



6 September 2018

Ms Ann-Marie Carruthers  
Director, Sydney Region West  
Planning Services  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Our Ref: 5/2018/PLP

Dear Ms Carruthers

**PLANNING PROPOSAL SECTION 3.34 NOTIFICATION**

**The Hills Local Environmental Plan 2012 (Amendment No. #) – Amendments to Land Zone Map, Height of Building Map and Heritage Map for land at 64 Mackillop Drive, Norwest and 34 Salamander Grove, Baulkham Hills**

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Pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), it is advised that the Sydney Central City Planning Panel determined the proposal for the above amendment should proceed to Gateway Determination as it has demonstrated strategic and site specific merit. At its Ordinary Meeting of 26 June 2018, Council resolved to accept the role of Planning Proposal Authority for the above amendment.

The planning proposal seeks to facilitate a higher density residential outcome by amending the Land Zone Map, Height of Building Map and Heritage Map applicable to the subject site.

It is requested that any Gateway Determination issued include a condition requiring the removal of the proposed RE1 Public Recreation zone. The land proposed to be zoned RE1 Public Recreation is to be dedicated to Council for the purposes of drainage under the existing Voluntary Planning Agreement (VPA). Council is currently negotiating an amendment to this VPA and will soon commence negotiations for infrastructure delivery associated with this planning proposal. Council has indicated that this land is not appropriate for public open space purposes, due to its location and topography. It is not appropriate to identify this land as RE1 Public Recreation before a complete infrastructure solution for the site is known and before Council has accepted this land as an appropriate solution for local open space provision. The land should remain R2 Low Density Residential. Appropriate zones for any public open space can be determined once Council and the proponent have reached agreement regarding this land.

Please find enclosed the information required in accordance with the guidelines 'A guide to preparing planning proposals' issued under Section 3.33(3) of the EP&A Act. The planning proposal and supporting materials is enclosed with this letter for your consideration. It would be appreciated if all queries by the panel could be directed to Megan Munari, Principal Coordinator – Forward Planning on 9843 0407.

Following receipt by Council of the Department's written advice, Council will proceed with the planning proposal. Any future correspondence in relation to this matter should quote reference number 5/2018/PLP.

Should you require further information please contact Kayla Atkins, Town Planner, on 9843 0404.

Yours faithfully

A handwritten signature in cursive script that reads "Stewart Seale".

**Stewart Seale**  
**MANAGER - FORWARD PLANNING**

Attachment 1: Planning Proposal (including attachments)

## PLANNING PROPOSAL

**LOCAL GOVERNMENT AREA:** The Hills Shire Council

**NAME OF PLANNING PROPOSAL:** Proposed The Hills Local Environmental Plan 2012 (Amendment No (#)) – Rezoning to part R2 Low Density Residential, R3 Medium Density Residential & R4 High Density Residential. Increase HOB to part 9m, 12m & 16m. Amend Heritage Item No. 17 to apply only to heritage curtilage.

**ADDRESS OF LAND:** 64 Mackillop Drive, Norwest (Lots 1001 and 1002 DP 1190982) and 34 Salamander Grove, Baulkham Hills (Lot 574 DP 713531).

### SUMMARY OF HOUSING YIELD:

|                | APPROVED MASTER PLAN | PROPOSED | NET CHANGE |
|----------------|----------------------|----------|------------|
| Low Density    | 78                   | 28       | -50        |
| Medium Density | 75                   | 110      | +35        |
| High Density   | -                    | 270      | +270       |
| <b>TOTAL</b>   | 153                  | 408      | +255       |

The above figures exclude the land and yield on adjoining Lot 1003 which formed part of the previously approved master plan but is not included in this proposal (42 apartments and 7 large lot detached dwellings).

### SUPPORTING MATERIAL:

|                     |   |
|---------------------|---|
| <b>Attachment A</b> | Assessment against State Environment Planning Policies                |
| <b>Attachment B</b> | Assessment against Section 9.1 Local Planning Directions              |
| <b>Attachment C</b> | Council Report and Resolution, 12 December 2017                       |
| <b>Attachment D</b> | Sydney Central City Planning Panel Record of Decision, 17 May 2018    |
| <b>Attachment E</b> | Proponent's Planning Proposal and Supporting Material, September 2017 |

### THE SITE:

The site is known as 64 Mackillop Drive, Norwest (Lots 1001 and 1002 DP 1190982) and 34 Salamander Grove, Baulkham Hills (Lot 574 DP 713531). On average, the site is approximately 950m-1.1km walking distance to the future Norwest Railway Station entrance. This is a further distance than the Council report states, as it has been measured from the future station entrance rather than from the station site, to the middle of the subject site to establish an average distance. The proposed apartment typology will be approximately 850m-1km walking distance to the station entrance and the medium and low density dwellings will be approximately 1km-1.3km walking distance to the station entrance. The site has an area of approximately 12.5 hectares and is currently zoned R2 Low Density Residential and R3 Medium Density Residential under The Hills Local Environmental Plan 2012. The surrounding land is zoned predominantly R2 Low Density Residential with a portion of land zoned R3 Medium Density Residential and R4 High Density Residential to the north.

