

## **Draft Local Housing Strategy and Draft Affordable Housing Policy - Submissions Analysis**

The draft Local Housing Strategy and draft Affordable Housing Policy was placed on public exhibition from Friday 27 October to Monday 11 December 2023 with the exhibition period extended until Friday 22 December 2023 in response to numerous community request for additional time to provide feedback on the draft documents. A total of 873 community submissions and 7 NSW Government agencies, and one non-government organisation submissions were received.

### **Government Agencies**

- Department of Planning and Environment (DPE)
- Department of Planning and Environment, Biodiversity Conservation Division (BCD) (Biodiversity)
- Department of Climate Change, Energy, the Environment and Water (Coastal Hazards and Flooding)
- Department of Primary Industries (Agriculture)
- Department of Primary Industries (Fisheries)
- NSW State Emergency Services
- NSW Rural Fire Service

### **Non-Government Organisations**

- Community Housing Industry Association NSW

### **Community Submissions:**

- 503 proformas
  - Iluka proforma 1 – 151
  - Iluka proforma 2 – 155
  - Yamba proforma 1 – 184
  - Yamba proforma – 13
- 370 online submissions and written submissions.

## **Submissions Analysis**

The following provides a summary and analysis of the submissions received from NSW Government agencies non-government organisations and the community.

### **Section 1: NSW Government Agency Recommendations regarding the draft LHS and AHP**

- Table 1: NSW Government Agency Recommendations

### **Section 2: Community based submissions regarding the draft LHS and AHP**

- Table 2: Submissions raising general concerns raised regarding the draft LHS
- Table 3: Objections regarding the draft LHS - Annexure 4 Planning Interventions for Yamba (as exhibited 2023)
- Table 4: Objections raised regarding the draft LHS - Annexure 4 Planning Intervention for Iluka (as exhibited 2023).
- Table 5. Extensive Submissions

## SECTION 1 - NSW Government Agency Recommendations regarding the draft LHS and AHP

Table 1: NSW Government Agency Recommendations

No.	Submitter And Major Issues Raised	Officer Comment	Recommendations
1	<p><b>Department of Planning, Housing and Infrastructure (previously Department of Planning and Environment)</b></p> <ol style="list-style-type: none"> <li>1. Investigation areas and infill areas within Annexure 4 Planning Interventions should include high-level commentary on constraints and investigation required prior to planning changes; and include current planning controls.</li> <li>2. Clarify planning intervention potential capacity of 1,730 dwellings is excluded / included in theoretical supply of 9,229 dwellings</li> <li>3. A clear pathway of actions and sequencing of investigations to manage and prioritise residential growth is developed to help guide decision-makers, landowners, developers and investors along with supporting timely and cost-effective infrastructure delivery.</li> <li>4. Trigger points for Strategy actions and deliverables based on actual growth are identified.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. Changes made to reflect recommendation.</li> <li>2. Noted. Changes made to reflect recommendation.</li> <li>3. Noted. Section 4.1 Implementation and Delivery Program includes timeframe and priority for actions. Changes made to Annexure 4 Planning Interventions to reflect recommendation.</li> <li>4. Noted. Changes made to reflect recommendation.</li> </ol>	<ol style="list-style-type: none"> <li>1. Annexure 4 Planning Interventions has been updated to include current planning controls, key issues /constraints including further investigations required should a planning proposal be progressed for any of the intervention sites.</li> <li>2. Section 3.2 Land Use Planning has been amended to clarify that the additional 1,730 dwelling capacity from planning interventions is excluded from the theoretical dwelling capacity of 9,229.</li> <li>3. Annexure 4 Planning Interventions has been updated to provide greater clarity regarding prioritisation, and requirements to progress and support a planning proposal.</li> <li>4. The Annexure 4 Planning Interventions have been updated to include specific trigger points that need to be met prior to implementing any interventions. Section 4.1 Implementation and</li> </ol>

	<p>5. Clarify the proposed land use zone for planning intervention 12 – Duncans Road Gulmarrad (R5 or R1)</p> <p>6. Council should consider Including the James Creek investigation area in Annexure 4 Planning Interventions if a future rezoning is pursued.</p> <p>7. Council should ensure any infill development is sensitive to or compatible with environmental constraints, particularly flooding and the State Government’s flood prone land package in regard to areas like Grafton and Maclean.</p>	<p>5. Noted. Changes made to for planning intervention 12 to reflect recommendation.</p> <p>6. Noted. Changes made to Annexure 4 Planning Interventions to reflect recommendation.</p> <p>7. Noted. The current Lower Clarence Flood Model Update 2022 has been considered in identifying appropriate intervention sites. All intervention sites are located above the Climate Change 1 in 100 (CC1) 1% AEP; with the exception of Grafton. Infill development in Grafton will require primary habitable floor levels to be above the adopted flood planning level with 500mm freeboard in association with flood resilient building design.</p>	<p>Delivery Program have also been updated with references to Annexure 4 requirements.</p> <p>5. Annexure 4 Planning Intervention 12 has been amended to clarify the proposed zone is R5 Large Lot Residential</p> <p>6. Annexure 4 Planning Interventions has been updated to include a sub section “Investigation Areas” with James Creek Investigation Area included as a medium to long term intervention, along with investigation requirements and trigger points to be met prior to rezoning.</p> <p>7. No change required.</p>
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	<p>8. It is noted that Council has recently exhibited Interim Flood Planning Levels and is developing a Clarence Floodplain Risk Management Study and Plan. On completion of this work, or if the flood planning level is amended in the future, Council should consider the appropriateness and suitability of its residential, and rural residential investigation areas, using this information and update the Housing Strategy as necessary.</p> <p>9. Council should continue to work in consultation with the NSW Reconstruction Authority to support housing delivery for flood impacted residents including land identified within the final Resilient Lands Strategy.</p> <p>10. Undertake a viability assessment with regard to the Department’s Guideline for Developing an Affordable housing Contributions Scheme. An upzoning is normally required to enable affordable housing contributions. There may be limited opportunity in Clarence Valley noting the strategy identifies sufficient existing zoned land to meet the forecast housing demand.</p> <p>11. Inclusionary contributions for an affordable housing contribution scheme are not consistent with the Department’s current Guideline for Developing an</p>	<p>8. Noted. The current Lower Clarence Flood Model Update 2022 has been considered when modelling flooding constraints and for future planning in this Strategy. The 5 year review of this Strategy will further consider any flood risk planning changes resulting from the flood risk management process.</p> <p>9. Noted. Council staff will continue to consult with NSW Reconstruction Authority and support delivery of housing identified in the Resilient Lands Strategy.</p> <p>10. Noted. A viability assessment will be undertaken in accordance with DPFI (previously DPE) guidelines should Council choose to pursue an Affordable Housing Contributions Scheme</p> <p>11. Noted. Council will consult with DPFI should the inclusionary contributions approach for</p>	<p>8. No change required.</p> <p>9. Priority 1 action table has been updated to include “Action 1.5 <i>Collaborate with the NSW Reconstruction Authority to support housing delivery for flood impacted residents including land identified in the final Resilient Lands Strategy.</i>”</p> <p>10. Action 3.2 has been updated (new text in red) “<i>To allow Council to impose conditions of consent requiring contributions towards affordable housing, undertake a viability assessment for an Affordable Housing Contributions Scheme (AHCS), and if deemed feasible, progress the preparation of a local or regional AHCS and update Clarence Valley LEP to authorise the Scheme.</i>”</p> <p>11. No change required.</p>
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	<p>Affordable Housing Contribution Scheme. Further investigation, detailed justification and consultation would be required with the Department should Council wish to pursue this approach.</p> <p>12. Include commentary that planning interventions are subject to further investigation and consultation, and are subject to change in response to results.</p> <p>13. The NSW government is currently exhibiting proposed changes to the Local Government Act Regulations applying to Manufactured Home Estates and Caravan Parks to restrict permanent sites and manufactured home estates on flood prone land in accordance with the recommendations of the 2022 Independent Flood Inquiry. These proposed changes should be considered in the final strategy and any resulting amendments to Council’s Development Control Plan.</p> <p>14. Planning Intervention 13 (Sheehans Land Gulmarrad) is not identified within the Urban Growth Area Boundary (UGAB) and is located within the coastal strip. Any future proposals to rezone land outside the UGAB will need to confirm consistency with NCRP 2041 Urban Growth Area Variation Principles or await an amendment to the UGAB in the next Regional Plan review before a planning proposal to rezone land can be undertaken.</p> <p>15. Planning Intervention 14 (Boundary Road Gulmarrad) involves large lot residential development within the coastal strip. The NCRP 2041 directs future large lot residential development away from the coastal strip. Justification and how the inconsistency with the Regional Plan is of minor significance should be included within the strategy if this proposal is retained.</p>	<p>affordable housing be considered.</p> <p>12. Noted. Changes made to Annexure 4 Planning Interventions to reflect recommendation.</p> <p>13. Noted. The amended draft LHS and DCPs will be updated in response to legislative changes where relevant.</p> <p>14. Noted. Changes made to Annexure 4 Planning Interventions to reflect recommendation.</p> <p>15. Changes made to Annexure 4 Planning Interventions to reflect recommendation.</p>	<p>12. Annexure 4 Planning Interventions has been updated to detail what further investigation would be required to progress the interventions and support proposed LEP amendments.</p> <p>13. Minor updates have been made to the draft LHS noting this.</p> <p>14. Annexure 4 Planning Intervention 13 has been updated to include clarification on requirements for inclusion in UGAB or NCRP 2041 Variation principles.</p> <p>15. Annexure 4 Planning Intervention 14 Boundary Road Gulmarrad, has been updated to include justification and explanation on how the proposed rezoning is of minor significance.</p>
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	<p>16. The strategy confirms that any future rezoning proposals be supported by infrastructure servicing plans and detailed studies and assessment of site-specific development constraints, including potential high environmental value and PMF flood levels, velocity, flood planning levels and access to critical services during flood events, to confirm land suitability and consistency with the North Coast Regional Plan 2041, applicable State Environmental Planning Policies, and relevant Local Planning Directions.</p> <p>17. That post exhibition and council adoption, the finalised strategy is sent to DPE for further review and approval.</p> <p>18. In finalising the strategy, Council should also ensure the strategy is consistent with all relevant state environmental planning policies, section 9.1 Ministerial Directions and the North Coast Regional Plan 2041. It should be noted that before any rezonings or building height changes can be implemented from the final strategy, further community consultation on the specific changes will be required.</p>	<p>16. Changes made to Annexure 4 Planning Interventions to reflect recommendation.</p> <p>17. Noted. The final adopted Housing Strategy will be referred to DPHI for review and approval.</p> <p>18. Changes made to Annexure 4 Planning Interventions to reflect recommendation.</p>	<p>16. Annexure 4 Planning Interventions has been updated to include key issues and further investigation requirements for proposed LEP amendments.</p> <p>17. No change required.</p> <p>18. Noted. Annexure 4 Planning interventions of has been updated to include requirements for planning proposals to demonstrate consistency with state and regional planning policy.</p>
2	<p><b>Department of Primary Industries – Agriculture</b></p> <p>1. Supports - Council’s approach to encourage future housing in existing urban areas and avoiding locating new greenfield residential sites on land mapped by the NCRP as Important Farmland</p> <p>2. Supports - Action 2.6 which seeks to locate MHE in serviced areas which will help prevent these being located in areas which might conflict with agriculture purposes</p>	<p>1. Noted</p> <p>2. Noted.</p>	<p>1. No change required.</p> <p>2. No change required.</p>

	<p>3. Supports Action 4.2 which seeks to protect strategic agricultural land by limiting ad hoc rezoning proposals</p> <p>4. Supports - Planning Intervention 12 – Duncans Road Clarenza as the site appears to have strategic merit due location and physical separation by Big River Way from Important Farmland to the west. In addition it is important to maximise dwelling yield on suitbale land to avoid need for future encroachment of residential land uses on rural landscapes and potential land use conflicts</p> <p>5. Recommends – Planning Intervention 13 – Sheehans Lane Gulmarrad a masterplan process be applied to the land, considering the interface and appropriate buffers are applied between new residential land and the adjoining mapped Important Farmland to the north and west, to minimize potential for land use conflict.</p> <p>6. Recommends - Future investigation areas (page 7) (+20 years) at James Creek, east of Clarenza and east of Trenayr Road, Junction Hill – due to location of significant areas of mapped Important Farmland in the vicinity, a rigorous assessment addressing the agricultural capability and sustainability of the land is undertaken as early as possible in the strategic planning process, satisfying the Urban Growth Area Variation Criteria of the NCRP and to avoids unreasonable expectations for land owners and developers that the future residential use of land in these investigation areas is a foregone conclusion.</p>	<p>3. Noted.</p> <p>4. Noted.</p> <p>5. Noted. Changes made to Annexure 4 Planning Interventions to reflect recommendation.</p> <p>6. Noted. Changes made to Annexure 4 Planning Interventions to reflect recommendation.</p>	<p>3. No change required.</p> <p>4. No change required.</p> <p>5. Commentary detailing required further studies and requirements for a masterplan has been included within the planning intervention section.</p> <p>6. Commentary detailing required further studies and requirements for a masterplan has been included within the planning intervention “Investigation Areas” – James Creek Investigation area. The other 2 locations have been removed from the amended draft LHS which will be reconsidered in the five year review of the LHS.</p>
<p><b>3</b></p>	<p><b>Department of Primary Industries – Fisheries</b></p> <p>1. Provides details of the Fisheries Management Act sections and legislative triggers that need to be considered for future housing developments, i.e s198-202 for digging or filling land permanently or periodically</p>	<p>1. Noted. Changes made to Annexure 4 Planning Interventions to reflect recommendation.</p>	<p>1. Annexure 4 Planning interventions has been updated to include requirement that – <i>“any land proposed for future housing that is permanently or periodically inundated with water, has</i></p>



	<p>inundated by water; s205 harming marine vegetation; s218-220 obstructing free passage of fish in waterways.</p> <p>2. The Housing Strategy and policy should consider the DPI Fisheries Policy and Guidelines for Fish Habitat Conservation and Management (2013 Update):</p> <ul style="list-style-type: none"> <li>a) Avoiding the building of structures on water land unless there is an over-arching functional requirements for that structure to be placed withing or over water;</li> <li>b) Minimise the footprint of structures located within or over water;</li> <li>c) Impacting pre-existing impacted areas, such as formalizing informal access points;</li> <li>d) Avoiding impacts to mature native vegetation and implement native revegetation programs as a development control and to mitigate any unavoidable impacts;</li> <li>e) Incorporating foreshore buffer zones of 5-100m width adjacent to TYPE 1 marine vegetation and at least 50m width adjacent to TYPE 2 marine vegetation. Where a buffer zone of at least 50m is physically unachievable due to land availability constraints, the available buffer width must be maximized to achieve protection of TYPE 1 and 2 marine vegetation. The buffer zone should not be used for other asset protection purposes (e.g. as bushfire or mosquito buffer);</li> <li>f) Incorporating riparian buffer zones of at least 100m to Type 1 Key Fish Habitat or a Class 1 waterway, at least 50m from Type 2 Key Fish Habitat or a Class 2-3 waterway, and at least 10-50m from Type 3 Key Fish Habitat or a Class 3-4 waterway. These Riparian</li> </ul>	<p>2. Noted. a) to d) issues will be managed at development application stage</p> <p>e) No interventions area are located within 100m of the foreshore or Type 1 and 2 marine vegetation</p> <p>f) Appropriate riparian and / or key fish habitat buffer zones will be implemented for class 1 to 4 waterways as part of a masterplan or within DCP controls for relevant planning intervention areas.</p> <p>g) issues will be managed at development application stage.</p> <p>h - i) Noted. Future development applications, masterplans and DCPs will consider marine vegetation migration paths under 0.5m sea level rise, and in areas vulnerable to sea-level rise;</p> <p>j) construction activities will be managed via conditions of</p>	<p><i>marine vegetation and/ or waterways will need to comply with the Fisheries Management Act 1991."</i></p> <p>2. Annexure 4 Planning Interventions have been updated as relevant to include further investigation requirements at planning proposal stage.</p>
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	<p>buffer zones should be clearly defined (e.g. fences or other markers) and well managed to avoid degradation (e.g. weed and stock access management);</p> <p>g) Incorporating “soft” engineering approaches into designs, such as the use of soft scour protection;</p> <p>h) Avoiding construction within areas that constitute migration pathways for marine vegetation, including areas within the proposed “West Yamba” and “James Creek” Urban Release Areas that are mapped as predicted salt marsh and Mangrove habitat under 0.5m sea level rise;</p> <p>i) Avoiding construction in areas mapped as vulnerable to Sea-Level Rise)</p> <p>j) Avoiding any works that could impact upon hydrological processes of nearby waterways and wetlands (e.g. wetland drainage)</p> <p>k) Avoiding impacts to areas that represent Aboriginal Cultural Heritage, that provide access or opportunities for the public, or commercial fishers, to undertake fishing activities</p> <p>l) Outlining how any proposed developments will be constructed in a manner to minimize impacts of urban stormwater discharge into estuaries and limit other sources of sedimentation and pollution (e.g. sewerage effluent and septic runoff) into nearby waterways;</p> <p>m) Outlining how cumulative effects on water quality, including the management of stormwater, potential Acid Sulfate Soil and salinity issues, groundwater and land contamination, alterations to water volumes and flow velocities, will be managed; and</p>	<p>consent for any future development applications.</p> <p>k) Cultural Heritage Assessments will be required to accompany planning proposals for all greenfield intervention areas. No intervention areas are located on waterways with fishing potential whether commercial or recreational.</p> <p>l) Conditions of consent for future development will consider the Northern Rivers Design and Construction manual and develop controls to ensure stormwater is managed on site.</p> <p>m) contaminated land, Acid Sulfate Soils and hydrological assessments will be required as part of the planning proposal process for relevant greenfield intervention areas.</p> <p>n) Annexure 4 planning Intervention area detail key issues and further investigations required to progress a LEP amendment including Council’s CMP.</p>	
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	n) Outlining how any proposed development addresses any other threats and concerns raised within the marine estate management strategy and coastal management program for the area.		
<b>4</b>	<p><b>Biodiversity Conservation and Science Division of the Department of Climate Change, Energy, the Environment and Water - Submission regarding Biodiversity</b></p> <ol style="list-style-type: none"> <li>1. Action 4.2 – replace the word ‘limiting’ with ‘avoiding’.</li> <li>2. Consider revising Strategy to include – review land use zones for some remote villages or areas with historic village type subdivision plans which are highly constrained by biodiversity and HEV by applying the C2 Environmental Conservation zone.</li> <li>3. Consider revising Strategy to include – review vegetated and developed R5 zoned land at Waterview heights and surrounding areas with a view to protect the local Koala population by applying the C2 Environmental Conservation zone.</li> <li>4. The biodiversity constraints component of the planning capacity calculations be revised to accord with the NCRP (2041) by including all the criteria that define High Environmental Value land.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. Changes made to Action 4.2 to reflect recommendation.</li> <li>2. Noted. Changes made to Priority 4 Action table to reflect recommendation.</li> <li>3. Noted. Changes made to Priority 4 Action table to reflect recommendation - See point 2 above.</li> <li>4. Noted. Changes made to table 33 to reflect recommendation. The planning capacity modelling has considered primary and secondary</li> </ol>	<ol style="list-style-type: none"> <li>1. Action 4.2 the word ‘limiting’ has been replaced with ‘avoiding’</li> <li>2. Priority 4 Action table has been updated to include an additional action 4.6 <i>Review land use zones (and other relevant planning controls) for remote villages; areas that have historic village type subdivision plans and undeveloped rural-residential areas. Consider environmental and other constraints, existing and neighbouring land uses, and suitability for residential development, and apply suitable planning controls (where deemed appropriate).</i></li> <li>3. Changes made to Priority 4 Action table to reflect recommendation - See point 2 above.</li> <li>4. Section “Planning capacity modelling methodology” and “Table 33 Housing capacity constraints” has been included to explain the modelling used to determine the housing capacity</li> </ol>

