

## Assessment Against State Environmental Planning Policies

State Environmental Planning Policy	Applies?	Comments
SEPP (Biodiversity and Conservation) 2021	N/A	<p>The SEPP primarily relates to development applications and will be addressed at the development application stage. Vegetation has been addressed within Question 7 of the Planning Proposal.</p> <p>The following points are provided following desk-top assessment:</p> <ul style="list-style-type: none"> <li>○ As provided under Question 8 of the Planning Proposal, a draft flora and fauna assessment was completed for the site by James Warren &amp; Associates Pty Ltd (November 2008). The report addressed statutory requirements including State Environmental Planning Policy No. 44 (SEPP 44 – Koala Habitat Protection), Section 5A of the Environmental Planning &amp; Assessment Act (1979) and the Commonwealth EPBC Act (1999). The SEPP 44 assessment concluded that the site does not contain core Koala habitat. A Koala Plan of Management was not required.</li> <li>○ High Environmental Value land identified within the former North Coast Regional Plan 2036 is located adjacent to the edge of Darke Lane being the southern border of the property. Future dwelling development within the lots will be clear of the HEV mapped land.</li> <li>○ As identified in Section 1.4, the Planning Proposal has been reviewed by the NSW DPE BCD, and they have no further comments on biodiversity for the Planning Proposal.</li> <li>○ The Biodiversity Offsets Scheme Entry Threshold Tool (BOSET) is a test used to determine when it is necessary to engage an accredited assessor to apply the Biodiversity Assessment Method to assess the impacts of a proposal. The subject land is not mapped as containing areas of biodiversity on the NSW Government Biodiversity Values Map and Threshold Tool (accessed 3/2/21). The BOSET tool was again accessed (08/04/24) and does not identify the area to be rezoned to R5 Large Lot Residential as containing mapped biodiversity values.</li> <li>○ RVC Intramaps identifies Terrestrial Biodiversity located adjacent to the edge of Darke Lane being the southern border of the property. Future dwelling development within the lots will be clear of the Terrestrial Biodiversity mapped land.</li> </ul>

State Environmental Planning Policy	Applies?	Comments
SEPP (Exempt and Complying Development Codes) 2008	N/A	-
SEPP (Housing) 2021	N/A	The SEPP primarily relates to development applications and will be addressed at the development application stage as required.
SEPP (Industry and Employment) 2021	N/A	-
SEPP (Planning Systems) 2021	N/A	-
SEPP (Precincts – Central River City) 2021	N/A	-
SEPP (Precincts - Eastern Harbour City) 2021	N/A	-
SEPP (Precincts – Regional) 2021	N/A	-
SEPP (Precincts – Western Parkland City) 2021	N/A	-
SEPP (Primary Production) 2021	N/A	<p>The SEPP primarily relates to development applications and will be addressed at the development application stage as required.</p> <p>The following comments are provided:</p> <ul style="list-style-type: none"> <li>• The Planning Proposal does not propose to rezone State Significant farmland identified within the Northern Rivers Farmland Protection Project Final Map 2005.</li> <li>• The subject land is mapped as containing both “Other Rural Lands” and also “Regionally Significant Farmland” under the Northern Rivers Farmland Protection Project.</li> <li>• The Planning Proposal does not propose to rezone Regionally Significant farmland identified within the Northern Rivers Farmland Protection Project Final Map 2005.</li> <li>• The Planning Proposal does not propose to rezone areas of mapped Class 3 prime agricultural land.</li> <li>• To address land use conflict and the proposed development, reference should be made to the LUCRA report prepared by Tim Fitzroy &amp; Associates contained within <b>Attachment 4</b>. Recommendations with regard to vegetation buffers can be implemented into a future subdivision lot layout at the Development Application stage.</li> <li>• As outlined in Section 1.4 of this Planning Proposal a number of issues were raised by NSW DPI which have now been addressed through direct consultation between NDC and the DPI.</li> </ul>

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		<ul style="list-style-type: none"> <li>The Planning Proposal is consistent with the NCRP 2041.</li> </ul>
SEPP (Resilience and Hazards) 2021	Applies	<p>In response to Chapter 4 of the SEPP, a preliminary site contamination report has been prepared by Tim Fitzroy &amp; Associates and is contained within <b>Attachment 10</b>. The report concludes that <i>“Based on the outcomes of this PSI there is no impediment to approval of Planning Proposal for the proposed rezoning from RU1 Primary Production to R5 Large Lot Residential. Further investigation in accordance with the EPA sampling guidelines is required prior to the issue of a subdivision certificate for large lot residential use.”</i></p>
SEPP (Resources and Energy) 2021	N/A	-
SEPP (Sustainable Buildings) 2022	N/A	-
SEPP (Transport and Infrastructure) 2021	N/A	The SEPP primarily relates to development applications and will be addressed at the development application stage.