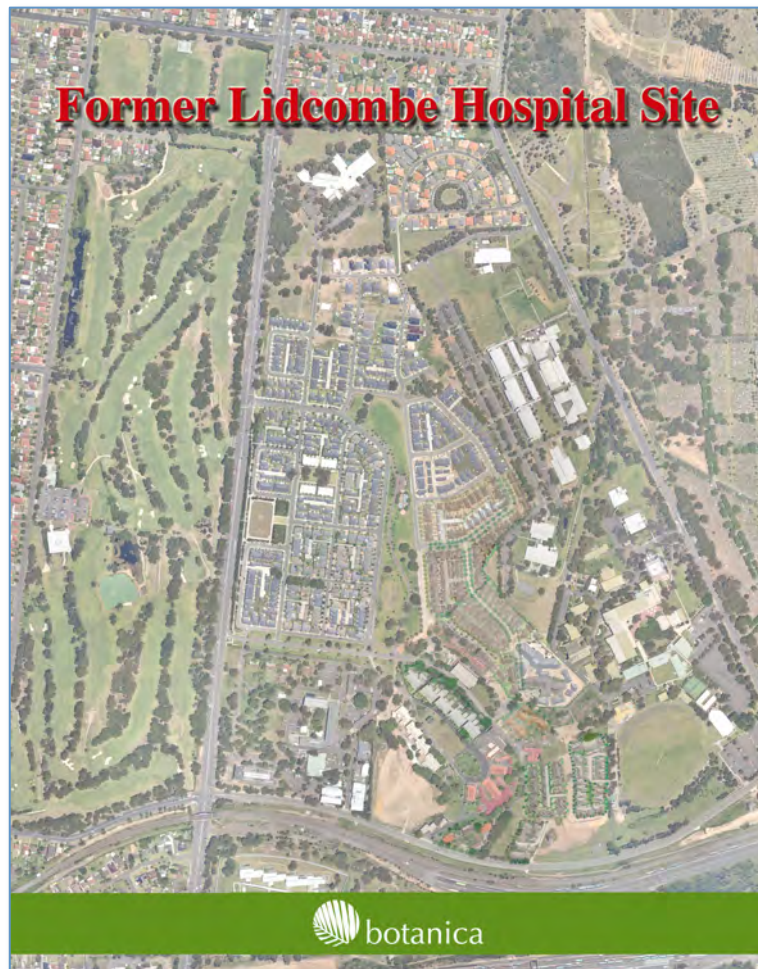


**Planning Proposal
Stage 88A Botanica**

AMENDMENT TO AUBURN LOCAL
ENVIRONMENTAL PLAN 2010



**PROPOSAL TO REZONE LAND FROM R3 TO R4 TO PERMIT
RESIDENTIAL FLAT BUILDINGS
LOT 802 DP 1150164
MAIN AVENUE & SUSSEX STREET
BOTANICA - LIDCOMBE**

McKenzie Land Planning Services Pty Limited

Stage 88A Planning Proposal - Botanica

Proposal to rezone land from R3 to R4 to permit

Residential Flat Buildings

Lot 802 DP 1150164

Main Avenue & Sussex Street

Botanica - Lidcombe

Prepared for:

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1.0 Introduction

1.1 Site Identification

The site forms part of the former Lidcombe Hospital Site that has been under going redevelopment since 2004 to refurbish heritage buildings and develop new housing. The former Lidcombe Hospital Site is one of three 'brownfield' sites in the Auburn City LGA that are being redeveloped and as such contributes to the bulk of the assigned housing target being provided by the LGA.

The site for rezoning (also referred to as Stage 88A) is described as Lot 802 in DP 1150164 and has an area of 1,698m². It is an irregular rectangular shaped parcel with an average length of about 63m and width varying between about 25m to 34m (**Figure 1**).

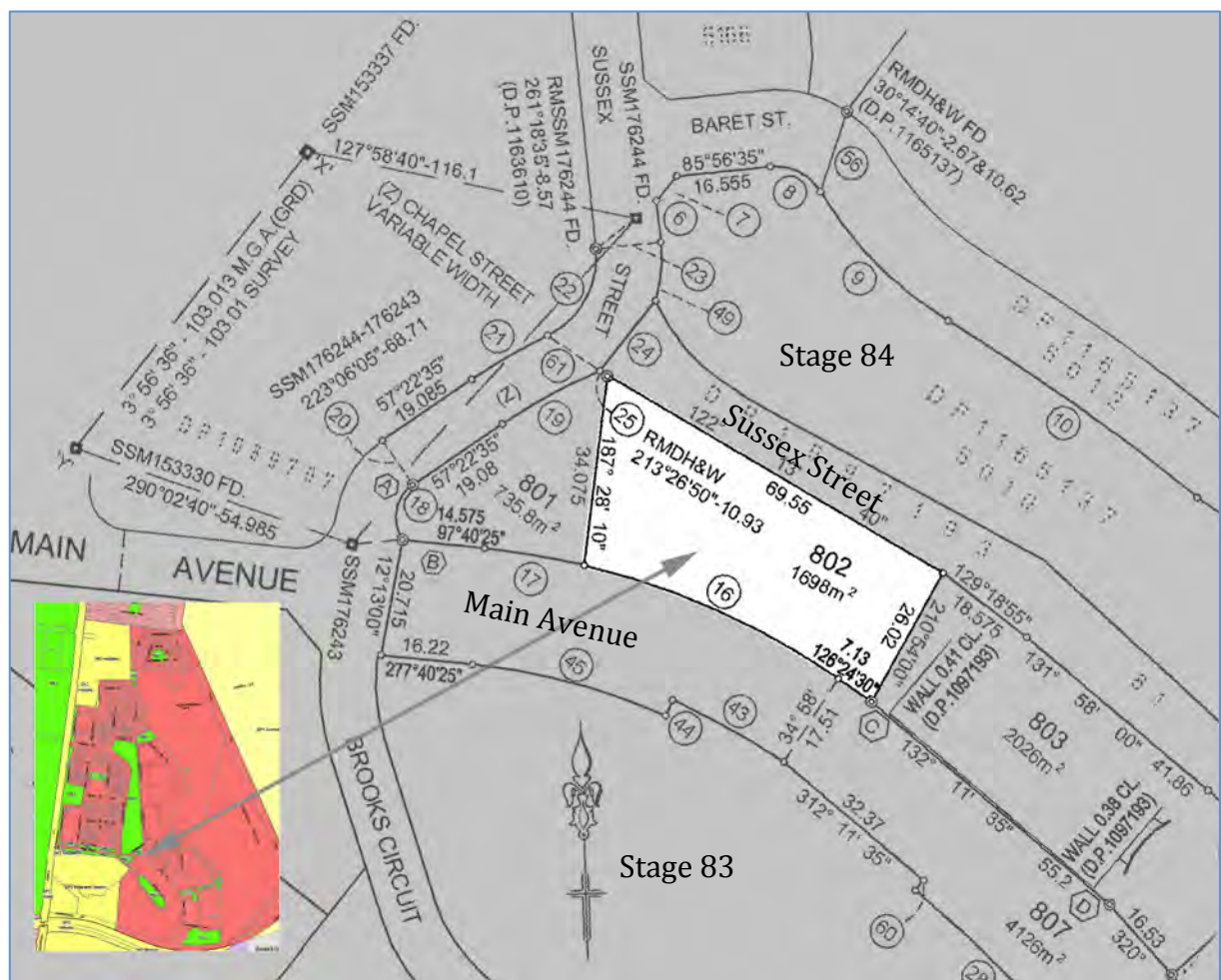


Figure 1 Site details and location

Figure 2 shows the site in context with the other development stages within Precinct 8.

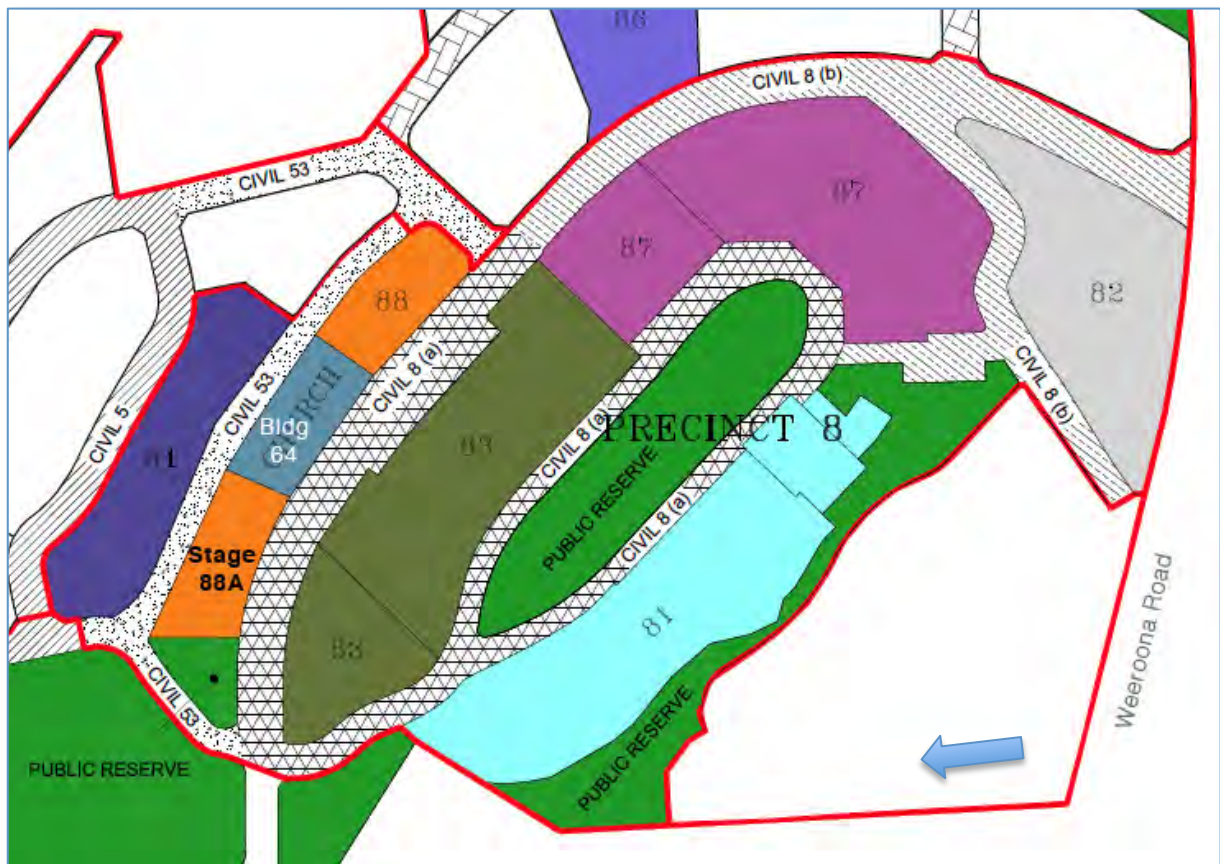


Figure 2 Precinct 8 development stages - Botanica Site Lidcombe

The parcel to the west of the site is identified as a future public reserve and will be transferred to Council as part of the initial development consent (DA572/2002). The site is bounded by Sussex Street and Main Avenue to the north and south respectively and an existing retained heritage building (Woolley Hall) to the east. Retained heritage buildings are also located on the opposing sides of Sussex Street and Main Avenue and the land immediately to the north, south and east forms part of the Lidcombe Hospital Precinct conservation area listed on the State Heritage Register (State Heritage Register:01744 – Plan: 2065) (**Figure 3**).

The site is currently zoned R3 – Medium Density Residential under the Auburn LEP 2010 and the site features and characteristics present a unique challenge for development due to:

- the gentle slope of the site towards the north-east;
- the orientation of the site provides potential for good solar access to dwellings;
- the location adjoining a future public reserve and need to address that space in terms of building form and design;

- it's two street frontages (about 69.5m and 56.5m) with a block depth ranging from about 25m to 34m;
- two other residential stages to the north and south, also being within the heritage precinct (Stages 84 and 83) (**Figures 4 and 5**);
- it abuts Building 64 (Woolley Hall) (**Figure 6**) along the eastern boundary, which contains a large plain brick façade, which is setback from 3m to 8m off the site boundary.

