



Planning Proposal

KLEP 2013 Amendment No 29

**Minimum lot size and zone objective
changes to maintain Hat Head Village
sewer capacity**

Contents

1. PART 1 – OBJECTIVES OR INTENDED OUTCOMES	3
1.1 INTRODUCTION	3
1.2 Objectives and Aims.....	3
1.3 Land to which the planning proposal applies	3
1.4 Site context and setting	4
2. PART 2 – EXPLANATION OF PROVISIONS	5
2.1 Existing Planning Controls	5
2.2 Proposed Planning Provisions	6
3. PART 3 – JUSTIFICATION.....	8
3.1 Section A – Need for the Planning Proposal.....	8
3.1.1 Is the planning proposal a result of any strategic study or report?	8
3.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	8
3.2 Section B Relationship to strategic planning framework	8
3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?	8
3.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?.....	8
3.2.3 Is the planning proposal consistent with applicable State Environmental Planning Policies?	8
3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (S 9.1 directions)?	8
3.3 Section C – Environmental, Social and Economic Impact.....	9
3.3.1 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?	9
3.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?.....	9
3.3.3 How has the planning proposal adequately addressed any social and economic effects?	9
3.4 Section D – State and Commonwealth interests	9
3.4.2 Is there adequate public infrastructure for the planning proposal?	9
3.4.3 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	9
4. PART 4 – MAPPING	10
5. PART 5 - COMMUNITY CONSULTATION.....	11
6. PART 6 – PROJECT TIMELINE	12

Appendices

Appendix A - Consistency with State Environmental Planning Policies

Appendix B - Consistency with Section 117 Directions

1. PART 1 – OBJECTIVES OR INTENDED OUTCOMES

1.1 INTRODUCTION

The Hat Head Vacuum Sewerage Scheme (the scheme) currently services around 300 residential lots in 80 hectares of residential area with a few commercial buildings and a caravan park. The scheme is surrounded by the Hat Head National Park, with critical scheme infrastructure such as the Sewerage Treatment Plant, Sewerage Pumping Station and effluent disposal area located adjacent to sensitive ecosystems.

A review of the scheme found it is at full capacity in the areas surrounding the caravan park and has overall limited capacity to accommodate further connections to the scheme, with no current options available to expand the service. It is strategically and operationally important to maintain a suitable buffer in capacity for peak holiday periods.

On 16 April 2019, Kempsey Shire Council considered a report on the capacity of the scheme and the inherent public health, environmental, financial and social risks from potential overloading of the scheme and resolved to make changes to the Kempsey Local Environmental Plan (KLEP), with supporting changes to the Development Control Plan (DCP), to provide land use controls to manage the demand placed on the scheme by new development.

1.2 Objectives and Aims

The aim of this planning proposal is to ensure future development within the Hat Head village does not compromise the capacity of the Hat Head Sewerage Scheme.

The objectives of the proposed changes are to ensure:

- the objectives of the RU5 Rural Village Zone require development to take infrastructure capacity into consideration.
- the minimum lot size within the Hat Head village is such that further subdivision does not create potential for new dwellings to overload the scheme.
- consistency between LEP and DCP objectives as they relate to the Hat Head village.

1.3 Land to which the planning proposal applies

The land to which this proposal refers to is that within the Hat Head Sewerage Scheme Catchment Area as shown in Figure 1.

