



# Assessment of Planning Proposal Application

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Application for a planning proposal applying to land at Lot 802 Main Avenue, Botanica - Lidcombe.

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# 1.0 Introduction

The report includes an assessment of the planning proposal application ('the proposal') submitted to Council on 23 May 2012 for land at Lot 802 DP 1150164 Main Avenue, Botanica - Lidcombe, which is located within the Former Lidcombe Hospital Site (FLHS). Refer to Figures 1 and 2 for the location of the subject site.

The planning proposal application prepared by McKenzie Land Planning Services Pty Limited on behalf of their client and the applicant (Australand Industrial No.16 Pty Limited), seeks to:

- rezone the subject land from R3 Medium Density Residential to R4 High Density Residential;
- amend the maximum Height of Buildings from 9 metres to 10 metres; and
- amend the Floor Space Ratio (FSR) from 0.5:1 to 1.2:1 under the *Auburn Local Environmental Plan 2010 (Auburn LEP 2010)*.

The existing and proposed land zonings and development standards are summarised in Table 1 below:

Planning controls under <i>Auburn LEP 2010</i>	Existing planning controls	Proposed planning controls
<b>Land zoning</b>	R3 Medium Density Residential zone	R4 High Density Residential zone
<b>Land uses (Permissible)</b>	<p><i>“Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual Occupancies; Dwelling houses; Group homes; Multi dwelling housing; Neighbourhood shops; Places of public worship; Respite day care centres; Roads; Semi - detached dwellings; Seniors housing; Any other development not specified in item 2 or 4”.</i></p> <p>(Residential flat buildings are not permitted within the zone)</p>	<p><i>“Attached dwellings, Bed and Breakfast accommodation, Boarding houses; Building Identification signs; Business identification signs; Child care centres; Community facilities; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; shop top housing; Any other development not specified in item 2 or 4”.</i></p>
<b>Height of Buildings</b>	9 metres	10 metres  (Council standard for R4 zone is 16m)
<b>Floor Space Ratio</b>	0.5:1	1.2:1  (Council standard for R4 zone is 1.4:1)

**Table 1** – Summary table including existing and proposed planning controls by the planning proposal application

The application includes a conceptual development proposal to construct a two storey residential flat building development on the subject site with a single level basement car park. The details of the proposed development are detailed in section 3.0 of this report.

The planning proposal application argues that, given the surrounding heritage significance and existing character of the Former Lidcombe Hospital Site FLHS precinct, the most appropriate land use, and built form for the subject site is a two storey residential flat building (RFB) development. This type of development, however, is not permissible within the R3 Medium Density Residential zone under the *Auburn LEP 2010*. The planning proposal application argues that the proposed RFB development built form envisaged for the subject site:

- is responsive to its heritage context and character of the FLHS precinct;
- responds to the bulk, scale and height of existing heritage listed Woolley Hall (Building No. 64) which currently functions as a church adjoining the site; and
- strengthens and enhances the landscapes of Main Avenue and Sussex Street which suffer from the sheer bulk of the Woolley Hall.

This report recommends that the application for a planning proposal be supported by Council, as it would:

- create a high quality urban design outcome for a parcel of land that responds to its unique heritage constraints in a way that cannot be achieved under the current R3 Medium Density Residential zone and associated development standards;
- be consistent with objectives and actions of state and sub regional planning policies such as the *Metropolitan Plan for Sydney 2036* and the *West Central Draft Subregional Strategy*;
- be consistent with the key themes and outcomes of the Auburn City Community Strategic Plan 2011 - 2021.

The planning proposal application is consistent with a number of State Government policies including the Department of Planning and Infrastructure's section 117 directions and key objectives of *State Regional Environmental Planning and State Environmental Planning Policies* as outlined in sections 4.3 and 4.4.

The application was exhibited for a period of 28 days from Tuesday 29 May to Tuesday 26 June 2012, in accordance with Council's *Communication Plan for Planning Proposals* as adopted by Council. A total of 10 submissions were received and details of submissions are included in section 6.0.

## 1.1 Purpose of this assessment report

This Assessment Report provides an assessment of the applicant's planning proposal application in accordance with the NSW planning framework which considers local and state government legislation and policies.

This assessment report also:

- Summarises the purpose of the planning proposal application and provides a background of the subject site with reference to its immediate surroundings;
- Describes the planning proposal;
- Responds to the Department of Planning and Infrastructure guidelines for local plan making;
- Reports on the community consultation requirements proposed for the planning proposal; and
- Provides a recommendation to Council based on the outcome of the planning proposal's assessment.

This report is not a planning proposal. A formal planning proposal, to be submitted to the Department of Planning and Infrastructure, will be prepared if the application for a planning proposal is supported by Council.

## **1.2 Applicant liaison with Council**

The applicant has met with Council staff on a number of occasions regarding their proposal and way forward for the subject site. Details are provided in Appendix 1.

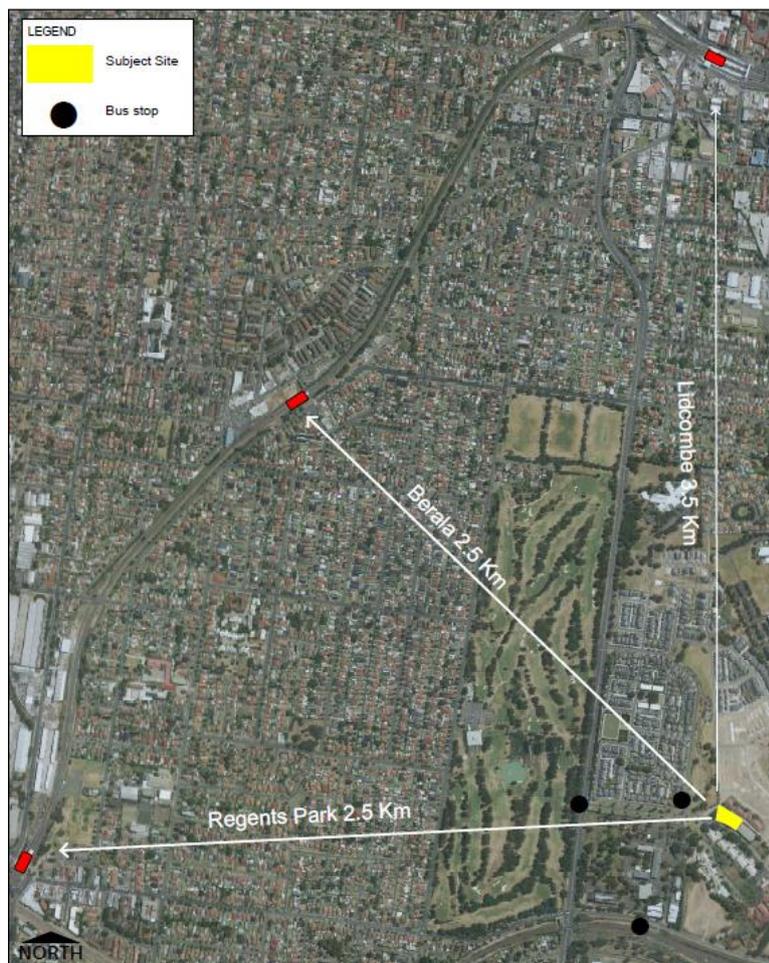
## 2.0 Existing Situation

### 2.1 Description of the subject site and surrounds

The land subject to this planning proposal application ('the subject site') is located at Lot 802 Main Avenue, Botanica - Lidcombe (Lot 802 DP 1150164) within the Former Lidcombe Hospital Site precinct (FLHS) in the Auburn Local Government Area (LGA). Australand Industrial No.16 Pty Limited is the applicant and proponent for this planning proposal.

The FLHS is currently one of the key brownfield sites identified within the LGA). It has been developed since 2004 to date for medium density residential land uses as per original Development Application (572/02) consent issued by the Land and Environment Court of New South Wales (No. 10147 of 2003) on 7 July 2004.

The subject site shown with yellow in Figure 1 below is located approximately 2.5km from Berala and Regents Park Village railway stations and 3.5km from the Lidcombe Town Centre railway station which is shown red.



**Figure 1** – Aerial photo showing the subject site and its proximity to other existing local centres

Figure 2 below shows the subject site outlined in black with its immediate surrounds:



**Figure 2** – The subject site and its surrounding buildings

The subject site has the following key site characteristics:

- is currently vacant, linear and slightly rectangular in shape, and has an area of 1733m<sup>2</sup>;
- is bound by Main Avenue from the south, a vacant public reserve from the west, Sussex Street from the north and by an existing retained 2 storey heritage significant building (Woolley Hall - Building No.64) from the east;
- has two street frontages: to Main Avenue and Sussex Street; with approximately 69.5m and 56.5m site frontage widths respectively, and a site block depth that ranges from 25 metres to 34 metres;
- retained existing heritage significant buildings are located to the south and north of the subject site along Main Avenue and Sussex Street which forms part of the FLHS heritage conservation area as shown in Figure 2. The heritage significance of the precinct is discussed further in sections 2.2.4 and 2.3.
- the site slopes towards Sussex Street with an approximate site fall of 1 to 2 metres; and
- has a north-east orientation.

Refer to Appendix 2 for photographs of the subject site and surrounds.

Figure 3 below shows an extract of the proposed master plan for Botanica and the proposed locality of the subject site and surrounds.



**Figure 3.-** Extract of the proposed master plan for Botanica showing the subject site and surrounds.

Source:([www.http://residential.australand.com.au/homes/nsw/lidcombe/botanica/#projectplans](http://residential.australand.com.au/homes/nsw/lidcombe/botanica/#projectplans), October 2012)

The legal descriptions of the subject site and surrounds with its existing/proposed land uses are provided in Appendix 3.

## 2.2 Auburn LEP 2010 controls

### 2.2.1 Auburn LEP 2010 zoning

Figure 4 shows the subject site is currently zoned R3 Medium Density Residential under the Auburn LEP 2010.

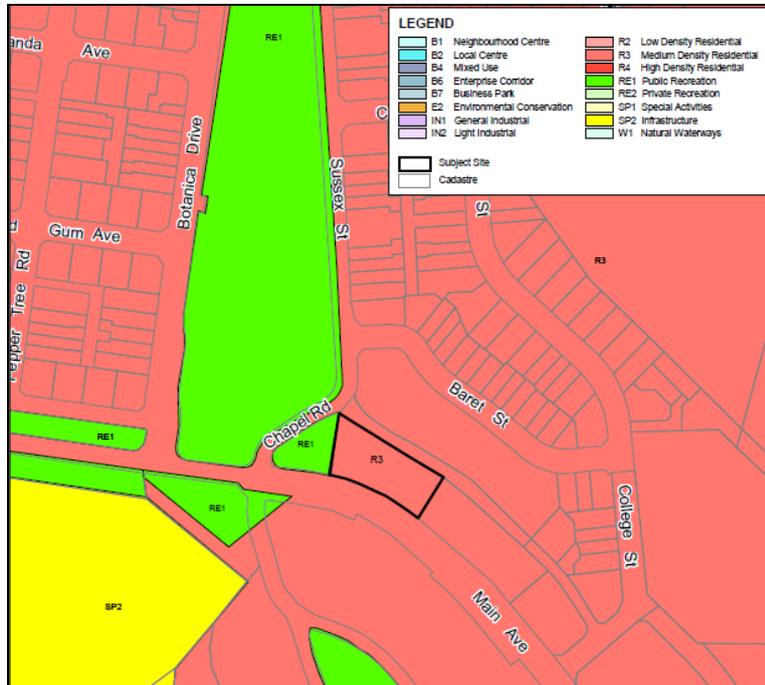


Figure 4 - Auburn LEP 2010 – Extract from Land Zoning Map

Table 3 overleaf summarises the existing land zoning, objectives and permissible uses for the subject site:

Planning controls under <i>Auburn LEP 2010</i>	Existing <i>Auburn LEP</i> zoning	R3 zone objectives	R3 permissible land uses
Land zoning	R3 Medium Density Residential zone	<ul style="list-style-type: none"> <li>“to provide for the housing needs of the community within a medium density residential development;</li> <li>to provide a variety of housing types within a medium density residential development; and</li> <li>to enable other land uses that provide facilities or services to meet the day to day needs of residents”.</li> </ul>	<p>“Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual Occupancies; Dwelling houses; Group homes; Multi dwelling housing; Neighbourhood shops; Places of public worship; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Any other development not specified in item 2 or 4”.</p> <p>(Residential flat buildings are not permitted within the zone)</p>

