

Berala Village Rezoning

Planning Proposal PP- 4/2014

Proposal to rezone certain land and amend principal development controls applying to Berala Village, Berala.



August 2014

Report history

Date	Status
16/07/2014	Council resolution to prepare planning proposal to undertake rezoning and amend <i>ALEP 2010</i> with associated development controls.
	Planning Proposal lodged at Gateway
	Planning Proposal reported at Council
	Planning Proposal exhibition commenced
	Planning Proposal exhibition ended

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1 Introduction

1.1 Executive Summary

This application for a planning proposal contains an explanation of the intended effect and justification for a proposed amendment to the *Auburn Local Environmental Plan 2010 (ALEP 2010)*. The planning proposal has been prepared in accordance with section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and the relevant Department of Planning and Environment guidelines including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

The planning proposal seeks an amendment to up-zone certain residential land within the Berala Village (blocks a to m), under *ALEP 2010* as follows (see also Figure a over page):

Blocks to be rezoned in Berala Village	Land Zoning (LZN)		Floor Space Ratio (FSR)		Height of Buildings (HoB) in metres (m)		Minimum Lot Size (LSZ) in square metres (m ²)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
A	R4 High Density Residential zone	B2 Local Centre zone	2:1	3:1	20m	21m	No minimum lot size	No minimum lot size
B	R3 Medium Density Residential zone	B2 Local Centre zone	0.75:1	3:1	9m	21m	No minimum lot size	No minimum lot size
C	R3 Medium Density Residential zone	B2 Local Centre zone	0.75:1	3:1	9m	21m	No minimum lot size	No minimum lot size
D	R2 Low Density Residential zone	B2 Local Centre zone	No FSR	3:1	9m	21m	450m ²	No minimum lot size
E	R3 Medium Density Residential zone	B2 Local Centre zone	0.75:1	3:1	9m	21m	No minimum lot size	No minimum lot size
F *	R3 Medium Density Residential zone	B2 Local Centre zone (hatched area)	0.75:1	1.7:1	9m	18m	No minimum lot size	No minimum lot size
G	R3 Medium Density Residential zone	R4 High Density Residential zone	0.75:1	1.7:1 (2:1 on corner lots)	9m	18m (20m on corner lots)	No minimum lot size	No minimum lot size

	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
H	R3 Medium Density Residential zone	R4 High Density Residential and	0.75:1	1.7:1 (2:1 on corner lots)	9m	18m (20m on corner lots)	No minimum lot size	No minimum lot size
I	R2 Low Density Residential zone	R4 High Density Residential zone	No FSR	1.7:1 (2:1 on corner lots)	9m	18m (20m on corner lots)	450m ²	No minimum lot size
J	R3 Medium Density Residential zone	R4 High Density Residential zone	0.75:1	1.7:1 (2:1 on corner lots)	9m	18m (20m on corner lots)	No minimum lot size	No minimum lot size
K	R2 Low Density Residential zone	R3 Medium Density Residential zone	No FSR	0.75:1	9m	No change to HoB (9m)	450m ²	No minimum lot size
L	R2 Low Density Residential zone	R3 Medium Density Residential zone	No FSR	0.75:1	9m	No change to HoB (9m)	450m ²	No minimum lot size
M	R2 Low Density Residential zone	R3 Medium Density Residential zone	No FSR	0.75:1	9m	No change to HoB (9m)	450m ²	No minimum lot size

Figure a – Summary map



This planning proposal also seeks to amend the Height of Building (HOB) and Floor Space Ratio (FSR) controls in conjunction with the proposed rezoning. The proposed amendment is described in detail in section 2 of this report.

1.2 Purpose of the report

This planning proposal has been prepared in response to a resolution of Council at its meeting of 16 July 2014 [item 195/14]. The Council meeting business paper and resolution are attached as Appendix A.

Resolved on 16 July 2014 [Item 195/14]:

1. *That Council receive and note the further study (by Hill PDA) of Berala Village;*
2. *That Council incorporate the further study of Berala into the draft Berala Village Study, and adopt the Berala Village study;*
3. *That Council prepare a planning proposal to undertake rezoning of land within Berala Village, and the associated amendments to the ALEP 2010 heights and FSR controls as per Attachment 1 of this report; and*
4. *That Council place the draft planning proposal on public exhibition, and report the outcomes of this exhibition to Council, after submitting it to the Department of Planning and Environment's Gateway Process.*

1.3 Background to Berala Village Study

On 12 May 2010, Council resolved to:

'.....immediately prepare a planning study of Berala Town [sic] Centre and the surrounding Berala residential area to determine what opportunities exist to revitalise the town centre and to provide new residential housing opportunities in the surrounding area'.

In response to this resolution of Council, the draft Berala Village Study was prepared by Council's Strategy Team. The focus of the draft study was to:

- identify opportunities to revitalise and improve Berala;
- inform Council's strategic planning, particularly Council's Delivery Program/Operational Plan, and inter agency initiatives;
- bring together information which will inform the future upgrade of Berala's main street area; and
- consider which building types and heights are suitable for Berala in the future.

During the preparation of the draft study, extensive community engagement was undertaken with the community (July 2011), particularly their views of what types of development they wanted to see in Berala in the future, and what they would like to see in a public domain upgrade of the Berala village main street area.

On completion, the draft study was endorsed by Council (April 2012) for public exhibition (28 days). The exhibition period was extended to enable further consultation with non-resident property owners, in response to a Council resolution in July 2012.

After considering the draft Berala Village study at a Councillor workshop (February 2013), Council resolved (20 March 2013 [Item 069/13]) to:

‘.....undertake a further study of the B2 commercial zoning area of the Berala Town [sic] Centre and surrounding area’.

To address this resolution of Council, a further study of Berala was undertaken by consultants on behalf of Council.

Consultant Engagement

In response to Council’s resolution of 20 March 2013 [Item 069/13] to undertake a further study of Berala, specialist economic consultants, Hill PDA, were appointed through a select tender process to undertake this work.

The purpose of this further study was to provide Council with economic advice about the suitability of the development controls applying to the Berala Village study area. Specifically, this study tested whether the existing planning controls that apply to Berala were sufficient, from a development feasibility perspective, to promote renewal and revitalisation within Berala. A copy of the study is attached as Appendix B.

In preparing this economic study, Hill PDA undertook market research on the scale and scope of demand for various uses within the study area. This research found:

- In recent years, demand for housing within Auburn City has been growing and spreading geographically from Lidcombe to Berala. This growth has led to a 12% increase in median house prices and a 6% increase in median apartment prices in Berala between June 2012 and June 2013.
- In terms of commercial uses, the food and other commercial uses in Berala have strengthened, as a result of the opening of Woolworth’s supermarket. The research also found that commercial uses in Berala are limited to local services such as real estate agencies, banks and medical centres (which typically seek to locate on the ground floor) and that there was limited to nil demand for commercial office space above ground floor level.

2 Existing situation

2.1 Land to which the proposal applies

The planning proposal applies to certain R4 High Density Residential, R3 Medium Density Residential, and R2 Low Density Residential lots within the Berala Village.

2.2 Study area description

The study area includes certain R4 High Density Residential, R3 Medium Density Residential, and R2 Low Density Residential lots within the Berala Village. The property description is provided in Table 1 as Appendix C. The affected lots are marked as blocks a to m in Figure 1 on page 9.

The current planning controls and uses of the affected blocks are as follows:

Block a is located north of Nicol Lane between Elizabeth Street and Nicol Lane, as far north as Clarke St. The land is zoned R4 High Density Residential in the *ALEP 2010*. The existing floor space ratio is 2:1 and the height of building control is 20m with no minimum lot size requirement. This block consists of residential flat buildings.

Block b is located west of Elizabeth Street, and north of Lidbury Street, and south of Clarke Street. The land is zoned R3 Medium Density Residential in the *ALEP 2010*. The existing floor space ratio is 0.75:1 and the height of building control is 9m with no minimum lot size requirement. The block predominantly faces Elizabeth Street. This block consists of single dwellings and town houses.

Block c is located south of Lidbury Street (between Lidbury and York Streets) and west of Elizabeth Street and east of York Park. The land is zoned R3 Medium Density Residential in the *ALEP 2010*. The existing floor space ratio is 0.75:1 and the height of building control is 9m with no minimum lot size requirement. This block consists of a mixture of single and residential flat building dwellings.

Block d is located south of York Street, east of Wrights Ave and west of the railway line. The land is zoned R2 Low Density Residential in the *ALEP 2010*. The existing height of building control is 9m and minimum lot size requirement of 450sq.m with no floor space ratio. The railway line forms the boundary of the eastern side of the block. This block consists of single residential dwellings.

Block e is located south of the railway line - west of Burke Avenue and south of Campbell Street. The land is zoned R3 Medium Density Residential in *ALEP 2010*. The existing floor space ratio is 0.75:1 and height of building control of 9m with no minimum lot size requirement. This block falls on the corner of Burke Avenue and Campbell Street. The block predominantly faces Burke Avenue. This block consists of single residential dwellings.

