



PLANNING PROPOSAL

**AMENDMENT TO AUBURN LOCAL
ENVIRONMENTAL PLAN 2010**

**PROPOSAL TO REZONE AND INCREASE THE
DENSITY OF TWO (2) SEPARATE PARCELS OF
LAND IN THE AUBURN LOCAL GOVERNMENT
AREA**

**Prepared for
Auburn City Council**

**By
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- Appendix 2: Item No. 116B from the Minutes of the Extraordinary Meeting of Council held 12 May 2010
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1. INTRODUCTION

This Planning Proposal contains an explanation of the intended effect and justification for a proposed amendment to the Auburn Local Environmental Plan 2010. The Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning Guidelines including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals* and Auburn City Council's internal guideline for preparing Planning Proposals.

The Planning Proposal seeks an amendment to the Auburn LEP 2010 to achieve:

- A rezoning of the land on the eastern side of Auburn Road, between Beatrice and Helena Streets, from R3 Medium Density Residential to B4 Mixed Use; and
- A rezoning of land on both sides of Susan Street, between Beatrice and Helena Streets, from R3 Medium Density Residential to R4 High Density Residential.

The land to which the Planning Proposal relates is shown on **Figures 1, 2 and 9**.

As a result of the proposed zoning changes above, it is also proposed that the maximum building heights and maximum Floor Space Ratios on both sites be amended to reflect their new zoning. This will ensure that the development standards for both sites are consistent with other land zoned B4 Mixed Use and R4 High Density Residential within the Auburn Local Government Area.

At the Ordinary meeting of Council on 20 October 2010 a report was tabled in response to a series of resolutions made at the Extraordinary Meeting of Council held on 12 May 2010. The minutes of both meetings are provided in Appendices 1 and 2 respectively.

At the Ordinary Meeting held on 20 October 2010, Council resolved to:-

- "1. a) *Prepare a planning proposal in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the FSRs for 3A/B4 to a maximum of 5:1 within the Auburn and Lidcombe Town Centres and amend the Local Centres part of the ADCP 2010 accordingly.*
- b) *Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the FSRs for 2C/R4 to a maximum of 2:1 within the Auburn LGA and amend the Residential Flat Buildings part of the ADCP 2010 accordingly.*
- c) *Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the height in the Auburn and Lidcombe Town Centres to a maximum 55m or equivalent to 18 stories and FSR of 8.8:1 and amend the Local Centres part of the ADCP 2010 accordingly.*

- d) *Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Auburn Road eastern side from Beatrice Street to Helena Street from R3 to B4 and amend the Local Centres part of the ADCP 2010 accordingly.*
 - e) *Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Susan Street from Beatrice Street to Helena Street from R3 to R4 residential and amend the Residential Flat Buildings part the ADCP 2010 accordingly.*
 - f) *Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties fronting St Hilliers Road from Simpson Street and Dartbrook Road from Simpson to Parramatta Road excluding the existing commercial component to be consistent with the remainder of properties facing St Hilliers Road being R4 and amend the Residential Flat Buildings part the ADCP 2010 accordingly.*
 - g) *Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that face Park Road between Raglan Road and Princess Street East to IN2.*
 - h) *Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties facing Park Road and bound by Jenkins Road and the railway line to IN2.*
- 2. *Note that a Planning Study of Regents Park Town centre and the surrounding Regents Park residential area will be prepared and brought back to Council in 2011.*
 - 3. *Note that a planning study of Berala Town Centre and the surrounding Berala residential area will be prepared and brought back to Council in 2011.” [our emphasis]*

BBC Consulting Planners has been engaged by Auburn City Council to prepare a Planning Proposal in relation to Items 1(d) and 1(e) in the Resolution above. The Planning Proposal will evolve and develop as technical studies are prepared and consultation is undertaken. Recommended technical studies are described in detail in **Part 4** of this Planning Proposal.

In accordance with Section 55 of the EP&A Act, this Planning Proposal seeks to explain the intended effect of the proposed instrument and sets out the justification for making the proposed instrument. It addresses matters that are intended to be included in the Local Environmental Plan.

1.1 Land to which the Planning Proposal applies

The Planning Proposal applies to the land identified in **Figures 1, 2 and 9** as land to which the Planning Proposal relates.

1.2 Existing Planning Controls

The land to which the Planning Proposal relates, is currently zoned R3 Medium Density Residential (see **Figures 3 and 10**). A discussion on the existing controls applying to the land to which this Planning Proposal relates is provided below.

1.2.1 Land fronting Auburn Road (eastern side) between Beatrice and Helena Streets

Zoning

In relation to the land fronting Auburn Road (eastern side) between Beatrice and Helena Streets, this land is currently zoned R3 Medium Density Residential under *Auburn LEP 2010*. **Figure 3**, which is an extract from the current zoning map, shows the existing zoning of the land to which the Planning Proposal relates.

The Objectives of the R3 Medium Density Residential zone are as follows:-

- “• To provide for the housing needs of the community within a medium density residential environment.*
- To provide a variety of housing types within a medium density residential environment.*
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.”*

The following development is permitted with consent in the R3 Medium Density Residential zone under Auburn LEP 2010:-

“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”.

Minimum Lot Size

Figure 4, which is an extract from the current minimum lot size map, shows that no minimum lot size applies to the relevant land fronting Auburn Road (eastern side) between Beatrice and Helena Streets.

Building Height

Figure 5, which is an extract from the current Height of Buildings Map, shows the land fronting Auburn Road (eastern side) between Beatrice and Helena Streets, to which the Planning Proposal relates. The current maximum building height for the land affected by the Planning Proposal is 9 metres.

Floor Space Ratio (FSR)

Figure 6, which is an extract from the current Floor Space Ratio Map, shows the current Maximum Floor Space Ratio (FSR) that applies to the relevant land fronting Auburn Road (eastern side) between Beatrice and Helena Streets. The current FSR for the land affected by the Planning Proposal is 0.75:1.

1.2.2 Land fronting Susan Street between Beatrice and Helena Streets

Zoning

In relation to the land fronting Susan Street between Beatrice and Helena Streets, this land is currently zoned R3 Medium Density Residential under *Auburn LEP 2010*. **Figure 10**, which is an extract from the current zoning map, shows the existing zoning of the land to which the Planning Proposal relates. The Objectives and permissible uses with consent for the R3 Medium Density Residential zone are outlined in Section 1.2.1 above.

Minimum Lot Size

Figure 11, which is an extract from the current minimum lot size map from *Auburn LEP 2010*, shows there is currently no minimum lot size for the relevant land fronting Susan Street between Beatrice and Helena Streets, to which the Planning Proposal relates.

Building Height

Figure 12, which is an extract from the current Height of Buildings Map from *Auburn LEP 2010*, shows the land fronting Susan Street between Beatrice and Helena Streets, to which the Planning Proposal relates. The current maximum building height for the land affected by the Planning Proposal is 9 metres.

Floor Space Ratio (FSR)

Figure 13, which is an extract from the current Floor Space Ratio Map from *Auburn LEP 2010*, shows the current Maximum Floor Space Ratio (FSR) that applies to the relevant land fronting Susan Street between Beatrice and Helena Streets. The current FSR for the land affected by the Planning Proposal is 0.75:1.

1.3 Heritage

The land to which the Planning Proposal applies does not contain any items of heritage significance. Refer to **Figures 7 and 14** showing excerpts from the Auburn LEP 2010 Heritage Maps. There are no items or areas of Heritage Significance within the land affected by this Planning Proposal.

1.4 Flooding

Figures 8 and 15 are extracts from the Auburn LEP 2010 Flood Planning Maps. The land to which the Planning Proposal applies is not affected by flooding.

1.5 Proposed Planning Controls

The Planning Proposal will result in the following amendments to the Zoning Maps forming part of Auburn LEP 2010:-

- as shown on **Figure 16**, the land fronting Auburn Road (eastern side) from Beatrice Street to Helena Streets currently zoned R3 Medium Density Residential is to be zoned B4 Mixed Use; and
- as shown on **Figure 19**, the land fronting Susan Street from Beatrice Street to Helena Streets currently zoned R3 Medium Density Residential is to be zoned R4 High Density Residential.

The Planning Proposal will also result in the following amendments to other maps that form part of Auburn LEP 2010:-

- as shown on **Figure 17**, the land fronting Auburn Road (eastern side) from Beatrice Street to Helena Street currently with a maximum building height of 9m is proposed to have a maximum building height of 27m;
- as shown on **Figure 18**, the land fronting Auburn Road (eastern side) from Beatrice Street to Helena Street currently with a maximum Floor Space Ratio of 0.75:1 is proposed to have a maximum Floor Space Ratio of 3.0:1;
- as shown on **Figure 20**, the land fronting Susan Street from Beatrice Street to Helena Streets currently with a maximum building height of 9m is proposed to have a maximum building height of 16m; and
- as shown on **Figure 21**, the land fronting Susan Street from Beatrice Street to Helena Streets currently with a maximum Floor Space Ratio of 0.75:1 is proposed to have a maximum Floor Space Ratio of 1.4:1.

2. PART 1 – OBJECTIVES OF THE PROPOSED LOCAL ENVIRONMENTAL PLAN

This section of the Planning Proposal sets out the objectives or intended outcomes of the Planning Proposal. The following objectives will be developed further as studies are undertaken to inform the Planning Proposal.

The objectives of the Planning Proposal are to:-

1. enable the redevelopment of certain identified parts of the Auburn Local Government Area for higher-density residential and mixed use development, that will better contribute to sub-regional housing and employment targets;
2. encourage the development of buildings that achieve design excellence and of public domain spaces that are safe, accessible and attractive;
3. enhance the local environment;
4. maximise the use of public transport, walking and cycling for trips to, from and within the Auburn LGA by integrating accessibility to services and public transport with the provision of on-site parking;
5. provide for the orderly and economic development of land; and
6. ensure development within the Auburn Local Government Area appropriately supports the centres hierarchy of the Metropolitan Plan for Sydney 2036 and the West Central Subregion Draft Subregional Strategy.

3. PART 2 - EXPLANATION OF PROVISIONS

This section sets out the means through which the objectives described in Part 1 will be achieved.

Auburn City Council supports the Planning Proposal for:-

- (i) the land fronting Auburn Road (eastern side) from Beatrice Street to Helena Streets currently zoned R3 Medium Density Residential to be rezoned B4 Mixed Use; and
- (ii) the land fronting Susan Street from Beatrice Street to Helena Streets currently zoned R3 Medium Density Residential to be rezoned R4 High Density Residential.

The LEP will conform to the *Standard Instrument (Local Environmental Plans) Order 2006*. It will identify the land to which it relates and alter the Zoning Map currently forming part of Auburn LEP 2010 by rezoning the subject lands. The Minimum Lot Size, Height of Buildings and Floor Space Ratio Maps shall also be amended to ensure the controls for the land match those of other B4 Mixed Use and R4 High Density Residential Land within the Auburn Local Government Area.

The Minimum Lot Size Map, Heritage, Flood Planning and Acid Sulfate Soils Maps which currently form part of Auburn LEP 2010 will remain unchanged as a result of the Planning Proposal.

The road (Susan Street) between Beatrice and Helena Streets will also be rezoned as per (ii) above to ensure consistency with the department's guidance on zoning for infrastructure in LEPs (PN 08-002).

3.1 Auburn LEP 2010 – Land Zoning Map

The Land Zoning Map under the *Auburn LEP 2010* is proposed to be amended in accordance with the notations in **Table 1** below.

Table 1 – Land Zoning map changes for land affected by this Planning Proposal

Site	ALEP 2010 map tile FSR_002	Proposed amendment to map tile FSR_002
Land fronting Auburn Road (eastern side) from Beatrice Street to Helena Streets, Auburn	Land is currently zoned R3 Medium Density Residential	Land is to be rezoned B4 Mixed Use in accordance with Figure 16 .
Land fronting Susan Street from Beatrice Street to Helena Streets, Auburn	Land is currently zoned R3 Medium Density Residential	Land is to be rezoned R4 High Density Residential in accordance with Figure 19 .

3.2 Auburn LEP 2010 – Height of Buildings Map

The Height of Buildings Map under the *Auburn LEP 2010* is proposed to be amended in accordance with the notations in **Table 2** below.

Table 2 – Height of Buildings map changes for land affected by this Planning Proposal

Site	ALEP 2010 map tile FSR_002	Proposed amendment to map tile FSR_002
Land fronting Auburn Road (eastern side) from Beatrice Street to Helena Streets, Auburn	Land currently has a maximum building height of 9m	Land is to have a maximum building height of 27m in accordance with Figure 17 .
Land fronting Susan Street from Beatrice Street to Helena Streets, Auburn	Land currently has a maximum building height of 9m	Land is to have a maximum building height of 16m in accordance with Figure 20 .

