

Section 117 Ministerial Directions

The following is a list of Directions issues by the Minister for Planning to relevant planning authorities under section 117(2) of the Environmental Planning and Assessment Act, 1979. This assessment of Directions applies to the Planning Proposal supported by Council at its meeting on 20 April 2016.

S117 Ministerial Direction	Applicable	Comment
1. Employment and Resources		
1.1 Business and Industrial Zones <i>Objectives:</i> (a) <i>Encourage employment growth in suitable locations</i> (b) <i>Protect employment land in business and industrial zones,</i> (c) <i>Support the viability of identified strategic centres.</i>	Applicable to Planning Proposal.	The rezoning of the site from predominately IN2 Light Industrial to B4 Mixed Use is in line with recommendations for the Draft Hurstville Employment Lands Study and is consistent with the objectives of the direction. Refer to detailed consideration in the report.
1.2 Rural Zones	Not applicable to Hurstville.	--
1.3 Mining, Petroleum Production and Extractive Industries <i>Objective:</i> <i>To ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</i>	Not applicable to Planning Proposal.	The Planning Proposal does not have any effect on mining, petroleum production and extractive industries.
1.4 Oyster Aquaculture <i>Objectives:</i> (a) <i>To ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal.</i> (b) <i>To protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and</i>	Not applicable to the Planning Proposal.	The Planning Proposal does not propose a change in land use which could result in adverse impacts on a Priority Oyster Aquaculture Area or an incompatible use of land.

S117 Ministerial Direction	Applicable	Comment
<i>consequently, on the health of oyster and oyster consumers.</i>		
1.5 Rural Lands	Not applicable to Hurstville.	--
2. Environment and Heritage		
2.1 Environment Protection Zones <i>Objective: To protect and conserve environmentally sensitive areas.</i>	Not applicable to the Planning Proposal.	The Subject Site is not located within an environmental protection zone and the Proposal does not impact on environmentally sensitive areas.
2.2 Coastal Protection	Not applicable to Hurstville.	--
2.3 Heritage Conservation <i>Objective: To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i>	Applicable to Planning Proposal.	The subject site includes a local heritage item at 116 Durham St, Hurstville (Hurstville Scout Hall) (Item No. I26). No change is proposed to the heritage listing of this item.
2.4 Recreation Vehicle Areas <i>Objective: To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</i>	Not applicable to the Planning Proposal.	The Planning Proposal is not within an environmental protection zone or coastal areas identified in the Direction.
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones <i>Objectives: (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 (c) To minimise the impact of residential development on environment and resource lands.</i>	Applicable to Planning Proposal.	The Planning Proposal will result in a very minor reduction in R2 Low Density Residential zoned land (one lot measuring approx. 700m ²). The application of a B4 Mixed Use zone will allow for a significant number of new dwellings with good access to existing infrastructure and services as considered in the report.
3.2 Caravan Parks and Manufactured Home Estates <i>Objectives: (a) To provide for a variety of</i>	Not applicable to the Planning Proposal.	The proposed rezoning to B4 Mixed Use will not allow caravan parks and manufactured home estates as

S117 Ministerial Direction	Applicable	Comment
<i>housing types</i> (b) <i>To provide opportunities for caravan parks and manufactured home estates.</i>		they are prohibited in the zone.
3.3 Home Occupations <i>Objective:</i> <i>To encourage the carrying out of low-impact small businesses in dwelling houses.</i>	Applicable to Planning Proposal.	The proposed rezoning to B4 Mixed Use will permit range of residential accommodation types; home occupation is also permitted (with consent) in the B4 zone.
3.4 Integrating Land Use and Transport <i>Objective:</i> <i>To ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i> (a) <i>Improving access to housing, jobs and services by walking, cycling and public transport</i> (b) <i>Increasing the choice of available transport and reducing dependence on cars</i> (c) <i>Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car</i> (d) <i>Supporting the efficient and viable operation of public transport services</i> (e) <i>Providing for the efficient movement of freight.</i>	Applicable to Planning Proposal.	Consistent. The Subject Site is well positioned with good access to jobs and services in the Hurstville City Centre and the Allawah Railway Station and Hurstville Railway Station as considered in the report.
3.5 Development Near Licensed Aerodromes	Not applicable to Hurstville.	--
3.6 Shooting Ranges	Not applicable to Hurstville.	--
4. Hazard and Risk		
4.1 Acid Sulfate Soils <i>Objective:</i> <i>To avoid significant adverse environmental impacts from the use of land that has a probability</i>	Not applicable to Planning Proposal.	The Subject Site is not within an area identified as land having a probability of containing acid sulfate soils.

S117 Ministerial Direction	Applicable	Comment
<i>of containing acid sulfate soils.</i>		
4.2 Mine Subsidence and Unstable Land	Not applicable to Hurstville.	--
4.3 Flood Prone Land	Not applicable to Planning Proposal.	The Subject Site is not within an area identified as Flood Prone Land.
4.4 Planning for Bushfire Protection	Not applicable to Planning Proposal.	The Subject Site is not within a Bushfire Prone Area.
5. Regional Planning		
5.1 Implementation of Regional Strategies	Not applicable to Hurstville.	--
5.2 Sydney Drinking Water Catchments	Not applicable to Hurstville.	--
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to Hurstville.	--
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to Hurstville.	--
5.5 – 5.7 Revoked	--	--
5.8 Second Sydney Airport: Badgerys Creek	Not applicable to Hurstville.	--
5.9 North West Rail Link Corridor Strategy	Not applicable to Hurstville.	--
6. Local Plan Making		
6.1 Approval and Referral Requirements <i>Objective: To ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i>	Applicable to the Planning proposal.	Consistent. The Planning Proposal does not include provisions that require concurrence, consultation or referral of development applications to the Minister or public authority or identify development as designated development.
6.2 Reserving Land for Public Purposes <i>Objective: (a) To facilitate the provision of public services and facilities by reserving land for public purposes, and (b) To facilitate the removal of reservations of land for public purposes where the</i>	Applicable to the Planning Proposal.	Consistent. The Planning Proposal does not hinder the application of this Direction. No lands are proposed to be reserved for Public Purposes through the Planning Proposal.

S117 Ministerial Direction	Applicable	Comment
<i>land is no longer required for acquisition.</i>		
6.3 Site Specific Provisions <i>Objective:</i> <i>To discourage unnecessary restrictive site specific planning controls.</i>	Applicable to Planning Proposal.	The Planning Proposal includes a site specific provision within Clause 4.4 Floor space ratio to include an incentive/bonus FSR for the provision of “hotel or motel accommodation” on certain lots within the site as outlined in the report. The Planning Proposal also includes a site specific provision within Clause 4.4A Exceptions to floor space ratios to require a minimum area of non-residential floor space on the site of 0.5:1 to ensure a continuation of some employment uses on the site. Both of these site specific provisions are not unnecessarily restrictive and are needed to encourage desired land uses and employment on the site.
7. Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney <i>Objective:</i> <i>To give legal effect to the planning principles, directions and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</i>	Yes	The Planning Proposal is generally consistent with the NSW Government's A Plan for Growing Sydney (December 2014) as considered in the report.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable to Hurstville.	--