

APPENDIX 7: NSW GOVERNMENT CONSULTATION

NSW Government Consultation

Consultation with relevant NSW Government Departments has occurred throughout the development of the draft MidCoast LEP.

Initial consultation occurred through the development of the supporting documents. Comments made by the NSW Departments are summarised in Zoning in Urban: Response to feedback (refer to **Appendix 15**) and the MidCoast Rural Strategy – The Way Forward (refer to **Appendix 9**).

Prior to requesting a Gateway determination, consultation was undertaken with relevant NSW Departments between June and January 2024. A summary of this consultation is provided below.

NSW Government feedback:	MidCoast response:
Department of Education	
<p>The Department of Education requested the following:</p> <ul style="list-style-type: none"> a) the zones applied to the Taree and Wingham Agricultural Plots need to allow 'Educational establishments' as permitted with consent. The proposed E4 General Industrial and E3 Environmental Management zones currently prohibit the use b) no maximum building height or floor space ratio (FSR) should apply to Tuncurry and Forster Public Schools c) the maximum building height for Taree High School and Taree Public School should be the same for both sites d) Clause 5.1 be amended to assign authority to the relevant Minister with responsibility for the Education portfolio e) Heritage listings should reflect the elements of the listing rather than the entire site f) Requirements for consideration in the Development Contribution Plans and Development Control Plans 	<ul style="list-style-type: none"> a) The Agricultural Plots have been amended to be included in the RU4 Primary Production Small Lots which have "Educational establishments" permitted with consent b) The maximum building height for both the Tuncurry and Forster Public Schools are proposed to remain unchanged, being 8.5m. This is consistent with the height applied to the neighbouring residential areas. As such, there is no justification for removing the building height in these locations. It should be noted that FSR will not apply to residential zones in the draft MidCoast LEP c) The portion of Taree High School (fronting Florence Street) has a transition height of 18m given the nature of the residential across the street, which has a building height of 8.5m. d) Clause 5.1 applies to acquisition of land by the relevant State Department or Council. There are no sites identified for acquisition for schools across the MidCoast, so Clause 5.1 does not refer to the Minister for Education e) Many of the school heritage listings apply to the whole site. Extensive work would be required to identify which parts of the site have specific heritage significance. A heritage study of all of the schools listed as heritage items would be required along with discussions with Heritage NSW. Currently, the timeframe and resources would limit this approach.

NSW Government feedback:	MidCoast response:
	<p>f) Requirements are noted. Both of these plans have been delayed due to the draft MidCoast LEP</p> <p>Department of Education on 19 December 2023 confirmed that the responses above satisfactorily addressed their comments.</p>
Crown Lands	
<p>Crown reserves:</p> <ul style="list-style-type: none"> a) the application of land use zonings should not adversely impact or compromise the future use, development capacity, access to or the ability to manage Crown land in accordance with the Principles of Crown land management contained in section 1.4 <i>Crown Land Management Act 2016</i>. The draft MidCoast LEP should acknowledge the potential for development opportunities on Crown land where relevant to deliver balanced social, environmental and commercial outcomes b) the draft MidCoast LEP should include land use zoning that ensures the use of Crown land is consistent with the public purpose of the reserve. Crown land is reserved for various public purposes and complimentary zoning allows the accommodation of uses intended by the reservation / dedication of the land c) infrastructure or buffer zones to service new development should not be located on Crown land. This includes drainage infrastructure, utilities and services and bush fire asset protection zones d) due regard should be had to the <i>NSW Aboriginal Land Rights Act 1983</i> and <i>Commonwealth Native Title Act 1993</i> and the impact of proposed LEP zonings on any Aboriginal Land Claims and Native Title. 	<p>The following is provided in response:</p> <ul style="list-style-type: none"> a) It is acknowledged that the extent of Crown Lands across the MidCoast is extensive. The principles on how to apply zones on Crown Land were adopted by Council through the supporting studies to ensure a consistent approach. Consultation regarding the application of these zones was also undertaken with Council's Community Spaces Department to ensure consistency with how the Crown land is managed b) The application of the zones to Crown land has been undertaken in consultation with Council's Community Spaces Department to ensure consistency with how the Crown land is managed c) The draft MidCoast LEP contains no provisions that would require infrastructure or buffers to be located on Crown land d) Consultation will be undertaken with the Local Aboriginal Land Councils regarding the proposed zone of their land. The NSW Aboriginal Land Council provided information on land subject to Native Title Claims across the MidCoast. Urban areas were reviewed to ensure that where there were land claims the development potential of the land had not been altered through the application of new zones, and where changes were proposed, it was a consistent approach to protecting conservation lands in a precinct rather than individual sites. This review did result in urban zones being reinstated in sites at Wingham, Johns River, Hawks Nest, Bulahdelah, Bundook, Taree, Harrington, Elands, Charlotte Bay, Seal Rocks and Nabiac.
<p>Crown roads:</p> <ul style="list-style-type: none"> a) Crown Lands has an important role in administering the Crown road network under the <i>Roads Act 1993</i>. Generally, Crown roads were set aside during the settlement of NSW as corridors of access. Also known as 'paper roads' or 'road reserves' their use is limited by their unformed or natural terrain state. Crown roads are managed to provide legal access to vacant allotments or parish portions established in original Crown subdivisions. This 	<p>The draft MidCoast LEP does not propose to close any Crown roads. Any formed or 'paper' roads will take on the zone of the adjoining land.</p> <p>Roads are permitted with consent in most zones to enable roads to be considered as a future land use.</p>

NSW Government feedback:	MidCoast response:
<p>role does not involve road construction, maintenance and traffic management, which is the traditional role of local councils. Where suitable, unnecessary / unformed roads may be closed and replaced with private rights of way established during the development consent process</p> <p>b) Crown Lands advocates for the closure and disposal of unnecessary Crown roads that may be incorporated into development sites. The planning process would benefit from a strategic assessment of which public road corridors are required and which roads might be closed within the local government area. The aim of a strategic local government area wide approach to road closures would be to rationalise the public road network and identify Crown and Council roads required for future needs.</p>	
<p>Proposed zoning changes:</p> <p>a) We support the consistent approach in identifying land uses, zoning and the proposed principles to be adopted for:</p> <ul style="list-style-type: none"> • Publicly owned recreation land • Creeks/streams in recreation areas • Publicly owned drainage areas on recreation land • Foreshores • Showgrounds • Caravan parks • Conservation land 	<p>Support for the principles on how to apply zones on Crown land is acknowledged.</p>
Heritage NSW	
<p>a) Review of draft Heritage Conservation Areas:</p> <ul style="list-style-type: none"> - generally support the methodology and recommendations - where removing the Heritage Conservation Area, ensure any new heritage listings are considered - ensure statements of significance met the guidelines - ensure the Development Control Plan includes planning controls - suggested potential additions in Wingham <p>b) Aboriginal Places – advised to refer to the State Heritage Management System</p> <p>c) Potential State Heritage listings – agreement to progress separate to the draft MidCoast LEP process.</p>	<p>a) The review of the draft Heritage Conservation Areas is subject to community consultation prior to inclusion in the draft MidCoast LEP. The comments from Heritage NSW will be incorporated into the review and ongoing consultation will occur</p> <p>b) Aboriginal Places are identified on the State Heritage Management System. As per recent LEPs, this system will be utilised to identify Aboriginal Places across the MidCoast</p> <p>c) Council will continue to work with Heritage NSW to identify any potential State Heritage listings, separate to development of the draft MidCoast LEP.</p>

NSW Government feedback:	MidCoast response:
National Parks and Wildlife Service (NPWS)	
<ul style="list-style-type: none"> a) The SEED data source is preferred by NPWS for identifying land controlled by NPWS b) Two sites adjoining Crowdy Bay National Park were identified as land acquisition sites and included in the National Parks and Nature Reserves zone. It was confirmed that the site adjoining the beach vehicle access (Lot 7322 DP1163707) should be removed and the land west of Industrial Road, Harrington is to remain in the proposed zone and on the Land Reservation Acquisition map in the draft MidCoast LEP c) Ensure that both the Karst mapping and application of the clause are appropriate. 	<ul style="list-style-type: none"> a) Further discussions were undertaken with NPWS and an email sent on 10 January 2024 confirmed the appropriate zone of a number of sites. The draft MidCoast LEP mapping will be amended to reflect these zone changes. These changes are provided as Part A after the table (with the Forestry Corporation amendments) b) Propose to remove Lot 7322 DP1163707 from the Land Reservation Acquisition map and changed the zone accordingly c) Karst mapping has been included in the draft MidCoast LEP and the clause amended.
Biodiversity Conservation Division (BCD)	
<p><i>Conservation:</i></p> <ul style="list-style-type: none"> a) Reviewing the riparian corridors clause to ensure it meets BCD requirements b) E2 Environmental Conservation zone – propose removing sewage systems and recreation facility (outdoor) from being permitted with consent c) C3 Environmental Management and C4 Environmental Living zones – propose removing extensive agriculture, extractive industry, mining, and open cut mining from being permitted with consent 	<p><i>Conservation:</i></p> <ul style="list-style-type: none"> a) Awaiting a response on the clause for inclusion in the draft MidCoast LEP b) 'Sewage systems' are sometimes required where the land adjoins existing treatment plants. Without the land use being permissible, the State Environmental Planning Policy (Transport and Infrastructure) 2021 cannot be used to undertake the works. The preference is to retain the land use as permitted with consent and assess each application on its merit. 'Recreation facility (outdoor)' is a land use that may not be considered in accordance with the objectives of the E2 Environmental Conservation zone. The draft MidCoast LEP will be amended to make this land use prohibited. However, 'Recreation area' would enable minor recreation uses, and each application would be assessed on its merit c) 'Extensive agriculture needs to be retained as a permitted with consent land use in these zones to' accommodate the farming of this land. Discussions were held with NSW Mining Exploration and Geoscience regarding the 'extractive industry', 'open cut mining' and 'mining'. It was agreed that the land uses do not need to be specifically listed in the land use table for these zones, as the State Environmental Planning Policy (Resources and Energy) 2021 will enable the use if required.