Block f is located at east of the laneway (east of Burke Street) fronting Campbell Street as far as Berala Street. The land is zoned R3 Medium Density Residential in

ALEP 2010. The existing floor space ratio is 0.75:1 and height of building control is 9m with no minimum lot size requirement. This block is bounded by Campbell Street, Berala Street and a lane. The block predominantly faces Campbell Street. This block consists of single residential dwellings.

Block g is located north of the railway line. It is located east of Guilfoyle Street between Clarke, and Lidbury Streets. The land is zoned R3 Medium Density Residential in the *ALEP 2010*. The existing floor space ratio is 0.75:1 and height of building control is 9m with no minimum lot size requirement. This block consists of a mixture of single residential and multi dwelling (town houses and villas) dwellings.

Block h is located south of Lidbury Street and east of York Park. The land is zoned R3 Medium Density Residential in *ALEP 2010*. The existing floor space ratio is 0.75:1 and height of building control of 9m with no minimum lot size requirement. This block consists of a mixture of single residential and multi residential dwellings.

Block i is located east of Wrights Avenue and north-west of the railway line. The land is zoned R2 Low Density Residential in *ALEP 2010*. The existing height of building control is 9m and minimum lot size requirement is 450sq.m with no floor space ratio. This block is bounded by Wrights Avenue and the railway line. This is a triangular shaped block which consists of single residential dwellings.

Block j is located on the southern side of the railway line, north of Berala Street, east of the laneway (and Burke Street). The land is zoned R3 Medium Density Residential in *ALEP 2010*. The existing floor space ratio is 0.75:1 and height of building control is 9m with no minimum lot size requirement. This block is bounded by Berala Street and the lane. The block predominantly faces Berala Street. This block consists of single residential dwellings.

Block k is bound by Burke Avenue, Berala Street, McDonald Street, Bathurst Street and Hyde Park Road. The land is zoned R2 Low Density Residential in *ALEP 2010*. The existing height of building control is 9m with minimum lot size requirement of 450sq.m and no floor space ratio. The block consists of single residential dwellings.

Block l is bound by Bathurst Street, McDonald Street, Brixton Road and Hyde Park Road. The land is zoned R2 Low Density Residential in *ALEP 2010*. The existing height of building control is 9m with minimum lot size requirement of 450sq.m and no floor space ratio. The block consists of single residential dwellings.

Block m is bound by London Road, Brixton Road, McDonald Street and Berala Street. The land is zoned R2 Low Density Residential in *ALEP 2010*. The existing height of building control is 9m with minimum lot size requirement of 450sq.m and no floor space ratio. The block consists of single residential dwellings.

Figure 1: Map with current zoning and bounded blocks of affected properties.

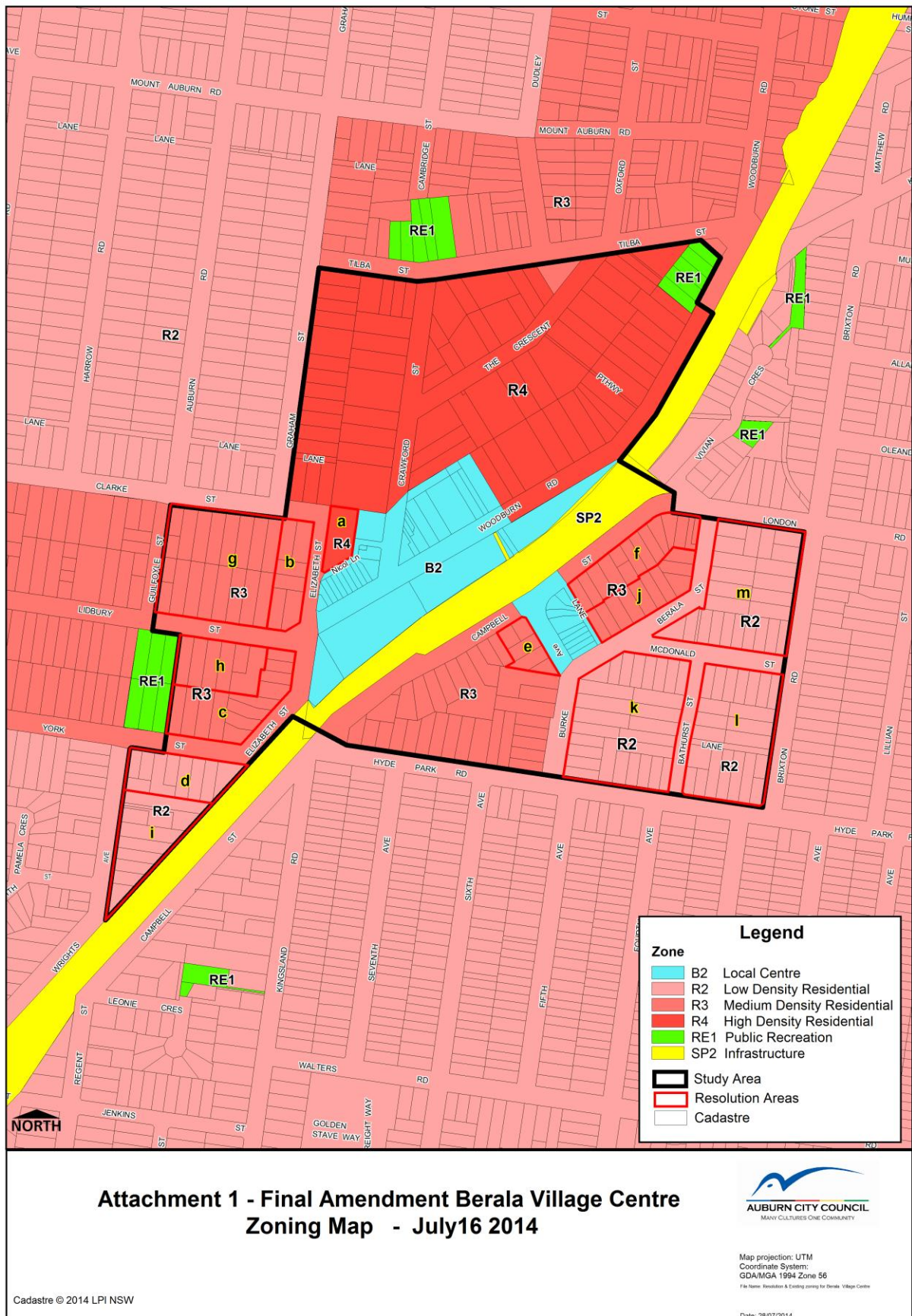


Figure 2: Aerial view of the subject land



Photographs of the subject land.



2.3 Existing Planning Controls

The existing planning controls for the affected zones are described in the Table 2.

Table 2: Existing planning controls

Zone	Maximum building height	Maximum floor space ratio (FSR)	Minimum Lot Size (LSZ)
B2 Local Centre	14m	2.0:1	No minimum lot size
R4 Residential High Density	18m (20m on corner lots)	1.7:1 (2:1 on corner lots)	No minimum lot size
R3 Residential Medium Density	9m	0.75:1	No minimum lot size
R2 Residential Low Density	9m	No FSR	450sq.m

Refer to the current *ALEP 2010* zoning, height of building, floor space ratio and minimum lot size maps in Appendix D.

2.4 Heritage

There are three heritage significant items within the study area. However, this planning proposal will not have an adverse impact on these items. The following are the heritage significant items as per *Auburn Local Environmental Plan 2010 (ALEP 2010)*:

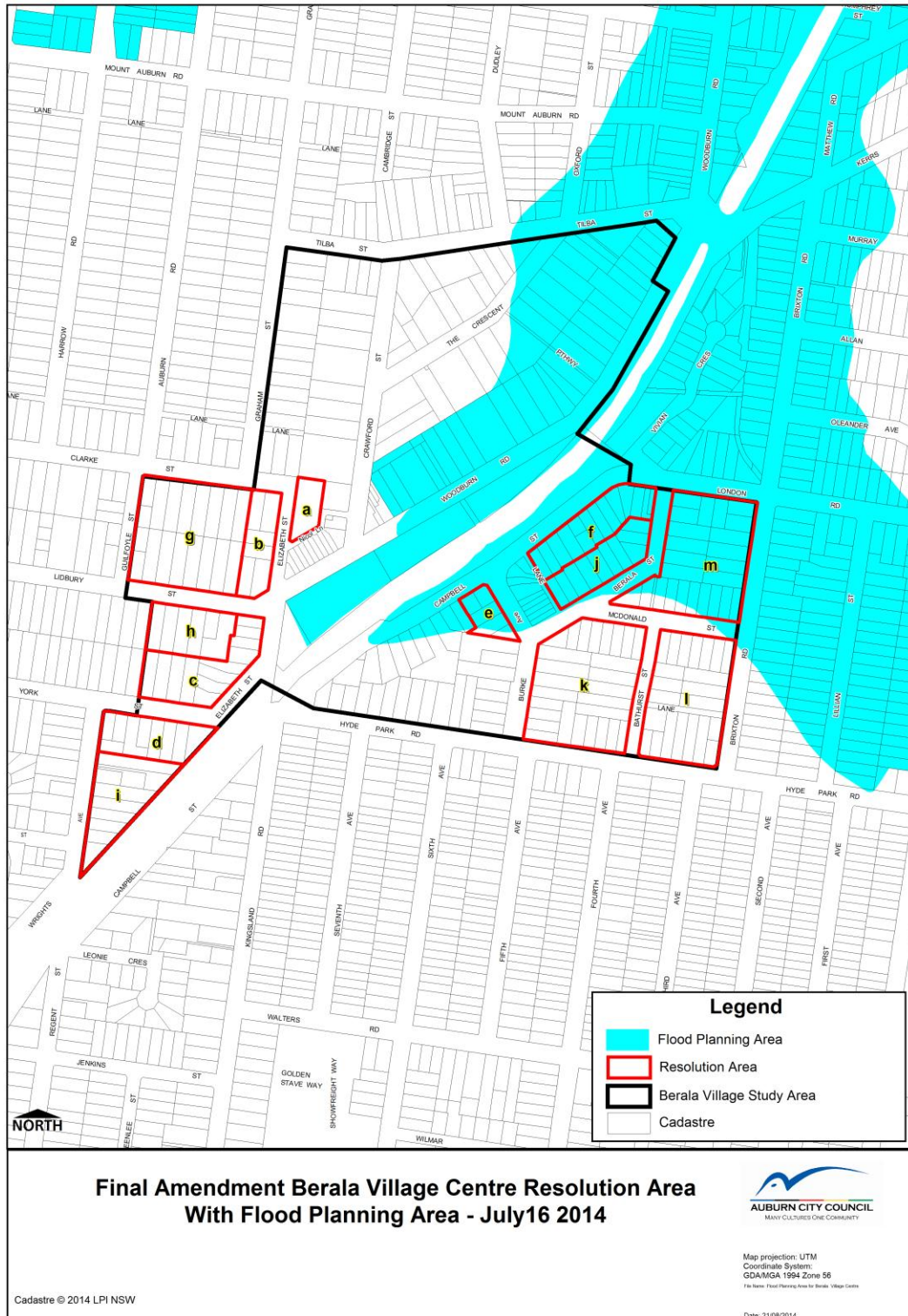
- Berala Public School; Local significance; item number I23. The Berala Public School is located at corner of Clarke Street, Harrow Road and Auburn Road.
- Berala Brush Box Street Trees; Local significance; item I24. The Brush Box trees are planted on the Council reserve along Lidbury Road.
- Berala Railway Station; Local significance; item A53. The railway station is located on the main street of Berala Village along Campbell Street. The station can be accessed through Woodburn Road as well.

2.5 Flood Risk

Part of the Berala Village is affected by the flood planning map of ALEP 2010. Blocks f, j, m, e and l are affected by flooding under the ALEP 2010 Flood Planning maps.

Figure 3 below illustrates the blocks affected by flood.

Figure 3: Blocks affected by ALEP 2010 Flood Planning Map.



Other relevant planning controls

The subject blocks in this planning proposal are not affected acid sulphate soils or foreshore building line.

3 Description of the proposal

This planning proposal generally follows the assessment criteria for planning proposals set out in the Department of Planning and Environments “*A Guide to Preparing Planning Proposals*” including:

- Objectives or intended outcomes;
- Explanation of proposed planning and development controls;
- Justification;
- Need for planning proposal;
- Relationship to strategic framework;
- Environmental, social and economic impact; and
- State and Commonwealth interests.

3.1 Objectives or intended outcomes

The objectives and intended outcomes of the planning proposal are:

- To implement the resolution of Council of 16 July 2014 [item 195/14].
- To allow up-zoning by enabling change of zone to certain land within the Berala Village within 400-600m of a railway station and that contributes to sub-regional housing and employment targets.
- To encourage the development of buildings that achieve design excellence and public domain spaces that is safe, accessible and attractive.
- To provide an appropriate accompanying increase in floor space ratio, height of building and minimum lot size for the up zoned lots.

3.2 Proposed planning controls

Auburn LEP 2010

The planning proposal seeks to rezone certain R4 High Density Residential, R3 Medium Density Residential and R2 Low Density Residential lands within the Berala Village. The rezoning will effectively provide more housing and employment opportunities within the village.

The planning proposal seeks to amend *ALEP 2010* as follows:

- Rezone the alphabetically marked blocks a to m as per Council’s resolution within the village area in accordance with Figure 4 on page 15: proposed land zoning controls;
- Amend the height of building maps for the blocks marked a to m in accordance with Figure 5 on page 16: proposed height of building controls; and
- Amend the floor space ratio maps for the blocks marked a to m in accordance with Figure 6 on page 17: proposed floor space ratio controls.

A summary of the proposed amendments to the *ALEP 2010* as it applies to the study area is described in the table 3 on page 18.

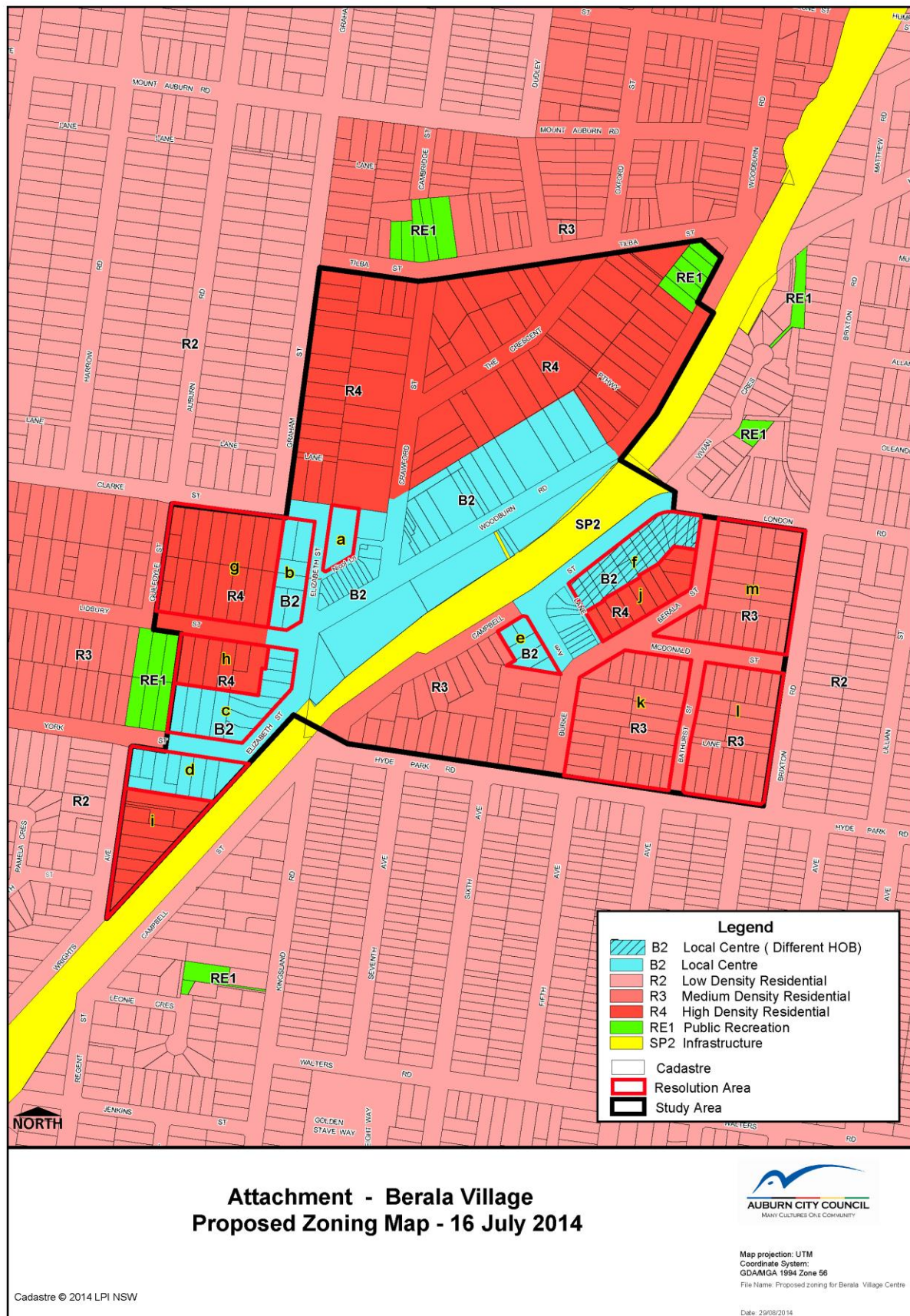
Figure 4: Proposed ALEP 2010 Zoning controls

