



THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL
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18 December 2023

Ms Jazmin van Veen
Director, Central (GPOP)
Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Our Ref: 3/2024/PLP

Dear Ms van Veen,

PLANNING PROPOSAL SECTION 3.34 NOTIFICATION

Proposed The Hills Local Environmental Plan 2019 (Amendment No. (#)) – to permit farm gate premises in the RU6 Transition zone and introduce two optional LEP clauses for farm stay accommodation and farm gate premises.

Pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), it is advised that Council has resolved to prepare a planning proposal for the above amendment.

The planning proposal seeks to amend The Hills Local Environmental Plan 2019 as follows:

1. Permit farm gate premises, with consent, in the RU6 Transition zone;
2. Introduce the new Standard Instrument Clause 5.24 for farm stay accommodation (including a local objective); and
3. Introduce the new Standard Instrument Clause 5.25 for farm gate premises.

Please find enclosed the information required in accordance with 'A guide to preparing planning proposals' issued under Section 3.33(3) of the EP&A Act. The planning proposal and supporting material is enclosed with this letter for your consideration. Please note that given the minor nature of this planning proposal, Council is seeking delegation as the Local Plan Making Authority.

Following receipt by Council of the Department's written advice, Council will proceed with the planning proposal. Any future correspondence in relation to this matter should quote reference number 3/2024/PLP. Should you require any further information please contact Jessie Wiseman, Strategic Planning Coordinator on 9843 0122.

Yours faithfully,

Nicholas Carlton
MANAGER - FORWARD PLANNING

Attachment 1: Planning Proposal (including attachments)

PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF PLANNING PROPOSAL: Proposed The Hills Local Environmental Plan (LEP) 2019 Amendment No (#) – to permit farm gate premises in the RU6 Transition zone and introduce two optional LEP clauses for farm stay accommodation and farm gate premises.

STATUS: Pre-Gateway Determination

ADDRESS OF LAND: Land to which The Hills Local Environmental Plan 2019 applies.

SUPPORTING MATERIAL:

Attachment A	Assessment against State Environment Planning Policies
Attachment B	Assessment against Section 9.1 Local Planning Directions
Attachment C	Council Report and Minute (28 November 2023)
Attachment D	Local Planning Panel Report and Minute (13 December 2023)

BACKGROUND:

The Department of Planning and Environment (the Department) has carried out a number of reforms to the planning system over recent years aimed at supporting agritourism and small-scale agricultural development. Agritourism is a tourism-related experience or product that connects agricultural products, people or places, with visitors to a farm. The State Government's agritourism reforms seek to make it easier for farmers to diversify their income from farming businesses whilst maintaining primary production as the principal use.

In summary the key changes to the planning system under the reforms, that are of relevance to the current proposal include:

- In December 2022 the new land use term 'agritourism' which includes 'farm gate premises' and 'farm experience premises' was introduced to the Standard Instrument Local Environmental Plan. The term was permitted in zones where the 'agriculture' group term was permitted which meant that under The Hills LEP 2019 the new terms were initially permitted in the RU1 Primary Production zone.
- In December 2022 the definition of 'farm stay accommodation' was revised to allow for accommodation in moveable dwellings, including tents and caravans, as well as in buildings. Under The Hills LEP 2019 this land use term is currently permitted in the RU1 Primary Production, RU2 Rural Landscape, RU6 Transition and SP3 Tourist zone and permissibility was not changed by the amendments.
- In December 2022 two optional clauses were introduced to the Standard Instrument LEP for 'farm gate premises' and 'farm stay accommodation' that councils may elect to include in their LEP. However, if adopted, these objectives must be adopted in the form (and in accordance with any directions) set out in the Standard Instrument.
- In December 2022 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) was revised to introduce and exempt and complying pathways for 'farm experience premises', 'farm gate premises' and 'farm stay accommodation' (subject to certain sensitive land exclusions and meeting specified development standards).
- In August 2023 permissibility changes were made to The Hills LEP 2019 by way of an amending State Environmental Planning Policy to permit 'agritourism' including 'farm gate premises' and 'farm experience premises' in the RU2 Rural Landscape zone.