3.3 Auburn LEP 2010 – Floor Space Ratio Map

The Floor Space Ratio Map under the *Auburn LEP 2010* is proposed to be amended in accordance with the notations in **Table 3** below.

Table 3 – Floor Space Ratio map changes for land affected by this Planning Proposal

Site	ALEP 2010 map tile FSR_002	Proposed amendment to map tile FSR_002
Land fronting Auburn Road (eastern side) from Beatrice Street to Helena Streets, Auburn	Land currently has a maximum Floor Space Ratio of 0.75:1	Land is to have a maximum Floor Space Ratio of 3.0:1 in accordance with Figure 18 .
Land fronting Susan Street from Beatrice Street to Helena Streets, Auburn	Land currently has a maximum Floor Space Ratio of 0.75:1	Land is to have a maximum Floor Space Ratio of 1.4:1 in accordance with Figure 21 .

4. PART 3 - JUSTIFICATION

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'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.

4.1 Proposed Technical Studies

It is recommended that Council undertake the following technical studies to support the Planning Proposal:-

1. Urban Design Study

This study is to investigate the interface between the subject R3 Medium Density Residential zoned land and adjacent land uses and the presentation of these areas within the local context.

2. Traffic, Transport and Accessibility Study

This study would be prepared by a suitably qualified transport consultant to provide advice regarding the potential impact of the proposed zoning changes on the existing transport network. The study should include an analysis of any local traffic impacts resulting from redevelopment of these sites and advise of opportunities to integrate these areas with the local public transport network including opportunities for walking and cycling.

Consultants preparing the traffic, transport and accessibility study will be required to liaise with Council's traffic engineers. The study would need to consider and incorporate the findings of any previous or current traffic studies prepared by Council.

This study would be initiated once the Urban Design Study, recommended to be undertaken in Section 4.1, is complete.

4.2 Section A - Need for the planning proposal

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

The planning proposal is not the result of a strategic study or report. The Planning Proposal has been prepared in response to the resolutions of Council made 20 October 2010 (refer **Appendix 1**) and 12 May 2010 (refer **Appendix 2**). Council initially made resolutions on land use zoning and related matters during the preparation and consideration of the *Auburn Local Environmental Plan 2010*.

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

Yes.

The main objectives or intended outcomes of the Planning Proposal are to permit a higher density for residential and mixed use development within certain areas of the Auburn Local Government Area (LGA).

Although the zoning of the land is proposed to be amended, the primary controls relating to density are the maximum Floor Space Ratio and maximum Building Heights applying to the land. The Floor Space Ratio (FSR) and Building Heights for the subject land are proposed to be amended to ensure they correspond with the other land zoned R4 High Density Residential and B4 Mixed Use under *Auburn LEP 2010*.

The only way to achieve the above objectives is to amend the *Auburn LEP 2010* as proposed.

3. Is there a net community benefit?

Under the then Department of Planning's Guideline to Preparing Planning Proposals, it is recommended that the Net Community Benefit Test from the Draft Centres Policy be followed when assessing a planning proposal. The guideline suggests that a Net Community Benefit Test should be prepared by the proponent in conjunction with the relevant planning authority to be submitted to council for endorsement prior to submitting to the Department of Planning as part of the Gateway test.

A Net Community Benefit Test is provided in **Appendix 3**. It demonstrates that this Planning Proposal can achieve a net community benefit.

4.3 Section B – Relationship to Strategic Planning Framework

1. 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 Metropolitan Plan for Sydney 2036 ("the Metropolitan Plan") is the blueprint for strategic planning within metropolitan Sydney. It affirms yet supersedes the 'City of Cities – A Plan for Sydney's Future' Metropolitan Strategy 2031 ("the Metropolitan Strategy"). The Metropolitan Plan was produced by drawing on the strengths and principles of the Metropolitan 'City of Cities' Strategy, including its five central aims and supporting subregional strategies.

METROPOLITAN PLAN FOR SYDNEY 2036

Strengthening a City of Cities

The Planning Proposal is consistent with the objectives and actions that underpin the Strengthening a City of Cities theme that seek to:

- contain the urban footprint, with 70% of growth occurring in existing urban centres;
- achieve renewal in existing areas;
- support the trend towards greater infill;
- allocate growth among subregions; and

- build on elements of a compact city, active centres and connected and networked cities.

Growing and Reviewing Centres

The Planning Proposal supports the centres hierarchy and planning catchments stated within the Growing and Reviewing Centres theme of the Metropolitan Plan.

The Planning Proposal supports Plan's objective to benefit from concentrating activities in centres by:

- enhancing the viability of town centres, villages and neighbourhood centres;
- potentially enabling greater diversity of dwellings;
- improving access to a range of retail, commercial, health, education, and leisure and community services;
- optimising use of existing infrastructure and services; and
- promoting sustainable transport alternatives.

The subject land, in its entirety, is contained within an 800m radius of the Auburn train station.

Transport for a Connected City

The Planning Proposal seeks to amend the zoning of land within and adjacent to the town centre of Auburn and increase the density in these locations.

Increasing the density of the B4 Mixed Use and R4 High Density Residential zones will encourage increased commercial and retail floor space (employment) and increased residential density (number, size and configuration of dwellings). Intensified development within and around town centres may lead to more residents and workers utilising transport infrastructure and services.

The strategic location of the Auburn town centre within the metropolitan Sydney bus and rail network may also result in broader diversity of patronage within transport modes and more sustainable transport choices such as walking, cycling and a higher reliance on public transport. This supports the Transport for a Connected City theme within the Plan as it seeks to further integrate land use and transport.

Housing Sydney's Population

The Planning Proposal supports the Plan's objective to achieve efficient use of existing urban areas. The Auburn town centre enjoys good access to services, jobs and public transport (Objective D1).

Growing Sydney's Economy

The Planning Proposal supports the Plan's objectives to grow Sydney's economy by facilitating growth and renewal within and adjacent to centres and ensuring economic activity, investment and jobs are concentrated in the right locations (Objective E1).

Balancing Land Uses on the City Fringe

The Planning Proposal seeks to facilitate projected population and employment growth within the existing commercial footprints of the town centre and within high density residential land that surrounds the centre.

Tackling Climate Change and Protecting Sydney's Natural Environment

The Planning Proposal is consistent the Plan's objective to tackle climate change and protect Sydney's natural environment by facilitating more compact, multi-centred city with jobs close to homes and transport.

WEST CENTRAL SUBREGION DRAFT SUBREGIONAL STRATEGY

The West Central Subregion Draft Subregional Strategy ("WCSDSS") is the subregional strategy that currently applies to the Auburn LGA. It was originally produced to support the 'City of Cities – A Plan for Sydney's Future' Metropolitan Strategy 2031. The WCSDSS remains relevant to Auburn City beyond the introduction of the Metropolitan Plan for Sydney 2031 as it contains key directions and actions for implementation at the local level.

Economy and Employment

The WCSDSS sets targets for provision of 17,000 new dwellings and 12,000 new jobs within the Auburn LGA by 2031. The Planning Proposal will enable increased densities to be realised within land designated for employment generating uses (in respect of the land to be zoned B4 Mixed Use). This will potentially enable development to further contribute to the West Central subregion's jobs target (Action A1.1).

Centres and Corridors

The Planning Proposal seeks to:-

- support appropriate locations for economic activity and employment (Action B1);
- enable increased densities in centres while improving liveability (Action B2); and
- support centres with transport infrastructure and services (Action B4).

Enabling increased building heights and FSR within the land proposed to be zoned B4 Mixed Use will encourage an increased concentration of retail/commercial activity in the Town Centre of Auburn - near public transport (Action B4).

Housing

The Planning Proposal will potentially increase the supply of gross floor area for residential development (on land proposed to be zoned R4 High Density Residential and achieve higher occupation of existing dwellings through redevelopment (Action C1) – subject to the technical studies recommended in Section 4.1 of this report. Rezoning land to B4 Mixed Use and R4 High Density Residential may encourage greater housing mix (Action C2) and diversity in dwelling size and configuration. Feasibly, this may facilitate renewal of parts of the Town Centres (Action C3) and improve housing affordability and quality of new development (Actions C4 and C5).

Transport

The land to which this Planning Proposal applies is well connected to transport networks that will service commercial and residential growth and encourage more sustainable transport choices (Action D3).

The Auburn town centre is frequently serviced as part of the metropolitan Sydney rail network. Auburn is also well serviced by several bus routes. A suitable pedestrian environment is provided and the street network within the Auburn LGA supports cycling.

Environment, Heritage and Resources

Concentrating development growth in and adjacent to centres with established urban form and infrastructure (Action E3.1) may reduce the development occurring outside local centres and impact on the environmental, particularly on existing vegetation, water quality and the Duck Creek catchment.

There is no anticipated implication to heritage items or heritage conservation areas resulting from the Planning Proposal.

Parks, Public Places and Culture

The Planning Proposal will potentially have an impact on parks, public spaces and culture by way of:-

- ensuring residents and workers of new development have access to a diverse mix of parks and public spaces (Action F2);
- requiring provision of greater urban civic space when planning for centres (Action F2.3); and
- building upon Auburn City's cultural life (Action F4).

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

The Auburn City Community Strategic Plan (CSP) 2011 – 2021 was publicly exhibited in February and March (2011) and formally adopted by Council on 18 May, 2011. This Plan is the most comprehensive strategic plan produced for Auburn City and included the most extensive program of community engagement previously undertaken by Council.

The Planning Proposal is consistent with the principles for sustainable cities which underpin the CSP, in that it seeks to facilitate residential and employment generating development to occur in areas well serviced by public infrastructure (i.e. transport; community facilities; schools) and within or in close proximity to established commercial centres.

In addition, the CSP was prepared to consider and respond to priorities of the Auburn City community over the next 10 years. This includes:-

- housing affordability;
- quality of development;
- attractive public spaces and town centres;

- maintaining assets and delivering infrastructure;
- better transport; and
- an attractive place to do business.

Rezoning the land B4 Mixed Use and R4 High Density Residential land increasing the density of that land, if appropriately managed, will potentially respond to these challenges.

3. Is the planning proposal consistent with applicable state environmental planning policies?

A checklist outlining the Planning Proposal's consistency with the relevant SEPPs and REPs is provided in **Appendix 4**.

The Planning Proposal is considered to be consistent with the relevant SEPPs and REPs.

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

A checklist, outlining the Planning Proposal's consistency with the relevant Local Planning Directions is provided in **Appendix 5**.

The Planning Proposal is considered to be consistent with the applicable Local Planning Directions.

4.4 Section C – Environmental, Social and Economic Impact

1. 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. Given the long standing commercial/residential nature of the land affected by this proposal, it is unlikely that any critical habitats or threatened species exist on any of the sites.

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

Yes. Further technical studies have been recommended in Section 4.1 of this Planning Proposal to manage environmental issues that may arise.

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

The program of Technical Studies outlined in this Planning Proposal, together with community and public authority consultation, will investigate the range of social and economic effects, and explore options for their management and mitigation.

4.5 Section D – State and Commonwealth Interests

1. Is there adequate public infrastructure for the planning proposal?

Studies have not been undertaken prior to preparation of this Planning Proposal to specifically assess the adequacy of public infrastructure to support the rezoning (in terms of open space, road capacity, transport, community facilities, sewerage, stormwater, etc).

However, the subject land is located adjacent to the Auburn Town Centre. Auburn is an established urban area which is well serviced by road networks, public transport, utilities, community facilities etc. It is assumed that existing infrastructure, plus contributions for future infrastructure and services Council receives from new development within the affected land, will adequately support the Planning Proposal.

Table 4 below outlines the availability of public infrastructure to support the Planning Proposal.

Table 4: Adequacy of Public Infrastructure to support Planning Proposal

Infrastructure	Availability	Comment
Public Transport	Available – Subject to public authority consultation	Rail – The Auburn Railway Station is located approximately 800m from the subject areas. Buses – There are a number of bus routes located in close proximity to the sites.
Utilities	Subject to public authority consultation	Availability of adequate water, sewerage, and power services will be discussed with the relevant public authority, or as directed through the Gateway Determination.
Roads	Subject to public authority consultation and a Traffic and Parking Assessment Report	A number of arterial roads within the existing road network could be affected by the Planning Proposal. As part of the Technical Studies phase of the Planning Proposal, the capacity of the network will be assessed. Consultation will be carried out with the relevant public authorities as directed in the Gateway Determination.
Waste Management and recycling services	Available	Waste management and recycling services will be available through Auburn City Council.
Essential services	Subject to public authority consultation.	The area is generally well-served with Police, Ambulance, Fire and other emergency services. Consultation with the appropriate public bodies will establish if there are sufficient education and health services available.

