



# **Dubbo Regional Council**

## **Planning Proposal R18-4**

**Lot 69 DP 259061**

**Lot 1 DP 197736**

**Lot 31 DP 1263665**

**63 Fitzroy Street & 2R Gilgandra Road, Dubbo**

**January 2021**



## Table of Contents

<b>Background</b> .....	3
<b>Part 1 Objectives or Intended Outcomes</b> .....	4
<b>Part 2 Explanation of Provisions</b> .....	5
<b>Part 3 Justification</b> .....	5
<b>Part 4 Mapping</b> .....	17
<b>Part 5 Community Consultation</b> .....	20
<b>Part 6 Project Timeline</b> .....	20
<b>ATTACHMENT A - State Environmental Planning Policies</b> .....	21
<b>ATTACHMENT B - Ministerial Directions</b> .....	23

## Background

Dubbo Local Environmental Plan (LEP) 2011 is the statutory planning framework that establishes land use zones and land use permissibility accordingly in the former Dubbo Local Government Area.

Council is in receipt of a proposal to amend Dubbo LEP 2011 in relation to Lot 69 DP 259061 and Lot 1 DP 197736 (63 Fitzroy Street, Dubbo) and Lot 31 DP 1263665 (2R Gilgandra Road, Dubbo).

The Proposal seeks to extend the existing IN2 Light Industrial Zone on 63 Fitzroy Street by 0.67 ha and to allow the manufacture of moveable buildings as an additional permitted use on part 2R Gilgandra Road and 63 Fitzroy Street Dubbo. The total area of the proposed additional permitted use is 10.5 ha.

Council undertook pre-gateway consultation with the NSW Biodiversity Conservation Division (BCD) regarding potential flooding impacts of the proposal. The BCD advised that the proposal is consistent with the *NSW Floodplain Development Manual 2005* as well as the *Guideline on Development Controls on Low Flood Risk Areas*.

Council considered the proposal at the Council meeting of 26 October 2020 and decided to proceed to the next stage, which is to prepare and submit a planning proposal to the NSW Department of Planning, Industry & Environment to seek a Gateway Determination.

The Gateway Determination issued by the Department of Planning Industry and Environment dated 11 December enables Council to exhibit the planning proposal. According to the Department's publication 'A guide to preparing planning proposals', a planning proposal is a document that sets out the justification for making changes to Dubbo LEP 2011. A planning proposal is comprised of the following components:

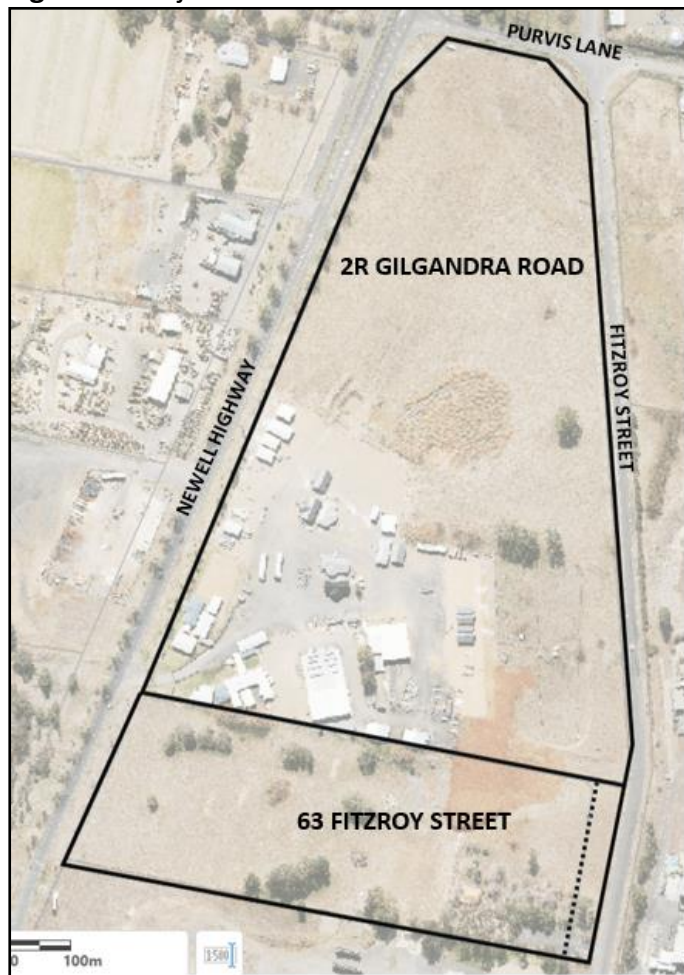
Part	Content
<b>Part 1</b>	A statement of the intended outcomes of the planning proposal. It is a statement of what is planned to be achieved, not how it is to be achieved.
<b>Part 2</b>	An explanation of the proposed changes to Dubbo LEP 2011 to achieve the intended outcomes.
<b>Part 3</b>	The justification for making the proposed changes to Dubbo LEP 2011.
<b>Part 4</b>	Maps to identify the intended outcomes of the planning proposal.
<b>Part 5</b>	Details of the community consultation that is to be undertaken on the planning proposal.