At the Council Meeting of 28 November 2023, Council considered a report on extending the permissibility of the new agritourism land use terms to the RU6 Transition zone as well as including the optional LEP clauses for farm stay accommodation and farm gate premises and DCP controls for the new and revised land uses. Council resolved as follows:

1. *Council initiate a Planning Proposal to amend The Hills LEP 2019 to:*
 - a. *Permit farm gate premises, with consent, in the RU6 Transition zone;*
 - b. *Introduce the new Standard Instrument Clause 5.24 for farm stay accommodation (including a local objective); and*
 - c. *Introduce the new Standard Instrument Clause 5.25 for farm gate premises.*
2. *The planning proposal be reported to the Local Planning Panel for advice. Provided the Panel's advice is consistent with the recommendations of this report, it is recommended that the Planning Proposal then be forwarded to the Department of Planning and Environment for Gateway Determination.*
3. *Draft Amendments to Part B Section 1 – Rural (Attachment 5) and Part C Section 1 – Parking (Attachment 6) of The Hills Development Control Plan (DCP) to introduce controls for farm gate premises, farm experience premises and farm stay accommodation, be publicly exhibited for a period of 28 days concurrently with the Planning Proposal.*

A copy of the Council Report and Minute is provided as Attachment C to this report, which also includes further information regarding the background and history of the NSW Government's Agritourism Reforms.

The matter was then subsequently considered by the Local Planning Panel on 13 December 2023. The Panel's advice was as follows:

1. *A Council-initiated planning proposal be forwarded to the Department of Planning and Environment to amend The Hills Local Environmental Plan (LEP) 2019 to:*
 - a. *Permit 'farm gate premises', with consent, in the RU6 Transition zone;*
 - b. *Introduce the new Standard Instrument Clause 5.24 for 'farm stay accommodation' (including a local objective); and*
 - c. *Introduce the new Standard Instrument Clause 5.25 for 'farm gate premises'.*
2. *Draft Amendments to Part B Section 1 – Rural and Part C Section 1 – Parking of The Hills Development Control Plan (DCP) to introduce controls for farm gate premises, farm experience premises and farm stay accommodation, be publicly exhibited for a period of 28 days concurrently with the Planning Proposal.*
3. *Panel was satisfied that this Planning Proposal has both strategic and site specific merit as outlined in the council officers report.*

A copy of the Local Planning Panel Report and Advice is provided as Attachment D to this report.

THE SITE:

In terms of proposed changes to permissibility, this planning proposal relates to land zoned RU6 Transition under The Hills Local Environmental Plan 2019. In terms of the proposed inclusion of optional clauses for farm stay accommodation and farm gate premises, the planning proposal relates to land where these land uses are permitted (or are proposed to be permitted) under LEP 2019. This includes the following land use zones:

- RU1 Primary Production (farm gate premises and farm stay accommodation)
- RU2 Rural Landscape (farm gate premises and farm stay accommodation)
- RU6 Transition (farm gate premises and farm stay accommodation)

It is noted that farm stay accommodation is also permitted with consent in the MU1 Mixed Use zone and SP3 Tourist zone, given the term is a subset of 'tourist and visitor accommodation' which is mandated as a permitted use in these zones under the Government's Standard Instrument Local Environmental Plan. It is not anticipated there will be uptake of the opportunity in these locations given the requirement for farm stay accommodation to take place on a commercial farm.

For reference, a map of the RU1 Primary Production, RU2 Rural Landscape and RU6 Transition zoned areas within The Shire is shown in the following figure.

