

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

CCL 22/03/22 - EMPLOYMENT ZONES REFORM

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CCL 22/03/22 - EMPLOYMENT ZONES REFORM

PAGE 3 **ITEM-25** **Attachment A:** Submission on Proposed Employment
Zone Framework

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Internal Memo

TO: All Councillors

CC: Chief Executive Officer; Director Governance

FROM: Manager Regulatory, Planning and Assessment

DATE: 2 July 2021

SUBJECT: City Wide – DPIE Employment Zones Reform – City of Newcastle Submission

The purpose of this memo is to provide information to Councillors regarding a City of Newcastle (CN) submission relating to Department of Planning, Industry and Environment's (DPIE) Employment Zones Reform currently on Public Exhibition.

Please find enclosed a copy of our submission in response.

Should you require any further information on this matter please contact me on 4974 2793.

Michelle Bisson
MANAGER REGULATORY, PLANNING AND ASSESSMENT

General Comments:

- City of Newcastle (CN) supports flexibility in the NSW planning system to respond to changing employment functions and land uses.
- CN's Employment Lands Strategy supports providing flexibility in permitted uses and functions of local centres, particularly in relation to retailing as these centres diversify uses to maintain foot traffic and take on a broader experience-based role as “centres of the local community” to compete with online retailing.
- CN notes that the Proposed Employment Zones Framework Position Paper (Position Paper) states that a cost benefit analysis is underway to examine zoning options and provide a baseline costing of Department of Planning, Industry and Environment's (DPIE's) preferred approach, and a social impact assessment is examining the social impacts of the proposed employment zones framework. This work will be important in finalising the draft zones and land use tables. Allowance should be made for refinement of the framework and further consultation with councils once this analysis and assessment is completed.
- CN is looking forward to the release of the proposed toolkit. It may have been helpful if the detailed information to be contained within the toolkit had been made available as part of the exhibition to assist Councils in understanding the proposed Employment Zones. It is noted that the toolkit will contain a detailed explanation of the intent and characterisation of each zone, the type of permissible land uses and the strategic objective each zone will deliver. This information is important to understanding and making an informed submission on the proposed employment zones framework.
- CN reiterates its concern that the changes to the employment codes under *State Environmental Planning Policy (SEPP) Exempt and Complying Development Codes, 2008* is occurring separately to the employment zones reform. These reforms must be viewed together to gain a complete understanding of the employment zones framework.
- Zone names: Currently “E” zones relate to environment zones, having it relate to both employment zones and environment zones will be confusing and should be reconsidered.
- There is insufficient information in the exhibition documents to understand and comment on the proposed SP4 Local Enterprise zone. Noted that this proposed zone is not included in the Draft Amendment Order.
- Noted that land uses permitted under SEPPs will not be listed in LEP land use tables and that the use of parent terms to identify land uses will also continue. CN requests the publication of a Land Use Matrix on the Portal to make it easier to read and understand LEP land use tables.

Proposed Employment Zones

GENERAL

- Zone objectives and land uses – It is important that Councils can include local objectives and land uses for each zone in addition to mandated objectives and land uses.
- CN will seek to maintain its centres hierarchy in zone objectives and ensure that employment opportunities are in accessible locations to maximise public transport patronage and encourage alternative transport options to private vehicles. This will discourage out of centre development.

The zone objectives should set up the centres hierarchy so the intent of planning controls put in place to support the hierarchy (building heights, floor space ratios (FSR), permitted land uses) is clear and justified. This is important in considering rezoning requests (and when an independent panel considers rezoning review requests) and in development assessment.

- CN will seek to include “to support and protect industrial land for industrial uses” as an objective in the E4 and E5 industrial zones.
- Planning controls for the Port of Newcastle are currently under the Three Ports SEPP. There is a deferred matter under the SEPP that should be resolved. It is also not clear how this important employment zone fits into the employment zones framework.

