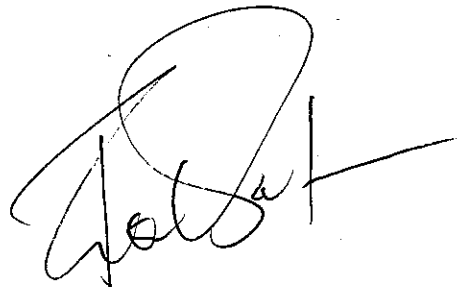


ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Direction under Section 117(2)

I, the Minister for Planning, under section 117(2) of the *Environmental Planning and Assessment Act 1979* ("the Act"), direct that:

- (1) Councils must exercise their functions under Divisions 4 and 5 of Part 3 of the Act in accordance with Schedule 1;
- (2) This direction takes effect on the date that *State Environmental Planning Policy (Rural Lands) 2008* commences;
- (3) This direction does not apply to any draft local environmental plan that has been issued with a certificate under section 65 of the Act before the date that *State Environmental Planning Policy (Rural Lands) 2008* commences;
- (4) The direction previously issued under section 117(2) of the Act and attached at Schedule 2 is revoked; and
- (5) Despite subclause (4), the direction attached at Schedule 2 shall continue to apply to a draft local environmental plan that has been issued with a certificate under section 65 of the Act before the date that *State Environmental Planning Policy (Rural Lands) 2008* commences.



Frank Sartor, MP
Minister for Planning,
Sydney

[Date: 9 MAY 2008]

Schedule 1

1.2 Rural Zones

Objective

- (1) The objective of this direction is to protect the agricultural production value of rural land.

Where this direction applies

- (2) (a) Clause 4(a) of this direction applies to all councils.
 (b) Clause 4(b) of this direction applies to councils in the following local government areas:

Ashfield	Holroyd	Penrith
Auburn	Hornsby	Pittwater
Bankstown	Hunters Hill	Randwick
Baulkham Hills	Hurstville	Rockdale
Blacktown	Kogarah	Ryde
Blue Mountains	Ku-ring-gai	Strathfield
Botany Bay	Lake Macquarie	Sutherland
Burwood	Lane Cove	Warringah
Camden	Leichhardt	Waverley
Campbelltown	Liverpool	Willoughby
Canada Bay	Manly	Wollondilly
Canterbury	Marrickville	Woolahra
City of Sydney	Mosman	Wollongong
Fairfield	Newcastle	Wyong
Gosford	North Sydney	
Hawkesbury	Parramatta	

When this direction applies

- (3) This direction applies when a council prepares a draft LEP that affects land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).

What a council must do if this direction applies

- (4) A draft LEP shall:
- not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.
 - not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).

Consistency

- (5) A draft LEP may be inconsistent with the terms of this direction only if council can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the draft LEP that are inconsistent are:
- justified by a strategy which:
 - gives consideration to the objectives of this direction,
 - identifies the land which is the subject of the draft LEP (if the draft LEP relates to a particular site or sites), and
 - is approved by the Director-General of the Department of Planning, or
 - justified by an environmental study prepared in accordance with section 57 of the *Environmental Planning and Assessment Act 1979* which gives consideration to the objectives of this direction, or
 - in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
 - is of minor significance.

1.2 Rural Zones

Objective

- (1) The objective of this direction is to protect the agricultural production value of rural land.

Where this direction applies

- (2) This direction applies to all councils.

When this direction applies

- (3) This direction applies when a council prepares a draft LEP that affects land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).

What a council must do if this direction applies

- (4) A draft LEP shall:
- (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone,
 - (b) not contain provisions which will increase the permissible density of land within a rural zone (other than land within an existing town or village), and
 - (c) include provisions that control access from traffic generating developments to classified roads in rural zones.

Consistency

- (5) A draft LEP may be inconsistent with the terms of this direction only if council can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the draft LEP that are inconsistent are:
- (a) justified by a strategy which:
 - (i) gives consideration to the objective of this direction,
 - (ii) identifies the land which is the subject of the draft LEP (if the draft LEP relates to a particular site or sites), and
 - (iii) is approved by the Director-General of the Department of Planning, or
 - (b) justified by an environmental study prepared in accordance with section 57 of the *Environmental Planning and Assessment Act 1979* which gives consideration to the objective of this direction, or
 - (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
 - (d) of minor significance.

Note: In this direction, "classified road" has the same meaning as in the *Roads Act 1993*.