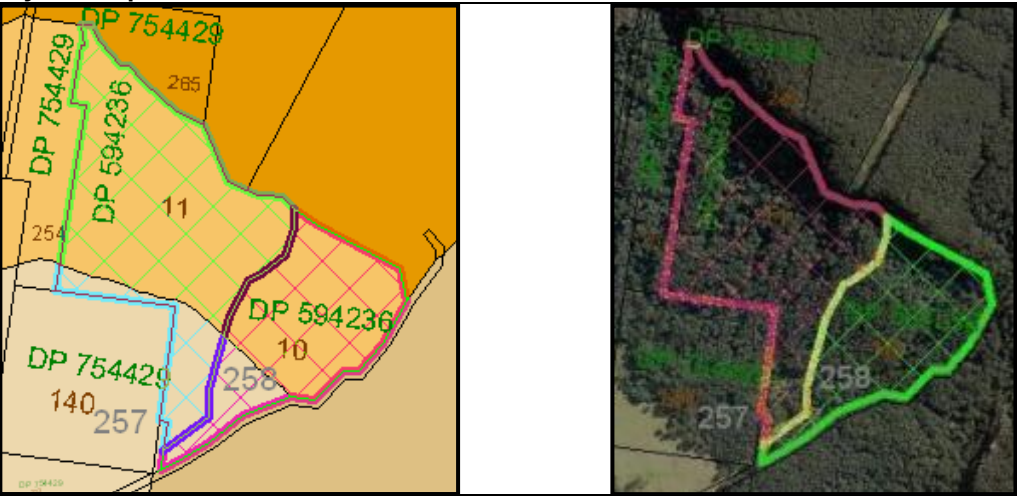


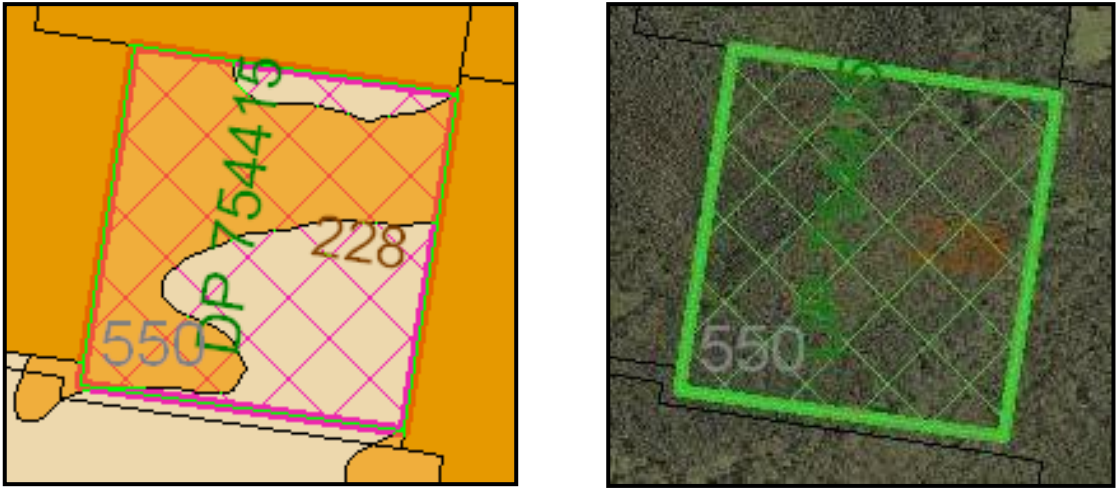
ATTACHMENT 3 – SITE SPECIFIC AMENDMENTS

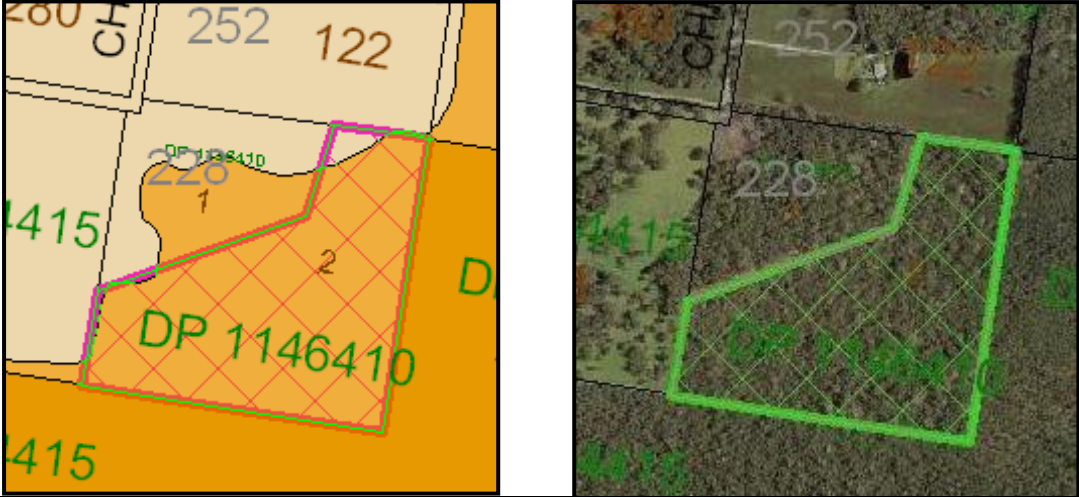
Council identified ten sites where there were zone anomalies with regard to:

- the ownership not reflecting the use. For example some people have purchased railway land and it remains in the Special Purpose Infrastructure (SP2) zone or National Parks and Wildlife service have acquired properties that need to be included in the National Parks and Nature Reserves (E1) zone. Another example was land at Cundletown included in SP2 – Infrastructure zone (Airport transport facilities) zone which is privately owned and not intended to be used for airport purposes
- obvious inconsistencies with the surrounding zones. For example a rural property that is surrounded by land included in an industrial zone and an industrial use has operated on the site for many years. Only clear anomalies such as these were considered where:
 - the inconsistency with surrounding uses was obvious
 - the use was well established on the site (eg. buildings, parking, driveways)
 - no technical studies were required to justify the change to the zone (eg economic and traffic reports).
- an area in the Large Lot Residential (R5) zone at Bungay Estate, Wingham which was originally intended to be serviced by sewer (enabling 4,000m² lots) now requires on-site waste disposal and the lot size increased to 1 ha to accommodate this.

Each of the following tables present information on the proposed amendment and specifics on how the changes are to be made to LEP 2010. The proposed changes have been developed in consultation with Council's Regulatory Services Department, the Manning Valley Chamber of Commerce and key stakeholders.