Following the exhibition process, a review of community feedback and any additional information may see updates and amendments to the planning proposal.

## Part 1 Objectives or Intended Outcomes

This Planning Proposal applies to 2R Gilgandra Road, Dubbo and 63 Fitzroy Street, Dubbo (Figure 1) as described in Table 1.

**Figure 1:** Subject Site



Source: Geocortex, 2020

**Table 1.** Property Table

Address	Lot	DP	Area Ha
2R Gilgandra Road, Dubbo	31	1263665	15.37
63 Fitzroy Street	69	259061	0.32
63 Fitzroy Street	1	197736	6.07
<b>Total</b>			<b>21.76</b>

The intended outcomes of this Planning Proposal are:

- To provide a site-specific framework that enables the expansion of the existing moveable building manufacturing business in its current location at 2R Gilgandra Road

and extended into 63 Fitzroy Street, Dubbo. The total area of the proposed additional permitted use is 10.5 ha.

- To allow for a 0.67 ha expansion of the land to be used for light industrial activity on 63 Fitzroy Street; and
- To limit future development potential on the land subject to the proposed additional permitted use.

## Part 2 Explanation of Provisions

To achieve the intended outcomes, the proposed amendments to Dubbo LEP 2011 are:

### *Rezoning*

- Rezone 0.67 ha of Lot 1 DP 197736 and Lot 69 DP 259061 (63 Fitzroy Street) from E3 Environmental Management to IN2 Light Industrial in the Dubbo LEP 2011.

### *Additional Permitted Use*

- Add Light Industry (moveable building manufacturing) as an additional permitted use on part Lot 31 DP 1263665 (2R Gilgandra Road) and part Lot 1 DP 197736 and part Lot 69 DP 259061 (63 Fitzroy Street) under Schedule One of the Dubbo LEP 2011. The total size of the proposed additional permitted use is 10.5 ha.

## Part 3 Justification

### Section A - Need for the Planning Proposal

Section 3 assesses the proposal based on the justification matters outlined in the Department of Planning and Environment's publication 'a Guide to Preparing Planning Proposals'. The intended outcome is to demonstrate where there is justification to proceed to Gateway.

#### **1. Is the Planning Proposal the result of an endorsed local strategic planning statement, strategic study or report?**

This planning proposal is not the result of any strategic study or report. This planning proposal is in response to a proposal requesting to amend Dubbo LEP 2011 as follows:

#### *63 Fitzroy Street*

- Extend the existing IN2 Light Industrial Zone by a total of 0.67 ha on part Lot 1 DP 197736 and part Lot 69 DP 259061 from E3 Environmental Management to IN2 Light Industrial.

#### *2R Gilgandra Road and 63 Fitzroy Street*

- Add Light Industry (moveable building manufacturing) as an additional permitted use of 10.5 ha in Schedule One of Dubbo LEP 2011.

Council's assessment considered the following technical studies submitted with the proposal:

- Planning Proposal Report (prepared by Barnson dated 1 April 2020).
- Flooding Assessment (prepared by Cardo dated 30 March 2020).
- AHIMS Search (undertaken by Barnson, dated 14 June 2018).
- Letter explaining intended future development (provided by Taylor Made Homes, undated).
- Pre-gateway correspondence from the Biodiversity Conservation Division regarding flooding impacts of the proposal.

Council's assessment indicates that the proposal has sufficient strategic merit to proceed to Gateway.

Following the exhibition process, a review of community feedback and any additional information may see updates and amendments to this planning proposal.

## **2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes or is there a better way?**

The Planning Proposal is the best means of achieving the intended outcomes which are to extend the existing IN2 Light Industry zone on 63 Fitzroy Street, Dubbo and to facilitate the permissibility of the existing manufacture of moveable building business on the site.

A rezoning of 2R Gilgandra Road would not be appropriate as it would permit a broad range of incompatible uses on the subject site.

### **Section B Relationship to Strategic Planning Framework**

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

##### *I. Central West and Orana Regional Plan*

The proposal will assist in achieving the directions and actions of the Plan as described below:

##### *Direction 10. Promote business and industrial activities in employment lands*

The proposal will encourage the expansion of industrial activities on the existing IN2 zoned land by facilitating the long expansion of an existing light industrial moveable building manufacturing business.

*Action 10.1. Encourage the sustainable development of Industrial and Employment land to maximise infrastructure to connect to the existing freight network.*

The proposal will encourage the expansion of an existing light industrial moveable building manufacturing business, adjacent to existing IN2 Light Industrial Zoned Land on a major freight network.

*Action 12.4. Amend planning controls to deliver greater certainty of use.*

The proposal will amend Dubbo LEP 2011 to provide greater certainty to the existing business regarding permissibility of future expansion.

**Will the Planning Proposal give effect to a Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

The proposal was initially assessed against the Dubbo Industrial Areas Development Strategy in place at the time of lodgement and was considered consistent with this Strategy.

