



# Planning Proposal Large Lot Residential Development

## **Briton Court Road, Stroud**

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Prepared by:

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## I.0 Introduction

The Planning Proposal explains the intended effect of, and justification for the proposed amendment to *Draft Great Lakes Local Environmental Plan 2013* (LEP 2013) with regard to land at Briton Court Road, Stroud, known as Lot 1 DP 1045567, Stroud. The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the recently updated Department of Planning and Infrastructure (DoPI) Guidelines, including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The site is approximately 36 hectares (ha) in size and is located to the south-west of the Stroud town centre. A locality plan is provided in **Figure 1**. The site is currently used for residential and grazing purposes. Surrounding properties are used predominantly for the same purposes, however a number of light industrial operations (including the MidCoast Water Treatment Facility) exist on properties to the south.

The land is bounded to the south by Gortons Crossing Road, to the west by the Karuah River and to the north and east by rural lots. The property is dissected by Briton Court Road, resulting in a split land parcel, the western portion of the lot being approximately 26 ha and the remaining balance of the land (10ha) situated to the east of the site. The land has two distinct land forms; a portion of land which is significantly raised (approximately 30-40m AHD), and low lying floodplain which is situated adjacent to the Karuah River in the western portion of the lot and adjacent to Mill Creek to the east.

The site is currently zoned 1(a) Rural under *Great Lakes Local Environmental Plan 1996* (LEP 1996) and zoned RU2 Rural Landscape under LEP 2013. The site was the subject of a Council officer report presented to Great Lakes Council's Strategic Committee on 14<sup>th</sup> May 2013, where Council resolved to support in principle, the preparation of a Planning Proposal for the rezoning of the site for Large Lot Residential purposes.

Consultants acting on behalf of the land owner have subsequently prepared and lodged further information to support the Planning Proposal including information responding to issues raised by the Department of Planning and Infrastructure (DoPI) in their letter dated 3rd March 2013 as well as the method of separating the proposed Large Lot Residential development from the light industrial uses located on the southern side of Gortons Crossing Road.

Therefore this Planning Proposal provides justification to commencing rezoning parts of the land from RU2 Rural Landscape to R5 Large Lot Residential under LEP 2013. When approved, the Planning Proposal will enable subdivision subject to later development consent, for Large Lot Residential purposes with a possible yield of between 15 and 20 allotments.



Figure 1 Locality Plan

## 2.0 Part 1 and Part 2 – Objectives, Intended Outcomes and Explanation of Provisions

### 2.1 Part 1: Objectives or Intended Outcomes

The objective of this Planning Proposal is to amend the LEP 2013 in the following manner:

*To enable Large Lot Residential development on that part of the site that has been identified as being suitable for that purpose. That is, development is to occur above the known flood level. The flood free land is clear of other constraints and is located in close proximity to Stroud. Necessary services to support Large Lot Residential living are available to the site. This outcome is best achieved by rezoning the site R5 Large Lot Residential through amending the Land Zoning Map - Sheet LZN\_004B of LEP 2013, whilst amending the appropriate Lot Size Map - Sheet LSZ\_004B of LEP 2013 to show the site as X – 5,000 m<sup>2</sup>.*

The timeframe for the completion and therefore operation of LEP 2013 is December 2013. It is possible that there could be unforeseen circumstances which may cause significant delays to the making of LEP 2013 within this timeframe. As such this Planning Proposal also provides sufficient detail and justification for an amendment to the current planning controls (i.e. LEP 1996) should there be significant delay to the completion of LEP 2013. This outcome would be achieved by rezoning the land 1(d1) Rural Residential under LEP 1996 which would permit subdivision to 5,000 m<sup>2</sup> as per the constraints and opportunities applying to the site.

### 2.2 Part 2: Explanation of Provisions

The provisions of the proposed amendment to LEP 2013 are relatively straight forward. It is proposed to alter the RU2 Rural Landscape Zone to R5 Large Lot Residential by amending the applicable Land Zoning Map – Sheet LZN\_004B. A plan showing this alteration to the Land Zoning Map is provided in **Appendix 1**.

To facilitate the Planning Proposal it is also necessary to alter the Lot Size Map applying to the site (Sheet LSZ\_004B) from AB2 (40 ha) to X (5,000 m<sup>2</sup>). A plan showing this alteration to the Lot Size Map is provided in **Appendix 2**.

Should in the unlikely event an amendment to the LEP 1996 be required, it would be proposed to alter the existing 1(a) zone to 1(d1). Such an amendment would require the insertion of a new map into the LEP 1996. This would be achieved by adding to the definition of “map” in the Dictionary to the LEP, in numerical order, Great Lakes Local Environmental Plan 1996 (Amendment No xxx). This map would identify the site as 1(d1) Rural Residential Zone.



## 3.0 Part 3 – Justification

In accordance with the recently updated *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*, this section provides a response to the following issues:

- Section A: Need for the Planning Proposal;
- Section B: Relationship to strategic planning frameworks;
- Section C: Environmental, social and economic impact; and
- Section D: State and Commonwealth interests.

It is noted that DoPI, through its document entitled “*A Guide to preparing Planning Proposals*”, indicate that generally technical studies and investigations should not be carried out in the first instance. The issues which give rise to the studies should be identified and this would be confirmed by the “Gateway Determination”.

No environmental studies have been prepared to support this Planning Proposal at this point. This is only in part due to the DoPI guidelines, but mostly due to the lack of environmental constraints applying to the land. The only major constraint affecting the land is flooding. However, the relevant flood planning level has been identified at the site by the Stroud Flood Study (2012) and the Flood Planning Area Map (Sheet FLD\_004) contained in LEP 2013 and development can and will only occur on the flood free land.

This Planning Proposal therefore focuses on the strategic justification for the proposed change in zoning.

### 3.1 Section A – Need for the Planning Proposal

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

Further subdivision of the site is not permitted by the existing zoning under LEP 1996. Nor will the proposed development meet the minimum lot size standard proposed in the LEP 2013. Therefore, this Planning Proposal is required to implement the objectives and intended outcomes for the provision of Large Lot Residential development.

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

There is no other mechanism to achieve these outcomes as the scale of development proposed is not considered to be of State or regional significance. The proposal does not fall within the range of State Environmental Planning Policy No. 1 - Development Standards (SEPP No. 1) or Clause 4.6 of the Standard Instrument Order – Exceptions to Development Standards.

### 3.2 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)?**

##### Mid North Coast Regional Strategy

The Mid North Coast Regional Strategy (MNCRS) was prepared by the (former) Department of Planning to provide the overarching strategic planning document for the Region for the period 2006 – 2031.

The primary purpose of the MNCRS is to ensure that adequate land is available and appropriately located to accommodate the region's population and employment growth over the 25 year life of the strategy. It represents the agreed NSW government position on the future of the region.

A snapshot of the Strategy 2006 - 2031 appears in **Table 1**.

**Table 1 MNCRS Key Facts and Figures**

| Issue                               | Fact/Figure                                                                                                                                                                                                                                                                                    |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Population Growth                   | 94,000 people.                                                                                                                                                                                                                                                                                 |
| Additional dwellings                | 59,600 dwellings.                                                                                                                                                                                                                                                                              |
| Employment Growth                   | 48,500 jobs.                                                                                                                                                                                                                                                                                   |
| Employment Lands                    | 442 ha made up of 232 ha industrial and 210 ha commercial.                                                                                                                                                                                                                                     |
| Identifies four subregions          | The Clarence, Coffs Coast, Hastings – Macleay and Manning – Great Lakes.                                                                                                                                                                                                                       |
| Housing in Manning – Great Lakes    | 15,000 dwellings.                                                                                                                                                                                                                                                                              |
| Employment in Manning - Great Lakes | The subregion has been identified as requiring 39 ha of additional industrial land over the life of the strategy to cater for the anticipated employment growth.<br><br>Councils will need to assess the suitability of the identified areas and rezone them appropriately as the need arises. |

The MNCRS requires Councils to assess the suitability of the identified areas and rezone them appropriately as the need arises.

The MNCRS, within Map 10 of the MNCRS document, identifies much of the site as Proposed Employment Lands. Extrapolation of this map indicates that approximately 36 ha of land have been identified for this purpose in the locality. Approximately 15 ha of this land is situated within the subject site. At page 24 of the MNCRS it is stated:

*“The Strategy identifies sufficient industrial land to support the development of possible new industries and new job opportunities, and to establish an employment land bank for the future. This may assist in the affordability of employment land and provide a competitive surplus to encourage the establishment of new industries.”*

The MNCRS identified the following economic challenges, which are considered relevant to the site:

*“Support the creation of additional service jobs by supplying adequate and well located commercial and industrial floor space within centres.*

*Augment industrial land supply within each subregion, in particular at or near the higher order centres, to accommodate future growth needs.”*

The MNCRS makes the following comments in relation to rural residential development:

*“Direct new rural residential development to areas close to existing settlements away from the coast”;*

*“Future rural residential land will only be zoned for release if it is in accordance with a local growth management strategy agreed to between Council and the Department of Planning and consistent with the principles of the Settlement Planning Guidelines”;*



*“No new rural residential development will be permitted within the Coastal Area, other than development already zoned or in an approved current or future local growth management strategy (or rural residential land release strategy”;* and

*“Planning for rural residential land must be integrated with the supply of infrastructure and transport”.*

The MNCRS also acknowledges that innovative development proposals can still be considered even though they may be outside of the regional strategy process. To this end it incorporates Sustainability Criteria which represent a clear list of matters that any new proposal will be assessed against. An assessment of the Planning Proposal against the Sustainability Criteria assists in determining the site’s suitability for the proposed development. This assessment is contained in **Table 2**.

**Table 2 MNCRS Sustainability Criteria**

| Threshold sustainability criteria. | Measurable explanation of criteria                                                                                                                                                                                                                                                                                                                  |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Infrastructure Provision           | Development arising from the Planning Proposal represents modest levels of development. Water and sewer are available. Other infrastructure such as power and communications are available.                                                                                                                                                         |
| Access                             | Road access is acceptable. The intersection of Briton Court Road and Bucketts way may require upgrading at DA stage. Development arising from the Planning Proposal will not adversely impact upon the existing local or regional road network.                                                                                                     |
| Housing Diversity                  | There are limited opportunities for Large Lot Residential development in Stroud.                                                                                                                                                                                                                                                                    |
| Employment Lands                   | This Planning Proposal identifies adequate opportunities exist for provision of employment lands in the local area and in an adjoining LGA.                                                                                                                                                                                                         |
| Avoidance of Risk                  | The Planning Proposal aims to manage the constraints which apply to the land. The only known risk is from flooding. There is adequate flood free land on the site to accommodate development.                                                                                                                                                       |
| Natural Resources                  | The site is not identified as a known extractive resource. It has potential for agricultural production, which has been addressed by its incorporation into the MNCRS and GLRLS. Both strategies identify the site as suitable for more intensive development. Reticulated water will be supplied meaning environmental flows will not be affected. |
| Environmental Protection           | There are limited environmental attributes applying to the site. The sparse native vegetation that remains at the site will not be affected. Riparian zones will not be impacted.                                                                                                                                                                   |
| Quality and Equity in Services     | Being a modest development the Planning Proposal is unlikely to impact upon the provision of services. Council has the ability to seek contributions for the provision of services it supplies.                                                                                                                                                     |

Apart from the designation of the site as Proposed Employment Land, the proposed use of the site for Large Lot Residential development is consistent with the MNCRS.