It is expected that there will be a slight increase in demand on public infrastructure as a result of the proposal to increase the density in these areas, and so consultation will be required on this matter with the appropriate public authorities to be identified through the Gateway Determination.

Consultation with State and Commonwealth agencies will be undertaken in accordance with **Part 4** of this Planning Proposal.

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

At this stage, the appropriate State and Commonwealth public authorities have not been identified or consulted, and the Gateway Determination has yet to be issued by the Minister for Planning and Infrastructure. Consultation with the following Government authorities, agencies and other stakeholders in regard to this Planning Proposal are proposed to include:-

- State Transit Authority of NSW;
- NSW Roads and Maritime Services;
- Sydney Water Corporation;
- Energy Australia;
- NSW Department of Transport;
- Lifetime Care and Support Authority of NSW;
- NSW Department of Family and Community Services (Housing);
- NSW Department of Education and Communities;
- NSW Police Force;
- NSW Health Department;
- Rail Corporation of NSW; and
- Adjoining Councils.

Council seeks confirmation of the above list through the Minister's Gateway Determination.

5. PART 4 – COMMUNITY CONSULTATION

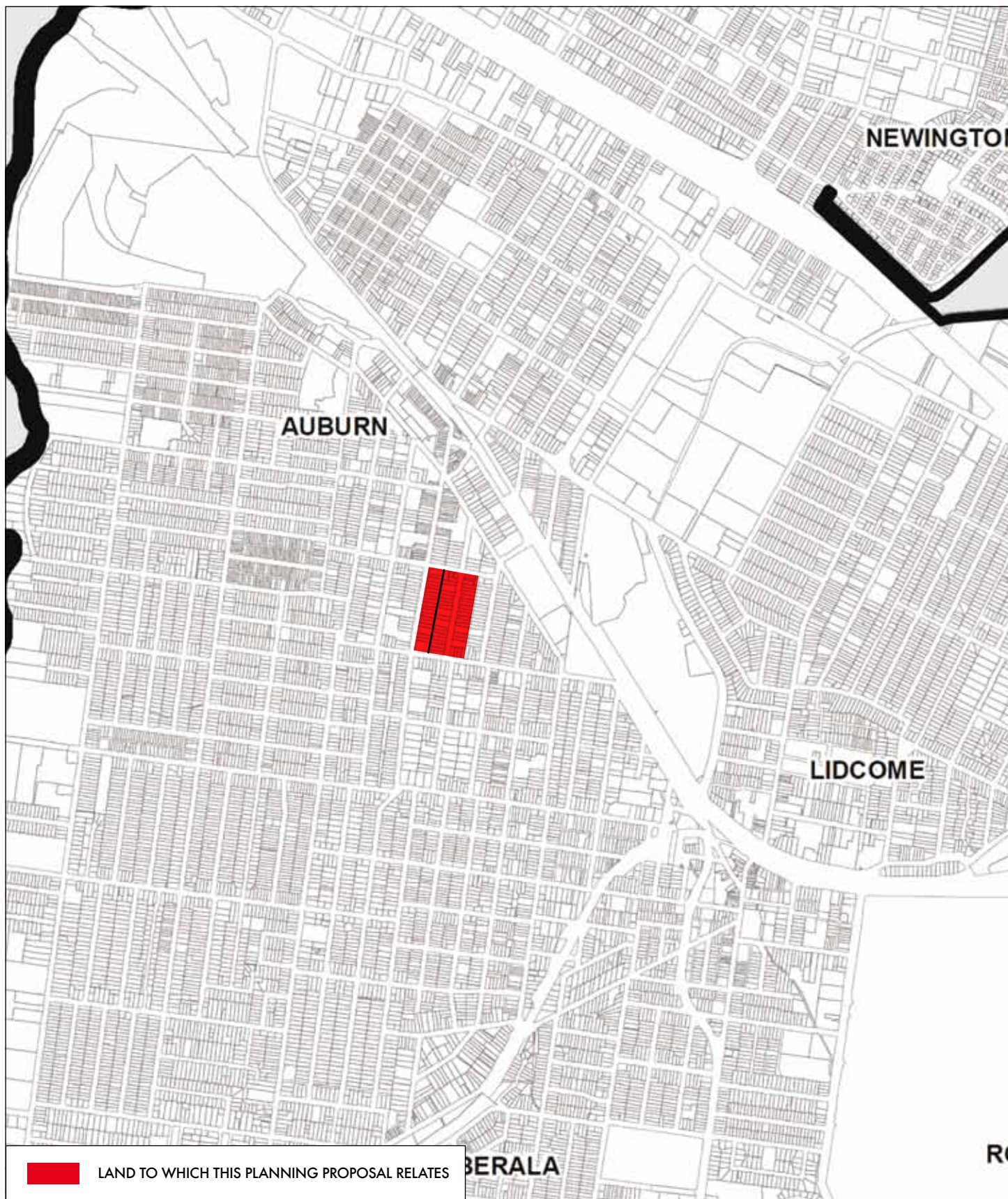
Extensive community consultation on the Planning Proposal will be undertaken by Council subject to receiving a determination to proceed at the gateway. The community consultation will not be commenced prior to obtaining approval from the Minister or Director-General. The notification and consultation process will be initiated after the s.55 submission has been sent to the Department of Planning and Infrastructure.

Council's consultation methodology will include, but not be limited to:-

- forwarding a copy of the Planning Proposal, the gateway determination and any relevant supporting studies or additional information to State and Commonwealth Public Authorities identified in the gateway determination;
- giving notice of the public exhibition in the main local newspaper (the Auburn Pictorial Review) and newspapers of major local languages (Arabic, Chinese, Turkish, Vietnamese);
- exhibiting the Planning Proposal in accordance with the gateway determination. It is anticipated that this would require an exhibition period of at least 28 days duration;
- exhibiting the Planning Proposal and all supporting documentation at Council's Administration Centre and all Libraries;
- notifying of the Planning Proposal's exhibition on Council's website, including providing copies of the Planning Proposal, all supporting studies and additional information and the gateway determination;
- notifying affected landowners, adjoining land owners, the surrounding community and relevant community groups; and
- any other consultation methods deemed appropriate for the proposal.



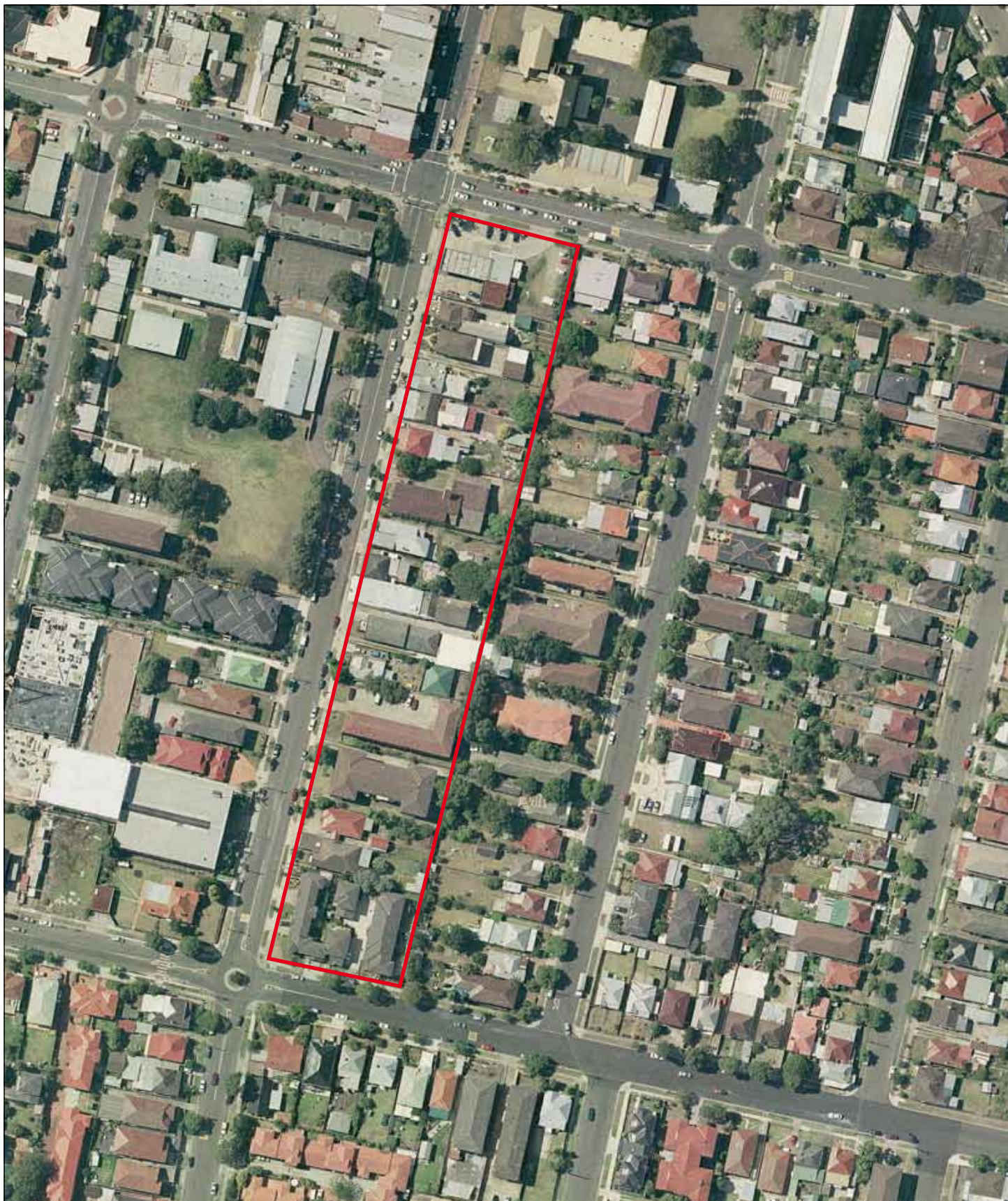
FIGURES



PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010
PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 1
LOCATION PLAN SHOWING LAND TO WHICH THE PLANNING PROPOSAL RELATES

PREPARED FOR - AUBURN COUNCIL



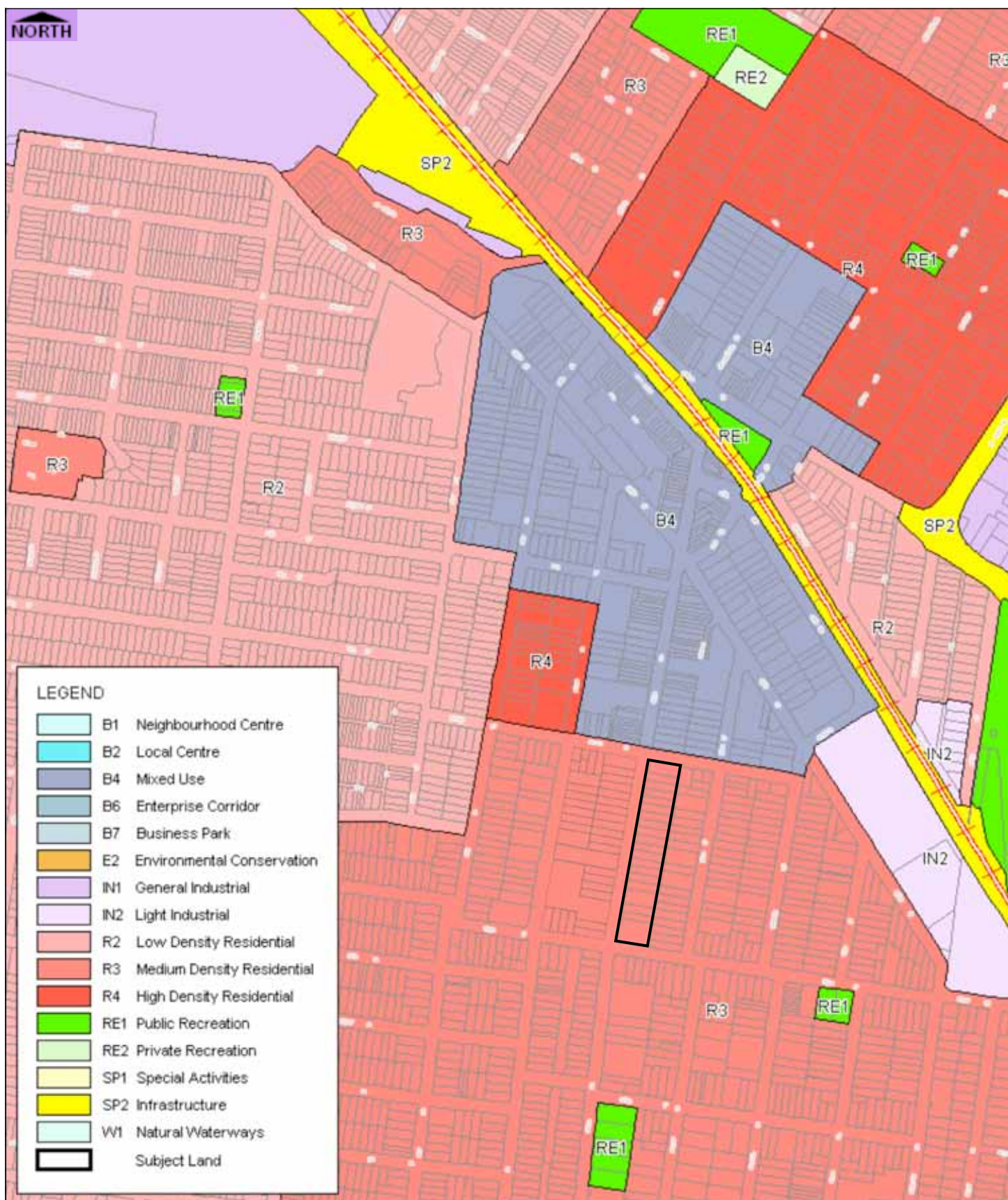
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 2

