

# **Planning Proposal to amend Greater Taree Local Environmental Plan 2010**

## **Package 4**

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## Table of contents

|          |                                                                                                                                                                                              |           |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>1</b> | <b>INTRODUCTION.....</b>                                                                                                                                                                     | <b>5</b>  |
| <b>2</b> | <b>OBJECTIVES AND OUTCOMES .....</b>                                                                                                                                                         | <b>5</b>  |
| <b>3</b> | <b>EXPLANATION OF PROVISIONS.....</b>                                                                                                                                                        | <b>5</b>  |
| 3.1      | General amendments: .....                                                                                                                                                                    | 6         |
| 3.1.1    | G1 - Essential Services .....                                                                                                                                                                | 6         |
| 3.1.2    | G2 - Events Permitted Without Development Consent .....                                                                                                                                      | 6         |
| 3.1.3    | G3 - Changes to boundaries .....                                                                                                                                                             | 6         |
| 3.1.4    | G4 - Zone Objective Changes.....                                                                                                                                                             | 7         |
| 3.1.5    | G5 - Dual Occupancies (detached) on rural land.....                                                                                                                                          | 8         |
| 3.1.6    | G6 - Primary Production (RU1) zone changes .....                                                                                                                                             | 8         |
| 3.1.7    | G7 - Enabling a kiosk/take away food and drink premises in Enterprise Corridor (B6) zone....                                                                                                 | 9         |
| 3.1.8    | G8 - Bulky Goods in Light Industry (IN2).....                                                                                                                                                | 9         |
| 3.1.9    | G9 - Rural Industries in Light Industry (IN2) .....                                                                                                                                          | 10        |
| 3.1.10   | G10 - Function Centre in Public Recreation (RE1) .....                                                                                                                                       | 12        |
| 3.1.11   | G11 - Heritage Conservation Area floor space ratio.....                                                                                                                                      | 12        |
| 3.1.12   | G12 - Dams in rural zones.....                                                                                                                                                               | 12        |
| 3.2      | Site specific amendments: .....                                                                                                                                                              | 19        |
| <b>4</b> | <b>JUSTIFICATION .....</b>                                                                                                                                                                   | <b>22</b> |
| 4.1      | Need for the planning proposal .....                                                                                                                                                         | 23        |
| 4.1.1    | Is the planning proposal a result of any strategic study/report? .....                                                                                                                       | 23        |
| 4.2      | Relationship to strategic planning framework .....                                                                                                                                           | 23        |
| 4.2.1    | Is the planning proposal consistent with the applicable regional strategy? .....                                                                                                             | 23        |
| 4.2.2    | Is the planning proposal consistent with Council's Community Strategic Plan? .....                                                                                                           | 25        |
| 4.2.3    | Is the planning proposal consistent with State Environmental Planning Policies? .....                                                                                                        | 27        |
| 4.2.4    | Is the planning proposal consistent with Ministerial Directions (s.117 directions)? .....                                                                                                    | 27        |
| 4.3      | Environmental, social and economic impacts.....                                                                                                                                              | 29        |
| 4.3.1    | 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? ..... | 29        |
| 4.3.2    | Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed? .....                                                         | 29        |
| 4.3.3    | How has the planning proposal adequately addressed any social/economic effects? .....                                                                                                        | 30        |
| 4.4      | State and Commonwealth interests .....                                                                                                                                                       | 30        |
| 4.4.1    | Is there adequate public infrastructure for the planning proposal? .....                                                                                                                     | 30        |
| 4.4.2    | What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination? .....                                                                | 30        |

|   |                                                                                             |    |
|---|---------------------------------------------------------------------------------------------|----|
| 5 | MAPPING .....                                                                               | 30 |
| 6 | COMMUNITY CONSULTATION .....                                                                | 30 |
| 7 | PROJECT TIMELINE.....                                                                       | 31 |
|   | ATTACHMENT A - SITE SPECIFIC AMENDMENTS .....                                               | 32 |
|   | ATTACHMENT B – SEPP ASSESSMENT MATRIX .....                                                 | 72 |
|   | ATTACHMENT C – SECTION 117 DIRECTIONS ASSESSMENT MATRIX .....                               | 80 |
|   | ATTACHMENT D – SUMMARY OF LEP 2010 AMENDMENTS .....                                         | 88 |
|   | ATTACHMENT E – TECHNICAL STUDIES FOR 202 BUSHLAND DRIVE, TAREE (NSW<br>RAILCORP SITE) ..... | 92 |

## 1 Introduction

In June 2010 the *Greater Taree Local Environmental Plan (LEP 2010)* was made. This planning proposal forms part of the fourth package of administrative amendments being undertaken to improve the application of LEP 2010. It details the proposed amendments and provides justification for these changes.

The planning proposal was presented to the former Greater Taree City Council Ordinary Meeting in December 2015. In May 2016, the MidCoast Council was proclaimed merging Greater Taree City Council, Great Lakes Council and Gloucester Council. While three LEPs apply over the MidCoast Council area, some harmonisation of these LEPs proposed. After consultation with the Department of Planning and Environment, changes were made to this planning proposal to remove or change some of the proposed amendments to be consistent with planning across the MidCoast Council and to address the priorities of the Council. These changes were endorsed at the MidCoast Council Ordinary Meeting in December 2016.

This planning proposal includes a diverse range of general amendments to zones, subdivision provisions and site specific zone changes to improve the application of LEP 2010.

The proposed amendments were developed from:

- a review of a number of NSW LEPs
- a register of LEP 2010 potential amendments that has been added to as issues arose
- internal workshops with Council officers
- the community who have identified inconsistencies between the LEP provisions and the current or intended use of land.

Each of these amendments are addressed in detail in the planning proposal.

## 2 Objectives and outcomes

The key objective of this planning proposal is to improve the application of the LEP 2010, by:

- providing clear and succinct planning provisions
- ensuring consistency of zones in terms of surrounding and existing land-uses
- ensuring the provisions are up-to-date and relevant
- harmonizing the LEP provisions with the Gloucester LEP 2010 and Great Lakes LEP 2014 to provide a consistent approach where possible across the MidCoast Council area.

The overall outcome of the proposed amendments will be a more robust LEP that better reflects the intended use of land in the Manning region of the MidCoast Council.

## 3 Explanation of provisions

The planning proposal contains two different types of LEP amendments:

- general amendments that are changes to provisions in the LEP that can apply to the whole local government area
- site specific amendments that apply to one location, these are typically zone changes that can result in changes to other provisions for a site (eg. floor space ratio and height). In addition, these site specific amendments include changes to the heritage listing of properties and the inclusion of a site on the Land Reservation Acquisition map and Additional Permitted Uses map.

Details on each group of amendments are outlined below.

### 3.1 General amendments:

General amendments are not specific to a site, they apply to all development covered by LEP 2010, for example, the uses permitted in a zone or rules for how development should be considered. All of these changes are generally consistent with the Standard Instrument (Local Environmental Plans) Order 2006 (the template for all Local Environmental Plans in NSW).

#### 3.1.1 G1 - Essential Services

A local clause is commonly used in NSW LEPs to ensure that development has adequate services available for the supply of water and electricity, disposal of sewage, stormwater drainage and access to roads.

It is proposed to amend Part 7 of LEP 2010 to include clause 7.11 - Essential Services as follows:

- (1) *Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:*
  - (a) *the supply of water,*
  - (b) *the supply of electricity,*
  - (c) *the disposal and management of sewage,*
  - (d) *stormwater drainage,*
  - (e) *suitable road access.*

#### 3.1.2 G2 - Events Permitted Without Development Consent

Currently LEP 2010 (clause 2.8) requires development consent for the temporary use of land. This means that any market or event on parks or road reserves needs to apply for a number of approvals (consent, event application, road closures) which can be time consuming and costly. These applications also require similar information and processes.

The aim of this amendment is to streamline the approval process by allowing the temporary use of public reserves and roads for exhibitions, markets, meetings, concerts or events. Council's event application then provides the process for ensuring that all aspects of the event are considered.

It is proposed to amend Part 7 of LEP 2010 to include clause 7.12 - Events Permitted Without Development Consent as follows:

- (1) *The objective of this clause is to provide for the temporary use of public reserves and public roads for a temporary events.*
- (2) *Despite any other provision of this Plan, development (including any associated temporary structures) for the purpose of a temporary event may be carried out on a public reserve or public road without development consent.*

**Note.** *Other approvals may be required, and must be obtained, under other Acts, including the Local Government Act 1993, the Roads Act 1993 and the Crown Lands Act 1989.*

- (3) *State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007 – Part 2 Erection of temporary structures, does not apply to development to which this clause applies.*
- (4) *In this clause:*

**public reserve** *has the same meaning as in the Local Government Act 1993.*

**temporary event** *means an exhibition, market, meeting, concert or other event that is open to the public for which land is used for a period of not more than 52 days (whether or not consecutive) in any period of 12 months.*

#### 3.1.3 G3 - Changes to boundaries

Currently there are no provisions in LEP 2010 to enable changes to the boundaries of rural or environmental lots where the lot size is less than 40 ha. Council frequently receives requests for changes to boundaries for a range of reasons including improving viability of agricultural lots,

access, and accounting for natural features such as creeks and steep land. The proposed clause has been adopted by a number of NSW rural councils to enable minor boundary changes to occur where the lots are below the minimum lot size.

It is proposed to amend Part 4 of LEP 2010 to include clause 4.1C - Changes to boundaries of land in certain rural, residential and environmental protection zones as follows:

- (1) *The objective of this clause is to facilitate changes to boundaries between lots where one or more resultant lots do not meet the minimum lot size but the objectives of the relevant zone can be achieved.*
- (2) *This clause applies to land in the following zones:*
  - (a) *Zone RU1 Primary Production,*
  - (b) *Zone RU3 Forestry,*
  - (c) *Zone RU4 Primary Production Small Lots,*
  - (d) *Zone RU5 Village,*
  - (e) *Zone R5 Large Lot Residential,*
  - (f) *Zone E2 Environmental Conservation,*
  - (g) *Zone E3 Environmental Management,*
  - (h) *Zone E4 Environmental Living*
- (3) *Despite clause 4.1 (3), development consent may be granted to subdivide land by way of changing the boundary between adjoining lots where one or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that:*
  - (a) *the subdivision will not create additional lots or the opportunity for additional dwellings, and*
  - (b) *the number of dwellings or opportunities for dwellings on each lot after subdivision will remain the same as before the subdivisions, and*
  - (c) *the potential for land use conflict will not be increased as a result of the subdivision, and*
  - (d) *if the land is in Zone RU1 Primary Production, Zone RU4 Primary Production Small Lots or Zone RU3 Forestry – the subdivision will not have a significant adverse effect on the agricultural viability of the land, and*
  - (e) *if the land is in Zone E2 Environmental Conservation, Zone E3 Environmental Management or E4 Environmental Living - the subdivision will result in the continued protection and long-term maintenance of the land.*
- (4) *Before determining a development application for the subdivision of land under this clause, the consent authority must consider the following:*
  - (a) *the existing uses and approved uses of other land in the vicinity of the subdivision,*
  - (b) *whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,*
  - (c) *whether or not the subdivision is likely to be incompatible with land use on any adjoining land,*
  - (d) *whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,*
  - (e) *whether or not the subdivision is likely to have a significant adverse impact on the environmental values of the land.*
- (5) *This clause does not apply:*
  - (a) *in relation to the subdivision of individual lots in a strata plan or community title scheme, or*
  - (b) *if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.*

#### **3.1.4 G4 - Zone Objective Changes**

A comparative review of LEPs across NSW identified improvements that could be made to the zone objectives to more accurately reflect the intended use of land. An additional objective is proposed for the Primary Production (RU1), Village (RU5) and Local Centre (B2) zones to provide more clarity for the intent of the zone. It is proposed to amend the zone objectives as follows:

- include in Primary Production (RU1) zone objectives:  
*To secure a future for agriculture in the area by minimising the fragmentation of rural land and loss of potential agricultural productivity*
- include in Village (RU5) zone objectives  
*To minimise conflict between land uses within the zone and land uses within adjoining zones*

- include in Local Centre (B2) zone objectives

*To ensure quality of design of buildings and public spaces to achieve a locality that is safe and accessible*

### **3.1.5 G5 - Dual Occupancies (detached) on rural land**

Currently dual occupancies (attached) are permitted with consent in the Primary Production (RU1) zone. Given these buildings are attached, the resultant built form can be very large buildings that are not in keeping with the rural nature of the zone. To address this impact, a number of rural councils have permitted dual occupancies (detached) with development consent where the rural use of the land is not impacted (eg. separation distance, access and rural amenity).

It is proposed to remove the word (attached) from the dual occupancies definition in the permitted with consent land use table in the Primary Production zone, and amend Part 4 of LEP 2010 to include clause 4.2C - Erection of dual occupancies (detached) in Zone RU1 as follows:

- (1) *The objectives of this clause are as follows:*
  - (a) *to ensure that development is compatible with the primary production potential, rural character and environmental capabilities of the land,*
  - (b) *to ensure that consent is only granted to development for the purposes of dual occupancies (detached) if issues such as access, siting, land suitability and potential impacts are addressed,*
  - (c) *to only permit dual occupancies in Zone RU1 Primary Production if a dwelling house is also permitted on that land*
  - (d) *to provide alternate accommodation for rural families and workers*
- (2) *Development consent must not be granted to development for the purpose of a dual occupancy (detached) on land in Zone RU1 Primary Production unless the consent authority is satisfied that:*
  - (a) *the development will not impair the use of the land for agriculture or rural industries, and*
  - (b) *each dwelling will use the same vehicular access to and from a public road, and*
  - (c) *any dwellings will be situated within 100 metres of each other, and*
  - (d) *the land is physically suitable for the development, and*
  - (e) *the land is capable of accommodating the on-site disposal and management of sewage for the development, and*
  - (f) *the development will not have an adverse impact on the scenic amenity or character of the rural environment.*
- (3) *Development consent must not be granted to development for the purposes of a dual occupancy (detached) on land in Zone RU1 Primary Production unless development consent for the erection of a dwelling house on that land may be granted in accordance with clause 4.2A.*

In conjunction with this amendment, rural workers' dwelling are proposed to be removed as a permitted with consent use in the RU1 - Primary Production zone, given a dual occupancy (detached) could now be used for this purpose. This will be achieved by removing "rural workers' dwelling" as a "permitted with consent" use in the Primary Production (RU1) zone.

### **3.1.6 G6 - Primary Production (RU1) zone changes**

A number of enquiries for uses in the Primary Production (RU1) zone were received where a use was prohibited, but it was logical to be established in the zone given they are consistent with the zone objectives. A comparative review of LEP's across NSW identified the restrictive nature of our Primary Production (RU1) zone. While the Primary Production zone covers 66% of the Manning Valley, the number of permitted with consent uses are restricted. It was also found that many of the prohibited uses are currently operating in the rural area (being approved under previous LEPs), and positively contribute to the rural nature of the zone.

In addition, it was proposed that two other minor changes were required to:

- make "funeral homes" prohibited in the zone as they were a more urban use. "Funeral homes" are more appropriately located in towns in the business and residential zones
- remove "intensive plant agriculture" as a "permitted without consent use" and make it "permitted with consent". There have been concerns that some activities allowed as "intensive plant



agriculture” can have potential impacts which need to be assessed by Council before the use can be undertaken.

It is proposed to amend the Primary Production (RU1) zone in LEP 2010 to:

- include the following as additional “permitted with consent” uses:  
*boat launching ramps, boat sheds, camping grounds, charter and tourism boating facilities, community facilities, depots, educational establishments, function centres, industrial training facilities, information and education facilities, intensive plant agriculture, jetties, marinas, markets, mooring pens, moorings, plant nurseries, public administration buildings, recreation areas, recreation facilities (major), recreation facilities (outdoor), registered clubs, restaurants or cafes, sewerage systems, timber yards, veterinary hospitals, waste or resource management facilities, water recreation structures, water supply systems, wharf or boating facilities*
- remove “funeral homes” as “permitted with consent”
- remove “intensive plant agriculture” as “permitted without consent”

### **3.1.7 G7 - Enabling a kiosk/take away food and drink premises in Enterprise Corridor (B6) zone**

Enquiries have been received regarding the possibility of providing venues for the sale of food, light refreshments and other small convenience items to local workers in the Enterprise Corridor (B6) zone. Currently a kiosk and take away food and drink premises are prohibited uses in the zone (included in the group term “Retail Premises”). Some of these locations are located a distance from existing centres and have no access to food outlets. This means workers requiring lunch have to travel a distance to access a food outlet.

A kiosk and take away food and drink premises are considered compatible uses in an Enterprise Corridor zone to service the workers in the area. It is proposed to amend LEP 2010 to include “kiosk” and “take away food and drink premises” as “permitted with consent” in the Enterprise Corridor (B6) zone

### **3.1.8 G8 - Bulky Goods in Light Industry (IN2)**

Prior to LEP 2010 (under LEP 1995), bulky goods premises were permitted with consent in any zone as the LEP was a merit based plan. Typically bulky goods premises were located in the industrial zones due to the large lot size required. Also, given a large amount of our Light Industrial zoned land was close to the Taree town centre (Whitbread and Muldoon St), much of this land was developed as bulky good premises.

While some clustering occurred around Mill Close, Taree (which was included in the Business Development zone in LEP 2010) other sites were dispersed throughout the Light Industrial zoned land. This has caused a number of problems when extensions are needed or the business closed, leaving a purpose-built bulky goods premises vacant. We have had numerous occasions where bulky goods premises have wanted to utilise an existing vacant building in the Light Industrial zone only to find the use is prohibited.

Currently bulky goods premises are permitted in the Local Centre (B2), Commercial Core (B3), Mixed Use (B4), Business Development (B5) and Enterprise Corridor (B6) zones. The table (previous page) provides an estimate of the availability of vacant land in these zones for bulky goods premises.

| Zone                 | Potential land (ha) | Est lots |
|----------------------|---------------------|----------|
| Business Development | 26.9                | 34       |
| Enterprise Corridor  | 0.4                 | 3        |
| TOTAL                | 27.3                | 37       |

While there are areas of land that have the potential to be developed for bulky goods premises, it needs to be noted that:

- much of the Business Development zone land is removed from the town centre. Even with major attractors like Bunnings and Masters (now closed), they have not expanded since the estate was opened (10+ or 4 years respectively)

- the Enterprise Corridor land is located along the former Pacific Highway. In Victoria Street many of the lots are smaller (requiring consolidation) and have flood issues. Land along Manning River Drive (south) has been almost fully developed
- given the high land costs and smaller lot sizes in the Commercial Core, Local Centre and Mixed Use zones, it is not expected that bulky goods premises would locate in these areas.

While there is a good supply of vacant land available for bulky goods premises, the high start up costs (eg. building construction, services, access and parking) can be prohibitive. Given the economic climate in our region, businesses often do not have the capital to build new premises in the Business Development zone and are instead seeking to lease or purchase an existing building. There are numerous vacant buildings in the Light Industrial zone that can meet these needs, some of which were originally developed as bulky goods premises.

In 2016, a land use survey was undertaken in the Whitbread/Muldoon Street area as part of the draft Manning Valley Local Strategy. This location has the largest concentration of Light Industrial zoned land. As seen by Figure 1, this location has a wide range of uses. A large proportion of the sites are identified as being retail uses, many of which were bulky goods premises.

In the long term, further investigations into the appropriate zone for this area will be undertaken. In the short term, it is proposed to enable the bulky goods premises as “permitted with consent” to provide appropriate uses for the vacant premises.

Other parcels of Light Industrial zone land are located along Bushland Drive adjoining or in close proximity to Bunnings. The land south of Bushland Drive has the potential to expand on the existing bulky goods uses, while land to the north of Bushland Drive is likely to continue to develop in the more traditional light or service industries.

This proposal is consistent with a number of regional councils including Byron Shire, Cootamundra Shire, Lismore City, Palerang, Shellharbour City, Parkes Shire, Shoalhaven City, Queanbeyan City, Great Lakes and Upper Hunter.

In addition, with the formation of the MidCoast Council we are seeking to apply consistent measures across the three current LEPs. This amendment is consistent with the bulky goods provisions in the Great Lakes LEP 2014 (Gloucester LEP 2010 does not use this zone).

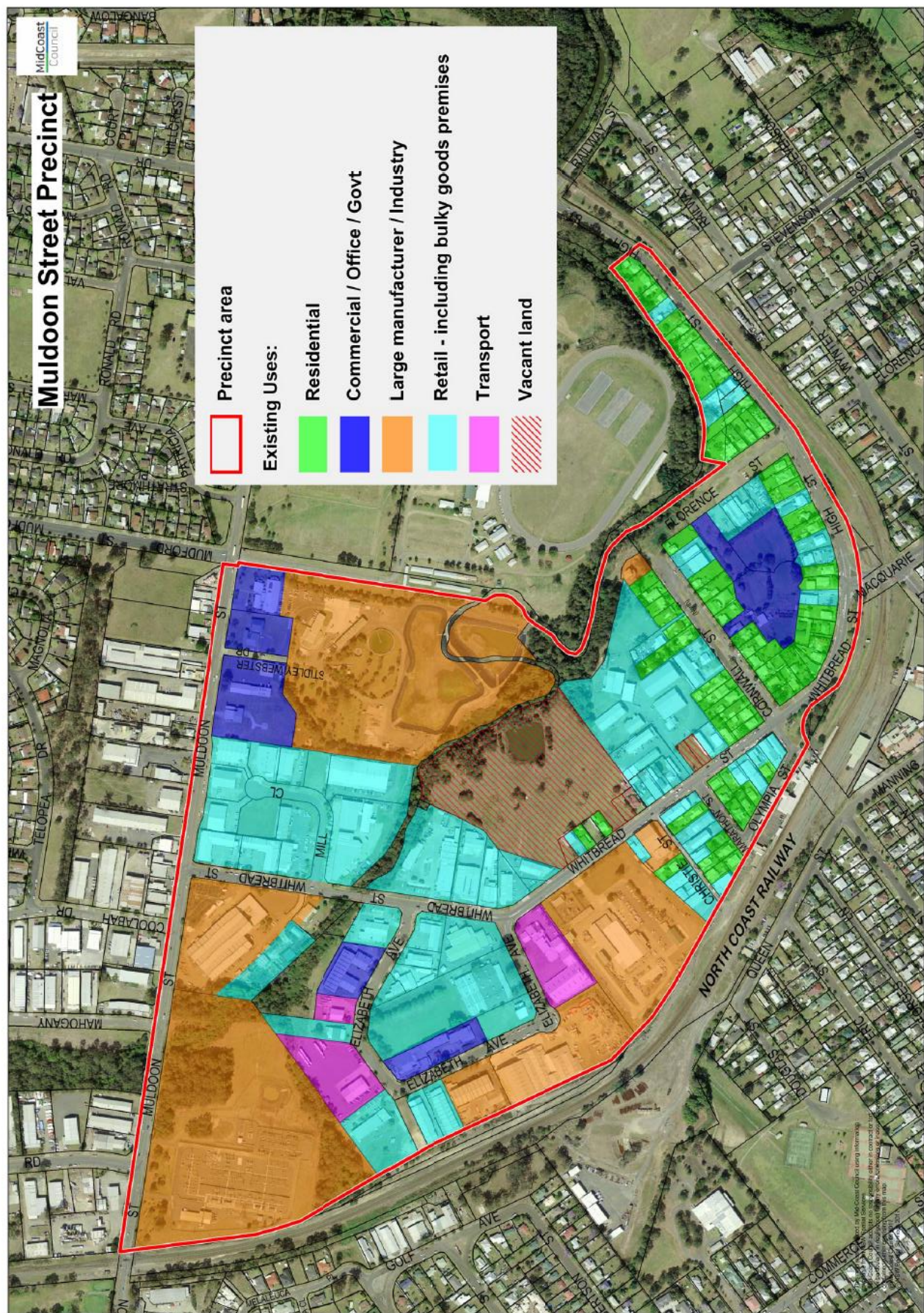
It is proposed to amend LEP 2010 to include “bulky goods premises” as “permitted with consent” in the Light Industrial (IN2) zone.

### **3.1.9 G9 - Rural Industries in Light Industry (IN2)**

Currently rural industries are both a “permitted with consent” and a “prohibited” use in the Light Industrial (IN2) zone, which is attributed to a drafting error when LEP 2010 was made. It is proposed to clearly show rural industries as an appropriate use in this zone. It is proposed to amend LEP 2010 to remove “rural industries” as “prohibited” in the Light Industrial (IN2) zone.



Figure 1 – Muldoon Street precinct





### **3.1.10 G10 - Function Centre in Public Recreation (RE1)**

In 2014, Council reviewed the uses “permitted with consent” in the Public Recreation (RE1) zone to better reflect the types of uses that currently exist in our parks and what we intend to have in the future. Since this amendment, we have identified that function centres should also be a “permitted with consent use” in both the Public (RE1) and Private (RE2) Recreational zones. Function centres are a common feature in the recreation zones associated with sporting clubs (e.g. golf course, leagues clubs) and are consistent with the intent of the zones.

It is proposed to amend LEP 2010 to include “function centre” as “permitted with consent” in the Public Recreation (RE1) and Private Recreation (RE2) zone.

### **3.1.11 G11 - Heritage Conservation Area floor space ratio**

A recent review of our heritage provisions identified that the floor space ratio (FSR) that applies to land in a Heritage Conservation Area is 0.45, which is less than that applied to surrounding residential (0.6) and business (0.8+) zones outside the Heritage Conservation Area.

Heritage Conservation Areas identify heritage values that need to be considered when developing a site, but should not limit the FSR to that below what is typically expected in the zone. It is intended that the FSR be amended to be consistent with that applied to the relevant zone. This proposed change aims to ensure that owners of buildings in heritage conservation areas are not disadvantaged in terms of the FSR compared to properties outside of the conservation area.

There are six Heritage Conservation Areas in LEP 2010. The maps (beginning over the page) show the location of the conservation area (as hatched), the existing floor space ratio that applies to each area and the proposed floor space area. These maps clearly show that a floor space ratio of 0.45 (blue) has been applied to these areas.

As shown on the maps, it is proposed to amend LEP 2010 to ensure the FSR in the Heritage Conservation Areas is consistent with the FSR applied to the relevant zone as follows:

- no FSR for the Village (RU5) and Public Recreation (RE1) zone
- 0.6 FSR for the General Residential (R1) zone
- 0.85 FSR for the Local Centre (B2) zone
- 1 FSR for the Enterprise Corridor (B6) zone
- 2 FSR for the Commercial Core (B3) zone

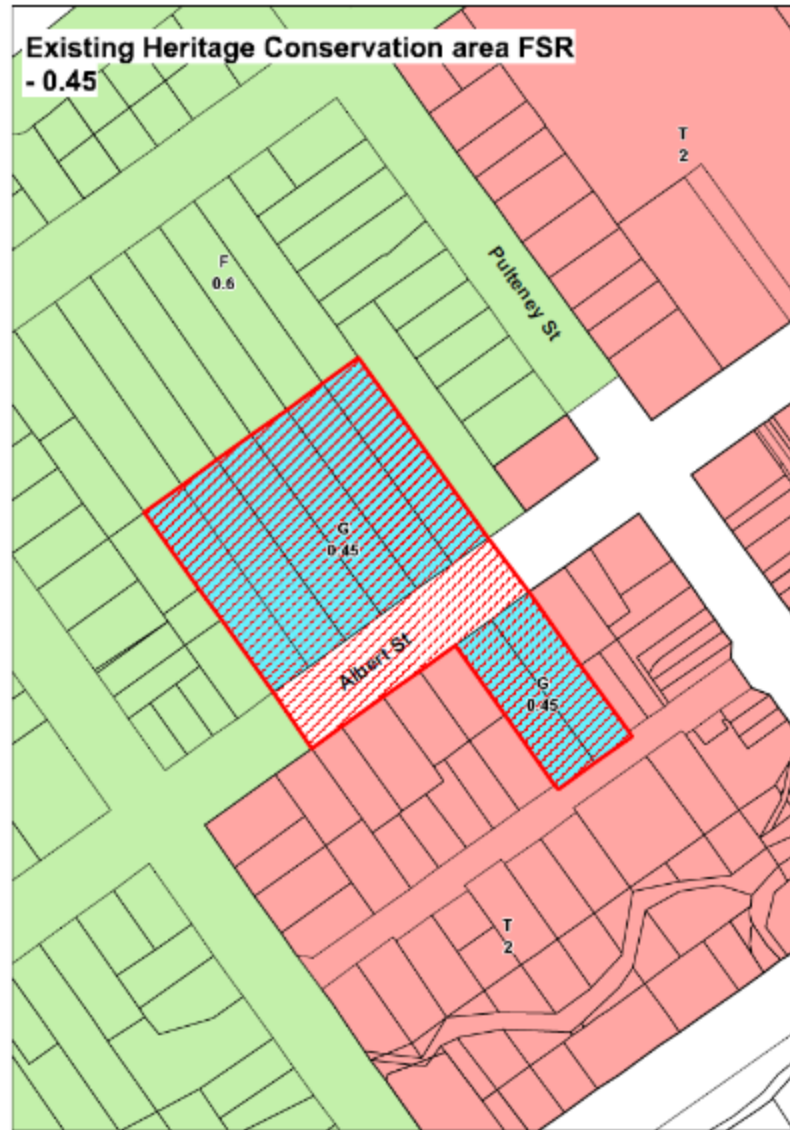
### **3.1.12 G12 - Dams in rural zones**

Dams are defined as a “water storage facility” in LEP 2010 and are included in the grouped term “water supply system”. A review of dams in rural and environmental zones identified that the use is currently prohibited in circumstances where the use exceeds the requirements in the Exempt Development clause in Schedule 2 of LEP 2010.

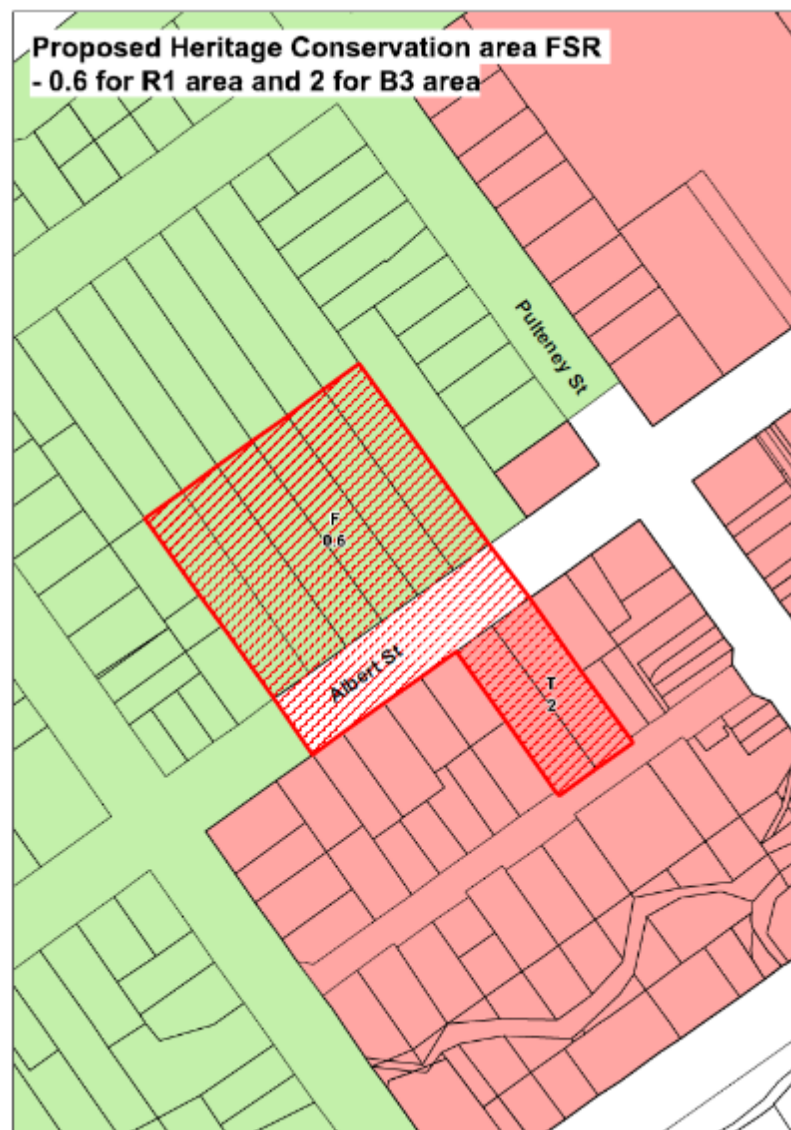
It is proposed to make a “water supply system” permitted with consent in the Forestry (RU3), Primary Production Small Lots (RU4), Village (RU5) and Large Lot Residential (R5) zones. Amendments proposed in section 3.1.6 of this planning proposal address this issue for the Primary Production (RU1) zone.

## Albert Street Taree Heritage Conservation Area

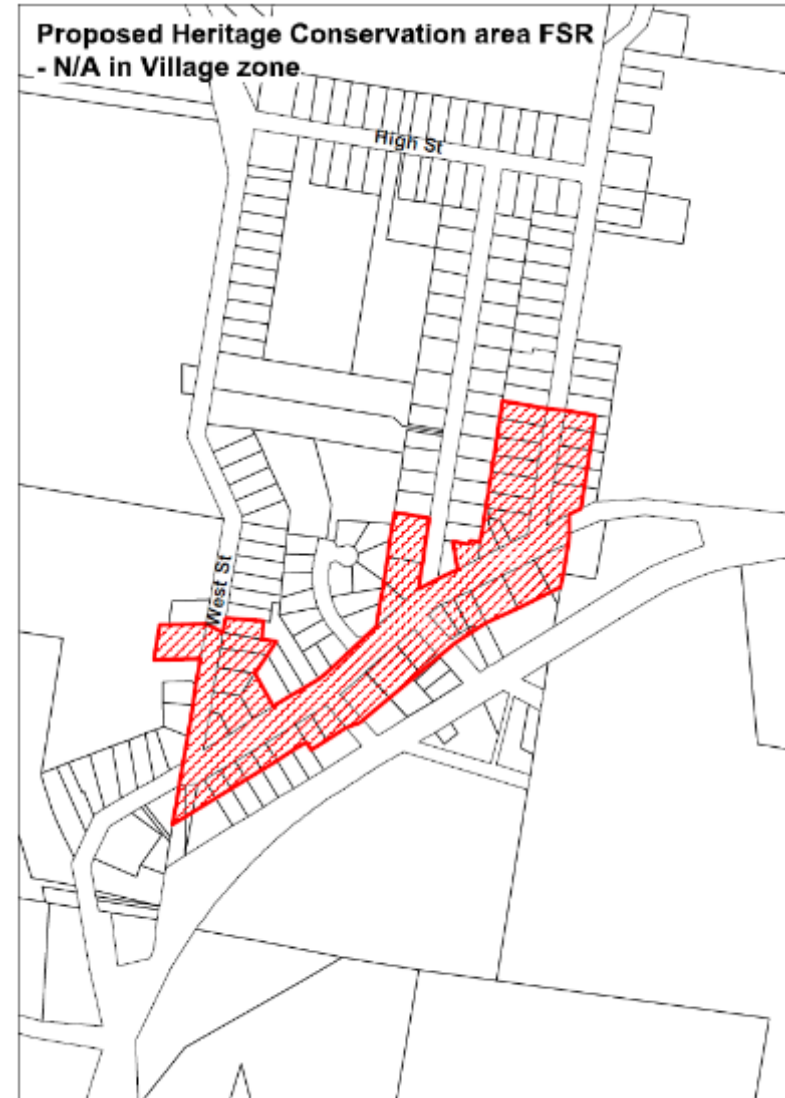
**Existing Heritage Conservation area FSR**  
**- 0.45**



**Proposed Heritage Conservation area FSR**  
**- 0.6 for R1 area and 2 for B3 area**

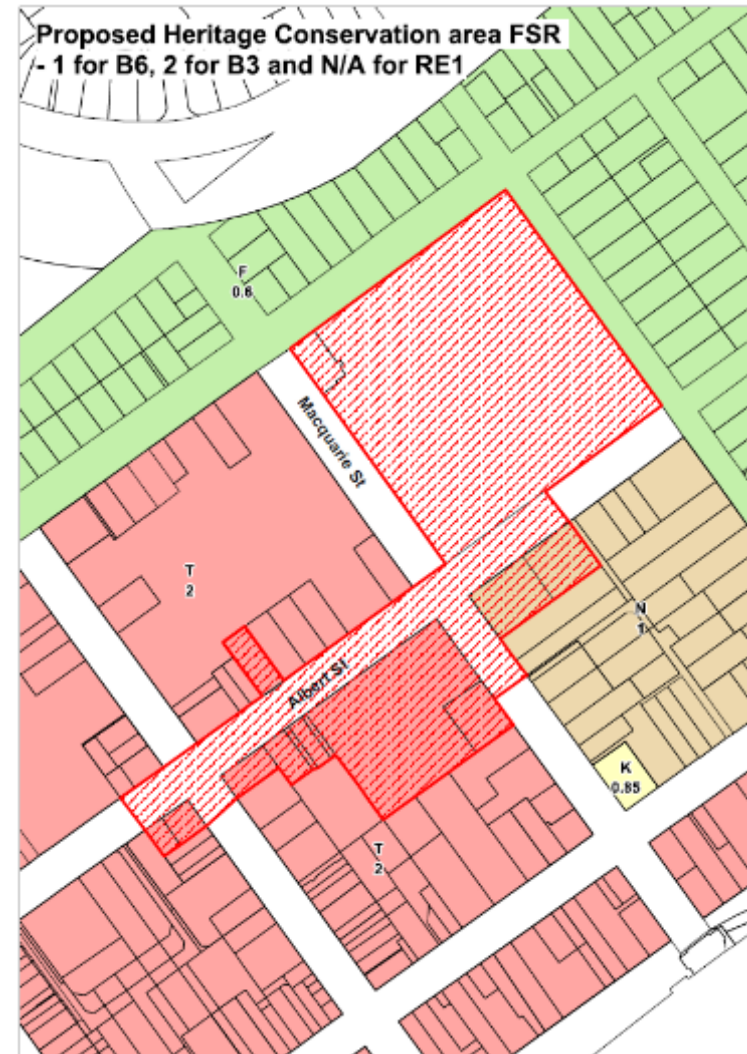
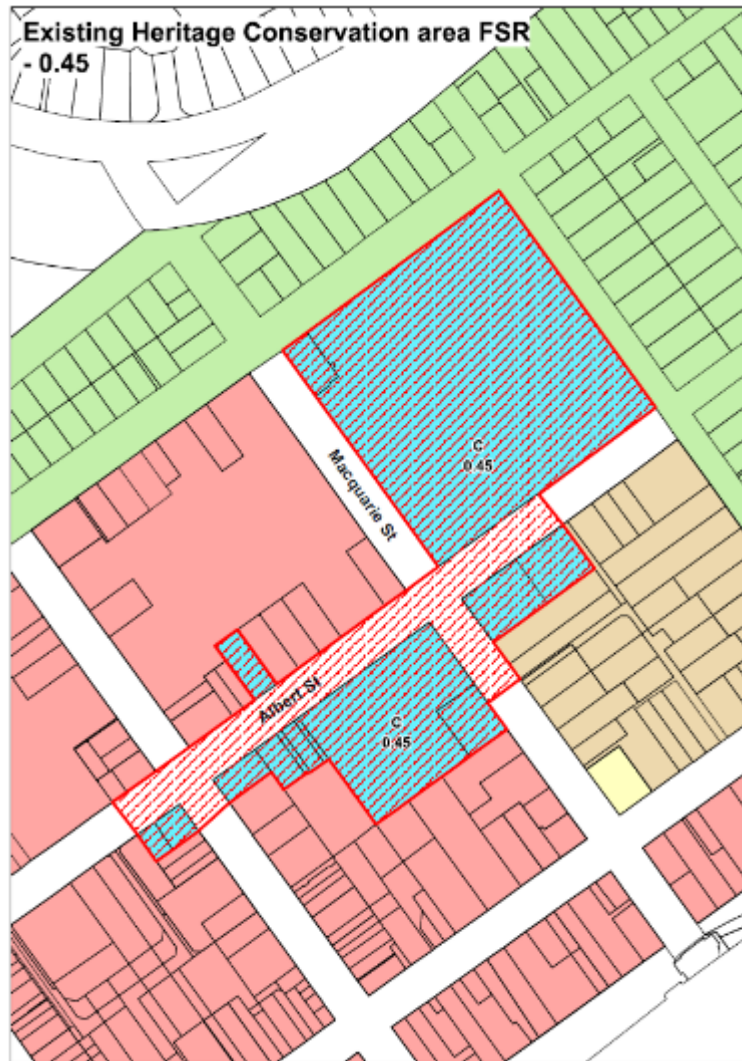