The MNCRS states that in particular industrial land supply should be at or near high order centres to accommodate future growth needs. This is not the case with the subject land. Stroud is a village exhibiting low growth. This site does not meet that criterion.

According to the MNCRS rural residential development should be directed to existing settlements away from the coast. It should also be integrated with the supply of services. The proposed development is consistent with these provisions.

Furthermore, there is limited demand for industrial land identified in this location for the life of the MNCRS. Council is considering the provision of industrial land at a more suitable location at Booral.

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

#### Great Lakes Rural Living Strategy

The Great Lakes Rural Living Strategy (GLRLS) provides a future direction for the settlements and land within the rural areas of the Great Lakes LGA. It does not cover the future of the towns of Forster, Tuncurry, Hawks Nest, Tea Gardens, Pacific Palms or Smith Lakes as these are addressed in separate strategies. It does however consider the future rural living opportunities around those towns. The preparation of the GLRLS enables Council to address the big picture issues as well as giving an indication about the future direction for the development of an area. It is important to recognise however, it gives a direction for further work. It does not rezone any land – it provides an indication of the future land use designations for the area.

The GLRLS was prepared after a lengthy process of initial community consultation, gathering background data, identification of issues and exhibition of the draft document.

The GLRLS identified the issues that needed to be addressed in order to provide for a sustainable future for the rural lands. They are outlined below in **Table 3**.

**Table 3 GLRS Considerations**

| Environmental Opportunities and Constraints | Social and Economic Factors       |
|---------------------------------------------|-----------------------------------|
| Water Catchments                            | Growth management                 |
| Biodiversity                                | Housing types                     |
| Soil                                        | Rural residential development     |
| Topography                                  | Settlement size and function      |
| Bushfire                                    | Agriculture                       |
| Flooding                                    | Rural land use conflict           |
| Acid Sulphate Soils                         | Land use and lot size             |
|                                             | Domestic effluent disposal        |
|                                             | Infrastructure                    |
|                                             | Solid waste disposal              |
|                                             | Access and roads                  |
|                                             | Economic development              |
|                                             | Tourism                           |
|                                             | Heritage                          |
|                                             | Community facilities and services |

The GLRLS identifies an area to the west of Stroud as being suitable for Rural Fringe development. The Briton Court Road Precinct includes the subject land as well as land holdings to the north and east. The GLRLS suggests that the appropriate lot size in Rural Fringe areas be 1 ha.

The studies that are to accompany a rezoning for Rural Fringe development are identified in the GLRLS as:

- Traffic generation and the standard of the road surface;
- Ecological investigations for threatened species and wildlife linkages;
- Drainage investigations to identify the 1% AEP flood and drainage issues;

- Bushfire risk;
- Effluent Disposal;
- Scenic and Landscape analysis;
- The staging of the release of land; and
- Protection and management of riparian zones.

The Precinct Plan for the Briton Court Road Precinct appears at **Appendix 3**.

The (former) Department of Planning and Natural Resources in its response to the GLRLS of 3 March 2005 made specific comment on the Briton Road Precinct. The Department stated it preferred the GLRLS to promote and facilitate urban development within this precinct given its location immediately adjacent to the existing residential district of Stroud. The proposal is consistent with the Department's comments of 2005.

The site is identified in the GLRLS as being appropriate for Rural Fringe development. The recommended lot size in Rural Fringe areas is 1 ha.

Proposed Large Lot Residential development is consistent with the general findings of the GLRLS. It would also satisfy the previous Department response to the GLRLS that the land is suitable for urban development. This would be more so if a 5,000 m<sup>2</sup> lot size applied. Determination of lot size is more appropriately determined as a function of a Planning Proposal, and any studies required by that process.

The GLRLS specifies the information required to accompany a rezoning application, which would form part of the Planning Proposal. These issues are addressed in Section 3.3 of this Planning Proposal but the following comments are made in response to the GLRLS:

**Traffic and road standards:** Briton Court Road is generally suitable for Large Lot Residential development. There may be the need for an upgraded intersection at Cowper Street (Bucketts Way). This is considered a matter for investigation and assessment at the “post gateway determination” and also at the development application (DA) stage when lot yield and lot configuration are known.

**Ecological investigations:** The land has limited ecological value, especially above the flood level. There is a small stand of trees at the northern side of the eastern portion of the subject land. This stand contains no mid-storey or ground cover other than exotic grasses. This vegetation could easily be taken into account in designing any future development of the site for Large Lot Residential purposes. The only other vegetation of any significance in the locality occurs in the road reserves. It is suggested that an ecological report identifying existing trees suitable for retention is prepared post “gateway” determination.

**Drainage and Flooding:** The Stroud Flood Study 2012 has identified the Flood Planning Level at the site. No further analysis or information regarding flooding is required.

**Bushfire Risk:** There is limited fire risk. The land is not bushfire prone. No additional information is required.

**Effluent Disposal:** Sewer is available. No further information is required.

**Scenic and Landscape analysis:** The land is within the Stroud Visual Catchment, although it cannot be viewed from the Stroud Conservation Area. Limited views of the site are obtained from elevated areas of Stroud such as Silo Hill and King Street.

The landscape is dominated by open paddocks, isolated stands of trees plus vegetated riparian and road corridors. Large Lot Residential development can be accommodated at the site without impacting upon the existing landscape quality. Trees can and will be maintained on site. There will be no development along the riparian corridors due to flooding.

**Staging:** The development site is 17.6 ha of flood free land. Based on analysis of possible densities, around 15 to 20 lots might be created, which is not significant with respect to overall size.

Development does not have to be staged according to the availability of infrastructure as services are present at the site.

**Protection and Management of Riparian Zones:** The riparian zones will remain unaffected by Proposed Large Lot development at the site. Such zones are within the identified flood prone land and will not be developed. There will be no clearing within the riparian vegetation corridor.

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

There is no existing or draft State Environmental Planning Policies (SEPP) that prohibit or restrict development as outlined in the Planning Proposal. There are three existing State Environmental Planning Policies (SEPP) that are relevant to the Planning Proposal and an assessment of the criteria of the relevant SEPP's against the Planning Proposal is provided in **Table 4**. A list of all applicable SEPP's is contained in **Appendix 4**.

**Table 4 Relevant State Environmental Planning Policies**

| SEPP                                                                 | Relevance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Consistency and Implications                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| State Environmental Planning Policy No.44 – Koala Habitat Protection | This policy encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range. The policy applies to 107 local government areas including Great Lakes. Local councils cannot approve development in an area affected by the policy without an investigation of core koala habitat. The policy provides the state-wide approach needed to enable appropriate development to continue, while ensuring there is ongoing protection of koalas and their habitat. | The land is predominantly cleared of native vegetation, with only a few isolated pockets of vegetation remaining. The largest stand of vegetation on the site is on the eastern side of Briton Court road adjacent to the northern boundary of the subject land. The stand is between 50 and 80 m wide. The understorey and mid storey vegetation has been completely removed and there are significant gaps in the canopy. However, Tallowood ( <i>Eucalyptus microcorys</i> ), which is listed a Koala feed tree species under SEPP 44, is present. It makes up more than 15% of the total number of trees present in this stand. Therefore, the vegetation is potential koala habitat as defined in SEPP 44. It is highly unlikely that the vegetation will constitute core Koala habitat based upon the limited connectivity and lack of ground cover. Future development can be designed to avoid removal of the trees. It is suggested that an ecological report identifying existing trees suitable for retention is prepared post "gateway" determination. |
| SEPP No. 55 – Remediation of Land                                    | Provides state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated.                                                                                                                                                                                                                                                                                                                                                                                      | The site has been extensively cleared for agricultural pursuits and is currently used for low intensity cattle grazing. Geotechnical and Preliminary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

| SEPP                                                   | Relevance                                                                                                                                                                                                                                          | Consistency and Implications                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                        |                                                                                                                                                                                                                                                    | Contamination investigations have not been carried out over the site. A Preliminary Potential Contaminated Land assessment is required post “gateway” determination to determine in any potential contamination uses arising from past uses.                                                                                                                                           |
| State Environmental Planning Policy (Rural Lands) 2008 | The provisions of the Rural Lands SEPP are designed to be applied to development applications for rural subdivisions and rural dwellings. As such this SEPP does not apply to any proposed rezoning or LEP amendment that might apply to the site. | However, the SEPP (at Clause 7) does identify a set of Rural Planning Principles. In the LEP preparation/amendment process, these Rural Planning Principles are to be considered by Councils by virtue of a Direction issued under Section 117 of the EP&A Act. The Planning Proposal has been assessed against these Principles as provided in the text immediately after this table. |

The Rural Planning Principles contained within Clause 7 of the Rural Lands SEPP are identified below in *italics*. Commentary on the Planning Proposal against these Principles is also provided.

- a) *“the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas”*

#### Comment

The land has been identified in the GLRLS and MNCRS as being suitable for more intensive development. Identifying lands for future development means that pressure is not placed upon existing more productive lands and operations, thus promoting productive and economic rural activities.

- b) *“recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State”*

#### Comment

The identification of the land in growth strategies recognizes and protects important agricultural holdings in the locality and elsewhere in the LGA.

- c) *“recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development”*

#### Comment

As per comments relating to Principles a and b.

d) *“in planning for rural lands, to balance the social, economic and environmental interests of the community”*

**Comment**

The land has been identified for more intensive uses. The above mentioned strategies have taken social, economic and environmental interests into account. In particular the GLRLS was finalized following extensive community consultation and participation.

e) *“the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land”*

**Comment**

Large Lot Residential development, especially when connected to water and sewer, will not impact on the existing environment. Industrial development could create potential for impacts on water resources, especially the Karuah River Drinking Water Catchment.

f) *“the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities”*

**Comment**

Large Lot Residential development on the unconstrained portion of the site is clearly in accordance with this principle.

g) *“the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing”*

**Comment**

Appropriate services, including water and sewer, are in place to service future development.

h) *“ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.”*

**Comment**

Large Lot Residential development is inconsistent with the designation of the land as Proposed Employment Land in the MNCRS. It is however consistent with the findings of the GLRLS and the comments made by the (former) Department of Planning and Natural Resources in relation to that strategy. This Planning Proposal presents the case that the MNCRS designation for this site may not represent the best or most appropriate future use for the site.

