



# INFRASTRUCTURE ZONES REVIEW



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1	Draft document	R Underwood	August 2019
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4	Final version with editorial amendments for adoption after Know Your Rural Zone consultation.	R Underwood	July 2022

# Executive Summary

There are currently three (3) different sets of planning rules that apply to the MidCoast area. As part of the 'Zoning in on our Future' project Council is working towards one set of planning rules which will result in a single MidCoast Local Environmental Plan (MidCoast LEP).

The Infrastructure Zone Review forms part of this larger body of work, providing details of our infrastructure and how it has been zoned. It also provides recommendations for zoning infrastructure to inform the new MidCoast LEP.

## Findings and recommendations

Infrastructure has been zoned and categorised differently across the MidCoast, with SP2 Infrastructure Zone being the predominate land use zone applied.

There are a number of land parcels in Gloucester that have been zoned SP1 Special Activities which should be rezoned to either SP2 Infrastructure or an appropriate surrounding zone.

It is recommended that the SP2 Infrastructure Zone continue to be used for significant infrastructure that is unlikely to be used for a different purpose in the future.

To provide land use certainty, railways, significant state roads such as the Pacific Highway, sewage systems, waste management facilities and airports will be included in the SP2 Infrastructure Zone where they are not already.

Public cemeteries will be zoned SP2 Infrastructure due to the limited potential for future uses over these sites.

The SP2 Infrastructure Zone will provide land use certainty and protection for hospitals and larger educational establishments such as Great Lakes and Taree TAFE. Smaller educational establishments such as schools will remain within the surrounding zone.

Larger water supply systems such as Bootawa Dam will be zoned SP2 Infrastructure, while smaller water supply systems such as reservoirs will remain within most appropriate surrounding zone.

Larger electricity generating works within urban areas will be zoned SP2 Infrastructure. Smaller electricity generating works will continue to be zoned the same as surrounding land.

Zoning recommendations for specific sites that do not fall into the broad infrastructure groups outlined above, will be zoned based on best practice and Department of Planning, and Environment's (DPE's) zoning guidelines.

It is also recommended that infrastructure be categorised in Land Zoning Maps in accordance with definitions contained in *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

The SP1 Special Activities Zone will not be used at this time in the MidCoast LEP as there are no relevant land uses in the MidCoast that need to be accommodated in this zone.

Land in the Land Reservation Acquisition (LRA) layer that is required for infrastructure purposes and not currently owned by the relevant public authority will be zoned SP2 Infrastructure.



# 1 Introduction

## Purpose

The purpose of the Infrastructure Zone Review (the Review) is develop a simplified, consistent approach to zoning state, regional and local infrastructure in the MidCoast.

The objectives of the Review are to:

- Determine how state, regional and local infrastructure is currently zoned across the MidCoast to determine similarities and differences.
- Provide robust zoning recommendations for infrastructure groups and site-specific areas under a single MidCoast LEP.
- Recommend Infrastructure Categories to be used for land zoning maps in MidCoast LEP.

## Background

There are currently three (3) different sets of planning rules that apply to the MidCoast area.

As part of the Zoning in on our Future project MidCoast Council (Council) is working towards preparation of a single MidCoast LEP that will provide one set of planning rules for our community now and into the future.

This Review forms part of this larger body of work and provides recommendations for zoning infrastructure within the MidCoast.

## Scope

The Oxford dictionary defines 'infrastructure' as: 'The basic physical and organisational structures and facilities (e.g. buildings and roads) needed for the operation of a society or enterprise.'

This Review will focus on physical infrastructure only. It will review the role and function of the SP2 Infrastructure land use zone and its application to state, regional and significant local infrastructure in the MidCoast.

Under the Standard Instrument Local Environmental Plan (SI LEP) there are three (3) land use zones known as 'Special Purpose' zones as follows:

- SP1 Special Activities Zone
- SP2 Infrastructure Zone
- SP3 Tourist Zone

The majority of infrastructure in the MidCoast is contained in the SP2 Infrastructure Zone. For this reason, the Review will focus primarily on this zone.

The SP1 Special Activities Zone is used in limited locations and only in the former Gloucester Local Government Area. Therefore, the Review will only touch briefly on this zone when making recommendations for its future use.



The Review will not deal with the SP3 Tourist Zone as it is not typically used for infrastructure. The SP3 Tourist Zone will be looked at in more detail as part of the Housing Strategy.

**Figure 1: Special Purpose Zones covered by the Infrastructure Zone Review - taken from SI LEP**



Further, the Review will not cover the Manning Base Hospital which is currently zoned SP2 Infrastructure. Zoning in association with the hospital will be considered as part of the Manning Health & Taree CBD Precinct Plan.

## Limitations

When zoning land for infrastructure Council must work within a framework which is largely influenced by state and regional guidelines.

The Review has therefore been heavily influenced by state guidelines, particularly Department Planning and Environment's Local Environmental Plan (LEP) Practice Note: 'Zoning for Infrastructure in LEPs (2010) (PN 10-001)' hereafter referred to as PN 10-001, as contained in Annexure C.

During preparation of the Review, Council has been mindful to consider the views of organisations responsible for the provision of infrastructure in the MidCoast.

Infrastructure zoning recommendations from the Review have been made taking into account preliminary discussions with infrastructure providers where possible. Further feedback will be sought from infrastructure providers during the community consultation process for the Midcoast LEP.

## Environmental Zone Review

As part of the Department Planning and Environments, Environmental Zones Review environmental zones have been renamed as 'conservation zones' in accordance with clause 2.1 Land use zones of the Standard Instrument—Principal Local Environmental Plan.

As a result a reference to an Environment Protection zone E1, E2, E3 or E4 in this document (including maps) should be taken to be a reference to a Conservation zone C1, C2, C3 or C4.

## Land use zones

As indicated, the Review will deal mainly with the SP2 Infrastructure Zone, with some discussion on the SP1 Special Activities Zone. An explanation of both zones is provided below, along with the application, purpose, objectives and applicable land uses for each.

**Table 1: SP2 - Infrastructure Zone**

	SP2 Infrastructure Zone
<b>Application</b>	This zone is used in Gloucester, Great Lakes and Greater Taree LEPs.
<b>Purpose</b>	This zone is intended for land that contains infrastructure that is unlikely to be used for a different purpose in the future; for example, cemeteries and sewage treatment plants.
<b>Standard Instrument LEP Objectives</b>	<ul style="list-style-type: none"> <li>To provide for infrastructure and related uses.</li> <li>To prevent development that is not compatible with or that may detract from the provision of infrastructure.</li> </ul> <p><u>Great Lakes LEP contains the following additional objective:</u></p> <ul style="list-style-type: none"> <li>To provide for community-related uses, public facilities and services.</li> </ul> <p><u>Greater Taree LEP contains the following additional objective:</u></p> <ul style="list-style-type: none"> <li>To encourage a range of airport-related uses within the Taree Airport.</li> </ul>
<b>Land uses</b>	Across the three (3) LEPs this zone has generally been used for infrastructure such as sewage systems, hospitals, major roads and waste and resource management facilities. However, there are some inconsistencies in the way the zone has been used.

**Table 2: SP1 - Special Activities Zone**

	SP1 Special Activities Zone
<b>Application</b>	This zone is used in the Gloucester LEP only.
<b>Purpose</b>	For land uses or sites with special characteristics that cannot be accommodated in other zones. Some examples of where this zone may be suitable include land on which there is, or is proposed to be, a large complex such as a major scientific research facility or an international sporting facility.
<b>Standard Instrument LEP Objectives</b>	<ul style="list-style-type: none"> <li>To provide for special land uses that are not provided for in other zones.</li> <li>To provide for sites with special natural characteristics that are not provided for in other zones.</li> <li>To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.</li> </ul>
<b>Land uses</b>	In the Gloucester LEP this zone has been used for a number of cemeteries, a caravan park and a motel.



## Infrastructure categories

Land zoned either SP2 Infrastructure or SP1 Special Activities, is categorised depending on the existing or proposed future use.

The infrastructure category is to be clearly marked on the relevant LEP Land Zoning Map as shown below in **Figure 2**.



**Figure 2: SP2 Infrastructure land parcel with infrastructure category clearly marked.**

It is not always necessary to specify a preferred land use category in an LEP map. However, if a preferred land use is to be specified, then broad infrastructure categories used in Chapter 2 of State Environmental Planning Policy (Transport and Infrastructure) 2021 should be used rather than specific types of infrastructure. For example, 'educational establishment' should be used rather than 'primary school' (PN 10-001).

## 2 Policy

This section provides details of the different policy documents and legislation at a state, regional and local level which are relevant to the Infrastructure Zone Review.

### State guidelines

This review is generally consistent with the relevant State Environmental Planning Policies that relate to Infrastructure land.

#### State Environmental Planning Policy (Transport and Infrastructure) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021 hereafter referred to as 'the SEPP' provides for the delivery of infrastructure in NSW, particularly where the infrastructure works are being carried out by, or on behalf of, a public authority. The SEPP achieves this by enabling certain development for particular purposes to be carried out either as exempt or complying development, provided that the development complies with certain development standards and criteria.

Recommendations in the Review have been made in consideration of the SEPP and the types of development that can be undertaken under the SEPP in other land use zones.

As outlined in Practice Note 10-001, it is important that the provisions within SEPPs are not duplicated in a LEP. This will be a key consideration when drafting the MidCoast LEP.

#### LEP Practice Note

DPE's LEP Practice Note: Zoning for Infrastructure in LEPs (2010) (PN 10-001) provides guidance to councils on zoning public infrastructure land.

The Practice Note contains six (6) principles for zoning infrastructure as follows:

Principle 1	<b>Zoning for infrastructure that is permitted on all land.</b>  Infrastructure that is allowed on all land under SEPP (Transport and Infrastructure) may be placed in any land use zone.
Principle 2	<b>Zoning for infrastructure that is permitted only in prescribed zones*.</b>  Infrastructure should be provided for in prescribed zones where possible. *‘prescribed zone’ is a reference to land use zones in the Standard Instrument LEP that have been nominated as zones where certain types of infrastructure are allowed under the SEPP (Transport and Infrastructure).
Principle 3	<b>Certain special purpose zones should remain as special purpose zones.</b>  Infrastructure land that is highly unlikely to be used for a different purpose in the future should be zoned special purpose. For example, cemeteries and sewage treatment plants.
Principle 4	<b>Rules for using SP2 Infrastructure and SP1 Special Activities Zones.</b>

	Flexibility should be provided when zoning infrastructure for either SP2 Infrastructure or SP1 Special Activities. This principle also provides guidance on labeling infrastructure on Land Zoning Maps.
Principle 5	<b>Zoning surplus public land.</b> <p>Government land that is no longer required to provide services or infrastructure is sometimes called ‘surplus’ public land. Surplus public land should be rezoned generally, to be compatible with surrounding land uses.</p>
Principle 6	<b>Avoid additional provisions in LEPs.</b> <p>LEPs should not have rules that deal with infrastructure that are already in the SEPP.</p>

The Review has been influenced by these state principles for zoning infrastructure. A full copy of Practice Note: Zoning for Infrastructure in LEPs (2010) (PN 10-001) is provided in Annexure C.

## Regional guidelines

### Hunter Regional Plan 2036

The Hunter Regional Plan 2036 is the current plan applying to the MidCoast. It has been developed to guide land use planning in the Hunter Region over a 20-year period.

It should be noted that the Hunter Regional Plan 2036 is currently under review.

The draft Hunter Regional plan 2041 (the draft plan) was placed on public exhibition from December 2021 until March 2022. The draft plan is the 20-year strategic planning blueprint to ensure the ongoing prosperity of the Hunter’s vibrant and connected communities.

At the time of writing the Department Planning and Environment are considering submissions on the draft plan and feedback will be incorporated into the final plan that will be released later in 2022.

The Review is largely consistent with the exhibited draft plan.

## Local guidelines

### Strategies and reviews

Along with the Infrastructure Zone Review, Council is working on a number of other key projects. These projects are part of the Zoning in on our Future project and will inform preparation of a single MidCoast LEP.

- Rural Strategy
- Housing Strategy
- Manning Health & Taree CBD Precinct Plan
- Employment Zones Review
- Recreation Zones Review

## **Community Strategic Plan 2022-2032**

The MidCoast Community Strategic Plan 2022-2032 – Shared Vision, Shared Responsibility - outlines the vision, community objectives and supporting strategies which will guide our long-term decision making. Outcomes relevant to this Review are as follows:

*Community Outcome 2 - An integrated and considered approach to managing our natural resources*

*2.5 Strategic Objective: We balance the needs of our natural and built environment*

- *2.5.2 Plan, provide, manage and advocate for infrastructure that continues to meet the needs of our community*

*Community Outcome 3 - A thriving and strong economy*

*3.1 Strategic Objective: Our integrated transport networks meet the needs of our business and the community*

- *3.3.1 Plan, provide and advocate for safe and efficient regional transport networks*

*Community Outcome 4 – Strong leadership and good governance*

*4.2 Strategic Objective: Council demonstrates good governance to ensure decisions and transactions are ethical, efficient, safe and fair*

- *4.2.3 Council manages our services and infrastructure in a sustainable manner to balance community need and expectations*

This Review is consistent with the MidCoast Community Strategic Plan 2022-2023.

