



Gateway determination report – PP-2025-217

Warren LEP Housekeeping amendment

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

| Relevant reports and plans |
|---|
| Warren LEP Health Check |
| Warren Local Strategic Planning Statement |
| Council Resolution- 5 December 2025 |
| Attachment – Email 14 May 2025 |

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

| | |
|---------------------------------|---|
| LGA | Warren Shire Council |
| PPA | Warren Shire Council |
| NAME | Warren Housekeeping Planning Proposal |
| NUMBER | PP-2025-217 |
| LEP TO BE AMENDED | Warren Local Environmental Plan 2012 |
| ADDRESS | Various Sites |
| RECEIVED | 18/02/2025 |
| FILE NO. | IRF25/457 |
| POLITICAL DONATIONS | There are no donations or gifts to disclose and a political donation disclosure is not required |
| LOBBYIST CODE OF CONDUCT | There have been no meetings or communications with registered lobbyists with respect to this proposal |

1.2 Objectives of planning proposal

The objectives of the planning proposal are to amend the Warren Local Environmental Plan 2012 via a range of administrative and housekeeping amendments to the instrument and accompanying mapping.

The objectives of the planning proposal are to:

- Include a provision of additional housing options to accommodate skilled workers for large scale projects in the LGA such as solar farms, renewable energy projects and extractive industries.
- Protect essential road infrastructure from inappropriate development and reinforce the importance of the road corridor.
- Reduce repetition and simplify assessment procedures for applicants and assessing officers in relation to Clause 6.3 and 6.4 of the Warren LEP 2012.
- Protect the boundaries of the Warren Airport from any encroachments as it serves an essential air transport and emergency transport need for the locality.
- Enable subdivision of allotments unintentionally burdened by two land use zonings and subsequently, two minimum lot sizes.
- Provide a legal mechanism to replace lawfully constructed dwellings where a natural disaster has destroyed it or rendered it uninhabitable.
- Rezone serviceable and flood protected residential land to enable a potential 30-35 dwellings.

- Rezone a crown reserve to provide clarity for future land use, and to ensure it is not used for industrial purposes.

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The proposal is identified as a “Standard” proposal due to the consistency with the Central West Orana Regional Plan 2041, LSPS and nature of the minor housekeeping amendments.

1.3 Explanation of provisions

The planning proposal seeks to amend the Warren LEP 2012 through various proposed amendments that are outlined below. The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.3.1 New temporary workers provision (LEP 1)

It is proposed to amend the Warren LEP 2012 to insert a new clause, permitting accommodation for temporary workers with consent in the RU1, RU5 and R5 zones.

The proposal refers to similar clauses in other Councils LEPs due to the same accommodation pressures, with a specific example taken from the Narromine LEP.

Further to this, Council, at its meeting held on 24 October 2024, resolved to include small as well as large developments in the new provisions proposed for temporary workers’ accommodation. In terms of adding this to the proposal, the premise of additional workers accommodation options, especially temporary in nature, is supported by the information already in this proposal.

The specific wording of this clause is intended to be determined during consultation with Parliamentary Council (PC). However, the proposal provides sufficient detail for public exhibition regarding applicable zones and provisions in the new clause.

1.3.2 Classified roads to be rezoned to SP2 Infrastructure (LEP 2)

The proposal seeks to rezone the State Classified, Oxley Highway (HW11) as SP2 Infrastructure across the LGA to protect this key transport link and align its zoning with surrounding similarly zoned classified roads. This component of the proposal is a map amendment. Consultation with TfNSW is recommended as a condition of Gateway.

1.3.3 Combine LEP clauses 6.3 and 6.4 into one clause (LEP 3)

The planning proposal seeks to combine Clauses 6.3 Riparian Land and Watercourses and Clause 6.4 Development on river front areas with both referring to land within 40 metres of the highest bank of Watercourse on land identified as “watercourse” on the LEP maps as well as land identified as “watercourse” on the water course map. Both clauses refer to guidance for development within river and waterfront areas, and while the drafting of the clause is dependent on Parliamentary Counsel’s opinion, an example of a new clause is provided in the planning proposal. The proposal provides sufficient detail for public exhibition regarding the intent for a new clause.

1.3.4 Change land use zone at Warren Airport (surrounding airstrips only) from E4 General Industrial to SP2 – Air Transport Facility and Emergency Services Facilities - Mapping only amendment (LEP 4)

The planning proposal seeks to amend the zoning of the Warren Airstrip lands immediately surrounding and including the airstrip (see Figure 1). The use of zone SP2 Infrastructure is used at regional airports with the LEP mapping further defining the intended uses with the zone. For example, Dubbo Regional Airport is zoned SP2 Infrastructure with mapping showing intended use as “Air Transport and Emergency Services Facilities”.

The new zone progresses two actions identified in the Warren Airport Masterplan to reinforce the intention to increase aeronautical related land uses and permit helicopters to land at the site. The SP2 zone is already contained in the Warren LEP and no changes would be required to the existing zoning table. The remainder of the Airport land with limited airport frontage is to remain in zone E4 General Industrial to maximise use of the land for broader industrial uses.



Figure 1 Subject site: Airport (source:NSW Planning Portal)

The intended zoning boundary encompasses Lot 2 DP 1292302, and Lots 1-8 (incl) DP 1259706 addressed as 23 Arthur Butler Dr, Red Hill. These lots are owned by Warren Shire Council, with the exception of Lots 1 and 2 which are privately owned and contain hangers and Lots 5-8 comprising vacant airside lots. Figure 2 provides a site context identifying specific Lots to be included in the land use zone amendment. The airport is located 5.6 km south of the Warren Town Centre.



Figure 2 Site context: Lots included in rezoning (source:NSW Spatial Viewer)

1.3.5 Include a split zone clause in the Warren LEP (LEP 5)

The planning proposal seeks to include a split-zone subdivision clause in the LEP to ensure minimum lot sizes are met for subdivisions where more than one minimum lot size may apply. The Warren LEP maps currently show a number of lots with more than one zoning – known as split zone lots. The proposal refers to a similar clause in the Narromine LEP. The proposal provides sufficient detail for public exhibition regarding the intent for a new clause.

