

Planning Proposal to amend Great Lakes Local Environmental Plan 2014

Amendments to Active Street Frontages Map (Hawks Nest)

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Version	Purpose of Document	Author	Date
1	For Gateway Determination	RU	31/5/2018
2	Editorial amendments	-	-
3	Minor editorial amendments to reflect Gateway Determination issued <<insert date>>	-	-
4	Amendments in response to public and agency submissions received during exhibition	-	-

Introduction

This Planning Proposal (PP) has been prepared in accordance with Part 3 of the *Environmental Planning and Assessment Act 1979* and the relevant Department of Planning and Environment (Department) Guidelines, including *'A Guide to Preparing Local Environmental Plans'* and *'A Guide to Preparing Planning Proposals'*.

The PP seeks to make the following change to *Great Lakes Local Environmental Plan 2014*:

- Amend the Active Street Frontages Map at Hawks Nest

This PP outlines the intended effect of, and justification for the proposed amendments to *Great Lakes Local Environmental Plan 2014* (GLLEP14).

The proposed amendment was the subject of a report to Council's Ordinary meeting of 9 May 2018. The report, annexures and resolution relevant to this PP are contained in Appendix B to this PP.

The proclamation of 12 May 2016 ratified the merger of the Local Government Areas of Gloucester Shire, Greater Taree and Great Lakes Council into Midcoast Council. GLLEP14 still stands as a separate environmental planning instrument.

Council advises that it would like to be the local plan making authority for this Local Environmental Plan.

Background and context

The term 'Active Street Frontage' generally refers to *'... a street front with continuous business or retail land uses opening directly on to the footpath encouraging activity.'*

GLLEP14 contains an Active Street Frontages clause and associated Active Street Frontage Maps indicating where the clause applies.

The purpose of the Active Street Frontage clause is to promote land uses in those mapped areas that improve the amenity of the street to attract people. Consequently, any development with a mapped Active Street Frontage area must include business or retail uses at ground level.

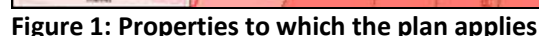
Drafting guidelines from the Standard Instrument Local Environmental Plan indicate that the Active Street Frontages clause (in this case Clause 7.13 of GLLEP14) should only be used in commercial land use zones such as zone B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Core and zone B4 Mixed Use.

The existing Hawks Nest Active Street Frontages Map currently applies to the land zoned B1 Neighbourhood Centre in both Hawks Nest and Tea Gardens. However, it has recently been brought to Council's attention that certain parts of the Hawks Nest Active Street Frontages Map also applies to some land in Hawks Nest zoned R3 Medium Density Residential and E2 Environmental Conservation.

This PP addresses the need to amend the Hawks Nest Active Street Frontages Map to ensure it is consistent with the Standard Instrument Local Environmental Plan drafting guidelines.

This PP applies to the land below in **Figure 1: Land to which the plan applies** as outlined in black. A full list of the property descriptions affected by the PP is provided in the table below:

Table 1: Full property descriptions of land affected by the Planning Proposal



Part 1 – Objectives/intended outcomes

The objective of the Planning Proposal is to:

- *Ensure that provisions for Active Street Frontages only apply to those areas appropriately zoned for this purpose.*

The intention of the PP is to amend the Active Street Frontages Map in Hawks Nest as contained within GLLEP14 so that it only applies to land in Hawks Nest Village zoned B1 Neighbourhood Centre.

Part 2 - Explanation of provisions

The existing Active street frontage clause in GLLEP14 is as follows:

7.13 Active street frontages

- (1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B1 Neighbourhood Centre and Zone B2 Local Centre.*
- (2) This clause applies to land identified as “Active Street Frontage” on the Active Street Frontages Map.*
- (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.*
- (4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following:*
 - (a) entrances and lobbies (including as part of mixed use development),*
 - (b) access for fire services,*
 - (c) vehicular access.*
- (5) In this clause, a building has an active street frontage if all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises*

Importantly this PP does not propose any changes to the Active Street Frontages clause in GLLEP14.

This PP does however propose minor changes to the Active Street Frontages Map at Hawks Nest.

The Active Street Frontage Map at Hawks Nest will be amended by removing the need to apply the Active Street Frontage Clause to those areas identified in **Figure 2: Area to which clause 7.13 Active Street Frontages currently applies** zoned R3 Medium Density Residential and E2 Environmental Conservation.

Active Street Frontages Map Hawks Nest current and proposed:

The following maps illustrate the proposed changes to the Active Street Frontages Map at Hawks Nest:

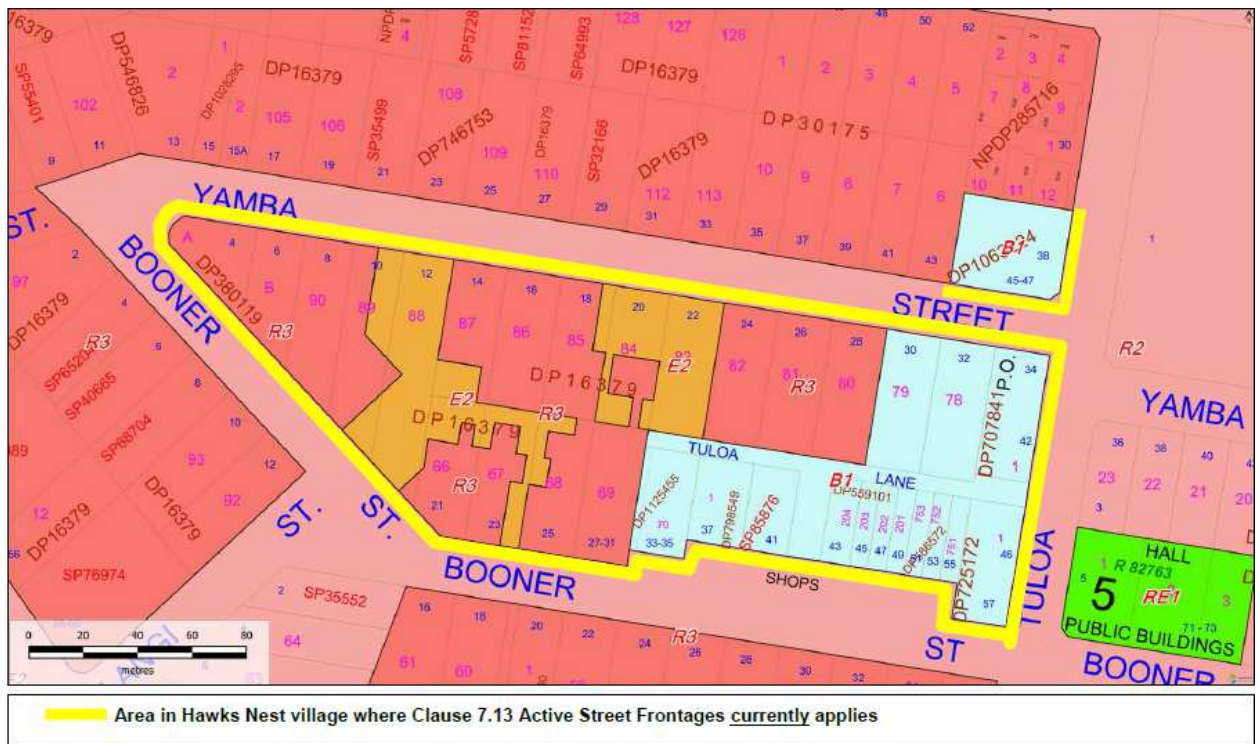


Figure 2: Area to which clause 7.13 Active Street Frontages currently applies

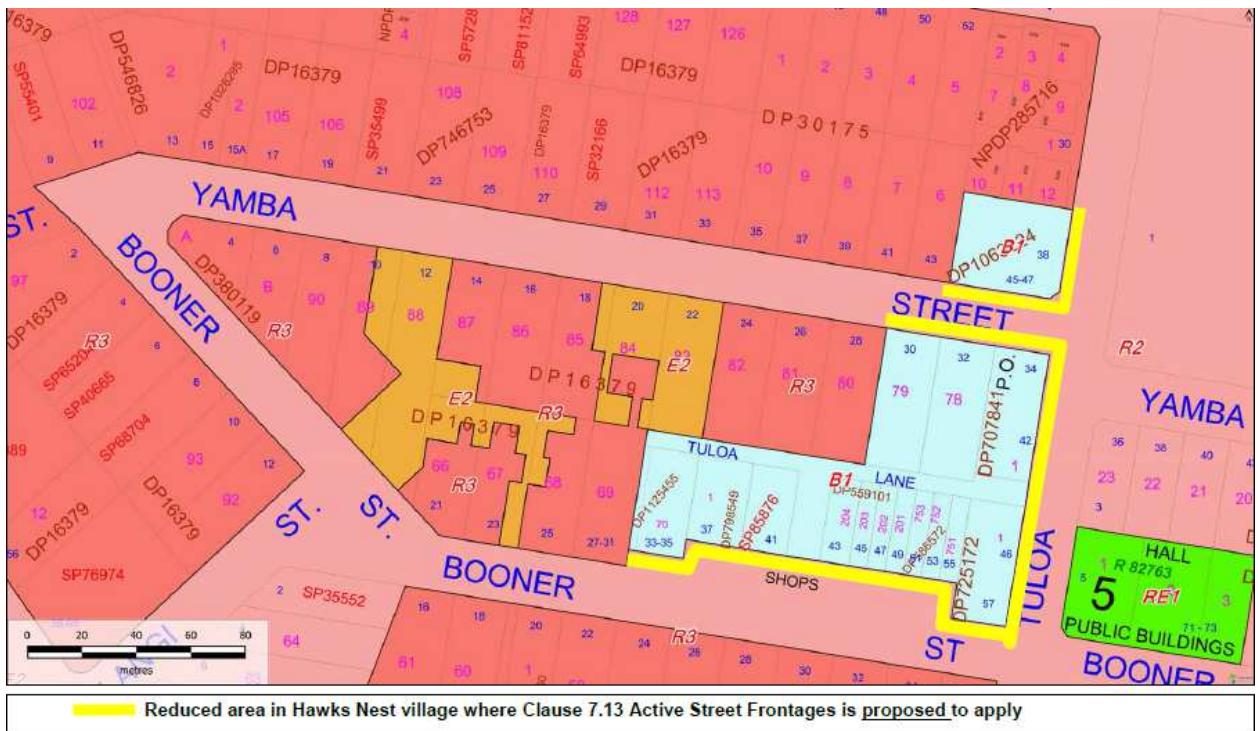


Figure 3: Reduced area to which clause 7.13 Active Street Frontages is proposed to apply

Part 3 – Justification

Section A – Need for the Planning Proposal

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

The PP is not the direct result of any strategic study or report. It does however; follow on from a recent rezoning in Hawks Nest which occurred in November 2017.

As part of the rezoning in question, certain land in Hawks Nest village was zoned from B1 Neighbourhood Centre to a mix of R3 Medium Density Residential and E2 Environmental Conservation. As part of the rezoning, the Hawks Nest Active Street Frontages Map in GLLEP14 should have been amended to remove land no longer zoned B1 Neighbourhood Centre. This PP will act to rectify this issue.

The strategic implications of this PP have already been explored and addressed as part of the November 2017 rezoning.

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

Minor amendments to the Hawks Nest Active Street Frontages Map in GLLEP is considered to be the most effective way to ensure that provisions for Active Street Frontages only apply to those areas in Hawks Nest appropriately zoned for this purpose.

Section B – Relationship to Strategic Planning Framework

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 PP is considered to be consistent with the objectives and actions contained within the Hunter Regional Plan 2036. A summary of the PP's consistency with the Hunter Regional Plan 2036 is provided in Appendix D of this PP.

Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The PP is considered to be consistent with the Draft MidCoast Community Strategic Plan.