Figure 5: Proposed ALEP 2010 Height of Building controls

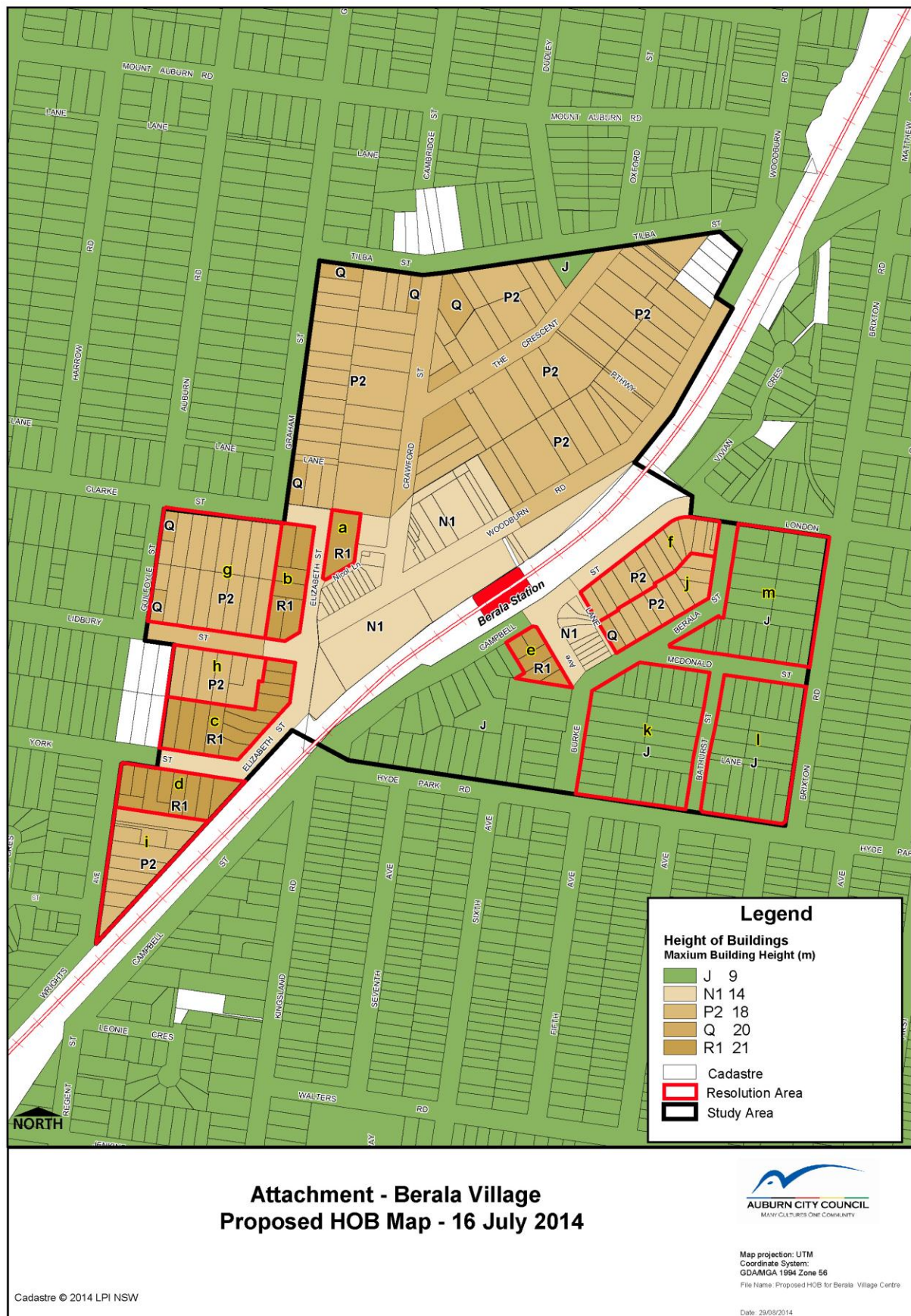


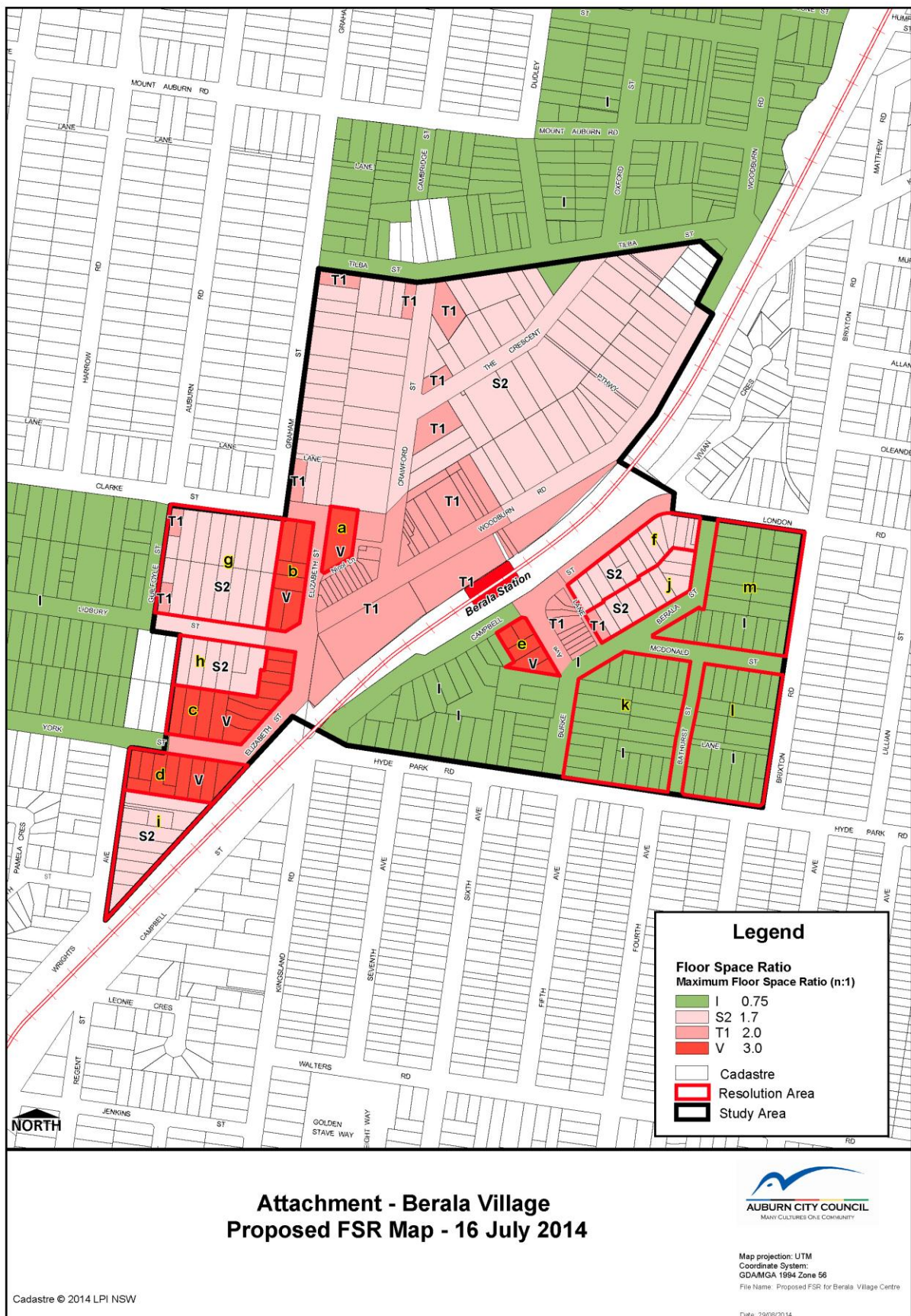
Figure 6: Proposed ALEP 2010 Floor Space Ratio controls

Table 3: Outlines the proposed land use planning controls

Address/Block	Proposed Zoning	Proposed HOB	Proposed FSR	Proposed LSZ
Block a	B2 Local Centre	21m	3:1	No minimum lot size
Block b	B2 Local Centre	21m	3:1	No minimum lot size
Block c	B2 Local Centre	21m	3:1	No minimum lot size
Block d	B2 Local Centre	21m	3:1	No minimum lot size
Block e	B2 Local Centre	21m	3:1	No minimum lot size
Block f	B2 Local Centre	18m	1.7:1	No minimum lot size
Block g	R4 High Density Residential	18m (20m on corner lots)	1.7:1 (2:1 on corner lots)	No minimum lot size
Block h	R4 High Density Residential	18m (20m on corner lots)	1.7:1 (2:1 on corner lots)	No minimum lot size
Block i	R4 High Density Residential	18m (20m on corner lots)	1.7:1 (2:1 on corner lots)	No minimum lot size
Block j	R4 High Density Residential	18m (20m on corner lots)	1.7:1 (2:1 on corner lots)	No minimum lot size
Block k	R3 Medium Density Residential	9m	0.75:1	No minimum lot size
Block l	R3 Medium Density Residential	9m	0.75:1	No minimum lot size
Block m	R3 Medium Density Residential	9m	0.75:1	No minimum lot size

Auburn Development Control Plan 2010

The Auburn DCP 2010 currently applies to the site. The specific controls that are relevant to this proposal are the:

- Residential Development Controls (multiple dwellings part and residential flat buildings part)
- Business Development Controls (Local Centres part)

This planning proposal does not seek to amend the Auburn DCP 2010.