Subsequently the Dubbo Employment Lands Strategy was adopted by Council and endorsed by the then Department of Planning and Environment in 2019. Council maintains that the proposal remains consistent with the Dubbo Employment Lands Strategy as described below:

*II. Dubbo Employment Lands Strategy*

The subject site is located in the North Dubbo Industrial Precinct. The Planning Principals for the precinct are:

- *Maintain Dubbo as the major employment and service centre of the Orana region;*
- *Ensure an adequate supply of appropriately located and serviced employment lands are maintained to facilitate short-term, medium-term and long-term growth; and*
- *Facilitate revitalisation of existing employment land precincts to meet the changing needs of industry.*

A relevant opportunity for the area is to *"Regulate development within the flood plain to be sympathetic to the environmental constraints"*.

The proposal will support existing employment land to be utilised to meet the long term needs of the existing business and contribute to local employment opportunities. The proposal has been designed to be sympathetic to the Macquarie River floodplain.

*III. Dubbo Regional Local Strategic Planning Statement*

The Dubbo Regional Local Strategic Planning Statement (LSPS) was adopted by Council on June 22, 2020. The subject Planning Proposal will give effect to the overall guiding vision of the LSPS including taking advantage of opportunities to grow and protecting the environment.

It is considered that the Proposal through facilitating the expansion of an existing business, will give effect to *Planning Priority 8 – Ensure Supply of Employment Generating Land* and *Action 8.1 Implementing and progress the recommendation as contained within the Employment Lands Strategy, 2019.*



#### *IV. Dubbo Region Community Strategic Plan*

The Community Strategic Plan is a long term plan produced by Council that aims to guide and influence the actions and initiatives of the Dubbo Regional Council, state government and the community to 2040.

The Plan sets out five visions to reflect the priorities of the local community. The proposal is consistent with and will give effect to the stated economy and liveability visions as summarised below:

##### *Economy Vision*

<b>Strategy</b>	<b>Assessment</b>
3.2.1 Employment opportunities for all sectors of the community that support economic growth.	The existing moveable building manufacturing business employs 34 staff and 15 contractors. Securing the proposed additional permitted use and extension of the IN2 zone will provide security for the future of the business and will facilitate future expansion.
3.5.1 Opportunities for long term growth and investment across sectors and industry is leveraged.	The existing business currently employs 34 staff and 15 contractors. The proposal will contribute to the local term economic growth of the LGA through securing the permissibility of the existing business and facilitating its potential expansion.
3.5.6 Investment in the Local Government Area as a driver of growth in the region is a key priority for government, industry and the local community.	The proposal will facilitate investment in the LGA through securing the permissibility of the existing use and expanding the existing IN2 Zone.
3.7.3 Planning controls ensure adequate suitable land is available for new development opportunities.	The proposal will contribute to the supply of suitable land for expansion of the exiting moveable building manufacturing business.

##### *Liveability Vision*

<b>Strategy</b>	<b>Assessment</b>
5.10.1 Landuse management improves and sustains the built and natural environment.	The proposal will facilitate future development on the site that will require the lodgement of a development application with Council and assessment under Councils existing planning provisions.

5.10.3 Urban stormwater discharge from the drainage network into receiving waters is limited.	Future development on the site will require the minimisation of urban stormwater discharge into receiving waters.
5.10.5 Planning instruments include provisions for the protection of sensitive environments.	The proposal will facilitate development of E3 Environmental Management zoned land for an existing use. Future development will be subject to existing LEP provisions regarding the protection of sensitive environments.

### **Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

The Planning Proposal is consistent with applicable State Environmental Planning Policies (refer to Attachment A) namely;

**Table 1** State Environmental Planning Policies

<b>SEPP</b>	<b>Requirement</b>	<b>Comment</b>
SEPP No 55 – Remediation of Land	Council is required to consider if a rezoning allows a change of use that may increase the risk to health or the environment from contamination, then the planning authority must be satisfied that the land is suitable for the proposed use or can be remediated to make it suitable.	It is considered that the proposed use is suitable for the subject site. The majority of the site has been used for the manufacture of moveable buildings and or is adjacent an existing IN2 Light Industrial Zone.
SEPP Infrastructure 2007	The SEPP identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure development.	The site fronts the Newell Highway, however the Applicant has advised that no new access points from the Newell Highway are proposed. New access would be from Fitzroy Street.
SEPP Vegetation in non-rural Zones	The SEPP applies to the removal of vegetation in non-rural zones including the IN2 Light Industrial Zone and the E3 Environmental Management Zone.	The proposal does not propose the removal of vegetation.

