

APPENDIX 3 (Amended)
APPLICABILITY WITH LOCAL PLANNING DIRECTIONS

The following Directions have been issued by the Minister for Planning and Infrastructure to relevant planning authorities under section 117(2) of the *Environmental Planning and Assessment Act 1979*. These directions apply to planning proposals lodged with the Department of Planning and Infrastructure.

Note: Directions 5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA), 5.6 Sydney to Canberra Corridor and 5.7 Central Coast have been revoked.

PLANNING DIRECTION	RELEVANT TO PLANNING PROPOSAL? COMMENT
1. Employment and Resources	
1.1 Business and Industrial Zones	No. The planning proposal does not relate to business or industrial zones.
1.2 Rural Zones	No. The planning proposal does not relate to rural zones.
1.3 Mining, Petroleum Production and Extractive Industries	No. The planning proposal does not affect mining, petroleum production or extractive industries.
1.4 Oyster Aquaculture	No. The planning proposal does not apply to land where oyster aquaculture is undertaken.
1.5 Rural Lands	No. The planning proposal does apply to rural lands.
2. Environment and Heritage	

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PLANNING DIRECTION	RELEVANT TO PLANNING PROPOSAL? COMMENT
<p>2.1 Environment Protection Zones</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p> <p>This direction requires that:</p> <p>(a) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(b) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".</p>	<p>Yes.</p> <p>The proposed rezoning of 69-71 Loftus Street, Bundeena (Lot 1 DP 1077138) from an environmental protection zone (E3) to a private recreation zone (RE2) does not compromise the environmental protection standards that currently apply to this site.</p> <p>Objectives of the new zone for this land include:</p> <p><i>To protect and enhance the natural environment for recreational purposes; and</i></p> <p><i>To ensure the scale, density and form of development reflects the nature of the recreational use of the land and is compatible with the surrounding urban form and natural setting.</i></p> <p>These are consistent with the E3 objective: <i>To provide for a limited range of development that does not have an adverse effect on those values.</i></p> <p>In Sutherland Shire's new LEP, the E3 zone is a residential zone. The historic use of this land for a RSL Club is more consistent with the objectives and land uses permitted with consent in the RE2 rather than the E3 zone.</p> <p>The proposed rezoning of lands expected to be revoked from Royal National Park from E1 to RE1 does not involve a factual change of use of this land, which is currently used for sporting fields and will be used for the same in future.</p>

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2.2 Coastal Protection	No. The planning proposal does not relate to coastal protection.
2.3 Heritage Conservation (a)	No. The planning proposal does not relate to heritage conservation.
2.4 Recreation Vehicle Areas	No. The planning proposal does not propose to enable land to be developed for a recreation vehicle area.
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 infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	Yes. The proposed rezoning of Part of 1-3 and 2-4 Gidji Road, Miranda from RE1 Public Recreation to R2 Low Density Residential and part of 2R Alexander Avenue, Taren Point from RE1 Public Recreation to E4 Environmental Living are consistent with the objectives of this Planning Direction by providing for existing and future housing needs.
3.2 Caravan Parks and Manufactured Home Estates	No. The planning proposal does not relate to caravan parks or manufactured home estates.
3.3 Home Occupations	No. The planning proposal does not relate to home occupations.
3.4 Integrating Land Use and Transport	No. The planning proposal neither impacts positively or negatively on integrated land use and transport objectives.
3.5 Development Near Licensed Aerodromes	No. The planning proposal does not apply to land near licensed aerodromes.
3.6 Shooting Ranges	No. The planning proposal does not apply to shooting ranges.
4. Hazard and Risk	
4.1 Acid Sulfate Soils	No. The planning proposal does not propose any amendment to Clause 6.5 Acid Sulfate soils in DSSLEP2013.

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4.2 Mine Subsidence and Unstable Land	<p>No.</p> <p>The planning proposal does not apply to land that is within a Mine Subsidence District proclaimed pursuant to section 15 of the Mine Subsidence Compensation Act 1961, or has been identified as unstable land</p>
4.3 Flood Prone Land	<p>Yes.</p> <p>The subject land at 2R Alexander Avenue, Taren (and the adjoining property at 98 Woodland Road, Taren Point) are identified in the <i>Lower Georges River Floodplain Risk Management Study & Plan</i> as being within the Flood Planning Area (FPA) as defined by the NSW State Government. As such, the area of interest in relation to this proposal – the lower end of Smith Street, the proposed driveway across 2R Alexander Avenue and the new lot at the back of 98 Woodlands Road - would be wholly affected by flooding to a water depth of between 100 and 200mm during a 1% AEP flood event.</p> <p>Council considers that conditions could be attached to any subsequent development approval for this property to minimise the risk to life and property associated with a 1% AEP flood event affecting this site. The reclassification and rezoning of the subject land is proposed to allow sale and subdivision, and access to the new lot for residential uses.</p>
4.4 Planning for Bushfire Protection	<p>Yes.</p> <p>The 3 parcels of land within Royal National Park proposed to be rezoned from National Parks and Nature Reserves to RE1 Public Recreation are identified as bush fire prone land. The land use is not</p>

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	proposed to change and is therefore consistent with this direction.
5. Regional Planning	
5.1 Implementation of Regional Strategies	No. The Planning Direction is not applicable to Sutherland Shire
5.2 Sydney Drinking Water Catchments	No .The Planning Direction only applies to land within the Sydney drinking water catchment.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No. The Planning Direction is not applicable to Sutherland Shire Local Government Area.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No. The Planning Direction is not applicable to Sutherland Shire Local Government Area.
5.8 Second Sydney Airport: Badgerys Creek	No. The Planning Direction is not applicable to Sutherland Shire Local Government Area.
6. Local Plan Making	

PLANNING DIRECTION	RELEVANT TO PLANNING PROPOSAL? COMMENT
<p>6.1 Approval and Referral Requirements</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>This direction requires that a planning proposal must:</p> <ul style="list-style-type: none"> (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: <ul style="list-style-type: none"> (i) the appropriate Minister or public authority, and (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), <p>prior to undertaking community consultation in satisfaction of section 57 of the Act, and</p> (c) not identify development as designated development unless the relevant planning authority: (d) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and (e) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act. 	<p>Yes. The planning proposal is consistent with the Planning Direction.</p>

PLANNING DIRECTION	RELEVANT TO PLANNING PROPOSAL? COMMENT
<p>6.2 Reserving Land for Public Purposes</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> - to facilitate the provision of public services and facilities by reserving land for public purposes, and - to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. <p>This direction requires that a planning proposal must:</p> <p>(a) not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).</p>	<p>Yes.</p> <p>The planning proposal contains the following relevant proposals:</p> <p>The rezoning of part of 1-3 and 2-4 Gidji Road, Miranda from RE1 Public Recreation to R2 Low Density Residential;</p> <p>The rezoning of part of 2R Alexander Road, Taren Point from RE1 Public Recreation to E4 Environmental Living.</p> <p>The rezoning of approximately 183m² of 75 Loftus Street, Bundeena (Bundeena Reserve) from RE1 Public Recreation to RE2 Private Recreation.</p>
<p>6.3 Site Specific Provisions</p>	<p>No. The Planning Direction only applies to a site specific planning proposal.</p>
<p>7. Metropolitan Planning</p>	
<p>7.1 Implementation of the Metropolitan Plan for Sydney 2036</p> <p>The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.</p> <p>This direction requires that a planning proposal shall be consistent with the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010 ("the Metropolitan Plan").</p>	<p>Yes. The planning proposal is consistent with the Planning Direction</p>