NSW Government feedback:	MidCoast response:
<p><i>Coastal:</i></p> <p>Include the mapping in the draft MidCoast LEP for Great Lakes and Manning coastline. It is accepted that as the Old Bar mapping is still being considered, it will be included at a later date.</p>	<p><i>Coastal:</i></p> <p>Review of the coastal risk mapping identified a reduction in the application of the R3 Medium Density Residential zone. The draft MidCoast LEP mapping was amended to address this issue.</p> <p>The planning proposal reflects the need to include the Old Bar and Manning Point Coastal Management Plan mapping should the CMP be adopted</p>
<p><i>Flooding:</i></p> <ul style="list-style-type: none"> a) Consider inclusion of the NSW Government's Probable Maximum Flood (PMF) clause in the draft MidCoast LEP b) Review the draft MidCoast LEP mapping of urban areas where there has been changes to the extent of the urban area or an increase in densities against the PMF flooding levels. BCD recommended a number of changes 	<p><i>Flooding:</i></p> <ul style="list-style-type: none"> a) Further review is being undertaken with regard to the implementation of the PMF clause in the draft MidCoast LEP. Further discussions will occur with BCD b) Site changes recommended by BCD have been implemented in the draft MidCoast LEP. Maps of the specific locations are provided as Part B after the table. The principles discussed in meetings with BCD have been extended over all of the urban areas and changes made to meet their requirements.
Fisheries and Marine Parks (Department of Primary Industries)	
<ul style="list-style-type: none"> a) Consideration of key fish habitats – need to consider fish habitats when assigning waterway and terrestrial zonings, and for activities within zones 	<ul style="list-style-type: none"> a) Zones need to consider several attributes and land uses when being applied. Fish habitats have been considered but have not been a determining factor for the application of all zones. Fish habitats are considered through the development application process when the land use is known, along with potential impacts and the mitigation measures required. <p>The draft MidCoast LEP also protects fish habitats through the preparation of Clause 7.6 that will, provide additional heads of consideration in the draft MidCoast LEP for land within certain distances from the top of bank of any Riparian land and watercourses. An objective of this clause is to protect and maintain aquatic and riparian habitats. Whilst watercourses will not be mapped, this clause will refer to Strahler Stream Order to determine the relevant distance. All Key Fish Habitat areas as shown in the Fisheries NSW spatial data portal will be catered for by the inclusion of this clause.</p>

NSW Government feedback:	MidCoast response:
<p>b) Consideration of the ‘Coastal Design Guidelines’ - to inform more site-specific decisions such as master plans, coastal subdivisions and infrastructure development. They include advice to councils, government agencies, developers and other stakeholders as to how best to enlist urban design, architecture and landscape architecture professionals to make best use of the guidelines</p> <p>c) Consideration of near and long-term predictions of sea level rise - climate change-induced sea level rise is predicted to inundate fringing marine vegetation such as saltmarsh and mangroves within decades, as well as other low-lying areas adjacent to estuaries. To protect sensitive key fish habitats, zoning may need to include buffers around the current distributions of fringing vegetation that would allow these habitats to retreat. Alternatively, other low lying areas adjacent to estuaries could be put aside to create these habitats to compensate for existing areas that have no capacity to retreat (i.e. because of adjacent development or unsuitable terrain), or if Council wanted to increase current distributions of saltmarsh and mangrove for conservation purposes</p> <p>d) Consideration of capacity to offset developments within and adjacent to waterways - a consequence of population growth is that there will be increasing pressure to develop areas within and adjacent to waterways. Such developments may potentially require offsetting if they are unable to avoid impacts to key fish habitats such as saltmarsh or mangroves</p>	<p>The planning proposal is generally in accordance with the <i>Policy and Guidelines for Fish Habitat Conservation and Management (2013)</i>.</p> <p>b) Zones and planning controls applying over the coastal areas through the draft MidCoast LEP remain relatively unchanged having minimal impact on master plans, subdivisions and infrastructure development. Specific controls relating to urban design, architecture and landscaping are considered during the development assessment process when the Coastal Guidelines will be considered along with the provisions in the draft MidCoast Development Control Plan. Separate planning proposals that are anticipated to be lodged through Council’s Urban Release Area Program, some of which are located in the Coast Zone will be required to adhere with these guidelines.</p> <p>c) This falls outside the scope of a draft MidCoast LEP. The NSW Government would need to establish sea level rise predictions and practices to apply to the retreat of habitats to be included within LEPs.</p> <p>Overall, the draft MidCoast LEP increases the amount and distribution of the C2 Environmental Conservation zone as part of (but not limited) identifying Coastal Wetlands under the State Environmental Planning Policy (Resilience and Hazards) 2021, much of which is included in the Endangered Ecological Community (EEC) Coastal Saltmarsh.</p> <p>d) This falls outside the scope of a draft MidCoast LEP. The NSW Government would need to establish offset provisions to be applied through LEPs. If necessary, development may be encouraged to undertake ecological off-setting through Part 4 provisions in the draft MidCoast LEP to enable the protection of ecological areas for development and this may include buffers for mangrove and saltmarsh areas. Council will also continue its programs towards securing environmental areas through land dedication and the purchasing of vulnerable and significant environmental land as part of its wetland improvements programs.</p>

NSW Government feedback:	MidCoast response:
<p>e) Aligning draft LEP with zoning for the Port Stephens - Great Lakes Marine Park in terms of:</p> <ul style="list-style-type: none"> - is it possible for MidCoast Council to consider the inclusion of an additional local/miscellaneous provision to deal with marine park management rules - proposed zone changes at Allworth, Little Branch, North Arm Cove, Number One Cove, Myall River and all remaining areas of the draft MidCoast LEP that overlap marine park sanctuary zones. The proposal to include any sanctuary zone as W2 Recreational Waterways zone will create conflict with the purposes of marine parks, objects of sanctuary zone and the development that may be permissible with consent in a marine park - proposed zone changes at Limeburners Creek, Bulahdelah River, Nerong and any remaining areas of the draft MidCoast LEP that comprise habitat protection zone. The development proposed to be permitted with consent in these zones may be inconsistent with the current management rules - Part 3 section 3.3 - Environmentally sensitive area for exempt and complying development. Should correct the reference in this section to the <i>Marine Estate Management Act 2014</i> - all forms of development listed in the land use tables for W1 Natural Waterways and W2 Recreational Waterways zones would involve interference with habitat and as such a marine park permit will be required in addition to concurrence provisions under section 55 of the <i>Marine Estate Management Act 2014</i>. - W1 Natural Waterways in the Sanctuary zone and Habitat Zone areas (Port Stephens - Great Lakes Marine Park) restricts land uses to research, environmental protection, public health, traditional use and public safety. The PP retains the following land uses which are contrary to this requirement; Aquaculture; Boat launching ramps; boat sheds; Charter and tourism boating facilities; Community facilities; Jetties; Moorings; Recreation areas; Recreation facilities (outdoor); Research stations; Vehicle sales or hire premises; Water recreation structures; Water supply systems; Wharf or boating facilities. 	<p>e) The <i>Marine Estate Management Act 2014</i> has provisions that require development applications to consider their impact on the Marine Park. Provisions such as the sanctuary and habitat protection zones are considered through this process.</p> <p>Through the draft MidCoast LEP, we have applied the W1 Natural Waterways zone over the sanctuary and habitat protection zones within the Port Stephens/Great Lakes Marine Park.</p> <p>The reference to the superseded <i>Marine Park Act 1974</i> in Part 3 of the draft LEP has been correctly replaced with the <i>Marine Park Management Act 2014</i>.</p> <p>The W1 Natural Waterways zone has been applied to locations not covered by the Marine Park, in particular at Smiths Lake. As such, it is not possible to have the zone apply specifically to the Marine Park.</p> <p>We have examined the application of this zone in LEPs that are also subject to Marine Park controls. A comparison of uses in the W1 Natural Waterways zone for the Coffs Harbour LEP 2013, Port Stephens LEP 2013 and draft MidCoast LEP. The review demonstrated that the permitted with consent uses for all three LEPs list more uses than recommended by NSW Fisheries. The permitted with consent uses in the draft MidCoast LEP are similar to those within the Port Stephen LEP 2013 which also adjoins the Port Stephens - Great Lakes Marine Park.</p> <p>There are two additional uses permitted with consent in the draft MidCoast LEP being:</p> <ul style="list-style-type: none"> • <i>Extractive industries</i> – this use is included as Council is required to undertake extraction of sand from Smiths Lakes to ensure the water quality is maintained. This use will always be assessed in terms of the environmental constraints and significance of the waterways • <i>Vehicle sales or hire premises</i> – the LEP definition is provided below. This use has been included to enable boat hire premises to be considered. This use would require a development application and

