2015
• Commencement and completion dates for public exhibition period	23 Aug-24 Sept 2015
• Dates for public hearing (if required)	2 Sept 2015
• Timeframe for consideration of submissions	28 Sept –9 Oct 2015
• Timeframe for consideration of a proposal post exhibition	21 Oct 2015
• Date of submission to the department to finalise the LEP	30 Oct 2015
• Anticipated date RPA will make the plan (if delegated)	
• Anticipated date RPA will forward to the department for notification	

Principal Activity 2 – Environment - continued

APPENDIX 1

CONSIDERATION OF STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY	COMPLIANCE	COMMENTS
SEPP 1 – Development Standards	N/A	N/A as per Clause 1.9 Harden LEP 2011
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	N/A as per Clause 1.9 Harden LEP 2011
SEPP 6 – Number of Storeys in a Building	N/A	No specific proposals
SEPP 14 – Coastal Wetlands	N/A	Does not apply to Harden Shire
SEPP 15 – Rural Landsharing Communities	Consistent	No specific proposals
SEPP 19 – Bushland in Urban Areas	N/A	Does not apply to Harden Shire
SEPP 21 – Caravan Parks	Consistent	No specific proposals
SEPP 22 – Shops and Commercial Premises	N/A	No specific proposals
SEPP 26 – Littoral Rainforests	N/A	Does not apply to Harden Shire
SEPP 29 – Western Sydney Recreation Area	N/A	Does not apply to Harden Shire
SEPP 30 – Intensive Agriculture	Consistent	No specific proposals
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)	Consistent	No specific proposals
SEPP 33 – Hazardous and Offensive Development	Consistent	No specific proposals
SEPP 36 – Manufactured Home Estates	Consistent	No specific proposals
SEPP 39 – Spit Island Bird Habitat	N/A	Does not apply to Harden Shire
SEPP 41 – Casino Entertainment Complex	N/A	Does not apply to Harden Shire
SEPP 44 – Koala Habitat Protection	N/A	Does not apply to Harden Shire
SEPP 47 - Moore Park Showground	N/A	Does not apply to Harden Shire
SEPP 50 – Canal Estate Development	N/A	Does not apply to Harden Shire
SEPP 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	Does not apply to Harden Shire
SEPP 55 – Remediation of Land	Consistent	No specific proposals
SEPP 59 - Central Western Sydney	N/A	Does not apply to Harden

Principal Activity 2 – Environment - continued

Economic & Employment Area		Shire
SEPP 60 – Exempt and Complying Development	N/A	N/A as per Clause 1.9 Harden LEP 2011
SEPP 62 – Sustainable Aquaculture	N/A	No specific proposals
SEPP 64 – Advertising and Signage	N/A	No specific proposals
STATE ENVIRONMENTAL PLANNING POLICY	COMPLIANCE	COMMENTS
SEPP 65 – Design Quality of Residential Flat Buildings	Consistent	No specific proposals
SEPP 70 – Affordable Rental Housing (Revised Schemes)	N/A	No specific proposals
SEPP 71 - Coastal Protection	N/A	Not applicable to Harden Shire
SEPP (Affordable Housing) 2009	Consistent	No specific proposals
SEPP (Building Sustainability Index: BASIX) 2004	Consistent	No specific proposals
SEPP (Exempt and Complying Development Codes) 2008	Consistent	No specific proposals
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent	No specific proposals
SEPP (Infrastructure) 2007	Consistent	No specific proposals
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	N/A	Not applicable to Harden Shire
SEPP (Kurnell Peninsula) 1989	N/A	Not applicable to Harden Shire
SEPP (Major Development) 2005	N/A	No specific proposals
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	No specific proposals
SEPP (Penrith Lakes Scheme) 1989	N/A	Does not apply to Harden Shire
SEPP (Rural Lands) 2008	Consistent	No specific proposals
SEPP (SEPP53 Transitional Arrangements) 2011	N/A	No specific proposals
SEPP (State and Regional Development) 2011	N/A	No specific proposals
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Does not apply to Harden Shire
SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable to Harden Shire
SEPP (Temporary Structures) 2007	Consistent	No specific proposals
SEPP (Urban Renewal) 2010	Consistent	No specific proposals
SEPP (Western Sydney Employment Area) 2009	N/A	Does not apply to Harden Shire
SEPP (Western Sydney Parklands) 2009	N/A	Does not apply to Harden Shire