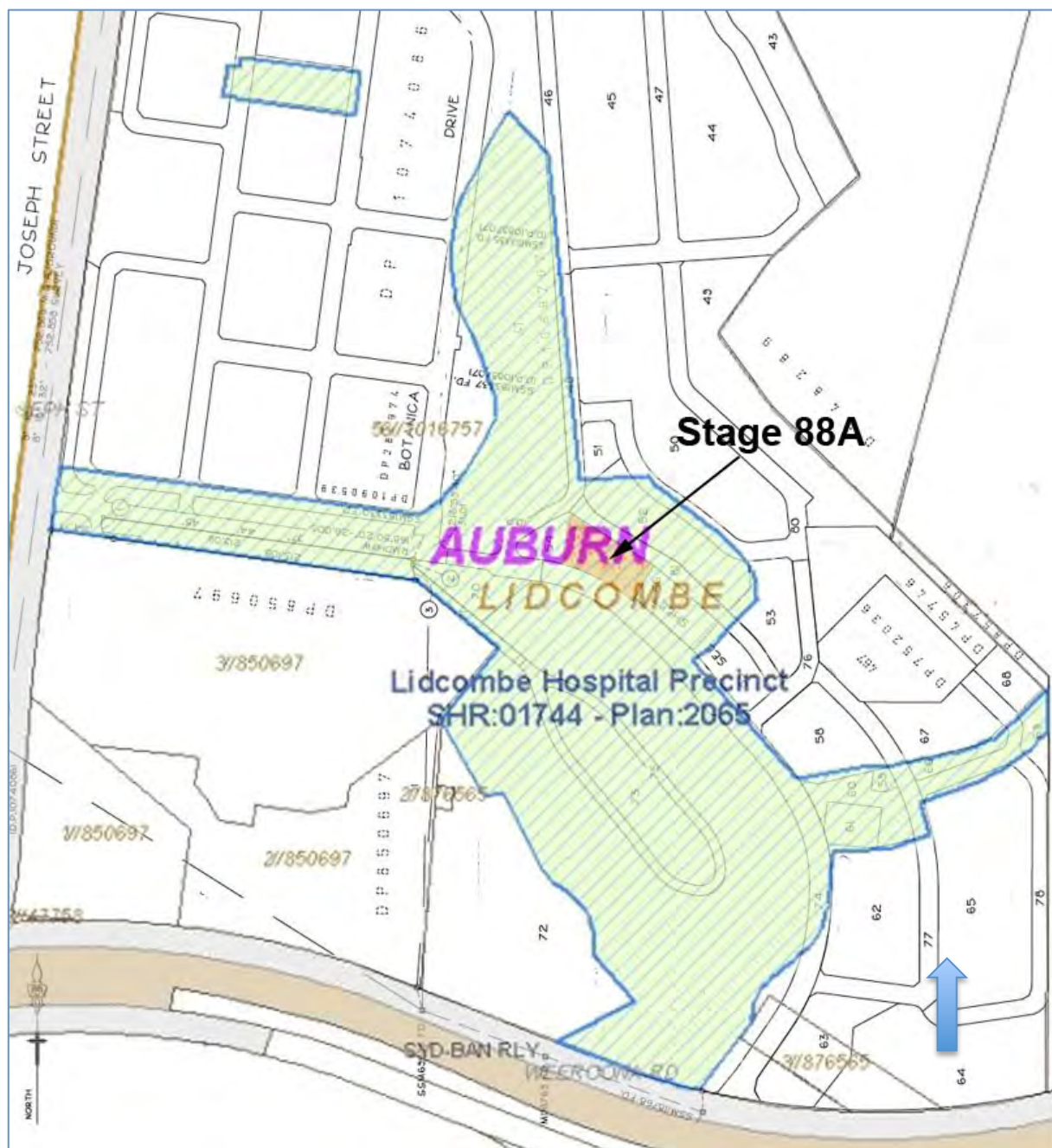


Figure 3 The site and the Former Lidcombe Hospital conservation area



Figure 4 Buildings (bldg 34 and 35) within stage 84 adjoining the subject site (Sussex Street) circa Oct 2002



Figure 5 Rear of buildings in stage 83 adjoining subject site (Main Avenue) circa Oct 2002



Figure 6 Woolley Hall with subject site in left foreground circa Oct 2002

1.2 The Development Proposal

Allen Jack + Cottier were engaged by Australand to develop a built form design for the site commensurate with the site's unique characteristics.

The building design evolved from what are considered to be the three most important design objectives for this site:

1. to respect the existing building forms of Precinct 84, which are located directly across Sussex Street;
2. enhance the two streetscapes of Main Ave and Sussex St which presently suffer from the sheer bulk of the Woolley Hall and the fact that it does not provide a landscape zone to either street;
3. to optimise the building form and dwelling potential having regard to the site being located adjacent to the corner park.

It became clear in the very early stages of the building design formulation that the 'traditional' permissible dwelling types would not provide an appropriate building form response to these design objectives hence a RFB building form has been developed and site would need to be rezoned to permit that form of development.

While Australand is conscious of presenting a built form prior to rezoning and DA approval it was considered desirable to demonstrate the nature of the RFB built form proposed for the site. The proposed RFB is a two-storey building with one level of basement parking. It is comprised of 18 apartments in total (55% x 2 beds, 45% x 1 beds) with 25 car spaces plus 4 visitors spaces.

The building form is articulated into two main parts, the eastern and western ends, with an entry foyer zone providing transparency between the two parts (**Figures 7 and 8**). The eastern end of the building is also designed so as to provide a significant break in the streetscape, to alleviate the impact the neighbouring Woolley Hall has on the street. The western end of the building is designed so as to address the corner park.



Figure 7 View of proposed RFB development looking westward from Sussex Street



Figure 8 View of proposed RFB development looking eastward from Main Avenue

1.3 Heritage Context and consideration of Conservation Management Plan Principles relating to New Development within Heritage Precinct

The subject site is wholly located within the listed curtilage for the Lidcombe Hospital Precinct of the former Hospital site. It is located beside the Woolley Hall, which is identified in the Conservation Management Plan (CMP) as having high heritage significance. The site for the proposed development contains no heritage buildings, is vacant and lies within a zone identified as having moderate archaeological significance.

The site previously contained Ward 13 (morgue) and Tutorial rooms that existed to circa 1994 but were demolished in the lead up to the site being used as the Media Village for the Sydney 2000 Olympics. The site has remained vacant since but was included in the curtilage area defining the Lidcombe Hospital Precinct as it provided some continuity with the lands further to the north.

The surrounding retained heritage buildings are a mixture of architectural design from differing periods of use of the site.

The buildings to the south west (Stage 83) are essentially the rear of the ward buildings (Wards 19 and 20) designed by Vernon in 1900 and 1906. These buildings are identified as having exceptional heritage significance but have their focus and orientation towards the 'village green' off Brooks Circuit and essentially comprise part of the main heritage core of the site focused around that open space area.

The buildings to the north east (Stage 84) were identified as only having moderate heritage significance and were built circa 1938 (Ward 34) and 1948 (Ward 35). These buildings were initially excluded from the proposed heritage precinct area identified in the CMP. However the precinct area was expanded to include Wards 34, 35 and 36 on the eastern side of Sussex Street when it was determined by the Court that those buildings should also be retained as part of the buildings reflective of the past use of the site.

Building 64 (Woolley Hall) which shares the south east site boundary with the subject site was built circa 1963 and was part of the heritage precinct proposed in the Conservation Management Plan (Godden Mackay Logan Sept 2002). The entry and principal façade of the Woolley Hall addresses Main Avenue and the building design presents a large blank brick wall towards the subject site.

There is no distinctive feature that links any of those three groups of building specifically to the subject site and the Planning Proposal seeks to permit a building form that unifies the site with the adjoin development while addressing the principal public spaces being the park, Main Avenue and Sussex Street.

Godden Mackay Logan were requested by Australand to consider the proposed RFB development in light of the conservation incentives clause [Clause 5.10(10)] of the Auburn Local Environmental Plan 2010 and the relevant conservation policy statements contained within sections 6 and 7 of the CMP prepared for the Lidcombe Hospital Site (2002) (**Attachment 1**).

GML concluded that the proposed development would result in a more appropriate built form having regard to the immediate heritage context in which it is located. Buildings 34 and 35 and the adjacent Woolley Hall/Chapel (Building 64) are all relatively 'blocky' in form and have a reasonably wide footprint as is the case with the proposed design.

Conversely, a townhouse or terrace building form would result in a series of repetitive 'units' that would give a very different character to that of the heritage buildings.

The proposed design is consciously intended to be compatible with the scale, form and articulation of the neighbouring heritage buildings as well as the alignment of adjacent roadways, and would be of a more appropriate aesthetic character to introduce into this context than a townhouse/terrace character.

GML believes that the design of the proposed RFB building would better satisfy the conservation policies relating specifically to the introduction of new development within the LHS Heritage Precinct as set out in section 6.4.6 of the CMP than the alternative townhouse / terrace form. GML are confident that the proposed development would not adversely affect the heritage significance of the former Lidcombe Hospital site as a whole, or any of its important components, but rather would introduce a new element that is compatible with its environmental surroundings and character.

1.4 Conclusion

The site is unique in that it has a narrow width, is fronted by roads on two sides, has a boundary to a park and a heritage item being the Woolley Hall that presents a long and high unbroken brick wall to the site.

The anticipated built form of the proposed development enhances the surrounding heritage buildings by thoughtful streetscape design, careful consideration of the building mass and maximum use of the corner park.

The proposed development has also taken into account some of the relevant objectives and performance criteria set out in the Former Lidcombe Hospital Site part of the Auburn DCP 2010 and is compatible with and satisfies those key requirements for the design of new buildings on the former Lidcombe Hospital Site. In particular, the proposal conforms to the principles and guidelines contained within section 7 of the DCP which relate to the design, form and character of new buildings. The proposed RFB development also addresses:

- A range of building types and densities;
- Buildings to address the street and reinforce territorial definition;
- Building design is responsive to, and integrated with, its environment and adjoining dwellings;
- Building design is contemporary and compatible in scale and proportion with the horizontal proportions of the heritage hospital buildings;
- The building design is energy efficient and includes eaves and other shading devices;
- Building design links internal living and external courtyard/garden spaces;
- Street facades and appearance are considered as part of overall streetscape design;
- Building materials and finishes are durable;
- Private domain landscape is to contribute to the landscape master plan for the site.

A preliminary assessment of compliance with the Residential Flat Buildings part of the Auburn DCP 2010 is provided at **Attachment 2**.

Neither the setting of the retained Woolley Hall or the amenity of the surrounding area would be adversely affected by this proposal. Accordingly Australand believes that it is appropriate to amend the Auburn LEP 2010 to permit residential flat building development on this site.

Attachment 1 GML Letter

11 July 2011

Australand Property Group
1 Homebush Bay Drive
RHODES NSW 2138

Attention: Simon Twiggs, Senior Development Manager

Our Ref: 11-0338st1

Re: Proposed Development Stage 88A – Botanica

Dear Mr Twiggs

I refer to your request for advice as to whether the Clause 5.10 of the Auburn Local Environmental Plan 2010 might reasonably apply to the proposed residential development of the Botanica site known as Stage 88A. GML has reviewed the architectural documentation prepared by AJ+C for the residential building proposed to be constructed on the site adjacent to the northwestern end of the existing Recreation Hall and Chapel (Building 64) designed by Ken Woolley in light of the conservation incentives clause [Clause 5.10 (10)] of the Auburn Local Environmental Plan 2010 and the relevant conservation policy statements contained within sections 6 and 7 of the Conservation Management Plan (CMP) prepared for the Lidcombe Hospital Site by this firm in 2002.

The subject site is wholly located within the listed curtilage for the Heritage Precinct of the former Hospital site. It is located beside the Woolley Hall which is identified in the CMP as having high heritage significance. The site for the proposed development lies within a zone identified as having moderate archaeological significance.

The intended low-rise development would contain a total of 18 residential units arranged on two levels above a basement carpark and consist of a mixture of 1 and 2 bedroom units. The plan shape of the proposed building is split into two main blocks with slightly different but related footprints connected by a narrower link element. We understand that the zoning would not permit this form of development and that townhouse and terrace-style dwellings are the forms of development permitted under the R3 zone land use table that applies to this parcel.

We note however that the proposed design is a deliberate architectural response to the location and character of this particular site and its immediate environment. It is evident that key design objectives of the architects were to respect the scale and bulk of the nearby Ken Woolley-designed Hall as well as the built forms of the existing buildings on

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the land to the immediate northeast of the Stage 88A development site (Buildings 34 and 35).

Although the current design represents a departure from the permissible form under the zoning, it would nevertheless result in a more appropriate built form having regard to the immediate heritage context in which it is located. Buildings 34 and 35 and the adjacent Hall/Chapel are all relatively 'blocky' in form and have a reasonably wide footprint as would be the case with the proposed design. Conversely, a townhouse or terrace form would result in a series of repetitive 'units' that would give a very different character to that of the heritage buildings. The proposed design is consciously intended to be compatible with the scale, form and articulation of the neighbouring heritage buildings as well as the alignment of adjacent roadways, and would be of a more appropriate aesthetic character to introduce into this context than a townhouse/terrace character.

The conservation policies relating specifically to the introduction of new development within the LHS Heritage Precinct and set out in section 6.4.6 of the CMP read as follows:

- New development within the proposed heritage precinct should not dominate the established character of the buildings and their relationship to other buildings and open spaces.
- New development within the proposed heritage precinct should be identifiable as new work.
- New development within the proposed heritage precinct should comply with 'infill' design principles, and be of compatible scale, form, character and materials to the buildings within the precinct.
- New development within the proposed heritage precinct should reinforce the structure of the precinct through appropriate alignments and relationship of buildings to roads and to other buildings.
- New development within the proposed heritage precinct should be of a character that complements and does not compete visually with, or mimic the characteristics of, significant buildings or use inappropriate period styles.
- Statutory consent should be sought prior to any on-site works which involve excavation. An Archaeological Research Design for the Lidcombe Hospital site, detailing a research framework and excavation methodology to guide on-site works is found in section 7.0 of the AMP [Archaeological Management Plan] at Appendix A.

GML holds the opinion that the design of the proposed new Stage 88A building would better satisfy the above policies in the CMP than the alternative townhouse / terrace form. We are confident that the proposed development would not adversely affect the heritage significance of the former Lidcombe Hospital site as a whole, nor any of its important components, but rather would introduce a new element that is compatible with its environmental surroundings and character. Neither the setting of the retained Hall or the amenity of the surrounding area would be adversely affected by this proposal. Accordingly GML believes that it is appropriate to rely on the conservation incentive clause of the Auburn LEP 2010 to permit this form of development even though development for that purpose would otherwise not be allowed by the ALEP 2010.