	<p>5. Prior to finalising the strategy, a detailed desktop and on-site assessment of biodiversity at planning intervention sites 12, 13 and 14 be carried out to identify areas of high environmental value land and then either refine the areas proposed for planning intervention or exclude the entire area from the strategy.</p>	<p>constraints detailed in the Settlement Planning Guidelines. Annexure 4 Planning Interventions details further investigations required to progress any rezoning proposals.</p> <p>5. Noted. It is the opinion that this level of detail is not required for a Strategy document. The Annexure 4 Planning interventions have been updated to provide further guidance on investigation requirements should the interventions be implemented.</p>	<p>constraints, including the list of HEV values.</p> <p>5. Annexure 4 Planning Interventions for areas now being 11, 12 and 13 ton include trigger points, further investigations and considerations required to inform a planning proposal, including the requirements for environmental and ecological assessments.</p>
5	<p><b>Biodiversity Conservation and Science Division of the Department of Climate Change, Energy, the Environment and Water - Submission regarding Flooding and Coastal Hazards</b></p> <p>1. The Strategy be amended to further describe how current and future coastal hazard risks have been considered to determine the appropriateness of the planning interventions.</p>	<p>1. Noted. Council has developed the Coastal Management Program (CMP), which will be on exhibition until 29 July 2024. The CMP has modelled coastal erosions and inundation hazard for the open coastline. Council was yet to determine which scenario will be adopted for planning purposes. Planning Intervention for Yamba Hill and</p>	<p>1. Annexure 4 Planning Intervention for Yamba Hill and Iluka have been scaled back to remove the proposed height of building increase.</p>

	<p>2. Apply the Coastal design guidelines assessment checklist to determine alignment of the proposals to the guidelines, considering available information on coastal hazards for each site.</p> <p>3. Council satisfy itself that potential coastal hazard risks can be managed for each planning intervention over the nominal planning horizon.</p> <p>4. Council satisfy itself that potential impacts on coastal wetlands can be managed in accordance with the coastal design guidelines over the nominal planning horizon.</p> <p>5. The Strategy be amended to further describe how current and future flood inundation hazards have been considered to determine the appropriateness of planning interventions.</p>	<p>Iluka are on the boundary of the mapped coastal hazard areas. The LHS will be updated are required considering final CMP.</p> <p>2. Noted. Changes have been made to Annexure 4 to reflect recommendation.</p> <p>3. Noted. See point 1 above.</p> <p>4. Noted. No planning interventions are in identified Coastal wetlands. Future planning proposals for land located in the coastal zone will need to consider the Coastal Design Guideline and assessment checklist.</p> <p>5. Noted. All urban release areas have been determined considering Council's 2022 Flood study and are located above the PMF level. Planning Interventions for Grafton and South Grafton are within the Climate Change 1 in 100 level. Grafton is identified as a Strategic Centre in the NCRP and is the Clarence Valley's</p>	<p>2. Annexure 4 Planning Interventions has been updated for land within the coastal strip to demonstrate consistency with the Coastal Design Guidelines and assessment checklist to inform a future planning proposal.</p> <p>3. No change required.</p> <p>4. Annexure 4 Planning Interventions has been updated for land within the coastal strip to demonstrate consistency with the Coastal Design Guidelines and assessment checklist to inform a future planning proposal.</p> <p>5. Annexure 4 Planning Interventions has been updated to include investigation requirements to inform future planning proposals.</p>
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	<p>6. Council refers to its 2023 flood study and the 2023 NSW Government’s Flood Risk Management Manual to satisfy that the flood risks can be managed for each planning intervention.</p> <p>7. Council Seeks advice from the State Emergency Service on the implications of the interventions for emergency response.</p> <p>8. The Strategy be amended to address the intersection of housing affordability and flood resilience and include actions to incorporate flood resilience within building codes.</p>	<p>main city servicing the region. It is considered Appropriate flood risk and evacuation investigations will be required to support and inform future planning proposals in the event that the interventions are implemented.</p> <p>6. Noted. See point 5 above.</p> <p>7. The draft LHS was referred to the NSW SES. An analysis of their submissions is included as Submission 7 below, in section 1 of this document.</p> <p>8. Noted. This level of detail is not required for a Strategy document. Action 4.5 includes requirement for DCP to include resilient building design - <i>Incorporate best-practice resilience measures (including flood resilient building guidance) into DCPs.</i> i.e requirements that development on flood prone land to be constructed with flood resilient materials and primary habitable floor levels to be above the adopted flood</p>	<p>6. See point 5 above.</p> <p>7. No change required.</p> <p>8. No change required.</p>
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		planning level with 500mm freeboard.	
6	<p>NSW Rural Fire Service</p> <p>1. The local Housing Strategy should consider bushfire hazards to any future residential growth lands. Future residential development will need to comply with Planning for Bushfire Protection(PFBP) guidelines, so where a vegetation hazard is present, council should exclude the land from residential activities, unless council is supportive of the hazard being removed.</p> <p>2. Future Development applications shall satisfy the requirements of Planning for Bushfire Protection guidelines.</p>	<p>1. Noted. Urban release areas and planning intervention areas are predominantly located away from bush fire prone areas. Planning intervention 14 Boundary Road Gulmarrad (proposed R5) is mapped bushfire prone, however has been highly disturbed through mining activities. Bushfire risk maybe effectively managed through an appropriate cleared APZ and compliance with PFBP at DA stage. A planning proposal for land mapped BFPL will be referred to RFS for consideration.</p> <p>2. Noted. Council is currently updating bushfire prone land mapping to include grassland, and cropping land to ensure all future development applications appropriately consider bushfire hazard and requirements of Planning for Bushfire Protection.</p>	<p>1. Annexure 4 Planning Intervention for Boundary Road Gulmarrad has been updated to include trigger points, investigation requirements and other considerations to support and inform a planning proposal (including biodiversity, contamination, bushfire and environmental and ecological assessments).</p> <p>2. No change required.</p>
7	<p>NSW SES</p> <p>1. <b>Recommend</b> that strategic plans are underpinned by robust constraints analysis and mapping (considering</p>	<p>1. Noted. The theoretical capacity calculations and Annexure</p>	<p>1. Annexure 4 Planning interventions has been updated to include further</p>

	<p>flood, bushfire, ecological communities, etc.) undertaken by relevant experts to identify the suitability of different lands for different uses and thereby ensuring that appropriate statutory controls are in place (to protect the community and the environment from adverse impacts such as flooding) including the Flood Risk Management Process.</p> <p>2. <b>Recommend</b> continuation of the NSW SES' involvement in the Floodplain Risk Management Committees for input Floodplain Management Studies and Plans in the Clarence Valley LGA.</p> <p>3. <b>Recommend</b> that consideration should be given to the cumulative impacts of developments in Clarence Valley LGA with regard to Emergency Services requirements, including future NSW SES Unit facilities which must be located above the Probable Maximum Flood (PMF).</p> <p>4. <b>Support</b> the consideration of climate change in flood modelling using the best available science for climate risk assessments. The NSW SES encourages the sharing</p>	<p>Planning interventions have considered primary and secondary constraints as detailed in DPE North Coast Settlement Planning Guidelines 2019. All constraints listed at table 33 have been excluded from calculations and planning interventions (with exception of Grafton and South Grafton flood being flood prone; and Boundary Road Gulmarrad being mapped bushfire prone). Planning proposal in this area will be referred to relevant agencies for comment.</p> <p>2. Noted. NSW SES will continue to be involved in Council's Floodplain Risk Management Planning Process.</p> <p>3. Noted. Emergency evacuation and access has been considered for areas at risk of natural hazards in the development of the draft LHS. Consideration will be given for SES management facilities in consultation with SES in areas at risk of isolation as part of a planning proposal.</p> <p>4. Council adopted the proposed interim Flood Planning Levels (derived from Lower Clarence</p>	<p>investigation requirements to support and inform future planning proposals, including bushfire assessments and flood risk and evacuation for flood prone areas, or localities that maybe isolated during floods and other extreme weather events.</p> <p>2. No change required.</p> <p>3. Annexure 4 Planning interventions has been updated to include requirements for flood risk and evacuation assessments for localities mapped flood prone or at risk of isolation.</p> <p>4. No change required.</p>
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	<p>of this risk information, which will enable other organisations, such as NSW SES, to plan for extremes in climate events and sequences.</p> <p>5. <b>Recommend</b> that any fast track planning process for the entire Clarence Valley LGA, including West Yamba Urban Release Area (URA) and North Grafton, would require consideration of flood risk for development located on flood prone land.</p> <p>6. The consent authority will need to ensure all planning proposals are considered against the relevant Ministerial Section 9.1 Directions, including 4.1 – Flooding and is consistent with the “NSW Flood Prone Land Policy” as set out in the “Flood Risk Management Manual 2023” and supporting guidelines, including “Support for Emergency Management Planning”.</p>	<p>Flood Model Update 2022), being 1% AEP 2090 Climate Change (RCP 4.5) scenario as the Defined Flood Event + 500mm Freeboard. RCP 4.5 being the medium range ‘Representative Concentration Pathway’.</p> <p>5. Council’s fast track planning service (Accelerated DA Process) is for simple residential development that complies with planning controls. This process excludes constrained land, including flood, coastal hazard, riverbank erosion etc which will be assessed under normal assessment pathways.</p> <p>6. Noted. Annexure 4 has been updated to include commentary to this affect.</p>	<p>5. No change required.</p> <p>6. Annexure 4 has been updated to state that all planning proposals will be required to provide adequate justification and consistency with relevant state, regional and local planning provisions including relevant SEPPs, Local Planning Directions and NCRP 2041.</p>
8	<p>Community Housing Industry Association NSW</p> <ol style="list-style-type: none"> <li>Broadly supports the draft LHS and AHP.</li> <li>Provides constructive suggestions for options to improve social and affordable housing.</li> </ol>	<ol style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> </ol>	<ol style="list-style-type: none"> <li>No change required.</li> <li>No change required.</li> </ol>

	<p>3. Recommends that the LHS needs to set clear targets for net growth in social and affordable housing. These targets need to reflect identified housing needs and the opportunities for supply from a range of interventions. This approach will provide a clear indication of the scale of supply and the types of housing products required, and highlight where specific models are needed, such as delivery tailored to Aboriginal communities or other priority households. These targets need to be monitored annually.</p> <p>4. Welcomes the draft LHS's commitment to investigate opportunities for affordable housing on Council-owned land. Council is encouraged to explore partnership opportunities through the implementation of the LHS and AHP with Community Housing Providers, including developing affordable housing on Council-owned land and collecting affordable housing contributions to increase supply. In addition, a pipeline of council-owned sites that could be used to support a long-term program of affordable housing partnerships with CHPs.</p>	<p>3. Council acknowledges that further work must be done over time in the affordable housing space. The LHS and AHP identify that there is a need for more affordable and social housing within the Clarence Valley, with potential options to explore to facilitate the delivery. Until a path forward is fully explored and determined, it would be premature to include numerical targets.</p> <p>4. The amended draft LHS has named four locations of Council owned land to investigate the potential to partner with CHPs for the provision of affordable housing as a starting point. This is expected to lead the way for further planning of such partnerships.</p>	<p>3. No change required. Further investigations are recommended as appropriate.</p> <p>4. Action 3.4 has been updated to include specific Council owned sites for investigation: <i>Investigate opportunities for affordable housing on Council-owned land delivered through public private partnerships using a competitive tender process.</i></p> <p><b>Potential sites to investigate include:</b></p> <ul style="list-style-type: none"> <li>• <b>Grafton Library carpark (airspace above)</b></li> <li>• <b>Car park between Victoria and Fitzroy Streets in the Grafton CBD (airspace above)</b></li> <li>• <b>Wooli Street, Yamba - Library and Community Hall</b></li> <li>• <b>Vacant residential land at Coutts Crossing</b></li> </ul>
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	<p>5. The AHP should include the option for affordable housing to be dedicated directly to a registered CHP nominated by Council. Such an approach will reduce ongoing costs to Council and supports the delivery of increased supply of affordable housing by providing CHPs with additional capital they can leverage to deliver additional homes in the local area. The dedication of contributions to CHPs can be subject to appropriate controls to ensure the affordable housing is retained long-term.</p> <p>6. it is recommended that the draft AHP is strengthened to more explicitly state that a contributions requirement will be applied to all planning proposals where development uplift is realised.</p> <p>7. Supports the option for contributions to be provided as either in-kind or through a monetary contribution. To support this, the AHP should include a requirement for the suitability of in-kind dedications to be assessed from an operational perspective, including management and maintenance costs. Where on-site provision as part of mixed-tenure development is considered suitable, early engagement with a CHP is essential to ensure the needs of future tenants are accounted for, operational costs are reasonable, and to consider management and maintenance arrangements.</p> <p>8. CHIA NSW recommends that the draft LHS includes an action committing to a review of local development controls to ensure they encourage and support the feasibility of genuinely affordable rental housing. As part of this work, Council needs to:</p> <ul style="list-style-type: none"> <li>• Ensure local planning instruments provide sufficient flexibility to adapt to the specific needs of social and affordable housing. As a starting point, CHIA NSW</li> </ul>	<p>5. This is an option that will be investigated further. Council would be happy to discuss this further with CHIA NSW.</p> <p>6. Viability of an Affordable Housing Contributions Scheme will be further investigated.</p> <p>7. <i>Refer point 6 above.</i></p> <p>8. Further investigations must be undertaken to determine viability of the these suggestions and other options before a commitment is made. It is not appropriate to simply implement controls from other local governments within NSW</p>	<p>5. No change required. Further investigations are recommended as appropriate.</p> <p>6. No change required.</p> <p>7. No change required.</p> <p>8. No change required. Further investigations are recommended as appropriate.</p>
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	<p>recommends that a statement be included in section 5.2 of the draft AHP that recognises the need for local development standards to be applied flexibly to social and affordable housing to realise desired outcomes.</p> <ul style="list-style-type: none"> <li>• • Work with Aboriginal CHPs to identify planning settings that will support housing that is appropriate to the social and cultural requirements, living patterns, and preferences of Aboriginal households.</li> <li>• • Incentivise supply, such as through height or floor space bonuses in exchange for affordable housing provision, recognising the public benefit created by affordable housing.</li> <li>• • Consider reductions in car parking requirements for affordable housing development in appropriate locations close to transport and services, such as urban centres, to support viability.</li> </ul> <p>9. The following are suggestions for ongoing work for Council in addition to the AHP and/or LHS:</p> <ul style="list-style-type: none"> <li>• Develop a joint-delivery plan with the community housing industry, the Land and Housing Corporation and other partners that identifies all potential opportunities for the delivery of new supply. This needs to include engagement with Aboriginal CHPs and the Aboriginal Housing Office’s Regional Aboriginal Housing Committees to better understand Aboriginal housing issues in the LGA, and opportunities identified by Local Aboriginal Land Councils in their Land and Business Plans.</li> <li>• supports Council progressing the preparation of an affordable housing contributions scheme. While we also support Council developing a separate policy for negotiating contributions through voluntary planning</li> </ul>	<p>without doing detailed investigations.</p> <p>9. Council acknowledges that there will be significant ongoing work, including investigating options around Contributions and Voluntary Planning Agreements, within the affordable/social housing space in addition to the LHS and AHP. We intend to work with organisations such as CHIA NSW going forward.</p>	<p>9. No change required. Further investigations are recommended as appropriate.</p>
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	<p>agreements policy, this should not take the place of an affordable contributions scheme.</p> <ul style="list-style-type: none"><li>• CHIA NSW recommends that Council considers an approach similar to that being pursued by Waverley and other councils, whereby:<ul style="list-style-type: none"><li>○ a low-rate is applied to all new medium and high density development across the LGA; and</li><li>○ additional provisions are inserted into the LEP enabling higher contributions rates to be applied to specific precincts realising uplift through a rezoning.</li></ul></li><li>• Council should take a strategic, long-term approach to setting affordable housing targets, phasing in higher rates over time as development feasibility improves. There is clear evidence that carefully implemented contributions requirements do not impede development, as developers incorporate the contribution into the land purchase price. Higher contribution rate will be supported if sufficient notice is provided to the market.</li><li>• recommends that Council reviews its contributions plans to exempt all social and</li><li>• affordable housing development by not-for-profit CHPs from infrastructure contributions. This will manage the costs of delivering community housing projects, supporting viability, and reducing the subsidy needed to deliver schemes.</li><li>• encourage Council to identify a specific team or officer within Council who will be responsible for the implementation of the LHS and AHP. This would include oversight of development applications and planning proposals to ensure compliance with affordable housing requirements, and identification of opportunities for partnership working with CHPs.</li></ul>		
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## Section 2 - Community based submissions regarding the draft LHS and AHP