## Coopernook Heritage Conservation Area

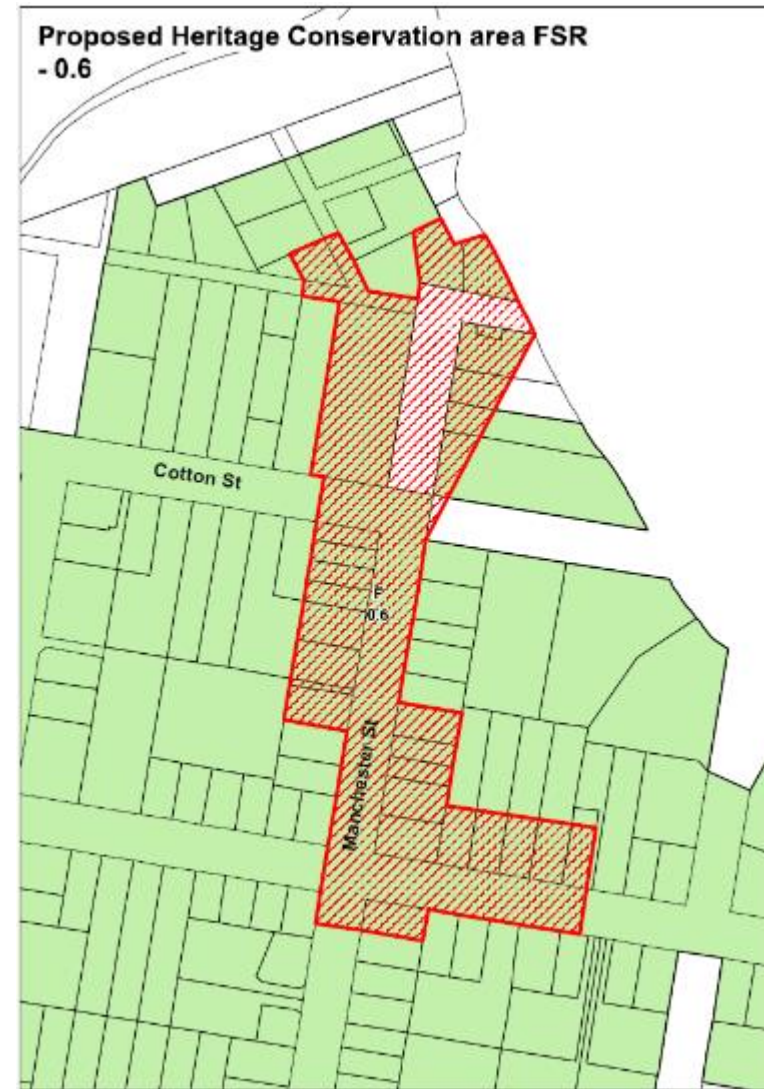
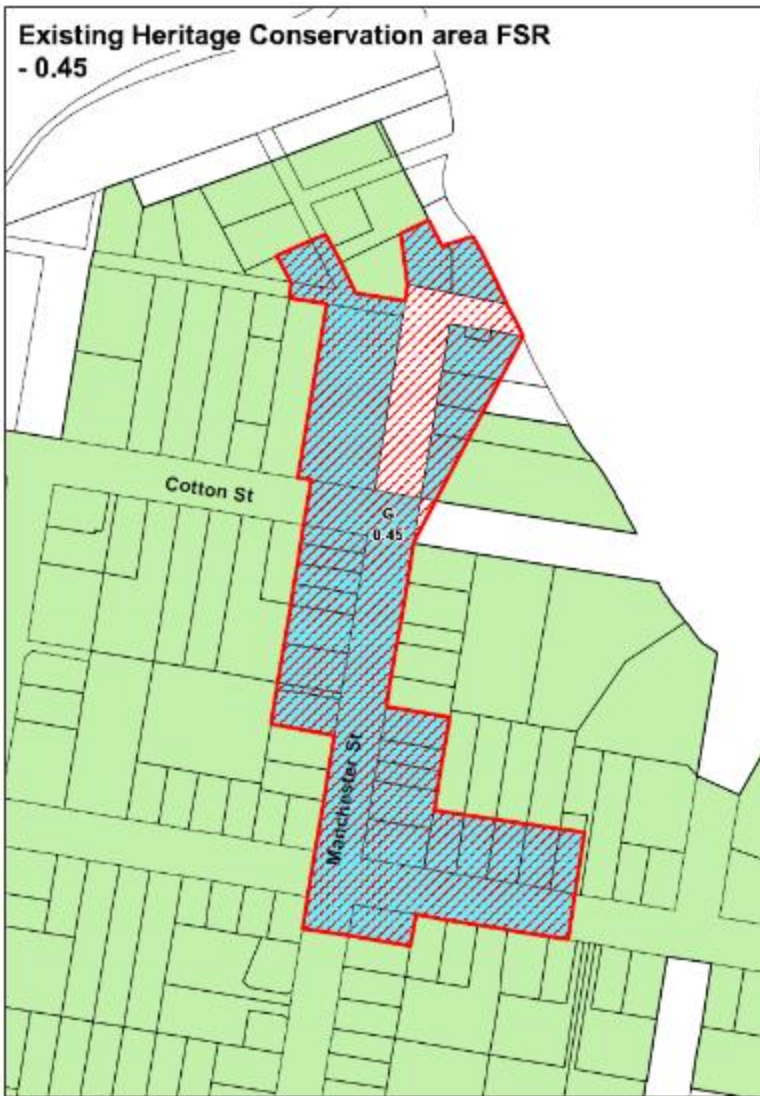




## Taree Park Heritage Conservation Area

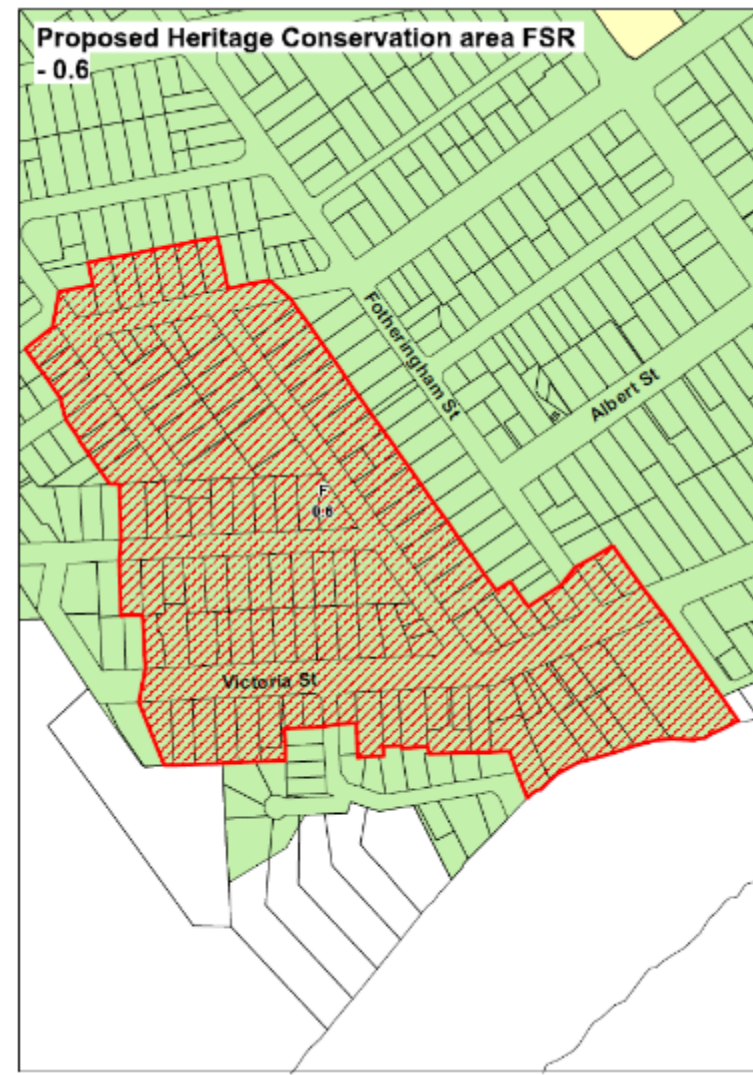
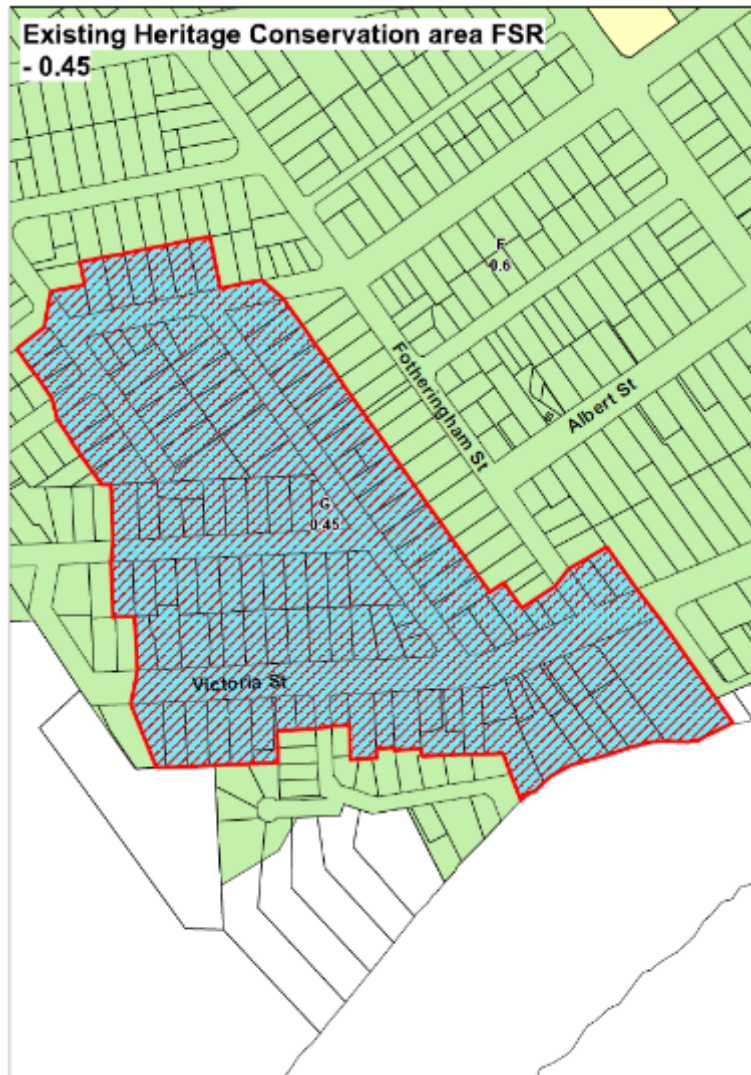


## Tinonee Heritage Conservation Area

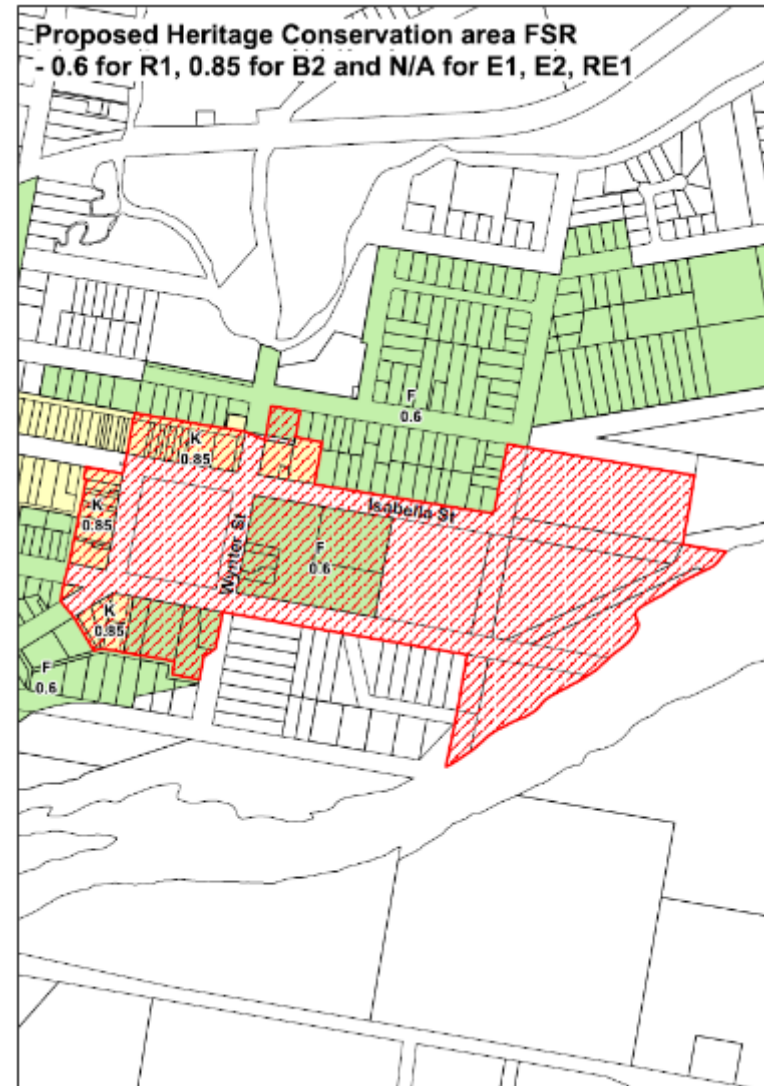
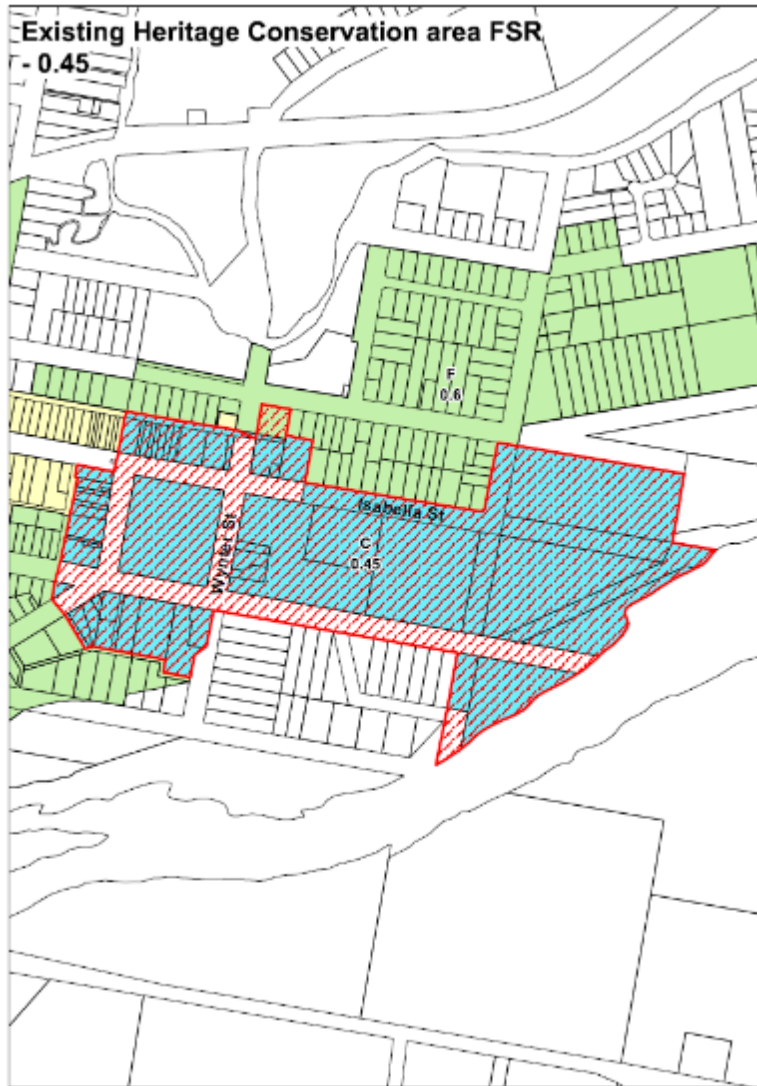




## Taree West Heritage Conservation Area



## Wingham Heritage Conservation Area



### 3.2 Site specific amendments:

Seventeen sites were identified that warranted LEP changes which are grouped as follows:

- Environmental – these sites involve minor changes to the environmental zone to either reflect that the land now forms part of a National Park estate or changes to the cadastre boundary
- Village – minor changes to reflect how the villages have developed at Coopernook and Johns River
- Existing uses – changing the zone to reflect where uses are well-established and have operated for over 20 years
- Heritage – to correctly identify heritage items identified in LEP 2010
- Open space changes– minor changes to identify where land is not intended to be used for public open space
- Land acquisition – to identify land to be acquired for future use as a road and as part of the National Park estate.

Table 1 provides a summary of each site specific change, which is explained in detail in Attachment A. The location of each of these sites is shown in Figure 2.

**Table 1 - Summary of site specific amendments**

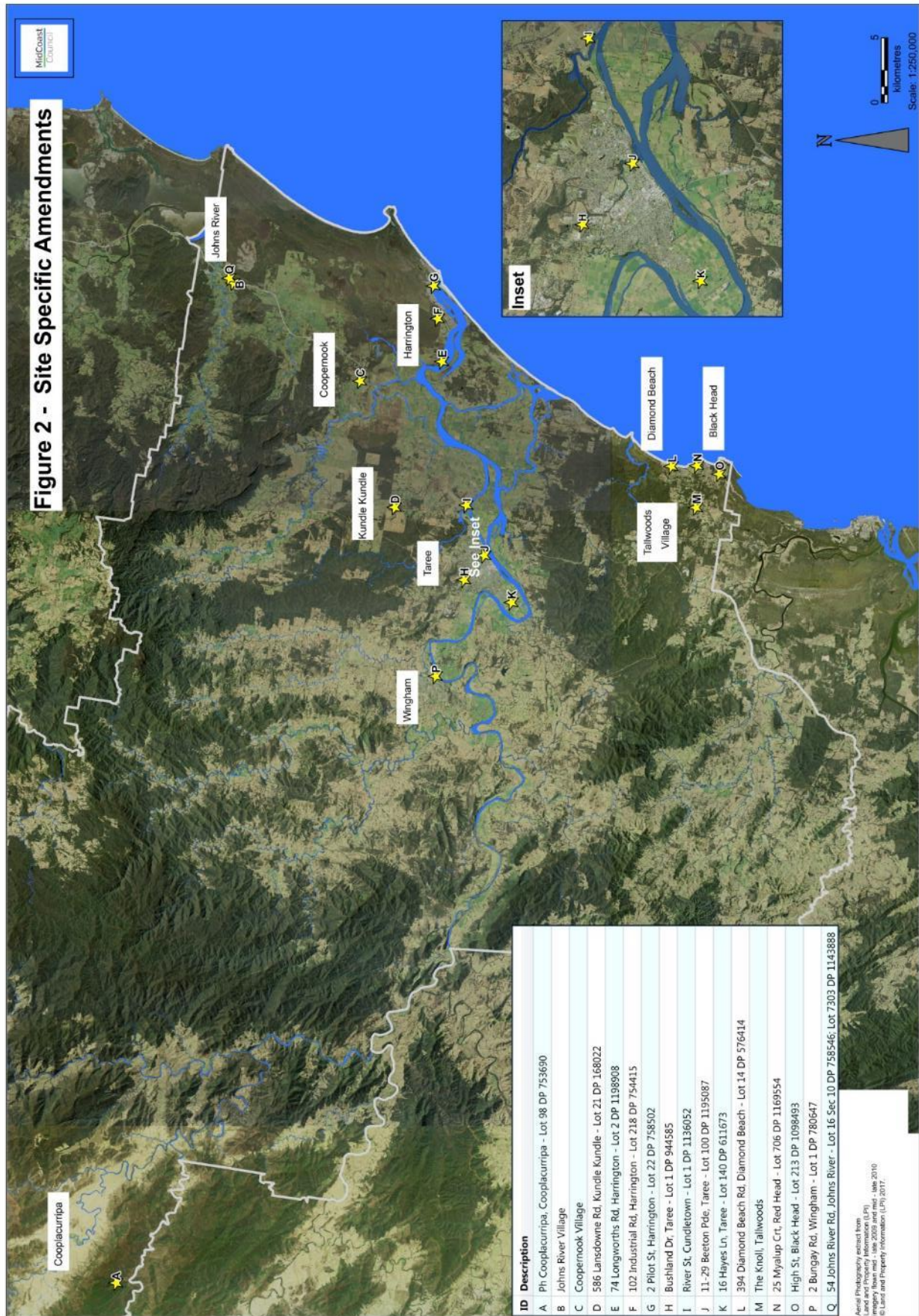
|                      | Site                                   | Property description                                                                        | Existing LEP provision                                                                 | Proposed LEP change                                                                                                                                                                                                                                                                                                 |
|----------------------|----------------------------------------|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Environmental</b> |                                        |                                                                                             |                                                                                        |                                                                                                                                                                                                                                                                                                                     |
| A                    | Lot 98 Ph Cooplacurripa, Cooplacurripa | Lot 98 DP 753690                                                                            | Forestry (RU3)                                                                         | Include the site in the National Parks and Reserves (E1) zone to reflect the change in ownership of the site (owned by National Parks and Wildlife Service)                                                                                                                                                         |
| E                    | 74 Longworths Rd, Harrington           | Lot 2 DP 1198908                                                                            | Environmental Conservation (E2), Primary Production (RU1), Recreational Waterways (W2) | Amend the zone boundaries to align with the cadastral property boundary.<br>Amend the lot size map to align with the cadastral property boundary.                                                                                                                                                                   |
| <b>Village</b>       |                                        |                                                                                             |                                                                                        |                                                                                                                                                                                                                                                                                                                     |
| B                    | Johns River Rd, Johns River            | Lot 284 DP 879623 and Lot 1 DP 308795 and parts of Lot 85 DP 1109105 and Lot 283 DP 879623, | Primary Production (RU1)                                                               | Include the sites in Village (RU5) zone to reflect current use as part of a village built form.<br>Amend clause 4.1B - Exceptions to minimum subdivision lot sizes for certain split zones in LEP 2010 to include the Village (RU5) zone.<br>Amend the lot size and height of buildings to reflect the Village zone |
| C                    | Coopernook Village                     | Lot 119 DP 260733, Lot 127 DP 812015, Lot 24-25 DP 829139, Lot 36 DP 4865                   | Primary Production (RU1) and Village (RU5)                                             | Change the lot size map to reflect the Village zone.<br>Amend clause 4.1B - Exceptions to minimum subdivision lot sizes for certain split zones in LEP 2010 to include the Village (RU5) zone.                                                                                                                      |
| <b>Existing use</b>  |                                        |                                                                                             |                                                                                        |                                                                                                                                                                                                                                                                                                                     |
| D                    | 586 Lansdowne Rd, Kundle Kundle        | Lot 21 DP 168022                                                                            | Primary Production (RU1)                                                               | Include part of the site which has an established industrial use in the General Industry (IN1) zone. Include the remainder of the lot in the Environmental Conservation (E2) zone to reflect the vegetation on the site.                                                                                            |



|                   | Site                                | Property description                                   | Existing LEP provision                                                       | Proposed LEP change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------|-------------------------------------|--------------------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                   |                                     |                                                        |                                                                              | Amend the lot size map to remove the minimum lot size from the land included in the General Industrial zone                                                                                                                                                                                                                                                                                                                                                                                                             |
| H                 | 202 Bushland Dr, Taree              | Lot 1 DP 1228883                                       | Infrastructure (SP2) and General Residential (R1)                            | <p>Include eastern environmental corridor in Environmental Conservation (E2) zone and the remaining lot area in the Light Industrial (IN2). These amendments reflect the current use of the land and the environmental corridor.</p> <p>Amend the lot size map to reflect the Environmental Conservation zone</p>                                                                                                                                                                                                       |
| L                 | 394 Diamond Beach Rd, Diamond Beach | Lot 14 DP 576414                                       | Primary Production (RU1)                                                     | <p>Include this site in Tourist (SP3) and Environmental Conservation (E2) zones to reflect the current use of the site as well as the potential coastal hazards of the land.</p> <p>Amend Schedule 1 to add clause 7 and include this site as area 4 on the Additional Permitted Uses map. The clause will contain the same provisions as clause 6 which specifies parameters of the use of the tourist zone.</p> <p>Amend the lot size, height of building and floor space ratio to reflect the zones of the land.</p> |
| <b>Heritage</b>   |                                     |                                                        |                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| K                 | 16 Hayes Ln, Taree                  | Lot 140 DP 611673                                      | Heritage Item                                                                | Amend the property description for this heritage item                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| P                 | 2 Bungay Rd, Wingham                | Lot 1 DP 780647                                        | Heritage Item                                                                | Amend the property description for this heritage item                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Q                 | Community Hall Johns River          | Lot 7303, DP 1143888 and Lot 16, Section 10, DP 758546 | Heritage Item                                                                | Amend the property description for this heritage item                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Open space</b> |                                     |                                                        |                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| G                 | 2 Pilot St, Harrington              | Lot 22 DP 758502                                       | Public Recreation (RE1)                                                      | <p>Include the land in the Neighbourhood Centre (B1) zone to reflect the use of the land.</p> <p>Amend the building height and floor space ratio to reflect the Neighbourhood Centre zone</p>                                                                                                                                                                                                                                                                                                                           |
| J                 | 11-29 Beeton Pde, Taree             | Part of Lot 100 DP 1195087                             | Light Industrial (IN2), Private Recreation (RE2) and Public Recreation (RE1) | Include the Public Recreation (RE1) portion of the site in the Private Recreation (RE2) zone to reflect the private ownership of the site                                                                                                                                                                                                                                                                                                                                                                               |
| M                 | The Knoll, Tallwoods Village        | Lot 33,34,35 and 36 DP 879612                          | General Residential (R1) and Private Recreation (RE2)                        | <p>Include the lots in the General Residential (R1) zone to reflect its current use.</p> <p>Amend the lot size, height of building and floor space ratio to reflect the zone of the land.</p>                                                                                                                                                                                                                                                                                                                           |
| N                 | 25 Myalup Crt, Red Head             | Lot 706 DP 1169554                                     | Public Recreation (RE1) and General Residential (R1)                         | <p>Amend the Public Recreation (RE1) and the General Residential (R1) zones on this lot to reflect the intended use.</p> <p>Amend the lot size, height of building and floor space ratio to reflect the zones of the land.</p>                                                                                                                                                                                                                                                                                          |
| O                 | High St, Black Head                 | Lot 213 DP 1098493                                     | Public Recreation (RE1), General Residential (R1)                            | Amend the Public Recreation (RE1) zone land to include in the General Residential (R1) to reflect the intended use.                                                                                                                                                                                                                                                                                                                                                                                                     |

|                         | Site                                                 | Property description                                                     | Existing LEP provision                                                                                | Proposed LEP change                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------------|------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                         |                                                      |                                                                          | and Primary Production (RU1).                                                                         | Amend the lot size, height of building and floor space ratio to reflect the General Residential zone                                                                                                                                                                                                                                                                                                                      |
| <b>Land acquisition</b> |                                                      |                                                                          |                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                           |
| F                       | 102 Industrial Rd and Lot 193 Glacken St, Harrington | Part of Lot 218 DP 754415, Part of Lot 193 DP 754415 and Lot 2 DP 510738 | National Parks and Nature Reserves (E1), Environmental Conservation (E2) and Primary Production (RU1) | <p>Include the part of the lots currently in the National Parks and Nature Reserves (E1) zone in the Environmental Conservation (E2) zone to reflect the use and ownership of the land.</p> <p>Amend clause 5.1 of LEP 2010 (2) to include this zone change in the list of the type of land shown on the Map and the Authority of the State.</p> <p>Amend the lot size to reflect the Environmental Conservation zone</p> |
| I                       | River St, Cundletown                                 | Lot 1 DP 1136052                                                         | General Residential (R1)                                                                              | Include this site on the Land Acquisition Layer map as it forms part of the Cundletown Bypass                                                                                                                                                                                                                                                                                                                             |





## 4.1 Need for the planning proposal

The following justifies the need for the planning proposal.

### 4.1.1 *Is the planning proposal a result of any strategic study/report?*

The proposed amendments were developed from:

- a review of a number of NSW LEPs
- a register of LEP 2010 potential amendments that has been added to as issues arose
- internal workshops with Council officers
- the community who have identified inconsistencies between the LEP provisions and the current or intended use of land.

### 4.1.2 *Is the planning proposal the best means of achieving the objectives/outcomes?*

The issues arose when implementing LEP 2010 and require amendments to the LEP to rectify the situation.

## 4.2 Relationship to strategic planning framework

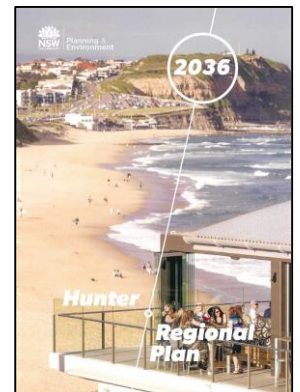
### 4.2.1 *Is the planning proposal consistent with the applicable regional strategy?*

The key directions relevant to this planning proposal are outlined below and are generally consistent with the *Hunter Regional Plan 2036*:

- **Direction 10 – Protect and enhance agricultural productivity**

Action 10.1 aims to protect lands that can accommodate agricultural enterprises. The general provisions aimed at achieving this direction are:

- G3 - boundary adjustments which ensure there is no adverse impact on the agricultural viability of the land
- G4 – inclusion of a new objective in the Primary Production (RU1) zone
- G5 - detached dual occupancies which requires consideration of the primary production potential of the land
- G6 - changes to uses in the Primary Production zone to enable uses where consistent with the zone objectives.



There are five site specific amendments (A, B, D, E and L) that involve removing sites (or part) from the Primary Production (RU1) zone to reflect the existing use of the site, the ownership of the land or involve minor zone changes to reflect the cadastre. These amendments are generally consistent with the intent for the land identified in planning strategies or adjoin land identified in strategies or are minor in nature. An assessment of the rural values for these sites is provided in Attachment B and C.

- **Direction 13 – Plan for greater land use compatibility**

Action 13.3 requires planning controls be amended to deliver greater certainty of land use.

The following general amendments will provide greater certainty:

- G8 which makes bulky goods premises a permitted with consent use in the Light Industrial (IN2) zone will provide a consistent approach with the Great Lakes LEP 2014
- G11 which provides a floor space ratio in heritage conservation areas consistent with that applied to the zone outside of the conservation areas. This will ensure that developments in these conservation areas are not subject to unnecessary constraints.

The site specific amendments are aimed at changing the zone or enabling uses to reflect how the land has been used. By making these changes, the LEP provides more certainty with regard to the intended use of the land.

- ***Direction 14 – Protect and connect natural areas***

Many of the actions in Direction 14 aim to protect land with important ecological values. The following site specific amendments involve including sites in environmental zones to protect ecological values:

- A at Lot 98 Ph Cooplacurripa
- D at 586 Lansdowne Rd, Kundle
- F at 102 Industrial Rd and Lot 193 Glacken St, Harrington
- H at 202 and Lot 1 Bushland Dr, Taree
- L at 394 Diamond Beach Rd, Diamond Beach

An assessment of these outcomes is provided in Attachment C.

- ***Direction 16 – Increase resilience to hazards and climate change***

Many of the actions in Direction 16 aim to ensure hazards are considered in our future plans. The following site specific amendments propose zone changes to reflect the coastal hazards for each site by including part of the site in Environmental Conservation (E2) zone:

- E at 74 Longworths Rd, Harrington
- L at 394 Diamond Beach Rd, Diamond Beach.

All of the site specific amendments have been considered in terms of risks such as bushfire, flooding, contaminated land and acid sulfate soils and were considered minor. If further development of these sites was proposed, a development application would be lodged and assessed to address any potential hazards.

- ***Direction 19 – Identify and protect the region's heritage***

Protecting the regions heritage is an important element of this Direction. General amendment G11 proposes changes to the floor space ratio for heritage conservation areas to ensure they do not disadvantage landowners in the conservation areas.

Site specific amendments K, P and Q propose to correctly identify heritage items in the Manning Valley.

- ***Direction 21 – Create a compact settlement***

Action 21.4 proposes that a well-planned, functional and compact settlement pattern be achieved and not encroach sensitive uses or lands subject to hazards.

Many of the site specific amendments involve changing the zone of the land to reflect the current use and are included in zones that are consistent with surrounding zones. The settlement pattern has been considered when determining the appropriate zone for these sites, being:

- B at Johns River Rd, Johns River which aims to consolidate the village
- D at 586 Lansdowne Rd, Kundle Kundle which acknowledges the current industrial use to the south of the Brimbin employment lands
- G at 2 Pilot St, Harrington which reflects the use of the land as a hall within the Harrington centre
- H at 202 and Lot 1 Bushland Dr, Taree which acknowledges the previous industrial use of the land by the NSW Rail Corp and extends the adjoining industrial zone over this site. This will allow the continued use of the site for industrial activities
- L at 394 Diamond Beach Rd, Diamond Beach which acknowledges the motel use of the site and includes it in the North Diamond Beach tourist precinct
- sites J, M, N and O which are minor zone changes to reflect the use or ownership of the land.



All of the site specific amendments have been considered in terms of risks such as bushfire, flooding, contaminated land and acid sulfate soils and were considered minor. If further development of these sites was proposed, a development application would be lodged and assessed to address any potential hazards.

- ***Direction 24 – Protect the economic functions of employment land***

Actions for this Direction require the protection of employment lands and consideration of their location to minimise conflicts with residential uses.

General amendment G8 proposes to make bulky goods premises a permitted with consent use in the Light Industrial (IN2) zone to provide a consistent approach with the Great Lakes LEP 2014. This amendment will enable uses established under the previous LEP to continue to operate and expand in the Light Industrial precincts that are close to the Taree town centre.

The following site specific amendments aim to protect the employment lands and have minimal conflict with surrounding residential uses:

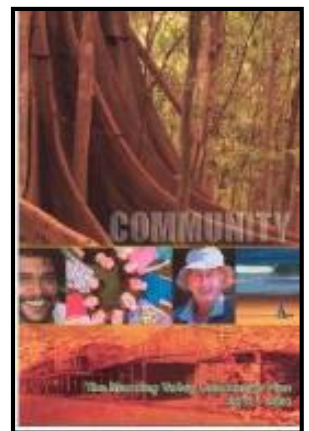
- D at 586 Lansdowne Rd, Kundle Kundle which acknowledges the current industrial use to the south of the Brimbin employment lands
- G at 2 Pilot St, Harrington which reflects the use of the land as a hall within the Harrington centre
- H at 202 and Lot 1 Bushland Dr, Taree which acknowledges the industrial use of the land by the NSW Rail Corp (intended to be sold for private industrial uses) and provides a buffer to residential areas to the east
- J at 11-29 Beeton Pde, Taree which will be included in the Private Recreation (RE2) zone to reflect the private ownership of the land
- L at 394 Diamond Beach Rd, Diamond Beach which acknowledges the motel use of the site and includes it in the North Diamond Beach tourist precinct

- ***Direction 25 – Monitor housing and employment supply and demand***

This direction requires land supply and demand to be monitored. The site specific amendments aim to reflect the current use of the land and will improve the accuracy of data for both housing and employment lands in the Manning Valley.

#### ***4.2.2 Is the planning proposal consistent with Council's Community Strategic Plan?***

The planning proposal was assessed against the *Manning Valley Community Plan 2010-2030* and was considered consistent with a number of key strategies as shown in Table 2.



**Table 2 - Manning Valley Community Plan Assessment**

| Community Plan Strategy                                                                                                                                                                        | Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6. Maintain a strategic land-use planning framework that will establish a clear balance between development and conservation, and accommodate economic investment and lifestyle change demands | <p>Given the amendments are of a minor nature and are 'fine tuning' the LEP, they are consistent with this strategy. Many of the general amendments have been identified through a review of NSW LEPs and will resolve a number of issues that arose from the adoption of the standard LEP in 2010. In addition, some amendments will assist to harmonise the LEP with both the Great Lakes and Gloucester LEPs.</p> <p>The site specific amendments aim to change the zone or requirements of a site based on their current use, while having consideration of environmental, economic and social values</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 17. Ensure adequate provision of appropriately zoned land that is suitable for the needs of all economic sectors of the local community                                                        | <p>Changes to the employment lands aim to recognise the existing use of the land and are consistent with the planning intent for the location. Key amendments include:</p> <ul style="list-style-type: none"> <li>• D at 586 Lansdowne Rd, Kundle Kundle to reflect the industrial use of the land for over 30 years</li> <li>• H at 202 Bushland Dr, Taree to reflect the previous industrial use of the land for over 30 years</li> <li>• L at 394 Diamond Beach Rd, Diamond Beach to reflect the tourist use of the land for over 20 years.</li> </ul> <p>General amendment G8 to enable bulky goods premises as permitted with consent in the Light Industrial (IN2) zone is aimed at providing a consistent approach with the Great Lakes LEP 2014.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>21. Housing</b> - ensure a wide choice of housing style and locations, with consideration of accessibility, adaptability and affordability                                                  | <p>The following general amendments are aimed at providing the efficient use of land and housing choice:</p> <ul style="list-style-type: none"> <li>• G5 - enabling detached dual occupancies on rural land will ensure the rural amenity of the land is maintained</li> <li>• G11 - changing the floor space ratio in Heritage Conservation Areas to ensure development standards are consistent with adjoining properties.</li> </ul> <p>The following site specific amendments generally reflect the existing use or ownership of the land and propose an adjustment or addition to residential zones:</p> <ul style="list-style-type: none"> <li>• B - Johns River Rd, Johns River, where it is proposed to change the zone of this site from rural to a village zone to reflect its current use</li> <li>• C - West St, Coopernook, where the minimum lot size will be changed to be consistent with the Village zone boundary. These sites are currently serviced by both water and sewer</li> <li>• L - 394 Diamond Beach Road Diamond Beach, where the tourism zone will be applied to reflect the current motel use of the site. The change of the zone ensures the ability to further improve the tourist accommodation already provided on this site, while achieving good environmental outcomes</li> <li>• M - The Knoll, Tallwoods Village, where the residential zone boundary is being applied to reflect the residential lot boundaries</li> <li>• N - 25 Myalup Crt, Red Head, where the extent of land included in the General Residential zone has been increased</li> <li>• O - Lot 213 High St, Black Head. The change proposed for this site reflects the private ownership of the land and increase the area of residential land on the site.</li> </ul> |
| <b>30. Heritage</b> - ensure that our heritage is valued, preserved, conserved and interpreted                                                                                                 | <p>General amendment G11 involves changing the floor space ratio in Heritage Conservation Areas to ensure development standards are consistent with adjoining properties. This change will ensure property owners within heritage conservation areas are not disadvantaged.</p> <p>Site specific amendments that apply directly to heritage conservation involve correcting property details in LEP 2010 at:</p> <ul style="list-style-type: none"> <li>• K - 16 Hayes Lne, Taree</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



| Community Plan Strategy                                                                                         | Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                 | <ul style="list-style-type: none"> <li>• P - 2 Bungay Rd, Wingham</li> <li>• Q - Community Hall at Johns River</li> </ul>                                                                                                                                                                                                                                                                                                                                                                  |
| 7. Maintain and enhance biodiversity, in accordance with the principles of ecologically sustainable development | <p>Environmental zone amendments are proposed to reflect and protect the environmental values of the property at:</p> <ul style="list-style-type: none"> <li>• A - Lot 98 Ph Cooplacurripa, Cooplacurripa</li> <li>• D - 586 Lansdowne Rd, Kundle Kundle</li> <li>• E - 74 Longworths Rd, Harrington</li> <li>• F - Lot 102 Industrial Rd and Lot 193 Glacken St, Harrington</li> <li>• H - 202 and Lot 1 Bushland Dr, Taree</li> <li>• L - 394 Diamond Beach Rd, Diamond Beach</li> </ul> |

#### **4.2.3 Is the planning proposal consistent with State Environmental Planning Policies?**

The planning proposal is generally consistent with the relevant state environmental planning policies (SEPPs). Attachment B demonstrates this consistency through:

- a matrix which identifies which SEPPs are applicable to the planning proposal
- an assessment of the relevant amendments in the planning proposal against the requirements of the SEPP.

The key SEPP assessments related primarily to the site specific amendments. The general amendments had the potential to trigger many of the SEPPs, as the proposed LEP clause could apply to a site that had important values (eg coastal protection, contaminated land or koalas). The SEPP assessment in these cases demonstrated how the values of the land would be considered if a future development application was lodged.

The key SEPPs assessed for consistency included:

- SEPP14 - Coastal Wetlands
- SEPP44 – Koala Habitat Protection
- SEPP55 – Remediation of Land
- SEPP71 – Coastal Protection
- SEPP (Rural Lands 2008)

#### **4.2.4 Is the planning proposal consistent with Ministerial Directions (s.117 directions)?**

The planning proposal is generally consistent with the relevant Section 117 Directions. Attachment C demonstrates this consistency through:

- a matrix which identifies which Section 117 Directions are applicable to the planning proposal
- an assessment of the relevant amendments in the planning proposal against the requirements of the Section 117 Directions.

The key Section 117 Direction assessments related primarily to the site specific amendments. The general amendments had the potential to trigger many of the Section 117 Directions, as the proposed LEP clause could apply to a site that had important values (eg coastal protection, contaminated land or heritage). The Section 117 Direction assessment in these cases demonstrated how the values of the land would be considered if a future development application was lodged.

Table 3 provides a summary of this assessment.