AERIAL PHOTO - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT AUBURN RD (EASTERN SIDE) FROM BEATRICE ST TO HELENA ST, AUBURN

PREPARED FOR - AUBURN COUNCIL



PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 3

EXCERPT FROM AUBURN LEP 2010 LAND ZONING MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT AUBURN RD (EASTERN SIDE) FROM BEATRICE ST TO HELENA ST, AUBURN

PREPARED FOR - AUBURN COUNCIL



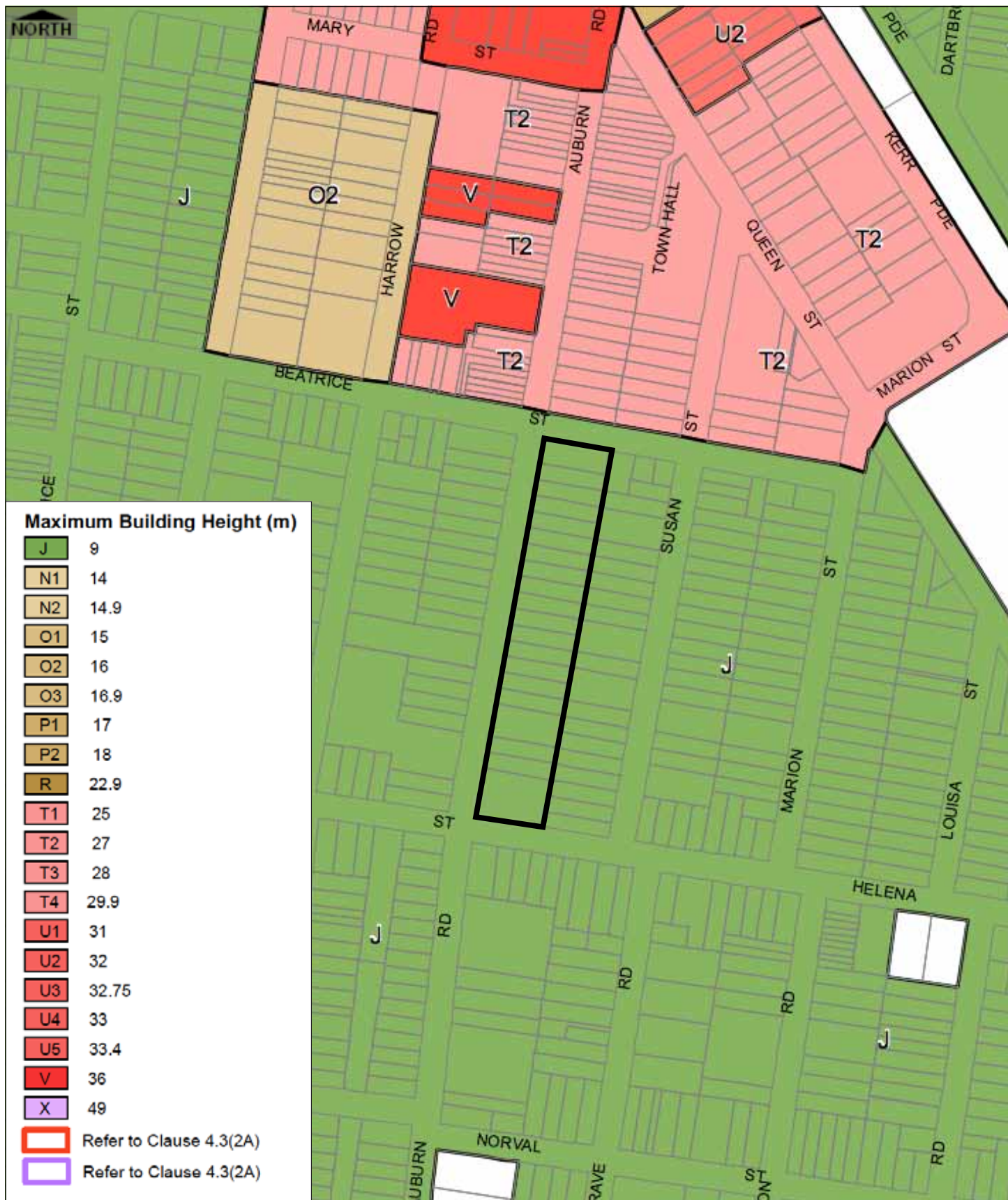
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 4

EXCERPT FROM *AUBURN LEP 2010* MINIMUM LOT SIZE MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT AUBURN RD (EASTERN SIDE) FROM BEATRICE ST TO HELENA ST, AUBURN

PREPARED FOR - AUBURN COUNCIL



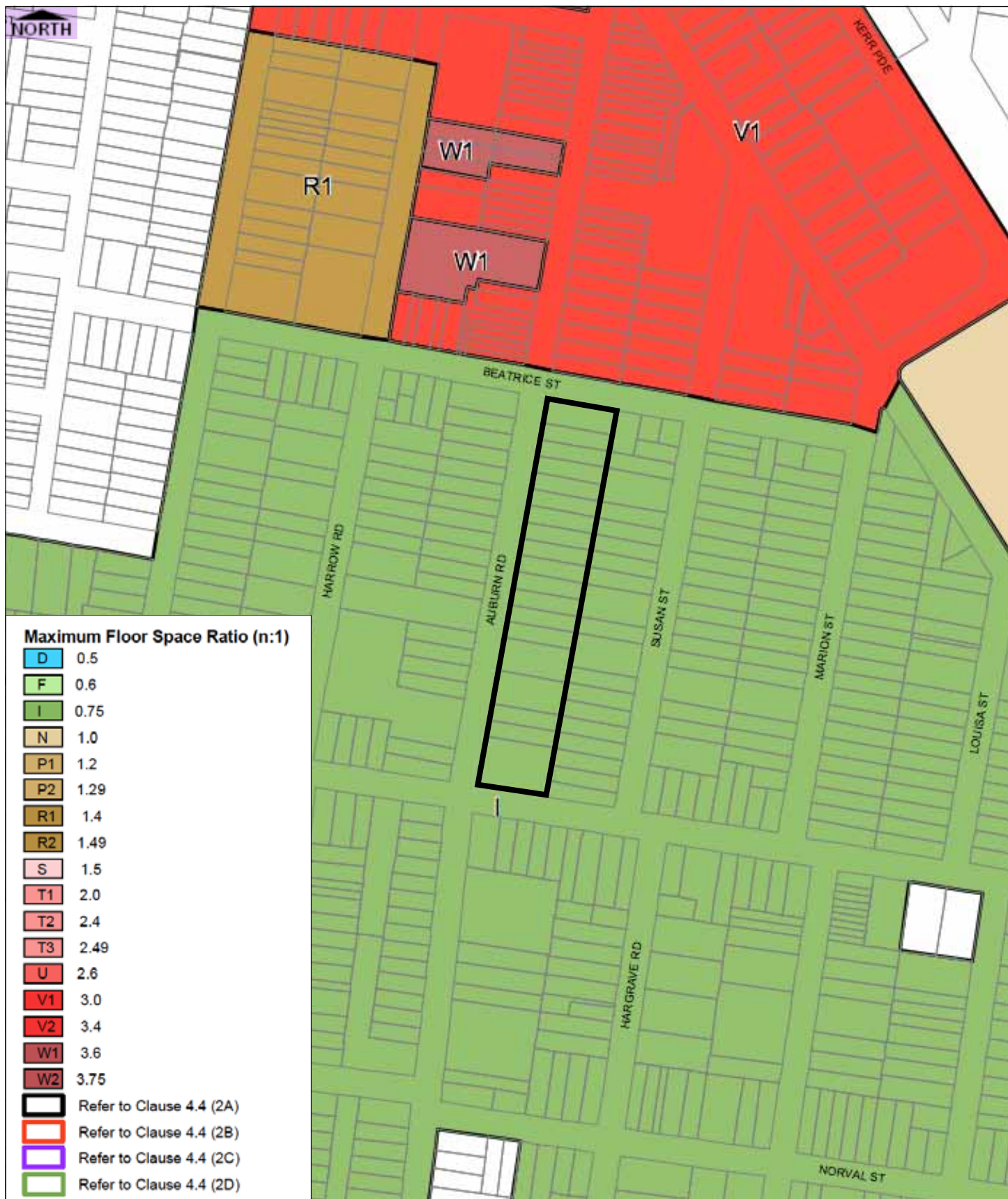
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 5

EXCERPT FROM AUBURN LEP 2010 HEIGHT OF BUILDINGS MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT AUBURN RD (EASTERN SIDE) FROM BEATRICE ST TO HELENA ST, AUBURN

PREPARED FOR - AUBURN COUNCIL



PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 6

EXCERPT FROM AUBURN LEP 2010 FLOOR SPACE RATIO MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT AUBURN RD (EASTERN SIDE) FROM BEATRICE ST TO HELENA ST, AUBURN

PREPARED FOR - AUBURN COUNCIL



PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 7

EXCERPT FROM AUBURN LEP 2010 HERITAGE MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT AUBURN RD (EASTERN SIDE) FROM BEATRICE ST TO HELENA ST, AUBURN

PREPARED FOR - AUBURN COUNCIL



PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 8

EXCERPT FROM AUBURN LEP 2010 FLOOD PLANNING MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT AUBURN ROAD (EASTERN SIDE) FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



