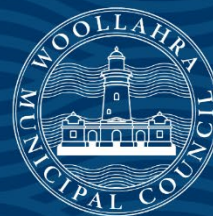


# Planning Proposal



## Exempt provisions for bus shelter advertising



|                       |                                       |
|-----------------------|---------------------------------------|
| Version Date:         | February 2022                         |
| Division/Department:  | Planning and Place/Strategic Planning |
| Responsible Officer:  | Team Leader Strategic Planning        |
| HPE CM Record Number: | 22/3968                               |



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# 1. Introduction

## 1.1. Background

On 26 July 2021, a report recommending Council permit bus shelter advertising was presented to Council. The following information was provided in the report:

*As advised in previous briefings and reports to Council in relation to the position of the budget, bus shelter advertising provides an opportunity to significantly increase Council's annual revenue stream and reduce the current and future Operating Deficit (currently at \$3.508m).*

*Woollahra is one of the few remaining councils in Sydney not to have advertising on its bus shelters. All neighbouring councils adjoining Woollahra (Waverley, Randwick and the City of Sydney) have bus shelter advertising contracts in place.*

*Given the location and demographics of Woollahra, bus shelter advertising in Woollahra is an attractive proposition for the market.*

*To assist Council in examining the opportunity for bus shelters advertising in the Woollahra local government area, specialist consultants Nexusfactor were engaged to provide specialist infrastructure advertising advice. Nexusfactor have experience in providing expert advertising, commercial modelling, planning and contract consultancy advice to various local and state government authorities and public transport organisations around Australia.*

At that meeting, Council resolved:

- A. THAT Council note the attached confidential annexure in relation to bus shelter advertising in Woollahra and the potential for significant additional income that it would provide.*
- B. THAT a planning proposal be prepared to permit advertising on bus shelters as exempt development in the Woollahra LEP 2014.*
- C. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.*
- D. THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.*
- E. THAT subject to Council's planning controls being amended to permit advertising on bus shelters, Council calls for tenders to explore the advertising possibilities.*
- F. THAT heritage bus-shelters be exempt from bus shelter advertising in Woollahra Local Government Area.*

In accordance with Council's resolution, staff prepared this planning proposal. It was reported to the Woollahra Local Planning Panel (Woollahra LPP) meeting of 16 September 2021 where they provided the following advice to Council:

**Resolved:**

*THAT the Woollahra Local Planning Panel advises Council to proceed with the planning proposal to permit bus shelter advertising as exempt development by amending Schedule 2 of the Woollahra Local Environmental Plan 2014.*

**Reason:**

*For the reasons in the report, the Panel supports the Planning Proposal for Bus Shelter Advertising to be Exempt Development.*

On 11 October 2021, the advice of the Woollahra LPP was reported to the Environmental Planning Committee. On 25 October 2021, Council resolved:

- A. *THAT Council note the advice provided by the Woollahra Local Planning Panel on 16 September 2021 for the planning proposal to permit advertising on bus shelters as exempt development in the Woollahra Local Environmental Plan 2014.*
- B. *THAT the planning proposal, as contained in Annexure 3 of the report to the Environmental Planning Committee meeting of 11 October 2021 be forwarded to the Department of Planning, Industry and Environment with a request for gateway determination to allow public exhibition.*
- C. *THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environment plan under section 3.36 of the Environmental Planning and Assessment Act 1979.*
- D. *THAT Council requests staff to exclude from consideration:*
  - i. *all heritage styles bus shelters and heritage bus shelters regardless of their location, and any bus shelters in heritage conservation areas excluding New South Head Road, Ocean Street, Old South Head Road and Oxford Street.*
- E. *THAT a further report on bus shelter advertising locations be reported to Council prior to the preparation of the Bus Shelter Advertising specifications and tender documentation.*

This planning proposal is submitted in accordance with Parts B and C of the Council resolution.

## **1.2. Description of this planning proposal**

This planning proposal seeks to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) to permit advertising on bus shelters as exempt development.

Advertisements on bus shelters are generally displayed on panels affixed to the bus shelter. These display panels can be retrofitted to existing bus shelters or incorporated into new bus shelters.

In addition to standard advertising material, these display panels also provide an opportunity for Council to display community services, safety and other important types of messaging.

