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CONSISTENCY WITH S9.1 DIRECTIONS

SECTION 9.1 DIRECTION	CONSISTENCY OF THE PLANNING PROPOSAL
FOCUS AREA 1: PLANNING SYSTEMS	
Direction 1.1 Implementation of Regional Plans	
<p><i>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</i></p> <p><i>Planning Proposals must be consistent with a Regional Plan released by the Minister for Planning</i></p>	<p>CONSISTENT.</p> <p>Consistency with the <i>North Coast Regional Plan 2041</i> has been demonstrated in Section 3.3 of this Planning Proposal.</p>
Direction 1.2 Development of Aboriginal Land Council land	
Direction 1.2 does not apply to Kempsey LGA.	
Direction 1.3 Approval and Referral Requirements	
<p><i>(1) A planning proposal to which this direction applies must:</i></p> <p><i>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</i></p> <p><i>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</i></p> <p><i>i. the appropriate Minister or public authority, and</i></p> <p><i>ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and</i></p> <p><i>(c) not identify development as designated development unless the relevant planning authority:</i></p> <p><i>i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and</i></p> <p><i>ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</i></p>	<p>CONSISTENT.</p> <p>The Planning Proposal does not include provisions that require the concurrence, consultation or referral to a Minister or Public Authority. It also does not identify any potential designated development.</p> <p>The Planning Proposal does not contain provisions that contradict or hinder the application of this direction.</p>

Direction 1.4 Site Specific Provisions

(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:

(a) allow that land use to be carried out in the zone the land is situated on, or

(b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or

(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.

(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.

CONSISTENT.

The planning proposal does not allow a particular development to be carried out. The intention of the Planning Proposal is to enable residential development of an infill lot located within the NRCP growth area boundary.

It is not inconsistent with Direction 1.4 (2) as references to drawings that show details of the conceptual development are included in the Planning Proposal for context only and do not form part of the proposed change to the environmental planning instrument.

The Planning Proposal will not impose any development standards or requirements in addition to those already contained in the principal environmental planning instrument to be amended.

Direction 1.4A Exclusion of Development Standards from Variation

The objective of this direction is to maintain flexibility in the application of development standards by ensuring that exclusions from the application of clause 4.6 of a Standard Instrument Local Environmental Plan (Standard Instrument LEP) or an equivalent provision of any other environmental planning instrument, are only applied in limited circumstances.

Does not apply.

FOCUS AREA 1: PLANNING SYSTEMS – PLACE-BASED

Directions 1.5 – 1.22 (inclusive) do not apply to Kempsey LGA.

FOCUS AREA 2: DESIGN AND PLACE

This Focus Area did not contain any provisions when the Directions were made.

FOCUS AREA 3: BIODIVERSITY AND CONSERVATION

Direction 3.1 Conservation Zones

*(1) A planning proposal must include provisions that facilitate the protection and conservation of **environmentally sensitive areas**.*

(2) A planning proposal that applies to land within a conservation zone or land otherwise identified for environment

CONSISTENT

The subject land does not comprise any environmentally sensitive areas.

The subject land is not part of a Conservation Zone, or contains land otherwise identified for conservation purposes.

conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.2 (2) of "Rural Lands".

Direction 3.2 Heritage Conservation

(1) A planning proposal must contain provisions that facilitate the conservation of:

(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,

(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and

(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

JUSTIFIABLY INCONSISTENT

European Heritage

The Planning Proposal does not impact any items currently listed in Schedule 5 Environmental Heritage of the CHLEP 2013.

Aboriginal Cultural Heritage

Refer to Aboriginal Cultural Heritage Assessment at **Appendix J**.

The due diligence survey has concluded that the Planning Proposal, and any future Development Applications, within the Study Area will not likely result in harm to Aboriginal archaeological sites. As such the works can be undertaken using the Due Diligence approval pathway (Section 87(2) of the NPW Act

The Planning Proposal does not recommend any provisions for the conservation of matters listed at 4(a) to (c). This inconsistency is of minor significance.

Direction 3.3 Sydney Water Drinking Catchments

Direction 3.3 does not apply to Kempsey LGA.

