

PLANNING PROPOSAL

ADDITIONAL PERMITTED USE
Recreational facilities (indoor)

169-177 MONA VALE ROAD ST IVES (SP 95647)

March 2018

(Rev 01: 23/08/18)

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INTRODUCTION

The subject site at 169-177 Mona Vale Road St Ives is within the Ku-ring-gai Local Government area. The land is zoned R4 High Density Residential under the Ku-ring-gai Local Environmental Plan (Local Centres) 2012 (“LEP”). The site is bounded by Mona Vale Road to the west and Shinfield Avenue to the south. The allotment is irregular in shape with a total area of 3647sqm.

The site supports a multi-level shop top housing development that was approved under Development Application No. 321/13. The building contains 57 residential units on the upper levels and 18 commercial units on the ground floor.

In recognition of the proximity of the land to the commercial core of St Ives, the land has the benefit of additional permitted uses under Schedule 1 of the LEP. In particular, commercial premises are permitted at ground floor level. The definition of commercial premises does not allow for gymnasiums.

The purpose of the planning proposal (which is further discussed below) is to allow for a future gymnasium on the ground floor if and when desired. Gymnasiums are classified as ‘Recreation facilities (indoors)’. The location is considered to be well suited for the accommodation of a gymnasium subject to a future development application if the planning proposal proceeds. The land use Recreation facilities (indoors) is commonly found in R4 zones in many LEP’s in the Sydney region.

Other permissible uses in the current R4 zone are Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Exhibition homes; Flood mitigation works; Home-based child care; Home businesses; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Seniors housing; Shop top housing.



Figure 1: The subject premises – 169-177 Mona Vale Road St Ives



Figure 2: The streetscape opposite the subject site looking north – Caltex service station with fast food outlets



Figure 3: Alternate view - streetscape opposite the subject site looking towards St Ives Shopping Village



Figure 4: The streetscape adjacent to the subject site looking north east – Shell service station

PART 1 – OBJECTIVE AND INTENDED OUTCOMES

A statement of the objectives and intended outcomes of the proposed instrument

The planning proposal seeks to amend the Ku-ring-gai Local Environmental Plan (Local Centres) 2012 to permit the use of the subject site for the purposes of 'Recreation facilities (indoors)' by the amendment of the site specific additional permitted uses under Schedule 1 of the LEP.

The purpose of the amendment is to allow a gymnasium at ground floor level of the subject site which would be the subject of a future development application and subject to the normal planning assessment criteria. The additional permitted commercial uses and the Recreation Facility (indoor) are to be limited to a combined maximum floor space ratio of 0.5:1. This is consistent with Schedule 1 of the LEP as it currently applies to Items 21 and 22.

For abundant clarity, the intended outcome does not require a rezoning or mapping changes.



Figure 5: Aerial view of 169-177 Mona Vale Road St Ives (the 'subject land') (Source: SIX Maps)



Figure 6: Extract from LEP zoning map noting R4 zoning of 169-177 Mona Vale Road St Ives

PART 2 – EXPLANATION OF PROVISIONS

An explanation of the provisions that are to be included in the proposed instrument

The proposed outcome will be achieved by amending Schedule 1 – Additional Permitted Uses under the Ku-ring-gai Local Environmental Plan (Local Centres) 2012. A new entry is to be inserted for 169-177 Mona Vale Road St Ives with the additional permitted use being ‘Recreation facilities (indoor)’. For future flexibility, the additional permitted use is to apply to the whole of the subject site comprising of Strata Plan 95647 and includes 169-177 Mona Vale Road St Ives. It is intended that the use will be confined to the ground floor.

PART 3 - JUSTIFICATION

The justification for those objectives, outcomes and the process for their implementation

A. Need for the planning proposal

Q1. *Is the planning proposal a result of any strategic study or report?*

No. The planning proposal seek to make a only minor change to the local environmental plan to allow an additional permitted use on the subject land and as such, is not the result of a strategic study or report.

There is no change to the underlying zoning required.