**Table 3 – Summary of Section 117 Directions Assessment**

| 117 Direction                                | General Amendments                                                                                                                                                                                                                                                                                             | Site Specific Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.1 Business and industrial zones            | Consistent                                                                                                                                                                                                                                                                                                     | Amendments D, G and H are inconsistent but of minor significance given they are generally supported by the former <i>Mid North Coast Regional Plan 2006-2031</i>                                                                                                                                                                                                                                                                                           |
| 1.2 Rural zones                              | Consistent                                                                                                                                                                                                                                                                                                     | Amendments B, D and L are inconsistent but of minor significance given they are generally supported by the former <i>Mid North Coast Regional Plan 2006-2031</i><br><br>Amendments A and E are inconsistent but of minor significance given they involve minor zone changes                                                                                                                                                                                |
| 1.3 Mining, Petroleum, Extractive Industries | To be determined after consultation with relevant State Department                                                                                                                                                                                                                                             | To be determined after consultation with relevant State Department                                                                                                                                                                                                                                                                                                                                                                                         |
| 1.5 Rural lands                              | Consistent                                                                                                                                                                                                                                                                                                     | Consistent                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 2.1 Environmental protection zones           | Inconsistent but of minor significance given LEP 2010 provisions would be considered in any future development application                                                                                                                                                                                     | Amendments A, E, F, D, H and L are consistent                                                                                                                                                                                                                                                                                                                                                                                                              |
| 2.2 Coastal protection                       | Inconsistent but of minor significance given LEP 2010 provisions would be considered in any future development application                                                                                                                                                                                     | Amendments L is consistent<br>Amendments E, F, G, I, J, K, M, N and O are inconsistent but of minor significance given they reflect the current use of the land. Any future development of these sites would require assessment against clause 5.5 of LEP 2010 which would ensure coastal requirements are achieved in future development applications                                                                                                     |
| Heritage conservation                        | Inconsistent but of minor significance given LEP 2010 provisions would be considered in any future development application                                                                                                                                                                                     | Consistent                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 3.1 Residential zones                        | Consistent                                                                                                                                                                                                                                                                                                     | Amendments B, C, L, M, N and O are inconsistent but of minor significance given they generally reflect the existing use or ownership of the land and consolidate the residential areas in these villages. The land has access to relevant infrastructure to enable the residential uses                                                                                                                                                                    |
| 3.4 Integrating land use and transport       | G8 – bulky goods premises in the Light Industrial (IN2) zone. Inconsistent but of minor significance, given this amendment will assist with harmonising LEPs across the MidCoast; and many of the Light Industrial areas are located close to the Taree town centre and have access to public transport routes | Amendments B, C, D, G, H, L, M, N and O are inconsistent but of minor significance as:<br><ul style="list-style-type: none"> <li>- the amendments aim to reflect the current use of the site</li> <li>- there are no reported issues raised about the transport activity associated with these current uses</li> <li>- any future development application that intensified transport activity on the site would have to consider this Direction</li> </ul> |
| 4.1 Acid sulphate soils                      | Inconsistent but of minor significance given LEP 2010 provisions would be considered in any future development application                                                                                                                                                                                     | Amendments C, E, F, G, I, J, K, L, O, P and Q are inconsistent but of minor significance given they generally reflect the existing use of the land and LEP 2010 provisions would be considered in any future development application                                                                                                                                                                                                                       |
| 4.3 Flood prone land                         | Inconsistent but of minor significance given LEP 2010                                                                                                                                                                                                                                                          | Amendments C, J and F are inconsistent but of minor significance given they generally reflect the existing use of                                                                                                                                                                                                                                                                                                                                          |

| 117 Direction                          | General Amendments                                                                                                                                   | Site Specific Amendments                                                                                                                                                                                                                                     |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                        | provisions would be considered in any future development application                                                                                 | the land and LEP 2010 provisions would be considered in any future development application<br>Amendments E and K are inconsistent but of minor significance given they are minor changes and do not result in the intensification of development on the land |
| 4.4 Bushfire protection                | Inconsistent but of minor significance given any future development application over bush fire prone sites would be subject to a bushfire assessment | Amendments A, B, D, E, F, H, J, L, O and Q require consultation with NSW Rural Fire Services                                                                                                                                                                 |
| 5.10 Implementation of Regional Plans  | Consistent                                                                                                                                           | Consistent                                                                                                                                                                                                                                                   |
| 6.2 Reserving Land for Public Purposes | Not applicable                                                                                                                                       | Amendments F, G, I, J, N, O require consultation with Department of Planning and Environment                                                                                                                                                                 |

### 4.3 Environmental, social and economic impacts

#### 4.3.1 *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?*

The general amendments apply to development in the whole Manning Valley region. There is the potential that these amendments may enable an application to be lodged for a use in an important ecological habitat. However, the merits of the application would be assessed at the development application stage. Any ecological or environmental issues would be addressed at that time.

With regard to the site specific amendments, a number of sites have ecological values and have been included in zones that offer greater environmental protection. These sites are:

- A at Lot 98 Ph Cooplacurripa, Cooplacurripa
- D at 586 Lansdowne Rd, Kundle
- E at 74 Longworth Rd, Harrington
- F at 102 Industrial Rd and Lot 193 Glacken St, Harrington
- H at 202 and Lot 1 Bushland Dr, Taree
- L at 394 Diamond Beach Rd, Diamond Beach.

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

The general amendments apply to development in the whole Manning Valley region. There is the potential that these changes may enable an application to be lodged for a use that has potential environmental effects. However, the merits of the application, including environmental effects would be assessed at the development application stage.

The site specific amendments generally reflect the use, values or ownership of the site and are consistent with the planning intent for the location. Assessment of the site specific amendments against site constraints such as land contamination, acid sulphate soils, flooding, bushfire and coastal protection have been considered in Attachment B and C and are considered as minor. In addition, any future development of the sites would consider any likely impacts through the development assessment process.

#### **4.3.3 How has the planning proposal adequately addressed any social/economic effects?**

The general amendments apply to development in the whole Manning Valley region. There is the potential that these changes may enable an application to be lodged for a use that may have a social or economic impact. However, the merits of the application would be assessed at the development application stage. Any social or economic impacts would be addressed at that time.

The site specific amendments generally reflect the use, values or ownership of the site and are consistent with the planning intent for the location. Assessment of the site specific amendments against economic, residential, heritage and Aboriginal cultural considerations have been considered in Attachment C and are considered as minor. In addition, any future development of the sites would consider any likely impacts through the development assessment process

#### **4.4 State and Commonwealth interests**

##### **4.4.1 Is there adequate public infrastructure for the planning proposal?**

Given the planning proposal contains minor amendments or reflects the current use of the land; there is no expected impact on public infrastructure.

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

Consultation has been undertaken with the following agencies in the development of these amendments:

- National Parks and Wildlife Services advised Council of the purchase of Site A at Lot 98 Ph Cooplacurripa, Cooplacurripa and have no objection to the change of zone their land as identified in this planning proposal
- Office of Environment and Heritage were contacted a number of times with regard to Site F for their support to include part of 102 Industrial Rd and Lot 193 Glacken St, Harrington in the Environmental Conservation (E2) zone. No response has been received to date. Given the zone change is consistent with the intent of the zone and the sites have been identified on the Land Reservation Acquisition (LRA) map, no objection is expected.

The following consultation is to be undertaken to address the 117 Directions:

- Department of Primary Industries with regard to mining and extractive industry
- NSW Rural Fire Service with regard to bushfire protection
- Department of Planning and Environment with regard to reserving land for public purposes

## **5 Mapping**

Attachment A provide maps, aerials and photographs for each site where there are proposed mapping changes. Attachment D provides a summary of the changes to be made to LEP 2010. The LEP maps will be developed after the Gateway determination.

## **6 Community consultation**

Community consultation will be undertaken in accordance with the Gateway determination. As a minimum, consultation will involve:

- sending letters to all landowners directly affected by a zone change to their land (site specific amendments), outlining the proposed amendments and process
- placing notices in local papers
- preparing and distributing media releases about the proposed amendments



- making the planning proposal and associated documents available on Council's web, the Taree Library and Administration Centres at Taree and Forster.

It is proposed that the planning proposal be available for the community to view and comment on for 28 days, in line with Councils community consultation process.

## 7 Project timeline

The project timeline below will be followed for the Planning Proposal.

| Task                                              | Responsibility                          | Timeframe | Date (approx.)                 |
|---------------------------------------------------|-----------------------------------------|-----------|--------------------------------|
| Planning proposal considered by Council           | MidCoast Council                        |           | December 2015<br>December 2016 |
| Lodge planning proposal for Gateway determination | MidCoast Council                        |           | January 2017                   |
| Gateway determination                             | Minister for Planning and Environment   |           | July 2017                      |
| State agency consultation                         | MidCoast Council                        | 4 weeks   | August 2017                    |
| Public exhibition                                 | MidCoast Council                        | 4 weeks   | September 2017                 |
| Planning proposal reported to Council             | MidCoast Council                        | 6 weeks   | November 2017                  |
| Making of Local Environmental Plan                | Minister for Planning and Environmental | 12 weeks  | February 2018                  |

## Attachment A - Site specific amendments

### Site A: Lot 98 Ph Cooplacurripa, Cooplacurripa

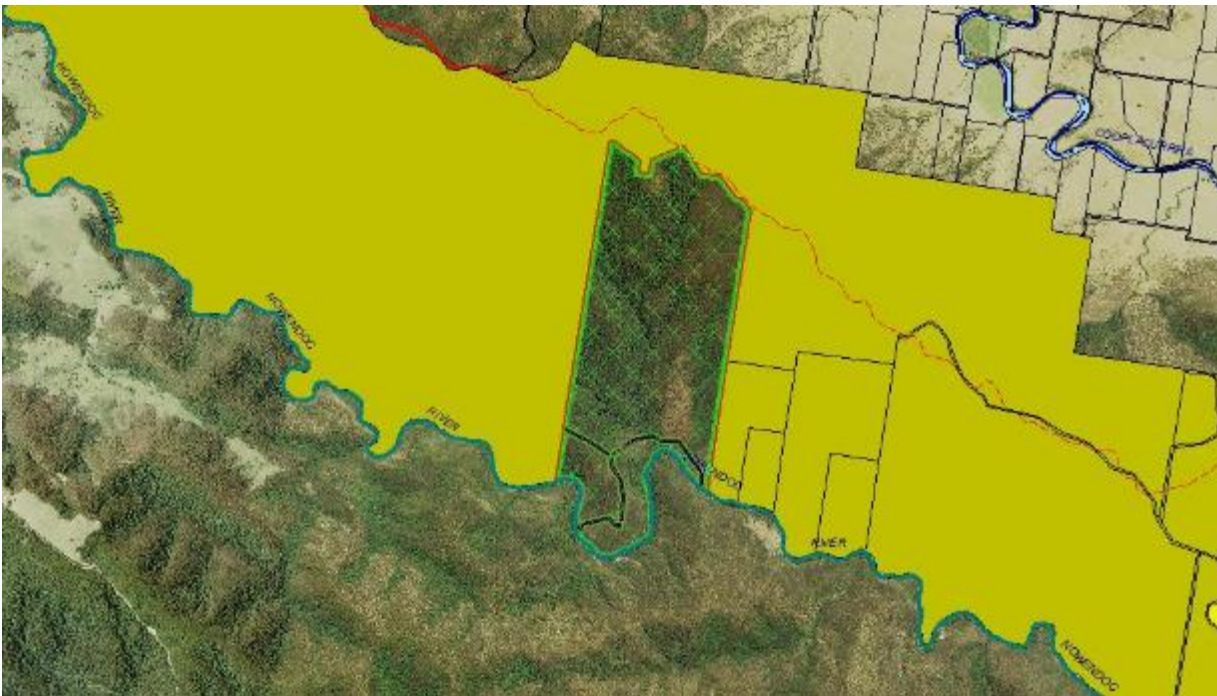
#### Property description:

Lot 98 DP 753690

Area: 445.15 ha

#### Background:

This site is located in the western region of the former Greater Taree City Council. It backs onto the Nowendoc River and as seen by the map (below) it is surrounded by Barakee National Park (shown in green).

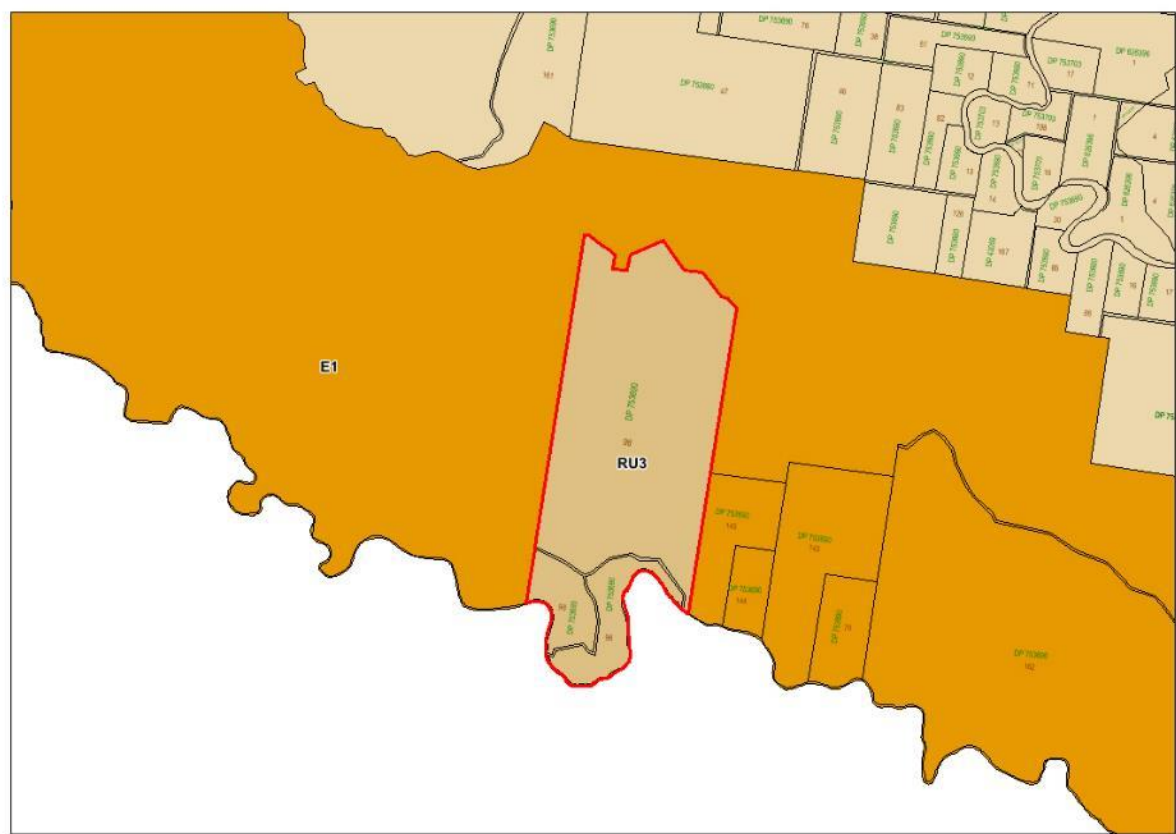


This land is included in the Forestry (RU3) zone. National Parks and Wildlife Services purchased the property and requested that the zone be changed to National Parks and Reserves (E1) to reflect the ownership and use of the land.

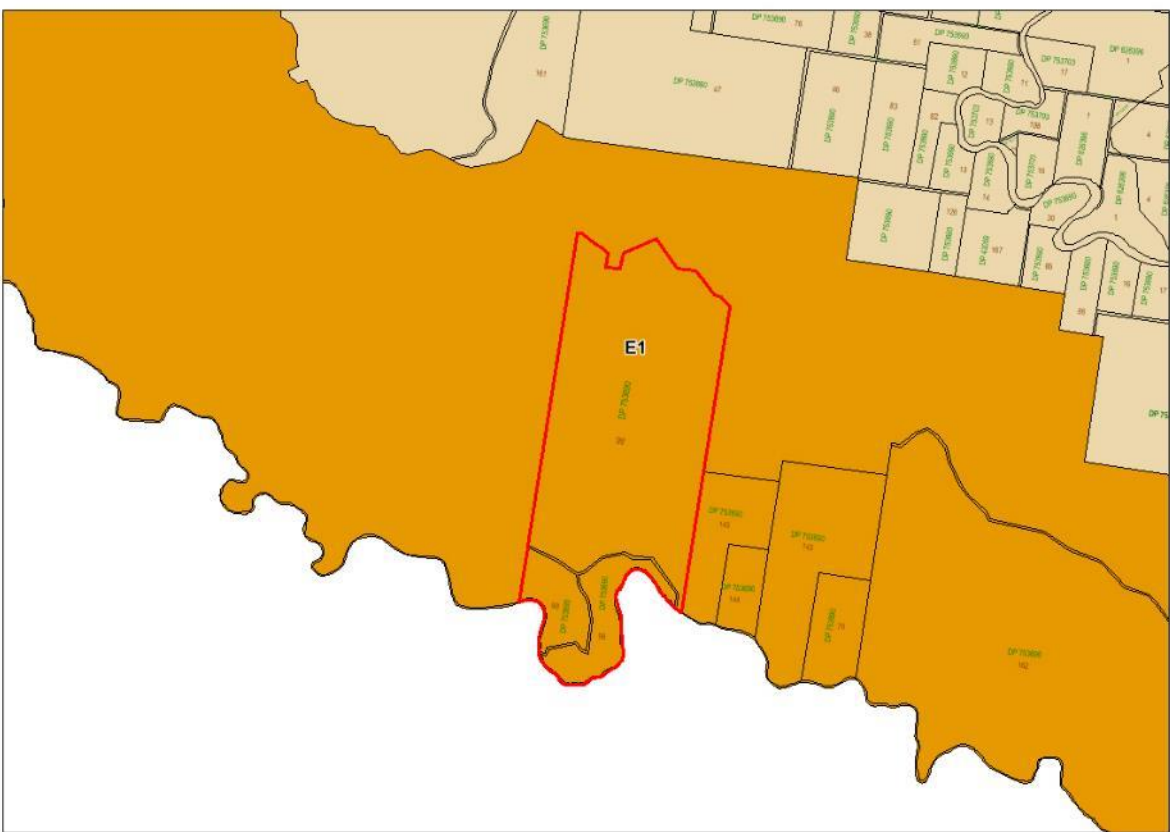
#### Proposed amendment:

Amend LEP 2010 maps as follows.

**Existing zone:** Forestry (RU3) (brown)



**Proposed zone:** National Parks and Reserves (E1) (orange)



## Site B: 24-30 Johns River Road, Johns River

### Property description:

Lot 85 DP 1109105, Lot 283 DP 879623 and part of Lot 284 DP 879623 and Lot 1 DP 308795

### Background:

Johns River village was originally separated by the Pacific Highway, but was bypassed in 2010 and the road renamed Johns River Road.

During a review in 2013, it was noted that land to the east of Johns River Road was included in the Village (RU5) zone and land to the west in the Primary Production (RU1) zone, even though the lot sizes and uses reflected that of the village.

LEP 2010 Amendment 9 changed the sites to the west of Johns River Road to be included in the Village zone (refer right). During community consultation for Amendment 9, a submission was received from an owner identifying additional sites (shown in red to the right) where the tavern and houses are located.

An investigation was undertaken and concluded that:

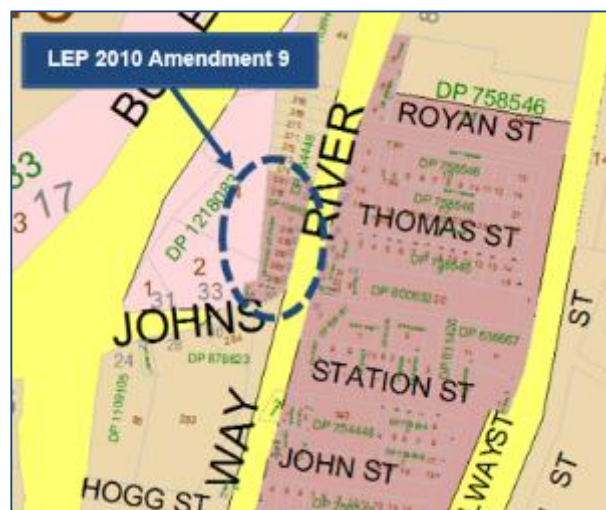
- the tavern and house have operated from the site for a number of years, which resulted in the land not being used for rural purposes
- the rear of the site contains good vegetation that contributes to a vegetation corridor through southern Johns River, which is to be retained in the Primary Production zone. Given this vegetation, the site is bushfire prone
- there is no evidence of contamination of the site. Historically, contaminating uses like the petrol station were located on the eastern side of the Pacific Highway (prior to the bypass), away from this site. Being so close to the village, it is unlikely that rural activities such as cattle dipping occurred on the site
- the site is not subject to flooding or acid sulphate soils
- Johns River is not connected to sewer
- this site is a logical extension of the Growth Area for Johns River (as identified in the *Mid North Coast Regional Strategy 2006-2036*)

It is proposed that the whole of 26 and 30 Johns River Rd and front of 24 and 28 Johns River Road (shown in red on the aerial above) with an area of 2.26 ha be included in the Village (RU5) zone. The minimum lot size and maximum building height will also be changed to be consistent to the provisions applied to the Village zone. The rear of 24 and 28 Johns River Road will remain in the Primary Production (RU1) zone. The owners consent to this proposed change.

Given the site will have two zones it is important to provide provisions in the LEP that enable subdivision for lots with split zones. A minor amendment to clause 4.1B is required to enable the provision to be applied to the Village zone.

### Proposed amendment:

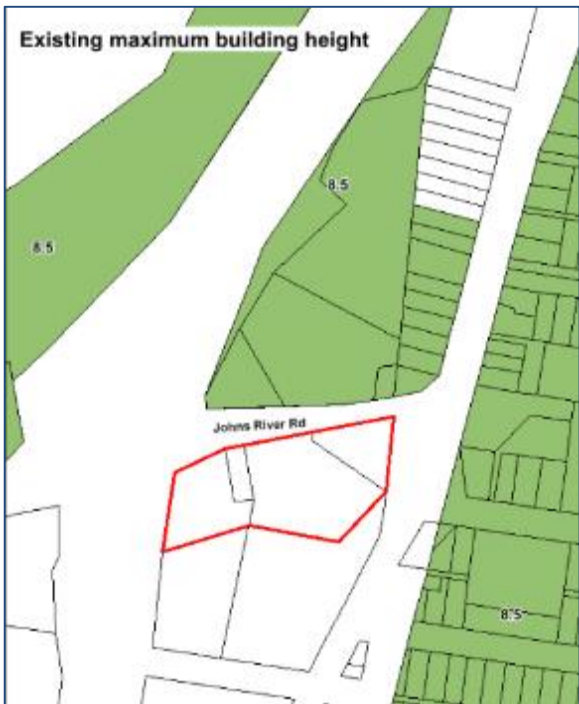
Amend LEP 2010 as follows.







Existing maximum building height: N/A



Proposed maximum building height: 8.5m



Existing minimum lot size: 40 ha



Proposed minimum lot size: 1,000m<sup>2</sup>



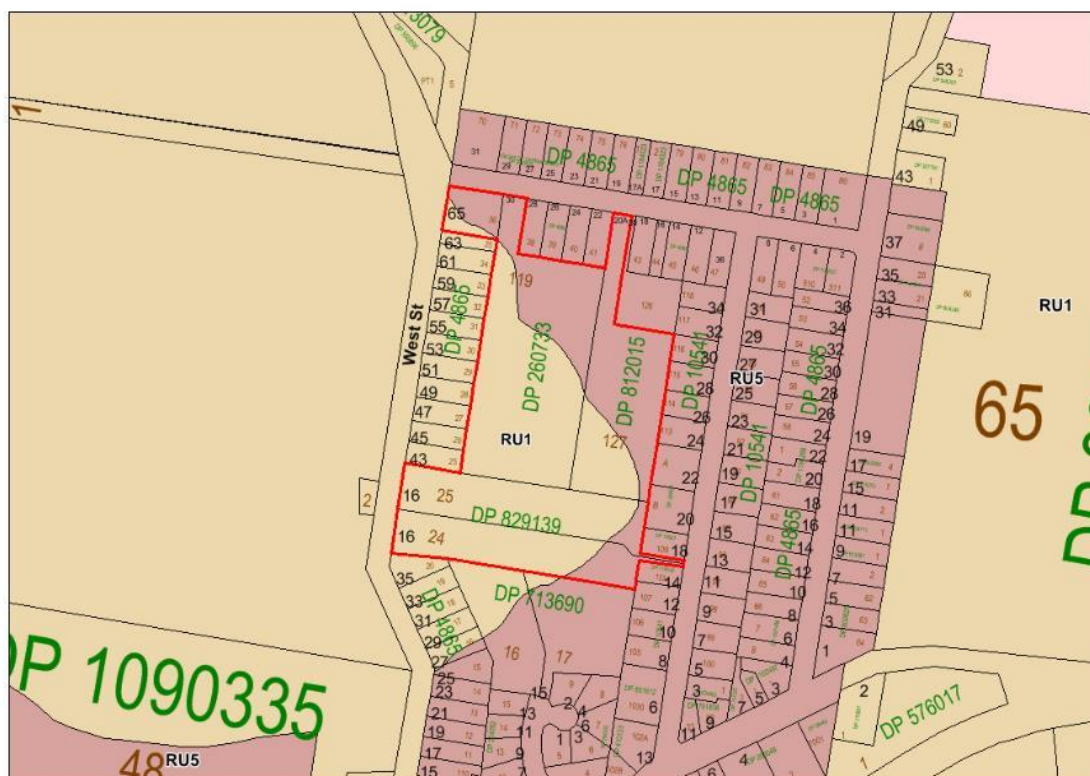
## Site C: West Street, Coopernook

### Property Description:

Lot 119 DP 260733, Lot 127 DP 812015, Lot 24-25 DP 829139, Lot 36 DP 4865

### Background:

When LEP 1995 was converted into the LEP 2010 there were concerns about how to apply the new zones in the Coopernook village. The outcome was that the land subject to flooding remained in the Primary Production (RU1) zone (light brown) and the remainder of Coopernook village was included in the Village (RU5) zone (light pink) as shown in the zone map below.



To maintain dwelling entitlements along West Street, an array of minimum lot sizes was applied (see map over the page). The majority of the lots in the village had a 1,000m<sup>2</sup> minimum lot size applied (shown in red), consistent with a traditional ¼ acre lot.

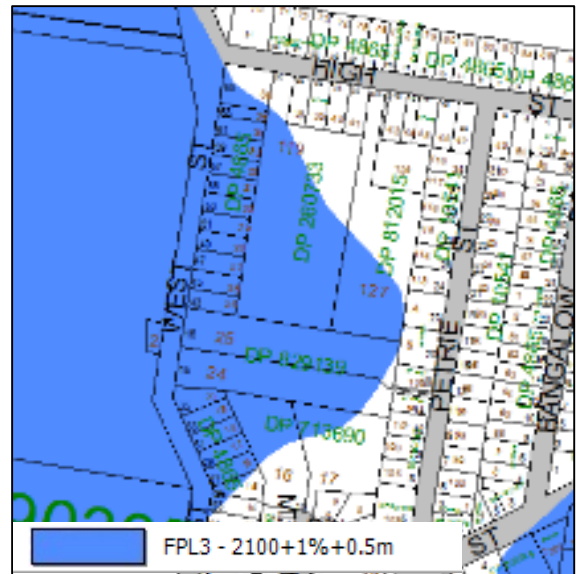
The larger lots fronting High and Petrie Streets (being Lot 119 DP 260733, Lot 127 DP 812015, Lots 24-25 DP829139) were restricted by a 15,000m<sup>2</sup> and 8,000m<sup>2</sup> minimum lot size respectively (shown in shades of purple on the map over the page). These lots have been unnecessarily restricted by these lot sizes. An owner approached Council to investigate this situation.

It is proposed to apply the minimum lot size of 1,000m<sup>2</sup> to land included in the Village zone to ensure a consistent application of the lot size in this zone. Coopernook is connected to sewer, making these minimum lot sizes achievable.



It should be noted that the zone boundary is based on the flooding information available in 2010. The *Manning River Flood Study 2016* provides new flood data for this area as shown to the right. When compared to the zone boundary there are minor differences which do not significantly reduce the capacity of this land to be used for Village purposes. If a subdivision of this land was proposed, current flood data would be used to determine the flood impacts. It is expected that the current zone boundary would be amended in a future review of the LEP.

Given some sites will be have two zones it is important to provide provisions in the LEP that enable subdivision for lots with split zones. A minor amendment to clause 4.1B is required to enable the provision to be applied to the Village zone.



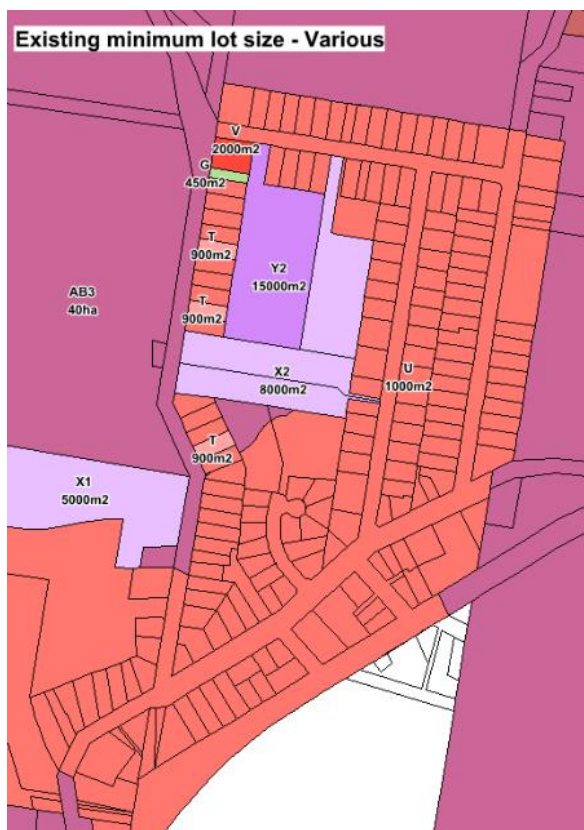
### Proposed amendment:

Amend LEP 2010 as follows.

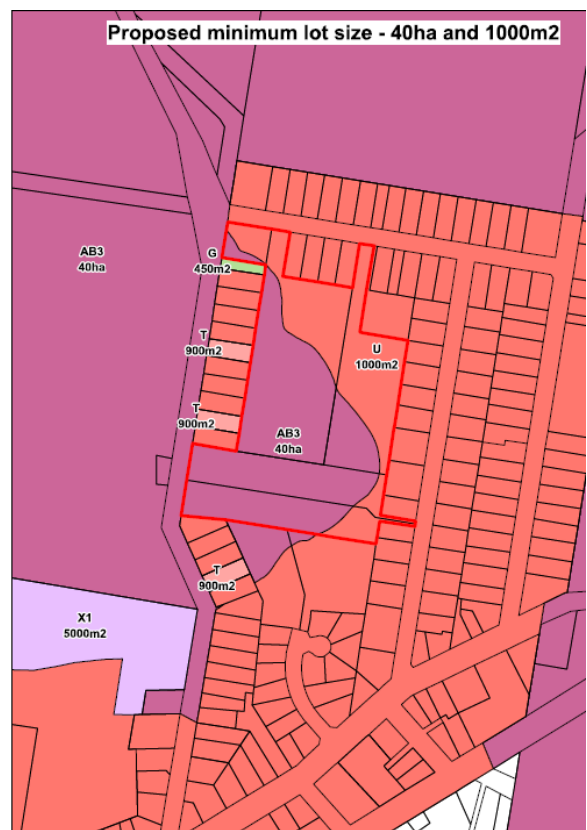
Amend 4.1B Exceptions to minimum subdivision lots sizes for certain split zones to include “village” in clause (2)(a) and 3(a)(i) to enable this clause to apply when land is included in the Village (RU5) zone.

### Mapping changes:

**Existing minimum lot size: 40 ha**



**Proposed minimum lot size: 1,000m<sup>2</sup>**  
applied to sites shown in red





## Site D: 586 Lansdowne Road, Kundle

### Property Description:

Lot 21 DP 168022

Area: 54.66ha

### Background:

In the 1980s an engineering business was established on the site to fabricate railway products (refer map to right). The site has continued to be used for industrial activities.

Under the previous LEP the use was lawfully established. However, LEP 2010 lists the use as prohibited in the Primary Production (RU1) zone. This has led to difficulties when extensions have been proposed and new uses have been proposed.



An investigation was undertaken and concluded that:

- the site adjoins and contributes to the employment lands at Brimbin and generally supports the growth areas identified for Brimbin in the *Mid North Coast Regional Plan 2006-2031*
- the vegetation on the site contributes to an important regional wildlife corridor from the Dawson River, through Brimbin to Lansdowne River (as indicated to the right)
- the site is identified as contaminated land and relevant provisions are in place when considering future development of the site
- given the extent of vegetation the site is bushfire prone and relevant provisions are in place when considering future development of the site

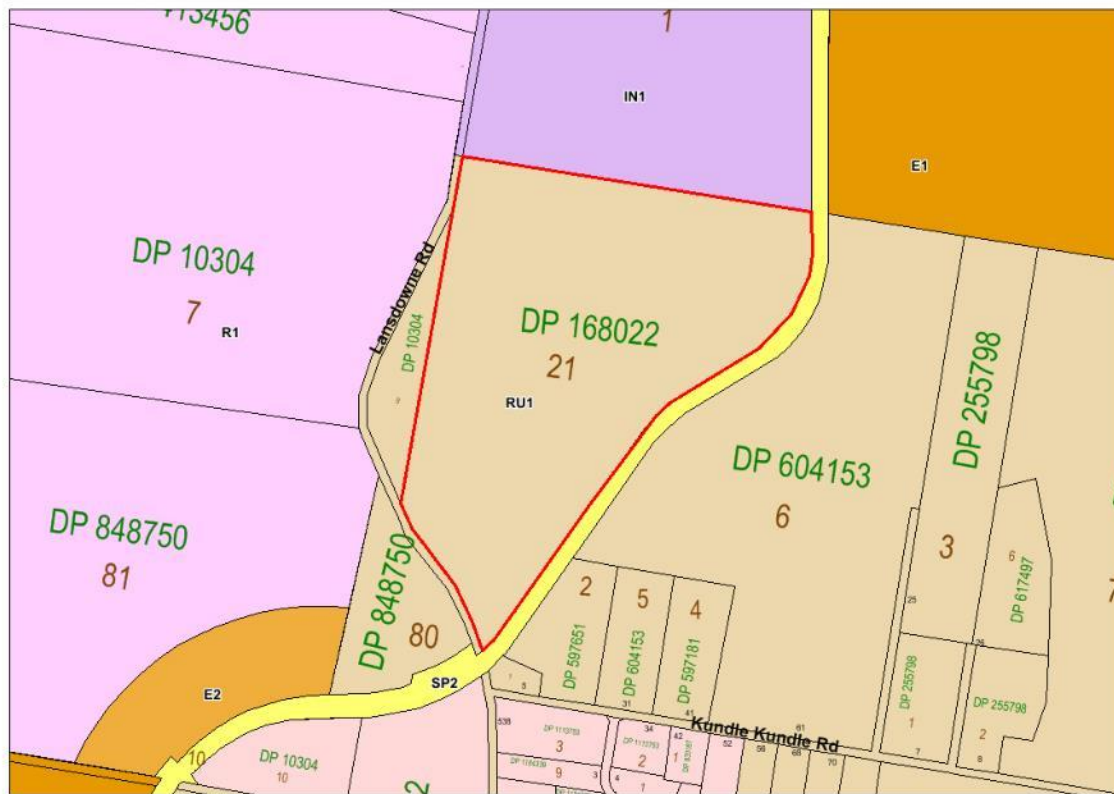


It is proposed to include the footprint of the existing industrial use in the General Industrial (IN1) zone to reflect the established use of the site (9.54ha). This zone is in keeping with the location of the industrial land proposed for Brimbin to the north of this site. The remainder of the site will be included in the Environmental Conservation (E2) zone to reflect the environmental values of the land that link National Parks and Nature Reserves to the west and north-east of the site (45.12ha).

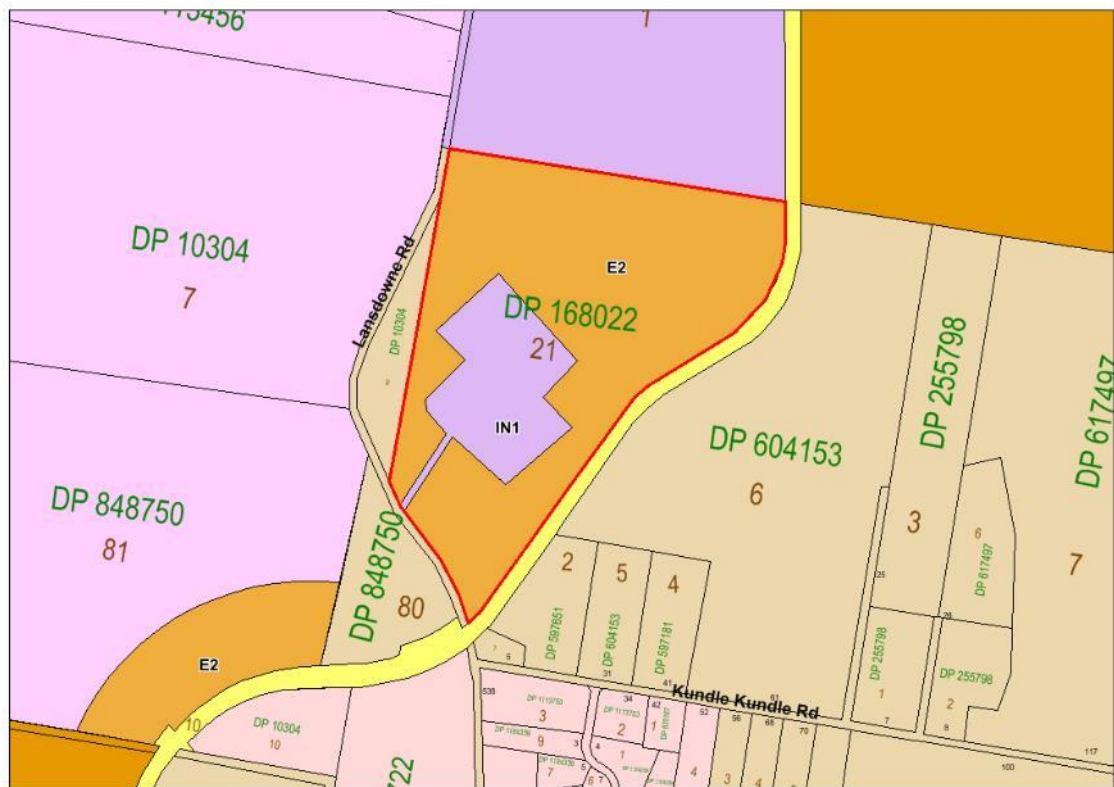
### Proposed amendment:

Amend LEP 2010 maps as follows.

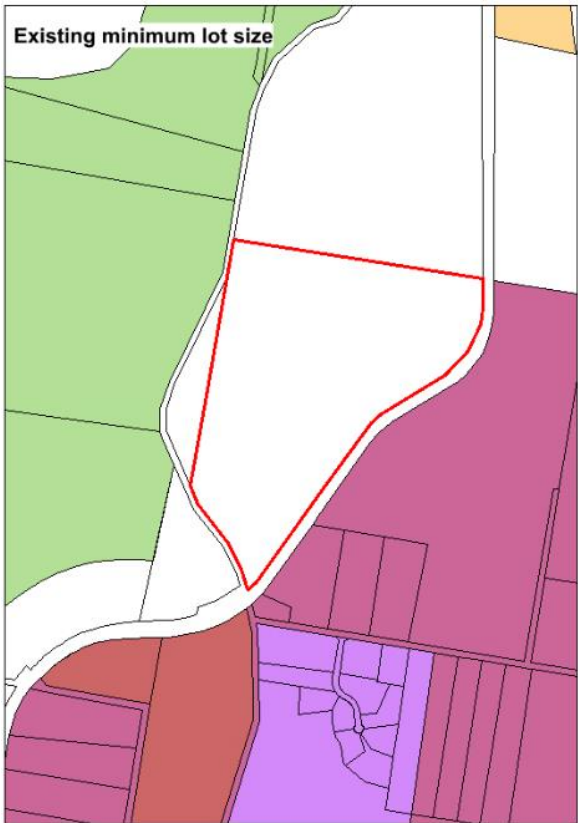
**Existing zone:** Primary Production (RU1) (brown)



**Proposed zone:** General industrial (IN1) (purple) and Environmental Conservation (E2) (orange)



Existing minimum lot size: N/A



Proposed minimum lot size: 40 ha for Environmental Conservation (E2) zone and N/A for General Industrial (IN1) zone





**Site E:** 74 Longworths Road, Harrington

**Property Description:**

Lot 2 DP 1198908

**Background:**

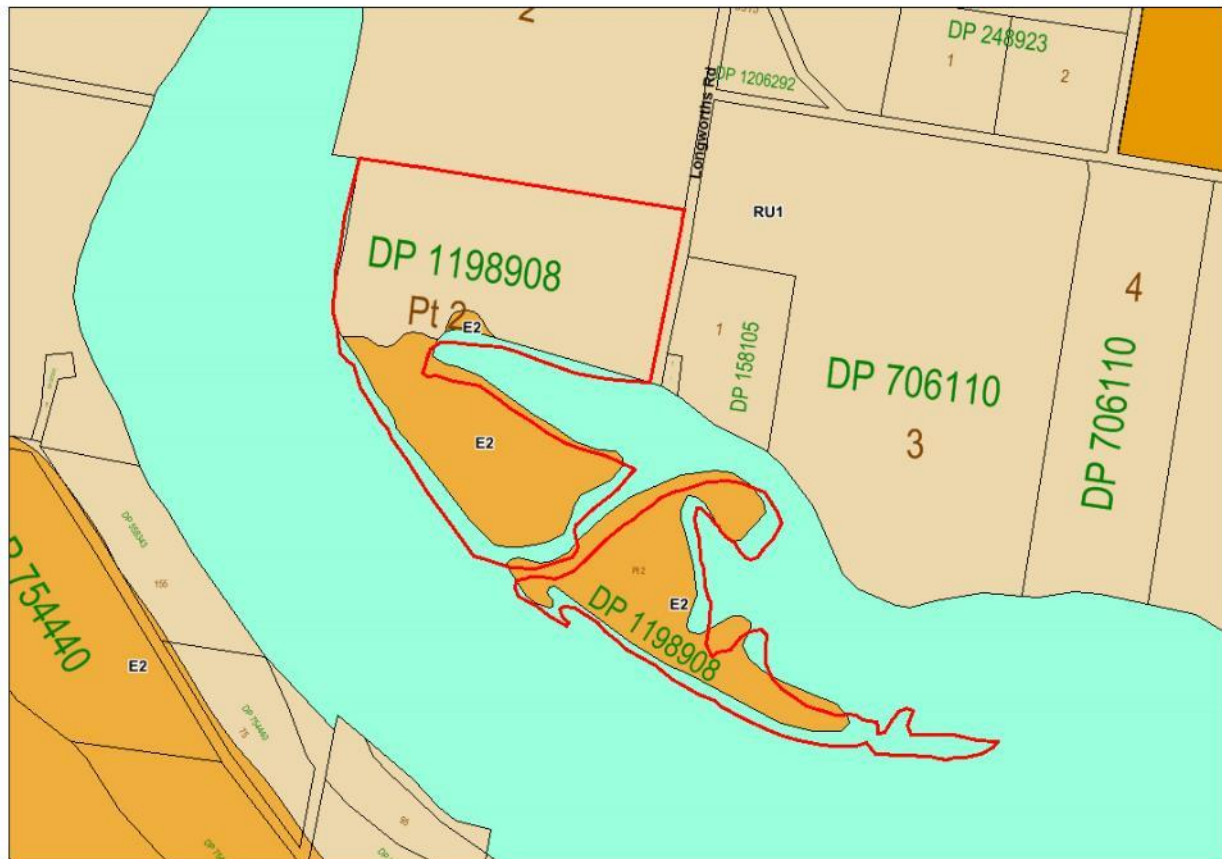
Land Property Information has produced more accurate cadastre boundaries for this site. As a result, the zone boundaries no longer align with the cadastre boundary. This amendment proposes to adjust the zone boundary to align with the cadastral property boundary.