An example of a typical bus shelter with advertising is shown in **Figure 1**.





**Figure 1 - Example of a bus shelter with advertising in Lane Cove**

## 2. Existing planning controls

### Woollahra Local Environmental Plan 2014

Under the Woollahra LEP 2014, advertising on bus shelters would either be defined as 'signage' or 'advertising structure' where advertising structures are a type of signage. The definitions are as follows:

**signage** means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

but does not include a traffic sign or traffic control facilities.

**advertising structure** has the same meaning as in the Act.

(Note. The term is defined as a structure used or to be used principally for the display of an advertisement)

Currently, 'signage' and 'advertising structure' are not permissible land uses in any zones under the Woollahra LEP 2014.

### State Environmental Planning Policy 64 – Advertising and Signage

The *State Environmental Planning Policy 64 – Advertising and Signage* (SEPP 64) applies to all signage that can be displayed with or without development consent and is visible from a public place.

Clause 10 of SEPP 64 prohibits the display of advertisements (other than business or building identification signs) in the following zones or descriptions:

- environmentally sensitive areas
- heritage area (excluding railway stations)
- natural or other conservation area
- open space
- waterway
- residential (but not including a mixed residential and business zone, or similar zone)
- scenic protection areas
- national park
- nature reserve

However, Clause 6 (2) states that SEPP 64 does not apply to signage that is exempt development under an environmental planning instrument that applies to it, in this case this would be the Woollahra LEP 2014.

Furthermore, Clause 16 of SEPP 64 allows the display of an advertisement with development consent on transport corridor land, when it is by or on behalf of RailCorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW.



### 3. Objectives of planning proposal

The objective of this planning proposal is to amend the Woollahra LEP 2014 to permit advertising on bus shelters as exempt development whilst ensuring that the signage is compatible with the desired visual character of the Woollahra local government area (LGA).

Permitting bus shelter advertising as exempt development will overcome the limitations of SEPP 64 which prohibits the display of advertisements in certain areas.

### 4. Explanation of provisions

The intended outcome will be achieved by amending *Schedule 2: Exempt development* of the Woollahra LEP 2014 to insert a provision for advertising on bus shelters.

The recommended provisions to be included in the Woollahra LEP 2014 are:

#### **Signage – Bus shelter advertising**

- (1) Must not extend beyond the perimeter of the bus shelter.
- (2) Must not contain flashing or neon signage.
- (3) Must not be located on land that comprises a heritage item.
- (4) Must be erected by or on behalf of the Council.

It is noted that the wording of the proposed provisions are indicative only, and that the final wording of the provisions will be determined at LEP drafting stage by the NSW Parliamentary Counsel's Office.

### 5. Justification

The planning proposal has strategic merit as demonstrated in part 5.1 to 5.3 below.

#### **5.1. Need for planning proposal**

##### **1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?**

No. The planning proposal is not the result of a specific strategic study. However, a review of the opportunities for bus shelter advertising in the Woollahra LGA informed Council's resolution to prepare this planning proposal.

##### **2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. A planning proposal is the best means of achieving the intended outcome. An amendment to the Woollahra LEP 2014 is required to permit advertising on bus shelters and overcome the limitations of SEPP 64.

## 5.2. Relationship to strategic planning framework

### 3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including exhibited draft plans or strategies)?

Yes. The planning proposal is broadly consistent with the relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the relevant planning priorities and actions of the *Eastern City District Plan* (2018), as discussed below.

#### Greater Sydney Region Plan: A Metropolis of Three Cities

The planning proposal is broadly consistent with the directions and objectives of *Greater Sydney Region Plan: A Metropolis of Three Cities*, particularly Objective 12 under the Direction: A city of great places:

*Objective 12: Great places that bring people together*

This objective seeks to maintain and build on the unique characteristics of places in a way that reflects shared community values and culture. The proposed amendment to the Woollahra LEP 2014 seeks to permit bus shelter advertising whilst including provisions that will ensure that advertisements on bus shelters are of high quality design, respects our community's commitment to heritage conservation and maintains the amenity of the LGA.