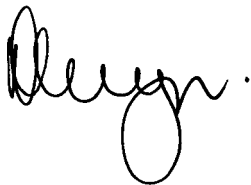
It is also worth noting that the proposed residential development satisfies the key objectives contained within the Auburn Development Control Plan 2010 for the design of new buildings on the former Lidcombe Hospital Site. In particular, the proposal conforms to the principles and guidelines contained within section 7 of the DCP which relate to the need for the design, form and character of new buildings to:

- address the street and be considered as part of an overall streetscape design;
- be responsive to and integrated with the environment and adjoining dwellings (buildings);
- be contemporary and compatible in scale and proportion with retained hospital buildings;
- achieve a high level of residential amenity and energy efficiency;
- Adopt a distinctive architectural approach using a variety of housing types that incorporate strong contemporary roof forms and modulation, eaves overhangs;
- Reinforce corners, the street and open space hierarchy;
- Be sensitive to and compatible with heritage and/or retained buildings in the vicinity so as not to detract from the character of the retained buildings.

Should you or Council require further information, please contact David Logan or Rod Howard.

Yours sincerely

Godden Mackay Logan Pty Ltd

A handwritten signature in black ink, appearing to read 'D Logan', with a large loop at the end.

David Logan

Partner

Attachment 2 Preliminary Compliance Assessment with Auburn Development Control Plan 2010

The following brief assessment is provided in response to the principal development control provisions that relate to the site based on the Residential Flat Buildings part of the ADCP 2010.

Development Control	Comment / Compliance
2.1 Site Area 1,000m ² min width 24m	1,828m ² , 28.37m wide at narrowest point
2.2 Site Cover (Built upon area) 50%	Approx 65%, however it is noted that for 'terrace dwellings' a form of multi dwelling housing, the Former Lidcombe Hospital part of the ADCP 2010 allows 70% max site cover. The principal development criteria provisions are achieved in terms of 'adequate areas for landscaping, open space and spatial separation is provided between buildings. The proposed RFB building has a min 5m setback to Sussex St and the Park and min 2m to Main Ave. The actual achievable setbacks establish an adequate landscape zone. Compared to the existing heritage items the setbacks are generous and for the most part exceed that required for permissible development under the Former Lidcombe Hospital Site part of the ADCP 2010. The Woolley Hall, bordering the southern boundary has no landscaping on either Sussex or Main Ave street frontage. Building 34 to 36 opposite the northern boundary with Sussex Street have minimal front setback and very little to no landscaped area to the street. The proposed RFB development will be perceived as incorporating generous open space and spatial separation into its design. The frontages where the majority of the landscaped zone is proposed (to Sussex St and the corner park) also enjoy the best aspect to the north-east and north-west so will be ideal environments for landscaping. The proposed RFB is designed in such a way that there is a significant gap between it and the Woolley Hall as seen from both Sussex St and Main Avenue. This is so as not to exacerbate the existing condition that the Woolley Hall creates of a dominant two storey wall very close the street edge. The proposed RFB has significant articulation along the south east boundary opposite the Woolley Hall which gives it 'breathing space' from the Woolley Hall, and gives much needed relief to the streetscape. The spatial separation of the 2 main parts of the proposed RFB where the foyer is located is another significant design feature. Not only does it signal the building entry from Main Avenue, and mimic the separation between buildings in Precinct 84 across the road, but also provides an opportunity to have a large tree or trees on the north-eastern side which will help to visually separate the two parts of the building (as well as provide a pleasant outlook from within the foyer).
2.3 Building Envelope	Complies

2.4 Setbacks: Front (4-6m but 2m if frontage to a lane) Side (3m) Rear (10m)	Special / unique site requires special consideration Sussex St 5m Park 5m (3m in FLHS part of ADCP 2010) Main Ave 2m to 8.5m Side / Rear 0.7m to 8.5m
2.5 Building depth – 18m excluding balconies	The proposed RFB has two wings and the eastern wing is 18m in depth. The western wing varies from about 15m to 22.5m in depth. The increased building depth does not decrease the amenity to residents on this site or neighbouring site or adversely affect the significance of the heritage setting. The 22.5m building depth occurs on the end of the building facing the park. At this end there is also a balcony in the middle of the elevation, which breaks up the apparent wall length seen from the park.
2.6 Number of storeys (10m max height limit)	Complies – essentially two storey development
2.7 Floor to ceiling height – min 2.7m	Can comply
2.8 Head height of windows (300mm below ceiling)	Can comply
2.9 Heritage Development does not adversely affect the heritage significance of heritage items and heritage groups and archaeological sites as well as their settings, distinctive streetscape, landscape and architectural styles All development adjacent to and/or adjoining a heritage item shall be: • responsive in terms of the curtilage and design; • accompanied by a Heritage Impact Statement; and • respectful of the building's heritage significance in terms of the form, massing, roof shapes, pitch, height and setbacks	Complies – In this instance the proposed development is not characterised as development of a building that is a heritage item as the site to be developed is vacant but part of land that is a conservation area containing buildings that are heritage items. Preliminary assessment concludes that the design of the proposed RFB building would better satisfy the conservation policies relating specifically to the introduction of new development within the LHS Heritage Precinct as set out in section 6.4.6 of the CMP than the alternative townhouse / terrace form. Godden Mackay Logan conclude that the proposed development would not adversely affect the heritage significance of the former Lidcombe Hospital site as a whole, nor any of its important components, but rather would introduce a new element that is compatible with its environmental surroundings and character.
2.10 Building Design	Complies
2.11 Dwelling Size	Noted – generally complies with min sizes
2.12 Apartment mix and flexibility	Complies – accessible housing provided as part of estate development
3.2 Open Space and Landscaping Landscaping / Landscape Setting 3.3 Deep Soil Zone (30% and 5m min dimension) – no hard surface 3.5 Private Open Space GF Units 9m ² x 2.5m min dimension courtyard Above GF min 8m ² with min 2m	Deep Soil Zone The majority of the deep soil zone is on the north western and north eastern sides of the site, which is where the large trees will have the greatest chance of thriving. The strip along Sussex Street is also located so as to provide a generous setback to the single storey dwellings in Precinct 84, which are smaller in scale, have minimal setback and lower topographically. There is also a significant area of landscaping in the south west corner of the site to ensure a large tree can be planted as a buffer between the apartment building and the Woolley Hall.

dimension	Including areas of the site, which are appropriate to allow for tall trees to grow and spread, and in such a location so as to be appreciated by either residents of the site or passers by, there is almost 35% deep soil zone. However, strictly adopting the 5m min dimension criteria this proposal achieves approximately 10% deep soil zone. Private open space The proposed RFB complies with all performance criteria for Private Open Space other than some balconies are not consistently minimum 2m depth. This is due to some balconies not being rectilinear in plan, there are some balconies (6 total out of 18 apartments), which have a less than 2m dimension in one direction but these balconies are larger than 8m² to compensate. All balconies are adequate in size to take a table and chairs for 4 people, are located directly off living areas and to take advantage of solar access and/or park views where possible.
3.6 Communal open space Min dimensions of 10m = 100m ²	No – fronts and adjoins local park
3.7 Protection of existing trees	Landscaping to comply with estate Landscape Masterplan
3.8 Biodiversity	Landscaping to comply with estate Landscape Masterplan
3.9 Street Trees	Yes
4.1 Access and Parking	Yes
Privacy and security 5.1 Privacy 5.2 Noise 5.3 Security 5.4 Fences	Complies
Solar amenity and stormwater reuse 6.1 Solar amenity 6.2 Ventilation 6.3 Rainwater tanks 6.4 Stormwater drainage – see Stormwater Drainage part of ADCP 2010	Noted
Ancillary site facilities 7.1 Clothes washing and drying 7.2 Storage 7.3 Utility services 7.4 Other site facilities 7.5 Waste Disposal – See Waste part of ADCP 2010	No open air drying proposed – site not conducive due to significant exposure on all sides
8.0 Subdivision	Single site - strata
9.0 Adaptable housing	Will comply with whole of site 10%
9.3 Lifts	Yes
9.4 Physical barriers	Avoided to extent site permits
10.1 Development Control diagrams and tables	Unique site characteristics

Part 1 – Statement of Objectives and intended outcomes of the Proposal

The following addresses the requirements of s55(2)(a) of the EP&A Act.

The primary objective of the Planning Proposal is to amend the Auburn LEP 2010 to permit Residential Flat Building development on Lot 802 in DP 1150164. To achieve this objective the Planning Proposal aims to:

- rezone Lot 802 in DP 1150164 from R3 Medium Density Residential to R4 High Density Residential;
- change the Height of Building control from 9m to 10m;
- change the Floor Space Ratio control from 0.5:1 to 1.2:1.

The attainment of the primary objective will enable the following objectives to be achieved:

1. Development of the site in a residential flat building (RFB) built form that will:
 - a. contribute to achieving housing targets;
 - b. achieve design excellence and an attractive inter-relationship with adjoining development including public open space;
 - c. enhance the local environment;
2. Provision alternative affordable housing type; and
3. Provision for the orderly and economic use and development of land.

The vacant site is zoned *R3 Medium Density Residential* and is a very small part of the area listed as a heritage conservation area in Schedule 5 (Auburn LEP 2010) as having State significance. The site is a small part of the area listed in the NSW State Heritage Register as the Lidcombe Hospital precinct State Heritage Register:01744.

Residential accommodation is a prohibited use under the R3 zone and by prescription in the land use table of the R3 zone the only permitted forms of residential accommodation include:

- Attached dwellings;
- Dual occupancies;
- Dwelling houses;
- Multi dwelling housing;
- Semi-detached dwellings.

Secondary dwellings are permitted by virtue of SEPP (Affordable Rental Housing) 2009.

Due to the unique attributes of the site and its character setting it is desirable to develop a building form that respects and is conducive to the setting. This building form is best articulated as a residential flat building (RFB) rather than the permitted dwelling forms.

To enable the development of a RFB built form the site has to be rezoned to permit residential flat buildings.

Part 2 – Explanation of the provisions of the Proposal

The following addresses the requirements of s55(2)(b) of the EP&A Act.

The objectives and intended outcomes are to be achieved by means of new development controls applying to the site imposed via an amendment to the Auburn LEP 2010. The new controls will conform to the Standard Instrument (Local Environmental Plans) Order 2006.

The following specific amendments are proposed to be included in an amendment to the Auburn LEP 2010:

1. Amendment of the Auburn LEP 2010 Land Zoning Maps as set out below:

Land Zoning (LZN) map changes showing Lot 802 DP 1150164 currently zoned R3 Medium Density Residential to be rezoned R4 High Density Residential

ALEP 2010 Map tiles LZN_007 & LZN_008	Proposed amendment to map tiles LZN_007 & LZN_008
Lot 802 DP 1150164 currently zoned R3 Medium Density Residential	Lot 802 DP 1150164 to be rezoned to R4 High Density Residential as shown on Map 1

2. Amendment of the Auburn LEP 2010 Height of Building Maps as set out below:

Height of building (HOB) map changes showing Lot 802 DP 1150164 currently depicted as 'J' = 9m to be amended to 'K' = 10m.

ALEP 2010 Map tiles HOB_007 & HOB_008	Proposed amendment to map tiles HOB_007 & HOB_008
HOB for Lot 802 DP 1150164 currently is 'J' (9m)	HOB for Lot 802 DP 1150164 to be 'K' – 10m as shown on Map 2

3. Amendment of the Auburn LEP 2010 Floor Space Ratio Maps as set out below:

Floor space ratio (FSR) map changes showing Lot 802 DP 1150164 currently depicted as 'D' = 0.5 to be amended to 'P1' = 1.2.

ALEP 2010 Map tiles BFSR_007 & FSR_008	Proposed amendment to map tiles FSR_007 & FSR_008
FSR for Lot 802 DP 1150164 currently is 'D' (0.5)	FSR for Lot 802 DP 1150164 to be 'P1' – 1.2 as shown on Map 3

Explanation of zoning amendment

The purpose of rezoning the site is to permit the residential flat building (RFB) built form as this is considered to be a more appropriate built form than currently permitted housing types. The site is unique in that it is bounded by streets on two sides, a park on one and an existing building that has a high blank wall on the forth side. The dimensional depth of the site also means that conventional housing is not appropriate and the RFB built form allows all main sides of the site to be addressed by a 'front' facade.

Explanation of height of building amendment

The existing building height applicable to the site and surrounding area is 9m. While the bulk of the anticipated structure will likely have a building height that is limited to 9m it is proposed to increase the building height for the site to 10m to accommodate a small part of the building roof form that exceeds the 9m height due to site and building characteristics. This will result in a barely appreciable difference.

Explanation of floor space ratio amendment

The existing floor space control applying to the Lidcombe Hospital Site is 0.5:1 and this was a 'historical' translation from the Former Lidcombe Hospital site DCP. Under the DCP provisions that prevailed prior to the publication of the Auburn LEP 2010 the FSR was treated as a cumulative 'whole of site' calculation recognising that individual dwellings forms would not achieve a 0.5:1 FSR but a higher ratio.