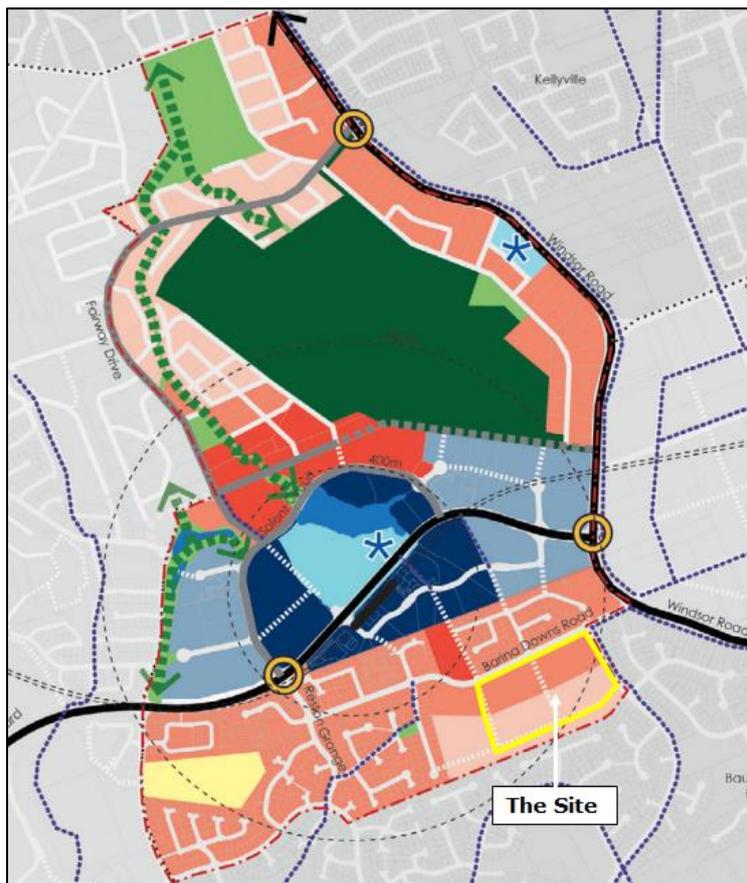
The site is bound by Barina Downs Road along the northern perimeter, the Sisters of Saint Joseph's Centre to the west and Mackillop Drive along the eastern perimeter. The site contains a central ridge line running east-west and the land slopes down from either side of this ridge line. The site also contains a heritage item (I7) of local significance (Saint Joseph's Novitiate).



**Figure 1**

Aerial view of the site (yellow) and walkability to future Norwest Station entrance

The site is located at the southern edge of the Norwest Station Precinct under the State Government's 2013 Corridor Strategy as shown in Figure 2 below.



**Figure 2**

State Government Norwest Structure Plan

**BACKGROUND:**

A previous master plan for the site was approved in 2013 (6/2012/PLP and 6/2012/JP) which amended zoning and maximum building height under The Hills Local Environmental Plan 2012 to facilitate a mix of low, medium and high density residential development with a total of 195 dwellings. The approved master plan, which included the adjacent Sisters of Saint Joseph’s site, included an indicative yield of 195 dwellings for the whole site including 78 conventional lots, 75 small integrated housing lots and 42 apartments.



**Figure 3**  
Approved Master Plan Development Concept (6/2012/PLP)

The executed Voluntary Planning Agreement requires a monetary contribution of \$360,000, the construction and dedication of a bio-retention basin, and a Section 7.12 contribution of \$51,580. The executed VPA relates to the current approved master plan for the site. The applicant has lodged a Section 4.55 modification application to amend the VPA which would remove the bio-retention basin, provide a monetary contribution for downstream works in the locality and dedicate the land previously containing the bio-retention basin as ‘Public Reserve’.

A new master plan has been proposed as part of this planning proposal, demonstrated in Figure 4 below.



**Figure 4**  
Proposed Master Plan Development Concept (5/2018/PLP)

## PART 1 OBJECTIVES OR INTENDED OUTCOME

The planning proposal seeks to increase the development potential of the site in close proximity to the future Norwest Railway Station. The planning proposal would facilitate approximately 408 high, medium and low density residential dwellings.

## PART 2 EXPLANATION OF THE PROVISIONS

To facilitate the proposed development outcome, the following amendments to LEP 2012 are proposed:

1. Amend Land Zone Map to rezone the site from R2 Low Density Residential and R3 Medium Density Residential to part R3 Medium Density Residential, part R4 High Density Residential, part RE1 Public Recreation and part R2 Low Density Residential;
2. Amend Height of Building Map to increase the maximum building height from 9m to part 9m, part 12m and part 16m; and
3. Amend Heritage Map applicable to Item No. 17 to only include the heritage curtilage.

## PART 3 JUSTIFICATION

### SECTION A - NEED FOR THE PLANNING PROPOSAL

1. *Is the planning proposal a result of any strategic study or report?*

No, the planning proposal is not a result of any strategic study or report. It is the result of an owner-initiated application.

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

Yes, the planning proposal is considered to be the best way to achieve the intended outcomes for the site.

### SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

The proposal is broadly consistent. A discussion of the proposal's consistency with the applicable strategic plans is provided below.

