

Blayney Shire Council



23 January 2012

Our Reference: 330933

Department of Planning & Infrastructure
Western Region Office
PO Box 58
DUBBO NSW 2830

Dear Sir/Madam

RE: Planning Proposal – 137 Newbridge Road, Blayney

Please find enclosed an amended Planning Proposal for the rezoning from Zone 1(a) Rural General and 7(a) Environmental Protection (Scenic Zone) to Zone IN2 Industrial General and Zone SP2 Infrastructure (Rail Siding) at 137 Newbridge Road, Blayney.

Should you have any further questions regarding this matter please contact Council's Environmental Services Department on (02) 6368 9618.

Yours faithfully

Claire Johnstone
Senior Town Planner
For the General Manager

PLANNING PROPOSAL



137 Newbridge Road, Blayney
Rezoning from Zone 1(a) Rural General and
Zone 7(a) Environment Protection (Scenic Zone)
to
Zone IN1 Industrial General and Zone SP2 Infrastructure (Rail Siding)
To Permit Industrial Development and
Zone RU2 Rural Landscape
To provide for an environmental buffer to the township of Blayney

Prepared for
Blayney Shire Council
November 2011

*Hornery & Associates Consulting Pty Ltd
&
Tablelands Certifiers and Planning*

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INTRODUCTION

Metziya Pty Ltd has approached Blayney Shire Council in relation to preparation of a planning proposal for rezoning 137 Newbridge Road, Blayney, to Industrial, Rural Landscape and Infrastructure (Rail Siding).

Council workshopped this proposal on 20 July 2011, and agreed to accept a report to Council recommending preparation of a planning proposal to facilitate that rezoning in line with the draft zoning plan agreed on by Councillors at that workshop.

A report was presented to the August 2001 Ordinary Meeting of Blayney Shire Council and it was resolved:

1. That the Director Environmental Services prepare a planning proposal for the rezoning of 137 Newbridge Road, as detailed in figure 1 (draft zoning plan).
2. That in addition to any other public consultation, the Director Environmental Services consult directly with the owner of 84 Newbridge Road, "Athol", in relation to this planning proposal.
3. That Council refer that completed planning proposal for 137 Newbridge Road, Blayney to the Department of Planning under Section 56 of the *Environmental Planning and Assessment Act 1979*

This planning proposal has been prepared in accordance with Section 55 of the Environmental Planning & Assessment Act 1979 (the Act), the Department of Planning's guide to preparing planning proposals and Councils resolution of August 2011.

A Gateway determination under Section 56 of the Act is requested.

This planning proposal seeks to rezone the subject land from 1(a) General Rural Zone and 7(a) Environment Protection (Scenic Zone) to IN1 Industrial General, SP2 Infrastructure (Rail Siding) and RU2 Rural Landscape to permit broader industrial development and provide for an environmental buffer to the township of Blayney (the existing zones are shown in **Annexure A** and the proposed zones are depicted in **Annexure B**).

The current 7(a) zoning does not permit general industrial use of the land. However, the bulk of the land is currently zoned 1(a) Rural General where industrial development is permitted with the consent of Council where the proposal satisfies the zone objective of "encouraging the establishment of rural and related industries".

The subject land is clearly a well established component of the local industrial land use pattern. In this regard:

- It comprises existing industrial buildings with a floor area of some 26,200m² plus office/staff amenities space. The buildings have been developed as frozen food

warehouses and dry goods warehousing. Development consent has been granted for an additional 17900 m² of dry goods warehousing;

- A dual rail siding with direct access to the Great Western Railway is located on the site;
- The site is approved for the construction of a minerals concentration plant as part of the approved Cadia East Copper and Gold Project (06_0295);
- The site is on Newbridge Road approximately 1 km from the town centre. It has a frontage of 1746m to the Great Western Railway.

SUBJECT LAND

The subject land is situated on the northern side of the road at 137 Newbridge Road, Blayney (refer to **Annexure A**). The land is described as Lots 2,3,4,5,6 and 7 in DP 116,1062 Parish of Napier, County of Bathurst. It comprises an area of 64.298 hectares (refer to **Annexure C**).

Industrial buildings are located within the subject land (refer photographs and plan in **Annexure D**). The buildings comprises a floor area of approximately 26,200 m² plus office/staff amenities space. They are of steel frame construction with insulated metal clad walls and iron roofing. The floors are concrete. Wall heights are in the order of 10 metres while ridge height is approximately 12.6 metres. There are extensive concrete and bitumen driveways and vehicle manoeuvring areas

The administration section is at the front of the site and comprises concrete walls and a metal roof. The front of the building has a concrete carpark.

Lot 106 has been approved for the construction of a minerals filtration plant as part of the approved Cadia East Copper and Gold Project. Minerals concentrate will be exported by rail utilising the dual rail siding which has direct connection to the great Western Railway.

The subject land is serviced by Newbridge Road which is a two lane bitumen sealed carriageway. The section of the road from the Belubula River to the site entrance was reconstructed to a heavy duty pavement some 10 years ago funded by a Federal Government grant. There are three separate entrances to the property, two being farm entrance gates and the principle industrial access at the centre of the site.

The subject land and premises are connected to essential urban utilities, including town water, sewer, electricity and telephone partly funded with Government assistance.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to allow the subject land to be used for industrial purposes and to provide for an environmental buffer to the township of Blayney. The current development is an obvious industrial resource but the current planning provisions relating to the 7(a) Zone at the west of the site limit the potential for the site to be used for such purposes and the 1(a) Rural General is not an appropriate zone for expanding industrial use.

Rezoning of the subject land would confirm industrial development as a permissible use on part of the site and provide for an environmental buffer to the township of Blayney to the west of the site.

It is envisaged that the Planning Proposal would allow Council to place the proposal on exhibition in parallel with the exhibition of its Comprehensive LEP.

This process is proposed because:

- The option to include the proposal in Council's new Comprehensive Local Environmental Plan was not favoured;
- The site was identified in the Rural and Industrial Land Strategy as potential industrial land, requiring specific assessment for rezoning;
- The proposed zoning to be exhibited in Council's Comprehensive LEP is RU2, Rural Landscape despite being identified as Industrial in the R & I Strategy. Rural Landscape zoning would prevent further industrial development on the site which has seen in excess of \$20m of capital development works and infrastructure with planning already approved for additional warehousing.
- Site specific studies undertaken for the site to justify the rezoning proposal.