**Table 2: Submissions raising general concerns raised regarding the draft LHS and**

Issue	Comment
<p>Numerous submitters and community members attending the drop-in sessions expressed complaints regarding the notification of the draft LHS public exhibition period (being six (6) weeks) and the drop-in sessions and engagement with the community being inadequate, and requested extension of the exhibition period. Many also suggested that the ratepayers / owners of the intervention areas should also have been directly notified on the proposed planning intervention.</p>	<p>The consultation, engagement and notification regarding the draft LHS was undertaken in accordance with the IAP2 Public Participation Spectrum “inform, consult, involve, collaborate, empower” and Council’s Community Engagement Strategy.</p> <p>The public exhibition of the draft LHS was in accordance with legislative requirements (the Community Participation requirements of the EP&amp;A Act 1979 specifies 6 weeks public exhibition for draft Strategies and Plans that cover ‘District’ and ‘Regional’ areas, and 28 days exhibition for draft ‘local strategic planning statements’ which generally cover a local government area); and Council’s Community Participation Plan which specified 6 weeks public exhibition requirements for land use planning strategies.</p> <p>The public exhibition period was however extended from the initial deadline of Monday 11 December 2023 to Friday 22 December in response to numerous requests for extension.</p>
<p>Numerous submitters that objected to the planning interventions in Yamba and Iluka proposal for R3 zone and increased height of building to 12m and the potential for medium rise apartments to be developed highlighted the outcome of the Survey which revealed “<i>a somewhat negative response for high and medium rise apartments</i>”.</p>	<p>A total of 80 survey responses were received. The majority of respondents were older, with well over half of the respondents aged over 55 years. Fewer than ten respondents were aged under 35 years, and only two people aged 24 years or younger participated in the survey. In addition, over 80 % of these respondents indicated that they owned they own homes (whether outright or mortgage) with only 5 % indicating that they were renters. Whilst the survey respondents provide a good indication of community sentiment in many ways, the demographic profile of respondents is not representative of the whole Clarence Valley community. The evidence obtained from the data strongly identifies that there is need for more diverse housing types, including smaller housing, with studio, 1 and 2 bedroom options close to employment, schools and services to provide an alternative to the predominate delivery of large dwelling houses consisting 3-4 bedrooms.</p>
<p>Unfortunately, there has been some misunderstanding and misrepresentation in the community regarding the intended purpose of the planning intervention areas in Yamba and Iluka. Many people have objected on the grounds that when the LHS is adopted the houses in the target locations (intervention areas) will be demolished</p>	<p>The proposed planning interventions provide greater opportunity to deliver a greater range of diverse housing types, than are permitted in the current R2 Low Density Residential zone (dwelling houses, dual occupancies and secondary dwellings only). Council do not intend to demolish and redevelop any of the identified planning intervention sites.</p> <p>The proposed interventions may enable a greater variety of housing types to be developed. Ownership and the housing market will still determine whether these areas are further developed should the interventions be progress through the planning proposal (being an amendment to the</p>

and redeveloped as medium to high rise apartments. There has also been further confusion in that some submitters object to these 'redevelopment sites' identified to deliver affordable housing units, while others object to these 'development sites' delivering premium townhouses that will be exclusively for STRA or holiday type accommodation or attainable only for the wealthy.

Clarence Valley Local Environmental Plan (LEP) 2011 process and acceptable development applications are made.

In addition, the planning interventions are the key mechanism within Council's control to deliver on the North Coast Regional Plan 2041 requirement for local housing strategies to have a clear road map demonstrating how they intend to deliver 40% of new dwellings by 2036 in the form of multi dwelling / small lot (less than 400m<sup>2</sup> housing).

**Table 3: Objections regarding the draft LHS - Annexure 4 Planning Interventions for Yamba (as exhibited 2023)**

- Proposed Yamba Hill Planning Intervention
  - Proposed height of building increase from 9m to 12m
  - Proposed rezoning from R2 Low Density Residential to R3 Medium Density Residential
- Yamba CBD planning Intervention
  - Proposed height of building increase from 12m to 18m

Theme	Issue raised	Comment
Infrastructure and servicing concerns	<ol style="list-style-type: none"> <li>1. Yamba Road provides the only access in and out of Yamba which is cut during flood events, isolating residents in Yamba for extended periods.</li> <li>2. Internal roads currently experience bottlenecks and congestion, which increase in holiday periods. Vehicles also park on both sides of the street reducing traffic to one lane which also impacts on ability for garbage trucks. Increasing population density in the CBD and Yamba Hill will exacerbate these issues.</li> <li>3. There is a need for a secondary access road to alleviate traffic and isolation</li> </ol>	<ol style="list-style-type: none"> <li>1. Council have made a commitment for the development of an Integrated Transport Plan (ITP) for Yamba and surrounds, in partnership with Transport for NSW. The delivery of the ITP is subject to seeking external funding to support the project and Council is currently preparing a submission through the Regional Precincts and Partnerships Program – Dept of Infrastructure, Transport, Regional Development, Communications and the Arts grant. The proposed ITP scope includes a study of the transport network for the town of Yamba and connectivity between existing centres, growth areas and external transport networks. It will identify priority areas for infrastructure upgrades and investment, including potential funding pathways to implement aspects of the plan. The community will be consulted as part of this project with respect to transport infrastructure and service planning within the town of Yamba and in connecting to other areas.</li> <li>2. <i>Refer point 1 above.</i> In addition, traffic and transport assessments will also be required to support and inform a planning proposal that proposes to amend the LEP, considering existing networks and upgrade requirements. Planning proposals will also be referred to the relevant agency or authority for comment.</li> <li>3. <i>Refer point 1 above.</i> In addition, Yamba Bypass feasibility and alternative options will be considered as part of the ITP for Yamba.</li> </ol>



	<p>issues i.e Yamba Bypass. Even if Yamba Bypass is constructed there will still be bottlenecks at intersections, and it does not resolve the single access from the Pacific Highway to the entrance to Yamba.</p> <ol style="list-style-type: none"> <li>4. Car parking spaces in the main street and at the shopping centre are currently inadequate to meet current population. Increasing population density in the CBD and Yamba Hill will intensify these issues.</li> <li>5. Footpath infrastructure currently don't provide adequate connectivity. These will need upgrading to provide connectivity from existing developed areas, new developments with open space and commercial areas.</li> <li>6. The massive amount of recent and proposed future developments has overloaded and will continue to overload the existing infrastructure impacting water supply, sewerage systems, stormwater runoff, waste disposal etc and increase potential for failures.</li> </ol>	<ol style="list-style-type: none"> <li>4. See point 1 above. A traffic and transport assessment, inclusive of parking will be required to support and inform a planning proposal that proposes to amend the LEP. All future development is required to consider parking requirements as identified in the relevant DCP.</li> <li>5. Council has adopted the Active Transport Strategy which provides a blueprint to guide Council's investment in walking and bike riding infrastructure, with a detailed set of interlinked, prioritised, and costed actions to build a comprehensive walking and bike riding network across the LGA. In addition, A traffic and transport assessment, inclusive of pedestrian and cycling connections will be required to support and inform a planning proposal that propose to amend the LEP.</li> <li>6. Shannon Creek Dam (SCD) Council's water supply has been designed with sufficient capacity for ultimate development. The Yamba Sewage Treatment Plant (STP) is designed with three treatment tanks each rated at a nominal design treatment capacity of 5,735 Equivalent Persons (EP), giving a total nominal treatment capacity of 17,200EP, which could be increased to 18,865EP by changing the flow distribution and increasing aeration in tank. Based on the flows recorded in July-August 2023, Yamba STP has capacity for projected ultimate development in their sewer catchment, including holiday flows. Yamba STP is currently operating at about 50% ultimate hydraulic capacity. Council maintains its Stormwater and drainage systems in accordance with our Stormwater System Maintenance Policy. A stormwater assessment will be required to support and inform a planning proposal should the intervention be implemented. In addition, all future development is required to be designed to ensure no adverse impacts to existing development in compliance with the Northern Rivers Design and Construction (NRDC) manual.</li> </ol>
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	<p>7. Internet services currently does not meet demand and drops out, which will be exacerbated with increased density developments.</p>	<p>Strategic Planning for the Grafton Regional Landfill (GRL) has considered current population and future growth. The existing GRL has estimated capacity for 40+ years of waste.</p> <p>In addition, infrastructure and servicing studies will be required to support and inform any planning proposals that propose to amend the LEP. Planning proposals will also be referred to the relevant agency or authority for comment on potential upgrade requirements.</p> <p>7. Requirements for maintaining internet and telephone service networks is outside Council control or responsibility. Infrastructure and servicing assessments will be required to support and inform a planning proposal that proposes to amend the LEP. Planning proposals will also be referred to the relevant agency or authority for comment on potential upgrade requirements.</p>
<p>Social and economic concerns</p>	<p>1. Increasing population density in the CBD and Yamba Hill will exacerbate vehicle traffic congestion and noise impacts to existing residents.</p> <p>2. Increasing potential for apartment type development in the CBD and Yamba Hill may increase STRA accommodation, removing housing from the general market, increase after hours noise and anti-social behaviours, erode community.</p> <p>3. Increasing population density in the CBD and Yamba Hill will impact access to healthcare and medical services. Current wait times are excessive, some doctors are not taking new patients, and elderly care services inadequate, with some</p>	<p>1. Traffic and Transport assessments will be required to support and inform any planning proposals that propose to amend the LEP. Councils has also adopted the Active Transport Strategy which provides a blueprint to guide Council’s investment in walking and bike riding infrastructure, with a detailed set of interlinked, prioritised, and costed actions to build a comprehensive walking and bike riding network across the LGA, which may alleviate some of the traffic congestion within Yamba. (See also point 1 above of Infrastructure and servicing section regarding proposed ITP).</p> <p>2. The intent of the interventions for Yamba was to permit a greater diversity of housing typologies to delivery dwellings that provide different opportunities / sizes for different demographic needs. The NSW Government is currently reviewing STRA controls to determine ways to return STRA to the permanent rental market. Council will continue to monitor STRA registrations and ensure compliance with Code of Conduct and noise requirements.</p> <p>3. While an important consideration, this is outside the scope of the draft LHS. Council do not have control over the servicing of healthcare in the LGA. However, Council is actively involved in advocating for improved healthcare services. Population size may also contribute to number of services in a localtity, an increase in population may be a driver for increase supply of medical services.</p>

	<p>residents having to travel to medical services outside the LGA to get an appointment etc</p> <p>4. The average age of Yamba residents is approximately 57 with increasing over 55 development approvals. This increases potential medical emergencies with aging populations and impacts on emergency services in times of natural disasters where evacuations are required.</p> <p>5. Maclean hospital will not meet the needs of the projected population growth should interventions be progressed.</p> <p>6. Supermarket and shops are inadequate to service an increased population, residents currently experience lack of available supplies, goods and services during peak holiday times. The Coles supermarket doesn't have a storage area and relies on daily deliveries which cannot occur when roads are cut due to flood etc.</p> <p>7. There is no permanent police stationed in Yamba to address any potential increase in crime with an increase in population.</p>	<p>4. <i>Refer point 3 above.</i> NSW Ambulance has a 24-hour operating station situated in Yamba to respond to medical emergencies. The NSW SES the states emergency and rescue service has a unit in Yamba. They are responsible for warnings, evacuation and rescues during disasters and other emergency situations. The NSW SES was a referral agency for the draft Housing Strategy and will also be consulted on any planning proposals that propose to amend the LEP to deliver housing.</p> <p>5. The Maclean District Hospital is situated approximately 20 minutes from Yamba and provides a wide range of healthcare services to the public, including an Emergency Department, Acute Medical Ward, Sub-Acute and Rehabilitation Unit, Outpatient Clinic, Medical Imaging/X-ray, Pathology Service, Hospital-in-the-Home Service, and Community and Allied Health Services. In addition the NSW Government has committed \$263.8 million to develop the Grafton Base Hospital to meet the needs of the growing and changing healthcare needs of the Clarence Valley population.</p> <p>6. While an important consideration, this is outside the scope of the draft LHS. The West Yamba URA has provision of additional commercial land as part of delivery of housing in this area, which will alleviate pressure on the existing services in the CBD and Yamba Fair. In addition, infrastructure and Servicing assessments will be required to support and inform any planning proposals that propose to amend the LEP.</p> <p>7. While an important consideration, this is outside the scope of the draft LHS. The NSW Police is a NSW Government Organisation. There is a permanent police station in Yamba, however it is not currently operational 24 hours. Due to the nature of our regional area, police often respond to calls for service from surrounding stations within the district.</p>
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	<p>8. There is no high school situated in Yamba, and Maclean High school is not equipped to meet projected population increases.</p> <p>9. Existing CBD shops are eclectic and driven by tourism, expensive redevelopments will require investors to increase rents to achieve a greater return on investment which will push out existing businesses potentially altering the town fabric to chain-based stores.</p> <p>10. Redevelopment potential in the CBD and Yamba Hill will irreversibly alter the local character and amenity of the existing small coastal town, creating an extension of gold coast type developments. People choose to live in this low-density area and visit Yamba because of the small coastal town character and laid back lifestyle.</p> <p>11. Increased population density in the CBD and Yamba Hill will increase impacts and access to recreational facilities, open space and beaches.</p> <p>12. The proposed Rezoning will increase property rating and taxes.</p>	<p>8. Maclean High School is a district comprehensive secondary school servicing the educational needs of the entire Lower Clarence geographical area. There are opportunities for private schooling at Pacific Valley High School (Townsend); Clarence Valley Anglican School (Clarenza), St Andrews Christian School (Clarenza); and McAuley Catholic College (Clarenza). Future planning proposals will require Infrastructure and serving studies to support any proposed LEP amendment.</p> <p>9. While it is noted that Yamba predominately has a diverse range of eclectic shops in the CBD, Council does not control the tenancy and rate of rent for these buildings. It is understood that should the existing buildings be developed, there maybe the requirement for an increase on return, the proposed building increase was included in the interventions to allow a greater flexibility on delivering an additional storey for commercial and / or residential return through shop-top housing developments.  <b>Recommended change:</b> Due to the many objections to the proposed height of building increase in Yamba the Yamba CBD planning intervention has been removed from the amended draft LHS.</p> <p><b>10. Recommended change: The Yamba Hill planning intervention in the amended draft LHS updated with trigger points that require development of character statements to provide greater clarity on appropriate locations within the intervention area that considers impacts to nearby heritage items and streetscapes, prior to implementation of the intervention.</b>  <b>Recommended change: the Yamba CBD planning intervention be removed from the amended draft LHS.</b>  <b>Recommended change: remove the proposed height of building increase from 9m to 12m from the Yamba Hill intervention.</b></p> <p>11. Noted, however this is outside the scope of this LHS. Council does not have control over people visiting open space areas. Council has an Open Spaces Strategy to ensure effective ongoing management of Council owned and managed open space and facilities.</p> <p>12. Noted as a concern. The NSW Valuer General undertakes property evaluations which contribute to Council rates. It is uncertain at this time whether a rezoning will impact on the value of the land in this locality. It</p>
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	<p>13. Overdevelopment on floodplain is causing insurance premiums to increase, with some property owners unable to insure their properties for flood cover or afford the increase in insurance cost.</p> <p>14. Council should take the opportunity presented to develop a long term plan for Yamba (in association with permanent residents) which establishes a long term vision for the area and puts in place policies and controls which will ensure that long term community objectives are not able to be derailed in future by short term economic considerations by absentee developers.</p>	<p>should be noted that land tax is generally not charged to principal dwellings, however STRA and other holiday accommodation my attract these land taxes.</p> <p>13. Unfortunately, this is an Australia-wide issue and outside Council’s control or responsibility, where insurance premiums have increased in response to the claims from numerous natural disasters in previous years, particularly properties located in areas know for hazards including flooding. The planning intervention areas in Yamba have considered the latest Lower Clarence Flood Model Update 2022 and both intervention areas are located above the 1 in 100-year climate change flood level. The Yamba Hill intervention area is also above the probable maximum flood level.</p> <p><b>14. Recommended change: The Yamba Hill planning intervention in the amended draft LHS updated with trigger points that require development of character statements to provide greater clarity on appropriate locations within the intervention area that considers impacts to nearby heritage items and streetscapes, prior to implementation of the intervention.</b>  <b>Recommended change: The Yamba Hill planning intervention in the amended draft LHS updated to include the requirement for a precinct plan to inform and support any planning proposal that proposes to amend the LEP.</b></p> <p>The community will be consulted during the development of the local character statement and as part of the planning proposal process.</p>
Environmental and Ecological concerns	<p>1. Yamba is located on the coast at the mouth of the largest coastal river in NSW and therefore has potential for impacts from flooding, coastal inundation and erosion, sea level rise and tsunamis. Consideration needs to also be given to increasing impacts due to climate change.</p> <p>2. Proposed increase in height of buildings is contradictory to the NSW Coastal Design Guidelines.</p>	<p>1. The Annexure 4 planning intervention areas for Yamba were identified due to their location having minimal potential for impacts from natural disasters. The Lower Clarence Flood Model Update 2022 and draft Open Coast CMP inundation and erosion hazard mapping has been considered when determining the planning interventions. Further investigations considering potential hazards and emergency evacuation will be required to inform and support a planning proposal that proposes to amend the LEP.</p> <p>2. A planning proposal that proposes to rezone land or increase height of building will be required to provide justification and consistency with relevant state and regional planning policy including the NSW Coastal Design Guidelines.</p>

