

Appendix 11 - Relevant State Environmental Planning Policies

State Environmental Planning Policies (SEPPs) deal with issues significant to the state. They are made by the Minister for Planning and Infrastructure. As SEPPs are ranked above LEPs, they override any inconsistencies with LEPs. A list of SEPPs relevant to this strategic review are outlined below.

SEPP (Infrastructure) 2007

SEPP (Infrastructure) 2007 (ISEPP) provides a consistent planning regime for infrastructure and the provision of services across New South Wales.

The NSW Department of Planning and Environments 'LEP Practice Note - Zoning for Infrastructure in LEPs (PN 10-0001)' has been used to guide the proposed zoning of infrastructure land within this Planning Proposal as follows:

Educational Establishments

Within the study area there are a number of existing schools in the proposed RU4 Zone and one in the proposed E4 Zone. Under the ISEPP, the RU4 and E4 zones (along with several other zones) are listed as 'prescribed zones' for 'educational establishment'. This means that within the 'prescribed zones' under the ISEPP, 'educational establishments' are permitted with consent and certain development with regard to 'educational establishments' are also permitted without consent in accordance with the conditions of the ISEPP.

As 'Educational Establishments' are covered by 'prescribed zones' within the ISEPP, 'Educational Establishment' provisions are not required to be duplicated under WLEP2011 for the RU4 or E4 zones.

SEPP (Housing for Seniors or People with a Disability) 2004

This SEPP repealed the Seniors Living SEPP. Its purpose is to encourage the development of high quality accommodation for our ageing population and for people with disabilities that is in keeping with the local neighbourhood.

Clause 4 clarifies that the SEPP applies to land zoned primarily for urban purposes or land that adjoins land primarily zoned for urban purposes where one of the following is permissible: dwelling houses, residential flat buildings, hospitals, special purpose uses such as churches and schools and on land containing an existing registered club.

The SEPP explicitly defines land that is not zoned primarily for urban purposes. This includes land zoned principally for:

- Rural uses;
- Urban investigation;
- Residential uses on large lot residential such as R5 Large Lot Residential zone; and
- Land to which WLEP2000 applies that is located within localities B2 (Oxford Falls Valley) or C8 (Belrose North).

Clause 4(6) further lists land that the SEPP does not apply to which includes environmentally sensitive land.

Clause 24 of the Seniors SEPP allows for the submission of a Site Compatibility Certificate application for seniors housing on land adjoining land used for urban purposes. This means that land within the review area that adjoins land zoned for urban purposes could be considered for a Site Compatibility Certificate. However, this excludes land zoned for environmental protection because the SEPP does not apply to land zoned for environmental protection.

SEPP (Exempt and Complying Development Codes) 2008

The policy provides exempt and complying development codes that have state-wide application. The SEPP identifies:

- in the General Exempt Development Code – the type of development that is on minor environmental impact and may be carried out without the need for development consent; and
- in the General Housing Code – types of complying development that may be carried out in accordance with a complying development certificate.

Schedule 6 of WLEP2011 specifies that land identified as “Deferred Matter” (including the subject land) is, for the purposes of SEPP (Exempt and Complying Development Codes) 2008, taken to be in Zone E3 Environmental Management. This provision will need to be deleted once the land is undeferred.

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State. It sets out planning controls to encourage environmentally sustainable development and is relevant to the assessment of any future development on the quarry site on Challenger Drive, Belrose North.

SEPP 30 Intensive Agriculture

This policy sets out public notification requirements for development of cattle feedlots with a capacity of 50 or more cattle or piggeries with a capacity of 200 or more pigs. It is relevant to the study area because intensive agriculture is permitted with consent in some of the Standard Instrument zones that may be proposed as part of this strategic review.