- **Greater Sydney Region Plan**

The planning proposal is consistent with Objective 10 – *Greater housing supply*, as it seeks to facilitate 255 more dwellings than the current planning controls allow for the site. The planning proposal would contribute to the Central City District's 20-year housing target of 207,500 dwellings. The planning proposal is also an opportunity to align housing with infrastructure along the Sydney Metro Northwest Corridor. The planning proposal is also consistent with Objective 11 – *Housing supply is more diverse and affordable*, as it seeks to facilitate a mix of high, medium and low density residential dwellings within the proposed development concept. However, the additional demand generated from the additional dwellings proposed still needs to be resolved.

The proposal is potentially consistent with Objective 13 – *Environmental heritage is identified, conserved and enhanced*, as the development concept seeks to retain the heritage item on site and incorporate the heritage building into a club house for new residents, however a development application has not yet been lodged with specific details. The proposal does seek to reduce the heritage mapping to apply only to the curtilage identified in the development control plan applicable to the site.

The proposal is consistent with Objective 14 – *A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities*, by proposing the co-location of housing in close proximity to the strategic centre of Norwest and good accessibility to jobs and services, supported by public transport, walking and cycling network.

The planning proposal is potentially consistent with Objective 31 – *Public open space is accessible, protected and enhanced*, as it seeks to facilitate improved connectivity via the incorporation of 34 Salamander Grove into the development concept. The planning proposal includes zoning part of the site to RE1 Public Recreation, however concerns are raised about the embellishment potential and usability of this area for public open space purposes, particularly with regard to its steep topography and drainage function. The proponent has lodged a Section 4.55 modification application that identifies stormwater retention tanks and a service road on the proposed RE1 Public Recreation land, exacerbating concerns that this area is not usable for the purposes of a public park.

- **Central City District Plan**

The planning proposal is potentially consistent with Planning Priority C1 – *Planning for a city supported by infrastructure*, as it seeks to place a new community in proximity to the Sydney Metro Northwest. The planning proposal would need to address local infrastructure issues resulting from the increased yield. These concerns were acknowledged by the Sydney Central City Planning Panel in their Record of Decision on 17 May 2018 (Attachment D).

The planning proposal has the potential to be consistent with Planning Priority C3 – *Providing services and social infrastructure to meet people's changing needs*. It was acknowledged that the yield sought by the planning proposal would generate additional demand for local traffic infrastructure and social infrastructure such as sporting and community facilities. The planning proposal presents the opportunity to secure contributions toward required upgrades, though further costing and discussions with the proponent is required to resolve all infrastructure deficits generated by the proposal.

The planning proposal is consistent with Planning Priority C5 – *Providing housing supply, choice and affordability, with access to jobs, services and public transport*, as it seeks to deliver additional housing above what is currently permitted under existing planning controls. The planning proposal seeks to deliver a mix of housing typologies in the form of high, medium and low density residential dwellings. The previously approved master plan for the site also provides a mix of dwelling types. Given the sites location the proposal seeks to provide housing supply that will have access to jobs, services and public transport.

The proposal is consistent with Planning Priority C6 – *Creating and renewing great places and local centres, and respecting the District's heritage*, as it seeks to integrate the heritage item on site into the proposed master plan. The heritage item will be retained and re-purposed for a new club house for residents. A heritage curtilage is proposed to be retained around the heritage item where residential development will not encroach.

The proposal is inconsistent with Planning Priority C17 – *Delivering high quality open space*. The proposal identifies a portion of the land as RE1 Public Recreation and concerns are raised with the quality of this space due to its location and topography. The proponent has lodged a Section 4.55 modification application that identifies stormwater retention tanks and a service road on the proposed RE1 Public Recreation land, exacerbating concerns that this area is not usable for the purposes of a public park. Some existing trees within the drainage reserve have already been removed with consent. Provision of high quality open space still needs to be resolved as part of the planning proposal.

4. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

Yes, a discussion of consistency is provided below.

- **The Hills Future Community Strategic Plan**

The Hills Future Community Strategic Direction articulates The Hills Shire community's and Council's shared vision, values, aspirations and priorities with reference to other local government plans, information and resourcing capabilities. It is a direction that creates a picture of where the Hills would like to be in the future. The direction is based on community aspirations gathered throughout months of community engagement and consultation with members of the community.

The planning proposal will assist in the realisation of The Hills Future outcome of balanced urban growth through the provision of residential accommodation that will be serviced by public transport and access to jobs. The planning proposal will contribute to The Hills Future strategy of managing new and existing

development with a robust framework of policies plans and processes that is in accordance with community needs and expectations.

- **Local Strategy**

In 2008 Council adopted its Local Strategy to provide the basis for the future direction of land use planning in the Shire and within this context implement the key themes and outcomes of the 'Hills 2026 Looking Toward the Future'. The Residential and Integrated Transport Directions are the relevant components of the Local Strategy to be considered in assessing this application, noting that they were developed prior to the current strategic framework and the Local Strategic Planning Statement currently under preparation.

- Residential Direction

The proposal is consistent with this direction in that it will contribute to housing targets as well as a diversity of housing choice in an existing urban environment, close to employment opportunities of Norwest Business Park, services and new transport infrastructure of the Sydney Metro Northwest.

- Integrated Transport Direction

A key objective of the Integrated Transport Direction is to ensure that planning and future development supports the provision of an efficient transport network. Relevant actions include planning for a concentration of and/or intensity of land use activities around major public transport nodes and higher order centres.

