

Item No: 2.2
Title: Proposed Rezoning at 165 Louisiana Road, Wadalba
Department: Development and Building Department

22 June 2016 Ordinary Council Meeting

D12351274

Report Purpose:

Council has received a planning proposal to amend the Wyong Local Environmental Plan 2013 (WLEP 2013). The planning proposal seeks to rezone No. 165 Louisiana Road, Wadalba from part E2 Environmental Conservation and part RU6 Transition, to part E2 Environmental Conservation and part R2 Low Density Residential.

This report recommends that Council commence the preparation of a planning proposal.

Applicant	Optima Developments Pty Ltd
Owners	Threshold Developments Pty Ltd
Proposal No	RZ/2/2016
Description of Land	Lot 51, DP 1195704, No 165 Louisiana Road, Wadalba.
Site Area	27150m ² (2.71Ha)
Current Zoning	Part E2 Environmental Conservation and part RU6 Transition
Proposed Zoning	Part E2 Environmental Conservation and part R2 Low Density Residential
Existing Use	Vacant Land

Recommendation:

- 1 That Council prepare a planning proposal to amend the Wyong Local Environmental Plan 2013 (WLEP 2013) to rezone the land to Part E2 Environmental Conservation, Part SP2 Infrastructure and Part R2 Low Density Residential, and to alter the Lot Size Map in relation to the R2 zoned portion to permit a minimum lot size of 450m², pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act, 1979.
- 2 That Council forward the planning proposal to the Department of Planning and Environment requesting a gateway determination, as well as delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 56 (1) of the EP&A Act, 1979.
- 3 That Council enter into a Voluntary Planning Agreement (VPA) which will provide for:

a the dedication of the land comprising the "Future Wildlife Corridor" (the E2

land) in a rehabilitated state, that includes being free of weeds and contamination, at no cost to Council; and

- b the dedication of the road reserve for the Van Stappen Road extension for a credit equivalent to the additional area required in excess of a 16m wide road reserve at a value of \$44/m².

- 4 That Council authorise the Chief Executive Officer (or delegate) to negotiate and execute all documentation in relation to the finalisation of the VPA.
- 5 That Council, subject to the gateway determination, prepare and exhibit an amendment to Wyong Development Control Plan 2013, Chapter 6.17 – Warnervale East/Wadalba North West to include appropriate Development Control Plan provisions.
- 6 That Council, subject to the gateway determination, prepare and exhibit an amendment to the Section 94 Development Contributions Plans (if required) to support the development of the land subject to this planning proposal.
- 7 That Council undertake community and public authority consultation, in accordance with the gateway determination requirements, including the concurrent exhibition of the draft Voluntary Planning Agreement and draft Development Control Plan amendment and draft s.94 Development Contributions Plan amendment (if required).
- 8 That Council request a report be prepared outlining the results of the community and public authority consultation.

ORDINARY MEETING HELD ON 22 JUNE 2016

RESOLVED on the motion of Mr REYNOLDS:

- 111/16 That Council prepare a planning proposal to amend the Wyong Local Environmental Plan 2013 (WLEP 2013) to rezone the land to Part E2 Environmental Conservation, Part SP2 Infrastructure and Part R2 Low Density Residential, and to alter the Lot Size Map in relation to the R2 zoned portion to permit a minimum lot size of 450m², pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act, 1979.
- 112/16 That Council forward the planning proposal to the Department of Planning and Environment requesting a gateway determination, as well as delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 56 (1) of the EP&A Act, 1979.
- 113/16 That Council enter into a Voluntary Planning Agreement (VPA) which will provide for:

- a the dedication of the land comprising the "Future Wildlife Corridor" (the E2 land) in a rehabilitated state, that includes being free of weeds and contamination, at no cost to Council; and*
 - b the dedication of the road reserve for the Van Stappen Road extension for a credit equivalent to the additional area required in excess of a 16m wide road reserve at a value of \$44/m².*
- 114/16** *That Council authorise the Chief Executive Officer (or delegate) to negotiate and execute all documentation in relation to the finalisation of the VPA.*
- 115/16** *That Council, subject to the gateway determination, prepare and exhibit an amendment to Wyong Development Control Plan 2013, Chapter 6.17 – Warnervale East/Wadalba North West to include appropriate Development Control Plan provisions.*
- 116/16** *That Council, subject to the gateway determination, prepare and exhibit an amendment to the Section 94 Development Contributions Plans (if required) to support the development of the land subject to this planning proposal.*
- 117/16** *That Council undertake community and public authority consultation, in accordance with the gateway determination requirements, including the concurrent exhibition of the draft Voluntary Planning Agreement and draft Development Control Plan amendment and draft s.94 Development Contributions Plan amendment (if required).*
- 118/16** *That Council request a report be prepared outlining the results of the community and public authority consultation.*

The Site

The site is located at the intersection of Louisiana and Wahroonga Roads, Wadalba at the eastern extremity of the Wadalba North West Urban Release Area. The location of the site is identified in Figures 1 and 2.