PART 2 – EXPLANATION OF PROVISIONS

The objective of the planning proposal would be achieved by incorporation of the subject land within Councils LEP 2011, so that the subject land is included in the IN1 Industrial General, SP2 Infrastructure (Rail Siding) and RU2 Rural Landscape zonings.

Zoning (Standard Instrument)	Comments
RU2 Rural Landscape	RU2 has been chosen as the ‘best fit’ to replace existing Zone 7(a) for scenic protection around Blayney. This zone is for rural land used for commercial primary production that is compatible with ecological or scenic landscape qualities that have been conserved (often due to topography). The aim is to allow extensive agriculture and low level development but prohibit intensive agriculture, industry and bulkier buildings that would impact on the scenic amenity of the visual catchments of these two settlements.
IN1 General Industrial	This zone is intended to accommodate a wide range of industrial and warehouse uses in a clear ‘industrial zone’.
SP2 Infrastructure	Infrastructure land that is highly unlikely to be used for a different purpose in the future should be zoned SP2. This zone is generally intended to cover a wide range of physical and human infrastructure uses such as transport (e.g. major roads and railways) and major infrastructure such as sewage treatment plants. Council and the Department have applied this zone category to the adjoining Western Rail Line and it is considered appropriate to extend this zoning to include the rail siding located on the site.

As part of preparation of the Draft BLEP 2011 Council staff have allocated land uses to fourteen (14) chosen zones and designated each of the individual uses which may be ‘Permitted Without Consent’ (Item 2), uses which may be ‘Permitted With Consent’ (Item 3) and uses which are ‘Prohibited’ (Item 4). This has involved the compilation of a complex Land Use Matrix which has been used to create the land use tables for each of the adopted zones. Please see the attached Land Use Matrix or the Land Use Tables in the Draft BLEP 2011 for more details.

PART 3 – JUSTIFICATION

Section A – Need for Planning Proposal

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

The subject land is within any industrial expansion area identified in the *Councils of Blayney, Cabonne and Orange City, Sub-Regional Rural and Industrial Land Use Strategy*, (the R&I Strategy) adopted by Blayney Shire Council in 2008 and endorsed by NSW Department of Planning.

The R&I Strategy at Page 85 states that *“Existing and proposed industrial areas within Orange City and the town of Blayney will be zoned for industrial purposes, in accordance with the Standard Instrument”*. Accordingly, the subject land is identified for rezoning to IN1 General Industrial SP2 Infrastructure Rail Siding and RU2 Rural Landscape as part of Council’s Comprehensive LEP. The rezoning is identified as industrial expansion in R & I Strategy with area SA E Newbridge Road to be considered for rezoning in the short term (5-10 years).

In the context of the above, it is submitted that the planning proposal is consistent with to the R&I Strategy. Specifically, it would be consistent with the following relevant Policy Actions for Industry as expressed in Section 10.3 of the R&I Strategy:

- 2.1 *Provide land zoned for industrial purposes as shown in Figure 6.1, using the General Industrial land use designation (short term and on-going timeframe).*
- 2.4 *Rehabilitate and make available underutilised industrial land for new Development (short term and on-going timeframe).*
- 5.1 *Industrial land should be capable of being serviced by all required infrastructure and utilities (short term and on-going time frame).*
- 9.3 *Ensure that industry is compatible in terms of its scale and physical character with its rural and urban surroundings (medium term timeframe).*

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

It is submitted that the planning proposal is the best means of achieving the objectives or intended outcomes. It would correct an anomaly whereby industrial development is currently permitted in a rural zone, with the potential of the BLEP 2011 proposed RU2 rural zoning prohibiting future expansion of the industrial development currently existing on the site, providing local employment options.

3. Is there a net community benefit?

The proposal is expected to increase the benefit to the community with the creation of additional local employment, thereby strengthening the commercial viability of Blayney's main street, supporting the growth of the housing market through employment opportunities for and encourage investment in the community as industrial development grows.

The following assessment of net community benefit is based on the Evaluation Criteria (p.25) provided in the NSW Department of Planning *Draft Centres Policy, Planning for Retail and Commercial Development*.

a) Will the proposal be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transport node)?

As explained earlier (*Part 3, Section A*) the proposal is compatible with the R&I Strategy and provides an interface between road (Mid Western Highway) and rail (Great Western Railway).

b) Is the proposal located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/sub-regional strategy?

No.

c) Is the proposal likely to create a precedent or change expectations of the landowner or other landholders?

The proposal is unlikely to create a precedent or change expectations. The subject land is well established as an industrial site. The subject land was first identified for industrial development as part of the Bathurst Orange Development Corporations strategic planning and is confirmed again as such in the adopted R & I Strategy.

It is a reasonable expectation that the land would be used for industrial purposes and that the planning provisions should be amended to facilitate this.

d) Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?

There are no spot rezoning proposals in this locality. No other land in the immediate vicinity of the proposal is identified in the adopted R & I Strategy as appropriate for industrial zoning.

Given that the land is already established as an industrial site, the cumulative effects of the proposal would be negligible.

- e) Will the proposal facilitate permanent employment generating activity or result in a loss of employment lands?**

The proposal will generate significant permanent opportunities particularly in the area of food packaging and product value adding. There will be no loss of employment lands.

- f) Will the proposal impact upon the supply of residential land and therefore housing supply and affordability?**

No.

- g) Is the existing public infrastructure (roads, rail, utilities) capable of serving the proposed site? Is there good pedestrian and cycling access? Is public transport available or is there infrastructure capacity to support future public transport?**

Yes. The subject land is serviced by the road and rail utilities. A Transport Study is incorporated in the Report.

- h) Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?**

No. The site integrates with the existing transport routes that serve the adjacent industrial area.