**Table 3** - Summary of existing *Auburn LEP 2010* land zoning and zone objectives applying to the subject site

### 2.2.2 *Auburn LEP 2010* principal development standards

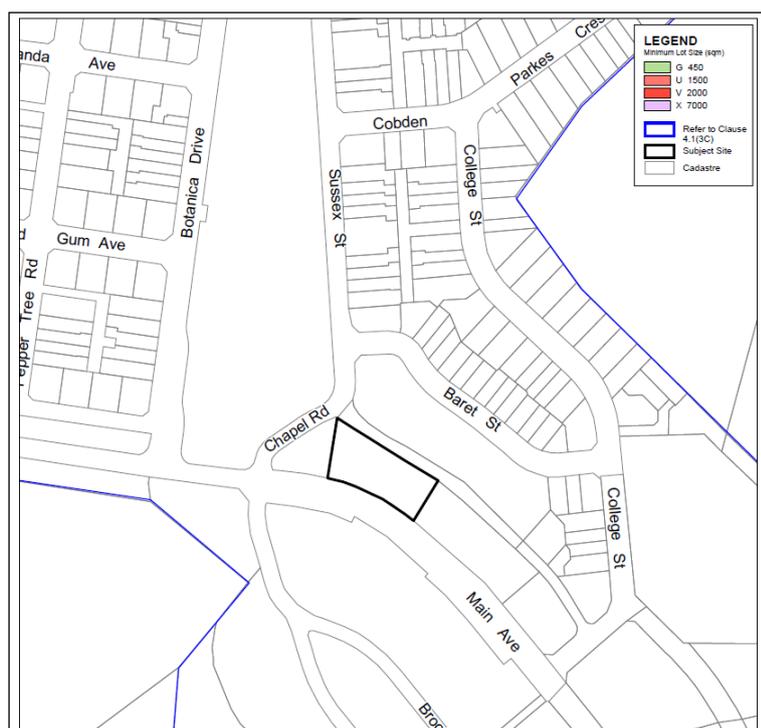
The Table 4 below summarises the *Auburn LEP 2010* principal development standards that currently apply to the subject site:

<i>Auburn LEP 2010</i> land zoning	Maximum Building Height	Floor Space Ratio (FSR)	Minimum Lot Size
R3 Medium Density Residential zone	9 metres	0.5:1	Clause 4.1(3C) of <i>Auburn LEP 2010</i> applies

**Table 4** - Summary of existing *Auburn LEP 2010* zoning applying to the subject site

### 2.2.3 Minimum Lot Size

Figure 5 overleaf shows an extract from the *Auburn LEP 2010* Minimum Lot Size map which shows that *Auburn LEP 2010* Clause 4.1(3C) applies to the subject site.



**Figure 5** – Auburn LEP 2010 – Extract from Lot Size Map

The Auburn LEP 2010 clause 4.1(3C) shown below applies to the subject site including the FLHS site:

*“Despite subclauses (3) – (3B), the minimum lot size for development on land within the Former Lidcombe Hospital site, as shown edged blue on the Lot Size Map, is as follows in relation to development for the purpose of:*

(a) *dwelling houses:*

- I. 350 square metres, or*
- II. If a garage will be accessed from the rear of the property 290 square metres, or*
- III. If the dwelling house will be on a zero lot line 270 square metres,*

(b) *semi - detached dwellings – 270 square metres,*

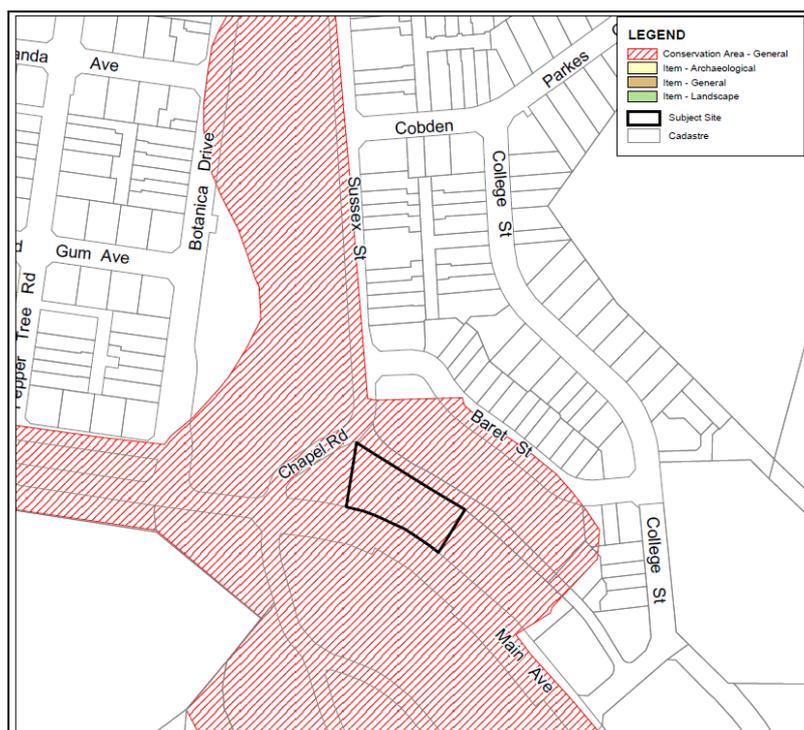
(c) *multi dwelling housing – 170 square metres for each dwelling*

(d) *attached dwellings – 170 square metres”.*

The clause specifies the minimum subdivision lot size requirements that apply within the precinct for residential development.

## 2.2.4 Heritage

Figure 6 overleaf shows the Auburn LEP 2010 Heritage map and the location of the subject site within a indicating a heritage conservation area (red hashed area). The subject site is currently listed under Schedule 5 – Environmental Heritage of the Auburn LEP 2010 (Item number C07144). The heritage conservation area has state significance of which is listed under the State Heritage Register.



**Figure 6 - Auburn LEP 2010 - Extract from Heritage Map**

The subject site is also affected by *Auburn LEP 2010* Clause 5.10 Heritage Conservation objectives and provisions for development purposes. The specific Heritage Conservation objectives that apply to this proposal are:

- “(a) to conserve environmental heritage of Auburn; and
- (b) to conserve heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views”.

. The existing heritage significance of the subject site is discussed in detail in 2.3.

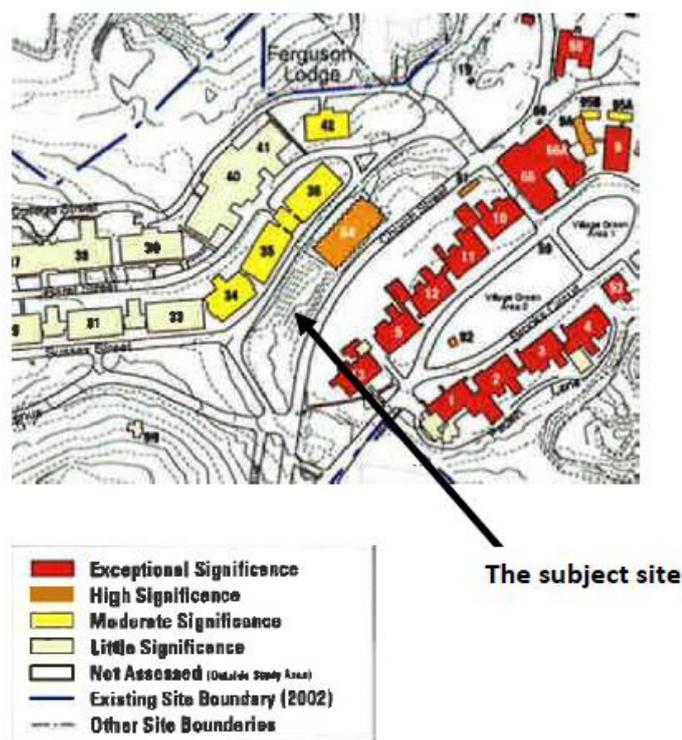
### 2.2.5 Acid Sulphate Soils

The subject site is shown as having Class 5 Acid Sulphate Soils under the *Auburn LEP 2010* Acid Sulphate Soils Map, which is the least affected category for development purposes.

## 2.3 Former Lidcombe Hospital Site Conservation Management Plan (Sept 2002)

Godden Mackay Logan (GML) Consultants prepared the FLHS Conservation Management Plan (CMP) in September 2002. Page 135 of the CMP shows the subject site and surrounds are included within the recommended curtilage of the FLHS heritage precinct.

The subject site is surrounded by buildings identified as having a moderate, high and exceptional heritage significance within the FLHS precinct as shown in Figure 7 overleaf: (N.B Buildings shown as having little significance have been demolished).



**Figure 7** - Map showing the subject site and surrounding buildings of heritage significance  
Source: (FLHS CMP Plan, September 2002)

Building No. 33, 34 and 35 (Precinct 84), illustrated in dark yellow in Figure 7 have moderate heritage significance and are located facing Sussex Street. Building No. 64 (Woolley Hall) shown in Orange in Figure 7, has high heritage significance and adjoins the subject site. Building Nos 10,11,12,13 and 5 (Precinct 83) have exceptional heritage significance and are located to the south of the subject site with frontages to both Main Avenue and Sussex Street. Refer Appendix 3 for photos of subject site and surrounds.

Section 6.4.6 of the *Former Lidcombe Hospital Site Conservation Management Plan (September 2002)*, mentions the conservation management principles which apply to the FLHS heritage precinct, when carrying out new development:

1. *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.*
2. *New development within the proposed heritage precinct should be identifiable as new work.*
3. *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.*
4. *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.*

5. *New building 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.*
6. *Statutory consent should be sought prior to any on-site works which involve excavation. ...”.*

The mentioned principles apply to the subject site when the site is developed for future residential land uses.

## 2.4 Development application consent issued for the Former Lidcombe Hospital Site

Any works to, or within, the heritage precinct or to retained heritage items are to comply with condition 29 of DA 572/02 for the staged redevelopment of the FLHS issued on 7 July 2004. This DA consent was issued based on a staged development consent. Under section 83D of the EP&A Act 1979, the determination of any further development applications for the site must be consistent with the original consent.

## 2.5 Auburn DCP 2010 controls

The most relevant objectives applying to the subject site under the Former Lidcombe Hospital Site DCP Part of the Auburn Development Control Plan 2010 (Auburn DCP 2010) are summarised in Table 3 below:

Auburn DCP 2010 Part	Relevant FLHS DCP Objectives
Former Lidcombe Hospital Site DCP Part	<p><i>“A. The site, when re-developed, maintains its uniqueness and character;</i></p> <p><i>B. Future development retains and responds to key characteristics of the site;</i></p> <p><i>C. The features of the site are integrated into the overall planning of the site;</i></p> <p><i>D. Retention, adaptive reuse and integration of significant and the buildings to give unique character to the site, to enable future generations to read the ‘storey’ of the site and to reduce waste through reuse of existing building fabric.”</i></p>

**Table 3** - Summary of FLHS DCP Part relevant objectives

The key design principles mentioned under Section 7.0 of the same DCP Part are summarised in table 4 below:

Reference section of FLHS DCP Part of Auburn DCP 2010	Key design principles
Section 7.0 - Residential Development and Subdivision Controls	<ul style="list-style-type: none"> <li>• <i>A range of building types and densities are to be provided;</i></li> <li>• <i>Buildings are to address the street and reinforce territorial definition;</i></li> <li>• <i>Building design is to be responsive to, integrated with its environment and adjoining dwellings;</i></li> <li>• <i>Building design is to be contemporary and be compatible in scale and proportion with the horizontal proportions of the heritage hospital buildings;</i></li> <li>• <i>The building design is to be energy efficient and may include eaves and other shading devices;</i></li> <li>• <i>Building design is encouraged to link internal living and external courtyard/garden spaces;</i></li> <li>• <i>Street facades and appearance are to be considered as part of overall streetscape design;</i></li> <li>• <i>Building materials and finishes are to be durable; and</i></li> <li>• <i>Private domain landscape is to contribute to the landscape master plan for the site”.</i></li> </ul>

**Table 4** – Summary of key design principles mentioned in section 7.0 of the Auburn DCP 2010

The objectives and key design principles mentioned in tables 3 and 4 needs to be applied to the subject site including the heritage precinct when proposing a new, or altering an existing, development.