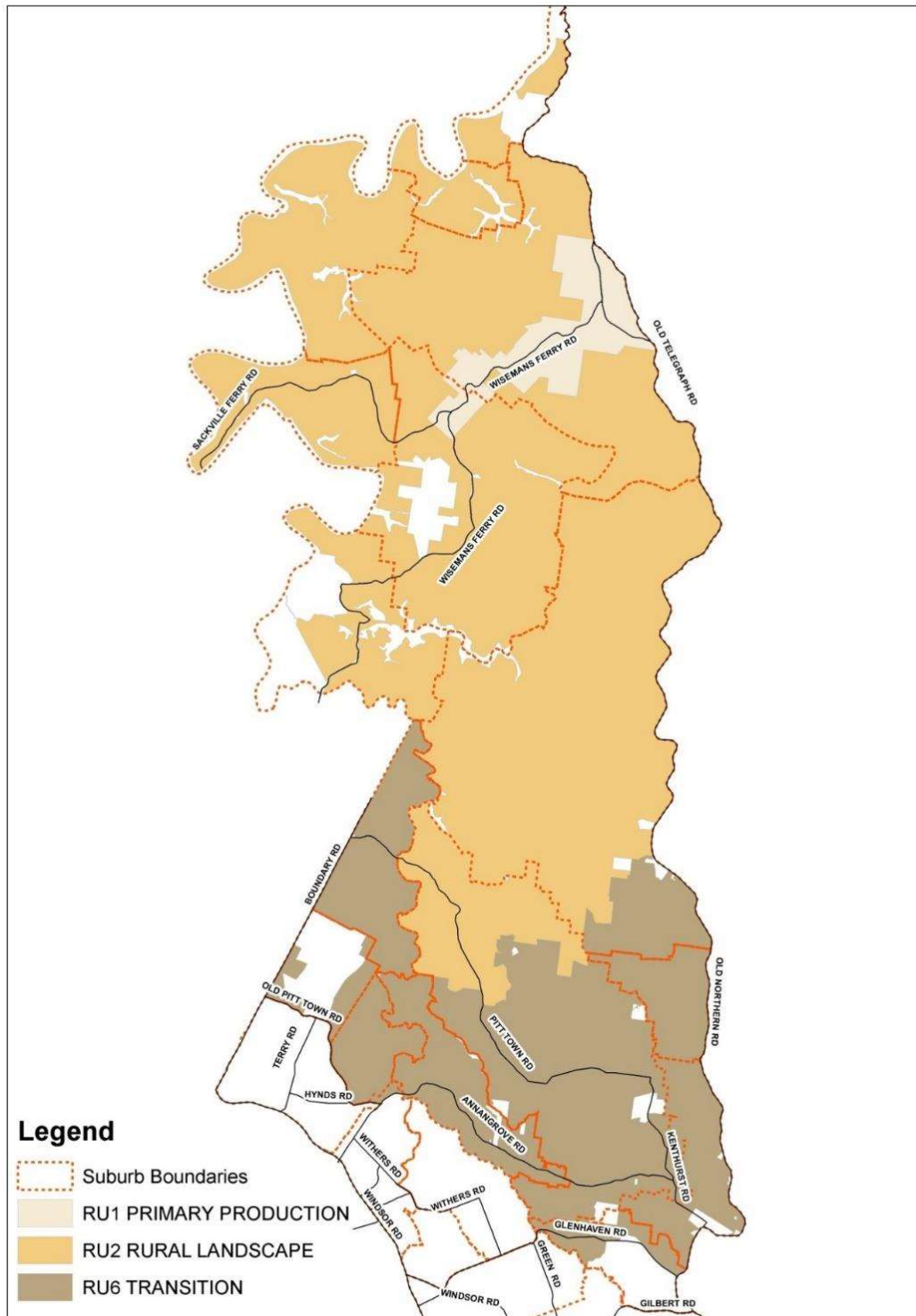


Figure 1
Map of the Shire's Rural Zones

The new and revised land use terms only apply to commercial farms, which is defined as follows:

Commercial Farm means a farm on which agriculture is undertaken that is—

- (a) on land categorised as farmland under the Local Government Act 1993, section 515, or
- (b) a primary production business within the meaning of the Income Tax Assessment Act 1997 of the Commonwealth, or part of a primary production business, including a business that—
 - i. was a primary production business, and
 - ii. has temporarily ceased to be a primary production business because of a natural disaster, including a drought, flood or bush fire.

