

PLANNING PROPOSAL



ADDENDUM

Local Environmental Plan Amendment

Apollo Fabrication Group, 2 – 20 Telegraph Road, Young NSW



Rev 2.0 – Nov 2021

Apollo Fabrication Group Pty Ltd



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TABLE OF ABBREVIATIONS

AHIP	Aboriginal Heritage Impact Permit
Apollo	Apollo Fabrications Group
BDAR	Biodiversity Development Assessment Report
CSP	Community Strategic Plan
DPIE	Department of Planning Industry & Environment
DSI	Detailed Site Investigation
EGLUS	Economic Growth and Land Use Strategy
HC	Hilltops Council
HLEP	Hilltops Local Environmental Plan
LALC	Local Aboriginal Land Council
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS	Local Strategy Planning Statement
NIA	Noise Impact Assessment
PSI	Preliminary Site Investigation
SEPP	State Environmental Planning Statement
TEC	Threatened Ecological Community
TIA	Traffic Impact Assessment
YLEP	Young Local Environmental Plan

PLANNING PROPOSAL ADDENDUM

Local Environmental Plan Amendment

Apollo Fabrication Group Pty Ltd, 2 – 20 Telegraph Road, Young NSW

1 INTRODUCTION

An addendum has been prepared to accompany Planning Proposal (ref: 16097 Rev2.0 Apr2021) prepared in relation to Apollo Fabrication Group Pty Ltd, 2 – 20 Telegraph Road, Young NSW. The addendum is a result of the consideration of the Planning Proposal at the Hillstops Council meeting held on 27 October 2021.

Council resolved as follows:

That Council:

- (a) *Delegates to the General Manager prepare the planning proposal documentation as submitted and including the Council Independent Review of planning proposal;*
- (b) *The applicant be asked to provide material addressing the recommendations of AQ Planning within 30 days;*
- (c) *Forward the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway Determination;*
- (d) *Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community participation Plan; and*
- (e) *Receive a further report on the outcomes of public exhibition and community consultation.*

Further to Council's resolution, Hilltops Council provided further advice in correspondence dated 29 October 2021, as follows:

With regard to Part (b) of Council's resolution, relating to the recommendations of the Independent Review of the Planning Proposal undertaken by AQ Planning Pty Ltd, please provide the following additional information to Council by 26 November 2021:

1. *An assessment of the impact of the Planning Proposal, being additional land for general industry, in the proposed location on the viability and integrity of existing employment lands;*
2. *An assessment of the impact of the Planning Proposal on the natural environment, particularly an assessment of the landscape based conservation values of Victoria Creek and opportunities for protection and enhancement thereof;*
3. *A visual impact assessment of the Planning Proposal on surrounding land uses, particularly regarding the bulk, scale and setbacks of buildings and noise mitigation measures as well as potential for landscaping to screen the development given proposed building setbacks;*
4. *Detailed place-based planning for the entire Eastern Light Industrial area, considering the cumulative impact of development and infrastructure needs/upgrades, sequencing and funding for the entire investigation precinct, including the land-use aspirations of other land owners within the investigation precinct;*
5. *Funding arrangements for infrastructure provision. This can be in the form of an offer to enter into a Voluntary Planning Agreement or alternatively Council will prepare a site-specific contributions plan under Section 7.11 of the Environmental Planning and Assessment Act 1979 concurrently with the Planning Proposal; and*
6. *Reconsideration of the consistency of the Planning Proposal with relevant State Environmental Planning Policies and Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979. The Ministerial Directions that particularly require further assessment are:*
 - *1.2 Rural zones*
 - *1.5 Rural land*
 - *2.1 Environmental protection zones*
 - *3.1 Residential zones*
 - *3.2 Caravan parks and manufactured home estates*

- 5.1 Implementation of Regional Strategies
- 6.2 Rezoning land for public purposes

The Addendum addresses the above additional information request as well as clarifying the intent of the Planning Proposal and proposed amending provisions requested by the proponent. The content of the original Planning Proposal document remains substantially the same including description of subject land and references to previously submitted supporting documentation.

1.1 Clarification of Intent and Proposed LEP Amending Provisions

The objectives or intended outcomes of the planning proposal remains the same, that is:

The objective of this planning proposal is to amend the Local Environmental Plan (LEP) provisions applicable to the site that will permit the use of the subject land for industrial purposes, specifically steel manufacturing and associated/ancillary activities.

At a pre-lodgement meeting held with Council on 18 February 2021 the intent, form and nature of the Planning Proposal was discussed, primarily to seek comment and direction from Council in relation to the content, specialist reporting and any other appropriate guidance from Council prior to formal lodgement. The approaches made to Council were in the spirit of cooperation and full disclosure of the needs of Apollo with respect to emerging shire-wide strategic directions and local community expectations.

Representatives of Apollo indicated that the most appropriate mechanism to achieve the intended outcome of the Planning Proposal was to seek a Schedule 1 special provision amendment for their site, as had been done earlier for another industry located along Telegraph Road (Ambos). This approach was agreed to by previous Council Planning Staff when considering the current land use and future intentions for the Telegraph Road site.

Following the pre-lodgement meeting, advice was provided to the proponent by Council Planning Officers that, because Council was in the process of drafting and finalising a new shire-wide LEP, the Apollo Planning Proposal was to provide an option for Council to consider rezoning the site to industrial as part of the LEP drafting process. It was explained by Council's Planning Officers that by having a rezoning option within the Planning Proposal allowed Council to decide the best option in moving forward with addressing permissibility across the Apollo sites to accommodate future considerations for expansion and improvements to their current operation.