Direction 3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs

Direction 3.4 does not apply to Kempsey LGA.

Direction 3.5 Recreational Vehicle Areas

(1) A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983):

CONSISTENT

This Planning Proposal does not enable land to be developed for the purpose of a recreational vehicle area, within the meaning of the *Recreation Vehicles Act 1983*.

- (a) where the land is within a conservation zone,
- (b) where the land comprises a beach or a dune adjacent to or adjoining a beach,
- (c) where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration:
 - i. the provisions of the guidelines entitled *Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas*, Soil Conservation Service of New South Wales, September, 1985, and
 - ii. the provisions of the guidelines entitled *Recreation Vehicles Act 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas*, State Pollution Control Commission, September 1985.

Direction 3.6 Strategic Conservation Planning

(1) A planning proposal authority must be satisfied that a planning proposal that applies to avoided land identified under the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* demonstrates that it is consistent with:

- (a) the protection or enhancement of native vegetation,
- (b) the protection or enhancement of riparian corridors, including native vegetation and water quality,
- (c) the protection of threatened ecological communities, threatened species and their habitats,
- (d) the protection or enhancement of koala habitat and corridors, and
- (e) the protection of matters of national environmental significance.

(2) A planning proposal authority must be satisfied that a planning proposal that applies to a strategic conservation area identified under the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* demonstrates that it is consistent with:

- (a) the protection or enhancement of native vegetation,
- (b) the minimisation of impacts on areas of regionally significant biodiversity, including

This Direction applies to all planning proposals concerning 'avoided land' or a 'strategic conservation area' as identified under the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.

'Avoided land' is shown on the Avoided Land Map and a 'strategic conservation area' is shown on the Strategic Conservation Area Map of *State Environmental Planning Policy (Biodiversity and Conservation) 2021*. These are geographically limited to the Sydney basin and do not extend to the Kempsey local government area.

Accordingly, the land does not contain 'avoided land' or a 'strategic conservation area' and Direction 3.6 is not applicable to the Planning Proposal.

threatened ecological communities, threatened species and their habitats,

(c) the protection or enhancement of koala habitat and corridors, including habitat connectivity and fauna movement, and links to ecological restoration areas, and

(d) the maintenance or enhancement of ecological function.

(3) A planning proposal must not rezone land identified as avoided land in the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to:

(a) a rural, residential, business, industrial, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, RE2 Private Recreation, or equivalent zone.

(4) A planning proposal must not rezone land identified as a strategic conservation area in the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to:

(a) RU4, RU5, RU6, residential, business, industrial, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, RE2 Private Recreation, or equivalent zone.

Directions 3.7 to 3.7 to not apply to the Kempsey LGA

FOCUS AREA 4: RESILIENCE AND HAZARDS

Direction 4.1 Flooding

This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.

CONSISTENT

The Planning Proposal is consistent with this direction. Part of the Lot 17 DP 1277594 is identified as Flood Prone Land, however the subject site is above the 1 % AEP flood level.

(1) A planning proposal must include provisions that give effect to and are consistent with:

(a) the NSW Flood Prone Land Policy,

(b) the principles of the Floodplain Development Manual 2005,

(c) the Considering flooding in land use planning guideline 2021, and

(d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the

Floodplain Development Manual 2005 and adopted by the relevant council.

Direction 4.2 Coastal Management

(1) A planning proposal must include provisions that give effect to and are consistent with:

(a) the objects of the Coastal Management Act 2016 and the objectives of the relevant coastal management areas;

(b) the NSW Coastal Management Manual and associated Toolkit;