The site is upslope from the Wadalba Sporting Fields, stormwater detention facilities and Rural Fire Station, east of the existing residential development, and north of and adjoining the Wadalba Wildlife Corridor. The corridor spans the length of Wadalba Ridge and contains reservoirs and facilities operated by Wyong Water.



Figure 1: Site Context Aerial

The site is undeveloped and generally is vegetated with Tall Open Forest dominated by Spotted Gum and Grey Ironbark species with some clearings where a previous dwelling and chicken sheds were located. The site in parts is unstable and steeply sloping, due in part to previous excavation activities. There is an overall 14m fall from the south of the site to the north of the site.



Figure 2: Site Location

The site is identified for urban release within Precinct 3A of the North Wyong Shire Structure Plan and is addressed by Wyong Development Control Plan 2013 (WDCP 2013): Chapter 6.17 – Warnervale East/Wadalba North West Urban Release Areas (Refer Figure 3).

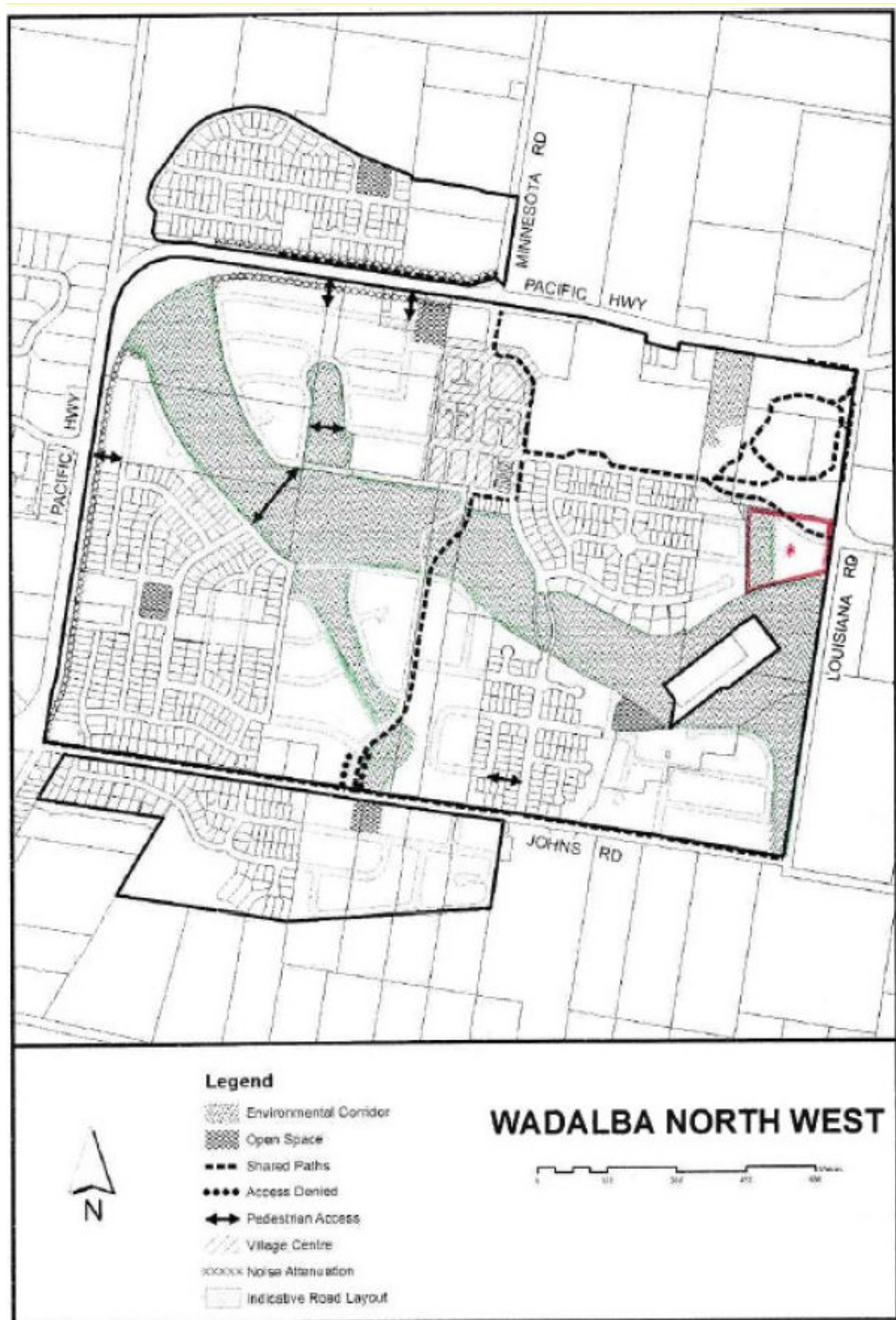


