

Attachment 5

Consistency with State Environmental Planning Policies

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State Environmental Planning Proposal	Comments
SEPP 1 – Development Standards	Not applicable under clause 1.9 (2) of CLEP 2012
SEPP 14 – Coastal Wetlands	Not applicable
SEPP 19 – Bushland in Urban Areas	Applicable Consistent. The planning proposal does not impact on urban bushland and does not contain provisions that are contrary to this SEPP.
SEPP 21 – Caravan Parks	Applicable Consistent. The planning proposal does not impact on caravan parks and does not contain provisions that are contrary to this SEPP.
SEPP 26 – Littoral Rainforests	Not applicable
SEPP 30 – Intensive Agriculture	Applicable Consistent. The planning proposal does not impact on intensive agriculture and does not contain provisions that are contrary to this SEPP.
SEPP 33 – Hazardous and Offensive Development	Applicable Consistent. The planning proposal does not relate to hazardous and offensive development and does not contain provisions that are contrary to this SEPP.
SEPP 36 – Manufactured Home Estates	Not applicable
SEPP 44 – Koala Habitat Protection	Not applicable
SEPP 47 – Moore Park Showground	Not applicable
SEPP 50 – Canal Estate Development	Applicable Consistent. The planning proposal does not relate to canal estate development and does not contain provisions that are contrary to this SEPP.
SEPP 52 – Farm Dams and other works in Land and Water Management Plan Areas	Not applicable
SEPP 55 – Remediation of Land	Applicable Consistent. The planning proposal does not contain provisions that are contrary to this SEPP.
SEPP 62 – Sustainable Aquaculture	Applicable Consistent. The planning proposal does not contain provisions that are contrary to this SEPP.

SEPP 64 – Advertising and Signage	Applicable Consistent. The planning proposal does not contain provisions that are contrary to this SEPP.
SEPP 65 – Design Quality of Residential Flat building	Applicable Consistent. The planning proposal does not contain provisions that are contrary to this SEPP. It is unlikely that the provisions of the planning proposal will be relevant to the type of development captured by this SEPP.
SEPP 70 – Affordable Housing (Revised Schemes)	Applicable Hurlstone Park is however not an area identified for provision of affordable housing under this SEPP, so it is not directly relevant.
SEPP 71 – Coastal Protection	Not applicable
SEPP (Affordable Rental Housing) 2009	Applicable Consistent. The planning proposal does not contain provisions that are contrary to this SEPP.
SEPP (Building Sustainability Index BASIX) 2004	Applicable Any future development applications would need to consider the provisions of this SEPP.
SEPP (Exempt and Complying) 2008	Applicable Consistent. The planning proposal does not contain provisions that are contrary to this SEPP. The identification of heritage items and HCAs will limit the application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Applicable Consistent. The planning proposal does not contain provisions that are contrary to this SEPP.
SEPP (Infrastructure) 2007	Applicable Consistent. The planning proposal does not contain provisions that are contrary to this SEPP. The identification of heritage items and HCAs will limit the application of this SEPP.
SEPP (Integration and Appeals) 2016	Not applicable
SEPP (Kosciusko National Park – Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Applicable Consistent. The planning proposal does not contain provisions that are contrary to this SEPP.

SEPP (Miscellaneous Consent Provisions) 2007	Applicable Consistent. The planning proposal does not contain provisions that are contrary to this SEPP.
SEPP (Penrith Lakes Scheme) 1989	Not applicable
SEPP (Rural Lands) 2008	Not applicable
SEPP (State and Regional Development) 2011	Applicable Consistent. The planning proposal does not contain provisions that are contrary to this SEPP.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP (Three Ports) 2013	Not applicable
SEPP (Urban Renewal) 2010	Not applicable. The planning proposal does not include land that is part of a potential urban renewal precinct.
SEPP (Western Sydney Employment Area) 2009	Not applicable
SEPP (Sydney Western Parklands) 2009	Not applicable

Attachment 6

Applicable Section 117 Directions

Attachment 6 - Applicable Section 117 Directions

Section 117 Directions	Consistency	Comments
1.1 Business and Industrial Zones	Justifiably inconsistent	This direction is applicable as the planning proposal includes land that is zoned B2 Town Centre. The parts of the direction that are particularly relevant are clauses 4(b) and 4(c). The planning proposal is consistent with clause 4(b) of this direction. It will not result in a loss of business zoned land, and therefore retains the areas and locations of existing business zones. This direction in clause 4(c) requires that a planning proposal must not reduce the total potential floor space area for employment uses and related public services in business zones. While this planning proposal will not change the existing height controls or introduce more limiting floor space ratio controls, the identification of heritage items and HCAs in the B2 zone may reduce the total potential floor space that was previous available through the need to retain and conserve existing buildings. The main area of applicability is the Hurlstone Park Village Centre. This centre is characterised by small lots and a fine grain built form. It has not experienced any substantial redevelopment. The other applicable site is St Stephanos Greek Orthodox Church. The land contains already contains a substantial church building, hall, and child care centre. It is considered that the degree of inconsistency is of minor significance.
2.3 Heritage Conservation	Consistent	This direction requires that a planning proposal must contain provisions that facilitate the conservation of items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The planning proposal is consistent with this direction. It seeks to conserve the heritage of Hurlstone Park and is based on a detailed heritage assessment of this suburb.

3.1 Residential Zones	Justifiably inconsistent	This direction is applicable as the planning proposal involves land that is zoned R3 Medium Density Residential and R4 High Density Residential. The identification of heritage items and HCAs through the planning proposal will not directly broaden the choice of building types and locations available in the housing market as specified in clause 4(a) of this direction. However the planning proposal will conserve buildings of the Federation and Inter War period that are becoming more sought after and rarer in the Council area. Given the amount of residential development envisaged elsewhere within the Sydenham to Bankstown Urban Renewal Corridor the impact of the planning proposal in this regard will be of minor significance. The planning proposal will also not make more efficient use of existing infrastructure and services as specified in clause 4(b) of this direction. Much of the land proposed to be conserved is within 800 metres of a railway station. However, as previously noted, given the amount of residential development envisaged elsewhere within the Sydenham to Bankstown Urban Renewal Corridor the impact of the planning proposal in this regard will be of minor significance. The issue of good design specified in clause 4(d) will be met through existing LEP controls in clause 5.10 and through the DCP controls to be exhibited with this planning proposal.
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