

PLANNING PROPOSAL



Amendment to Temora Local Environmental Plan 2010 Amendments to the Land Use Table

Prepared by
Temora Shire Council

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CONTENTS

PART 1 – OBJECTIVES OR INTENDED OUTCOMES.....	2
PART 2 – EXPLANATION OF PROVISIONS	2
PART 3 – JUSTIFICATION.....	6
Section A - Need for the planning proposal.	6
Section B - Relationship to strategic planning framework	8
Section C - Environmental, social and economic impact	9
Section D - State and Commonwealth interests	10
PART 4 – MAPPING	10
PART 5 – COMMUNITY CONSULTATION	10
PART 6 – PROJECT TIMELINE	11
Table 1 – Project Timeline	11
APPENDIX A.....	13
APPENDIX B.....	13
APPENDIX C.....	14
Table 2 – Consideration of State Environmental Planning Policies	14
Table 3 – Consideration of Section 9.1 (Previously Section 117) Ministerial Directions	18

Part 1 – Objectives or Intended Outcomes

Temora Shire Council has resolved to prepare a planning proposal under the provisions of Section 3.33 of the *Environmental Planning & Assessment Act 1979*. Refer to **Appendix A** for resolution.

The proposal seeks an amendment to the *Temora Local Environmental Plan 2010* (LEP 2010) that involves replacing the Land Use Table from a “closed zone” table to a predominantly “open zone” table.

The intended outcome of the Planning Proposal is to support a wider range of suitable developments within the rural, residential, business and industrial zones. The objective is to enable more efficient use of the available land, encourage a diverse local economy, whilst managing potential land use conflict, and ensure land continues to be used for its primary purpose.

By enabling the selected zones to have greater options for future development, it is envisaged that this will boost the economic attractiveness of Temora, support a diversified local economy, whilst still protecting important environmental areas and the core objectives of each land use zone.

Part 2 – Explanation of Provisions

This Planning Proposal seeks to amend LEP 2010 as outlined below:

- Amend the land use table as it applies to the following zones:
 - RU1 Primary Production
 - RU5 Village
 - R1 General Residential
 - R5 Large Lot Residential
 - B2 Local Centre
 - B4 Mixed Use
 - B6 Enterprise Corridor
 - IN1 General Industrial

To support listing the following specific uses as being either Permitted without consent or Prohibited, and all other land uses being Permitted with consent.

Zone RU1 Primary Production

3 Permitted with consent

Cellar door premises; Dual occupancies; Dwelling houses; Extractive industries; Function centres; Hardware and building supplies; Home industries; Intensive livestock agriculture; Intensive plant agriculture; Landscaping material supplies; Markets; Open cut mining; Plant nurseries; Resource recovery facility; Restaurants or cafes; Roadside stalls; Rural supplies; Rural

workers' dwellings; Secondary dwelling; Timber yards; Any other development not specified in item 2 or 4

4 Prohibited

Amusement centres; Canal estate development; Centre-based child care facility; Commercial premises; Crematoria; Entertainment facilities; Exhibition homes; Exhibition villages; Health services facilities; Home occupations (sex services); Marinas; Mortuaries; Passenger transport facilities; Port facilities; Recreation facilities (indoor); Registered clubs; Residential accommodation; Respite day care centre; Restricted premises; Sex services premises; Storage premises; Vehicle body repair workshops; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies

Zone RU5 Village

3 Permitted with consent

Centre-based child care facilities; Community facilities; Dwelling houses; Extensive Agriculture; Home industries; Horticulture; Light industries; Liquid fuel depots; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Viticulture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Canal estate development; Cemetery; Correctional centres; Crematoria; Electricity generating works; Extractive industries; Forestry; Heavy industrial storage establishments; Helipad; Highway service centres; Home occupations (sex services); Industries; Marinas; Mine; Open cut mining; Port facilities; Recreation facilities (major); Restricted premises; Rural industries; Sex services premises; Underground mining; Waste disposal facilities; Wharf or boating facilities