B1 Neighbourhood Centre / B2 Local Centre / E1 Local centre

- CN supports residential development in the local centre zone to support these centres, however the E1 Local Centre objective “to enable residential development if it will encourage a vibrant local centre” is vague. As only shop top housing and boarding houses are mandated as permissible forms of residential accommodation in this zone.

The objective should relate to active street frontages, such as CN’s objective to maintain an active retail / business frontage to maintain a safe / attractive pedestrian environment.

B3 Commercial Core / E2 Commercial Centre

- CN will seek to retain objectives in relation to accessibility, strengthening the role of the CBD and retention and creation of view corridors and commercial floor space in mixed use buildings.
- Newcastle City Centre is identified in the Hunter Regional Plan and Greater Newcastle Metropolitan plan as the major regional centre for the Hunter. This should be identified in the employment zones framework. It should be clear in the planning controls that it is the primary business and entertainment centre of the Local Government Areas (LGA), with a vibrant mix of uses and high amenity-built form. Commercial development should be supported with additional convenience-based retailing. Council supports flexible ground floor spaces in mixed use developments as proposed in the Position Paper.
- Maintaining a strong night-time economy is a key part of building the Newcastle City Centre’s reputation as a vibrant entertainment area and CN will seek to carry this through on the zone objectives.
- CN maintains its objection to ‘build to rent’ (BTR) development being mandated as a permissible use within this commercial centre zone. CN only has a small proportion of its employment land zoned B3 Commercial Core and introducing an exclusively residential land use will undermine the aims of the employment lands strategic framework. Introducing BTR effectively zones the land residential and will erode commercial capacity and the ability for agglomeration economies to form for our key sectors, currently health and education and any emerging industries. It is anticipated that developers will target B3 zoned land due to its lower land value and the proposed 50% reduction on land tax while providing a product that is not more affordable. In addition, existing commercial buildings could be converted to BTR, further reducing the commercial core function of this zone.

B5 Business Development / E3 Productivity Support

- The proposed E3 zone is similar to CN’s proposed B5 zone and is supported.

B4 Mixed Use / MU1 Mixed Use

- The MU1 zone proposes to permit all forms of commercial premises. It is therefore recommended that a zone objective be included that this zone supports nearby commercial centres without adversely impacting on the viability of those centres. The strategic intent of this zone should be clear so that supporting planning controls in relation to permitted land uses and controlling density are understood. This is important when considering rezoning requests and in development assessment.
- CN's Employment Lands Strategy aims, in the short term, to limit mixed-use development with high density residential components outside of the Newcastle City Centre, instead concentrating the market for this type of housing product in the city centre (particularly the eastern end) where it forms an important part of the city's evolving identity.
- An objective to minimise conflict between land uses within the mixed-use zone and land uses within adjoining zones will be difficult to achieve when the land use table permits uses that may be in conflict, for example pubs and residential development.

Industrial zones

- CN currently adopts the IN1 General Industrial Zone for a special precinct known as Steel River. This site formerly housed the BHP steel making plant, which closed in 1999 with the loss of some 2,500 jobs. A new planning regime was put in place for the site with the aim to create jobs to mitigate the job loss impact from the steel plant closure. The general objectives for the development of the Steel River site were identified at the time as:
 - socio-economic objective to provide 2000 jobs,
 - eco-industrial objective to apply principles of industrial ecology to the site,
 - socio-cultural objective to express the site's heritage,
 - environmental management objective included monitoring environmental performance and;
 - community consultation objective
- Engineering, research, and high-tech manufacturing uses are promoted in the Steel River precinct. Translating this zone into the proposed framework will be difficult and require further discussion between CN and DPIE.
- CN's Employment Lands Strategy promotes consideration of industrial land operational need, not just its employment generation. CN supports functions such as warehousing, storage units and distribution centres within industrial zones as critical in serving business and consumer networks.
- CN's current industrial framework supports 'strategic industrial precincts' to provide capacity for new industrial and related uses near major transport infrastructure and the Port of Newcastle. CN's Employment Lands Strategy identifies that there is demand for strategic industrial precincts in Beresfield and Mayfield west. CN recommends that provision for these strategic precincts be included in the employment zones framework.
- In addition, it is recommended that the employment zones framework provides flexibility for remnant industrial sites in urban areas with high levels of amenity to create employment space. Zone objectives should be clear that displacement of industrial uses from the area and/or from the LGA is not supported.