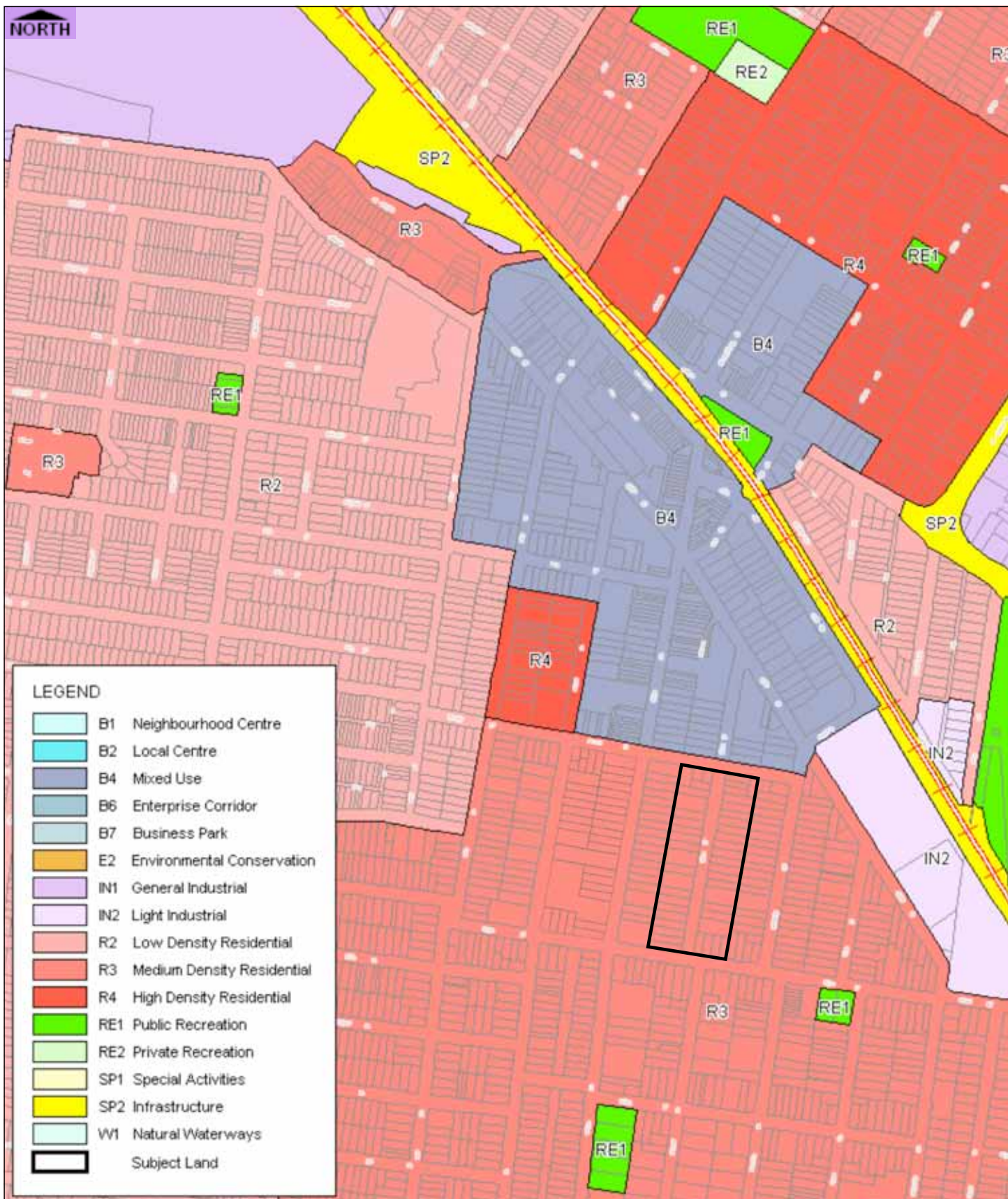
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 9

AERIAL PHOTO - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT SUSAN STREET FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



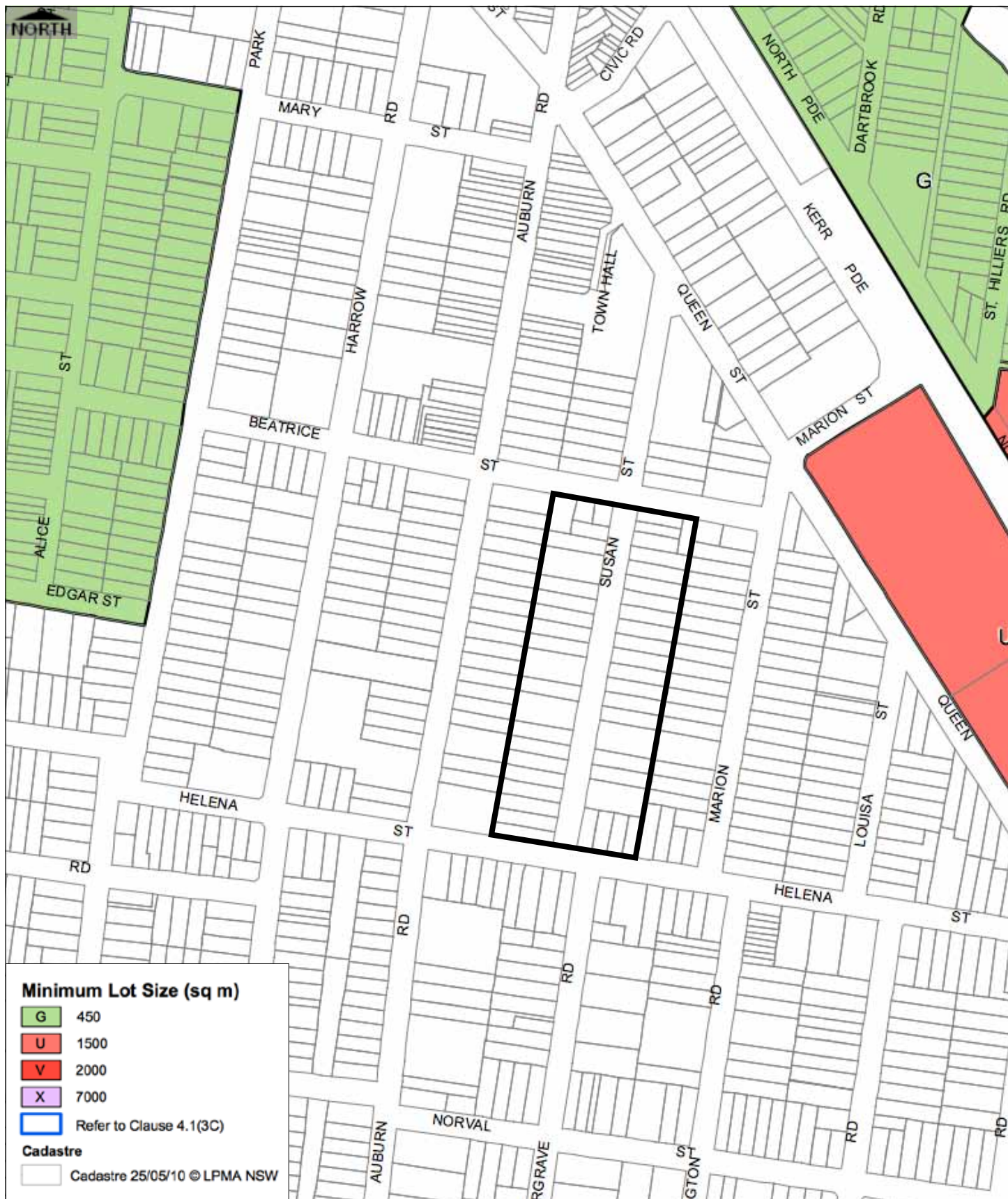
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 10

EXCERPT FROM AUBURN LEP 2010 LAND ZONING MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT SUSAN STREET FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



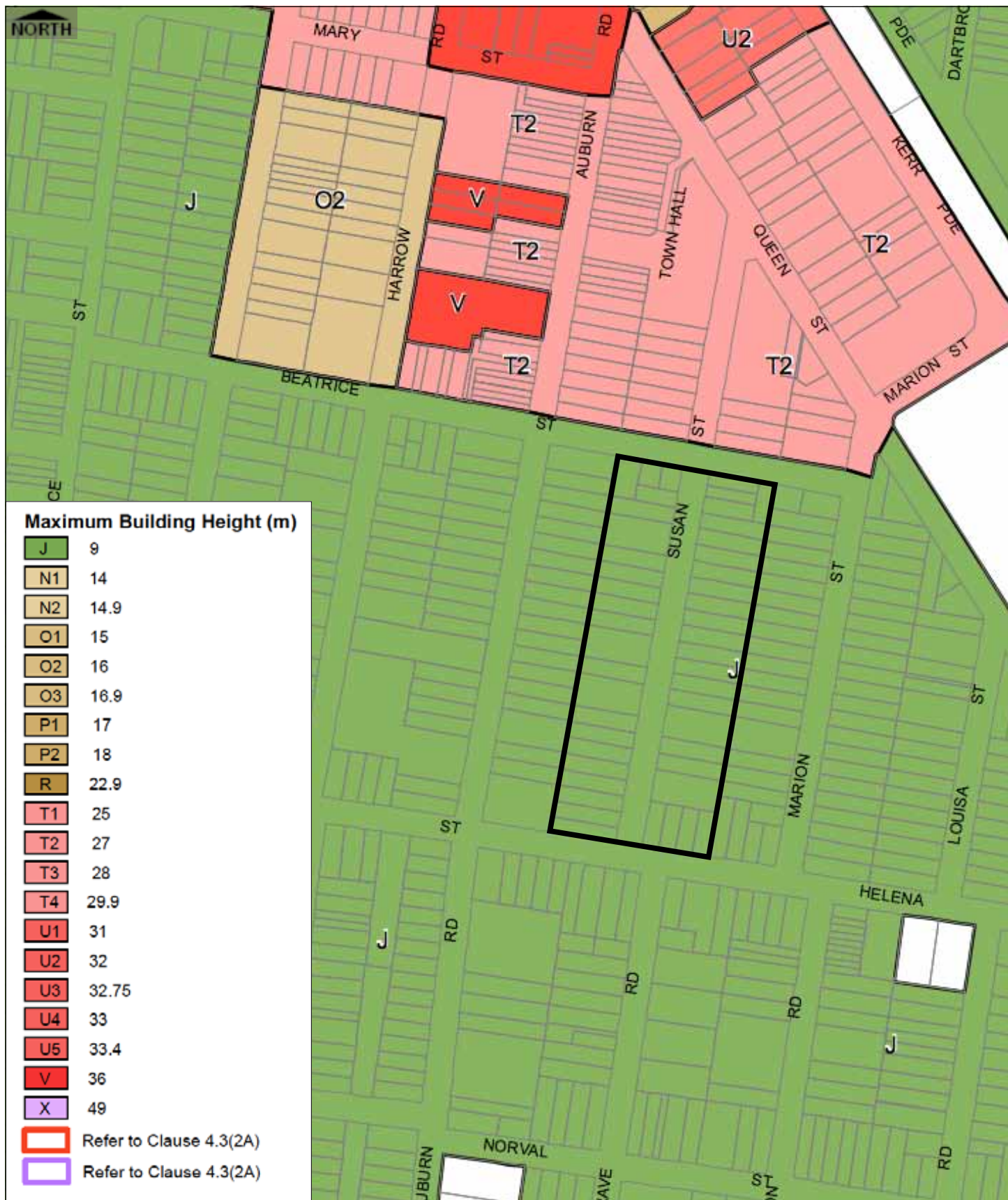
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 11

EXCERPT FROM AUBURN LEP 2010 MINIMUM LOT SIZE MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT SUSAN STREET FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



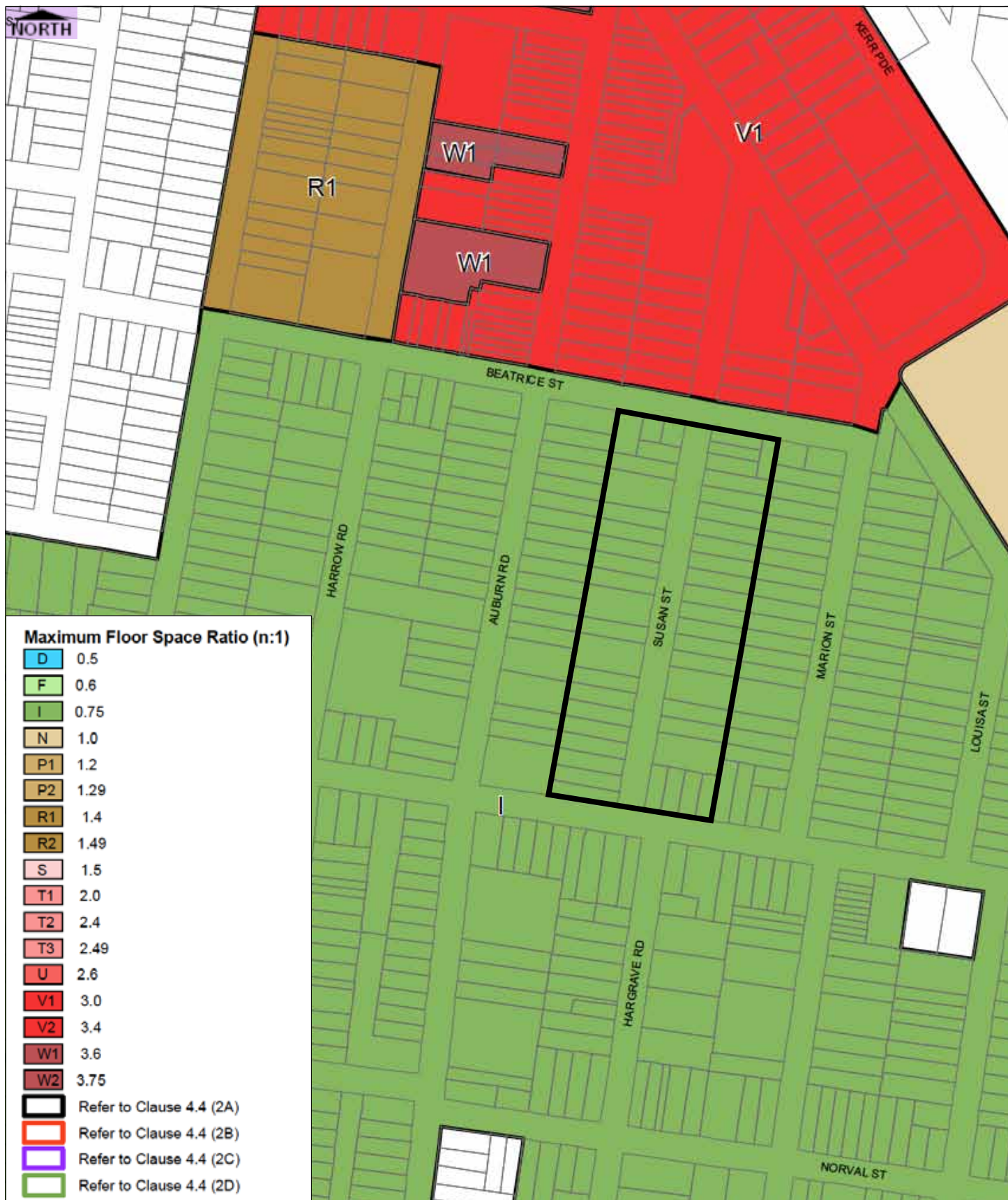
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 12