1.3.6 Include a replacement dwelling clause in Warren LEP (LEP 6)

It is proposed to introduce a new optional clause in the LEP (Standard Instrument – Principle LEP clause 5.9) to permit dwelling houses be replaced following a natural disaster. It is proposed the new clause apply to the following zones where a dwelling house is permissible with consent:

- RU1 Primary Production
- RU5 Village
- RU6 Transition
- R1 General Residential
- R5 Large Lot Residential

Council have detailed clause 5.9, Dwelling house or secondary dwelling affected by natural disaster [optional] however, it should be noted that the specific wording of this clause is intended to be determined during consultation with Parliamentary Council

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.3.7 Rezone part of Lot 3 DP 853548 from RE1 Public Recreation to R1 General Residential (LEP A)

The proposal seeks to rezone land that is currently zoned RE1 Public Recreation to R1 General Residential. Council has identified flood-protected land inside the Warren levee on Wilson Street as appropriate for residential development. Lot 3 DP853548 is currently part zoned RE1 Public Recreation and R5 Large Lot Residential. The planning proposal intends to rezone the northern portion of the lot (currently zoned RE1) to R1 General Residential to create additional land for housing (see Figure 3 below). The portion proposed to be rezoned to R1 General Residential is approximately 3ha in size. The lot is owned by Council and classified operational. It is suggested with this rezoning to also rezone the Wilson Street Road reserve to R1 General Residential for ease of map interpretation and in accordance with DPHI Practice Note 10-001.



Figure 3 Subject Site: Wilson Street Warren (source: Planning proposal)

The planning proposal does not specify the intended minimum lot size applicable to the site. Council have advised by email (received 14 May 2025), (Attachment – Email) that the intent of the proposal is to adopt a minimum lot size of 500m² to encourage efficient use of R1 land for housing. Land zone R1 General Residential, within the township of Warren, has a minimum lot size of 2000m². It is noted that land zone R1 General Residential in the nearby townships of Narromine and Trangie (Narromine LGA) has a minimum lot size of 450m². The proposed rezoning and minimum lot size amendment is consistent with the intent of the endorsed Western Council's Land Use Strategy and specifically action 14.8 (b) 'Warren needs to make better use of its existing serviced residential land and ensure that rural residential development is not permitted in place of dwellings at urban densities.'

Prior to public exhibition, Council is to update the planning proposal to reference the proposed minimum lot size and include corresponding current and proposed minimum lot size maps.

Consultation with Department Climate Change, Energy the Environment and Water is recommended as a condition of Gateway in relation to potential flooding impacts on the site.

1.3.8 Rezoning of Crown reserve from E4 General Industrial to RE1 Public Recreation (LEP B)

The proposal seeks to rezone the northern portion of the three identified lots (Reserve 89778) from E4 General Industrial to RE1 Public Recreation partly to replace the loss of RE1 land with the Wilson Street rezoning (resulting in a net gain of 2ha of RE1 land) and to correct the land's zoning in accordance with its reserve status. Council have advised that the land does not form part of Council's strategy for future industrial development. Council also acknowledges in the planning proposal that the rezoning will create split zone lots; considering Crown Reserve purposes and reserve boundaries, this is unavoidable.

Crown lots 86, 87 & 88 DP 755314 form part of Reserves 89777 & 89778 (see Figure 4). Reserve 89777 comprises the southern portion of the 3 lots with Reserve 89778 comprising the northern portion of the 3 lots. These reserves have the following purposes as gazetted by the NSW Government:

- Reserve 89777 Local Government Purposes (9ha)
- Reserve 89778 Public Recreation (5ha)

Consultation with Department Climate Change, Energy the Environment and Water is recommended as a condition of Gateway in relation to potential flooding impacts on the site. Consultation with Crown Lands NSW is also recommended as a condition of Gateway.

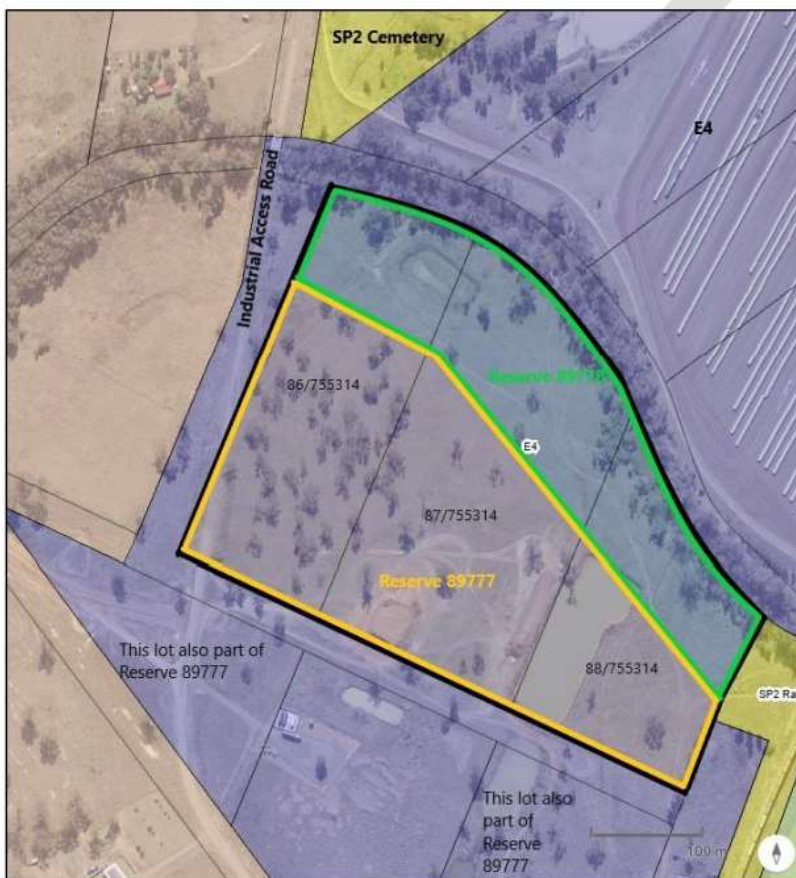


Figure 4 Crown reserves (source: planning proposal)

1.4 Site description and surrounding area

Amendment LEP 4, change land use zone at airport, is identified in Figures 5 & 6 below which show the intended zoning boundary encompassing Lot 2 DP 1292302, and Lots 1-8 (incl) DP 1259706 addressed as 23 Arthur Butler Dr, Red Hill.



