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CIVIL • STRUCTURAL • BUILDING DESIGN • PLANNING

PLANNING PROPOSAL
912 KIDMAN WAY, GRIFFITH

CLIENT: 912 MANAGEMENT GROUP

Document Verification Schedule

 MJM CONSULTING ENGINEERS CIVIL • STRUCTURAL • BUILDING DESIGN • PLANNING		Project: Planning Proposal to amend GLEP 2014 Schedule 1 912 Kidman Way, Griffith					
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CONTENTS

1.0 INTRODUCTION.....	4
1.1 PRELIMINARY.....	4
1.2 SITE AND CONTEXT DESCRIPTION.....	4
2.0 OBJECTIVES OR INTENDED OUTCOMES.....	5
3.0 EXPLANATION OF PROVISIONS.....	5
4.0 JUSTIFICATION.....	5
4.1 NEED FOR THE PLANNING PROPOSAL.....	5
4.1.1 Is the Planning Proposal a result of any strategic study or report?	5
4.1.2 Is the Planning Proposal the best means of achieving the objective or intended outcomes, or is there a better way?	6
4.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK.....	6
4.2.1 Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?	6
4.2.2 Is the Planning Proposal consistent with the Council's local strategy or other local strategy plan?	6
4.2.3 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?	6
4.2.4 Is the Planning Proposal consistent with applicable ministerial directions (section 117 directions)?	6
4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT.....	6
4.3.1 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 Planning Proposal?	6
4.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?	6
4.3.3 How has the Planning Proposal adequately addressed any social and economic effects?	6
4.4 STATE AND COMMONWEALTH INTERESTS.....	7
4.4.1 Is there adequate public infrastructure for the Planning Proposal?	7
4.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	7
5.0 MAPPING.....	7
6.0 COMMUNITY CONSULTATION.....	7
7.0 PROJECT TIMELINE.....	7

WORD ABBREVIATIONS/TERMS

GCC	Griffith City Council
DPI	Department of Planning and Infrastructure
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
LEP	<i>Griffith Local Environmental Plan 2014</i>
LGA	Local Government Area
Proponent	912 Management Group
SEPP	State Environmental Planning Policy
General Industry	means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.
Land	Planning Proposal at 912 Kidman Way
Proposal	Planning Proposal of a machinery industrial building and offices

1.0 INTRODUCTION

1.1 PRELIMINARY

This Planning Proposal has been prepared by MJM Consulting Engineers on behalf of 912 Management Group and relates only to the land known as 912 Kidman Way, Griffith. This Planning Proposal is made in support of a request from the proponent for the inclusion of a 'general industry' as a permitted use of the subject land in Schedule 1 of the Griffith Local Environmental Plan 2014.

The land has previously been used for agricultural purposes (horticulture). It is currently host to a dwelling and a shed, which development consent has been sought and obtained to demolish. The subject land has a high-visibility highway frontage to Kidman Way, which is vital for the display and retail of agricultural equipment and machinery which will be manufactured on the site. The Kidman Way access also plays an important role in facilitating easy access to and from the site for receiving materials and dispatching the finished goods.

The subject land forms part of a pocket zoned B6 Enterprise Corridor. The B6 zone does not support general industrial activities under the provisions of the GLEP 2014. The purpose of the Planning Proposal is to enable development of the subject land for general industrial purposes, specifically the manufacture of agriculture equipment.

