

No.	SEPP Title	Summary of SEPP	Applicable to Planning Proposal	Consistency
		minimal clearing along boundaries for fencing and surveying		
15	State Environmental Planning Policy – Rural Land sharing Communities	Makes multiple occupancy permissible, with council consent, in rural and non-urban zones, subject to a list of criteria in clause 9(1) of the policy. Multiple occupancy is defined as the collective management and sharing of unsubdivided land, facilities and resources. The policy encourages a community-based environmentally-sensitive approach to rural settlement, and enables the pooling of resources to develop opportunities for communal rural living. SEPP 15 Guide provides guidance to intending applicants.	N/A	N/A
19	State Environmental Planning Policy – Bushland in Urban Areas	Protects and preserves bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. The policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared	N/A	N/A
21	State Environmental Planning Policy – Caravan Parks	Ensures that where caravan parks or camping grounds are permitted under an environmental planning instrument, movable dwellings, as defined in the Local Government Act 1993, are also permitted. The specific kinds of movable dwellings allowed under the Local Government Act in caravan parks and camping grounds are subject to the provisions of the Caravan Parks Regulation. The policy ensures that development consent is required for new caravan parks and camping grounds and for additional long-term sites in existing caravan parks. It also enables, with the council's consent, long-term sites in caravan parks to be subdivided by leases of up to 20 years	N/A	N/A
22	State Environmental Planning Policy – Shops & Commercial Premises	Permits within a business zone, a change of use from one kind of shop to another or one kind of commercial premises to another, even if the change of use is prohibited under an environmental planning instrument. Development consent must be obtained and the consent authority satisfied that the change of use will have no, or only minor, environmental effect	N/A	N/A
26	State Environmental Planning Policy – Littoral Rainforests	Protects littoral rainforests, a distinct type of rainforest well suited to harsh salt-laden and drying coastal winds. The policy requires that the likely effects of proposed development be thoroughly considered in an environmental impact statement. The policy applies to 'core' areas of littoral rainforest as well as a 100 metre wide 'buffer' area surrounding these core areas, except for residential land and areas to which SEPP No. 14 - Coastal Wetlands applies. Eighteen local government areas with direct frontage to the Pacific Ocean are affected, from Tweed in the north to Eurobodalla in the south.	N/A	N/A
29	State Environmental Planning Policy – Western	Enables development to be carried out for recreational, sporting and cultural purposes within the Western Sydney Recreation Area, including the development of a recreation area of State significance.	N/A	N/A

Assessment of Planning Proposal - State Environmental Planning Policies

Attachment 3

No.	SEPP Title	Summary of SEPP	Applicable to Planning Proposal	Consistency
	Sydney Recreation Area			
30	State Environmental Planning Policy – Intensive Agriculture	Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out information and public notification requirements to ensure there are effective planning control over this export-driven rural industry. The policy does not alter it, and where, such development is permitted, or the functions of the consent authority.	N/A	N/A
32	State Environmental Planning Policy – Urban Consolidation (Redevelopment of Urban Land)	States the Government's intention to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used, and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy. Councils will continue to be responsible for the majority of rezonings. The policy sets out guidelines for the Minister to follow when considering whether to initiate a regional environmental plan (REP) to make particular sites available for consolidated urban redevelopment. Where a site is rezoned by an REP, the Minister will be the consent authority.	N/A	N/A
33	State Environmental Planning Policy – Hazardous & Offensive Industry	Provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The definitions apply to all planning instruments, existing and future. The new definitions enable decisions to approve or refuse a development to be based on the merit of proposal. The consent authority must carefully consider the specifics the case, the location and the way in which the proposed activity is to be carried out. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy. For example, any application to carry out a potentially hazardous or potentially offensive development is to be advertised for public comment, and applications to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA). The policy does not change the role of councils as consent authorities, land zoning, or the designated development provisions of the Environmental Planning and Assessment Act 1979.	N/A	N/A
36	State Environmental Planning Policy – Manufactured Home Estate	Helps establish well-designed and properly serviced manufactured home estates (MHEs) in suitable locations. Affordability and security of tenure for residents are important aspects. The policy applies to Gosford, Wyong and all local government areas outside the Sydney Region. To enable the immediate development of estates, the policy allows MHEs to be located on certain land where caravan parks are permitted. There are however, criteria that a proposal must satisfy before the local council can approved development. The policy also permits, with consent, the subdivision of estates either by community title or by leases of up to 20 years. A section 117 direction issued in conjunction with the policy guides councils	N/A	N/A