Definitions

- The proposed new, consolidated, and updated definitions are generally supported. CN questions whether the new definition of creative industry should be considered a sub-term of 'light industry' as many activities associated with creative industries would not fit under the definition of "industrial activity", particularly performance activities.

ADDITIONAL MATTERS

Centres hierarchy

- CN's Employment Lands Strategy is based on maintaining a centres planning framework, which provides certainty to the community and development industry and supports our long-term strategic planning objectives.
- The Position Paper notes that Councils and the community generally support a hierarchy of centres, however the proposed employment zone objectives do not reflect a centres planning framework. For example, while the Position Paper states that the local centre zone supports a centre that is smaller than a commercial centre in the centre's hierarchy this is not reflected in zone objectives. This should be stated to support and justify the building heights and FSRs used to control scale and density. This will be important if the Department proceeds with its intention to introduce appeals in relation to rezoning requests.

Out of centre development

- The Position Paper states that councils are to determine their approach to managing out of centre development, however the proposed zones, zone objectives and mandated land uses, limits what councils can do in this regard.
- CN currently discourages out of centre development by including objectives that encourage employment activities in accessible locations that will encourage public transport use and walking and cycling. These objectives are important when considering rezoning requests.

Implementation

- Translation of CN's existing employment lands framework into a standardised framework will not be simple or straight forward. CN urges flexibility so it can tailor the framework to support and maximise productivity for local conditions.
- CN notes and appreciates the support offered to councils to implement the proposed changes, particularly allowing sufficient time to review the proposed translation into the new framework.



Michelle Bisson
MANAGER REGULATORY, PLANNING AND ASSESSMENT

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

CCL 22/03/22 - EMPLOYMENT ZONES REFORM

PAGE 10 **ITEM-25** **Attachment B:** Translation Detail for Council

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Employment zones reform translation – Return Translation Detail

LEP 2012 Templates for Council to fill in

PRELIMINARY TRANSLATION

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

RETURN TRANSLATION DETAIL NOTE: PLEASE ENSURE THAT THE TITLE PAGE AND HEADER IS UPDATED WITH THE LEP'S NAME AND YEAR.

1. Confirmation of zone selection

E1 Local Centre		
Confirm zone is correct Y/N	Entire zone not appropriate or Specific zone incorrectly applied to an area	Council comment
N	Zone not appropriate for existing B1 zone. Ok for existing B2 zone.	<p>Concern about the additional uses being introduced into the B1 Neighbourhood zone. This zone is applied to small areas, usually only a few blocks. Stating that scale will be controlled through the development assessment process, is difficult and uncertain and often leads to legal challenges. If a use is permitted, the Court takes the view that it is in character. Permitting uses that are not appropriate in an area, relying on the DA assessment to refuse them, does not provide certainty as it relies on the Court for decisions.</p> <p>Councils will need to amend their LSPS and DCP to insert local provisions to be sure the centres hierarchy is clear. This will not be able to occur before the zone amendments are made.</p>

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

E2 Commercial Centre		
Confirm zone is correct Y/N	Entire zone not appropriate or Specific zone incorrectly applied to an area	Council comment
Y		

E3 Productivity Support		
Confirm zone is correct Y/N	Entire zone not appropriate or Specific zone incorrectly applied to an area	Council comment
Y		

E4 General Industrial		
Confirm zone is correct Y/N	Entire zone not appropriate or Specific zone incorrectly applied to an area	Council comment
Y		

