

Planning Proposal to amend Gloucester Local Environment Plan 2010

Amend the zone of Lot 405 DP 980328 from E3 – Environmental Management to SP2 – Infrastructure

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Table of contents

INTRODUCTION	4
PART 1 - OBJECTIVES OR INTENDED OUTCOMES	5
PART 2 - EXPLANATION OF PROVISIONS	5
Section A – Need for the Planning Proposal	8
Section B – Relationship to Strategic Planning Framework	9
Section C – Environmental, Social and Economic Impact	12
PART 4 - MAPPING	16
PART 5 - COMMUNITY CONSULTATION	16
PART 6 - PROJECT TIMELINE	16
PART 7 - CONCLUSION	17
Appendix A – Consistency with Hunter Regional Plan	18
Appendix B – Consistency with State Environmental Planning Policies	26
Appendix C – Consistency with Ministerial Directions	27
Appendix D – Letter of Support	28
Appendix E – AHIMS Search	29

Introduction

The Planning Proposal seeks to amend the Gloucester Local Environmental Plan (LEP) 2010 by amending the zone of Lot 405 DP 980328 from E3 - Environmental Management to SP2 - Infrastructure.

The Planning Proposal outlines the intended effect of, and justification for, the proposed amendments to the Gloucester LEP 2010.

The purpose of this Planning Proposal is to amend an anomaly in the zoning of Lot 405 DP 980328 to allow for the construction of the new Gloucester Sewerage Treatment Plant (STP). The new STP is to be located immediately south of the existing STP which would be decommissioned following the operation of the new STP.

The existing STP is located on Lots 1-2 DP 1161870 which are currently zoned SP2 – Infrastructure under the Gloucester LEP 2010. The construction of a new STP will involve utilising Lots 1-2 DP 1161870 and also requires expanding into Lot 405 DP 980328. Lot 405 DP 980328 is currently zoned E3 - Environmental Management and Sewerage Treatment Plants are currently prohibited under this zone. Amending the anomaly in the zoning of Lot 405 DP 980328 to SP2 - Infrastructure will enable the construction of this necessary infrastructure.

The existing STP is located northwest of the Gloucester township and currently services the needs of Gloucester and Barrington. Much of the existing infrastructure on-site has deteriorated since its construction in the 1930's and will soon reach the end of its operational lifespan.

In addition, future growth projections indicate that the population of Gloucester and Barrington will soon outgrow the capacity of the existing STP. The current condition of the existing STP makes it difficult for Council to meet its effluent discharge license requirements.

The construction of a new STP will be designed to comply with the latest regulatory requirements and environmental standards and provides a more efficient standard of treatment. The new STP will also have a much greater capacity than the existing STP and will ensure the community's waste water can be treated effectively to 2050 and beyond.

Council requests that the Department retain delegations to make the amendment to the Gloucester LEP 2010 given Council owns the land and will establish the new STP.

The Planning Proposal has been prepared by MidCoast Council in accordance with Division 3.4 of the *Environmental Planning and Assessment Act 1979* and the relevant Department of Planning, Industry and Environment guidance, including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The Site

The subject site is located at 84 Showground Road, Gloucester being Lot 405 DP 980328. The site was originally used as farming land, prior to being resumed by the Gloucester Shire Council in 1938 for the purposes of 'sewerage works'. Since that time the site has been maintained by Council.

As shown in Figure 1, the subject site (boundary shown in red) is relatively cleared. Riparian vegetation remains along the banks of the Gloucester River.

The existing sewage treatment plant is located to the north of the site. Residential properties are located on the eastern side of the Gloucester River.



Figure 1: Location of Lot 405 DP 980328

Part 1 - Objectives or intended outcomes

The objective is to amend an anomaly in the zoning of Lot 405 DP 980328 under the Gloucester LEP 2010.

The amendment of the zone of Lot 405 DP 980328 from E3 - Environmental Management to SP2 - Infrastructure will allow for the construction of a new Gloucester STP. The new STP will replace the existing STP which is unable to cater for future population growth and satisfy environmental and legislative requirements.

Part 2 - Explanation of provisions

The provision to enable this Planning Proposal to be realised is an amendment to the zone of Lot 405 DP 980328 from E3 – Environmental Management to SP2 –Infrastructure under the Gloucester LEP 2010. The maximum building height will be removed (currently 7.5m).

The current and proposed changes to the zone and maximum building heights are shown in Figure 2. The boundary of the site is indicated in red.





Figure 2: Existing and proposed zone and maximum building height

Part 3 - Justification

Section A – Need for the Planning Proposal

3.A.1 Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is not the result of a specific strategic study or report. The zoning of Lot 405 DP 980328 has been identified as an anomaly and the following outlines why this anomaly should be rectified through a Planning Proposal.

A Title Search of the NSW Land Registry Services for Lot 405 DP 980328 shows that the subject site was resumed for the purposes of 'sewerage works' in 1938. This demonstrates the clear intent for this site to be used as an extension of the existing STP.

Infrastructure, such as water and sewage facilities were not clearly defined, or had a relevant infrastructure zone, until the Standard Instrument came into force in 2006. For example, the Gloucester LEP 2000 included the existing STP, and the subject site in the 7d Environmental Protection (Scenic) zone. When the Gloucester LEP 2010 was released, the existing STP was included in the SP2 - Infrastructure zone, but Lot 405 DP 980328 was incorrectly included in the E3 - Environmental Management zone. This error was not identified until recently when the upgrades to the STP were planned. As a result, the current E3 - Environmental Management zone over Lot 405 DP 980328 is not reflective of the intended purpose of the land and is an anomaly.