Assessment of Planning Proposal - State Environmental Planning Policies

Attachment 3

No.	SEPP Title	Summary of SEPP	Applicable to Planning Proposal	Consistency
		in preparing local environmental plans for MHEs, enabling them to be excluded from the policy		
39	State Environmental Planning Policy – Spit Island Bird Habitat	Enables a bird habitat at Spit Island at Towra Point, Kurnell to be created and protected without the need for development consent. Such work is still subject to Part 5 of the Environmental Planning and Assessment Act 1979. The wading birds for which the nesting habitat is to be created are covered by international agreements. It is needed as the construction of the third runway at Sydney Airport substantially reduced the habitat for Little Terns, an endangered species, as well as several other species of migratory wading birds	N/A	N/A
41	State Environmental Planning Policy – Casino Entertainment Complex	Permits development for the purpose of a casino/entertainment complex or complimentary development on the land to which the policy applies	N/A	N/A
44	State Environmental Planning Policy – Koala Habitat Protection	Encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range. The policy applies to 107 local government areas. Local councils cannot approve development in an area affected by the policy without an investigation of core koala habitat. The policy provides the state-wide approach needed to enable appropriate development to continue, while ensuring there is ongoing protection of koalas and their habitat	The site has been identified by the proponent as not containing any Koala food trees. A detailed Flora and Fauna Assessment will be completed as part of the Planning Proposal.	Consistent
47	State Environmental Planning Policy – Moore Park Showground	Enables the redevelopment of the Moore Park Showground for film and television studios and film-related entertainment facilities in a manner that is consistent with the Showground's status as an area important to the State and for regional planning. The policy ensures community activities and equestrian uses can continue on parts of the site. It specifies a consultation process, and requires the Minister for Planning, as the consent authority, to consider a range of possible impacts when determining development applications	N/A	N/A
50	State Environmental Planning Policy – Canal Estate Development	Bans new canal estates from the date of gazettal, to ensure coastal and aquatic environments are not affected by these developments	N/A	N/A
52	State Environmental	Applies to 11 irrigation areas or districts and lands shown on the plans. They are: Coleambally, Jemalong, Wyldes Plains, Burrunga, Tabbita and Wah Wah, Berrigun, Cadell, Denemein and Wakool, which are	N/A	N/A

No.	SEPP Title	Summary of SEPP	Applicable to Planning Proposal	Consistency
	Planning Policy – Farm Dams and Other Works in Land and Water Management Plan Areas	part of the area administered by Murray Irrigation Ltd; and land in East Cadell in the Murray local government area. The policy amends the threshold used to determine what is 'designated development' in relation to farm dams (artificial waterbodies). It applies in areas where there are approved land and water management plans (LWMP) and farm plans have been approved. Currently only the area administered by Murray Irrigation Corporation has approved LWMPs (i.e. for Berrigun, Caddell, Denemein and Wakool). As other LWMPs are approved, the policy may be amended to incorporate the areas covered by those plans. The policy amends SEPP No. 4 to enable Irrigation corporations within the areas covered by the policy to carry out routine maintenance and emergency works without the need for development consent.		
53	State Environmental Planning Policy – Metropolitan Residential Development	Repeals SEPP No. 12, SEPP No. 20, SEPP No. 25 and Sydney Regional Environmental Plan No. 12. Applies to councils in the Greater Metropolitan Region that have not prepared a suitable residential development strategy that addresses local housing needs while contributing to the metropolitan objective of more compact cities. The policy contains development controls for integrated housing and dual occupancy. Subdivision of dual occupancy is not permitted. Under Part 4 of the policy, the Minister can alter local planning provisions to facilitate multi-unit redevelopment of sites that are well located in relation to transport, jobs and services. A site analysis and a range of design principles are to be considered in assessing development to which the policy applies	N/A	N/A
55	State Environmental Planning Policy – Remediation of Land	Introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals. To assist councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines	A preliminary assessment will be required to meet the requirements of SEPP 55 prior to finalising the Planning Proposal.	Consistent
59	State Environmental Planning Policy – Central Western Sydney Regional Open Space and Residential	Rezones and coordinates the planning and development of certain land in the central west of Sydney. The policy provides for residential development in suitable areas on a precinct-by-precinct basis to help accommodate Sydney's population growth. It also provides for optimal environmental and planning outcomes, including the conservation of areas of high biodiversity, heritage, scenic or cultural value, implementation of good urban design, and providing for the extraction of resources from existing quarries in an environmentally acceptable manner. Note: The title of this SEPP was amended by SEPP (Western Sydney Employment Area) 2009 published 21 August 2009.	N/A	N/A
60	State Environmental Planning Policy – Exempt & Complying Development	Provides a more efficient and effective approval process for certain classes of development. The policy is an essential part of the reforms introduced to the development assessment system in July 1998. It applies to areas of the State where there are no such provisions in the council's local plans	N/A	N/A

