

**11.2 PLANNING PROPOSAL - ADDITIONAL PERMITTED LAND USE 11 METFORD ROAD EAST MAITLAND
OWNER: MAITLAND CITY COUNCIL**

FILE NO:	RZ21/001
ATTACHMENTS:	1. Locality Map 2. Zoning Map 3. Planning Proposal
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MAITLAND +10	Outcome 11. Our villages, suburbs, towns and City
COUNCIL OBJECTIVE:	11.3.3 To position Central Maitland and East Maitland as strategic centres within the Greater Newcastle Metropolitan area

EXECUTIVE SUMMARY

Council has received an application to amend the Maitland LEP 2011 by providing an additional permitted land use being an Animal Boarding or Training Establishment at 11 Metford Road East Maitland Lot 1 DP1274406.

The proposal will facilitate development of the subject land for the purposes of operating an animal boarding establishment. The proposal is a Council initiated application.

The subject site is situated to the east of Metford Road and is currently zoned RE1 Public Recreation. The total site area is 5,743m² and contains the existing administration facility (timber cottage), animal holding facilities, small shed, cattle yard, fencing, hardstand and paddocks. This RE1 Public Recreation zone was placed on the area due to the surrounding land to the north, east and west being zoned 6(a) under the LEP 1993.

Since the 1960s the site historically was used as a public administration building for Council rangers (for administrative purposes) and an animal shelter in conjunction with a contracted agreement with the RSPCA. Animals would be held at the subject site prior to being claimed by the owner or relocated to the RSPCA facility in Rutherford. The subject site is now being pursued as a primary animal impound facility for Maitland City Council.

Under the LEP 1993 the site was zoned 5(a) Special Uses and the comparative zone under the Standard Instrument was SP1 Special Activities. It was determined SP1 zones were for special land uses that are not provided for in other zones (i.e., SP1 Cemeteries). Given the RE1 zone included public administration buildings as permissible with consent it was determined during the transition phase to the LEP 2011 the subject site be zoned RE1 as it would continue to enable a range of community facilities, public utilities and compatible land uses on the site.

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The proposed additional land use is considered an effective way to enable the site to continue to function and reinstate previous permissible uses on the site. While there is currently no commercial activity associated with the existing facility, going forward, should the land be predominately used for the boarding of animals the additional land use would mean the site would not be burdened by the existing permissibility restrictions associated with the land use zoning. The proposed additional land use is considered an effective way in which an appropriate land use can continue to operate and function in this location.

The proposal is consistent with the planning objectives of the Hunter Regional Plan 2036, Greater Newcastle Metropolitan Plan 2036, Maitland Local Strategic Planning Statement 2040 and relevant State Environmental Planning Policies and Section 9.1 Local Planning Directions. These growth strategies all promote the planning principle of efficient and sustainable use of essential infrastructure and land.

The purpose of this report is to provide an overview of the amendment proposal and seek a resolution of Council to forward the planning proposal to the Minister of Planning for a Gateway determination.

OFFICER'S RECOMMENDATION

THAT

- 1. Council endorse the attached planning proposal and pursuant to section 3.34 of the *Environmental Planning and Assessment Act 1979*, forward the planning proposal to the Minister for Planning for a Gateway determination.**
- 2. Subject to receiving a favourable response from the Minister, Council proceed to public exhibition of the planning proposal, in accordance with the requirements of the Gateway determination.**
- 3. Following the public exhibition process, a report be presented back to Council for consideration of any submissions received.**
- 4. The Department of Planning and Environment be advised that Council is seeking authorization to use its delegated functions under Section 3.36 of the *Environmental Planning and Assessment Act 1979* to make the Plan, following completion of community consultation.**

REPORT

BACKGROUND

Council seeks to allow for an additional permitted land use being an Animal Boarding or Training Establishment on the subject site. This would involve adding a new entry within Schedule 1 – Additional Permitted Land Uses to the *Maitland Local Environmental Plan 2011*.

The process for amending a principal LEP normally involves the following key components:

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- the preparation of a planning proposal;
- the issuing of a Gateway determination;
- community and other consultation on the planning proposal (as required);
- finalising the planning proposal;
- drafting of the LEP (legal instrument);
- making the plan; and
- notifying the LEP on the NSW Government Legislation website.

This report is concerned with the first stage of this process.

It should be noted that following a Gateway determination, some plan making powers may be delegated back to Council to finalise the LEP should Council request it, or where the matters are determined to be of local planning significance, as determined by the Gateway. This increases Council's involvement and decision-making in the process and streamlines the administrative processing and making of the plan.