- i) Are there significant Government investments in infrastructure or services in the area whose patronage would be affected by the proposal? If so what is the expected impact.**

There are significant Government investments of infrastructure and services in the area whose patronage would be positively affected by this proposal. Funding has been obtained towards upgrades to the mains electrical supply to the site and the replacement of a concrete decked timber bridge on Burns Street Blayney, at the Belubula River, which provides access to the site. Past significant Government investments for infrastructure include funding towards supply and upgrade of sewer, water and road infrastructure to the site.

- j) Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by factors such as flooding?**

The proposal will not impact on land that the Government has identified a need to protect. The land to be zoned IN1 Industrial General is not constrained by flooding or other factors.

- k) Will the proposal be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?**

The subject land is established as an industrial site and has been identified as a strategy area for industrial expansion. While it is adjacent to rural land and a heritage item (153. Homestead "Athol"), provision has been made to create an environmental buffer to mitigate any adverse impact on adjoining land. Further it is proposed to adopt a Development Control Plan for the site to reduce any potential impacts on adjoining lands.

Blayney Shire Council has resolved that in addition to any other public consultation, the Director Environmental Services consult directly with the owner of 84 Newbridge Road, "Athol", in relation to this planning proposal. This consultation has commenced, with a copy of the proposed zoning provided to the owner of 84 Newbridge Road, "Athol". A submission has been received by Council in relation to the proposal.

- l) Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?**

Not relevant.

- m) If a stand alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?**

No. Not relevant.

- n) What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?**

There are no significant public interest reasons for this proposal.

The implications of not proceeding at this time would result in an obvious industrial resource being left underutilised and operating on existing use rights due to a proposal to retain the land as a rural zone (RU2 Rural Landscape).

Section B – Relationship to Strategic Planning Framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

As explained earlier (*Part 3, Section A*) the proposal is compatible with the R&I Strategy, which was undertaken by the Councils of Blayney, Cabonne and Orange City as a Comprehensive Rural and Industrial Lands Strategy (the Strategy) for the Sub-Region, with a focus of guiding future land use planning for each Council as well as the Sub-Region, for the next 30 years. The Strategy is required to be used to guide and inform the preparation of a new Local Environmental Plans (LEPs) for each representative Council.

The Strategy has been developed in consultation with the three Councils, the Department of Planning, the community and various state agencies and provides the broad directions for future planning in the Sub-Region. As well as providing a sound basis for private and public sector decisions on services, development and new facilities, it outlines the planning framework for development, environment and infrastructure issues affecting the Sub-Region and its representative Councils.

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

Council does not have a Community Strategic Plan or local strategic plan. However, the replacement of the concrete decked timber bridge on Burns Street Blayney, at the Belubula River, which provides access to the site, is identified in Councils Management Plan as capital works.

6. Is the planning proposal consistent with the applicable state environmental planning policies?

The proposal is consistent with the applicable State Environmental Planning Policies (refer to **Annexure E**).

7. Is the proposal consistent with applicable Ministerial Directions?

The following Ministerial Directions are applicable to this proposal:

- 1.1 Business and Industrial Zones
- 1.2 Rural Zones
- 1.3 Mining, Petroleum Production and Extractive Industries
- 1.5 Rural Lands
- 2.1 Environment Protection Zones
- 3.4 Integrating Land Use and Transport
- 6.1 Approval and Referral Requirements

The consistency or otherwise of the planning proposal with these Directions is provided in **Annexure F**.

Section C – Environmental, Social and Economic Impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The planning proposal will not have a significant effect upon threatened species, populations or ecological communities, or their habitats.

The planning proposal relates to an industrial site on the urban and rural fringe. The natural state has been highly modified as a result of land use. It is devoid of native trees. The site is surrounded by a well established urban/rural fringe settlement pattern where trees include a mix of scattered native and exotic species.

The site itself is absent of any potential resource that may attract less common native species to the site. Habitat potential and quality of the site appear to be very low. The site is surrounded by human and rural activity and does not appear to offer unique or valuable resources for native species in the area. The site does not appear to have the potential to re-establish easily into providing habitats of value.

9. Are there any other likely environmental effects as a result of the planning proposal?

The planning proposal will not generate additional environmental effects. The land has been identified in the R&I Strategy as an industrial site. The portion of the land to be zoned IN1 Industrial General is not known to be affected by natural hazards such as flooding, land slip, bushfire hazard and the like. The portion of land at the west of the site proposed to be zoned SP2 Infrastructure (Rail Siding) contains an existing rail siding to the Great Western Railway, which is constructed above the 1% flood level. The portion of land at the west of the site proposed to be zoned RU2 Rural Landscape abuts the Belubula River and is provided as an environmental buffer to the development.

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

The planning proposal encourages the greater utilisation of an existing industrial resource. The ability to conduct a range of industrial uses on the site will generate employment opportunities. As such the planning proposal will generate positive social and economic effects.

There appear to be no negative social effects should the planning proposal proceed.

It is suggested that any negative economic effects would only be of consequence to the proponent and are more likely if the proposal does not proceed.

Section D – State and Commonwealth Interests

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

Yes. The planning proposal will not place any additional burden on public infrastructure. Upgrade of a concrete decked timber bridge on Burns Street Blayney, at the Belubula River, which provides access to the site is the subject of Government Funding and is identified in the Blayney Shire Council Management plan capital works budget. A Transport Study confirms the road network is adequate for the future planned development.

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

No Gateway determination has been issued.

PART 4 – COMMUNITY CONSULTATION

Community consultation would involve an exhibition period preferably to run concurrently with Council's Draft LEP 2011.

COMMUNITY & AFFECTED LAND HOLDERS

Notification

The key means to notify the community of the public exhibition of the Draft Plan are as follows:

- Write to all adjoining land owners to the proposed IN1 General Industrial and SP2 Infrastructure zones;
- Advertisement in Blayney Chronicle every fortnight for eight weeks of public exhibition;
- A3 notices at the Blayney Post Office and Blayney Shire Council Offices;
- Copy of Draft Plan, Draft Land Use Matrix, Draft Mapping and R&I Strategy placed on Council's website and available on CD from Council's offices.

The notice will also:

- Give a brief description of the objectives or intended outcomes of the planning proposal;
- Indicate the land affected by the planning proposal;
- State where and when the planning proposal can be inspected;
- Provide the name and address for the receipt of submissions; and
- Indicate the closing date for submissions.