### **Delivery Program (2022-26) and Operational Plan (2022-23)**

Council has a Delivery Program which translates the goals from the Community Strategic Planning into clear actions. It is the guiding document for all activities undertaken by Council over the next four years. The annual Operational Plan includes the ongoing services and projects that Council will deliver in the current financial year to achieve the commitments of the Delivery Program.

This Review will be used to inform the consolidated MidCoast LEP, which is a Major Project identified for completion in the Draft Delivery and Operational Plan.

The Review is consistent with Council's Delivery Program (2022-26) and Operational Plan (2022-23).

### **LEP Consolidation Principles**

Council has developed the following four key LEP Consolidation Principles. These principles will guide the review of land use zones and planning rules from Gloucester, Great Lakes and Greater Taree LEPs to develop a single MidCoast LEP.

**Table 3: MidCoast LEP Consolidation Principles**

**Principle 1 - Acknowledge diversity and local character**

To identify and protect our diverse and valuable natural landscapes and to recognise the desired roles and character of our different urban settlements.

**Principle 2 – Consistency with State**

To prepare the local environmental plan in a manner consistent with State legislation and guidelines.

**Principle 3 – Regional Policies and Plans**

To apply the goals and actions for the MidCoast local government area contained in regional policies and plans.

**Principle 4 – Council Strategies**

To reflect the actions, goals and recommendations of Council strategies.

The LEP Consolidation Principles have influenced the recommendations for zoning infrastructure documented within this report.

### 3 Our infrastructure

At the time of preparing the Review, MidCoast Council current had 4, 413 hectares of land zoned for infrastructure as shown in **Table 4**. About 72% of this falls into the category of 'Classified Road' which includes the Pacific Highway and sections of The Lakes Way.

Sewage systems, Waste and resource management facilities and Water supply systems make up roughly 7%, 6% and 5% of land zoned for infrastructure respectively, while the remaining 17 categories account for roughly 10% of land zoned for an infrastructure purpose.

**Table 4: MidCoast infrastructure by Category\***

CATEGORY	Total Area (ha)	No. of parcels	% of Total Area (ha)
Classified Road	3175	413	71.94%
Sewage System	330	23	7.47%
Waste and Resource Management Facility	279	16	6.32%
Water Supply System	204	25	4.62%
Air Transport Facility	108	18	2.45%
Caravan Park	96	3	2.17%
Local Road	72	3	1.63%
Drainage	34	1	0.76%
Educational Establishments	26	1	0.59%
Community Purposes	22	5	0.51%
Waste Disposal Facility	16	1	0.36%
Health Service Facilities	11	2	0.24%
Railway	10	6	0.24%
Cemetery	10	4	0.22%
Sewage Treatment Plant	8	2	0.18%
Hospital	6	27	0.13%
Pumping Station	5	5	0.12%
Motel	1	1	0.02%
Public Facility	1	5	0.02%
Substation	0.4	2	0.01%
Water Tower	0.1	1	0.002%
<b>TOTAL</b>	<b>4413</b>	<b>564</b>	<b>100</b>

*\* Due to the different way infrastructure has been categorised across the three (3) LEPs there are some categories which overlap for example: Sewage Systems and Sewage Treatment Plants.*



## Existing situation

The way infrastructure is dealt with under the existing Gloucester, Great Lakes and Greater Taree LEPs is quite different. For example, railways are zoned the same as the surrounding zone in Great Lakes LEP 2014, while in Greater Taree LEP 2010 railways are zoned SP2 Infrastructure.

Categories used in each of the three (3) LEPs are also different. For example, in Great Lakes LEP 2014 hospitals have generally been categorised as 'Hospitals' while in Greater Taree LEP 2010 hospitals have been categorised as 'Health Service Facilities'.

The land use zones used for infrastructure in the Gloucester, Great Lakes and Greater Taree LEPs are also different. For example, the SP1 Special Activities Zone has only been used in Gloucester LEP 2010 while Great Lakes and Greater Taree do not have any parcels of land zoned SP1 Special Activities as shown in **Table 5**.

**Table 5: Land zones used by LEP**

	Greater Taree LEP	Great Lakes LEP	Gloucester LEP
SP2 Infrastructure	✓	✓	✓
SP1 Special Activities	×	×	✓

## Research design

The Review was developed in accordance with statewide best practice for the zoning of infrastructure land. The following provides details for the key steps undertaken:

### Desktop assessment

A desktop assessment of land zoned SP2 Infrastructure and SP1 Special Activities was undertaken. The assessment involved working out the types of infrastructure contained in each zone across the MidCoast.

Based on the information gathered, a project plan was developed for the Review, stakeholders were identified and an Internal Reference Group was formed to provide input on the project at key stages.

Contact was made with internal stakeholders and a number of infrastructure providers including government agencies notifying them of the Review.

### Infrastructure analysis

A detailed analysis of infrastructure was then undertaken. To assist with the analysis, infrastructure within the MidCoast was placed into the following infrastructure groups:

- Roads
- Railways
- Airports
- Hospitals
- Educational establishments
- Cemeteries

- Sewage systems
- Waste or resource management facilities
- Water supply systems
- Electricity generating works
- Land identified in the Land Reservation Acquisition (LRA) map layer
- Site specific areas.

Data for each group including location, land area, ownership and naming category was collected from Council's Systems.

Infrastructure types and zones were then compared across the former three (3) local government areas and from this, similarities and inconsistencies were identified.

From the information gathered, a number of initial recommendations were developed including the identification of infrastructure groups that should and should not be included in an infrastructure land use zone.

An assessment of background information including relevant government policy was also undertaken including an in-depth assessment of land uses allowed under the SEPP.

### **Preliminary consultation**

Once the analysis was nearing completion, input from the Internal Reference Group was sought to provide feedback on the proposed application of infrastructure land use zones.

A number of infrastructure providers were also contacted to canvas zoning ideas and feedback was provided.

## **Development standards**

A development standard is a standard contained in a Local Environmental Plan or Development Control Plan that controls aspects of building design, subdivision or the use of land. Development standards can be either numerical or performance based. Examples of development standards include the maximum height of a building or minimum lot size (for subdivision).

The majority of land zoned SP2 Infrastructure and SP1 Special Activities do not have any development standards applying to them. For the small amount that do, no changes are proposed to these development standards.

## 4 Zoning Principles

This section provides zoning recommendations for each infrastructure group, in table format. A sample table is provided below, detailing the type of information contained in each table.

A number of site-specific zoning recommendations are included, for sites that do not fit into the identified infrastructure groups. Recommendations for future use of the SP1 Special Activities Zone along with general zoning recommendations for residual land along the North Coast Railway Line and Pacific Highway is also provided.

### Sample Table

	<<Infrastructure group>>
<b>Definition</b>	<<Definition of the land use under the SI LEP>>
<b>Existing situation</b>	<<Shows how the infrastructure group has been zoned across the three (3) former LEPs>>
<b>Additional notes</b>	<<Notes including relevant state, regional and local guidelines>>
<b>Category</b>	<<Naming category to be used in LEP land use zoning maps >>
<b>LEP Consolidation Principle/s</b>	<<Applicable LEP Consolidation Principle>>
<b>RECOMMENDATION</b>	<<Zoning recommendation for the infrastructure group in question>>
<b>Justification</b>	<<Provides justification for the recommendation>>

## Infrastructure groups

**Table 6: Roads - zoning recommendation**

	Roads
<b>Definition</b>	<b>Road</b> means a public road or a private road within the meaning of the <i>Roads Act 1993</i> , and includes a classified road.
<b>Existing situation</b>	<b>Gloucester, Great Lakes &amp; Greater Taree LEPs</b> – In each of the former areas the Pacific Highway has been zoned SP2 Infrastructure. Other roads have generally been zoned the same as the surrounding zone except for some sections of the old Pacific Highway which have remained in the SP2 Infrastructure Zone after highway realignment.
<b>Additional notes</b>	PN 10 – 001 states: For infrastructure or services prescribed in all zones (under the Infrastructure SEPP) and those currently zoned ‘special use’ e.g. roads, the appropriate adjacent land zone should generally be used.
<b>Category</b>	Pacific Highway to be categorised as ‘State Highway’
<b>LEP Consolidation Principle/s</b>	Principle 1 - Acknowledge diversity and local character Principle 2 – Consistency with State
<b>RECOMMENDATION</b>	<b><i>State and Regional Roads will be zoned SP2 Infrastructure.</i></b>
<b>Justification</b>	The zoning recommendation for roads is not wholly consistent with state guidelines for the zoning of infrastructure as contained within PN 10-001. However, applying the SP2 Infrastructure Zone to state and regional roads will ensure land use certainty and consistency across the state.

**Table 7: Railways - zoning recommendation**

	Railway
Definition	<p><b>Railway</b> is a type of 'Public utility undertaking'.</p> <p><b>Public utility undertaking</b> means any of the following undertakings carried on or permitted to be carried on by or by authority of any Public Service agency or under the authority of or in pursuance of any Commonwealth or State Act:</p> <p>(a) railway, road transport, water transport, air transport, wharf or river undertakings.</p>
Existing situation	<p><b>Gloucester LEP</b> – Railway has generally been zoned the same as the surrounding zone except for the line that runs through Gloucester which has been zoned SP2 Infrastructure.</p> <p><b>Great Lakes LEP</b> – Railway has been zoned the same as the surrounding zone.</p> <p><b>Greater Taree LEP</b> – Railway has been zoned SP2 Infrastructure.</p>
Additional notes	PN 10 – 001 states: For infrastructure or services prescribed in all zones (under the SEPP) and those currently zoned 'special use' e.g. railway, the appropriate adjacent land zone should generally be used.
Category	The North Coast Railway is to be categorised 'Railway'
LEP Consolidation Principle/s	<p>Principle 1 - Acknowledge diversity and local character</p> <p>Principle 2 – Consistency with State</p>
<b>RECOMMENDATION</b>	<b>Railway will be zoned SP2 Infrastructure.</b>
Justification	<p>To ensure land use certainty for existing and future landowners and the community, the most appropriate land use zone for the North Coast Railway is SP2 Infrastructure.</p> <p>This recommendation is not wholly consistent with PN 10-001. However, it is generally consistent with how railways have been zoned in NSW.</p> <p>Zoning this type of infrastructure to the SP2 Infrastructure Zone will assist in preventing land use conflict arising from potentially incompatible future land uses.</p>

**Table 8: Airports - zoning recommendation**

	Airports
<b>Definition</b>	<p><b>Airport</b> means a place that is used for the landing, taking off, parking, maintenance or repair of aeroplanes, and includes associated buildings, installations, facilities and movement areas and any heliport that is part of the airport.</p> <p><b>Airstrip</b> means a single runway for the landing, taking off or parking of aeroplanes for private aviation only, but does not include an airport, heliport or helipad.</p>
<b>Existing situation</b>	<p><b>Gloucester &amp; Great Lakes LEPs</b> – There are no airports in the Gloucester or Great Lakes regions. Airstrips, a number of which are no longer operational, have been zoned the same as the surrounding zone or in accordance with the zoning pattern for the surrounding area.</p> <p><b>Greater Taree LEP</b> – Taree Airport is zoned SP2 Infrastructure. Airstrips are zoned the same as the surrounding zone.</p>
<b>Additional notes</b>	PN 10 – 001 states: Major state infrastructure on large sites should be zoned SP2 Infrastructure, including major airports.
<b>Category</b>	Taree Airport is to be categorised 'Airport'
<b>LEP Consolidation Principle/s</b>	Principle 2 – Consistency with State
<b>RECOMMENDATION</b>	<ol style="list-style-type: none"> <li><i>1. Taree Airport will be zoned SP2 Infrastructure.</i></li> <li><i>2. Airstrips will remain zoned the same as the surrounding zone.</i></li> </ol>
<b>Justification</b>	<p>Currently Taree Airport is zoned SP2 Infrastructure. To ensure land use certainty for existing and future surrounding landowners and the community the Taree Airport will remain zoned SP2 Infrastructure.</p> <p>This recommendation is consistent with principles contained PN 10-001 and will ensure the airport is protected from incompatible land uses.</p>



**Table 9: Hospitals - zoning recommendation**

	Hospitals
<b>Definition</b>	<p><b>Hospital</b> means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities (not listed here).</p> <p><i>Note: 'hospitals' are a type of 'health service facility' under the Standard Instrument Local Environmental Plan.</i></p>
<b>Existing situation</b>	<p><b>Gloucester &amp; Great Lakes LEPs</b> – Hospitals are zoned SP2 Infrastructure.</p> <p><b>Greater Taree LEP</b> – Hospitals have been zoned SP2 Infrastructure except for the Wingham Community Hospital which is zoned R1 General Residential.</p>
<b>Additional notes</b>	PN 10 – 001 states: Major state infrastructure on large sites may be zoned SP2 Infrastructure, including major hospitals.
<b>Category</b>	Hospitals will be categorised as 'Health Service Facility'
<b>Consolidation Principle/s</b>	<p>Principle 1 - Acknowledge diversity and local character</p> <p>Principle 2 – Consistency with State</p>
<b>RECOMMENDATION</b>	<b>Hospitals will be zoned SP2 Infrastructure</b>
<b>Justification</b>	<p>For consistency across the MidCoast, all hospitals will be zoned SP2 Infrastructure.</p> <p>This recommendation is generally consistent with PN 10-001 and will ensure land use certainty for surrounding landowners.</p>