As this Planning Proposal is a spot rezoning of local significance and is not materially inconsistent with the endorsed local strategy being the Maitland Local Strategic Planning Statement 2040, it is recommended that Council seek authorisation to use its delegated plan making powers to finalise the plan, following completion of the community consultation process.

SITE DESCRIPTION

The subject site is located on the eastern side of Metford Road and is currently zoned RE1 Public Recreation. The total site area is 5,743m² and contains the existing administration facility (timber cottage), animal holding facilities, small shed, cattle yard, fencing, hardstand and paddocks. To the north is the Maitland Tenambit BMX Club, to the west is the East's Leisure and Golf Club on the other side of Metford Road. To the east and the south is Two Mile Creek.

Since the 1960s the site historically was used as a public administration building for Council rangers (for administrative purposes) and an animal shelter in conjunction with a contracted agreement with the RSPCA. Animals would be held at the subject site prior to being claimed by the owner or relocated to the RSPCA facility in Rutherford.

A locality plan is included as Attachment 1 and a plan showing the existing zoning of the site and surrounding land is included as Attachment 2.

PROPOSAL

The planning proposal seeks to allow additional permitted land use on 11 Metford Road East Maitland Lot 1 DP1274406. The additional land use will allow for the subject site to be utilised as the primary animal impound facility for Maitland City Council. The proposal is a Council initiated application.

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The proposal will not involve any amendments to the LEP maps.

A copy of the planning proposal is included as Attachment 3. The existing and proposed zoning and development controls for the site are shown in Figures 2 of the attachment planning proposal.

PROPOSAL ASSESSMENT

In accordance with the Department of Planning and Environment guide to preparing planning proposals, a number of questions are required to be addressed to justify the rezoning of any land. The relevant sections to be addressed are detailed below.

An assessment against the issues raised in each section are provided for:

- Section A: Need for the Planning Proposal;
- Section B: Relationship to Strategic Planning Framework;
- Section C: Environmental, Social and Economic Impact; and
- Section D: State and Commonwealth Interests.

SECTION A – NEED FOR THE PLANNING PROPOSAL

Q1. Is the planning proposal a result of any strategic study or report?

The planning proposal is not the result of any strategic study or report. It has been submitted to reinstate the long held strategic position of the site as Council's animal impound facility. The additional permitted use will not only reflect the current needs of Council but also allow the rehoming of animals should this option be pursued in the future.

The RE1 Public Recreation zone was implemented in this area in the Maitland Local Environmental Plan 2011 as public administration buildings are permissible with consent and the subject site would be able to continue its existing uses on the site. Should Council pursue expanding operations in the future enabling this additional use on the site will assist in facilitating animal care such as animal boarding on the site.

The site is located in excess of 500m of any residential housing or conflicting land use. There is a recent approval in place for the (DA2021/353) to upgrade the existing buildings and works on the site which will assist in mitigating any visual and acoustic impacts. The additional permitted use is considered a practical use of available land enabling animal management services to the community without creating land use conflict or unreasonable environmental impacts.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

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The subject site has an existing approval for the alterations and additions to the existing public administration facility and is seeking to future proof the site to enable a future increase in the capacity of the animal housing facility. Animal boarding is a permissible use under the rural zones, however spot rezoning the site is not considered the best way of achieving the intended outcome. The site does not meet the objectives of either rural zone and the rural zones do not allow public administration buildings as a permissible use. As a result, the additional permitted land use option is the most appropriate one for the efficient and economical use of the subject site.

SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Q3. 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)?

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 is a 20 year blueprint for the future of the Hunter. The vision is to create a leading regional economy in Australia, with a vibrant metropolitan city at the heart. This vision will be delivered through four goals, as follows:

- a leading regional economy in Australia
- a biodiversity-rich natural environment
- thriving communities
- greater housing choice and jobs.

The most relevant actions from the Hunter Regional Plan include:

- Action No. 13.3 - Amend planning controls to deliver greater certainty of land use (p.35);
- Action No. 21.1 - Promote development that respects the landscape attributes and the character of the metropolitan areas, towns and villages (p.54);
- Action No. 23.5 - Focus commercial and retail development within existing centres and transport hubs and ensure that locations for new centres are integrated with existing or planned residential development; do not undermine existing centres; encompass high quality urban design; and consider transport and access requirements (p.58).

The planning proposal is generally consistent with the actions of the Hunter Regional Plan to focus commercial development within existing locations and provide greater certainty of land use.

Greater Newcastle Metropolitan Plan 2036

The Greater Newcastle Metropolitan Plan 2036 (GNMP) sets out the strategies and actions that will drive sustainable growth across the five (5) Local Government Areas of Cessnock,

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Lake Macquarie, Newcastle City, Port Stephens and Maitland, which make up Greater Newcastle. The Plan aims to achieve the vision set out in the HRP – for the Hunter to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart.