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

E5 Heavy Industrial		
Confirm zone is correct Y/N	Entire zone not appropriate or Specific zone incorrectly applied to an area	Council comment
Y		

MU1 Mixed Use		
Confirm zone is correct Y/N	Entire zone not appropriate or Specific zone incorrectly applied to an area	Council comment
Y		

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

2. Local zone objectives

E1 Local Centre			
Local objective ¹	DPIE recommendation (retain delete or amend)	Council comment	Amended or new local objective (where applicable)
<ul style="list-style-type: none"> To maintain the hierarchy of urban centres throughout the City of Newcastle and not prejudice the viability of the Newcastle City Centre or other centres. 	amend	Amend – our LSPS now refers to the commercial centres hierarchy not urban centres. Maintaining scale and character of small centres should be in objectives.	To maintain the hierarchy of commercial centres throughout the City of Newcastle, ensuring the scale of development is appropriate with the surrounding area and does not prejudice the viability of the Newcastle City Centre or other centres.
<ul style="list-style-type: none"> To provide for residential development that maintains active retail frontages in order to contribute to a safe, attractive, friendly, accessible and efficient pedestrian environment. 	delete	Amend & Retain: The mandated zone objectives do not deal with active street frontages. This is a significant issue in commercial centres and should be included as an objective.	To provide development that maintains an active street frontage that positively contributes to the safety and vibrancy of the pedestrian environment.
<ul style="list-style-type: none"> To maintain the hierarchy of urban centres throughout the City of Newcastle and not prejudice the viability of centres within Zone B2 Local Centre or Zone B3 Commercial Core. 	delete	Delete if amended objective included	

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

E2 Commercial Centre			
Local objective ¹	DPIE recommendation (retain delete or amend)	Council comment	Amended or new local objective (where applicable)
To provide for commercial floor space within a mixed use development	Retain	Retain	
To strengthen the role of the Newcastle City Centre as the regional business, retail and cultural centre of the Hunter region	Retain	Retain	
To provide for the retention and creation of view corridors	Retain	Retain	

E3 Productivity Support			
Local objective ¹	DPIE recommendation (retain delete or amend)	Council comment	Amended or new local objective (where applicable)
To accommodate a wide range of employment generating uses and associated support facilities including light industrial, transport and storage activities	Delete	Delete	

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

E4 General Industrial			
Local objective ¹	DPIE recommendation (retain delete or amend)	Council comment	Amended or new local objective (where applicable)
To allow commercial, retail or other development where it is— (i) ancillary to the use of land in this zone for industrial, research, service or storage purposes, or (ii) primarily intended to provide personal services and community facilities to persons occupied or employed in activities otherwise permitted in this zone or for the benefit of the local community.	Delete	Amend	To support and protect industrial land for industrial uses.
To ensure that any such commercial, retail or other development is unlikely to be prejudicial— (i) to employment-generating activities, or (ii) to the viability of existing commercial centres. [delete]	Delete	Amend	To ensure non-industrial land uses do not prejudice the viability of industrial land or other centres.

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

E5 Heavy Industrial			
Local objective ¹	DPIE recommendation (retain delete or amend)	Council comment	Amended or new local objective (where applicable)
To support and protect industrial land for industrial uses	Not included in translation but not shown as deleted.	Retain	Existing objective to retain

MU1 Mixed Use			
Local objective ¹	DPIE recommendation (retain delete or amend)	Council comment	Amended or new local objective (where applicable)
To support nearby or adjacent commercial centres without adversely impacting on the viability of those centres	Retain	Retain	

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

3. Permitted with or without consent

E1 Local Centre		
Land uses	Permitted without consent	Permitted with consent
Building identification signs		Building identification signs
Business identification signs		Business identification signs
Home businesses		Home businesses
Home industries		Home industries
Home occupations	Home occupations	
Recreation areas		Recreation areas
Roads		Roads