Section 7.0 of the same DCP Part lists specific objectives that currently apply to sub-sections below:

## **7.2 Housing**

*creates a high level of residential amenity;*

- a. *ensures that individual housing design is integrated and sympathetic to the approved master plan and intended character of the area;*
- b. *ensures a distinctive architectural approach is adopted using a variety of housing types that incorporate strong contemporary roof forms and modulation, eave overhangs, as well as elements such as louvres that control and regulate the microclimate; and*
- c. *promotes the building of dwellings that maximise the opportunity for energy efficient usage and solar access.*

**7.4 Dwelling design and form**

- d. *To ensure that dwellings built in the vicinity of heritage or retained buildings are designed so as not to detract from the significance or character of the heritage building or group of heritage buildings.*

**7.5 Density of dwellings**

- a. *To ensure that the amount of development over the whole site is to enable a successful resolution between the new development, the heritage buildings and the public domain including the open space.*

**7.6 Site coverage**

- a. *Site coverage enables the proposed building type, adequate open space and the required car parking.*

**7.7 Composition within street blocks and along streets**

- a. *To ensure that the organisation of the dwellings within the street block relate to the street and open space hierarchy and desired future character of the precinct.*

**7.8 Architectural expression**

- a. *Ensure dwellings relate well to one another and contribute to the quality of each precinct and the overall quality of the development”.*

## 3.0 Description of the Planning Proposal

### 3.1 The development proposal

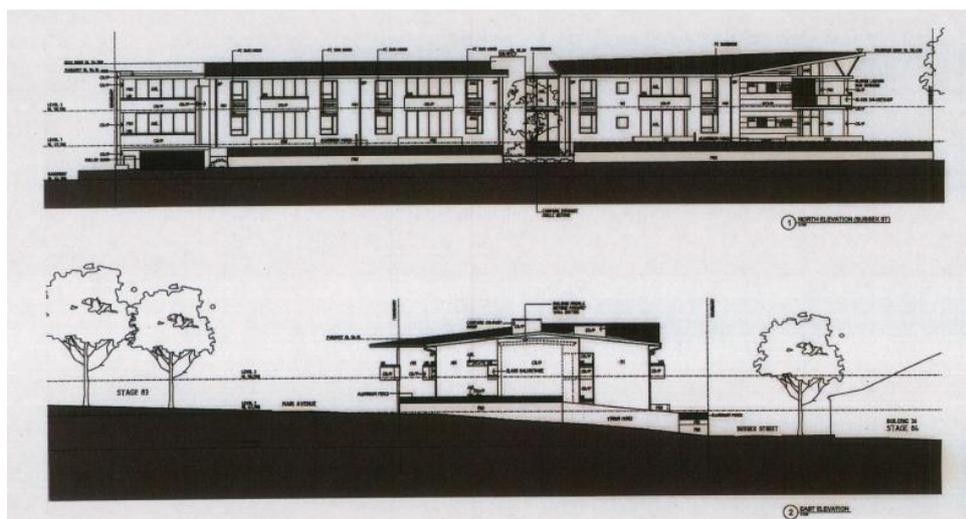
The planning proposal application contains a development proposal with three dimensional elevation perspectives and concept street elevations prepared by Allen Jack + Cottier (AJ+C) on behalf of the applicant for a two storey residential flat building development for the subject site.

The applicant's development proposal was prepared in advance to determine a building form that is suitable and responsive to the subject site's significant heritage context and the character of the heritage precinct.

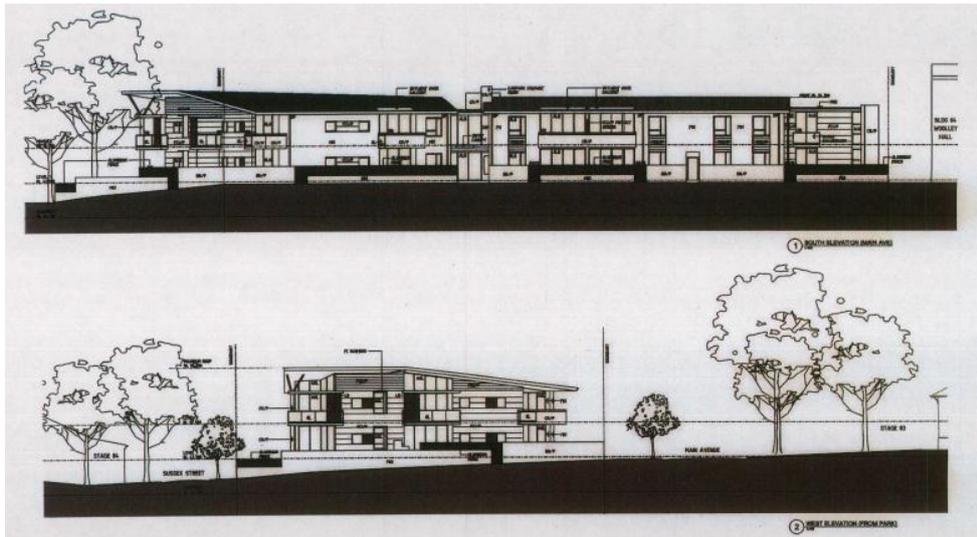
AJ+C's main design objectives for the proposed development are to:

- "1. Respect the existing building forms (Building 33, 34 and 35 - Precinct 84) which are directly located across Sussex Street frontage.*
- 2. Enhance the two streetscapes of Main Avenue and Sussex Street 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; and*
- 3. Optimise the building form and dwelling potential having regard to the site being located adjacent to the corner park".*

The development concept proposes a two storey Residential Flat Building (RFB) with 18 residential apartments (10x2 bedrooms and 8x1 bedrooms) and a single level basement car park with 25 resident and 4 visitor car parking spaces. An illustration of the proposed development concept is provided in Figures 8 to 12 below and over page:



**Figure 8** - Concept elevations of the proposed development from Main Avenue and park side



**Figure 9** - Concept elevations of the proposed development from Sussex Street and Woolley Hall side



**Figure 10** - Indicative view of the proposed development looking westward from Sussex Street



**Figure 11**- Indicative view of proposed development looking eastward from Main Avenue

### 3.1.1 Godden Mackay Logan's heritage advice

Given the proposed RFB development is located within an existing state significant heritage conservation area, the applicant has consulted Godden Mackay Logan (GML) Heritage Consultants in July 2012.

GML considered the proposed development in light of key Conservation Management Plan Principles (CMP) stated under section 6.4.6 of the above plan and Clause 5.10 Heritage Conservation of the *Auburn LEP 2010* which are mentioned in section 2.3.

GML has considered the following when assessing the proposed development:

- The compatibility of the proposed RFB development with the existing scale, form and articulation of the existing neighbouring heritage buildings as well as the alignment of adjacent roadways such as Main Avenue and Sussex Street, Lidcombe;
- The application and suitability of the proposed RFB development type for the subject site against the current existing medium density residential dwelling types such as detached and multi dwellings;
- How the proposed RFB development strengthens the existing streetscape and the existing road alignments to match with the existing character and the 'solid block' form of Wolley Hall (Building No. 64);

GML holds the strong opinion that:

*"Although the current design represents a departure from the permissible form under the zoning, it would nevertheless result in 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 relatively 'blocky' in form and have a reasonably wide footprint as would be the case with the proposed design. Conversely a townhouse or a 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 house character".*

GML also states that:

- the design of the proposed two storey RFB development would better satisfy section 6.4.6 of the FLHS Conservation Management Principles stated in section 2.3; and
- the proposed RFB development conforms to the principles and guidelines contained in section 7.0 of the FLHS Part of the Auburn DCP 2010 stated in section 2.5.

A copy of GML's heritage advice to the applicant is at Appendix 4.

## 4.0 Consistency with the strategic planning framework

### 4.1 Metropolitan Plan for Sydney 2036

The Department of Planning and Infrastructure's *Metropolitan Plan for Sydney 2036* ('the Metro Plan') is the overarching strategic planning policy, guiding growth and development in Sydney to 2036. It establishes housing and employment targets and provides guiding principles for consideration when making planning decisions.

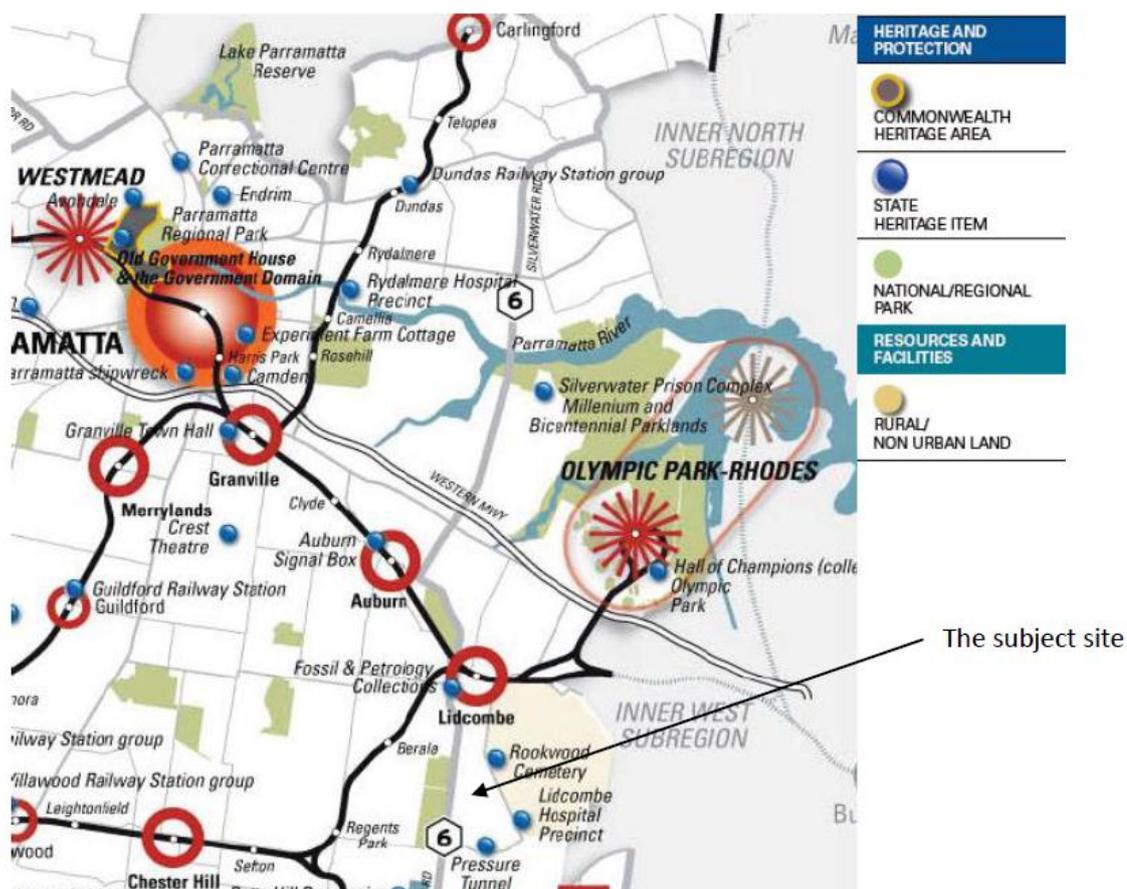
The proposal to rezone is consistent with strategic directions and actions contained in:

- Strategic Direction D - Action D1.1 to "*locate at least 70 percent of new housing within existing urban areas and up to 30 percent of new housing in new release areas*" (p.106). The proposal is consistent with this action because the proposal to rezone is located outside the existing local centres of the Auburn LGA and is located within a major urban infill area contributing to dwelling growth; and
- Strategic Direction H - Action H4.1 to "*Identify heritage landscapes in Sydney and develop appropriate responses to plan for their protection and interpretation in the preparation of Sub-regional Strategies and LEPs*" (p.209). The proposal is consistent with this action since the proposal to rezone is located within a state heritage conservation area with surrounding retained heritage buildings. The planning proposal application achieves and responds to the existing heritage items, areas, vistas through an appropriate land zoning, and appropriate urban and architectural design.

The regional strategic importance of the subject site is discussed more in the *West Central Draft Subregional Strategy (WCDSS)* in section 4.2.

### 4.2 West Central Draft Subregional Strategy (WCDSS)

The Department of Planning and Infrastructure's *West Central Draft Subregional Strategy* identifies the 'Lidcombe Hospital Site Precinct' as a state significant heritage item in Figure 13 overleaf.



**Figure 13** - Extract from the WCDSS showing items of state heritage significance in the vicinity of the subject site  
 (Source: Department of Planning 2007, p. 118 and 119)

The planning proposal application is consistent with the following WCDSS strategic objectives and actions contained in:

- Strategic objective C - Action C1.1 to include “30-40 percent of new housing in land release areas” and Action C1.3 to “plan for increased housing capacity targets in existing areas” (p.86) The proposal to rezone is consistent with the action C1.1 as the proposal is located within a major urban infill area, of which is located outside the local centres of the Auburn local government, contributing to dwelling growth.
- Strategic objective E - Action E6.1 to “provide a consistent approach to identify and protect Sydney’s cultural heritage” (p. 126), and Action E6.2 to “recognise where Sydney’s cultural heritage contributes to its unique character and quality and manage change appropriately” (p.127). The planning proposal application to rezone is consistent with the above actions because the proposal to rezone recognises the importance of its unique surrounds, and proposes a responsive and non-repetitive built form to maintain its unique heritage character and context.