In the context of the Hills Shire, approximately 5.6% (around 283) of RU1, RU2 and RU6 zoned lots are likely to meet the above requirements and therefore be eligible for agritourism development. This is broken-down further by land use zone in the table below:

	RU1	RU2	RU6	Total
Total number of lots	136	1,632	3,278	5,046
Lots classified as farmland or that have a primary production business	22	63	198	283

Table 1

Breakdown of Lots Likely to be Eligible for Agritourism by Land Use Zone

Accordingly, the potential magnitude of the take-up of these new land use opportunities is fairly limited, simply due to the limited number of lots which would satisfy the above pre-conditions.

PART 1 OBJECTIVES OR INTENDED OUTCOME

The planning proposal seeks to extend the permissibility of farm gate premises in line with State and local objectives for supporting rural productive capacity and tourism activities. It also seeks to provide a suitable framework for the assessment of the new land use opportunities that balances flexibility for farmers to operate the new activities whilst mitigating any potential impacts on rural character and amenity.

PART 2 EXPLANATION OF THE PROVISIONS

The proposed outcomes will be achieved by amending The Hills Local Environmental Plan 2019 as follows:

- Permit farm gate premises, with consent, in the RU6 Transition zone;
- Introduce the new Standard Instrument Clause 5.24 for farm stay accommodation (including a local objective); and
- Introduce the new Standard Instrument Clause 5.25 for farm gate premises.

PART 3 JUSTIFICATION

SECTION A - NEED FOR THE PLANNING PROPOSAL

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

The Department of Planning and Environment (the Department) has proposed various reforms to the planning system to support agritourism and small scale agricultural development. The changes seek to make it easier for farmers to diversify their income from farming businesses whilst maintaining primary production as the principal use. It is understood that across the State, farmers have faced a number of challenges including bushfires and the economic impacts of the COVID-19

pandemic and the Government is seeking to support the recovery and resilience of regional communities and farming by growing emerging industries that are supplementary to agriculture. This planning proposal is in response to the reforms undertaken by the Department and has been prepared following the full suite of material including Model Development Control Plan clauses being made available in August 2023.

This planning proposal responds to Action 5.2 of Council's LSPS, which requires Council to review planning controls and permissible uses in rural zones to facilitate land uses that will support and serve rural industries and encourage tourism in appropriate locations. It will also give effect to the following relevant planning priorities of LSPS:

- Planning Priority 4 – Retain and manage the Shire's rural productive capacity;
- Planning Priority 5 – Encourage support activities and tourism in rural areas; and
- Planning Priority 16 – Manage and protect the rural/urban interface.

This planning proposal also responds to Council's Economic Growth Plan, which articulates that tourism and other local services that support our rural industries are significant contributors to the functioning of the Shire's rural area and its economic success.

2. 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 considered to be the best way to achieve the intended outcomes.

The planning proposal recommends that farm gate premises be permitted with consent in the RU6 Transition zone under LEP 2019. The proposed new land use opportunity aligns with Council's policies and objectives for supporting rural productive capacity and tourism activities. It is consistent with the objectives of the zone that seek to encourage innovative and sustainable tourist development, sustainable agriculture and provision of farm produce direct to the public. Allowing for farm gate premises will provide for a wider range of uses ancillary to farming operations beyond currently allowed roadside stalls, cellar door premises or artisan food and drink industries. The permissibility change is considered appropriate as it will enable local growers the opportunity to diversify or supplement their income and facilitate the growth of emerging industries that are ancillary to agriculture.

This planning proposal also seeks to introduce Standard Instrument Clause 5.24 for farm stay accommodation (including a local objective), as well as Standard Instrument Clause 5.25 for farm gate premises, within The Hills LEP. The clauses set out a range of considerations for the assessment of development applications and allow for the addition of local objectives and development standards. To reinforce that development must complement the rural character, it is proposed that an additional local objective (in addition to the two mandated objectives) be included within the proposed clause for farm stay accommodation, relating to protecting the rural character of the locality.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

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

Yes, a discussion of consistency is provided below.