3.3 Justification

3.3.1 Section A – Need for the planning

This section sets out the reasons for the proposed outcomes and development standards in the planning proposal. The following questions are set out in the Department of Planning and Environment's '*A Guide to Preparing Planning Proposals*' and address the need for the planning proposal, its strategic planning context, the environmental, social and economic impacts, and the implications for State and Commonwealth government agencies.

Q1 *Is the planning proposal a result of any strategic study or report?*

Yes, this planning proposal was initiated in response to a resolution of Council made on 16 July 2014 [item 195/14]. In the resolution, Council resolved to rezone certain R4 High Density Residential, R3 Medium Density Residential and R2 Low Density Residential to enable more housing, retail and employment opportunities within the Berala Village.

Earlier, Council resolved on 20 March 2013 [item 069/13] to undertake a further study of the B2 Local Centre commercial zoning area of the Berala Village and surrounding. To address this resolution of Council, a further study of Berala was undertaken by consultants. The planning proposal is also a result of the recommendation from the consultant study known as "Economic Review of Proposed Planning Controls".

The purpose of this further study was to provide Council with economic advice about the suitability of the development controls applying to the Berala Village study area. Specifically, this study tested whether the existing planning controls that apply to Berala are sufficient, from a development feasibility perspective, to promote renewal and revitalisation within Berala.

The consultant study recommended 2 potential approaches and discussed the implications of each. In summary:

Option 1 Increase the existing controls – in line with the findings of the feasibility testing illustrated in Appendix D. This would assist in encouraging development and would help to revitalise the centre.

Option 2 Retain the existing controls – this option would be a 'wait and see' approach and would have a less immediate effect than option 1. This option would be likely to see some redevelopment (i.e. on less constrained sites); however it would have less apparent revitalisation outcomes across the village centre.

Car parking – as a variation to Option 2, the study also indicated that Council could consider reviewing its requirements for on-site car parking within more accessible locations within the study area, recognising the benefits this could have in terms of development feasibility.

Q2 *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

ALEP 2010 is Council's principal planning instrument. This planning proposal seeks to rezone certain land within the Berala Village and subsequently to amend the height of building and floor space ratio controls in line with the current controls of the ALEP. A planning proposal is the most appropriate means to achieve this outcome and the objectives and intended outcomes of the planning proposal.

[The former Q3 for net community benefit test from the Department's recently superseded Guidelines has been included as part of the proposal's justification]

Net Community Benefit Test

Under the previous version of the *Guideline to Preparing Planning Proposals* issued by the Department of Planning and Environment, it was recommended that the Net Community Benefit Test from the Draft Centres Policy be followed when assessing a planning proposal. The guideline suggested that a Net Community Benefit Test is prepared by the proponent, in conjunction with the relevant planning authority, and submitted to council for endorsement prior to submitting the planning proposal to the Department for a Gateway Determination.

“a. 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)?”

The *West Central Subregion Draft Subregional Strategy* (WCSDSS) is the primary document which sets the strategic direction for the Auburn LGA for the year 2031. The Centres and Corridors Housing Strategy from the WCSDSS identified a centres typology for the Auburn LGA. Berala is identified as “Village”:

“A village is a strip of shops and surrounding residential area within 5 to 10 minute walk contains a small supermarket, hairdresser and take-away food shops. It contains between 2,100 and 5,500 dwellings.”

A key objective of the WCSDSS is to increase densities in centres whilst improving liveability. The planning proposal seeks to rezone certain land to increase the maximum density (measured in terms of FSR) in Berala Village. All land to which this planning proposal applies lies within a 400m-600m radius of Berala Station. A 400m-600m radius is considered to be a comfortable walking catchment. The planning proposal is therefore considered to be compatible with the strategic direction of the area.

“b. Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?”

Yes. As outlined above, the Centres and Corridors Housing Strategy from the WCSDSS identified a centres typology for the Auburn LGA. Berala is identified as a “Village”.

“c. Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?”

Each rezoning request that is made to Council must address the same criteria as this planning proposal. This planning proposal relates to certain land within the Berala Village. The whole Village area has been the subject of a strategic planning study undertaken by Council staff as well as an Economic Review undertaken by consultants on behalf of Council. This revision considered a number of rezoning scenarios in a strategic way.

As such, the LEP amendments are unlikely to create a precedent. The *ALEP 2010* is likely to change the expectations of landowners within the Berala Village, as the increase in the maximum height and FSR on the land will be expected to result in intensification in the density of development on the land.

“d. Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?”

To date, no spot rezoning proposals for land in or surrounding the Berala Village Centre have been lodged with Council. The preparation of Council’s Strategic planning study of Berala, together with the Economic Review undertaken by consultants, means that this planning proposal has a sound strategic basis. This strategic approach means that smaller ad-hoc proposals for spot rezoning in and around Berala are significantly less likely to arise.

“e. Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?”

No employment lands will be lost as a result of this planning proposal. In addition, this planning proposal will enable the LEP to facilitate employment generating activities within the Berala Village by rezoning certain R4 High Density Residential, R3 Medium Density Residential and R2 Low Density Residential land to B2 Local Centre.

“f. Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?”

Yes. The LEP will impact on the supply of higher density residential development, as it is proposed that certain R3 Medium Density Residential and R2 Low Density Residential land be up-zoned to R3 Medium Density Residential and R4 High Density Residential.

This up-zoning will allow higher density residential developments in close proximity to the Berala Village and railway station thus impacting positively on housing affordability in the area.

“g. Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?”

Yes. All of the proposed sites are approximately within 400m-600m walking distance of Berala railway station and bus services.

Consultation can be undertaken with public authorities, such as the State Transit Authority of NSW to determine the capacity of the existing public transport services; however given the relatively small size of the Berala Village area subject to this planning proposal, it is likely that the existing services are capable of supporting the increased development densities proposed.

“h. 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?”

Yes. It is considered that this planning proposal will result in a decrease in both the number of local car trips and the distances travelled by car. The planning proposal involves up-zoning land to allow higher density residential. All of the subject land to which this planning proposal applies is located within 400m-600m of Berala Railway Station and bus services. It is anticipated that the planning proposal is likely to have positive impact (if any) on greenhouse gas emissions, operating costs and road safety. By increasing density in this location there is potential for more people to live and work within the Berala Village, and within walking distance of Berala Station.

“i. 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?”

Yes, this planning proposal affects land within 400m-600m of Berala Railway Station and bus services. It is likely that patronage of these public transport services will increase if this planning proposal proceeds. Consultation will be undertaken with public authorities as required following a Gateway Determination to consider whether the anticipated increase in patronage will require changes to the existing level of state government service provision. However, as previously mentioned, given the relatively small size of the Berala Village Centre area to which this proposal applies, it is likely that existing infrastructure will be able to cope with the expected modest increases in patronage.

“j. 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?”

Yes. Some land within this planning proposal is affected by flood risk under the *ALEP 2010* flood planning maps.

There are no known protected biodiversity issues that would prevent an increase in high density residential and increased local centre zone provision within the Berala Village from being realised.

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

Yes. The proposed rezoning of the land within the Berala Village is considered to be consistent with surrounding land uses and does not have any adverse impact on the amenity or community. The proposed rezoning and changes to height and FSR controls are considered to be consistent with the scale of a village centre. Further, the proposed changes ensure that a transition in scale and density between the village centre and surrounding land uses is maintained.

“l. Will the public domain improve?”

Yes. By allowing an increased B2 Local Centre and higher density residential uses to land within the Berala Village, there will be an incentive for people to redevelop the land. It is reasonable to expect that as a result of the redevelopment, substantial works will be undertaken within the public domain.

“m. Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?”

Yes. The planning proposal involves increasing the B2 Local Centre zones. This will provide an opportunity to increase the amount of retail/commercial uses within the main street area of Berala Village.

“n. If a stand-alone proposal and not a centre do the proposal have the potential to develop into a centre in the future?”

No. The proposal is not a stand-alone proposal. The up-zoning of land is proposed within Berala Village, and is within 400m-600m of railway station.

“o. What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?”

The planning proposal is in the public interest as it will increase the allowable housing and retail/commercial floor space within Berala Village. Other ways the planning proposal supports the public interest include:

- the proposal has the possibility of attracting investment to Berala Village;
- the increase in density may be a catalyst for redevelopment and result in the upgrading of the dwelling and commercial stock. This could result in an

- increase in housing choice making a positive contribution to housing affordability;
- the increased density and scope for retail, commercial and residential uses in this highly accessible location promote the use of existing infrastructure. This increases efficiency and cost effectiveness of the infrastructure and can reduce the financial burden on state and local governments to provide new infrastructure on greenfield sites; and
- being not able to proceed with the proposed amendments at this time would affect Council's ability to achieve the objectives and intended outcomes of the planning proposal.

3.3.2 Section B – Relationship to strategic framework

Q3 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The planning proposal is consistent with a number of actions within both the *Metropolitan Plan for Sydney 2036* (Metropolitan Plan), *Draft Metropolitan Strategy for Sydney 2031* (Metropolitan Strategy) and the *West Central Subregion Draft Subregional Strategy* (WCSDSS). An analysis of the planning proposal's consistency with these strategies is provided at Table 3 (below).