	<p>3. Potential increased impacts of stormwater and runoff to waterways and the marine environment.</p> <p>4. Impacts on surrounding National Parks, habitat and wildlife with increased population densities.</p> <p>5. Overdevelopment and filling of floodplains are impacting other properties during adverse weather events.</p> <p>6. Increased height limits will have adverse impacts on views, privacy, air flow, sea breezes, overshadowing and loss of sunlight for solar.</p>	<p><b>Recommended change: remove the proposed height of building increase from 9m to 12m from the Yamba Hill intervention.</b></p> <p><b>Recommended change: remove the Yamba CBD intervention (note. this intervention only proposed a height of building increase from 12 to 18m, no proposed change to the land zone)</b></p> <p>3. A stormwater assessment will be required to support and inform a planning proposal should the intervention be implemented. In addition, all future development is required to be designed to ensure no adverse impacts to existing development in compliance with the Northern Rivers Design and Construction (NRDC) manual. Council's existing drainage and stormwater systems are managed in accordance with the Stormwater System Maintenance policy.</p> <p>4. While this is important it is somewhat outside the scope of the LHS. Visitor numbers for national parks are not a Council responsibility and are assessed and managed by NSW National Parks and Wildlife Service. An environmental and ecological assessment may be required (where relevant or requested by DPHI) to support and inform a planning proposal that propose to amend the LEP.</p> <p>5. The Yamba Hill and Yamba CBD intervention areas were identified due to minimal potential impacts on natural disasters considering the Lower Clarence Flood Model Update 2022 and the draft CMP hazard mapping. Both intervention areas are located above the 1 in 100 year flood level including climate change. Yamba CBD is mapped as potentially impacted by the probable maximum flood level on the corners of Wooli, High and Yamba Streets. This intervention however has been removed from the amended draft LHS. Infrastructure and servicing assessments, including stormwater will be required to accompany any proposed LEP amendment planning proposal, considering impacts on surrounding properties.</p> <p>6. Noted. Council has considered the substantial amount of submissions received from the community regarding the impacts the proposed height limits may cause to existing development.</p> <p><b>Recommended change: remove the proposed height of building increase from 9m to 12m from the Yamba Hill intervention.</b></p>
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	<p>7. Increased density will reduce green space and increase impervious services.</p> <p>8. Increased population density in Yamba will increase the cumulative impacts on evacuation in times of flood and other emergencies</p>	<p><b>Recommended change: Note: remove the Yamba CBD intervention (note. this intervention only proposed a height of building increase from 12 to 18m, no proposed change to the land zone)</b></p> <p><b>Recommended change: Addition of a trigger point requiring local character statements to provide greater clarity on appropriate locations within the Yamba Hill intervention area prior to implementing the interventions.</b></p> <p>7. Council has adopted that Green Infrastructure Strategy which includes actions to review Council's DCPs to consider inclusion of appropriate landscaping guidelines and related planning requirements for all new development, including minimum soil zones.</p> <p>8. The draft LHS was referred to the NSW SES who have provided recommendations for consideration in finalising the LHS. The NSW Submission is included at number 7 of Section 1 <i>Government Agency Submissions</i> of this Analysis. A flood risk and evacuation assessments will be required for planning proposal that proposed to amend the LEP for localities mapped flood prone or at risk of isolation. The NSW SES will also be a referral agency for these proposals.</p>
Affordable / Social Housing	<p>1. The location of the intervention areas contradicts delivery of affordable housing. Yamba Hill and the CBD are unsuitable and unfeasible to deliver affordable housing, as they are one of the highest priced locations in the LGA.</p> <p>2. West Yamba Urban Release Area is already zoned to delivery additional and more affordable housing.</p>	<p>1. Noted. Local Housing Strategies must implement relevant priorities of the North Coast Regional Plan 2041, of which requires a clear road map to In addition, the intent of the planning intervention areas for Yamba Hill and Yamba CBD are to allow a greater diversity of housing types and sizes to be delivered.</p> <p>The intent of the Local Housing Strategy is not to provide affordable housing. The evidence identifies the need for more affordable housing provision for the LGA, however the main identified need is for housing diversity including the need for smaller and mixed housing type. The proposed R3 zoning in this location, provides for additional housing product including townhouses, apartments and units to be developed, where currently only single detached houses, and dual occupancies / secondary dwellings are permitted with consent.</p> <p>2. Noted. There has been a long planning history behind the WYURA, of which has been included in the planning capacity calculations for the draft LHS. While this area will continue to deliver housing in Yamba over the next few</p>

		<p>years, there is some preliminary uncertainty regarding the decision of the Northern Regional Planning Panel’s refusal for the Miles Street DA which proposed a subdivision for approximately 350 residential lots. In the event that the WYURA cannot deliver planned housing supply to meet community need, the LHS would need to be updated. This may include new investigations around increasing density and building heights, and/or bringing forward planning interventions in other locations to provide diverse and affordable housing.</p>
<p>Planning Controls</p>	<ol style="list-style-type: none"> <li>1. Planning Intervention for R3 Medium Density and a proposed height of 12m in Yamba Hill is contradictory to the Residential Zones DCP Part W Yamba Hill Controls. The Part W controls apply to all permitted residential development types and include minimum site area controls, maximum height controls, and shadow diagram and car parking requirements.</li>   <li>2. The current R2 Low Density Residential Zone in Yamba Hill prohibits multi-dwelling type development, which was one of the driving reasons people bought in this location and renovated accordingly. This zone provides housing choice. Prohibiting dwelling houses in the R3 zone will prevent owners to further redevelop</li> </ol>	<ol style="list-style-type: none"> <li>1. The surrounding properties are currently zoned R3 except for Beachside and Oceania developments, which are more recent developments. There is also an existing 12m height of building control that covers the central Yamba area north of Church Street and along the waterfront of Ocean Street and Pacific Parade. The proposed intervention is an extension of and representative of the existing planning controls in this area of Yamba. It is noted that the DCP has Part W Yamba Hill Controls that state a height limit of 9m in this area. Council’s DCP controls will be reviewed and amended to support any amendments to the LEP controls. In addition, precinct plans will be required to support a planning proposal that proposes to amend the LEP. The planning interventions has been amended in response to the numerous concerns raised by the community:  <u><b>Recommended change: Addition of a trigger point requiring local character statements to provide greater clarity on appropriate locations within the Yamba Hill intervention area prior to implementing the interventions.</b></u>  <u><b>Recommended change: remove the proposed height of building increase from 9m to 12m from the Yamba Hill intervention.</b></u> </li>   <li>2. Noted. A change to R3 Medium Density Residential does not require homeowners to redevelop their land for multi-dwelling type housing, it increases the dwelling types permitted in the zone. Council has considered community concerns regarding the proposal for dwelling houses to be prohibited in the R3 zone and the proposed increased in height of building in Yamba Hill from 9m to 12m and The proposed rezoning to R3 Medium Density Residential remains to allow a greater diversity of housing development to be</li> </ol>



	<p>as single dwellings, the reason many bought in this location. In addition, the accumulative impacts of rezoning from R2 to R3, increased height limits to 12m and prohibiting dwelling houses in the R3 zone is unacceptable.</p> <p>3. The proposal to rezone Yamba Hill to R3 and an increase in height of building to 12m does not comply with State Environmental Planning Policy 71 – Coastal Protection (Now SEPP Resilience and Hazards) or NSW Coastal Design Guidelines.</p> <p>4. Draft LHS has not appropriately identified the need for housing to consider increased potential for weather extremes including increasing heat and potential cyclones. The LHS should mention minimum building design standards considering heat / cooling and cyclone wind loading.</p> <p>5. There is already an adequate amount of R3 zoned land in Yamba.</p>	<p>permitted with consent in the area, including apartments delivering a mix of sizes from studio, 1 and 2 bedrooms to provide greater housing choice.</p> <p><b><u>Recommended change:</u> Remove the proposal for dwelling houses to be ‘prohibited’ in the R3 Medium Density Residential zone.</b></p> <p><b><u>Recommended change:</u> remove the proposed height of building increase from 9m to 12m from the Yamba Hill intervention.</b></p> <p>3. Any planning proposal that intends to amend the LEP in coastal areas will need to consider and demonstrate consistency with SEPP Resilience and Hazards and NSW Coastal Design Guidelines, and all other relevant state, regional and local planning policy. The amended draft LHS has been updated to include investigation requirements to inform and support a planning proposal.</p> <p><b><u>Recommended change:</u> Yamba Hill intervention updated to include the following investigation requirements and studies: Precinct planning – urban design study, Traffic and transport, including green infrastructure and active transport, Contamination and acid sulphate soils assessment; Stormwater; Coastal design guidelines assessment checklist.</b></p> <p>4. The National Construction Code (NCC) is a uniform set of technical provisions for the design, construction and performance of buildings and plumbing and drainage systems throughout Australia that all development must comply with. NCC includes specifications for the design of buildings in Australia cyclonic areas, which is not required for building design in the LGA. BASIX stands for Building Sustainability Index. It is a sustainability assessment tool for residential buildings in NSW. BASIX aims to reduce the environmental impact of new homes by requiring them to meet certain minimum standards (for water and energy efficiency, and thermal performance) and to report on construction materials being used so their embodied energy can be calculated.</p> <p>5. Noted. While there is a large amount of land already zoned much of this land The current R3 zoned land has already, or undergoing redevelopment. By including the R2 zoned land within the planning interventions allows a greater diversity of housing types to be developed over time to meet changing needs of the community</p>
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	<p>6. Recommends that Council take the opportunity presented to develop a long term plan for Yamba, in association with permanent residents to ensure the local character and village charm, including 'weekender' style housing that is the main attraction of Yamba is retained.</p>	<p>6. Noted the draft LHS has been updated to reflect the numerous community concerns regarding impacts to the local character and amenity. <b><u>Recommended change:</u> Addition of a trigger point requiring local character statements to provide greater clarity on appropriate locations within the Yamba Hill intervention area prior to implementing the interventions.</b></p>
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**Table 4: Objections raised regarding the draft LHS - Annexure 4 Planning Intervention for Iluka (as exhibited 2023).**

- Proposed Iluka Planning Intervention:
  - Proposed height of building increase from 9m to 12m
  - Proposed rezoning from R2 Low Density Residential to R3 Medium Density Residential

Theme	Issue raised	Comment
Infrastructure and servicing concerns	<ol style="list-style-type: none"> <li>1. Ilukas' road networks and car parking spaces are inadequate at peak times which will increase with higher density development, particularly along the proposed intervention area of Queens Lane.</li> <li>2. The stormwater infrastructure is inadequate during extended wet period, which flows into Iluka Bay. These issues will be exacerbated by increasing density.</li> <li>3. An increase in density and population will exacerbate water supply and pressure issues.</li> <li>4. It is known that Iluka Road, the single access road into Iluka is susceptible sea level rise and other coastal and weather</li> </ol>	<ol style="list-style-type: none"> <li>1. Council manages their existing road networks in accordance with the Roads Policy. Traffic and transport assessments inclusive of parking will be required to support and inform a planning proposal that proposes to amend the LEP, considering existing networks and upgrade requirements. Planning proposals will also be referred to the relevant agency or authority for comment. All future development is required to consider parking requirements as identified in the relevant DCP.</li> <li>2. Council maintains its Stormwater and drainage systems in accordance with our Stormwater System Maintenance Policy. A stormwater assessment will be required to support and inform a planning proposal should the intervention be implemented. In addition, all future development is required to be designed to ensure no adverse impacts to existing development in compliance with the Northern Rivers Design and Construction (NRDC) manual.</li> <li>3. The Shannon Creek Dam (SCD) is Council's water supply has been designed with sufficient capacity for ultimate development. The water is piped to Rushforth Rd where it undergoes treatment process involves prechlorination, pH correction, UV treatment, chlorination disinfection and fluoridation. Water for the lower river areas (such as Maclean, Yamba, Iluka, Brooms Head etc.) is piped to a 21ML reservoir at Maclean and is then distributed throughout the Clarence Valley using a network of pipework and reservoirs after further treatment. Planning proposals that propose to amend the LEP will require infrastructure and services assessments to identify any requirement for upgrades to support any increased density.</li> <li>4. The Lower Clarence Flood Model Update 2022 and the draft CMP has been considered in the development of the draft LHS. It is noted that Iluka Road is cut in a 1 in 20 year flood event at the Esk River, and has potential to be</li> </ol>

	<p>events and hazards, including flood and bushfire which could isolate Iluka residents, which was 5 days in most recent flood event.</p>	<p>impacted in other extreme coastal weather events. The recommendations of the Flood Risk Management Plan process and the CMP will also be considered as part of any future planning proposal that proposes to amend the LEP. In addition, Traffic and transport, flood and emergency evacuation assessments will be required to support and inform a planning proposal considering existing road network and upgrade requirements. Planning proposals will also be referred to the relevant Government agencies, including NSW SES for comment. It is also noted that bushfires are a risk in Iluka due to the surrounding National Parks. These areas are managed by the NSW National Parks and Wildlife Service which is outside Council control. Council ensures development proposal comply in bush fire prone areas. The NSW RFS will also be a referral agency on any planning proposal in Iluka.</p>
<p>Social and economic concerns</p>	<ol style="list-style-type: none"> <li>1. Iluka is a small village with minimal employment opportunities. Most of the residents are either retired or travel to Maclean, Yamba or Grafton for work. Increased population and families and reduced employment opportunities may increase requirements for in unemployment benefits.</li> <li>2. There is a lack of shops (IGA inadequate) and services, including health services, with no permanent GP, no hospital, community nursing available only 3 days a week, and ambulance station not operational full time. Increased population will further impact ability of services to meet community needs, These which will be exacerbated with increased population. for increased population.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. While an important consideration, this is outside the scope of a LHS. Council also do not have control over employment in the LGA. There are increasing work from home opportunities with many agencies opting to provide this choice for workers post COVID and technological improvements. In addition, increased population may drive the need for further businesses to open in Iluka to service the increasing population.</li> <li>2. While an importance consideration, this is outside the scope of the draft LHS. Council do not have control over the servicing of healthcare or shopping in the LGA, however servicing assessment may be required to support a planning proposal prosed to amended an LEP. Population size may also contribute to the number of services in a locality, an increase in population may be a driver for increase supply of medical services and requirements for additional shops or upgrades. Maclean is situated approximately 30 minutes from Iluka and offers shops and services with GP clinics and the Maclean District Hospital providing a wide range of healthcare services to the public, including an Emergency Department, Acute Medical Ward, Sub-Acute and Rehabilitation Unit, Outpatient Clinic, Medical Imaging/X-ray, Pathology Service, Hospital-in-the-Home Service, and Community and Allied Health Services. In addition, the NSW Government has committed \$263.8 million to</li> </ol>