Address: 310 Newbys Lane, Lansdowne	
Property Description: Lots 10-11 DP594236	
	
Current zone: Primary Production (RU1) and Environmental Management (E3)	Proposed zone: Environmental Conservation (E2)
Proposed Amendment: The owners requested the zone be amended to have the whole site included in the Conservation (E2) zone. The site is gazetted as a wildlife corridor under the NSW National Parks and Wildlife Act 1974 and is subject to two voluntary conservation agreements that are in place in perpetuity. The site also adjoins the Coopernook State Forest to the east and Coorabakh National Park to the north. The site has ecological values consistent with the Conservation zone.	
LEP Change: Amend Map Identification Number 3350_COM_LZN_014_080_20100517 to include Lots 10-11 DP594236 in the Environmental Conservation (E2) zone.	

Address: 550 Christies Lane, Coopernook	
Property Description: Lot 228 DP754415	
	
Current zone: Environmental Conservation (E2) and Primary Production (RU1)	Proposed zone: National Parks and Nature Reserves (E1)
Proposed Amendment: The site was privately owned and was recently purchased and included in Crowdy Bay National Park. Given it now forms part of the National Parks Estate, it is appropriate to change the zone of the land to National Parks and Nature Reserves (E1) and remove the lot size restriction (consistent with lands that form part of the National Parks Estate).	
LEP Change: Amend Map Identification Number 3350_COM_LZN_014B_040_20100517 to include Lot 228 DP754415 in the National Parks and Nature Reserves (E1) zone. Amend Map Identification Number 3350_COM_LSZ_014B_040_20100517 to remove the “AB3” lot size requirement from Lot 228 DP754415.	