Q2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. The planning proposal is the only means to achieve the intended planning outcome being an additional permitted use to apply to the subject land. It is not necessary or appropriate to rezone the subject land.

B. Relationship to strategic planning framework

Q3. *Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Yes. The planning proposal is consistent with the objectives the relevant strategic planning framework.

Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan is a broad visionary document which outlines strategies and actions. One of the fundamental principles of the Plan is to eventually enable the majority of people to commute to their nearest city within 30 minutes. This goal is long term – 40 years or more.

Because the Plan is such a broadly focused vision, there is no conflict between the proposal and the strategies and actions that would prevent the favourable consideration of the proposal.

The most relevant strategy concerns Part 4 Liveability. Overall liveability is about the quality of life that residents enjoy in neighbourhoods, work places and cities, which states in part:-

“Planning for people recognises that liveability not only contributes to productivity and sustainability, but is also an important influence on individual wellbeing and community cohesion.

The metropolis of three cities will enable great places to meet people’s essential housing, transport, employment and social needs. Better access to economic, social, recreational, cultural and creative opportunities – and easier connections with family, friends and the broader community – will assist people to fulfil their potential.”

More specifically Objective 6 ‘Services and infrastructure meet communities’ changing needs’ is relevant to the proposal. In part, this objective states

‘improved health, public transport and accessibility outcomes can be achieved through the provision of schools, recreation, transport, arts and cultural, community and health facilities in walkable, mixed-use places co-located with social infrastructure and local services (refer to Objective 7 and Objective 14). Good accessibility to local services for young people, older people and culturally and linguistically diverse communities is an important way of enabling people to age within their community. This contributes to improved mental and physical health and wellbeing outcomes.’

The proposal accords with the vision of the Plan, and in particular the Part 4, for the achievement of better access to recreational opportunities for the well-being of people. The addition of *Recreation Facilities (indoor)* within walking distance to a high density residential apartments and local services will contribute to the improved mental and physical health and wellbeing outcomes.

North District Plan

The North District Plan is one of five district plans that will guide the planning of Sydney on a regional basis.

The North District Plan provides a 20-year plan to manage growth and achieve the 40-year vision, while enhancing Greater Sydney’s liveability, productivity and sustainability into the future. It is a guide for implementing A Metropolis of Three Cities - the Greater Sydney Region Plan at a District level and is a bridge between regional and local planning.

The North District Plan has strategies which align with A Metropolis of Three Cities. The Plan has 10 directions and 40 Objectives. The objects of the proposal accord with the direction entitles “A City for People” and Objectives 6 and 7:-

Objective 6:
Services and infrastructure meet communities’ changing needs

Objective 7:
Communities are healthy, resilient and socially connected

The proposal will allow for future recreational use to meet local demand and will encourage communities which are healthy and resilient.

The proposal is considered to be consistent with the goals and strategies of these planning policies.

Q4. Is the planning proposal consistent *with a council's local strategy or other local strategic plan?*

The Ku-ring-gai Community Strategic Plan 2030 establishes a vision and strategic framework that reflects the aspirations and priorities of the community in six key areas or themes.

The stated Vision of the Community Strategic Plan is:-

“Ku-ring-gai will be a creative, healthy and liveable place where people respect each other, conserve the magnificent environment and society for the children and grandchildren of the future.”

The six themes are:-

Theme 01 – Community, People and Culture

Theme 02 – Natural Environment

Theme 03 – Places, Spaces and Infrastructure

Theme 04 – Access, Traffic and Transport

Theme 05 – Local Economy and Employment

Theme 06 – Leadership and Governance.

The planning proposal is consistent with Theme 01, Community, People and Culture and in particular, Objective C4 – Healthy Lifestyles.

The specific objective is C4.1 – “A community that embraces healthier lifestyles.”

The stated long term goal is:-

“A range of cultural, recreational and leisure facilities and activities are available to encourage social interaction and stimulate everyday wellbeing

The stated Council role is:-

“Lead, deliver and facilitate.”