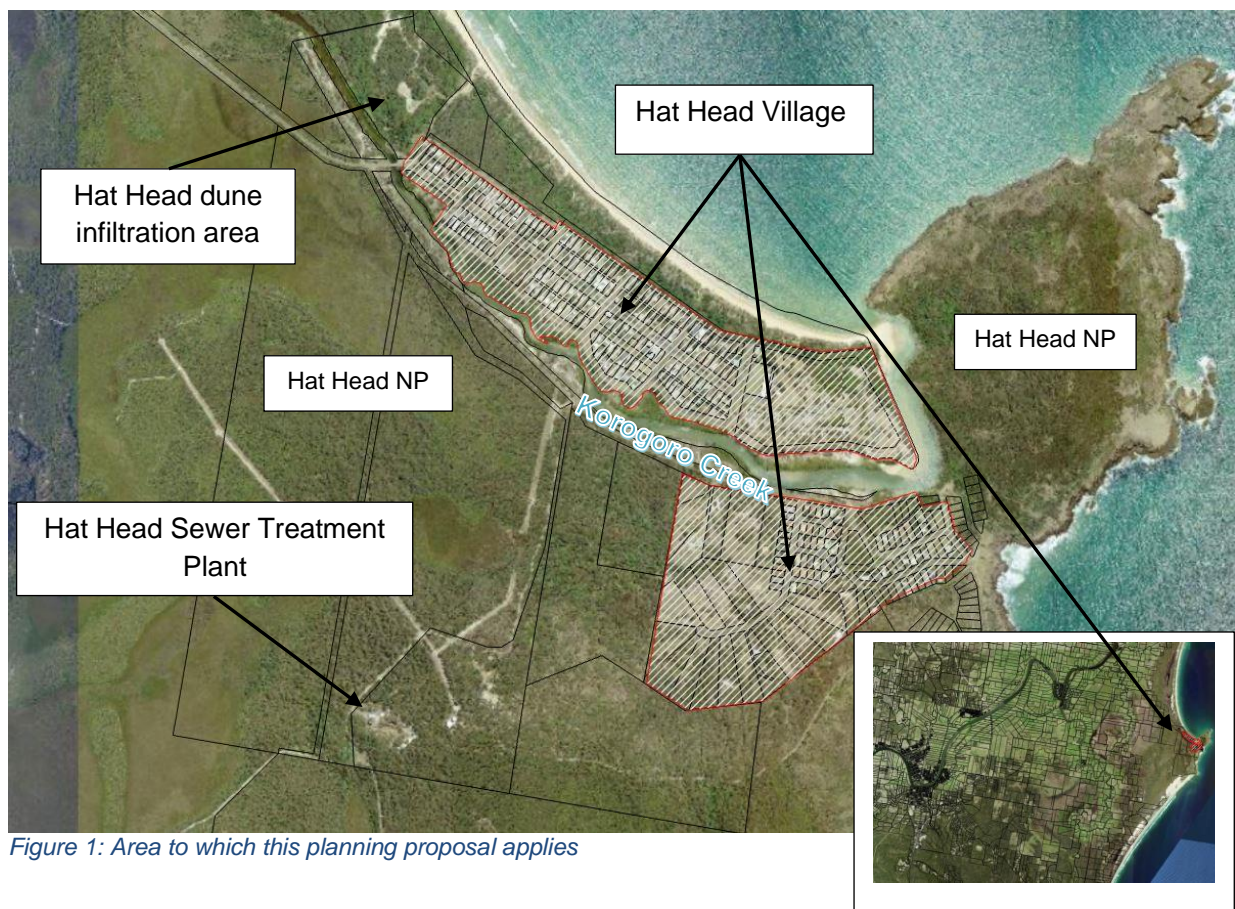


Figure 1: Area to which this planning proposal applies

1.4 Site context and setting

Hat Head is a small coastal village within the Kempsey Shire, about 30 kilometres by road east of Kempsey. The estimated residential population in 2016 was about 307 persons. The village is surrounded by the Hat Head National Park. Korogoro Creek divides the village into north and south precincts. The village comprises about 315 dwellings, about 40% of which were reported as unoccupied in 2016.

2. PART 2 – EXPLANATION OF PROVISIONS

2.1 Existing Planning Controls

Map sheets

The Hat Head village is shown within the 014A map sheets in the Kempsey LEP. There are five map sheets in the 014A series, all adopted 3 February 2014:

- **Land Zoning Map:** LZN_014A (4350_COM_LZN_014A_20_20130604)
- **Height of Buildings Map:** HOB_014A (4350_COM_HOB_014A_20_20130528)
- **Lot Size Map:** LSZ_014A (4350_COM_LSZ_014A_020_20131127)
- **Acid Sulfate Soils Map:** ASS_014A (4350_COM_ASS_014A_020_20130528)
- **Koala Management Plan Map:** KMP_014A (4350_COM_KMP_014A_020_20131009)

Zone objectives – RU5 Village Zone

The area to which this planning proposal relates is that shown as RU5 Village in Figure 2. The objectives of this zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To ensure that development is compatible with the existing character of rural villages in the area.
- To minimise the impacts of non-residential uses and ensure these uses are compatible with surrounding development.



Figure 2: Land Zoning Map

Lot size

The minimum lot size applicable in the subject area is 500 square metres.

