



NSW National Parks and Wildlife Service

Your ref: PP-2025-217
Our ref: DOC25/833126

Ms Maryanne Stephens
Manager Health & Development Services
Warren Shire Council
PO Box 6
WARREN NSW 2824

By Planning Portal

Dear Ms Stephens

Thank you for notifying the NSW National Parks and Wildlife Service (NPWS) of Planning Proposal PP-2025-217, being a housekeeping amendment of the Warren Local Environmental Plan 2012 (LEP), which received gateway determination from the Department of Planning, Housing and Infrastructure in May 2025.

I understand that Council is currently proposing the following eight amendments to the LEP which affect various parts across the local government area (LGA):

- LEP 1. Adding new temporary workers accommodation as development permitted with consent in all land zoned *RU1 Primary Production*, *RU5 Village* and *R5 Large Lot Residential*
- LEP 2. Rezoning of the corridor of the Oxley Highway in the LGA to *SP2 Infrastructure*
- LEP 3. Combining LEP clause 6.3 *Riparian land and watercourses* and 6.4 *Development on river front areas* into one clause
- LEP 4. Changing the land use zone at Warren Airport from *E4 General Industrial* to *SP2 Infrastructure* linked to the purposes of air transport facility and emergency services facilities
- LEP 5. Allowing subdivision of split zone lots which are mapped as two different land use zones including *RU1 Primary Production*, *RU5 Village*, *RE1 Public Recreation*, *E4 General Industrial*, *SP2 Infrastructure*, *C2 Environmental Conservation* or *C3 Environmental Management*
- LEP 6. Allowing replacement of a lawfully constructed dwelling damaged or destroyed by a natural disaster as development with consent in *RU1 Primary Production*, *RU5 Village*, *RU6 Transition*, *R1 General Residential* and *R5 Large Lot Residential*
- LEP A. Rezoning land at Wilson St, Warren from *RE1 Public Recreation* to *R1 residential*
- LEP B. Rezoning Crown reserves R89778 from *E4 General Industrial* to *RE1 Public Recreation*.

NPWS requests Council, in assessing the planning proposal, considers the matters listed in the published guideline [Developments adjacent to National Parks and Wildlife Service lands | NSW Environment and Heritage](#) (DPIE-NPWS 2020). These guidelines were prepared for consent authorities and outline key matters of concern for NPWS which are commonly encountered with development on lands next to our parks and reserves.

NPWS's main role in Warren Shire is protection and appropriate management of Macquarie Marshes Nature Reserve, part of which is a Wetland of International Significance under the Ramsar Convention. Our adjacent development guidelines would therefore be a relevant consideration in relation to those aspects of the Planning Proposal affecting the Macquarie

Marshes' broader catchment and land currently zoned *RU6 Transition* (i.e. LEP 3 and LEP 6 in the list above).

NPWS has reviewed the Planning Proposal and the current Land Zoning Map attached to the LEP, and has identified the following matters for consideration and/or correction:

- All land reserved under the *National Parks and Wildlife Act 1974* should be rezoned *C1 National Parks and Nature Reserves*. This includes the following lots which are reserved as part of Macquarie Marshes Nature Reserve:
 - Lot 3/-/DP856134 (currently zoned RU6)
 - Lot 5/-/DP1132699 (currently zoned RU6 in Warren Shire)
 - Lot 7/-/DP1132699 (mostly zoned RU6, with a small part zoned RU1)

Thus, it is recommended that the Planning Proposal be amended to include the rezoning of these lots.

- The proposed wording of the final part of the objective in the clause to replace clauses 6.3 and 6.4 needs adjusting so that it refers to all native animals and plants. The term, 'wildlife', is defined under NSW Legislation to only include native mammals, birds, reptiles, amphibians and native plants (i.e. it excludes native invertebrates and fish, which are important values in watercourses).
- The description of the Macquarie Marshes Nature Reserve in section 4.1 is misleading in its reference to 'Northern and Southern Nature Reserves' and in terms of its ownership and the names of government departments. The following corrections are required:
 - In the 2nd paragraph of section 4.1 on page 27, replace 'Northern and Southern Nature Reserves' with 'northern and southern areas reserved as Macquarie Marshes Nature Reserve under the *National Parks and Wildlife Act 1974*'
 - In the paragraph immediately above the box quoting the Land Use Table for Zone C1, replace 'owned by National Parks and Wildlife Service or is otherwise a recognized Nature Reserve' with 'has been acquired or reserved under the NSW *National Parks and Wildlife Act 1974*'. Technically, the landowner is the NSW Minister for the Environment on behalf of the NSW Government. This may change in the future, given a long-standing commitment by the NSW Government to increase Aboriginal ownership of national parks and other reserves.
 - In the paragraph under the Table in section 4.1.3, on page 35, it is recommended that 'Department of Environment & Heritage' be replaced with 'relevant department in the Australian Government'. It has been many years since that relevant department was known as the Department of Environment & Heritage.

If you have any further questions about this issue, please contact the NPWS Castlereagh Area at npws.cra@environment.nsw.gov.au, or on 02 6842 1311.

Yours sincerely



James Easterbrook
a/Manager, Castlereagh Area
Northern Inland Branch

14 October 2025