**Proposed amendment:**

Amend LEP 2010 as follows.

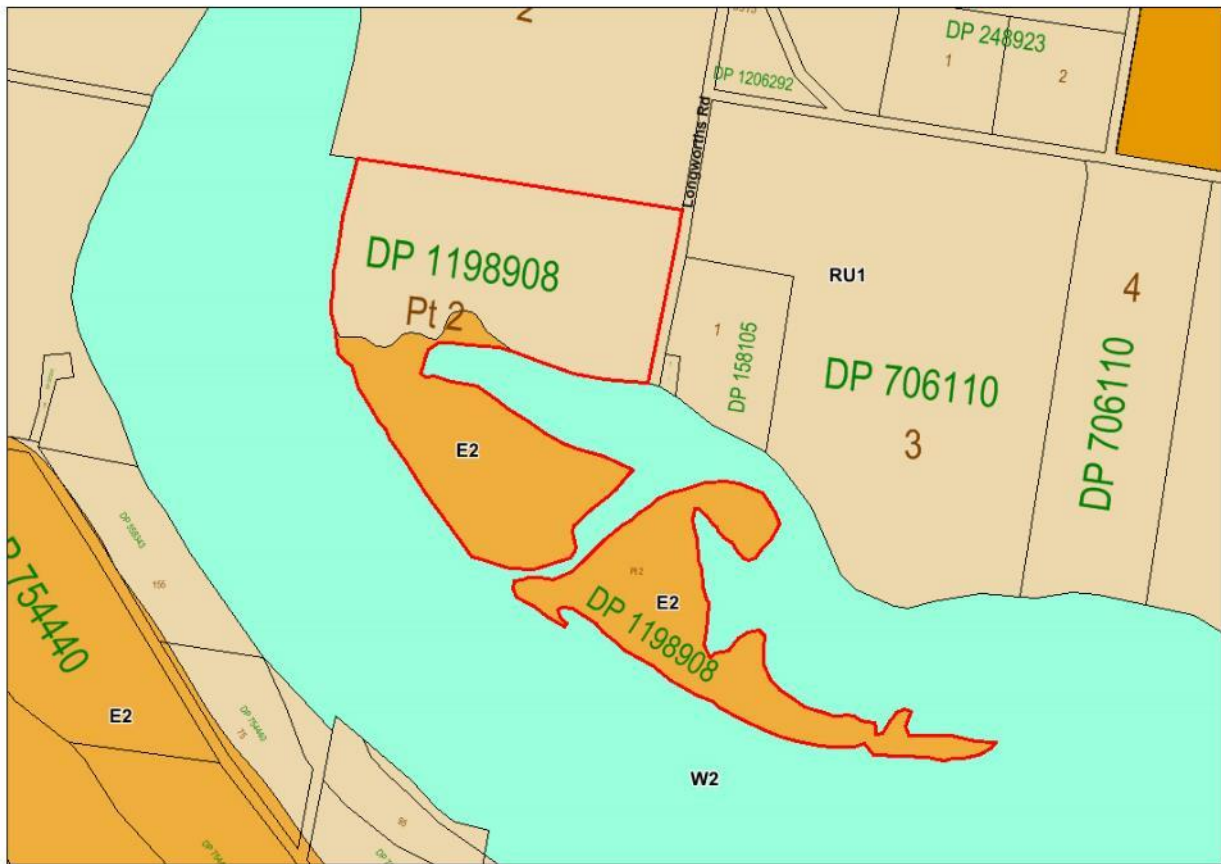


**Existing zone:** Environmental Conservation (E2) (orange), Primary Production (RU1) (brown), Recreational Waterways (W2) (blue)

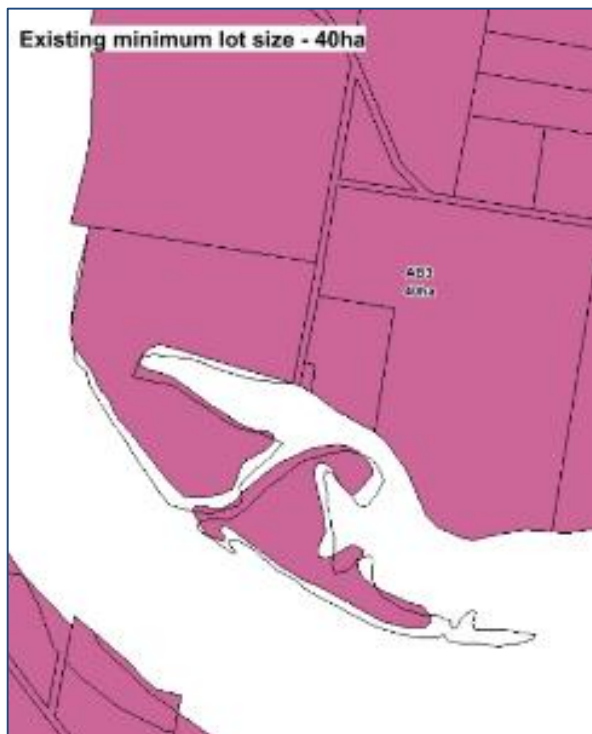




**Proposed zone:** Environmental Conservation (E2) (orange), Primary Production (RU1) (brown), Recreational Waterways (W2) (blue)



**Existing lot size:**



**Proposed Lot Size**



**Site F: 102 Industrial Road and Lot 193 Glacken Street Harrington**

**Property Description:**

Lot 218 DP 754415, Lot 193 DP 754415, Lot 2 DP 510738,

**Background:**

The landowner requested Council change the zone of part of their site which is currently included in the National Parks and Nature Reserve (E1) zone to the Environmental Conservation (E2) zone (refer to the zone map over the page). The National Parks and Nature Reserve zone was applied to this site in LEP 2010 as a direct transition from the former LEP 1995 - 8(b) National Parks and Nature reserves zone.

Given the site is privately owned, it is proposed to change the National Parks and Nature Reserve zone to Environmental Conservation to reflect the private ownership of the land.

The intent of National Parks and Wildlife Services to purchase this land for the future expansion of the Crowdy Bay National Park is clearly indicated in yellow on Land Reservation Acquisition (LRA) map (to the right). This clearly shows which parts of the sites that the zone change will be applied to.

Given the change to the zone of the land, clause 5.1 of LEP 2010 (2) that triggers the acquisition needs to be amended to reflect this change of zone.

**Proposed amendment:**

Amend LEP 2010 as follows.

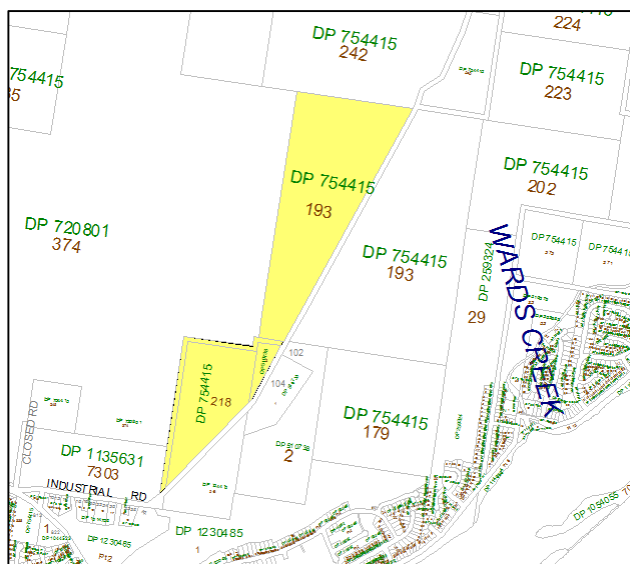
Amend clause 5.1(2) to include the following in the table

**Type of land on the Map**

Zone E2 Environmental Conservation and marked "National Park"

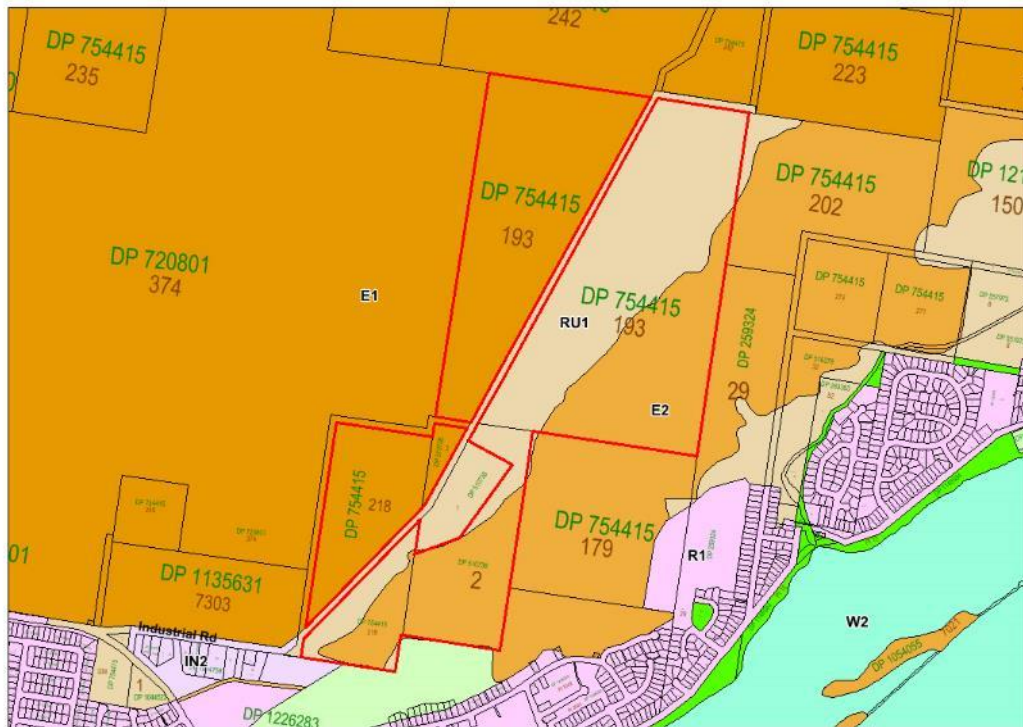
**Authority of the State**

Minister administering the National Parks and Wildlife Act 1974

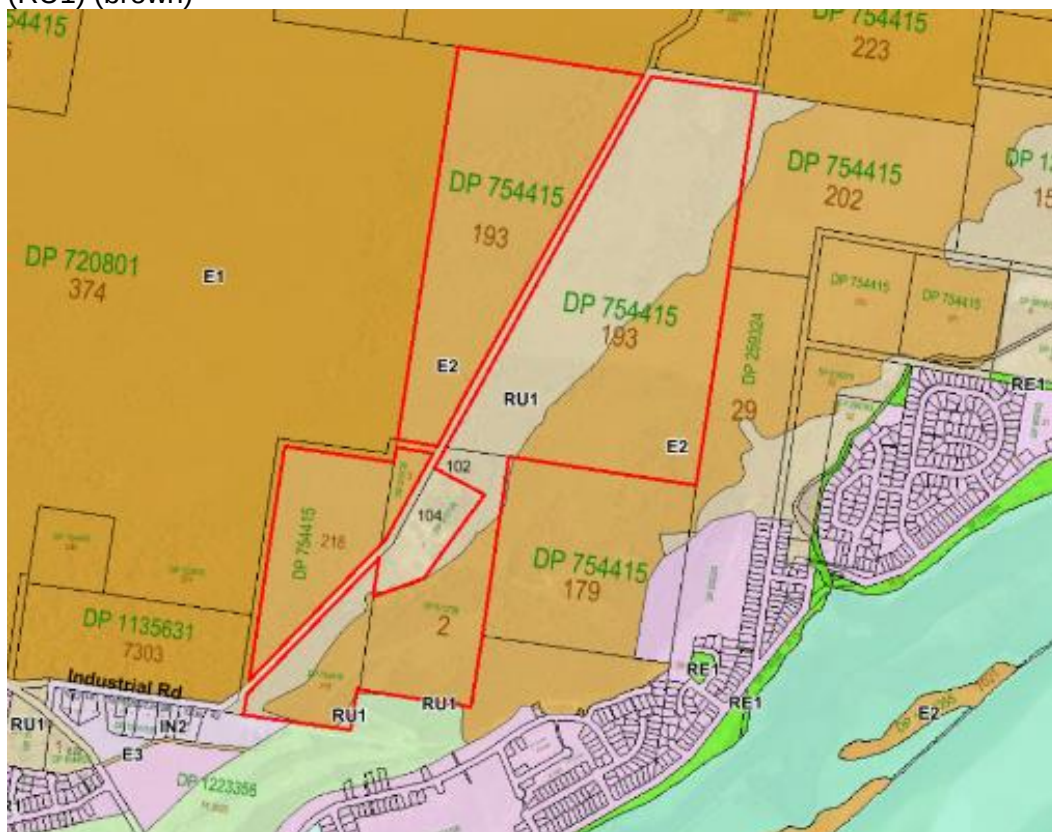


## Mapping changes:

**Existing zone:** National Parks and Nature Reserves (E1) (orange) and Primary Production (RU1) (brown)

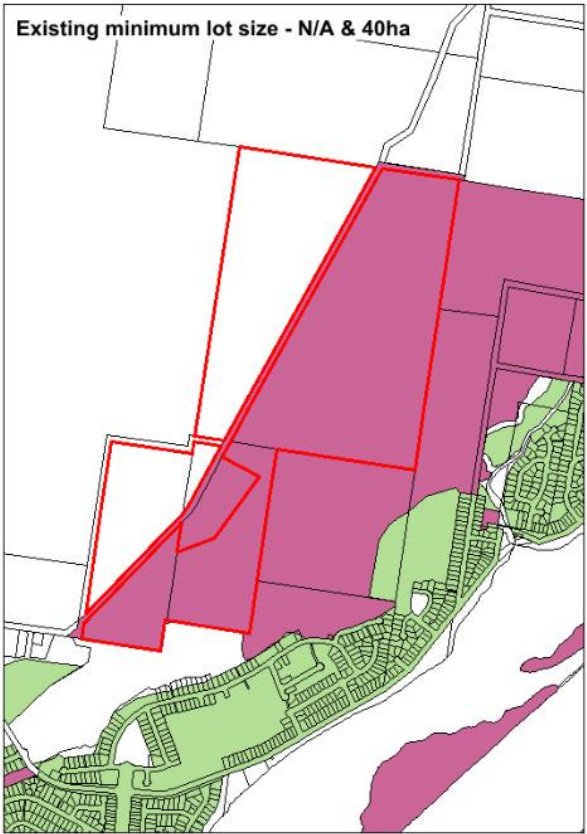


**Proposed zone:** Environmental Conservation (E2) (light orange) and Primary Production (RU1) (brown)

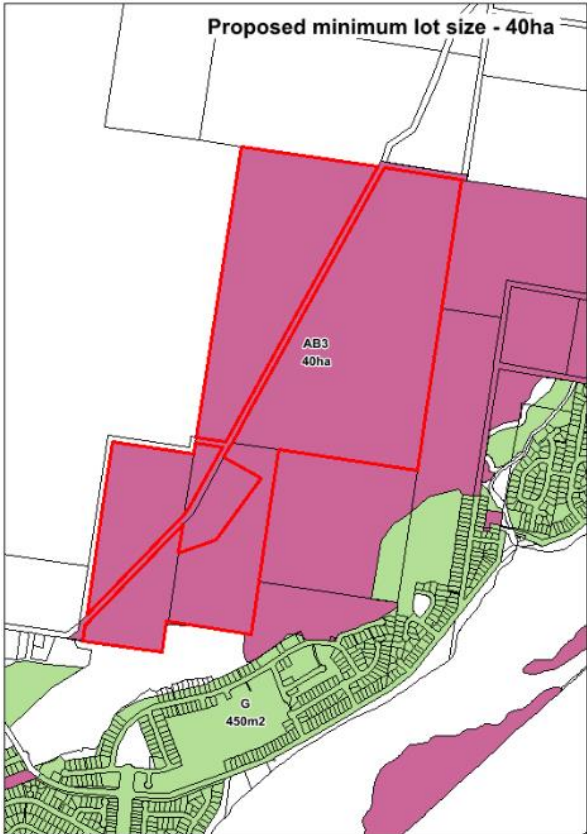




**Existing Minimum Lot Size: N/A and 40 ha**



**Proposed Minimum Lot Size: 40 ha**





**Site G: 2 Pilot Street, Harrington**

**Property Description:**

Lot 22 DP 758502

Area: 170.73 m2

**Background:**

This lot forms part of the Harrington Memorial Hall site providing access and parking for the hall. The land is Crown Land maintained by a hall committee.

This lot is included in the Public Recreation (RE1) zone, while the remainder of the hall is included in the Neighbourhood Centre (B1) zone (refer to zone map below).

Investigations found that LEP 1995 identified this site as "Arterial Road". When the zones were transitioned into LEP 2010 the site was included in the Public Recreation (RE1) zone. This zone was applied as:

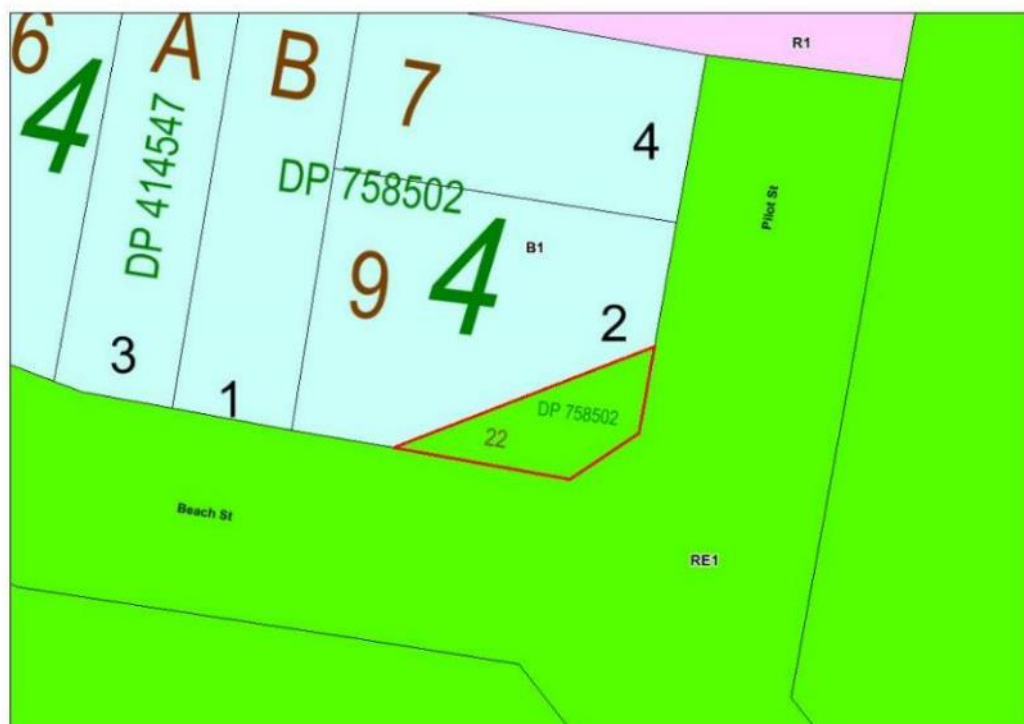
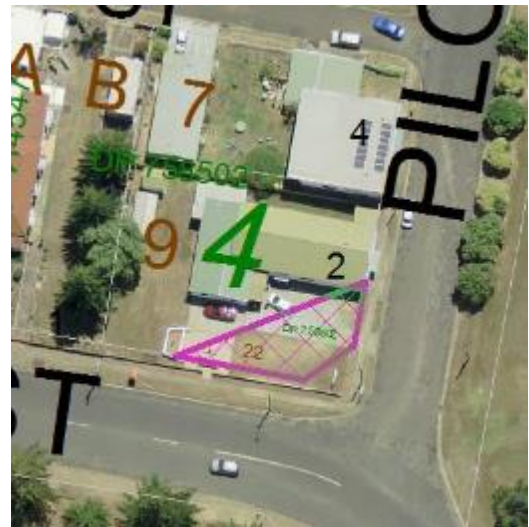
- the site had a road designation in LEP 1995, and
- all roads were given a zone, which was usually the zone of the adjoining land. In this case the Public Recreation zone was applied to both Beach Street and Pilot Street given they adjoined the Pilot Hill and Harrington foreshore parks respectively.

This site is not intended to be purchased by Council for the purpose of a road or park and is not included on the Land Reservation Acquisition map. As a result, it is proposed that the site be included in the Neighbourhood Centre zone to be consistent with the use of the site being the Harrington Community Hall.

**Proposed amendment:**

Amend LEP 2010 as follows.

**Existing zone:** Public Recreation (RE1) (green)



**Proposed zone:** Neighbourhood Centre (B1) (blue)



**Existing height of building:** N/A



**Proposed height of building:** 8.5m



Existing floor space ratio: N/A



Proposed floor space ratio: 0.85



**Site H: 202 Bushland Drive, Taree**

**Property Description:**

Lot 1 DP 1228883

Area: 8.5 ha

**Background:**

This site has operated as a rail facility for over 30 years and is currently for sale. Railcorp NSW have requested that the Special Purpose - Infrastructure (SP2) zone be changed to reflect the likely continued industrial use of the site.

A range of studies were undertaken by consultants and assessed by Council. These studies are provided in Attachment E. The following was considered for this site:



- an ecological survey undertaken by GHD identified that the preferred koala food tree species comprised greater than 15%, however there was no evidence of koalas at the site. The vegetation along the eastern portion of the site (formerly Lot 1 DP 944585) contributes to an environmental corridor and was required to be included in the Environmental Conservation (E2) zone. This corridor also contributes to the existing buffer provided for the residential area to the east of the site
- GHD prepared an assessment of the extent of contamination of the site. The report concluded that there is low potential for contamination to exist in the soils and that the site is suitable for either ongoing commercial or industrial land use
- the use has operated from the site for over 30 years, resulting in the infrastructure being well established for this site. Given the proximity of the residential to the east, a Light Industrial (IN2) zone was considered appropriate. This zone change will enable the continued use of the employment lands and support adjoining employment lands to the west, south and north. This site is located in the Growth Area for Taree (as identified in the *Mid North Coast Regional Strategy 2006-2036*)
- the small portion of General Residential (R1) zoned land located along Bushland Drive will be included in the Light Industrial (IN2) zone.

It is proposed to include the environmental corridor along the eastern portion of the site in the Environmental Conservation (E2) zone and the remainder of the site in the Light Industrial (IN2) zone.

**Proposed amendment:**

Amend LEP 2010 maps as follows.



[illegible][illegible]

Existing minimum lot size: N/A

Proposed minimum lot size: 40 ha for Environmental Conservation (E2) and N/A for Light Industrial (IN2)



## Site I: Lot 1 River Street, Cundletown

### Property Description:

Lot 1 DP 1136052

Area: 539.7m<sup>2</sup>

### Background:

The Land Reservation Acquisition (LRA) Map (right) shows land earmarked for acquisition (shown as yellow) for the Cundletown Bypass. This bypass was originally proposed by NSW Roads and Maritime Services (RMS) for the Pacific Highway. After the Taree bypass was completed in the late 1990s, Council determined that there was still a need for the Cundletown Bypass for the new town of Brimbin, and retained the need for future acquisition.

The subject site (pink outline on aerial) is required for the Cundletown Bypass for a roundabout at the intersection of the western end of the bypass with Main Street. However, this site was not included on the LRA map. This error may have been made given the land was already in RMS ownership.

Recently, RMS placed this vacant site on the market for sale. Without the Land Reservation Acquisition layer in place over the site, there was no indication that the future road widening could potentially take up the whole site. While the sale of the site has been withdrawn, it is important to ensure the constraints over the site are easily identified for future purchasers of the land. This amendment proposes to include the site on the Land Reservation Acquisition Map.

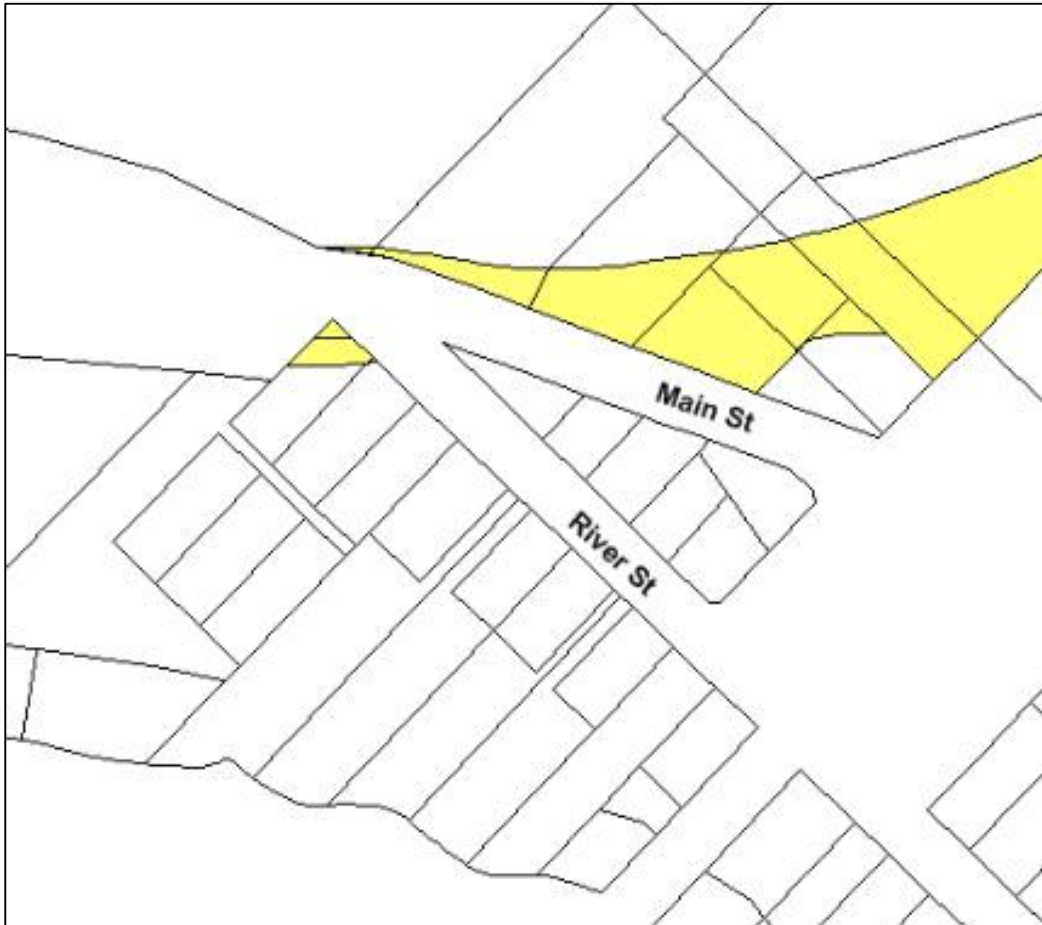
### Proposed amendment:

Amend LEP 2010 maps as follows.

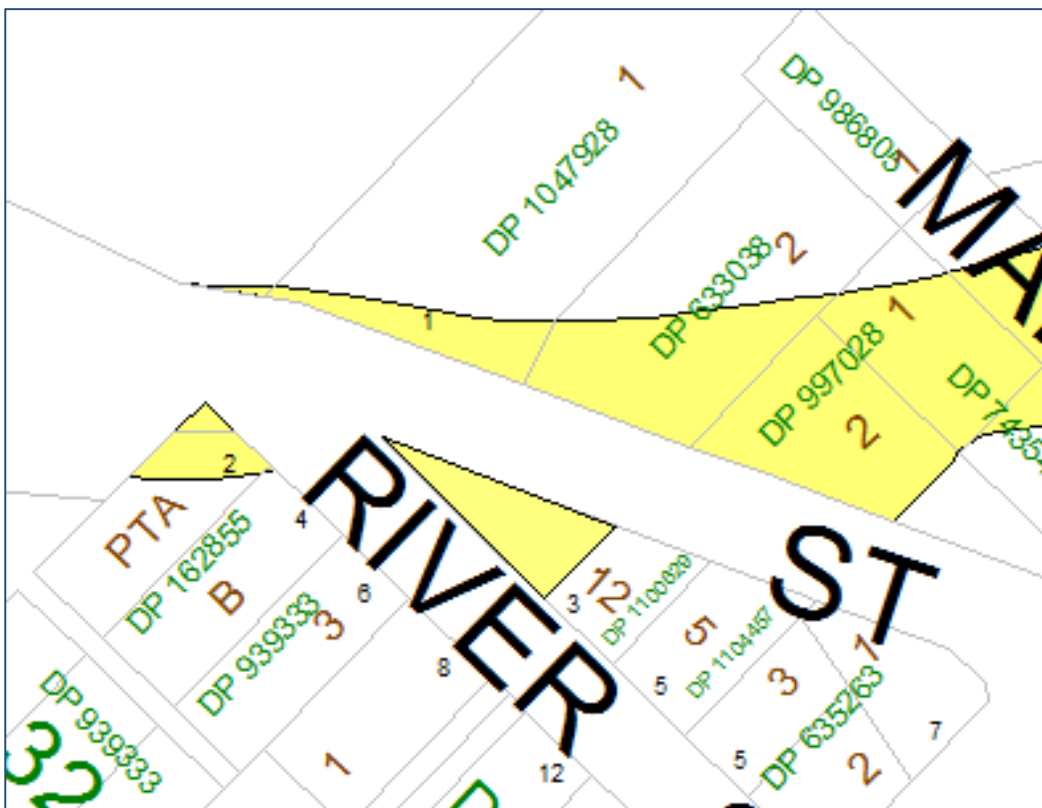




Existing land reservation acquisition map



Proposed land reservation acquisition map





**Site J: 11-29 Beeton Parade, Taree**

**Property Description:**

Lot 100 DP 1195087

Area: 2.88 ha

**Background:**

This site was previously used as a bowling club (established in 1954). This club closed down and was sold for use as a restaurant. The site is currently for sale and there have been enquiries as to why part of the site is included the Public Recreation (RE1) zone.

Historically, sites along creeks that were subject to flooding were included in an open spaces zone as there were no environmental zones available at that time. In LEP 1995 this part of the site was in the Open Space Recreation (6A) zone, along with much of the flood affected land along Browns Creek. The site transitioned to the Public Recreation (RE1) zone in LEP 2010.

The recent *Manning River Flood Study 2016* provides the most recent flood maps for this area. The map to the right indicates that the site is affected by flood planning level 3 (1% AEP (100 year average recurrence interval) with 2100 sea level rise plus 0.5m freeboard).

This site has remained in private ownership and Council has no intention of purchasing the land for open space. The site is not identified on the Land Reservation Acquisition Map or any open space plans.

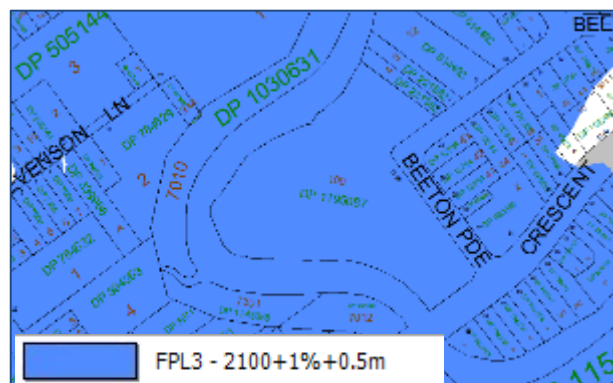
Given the remainder of the property is zoned Private Recreation (RE2) and is subject to flooding constraints (refer map to right), it is appropriate to apply the Private Recreation zone to this part of the site. The building height, floor space ratio and lot size requirements remain unchanged.

This amendment is proposed to provide clarity that the land is not intended for public open space.

A review of similar sites along Browns Creek will be undertaken in a future amendment package to improve consistency of LEP 2010

**Proposed amendment:**

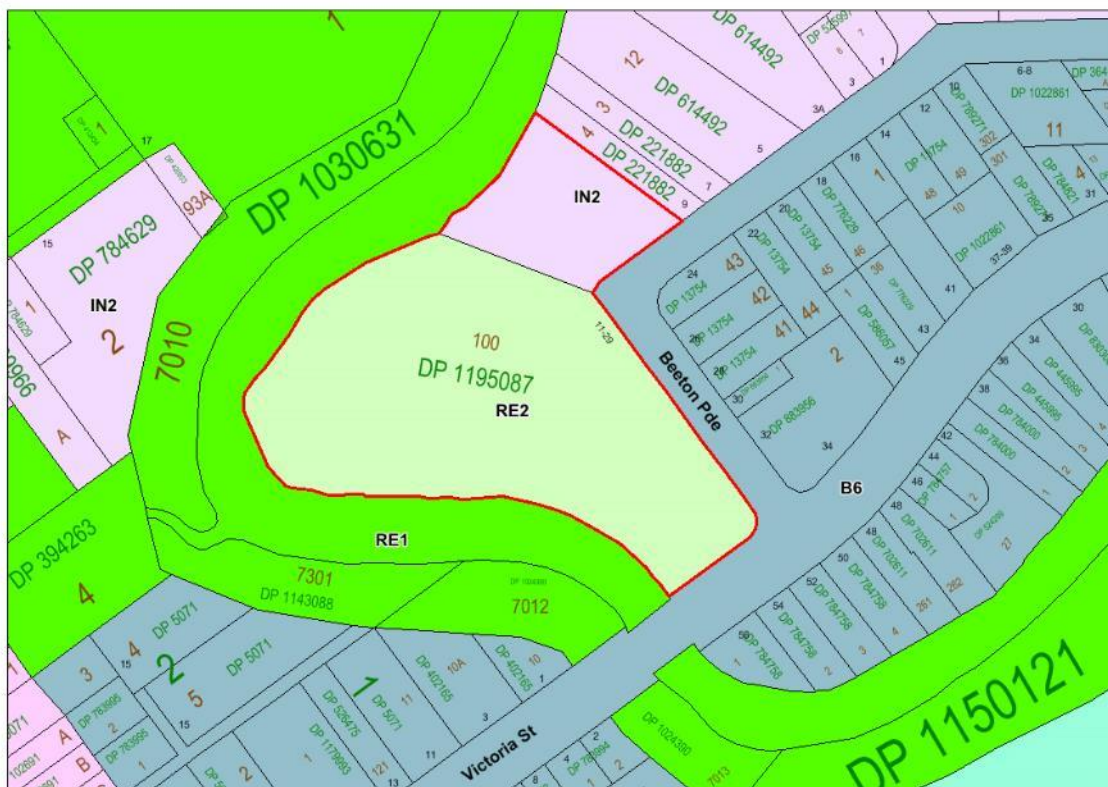
Amend LEP 2010 maps as follows.



**Existing zone:** Light Industrial (IN2) (purple), Private Recreation (RE2) (light green), Public Recreation (RE1) (dark green)



**Proposed zone:** Light Industrial (IN2) (purple) and Private Recreation (RE2) (light green)



**Site K: 16 Hayes Lane, Taree**

**Property description:**

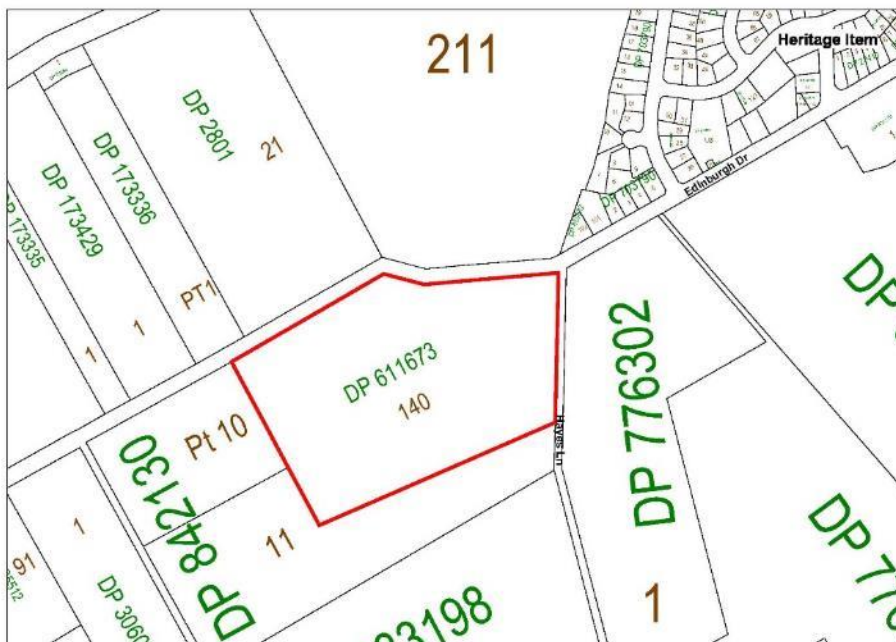
Lot 140, DP 611673

**Background:**

Council was advised that the DP for heritage item I190 has been recorded incorrectly in LEP 2010. It is proposed to change the DP to the correct description being DP 611673.

**Proposed amendment:**

Amend heritage item I190 in Part 1 of Schedule 5 – Environmental Heritage to record the correct DP being DP 611673.





## Site L: Diamond Beach Resort, 394 Diamond Beach Road, Diamond Beach

### Property Description:

Lot 14 DP 576414

Area: 2.18ha

### Background:

This site is on the edge of the urban area at Diamond Beach and is included in the Primary Production (RU1) zone. However, the site has been used as a motel for over 20 years. The owner approached Council to change the zone of the property to reflect the current use and be consistent with other tourist facilities in north Diamond Beach.



An investigation was undertaken and concluded that:

- the site is subject to coastal hazards. To address this constraint it is proposed to include the land east of the 2100 Coastal Zone Hazard Line in the Environmental Conservation (E2) zone. This zone has been consistently used along the coast to identify land that could potentially be subject to coastal hazards
- the motel has been established on the site for a number of years. As such, the site has no existing rural values
- there is no evidence from inspections that the land is contaminated
- the site has acid sulfate soils present and is bushfire prone. If further development was to occur on the site there are provisions in LEP 2010 to address these site constraints
- a tourist use of this site is consistent with the intent of north Diamond Beach to be a tourism precinct as outlined in the *Hallidays Point Development Strategy 2004*. While this strategy was not endorsed by the Department of Planning and Environment, the intent of this tourism precinct has been consistently applied through to the recent draft Manning Valley Local Strategy in 2016 and urban expansion of this area under the *Mid North Coast Regional Strategy 2006-31*
- the site would need to be included on the Additional Permitted Uses Map as area 4 and Schedule 1 be amended to include the tourist zone clause for this site (permitting 30% permanent occupancy for all SP3 lands).

### Proposed amendment:

Amend LEP 2010 as follows.