**Is the Planning Proposal consistent with applicable Ministerial Directions (s117 directions)?**

The Minister for Planning, under section 117(2) of the EP&A Act, issues directions that relevant planning authorities such as local councils must follow when preparing Planning Proposals for new LEPs. **Table 5** contains a response to each of the relevant directions in relation to the Planning Proposal.



**Table 5 Listing of Section 117 Directions**

| Direction                       |                                                        | Aim of Direction                                                                                                                                                                                                                                          | Response                                                                                                                                                                                                                                                                                       |
|---------------------------------|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>EMPLOYMENT AND RESOURCES</b> |                                                        |                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                |
| 1.1                             | Business and Industrial Zones                          | The objectives of this direction are to encourage employment growth in suitable locations, protect employment land in business and industrial lands and support the viability of identified strategic centres.                                            | Not relevant to this Planning Proposal.                                                                                                                                                                                                                                                        |
| 1.2                             | Rural Zones                                            | This direction applies to any Planning Proposal that will affect an existing or proposed rural zone. The direction states a Planning Proposal must not rezone rural land to urban or contain provisions to increase permissible densities in rural zones. | Whilst the Planning Proposal could be considered to be inconsistent with the direction, it addresses the aims of this direction because the subject site is specifically identified in the GLRLS as an area being suitable for Rural Fringe development. Hence the inconsistency is justified. |
| 1.3                             | Mining, Petroleum Production and Extractive Industries | The objective of this direction is 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.                         | Not relevant to this Planning Proposal.                                                                                                                                                                                                                                                        |
| 1.4                             | Oyster Aquaculture                                     | The objectives of this direction are to ensure Priority Oyster Aquaculture Areas and other aquaculture areas are adequately considered by Planning Proposals.                                                                                             | The site is not within a Priority Oyster Aquaculture Area and this direction is not relevant to this Planning Proposal.                                                                                                                                                                        |
| 1.5                             | Rural Lands                                            | The objectives of this direction to protect the agricultural production value of rural land and facilitate the orderly and economic development of rural lands for rural and related purposes."                                                           | The Rural Planning Principles are addressed earlier in this Planning Proposal. The Planning Proposal is considered to be consistent with this direction because the subject site is specifically identified in the GLRLS as an area being suitable for Rural Fringe development.               |
| <b>ENVIRONMENT AND HERITAGE</b> |                                                        |                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                |
| 2.1                             | Environment Protection Zones                           | To protect and conserve environmentally sensitive areas.                                                                                                                                                                                                  | The site is not currently zoned E2 Environmental Conservation or E3 Environmental Management. Land affected by flooding will not be subject of rezoning. The Planning Proposal is not inconsistent with this direction.                                                                        |
| 2.2                             | Coastal Protection                                     | The objective of this direction is to implement the principles in the NSW Coastal Policy.                                                                                                                                                                 | Not relevant to this Planning Proposal.                                                                                                                                                                                                                                                        |

| Direction                                            | Aim of Direction                                                                                                                                                                                                       | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.3 Heritage Protection                              | To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.                                                                                              | The site is well removed from items and conservation areas identified within LEP 2013. In accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (DECCW 2010) Council will need to be confident that development arising from the Planning Proposal will not impact adversely upon items or places of Aboriginal significance. It is suggested that an Aboriginal Due Diligence Report be prepared post "gateway" determination. The Planning Proposal is not inconsistent with this direction. |
| 2.4 Recreation Vehicle Areas                         | The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.                                                               | Not relevant to this Planning Proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT</b> |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 3.1 Residential Zones                                | Encourage a variety and choice of housing, minimise the impact of residential development on the environment and resource lands to make efficient use of infrastructure and services.                                  | Not relevant to this Planning Proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 3.2 Caravan Parks and Manufactured Home Estates      | To provide for a variety of housing types and to provide opportunities for caravan parks and manufactured home estates.                                                                                                | Not relevant to this Planning Proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 3.3 Home Occupations                                 | The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.                                                                                                    | The Planning Proposal is consistent with this direction, given that the land is proposed to be developed in the future for Large Lot Residential purposes. The rezoning will form an amendment to the LEP 2013, which permits 'home activity' in the R5 General Residential Zone.                                                                                                                                                                                                                                                           |
| 3.4 Integrating Land Use and Transport               | The objectives relate to the location of urban land and its proximity to public transport infrastructure and road networks, and improving access to housing, jobs and services by methods other than private vehicles. | Not relevant to this Planning Proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 3.5 Development Near Licensed Aerodromes             | To ensure the effective and safe operation of aerodromes.                                                                                                                                                              | Not relevant to this Planning Proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 3.6 Shooting Ranges                                  | One of the main objectives is to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land.                                                                                      | There are no shooting ranges within the vicinity of the site and therefore the direction is not relevant to this Planning Proposal.                                                                                                                                                                                                                                                                                                                                                                                                         |

| Direction                                 | Aim of Direction                                                                                                                                                                                                        | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| HAZARD AND RISK                           |                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 4.1 Acid Sulfate Soils                    | To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils (ASS).                                                                                 | The area subject of the Planning Proposal is located on the flanks of an elevated ridgeline within the site. The land subject of the rezoning is unlikely to be affected by ASS. Nevertheless a Preliminary Potential Contaminated Land and geotechnical assessment is required post “gateway” determination to determine in any ASS issues.                                                                                                                                                                                                                                                                |
| 4.2 Mine Subsidence and Unstable Land     | The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence                                                     | The site is not within a Mine Subsidence District and therefore the direction is not relevant to this Planning Proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 4.3 Flood Prone Land                      | This direction aims to reduce the risk of flood and to ensure that the development of flood prone land is consistent with NSW Flood Prone land policy.                                                                  | The Stroud Flood Study (2012) applies to the subject land. The study identifies the appropriate Flood Planning Level (FPL) and adopts the 1% ARI flood event (1 in 100 year) plus 500 millimetre free board as the appropriate standard. The LEP 2013 adopts the model local clause for Flood Planning (Clause 7.4). The clause in the LEP 2013 ensures consistency with Stroud Flood Study and the NSW Flood Prone land policy. Council has already determined a FPL at the site that is consistent with the Floodplain Development Manual. The Planning Proposal is not inconsistent with this direction. |
| 4.4 Planning for Bushfire Protection      | To protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and to encourage sound management of bush fire prone areas. | The area subject of the Planning Proposal is not mapped as Bush Fire Prone Land and the direction is not relevant to this Planning Proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| REGIONAL PLANNING                         |                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 5.1 Implementation of Regional Strategies | To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.                                                                                                 | Apart from the designation of the site as Proposed Employment Land, the Planning Proposal for Large Lot Residential development is consistent with the MNCRS. The MNCRS states that in particular industrial land supply should be at or near high order centres to accommodate future growth needs. This is not the case with the subject land. Stroud is a village exhibiting low growth. This site does not meet that criterion. Further discussion on the strategic merits and contained in the proceeding section of this Planning Proposal.                                                           |
| 5.2 Sydney Drinking Water Catchments      | The objective of this direction is to protect water quality in the Sydney drinking water catchment.                                                                                                                     | Not relevant to this Planning Proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

| Direction                                                                    | Aim of Direction                                                                                                                                                                                                                      | Response                                |
|------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| 5.3 Farmland of State and Regional Significance on the NSW Far North Coast   | To manage agricultural lands on the Far North Coast.                                                                                                                                                                                  | Not relevant to this Planning Proposal. |
| 5.4 Commercial and Retail Development along the Pacific Highway, North Coast | To manage commercial and retail development along the Pacific Highway                                                                                                                                                                 | Not relevant to this Planning Proposal. |
| Direction 5.5 revoked                                                        | N/A                                                                                                                                                                                                                                   | N/A                                     |
| Direction 5.6 revoked                                                        | N/A                                                                                                                                                                                                                                   | N/A                                     |
| Direction 5.7 revoked                                                        | N/A                                                                                                                                                                                                                                   | N/A                                     |
| 5.8 Second Sydney Airport: Badgerys Creek                                    | The objective of this direction is to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.                                                                                           | Not relevant to this Planning Proposal. |
| <b>LOCAL PLAN MAKING</b>                                                     |                                                                                                                                                                                                                                       |                                         |
| 6.1 Approval and Referral Requirements                                       | The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.                                                                                                   | Not relevant to this Planning Proposal. |
| 6.2 Reserving Land for Public Purposes                                       | To facilitate the provision of public services and facilities by reserving land for public purposes and to facilitate the removal of reservations of land for public purposes where the land is not longer required from acquisition. | Not relevant to this Planning Proposal. |
| 6.3 Site Specific Provisions                                                 | The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.                                                                                                                           | Not relevant to this Planning Proposal. |
| <b>METROPOLITAN PLANNING</b>                                                 |                                                                                                                                                                                                                                       |                                         |
| 7.1 Implementation of the Metropolitan Plan for Sydney 2036                  | The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.                                            | Not relevant to this Planning Proposal. |

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### Great Lakes Local Environmental Plan 1996

Under the provisions of the LEP 1996 the land is currently zoned 1(a) Rural Zone. A 40 ha minimum lot size applies in this zone. It is noted that both the MNCRS and GLRLS have identified future land uses for the site being altered from 1(a). Therefore it is not necessary or appropriate to address the objectives of the 1(a) zone.

Other applicable rural zones in the LEP that might be applied to the subject land are:

- Zone 1(d) Rural Small Holdings. This zone has a minimum lot size of one ha; and
- Zone 1(d1) Rural Residential, with a minimum lot size of 5,000 m<sup>2</sup>. The 1(d1) zone has been applied to areas where reticulate sewerage facilities are available.

The applicable objectives of the 1(d) zone are: *“to enable development for the purpose of small rural-residential holdings and dwellings to be carried out:*

- (1) on land which is suitable for that development, and*
- (2) which is unlikely to create a demand for the uneconomic provision of services, and*
- (3) which will not significantly detract from the scenic quality of land within the zone, and*
- (4) which will maintain the amenity of existing rural-residential lots in the locality.”*

The applicable objectives of the 1(d1) zone are: *“to enable cluster rural residential development to be carried out on land which is suitable for that development, being development which is unlikely:*

- (1) to create a demand for the uneconomic provision of services, or*
- (2) to prejudice the agricultural capability of prime agricultural land, or*
- (3) to detract from the scenic or rural character of the area, or*
- (4) to detract from the ecological or conservation values of the area.”*

The proposed Large Lot Residential development of the site would meet either set of zone objectives in the unlikely event that the LEP 1996 has an extended life. However, as the 1(d1) zone envisages connection to sewer, it is the most appropriate position for Council to consider, should there be delays with the LEP 2013.