Any proposed rezoning of the site referred to in the planning proposal solely resulted from taking the advice and direction of Council into account. As a direct consequence of this, the independent assessment of the Planning Proposal by AQ Planning (a consultant briefed and appointed by Council) predominantly considered that the rezoning of the site and the Eastern Light Industrial Precinct fails the strategic merit test.

It is Apollo's view that their preferred Schedule 1 LEP Amendment option was not given a fair assessment in comparison to the Council directed rezoning option. Given this, Apollo now formally withdraws the rezoning option from its Planning Proposal.

A Schedule 1 amendment is the most appropriate mechanism to provide for the expansion of their facility, considering the current circumstances with Apollo's need to address economic and employment growth, and, respectively, given Council's focus on preparing a "consolidation" LEP that consolidates the three (3) former Shire LEPs (Harden, Boorowa, Young). It is noted that Council's desire to create a 'consolidated' LEP recognises that there has been no comprehensive strategic land use planning undertaken in Young and the wider Hilltops area since the Young LEP was gazetted in 2010.

It is evident that Council is currently not in a position to complete all the necessary strategic planning work to underpin a more comprehensive amending LEP. Unfortunately, once the consolidated LEP is established, the underlying assumptions and planning principles would remain at least 10 or more years out of date, and this would make it an ineffective document against which to assess the merits of Apollo's planning proposal.

Apollo and their representatives were further instructed by Council to clearly indicate the objectives of the proposal and expected outcomes, focus on the expansion proposal and benefits to the overall community, including jobs growth and economic growth, and that the proposal is for an existing and expanding local industry.

Therefore, the proponents preferred and submitted request is for the following LEP amendment to be considered:

Inserting a special provision under Schedule 1 of the LEP that relates specifically to the subject land and permits, with development consent, industrial activity.

The proposal is amended accordingly through the inclusion of this Addendum document.

1.2 Additional Documentation

The following additional reports and plans accompany this Addendum and form part of the revised Planning Proposal.

Table 1: Plans and Support Documentation

Accompanying Documents				
Ref:	Title	Rev	Date	Prepared By
1	Telegraph Road, Young – Response to Council Question (Employment Land Impact)	-	18/11/21	Location IQ
2	Natural Environment Assessment - Victoria Creek	-	25/11/21	EI Australia - Kingfisher

1.3 Response to Additional Information Request

The following outlines the proponents response to the list of additional request items outlined above. The responses are made in the context that the Planning Proposal is for a Schedule 1 site-specific amendment to the LEP to accommodate the existing Apollo operations and future expansion proposals.

1.3.1 Employment Lands Response

1. *An assessment of the impact of the Planning Proposal, being additional land for general industry, in the proposed location on the viability and integrity of existing employment lands;*

Further investigation and analysis has been conducted by Location IQ who prepared the Economic Report that accompanies the proposal. Their additional report “*TELEGRAPH ROAD, YOUNG – RESPONSE TO COUNCIL QUESTION*” accompanies this Addendum and forms part of the proposal documentation.

In response to the employment lands question, it is concluded that there will be no impact on the viability and integrity of the existing employment lands from the Planning Proposal for reasons as detailed in Location IQ’s report.

1.3.2 Natural Environment Lands Response

2. *An assessment of the impact of the Planning Proposal on the natural environment, particularly an assessment of the landscape based conservation values of Victoria Creek and opportunities for protection and enhancement thereof;*

A supplementary report “*Natural Environment Assessment – Victoria Creek*” has been prepared by EI Australia to address the above question of impact on the natural environment. EI Australia prepared the Biodiversity Report that accompanies the proposal. The supplementary report accompanies this Addendum and forms part of the proposal documentation.

In response to the natural environment impact question, the following observations and conclusions are made:

- The development (as conceptually proposed for the purposes of the Planning Proposal) is outside all core riparian areas;
- The riparian zone has a high weed abundance;
- The LEP Riparian and Sensitive Lands layers are significantly poor and require ground truthing as the areas do not include the water-way centre;
- LEP Biodiversity mapping indicates the development site is 95% outside of these zones; and
- Biodiversity will be enhanced with additional planting along the riparian area.

The supplementary report contains a concluding summary and recommendations that confirm the proposal has negligible impact on the natural environment and there are opportunities to enhance and embellish the surrounding riparian corridors in conjunction with the future development of the subject land.

1.3.3 **Visual Impact Response**

3. *A visual impact assessment of the Planning Proposal on surrounding land uses, particularly regarding the bulk, scale and setbacks of buildings and noise mitigation measures as well as potential for landscaping to screen the development given proposed building setbacks;*

The Planning Proposal has been lodged with an accompanying Urban Design report prepared by PTW. The report provided an assessment of surrounding land uses, existing views, streetscape character, existing landform, existing access, vegetation and wildlife corridors, cultural heritage, topography and benching constraints, access and parking constraints, drainage and vegetation constraints, acoustic constraints, landscaping opportunities, façade treatment opportunities, proposed setbacks and heights, and 3D rendered images of potential building design and treatment for the subject site.

The PTW report puts forward a conceptual proposal that aims to create quality urban landscapes whilst addressing issues of bulk and scale in a changing urban landscape. Consideration of setbacks and the opportunities for noise mitigation and landscaping opportunities are included in PTW's assessment.