Zone R1 General Residential

3 Permitted with consent

Attached dwellings; Boarding houses; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Plant nurseries; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramp; Canal estate development; Cemeteries; Charter and tourism boating facility; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hospitals; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mine; Mooring; Mooring pens; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Resource recovery facilities; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sewerage system; Sex services premises; Storage premises; Transport depots; Truck depots; Underground mining; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

Zone R5 Large Lot Residential

3 Permitted with consent

Artisan food and drink industry; Cellar door premises; Dual occupancies; Dwelling houses; Extensive agriculture; Farm stay accommodation; Home industries; Horticulture; Landscaping material supplies; Markets; Plant nurseries; Restaurants or cafes; Roadside stalls; Secondary dwellings; Viticulture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Backpackers' accommodation; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Canal estate development; Car parks; Caravan parks; Cemeteries; Centre-based child care facility; Charter and tourism boating facility; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Forestry; Freight transport facilities; Group Homes; Hospitals; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Marinas; Mines; Mooring pens; Mortuaries; Open cut mining; Passenger transport facilities; Places of public worship; Port facilities; Public administration building; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Service stations; Serviced apartments; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

B2 Local Centre

3 Permitted with consent

Attached dwelling; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes; Hostels; Information and education facilities; Light industries; Medical centres; Mortuaries; Multi dwelling housing; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Semi-detached dwelling; Seniors Housing; Service stations; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat launching ramp; Canal estate development; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hospitals; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Open cut mining; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Restriction facilities; Rural industries; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Underground mining; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

B4 Mixed Use

3 Permitted with consent

Artisan food and drink industry; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home industries; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramp; Canal estate development; Charter and tourism boating facility; Cemetery; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Helipad; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Hospitals; Industries; Industrial retail outlets; Industrial training facilities; Marinas; Mines; Mooring; Mooring pens; Open cut mining; Port facilities; Recreation facilities (major); Research stations; Restriction facilities; Rural industries; Rural workers' dwellings; Sewerage systems; Sex services premises; Storage premises; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

Zone B6 Enterprise Corridor

3 Permitted with consent

Agricultural produce industries; Artisan food and drink industry; Business premises; Cellar door premises; Community facilities; Dual occupancies; Extensive agriculture; Food and drink premises; Funeral homes; Garden centres; Hardware and building supplies; High technology industries; Home industry; Horticulture; Hotel or motel accommodation; Landscaping material supplies; Light industries; Liquid fuel depots; Local distribution premises; Medical centres; Office premises; Passenger transport facilities; Plant nurseries; Roadside stalls; Rural supplies; Specialised retail premises; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Viticulture; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat sheds; Boat launching ramps; Canal estate development; Cemeteries; Charter and tourism boating facilities; Centre-based child care facilities; Commercial premises; Correctional centres; Crematoria; Early education and care facility; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Extractive industries; Forestry; Heavy industrial storage establishments; Heavy industries; Helipads; Home-based child care; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Places of public worship; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Sex services premises; Waste disposal facility; Water recreation structures; Water treatment facility; Wharf or boating facilities

Zone IN1 General Industrial

3 Permitted with consent

Agricultural produce industries; Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Neighbourhood shops; Office premises; Places of public worship; Plant nurseries; Rural supplies; Specialised retail premises; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centre; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Airports; Amusement centres; Camping grounds; Canal estate development; Caravan parks; Cemeteries; Centre-based child care facilities; Commercial premises; Correctional centres; Early education and care facility; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facility; Extractive industries; Farm buildings; Forestry; Function centres; Group Homes; Health services facilities; Home business; Home occupation; Home-based child care; Information and education facilities; Marina; Open cut mining; Port facilities; Recreation facilities (major); Registered clubs; Residential accommodation; Respite day care centres; Rural industries; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities

Zone SP1 Special Activities (Business Premises, Residential, Tourist and Visitor Accommodation, Caravan Park, Incidental with Aviation)

Include Caravan Park as a land use that is permitted with consent in the zone. There is a caravan park operating at the site under existing use rights, and this amendment will formalise this land use. The caravan park shall be used for short term tourist use.