The planning proposal will ensure that future residential development supports the provision of the incoming Sydney Metro Northwest.

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

Yes. An assessment of the planning proposal against applicable State Environmental Planning Policies is provided in Attachment A.

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

Yes. The consistency of the planning proposal with the s. 9.1 Ministerial Directions is detailed within Attachment B. A discussion on the consistency of the proposal with each relevant Direction is provided below.

- **Direction 2.3 Heritage Conservation**

The Direction states that a planning proposal must contain provisions that facilitate the conservation of items identified in a study as having environmental heritage significance.

The site contains local heritage item I7 St Joseph's Novitiate, which is described as being a fine example of a bungalow in original condition. The planning proposal is consistent with this direction in that it proposes the retention and conservation of the heritage curtilage established as part of the previous master plan approval and site specific development control plan, and proposes re-use of the heritage building as a club house for future residents. Council's heritage inventory sheet provides a statement of significance that refers to the item as a fine example of a bungalow in original condition, but its early association with the Saint Joseph's Novitiate requires further research. The heritage item is currently conserved by its listing which applies to the entirety of residue Lot 1002. The application seeks to reduce this heritage listing and allow apartments and medium density dwellings in close proximity to the heritage item. Further work will be required at development application stage to demonstrate retention of heritage values on the site. The Office of Environment and Heritage will need to be consulted to determine whether the reduction of heritage mapping is an appropriate outcome for the site.

- **Direction 3.1 Residential Zones**

The Direction requires a planning proposal to include provisions that encourage a broader choice of housing types and more efficient use of infrastructure and services. The Direction also requires provisions that reduce the consumption of land for housing on the urban fringe.

The planning proposal contains amendments to incorporate a mix of low, medium and high density residential development on the site. The site is located within the existing urban footprint of the Shire, in proximity to the future Norwest Railway Station. The proposal will ensure the efficient use of the new incoming rail infrastructure.

Under this Direction a proposal must not contain provisions that will reduce the permissible residential density of land. The proposal seeks to increase the permissible residential density on site and is therefore consistent with this Direction.

- **Direction 3.4 Integrating Land Use and Transport**

This Direction requires consistency with the aims, objectives and principles of *Improving Transport Choice – Guidelines for Planning and Development (DUAP 2001)*. The policy aims to build more compact cities and one of the principles to achieve this is to align centres within corridors and concentrating high density, mixed use, accessible centres along major public transport corridors within urban areas.

The planning proposal is consistent with the intent of this policy as it seeks to facilitate higher density residential development in proximity to the future Norwest Railway Station and to support the specialised role of the Norwest Business Park in locating residences close to employment opportunities.

- **Direction 5.9 North West Rail Link Corridor Strategy**

This Direction requires that planning proposals manage growth around the eight future railway stations by promoting transit-oriented development and be consistent with the projected growth and desired future character identified in the structure plans of the North West Rail Link Corridor Strategy.

While the subject site is identified within the Norwest Station Structure Plan for medium density residential development along the northern portion of the site the desired future character is to comprise 3-6 storey apartment buildings along Barina Downs Road. The planning proposal is consistent with this vision in addition to providing a transition of medium and low density away from the station.

## **SECTION C - 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?*

The site comprises remnant significant vegetation identified as Cumberland Plain Woodland and Sydney Turpentine Ironbark. 0.02 hectares of Cumberland Plain Woodland is proposed to be removed. Offsetting may be required at development application stage along with a vegetation management plan.

The avenue of trees within the heritage curtilage leading to the bungalow is also proposed to be retained as part of this proposal. While the new proposal seeks to retain trees along Barina Downs Road that were previously identified for removal under the existing master plan, site works are currently underway and these trees have already been removed with consent. They were not an endangered ecological community.

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

Topography presents a challenge for development. Careful design and landscaping is needed to ensure appropriate outcomes.

There is an existing stormwater strategy associated with the existing approval and Voluntary Planning Agreement. The increased development will trigger a review to ensure the new built form can be managed in terms of stormwater.

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

The purchase of 34 Salamander Grove, Baulkham Hills and its incorporation into the design of the planning proposal's open space contribution facilitates a wider benefit and improved accessibility to existing residents beyond boundaries of the site.

The voluntary planning agreement offer also proposes contributions to offsite public domain upgrade works leading to the future Norwest Railway Station. Further deficits in contributions to community facilities and

active open space facilities will be included in discussions regarding a formal offer to enter into a voluntary planning agreement. A formal voluntary planning agreement is still to be negotiated.

The increased development yield will result in an increased demand for active open space and community facilities. The demand for social infrastructure has not yet been addressed by the proposal and would need to be resolved in accordance with the Sydney Central City Planning Panel's Record of Decision.

## **SECTION D - STATE AND COMMONWEALTH INTERESTS**

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

Consultation with the relevant public authorities will be required to determine that the site can be supported by the necessary utility services for the additional yield proposed. An updated stormwater management strategy will be required by Council in recognition of the ongoing stormwater issues associated with the current master plan approval and the impact of the additional demand generated by this proposal.

Council raised concern with the proposal's contribution to social infrastructure, particularly with respect to quality, usability and embellishment potential of public open space and the additional demand generated for active open space and community facilities. In accordance with the determination of the Sydney Central City Planning Panel, further investigation will be required to address these concerns, including a voluntary planning agreement that accounts for all physical and social infrastructure deficits.