The proposal will continue to rely on the visual impact assessment included in the PTW report to support this proposal, acknowledging that this is a site-specific proposal and the development details are conceptual only. No further assessment is considered necessary under the circumstances and any further reporting would be considered a duplication of the urban design work already presented.

1.3.4 **Place-based Planning Response**

4. *Detailed place-based planning for the entire Eastern Light Industrial area, considering the cumulative impact of development and infrastructure needs/upgrades, sequencing and funding for the entire investigation precinct, including the land-use aspirations of other land owners within the investigation precinct*

Considering the proposal's intent is for a site-specific Schedule 1 LEP Amendment, a detailed place-based planning report for the entire Eastern Light Industrial Area is premature until Council undertake further strategic planning work to underpin more comprehensive rezoning proposals across the Hilltops LGA. Council has not been able to establish, with any certainty, when this work can be undertaken. Until then, an out of date consolidated LEP cannot be solely relied upon to make strategic decisions in the LGA.

Apollo Fabrications is an existing business and any presumptions on cumulative impact issues are outside the scope of a site-specific LEP amendment. Council and the community's acceptance of the present and expanding built form of the Apollo premises at Telegraph Road is evident in the continued approval of development applications for the existing business on the subject land.

The request for a detailed place-based report is out of context with this Planning Proposal and no response is put forward at this stage.

1.3.5 Funding Arrangement Response

5. *Funding arrangements for infrastructure provision. This can be in the form of an offer to enter into a Voluntary Planning Agreement or alternatively Council will prepare a site-specific contributions plan under Section 7.11 of the Environmental Planning and Assessment Act 1979 concurrently with the Planning Proposal;*

The proponent has considered the position of funding arrangements for infrastructure provision as a consequence of the implementation of this proposal. The alternatives offered are noted.

The proponent considers the following elements would be relevant to this proposal and potentially result in a net public benefit being derived:

- Enhancement and embellishment of the Victoria Creek corridor; and
- Infrastructure improvements to the Telegraph Road intersections.

Details for the VPA can be prepared prior to development approval.

In the interim, if Council decide that a site-specific contributions plan under 7.11 is more appropriate under the circumstance, then the proponent would have no objection to this option being reasonably explored.

1.3.6 Reconsideration of SEPP and S9.1 Directions Response

6. *Reconsideration of the consistency of the Planning Proposal with relevant State Environmental Planning Policies and Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979.*

Specific SEPPs and Section 9.1 Directions that have been reconsidered are outlined in the appropriate sections of this Addendum document below.

1.4 Strategic Merit Assessment

Strategic merit assessment for this proposal is made in the context that:

- The proponent is requesting a site-specific Schedule 1 LEP Amendment and that there are no rezoning proposals involved or changes to existing LEP layers, including minimum lot size and natural resources sensitivity (biodiversity, riparian and sensitive land);
- The amendment is in relation to the existing Young LEP2010, notwithstanding the exhibited draft Hilltops LEP which is understood to be a "consolidation" LEP that combines the former Young, Boorowa and Harden LEPs as a result of the recent amalgamation of Shire boundaries; and
- The Young LEP2010 and relevant sections of the draft Hilltops LEP are (strategically) more than 5 years old and Council has not undertaken any relevant or substantially comprehensive strategic land use planning for over 10 years to be able to inform any significant zoning changes under a new LEP.

Table 2: Strategic Merit Considerations

DPIE Planning Proposal Guidelines – Strategic Merit	
Strategic Question	Response
<i>Will the proposal give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or</i>	The proposal will give effect to relevant directions and actions of the South East and Tablelands Regional Plan 2036, particularly in the areas of a connected and prosperous economy, healthy communities and protecting biodiversity corridors. The supporting specialist reports underpin this strategic response. Further discussion is included in section 4.2.1 of the Planning Proposal report.
<i>Will the proposal give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or</i>	The proposal will give effect to the current Hilltops LSPS that has been endorsed by the Department, particularly in the areas of economic growth and building stronger

<i>required as part of a regional or district plan or local strategic planning statement; or</i>	communities. As demonstrated in the supporting specialist reports, the proposal will also facilitate responsible environmental management and protection. The specific LSPS content is discussed and addressed in section 4.2.2 of the Planning Proposal report.
<i>Is the proposal responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans.</i>	The proposal is responding to changing circumstances in the growth and expansion of the existing Apollo premises. This includes changes in demographic profiles through additional employment and population growth as a consequence of business expansion and attraction of skilled trades and resources. Existing strategic plans that underpin the current LEP2010 did not anticipate these changes. The LSPS has recognised that the Eastern Light Industrial Area requires investigation to accommodate the emerging changes in land use activity along the Telegraph Road precinct and wider Young township area.
<i>Does the proposal have site-specific merit, having regard to:</i>	The proposal has site-specific merit as outlined below.
<ul style="list-style-type: none"> <i>the natural environment (including known significant environmental values, resources or hazards) and</i> 	The existing premises is located outside of existing riparian corridors and other sensitive land, as confirmed by accompanying ecologist reports. The proposal will avoid any detrimental impact on the natural environment and will create opportunity to embellish, maintain and enhance the natural environment, landscape and streetscape of the immediate area.
<ul style="list-style-type: none"> <i>the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and</i> 	Apollo acquired an existing industrial premises on the subject land, together with other vacant adjoining land. Council has continually approved extensions to the premises including a recent DA for a new administration and workshop area for the premises designed in context of future proposals for expanding the business in this location. The resultant approvals issued by Council have assisted Apollo to further grow their business, employ additional staff and improve onsite operations and facilities for the benefit of employees and the surrounding neighbourhood. There has been little change to land use activities on adjoining/adjacent rural and residential land. Consideration has been made to ensure the residential amenity of existings in the locality are maintained and embellished where possible.
<ul style="list-style-type: none"> <i>the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision</i> 	The proposal has demonstrated that there are adequate services and infrastructure to serve the needs of the proposal (see accompanying speciality reports). The proponent has put forward potential VPA items and/or opportunity for Council to prepare a site-specific contributions plan to address any potential demands for infrastructure to serve the proposal and local area.