NSW Government feedback:	MidCoast response:
<p>f) Private moorings in NSW marine parks - mooring development is prohibited in certain waterway zones of the Great Lakes LEP within the waters of the Port Stephens-Great Lakes Marine Park. Concern that this is changing in the draft MidCoast LEP</p>	<p>would be assessed on its merits. This type of use is considered appropriate in locations such as Smiths Lake, if the environmental and development issues can be addressed.</p> <p>vehicle sales or hire premises means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.</p> <p>Given the above, it is proposed to retain the uses proposed to be permitted with consent in the W1 Natural Waterways zone in the draft MidCoast LEP.</p> <p>f) Private moorings are subject to approvals from Fisheries and the Marine Park authority. Recently we were advised of new mapping that has been undertaken by Department of Primary Industries to clearly identify where moorings can be considered and where they are prohibited. Council will discuss this further with the Department</p>
Agriculture (Department of Primary Industries)	
<p>a) Oppose the reduction of the minimum lot size for the Gloucester Basin and the potential impact of subdivision on the viability of rural activities</p> <p>b) Consideration of the following with regard to the rural zones:</p> <ul style="list-style-type: none"> - RU1 Primary Production zone – the following land uses should not be permitted with consent: <i>camping grounds, car park, cemeteries, communication facilities, crematorium, depots, education establishments, function centres, information and education facility, place of public worship, public administration building, recreation areas, recreation facilities (major), recreation facilities (outdoor), Respite day-care centres, secondary dwellings, tourist and visitor accommodation, vehicle body repair workshop, Vehicle repair station, Water recreation structures.</i> - RU2 Rural Landscape zone – the following land uses should not be permitted with consent: <i>carpark, place of public worship, public administration building, respite day-care centres, vehicle body repair workshop and vehicle repair stations.</i> <p>c) Rural settlements that are located within the Primary Production zone (not identified in the RU5 Village zone), could have the C4 Environmental Living</p>	<p>a) In order to progress the rural provisions, changes to the extent of the Gloucester Basin were identified in August 2023 and were incorporated in the draft MidCoast LEP. In addition, a Rural Strategy – Supplementary Report November 2023 was undertaken, recommending further changes to the eastern boundary of the Gloucester Basin. This is explained in detail in section 3.4.2 of the planning proposal</p> <p>b) These land uses were examined in the context of what is currently permitted in the Gloucester Local Environmental Plan 2010, and the recently approved Dubbo and Queanbeyan-Palerang Local Environmental Plan 2022. Removal of a number of the land uses was supported and is detailed in section 3.4.2 of the planning proposal</p> <p>c) The draft MidCoast LEP needs to provide clear guidance for where land uses are permitted. Using an overlay would not provide an adequate level of transparency</p>

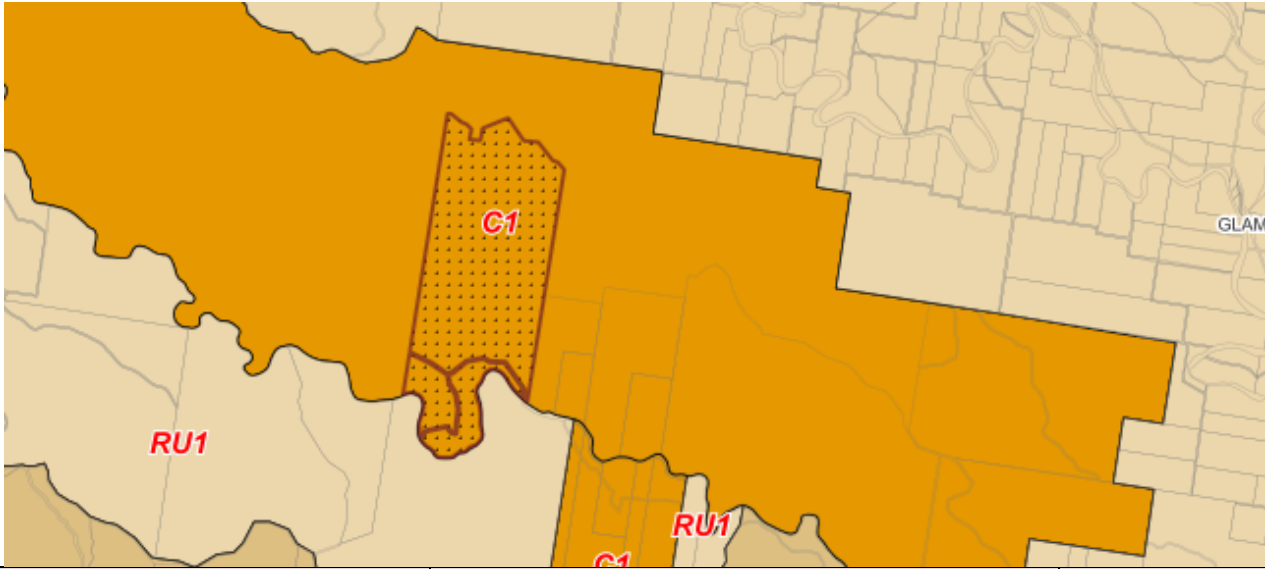
NSW Government feedback:	MidCoast response:
<p>or RU2 Rural Landscape zone applied or an overlay used to enable the use listed above as permitted with consent</p> <p>d) Potential application of a draft clause from the draft Snowy Monaro Local Environmental Plan which is aimed at protecting major industries, waste or sewage management facilities.</p>	<p>d) This clause was not considered appropriate for the MidCoast.</p>
NSW Rural Fire Service (RFS)	
<p>Any significant density and population increase should be supported by a bushfire risk assessment. At a minimum this should consider bushfire hazard (i.e. fuel load (vegetation), effective slope (terrain) and fire weather severity (e.g. wind speed, temperature, drought factor, relative humidity) and impacts of climate change, capacity of existing infrastructure and road network to evacuate people safely, cumulative impacts of new development, and the vulnerability of communities and infrastructure (critical infrastructure, buildings or contents, or pre-existing socio-demographic vulnerabilities).</p>	<p>The draft MidCoast LEP brings together three LEPs into one plan. There are no significant changes proposed to increase the population of the urban areas across the MidCoast. The only increase would be as a result of the Manning Health/Taree CBD Precincts Plan which will occur within the town centre, removed from any bush fire hazards. In relation to the population of Taree the potential increase from this precinct plan would not be considered significant</p>
Water Group - DPE	
<p>Support the provisions being applied to drinking water and aquifer catchments. Ensure that the outcomes of Council's long-term water strategy are considered.</p>	<p>A review of the outcomes of Council's long-term water strategy is underway to determine whether any amendments need to be made to the draft MidCoast LEP.</p>
Mining Exploration and Geoscience (Regional NSW)	
<p>a) Discussions were had regarding 'extractive industry', 'open cut mining' and 'mining' being permitted with consent in the C3 Environmental Management and C4 Environmental Living zones. It was agreed that these land uses do not need to be specifically listed in the land use table for these zones as the State Environmental Planning Policy (Resources and Energy) 2021 will enable the use if required</p> <p>b) The mineral resource mapping will be provided to ensure consistency with the draft MidCoast LEP.</p>	<p>a) The land use tables for C3 Environmental Management and C4 Environmental Living zones were amended to remove extractive industry, mining and open cut mining from being permitted with consent</p> <p>b) The map was received in late August 2023. A review of this map will be undertaken, and discussions will continue to be undertaken with this Department if any issues are found.</p>
Forestry Corporation	
<p>Forestry Corporation provided a data source for their sites and agreed to be involved in any future discussions regarding the application of zones over their land.</p>	<p>Further discussions were undertaken with the Forestry Corporation and in an email on 11 January 2024 the appropriate zones for a number of sites were confirmed. The draft MidCoast LEP mapping will be amended to reflect these zone changes. These changes are provided as Part A after the table (with the NPWS amendments).</p>

NSW Government feedback:	MidCoast response:
NSW Health	
<ul style="list-style-type: none"> a) Hospitals (private and public) should be included in the SP2 Infrastructure zone b) Review the land uses contained within the land use tables, 	<ul style="list-style-type: none"> a) Both private and public hospitals have been included in the SP2 Infrastructure zone. b) When the review is undertaken of the draft land use tables, any implications for the draft MidCoast LEP will be considered.