Address: Lot 2 Christies Lane, Harrington	
Property Description: Lot 2 DP1146410	
	
Current zone: Environmental Conservation (E2) and Primary Production (RU1)	Proposed zone: National Parks and Nature Reserves (E1)
Proposed Amendment: The site was privately owned and was recently purchased and included in Crowdy Bay National Park. Given it now forms part of the National Parks Estate, it is appropriate to change the zone of the land to National Parks and Nature Reserves (E1) and remove the lot size restriction (consistent with lands that form part of the National Parks Estate).	
LEP Change: Amend Map Identification Number 3350_COM_LZN_014B_040_20100517 to include Lot 2 DP1146410 in the National Parks and Nature Reserves (E1) zone. Amend Map Identification Number 3350_COM_LSZ_014B_040_20100517 to remove the "AB3" lot size restriction from Lot 2 DP1146410.	

Address: Lot 5 Urara Lane, Taree	
Property Description: Lot 5 DP828386	
	
Current zone: Infrastructure - Rail infrastructure facilities (SP2)	Proposed zone: Environmental Conservation (E2)
Proposed Amendment: The site (2.368 ha) was owned by the Australian Rail Track Corporation and was recently purchased by Mr Forbes. The land still has the Infrastructure zone applying to the site which greatly restricts its use. Given the site is now in private use, it is appropriate to change the zone of the land to reflect that it is in private ownership. Investigations revealed that the site is well vegetated and forms part of a regional environmental corridor. The site appears to have Endangered Ecological Communities (EECs) present and the general area is also known as a koala habitat. The site is also subject to flooding and contains Vegetation Class 1 under the RFS Bushfire Vegetation Categories. As a result of the environmental constraints over the land it is recommended that the land be included in the Environmental Conservation zone. The lot size will be amended to a minimum of 1.5 ha which will enable a house to be established on the site, subject to addressing the site constraints.	
LEP Change: Amend Map Identification Number 3350_COM_LZN_015E_020_20100927 to include Lot 5 DP828386 in the Environmental Conservation (E2) zone. Amend Map Identification Number 3350_COM_LSZ_015E_020_20101203 to include Lot 5 DP828386 in "Y2" providing a minimum lot size of 1.5 ha.	

Address: Lot 12, part Lot 1, Lot 72, Lot 11, 385, 359 and 400 Bungay Road, Wingham

Property Description: Part of Lot 1, Lots 11, 12, 81 and 82 DP754454, Lot 72 DP801074 and Lot 1 DP716936



Current zone: Large Lot Residential (R5), Environmental Conservation (E2) and Primary Production (RU1)

Proposed zone: No change

Proposed Amendment:

In this area (known as Bungay Estate), LEP 2010 requires any lot created in the Large Lot Residential zone having a minimum lot size of 4,000m² to be connected to reticulated water and sewer systems. This approach for Bungay Estate was supported by MidCoast Water (service provider) when assessing the rezoning application in 2001. Relevant provisions were also placed in the DCP 2010.

In June 2012, MidCoast Water advised that it has revised the risk assessment and now believes that the rural residential development may be served by on-site sewage systems. As such, the landowner requested that LEP 2010 be amended to alter the minimum lot size to 1 hectare.

Generally in LEP 2010, land included in the Large Lot Residential zone which are not connected to reticulated sewerage have a minimum lot size of 1.5 hectares. However, in this case the applicant has requested that the minimum lot size be determined from a geotechnical investigation of the land. A similar approach was undertaken for the development of land at 256 Cedar Party Road, where the geotechnical investigation determined that a minimum lot size of 1 hectare was appropriate. Given this previous case, Council is in favour of changing the minimum lot size to 1 hectare in LEP 2010 subject to a geotechnical report being submitted to confirm this as an appropriate lot size.

LEP Change:

Amend Map Identification Number 3350_COM_LSZ_011A_040_20100517 to change the lot size of land included in the Large Lot Residential (R5) zone of part of Lot 1, Lots 11, 12, 81 and 82 DP754454, Lot 72 DP801074 and Lot 1 DP716936 to "Y1" (1 ha).