**Table 10: Educational establishments - zoning recommendation**

	Education establishments
<b>Definition</b>	<p><b>Educational establishment</b> means a building or place used for education (including teaching), being:</p> <p>(a) a school, or</p> <p>(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.</p>
<b>Existing situation</b>	<p><b>Gloucester &amp; Great Lakes LEP</b> – Education establishments have predominately been zoned the same as the surrounding zone.</p> <p><b>Greater Taree LEP</b> – Education establishments have predominately been zoned the same as the surrounding zone except for Taree TAFE College which is zoned SP2 Infrastructure.</p>
<b>Additional notes</b>	Public schools are permitted within residential and business zones under the SEPP.
<b>Category</b>	Category to be used is 'Education establishment'
<b>LEP Consolidation Principle/s</b>	<p>Principle 1 – Acknowledge diversity and local character</p> <p>Principle 2 – Consistency with State</p>
<b>RECOMMENDATION</b>	<ol style="list-style-type: none"> <li><i>1. Education establishments will be zoned the same as the surrounding zone.</i></li> <li><i>2. Taree and Great Lakes TAFE will be zoned SP2 Infrastructure.</i></li> <li><i>3. Minor boundary adjustments to the SP2 Infrastructure zone at Taree TAFE will be undertaken to more closely reflect built form on the site.</i></li> </ol>
<b>Justification</b>	<p>This recommendation is consistent with PN 10-001 which states that schools should be zoned the same as the surrounding zone.</p> <p>PN 10-001 states that the SP2 Infrastructure Zone would be suitable for TAFEs and schools considered to be of regional significance.</p> <p>Council considers that both Great Lakes and Taree TAFE are significant to the region (i.e. significant educational establishments servicing large regions) and therefore is recommending both sites be zoned SP2 Infrastructure.</p> <p>This recommendation represents a zoning change to Great Lakes TAFE which is currently zoned R2 Low Density Residential.</p>

**Table 11: Cemeteries - zoning recommendation**

	Cemeteries
<b>Definition</b>	<b>Cemetery</b> means a building or place used primarily for the interment of deceased persons or pets or their ashes, whether or not it contains an associated building for conducting memorial services.
<b>Existing situation</b>	<p><b>Gloucester LEP</b> – Two public cemeteries in the Gloucester region have been zoned SP1 Special Activities.</p> <p><b>Great Lakes &amp; Greater Taree LEPs</b> – Public cemeteries have been zoned the same as the surrounding zone.</p>
<b>Additional notes</b>	PN 10 – 001 states: If currently zoned for a special use, cemeteries should remain in the SP2 Infrastructure zone.
<b>Category</b>	Category to be used is 'Cemetery'
<b>LEP Consolidation Principle/s</b>	<p>Principle 1 - Acknowledge diversity and local character</p> <p>Principle 2 – Consistency with State</p>
<b>RECOMMENDATION</b>	<p><i>1. Public cemeteries will be zoned SP2 Infrastructure</i></p> <p><i>2. That part of Manning Great Lakes Memorial Gardens (crematorium and private cemetery) currently zoned RU1 Primary Production will be zoned SP2 Infrastructure</i></p>
<b>Justification</b>	<p>Cemeteries are unlikely to be used for a different purpose in the future and therefore the SP2 Infrastructure is considered appropriate.</p> <p>The SP2 Infrastructure Zone is proposed for the Manning Great Lakes Memorial Gardens to ensure the infrastructure is protected. It will also ensure land use certainty for existing and future surrounding landowners.</p>

**Table 12: Sewage systems - zoning recommendation**

	Sewage systems
<b>Definition</b>	<p><b>Sewage system</b> means any of the following</p> <ul style="list-style-type: none"> <li>(a) biosolids treatment facility,</li> <li>(b) sewage reticulation system,</li> <li>(c) sewage treatment plant,</li> <li>(d) water recycling facility,</li> <li>(e) a building or place that is a combination of any of the things referred to in paragraphs (a)–(d).</li> </ul>
<b>Existing situation</b>	<p><b>Gloucester LEP</b> – Smaller sewage systems have generally been zoned the same as the surrounding zone while one larger sewage system in Gloucester is zoned SP2 Infrastructure.</p> <p><b>Great Lakes LEP</b> – Sewage systems have generally been zoned SP2 Infrastructure.</p> <p><b>Greater Taree LEP</b> – Sewage systems have been zoned the same as the surrounding zone except for the sewage system at Old Bar which has been zoned SP2 Infrastructure.</p>
<b>Additional notes</b>	PN 10 – 001 states: Infrastructure land that is highly unlikely to be used for a different purpose in the future, such as sewage systems, should be zoned special purpose.
<b>Category</b>	Category to be used is 'Sewage system'
<b>LEP Consolidation Principle/s</b>	Principle 2 – Consistency with State
<b>RECOMMENDATION</b>	<ol style="list-style-type: none"> <li>1. <i>Sewage systems that require buffers to sensitive land uses i.e residential land will be zoned SP2 Infrastructure.</i></li> <li>2. <i>Sewage systems that do not require buffers will be zoned the same as the surrounding zone.</i></li> </ol>
<b>Justification</b>	<p>This type of infrastructure is unlikely to be used for a different purpose in the future, therefore the SP2 Infrastructure Zone is considered appropriate.</p> <p>The SP2 Infrastructure Zone will also provide land use certainty for existing and future surrounding landowners. It will also provide protection from development which may be incompatible with this use.</p>

**Table 13: Waste or resource management facilities - zoning recommendation**

	Waste or resource management facilities
<b>Definition</b>	<p><b>Waste or resource management facility</b> means any of the following:</p> <ul style="list-style-type: none"> <li>(a) a resource recovery facility,</li> <li>(b) a waste disposal facility,</li> <li>(c) a waste or resource transfer station,</li> <li>(d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).</li> </ul>
<b>Existing situation</b>	<p><b>Gloucester &amp; Great Lakes LEPs</b> – Waste or resource recovery facilities are zoned SP2 Infrastructure.</p> <p><b>Greater Taree LEP</b> – Waste or resource recovery facilities are zoned SP2 Infrastructure except for the Bucketts Way Waste Management Facility which is zoned RU1 Primary Production.</p>
<b>Additional notes</b>	PN 10 – 001 states: If currently zoned ‘special use’, the following infrastructure land should remain zoned for a ‘special purpose’: waste disposal or landfill sites.
<b>Category</b>	Category to be used is ‘Waste or resource management facility’
<b>LEP Consolidation Principle/s</b>	Principle 2 – Consistency with State
<b>RECOMMENDATION</b>	<b>Waste or resource management facilities will be zoned SP2 Infrastructure</b>
<b>Justification</b>	<p>This type of infrastructure is unlikely to be used for a different purpose in the future, therefore the SP2 Infrastructure Zone is considered appropriate.</p> <p>The SP2 Infrastructure Zone will also provide land use certainty for existing and future surrounding landowners. It will also provide protection from development which may be incompatible with this use.</p>

**Table14: Water supply systems - zoning recommendation**

	Water supply systems
<b>Definition</b>	<p><b>Water supply system</b> means any of the following:</p> <ul style="list-style-type: none"> <li>(a) a water reticulation system,</li> <li>(b) a water storage facility,</li> <li>(c) a water treatment facility,</li> <li>(d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).</li> </ul>
<b>Existing situation</b>	<p><b>Gloucester and Great Lakes LEPs</b> – Water supply systems have generally been zoned SP2 Infrastructure.</p> <p><b>Greater Taree LEP</b> – Water supply systems have been zoned the same as the surrounding zone except for Bootawa Dam, which has been zoned SP2 Infrastructure.</p>
<b>Additional notes</b>	PN 10 – 001 states: Major state infrastructure on large sites may be zoned SP2 Infrastructure e.g. dams.
<b>Category</b>	Category to be used is 'Water supply system'.
<b>LEP Consolidation Principle/s</b>	Principle 2 – Consistency with State
<b>RECOMMENDATION</b>	<ol style="list-style-type: none"> <li>1. <i>Water treatment facilities will be zoned SP2 Infrastructure.</i></li> <li>2. <i>Water storage facilities will be zoned the same as the surrounding zone.</i></li> </ol>
<b>Justification</b>	<p>Larger water supply systems (also known as water treatment plants) such as Bootawa Dam and the Tea Gardens Water Treatment Plant, should be zoned SP2 Infrastructure which is consistent with PN 10–001.</p> <p>It is considered appropriate to zone smaller water supply systems the same as the surrounding zone. This will ensure the land can be used for other purposes in the future if the infrastructure use becomes redundant.</p>



**Table 15: Electricity generating works - zoning recommendation**

	Electricity generating works
<b>Definition</b>	<b>Electricity generating works</b> means a building or place used for the purpose of making or generating electricity.
<b>Existing situation</b>	<b>Gloucester, Great Lakes and Grater Taree LEPs</b> – Electricity generating works have generally been zoned the same as the surrounding zone except for a 'substation' in Gloucester which is zoned SP1 Special Activities.
<b>Additional notes</b>	The SEPP applies equally to private or public electricity generating works. PN 10 – 001 states: For infrastructure or services prescribed in all zones and those currently zoned 'special use' (e.g. roads, railway lines, substations, pipelines etc.), the appropriate adjacent land zone should generally be used.
<b>Category</b>	Category to be used is 'Electricity generating works'
<b>LEP Consolidation Principle/s</b>	Principle 1 – Acknowledge diversity and local character
<b>RECOMMENDATION</b>	<ol style="list-style-type: none"> <li><i>1. Large electricity generating works within urban areas will be zoned SP2 Infrastructure</i></li> <li><i>2. Small electricity generating works will be zoned the same as the surrounding zone.</i></li> </ol>
<b>Justification</b>	<p>The recommendation for electricity generating works is not wholly consistent with PN 10-001 which states that the surrounding zone should generally be used for this type of infrastructure.</p> <p>However, for larger electricity generating works, within urban settlement boundaries the SP2 Infrastructure Zone is considered appropriate as it will ensure land use certainty for existing and future surrounding landowners. It will also ensure the infrastructure is protected from future development which may result in land use conflict.</p> <p>Generally electricity generating works outside of urban settlement boundaries will remain in their existing land use zone. This approach has been taken due to the difficulty in locating this type of infrastructure. For example; many electricity generating works, particularly smaller ones, are located within larger land parcels in state forests and national parks. This makes it difficult to precisely record their location and show them accurately on land use zoning maps.</p>

**Table 16: Land reservation acquisition layer - zoning recommendation**

	Land identified in the Land Reservation Acquisition map layer
<b>Definition</b>	Land shown on the 'Land Reservation Acquisition' map layer within an LEP is land that may be acquired by an authority of the State.
<b>Existing situation</b>	<b>Gloucester, Great Lakes and Greater Taree LEPs</b> – various lands are identified in the Land reservation acquisition layers in each of the three local environmental plans.
<b>Additional notes</b>	Land use certainty is needed for land identified in the Land Reservation Acquisition layer.
<b>Category</b>	The category to be used will be dependent on the future proposed use.
<b>LEP Consolidation Principle/s</b>	Principle 1 - Acknowledge diversity and local character Principle 4 – Council Strategies
<b>RECOMMENDATION</b>	<ol style="list-style-type: none"> <li><i>1. Land in the Land Reservation Acquisition layer that is not owned by the relevant acquiring authority and is required for infrastructure, should be zoned SP2 Infrastructure</i></li> <li><i>2. Land in the Land Reservation Acquisition layer that is not owned by the relevant acquiring authority and is not required for infrastructure, should be zoned according to the future use where appropriate</i></li> </ol>
<b>Justification</b>	Rezoning land in the Land Reservation Acquisition layer in accordance with future proposed use (infrastructure or otherwise) is consistent with state guidelines and will provide land use certainty for landowners and the community.

## General

### SP1 Special Activities Zone

The SP1 Special Activities Zone is used in the Gloucester LEP only. It has been applied to the Gloucester Motor Inn, Gloucester Caravan Park, Gloucester Cemetery and Stratford Cemetery.

