

APPENDIX E: CONSISTENCY WITH SEPPS AND DEEMED SEPPs***State Environmental Planning Policies (SEPPs)***

No	Title	Summary	Application
1	Development Standards	Aims to provide flexibility in the application of planning controls where strict compliance of development standards would be unreasonable, unnecessary or hinder the attainment of specified objectives of the Act.	<i>Does not apply to Auburn LGA.</i> SEPP repealed by Auburn LEP 2010 (clause 1.9)
4	Development without Consent and Miscellaneous Exempt and Complying Development	Aims to permit development for a purpose which is of minor environmental significance, development for certain purposes by public utility undertakings and development on certain land reserved or dedicated under the <i>National Parks and Wildlife Act 1974</i> without the necessity for development consent. Also regulates complying development for conversion of fire alarms.	<i>Clause 6 and Parts 3 and 4 do not apply - repealed by Auburn LEP 2010 (clause 1.9).</i> Remainder of SEPP applies to the State. The proposal does not involve exempt or complying development. Not relevant.
6	Number of Storeys in a Building	Seeks to remove confusion arising from the interpretation of provisions in EPIs controlling the height of buildings	<i>Applies to the State.</i> Consistent
14	Coastal Wetlands	Seeks to ensure the State's coastal wetlands are preserved and protected.	<i>Does not apply to Auburn LGA.</i> Applies to specified land under the National Parks & Wildlife Act, the Tomago Aluminium Smelter (Newcastle) and land to which SEPP 26 applies.
15	Rural Landsharing Communities	Seeks to facilitate the development of rural land-sharing communities committed to environmentally sensitive and sustainable land use practices.	<i>Does not apply to Auburn LGA.</i>
19	Bushland in Urban Areas	Aims to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.	<i>Applies to Auburn LGA and others.</i> There is no bushland on or adjoining the subject site. Not relevant
21	Caravan Parks	Seeks to facilitate the proper management and development of land used for caravan parks catering to the provision of accommodation to short and long term residents.	<i>Applies to the State.</i> Excludes land to land to which SEPP (Western Sydney Parklands) applies. The site is not currently used or intended to be used to be used as a caravan park. Not relevant
22	Shops and Commercial Premises	Seeks to permit change of use from commercial premises to commercial premises, and shop to shop even if the change is prohibited by another EPI, provided only minor effect and consent is obtained from relevant authorities.	<i>Applies to State,</i> excluding specified land under Parramatta LEP and Penrith LEP. The rezoning to a business zone and any subsequent approval for commercial premises would trigger the provisions of this SEPP. However, any change of use would still need consent and would need to be of minor effect to comply with the SEPP.

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			Consistent
26	Littoral Rainforests	Seeks to protect littoral rainforests from development.	Does not apply to Auburn LGA
29	Western Sydney Recreation Area	To enable the carrying out of development for recreational, sporting and cultural purposes within the Western Sydney Recreation Area	Does not apply to Auburn LGA Applies to land within Western Sydney Parklands - Eastern Creek, Prospect, Horsley Park and Hoxton Park
30	Intensive Agriculture	Requires development consent and additional requirements for cattle feedlots and piggeries.	Applies to the State. The proposal is not for a cattle feedlot or piggery. Not relevant
32	Urban Consolidation	Aims to facilitate surplus urban land redevelopment for multi-unit housing and related development in a timely manner and the provision of housing within areas that have public infrastructure.	Applies to all urban land, except Western Sydney Parklands under that SEPP. Consistent.
33	Hazardous and Offensive Development	Seeks to provide additional support and requirements for hazardous and offensive development	Applies to the State. The proposal does not seek to provide for hazardous or offensive development. Not relevant.
36	Manufactured Home Estates	Seeks to facilitate the establishment of manufactured home estates as a contemporary form of residential housing.	Does not apply to Auburn LGA. Applies to land outside the Sydney Region.
39	Spit Island Bird Habitat	Seeks to enable development for the purposes of creating and protecting bird habitat.	Does not apply to Auburn LGA. Applies to land comprising Spit Island, Towra Point and Kurnell.
44	Koala Habitat Protection	Seeks to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas	Does not apply to the Auburn LGA Auburn LGA not listed in Schedule 1.
47	Moore Park Showground	Seeks to enable redevelopment of Moore Park Showground consistent with its status as being of State and regional planning importance.	Does not apply to the Auburn LGA
50	Canal Estate Development	Prohibits canal estate development	Applies to the State, except Penrith Lakes. Canal estate development is not proposed. Not relevant.
52	Farm Dams and other works in land management areas	Requires environmental assessment under Part 4 of the EPA for artificial water bodies carried out under farm plans that implement land and water management plans.	Does not apply to the Auburn LGA
55	Remediation of Land	Provides a Statewide planning approach for the remediation of contaminated land.	Applies to the State The proposal aims to rezone land currently zoned and used for industrial purposes, including a service station and a former service station. A Phase 1 contamination assessment will need to be undertaken to fulfil clause 6 requirements of the SEPP if the proposal is to proceed after a s.56 Gateway Determination. Depending on the outcome of the Phase 1