- Strategy No. 7 – Respond to the changing land use needs of the new economy. The proposal seeks to provide a primary location for animal impound operations in Maitland. This will build capacity for new jobs in the area on a site that already has facilities which can be regenerated and revitalised to meet the future needs of the growing Maitland community.

The planning proposal is generally consistent with this action of the Greater Newcastle Metropolitan by proposing an additional permitted use in a location which already provides a public administration building for ranger activities. The location is considered suitable in terms of its context, setting and access for subsequent pound activities and animal boarding.

Q4. Is the planning proposal consistent with Council's Community Strategic Plan or other local strategic plan?

Maitland +10 (Community Strategic Plan)

Maitland City Council has adopted a Community Strategic Plan (Maitland +10) in line with the State's Integrated Planning and Reporting legislation and guidelines. The planning proposal is considered consistent with the vision and objectives of the Maitland +10 Community Strategic Plan as it provides our community with facilities to meet the needs of our growing city. for growth within the city to meet the needs of a rapidly growing population by adapting the existing facilities and uses on the site. The proposal will also ensure Council provides a service with the best possible value and outcome for the community.

Maitland Local Strategic Planning Statement 2040

The Maitland LSPS sets out the broad strategic aims for the strategic growth of the LGA over the next 20 years. The proposal is not inconsistent with these aims.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Council has undertaken an assessment of the planning proposal against all relevant State Environmental Planning Policies (SEPPs) and a summary is provided in the table below.

Table 1: Relevant State Environmental Planning Policies.

RELEVANCE	CONSISTENCY AND IMPLICATIONS
STATE ENVIRONMENTAL PLANING POLICY NO. 55 – REMEDIATION OF LAND (SEPP 55)	CONSISTENT

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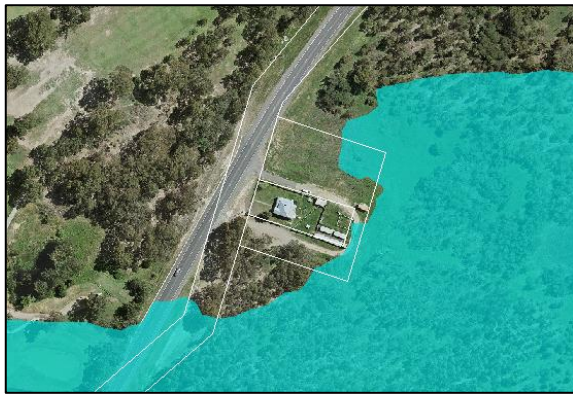
RELEVANCE	CONSISTENCY AND IMPLICATIONS
This SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.	The subject site is zoned for public recreation purposes, with no history to suggest or expect land contamination. It is noted that the NSW list of contaminated sites and list of notified sites published by the EPA does not identify the site as being contaminated, nor has previous record of contamination in Council's system. The land is not within an investigation area and the continued use as a public administration facility is not listed as a possible contaminating use, per Table 1 of the Guidelines.

Q7. Is the planning proposal consistent with applicable Ministerial Directions for Local Plan making?

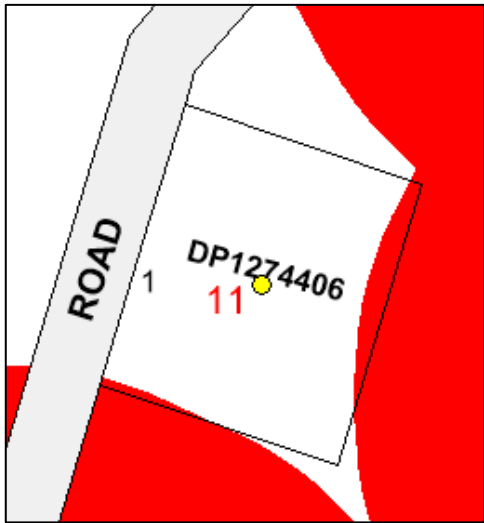
Council has undertaken an assessment of the planning proposal against all relevant Section 9.1 Directions and found that it is generally consistent with the following applicable Directions:

Table 2: Relevant Section 9.1 Directions.