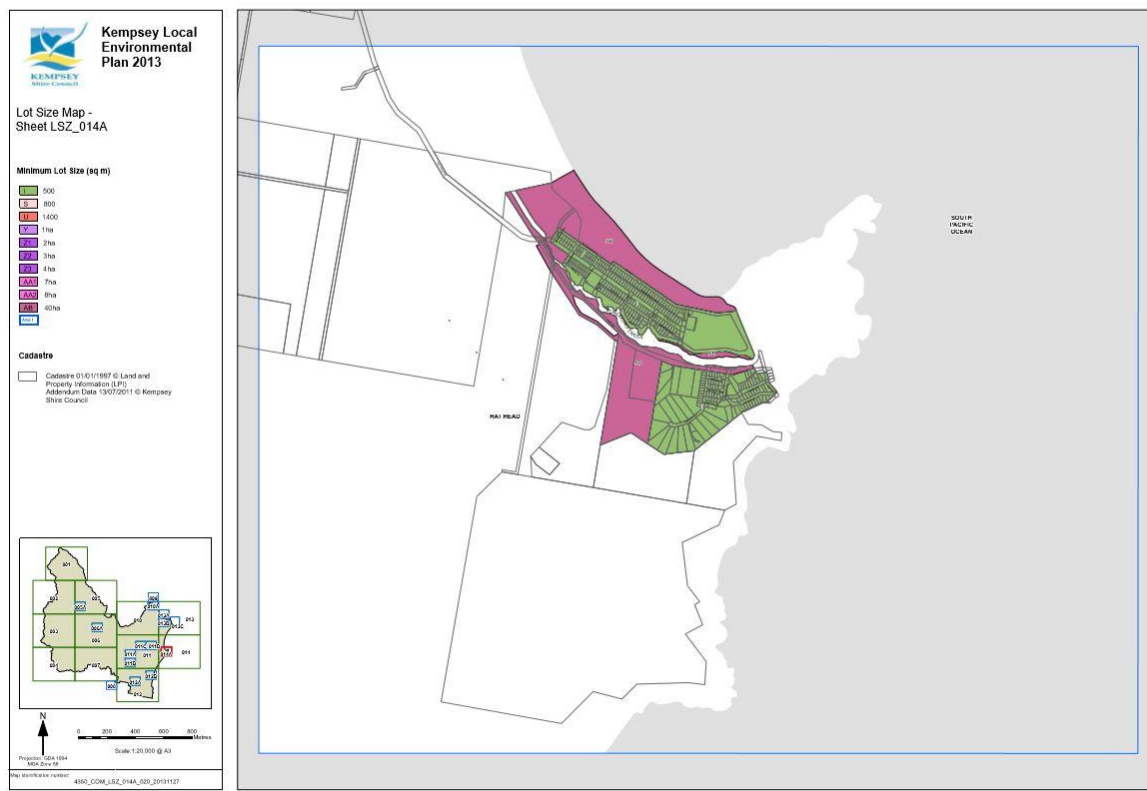


Figure 3: Lot Size Map

2.2 Proposed Planning Provisions

Zone objectives – RU5 Village Zone

An additional zone objective is proposed to meet the following objectives of this planning proposal.

- To ensure the objectives of the RU5 Rural Village Zone require development to take infrastructure capacity into consideration.
- To ensure consistency between LEP and DCP objectives as they relate to the Hat Head village.

The proposed changes to the zone objectives are shown below in red italics, subject to drafting advice from the Office of Parliamentary Counsel:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To ensure that development is compatible with the existing character of rural villages in the area.
- To minimise the impacts of non-residential uses and ensure these uses are compatible with surrounding development.
- *To ensure that development is compatible with the infrastructure capacity (water supply and sewerage) of rural villages.*

The general intent of this change is to provide consistency with the associated objectives in the development control plan and to be explicit that infrastructure capacity is to be considered when assessing development applications in these potentially constrained areas.

Principal Development Standards

It is proposed to change 4.1A of the LEP which allows exceptions to minimum subdivision lot sizes for certain residential development. Additional wording is proposed to be added to the Part 4 Principal development standards Clause 4.1A (2)(a) of the LEP. The proposed changes to Clause 4.1A (2)(a) are shown below in red italics, subject to drafting advice from the Office of Parliamentary Counsel:

4.1A (2)(a) Zone RU5 Village, *other than land identified as "Area 2" on the Lot Size Map*

Lot size

The remaining objective of this planning proposal to be addressed is to:

- Ensure the minimum lot size within the Hat Head village is such that further subdivision does not create potential for new dwellings to overload the scheme.

To meet this objective, it is proposed to change the minimum lot size within the RU5 Village area from 500 square metres category 'I', to 1,400 square metres category 'U' as shown in the outline below.