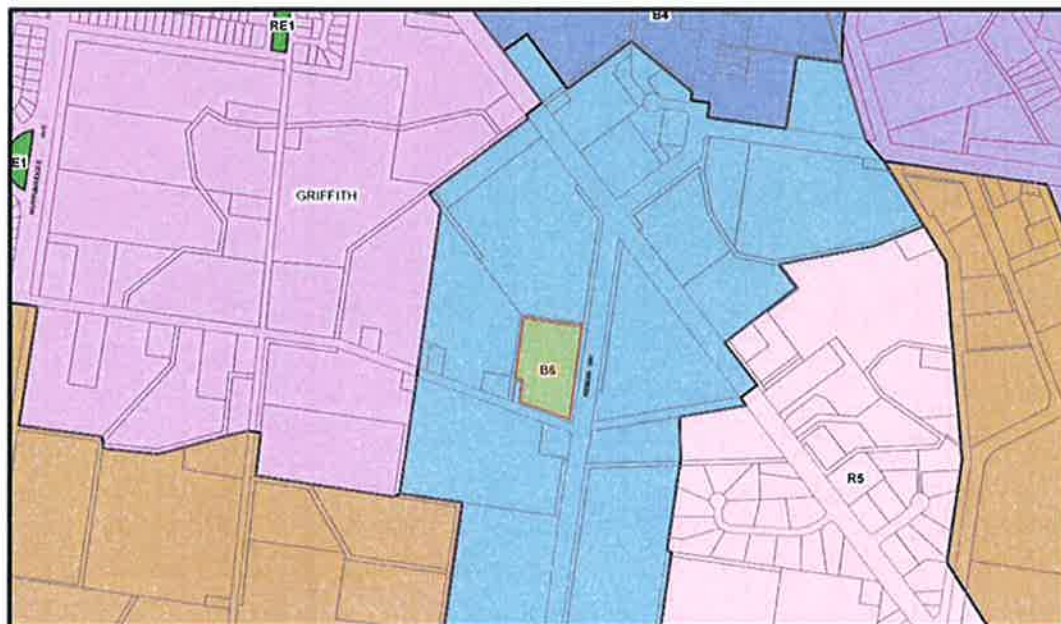


Figure 1: GLEP 2014 Land Zoning Map of the subject land and surrounding area

This report has been submitted in respect of clause 55 of the Environmental Planning & Assessment Act 1979 (EPA Act). It has been prepared in accordance with the relevant guidelines including,

- A Guide to Preparing Planning Proposals (Department of Planning + Infrastructure, 2012), and
- A Guide to Preparing Local Environmental Plans (Department of Planning + Infrastructure, 2013).

This report contains word abbreviations and terms listed in the **Table of Contents** section above.

1.2 SITE AND CONTEXT DESCRIPTION

The land consists of one parcel, known as 912 Kidman Way and legally described as Lot 546 DP751709. The land is somewhat irregular in shape and is 2.57 hectares in size. It is located approximately 1.5km south/south-east of the central business area in Griffith.

The land has previously been used for agricultural purposes (horticulture). It is currently host to a dwelling and a shed, which development consent has been sought and obtained to demolish.

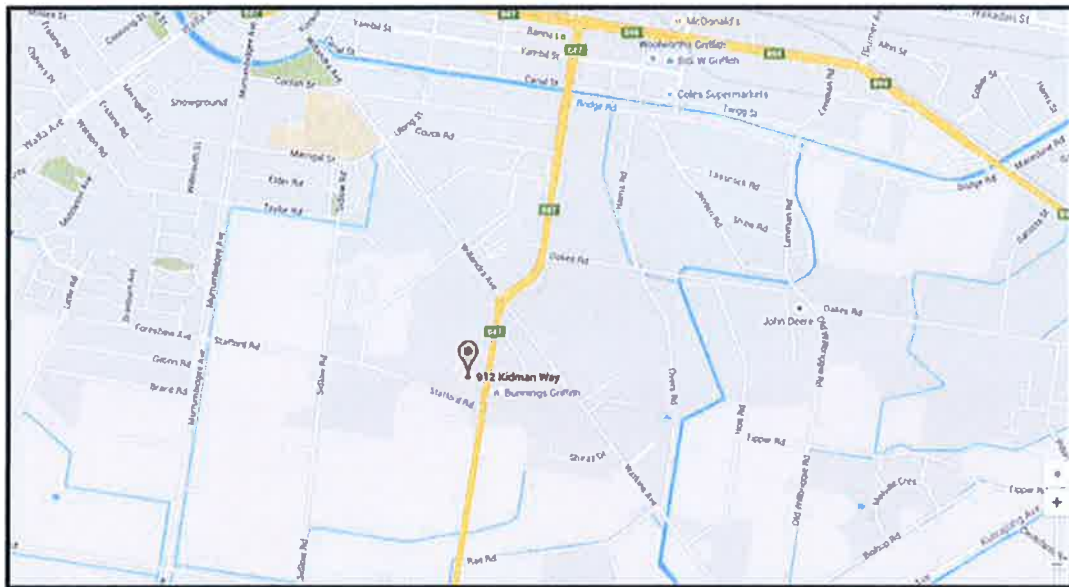


Figure 2: Map of subject land and context

The site is bounded by Kidman Way (State Route B87) and Stafford Road to the east and south respectively. There is a transport depot on the adjoining land to the north and a bulky goods shopping centre on the opposite side of Kidman Way. Land to the west is predominantly used for horticultural activity.