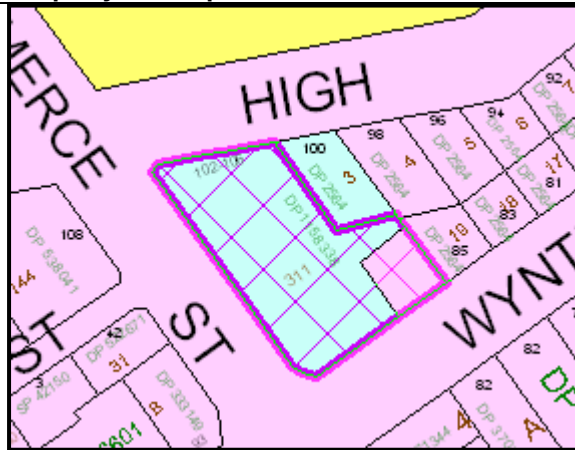
Address: Lot 7307 and Lot 7031 Lawson Crescent, Taree	
Property Description: Lot 7307 DP1142909 and Lot 7031 DP1115105	
	
Current zone: Private Recreation (RE2)	Proposed zone: Public Recreation (RE1)
Proposed Amendment: The site is owned by the Department of Primary Industries – Crown Lands Division and forms part of Council's Reserve Trust (R88804). The current zone appears to be a minor mapping error that occurred through the development of LEP 2010, where the site was included in the same zone as the adjoining race course. The zone needs to be corrected to reflect the public use of the land as parkland.	
LEP Change: Amend Map Identification Number 3350_COM_LZN_015E_020_20100927 to include Lot 7307 DP1142909 and Lot 7031 DP1115105 in the Public Recreation (RE1) zone.	

Address: 105 Manning Street, Taree	
Property Description: Lot 1 DP830450	
	
Current zone: Infrastructure - Rail Infrastructure Facilities (SP2)	Proposed zone: Light Industrial (IN2)
Proposed Amendment: The site was owned by the Australian Rail Track Corporation and was purchased by Mr Adamson. The land still has the Infrastructure zone applying to the site which restricts its use. Given the site is in private ownership, it is appropriate to change the zone of the land to reflect the land use. The site is currently used by a transport company for storage and ongoing distribution. The site has established buildings, parking and manoeuvring areas. The current use (warehouse and distribution centre) would be permitted with consent. The site abuts the rail line to the north and has residential (houses) opposite. Given the location of the site, the Light Industrial zone provides an appropriate transition into the adjoining residential zone.	
LEP Change: Amend Map Identification Number 3350_COM_LZN_015G_010_20100517 to include Lot 1 DP830450 in the Light Industrial (IN2) zone.	

Address: 99A Manning Street, Taree	
Property Description: Lot 1 DP 866025	
	
Current zone: Infrastructure - Rail Infrastructure Facilities (SP2)	Proposed zone: Light Industrial (IN2)
Proposed Amendment: The site was owned by the Australian Rail Track Corporation and was purchased by Sarahmin Pty Ltd. The land still has the Infrastructure zone applying to the site which restricts its use. Given the site is now in private use, it is appropriate to change the zone of the land to reflect that it is in private ownership. The site is currently used as hotel or motel accommodation. It abuts the railway to the north and has industrial uses to the west and a bowling club to the east. Residential (houses) are located opposite this site. Given the sensitive nature of the site, the Light Industrial zone would be appropriate. The current use (hotel or motel accommodation) would be permitted with consent.	
LEP Change: Amend Map Identification Number 3350_COM_LZN_015G_010_20100517 to include Lot 1 DP866025 in the Light Industrial (IN2) zone.	