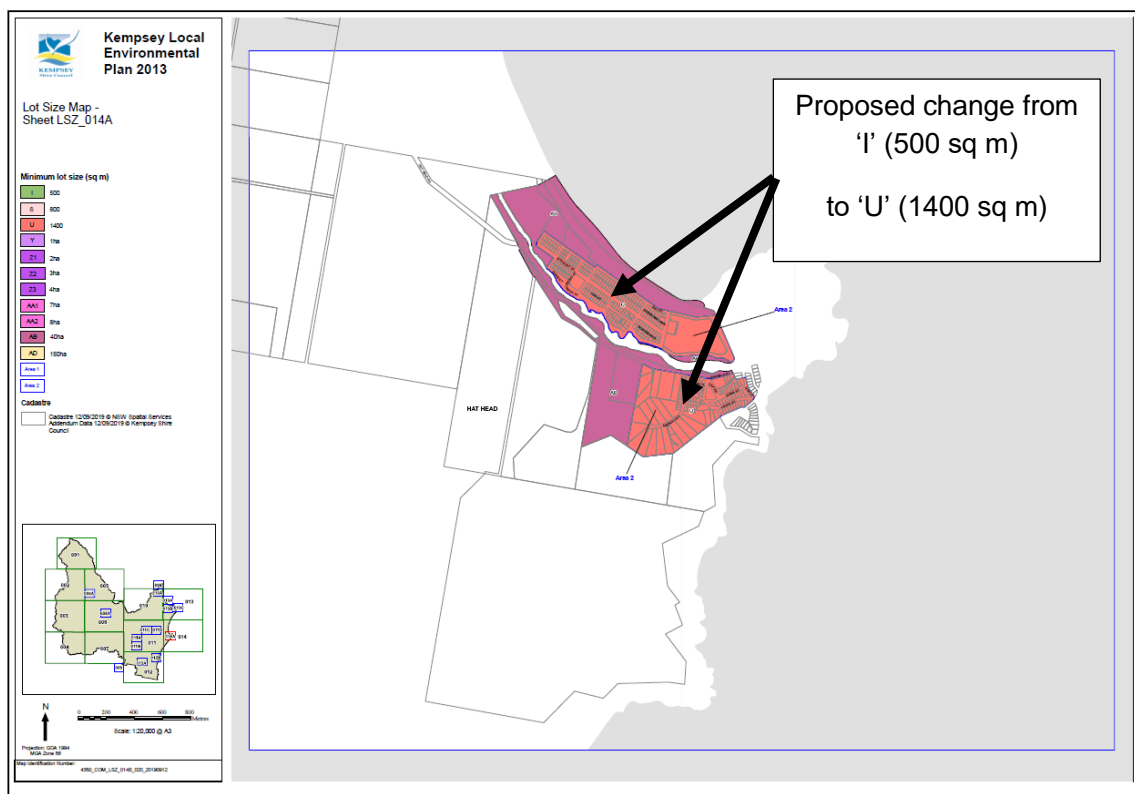


Figure 4: Proposed changes to the Lot Size Map

The general intent of this change is to ensure future subdivision does not create additional allotments which may generate demand for additional sewer capacity.

3. PART 3 – JUSTIFICATION

3.1 Section A – Need for the Planning Proposal

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

The proposed changes arise from the Hat Head Capacity Analysis Report prepared in 2018 that highlighted the sewerage scheme is at full capacity in the areas surrounding the caravan park and has overall limited capacity to facilitate further connections given the environmental constraints surrounding the village.

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

To successfully achieve the outcome sought, a means to control future development is essential. This planning proposal is an essential component to the overall development control response to this issue. A complementary amendment to the Development Control Plan is also being prepared.

3.2 Section B Relationship to strategic planning framework

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

The planning proposal is consistent with the principles of the North Coast Regional Plan listed below.

- **Principle 1: Direct growth to identified urban growth areas** – Hat Head has limited growth potential and is located within and adjacent to sensitive ecosystems with limited to no way to provide efficient infrastructure and services. The current planning controls risk encouraging further development which may impact on these values.
- **Principle 2: Manage the sensitive coastal strip** – The proposed controls are aimed at addressing risk of environmental harm from overloading of the Hat Head Sewerage Scheme.

3.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?

The planning proposal is consistent with the Community Strategic Plan strategy HS-04 to '*use planning controls to ensure environmental impacts do not negatively affect lifestyle*'.

3.2.3 Is the planning proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is consistent with all applicable State Environmental Planning Policies (SEPPs). A full list of applicable SEPPs is at Appendix A.

3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (S 9.1 directions)?

The planning proposal is consistent with all applicable s9.1 Directions.

A comprehensive evaluation of the consistency and applicability of each of the s9.1 is provided in Appendix B.

3.3 Section C – Environmental, Social and Economic Impact

3.3.1 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?

No, the proposed changes are aimed at preventing environmental harm from a sewer scheme failure.

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

No, the proposed changes are aimed at preventing environmental harm from a sewer scheme failure.