In the unlikely event that the LEP 2013 is held up for an extended period of time or not made at all, the Rural 1(d1) zone should apply to the site. The proposed development is consistent with the applicable zone objectives and is consistent with the minimum lot size in that zone of 5,000 m<sup>2</sup>.

### Draft Great Lakes Local Environmental Plan 2013

Great Lakes Council has prepared and exhibited the LEP 2013. The Draft LEP was placed on public exhibition from June 14 till August 24 2012. The aim of LEP 2013 is to replace the existing planning controls contained in the LEP 1996 and Manning LEP No. 1 with a Standard Instrument Order compliant, LGA wide LEP.

Under the LEP 2013 the subject site is proposed to be zoned RU2 – Rural Landscape with the relevant Lot Size Map indicating a minimum subdivision standard of 40 ha. Other controls which apply to the site under the LEP 2013 are:

- Maximum height of buildings at 8.5 m;
- Floor space ratio of 0.4:1;
- Mill Creek and the Karuah River are identified on the Watercourse Map;

- The site is identified on the Drinking Water Catchment Map; and
- Parts of the site are identified as flood prone (adjacent to the Karuah River and Mill Creek). The Flood Planning Area Map is at **Figure 2**. Around 50% of the land is flood prone leaving approximately 17.6 ha available for development.

It is noted that the site does not contain any heritage items nor is it situated in a conservation area;

It is noted that lands west and south of Stroud have been identified as R5 Large Lot Residential as identified in **Figure 3**. These lands are designated “Y” on the Lot Size Map indicating 1ha minimum lot size. LEP 2013 contains an “X” designation for lot sizes of 5,000 m<sup>2</sup>. The 5,000 m<sup>2</sup> lot size applies to land zoned R5 where reticulated sewer is available (e.g. Nabitac). The objectives of the proposed R5 zone are:

- *“To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.”*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To enable development that has minimal environmental and visual impact and is compatible with residential land uses within this zone.”*

The LEP 2013 was forwarded to DoPI on 11 June 2013 for the plan to be made effective, with an expected completion date this calendar year.

Under the LEP 2013 the R5 Large Lot Residential Zone is considered the most suitable zone for the site.

The proposed development meets the objectives of the R5 Large Lot Residential Zone in that:

- The proposal will provide residential housing in a rural setting without impacting any environmentally sensitive locations. Large Lot Residential development is better suited to the scenic quality of the Stroud Visual Catchment than industrial development. It will also provide a superior buffer and gradation between existing urban and agricultural lands and ameliorate potential conflicts caused by a hard edge boundary between urban and rural lands that would result from industrial development of the site.
- The site has been identified by Council as suitable for providing rural residential opportunities. Large Lot Residential development would be in accordance with the (former) Department of Planning and Natural Resources response that the site should be used for urban development.
- Appropriate services are available to facilitate development.

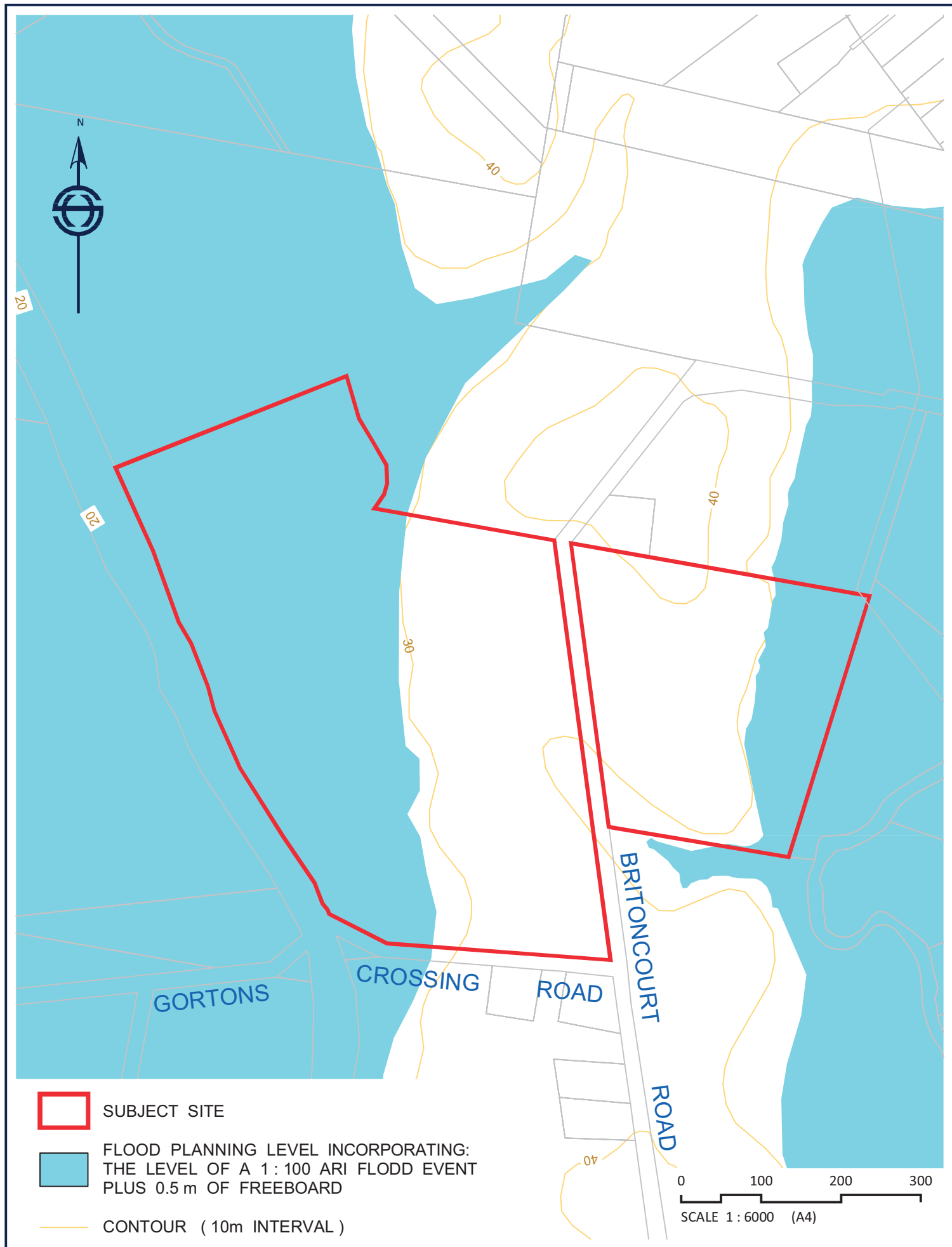
LEP 2013 proposes to permit industries in the RU2 Rural Landscape Zone. As seen in **Figure 3**, there are substantial areas of RU2 land proposed around Stroud. Under the LEP 2013 “industry” means general industry, heavy industry and light industry. Rural industry is also permitted in the R5 zone.

The provisions of the LEP 2013 also provide opportunities for home based business and industries to occur in a range of zones.

LEP 2013 identifies that the suitable lot size for Large Lot Residential development where water and sewer is available at 5,000 m<sup>2</sup>.

There are limited examples within the Great Lakes LGA of subdivisions of the type that is proposed that would be relevant to Stroud. An assessment of estates on the northern fringe of Gloucester was carried out.





**TITLE: FIGURE 2**  
FLOOD PLANNING  
AREA MAP

**LOCATION: BRITONCOURT ROAD**  
STROUD

**DATUM:**  
**PROJECTION:**

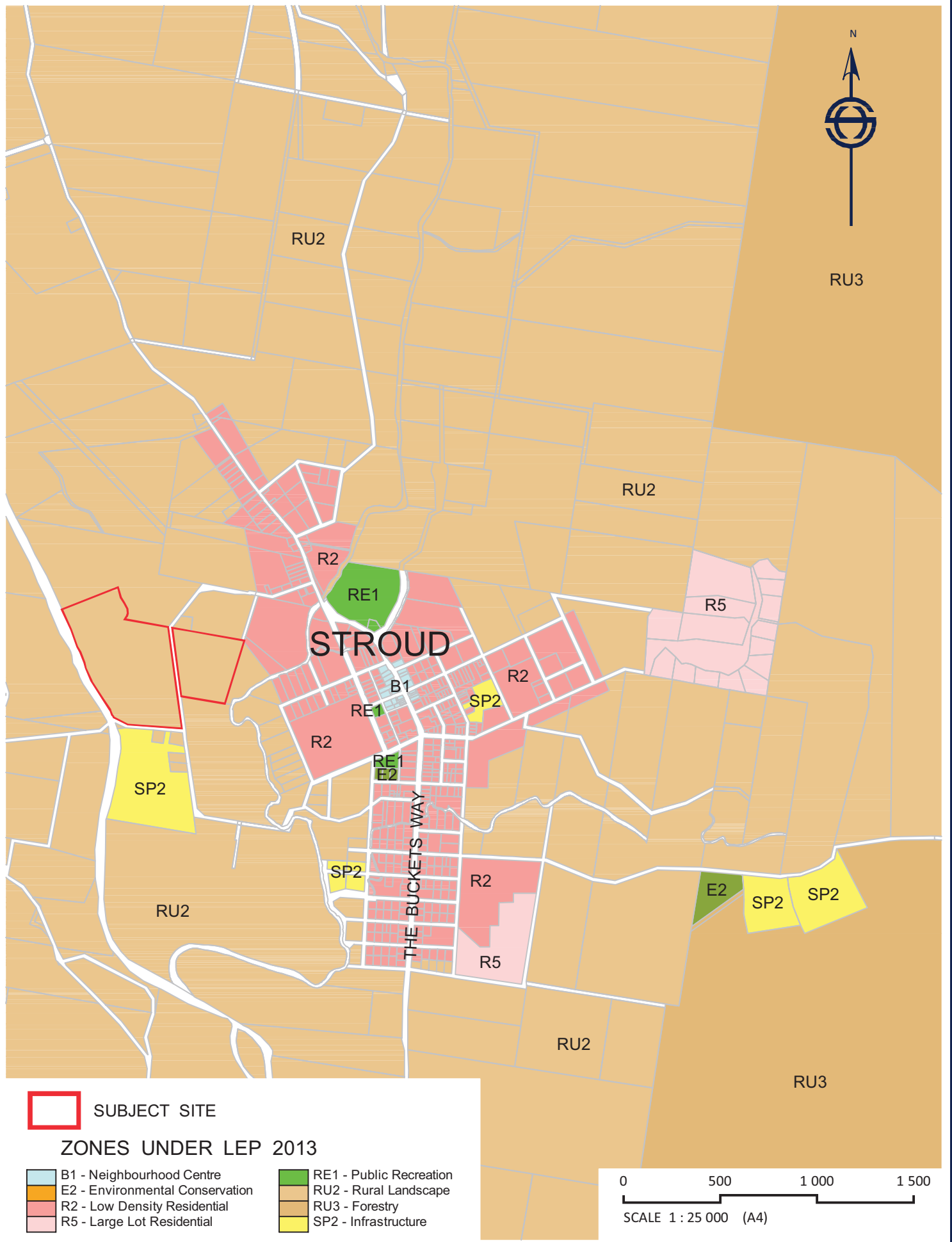
**DATE: 15TH AUG 2013**  
**PURPOSE: SUBDIVISION**