Figure 5 Subject site: Airport (source:NSW Planning Portal)



Figure 6 Site context: Lots included in rezoning (source:NSW Spatial Viewer)

Amendment LEP A seeks to rezone a portion of Lot 3 DP 853548, addressed as Wilson Street, Warren from RE1 Public Recreation to R1 General Residential. The subject site is bounded to the northwest by vacant land zoned R1 General Residential, with identified residential lots yet to be developed and residential lots directly to the north.



Figure 7 Subject Site: Wilson Street Warren (source: Planning proposal)

Amendment LEP B seeks rezoning of Crown reserve from E4 General Industrial to RE1 Public Recreation is situated on vacant, flood liable land bounded to the north west by Industrial access road, Gunningbar Creek to the north and a rail corridor zoned SP2 to the east. Land zoned E4 General Industrial extends to several lots to the south of the subject site. Figure 8 below identifies the subject site.

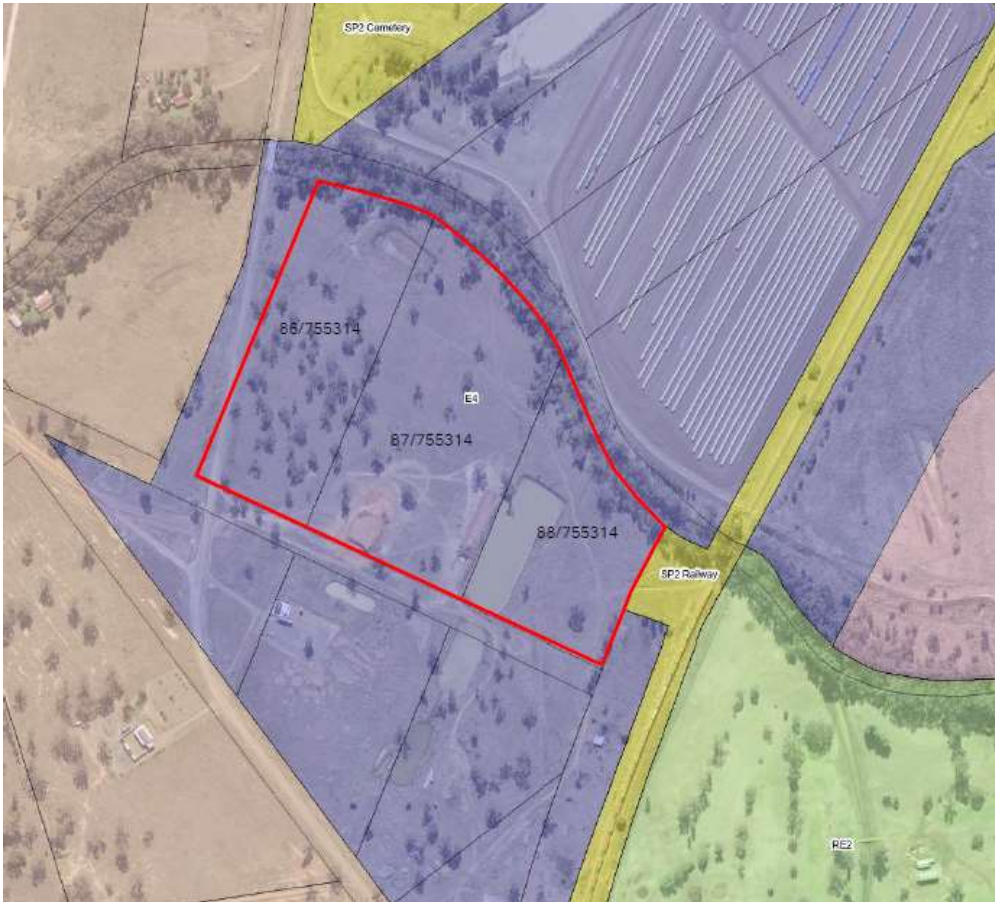


Figure 8 Subject Site (source: NSW Spatial Viewer)

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to zoning mapping (digital), which are suitable for community consultation. Council has arranged with the DPHI GIS team to prepare mapping associated with the LEP amendment.

The planning proposal does not specify the intended minimum lot size applicable to the site (Amendment LEP A). Council has advised via email (received 24 May 2025) that the intent is to adopt a minimum lot size of 500m². Prior to public exhibition, Council is to update the planning proposal to reference the proposed minimum lot size and include corresponding current and proposed minimum lot size maps.

1.5.1 (LEP2) Classified Roads

Currently the classified Oxley Highway from Nevertire to Collie is zoned in accordance with surrounding land uses including RU1, E4, R1, RU5, E1 and RE1. Connecting roads in adjoining LGA's including Gilgandra, are zoned SP2 Infrastructure for the same classified road. The Department's digital EPI viewer shows a railway connection to Warren from Nevertire but no roads. See existing map extracts in figures 9-11 below.

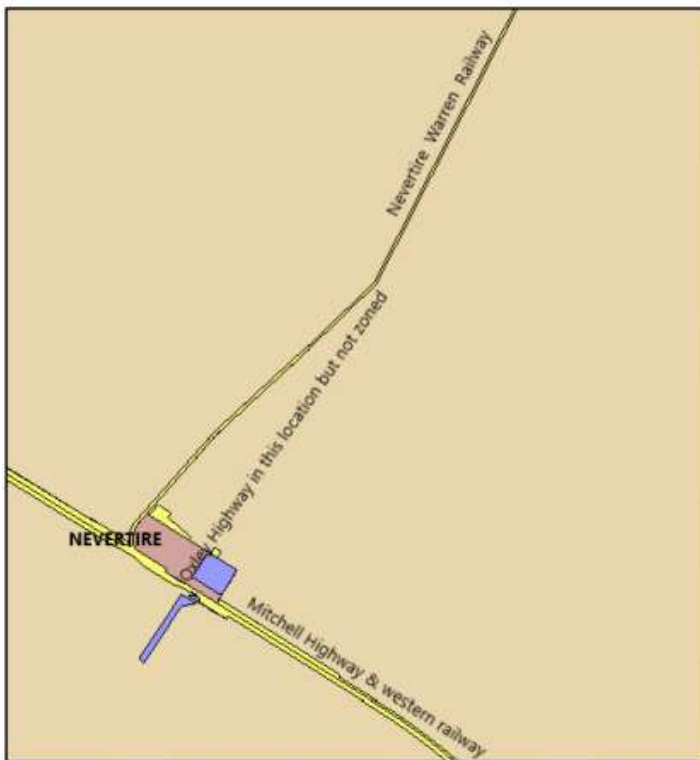


Figure 9 Current zoning map showing Nevertire (source: planning proposal)