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

The report informing this planning proposal has considered the social, economic and environmental risk from a significant overflow event.

3.4 Section D – State and Commonwealth interests

3.4.2 Is there adequate public infrastructure for the planning proposal?

Yes, the planning proposal does not introduce increased demand for public infrastructure.

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

To be advised post Gateway determination.

4. PART 4 – MAPPING

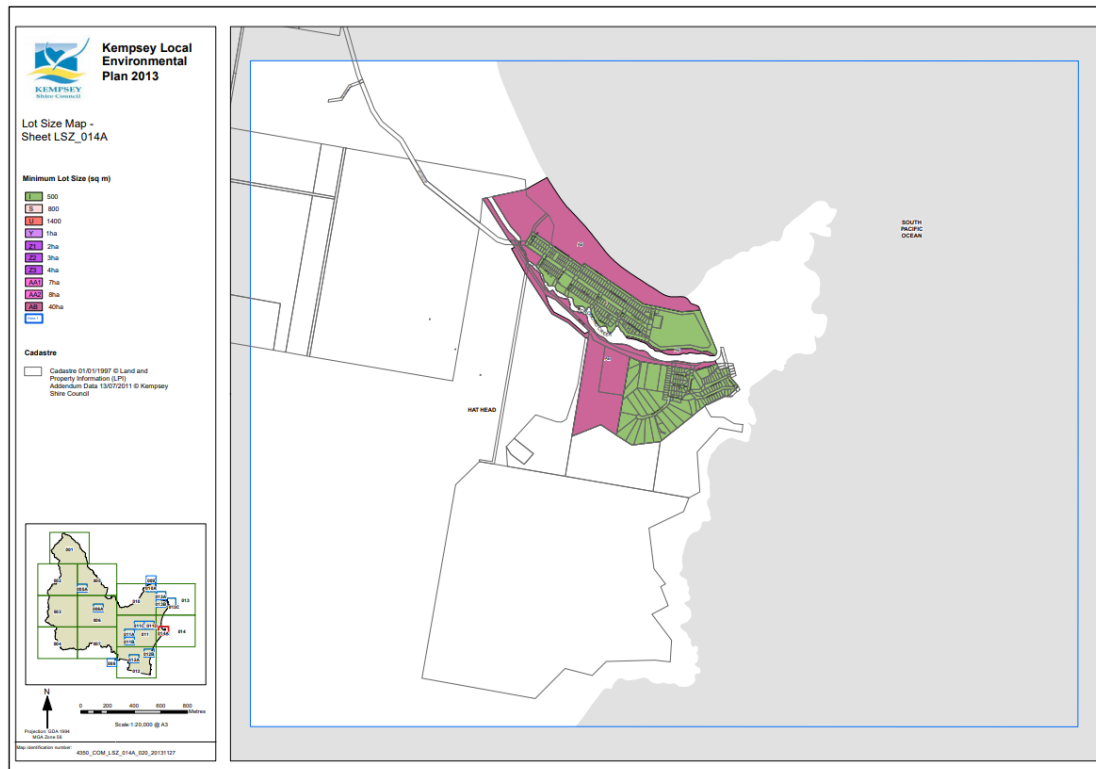


Figure 5. Current KLEP 2013 LSZ Map

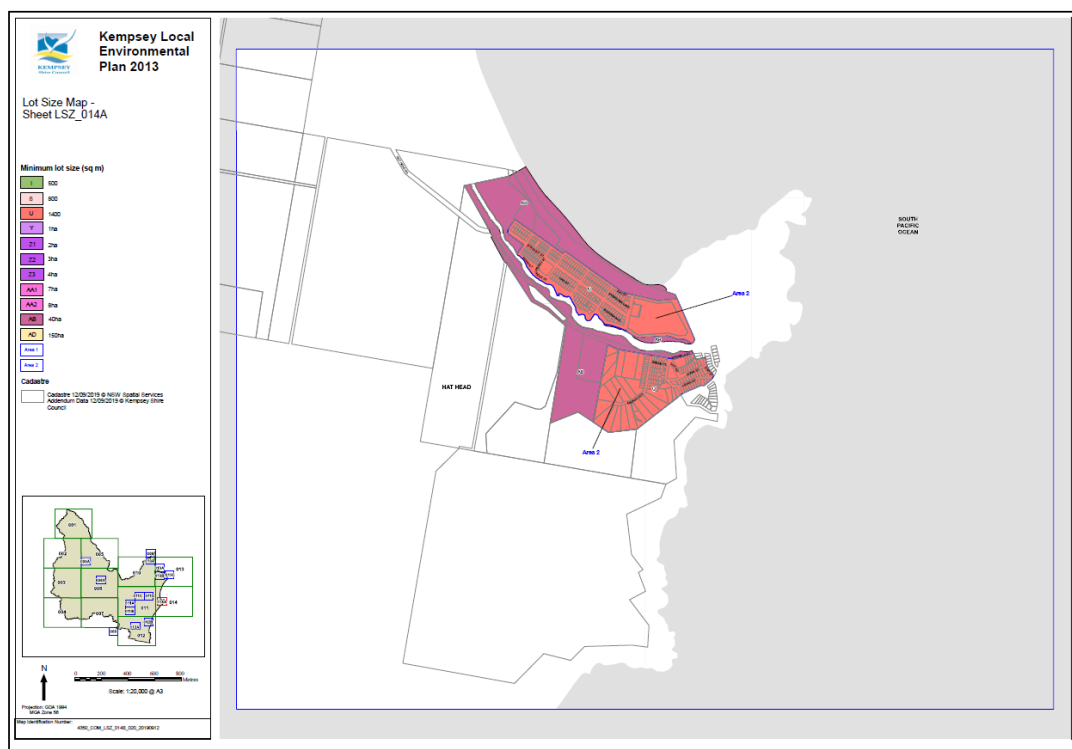


Figure 6. Proposed LSZ Map

5. PART 5 - COMMUNITY CONSULTATION

Community consultation will be undertaken following the Gateway determination. Any consultation will be undertaken in accordance with the conditions specified in the Gateway Determination, as well as Kempsey Shire Councils Public Notification Policy.

Public exhibition of the Planning Proposal would include notification on the Kempsey Shire Council website, Department of Planning and Environment website, notice in the newspapers that circulate in the LGA.

Information relating to the Planning Proposal would also be displayed at Kempsey Shire Council Customer Service Centre located on Tozer Street, West Kempsey and Libraries within the Shire.

6. PART 6 – PROJECT TIMELINE

An approximate project timeline is provided as *Table 6.1* below. It is estimated that this amendment to the KLEP 2013 will be complete by July 2020

Council requests delegation to carry out certain plan making functions in relation to this planning proposal. Delegation would be exercised by Councils General Manager or Director Sustainable Environment.

Table 6.1 – Project Timeline

LEP Amendment Steps	Estimated Project Timing
Submit Planning Proposal to DP&E	August 2019
Receive Gateway determination	September 2019
Authority consultation - pre-exhibition*	October 2019
Preparation of materials for public exhibition & authority consultation	October 2019
Public exhibition of Planning Proposal & government authority consultation	November-December 2019
Review and consideration of submissions	December 2019 – January 2020
Council report preparation	February 2020
Public submissions report and draft LEP amendment to Council for adoption	March 2020
Submission to the department to finalise the LEP	April 2020
Submit request for drafting of LEP to Parliamentary Counsel's Office^	June 2020