The planning proposal will encourage physical activity in the local community and is consistent with the Community Strategic Plan.

In terms of the Local Environmental Plan in general, it is not unusual for ‘Recreation facilities (indoor)’ to be found in the R4 zone. For example, the use is permissible in the R4 zone under the Hornsby Local Environmental Plan 2013.

Q5. Is the planning proposal consistent *with applicable State Environmental Planning Policies?*

The following table identifies the key applicable SEPPs and outlines this Planning Proposal's consistency with those SEPPs. A checklist of compliance with all SEPPs is contained at Attachment A.

SEPP	Comment on Consistency
SEPP 1 Development Standards	The proposal will have no relevance to SEPP 1.
<p>SEPP 19 Bushland in Urban Areas</p> <p>When preparing draft local environmental plans for any land to which SEPP 19 applies, other than rural land, the council shall have regard to the general and specific aims of the Policy, and give priority to retaining bushland, unless it is satisfied that significant environmental, economic or social benefits will arise which outweigh the value of the bushland.</p>	The proposal will have no relevance to SEPP 19.
SEPP 21 Caravan Parks	The proposal will have no relevance to SEPP 21.
SEPP 30 Intensive Agriculture	The proposal will have no relevance to SEPP 30.
SEPP 33 Hazardous and Offensive Development	The proposal will have no relevance to SEPP 33.
<p>SEPP 44 Koala Habitat Protection</p> <p>In order to give effect to the aims of this Policy, a council should survey the land within its area so as to identify areas of potential koala habitat and core koala habitat, and make or amend a local environmental plan to include land identified as a core koala habitat within an environmental protection zone, or to identify land that is a core koala habitat and apply special provisions to control the development of that land.</p>	The proposal will have no relevance to SEPP 44.
<p>SEPP 55 Remediation of Land</p> <p>SEPP 55 requires a planning authority to give consideration to contamination issues when rezoning land which allows a change of use that may increase the risk to health or the environment from contamination and requires</p>	The proposal will have no relevance to SEPP 55.

SEPP	Comment on Consistency
consideration of a report on a preliminary investigation where a rezoning allows a change of use that may increase the risk to health or the environment from contamination.	
SEPP 62 Sustainable Aquaculture	The proposal will have no relevance to SEPP 62.
SEPP 64 Advertising and Signage	The proposal will have no relevance to SEPP 64 except that future signage may be subject to the SEPP.
SEPP 65 Design Quality of Residential Flat Development	The proposal will have no direct relevance to SEPP 65. The existing development was subject to the SEPP.
SEPP 70 Affordable Housing (Revised Schemes)	The proposal will have no relevance to SEPP 70.
SEPP (Housing for Seniors or People with a Disability) – 2004	The proposal will have no relevance to this SEPP.
SEPP Building Sustainability Index : Basix 2004	The proposal will have no relevance to this SEPP.
SEPP Mining, Petroleum Production and Extractive Industries	The proposal will have no relevance to this SEPP.
SEPP Infrastructure 2007	The proposal will have no relevance to this SEPP.
SEPP Affordable Rental Housing 2009	The proposal will have no relevance to this SEPP.
SEPP Exempt and Complying Development Codes 2008 The Codes SEPP aims to provide streamlined assessment processes for development certain types of development that are of minimal environmental impact and identifying types of complying development that may be carried out in accordance with complying development codes.	The proposal will have no direct relevance to this SEPP.

SREPP	Comment on Consistency
<p>SYDNEY REP 20 Hawkesbury-Nepean River</p> <p>The SREP requires consideration be given to the impact of future land use in Hawkesbury-Nepean River catchment in a regional context. The plan covers water quality and quantity, environmentally sensitive areas, riverine scenic quality, agriculture, and urban and rural residential development.</p>	<p>The proposal will have no direct relevance to this SREP.</p>
<p>SYDNEY REP (Sydney Harbour Catchment) 2005</p> <p>The SREP aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.</p>	<p>The proposal will have no direct relevance to this SREP.</p>

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following table identifies applicable Section 9.1 Directions and outlines this Planning Proposal's consistency with those Directions. A checklist of compliance with all Section 9.1 Directions is contained at **Attachment A**.