### 4.3 Section 117 directions

Section 117 directions are directions to Councils from the Minister for Planning and Infrastructure that need to be considered or given effect to in the preparation of draft LEPs.

The planning proposal application is not inconsistent with any s.117 directions including:

- Direction 2.3 - Heritage Conservation;
- Direction 3.1 - Residential zones;
- Direction 3.4 - Integrating land use and transport;
- Direction 6.3 - Site Specific Provisions; and
- Direction 7.1 - Implementation of the Metropolitan Strategy.

A full checklist outlining the consistency of the application with the s.117 directions is at Appendix 5.

### 4.4 Relevant SEPPs and SREPs (deemed SEPPs)

The planning proposal is specifically consistent with the application of the following *State Regional Environmental Planning Policies* (SREPs) and *State Environmental Planning Policies* (SEPPs) below:

- *State Environmental Planning Policy No.65 - Design Quality of Residential Flat Building Development* - The proposal mentions (on page 39) that the development proposal does not need to comply with the above SEPP requirements as the proposed development is two storeys. However, Council is of the view that the development proposal may need to comply with the *SEPP 65* requirements at the Development Application (DA) stage since the proposed two storey residential flat building development includes a single level basement car park in addition to the two storeys, which is likely to be built above ground considering the topography of the subject site. This is clearly illustrated on concept elevations provided by the applicant (Refer Figures 8 and 9 of the report). In any case, the proposal itself is not inconsistent with the SEPP and the applicant will need to address how any subsequent DA is consistent with the SEPP requirements.
- *State Environmental Planning Policy No.55 - Remediation of Land* - The proposal is consistent with the objectives of the SEPP since the site has been remediated as part of original DA consent issued for the Precinct. The subject site has been issued with a site audit statement (No 0301-1006) by the NSW Environment, Climate Change and Water for residential land uses such as apartments and flats.

A detailed assessment of SEPPs and SREPs can be found in Appendix 6.

## 4.5 Relevant Local Studies/Strategies

### 4.5.1 Dwelling Target Analysis (DTA)

Council's Dwelling Target Analysis (March 2009) was prepared to inform Auburn City Council about capacity to meet the dwelling targets as set out in the *West Central Subregion Draft Subregional Strategy*. This analysis informed whether Council would need to up-zone, down-zone or maintain the status quo in terms of the residential zones in the *Auburn LEP 2010*.

The DTA recommends that no up-zonings are required to achieve the dwelling targets for the Auburn LGA. The DTA also identifies the FLHS precinct as one of the major urban infill sites located within the Auburn LGA contributing to future dwelling growth. The planning proposal application would result in an additional 18 dwellings to the heritage precinct. Consequently, this proposal would assist Council in meeting its dwelling targets, by providing additional capacity in required growth areas within the Auburn LGA.

### 4.5.2 Auburn City Community Strategic Plan 2011- 2021

The Auburn City Community Strategic Plan 2011 – 2021 provides a vision for Auburn City and provides various themes and outcomes that are to be achieved by Council within the next 10 years.

The proposal is consistent with the 'Our Places' theme and outcomes such as to "*achieve a high quality urban development*", and "*a place that celebrates cultural identity and heritage*".

The planning proposal application aims to achieve a high quality urban design and a building outcome for the subject site that is responsive to the heritage context, character and its surrounds within an urban setting.

## 5.0 Assessment of planning proposal

The planning proposal application has been assessed against the Department of Planning and Infrastructure's document "A Guide to Preparing Planning proposals" (the Guide) and "Guidelines on Local Plan Making". The Guide contains directions for what content and justification the proposal must address including:

- *Metropolitan Plan for Sydney 2036*;
- *West Central Subregion Draft Subregional Strategy*;
- Section 117 Directions;
- Net Community Benefit Test (within the Department's *Draft Centres Policy 2009*);
- *Auburn Local Environmental Plan 2010*;
- Auburn Development Control Plan 2010; and
- Other identified issues.

The following sections are provided in the guide as a means to determine the need for planning proposal and the relationship to the strategic planning framework. A response has been provided to each question by Council.

### SECTION A: NEED FOR THE PLANNING PROPOSAL

#### ***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 need of the planning proposal has arisen as a result of the subject site's heritage context and the need for a specific architectural design response which responds to this context and heritage significance appropriately. The planning proposal application argues that the most appropriate land use and built form for the subject site is a two storey residential flat building (RFB) development considering the surrounding heritage significance, and existing built form and character of the heritage precinct. RFBs are currently not permissible within a R3 Medium Density Residential zone under *the Auburn LEP 2010*.

The application argues that the RFB built form envisaged for the subject site:

- is responsive to its heritage context and character of the heritage precinct;
- responds to the bulk, scale and height of existing heritage listed Woolley Hall. (Building No. 64) which currently functions as a church adjoining the site; and
- strengthens and enhances the landscapes of Main Avenue and Sussex Street.

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

Yes. Amending the *Auburn LEP 2010* is the best means of achieving the key objectives of the planning proposal application to achieve a residential flat building built form on the subject site.

If the planning proposal application was to be supported, the *ALEP 2010* maps (land zoning; height of buildings and floor space ratio) would need to be amended accordingly.

An alternative option, which is significantly less desirable, is to list the ‘residential flat buildings’ use as an additional permitted use for the subject land under the ‘Schedule 1 – Additional Permitted Uses’ of the *Auburn LEP 2010*. If this were to be supported, Council would still need to amend the maximum building height and maximum FSR.

### ***Is there a net community benefit?***

Under the guide, it is recommended that the ‘Net Community Benefit Test’ from the Draft Centres Policy 2009 be followed when assessing a planning proposal. It is specifically recommended for proposals located outside an existing local centre where the current zoning does not permit the use, such as this proposal. A Net Community Benefit Test has been undertaken by Council, and is provided in the following table.

**Table 5 – Net Community Benefit Evaluation**

<b>Net Community Benefit Evaluation Criteria</b>
<p><b><i>Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?</i></b></p> <p>Yes. The subject site is consistent with the <i>Metropolitan Plan for Sydney 2036</i> strategic objectives and actions (section 4.1 of the report) and <i>West Central Draft Sub Regional Strategy (WCDSS)</i> objectives and directions (section 4.2). The subject site is located outside the local centres of the Auburn LGA but is relatively close to the existing railway stations at Berala, Regents Park and Lidcombe. In addition, the subject site is located within an existing development site, which is being developed for medium density housing.</p>
<p><b><i>Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?</i></b></p> <p>No. The subject site is not located within a strategic centre or corridor. The subject site forms part of the heritage precinct of the FLHS commonly referred to as Botanica within the Auburn LGA which is being developed for medium density residential housing.</p>
<p><b><i>Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?</i></b></p> <p>No. The planning proposal intends to rezone the subject site from a medium density residential land to a higher density residential land uses. It will not create a precedent as the development standards proposed are specifically in response to the heritage context of the surrounding site, and the need for an architectural design response which reflects the existing “blocky” built form of the existing heritage buildings near or adjacent to the subject site, which will be retained.</p> <p>This application proposes a new land use zoning (R4) and seeks a minor variation to the standard R4 controls applied across this zone. In particular, a height increase of one metre only is sought, primarily to accommodate the proposed roof form and ensure the proposed development responds to the site’s significant heritage context as appropriately as possible. Excessive variations to Council’s development standards are not sought in this instance, and thus it is not considered that an inappropriate precedent will be created as a result.</p>

***Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?***

Yes. There are no other spot rezoning proposals for residential development in the area or within the FLHS or heritage precinct.

***Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?***

No. The subject land is currently zoned R3 Medium Density Residential. The proposal to increase residential density on the subject land will not result in the loss of employment lands.

***Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?***

Yes. A proposal to increase residential density on the subject land would result in increased housing supply (approximately 18 more dwellings), contribute to housing affordability, and increase the housing choice of the area.

***Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site?***

Yes. The applicant has not undertaken consultation with key agencies about the capacity to service the proposed development prior to submitting the proposal to Council. However, the FLHS precinct is currently served with public utilities, a road network and public bus transport services, which are capable of supporting any existing permissible medium density residential development.

The area is serviced by a public bus services. The existing infrastructure is adequate to deal with the potential minor increase in usage of these facilities.

***Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?***

Yes. The subject site is located within a 10 to 15 minute cycling distance from the Regents Park, Berala and Lidcombe Railway Stations. The existing bicycle routes operate via Georges Street, East Street, Weeroona Road and Amy Street that runs along the boundary of the FLHS precinct passing Main Avenue. Council also has plans to extend the Weeroona Road bicycle route via Joseph Street so that many of the residents who live within the FLHS precinct can cycle to Lidcombe, Berala and Regents Park railway stations.

The subject site is serviced by Veolia route 925 and M92 public bus routes. The nearest public bus stops to the subject site is located approximately 150 to 600 metres away (5 to 10 minute walking distance) with existing bus stops at Botanica drive, Joseph Street and Weeroona Road as shown in Figure 1.

The subject site is located within a bus and bicycle route commuter distance from the existing railway stations of Berala, Regents Park and Lidcombe railway stations which service the Bankstown, Inner Western and Western lines. The applicant anticipates that the coverage and the frequency of these services will improve as the entire FLHS is developed.

***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?***

No. However, the residential land uses allowed by the proposed R4 High Density Residential zone will generate some car based travel demand. It is anticipated car distances travelled would be consistent with travel patterns of residents who live within the Former Lidcombe Hospital Site area.

***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?***

No. The University of Sydney Cumberland Campus and the Southern Sydney TAFE (Lidcombe College) is located east adjoining the FLHS precinct. The NSW Environment Protection Authority testing laboratory is located on the corner of Joseph Street and Weeroona Road. The patronage of these facilities are not affected by the rezoning of the subject site because it is located far from above facilities, though potentially some residents may choose to attend the above facilities.

The existing use of Joseph Street which is currently a state road, use of existing public bus services and more people travelling to Berala, Regents Park or Lidcombe railway stations would slightly increase the traffic volumes on state and surrounding local roads, increase demand for services and slightly increase passenger trips on bus and rail routes.

However, the scale and density of the proposed development for the subject site is such that no major impacts are anticipated.

***Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?***

There are no environmental factors such as flooding, acid sulphate soils (per ALEP 2010) or any known protected biodiversity issues that would prevent a proposal to increase the residential density on the subject land from being realised. Although the subject site is located within a heritage conservation area under the *Auburn LEP 2010*, the subject site does not contain a heritage item on the site.

Any vegetation or surrounding retained heritage items on the site would be subject to detailed consideration under assessment of a development application on merit basis.

***Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community?***

Yes. The planning proposal seeks to rezone the subject site from R3 Medium Density Residential to R4 High Density Residential and increase development standards for maximum building height and FSR, to enable the construction of a two storey residential flat building development with a single level basement car park. The subject site is buffered by a R3 Medium Density Residential zone and a RE1 Public Recreation zone under the *Auburn LEP 2010*.

The primary objective of the planning proposal application is to achieve a 'responsive and non-repetitive built form' that compliments the surrounding land uses, and the heritage context. The 'low rise' nature of the proposed RFB development means that it will be compatible with surrounding development within the Botanica site: both new development, and retained heritage buildings.

The proposal is consistent with the aims of the *Auburn LEP 2010*, specifically aim "(c) to protect areas from inappropriate development" and aim "(h) to identify and conserve the natural, built and cultural heritage".

***Will the public domain improve?***

Yes. The proposed development will create improvements to the public domain along Sussex Street and Main Avenue. In addition, the proposed development will be more responsive to the pocket park located west of the subject site providing views in all directions.

***Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?***

No. The Proposal does not contain retail or commercial premises.

***If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?***

No. The Proposal is for a single residential site and does not have the potential to develop into a centre in the future.

***What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?***

Public interest reasons for preparing the planning proposal application to rezone enables the provision of a better urban design outcome for the subject site, which is critical given the heritage significance, history and character of the site's surrounds. Other public interest reasons for supporting the proposal to increase residential density on the subject land include addition of new dwellings to the LGA, increasing the housing choice and contributing to housing affordability within the FLHS precinct.

If the Proposal is not supported and the development concept is not realised, it is highly likely that the subject site will be developed in such a way that ignores the significant heritage context of this precinct, and in a way which is inconsistent with the CMP for the site.

**SECTION B: RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK*****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 planning proposal application is consistent with the *Metropolitan Plan for Sydney 2036* and *West Central Draft Subregional Strategy* objectives and actions (sections 4.1 and 4.2 of this report).

***Is the planning proposal consistent with the local Council's Community strategic plan or other strategic plan?***

Yes. The planning proposal application is consistent with *Auburn City Community Strategic Plan 2011- 2021* objectives and themes (section 4.5.2)

***Is the planning Proposal consistent with applicable State regional Environmental and State Environmental Planning Policies?***

Yes. The planning proposal application is not inconsistent with relevant *State Regional Environmental Planning Policies* and *State Environmental Planning Policies* (section 4.4).