Figure 3: Extract of WDCP 2013: Chapter 6.17 - Wadalba North West Urban Release Area (site shown edged red)

2.2 Proposed Rezoning at 165 Louisiana Road, Wadalba (contd)

The site is predominantly zoned RU6 Transition under WLEP 2013. The remainder of the site (approx. 9527m², extending along the western boundary of the site) is currently zoned E2 Environmental Conservation, and this zoning is proposed to remain in place (see figure 4 – area shown by lighter colouring adjacent to the length of the western boundary).

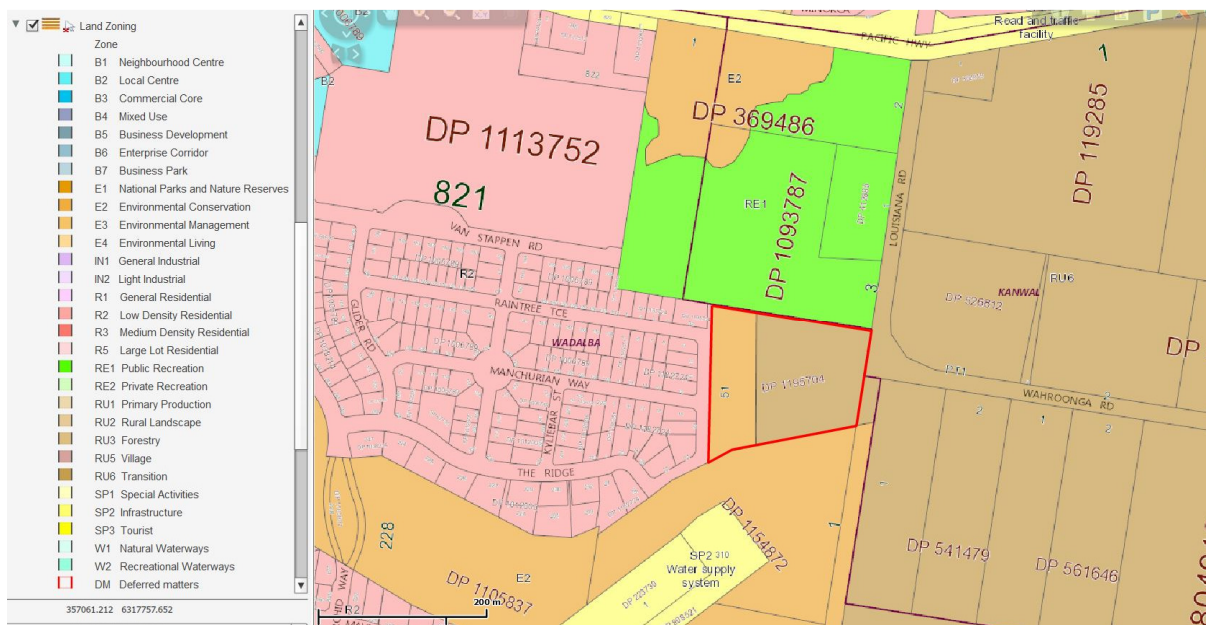


Figure 4: Wyong Local Environmental Plan 2013 - Zoning extract (site shown edged red)

The Proposal

The objective of the planning proposal is to rezone the eastern part of the site from RU6 Transition Zone to R2 Low Density Residential Zone in order to permit a low density residential subdivision of this land to provide approximately 20 housing lots. The previous servicing difficulties have been investigated and a suitable solution has been found which can support development on the site.