Directions under S9.1	Objectives	Consistency
1. EMPLOYMENT AND RESOURCES		
1.1 Business and Industrial Zones	The objectives of this direction are to: (a) Encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and support the viability of identified strategic centres.	This direction is not applicable to the subject planning proposal as it is not in a business or industrial zone.
2. ENVIRONMENT AND HERITAGE		
2.1 Environment Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	The subject land is not identified as being located within an environmentally sensitive area.
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental Heritage significance and indigenous heritage significance.	The subject site is not heritage listed, nor is it located within a Heritage Conservation Area nor in proximity to a heritage item.
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to	The planning proposal is consistent with the objectives of this direction for the following reasons: The planning proposal is seeking to introduce an additional permitted use being 'Recreation facilities (indoor)'. This will make efficient use of existing infrastructure and introduce potential recreational uses to the local community (Objective (b)).

Directions under S9.1	Objectives	Consistency
	<p>infrastructure and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p>	Objectives (a) and (c) are not directly relevant to the proposal.
3.2 Caravan Parks and Manufactured Home Estates	<p>The objectives of this direction are:</p> <p>(a) to provide for a variety of housing types, and</p> <p>(b) to provide opportunities for caravan parks and manufactured home estates.</p>	This direction is not applicable to the subject planning proposal.
3.3 Home Occupations	The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	This direction is not applicable to the planning proposal.
3.4 Integrating Land Use and Transport	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the</p>	<p>The planning proposal is consistent with the relevant objectives of this direction for the following reasons:</p> <ul style="list-style-type: none"> • The proposal improves access to services, in particular recreational services to the local community. • The provision of such a service locally, will reduce dependence of cars and public transport as a future recreation facility such as a gymnasium will be available locally.

Directions under S9.1	Objectives	Consistency
	<p>efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>	
4. HAZARD AND RISK		
4.1 Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	<p>The subject land is identified as potentially containing Class 5 Acid Sulfate Soils however the site is fully developed with a mixed use building and this matter will have no direct relevance to a future change of use.</p> <p>The presence of Acid Sulfate Soils will not impact on the ability of the site to achieve a future change of use for 'Recreation facilities (indoor)', thus the proposal is consistent with objective of the direction.</p>
4.2 Mine Subsidence and Unstable Land	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	This direction is not applicable to the planning proposal, as the subject land is not within a 'Proclaimed Mine Subsidence District'.
4.3 Flood Prone Land	<p>The objectives of this direction are:</p> <p>(a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with</p>	This direction is not applicable to the planning proposal, as the subject land is not identified as flood prone land.

Directions under S9.1	Objectives	Consistency
	flood hazard and includes consideration of the potential flood impacts both on and off the subject land	
4.4 Planning for Bushfire Protection	<p>The objectives of this direction are:</p> <p>(a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) to encourage sound management of bush fire prone areas.</p>	This direction is not applicable to the planning proposal, as the subject land is not identified as bushfire prone land.
6. LOCAL PLAN MAKING		
Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The planning proposal will facilitate efficient and appropriate development of future 'Recreation facilities (indoor)' on the subject land.
Reserving Land for Public Purposes	<p>The objectives of this direction are:</p> <p>(a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p>	This direction is not applicable to the subject planning proposal.
Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning	The planning proposal will not encourage or result in unnecessarily restrictive site specific planning controls but

Directions under S9.1	Objectives	Consistency
	controls.	will facilitate an additional compatible land use.
7. METROPOLITAN PLANNING		
7.1 Implementation of the Metropolitan Strategy	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy.	The planning proposal is consistent with <i>The Greater Sydney Regional Plan: A Metropolis of Three Cities</i> because it will allow for future recreational uses to meet local demand and will encourage communities which are healthy and resilient. These are stated objects of <i>The Greater Sydney Regional Plan: A Metropolis of Three Cities</i>

C. Environmental, social and economic impact

Q7. Is there any likelihood that *critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The site is fully developed with a recently constructed mixed use building. The site does not support any critical habitat.