The subject land is located within a pocket zoned B6 Enterprise Corridor under the provisions of the GLEP 2014. Land further to the north is zoned B4 Mixed Use, further to the east is R5 Large Lot Residential, further to the south-west is RU4 Primary Production Small Lots and further to the west/north-west is zoned R1 General Residential.

2.0 OBJECTIVES OR INTENDED OUTCOMES

The intended outcome of the Planning Proposal is to facilitate the development of general industry, specifically the manufacture of machinery and equipment for use in agricultural irrigation, on the subject land.

3.0 EXPLANATION OF PROVISIONS

The intended outcome described in Section 2.0 will be achieved by amending the GLEP 2014 as follows:

- Amendment of Schedule 1 'Additional Permitted Uses' to permit the use of 912 Kidman Way (legally described as Lot 546 DP751709) for the purposes of 'general industry, being the manufacture of machinery and equipment for agricultural irrigation purposes' with development consent.

4.0 JUSTIFICATION

4.1 NEED FOR THE PLANNING PROPOSAL

4.1.1 Is the Planning Proposal a result of any strategic study or report?

The preparation of a strategic study or report has not been prepared for the Planning Proposal; however this is proportional to the impact that the Planning Proposal will have, which is considered acceptable under *A guide to preparing planning proposals* (DPI, 2012, p 10)

The Planning Proposal is considered the most appropriate solution to facilitate the proposed development type in an appropriate location. It is noted that should the Planning Proposal be successful, the development would still require the consideration and approval of a development application by Griffith City Council.

4.1.2 Is the Planning Proposal the best means of achieving the objective or intended outcomes, or is there a better way?

Yes, the Planning Proposal is the only means of achieving the intended outcome on the subject land.

The proposed amendment to Schedule 1 of the GLEP 2014 will facilitate the proposed development, whilst not undermining the objectives of the B6 Enterprise Corridor. Further, a 'spot rezoning' of the subject land to an industrial zone was not considered to be an appropriate solution.

4.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4.2.1 Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

There are no applicable regional or sub-regional strategies at this time.

4.2.2 Is the Planning Proposal consistent with the Council's local strategy or other local strategy plan?

Yes, the Planning Proposal is consistent with Council's CSP *Growing Griffith 2030*, as set out in Appendix A: Applicable aims of *Growing Griffith 2030*.

4.2.3 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Yes, the Planning Proposal is consistent with applicable State Environmental Planning Policies as set out in Appendix B: Applicable State Environmental Planning Policies.

4.2.4 Is the Planning Proposal consistent with applicable ministerial directions (section 117 directions)?

Yes, the Planning Proposal is consistent with applicable directions as set out in Appendix C: Applicable Directions under section 117(2) of the *Environmental Planning and Assessment Act 1979*.

4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

4.3.1 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 Planning Proposal?

The site has been previously cleared to facilitate its former use of horticulture. There is a very low likelihood that the subject land contains critical habitats or threatened species, populations or ecological communities, or their habitats.

4.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

There are no other likely environmental impacts likely to arise from the Planning Proposal. Any environmental impacts of the future development of the site will be assessed as part of the development application process, should the Planning Proposal be successful.

4.3.3 How has the Planning Proposal adequately addressed any social and economic effects?

The economic and social effects as a result of the Planning Proposal are considered to be positive for the local area. The Planning Proposal will facilitate development of the site for industrial purposes which, despite components of the proposed development being prohibited in the B6 zone, is considered to be compatible with the objectives of the zone. Currently, the subject land provides no contribution to the achievement of the zone objectives.

If the Planning Proposal is successful and the Development Application is subsequently approved, the development will provide for expansion of the 'FlowSmart' operations and is likely to increase its local employment by at least 30 percent, to 60 persons. This has a multiplier effect for expenditure in the local economy.

4.4 STATE AND COMMONWEALTH INTERESTS

4.4.1 Is there adequate public infrastructure for the Planning Proposal?

The subject land is currently supplied with adequate public infrastructure including sealed roads and reticulated services. Any required upgrades will be at the expense of the developer and will not increase the costs borne by the wider community.