The feedback received from the Community and affected land holders will be summarised and provided to the Councillors and the Department of Planning & Infrastructure to justify any potential amendments to the Draft Plan after exhibition.

GOVERNMENT AGENCIES

Consultation with key government agencies will be provided as follows:

- Council will write to all key government agencies and provide a copy of the Planning Proposal , Draft Land Use Matrix, and Draft LEP Mapping;
- Council will provide for meetings with the Planning and Environmental Departments (if required).

The feedback received from the government agencies will be summarised and provided to the Councillors and the Department of Planning & Infrastructure to justify any potential amendments to the Draft Plan after exhibition.

In addition to any other public consultation council has resolved that the Director Environmental Services consult directly with the owner of 84 Newbridge Road, "Athol", in relation to this planning proposal. This consultation has commenced.

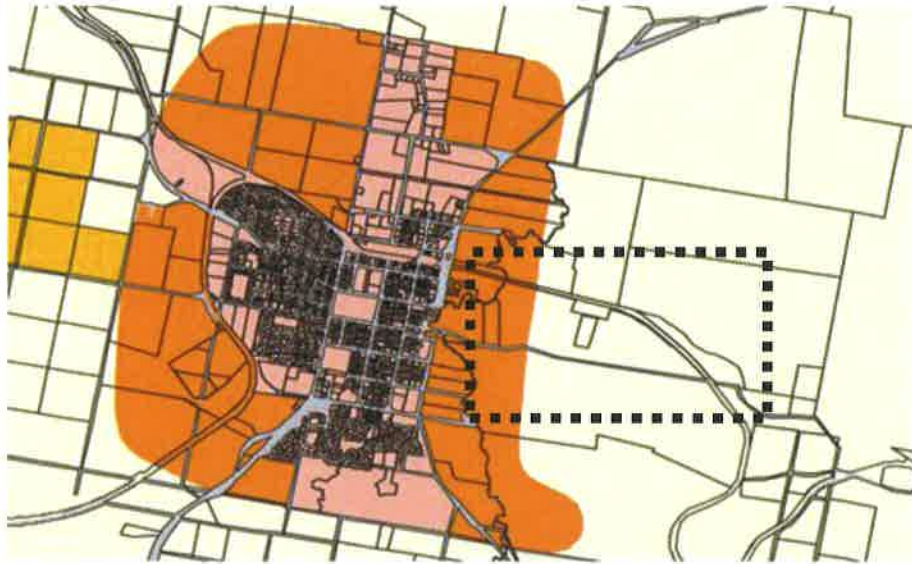
The feedback received from the owner of 84 Newbridge Road, "Athol" will be summarised and provided to the Councillors and the Department of Planning & Infrastructure to justify any potential amendments to the Draft Plan after exhibition.

Annexure A

Location and Existing Zoning

Zoning boundaries surrounding Blayney

Blayney Sea-Link



7(a) Environment Protection (Scenic Zone) and 1(a) General Rural Zone

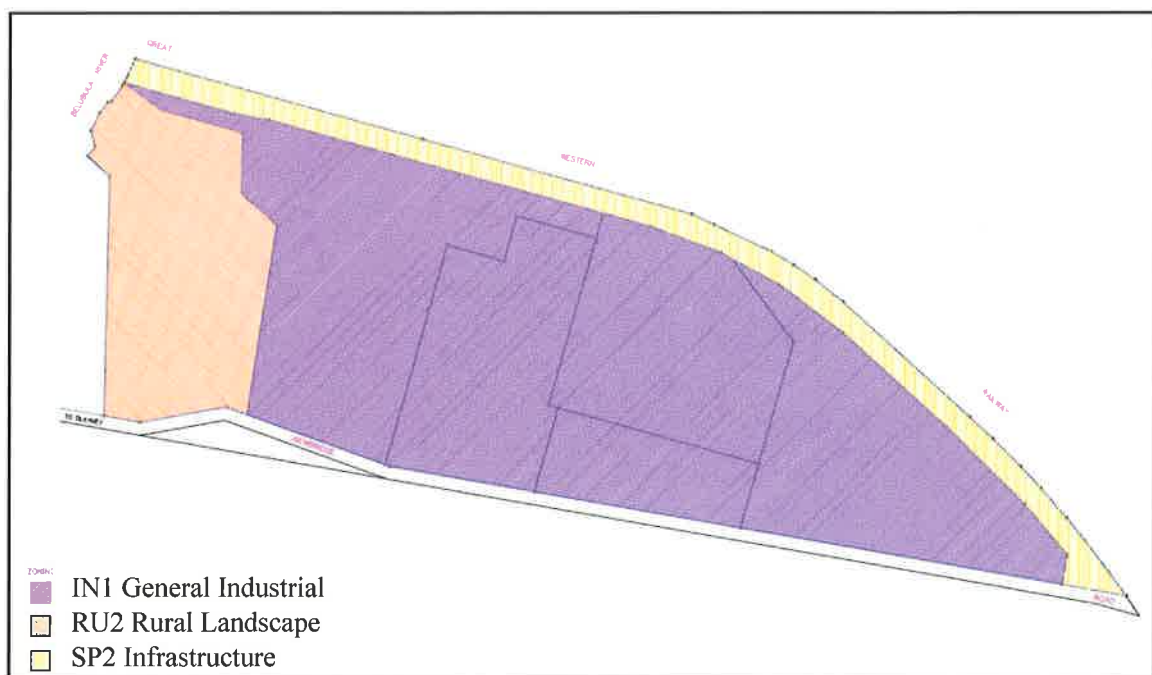


Existing Zoning Aerial Photo

7(a) Environment Protection (Scenic Zone) and 1(a) General Rural Zone

Annexure B

Location and Proposed Zoning



Proposed Zoning

RU2 – Rural Landscape, IN1 General Industrial and SP2 Infrastructure (Railway Siding)