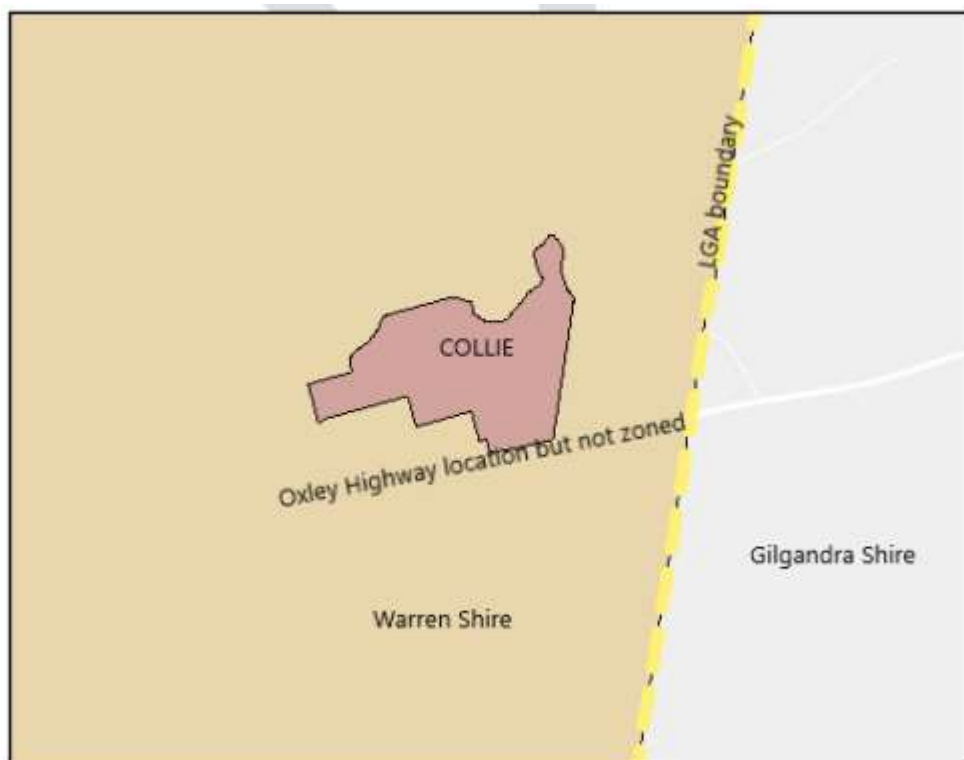


Figure 10 Current zoning map showing Collie (source: planning proposal)



Figure 11 Differences in Oxley Highway zoning across LGAs. (Source: NSW Planning Portal)

The proposed maps include zoning the length of the Oxley Highway from Nevertire to the LGA boundary east of Collie to SP2 Infrastructure (Oxley Highway).

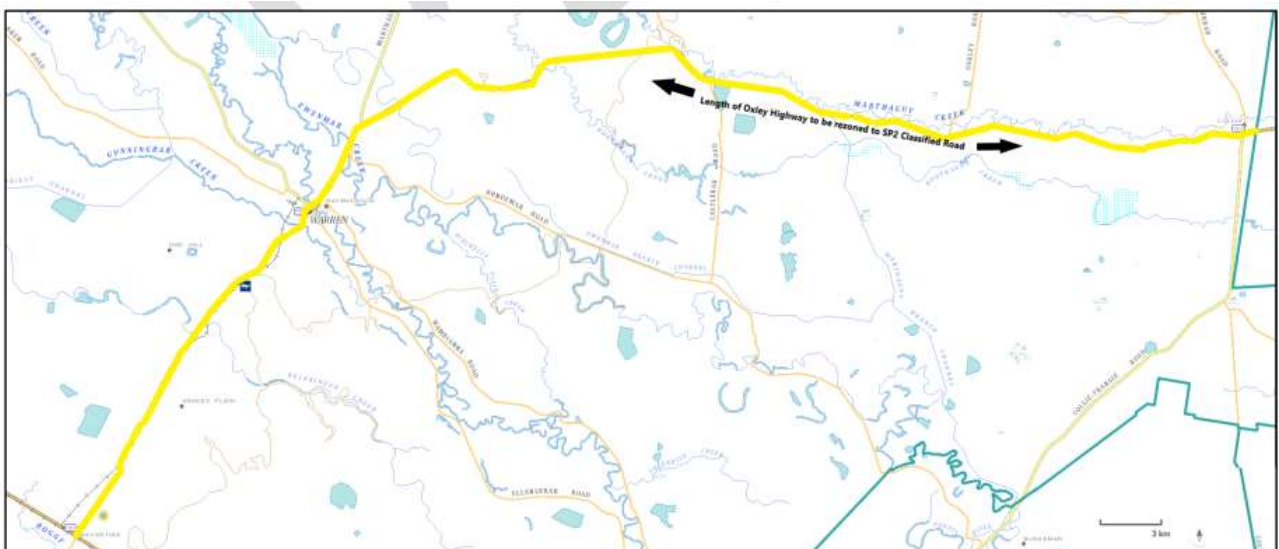


Figure 12 Oxley Highway to be rezoned to SP2. (Source: NSW Planning Portal)