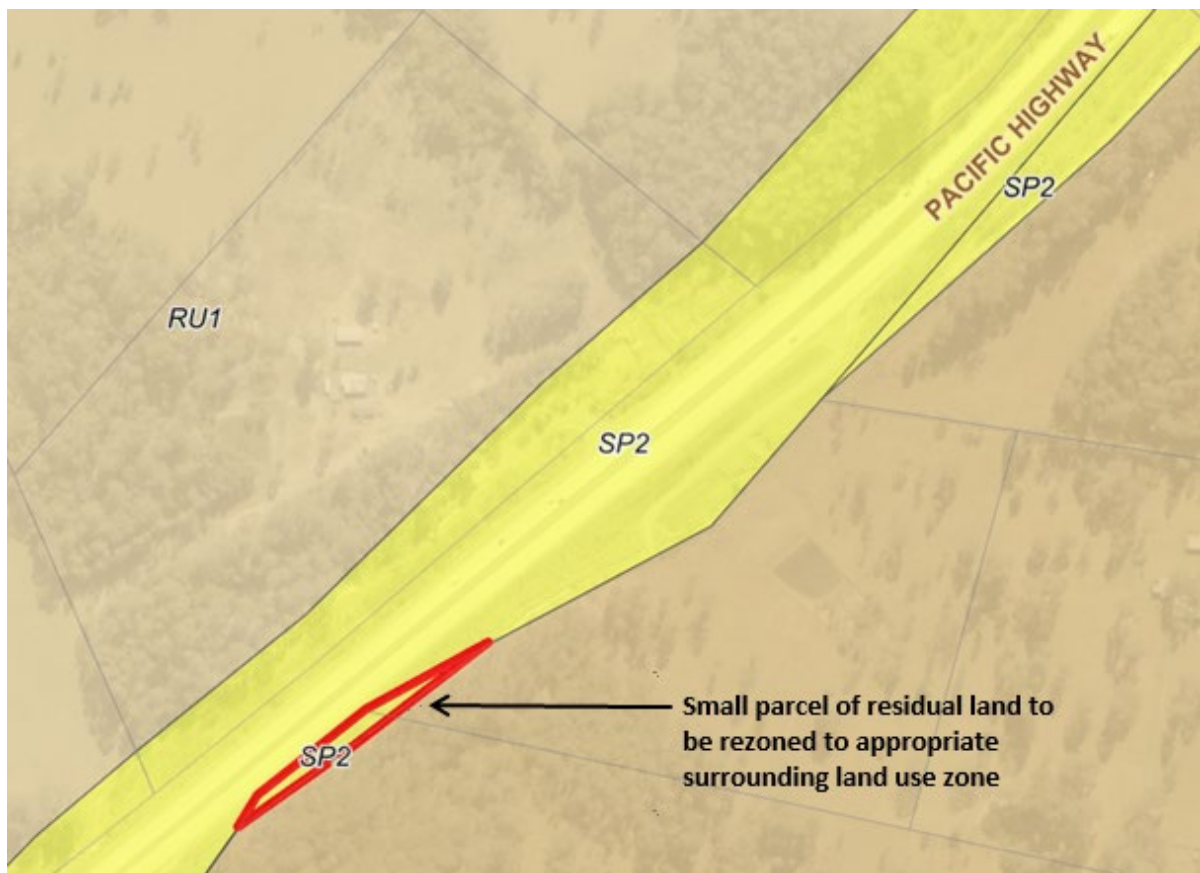
State guidelines indicate that the SP1 Special Activities Zone should be used for land uses or sites with special characteristics that cannot be accommodated in other zones. Some examples of where this zone may be suitable include land on which there is, or is proposed to be, a large complex such as a major scientific research facility or an international sporting facility.

It is proposed to rezone those land parcels currently zoned SP1 Special Activities to either the SP2 Infrastructure Zone, an appropriate surrounding zone or other zone that is consistent with the existing and/or predominant land use.

Once these parcels of land have been rezoned, it will no longer be necessary to maintain the SP1 Special Activities Zone in a consolidated MidCoast LEP.

### Residual land

Realignment of the Pacific Highway and North Coast Railway, in some cases, has resulted in small parcels of incorrectly zoned residual land as shown below in **Figure 17**.



**Figure 17: Example of incorrectly zoned residual land**

Where realignment of infrastructure on the ground has occurred resulting in incorrectly zoned parcels of residual land that land will be rezoned to the most appropriate surrounding land

use zone where rezoning will not affect the existing development potential of the land. This will occur across the MidCoast wherever possible in consultation with the relevant infrastructure providers.

## Infrastructure naming categories

Within the MidCoast LEP all land zoned SP2 Infrastructure will be categorised and labelled on Land Zoning maps. The Infrastructure Category used will be in accordance with definitions in SEPP (Transport and Infrastructure) or Standard Instrument LEP as recommended by PN 10-001.

## 5 Consultation

The Infrastructure Zone Review was put out for community consultation along with the Recreation Zone Review and draft Rural Strategy, as part of consultations on the 'Know Your Rural Zone' project.

The Know Your Rural Zone consultation was undertaken from 30 August 2021 until 28 January 2022. It involved community conversations on future planning controls that would apply to the rural areas of the MidCoast.

The Know Your Rural Zone Consultation Strategy originally outlined a minimum eight-week period for people to provide feedback. However, it was identified early in the engagement period that over 70% of enquiries and submissions had been from owners of paper subdivisions. Due to the high level of interest regarding specific key area, as well as Covid-19 restrictions, a decision was made to extend the engagement period by an additional 14 weeks, to a total of 22 weeks.

During consultations we got the word out through 6 feature advertisements, 3 media releases, 2 radio interviews along with producing fact sheets, posters and distributing letters to over 3 500 landholders. We got a lot of feedback by talking with 587 community members, answering 293 email enquiries and having 13 face to face sessions with 125 attendees. Specifically, we answered 674 enquires with non-urban landholders including many from North Arm Cove. In total we received 431 submissions on Know Your Zone project which are currently being considered.

## 6 Recommendations

There are a number of inconsistencies in the way infrastructure has been zoned and categorised under the existing Gloucester, Great Lakes and Greater Taree LEPs. However, where infrastructure has been zoned, the SP2 Infrastructure Zone has predominately been used.

Under a consolidated MidCoast LEP, infrastructure is to be zoned generally in accordance with the principles in this Review.

### Land use zones

In accordance with state zoning recommendations for infrastructure and for consistency across the MidCoast, it is recommended that the SP2 Infrastructure Zone be applied to significant infrastructure that is unlikely to be used for a different purpose in the future.

The SP1 Special Activities Zone will not be used as the MidCoast does not currently have any land uses that should be accommodated in this zone. Council can revisit the use of the SP1 Special Activities Zone at any time if required.

### Infrastructure

To provide land use certainty, railways, significant state and regional roads, sewage systems, waste management facilities and airports will be included in the SP2 Infrastructure Zone where they are not already.

Public cemeteries will be zoned SP2 Infrastructure due to the limited potential for these sites to be used for a different purpose in the future.

The SP2 Infrastructure Zone will also provide land use certainty and protection for hospitals and larger educational establishments such as Great Lakes and Taree TAFE. Smaller educational establishments such as schools will remain within an appropriate surrounding zone.

Larger water supply systems such as Bootawa Dam will be zoned SP2 Infrastructure, while smaller water supply systems such as reservoirs will remain within an appropriate surrounding zone.

Larger electricity generating works within urban areas will be zoned SP2 Infrastructure. Smaller electricity generating works will remain in the surrounding zone.

Land required for significant infrastructure and identified in the Land Reservation Acquisition map layer that is not owned by the relevant acquiring authority, will be zoned SP2 Infrastructure.

Zoning recommendations for site specific sites that do not fall into the broad infrastructure groups outlined, are based on best practice state zoning guidelines.

### Category

It is recommended that infrastructure be categorised and marked on Land Zoning Maps in accordance with definitions contained in the SEPP.

Recommendations within this report are generally consistent with state guidelines for the zoning of infrastructure lands and will provide a clear, consistent approach to zoning infrastructure under a new MidCoast LEP.

### Next steps

It is proposed that the SP2 Infrastructure Zone be incorporated into the MidCoast LEP in accordance with the principles outlined in this Review. Where there is any inconsistency between the Review and the SEPP, the SEPP will apply.

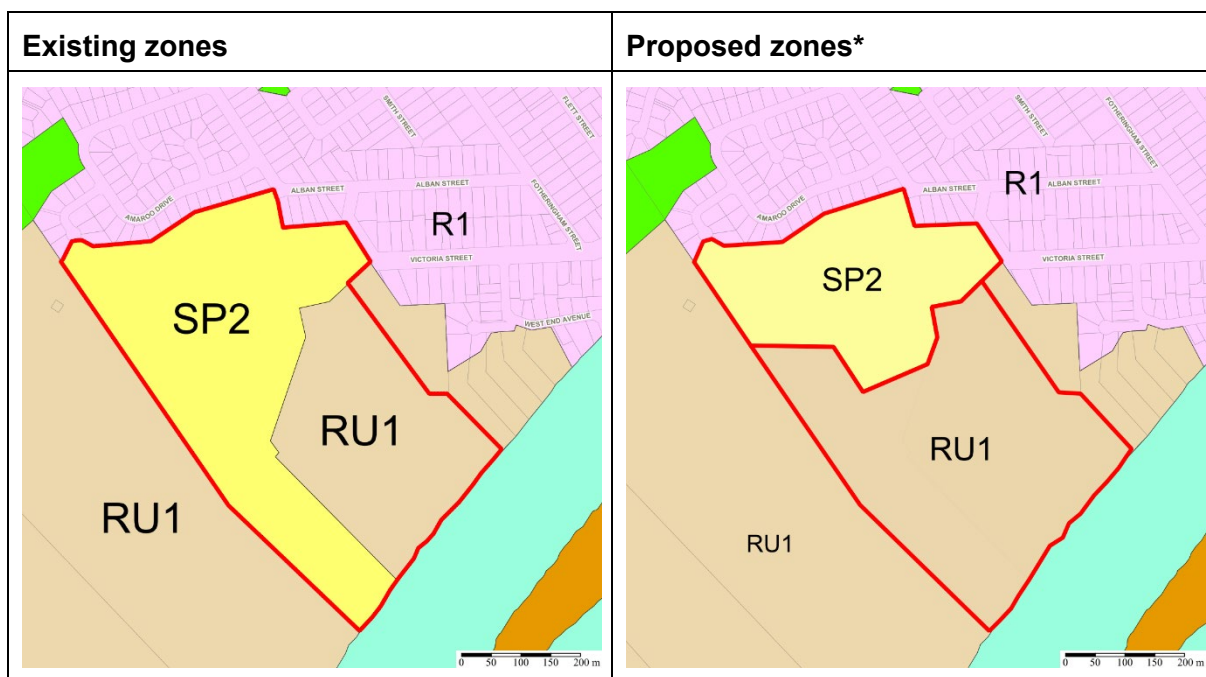
## Appendix A – Site specific rezoning recommendations

The following provides zoning recommendations for specific sites in the MidCoast. These sites were identified during the preparation of the Review and as part of community consultation for the Housing and Rural Strategies.



## Taree TAFE - Montgomery Crescent, Taree

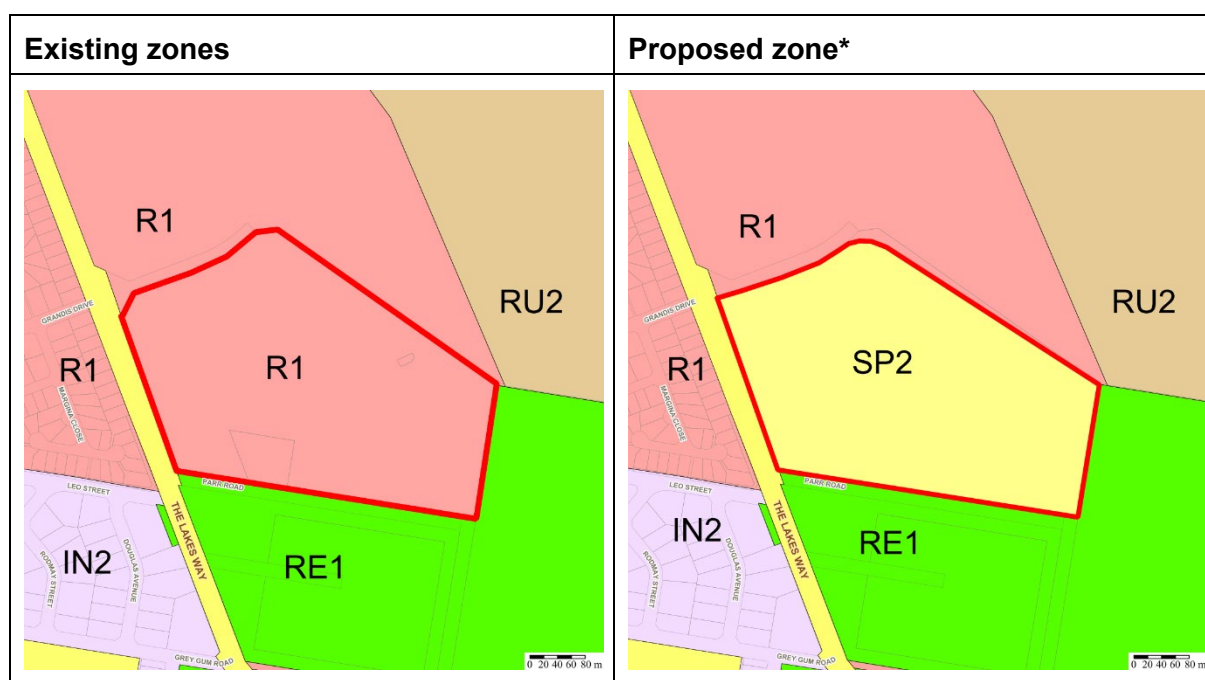
<b>Current land use</b>	Taree TAFE
<b>Lot and DP</b>	Lot 1 DP 1011229
<b>Infrastructure category proposed</b>	Category to be used is 'Educational Establishment'
<b>Land area (ha)</b>	25 ha
<b>Existing zone</b>	Part SP2 Infrastructure part RU1 Primary Production
<b>Proposed zone</b>	Part SP2 Infrastructure part RU1 Primary Production (see adjusted boundary below)
<b>Justification</b>	<p>Taree TAFE is considered to be a strategic site for the following reasons:</p> <ul style="list-style-type: none"> <li>• it is larger than 20 hectares; and</li> <li>• it provides services to a large region</li> </ul> <p>On this basis, the SP2 Infrastructure Zone is considered appropriate. The boundary of the SP2 Infrastructure Zone has been slightly changed to more closely align with built form over the site.</p> <p>The proposed rezoning is consistent with PN 10-001.</p>