Employment zones reform



Preliminary translation of Newcastle LEP 2012 land use tables

E2 Commercial Centre		
Land uses	Permitted without consent	Permitted with consent
Building identification signs		Building identification signs
Business identification signs		Business identification signs
Home businesses		Home businesses
Home industries		Home industries
Home occupations	Home occupations	
Roads		Roads

E3 Productivity Support		
Land uses	Permitted without consent	Permitted with consent
Building identification signs		Building identification signs
Business identification signs		Business identification signs
Home industries		Home industries
Roads		Roads

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

E4 General Industrial		
Land uses	Permitted without consent	Permitted with consent
Building identification signs		Building identification signs
Business identification signs		Business identification signs
Roads		Roads

E5 Heavy Industrial		
Land uses	Permitted without consent	Permitted with consent
Building identification signs		Building identification signs
Business identification signs		Business identification signs
Roads		Roads

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

MU1 Mixed Use		
Land uses	Permitted without consent	Permitted with consent
Building identification signs		Building identification signs
Business identification signs		Business identification signs
Home industries		Home industries
Roads		Roads

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

4. Other land uses

E1 Local Centre			
Land use	Permitted without consent	Permitted with consent	Prohibited
	Environmental protection works;		
	Home occupations		
		Building identification signs	
		Business identification signs	
		Car parks;	
		Dwelling houses	
		Educational establishments	
		Entertainment facilities;	
		Environmental facilities	
		Exhibition homes	
		Health services facilities;	
		Flood mitigation works;	
		Home businesses;	
		Home industries;	
Home occupations (sex services);			Home occupations (sex services)

Employment zones reform



Preliminary translation of Newcastle LEP 2012 land use tables

		Home-based child care	
Hostels			Hostels
		Industrial retail outlets	
		Light industries;	
Mortuaries			Mortuaries
		Passenger transport facilities	
Recreation facilities (major)			Recreation facilities (major)
		Registered clubs;	
Restricted premises			Restricted premises
		Roads	
Sex services premises			Sex services premises
		Signage	
		Storage premises	
		Tourist and visitor accommodation	
		Vehicle repair stations	
		Water recreation structures	
High technology industries		High technology industries	
			Any other development not specified in item 2 or 3

Employment zones reform



Preliminary translation of Newcastle LEP 2012 land use tables

E2 Commercial Centre			
Land use	Permitted without consent	Permitted with consent	Prohibited
	Environmental protection works		
	Home occupations		
		Building identification signs	
		Business identification signs	
		Car parks	
Creative Industry		Creative Industry	
		Environmental facilities	
		Flood mitigation works	
		Home businesses	
		Home industries	
		Roads	
		Sex services premises	
		Shop top housing	
		Signage	
		Transport depots	
High Technology Industry		High Technology Industry	

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

Hotel or motel accommodation		Hotel or motel accommodation	
Tourist and visitor accommodation		Tourist and visitor accommodation	
			Any other development not specified in item 2 or 3

PRELIMINARY TRANSLATION

Employment zones reform



Preliminary translation of Newcastle LEP 2012 land use tables

E3 Productivity Support			
Land use	Permitted without consent	Permitted with consent	Prohibited
	Environmental protection works		
		Amusement centres	
		Building identification signs	
		Business identification signs	
		Car parks	
Commercial premises			Commercial premises – prefer for this to simply be omitted and not specifically listed as prohibited
		Correctional centres	
		Crematoria	
		Educational establishments	
		Flood mitigation works	
		Restricted premises	
		Roads	
		Sex services premises	
		Signage	

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

Pubs		Pubs	
Restaurants or cafes		Restaurants or cafes	
			Roadside stalls
			Any other development not specified in item 2 or 3

PRELIMINARY TRANSLATION

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

E4 General Industrial			
Land use	Permitted without consent	Permitted with consent	Prohibited
	Environmental protection works		
		Boat building and repair facilities	
		Boat launching ramps	
		Building identification signs	
		Business identification signs	
		Car parks	
Centre-based child care facilities			Centre-based child care facilities
			Community facilities
		Correctional centres	
		Crematoria	
		Flood mitigation works	
		Helipads	
		Heliports	
		Jetties	
		Kiosks	
		Landscaping material supplies	