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

The views of State and Commonwealth public authorities will not be known until after the Gateway Determination. Given the site has a primary frontage to a classified road (Kidman Way), Roads and Maritime Services will be consulted should the proposal proceed to exhibition.

5.0 MAPPING

The Planning Proposal only seeks to amend Schedule 1 'Additional Permitted Uses' of the GLEP 2014. There are no associated changes to LEP maps.

6.0 COMMUNITY CONSULTATION

Community consultation is required under section 56(2)(c) of the EP&A Act as follows:

- 28 day public exhibition period,
- Notification to adjoining and surrounding landowners either directly or indirectly impacted,
- Consultation with relevant government departments and agencies
- Published notification provided in the local newspaper

7.0 PROJECT TIMELINE

PROJECT STAGE	ESTIMATED COMMENCEMENT DATE
Anticipates commencement date (date of gateway determination)	
Timeframe for government department and agency consultation (pre and post exhibition as required by gateway determination)	
Commencement and completion dates of public exhibition period.	
Dates for public hearing (if required)	
Timeframe for consideration of public submissions	
Timeframe for consideration of the Planning Proposal post exhibition	
Date of submission of Planning Proposal to DPI for parliamentary counsel opinion	
Anticipated date Council will make the plan (if delegated)	
Anticipated date Council will forward the Planning Proposal to DPI for publication in the Government Gazette.	

APPENDIX A:
APPLICABLE AIMS OF GRIFFITH COMMUNITY STRATEGIC PLAN 2030

AIMS OF GRIFFITH COMMUNITY STRATEGIC PLAN 2030	
AIMS	PLANNING PROPOSAL CONSISTENCY
Leadership • To engage in an integrated planning framework that ensures a sustainable future for Griffith and its community. • To engage with the community and others in decision making and planning. • To collaborate with partners. • To be a respected, professional and accountable organisation. • To encourage community wellbeing and safety.	Consistent. The proposed amendment to Schedule 1 of the GLEP 2014 will facilitate the proposed development, whilst not undermining the objectives of the B6 Enterprise Corridor. The community will be informed of the Planning Proposal and given the opportunity to comment, through the community consultation channels referenced in Section 6.0.
Lifestyle • To encourage and facilitate community wellbeing and safety. • To develop and promote diversity.	Not relevant.
Environment • To improve the ecological sustainability of Griffith's local environment. • To preserve and enhance the natural and built environment. • To develop and follow best practice in environmental management.	Consistent. In accordance with the objectives under this section, the Planning Proposal will minimise the environmental, social and financial costs of new development by facilitating development in an area that is already earmarked for similar business/industrial development, as opposed to opening up greenfields space. The planning proposal will facilitate the development of the subject land and contribute towards the achievement of the objectives of the B6 zone. To minimise the environmental, social and financial costs of new development.
Growing our city • To develop our vibrant regional city. • To ensure a balance between commercial and social infrastructure development. • To enhance access to and from our city, as well as mobility within the region.	Consistent. The economic and social effects as a result of the Planning Proposal are considered to be positive for the local area.

APPENDIX B:
APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICIES			
STATE ENVIRONMENTAL PLANNING POLICY	APPLICABLE?	AIMS OF POLICY, IF APPLICABLE?	CONSISTENT? ASSESSMENT
SEPP (Affordable Rental Housing) 2009	Yes (applies to NSW)	(ii) To provide a consistent planning regime for the provision of affordable rental housing. (iii) To facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards. (iv) To facilitate the retention and mitigate the loss of existing affordable rental housing. (v) To employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing. (vi) To facilitate an expanded role for not-for-profit-providers of affordable rental housing. (vii) To support local business centres by providing affordable rental housing for workers close to places of work. (viii) To facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.	Not inconsistent The Planning Proposal relates to the use of the subject land specifically for general industrial purposes.
SEPP (Building Sustainability Index: BASIX) 2004	Yes (applies to NSW)	1. Regulations under the Act have established a scheme to encourage sustainable residential development (<i>the BASIX scheme</i>) under which: (a) An application for a development consent, complying development certificate or construction certificate in relation to certain kinds of residential development must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out, and (b) The carrying out of residential development pursuant to the resulting development consent, complying development certificate or construction certificate will be subject to a condition requiring such commitments to be fulfilled	Not inconsistent The Planning Proposal relates to the use of the subject land specifically for general industrial purposes. Future non-residential development on the site will not require BASIX assessment.