## Is the Planning Proposal consistent with applicable Ministerial Directions (9.1 Directions)?

The Planning Proposal is generally consistent with applicable Ministerial Directions (refer Attachment B) namely;

**Table 2.** Section 9.1 Directions

Direction	Requirement	Compliance
<b>1. Employment and Resources</b>		
1.1 Business and Industrial Zones	<p>This Direction applies to the Planning Proposal as the proposal will affect land within an existing and proposed industrial zone.</p> <p>The planning proposal must give effect to the objectives of the direction, retain areas and locations of existing of existing business and industrial zones, not reduce potential floor space area for industrial uses in industrial zones, and ensure that proposed new employment area are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment.</p>	<p><b>Consistent</b></p> <p>The Planning Proposal will facilitate an approximate 2 Ha increase in industrial land by realigning the current zoning boundary.</p> <p>The proposal will assist in achieving the objectives of the direction and is consistent with the endorsed Dubbo Employment Lands Strategy endorsed by the Department in 2019.</p>
1.5 Rural Lands	<p>This Direction applies to the Planning Proposal as it effects land within an existing or proposed rural or environmental protect zone (including E3).</p> <p>The Planning Proposal must be consistent with any applicable strategic plan; Consider the significance of agriculture; Identify and protect environmental values; Consider the natural and physical constraints of the land.</p>	<p><b>Consistent</b></p> <p>Agriculture is not currently undertaken on the subject site. The subject planning proposal is consistent with the Dubbo Employment Lands Strategy, endorsed by the Department of Planning in 2019.</p>
<b>1. Environment and Heritage</b>		
2.1 Environment Protection Zones	This Direction requires that a planning proposal include	<b>Consistent</b>

Direction	Requirement	Compliance
	<p>provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in an LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).</p>	<p>The Planning Proposal will result in a minor reduction to the E3 Environmental Management Zone and will facilitate the expansion of the existing activity (manufacture of moveable buildings) on E3 zoned land. However will not alter the environmental protection standards in the LEP.</p>
2.3 Heritage Conservation	<p>This Direction applies to all planning proposals and requires provision to be made that facilitate the conservation of heritage items.</p>	<p>The proposal is consistent with these principles as any future development on the site will be subject to Aboriginal cultural heritage assessment as part of the environmental approval process.</p>
<b>2. Housing Infrastructure and Urban Development</b>		
3.4 Integrating Landuse and Transport	<p>Applies when a 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.</p> <p>A planning proposal must locate zones for urban purposes and include provisions that give effect to an are consistent with the aims and objectives and principles of :</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p>	<p><b>Consistent</b></p> <p>The subject planning proposal will result in an approximate 2 Ha extension to the existing IN2 Light Industrial Zone on 63 Fitzroy Street. This increase is consistent with the aims/objectives/principles of:</p> <p>‘Improving Transport Choice – Guidelines for Planning and Development’ (DUAP 2001) regarding industrial development, whilst ‘The Right Place for Business and Services – Planning Policy’ (DUAP 2001) is not relevant to the subject Planning Proposal.</p>

Direction	Requirement	Compliance
	(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).	
6.1 Approval and Referral Requirements	The Direction is applicable when a Planning Proposal is prepared. A Planning Proposal must minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or Public Authority.	<b>Consistent</b> The proposal does not introduce new concurrence, consultation or referral requirements.
6.2 Reserving land for public purpose	A Planning Proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without approval of the relevant public authority and the Director General of the Department of Planning.	<b>Consistent</b> The proposal does not impact existing zonings or reservations of land for public purposes.

The Planning Proposal is inconsistent with the following Ministerial Directions (refer Attachment B)

Direction	Requirement	Compliance
4.3 Flood Prone Land	<p>This Direction is applicable when a Planning Proposal is prepared that creates, removes or alters a zone or a provision that affects flood prone land.</p> <p>A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).</p> <p>A planning proposal must not rezone land within the flood</p>	<p><b>Minor Inconsistency</b></p> <p>The subject Planning Proposal does not propose any changes to existing flood planning provisions.</p> <p>The Planning Proposal seeks to rezone a small amount of E3 Environmental Management zoned land to IN2 Light Industrial. This land is currently located within the Flood Planning Area in accordance with the Dubbo LEP 2011. However, the flooding information submitted with the Planning Proposal indicates that</p>

Direction	Requirement	Compliance
	<p>planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.</p> <p>A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <ul style="list-style-type: none"> <li>(a) permit development in floodway areas,</li> <li>(b) permit development that will result in significant flood impacts to other properties,</li> <li>(c) permit a significant increase in the development of that land,</li> <li>(d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or</li> <li>(e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.</li> </ul> <p>A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p>	<p>development on this part of the site can occur above the 1 % AEP Flood Level.</p> <p>The Applicant's flooding information advises that whilst there are <i>'local small increases in the 1% AEP flood levels under a Troy Gully flood that these flood levels remain lower than the Macquarie River Flood levels.'</i> As such it is considered that the inconsistency of minor significance.</p> <p>The proposal seeks to facilitate an expansion of an existing use that will be subject to development consent, it does not involve altering existing flood planning provisions of the LEP including reference to the NSW Flood Planning Manual.</p> <p>Council has undertaken pre-gateway consultation with BCD regarding flooding impacts (refer Section C) and will also consult BCD as part of the Gateway process.</p>

Direction	Requirement	Compliance
	For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director General).	
6.3 Site Specific Provisions	<p>A Planning Proposal to allow a particular development to be carried out must either allow the landuse to be carried out in the zone the land is situated on, or rezone the site to an existing zone already applying in the existing environmental planning instrument that allows the land use without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>A Planning Proposal must not contain or refer to drawings that show details of the development proposal.</p>	<p><b>Minor Inconsistency</b></p> <p>The Planning Proposal allows for an additional permitted use on land within an existing E3 Environmental Management zone. It would not be appropriate to allow the manufacture of moveable buildings on all E3 Zoned land. In addition, it would not be appropriate to zone the subject land to IN2 Light Industrial.</p> <p>The subject additional permitted use is limited to an existing use and the inconsistency is considered to be of minor significance.</p>

### Section C – Environmental, Social and Economic Impact

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

The site has been cleared of vegetation as a result of previous landuses. There are no known threatened species, populations or ecological communities present on the site. Further assessment of any vegetation proposed to be cleared will be undertaken at the detailed design stage.

