

Appendix 4

Consistency with Local Planning Directions

No.	Title	Applicable	Consistent	Explanation
1	Employment and Resources			
1.1	Business and Industrial Zones	Yes	Yes	The Planning Proposal retains the areas and location of the existing B4 Mixed Use Zone, protecting employment land. It also provides for opportunities to increase the potential floor space area for employment uses and related public services in St Marys Town Centre. This will encourage employment growth in the Town Centre, supporting its viability.
1.2	Rural Zones	No	-	-
1.3	Mining, Petroleum Production and Extractive Industries	Yes	-	Subject to consultation with the Director-General of the Department of Primary Industries.
1.4	Oyster Aquaculture	No	-	-
1.5	Rural Lands	No	-	-
2	Environment and Heritage			
2.1	Environment Protection zones	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions that facilitate the protection and conservation of environmentally sensitive areas.
2.2	Coastal Protection	No	-	-
2.3	Heritage Conservation	Yes	Yes	The Planning Proposal does not recommend the deletion of any heritage items or places listed in LEP 2010 or the amendment of existing provisions that facilitate the conservation of heritage items and places.
2.4	Recreation Vehicle Areas	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions that protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.
3	Housing, Infrastructure and Urban Development			
3.1	Residential Zones	No	-	-
3.2	Caravan Parks and Manufactured Home Estates	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions relating to caravan parks and manufactured home estates.
3.3	Home Occupations	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions permitting home occupations to be carried out in dwelling houses without the need for development consent.
3.4	Integrating Land Use and Transport	No	-	-
3.5	Development Near Licensed Aerodromes	No	-	-
3.6	Shooting Ranges	No	-	-
4	Hazard and Risk			
4.1	Acid Sulfate Soils	No	-	-

No.	Title	Applicable	Consistent	Explanation
4.2	Mine Subsidence and Unstable Lands	No	-	-
4.3	Flood Prone Land	No	-	-
4.4	Planning for Bushfire Protection	No	-	-
5	Regional Planning			
5.1	Implementation of Regional Strategies	No	-	-
5.2	Sydney Drinking Water Catchments	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	-	-
5.5	Revoked			
5.6	Revoked			
5.7	Revoked			
5.8	Second Sydney Airport: Badgerys Creek	No	-	-
5.9	North West Rail Link Corridor Strategy	No	-	-
6	Local Plan Making			
6.1	Approval and Referral Requirements	Yes	Yes	The Planning Proposal does not recommend provisions requiring additional concurrence, consultation or referral of development applications to a Minister or public authority.
6.2	Reserving Land for Public Purposes	Yes	Yes	The Planning Proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3	Site Specific Provisions	Yes	Yes	The Planning Proposal does not recommend additional, site specific planning controls.
7	Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	Yes	Yes	The Planning Proposal is consistent with the NSW Government's <i>A Plan for Growing Sydney</i> published in December 2014. Refer to <i>Part 3 – Justification, Section B – Relationship to Strategic Planning Framework</i> of the Planning Proposal for an explanation of the consistency of the Planning Proposal with <i>A Plan for Growing Sydney</i> .