MidCoast Council is currently reviewing all of its zones across the three existing LEPs as part of developing a single consolidated MidCoast LEP. This review process is to ensure zoning consistency across the MidCoast. Councils draft *Infrastructure Zones Review* outlines that land zoned SP2 - Infrastructure is to be used for railways, significant state roads such as the Pacific Highway, sewage systems, waste management facilities and airports. Where this does not currently occur (eg. Lot 405 DP 980328), sites are to be included in the SP2 -Infrastructure zone. The amendment to the zone of Lot 405 DP 980328 to SP2 -Infrastructure is therefore consistent with Councils future direction for applying infrastructure zones.

The draft *Infrastructure Zones Review* was exhibited through the Zoning In consultation process from February till April 2020. As a result of submissions, amendments were made to the application of the zones over specific sites in urban areas, however no changes to principles and structure of the infrastructure zones were made. The draft *Infrastructure Zones Review* was endorsed by Council in December 2020.

Work is currently underway to finalise the Rural Strategy, needed to inform the new MidCoast LEP. The anticipated timeframe for the new LEP is 2023. Delaying the STP upgrade until the new MidCoast LEP is in force is not possible given Councils funding commitments and the improved environmental outcomes for the community.

The need for a new STP, and consequently the Planning Proposal, was originally identified by a condition assessment report in July 2015. The assessment identified that the majority of the civil structure at the existing STP is in the vicinity of 80 years old and in poor condition. MidCoast Water's Integrated Water Cycle Management Strategy 2015 – Our Water Our Future 2045 sets the direction for sustainable management of water and sewer services in the MidCoast for the next 30 years. The Strategy also identifies that the existing STP requires replacing due to it reaching its end of life and that it uses dated treatment technology.

As such, it is imperative to replace the existing STP to improve environmental and operational outcomes. The Planning Proposal is key to allowing this upgrade to be realised.

3.A.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal is identified as the appropriate mechanism to achieve the outcome of constructing a new STP, as Sewerage Systems are currently prohibited in the E3 - Environmental Management zone under the Gloucester LEP 2010. Amending the zone on Lot 405 DP 980328 from E3 - Environmental Management to SP2 - Infrastructure is the best means to develop a new STP.

Under the Gloucester LEP 2010, Sewerage Systems are permitted with consent under the SP2 - Infrastructure zone as it is incidental to the existing STP shown on the Land Zoning Map. Amending the zone of Lot 405 DP 980328 to SP2 - Infrastructure would allow the construction of a new STP to be permitted under Division 18 Clause 106(2) of the *State Environmental Planning Policy (Infrastructure) 2007*. Through this process a Review of Environmental Factors (REF) would be undertaken to address any potential impacts of the new STP.

The Planning Proposal will also enable Council to achieve its objective of consistently applying infrastructure zones across the MidCoast as part of the *Draft Infrastructure Zones Review*.

Section B – Relationship to Strategic Planning Framework

3.B.1 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional strategy?

The Planning Proposal is consistent with the objectives and actions contained within the Hunter Regional Plan 2036 as summarised in Appendix A.

3.B.2 Is the Planning Proposal consistent with Council's Community Strategic Plan or other local strategic plan?

Community Strategic Plan 2010-2030

The MidCoast 2030 Community Strategic Plan (CSP) is a roadmap for the future of the MidCoast area. In the development of the CSP, key government plans and legislative frameworks were considered, in particular NSW State Plan, the Hunter Regional Plan, the Local Government Act 1993 and the Integrated Planning and Reporting Guidelines, to ensure alignment and that the community is working towards a shared vision.

The Vision of the CSP is "We strive to be recognised as a place of unique environmental and cultural significance. Our strong community connection, coupled with our innovative development and growing economy, builds the quality of life we value".

The most relevant value of the CSP to the Planning Proposal is *"We value our unique, diverse and culturally rich communities"*. The Planning Proposal enables Council to satisfy Goal 2 of this value being *"The community is satisfied with the overall services Council provides"*.

The Planning Proposal is consistent with the MidCoast 2030 CSP as this necessary infrastructure will improve Councils ability to service the Gloucester and Barrington population to 2050 and beyond.

Local Strategic Planning Statement

The proposed amendment is consistent with the *MidCoast Local Strategic Planning Statement* (LSPS) Planning Priority 9 – Improving our infrastructure and becoming a location of choice. In particular, the Planning Proposal will enable Council to realise LSPS Action 9.7 -Develop a consistent approach to infrastructure planning controls through implementation of the *Infrastructure Zones Review*.

Amending the zone of Lot 405 DP 980328 to SP2 - Infrastructure will enable Council to have a consistent infrastructure zoning approach as part of the *Infrastructure Zones Review* and ultimately will support delivery of Planning Priority 9 and Action 9.7.

3.B.3 Is the Planning Proposal consistent with applicable State environmental planning policies?

The assessment of the planning proposal against the State Environmental Planning Policies (SEPPs) is provided in Appendix B. The applicable SEPPs are considered below.

SEPP (Infrastructure) 2007

This Policy aim is to facilitate the effective delivery of infrastructure across the State by:

- (a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and
- (b) providing greater flexibility in the location of infrastructure and service facilities, and
- (c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and
- (d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and
- (e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and
- (f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and
- (g) providing opportunities for infrastructure to demonstrate good design outcomes.

Amending the zone of Lot 405 DP 980328 from E3 - Environmental Management to SP2 - Infrastructure will enable the construction of a new STP under the SEPP (Infrastructure) 2007. The site was resumed for the purpose of 'sewerage works' in 1938, which shows the long-term intent for the site to be used for infrastructure purposes. Changing the zone will provide a consistent approach with the adjoining land that contains the existing STP, which is included in the SP2 - Infrastructure zone under the Gloucester LEP 2010. The zone of Lot 405 DP 980328 being E3 - Environmental Management zone is a LEP mapping anomaly, which was not identified until the upgrades to the STP were planned.

Amending the zone of Lot 405 DP 980328 from E3 - Environmental Management to SP2 - Infrastructure will mean Division 18 Sewerage System of the SEPP will apply to Lot 405 DP 980328. Under Division 18 Clause 106(2), the new STP in Gloucester can be carried out without consent as it will be carried out by Council (a public authority), and would be located in a prescribed zone, being SP2 - Infrastructure, as a result of this Planning Proposal.