1.5.2 (LEP 4) Warren Airport rezoning

The following shows the proposed SP2 zoning at the Warren Airport

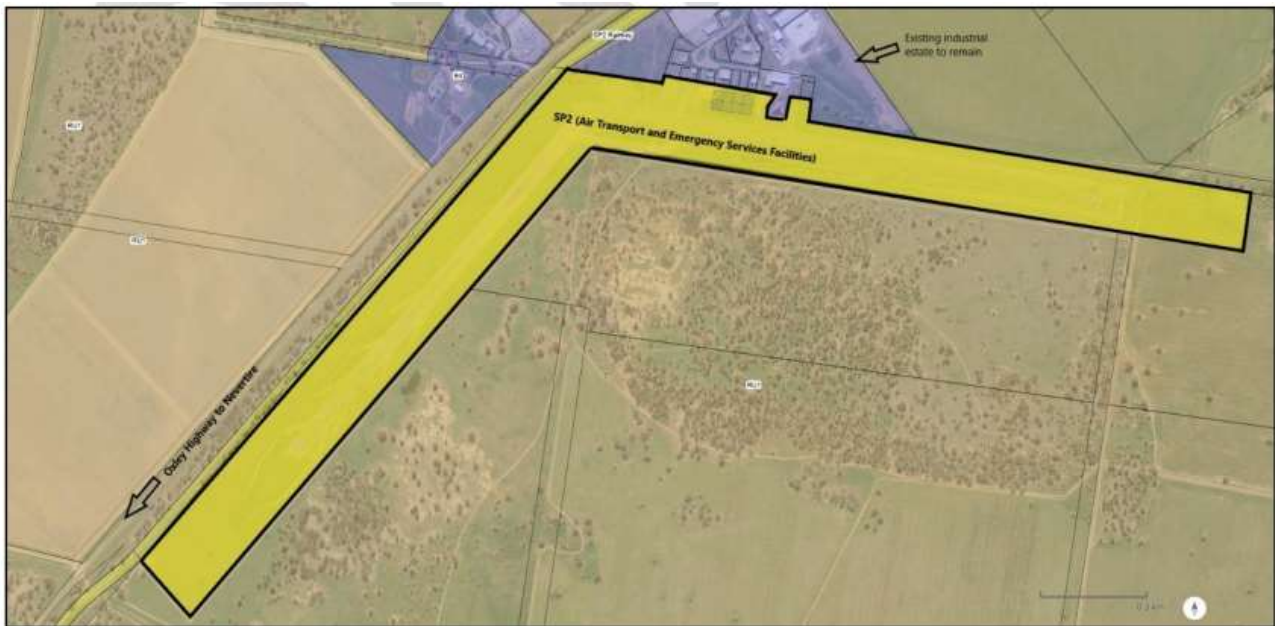


Figure 13 Proposed SP2 zoning boundary Warren Airport (source: Planning proposal)

1.5.3 (LEP A) Wilson Street rezoning

The plan below shows the proposed rezoning of Lot 3 DP 853548 from RE1 Public Recreation to R1 General Residential.

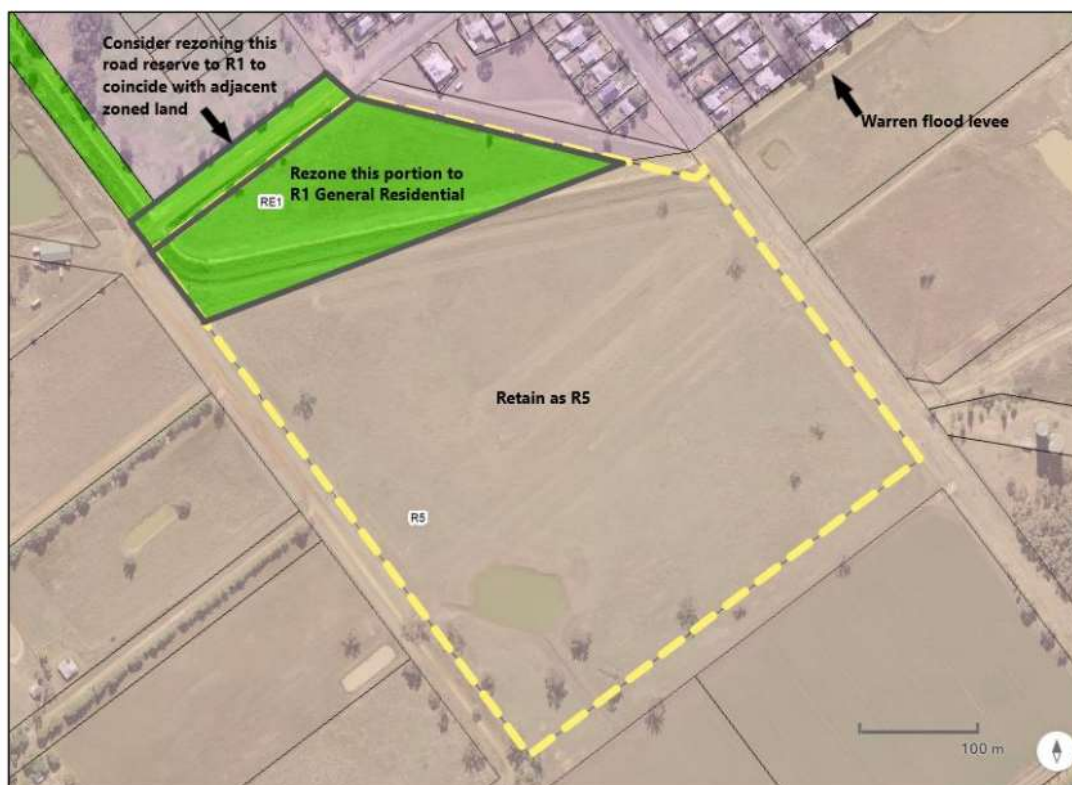


Figure 14 Wilson St rezoning from RE1 to R1 (source: Planning proposal)

1.5.4 (LEP B) Industrial Access

Below shows the land covered by Crown Reserves 89777 & 89778 currently zoned E4 General Industrial, proposed to be rezoned to RE1 Public Recreation.