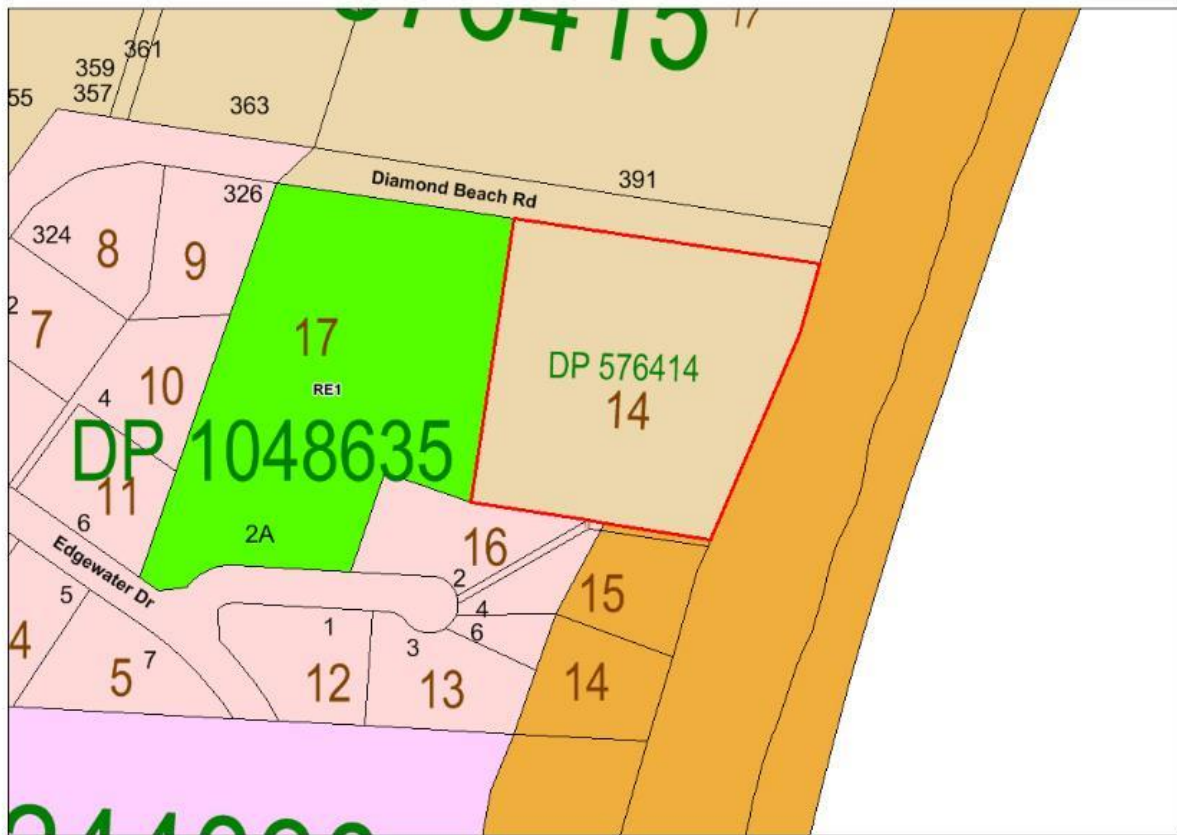
Amend Schedule 1 to include Clause 7 Use of particular land identified as Area 4 on the [Additional Uses Map](#)

- (1) This clause applies to land identified as Area 4 on the [Additional Uses Map](#).
- (2) Development for the purposes of residential accommodation is permitted with development consent if:
  - (a) the total gross floor area of the development does not exceed 30% of the total gross floor area of all buildings used for the purposes of tourist and visitor accommodation in Area 4, and
  - (b) there are existing recreational facilities (indoor) or recreational facilities (outdoor) in Area 4, and
  - (c) the consent authority is satisfied that there is a need for residential accommodation to ensure:
    - (i) the safety, security and viability of tourist and visitor accommodation through the off-season, and
    - (ii) the retention of local employment through the off-season.

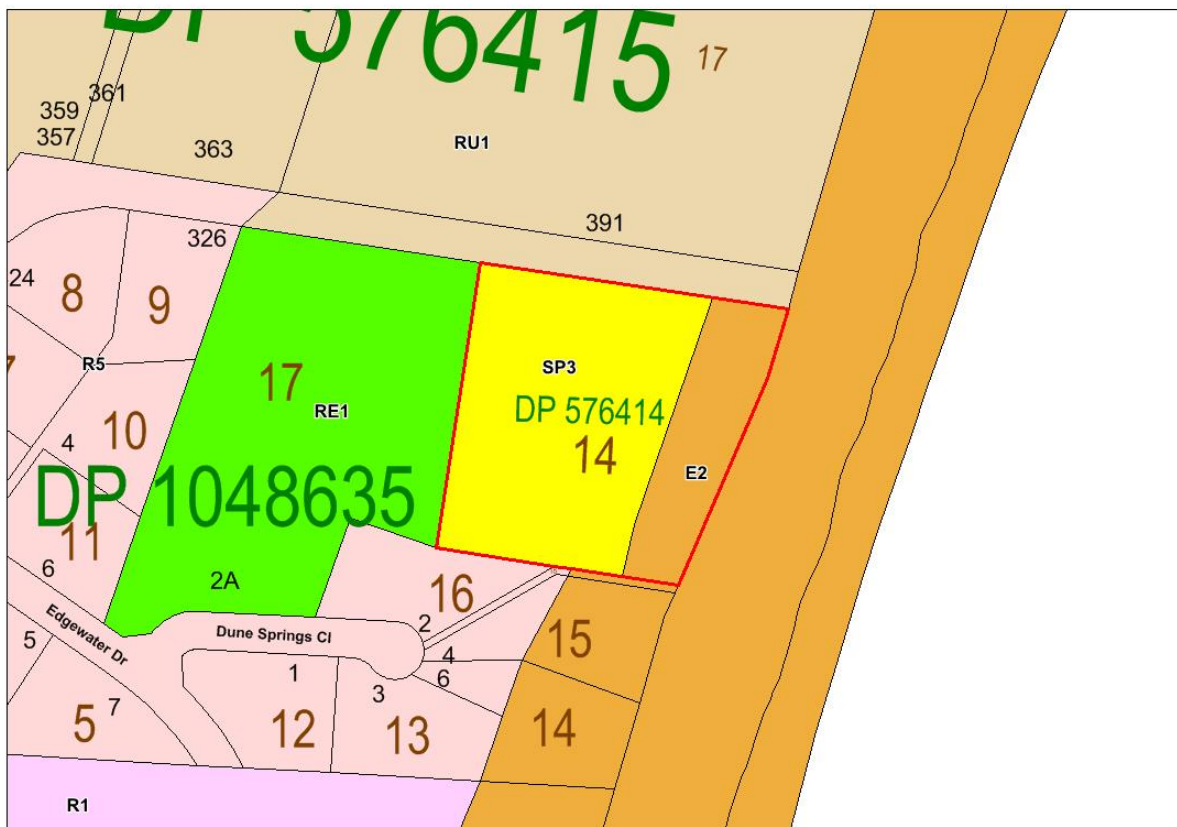


Amend LEP 2010 maps as follows.

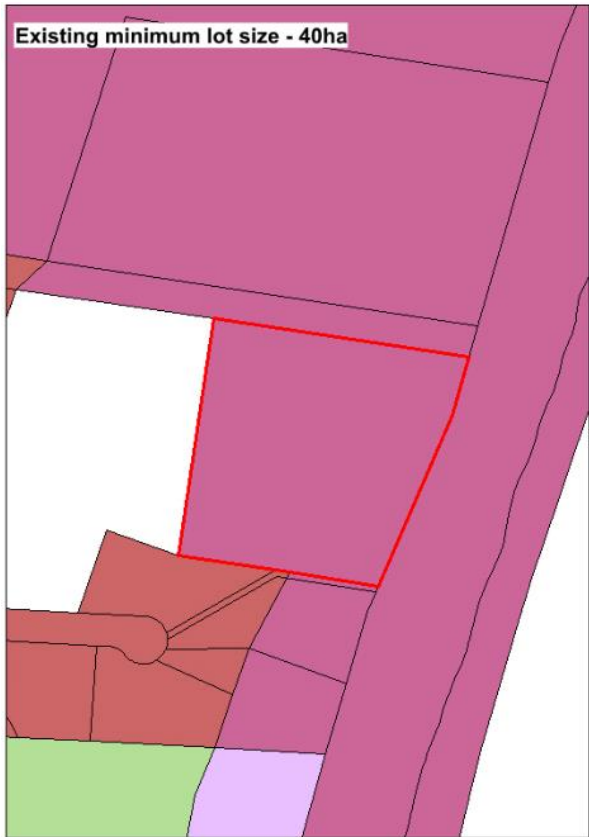
**Existing zone:** Primary Production (RU1) (brown)



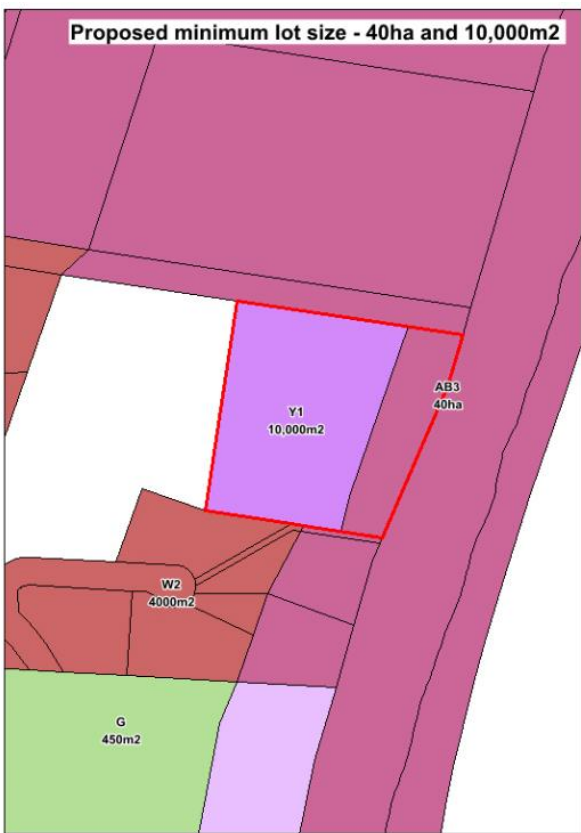
**Proposed zone:** Tourist (SP3) (yellow) and Environmental Conservation (E2) (light brown)



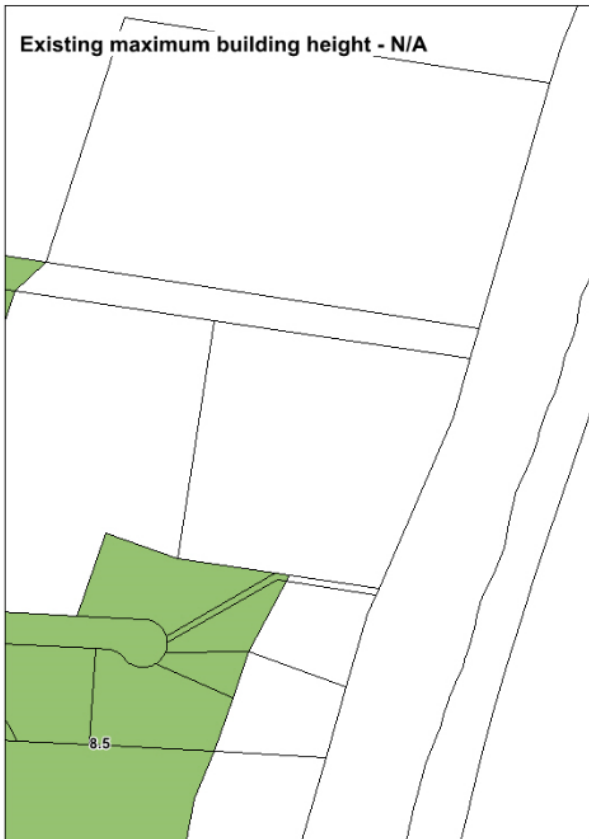
Existing Lot Size: 40 ha



Proposed Lot Size: 10,000 m2 and 40 ha



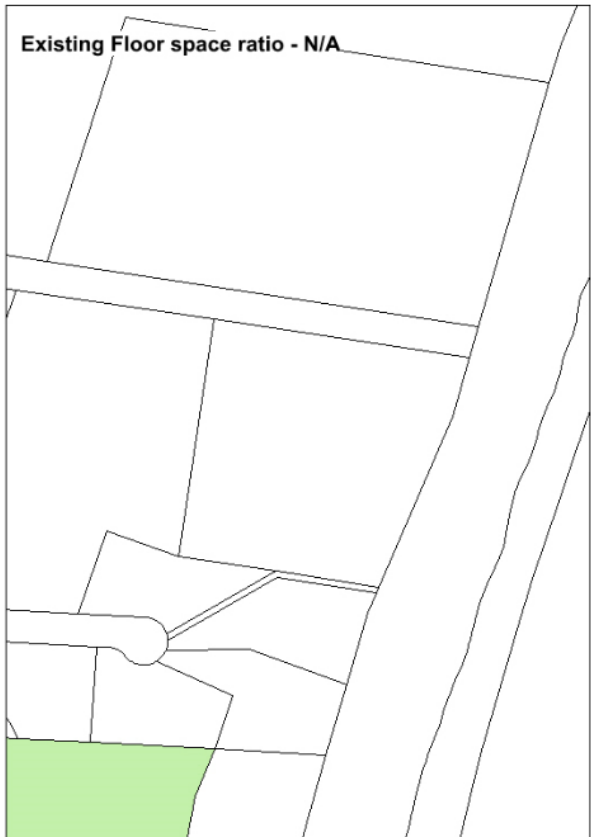
Existing height of building: N/A



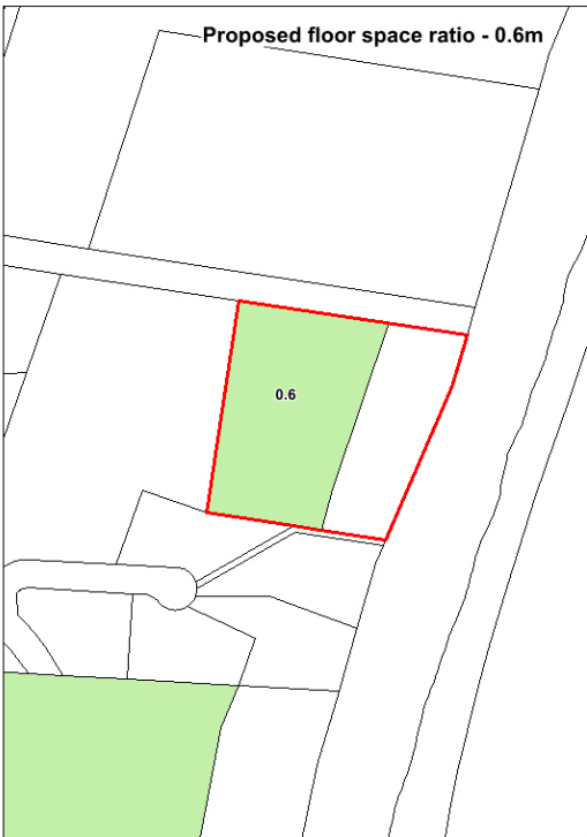
Proposed height of building: 8.5m in SP3 zone



Existing floor space ratio: N/A



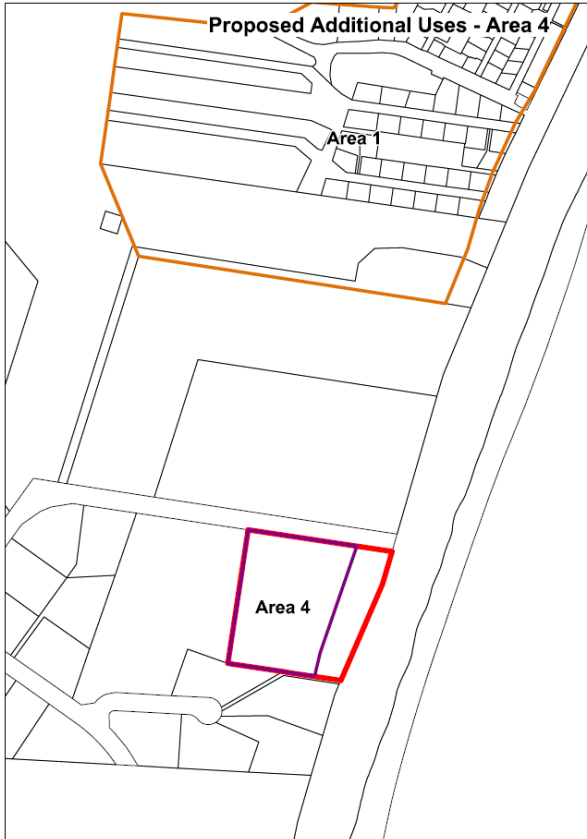
Proposed floor space ratio: 0.6 in SP3 zone



Existing Additional Permitted Uses map



Proposed Addition Permitted Uses map



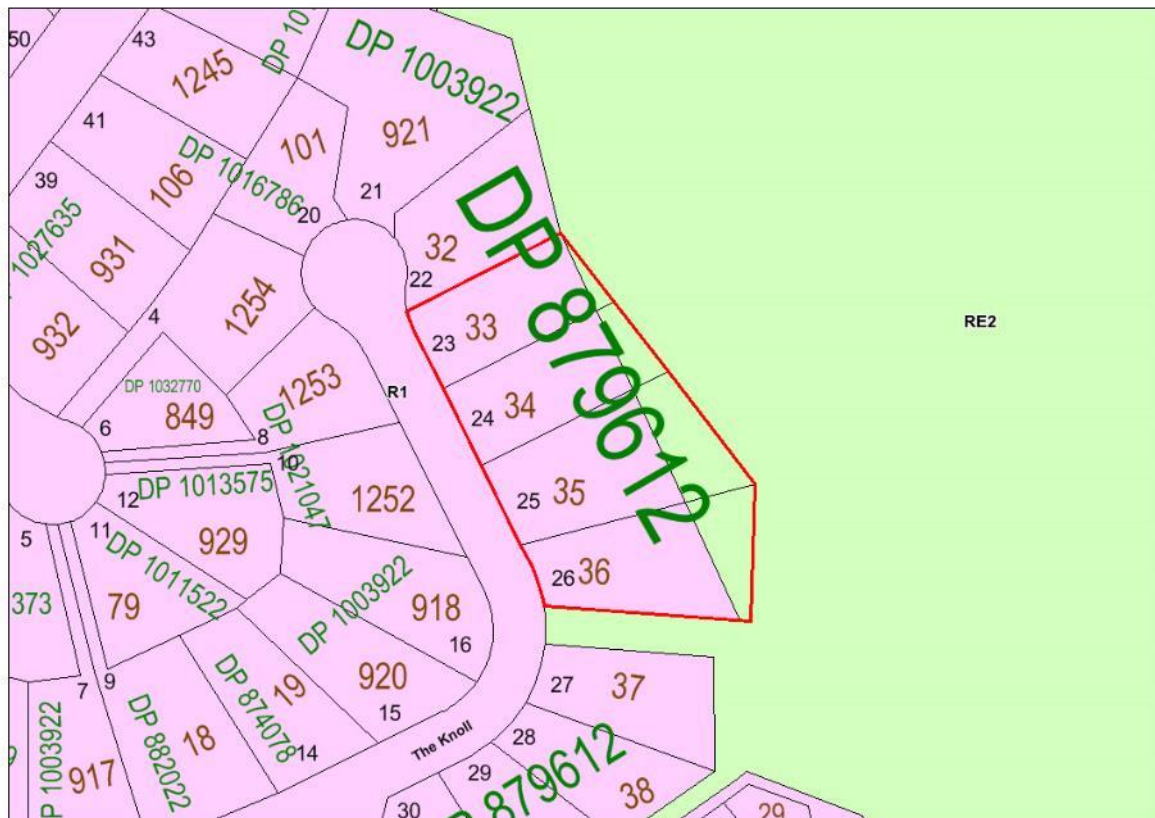
**Property Description:**  
Lot 33 - 36 DP 879612

Investigations revealed that four residential lots in the Tallwoods village have a portion of Private Recreation (RE2) zone over the rear of the lot, which adjoins the Tallwoods Golf Course. This mapping error has occurred from the subdivision layout not aligning with the zone boundary. Each lot should be located wholly within the General Residential (R1) zone to reflect the current use.



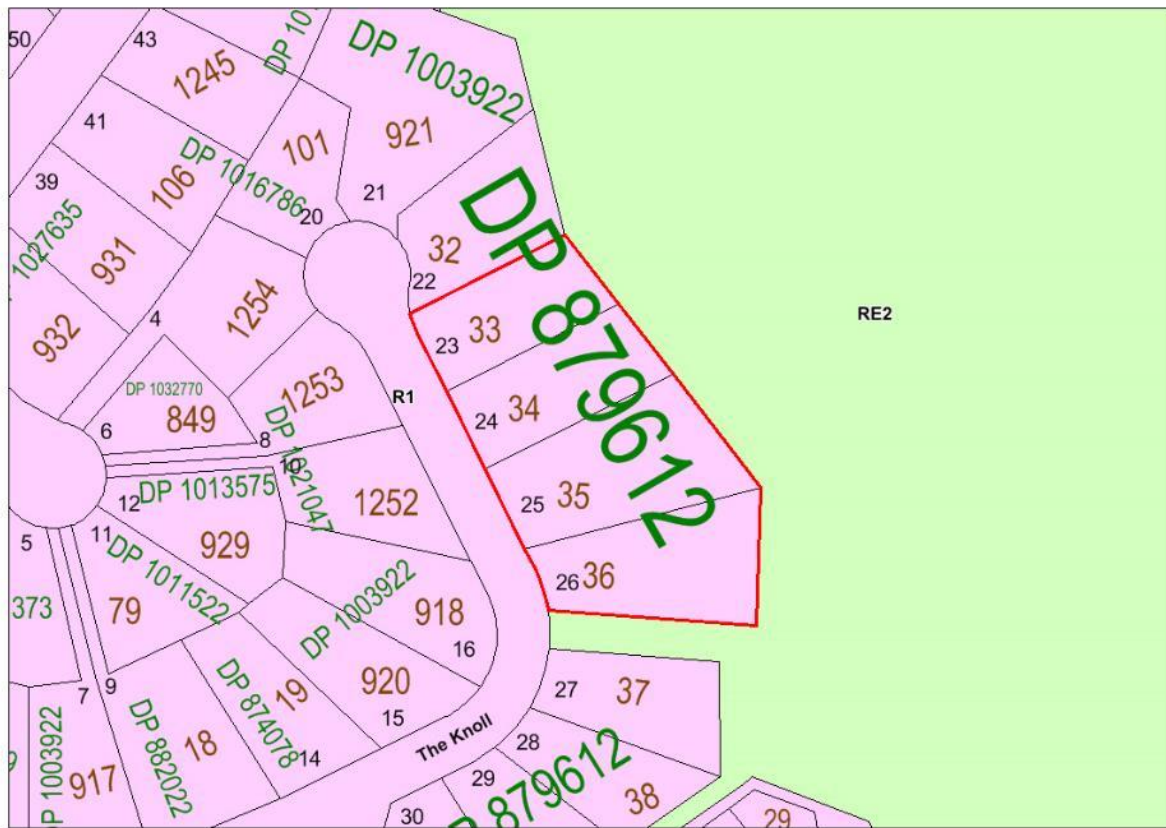
**Proposed amendment:**  
Amend LEP 2010 maps as follows.

**Existing zone:** General Residential (R1) (pink) and Private Recreation (RE2) (green)

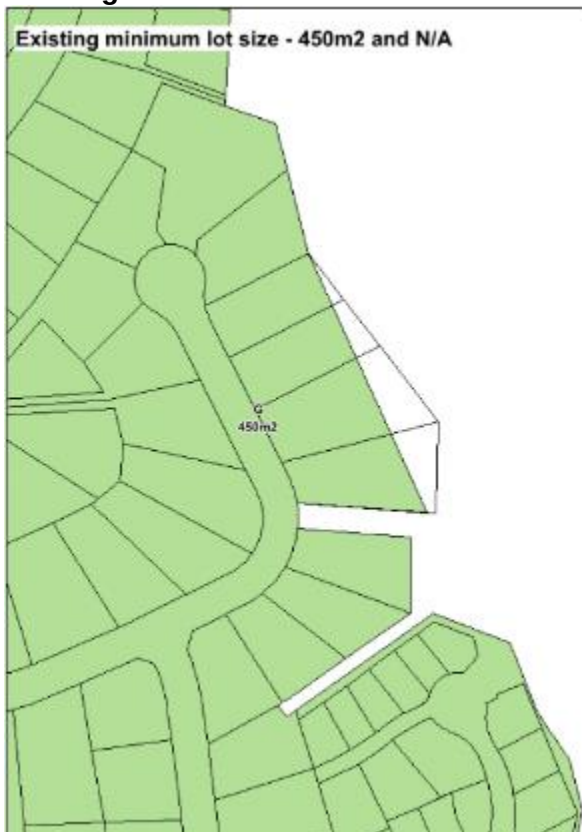




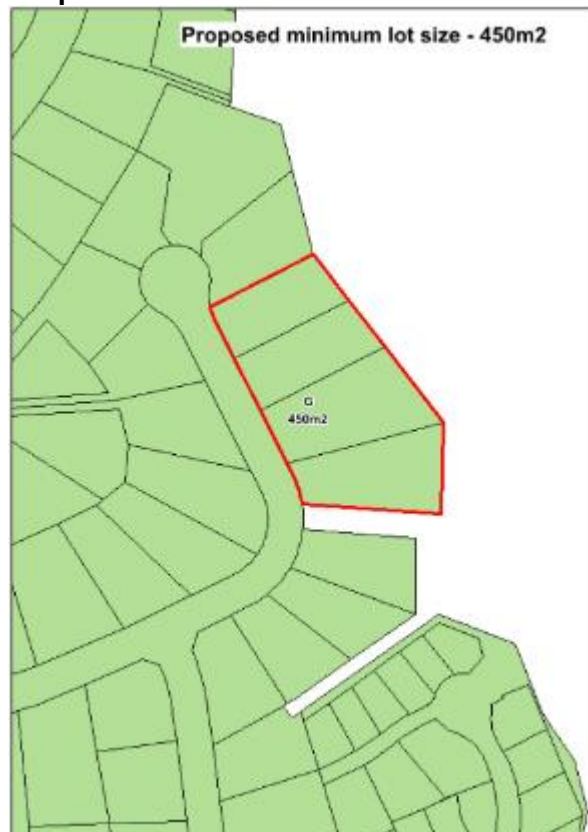
**Proposed zone:** General Residential (R1) (pink)



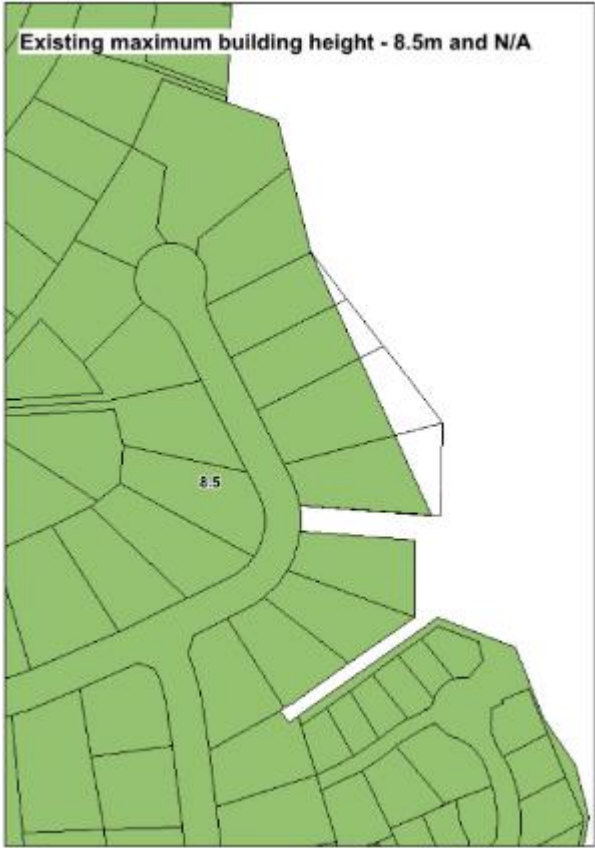
**Existing minimum lot size:** 450m2 and N/A



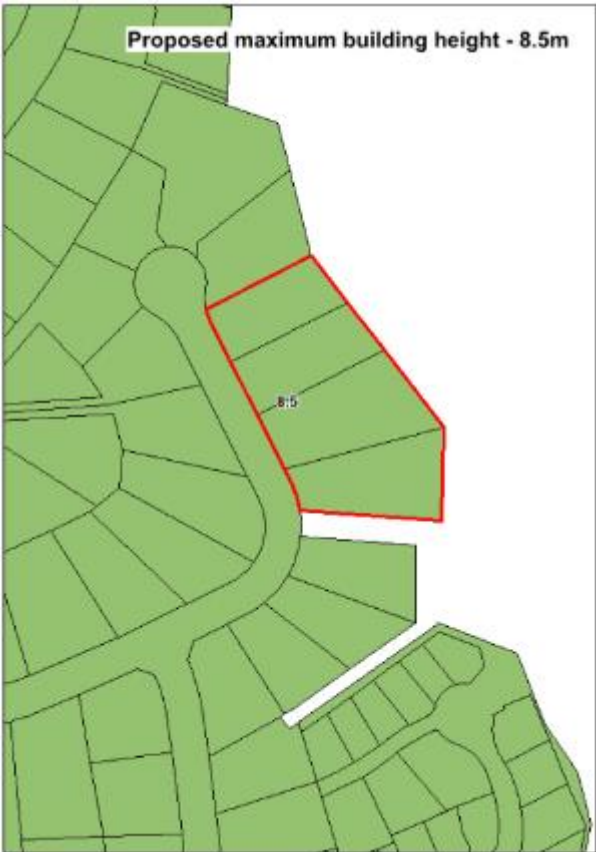
**Proposed minimum lot size: 450m2**



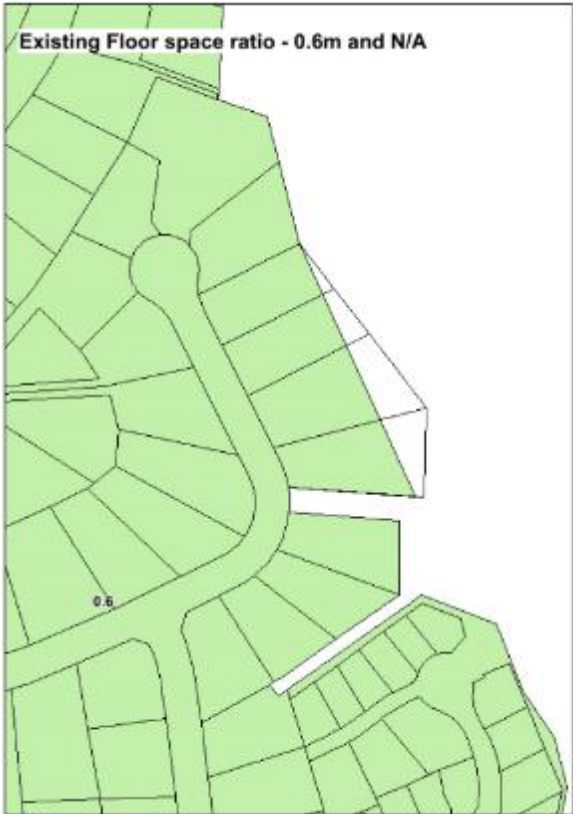
**Existing height of building: 8.5m and N/A**



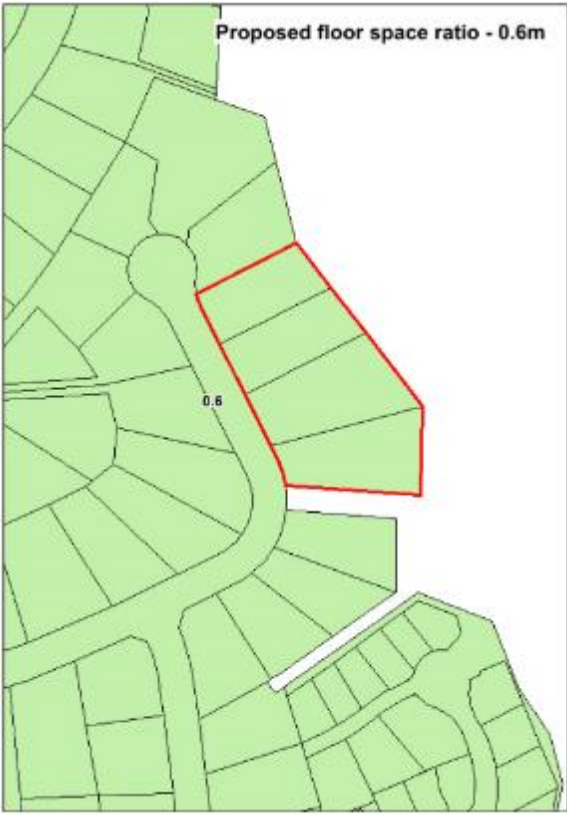
**Proposed height of building: 8.5m**



**Existing floor space ratio: 0.6 and N/A**



**Proposed floor space ratio: 0.6**





**Site N:** 25 Myalup Court, Red Head

**Property Description:**

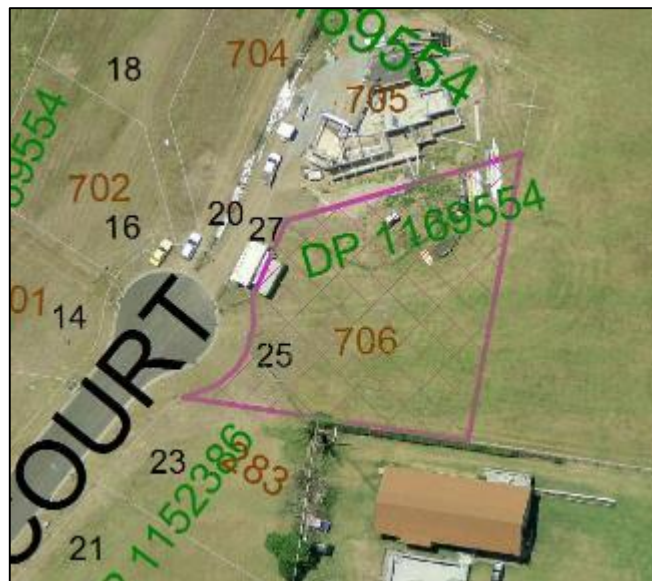
Lot 706 DP 1169554

Area: 1,659m<sup>2</sup>

**Background:**

This land formed part of the Seascope development. At the time of rezoning, the open space zone was applied over part of Lot 706 DP 1169554 to enable driveway access to a public car park on the adjoining eastern land.

Since the rezoning was undertaken an assessment was taken of the open space needs in this location. It was decided that there is no need for a public car park on the adjoining site given the park is mainly used by residents and there is sufficient on-road parking available. As a result, the provision of a 6m wide pedestrian access was considered sufficient for this site, so as to permit vehicle access to the site for Parks and Landcare vehicles to maintain the adjoining park.



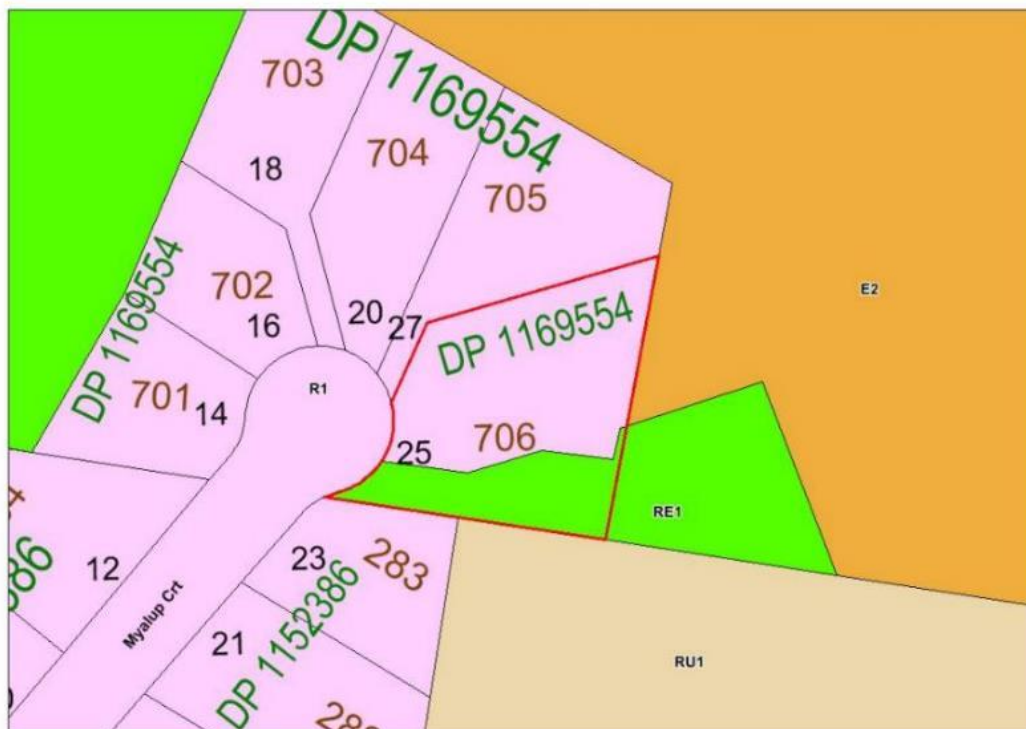
To reflect this change, the width of land included in the Public Recreation zone is to be reduced to 6m wide (refer proposed zone map over the page). This will enable residents to access the headland and connect to the open space network to the north and south of the site.

This land has remained in private ownership. A planning agreement will be put in place to enable the transfer of this land to Council following this plan being made.

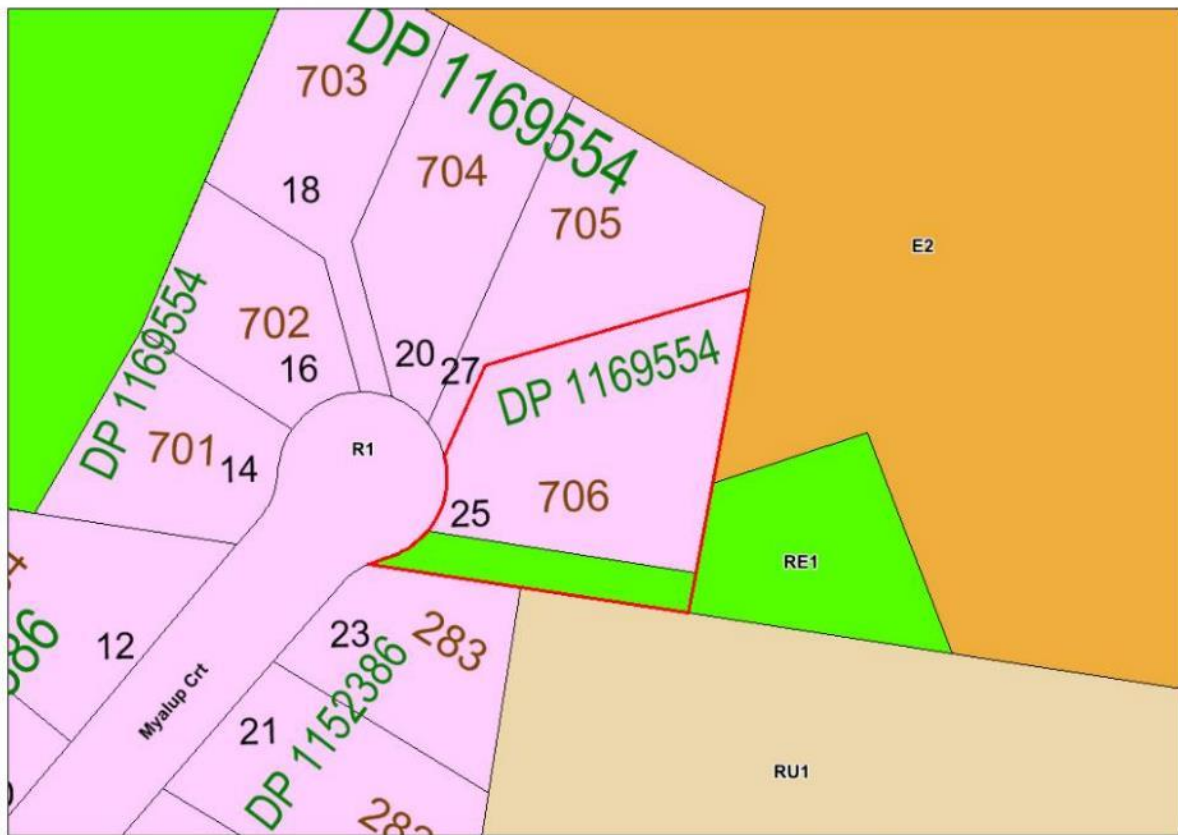
**Proposed amendment:**

Amend LEP 2010 maps as follows.