EXCERPT FROM AUBURN LEP 2010 HEIGHT OF BUILDINGS MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT SUSAN STREET FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 13

EXCERPT FROM AUBURN LEP 2010 FLOOR SPACE RATIO MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT SUSAN STREET FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 14

EXCERPT FROM AUBURN LEP 2010 HERITAGE MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT SUSAN STREET FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



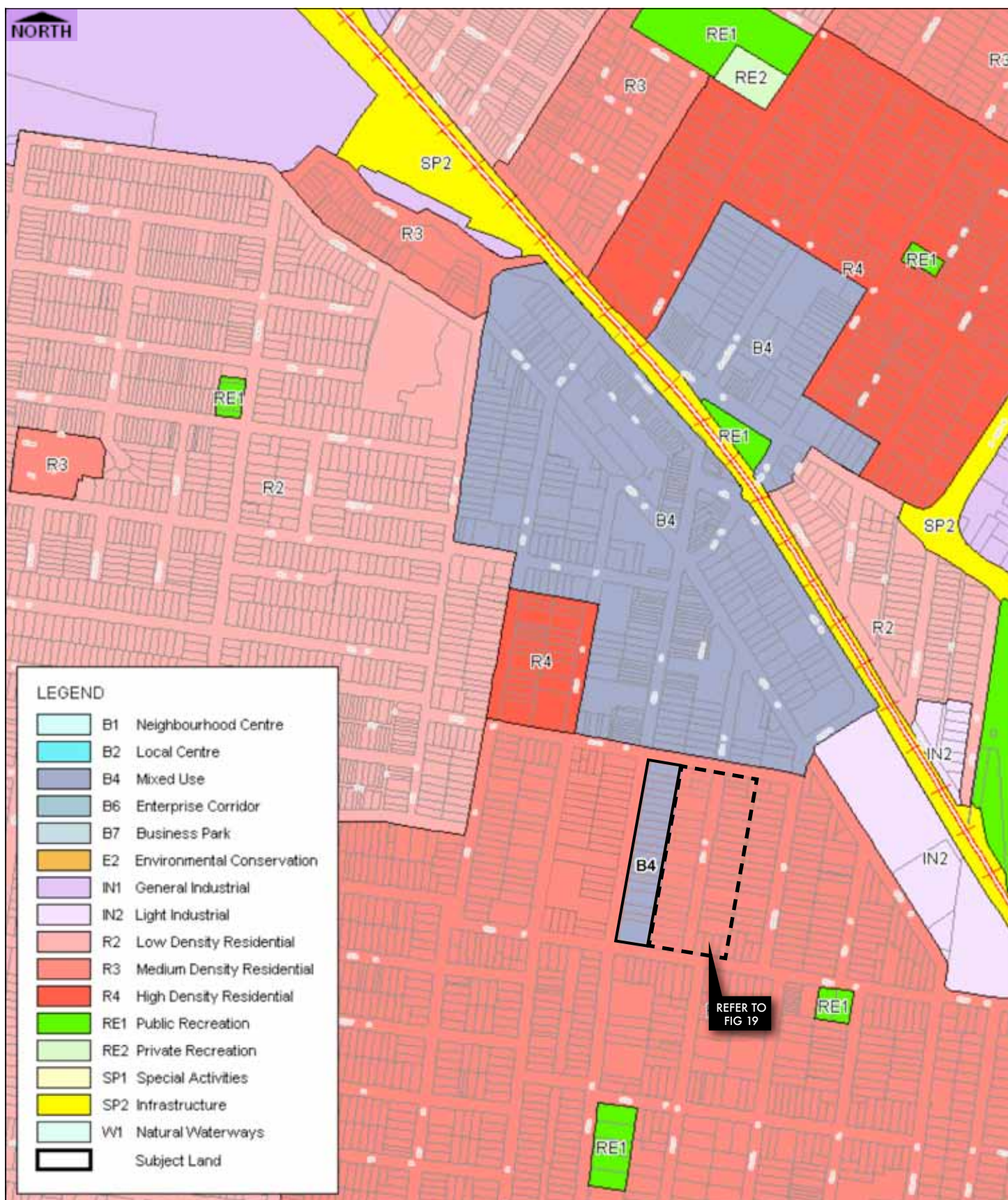
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 15

EXCERPT FROM *AUBURN LEP 2010* FLOOD PLANNING MAP - LAND TO WHICH THE PLANNING PROPOSAL RELATES
- PROPERTIES THAT FRONT SUSAN STREET FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



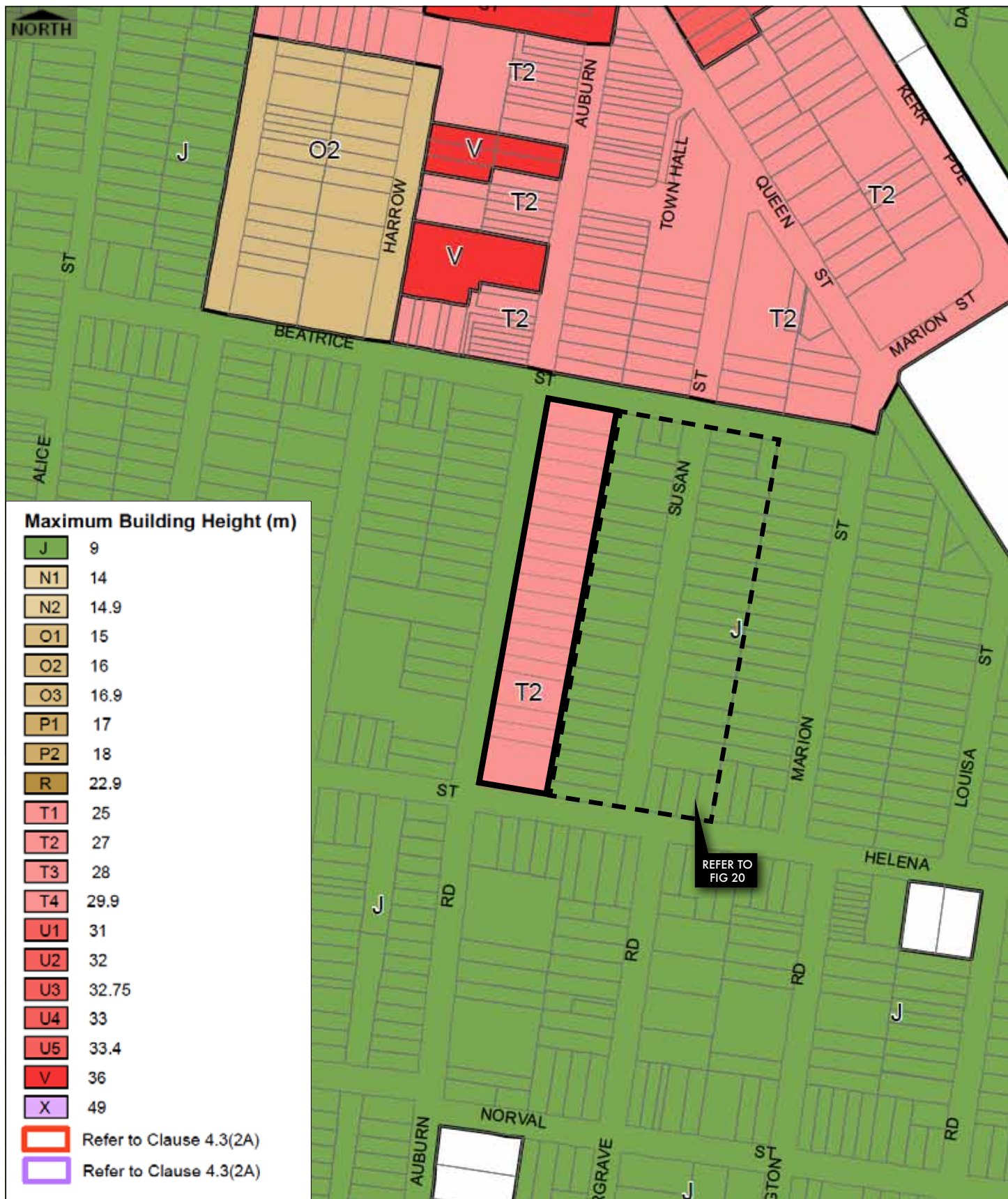
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 16

PROPOSED LAND ZONING MAP - PROPERTIES THAT FRONT AUBURN ROAD (EASTERN SIDE) FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



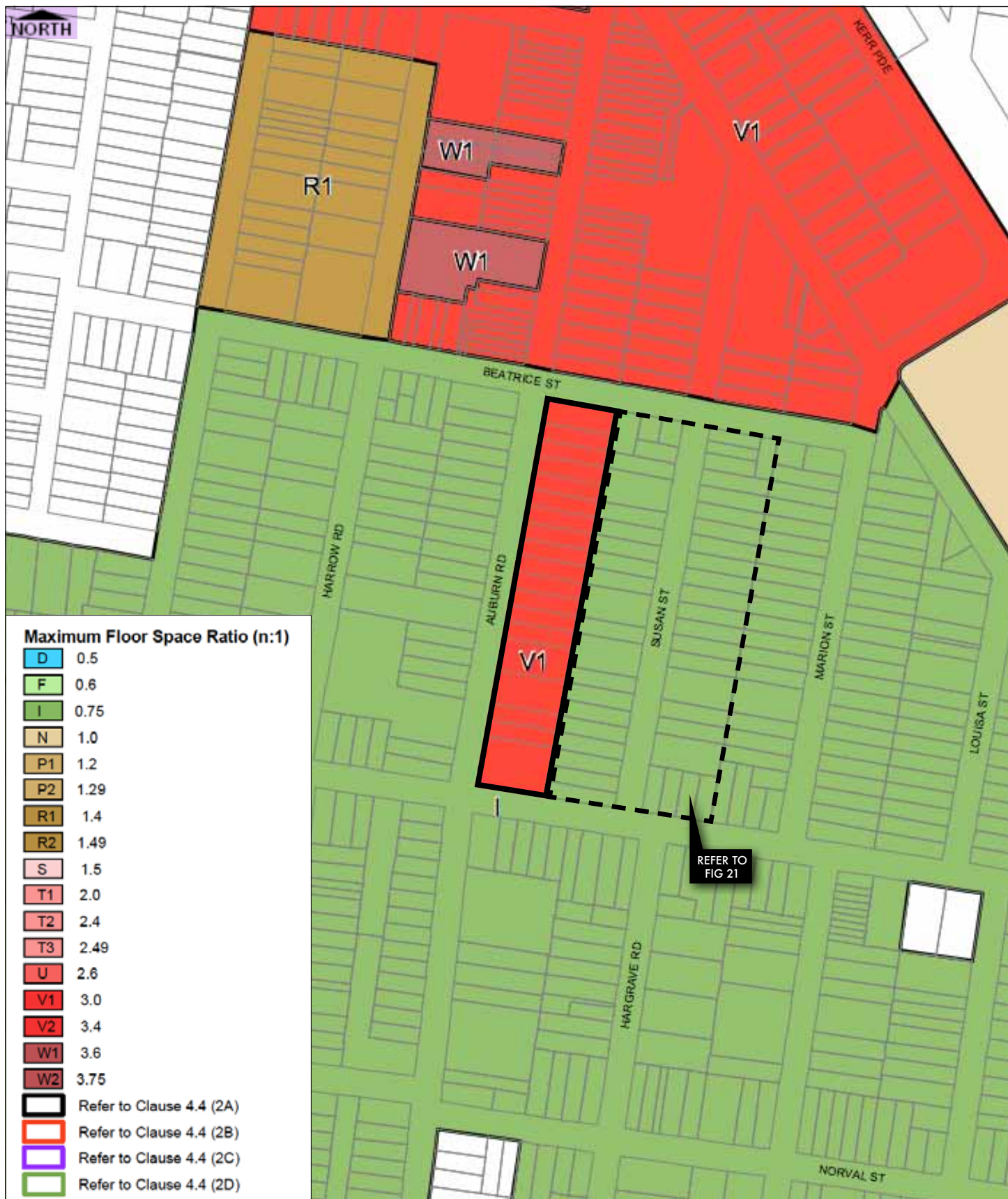
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 17

