

Assessment Against S9.1 Ministerial Directions

Section 9.1 Direction	Applies?	Comments
1. Employment and Resources		
1.1 Business and Industrial Zones	Applies	<p>The Planning Proposal involves land that is zoned B1 Neighbourhood Centre. The requested amendment to permit 'Specialised Retail Premises' on the subject lots will essentially formalise the existing arrangement with regards to retail activity, and facilitate the redevelopment of the site.</p> <p>In addressing sub-clause [4] the following is submitted:</p> <ul style="list-style-type: none"> • The proposal satisfies the objectives of this direction as substantiated through the attached Economic Impact Assessment; • The proposal retains the areas and locations of existing business zones; • The proposal does not reduce the total potential floor space area for employment uses or public services in business zones; • The proposal does not reduce the total potential floor space area for industrial uses in industrial zones; • The proposal accords with the following strategic planning documents as demonstrated within the Planning Proposal report: <ul style="list-style-type: none"> ○ New England North West Regional Plan 2036 ○ Inverell Local Strategic Planning Statement (LSPS) 2036 ○ Inverell Shire Strategic Land Use Plan 2011 – 2031 ○ Inverell Shire Employment Land Strategy 2011 ○ Inverell Local Environmental Plan 2012 ○ Inverell Development Control Plan 2013
1.2 Rural Zones	N/A	-
1.3 Mining, Petroleum Production and Extractive industries	N/A	-
1.4 Oyster Aquaculture	N/A	-
1.5 Rural Lands	N/A	-
2. Environment and Heritage		
2.1 Environmental Protection Zones	N/A	-
2.2 Coastal Management	N/A	-

2.3 Heritage Conservation	Applies	<p>The following is provided to address sub-clause [4]:</p> <p>The dwelling house situated on 3 Chester Street is listed as an item of environmental heritage within the Inverell Shire LEP 2012. A Statement of Heritage Impact has been prepared by Dr Kate Gahan and can be found within Attachment 4, which considers the impact of the rezoning of the subject land and demolition of the dwelling (which is the subject of a separate development application process).</p> <p>The heritage report acknowledges the negative heritage impact associated with the demolition of the dwelling, and a range of factors that mitigate the impact of its demolition. The report recommends:</p> <p><i>"This report, together with a set of digital archival quality images of the bungalow, is deposited with the Inverell library as a record of the house and the speculation that it is associated with the Thomas brothers' cordial factory."</i></p> <p>No issues are raised concerning cultural heritage matters having regard to the information provided within Question 9 of the Planning Proposal.</p>
2.4 Recreation Vehicle Areas	N/A	-
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP's	N/A	-
2.6 Remediation of Contaminated Land	Applies	<p>This direction applies pursuant to sub-clause 2(b). Managing Land Contamination, Planning Guidelines SEPP 55 – Remediation of Land (Department of Urban Affairs and Planning and NSW EPA (1998)) has been reviewed. Service stations are identified within Table 1 and Appendix A as being a land use that may cause contamination.</p> <p>In addressing sub-clause [4], SEPP 55 contaminated land investigations have previously been completed by ENV Solutions for the Service Station site. A copy of the Detailed Site Investigation (DSI), Remediation Action Plan (RAP), and supporting letter prepared by ENV for this Planning Proposal are contained within Attachment 8. The key finding of the supporting letter provides:</p> <p><i>"The risk of minor soil and groundwater contamination identified at the Liberty branded service station adversely impacting on the environmental quality of land situated to the north of the service station; at 3, 5 and 7 Chester Street; is considered to be negligible. As such, ENV considers there should be no impediment to rezoning of this land for less sensitive land uses, on the basis of the nearby service station activities and its environmental condition."</i></p>
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Applies	<p>This direction applies pursuant to sub-clause 3(a) as the Planning Proposal involves rezoning approximately 2,580m² of land from</p>