It is impractical to retain the 0.5:1 FSR for the planning proposal site and studies to date on the anticipated built form suggest that a FSR of 1.2:1 would be appropriate. It is noted that currently in most of the other R4 High Density Residential areas in the Auburn LEP 2010 that the FSR is nominated as 1.4:1 and other R3 Medium Density Residential areas have a 0.75:1 FSR.

Council also has a planning proposal (September 2011 based on Council resolution dated 20 October 2010) that has as one of the proposed amendments to change the FSR of all of the R4 High Density Residential areas in the Auburn LEP 2010 (with the exception of land at 2-36 Church Street, Lidcombe that is owned by Housing NSW) to a maximum of 2.0:1. This FSR if adopted for the subject site in the absence of other controls might give an unreasonable expectation of the development potential of the site and is significantly greater than what current development proposals for the site require to achieve the desired development outcome.

While there may be some merit to have the same FSR for all R4 zoned land on the grounds of consistency the actual scale, density and bulk of development on the subject site would still be physically limited due to the maximum height of building limitation being essentially two storeys.

Given the circumstances of the site, this planning proposal applies for a maximum 1.2:1 FSR as this is generally consistent with the proposed maximum height of building 10m control also proposed for the site.

Should Council wish to adopt a consistent planning approach and apply a maximum 2:1 FSR ratio to the subject site the appropriate scale, density and bulk of development would generally still be achieved due to the height of building limitation and other controls on a merit assessment basis set out in the amended Auburn DCP 2010.

Part 3 – Justification of the Objectives and Outcomes

The following addresses the requirements of s55(2)(c) of the EP&A Act.

The following headings are set out in the Department of Planning's *A Guide to Preparing Planning Proposals* July 2009 and addresses the need for the planning proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

Section A – Need for the planning proposal

The current Auburn LEP provisions applying to the site prohibit what is considered to be the most appropriate built form (RFB) for the site having regard to its characteristics and setting. This planning proposal explains the intended effect of the proposed instrument and sets out the justification for making the proposed instrument.

A1 Is the planning proposal a result of any strategic study or report?

No - the planning proposal is not the result of a strategic study or report.

The Planning Proposal has arisen due to a request from Australand to provide for a better dwelling built form than currently possible under the existing controls. The RFB built form is responsive to the site condition and characteristics.

The planning proposal if adopted will permit a built form that will positively contribute to achieving the dwelling targets for Auburn set by the Department of Planning (*West Central Draft Subregional Strategy*). The planning proposal will permit the expressed achievement of providing dwellings as identified in Auburn Council *Dwelling Target Analysis* March 2009, where it is recognized that most new dwellings will come from 'within three key brownfield sites where significant ongoing dwelling growth will continue to occur' – the Lidcombe site being one of those 'brownfield sites'.

Australand has conducted a site study and developed a building design that evolved from what are considered to be the three most important design objectives for the site:

1. to respect the existing building forms of Precinct 84 (existing heritage buildings), which are located directly across Sussex Street;
2. enhance the two streetscapes of Main Ave and Sussex St which presently suffer from the sheer bulk of the Woolley Hall and the fact that it does not provide a landscape zone to either street;
3. to optimise on the building form and dwelling potential having regard to the site being located adjacent to the corner park.

It became clear in the very early stages of the building design formulation that the 'traditional' permissible dwelling types possible under the current zone would not

provide an appropriate building form response to these design objectives hence a RFB building form has been proposed.

A2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes - the main objective and intended outcome of the Planning Proposal is to permit the construction of a RFB on the site. The provisions of the planning proposal are consistent with the RFB controls within Auburn LEP 2010.

The provisions for height of building and floor space ratio development standards for the R4 High Density Residential zone would need to be applied to the subject land to allow the RFB to be constructed on the site.

Residential Flat Buildings are prohibited in the R3 Medium Density Residential zone under Auburn LEP 2010

A3 Is there a net community benefit?

Yes – refer **Appendix 1** for Net Community Benefit Test.

Section B – Relationship to Strategic Planning Framework

B4 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)?

Yes - the Ministerial Direction No. 7.1 “Implementation of the Metropolitan Plan for Sydney 2036” directs the relevant planning authority when preparing a planning proposal to ensure it is consistent with the Metropolitan Plan for Sydney 2036 and implement the vision, transport and land use strategy, policies, outcomes and actions.

The proposal is consistent with the housing objectives as it will contribute to meeting the expectation that the greatest population growth is projected to occur in Sydney’s south west, north west and west central areas. Auburn is an area with the West Central Subregion where the dwelling target is 96,000 and increase of 500 compared to the previous target set out in the *City of Cities – A Plan for Sydney's Future Metropolitan Strategy* (2005) now superseded by the *Metropolitan Plan for Sydney 2036* (Dec 2010).

The planning proposal will be consistent with the key aims of the plan and performance measuring criteria in relation to ‘Strategic Direction D – Housing Sydney’s Population in this regard it will be consistent with the following key performance indicators’ – adapted from Appendix 2 of the *Metropolitan Plan for Sydney 2036* (Dec 2010).

Key Performance Indicator	Key Performance Measures
8. Ensure at least 70% of new housing will be located in existing urban areas and up to 30% in greenfield locations	The site is located in an existing urban area. The proposal will potentially allow an increase in the dwelling yield for the site (estimated maximum of 18) compared to that, which would be permitted under existing controls. The small increase in the number of additional dwellings is consistent with ensuring that at least 70% of new housing is located in existing urban areas
9. Ensure housing production is contributing to subregional housing targets (base date 2006)	The small increase in housing proposed by the planning proposal is consistent with ensuring housing production is contributing to the West Central Subregion target, which increased from 95,500 to 96,000 under the current strategy.
10. Measure progress in ensuring planned capacity to deliver 770,000 new dwellings including at least 539,000 in existing urban areas and up to 231,000 in greenfield locations, including the Central Coast (base date 2006)	Not applicable as site is considered a 'brownfields' site in an existing urban area
11. Ensure an increase in the mix of all housing types across the Sydney Metropolitan Area	The Botanical estate has a mix of detached housing, semi-detached / terrace and townhouses with no RFB housing. Auburn Council in its original planning for the site (Part L Former Lidcombe Hospital Site DCP 2003) indicated that it might consider allowing residential flat buildings as a component of the overall development (Council resolution dated 1 August 2001). The 2003 DCP was formulated with consideration of the inclusion of residential flat buildings in the development subject to a rezoning application and gazettal of amendments to the Auburn LEP 2000. The planning proposal is consistent with Council's vision and will be consistent with increasing the mix of housing types within the Botanica development precinct by allowing RFB dwellings, which are currently not permitted.
12. Improve housing affordability	Auburn is classed as a LGA where there is a high need to provide affordable housing. Housing sales in the Botanica precinct ranges from about \$650,000 to \$1,000,000. It is anticipated that the RFB dwellings would sell below \$500,000 thereby contributing to a more affordable housing product.
13. Reduce the trend of growing average size of new homes in the Sydney metropolitan area	Within the Botanica Precinct typically the average dwelling size ranges from ~125m ² to 190m ² for terrace to detached-dwellings. The RFB dwellings will range in size from ~60m ² (1 bedroom) to ~90m ² (2 bedroom)

B5 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Yes – the *Auburn City Community Strategic Plan 2011-2021* identifies Council's strategic direction for the local government area (in response to the *Metropolitan Plan for Sydney 2036*). The Community Strategic Plan highlights some of the challenges that the

community faces in the next 10 years including housing affordability, suitability and quality of development (p34).

The planning proposal is consistent with Council's ability to accommodate the future population growth targets identified by the State government for Auburn City. The proposal is consistent with Council continuing to encourage a mix of dwelling types and sizes. The proposal will also suits the needs in addressing the increasing and diversifying population by adding to the type and mix of housing need in the future. While the proposal does not directly relating to a specific development proposal it has been triggered by the desire to achieve a development that is well designed, provides a good quality of life and can provides additional choice as people's housing needs change.

B6 Is the planning proposal consistent with applicable state environmental planning policies?

Yes – refer to **Appendix 2**

B7 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Yes – refer to **Appendix 3**

The table below provides further details of the proposal's consistency with the applicable Ministerial Directions.

s.117(2) Direction	Consistency of Planning Proposal
2.3 Heritage Conservation	Yes – the site is vacant and the proposed use for RFB is supported by a heritage statement. No items of heritage are directly affected by the proposal and existing Auburn LEP 2010 provisions relating to heritage remain unchanged
3.1 Residential Zones	Yes – The proposal will satisfy the objectives of this Direction by providing a different housing choice not currently available due to zoning restrictions relating to the RFB built form, it will also use existing available infrastructure and services and provides a superior built form outcome than might otherwise be possible under existing planning controls due to the unique characteristics of the site.
3.4 Integrating Land Use and Transport	Yes – The proposal is consistent with objectives 1(a), 1(b) and 1(d). There is nearby public bus transport for residents. Veolia Transport operates a bus service (Route 925 – Lidcombe to East Hills) and this passes along Botanica Avenue with plans to extend along Main Avenue when construction of that road is completed. The current bus route is less than 150 from the site and ultimately the route will pass directly by the site with bus stops in easy walking distance.
6.1 Approval and Referral Requirements	Yes – the proposal does not include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.
6.3 Site Specific Provisions	Yes – the proposal relies on utilising zoning, FSR and Building Heights from the Auburn LEP 2010. The proposal does not include any new planning controls.
7.1 Implementation of the Metropolitan Strategy	Yes – the proposal is considered to be consistent with the Metropolitan Plan for Sydney 2036.

Section C – Environment, social and economic impact

C8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No – the site was subject to a s83B application (DA572/2002) and the Flora and Fauna Assessment Report (June 2002) prepared by Conacher & Travers Pty Ltd did not identify any critical habitat, threatened species populations, ecological communities or their habitats in the near vicinity or on the site of the planning proposal.

C9 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Yes – some existing vegetation will be removed however that vegetation would be removed in any event as a result of alternative built form on the site. The vegetation has been previously assessed (Tree Wise Men Pty Ltd – arborist report Oct 2002). Trees on the site have been assessed as either being able to be removed or subject to further assessment at the time of the ‘stage 2’ development application. Removed vegetation will be compensated for by landscape planting associated with the ultimate development of the site.

All site stormwater drainage would be directed to the stormwater management system that has been constructed as part of the estate development.

C10 How has the planning proposal adequately addressed any social and economic effects?

The planning proposal provides otherwise not permitted housing opportunity in a location that is identified as needing to provide affordable housing. The planning proposal will permit a housing product that is substantially below current market values of housing in the area as well as an alternative form of accommodation.

Housing types to date have comprised predominantly of three and four bedroom accommodation with only a few one and two bedroom dwellings. This proposal will enable a higher provision of one and two bedroom dwellings thereby providing a wider housing choice not only in the number of bedrooms but also the accommodation type.

The production of housing (including apartments) and housing affordability are significant issues confronting the Government. Auburn is also classed as a LGA where there is a high need to provide affordable housing. Housing sales in the Botanica precinct ranges from about \$650,000 to \$1,000,000. It is anticipated that the RFB dwellings would sell below \$500,000 thereby contributing to a more affordable housing product.

Section D – State and Commonwealth interests

D11 Is there adequate public infrastructure for the planning proposal?

Yes – the site adjoins a small local area of future open space and there are other local parks in the nearby vicinity, some with playground facilities. The site will be service by public transport within short easy walking access and road access is considered suitable for future development under the planning proposal. All servicing infrastructure is readily available to the site and Council provides waste management and recycling services to the estate.

D12 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The views of State or Commonwealth public authorities have not yet been sought. The Gateway Determination has yet to be issued by the Minister for Planning and Infrastructure and identify which authorities need to be consulted, however, Auburn City Council proposes consultation with the Office of Environment and Heritage in regard to this Planning Proposal

Part 4 – Community Consultation

The following addresses the requirements of s55(2)(e) of the EP&A Act. In addition Auburn City Council has notification requirements in addition to those required by the gateway process.

The ‘*Guide to preparing Local Environmental Plans*’ (page 13) illustrates the plan making and consultation process involving Council and the Department. Following a resolution of Council (Item 246/11 of the Business Paper and Minutes for the Council Meeting held on 21 September 2011) preliminary community consultation and notification is to be undertaken immediately after the planning proposal is submitted to Council.

Planning proposals submitted to Council will be required to be publicly notified and exhibited on Council’s website, similar to procedures applying to development applications. Consultation and notification will be undertaken according to the relative impact of the proposed development, as determined by Council’s planning officers.

A planning proposal will be categorised as either one of the following three (3) types:

- Minimal impact – exhibited for minimum 14 days;
- Moderate impact – exhibited for minimum 28 days; or
- Significant impact – exhibited for minimum 28 days

The planning proposal is required to be notified immediately after being submitted to Council. The range of consultation and notification a planning proposal may be required to undertake will include some or all of the following, depending on its relative impact (minimal; moderate; significant):

- The planning proposal and all supporting documentation made publicly available on Council’s website.
- Notification to owners of land immediately adjacent to land affected by planning proposal, or in a localised area surrounding the affected land or in a broad catchment area as determined by Council planning officers.
- Public exhibition of the planning proposal for a minimum of 14 or 28 days.
- Public notice(s) in the *Auburn Pictorial Review*.
- Councillor workshop/presentation.
- Information session at discretion of Council.
- Other as required by Council.

A planning proposal will only be recommended for presentation to Council (for a decision on whether to proceed to the gateway) after preliminary notification and communication requirements have been met.