Appendix 5

Consistency with State Environmental Planning Policies

Policy Name	Applicable			Consistent	Explanation
	Policy No 1—Development Standards	Policy No 14—Coastal Wetlands	Policy No 15—Rural Landsharing Communities		
State Environmental Planning Policy No 1—Development Standards	Yes	No	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions relating to development standards.
State Environmental Planning Policy No 14—Coastal Wetlands	No	-	-	-	-
State Environmental Planning Policy No 15—Rural Landsharing Communities	No	-	-	-	-
State Environmental Planning Policy No 19—Bushland in Urban Areas	Yes	Yes	Yes	Yes	The Planning Proposal does not recommend the removal of bushland.
State Environmental Planning Policy No 21—Caravan Parks	Yes	Yes	NA	NA	The Planning Proposal does not relate to caravan parks.
State Environmental Planning Policy No 26—Littoral Rainforests	No	-	-	-	-
State Environmental Planning Policy No 29—Western Sydney Recreation Area	No	-	-	-	-
State Environmental Planning Policy No 30—Intensive Agriculture	Yes	Yes	NA	NA	The Planning Proposal does not relate to intensive agriculture, such as cattle feedlots and piggeries.
State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	Yes	Yes	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions affecting the permissibility of housing and related development.
State Environmental Planning Policy No 33—Hazardous and Offensive Development	Yes	Yes	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions relating to hazardous and offensive development.
State Environmental Planning Policy No 36—Manufactured Home Estates	No	-	-	-	-
State Environmental Planning Policy No 39—Spit Island Bird Habitat	No	-	-	-	-
State Environmental Planning Policy No 44—Koala Habitat Protection	No	-	-	-	-
State Environmental Planning Policy No 47—Moore Park Showground	No	-	-	-	-
State Environmental Planning Policy No 50—Canal Estate Development	Yes	Yes	Yes	Yes	The Planning Proposal does not recommend making canal estate developments permissible.
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	No	-	-	-	-
State Environmental Planning Policy No 55—Remediation of Land	Yes	Yes	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions relating to the remediation of land.
State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential	No	-	-	-	-
State Environmental Planning Policy No 62—Sustainable Aquaculture	Yes	Yes	NA	NA	The Planning Proposal does not relate to sustainable aquaculture.
State Environmental Planning Policy No 64—Advertising and Signage	Yes	Yes	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions relating to advertising and signage.
State Environmental Planning Policy No 65—Design Quality of Residential Flat Development	No	-	-	-	-
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	No	-	-	-	-
State Environmental Planning Policy No 71—Coastal Protection	No	-	-	-	-
State Environmental Planning Policy (Affordable Rental Housing) 2009	Yes	Yes	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions relating to affordable rental

Policy Name	Applicable	Consistent	Explanation
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes	NA	housing. The Planning Proposal does not relate to residential development.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	NA	The Planning Proposal does not propose development nor does not recommend the amendment of existing provisions relating to exempt and complying development.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions relating to housing for seniors or people with a disability.
State Environmental Planning Policy (Infrastructure) 2007	Yes	NA	The Planning Proposal does not propose development nor does not recommend the amendment of existing provisions relating to the delivery of infrastructure.
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	No	-	
State Environmental Planning Policy (Kurnell Peninsula) 1989	No	-	
State Environmental Planning Policy (Major Development) 2005	Yes	NA	The Planning proposal does not relate to a Major Development.
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Yes	NA	The Planning Proposal does not recommend the amendment of existing provisions relating to mining, petroleum production and extractive industries.
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	Yes	Yes	The Planning Proposal does not recommend the amendment of existing provisions relating to temporary structures.
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	No	-	
State Environmental Planning Policy (Rural Lands) 2008	No	-	
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	No	-	
State Environmental Planning Policy (State and Regional Development) 2011	Yes	NA	The Planning Proposal does not relate to State significant development, State significant infrastructure, or critical State significant infrastructure.
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	No	-	
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	No	-	
State Environmental Planning Policy (Three Ports) 2013	No	-	
State Environmental Planning Policy (Urban Renewal) 2010	No	-	
State Environmental Planning Policy (Western Sydney Employment Area) 2009	No	-	
State Environmental Planning Policy (Western Sydney Parklands) 2009	No	-	