▪ Greater Sydney Region Plan and Central City District Plan

The Greater Sydney Region Plan and Central City District Plan emphasise the importance of protecting and enhancing the environmental, social and economic values in rural areas. The relevant objectives and planning priorities of these Plans are as follows:

- Objective 24 - Economic sectors are targeted for success.
- Objective 29 – Environmental, social and economic values in rural areas are protected and enhanced.
- Planning Priority C12 – Supporting growth of targeted industry sectors.
- Planning Priority C18 – Better managing rural areas.

The Plans seek to support the growth of targeted industry sectors, including the agricultural industry, so that key economic sectors are targeted for success. In particular, the Plans reinforce the need to protect and support agricultural production and mineral resources and articulates that there are agricultural clusters at Maroota, Middle Dural, Galston and Arcadia within the Central City District. However, they do also recognise the importance of providing certainty for rural industries and ensuring their operations can continue without encroachment from incompatible land uses. This planning proposal is consistent with these key priorities as it strikes a balance between providing increased opportunities for agritourism developments in the right locations, while also protecting against potential land use conflicts and other potential impacts.

It is therefore considered that the planning proposal is consistent with the above objectives and planning priorities within these Strategic Plans.

4. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Yes, a discussion of consistency is provided below.

▪ **The Hills Local Strategic Planning Statement and Supporting Strategies**

Council's Local Strategic Planning Statement (LSPS) and supporting Rural Strategy articulate that tourism and rural support services are significant contributors to the functioning of the rural area and the rural economy's success. The Rural Strategy also notes that major components of the Shire's tourism industry are located in or based around the Shire's rural area. Farm-gate sales, farmers' markets, eco-tourist facilities and recreation on the Hawkesbury River combine to offer a rural experience on Sydney's doorstep.

This planning proposal responds to Action 5.2 of Council's LSPS, which requires Council to review planning controls and permissible uses in rural zones to facilitate land uses that will support and serve rural industries and encourage tourism in appropriate locations. It will also give effect to the following relevant planning priorities of LSPS:

- Planning Priority 4 – Retain and manage the Shire's rural productive capacity;
- Planning Priority 5 – Encourage support activities and tourism in rural areas; and
- Planning Priority 16 – Manage and protect the rural/urban interface.

▪ **Economic Growth Plan**

This Planning Proposal is consistent with Council's Economic Growth Plan, which articulates that tourism and other local services that support our rural industries are significant contributors to the functioning of the Shire's rural area and its economic success. The Economic Growth Plan seeks to position and promote The Hills Shire as an attractive destination for business, investment and visitors through a review of Council's Sydney Hills brand identity and the creation and delivery of marketing campaigns. Specifically, it includes actions that require Council to undertake a tourism land use review, as well as identify and promote nature based and agritourism opportunities in the Shire including:

- Boutique value adding.
- Farm gate sales.
- Nature based accommodation and activities next to natural attractions and assets.

- Agritourism opportunities such as farm stays and destination wineries.

▪ **The Hills Future Community Strategic Plan**

This planning proposal seeks to build on the objectives of the State Government's recent agritourism reforms, which sought to support the recovery and resilience of farm businesses and regional economies within New South Wales (NSW). This planning proposal, coupled with the objectives of the reforms and new land use terms, align with Council strategies related to rural productivity, supporting existing businesses and the visitor economy. Establishing permissibility and planning controls within The Hills LEP and DCP will ensure future agritourism opportunities are facilitated and appropriately managed within a robust framework of planning mechanisms, in line with community expectations.

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

Yes. An assessment of the planning proposal against applicable State Environmental Planning Policies is provided in Attachment A. A discussion on the consistency of the proposal with the relevant Policies is provided below.