			2. The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State. 3. This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.		
SEPP (Exempt and Complying Development Codes) 2008	Yes (applies to NSW)	(a) Providing exempt and complying development codes that have State-wide application, and (b) Identifying, in the exempt development codes, types of development that are of minimal environmental impact that may be carried out without the need for development consent, and (c) Identifying, in the complying development codes, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Act, and (d) Enabling the progressive extension of the types of development in this Policy, and (e) Providing transitional arrangements for the introduction of the State-wide codes, including the amendment of other environmental planning instruments.	Yes		The Planning Proposal is not inconsistent with the aims of the SEPP (Exempt and Complying Development Codes) 2008.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes (applies to NSW, with minor exceptions)	1. This Policy aims to encourage the provision of housing (including residential care facilities) that will: (a) Increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and (b) Make efficient use of existing infrastructure and services, and (c) Be of good design. 2. These aims will be achieved by: (a) Setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in this Policy, and (b) Settling out design principles that should be followed to achieve built form that responds to the characteristics of its site and form, and (c) Ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes.	Not inconsistent.		The Planning Proposal relates to the use of the subject land specifically for general industrial purposes.
SEPP (Infrastructure) 2007	Yes (applies to NSW)	The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by	Yes		The Planning Proposal is not inconsistent with the aims of the SEPP (Infrastructure) 2007

CL04 Attachment (a) Planning Proposal, Flow Smart P/L, Kidman Way

Planning Proposal ■ 912 Kidman Way | September 2018

		(a) Improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and (b) Providing greater flexibility in the location of infrastructure and service facilities, and (c) Allowing for the efficient development, redevelopment or disposal of surplus government owned land, and (d) Identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and (e) Identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and (f) Providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.		Any future development on the site will require referral to the RMS in accordance with the provisions of the Infrastructure SEPP.
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	No			
SEPP (Kurnell Peninsula) 1989	No			
SEPP (Major Development) 2005	Yes (applies to NSW)	The aims of this Policy are as follows: (a) (Repealed) (b) (Repealed) (c) To facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State, (d) To facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes. (e) (Repealed) (f) (Repealed)	Not inconsistent	The Planning Proposal is not inconsistent with the aims of the SEPP (Major Development) 2005.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes (applies to NSW)	The aims of this Policy are, in recognition of the importance to New South Wales of mining, petroleum production and extractive industries: (a) To provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and	Not inconsistent	The Planning Proposal relates to the use of the subject land specifically for general industrial purposes.

CL04 Attachment (a) Planning Proposal, Flow Smart P/L, Kidman Way

Planning Proposal - 0112 Kidman Way | September 2016

		(b) To facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and (b1) To promote the development of significant mineral resources, and (c) To establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and (d) To establish a gateway assessment process for certain mining and petroleum (oil and gas) development: (i) To recognise the importance of agricultural resources, and (ii) To ensure protection of strategic agricultural land and water resources, and (iii) To ensure a balanced use of land by potentially competing industries, and (iv) To provide for the sustainable growth of mining, petroleum and agricultural industries.		
SEPP (Miscellaneous Consent Provisions) 2007	Yes (applies to NSW)	The aims of this Policy are as follows: (a) To provide that the erection of temporary structures is permissible with consent across the State, (b) To ensure that suitable provision is made for ensuring the safety of persons using temporary structures, (c) To encourage the protection of the environment at the location, and in the vicinity, of temporary structures by specifying relevant matters for consideration, (d) To provide that development comprising the subdivision of land, the erection of a building or the demolition of a building, to the extent to which it does not already require development consent under another environmental planning instrument, cannot be carried out except with development consent.	Yes	The Planning Proposal is not inconsistent with the aims of the SEPP (Miscellaneous Consent Provisions) 2007.
SEPP (Penrith Lakes Scheme) 1989	No			
SEPP (Port Botany and Port Kembla) 2013	No			
SEPP (Rural Lands) 2008	Yes (applies to NSW, except metropolitan LGAs)	The aims of this Policy are as follows: (a) To facilitate the orderly and economic use and development of rural lands for rural and related purposes, (b) To identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for	Not inconsistent	The Planning Proposal does not relate to rural lands.