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

Yes. The planning proposal is not inconsistent with relevant applicable Ministerial Directions (s.117 Directions) (section 4.3).

## **SECTION C: ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT**

***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 Proposal will not result in adverse impacts to critical habitats or ecological communities.

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

Yes. The development concept relies on the removal of mature vegetation on the site. Any development occurring on the subject land will be subject to assessment by Council at the development application stage.

***Has the planning proposal adequately addressed any social and economic effects?***

A detailed assessment of the social and economic benefits in relation to the RFB form on the subject site has not been undertaken. However, the planning proposal demonstrates that the RFB will provide housing that is affordable, increase the housing choice and mix within the heritage precinct and committing to state government-housing issues.

The development proposal to rezone the subject site will increase the existing number of one and two bed room residential dwellings within the precinct, providing greater housing mix.

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

***Is there adequate public infrastructure for the planning proposal?***

Yes. The subject site is located within a large existing housing estate served by roads, infrastructure services, utilities, and public transport.. Consultation with key agencies about the capacity to service the development concept was not undertaken by the applicant prior to submitting the proposal to Council, however, as the proposed development will result in a relatively small increase in the number of dwellings within the Botanica estate, this is not considered to be an issue.

Impacts on public infrastructure such as increased traffic volumes on state and local roads, increased enrolments in local schools, increased passenger trips on bus and rail routes, increased demand on community facilities and services and increased demand on electricity and other utility networks are not anticipated.

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

No consultation has been undertaken at this stage, nor has a gateway determination been sought as yet. However, if the planning proposal were to be supported by Council, the views of State and Commonwealth public authorities will be obtained when Council prepares a planning proposal for consideration under the Department of Planning's Gateway Determination process. Since the subject site is located within a state significant heritage conservation area, the NSW Office of the Environment and Heritage will be consulted if the planning proposal proceeds.

## 6.0 Community Consultation

### 6.1 Notification Phase

The application for a planning proposal was publicly exhibited for a period 28 days from Thursday 14 June 2012 to Friday 13 July 2012 in accordance with *Council's Communication Plan for Planning Proposals* as adopted by Council.

A notice was placed in the Auburn Review of 12 June 2012, electronic copies of the relevant documentation was published on the Auburn Council website under the 'on exhibition' tab, and hard copies of the relevant documentation were made available at Council's Administration Building, Auburn Library, and the Lidcombe Library. Letters were also mailed to residents within the notification area identified on the map at Appendix 8.

The documents below were exhibited by Council for community consultation:

- The planning proposal application lodged by the applicant; and
- Copy of the notification plans.

A total of seven submissions and two petitions were received objecting to the proposal and one submission with no comments.

Type of submission	Submissions received
Support	-
Objections	7
Other	1 (The Sydney Olympic Park Authority had no comments)
Petitions	2

**Table 6** - Submissions received during the notification period

Many of the objectors raised concerns that the proposed development would aggravate existing traffic, car parking and amenity issues within the locality of the subject site.

The submissions and petitions that objected to the planning proposal application raised common issues including:

- the likely traffic and parking impacts of the proposed development on narrow Sussex Street and Main Avenue area would further aggravate existing parking and congestion issues within the Botanica site;
- the increased traffic congestion will jeopardise the safety of residents especially with the traffic associates with the church which adjoins the subject site;
- the proposed 1.2:1 FSR of the proposed development is too high when compared to its existing surroundings;

- the proposed development will create noise pollution and overshadowing impacts;
- the proposed development will increase the number of dwellings, households, buildings resulting in an increase in cars parked on street
- the proposed development would change the quality, feel and the reputation of Botanica; and
- the proposed development would create a shortage of car parking spaces within Botanica which will become evident when the church is fully operation.

A table addressing the key points raised in each submission received is at Appendix 7.

## 7.0 Conclusion

The planning proposal application seeks rezoning of the subject site from R3 Medium Density Residential to R4 High Density Residential modifying development standards to allow for the construction of a two storey residential flat building (RFB) with a single level basement car park. The proposal was assessed against State and Subregional plans, relevant plans and policies of Council, the applicable development controls, Former Lidcombe Hospital Site Conservation Management Plan and Department of Planning and Infrastructure “*Guidelines For Local Plan Making*”. The planning proposal application is determined to be appropriate for the location and surrounding area context considering its heritage significance, and has been determined on the basis of the following:

1. The proposal to rezone allows the creation of a high quality urban design outcome for the subject site that responds to its unique heritage constraints, which could not occur under the existing R3 Medium Density Residential zone and relevant principal development standards for height of buildings and FSR. Further, the proposal to rezone land from R3 Medium Density Residential to R4 High Density Residential enables the construction of a residential flat building consistent with the aims of the *Auburn LEP 2010* to “*protect areas from inappropriate development*” and “*to identify and conserve the natural, built and cultural heritage*”.
2. The planning proposal application proposes a minor building height increase. The proposed height of this RFB is likely to be lower than the existing building height of the Woolley Hall (Building No. 64). The proposed minor FSR increase is considered appropriate as it would allow the building to respond to the existing scale, bulk and wide building footprints of the adjoining Woolley Hall. Woolley Hall has a high heritage significance and the surrounding retained heritage buildings have exceptional and moderate heritage significance as per the *Former Lidcombe Hospital Site Conservation Management Plan (September 2002)*.
3. The development standards proposed for a building height of 10 metres for the subject site are below the current maximum height for the R4 High Density Residential zone, which typically has a maximum building height of 16 metres.
4. The planning proposal application seeks to rezone the subject site from R3 Medium Density Residential to a R4 High Density Residential. However, the development proposed for the subject site can be categorised as a ‘low rise’ small residential flat building development according to the Department of Planning and Infrastructure’s common housing terms (refer to table 6 below).

COMMON HOUSING TERMS	
<b>BUILDING HEIGHT</b>	
<b>Low Rise</b>	
	3 storeys or less. Includes terraces, townhouses, shop-top housing, semi-detached housing and small residential flat buildings
<b>Medium Rise</b>	
	4 to 5 storeys. Includes residential flat buildings and shop-top housing
<b>High Rise</b>	
	6 storeys or more. Includes residential flat buildings, shop-top housing and large mixed use developments such as offices and shops with housing above

**Table 6** - Common housing terms defined by the Metro Plan for building height  
Source: (Department of Planning and Infrastructure, 2009 p.113)

A residential flat building on this site with a building height of 10 metres and FSR of 1.2:1 would not dominate the streetscape. The proposal would provide adequate transition between land uses and will result in a built form which is consistent with the CMP for the heritage precinct of the Botanica site.

- The proposal is specifically consistent with the Heritage Conservation objectives mentioned under clause 5.10(1):

*“(a) to conserve environmental heritage of Auburn; and*

*(b) conserve heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views” under the Auburn LEP 2010”.*

- The planning proposal application is consistent with the specialist heritage advice provided by Godden Mackay Logan (GML), who recommends that a residential flat building development would better satisfy the policies under the CMP, than the traditional alternative town house/terrace forms that are permissible within the R3 Medium Density Residential zone.
- The proposal is consistent with the *Metropolitan Plan for Sydney 2036* and the *West Central Subregional Strategy* key directions, objectives and actions (sections 4.1 and 4.2).
- The proposal is consistent with specific section 117 directions (section 4.3), and is addressed under Appendix 5.
- The planning proposal is consistent with the local strategic planning directions the *Auburn City Community Strategic Plan 2011 – 2021*'s 'our places' theme and its outcomes (section 4.5.2).



## 8.0 Recommendation

The recommendation of this report, based on the assessment described above, is that Council support the planning proposal to rezone the subject land from R3 Medium Density Residential to R4 High Density Residential and apply increased development standards for maximum building height and FSR to enable the construction of a two storey residential flat building on the site.

The recommendation of this report, based on the assessment described above, that Council:

1. Supports the proposal to rezone the subject land from R3 Medium Density Residential to R4 High Density Residential
2. Supports the proposal to increase the development standards as follows:
  - From a maximum building height of 9 metres to 10 metres; and
  - From a maximum FSR of 0.5:1 to 1.2:1.

Should the assessment of the proponent's planning proposal be supported by Council and Council resolves to prepare and forward a planning proposal to the Department of Planning and Infrastructure, Council Officers will ensure that the planning proposal notes the following:

- That the planning proposal be consulted with relevant State Authorities such as NSW Office of the Environment and Heritage.

## 9.0 Appendices

## Appendix 1 - Applicant liaison with Council prior to lodgement

<p><b>Meeting:</b> <b>August 9, 2011</b></p>	<p>The applicant's planning consultant met Council's Team Leader Development Assessment, Team Leader Strategy Unit and Senior Development Assessment Planner for the Former Lidcombe Hospital Site to discuss issues which relate to planning anomalies within the precinct and how to achieve a residential flat building development for the nominated site by relying on existing Clause 5.10 of the <i>Auburn Local Environmental Plan 2010</i>. Outcome was that Council agreed to further look into the matter and sends a written response.</p>
<p><b>Council Letter:</b> <b>September 8, 2011</b></p>	<p>Council's letter advised the applicant's planning consultant the way forward to achieve a residential flat building development for the nominated site located within the Former Lidcombe Hospital Site Precinct. Council recommended that a planning proposal be prepared and lodged with Council for the specified development standards by Council.</p>
<p><b>Meeting:</b> <b>September 25, 2011</b></p>	<p>The applicant met with Council's Director Planning &amp; Environment, Manager Strategy Unit, Manager Development Assessment to discuss the way forward to develop the residential flat building development on the site. Council recommended the applicant to rezone the site and lodge a planning proposal application.</p>
<p><b>Council Letter:</b> <b>15 November, 2011</b></p>	<p>Council sent a letter to the applicant/proponent advising the applicant to lodge a planning proposal for the nominated site.</p>
<p><b>Meeting:</b> <b>27 March, 2012</b></p>	<p>The Proponent and their Consultant met Council's Team Leader Strategy Unit and Senior Strategic Planner to discuss detailed contents of the draft planning proposal prepared and planning proposal application lodgment requirements.</p>
<p><b>Meeting:</b> <b>23 May, 2012</b></p>	<p>The Proponent met with the Council's Team Leader Strategy Unit and Senior Strategic Planner and lodged the planning proposal with Council.</p>





*View of Woolley Hall (Building No.64) from Main Avenue*



*View of Woolley Hall (Building No. 64) from Sussex Street*



*View of existing retained heritage building (Nos. 33, 34 and 35) facing Sussex Street*



*View of Sussex Street with retained heritage buildings No 33, 34, 35, and No.64 on either side*



*View of retained heritage building Nos 33, 34 and 35 from Beret Street*



*View of retained heritage building Nos 33, 34 and 35 from Beret Street with existing Building No 64 in the backdrop*



*View of retained heritage buildings (Nos 10 to 13, and 5) located south of the subject site on Main Avenue*

## Appendix 3 - Legal and land ownership details of the subject site and surrounds

Property address	Lot and Deposited Plan	Auburn LEP 2010 zoning	Existing land ownership	Proposed or existing land uses
Lot 801, Chapel Road, Lidcombe (Land bound by west of the subject site.	Lot 801 DP 1150564	RE1 Public Recreation zone	Owned by the applicant	Is currently a vacant site which has no built structures. The land is reserved for open space as per the FLHS Botanica Masterplan and as shown on the <i>Auburn LEP 2010</i> .
<b>Lot 802 Main Avenue Lidcombe (The subject site)</b>	<b>Lot 802 DP1150164</b>	<b>R3 Medium Density Residential zone</b>	<b>Owned by the applicant</b>	<b>Is currently a vacant site and has no built structures. As per Botanica masterplan the land is proposed for residential uses.</b>
18 Main Avenue, Lidcombe	Lot 2 DP 270668	R3 Medium Density Residential zone	Private Church organisation	Currently includes solid 2 storey brick building with one storey below ground, and the building currently functions as a Church.
Lot 602, Sussex Street, Lidcombe	Lot 602 DP 1175419	R3 Medium Density Residential zone	Owned by the applicant	Is currently a vacant site. The applicant has lodged a (DA 143/2012) on the site to build 6 two storey town houses with semi basement car parking, which is currently under assessment.
Lot 3 Main Avenue, Lidcombe	Lot 3 DP 270668	R3 Medium Density Residential	Owned by the applicant	Includes five single storey retained heritage significant buildings raised above the ground which is proposed for residential uses.
Part Lot 2010 Sussex Street, Lidcombe	2 Part lots 5010 DP1165137	R3 Medium Density Residential zone	Owned by the applicant	Has three part single and two storey brick buildings retained on site which is proposed for residential land uses.