The proposal seeks to retain the E2 Environmental Conservation zoning of the remaining (western portion) of the site, which is proposed to be transferred to Council. This land will form the northerly connection of the Wadalba Wildlife Corridor.

Assessment

A preliminary assessment of the concept indicates that the proposal has merit, however in order to be supported, the proposed zone boundaries and subdivision should be modified in the following way:

- Alter the subdivision layout to accommodate stormwater management infrastructure and manage flows from the existing upstream dams, scour valves and reservoirs,
- Alter the subdivision layout to provide for appropriate road widths and geometry having regard to the slope and bush fire protection;

- An area in the north eastern part of the site is to be transferred to Council to enable the future construction of the extension of Van Stappen Way and new roundabout to be constructed at the intersection of Louisiana and Wahroonga Roads. The land needed for the future extension of Van Stappen Way and roundabout should be zoned SP2 Infrastructure,
- Apply appropriate minimum lot sizes through alteration of the lot size map (LSZ). Retain the "AB2" (40 Ha minimum) classification over the E2 zoned area, apply the "G" (450m² minimum) classification over the proposed residentially zoned area, and apply no minimum lot size to the SP2 Infrastructure zoned area.

These matters are generally represented in Figure 5 and can be further addressed and boundaries refined following the issue of a gateway determination.



Figure 5: Suggested zoning amendments
 Orange area indicates proposed E2 Environmental Conservation zone
 Pink area indicates proposed R2 Low Density residential zone
 Yellow area indicates proposed Special Uses Infrastructure zone

Statutory Compliance and Strategic Justification

The Department of Planning and Environment in May 2016 issued guidance for merged Councils on planning functions. In accordance with these guidelines, merged Councils are to continue to progress planning proposals with strategic merit. This planning proposal is appropriate to be progressed.

The proposal has been assessed having regard for all State Environmental Planning Policies, Ministerial s.117 Directions and the relevant guidelines set out within the regional plans including the Central Coast Regional Strategy and the North Wyong Shire Structure Plan.

Budget Impact

There will be no future budget impact on Council as fees for the assessment of the planning proposal will be required to be paid in accordance with Council's adopted Statement of Revenue.

Internal consultation

Consultation with Council's Property Management section has confirmed that the land dedication offer is supported. A draft Voluntary Planning Agreement (VPA) secures the following contributions from the landowner:

- Dedication of the land at no cost to Council,
- Remediation of the land to be fit for purpose, and
- Appropriate management arrangements.

External consultation

Government agency and public consultation requirements for the planning proposal will be detailed in the gateway determination and conducted accordingly.

It is likely that the gateway determination will require the following groups and public authorities to be consulted:

- Mine Subsidence Board;
- Darkinjung Local Aboriginal Land Council;
- Guringai Tribal Link;
- NSW Trade and Investment - Minerals and Petroleum;
- NSW Office of Environment & Heritage;
- NSW Roads and Maritime Services; and
- NSW Planning and Environment.

Conclusion:

An assessment of the request to rezone Lot 51, DP 1195704, No 165 Louisiana Road, Wadalba for low density residential development has been undertaken. The proposal is considered to have strategic merit and should be refined to address relevant physical and land management issues relevant to the area.

It is considered that a planning proposal should be prepared and forwarded to the DP&E for a gateway determination.

Attachments

Nil

FOR ACTION

ORDINARY MEETING

22/06/2016

TO: Group Leader Environment and Planning (Scott Cox)

Subject: Proposed Rezoning at 165 Louisana Road, Wadalba
Author: <AUTHOR>
Target Date: 6/07/2016
Notes:

RESOLVED on the motion of Mr REYNOLDS:

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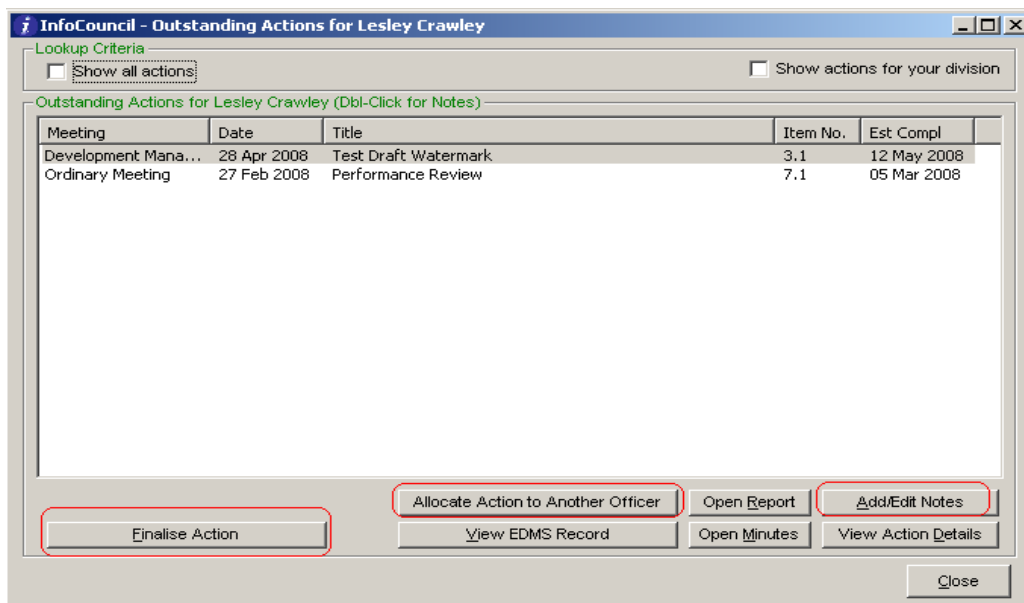
the draft Voluntary Planning Agreement and draft Development Control Plan amendment and draft s.94 Development Contributions Plan amendment (if required).

- 8 That Council request a report be prepared outlining the results of the community and public authority consultation.

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A Resolution of Council has been assigned to you for Action.

- Click on the above link to view the action
- Click on the  Running Man Icon on the EBP toolbar in Microsoft Word, to:
 - **add notes** regarding the progress of the action, or
 - **reassign** the action to another officer or
 - **finalise** the action.
- All of these tasks will automatically be updated in TRIM.



InfoCouncil - Outstanding Actions for Lesley Crawley

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Outstanding Actions for Lesley Crawley (Dbl-Click for Notes)

Meeting	Date	Title	Item No.	Est Compl
Development Mana...	28 Apr 2008	Test Draft Watermark	3.1	12 May 2008
Ordinary Meeting	27 Feb 2008	Performance Review	7.1	05 Mar 2008

Buttons: Finalise Action, Allocate Action to Another Officer, Open Report, Add/Edit Notes, View EDMS Record, Open Minutes, View Action Details, Close

Ministerial Section 117 Directions – RZ/2/2016

Direction	Comment
Employment & Resources	
1.1 Business & Industrial Zones	
Aims to encourage employment growth in suitable locations, protect employment land in business and industrial zones and to support the viability of identified strategic centres. Applies when a planning proposal affects land within an existing or proposed business or industrial zone.	Not Applicable
1.2 Rural Zones	
Aims to protect the agricultural production value of rural land. Applies when a planning proposal affects land within an existing or proposed rural zone.	Applicable The proposal is inconsistent with the terms of this Direction, as it will rezone land from a rural zone (RU6) to a residential zone (R2). In so doing it will also increase the permissible density of the land. However, this inconsistency is justified by the North Wyong Shire Structure Plan (and Staging Plan) 2012, which identifies the land as being within Precinct 3A, Wadalba Release Area - identified as a Medium Term land release. Whilst the objective of this Direction is to protect the agricultural production value of rural land, the subject land is sloping urban bushland, directly adjoining lands zoned residential, with no identified agricultural potential. The proposed inconsistency is therefore justifiable.
1.3 Mining, Petroleum Production and Extractive Industries	
Aims to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. Applies when a planning proposal would have the effect of prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or restricting the potential of development resources of coal, other mineral, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.	Applicable Council will consult with NSW Department of Industry – Resources and Energy to determine whether the proposal would impact the potential for future extraction of coal beneath the site. It is likely that the provisions of the planning proposal that are inconsistent with this Direction are of minor significance.