*\*Proposed zone is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in on our Future project.*

## Great Lakes College and TAFE - The Lakes Way, Tuncurry

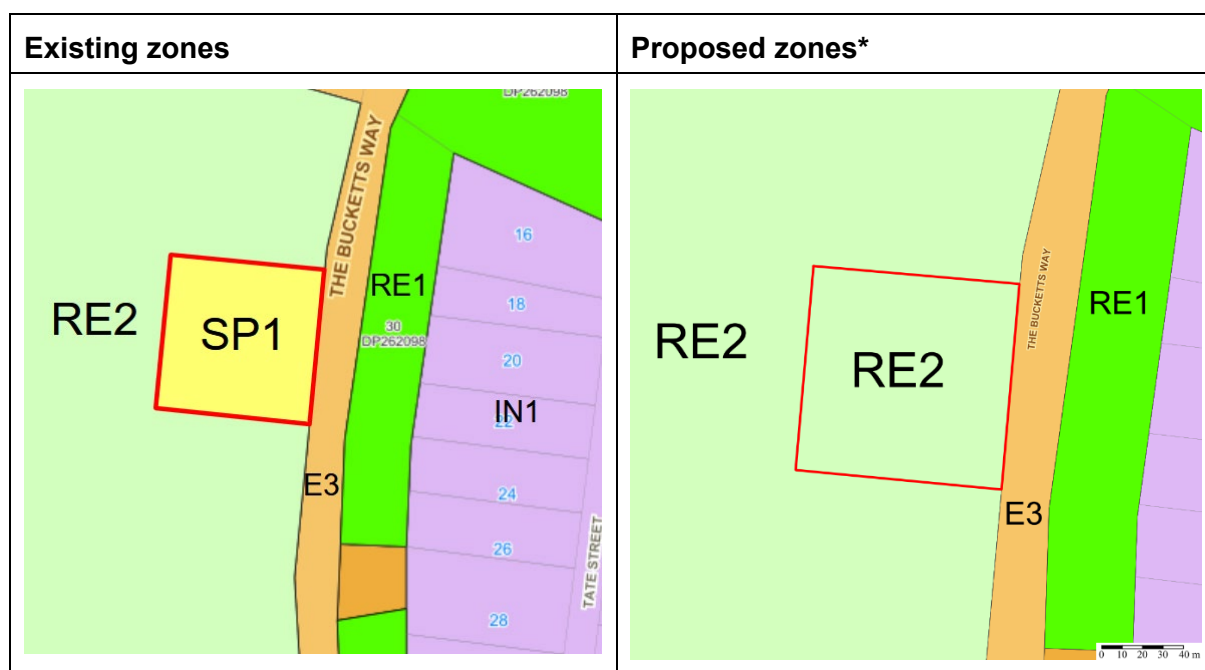
Current land use	TAFE and Great Lakes College
Lot and DP	Lot 1 DP 1180218
Infrastructure category proposed	Category to be used is 'Educational Establishment'
Land area (ha)	14.8 ha
Existing zone	R2 Low Density Residential
Proposed zone	SP2 Infrastructure
Justification	<p>The proposed rezoning is consistent with PN 10-001 as the site is of importance to the Forster Tuncurry region. It also provides a number of facilities that can be used by the surrounding community e.g. Aboriginal learner support centre.</p> <p>The proposed rezoning for Tuncurry TAFE and Great Lakes College is also consistent with zoning recommendations for Taree TAFE.</p>



*\*Proposed zone is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in on our Future project*

## Gloucester Country Lodge - The Bucketts Way – Gloucester

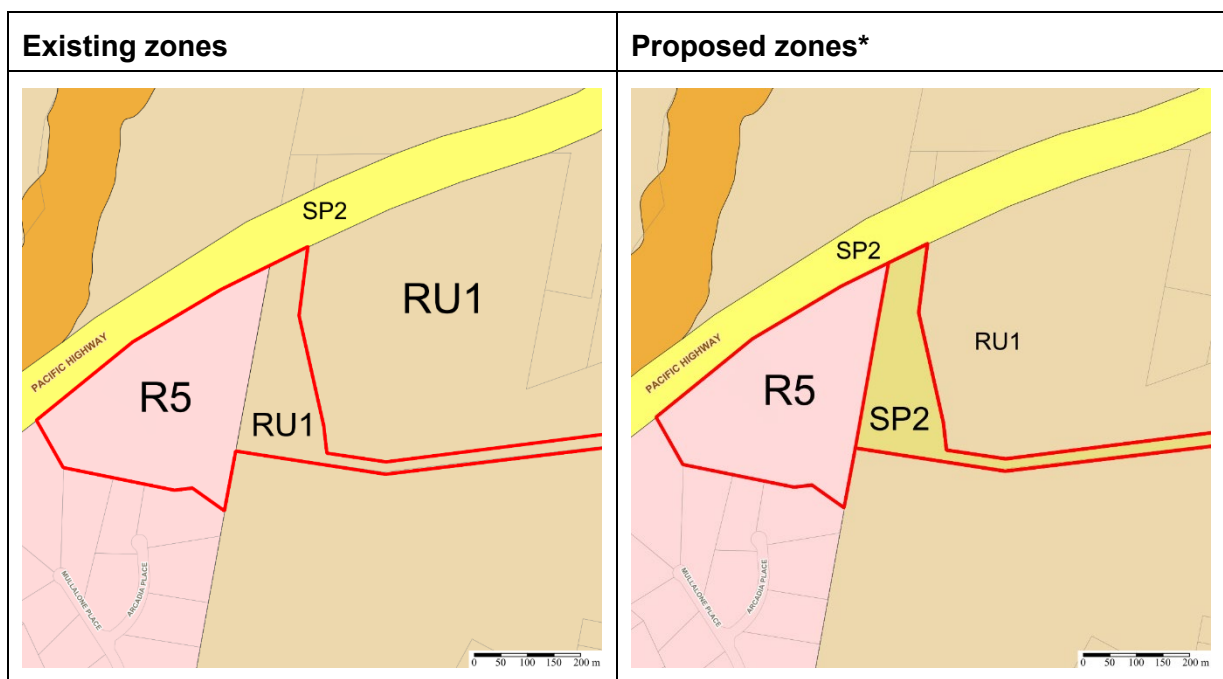
<b>Current land use</b>	Gloucester Country Lodge Motel
<b>Lot and DP</b>	Lot: 4 DP 625997
<b>Infrastructure category proposed</b>	n/a
<b>Land area (ha)</b>	1 ha
<b>Existing zone</b>	SP1 Special Activities
<b>Proposed zone</b>	RE2 Private Recreation
<b>Justification</b>	<p>The SP1 Special Activities Zone is not an appropriate land use zone for the Gloucester Country Lodge. It is recommended that the site be rezoned to an appropriate surrounding land use zone, at the time of writing this is the RE2 Private Recreation Zone.</p> <p>Rezoning this site to RE2 Private Recreation will ensure consistency with the surrounding zone. The existing and predominant land use on the site is to be permitted in this zone at the time of drafting, in accordance with the Recreation Zone Review.</p>



*\*Proposed zone is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in on our Future project.*

## Memorial Gardens - Pampoolah Road, Old Bar

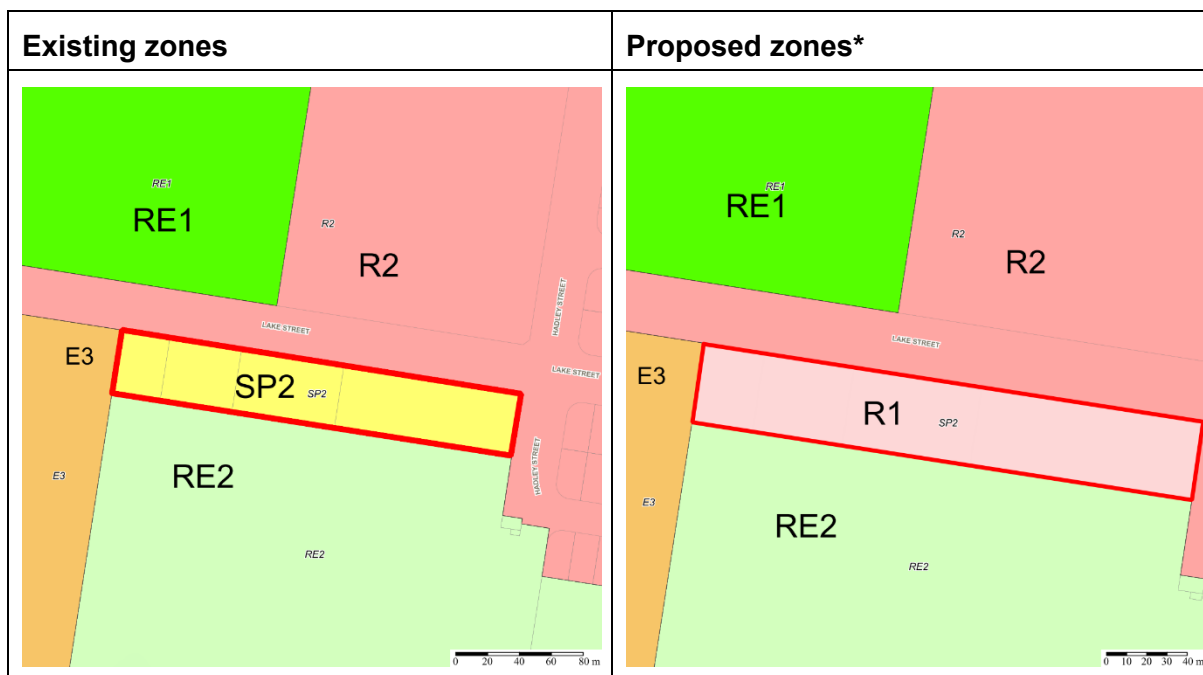
<b>Current land use</b>	Memorial Gardens
<b>Lot and DP</b>	Lot 111 DP 877062
<b>Infrastructure category proposed</b>	Category to be used is 'Cemetery and crematorium'
<b>Land area (ha)</b>	15.37 ha
<b>Existing zone</b>	Part R5 Large Lot Residential and part RU1 Primary Production
<b>Proposed zone</b>	Part R5 Large Lot Residential and part SP2 Infrastructure
<b>Justification</b>	The SP2 Infrastructure Zone is proposed over part of the land zoned RU1 Primary Production to ensure land use certainty for existing and future surrounding landowners.