No.	SEPP Title	Summary of SEPP	Applicable to Planning Proposal	Consistency
62	State Environmental Planning Policy – Sustainable Aquaculture	Encourages the sustainable expansion of the industry in NSW. The policy implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture development as a designated development only where there are potential environmental risks	N/A	N/A
64	State Environmental Planning Policy – Advertising & Signage	Aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish. The SEPP was amended in August 2007 to permit and regulate outdoor advertising in transport corridors (e.g. freeways, tollways and rail corridors). The amended SEPP also aims to ensure that public benefits may be derived from advertising along and adjacent to transport corridors. Transport Corridor Outdoor Advertising and Signage Guidelines (DOP July 2007) provides information on design criteria, road safety and public benefit requirements for SEPP 64 development applications	N/A	N/A
65	State Environmental Planning Policy – Design Quality of Residential Flat Development	Raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development. The accompanying regulation requires the involvement of a qualified designer throughout the design, approval and construction stages	N/A	N/A
70	State Environmental Planning Policy – Affordable Housing (Revised Schemes)	Extends the life of affordable housing provisions relating to: Sydney Regional Environmental Plan No. 26 - City West, Willoughby Local Environmental Plan 1995, South Sydney Local Environmental Plan 1998. Schemes such as these are helping to provide affordable housing in areas undergoing significant redevelopment	N/A	N/A
71	State Environmental Planning Policy – Coastal Protection	The policy has been made under the Environmental Planning and Assessment Act 1979 to ensure that development in the NSW coastal zone is appropriate and suitably located, to ensure that there is a consistent and strategic approach to coastal planning and management and to ensure there is a clear development assessment framework for the coastal zone.	The land is not within the NSW Coastal Zone	N/A
	State Environmental Planning Policy (Affordable Rental Housing) 2009	Establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people.	N/A	N/A

No.	SEPP Title	Summary of SEPP	Applicable to Planning Proposal	Consistency
	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	This SEPP operates in conjunction with Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 to ensure the effective introduction of BASIX in NSW. The SEPP ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans, and specifying that SEPP 1 does not apply in relation to any development standard arising under BASIX. The draft SEPP was exhibited together with draft Regulation amendment in 2004.	This policy will be applicable with future rural residential development on the Crawford Land	Consistent
	State Environmental Planning Policy (Exempt & Complying Development Codes) 2008	Streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.	N/A	N/A
	State Environmental Planning Policy (Housing for Seniors & People with a Disability) 2004	Encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood. Note the name of this policy was changed from SEPP (Seniors Living) 2004 to SEPP (Housing for Seniors or People with a Disability) 2004 effective 12.10.07	N/A	N/A
	State Environmental Planning Policy (Infrastructure) 2007	Provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.	N/A	N/A
	State Environmental Planning Policy (Kosciuszko National Park - Alpine Resorts) 2007	The aim of this policy is to strengthen the assessment framework for development within the alpine resorts and to reinforce environmentally sustainable development and recreational activities within these resorts. The Policy also facilitates the protection of the natural and cultural setting of the alpine resorts in Kosciuszko National Park	N/A	N/A
	State Environmental Planning Policy (Major Development) 2005	Defines certain developments that are major projects to be assessed under Part 3A of the Environmental Planning and Assessment Act 1979 and determined by the Minister for Planning. It also provides planning provisions for State significant sites. In addition, the SEPP identifies the council consent authority functions that may be carried out by joint regional planning panels (JRPPs) and classes of regional development to be determined by JRPPs. Note: This SEPP was formerly known as State Environmental Planning Policy (Major Projects) 2005.	N/A	N/A