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

The subject site is identified as being almost entirely flood prone in accordance with the Dubbo LEP 2011, meaning that it is almost entirely inundated in a 1 in 100 year flood event. A 1% AEP flood level of 262.4m has been determined for the site.

The indicative masterplan also includes a flood runner that will allow flood waters to traverse the site, it is proposed that this flood runner will remain clear of structures.

The Applicant's flood assessment concludes the following:

*'the proposed earthworks would have a negligible impact on the 1% AEP flood levels'*  
*The proposed earthworks would have a negligible impact or a local impact only on flood velocities, velocity x depth, and provisional flood hazard'.*

*'Local changes in peak velocity are such that peak velocity remains low and does not pose a concern in relation to erosion or scour in the 1% AEP flood'.*

Pre-Gateway consultation with the BCD confirmed that the proposal is consistent with the *NSW Flood Prone Land Policy* and the principles of the *Floodplain Development Manual 2005* as well as the *Guideline on Development Controls on Low Flood Risk Areas*.

The DPIE- Biodiversity Conservation Division will be consulted as part of the exhibition process.

**Has the Planning Proposal addressed any other social or economic effects?**

The subject site does not contain any items or places of Aboriginal or European heritage significance.

The Planning Proposal currently employs 34 staff, the subject proposal will provide it with security and allow for small scale expansion (subject to development consent).

**Section D State and Commonwealth Interests**

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

The subject proposal will not result in an increase in demand for public infrastructure?

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



No preliminary views from State or Commonwealth agencies have been sought at this stage. However, consultation with DPIE-Biodiversity and Conservation Division (BCD) under section 3.34(2)(d) of the Act is required in accordance with Gateway Determination. This agency consultation will be undertaken concurrently with the community consultation