The Planning Proposal will ensure that the establishment of the new STP will follow a consistent assessment processes that applies to other STPs across the MidCoast and NSW.

3.B.4 Is the Planning Proposal consistent with applicable Ministerial Directions (Section 9.1 directions)?

The Planning Proposal has been considered in relation to applicable Ministerial Directions (known as s.9.1 Directions as they are identified within that Section of the *Environmental Planning and Assessment Act 1979*).

The assessment of the planning proposal against all the Ministerial Directions is provided in Appendix C. The applicable Ministerial Directions are considered below.

1.3 Mining, Petroleum Production, Extractive Industries

This direction ensures that the future extraction of State/regionally significant reserves of coal, minerals, petroleum and extractive materials are not compromised. There are no mines/quarries in proximity to the site or any state or regionally significant resources identified in the area. Consultation will occur with the Department of Planning, Industry and Environment to determine if the Planning Proposal is consistent with this direction.

2.1 Environmental Protection Zones

This direction requires planning proposals that apply to land within an environment protection zone to not reduce the environmental protection standards that apply to the land.

The Planning Proposal is inconsistent with the direction as it proposed to remove land from the E3 - Environmental Management zone. As outlined in Section 3.A.1 this zone change is required to address a zone anomaly, be consistent with the future intentions of the draft *Infrastructure Zones Review* and to improve environmental outcomes by replacing the existing STP, which is reaching its end of life and uses dated treatment technology.

This Planning Proposal is considered to be of minor significance and justifiably inconsistent.

2.3 Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

The subject land does not contain any listed heritage items and there are no apparent items which would be suitable for listing.

The Planning Proposal is inconsistent with the direction, which requires that items of Aboriginal Heritage should be identified by an Aboriginal Heritage Survey. An AHIMS search has been undertaken for the site and did not identify any Aboriginal sites or places on the land or surrounding area (refer Appendix E). The new STP is proposed to be located at least 350m from the Gloucester River and has been disturbed by agricultural activities. As outlined in Section 3.A.1, the amendment to the zone is required to address a zone anomaly, be consistent with the future intentions of the draft *Infrastructure Zones Review* and to improve environmental outcomes by replacing the existing STP, which is reaching its end of life and uses dated treatment technology.

Further Aboriginal heritage investigations will be carried out through the Review of Environmental Factors undertaken for the establishment of the new STP.

This Planning Proposal is considered to be of minor significance and justifiably inconsistent.

4.3 Flood Prone Land

The purpose of this direction is to ensure the provisions of the LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential of the flood impacts both on and off the subject land

The Planning Proposal is inconsistent with the direction as the site is wholly located within the flood planning area, is located within 350m of the Gloucester River, and proposes to rezone land within the flood planning area from the E3 – Environmental Management Zone to SP2 – Infrastructure zone.

The Planning Proposal is considered to be of minor significance. As outlined in Section 3.A.1 this zone change is required to address a zone anomaly, be consistent with the future intentions of the draft *Infrastructure Zones Review* and to improve environmental outcomes by replacing the existing STP, which is reaching its end of life and uses dated treatment technology.

In addition, the new STP is to be located as far away of the Gloucester River as practical and designed to address potential flood impacts. The potential flood impacts will be carried out through the Review of Environmental Factors undertaken for the establishment of the new STP.

This Planning Proposal is considered to be of minor significance and justifiably inconsistent.

Section C – Environmental, Social and Economic Impact

3.C.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Most of the land comprises exotic pasture grassland, where there are no special biodiversity values or anticipated threatened species. The new STP on Lot 405 DP 980328 will be located on this grassland that has previously been used for broadacre grazing for over a hundred years. As a result, the upper soils of Lot 405 DP 980328 have been previously disturbed through broadacre grazing and silage production practices.

According to the NSW Government website SEED, there are no endangered, vulnerable or threatened species located within the vicinity of Lot 405 DP 980328. The construction of a new STP is unlikely to impact species or ecological communities listed under the *Environment Protection and Biodiversity Conservation Act 1999.*

There is an area of significance associated with the linear riparian zone flanking the Gloucester River. This riparian zone is protected by legislation such as the Water Management Act and biodiversity legislation. The riparian zone would be fully protected in any proposed works by way of the application of environmental impact assessment processes.

As indicated in Figure 3 and 4, the new STP will be located approximately 350m east of the Gloucester River, in the north-western portion of the site. This new location is further away from the Gloucester River than the existing STP.



Figure 3: Extent of the future STP

The STP disposal into the Gloucester River will remain unchanged, utilising the existing STP disposal system. A water quality-based assessment of the likely environmental impact arising from the release of effluent into the Gloucester River from the new STP was conducted by an independent consultant in July 2020. The assessment identified no impacts on critical habitat or threatened species. Any potential impacts will be addressed in detail through the Review of Environmental Factors process and ongoing management of the STP will be monitored through licencing administered by the NSW Environmental Protection Agency.

As such, the Planning Proposal does not pose any adverse impacts and will serve to benefit the local environment by ensuring the quality of effluent that is discharged into the Gloucester River is of a high standard and meets or exceeds the existing effluent discharge licence requirements.

A letter of support from the Department of Planning Industry and Environment (Water) who approve the construction of a new STP has been attached in Appendix D.



Figure 4: Draft layout of STP

3.C.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

As outlined in 3.C.1 above, the Planning Proposal will lead to improved environmental impacts than what is currently occurring at the existing STP and any future impacts will be managed in accordance with the approvals and licensing processes required for STPs.

3.C.3 Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal has identified positive social and economic outcomes for Gloucester, Barrington and the broader MidCoast.

STPs are critical infrastructure for treating waste water which, if not adequately addressed, can lead to diseases, land and water contamination.