Is the Planning Proposal consistent with applicable state environmental planning policies?

The PP is considered to be consistent with applicable state environmental planning policies.

A summary of the PP's consistency with applicable State Environmental Planning Policies is provided in Appendix E of this PP.

Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The PP is considered to be consistent with applicable Section 117 Ministerial Directions.

A summary of the PP's consistency with relevant Section 117 Directions is provided in Appendix C of this PP.

Section C – Environmental, Social and Economic Impact

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 PP will not result in any adverse impacts to critical habitats or threatened species, populations or ecological communities, or their habitats.

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

No. There are no other likely environmental effects as a result of the PP.

Has the Planning Proposal adequately addressed any social and economic effects?

The social and economic Impacts of this PP were addressed and resolved as part of the Hawks Nest Village Centre rezoning which occurred in November 2017.

Section D – State and Commonwealth Interests

Is there adequate public infrastructure for the planning Proposal?

There are no public infrastructure implications associated with the PP.

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

Due to the minor housekeeping nature of the PP it is not anticipated that Consultation will be required with State and Commonwealth agencies.

However, Council will undertake Consultation with the relevant government agencies if directed by the Gateway Determination.

Part 4 – Mapping

The PP will require amendments to the Hawks Nest Active Street Frontages Map in GLLEP14.

Proposed changes to the Active Street Frontages Map in GLLEP14 are shown in Appendix A.

Part 5 - Community consultation

Community Consultation for this PP will be minor due to the housekeeping nature of the proposal.

All of the relevant issues in association with this PP were explored and resolved when the land was rezoned in November 2017 from B1 Neighbourhood Centre to R3 Medium Density Residential and E2 Environmental Conservation.

Notwithstanding the above, and in accordance with MidCoast council's adopted consultation protocols, the following will be undertaken:

- Public exhibition of the PP for a period specified by the Gateway determination
- A notice in the local newspaper;
- Direct mail notification to potentially affected land owners;
- Exhibition material and all relevant documents will be available at the relevant Council Offices and on Council's website.

Any further consultation required by the Gateway Determination will also be undertaken.

Part 6 - Project timeline

In accordance with the Department of Planning and Environment guidelines, the following timeline is provided, which includes the tasks deemed necessary for the making of this local environmental plan.

Task	Responsibility	Timeframe	Date (approximate)
Council resolution to support the Planning Proposal	Council	-	May 2018
Lodgement of Planning Proposal for Gateway Determination	Council	-	May 2018
Gateway Determination Issued	Minister for Planning	6-8 weeks	June 2018
Consultation with Public Authorities in accordance with Gateway Determination	Council	Minimum 21 days	June 2018
Public exhibition of Planning Proposal	Council	Minimum 28 days	June/July 2018
Report to Council (<i>may not be required if no submissions received</i>)	Council	-	July 2018
Lodgement of Planning Proposal (with any amendments as a result of submissions)	Council	-	July/August 2018
Making of local environmental plan	Minister for Planning	6 – 8 weeks	August 2018

Part 7 - Conclusion

The primary aim of the PP is to amend the existing Hawks Nest Active Street Frontages Map in GLLEP14 so that it only applies to those areas zoned B1 Neighbourhood Centre in the Hawks Nest Village Centre.

The proposal is considered minor but necessary as a housekeeping amendment to GLLEP14. It will ensure consistency with the Standard Instrument Local Environmental Plan drafting guidelines.

Appendix A –Existing & proposed Active Street Frontages Map at Hawks Nest (& including Tea Gardens)



Figure 4: GLLEP14 Map - Area to which clause 7.13 Active Street Frontages currently applies



Figure 5: GLLEP14 Map – Reduced area to which clause 7.13 Active Street Frontages is proposed to apply

Appendix B –Council report and resolution

AMENDMENTS TO ACTIVE STREET FRONTAGES MAP AT HAWKS NEST

Report Author Rebecca Underwood, Strategic Planner
File No. / ECM Index SP-PP-41/Amendments to Active Street Frontages Map at Hawks Nest
Date of Meeting 18 April 2018

SUMMARY OF REPORT

This report presents a request for Council to resolve to prepare a Planning Proposal and seek a Gateway Determination to make changes to the Hawks Nest Active Street Frontages Map in *Great Lakes Local Environmental Plan 2014*.

SUMMARY OF RECOMMENDATION

That Council resolve to prepare a Planning Proposal and seek a Gateway Determination to amend the Hawks Nest Active Street Frontages Map in *Great Lakes Local Environmental Plan 2014*. Once a Gateway Determination is received that Council place the Planning Proposal on public exhibition in accordance with the terms of the Gateway Determination.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

- A: Map showing the current area to which Clause 7.13 Active Street Frontages applies.
 - B: Map showing the proposed (reduced) area to which Clause 7.13 Active Street Frontages is proposed to apply.
-

DISCUSSION

The term 'Active Street Frontage' generally refers to '*... a street front with continuous business or retail land uses opening directly on to the footpath encouraging activity.*'

Great Lakes Local Environmental Plan 2014 (GLLEP14) contains Clause 7.13 Active Street Frontages and associated Active Street Frontage Maps. The purpose of Clause 7.13 is to promote land uses in those mapped areas that improve the amenity of the street to attract

people. Consequently, any development with a mapped Active Street Frontage must include business or retail uses at ground level.

To assist with interpretation Clause 7.13 of GLLEP14 is included below:

7.13 Active street frontages

(1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B1 Neighbourhood Centre and Zone B2 Local Centre.

(2) This clause applies to land identified as “Active Street Frontage” on the Active Street Frontages Map.

(3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.

(4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following:

- (a) entrances and lobbies (including as part of mixed use development),*
- (b) access for fire services,*
- (c) vehicular access.*

(5) In this clause, a building has an active street frontage if all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises

Drafting guidelines from the Standard Instrument Local Environmental Plan indicate that the Active Street Frontages Clause above (in this case Clause 7.13 of GLLEP14) should only be used in commercial land use zones such as zone B1 Neighbourhood Centre, zone B2 Local Centre, zone B3 Commercial Core and zone B4 Mixed Use.