(Source – GEAC/Exponare and other Council resources)

## Appendix 4 - Godden Mackay Logan's Heritage Advice

Godden Mackay Logan
Heritage Consultants

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

# GML

Sydney  
78 George Street Redfern  
NSW Australia 2016  
T +61 2 9319 4811  
F +61 2 9319 4383

Canberra  
2A Mugga Way Red Hill  
PO Box 3171 Manuka  
ACT 2603  
T +61 2 6273 7540  
F +61 2 6273 8114

Melbourne  
PO Box 434  
South Melbourne BC  
VIC 3205  
T +61 3 9380 1933  
F +61 3 9380 4066

Hobart  
GPO Box 554 Hobart  
TAS Australia 7001  
T +61 3 6223 2810  
F +61 3 6223 2820

Godden Mackay Logan Pty Ltd  
ABN 60 001 179 362  
www.gml.com.au  
heritage@gml.com.au

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**



**David Logan**

**Partner**

## Appendix 5 - Consistency with section 117 directions

Section 117 directions apply to planning proposals lodged with the Department of Planning and Infrastructure.

No.	Title	Consistent	Comment
<b>1. Employment and resources</b>			
1.1	Business and industrial zones	N/A	The planning proposal concerned is residential land.
1.2	Rural zones	N/A	No rural zones in Auburn LGA.
1.3	Mining, petroleum production and extractive industries	Yes	
1.4	Oyster aquaculture	N/A	
1.5	Rural lands	N/A	Does not apply to Auburn LGA.
<b>2. Environment and heritage</b>			
2.1	Environment protection zones	Yes	
2.2	Coastal protection	N/A	
2.3	Heritage conservation	Yes	The subject site to be rezoned is within a state significant heritage conservation area.
2.4	Recreation vehicle areas	Yes	
<b>3. Housing, infrastructure and urban development</b>			
3.1	Residential zones	Yes	The planning proposal would encourage the provision of housing.
3.2	Caravan parks and manufactured home estates	N/A	
3.3	Home occupations	Yes	Does not change permissibility of home occupations.
3.4	Integrating land use and transport	Yes	Planning proposal seeks to rezone land to high density residential located outside the local centres of Berala, Lidcombe and Regents Park and is reasonably serviced by existing bicycle and public bus transport routes that run to nearby existing railway stations. These public bus routes can be accessed within 5-10 minute walking distance.
3.5	Development near licensed aerodromes	N/A	
3.6	Shooting ranges	N/A	
<b>4. Hazard and risk</b>			
4.1	Acid sulfate soils	Yes	The subject site is on class 5 acid sulfate soils, and therefore requires an acid sulfate soils management plan in accordance with clause 6.1(3) of the <i>Auburn LEP 2010</i> .
4.2	Mine subsidence and unstable land	N/A	
4.3	Flood prone land	N/A	The subject site is not located within a Flood Planning Area identified under the <i>Auburn LEP 2010</i> .

4.4	Planning for bushfire protection	N/A	The proposal will not affect, nor is in proximity to land mapped as bushfire prone land.
<b>5. Regional planning</b>			
5.1	Implementation of regional strategies	N/A	
5.2	Sydney drinking water catchments	N/A	
5.3	Farmland of state and regional significance on the NSW Far North Coast	N/A	
5.4	Commercial and retail development along the Pacific Highway, North Coast	N/A	
5.5	Development in the vicinity of Ellalong, Pazton and Millfield (Cessnock LGA) (revoked)	N/A	
5.6	Sydney to Canberra Corridor (revoked)	N/A	
5.7	Central Coast (revoked)	N/A	
5.8	Second Sydney Airport: Badgerys Creek	N/A	
<b>6. Local plan making</b>			
6.1	Approval and referral requirements	Yes	The proposal is not inconsistent and does not include provisions that require concurrence, consultation or referral of a development application to a Minister or State public authority.
6.2	Reserving land for public purposes	N/A	The planning proposal to rezone does not involve zonings or reservation of land for public purposes.
6.3	Site specific provisions	Yes	
<b>7. Metropolitan planning</b>			
7.1	Implementation of the <i>Metropolitan Plan for Sydney 2036</i>	Yes	The planning proposal is consistent with the following: <ul style="list-style-type: none"> <li>• Strategic Direction D - Action D1.1 to “locate at least 70 percent of new housing within existing urban areas and up to 30 percent of new housing in new release areas” (p.106).</li> <li>• Strategic Direction H - Action H4.1 to “Identify heritage landscapes in Sydney and develop appropriate responses to plan for their protection and interpretation in the preparation of Sub-regional Strategies and LEPs” (p.209).</li> </ul>

## Appendix 6 - Consistency with SEPPs and SREPs

### State Environmental Planning Policies

No.	Title	Summary	Application
1	<b>Development Standards</b>	Seeks to provide flexibility in the application of planning controls where strict compliance of development standards would be unreasonable, unnecessary or hinder the attainment of specified objectives of the Act.	<b>Does not apply to Auburn LGA.</b>  SEPP repealed by clause 1.9 of the <i>Auburn LEP 2010</i> )
4	<b>Development without Consent and Miscellaneous Exempt and Complying Development</b>	Aims to permit development for a purpose which is of minor environmental significance, development for certain purposes by public utility undertakings and development on certain land reserved or dedicated under the <i>National Parks and Wildlife Act 1974</i> without the necessity for development consent. Also regulates complying development for conversion of fire alarms.	<b>Clause 6 and Parts 3 and 4 do not apply - repealed by clause 1.9 of Auburn LEP 2010.</b>  Remainder of SEPP applies to State.  Consistent
6	<b>Number of Storeys in a Building</b>	Seeks to remove confusion arising from the interpretation of provisions in EPIs controlling the height of buildings	Applies to the State.  <i>Principle development standards within the Auburn LEP 2010 are consistent with this SEPP.</i>  Consistent
14	<b>Coastal Wetlands</b>	Seeks to ensure the State's coastal wetlands are preserved and protected.	<b>Does not apply to Auburn LGA.</b>  Applies to specified land under the National Parks & Wildlife Act, the Tomago Aluminium Smelter (Newcastle) and land to which SEPP 26 applies.

No.	Title	Summary	Application
15	<b>Rural Landsharing Communities</b>	Seeks to facilitate the development of rural landsharing communities committed to environmentally sensitive and sustainable land use practices.	<b><i>Does not apply to Auburn LGA.</i></b>
19	<b>Bushland in Urban Areas</b>	Seeks to protect bush land within urban areas. Specific attention to bush land, remnant and endangered vegetation and bush land zoned or reserved for public open space.	Applies to the Auburn LGA.  The subject site to be rezoned is not affected by bush land or within close proximity of bush land.  Consistent.
21	<b>Caravan Parks</b>	Seeks to facilitate the proper management and development of land used for caravan parks catering to the provision of accommodation to short and long term residents.	Applies to the State.  Excludes land to land to which SEPP (Western Sydney Parklands) applies.  Consistent
22	<b>Shops and Commercial Premises</b>	Seeks to permit change of use from commercial premises to commercial premises, and shop to shop even if the change is prohibited by another EPI, provided only minor effect and consent is obtained from relevant authorities.	Applies to State, excluding specified land under Parramatta LEP and Perth LEP  Consistent
26	<b>Littoral Rainforests</b>	Seeks to protect littoral rainforests from development.	<b><i>Does not apply to Auburn LGA</i></b>
29	<b>Western Sydney Recreation Area</b>	To enable the carrying out of development for recreational, sporting and cultural purposes within the Western Sydney Recreation Area	<b><i>Does not apply to Auburn LGA</i></b>  Applies to land within Western Sydney Parklands - Eastern Creek, Prospect, Horsley Park and Hoxton Park
30	<b>Intensive Agriculture</b>	Requires development consent and additional requirements for cattle feedlots and piggeries.	Applies to the State.  Consistent

No.	Title	Summary	Application
32	<b>Urban Consolidation</b>	Seeks to facilitate surplus urban land redevelopment for multi-unit housing and related development in a timely manner.	Applies to all urban land, except Western Sydney Parklands under that SEPP.  Consistent
33	<b>Hazardous and Offensive Development</b>	Seeks to provide additional support and requirements for hazardous and offensive development	Applies to the State.  Consistent
36	<b>Manufactured Home Estates</b>	Seeks to facilitate the establishment of manufactured home estates as a contemporary form of residential housing.	<b><i>Does not apply to Auburn LGA.</i></b>  <b><i>Applies to land outside the Sydney Region.</i></b>
39	<b>Spit Island Bird Habitat</b>	Seeks to enable development for the purposes of creating and protecting bird habitat.	<b><i>Does not apply to Auburn LGA.</i></b>  Applies to land comprising Spit Island, Towra Point and Kurnell
41	<b>Casino Entertainment Complex</b>	Seeks to further the development of Sydney area as a world class tourist destination	<b><i>Does not apply to the Auburn LGA.</i></b>  Applies to the City of Sydney.
44	<b>Koala Habitat Protection</b>	Seeks to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas	<b><i>Does not apply to the Auburn LGA.</i></b>  Auburn LGA not listed in Schedule 1
47	<b>Moore Park Showground</b>	Seeks to enable redevelopment of Moore Park Showground consistent with its status as being of State and regional planning importance.	<b><i>Does not apply to the Auburn LGA</i></b>
50	<b>Canal Estate Development</b>	Prohibits canal estate development	Applies to the State, except Penrith Lakes.  Consistent

No.	Title	Summary	Application
52	<b>Farm Dams and other works in land management areas</b>	Requires environmental assessment under Part 4 of the EPA for artificial water bodies carried out under farm plans that implement land and water management plans.	<b><i>Does not apply to the Auburn LGA</i></b>
55	<b>Remediation of Land</b>	Provides a Statewide planning approach for the remediation of contaminated land.	<p>Applies to the State</p> <p>Consistent</p> <p>The planning proposal is consistent as the development of the subject site and surrounds are subject to staged development and remediation of land for residential uses as part of stage 1 DA approval for the FLHS.</p> <p>The subject site is already remediated and has a site audit statement issued. Any other details will assess under the development assessment stage.</p>
59	<b>Central Western Sydney Regional Open Space and Residential</b>	To provide for residential development on suitable land as identified in the Policy to assist in accommodating the projected population growth of Western Sydney	<p><b><i>Does not apply to the Auburn LGA</i></b></p> <p>Applies to land identified as Regional Open Space Zone and Residential Zone within the Western Sydney Parklands</p>
60	<b>Exempt and Complying Development</b>	Seeks to provide for exempt development and complying development in certain local government areas that have not provided for those types of development through a local environmental plan	<p><b><i>Does not apply to the Auburn LGA (clause 1.9)</i></b></p> <p>Applies to the state, except as provided by the policy and excludes Mt Kosciusko.</p> <p>Applies to land to which SREP 24 applies – refer to <i>State Environmental Planning Policy (Major Development) Amendment (Sydney Olympic Park) 2009 Land Application Map</i>.</p>

No.	Title	Summary	Application
62	<b>Sustainable Aquaculture</b>	Seeks to encourage and regulate sustainable aquaculture development	Applies to the State  Consistent
64	<b>Advertising and Signage</b>	Seeks to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	Applies to the State  Consistent
65	<b>Design Quality of Residential Flat Development</b>	Seeks to improve the design qualities of residential flat building development in New South Wales.	Applies to the State, excluding Kosciusko SEPP area  Consistent – May need to be considered further in detail at the DA stage
70	<b>Affordable Housing (Revised Schemes)</b>	Seeks to insert affordable housing provisions into EPIs and to address expiry of savings made by EP&A Amendment (Affordable Housing) Act 2000.	<b>Does not apply to Auburn LGA.</b>  Applies to land within the Greater Metropolitan Region. Specifically mentions Ultimo/Pymont precinct, City of Willoughby and Green Square.
71	<b>Coastal Protection</b>	Seeks to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast.	<b>Does not apply to Auburn LGA.</b>  Applies to land within the coastal zone, as per maps of SEPP.
	<b>Affordable Rental Housing</b>	To provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	Applies to the State  Consistent
	<b>Building Sustainability Index: BASIX 2004</b>	The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State	Applies to State  Consistent – to be considered further at DA stage