As previously discussed, the Department has carried out a number of reforms to the planning system aimed at supporting agritourism and small-scale agricultural development. This has included changes to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* to introduce exempt and complying development pathways for agritourism and related terms. The reforms seek to make it easier for farmers to diversify their income from farming businesses whilst maintaining primary production as the principal use.

The planning proposal is considered to be consistent with the objectives of the Codes SEPP and the associated agritourism reforms as it seeks to encourage the uptake of agritourism activities in appropriate locations within the Shire, where an exempt or complying development pathway may not be available.

The *State Environmental Planning Policy (Primary Production) 2021*, in part, aims to guide the use and development of lands for primary production within NSW. While the SEPP sets consideration for development applications, this planning proposal is in keeping with its main aims and objectives.

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

Yes. The consistency of the planning proposal with the Section 9.1 Ministerial Directions is detailed within Attachment B. A discussion on the consistency of the proposal with relevant Directions is provided below.

- Ministerial Direction 4.1 – Flooding
- Ministerial Direction 4.2 – Coastal Management
- Ministerial Direction 4.3 – Planning for Bushfire Protection
- Ministerial Direction 4.5 – Acid Sulfate Soils

These biodiversity and resilience/hazards directions establish objectives and requirements to ensure that planning proposals properly consider potential environmental related constraints. In regard to these biodiversity and resilience/hazards directions, it is recognised that the physical attributes of the rural area pose challenges for the growth of agritourism. In particular, steep topography and vegetation cover render some parts of the Shire inaccessible to people or areas are at risk of bushfire or flooding. It is considered that this planning proposal (and associated DCP amendments) strikes an appropriate balance in terms of encouraging agritourism, while also mitigating potential environmental constraints and land use conflicts.

Notwithstanding the above, it is anticipated that in the majority of cases, future agritourism and farm stay accommodation development will most likely need to go through the standard development application process and be comprehensively assessed against the relevant development controls within The Hills LEP and DCP. In this regard the recommended optional LEP clauses for farm stay accommodation and farm gate premises, together with proposed DCP provisions, will assist in providing an appropriate framework for consideration of environmental constraints on a site-by-site basis.

- Ministerial Direction 9.1 – Rural Zones

Ministerial Direction 9.1 Rural Zones seeks to protect the agricultural production value of rural land and requires that any planning proposal not contain provisions that will increase the permissible density of land within a rural zone. This planning proposal seeks to permit farm gate premises in the RU6 Transition zone and introduce a new optional clause for farm gate premises that assists in ensuring future development is suitable for the land and surrounding locality and has due regard to potential impacts in terms of rural amenity. Noting the intention of the Direction and the agritourism reforms is to support rural industries and assist farmers to diversify their income whilst maintaining primary production as the principal use, the proposal is in keeping with the aims and objectives of this Ministerial Direction.

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

7. 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?

As previously discussed, it is recognised that the physical attributes of the rural area pose challenges for the growth of agritourism. In particular, steep topography and vegetation cover render some parts of the Shire inaccessible to people or areas are at risk of bushfire or flooding. It is considered that this planning proposal (and associated DCP amendments) strikes an appropriate balance in terms of encouraging agritourism, while also mitigating potential environmental constraints and land use conflicts.

Notwithstanding the above, it is anticipated that in the majority of cases, future agritourism and farm stay accommodation development will most likely need to go through the standard development application process and be comprehensively assessed against the relevant development controls within The Hills LEP and DCP. In this regard the recommended optional LEP clauses for farm stay accommodation and farm gate premises, together with proposed DCP provisions, will assist in providing an appropriate framework for consideration of environmental constraints on a site-by-site basis.

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

It is noted that the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) currently contains provisions that could potentially enable agritourism land uses to operate at a certain scale (up to 100 visitors) as exempt development in the RU1, RU2 and RU6 zones. In addition, a complying development pathway is available for agritourism developments in the RU1 and RU2 zones.

The opportunity for a complying development pathway may also be excluded for certain sensitive land or where proposed development is not able to meet specified development standards within the SEPP.