Direction	Comment
1.4 Oyster Aquaculture	
Aims to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered, and to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and the health of oysters and consumers. Applies when a planning proposal could result in adverse impacts on a Priority Oyster Aquaculture Areas or current oyster aquaculture lease in the national parks estate or results in incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or current oyster aquaculture lease in the national parks estate and other land uses.	Not Applicable There are no Priority Oyster Aquaculture Areas within the Central Coast Council LGA.
1.5 Rural Lands	
Aims to protect the agricultural production value of rural land; and facilitate the orderly and economic development of rural lands for rural and related purposes. Applies to local government areas to which State Environmental Planning Policy (Rural Lands) 2008 applies and prepares a planning proposal that affects land within an existing or proposed rural or environment protection zone.	Not Applicable This Direction does not apply to the Central Coast Council LGA
Environment & Heritage	
2.1 Environmental Protection Zones	
Aims to protect and conserve environmentally sensitive areas. Applies when the relevant planning authority prepares a planning proposal.	Applicable The proposal is consistent with this Direction. The proposal is likely to result in an increase in the area of land zoned E2 Environmental Conservation, and the rehabilitation and transfer of this part of the land to Council, which will form a northerly connection from the Wadalba Wildlife Corridor.
2.2 Coastal Protection	
Aims to implement the principles in the NSW Coastal Policy. Applies when a planning proposal applies to land in the coastal zone as defined in the <i>Coastal Protection Act 1979</i>.	Not Applicable The subject land is not within the defined Coastal Zone.

Direction	Comment
2.3 Heritage Conservation	
Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Applies when the relevant planning authority prepares a planning proposal.	Applicable There are no known sites or relics of European or Aboriginal Heritage significance on or near the land. Refer to Aboriginal Heritage Assessment at Section 3.3.2 of the submitted proposal, and the supporting report at Attachment 8 - Part 3, Section 5. The proposal is not inconsistent with this Direction.
2.4 Recreational Vehicle Areas	
Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles. Applies when the relevant planning authority prepares a planning proposal.	Applicable The proposal does not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983). The proposal is not inconsistent with this Direction.
Housing, Infrastructure and Urban Development	
3.1 Residential Zones	
Aims to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environmental and resource lands. Applies when a planning proposal affects land within an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.	Applicable The Central Coast Regional Strategy 2008 and the North Wyong Shire Structure Plan (and Staging Plan) 2012, give consideration to the objectives of this Direction and identify the land as being within Precinct 3A, Wadalba Release Area - identified as a Medium Term land release. The proposal is consistent with this Direction.
3.2 Caravan Parks and Manufactured Home Estates	
Aims to provide for a variety of housing types and provide opportunities for caravan parks and manufactured home estates. Applies when the relevant planning authority prepares a planning proposal.	Applicable The proposal is not inconsistent with this Direction.
3.3 Home Occupations	
Aims to encourage the carrying out of low impact small business in dwelling houses. Applies when the relevant planning authority prepares a planning proposal.	Applicable The proposal is consistent with this Direction.

Direction	Comment
3.4 Integrating Land Use & Transport	
Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available transport and reducing transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient movement of freight. Applies when a planning proposal creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	Applicable The proposal will enable the transfer of land to Council for the future construction of the eastward extension of Van Stappen Way toward a new roundabout connection at the intersection of Louisiana Road and Wahroonga Road. This land is to be zoned SP2 Infrastructure as part of the proposal. The proposal is consistent with this Direction.
3.5 Development Near Licensed Aerodromes	
Aims to ensure the effective and safe operation of aerodromes, their operation is not compromised by development which constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, development for residential purposes or human occupation (within the ANEF contours between 20 & 25) incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. Applies when a planning proposal creates, alters or removes a zone or provision relating to land in the vicinity of a licensed aerodrome.	Not Applicable
3.6 Shooting Ranges	
Aims to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, and to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range. Applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.	Not Applicable

Direction	Comment
Hazard & Risk	
4.1 Acid Sulfate Soils	
Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. Applies when a planning proposal applies to land having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps.	Not Applicable The land does not have a probability of containing acid sulfate soils, as identified by the WLEP 2013. The proposal is consistent with this Direction.
4.2 Mine Subsidence & Unstable Land	
Aims to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence. Applies when a planning proposal permits development on land which is within a mine subsidence district, or identified as unstable in a study or assessment undertaken by or on behalf of the relevant planning authority or other public authority and provided to the relevant planning authority.	Applicable The proposal is within the Swansea North Entrance No.1 Mine Subsidence District. Similar development controls will be applied by the Mine Subsidence Board to those for adjoining residential development. The proposal is not inconsistent with this Direction.
4.3 Flood Prone Land	
Aims to ensure: development on flood prone land is consistent with NSW Government's Flood Prone Land Policy and principles of the Floodplain Development Manual 2005; and provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land. Applies when a planning proposal creates, removes or alters a zone or provision that affects flood prone land.	Applicable The land is not subject to flood related development controls. The proposal is not inconsistent with this Direction.
4.4 Planning for Bushfire Protection	
Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas. Applies when a planning proposal affects or is in proximity to land mapped as bushfire prone land.	Applicable The land is classified as Bushfire Prone Land – Category 1 Vegetation. The proposal has had regard for <i>Planning for Bushfire Protection 2006</i>. Refer to Section 3.3.2 of the submission and the supporting report – Attachment 9 – Part 3, Section 5. Further, Council has negotiated with the applicant and secured design amendments to better address