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			assessment, a Phase 2 report may also be required. Inconsistent – to be addressed following Gateway determination.
59	Central Western Sydney Regional Open Space and Residential	To provide for residential development on suitable land as identified in the Policy to assist in accommodating the projected population growth of Western Sydney	Does not apply to the Auburn LGA Applies to land identified as Regional Open Space Zone and Residential Zone within the Western Sydney Parklands
60	Exempt and Complying Development	Seeks to provide for exempt development and complying development in certain local government areas that have not provided for those types of development through a local environmental plan	Does not apply to the parts of the Auburn LGA (clause 1.9) covered by the Auburn LEP 2010. Applies to the state, except as provided by the policy and excludes Mt Kosciusko. Applies to land to which SREP 24 applies – refer to <i>State Environmental Planning Policy (Major Development) Amendment (Sydney Olympic Park) 2009 Land Application Map</i> . Affected land within the Auburn LGA includes SOPA and certain land within Wentworth Point, Newington, Silverwater and Homebush Bay. The subject site is land covered by <i>Auburn LEP 2010</i> . Not relevant.
62	Sustainable Aquaculture	Seeks to encourage and regulate sustainable aquaculture development	Applies to the State The proposal does not seek aquaculture development. Not relevant.
64	Advertising and Signage	Seeks to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	Applies to the State The proposal is not for the development of advertising or signage. Should any future DA seek advertising or signage if the planning proposal is supported and made, consideration of the SEPP would be required. Not relevant.
65	Design Quality of Residential Flat Development	Seeks to improve the design qualities of residential flat building development in New South Wales.	Applies to the State, excluding Kosciusko SEPP area The proposal seeks to permit development for residential flat buildings. Given the configuration of the site, the multiple ownerships and the location between a regional road and railway, it is recommended that the applicant carry out an urban design study of the site resulting in recommendations for a site specific DCP, to enable future development to be consistent with the requirements of SEPP 65.
70	Affordable Housing (Revised Schemes)	Seeks to insert affordable housing provisions into EPIs and to address expiry of, savings made by EP&A Amendment (Affordable Housing) Act 2000.	Does not apply to Auburn LGA. Applies to land within the Greater Metropolitan Region. Specifically mentions Ultimo/Pymont precinct, City of Willoughby and Green Square.

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71	Coastal Protection	Seeks to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast.	Does not apply to Auburn LGA. Applies to land within the coastal zone, as per maps of SEPP.
	Affordable Rental Housing	To provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing.	Applies to the State Consistency will be determined by any future DAs for such development if the proposal proceeds subsequent to a Gateway Determination.
	Building Sustainability Index: BASIX 2004	The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State.	Applies to State This SEPP would be applicable at the development stage.
	Exempt and Complying Development Codes 2008	Seeks to provide streamlined assessment process for development that complies with specified development standards.	Applies to the State. Excludes land within Kosciuszko National Park, Western Sydney Parklands SEPP and land within 18kms of ANU land at Siding Spring. The provisions of this SEPP would apply under the proposed zoning. Consistency would be determined in the future, should applicants seek such development.
	Housing for Seniors or People with a Disability 2004	Seeks to encourage the provision of housing to meet the needs of seniors or people with a disability.	Applies to the State - Land that is zoned primarily for urban purposes or adjoins such land, and as per the conditions specified in the SEPP. The SEPP would apply under the proposed R4 zoning. The proposal is not inconsistent with the SEPP.
	Infrastructure 2007	The aim of this Policy is to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.	Applies to the State This SEPP would be applicable at the development stage. The proposal is not inconsistent with the SEPP.
	Kosciuszko National Park – Alpine Resorts 2007	Seeks to protect and enhance the natural environment of the alpine resorts area.	Does not apply to Auburn LGA. Applies only to specified land within Kosciuszko National Park, Kosciuszko Road and Alpine Way.
	Kurnell Peninsula 1989		Does not apply to Auburn LGA. Applies to the land within Sutherland Shire known as Kurnell Peninsula. Excludes some land under SSLEP 2006.
	Major Development 2005	Aims to facilitate the development or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.	This Policy applies to the State. This proposal does not seek development under this SEPP. The proposal is not inconsistent with the SEPP.
	Mining, Petroleum and Extractive Industries 2007	Seeks to provide for the proper management and development of mineral, petroleum and extractive material resources	Applies to the State including coastal waters This proposal does not seek development under this SEPP. The proposal is not inconsistent with the SEPP.