Employment zones reform



Preliminary translation of Newcastle LEP 2012 land use tables

		Mortuaries	
		Passenger transport facilities	
		Plant nurseries	
		Port facilities	
Recreation areas			Recreation areas
		Recreation facilities (indoor)	
		Recreation facilities (major)	
Respite day care centres			Respite day care centres
Restricted premises			Restricted premises
		Roads	
		Service stations	
		Sewerage systems	
Sex services premises			Sex services premises
		Signage	
		Storage premises	
		Timber yards	
		Transport depots	
		Truck depots	
		Vehicle body repair workshops	

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

		Vehicle repair stations	
		Vehicle sales or hire premises	
		Water supply systems	
		Wholesale supplies	
			Any other development not specified in item 2 or 3

PRELIMINARY TRANSLATION

Employment zones reform



Preliminary translation of Newcastle LEP 2012 land use tables

E5 Heavy Industrial			
Land use	Permitted without consent	Permitted with consent	Prohibited
	Environmental protection works	Boat building and repair facilities	
		Boat launching ramps	
		Building identification signs	
		Business identification signs	
		Extractive industries	
		Flood mitigation works;	
		Heavy industrial storage establishments	
		Helipads	
		Jetties	
		Kiosks	
Light industries			Light industries
Marinas			Marinas
		Moorings	
Neighbourhood shops			Neighbourhood shops
Open cut mining			Open cut mining –prefer to omit rather than specifically list as prohibited

Employment zones reform



Preliminary translation of Newcastle LEP 2012 land use tables

Passenger transport facilities			Passenger transport facilities
		Port facilities	
Recreation facilities (indoor)			Recreation facilities (indoor)
		Roads	
Service stations			Service stations
		Sewerage systems	
Sex services premises			Sex services premises
		Signage	
		Take away food and drink premises	
		Transport depots	
		Truck depots	
		Vehicle body repair workshops	
		Vehicle repair stations	
		Water supply systems	
		Wholesale supplies	
			Any other development not specified in item 2 or 3

Employment zones reform



Preliminary translation of Newcastle LEP 2012 land use tables

MU1 Mixed Use			
Land use	Permitted without consent	Permitted with consent	Prohibited
	Environmental protection works;		
	Home occupations		
		Building identification signs	
		Business identification signs	
		Roads	
		Any other development not specified in item 2 or 4	
			Agriculture;
			Air transport facilities
			Airstrips
			Animal boarding or training establishments
			Biosolids treatment facilities;
			Camping grounds; Caravan parks
			Cemeteries
			Dual occupancies;
			Dwelling houses

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

			Eco-tourist facilities
			Electricity generating works
			Exhibition villages
			Extractive industries
			Farm buildings
			Forestry
			Freight transport facilities
			Heavy industrial storage establishments
			Heavy industries
			Helipads
			Open cut mining
			Resource recovery facilities
			Rural industries
			Secondary dwellings
			Semi-detached dwellings
			Sewage treatment plants
			Truck depots
			Vehicle body repair workshops
			Waste disposal facilities

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

			Water recycling facilities
			Water supply systems

PRELIMINARY TRANSLATION

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

5. Pond-based aquaculture

Pond-based aquaculture		
Zone	Permitted with consent	Prohibited
E1 Local Centre		Pond-based aquaculture
E2 Commercial Centre		Pond-based aquaculture
E3 Productivity Support		Pond-based aquaculture
E4 General Industrial		Pond-based aquaculture
E5 Heavy Industrial	Pond-based aquaculture	
MU1 Mixed Use		Pond-based aquaculture
R3 Medium Density Residential		Pond-based aquaculture