The gateway determination will identify any consultation required with State or Commonwealth Public Authorities. This would ordinarily include:

- consultation required under s34A of the EP&A Act where the RPA is of the opinion that critical habitat or threatened species populations, ecological communities or their habitats will or may be adversely affected by the planning proposal;
- consultation required in accordance with a Ministerial Direction under section 117 of the EP&A Act; and
- consultation that is required because in the opinion of the Minister (or delegate), a State or Commonwealth public authority will or may be adversely affected by the proposed LEP.

Flora and fauna studies carried out for the initial DA for the site (DA572/2002) did not identify any critical habitat, threatened species populations, ecological communities or their habitats in the near vicinity or on the site of the planning proposal. Hence consultation under s34A is not considered necessary nor is it recommended.

None of the consultation requirements identified under the s117(2) directions are relevant to the planning proposal and there is no proposal to require concurrence or referral to any government agency or the Minister.

The planning proposal is within the Lidcombe Hospital Precinct that is listed on the State Heritage Register and any development proposal of the type contemplated by this planning proposal would be considered a development to which s91(1) relates insofar as s58 of the Heritage Act 1977.

Council would propose to consult with the Office of the Environment and Heritage in respect of the planning proposal. A heritage assessment has been carried out in respect of the type of development anticipated arising for the planning proposal and that assessment concluded that such a built form outcome better satisfies the conservation management policies for the State Heritage Register listed area and it would also satisfy key objectives contained in the Auburn LEP 2010 for the design of new buildings on the Former Lidcombe Hospital site.

The gateway determination would specify the community consultation that must be undertaken relating to the planning proposal. Generally consultation will be tailored depending on the nature of the proposal – in the case of:

- Low impact planning proposals 14 days
- All other planning proposals 28 days

A 'low impact planning proposal' relates to a planning proposal that, in the opinion of the person making the gateway determination is consistent with the pattern of surrounding land use zones and/or land uses, is consistent with the strategic planning framework, presents no issues with regard to infrastructure servicing, is not a principal LEP and does not reclassify public land.

Elements of the planning proposal including the nature of the specific development controls seek to have the resulting development consistent with the surrounding uses /

development and presents no issues with regard to infrastructure servicing. The planning proposal is also consistent with other aspects of a 'low impact planning proposal' and it is recommended that the community consultation should be for 14 days.

A public hearing is not considered necessary under s56(2)(e) of the EP&A Act. However Council may conduct a public hearing in response to a submission if required or considered necessary.

Following the gateway determination to undertake community consultation Council's consultation methodology would include, but not be limited to:

- giving notice of the public exhibition of the planning proposal:
 - in a newspaper that circulates in the area affected by the planning proposal;
 - on the web-site of the RPA; and
 - in writing to adjoining landowners, unless the planning authority is of the opinion that the number of landowners makes it impractical to notify them.

The written notice would provide:

- a brief description of the objectives or intended outcomes of the planning proposal;
- indicate the land affected by the planning proposal;
- state where and when the planning proposal can be inspected;
- give the name and address of the RPA for the receipt of submissions; and
- indicate the last date for submissions.

During the exhibition period, the following material would be made available for inspection:

- the planning proposal, in the form approved for community consultation by the Director General of Planning;
- the gateway determination; and
- any studies relied upon by the planning proposal.

Council would exhibit the planning proposal and all supporting documentation at Council's Administration Centre and all Libraries.

The community consultation would be completed when the RPA has considered any submissions made concerning the proposed LEP and the report of any public hearing into the proposed LEP.

Maps

The following addresses the requirements of s55(2)(d) of the EP&A Act.

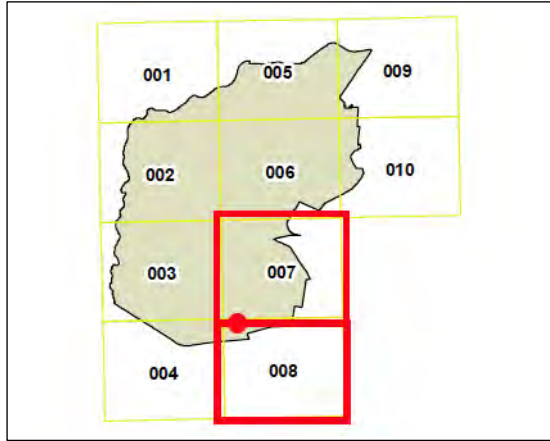
a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument

Auburn Local
Environmental
Plan 2010

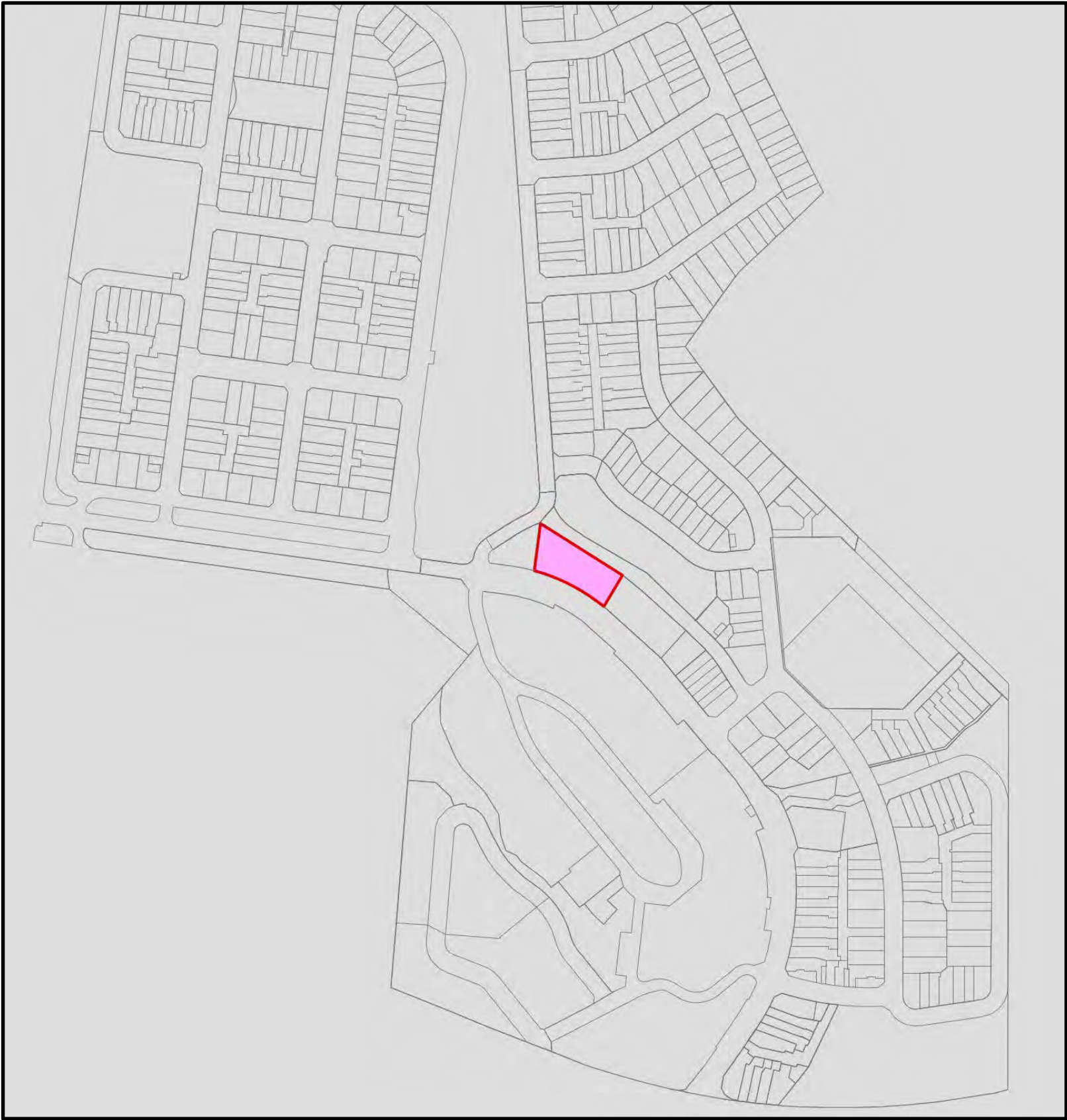
Site Identification Map -
Sheets SID_007 & 008



Site



Scale: Variable



A		5/3/12		Preliminary for Submission to Council	
ISSUE		DATE		REVISION	
PROJECT		Proposed Rezoning - Lot 802 DP 1150164			PROJECT # PO
CLIENT		Australand		DATE # 5 Mar 2012	DWG # 100
DWG		Botanica - Stage 88A		SCALE @ A3 1:100	
				DRAWN gmck	
				CHKD gmck	REVISION A

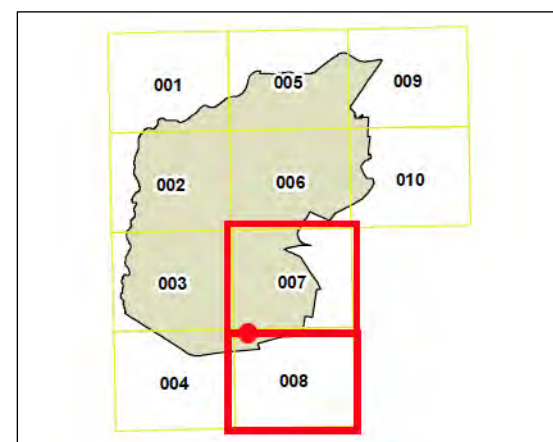
McKenzie Land Planning Services Pty Limited
10 Ulundri Drive Castle Hill NSW 2154 Australia
E: email@mlps.com.au T: 612 9894 8155 F: 612 9899 4325



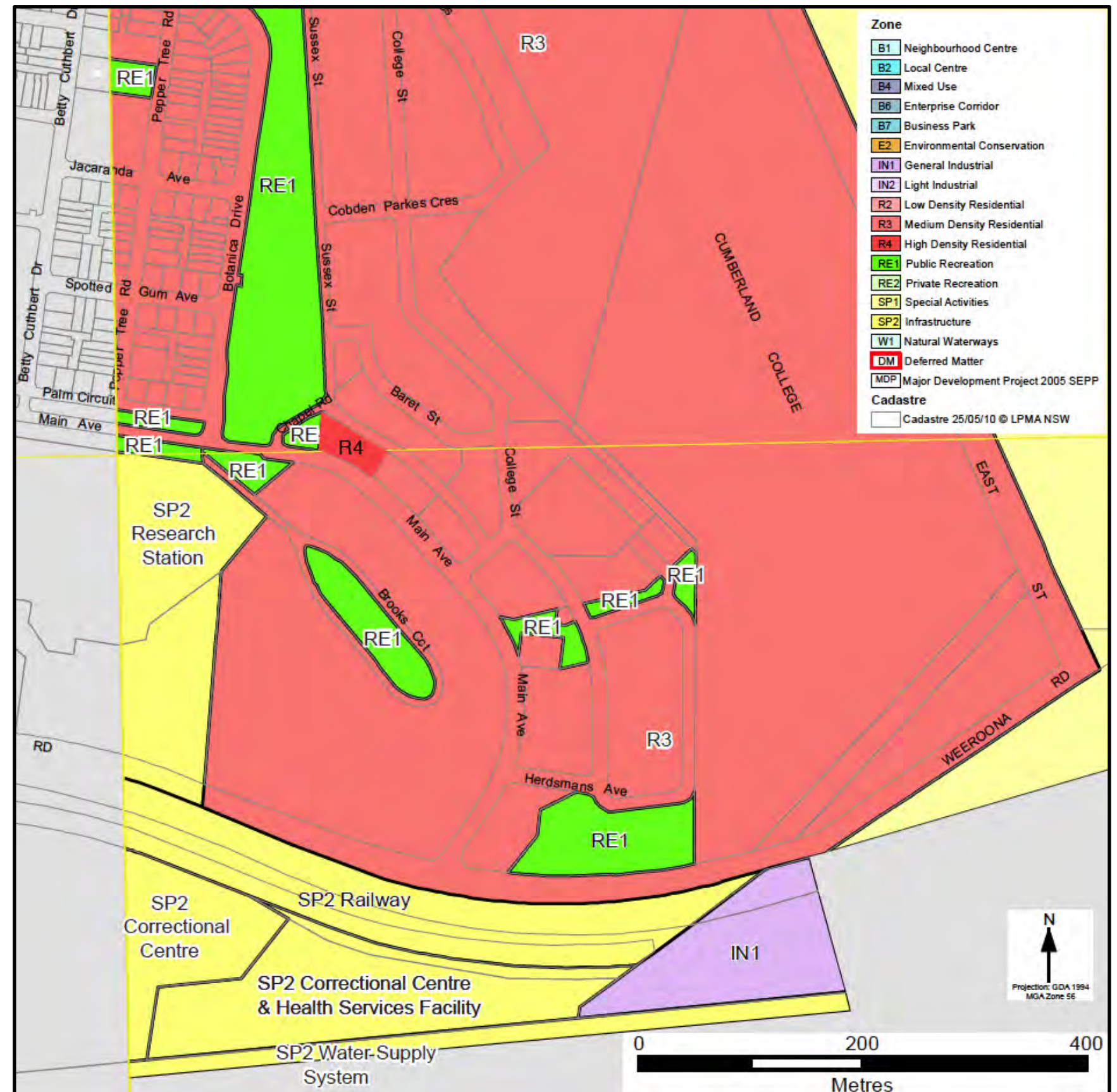
Auburn Local Environmental Plan 2010

Land Zoning Maps -
Sheets LZN_007 & 008

R4 High Density Residential



Scale: Refer plan

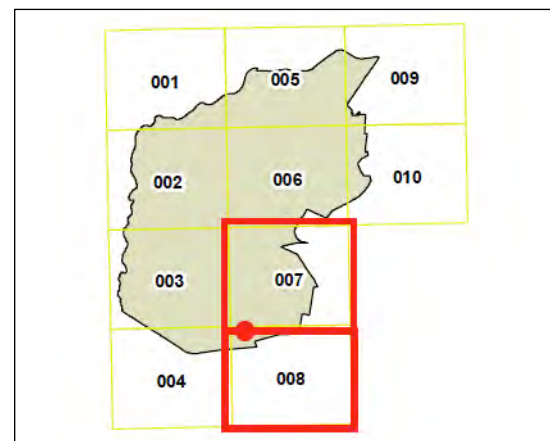


A		5/3/12		Preliminary for Submission to Council	
ISSUE		DATE		REVISION	
PROJECT Proposed Rezoning - Lot 802 DP 1150164				PROJECT # PO	
CLIENT Australand		DATE # 5 Mar 2012		DWG # 100	
DWG Botanica - Stage 88A		SCALE @ A3 1:100			
		DRAWN gmck			
		CHKD gmck		REVISION A	
McKenzie Land Planning Services Pty Limited 10 Ulundri Drive Castle Hill NSW 2154 Australia E: email@mlps.com.au T: 612 9894 8155 F: 612 9899 4325				MCKENZIE LAND PLANNING SERVICES PTY LIMITED MLPS	