The existing Hawks Nest Active Street Frontages Map currently applies to all of the land zoned B1 Neighbourhood Centre in both Hawks Nest and Tea Gardens. However, it has recently been brought to Council's attention that certain parts of the Hawks Nest Active Street Frontages Map also applies to some land in Hawks Nest zoned R3 Medium Density Residential and E2 Environmental Conservation.

This anomaly exists due to a recent rezoning in this area. As part of the rezoning in question, certain land in Hawks Nest was rezoned from zone B1 Neighbourhood Centre to a mix of zone R3 Medium Density Residential and zone E2 Environmental Conservation. As part of this rezoning, the Hawks Nest Active Street Frontages Map should have been amended to remove land no longer zoned B1 Neighbourhood Centre.

In order to correct this oversight a Planning Proposal (PP) will need to be prepared to amend the Hawks Nest Active Street Frontages Map. The Hawks Nest Active Street Frontages Map will be amended by removing provisions for Active Street Frontages from those parcels of land recently rezoned from B1 Neighbourhood Centre to zone R3 Medium Density Residential and zone E2 Environmental Conservation.

A comparison of the existing Active Street Frontages and the proposed Active Street Frontages Map is contained in Attachments A and B respectively.

This PP is necessary to fix an anomaly which exists in GLLEP14 and will ensure consistency with the Standard Instrument Local Environmental Plan drafting guidelines.

Consequently, residential development may not be able to occur in those areas recently zoned to R3 Medium Density Residential where the Active Street Frontage Clause applies.

This has implications for future development applications lodged over this land. In order to rectify this issue it is recommended that Council proceed with the PP.

CONSULTATION

Community Consultation for this PP will be minor due to the housekeeping nature of the PP. All of the relevant issues were explored and resolved when the land was rezoned in November 2017 from B1 Neighbourhood Centre to R3 Medium Density Residential and E2 Environmental Conservation.

Community consultation for this PP will be undertaken in accordance with the Gateway Determination and the Department of Planning & Environments 'Guide to Preparing Planning Proposals'.

54/18 RESOLUTION

(Moved Cr C Pontin/Seconded Cr D Keegan)

1. Resolve to prepare a Planning Proposal to remove the Active Street Frontage Provisions over certain areas of Hawks Nest recently rezoned from zone B1 Neighbourhood Centre to zone R3 Medium Density Residential and zone E2 Environmental Conservation.
2. Submit the Planning Proposal to the Department of Planning & Environment for a Gateway Determination.
3. The department be advised that Council wishes to be the *local plan making authority* to make the Local Environmental Plan associated with the Planning Proposal
4. Place the Planning Proposal on public exhibition in accordance with the conditions of the Gateway Determination.
5. In the event no submissions of objection are received to the planning proposal, arrange for the associated Local Environmental Plan to be drafted and made.

FOR VOTE - Cr D West, Cr K Smith, Cr B Christensen, Cr L Roberts, Cr D Keegan, Cr C Pontin,

Cr J McWilliams, Cr T Fowler, Cr K Hutchinson, Cr P Epov

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr K Bell

PRESENT. DID NOT VOTE - Nil

Appendix C – Consistency with Section 117 Ministerial Directions

The following table shows how the PP is consistent with the relevant Section 117 Directions.

s117 Ministerial Direction	
1. Employment and Resources	
1.1 Business and Industrial Zones	The PP does not affect any land within an existing or proposed business zone and therefore is not applicable.
1.2 Rural Zones Aims to protect the agricultural production value of rural lands.	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands Aims to protect the agricultural production value of rural lands and facilitate orderly and economic development of rural lands for rural and related purposes.	Not applicable
2. Environment and Heritage	
2.1 Environmental Protection Zones Aims to conserve and protect environmentally sensitive areas.	The PP will ensure Active Street Frontages provisions for land zoned for environmental protection is removed enhancing environmental management and protection of these areas. The PP is consistent with this Direction.
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation Aims to conserve items and places of heritage significance and indigenous heritage significance.	Not applicable
2.4 Recreation Vehicle Areas Aims to protect sensitive lands with significant vegetation value from the adverse impacts of recreational vehicles	Not applicable
3. Housing, Infrastructure and Urban Development	

s117 Ministerial Direction	
<p>3.1 Residential Zones</p> <p>Aims to encourage a range of housing that makes efficient use of existing infrastructure and service that does not impact on the environment or resource lands.</p>	<p>The PP will enable residential development in an existing urban area that is zoned for this purpose.</p> <p>The PP is consistent with this Direction.</p>
<p>3.2 Caravan Parks and Manufactured Home Estates</p> <p>Aims to provide a variety of housing types including opportunities for caravan parks and manufactured home estates.</p>	Not applicable
<p>3.3 Home Occupations</p> <p>Aims to encourage low impact businesses in dwelling houses.</p>	Not applicable
<p>3.4 Integrating Land Use & Transport</p> <p>Aims to improve access by walking, public transport and other means that reduce private car travel dependencies.</p>	Not applicable
<p>3.5 Development Near Licensed Aerodromes</p> <p>Aims to ensure that Aerodromes operate safely and effectively and that development within the vicinity of aerodromes is suitable for occupation and does not compromise aerodrome operations.</p>	Not applicable
<p>3.6 Shooting Ranges</p>	Not applicable
4. Hazard & Risk	
<p>4.1 Acid Sulfate Soils</p>	Not applicable
<p>4.2 Mine Subsidence and Unstable Land</p>	Not applicable
<p>4.3 Flood Prone Land</p> <p>The purpose of this Direction is to ensure the provisions of the LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential of the</p>	Not applicable

s117 Ministerial Direction	
flood impacts both on and off the subject land.	
<p>4.4 Planning for Bushfire Protection</p> <p>The objectives of this Direction are to encourage the sound management of bushfire prone areas, and to protect life, property and the environment from bushfire hazards.</p>	Not applicable
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not applicable
5.2 Sydney Drinking Water Catchments	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.5 Revoked	Not applicable
5.6 Revoked	Not applicable
5.7 Revoked	Not applicable
5.8 Second Sydney Airport: Badgerys Creek	Not applicable
6. Local Plan Making	
6.1 Approval and Referral Requirements	Not applicable
6.2 Reserving Land for Public Purposes	Not applicable
6.3 Site Specific Provisions	Not applicable
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Not applicable

Appendix D – Hunter Regional Plan Goals, Directions & Actions

The following table shows how the PP is consistent with the relevant Directions and Actions from the Hunter Regional Plan 2036.