PROPOSED HEIGHT OF BUILDINGS MAP - PROPERTIES THAT FRONT AUBURN ROAD (EASTERN SIDE) FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



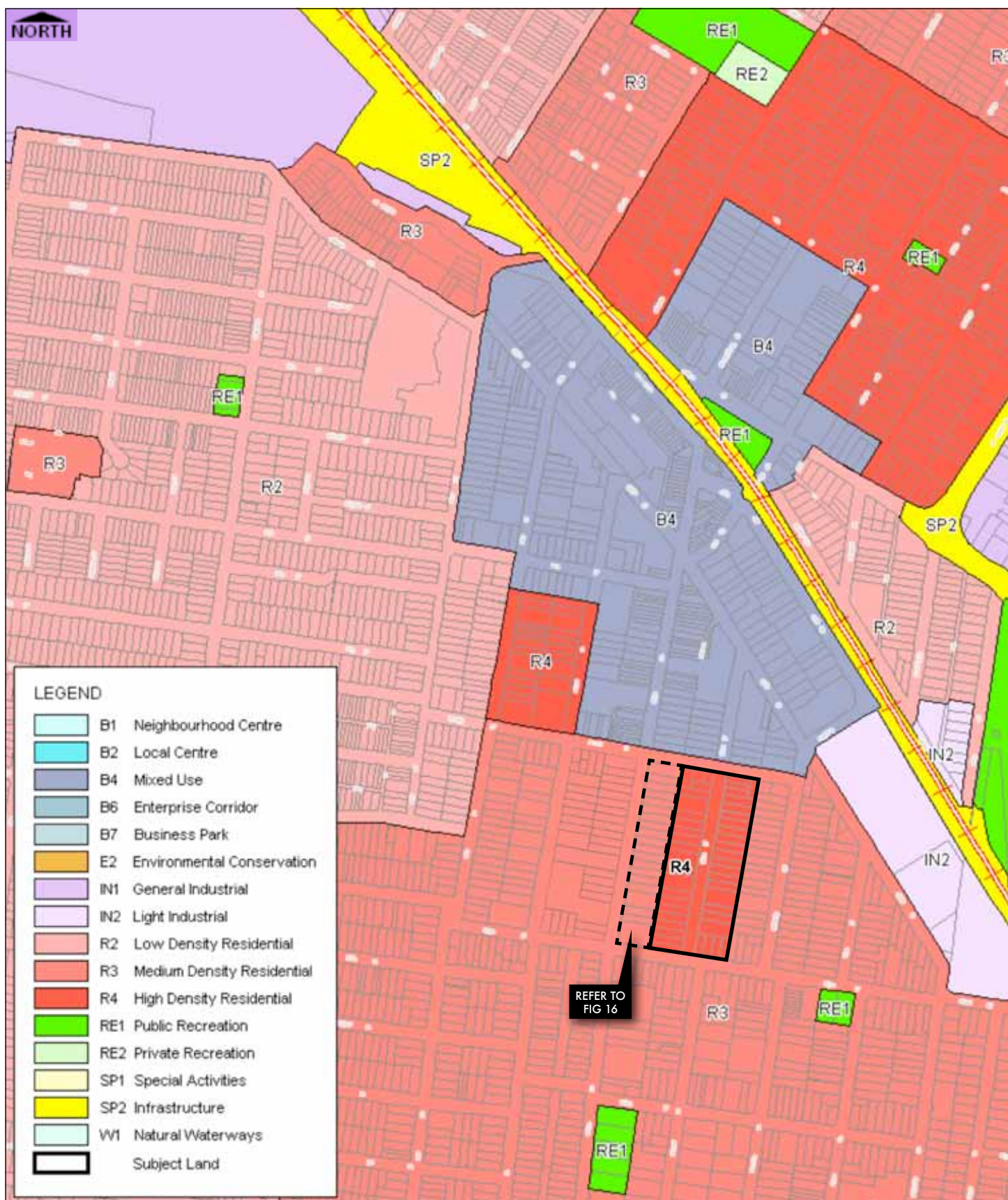
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 18

PROPOSED FLOOR SPACE RATIO MAP - PROPERTIES THAT FRONT AUBURN ROAD (EASTERN SIDE) FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



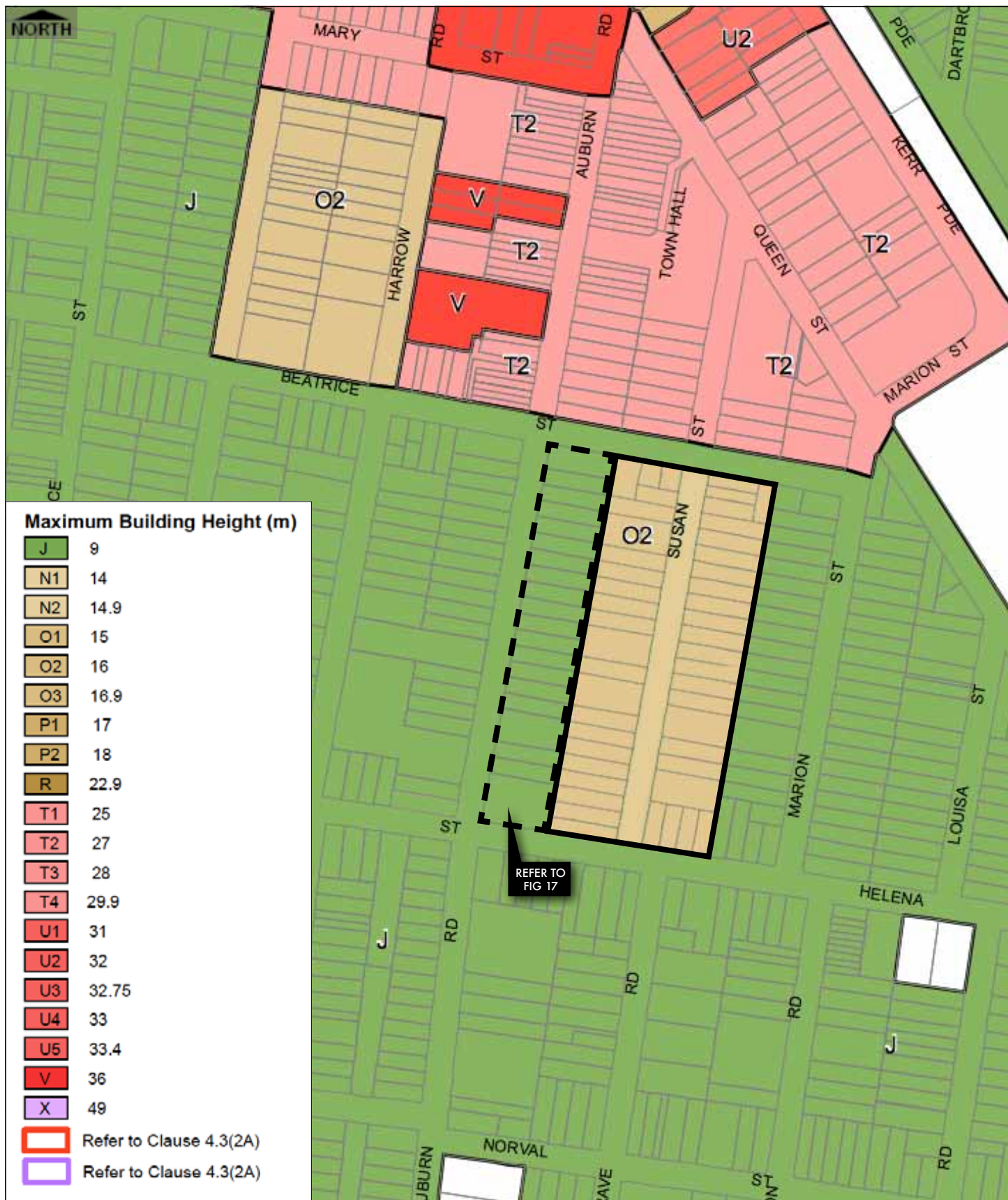
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 19

PROPOSED LAND ZONING MAP - PROPERTIES THAT FRONT SUSAN STREET
FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



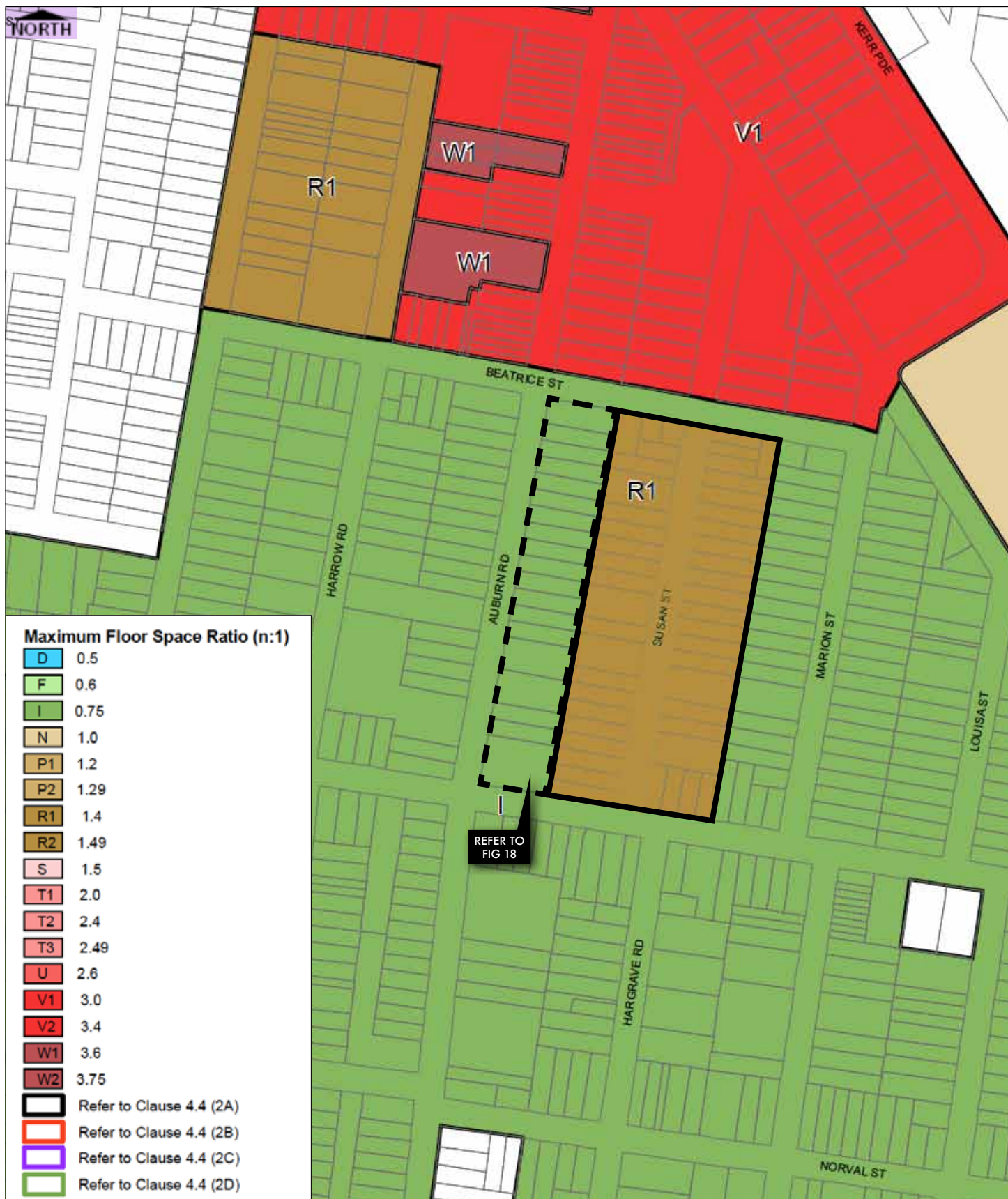
PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 20

PROPOSED HEIGHT OF BUILDINGS MAP - PROPERTIES THAT FRONT SUSAN STREET FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



PLANNING PROPOSAL: AMENDMENT TO AUBURN LEP 2010

PROPOSAL TO REZONE AND INCREASE THE DENSITY OF TWO (2) SEPARATE PARCELS OF LAND IN THE AUBURN LGA

FIGURE 21

PROPOSED FLOOR SPACE RATIO MAP - PROPERTIES THAT FRONT SUSAN STREET FROM BEATRICE STREET TO HELENA STREET, AUBURN

PREPARED FOR - AUBURN COUNCIL



APPENDICES



APPENDIX 1

**Item 257/10 from the Minutes of the Ordinary Meeting of Council
held 20 October 2010**

of interest in Item 231/10 – 1d) as her company has a partnership in the property, and a non-pecuniary conflict of interest in Item 231/10 – 1f), as a distant relative resides in St Hillier's Road, Auburn.