	<p>3. Current Iluka primary school is inadequate to meet the needs of increased population and there is no high school in Iluka.</p> <p>4. Public transport between the main employment centres of Grafton, Maclean and Yamba is inadequate and finishes earlier than required for most jobs, people are rel.</p> <p>5. Potential for the property's bordering the intervention areas will be devalued due to overshadowing, impacts current views and sea breeze.</p> <p>6. Potential for Impacts to mental health of the existing residents and neighbours in response to change in the amenity and character of Iluka.</p> <p>7. Concern that a change in zoning to R3 will increase rates and potentially force local</p>	<p>develop the Grafton Base Hospital to meet the needs of the growing and changing healthcare needs of the Clarence Valley population.</p> <p>3. The NSW Government manages the public-school network, which is outside the scope of the LHS and Council control or responsibility. Maclean High School is a district comprehensive secondary school servicing the educational needs of the entire Lower Clarence geographical area. There are opportunities for private schooling at Pacific Valley High School (Townsend); Clarence Valley Anglican School (Clarenza), St Andrews Christian School (Clarenza); and McAuley Catholic College (Clarenza). Future planning proposals will require Infrastructure and serving studies to support any proposed LEP amendment and referral to relevant agencies to identify any upgrade requirements.</p> <p>4. Unfortunately public transport services are outside the control of Council. Infrastructure and services assessments will be required to support and inform a planning proposal that proposes amended the LEP. In addition, an increase in population may increased demand for these services triggering the need for additional services to be delivered.</p> <p>5. Noted. Council have considered the community submissions regarding the potential for the proposed heigh increases to impact surrounding properties, and recommend the following amendments to the draft LHS:  <u><b>Recommended change: the proposed height of building increase from 9m to 12m has been removed from the planning intervention for Iluka.</b></u>  <u><b>Recommended change: inclusion of trigger points that require "substantial development of existing zoned land (existing R3 Medium Density Residential land in Iluka);" and "Development of a desired character statement to provide greater clarity on appropriate locations within the intervention area" prior to implementing proposed interventions.</b></u></p> <p>6. Noted. <i>Refer point 5 above.</i></p> <p>7. Noted. The NSW Valuer General undertakes property evaluations which contribute to Council rates. It is uncertain at this time whether a rezoning will</p>
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	<p>pensioners and low income home owners to sell and move out of Iluka.</p> <p>8. Concern that the increased need for infrastructure and service upgrades and maintenance cost to Council will contribute to rate increases.</p> <p>9. Ocean locality surrounded by National Parks attracts holiday makers and visitors to Iluka. Council strategies need to support a board community based made of permanent residents and holiday makers with affordable housing to ensure workers can stay and service small business. Suggests rates or other levies be placed on homes that remain vacant for extended periods which in turn can be used to support low-income earners with rental relief and encourage the return of holiday housing to rental market.</p>	<p>impact on the value of the land in this locality. It should be noted that land tax is generally not charged to principal dwellings, however STRA and other holiday accommodation my attract these land taxes. Council will explore the potential for rates changes.</p> <p>8. Council rates are set by categorization and locality. Iluka has now bee connected to sewer, which would have increased rates based on this sewered locality. There are no immediate infrastructure upgrades planned for Iluka that would impact the rates in this area in response to implementation of the LHS.</p> <p>9. Noted and agreed that permanent residents contribute to society and support local business. Local Councils however are limited in their ability to implement levies and other charges on STRA housing. This is generally regulated through Australian and NSW Government legislation and initiatives. NSW Government are currently reviewing the STRA to determine appropriate initiatives and reforms that may encourage the return of housing stock to the rental market.</p>
Environmental and Ecological concerns	<p>1. The proposed height limits will enable 4 storey apartments which have the potential to cause overshadowing and impacts on the neighbours privacy, reduced sea breezes and view, access to solar.</p> <p>2. The proposed rezoning from R2 to R3 accumulated with the proposed height increase from 9m to 12m will have an irreversible impact on the local character and natural amenity of Iluka.</p>	<p>1. Noted. Council has considered the substantial amount of submissions received from the community regarding the impacts the proposed height limits may cause to existing development. <b><u>Recommended change:</u> the proposed height of building increase from 9m to 12m has been removed from the planning intervention for Iluka.</b></p> <p>2. Noted. Council has considered community concerns and recommended the following changes to the draft LHS: <b><u>Recommended change:</u> the proposed height of building increase from 9m to 12m has been removed from the planning intervention for Iluka.</b></p>

	<p>3. Increased density and population in Iluka, particularly along Spencer Street being will create fragment and habitat loss. This area is the transition zone between the Iluka Nature Reserve (World Heritage Listed) and the river, and be detrimental to significant environmental values of the reserve and the fauna that traverse the area (including 24 endangered threatened bird species, and 14 vulnerable mammals).</p> <p>4. Increased population density in Iluka will contribute to additional wildlife strikes along Yamba Road.</p> <p>5. Increased density will increase nutrient loading, and stormwater run off to Iluka Bay area impacting water quality and the health of the aquatic species.</p> <p>6. Increased density will have a detrimental impact on the existing heritage items.</p>	<p><b>Recommended change: inclusion of trigger points that require “substantial development of existing zoned land (existing R3 Medium Density Residential land in Iluka);” and “Development of a desired character statement to provide greater clarity on appropriate locations within the intervention area” prior to implementing proposed interventions.</b></p> <p>3. Noted. The NSW National Parks and Wildlife Service are the NSW Agency that manages these areas. Council has no responsibility in management and maintenance of these estates, however regularly consults with the agency being an adjoining land owner. A planning proposal that proposes to amend the LEP will require a detailed environmental and ecological assessment, including appropriate buffers which will also be referred to all relevant Government agencies and authorities, including the NSW National Parks and Wildlife Service for comment.</p> <p>4. Noted. While this concern is important it is outside the scope of the draft LHS. There maybe other options around wildlife signage, speed limiting or other treatments that could be considered to reduce overall wildlife strikes.</p> <p>5. Council maintains its Stormwater and drainage systems in accordance with our Stormwater System Maintenance Policy. A stormwater assessment will be required to support and inform a planning proposal should the intervention be implemented to identify any upgrade requirements. In addition, all future development is required to be designed to ensure no adverse impacts to existing development and surrounding environment in compliance with the Northern Rivers Design and Construction (NRDC) manual and Council’s DCPs.</p> <p>6. Noted. Council has considered community concerns and recommended the following changes to the draft LHS: <b>Recommended change: the proposed height of building increase from 9m to 12m has been removed from the planning intervention for Iluka.</b> <b>Recommended change: inclusion of trigger points that require “substantial development of existing zoned land (existing R3 Medium Density Residential land in Iluka);” and “Development of a desired character statement to</b></p>
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	<p>7. Climate change will exacerbate the number and intensity of natural disasters requiring an increase in emergency evacuation situations. The draft LHS strategic direction identifies the need to plan to reduce the impact of natural disasters, such as locating new homes outside flood prone areas. The Strategy needs to identify how it proposes to mitigate against flooding for new residents and impacts on adjoining neighbours.</p>	<p><b>provide greater clarity on appropriate locations within the intervention area” prior to implementing proposed interventions.</b>  <b>A planning proposal will also require appropriate heritage assessments that consider the impact on the significance and the setting of heritage items.</b></p> <p>7. The Lower Clarence Flood Model Update 2022 and the draft CMP, including mid range climate change scenarios has been considered in the development of the draft LHS. A planning proposal that proposes to amend the LEP will be required to demonstrate consistency with State, regional and local planning policy, including planning for any potential hazards and risks. The planning proposal will also be referred to all relevant Government agencies and authorities, including the NSW SES for comment.</p>
<p>Affordable / Social Housing</p>	<p>1. Queens Lane, Spencer Street and Charles Street in Iluka is not an appropriate location to create affordable housing. These blocks regularly sell for over a million dollars. The opportunity then exists for holiday homes and townhouses in this location that are unaffordable for the existing residents.</p> <p>2. Provision of affordable housing in existing R2 locations along Queens Lane is not suitable. The strategy needs to demonstrate how the proposed changes will supply more affordable housing, identify appropriate locations for affordable housing and who builds and</p>	<p>1. The intension of the proposed Annexure 4 planning intervention for Iluka is not specifically aimed at provision of affordable housing. The proposed rezoning from R2 Low Density to R3 Medium Density Residential is intended to allow for a greater diversity and mixed density housing including multi-dwelling houses and apartments with a range of bedroom sizes from studio, 1 and 2 bedroom options rather than delivering single 3-4 bedroom homes. The proposed height of building increase from 9m to 12m in the initial draft LHS attracted numerous community concerns, consequently the amended draft LHS has removed this proposed increase.</p> <p>2. The amended draft LHS includes actions to assist with delivering affordable housing outcomes in the LGA and has identified Council owned land for further investigation for suitability for a mix of housing, including affordable housing.  <b><u>Action 3.4 has been updated to include specific Council owned sites for investigation:</u></b></p>



	<p>funds this and how funds will be drawn from the developers because of the rezonings.</p> <p>3. Iluka already has enough housing opportunities including affordable options to meet expected growth including the 141 lot Birrigan estate, 33 block Anchorage development and 117 block Woombah Woods development.</p> <p>4. Lack of employment / services in Iluka negates rental affordability as residents will need to use their own transport to travel to other urban centres for employment.</p> <p>5. Concern that developing social / affordable housing creates ghettos which leads to increased crime, illegal drug trade, domestic violence etc.</p>	<p><b>Investigate opportunities for affordable housing on Council-owned land delivered through public private partnerships using a competitive tender process.</b></p> <p><b>Potential sites to investigate include:</b></p> <ul style="list-style-type: none"> <li>• Grafton Library carpark (airspace above)</li> <li>• Car park between Victoria and Fitzroy Streets in the Grafton CBD (airspace above)</li> <li>• Wooli Street, Yamba - Library and Community Hall</li> <li>• Vacant residential land at Coutts Crossing</li> </ul> <p>3. Noted. While these developments do provide housing to meet projected population growth, the Anchorage and Woombah Woods developments are designed as over 55's living and Birrigan Estate is a strata type development under a management committee arrangement, which may not be attractive for some people. They may however free up existing housing to provide for changing community needs. However it is unlikely they will deliver a desired housing diversity and quality outcome to meet the needs of the community into the future.</p> <p>4. Noted. The draft LHS has actions and interventions to assist with the delivery of diverse, affordable and reliant housing to meet a range of demographic requirements at all stages of life. While the draft LHS is not focused solely on delivery of affordable housing, providing diverse housing types provides greater choice for the community. i.e studio and 1 bedroom apartments in an apartment building will likely be cheaper to purchase / rent than a large 3-4 bedroom dwelling house on the same block of land.</p> <p>5. <i>Refer point 3 above.</i> The intent of the draft LHS is not to demolish the existing housing in the intervention area for redevelopment for social / affordable housing. In addition, there is a stigma around provision of social housing arising from multiple and compounding issues. Providing diverse housing types and options will enable a greater demographic profile of the population to be a part of the community.</p>
Planning Controls	<p>1. Local Housing Strategy Guidelines state the first step is to identify housing gaps. Iluka's population has only increased by</p>	<p>1. Noted. The data used in the evidence base was a combination of ABS census data, NSW government and .idcommunity. The .idcommunity uses up to date data based on results of the Censuses. It models population forecasts by LGA</p>

	<p>46 people between the 2016 and 2021 census; with median age being 62 years and projected dwelling requirement of less than 2 people per household. The data for the evidence in the Strategy groups Iluka with Ashby, Woombah and 'district' which doesn't adequately assist with understanding the needs of Iluka.</p> <p>2. Iluka currently has diverse housing options, with 40% of dwellings having 2 or less bedrooms. In addition, there is already adequate supply and capacity to provide further diverse housing types on existing underdeveloped R3 zoned land.</p> <p>3. Council need to reassess current the current STRA day limit restrictions and implement stronger restrictions or other incentives to return these STRA based houses to the open market.</p> <p>4. Consider rezoning part of the Birrigan Estate to R3 or modify height of building of existing R3 areas and offer incentives where duplex or smaller units are built.</p>	<p>and by small-area from housing and demographic assumptions, including new residential development and in/out migration including births/deaths, age, gender and other household data. Iluka is grouped with Ashby, Woombah and District estimated to require 2, 824 dwellings by 2041, an increase in 323 dwellings between 2022 and 2041. The .idcommunity forecasts are accessible on Council's website under 'our community profile'.</p> <p>2. Noted. It is understood that Iluka currently has a mixed housing diversity and unique local character. The amended draft LHS has been amended in response to community submissions.  <b><u>Recommended change:</u> the proposed height of building increase from 9m to 12m has been removed from the planning intervention for Iluka.</b>  <b><u>Recommended change:</u> inclusion of trigger points that require "substantial development of existing zoned land (existing R3 Medium Density Residential land in Iluka);" and "Development of a desired character statement to provide greater clarity on appropriate locations within the intervention area" prior to implementing proposed interventions.</b></p> <p>3. Council is limited in their ability to control STRA under the existing planning framework. Council currently restricts non-hosted STRA in Yamba and Iluka (and other coastal villages) to a 180-day limit per year. The NSW Government are currently reviewing the adequacy of the STRA planning and regulatory framework to determine improvements and appropriate ways to return STRA housing back to the rental market. Council will respond appropriately to any reforms related to STRA to assist delivery of rental availability and affordability.</p> <p>4. The Birrigan Estate has been developed and managed under a strata title management arrangement with restriction on title. Therefore planning controls can not be altered by Council without being approved by the management committee. This Strategy will undergo 5 yearly review, or as deemed necessary, at which time the demographic changes and housing in Iluka will be reassessed.</p>
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**Table 5. Extensive Submissions**

*Below is a summary of the extensive written submissions received from the community, environmental groups and industry that required further consideration than the submissions received objecting to the Annexure 4 Planning Interventions for Yamba and Iluka.*

No.	Support or oppose	Submitter And Major Issues Raised	Officer Comment
1	support	<p><b>Request for addition to Planning Interventions - 925 Rushforth Road Elland</b></p> <p>This submission requests that the subject property be included as a “targeted planning intervention area” to allow the owner to proceed to undertake detailed studies to determine the suitability of some or all of its land for R5 development and a potential minimum lot size. The subject property has an area of 436.9ha of primarily unconstrained RU2 Rural Landscape zoned land. Rushforth Road along its western boundary; with large lot residential subdivisions (zoned both R5 and RU2) in Ellandgrove Road along its northern boundary; Councils Grafton Regional Landfill site along part of its eastern boundary; and a combination of forested and grassed areas along its southern boundary.</p> <p>The subject site is 8.6km to Ryan Street, South Grafton via Rushforth Road and 8.8km via an unformed Road Reserve connecting to Ellandgrove Road and then Armidale Road. It is contiguous to the South Grafton urban area via the Ellandgrove Road/Armidale Road large lot subdivision (R5 &amp; RU2) connecting with the South Grafton Industrial Area &amp; then the commercial area, with services available</p>	<p>The NCRP 2041 states that <i>infill housing is to be prioritized as it takes advantage of existing infrastructure and services and is a more environmentally sustainable option. Infill development increases the viability of public and active transport, protects valuable agricultural and environmental land and limits the long-term service and maintenance costs to the community.</i></p> <p>The draft LHS identifies that there is sufficient zoned land in the LGA within the existing URAs, undeveloped R5 land and the planning intervention areas to meet the housing needs of the projected population growth.</p> <p>Land consisting key constraints as detailed in Table 33 details the Housing capacity constraints that were excluded from the planning capacity calculations. Table 31 Large Lot Residential areas in the Clarence Valley has been updated to include the current “unconstrained area” in hectares for each R5 location. These calculations estimate 1027 dwelling capacity within the existing R5 land.</p> <p>Consequently, at this time there is no requirement for inclusion of this land in the amended draft LHS.</p> <p>Council will continue to review the LHS at 5 yearly intervals including dwelling supply and demand in consultation with DPHI to determine the need for further urban growth area investigation areas. It is noted that if market factor, land banking or other barriers inhibit the timely release of lots in the planned release areas there may be a need to reconsider this area for future investigation for urban or other purposes.</p> <p>Council staff will continue conversations with the proponent based around whether there is evidence-based planning need for some type of appropriate future development on the subject site.</p>

		<p>The site is predominately grassland used for grazing, with approx. 60ha of a stand of native forest in the centre of the northern sector and riparian vegetation along a section of 3rd Order stream in the eastern section.</p> <p>The land is situated not far from other R5 zoned lots of between 1 and 12 hectares, with the majority of adjacent RU2 land being between 10 and 20 hectares.</p> <p>The justification behind their submission being that the draft LHS states that the planning capacity of the existing R5 zoned land provides for 1027 dwellings (481 in the upper clarence), and “...<i>Current housing supply in these areas reflects a combination of the location, applicable minimum lot size, and environmental constraints are summarised in Table 10. These areas are unsewered.</i>”</p> <p>The submission states that the majority of existing R5 land that is suitable for development has already been developed and that the majority of remaining undeveloped R5 land is constrained, and of that land much is unlikely to be physically or economically viable for development, being the difference between planning capacity and market capacity.</p>	
2	support	<p><b>Request for addition to Planning Interventions - River Road, Palmers Island</b></p> <p>One submission was received on behalf of the owner of land at 4 River Road Palmers Island (3.185ha) to rezone land from RU2 Rural Landscape to R5 Large Lot Residential to allow the subdivision of six (6) lots with a minimum</p>	<p>The draft LHS identifies that there is sufficient zoned land in the LGA within the existing URAs, undeveloped R5 land and the planning intervention areas to meet the housing needs of the projected population growth.</p> <p>The subject land is highly constrained as being mapped flood prone and riverbank erosion hazard area. Heritage item I337 Palmers Island Village is also</p>

		<p>4000 square meter lot size. This land is highly constrained being flood prone and mapped riverbank erosion area. The site has previously been rezoning from RU1 Primary Production to RU2 Rural Landscape to allow for development for the purpose of 'caravan park'.</p> <p>A development application was approved for Stage 1 (58 sites) of a 109 site caravan park on 18 August 2017, with approval for the balance (51 sites) approved on 26 February 2019. This consent has been commenced with valid consent for 109 sites, which would be surrendered if rezoning was approved.</p>	<p>located on the site which is significant <i>"Its demise tells much about the nature of the lower Clarence and problems associated with flood and riverbank erosion"</i></p> <p>The site is inconsistent with NCRP 2041 in that <i>"New rural release areas must promote sustainable land use outcomes and are to be located outside the more environmentally sensitive and constrained coastal strip."</i></p> <p>The site is also Inconsistent with draft LHS Action 4.3 <i>Protect life and property by limited rezoning applications for residential/rural residential development in areas affected by environmental hazards such as flooding, bushfire or coastal erosion/inundation.</i></p> <p>Consequently, it is recommended that this site not be identified for future R5 Large Lot Residential in the amended draft LHS.</p>
3	support	<p><b>Campbell Construction Co</b></p> <ol style="list-style-type: none"> <li>1. Supports Intervention 14 (pp157-158) to rezone land from RU2 Rural Landscape to R5 Large Lot Residential on part Lot 361 DP 751388, Boundary Road Gulmarrad.</li> <li>2. The land presents only a minor and contiguous variation to the settlement pattern established from the Part S precinct plan controls of the <i>Clarence Valley Residential Zones Development Control Plan 2011</i>.</li> <li>3. This land is highly disturbed from logging and quarrying activities; is located adjacent to existing R5 Large Lot residential development; is located above the flood planning level, delivery of infrastructure is physically and economically feasible at no cost to State and local government;</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. No change required.</li> <li>2. Noted. Planning Intervention 14 Boundary Road, Gulmarrad has been updated to include key issues, NCRP 2041 justification, and investigation requirements to provide clarity on requirements to progress a LEP amendment to rezone the land.</li> <li>3. Noted. <i>Refer point 2 above.</i></li> </ol>