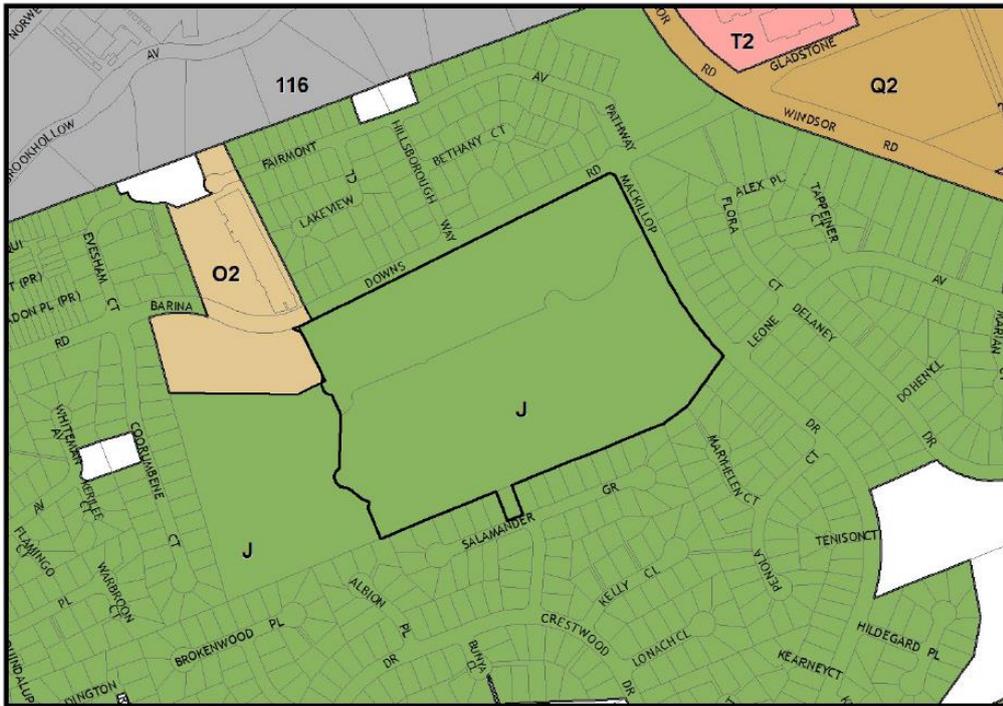
Concerns were raised with the additional pressure on the local road network. These concerns were acknowledged by the Panel and a full examination of the proposal's impacts on the local road network will be required, taking into account the function of the Sydney Metro Northwest and other developments within the transport catchment area.

### *11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?*

A list of all relevant agencies would be determined as part of the Gateway Determination. It is anticipated that RMS, Transport for NSW, the Office of Environment and Heritage and utilities authorities will be key stakeholders to be consulted. Following the Gateway Determination, all relevant agencies will be consulted.