Auburn Local Environmental Plan 2010

Maximum Building Height Maps -
Sheets HOB_007 & 008

K 10



Scale: Refer plan



B 20/3/12 Update building height
A 5/3/12 Preliminary for Submission to Council

ISSUE	DATE	REVISION	PROJECT #
PROJECT	Proposed Rezoning - Lot 802 DP 1150164		PO
CLIENT	DATE #	DWG #	
Australand	5 Mar 2012	100	
DWG	SCALE @ A3	DRAWN	CHKD
Botanica - Stage 88A	1:100	gmck	gmck
			REVISION B

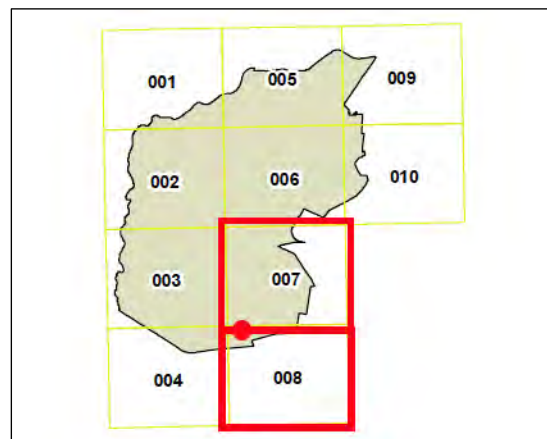
McKenzie Land Planning Services Pty Limited
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MLPS
MCKENZIE LAND PLANNING
SERVICES PTY LIMITED

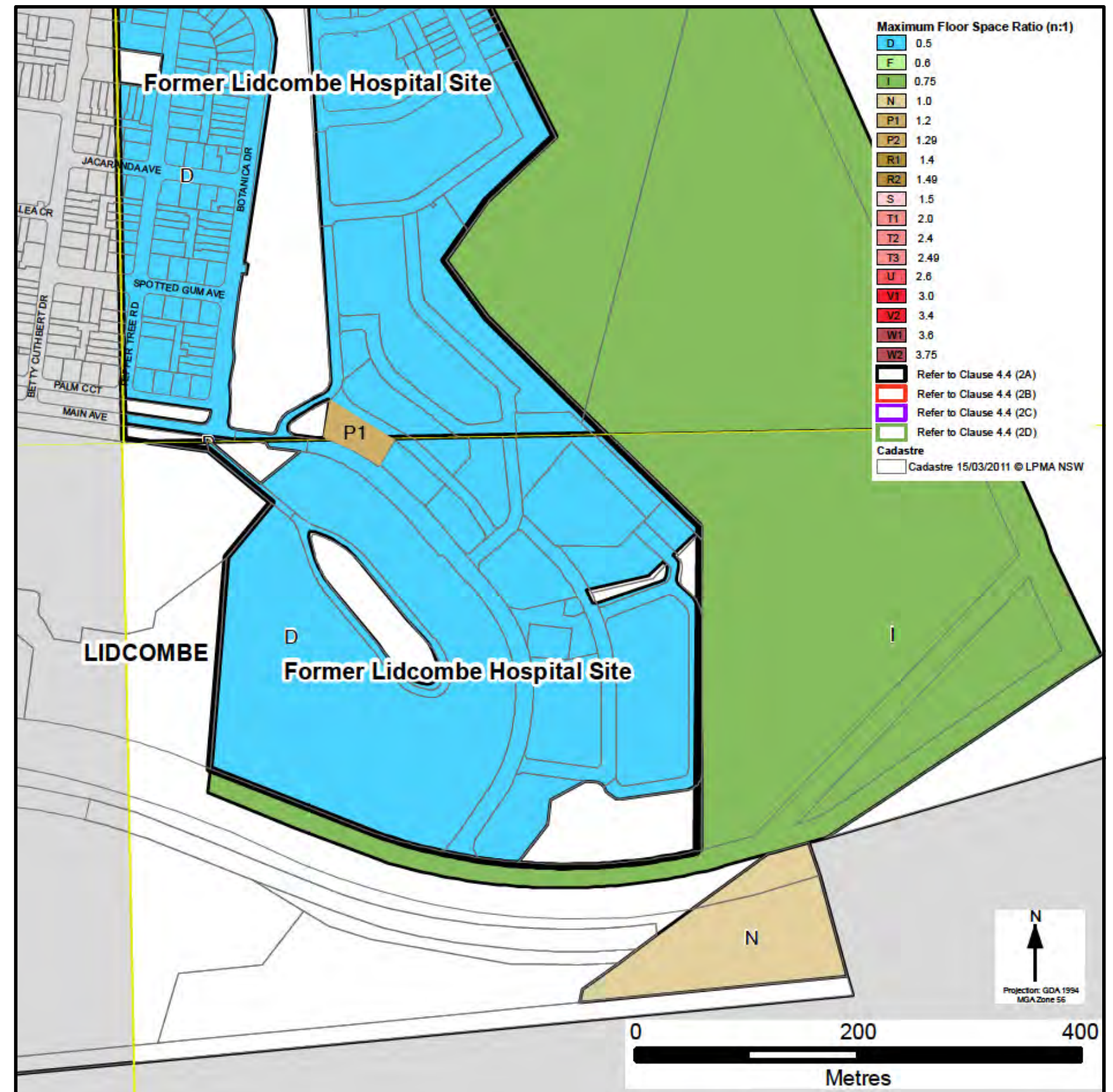
Auburn Local Environmental Plan 2010

Floor Space Ratio Maps -
Sheets FSR_007 & 008

P1 1.2



Scale: Refer plan



A		5/3/12		Preliminary for Submission to Council	
ISSUE		DATE		REVISION	
PROJECT Proposed Rezoning - Lot 802 DP 1150164				PROJECT # PO	
CLIENT Australand		DATE # 5 Mar 2012		DWG # 100	
DWG Botanica - Stage 88A		SCALE @ A3 1:100			
		DRAWN gmck			
		CHKD gmck		REVISION A	
McKenzie Land Planning Services Pty Limited 10 Ulundri Drive Castle Hill NSW 2154 Australia E: email@mlps.com.au T: 612 9894 8155 F: 612 9899 4325					

Appendices

Appendix 1 Net Community Benefit Analysis

Assumptions

The assessment:

- only evaluates the external costs and benefits of the proposal (i.e. the externalities). The assessment generally assumes that any private costs will be cancelled out by any private benefits.
- only includes costs and benefits that have a net impact on community welfare (i.e. welfare effects). Impacts that simply transfer benefits and costs between individuals and businesses in the community (i.e. transfer effects) are not included, since they result in no net change in community benefits.
- quantifies costs and benefits where possible.

Base case compared to planning proposal

Criteria	Base Case	Planning Proposal
Zoning	R3 Medium Density Residential	R4 High Density Residential
FSR	0.5:1	1.2:1 (Auburn Council has proposal to increase FSR in R4 zone to 2.0:1)
Building Height	9m	10m
Dwelling types	• Attached dwellings; • Dual occupancies; • Dwelling houses; • Multi dwelling housing; • Semi-detached dwellings. • Secondary (SEPP Affordable Housing)	• Attached dwellings; • Multi dwelling housing; • Semi-detached dwellings; • Residential flat buildings. • Secondary (SEPP Affordable Housing)
Facades	front, rear and sides	front addressing streets and future public open space
Likely car parking	at street level or basement	basement
Likely vehicle entry points	multiple	single
Likely number of storeys	2	2

EVALUATION CRITERIA	COMMUNITY COSTS AND BENEFITS			
	BASE CASE – CURRENT SITUATION	PLANNING PROPOSAL	QUALITATIVE COMMUNITY BENEFIT PER CRITERIA	QUANTITATIVE COMMUNITY BENEFIT PER CRITERIA
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg land release, strategic corridors)?	There are no State or regional strategic plans or directions in place that address the site per se. Dwelling targets for Auburn have been set by the Department of Planning (<i>West Central Draft Subregional Strategy</i>). Auburn Council <i>Dwelling Target Analysis</i> March 2009, recognizes that most new dwellings will come from <i>'within three key brownfield sites where significant ongoing dwelling growth will continue to occur'</i> – the Lidcombe site being one of those 'brownfield sites'.	The LEP seeks to enable the development of residential flat buildings considered to be a more appropriate built form given the circumstances and context of the site. The planning proposal will assist in achieving the Department's and Council's dwelling targets for the LGA	The qualitative benefits of the proposal are as follows: - attainment of dwelling targets; - a built form that is able to provide for a better design response to the site and the surrounding development; - greater housing choice that is more 'affordable' in a location that is identified as needing to provide affordable housing; - higher density housing with close easy access to public transport.	No external cost to community. Increased private investment will be a benefit
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or another regional/sub-regional strategy?	The site is part of the former Lidcombe Hospital Site in the Auburn LGA of the Sydney metropolitan area and is being developed for housing as an urban 'infill' site	The LEP applies to a single site in order to permit a built form and alternative housing choices compared to that, which are permitted under the current zoning of the site	The planning proposal addresses a number of 'key performance indicators' set out in Appendix 2 of the <i>Metropolitan Plan for Sydney 2036</i> (Dec 2010) – refer body of planning proposal	No external cost to community.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	The former Lidcombe Hospital Site is largely zoned R3 Medium Density Residential	The LEP applies to a single site in order to permit a built form and alternative housing choices that were initially contemplated as being an option for the site	It would be difficult to establish a precedent from support for the LEP based on the characteristics of the proposal and the subject land. It is unlikely that expectations from other landowners, or the community at large, would be influenced by the	No external cost to community.

EVALUATION CRITERIA	COMMUNITY COSTS AND BENEFITS			
	BASE CASE – CURRENT SITUATION	PLANNING PROPOSAL	QUALITATIVE COMMUNITY BENEFIT PER CRITERIA	QUANTITATIVE COMMUNITY BENEFIT PER CRITERIA
			LEP, due to its unique nature.	
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Auburn Council has submitted seven LEPs to the Gateway at the time of preparing this planning proposal. One relating to rezoning a large area from R2 to R4 at Regents Park and one involving Lidcombe Town Centre development standards were refused at Gateway. Another planning proposal 'Approved at Gateway and with RPA for implementation' proposed in part to increase development standards of certain R4 zoned areas in Newington to a FSR of 1.4:1 and building height of 16m adjoining R3 zoned land.	The proposal will rezone R3 land fronting roads on two sides, open space on one side and large building façade on the forth to R4 and increase the FSR to 1.2:1 and building height to 9.5m	Other areas where development standards have been increased are removed some distance from the planning proposal site, hence there will not be any cumulative effects in the close proximity to this planning proposal site.	No external cost to community.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Land is currently zoned R3 Medium Density Residential and the likely population will have an employment 'multiplier effect. There will be no loss of employment land	The rezoning of the site to R4 High Density Residential will provide some additional construction employment opportunity and the additional permanent population will provide ongoing 'multiplier' employment benefits	Any potential for the provision of employment generating uses within the zone is retained. Facilitating investment in construction will, in turn, facilitate employment in the construction sector. The additional population will also have a longer-term 'multiplier' effect in relation to employment related to household goods and services.	No external cost to community.
Will the LEP impact upon the supply of residential land and therefore housing	Land is currently zoned R3 Medium Density Residential and residential flat buildings are	The LEP seeks to make residential flat buildings a permissible use on the	The LEP seeks to increase the variety / choice and supply of housing opportunities, assisting supply and	No external cost to community.