Direction	Comment
	the identified bushfire hazard by the provision of a perimeter road and better connections with the existing fire trail network. Revised concept plan to be submitted. The proposal is consistent with this Direction.
Regional Planning	
5.1 Implementation of Regional Strategies	
Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained within regional strategies. Applies when the relevant planning authority prepares a planning proposal that is located on land addressed within the Far North Regional Strategy, Lower Hunter Regional Strategy, Central Coast Regional Strategy, Illawarra Regional Strategy & South Coast Regional Strategy.	Applicable. The proposal is consistent with the Central Coast Regional Strategy 2008 (CCRS). Refer to Attachments 2, 3 & 4 of the submitted proposal. The CCRS gives consideration to the objectives of this Direction and identifies the land as being within Precinct 3A, Wadalba Release Area - identified as a Medium Term land release, giving rise to construction jobs, providing for housing availability and choice, and injecting family incomes to boost the local economy. The proposal is consistent with this Direction.
5.2 Sydney Drinking Water Catchments	
Aims to protect water quality in the hydrological catchment. Applies when a relevant planning authority prepares a planning proposal that applies to Sydney's hydrological catchment.	Not Applicable. The proposal is not located within Sydney's hydrological catchment.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	
Aims to: ensure that the best agricultural land will be available for current and future generations to grow food and fibre; provide more certainty on the status of the best agricultural land, assisting councils with strategic settlement planning; and reduce land use conflict arising between agricultural use and non-agricultural use of farmland caused by urban encroachment into farming areas. Applies to Ballina, Byron, Kyogle, and Tweed Shire Councils, Lismore City Council and Richmond Valley Council.	Not Applicable. The proposal is not located within the Far North Coast Region.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	
Aims to manage commercial and retail development along the Pacific Highway, North Coast. Applies to all councils between and inclusive of Port	Not Applicable. The proposal is not located between Port Stephens

Direction	Comment
Stephens and Tweed Shire Councils.	and Tweed Shire Councils.
5.8 Second Sydney Airport: Badgerys Creek	
Aims to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek. Applies to land located within the Fairfield, Liverpool and Penrith City Council and Wollondilly Shire Council Local Government Areas.	Not Applicable. The proposal is not located within the Fairfield, Liverpool and Penrith City Council or Wollondilly Shire LGA.
5.9 North West Rail Link Corridor Strategy	
Aims to promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL) and ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans. Applies to the This Direction applies to Hornsby Shire Council, The Hills Shire Council and Blacktown City Council.	Not Applicable The proposal is not located within the Hornsby, The Hills or Blacktown LGA.
Local Plan Making	
6.1 Approval and Referral Requirements	
Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development. Applies when the relevant planning authority prepares a planning proposal.	Applicable The proposal does not introduce any additional requirements for referrals, concurrences or consultation and does not identify development as designated development. The proposal is consistent with this Direction.
6.2 Reserving Land for Public Purposes	
Aims to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where land is no longer required for acquisition. Applies when the relevant planning authority prepares a planning proposal.	Applicable It is proposed to identify an area of land at the northern end of the site as SP2 Infrastructure, which will be transferred to Council for the provision of the future extension of Van Stappen Way toward a new roundabout connection at the intersection of Louisiana Road and Wahoonga Road. The proposal is consistent with this Direction.

Direction	Comment
6.3 Site Specific Provisions	
Aims to discourage unnecessarily restrictive site specific planning controls. Applies when the relevant planning authority prepares a planning proposal to allow particular development to be carried out.	Applicable The proposal will apply zones existing within the Environmental Planning Instrument to the land. The proposal is consistent with this Direction.
Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	
Aims to give legal effect to the planning principles, directions and priorities for sub regions, strategic centres and transport gateways contained in A Plan for Growing Sydney	Not Applicable. This Direction does not apply to Wyong LGA.
7.2 Implementation of Greater Macarthur Land Release Investigations	
Aims to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.	Not Applicable. This Direction does not apply to Wyong LGA.