The site does not support any threatened species, populations or ecological communities listed under the *Threatened Species Conservation Act 1995*, or the *Environment Protection Biodiversity Conservation Act 1999*.

Q8. Are there any other likely *environmental effects as a result of the planning proposal and how are they proposed to be managed?*

No. The planning proposal is seeking an additional permitted use to allow 'Recreation facilities (indoor).

The site does not have any environmental constraints that could potentially be adversely affected by the introduction the additional permitted use.

Q9. *Has the planning proposal adequately addressed any social and economic effects?*

Social Benefits

The planning proposal will have a positive social outcome. The additional permitted use will encourage healthier lifestyle choices in the local area through the potential establishment of a gymnasium on the site in the future. This is consistent with the Ku-ring-gai Community Strategic Plan 2030, the draft North District Plan and the Metropolitan Strategy.

Economic Benefits

The planning proposal will have a positive economic benefit. The planning proposal will stimulate local business in a positive manner through the introduction an additional permitted use. In the future, this will potentially result in the operation of a gymnasium in part of the building subject to development consent. This will have flow on effects to and from local business activity.

D. State and Commonwealth interests

Q10. *Is there adequate public infrastructure for the planning proposal?*

The planning proposal will not negatively impact on public infrastructure which is already established and services the recently completed mixed use development on the subject site.

Any use has its own parking demand. All tenancies in the existing mixed use development have allocated parking on title, and there are 20 visitor spaces. Any future use will have to comply with the Ku-ring-gai DCP in relation to satisfying generated parking dependent on which tenancy/s may be the future gymnasium.

In terms of traffic generation, it will be required that the development will meet its parking demand on-site and the development will be limited in its intensity by the availability of on-site parking. In effect, any future development will therefore be self-

limiting in its intensity. A future development application must be accompanied by a traffic and parking report.

The subject land is within a highly accessible location, being within proximity to public transport along Mona Vale Road. Nearby higher order services, educational facilities and shops can be found at St Ives and Gordon.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

There is no statutory requirement for state and commonwealth public authorities to be consulted prior to the lodgement of the planning proposal.

PART 4 - MAPPING

No changes to mapping is required for this planning proposal.



Figure 7: Extract from LEP zoning map noting R4 zoning of 169-177 Mona Vale Road St Ives. No changes are required to this map.



Figure 8: Extract from LEP floor space ratio map of 169-177 Mona Vale Road St Ives. No changes are required to this map.



Figure 9: Extract from LEP height of buildings map of 169-177 Mona Vale Road St Ives. No changes are required to this map.



Figure 10: Extract from LEP height of buildings map of 169-177 Mona Vale Road St Ives. No changes are required to this map.

PART 5 – COMMUNITY CONSULTATION

Details of the community consultation that is to be undertaken on the planning proposal

Statutory consultation is to be undertaken after the gateway process. It is noted the pre-community consultation is not a statutory requirement, thus has not been undertaken.

PART 6 – PROJECT TIMELINE

Stage	Timing
Anticipated commencement date (date of Gateway determination)	24 September 2018
Anticipated timeframe for the completion of required technical information	24 September 2018 – 12 October 2018
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	12 October 2018 – 9 November 2018
Commencement and completion dates for public exhibition period	12 October 2018 – 26 October 2018
Dates for public hearing (if required)	N/A
timeframe for consideration of submissions	26 October 2018 – 16 November 2018
Timeframe for the consideration of a proposal post exhibition	26 October 2018 – 16 November 2018 OMC 27 November 2018
Date of submission to the department to finalise the LEP	30 November 2017
Anticipated date RPA will make the plan (if delegated)	30 November 2017
Anticipated date RPA will forward to the department for notification.	30 November 2017