Table 3: Consistency with Metropolitan Plan for Sydney 2036

Action	Consistency
B1.1 Plan for centres to grow and change over time	The planning proposal will increase the maximum height and floor space ratio controls in Berala Village. The proposed controls will allow the village to grow and change over time by facilitating potential for additional housing and employment growth in an area that is within 400m-600m of a railway station.
B1.3 Aim to locate 80 per cent of all new housing within the walking catchments of existing and planned centres of all sizes with good public transport.	The planning proposal will allow new higher density housing developments within the Berala Village which has good accessibility to railway and bus services, thus, providing a robust opportunity for centre revitalisation.
D1.1 Locate at least 70 per cent of new housing within existing urban areas and up to 30 per cent of new housing in new release areas	The planning proposal is consistent with this action as it provides potential capacity for additional residential development within an existing village, within 400m-600m of a station. Council's Dwelling Target Analysis 2009 demonstrated that the Auburn LEP 2010 will provide sufficient capacity to meet Council's dwelling target (17,000 dwellings by 2031). However, this planning proposal will allow Auburn LGA to continue to grow in its centres. The residential growth will also assist the State government in meeting its aim to locate at least 70 per cent of new housing within existing urban areas.

Table 4: Consistency with Draft Metropolitan Strategy for Sydney 2031

Action	Consistency
Objective 5: Deliver new housing to meet Sydney's growth 5.2 Assist local government to identify economically feasible areas for housing growth through Local Plans to support housing targets, both in greenfield and infill areas	Consistent The planning proposal allow for high density residential development in a Village environment, contributing to the achievement of housing growth and housing targets. The proposal will also assist to meet the housing targets set by the strategy for the West Central and North West subregion.
Objective 7: Deliver well-designed and active centres that attract investment and growth 7.1 Work with the community and local government to plan for centres growth and identify new centres	Consistent The planning proposal will support the growth of the Berala Village, through rezoning for more B2 Local Centre and higher density residential land. The rezoning of certain land within Berala Village to B2 Local Centre and Higher Density Residential uses will permit the development of new retail, commercial and high density residential uses which will provide opportunities to improve amenity, activate the village and attract investment. The proposed controls will allow Berala Village to grow, revitalise and change over time by facilitating development potential for employment growth and additional housing.
7.2 Encourage high quality design through appropriate guidelines	Consistent The proposed rezoning and associated amendments to height and FSR controls are likely to stimulate new developments. All new development will be subject to the provisions of SEPP 65, as well as Auburn DCP 2010.
Objective 24: Plan and deliver transport and land use that are integrated and promote sustainable transport choices 24.1 Encourage growth in transport accessible centres on Sydney's Strategic Transit Network, as planned for in the NSW Long Term Transport Master Plan	Consistent The planning proposal seeks to expand the Berala Village, which is a transport accessible centre. This will encourage the growth of the residential, commercial, and retail investments in the centre. The subject land is all within 400-600m of Berala Railway Station and shops. As this is a comfortable walking catchment, it is considered that this proposal will encourage sustainable active transport, particularly walking.

Table 5: Consistency with and West Central Subregion Draft Subregional Strategy

Action	Consistency
B2.1 West Central councils to investigate increasing densities in all centres where access to employment, services and public transport are provided or can be provided	Consistent. As outlined in the previous row of this table, this planning proposal is consistent with this action as it provides potential capacity for additional residential development within an existing village, within 400m-600m of a station.
B4.1 Concentrate retail activity in centres, business development zones and enterprise corridors	This planning proposal seeks to rezone land that is within 400m-600m of a railway station to B2 Local Centre, R4 High Density Residential and R3 Medium Density Residential. This land is within the existing Berala Village, and the planning proposal will have the effect of concentrating retail activity within an existing village, in an area that is well served by both bus and rail public transport.
C2.1 Focus residential development around centres, town centres, villages and neighbourhood centres	The planning proposal is consistent with this action, as it aims to up-zone residential land within the existing Berala Village (within 400m-600m of a railway station) and will provide additional maximum building height and floor space ratio controls which will allow a mix of residential uses.
C3.1 Renew local centres to improve economic viability and amenity	The proposed up-zoning of land within the Berala Village will provide opportunities for improving economic viability and amenity within the village.

Q4 Is the planning proposal consistent with Council's local strategy or other local strategic plan?

Auburn City Community Strategic Plan

The Auburn City Community Strategic Plan was formally adopted by Council in 2011. The Plan is built around themes of community, place, environment and leadership. The objectives and intended outcomes of the planning proposal support the Community Strategic Plan by enabling increased opportunity for business and employment and for concentration of residential growth within and around established centres that are well serviced by public infrastructure and transport.

Table 6: Consistency with Auburn City Community Strategic Plan

Relevant CSP outcome within 'Our Places' theme	Council's commitment to the outcome	How the planning proposal achieves the outcome
High quality urban environment	Prepare strategic land use plans and policies that improve the urban environment.	The planning proposal encourages development of high quality urban design. The provision of increased B2 Local Centre and High Density Residential zones through this planning proposal is likely to stimulate new development. SEPP65 and ADCP 2010 will be used to help achieve a quality outcome.
Attractive public spaces and town centres	Facilitate local investment, business growth, local jobs and employment opportunity.	The planning proposal will encourage investment and business growth by increasing the development potential for residential and employment growth within the Berala Village. A Berala Village Study is prepared by Council which identifies opportunities to revitalise and improve Berala and brings together information which informs the future upgrade of Berala's main street area. This study also recommends a Public Domain Plan for Berala Village.
Good transport and traffic management	Commission and manage traffic and transport studies and works.	The proposed rezoning is concentrated within the Berala Village that is well serviced by public transport. The land affected by the proposed rezoning is within a 400m-600m radius of Berala Railway Station. There is also bus services provided in this area. The Berala Village Study undertaken prior to the preparation of this planning proposal investigated pedestrian, cycle and traffic control (with a need for more road humps) within the Berala Village area, as well as access to public transport.

Q5 *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The table in Appendix E contains an assessment of the planning proposal against SEPPs and SREPs (deemed SEPPs).

Q6 *Is the planning proposal consistent with applicable Ministerial Directions (s.117)*

The planning proposal does not have significant or adverse implications to applicable Ministerial Directions.

The table in Appendix F provides an assessment of the planning proposal against the Ministerial Directions.

3.3.3 Section C – Environmental, social and economic impact**Q7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

The planning proposal does not impose any adverse impact on the critical habitat or threatened species, populations or ecological communities or their habitats.

Q8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The planning proposal does not impose any significant environmental impacts. However, some lands affected in this planning proposal fall in the *ALEP 2010* flood planning zones. Any likely environmental effects pertaining to flood risk planning are manageable and will be appropriately addressed and regulated by the development assessment process.

Q9. *How has the planning proposal adequately addressed any social and economic effects?*

As a pre-requisite to this planning proposal, along with the Berala Village Study a consultant was engaged as per Council's resolution dated 20 March 2013, to undertake further Economic Review of the proposed planning controls within the Berala Village.

The purpose of this further study was to provide Council with economic advice about the suitability of the development controls applying to the Berala Village study area. Specifically, this study tested whether the existing planning controls that apply to Berala are sufficient, from a development feasibility perspective, to promote renewal and revitalisation within Berala.

A further consultation with the community and public authorities post-Gateway will present an opportunity for additional social or environmental effects, if any, to be identified. However, given the nature and scale of the proposal and the existing background studies undertaken to date, it is not anticipated that any further significant social or economic effects will emerge.

3.3.4 Section D – State and Commonwealth interests

Q10 Is there adequate public infrastructure for the planning proposal?

Yes. The planning proposal seeks to rezone certain land within the Berala village (i.e. within 400m -600m of the Berala railway station). The existing infrastructure within the Berala Village has the capacity to meet the infrastructure needs of this planning proposal.

The Berala Village has a dominant main street area zoned B2 Local Centre allowing a range of retail, business, entertainment, and community uses that serve local needs. The area is serviced by railway and bus transportation as well.

Q11 What are the views of State and Commonwealth Public Authorities consulted in accordance with the Gateway Determination, and have they resulted in any variations to the planning proposal?

The planning proposal does not require consultation with any State and Commonwealth public authorities with the exception of the Department of Planning and Environment.

4 Community Consultation

On 16 July 2014, Council resolved:

“That Council place the draft planning proposal on public exhibition, and report the outcomes of this exhibition to Council, after submitting it to the Department of Planning and Environment’s Gateway Process.”

The planning proposal will be exhibited for 28 days in accordance with Council’s *Communications Plan for Planning Proposals*. Through the community consultation, Council will demonstrate good governance, transparency, and raise awareness of the objectives of this planning proposal. Council’s consultation methodology may include, but not limited to:

- giving notice of the public exhibition in the main local newspaper (The Auburn Pictorial Review) and Council’s website;
- Exhibiting the planning proposal and all supporting documentation at Council’s administration centre and all libraries; and
- Any other consultation methods deemed appropriate for this planning proposal.

5 Timeline

The timeline presented in Table 7 indicates expected steps for completion of the planning proposal and submission of the final, exhibited and amended version to the Department for making of the ALEP.