No.	SEPP Title	Summary of SEPP	Applicable to Planning Proposal	Consistency
	State Environmental Planning Policy (Mining, Petroleum Production & Extractive Industries) 2007	This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State. The Policy establishes appropriate planning controls to encourage ecologically sustainable development.	N/A	N/A
	State Environmental Planning Policy (Rural Lands) 2008	The aim of this policy is to facilitate the orderly and economic use and development of rural lands for rural and related purposes. The policy applies to local government areas that are not listed in clause 4. Clause 7 of the SEPP sets out the Planning Principles for rural development.	As per Planning Principle (n) the Planning Proposal is on land that is consistent with the applicable regional strategy of the Department of Planning and the local strategy endorsed by the Director-General.	Consistent
	State Environmental	Provides for the coordinated release of land for residential, employment and other urban development in	N/A	N/A

No.	SEPP Title	Summary of SEPP	Applicable to Planning Proposal	Consistency
	Planning Policy (Sydney Region Growth Centres) 2006	the North West and South West growth centres of the Sydney Region (in conjunction with Environmental Planning and Assessment Regulation relating to precinct planning).		
	State Environmental Planning Policy (Temporary Structures) 2007	Provides for the erection of temporary structures and the use of places of public entertainment while protecting public safety and local amenity. Note the name of this policy was changed from SEPP (Temporary Structures and Places of Public Entertainment) 2007 to SEPP (Temporary Structures) 2007 effective 26.10.09.	N/A	N/A
	State Environmental Planning Policy (Western Sydney Employment Area) 2009	Promotes economic development and the creation of employment in the Western Sydney Employment Area by providing for development, including major warehousing, distribution, freight transport, industrial, high technology and research facilities. The policy provides for coordinated planning, development and rezoning of land for employment or environmental conservation purposes.	N/A	N/A
	State Environmental Planning Policy (Western Sydney Parklands) 2009	The aim of the policy is to put in place planning controls that will enable the Western Sydney Parklands Trust to develop the Western Parklands into multi-use urban parkland for the region of western Sydney.	N/A	N/A
Other Regional Environmental Plan (deemed State Environmental Planning Policies)				
	Murray REP No. 2 – Riverine Land	Ensures the river and its floodplain are able to support a range of productive land uses. The plan coordinating planning along the Murray River and the implementation of planning-related aspects of the Murray Darling Basin Commission strategies. It simplifies the consultation process between agencies and councils established in REP No. 1. It also promotes consistency between NSW and Victoria planning in relation to the river and its floodplain.	N/A	N/A
	Willandra Lakes REP No 1 - World Heritage Property	Applies to the Willandra Lakes Region in the Shires of Wentworth and Balranald. The purpose of the plans is to protect, conserve and manage this World Heritage Property in accordance with any strategic plan of management. The plan also aims to provide a process of consultation with stakeholders on development and related decisions.	N/A	N/A
	Riverina REP No. 1	This plan covers land within a 16-kilometre radius of the proposed Australian Defence Communications Facility to be built near Morundah. Its purpose is to protect the operational effectiveness of the new facility	N/A	N/A
	Orana REP No. 1 - Siding Spring	Covers the area around Siding Spring Observatory in Coonabarabran and is designed to deal with the problem of light emission interfering with the effectiveness of the telescopes. Coonabarabran Council has prepared a development control plan to implement the necessary lighting codes.	N/A	N/A

No.	SEPP Title	Summary of SEPP	Applicable to Planning Proposal	Consistency
Western Division REP No. 1 - Extractive Industries		Provides consistent control of extractive industries in the Western Division, to ensure there is adequate site management and to protect valuable agricultural land, water quality, riparian environs, heritage items and aboriginal sites of significance. The plan also provides for rehabilitation of quarries after extraction	N/A	N/A

Consideration of North Coast Regional Environmental Plan (Deemed SEPP)

North Coast Regional Environmental Plan (Deemed SEPP)		Consistent	Comment
Part 2 Rural Development			
Agricultural Resources			
Prime Crop or Pasture Land	Yes		The majority has been categorised as 'Class 5' agricultural land. 'Class 5' agricultural land is not prime crop and pasture land is land only suitable for rough grazing.
Minimum lot size	Yes		No alteration to minimum lot sizes under the Lismore LEP 2000 are proposed
Concessional lots	Yes		There is no provision to allow concessional lots in the Planning Proposal.
Cluster farming	Yes		There is no provision related to cluster farming in the Planning Proposal.
Intensive animal industries	Yes		In the draft LEP no provisions for intensive livestock agriculture and animal establishments are proposed
Catchment Management			
Wetlands or fishery habitats	Yes		No identified SEPP 14 wetlands are impacted
Geological Resources			
Extractive materials	Yes		No provisions will impact on extractive industries.
Rural Housing			
Rural Land Release Strategy	Yes		The Planning Proposal is consistent with a Rural Land Release Strategy endorsed by the Director General.
Dwellings on rural land	Yes		The Planning Proposal will not alter existing provisions relating to dwellings on rural land.