Site Name	Address	Legal Description	Area (m²)	Current Classification	Proposed Classification	Nature of Council's Interest	How & When interest Acquired	Reason Acquired	Agreements
1. Lang Park	1-11 Carinya Avenue	Lot 1 DP 26908	417	Operational*	Operational	Registered Owner	1982 - Purchase	Addition to Lang Park	- G705257 Easement for Drainage - G735250 Easement for Drainage - Covenant J197677 relating to fencing
2.		Lot 2 DP 26908	385	Operational*	Operational	Registered Owner	1994 - Purchase	Addition to Lang Park	- G705257 Easement for Drainage - G735250 Easement for Drainage - H306489 Covenant relating to fencing
3.		Lot 3 DP 26908	373	Operational*	Operational	Registered Owner	1988 - Purchase	Addition to Lang Park	- Easement G705256 - Easement G705257 - Easement G735250 - Covenant H517770 relating to fencing
4.		Lot 4 DP 26908	373	Operational*	Operational	Registered Owner	1987 - Purchase	Addition to Lang Park	- Easement G705257 - Easement G735250 - Covenant H910876 relating to fencing
5.		Lot 5 DP 26908	373	Operational*	Operational	Registered Owner	1983 - Purchase	Addition to Lang Park	- Easement G705257 - Easement G735250 - Covenant J822855 relating to fencing
6.		Lot 6 DP 26908	373	Operational*	Operational	Registered Owner	1992 - Purchase	Addition to Lang Park	- G705257 Easement for drainage. - G735250 Easement for drainage - J22601 Covenant relating to fencing
7.	1a Carinya Avenue	Lot 5 DP 609430	8,191	Community	Operational	Registered Owner	1958 - Dedicated by the Commonwealth of Australia.	Public Open Space	G705256 Easement for drainage
8.	1 Kokoda Court	Lot 301 DP 609746	1,930	Community	Operational	Registered Owner	1980 - Transfer from Allen Holdings (Australia) Pty Ltd during construction of St Marys Village Shopping Centre	Addition to Lang Park	- The title is subject to reservation and conditions contained in the Crown Grant to M. Pulland 01/01/1806. - G705257 Easement for Drainage - G735250 Easement for Drainage - H71081 Covenant - H226341 Covenant - J181976 Covenant - K150743 Covenant - K768736 Covenant

Notes:

* = The land included in this Planning Proposal includes all land that was investigated under the presumption of a Community Land classification.

Site Name	Address	Legal Description	Area (m ²)	Current Classification	Proposed Classification	Nature of Council's Interest	How & When Interest Acquired	Reason Acquired	Agreements
9. Kokoda Park	23-27 Carinya Ave	Lot 2 DP 1156169	8,406	Community	Operational	Registered Owner	1958 - Dedicated by the Commonwealth of Australia	Public Open Space	- The title is subject to reservations and conditions contained in the Crown Grant to Mary Putland dated 1 January 1806 - G705256 document states that the land is to be used as a public garden and recreation space - G705257 Easement for Drainage - G735250 Easement for Drainage - G705256 Easement for Drainage - G924742 Covenant relating to fencing - H360525 Covenant relating to fencing - H397350 Covenant relating to fencing - H507294 Covenant relating to fencing - H647299 Covenant relating to fencing - H658023 Covenant relating to fencing - J46408 Covenant relating to fencing - J383987 Covenant relating to fencing
10. Building	8-10 Carinya Ave	Lot 203 DP 26908	417	Community	Operational	Registered Owner	1983 - Purchase	Car Parking	- Easement G705256 for drainage - Easement G705257 for drainage - Easement G735250 for drainage - Covenant H928072 relating to fencing - Lifestart Co-operative Limited is currently leasing the premises under the holding over provisions of a licence that expired on 31 May 2013. The licence allows for termination of the licence by either party with one month's notice.
11.		Lot 204 DP 26908	417	Community	Operational	Registered Owner	1981 - Purchase	Car Parking	
12. West Lane Car Park	2-8 and 12-28 Carinya Ave	Lot 195 DP 26908	373	Operational*	Operational	Registered Owner	1978 - Purchase	Car Parking	- G705257 Easement for Drainage - G735250 Easement for Drainage - H213313 Covenant relating to fencing - H213313 Easement to the Commonwealth of Australia for drainage pipes, manholes and inspection pits and other fittings
13.		Lot 196 DP 26908	373	Community	Operational	Registered Owner	1998 - Purchase	Car Parking	- G705257 Easement for Drainage - G735250 Easement for Drainage - H297913 Covenant relating to fencing