Both the social and economic future growth of Gloucester and Barrington is centred around the provision of critical infrastructure, such as ensuring that future waste water can be treated effectively through a new STP.

The new STP site is to be located in a relatively isolated area and remote from any sensitive areas, such as dwellings or schools, in relation to noise. It is noted that Council has received no formal complaints regarding the existing facility.

Lot 405 DP 980328 does not contain any items of European heritage identified in the Local Environmental Plan or State Heritage Register and is not located in a heritage conservation area. An AHIMS Search was undertaken for the site which did not identified any Aboriginal Sites or Places on the subject land or surrounds (refer Appendix E).

Section D – State and Commonwealth Interests

3.D.1 Is there adequate public infrastructure for the Planning Proposal?

The Planning Proposal will allow for the construction of new public infrastructure, being a more advanced STP to service the current and future residents of Gloucester and Barrington. This public infrastructure will help facilitate the future growth of these areas to 2050 and beyond.

The Planning Proposal for Lot 405 DP 980328 adjoins public infrastructure being the existing STP which would be decommissioned upon completion of the new STP.

There are no additional public infrastructure implications or requirements with the Planning Proposal.

3.D.2 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Consultation has been carried out with the Department of Planning, Industry and Environmental (Water) who support the replacement of the Gloucester STP.

Approval for the STP is required from the Department of Planning, Industry and Environmental (Water). Under Section 60 of the Local Government Act 1993, local water

utilities are required to obtain ministerial approval for the construction or modification of water or sewage treatment works. The Section 60 approval provides an independent assessment of the proposed works to ensure they are fit for purpose and provide robust, safe, costeffective and soundly based solutions that meet public health and environmental requirements. A letter of support from the Department of Planning Industry and Environment (Water) for the construction of a new STP is included in Appendix D.

The NSW Environmental Protection Agency (EPA) issues licences for STPs under the Protection of the Environment Operations Act 1997. The EPA has been consulted during the concept design period regarding Environment Protection Licence (EPL) limits for the treated effluent and will be kept updated of the project's progress.

Part 4 - Mapping

The Planning Proposal will require the amendment to the zone for Lot 405 DP 980328 from E3 - Environmental Management to SP2 – Infrastructure. The maximum building height will be amended by removing a height limit (currently 7.5m). These map changes are indicated in Figure 2 in Part 2 (pages 6 and 7).

Part 5 - Community consultation

Details on the Gloucester STP project have been provided on the MidCoast Councils website under 'Council Projects' for public viewing. This includes public information about draft project timelines, the need for the project, what is being proposed and the benefits from the project.

In accordance with Section 3.34(2)(c) of the *Environmental Planning and Assessment Act* 1979 and Council's *Community Engagement Strategy 2019-2022*, this Planning Proposal will be made publicly available for a minimum of 28 working days.

In accordance with Council's adopted consultation protocols the following will be undertaken:

- notices in local newspaper;
- direct mail notification to potentially affected landowners;
- exhibition material and all relevant documents will be available on Council's website.
- an information session by appointment and in accordance with Covid-19 restrictions;
- exhibition material and all relevant documents will be available at Council's Administrative and Gloucester Office;

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

Part 6 - Project timeline

The following outlines the tasks to be undertaken for this Planning Proposal and estimated timeframes.

Task	Who	Timeframe	Date (approx)
Council resolution to support the Planning Proposal	Council	4 weeks	14 July 2021
Lodgement of Planning Proposal for Gateway Determination	Council	2 weeks	28 July 2021
Gateway Determination Issued	Minister for Planning	4 weeks	August 2021
Consultation with Public Authorities (as per Gateway Determination)	Council	Minimum 21 days	If required (mid October 2021)
Public exhibition of Planning Proposal	Council	Minimum 28 working days	November 2021
Report to Council	Council	4 weeks	December 2021
Lodgement of Planning Proposal	Council	2 weeks	December 2021
Making of local environmental plan	Minister for Planning	6 – 8 weeks	February 2022

Part 7 - Conclusion

The Planning Proposal seeks to amend the zone of Lot 405 DP 980328 from E3 -Environmental Management to SP2 - Infrastructure under the Gloucester LEP 2010.

The Planning Proposal is required for the following reasons:

- 1. The zone of Lot 405 DP 980328 has been identified as an anomaly and needs to be rectified to allow the construction of a new STP
- The Title Search indicates that Lot 405 DP 980328 was always intended to be utilised for 'sewerage works', despite an E3 - Environmental Management zone currently applying over the site
- 3. Councils *Draft Infrastructure Zones Review* outlines the intent for infrastructure zones to be applied consistently across the MidCoast where infrastructure such as sewerage systems are located
- 4. A condition assessment report in July 2015, outlined that the existing STP infrastructure is in the vicinity of 80 years old and is in poor condition. The existing STP will soon be unable to cater for the population of Gloucester and Barrington and it is currently difficult for Council to meet its effluent discharge license requirements
- MidCoast Water's Integrated Water Cycle Management Strategy 2015 Our Water Our Future 2045 identifies that the existing STP requires replacing due to it reaching its end of life and that is utilises dated treatment technology
- 6. The new MidCoast LEP is not anticipated to be in force until 2023 and delaying the STP upgrade until this is not possible given the funding commitments and the improved environmental outcomes for the community.
- 7. The new STP will benefit the community in terms of improved environmental outcomes and servicing for the Gloucester and Barrington community.

Further, the Planning Proposal is also consistent with the *Hunter Regional Plan 2036*, Council's Community Strategic Plan – *MidCoast 2030 Shared Vision*, *Shared Responsibility 2018- 2030* and Council's *Local Strategic Planning Statement 2020*.