Dual occupancy	Yes	The Planning Proposal will not contain provisions that impact on existing provisions for dual occupancy development
Forestry		
State forests	N/A	N/A
Areas other than State Forests	N/A	N/A
Timber processing plants	Yes	The Planning Proposal does not propose to rezone land adjoining or adjacent to timber processing plants for residential purposes.
Part 3 Conservation and the Environment		
The Natural Environment		
Natural areas and water catchments	Yes	The draft LEP will not alter local controls relating to wildlife corridors, native vegetation and habitat areas, and riparian lands and waterways.
Coastal Development		
Coastal hazard areas	N/A	N/A
Coastal foreshore areas	N/A	N/A
Coastal lands	N/A	N/A
Part 4 Urban Development		
Strategic Planning		
Urban Land Release Strategy	N/A	N/A
Retail, commercial or business activities	N/A	N/A

Principles for urban zones	N/A	N/A
Urban Housing		
Principles for housing	N/A	N/A
Environmental hazards		
Hazards	Generally	A SEPP 55. Preliminary investigation will be completed post Gateway determination. The bushfire hazards that exist on the site can be dealt with via routine hazard reduction measures.
Flood liable land	Yes	The land is not mapped as been flood prone.
Commercial and Industrial development		
Principles for commercial and industrial development	N/A	N/A
Maintenance of industrial development zonings	N/A	N/A.
Tall Buildings		
Height Controls	N/A	N/A
Part 5 Regional Infrastructure		
Transport		
Primary arterial roads	N/A	N/A

Secondary arterial roads	N/A	N/A
Existing controls for main or arterial roads	N/A	N/A
Development of new airports	N/A	N/A
Land in the vicinity of aerodromes	N/A	N/A
Bus services	Yes	The proposed development is on existing bus routes. The proponent will be required to make provision for an additional bus stop.
Utility services		
Servicing urban areas	N/A	N/A
Health and Education		
Health and education facilities	Yes	The site has good access to existing health and education facilities.
Community use of schools and other facilities	N/A	N/A
Community Services		
Provision of community, welfare and child care services	Generally	The land is located close to a basic range of existing services and additional community services are available nearby in Dunoon or Lismore
Part 6 Tourism and Recreation		
Tourism		
Environmental features and hazards	Yes	The Planning Proposal does not zone land specifically for tourism development.

Principles for location of tourism development	Yes	The Planning Proposal does not zone land specifically for tourism development.
Provision of services to tourism development	Yes	The Planning Proposal does not zone land specifically for tourism development.
Large scale resort development	Yes	The Planning Proposal does not zone land specifically for tourism development.
Residential development and tourism	Yes	The Planning Proposal does not zone land specifically for tourism development.
Tourism development on farms	Yes	The Planning Proposal does not zone land specifically for tourism development.
Recreation		
Public recreation areas	Yes	The Planning Proposal only provides minor infill development and will rely on the existing extensive recreation areas in the LGA.
Recreation vehicle areas	Yes	The Planning Proposal does not contain provisions relating to RVAs
Existing zones for public open space	Yes	The Planning Proposal does not reduce the amount of land zoned for public recreation.
Part 7 Miscellaneous		
Plan preparation – miscellaneous provisions	N/A	N/A

Consideration of Ministerial Directions under Section 117

No.	Title	Applicable	Consistency
1. Employment and Resources (effective 1 July 2009)			
1.1	<i>Business and Industrial Zones</i> A planning proposal must: • give effect to the objectives of this direction • retain the areas and locations of existing business and industrial zones • not reduce the total potential floor space area for employment uses and related public services in business zones • not reduce the total potential floor space area for industrial uses in industrial zones, and • ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	No	N/A
1.2	<i>Rural Zones</i> A planning proposal must: • not rezone land from a rural zone to a residential, business, industrial, village or tourist zone • not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).	No	The inconsistency is justifiable in that the Planning Proposal is consistent with both Council's Director General endorsed <i>Lismore Rural Housing Strategy 2002</i> and the <i>Far North Coast Regional Strategy</i>
1.3	<i>Mining Petroleum Production and Extractive Industries</i> This direction applies when a relevant planning authority prepares a planning proposal that would have the effect of: • prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or • restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.	No	N/A