Part A – Mapping changes for National Parks and Wildlife Service and Forestry Corporation

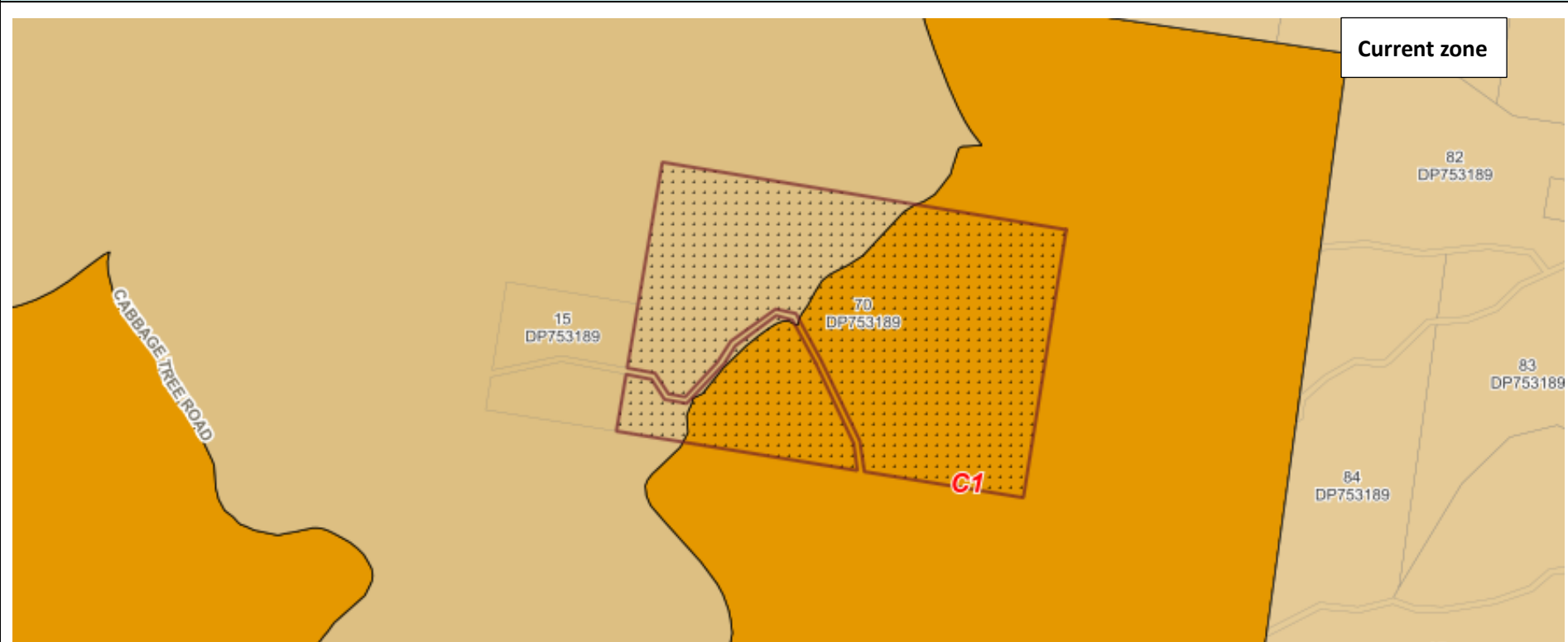
The proposed amendments have been grouped as follows and are shown on the following maps:

- Sites to be included in the RU3 Forestry zone (whole and partial site) given the sites are owned by the Forestry Corporation
- Sites to be included in the C1 National Parks and Nature Reserves zone. These sites are either new additions to the NPWS estate or were incorrectly zoned in the draft MidCoast LEP due to the wrong data being used
- Zone boundary adjustment – where the zone boundary needs to be adjusted to reflect the management/ownership of the site
- A site to be excluded from the C1 National Parks and Nature Reserves zone and removed from the Land Reservation Acquisition Map.

Sites to be included in RU3 Forestry zone			
Giro – Lot 98 DP753690			
			Current zone
Current zone	Draft MidCoast LEP	Amendment	Status
C1 National Parks and Nature Reserves zone (Great Lakes LEP 2014)	C1 National Parks and Nature Reserves zone	RU3 Forestry zone	Part of Giro State Forest

Sites to be included in RU3 Forestry zone

Bulahdelah – Lot 70 DP753189

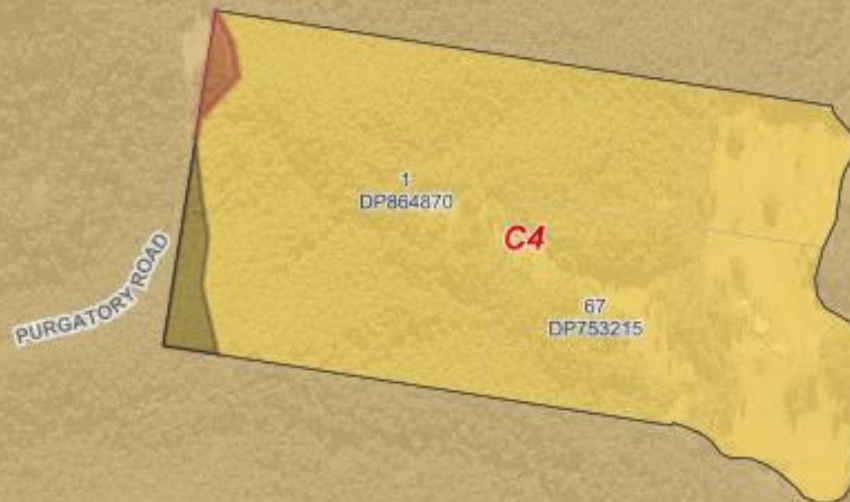


Current zone	Draft MidCoast LEP	Amendment	Status
Eastern portion - C1 National Parks and Nature Reserves zone and western portion - RU3 Forestry zone (Great Lakes LEP 2014)	RU3 Forestry zone	Eastern portion - C1 National Parks and Nature Reserves zone and western portion - RU3 Forestry zone	Eastern portion forms part of Myall Lakes National Park and western portion part of Myall River State Forest

Sites to be included in RU3 Forestry zone

Crawford – Lot 2 and 3 DP864870

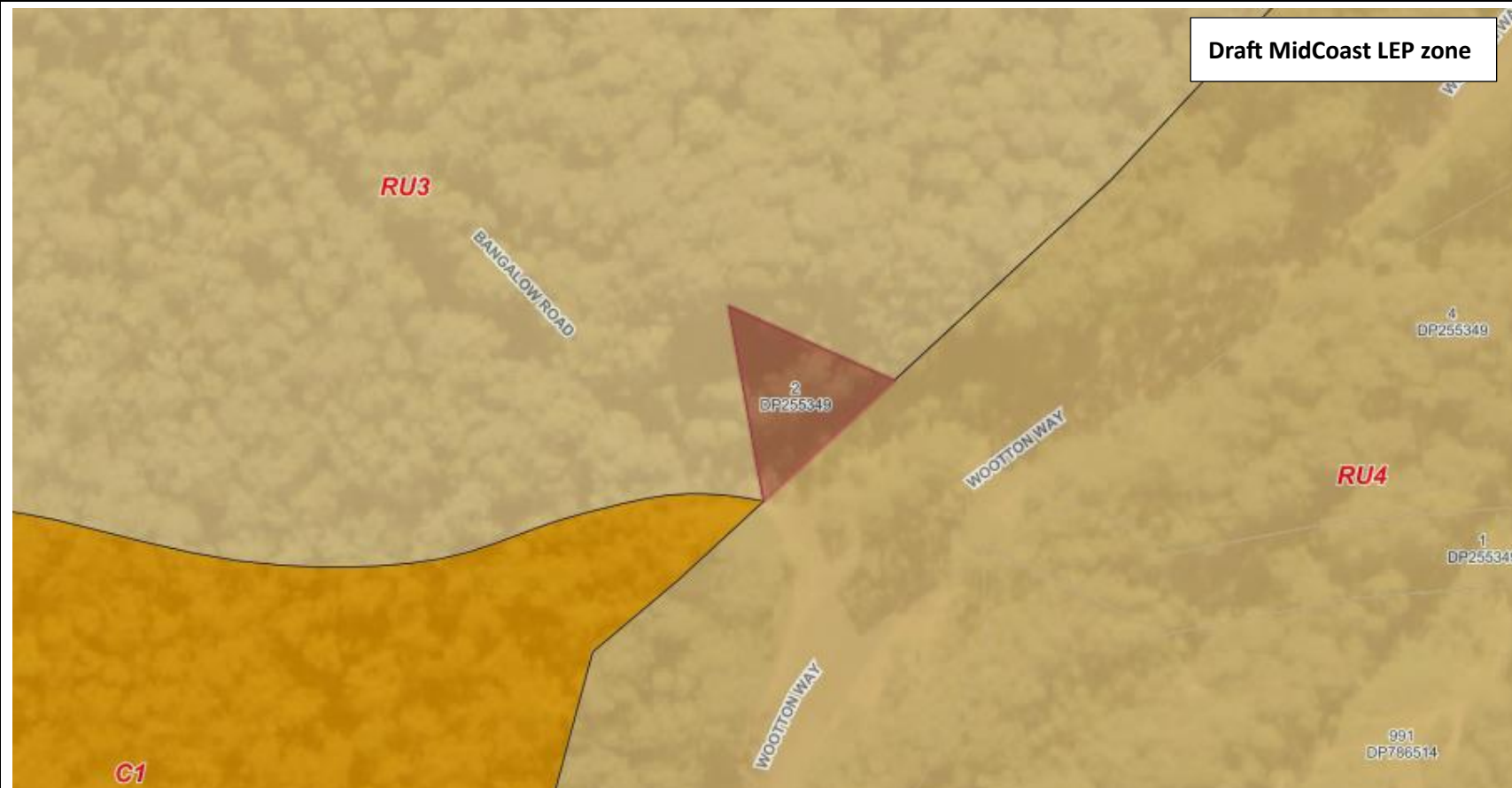
Draft MidCoast LEP zone



Current zone	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone (Great Lakes LEP 2014)	C4 Environmental Living zone	RU3 Forestry zone	Land owned by Forestry Corporation

