

APPENDIX 2

January 2026

Wingham Urban Release Area 1



STATE ENVIRONMENTAL PLANNING POLICIES ASSESSMENTS

State Environmental Planning Policy Assessment

The following table identifies the State Environmental Planning Policies (SEPPs) that are relevant for the draft Planning Proposal.

Relevant aims and objectives:	Response:
State Environmental Planning Policy (Biodiversity and Conservation) 2021	
The key aims of this SEPP that are relevant to the MidCoast are: <u>Chapter 2: Vegetation in non-rural areas</u> - to protect the biodiversity values of trees and other vegetation in non-rural areas of the State - to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. <u>Chapter 3: Koala habitat protection 2020</u> - by encouraging the identification of areas of core koala habitat - by encouraging the inclusion of areas of core koala habitat in environment protection zones. <u>Chapter 4: Koala habitat protection 2021</u> - by encouraging the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.	Can be consistent <u>Chapter 2:</u> The provisions of Chapter 2 will apply to the site after rezoning. No inconsistencies have been identified. It is noted the proposed R1 General Residential zoned area has been located so as to minimise impacts on native vegetation and biodiversity values (Refer to Section 3.3.1 of the Planning Proposal). <u>Chapter 3:</u> The provisions of Chapter 3 would no longer apply after rezoning. Instead, Chapter 4 would apply. <u>Chapter 4:</u> The provisions of Chapter 4 apply to the Mid Coast Council and the North Coast Koala Habitat Area, which the subject site is within. Any future Development Application for subdivision of the site would, under Chapter 4, need to be consistent with the MidCoast Koala Management Strategy. No inconsistencies have been identified. Councils' Ecologist has identified koala scats within the site and koalas are likely present or have moved through the area. As discussed within Section 3.3.1 of the Planning Proposal, Council had concerns regarding the adequacy of the provided Preliminary Biodiversity Development Assessment Report (PBDAR) which included the depth of consideration relating to Koalas. Previously raised concerns have now largely been addressed as a result of the amended development footprint and PBDAR addendum letter. Council is now satisfied that the site is suitable from a biodiversity perspective, including the consideration of Koalas, with further detailed assessments to occur at development application stage.

Relevant aims and objectives:	Response:
	Following the Gateway Determination, the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) will review the Preliminary Biodiversity Development Assessment Report and provide advice on whether the biodiversity issues have been adequately addressed and whether Council's concerns are warranted.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	
The key aims of this SEPP that are relevant to the MidCoast are: - identifying, in the exempt development codes, types of development that are of minimal environmental impact that may be carried out without the need for development consent - identifying, in the complying development codes, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Act. This SEPP seeks to provide streamlined assessment processes for development that complies with specified development standards.	Can be consistent The Planning Proposal contains no provisions that would contradict or hinder application of this SEPP.
State Environmental Planning Policy (Housing) 2021	
The principles of this SEPP are to: - enable the development of diverse housing types, including purpose-built rental housing, - encourage the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability, - ensure new housing development provides residents with a reasonable level of amenity, - promote the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services, - minimise adverse climate and environmental impacts of new housing development, - reinforce the importance of designing housing in a way that reflects and enhances its locality,	Can be consistent The Planning Proposal contains no provisions that would contradict or hinder application of this SEPP. It is noted that Chapter 4 – Design of Residential Apartment Development is unlikely to be applicable as it applies only to apartments of at least three stories. The proposed maximum height of building under this Planning Proposal is 8.5m, meaning that three stories is unlikely to be achieved. Notwithstanding this, there are no specific provisions which would contradict or hinder the application of Chapter 4.

Relevant aims and objectives:	Response:
(g) support short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use, (h) mitigate the loss of existing affordable rental housing.	
State Environmental Planning Policy (Industry and Employment) 2021	
The key aims of this SEPP that are relevant to the MidCoast are: <u>Chapter 3: Advertising and signage</u> - to ensure that signage (including advertising)- - is compatible with the desired amenity and visual character of an area, and - provides effective communication in suitable locations, and - is of high quality design and finish - to regulate signage (but not content) under Part 4 of the Act, and - to provide time-limited consents for the display of certain advertisements, and - to regulate the display of advertisements in transport corridors, and - to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.	Can be consistent The Planning Proposal contains no provisions that would contradict or hinder application of this SEPP.
State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development	
This SEPP aims to improve the design quality of residential apartment development in New South Wales.	Can be consistent The Planning Proposal contains no provisions that would contradict or hinder application of this SEPP.
State Environmental Planning Policy (Planning Systems) 2021	
The key aims of this SEPP that are relevant to the MidCoast are: <u>Chapter 2: State and regional development</u> - to identify development that is State significant development, - to identify development that is State significant infrastructure and critical State significant infrastructure, - to identify development that is regionally significant development.	Can be consistent Future development of the land may be assessed as regionally significant development. The Planning Proposal contains no provisions which would contradict or hinder the application of this SEPP. It is noted that Chapter 3 does not apply to the Planning Proposal as the site is not owned by an Aboriginal Land Council.