DIRECTION	CONSISTENCY AND IMPLICATIONS
4. HAZARD and RISK	
4.1 Acid Sulfate Soils	Consistent
When this Direction applies:	This direction applies as the whole of the subject land is mapped as potentially containing 'Class 5 land' on the Acid Sulfate Soils (ASS) Map and is in close proximity to adjacent class 3. When considering the Acid Sulfate Soils Planning Guidelines, the proposed use is unlikely to require works that involve significant amounts of excavation, drainage or groundwater extraction as such the proposal is not anticipated to expose or impact upon ASS. If required, an acid sulfate soils study can be undertaken prior to undertaking public exhibition.
This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.	
What a relevant planning authority (Council) must do if this Direction applies:	
The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies	

DIRECTION	CONSISTENCY AND IMPLICATIONS
<p>to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.</p>	
4.3 Flooding	Inconsistency Justified
<p>When this Direction applies:</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p> <p>What a relevant Planning Authority (Council) must do if this Direction applies:</p> <p>A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).</p> <p>A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a</p>	<p>The subject site is mapped as partially flood prone land, affecting the lot intermittently along the rear. The flood planning level being 5.89m AHD and velocity at 0.01 m/s. The site features a gradual sloping topography from 8.2m AHD at the Metford Road frontage, to 4.8m AHD at the southern and eastern rear corners of the site. As such approximately the rear half of the site is impact by the 1 in 100 year.</p> 

DIRECTION	CONSISTENCY AND IMPLICATIONS
Residential, Business, Industrial, Special Use or Special Purpose Zone.	Figure 1: Council's flood data system (WaterRIDE) showing 1 in 100 year flood levels
A planning proposal must not contain provisions that apply to the flood planning areas which:	
<ul style="list-style-type: none"> a) Permit development in floodway areas, b) permit development that will result in significant flood impacts to other properties, c) permit a significant increase in the development of that land, d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development. 	<p>It is noted the site will not contain habitable space and has flood free egress via Metford Road to the north. Given the low hazard and velocity levels any future development is anticipated to have a negligible impact upon flood characteristics of the subject and surrounding allotments.</p> <p>Post Gateway and prior to community consultation a Qualitative Flood Assessment will be undertaken by a suitably qualified person to ensure the flood risk can be appropriately managed and confirmation it will not create a significant adverse impact on the existing flood behaviour both on the subject site or on adjacent properties.</p> <p>A Flood Emergency Response Plan will also be required to be prepared prior to public exhibition being undertaken.</p>
A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	
For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low	

DIRECTION	CONSISTENCY AND IMPLICATIONS
<p>Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p>	
<p>4.4 Planning for Bushfire Protection</p>	<p>Consistent</p>
<p>When this Direction applies:</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will affect or is in proximity to land mapped as bushfire prone land.</p> <p>What a relevant planning authority (Council) must do if this Direction applies:</p> <p>In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of Schedule 1, clause 4 of the Act, and take into account any comments so made.</p> <p>A planning proposal must:</p> <ul style="list-style-type: none"> (a) have regard to Planning for Bushfire Protection 2019, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the APZ. <p>A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> (i) an Inner Protection Area bounded by a perimeter road or reserve which 	<p>The site has vegetated land interfacing three of its boundaries (north, east and south). To the west is an existing golf course on the other side of Metford Road. As such, a portion of the land is identified as bushfire prone land. The proposal will require consultation with NSW Rural Fire Service prior to public exhibition.</p>  <p>Figure 2: Bushfire mapping identifying a small portion at the rear of the site as bushfire prone land.</p> <p>In accordance with Planning for Bushfire Protection 2019, a Strategic Bush Fire Study/ bushfire risk assessment will be required post Gateway Determination and prior to community consultation to assess whether the proposal is appropriate in the bush fire hazard context. The study will also assess the strategic implications of future development on the site for bush</p>

DIRECTION	CONSISTENCY AND IMPLICATIONS
<p>circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and</p> <p>(ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,</p> <p>(b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,</p> <p>(c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,</p> <p>(d) contain provisions for adequate water supply for firefighting purposes,</p> <p>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,</p> <p>(f) introduce controls on the placement of combustible materials in the Inner Protection Area.</p>	<p>fire mitigation and management.</p> <p>It is noted however future development on the site would be classified as non-residential development and the buildings likely to be Class 5-8. Any future development would need to consider AS3959 and the NASH Standard as well as the following objectives:</p> <ul style="list-style-type: none"> -to provide safe access to/from the public road system for firefighters providing property protection during a bush fire and for occupant egress for evacuation; -to provide suitable emergency and evacuation (and relocation) arrangements for occupants of the development; -to provide adequate services of water for the protection of buildings during and after the passage of bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building; and - provide for the storage of hazardous materials away from the hazard wherever possible. <p>The bushfire protection measures for the commercial development (animal boarding) will depend on the scale of the development and number of people likely to occupy the building. In general terms the existing site appears to have sufficient defensible space and separation distance between the vegetated areas and the building currently occupying the site. The site is afforded adequate access and egress for emergency service personnel and occupants.</p>