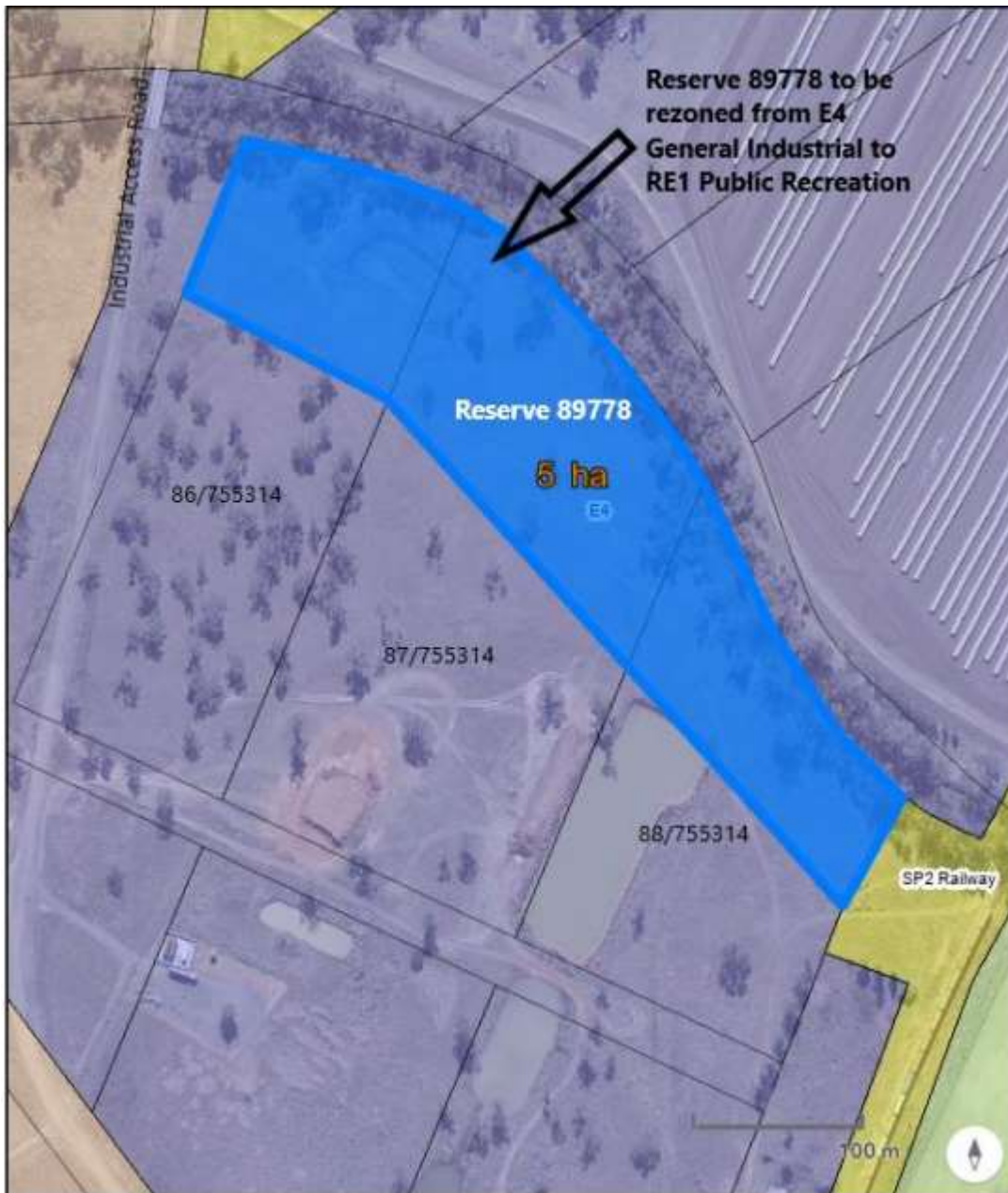


Figure 15 Lots 86-88 DP 755314 & Crown Reserve (source: Planning proposal)

2 Need for the planning proposal

Q1. Is the planning proposal a result of an assured local strategic planning statement, or Department approved local housing strategy, employment strategy or strategic study or report?

The planning proposal is the direct result of the following:

- Warren Council's adopted LEP Health Check, which was part of a regular strategic review process required by section 3.21 of the Environmental Planning and Assessment Act 1979.
- The Airport rezoning is a direct action from the Local Strategic Planning Statement (LSPS) and Warren Airport Masterplan as it provides protection for the important infrastructure at the Airport and reinforces the site's focus on aeronautical and emergency services.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the only way of introducing the above changes, being mostly housekeeping amendments. Content of this proposal has been through the scoping proposal process, it was agreed this is the best method of achieving the intended objectives.

Council advised that if an amendment to the Housing SEPP included provisions for temporary workers accommodation within the Warren LGA is notified prior to completion of this proposal and covers the intent of the changes proposed, this can be removed from the proposal. It is considered that Amendment LEP 1 is required to achieve Council's intent. State Environmental Planning Policy (Housing) 2021 (Housing SEPP) was amended to address temporary workers housing needs on 13 December 2024, however the provisions are specific to 'construction worker accommodation'. 'Construction worker accommodation' refers to temporary housing for construction workers involved in large-scale renewable energy developments – as defined in section 141D of the Housing SEPP.

3 Strategic assessment

3.1 Regional Plan

The planning proposal was assessed by Council against the Central West and Orana Regional Plan (CWORP) 2036 which has been superseded. The Departments assessment considers the latest CWORP 2041. It should be noted that the outdated CWORP 2036 aligns closely with CWORP 2041. The following table provides an assessment of the planning proposal against relevant aspects of the CWORP 2041.

Table 3 Regional Plan assessment

| Regional Plan Objectives | Justification |
|--|---|
| Objective 5: Identify, protect and connect important environmental assets | The proposal is considered consistent with this Objective through the consolidation of the riverfront and watercourse provisions into a single clause (LEP 3) which maintains the necessary environmental protections in line with the CWORP 2041's commitment to environmental sustainability and resilience while also simplifying environmental assessments. |
| Objective 6: Support connected and healthy communities | The proposal is considered consistent with this Objective through the rezoning of the E4 General Industrial zoned land to RE1 Public Recreation (LEP B) by providing waterfront areas and public access to riverine lands and waterways. |

| | |
|---|---|
| Objective 13: Provide well located housing options to meet demand | The proposal is considered consistent with this Objective through the rezoning of Wilson Street from RE1 Public Recreation to R1 General Residential (LEP A) and will provide an additional land supply in an area with existing residential development. Council have provided (via email received 14 May 2025) the potential yield is 30-35 dwellings. Further discussion on the suitability of the land for residential development which will be addressed in 3.3 of this report. |
| Objective 14: Plan for diverse, affordable, resilient and inclusive housing | The proposal is considered consistent with this Objective through inclusion of the new (optional) clause to permit dwellings be replaced where impacted by a natural disaster (LEP 6). The proposal intends to improve the certainty of development outcomes and streamline development processes. |
| Objective 16: Provide accommodation options for seasonal, temporary and key workers | The proposed amendment is considered consistent with this objective. |
| Objective 20 Protect and leverage the existing and future road, rail and air transport networks and infrastructure | The proposed amendments are considered consistent with this objective. By rezoning Warren Airport (LEP 4) and the Oxley Highway (LEP 2) to SP2 Infrastructure, the proposal ensures these critical infrastructures are protected from incompatible developments as well as aligns with broader regional transport and utility planning. |