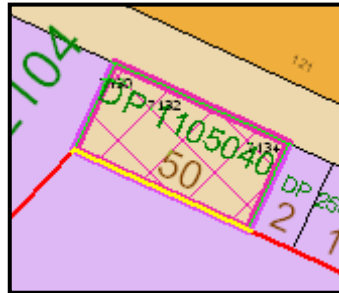
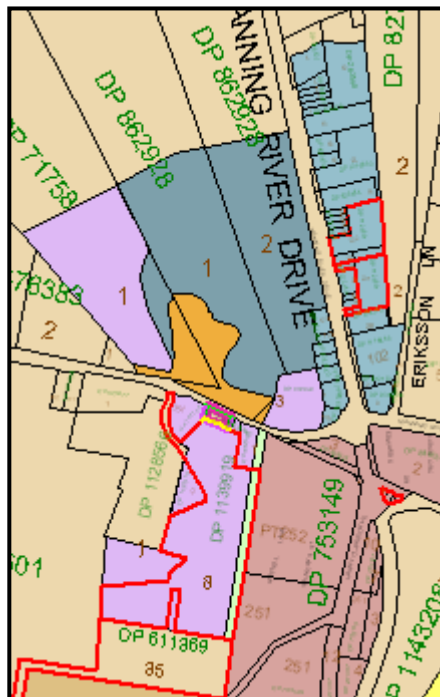
Address: 102-106 High Street, Taree

Property Description: Lot 311 DP1158338



Address: 7130-7134 The Bucketts Way, Taree South

Property Description: Lot 50 DP1105040



Current zone: Primary Production (RU1)

Proposed zone: General Industrial (IN1)

Proposed Amendment:

The site has operated as a recycling centre for over 20 years. The site is surrounded by land included in the General Industrial zone. Council's Regulatory Services Department have had enquiries over this site in the past and the proposed uses have not been permitted in the Primary Production zone. This has made it difficult to utilise the site and existing facilities.

It is proposed to change the zone to General Industrial given the site is surrounded by land included in the General Industrial zone. The site has also been operating as an industrial site for over 20 years and has established buildings located on the site for this use. Changing the zone will enable similar uses to establish on the site.

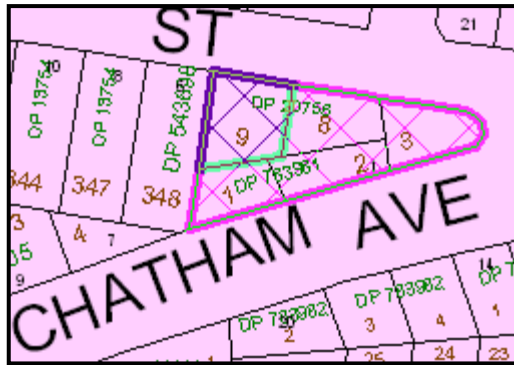
LEP Change:

Amend Map Identification Number 3350_COM_LZN_015A_040_20101102 to include Lot 50 DP1105040 in the General Industrial (IN1) zone.

Amend Map Identification Number 3350_COM_LSZ_015A_040_20110310 to exclude Lot 50 DP1105040 from the "AB3" lot size.

Address: 1-5 Chatham Avenue, Chatham

Property Description: Lots 8-9 DP20756 and Lots 1-3 DP783981



Current zone: General Residential (R1)

Proposed zone: Mixed Use (B4)

Proposed Amendment:

Under LEP 1995 a car sales yard was established on this former service station site. When the new LEP was enacted the owner realised that the “vehicle sales or hire premises” use was only permitted given the existing use rights. If the use rights ceased or the owner wanted to undertake major extensions, the use would be prohibited in the current zone.

The site is located on a busy intersection which does not provide suitable amenity for a residential use. Having two large street frontages also makes it difficult to provide a suitable layout for residential development.

The site is prominent forming part of the gateway entrance to Taree (on the main northern access road). It is in close proximity to the recreational grounds and a nursing home. Lands to the north east have been recently included in the Mixed Use zone to encourage a mix of residential and commercial development on the waterfront (part of Figtrees on the Manning).

The current residential zoning is inappropriate given the problematic nature of the site. Providing a higher order zoning over the site could encourage the establishment of a more visually attractive development on the site which would enhance the gateway into Taree. Given the surrounding uses and the intent for development associated with Figtrees on the Manning, the Mixed Use zone appears most appropriate for the site. This zone would also better reflect the current and historical use of the site.

LEP Change:

Amend Map Identification Number 3350_COM_LZN_015E_020_20100927 to include Lots 8-9 DP20756 and Lots 1-3 DP783981 in the Mixed Use (B4) zone.