Annexure C

Existing Boundaries and Site Layout

Annexure D
Photographs of Site Plan

SEPPs Schedule of Consistency

Annexure F

Section 117 Directions Schedule of Consistency

Annexure E State Environmental Planning Policies Schedule of Consistency		
SEPP	Consistent/Comment A full description of consistent SEPPs is provided below this table	Reason for Inconsistency
SEPP No. 1 - Development Standards	Yes	
SEPP No. 2 - Minimum Standards for Residential Flat Development	Repealed by SEPP No. 20	
SEPP No. 3 – Castlereagh Liquid Waste Disposal Depot	Repealed by Infrastructure SEPP	
SEPP No.4 - Development without Consent and Miscellaneous Complying Development	N/A	
SEPP No. 5 - Housing for Older People or People with Disability	Repealed by SEPP (Housing for Seniors or People with a Disability) 2004	
SEPP No. 6 - Number of Storeys in a Building	N/A	
SEPP No. 7 - Port Kembla Coal Loader	Repealed by Infrastructure SEPP	
SEPP No. 8 - Surplus Public Land	Repealed by Infrastructure SEPP	
SEPP No. 9 - Group Homes	Repealed by Infrastructure SEPP	
SEPP No. 10 - Retention of Low-Cost Rental Accommodation	N/A	
SEPP No. 11 - Traffic Generating Developments	Repealed by Infrastructure SEPP	
SEPP No. 12 - Public Housing (Dwelling Houses)	Repealed by SEPP No. 53	
SEPP No. 13 - Sydney Heliport	Repealed by Sydney REP No. 26 - City West	
SEPP No. 14 - Coastal Wetlands	N/A	
SEPP No. 15 - Rural Land Sharing Communities	N/A	
SEPP No. 16 - Tertiary Institutions	Repealed by Infrastructure SEPP	
SEPP No. 17 - Design of Building in Certain Business Centres	Did not proceed	
SEPP No. 18 - Public Housing	Did not proceed	
SEPP No. 19 - Bushland in Urban Areas	N/A	
SEPP No. 20 - Minimum Standards for Residential Flat Development	Repealed by SEPP No. 53	
SEPP No. 21 – Caravan Parks	N/A	
SEPP No. 22 - Shops and Commercial Premises	N/A	
SEPP No. 23	Not allocated	
SEPP No. 24 - State Roads	Did not proceed	
SEPP No. 25 - Residential Allotment Sizes	Repealed by SEPP No. 53	
SEPP No. 26 - Littoral Rainforests	N/A	
SEPP No. 27 - Prison Sites	Repealed by Infrastructure SEPP	
SEPP No. 28 - Town Houses and Villa Houses	Repealed by SEPP No. 25	
SEPP No. 29 - Western Sydney Recreation Area	N/A	
SEPP No. 30 - Intensive Agriculture	N/A	
SEPP No. 31 - Sydney (Kingsford Smith) Airport	Repealed by Infrastructure SEPP	
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	N/A	
SEPP No. 33 - Hazardous and Offensive Development	N/A	

Annexure E State Environmental Planning Policies Schedule of Consistency		
SEPP	Consistent/Comment	Reason for Inconsistency
SEPP No. 34 - Major Employment Generating Industrial Development	Repealed by SEPP (Major Projects) 2005, subsequently SEPP (Major Development) 2005	
SEPP No. 35 - Maintenance Dredging of Tidal Waterways	Repealed by Infrastructure SEPP	
SEPP No. 36 - Manufactured Home Estates	N/A	
SEPP No. 37 - Continued Mines and Extractive Industries	Repealed by SEPP (Mining, Petroleum Production and Extractive Industries) 2007	
SEPP No. 38 - Olympic Games and Related Development	Repealed by SEPP (Major Projects) 2005, subsequently SEPP (Major Development) 2005	
SEPP No. 39 - Spit Island Bird Habitat	N/A	
SEPP No. 40 - Sewerage Works	Did not proceed	
SEPP No. 41 - Casino/Entertainment Complex	N/A	
SEPP No. 42 - Multiple Occupancy and Rural Land (Repeal)	Repealed	
SEPP No. 43 - New Southern Railway	Repealed by Infrastructure SEPP	
SEPP No. 44 - Koala Habitat Protection	Yes	
SEPP No. 45 - Permissibility of Mining	Repealed by SEPP (Mining, Petroleum Production and Extractive Industries) 2007	
SEPP No. 46 - Protection and Management of Native Vegetation	Repealed by Native Conservation Act, 1997	
SEPP No. 47 - Moore Park Showground	N/A	
SEPP No. 48 - Major Putrescible Land fill Sites	Repealed by Infrastructure SEPP	
SEPP No. 49 - Tourism Accommodation in Private Homes (Draft Only)	N/A	
SEPP No. 50 - Canal Estates	N/A	
SEPP No. 51 - Eastern Distributor	Repealed by Infrastructure SEPP	
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	
SEPP No. 53 - Metropolitan Residential Development	N/A	
SEPP No. 54 - Northside Storage Tunnel	Repealed by Infrastructure SEPP	
SEPP No. 55 - Remediation of Land	Yes	
SEPP No. 56 - Sydney Harbour Foreshores and Tributaries	Repealed by SEPP (Major Projects) 2005, subsequently SEPP (Major Development) 2005	
SEPP No. 57	Not allocated	
SEPP No. 58 – Protecting Sydney’s Water Supply	Repealed by Clause 7(3) of the Drinking Water Catchments REP No. 1	
SEPP No. 59 - Central Western Sydney Economic and Employment Area	N/A	
SEPP No. 60 - Exempt and Complying Development	N/A	
SEPP No. 61 - Exempt and Complying Development for White Bay and Glebe Island Ports	Repealed by Infrastructure SEPP	
SEPP No. 62 - Sustainable Aquaculture	N/A	