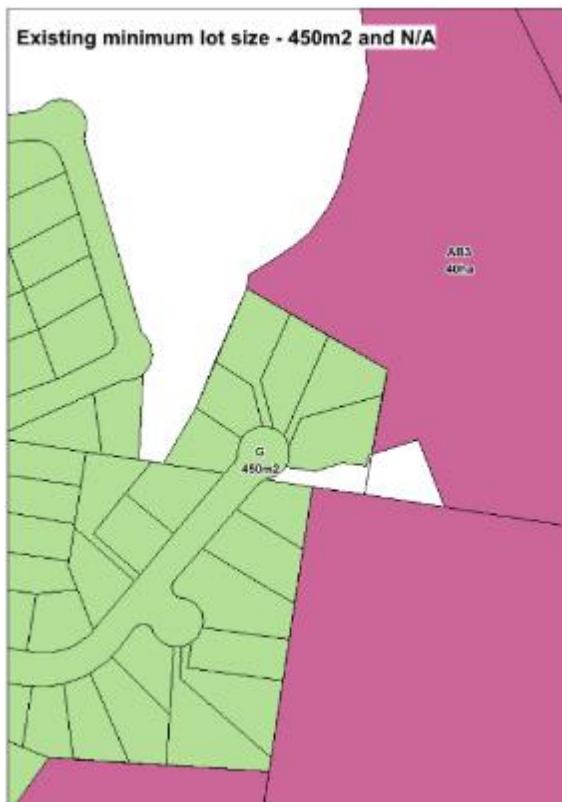
**Existing zone:** Public Recreation (RE1) (green) and General Residential (R1) (pink)



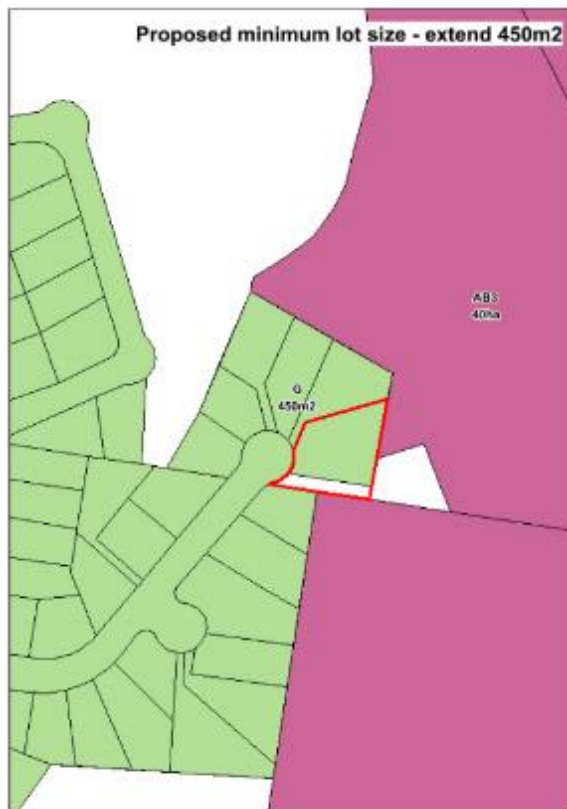
**Proposed zone:** Public Recreation (RE1) (green) and General Residential (R1) zone (pink)



**Existing minimum lot size:** 450m<sup>2</sup> and N/A

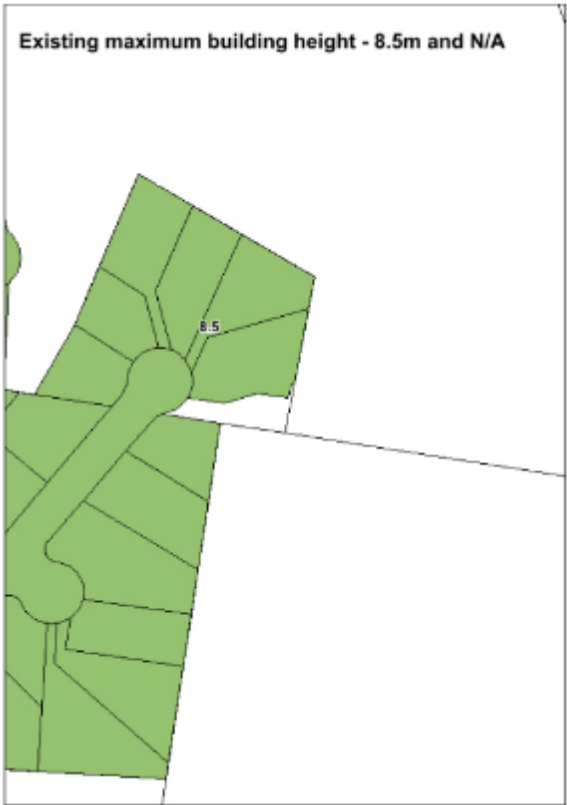


**Proposed minimum lots size:** extend 450m<sup>2</sup> over increased R1 zone

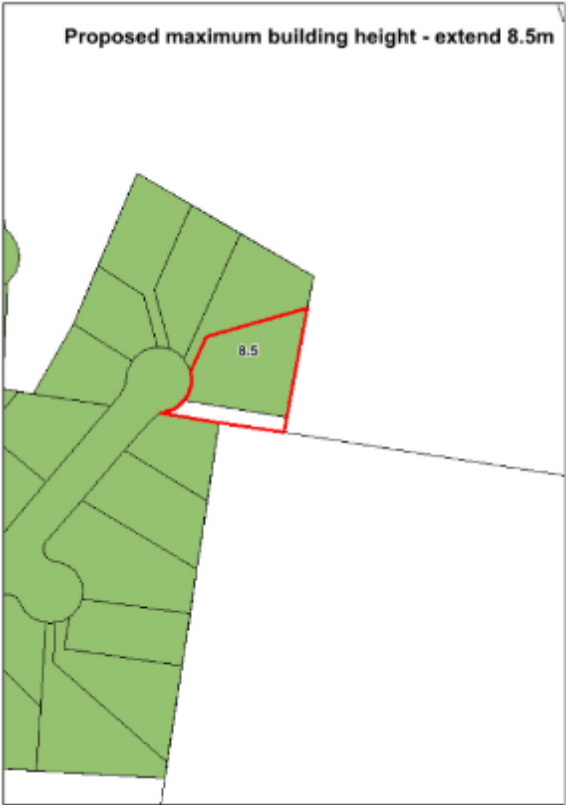




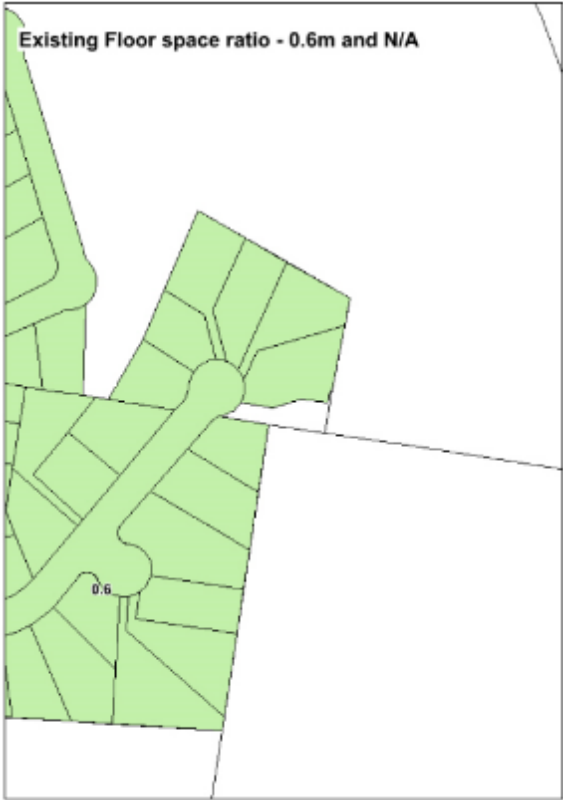
**Existing height of building:** 8m and N/A



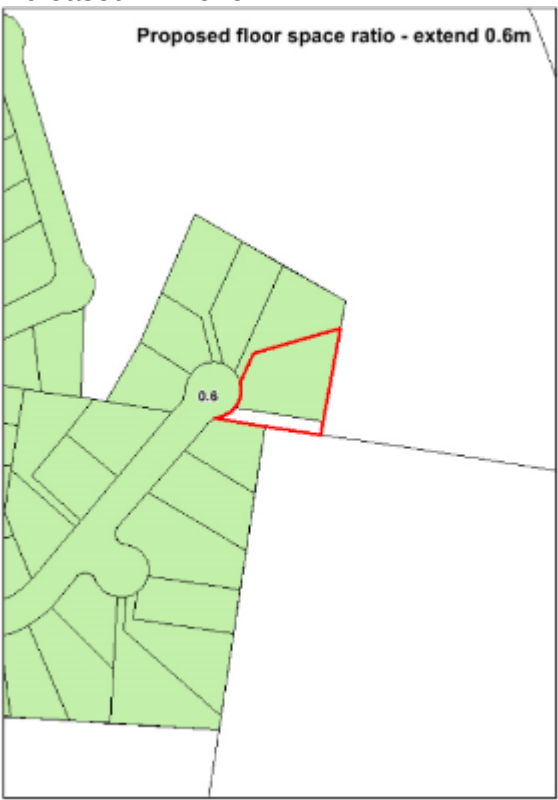
**Proposed height of building:** extend 8m over increased R1 zone



**Existing floor space ratio:** 0.6 and N/A



**Proposed floor space ratio:** extend 0.6 over increased R1 zone



**Site O: Lot 213 High Street, Black Head**

**Property Description:**

Lot 213 DP 1098493

Area: 3.254 ha

**Background:**

Part of this lot is included in the Public Recreation (RE1) zone and contains detention basins for the Halliday Shores development. This site is privately owned and Council has no intention to purchase the land for open space. This site is not identified on the Land Reservation Acquisition map or any open space plans.

The amendment proposes to include this part of the lot in the General Residential (R1) zone to reflect the use and private ownership of the site.

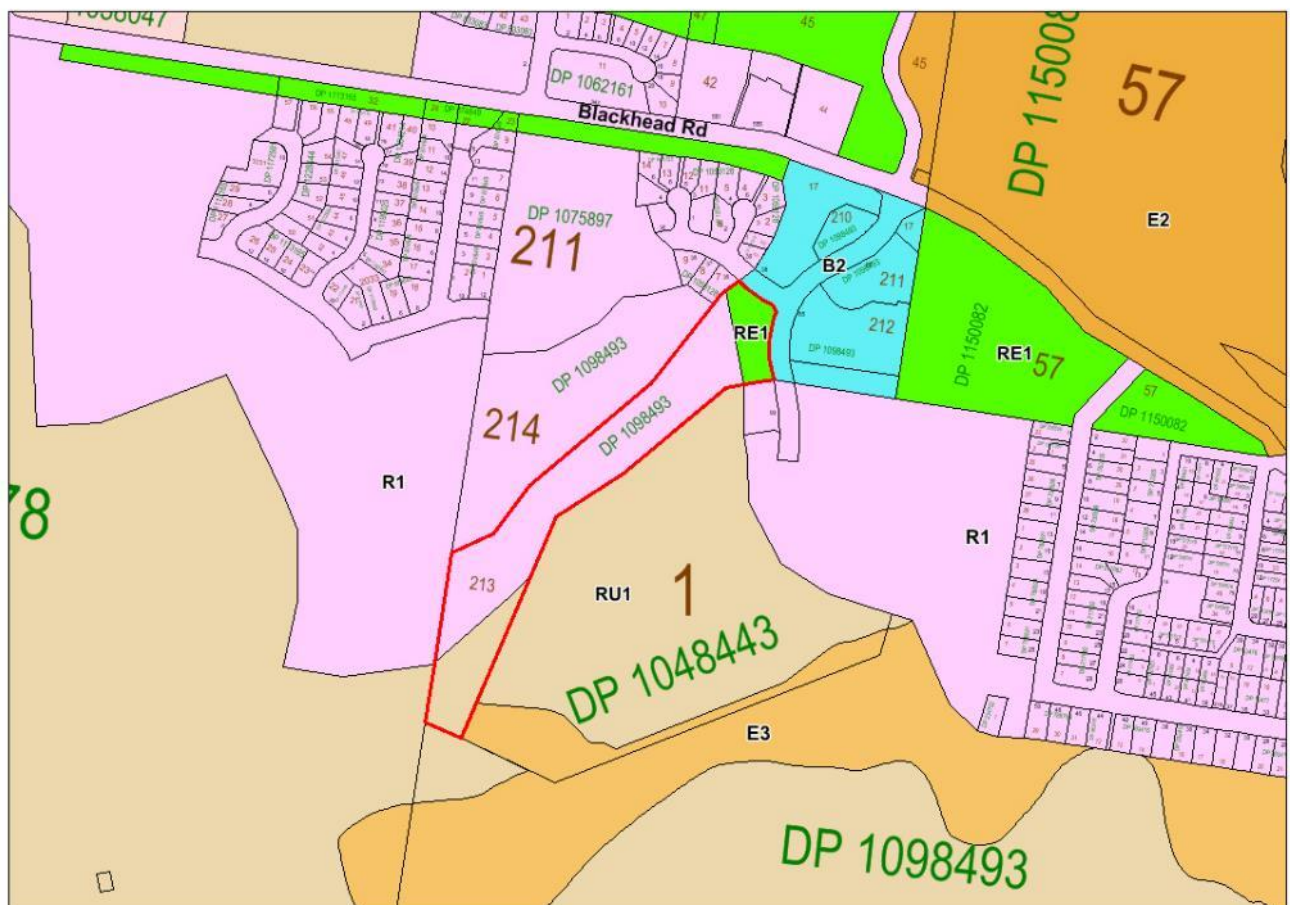


This amendment is proposed to provide clarity that the land is not intended for public open space.

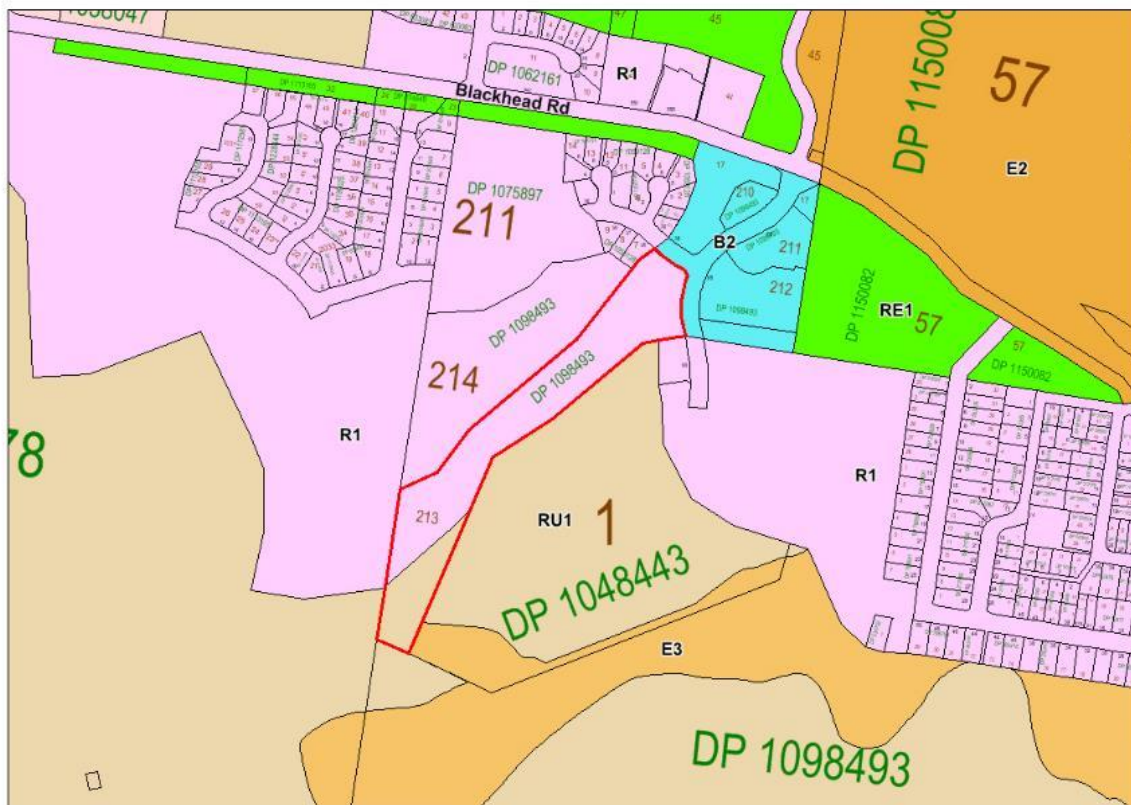
**Proposed amendment:**

Amend LEP 2010 maps as follows.

**Existing zone:** Public Recreation (RE1) (green), General Residential (R1) (pink) and Primary Production (RU1) (brown)



**Proposed zone:** General Residential (R1) (pink) and Primary Production (RU1) (brown)



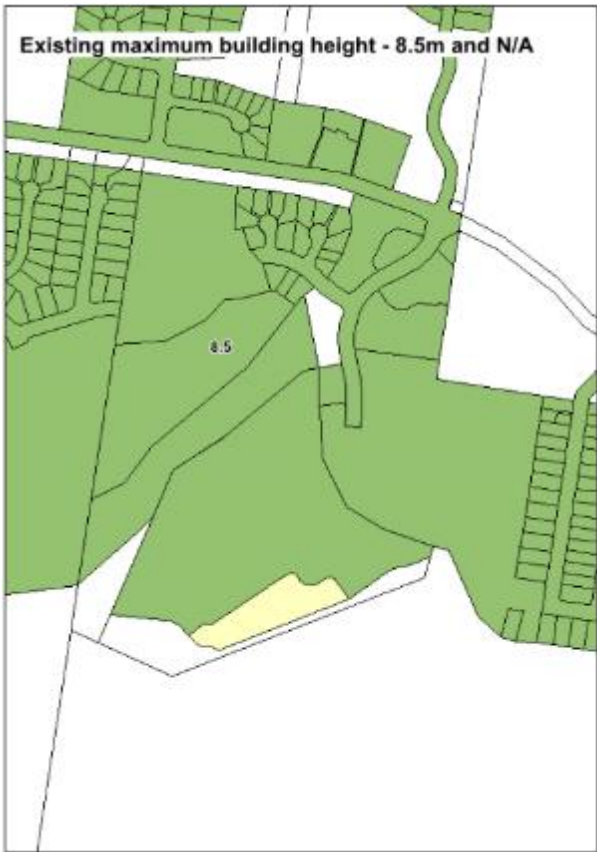
**Existing minimum lot size:** 450m<sup>2</sup> and 40 ha and N/A

**Proposed minimum lot size:** extend 450m<sup>2</sup> over extended R1 zone, 40ha remains





**Existing height of building:** 8.5m and N/A



**Proposed height of building:** 8.5m extends over extended R1 zone



**Existing floor space ratio:** 0.6 and N/A



**Proposed floor space ratio:** extend 0.6 over extended R1 zone





**Site P:** 2 Bungay Road Wingham

**Property description:**

Lot 1 DP 780647

**Background:**

Council was advised that the DP for heritage item I249 has been recorded incorrectly in LEP 2010. It is proposed to change the property description to Lot 1 DP 780647

**Proposed amendment:**

Amend heritage item I249 in Part 1 of Schedule 5 – Environmental Heritage to record the correct property description being Lot 1 DP 780647



**Site Q:** Community Hall Johns River

**Property description:**

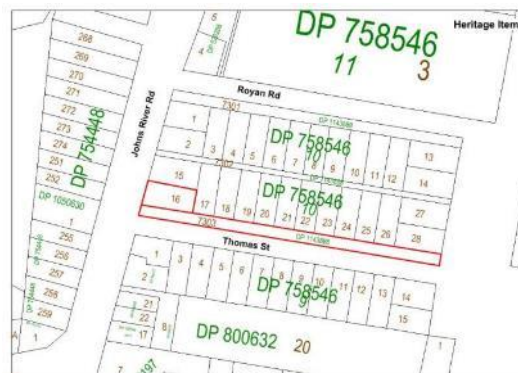
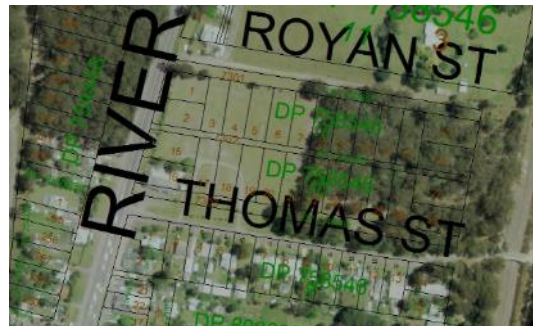
Lot 7303 DP 1143888 and Lot 16, Section 10, DP 758546

**Background:**

Council was advised that the DP for heritage item I299 has been recorded incorrectly in LEP 2010. It is proposed to change the property description to Lot 7303 DP 1143888 and Lot 16, Section 10, DP 758546

**Proposed amendment:**

Amend heritage item I299 in Part 1 of Schedule 5 – Environmental Heritage to record the correct property description being Lot 7303 DP 1143888 and Lot 16, Section 10, DP 758546



Attachment B – SEPP assessment matrix

| SEPP's - General Amendments                                    | G1 | G2 | G3 | G4 | G5 | G6 | G7 | G8 | G9 | G10 | G11 | G12 |
|----------------------------------------------------------------|----|----|----|----|----|----|----|----|----|-----|-----|-----|
| 1. Development Standards                                       |    |    |    |    |    |    |    |    |    |     |     |     |
| 14. Coastal Wetlands                                           | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 19. Bushland in Urban Areas                                    |    |    |    |    |    |    |    |    |    |     |     |     |
| 21. Caravan parks                                              |    |    |    |    |    |    |    |    |    |     |     |     |
| 26. Littoral Rainforests                                       | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 30. Intensive Agriculture                                      |    |    |    |    |    |    |    |    |    |     |     |     |
| 33. Hazardous and Offensive Development                        |    |    |    |    |    |    |    |    |    |     |     |     |
| 36. Manufactured Home Estates                                  |    |    |    |    |    |    |    |    |    |     |     |     |
| 44. Koala Habitat Protection                                   | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 50. Canal Estate Development                                   |    |    |    |    |    |    |    |    |    |     |     |     |
| 52. Farm Dams and Other Works in Land & Water Management Plans |    |    |    |    |    |    |    |    |    |     |     |     |
| 55. Remediation of Land                                        | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 62. Sustainable Aquaculture                                    |    |    |    |    |    |    |    |    |    |     |     |     |
| 64. Advertising and Signage                                    |    |    |    |    |    |    |    |    |    |     |     |     |
| 65. Design Quality of Residential Apartment Development        |    |    |    |    |    |    |    |    |    |     |     |     |
| 70. Affordable Housing (Revised Schemes)                       |    |    |    |    |    |    |    |    |    |     |     |     |
| 71. Coastal Protection                                         | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| Affordable Rental Housing 2009                                 |    |    |    |    |    |    |    |    |    |     |     |     |
| Building Sustainability Index: BASIX 2004                      |    |    |    |    |    |    |    |    |    |     |     |     |
| Exempt and Complying Development Codes 2008                    | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| Housing for Seniors or People with a Disability 2004           |    |    |    |    |    |    |    |    |    |     |     |     |
| Infrastructure 2007                                            | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| Integration and Repeals 2016                                   |    |    |    |    |    |    |    |    |    |     |     |     |
| Mining, Petroleum Production and Extractive Industries 2007    |    |    |    |    |    |    |    |    |    |     |     |     |
| Miscellaneous Consent Provisions 2007                          |    |    |    |    |    |    |    |    |    |     |     |     |
| Rural Lands 2008                                               |    |    | ✓  | ✓  | ✓  | ✓  |    |    |    |     |     | ✓   |
| State and Regional Development 2011                            |    |    |    |    |    |    |    |    |    |     |     |     |
| State Significant Precincts 2005                               |    |    |    |    |    |    |    |    |    |     |     |     |
| Urban Renewal 2010                                             |    |    |    |    |    |    |    |    |    |     |     |     |

**General amendments:**  
G1 - Essential services  
G2 - Events permitted without development consent  
G3 - Changes to boundaries  
G4 - Zone objective changes  
G5 - Dual Occupancies (detached) on rural land  
G6 - Primary Production (RU1) zone changes  
G7 - Enabling a kiosk/take away food and drink premises in the Enterprise Corridor (B6)  
G8 - Bulky Goods in Light Industrial (IN2)  
G9 - Rural Industries in Light Industrial (IN2)  
G10 - Function Centre in Public Recreation (RE1)  
G11 - Heritage Conservation Area floor space ratio  
G12 - Dams in rural zones  
  
✓ Identifies which SEPP applies

| SEPP's - Site Specific Amendments                                | A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P | Q |
|------------------------------------------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1. Development Standards                                         |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 14. Coastal Wetlands                                             |   |   |   |   | ✓ | ✓ |   |   |   |   |   |   |   |   |   |   |   |
| 19. Bushland in Urban Areas                                      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 21. Caravan parks                                                |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 26. Littoral Rainforests                                         |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 30. Intensive Agriculture                                        |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 33. Hazardous and Offensive Development                          |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 36. Manufactured Home Estates                                    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 44. Koala Habitat Protection                                     | ✓ |   |   | ✓ | ✓ | ✓ |   | ✓ |   |   |   |   |   |   |   |   |   |
| 50. Canal Estate Development                                     |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 52. Farm Dams and Other Works in Land and Water Management Plans |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 55. Remediation of Land                                          | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 62. Sustainable Aquaculture                                      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 64. Advertising and Signage                                      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 65. Design Quality of Residential Apartment Development          |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 70. Affordable Housing (Revised Schemes)                         |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 71. Coastal Protection                                           |   |   |   |   | ✓ | ✓ | ✓ |   | ✓ | ✓ | ✓ | ✓ |   | ✓ | ✓ |   |   |
| Affordable Rental Housing 2009                                   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Building Sustainability Index: BASIX 2004                        |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Exempt and Complying Development Codes 2008                      | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Housing for Seniors or People with a Disability 2004             |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Infrastructure 2007                                              | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Integration and Repeals 2016                                     |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Mining, Petroleum Production and Extractive Industries 2007      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Miscellaneous Consent Provisions 2007                            |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Rural Lands 2008                                                 | ✓ | ✓ |   | ✓ | ✓ |   |   |   |   |   |   | ✓ |   |   |   |   |   |
| State and Regional Development 2011                              |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| State Significant Precincts 2005                                 |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| Urban Renewal 2010                                               |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |

**Site specific amendments:**  
 A – Lot 98 Ph Cooplacurripa, Cooplacurripa  
 B – Johns River Rd, Johns River  
 C – Coopernook Village  
 D – 586 Lansdowne Rd, Kundle Kundle  
 E – 74 Longworths Rd, Harrington  
 F – 102 Industrial Rd and Lot 193 Glacken St, Harrington  
 G – 2 Pilot St, Harrington  
 H – 202 Bushland Dr, Taree  
 I – River St, Cundletown  
 J – 11-29 Beeton Pde, Taree  
 K – 16 Hayes Ln, Taree  
 L – 394 Diamond Beach Rd, Diamond Beach  
 M – The Knoll, Tallwoods Village  
 N – 25 Myalup Crt, Red Head  
 O - High St, Black Head  
 P – 2 Bungay Rd, Wingham  
 Q – Community Hall Johns River  
  
 ✓ Identifies which SEPP applies

| State Environmental Planning Policy (SEPP)                                                                                                                                                                            | General Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Site Specific Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>SEPP 14 - Coastal Wetlands</b></p> <p>The aim of this policy is to ensure that the coastal wetlands are preserved and protected. The coastal wetlands have been mapped and included in environmental zones.</p> | <p>All of the general amendments have the potential to apply where there is new development of a site with or adjoining coastal wetlands.</p> <p>In the case of G3 - changes to boundaries and G5 - dual occupancies (detached) on rural land, the proposed clauses makes reference to ensuring that the environmental values (including coastal wetlands) are maintained.</p> <p>For the remaining general amendments, the extent of impact will depend on both the site and the use proposed. When a development application is lodged the SEPP 14 provisions will be considered to ensure consistency with this SEPP.</p> <p>As a result, the general amendments are considered to be <b>consistent with the SEPP</b></p>                                                                        | <p>The following sites contain coastal wetlands and involve minor zone changes:</p> <ul style="list-style-type: none"> <li>E located at 74 Longworths Rd, Harrington to reflect minor changes in the cadastre</li> <li>F located at 102 Industrial Rd and Lot 193 Glacken St, Harrington to reflect the private ownership and the environmental values of the land</li> </ul> <p>These sites will remain or be included in the Environmental Conservation (E2) zone to protect these coastal wetlands and are <b>consistent with the SEPP</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>SEPP 26 – Littoral rainforests</b></p> <p>The aim of this policy is to protect littoral rainforest areas.</p>                                                                                                   | <p>All of the general amendments have the potential to apply where there is new development of a site with or adjoining littoral rainforests.</p> <p>In the case of G3 - changes to boundaries and G5 - dual occupancies (detached) on rural land the proposed clauses makes reference to ensuring that the environmental values are maintained.</p> <p>For the remaining general amendments, the extent of impact will depend on both the site and the use proposed. When a development application is lodged the SEPP 26 provisions will be considered to ensure consistency with this SEPP.</p> <p>As a result, the general amendments are considered to be <b>consistent with the SEPP</b></p>                                                                                                  | <p>Not applicable</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b>SEPP 44 – Koala Habitat Protection</b></p> <p>The aim of this policy is to encourage the conservation and management of areas of koala habitat to ensure the current distribution of koalas is maintained.</p>  | <p>All of the general amendments have the potential to apply where there is new development of a site with or adjoining koala habitat.</p> <p>In the case of G3 - changes to boundaries and G5 - dual occupancies (detached) on rural land the proposed clauses makes reference to ensuring that the environmental values (including koala habitats) are maintained.</p> <p>For the remaining general amendments, the extent of impact will depend on both the site and the use proposed. When a development application is lodged the SEPP 44 provisions will be considered to ensure consistency with this SEPP. Council's vegetation mapping assists with the identification of these sites.</p> <p>As a result, the general amendments are considered to be <b>consistent with the SEPP</b></p> | <p>The site specific amendments have been reviewed with regard to “encouraging the inclusion of areas of core koala habitat in environmental protection zones” (Aim 3(c) of the SEPP).</p> <p>Sites A, E and F involve the retention of environmental zones over the site and are minor in nature and <b>consistent with the SEPP</b>.</p> <p>Sites D and H involved a more extensive assessment against the SEPP:</p> <ul style="list-style-type: none"> <li>D is located at 586 Lansdowne Rd, Kundle – this site forms part of an important regional wildlife corridor from the Dawson River, through Brimbin to the Lansdowne River. The proposed zone change is to include the current industrial activity of the site in the General Industry zone and include the remainder of the site in the Environmental Conservation (E2) zone to protect the environmental values of the site. Given the clearing of the land and general industry use, the land to be included in the industrial zone does not form part of a koala habitat. For the remainder of the site, the presence of koalas has not been confirmed. However, the application of the proposed environmental zone provides a greater level of protection and is consistent with the aims of the SEPP.</li> <li>If a future development application is submitted for this site, an assessment would be required to determine if the site was core koala habitat and, if so, a plan of management be lodged in accordance with Part 3 of the SEPP</li> <li>H is located at 202 1 Bushland Dr Taree – an ecological survey (contained in Attachment E) identified that the preferred koala food tree species comprised greater than 15%, however there was no evidence of koalas at the site. This means the site is considered to be potential koala habitat and as a result, SEPP 44 does not require any additional assessment</li> </ul> <p>Based on this assessment the change of zone for the above two sites is <b>consistent with the SEPP</b>.</p> |
| <p><b>SEPP 55 – Remediation of land</b></p> <p>This policy aims to promote the remediation of contaminated land to reduce the risk of harm to human health.</p>                                                       | <p>All of the general amendments have the potential to apply where there is new development of a site which may be contaminated.</p> <p>The extent of impact will depend on both the site and the use proposed. When a development application is lodged the SEPP 55 provisions will be considered to ensure consistency with clause 7 of the SEPP.</p> <p>As a result, the general amendments are considered to be <b>consistent with the SEPP</b></p>                                                                                                                                                                                                                                                                                                                                             | <p>Two sites were identified as contaminated land on Council's mapping and property system, being:</p> <ul style="list-style-type: none"> <li>D is located at 586 Lansdowne Rd, Kundle – this site was developed for the manufacture of train wheels and axles. The General Industry zone is proposed over the footprint of the existing operations, with the remainder of the site included in the Environmental Conservation zone. The proposed industrial zone is suitable for this site given it better reflects the use of the land and the potential level of contamination. However, the General Industrial zone does permit with consent the establishment of educational and child care facilities. Given the site is identified as contaminated land on Council's mapping system (and on Section 149 Property Certificates), any future development applications for these purposes would have to consider the extent of contamination with regard to the proposed use and remediation, if required, in accordance with clause 7 of the SEPP. As such, site D is considered <b>consistent with the SEPP</b> as the proposed zone better reflects the use of the site, the contamination of the land is acknowledged on Council mapping systems and measures are in place to ensure remediation is considered for future development applications.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



| State Environmental Planning Policy (SEPP)                                                                                                    | General Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Site Specific Amendments                                                                                                                                              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|                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>H is located at 202 and Lot 1 Bushland Dr Taree – this site was used by Railcorp NSW for the making and storage of rail sleepers. GHD were engaged by Railcorp to undertake an assessment of the extent of contamination of the site (refer Attachment E). The report concluded that there is low potential for contamination to exist in the soils and that the site is suitable for either ongoing commercial or industrial land use. This assessment demonstrates <b>consistency with the SEPP</b>.</li> </ul> <p>The following site specific amendments involve changing the zone of the land to a zone that has the potential to enable residential, educational and recreational uses, or child care or hospital on the land. Each of these sites are <u>not identified</u> as contaminated on Council's mapping system. There is incomplete knowledge for each of these sites. Site inspections provided no evidence of contamination. The following table explains the proposed LEP change and provides an assessment of the likelihood of contamination of the site. In each case, the potential for contamination was considered unlikely and as a result these changes are <b>consistent with the SEPP</b>.</p> <table> <tr> <th>Site</th><th>Proposed LEP zone change</th><th>Assessment of potential contamination</th></tr> <tr> <td>B - Johns River</td><td>Primary Production (RU1) to Village (RU5) zone to reflect the current village uses being a dwelling and tavern</td><td>The tavern and dwelling have been established on these sites for a number of years. Historically, contaminating uses like the petrol station were located on the eastern side of the previous Pacific Highway, away from this site. Being so close to the village, it is unlikely that rural activities such as cattle dipping occurred on the site. The potential for contamination is unlikely</td></tr> <tr> <td>G - 2 Pilot St, Harrington</td><td>Public Recreation (RE1) to Neighbourhood Centre (B1) zone to reflect the use of the site for a community hall</td><td>This site forms part of the original Harrington town centre. It provides access and parking for the community hall which has been established on the site for over 60 years. It is Crown Land and is likely to continue as a hall into the future. The potential for contamination is unlikely</td></tr> <tr> <td>J - 11-29 Beeton Pde, Taree</td><td>Public Recreation (RE1) to Private Recreation (RE2) to reflect the intent that the site is to remain in private ownership</td><td>This site was established as a bowling club in 1954 and operated till the early 2000s. The site was then used as a restaurant. The potential for contamination is unlikely</td></tr> <tr> <td>L - 394 Diamond Beach Rd</td><td>Primary Production (RU1) to a Special Purpose Tourist (SP3) zone to reflect the motel established on the site</td><td>The site contains a motel complex that would have been established over 30 years ago. It is expected that this land remained as coastal vegetation until the time that the motel was built. The potential for contamination is unlikely</td></tr> <tr> <td>M - The Knoll, Tallwoods</td><td>Private Recreation (RE2) to General Residential (R1) to reflect the subdivision layout</td><td>This amendment aims to align the zones with the subdivision layout. Land contamination would have been considered at the time that this estate was rezoned. The potential for contamination is unlikely</td></tr> <tr> <td>N - 25 Myalup Crt, Red Head</td><td>Public Recreation (RE1) to General Residential (R1) to reflect the proposed recreational use of the land</td><td>This amendment increases the extent of the residential zone. Land contamination would have been considered at the time that this estate was rezoned. The potential for contamination is unlikely</td></tr> <tr> <td>O - Lot 213 High St, Black Head</td><td>Public Recreation (RE1) to General Residential (R1) to reflect the intended use of the land</td><td>This amendment increases the extent of the residential zone. Land contamination would have been considered at the time that this estate was rezoned. The potential for contamination is unlikely</td></tr> </table> <p>The remaining site specific amendments involved environmental zone changes (A, E), heritage (K, P, Q), land acquisition (F, I) or a lot size change in the Coopernook village (C). These were minor in nature and consistent with the SEPP.</p> | Site | Proposed LEP zone change | Assessment of potential contamination | B - Johns River | Primary Production (RU1) to Village (RU5) zone to reflect the current village uses being a dwelling and tavern | The tavern and dwelling have been established on these sites for a number of years. Historically, contaminating uses like the petrol station were located on the eastern side of the previous Pacific Highway, away from this site. Being so close to the village, it is unlikely that rural activities such as cattle dipping occurred on the site. The potential for contamination is unlikely | G - 2 Pilot St, Harrington | Public Recreation (RE1) to Neighbourhood Centre (B1) zone to reflect the use of the site for a community hall | This site forms part of the original Harrington town centre. It provides access and parking for the community hall which has been established on the site for over 60 years. It is Crown Land and is likely to continue as a hall into the future. The potential for contamination is unlikely | J - 11-29 Beeton Pde, Taree | Public Recreation (RE1) to Private Recreation (RE2) to reflect the intent that the site is to remain in private ownership | This site was established as a bowling club in 1954 and operated till the early 2000s. The site was then used as a restaurant. The potential for contamination is unlikely | L - 394 Diamond Beach Rd | Primary Production (RU1) to a Special Purpose Tourist (SP3) zone to reflect the motel established on the site | The site contains a motel complex that would have been established over 30 years ago. It is expected that this land remained as coastal vegetation until the time that the motel was built. The potential for contamination is unlikely | M - The Knoll, Tallwoods | Private Recreation (RE2) to General Residential (R1) to reflect the subdivision layout | This amendment aims to align the zones with the subdivision layout. Land contamination would have been considered at the time that this estate was rezoned. The potential for contamination is unlikely | N - 25 Myalup Crt, Red Head | Public Recreation (RE1) to General Residential (R1) to reflect the proposed recreational use of the land | This amendment increases the extent of the residential zone. Land contamination would have been considered at the time that this estate was rezoned. The potential for contamination is unlikely | O - Lot 213 High St, Black Head | Public Recreation (RE1) to General Residential (R1) to reflect the intended use of the land | This amendment increases the extent of the residential zone. Land contamination would have been considered at the time that this estate was rezoned. The potential for contamination is unlikely |
| Site                                                                                                                                          | Proposed LEP zone change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Assessment of potential contamination                                                                                                                                 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| B - Johns River                                                                                                                               | Primary Production (RU1) to Village (RU5) zone to reflect the current village uses being a dwelling and tavern                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | The tavern and dwelling have been established on these sites for a number of years. Historically, contaminating uses like the petrol station were located on the eastern side of the previous Pacific Highway, away from this site. Being so close to the village, it is unlikely that rural activities such as cattle dipping occurred on the site. The potential for contamination is unlikely                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              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| G - 2 Pilot St, Harrington                                                                                                                    | Public Recreation (RE1) to Neighbourhood Centre (B1) zone to reflect the use of the site for a community hall                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | This site forms part of the original Harrington town centre. It provides access and parking for the community hall which has been established on the site for over 60 years. It is Crown Land and is likely to continue as a hall into the future. The potential for contamination is unlikely                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              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| J - 11-29 Beeton Pde, Taree                                                                                                                   | Public Recreation (RE1) to Private Recreation (RE2) to reflect the intent that the site is to remain in private ownership                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | This site was established as a bowling club in 1954 and operated till the early 2000s. The site was then used as a restaurant. The potential for contamination is unlikely                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              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| L - 394 Diamond Beach Rd                                                                                                                      | Primary Production (RU1) to a Special Purpose Tourist (SP3) zone to reflect the motel established on the site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | The site contains a motel complex that would have been established over 30 years ago. It is expected that this land remained as coastal vegetation until the time that the motel was built. The potential for contamination is unlikely                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              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| M - The Knoll, Tallwoods                                                                                                                      | Private Recreation (RE2) to General Residential (R1) to reflect the subdivision layout                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | This amendment aims to align the zones with the subdivision layout. Land contamination would have been considered at the time that this estate was rezoned. The potential for contamination is unlikely                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              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| N - 25 Myalup Crt, Red Head                                                                                                                   | Public Recreation (RE1) to General Residential (R1) to reflect the proposed recreational use of the land                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | This amendment increases the extent of the residential zone. Land contamination would have been considered at the time that this estate was rezoned. The potential for contamination is unlikely                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              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| O - Lot 213 High St, Black Head                                                                                                               | Public Recreation (RE1) to General Residential (R1) to reflect the intended use of the land                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | This amendment increases the extent of the residential zone. Land contamination would have been considered at the time that this estate was rezoned. The potential for contamination is unlikely                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              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| <b>SEPP 71 - Coastal Protection</b><br><br>This policy aims to ensure a consistent and strategic approach to coastal planning and management. | <p>All of the general amendments have the potential to enable new development/works in the coastal zone.</p> <p>In the case of G3 - changes to boundaries and G5 - dual occupancies (detached) on rural land, the proposed clauses makes reference to ensuring that the environmental values (including coastal management) are maintained.</p> <p>For the remaining general amendments, the extent of impact will depend on both the site and the use proposed. When a development application is lodged Clause 5.5 - Development within the coastal zone in LEP 2010 will be applied to ensure consistency with this direction. In addition, the Greater Taree DCP is being amended to apply the coastal</p> | <p>The following site specific amendments are located within the coastal zone, being:</p> <ul style="list-style-type: none"> <li>E - 74 Longworths Rd, Harrington</li> <li>F - Lot 102 Industrial Rd and Lot 193 Glacken St, Harrington</li> <li>G - 2 Pilot St, Harrington</li> <li>I - Lot 1 River St, Cundletown</li> <li>J - 11-29 Beeton Pde, Taree</li> <li>K - 16 Hayes Ln, Taree</li> <li>N - 25 Myalup Crt, Red Head</li> <li>O - Lot 213 High St, Black Head</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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                                                                                                                                                                                                        |                          |                                                                                        |                                                                                                                                                                                                         |                             |                                                                                                          |                                                                                                                                                                                                  |                                 |                                                                                             |                                                                                                                                                                                                  |

| State Environmental Planning Policy (SEPP)                                                                                                                                                                                                                                               | General Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Site Specific Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                          | <p>requirements and should be implemented prior to this planning proposal being made.</p> <p>As a result, the general amendments are considered to be <b>consistent with the SEPP</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>These amendments are aimed at reflecting the current use of the land and not intensifying development. Any future development of these sites would require assessment against clause 5.5 of LEP 2010 which would ensure coastal requirements are achieved in future development applications. These amendments are minor in nature and are <b>consistent with the SEPP</b>.</p> <p>Site L involves changing of zone at 394 Diamond Beach Rd, Diamond Beach (L) to reflect the existing use. It does have the potential to intensify tourist activities on this site in the future. Table B1 below examines the matters of clause 8 of the SEPP. Based on this assessment the proposed zone change is considered to be <b>consistent with the SEPP</b>.</p> |
| <p><b>SEPP (Rural Lands) 2008</b></p> <p>The policy identifies principles for planning and subdivision in rural areas to assist in the proper management, development and protection of rural lands, ensuring the ongoing viability of agriculture and to reduce land use conflicts.</p> | <p>The following general amendments propose changes to rural lands to enable:</p> <ul style="list-style-type: none"> <li>• G3 - changes to boundaries</li> <li>• G4 – a new zone objective for the Primary Production zone</li> <li>• G5 - detached dual occupancies</li> <li>• G6 - being the addition of a range of additional uses in the Primary Production (RU1) zone</li> <li>• G12 - dams in rural zones</li> </ul> <p>These amendments are consistent with the rural planning and rural subdivision principles as shown in Table B2 and B3 below, and are therefore <b>consistent with the SEPP</b>.</p> | <p>There are five site specific amendments where a rural zone is being changed to reflect the current use as outlined below:</p> <ul style="list-style-type: none"> <li>• A - Lot 98 Ph Cooplacurripa, Cooplacurripa</li> <li>• B - Johns River Rd, Johns River</li> <li>• D - 586 Lansdowne Rd, Kundle</li> <li>• E - 74 Longworths Rd, Harrington</li> <li>• L - 394 Diamond Beach Rd, Diamond Beach</li> </ul> <p>These amendments are consistent with the rural planning and rural subdivision principles as shown in Table B2 and B3 below, and are therefore <b>consistent with the SEPP</b>.</p>                                                                                                                                                       |
| <p><b>SEPP (Infrastructure) 2007</b></p> <p>This policy aims to facilitate the effective delivery of infrastructure across the State.</p>                                                                                                                                                | <p>The planning proposal involves minor changes to LEP provisions which have minimal impact on infrastructure.</p> <p>As a result, the general amendments are considered to be <b>consistent with the SEPP</b></p>                                                                                                                                                                                                                                                                                                                                                                                               | <p>The site specific amendments involve minor changes to zones with minimal impact on infrastructure.</p> <p>Site specific amendment H at 202 Bushland Dr, Taree is owned by Railcorp NSW and is proposed to be rezoned to assist with the sale of the land. The proposed Light Industry zone is consistent with the industrial activities that were undertaken on the site. This amendment is consistent with Aim 2(c) of the policy being the efficient development, redevelopment or disposal of surplus government owned land.</p> <p>As a result, the site specific amendments are considered to be <b>consistent with the SEPP</b></p>                                                                                                                  |
| <p><b>SEPP (Exempt and Complying Development Codes) 2008</b></p> <p>The policy identifies certain types of development which can be undertaken as exempt or complying development if certain requirements are met.</p>                                                                   | <p>The planning proposal involves minor changes to LEP provisions. As a result, the general amendments are considered to be <b>consistent with the SEPP</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>These codes have been considered for the site specific amendments where there is a zone change proposed to ensure that there are no conflicts arising from future potential exempt or complying uses. Given the zone changes reflect the existing use of the land, the sites are currently operating in a manner consistent with the proposed zone.</p> <p>As a result, the site specific amendments are considered to be <b>consistent with the SEPP</b></p>                                                                                                                                                                                                                                                                                              |