Table 7: Proposed timeline for finalisation of the planning proposal

Action	Sept 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	April 2015	May 2015
Submit PP to the Department for Gateway Determination									
Gateway Determination made by the Department									
Amend PP as per Gateway Determination and undertake relevant consultations etc.									
Public exhibition									
Receive and evaluate submissions									
Re-submit PP to the Department for legal drafting and notification									

Appendix [A]: Application for a Planning Proposal Report and Maps

Appendix [B]: Consistency with Strategic Policy Framework

Metropolitan Plan for Sydney 2036

Action	Consistency
B. Growing and renewing centres B1.1 Plan for centres to grow and change over time B1.3 Locate at least 80% of all new housing within the walking catchments of existing and planned centres of all sizes with good public transport	Consistent The planning proposal will allow the village to grow and change over time by facilitating potential for additional housing and employment growth in an area that is within 400-600m of a railway station. The planning proposal will also allow higher density housing developments within the Berala Village, thus providing a robust opportunity for centre revitalisation.
D. Housing Sydney's Population D1.1 Locate at least 70% of all new housing within existing urban areas and up to 30% of new housing in new release areas	Consistent This planning proposal is consistent with this action as it provides potential capacity for additional residential development within an existing village within 400-600m of a railway station.

Draft Metropolitan Strategy for Sydney 2031

Action	Consistency
Objective 5: Deliver new housing to meet Sydney's growth 5.2 Assist local government to identify economically feasible areas for housing growth through Local Plans to support housing targets, both in greenfield and infill areas	Consistent The planning proposal will enable higher density residential development in a village environment, contributing to the achievement of housing growth and targets – within walking distance of local shops and a station.
Objective 7: Deliver well-designed and active centres that attract investment and growth 7.1 Work with the community and local government to plan for centres growth and identify new centres 7.2 Encourage high quality design through appropriate guidelines	Consistent The planning proposal will rezone certain land within Berala Village for a B2 Local Centre and higher density residential uses. This rezoning will allow development of new retail, commercial and high density residential uses which will, as a result, provide opportunities to improve amenity, activate the village and attract investment. This planning proposal will extend the B2 Local Centre within the Berala Village. The Auburn DCP 2010 has provisions for Local Centres that encourages high quality design through appropriate controls.

West Central Subregion Draft Subregional Strategy 2007

Action	Consistency
B Centres and Corridors B2.1 Plan for housing in centres consistent with their employment role B4.1 Concentrate retail activity in centres, business development zones and enterprise corridors	Consistent This planning proposal will enable potential capacity for additional residential development within an existing village, within 400-600m of a railway station. This planning proposal will rezone certain land within 400-600m of the railway station to B2 Local Centre, R4 High Density Residential and R3 Medium Density Residential. This rezoning as a result will allow concentration of retail activity within an existing village in an area which is well served by public transport.
C Housing C2.1 Focus residential development around centres, town centres, villages and neighbourhood centres C3.1 Renew local centres to improve economic viability and amenity	Consistent The planning proposal aims to rezone residential land within the existing Berala Village (within 400m-600m of a railway station) and will provide additional maximum building height and floor space ratio controls which will allow a mix of residential uses. The proposed rezoning of land within the Berala Village will provide opportunities for improving economic viability and amenity within the village.

5 Appendix [C]: Consistency with Strategic Policy Framework

State Environmental Planning Policies (SEPPs)

No.	Title	Summary	PP application's consistency with the SEPP
1	Development Standards	Aims 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.	Does not apply to Auburn LGA SEPP repealed by <i>Auburn LEP 2010</i> (clause 1.9)
14	Coastal Wetlands	Aims to ensure the State's coastal wetlands are preserved and protected.	Does not apply to Auburn LGA Applies to specified land under the National Parks & Wildlife Act, the Tomago Aluminium Smelter (Newcastle) and land to which SEPP 26 applies.
15	Rural Landsharing Communities	Aims to facilitate the development of rural landsharing communities committed to environmentally sensitive and sustainable land use practices.	Does not apply to Auburn LGA
19	Bushland in Urban Areas	Aims to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.	Applies to State The subject site affected by the application is not affected by bush land
21	Caravan Parks	Aims 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 State except land to which SEPP (Western Sydney Parklands) applies. Consistent
26	Littoral Rainforests	Aims to protect littoral rainforests from development.	Does not apply to Auburn LGA
29	Western Sydney Recreation Area	Aims to enable the carrying out of development for recreational, sporting and cultural purposes within the Western Sydney Recreation Area	Does not apply to Auburn LGA (Applies to land within Western Sydney Parklands - Eastern Creek, Prospect, Horsley Park and Hoxton Park)

No.	Title	Summary	PP application's consistency with the SEPP
30	Intensive Agriculture	Establishes the requirement for development consent and additional requirements for cattle feedlots and piggeries.	Applies to State Consistent
32	Urban Consolidation	Aims to facilitate surplus urban land redevelopment for multi-unit housing and related development in a timely manner.	Applies to State Applies to all urban land, except Western Sydney Parklands under that SEPP Consistent
33	Hazardous and Offensive Development	Aims to provide additional support and requirements for hazardous and offensive development	Applies to State Consistent
36	Manufactured Home Estates	Aims to facilitate the establishment of manufactured home estates as a contemporary form of residential housing.	Does not apply to Auburn LGA Applies to land outside the Sydney Region.
39	Spit Island Bird Habitat	Aims to enable development for the purposes of creating and protecting bird habitat.	Does not apply to Auburn LGA Applies to land comprising Spit Island, Towra Point and Kurnell
44	Koala Habitat Protection	Aims to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas	Does not apply to Auburn LGA Auburn LGA not listed in Schedule 1
47	Moore Park Showground	Aims to enable redevelopment of Moore Park Showground consistent with its status as being of State and regional planning importance.	Does not apply to the Auburn LGA
50	Canal Estate Development	Prohibits canal estate development	Applies to State , except Penrith Lakes Consistent
52	Farm Dams and other works in land management areas	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.	Does not apply to the Auburn LGA

No.	Title	Summary	PP application's consistency with the SEPP
55	Remediation of Land	Provides a State wide planning approach for the remediation of contaminated land.	Applies to State Consistent The proposal aims to rezone land currently zoned and used for residential purposes. These lands are currently not affected by site contamination. However, any subsequent DAs lodged may need to undertake a phase 1 contamination assessment to fulfil Clause 6 requirements of the SEPP if the proposal proceeds to s.56 Gateway Determination and notification (gazettal).
59	Central Western Sydney Regional Open Space and Residential	Aims to provide for residential development on suitable land as identified in the Policy to assist in accommodating the projected population growth of Western Sydney	Does not apply to Auburn LGA Applies to land identified as Regional Open Space Zone and Residential Zone within the Western Sydney Parklands
62	Sustainable Aquaculture	Aims to encourage and regulate sustainable aquaculture development	Applies to State Consistent
64	Advertising and Signage	Aims to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	Applies to State Consistent
65	Design Quality of Residential Flat Development	Aims to improve the design qualities of residential flat building development in New South Wales.	Applies to State, except Kosciusko SEPP area Consistent The proposed controls, which would work in conjunction with Council's Development Control Plan framework, would be consistent with SEPP 65. Any subsequent DAs would need to comply with the SEPP.

No.	Title	Summary	PP application's consistency with the SEPP
70	Affordable Housing (Revised Schemes)	Aims to insert affordable housing provisions into EPIs and to address expiry of savings made by EP&A Amendment (Affordable Housing) Act 2000.	Does not apply to Auburn LGA Applies to land within the Greater Metropolitan Region. Specifically mentions Ultimo/Pymont precinct, City of Willoughby and Green Square.
71	Coastal Protection	Aims to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast.	Does not apply to Auburn LGA Applies to land within the coastal zone, as per maps of SEPP.
	Penrith Lakes Scheme 1989	Aims to provide a development control process establishing environmental and technical matters which must be taken into account in implementing the Penrith Lakes Scheme in order to protect the environment.	Does not apply to Auburn LGA
	Housing for Seniors or People with a Disability 2004	Aims to encourage the provision of housing to meet the needs of seniors or people with a disability.	Applies to State To be considered at DA stage if required.
	Building Sustainability Index: BASIX 2004	Aims to ensure consistency in the implementation of the BASIX scheme throughout the State	Applies to State To be considered at DA stage if required.
	Kurnell Peninsula 1989		Does not apply to Auburn LGA Applies to the land within Sutherland Shire known as Kurnell Peninsula. Excludes some land under SSLEP 2006.
	Major Development 2005	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 State Consistent
	Sydney Region Growth Centres 2006	Aims to co-ordinate the release of land for development in the North West and South West Growth Centres.	Does not apply to Auburn LGA. Applies to all land in a 'growth centre' (North West Growth Centre or the South West Growth Centre)

No.	Title	Summary	PP application's consistency with the SEPP
	Mining, Petroleum and Extractive Industries 2007	Aims to provide for the proper management and development of mineral, petroleum and extractive material resources	Applies to State Consistent
	Infrastructure 2007	Aims 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 State Is not applicable to this PP.
	Kosciuszko National Park – Alpine Resorts 2007	Aims to protect and enhance the natural environment of the alpine resorts area.	Does not apply to Auburn LGA Applies only to specified land within Kosciuszko National Park, Kosciuszko Road and Alpine Way.
	Rural Lands 2008	Aims to facilitate the orderly and economic use and development of rural lands for rural and related purposes	Does not apply to Auburn LGA
	Western Sydney Employment Area 2009	Aims to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development	Does not apply to Auburn LGA
	Exempt and Complying Development Codes 2008	Aims to provide streamlined assessment process for development that complies with specified development standards.	Applies to State To be considered at DA stage if required.
	Western Sydney Parklands 2009	Aims to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region.	Does not apply to Auburn LGA Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton)
	Affordable Rental Housing 2009	Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	Applies to State To be considered at DA stage if required.
	Urban Renewal 2010	Aims to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts	Does not apply to Auburn LGA Applies to land within a potential precinct – land identified as a potential urban renewal precinct. This includes Redfern-Waterloo, Granville and Newcastle.

