

ENVIRONMENTAL PLANNING INSTRUMENTS

STATE ENVIRONMENTAL PLANNING POLICIES:-

STATE ENVIRONMENTAL PLANNING POLICY (MAJOR PROJECTS) 2005	
Provisions Summary	Consideration
Identifies types of development to which development assessment and approval processes under Part 3A (major projects) of the EP&A Act apply	The proposal involves development identified in Schedule 1 Group 5 Clause 13 - Residential, commercial or retail projects
Facilitates development of State significant sites	A separate process is pursuing listing of the land as a State significant site
For the purposes of the SEPP certain forms of listed Development may be considered a major project if the Minister (or delegate) forms the opinion that the development meets the criteria in the SEPP	On 12 October 2007 the Minister formed the opinion in accordance with Clause 6 that the proposal is a major project, subject to Part 3A and authorised submission of a Concept Plan

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007	
Provisions Summary	Consideration
Facilitates effective delivery of infrastructure across the State	Aim noted
SEPP contains specific planning provisions and development controls for a wide range of infrastructure types	Planning provisions and development controls will apply to infrastructure proposed in the Concept Plan (eg. educational establishments, parks, roads etc). Council will be the consent authority for future development and will be responsible for implementing the SEPP State Infrastructure agencies (eg. RTA, MoT and DET) were consulted during assessment of the proposal, their comments have been incorporated into the modifications of the approval and also the regional voluntary planning agreement

STATE ENVIRONMENTAL PLANNING POLICY19 – URBAN BUSHLAND	
Provisions Summary	Consideration
Protects and preserves bushland within residential areas	Aim noted
Bushland zoned for reserved for public open space shall not be disturbed without the consent of Council	Concept plan proposes public open spaces in bushland areas, Council has required and negotiated these spaces through a local voluntary planning agreement. It will be the consent authority for future development of this land

STATE ENVIRONMENTAL PLANNING POLICY 44 – KOALA HABITAT PROTECTION	
Provisions Summary	Consideration
Encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range	Aim noted
Council cannot approve development in an area affected by the policy without an investigation of core koala habitat	Council will be the consent authority for future development and will be responsible for implementing the SEPP

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND	
Provisions Summary	Consideration
Promotes remediation of contaminated land to reduce risk of harm to human health or any other aspect of the environment	A Geotechnical Report submitted with the EA lists all existing and possible sources of contamination on the development site
Consent must not be given to development unless the consent authority has considered if the land is contaminated, and if so if the land is suitable in its current state or if remediation is required	The Geotechnical Report concludes the site is suitable for residential/urban development subject to local remediation measures The Statement of Commitments states a contamination report/ rehabilitation management plan will accompany a subdivision application for land previously used for chicken sheds, outlining suitability for development/ remediation

DRAFT STATE ENVIRONMENTAL PLANNING POLICY 66 – INTEGRATION LAND USE & TRANSPORT	
Provisions Summary	Consideration
Ensures development improves accessibility to housing, employment and services by walking, cycling and public transport and reducing dependency on cars	The Concept Plan layout has been amended to create better opportunities for walking to local services and the local voluntary planning agreement includes provision for cycleways MoT have provided comment on achieving sustainable public transport outcomes, these requirements have been incorporated into the regional voluntary planning agreement

DRAFT STATE ENVIRONMENTAL PLANNING POLICY (MAJOR PROJECTS) AMENDMENT	
Provisions Summary	Consideration
Draft SEPP amendment provides for rezoning of the land and for satisfactory arrangements to be made for future provision of regional infrastructure	The SEPP amendment will provide the statutory rezoning framework to enable the Concept Plan to be implemented, on this basis the Concept Plan is consistent with the SEPP provisions

REGIONAL ENVIRONMENTAL PLANS:-

HUNTER REGIONAL ENVIRONMENTAL PLAN 1989	
Provisions Summary	Consideration
Provides a policy framework and strategy for balanced development of the Hunter region	HREP 1989 primarily guides preparation of LEP's and DCP's, however the proposed Concept Plan is generally consistent with its key objectives of providing opportunities for a variety of housing types with associated infrastructure and protecting bushland through proposed conservation offsets

HUNTER REGIONAL ENVIRONMENTAL PLAN 1989 - HERITAGE	
Provisions Summary	Consideration
Aims to conserve the environmental heritage of the Hunter Region, identifies some 1300 heritage items in a number of categories - state, regional, local and areas requiring investigation, and heritage precincts	No land within the North Cooranbong locality is identified in the REP

LOCAL ENVIRONMENTAL PLAN:-

LAKE MACQUARIE LOCAL ENVIRONMENTAL PLAN 2001	
Provisions Summary	Consideration
Achieve development of land in accordance with principles of ecologically sustainable development by promoting balanced development of land and implementing Lifestyle 2020 Strategy	The majority of the development site land is located in the Investigation (Urban/ Employment/ Recreation/ Conservation) Zone and Conservation (Secondary) Zone. The land uses proposed in the Concept Plan are generally consistent with the broad provisions of the Lake Macquarie LEP