EVALUATION CRITERIA	COMMUNITY COSTS AND BENEFITS			
	BASE CASE – CURRENT SITUATION	PLANNING PROPOSAL	QUALITATIVE COMMUNITY BENEFIT PER CRITERIA	QUANTITATIVE COMMUNITY BENEFIT PER CRITERIA
supply and affordability?	prohibited in the zone.	site. This will have a potential beneficial effect of marginally increasing dwelling yield without increasing land supply ie an increase in site density will be achieved	affordability.	
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?	The area is served by sewer, water, power, gas and telecommunications and is capable of supporting any existing permitted development. Council's pedestrian and cycle paths are integrated into the design of the development and the main cycle route passes nearby to the site. There is a public bus service for residents provided by Veolia Transport who operate the Route 925 – Lidcombe to East Hills service. This passes along Botanica Avenue with plans to extend along Main Avenue when construction of that road is completed. The current bus route is less than 150 from the site and ultimately the route will pass directly by the site with bus stops in easy walking distance.	The existing infrastructure is adequate to deal with the potential minor increase in usage arising for the planning proposal	Existing infrastructure and facilities would potentially benefit from the minor increase in usage	No external cost to community.

EVALUATION CRITERIA	COMMUNITY COSTS AND BENEFITS			
	BASE CASE – CURRENT SITUATION	PLANNING PROPOSAL	QUALITATIVE COMMUNITY BENEFIT PER CRITERIA	QUANTITATIVE COMMUNITY BENEFIT PER CRITERIA
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	The residential uses allowed by the zone will generate some car based travel demand but bus public transport passes through the estate and nearby the site.	The LEP would increase the number of dwellings and population compared to the current situation but in a slightly denser form of development	There are opportunities for minor decreases in car distances travelled if local residents attend the local TAFE and University Campus or use bus transport that would pass directly by the site.	No external cost to community.
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	The University of Sydney Cumberland campus and the Southern Sydney TAFE (Lidcombe College) is located to the east of the site and adjoins Botanica and the EPA vehicle testing laboratory is located on the corner of Joseph Street and Weeroona Road. The patronage of these facilities is not affected by the existing development although potentially some residents may attend the TAFE and campus.	The patronage of the nearby facilities would not be affected by the planning proposal although potentially some residents may attend the TAFE and campus.	Existing investment will benefit from potential minor increases in patronage generated by the proposed new uses.	No external cost to community.
Will the proposal impact on land that the Government has identified a need to protect (eg land with high biodiversity values) or have other environmental impacts? Is the land constrained by	The subject site has not been identified as having any biodiversity value or constrained by environmental matters. The site is part of the area listed as a heritage conservation area in Schedule 5 (Auburn LEP 2010) as	The planning proposal in part has been initiated to allow a more appropriate built form outcome in response to heritage conservation issues and the unique character and setting of the site.	The built form that would be attainable following the rezoning will be able to more appropriately address the unique character and setting of the site as well as the conservation policies adopted for the site that set out how 'new' development in the conservation	No external cost to community.

EVALUATION CRITERIA	COMMUNITY COSTS AND BENEFITS			
	BASE CASE – CURRENT SITUATION	PLANNING PROPOSAL	QUALITATIVE COMMUNITY BENEFIT PER CRITERIA	QUANTITATIVE COMMUNITY BENEFIT PER CRITERIA
environmental factors such as flooding?	having State significance. The site is also part of the area listed in the NSW State Heritage Register as the Lidcombe Hospital precinct State Heritage Register:01744.		area should be achieved.	
Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	Medium density housing forms such as terrace or townhouse style dwellings are currently permitted to a height of 9m but due to FSR control would be an 'under' development of the site	The planning proposal will permit an additional number of dwellings and different built form to standards that are compatible with, and compliments, surrounding uses. It will also allow for the orderly and economic use of the land to its reasonable potential having regard to the adjoining developments	The public domain will be improved by attaining a more appropriate built form that addresses the unique character and setting of the site.	No external cost to community.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Not relevant to this Planning Proposal.			No external cost to community.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	No			No external cost to community.
What are the public interest reasons for	Residential Flat Buildings are currently prohibited in the	Residential Flat Buildings are a permissible use in the R4	Public interest is best served creating a planning regime for the	Potential external cost to community if LEP

EVALUATION CRITERIA	COMMUNITY COSTS AND BENEFITS			
	BASE CASE – CURRENT SITUATION	PLANNING PROPOSAL	QUALITATIVE COMMUNITY BENEFIT PER CRITERIA	QUANTITATIVE COMMUNITY BENEFIT PER CRITERIA
preparing the draft plan? What are the implications of not proceeding at that time?	zone and on the site,	zone and would be permissible on the site.	site that permits and encourages a high standard of urban design and a built form that provides 'affordable' housing choice in a LGA that is classed as having a high need to provide more affordable housing	does not proceed due to potential loss of more affordable housing choice and high standard of built form design to suit the unique features of the site
NET COMMUNITY BENEFIT =			Positive	Positive

Conclusion

The Net Community Benefit Test has found that the planning proposal will have a net community benefit and therefore the planning proposal should proceed.

Appendix 2 Consistency with SEPPs

The following is a list of in-force SEPPs and the proposal is assessed in terms of its consistency with the objectives of the SEPP. Further assessment of the consistency with relevant SEPP provisions would be carried out at DA stage.

SEPP	Comment
Title: SEPP (Western Sydney Parklands) 2009 Published: 06.03.09 Abstract: The aim of the policy is to put in place planning controls that will enable the Western Sydney Parklands Trust to develop the Western Parklands into multi-use urban parkland for the region of western Sydney.	Does not apply as planning proposal not related to Western Sydney Parklands
Title: SEPP (Exempt and Complying Development Codes) 2008 Gazetted: 12.12.08; commences 27.02.09 Abstract: Streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.	Consistent as planning proposal is for development that is not classed as Exempt and Complying Development Codes as codes applies
Title: SEPP (Rural Lands) 2008 Published: 09.05.08 Abstract: The aim of this policy is to facilitate the orderly and economic use and development of rural lands for rural and related purposes. The policy applies to local government areas that are not listed in clause 4	Does not apply as planning proposal is not part of any rural lands
Title: SEPP (Kosciuszko National Park - Alpine Resorts) 2007 Gazetted: 21.12.07; commences 1.1.08 Abstract: The aim of this policy is to strengthen the assessment framework for development within the alpine resorts and to reinforce environmentally sustainable development and recreational activities within these resorts. The Policy also facilitates the protection of the natural and cultural setting of the alpine resorts in Kosciuszko National Park	Does not apply as planning proposal is not part of the Kosciuszko National Park - Alpine Resorts
Title: SEPP (Infrastructure) 2007 Gazetted: 21.12.07; commences 1.1.08 Abstract: Provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.	Does not apply as planning proposal is not a traffic generating development and is not infrastructure related
Title: SEPP (Temporary Structures) 2007 Gazetted: 28.09.07; commences 26.10.07 Abstract: Provides for the erection of temporary structures and the use of places of public entertainment while protecting public safety and local amenity. Note the name of this policy was changed from SEPP (Temporary Structures and Places of Public Entertainment) 2007 to SEPP (Temporary Structures) 2007 effective 26.10.09.	Does not apply as planning proposal is not a temporary structure
Title: SEPP (Mining, Petroleum Production and Extractive Industries) 2007 Gazetted: 16.02.07 Abstract: This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State. The Policy establishes appropriate planning controls to encourage ecologically sustainable development.	Does not apply as planning proposal is not related to mining
Title: SEPP (Sydney Region Growth Centres) 2006 Gazetted: 28.07.06 Abstract: Provides for the coordinated release of land for residential, employment and other urban development in the North West and South West growth centres of the Sydney Region (in conjunction with Environmental Planning and Assessment Regulation relating to precinct planning).	Does not apply as planning proposal is not within a Growth Centre

Title: SEPP (Major Development) 2005 Gazetted: 01.08.05 Abstract: Defines certain developments that are major projects to be assessed under Part 3A of the Environmental Planning and Assessment Act 1979 and determined by the Minister for Planning. It also provides planning provisions for State significant sites. In addition, the SEPP identifies the council consent authority functions that may be carried out by joint regional planning panels (JRPPs) and classes of regional development to be determined by JRPPs. Note: This SEPP was formerly known as State Environmental Planning Policy (Major Projects) 2005.	Does not apply as planning proposal is not defined as 'major development'
Title: SEPP (Development on Kurnell Peninsula) 2005 Gazetted: 01.07.05 Abstract: The SEPP amends Sydney Regional Environmental Plan No.17 - Kurnell Peninsula (SREP17) to clarify the permissibility of certain land uses within the area affected by the ANEF25 contour within Kurnell Village. The SEPP removes the prohibition on residential and school development for land currently zoned for these purposes within Kurnell village in areas affected by the ANEF25 and requires all residential and school development within areas subject to ANEF20 or above to comply with noise attenuation measures as contained in Australian Standard 2021 (AS2021).	Does not apply as planning proposal is not within Kurnell Peninsula area
Title: SEPP (Building Sustainability Index: BASIX) 2004 Gazetted: 25.06.04 Abstract: This SEPP operates in conjunction with Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 to ensure the effective introduction of BASIX in NSW. The SEPP ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans, and specifying that SEPP 1 does not apply in relation to any development standard arising under BASIX. The draft SEPP was exhibited together with draft Regulation amendment in 2004.	Planning proposal development would comply with BASIX requirements
Title: SEPP (Housing for Seniors or People with a Disability) 2004 Gazetted: 31.03.04 Abstract: Encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood. Note the name of this policy was changed from SEPP (Seniors Living) 2004 to SEPP (Housing for Seniors or People with a Disability) 2004 effective 12.10.07	Does not apply as planning proposal development will not be for housing for seniors or people with a disability
Title: SEPP No. 71 - Coastal Protection Gazetted: 01.11.02 Abstract: The policy has been made under the Environmental Planning and Assessment Act 1979 to ensure that development in the NSW coastal zone is appropriate and suitably located, to ensure that there is a consistent and strategic approach to coastal planning and management and to ensure there is a clear development assessment framework for the coastal zone.	Does not apply as planning proposal as development not within coastal zone
Title: SEPP No. 65 - Design Quality of Residential Flat Development Gazetted: 26.07.02 Abstract: Raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development. The accompanying regulation requires the involvement of a qualified designer throughout the design, approval and construction stages	Does not apply as planning proposal is two storey RFB however a high standard of design to be applied due to setting within heritage precinct
Title: SEPP 70 - Affordable Housing (Revised Schemes) Gazetted: 31.05.02 Abstract: Extends the life of affordable housing provisions relating to: Sydney Regional Environmental Plan No. 26 - City West, Willoughby Local Environmental Plan 1995, South Sydney Local Environmental Plan 1998. Schemes such as these are helping to provide affordable housing in areas undergoing significant redevelopment	Does not apply as planning proposal is not an affordable housing scheme
Title: SEPP No. 64 - Advertising and Signage Gazetted: 16.03.01 Abstract: Aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.	Does not apply as planning proposal does not envisage any Advertising and Signage associated with the development

The SEPP was amended in August 2007 to permit and regulate outdoor advertising in transport corridors (e.g. freeways, tollways and rail corridors). The amended SEPP also aims to ensure that public benefits may be derived from advertising along and adjacent to transport corridors.	
Title: SEPP No. 62 - Sustainable Aquaculture Gazetted: 25.08.00 Abstract: Encourages the sustainable expansion of the industry in NSW. The policy implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture development as a designated development only where there are potential environmental risks	Does not apply as planning proposal is not related to aquaculture
Title: SEPP No. 60 - Exempt and Complying Development Gazetted: 03.03.00 Abstract: Provides a more efficient and effective approval process for certain classes of development. The policy is an essential part of the reforms introduced to the development assessment system in July 1998. It applies to areas of the State where there are no such provisions in the council's local plans	Does not apply to planning proposal as the SEPP does not apply to the Auburn LGA
Title: SEPP No. 59 - Central Western Sydney Regional Open Space and Residential Gazetted: 19.02.99 Abstract: Rezones and coordinates the planning and development of certain land in the central west of Sydney. The policy provides for residential development in suitable areas on a precinct-by-precinct basis to help accommodate Sydney's population growth. It also provides for optimal environmental and planning outcomes, including the conservation of areas of high biodiversity, heritage, scenic or cultural value, implementation of good urban design, and providing for the extraction of resources from existing quarries in an environmentally acceptable manner. Note. The title of this SEPP was amended by SEPP (Western Sydney Employment Area) 2009 published 21 August 2009.	Does not apply to planning proposal as SEPP does not apply to the Auburn LGA
Title: SEPP No. 55 - Remediation of Land Gazetted: 28.08.98 Abstract: Introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals.	Planning proposal is consistent as development is subject to staged development and the remediation of land for residential use was part of the stage 1 approval so the proposal
Title: SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas Gazetted: 31.07.98 Abstract: Applies to 11 irrigation areas or districts and lands shown on the plans. They are: Coleambally, Jemalong, Wyldes Plains, Burronga, Tabbita and Wah Wah; Berriquin, Cadell, Denemein and Wakool, which are part of the area administered by Murray Irrigation Ltd; and land in East Cadell in the Murray local government area. The policy amends the threshold used to determine what is 'designated development' in relation to farm dams (artificial waterbodies). It applies in areas where there is approved land and water management plans (LWMP) and farm plans have been approved. Currently only the area administered by Murray Irrigation Corporation has approved LWMPs (i.e. for Berriquin, Caddell, Denemein and Wakool). As other LWMPs are approved, the policy may be amended to incorporate the areas covered by those plans. The policy amends SEPP No. 4 to enable Irrigation corporations within the areas covered by the policy to carry out routine maintenance and emergency works without the need for development consent.	Does not apply to planning proposal as SEPP does not apply to the Auburn LGA
Title: SEPP No. 15 - Rural Land-Sharing Communities Gazetted: 09.04.98 Abstract: Makes multiple occupancy permissible, with council consent, in rural and non-urban zones, subject to a list of criteria in clause 9(1) of the policy. Multiple occupancy is defined as the collective management and	Does not apply to planning proposal as SEPP does not apply to the Auburn LGA