Annexure E State Environmental Planning Policies Schedule of Consistency		
SEPP	Consistent/Comment	Reason for Inconsistency
SEPP No. 63 - Major Transport Projects	Repealed by Infrastructure SEPP	
SEPP No. 64 - Advertising and Signage	Yes	
SEPP No. 65 - Design Quality of Residential Flat Development	N/A	
SEPP No. 67 - Macquarie Generation Industrial Development Strategy	Repealed by Infrastructure SEPP	
SEPP No. 69 - Major Electricity Supply Projects	Repealed by Infrastructure SEPP	
SEPP 70 - Affordable Housing (Revised Schemes)	N/A	
SEPP No. 71 - Coastal Protection	N/A	
SEPP No. 72 - Linear Telecommunications Development – Broadband	Repealed by Infrastructure SEPP	
SEPP No 73 – Kosciuszko Ski Resorts	Repealed by SEPP (Kosciuszko National Park – Alpine Resorts) 2007	
SEPP No. 74 - Newcastle Port and Employment Lands	Repealed by SEPP (Major Projects) 2005, subsequently SEPP (Major Development) 2005	
SEPP (Housing for Seniors or People with a Disability) 2004	N/A	
SEPP (Building Sustainability Index: BASIX) 2004	N/A	
SEPP (ARTC Rail Infrastructure) 2004	Repealed by Infrastructure SEPP	
SEPP (Sydney Metropolitan Water Supply) 2004	Repealed by Infrastructure SEPP	
SEPP (Development on Kurnell Peninsula) 2005	N/A	
SEPP (Major Development) 2005	N/A	
SEPP (Sydney Region Growth Centres) 2006	N/A	
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	N/A	
SEPP (Temporary Structures) 2007	N/A	
SEPP (Infrastructure) 2007	Yes	
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	N/A	
SEPP (Rural Lands) 2008	Yes	
SEPP (Exempt and Complying Development Codes) 2008	Yes - The draft LEP adopts the provisions of the SEPP for exempt and complying development.	
SEPP (Western Sydney Parklands) 2009	N/A	
SEPP (Affordable Rental Housing) 2009	N/A	
SEPP (Western Sydney Employment Area) 2009	N/A	

DESCRIPTION OF STATE ENVIRONMENTAL PLANNING POLICY CONSISTENCY

SEPP No. 1 - Development Standards

This Policy provides flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objects specified in section 5 (a) (i) and (ii) of the Act, being to encourage:

- (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
- (ii) the promotion and co-ordination of the orderly and economic use and development of land

This planning proposal is justified by the *Blayney, Cabonne and Orange Sub-Regional Rural and Industrial Land Use Strategy* which:

- (i) gives consideration to the objectives of this SEPP,
- (ii) identifies the land which is the subject of the planning proposal, and
- (iii) is approved by the Director-General of the Department of Planning

The Planning Proposal is consistent with the objectives of the SEPP.

SEPP No. 44 - Koala Habitat Protection

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:

- (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and
- (b) by encouraging the identification of areas of core koala habitat, and
- (c) by encouraging the inclusion of areas of core koala habitat in environment protection zones.

Blayney Shire Council is identified within the SEPP 44 schedule as having koala habitat.

The subject land has been clear of native vegetation which may be koala habitat and has been used for farming purposes for many years prior to its partial development for a variety of warehouse and packaging purposes. The site is also approved for the construction of a minerals concentration plant as part of the approved Cadia East Copper and Gold Project (06_0295).

Council is satisfied that the land is not a potential koala habitat; however, any future development application for use of the land would still be required to address SEPP 44 - Koala Habitat Protection.

The Planning Proposal is consistent with the objectives of the SEPP.

SEPP No. 55 - Remediation of Land

The object of this Policy is to provide for a State wide planning approach to the remediation of contaminated land.

In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:

- (a) by specifying when consent is required, and when it is not required, for a remediation work, and
- (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and
- (c) by requiring that a remediation work meet certain standards and notification requirements.

6 Contamination and remediation to be considered in zoning or rezoning proposal

- (1) In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:
 - (a) the planning authority has considered whether the land is contaminated, and
 - (b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and
 - (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.

Note. In order to satisfy itself as to paragraph (c), the planning authority may need to include certain provisions in the environmental planning instrument.
- (2) Before including land of a class identified in subclause (4) in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.
- (3) If a person has requested the planning authority to include land of a class identified in subclause (4) in a particular zone, the planning authority may require the person to furnish the report referred to in subclause (2).
- (4) The following classes of land are identified for the purposes of this clause:
 - (a) land that is within an investigation area,
 - (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
 - (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

(5) In this clause, *planning authority* has the same meaning as it has in section 145A of the Act.

contaminated land means land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

investigation area means land declared to be an investigation area by a declaration in force under Division 2 of Part 3 of the Contaminated Land Management Act 1997.

The subject land has been used for farming purposes for many years prior to its partial development for a variety of warehouse and packaging purposes. The site is also approved for the construction of a minerals concentration plant as part of the approved Cadia East Copper and Gold Project (06_0295).

Council is satisfied that the land is not land of a class identified in subclause (4) above and therefore inclusion of the land in the Planning Proposal to zone the land IN1 Industrial General, SP2 Infrastructure (Rail Siding) and RU2 Rural Landscape to permit broader industrial development and provide for an environmental buffer to the township of Blayney is consistent with the objectives of SEPP 55.

SEPP No. 64 - Advertising and Signage

The SEPP applies to all signage that (a) under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and (b) is visible from any public place or public reserve, except as provided by this Policy. It does not apply to exempt development. Council must consider objectives and assessment criteria as set out by the SEPP.

Under the draft LEP in the RU2 Rural Landscape zone consent is not required for building identification signs, consent is required for business identification signs and advertising structures are prohibited, which is consistent with the SEPP.

Under the draft LEP in the IN1 Industrial General zone consent is required for all signage which is consistent with the SEPP.

SEPP (Infrastructure) 2007

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

- (a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and
- (b) providing greater flexibility in the location of infrastructure and service facilities, and
- (c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and
- (d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and

- (e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and
- (f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

The subject land is clearly a well established component of the local industrial land use pattern. In this regard:

- It comprises existing industrial buildings with a floor area of some 26,200m² plus office/staff amenities space. The buildings have been developed as frozen food warehouses and dry goods warehousing. Development consent has been granted for an additional 17900 m² of dry goods warehousing;
- A dual rail siding with direct access to the Great Western Railway is located on the site;
- The site is approved for the construction of a minerals concentration plant as part of the approved Cadia East Copper and Gold Project (06_0295);
- The site is on Newbridge Road approximately 1 km from the town centre. It has a frontage of 1746m to the Great Western Railway.