The proposal demonstrates strategic relevance to the local area and wider Hilltops LGA. The proponent contends that their proposal meets the test for strategic merit.

Amending sections of the Planning Proposal are outlined below. Where relevant, sections that remain unchanged are referenced to the original Planning Proposal document.

2 OBJECTIVES OR INTENDED OUTCOMES

(Part 1 of the Guide)

The objective of this Planning Proposal is to amend the Local Environmental Plan (LEP) provisions applicable to the site that will permit the use of the subject land for industrial purposes, specifically steel manufacturing and associated/ancillary activities.

3 EXPLANATION OF PROVISIONS

(Part 2 of the Guide)

The proposed outcome of this Planning Proposal will be achieved by amending the applicable LEP by inserting a special provision under Schedule 1 of the LEP that relates specifically to the subject land and permits, with development consent, industrial activity.

4 JUSTIFICATION

(Part 3 of the Guide)

Justification for the proposal remains substantially the same as outlined in the original Planning Proposal report, with additional information provided in relation to sections as amended below.

4.1 Need for the planning proposal

4.1.1 *Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?*

Response remains the same as provided in Section 4.1.1 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021).

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

The Schedule 1 LEP Amendment as described in Section 3 of this Addendum is considered the best means to achieve the intended outcome of this planning proposal. A site-specific special provision will provide certainty to both the proponent and community when considering the current circumstances with Apollo's need to address economic and employment growth, and Council's focus on preparing a "consolidation" LEP that consolidates the three (3) former Shire LEPs (Harden, Boorowa, Young).

Council have demonstrated that they are not in a position to complete all the necessary strategic planning work to underpin a more comprehensive amending LEP. A rezoning option included with the original proposal was a Council driven option that would allow Council to decide the best planning path in moving forward with addressing permissibility across the Apollo sites.

Council and the local community have proved that accommodating Apollo's continued operations on the subject land is sustainable by continually providing consent to expansions to their existing operations, within the bounds of current legislation.

A Schedule 1 LEP Amendment will achieve the objectives of the proposal and intended outcomes which focus on the expansion of an existing local industry with benefits to the overall community, including jobs growth, economic stability and responsible environmental management.

4.2 Relationship to strategic planning framework

4.2.1 *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

Response remains the same as provided in Section 4.2.1 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021).

4.2.2 *Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*

Response remains the same as provided in Section 4.2.2 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021).

4.2.3 *Is the planning proposal consistent with the applicable State Environmental Planning Policies?*

The proposal is consistent with the applicable State Environmental Planning Policies (SEPPs), as listed by the NSW Planning Portal and as discussed in the table below. This table replaces table presented in Section 4.2.3 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021).

Table 3: Applicable SEPPs

SEPPs	
SEPP Title	Consistency
<i>SEPP (Affordable Rental Housing) 2009</i>	Applicable. Not directly relevant to the proposal. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP (Building Sustainability Index: BASIX) 2004</i>	Applicable. Not directly relevant to the proposal. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP (Concurrences and Consents) 2018</i>	Applicable. Not directly relevant to the proposal. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP (Educational Establishments and Child Care Facilities) 2017</i>	Applicable. Not directly relevant to the proposal. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP (Exempt and Complying Development Codes) 2008</i>	Applicable & relevant. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP (Housing for Seniors or People with a Disability) 2004</i>	Applicable. Not directly relevant to the proposal. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP - (Infrastructure) 2007</i>	Applicable and relevant. Consistent. There are no provisions in this planning proposal that would conflict with the objectives, standards and procedures required under this SEPP. The subject land is identified as containing, or within proximity to, essential infrastructure. Applicable requirements under respective clauses of this SEPP are to be addressed prior to development.
<i>SEPP (Mining, Petroleum Production & Extractive Industries) 2007</i>	Applicable. Not directly relevant to the proposal. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP (Primary Production and Rural Development) 2019</i>	Applicable. Not directly relevant to the proposal. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP - (Vegetation in Non-Rural Areas) 2017</i>	Applicable and relevant. Consistent. The planning proposal does not contain any provisions that would conflict with the intent of this SEPP. An ecological constraints analysis has been prepared for the purposes of this proposal that has considered any potential impact on biodiversity values of trees and other vegetation over the subject land. The recommendations have been taken into consideration in preparing the indicative masterplan.
<i>SEPP21 – Caravan Parks</i>	Applicable. Not directly relevant to the proposal. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP33 – Hazardous and Offensive Development</i>	Applicable & relevant. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP36 – Manufactured Home Estates</i>	Applicable. Not directly relevant to the proposal. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP50 – Canal Estate Development</i>	Applicable. Not directly relevant to the proposal. Consistent, any future development will continue to be assessable against this policy.
<i>SEPP55 – Remediation of Land</i>	Applicable and relevant. Consistent. SEPP 55 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. It applies to the whole of the State.