APPENDIX A - Checklist of Consistency with Section 9.1 Directions and SEPPs

PART A: STATE ENVIRONMENTAL PLANNING POLICIES		Not relevant	Consistent
SEPP 1	Development Standards	Tick as appropriate ✓	Tick as appropriate ✓
SEPP 19	Bushland in Urban Areas	✓	
SEPP 21	Caravan Parks	✓	
SEPP 30	Intensive Agriculture	✓	
SEPP 33	Hazardous and Offensive Development	✓	
SEPP 44	Koala Habitat Protection	✓	
SEPP 55	Remediation of Land	✓	
SEPP 62	Sustainable Aquaculture	✓	
SEPP 64	Advertising and Signage	✓	
SEPP 65	Design Quality of Residential Flat Development	✓	
SEPP 70	Affordable Housing (Revised Schemes)	✓	
SEPP	(Housing for Seniors or People with a Disability) – 2004	✓	
SEPP	Building Sustainability Index: Basix 2004	✓	
SEPP	Mining, Petroleum Production and Extractive Industries	✓	
SEPP	Infrastructure 2007	✓	
SEPP	Affordable Rental Housing 2009	✓	
SEPP	Exempt and Complying Development Codes 2008	✓	
PART B: REGIONAL ENVIRONMENTAL PLANS		Not relevant	Consistent
SYDNEY REP 20	Hawkesbury-Nepean River	Tick as appropriate ✓	Tick as appropriate ✓
SYDNEY REP	(Sydney Harbour Catchment) 2005	✓	

PART C: DIRECTIONS UNDER S9.1(2)		Not relevant	Consistent	Justifiably inconsistent
PART 1 – GENERAL DIRECTIONS				
1. Employment and Resources				
1.1 Business and Industrial Zones	Tick as appropriate ✓	Tick as appropriate ✓	Tick as appropriate ✓	
1.2 Rural Zones	✓			
1.3 Mining, Petroleum production and Extractive Industries	✓			
1.4 Oyster Aquaculture	✓			
1.5 Rural Lands	✓			
2. Environment and Heritage				
2.1 Environment Protection Zones	✓			
2.2 Coastal Protection	✓			
2.3 Heritage Conservation	✓			
2.4 Recreation Vehicle Areas	✓			
3. Housing, Infrastructure and Urban Development				
3.1 Residential Zones		✓		
3.2 Caravan Parks and Manufactured Home Estates	✓			
3.3 Home Occupations	✓			
3.4 Integrating Land Use and Transport		✓		
3.5 Development Near Licensed Aerodromes	✓			
4. Hazard and Risk				
4.1 Acid Sulfate Soils	✓			
4.2 Mine Subsidence and Unstable Land	✓			
4.3 Flood Prone Land	✓			
4.4 Planning for Bushfire Protection	✓			
5. Regional Planning				
5.1 Implementation of Regional Strategies	✓			
5.2 Sydney Drinking Water Catchments	✓			
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	✓			
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	✓			
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	✓			
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	✓			
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	✓			
5.8 Second Sydney Airport: Badgerys Creek	✓			
6. Local Plan Making				
6.1 Approval and Referral Requirements		✓		
6.2 Reserving Land for Public Purposes	✓			
6.3 Site Specific Provisions				✓
7. Metropolitan Planning				
7.1 Implementation of the Metropolitan Strategy		✓		

Commentary – Direction 6.3

The stated purpose of the Planning Proposal is to allow for a gymnasium on the ground floor of the existing mixed-use building, subject to a future development application. The objective of the relevant Direction is to discourage unnecessarily restrictive site specific planning controls.

In this regard, the introduction of an additional permitted use as requested under the Planning Proposal, is considered to be a justifiable inconsistency that is of minor significance. The reasons for this are that the land use Recreation facilities (indoors) is commonly found in R4 zones in many LEP's in the Sydney region. Secondly, the location is considered to be well suited for the accommodation of a gymnasium having regard to the fact that the subject site supports a mixed-use building and the land is in close proximity to land zoned B4 where the proposed use is permissible.