		<p>an R1 – General Residential zone to a B1 – Neighbourhood Centre zone.</p> <p>Items 4 & 5 advise the following:</p> <p><i>(4) A planning proposal must include provisions that encourage the provision of housing that will:</i></p> <ul style="list-style-type: none"> <i>(a) broaden the choice of building types and locations available in the housing market, and</i> <i>(b) make more efficient use of existing infrastructure and services, and</i> <i>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</i> <i>(d) be of good design.</i> <p><i>(5) A planning proposal must, in relation to land to which this direction applies:</i></p> <ul style="list-style-type: none"> <i>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</i> <i>(b) not contain provisions which will reduce the permissible residential density of land.</i> <p>Item 6 of the Direction advises that a planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p><i>(a) justified by a strategy which:</i></p> <ul style="list-style-type: none"> <i>(i) gives consideration to the objective of this direction, and</i> <i>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</i> <i>(iii) is approved by the Director-General of the Department of Planning, or</i> <p><i>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</i></p> <p><i>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</i></p> <p><i>(d) of minor significance.</i></p> <p>In response to Subclause 5(b), the following is provided:</p> <ul style="list-style-type: none"> • The existing dwellings currently situated on the land proposed to be rezoned from R1 to B1 (being 3, 5, & 7 Chester Street) will be subject to demolition via a separate development application process under DA86/2021. • The proposal does not seek to reduce the permissible residential density of land, but rather seeks to rezone land from R1 General Residential to B1 Neighbourhood Centre.
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3.2 Caravan Parks and Manufactured Home Estates	N/A	-
3.3 Home Occupations	Revoked	-
3.4 Integrated Land Use and Transport	Applies	<p>This direction applies pursuant to subclause (3).</p> <p><u><i>Improving Transport Choice</i></u> Access to the public road network to and from the site will be retained from the adjoining public road network.</p> <p>To address the potential impacts of the redevelopment on the road network, a Transport Assessment has been completed by Ason Group and is provided within Attachment 3 to the Planning Proposal. The report assesses the redevelopment of the service station site following the construction of the roundabout, which is envisaged to commence construction in early 2022 and completed late 2022. The report considers and addresses traffic movements, access and car parking, and concludes that <i>"In summary, the Proposal is supportable on traffic planning grounds and will not result in any adverse impacts on the surrounding road network."</i></p> <p>The proposal formalises and consolidates the commercial land uses within the existing B1 Neighbourhood Centre Zone at the subject location, and enables a redevelopment of the site following the land acquisition and construction of the new roundabout.</p> <p>The proposal is not inconsistent with the relevant location and design guidelines (Part 3) contained within the document 'Improving Transport Choice'.</p> <p><u><i>The Right Place for Business and Services</i></u> Pursuant to the aims and objectives of 'The Right Place for Business and Services' document, the application of this policy relates to retailing, leisure and entertainment facilities (i.e. cinemas, theatres, bowling alleys, gymnasiums, clubs, hotels and amusement centres), offices, health and education facilities, community and personal services.</p> <p>The proposal formalises and consolidates the commercial land uses within the existing B1 Neighbourhood Centre Zone at the subject location, enables a redevelopment of the site, and provides a specialised retail activity which is not currently permitted under the Inverell LEP.</p> <p>An Economic Impact Assessment has been completed by Location IQ and is contained within Attachment 5. The report provides an</p>

		<p>independent economic impact assessment for the service station redevelopment and considers the following aspects:</p> <ul style="list-style-type: none"> • Economic need • Economic impacts • Employment & consumer impacts • Location • Net community benefits <p>The report concludes that a net community benefit will result from the proposed development, with the following positive impacts identified:</p> <ul style="list-style-type: none"> • Improvements in the range of retail facilities available to residents which, leading to greater price competition. • The creation of additional choice within the surrounding area. • The creation of additional employment which will result from the project, both during the construction period and on an ongoing basis once the development is complete and operational.
3.5 Development Near Regulated Airports and Defence Airfields	N/A	-
3.6 Shooting Ranges	N/A	-
3.7 Reduction in non-hosted short term rental accommodation period	N/A	-
4. Hazard and Risk		
4.1 Acid Sulfate Soils	N/A	-
4.2 Mine Subsidence and Unstable Land	N/A	-
4.3 Flood Prone Land	N/A	The subject land is not identified as being on flood prone land on Council's online public mapping system.
4.4 Planning for Bushfire Protection	N/A	The subject land is not identified as being on bushfire prone land on Council's online public mapping system.
5. Regional Planning		
5.1 Implementation of Regional Strategies	Revoked	
5.2 Sydney Drinking Water Catchments	N/A	-
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	-

5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	-
5.5 Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA).	Revoked	-
5.6 Sydney to Canberra Corridor	Revoked	-
5.7 Central Coast	Revoked	-
5.8 Second Sydney Airport: Badgerys Creek	Revoked	-
5.9 North West Rail Link Corridor Strategy	N/A	-
5.10 Implementation of Regional Plans	Applies	The Planning Proposal is consistent with the New England North West Regional Plan 2036 as identified within Question 3 of this Planning Proposal.
5.11 Development of Aboriginal Land Council land	N/A	-
6. Local Plan Making		
6.1 Approval and Referral Requirements	Applies	No referral or concurrence requirements are proposed within the Planning Proposal.
6.2 Reserving Land for Public Purposes	N/A	-
6.3 Site Specific Provisions	Applies	The proposal seeks to rezone land to B1 to enable the redevelopment of the Liberty Service Station, whilst enabling a Specialised Retail Premises on the site through the amendment of Schedule 1 Additional Permitted Uses of the Inverell LEP 2012.
7. Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney	Revoked	-
7.2 Implementation of Greater Macarthur Land Release Investigation	Revoked	-
7.3 Parramatta Road Corridor Urban Transformation Strategy	N/A	-
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	-

7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	-
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	-
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	-
7.8 Implementation of the Western Sydney Aerotropolis Plan	N/A	-
7.9 Implementation of Bayside West Precincts 2036 Plan	N/A	-
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	-
7.11 Implementation of St. Leonards and Crows Nest 2036 Plan	N/A	-
7.12 Implementation of Greater Macarthur 2040	N/A	-
7.13 Implementation of the Pymont Peninsula Place Strategy		