*\*Proposed zone change/s is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in on our Future project.*

## Various Land - Lake Street, Forster

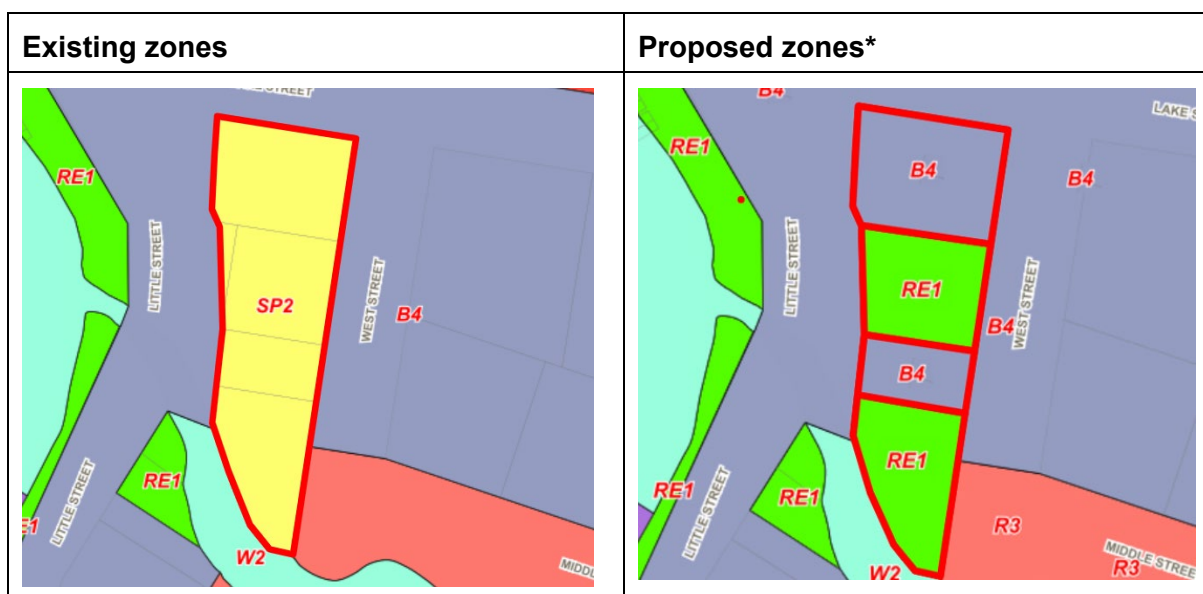
<b>Current land use/s</b>	Girl Guides hall, Great Lakes Childcare Centre, Art Society and Bridge Club.
<b>Lot and DP</b>	Lot 3 DP 1137318, Lot 481 and 482 DP 822663 and Lot 7075 DP 1000971
<b>Infrastructure category proposed</b>	n/a
<b>Land area (ha)</b>	1 ha
<b>Existing zone</b>	SP2 Infrastructure
<b>Proposed zone</b>	R1 General Residential Zone
<b>Justification</b>	<p>The SP2 Infrastructure Zone is not an appropriate zone for the uses in this location.</p> <p>After an audit of similar land uses in the MidCoast, a residential land use zone is proposed for these parcels.</p> <p>While the existing surrounding zone is R2 Low Density Residential, the Housing Strategy proposes the R1 General Residential Zone generally in this location.</p> <p>The existing uses can continue within this zone. Existing land uses for the purpose of road maintenance can continue under SEPP (Transport and Infrastructure).</p>



*\*Proposed zone change/s is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in on our Future project.*

## Various Land - Little Street, Forster

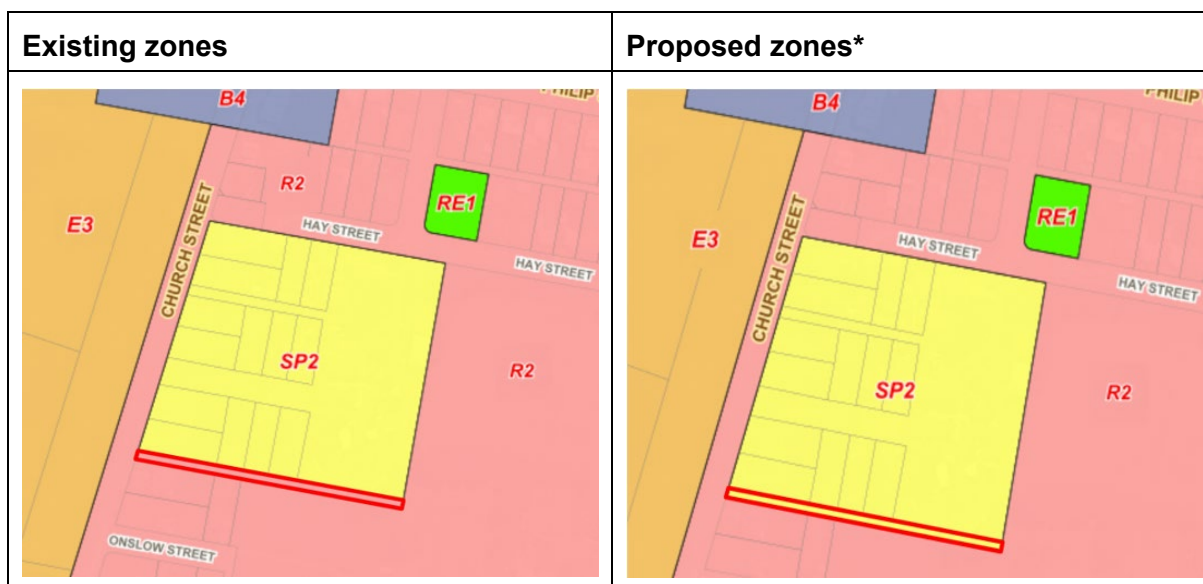
Current land use/s	Police Station and Court House, Visitor Information Centre, Forster Neighbourhood Centre (CWA Rooms).
Lot and DP	Pt Lot 1 and Lot 2 Sec 12 DP 758422, Lot 2 and 3 Sec 12 DP 758422 and Pt Lot 4 DP 1141462.
Infrastructure category proposed	n/a
Land area (ha)	0.64 ha
Existing zone	SP2 Infrastructure
Proposed zone	B4 Mixed Use and RE1 Public Recreation zone.
Justification	<p>It is recommended that the police station (lockup and courthouse) and the existing visitor information centre be rezoned to the most appropriate surrounding land use zone, which at the time of writing is the B4 Mixed Use Zone.</p> <p>The RE1 Public Recreation Zone is proposed for the former School of Arts site to reflect the primary use as a park.</p> <p>The Forster Neighbourhood Centre (CWA) is in public ownership and is used for community purposes. The RE1 Public Recreation Zone is considered appropriate in this regard.</p>



\*Proposed zone change/s is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in our Future project.

## Gloucester Hospital – Additional Land

Current land use	Strip of land to the south of Gloucester Hospital
Lot and DP	Lot 1 DP198145
Infrastructure category proposed	Health Service Facility
Land area (ha)	0.13 ha
Existing zone	R2 Low Density Residential Zone
Proposed zone	SP2 Infrastructure Zone
Justification	This strip of land forms part of the hospital and therefore should be included in the SP2 Infrastructure Zone.

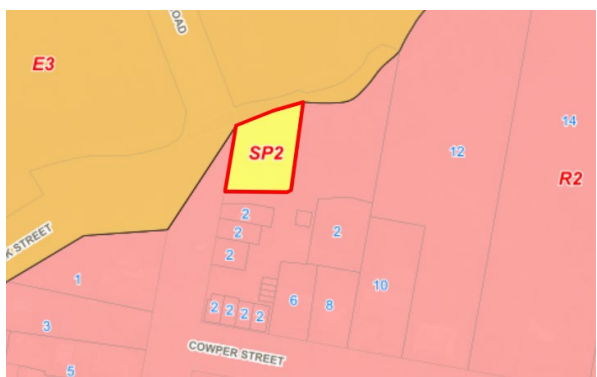
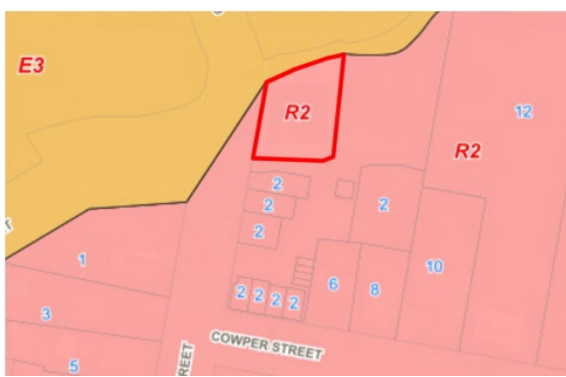


\*Proposed zone change/s is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in on our Future project.



## Church Street Sewage Reticulation System, Gloucester

Description	Church Street Sewage Reticulation System
Lot and DP	Lot 41 DP732553
Infrastructure category proposed	n/a
Land area (ha)	0.09 ha
Existing zone	SP2 Infrastructure
Proposed zone	R2 Low Density Residential
Justification	To ensure consistency across the MidCoast.

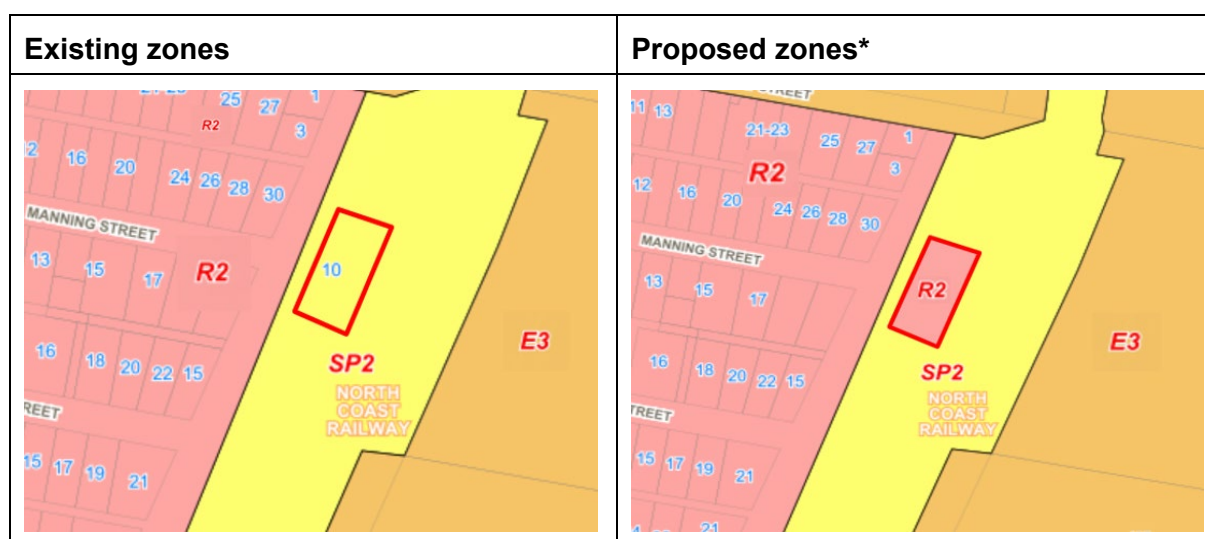
Existing zones	Proposed zones*
 <p>The map shows the existing zoning for the Church Street Sewage Reticulation System. The area is primarily zoned SP2 Infrastructure (yellow). Surrounding areas include E3 (orange) to the north and R2 (pink) to the east and south. The site is located on the corner of Church Street and Cowper Street. The SP2 zone is highlighted with a red outline.</p>	 <p>The map shows the proposed zoning for the Church Street Sewage Reticulation System. The area is primarily zoned R2 Low Density Residential (pink). Surrounding areas include E3 (orange) to the north and R2 (pink) to the east and south. The site is located on the corner of Church Street and Cowper Street. The R2 zone is highlighted with a red outline.</p>

*\*Proposed zone change/s is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in on our Future project.*



## 10 Northgate Street, Gloucester

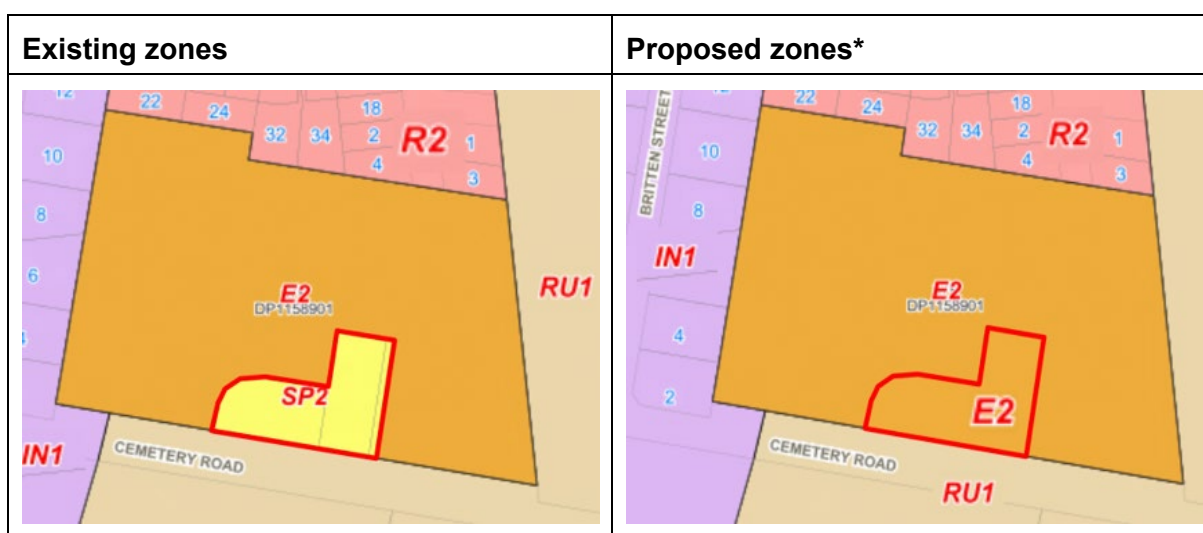
<b>Description</b>	10 Northgate Street Gloucester. Privately owned land parcel adjacent to railway
<b>Lot and DP</b>	Lot 1 DP807280
<b>Infrastructure category proposed</b>	n/a
<b>Land area (ha)</b>	0.26 ha
<b>Existing zone</b>	SP2 Infrastructure
<b>Proposed zone</b>	R2 Low Density Residential
<b>Justification</b>	This is a privately owned lot. The R2 Low Density Residential Zone is proposed to reflect dwelling in private ownership.