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Site Name	Address	Legal Description	Area (m²)	Current Classification	Proposed Classification	Nature of Council's Interest	How & When interest Acquired	Reason Acquired	Agreements
14. West Lane Car Park (Cont'd)		Lot 197 DP 26908	373	Operational*	Operational	Registered Owner	1980 - Purchase	Car Parking	- G705257 Easement for Drainage - G735250 Easement for Drainage - G924743 Covenant relating to fencing
15.		Lot 198 DP 26908	373	Operational*	Operational	Registered Owner	1980 - Purchase	Car Parking	- G705257 Easement for Drainage - G735250 Easement for Drainage
16.		Lot 199 DP 26908	373	Operational*	Operational	Registered Owner	2011 - Purchase	Car Parking	- G705257 Easement for Drainage - G735250 Easement for Drainage
17.		Lot 200 DP 26908	373	Operational*	Operational	Registered Owner	1986 - Purchase	Car Parking	- G705257 Easement for Drainage - G735250 Easement for Drainage - H360527 Covenant relating to fencing
18.		Lot 201 DP 26908	373	Operational*	Operational	Registered Owner	1982 - Purchase	Car Parking	- G705257 Easement for Drainage - G735250 Easement for Drainage - G924750 Covenant relating to fencing
19.		Lot 202 DP 26908	550	Operational*	Operational	Registered Owner	1983 - Purchase	Car Parking	- G705257 Easement for Drainage - G735250 Easement for Drainage
20.		Lot 205 DP 26908	417	Operational*	Operational	Registered Owner	1986 - Purchase	Car Parking	- Easement G705256 - Easement G705257 - Easement G735250 - Covenant H828553 relating to fencing