Appendix A – Consistency with Hunter Regional Plan

Goal 1 – the leading regional economy in Australia			
Direction 4 – Enhance inter-regional linkages to support economic growth			
Action 4.1 Enhance inter-regional transport connections to support economic growth.	N/A		
Action 4.2 Work with stakeholders to upgrade transport network capacity in line with changing demands.	N/A		
Action 4.3 Strengthen and leverage opportunities from the interconnections with other regions, particularly the Pacific Highway, the Golden Highway and the New England Highway.	N/A		
Action 4.4 Promote freight facilities that leverage the Port of Newcastle and its associated freight transport network.	N/A		
Action 4.5 Plan for multimodal freight facilities that support economic development of the region and respond to the location of the proposed Freight Rail Bypass.	N/A		
Action 4.6 Investigate opportunities for logistics and freight growth and other complementary land uses around airports, leveraging investments at Taree and Newcastle airports.	N/A		
Action 4.7 Enhance the efficiency of existing nationally significant transport corridors and protect their intended use from inappropriate surrounding land uses.	N/A		
 Action 4.9 Balance competing interests and deliver conservation, transport and land use planning objectives in the national pinch point area by: Identifying preferred habitat corridors and priorities for investment in conservation to sustain habitat connectivity Developing in integrated management plan for the area. 	N/A		
Direction 6 – Grow the economy of MidCoast and Por			
 Action 6.1 Enhance tourism infrastructure and connectivity, recognising the importance of: regional and inter-regional connections via the Pacific Highway and the Newcastle and Taree airports and cruise ship gateways; and local routes such as The Lakes Way and Nelson Bay Rd 	N/A		
Action 6.2 Enhance links to regional services in Greater Newcastle.	N/A		
Action 6.3 Enable economic diversity and new tourism opportunities that focus on reducing the impacts of the seasonal nature of tourism and its effect on local economies.	N/A		
Action 6.4 Promote growth of industries that can leverage accessibility provided by the Pacific Highway.	N/A		
Action 6.5 Plan for and provide infrastructure and facilities that support the ageing population.	The Planning Proposal assists Council in achieving this action by providing critical infrastructure that supports the future population of Gloucester and Barrington.		
Direction 7: Develop advanced manufacturing, defend	e and aerospace hubs		
Action 7.2 Grow and diversify the manufacturing sector through local planning and appropriate planning controls.	N/A		
Action 7.3 Promote manufacturing business export opportunities and become part of global supply chains.	N/A		
Action 7.4 Facilitate research partnerships between tertiary education providers and businesses.	N/A		

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Direction 8 – Promote innovative small business and sectors	growth in the service
Action 8.1 Implement initiatives to promote small business growth and innovation, particularly in Newcastle City centre and other strategic centres.	N/A
Action 8.2 Facilitate opportunities for incubator spaces for technology and non-technology early stage businesses, and ensure opportunities for new and emerging enterprises are encouraged.	N/A
Action 8.3 Improve connectivity to the region's major health and education precincts and strategic centres.	N/A
Action 8.5 Establish a health precinct around Metford and other hospitals in the region, including Manning Base Hospital at Taree.	N/A
Direction 9 – Grow tourism in the region	
Action 9.1 Enable investment in infrastructure to expand the tourism industry, including connections to tourism gateways and attractions.	The Planning Proposal will allow critical infrastructure to be develop that can cater for the increased tourism numbers during peak times and can allow Gloucester and Barrington to accommodate future tourism growth.
Action 9.2 Encourage tourism development in natural areas that support conservation outcomes.	N/A
Action 9.5 Develop capacity for growth in food-based tourism in the region.	N/A
Direction 10 – Protect and enhance agricultural produ	ictivity
Action 10.1 Protect locations that can accommodate agricultural enterprises from incompatible development, and facilitate the supply chain, including infrastructure, distribution areas, processing facilities and research and development in local plans.	N/A
Action 10.2 Address sector-specific considerations for agricultural industries through local plans.	N/A
Action 10.3 Protect the region's wellbeing and prosperity through increased biosecurity measures.	N/A
Action 10.4 Encourage niche commercial, tourist and recreation activities that complement and promote a stronger agricultural sector, and build the sector's capacity to adapt to changing circumstances.	N/A
Action 10.6 Manage Biophysical Strategic Agricultural Land and other important agricultural land as locations for agricultural activities and complementary uses.	N/A
Direction 11 – Manage the ongoing use of natural reso	purces
Action 11.1 Manage the ongoing use of mineral resources and provide access to up-to-date information about these resources through the Department of Industry's Common Ground website and its Geoscientific Data Warehouse.	N/A
Action 11.2 Work with relevant stakeholders including councils, communities and industry, to prepare land use plans that respond to the lifecycle of resource activity for active and emerging mining areas.	N/A
Action 11.3 Implement the cumulative impact assessment methodology when planning for important agricultural land and water resources.	N/A
Action 11.4 Review the Synoptic Plan: Integrated Landscapes for Coal Mine Rehabilitation in the Hunter Valley (1999) in conjunction	N/A