Goal 1 – the leading regional economy in Australia	
Direction 4 – Enhance inter-regional linkages to support economic growth	
Action 4.1 Enhance inter-regional transport connections to support economic growth.	Not applicable
Action 4.2 Work with stakeholders to upgrade transport network capacity in line with changing demands.	Not applicable
Action 4.3 Strengthen and leverage opportunities from the interconnections with other regions, particularly the Pacific Highway, the Golden Highway and the New England Highway.	Not applicable
Action 4.4 Promote freight facilities that leverage the Port of Newcastle and its associated freight transport network.	Not applicable
Action 4.5 Plan for multimodal freight facilities that support economic development of the region and respond to the location of the proposed Freight Rail Bypass.	Not applicable
Action 4.6 Investigate opportunities for logistics and freight growth and other complementary land uses around airports, leveraging investments at Taree and Newcastle airports.	Not applicable
Action 4.7 Enhance the efficiency of existing nationally significant transport corridors and protect their intended use from inappropriate surrounding land uses.	Not applicable
Action 4.9 Balance competing interests and deliver conservation, transport and land use planning objectives in the national pinch point area by: <ul style="list-style-type: none"> Identifying preferred habitat corridors and priorities for investment in conservation to sustain habitat connectivity; and Developing in integrated management plan for the area. 	Not applicable
Direction 6 – Grow the economy of MidCoast and Port Stephens	
Action 6.1 Enhance tourism infrastructure and	Not applicable

<p>connectivity, recognising the importance of:</p> <ul style="list-style-type: none"> regional and inter-regional connections via the Pacific Highway and the Newcastle and Taree airports and cruise ship gateways; and local routes such as The Lakes Way and Nelson Bay Road. 	
Action 6.2 Enhance links to regional services in Greater Newcastle.	Not applicable
Action 6.3 Enable economic diversity and new tourism opportunities that focus on reducing the impacts of the seasonal nature of tourism and its effect on local economies.	Not applicable
Action 6.4 Promote growth of industries that can leverage accessibility provided by the Pacific Highway.	Not applicable
Action 6.5 Plan for and provide infrastructure and facilities that support the ageing population.	Not applicable
Direction 7: Develop advanced manufacturing, defence and aerospace hubs	
Action 7.2 Grow and diversify the manufacturing sector through local planning and appropriate planning controls.	Not applicable
Action 7.3 Promote manufacturing business export opportunities and become part of global supply chains.	Not applicable
Action 7.4 Facilitate research partnerships between tertiary education providers and businesses.	Not applicable
Direction 8 – Promote innovative small business and growth in the service sectors	
Action 8.1 Implement initiatives to promote small business growth and innovation, particularly in Newcastle City centre and other strategic centres.	Not applicable
Action 8.2 Facilitate opportunities for incubator spaces for technology and non-technology early stage businesses, and ensure opportunities for new and emerging enterprises are encouraged.	Not applicable
Action 8.3 Improve connectivity to the region's major health and education precincts and strategic centres.	Not applicable
Action 8.5 Establish a health precinct around Metford and other hospitals in the region, including Manning Base Hospital at Taree.	Not applicable

Direction 9 – Grow tourism in the region	
Action 9.1 Enable investment in infrastructure to expand the tourism industry, including connections to tourism gateways and attractions.	Not applicable
Action 9.2 Encourage tourism development in natural areas that support conservation outcomes.	Not applicable
Action 9.5 Develop capacity for growth in food-based tourism in the region.	Not applicable
Direction 10 – Protect and enhance agricultural productivity	
Action 10.1 Protect locations that can accommodate agricultural enterprises from incompatible development, and facilitate the supply chain, including infrastructure, distribution areas, processing facilities and research and development in local plans.	Not applicable
Action 10.2 Address sector-specific considerations for agricultural industries through local plans.	Not applicable
Action 10.3 Protect the region's wellbeing and prosperity through increased biosecurity measures.	Not applicable
Action 10.4 Encourage niche commercial, tourist and recreation activities that complement and promote a stronger agricultural sector, and build the sector's capacity to adapt to changing circumstances.	Not applicable
Action 10.6 Manage Biophysical Strategic Agricultural Land and other important agricultural land as locations for agricultural activities and complementary uses.	Not applicable
Direction 11 – Manage the ongoing use of natural resources	
Action 11.1 Manage the ongoing use of mineral resources and provide access to up-to-date information about these resources through the Department of Industry's Common Ground website and its Geoscientific Data Warehouse.	Not applicable
Action 11.2 Work with relevant stakeholders including councils, communities and industry, to prepare land use plans that respond to the lifecycle of resource activity for active and emerging mining areas.	Not applicable
Action 11.3 Implement the cumulative impact assessment methodology when planning for	Not applicable