No. Title	Applicable	Consistency
1.4 <i>Oyster Aquaculture</i> This direction applies when a relevant planning authority prepares any planning proposal that proposes a change in land use which could result in: - adverse impacts on a Priority Oyster Aquaculture Area or a "current oyster aquaculture lease in the national parks estate"; or - incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or a "current oyster aquaculture lease in the national parks estate" and other land uses.	No	N/A
1.5 <i>Rural Lands</i> This direction applies when: - a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or - a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.	Yes	(a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas, The land the subject of the planning proposal is principally classified as Class 5 lag land. (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, The Planning Proposal is for infill rural residential development. There is sufficient land to provide suitable buffering to the rural land to the south of the land. (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, As stated above the Planning Proposal will not directly or indirectly impact rural land.

No.	Title	Applicable	Consistency
			(d) in planning for rural lands, to balance the social, economic and environmental interests of the community, This infill rural residential development allows additional rural residential lots without significantly impacting on surrounding rural land. (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, The land has limited constraints. However the necessary further assessments will be completed post Gateway determination. (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities, This land provides an ideal opportunity to provide housing in a rural environment with minimal impact on rural land. (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing, The proposed development effectively utilises existing services and infrastructure. (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

No. Title	Applicable	Consistency
		The Planning Proposal is consistent with Council's endorsed local strategy.
2. Environment and Heritage (effective 1 July 2009)		
2.1 Environment Protection Zones - A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. - A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".	Yes	The preliminary indications are that there isn't any land that would justify an environmental protection zone.
2.2 Coastal Protection A planning proposal must include provisions that give effect to and are consistent with: - the NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997, and - the Coastal Design Guidelines 2003, and - the manual relating to the management of the coastline for the purposes of section 733 of the Local Government Act 1993 (the NSW Coastline Management Manual 1990).	No	N/A
2.3 Heritage Conservation A planning proposal must contain provisions that facilitate the conservation of: - items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, - Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and - Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority.	Yes	This inconsistency is justified by requiring cultural archaeological and heritage investigations across the site consistent with current guidelines and statutory requirements.

No.	Title	Applicable	Consistency
	which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.		
2.4	Recreation Vehicle Areas A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983): • where the land is within an environmental protection zone, • where the land comprises a beach or a dune adjacent to or adjoining a beach, • where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority has taken into consideration: (i) the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985, and (ii) the provisions of the guidelines entitled Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985.	No	N/A
3. Housing Infrastructure and Urban Development (effective 1 July 2009 - Except for new Direction 3.6 –effective 16 February 2011)			
3.1	Residential Zones This direction applies when a relevant planning authority prepares a planning proposal that will affect land within: • an existing or proposed residential zone (including the alteration of any existing residential zone boundary) • any other zone in which significant residential development is permitted or proposed to be permitted.	No	N/A
3.2	Caravan Parks and Manufactured Home Estates This direction applies when a relevant planning authority prepares a planning proposal. In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must: • retain provisions that permit development for the purposes of a caravan park to	No	N/A

No.	Title	Applicable	Consistency
	be carried out on land, and retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.		
3.3	<i>Home Occupations</i> This direction applies when a relevant planning authority prepares a planning proposal. Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.	Yes	Yes - The Planning proposal does not change the existing provisions for home occupations.
3.4	<i>Integrating Land Use and Transport</i> 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 must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: - Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and - The Right Place for Business and Services – Planning Policy (DUAP 2001).	No	N/A
3.5	<i>Development Near Licensed Aerodromes</i> 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 land in the vicinity of a licensed aerodrome. In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must: - consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome, - take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth, - or land affected by the OLS:	No	N/A

No.	Title	Applicable	Consistency
	(i) (ii) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act.		
3.6	Shooting Ranges This direction applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range. A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of: - permitting more intensive land uses than those which are permitted under the existing zone; or - permitting land uses that are incompatible with the noise emitted by the existing shooting range.	No	N/A
4. Hazard and Risk (effective 1 July 2009)			
4.1	Acid Sulfate Soils This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.	No	N/A
4.2	Mine Subsidence and Unstable Land This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that: - is within a mine subsidence district; or - has been identified as unstable in a study, strategy or other assessment undertaken: (i)	No	N/A