*\*Proposed zone change/s is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in our Future project.*

## Cemetery Road Water Reservoir, Gloucester

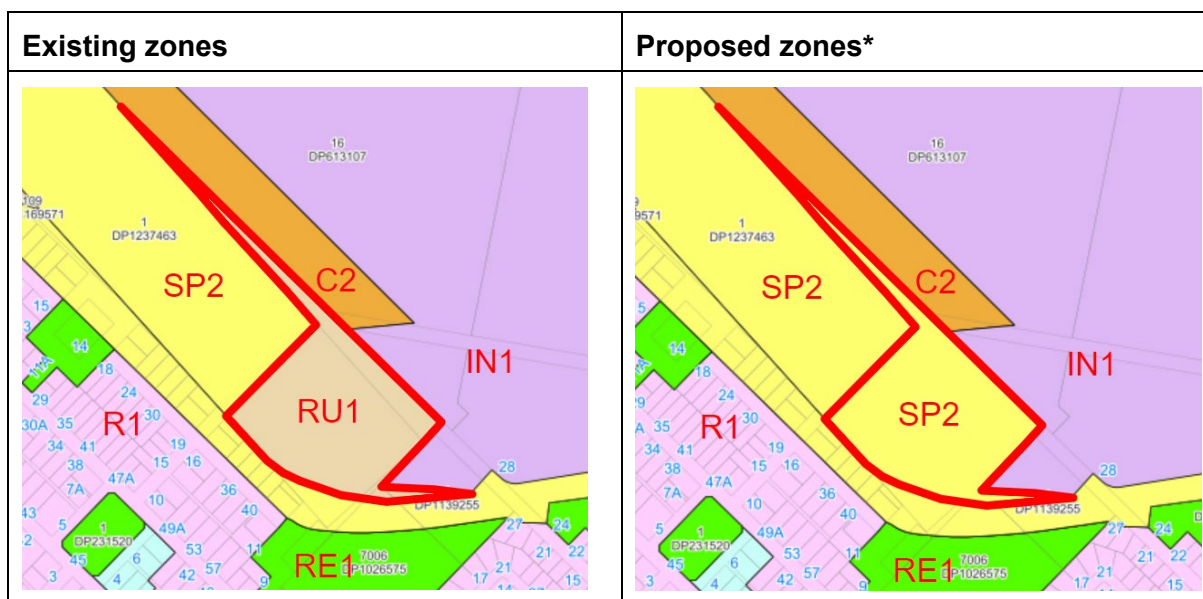
<b>Description</b>	Cemetery Road Water Reservoir
<b>Lot and DP</b>	Part Lot 379 DP1158901 and Lot 378 DP1158901
<b>Infrastructure category proposed</b>	n/a
<b>Land area (ha)</b>	0.49 ha
<b>Existing zone</b>	SP2 Infrastructure
<b>Proposed zone</b>	C2 Environmental Conservation
<b>Justification</b>	Smaller water supply systems are to be included in the surrounding zone. To ensure consistency across the MidCoast the site is to be included in the surrounding E2 Environmental Conservation zone.



\*Proposed zone change/s is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in on our Future project.

## Taree Airport – Various Land

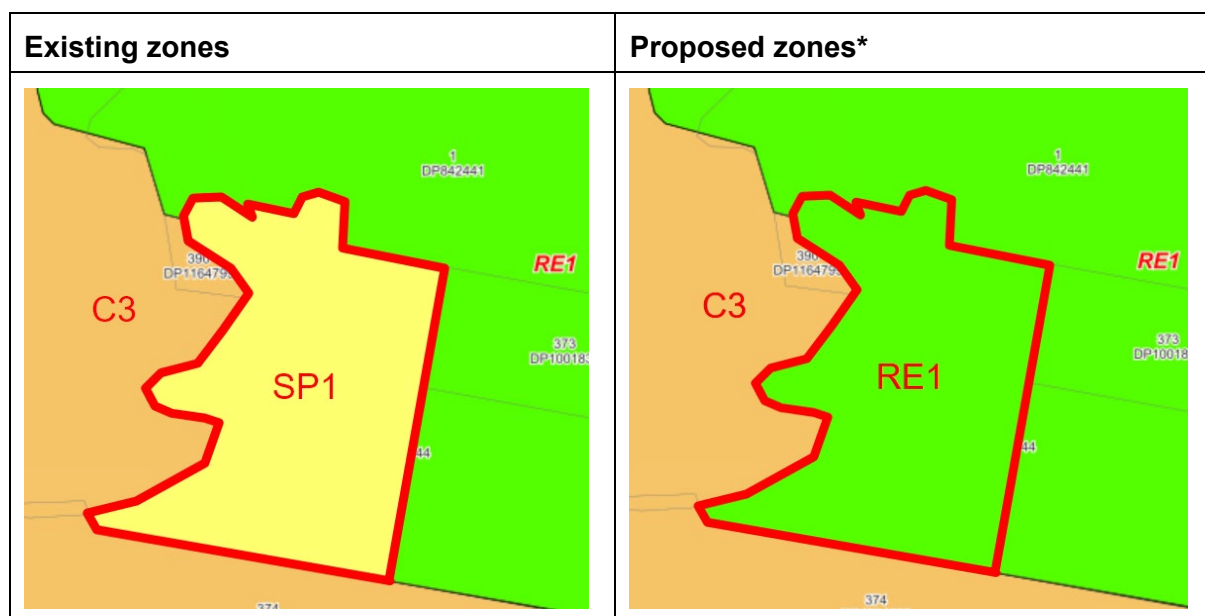
<b>Description</b>	Various land adjoining Taree Airport
<b>Lot and DP</b>	Part Lot 1 DP1237463 and small sections of adjoining land zoned RU1 Primary Production
<b>Infrastructure category proposed</b>	Airport
<b>Land area (ha)</b>	4.9 ha
<b>Existing zone</b>	RU1 Primary Production
<b>Proposed zone</b>	SP2 Infrastructure
<b>Justification</b>	The land is owned by Council, Transport for NSW and includes some areas of road reserve. The land is intended for future use as part of the Taree Airport and Cundletown bypass.



*\*Proposed zone change/s is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in on our Future project.*

## Gloucester Holiday Park

<b>Current land use/s</b>	Gloucester Holiday (Caravan) Park
<b>Lot and DP</b>	Part Lot 1 DP564844, part Lot 1 DP842441, part Lot 80 DP1279196 (small part only) and unidentified lot containing power lines crossing river.
<b>Infrastructure category proposed</b>	n/a
<b>Land area (ha)</b>	5.5ha
<b>Existing zone</b>	SP1 Special Purpose
<b>Proposed zone</b>	RE1 Public Recreation
<b>Justification</b>	<p>The Gloucester Caravan Park, owned by Council, is currently zoned SP1 Special Activities. This zone should be used for land uses or sites with special characteristics that cannot be accommodated in other zones. The SP1 Special Activities is not an appropriate zone for this land.</p> <p>The Recreation Zone Review which forms part of the Zoning in on our Future Project, recommends that public caravan parks should be zoned RE1 Public Recreation. For consistency across the MidCoast, the Gloucester Caravan Park will be zoned RE1 Public Recreation in accordance with recommendations in the Recreation Zone Review.</p>



*\*Proposed zone change/s is for the land identified in red outline only. Changes to other zones on this map may occur as part of the Zoning in on our Future project.*

# Appendix C – LEP Practice Note: Zoning for Infrastructure



LEP practice note	
STANDARD INSTRUMENT FOR LEPS	
Local Planning	
Ref No.	PN 10-001 (supersedes and replaces PN 08-002)
Issued	14 December 2010
Date	PN 08-002; PS 09-011

## Zoning for Infrastructure in LEPs

The purpose of this practice note is to provide guidance to councils on zoning public infrastructure land in standard instrument local environmental plans. It supersedes and replaces the previous LEP Practice Note on this subject [LEP PN 08-002]. It also updates the information provided for Special Purpose 'SP' zones in PN 06-002.

### Introduction

State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) was introduced to facilitate the delivery of infrastructure across NSW by improving regulatory certainty and efficiency.

The Infrastructure SEPP, which came into effect on 1 January 2008, has specific planning provisions and development controls for 25 types (sectors) of infrastructure:

- air transport facilities
- correctional centres
- educational establishments
- electricity generating works
- electricity transmission and distribution
- emergency services facilities
- flood mitigation and bushfire hazard reduction
- forestry activities
- gas transmission and distribution
- health services facilities
- housing and group homes
- parks and other public reserves
- port, wharf and boating facilities
- public administration buildings
- rail infrastructure facilities
- research stations
- road and traffic facilities
- sewerage systems
- soil conservation works
- stormwater management systems
- telecommunications networks
- travelling stock reserves
- waste or resource management facilities

- water supply systems
- waterway or foreshore management activities.

### Zoning public infrastructure

To complement the provisions of the Infrastructure SEPP, this practice note provides advice on zoning public infrastructure land when a council is preparing a local environmental plan (LEP).

A number of approaches have previously been taken in zoning infrastructure land in LEPs. These zoning methods often restricted new infrastructure developments, redevelopment of sites for alternative uses or disposal of surplus public land.

The new zoning approach advocated here provides greater flexibility and adaptive management of land used for the provision of public or private infrastructure. It moves away from zoning infrastructure land as 'special use' or 'special purpose' zones, which previously limited the ability of infrastructure providers to respond to changing demographic trends and provide the public with infrastructure and services outside existing locations.

### Matters to consider upfront

Prior to zoning infrastructure land in new LEPs, the following steps should first be taken:

- Identify whether the infrastructure type is covered in the Infrastructure SEPP, including



whether the SEPP provisions are associated with public or private infrastructure.

- Identify whether the infrastructure is **currently operating** or is no longer used; whether the land is intended for other future infrastructure purposes or whether the land is now considered to be **surplus public land**.

The Infrastructure SEPP identifies the prescribed zones for various types of infrastructure. This should act as a guide when determining the choice of zone for particular uses.

Follow the principles for zoning infrastructure land in this practice note in *sequential* order, selecting the most appropriate principle for the land being zoned.

## Six principles for zoning infrastructure

The following principles should be followed when zoning infrastructure land in new LEPs.

1. Where the infrastructure type is permitted on all land in the Infrastructure SEPP:
  - future infrastructure may be placed in any zone
  - existing 'special use' zones should be rezoned the same as the adjacent zone
  - roads must be zoned.
2. Where the infrastructure type is only permitted in certain prescribed zones in the Infrastructure SEPP:
  - provide for future infrastructure in prescribed zones rather than special use zones
  - existing 'special use' zones should be rezoned the same as the adjacent land (if a prescribed zone)
  - rezone land SP2 Infrastructure, if there is no adjacent prescribed zone.
3. If currently zoned 'special use', the following infrastructure land should remain zoned for a 'special purpose':
  - special purposes such as cemeteries, sewage treatment plants, waste disposal or landfill sites (rezone as SP2 Infrastructure)
  - strategic sites (rezone as SP2 Infrastructure)
  - large complexes (rezone as SP1 Special Activities).

It is anticipated that only a minority of TAFEs and schools across NSW could be considered a 'strategic site', however, to

assist in the initial assessment the following criteria should be used:

- is it 20 hectares or more in size; and/or
  - does it provide a wide range of facilities (meeting rooms, halls, pool, sports fields, tennis courts and the like) that can also be used by the surrounding community; and/or
  - is it of regional significance (i.e. the only school servicing a large region).
4. Where land is to be zoned SP1 Special Activities or SP2 Infrastructure:
    - include flexible zone boundary provisions where appropriate.
    - use generic land use map annotations.
  5. Where surplus public land is currently zoned 'special use':
    - where a valid site compatibility certificate exists, the land is to be rezoned consistent with the certificate, or
    - the land should be rezoned as a compatible land use, (e.g. to a prescribed zone).
  6. When preparing an LEP, avoid duplicating provisions in the Infrastructure SEPP (including those to manage impacts on infrastructure corridors).

## Zoning principles explained

The infrastructure zoning principles are explained here. The principles are intended to support a zoning regime which provides greater flexibility and adaptive management of public infrastructure land. Councils should also take these zoning principles into account when zoning land for private infrastructure or services.

### Principle 1 - Zoning for infrastructure that is permitted on all land

The Infrastructure SEPP identifies several types of infrastructure activities undertaken by public authorities that are permissible in all LEP zones, irrespective of the LEP zoning.

This includes:

- roads and railway lines
- utility distribution networks such as electricity lines, or gas, water and sewage pipelines
- certain environmental management works (e.g. bushfire management, flood mitigation, waterway and foreshore works and soil conservation works).