#### Eastern City District Plan

The planning proposal is generally consistent with the planning priorities and actions of the *Eastern City District Plan*, particularly Planning Priority E6 under the theme Liveability:

*Planning Priority E6: Creating and renewing great places and local centres, and respecting the District's heritage*

The planning proposal will contribute to the liveability of the Woollahra LGA as it will introduce exempt development provisions for advertising on bus shelters. As bus shelter advertising can only be erected by or on behalf of Council, the structures will be well-designed and consistent with the desired visual character of the Woollahra LGA so that they are

- not located on a heritage item,
- not located on heritage style bus shelters,
- not located in a heritage conservation area (excluding New South Head Road, Ocean Street, Old South Head Road and Oxford Street),
- not flashing or neon.

### 4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Yes. The planning proposal is consistent with the Council's Community Strategic Plan, *Woollahra 2030 – Our community, our place, our plan* (Woollahra 2030) and the *Woollahra Local Strategic Planning Statement 2020* (Woollahra LSPS 2020).

#### Woollahra LSPS 2020

The planning proposal is broadly consistent with the *Woollahra LSPS 2020*, particularly Planning Priority 6:

*Planning Priority 6: Placemaking supports and maintains the local character of our neighbourhoods and villages whilst creating great places for people.*

Permitting bus shelter advertising as exempt development will provide an opportunity to increase Council's revenue which will support placemaking initiatives and infrastructure provision in the LGA. To ensure that this is undertaken appropriately, the proposed amendment to the Woollahra LEP 2014 seeks to include provisions that will ensure that advertisements on bus shelters are of high quality design, respects our community's commitment to heritage conservation and maintains the amenity of the LGA.

## **Woollahra 2030**

This planning proposal is also generally consistent with *Woollahra 2030*, in particular Goal 11 under the theme: *Community leadership and participation*:

*Goal 11: Well managed Council*

*Strategy 11.4: Maintain Council's strong financial position*

An amendment to the Woollahra LEP 2014 to permit bus shelter advertising as exempt development will provide an opportunity to significantly increase Council's annual income which will enable Council to effectively deliver services and infrastructure.

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

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies (refer to **Schedule 1**).

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

Yes. The planning proposal is consistent with the applicable section 9.1 directions (refer to **Schedule 2**).

## **5.3. 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?**

No. Bus shelters are typically located along main roads. Accordingly, there are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land. The proposal will not have any impact in this regard.

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

Yes. There are potential impacts as advertising on bus shelters may be distracting to vehicular traffic on main roads. The proposed amendment to *Schedule 2: Exempt development* of the Woollahra LEP 2014 includes provisions which seeks to minimise the

effects from illumination and any other potential environmental effects, with regard to amenity and design quality.

**9. Has the planning proposal adequately addressed any social and economic effects?**

Yes. The planning proposal will not have any adverse social and economic impacts. Bus shelter advertising will be managed by Council through contracts that will specify location and maintenance requirements.

**5.4. State and Commonwealth interests**

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

Yes. The planning proposal seeks to amend the Woollahra LEP 2014 to permit bus shelter advertising as exempt development and will not result in additional demand for infrastructure.

If required by the gateway determination, consultation will be undertaken with public utility companies, service providers and emergency services during the public exhibition.

**11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

This section will be completed following consultation with public authorities identified in the gateway determination. Public authorities, including but not limited to, will be notified:

- Transport for NSW

Any other authorities identified by the Department of Planning, Industry and Environment will be consulted during the public exhibition of the planning proposal.

## **6. Mapping**

The planning proposal does not seek to amend any maps in the Woollahra LEP 2014.

## 7. Community consultation

The public exhibition will be undertaken in accordance with the requirements of the relevant legislation and guidelines, including

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Woollahra Community Participation Plan 2019*
- *Local Environmental Plans – A Guide to preparing Local Environmental Plans* (2018)
- Conditions of the Gateway Determination.

We recommend that the planning proposal is exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period, when a hardcopy version of that newspaper is being published.
- a notice on Council's website.
- a notice to local community, resident and business groups.

During the exhibition period the following material will be available on Council's website and in the customer service area at Woollahra Council offices (subject to the offices being accessible to the public in line with current Public Health Orders):

- the planning proposal, in the form approved by the gateway determination.
- the gateway determination.
- information relied upon by the planning proposal (such as the relevant Council reports).
- Woollahra LEP 2014.
- Section 9.1 Directions.