It is estimated that of the 283 lots that are likely to meet the definition of commercial farms in the RU1, RU2 and RU6 zones, only around 27.2% could be eligible for a complying development pathway, based on environmental affectations and other constraints identified which preclude the

complying development pathway. Complying development pathways may then be further restricted on the remaining lots by some of the specified requirements for complying development such as setbacks from boundaries and setbacks from dwellings on neighbouring land.

It is therefore anticipated that in the majority of cases, future agritourism and farm stay accommodation development will most likely need to go through the standard development application process and be comprehensively assessed against the relevant development controls within The Hills LEP and DCP.

The planning proposal is also supported by draft amendments to The Hills DCP 2012, which seek to guide the built form, design and ongoing operation of farm gate premises and mitigate potential impacts on rural character and amenity. The proposed DCP amendments have been guided by the Department's Model DCP Clauses for agritourism and having consideration for controls already in force in other comparable local government areas. However, they have been refined and tailored to suit local circumstances.

9. How has the planning proposal adequately addressed any social and economic effects?

Tourism and other local services that support our rural industries are significant contributors to the functioning of the Shire's rural area and its economic success. As articulated within Council's recently adopted Economic Growth Plan, Council is committed to position and promote The Hills Shire as an attractive destination for business, investment and visitors through a review of Council's Sydney Hills brand identity and the creation and delivery of marketing campaigns.

The planning proposal seeks to promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities. Specifically, it seeks to expand the permissibility of farm gate premises to the RU6 Transition zone within The Hills LEP 2019. This is intended to enable landowners to showcase the agricultural produce of the land. This may include setting up a building or place to sell agricultural products such as a small restaurant or café, pick-your-own produce or running tastings and workshops. Other activities that meet the definition for farm gate premises can also be undertaken.

SECTION D - STATE AND COMMONWEALTH INTERESTS

10. Is there adequate public infrastructure for the planning proposal?

Future development on the site would need to be supported by the necessary infrastructure. It is anticipated that this would be conditioned as part of any future development application. Therefore, there would be no notable impact on infrastructure demand for these types of uses. It is also anticipated that consultation would be undertaken with service providers to ensure that the essential services have been adequately accounted for.

11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

Should a Gateway Determination be issued, the public exhibition process will facilitate the opportunity to consult with relevant State agencies and adjoining councils with rural zoned land. It is anticipated that consultation with the following public authorities will be required:

- NSW Department of Primary Industry
- NSW Rural Fire Service
- State Emergency Services
- Sydney Water
- Hornsby Shire Council
- Hawkesbury City Council

PART 4 MAPPING

No mapping changes are proposed. Proposed changes are to the instrument only.

PART 5 COMMUNITY CONSULTATION

The planning proposal and associated amendments to The Hills Development Control Plan 2012 will be advertised on Council's website and social media platforms.

PART 6 PROJECT TIMELINE

STAGE	DATE
Commencement Date (Gateway Determination)	February 2024
Government agency consultation	March - April 2024
Commencement of public exhibition period (28 days)	March - April 2024
Completion of public exhibition period	April 2024
Timeframe for consideration of submissions	May 2024
Timeframe for consideration of proposal post exhibition	May 2024
Report to Council on submissions	June 2024
Planning Proposal to PCO for opinion	July 2024
Date Council will make the plan (if delegated)	July 2024

ATTACHMENT A: LIST OF STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	APPLICABLE TO THSC	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
Biodiversity and Conservation (2021)	YES	NO	-
Building Sustainability Index: BASIX (2004)	YES	NO	-
Exempt and Complying Development Codes (2008)	YES	YES	CONSISTENT
Housing (2021)	YES	NO	-
Industry and Employment (2021)	YES	NO	-
No. 65 – Design Quality and Residential Apartment Development	YES	NO	-
Planning Systems (2021)	YES	NO	-
Precincts – Central River City (2021)	YES	NO	-
Precincts – Eastern Harbour City (2021)	NO	-	-
Precincts – Regional (2021)	NO	-	-
Precincts – Western Parkland City (2021)	NO	-	-
Primary Production (2021)	YES	YES	CONSISTENT
Resilience and Hazards (2021)	YES	NO	-
Resources and Energy (2021)	YES	NO	-
Sustainable Buildings (2022)	YES	NO	-
Transport and Infrastructure (2021)	YES	NO	-