4	support	<p><b>Request for addition to Planning Interventions – West of Hyde Street South Grafton (Rev. Joseph Holloway)</b></p> <ol style="list-style-type: none"> <li>1. Suggests potential opportunity to rezone land east of St Joeseph’s Primary School at Hyde St South Grafton (south and north of the school) for residential housing.</li> <li>2. This land is currently located within the buffer area of the meatworks which is currently closed.</li> <li>3. This land is located close to two primary schools.</li> <li>4. The land is generally above flood risk and free from environmental hazards.</li> <li>5. Potential for delivery of affordable housing or seniors housing freeing up existing housing in the area for families.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. The draft LHS identifies that there is sufficient zoned land in the LGA within the existing URAs, undeveloped R5 land and the planning intervention areas to meet the housing needs of the projected population growth. The need for further residential zoned land in this locality will be reviewed as part of the five yearly review of the LHS.</li> <li>2. If the area was considered for future residential development consultation will be required with the owners of the meatworks site to determine future use of the area considering buffers.</li> <li>3. Noted.</li> <li>4. Noted. The area however is known to have a resident koala population. Substantial ecological and environmental assessments will be required to determine suitability of this land for residential purposes.</li> <li>5. Noted. Consultation will be undertaken with the owners of the land should the land be further considered appropriate for residential purposes</li> </ol>
5	Oppose	<p><b>Residents of the Iluka Community Group</b></p> <ol style="list-style-type: none"> <li>1. The majority of objections and comments have been discussed in the <i>‘Iluka Themed Objections in Table 4’</i></li> <li>2. Proposes consultation between CVC and the community to better reflect the communities housing needs and aspirations while safeguarding the towns unique character, environment and heritage.</li> </ol>	<ol style="list-style-type: none"> <li>1. Refer table 4.</li> <li>2. A Meeting was held between Council planning staff and representatives of the Residents of Iluka Community Group on Monday 8 April to discuss their concerns regarding the Iluka R3 extension intervention in finer detail and to discuss potential alternatives to the proposal.  <b>Recommended change: the proposed height of building increase from 9m to 12m has been removed from the planning intervention for Iluka.</b>  <b>Recommended change: inclusion of trigger points that require “substantial development of existing zoned land (existing R3 Medium Density Residential land in Iluka);” and “Development of a desired character</b> </li> </ol>

		<p>3. Lack of clarity regarding primary goal of the Strategy, which was assumed to be delivery of affordable housing in the intervention area of Iluka.</p> <p>4. Woombah has room for expansion and subdivision of larger blocks to meet the projected needs.</p> <p>5. Community living opportunities, consider examples where other communities have created medium density housing where occupants share infrastructure.</p> <p>6. Reduce red and green tape, not stamp duty for first home buyers and affordable housing opportunities.</p>	<p><b>statement to provide greater clarity on appropriate locations within the intervention area” prior to implementing proposed interventions.</b></p> <p>Further community consultation will be undertaken as part of the development of local character statements. Planning proposals to amended the LEP will also be placed on public exhibition to allow the community to provide further feedback on the proposed rezoning.</p> <p>3. Draft Strategy has been refined to clarify that the main intent of the Strategy is not solely focused on delivery of affordable housing. The evidence identifies the need for more diverse housing, including smaller homes., with less bedrooms close to services, employment and education facilities. The current R2 Low Density Residential prohibits multi dwellings, and residential flat buildings which generally provides a greater diversity of sizes and number of bedrooms per development.</p> <p>4. Noted. Woombah is currently not sewerred, with housing required to have on-site sewerage management which prevents more dense development due to area requirements for effluent disposal. In addition, this area is highly bushfire prone which further restricts development density and requires appropriate asset protection zones to be established to reduce risk to residents.</p> <p>5. Current caravan parks, MHE’s and other strata type developments offer this type of community shared spaces and infrastructure arrangements. Council’s residential zones currently permit dual occupancies and secondary dwellings in compliance with relevant planning controls. Council encourages these diverse housing types where appropriate. The DCP controls will be reviewed considering the actions from the Final LHS and local character statements.</p> <p>6. Legislation generally sets the required taxes and stamp duty charges for certain development. Council’s Contributions Plan details the require developer contributions related to certain development. Council’s annual fees and charges details the fees required for the associated administration for development applications. The draft LHS also includes Action 3.5 <i>Review existing Council fees, charges and local developer contributions and consider the merit of waiving certain fees and charges for certain applications or</i></p>
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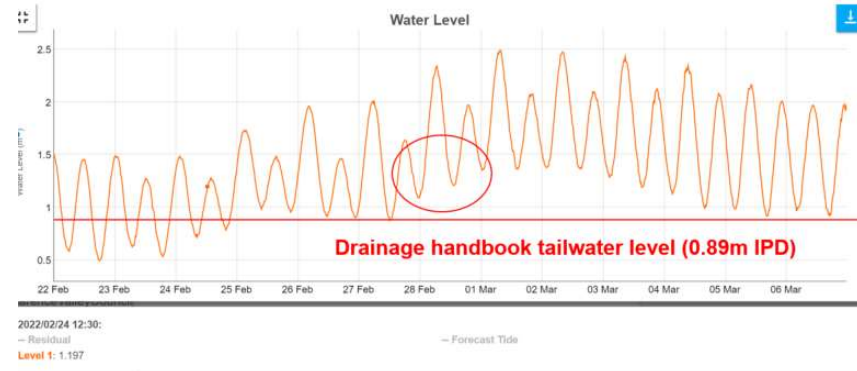
		<p>7. Make it easier for caravan parks to develop affordable housing, change current semi permanent / permanent ratios currently enforced to allow greater number of permanent residents.</p> <p>8. Granny flats offer affordable housing solutions for young couples, single persons, persons in housing stress, the elderly, and can assist with aging in place. They can also supplement the income of low income earners. Recommends relaxing of controls and regulatory requirements and fees to incentivise this type of development.</p> <p>9. Recommends further restrictions need to be placed on STRA to increase longer term rental availability, such as 90 day yearly limit; a ceiling be placed on AirBNB so people can rent long term at a reasonable rate; and cheaper rates for landlords willing to permanently rent and/ or provide affordable housing</p>	<p><i>applicants</i>. For example, DAs lodged by CHPs and others to directly deliver social/affordable housing within the LGA.</p> <p>7. It is noted that MHE and caravan parks are not approved under the normal development assessment process. They require consent under the State Environmental Planning Policy (Housing) 2021; the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 and approval to operate under the Local Government Act 1999. It should be noted that this planning framework is being reviewed by the NSW Government to ensure that caravan parks are consider appropriate standard for flooding and fire safety.</p> <p>8. There is currently no minimum site area requirement for secondary dwellings in the residential zones. BASIX requirements are in place to meet Australian building standards and to ensure the safety of occupants of the dwelling. There are also no developer contribution fees payable for secondary dwelling under 60m<sup>2</sup>, which provides an affordable option for development of a second dwelling in association with an existing primary dwelling on one housing lot.</p> <p>9. Council is limited in their ability to control STRA under the existing planning framework. Council currently restricts non-hosted STRA in Yamba and Iluka (and other coastal villages) to a 180-day limit per year. The NSW Government are currently reviewing the adequacy of the STRA planning and regulatory framework to determine improvements and appropriate ways to return STRA housing back to the rental market. Council will respond appropriately to any reforms related to STRA to assist delivery of rental availability and affordability.</p>
6	oppose	<p><b>YambaCAN</b></p> <p>1. The majority of objections and comments have been discussed in the ‘Yamba Themed Objections in Table 3’</p> <p>2. One of the main concerns and objections raise by YambaCAN was regarding the filling of the floodplain and West Yamba</p>	<p>1. <i>Refer table 3.</i></p> <p>2. First, YambaCAN’s assertion that there was “274mm in 24 hours “ relates to the daily rainfall to 09:00 (i.e. the previous 24 hours) and not the maximum rainfall received at Yamba in a 24 hour period. The BoM Automatic Rainfall</p>



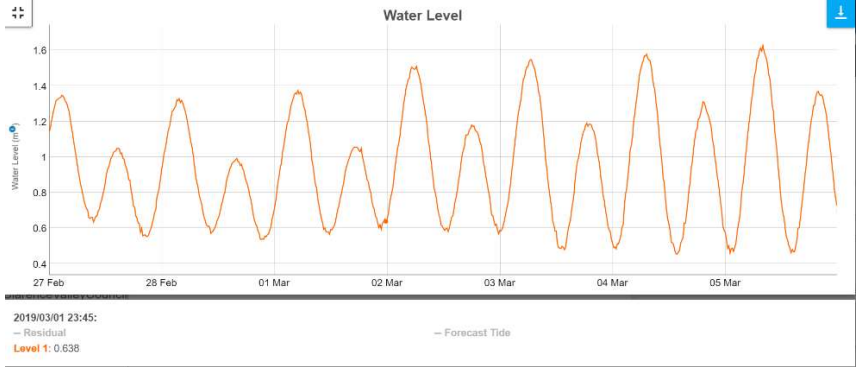
		<p>suggesting that this fill was responsible for the stormwater and flooding impacts in Yamba in February / March 2022.</p> <p>YambaCAN states that the extreme weather event experienced in Yamba on 28 February 2022 which delivered 274mm of heavy rain in 24 hours was not unprecedented. They compare this event with the extreme weather event of 2 March 1999 where 300mm of rain was experienced in a 24-hour period. They state that the 1999 event had no stormwater or flooding impacts on homes or road infrastructure. Whereas the 2022 event inundated homes and closed many access roads throughout Yamba impeding access to SES evacuation center. This occurring two days prior to the Clarence River flood peak in Yamba.</p>	<p>Station 58012 recorded 434.4mm in the 24 hour period to 19:30 on 28/02. While only daily rainfall data is available for the March 1999 event, in the 24 hours to 09:00 01/03/99 there was 79.6mm recorded, in the 24 hours to 09:00 on 02/03/99 there was 300mm recorded and in the 24 hours to 09:00 on 03/02/99 there was 25.4mm recorded. Therefore in March 1999 there was only 405mm recorded over the 72 hour period compared with 434.4mm in a 24 hour period in March 2022, so the March 2022 rainfall volume was much higher. While YambaCAN may not consider 434.4mm in a 24 hour period as “unprecedented” rainfall, from Australian Rainfall &amp; Runoff, 2019 (ARR), this rainfall event has an Average Exceedance Probability (AEP) of between 0.2% and 0.5% which, from Figure 1.2.1 in Book 1 of ARR, is classified as a “very rare” event - <a href="https://www.arr-software.org/pdfs/ARR_190514_Book1.pdf">https://www.arr-software.org/pdfs/ARR_190514_Book1.pdf</a>. The AEPs for the February/March 2022 event are shown in the intensity-frequency-duration curves in Figure 8.14 of the North Coast Flood Summary February/March 2022 (Report MHL2880, June 2022).</p> <p>YambaCAN’s comment linking peak flood level two days after the rainfall event to stormwater system performance demonstrates that the submission’s author does not understand drainage system hydraulic design, which relies on the minimum receiving water (or tailwater level) for the drainage system to function. Council’s current design standard for hydraulic design of drainage systems are outlined in Section 5.5 and Appendix D of the Northern Rivers Local Government Specification D10: Handbook of Stormwater Drainage Design - <a href="https://www.lismore.nsw.gov.au/files/assets/public/v/1/4.-building-amp-planning/2.-strategic-planning/documents/standard-drawings-and-design/d10-december-2019.pdf">https://www.lismore.nsw.gov.au/files/assets/public/v/1/4.-building-amp-planning/2.-strategic-planning/documents/standard-drawings-and-design/d10-december-2019.pdf</a>. Section 5.5. indicates that the tailwater level to be adopted is the river half tide level for receiving/tidal waters. Appendix D indicates that at Yamba the river half tide level to be adopted for design is 0.89m Iluka Port Datum (IPD). As a cursory look at the March 2022 flood record shows, throughout 28 February the minimum water level at Yamba was well above the design tailwater level. On the first low tide at 00:15 on 28/02, the minimum water level was 1.11m IPD and on the next low</p>
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tide at 13:30 the minimum water level was 1.21m. Therefore throughout the rainfall event on 28/02 the river level was a minimum of 0.22m above the design tailwater level (at 00:15), on the next low tide was 0.32m above the design tailwater level and continued to rise in subsequent days. In contrast, in the March 1999 event the minimum tide level throughout the low tide cycle on 2 March was 0.6m IPD, so the stormwater drainage system was 0.3m below the tailwater design level and therefore able to work as designed. An additional factor is that stormwater design assumes there is initial and continuing losses, with Appendix B of the handbook suggesting for pervious areas the initial loss is 1.5mm and the continuing loss is 2.5mm. Groundwater monitoring records indicate that the groundwater level was at the surface in February/March 2022, indicating there would have been no initial or continuing losses.

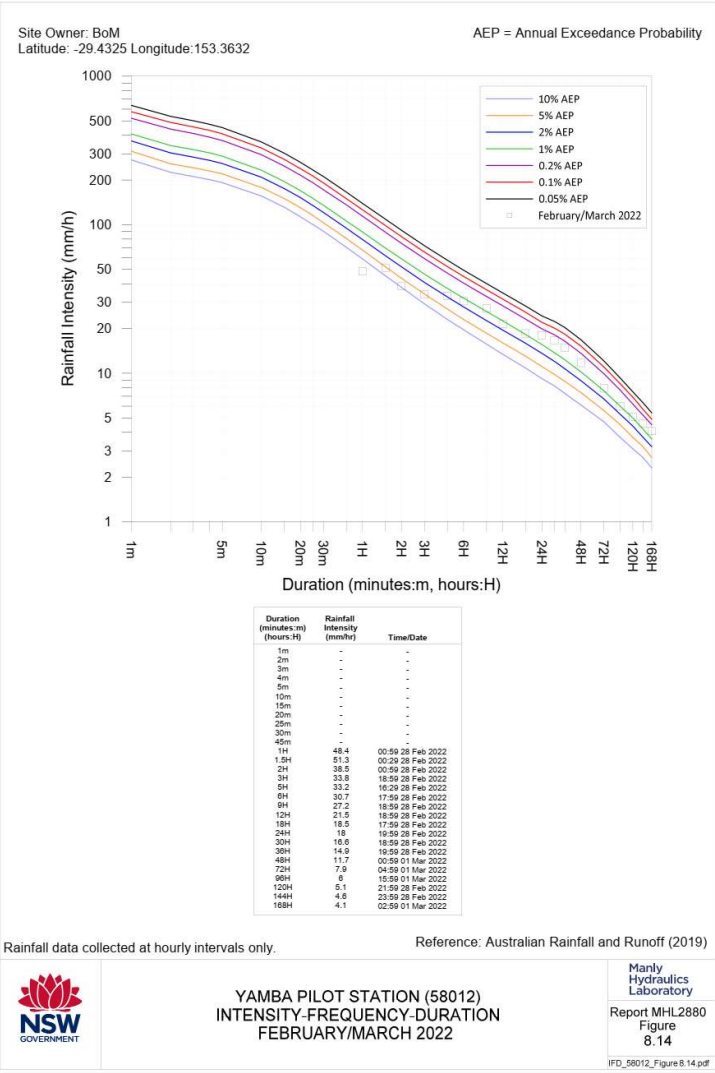
a) MHL Yamba Tide Gauge plot for February/March 2022



b) MHL Yamba Tide Gauge Plot for February/March 1999



c) Figure 8.14 from North Coast Flood Summary February/March 2022 (Report MHL2880, June 2022)