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 4 Local strategic planning assessment

| Local Strategies | Justification |
|---|---|
| Local Strategic Planning Statement (LSPS) | <p>The proposed amendments are considered consistent with Priorities outlined in Council's LSPS for the following reasons:</p> <ul style="list-style-type: none"> • amendment of the E4 General Industrial Zone to RE1 Public Recreation land will improve opportunities for passive recreation around Warren's natural assets as well as assist in providing an integrated and accessible network of open space. • rezoning of the Oxley Highway will ensure the Highway is zoned SP2 Infrastructure, prioritising the major roadway to protect it from inappropriate developments in areas dedicated for road transport. • the rezoning of the Airport land will reinforce the intention to increase aeronautical related land uses and industries and directly facilitate the implementation of the Warren Airport Masterplan. • combining Clause 6.3 and 6.4 will directly aid in maintaining and protecting the importance of the Macquarie Marshes. |
| LEP Health Check 2023 | A Health Check of the Warren LEP 2012 was completed in 2023 which also included a thorough analysis of the LSPS which informed the content of this Planning proposal. The proposed amendments are considered consistent with the |

| | |
|--|--|
| | Health Check. |
| Western Plains Regional Economic Development Strategy (REDS) | The REDs provided a recommendation to improve the region's liveability, access to services and housing availability to enable population and skills growth and enhance community wellbeing. The proposal is consistent with this recommendation with LEP A Wilson Street rezoning which will create additional residential land. |

3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 5 9.1 Ministerial Direction assessment

| Directions | Consistent/ Not Applicable | Reasons for Consistency or Inconsistency |
|--------------------------------------|-------------------------------------|---|
| 1.1 Implementation of Regional Plans | Consistent | The planning proposal is considered consistent with this Direction. Further assessment against the relevant Regional Plan can be found in section 3.1 of this report. It should be noted that council assessed the proposal against the CWORP 2036, but it is considered appropriate in this instance as there is a clear sight of alignment between the directions in the 2036 Regional Plan and Objectives in the 2041 Regional Plan. |
| 3.1 Conservation Zones | Consistent | The proposal is considered consistent with this Direction as the consolidation of clauses 6.3 & 6.4 maintains existing conservation standards while simplifying assessment process. |
| 4.1 Flooding | Inconsistent, consultation required | <p>The rezoning of RE1 Public Recreation land to R1 General Residential is inconsistent with this Direction.</p> <p>The subject site is adjacent to existing residential development and located inside the Warren flood levee. The planning proposal provides that the levee has historically provided reliable flood protection.</p> <p>To satisfy consistency of this direction, consultation with DCCEEW is required and will form part of a condition of the Gateway Determination. Furthermore, a justification and clarification of flooding impacts of the subject land is required including, but not limited to, mapping identifying the land as being in a flood planning area and the proposal updated prior to exhibition. A condition of the Gateway determination will be included to this effect.</p> |
| 4.3 Planning for Bushfire Protection | Consistent | The proposal is considered consistent with this Direction. The rezoning of Wilson Street land is not impacted as this land is not bushfire prone. The remaining proposal components do not conflict with the Direction and the general amendments do not diminish or change the need for bushfire assessment where already required. |

| | | |
|--|--------------------------|---|
| 4.4 Remediation of contaminated land | Consistent | The Direction applies as the proposal includes the rezoning of a site from RE1 Public Recreation to R1 General Residential. The proposed amendment will enable a change of land use and the opportunity for increased residential density. Council has provided confirmation (by email received on 14 May 2025) that that no contaminating uses have been associated with the land (Attachment – Email). |
| 5.2 Reserving Land for Public Purposes | Inconsistent, justified. | <p>The proposed rezoning and removal of the RE1 zoned land from the Wilson Street site will alter land for public purposes and is considered inconsistent with the Direction.</p> <p>Subclause (1) of the Direction requires the approval of the relevant public authority (being Warren Shire Council) and the Planning Secretary (or delegate). It is considered, that through the issuing of the Gateway determination as approved by a delegate of the Planning Minister that the proposed amendments satisfy consistency with the Direction.</p> <p>Additionally, the proposal provides for an opportunity to balance this deficit of approximately 3 ha with the rezoning of E4 General Industrial land to RE1 Public Recreation which will provide a net gain of 1 ha for public purposes.</p> |
| 6.1 Residential Zones | Consistent | The proposal is consistent with this Direction as it supports increased housing supply through the Wilson Street rezoning. |
| 7.1 Employment zones | Inconsistent, justified. | The proposal is inconsistent with this Direction; however, the proposed rezoning complies with the Warren LSPS and is supported by the Warren Airport Masterplan. The inconsistency is considered to be of minor significance. |
| 9.1 Rural Zones | Consistent | The proposal is relevant to clause 1(a) of this direction and is consistent as land is not being rezoned to residential, employment, mixed use, SP4 Enterprise, SP5 Metropolitan Centre, W4 Working Waterfront, village or a tourist zone. |
| 9.2 Rural Land | Consistent | Then proposal is consistent with this direction as it does not impact agricultural production. |

3.4 State environmental planning policies (SEPPs)

The relevant SEPPs to the planning proposal have been assessed and discussed below.

Table 6 Assessment of planning proposal against relevant SEPPs

| SEPPs | Reasons for Consistency or Inconsistency |
|--|---|
| Resilience and Hazards 2021 Chapter 4 Remediation of | As outlined in Section 3.3, this SEPP applies as the proposal includes the rezoning of a subject site from RE1 Public Recreation to R1 General Residential. This proposed amendment will enable a change of land use and the opportunity for increased residential density. To establish consistency with the aims of the SEPP, |

Contaminated land

Council is to consider past land uses and the need to obtain and have regard to a preliminary site contamination report.

4 Site-specific assessment

4.1 Environmental

As the majority of this proposal includes the insertion of additional standard clauses and rationalisation of existing clauses, as well as changing lands to a more protective Infrastructure zone, critical habitats, threatened species, ecological communities and their habitats will not be impacted on this basis it is not anticipated that further assessment is required.

The Wilson Street rezoning contains part of the Warren flood protection levee and the subject land is within the protected area inside the levee (Figure 16 shows Levee map). The levee itself requires its own protection from encroachment to limit impacts on its zone of influence, maintain the integrity of the levee and allow regular inspections and maintenance. Council have advised they will maintain ownership of the levee extent on this lot with a buffer area on both north and south sides for machinery and vehicular access.