Further details of the changes that are being proposed to permissible and prohibited uses are highlighted in the attached documents, with colour coding used to indicate the proposed changes.

Where changes are proposed, comments are also included in order to justify the proposed changes.

Part 3 – Justification

Section A - Need for the planning proposal.

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

The planning proposal is the result of the Temora Shire Council Land Use Discussion Paper 2017. The relevant Discussion Paper is attached at **Appendix B**. This document was publicly exhibited between 24 November 2017 and Friday 19 January 2018.

The strategy identified that at the time of developing the current Temora LEP 2010, NSW Planning and Environment encouraged that Council allocate land uses to be listed as either permitted with or without consent, and all other land uses are prohibited. Over the last 18 months, this has caused some issues for Temora Shire, with proposals for new developments that potentially should be considered as permitted with consent, rather than prohibited.

The LEP amendment process seeks to redress this situation by listing specific uses as being prohibited in the relevant zones, and allowing all other uses to be permitted either with or without consent.

Council officers have received and considered submissions relating to the Discussion Paper and reported these outcomes back to Council. Since the completion of this public consultation, Council officers have been concentrating on other aspects of the Discussion Paper, involving rezoning concepts, including commissioning the investigation of land located on the south-western fringe of Temora for future residential and large lot residential development and future

Temora Airpark Estate expansion sites. Council officers have now prioritised the need to support more opportunities for appropriate types of development to be considered by Council, in order to strengthen and diversify the economy, whilst still supporting the key objectives of each zone.

A workshop was held on 29 November 2018, attended by Councillors and senior staff, where the draft land use table was prepared.

The circumstances that have led to the preparation of this Planning Proposal are:

- A Planning Proposal was required to support an amendment to the Additional Permitted Uses Table to allow a Sporting Shooters development on land zoned RU1 Primary Production. The site was ideal for this purpose and the amendment process is now complete. However the amendment still took over 18 months from initial discussions with the developer before the amendment to support the development was in place.
- This is a time consuming and expensive delay for a development that, if the Temora RU1 zone was an open zone, could have been assessed and approved at least 12 months earlier if an amendment to the LEP were not required to support the proposal
- This issue is significant for a rural Shire that is actively trying to diversify its local economy in order to strengthen its community.
- Council officers have met with other landowners who are interested in starting up new businesses that do not fit within the constraints of the land use table or the controls relating to miscellaneous permissible uses. It is appropriate that these proposals be considered by Council where they are suitable for the site and any impacts can be managed through operational plans and conditions of consent.
- Temora Shire Council has a staff and Council that are capable of considering and assessing proposed developments
- There has been recent population growth in Temora Shire, a change from 2007 when the previous Local Environmental Study was conducted.
- Council is actively promoting Temora as a lifestyle choice for relocating families, supporting new business and employment opportunities.

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

Amending LEP 2010 to replace the land use table to provide "Open Zones" is the best means of achieving the objectives of the planning proposal. The proposal will enable a wide variety of developments to be considered by Council officers and Council,

The alternative of listing a greater number of uses to be permitted with consent within the Land Use Tables will not achieve these objectives, as other proposals for uses that are not defined within the LEP Dictionary would remain prohibited.

2A. If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished.

No interests on the land are proposed to be extinguished.

2B. The concurrence of the landowner, where the land is not owned by the relevant planning authority.

The proposal will apply to all landowners within Temora Shire.

3. Is there a net community benefit?

There is a net community benefit as the land has the potential to be used for a greater variety of purposes, whilst still achieving the objectives of the relevant zone. This increases the potential to diversify the economy of Temora Shire, which increases the resilience of the community. The Temora Shire Development Control Plan 2012 will be reviewed and updated to provide additional guidance for specific types of development, where required. By providing additional business and employment opportunities, the community will benefit through an increase in potential population, which is desirable in a rural town. It is therefore in the community's interest to achieve the overall benefit of the option of replacing the existing land use table by providing "open zones" to apply to the rural, residential, business and industrial zones within the Temora LEP.