The Planning Proposal to zone the land IN1 Industrial General, SP2 Infrastructure (Rail Siding) and RU2 Rural Landscape to permit broader industrial development and provide for an environmental buffer to the township of Blayney is consistent with the objectives of the SEPP.

SEPP (Rural Lands) 2008

The aims of this Policy are as follows:

- (a) to facilitate the orderly and economic use and development of rural lands for rural and related purposes,
- (b) to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State,
- (c) to implement measures designed to reduce land use conflicts,
- (d) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,
- (e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.

The subject land is clearly a well established component of the local industrial land use pattern. In this regard:

- It comprises existing industrial buildings with a floor area of some 26,200m² plus office/staff amenities space. The buildings have been developed as frozen food warehouses and dry goods warehousing. Development consent has been granted for an additional 17900 m² of dry goods warehousing;
- A dual rail siding with direct access to the Great Western Railway is located on the site;

- The site is approved for the construction of a minerals concentration plant as part of the approved Cadia East Copper and Gold Project (06_0295);
- The site is on Newbridge Road approximately 1 km from the town centre. It has a frontage of 1746m to the Great Western Railway.

This planning proposal is further justified by the *Blayney, Cabonne and Orange Sub-Regional Rural and Industrial Land Use Strategy* which:

- (i) gives consideration to the objectives of this SEPP,
- (ii) identifies the land which is the subject of the planning proposal, and
- (iii) is approved by the Director-General of the Department of Planning

The Planning Proposal to zone the land IN1 Industrial General, SP2 Infrastructure (Rail Siding) and RU2 Rural Landscape to permit broader industrial development and provide for an environmental buffer to the township of Blayney is therefore consistent with the objectives of the SEPP.

ANNEXURE F
STATEMENT OF CONSISTENCY, SECTION 117 DIRECTIONS
137 Newbridge Road, BLAYNEY

1. EMPLOYMENT AND RESOURCES

1.1 Business and Industrial Zones

This Direction applies to the planning proposal. As such the planning proposal must:

- (a) give effect to the objectives of this direction,
- (b) retain the areas and locations of existing business and industrial zones,
- (c) not reduce the total potential floor space area for employment uses and related public services in business zones,
- (d) not reduce the total potential floor space area for industrial uses in industrial zones, and
- (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.

In consideration of the above matters, the planning proposal is consistent with this Direction as follows:

- It satisfies the objectives of the Direction in that:
 - Despite its modest scale, the ability to use the land for a broader range of industrial uses may encourage employment growth.
 - It recognises the industrial nature of the site and seeks to protect it in an industrial zone.
 - It supports the viability of Blayney as an industrial centre.
- It does not reduce the area of the existing industrial zone.
- It does not reduce the floor space area for industrial uses. It would make more floor space available for such uses.
- The planning proposal is consistent with the R&I Strategy which identifies the subject land as an industrial site and indicates it should be zoned for industrial purposes.

1.2 Rural Zones

This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).

Where this direction applies a planning proposal must:

- (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.
- (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).

A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:
 - (i) gives consideration to the objectives of this direction,
 - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
 - (iii) is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or
- (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) is of minor significance.

The objective of this direction is to protect the agricultural production value of rural land.

This planning proposal is justified by a strategy which:

- (i) gives consideration to the objectives of this direction,
- (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
- (iii) is approved by the Director-General of the Department of Planning

The subject land is within any industrial expansion area identified in the *Councils of Blayney, Cabonne and Orange City, Sub-Regional Rural and Industrial Land Use Strategy*, (the R&I Strategy) adopted by Blayney Shire Council in 2008 and endorsed by NSW Department of Planning.

The R&I Strategy at Page 85 states that “*Existing and proposed industrial areas within Orange City and the town of Blayney will be zoned for industrial purposes, in accordance with the Standard Instrument*”. Accordingly, the subject land is identified for rezoning to IN1 General Industrial SP2 Infrastructure (Rail Siding) and RU2 Rural Landscape. The rezoning is identified as industrial expansion in R & I Strategy with area SA E Newbridge Road to be considered for rezoning in the short term (5-10 years).

In the context of the above, it is submitted that the planning proposal is consistent with to the R&I Strategy. Specifically, it would be consistent with the following relevant Policy Actions for Industry as expressed in Section 10.3 of the R&I Strategy:

2.1 Provide land zoned for industrial purposes as shown in Figure 6.1, using the General Industrial land use designation (short term and on-going timeframe).

2.4 Rehabilitate and make available underutilised industrial land for new Development (short term and on-going timeframe).

5.1 Industrial land should be capable of being serviced by all required infrastructure and utilities (short term and on-going time frame).

9.3 Ensure that industry is compatible in terms of its scale and physical character with its rural and urban surroundings (medium term timeframe).

1.3 Mining, Petroleum and Extractive Industries

The planning proposal to rezone the land from 7(a) and 1(a) to RU2, SP2 and IN1 will result in extractive industries becoming a prohibited use. Development Consent has previously been granted to a minerals process plant on the site. Consultation with Industry and Investment will occur during the exhibition period.

In any event, the impact of the proposal on extractive industries is considered to be minimal due to the following:

- The existing urban fringe settlement pattern (which comprises sensitive receptors) would pose certain constraints to an extractive industry of reasonable scale.
- The potential to use the site for an extractive industry would be limited by its relatively modest size for such a use.
- In terms of economic viability, any proposal for extractive industry would need to justify removal of the existing building and infrastructure within the site.

1.4 Oyster Aquaculture

The planning proposal is not affected by this Direction.

1.5 Rural Lands

This Direction applies to the planning proposal.

Given that the proposal will affect land within an existing environment protection zone (including the alteration of the zone boundary) the planning proposal must be consistent with the Rural Planning Principles listed in *State Environmental Planning Policy (Rural Lands) 2008*.