ATTACHMENT B: ASSESSMENT AGAINST SECTION 9.1 MINISTERIAL DIRECTIONS

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
1. Planning Systems				
1.1	Implementation of Regional Plans	YES	NO	-
1.2	Development of Aboriginal Land Council land	NO	-	-
1.3	Approval and Referral Requirements	YES	NO	-
1.4	Site Specific Provisions	YES	NO	-
1.4A	Exclusion of Development Standards from Variation	NO	-	-
1. Planning Systems – Place-based				
1.5	Parramatta Road Corridor Urban Transformation Strategy	NO	-	-
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	NO	-	-
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	-	-
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	-	-
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	NO	-	-
1.10	Implementation of the Western Sydney Aerotropolis Plan	NO	-	-
1.11	Implementation of Bayside West Precincts 2036 Plan	NO	-	-
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	NO	-	-
1.13	Implementation of St Leonards and Crow Nest 2036 Plan	NO	-	-
1.14	Implementation of Greater Macarthur 2040	NO	-	-
1.15	Implementation of Pyrmont Peninsula Place Strategy	NO	-	-
1.16	North West Rail Link Corridor Strategy	NO	-	-
1.17	Implementation of the Bays West Place Strategy	NO	-	-
1.18	Implementation of the Macquarie Park Innovation Precinct	NO	-	-
1.19	Implementation of the Westmead Place Strategy	NO	-	-
1.20	Implementation of the Camellia-Rosehill Place Strategy	NO	-	-
1.21	Implementation of South West Growth Area Structure Plan	NO	-	-
1.22	Implementation of the Cherrybrook Station Place Strategy	NO	-	-

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
2. Design and Place				
3. Biodiversity and Conservation				
3.1	Conservation Zones	YES	NO	-
3.2	Heritage Conservation	YES	NO	-
3.3	Sydney Drinking Water Catchments	NO	-	-
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26	NO	-	-
3.5	Recreation Vehicle Areas	YES	NO	-
3.6	Strategic Conservation Planning	NO	-	-
3.7	Public Bushland	YES	NO	-
3.8	Willandra Lakes Region	NO	-	-
3.9	Sydney Harbour Foreshores and Waterways Area	NO	-	-
3.10	Water Catchment Protection	NO	-	-
4. Resilience and Hazards				
4.1	Flooding	YES	YES	CONSISTENT
4.2	Coastal Management	YES	YES	CONSISTENT
4.3	Planning for Bushfire Protection	YES	YES	CONSISTENT
4.4	Remediation of Contaminated Land	YES	NO	-
4.5	Acid Sulfate Soils	YES	NO	CONSISTENT
4.6	Mine Subsidence and Unstable Land	YES	NO	-
5. Transport and Infrastructure				
5.1	Integrating Land Use and Transport	YES	NO	-
5.2	Reserving Land for Public Purposes	YES	NO	-
5.3	Development Near Regulated Airports and Defence Airfields	NO	-	-
5.4	Shooting Ranges	NO	-	-
6. Housing				
6.1	Residential Zones	NO	-	-
6.2	Caravan Parks and Manufactured Home Estates	YES	NO	-
7. Industry and Employment				
7.1	Employment Zones	YES	NO	-
7.2	Reduction in non-hosted short-term rental accommodation period	NO	-	-
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	NO	-	-
8. Resources and Energy				
8.1	Mining, Petroleum Production and Extractive Industries	YES	NO	-

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
9. Primary Production				
9.1	Rural Zones	YES	YES	CONSISTENT
9.2	Rural Lands	NO	-	-
9.3	Oyster Aquaculture	YES	NO	-
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	NO	-	-