Sites to be included in RU3 Forestry zone

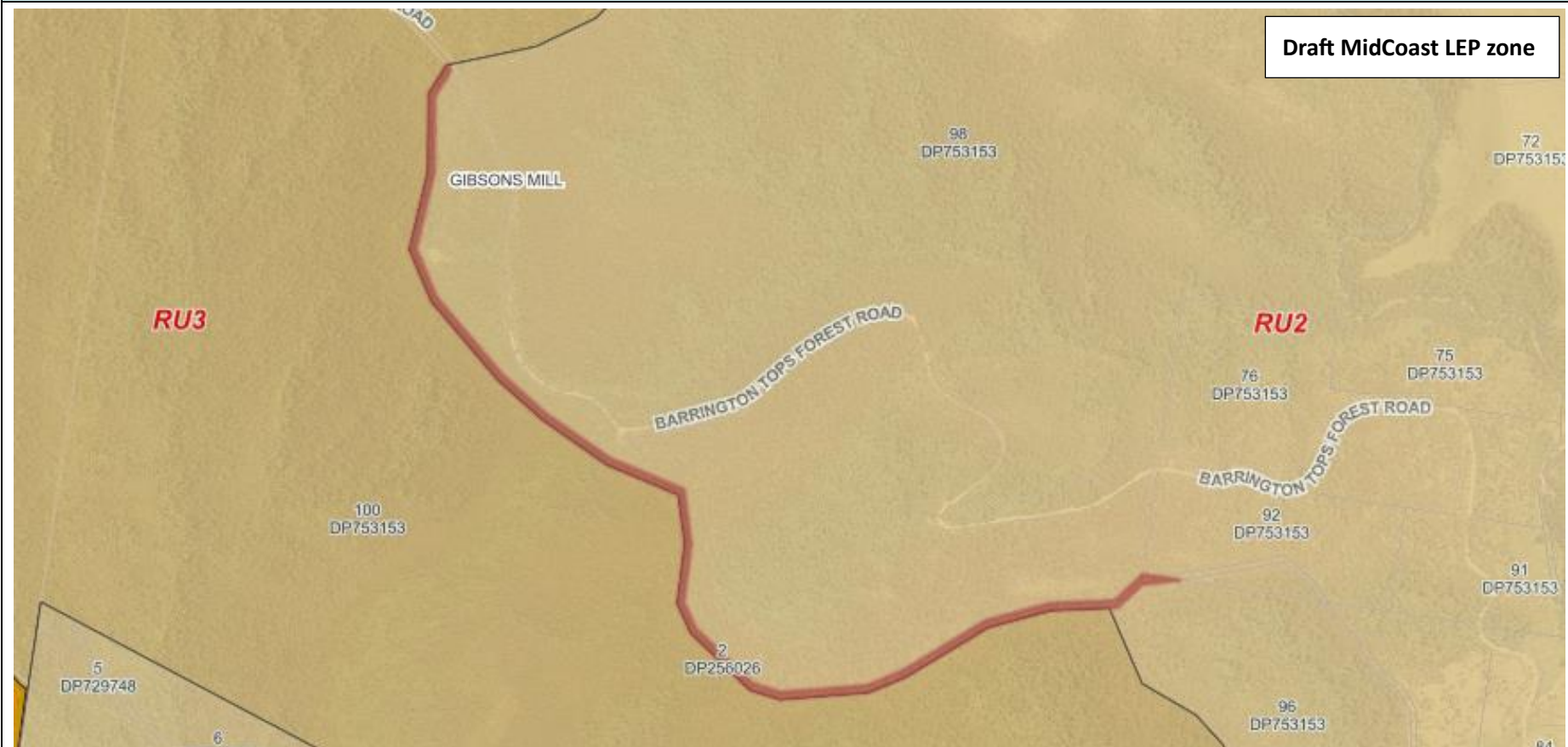
Coolongolook – Lot 2 DP255349



Current zone	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone (Great Lakes LEP 2014)	RU4 Primary Production Small Lots	RU3 Forestry zone	Land owned by Forestry Corporation

Sites to be included in RU3 Forestry zone

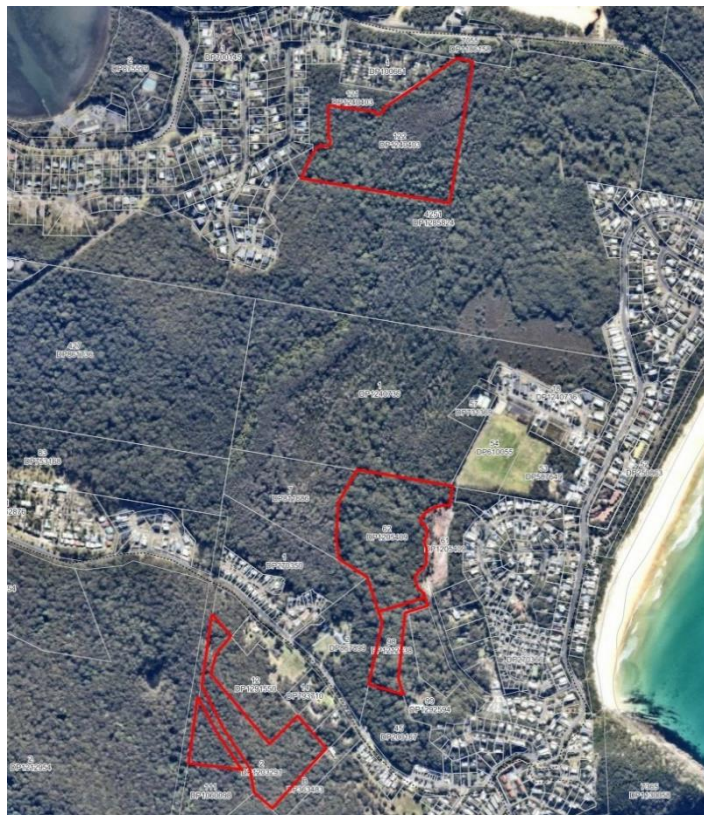
Tibbuc – Lot 2 DP256026



Current zone	Draft MidCoast LEP	Amendment	Status
RU1 Primary Production zone (Gloucester LEP 2010)	RU2 Rural Landscape zone	RU3 Forestry zone	Land owned by Forestry Corporation

Sites to be included in the C1 National Parks and Nature Reserves zone

Pacific Palms – Lot 122 DP1240403, Lot 62 DP1205409, Lot 98 DP1212738 and Lot 2 DP1203291



Current zone	Draft MidCoast LEP	Amendment	Status
C2 Environmental Conservation zone (Great Lakes LEP 2014)	C2 Environmental Conservation zone	C1 National Parks and Nature Reserves zone	Additions to Booti Booti National Park