Forward to the department for notification	July 2020
* If required	
^ If delegated	

Appendix A

Consistency with State Environmental Planning Policies

No.	SEPP Title	Summary	Consistency - (consistent/inconsistent/not applicable)) (include a brief discussion on the more relevant points)
14	Coastal Wetlands	Seeks to ensure the State's coastal wetlands are preserved and protected.	Consistent
15	Rural Landsharing Communities	Seeks to facilitate the development of rural landsharing communities committed to environmentally sensitive and sustainable land use practices.	Not applicable
21	Caravan Parks	Seeks to facilitate the proper management and development of land used for caravan parks catering to the provision of accommodation to short and long term residents.	Not applicable
26	Littoral Rainforests	Seeks to protect littoral rainforests from development.	Not applicable
30	Intensive Agriculture	Requires development consent and additional requirements for cattle feedlots and piggeries.	Not applicable
32	Urban Consolidation	Seeks to facilitate surplus urban land redevelopment for multi-unit housing and related development in a timely manner.	Not applicable
33	Hazardous and Offensive Development	Seeks to provide additional support and requirements for hazardous and offensive development	Not applicable
36	Manufactured Home Estates	Seeks to facilitate the establishment of manufactured home estates as a contemporary form of residential housing.	Not applicable

44	Koala Habitat Protection	Seeks to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas	Not applicable
50	Canal Estate Development	Prohibits canal estate development	Consistent
55	Remediation of Land	Provides a State-wide planning approach for the remediation of contaminated land.	Not applicable
62	Sustainable Aquaculture	Seeks to encourage and regulate sustainable aquaculture development	Not applicable
64	Advertising and Signage	Seeks to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	Not applicable
65	Design Quality of Residential Flat Development	Seeks to improve the design qualities of residential flat building development in New South Wales.	Not applicable
71	Coastal Protection	Seeks to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast.	Consistent
	Affordable Rental Housing	To provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	Not applicable
	Building Sustainability Index: BASIX 2004	The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State	Not applicable