**CAD REF: 118947 - 2A**  
**VERSION: FLOOD MAP**

**CLIENT: CLIENT**  
**JOB REF: 118947**

**RPS AUSTRALIA EAST PTY LTD** (ABN 44 140 292 762)  
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**RPS**



**TITLE: FIGURE 3**  
EXHIBITED ZONING MAP  
LEP 2013

**LOCATION: BRITONCOURT ROAD**  
STROUD

**DATUM:**  
**PROJECTION:**

**DATE: 15TH AUG 2013**  
**PURPOSE: SUBDIVISION**

**CAD REF: 118947 - 2A**  
**VERSION: EXHIBITED ZONING MAP**

**CLIENT: CLIENT**  
**JOB REF: 118947**

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**RPS**

The lots examined are in and around Dangar Road and Neotsfield Avenue Gloucester. DP 1052990 and DP 1072350 apply and are described below. Under the Gloucester LEP 2010, these lands are zoned R5 with a minimum lot size of 4,000 m<sup>2</sup>, which is based on the availability of sewer. Both sites are relatively unconstrained and had formerly been cleared of virtually all vegetation.

- DP 1052990: 21 lots that range in size from 4,014 m<sup>2</sup> to 1.747 ha. The average lot size is 6,827 m<sup>2</sup>.
- DP 1072350: 18 lots that range in size from 4,002 m<sup>2</sup> to 2.416 ha. The average lot size is 9,724 m<sup>2</sup>.
- The average lot size over both DPs is 8,387 m<sup>2</sup>.

It is likely that the market in Stroud will be similar to Gloucester with the possible exception that larger lots are likely to be preferred in Stroud.

Given there is 17.6 ha of flood free land it is further assumed that yields will be around 15 – 20 lots.

### 3.3 Section C – Environmental, social & 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?**

The site has been extensively cleared for agricultural pursuits. The land is currently subject to low intensity cattle grazing. The land clearing and subsequent grazing has substantially reduced the ecological values of the site.

Riparian vegetation occurs along the banks of both Karuah River and Mill Creek to the effect of forming distinct riparian corridors. This vegetation can be seen in **Figure 1**. However, very little of this riparian corridor is within the boundaries of the subject land. That riparian vegetation that is within the subject land is flood prone land and would not be subjected to development.

There is a small stand of trees at the northern side of the eastern portion of the subject land. This stand contains no mid-storey or ground cover other than exotic grasses. This vegetation could easily be taken into account in designing any future development of the site for Large Lot Residential purposes. The only other vegetation of any significance in the locality occurs in the road reserves. It is suggested that an ecological report identifying existing trees suitable for retention is prepared post “gateway” determination.

The referral of the application to the Director-General of the NSW Office of Environment and Heritage (OEH) in accordance with section 34A of the Environmental Planning and Assessment Act, 1979 is not required in this instance. The land to be affected by the minor zoning boundary changes does not contain Endangered Ecological Communities (EEC's).

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

##### Flooding

Parts of the site are subject to flooding, namely the floodplains of the Karuah River and Mill Creek. However, the lands are subject to the Stroud Flood Study of 2012. That study has identified a range of flood levels for differing events in the local drainage catchment. LEP 2013 has incorporated the findings of the Stroud Flood Study, particularly the appropriate Flood Planning Level. The adopted standard is the 1% ARI flood event (1 in 100 year) plus 500 millimetre (mm) freeboard.

That level is shown in **Figure 2** which identifies around 17.6 ha of the site as flood free. Much of the site is above the Probable Maximum Flood (PMF) event.

#### Bushfire

There is minimal risk from bushfires in the locality. The site is not mapped as Bushfire Prone Land.

#### Drinking Water Catchment

The land is within the Karuah River Drinking Water Catchment as identified by Mid Coast Water and reflected in the LEP 2013.

It is noted that reticulated water and sewer infrastructure is available to the land. Connection to these services will mitigate any potential impacts on drinking water quality from Large Lot Residential development. However, the same cannot be said of industrial development. Industrial development requires the storage and disposal of larger volumes of waste, storage of materials and fuels which could be potentially hazardous, hard stand areas such as car parks which have the potential to concentrate water flows carrying sediment and other pollutants to the drainage system.

Industrial development virtually on the banks of the Karuah River is not considered appropriate due to the higher potential for pollution events.

#### Agricultural Uses

Both the GLRLS and MNCRS have identified the subject land and surrounds as being suitable for more intensive development. Those assessments have concluded the economic benefits associated with the development outweigh the benefits of the land remaining in agricultural production. Due to its size the land has limited value for standalone agricultural production. Its proximity to Stroud and the Karuah River severely limits its ability to be used for more intensive forms of agriculture.

Large Lot Residential development will afford greater opportunity for continued low scale, low intensity agricultural uses of the land than say industrial development.

#### Landscaping and Scenic Quality

The subject land and immediate surrounds currently enjoys high quality scenic amenity reflecting the rural nature of the lands. Whilst there is a lack of native vegetation in the locality, the landscape is dissected by drainage lines and associated riparian corridors which add diversity and interest into the landscape.

Land immediately south of Gortons Crossing Road is currently utilized for industrial type purposes. The standard of this existing development and impact upon the scenic quality is represented in **Plate 1**.



**Plate 1 Industrial Development in the Locality**

The subject site falls within the Stroud Visual Catchment as identified in Development Control Plan (DCP) 56 – Stroud District and Heritage. With regards to development within the Visual Catchment the following objects are contained in DCP 56:

- *“To maintain the rural character of the locality.*
- *To provide for air flow, sunlight, landscaping and general amenity.*
- *To maintain a low scale development form and avoid buildings dominating the landscape setting.*
- *To provide a high quality design of buildings reflecting the rural character of Stroud's Visual Catchment.”*

Site inspections have revealed that views of the subject land can only be obtained from the more elevated sites in Stroud. These include selected views to the eastern side of Briton Court Road from Silo Hill (Broadway Street). The above described stand of vegetation on the eastern portion of the site can be viewed from this vantage point. Filtered views of the western portion of the site can be obtained from King Street, adjacent to the water reservoirs.

There is an extensive stand of vegetation along Mill Creek as depicted in **Plate 2**. This vegetation effectively prevents the site being viewed from the main street of Stroud (Cowper Street), which contains the heritage conservation area identified in LEP 2013. **Plate 2** is a photograph taken from the intersection of Memorial Street and Cowper Street (Bucketts Way).

The proposed development will maintain the rural character of the site and will be of low scale, commensurate with the DCP objectives.

It is considered that Large Lot Residential development in this locality is more likely to be able to meet these objectives and protect the visual amenity of the historic village of Stroud than would industrial development as identified in the MNCRS.





Plate 2 Existing View from Cowper Street Stroud Looking West

### Infrastructure

The following infrastructure is available to the site.

- **Water:** reticulated water is provided to the site which could service Large Lot Residential or industrial development.
- **Sewer:** reticulated water is provided to the site which could service Large Lot Residential or industrial development.
- **Telecommunications:** it is understood telecommunication services are readily available to the land which could service Large Lot Residential or industrial development.
- **Electricity:** the site is serviced by electricity. It is unknown whether current services would be adequate for industrial purposes without upgrading.
- **Road access:** Currently road access is provided to the site via Briton Court Road and Lamon Street. Both roads are bitumen sealed. Lamon Street has a low level, one laned bridge crossing of Mill Creek and is subject to flooding (refer to Photograph 4). The Stroud Flood Study indicates the road would be flooded in the 5% ARI flood event (1 in 20 year). The road geometry at the Mill Creek crossing is not suitable for trucks and semi-trailers that would be expected to service an industrial area. This means that all access to the site if the land was developed for industrial purposes would be via Briton Court Road.

Briton Court Road is also affected by flooding, but not to the same extent of Lamon Street. It would be affected by events up to the 2% ARI flood event (1 in 50 year).

### Traffic

It is likely that actual yield for the site will be approximately 15 to 20 allotments and consequently it is considered that future development resulting from the Planning Proposal is unlikely to cause any significant



traffic issues. Nevertheless it is considered prudent that a traffic impact report be prepared post “gateway” determination to confirm the standard of the road network and identify any upgrades required, if any.

### Aboriginal Heritage

As mentioned earlier in this Planning Proposal the site has been extensively cleared for agricultural pursuits and is currently subject to low intensity cattle grazing. However in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (DECCW 2010) Council will need to be confident that development arising from the Planning Proposal will not impact adversely upon items or places of Aboriginal significance. It is suggested that an Aboriginal Due Diligence Report be prepared post “gateway” determination to identify statutory requirements relevant to the project, conduct AHIMS search, conduct a landform assessment and preliminary archaeological fieldwork culminating in the assessment of archaeological and cultural heritage values. The Aboriginal Due Diligence Report will evaluate known and potential impacts, and prepare mitigation and management strategies if required.

### Geotechnical and Preliminary Contamination Assessment

Geotechnical and Preliminary Contamination investigations have not been carried out over the site. A Preliminary Potential Contaminated Land assessment is required post “gateway” determination to determine in any potential contamination uses arising from past uses.

### Stormwater Management

Future development resulting from the Planning Proposal is unlikely to cause any flooding impacts and controls will be implemented in the future, via future consent for subdivision, to manage erosion and sedimentation. A preliminary concept plan for stormwater management on the site is suggested after a “gateway” determination is received.

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

Great Lakes Council’s web site indicates that the population of Stroud – Rural West rose from 2,450 in 2006 to 2,668 in 2011. (Note: Stroud – Rural West incorporates North Karuah, Limeburners Creek, Allworth, Girvan, Booral, Washpool, Stroud Road, Weismantels, Wards River and Monkerai as well as Stroud.) This represents an increase of 218 people, a growth rate of approximately 1.1% over 5 years or approximately 0.22% per annum. In 2011, Stroud’s population was given at 1,022 which is less than the level of 20 years ago (1991) of 1,098.