### Existing Height of Buildings Map



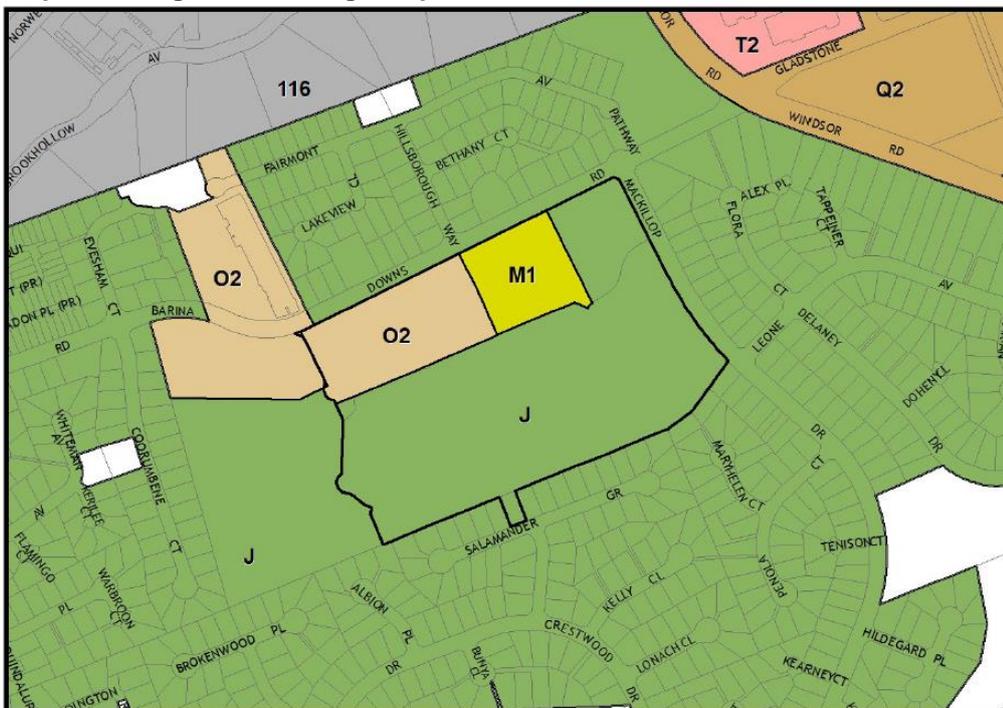
**Height of Buildings (m) (HOB )**



**Heights Shown on Map in RL (m)**



### Proposed Height of Buildings Map



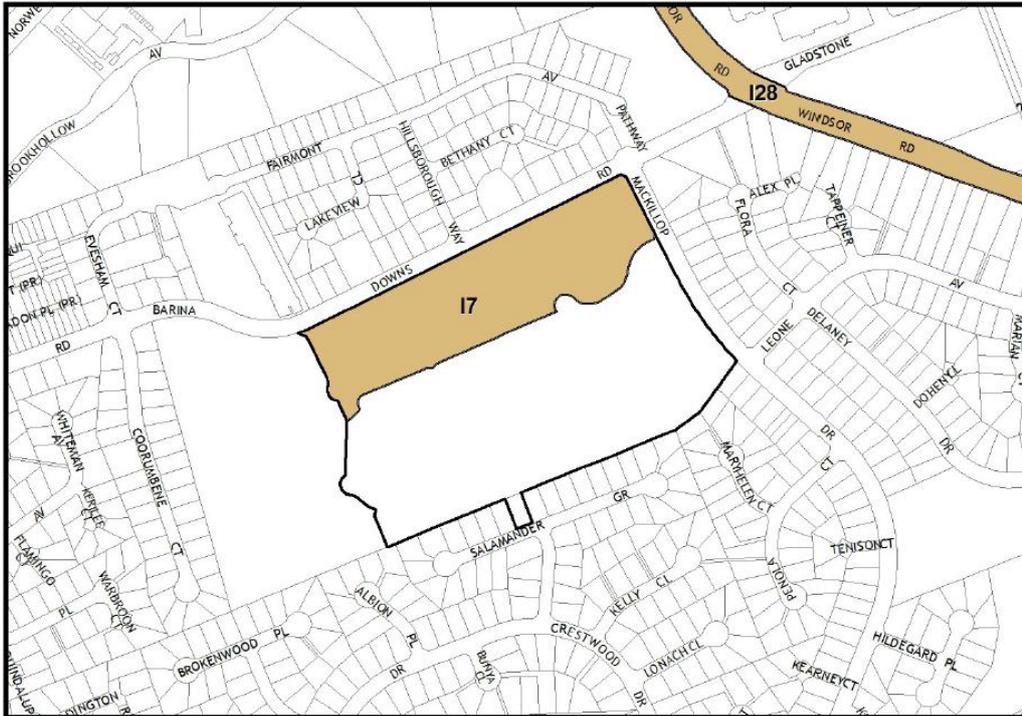
**Height of Buildings (m) (HOB )**



**Heights Shown on Map in RL (m)**



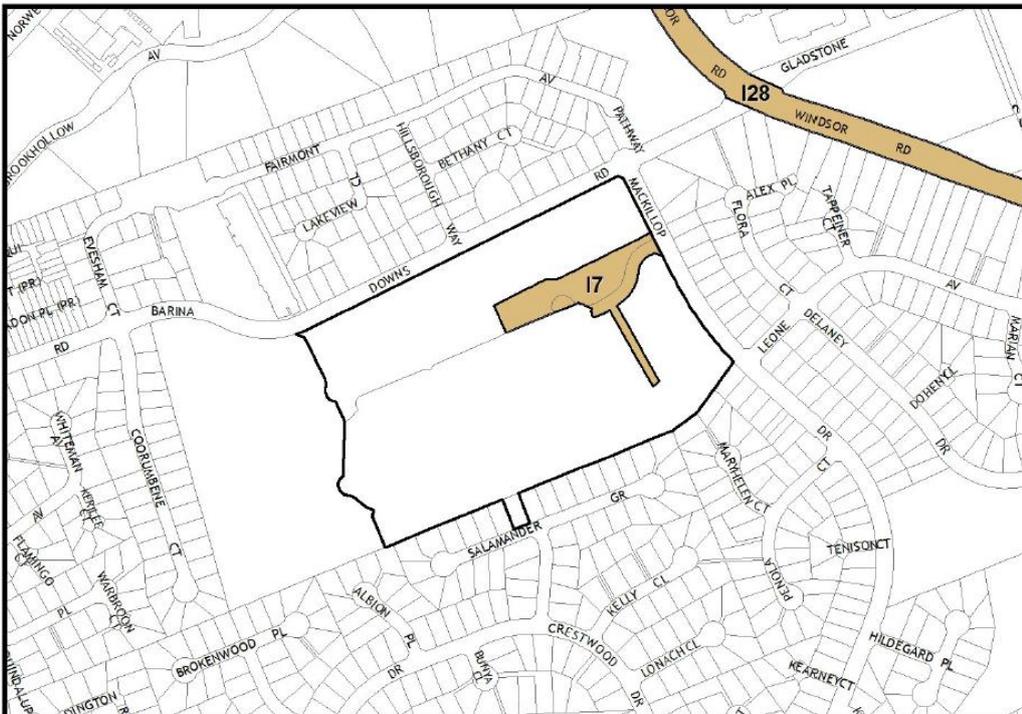
### Existing Heritage Map



#### Heritage (HER)

-  Conservation Area - General
-  Item - General
-  Item - Archaeological

### Proposed Heritage Map



#### Heritage (HER)

-  Conservation Area - General
-  Item - General
-  Item - Archaeological

## PART 5 COMMUNITY CONSULTATION

The planning proposal will be advertised in local newspapers and on display at Council's administration building, Baulkham Hills Library and Castle Hill Library. The planning proposal will also be made available on Council's website. In addition, letters will be issued to adjoining and nearby property owners and stakeholders.