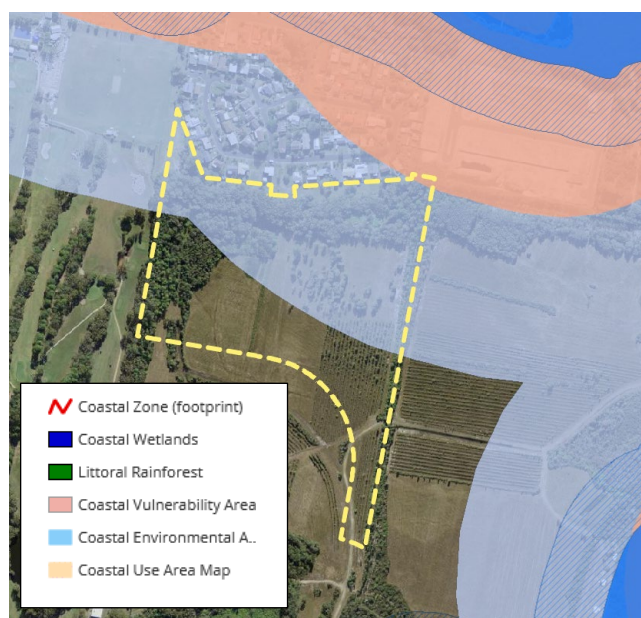
(c) section 3.2 of the NSW Coastal Design Guidelines 2023; and

(d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016, that applies to the land.

CONSISTENT

The subject land is located within the Coastal Zone, as defined under the *Coastal Management Act 2016*. The objects of this Act are to manage the coastal environment of New South Wales in a manner consistent with the principles of ecologically sustainable development for the social, cultural and economic well-being of the people of the State...

The land is within a Coastal Environment Area and a Coastal Use Area.



NSW Planning Portal 2023

(a) Overall, the Planning Proposal will give effect to the NSW Coastal Policy. It will not affect public access to the coastal foreshore or generate the need to provide new access; it will not result in adverse impacts upon the scenic qualities of the coast.

(b) The coastal management toolkit contains information and guidance to help councils to manage the NSW coast and prepare coastal management programs.

(c) Appendix 1: assessment checklist for Planning Proposals of the NSW Coastal

Design Guidelines 2023 is provided at Appendix R.

The Planning Proposal will not alter the relevance or compromise the Coastal Design Guidelines.

At subdivision stage, it will be a requirement of any Development Application to ensure that all stormwater drainage is managed to ensure all runoff will have a nil or beneficial impact downstream.

The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.

Direction 4.3 Planning for Bushfire Protection

This direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to, land mapped as bushfire prone land.

This applies where the relevant planning authority is required to prepare a bush fire prone land map under section 10.3 of the EP&A Act, or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.

JUSTIFIABLY INCONSISTENT

Mapped bush fire prone land is identified by Council and certified by the Commissioner of the NSW Rural Fire Service as land which can support a bush fire or is subject to bush fire attack. The land is mapped as bush fire prone land and Direction 4.3 applies to the planning proposal.

A Bushfire Assessment has been prepared that has regard to *Planning for Bushfire Protection 2019*. The Bushfire Assessment provides recommendations for development within the land. The Planning Proposal and Concept Plan of Subdivision will meet the requirements of *Planning for Bushfire Protection 2019*.

The Planning Proposal is inconsistent with this Direction until the City consults with the Commissioner of the NSW Rural Fire Service (RFS) following the issue of a Gateway determination. Until this consultation has occurred the inconsistency with the Direction is unresolved.

Direction 4.4 Remediation of Contaminated Land

This direction applies when a planning proposal authority prepares a planning proposal that applies to:

(a) land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997,

INCONSISTENT

Previous land contamination assessments carried for the residential subdivision of Lot 16 DP 1277594 found that the land is highly unlikely to be contaminated and is suitable for residential land use.

(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,

(c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:

i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and

ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

'Agriculture' is listed in Table 1. The former tea-tree plantation is a form of agriculture. The former plantation is not considered to be a contaminating land use. There is no remediation required.

The nearby former Shell Fuel Terminal site has been remediated and is developed for residential purposes.

A Preliminary Site Contamination Assessment was prepared by Regional Geotechnical Solutions (**Appendix L**) where it was concluded that:

Based on the results obtained in this investigation, the subject area within the western portion of Lot 17 DP1277594 is considered likely to be suitable for the proposed residential land use with regard to the presence of soil contamination pending the results of further sampling, analysis and assessment.