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with the development of the Upper Hunter Strategic Biodiversity Assessment to ensure best-practice rehabilitation and visual impact management for closed mines.	
Direction 12: Diversify and grow the energy sector	
Action 12.1 Diversify and grow the energy sector by working with stakeholders, including councils, communities and industry, to identify and support opportunities for smaller-scale renewable energy initiatives such as those using bioenergy or waste coalmine methane.	N/A
Action 12.2 Enable new opportunities for renewable energy industries by reviewing local planning controls.	N/A
Action 12.3 Promote new opportunities arising from the closure of coalfired power stations that enable long term sustainable economic and employment growth.	N/A
Direction 13 – Plan for greater land use compatibility	
Action 13.1 Identify and protect important agricultural land, including intensive agriculture clusters, in local plans to avoid land use conflicts, particularly associated with residential expansion.	N/A
Action 13.2 Limit urban and rural housing encroachment into identified agricultural and extractive resource areas, industrial areas, and transport infrastructure when preparing local strategies.	N/A
Action 13.3 Amend planning controls to deliver greater certainty of land use.	The Planning Proposal will amend a zoning anomaly, clearly indicating the site will be used for a STP consistent with the purpose for which the land was resumed for in 1938.
Action 13.4 Provide non-statutory guidance on the types of land uses that would be considered most appropriate, suitable or sympathetic with existing land uses in the Upper Hunter and other areas where land use conflicts occur.	N/A
Goal 2 – A biodiversity-rich natural environment	
Direction 14 – Protect and connect natural areas	
Action 14.1 Identify terrestrial and aquatic biodiversity values and protect areas of high environmental value to sustain the lifestyle, economic success and environmental health of the region.	The environmental corridor along the Gloucester River will be retained. The new STP is proposed over 350m east of the river and does not impact on the riparian vegetation. The new STP will improve water quality outcomes for the Gloucester River.
Action 14.2 Identify and strengthen biodiversity corridors as places for priority biodiversity offsets.	The environmental corridor along the Gloucester River will be retained. The new STP is proposed over 350m east of the river and does not impact on the riparian vegetation.
Action 14.3 Improve the quality of, and access to, information relating to high environmental values.	N/A
Action 14.4 Protect biodiversity by maintaining and, where possible, enhancing existing protection of high environmental value areas; implementing appropriate measures to conserve validated high environmental value areas; developing local strategies to avoid and minimise the impacts of development on areas of high	N/A

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environmental value and biodiversity corridors; and identifying offsets or other mitigation measures for unavoidable impacts.	
Action 14.5 Secure the long term protection of regionally significant biodiversity corridors.	N/A
Direction 15: Sustain water quality and security	
Action 15.1 Protect water catchments to sustain high quality and dependable water supplies across the region.	N/A
Action 15.2 Effectively manage surface and groundwater use in agricultural areas to support ecosystem function, food production, and to cater for the increasing demand of urban communities and industry.	N/A
Action 15.3 Plan for the security of the region's town water supply.	N/A
Action 15.4 Implement catchment-based plans for the ongoing sustainable management and health of estuaries.	The new STP will improve water quality outcomes in the Gloucester River.
Action 15.5 Apply the neutral or beneficial water quality objectives to land use planning in surface and groundwater drinking water catchment areas to minimise the effects of development on waterways, including watercourses, wetlands, groundwater dependent ecosystems, riparian lands, estuaries, lakes, beaches and marine waters.	N/A
Action 15.6 Reduce the risk of introduction or spread of aquatic pests and diseases from new development that may affect fisheries and aquaculture industry practices.	N/A
Action 15.7 Incorporate water-sensitive design into development that is likely to have an adverse impact on coastal water catchments, water quality and flows.	N/A
Direction 16: Increase resilience to hazards and clima	
Action 16.1 Manage the risks of climate change and improve the region's resilience to flooding, sea level rise, bushfire, mine subsidence and land contamination.	N/A
Action 16.2 Review and consistently update floodplain risk and coastal zone management plans, particularly where urban growth is being investigated.	N/A
Action 16.3 Incorporate new knowledge on regional climate projections and related cumulative impacts in local plans for new urban development.	N/A
Action 16.4 Review and update the Newcastle Mines Grouting Fund and investigate its relevance to other areas.	N/A
Goal 3 – Thriving communities	
Direction 17: Create healthy built environments throu	igh good design
Action 17.1 Develop best-practice guidelines for planning, designing and developing healthy built environments.	N/A
Action 17.2 Enhance access to fresh food by promoting initiatives that increase urban food production and access to produce from local farmers.	N/A
Action 17.3 Enhance the quality of neighbourhoods by integrating recreational walking and cycling networks into the design of new communities to encourage physical activity.	N/A
Direction 18: Enhance access to recreational facilities space	s and connect open
Action 18.1 Facilitate more recreational walking and cycling paths including planning for the Richmond Vale Rail Trail and expanded	N/A

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the NSW Coastal Cycleway. Action 18.2 Deliver connected biodiversity-rich corridors and open N/A space areas for community enjoyment. Action 18.3 Enhance public access to natural areas, including coastal and lake foreshores. Action 18.4 Assist councils to develop open space and recreation strategies that identify a range of accessible open space and recreation strategies that identify a range of accessible open space and recreation strategies that identify a range of accessible open space and recreation recreation opportunities; integrate open space, active transport and recreation opportunities, including regional Action 19.1 Consult with the local Aboriginal communities Direction 20: Revitalise existing communities Action 20: Revitalise existing communities Action 20: Revitalise transport and is integrate to a revitalisation by directing social infrastructure where there is growth. Action 20: Create a compact settlement Action 21: Create a compact settlement in Iocations with established services and infrastructure, including the Mailand Corridor growth area, twe assisting urban areas, in Corridor growth area, the emerging growth area around Cooraborg, Morriset and Wyee; and in existing towns and villages, Action 21: 4 Create a well-planned, funct		[]
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maximise the use of existing infrastructure	housing, lot types and sizes, including small-lot housing in infill and	N/A
Direction 22: Promote housing diversity		N/A
	Direction 22: Promote housing diversity	