### Principle 1.1 - Providing for future infrastructure

'Special purpose' zones are not required in LEPs to permit infrastructure that is already permitted on all land through the Infrastructure SEPP. It is not necessary for infrastructure types to be listed separately in any zone as permitted uses in the LEP zoning table if they are automatically permitted through the Infrastructure SEPP.

For private infrastructure, please see note in Principle 2.1 regarding zoning provisions.

### Principle 1.2 - Rezoning existing 'special use' zones

For infrastructure or services prescribed in all zones and those currently zoned 'special use', (e.g. roads, railway lines, substations, pipelines etc), the appropriate adjacent land zone should generally be used.

Applying the adjacent zone type to public infrastructure land follows a basic planning principle of aligning land uses. It is established practice to refer to the zoning of adjoining land when seeking to establish an appropriate zoning for land. In many cases the infrastructure land would have been zoned the same as the adjoining land if it had not been used instead for an infrastructure purpose.

This approach avoids the need for spot rezonings when the infrastructure use expands, ceases, is realigned or is downsized in the future. It is preferable that the land use zone be the same as the adjacent zoning, so that future uses are compatible with existing surrounding uses.

### Principle 1.3 - Roads must be zoned

Currently in many LEPs, roads are unzoned. In future, all land is to be zoned in LEPs, including roads.

Roads should be zoned as outlined below.

- Classified roads that pass through major retail centres should be zoned using the appropriate business zone for the adjoining land. This provides a planning framework for considering potential development over or below roads and on footpaths.
- Freeways, Tollways, Transitways, National Highways and major roads (carrying greater than 40,000 vehicles per day) outside of major centres may be zoned SP2 Infrastructure. Other regional roads may be appropriate for an SP2 zoning, e.g. Pacific Highway. Councils

should consult with the relevant Department of Planning Regional Office.

- Outside major centres, roads that carry less than 40,000 vehicles per day should generally be zoned the same as the adjoining land.<sup>1</sup>
- All other roads should be zoned in accordance with the adjoining land. This avoids the need for spot rezonings where the roads are closed, or where the alignment of the roads changes, which can commonly occur in rural and release areas.

In cases where a road forms a boundary between zones:

- the whole of the road should be zoned the same zone (i.e. the zone boundary should not run down the middle of the road); and
- wherever possible, the zone applied should be the same as that applied to adjoining land, and which provides for a range of land uses to assist with flexibility in land use planning.

An assessment should be made on a case by case basis using the information provided, to determine the appropriate zoning for an unzoned road.

### Principle 2 – Zoning for infrastructure that is permitted only in prescribed zones

'Prescribed zone' is a reference to the standard zones in the Standard Instrument (Local Environmental Plans) Order 2006 (the Standard Instrument) which have been nominated as the zones where certain types of infrastructure are permitted under the Infrastructure SEPP.

Each of the 25 types of infrastructure in the SEPP has a list of prescribed zones where the infrastructure activity may be undertaken.

### Principle 2.1 - Providing for future infrastructure in prescribed zones

In most circumstances, 'special use' or 'special purpose' zones will not be required in LEPs to cater for current or proposed infrastructure. Most types of infrastructure development are permitted under the Infrastructure SEPP in a

<sup>1</sup> The RTA provides Annual Average Daily Traffic Volume maps on its website for reference for Metro areas, and Data for Regional areas Regional Areas - Traffic Volume Data: <http://163.189.7.150/publicationsstatisticsforms/aadtdata/index.html?plid=trafficvolume>  
Metro Areas - Traffic Volume Maps: <http://163.189.7.150/publicationsstatisticsforms/downloads/traffic-volume-maps/traffic-vol-maps-dl1.html>



range of suitable 'prescribed zones'. It is therefore not necessary to include these infrastructure types as permitted uses in the LEP zoning table—they are automatically permitted through the Infrastructure SEPP.

As an example, when zoning a new land release area, it is unnecessary to set aside land to be zoned 'special use' for a new public school. Public schools are automatically permitted within residential and business zones under the Infrastructure SEPP.

**Note:** Given the Infrastructure SEPP applies only to certain private infrastructure types, zoning provisions may be required in the LEP zoning table to allow private infrastructure as a permitted use in nominated zones.

#### **Principle 2.2 - Rezoning existing 'special use' zones to adjacent prescribed zones**

Most existing infrastructure land currently zoned 'special use' should be rezoned in the LEP according to what the adjacent zone is, if that zone is a 'prescribed zone' in the ISEPP which permits that type of infrastructure.

Where infrastructure adjoins multiple zones (that are prescribed zones), the following rules apply:

- all the land should be zoned the same (i.e. the zone boundary should not run down the middle of the site), unless there is an exceptional circumstance (e.g. large sites with multiple infrastructure uses), and
- adopt a zone that is compatible with surrounding land uses, having regard to:
  - the nature and character of the subject site
  - existing adjacent land uses and preferred future uses
  - regional strategy priorities
  - availability of services and infrastructure to support new land uses
  - environmental impacts and risks

An assessment will need to be made on a case-by-case basis to consider the appropriateness of the various adjacent zone types.

#### **Principle 2.3 - Rezoning existing 'special use' zones when there are no adjacent prescribed zones**

Most existing infrastructure lands should be zoned according to what the adjacent land use zone is, if that adjacent zone is a prescribed zone for that infrastructure type.

However if none of the adjacent zones are 'prescribed zones' for that particular infrastructure type under the Infrastructure

SEPP, then the site should be zoned SP2 Infrastructure.

All public infrastructure listed under the SEPP are permitted in SP1 Special Activities and SP2 Infrastructure zones. Regardless of what the surrounding land use zones are, if an existing facility is zoned SP2 Infrastructure it can continue to operate under the provisions of the SEPP.

As an example, an existing hospital may be located on land adjacent to an R2 Low Density Residential zone. As R2 is not a prescribed zone for hospitals under the Infrastructure SEPP, it is not possible to apply Principle 2.2 when rezoning the site. The hospital land should be zoned SP2 Infrastructure to ensure that the existing use remains permissible. (Note: In this case, if the site is to be redeveloped or becomes surplus public land, a rezoning would then be required.)

#### **Principle 3 – Certain special purpose zones should remain as special purpose zones**

**Principle 3.1 - Where the land use is unlikely to change, and where the use is not otherwise covered in this practice note, land may be zoned SP2 Infrastructure.**

Infrastructure land that is highly unlikely to be used for a different purpose in the future should be zoned 'special purpose'. For example, cemeteries and sewage treatment plants.

These lands should be zoned SP2 Infrastructure.

#### **Principle 3.2 - Large precinct sites should remain in special purpose zones**

Major state infrastructure on large sites may be zoned SP2 Infrastructure.

Examples could include major hospitals and universities that constitute large precincts, making identification of appropriate zones more problematic. Other examples might include major:

- dams;
- sewage treatment plants;
- power stations;
- correctional centres; and
- airports.

Areas of Commonwealth land used for Defence purposes should be zoned SP2 (Defence).



Where a site consists of a mix of diverse uses not readily zoned SP2, e.g. research, education, business and accommodation, then these should, where possible, be zoned a standard zone which allows an appropriate mix of land uses. In cases where no suitable standard zone can be applied to the infrastructure use, only then should zone SP1 be applied. By applying a zone other than SP1, greater flexibility is provided for the precinct.

## Principle 4 - Rules for using SP1 and SP2 zones

### Principle 4.1 - Maintain flexible zone boundaries

Councils are advised that when adopting an SP1 or SP2 zoning for infrastructure land in an LEP, clause 5.3 of the Standard Instrument ('Development near zone boundaries') should generally be adopted.

Clause 5.3 provides flexibility where the investigation of a site reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone. This clause applies to the land within the distance from the boundary nominated in the LEP.

Development permitted on the adjoining land would then be permitted on the SP1 or SP2 land if the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

### Principle 4.2 - Generic land use map annotations

The land uses in zones SP1 Special Activities or SP2 zone-Infrastructure should be annotated on the Land Zoning Map. This annotation should use the infrastructure categories contained in the Infrastructure SEPP or the Standard Instrument dictionary, rather than the specific type of infrastructure.

For example, 'educational establishment' should be used rather than 'TAFE' or 'primary school'. Councils should note that the Infrastructure SEPP allows a range of infrastructure uses to occur within a special purpose zone regardless of the annotation on the map and therefore only one category should be used (no need to list any ancillary uses).

In general, the Standard Instrument definition for the primary use should be applied to the land

zoning map for any area zoned SP1 or SP2. Other uses will be ancillary to this primary use.

The following annotations should be used on the Land Zoning Map for land that may be zoned SP2 in accordance with this practice note.

### Infrastructure categories to be used on land zoning maps \*

Infrastructure categories to be used on land zoning maps *	Examples of infrastructure type
Air transport facility	airports, heliport
Correctional centre	prisons, remand centre, detention centre
Educational establishment	high school, primary school, TAFE, university
Health services facility	hospitals, medical centres
Waste or resource management facility	landfill, waste transfer station, waste depot
Water supply system	dams, reservoirs, water treatment facilities

Note. \* See Infrastructure SEPP for a full list.

## Principle 5 - Zoning surplus public land

Government land that is no longer required to provide services or infrastructure is sometimes classified as 'surplus' public land. The NSW Government has updated planning provisions in regard to 'surplus' public land.

The Infrastructure SEPP provides a more tailored and local solution for such land, to ensure new land uses are appropriate and compatible with surrounding land. Councils are requested to follow the broad policy direction of the Infrastructure SEPP when preparing new LEPs covering surplus public land, by following the principles outlined below.

### Principle 5.1 - Zone surplus public land as a compatible land use

Surplus public land should be rezoned to be compatible with surrounding land uses having regard to:

- the nature and character of the subject site
- existing adjacent land uses and preferred future uses
- regional strategy priorities
- availability of services and infrastructure to support new land uses
- environmental impacts and risks.

An assessment will need to be made on a case-by-case basis to consider the appropriateness of the various adjacent zone types.

## Principle 5.2 - If relevant, adopt the zone in the site compatibility certificate

If a valid **site compatibility certificate** applies to the infrastructure land, then the land should be zoned in the LEP *to be generally compatible with the nominated land use in the certificate*<sup>2</sup>.

**Note.** Under the Infrastructure SEPP, additional uses may be undertaken on certain State land if the uses are permitted on adjacent land. To ensure that the additional land uses are appropriate, a site compatibility certificate must first be obtained from the Director-General of the Department of Planning before a development application can be lodged.

For more information on site compatibility certificates please see *SEPP (Infrastructure) 2007: Director-General's site compatibility certificate—guideline for applications on the Department's website*.

In some rare instances, it may be more appropriate for a council to consider adopting a different zone type to the adjacent land use nominated in the site compatibility certificate (following consideration of the issues outlined in Principle 5.1 above). Where this is the case, it should be identified by councils in their section 64 and section 68 reports to the Director-General.

## Principle 6—Avoid additional provisions in LEPs

The Infrastructure SEPP provides consistent state-wide provisions for considering the impacts of certain types of development on land adjacent to linear infrastructure and vice versa. These considerations include the impact:

- of road or rail noise or vibration on residential and other sensitive development adjacent busy roads and railway lines
- of development with frontage to classified roads (impacts associated with traffic, access, safety)
- of development involving excavation adjacent to a classified road or railway line
- on rail safety if a new public railway crossing is required or an old crossing needs to be upgraded
- on safety if adjacent to a gas pipeline
- of development within a road corridor in which an easement is reserved for a future infrastructure purpose.

<sup>2</sup> A site compatibility certificate may be provided for the purposes of clauses 18 or 57 of the ISEPP although the clause 18 provisions for State land are an interim measure that will only apply until LEPs drafted under the Standard Instrument are in place and apply to the site.

LEPs should not include provisions that deal with these matters as they are already addressed by the Infrastructure SEPP.

Councils should discuss any proposed local infrastructure provision with the relevant regional office of the Department to determine whether the proposal is consistent with the SEPP and suitable for inclusion in the LEP.

It is advisable that no new or amending provisions for development that is covered by the Infrastructure SEPP be included in LEPs.

## Permissibility of private infrastructure

The Infrastructure SEPP principally focuses on providing for the delivery of infrastructure or services by local and State government authorities.

There are however certain types of infrastructure where the SEPP provisions apply equally to private or public infrastructure, including:

- electricity generating works
- licensed gas pipelines
- health services facilities (e.g. hospitals)
- group homes
- certain port-related development
- sewage treatment plants
- certain telecommunications infrastructure
- waste management and transfer facilities.

Most other private infrastructure remains regulated under local planning rules (e.g. LEPs), including where the infrastructure is permitted and whether development consent is required.

It is recommended that, if a council is zoning private infrastructure land, the above zoning principles be followed rather than automatically reverting to 'special purpose' zoning.

## Further information

For more advice on the Infrastructure SEPP, and LEP preparation and the standard instrument see <http://www.planning.nsw.gov.au>. If you have further enquiries, please phone the Planning Information Centre 02 9228 6333 or email [information@planning.nsw.gov.au](mailto:information@planning.nsw.gov.au).

Authorised by:  
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