Section B - Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The proposal is consistent with the objectives and actions of the Riverina Murray Regional Plan 2036. Specifically Goal 1: A growing and diverse economy and relevant directions:

Direction 2: Promote and grow the agribusiness sector, Action 2.1 Encourage agribusiness diversification by reviewing local plans and removing restrictive land use zonings and outdated land use definitions, Action 2.2 Provide opportunities to improve support to agriculture through better guidance on protecting agricultural land and managing the interface with other land uses

Direction 3: Expand advanced and value-added manufacturing, Action 3.1 Promote investment in advanced and value-adding manufacturing by removing restrictive land use zonings and outdated land use definitions in local plans

Direction 4: Promote business activities in industrial and commercial areas,

Direction 6: Promote the expansion of education and training opportunities and

Direction 7: Promote tourism opportunities, Action 7.2 Enable opportunities for tourism development and associated land uses in local plans, Action 7.3 Target experimental tourism opportunities and tourism management frameworks to promote a variety of accommodation options, and

Goal 4: Strong, connected and healthy communities, including Direction 23: Build resilience in towns and villages.

The proposal is also consistent with the Premier's Priority of Creating Jobs, as the Planning Proposal will support a wider variety of opportunities for new development.

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

The *Temora 2030 Community Strategic Plan* is Council's local community strategic planning document.

The plan includes the Strategic Actions of:

- 1.3 Encourage the provision of educational opportunities including post school education
- 1.5 Support village life
- 1.8 Provide a safe and supportive living environment for our residents
- 1.9 Provide services required for excellent liveability in a rural community
- 2.1 Provision of sports facilities that are well maintained, planned and meet the expectations of the community
- 2.2 Provision and support of arts and cultural activities
- 2.3 Encourage a welcoming, inclusive and tolerant community that welcomes new residents from all backgrounds
- 2.5 Support and develop the Youth of our community
- 3.5 Strengthen the Temora Shire economy
- 3.6 Support Tourism, acknowledging the value it brings to the Temora Shire economy
- 4.4 Ensure local planning instruments meet the needs of the community
- 6. 2 Optimise the opportunities to develop Agricultural industry

The planning proposal is consistent with these Strategic Actions, which seeks to support the Temora local economy and community.

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

The Planning Proposal is consistent with *State Environmental Planning Policies*, as set out in **Table 2** of **Appendix E**.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal is consistent, or where applicable, justifiably inconsistent with Section 117(2) Ministerial Directions, as set out in **Table 3** of **Appendix E**.

Section C - Environmental, social and economic impact

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

The proposal is not identified as affecting threatened species, critical habitat, ecological communities or their habitat.

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

The highest priority environmental areas will continued to be controlled through zone E1 National Parks and Nature Reserves zone, where no changes are proposed. Land that is identified as requiring additional environmental protection are identified within clause 6.1 Biodiversity, 6.2 Land, 6.3 Water, 6.4 Earthworks, and 6.6 Flood Planning. There are no changes proposed to the maps that identify land that requires additional environmental protection.

9. Has the planning proposal adequately addressed any social and economic effects?

The planning proposal will have a positive social and economic effect for Temora Shire, by providing additional opportunities for a greater variety of appropriate developments to be considered by Council. The Temora Shire Development Control Plan 2012 will be updated as required to provide additional guidance about particular types of development.

Section D - State and Commonwealth interests

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

Relevant infrastructure to support proposed developments can be considered by Council as part of the assessment process. This is required under Section 6.5 of the Temora LEP.

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

Preliminary consultation regarding the proposal has occurred with NSW Planning and Environment Regional Office (Queanbeyan), which received a supportive response to the concept.

