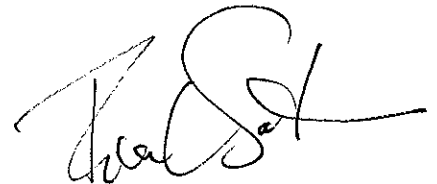


ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

**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; and
- (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.



Frank Sartor, MP  
Minister for Planning,  
Sydney

[Date: **9 MAY 2008** ]

## Schedule 1

### 1.5 Rural Lands

#### Objectives

- (1) The objectives of this direction are to:
- (a) protect the agricultural production value of rural land,
  - (b) facilitate the orderly and economic development of rural lands for rural and related purposes.

#### Where this direction applies

- (2) (a) This direction applies to all councils to which *State Environmental Planning Policy (Rural Lands) 2008* applies which includes all councils in the State other than 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	Woollahra
City of Sydney	Mosman	Wollongong
Fairfield	Newcastle	Wyong
Gosford	North Sydney	
Hawkesbury	Parramatta	

#### When this direction applies

- (3) This direction applies when:
- (a) a council prepares a draft LEP that affects land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or
  - (b) a council prepares a draft LEP that changes the existing minimum lot size on land within a rural or environment protection zone.

#### What a council must do if this direction applies

- (4) A draft LEP to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in *State Environmental Planning Policy (Rural Lands) 2008*.
- (5) A draft LEP to which clause 3(b) applies must be consistent with the Rural Subdivision Principles listed in *State Environmental Planning Policy (Rural Lands) 2008*.

**Note:** *State Environmental Planning Policy (Rural Lands) 2008* does not require a council to review or change its minimum lot size(s) in an existing LEP. A council can transfer the existing minimum lot size(s) into a new LEP. However, where a council seeks to vary an existing minimum lot size in an LEP, it must do so in accordance with the Rural Subdivision Principles listed in *State Environmental Planning Policy (Rural Lands) 2008*.

## Consistency

- (6) 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 objectives 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 and is in force, or
  - (b) is of minor significance.