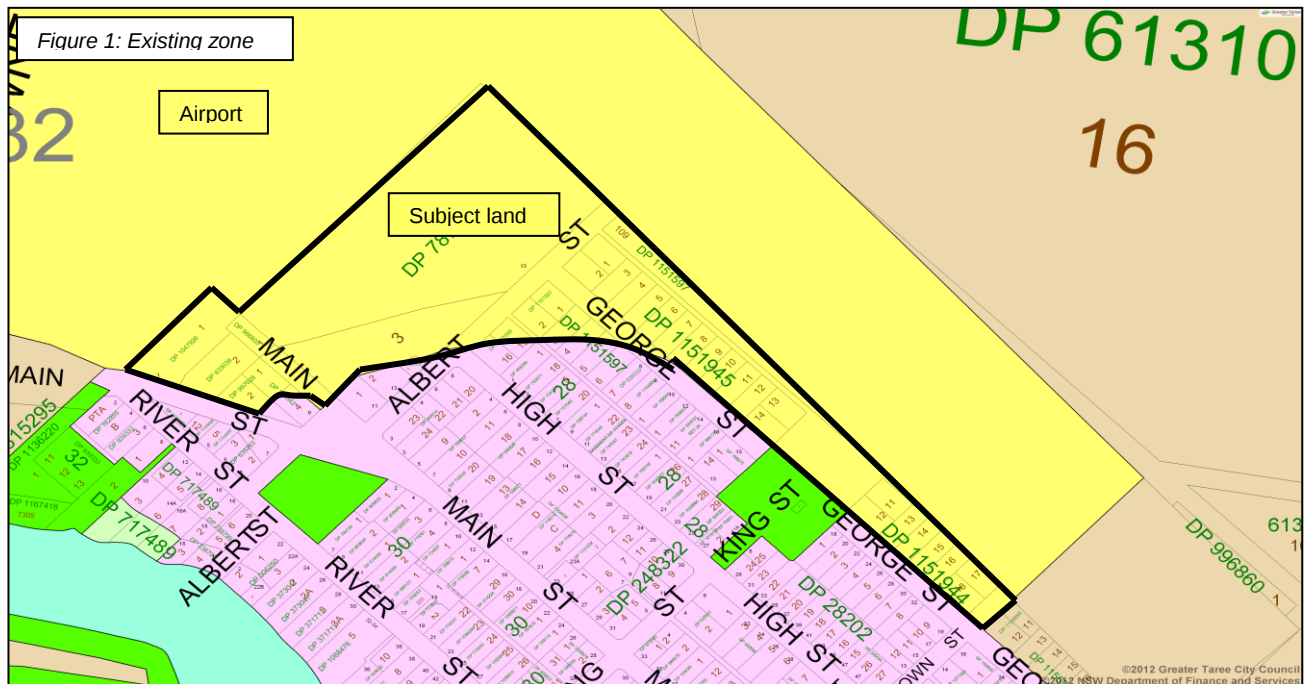
Amend Map Identification Number 3350_COM_LSZ_015E_020_20101203 to remove the minimum lot size “G” from Lots 8-9 DP20756 and Lots 1-3 DP783981 in the Mixed Use (B4) zone. No minimum lot size will apply.

Amend Map Identification Number 3350_COM_FSR_015E_020_20100927 to remove the maximum floor space ratio “C” from Lots 8-9 DP20756 and Lots 1-3 DP783981 and replace with “N”. This will enable a maximum floor space ratio of 1.