6. Tank-based aquaculture

Tank-based aquaculture		
Zone	Permitted with consent	Prohibited
R4 – High Density Residential		Tank-based aquaculture

NOTE:

- Only one table is required for the R4 zone

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

7. Local distribution premises

Local distribution premises		
Zone	Permitted with consent or prohibited	Justification
R2 Low Density Residential	Prohibited	Not consistent with zone objectives
R3 Medium Density Residential	Prohibited	Not consistent with zone objectives
R4 High Density Residential	Prohibited	Not consistent with zone objectives
SP1 Special Activities	Prohibited	Not consistent with zone objectives
SP2 Infrastructure	Prohibited	Not consistent with zone objectives
RE1 Public Recreation	Prohibited	Not consistent with zone objectives
RE2 Private Recreation	Prohibited	Not consistent with zone objectives
C1 National Parks and Nature Reserves	Prohibited	Not consistent with zone objectives
C2 Environmental Conservation	Prohibited	Not consistent with zone objectives
C3 Environmental Management	Prohibited	Not consistent with zone objectives
C4 Environmental Living	Prohibited	Not consistent with zone objectives

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

W2 Recreational Waterway	Prohibited	Not consistent with zone objectives
E5 Heavy Industrial	Permitted with consent	Consistent with zone objectives

PRELIMINARY TRANSLATION

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

8. Local provisions

Local Provisions			
Local provision clause ¹	DPIE recommendation	Council comment	Amended local provision (if applicable)
CI.7.1-7.10 Additional Local Provisions Newcastle City Centre	Retain Provisions	We have prepared a PP to remove clause 7.9 as it refers to 'Area A' and 'Area B' on the HOB map. These areas were removed under SEPP (Newcastle City Centre) 2014. This PP has not yet been sent for Gateway. We are aiming to report it to Council in March 2022.	Retain provisions with the exception of CI 7.9

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

9. Schedule 1 – Additional permitted uses

Schedule 1		
Site*	Schedule 1 provision ¹	Reason for removal
CI 5, certain land at Mayfield West	Allows food and drink premises, high technology industries and waste or resource management facilities. Also allows business premises and office premises if directly related to operation of Port of Newcastle.	No change.

10. Other zone or land use matters to be considered

<Zone>	
Land use	Proposed change

NOTE:

- Copy this table for each proposed zone
- Insert additional rows as required

Employment zones reform

Preliminary translation of Newcastle LEP 2012 land use tables

PRELIMINARY TRANSLATION

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

CCL 22/03/22 - EMPLOYMENT ZONES REFORM

PAGE 44 **ITEM-25** **Attachment C:** Local Provision for B1 Neighbourhood
Zone

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Proposed local provision to support good outcomes for previous B1 centres

Indicative wording subject to PCO drafting

7.XX Additional considerations applying to certain centres

1. The objectives of this clause are as follows:

- a) to reinforce Council's centres hierarchy identified within [XXX strategic plan] [and/or]
- b) to ensure the scale and function of the centre is appropriate to its location [and/or]
- c) to ensure that development is compatible with the prevailing character and amenity of surrounding land.

2. The following centres [*list the centres where additional considerations are applicable*] [or] land identified as "Area X" on the Key Sites Map [or] LZN map are smaller in scale and development consent must not be granted to development until consideration has been given to:

- a) the amenity of neighbouring residential sites and whether the proposal will have an acceptable impact [or]
- b) the distinct character of the centre as outlined in [DCP/LSPS/Centre Study] and whether the proposal will have an acceptable impact [or]
- c) the role this centre plays within [XXX] Council centres hierarchy and whether the proposal supports the role of the centre
- d) [*Other matter raised by Council following discussion with DPE*]

Intent for this local provision for exhibition

A new local provision is proposed which will provide further considerations for development assessment for proposals in smaller centres zoned E1 Local centre. These considerations seek to support the character of the centre, the amenity of neighbouring residences and to have regard to the role of the centre within the centres hierarchy established for the local government area.