important agricultural land and water resources.	
Action 11.4 Review the Synoptic Plan: Integrated Landscapes for Coal Mine Rehabilitation in the Hunter Valley (1999) in conjunction with the development of the Upper Hunter Strategic Biodiversity Assessment to ensure best-practice rehabilitation and visual impact management for closed mines.	Not applicable
Direction 12: Diversify and grow the energy sector	
Action 12.1 Diversify and grow the energy sector by working with stakeholders, including councils, communities and industry, to identify and support opportunities for smaller-scale renewable energy initiatives such as those using bioenergy or waste coalmine methane.	Not applicable
Action 12.2 Enable new opportunities for renewable energy industries by reviewing local planning controls.	Not applicable
Action 12.3 Promote new opportunities arising from the closure of coalfired power stations that enable long term sustainable economic and employment growth in the region.	Not applicable
Direction 13 – Plan for greater land use compatibility	
Action 13.1 Identify and protect important agricultural land, including intensive agriculture clusters, in local plans to avoid land use conflicts, particularly associated with residential expansion.	Not applicable
Action 13.2 Limit urban and rural housing encroachment into identified agricultural and extractive resource areas, industrial areas, and transport infrastructure when preparing local strategies.	Not applicable
Action 13.3 Amend planning controls to deliver greater certainty of land use.	Not applicable
Action 13.4 Provide non-statutory guidance on the types of land uses that would be considered most appropriate, suitable or sympathetic with existing land uses in the Upper Hunter and other areas where land use conflicts occur.	Not applicable
Goal 2 – A biodiversity-rich natural environment	
Direction 14 – Protect and connect natural areas	
Action 14.1 Identify terrestrial and aquatic biodiversity values and protect areas of high environmental value to sustain the lifestyle,	The PP will remove provisions for Actives Street Frontages from certain land zoned E2 Environmental Conservation. This will have no effect conservation and

economic success and environmental health of the region.	management outcomes in these areas. The PP is consistent with this Action.
Action 14.2 Identify and strengthen biodiversity corridors as places for priority biodiversity offsets.	Not applicable
Action 14.3 Improve the quality of, and access to, information relating to high environmental values.	Not applicable
Action 14.4 Protect biodiversity by maintaining and, where possible, enhancing existing protection of high environmental value areas; implementing appropriate measures to conserve validated high environmental value areas; developing local strategies to avoid and minimise the impacts of development on areas of high environmental value and biodiversity corridors; and identifying offsets or other mitigation measures for unavoidable impacts.	The PP will remove provisions for Actives Street Frontages from certain land zoned E2 Environmental Conservation. This will have no effect on conservation and management outcomes in these areas. The PP is consistent with this Action.
Action 14.5 Secure the long term protection of regionally significant biodiversity corridors.	Not applicable
Direction 15: Sustain water quality and security	
Action 15.1 Protect water catchments to sustain high quality and dependable water supplies across the region.	Not applicable
Action 15.2 Effectively manage surface and groundwater use in agricultural areas to support ecosystem function, food production, and to cater for the increasing demand of urban communities and industry.	Not applicable
Action 15.3 Plan for the security of the region's town water supply.	Not applicable
Action 15.4 Implement catchment-based plans for the ongoing sustainable management and health of estuaries.	Not applicable
Action 15.5 Apply the neutral or beneficial water quality objectives to land use planning in surface and groundwater drinking water catchment areas to minimise the effects of development on waterways, including watercourses, wetlands, groundwater dependent ecosystems, riparian lands, estuaries, lakes, beaches and marine waters.	Not applicable
Action 15.6 Reduce the risk of introduction or spread of aquatic pests and diseases from new development that may affect fisheries and aquaculture industry practices.	Not applicable

Action 15.7 Incorporate water-sensitive design into development that is likely to have an adverse impact on coastal water catchments, water quality and flows.	Not applicable
Direction 16: Increase resilience to hazards and climate change	
Action 16.1 Manage the risks of climate change and improve the region's resilience to flooding, sea level rise, bushfire, mine subsidence and land contamination.	Not applicable
Action 16.2 Review and consistently update floodplain risk and coastal zone management plans, particularly where urban growth is being investigated.	Not applicable
Action 16.3 Incorporate new knowledge on regional climate projections and related cumulative impacts in local plans for new urban development.	Not applicable
Action 16.4 Review and update the Newcastle Mines Grouting Fund and investigate its relevance to other areas.	Not applicable
Goal 3 – Thriving communities	
Direction 17: Create healthy built environments through good design	
Action 17.1 Develop best-practice guidelines for planning, designing and developing healthy built environments.	Not applicable
Action 17.2 Enhance access to fresh food by promoting initiatives that increase urban food production and access to produce from local farmers.	Not applicable
Action 17.3 Enhance the quality of neighbourhoods by integrating recreational walking and cycling networks into the design of new communities to encourage physical activity.	Not applicable
Direction 18: Enhance access to recreational facilities and connect open space	
Action 18.1 Facilitate more recreational walking and cycling paths including planning for the Richmond Vale Rail Trail and expanded inter-regional and intra-regional walking and cycling links, including the NSW Coastal Cycleway.	Not applicable
Action 18.2 Deliver connected biodiversity-rich corridors and open space areas for community enjoyment.	Not applicable

Action 18.3 Enhance public access to natural areas, including coastal and lake foreshores.	Not applicable
Action 18.4 Assist councils to develop open space and recreation strategies that identify a range of accessible open space and recreation opportunities; integrate open space, active transport and recreation networks; and improve public foreshore access.	Not applicable
Action 18.5 Implement actions and invest in boating infrastructure priorities identified in regional boating plans to improve boating safety, boat storage and waterway access.	Not applicable
Direction 19 – Identify and protect the region’s heritage	
Action 19.1 Consult with the local Aboriginal communities to identify and protect heritage values to minimise the impact of urban growth and development, and to recognise their contribution to the character and landscape of the region.	Not applicable
Action 19.2 Assist the preparation of appropriate heritage studies to inform the development of strategic plans, including regional Aboriginal cultural heritage studies.	Not applicable
Direction 20: Revitalise existing communities	
Action 20.1 Accelerate urban revitalisation by directing social infrastructure where there is growth.	Not applicable
Action 20.2 Undertake planning and place-making for main streets and centres.	Not applicable
Action 20.3 Enhance the amenity and attractiveness of existing places.	Not applicable
Goal 4 – Greater housing choice and jobs	
Direction 21: Create a compact settlement	
Action 21.1 Promote development that respects the landscape attributes and the character of the metropolitan area, towns and villages.	Not applicable
Action 21.2 Focus development to create compact settlements in locations with established services and infrastructure, including the Maitland Corridor growth area; Newcastle–Lake Macquarie Western Corridor growth area; the emerging growth area around Cooranbong, Morriset and Wyee; and in existing towns and villages, and sites identified in an endorsed regional or local strategy.	Not applicable