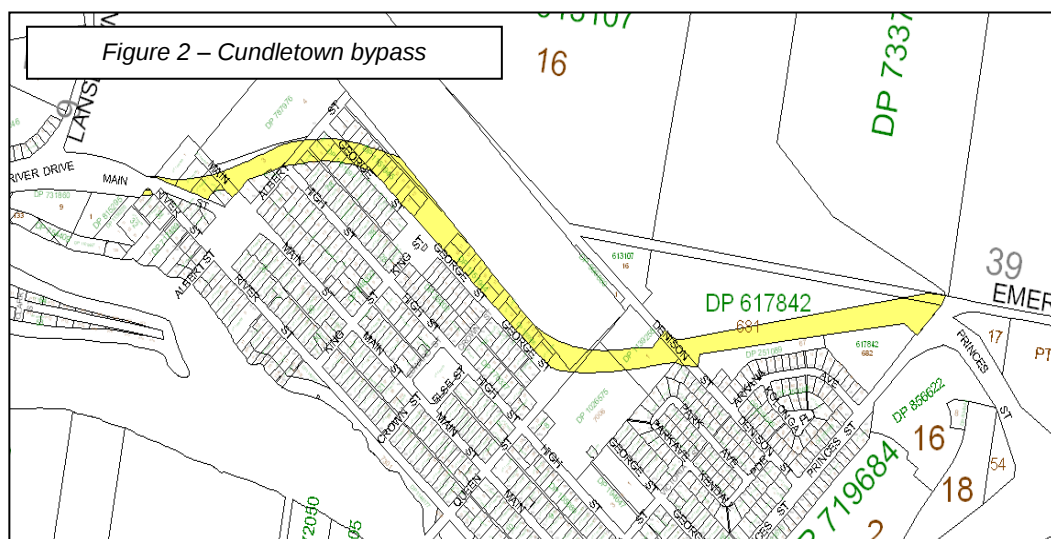
Cundletown changes:

For over 30 years a number of privately owned lots have been included in a Special Use/Purpose zone. Currently, the subject land is included in the SP2 - Infrastructure (Airport transport facilities) zone which is intended for airport uses (shown in Figure 1 below). It would appear that in the past Council intended the land be used for airport activities, given its proximity to the Taree airport. Recent investigations with Council's Property and Procurement Department reveal that there is no need for this land under Council's management of the airport. All major works are proposed to the west of the airport (toward Lansdowne Road) where new hangars and supporting infrastructure are being developed.

Given the distance of the land from the existing airport facilities and its location within the Cundletown residential community, it is envisaged that airport uses would not be encouraged on this land. The current zone only allows uses associated with an airport, which is unnecessarily restricting the use of the land.

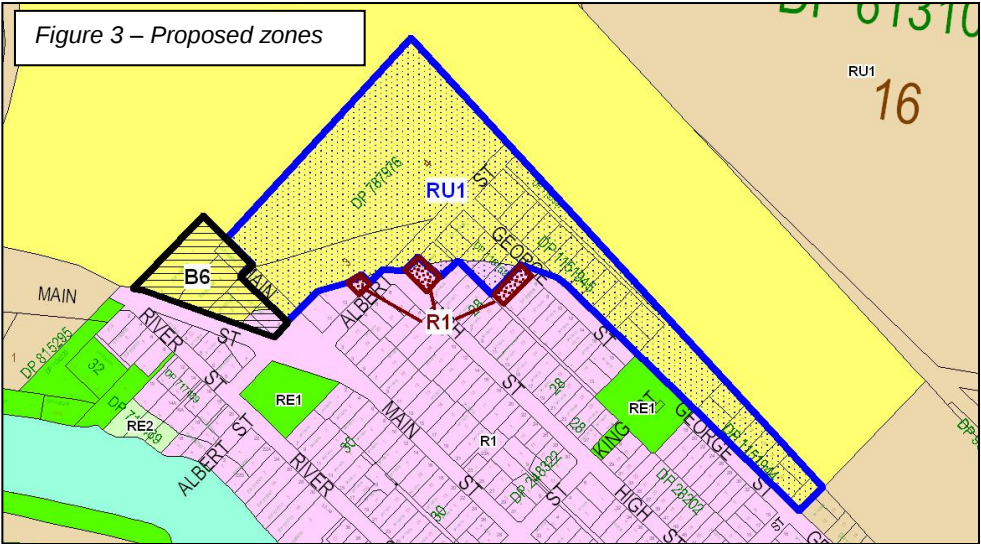


It should also be noted that a large portion of the land is subject to a proposed new road being the Cundletown bypass. This road is still a requirement and is included in LEP 2010 as a land acquisition layer as shown in Figure 2.