No.	Title	Summary	Application
	<b>Exempt and Complying Development Codes 2008</b>	Seeks to provide streamlined assessment process for development that complies with specified development standards.	Applies to the State.  Excludes land within Kosciuszko National Park, Western Sydney Parklands SEPP and land within 18kms of ANU land at Siding Spring.  Consistent
	<b>Housing for Seniors or People with a Disability 2004</b>	Seeks to encourage the provision of housing to meet the needs of seniors or people with a disability.	Applies to the State - Land that is zoned primarily for urban purposes or adjoins such land, and as per the conditions specified in the SEPP.  Consistent
	<b>Infrastructure 2007</b>	The aim of this Policy is to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.	Applies to the State  Consistent
	<b>Kosciuszko National Park – Alpine Resorts 2007</b>	Seeks to protect and enhance the natural environment of the alpine resorts area.	<b>Does not apply to Auburn LGA.</b>  Applies only to specified land within Kosciuszko National Park, Kosciuszko Road and Alpine Way.
	<b>Kurnell Peninsula 1989</b>		<b>Does not apply to Auburn LGA.</b>  Applies to the land within Sutherland Shire known as Kurnell Peninsula. Excludes some land under SSLEP 2006.
No.	Title	Summary	Application

	<b>Major Development 2005</b>	Aims to facilitate the development or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.	Applies to transitional Part 3A projects within the State, subject to Schedule 6A of the EP&A Act.  Consistent
	<b>Mining, Petroleum and Extractive Industries 2007</b>	Seeks to provide for the proper management and development of mineral, petroleum and extractive material resources	Applies to the State including coastal waters  Consistent
	<b>Rural Lands 2008</b>	Seeks to facilitate the orderly and economic use and development of rural lands for rural and related purposes	<b><i>Does not apply to the Auburn LGA.</i></b>
	<b>SEPP 53 Transitional Provisions 2011</b>	Aim is to enact transitional provisions consequent on the repeal of State Environmental Planning Policy No 53— Metropolitan Residential Development.	<b><i>Does not apply to the Auburn LGA.</i></b>  Applies to land within the Ku-ring-gai local government area.
	<b>State and Regional Development 2011</b>	Aims to identify State significant development and State significant infrastructure. Also to confer functions on joint regional planning panels to determine development applications.	Applies to the State  Consistent
	<b>Sydney Drinking Water Catchment 2011</b>	Aims to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal.	<b><i>Does not apply to the Auburn LGA</i></b>  Applies to land within the Sydney drinking water catchment.
No.	Title	Summary	Application

	<b>Sydney Region Growth Centres 2006</b>	Aims to co-ordinate the release of land for development in the North West and South West Growth Centres.	<b><i>Does not apply to Auburn LGA.</i></b>  Applies to all land in a 'growth centre' (North West Growth Centre or the South West Growth Centre)
	<b>Temporary Structures and Places of Public Entertainment</b>	To encourage protection of the environment at the location/vicinity of temporary structures by managing noise, parking and traffic impacts and ensuring heritage protection	Applies to the State.  Consistent
	<b>State Environmental Planning Policy (Urban Renewal) 2010</b>	To facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts	<b><i>Does not apply to Auburn LGA.</i></b>  Applies to land within a potential precinct – land identified as a potential urban renewal precinct. This includes Redfern-Waterloo, Granville and Newcastle.
	<b>State Environmental Planning Policy (Western Sydney Employment Area) 2009</b>	To promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development	<b><i>Does not apply to Auburn LGA.</i></b>  Applies to land within Penrith, Blacktown, Holroyd and Fairfield LGAs. Refer to <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009 Land Application Map.</i>
	<b>Western Sydney Parklands</b>	Seeks to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region.	<b><i>Does not apply to the Auburn LGA.</i></b>  Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton)

## State Regional Environmental Plans (SREPS or deemed SEPPs)

No	Title	Summary	Application
5	<b>Chatswood Town Centre</b>	Seeks to facilitate development of land within the Chatswood Town Centre.	<b>Does not apply to the Auburn LGA.</b> Applies to Chatswood Town Centre.
8	<b>Central Coast Plateau</b>	Seeks to implement the state's urban consolidation policy.	<b>Does not apply to the Auburn LGA.</b> Applies to nominated land in the NSW Central Coast.
9	<b>Extractive Industry No. 2 1995</b>	Seeks to facilitate development of extractive industries in proximity to the population of the Sydney Metropolitan Area.	<b>Does not apply to the Auburn LGA.</b> Applies to LGAs listed in Schedule 4 of the SREP.
11	<b>Penrith Lakes</b>	Seeks to permit implementation of the Penrith Lakes Scheme	<b>Does not apply to the Auburn LGA.</b> Applies to the Penrith Lakes area.
16	<b>Walsh Bay</b>	Seeks to regulate the use and development of the Walsh Bay area.	<b>Does not apply to the Auburn LGA.</b> Applies to land within the City of Sydney and within Sydney Harbour.
18	<b>Public transport corridors</b>	Seeks to protect provision for future public transport facilities.	<b>Does not apply to the Auburn LGA.</b> Applies to the Fairfield, Parramatta, Holroyd and Baulkham Hills LGAs.
19	<b>Rouse Hill Development Area</b>	Seeks to provide for the orderly and economic development of the RHDA.	<b>Does not apply to the Auburn LGA.</b> Applies to area defined by policy. Note: Rouse Hill is in The Hills and Blacktown LGAs.
20	<b>Hawkesbury Napean</b>	Seeks to protect the Hawkesbury-Napean River System.	<b>Does not apply to the Auburn LGA.</b> Applies to certain LGAs within Greater Metropolitan Region.
24	<b>Homebush Bay Area</b>	Seeks to encourage the coordinated and environmentally sensitive development of the Homebush Bay area	<b>Does not apply to land to which ALEP 2010 applies (clause 1.9).</b>  Applies to rest of Auburn LGA – refer to <i>State Environmental Planning Policy (Major Development) Amendment (Sydney Olympic Park) 2009 Land Application Map.</i>  Consistent

No	Title	Summary	Application
25	<b>Orchard Hills</b>	Seeks to protect the prime agricultural land of Orchard Hills.	<b>Does not apply to the Auburn LGA.</b>  Applies to land within the City of Penrith
26	<b>City West</b>	Seeks to promote the orderly and economic use and development of land within City West	<b>Does not apply to the Auburn LGA.</b>  Applies to land shown as City West area (Pyrmont and Ultimo).
28	<b>Parramatta</b>	Seeks to establish regional planning aims for the Parramatta Primary Centre	<b>Does not apply to the Auburn LGA.</b>  Applies to land known as Parramatta Primary Centre (within Parramatta City Council and City of Holroyd).
30	<b>St Marys</b>	Seeks to support the redevelopment of St Marys by providing a framework for sustainable development.	<b>Does not apply to the Auburn LGA.</b>  Applies to specified land within the Blacktown and Penrith LGAs.
33	<b>Cooks Cove</b>	Seeks to regulate development of the Cooks Cove site	<b>Does not apply to the Auburn LGA.</b>  Applies to land specified as Cooks Cove in the suburb of Arncliffe (Rockdale LGA).
	<b>Sydney Harbour Catchment</b>	Seeks to ensure the catchment, foreshores, waterways and islands of Sydney Harbour are recognized, protected, enhanced and maintained.	Applies to all land identified on Sydney Harbour Catchment Map (includes Auburn LGA)  Consistent

## Appendix 7 - Community Consultation

Date received	Author	Address	Key issues	Response
12 June 2012	Dat Tran Planner SOPA	Lot 16 and 17 Joseph Street, Lidcombe	<ul style="list-style-type: none"> <li>No comment on planning proposal application after review</li> </ul>	<ul style="list-style-type: none"> <li>Noted</li> </ul>
14 June 2012	Xingliang Zhu	17 Ironbark Crescent, Lidcombe	<p>Objects to the proposed planning proposal and raises issues below:</p> <ul style="list-style-type: none"> <li>The land proposed by the planning proposal is located right next to the church and the commercial precinct;</li> <li>The proposed development has 28 rooms enough for 56 people and has proposed only 29 car spaces, which include 4-visitor car parking.</li> <li>The current residential area does not have the capability to accommodate more car parking requirements.</li> <li>The single only traffic light towards the Joseph Street Lidcombe cannot cope with current traffic during peak time and already congested Botanica Precinct with narrow streets will be burdened by higher density rezoning from medium density.</li> </ul>	<p><b>Traffic concerns:</b></p> <ul style="list-style-type: none"> <li>The proposed development is a low rise, two storey development comprising 18 units. It is not considered that a development of this scale will result in significant traffic congestion, or exacerbate existing traffic conditions.</li> <li>Further, the proposed development is a sensitive and specific design response to the significant heritage context of the subject land and its immediate surrounds.</li> </ul> <p><b>Parking:</b></p> <ul style="list-style-type: none"> <li>The car parking requirements for 25 resident and 4 visitor car parking spaces proposed for the 10x2 bedroom and 8x1 bedroom two storey residential flat building development complies with section 4.4.1 provisions under Parking and Loading Part of the Auburn DCP 2010.</li> </ul>

Date received	Author	Address	Key issues	Response
Signed Petition (duplicate submitted for same location signed by the same persons)				
15 June 2012	Signed by Ms C.K Ko, M.H So, C.T Ko, T. Phan, E.L Liu and M. Phan	35 Botanica Drive, Lidcombe	<p>Has lodged a duplicate submission for the property and objects to the proposed residential flat building development by the applicant. Main concerns expressed were</p> <ul style="list-style-type: none"> <li>• that the proposed development would increase more residence, households, buildings and more cars parked alongside of the road which will change the quality and feel of the Botanica residential precinct and decrease the use of open space for families; and</li> <li>• That the development would decrease the use of open space for families and locals who living in the precinct and their standard of living.</li> </ul>	<p><b>Population, household increases:</b></p> <ul style="list-style-type: none"> <li>• The proposed development will result in a relatively minor increase in population than if the subject land was otherwise developed as townhouses under the R3 Medium Density Residential zone. The planning proposal application seeks a modest increase in the FSR (0.5:1 to 1.2:1) and maximum height of building development standards (9 metres to 10 metres). These increases are sought so that a more appropriate built form, in this case, a residential flat building, can be provided in response to the site's surrounding significant heritage context.</li> <li>• It is considered that the relatively small population increase that will result will have a negligible impact on the open space available within the Botanica estate.</li> </ul> <p><b>Traffic concerns:</b></p> <ul style="list-style-type: none"> <li>• The proposed development is a low rise, two storey development comprising 18 units. It is not considered that a development of this scale will result in significant traffic</li> </ul>

				<p>congestion, or exacerbate existing traffic conditions.</p> <ul style="list-style-type: none"> <li>Further, the proposed development is a sensitive and specific design response to the significant heritage context of the subject land and its immediate surrounds.</li> </ul> <p><b>Parking:</b></p> <ul style="list-style-type: none"> <li>The car parking requirements for 25 resident and 4 visitor car parking spaces proposed for the 10x2 bedroom and 8x1 bedroom two storey residential flat building development complies with section 4.4.1 provisions under Parking and Loading Part of the Auburn DCP 2010.</li> </ul> <p><b>Concerns about introduction of apartments:</b></p> <ul style="list-style-type: none"> <li>Although the Planning Proposal Application seeks an R4 High Density Residential zoning under Auburn LEP 2010, the development proposed for the subject site is two storeys, and thus fits within the Department of Planning and Infrastructure’s “low rise” building terminology (refer to previous page of this report). A two storey building is not considered to be out of scale or character with development (both new and existing) within the Botanica estate.</li> </ul>
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				<ul style="list-style-type: none"> <li>The proposed development is considered to be a deliberate architectural response to the subject land's heritage context and surrounding buildings of heritage significance. Specifically, the proposed development is considered to be a highly appropriate architectural response to the relatively "blocky" built forms of Buildings 34 and 35, and the adjacent Hall/Chapel. Further, in line with the specialist heritage advice included in the application (provided by Godden Mackay Logan), the proposed development is considered to be the most appropriate design response to satisfy the conservation policies (detailed in Section 6.4.6 of the Conservation Management Plan) for new development within this heritage precinct.</li> </ul>
Date received	Author	Address	Key issues	Response
<ul style="list-style-type: none"> <li>Signed Petition</li> </ul>				
15 June 2012	Signed by Ms C.K Ko, M.H So, C.T Ko, T. Phan, E.L Liu and M. Phan	5 Magnolia Avenue, Lidcombe	Same issues addressed as per previous signed petition	<p><b>Population and household increases:</b></p> <ul style="list-style-type: none"> <li>The proposed development will result in a relatively minor increase in population than if the subject land was otherwise developed as townhouses under</li> </ul>

