

## **APPENDIX I**

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### **COMPLIANCE WITH SECTION 9.1 – MINISTERIAL DIRECTIONS**

Ministerial Direction	Objective/s	Consistency/Comment
<b>1.1 Implementation of Regional Plans</b>	<i>(1) The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions, and actions contained in Regional Plans.</i>	The planning proposal is <b>consistent</b> with this direction as justified in the previous section of this document.
<b>1.3 Approval and Referral Requirements</b>	<i>(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i>	The planning proposal is <b>consistent</b> with this direction as it does not require concurrence, nor is it a designated development in accordance with Schedule 3 of the Environmental Planning and Assessment Regulation 2000.
<b>1.4 Site Specific Provisions</b>	<i>(1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</i>	The Scoping Proposal is not inconsistent with this provision.
<b>3.1 Conservation Zones</b>	<i>The objective of this direction is to protect and conserve environmentally sensitive areas.</i>	The planning proposal is <b>not inconsistent</b> with this direction as it seeks to rezone approximately 1.6ha of land from C2 Environment Conservation to R2 Low-Density Residential.  The rezoning is justified as the subject land, which is currently C2 zoned, has been remediated as part of the previous DA/1522/2020, which has deprived the site of significant flora and fauna thus losing its environmental value. The site is highly disturbed.
<b>4.3 Planning for Bushfire Protection</b>	<i>(1) The objectives of this direction are: (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 (b) to encourage sound management of bush fire prone areas.</i>	Part of the subject land is identified as a Bushfire vegetation buffer zone, with a proposed northeast boundary close to vegetation 3 category. This will be considered in subsequent Development Applications.
<b>4.4 Remediation of Contaminated Land</b>	<i>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</i>	The planning proposal is <b>consistent</b> with this direction as the subject land is deemed 'fit for use' in the Site Audit statement (attached as <b>Appendix G – Site Audit Statement</b> ) i.e., suitable for the use proposed in this planning proposal.

<b>4.5 Acid Sulfate Soils</b>	<i>(1) 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.</i>	The subject land to which this planning proposal applies is not identified to contain acid sulfate soils within the LMLEP 2014 Acid Sulfate Soils Map, hence the proposal is <b>consistent</b> with the direction.
<b>4.6 Mine Subsidence and Unstable Land</b>	<i>(1) 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.</i>	The NSW ePlanning portal identifies the subject land within the Mine Subsidence District. Prior consultation has supported the residential development of this area.
<b>5.1 Integrating Land Use and Transport</b>	<p><i>(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivisions, and street layouts achieve the following planning objectives:</i></p> <p><i>(a) improving access to housing, jobs, and services by walking, cycling, and public transport, and</i></p> <p><i>(b) increasing the choice of available transport and reducing dependence on cars, and</i></p> <p><i>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i></p> <p><i>(d) supporting the efficient and viable operation of public transport services, and</i></p> <p><i>(e) providing for the efficient movement of freight.</i></p>	The planning proposal is <b>consistent</b> with this direction as it will enable residential development close to shopping services (proposed Costco), existing public transport (proposed on Fotheringham Road), and the emerging strategic centre (Glendale). Additionally, Lake Macquarie Transport Interchange is proposed in close proximity to the subject land which is further expected to reduce the car dependency.
<b>5.2 Reserving Land for Public Purposes</b>	<p><i>(1) The objectives of this direction are:</i></p> <p><i>(a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</i></p> <p><i>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</i></p>	The planning proposal does not seek to alter, create or reduce the existing land reserved for public purposes; therefore, it is <b>consistent</b> with this direction.
<b>6.1 Residential Zones</b>	<i>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</i>	Although the rezoning is proposed from C2 Environmental Conservation land to R2 Low-Density Residential zone, the planning proposal is <b>not</b>

	<p><i>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i></p> <p><i>(c) to minimise the impact of residential development on the environment and resource lands.</i></p>	<p><b>inconsistent</b> with this direction as the subject land has limited environmental value as a result of prior remediation. Additionally, the subject land would allow for diverse housing development, and it sits amidst the established residential area which has existing infrastructure and services to cater to future demands.</p>
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