	Exempt and Complying Development Codes 2008	Seeks to provide streamlined assessment process for development that complies with specified development standards.	Consistent
	Housing for Seniors or People with a Disability 2004	Seeks to encourage the provision of housing to meet the needs of seniors or people with a disability.	Not applicable
	Infrastructure 2007	The aim of this policy is to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.	Not applicable
	Major Development 2005	Aims to facilitate the development or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.	Not applicable
	Mining, Petroleum and Extractive Industries 2007	Seeks to provide for the proper management and development of mineral, petroleum and extractive material resources	Not applicable
	Rural Lands 2008	Seeks to facilitate the orderly and economic use and development of rural lands for rural and related purposes	Not applicable
	State and Regional Development 2011	Aims to identify State significant development and State significant infrastructure. Also to confer functions on joint regional planning panels to determine development applications.	Not applicable

Appendix B

Consistency with Section 9.1 Directions

Direction	Objectives	Application	Consistency
1. Employment and Resources			
1.1 Business and Industrial Zones Issued 14 April 2016	<ul style="list-style-type: none"> To encourage employment growth in suitable locations To protect employment land in business and industrial zones, and support the viability of identified strategic centres. 	Applies when a planning proposal is prepared that affects land within an existing or proposed business or industrial zone (includes alteration of boundary of any existing business or industrial zone)	Not applicable
1.2 Rural Zones Issued 14 April 2016	<ul style="list-style-type: none"> To protect the agricultural production value of rural land. 	Applies when a planning proposal is prepared that affects land within an existing or proposal rural zone (includes alteration of any existing rural zone boundary)	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries Issued 1 July 2009	<ul style="list-style-type: none"> To ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. 	Applies when planning proposal is prepared that would prohibit or restrict the mining or potential development of coal, other minerals, petroleum production or obtaining extractive minerals of State or regional significance permitting incompatible land use.	Not applicable

1.4 Oyster Aquaculture Issued 1 July 2009	<ul style="list-style-type: none"> To protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers. 	Applies to Priority Oyster Aquaculture Areas as identified in the NSW Oyster Industry Sustainable Aquaculture Strategy (2006)	Not applicable
1.5 Rural Lands Issued 1 July 2009	<ul style="list-style-type: none"> To protect the agricultural production value of rural land and facilitate the orderly and economic development of rural land. 	Applies to all planning proposals to which State Environmental Planning Policy (Rural Lands) 2008 applies	Not applicable
2. Environment and Heritage			
2.1 Environment Protection Zones Issued 14 April 2016	<ul style="list-style-type: none"> To protect and conserve environmentally sensitive areas. 	Applies when a planning proposal is prepared.	Consistent
2.2 Coastal protection Issued 14 April 2017	<ul style="list-style-type: none"> To implement the principles of the NSW Coastal Policy. 	Applies to the Coastal Zone as defined in the Coastal Protection Act 1979.	Consistent
2.3 Heritage Conservation Issued 1 July 2009	<ul style="list-style-type: none"> To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. 	To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent

2.4 Recreation Vehicle Areas Issued 14 April 2016	<ul style="list-style-type: none"> To protect sensitive land or land with Significant conservation values from adverse impacts from recreation vehicles. 	Limits the development of land for the purpose of a recreational vehicle area.	Consistent
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones Issued 14 April 2016	<ul style="list-style-type: none"> To encourage a variety and choice of housing types to provide for existing and future housing needs To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and To minimise the impact of residential development on the environment and resource lands. 	Applies when a planning proposal affects land within an existing or proposed residential zone (including the alteration of any existing zone boundary) or any other zone in which significant residential development is permitted or proposed to be permitted.	Consistent
3.2 Caravan Parks and Manufactured Home Estates Issued 14 April 2016	<ul style="list-style-type: none"> To provide for a variety of housing types and opportunities for caravan parks and manufactured home estates 	Applies when a planning proposal is prepared. Does not apply to Crown land reserved or dedicated for any purposes under the Crown Lands Act 1989 (except Crown land reserved for accommodation purposes) or land dedicated or reserved under the NP&W Act 1974.	Consistent
3.3 Home Occupations	<ul style="list-style-type: none"> To encourage the carrying out of low- 	Planning proposals must permit home occupations to be carried	Consistent