Principal Activity 2 – Environment - continued

APPENDIX 2 SECTION 117 DIRECTIONS

SECTION 117 DIRECTION	COMPLIANCE	COMMENTS
1 EMPLOYMENT AND RESOURCES		
1.1 Business and Industrial Zones	Not applicable	No changes proposed to these zones
1.2 Rural Zones	Consistent	No wide scale changes to zones are proposed – some rural areas will be suitable for conversion to SP3 Tourist zone upon completion of appropriate studies.
1.3 Mining, Petroleum Production & Extractive Industries	Not applicable	The proposal does not limit mining petroleum production or extractive industries
1.4 Oyster Aquaculture	Not applicable	Does not apply to Harden Shire
1.5 Rural Lands	Not applicable	No changes to zones or lot sizes
2 ENVIRONMENT AND HERITAGE		
2.1 Environment Protection Zones	Not applicable	No environmentally sensitive areas are included in this proposal
2.2 Coastal Protection	Not applicable	Does not apply to Harden Shire
2.3 Heritage Conservation	Not applicable	This planning proposal does not contain any alterations to heritage conservation areas or items of cultural/environmental heritage
2.4 Recreation Vehicle Areas	Not applicable	No provision made in this proposal for recreation vehicle areas

Principal Activity 2 – Environment - continued

3 HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	Not applicable	No changes proposed to zone boundaries or dwelling density controls
3.2 Caravan Parks and Manufactured Home Estates	Not applicable	No changes to land use controls in this proposal
3.3 Home Occupations	Not applicable	No changes to land use controls
3.4 Integrated Land Use and Transport	Not applicable	No change in zoning to occur
3.5 Development Near Licensed Aerodromes	Not applicable	No licensed aerodromes impacted by this proposal
3.6 Shooting Ranges	Not applicable	No change in zoning to occur

SECTION 117 DIRECTION	COMPLIANCE	COMMENTS
4 HAZARD AND RISK		
4.1 Acid Sulfate Soils	Not applicable	No acid sulphate soils within Harden Shire
4.2 Mine Subsidence and Unstable Land	Not applicable	No mine subsidence areas within Harden Shire
4.3 Flood Prone Land	No applicable	No flood prone areas are being considered for SP3 Tourist zone
4.4 Planning for Bushfire Protection	Not applicable	No zoning changes to occur
5 REGIONAL PLANNING		
5.1 Implementation of Regional Strategies	Not applicable	No regional strategy for Harden Shire
5.2 Sydney Drinking Water Catchment	Not applicable	Does not apply to Harden Shire
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable	Does not apply to Harden Shire
5.4 Commercial and Retail Development along the Pacific Highway North Coast	Not applicable	Does not apply to Harden Shire
5.8 Second Sydney Airport: Badgerys Creek	Not applicable	Does not apply to Harden Shire

Principal Activity 2 – Environment - continued

6 LOCAL PLAN MAKING		
6.1 Approval and Referral Requirements	Not applicable	This proposal does not include any referral or concurrence provisions nor does it include any designated development provisions
6.2 Reserving Land for Public Purposes	Not applicable	This proposal does not contain any provisions for land acquisition
6.3 Site Specific Provisions	Not applicable	There are no site specific provisions contained in this proposal
7 METROPOLITAN PLANNING		
7.1 Implementation of Metropolitan Plan for Sydney 2036	Not applicable	Does not apply to Harden Shire

Principal Activity 2 – Environment - continued

APPENDIX 3 LAND USE TABLE

Insert into Harden Local Environmental Plan Land Use Table before **ZONE RE1 Public Recreation**

ZONE SP3 TOURIST

1 Objectives of zone

To provide for a variety of tourist-oriented development and related uses.

2 Permitted without consent

Nil

3 Permitted with consent

Dwelling house; Food and drink premises; Home industry; Tourist and visitor accommodation; Roads; Secondary dwelling; Any other development not specified in item 2 or 4.

4 Prohibited

Animal boarding and breeding establishment; biosolids treatment facility; brothel; bulky goods premises; business premises; child care centres; composting facilities and works; correctional centre; crematorium; dairy (pasture-based); dairy (restricted); depot; educational establishment; electricity generating works; exhibition home; exhibition village; extractive industry; feedlot; freight transport facility; funeral home; hardware and building supplies; hazardous storage establishment; health consulting rooms; health services facility; heavy industrial storage establishment; high technology industry; home occupation (sex service); hospital; hostel; industry; intensive livestock agriculture; landscaping material supplies; liquid fuel depot; livestock processing industry; medical centre; mortuary; office premises; place of public worship; public administration building; residential accommodation; residential care facility; respite day care centre; restricted premises; restriction facilities; rural supplies; sawmill or log processing works; stock and sale yard; storage premises; timber yard; vehicle body repair workshop; vehicle repair station; vehicle sales or hire premises; veterinary hospital; warehouse or distribution centre; waste or resource management facility.