No. Title	Applicable	Consistency
(ii) 4.3 Flood Prone Land This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land. 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). A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone. A planning proposal must not contain provisions that apply to the flood planning areas which: • permit development in floodway areas • permit development that will result in significant flood impacts to other properties • permit a significant increase in the development of that land • are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or • 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.	No	N/A
4.4 Planning for Bushfire Protection This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land. In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made, (a) provide an Asset Protection Zone (APZ) incorporating at a minimum:	Yes	Yes - Council will need to consult with the Commissioner of the NSW Rural Fire Service upon receipt of the Gateway determination

No. Title	Applicable	Consistency
(i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the <i>Rural Fires Act 1997</i>), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, (d) contain provisions for adequate water supply for firefighting purposes, (e) minimise the perimeter of the area of land interfacing the hazard which may be developed, (f) introduce controls on the placement of combustible materials in the Inner Protection Area.		
5. Regional Planning (effective 1 July 2009 - Except for new Direction 5.4 effective 29 November 2009 & Direction 5.2 effective 3 March 2011) 5.1 Implementation of Regional Strategies This direction applies to land to which the following regional strategies apply: • Far North Coast Regional Strategy • Lower Hunter Regional Strategy • Illawarra Regional Strategy • South Coast Regional Strategy • Sydney–Canberra Corridor Regional Strategy • Central Coast Regional Strategy, and • (g)	Yes	The Planning Proposal is consistent with the Far North Coast Regional Strategy
5.2 Sydney Drinking Water Catchments	No	N/A

No.	Title	Applicable	Consistency
	This Direction applies to the Sydney drinking water catchment in the following local government areas: • Blue Mountains • Campbelltown • Cooma Monaro • Eurobodalla • Goulburn Mulwaree • Kiama • Lithgow • Oberon • Palerang • Shoalhaven • Upper Lachlan • Wingecarribee • Wollondilly • Wollongong.		
5.3	<i>Farmland of State and Regional Significance on the NSW Far North Coast</i> This direction applies to: • Ballina Shire Council, • Byron Shire Council, • Kyogle Shire Council, • Lismore City Council, • Richmond Valley Council, and • Tweed Shire Council	No	No part of the land is mapped as having land of State or Regional Significance.
5.4	<i>Commercial and Retail Development along the Pacific Highway, North Coast</i> This Direction applies to those council areas on the North Coast that the Pacific Highway traverses, being those council areas between Port Stephens Shire Council and Tweed	No	N/A

No.	Title	Applicable	Consistency
	Shire Council, inclusive		
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	No	N/A
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A
5.7	Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A
5.8	Second Sydney Airport: Badgerys Creek This direction applies to land shown within the boundaries of the proposed airport site and within the 20 ANEF contour as shown on the map entitled "Badgerys Creek-Australian Noise Exposure Forecast-Proposed Alignment-Worst Case Assumptions", this being found in Appendix U of the Second Sydney Airport Site Selection Program Draft Environmental Impact Statement within Fairfield City Council, Liverpool City Council, Penrith City Council and Wollondilly Shire Council local government areas.	No	N/A
6. Local Plan Making (effective 1 July 2009)			
6.1	Approval and Referral Requirements This direction applies when a relevant planning authority prepares a planning proposal. 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, and • not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: (i) (ii)	No	N/A

No. Title	Applicable	Consistency
not identify development as designated development unless the relevant planning authority: (i) (ii)		
6.2 Reserving Land for Public Purposes This direction applies when a relevant planning authority prepares a planning proposal. A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General). When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must: - reserve the land in accordance with the request, and - include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and - identify the relevant acquiring authority for the land. When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must: - include the requested provisions, or - take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired. When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.	No	N/A

No.	Title	Applicable	Consistency
6.3	<i>Site Specific Provisions</i> This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out. A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: - allow that land use to be carried out in the zone the land is situated on, or - rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or - allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. A planning proposal must not contain or refer to drawings that show details of the development proposal.	No	N/A
7. Metropolitan Planning (effective 1 February 2010)			
7.1	<i>Implementation of the Metropolitan Plan for Sydney 2036</i>	No	N/A