Issued 1 July 2009	impact small businesses in dwelling houses.	out in dwelling houses without the need for development consent.	
3.4 Integrating Land Use and Transport Issued 14 April 2016	<ul style="list-style-type: none"> • To ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts: • improve access to housing, jobs and services by walking, cycling and public transport, • increase transport choice and reduce travel demand and reducing dependence on cars, • reduce travel demand including distances travelled, especially by car, • support the efficient and viable operation of public transport services, and • Provide for the efficient movement of freight. 	Applies to planning proposals that create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	Consistent
3.5 Development Near Licensed Aerodromes Issued 14 April 2016	<ul style="list-style-type: none"> • To ensure the effective and safe operation of aerodromes • To ensure that the operation of aerodromes is not compromised by 	Applies to a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.	Not applicable

	<p>development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity.</p> <ul style="list-style-type: none"> To ensure development for residential purposes or human occupation incorporates appropriate mitigation measures 		
<p>3.6 Shooting Ranges Issued 16 February 2011</p>	<ul style="list-style-type: none"> To maintain appropriate levels of public safety and amenity and reduce land use conflict when rezoning land adjacent to an existing shooting range. To identify issues that must be addressed when giving consideration to rezoning land adjacent to a shooting range. 	<p>Applies to 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.</p>	<p>Not applicable</p>

4. Hazard and Risk			
4.1 Acid Sulfate Soils Issued 1 July 2009	<ul style="list-style-type: none"> To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. 	Applies to planning proposal on land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.	Consistent
4. 2 Mine Subsidence and Unstable Land Issued 14 April 2016	<ul style="list-style-type: none"> To prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence. 	Applies when a relevant planning authority prepares a planning proposal that permits development on land that is within a mine subsidence district or that has been identified as unstable in a study, strategy or other assessment	Not applicable
4.3 Flood Prone Land Issued 1 July 2009	<ul style="list-style-type: none"> To ensure that development of flood prone land is consistent with the <i>NSW Government's Flood Prone Land Policy</i> and the principles of the <i>Floodplain Development Manual</i> 2005; and To ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. 	Applies to a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.	Consistent

4.4 Planning for Bushfire Protection Issued 1 July 2009	To protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas and encourage sound management of bush fire prone areas.	Applies when Council prepares draft LEP that affects, or is in proximity to land mapped as bushfire prone land.	Consistent subject to consultation with Commissioner of the NSW Rural Fire Service
5. Regional planning			
5.1 Implementation of Regional Strategies Issued 13 January 2017	To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	Applies to: South Coast, Sydney–Canberra Corridor	Not applicable
5.2 Sydney Drinking Water Catchments Issued 3 March 2011	To protect water quality in the Sydney drinking water catchment.	Applies to; Blue Mountains, Campbelltown, Cooma Monaro, Eurobodalla, Goulburn, Mulwaree, Kiama. Lithgow, Oberon, Palerang, Shoalhaven, Sutherland, Wingecarribee, Wollondilly, Wollongong.	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast Issued 21 August 2015	To manage commercial and retail development along the Pacific Highway.	Applies to council areas on the North Coast that the Pacific Highway traverses between Port Stephens Shire Council and Tweed Shire Council, inclusive	Not applicable
5.10 Implementation of Regional Plans Issued 14 April 2016	To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans	Applies when a relevant planning authority prepares a planning proposal	Consistent. Action 2.2 Ensure local plans manage marine environments, water catchment areas and groundwater sources to avoid potential development impacts. Action 21.2 Maximise the cost-effective and efficient use of infrastructure by directing development towards existing infrastructure or promoting the co-location of new infrastructure

6. Local Plan Making			
6.1 Approval and Referral Requirements Issued 1 July 2009	To ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Applies when planning proposal prepared. A planning proposal must minimise or prohibit provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority or the nomination of designated development.	Consistent
6.2 Reserving of Land for Public Purposes Issued 1 July 2009	To facilitate the provision of public services and facilities by reserving land for public purposes and the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Applies when a planning proposal is prepared. 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.	Consistent
6.3 Site Specific Provisions Issued 1 July 2009	To discourage unnecessarily restrictive site specific planning controls.	A planning proposal to amend an environmental planning instrument must either: <ul style="list-style-type: none"> • allow that land use to be carried out in the zone the land is situated on, or • rezone the site to an existing zone that allows that land use without imposing any development standards, or • allow that land use on the relevant land without 	Consistent

		imposing any development standards in addition to those already contained in the principal environmental planning instrument being amended.	
7. Metropolitan planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036 Issued 14 January 2015	To give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.	Does not apply to the Kempsey local government area.	Not applicable