RZ/2/2016 – 165 Louisiana Road, Wadalba

State Environmental Planning Policy (SEPP)		Applicable?	Comments
1	Development Standards	No	▪ Excluded by Cl. 1.9(2) of WLEP, 2013
14	Coastal Wetlands	No	
15	Rural Land-sharing Communities	No	
19	Bushland in Urban Areas	No	
21	Caravan Parks	No	
26	Littoral Rainforests	No	
29	Western Sydney Recreation Area	No	
30	Intensive Agriculture	No	
32	Urban Consolidation (Redevelopment of Urban Land)	No	
33	Hazardous and Offensive Development	Yes	▪ Not relevant to this Proposal
36	Manufactured Home Estates	Yes	▪ Not relevant to this Proposal
39	Spit Island Bird Habitat	No	
44	Koala Habitat Protection	Yes	▪ Not relevant to this Proposal – there is no Koala habitat on site
47	Moore Park Showground	No	
50	Canal Estate Development	Yes	▪ Not relevant to this Proposal
52	Farm Dams & Other works in Land & Management Plan Areas	No	
55	Remediation of Land	Yes	▪ There is evidence of fill and site history consistent with minor potential contamination, which can be addressed through the development of the site.
59	Central Western Sydney Regional Open Space and Residential	No	
62	Sustainable Aquaculture	Yes	▪ Not relevant to this Proposal
64	Advertising and Signage	Yes	▪ The Proposal is not inconsistent with the aims of the Policy.
65	Design Quality of Residential Flat Development	Yes	▪ Not relevant to this Proposal as RFBs will not be a permissible land use within the R2 zone. ▪ The Proposal is not inconsistent with the aims of the Policy.
70	Affordable Housing (Revised Schemes)	No	
71	Coastal Protection	Yes	▪ The Proposal is located on land not within the Coastal Zone, and is not land which is identified as a “sensitive coastal location” under SEPP 71 – Coastal Protection. ▪ The Proposal is not inconsistent with the aims of the Policy.

State Environmental Planning Policy (SEPP)		Applicable?	Comments
SEPP	Affordable Rental Housing 2009	Yes	The Proposal will enable increased supply and diversity in potential housing forms for the land, and is therefore consistent with the aims of the Policy.
SEPP	(Building Sustainability Index: BASIX) 2004	Yes	The Proposal is consistent with the aims of the Policy.
SEPP	(Exempt and Complying Development Codes) 2008	Yes	- E & C Development is enabled by the SEPP for the land. - The Proposal is consistent with the aims of the Policy.
SEPP	(Housing for Seniors or People with a Disability) 2004	Yes	The Proposal will enable increased supply and diversity in potential housing forms for the land, and is therefore consistent with the aims of the Policy.
SEPP	Infrastructure 2007	Yes	Not relevant to this Proposal
SEPP	(Kosciuszko National Park – Alpine Resorts) 2007	No	
SEPP	(Kurnell Peninsula) 1989	No	
SEPP	(Mining, Petroleum Production and Extractive Industries) 2007	Yes	Not relevant to this Proposal
SEPP	(Miscellaneous Consent Provisions) 2007	Yes	Not relevant to this Proposal
SEPP	(Penrith Lakes Scheme) 1989	No	
SEPP	(Rural Lands) 2008	Yes	Not relevant to this Proposal
SEPP	SEPP 53 (Transitional Provisions) 2011	No	
SEPP	(State and Regional Development) 2011	Yes	Not relevant to this Proposal
SEPP	(Sydney Drinking Water Catchment) 2011	No	
SEPP	(Sydney Region Growth Centres) 2006	No	
SEPP	(Three Ports) 2013	No	
SEPP	(Urban Renewal) 2010	No	
SEPP	(Western Sydney Employment Area) 2009	No	
SEPP	(Western Sydney Parklands) 2009	No	

Deemed State Environmental Planning Policy (SEPPs which were previously referred to as SREPs before 1/7/2009)		Applicable?	Comments
8	Central Coast Plateau Areas	Yes	▪ Not relevant to this Proposal
9	Extractive Industry (No 2 – 1995)	Yes	▪ Not relevant to this Proposal
16	Walsh Bay	No	
18	Public Transport Corridors	No	
19	Rouse Hill Development Area	No	
20	Hawkesbury-Nepean River (No 2 – 1997)	No	
24	Homebush Bay Area	No	
26	City West	No	
30	St Marys	No	
33	Cooks Cove	No	
SREP	(Sydney Harbour Catchment) 2005	No	