## PART 6 PROJECT TIMELINE

| <b>STAGE</b>  | <b>DATE</b>    |
|---|----------------|
| Commencement Date (Gateway Determination)                               | September 2018 |
| Government agency consultation  | October 2018   |
| Commencement of public exhibition period (28 days)                      | November 2018  |
| Completion of public exhibition period                                  | December 2018  |
| Timeframe for consideration of submissions                              | January 2019   |
| Timeframe for consideration of proposal post exhibition                 | February 2019  |
| Report to Council on submissions  | March 2019     |
| Planning Proposal to PCO for opinion                                    | April 2019     |
| Date Council will make the plan (if delegated)                          | May 2019       |
| Date Council will forward to department for notification (if delegated) | May 2019       |

**ATTACHMENT A: LIST OF STATE ENVIRONMENTAL PLANNING POLICIES**

| STATE ENVIRONMENTAL PLANNING POLICY (SEPP) |   | APPLICABLE TO THSC | RELEVANT? (YES/NO) | (IF RELEVANT) INCONSISTENT/CONSISTENT |
|--|---|--------------------|--------------------|---------------------------------------|
| No. 1                                      | Development Standards   | NO                 | -                  |                                       |
| No. 14                                     | Coastal Wetlands  | NO                 | -                  |                                       |
| No. 19                                     | Bushland in Urban Areas   | YES                | NO                 |                                       |
| No. 21                                     | Caravan Parks   | YES                | NO                 |                                       |
| No. 26                                     | Littoral Rainforests  | NO                 | -                  |                                       |
| No. 30                                     | Intensive Agriculture   | YES                | NO                 |                                       |
| No. 33                                     | Hazardous and Offensive Development                                   | YES                | NO                 |                                       |
| No. 36                                     | Manufactured Home Estates   | NO                 | -                  |                                       |
| No. 44                                     | Koala Habitat Protection  | NO                 | -                  |                                       |
| No. 47                                     | Moore Park Showground   | NO                 | -                  |                                       |
| No. 50                                     | Canal Estate Development  | YES                | NO                 |                                       |
| No. 52                                     | Farm Dams and Other Works in Land and Water Management Plan Areas     | NO                 | -                  |                                       |
| No. 55                                     | Remediation of Land   | YES                | NO                 |                                       |
| No. 62                                     | Sustainable Aquaculture   | YES                | NO                 |                                       |
| No. 64                                     | Advertising and Signage   | YES                | NO                 |                                       |
| No. 65                                     | Design Quality of Residential Apartment Development                   | YES                | YES                | CONSISTENT                            |
| No. 70                                     | Affordable Housing (Revised Schemes)                                  | YES                | NO                 |                                       |
| No. 71                                     | Coastal Protection  | NO                 | -                  |                                       |
|  | Affordable Rental Housing (2009)                                      | YES                | NO                 |                                       |
|  | Building Sustainability Index: BASIX (2004)                           | YES                | NO                 |                                       |
|  | Educational Establishments and Child Care Facilities (2017)           | YES                | NO                 |                                       |
|  | Exempt and Complying Development Codes (2008)                         | YES                | NO                 |                                       |
|  | Housing for Seniors or People with a Disability (2004)                | YES                | NO                 |                                       |
|  | Infrastructure (2007)   | YES                | NO                 |                                       |
|  | Integration and Repeals (2016) (Policy is to be repealed on 6.8.2018) | YES                | NO                 |                                       |
|  | Kosciuszko National Park – Alpine Resorts (2007)                      | NO                 | -                  |                                       |
|  | Kurnell Peninsula (1989)  | NO                 | -                  |                                       |
|  | Mining, Petroleum Production and Extractive Industries (2007)         | YES                | NO                 |                                       |
|  | Miscellaneous Consent Provisions (2007)                               | YES                | NO                 |                                       |
|  | Penrith Lakes Scheme (1989)   | NO                 | -                  |                                       |
|  | Port Botany and Port Kembla (2013)                                    | NO                 | -                  |                                       |
|  | Rural Lands (2008)  | NO                 | -                  |                                       |
|  | State and Regional Development (2011)                                 | YES                | NO                 |                                       |
|  | State Significant Precincts (2005)                                    | YES                | NO                 |                                       |
|  | Sydney Drinking Water Catchment (2011)                                | NO                 | -                  |                                       |
|  | Sydney Region Growth Centres (2006)                                   | YES                | NO                 |                                       |
|  | Three Ports (2013)  | NO                 | -                  |                                       |
|  | Urban Renewal (2010)  | NO                 | -                  |                                       |
|  | Vegetation in Non-Rural Areas (2017)                                  | YES                | NO                 |                                       |
|  | Western Sydney Employment Area (2009)                                 | NO                 | -                  |                                       |
|  | Western Sydney Parklands (2009)                                       | NO                 | -                  |                                       |
| <b>Deemed SEPPs</b>                        |   |                    |                    |                                       |
|  | SREP No. 8 (Central Coast Plateau Areas)                              | NO                 | -                  |                                       |