It is proposed that Council will consult with Government Agencies as part of the public exhibition process, including the Department of Primary Industries, Office of Environment and Heritage and Department of Industry.

Part 4 – MAPPING

The proposal seeks to amend the Land Zoning Map sheets LZN_004B and LZN_004C to include 'caravan park' as an additional permissible use on land zoned SP1 Special Activities Zone in the aviation precinct adjoining Temora airport.

Part 5 – COMMUNITY CONSULTATION

Council proposes that the planning proposal be exhibited in accordance with the requirements of section 3.33 of the *Environmental Planning & Assessment Act 1979*.

It is proposed that the planning proposal will be placed on public exhibition for a minimum of 28 days. Written notification of the community consultation will be provided in a local newspaper and Council's social media. The written notice will contain:

- A brief description of the intended outcomes of the planning proposal;
- An indication of the zones which are affected by the proposal;
- Information on where and when the planning proposal can be inspected;
- The name and address of Council for the receipt of submissions; and
- The closing date for submissions.

During the public exhibition period the following documents will be placed on public exhibition:

- The planning proposal;
- The Gateway determination

The documents will be available for viewing in hard copy for at Council's offices, as well as electronically on Council's website.

Part 6 – PROJECT TIMELINE

Table 1 provides a project timeline for the proposed amendments:

Table 1 – Project Timeline

No.	Description of Tasks	Task Commencement	Task Completion
1.	Gateway Determination Anticipated Gateway Determination (including any delegated authority)	December 2018	March 2019
2.	Public Exhibition Agency and community consultation to be undertaken as part of the formal public exhibition of the Planning Proposal in accordance with any conditions of the Gateway Determination.	April 2019	May 2019
3.	Consider Submissions & Document Finalisation (only if any objections received) Post public exhibition, Temora Shire Council officers to consider, respond and report on any objections received and issues raised to Council and make any relevant changes to the Planning	June 2019	July 2019

	Proposal.		
4.	Submission to the Department and/or Parliamentary Counsel Council to forward Planning Proposal to the department for finalisation following public exhibition (including any changes made).	August 2019	September 2019

APPENDIX A

Relevant Council Resolution

Support for the preparation of this Planning Proposal is contained in the report presented to Council on 20 December 2018.

APPENDIX B

Temora Land Use Discussion Paper 2017

APPENDIX C

Table 2 – Consideration of State Environmental Planning Policies

No.	SEPP Title	Applicable to Planning Proposal	Consistency
1	State Environmental Planning Policy – Development Standards	No, does not apply to land in the Temora LGA since gazettal of Temora LEP 2010	N/A
19	State Environmental Planning Policy – Bushland in Urban Areas	No, does not apply to the Temora LGA	N/A
21	State Environmental Planning Policy – Caravan Parks	Applicable	Consistent as any proposals that involve the development of a caravan park will be required to be considered against the requirements of the SEPP.
30	State Environmental Planning Policy – Intensive Agriculture	Applicable	Consistent as the RU1 zone will continue to permit intensive livestock agriculture with consent. No other zones will permit intensive livestock agriculture, which is consistent with the objectives of the SEPP and the Temora LEP.
33	State Environmental Planning Policy – Hazardous & Offensive Industry	Not applicable	N/A
36	State Environmental Planning Policy – Manufactured Home Estate	Not applicable	N/A
44	State Environmental Planning Policy – Koala Habitat Protection	Not applicable	N/A
47	State Environmental Planning Policy – Moore Park Showground	No, does not apply to the Temora LGA	N/A
50	State Environmental Planning Policy – Canal Estate Development	Not applicable	N/A
52	State Environmental Planning Policy – Farm Dams and Other Works in Land and Water	No, does not apply to the Temora LGA	N/A