Action 21.4 Create a well-planned, functional and compact settlement pattern that responds to settlement planning principles and does not encroach on sensitive land uses, including land subject to hazards, on drinking water catchments or on areas with high environmental values.	Not applicable
Action 21.5 Promote small-scale renewal in existing urban areas, in consultation with the community and industry to ensure that this occurs in the right locations.	Not applicable
Action 21.6 Provide greater housing choice by delivering diverse housing, lot types and sizes, including small-lot housing in infill and greenfield housing locations.	Not applicable
Action 21.7 Promote new housing opportunities in urban areas to maximise the use of existing infrastructure	The PP will enable the development of land for housing in an established residential area zoned for this purpose. The PP is consistent with this Action.
Direction 22: Promote housing diversity	
Action 22.1 Respond to the demand for housing and services for weekend visitors, students, seasonal workers, the ageing community and resource industry personnel.	Not applicable
Action 22.2 Encourage housing diversity including studio and one and two-bedroom dwellings, to match forecast changes in household sizes.	Not applicable
Action 22.3 Develop local housing strategies to respond to housing needs, including social and affordable housing, and support initiatives to increase the supply of affordable housing.	Not applicable
Action 22.4 Develop Settlement Planning Principles and a local planning toolkit to assist councils in implementing the Plan.	Not applicable
<p>Action 22.5 Include guidance in local land use strategies for expanding rural villages and rural-residential development so that future rural residential development will:</p> <ul style="list-style-type: none"> • not impact on strategic or important agricultural land, energy, mineral or extractive resource viability or biodiversity values; • not impact on drinking water catchments; • not result in greater natural hazard risk; 	Not applicable

<ul style="list-style-type: none"> occur on land that is unlikely to be needed for urban development; contribute to the conservation of important biodiversity values or the establishment of important corridor linkages; and facilitate expansion of existing and new tourism development activities in agricultural or resource lands and related industries across the region. 	
Direction 23 – Grow centres and renewal corridors	
Action 23.1 Concentrate growth in strategic centres, local centres and urban renewal corridors to support economic and population growth and a mix of uses.	Not applicable
Action 23.2 Develop precinct plans for centres to take an integrated approach to transport, open space, urban form and liveable neighbourhoods, and investigate the capacity of centres to accommodate additional housing and diversity, without compromising employment growth.	Not applicable
Action 23.3. Consider improvements to the public transport network when planning new renewal corridors and precincts.	Not applicable
Action 23.4 Investigate locations for new and expanded centres, including within the Newcastle – Lake Macquarie Western Corridor and Maitland Corridor growth areas, and in the established urban areas that are projected to have high demand for housing growth is projected.	Not applicable
Action 23.5 Focus commercial and retail development within existing centres and transport hubs and ensure that locations for new centres are integrated with existing or planned residential development; do not undermine existing centres; encompass high quality urban design; and consider transport and access requirements.	Not applicable
Direction 24 – Protect the economic functions of employment land	
Action 24.1 Locate new employment land so that it does not conflict with surrounding residential uses.	Not applicable
Action 24.2 Protect the economic functions of employment land by not permitting non-industrial uses unless: <ul style="list-style-type: none"> opportunities for urban renewal arise 	Not applicable

<p>through the relocation of industry and in locations well serviced by public transport; and</p> <ul style="list-style-type: none"> contaminated land can be remediated. 	
Action 24.3 Provide for mixed use opportunities and themed employment precincts in local plans.	Not applicable
Direction 25 – Monitor housing and employment supply and demand	
Action 25.1 Establish and implement an Urban Development Program to develop data on existing zoned land supply and its servicing status, monitor dwelling production and take-up rates, and coordinate the staged release and rezoning of land.	Not applicable
Action 25.2 Establish and implement an Employment Lands Development Program to develop data on existing and future planned stocks of employment land.	Not applicable
Action 25.3 Sequence new greenfield urban development that makes efficient use of infrastructure networks and capacity.	Not applicable
Action 25.4 Maintain an adequate supply of employment land that is appropriately serviced and to respond to changing industry demands for land use, location and floor space.	Not applicable
Direction 26 – Deliver infrastructure to support growth and communities	
Action 26.1 Align land use and infrastructure planning to maximise the use and capacity of existing infrastructure and the efficiency of new infrastructure.	Not applicable
Action 26.2 Enable the delivery of health facilities, education, emergency services, energy production and supply, water and waste water, waste disposal areas, cemeteries and crematoria, in partnership with the infrastructure providers.	Not applicable
Action 26.3 Protect existing and planned major infrastructure corridors and sites, including inter-regional transport routes like the M1 Pacific Motorway and the railway, port and airport, to support their intended function.	Not applicable
Action 26.4 Coordinate the delivery of infrastructure to support the timely and efficient release of land for development, including working with councils and service providers on inter-regional infrastructure and service delivery issues	Not applicable

between growing areas.	
Action 26.5 Ensure growth is serviced by enabling and supporting infrastructure.	Not applicable
Action 26.6 Review and finalise the Hunter Special Infrastructure Contributions Plan.	Not applicable
Direction 27: Strengthen the economic self-determination of Aboriginal communities	
Action 27.1 Work with the Purfleet–Taree, Forster, Karuah, Worimi, Mindaribba, Awabakal, Bahtabah, Biraban and Wanaruah Local Aboriginal Land Councils to identify priority sites that can create a pipeline of potential Initiatives.	Not applicable
Action 27.2 Identify landholdings and map the level of constraint at a strategic scale for each site to develop options for the potential commercial use of the land.	Not applicable

Appendix E – Consistency with State Environmental Planning Policies

The following table shows how the PP is consistent with State Environmental Planning Policies.