	<p>3. Suggests that the draft LHS has not included or listed all recent development approvals in Yamba on page 131-132 of the draft LHS.</p> <p>4. Raises speculation that an existing land parcel currently zoned SP3 Tourist, located opposite Yamba Quays that proposes development to provide a mix of opportunities including employment, business, medical, education, recreation and regeneration will require further filling of the floodplain.</p> <p>5. YambaCAN objects further to the inappropriate development and poor planning of West Yamba and subsequent filling of the floodplain with little regard for the negative impacts on existing properties and the environment. They state that the planning and development does not comply with relevant state, regional and local policy, particularly the 2009 Flood Risk Management Plan (FRMP) that recommends the development of a masterplan be prepared prior to development being approved, and that a stormwater study be</p>	<p>3. The dwelling supply pipeline have been calculated to determine supply of housing in the LGA in the short term, medium and long term which is based on the analysis and synthesis of the available dwelling approvals, completion trends and subdivision approvals in the Clarence Valley LGA over the last four years. All development approvals within this period have been included in these calculations, however, may not be specifically listed. During this period Yamba had 476 (30%) of all dwelling approvals in the LGA. It should be noted however, that it is likely further development applications have been approved between the time the data was provided to the consultants and the exhibition of the draft LHS. As new dwellings are approved, they will be included in the supply pipeline calculations that will be reviewed at the 5 year review if the LHS.</p> <p>4. Noted. This land parcel is currently zoned to provide development for permissible uses under the SP3 zone. Any development application submitted to Council will be required to follow the EP&amp;A Act assessment process, including Clause 5.21 and 5.22 of Council's LEP. Assessment will be required to consider flood behaviour, function and risk to existing and future developments and the environment; emergency evacuation; and resilient building design among other requirements. It may also require referral to other relevant Government agencies for comment.</p> <p>5. <i>Refer point 2 above.</i> It is noted however that due to the recent extreme weather event in Yamba in 2022 and the height of the fill in certain locations along Carrs Drive being 3m in height, that there would be perceived impacts from filling the floodplain and reduced stormwater and drainage capacity of the area. It is also noted that a Masterplan was recommended by the FRMP, however was not developed. The LEP requires that a DCP be prepared detailing specific controls for the URA, ensuring the land is appropriately serviced with public infrastructure and development occurs in a logical, cost-effective manner. Part X WYURA of Council's Residential zones DCP responds to the LEP and achieves the same purposes as a Masterplan. Part X includes specific controls for the development of West Yamba, inclusive of a Aboriginal cultural heritage; Staging and Servicing; Transport movement hierarchy and road network design (incorporating cycle and pedestrian network);</p>
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		<p>completed. They also provide planning history in support of their argument against the increase in density in Yamba and development of West Yamba.</p> <p>6. The Lower Clarence Flood Model Update 2022 does not address stormwater inundation and flooding in Yamba.</p> <p>7. Provides detail of recent development approvals in Yamba that are above the projection in the draft LHS, which YambaCAN submissions state are negatively impacting on the lifestyle and amenity of residents.</p>	<p>Landscaping strategy incorporating biodiversity and environmental conservation and management as well as visual amenity; Open space and recreation; Natural and environmental hazards - flood and fill management; Stormwater management and water quality; Hazard management – other natural and environmental hazards; Urban design; Neighbourhood commercial development; and Public Infrastructure and Services, in addition to other DCP controls. Development applications that propose filling of flood prone land also require technological studies to ensure that any filling will not increase flood risk on other land within the floodplain (Part D5 of the Residential DCP).</p> <p>6. Noted. While an important consideration, this is outside the scope of the draft LHS. The Lower Clarence Flood Model Update 2022 and the mid range climate change scenario of RCP4.5 (which considers coastal based impacts associated with climate change) was considered by Council (item 07.23.085 - “Clarence River Flood Study Review”) of the Ordinary Council meeting held on 23 May 2023, and subsequently adopted (item 06.23.009) at Ordinary Council meeting held on 27 June 2023.</p> <p>7. It is noted that there have been significant development approvals in Yamba over recent years of which has been part of the planning for housing Lower Clarence residents for many years. The Maclean Shire Council drafted their Strategic Land Use Plan in 1995. This was followed by Local Environmental Studies for West Yamba, and “Yamba in the future” survey and consultation that informed the LES review to determine an agreed population density for Yamba. The population scenarios included (1 – ultimate population of 8,000); 2 - half of the land suitable for urban development at WY = ultimate population of 10,000; 3 – all the land suitable for urban development at WY = ultimate population of 12,400; 4 - all the land suitable for urban development at WY and increased densities in existing areas = ultimate population of 17,100). Council resolved 12 December 2001 to endorse scenario 2 to provide a population of between 2,000 – 2,500 in West Yamba in response to the community. It should also be noted, that a number of the development approvals listed in YambaCAN’s submission are located on land that was already zoned for residential purposes prior to these studies, and therefore</p>
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		<p>8. Provides evidence of bushfire that threatened areas south of Yamba, at Angourie and Wooleweyah in September 2019, cutting the access putting 300 homes and residents at risk. Emergency services urging residents to seek shelter while back burning operations occurred. Recommend that MHE and subdivisions near fire prone areas be conditioned to have dwelling that comply bush fire requirements.</p> <p>9. Suggests that Council has contravened clause 5.21 of the LEP regarding flood provisions for development approvals in West Yamba and recommends that legislation needs to be introduced to ensure Council's comply with their LEPs and certain measures put in place if compliance is not undertaken.</p> <p>10. Recommends that a comprehensive stormwater study and data collection survey on the Yamba floodplain needs to be undertaken in relation to the 2022 stormwater and riverine flooding events.</p>	<p>considered under the existing theoretical capacity for Yamba (not the additional capacity of 2,000 – 2,500 as identified via “Yamba in the future” consultation). While Council must consider the interests and aspirations of the community, planning for the future housing needs is also required. The evidence detailed in the draft LHS states that there is a need for more diverse, smaller and more affordable housing types to meet these changing needs, which are not generally representative in housing being delivered, which shows strong development of large 3-4 bedroom homes, MHE and over 55 living.</p> <p>8. It is noted that MHE and caravan parks are not approved under the normal development assessment process. They require consent under the <i>State Environmental Planning Policy (Housing) 2021; the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021</i> and approval to operate under the <i>Local Government Act 1999</i>. It should be noted that this planning framework is being reviewed by the NSW Government to ensure that caravan parks are consider appropriate standard for flooding and fire safety.</p> <p>9. This is outside the scope of the draft LHS. Council assesses development application in compliance with Part 4 Development assessment and consent considering all other legislative requirements including flood risk and evacuation.</p> <p>10. Noted. However, this is outside the scope of the draft LHS. All new development on the floodplain will need to provide a stormwater study to ensure no stormwater flooding impacts to development and the environment. In addition, the stormwater design will need to comply with the standards outlined in the Northern Rivers Design and Construction Manual and Council DCP's.</p>
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		<p>11. Yamba CAN recommends that an evacuation modeling study be undertaken of the Yamba area.</p>	<p>11. While an important consideration this is outside the scope of the draft LHS. The NSW SES have prepared the Clarence valley Flood Emergency Sub Plan (EMPLAN) which was endorsed by the Emergency Management Committee on 17<sup>th</sup> July 2023 which include response arrangement for flood prone areas including Yamba. Council is currently preparing a new Flood Risk Management Plan in compliance with the DPHI (previously DPE) Flood Risk Management Manual, considering the Lower Clarence Flood Model Update 2022. This detail will then be used by the NSW SES to update the EMPLAN as required.</p>
7	Support intent / oppose intervention for Yamba	<p><b>Clarence Valley Conservation Coalition (CVCC)</b></p> <ol style="list-style-type: none"> <li>1. There should be no further expansion of residential building on the floodplain and in other areas where there are strong risks of hazards such as landslips. The lessons of the last few years should have been learnt by ALL levels of government including Clarence Valley Council. On this matter Council should be lobbying the State\ Government to ban residential building on floodplains as a necessary change in the interests of public safety and economic common sense.</li> <li>2. While there is a growing need for affordable housing in our LGA, the CVCC believes that any plan to provide such housing in major coastal areas such as Yamba will fail. Locations for such housing need to be based on the availability of suitably priced land as well as the level of ongoing costs such as rates.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. The majority of the planning interventions identify locations outside areas susceptible to natural hazards including flooding, with the exception of Grafton and South Grafton. No new urban land release areas are located within the 1%AEP floodplain.</li> <li>2. The intervention areas in Yamba are not identified affordable housing locations. The purpose of the intervention is to enable a greater housing diversity. The current R2 Low Density Residential zone in Yamba only permits single detached dwellings, dual occupancies and secondary dwelling. The R3 Medium Density Residential zone enables a greater diversity including multi dwelling housing and apartments.</li> </ol>
8	Oppose / clarify	<p><b>Helen Tyas Tunggal</b></p> <ol style="list-style-type: none"> <li>1. Inaccuracy between statement i.e Ngaru Village accommodated one of the largest indigenous communities in the Clarence</li> </ol>	<ol style="list-style-type: none"> <li>1. Ngaru village represents the size of the indigenous 'community' within the village, where the other comments regarding the First Nations populations</li> </ol>



		<p>Valley; and Grafton and Maclean have the highest proportion of First Nations residents by a significant margin, whereas Yamba, Gulmarrad, and Iluka have proportionally very small First Nations populations.</p> <p>2. What exactly are these opportunities to amend planning controls to create capacity?</p> <p>3. How is the figure “<i>capacity for 705 additional dwellings in the Lower Clarence area</i>” calculated?</p> <p>4. What exactly is the latest information on population growth that is informing the draft Strategy?</p> <p>5. The draft Strategy documents that Yamba development is the most prolific in the LGA, so why is it planned to increase development when there are already unresolved problems with overcrowding and access, especially in the light of increasing natural disasters on the coast?</p>	<p>relate to the First Nations residents that are dispersed throughout those identified ‘localities’.</p> <p>2. These are explained for each Planning intervention in Annexure 4, which have also been amended to provide greater clarity on timing, staging, trigger points and further investigation requirements.</p> <p>3. This is the theoretical capacity of dwellings that could be developed in the event that all of the planning interventions in Annexure 4 are implemented and developed. The draft LHS has been amended to include “Planning capacity modelling methodology” on age 150 which explains the modelling method used to determine the theoretical dwelling capacity under existing planning controls and the additional dwelling capacity in the event that all interventions are implemented and developed to capacity.</p> <p>4. The demographic evidence to support the draft LHS was developed using a combination of the latest ABS data, NSW DPE and .idcommunity to determine population projections for the LGA. The Strategy doesn’t however provide fine grained locality-based population projections, which will be considered when implementing the actions of the LHS. The dwelling demand projections do however provide detail of the implied demand by location (Table 13). The .idcommunity - Clarence Valley Council Community Profile can be accessed on Council’s website <a href="https://profile.id.com.au/clarence-valley/home">https://profile.id.com.au/clarence-valley/home</a></p> <p>5. The NCRP 2041 requires that Council’s local housing strategies are to have a clear road maps outlining and demonstrating how to deliver 40% of new dwellings by 2036 in the form of multi dwelling / small lot (less than 400m<sup>2</sup> housing). In addition the evidence from the draft LHS identifies a need for greater housing diversity including smaller housing types offering a range in bedroom numbers close to services and jobs. Consequently, the draft Housing Strategy Annexure 4 - Planning Interventions have identified areas</p>
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		<p>6. The <i>Future of Yamba</i> Survey completed in 2001.... Clearly showed that the Community did not want substantial population growth for Yamba.</p> <p>7. In 2005 the newly amalgamated Council increase the population target for Yamba from 11, 000 (as set in 2001) to 13,000, which was referred to the NSW Planning Minister. Council progressed the rezoning of West Yamba for Urban Development prior to completion of the Floodplain Risk Management Plan in 2009, which has been ignored with obvious mainly preventable problems compounding and now the only explanation is that a new FRMP is being developed.</p> <p>8. More fill will increase flooding of existing properties; incomplete drainage studies and plans, no detailed masterplan for development, limited access in emergencies; limited infrastructure and services for current existing residents</p> <p>9. <i>Priority 4: Deliver resilient liveable and sustainable communities' and Actions 4.1, 4.2, 4.3, 4.4, 4.5</i> – The community has seen these statements in previous CVC documents, DCPs, LEPs and Policies but have not been carried through in reality with the resulting poor planning,</p>	<p>within existing centers that are relatively unconstrained from hazards that may assist delivery of infill diverse housing types close to existing services.</p> <p>6. As discussed above the draft Strategy Planning Intervention for Yamba is to assist with the delivery of the NCRP 2041 infill /small lot housing targets for diverse housing. There is no requirement for land holders to further develop land located within the intervention areas, the proposed rezoning to R3 only allows for a greater range of housing types to be developed on the land i.e. multi-dwelling housing, which is not currently permitted in the R2 zone.</p> <p>7. Noted. The West Yamba Urban Release Area was progressed and decided under previous superseded planning frameworks. Planning proposals to rezone land within the intervention areas will need to be considered under and be consistent with the current planning framework.</p> <p>8. The Annexure Planning Intervention areas in Yamba were identified in part due to being unconstrained by hazards and would not require filling should the land be developed for permissible land uses under the R3 zone.</p> <p>9. Noted. The draft Strategy and future planning proposals are developed under the current NSW and Regional Planning Framework. considering information from the most recent studies including the CMP coastal hazard mapping and the FRMP which is currently being developed based on the Lower Clarence Flood Model Update 2022 to ensure future development considers potential risk, mitigation, evacuation planning and resilient building design.</p>
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		inappropriate buildings, insufficient access etc.	
9	Oppose intervention for Yamba	<p><b>Leigh Chiplin – Yamba</b></p> <ol style="list-style-type: none"> <li>1. Comments raised in 1 - 8 are representative of concerns raised in numerous submissions received from Yamba residents and have been included within the “Yamba themed objections” in Table 3.</li> <li>2. Affordable housing is primarily a State Government responsibility, not CVC to drive. State government needs to consider other areas for priority development and infrastructure upgrades to facilitate future growth, which is the case in other areas of NSW, particularly close to existing infrastructure and service, employment opportunities and transport (i.e. train lines).</li> <li>3. There are more appropriate areas in our LGA to serve the purpose of this Strategy for responsible and sustainable future housing growth and affordability, such as areas need to be closer to Grafton or Glenreagh which is close to Coffs Harbour, where there is better access to infrastructure, services, transport, medical, retail and employment and education opportunities.</li> <li>4. Yamba has provided new housing for the Clarence Valley for many years. With the enormous number of developments recently approved and currently being</li> </ol>	<ol style="list-style-type: none"> <li>1. <i>Refer table 3.</i></li> <li>2. Noted. The NSW Government is currently progressing numerous planning reforms related to Housing. The evidence within the draft Strategy identifies the need to provide diverse, adaptable and affordable housing for a range of demographics within our LGA. While Council has no control in regard to housing supply, there are opportunities to facilitate delivery of difference housing type through planning controls, such as the proposed Annexure 4 planning interventions.</li> <li>3. Noted. The draft LHS identifies a number of planned urban release areas, including West Yamba, Gulmarrad, James Creek Junction Hill, Clarenza that provide a ‘theoretical capacity of 3,185 dwellings. However market factors, and other constraints can still limit delivery and supply of affordable and diverse housing. There is an identified need for diverse housing types, sizes and a range in number of bedrooms in existing centres, such as Yamba to provide for key workers, and a range of population demographics.</li> <li>4. Noted. These developments are delivering on the planned growth for the Lower Clarence as detailed in Council’s current land use planning strategies, including The Clarence valley Settlement Strategy 1999 and the Maclean Urban Catchment Local Growth Management Strategy.</li> </ol>

		<p>determined, and an expected continuation of that trend, no further “forced” development is required for Yamba. The average figures quoted in the Strategy report for housing in Yamba clearly show “requirements” are not only being met but significantly exceeded in actual numbers. [Refer Annexure 1]</p> <p>5. This urgent need for “affordable housing” on Yamba Hill and in Yamba’s CBD is merely an opportunistic attempt to allow CVC to rush through radical new rezoning and planning rules. There is no proof that such a rezoning would result in achieving more “affordable” housing targets. There are no guarantees that any such developments in this location would meet the Strategy objectives. It is more likely that market forces would prevail, with developers selling to the highest bidder - an investor or cashed-up retiree.</p>	<p>5. Noted. There is wide misconception in the Yamba and Iluka communities that the purpose of the draft LHS is to deliver affordable housing (or luxury apartments) in the planning intervention locations. The planning interventions area in Yamba were identified to enable a greater diversity of housing product and sizes, such as multi-dwelling houses, apartments than is permitted in the R2 zone; minimal impacts from natural hazards; and to deliver the NCRP 2041 a 40% infill / small lot housing target.</p>
10	Oppose intervention for Yamba	<p><b>Joe Dimauro – Yamba intervention objection</b></p> <p>1. The majority of objections and comments have been discussed in the ‘Yamba Themed Objections in Table 3’</p> <p>2. CVC needs to concentrate on flood-free land close to Grafton, and near Coffs Harbour, like Glenreagh, where they can utilise their services. Grafton is a town that needs a boost.</p>	<p>1. Refer Table 3</p> <p>2. Noted. The draft Strategy has an LGA wide focus with all urban release areas being located to minimize risk to natural hazards including flood. The intervention areas include Grafton and South Grafton, as well as Yamba and Maclean which already have existing infrastructure and services to meet projected demands. Glenreagh does not have sewer connected, consequently any future planning for increased density in this locality would need to consider appropriate servicing. The draft LHS identifies that there is</p>

		<p>3. Grafton used to be a city, now sadly downgraded and in dire need of revival. If this obsession with Yamba continues, Yamba will become a city and the main centre for the Clarence Valley, and Grafton will just deteriorate further into a backwater. Make Grafton a place where people would like to live. It has all of the services, like a railway, soon to be redeveloped hospital, soon to be mega swimming pool, art gallery etc.</p> <p>4. How about a satellite town/suburb out at the (no longer operating, even though CVC keeps pretending it does) airport. Who knows, if you get enough people living out there, and you will if it's affordable, you might get some interest from a commercial carrier. Make it part of the Greater Grafton area and Grafton may become a city once more.</p>	<p>currently sufficient residential zoned land within the identified urban release areas to meet housing demand in the upper Clarence.</p> <p>3. The Annexure 4 planning Interventions include two site for proposed LEP amendments to increase density within Grafton City while also considering flood risk. Clarenza and Junction Hill are identified urban release areas currently zoned R1 General Residential with a total theoretical capacity of 1,701 dwellings within 10 minutes of Grafton CBD. The intent of the proposed Planning Interventions 6 &amp; 7 in Yamba are to enable a greater diversity of dwellings to be developed providing more housing choice in the Lower Clarence and to deliver priorities of the NCRP 2041 a 40% infill / small lot housing target.</p> <p>4. Noted. The land around the airport has been identified in the Employment Lands Strategy as an opportunity for future industrial land. There is currently enough theoretical capacity (residential zoned land) within the Clarenza and Junction Hill URAs to meet projected demand for the Upper Clarence to 2041.</p>
11	Oppose intervention for Yamba	<p><b>Deirdre Lawrie</b></p> <p>1. The majority of objections and comments have been discussed in the 'Yamba Themed Objections in Table 3'</p> <p>2. Yamba Hill is an unstable combined nature and man-made sand hill which has suffered several landslips over the years and was originally stabilized for only lighter single-storey development. In recent years extensive stabilization works has been undertaken at Main Beach.</p>	<p>1. <i>Refer table 3.</i></p> <p>2. The Yamba Planning Intervention area while called Yamba Hill, is located over 100m outside the identified Yamba Hill Landslide Risk Zone.</p>