				<p>the R3 Medium Density Residential zone. The planning proposal application seeks a modest increase in the FSR (0.5:1 to 1.2:1) and maximum height of building development standards (9 metres to 10 metres). These increases are sought so that a more appropriate built form, in this case, a residential flat building, can be provided in response to the site's surrounding significant heritage context.</p> <ul style="list-style-type: none"> <li>It is considered that the relatively small population increase that will result will have a negligible impact on the open space available within the Botanica estate.</li> </ul> <p><b>Traffic concerns:</b></p> <ul style="list-style-type: none"> <li>The proposed development is a low rise, two storey development comprising 18 units. It is not considered that a development of this scale will result in significant traffic congestion, or exacerbate existing traffic conditions.</li> <li>Further, the proposed development is a sensitive and specific design response to the significant heritage context of the subject land and its immediate surrounds.</li> </ul> <p><b>Parking:</b></p>
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				<ul style="list-style-type: none"> <li>• The car parking requirements for 25 resident and 4 visitor car parking spaces proposed for the 10x2 bedroom and 8x1 bedroom two storey residential flat building development complies with section 4.4.1 provisions under Parking and Loading Part of the Auburn DCP 2010.</li> </ul> <p><b>Concerns about introduction of apartments:</b></p> <ul style="list-style-type: none"> <li>• Although the Planning Proposal Application seeks an R4 High Density Residential zoning under Auburn LEP 2010, the development proposed for the subject site is two storeys, and thus fits within the Department of Planning and Infrastructure’s “low rise” building terminology (refer to previous page of this report). A two storey building is not considered to be out of scale or character with development (both new and existing) within the Botanica estate.</li> <li>• The proposed development is considered to be a deliberate architectural response to the subject land’s heritage context and surrounding buildings of heritage significance. Specifically, the proposed development is</li> </ul>
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				<p>considered to be a highly appropriate architectural response to the relatively “blocky” built forms of Buildings 34 and 35, and the adjacent Hall/Chapel. Further, in line with the specialist heritage advice included in the application (provided by Godden Mackay Logan), the proposed development is considered to be the most appropriate design response to satisfy the conservation policies (detailed in Section 6.4.6 of the Conservation Management Plan) for new development within this heritage precinct.</p>
Date received	Author	Address	Key issues	Response
16 June 2012	Katina Velkou	4/33 Pepper Tree Road, Lidcombe.	<ul style="list-style-type: none"> <li>• have raised concerns whether parking has been planned for the area;</li> <li>• The area is close to the proposed commercial area of the FLHS;</li> <li>• The area is close to the Korean Church, which on the one occasion it operated caused parking mayhem in Botanica and grid locked cars attempting to leave Botanica at the conclusion of church services.</li> <li>• Existing Streets are already overcrowded with parked cars;</li> <li>• “With cars parked on either side of the street it is too narrow for two cars to park this can also be dangerous with children running out from between parked cars into oncoming cars”;</li> <li>• Concerned about changing the feel of Botanica with the introduction of the residential apartments where the precinct has houses currently. The increased density will affect everyone’s</li> </ul>	<p><b>Parking:</b></p> <ul style="list-style-type: none"> <li>• The car parking requirements for 25 resident and 4 visitor car parking spaces proposed for the 10x2 bedroom and 8x1 bedroom two storey residential flat building development complies with section 4.4.1 under Parking and Loading Part of the Auburn DCP 2010.</li> </ul> <p><b>Traffic concerns:</b></p> <ul style="list-style-type: none"> <li>• The proposed development is a low rise, two storey development comprising 18 units. It is not considered that a development of this scale will result in significant traffic congestion, or</li> </ul>

			<p>peaceful enjoyment of the area.</p>	<p>exacerbate existing traffic conditions.</p> <ul style="list-style-type: none"> <li>Further, the proposed development is a sensitive and specific design response to the significant heritage context of the subject land and its immediate surrounds.</li> </ul> <p><b>Concerns about introduction of apartments:</b></p> <ul style="list-style-type: none"> <li>Although the Planning Proposal Application seeks an R4 High Density Residential zoning under Auburn LEP 2010, the development proposed for the subject site is two storeys, and thus fits within the Department of Planning and Infrastructure’s “low rise” building terminology (refer to previous page of this report). A two storey building is not considered to be out of scale or character with development (both new and existing) within the Botanica estate.</li> <li>The proposed development is considered to be a deliberate architectural response to the subject land’s heritage context and surrounding buildings of heritage significance. Specifically, the proposed development is considered to be a highly appropriate architectural response to the relatively “blocky” built forms of</li> </ul>
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				Buildings 34 and 35, and the adjacent Hall/Chapel. Further, in line with the specialist heritage advice included in the application (provided by Godden Mackay Logan), the proposed development is considered to be the most appropriate design response to satisfy the conservation policies (detailed in Section 6.4.6 of the Conservation Management Plan) for new development within this heritage precinct.
Date received	Author	Address	Key issues	Response
10 July 2012	Mehmet Ayata	2 Sussex Street, Lidcombe	<ul style="list-style-type: none"> <li>• Objects to extra addition of people , vehicles, noise and pollution</li> <li>• proposes future changes to Botanica Estate original masterplan;</li> <li>• Creates traffic and parking issues;</li> <li>• Not meeting the dwelling target requirements of the FLHS precinct's original masterplan; and</li> <li>• Addition of housing units to gain extra profits and accommodate more people.</li> </ul>	<p><b>Population and household increases:</b></p> <ul style="list-style-type: none"> <li>• The proposed development will result in a relatively minor increase in population than if the subject land was otherwise developed as townhouses under the R3 Medium Density Residential zone. The planning proposal application seeks a modest increase in the FSR (0.5:1 to 1.2:1) and maximum height of building development standards (9 metres to 10 metres). These increases are sought so that a more appropriate built form, in this case, a residential flat building, can be provided in response to the site's surrounding</li> </ul>

				<p>significant heritage context.</p> <ul style="list-style-type: none"> <li>It is considered that the relatively small population increase that will result will have a negligible impact on the open space available within the Botanica estate.</li> </ul> <p><b>Traffic concerns:</b></p> <ul style="list-style-type: none"> <li>The proposed development is a low rise, two storey development comprising 18 units. It is not considered that a development of this scale will result in significant traffic congestion, or exacerbate existing traffic conditions.</li> <li>Further, the proposed development is a sensitive and specific design response to the significant heritage context of the subject land and its immediate surrounds.</li> </ul>
Date received	Author	Address	Key issues	Response
10 July 2012	Yenny Saring	15 Ironbark Crescent, Lidcombe	<ul style="list-style-type: none"> <li>Infrastructure of Botanica does not fit and will not cater for a 'high density' residential zone; and</li> <li>High density area generates more noise and traffic congestion.</li> </ul>	<p><b>Concerns about introduction of apartments:</b></p> <ul style="list-style-type: none"> <li>Although the Planning Proposal Application seeks an R4 High Density Residential zoning under Auburn LEP 2010, the development proposed for the subject site is two storeys, and thus fits within the Department of Planning and Infrastructure's "low rise" building terminology (refer to</li> </ul>

				<p>previous page of this report). A two storey building is not considered to be out of scale or character with development (both new and existing) within the Botanica estate.</p> <ul style="list-style-type: none"> <li>The proposed development is considered to be a highly appropriate architectural response to the relatively “blocky” built forms of Buildings 34 and 35, and the adjacent Hall/Chapel. Further, in line with the specialist heritage advice included in the application (provided by Godden Mackay Logan), the proposed development is considered to be the most appropriate design response to satisfy the conservation policies (detailed in Section 6.4.6 of the Conservation Management Plan) for new development within this heritage precinct.</li> </ul> <p><b>Traffic concerns:</b></p> <ul style="list-style-type: none"> <li>The proposed development is a low rise, two storey development comprising 18 units. It is not considered that a development of this scale will result in significant traffic congestion, or exacerbate existing traffic conditions.</li> <li>Further, the proposed development is a sensitive and specific design response to</li> </ul>
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Date received	Author	Address	Key issues	Response
12 July 2012	C. Wong and L. Wong	36 College Street, Lidcombe	<ul style="list-style-type: none"> <li>• Introducing residential apartments to the precinct will devalue existing residential properties and cheapen the reputation of Botanica as a middle to high class housing estate within the LGA;</li> <li>• Has currently issues with regards to high density traffic and insufficient parking within Botanica;</li> <li>• The shortage of car parking will become evident when the Onnuri church becomes operational;</li> <li>• Introduction of residential apartments to Botanica is not acceptable and inconsistent with the existing aesthetics of the precinct;</li> <li>• High density housing with the lack of adequate facilities will make the area more crowded and unpleasant to the residents;</li> <li>• Disagrees that the proposed development does not create precedence as per the DA;</li> <li>• Should concentrate on improving existing facilities such as provision of adequate car parking, amenities footpaths and cycle paths.</li> </ul>	<p>the significant heritage context of the subject land and its immediate surrounds.</p> <p><b>Concerns about introduction of apartments:</b></p> <ul style="list-style-type: none"> <li>• Although the Planning Proposal Application seeks an R4 High Density Residential zoning under Auburn LEP 2010, the development proposed for the subject site is two storeys, and thus fits within the Department of Planning and Infrastructure's "low rise" building terminology (refer to previous page of this report). A two storey building is not considered to be out of scale or character with development (both new and existing) within the Botanica estate.</li> <li>• The proposed development is considered to be a highly appropriate architectural response to the relatively "blocky" built forms of Buildings 34 and 35, and the adjacent Hall/Chapel. Further, in line with the specialist heritage advice included in the application (provided by Godden Mackay Logan), the proposed development is considered to be the most appropriate design response to satisfy the</li> </ul>

				<p>conservation policies (detailed in Section 6.4.6 of the Conservation Management Plan) for new development within this heritage precinct.</p> <p><b>Parking:</b></p> <ul style="list-style-type: none"> <li>The car parking requirements for 25 resident and 4 visitor car parking spaces proposed for the 10x2 bedroom and 8x1 bedroom two storey residential flat building development complies with section 4.4.1 under Parking and Loading Part of the Auburn DCP 2010.</li> </ul>
13 July 2012	Dr James Garner	43 Botanica Drive, Lidcombe	<ul style="list-style-type: none"> <li>The key photos, maps and renderings used for the application has failed to show the impact on the street configuration and density of the proposed building ;</li> <li>There are already exemplar building styles that can be used for the proposed development; (namely Pepper Tree Road Betty Cuthbert Drive);</li> <li>Disagree on the evaluation of the land that the LEP is likely to create precedence or change the expectations of land owners;</li> <li>The proposed development is repetitive, out of character does not respond to the context;</li> <li>The importance of the public reserve adjoining the site is over stated as a design consideration for the proposed development;</li> <li>Disagree on the ability of the existing infrastructure to support the subject site because its locality next to the existing Church the proposed commercial and retail precinct;</li> <li>Disagree with changes to car distances travelled by people. The local public bus does not pass or is frequent enough to use it as a viable regular transport method;</li> </ul>	<p><b>Concerns about introduction of apartments:</b></p> <ul style="list-style-type: none"> <li>Although the Planning Proposal Application seeks an R4 High Density Residential zoning under <i>Auburn LEP 2010</i>, the development proposed for the subject site is two storeys, and thus fits within the Department of Planning and Infrastructure’s “low rise” building terminology (refer to previous page of this report). A two storey building is not considered to be out of scale or character with development (both new and existing) within the Botanica estate.</li> <li>The proposed development is considered to be a highly appropriate architectural response</li> </ul>

			<ul style="list-style-type: none"> <li>• Overshadowing and energy efficient goals of the development could result due the narrowness of existing Sussex Street and high elevation of the proposed development;</li> <li>• Overall the residential amenity is affected. The proposed FSR should not increase more than 0.75:1 in keeping with the R3 Medium Density Residential character of Botanica.</li> </ul>	<p>to the subject land's heritage context and surrounding buildings of heritage significance. Specifically the proposed development is considered to be a highly appropriate architectural response to the relatively "blocky" built forms of Buildings 34 and 35, and the adjacent Hall/Chapel. Further, in line with the specialist heritage advice included in the application (provided by Godden Mackay Logan), the proposed development is considered to be the most appropriate design response to satisfy the conservation policies (detailed in Section 6.4.6 of the Conservation Management Plan) for new development within this heritage precinct.</p>
Date received	Author	Address	Key issues	Response
13 July 2012	Elizabeth J. Frey	5 Turpentine Avenue Place Lidcombe	<ul style="list-style-type: none"> <li>• The roads in the Botanica estate are narrow and are being congested by residents who choose to park in front of their houses;</li> <li>• Sussex Street and Cobden Park Crescent have opened a number of drivers who don't adhere to indicate or give way for pedestrians, especially seniors, to walk about currently there are no give way signs in the area.</li> </ul>	<p><b>Traffic congestion:</b></p> <ul style="list-style-type: none"> <li>• The proposed development is a low rise, two storey development comprising 18 units. It is not considered that a development of this scale will result in significant traffic congestion, or exacerbate existing traffic conditions.</li> <li>• Further, the proposed development is a sensitive and specific design response to</li> </ul>

				the significant heritage context of the subject land and its immediate surrounds.
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## Appendix 8 - Map showing notification area