	The proposal addresses relevant provisions of this SEPP. Whilst, Clause 6 (consideration and remediation to be considered in rezoning proposals) has been subsequently repealed, the proposal has undertaken a detailed site investigation (DSI) over the site and a specialist report accompanies this proposal. The DSI concludes that the site is suitable for accommodating expanded industrial activities and that areas identified as potential contamination sources can be readily remediated to an acceptable level of risk.
SEPP64 – Advertising and Signage	Applicable and relevant. Consistent, any future development will continue to be assessable against this policy.
SEPP65 – Design Quality of Residential Apartment Development	Applicable. Not directly relevant to the proposal. Consistent, any future development will continue to be assessable against this policy.

4.2.4 ***Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?***

The following table outlines the consideration of relevant s9.1 directions and the level of consistency of this planning proposal with those particular directions. Directions as considered and included in Section 4.2.4 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021) remain the same, except for those directions included in the table below.

Table 4: Applicable s9.1 Ministerial Directions

s9.1 Ministerial Directions	
Direction title	Consistency
1.2 Rural Zones	Inconsistent. The direction applies as a planning proposal is being prepared by a relevant planning authority and the proposal will affect an existing rural zone (RU4 – Primary Production Small Lots). The inconsistency is justified on the following basis: <ul style="list-style-type: none"> • The proposal does not involve the rezoning of land; • The proposal has given consideration to the objectives of this direction in light of the existing use of the land for industrial purposes, particularly steel manufacturing; • The land is identified in the Hilltops LSPS as a potential industrial area subject to investigation; • Additional supporting specialist reports identify the land as suitable for further industrial expansion and have given consideration to the objectives of this direction; • The proposal is consistent with the applicable Regional Strategy: and • Based on the circumstances and scale of the proposal, is of minor significance.
1.5 Rural Lands	Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority and the proposal will affect land within an existing rural zone (RU4 – Primary Production Small Lots). The proposal satisfies the objectives of this direction by: <ul style="list-style-type: none"> • Not rezoning rural land; • Not containing provisions that will increase permissible density of land within a rural zone. The minimum lot size provisions are to remain as is; • The land is within an existing town boundary; • Being consistent with applicable regional and state strategic plans including the Hilltops LSPS; • Considering the potential impact of the proposal on primary production, environmental values, physical attributes and other related land uses; and • Having consideration to the social, economic and environmental interests of the community, as discuss in relevant accompanying specialist reports to this proposal.
2.1 Environment Protection Zones	Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority and part of the land includes areas identified as environmentally sensitive.

s9.1 Ministerial Directions	
Direction title	Consistency
	<p>The proposal satisfies the objectives of this direction by ensuring that:</p> <ul style="list-style-type: none"> • No rezoning of environmentally sensitive land occurs; • Natural resource sensitivity layers of the LEP remain as is; • Environmental protection standards are not reduced; and • Areas identified for protection or conservation are excluded from development and/or appropriate mitigation measures introduced to facilitate protection and conservation. <p>The proposal is also consistent with proposals under the draft Hilltops LEP that will provide further clarification of boundaries to identified areas of natural resource sensitivity.</p>
3.1 Residential Zones	<p>Not inconsistent. The direction applies as a planning proposal is being prepared by a relevant planning authority and involves land that is currently zoned R1 General Residential.</p> <p>The proposal is not inconsistent with this direction as it:</p> <ul style="list-style-type: none"> • Does not involve the rezoning of existing residential land; • Does not propose any change to existing residential provisions that apply to the land; • Is proposing development of the land in accordance with relevant state and local strategic directions; • Is justified when also taking into consideration the conclusions and recommendations of supporting speciality reports in relation to the proposal; and • When considering the existing industrial development over part of this land and related strategic merit, is of minor significance.
3.2 Caravan Parks and Manufactured Home Estates	<p>Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction as existing relevant planning provisions will be maintained. The proposal does not involve the rezoning of land.</p>
5.10 Implementation of Regional Plans	<p>Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority and the subject land is within the boundaries of an endorsed Regional Plan.</p> <p>The proposal satisfies the objectives of this direction by demonstrating consistency with the overall vision, land use strategy and relevant goals, directions and actions contained in the Regional Plan (South East and Tablelands Regional Plan 2036). There is no rezoning involved with this proposal and there are no local or regional provisions, including environmental management and natural resource sensitivity LEP layers, to be changed as a result of the implementation of this proposal.</p>
6.2 Reserving Land for Public Purposes	<p>Consistent. The direction applies as a planning proposal is being prepared by a relevant planning authority that involves land zoned RE1 Public Recreation. The proposal is consistent with this direction as it does not involve any rezoning of land.</p>

4.3 Environmental, Social and Economic Impact

4.3.1 ***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?***

Response remains the same as provided in Section 4.3.1 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021), with the addition of a response to a specific natural environment impact question, as discussed above and included in supplementary report prepared by EI Australia. The supplementary report accompanies this Addendum and forms part of the proposal documentation.

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

Response remains the same as provided in Section 4.3.2 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021).

4.3.3 ***Has the planning proposal adequately addressed any social and economic effects?***

Response remains the same as provided in Section 4.3.3 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021), with the addition of a response to a specific employment land impact question, as discussed above and included in supplementary report prepared by Location IQ. The supplementary report accompanies this Addendum and forms part of the proposal documentation.