5. REGIONAL PLANNING

5.10 Implementation of Regional Plans	Consistent
<p>When this Direction applies:</p> <p>This direction applies when a relevant</p>	<p>This direction applies as the Hunter Regional Plan 2036 applies to the Maitland LGA.</p>

DIRECTION	CONSISTENCY AND IMPLICATIONS
<p>planning authority prepares a planning proposal.</p> <p>What a relevant planning authority (Council) must do if this Direction applies:</p> <p>Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.</p>	<p>The proposal is considered to be consistent with the goals, directions and actions of the Hunter Regional Plan 2036.</p>

6. LOCAL PLAN MAKING

6.3 Site Specific Provisions	Consistent
<p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>What a relevant planning authority must do if this direction applies.</p> <p>A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <ul style="list-style-type: none"> (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. 	<p>The Planning Proposal allows for the proposed development, being animal boarding, to be carried out on the subject site. This does not alter the permissible development types in the zone as it is site specific, and the proposed land use is generally not a desired outcome in the zone. The Planning Proposal does not seek to rezone the site to a rural zone where animal boarding would be permitted as the site and its existing operations would be inconsistent with the zone objectives.</p> <p>The Planning Proposal proposes to allow a land use without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>No detailed drawings are contained within the planning proposal.</p> <p>The Planning Proposal is consistent with c) above and is therefore consistent with this direction.</p>

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A planning proposal must not contain or refer to drawings that show details of the development proposal.	

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SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

Q7. 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?

The site is cleared and does not contain any significant areas of vegetation.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Flooding

The subject site is mapped as partially flood prone land, affecting the lot intermittently along the rear. The flood planning level being 5.89m AHD and velocity at 0.01 m/s. The site features a gradual sloping topography from 8.2m AHD at the Metford Road frontage, to 4.8m AHD at the southern and eastern rear corners of the site.

It is noted the site will not contain habitable space and has flood free egress via Metford Road to the north. Given the low hazard and velocity levels any future development is anticipated to have a negligible impact upon flood characteristics of the subject and surrounding allotments.

Post Gateway and prior to community consultation a Qualitative Flood Assessment will be undertaken by a suitably qualified person to ensure the flood risk can be appropriately managed and confirmation it will not create a significant adverse impact on the existing flood behaviour both on the subject site or on adjacent properties.

A Flood Emergency Response Plan will also be required to be prepared prior to public exhibition being undertaken.

Geotechnical

The site is mapped as Class 5 Acid Sulfate Soils. A Preliminary Desktop Acid Sulfate Soil Assessment can be obtained post Gateway Determination.

Archaeology and Heritage

A search of the Aboriginal Heritage Information Management System (AHIMS) did not reveal any aboriginal sites or places on the subject site. Consultation with Mindaribba LALC can occur post-Gateway if considered applicable.

Q9. How has the planning proposal adequately addressed any social and economic effects?

The planning proposal is unlikely to have any significant adverse social or economic impacts. The proposed additional permitted use will maximise the development potential of the land and will provide local employment opportunities, both during construction and operation.

SECTION D – STATE AND COMMONWEALTH INTERESTS

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Q10. Is there adequate public infrastructure for the planning proposal?

Access, Transport and Traffic

The subject land has frontage to Metford Road, the site already has parking availability and ingress/egress already provided from Metford Road. Upgrades to this driveway can be undertaken and determined in a future development application.

Infrastructure Services

The subject site is serviced by reticulated water, electricity as a public administration building already exists and is utilised on the site. Any upgrades to utility provision is not expected to create any any adverse impacts.

Other Public Infrastructure

Council provides a regular waste/recycling collection service in the area and to the site this will continue. Public transportation is available to the site via a short walk (15mins) to the nearest bus stop in Tenambit.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

No formal consultation with State and Commonwealth public authorities has been undertaken at this stage for this planning proposal. Consultation will occur in accordance with the conditions outlined in the Gateway Determination to be issued for this planning proposal. It is expected consultation will occur with NSW Rural Fire Services and Mindaribba LALC post Gateway.

CONCLUSION

The planning proposal seeks to provide additional permitted uses on the subject site being an animal boarding and training establishment. This report demonstrates the benefits to facilitating a more efficient and economical use of the subject land and is considered to be the best means of achieving the intended outcome for the site.

Council officer have undertaken a detailed assessment of the planning proposal and consider the proposal has planning merit and should therefore proceed to Gateway determination.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

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STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993 with this matter.