## Part 4 Mapping

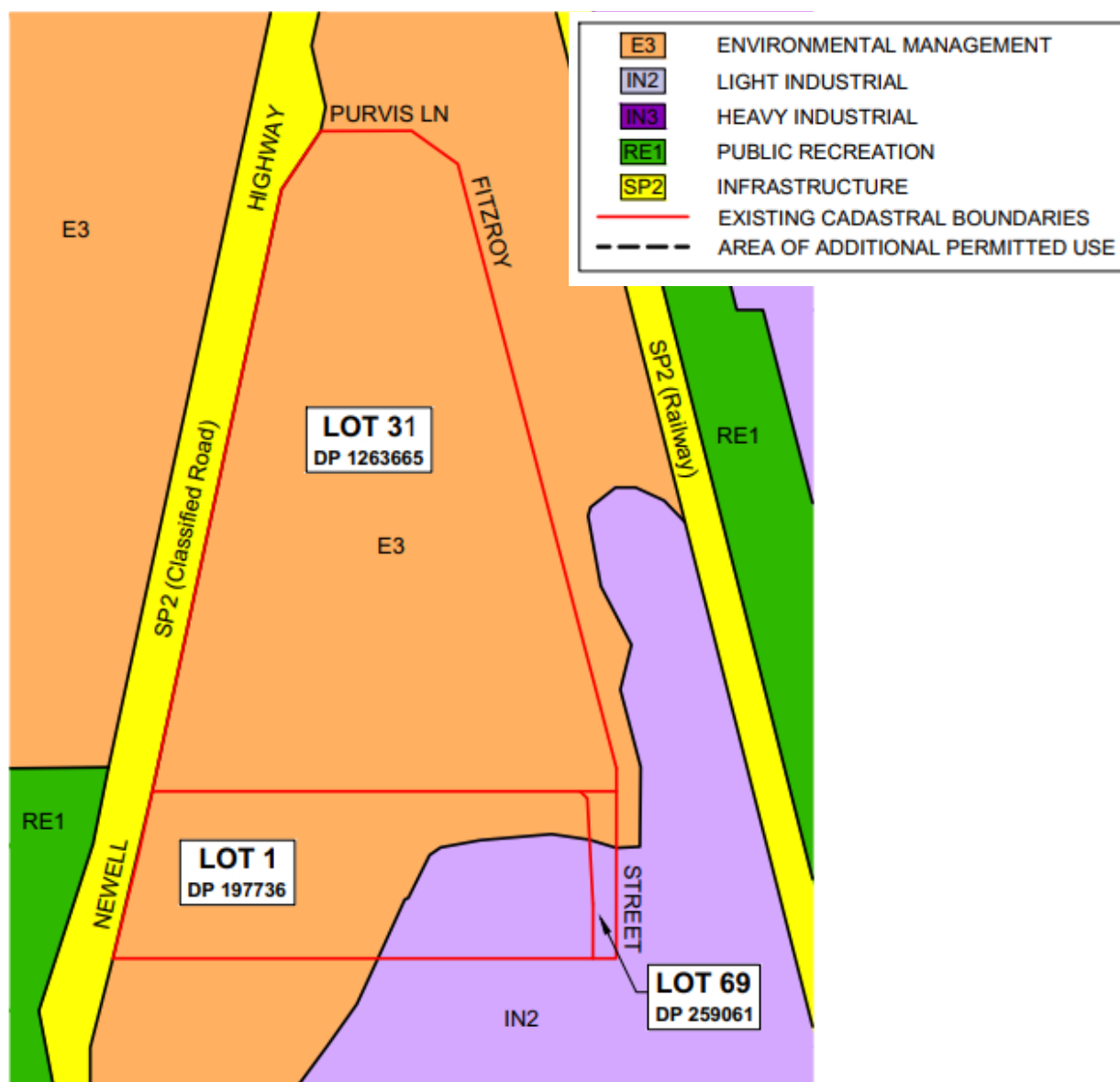
### Current Zoning

The subject lands are currently zoned part E3 Environmental Management and part IN2 Light Industrial under the provisions of the Dubbo LEP 2011 (**Figure 3**).

### Proposed Rezoning

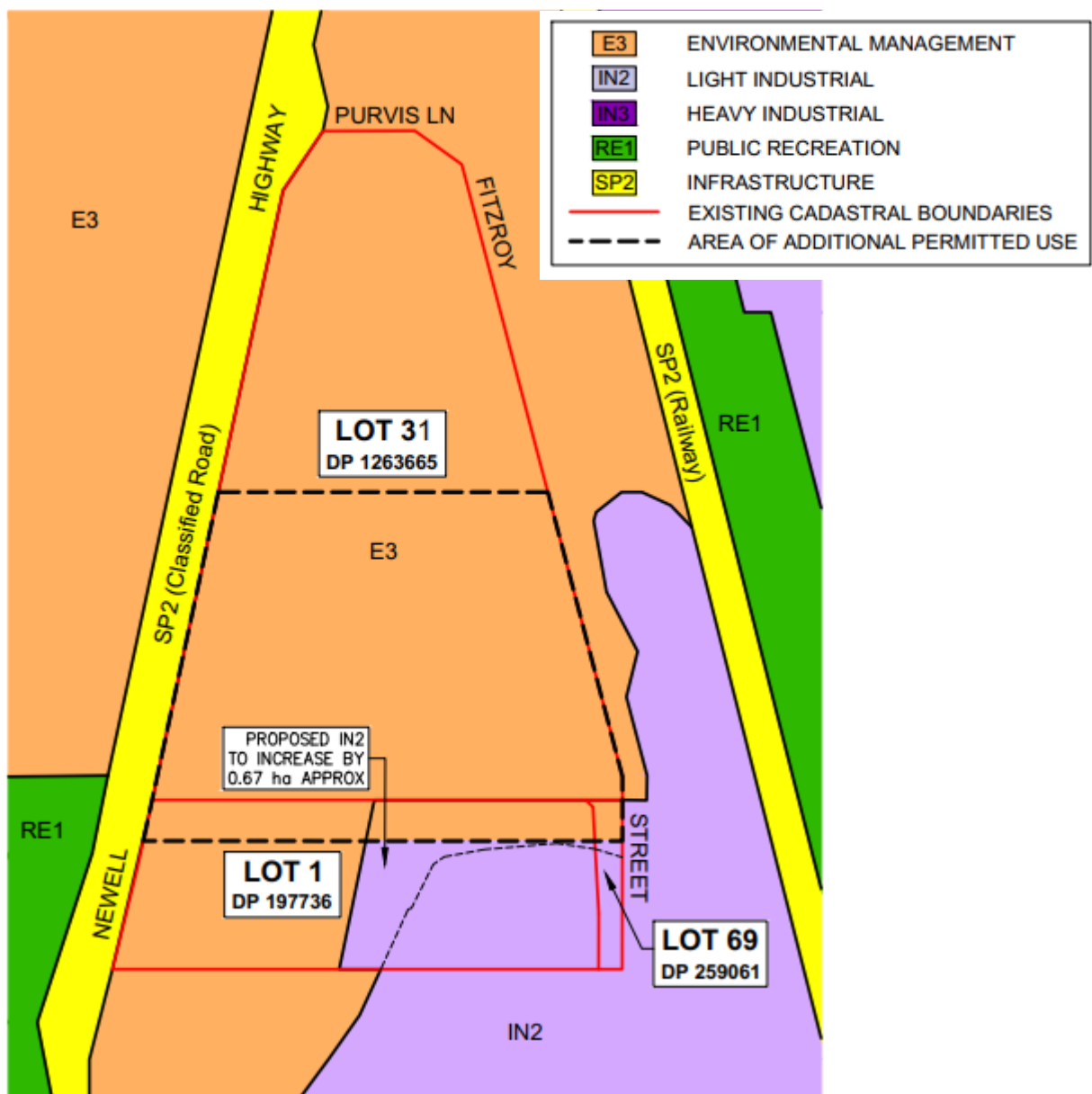
It is proposed to rezone approximately 0.67 ha of land from E3 Environmental Management to IN2 Light Industrial (**Figure 4**).