Prior to LEP 2010, the bypass was included in a Special Use (Arterial Road Reservation) zone. The continued use of this zone was not an option permitted under the standard instrument, as the future road is a Council, not State road. As a result, it appears that in the transition to the standard instrument the land was transferred directly into the Infrastructure (Airport transport facilities) zone.

Given there is no intent for the land to be used for airport activities, it is proposed to include the land in the zones shown in Figure 3. The proposed zones reflect the current use of the land. The Table below details the proposed changes.



Details of Cundletown proposed changes		
Site 1: Main Street (9 Albert Street, 1A and 1 Main Street, Cundletown)		
	Property description: Lot 1 DP1047928 Lots 1-2 DP997028 Lot 2 DP633038 Lot 1 DP986805 Lot 4 DP743542	
	Proposed zone: Enterprise Corridor (B6)	Current use: Light industry Rural supplies Vehicle sales yard House
	Proposed amendment: The sites are not intended to be used as airport. The sites are important entry sites for Cundletown and have been predominately used for light industry and commercial uses. A house is located on the corner site. The proposed zone will enable many of these uses to continue and will enable businesses that would support either Cundletown or the airport.	
LEP Change: Amend Map Identification Number 3350_COM_LZN_015A_040_20101102 to include Lot 1 DP1047928, Lot 2 DP633038, Lot 4 DP743542, Lots 1-2 DP997028 and Lot 1 DP986805 in the Enterprise Corridor (B6) zone. Amend Map Identification Number 3350_COM_HOB_015A_040_20110310 to include the above lots in "I2" to limit the height of buildings to 8.5m. Amend Map Identification Number 3350_COM_FSR_015A_040_20100518 to include the above lots in "N" allowing a maximum floor ratio of 1.		
Site 2: Residential sites (Lot 1 Albert Street, Lot 6 and 16 George Street, Cundletown)		
	Property description: Lot 16 DP1151595 Lot 1 DP532926 Lot 6 DP1151597	
	Proposed zone: General Residential (R1)	Current use: Vacant Telstra sub-station (Lot 1)
	Proposed amendment: The sites are not intended to be used as airport. These sites are all in public ownership and are only slightly impeded by the SP2 – Infrastructure zone and the proposed road corridor. Two sites are vacant and one has a Telstra sub-station. Extending the General Residential zone over the remainder of the sites is appropriate.	
LEP Change: Amend Map Identification Number 3350_COM_LZN_015A_040_20101102 to include Lot 16 DP1151595, Lot 6 DP1151597 and Lot 1 DP532926 in the General Residential (R1) zone. Amend Map Identification Number 3350_COM_LSZ_015A_040_20110310 to include the above lots in "G" to limit the lot size to 450m ² . Amend Map Identification Number 3350_COM_HOB_015A_040_20110310 to include the above lots in "I2" to limit the height of buildings to 8.5m. Amend Map Identification Number 3350_COM_FSR_015A_040_20100518 to include the above lots in "F" allowing a maximum floor ratio of 0.6.		

Site 3: Rural sites (Lots 3,109 and 13 Albert Street, Lots 1,-18 George Street, Cundletown)



Property description:

Lots 3-4 DP787976	Lots 1-14
Lot 15 DP1151595	DP1151945
Lots 1-5 DP1151597	Lots 11-18
Lot 109 DP1151597	DP1151944

Proposed zone:
Primary Production (RU1)

Current use:
Vacant

Proposed amendment:

The sites are not intended to be used as airport. These sites are all vacant and currently are used for rural activities.

LEP Change:

Amend Map Identification Number 3350_COM_LZN_015A_040_20101102 to include Lots 3-4 DP787976, Lot 15 DP1151595, Lots 1-5, Lot 109 DP1151597, Lots 1-14 DP1151945 and Lots 11-18 DP1151944 in the Primary Production (RU1) zone.

Amend Map Identification Number 3350_COM_LSZ_015A_040_20110310 to include the above lots in "AB3" to limit the lot size to 40 ha.

Amend Map Identification Number 3350_COM_HOB_015A_040_20110310 to include the above lots in "I2" to limit the height of buildings to 8.5m.