4.4 State and Commonwealth Interests

4.4.1 ***Is there adequate public infrastructure for the planning proposal?***

Response remains the same as provided in Section 4.4.1 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021).

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

The views of State and Commonwealth public authorities will be sought following the issue of a Gateway determination on this matter.

5 MAPPING

(Part 4 of the Guide)

Mapping provided below replaces mapping as included in Section 5 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021).

5.1 Subject Land

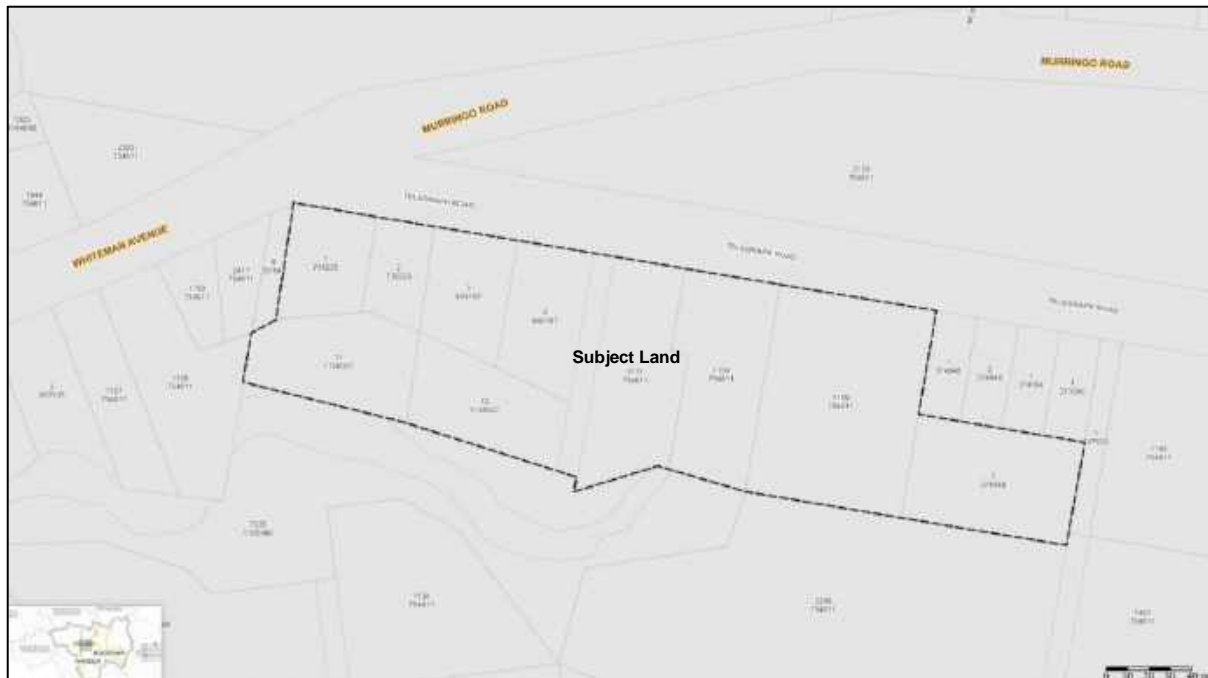


Figure 1: Subject Land (Source: HCGIS & SP 2021)

5.2 Proposed Local Provision Application Map

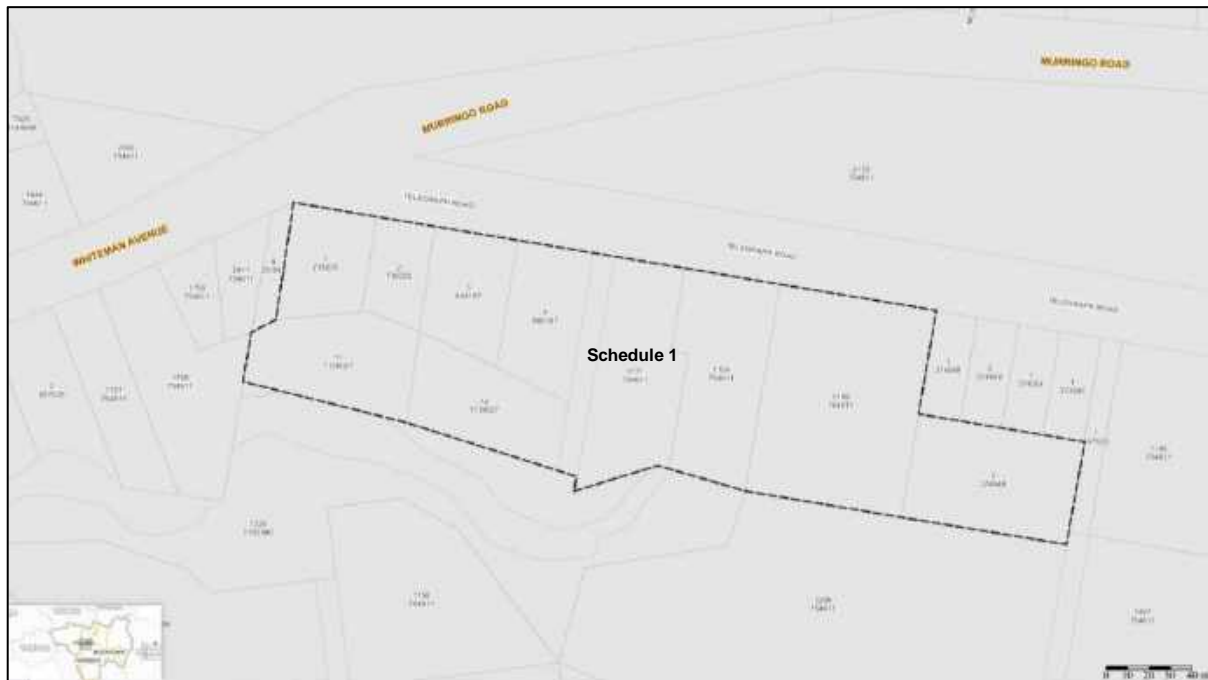


Figure 2: Draft Schedule 1 Application Map – Young LEP 2010 (Source: HCGIS & SP 2021)