21.		Lot 206 DP 26908	417	Operational*	Operational	Registered Owner	1989 - Purchase	Car Parking	- G705257 Easement for Drainage - G735250 Easement for Drainage - H772424 Covenant relating to fencing
22.		Lot 207 DP 26908	417	Unknown	Operational	Registered Owner	1984 - Purchase	Car Parking	- G705257 Easement for Drainage - G735250 Easement for Drainage - Covenant G936199 relating to fencing
23.		Lot 208 DP 26908	1,126	Operational*	Operational	Registered Owner	1958 - Purchase	Public Open Space	Nil

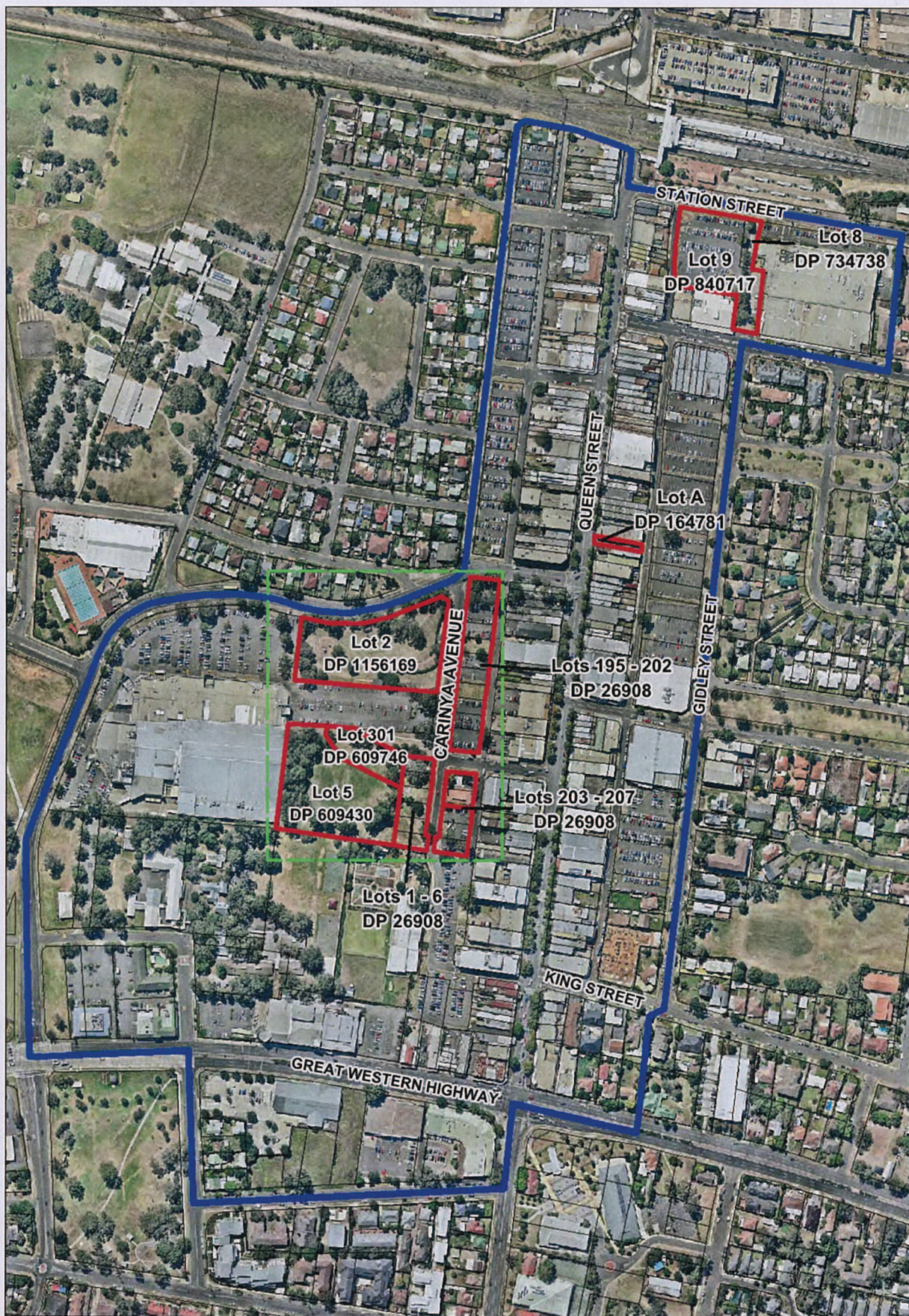
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Site Name	Address	Legal Description	Area (m ²)	Current Classification	Proposed Classification	Nature of Council's Interest	How & When interest Acquired	Reason Acquired	Agreements
24. Station Street Car Park	45 Station Street	Lot 9 DP 840717	5,457	Unknown	Operational	Registered Owner	1968, 1969 & 1974 – Acquisition, Purchase & Consolidation	Car Parking	• O944030 Easement for electricity purposes • DP840717 Easements to drain water • DP840717 Right of Carriageway • DP840717 Easements for underground mains • DP649557 Easement for overhanging eave and gutter
25.	8 Station Street	Lot 8 DP 734738	605	Unknown	Operational	Registered Owner	1990 – Transfer from Bosini Pty Ltd	New Road (Gidley Street Extension to Station Street)	• DP734738 Right of Carriageway • DP734738 Easements to drain water.
26. Walkway	100A Queen Street	Lot A DP 164781	340	Community	Operational	Registered Owner	1962 – Purchase	Access Lane	No 985 Easement for Electrical Purposes 0.915 metre wide affecting the part shown as proposed easement for underground mains in plan with Deed Book 3088 No. 985.