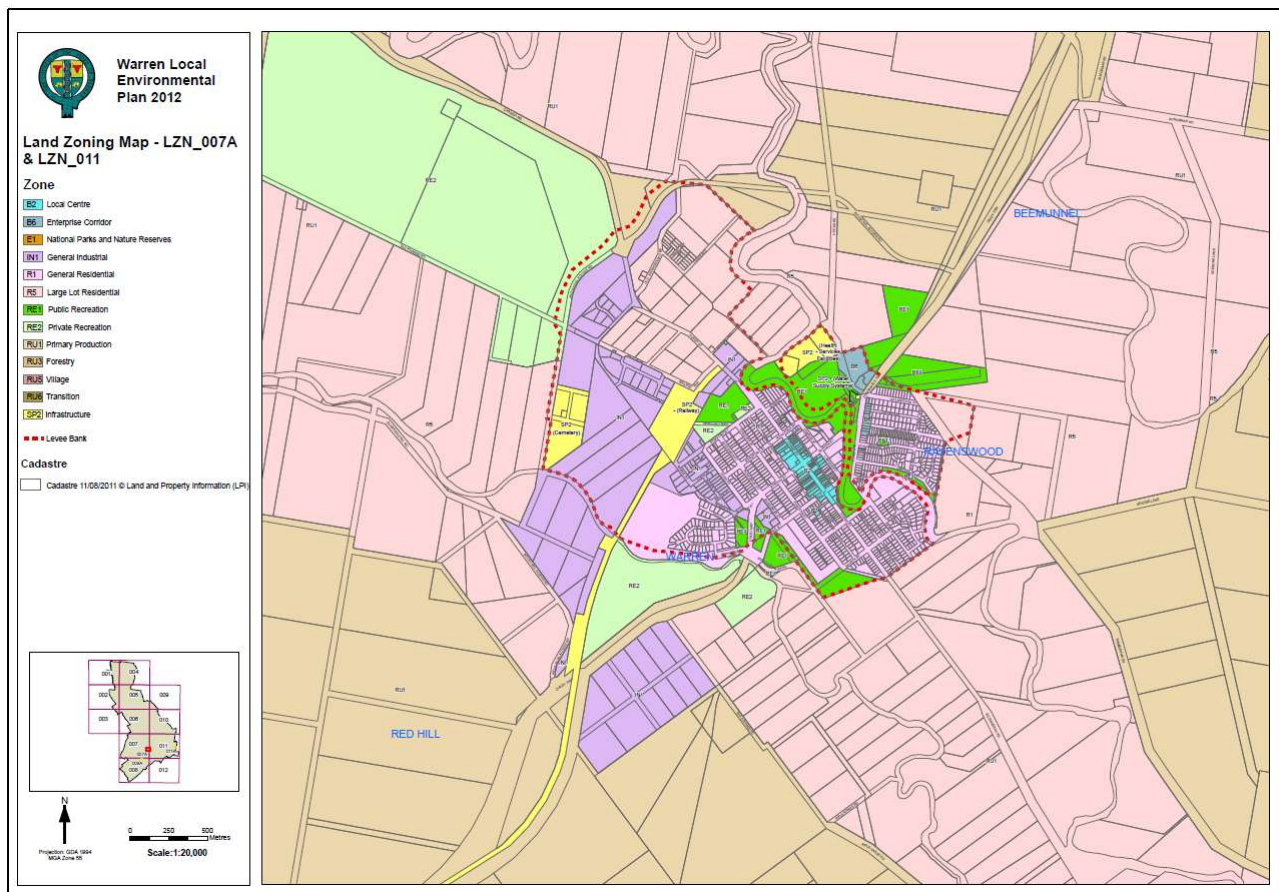


Figure 16 Levee Map (Source: Warren LEP 2012, Land Zoning Map - LZN_007A & LZN_011)

4.2 Social and economic

The proposed amendments are anticipated to have the following positive social and economic impact through:

- A provision for temporary workers in certain rural zones to alleviate housing shortages for workers on large and small-scale infrastructure and regional projects. Council have noted that as the temporary workers accommodation is nominally temporary in nature, large scale economic impacts on the town's rental market are not envisaged, especially when rental supply is at historic lows.
- Protective zoning changes at the Airport have the benefit of securing this infrastructure from inappropriate encroachments. As the Airport provides transport for emergency services, this is a social benefit for the LGA.
- The addition of residential land with the Wilson Street rezoning is commensurate with existing surrounding zones and development. Positive economic effects for the town would be experienced with additional housing supply.

4.3 Infrastructure

The proposed rezoning of the Wilson Street land (LEP A) will require augmentation of services and infrastructure. Based on information provided from Council there is adequate capacity for existing infrastructure to be extended to the proposed site and further investigate and assessment will be undertaken as part of any future development applications.

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days. The exhibition period proposed is considered appropriate, and forms to the conditions of the Gateway determination.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Department of Climate Change, Energy, Environment and Water
- Department of Planning, Housing and Infrastructure - Crown Lands
- Transport for NSW

6 Timeframe

Council proposes a 10 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard

The Department recommends an LEP completion date of 4 March 2026 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As Council is the landowner of sites contained within this planning proposal, the Department recommends that Council not be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions outlined in this report. Based on the assessment, the proposal must be updated before consultation to:

- Include information from Council confirming no contamination issues associated with the proposed subject site at Wilson Steet,
- Include the intent to adopt a 500m² minimum lot size for the subject site at Wilson Street and corresponding current and proposed minimum lot size maps, and
- Provide further justification of flood impacts to support the rezoning of Wilson Street land from RE1 to R1 including appropriate mapping.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions 5.2 Reserving Land for Public Purposes and 7.1 Employment zones are minor or justified and
- Note that the consistency with section 9.1 Direction 4.1 Flooding is unresolved and will require justification.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. Prior to exhibition, the planning proposal is to be amended to include:
 - a) Information supplied from Council by email on 14 May 2025 supporting there are no contamination issues associated with the land for the proposed subject site at Wilson Steet,
 - b) Include the intent to adopt a 500m² minimum lot size for the subject site at Wilson Street, and corresponding current and proposed minimum lot size maps, and
 - c) Justification of flood impacts to support the rezoning of Wilson Street land from RE1 to R1 General Residential, including appropriate mapping.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

3. Consultation is required with the following public authorities:
 - Department of Planning, Housing and Infrastructure – Crown Lands
 - Department of Climate Change, Energy, Environment and Water
 - Transport for NSW
4. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 4 March 2026 be included on the Gateway.



15 May 2025

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22/5/2025

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