However, further assessment of the potential groundwater contamination is recommended.

The further assessment will be carried out at Development Application stage.

Direction 4.5 Acid Sulfate Soils

This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils when preparing a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps held by the Department of Planning and Environment.

INCONSISTENT.

The land is mapped as Class 4 ASS.

The potential for acid sulfate soils over the entire Saltwater precinct was examined as part of the Connell Wagner Local Environment Study for the site, which included laboratory testing of borehole samples and found that:

The potential for acid sulphate soils to be found in the area has been identified from published acid sulphate soils maps available from DNR. Much of the subject land has only a low potential for acid sulphate soils to be encountered at depths greater than three metres below ground surface (Section 4.1.6).

Regional Geotechnical Solutions (**Appendix N**) prepared a desktop assessment for the subject land where it was found that:

Based on the results obtained from this desktop assessment the site is considered to have a low probability of encountering ASS on the basis that excavations are not proposed below 1.5m from

the existing surface. If excavation works are proposed >2m below the existing ground surface then an ASS investigation is recommended.

On the basis of the above assessments, the inconsistency is considered to be justified by a study and is of minor significance.

Direction 4.6 Mine Subsidence and Unstable Land

This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that is within a declared mine subsidence district in the Coal Mine Subsidence Compensation Regulation 2017 pursuant to section 20 of the Coal Mine Subsidence Compensation Act 2017, or has been identified as unstable in a study, strategy or other assessment undertaken by or on behalf of the relevant planning authority or by or on behalf of a public authority and provided to the relevant planning authority.

NOT APPLICABLE

The subject land is not identified as being within a declared mine subsidence district in the *Coal Mine Subsidence Compensation Regulation 2017* and is not identified as unstable in a study, strategy or other assessment undertaken by or on behalf of the relevant planning authority or by or on behalf of a public authority and provided to the relevant planning authority.

FOCUS AREA 5: TRANSPORT AND INFRASTRUCTURE

Direction 5.1 Integrating Land Use and Transport

This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.

CONSISTENT

The proposal accords with the Local Growth Management Strategy and will not result in a significant increase in traffic utilising the public road network.

(1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:

(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and

(b) The Right Place for Business and Services – Planning Policy (DUAP 2001)

Direction 5.2 Reserving land for Public Purposes

A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the

CONSISTENT

The Planning Proposal does not create or reduce existing zonings or reservations of land for public purposes.

Planning Secretary (or an officer of the Department nominated by the Secretary).

Direction 5.3 Development Near Regulated Airports and Defence Airfields

This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.

CONSISTENT

The subject land is not located “near” a regulated airport which includes a defence airfield and is not situated within the ANEF contour area.

The Planning Proposal will have no effect on the safe operation of airports or airfields.

Direction 5.4 Shooting Ranges

This direction applies to all relevant planning authorities when preparing a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.

NOT APPLICABLE

The subject land does not affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.

FOCUS AREA 6: HOUSING

Direction 6.1 Residential Zones

This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted.

(1) A planning proposal must include provisions that encourage the provision of housing that will:

(a) broaden the choice of building types and locations available in the housing market, and

(b) make more efficient use of existing infrastructure and services, and

(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and

(d) be of good design.

(2) A planning proposal must, in relation to land to which this direction applies:

(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other

CONSISTENT

The Planning Proposal will facilitate the creation land for housing and will increase housing choice and supply in the Kempsey LGA. Residential development of this urban infill site will reduce the consumption of greenfield land for subdivision on the urban fringe.

The land is capable of being serviced by water, sewer, telecommunications and public road infrastructure.

The provisions of the *Kempsey Development Control Plan 2010* apply to subsequent development of the land. These provisions include controls which promote good design.

appropriate authority, have been made to service it), and

(b) not contain provisions which will reduce the permissible residential density of land.

Direction 6.2 Caravan Parks and Manufactured Home Estates

The objectives of this direction are to:

(a) provide for a variety of housing types, and

(b) provide opportunities for caravan parks and manufactured home estates.

(1) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:

(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and

(b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.