**Figure 3.** Current Zoning, Dubbo LEP 2011



Source: Geocortex Base

**Figure 4. Proposed Rezoning**



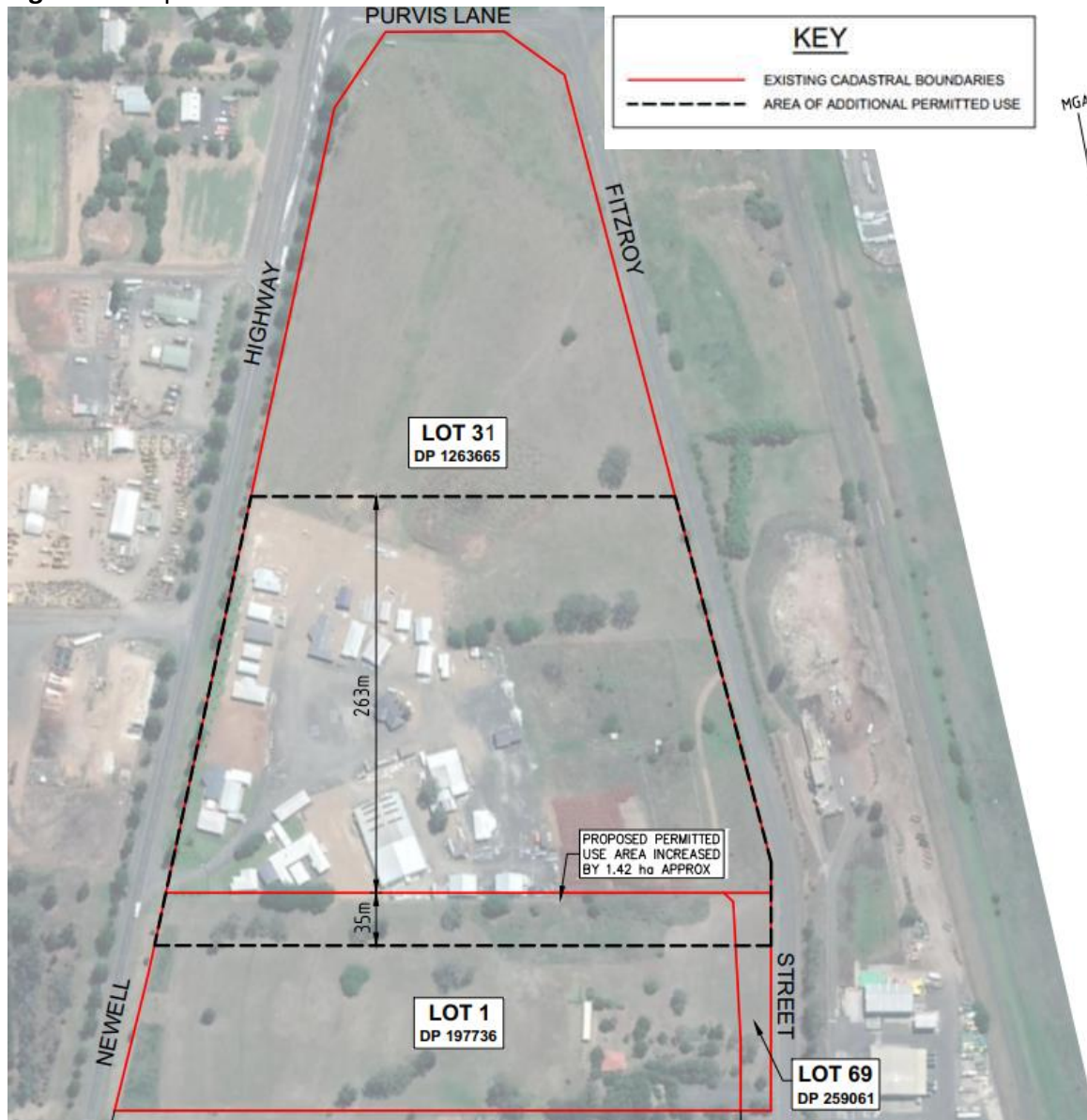
Source: Geocortex Base

### Additional Permitted Use

It is also proposed to insert Light Industrial (moveable building manufacturing) as an additional permitted use in Schedule 1 of the Dubbo LEP 2011 over part of 2R Gilgandra Road and part of 63 Fitzroy Street as indicated in **Figure 5**. The total area of the proposed additional permitted use is 10.5 ha.

This exact locations of the additional permitted use will be shown in an additional permitted use map referred to in Schedule 1 of the Dubbo LEP.

**Figure 5: Proposed Additional Permitted Use**



Source, Barnson 2020

## Part 5 Community Consultation

Council undertook pre-gateway consultation with the BCD regarding potential flooding impacts of the proposal. The results of this consultation are provided in section C of this Planning Proposal. Further consultation with Government agencies will be undertaken in accordance with the Gateway Determination.