Sites to be included in the C1 National Parks and Nature Reserves zone

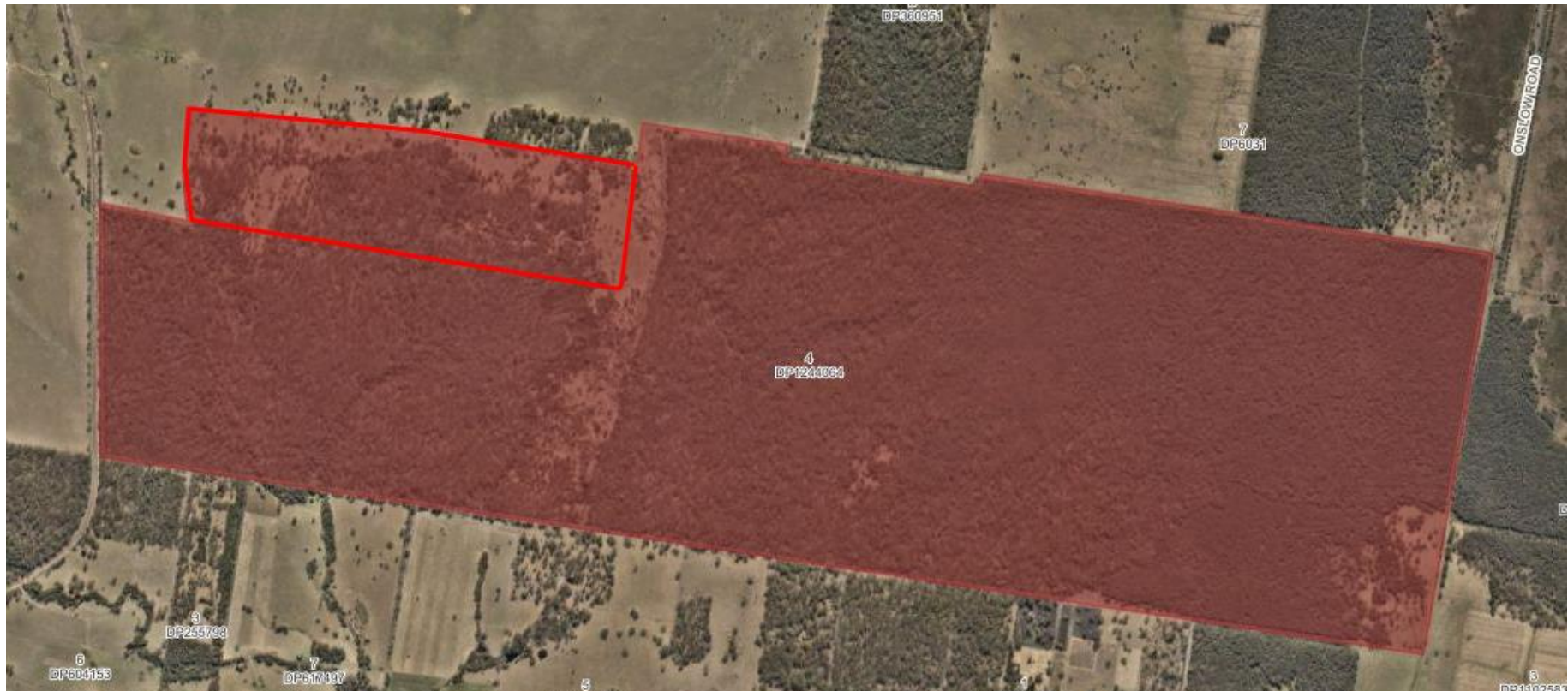
Terreel – Lot 1 DP914860



Current zone	Draft MidCoast LEP	Amendment	Status
C1 National Parks and Nature Reserves zone (Great Lakes LEP 2014)	RU3 Forestry zone	C1 National Parks and Nature Reserves zone	Part of Ghin Do-Ee National Park

Sites to be included in the C1 National Parks and Nature Reserves zone

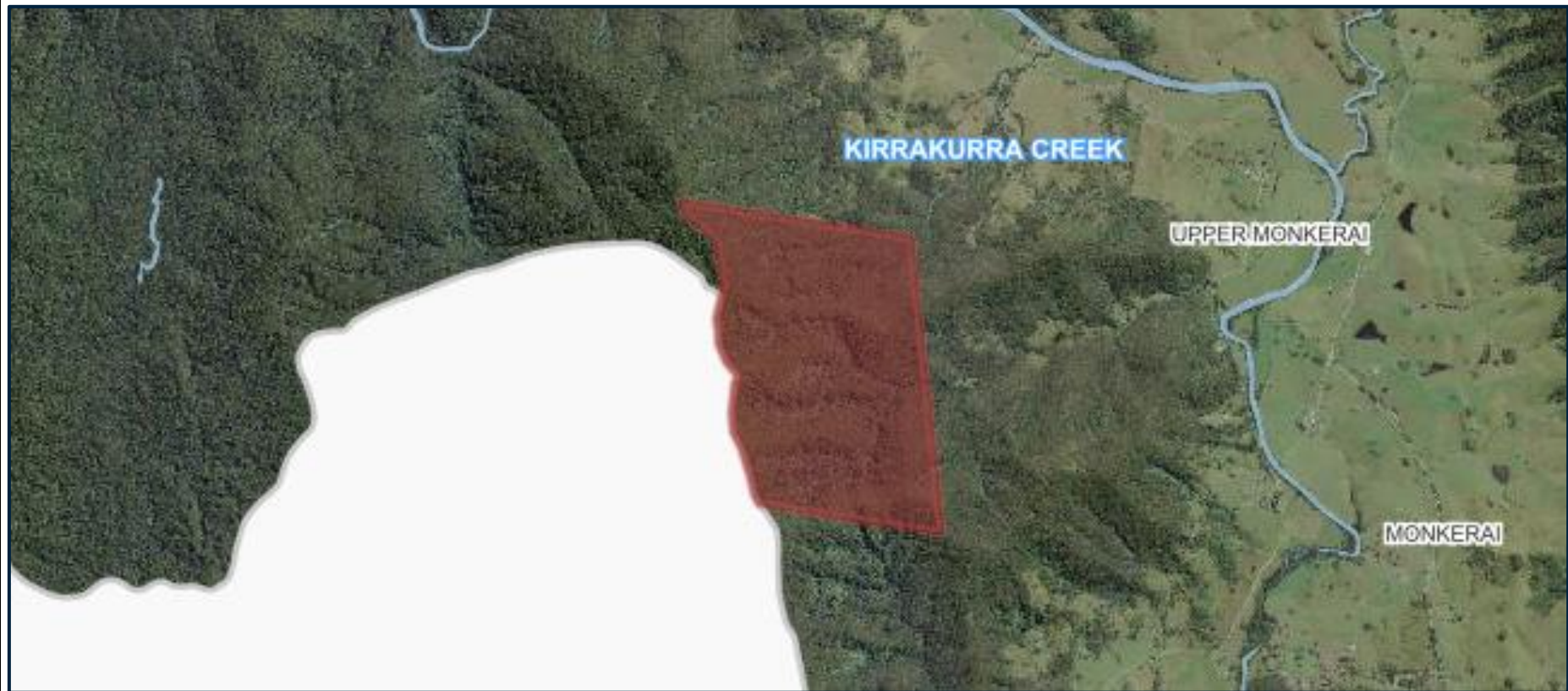
Brimbin – part of Lot 4 DP1244064 (outlined in red)



Current zone	Draft MidCoast LEP	Amendment	Status
C2 Environmental Conservation zone (Greater Taree LEP 2010)	C2 Environmental Conservation zone	C1 National Parks and Nature Reserves zone	Addition to Brimbin Nature Reserve

Sites to be included in the C1 National Parks and Nature Reserves zone

Monkerai – Lot 42 DP753206



Current zone	Draft MidCoast LEP	Amendment	Status
C1 National Parks and Nature Reserves zone (Great Lakes LEP 2014)	RU3 Forestry zone	C1 National Parks and Nature Reserves zone	Part of Black Bulga State Conservation Area

Sites to be included in the C1 National Parks and Nature Reserves zone

Karuah - Lot 68 DP753178



Current zone	Draft MidCoast LEP	Amendment	Status
C1 National Parks and Nature Reserves zone (Great Lakes LEP 2014)	RU3 Forestry zone	C1 National Parks and Nature Reserves zone	Part of Karuah Nature Reserve

Sites to be included in the C1 National Parks and Nature Reserves zone

Darawank – Lot 47 DP753207



Current zone	Draft MidCoast LEP	Amendment	Status
RU2 Rural Landscape zone (Great Lakes LEP 2014)	C2 Environmental Conservation zone	C1 National Parks and Nature Reserves zone	Addition to Minimbah Nature Reserve

Sites to be included in the C1 National Parks and Nature Reserves zone

Limeburners Creek – Lot 181 DP753196



Current zone	Draft MidCoast LEP	Amendment	Status
C1 National Parks and Nature Reserves zone (Great Lakes LEP 2014)	RU3 Forestry zone	C1 National Parks and Nature Reserves zone	Part of Karuah National Park

Sites to be included in the C1 National Parks and Nature Reserves zone

Darawank – Lots 17, 18, 19 DP753163



Current zone	Draft MidCoast LEP	Amendment	Status
C1 National Parks and Nature Reserves zone (Great Lakes LEP 2014)	RU3 Forestry zone	C1 National Parks and Nature Reserves zone	Part of Gin-Doo-Ee National Park