(2) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:

(a) take into account the categories of land set out in Schedule 6 of State Environmental Planning Policy (Housing) 2021 as to where MHEs should not be located,

(b) take into account the principles listed in clause 125 of State Environmental Planning Policy (Housing) 2021 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and

(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the Community Land Development Act 1989 be permissible with consent.

CONSISTENT

SEPP (Housing) 2021 provides for Caravan Parks and Manufactured Homes Estates within the State.

The Planning Proposal does not reduce land available for Caravan Parks or Manufactured Homes Estates.

FOCUS AREA 7: INDUSTRY AND EMPLOYMENT

Direction 7.1 Business and Industrial Zones

<p><i>The objectives of this direction are to:</i></p> <ul style="list-style-type: none"> <i>(a) encourage employment growth in suitable locations,</i> <i>(b) protect employment land in business and industrial zones, and</i> <i>(c) support the viability of identified centres.</i> <p><i>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</i></p>	<p>CONSISTENT</p> <p>This Planning Proposal does not affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</p>
<p>Direction 7.2 Reduction in non-hosted short-term rental accommodation period</p>	
<p>Direction 7.2 does not apply to Kempsey LGA.</p>	
<p>Direction 7.3 Commercial and Retail Development along the Pacific Highway, North Coast</p>	
<p>Direction 7.3 does not apply.</p>	
<p>FOCUS AREA 8: RESOURCES AND ENERGY</p>	
<p>Direction 8.1 Mining, Petroleum Production and Extractive Industries</p>	
<p><i>Applies when a relevant planning authority prepares a planning proposal that would have the effect of:</i></p> <p><i>prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</i></p> <p><i>restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</i></p>	<p>NOT APPLICABLE</p> <p>This Planning Proposal does not affect either matter (a) or (b).</p>
<p>FOCUS AREA 9: PRIMARY PRODUCTION</p>	
<p>Direction 9.1 Rural Zones</p>	
<p><i>A planning proposal must:</i></p> <ul style="list-style-type: none"> <i>• not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</i> <i>• not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</i> 	<p>INCONSISTENT</p> <p>This Planning Proposal aims to rezone rural land. The land has been subject to a Local Environmental Study in 2009 and updated environmental assessments provided with this Planning Proposal.</p>

	<p>The land is within the urban growth area boundary and is identified in the NCRP and LGMS as urban investigation area.</p> <p>The Planning Proposal is inconsistent with this direction however the inconsistency is justified by relevant studies and is of minor significance.</p>
Direction 9.2 Rural Lands	
<p><i>This direction Applies when a relevant planning authority prepares a Planning Proposal that:</i></p> <ul style="list-style-type: none"> • <i>will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or</i> • <i>changes the existing minimum lot size on land within a rural or environment protection zone.</i> 	<p>INCONSISTENT</p> <p>This Planning Proposal affects land in a rural zone. However, the Planning Proposal is:</p> <ul style="list-style-type: none"> - consistent with the North Coast Regional Plan 2036 and 2041; and - has considered the significance of the land to agriculture, and - has considered the natural and physical constraints of the land, and - is of minor significance.
Direction 9.3 Oyster Aquaculture	
<p><i>This direction applies to any relevant planning authority when preparing a planning proposal in 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area as identified in the NSW Oyster Industry Sustainable Aquaculture Strategy (2006) ("the Strategy"), when proposing a change in land use which could result in:</i></p> <p><i>(a) adverse impacts on a 'Priority Oyster Aquaculture Area' or a "current oyster aquaculture lease in the national parks estate", or</i></p> <p><i>(b) incompatible use of land between oyster aquaculture in a 'Priority Oyster Aquaculture Area' or a "current oyster aquaculture lease in the national parks estate" and other land uses.</i></p>	<p>NOT APPLICABLE</p> <p>This Planning Proposal does not apply to lands identified in the NSW Oyster Industry <i>Sustainable Aquaculture Strategy</i> (2006).</p>
Direction 9.4 Farmland of State and Regional Significance on the NSW far North Coast	
Direction 9.4 does not apply to Kempsey LGA.	