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	Miscellaneous Consent Provisions 2007	To encourage protection of the environment at the location/vicinity of temporary structures by managing noise, parking and traffic impacts and ensuring heritage protection. To ensure that subdivision of land, the erection of a building or the demolition of a building requires development consent.	<i>Applies to the State.</i> This proposal does not seek development under this SEPP. The proposal is not inconsistent with the SEPP.
	Penrith Lakes Scheme 1989	Seeks to provide a development control process establishing environmental and technical matters which must be taken into account in implementing the Penrith Lakes Scheme in order to protect the environment.	<i>Does not apply to Auburn LGA.</i>
	Port Botany and Port Kembla 2013	Seek to provide consistent planning regime for the development and delivery of infrastructure on land in Port Botany and Port Kembla,	<i>Does not apply to Auburn LGA.</i> Applies to the land within Botany City Council in the area known as Port Botany. It also applies to land within Wollongong City Council in an area known as Port Kembla.
	Rural Lands 2008	Seeks to facilitate the orderly and economic use and development of rural lands for rural and related purposes.	<i>Does not apply to the Auburn LGA.</i>
	SEPP 53 Transitional Provisions 2011	Aim is to enact transitional provisions consequent on the repeal of State Environmental Planning Policy No 53—Metropolitan Residential Development.	<i>Does not apply to the Auburn LGA.</i> Applies to land within the Ku-ring-gai local government area.
	State and Regional Development 2011	Aims to identify State significant development and State significant infrastructure. Also to confer functions on joint regional planning panels to determine development applications.	Applies to the State This proposal does not seek development under this SEPP. The proposal is not inconsistent with the SEPP.
	Sydney Drinking Water Catchment 2011	Aims to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal.	<i>Does not apply to the Auburn LGA</i> Applies to land within the Sydney drinking water catchment.
	Sydney Region Growth Centres 2006	Aims to co-ordinate the release of land for development in the North West and South West Growth Centres.	<i>Does not apply to Auburn LGA.</i> Applies to all land in a 'growth centre' (North West Growth Centre or the South West Growth Centre).
	Three Ports 2013	To provide a consistent planning regime for the development and delivery of infrastructure on land in Port Botany, Port Kembla and the Port of Newcastle.	<i>Does not apply to Auburn LGA.</i> Applies to land in the vicinity of the three ports.
	Urban Renewal 2010	To facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts.	<i>Does not apply to Auburn LGA.</i> Applies to land within a potential precinct – land identified as a potential urban renewal precinct. This includes Redfern-Waterloo, Granville and Newcastle.

No	Title	Summary	Application
	Western Sydney Employment Area 2009	To promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development	Does not apply to Auburn LGA. Applies to land within Penrith, Blacktown, Holroyd and Fairfield LGAs. Refer to <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009 Land Application Map</i> .
	Western Sydney Parklands 2009	Seeks to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region.	Does not apply to the Auburn LGA. Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton).

State Regional Environmental Plans (REPs) (Deemed SEPPs)

No	Title	Summary	Application
8	Central Coast Plateau	Seeks to implement the state's urban consolidation policy.	Does not apply to the Auburn LGA. Applies to nominated land in the NSW Central Coast.
9	Extractive Industry No. 2 1995	Seeks to facilitate development of extractive industries in proximity to the population of the Sydney Metropolitan Area.	Does not apply to the Auburn LGA. Applies to LGAs listed in Schedule 4 of the SREP.
16	Walsh Bay	Seeks to regulate the use and development of the Walsh Bay area.	Does not apply to the Auburn LGA. Applies to land within the City of Sydney and within Sydney Harbour.
18	Public transport corridors	Seeks to protect provision for future public transport facilities.	Does not apply to the Auburn LGA. Applies to the Fairfield, Parramatta, Holroyd and Baulkham Hills LGAs.
19	Rouse Hill Development Area	Seeks to provide for the orderly and economic development of the RHDA.	Does not apply to the Auburn LGA. Applies to area defined by policy. Note: Rouse Hill is in The Hills and Blacktown LGAs.
20	Hawkesbury Nepean	Seeks to protect the Hawkesbury-Nepean River system.	Does not apply to the Auburn LGA. Applies to certain LGAs within Greater Metropolitan Region.
24	Homebush Bay Area	Seeks to encourage the co-ordinated and environmentally sensitive development of the Homebush Bay area	Does not apply to land to which ALEP 2010 applies (clause 1.9). Applies to rest of Auburn LGA – refer to <i>State Environmental Planning Policy (Major Development) Amendment (Sydney Olympic Park) 2009 Land Application Map</i> . The proposal is not within the area to which this plan applies.
26	City West	Seeks to promote the orderly and economic use and development of land within City West	Does not apply to the Auburn LGA. Applies to land shown as City West area (Pyrmont and Ultimo)
30	St Marys	Seeks to support the redevelopment of St Marys by providing a framework for sustainable development.	Does not apply to the Auburn LGA. Applies to specified land within the Blacktown and Penrith LGAs.

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33	Cooks Cove	Seeks to establish planning principles to promote the sustainable use of the Cooks Cove site	Does not apply to the Auburn LGA. Applies to specified land within Cooks Cove (Arncliffe).
	Sydney Harbour Catchment 2005	Seeks to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained for existing and future generations.	Applies to specified land within the Sydney Harbour Catchment. It applies to most of the Auburn LGA, including the subject site. Impacts can be managed at development stage.