	Management Plan Areas		
55	State Environmental Planning Policy – Remediation of Land	Not applicable	N/A
62	State Environmental Planning Policy – Sustainable Aquaculture	Not applicable	N/A
64	State Environmental Planning Policy – Advertising & Signage	Not applicable	N/A
65	State Environmental Planning Policy – Design Quality of Residential Flat Development	Not applicable	N/A
70	State Environmental Planning Policy – Affordable Housing (Revised Schemes)	No, does not apply to the Temora LGA	N/A
	State Environmental Planning Policy (Affordable Rental Housing) 2009	Not applicable	N/A
	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Not applicable	N/A
	State Environmental Planning Policy (Coastal Management) 2018	No, does not apply to the Temora LGA	N/A
	State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	Applicable	Consistent as the proposal will not seek to limit the effective delivery of educational establishments and child care centres within Temora Shire
	State Environmental Planning Policy (Exempt & Complying Development Codes) 2008	Not applicable	N/A
	State Environmental Planning Proposal (Gosford City Centre)	No, does not apply to the Temora LGA	N/A

	2018		
	State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Not applicable	N/A
	State Environmental Planning Policy (Infrastructure) 2007	Not applicable	N/A
	State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007	No, does not apply to the Temora LGA	N/A
	State Environmental Planning Policy (Kurnell Peninsula) 1989	No, does not apply to the Temora LGA	N/A
	State Environmental Planning Policy (Mining, Petroleum Production & Extractive Industries) 2007	Not applicable	N/A
	State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	Not applicable	N/A
	State Environmental Planning Policy (Penrith Lakes Scheme) 1989	No, does not apply to the Temora LGA	N/A
	State Environmental Planning Policy (Rural Lands) 2008	Applicable	Consistent as any proposals that involve the development of a rural land will be required to be considered against the requirements of the SEPP.
	State Environmental Planning Policy (State and Regional Development) 2011	Not applicable	N/A
	State Environmental Planning Policy (State Significant Precincts) 2005	Not applicable	N/A
	State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	No, does not apply to the Temora LGA	N/A

	State Environmental Planning Policy (Sydney Region Growth Centres) 2006	Not applicable	N/A
	State Environmental Planning Policy (Three Ports) 2013	No, does not apply to the Temora LGA	N/A
	State Environmental Planning Policy (Urban Renewal) 2010	Not applicable	N/A
	State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Applicable	Consistent as any proposals that involve the clearing of vegetation in non-rural areas will be required to be considered against the requirements of the SEPP.
	State Environmental Planning Policy (Western Sydney Employment Area) 2009	No, does not apply to the Temora LGA	N/A
	State Environmental Planning Policy (Western Sydney Parklands) 2009	No, does not apply to the Temora LGA	N/A

Table 3 – Consideration of Section 9.1 (Previously Section 117) Ministerial Directions

No.	Direction Title	Applicable to Planning Proposal	Consistency
1. Employment and Resources			
1.1	Business & Industrial Zones	Yes	Consistent because the proposal will encourage employment growth in suitable locations, protect employment land in business and industrial zones and support the viability of identified centres. The proposal will retain the areas and location of existing business and industrial zones.
1.2	Rural Zones	Yes	Consistent because the proposal will not rezone land from a rural zone to a residential, business, industrial, village or tourist zone and will not increase the permissible density of land within a rural zone
1.3	Mining, Petroleum Production & Extractive Industries	Not applicable	N/A
1.4	Oyster Aquaculture	Not applicable	N/A
1.5	Rural Lands	Yes	Consistent because the proposal is consistent with the Rural Planning Principles listed in State Environmental Planning Policy (Rural Lands) 2008.
2. Environment and Heritage			
2.1	Environmental Protection Zones	Not applicable	N/A
2.2	Coastal Protection	No (does not apply to land in the Temora LGA)	N/A
2.3	Heritage Conservation	Yes	Consistent as there are no changes to existing Environmental Planning instruments that protect environmental or indigenous heritage.
2.4	Recreation Vehicle Areas	Not applicable	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays	No (does not apply to land in the Temora LGA)	N/A