Action 22.1 Respond to the demand for housing and services for weekend visitors, students, seasonal workers, the ageing community and resource industry personnel.	N/A
Action 22.2 Encourage housing diversity including studio and one and two-bedroom dwellings, to match forecast changes in household sizes.	N/A
Action 22.3 Develop local housing strategies to respond to housing needs, including social and affordable housing, and support initiatives to increase the supply of affordable housing.	N/A
Action 22.4 Develop Settlement Planning Principles and a local planning toolkit to assist councils implement the Plan.	N/A
 Action 22.5 Include guidance in local land use strategies for expanding rural villages and rural-residential development so that future rural residential development will: not impact on strategic or important agricultural land, energy, mineral or extractive resource viability or biodiversity values; not impact on drinking water catchments; not result in greater natural hazard risk; occur on land that is unlikely to be needed for urban development; contribute to the conservation of important biodiversity values or the establishment of important corridor linkages; and facilitate expansion of existing and new tourism development activities in agricultural or resource lands and related industries across the region. 	N/A
Direction 23 – Grow centres and renewal corridors	
Action 23.1 Concentrate growth in strategic centres, local centres and urban renewal corridors to support economic and population growth and a mix of uses.	N/A
Action 23.2 Develop precinct plans for centres to take an integrated approach to transport, open space, urban form and liveable neighbourhoods, and investigate the capacity of centres to accommodate additional housing and diversity, without compromising employment growth.	N/A
Action 23.3. Consider improvements to the public transport network when planning new renewal corridors and precincts.	N/A
Action 23.4 Investigate locations for new and expanded centres, including within the Newcastle – Lake Macquarie Western Corridor and Maitland Corridor growth areas, and in the established urban areas that are projected to have high demand for housing growth is projected.	N/A
Action 23.5 Focus commercial and retail development within existing centres and transport hubs and ensure that locations for new centres are integrated with existing or planned residential development; do not undermine existing centres; encompass high quality urban design; and consider transport and access requirements.	N/A
Direction 24 – Protect the economic functions of emp	loyment land
Action 24.1 Locate new employment land so that it does not conflict with surrounding residential uses.	N/A
 Action 24.2 Protect the economic functions of employment land by not permitting non-industrial uses unless: opportunities for urban renewal arise through the relocation of industry and in locations well serviced by public transport; and contaminated land can be remediated. 	N/A

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Action 24.3 Provide for mixed use opportunities and themed employment precincts in local plans.	N/A
Direction 25 – Monitor housing and employment supp	ly and demand
Action 25.1 Establish and implement an Urban Development Program to develop data on existing zoned land supply and its servicing status, monitor dwelling production and take-up rates, and coordinate the staged release and rezoning of land.	N/A
Action 25.2 Establish and implement an Employment Lands Development Program to develop data on existing and future planned stocks of employment land.	N/A
Action 25.3 Sequence new greenfield urban development that makes efficient use of infrastructure networks and capacity.	N/A
Action 25.4 Maintain an adequate supply of employment land that is appropriately serviced and to respond to changing industry demands for land use, location and floor space.	N/A
Direction 26 – Deliver infrastructure to support growth	n and communities
Action 26.1 Align land use and infrastructure planning to maximise the use and capacity of existing infrastructure and the efficiency of new infrastructure.	The Planning Proposal will rectify an anomaly in the zone of Lot 405 DP 980328 and align the zone to the intended land use as outlined by the Title Search. The Planning Proposal is an outcome of Councils <i>Draft Infrastructure</i> <i>Zones Review</i> and this is consistent with, and realises, Action 26.1.
Action 26.2 Enable the delivery of health facilities, education, emergency services, energy production and supply, water and waste water, waste disposal areas, cemeteries and crematoria, in partnership with the infrastructure providers.	The intended outcome of the Planning Proposal will enable the delivery of a new STP in Gloucester and this is consistent with, and realises, Action 26.2.
Action 26.3 Protect existing and planned major infrastructure corridors and sites, including inter-regional transport routes like the M1 Pacific Motorway and the railway, port and airport, to support their intended function.	N/A
Action 26.4 Coordinate the delivery of infrastructure to support the timely and efficient release of land for development, including working with councils and service providers on inter-regional infrastructure and service delivery issues between growing areas.	N/A
Action 26.5 Ensure growth is serviced by enabling and supporting infrastructure.	In additional to the current condition of existing STP making it difficult for Council to meet its effluent discharge license requirements, future projections indicate the population of Gloucester and Barrington will soon outgrow the capacity of the existing STP. The level of infrastructure provision in Gloucester needs to ensure it matches population needs and the Planning Proposal is critical to this. The Planning

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	Proposal is consistent with, and realises, Action 26.5.	
Action 26.6 Review and finalise the Hunter Special Infrastructure Contributions Plan.	N/A	
Direction 27: Strengthen the economic self-determination of Aboriginal communities		
Action 27.1 Work with the Purfleet–Taree, Forster, Karuah, Worimi, Mindaribba, Awabakal, Bahtabah, Biraban and Wanaruah Local Aboriginal Land Councils to identify priority sites that can create a pipeline of potential Initiatives.	N/A	
Action 27.2 Identify landholdings and map the level of constraint at a strategic scale for each site to develop options for the potential commercial use of the land.	N/A	

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Appendix B – Consistency with State Environmental Planning Policies

State Environmental Planning Policy (SEPP)	Response
SEPP No 19—Bushland in Urban Areas	N/A
SEPP No 21—Caravan Parks	N/A
SEPP No 33—Hazardous and Offensive Development	N/A
SEPP No 36—Manufactured Home Estates	N/A
SEPP No 47—Moore Park Showground	N/A
SEPP No 50—Canal Estate Development	N/A
SEPP No 55—Remediation of Land	N/A
SEPP No 64—Advertising and Signage	N/A
SEPP No 65—Design Quality of Residential Apartment Development	N/A
SEPP No 70—Affordable Housing (Revised Schemes)	N/A
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	N/A
State Environmental Planning Policy (Primary Production and Rural Development) 2019	N/A
State Environmental Planning Policy (State and Regional Development) 2011	N/A
State Environmental Planning Policy (State Significant Precincts) 2005	N/A
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	N/A
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	N/A
State Environmental Planning Policy (Three Ports) 2013	N/A
State Environmental Planning Policy (Urban Renewal) 2010	N/A
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	N/A
State Environmental Planning Policy (Western Sydney Aerotropolis) 2020	N/A
State Environmental Planning Policy (Western Sydney Employment Area) 2009	N/A
State Environmental Planning Policy (Western Sydney Parklands) 2009	N/A
SEPP (Aboriginal Land) 2019	N/A
SEPP (Activation Precincts) 2009	N/A
SEPP (Affordable Rental Housing) 2009	N/A
SEPP (Building Sustainability Index: BASIX) 2004	N/A
SEPP (Coastal Management) 2018	N/A
SEPP (Concurrences and Consents) 2018	N/A
SEPP (Educational Establishments and Child Care Facilities)	N/A
SEPP (Exempt and Complying Development Codes) 2008	N/A
SEPP (Gosford City Centre) 2018	N/A
SEPP (Housing for Seniors or People with a Disability) 2004	N/A
SEPP (Infrastructure) 2007	Applicable
SEPP (Koala Habitat Protection) 2020	N/A
SEPP (Koala Habitat Protection) 2021	N/A
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	N/A
SEPP (Kurnell Peninsula) 1989	N/A
SEPP (Major Infrastructure Corridors) 2020	N/A
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A