sharing of unsubdivided land, facilities and resources. The policy encourages a community-based environmentally sensitive approach to rural settlement, and enables the pooling of resources to develop opportunities for communal rural living. SEPP 15 Guide provides guidance to intending applicants.	
Title: SEPP No. 50 - Canal Estates Gazetted: 10.11.97 Abstract: Bans new canal estates from the date of gazettal, to ensure coastal and aquatic environments are not affected by these developments	Does not apply to planning proposal as SEPP does not apply to the Auburn LGA
Title: SEPP No. 49 - Tourism Accommodation in Private Homes Gazetted: Draft only	Does not apply as draft policy has not proceeded
Title: SEPP No. 47 - Moore Park Showground Gazetted: 17.11.95 Abstract: Enables the redevelopment of the Moore Park Showground for film and television studios and film-related entertainment facilities in a manner that is consistent with the Showground's status as an area important to the State and for regional planning. The policy ensures community activities and equestrian uses can continue on parts of the site. It specifies a consultation process, and requires the Minister for Planning, as the consent authority, to consider a range of possible impacts when determining development applications	Does not apply to planning proposal as SEPP does not apply to the Auburn LGA
Title: SEPP No. 44 - Koala Habitat Protection Gazetted: 06.01.95 Abstract: Encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range. The policy applies to 107 local government areas. Local councils cannot approve development in an area affected by the policy without an investigation of core koala habitat. The policy provides the state-wide approach needed to enable appropriate development to continue, while ensuring there is ongoing protection of koalas and their habitat	Does not apply to planning proposal as SEPP does not apply to the Auburn LGA
Title: SEPP No. 41 - Casino/Entertainment Complex Gazetted: 22.09.94 Abstract: Permits development for the purpose of a casino/entertainment complex or complimentary development on the land to which the policy applies	Does not apply to planning proposal as SEPP does not apply to the Auburn LGA
Title: SEPP No. 39 - Spit Island Bird Habitat Gazetted: 09.09.94 Abstract: Enables a bird habitat at Spit Island at Towra Point, Kurnell to be created and protected without the need for development consent. Such work is still subject to Part 5 of the Environmental Planning and Assessment Act 1979. The wading birds for which the nesting habitat is to be created are covered by international agreements. It is needed as the construction of the third runway at Sydney Airport substantially reduced the habitat for Little Terns, an endangered species, as well as several other species of migratory wading birds	Does not apply to planning proposal as SEPP does not apply to the Auburn LGA
Title: SEPP No. 36 - Manufactured Home Estates Gazetted: 16.07.93 Abstract: Helps establish well-designed and properly serviced manufactured home estates (MHEs) in suitable locations. Affordability and security of tenure for residents are important aspects. The policy applies to Gosford, Wyong and all local government areas outside the Sydney Region. To enable the immediate development of estates, the policy allows MHEs to be located on certain land where caravan parks are permitted. There are however, criteria that a proposal must satisfy before the local council can approve development. The policy also permits, with consent, the subdivision of estates either by community title or by leases of up to 20 years. A section 117 direction issued in conjunction with the policy guides councils in preparing local environmental plans for MHEs, enabling them to be excluded from the policy	Does not apply to planning proposal as it is not for a manufactured home estate
Title: SEPP No. 21 - Caravan Parks Gazetted: 24.04.92 Abstract: Ensures that where caravan parks or camping grounds are permitted under an environmental planning instrument, movable dwellings, as defined in the Local Government Act 1993, are also permitted. The specific kinds of movable dwellings allowed under the Local Government Act	Does not apply to planning proposal as it is not for a caravan park

in caravan parks and camping grounds are subject to the provisions of the Caravan Parks Regulation. The policy ensures that development consent is required for new caravan parks and camping grounds and for additional long-term sites in existing caravan parks. It also enables, with the council's consent, long-term sites in caravan parks to be subdivided by leases of up to 20 years	
Title: SEPP No. 33 - Hazardous and Offensive Development Gazetted: 13.03.92 Abstract: Provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The definitions apply to all planning instruments, existing and future. The new definitions enable decisions to approve or refuse a development to be based on the merit of proposal. The consent authority must carefully consider the specifics of the case, the location and the way in which the proposed activity is to be carried out. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy. For example, any application to carry out a potentially hazardous or potentially offensive development is to be advertised for public comment, and applications to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA). The policy does not change the role of councils as consent authorities, land zoning, or the designated development provisions of the Environmental Planning and Assessment Act 1979.	Does not apply to planning proposal as proposed land use zone (R4) does not permit hazardous or offensive development by virtue of prohibiting industry
Title: SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land) Gazetted: 15.11.91 Abstract: States the Government's intention to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used, and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy. Councils will continue to be responsible for the majority of rezonings. The policy sets out guidelines for the Minister to follow when considering whether to initiate a regional environmental plan (REP) to make particular sites available for consolidated urban redevelopment. Where a site is rezoned by an REP, the Minister will be the consent authority	Planning proposal is consistent as development is seeking to achieve optimal utilisation of site for housing development
Title: SEPP No. 30 - Intensive Agriculture Gazetted: 08.12.89 Abstract: Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out information and public notification requirements to ensure there are effective planning controls over this export-driven rural industry. The policy does not alter if, and where, such development is permitted, or the functions of the consent authority.	Does not apply to planning proposal as it is not for intensive agriculture
Title: SEPP No. 29 - Western Sydney Recreation Area Gazetted: 20.10.89 Abstract: Enables development to be carried out for recreational, sporting and cultural purposes within the Western Sydney Recreation Area, including the development of a recreation area of State significance.	Does not apply to planning proposal as SEPP does not apply to the Auburn LGA
Title: SEPP No. 26 - Littoral Rainforests Gazetted: 05.02.88 Abstract: Protects littoral rainforests, a distinct type of rainforest well suited to harsh salt-laden and drying coastal winds. The policy requires that the likely effects of proposed development be thoroughly considered in an environmental impact statement. The policy applies to 'core' areas of littoral rainforest as well as a 100 metre wide 'buffer' area surrounding these core areas, except for residential land and areas to which SEPP No. 14 - Coastal Wetlands applies. Eighteen local government areas with direct frontage to the Pacific Ocean are affected, from Tweed in the north to Eurobodalla in the south.	Does not apply to planning proposal as SEPP does not apply to the Auburn LGA
Title: SEPP No. 22 - Shops and Commercial Premises Gazetted: 09.01.87 Abstract: Permits within a business zone, a change of use from one kind of shop to another or one kind of commercial premises to another, even if the change of use is prohibited under an environmental planning instrument.	Does not apply to planning proposal as it is not related to a business zone

Development consent must be obtained and the consent authority satisfied that the change of use will have no, or only minor, environmental effect	
Title: SEPP No. 19 - Bushland in Urban Areas Gazetted: 24.10.86 Abstract: Protects and preserves bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. The policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared	Does not apply to planning proposal as development does not affect urban bushland
Title: SEPP No. 14 - Coastal Wetlands Gazetted: 12.12.85 Abstract: Ensures coastal wetlands are preserved and protected for environmental and economic reasons. The policy applies to local government areas outside the Sydney metropolitan area that front the Pacific Ocean. The policy identifies over 1300 wetlands of high natural value from Tweed Heads to Broken Bay and from Wollongong to Cape Howe. Land clearing, levee construction, drainage work or filling may only be carried out within these wetlands with the consent of the local council and the agreement of the Director General of the Department and Planning. Such development also requires an environmental impact statement to be lodged with a development application. The policy is continually reviewed. It has, for example, been amended to omit or include areas, clarify the definition of the land to which the policy applies and to allow minimal clearing along boundaries for fencing and surveying	Does not apply to planning proposal as SEPP does not apply to the Auburn LGA
Title: SEPP No. 10 - Retention of Low-Cost Rental Accommodation Gazetted: 06.07.84 Abstract: Originally applying to just the inner suburbs of Sydney, Newcastle and Wollongong, the policy now covers the 53 local government areas in the Greater Metropolitan Region. The policy requires the local council's consent, and the Director General of the Department of Planning's concurrence, to demolish, alter or change the use of a boarding house. Consent is also required to strata-subdivide a low-cost residential flat building or boarding house. Before granting consent or concurrence, the council and Director General are required to take into account the availability of comparable accommodation; however, it is not mandatory for them to refuse a proposal if such accommodation is not available. Other matters to be considered include the structural soundness and fire safety of a building, the estimated cost of necessary improvements and, as relevant, the financial viability of continuing to run a boarding house.	Does not apply to planning proposal as no existing accommodation is being demolished or altered
Title: SEPP No. 6 - Number of Storeys in a Building Gazetted: 10.12.82 Abstract: Sets out a method for determining the number of storeys in a building, to prevent possible confusion arising from the interpretation of various environmental planning instruments	Does not apply to planning proposal as building height limit is controlled by provisions within ALEP2010 and no provisions apply to the maximum number of storeys
Title: SEPP No. 4 - Development without Consent and Miscellaneous Complying Development Gazetted: Abstract: Previously titled SEPP No. 4 - Development without Consent. This policy allows relatively simple or minor changes of land or building use and certain types of development without the need for formal development applications. The types of development covered in the policy are outlined in the policy	Planning proposal is consistent but has limited application due to nature of SEPP provisions
Title: SEPP No. 1 - Development Standards Gazetted: 17.10.80 Abstract: Makes development standards more flexible. It allows councils to approve a development proposal that does not comply with a set standard where this can be shown to be unreasonable or unnecessary.	Does not apply to planning proposal as exceptions to development standards dealt with by provisions of the ALEP 2010 clause 4.6.
Title: SEPP (Affordable Rental Housing) 2009 Published: 31.07.09 Abstract: Establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and	Planning proposal is consistent as the permissibility of land uses proposed in the planning proposal reflects permissible uses identified in the SEPP

facilitate development of housing for the homeless and other disadvantaged people.	
Title: State Environmental Planning Policy (Western Sydney Employment Area) 2009 Published: 31.08.09 Abstract: Promotes economic development and the creation of employment in the Western Sydney Employment Area by providing for development, including major warehousing, distribution, freight transport, industrial, high technology and research facilities. The policy provides for coordinated planning, development and rezoning of land for employment or environmental conservation purposes.	Does not apply

Appendix 3 s117(2) Ministerial Directions

The following list of Ministerial Directions is assessed in terms of their consistency with the Proposal. Further assessment of the consistency with relevant SEPP provisions would be carried out at DA stage.

Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	Does not apply as planning proposal relates to R3 to R4 zoning
1.2 Rural Zones	Does not apply as planning proposal relates to R3 to R4 zoning
1.3 Mining, Petroleum Production and Extractive Industries	Does not apply as planning proposal relates to residential uses
1.4 Oyster Aquaculture	Does not apply as planning proposal relates to residential uses
1.5 Rural Lands	Does not apply as planning proposal relates to residential uses
2. Environment and Heritage	
2.1 Environment Protection Zones	Does not apply as there are no environmentally sensitive areas on the site
2.2 Coastal Protection	Does not apply
2.3 Heritage Conservation	The ALEP 2010 heritage provisions would apply to future development post rezoning of the site
2.4 Recreation Vehicle Areas	Does not apply
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Consistent as this planning proposal provides for different choice of housing that is likely more affordable and the land will be serviced
3.2 Caravan Parks and Manufactured Home Estates	Does not apply
3.3 Home Occupations	ALEP 2010 provisions apply
3.4 Integrating Land Use and Transport	Planning proposal consistent as it is located adjacent public transport
3.5 Development Near Licensed Aerodromes	Does not apply
3.6 Shooting Ranges	Does not apply
4. Hazard and Risk	
4.1 Acid Sulfate Soils	The planning proposal is consistent provisions within the ALEP 2010 permit assessment to ensure acid sulphate issues are addressed
4.2 Mine Subsidence and Unstable Land	Does not apply – not a mine subsidence area
4.3 Flood Prone Land	Does not apply – not a flood planning area
4.4 Planning for Bushfire Protection	Does not apply – not bushfire prone land
5. Regional Planning	
5.1 Implementation of Regional Strategies	Does not apply
5.2 Sydney Drinking Water Catchments	Does not apply

Direction		Comment
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Does not apply
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Does not apply
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Does not apply
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Does not apply
5.7	Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Does not apply
5.8	Second Sydney Airport: Badgerys Creek	Does not apply
6. Local Plan Making		
6.1	Approval and Referral Requirements	No concurrence, consultation or referral of development applications to a Minister or public authority than is already required
6.2	Reserving Land for Public Purposes	Not applicable as the planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes
6.3	Site Specific Provisions	The planning proposal is consistent as it rezones the site to an existing zone already applying in the ALEP 2010 that allows that land use (ie R3 to R4 zone) and the proposed development standards are consistent with the standard LEP template
7. Metropolitan Planning		
7.1	Implementation of the Metropolitan Plan for Sydney 2036	The planning proposal is consistent with the Metropolitan Plan for Sydney 2036 as it achieves the intent of the plan to provide affordable housing options