The Rural Planning Principles as expressed in the SEPP are as follows:

- (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,
- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,
- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,
- (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,
- (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

The planning proposal is considered to be of minor significance in terms of the above Rural Planning Principles. In this regard:

- The subject land is established as an industrial site and makes no contribution to rural production. It is more appropriate for it to be zoned for industrial purposes. The use of the land as an agricultural site is limited by the following:
 - The potential for the site to be used for sustainable agricultural production is constrained by its modest size.
 - The value of agricultural production that could be achieved from the land would be unlikely to justify removal of the existing building and infrastructure.
 - In effect conversion of the site back to an agricultural parcel is unlikely.
 - An environmental buffer has been allocated for zoning as RU2.
- The planning proposal would have a negligible effect on the social, economic and environmental interests of the community.

- The planning proposal would not affect biodiversity, native vegetation or water resources. These are not identified as constraints to the proposal.
- The planning proposal represents an opportunity to contribute to the economic welfare of the community by enabling an existing industrial resource to be used for broader industrial use.
- The planning proposal does not require additional service connections.
- The planning proposal is consistent with the R&I Strategy which identifies the subject land as an industrial site and indicates it should be zoned for industrial purposes.

2. ENVIRONMENT AND HERITAGE

2.1 Environment Protection Zones

This Direction applies to the planning proposal. As such the planning proposal must:

- (a) include provisions that facilitate the protection and conservation of environmentally sensitive areas.
- (b) not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).

In consideration of this Direction, the planning proposal would be of minor significance. The subject land is a well established industrial site that makes little to no contribution to the scenic or environmental value of the area. In this regard:

- The subject land is an industrial site on the urban and rural fringe. The natural state has been highly modified as a result of land use. It comprises large industrial buildings, a rail siding and support areas and is devoid of native trees.
- The site is absent of any potential resource that may attract less common native species. Habitat potential and quality of the site is very low with little potential to re-establish easily into providing habitats of value. Surrounding development is characterised by urban and rural activity and does not offer unique or valuable resources for native species in the area.
- It is proposed to retain the majority of that part of the land currently zoned 7(a) Environment Protection – Scenic as RU2 Rural Landscape. While the balance of the land has a current zone of 1(a) Rural General, industrial development is permitted with the consent of Council. However it is recognised that industrial development, although permissible, is not compatible with the aims and objectives of its current zone.

2.2 Coastal Protection

The planning proposal is not affected by this Direction.

2.3 Heritage Conservation

The planning proposal is not affected by this Direction.

2.4 Recreation Vehicle Areas

The planning proposal is not affected by this Direction.

3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT

3.1 Residential Zones

The planning proposal is not affected by this Direction.

3.2 Caravan Parks and Manufactured Home Estates

The planning proposal is not affected by this Direction.

3.3 Home Occupations

The planning proposal is not affected by this Direction.

3.4 Integrating Land Use and Transport

This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.

A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:
 - (i) gives consideration to the objective of this direction, and
 - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
 - (iii) is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
- (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) of minor significance.

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) improving access to housing, jobs and services by walking, cycling and public transport, and
- (b) increasing the choice of available transport and reducing dependence on cars, and
- (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
- (d) supporting the efficient and viable operation of public transport services, and
- (e) providing for the efficient movement of freight.

This planning proposal is justified by a strategy which:

- (i) gives consideration to the objectives of this direction,
- (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
- (iii) is approved by the Director-General of the Department of Planning

The subject land is within any industrial expansion area identified in the *Councils of Blayney, Cabonne and Orange City, Sub-Regional Rural and Industrial Land Use Strategy*, (the R&I Strategy) adopted by Blayney Shire Council in 2008 and endorsed by NSW Department of Planning.

The R&I Strategy at Page 85 states that “*Existing and proposed industrial areas within Orange City and the town of Blayney will be zoned for industrial purposes, in accordance with the Standard Instrument*”. Accordingly, the subject land is identified for rezoning to IN1 General Industrial SP2 Infrastructure (Rail Siding) and RU2 Rural Landscape. The rezoning is identified as industrial expansion in R & I Strategy with area SA E Newbridge Road to be considered for rezoning in the short term (5-10 years).

In the context of the above, it is submitted that the planning proposal is consistent with to the R&I Strategy. Specifically, it would be consistent with the following relevant Policy Actions for Industry as expressed in Section 10.3 of the R&I Strategy:

- 2.1 *Provide land zoned for industrial purposes as shown in Figure 6.1, using the General Industrial land use designation (short term and on-going timeframe).*
- 2.4 *Rehabilitate and make available underutilised industrial land for new Development (short term and on-going timeframe).*
- 5.1 *Industrial land should be capable of being serviced by all required infrastructure and utilities (short term and on-going time frame).*
- 9.3 *Ensure that industry is compatible in terms of its scale and physical character with its rural and urban surroundings (medium term timeframe).*

3.5 Development near Licensed Aerodromes

The planning proposal is not affected by this Direction.

4. HAZARD AND RISK

4.1 Acid Sulphate Soils

The planning proposal is not affected by this Direction.

4.2 Mine Subsidence and Unstable Land

The planning proposal is not affected by this Direction.

4.3 Flood Prone Land

The planning proposal is not affected by this Direction.

4.4 Planning for Bushfire Protection

The planning proposal is not affected by this Direction.

5. REGIONAL PLANNING

5.1 Implementation of Regional Strategies

The planning proposal is not affected by this Direction.

5.2 Sydney Drinking Water Catchments

The planning proposal is not affected by this Direction.

5.3 Farmland of State and Regional Significance on the NSW Far North Coast

The planning proposal is not affected by this Direction.

5.4 Commercial and Retail Development along the Pacific Highway, North Coast

The planning proposal is not affected by this Direction.

5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)

Revoked

5.6 Sydney to Canberra Corridor

Revoked

5.7 Central Coast in vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)

Revoked

5.8 Second Sydney Airport: Badgery's Creek

The planning proposal is not affected by this Direction.

6. LOCAL PLAN MAKING

6.1 Approval and Referral Requirements

The planning proposal does not alter provisions relating to approval and referral requirements.

6.2 Reserving Land for Public Purposes

The planning proposal is not affected by this Direction.

6.3 Site Specific Provisions

The planning proposal is not affected by this Direction.

7. METROPOLITAN PLANNING

7.1 Implementation of the Metropolitan Strategy

The planning proposal is not affected by this Direction.