Relevant aims and objectives:	Response:
<u>Chapter 3: Aboriginal land</u> to declare specified development carried out on land owned by Aboriginal Land Councils to be regionally significant development.	
State Environmental Planning Policy (Primary Production) 2021	
The key aims of this SEPP that are relevant to the MidCoast are: Chapter 2: Primary production and rural development (a) to facilitate the orderly economic use and development of lands for primary production, (b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources, (c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations, (d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts, (e) to encourage sustainable agriculture, including sustainable aquaculture, (f) to require consideration of the effects of all proposed development in the State on oyster aquaculture, (g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.	Can be consistent It is noted that, under Part 2, Schedule 4, of this SEPP, the consent authority would need to take certain matters relating to existing and surrounding land uses into account in determining a Development Application for a dwelling within the proposed C2 Environmental Conservation and C4 Environmental Living zoned land. No land use conflicts are expected to be identified as part of this process. No other provisions of this SEPP would apply to the site under the Planning Proposal.
State Environmental Planning Policy (Resilience and Hazards) 2021	
The key aims of this SEPP that are relevant to the MidCoast are:	Can be consistent

Relevant aims and objectives:	Response:
<u>Chapter 2: Coastal management</u> The aim of this Chapter is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the <i>Coastal Management Act 2016</i>, including the management objectives for each coastal management area. <u>Chapter 3: Hazardous and offensive development</u> The aim of this Chapter is to ensure hazardous and offensive industries are permitted in environmental planning instruments, and appropriate controls are applied in their assessment. <u>Chapter 4: Remediation of land</u> The aim of this Chapter is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.	<u>Chapter 2:</u> It is noted that part of the site is mapped as being within the coastal environment area and the coastal use area, under Chapter 2. Accordingly, the consent authority would need to be satisfied that any Development Application has been designed to avoid, minimise or mitigate impacts on the environmental values relating to these areas. The Planning Proposal contains no provisions which would prevent this being achieved. APPENDIX 20 provides an assessment against the NSW Coastal Design Guidelines which satisfies council that the proposed development is not likely to cause increased risk of coastal hazards on the land or other land. <u>Chapter 3:</u> The Planning Proposal contains no provisions which would be inconsistent with the aims of Chapter 3. <u>Chapter 4:</u> This Planning Proposal is accompanied by a Preliminary Site Investigation (PSI) (APPENDIX 8) by consultants Regional Geotechnical Solutions. The investigation found the site could be suitable in its current state for future residential land use, subject to conditions relating to appropriate site preparation works. Since the submission of the initial PSI, a Detailed Site Investigation (DSI) (APPENDIX 8) has been provided which further demonstrates the suitability of the proposal from a contamination perspective. Further detail is included in Section 3.3 of the Planning Proposal.
State Environmental Planning Policy (Resources and Energy) 2021	
The key aims of this SEPP that are relevant to the MidCoast are: <u>Chapter 2: Mining, petroleum production and extractive industries</u> (a) to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and (b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and	Not applicable This SEPP would not apply to future development under the intended provisions.

Relevant aims and objectives:	Response:
(c) to promote the development of significant mineral resources, and (d) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and (e) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development- (i) to recognise the importance of agricultural resources, and (ii) to ensure protection of strategic agricultural land and water resources, and (iii) to ensure a balanced use of land by potentially competing industries, and (iv) to provide for the sustainable growth of mining, petroleum and agricultural industries.	
State Environmental Planning Policy (Sustainable Buildings) 2022	
The aims of this SEPP are: (a) to encourage the design and delivery of sustainable buildings, (b) to ensure consistent assessment of the sustainability of buildings, (c) to record accurate data about the sustainability of buildings, to enable improvements to be monitored, (d) to monitor the embodied emissions of materials used in construction of buildings, (e) to minimise the consumption of energy, (f) to reduce greenhouse gas emissions, (g) to minimise the consumption of mains-supplied potable water, (h) to ensure good thermal performance of buildings.	Can be consistent The Planning Proposal contains no provisions that would contradict or hinder application of this SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	
The aims of this SEPP are to: • provide for the effective delivery of infrastructure across the State, including air transport facilities, correctional centres and correctional complexes and wharf or boating facilities	Can be consistent A Development Application for development may rely on consideration of specific assessment matters and/or consultation with relevant public

Relevant aims and objectives:	Response:
• facilitate the effective delivery of educational establishments and early education and care facilities across the State • provide for infrastructure corridors.	authorities during the assessment process or prior to works commencing, including in relation to: • Council related infrastructure or services, • traffic-generating development and development with a frontage to a classified road (TfNSW), • development likely to impact or be impacted by a rail corridor (ARTC), • development likely to affect an electricity transmission or distribution network (Essential Energy), and • development fronting Classified Roads (TfNSW).