			the purpose of promoting the social, economic and environmental welfare of the State, (c) To implement measures designed to reduce land use conflicts, (d) To identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations, (e) To amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.		
SEPP (SEPP 53 Transitional Provisions) 2011	No				
SEPP (State and Regional Development) 2011	Yes (applies to NSW)		The aims of this Policy are as follows: (a) To identify development that is State significant development, (b) To identify development that is State significant infrastructure and critical State significant infrastructure, (c) To confer functions on joint regional planning panels to determine development applications.	Yes	The Planning Proposal is not inconsistent with the aims of the SEPP (State and Regional Development) 2011.
SEPP (Sydney Drinking Water Catchment) 2011	No				
SEPP (Sydney Region Growth Centres) 2006	No				
SEPP (Urban Renewal) 2010	No				
SEPP (Western Sydney Employment Area) 2009	No				
SEPP (Western Sydney Parklands) 2009	No				
SEPP No. 1 – Development Standards	No				
SEPP No. 14 – Coastal Wetlands	No				
SEPP No. 15 – Rural Landsharing Communities	No				
SEPP No. 19 – Bushland in Urban Areas	No				
SEPP No. 21 – Caravan Parks	Yes (applies to NSW)		(1) The aim of this Policy is to encourage (a) The orderly and economic use and development of land used or intended to be used as a caravan park catering exclusively or predominantly for short-term residents (such	Not inconsistent	The Planning Proposal relates to the use of the subject land specifically for general industrial purposes.

CL04 Attachment (a) Planning Proposal, Flow Smart P/L, Kidman Way

Planning Proposal ■ 0112 Kidman Way | September 2016

			as tourists) or for long-term residents, or catering for both, and (b) The proper management and development of land so used, for the purpose of promoting the social and economic welfare of the community, and (c) The provision of community facilities for land so used, and (d) The protection of the environment of, and in the vicinity of, land so used.		
SEPP No. 26 – Littoral Rainforests	No				
SEPP No. 29 – Western Sydney Recreation Area	No				
SEPP No. 30 – Intensive Agriculture	Yes (applies to NSW)		(1) The aims of this Policy are (a) To require development consent for cattle feedlots having a capacity to accommodate 50 or more head of cattle, and piggeries having a capacity to accommodate 200 or more pigs or 20 or more breeding sows, and (b) To provide for public participation in the consideration of development applications for cattle feedlots or piggeries of this size, and (c) To require that, in determining a development application for cattle feedlots or piggeries of this size, the consent authority is to take into consideration: i. The adequacy of information provided, and ii. The potential for odour, water pollution and soil degradation, and iii. Measures to mitigate potential adverse impacts, and iv. Measures for the health and welfare of animals, and v. Relevant guidelines. So as to achieve greater consistency in environmental planning and assessment for cattle feedlots and piggeries (2) This Policy also aims to extend the definition of the term <i>rural industry</i> where used in environmental planning instruments so as to include within the meaning of that term composting facilities and works, including facilities and works for the production of mushroom substrate (1) This Policy aims: (a) To promote the orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development, and	Not inconsistent	The Planning Proposal relates to the use of the subject land specifically for general industrial purposes.
SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)	Yes (applies to NSW)			Not inconsistent	The Planning Proposal relates to the use of the subject land specifically for general industrial purposes.