Table B1 – SEPP 71 Part 2(8) – Matters for consideration for 394 Diamond Beach Rd, Diamond Beach

| Clause                                                                                                         | Comment                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) the aims of this Policy                                                                                    | This amendment is considered consistent with the aims of the SEPP                                                                                                                   |
| (b) existing public access to and along the coastal foreshore                                                  | A coastal path currently links Dune Springs Close to Diamond Beach Road which adjoins this property and provides public access to the beach                                         |
| (c) opportunities to provide new public access to and along the coastal foreshore                              | Access exists in this location                                                                                                                                                      |
| (d) suitability of development given its type, location and design and relationship with the surrounding area  | The motel exists on the site which is consistent with this area being a tourist precinct. Any future development would address the relevant design guidelines.                      |
| (e) any detrimental impact that development may have on the amenity of the coastal foreshore                   | The motel exists on the site. Any future development would address the relevant design guidelines                                                                                   |
| (f) the scenic qualities of the New South Wales coast                                                          | The motel exists on the site. Any future development would address the scenic qualities in this location. A height limit of 8.5m will apply consistent with surrounding development |
| (g) measures to conserve animals, plants and their habitats                                                    | Important coastal vegetation along the beach frontage will be included in the Environmental Conservation (E2) zone.                                                                 |
| (h) measures to conserve fish, marine vegetation and their habitats                                            | The proposal will not impact on fish or aquatic habitats                                                                                                                            |
| (i) existing wildlife corridors                                                                                | Land along the beach frontage is an important environmental corridor that will be enhanced by the inclusion of this part of the site in the Environmental Conservation (E2) zone    |
| (j) the likely impact of coastal processes and coastal hazards on development                                  | Land seaward of the 2100 coastal hazard line will be included in the Environmental Conservation (E2) zone                                                                           |
| (k) measures to reduce the potential for conflict between land-based and water-based coastal activities        | There are no potential land/water based conflicts envisaged for this site                                                                                                           |
| (l) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals | The motel exists on the site. Any future development would address any potential Aboriginal cultural values of the site                                                             |
| (m) likely impacts of development on the water quality of coastal water bodies                                 | The motel exists on the site. Any future development would address stormwater management to ensure water quality is not impacted                                                    |
| (n) the conservation and preservation of items of heritage, archaeological or historic significance            | There are no heritage items identified for this site                                                                                                                                |
| (o) the means to encourage compact towns and cities                                                            | The site forms part of an existing tourist precinct                                                                                                                                 |
| (p) where development applications consider cumulative impacts and efficient energy use                        | Not applicable                                                                                                                                                                      |

Table B2- Assessment of the Rural Planning Principles

| Rural Planning Principle                                                                                                                                                              | No.       | Response                                                                                                                                                                                                                                                                                                                       | Consistent |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas                                             | G3        | Enabling minor boundary changes will assist with the operation of rural lands. Rural producers will be able to purchase parts of nearby properties to expand their farms                                                                                                                                                       | Yes        |
|                                                                                                                                                                                       | G4        | The new zone objective reinforces the importance of minimising the fragmentation of rural land                                                                                                                                                                                                                                 | Yes        |
|                                                                                                                                                                                       | G5        | Detached dual occupancies will ensure that the rural character is maintained, while the proposed clause will ensure productivity of the land is maintained                                                                                                                                                                     | Yes        |
|                                                                                                                                                                                       | G6        | The inclusion of additional uses in the Primary Production zone will enable a range of supporting uses. In addition, “funeral homes” will be prohibited in the zone as it is an urban use; and “intensive plant agriculture” will be “permitted with consent” to ensure any potential impacts are considered                   | Yes        |
|                                                                                                                                                                                       | G12       | Enabling “dams” as “permitted with consent” will ensure access to water for stock is maintained while addressing any potential impacts of the dam                                                                                                                                                                              | Yes        |
|                                                                                                                                                                                       | A/B/D/E/L | Existing uses are established on these sites. The change of the zone will not impact on the rural productivity of the land                                                                                                                                                                                                     | Yes        |
| (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 | G3        | Enabling minor boundary changes will assist in providing lots suitable to undertake rural activities and be responsive to the changing needs of the rural activities                                                                                                                                                           | Yes        |
|                                                                                                                                                                                       | G4        | N/A                                                                                                                                                                                                                                                                                                                            | -          |
|                                                                                                                                                                                       | G5        | Enabling detached dual occupancies will assist in maintaining the rural character and operation of the rural land                                                                                                                                                                                                              | Yes        |
|                                                                                                                                                                                       | G6        | The inclusion of additional uses within the Primary Production (RU1) zone will enable a range of supporting uses that will address the changing needs of agriculture                                                                                                                                                           | Yes        |
|                                                                                                                                                                                       | G12       | Enabling “dams” as “permitted with consent” will ensure access to water for stock is maintained while addressing any potential impacts of the dam                                                                                                                                                                              | Yes        |
|                                                                                                                                                                                       | A/B/D/E/L | Sites A/B/D/L have established uses which are not rural in nature. By changing to an appropriate zone, it will clearly define rural lands and remove the potential for conflict between uses. Part of site E has an established rural use which will not be impact by the proposed adjustment to zone and cadastre boundaries. | Yes        |
| (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits                                                 | G3        | N/A                                                                                                                                                                                                                                                                                                                            | -          |
|                                                                                                                                                                                       | G4        | The new zone objective reinforces the importance of minimising the fragmentation of rural land                                                                                                                                                                                                                                 | Yes        |
|                                                                                                                                                                                       | G5        | N/A                                                                                                                                                                                                                                                                                                                            | -          |
|                                                                                                                                                                                       | G6        | N/A                                                                                                                                                                                                                                                                                                                            | -          |

| Rural Planning Principle                                                                                                                                                                                    | No.                       | Response                                                                                                                                                                                                                                                                                                                 | Consistent |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| of rural land use and development                                                                                                                                                                           | G12                       | N/A                                                                                                                                                                                                                                                                                                                      | -          |
|                                                                                                                                                                                                             | A/B/D/E/L                 | Many of these sites have established uses which are not rural in nature. By changing to an appropriate zone, it will clearly define rural lands                                                                                                                                                                          | Yes        |
| (d) in planning for rural lands, to balance the social, economic and environmental interests of the community                                                                                               | G3                        | Enabling minor boundary changes will assist with the operation of rural lands. Rural producers will be able to purchase parts of nearby properties to expand their farming activities                                                                                                                                    | Yes        |
|                                                                                                                                                                                                             | G4                        | The new zone objective reinforces the importance of minimising the fragmentation of rural land                                                                                                                                                                                                                           | Yes        |
|                                                                                                                                                                                                             | G5                        | Enabling detached dual occupancies will assist in maintaining the rural character, environmental features and operation of the rural land                                                                                                                                                                                | Yes        |
|                                                                                                                                                                                                             | G6                        | A review of uses permitted within the Primary Production (RU1) zone identified that the LEP was restrictive compared to other regional LEPs. This can limit the economic, social and environmental outcomes achieved in this zone. As a result, the range of uses has been expanded and refined                          | Yes        |
|                                                                                                                                                                                                             | G12                       | Enabling “dams” as “permitted with consent” will ensure access to water for stock is maintained while addressing any potential impacts of the dam                                                                                                                                                                        | Yes        |
|                                                                                                                                                                                                             | A/B/D/E/L                 | Sites A/B/D/L have established uses which are not rural in nature. By changing to an appropriate zone, it will clearly define rural lands and remove the potential for conflict between uses. Site E involves the readjustment of the zone boundary to be consistent with the cadastre boundary                          | Yes        |
|                                                                                                                                                                                                             |                           |                                                                                                                                                                                                                                                                                                                          |            |
| (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 | G3                        | The provision enabling minor boundary changes includes requirements to ensure that the environmental values are maintained                                                                                                                                                                                               | Yes        |
|                                                                                                                                                                                                             | G4                        | N/A                                                                                                                                                                                                                                                                                                                      | -          |
|                                                                                                                                                                                                             | G5                        | Enabling dual occupancies (detached) on rural lands includes provisions to ensure that the environmental values are maintained                                                                                                                                                                                           | Yes        |
|                                                                                                                                                                                                             | G6                        | Environmental provisions are in place in LEP 2010 and DCP 2010 to assess the additional uses proposed in the Primary Production zone                                                                                                                                                                                     | Yes        |
|                                                                                                                                                                                                             | G12                       | Environmental considerations are in place in LEP 2010 and DCP 2010 to consider when assessing a “dam” in the rural zones                                                                                                                                                                                                 | Yes        |
|                                                                                                                                                                                                             | A/B/D/E/L                 | The proposed zone changes for D and L involve the inclusion of part of the sites in the Environmental Conservation (E2) zone to protect the environmental values of the sites. The proposed changes to A from Forestry (RU3) zone to National Parks and Nature Reserves (E1) reflects the ownership and use of the land. | Yes        |
|                                                                                                                                                                                                             |                           |                                                                                                                                                                                                                                                                                                                          |            |
| (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities                                                      | G3                        | Enabling minor boundary changes will assist with the operation of rural lands. Rural producers will be able to purchase parts of nearby properties to expand their farms                                                                                                                                                 | Yes        |
|                                                                                                                                                                                                             | G4                        | N/A                                                                                                                                                                                                                                                                                                                      | -          |
|                                                                                                                                                                                                             | G5                        | Enabling detached dual occupancies in rural zones will ensure this type of housing is provided while maintaining the rural character and operation of the lands                                                                                                                                                          | Yes        |
|                                                                                                                                                                                                             | G6                        | The inclusion of additional uses within the Primary Production (RU1) zone will enable a range of supporting uses that will assist rural communities                                                                                                                                                                      | Yes        |
|                                                                                                                                                                                                             | G12                       | N/A                                                                                                                                                                                                                                                                                                                      | -          |
|                                                                                                                                                                                                             | A/B/D/E/L                 | N/A                                                                                                                                                                                                                                                                                                                      | -          |
| (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing                                                                                   | G3                        | Enabling minor boundary changes will assist with the operation of rural lands. It is not to increase the number of dwellings permitted as a result of the boundary change                                                                                                                                                | Yes        |
|                                                                                                                                                                                                             | G4                        | N/A                                                                                                                                                                                                                                                                                                                      | -          |
|                                                                                                                                                                                                             | G5                        | Provisions to enable detached dual occupancies in rural zones will consider the provision of services and infrastructure                                                                                                                                                                                                 | Yes        |
|                                                                                                                                                                                                             | G6                        | Including additional uses in the Primary Production (RU1) zone will involve the assessment of services and infrastructure through the development application process                                                                                                                                                    | Yes        |
|                                                                                                                                                                                                             | G12                       | N/A                                                                                                                                                                                                                                                                                                                      | -          |
|                                                                                                                                                                                                             | A/B/D/E/L                 | The proposed zone changes relate to existing uses and are not expected to impact on services and infrastructure                                                                                                                                                                                                          | Yes        |
| (h) ensuring consistency with any applicable regional strategy of the Department of Planning                                                                                                                | G3 – G6, G12<br>A/B/D/E/L | Section 4.2.1 outlines how the Planning Proposal is consistent with the <i>Hunter Regional Plan 2036</i> .                                                                                                                                                                                                               | Yes        |



**Tables B3 Assessment of the Rural Subdivision Principles**

| Rural Subdivision Principle                                                                                                                                                           | No.       | Response                                                                                                                                                                                     | Consistent |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| a) the minimisation of rural land fragmentation                                                                                                                                       | G3        | Enabling minor boundary changes will assist with the operation of rural lands. It is not to increase the number of dwellings permitted as a result of the boundary change                    | Yes        |
|                                                                                                                                                                                       | G4        | The new zone objective reinforces the importance of minimising the fragmentation of rural land                                                                                               | Yes        |
|                                                                                                                                                                                       | G5        | N/A                                                                                                                                                                                          | -          |
|                                                                                                                                                                                       | G6        | N/A                                                                                                                                                                                          | -          |
|                                                                                                                                                                                       | G12       | N/A                                                                                                                                                                                          | -          |
|                                                                                                                                                                                       | A/B/D/E/L | N/A                                                                                                                                                                                          | -          |
| (b) the minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses                                                                | G3        | Enabling minor boundary changes will assist in providing lots suitable to undertake rural activities and have the potential to reduce some rural land use conflicts                          | Yes        |
|                                                                                                                                                                                       | G4        | The new zone objective reinforces the importance of minimising the fragmentation of rural land                                                                                               | Yes        |
|                                                                                                                                                                                       | G5        | Enabling detached dual occupancies in rural zones will ensure this type of housing is provided while maintaining the rural character and operation of the lands                              | Yes        |
|                                                                                                                                                                                       | G6        | The assessment of impacts of these additional uses on surrounding rural and residential uses will be considered through the development application process                                  | Yes        |
|                                                                                                                                                                                       | G12       | N/A                                                                                                                                                                                          | -          |
|                                                                                                                                                                                       | A/B/D/E/L | Sites A/B/D/L have established uses which are not rural in nature. By changing to an appropriate zone, it will clearly define rural lands and remove the potential for conflict between uses | Yes        |
| (c) the consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands | G3        | Enabling minor boundary changes will assist with the operation of rural lands. Consideration is given to the nature of the existing farming activities and environmental constraints         | Yes        |
|                                                                                                                                                                                       | G4        | The new zone objective reinforces the importance of minimising the fragmentation of rural land                                                                                               | Yes        |
|                                                                                                                                                                                       | G5        | N/A                                                                                                                                                                                          | -          |
|                                                                                                                                                                                       | G6        | N/A                                                                                                                                                                                          | -          |
|                                                                                                                                                                                       | G12       | N/A                                                                                                                                                                                          | -          |
|                                                                                                                                                                                       | A/B/D/E/L | N/A                                                                                                                                                                                          | -          |
| (d) the consideration of the natural and physical constraints and opportunities of land                                                                                               | G3        | The provision enabling minor boundary changes includes requirements to ensure that the rural activities, features and environmental values are maintained                                    | Yes        |
|                                                                                                                                                                                       | G4        | The new zone objective reinforces the importance of minimising the fragmentation of rural land                                                                                               | Yes        |
|                                                                                                                                                                                       | G5        | Enabling dual occupancies (detached) on rural lands includes provisions to ensure that the rural and environmental values are maintained                                                     | Yes        |
|                                                                                                                                                                                       | G6        | The assessment of impacts of these additional uses on surrounding rural and residential uses will be considered through the development application process                                  | Yes        |
|                                                                                                                                                                                       | G12       | Environmental considerations are in place in LEP 2010 and DCP 2010 to consider when assessing a “dam” in the rural zones                                                                     | Yes        |
|                                                                                                                                                                                       | A/B/D/E/L | Sites A/B/D/L have established uses which are not rural in nature. By changing to an appropriate zone, it will clearly define rural lands and remove the potential for conflict between uses | Yes        |
| e) ensuring that planning for dwelling opportunities takes account of those constraints                                                                                               | G3        | The provision enabling minor boundary changes includes requirements to ensure that the rural activities, features and environmental values are maintained                                    | Yes        |
|                                                                                                                                                                                       | G4        | N/A                                                                                                                                                                                          | -          |
|                                                                                                                                                                                       | G5        | Enabling dual occupancies (detached) on rural lands includes provisions to ensure that the rural and environmental values are maintained                                                     | Yes        |
|                                                                                                                                                                                       | G6        | The assessment of impacts of these additional uses on surrounding rural and residential uses will be considered through the development application process                                  | Yes        |
|                                                                                                                                                                                       | G12       | Environmental considerations are in place in LEP 2010 and DCP 2010 to consider when assessing a “dam” in the rural zones                                                                     | Yes        |
|                                                                                                                                                                                       | A/B/D/E/L | Sites A/B/D/L have established uses which are not rural in nature. By changing to an appropriate zone, it will clearly define rural lands and remove the potential for conflict between uses | Yes        |

Attachment C – Section 117 Directions assessment matrix

| S117 Directions – General amendments                               | G1 | G2 | G3 | G4 | G5 | G6 | G7 | G8 | G9 | G10 | G11 | G12 |
|--------------------------------------------------------------------|----|----|----|----|----|----|----|----|----|-----|-----|-----|
| 1.1 Business and Industrial Zones                                  |    |    | ✓  |    |    |    | ✓  | ✓  | ✓  |     | ✓   |     |
| 1.2 Rural Zones                                                    |    |    | ✓  | ✓  | ✓  | ✓  |    |    |    |     |     | ✓   |
| 1.3 Mining, Petroleum Production, Extractive Industries            | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 1.4 Oyster Aquaculture                                             |    |    |    |    |    |    |    |    |    |     |     |     |
| 1.5 Rural Lands                                                    | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 2.1 Environmental Protection Zones                                 | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 2.2 Coastal Protection                                             | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 2.3 Heritage Conservation                                          | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 2.4 Recreational Vehicle Areas                                     |    |    |    |    |    |    |    |    |    |     |     |     |
| 3.1 Residential Zones                                              | ✓  |    | ✓  |    | ✓  |    |    |    |    |     | ✓   |     |
| 3.2 Caravan Parks and Manufactured Home Estates                    |    |    |    |    |    |    |    |    |    |     |     |     |
| 3.3 Home Occupations                                               |    |    |    |    |    |    |    |    |    |     |     |     |
| 3.4 Integrating Land Use and Transport                             |    |    |    |    |    |    |    | ✓  |    |     |     |     |
| 3.5 Development Near Licensed Aerodromes                           |    |    |    |    |    |    |    |    |    |     |     |     |
| 3.6 Shooting Ranges                                                |    |    |    |    |    |    |    |    |    |     |     |     |
| 4.1 Acid Sulfate Soils                                             | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 4.2 Mine Subsidence and Unstable Land                              | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 4.3 Flood Prone Land                                               | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 4.4 Planning for Bushfire Protection                               | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓  | ✓   | ✓   | ✓   |
| 5.1 Implementation of Regional Strategies                          |    |    |    |    |    |    |    |    |    |     |     |     |
| 5.2 Sydney Drinking Water Catchments                               |    |    |    |    |    |    |    |    |    |     |     |     |
| 5.3 Farmland of State/Regional Significance on Far North Coast     |    |    |    |    |    |    |    |    |    |     |     |     |
| 5.4 Commercial/retail development - Pacific Highway, North Coast   |    |    |    |    |    |    |    |    |    |     |     |     |
| 5.8 Second Sydney Airport: Badgerys Creek                          |    |    |    |    |    |    |    |    |    |     |     |     |
| 5.9 North West Rail Link corridor Strategy                         |    |    |    |    |    |    |    |    |    |     |     |     |
| 5.10 Implementation of Regional Plans                              |    |    | ✓  |    | ✓  | ✓  |    | ✓  |    |     | ✓   |     |
| 6.1 Approval and Referral Requirements                             |    |    |    |    |    |    |    |    |    |     |     |     |
| 6.2 Reserving Land for Public Purposes                             |    |    |    |    |    |    |    |    |    |     |     |     |
| 6.3 Site Specific Provisions                                       |    |    |    |    |    |    |    |    |    |     |     |     |
| 7.1 Implementation of a Plan for Growing Sydney                    |    |    |    |    |    |    |    |    |    |     |     |     |
| 7.2 Implementation of Greater Macarthur Land Release Investigation |    |    |    |    |    |    |    |    |    |     |     |     |

**General amendments:**  
G1 - Essential services  
G2 - Events permitted without development consent  
G3 - Changes to boundaries  
G4 - Zone objective changes  
G5 - Dual Occupancies (detached) on rural land  
G6 - Primary Production (RU1) zone changes  
G7 - Enabling a kiosk/take away food and drink premises in the Enterprise Corridor (B6)  
G8 - Bulky Goods in Light Industrial (IN2)  
G9 - Rural Industries in Light Industrial (IN2)  
G10 - Function Centre in Public Recreation (RE1)  
G11 - Heritage Conservation Area floor space ratio  
G12 - Dams in rural zones  
  
✓ Identifies which 117 Direction applies

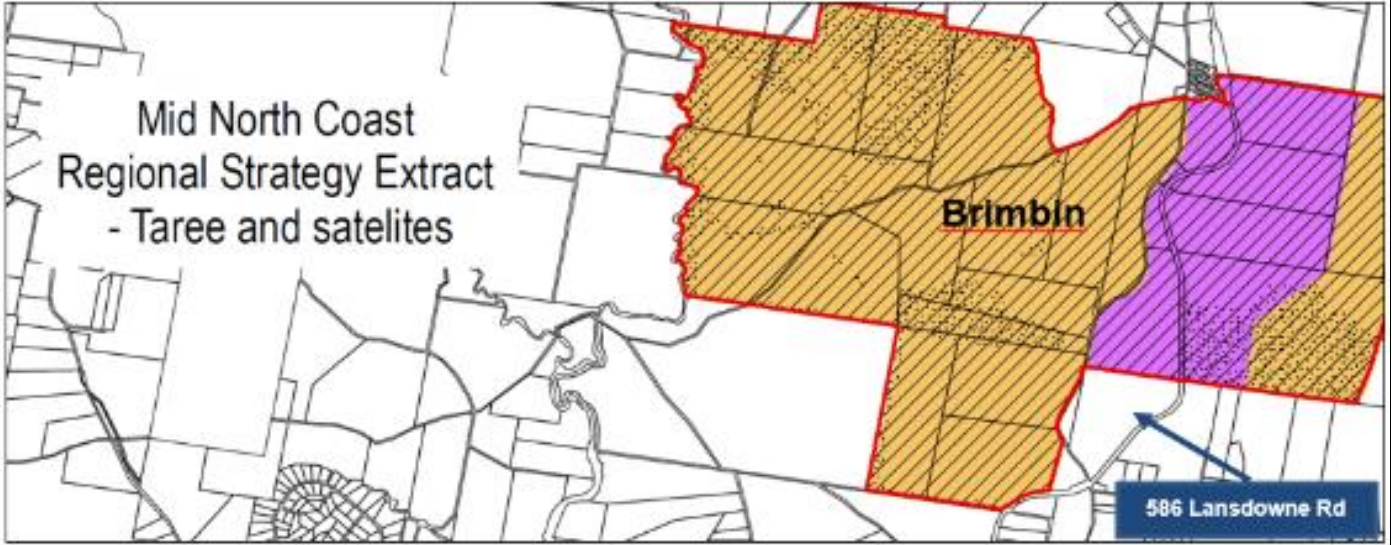
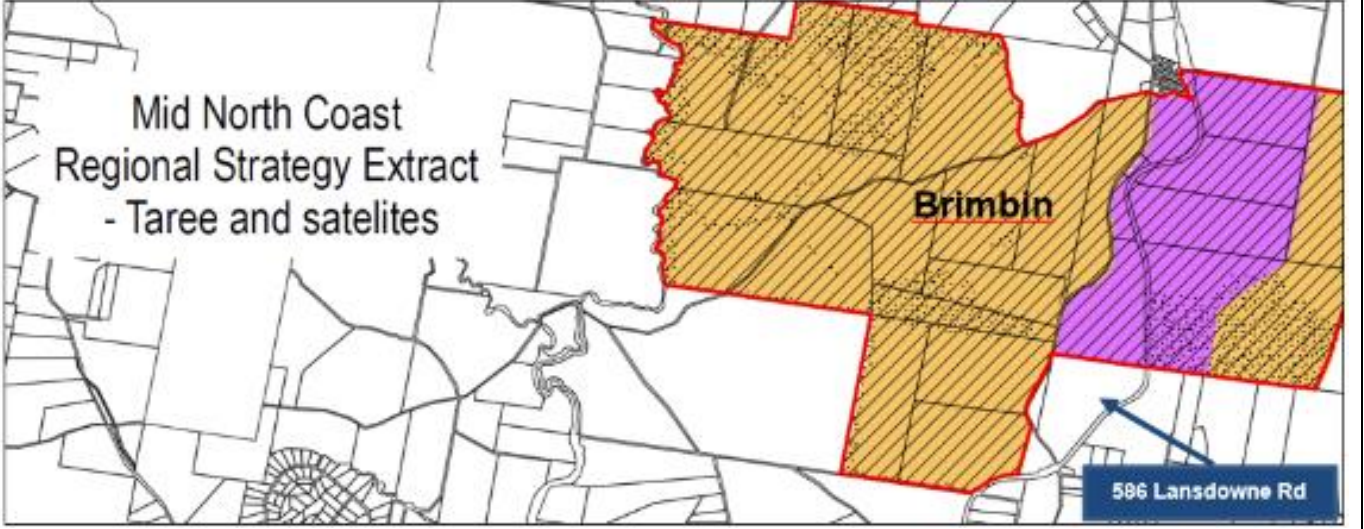
| S117 Directions – Site specific amendments                         | A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P | Q |
|--------------------------------------------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1.1 Business and Industrial Zones                                  |   |   |   | ✓ |   |   | ✓ | ✓ |   |   |   |   |   |   |   |   |   |
| 1.2 Rural Zones                                                    | ✓ | ✓ |   | ✓ | ✓ |   |   |   |   |   |   | ✓ |   |   |   |   |   |
| 1.3 Mining, Petroleum Production, Extractive Industries            | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 1.4 Oyster Aquaculture                                             |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 1.5 Rural Lands                                                    | ✓ | ✓ |   | ✓ | ✓ |   |   |   |   |   |   | ✓ |   |   |   |   |   |
| 2.1 Environmental Protection Zones                                 | ✓ |   |   | ✓ | ✓ | ✓ |   | ✓ |   |   |   | ✓ |   |   |   |   |   |
| 2.2 Coastal Protection                                             |   |   |   |   | ✓ | ✓ | ✓ |   | ✓ | ✓ | ✓ | ✓ |   | ✓ | ✓ |   |   |
| 2.3 Heritage Conservation                                          |   |   |   |   |   |   |   |   |   |   | ✓ |   |   |   |   | ✓ | ✓ |
| 2.4 Recreational Vehicle Areas                                     |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 3.1 Residential Zones                                              |   | ✓ | ✓ |   |   |   |   |   |   |   |   |   | ✓ | ✓ | ✓ | ✓ |   |
| 3.2 Caravan Parks and Manufactured Home Estates                    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 3.3 Home Occupations                                               |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 3.4 Integrating Land Use and Transport                             |   | ✓ | ✓ | ✓ |   |   | ✓ | ✓ |   |   |   | ✓ | ✓ | ✓ | ✓ |   |   |
| 3.5 Development Near Licensed Aerodromes                           |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 3.6 Shooting Ranges                                                |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 4.1 Acid Sulfate Soils                                             |   |   | ✓ |   | ✓ | ✓ | ✓ |   | ✓ | ✓ | ✓ | ✓ |   |   | ✓ | ✓ | ✓ |
| 4.2 Mine Subsidence and Unstable Land                              |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 4.3 Flood Prone Land                                               |   |   | ✓ |   | ✓ | ✓ |   |   |   | ✓ | ✓ |   |   |   |   |   |   |
| 4.4 Planning for Bushfire Protection                               | ✓ | ✓ |   | ✓ | ✓ | ✓ |   | ✓ |   | ✓ |   | ✓ |   |   | ✓ |   | ✓ |
| 5.1 Implementation of Regional Strategies                          |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 5.2 Sydney Drinking Water Catchments                               |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 5.3 Farmland of State/Regional Significance on Far North Coast     |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 5.4 Commercial/retail development - Pacific Highway, North Coast   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 5.8 Second Sydney Airport: Badgerys Creek                          |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 5.9 North West Rail Link corridor Strategy                         |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 5.10 Implementation of Regional Plans                              | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 6.1 Approval and Referral Requirements                             |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 6.2 Reserving Land for Public Purposes                             |   |   |   |   |   | ✓ | ✓ |   | ✓ | ✓ |   |   |   | ✓ | ✓ |   |   |
| 6.3 Site Specific Provisions                                       |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 7.1 Implementation of a Plan for Growing Sydney                    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
| 7.2 Implementation of Greater Macarthur Land Release Investigation |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |

**Site specific amendments:**  
 A – Lot 98 Ph Cooplacurripa, Cooplacurripa  
 B – Johns River Rd, Johns River  
 C – Coopernook Village  
 D – 586 Lansdowne Rd, Kundle Kundle  
 E – 74 Longworths Rd, Harrington  
 F – 102 Industrial Rd and Lot 193 Glacken St, Harrington  
 G – 2 Pilot St, Harrington  
 H – 202 Bushland Dr, Taree  
 I – River St, Cundletown  
 J – 11-29 Beeton Pde, Taree  
 K – 16 Hayes Ln, Taree  
 L – 394 Diamond Beach Rd, Diamond Beach  
 M – The Knoll, Tallwoods Village  
 N – 25 Myalup Crt, Red Head  
 O - High St, Black Head  
 P – 2 Bungay Rd, Wingham  
 Q – Community Hall Johns River

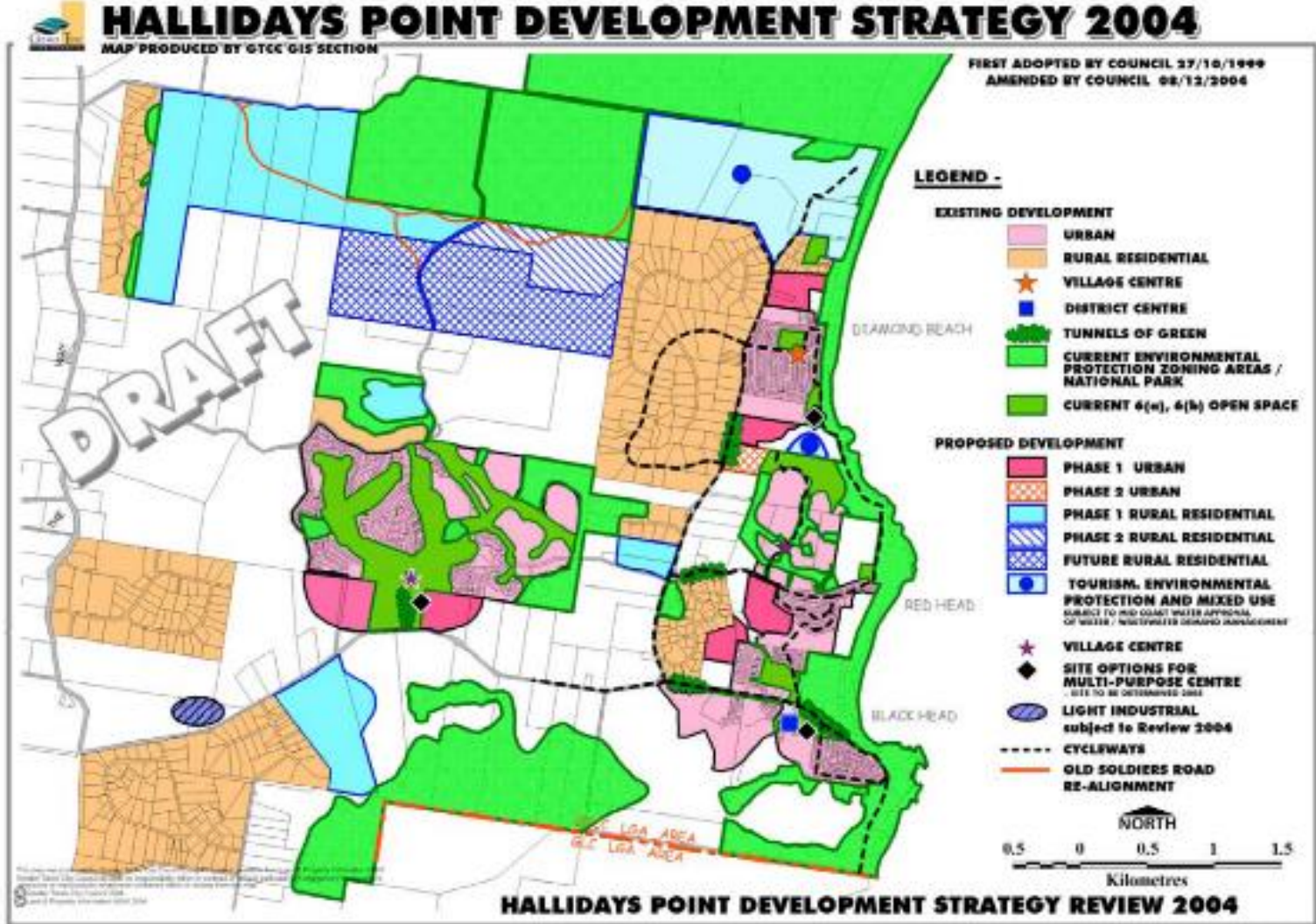
✓ Identifies which 117 Direction applies