No.	Title	Summary	PP application's consistency with the SEPP
	Sydney Drinking Water Catchment 2011	Aims to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal.	Does not apply to Auburn LGA Applies to land within the Sydney drinking water catchment.
	SEPP 53 Transitional Provisions 2011	Aims to enact transitional provisions consequent on the repeal of SEPP 53 - Metropolitan Residential Development.	Does not apply to Auburn LGA Applies only to specified land in Kuring-gai LGA.
	State and Regional Development 2011	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 State Consistent
	Three Ports 2013	Aims to provide consistent planning regime for the development and delivery of infrastructure on land in Port Botany, Port Kembla and Port Newcastle.	Does not apply to Auburn LGA Applies to the land within Botany City Council in the area known as Port Botany. It also applies to land within Wollongong City Council in an area known as Port Kembla and land within New Castle City Council in an area known as Port Newcastle.

State Regional Environmental Plans (Deemed SEPPs)

No	Title	Summary	Application
8	Central Coast Plateau	Aims to implement the state's urban consolidation policy.	Does not apply to Auburn LGA. Applies to nominated land in the NSW Central Coast.
9	Extractive Industry No. 2 1995	Aims to facilitate development of extractive industries in proximity to the population of the Sydney Metropolitan Area.	Does not apply to Auburn LGA. Applies to LGAs listed in Schedule 4 of the SREP.
16	Walsh Bay	Aims to regulate the use and development of the Walsh Bay area.	Does not apply to Auburn LGA. Applies to land within the City of Sydney and within Sydney Harbour.
18	Public transport corridors	Aims to protect provision for future public transport facilities.	Does not apply to Auburn LGA. Applies to the Fairfield, Parramatta, Holroyd and Baulkham Hills LGAs.
19	Rouse Hill Development Area	Aims to provide for the orderly and economic development of the RHDA.	Does not apply to Auburn LGA. Applies to area defined by policy. Note: Rouse Hill is in The Hills and Blacktown LGAs.
20	Hawkesbury Nepean	Aims to protect the Hawkesbury-Nepean River System.	Does not apply to Auburn LGA. Applies to certain LGAs within Greater Metropolitan Region.
24	Homebush Bay Area	Aims to encourage the co-ordinated and environmentally sensitive development of the Homebush Bay area	Does not apply to land to which ALEP 2010 applies (clause 1.9). 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
26	City West	Aims to promote the orderly and economic use and development of land within City West.	Does not apply to Auburn LGA. Applies to land shown as City West area (Pyrmont and Ultimo)
30	St Marys	Aims to support the redevelopment of St Marys by providing a framework for sustainable development.	Does not apply to Auburn LGA. Applies to specified land within the Blacktown and Penrith LGAs
33	Cooks Cove	Establishes the zoning and development controls for the Cooks Cove site.	Does not apply to Auburn LGA. Applies to specified land at Cooks Cove within the suburb of Arncliffe.
	Sydney Harbour Catchment 2005	Aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.	Applies to the area of Sydney Harbour, including Parramatta River and its tributaries and the Lane Cove River. Applies to land within the Auburn LGA. Consistent

Section 117 Directions

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

Direction	Consistency
1. Employment and Resources	
1.1 Business and Industrial Zones <i>What a relevant planning authority must do if this direction applies</i> A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning. <i>Consistency</i> A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional	Consistent The proposal aims to rezone land within the Berala Village from R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential zones to B2 Local Centre zoning under the <i>Auburn LEP 2010</i> and amend the relevant principal development standards. The rezoning of land would result in an increase of Business zoned land (B2 Local Centre) to generate additional floor space for employment uses, related public services and residential in business zones. The proposal would result in increasing the permissibility of a range of current uses that are permissible within the subject blocks (a to m) to revitalise, improve and enhance the economic viability of the Berala Village.

Direction	Consistency
Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or of minor significance.	
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	Not applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	Consistent The proposal does not apply to land within an environmental conservation zone or land otherwise identified for environmental protection.
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	Not applicable The subject blocks (a to m) applying to the proposal is not affected by environmental heritage under the <i>Auburn LEP 2010</i> .
2.4 Recreation Vehicle Areas	Not applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones <i>What a relevant planning authority must do if this direction applies:</i> A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design.	Consistent The proposal up zones and introduces the B2 Local Centre zone, R4 High Density Residential zone and R3 Medium Density Residential zone providing more opportunity to encourage and increase the provision of housing in addition to introducing commercial uses within the Berala Village.

Direction	Consistency
<i>Consistency</i> A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land	
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Consistent Does not change the permissibility of home occupations
3.4 Integrating Land Use and Transport <i>What a relevant planning authority must do if this direction applies</i> A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) <i>Improving Transport Choice – Guidelines for planning and development (DUAP 2001)</i>, and (b) <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i>. <i>Consistency</i> A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of	Consistent The proposal seeks to increase the development intensity of the identified precincts (through B2, R4 and R3 zoned land and respective FSR and HoB of those zonings) in the established Berala Village to further extend the existing commercial, high and medium density residential areas. The subject blocks (a to m) to which the proposal applies is located within 400-600 metre walking distance (5-10 minutes) from Berala Railway Station. The proposal is broadly consistent with the objectives and principles of these DP&E's policies. The anticipated scale of development likely to occur following this rezoning will be consistent with a village scale. No significant changes to the current traffic generation are anticipated as a result, together with the proposal's location within comfortable walking distance of Berala Station. Further, Council's recently <i>completed City-wide Traffic and Transport Study (2013)</i> modelled traffic conditions and tested a number of key intersections (19) across Auburn City. No intersections within Berala Village or surrounds were identified as having poor levels of service (LoS) by this study.

Direction	Consistency
the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance.	
3.5 Development Near Licensed Aerodromes	Not applicable
3.6 Shooting Ranges	Not applicable
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Consistent The subject blocks (a to m) to which the proposal applies is affected by Class 5 Acid Sulphate Soils (the least affected category). Any future DAs on these blocks will be required to prepare an Acid Sulphate Soils Management Plan in accordance with clause 6.1(3) of the <i>Auburn LEP 2010</i>.
4.2 Mine Subsidence and Unstable Land	Not applicable
4.3 Flood Prone Land	Consistent The subject blocks (e, f, j, m and l) to which the proposal applies within the Berala Village is affected by flooding. Any future DAs on these blocks will be required to comply with clause 6.3 Flooding of the <i>Auburn LEP 2010</i>.
4.4 Planning for Bushfire Protection	Not applicable
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not applicable
5.2 Sydney Drinking Water Catchments	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable

Direction	Consistency
(Revoked 18 June 2010)	
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable
5.8 Second Sydney Airport: Badgerys Creek	Not applicable
6. Local Plan Making	
6.1 Approval and Referral Requirements	Not applicable
6.2 Reserving Land for Public Purposes (1) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General). (2) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>, the relevant planning authority must: (a) reserve the land in accordance with the request, and (b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and (c) identify the relevant acquiring authority for the land. (3) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must: (a) include the requested provisions,	Consistent The proposal does not create, alter or reduce existing zonings or reservations of land for public purposes for land subjected to the PP (R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential) under the <i>Auburn LEP 2010</i>.

Direction	Consistency
or (b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired. (4) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.	
6.3 Site Specific Provisions	Consistent The proposal does not allow a particular development proposal to be carried out.
7. Metropolitan Planning	
7.1 Implementation of the <i>Metropolitan Plan for Sydney 2036</i> <i>What a Relevant Planning Authority must do if this direction applies</i> Planning proposals shall be consistent with: (a) the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010 ("the Metropolitan Plan"). <i>Consistency</i> A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the Metropolitan Plan: (a) is of minor significance, and (b) the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.	The proposal is consistent with the following actions: • B1.1 - Plan for centres to grow and change over time (p.65); and • B1.3 - Aim to locate 80% of all new housing within walking catchments of existing and planned centres of all sizes with good public transport (p.65); and • D1.1 - Locate at least 70 per cent of new housing within existing urban areas and up to 30 per cent of new housing in new release areas (p.114) Refer to discussion at pages 20-22 of this Planning Proposal report.