	in Far North Coast LEPs		
3. Housing, Infrastructure and Urban Development			
3.1	Residential Zones	Yes	<p>Consistent because the proposal makes more efficient use of existing infrastructure and services</p> <p>Temora LEP 2010 Clause 6.5 Essential Services requires that Development consent must not be granted to development unless the consent authority is satisfied that those of the services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required.</p>
3.2	Caravan Parks & Manufactured Home Estates	Yes	Consistent because the proposal retains provisions that permit development for the purposes of a caravan park
3.3	Home Occupations	Not applicable	N/A
3.4	Integrating Land Use and Transport	Applicable as the planning proposal affects urban land zoned for residential and business purposes	Consistent because the planning proposal has regard for the two DUAP documents referenced in this Direction.
3.5	Development Near Licensed Aerodromes	Applicable	<p>Consistent as the Temora LEP includes Clause 6.7 Development in areas subject to airport noise. This must be considered and managed as part of any development proposal that is identified to involve noise sensitive buildings located near Temora Airport and its flight paths. The addition of "Caravan Park" to the list of land uses permitted with consent in the SP1 zone formalises an existing use of the site. The use of the caravan park will continue to be for short term tourist purposes and not long term residence. Part of the existing caravan park is located between the ANEF</p>

			20 and 25 contours, which is not unacceptable.
3.6	Shooting Ranges	Not applicable	N/A
4. Hazard and Risk			
4.1	Acid Sulphate Soils	No (does not apply to land in the Temora LGA)	N/A
4.2	Mine Subsidence & Unstable Land	No (does not apply to land in the Temora LGA)	N/A
4.3	Flood Prone Land	Applicable	Consistent as applicants will still be required to consider and manage any identified flood risk associated with their proposed development, in accordance with Clause 6.6 of the Temora LEP
4.4	Planning for Bushfire Protection	Applicable	Consistent as any proposed development that is identified to be located on land identified as Bushfire Prone Land will require to have regard to Planning for Bushfire Protection 2006.
5. Regional Planning			
5.1	Implementation of Regional Strategies	No (does not apply to the Temora LGA)	N/A
5.2	Sydney Drinking Water Catchment	No (does not apply to the Temora LGA)	N/A
5.3	Farmland of State & Regional Significance on the NSW Far North Coast	No (does not apply to the Temora LGA)	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No (does not apply to the Temora LGA)	N/A
5.5	Development in the Vicinity of Ellalong, Paxton and Millfield	No (revoked)	N/A

	(Cessnock LGA)		
5.6	Sydney to Canberra Corridor	No (revoked)	N/A
5.7	Central Coast	No (revoked)	N/A
5.8	Second Sydney Airport: Badgerys Creek	No (does not apply to the Temora LGA)	N/A
5.9	North West Rail Link Corridor Strategy	No (does not apply to the Temora LGA)	N/A
5.10	Implementation of Regional Plans	Applicable	Consistent as the proposal is consistent with the Riverina Murray Regional Plan prepared by NSW Planning and Environment
6. Local Plan Making			
6.1	Approval and Referral Requirements	Yes	Consistent as the planning proposal is not proposing to add any provisions that require referral of development applications to the Minister.
6.2	Reserving Land for Public Purposes	Not applicable	N/A
6.3	Site Specific Provisions	Not applicable	N/A
7. Metropolitan Planning			
7.1	Implementation of Plan for Growing Sydney	No (does not apply to the Temora LGA)	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	No (does not apply to the Temora LGA)	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	No (does not apply to the Temora LGA)	N/A
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No (does not apply to the Temora LGA)	N/A
7.5	Implementation of	No (does not apply to	N/A

	Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	the Temora LGA)	
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No (does not apply to the Temora LGA)	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	No (does not apply to the Temora LGA)	N/A
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	No (does not apply to the Temora LGA)	N/A
7.9	Implementation of Bayside West Precincts 2036 Plan	No (does not apply to the Temora LGA)	N/A
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	No (does not apply to the Temora LGA)	N/A