### Supply and Demand

The MNCRS states that over the 25 year life of the strategy some 39 ha of industrial land is required to accommodate projected job growth in the Manning – Great Lakes subregion. The Future Employment Lands in the locality, as identified on Map 10 to the MNCRS, is approximately 36 ha or 92% of the identified need. The 36 ha also represents 15% of the entire additional employment lands identified (232 ha) for the Mid North Coast Region till 2031. The MNCRS does not provide detail of predicted up take rates or employment generation rates.

The MNCRS also states that sufficient industrial lands are required to support new opportunities and also to create an industrial land bank for the future. It is claimed that this may assist in the affordability of employment land and provide a competitive surplus. There is no evidence provided within the document to support such claims. Land for any purpose will only become available where it is suitably located, serviced and there is a strong market identified. In this instance the only criterion the land meets is that it is serviced with water and sewer. Road access will need substantial upgrading; a cost to be borne by any proponent adversely affecting affordability.

Contact has been made with local real agents who advised that there is a very low level of enquiry regarding availability of industrial land in the Stroud location.

It is noted that there is a large industrial development occurring at nearby Stratford in the Gloucester LGA. The Stratford Industrial Park consist of 135 ha of serviced industrial land located near Gloucester Coal's Stratford Operations, making it ideal for mining aligned companies and services. A discussion with officers of Gloucester Council has revealed that no development has occurred within this industrial land. It is understood AGL has an approval for a coal seam gas related development which has yet to proceed, meaning there are large tracts of this site available for employment generating development. This industrial land is situated some 33 kilometres north of Stroud or a 25 minute drive.

It is also noted that extensive opportunities exist in Gloucester for industrial development. The Gloucester industrial area is zoned IN1 General Industrial (IN1). It has approximately 15 - 20 vacant lots, plus the potential to re-subdivide under-utilised allotments. Additionally the following lands are zoned IN1, which have potential for further industrial development:

- Lot 5 DP 229898 (Cemetery Road and Tate Street). 10.3 ha of vacant industrial land.
- Lot 7 DP 569779 (Gloucester Saleyards – Bucketts Way). 5.8 ha of industrial land. About 50% available for redevelopment.
- Lot 322 DP 1015722 (former timber mill – Bucketts Way and Jacks Road). 14.9 ha of industrial land suitable for redevelopment.

Council's Strategic Committee considered a preliminary report on the proposed rezoning at its meeting of 14 May 2013. At that meeting Council's Economic Development Manager made the following comments:

- *Based on the forecasted regional demand outlined in the MNCRS, forecasted local demand and the current and future supply of industrial land just to the north in the Gloucester Shire, it is unlikely that the total area identified in the Mid North Coast Regional Strategy near Briton Court Road will be needed to satisfy the demand for industrial uses up to 2031.*
- *There are several small scale employment uses of the land to the south of the proposed site and their presence should be addressed through possibly some form of buffering.*
- *There is still a need to examine opportunities to grow and attract industrial activities in the area, especially in the vicinity of Booral, given the presence of these activities, the location on The Bucketts Way providing easy access to the Pacific Highway and the proximity to Newcastle.*
- *The development of the proposed site for residential development is likely to have flow on effects to the local economy both directly (e.g. through construction, building) and indirectly (through local expenditure by residents, use of local services, etc.). The extent of this impact will depend on many factors such as the density of development and household make up.*

It is also noted that the Economic Development Manager drew attention to the availability of land at Gloucester and made similar conclusions on supply as this Planning Proposal

It is further noted that industries are a permitted use in the RU2 – Rural Landscape zone which is proposed to be applied to much of the land around Stroud under LEP 2013.

Newer technologies are leading to increased employment opportunities from home. In an area such as Stroud, with its appealing rural and heritage character, such home based activities are likely to account for a significant proportion of employment opportunities into the future. Such home based activities are well catered for under the provisions of LEP 2013.

On the basis of the above it would appear that 36 ha is a considerable oversupply of industrial land in the Stroud location with little or no demonstrated demand. Neither does it take into account the Stratford

industrial land (135 ha) or approximately 20 ha available at Gloucester. Council is investigating the provision of industrial land at nearby Booral, which is considered to have better accessibility than the subject land.

It is also poorly located with respect to potential pollution of the Karuah River from industrial development.

There is limited supply of rural residential land around Stroud. The LEP 2013 indicates two precincts of R5 land on the eastern side of Stroud. One is already developed. The second site, Part of Lot 6 DP 1183342, is vacant and is designated as having a one ha minimum lot size. 10 rural residential sized lots between 1 and 1.2 ha have been approved by Council. This subdivision is yet to be constructed.

The nearest lands identified for rural residential development are at Bulahdelah and Nabiac in the Great Lakes LGA and at Gloucester in the Gloucester LGA. There are vacant rural residential lands north of Gloucester. But the rural residential estates south of Gloucester are fully developed.

The Gloucester Housing Development Strategy identified in 2006 that there was enough zoned land available to accommodate residential and rural residential housing demand up until 2018. No additional areas of rural residential development were identified in that Strategy. Consultation with Gloucester Council has indicated that it hasn't an accurate record of uptake rates or availability of land. It did advise that there have been no proposals for rural residential development in the LGA since the Housing Development Strategy. Council's position is that it is unlikely to support further rural residential housing opportunities in the Gloucester LGA.

It is noted that there are two mining related development proposals in the Stroud/Gloucester area. An application for the Rocky Hill Coal Project is currently under assessment by DoPI. If approved, the Project will employ up to 250 employees. The Stratford Coal Extension Project is also under consideration by the same department. That project expects to double the existing employment from 125 to 250 people. 275 direct jobs are anticipated from both mines. This does not take into account flow on and indirect employment opportunities. It is expected that the employees will move to the area from other locations which will increase demand for Large Lot Residential development. In addition to new mining projects, the Duralie Coal Mine has had its operating life extended until 31 December 2021. This ensures the continued employment of 135 mining staff.

It is concluded that there is likely to be strong demand for Large Lot Residential development, in Stroud and particularly at the subject site.

Site inspections and review of aerial photographs indicates that there are extensive residential land parcels in Stroud that are either vacant or have a single dwelling upon them. The actual number of vacant residential lots in Stroud is unknown. The following sites provide ample opportunity for residential development:

- Lots 70 and 71 DP 95868 – 8.4 ha of residential land.
- Lot 11 DP 116153 – 12.1 ha of residential land.
- Lot 6 DP 1183342 – subdivision approval for 59 residential lots.

Assuming yields of eight lots per ha and the existing subdivision approval, the above land alone could provide for an additional 225 lots. The above list is by no means exhaustive.

There is far more potential supply of residential land in Stroud than there is demand. Further residential development should not be permitted outside the existing residentially zoned areas. There is no basis to zone the site to provide for residential development.

### Economics of Development

As described above, there has been little population growth in Stroud or the Rural West area of the Great Lakes LGA. Council's figures show the population of Stroud is lower now than in 1991. Given this and the low demand for industrial land, locking up this site for future industrial development will not result in any economic stimulus for Stroud in the short to medium term, if at all.

On the other hand, the development of the land for Large Lot Residential development will provide a stimulus within the short to medium term. It is estimated that construction costs for any future subdivision could be in the order of \$60,000 per lot. Much of this capital cost would be distributed to local construction and development contractors.

In addition, using a conservative amount of \$300,000 per dwelling house construction, subsequent development on the land for housing could generate millions of dollars to the local building industry.

Even modest levels of rural residential development will increase spending within existing business in Stroud, and assist in addressing the low growth scenario the village has experienced and which continues.

The proposed development will also provide for lifestyle choices within the housing sector.

### Land use conflicts

Use of the subject land for industrial purposes would mean that urban land would abut directly with productive rural land. The future industrial use of this site does not allow for any buffer areas between uses, nor does it allow a gradation in development intensity and lot sizes from the existing residential zoning in Stroud (at 1,000 m<sup>2</sup>) to the rural lands (at 40 ha).

Access to any future industrial development of the site will be via Briton Court Road. This means that trucks and other traffic generated by such development will have to travel through existing residential development. The (former) Department of Planning and Natural Resources has identified the Briton Road Precinct as suitable for urban development (i.e. additional residential land). This exacerbates the potential for conflict.

As previously discussed, the location of industrial development will conflict with the Karuah River and its drinking water catchment.

There may be potential for land use conflicts between the proposed development and existing low scale industrial development situated on the southern side of Gortons Road. This is largely ameliorated by existing vegetation within the road reserve on both sides of Gortons Road. Furthermore, the provisions of Great Lakes DCP 46 – Single Dwelling Houses and Dual Occupancy require setbacks to roads of 18 m in rural residential localities. These provisions have been incorporated into Draft Great Lakes DCP 2012, which has been prepared and exhibited to complement the provisions of LEP 2013.

There is adequate buffer provided under existing planning controls to reduce the potential for conflict between the industrial developments and the proposed Large Lot Residential development. There is also potential for additional landscaping to be provided within any future subdivision design for Large Lot Residential development.

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### 3.4 Section D – State and Commonwealth Interests

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

No advice has formally been sought from government agencies or public authorities in relation to the Planning Proposal at this stage. However it is anticipated that post “gateway” determination, Council will consult with public authorities to seek their views.

#### **Is there adequate public infrastructure for the Planning Proposal?**

- *Is there adequate public infrastructure for the Planning Proposal?* The concise answer to this question is “Yes”. The proposed residential development will require the extension of existing infrastructure such as roads, water, sewer, electricity and communications. All of these services have adequate capacity to cater for the proposed development. Extension of, and connection to, this infrastructure will be at the cost of the proponent with no costs to be borne by the relevant service providers or the community. Local community services required by Great Lakes Council will be addressed via the applicable S.94 contributions plan or VPA.

Within Schedule 4 (Major Infrastructure Projects) to the MNCRS the following infrastructure projects have been identified:

- Stroud sewerage augmentation.
- Stroud to Bulahdelah 132 KV electricity line.

Both projects are likely to positively impact on the proposed development as well as the existing Stroud community.



## 4.0 Part 4 – Community Consultation

In accordance with Section 57(2) of the Environmental Planning and Assessment Act 1979, this Planning Proposal must be approved prior to community consultation being undertaken by the local authority.

In accordance with Council's adopted consultation protocols the proposed rezoning will be exhibited to inform and receive feedback from interested stakeholders. To engage the local community the following will be undertaken:

- Notice in the local newspaper;
- Exhibition material and relevant consultant documents to be made available at Council's Administration Building at Forster;
- Consultation documents to be made available on Council's website; and
- Letters advising of the proposed rezoning and how to submit comments will be sent to adjoining landowners and other stakeholders that Council deem relevant to this Planning Proposal.