Sites to be included in the C1 National Parks and Nature Reserves zone

Upper Lansdowne – Lot 102 DP801674

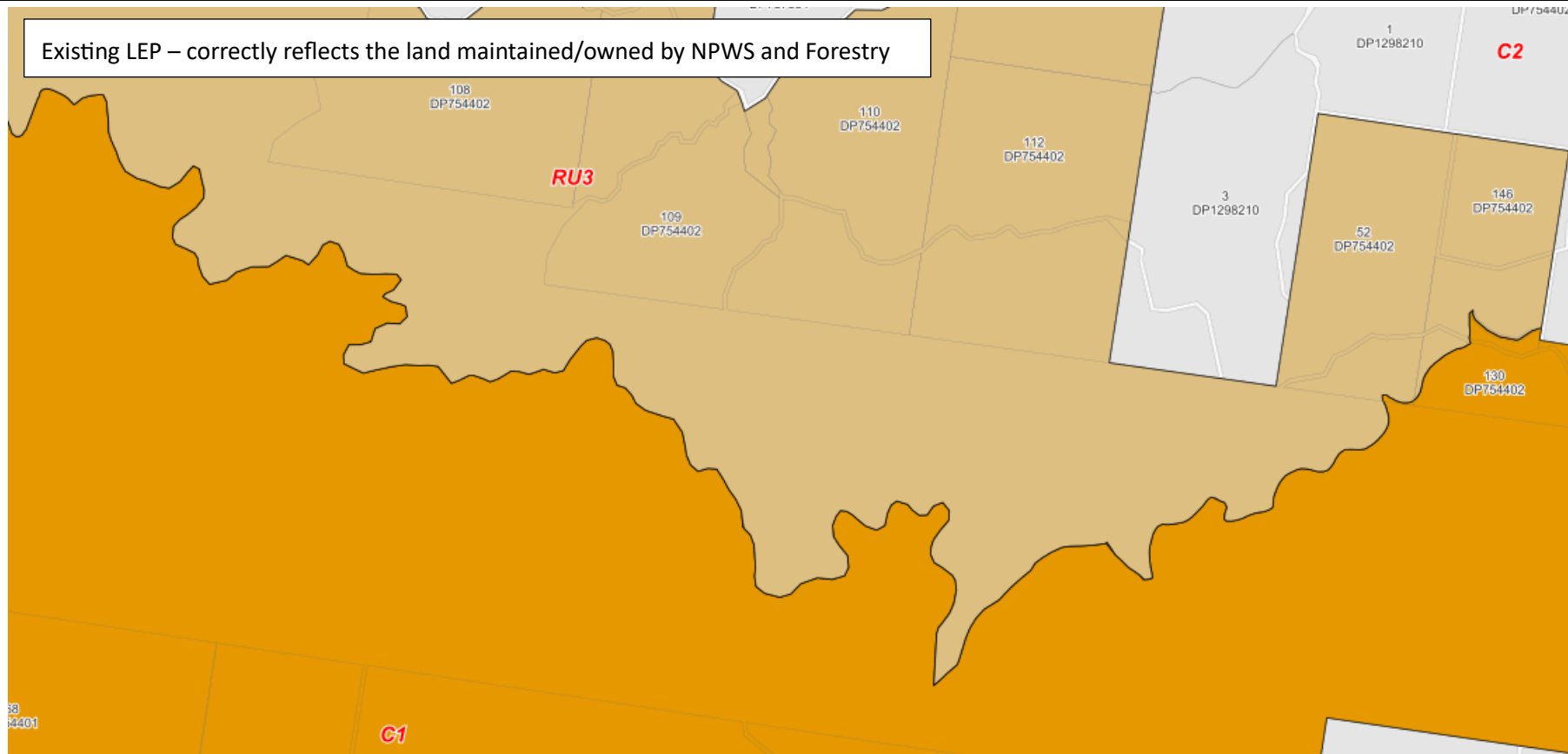


Current zone	Draft MidCoast LEP	Amendment	Status
C3 Environmental Management zone (Greater Taree LEP 2010)	C3 Environmental Management zone	C1 National Parks and Nature Reserves zone	Addition to Killabakh Nature Reserve

Zone boundary adjustment

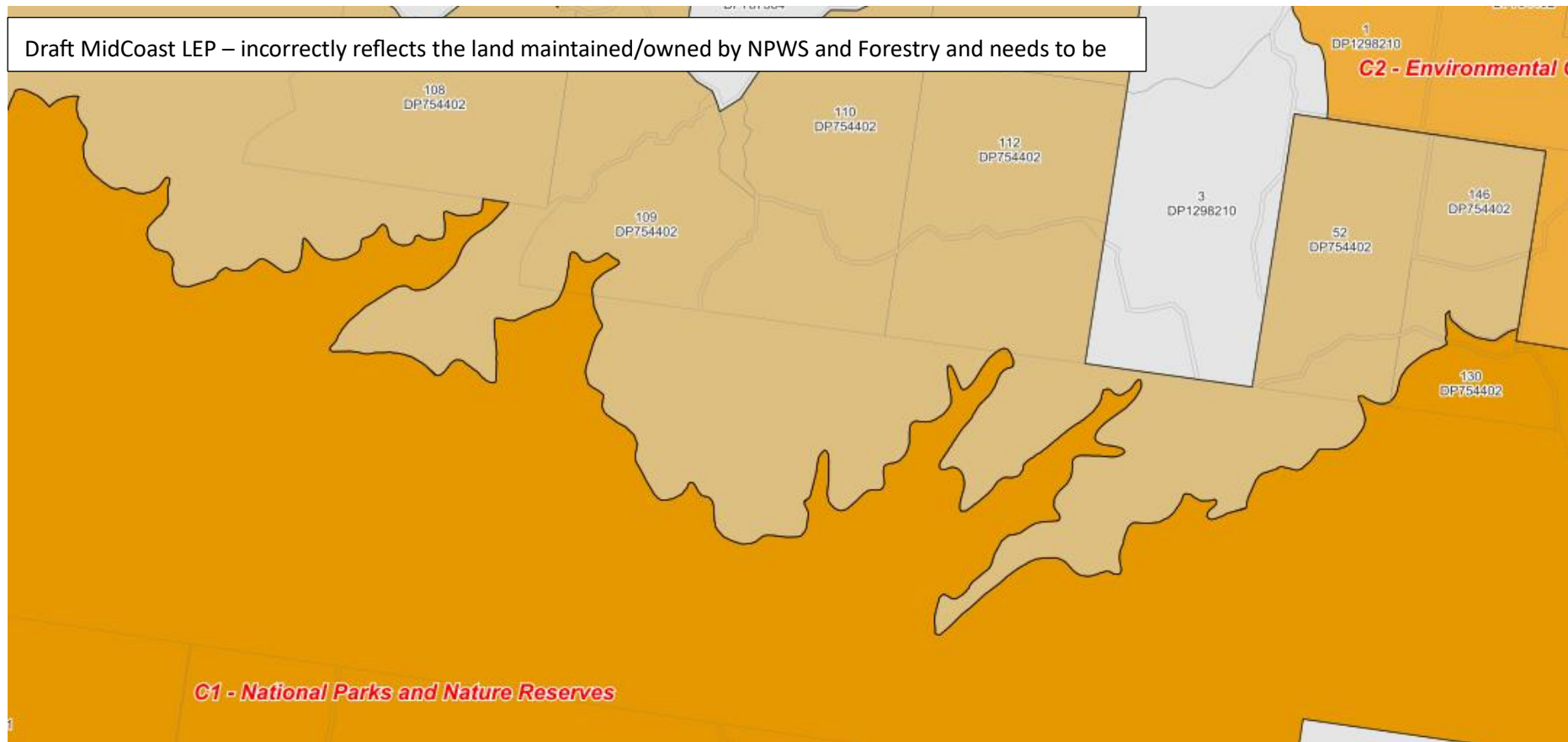
Ph Myall Elands

Existing LEP – correctly reflects the land maintained/owned by NPWS and Forestry



Zone boundary adjustment

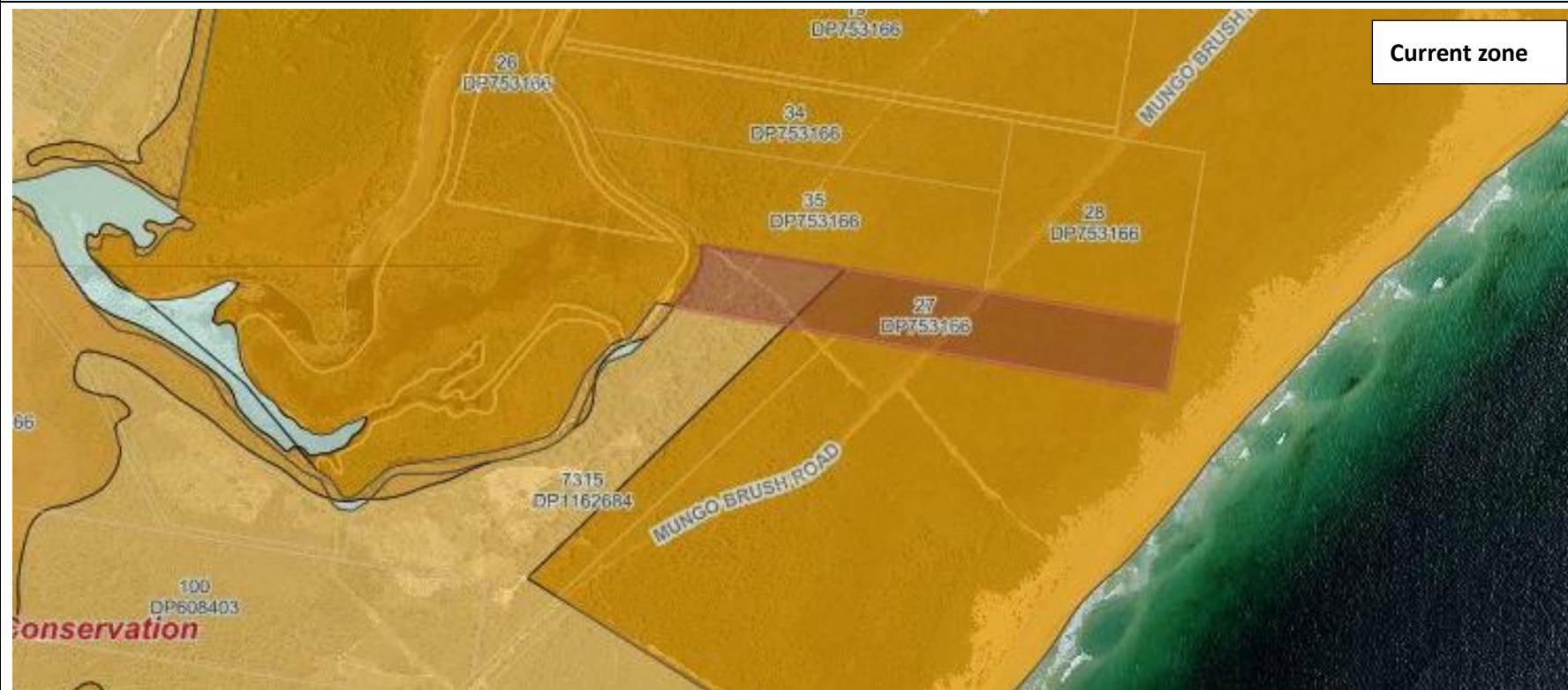
Draft MidCoast LEP – incorrectly reflects the land maintained/owned by NPWS and Forestry and needs to be