A Councillor workshop regarding the proposal was held on August 2020. Onsite consultation with Council staff and immediate neighbours of the proposal was held on 25 October 2020. Further consultation with adjoining neighbours will be undertaken in accordance with the Gateway determination.

## Part 6 Project Timeline

The proposed timeline remains undetermined at this stage, however an indicative timeline is provided below:

Stage	Timing
Gateway Determination	December 2020
Completion of additional information	January 2021
Exhibition in accordance with the Gateway Determination	February 2021
Consideration of submissions	March 2021
Amendment to Planning Proposal if required	April 2021
Date of submission to PC (if delegated)	May 2021
Legal drafting	June 2021
Date Plan is made	July 2021

## ATTACHMENT A - State Environmental Planning Policies

State Environmental Planning Policy (SEPP)	Applicable	Consistency
SEPP 1 – Development Standards	No	NA
SEPP 19 – Bushland in Urban Areas	No	NA
SEPP 21 – Caravan Parks	No	NA
SEPP 33 – Hazardous and Offensive Development	Yes	Yes
SEPP 36 – Manufactured home estates	No	NA
SEPP 47 – Moore Park Showground	No	NA
SEPP 50 – Canal Estate Development	Yes	NA
SEPP 55 – Remediation of Land	Yes	Yes
SEPP 64 – Advertising and Signage	Yes	Yes
SEPP 65 – Design Quality of Residential Apartment Development	No	NA
SEPP 70 – Affordable Housing (Revised Schemes)	Yes	Yes
SEPP Aboriginal Land	No	NA
SEPP Activation Precincts	No	NA
SEPP Affordable Rental Housing	Yes	Yes
SEPP Building Sustainability Index: BASIX	Yes	Yes
SEPP Coastal Management	No	NA
SEPP Concurrences	Yes	Yes
SEPP Education Establishments and Child Care Facilities	Yes	Yes
SEPP Exempt and Complying Development	Yes	Yes
SEPP Gosford City Centre	No	NA
SEPP Housing for Seniors or People with a Disability	No	NA
SEPP Infrastructure	Yes	Yes
SEPP Koala habitat protection	No	NA
SEPP Kosciuszko National Park – Alpine Resorts	NA	No
SEPP Kurnell Peninsula	NA	No
SEPP Mining, petroleum Production and Extractive Industries	Yes	Yes
SEPP Miscellaneous Consent Provisions	Yes	Yes
SEPP Penrith Lakes Scheme	No	NA

<b>State Environmental Planning Policy (SEPP)</b>	<b>Applicable</b>	<b>Consistency</b>
SEPP Primary Production and Rural Development	Yes	Yes
SEPP State and Regional Development	Yes	Yes
SEPP State Significant Precincts	Yes	Yes
SEPP Sydney Drinking Water Catchment	No	NA
SEPP Sydney Region Growth Centres	No	NA
SEPP Three Ports	No	NA
SEPP Urban Renewal	No	NA
SEPP Vegetation in Non-Rural Areas	Yes	Yes
SEPP Western Sydney Employment Area	No	NA
SEPP Western Sydney Parklands	No	NA

## ATTACHMENT B - Ministerial Directions

S9.1 Direction	Applicable	Consistent
1.1 Business and Industrial Zones	Yes	Yes
1.2 Rural Zones	No	NA
1.3 Mining, Petroleum Production and Extractive Industries	No	NA
1.4 Oyster Aquaculture	No	NA
1.5 Rural Lands	Yes	Yes
2.1 Environment Protection Zones	Yes	Yes
2.2 Coastal Management	No	NA
2.3 Heritage Conservation	Yes	Yes
2.4 Recreation Vehicle Areas	No	NA
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP's	No	NA
2.6 Remediation of Contaminated Land	No	NA
3.1 Residential Zones	No	NA
3.2 Caravan Parks and Manufactured Home Estates	No	NA
3.3 Home Occupations	No	NA
3.4 Integrating Land Use and Transport	Yes	Yes
3.5 Development near Regulated Airports and Defence Airfields	No	NA
3.6 Shooting Ranges	No	NA
3.7 Reduction in non-hosted short term rental accommodation period	No	NA
4.1 Acid Sulfate Soils	No	NA
4.2 Mine Subsidence and Unstable Land	No	NA
4.3 Flood Prone Land	Yes	Minor Inconsistency
4.4 Planning for Bushfire Protection	No	NA
5.1 Implementation of Regional Strategies	No	NA
5.2 Sydney Drinking Water Catchment	No	NA
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	NA



<b>S9.1 Direction</b>	<b>Applicable</b>	<b>Consistent</b>
5.4 Commercial and Retail Development along the Pacific Hwy, North Coast	No	NA
5.5 – 5.8	Revoked	Revoked
5.9 North West Rail Link Corridor Strategy	No	NA
5.10 Implementation of Regional Plans	Yes	Yes
5.11 Development of Aboriginal Land Council land	No	NA
6.1 Approval and Referral Requirements	Yes	Yes
6.2 Reserving Land for Public Purposes	No	NA
6.3 Site Specific Provisions	Yes	Minor Inconsistency
7 Metropolitan Planning	No	NA