## 8. Project timeline

As Council is authorised to exercise the functions of the Minister for Planning under section 3.36 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

| Plan-making step   | Estimated completion |
|--|----------------------|
| Council resolution to prepare planning proposal  | 26 July 2021         |
| Woollahra Local Planning Panel provides advice   | 16 September 2021    |
| Environmental Planning Committee recommends proceeding   | 11 October 2021      |
| Council resolution to proceed  | 25 October 2021      |
| Gateway determination  | 17 December 2021     |
| Completion of technical assessment   | N/A                  |
| Government agency consultation   | As required          |
| Public exhibition period   | February 2022        |
| Submissions assessment   | March 2022           |
| Council assessment of planning proposal post exhibition  | April 2022           |
| Council decision to make the LEP amendment   | April 2022           |
| Council to liaise with Parliamentary Counsel to prepare LEP amendment  | May 2022             |
| Forwarding of LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification | May/June 2022        |
| Notification of the approved LEP   | May/June 2022        |

## Schedules

### Schedule 1 – Consistency with State Environmental Planning Policies

| State environmental planning policy              | Comment on consistency   |
|--|--|
| SEPP No 19 – Bushland in Urban Areas             | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.  |
| SEPP No 21 – Caravan Parks                       | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.  |
| SEPP No 33 – Hazardous and Offensive Development | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.  |
| SEPP No 36 – Manufactured Home Estates           | Not applicable   |
| SEPP No 47 – Moore Park Showground               | Not applicable   |
| SEPP No 50 – Canal Estate Development            | Applicable<br><br>Consistent. The proposal does not include a canal estate.  |
| SEPP No 55 – Remediation of Land                 | Applicable<br><br>Consistent. The planning proposal does not seek to rezone land and will not affect the application of the SEPP for the purpose of promoting the remediation of contaminated land and reducing the risk of harm to human health or any other aspect of the environment. |

| State environmental planning policy                              | Comment on consistency   |
|--|--|
| SEPP No 64 – Advertising and Signage                             | <p>Applicable</p> <p>Consistent. The planning proposal seeks to permit bus shelter advertising as exempt development. This will facilitate advertising on bus shelters in land use zones or descriptions that are prohibited under the SEPP.</p> <p>It is noted that SEPP 64 does not apply to signage that is exempt development. The proposed amendment to the Woollahra LEP 2014 includes provisions to ensure that advertisements are of high quality design and maintain amenity. Accordingly, it is considered that the planning proposal is broadly consistent with the aims of the SEPP to ensure that signage (including advertising) is well regulated, compatible with the desired amenity and visual character of an area, and is of high quality design and finish.</p> |
| SEPP No 65 – Design Quality of Residential Apartment Development | <p>Applicable</p> <p>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.</p>   |
| SEPP No 70 – Affordable Housing (Revised Schemes)                | <p>Applicable</p> <p>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.</p>   |
| SEPP (Aboriginal Land) 2019                                      | <p>Not applicable. No land within the Woollahra LGA is identified on the Land Application Map of the SEPP.</p>   |
| SEPP (Activation Precincts) 2020                                 | <p>Not applicable. No land within the Woollahra LGA is identified as an Activation Precinct.</p>   |
| SEPP (Affordable Rental Housing) 2009                            | <p>Applicable</p> <p>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.</p>   |

| State environmental planning policy                              | Comment on consistency  |
|--|---|
| SEPP (Building Sustainability Index: BASIX) 2004                 | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Coastal Management) 2018                                   | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Concurrences and Consents) 2018                            | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Educational Establishments and Child Care Facilities) 2017 | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Exempt and Complying Development Codes) 2008               | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Gosford City Centre) 2018                                  | Not applicable.   |
| SEPP (Housing for Seniors or People with a Disability) 2004      | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Infrastructure) 2007                                       | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Koala Habitat Protection) 2020                             | Not applicable. The Woollahra LGA is not specified in Schedule 1 of SEPP (Koala Habitat Protection) 2021.                           |
| SEPP (Koala Habitat Protection) 2021                             | Not applicable. The Woollahra LGA is not listed in Schedule 1.  |