Current zone	Draft MidCoast LEP	Amendment	Status
Southern portion - C1 National Parks and Nature Reserves zone and northern portion - RU3 Forestry zone (Greater Taree LEP 2010)	Adjusted boundaries between zones	As per existing zone boundary in Greater Taree LEP 2010	The boundary between Tapin Tops National Park and Bulga State Forest in Ph Myall is legally defined on map Misc F 1313 as per current zone boundary

Zone boundary adjustment

Hawks Nest – include whole of Lot 27 DP753166

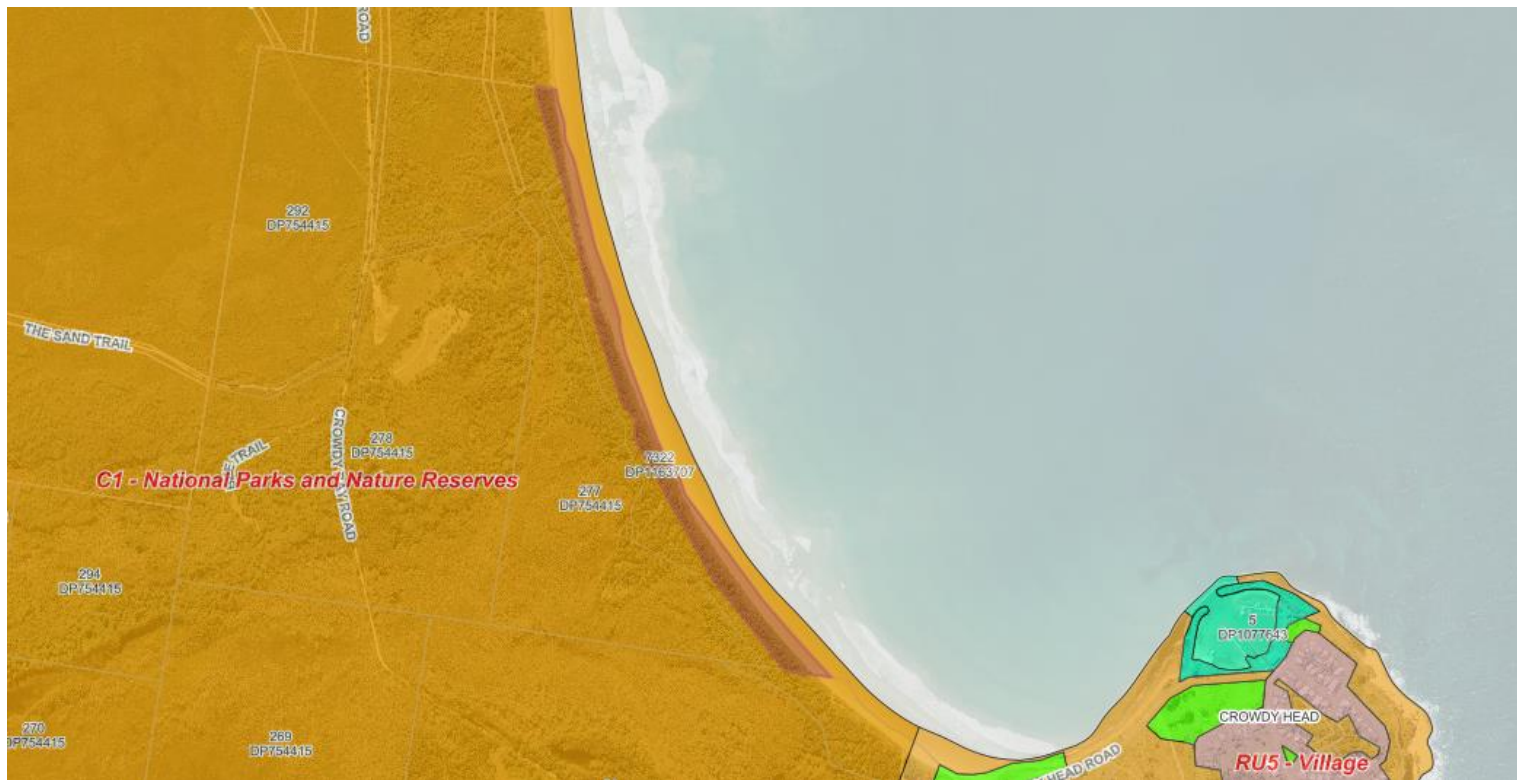


Current zone	Draft MidCoast LEP	Amendment	Status
Eastern portion - C1 National Parks and Nature Reserves zone and western portion – RU2 Rural Landscape zone (Great Lakes LEP 2014)	Eastern portion - C1 National Parks and Nature Reserves zone and western portion – RU4 Primary production Small Lots zone	C1 National Parks and Nature Reserves zone (whole site)	Addition to Myall Lakes National Park. Previously restricted by mining lease

Site to be excluded in the C1 National Parks and Nature Reserves zone

Crowdy Head – Lot 7322 DP1163707

Current zone



Current zone	Draft MidCoast LEP	Amendment	Status
C1 National Parks and Nature Reserves zone (Greater Taree LEP 2010)	C1 National Parks and Nature Reserves zone	C2 Environmental Conservation zone and remove from Land Reservation Acquisition Map	NPWS advise that it is owned by DPI and given the uses, is no longer to be acquired by NPWS

Part B – Mapping changes for the Biodiversity and Conservation Division

Meetings were undertaken with the Biodiversity and Conservation Division to determine flooding and coastal impacts on sites where the draft MidCoast LEP proposed changes to the urban footprint or there was an increase in the development potential of sites. These discussions resulted in the changes listed in the following table which have been included in the draft MidCoast LEP.

In addition, the principles discussed with the Biodiversity and Conservation Division were applied across the MidCoast resulting in changes to the urban footprint in villages at Moorland (south), Wootton, Bulahdelah, Barrington, Allworth, Limeburners Creek, and Stratford.

Proposed draft MidCoast LEP mapping changes from consultation with BCD	
Wingham – 1032-1080 Wingham Road. Retained in a rural zone	Taree – 1-29, 2-36 Victoria Street. Retain in an employment zone with an 8.5m maximum height of building
	

Proposed draft MidCoast LEP mapping changes from consultation with BCD

Cooperbrook – 76 George Gibson Drive and 2 Macquarie Street.
Retained in a rural zone.



Old Bar – 10 Old Bar Road.
Retain in a general residential zone.



Forster – 13-23 Macintosh Street, 5, 11 Middle Street.
Retain in the R3 Medium Density zone with a 12m maximum height of building.



Forster – 13-51 Townsend Street, 10-34 Strand Street, 20-33 Cross Street, 1, 3 Middle Street, 60 Macintosh Street. Retain the 8.5m maximum height of building.



Proposed draft MidCoast LEP mapping changes from consultation with BCD

Forster – 10-18 Middle Street, 25-43 Macintosh Street, 2-43 Helen Street, 9-2 Robert Street, 10-18 Short Street. Retain the 12m maximum height of building.



Tuncurry – 1-5 Rockpool Road, 28, 30 Beach Street. Retained the 8.5m maximum height of building.



Tea Gardens – 113-129 Myall Street, 1, 2/1-7/1, 3A, 3B Yalinbah Street. Retain in the R1 General Residential zone with a 8.5m maximum height of building.



Tea Gardens – 211-221 Myall Street, 60-68 Witt Street. Retain the 8.5m maximum height of building.



Proposed draft MidCoast LEP mapping changes from consultation with BCD

Nabiac – 2-28 Donaldson Street, 9-17, Trickett Street, 2, 8 Byron Street, 2-28 Wharf Street. Retained in a rural zone.



Nabiac – 71 – 51 Nabiac Street
Retain in a rural zone.