The Gateway Determination ultimately establishes the appropriate agency and public consultation processes. A 28 day exhibition period is recommended.

It is recommended that the Planning Proposal be referred to the following NSW government authorities:

- Midcoast Water;
- Other service providers (e.g. electricity and telecommunications);
- Karuah Local Aboriginal Land Council.

The consultation process, as outlined above, does not prevent any additional consultation measures that may be determined appropriate as part of the 'Gateway' determination process.

## 5.0 Conclusion

The land subject of this Planning Proposal is identified within the MNCRS as Proposed Employment Land. It is also subject to the provisions of the GLRLS which identifies the site as Rural Fringe. The two strategic plans applying to the site are in conflict. This Planning Proposal is the mechanism to resolve the inconsistencies between the two documents.

MNCRS states that industrial land supply should be at or near higher order centres, which is not the case for the site. The MNCRS encourages rural residential development close to existing settlements away from the coast. The Planning Proposal will provide an increase in housing / living diversity and choice for the Stroud area. There is no expected short or medium term economic benefit to the Stroud area resulting from the identification of the site for future industrial development as per the MNCRS. There are tangible economic benefits from increased housing opportunities that meet market requirements as well as employment opportunities in building and allied trades.

The proposed Large Lot Residential development is consistent with applicable SEPPs. In particular the proposal is consistent with the Rural Planning Principles contained within SEPP (Rural Lands) 2008.

The proposal is inconsistent with Section 117 Directions 1.2 and 1.5 as they apply to the rezoning of Rural Lands. There are grounds to justify these inconsistencies taking into account environmental, social and economic factors plus the minor significance of the proposal.

The land is subject to flooding but there is development potential above the flood level. There are no environmental constraints applying to the site that would limit Large Lot Residential development at the site.

The R5 Large Lot Residential Zone as contained in the LEP 2013 is considered appropriate for the site. The R5 zone would allow for buffers between residential and agricultural uses, whilst efficiently using the land. As sewer is available the appropriate lot size is 5,000m<sup>2</sup>.

Post "Gateway Determination" to proceed it is suggested that further information be obtained relating to:

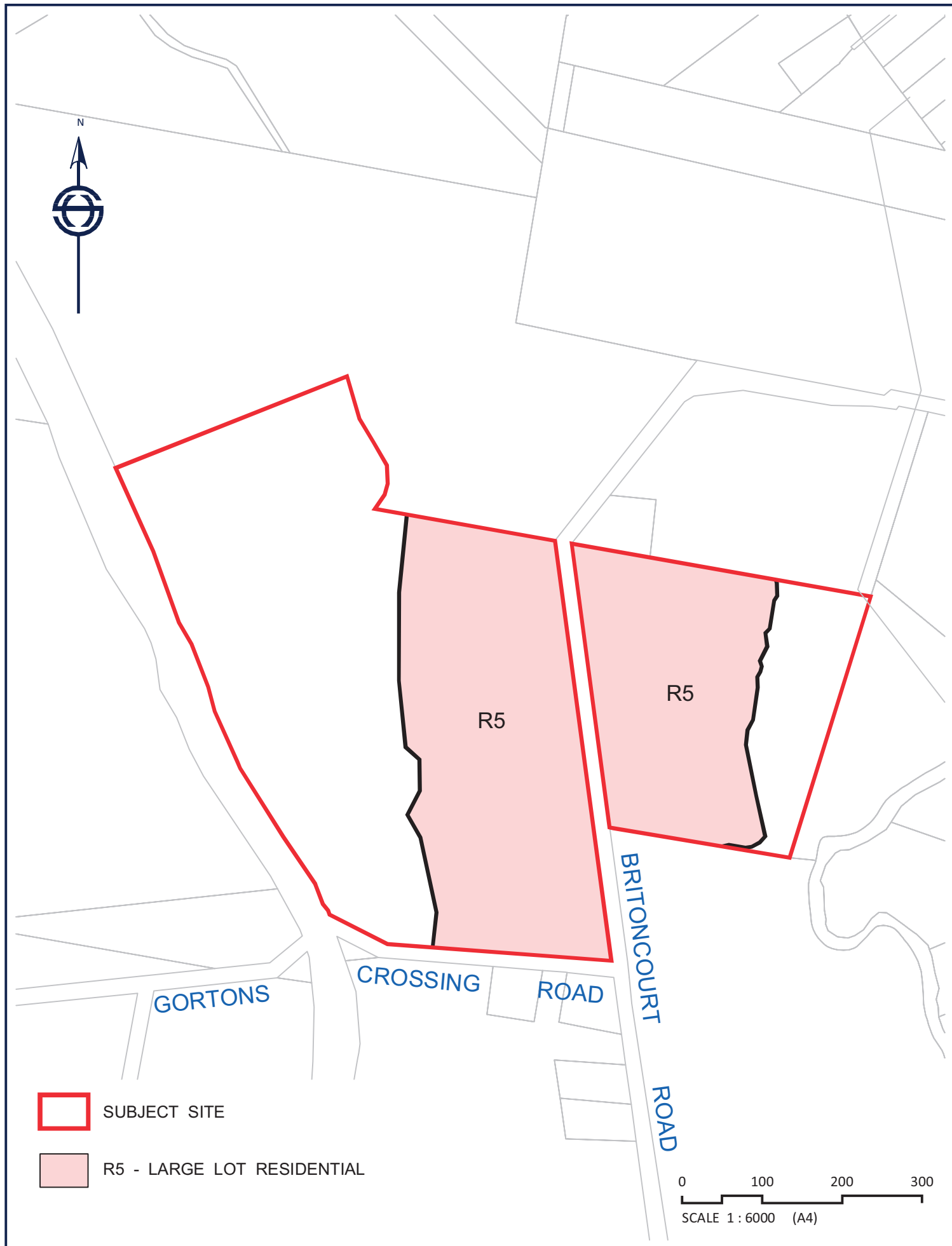
- Ecological matters and in particular identifying existing trees suitable for retention;
- Traffic impact assessment;
- Aboriginal Due Diligence Assessment;
- Preliminary Contamination Assessment; and
- Conceptual Stormwater Management considerations.

A future DCP should also be considered for the site to ensure that future development, via the DA process, adequately addresses:

- Tree retention;
- Lot and road layout;
- Intersection treatment;
- Landscape buffers for management of potential land use conflicts;
- Fencing and house design; and
- Identification of appropriate stormwater management devices.

## Appendix I

### Proposed Land Zoning Map



TITLE: **APPENDIX 1**  
PROPOSED LAND USE  
ZONING MAP

LOCATION: BRITONCOURT ROAD  
STROUD

DATUM:  
PROJECTION:

DATE: 15TH AUG 2013  
PURPOSE: SUBDIVISION

CAD REF: 118947 - 2A  
VERSION: PROPOSED LAND USE

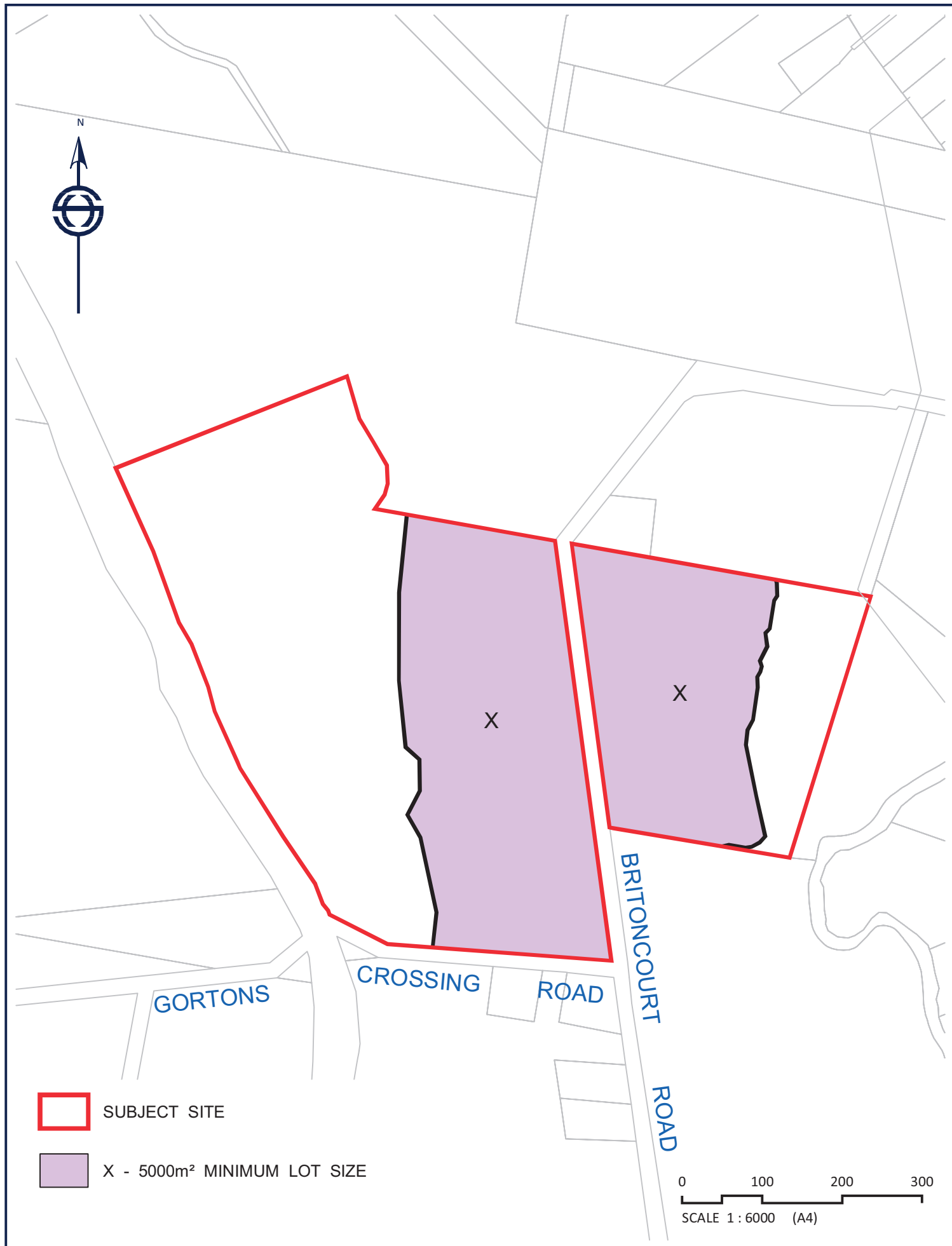
CLIENT: CLIENT  
JOB REF: 118947

RPS AUSTRALIA EAST PTY LTD (ABN 44 140 292 762)  
241 DENISON STREET BROADMEADOW PO BOX 428 HAMILTON NSW 2303  
T: 02 4940 4200 F: 02 4961 6794 www.rpsgroup.com.au