SEPP No. 33 – Hazardous and Offensive Development	Yes (applies to NSW)	(b) To implement a policy of urban consolidation which will promote the social and economic welfare of the State and a better environment by enabling: i. The location of housing in areas where there are existing public infra-structure, transport and community facilities, and ii. Increased opportunities for people to live in a locality which is close to employment, leisure and other opportunities, and iii. The reduction in the rate at which land is released for development on the fringe of existing urban areas. (2) The objectives of this Policy are: (a) To ensure that urban land suitable for multi-unit housing and related development is made available for that development in a timely manner, and (b) To ensure that any redevelopment of urban land for multi-unit housing and related development will result in: i. An increase in the availability of housing within a particular locality, or ii. A greater diversity of housing types within a particular locality to meet the demand generated by changing demographic and household needs, and (c) To specify: i. The criteria which will be applied by the Minister to determine whether the redevelopment of particular urban land sites is of significance for environmental planning for a particular region, and ii. The special considerations to be applied to the determination of development applications for multi-unit housing and related development on sites of such significance. This Policy aims: (a) To amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and (b) To render ineffective a provision of any environmental planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Policy, and (c) To require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and	Yes	The Planning Proposal is not inconsistent with the aims of the SEPP No. 33 – <i>Hazardous and Offensive Development</i>
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			(d) To ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and (e) To ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact, and (f) To require the advertising of applications to carry out any such development		
SEPP No. 36 Manufactured Home Estates	Yes (applies to NSW)	(1) The aims of this Policy are: (a) To facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements, and (b) To provide immediate development opportunities for manufactured home estates on the commencement of this Policy, and (c) To encourage the provision of affordable housing in well designed estates, and (d) To ensure that manufactured home estates are situated only in suitable locations and not on land having important resources or having landscape, scenic or ecological qualities that should be preserved, and (e) To ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services, and (f) To protect the environment surrounding manufactured home estates, and (g) To provide measures which will facilitate security of tenure for residents of manufactured home estates.	Not inconsistent.	The Planning Proposal relates to the use of the subject land specifically for general industrial purposes.	
SEPP No. 39 – Spit Island Bird Habitat	No				
SEPP No. 44 – Koala Habitat Protection	No				
SEPP No. 47 – Moore Park Showground	No				
SEPP No. 50 – Canal Estate Development	Yes (applies to NSW)	This Policy aims to prohibit canal estate development as described in this Policy in order to ensure that the environment is not adversely affected by the creation of new developments of this kind.	Not inconsistent.	The Planning Proposal relates to the use of the subject land specifically for general industrial purposes.	

CL04 Attachment (a) Planning Proposal, Flow Smart P/L, Kidman Way

Planning Proposal ■ 012 Kidman Way | September 2016

SEPP No. 52 – Farm Dams and Other Works in Land and Water Management Plans Area	No			
SEPP No. 55 – Remediation of Land	Yes (applies to NSW)	(1) The object of this Policy is to provide for a Statewide planning approach to the remediation of contaminated land. (2) In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment (a) By specifying when consent is required, and when it is not required, for a remediation work, and (b) By specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and (c) By requiring that a remediation work meet certain standards and notification requirements.	Yes	The Planning Proposal is not inconsistent with the aims of the SEPP No. 55 – Remediation of Land
SEPP No. 59 – Central Sydney Regional Open Space and Residential	No			
SEPP No. 62 – Sustainable Aquaculture	Yes (applies to NSW)	The aims and objectives of this Policy are: (a) To encourage sustainable aquaculture, including sustainable oyster aquaculture, in the State, namely, aquaculture development which uses, conserves and enhances the community's resources so that the total quality of life now and in the future can be preserved and enhanced, and (b) To make aquaculture development permissible in certain zones under the Standard Instrument, as identified in the NSW Land Based Sustainable Aquaculture Strategy, and (c) To set out the minimum site location and operational requirements for permissible aquaculture development (the minimum performance criteria), and (d) To establish a graduated environmental assessment regime for aquaculture development based on the applicable level of environmental risk associated with site and operational factors (including risks related to climate change, in particular, rising sea levels), and (e) To apply the Policy to land-based aquaculture development and oyster aquaculture development in the State and to include facility for extension of the Policy to natural water-based aquaculture	Not inconsistent	The Planning Proposal relates to the use of the subject land specifically for general industrial purposes.

CL04 Attachment (a) Planning Proposal, Flow Smart P/L, Kidman Way

Planning Proposal ■ 912 Kidman Way | September 2016

SEPP No. 64 – Advertising and Signage	Yes (applies to NSW)	(1) This Policy aims: (a) To ensure that signage (including advertising): i. Is compatible with the desired amenity and visual character of an area, and ii. Provides effective communication in suitable locations, and iii. Is of high quality design and finish, and (b) To regulate signage (but not content) under Part 4 of the Act, and (c) To provide time-limited consents for the display of certain advertisements, and (d) To regulate the display of advertisements in transport corridors, and (e) To ensure that public benefits may be derived from advertising in and adjacent to transport corridors. (2) This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.	Yes	The Planning Proposal is not inconsistent with the aims of SEPP No. 64 – Advertising and Signage
SEPP No. 65 – Design Quality of Residential Flat Development	Yes (applies to NSW)	(1) This Policy aims to improve the design quality of residential apartment development in New South Wales. (2) This Policy recognises that the design quality of residential apartment development is of significance for environmental, cultural and social benefits of high quality design. (3) Improving the design quality of residential apartment development aims: (a) To ensure that it contributes to the sustainable development of New South Wales: i. By providing sustainable housing in social and environmental terms, and ii. By being a long-term asset to its neighbourhood, and iii. By achieving the urban planning policies for its regional and local contexts, and (b) To achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define, and (c) To better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities, and (d) To maximise amenity, safety and security for the benefit of its occupants and the wider community, and	Yes	The Planning Proposal does not derogate the aims of SEPP No. 65 – Design Quality of Residential Flat Development