Notes:

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Appendix 7

Consistency with Council's Community Plan

Outcome		Strategy	Consistent
1 We can work close to home	1.1	Diversify the region's economy and attract investment, particularly targeting new and emerging employment sectors	Yes – the ability to trade, lease, or develop the land will facilitate commercial, mixed use and residential developments, attracting investment and creating new jobs, both ongoing and in the operation of the new developments.
	1.2	Secure infrastructure that improves economic opportunities for existing and new businesses	Yes – the ability to trade, lease, or develop the land will facilitate development that may include new or improved physical infrastructure, such as the existing road network and car parking in the Centre. New or improved infrastructure will also service existing businesses.
	1.3	Support agriculture and local food production as a significant contributor to the region's economy	Not applicable
	1.4	Provide access to education and training to improve residents' ability to take advantage of current and future employment opportunities	Yes – the revenue returned from the trade, lease or development of the land could be used to deliver a new or improved library and community hub in the Town Centre, providing a place for the community to learn new and enhance existing skills.
	2.1	Facilitate development that encourages a range of housing types	Yes – the ability to trade, lease, or develop the land would increase the amount of land available in St Marys Town Centre for high density residential and mixed use developments.
2 We plan for our future growth	2.2	Protect the City's natural areas, heritage and character	Yes – increasing the amount of land available in St Marys Town Centre for high density residential and mixed use developments will reduce pressure on the use of rural land or land with scenic, natural or heritage values.
	2.3	Ensure services, facilities and infrastructure meet the needs of a growing population	Yes – the ability to trade, lease, or develop the land will facilitate development that may include new or improved physical infrastructure such as public spaces, new roads and paths. New or improved infrastructure will also service existing businesses. The revenue returned from the trade, lease or development of the land could also be used to deliver new or improve current social infrastructure (library and community hub).
	3.1	Secure an effective public transport network	Yes – encouraging and facilitating the delivery of new homes in St Marys Town Centre will encourage more people to use public transport. The NSW Government will be challenged to provide new and upgraded services to respond to the increased demand.
	3.2	Provide a safe and efficient road network supported by parking	Yes – the ability to trade, lease, or develop the land will facilitate development that may include new roads and paths. Any new development will also have to provide car parking and provides the opportunity to better organise existing car parks in the Town Centre.
3 We can get around the City	3.3	Improve the City's footpaths and shared pathway network	Yes – the ability to trade, lease, or develop the land will facilitate development that may include new roads and paths.
	3.4	Improve critical cross regional transport connections	Not applicable
	3.5	Secure an efficient, integrated and sustainable freight network	Not applicable
	4.1	Improve our public spaces and places	Yes – the ability to trade, lease, or develop the land will facilitate development that may include new or improved physical infrastructure such as public spaces, specifically the embellishment and expansion of the existing Coachmans Park, continuing its evolution into a town square.
4 We have safe, vibrant places	4.2	Grow and revitalise our centres and neighbourhoods	Yes – the ability to trade, lease, or develop the land will facilitate development that will contribute to the growth and revitalisation of the St Marys Town Centre. New development has the potential to generate jobs (during construction and ongoing), and attract visitors and shoppers to the Town Centre. This will increase the vibrancy, activity and safety in the Town Centre. In turn, this will attract further development.
	5.1	Protect and improve our natural areas, the Nepean River and other waterways	Yes – any development of the land will need to contribute to the 'greening' of the Town Centre, introducing trees or vegetation where they do not currently exist. This will help reduce erosion and improve water quality.

Outcome	Strategy	Consistent
6 We're Healthy and Share Strong Community Spirit	5.2 Support our communities to live more sustainably and use resources wisely	Not applicable
	5.3 Minimise risks to our community from natural disasters	Not applicable
	6.1 Provide opportunities for our community to be healthy and active	Yes – the ability to trade, lease, or develop the land will facilitate development that may include new or improved physical infrastructure such as public spaces, specifically the embellishment and expansion of the existing Coachmans Park to accommodate arts and cultural programs, and new cycle ways and pathways linking the Town Centre with Ripples Leisure Centre and South Creek Natural Areas. The revenue returned from the trade, lease or development of the land could also be used to deliver new or improve current social infrastructure (library and community hub).
	6.2 Encourage social connections and promote inclusion in our community	Yes – the ability to trade, lease, or develop the land will facilitate development that may include new or improved physical infrastructure such as public spaces, specifically the embellishment and expansion of the existing Coachmans Park encouraging its evolution into a Town Square – a prime place for gathering and community events. The revenue returned from the trade, lease or development of the land could also be used to deliver new or improve current social infrastructure (library and community hub), providing further space to build social connections.
	6.3 Support cultural development, activating places and creativity.	Yes – the ability to trade, lease, or develop the land will facilitate development that may include new or improved physical infrastructure such as public spaces and improved public domain. The revenue returned from the trade, lease or development of the land could also be used to deliver new or improve current social infrastructure (library and community hub). These spaces provide venues for creativity and cultural development programs and can accommodate public art.
	7.1 Demonstrate transparency and ethical behaviour	Yes – Council is undertaking a community consultation for the Planning Proposal, which includes a public exhibition and independently chaired public hearing. The consultation process also provides people with the opportunity to make submissions and have their concerns considered.
7 We have confidence in our Council	7.2 Ensure our finances and assets are sustainable and services are delivered efficiently	Yes – the proposed reclassification of the land provides Council with the ability to effectively manage its assets, including the trade, lease, or development of the land. This allows Council to utilise its property portfolio to stimulate growth and development opportunities in the Town Centre.
	7.3 Provide opportunities for our community to participate in making decisions about the City's future.	Council is undertaking a community consultation for the Planning Proposal, which includes a public exhibition and independently chaired public hearing. The consultation process also provides people with the opportunity to make submissions and have their concerns considered. The Planning Proposal implements Council's adopted <i>St Marys Town Centre Strategy</i> (2006), a document based on extensive community consultation.