5.3 Current Zone



Figure 3: Current Zone Map – Young LEP2010 (Source: HCGIS & SP 2021)

5.4 Minimum Lot Size

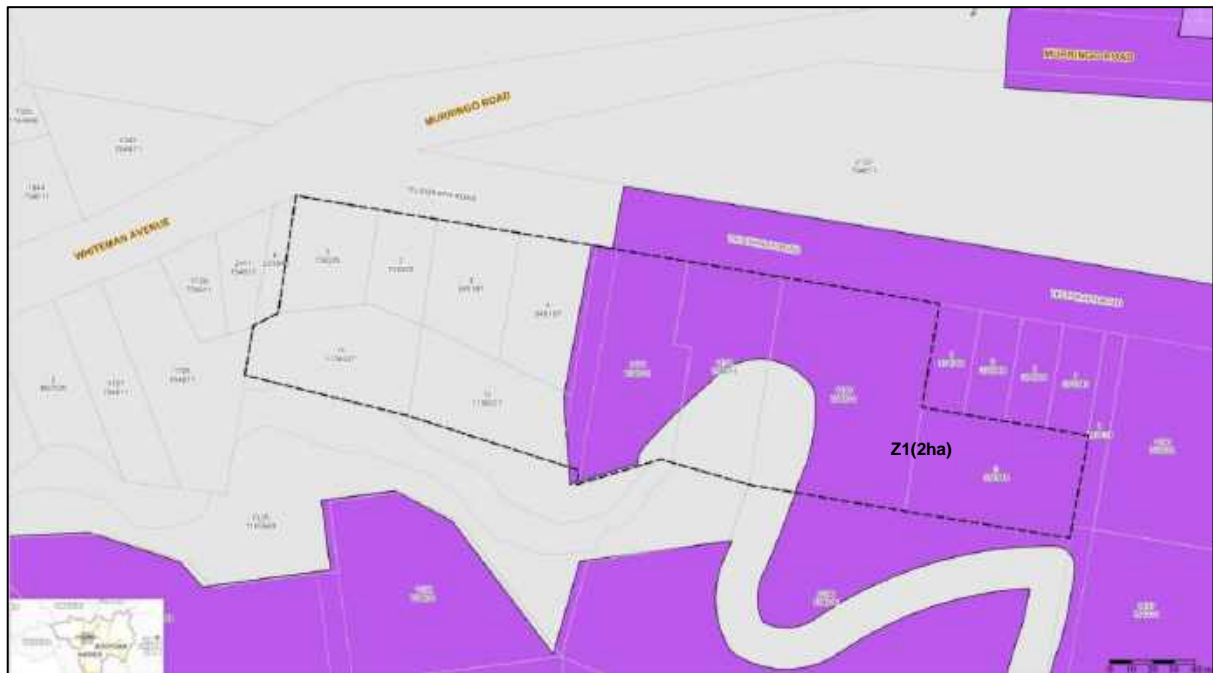


Figure 4: Minimum Lot Size Map – Young LEP2010 (Source: HCGIS & SP 2021)

5.5 Natural Resources Sensitivity - Biodiversity



Figure 5: NRS Biodiversity – Young LEP2010 (Source: HCGIS & SP 2021)