Table C1 - Assessment of Ministerial Directions

| General Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Site Specific Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <b>1.1 Business and Industrial zones</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>The general amendments that apply to the employment lands include:</p> <ul style="list-style-type: none"><li>G3 - a new objective for the Local Centre zone to ensure good quality design and access</li><li>G7 and G9 - enable increased uses in employment zones consistent with the intent of the zone</li><li>G8 - enables bulky goods premises in the Light Industrial zone to provide consistency with the Great lakes LEP 2014</li><li>G11 - changes to the floor space ratio in heritage conservation areas to be consistent with properties that are outside of the heritage conservation area.</li></ul> <p>Each of these general amendments are consistent with the objectives of the direction as they retain employment locations and do not reduce the area for employment or industrial uses.</p> <p>These amendments are considered to be <b>consistent with the direction</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>The following site specific amendments involve including sites in employment zones:</p> <ul style="list-style-type: none"><li>D - part of the site at 586 Lansdowne Rd, Kundle will be included in the General Industry (IN1) zone to reflect the industrial use of the land for over 30 years. This site was established as a major industrial use in the 1980s when the use was permitted in the rural zone.</li></ul> <p>The success of this site provided the justification for the development of the employment lands directly to the north of this site in the new town of Brimbin. These employment lands at Brimbin were identified in the <i>Mid North Coast Regional Plan 2006-2031</i> (shown in purple to the right) and rezoned in 2015.</p> <p>This amendment is <b>inconsistent with the direction</b>, but <b>considered of minor significance</b> as it supports and adjoins the major employment lands proposed at Brimbin</p>  <ul style="list-style-type: none"><li>G - 2 Pilot St, Harrington will be included in the Neighbourhood Centre zone. This land was incorrectly zoned public recreation. The land provides access and parking for the hall on the adjoining property which forms part of the employment lands at Harrington. This amendment is <b>inconsistent with the direction</b>, but <b>considered of minor significance</b> as it supports and adjoins the Harrington employment lands and lies within the Growth Area for Harrington (as identified in the <i>Mid North Coast Regional Strategy 2006-2036</i>)</li><li>H - 202 and Lot 1 Bushland Dr, Taree will be included in the Light Industry zone to recognise the previous railway use of the land. This amendment is <b>inconsistent with the direction</b>, but <b>considered of minor significance</b> as the change of zone from SP2 to Light Industry enables the continued use of the employment lands, supports adjoining employment lands and lies within the Growth Area for Taree (as identified in the <i>Mid North Coast Regional Strategy 2006-2036</i>)</li></ul>                                                                                                            |
| <b>1.2 Rural zones</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>The following amendments propose changes to rural lands:</p> <ul style="list-style-type: none"><li>G3 - minor boundary changes while not increasing the number of dwelling entitlements</li><li>G4 - a more refined zone objective</li><li>G5 - detached dual occupancies where the rural character and operations are maintained. These provisions do not increase the number of dual occupancies permitted, but instead enable a built form more in keeping with the rural character</li><li>G6 - a range of additional uses in the Primary Production (RU1) zone that are consistent with the zone intent, many of which currently operate within the zone (approved under LEP 1995). When assessing these uses consideration will need to be given to the objectives of the zone aimed at protecting rural activities. In addition “funeral homes” are proposed to be prohibited in the Primary Production (RU1) zone as it is an urban use and “intensive plant agriculture” as permitted with consent to ensure any impacts are considered for this type of agriculture</li><li>G12 - dams in rural areas.</li></ul> <p>These general amendments are <b>consistent with this direction</b> (clause 1.2(4)(b)) in terms of not containing provisions that will increase the permissible density of land within a rural zone.</p> | <p>There are five locations where the Primary Production (RU1) zone is being changed to reflect the current use of the site as outlined below:</p> <ul style="list-style-type: none"><li>A - Lot 98 Ph Cooplacurripa, Cooplacurripa. This site is being included in the National Parks and Reserves (E1) zone to reflect the change in ownership of the site which was purchased by National Parks and Wildlife Services to be included in Barakee National Park. This amendment is <b>inconsistent with the direction</b>, but <b>considered of minor significance</b> as it supports the protection of lands with important environmental values</li><li>B - Johns River Rd, Johns River. This site is a logical extension of the Growth Area for Johns River (as identified in the <i>Mid North Coast Regional Strategy 2006-2036</i>), particularly given the bypass of the Pacific Highway around Johns River is complete. These sites form the entry to the village and have been used for residential and a tavern for a number of years. This amendment is <b>inconsistent with the direction</b>, but <b>considered of minor significance</b> as it supports and adjoins the Growth Area for Johns River (as identified in the <i>Mid North Coast Regional Strategy 2006-2036</i>)</li><li>D - 586 Lansdowne Rd, Kundle. As mentioned in Direction 1.1 this site adjoins the significant employment lands identified in the <i>Mid North Coast Regional Plan 2006-2031</i> (shown in purple to the right) and was the catalyst for the development of these employment lands. This amendment provides a logical extension of these employment lands.</li></ul> <p>This amendment is <b>inconsistent with the direction</b>, but <b>considered of minor significance</b> as it supports and adjoins the major employment lands proposed at Brimbin as identified in the <i>Mid North Coast Regional Plan 2006-2031</i></p>  <ul style="list-style-type: none"><li>E - 74 Longworths Rd, Harrington involves a minor zone change to have it align with the cadastre. This amendment is <b>inconsistent with the direction</b>, but <b>considered of minor significance</b></li></ul> |



| General Amendment                                                                                                                                                                                                                                                                                                                                                                | Site Specific Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>L - 394 Diamond Beach Rd, Diamond Beach (L). This amendment is consistent with the intent of north Diamond Beach to be a tourism precinct as outlined in the <i>Hallidays Point Development Strategy 2004</i> (refer to map below). While this strategy was not endorsed by the Department of Planning and Environment, the intent of this tourism precinct has been consistently applied through to the recent draft Manning Valley Local Strategy in 2016 and through rezonings undertaken in accordance with the <i>Mid North Coast Regional Strategy 2006-2036</i>.</li> </ul> <p>This amendment is <b>inconsistent with the direction</b>, but <b>considered of minor significance</b> as it forms part of the Diamond Beach tourist precinct as identified in <i>Hallidays Point Development Strategy 2004</i> and subsequent strategies.</p>  <p><b>HALLIDAYS POINT DEVELOPMENT STRATEGY 2004</b><br/> MAP PRODUCED BY GTCC GIS SECTION<br/> FIRST ADOPTED BY COUNCIL 27/10/1999<br/> AMENDED BY COUNCIL 08/12/2004</p> <p><b>LEGEND -</b></p> <p><b>EXISTING DEVELOPMENT</b></p> <ul style="list-style-type: none"> <li>URBAN</li> <li>RURAL RESIDENTIAL</li> <li>VILLAGE CENTRE</li> <li>DISTRICT CENTRE</li> <li>TUNNELS OF GREEN</li> <li>CURRENT ENVIRONMENTAL PROTECTION ZONING AREAS / NATIONAL PARK</li> <li>CURRENT 4(a), 4(b) OPEN SPACE</li> </ul> <p><b>PROPOSED DEVELOPMENT</b></p> <ul style="list-style-type: none"> <li>PHASE 1 URBAN</li> <li>PHASE 2 URBAN</li> <li>PHASE 1 RURAL RESIDENTIAL</li> <li>PHASE 2 RURAL RESIDENTIAL</li> <li>FUTURE RURAL RESIDENTIAL</li> <li>TOURISM, ENVIRONMENTAL PROTECTION AND MIXED USE (SUBJECT TO RED COAST WATER APPROVAL OR WATER / WASTEWATER DEVELOPMENT MANAGEMENT)</li> <li>VILLAGE CENTRE</li> <li>SITE OPTIONS FOR MULTI-PURPOSE CENTRE (USE TO BE DETERMINED 2004)</li> <li>LIGHT INDUSTRIAL (subject to Review 2004)</li> <li>CYCLEWAYS</li> <li>OLD SOLDIERS ROAD RE-ALIGNMENT</li> </ul> <p><b>HALLIDAYS POINT DEVELOPMENT STRATEGY REVIEW 2004</b></p> |
| <b>1.3 Mining, Petroleum Production and Extractive Industries</b>                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>This direction ensures that the future extraction of State/regionally significant reserves of coal, minerals, petroleum and extractive materials are not compromised.</p> <p>All of the general amendments have the potential to enable development near reserves. To be consistent with the direction, consultation will occur with the Department of Primary Industries</p> | <p>There are no mines/quarries or any state/regionally significant resources identified in proximity to the site specific amendments.</p> <p>To be consistent with the direction, consultation will occur with the Department of Primary Industries</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>1.5 Rural Lands</b>                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>The following general amendments propose changes to rural and environmental lands to enable:</p> <ul style="list-style-type: none"> <li>G3 - changes to boundaries</li> <li>G4 – a new zone objective for the Primary Production zone</li> <li>G5 - detached dual occupancies</li> </ul>                                                                                      | <p>There are five site specific amendments where a rural or environmental protection zone is being changed to reflect the current use as outlined below:</p> <ul style="list-style-type: none"> <li>A - Lot 98 Ph Cooplacurripa, Cooplacurripa</li> <li>B - Johns River Rd, Johns River</li> <li>D - 586 Lansdowne Rd, Kundle</li> <li>E - 74 Longworths Rd, Harrington</li> <li>L - 394 Diamond Beach Rd, Diamond Beach</li> </ul> <p>These amendments are consistent with the rural planning and rural subdivision principles as shown in Table B2 and B3 below, and are therefore <b>consistent with this direction</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |





| General Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Site Specific Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <b>2.3 Heritage Conservation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>All of the general amendments have the potential to enable new development/works in the areas of heritage conservation or Aboriginal objects or places. The extent of impact will depend on both the site and the use proposed. When a development application is lodged clause 5.10 – Heritage conservation in LEP 2010 will be applied to ensure consistency with this direction.</p> <p>G11 - changing the floor space ratio in Heritage Conservation Areas will ensure development standards are consistent with adjoining properties. This change will ensure property owners within heritage conservation areas are not disadvantaged</p> <p>These general amendments are considered <b>inconsistent with this direction</b> and are of <b>minor significance</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Site specific amendments that apply directly to heritage conservation are:</p> <ul style="list-style-type: none"> <li>• K - 16 Hayes Lne, Taree</li> <li>• P - 2 Bungay Rd, Wingham</li> <li>• Q - Community Hall at Johns River</li> </ul> <p>Each of these amendments involve correcting the property details in LEP 2010. These amendments are <b>consistent with the direction</b>.</p> <p>Apart from the above, all of the site specific amendments have been assessed and are not listed in Schedule 5 – Environmental Heritage of LEP 2010.</p> <p>With regard to Aboriginal cultural values, the site specific amendments could potentially be subject to Aboriginal objects, places or landscapes. The proposed amendments are aimed at reflecting the current use of the land. If future development of these sites is proposed, a development application would be lodged and clause 5.10 – Heritage conservation in LEP 2010 will be applied to ensure consistency with this direction. These amendments are <b>consistent with the direction</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>3.1 Residential Zones</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>The general amendments that directly apply to this direction are:</p> <ul style="list-style-type: none"> <li>• G1 - ensuring essential services such as water, sewer, road and telecommunications service are available for residential development. This amendment is consistent with clause 3.1(5)(a) of the direction as it ensures adequate services are provided for residential development</li> <li>• G3 - enabling minor boundary changes for certain zones. This amendment is consistent with clause 3.1(4) and (5) of the direction as it ensures the efficient use of land and services and has adequate services</li> <li>• G5 - enabling detached dual occupancies on rural land. This amendment is consistent with clause 3.1(4) and (5) of the direction as it ensures the efficient use of land and services and has adequate services</li> <li>• G11 - changing the floor space ratio in Heritage Conservation Areas to ensure development standards are consistent with adjoining properties. This amendment is consistent with clause 3.1(4) as it broadens the choice of housing in these locations and encourages the efficient use of land</li> </ul> <p>These general amendments are considered <b>consistent with this direction</b>.</p> | <p>The site specific amendments that make an adjustment or addition to residential zones include:</p> <ul style="list-style-type: none"> <li>• B - Johns River Rd, Johns River, where it is proposed to change the zone of this site from rural to a village zone to reflect its current use</li> <li>• C - West St, Coopernook, where the minimum lot size will be changed to be consistent with the Village zone boundary. These sites are currently serviced by both water and sewer</li> <li>• L - 394 Diamond Beach Road Diamond Beach, where the tourism zone will be applied to reflect the current motel use of the site. The change of the zone ensures the ability to further improve the tourist accommodation already provide on this site, while achieving good environmental outcomes</li> <li>• M - The Knoll, Tallwoods Village, where the residential zone boundary is being applied to reflect the residential lot boundaries</li> <li>• N - 25 Myalup Crt, Red Head, where the extent of land included in the General Residential zone has been increased. The park requirement for this lot has been reduced to a 6 metre access way to the rear park</li> <li>• O - Lot 213 High St, Black Head. The change proposed for this site reflects the private ownership of the land. It will increase the area of general residential land on the site.</li> </ul> <p>The proposed amendments are considered <b>inconsistent with this direction</b> and are of <b>minor significance</b> given they generally reflect the existing use or ownership of the land and are generally consistent with the Growth Areas identified in the <i>Mid North Coast Regional Strategy 2006-2036</i>. The land also has access to relevant infrastructure to enable the residential uses.</p> |
| <b>3.4 Integrating Land Use and Transport</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>G8 – proposes to enable Bulky Goods Premises in the Light Industrial (IN2) zone. This amendment is considered to be <b>inconsistent with this direction</b> but of <b>minor significance</b>, given:</p> <ul style="list-style-type: none"> <li>• these provisions are consistent with those provided in the Great Lakes LEP 2014. This amendment will assist with providing harmonisation across the MidCoast LEPS</li> <li>• many of the Light Industrial areas are located close to the Taree town centre and have access to public transport routes</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>The following site specific amendments involve changes to zones applying over urban lands:</p> <ul style="list-style-type: none"> <li>• B - Johns River Rd, Johns River</li> <li>• C - West St, Coopernook</li> <li>• D - 586 Lansdowne Rd, Kundle Kundle</li> <li>• G - 2 Pilot St, Harrington</li> <li>• H - 202 and Lot 1 Bushland Dr, Taree</li> <li>• L - 394 Diamond Beach Road Diamond Beach</li> <li>• M - The Knoll, Tallwoods Village</li> <li>• N - 25 Myalup Crt, Red Head</li> <li>• O - Lot 213 High St, Black Head.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

| General Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Site Specific Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | These amendments are considered to be <b>inconsistent</b> with this direction but are of <b>minor significance</b> as the amendments aim to reflect the current use of the site and are generally consistent with the Growth Areas identified in the <i>Mid North Coast Regional Strategy 2006-2036</i> . There are no reported issues raised about the transport activity associated with these current uses. Any future development application that intensified the transport activity on the site would have to consider this direction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>4.1 Acid Sulfate Soils</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>All of the general amendments have the potential to enable new development/works in locations that have acid sulphate soils (ASS).</p> <p>In the case of G3 - changes to boundaries and G5 - dual occupancies (detached) on rural land, the proposed clauses makes reference to ensuring that the environmental values (including ASS) are maintained.</p> <p>For the remaining general amendments, the extent of impact will depend on both the site and the use proposed. When a development application is lodged clause 7.1 – Acid sulfate soils in LEP 2010 will be applied to ensure consistency with this direction</p> <p>As a result, the general amendments are considered to be <b>inconsistent with the direction</b> but of <b>minor significance</b> given LEP 2010 provisions would be considered in any future development application.</p> | <p>The following site specific amendments are subject to acid sulfate soils:</p> <ul style="list-style-type: none"> <li>• C - West St, Coopernook</li> <li>• E - 74 Longworths Rd, Harrington</li> <li>• F - 102 Industrial Rd and Lot 193 Glacken St, Harrington</li> <li>• G - 2 Pilot St, Harrington</li> <li>• I - Lot 1 River St, Cundletown</li> <li>• J - 11-29 Beeton Pde, Taree</li> <li>• K - 16 Hayes Ln, Taree</li> <li>• L - 394 Diamond Beach Rd, Diamond Beach</li> <li>• O - Lot 213 High St, Black Head</li> <li>• P - 2 Bungay Rd, Wingham</li> <li>• Q - Community Hall Johns River</li> </ul> <p>The proposed amendments either reflect the existing uses on the site, the values of the land or amend a minor zone error. If any future development is to occur on these sites the development application will need to address clause 7.1 – Acid sulfate soils in LEP 2010 to ensure consistency with this direction.</p> <p>As a result, the site specific amendments are considered to be <b>inconsistent with the direction</b> but of <b>minor significance</b> given they generally reflect the existing use of the land and LEP 2010 provisions would be considered in any future development application.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>4.3 Flood Prone Land</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>All of the general amendments have the potential to enable new development/works in flood prone areas. The extent of impact will depend on both the site and the use proposed. When a development application is lodged clause 7.2 – Flood planning in LEP 2010 will be applied to ensure consistency with this direction. These general amendments are considered consistent with this direction.</p> <p>As a result, the general amendments are considered to be <b>inconsistent with the direction</b> but of <b>minor significance</b> given LEP 2010 provisions would be considered in any future development application.</p>                                                                                                                                                                                                                         | <p>The following site specific amendments are flood prone land and have the potential to enable some development intensification:</p> <ul style="list-style-type: none"> <li>• C - West St, Coopernook - the standard minimum lot size of 1000m<sup>2</sup> for villages will be applied over the Village zone. The Village zone boundary previously followed the flood prone land boundary. The <i>Manning River Flood Study 2016</i> resulted in minor changes to the flood line (refer Attachment A – Site C for flood mapping). As a result, a small portion of the flood prone land will be subject to the reduced minimum lot size of 1000m<sup>2</sup></li> <li>• J - 11-29 Beeton Pde, Taree - the change from “public” to “private” recreation does enable two new uses that are permitted with consent being pubs and registered clubs</li> <li>• F - 102 Industrial Rd and Lot 193 Glacken St, Harrington - the change of zone from National Parks and Nature Reserves (E1) to the Environmental Conservation (E2) zone will enable a range of additional uses such as dwelling houses, eco-tourist facility and environmental facilities.</li> </ul> <p>These site specific amendments are considered to be <b>inconsistent with the direction</b> but of <b>minor significance</b> given they generally reflect the existing use of the land and any future development application would need to address clause 7.2 – Flood planning in LEP 2010 to ensure consistency with this direction.</p> <p>The following site specific amendments involve changes that do not increase the intensity of development over the land, being</p> <ul style="list-style-type: none"> <li>• E - 74 Longworths Rd, Harrington where the zones are being changed to reflect the cadastre</li> <li>• K - 6 Hayes Lne, Taree to correctly identify the heritage item.</li> </ul> <p>These site specific amendments are considered to be <b>inconsistent with the direction</b> but of <b>minor significance</b> given they are minor changes and do not result in the intensification of development on the land.</p> |
| <b>4.4 Bushfire Protection</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>All of the general amendments have the potential to enable new development/works in bushfire areas. The extent of impact will depend on both the site and the use proposed. When a development application is lodged the site will be assessed against the bushfire risk and referred to NSW Rural Fire Services.</p> <p>These amendments are considered <b>inconsistent with the direction</b> but of <b>minor significance</b> given any future development application over bush fire prone sites would be subject to a bushfire assessment.</p>                                                                                                                                                                                                                                                                                                         | <p>There are nine sites which are mapped bushfire prone being:</p> <ul style="list-style-type: none"> <li>• A - Lot 98 Ph Cooplacurripa, Cooplacurripa</li> <li>• B - 24-30 Johns River Rd, Johns River</li> <li>• D - 586 Lansdowne Rd, Kundle Kundle</li> <li>• E - 74 Longworths Rd, Harrington</li> <li>• F - 102 Industrial Rd and Lot 193 Glacken St, Harrington</li> <li>• H - 202 and Lot 1 Bushland Dr, Taree</li> <li>• J -11-29 Beeton Pde, Taree</li> <li>• L - 394 Diamond Beach Rd, Diamond Beach</li> <li>• O - Lot 213 High St, Black Head</li> <li>• Q - Community Hall Johns River</li> </ul> <p>The proposed zone changes either reflect the existing uses on the site, the values of the land or amend a minor zone error. Any future development of these sites would require a development approval which would be referred to NSW Rural Fire Services.</p> <p>Consultation is required with the Rural Fire Service following a Gateway determination to confirm that the amendment is minor.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



| General Amendment                                                                                                                                                                                                                                                                                          | Site Specific Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <b>5.1 Implementation of Regional Strategies</b>                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| As outlined in section 4.2.1, the planning proposal is consistent with the Hunter Regional Plan 2036                                                                                                                                                                                                       | As outlined in section 4.2.1, the planning proposal is <b>consistent</b> with the <i>Hunter Regional Plan 2036</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>5.10 Implementation of Regional Plans</b>                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| As outlined in section 4.2.1, the planning proposal is <b>consistent</b> with the <i>Hunter Regional Plan 2036</i> . As such, the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of its vision, land use strategy, goals, directions or actions | As outlined in section 4.2.1, the planning proposal is <b>consistent</b> with the <i>Hunter Regional Plan 2036</i> . As such, the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of its vision, land use strategy, goals, directions or actions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>6.2 Reserving Land for Public Purposes</b>                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Not applicable                                                                                                                                                                                                                                                                                             | <p>The following site specific amendments involve reducing existing zoned land for public purposes by:</p> <ul style="list-style-type: none"> <li>changing the Public Recreation (RE1) zone to reflect the ownership of the land. All sites are privately owned, have not been identified as a future public reserve and Council has no intention to purchase these sites in the future. The sites are: <ul style="list-style-type: none"> <li>G at 2 Pilot St, Harrington. In LEP 1995 the site was identified as “Arterial Road”. When the zones were transitioned into LEP 2010 the site was included in the Public Recreation (RE1) as all roads were given a zone which was generally the zone of the adjoining land. In this case the Public Recreation zone was applied to both Beach Street and Pilot Street given they adjoined the Pilot Hill and Harrington foreshore parks respectively.</li> <li>J at 11-29 Beeton Pde, Taree. Historically, sites along creeks that were subject to flooding were included in an open spaces zone as there were no environmental zones available at that time. In LEP 1995 this part of the site was included in the Open Space Recreation (6A) zone along with much of the flood affected land along Browns Creek. The site transitioned to the Public Recreation (RE1) zone in LEP 2010</li> <li>O at Lot 213 High St, Black Head. Part of this lot is included in the Public Recreation (RE1) zone and contains detention basins for the Halliday Shores development, which is located on the remainder of the site. There is no intention for this land to be purchased and used for park purposes</li> </ul> </li> <li>reducing the area of land included in the Public Recreation (RE1) zone at site N (25 Myalup Court, Red Head) as the purpose of the land has changed. Originally the land was to be used for a car park and access and is now only required for pedestrian access and a driveway for maintenance vehicles only. Adequate parking can be provided in surrounding streets. This land is to be dedicated to Council under agreement with the landowner</li> <li>changing the National Parks and Nature Reserve (E1) zone over site F (102 Industrial Rd and Lot 193 Glacken St, Harrington) to Environmental Conservation (E2) as the land is privately owned. The site is currently identified on the Land Reservation Acquisition (LRA) map for expansion of the Crowdy Bay National Park. When the site is acquired the zone would be again changed to the National Parks and Nature Reserve (E1) zone</li> </ul> <p>Site specific amendment I (1 River St, Cundletown) aims to reserve land for the Cundletown Bypass which passes through this site, on the Land Reservation Acquisition Map. This will ensure future landowners are aware of this requirement.</p> <p>To be consistent with Clause 6.2(4) of this direction, approval is being sought from the Secretary of the Department of Planning and Environment (or a nominated officer of the Department).</p> |

## Attachment D – Summary of LEP 2010 Amendments

| Amendment                                                | Location | Proposed LEP Change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <b>G1 - Essential services</b>                           |          | <p>Amend Part 7 of LEP 2010 to include clause 7.11 - Essential Services as follows:</p> <p>(1) <i>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:</i></p> <ul style="list-style-type: none"> <li>(a) <i>the supply of water,</i></li> <li>(b) <i>the supply of electricity,</i></li> <li>(c) <i>the disposal and management of sewage,</i></li> <li>(d) <i>stormwater drainage,</i></li> <li>(e) <i>suitable road access.</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>G2 - Events permitted without development consent</b> |          | <p>Amend Part 7 of LEP 2010 to include clause 7.12 - Events Permitted Without Development Consent as follows:</p> <p>(1) <i>The objective of this clause is to provide for the temporary use of public reserves and public roads for exhibitions, meetings, concerts or events.</i></p> <p>(2) <i>Despite any other provision of this Plan, development (including any associated temporary structures) for the purpose of a temporary event may be carried out on a public reserve or public road without development consent.</i></p> <p><b>Note.</b> <i>Other approvals may be required, and must be obtained, under other Acts, including the Local Government Act 1993, the Roads Act 1993 and the Crown Lands Act 1989.</i></p> <p>(3) <i>State Environmental Planning Policy (Temporary Structures) 2007 does not apply to development to which this clause applies.</i></p> <p>(4) <i>In this clause:</i></p> <p><b>public reserve</b> <i>has the same meaning as in the Local Government Act 1993.</i></p> <p><b>temporary event</b> <i>means an exhibition, market, meeting, concert or other event that is open to the public for which land is used for a period of not more than 52 days (whether or not consecutive) in any period of 12 months.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>G3 - Changes to boundaries</b>                        |          | <p>Amend Part 4 of LEP 2010 to include clause 4.1C - Changes to boundaries of land in certain rural, residential and environmental protection zones as follows:</p> <p>(1) <i>The objective of this clause is to facilitate changes to boundaries between lots where one or more resultant lots do not meet the minimum lot size but the objectives of the relevant zone can be achieved.</i></p> <p>(2) <i>This clause applies to land in the following zones:</i></p> <ul style="list-style-type: none"> <li>(a) <i>Zone RU1 Primary Production,</i></li> <li>(b) <i>Zone RU3 Forestry,</i></li> <li>(c) <i>Zone RU4 Primary Production Small Lots,</i></li> <li>(d) <i>Zone RU5 Village,</i></li> <li>(e) <i>Zone R5 Large Lot Residential,</i></li> <li>(f) <i>Zone E2 Environmental Conservation,</i></li> <li>(g) <i>Zone E3 Environmental Management,</i></li> <li>(h) <i>Zone E4 Environmental Living</i></li> </ul> <p>(3) <i>Despite clause 4.1 (3), development consent may be granted to subdivide land by way of changing the boundary between adjoining lots where one or more resultant lots do not meet the minimum lot size shown on the <u>Lot Size Map</u> in relation to that land if the consent authority is satisfied that:</i></p> <ul style="list-style-type: none"> <li>(a) <i>the subdivision will not create additional lots or the opportunity for additional dwellings, and</i></li> <li>(b) <i>the number of dwellings or opportunities for dwellings on each lot after subdivision will remain the same as before the subdivisions, and</i></li> <li>(c) <i>the potential for land use conflict will not be increased as a result of the subdivision, and</i></li> <li>(d) <i>if the land is in Zone RU1 Primary Production, Zone RU4 Primary Production Small Lots or Zone RU3 Forestry – the subdivision will not have a significant adverse effect on the agricultural viability of the land, and</i></li> <li>(e) <i>if the land is in Zone E2 Environmental Conservation, Zone E3 Environmental Management or E4 Environmental Living - the subdivision will result in the continued protection and long-term maintenance of the land.</i></li> </ul> <p>(4) <i>Before determining a development application for the subdivision of land under this clause, the consent authority must consider the following:</i></p> <ul style="list-style-type: none"> <li>(a) <i>the existing uses and approved uses of other land in the vicinity of the subdivision,</i></li> <li>(b) <i>whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,</i></li> <li>(c) <i>whether or not the subdivision is likely to be incompatible with land use on any adjoining land,</i></li> <li>(d) <i>whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,</i></li> <li>(e) <i>whether or not the subdivision is likely to have a significant adverse impact on the environmental values of the land.</i></li> </ul> <p>(5) <i>This clause does not apply:</i></p> <ul style="list-style-type: none"> <li>(a) <i>in relation to the subdivision of individual lots in a strata plan or community title scheme, or</i></li> <li>(b) <i>if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.</i></li> </ul> |

| Amendment                                                               | Location                        | Proposed LEP Change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <b>G4 - Zone objective changes</b>                                      |                                 | <p>Amend the zone objectives as follows:</p> <ul style="list-style-type: none"> <li>include in Primary Production (RU1) zone objectives:<br/><i>To secure a future for agriculture in the area by minimising the fragmentation of rural land and loss of potential agricultural productivity</i></li> <li>include in Village (RU5) zone objectives<br/><i>To minimise conflict between land uses within the zone and land uses within adjoining zones</i></li> <li>include in Local Centre (B2) zone objectives<br/><i>To ensure quality of design of buildings and public spaces to achieve a locality that is safe and accessible</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>G5 - Dual Occupancies (detached) on rural land</b>                   |                                 | <p>Amend Part 4 of LEP 2010 to include clause 4.2C - Erection of dual occupancies (detached) in Zone RU1 as follows:</p> <p>(1) <i>The objectives of this clause are as follows:</i></p> <p>(a) <i>to ensure that development is compatible with the primary production potential, rural character and environmental capabilities of the land,</i></p> <p>(b) <i>to ensure that consent is only granted to development for the purposes of dual occupancies (detached) if issues such as access, siting, land suitability and potential impacts are addressed,</i></p> <p>(c) <i>to only permit dual occupancies in Zone RU1 Primary Production if a dwelling house is also permitted on that land</i></p> <p>(d) <i>to provide alternate accommodation for rural families and workers</i></p> <p>(2) <i>Development consent must not be granted to development for the purpose of a dual occupancy (detached) on land in Zone RU1 Primary Production unless the consent authority is satisfied that:</i></p> <p>(a) <i>the development will not impair the use of the land for agriculture or rural industries, and</i></p> <p>(b) <i>each dwelling will use the same vehicular access to and from a public road, and</i></p> <p>(c) <i>any dwellings will be situated within 100 metres of each other, and</i></p> <p>(d) <i>the land is physically suitable for the development, and</i></p> <p>(e) <i>the land is capable of accommodating the on-site disposal and management of sewage for the development, and</i></p> <p>(f) <i>the development will not have an adverse impact on the scenic amenity or character of the rural environment.</i></p> <p>(3) <i>Development consent must not be granted to development for the purposes of a dual occupancy (detached) on land in Zone RU1 Primary Production unless development consent for the erection of a dwelling house on that land may be granted in accordance with clause 4.2A.</i></p> <p>Remove “rural workers’ dwelling” as a “permitted with consent” use in the Primary Production (RU1) zone and permit dual occupancies (detached) by altering the definition in the “permitted with consent” in the Primary Production (RU1) zone from “Dual occupancies (attached)” to “Dual occupancies” i.e. removing the word “(attached)”</p> |
| <b>G6 - Primary Production (RU1) zone changes</b>                       |                                 | <p>Amend the Primary Production (RU1) zone in LEP 2010 to:</p> <ul style="list-style-type: none"> <li>include the following as “permitted with consent”:<br/><i>boat launching ramps, boat sheds, camping grounds, charter and tourism boating facilities, community facilities, depots, educational establishments, function centres, industrial training facilities, information and education facilities, intensive plant agriculture, jetties, marinas, markets, mooring pens, moorings, plant nurseries, public administration buildings, recreation areas, recreation facilities (major), recreation facilities (outdoor), registered clubs, restaurants or cafes, sewerage systems, timber yards, veterinary hospitals, waste or resource management facilities, water recreation structures, water supply systems, wharf or boating facilities</i></li> <li>remove “funeral homes” as “permitted with consent”</li> <li>remove “intensive plant agriculture” as “permitted without consent”</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>G7 - Enabling a kiosk/take away food in Enterprise Corridor (B6)</b> |                                 | Amend LEP 2010 to include “kiosk” and “take away food and drink premises” as “permitted with consent” in the Enterprise Corridor (B6) zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>G8 - Bulky Goods in Light Industrial (IN2)</b>                       |                                 | Amend LEP 2010 to include “bulky goods premises” as “permitted with consent” in the Light Industrial (IN2) zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>G9 - Rural Industries in Light Industrial (IN2)</b>                  |                                 | Amend LEP 2010 to remove “rural industries” as “prohibited” in the Light Industrial (IN2) zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>G10 - Function Centre in Public Recreation (RE1)</b>                 |                                 | Amend LEP 2010 to include “function centre” as “permitted with consent” in the Public Recreation (RE1) and Private Recreation (RE2) zone.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>G11 - Heritage Conservation Area floor space ratio</b>               | All Heritage Conservation Areas | <p>Amend the following floor space ratio maps in the Heritage Conservation Areas to be consistent with the floor space ratio applied in the relevant adjacent zone</p> <p><b>3350_COM_FSR_014B_040_20140120</b></p> <p><b>3350_COM_FSR_015G_010_20140120</b></p> <p><b>3350_COM_FSR_015G_010_20140120</b></p> <p><b>3350_COM_FSR_015G_010_20140120</b></p> <p><b>3350_COM_FSR_011A_040_20140120</b></p> <p><b>3350_COM_FSR_010C_010_20140120</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>G12 - Dams in rural zones</b>                                        |                                 | Amend LEP 2010 to enable a “water supply system” as permitted with consent in the Forestry (RU3) Primary Production Small Lots (RU4), Village (RU5) and Large Lot Residential (R5) zones                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |



| Amendment                                                     | Location                                                                                  | Proposed LEP Change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                         |                        |                                                               |                                                                        |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------|---------------------------------------------------------------|------------------------------------------------------------------------|
| A: Cooplacurripa                                              | Lot 98 DP 753690                                                                          | Amend LEP 2010 maps as follows:<br><b>3350_COM_LZN_002_080_20100517</b> - amend the zone of this site to be National Parks and Nature Reserves (E1) zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                         |                        |                                                               |                                                                        |
| B: Johns River                                                | Lot 284 DP 879623 and Lot 1 DP 308795 and part of Lot 85 DP 1109105 and Lot 283 DP 879623 | Amend 4.1B Exceptions to minimum subdivision lots sizes for certain split zones to include “village” in clause (2)(a) and 3(a)(i) to enable this clause to apply when land is included in the Village (RU5) zone, as follows:<br><br>4.1B Exceptions to minimum subdivision lots sizes for certain split zones<br>(1) The objectives of this clause are as follows:<br>(a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1,<br>(b) to ensure that the subdivision occurs in a manner that promotes suitable land uses and development.<br>(2) This clause applies to each lot (an original lot) that contains:<br>(a) land in a residential, business, village or industrial zone, and<br>(b) land in Zone RU1 Primary Production, Zone RU4 Primary Production Small Lots, Zone E2 Environmental Conservation or Zone E3 Environmental Management.<br>(3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the resulting lots) if:<br>(a) one of the resulting lots will contain:<br>(i) land in a residential, business, village or industrial zone that has an area that is not less than the minimum size shown on the <a href="#">Lot Size Map</a> in relation to that land, and<br>(ii) all of the land in Zone RU1 Primary Production, Zone RU4 Primary Production Small Lots, Zone E2 Environmental Conservation or Zone E3 Environmental Management that was in the original lot, and<br>(b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the <a href="#">Lot Size Map</a> in relation to that land.<br><br>Amend LEP 2010 maps as follows:<br><b>3350_COM_LZN_014_080_20161027</b> - amend zone map to include indicated land in the Village zone (RU5).<br><b>3350_COM_LSZ_014_080_20161116</b> - amend lot size map to show the proposed Village zone land with a minimum lot size of 1000m²<br><b>3350_COM_HOB_014_080_20161116</b> - amend height of building map to include a height of building restriction of 8.5m on the land in the proposed Village zone. |                         |                        |                                                               |                                                                        |
| C: Coopernook                                                 | Lot 119 DP 260733, Lot 127 DP 812015, Lot 25 and 24 DP 829139, Lot 36 DP 4865.            | Amend 4.1B Exceptions to minimum subdivision lots sizes for certain split zones to include “village” in clause (2)(a) and 3(a)(i) to enable this clause to apply when land is included in the Village (RU5) zone, as follows:<br><br>4.1B Exceptions to minimum subdivision lots sizes for certain split zones<br>(1) The objectives of this clause are as follows:<br>(a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1,<br>(b) to ensure that the subdivision occurs in a manner that promotes suitable land uses and development.<br>(2) This clause applies to each lot (an original lot) that contains:<br>(a) land in a residential, business, village or industrial zone, and<br>(b) land in Zone RU1 Primary Production, Zone RU4 Primary Production Small Lots, Zone E2 Environmental Conservation or Zone E3 Environmental Management.<br>(3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the resulting lots) if:<br>(a) one of the resulting lots will contain:<br>(i) land in a residential, business, village or industrial zone that has an area that is not less than the minimum size shown on the <a href="#">Lot Size Map</a> in relation to that land, and<br>(ii) all of the land in Zone RU1 Primary Production, Zone RU4 Primary Production Small Lots, Zone E2 Environmental Conservation or Zone E3 Environmental Management that was in the original lot, and<br>(b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the <a href="#">Lot Size Map</a> in relation to that land<br><br>Amend LEP 2010 maps as follows:<br><b>3350_COM_LSZ_014B_040_20161206</b> - amend lot size map to show the sites in the village zone with a minimum lot size of 1000m²<br><b>3350_COM_HOB_014B_040_20161206</b> - amend to height of building map to apply a maximum building height of 8.5 to the sites in the Village zone.                                                                                                                              |                         |                        |                                                               |                                                                        |
| D: Lansdowne Road, Kundle                                     | Lot 21 DP 168022                                                                          | Amend LEP 2010 as follows:<br><b>3350_COM_LZN_014A_040_20151015</b> - amend zone map to include the area outlined in red on the map as General Industry (IN1), and include the residual land in the Environmental Conservation (E2) zone.<br><b>3350_COM_LSZ_014A_040_20151015</b> - amend the lot size map to apply a minimum lot size of 40 ha to the land in the Environmental Conservation (E2) zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                         |                        |                                                               |                                                                        |
| E: Longworths Road, Harrington                                | Lot 2 DP 1198908                                                                          | Amend LEP 2010 maps as follows:<br><b>3350_COM_LZN_014B_040_20161206</b> and <b>3350_COM_LZN_015C_040_20140114</b> - amend the zone to follow the cadastre boundary for the lot.<br><b>3350_COM_LSZ_014B_040_20161206</b> and <b>3350_COM_LSZ_015C_040_20110310</b> - amend the lot size map to follow the cadastre boundary for the lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                         |                        |                                                               |                                                                        |
| F: Industrial Road and Glaken Street, Harrington              | part of lots Lot 218 and 193 DP 754415, Lot 2 DP 510738                                   | Amend clause 5.1(2) to include the following in the table<br><table><tr><th>Type of land on the Map</th><th>Authority of the State</th></tr><tr><td>Zone E2 Environmental Conservation and marked “National Park”</td><td>Minister administering the <i>National Parks and Wildlife Act 1974</i></td></tr></table><br>Amend LEP 2010 maps as follows:<br><b>3350_COM_LZN_014B_040_20161206</b> - amend the zone map to show the National Parks and Nature Reserve (E1) zoned land as Environmental Conservation (E2)<br><b>3350_COM_LSZ_014B_040_20161206</b> - amend the lot size map to apply a minimum lot size of 40 ha to the portion of the site changing to Environmental Conservation (E2)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Type of land on the Map | Authority of the State | Zone E2 Environmental Conservation and marked “National Park” | Minister administering the <i>National Parks and Wildlife Act 1974</i> |
| Type of land on the Map                                       | Authority of the State                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                         |                        |                                                               |                                                                        |
| Zone E2 Environmental Conservation and marked “National Park” | Minister administering the <i>National Parks and Wildlife Act 1974</i>                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                         |                        |                                                               |                                                                        |
| G: 2 Pilot Street, Harrington                                 | Lot 22 DP 758502                                                                          | Amend LEP 2010 maps as follows:<br><b>3350_COM_LZN_014B_040_20161206</b> - amend the zone map to include the site in the Neighbourhood Centre (B1) zone<br><b>3350_COM_HOB_014B_040_20161206</b> - amend the height of building map to apply a 8.5m maximum building height to the lot<br><b>3350_COM_FSR_014B_040_20140120</b> - amend the floor space ratio map to apply a floor space ratio of 0.85 to the lot                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                        |                                                               |                                                                        |

| Amendment                                   | Location                                              | Proposed LEP Change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <b>H: Bushland Drive, Taree (Railcorp)</b>  | Lot 1 DP 1228883                                      | Amend LEP 2010 maps as follows:<br><b>3350_COM_LZN_015E_020_20140114</b> - amend the zone map to include the environmental corridor along the eastern portion of the site in the Environmental Conservation (E2) zone and the remainder of the site in the Light Industrial (IN2) zone<br><b>3350_COM_LSZ_015E_020_20130529</b> - amend the lot size map to apply a minimum lot size of 40ha to the Environmental Conservation (E2) portion of the site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>I: River Street, Cundletown</b>          | Lot 1 DP 1136052                                      | Amend LEP 2010 maps as follows:<br><b>3350_COM_LRA_015A_040_20100517</b> - amend the land acquisition map to include this site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>J: Beeton Parade, Taree</b>              | Lot 100 DP 1195087                                    | Amend LEP 2010 maps as follows:<br><b>3350_COM_LZN_015G_010_20131216</b> - amend the zone map to include the land currently zoned Public Recreation (RE1) as Private Recreation (RE2). The Light Industrial IN2 zone will remain over the existing portion of the site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>K: Hayes Lane, Taree</b>                 | Lot 140, DP 611673                                    | Amend heritage item I190 in Part 1 of Schedule 5 – Environmental Heritage to record the correct DP being DP 611673.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>L: Diamond Beach Road, Diamond Beach</b> | Lot 14 DP 576414                                      | Amend Schedule 1 to include Clause 7 Use of particular land identified as Area 4 on the <a href="#">Additional Uses Map</a><br><br>(1) <i>This clause applies to land identified as Area 4 on the <a href="#">Additional Uses Map</a>.</i><br>(2) <i>Development for the purposes of residential accommodation is permitted with development consent if:</i><br>(a) <i>the total gross floor area of the development does not exceed 30% of the total gross floor area of all buildings used for the purposes of tourist and visitor accommodation in Area 4, and</i><br>(b) <i>there are existing recreational facilities (indoor) or recreational facilities (outdoor) in Area 4, and</i><br>(c) <i>the consent authority is satisfied that there is a need for residential accommodation to ensure:</i><br>(i) <i>the safety, security and viability of tourist and visitor accommodation through the off-season, and</i><br>(ii) <i>the retention of local employment through the off-season.</i><br><br>Amend LEP 2010 maps as follows:<br><b>3350_COM_LZN_015B_040_20121213</b> - amend the zone map to show the Tourist (SP3) and Environmental Conservation (E2) zones.<br><b>3350_COM_LSZ_015B_040_20121213</b> - amend the lot size map to apply a lot size of 10,000m <sup>2</sup> (1ha) to the area zoned SP3 and 40ha to the areas in the E2 zone<br><b>3350_COM_HOB_015B_040_20121213</b> - amend the height of building map apply a Height of Building of 8.5m to the portion of the site to be included in the Tourist zone<br><b>3350_COM_FSR_015B_040_20140120</b> - amend the floor space ratio map to apply a Floor Space Ratio of 0.6 to the portion of the site to be included in the Tourist zone<br><b>3350_COM_APU_015B_040_20100526</b> – amend the Additional Permitted Uses map to include Area 4 |
| <b>M: The Knoll, Tallwoods Village</b>      | Lots 33, 34, 35 and 36 DP 879612                      | Amend LEP 2010 maps as follows:<br><b>3350_COM_LZN_015B_040_20121213</b> - amend the zone map to include the lots in the General Residential (R1) zone<br><b>3350_COM_LSZ_015B_040_20121213</b> - amend the lot size map to apply a Lot Size of 450m <sup>2</sup> to the land included in the General Residential zone<br><b>3350_COM_FSR_015B_040_20140120</b> - amend the floor space ratio map to apply a Floor Space Ratio of 0.6 to the land included in the General Residential zone<br><b>3350_COM_HOB_015B_040_20121213</b> - amend the height of building map to apply a Height of Building of 8.5m to the land included in the General Residential zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>N: Myalup Court, Red Head</b>            | Lot 706 DP 1169554                                    | Amend LEP 2010 maps as follows:<br><b>3350_COM_LZN_015B_040_20121213</b> - amend zone map to reduce the extent of the Public Recreation (RE1) zone over the site to being 6m wide on the southern boundary<br><b>3350_COM_LSZ_015B_040_20121213</b> - amend the lot size map to apply the lot size of 450m <sup>2</sup> to the land included in the General Residential (R1) zone<br><b>3350_COM_FSR_015B_040_20140120</b> - amend the floor space ratio map to apply a Floor Space Ratio of 0.6 to the land included in the General Residential zone<br><b>3350_COM_HOB_015B_040_20121213</b> - amend the height of building map to apply a Height of Building of 8.5m to the land included in the General Residential zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>O: High Street, Black Head</b>           | part of Lot 213 DP 1098493                            | Amend LEP 2010 maps as follows:<br><b>3350_COM_LZN_016A_040_20140707</b> - amend the zone map to remove the Public Recreation (RE1) zone and include it in the General Residential (R1) zone. The Primary Production (RU1) zone land is to remain unchanged<br><b>3350_COM_LSZ_016A_040_20140115</b> - amend the lot size map to include a Lot Size of 450m <sup>2</sup> over the land included General Residential zone<br><b>3350_COM_FSR_016A_040_20140120</b> - amend the floor space ratio map to include a Floor Space Ratio of 0.6 over the land included General Residential zone<br><b>3350_COM_HOB_016A_040_20140515</b> - amend the height of building map to include a Height of Building of 8.5m over the land included General Residential zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>P: Bungay Rd, Wingham</b>                | Lot 1 DP 780647                                       | Amend heritage item I249 in Part 1 of Schedule 5 – Environmental Heritage to record the correct property description being Lot 1 DP 780647                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Q: Community Hall, Johns River</b>       | Lot 7303 DP 1143888 and Lot 16, Section 10, DP 758546 | Amend heritage item I299 in Part 1 of Schedule 5 – Environmental Heritage to record the correct property description being Lot 7303 DP 1143888 and Lot 16, Section 10, DP 758546                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

Attachment E – Technical Studies for 202 Bushland Drive, Taree (NSW  
Railcorp site)