| <b>STATE ENVIRONMENTAL PLANNING POLICY (SEPP)</b>     | <b>APPLICABLE TO THSC</b> | <b>RELEVANT? (YES/NO)</b> | <b>(IF RELEVANT) INCONSISTENT/CONSISTENT</b> |
|---|---------------------------|---------------------------|--|
| SREP No. 9 – Extractive Industry (No. 2 – 1995)       | YES                       | NO                        |  |
| SREP No. 16 – Walsh Bay                               | NO                        | -                         |  |
| SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997) | YES                       | NO                        |  |
| SREP No. 24 – Homebush Bay Area                       | NO                        | -                         |  |
| SREP No. 25 – Orchard Hills                           | NO                        | -                         |  |
| SREP No. 26 – City West                               | NO                        | -                         |  |
| SREP No. 30 – St Marys                                | NO                        | -                         |  |
| SREP No. 33 – Cooks Cove                              | NO                        | -                         |  |
| SREP (Sydney Harbour Catchment) 2005                  | YES                       | NO                        |  |

**ATTACHMENT B: ASSESSMENT AGAINST SECTION 9.1 MINISTERIAL DIRECTIONS**

| DIRECTION   |   | APPLICABLE | RELEVANT?<br>(YES/NO) | (IF RELEVANT)<br>INCONSISTENT/<br>CONSISTENT |
|---|---|------------|-----------------------|--|
| <b>1. Employment and Resources</b>                      |   |            |                       |  |
| 1.1   | Business and Industrial Zones   | YES        | NO                    |  |
| 1.2   | Rural Zones   | YES        | NO                    |  |
| 1.3   | Mining, Petroleum Production and Extractive Industries                            | YES        | NO                    |  |
| 1.4   | Oyster Aquaculture  | YES        | NO                    |  |
| 1.5   | Rural Lands   | NO         | -                     | -  |
| <b>2. Environment and Heritage</b>                      |   |            |                       |  |
| 2.1   | Environment Protection Zone   | YES        | NO                    |  |
| 2.2   | Coastal Protection  | NO         | -                     | -  |
| 2.3   | Heritage Conservation   | YES        | YES                   | CONSISTENT                                   |
| 2.4   | Recreation Vehicle Area   | YES        | NO                    |  |
| 2.5   | Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs | NO         | -                     | -  |
| <b>3. Housing, Infrastructure and Urban Development</b> |   |            |                       |  |
| 3.1   | Residential Zones   | YES        | YES                   | CONSISTENT                                   |
| 3.2   | Caravan Parks and Manufactured Home Estates                                       | YES        | NO                    |  |
| 3.3   | Home Occupations  | YES        | NO                    |  |
| 3.4   | Integrating Land Use and Transport  | YES        | YES                   | CONSISTENT                                   |
| 3.5   | Development Near Licensed Aerodomes   | YES        | NO                    |  |
| <b>4. Hazard and Risk</b>                               |   |            |                       |  |
| 4.1   | Acid Sulfate Soils  | YES        | NO                    |  |
| 4.2   | Mine Subsidence and Unstable Land   | YES        | NO                    |  |
| 4.3   | Flood Prone Land  | YES        | NO                    |  |
| 4.4   | Planning for Bushfire Protection  | YES        | NO                    |  |
| <b>5. Regional Planning</b>                             |   |            |                       |  |
| 5.1   | Implementation of Regional Strategies   | NO         | -                     | -  |
| 5.2   | Sydney Drinking Water Catchment   | NO         | -                     | -  |
| 5.3   | Farmland of State and Regional Significance on the NSW Far North Coast            | NO         | -                     | -  |
| 5.4   | Commercial and Retail Development along the Pacific Highway, North Coast          | NO         | -                     | -  |
| 5.8   | Second Sydney Airport: Badgerys Creek   | NO         | -                     | -  |
| 5.9   | North West Rail Link Corridor Strategy  | YES        | YES                   | CONSISTENT                                   |
| 5.10  | Implementation of Regional Plans  | YES        | NO                    |  |
| <b>6. Local Plan Making</b>                             |   |            |                       |  |
| 6.1   | Approval and Referral Requirements  | YES        | NO                    |  |

| DIRECTION                       |   | APPLICABLE | RELEVANT?<br>(YES/NO) | (IF RELEVANT)<br>INCONSISTENT/<br>CONSISTENT |
|---------------------------------|---|------------|-----------------------|--|
| 6.2                             | Reserving Land for Public Purposes  | YES        | NO                    |  |
| 6.3                             | Site Specific Provisions  | YES        | NO                    |  |
| <b>7. Metropolitan Planning</b> |   |            |                       |  |
| 7.1                             | Implementation of the Metropolitan Plan for Sydney 2036   | YES        | NO                    |  |
| 7.2                             | Implementation of Greater Macarthur Land Release Investigation  | NO         | -                     | -  |
| 7.3                             | Parramatta Road Corridor Urban Transformation Strategy  | NO         | -                     | -  |
| 7.4                             | Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan                 | YES        | NO                    |  |
| 7.5                             | Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | NO         | -                     | -  |
| 7.6                             | Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan             | NO         | -                     | -  |
| 7.7                             | Implementation of Glenfield to Macarthur Urban Renewal Corridor   | NO         | -                     | -  |