| State environmental planning policy                                | Comment on consistency  |
|--|---|
| SEPP (Kosciuszko National Park - Alpine Resorts) 2007              | Not applicable  |
| SEPP (Kurnell Peninsula) 1989                                      | Not applicable  |
| SEPP (Major Infrastructure Corridors) 2020                         | Not applicable. No future corridors are identified within the Woollahra LGA.  |
| SEPP (Mining, Petroleum Production and Extractive Industries) 2007 | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Penrith Lakes Scheme) 1989                                   | Not applicable  |
| SEPP (Primary Production and Rural Development) 2019               | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (State and Regional Development) 2011                         | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (State Significant Precincts) 2005                            | Applicable<br><br>There are currently no identified state significant precincts located in the Woollahra LGA.                       |
| SEPP (Sydney Drinking Water Catchment) 2011                        | Not applicable. No land within the Woollahra LGA is identified on the Land Application Map.   |
| SEPP (Sydney Region Growth Centres) 2006                           | Not applicable  |
| SEPP (Three Ports) 2013  | Not applicable  |
| SEPP (Urban Renewal) 2010  | There are currently no potential urban renewal precincts in the Woollahra LGA which are identified in the SEPP.                     |



| State environmental planning policy        | Comment on consistency  |
|--|---|
| SEPP (Vegetation in Non-Rural Areas) 2017  | Applicable<br><br>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Western Sydney Aerotropolis) 2020    | Not applicable. No land within the Woollahra LGA is identified on the Land Application Map.   |
| SEPP (Western Sydney Employment Area) 2009 | Not applicable  |
| SEPP (Western Sydney Parklands) 2009       | Not applicable  |

| Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies | Comment on consistency |
|--|------------------------|
| SREP No 8 (Central Coast Plateau Areas)  | Not applicable         |
| SREP No 9 - Extractive Industry (No 2 - 1995)  | Not applicable         |
| SREP No 16 – Walsh Bay   | Not applicable         |
| SREP No 20 - Hawkesbury- Nepean River (No 2 - 1997)                                    | Not applicable         |
| SREP No 24 - Homebush Bay Area   | Not applicable         |
| SREP No 26 – City West   | Not applicable         |
| SREP No 30 - St Marys  | Not applicable         |
| SREP No 33 - Cooks Cove  | Not applicable         |

| Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies | Comment on consistency  |
|--|---|
| SREP (Sydney Harbour Catchment) 2005   | <p>Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.</p> <p>The planning proposal applies to land within the Sydney Harbour Catchment. Therefore the planning principles under Part 2, clause 13 Sydney Harbour Catchment of the SREP have been considered during its preparation. Permitting advertising on bus shelters as exempt development will have minimal environmental impact and the amendment seeks to include provisions to ensure design quality and maintain amenity. It is considered that the planning proposal is broadly consistent with the principles. Bus shelters are typically located on main roads and are not located on land in the Foreshores and Waterways Area. Therefore the principles of clause 13 Foreshores and Waterways Area are not applicable to this planning proposal.</p> |

## Schedule 2 – Compliance with section 9.1 directions

| Planning proposal –<br>Compliance with section 9.1 directions |   |   |
|---|---|---|
| Direction   |   | Applicable/comment  |
| <b>1</b>  | <b>Employment and resources</b>   |   |
| 1.1   | Business and industrial zones   | Applicable. Consistent. The planning proposal does not contain a provision, which is contrary to the objective of this direction. The planning proposal does not seek to rezone business or industrial land or reduce permissible floor space in these zones.   |
| 1.2-1.5   | Directions 1.2-1.5  | Not applicable. These directions are not relevant to the Sydney metropolitan area.  |
| <b>2</b>  | <b>Environment and heritage</b>   |   |
| 2.1   | Environment protection zones  | Not applicable. The planning proposal will not reduce provision in Woollahra LEP 2014 for the protection of environmentally sensitive areas in the Woollahra LGA or affect the application of the SREP (Sydney Harbour Catchment) 2005. The planning proposal is broadly consistent with the direction. |
| 2.2   | Coastal management  | Not applicable. The planning proposal does not propose the rezoning of any land and will therefore not result in increased development or more intensive land-use on land within a coastal area.  |
| 2.3   | Heritage conservation   | Applicable. Consistent. The planning proposal includes a provision that states bus shelter advertising must not be located on land that comprises a heritage item.  |
| 2.4   | Recreation vehicle areas  | Not applicable. The planning proposal does not apply to sensitive land or land with significant conservation values. It will not allow land to be developed for a recreation vehicle area.  |
| 2.5   | Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs | Not applicable. The planning proposal does not apply to land in the Far North Coast.  |
| 2.6   | Remediation of contaminated land  | Applicable. Consistent. The planning proposal does not rezone or permit a change of use of the land in the Woollahra LGA. The planning proposal does not contain a provision which is contrary to the objective of this direction.  |
| <b>3</b>  | <b>Housing, infrastructure and urban development</b>                              |   |