**RPS**

## Appendix 2

### Proposed Lot Size Map



TITLE: **APPENDIX 2**  
PROPOSED LAND MAP  
LOT SIZE

LOCATION: BRITONCOURT ROAD  
STROUD

DATUM:  
PROJECTION:

DATE: 15TH AUG 2013  
PURPOSE: SUBDIVISION

CAD REF: 118947 - 2A  
VERSION: PROPOSED LOT SIZE

CLIENT: CLIENT  
JOB REF: 118947

RPS AUSTRALIA EAST PTY LTD (ABN 44 140 292 762)  
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**RPS**



## Appendix 3

### Precinct Plan for Briton Court Road, Stroud

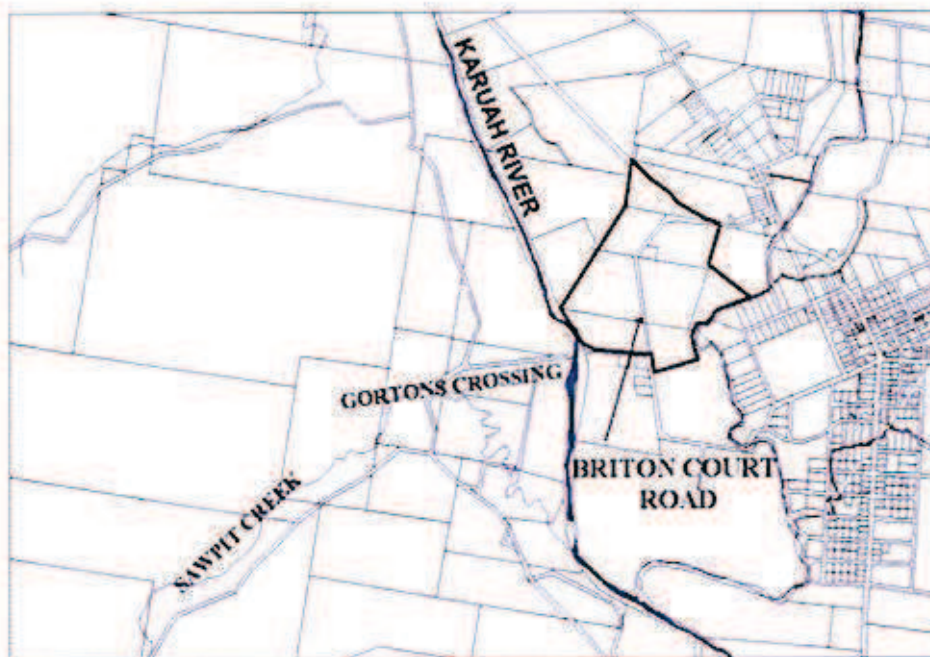
## Briton Court Road Precinct

(Rural Fringe Designation)

### *Locational information*

Located on both sides of Briton Court Road north of its intersection with Gortons Crossing Road.

- Land Area = 55ha



### *Issues*

- Rural industries (namely poultry growers)
- Effluent disposal/water quality
- Drainage/water quality
- Potential landuse conflict
- Potential flooding
- Water treatment plant and other industry
- Prime agricultural land
- Mill Creek and Riparian Rights
- Access and internal roads

### *Character Statement*

- The area is close to the township of Stroud and characterised by a mix of uses ranging from poultry farms, water treatment plant through to general cleared land for grazing.
- Development of the precinct into 1 or 2 hectare minimum allotments will not compromise the existing character of the area.
- The township of Stroud has a unique heritage character which should not be detracted from by development within the precinct (ie. standard brick and tile residences would not be suitable).



### Principles

#### Lot Size/Effluent Disposal/Water Supply

- The precinct will have a 1ha minimum lot size (Rural Fringe Designation) if connected to reticulated sewerage. The precinct will have a 2ha minimum lot size (Rural Lifestyle Designation) if on-site effluent disposal is utilised. This will provide an appropriate transition from rural to urban landscapes.
- Midcoast Water will have to undertake an assessment as to the capacity of the Sewerage Treatment to accommodate effluent from the rural residential and village expansion precincts at Stroud.
- On-site effluent disposal may need to be treated to a secondary level (separately on each new allotment) so as not to degrade the water quality of the Karuah River catchment (geotechnical studies conducted as part of the rezoning will confirm whether this is necessary).
- Lots connected to reticulated water must be connected to reticulated sewer, whilst lots utilising on-site effluent disposal are not permitted to be connected to reticulated water.
- If on-site effluent disposal is used, then disposal areas must be located a minimum of 250m from any groundwater well, 100m from a permanent watercourse and 40m from a drainage line. Other areas unsuitable for effluent disposal include soils with high erosion potential, rock outcrops, major geological discontinuities, slope greater than 20% and areas within the 1 in 20 year flood level (vent openings and electricals must be above the 1 in 100 year flood level).

#### Vegetation

- Areas with vegetation of Medium Habitat Value must be incorporated into the subdivision layout.

#### Fauna

- Areas found to contain threatened fauna species should not be proposed for subdivision.

#### Access

- Access to the precinct is to be provided from Briton Court Road with adequate sight distances in both directions.
- All internal roads are to be sealed with appropriate run-off regimes implemented that will protect water quality in the area.

#### Poultry Industry

- Rezoning for rural residential development within the Stroud catchment will not be allowed to proceed until such time as contracts have been renewed between poultry growers and processors to confirm which poultry farms will stay in production.

#### Potential Landuse Conflict (odour and noise)

- Specific odour and noise studies may need to be undertaken for the precinct to determine whether parts (or even all) of the precinct cannot be developed due to unacceptable odour/noise levels from surrounding poultry farms. The issue here is one of rural landuse conflict and of not adversely affecting existing poultry farms by encroaching housing. Reference should be made to Section 3.5.5 in the Strategic Environmental Assessment and Strategy. This can be seen as the most important initial study for rezoning in the Stroud catchment.

#### Drainage

- The water quality objective to be applied in the evaluation of management options for stormwater is: *"No net increase in pollutants (suspended sediments, pathogens, nitrogen and phosphorus) above that for the precinct in its present landuse configuration"*.

#### Flooding

- The western edge of the precinct is believed to be within the 1% AEP (a flood study is required to confirm this) of Karuah River, whilst the eastern edge of the precinct is outside the 1% AEP of Mill Creek as shown on Council's flood maps.



- Land within the 1% AEP can be considered for subdivision if provision is made for homesites outside this area.

#### Water Treatment Plant and Other Industry

- The southern end of the precinct is opposite the Stroud Water Treatment Plant and consideration needs to be given as to whether a buffer needs to be created between the plant and subdivision within the precinct. Issues relate to whether practices (noise, chemicals etc) or traffic movements require a buffer and visual screening to new housing.
- There is an Industry (gas related) adjacent to the Water Treatment Plant and consideration needs to be given as to whether a buffer between it and future housing needs to be implemented.

#### Prime Agricultural Land

- The north western end of the precinct is adjacent to Class 2 Agricultural Land and consideration needs to be given as to whether a buffer from it to new housing needs to be implemented.

#### Mill Creek and Riparian Rights

- Whether or not there is a need to revegetate the riparian zone will need to be investigated and appropriate recommendations made. It may be necessary to consider placing the riparian zone in an environmental zone and subdivision of the precinct by community title to ensure its on-going maintenance. Consultation with DIPNR is necessary to reach an agreed position of subdivision in the vicinity of the watercourse.

#### Future Precincts

- Future precincts may be identified in the Stroud catchment after contracts have been renewed in the poultry industry between growers and processors (30 June 2004). If the new precinct is the result of a poultry farm not continuing operation, then the following principle would be applicable (this is in addition to the abovementioned principles):

#### Potential Land Contamination

- An investigation will need to be undertaken in the location of each existing shed previously used for poultry production (or where sheds were previously located) to determine whether the soil has been contaminated through past farming practices. This will be carried out as part of the rezoning studies.

## Appendix 4

### Applicable SEPPs

| <b>State Environmental Planning Policy (SEPP)<br/>Applicable to the Great Lakes LGA</b>                                    |
|----------------------------------------------------------------------------------------------------------------------------|
| State Environmental Planning Policy No. 1 – Development Standards                                                          |
| State Environmental Planning Policy No. 4 – Development Without Consent and Miscellaneous Exempt and Complying Development |
| State Environmental Planning Policy No.6 – Number of Storeys in a Building                                                 |
| State Environmental Planning Policy No.14 – Coastal Wetlands                                                               |
| State Environmental Planning Policy No.15 – Rural Landsharing Communities                                                  |
| State Environmental Planning Policy No.19 – Bushland in Urban Areas                                                        |
| State Environmental Planning Policy No.21 – Caravan Parks                                                                  |
| State Environmental Planning Policy No.22 – Shops and Commercial Premises                                                  |
| State Environmental Planning Policy No.30 – Intensive Agriculture                                                          |
| State Environmental Planning Policy No.32 – Urban Consolidation (Redevelopment of Urban Land)                              |
| State Environmental Planning Policy No.33 – Hazardous and Offensive Development                                            |
| State Environmental Planning Policy No.36 – Manufactured Home Estates                                                      |
| State Environmental Planning Policy No.44 – Koala Habitat Protection                                                       |
| State Environmental Planning Policy No.50 – Canal Estate Development                                                       |
| State Environmental Planning Policy No.52 – Farm Dams and Other Works in Land and Water Management Plan Areas              |
| State Environmental Planning Policy No.55 – Remediation of Land                                                            |
| State Environmental Planning Policy No.60 – Exempt and Complying Development                                               |
| State Environmental Planning Policy No.62 – Sustainable Aquaculture                                                        |
| State Environmental Planning Policy No.64 – Advertising and Signage                                                        |
| State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development                                 |
| State Environmental Planning Policy No.70 – Affordable Housing (Revised Schemes)                                           |
| State Environmental Planning Policy No.71 – Coastal Protection                                                             |
| State Environmental Planning Policy (Affordable Rental Housing) 2009                                                       |
| State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004                                            |
| State Environmental Planning Policy (Exempt and Complying Development Codes) 2008                                          |
| State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004                                 |
| State Environmental Planning Policy (Infrastructure) 2007                                                                  |
| State Environmental Planning Policy (Major Development) 2005                                                               |
| State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007                          |
| State Environmental Planning Policy (Rural Lands) 2008                                                                     |
| State Environmental Planning Policy (Temporary Structures) 2007                                                            |
| State Environmental Planning Policy (State and Regional Development) 2011                                                  |