5.6 Natural Resources Sensitivity – Sensitive Land

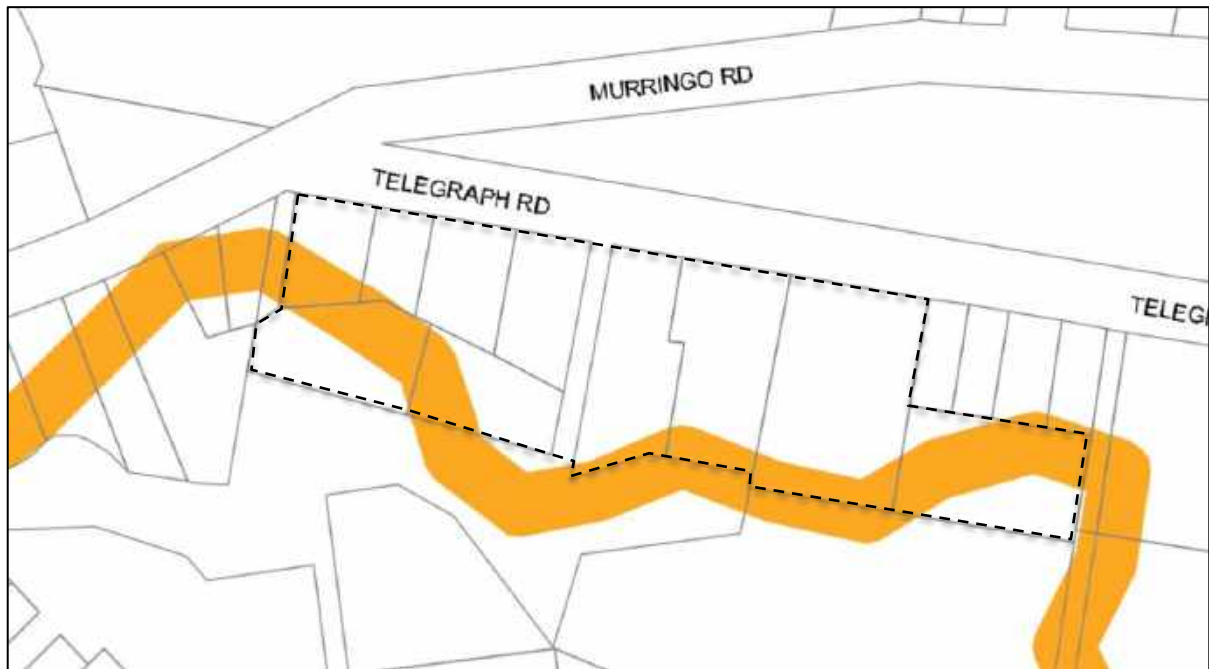


Figure 6: NRS Sensitive Land – Young LEP2010 (Source: HCGIS & SP 2021)

5.7 Natural Resources Sensitivity – Riparian Corridor

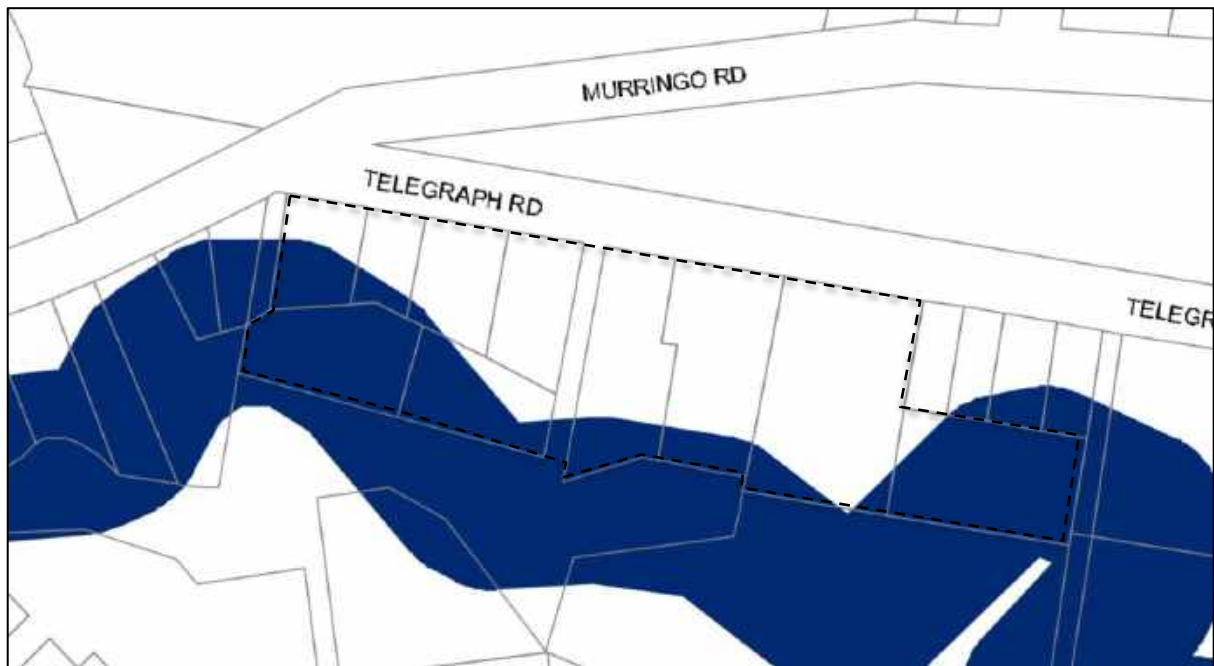


Figure 7: NRS Riparian Corridor – Young LEP2010 (Source: HCGIS & SP 2021)

5.8 Aerial Photographs



Figure 8: Aerial Photograph - 2008 (Source: HCGIS 2021)



Figure 9: Aerial Photograph - 2018 (Source: SIXMaps 2021)

The Gateway determination may also determine that additional mapping be prepared to support the exhibition of a planning proposal. Where this is the case, this requirement will be included in the Gateway determination.

6 COMMUNITY CONSULTATION DETAILS

(Part 5 of the Guide)

Comments within this section remain the same as provided in Section 6 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021).

7 PROJECT TIMELINE

(Part 6 of the Guide)

The project timeline comments remain the same as provided in Section 7 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021).

8 CONCLUSION

The conclusion remains the same as provided in Section 8 of the original Planning Proposal document (ref: 16097 Rev2.0 Apr2021).

16097: Document History – Addendum to Planning Proposal

Revision No.	Date	Authorised By		
		Name/Position	Signature	Notes
Rev 1.0 – Draft	19/11/21	Garry Salvestro Director	GS	For internal review.
Rev 1.1 – Revised Draft	25/11/21	Garry Salvestro Director	GS	For client review.
Rev 1.2 – Edited Draft	26/11/21	Garry Salvestro Director	GS	Revised draft
Rev 2.0 – Final	26/11/21	Garry Salvestro Director	GS	Issued for lodgment.

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