State Environmental Planning Policy (SEPP)		Issue 1
SEPP No 1 —Development Standards	Replaced by clause 4.6 of the Standard Instrument (SI).	Not applicable
SEPP No 19—Bushland in Urban Areas	The general aim of this Policy is to protect and preserve bushland within identified urban areas.	Not applicable
SEPP No 21—Caravan Parks	The aim of this Policy is to encourage the orderly and economic use of land for caravan parks.	Not applicable
SEPP No 30—Intensive Agriculture	Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs.	Not applicable
SEPP No 33—Hazardous and Offensive Development	This Policy contains additional requirements that must be met before development consent can be granted for hazardous and offensive industries. For example, the developer must carry out a preliminary hazard analysis, and the consent authority must consider additional matters.	Not applicable
SEPP No 36—Manufactured Home Estates	Helps establish well-designed and properly serviced manufactured home estates (MHEs) in suitable locations.	Not applicable
SEPP No 44—Koala Habitat Protection	This Policy seeks to protect koala habitat by requiring a plan of management for all developments in core koala habitat, and by encouraging core koala habitat to be included in environment protection zones in LEPs.	Not applicable
SEPP No 47—Moore Park Showground	This Policy contains provisions for Moore Park Showground	Not applicable
SEPP No 50—Canal Estate Development	Bans new canal estates from the date of gazettal, to ensure coastal and aquatic environments are not affected by these developments.	Not applicable
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	This Policy aims to require environmental assessment under the Environmental Planning and Assessment Act 1979 of development	Not applicable

State Environmental Planning Policy (SEPP)		Issue 1
	for the purpose of artificial waterbodies (other than minor works in restricted locations) that will be carried out under farm plans that implement land and water management plans.	
SEPP No 55—Remediation of Land	Introduces state-wide planning controls for the remediation of contaminated land.	Not applicable
SEPP No 62—Sustainable Aquaculture	Encourages the sustainable expansion of the aquaculture industry in NSW.	Not applicable
SEPP No 64—Advertising and Signage	Aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.	Not applicable
SEPP No 65—Design Quality of Residential Apartment Development	Encourages design quality of residential flat development across the state through the application of a series of design principles.	Not applicable
SEPP (Affordable Rental Housing) 2009	The State Environmental Planning Policy (Affordable Rental Housing) 2009 encourages the development of new affordable rental housing and assists the retention of existing affordable rental housing.	Not applicable
SEPP No 70—Affordable Housing (Revised Schemes)	To encourage Affordable Housing	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	To encourage water and energy efficiency.	Not applicable
SEPP (Coastal Management) 2018	This SEPP promotes the strategic and integrated management, use and development of the coast for the social, cultural and economic wellbeing of the people of NSW.	Not applicable
SEPP (Educational Establishments and Child Care Facilities) 2017	This Policy aims to streamline the planning system for education and child care facilities including changes to exempt and complying development.	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	This Policy aims to provide streamlined assessment processes for development that complies with	Not applicable

State Environmental Planning Policy (SEPP)		Issue 1
	specified development standards.	
SEPP (Housing for Seniors or People with a Disability) 2004	This Policy aims to encourage and facilitate the provision of housing for seniors and people with a disability.	Not applicable
SEPP (Infrastructure) 2007	This Policy aims to facilitate the delivery of infrastructure across the State by improving regulatory certainty and efficiency.	Not applicable
SEPP (Integration and Repeals) 2016	The SEPP repeals a number of SEPPs and transfers certain provisions from these SEPPs to other environmental planning instruments and the Standard Instrument Order.	Not applicable
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	The aim of this Policy is to protect and enhance the natural environment of the alpine resorts, in the context of Kosciuszko National Park.	Not applicable
SEPP (Kurnell Peninsula) 1989	The general aims of this Policy are to conserve the natural environment of the Kurnell Peninsula and ensure that development is managed having regard to the environmental, cultural and economic significance of the area.	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	The Mining SEPP deals with mining, CSG and extractive activities. It sets out additional requirements for the consideration of mining activity applications, non-discretionary development standards, and the process for the assessment of mining and CSG activities on strategic agricultural land.	Not applicable
SEPP (Miscellaneous Consent Provisions) 2007	This Policy provides provisions for temporary structures, subdivision, the demolition of a building or work, certain changes of use and fire alarm link communication works, to be development permissible with consent.	Not applicable
SEPP (Penrith Lakes Scheme) 1989	This Policy includes planning provisions for identified areas at Penrith Lakes.	Not applicable
SEPP (Rural Lands) 2008	The aims of this Policy are generally to facilitate the orderly and economic use and development of rural lands for	Not applicable

State Environmental Planning Policy (SEPP)		Issue 1
	rural and related purposes.	
SEPP (State and Regional Development) 2011	This Policy identifies development that is State and regionally significant along with development that is State significant infrastructure and Critical State significant infrastructure.	Not applicable
SEPP (State Significant Precincts) 2005	This Policy facilitates the redevelopment of areas considered to be State Significant Precincts.	Not applicable
SEPP (Sydney Drinking Water Catchment) 2011	The aim of this Policy is to support water quality objectives and healthy water catchments in the Sydney Drinking Water Catchment.	Not applicable
SEPP (Sydney Region Growth Centres) 2006	This Policy contains provisions for identified growth areas.	Not applicable
SEPP (Three Ports) 2013	This Policy includes planning provisions for Port Botany, Port Kembla and the Port of Newcastle.	Not applicable
SEPP (Urban Renewal) 2010	This Policy deals with identified urban renewal precincts.	Not applicable
SEPP (Vegetation in Non-Rural Areas) 2017	This SEPP regulates the clearing of native vegetation on urban land and land zoned for environmental conservation/management that does not require development consent.	Not applicable
SEPP (Western Sydney Employment Area) 2009	The aim of this Policy is to protect and enhance identified areas of Western Sydney for employment purposes.	Not applicable
SEPP (Western Sydney Parklands) 2009	This Policy contains various planning provisions for identified areas of Western Sydney.	Not applicable