

Section 117 Ministerial Direction Assessment

Direction	Comment
Employment & Resources	
1.1 Business & Industrial Zones	
<p>Aims to encourage employment growth in suitable locations, protect employment land in business and industrial zones and to support the viability of identified strategic corridors.</p> <p>Applies when a planning proposal affects land within an existing or proposed business or industrial zone.</p>	<p>Applicable and consistent.</p> <p>Proposes to create new INI-General Industrial Zone over land zoned RU6- Transition.</p>
1.2 Rural Zones	
<p>Aims to protect the agricultural production value of rural land.</p> <p>Applies when a planning proposal affects land within an existing or proposed rural zone.</p>	<p>Applicable. Planning Proposal will remove land zoned rural as Site 5 is zoned RU6 – Transition Zone.</p> <p>This zoning has only been applied as an interim measure until planning investigations are undertaken and the ultimate land use determined.</p>
1.3 Mining, Petroleum Production and Extractive Industries	
<p>Aims 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.</p> <p>Applies when a planning proposal would have the effect of prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or restricting the potential of development resources of coal, other mineral, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</p>	<p>Applicable.</p> <p>Consultation will be required to be undertaken with NSW Trade and Investment (Resources and Energy – Geological Survey of NSW) to determine potential:</p> <ul style="list-style-type: none"> - Impacts from or on future resource extraction; and - Development guidelines for the site. <p>The proposal may be inconsistent with this Direction, further agency consultation will be undertaken as the planning proposal progresses.</p>
1.4 Oyster Aquaculture	
<p>Aims to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered, and 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 the health of oysters and consumers.</p> <p>Applies when a planning proposal could result in adverse impacts on a Priority Oyster Aquaculture Areas or current oyster aquaculture lease in the national parks estate or results in incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or current oyster</p>	<p>Not Applicable.</p> <p>The Planning Proposal is not located in Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area as identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i> (2006)</p>

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aquaculture lease in the national parks estate and other land uses.	
1.5 Rural Lands	
<p>Aims to protect the agricultural production value of rural land; and facilitate the orderly and economic development of rural lands for rural and related purposes.</p> <p>Applies to local government areas to which State Environmental Planning Policy (Rural Lands) 2008 applies and prepares a planning proposal that affects land within an existing or proposed rural or environment protection zone.</p>	<p>Not Applicable.</p> <p>This direction does not apply to the Wyong LGA.</p>
Environment & Heritage	
2.1 Environmental Protection Zones	
<p>Aims to protect and conserve environmentally sensitive areas.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable.</p> <p>The site is located within a proposed green corridors and strategically located land. The proposal conflicts with a number of the conservation links shown in the NWSSP.</p> <p>The proposed development footprint will be refined subject to the outcomes of additional ecological assessments.</p> <p>In order to achieve an 'improve or maintain' outcome, biocertification of the subject site and utilisation of land within the same ownership for offsets are proposed.</p> <p>At present, the proposal is inconsistent with this direction and further consultation will be required with the Office of Environment and Heritage in relation to biodiversity, threatened species and regional wildlife corridor planning considerations as the Planning Proposal progresses.</p>
2.2 Coastal Protection	
<p>Aims to implement the principles in the NSW Coastal Policy.</p> <p>Applies when a planning proposal applies to land in the coastal zone as defined in the <i>Coastal Protection Act 1979</i>.</p>	<p>Not Applicable.</p>
2.3 Heritage Conservation	
<p>Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable.</p> <p>The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance.</p> <p>Notwithstanding the above, consistency of the</p>

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	proposal with this Direction will be required to be demonstrated by additional assessment and investigations of Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.
2.4 Recreational Vehicle Areas	
<p>Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable.</p> <p>The proposal does not seek to enable development for recreational vehicle use. It is therefore considered that the proposal is consistent with this Direction.</p>
Housing, Infrastructure and Urban Development	
3.1 Residential Zones	
<p>Aims to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environmental and resource lands.</p> <p>Applies when a planning proposal affects land within an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.</p>	Not Applicable
3.2 Caravan Parks and Manufactured Home Estates	
<p>Aims to provide for a variety of housing types and provide opportunities for caravan parks and manufactured home estates.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	Not Applicable.
3.3 Home Occupations	
<p>Aims to encourage the carrying out of low impact small business in dwelling houses.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	Not Applicable.
3.4 Integrating Land Use & Transport	
<p>Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available transport and reducing</p>	<p>Applicable.</p> <p>It is considered that the proposal is generally consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for Transport and Development.</p> <p>The subject site is in close proximity to major road</p>

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<p>transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient movement of freight.</p> <p>Applies when a planning proposal creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p>	<p>networks. Further assessment to ensure availability of alternative transport choices, cycleway planning and provision of bus routes/stops will be undertaken as part of traffic and transport investigations to support the rezoning.</p> <p>The proposal is consistent with this Direction, however; further assessment of this matter will occur as the planning proposal progresses.</p>
<p>3.5 Development Near Licensed Aerodromes</p>	
<p>Aims to ensure the effective and safe operation of aerodromes, their operation is not compromised by development which constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, development for residential purposes or human occupation (within the ANEF contours between 20 & 25) incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p> <p>Applies when a planning proposal creates, alters or removes a zone or provision relating to land in the vicinity of a licensed aerodrome.</p>	<p>Not Applicable.</p> <p>The proposal does not seek to create, alter or remove a zone or provision relating to land in the vicinity of a licensed aerodrome.</p>
<p>3.6 Shooting Ranges</p>	
<p>Aims to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, and to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</p> <p>Applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.</p>	<p>Not Applicable.</p> <p>The proposal is does not propose to affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.</p>
<p>Hazard & Risk</p>	
<p>4.1 Acid Sulfate Soils</p>	
<p>Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>Applies when a planning proposal applies to land having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps.</p>	<p>Applicable.</p> <p>The subject site may contain acid sulfate soils and proposes an intensification of land uses.</p> <p>Clause 7.1 Acid Sulfate Soils of Wyong LEP 2013 is not proposed to be altered by the proposal. Notwithstanding this, the consistency of the proposal with this Direction will required to be demonstrated by an acid sulphate soil assessment</p>