| Planning proposal –<br>Compliance with section 9.1 directions |  |   |
|---|--|---|
| Direction   |  | Applicable/comment  |
| 3.1   | Residential zones  | Applicable. Consistent. The planning proposal seeks to permit advertising on bus shelters as exempt development and will not reduce the permissible residential density of land. The planning proposal does not contain a provision which is contrary to this direction.  |
| 3.2   | Caravan parks and manufactured home estates                    | Not applicable. The planning proposal does not affect caravan parks and manufactured home estates.  |
| 3.3   | Home occupations   | Revoked 9 November 2020.  |
| 3.4   | Integrating land use and transport                             | Applicable. Consistent. The planning proposal does not contain a provision that is contrary to the aims, objectives and principles of: <ul style="list-style-type: none"> <li><i>Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and; The Right Place for Business and Services – Planning Policy (DUAP 2001).</i></li> </ul> |
| 3.5   | Development near regulated airports and defence airfields      | Not applicable. The planning proposal does not apply to land near a regulated airport or defence airfield.  |
| 3.6   | Shooting ranges  | Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.   |
| 3.7   | Reduction in non-hosted short term rental accommodation period | Not applicable. The planning proposal does not apply to land in the Byron Shire Council.  |
| <b>4</b>  | <b>Hazard and risk</b>   |   |
| 4.1   | Acid sulfate soils   | Applicable. Consistent. The existing acid sulfate soils provisions in the Woollahra LEP 2014 will not be altered by the planning proposal.  |
| 4.2   | Mine subsidence and unstable land                              | Not applicable. The planning proposal does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable.  |
| 4.3   | Flood prone land   | Applicable. Consistent. The planning proposal will not rezone flood liable land or affect the application of controls that ensure that development on flood liable land will not result in risk to life or damage to property.  |
| 4.4   | Planning for bushfire protection                               | Not applicable. The planning proposal does not apply to land mapped as bushfire prone land.   |

| Planning proposal –<br>Compliance with section 9.1 directions |  |  |
|---|--|--|
| Direction   |  | Applicable/comment   |
| <b>5</b>  | <b>Regional planning</b>   |  |
| 5.1 - 5.9   | Strategies 5.1-5.9   | Not applicable. These strategies do not apply to the Woollahra LGA.  |
| 5.10  | Implementation of Regional Plans                                   | Applicable. The planning proposal is consistent with the objectives of the <i>Greater Sydney Regional Plan: A Metropolis of Three Cities</i> , particularly Objective 12: Great places that bring people together.<br><br>Refer to Section 5 of this report. |
| 5.11  | Development of Aboriginal Land Council land                        | Not applicable. There is no land in the Woollahra LGA identified on the Land Application Map of SEPP (Aboriginal Land) 2019.   |
| <b>6</b>  | <b>Local plan making</b>   |  |
| 6.1   | Approval and referral requirements                                 | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to this direction.  |
| 6.2   | Reserving land for public purposes                                 | Not applicable. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.   |
| 6.3   | Site specific provisions   | Not applicable. The planning proposal does not apply to a specific site or a particular development.   |
| <b>7</b>  | <b>Metropolitan Planning</b>                                       |  |
| 7.1   | Implementation of A <i>Metropolis of Three Cities</i> (March 2018) | Revoked 9 November 2020.   |
| 7.2 – 7.13  | Directions 7.2 – 7.13  | Not applicable. These strategies do not apply to the Woollahra LGA.  |