Planning Proposal ■ 012 Kidman Way September 2016				
			(e) To minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions, and (f) To contribute to the provision of a variety of dwelling types to meet population growth, and (g) To support housing affordability, and (h) To facilitate the timely and efficient assessment of applications for development to which this Policy applies. (4) This Policy aims to provide: (a) Consistency of policy and mechanisms across the State, and (b) A framework for local and regional planning to achieve identified outcomes for specific places.	
SEPP No. 70 – Affordable Housing (Revised Schemes)	No			
SEPP No. 71 – Coastal Protection	No			

APPENDIX D:

APPLICABLE DIRECTIONS UNDER SECTION 117(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

SECTION 117 PLANNING DIRECTIONS			
S117 DIRECTION	APPLICABLE?	REQUIREMENT	CONSISTENT
1. Employment and Resources			
1.1 Business and Industrial Zones	Yes	The employment land in business and industrial zones should be protected. Employment growth should be encouraged in suitable locations.	Consistent. The Planning Proposal will facilitate development of the site for industrial purposes which, despite components of the proposed development being prohibited in the B6 zone, is considered to be compatible with the objectives of the zone. Currently, the subject land provides no contribution to the achievement of the zone objectives. If the Planning Proposal is successful and the Development Application is subsequently approved, the development will provide for expansion of the 'FlowSmart' operations and is likely to increase its local employment by at least 30 percent.
1.2 Rural Zones	No		
1.3 Mining, Petroleum and Extractive Industries	No		
1.4 Oyster Aquaculture	No		
1.5 Rural Lands	No		
2. Environment and Heritage			
2.1 Environment Protection Zones	Yes	Environmentally sensitive areas should be protected and conserved.	Not applicable.
2.2 Coastal Protection	No		
2.3 Heritage Conservation	Yes	Items, areas, objects and places of environmental heritage significance and indigenous heritage significance should be conserved.	Consistent. There are no known items, areas, objects or places of environmental heritage significance or indigenous heritage significance upon the subject land. The Planning Proposal is not inconsistent with this Direction.
2.4 Recreation Vehicle Areas	No		

3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	No	
3.2 Caravan Parks and Manufactured Home Estates	No	
3.3 Home Occupations	No	
3.4 Integrating Land Use and Transport	No	
3.5 Development Near Licensed Aerodromes	No	
3.6 Shooting Ranges	No	
4. Hazard Risk		
4.1 Acid Sulfate Soils	No	
4.2 Mine Subsidence and Unstable Land	No	
4.3 Flood Prone Land	No	
4.4 Planning for Bushfire Protection	No	
5. Regional Planning		
5.1 Implementation of Regional Strategies	No	
5.2 Sydney Drinking Water Catchments	No	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	No	
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	No	
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	

5.8 Second Sydney Airport: Badgerys Creek	No			
5.9 North West Rail Link Corridor Strategy	No			
5.10 Implementation of Regional Plans	No			
6. Local Plan Making				
6.1 Approval and Referral Requirements	Yes		LEP provisions should encourage the efficient assessment of development by not unnecessarily including provisions that require the concurrence of development applications to a Minister or public authority	Consistent. The Planning Proposal does not include any such provisions.
6.2 Reserving Land for Public Purposes	No			
6.3 Site Specific Provisions	Yes		Unnecessarily restrictive site specific planning controls are discouraged.	Consistent. The Planning Proposal proposes to amend Schedule 1 of the LEP to permit the use of the site for general industrial purposes and does not propose any further provisions.
7. Metropolitan				
7.1 Implementation of the Metropolitan Plan for Sydney 2036	No			
7.2 Implementation of Greater Macarthur Land Release Investigation	No			