Appendix C – Consistency with Ministerial Directions

S9.1 Ministerial Direction	Consistency
1.1 Business and Industrial Zones	N/A
1.2 Rural Zones	N/A
1.3 Mining, Petroleum Production and Extractive Industries	To be determined
1.4 Oyster Aquaculture	N/A
1.5 Rural Lands	N/A
2.1 Environmental Protection Zones	Justifiability inconsistent
2.2 Coastal Protection	N/A
2.3 Heritage Conservation	Justifiability inconsistent
2.4 Recreation Vehicle Areas	N/A
2.5 Application of E3 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A
2.6 Remediation of Contaminated Land	N/A
3.1 Residential Zones	N/A
3.2 Caravan Parks and Manufactured Home Estates	N/A
3.3 Home Occupations	N/A
3.4 Integrating Land Use & Transport.	N/A
3.5 Development Near Licensed Aerodromes	N/A
3.6 Shooting Ranges	N/A
3.7 Reduction in non-hosted short term rental accommodation period	N/A
4.1 Acid Sulfate Soils	N/A
4.2 Mine Subsidence and Unstable Land	N/A
4.3 Flood Prone Land	Justifiability inconsistent
4.4 Planning for Bushfire Protection	N/A
5.1 Implementation of Regional Strategies	N/A
5.2 Sydney Drinking Water Catchments	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A
5.8 Second Sydney Airport: Badgerys Creek	N/A
5.9 North West Rail Link Corridor Strategy	N/A
5.10 Implementation of Regional Plans	Consistent – refer to Appendix A
5.1.1 Development of Aboriginal Land Council land	N/A
6.1 Approval and Referral Requirements	N/A
6.2 Reserving Land for Public Purposes	N/A
6.3 Site Specific Provisions	N/A
7 Metropolitan Planning	N/A

Appendix D – Letter of Support

Department of Planning Industry and Environment (Water)

From: Geoff Snell <<u>geoff.snell@dpie.nsw.gov.au</u>> Sent: Monday, 28 June 2021 9:42 AM To: Tracey Hamer <<u>Tracey.Hamer@MidCoast.nsw.gov.au</u>>

Cc: Robert Mitchell <<u>robert.mitchell@dpie.nsw.gov.au</u>>; Jose Pante <<u>jose.pante@dpie.nsw.gov.au</u>>; Subject: Gioucester Sewerage Upgrade

Hi Tracey,

Reference is made to Council's request to DPIE Water for the support of the Gloucester Sewerage Upgrade Project. It is understood this is in relation to rezoning of adjacent land to accommodate the upgraded plant.

Our Principal Technical Assessor, Robert Mitchell, has reviewed the available project information and the Department's position is summarised below.

On the project

The existing STP is a trickling filter plant and provides basic secondary treatment. For effluent management is a combination of agricultural reuse and environmental discharge.

The plant is being upgraded to:

- improve treatment (environmental performance)
- Improve operability, automation and address WHS issues
- Provide capacity for the future.

On the proposed upgrade

Council have prepared a options assessment for the project. This identified a preferred option of development on the current site and complete replacement with a continuous activated sludge treatment plant.

As part of the options assessment it was noted the site is flood prone. Treatment plants are an essential service and a high level of flood protection is required. Early conceptual drawing indicate this can be achieved adjacent to the existing site.

In Summary

From the information presented to date, the planned replacement of the Gloucester STP is supported. Progress and development is on track and the intended upgrade appears reasonable

Please note, this should not be taken as endorsement of the final design. For any question on the technical assessment of the project by the Department, please contact Robert Mitchell directly at:

Robert Mitchell Principal Technical Assessor, Water & Sewerage Water Group | Department of Planning, Industry and Environment T 0428 282 318 | E robert.mitchell@dpie.nsw.gov.au 4 Parramatta Square, 12 Darcy Street | PARRAMATTA NSW 2150 Locked Bag 5022 | PARRAMATTA NSW 2124 www.dpie.nsw.gov.au

Kind Regards

Geoff Snell

Senior Project Officer, Water Utilities North

Water | Department of Planning, Industry and Environment. Level 1, 30 Park Avenue | PO Box 1488, Coffs Harbour NSW 2450 T 02 6650 3127 | M 0417 470 250 | E geoff.sneli@dpie.nsw.gov.au www.doie.nsw.gov.au



The Department of Planning, industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtly and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Appendix E – AHIMS Search



AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : 84showgroundrdgloucester

Client Service ID : 601209

Date: 24 June 2021

Mid Coast Council Taree 2 Pulteney Street Taree New South Wales 2430 Attention: Sharon Rose

Email: sharon.rose@midcoast.nsw.gov.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat, Long From : -32.0077, 151.9521 - Lat, Long To : -31.9897, 151.9701 with a Buffer of 200 meters, conducted by Sharon Rose on 24 June 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0 Aboriginal sites are recorded in or near the above location.		
	0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of
 practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the NSW Government Gazette (http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are
 recorded as grid references and it is important to note that there may be errors or omissions in these
 recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.