	<p>3. Yamba has been identified as the fifth worst NSW suburb affected by coastal erosion both now and in the next 30 years in a GroundsureClimateIndex™ report available through InfoTrack.</p> <p>4. Concerns that results of a Council survey that was held in 2002 regarding desired population growth of Yamba was flawed and should be deemed invalid. The residents voted for population to be capped at 8,000 people, however Council instead set a target population of 17,000. Requests that this survey be made publicly available including, the questions, how the survey was delivered, whether it was anonymous, whether it was possible to obtain and submit multiple copies, how many people voted for each category, what Council's decision was and its reasoning for arriving at that decision.</p> <p>5. The Lower Clarence Flood Model Update 2022 – Craigh McNeil in an article in the Independent outlined several problems with the Flood Model Update – Lake Wooloweyah has not been properly modelled, absence of post-flood data collection, none of the model's elevation levels have been verified against any residential infrastructure.</p>	<p>3. Council is currently undertaking the Coastal Management Program which has mapped areas of the LGA coastline potentially impacted by coastal erosions and Coastal Inundation. The identified planning interventions for Yamba were identified due to their minimal potential for coastal hazards. Any future planning proposal that proposes to amend the LEP will need to appropriately consider the CMP and other relevant state regional and local planning policies. All planning proposals will also be referred to relevant state agencies and authorities for comment.</p> <p>4. The Yamba in the Future' survey was undertaken in 2001 (over 20 years ago) as part of planning and support for the West Yamba Local Environmental Study Review. The survey provided a number of population scenarios – scenario 1 no expansion, scenario 2 = 10,000, scenario 3 = 12,400 and scenario 4 = 17,100. A total of 1098 survey responses were received (scenario 1 – 38%, scenario 2 – 27%, scenario 3 – 21%, scenario 4 – 12%) (38% favoured a no growth scenario, while 62% favoured future growth at varying degrees). Council at their meeting held 12 December 2001 endorsed scenario 2 Development within existing town area and half of the land suitable for urban development at West Yamba, with ultimate population of 10,000 (population growth of 2,000 – 2,500). The draft LHS was developed considering the most up to date demographic data. The population estimate for Yamba as of 30 June 2023 is 6,467 (.idcommunity).</p> <p>5. The Lower Clarence Flood Study 2022 was prepared by BMT, with a high level review and validation undertaken Consultants Jeremy Benn Pacific (JBP). This study and review also received concurrence from the Department of Planning &amp; Environment (DPE).</p>
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		<p>6. Yamba is close to Yuraygir National Park with a concomitant bush fire risk which poses a risk to residents what may otherwise think that they are safe.</p> <p>7. The evacuation centres being the Yamba Bowling Club and the Treelands Drive Community Precinct (when completed) will not be big enough to accommodate and feed 8,000 people, and in the event that roads within Yamba are cut by storm or floodwater, people will not be able to get to the evacuation centres. Other developments such as Parkside (136 dwelling) MHE proposes a 500 square meters community building as part of the proposal, which only provides only 3.67 square meters per household.</p>	<p>6. Council have updated their bush fire prone land map to provide greater certainty of bushfire risk in the LGA which will need to be considered for all future development proposals. RFS and emergency services provide warnings, emergency response and evacuation notices in the event of risk from bush fire. The NSW National Parks Services however are responsible for the management of their land and maintenance of appropriate asset protection zones.</p> <p>7. Noted. These evacuation centers are determined and managed by the NSW SES and are detailed in the Flood Risk Management Evacuation Sub Plan (which will be updated as part of Councils Flood Risk Management Plan process considering the Lower Clarence Flood Model Update 2022). Flooding, and emergency and evacuation assessments, including evacuation centre requirements, will be required to inform and support planning proposal that propose to amend the LEP.</p>
15	Support	<p><b>Dr Hazel Blunden – Affordable Housing recommendations</b></p> <p>1. The Strategy has well established the need for affordable housing in CVC and should prioritise implementation to address the issue rather than resourcing further data analysis.</p> <p>2. Suggest the development of the affordable housing contributions scheme mentioned in the draft LHS and provides recommendations for location, type of</p>	<p>1. Noted. The LHS includes numerous actions under Priority 3 to assist and encourage delivery of affordable housing in the LGA. However, without a feasibility analysis specific to the Clarence Valley (rather than implementing schemes that work in urban settings) to support the proposed actions, we risk not achieving the provision of affordable housing due to undeliverable requirements.</p> <p>2. An Affordable Housing Contributions Scheme will be further investigation for feasibility and applicability within the Clarence Valley. The submission outlines some important factors that will be carefully considered.</p>

		<p>development, ownership and management structures and rates to be levied.</p> <ol style="list-style-type: none"> <li>3. Short term rental accommodation is not the issue, rather the lack of affordable housing with secure tenancy is.</li> <li>4. Council should facilitate diverse housing with LandCom</li> <li>5. Council and government owned land should be used for housing delivery of the type of housing people need.</li> <li>6. Voluntary Planning Agreements and Build to Rent cannot be relied upon solely to supply affordable housing.</li> <li>7. Medium density should be developed close to main streets and services for older people and younger workers. Allow 2 storey developments. Heritage controls can limit development.</li> <li>8. Amend Residential Tenancies Act</li> <li>9. Use vacant residential premises left empty by domestic and foreign investors for social and affordable housing</li> </ol>	<ol style="list-style-type: none"> <li>3. This opinion is acknowledged.</li> <li>4. This option is currently being investigated.</li> <li>5. The amended draft LHS has named four locations of Council owned land to investigate the potential to partner with CHPs for the provision of affordable housing.</li> <li>6. This is acknowledged by the AHP as it outlines a number of options for the provision of affordable housing.</li> <li>7. This is supported by the LHS. Nowhere within the Clarence Valley is development restricted to single storey. The lowest height limit is 9 metres. Appropriate development within Heritage Conservation Areas will be considered in detail at the Character Statement stage nominated in the LHS.</li> <li>8. This is outside of Council's scope.</li> <li>9. While vacancy rates in Grafton and surrounds is extremely low, it is higher in the lower Clarence area. However, introducing levies for vacant housing is outside Council's jurisdiction and would need to be done on the state or federal level of government.</li> </ol>
16	Oppose intervention for Yamba	<p><b>Ivan Holland – on behalf of Micheal Buxton, Harwood St Yamba</b></p> <ol style="list-style-type: none"> <li>1. The majority of objections and comments have been discussed in the 'Yamba Themed Objections in Table 3'</li> <li>2. The draft Strategy states that despite the need for diverse housing including smaller dwellings...large single dwellings continue to be developed, indicating that rezoning to</li> </ol>	<ol style="list-style-type: none"> <li>1. Refer Table 3.</li> <li>2. Council is limited in its ability to control the housing market and can not force a land holder to deliver a specific housing product. Planning controls are one way that may encourage housing diversity, through upzoning to R3 to permit a greater variety of dwelling types, which are prohibited in the R2 zone.</li> </ol>



		<p>allow for increased density may not achieve smaller dwellings at higher densities.</p> <p>3. The strategy states that there is high and continue demand for detached dwellings in the LGA both for rent and purchase, indicating value in retaining pockets of low density R2 in Yamba Hill area.</p> <p>4. Community feedback in the draft LHS indicated a positive response to granny flats and detached houses which are permitted in the R2 zone, and a somewhat negative response to medium rise apartments, which are permitted with consent in the R3 zone but prohibited in the R2 zone.</p> <p>5. The housing supply does not appear to have investigated the potential housing yield from infill development in our existing centers. Section 2.4 provides theoretical capacity of urban release areas and R5 large lot residential areas. Aerial photo review of existing R3 land in Yamba indicates significant potential for infill/ medium density development.</p> <p>6. The proposed rezoning to R3 in Yamba Hill will likely reduce housing diversity in the East Yamba area and degrade character and amenity with increased density, which will also result in solar access, privacy and view sharing issues and conflict between new medium density and existing low-density</p>	<p>3. The proposed rezoning to R3 in the Yamba Hill area, should it be implemented is aimed at permitting a greater variety of housing options close to Yamba CBD. There is no requirement for landholders / existing homeowners to demolish their existing homes and redevelop to a higher density residential dwelling type.</p> <p>4. Noted. The Community survey attracted responses from just over 80 respondents representing less than 0015% of the LGA residents. Of these respondents more than half were over 55, with only 2 respondents under 24 years old. Consequently, the results of the survey while valuable are not representative of LGA demographic range or housing choice. The evidence shows that our LGA has an increasing need for more 1 and 2 bedroom homes close to jobs and services, which are not being delivered on R2 zoned land in our existing centres.</p> <p>5. Noted. The theoretical capacity calculations included a review of the existing centre. The amended draft LHS provides more information on the methodology used for these calculations for greater clarity and differentiation between the capacity calculations. While there maybe capacity in the existing R3 areas for infill development and / or redevelopment Council do not have control over the market and development industry to deliver diverse housing product. The "Housing Supply Section of the amended draft LHS has been updated to include greater detail on the methodology used for the planning capacity calculations, including an overview of Meccone's Geospatial Capacity and Opportunities Model.</p> <p>6. In the even that the proposed R3 zoning is implemented, character statements will be developed to ensure that any future development considers local character, amenity, view sharing. The R3 zone does not prohibit development of single detached housing, it does however permit a greater diversity of housing to be developed.</p>
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		<p>housing. R3 will be inconsistent with the current R2 zoned area that supports housing for young families with adequate area for children to play, swimming pools and/or granny flats for extended families.</p> <p>7. Recommends that actions to prioritise and support infill development in the existing R3 and E1 areas (Action 2.1 and 2.2) be investigated prior to implementing rezonings in Yamba Hill area.</p>	<p>7. Noted. Council will be developing an implementation plan that prioritises strategy actions, which will include the NCRP 2041 40% infill / small lot housing target for housing delivery in the region by 2036.</p>
17	support	<p><b>Anthony James</b></p> <p>1. Supports the key principles of the draft LHS, however does not support the proposal for the increase in height of Building (9m to 12m) over part of a block area in Yamba Hill.</p> <p>2. Recommends that the boundary for the proposed height of building increase be extended to include 10 Pacific Parade and adjoining properties (8 and 9) which are all currently zoned R3 to allow for a more orderly, consistent and equitable planning outcome, and to minimize impacts of redevelopment on existing properties.</p> <p>3. Providing consistent building height limits to allow 3 storey development across R3 zoned land will increase potential for lot consolidation and redevelopment by ensuring controls allow equitable development across multiple sites that facilitates better design outcomes across a larger site area enabling more efficient delivery of housing.</p>	<p>1. Noted.</p> <p>2. Noted. The proposed height of building increase from 9m to 12m within the Annexure 4 Planning Intervention for Yamba Hill has been removed from the amended draft LHS in response to the numerous objections received from the community. Should the height of building increase be reviewed in the future a more holistic approach will be considered cover other areas of the R3 zoned land.</p> <p>3. Noted. <i>Refer point 2 above.</i></p>

		<p>4. Increasing building height limits immediately to the north of the property, without commensurate increase in height limits of the property will create potential for additional overshadowing, amenity impacts and constrain development of properties to the north.</p>	<p>4. Noted. <i>Refer point 2 above.</i></p>
18	Support / Oppose floodplain developed	<p><b>Peter Maslen</b>  Recommends no further development of undeveloped floodplain. Future planning should consider Council’s Green Infrastructure Strategy and retaining native vegetation and appropriate/connecting corridors.  Provides comments on each intervention area (Note. Yamba and Iluka have not been included, as they have been addressed in the key theme section above):</p> <ol style="list-style-type: none"> <li>1. Grafton – supports shop-top housing opportunities, with appropriate flood planning and flood resilient building design, car parking and connectivity to open space consideration.</li> <li>2. Sth Grafton – as above. Plus proposed R3 to consider appropriate locations away from flood.</li> <li>3. Maclean – Supports medium density in Maclean as long as it doesn’t alter the character and maintains 9m height limit.</li> <li>4. Maclean Co-op – 12m height of building appears out of context and should be</li> </ol>	<p>Noted. Council’s Green Infrastructure Strategy sits beside Councils Land Use Strategies that include recommended LEP and DCP amendments that will improve Councils decision making and assessment process.</p> <ol style="list-style-type: none"> <li>1. Noted. Investigations and studies are required to inform and support planning proposals that propose to amend the LEP.</li> <li>2. Noted. <i>Refer above.</i> The Proposed R3 area is located above the 1 in 100 CC flood level (2022 Flood Update).</li> <li>3. Noted. Draft LHS amended:  <b>Recommended change: requirement for the development of a desired character statement to provide greater clarity on appropriate locations in the intervention area.</b>  Note: The proposed height of building increase from 9m to 12m has been retained in the amended draft LHS.</li> <li>4. Noted. The draft LHS has been amended:</li> </ol>

		<p>reconsidered. R4 zoning is not currently in the CVLEP for Maclean.</p> <ol style="list-style-type: none"> <li>5. Clarenza – McAuley &amp; Duncan Road – supports proposal considering recreation, pathways and parklands, and inclusion in DCP and further public consultation.</li> <li>6. Gulmarrad – supports Sheehans lane with consideration of flood, retaining native vegetation, upgrading intersection with Brooms Head Road and provision of pathways.</li> <li>7. Gulmarrad -Boundary Road – support as consistent with traditional subdivision patterns, however should have DCP amendment with building envelopes that protects native vegetation.</li> <li>8. Suggested inclusions for further consideration for intervention / rezoning due to proximity to existing centres and services and minimal environmental constraints / hazards – Armidale Road, South Grafton; Junction Hill / Koolkhan.</li> </ol>	<p><b>Recommended change: removed proposed R4 High Density Residential zone.</b></p> <ol style="list-style-type: none"> <li>5. Noted. The draft LHS has been amended to note that these area will be included in the Clarenza DCP which will be placed on exhibition for public comment.</li> <li>6. Noted. Appropriate studies and investigations will be require to inform and a support a planning proposal that proposes to amend the LEP. No change required.</li> <li>7. Noted. Further investigation is required to progress this proposal with appropriate environmental and ecological and bushfire assessments.</li> <li>8. Noted. Further consideration will be given to additional areas should there be a demonstrated need during the 5 year review of the LHS.</li> </ol>
19	Support	<p><b>Josh Townsend - Planit Consulting</b></p> <ol style="list-style-type: none"> <li>1. Commend Clarence Valley Council on proactively pursuing strategic planning to coordinate housing.</li> <li>2. Recommends that the draft LHS provides 'plain english' to clearly articulate intended plans of actions, scope and methodology.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. The draft LHS has been amended to include a methodology to explain how the theoretical capacity and additional capacity were calculated; the planning proposal process to provide a clear road map for the LEP amendment process. The Annexure 4 planning interventions have also b ee updated to provide key issues, trigger points and further investigation requirements to also provide greater certainty for the community, developers and Council on planning requirements.</li> </ol>

	<p>3. The draft LHS states that the LGA requires 3,729 additional dwelling by 2041, however it is not thoroughly explained how this growth will be achieved and distributed across the identified centers and urban release areas in a way that the community will understand the rate of change.</p> <p>4. Recommend that the draft LHS include anticipated discount rate for land constraints, infrastructure and the like or be included at a later date as studies are undertaken i.e via appendices to improve line of sight between strategic planning through to structure and master planning.</p> <p>5. Recommends that draft LHS acknowledge the 'city' status of Coffs Harbour as identified in the NCRP 2041 and the significant connectivity improvements of the Pacific Highway Upgrade and opportunities to leverage local character and competitive advantage within LGA communities of interest.</p> <p>6. Alignment with NCRP 2041 objectives for First Nations communities and the opportunity to live on Country and live intergenerationally within family units.</p> <p>7. Recommend that the DPHI "Northern Region" are engaged and consulted to ensure the LHS is in step with wider regional matter but leverages local opportunities to provide tailored solutions for the Clarence Valley.</p>	<p>3. Noted. Refer point 1 above. One of the trigger points for the interventions for existing urban areas is the development of local character statements to ensure the community is involved in determining an appropriate local character for the area prior to progressing a planning proposal and precinct planning. Junction Hill URA has a masterplan in place which development approved in a number of stages. A DCP is currently being prepared for the Clarence URA which will be publicly exhibited to enable to community the opportunity to comment.</p> <p>4. It is the intention of Council that as studies are complete that relevant evidence be included as part of the 5 year review of the LHS.</p> <p>5. Noted. The draft LHS includes commentary in this regard, and that Clarence Valley is becoming more attractive due to the relatively cheaper housing options that our surrounding coastal LGAs. One of the priorities of the Clarence Valley Local Strategic Planning Statement is to reinstate Grafton as a Regional City in the NCRP 2041.</p> <p>6. The draft LHS includes Action 2.1 <i>Consider opportunities to partner with DPHI and LALCs to identify areas that may be appropriate for culturally responsive housing on Country.</i></p> <p>7. DPHI (Previously DPE) Northern Region provided recommendation on the draft LHS. Their recommendations are included in Section 1 of this submissions analysis. The final LHS will also be referred to DPHI for comment and final endorsement.</p>
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