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	in accordance with the ASSMAC guidelines.
4.2 Mine Subsidence & Unstable Land	
<p>Aims to prevent damage to life, property and the environmental on land identified as unstable or potentially subject to mine subsidence.</p> <p>Applies when a planning proposal permits development on land which is within a mine subsidence district, or identified as unstable in a study or assessment undertaken by or on behalf of the relevant planning authority or other public authority and provided to the relevant planning authority.</p>	Not Applicable as the site is not within a Mine Subsidence District.
4.3 Flood Prone Land	
<p>Aims to ensure development on flood prone land is consistent with NSW Government's Flood Prone Land Policy and principles of the Floodplain Development Manual 2005; and provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land.</p> <p>Applies when a planning proposal creates, removes or alters a zone or provision that affects flood prone land.</p>	Site is flood free – Not Applicable
4.4 Planning for Bushfire Protection	
<p>Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas.</p> <p>Applies when a planning proposal affects or is in proximity to land mapped as bushfire prone land.</p>	<p>Applicable.</p> <p>The site of the proposal contains land classified as Bushfire Prone under Council's Bushfire Prone Lands Map.</p> <p>The consistency of the proposal with this Direction will required to be demonstrated by additional bushfire investigative studies.</p>
Regional Planning	
5.1 Implementation of Regional Strategies	
<p>Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained within regional strategies.</p> <p>Applies when the relevant planning authority prepares a planning proposal that is located on land addressed within the Far North Regional Strategy, Lower Hunter Regional Strategy, Central Coast Regional Strategy, Illawarra Regional Strategy & South Coast Regional Strategy.</p>	<p>Applicable.</p> <p>The proposal is inconsistent with the NWSSP staging plan for land release and land within the "strategically located sites" and proposes development on land identified within a future corridor.</p> <p>Notwithstanding this, part of the subject site is identified for further investigation for development purposes.</p> <p>Given the above, and the proposed nature of</p>

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	investigations still to be undertaken (which will ultimately influence future development options for the site), the inconsistency will need to be further explained as the proposal develops.
5.2 Sydney Drinking Water Catchments	
<p>Aims to protect water quality in the hydrological catchment.</p> <p>Applies when a relevant planning authority prepares a planning proposal that applies to Sydney's hydrological catchment.</p>	<p>Not Applicable.</p> <p>The proposal is not located within Sydney's hydrological catchment.</p>
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	
<p>Aims to: ensure that the best agricultural land will be available for current and future generations to grow food and fibre; provide more certainty on the status of the best agricultural land, assisting councils with strategic settlement planning; and reduce land use conflict arising between agricultural use and non-agricultural use of farmland caused by urban encroachment into farming areas.</p> <p>Applies to Ballina, Byron, Kyogle, and Tweed Shire Councils, Lismore City Council and Richmond Valley Council.</p>	<p>Not Applicable.</p> <p>The proposal is not located within the Far North Coast Region.</p>
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	
<p>Aims to manage commercial and retail development along the Pacific Highway, North Coast.</p> <p>Applies to all councils between and inclusive of Port Stephens and Tweed Shire Councils.</p>	<p>Not Applicable.</p> <p>The proposal is not located between Port Stephens and Tweed Shire Councils.</p>
5.8 Second Sydney Airport: Badgerys Creek	
<p>Aims to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.</p> <p>Applies to land located within the Fairfield, Liverpool and Penrith City Council and Wollondilly Shire Council Local Government Areas.</p>	<p>Not Applicable.</p> <p>The proposal is not located within the Fairfield, Liverpool and Penrith City Council or Wollondilly Shire LGA.</p>
Local Plan Making	
6.1 Approval and Referral Requirements	
<p>Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>Applies when the relevant planning authority</p>	<p>Applicable.</p> <p>The Planning Proposal does not seek to include provision which require concurrence from other agencies.</p>

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prepares a planning proposal.	The proposal is consistent with this Direction.
6.2 Reserving Land for Public Purposes	
<p>Aims to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where land is no longer required for acquisition.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable.</p> <p>Work has not yet been conducted at the required level of detail to determine if there will be requirement for land reservations for traffic improvements, parks and wildlife corridors. Future reservation areas may be identified as further work is conducted on the project.</p> <p>Consistency with this Direction is subject to determination.</p>
6.3 Site Specific Provisions	
<p>Aims to discourage unnecessarily restrictive site specific planning controls.</p> <p>Applies when the relevant planning authority prepares a planning proposal to allow particular development to be carried out.</p>	<p>Applicable, but is not inconsistent as draft planning provisions are not unduly restrictive.</p>
Metropolitan Planning	
7.1 Implementation of the Metropolitan Strategy	
<p>Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy.</p> <p>Applies when the planning authority within a Metropolitan Local Government Area prepares a planning proposal.</p>	<p>Not Applicable.</p> <p>This Direction does not apply to Wyong LGA.</p>