**257/10 Re-submitted Item – Planning Analysis from Resolution of May 12, 2010
Extraordinary Meeting**

C-28-02/03 BC

Note: Clr Lam and Clr Oueik each declared an interest in the matter and left the Chamber before Council's consideration of the matter and remained outside the Chamber during all of the discussions and did not vote.

Clr Au (Deputy Mayor) assumed the chair in the absence of the Mayor.

Moved Clr Curtin, seconded Clr Di Paolo that further consideration of the matter be deferred to a workshop.

The motion was put to the vote and declared lost on the casting vote of the Deputy Mayor.

For: Councillors Curtin, Michels, Di Paolo and Simms

Against: Councillors Anmak, Attie, Au and Zraika

Moved Clr Attie, seconded Clr Anmak that Council:

1. a) Prepare a planning proposal in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the FSRs for 3A/B4 to a maximum of 5:1 within the Auburn and Lidcombe Town Centres and amend the Local Centres part of the ADCP 2010 accordingly.
- b) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the FSRs for 2C/R4 to a maximum of 2:1 within the Auburn LGA and amend the Residential Flat Buildings part the ADCP 2010 accordingly.
- c) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the height in the Auburn and Lidcombe Town Centres to a maximum 55m or equivalent to 18 stories and FSR of 8.8:1 and amend the Local Centres part of the ADCP 2010 accordingly.
- d) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Auburn Road eastern side from Beatrice Street to Helena Street from R3 to B4 and amend the Local Centres part of the ADCP 2010 accordingly.

- e) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Susan Street from Beatrice Street to Helena Street from R3 to R4 residential and amend the Residential Flat Buildings part the ADCP 2010 accordingly.
 - f) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties fronting St Hillers Road from Simpson Street and Dartbrook Road from Simpson to Parramatta Road excluding the existing commercial component to be consistent with the remainder of properties facing St Hilliers Road being R4 and amend the Residential Flat Buildings part the ADCP 2010 accordingly.
 - g) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that face Park Road between Raglan Road and Princess Street East to IN2.
 - h) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties facing Park Road and bound by Jenkins Road and the railway line to IN2.
2. Note that a Planning Study of Regents Park Town centre and the surrounding Regents Park residential area will be prepared and brought back to Council in 2011.
 3. Note that a planning study of Berala Town Centre and the surrounding Berala residential area will be prepared and brought back to Council in 2011."

Amendment

An amendment was moved Clr Simms, seconded Clr Michels that each item should be dealt with individually.

The amendment was put to the vote and declared lost.

For: Councillors Michels and Simms

Against: Councillors Au, Attie, Anmak, Curtin, Di Paolo and Zraika.

The motion was put to the vote and declared carried on the casting vote of the Deputy Mayor.

RESOLVED on the motion of Clr Attie, seconded Clr Anmak that Council:

1. a) ***Prepare a planning proposal in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the FSRs for 3A/B4 to a maximum of 5:1 within the Auburn and Lidcombe Town Centres and amend the Local Centres part of the ADCP 2010 accordingly.***
- b) ***Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and***

Department of Planning guidelines to increase the FSRs for 2C/R4 to a maximum of 2:1 within the Auburn LGA and amend the Residential Flat Buildings part the ADCP 2010 accordingly.

- c) ***Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the height in the Auburn and Lidcombe Town Centres to a maximum 55m or equivalent to 18 stories and FSR of 8.8:1 and amend the Local Centres part of the ADCP 2010 accordingly.***
 - d) ***Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Auburn Road eastern side from Beatrice Street to Helena Street from R3 to B4 and amend the Local Centres part of the ADCP 2010 accordingly.***
 - e) ***Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Susan Street from Beatrice Street to Helena Street from R3 to R4 residential and amend the Residential Flat Buildings part the ADCP 2010 accordingly.***
 - f) ***Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties fronting St Hilliers Road from Simpson Street and Dartbrook Road from Simpson to Parramatta Road excluding the existing commercial component to be consistent with the remainder of properties facing St Hilliers Road being R4 and amend the Residential Flat Buildings part the ADCP 2010 accordingly.***
 - g) ***Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that face Park Road between Raglan Road and Princess Street East to IN2.***
 - h) ***Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties facing Park Road and bound by Jenkins Road and the railway line to IN2.***
2. ***Note that a Planning Study of Regents Park Town centre and the surrounding Regents Park residential area will be prepared and brought back to Council in 2011.***
3. ***Note that a planning study of Berala Town Centre and the surrounding Berala residential area will be prepared and brought back to Council in 2011.”***

For: Councillors Au, Attie, Anmak and Zraika

Against: Councillors Curtin, Di Paolo, Michels and Simms

Note: Voting on the above motion was by way of a division.

Clr Au vacated the chair on the conclusion of the consideration of this item and the return of the Mayor.

258/10 Notice of Rescission Motion – 46-50A John Street, Lidcombe

DA-240/2010 BC:PV

RESOLVED on the motion of Clr Curtin, seconded Clr Lam that the Council's resolution in Minute No.232/10 relating to DA-240/2010 46-50A John Street, Lidcombe be rescinded.

For: Councillors Oueik, Attie, Anmak, Au, Curtin, Lam and Zraika

Against: Councillors Di Paolo, Michels and Simms

RESOLVED on the motion of Clr Curtin, seconded Clr Lam that the Council's resolution in Minute No.232/10 relating to DA-240/2010 46-50A John Street, Lidcombe, be approved subject to the following conditions:

1. Approved Plans

The development is to be carried out in accordance with the approved stamped plans as numbered below:

<i>Plan Number</i>	<i>Prepared By</i>	<i>Revision No.</i>	<i>Dated</i>
<i>3940A_DA04 – Floor Plan/Roof Plan</i>	<i>Zhinar Architects</i>	<i>D</i>	<i>May 2010</i>
<i>3940A_CC-DA:05 – East/West Elevations</i>	<i>Zhinar Architects</i>	<i>F</i>	<i>May 2010</i>
<i>3940A_CC-DA:05B – South/North Elevations & Section</i>	<i>Zhinar Architects</i>	<i>F</i>	<i>May 2010</i>
<i>Basix Certificate – 317891M_04</i>	<i>NSW Planning</i>	<i>-</i>	<i>10 June 2010</i>

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

Reason:- to confirm and clarify the terms of Council's approval.

2. Time period of consent

This consent shall lapse five (5) years from the date of determination unless the approved building, engineering or construction work has been physically commenced in accordance with this consent.

Development consent for the use of land does not lapse if the approved use of



APPENDIX 2

**Item 116B/10 from the Minutes of the Extraordinary Meeting of
Council held 12 May 2010**

2. That the Draft Auburn Development Control Plan 2009 be adopted with the following amendments:

- a) Insert “of” between “purposes” and “heating” in the Industrial Areas Part, Section 7.0, objective d.**
- b) Replace “acces” with “access” and “grenspace” with “greenspace” in the Regency Green Industrial Estate Part, Section 3.2, development control D12, figure notations in Figure 18.**
- c) Replace “gods” with “goods” in the Stormwater Drainage Part, Table 5, ‘Management and design’ section, point 4.**

For: Councillors Zraika, Anmak, Attie, Au, Curtin, Di Paolo, Lam, Michels and Simms.

Against: Nil.

Note: Voting on the above motion was by way of a division.

116B/10 Matter Arising – Planning Analysis and Town Centre Studies

T-44-13 JW

Moved Cllr Attie, seconded Cllr Anmak:

1. That Council undertake the necessary planning analysis as indicated and amend the Draft Management Plan 2010/2011 to reflect the following:
 - Carry out appropriate planning analysis with a view to increase the FSRs for 3A/B4 to a maximum of 5:1 within the Auburn LGA Town Centre.
 - Carry out appropriate planning analysis with a view to increase the FSRs for 2C/R4 to a maximum of 2:1 within the Auburn LGA.
 - Carry out appropriate planning analysis with a view to increase the height in the Auburn and Lidcombe Town Centres to a maximum 56.5m or equivalent to 18 stories and relevant FSR.
 - Carry out appropriate planning analysis with a view to rezoning the properties that front Auburn Road eastern side from Beatrice Street to Helena Street from R3 to B4 as per the Auburn Town Centre.
 - Carry out appropriate planning analysis with a view to rezoning the properties that front Susan Street from Beatrice Street to Helena Street from R3 to R4 residential.
 - Carry out appropriate planning analysis with a view to rezoning the properties fronting St Hillers Road from Simpson Street to be consistent with the remainder of properties facing St Hilliers Road being R4.
 - Carry out appropriate planning analysis with a view to rezoning the properties that face Park Road between Raglan Road and Princess Street East to IN2.

- Carry out appropriate planning analysis with a view to rezoning the properties facing Park Road and bound by Jenkins Road & the railway line to IN2.
2. That Council resolve to immediately prepare a planning study of Regents Park Town Centre and the surrounding Regents Park residential area to determine what opportunities exists to revitalise the town centre and to provide new residential housing opportunities in the surround area including the area bound by Amy Street, the Chullora Goods Railway line, the Sydney water pipeline and Kingsland Road.
 3. That Council resolve to immediately prepare a planning study of Berala Town Centre and the surrounding Berala residential area to determine what opportunities exists to revitalise the town centre and to provide new residential housing opportunities in the surround area.

Amendment

An amendment was moved Cllr Curtin, seconded Di Paolo:

1. That instruments be prepared and processed as a matter of priority with a view to incorporating into the current Auburn Draft LEP the following:
 - Increase the Town Centre Floor Space Ratios from that exhibited to a maximum 5:1.
 - Increasing the R4 Zone from that exhibited to a maximum 2:1.
2. That Council carry out appropriate planning analysis with a view to rezoning the properties facing Park Road and bounded by Jenkins Street and the railway line to IN2 Light Industrial Zone in line with the adjoining properties.

The amendment was put to the vote and declared lost.

For: Councillors Curtin and Di Paolo.

Against: Councillors Zraika, Anmak, Attie Au, Michels and Simms.

The motion was put and declared carried on the casting vote of the Mayor.

RESOLVED on the motion of Cllr Attie, seconded Cllr Anmak:

1. ***That Council undertake the necessary planning analysis as indicated and amend the Draft Management Plan 2010/2011 to reflect the following:***
 - ***Carry out appropriate planning analysis with a view to increase the FSRs for 3A/B4 to a maximum of 5:1 within the Auburn LGA Town Centre.***
 - ***Carry out appropriate planning analysis with a view to increase the FSRs for 2C/R4 to a maximum of 2:1 within the Auburn LGA.***
 - ***Carry out appropriate planning analysis with a view to increase the height in the Auburn and Lidcombe Town Centres to a maximum 56.5m or equivalent to 18 stories and relevant FSR.***

- *Carry out appropriate planning analysis with a view to rezoning the properties that front Auburn Road eastern side from Beatrice Street to Helena Street from R3 to B4 as per the Auburn Town Centre.*
 - *Carry out appropriate planning analysis with a view to rezoning the properties that front Susan Street from Beatrice Street to Helena Street from R3 to R4 residential.*
 - *Carry out appropriate planning analysis with a view to rezoning the properties fronting St Hillers Road from Simpson Street to be consistent with the remainder of properties facing St Hilliers Road being R4.*
 - *Carry out appropriate planning analysis with a view to rezoning the properties that face Park Road between Raglan Road and Princess Street East to IN2.*
 - *Carry out appropriate planning analysis with a view to rezoning the properties facing Park Road and bound by Jenkins Road & the railway line to IN2.*
2. *That Council resolve to immediately prepare a planning study of Regents Park Town Centre and the surrounding Regents Park residential area to determine what opportunities exists to revitalise the town centre and to provide new residential housing opportunities in the surround area including the area bound by Amy Street, the Chullora Goods Railway line, the Sydney water pipeline and Kingsland Road.*
3. *That Council resolve to immediately prepare a planning study of Berala Town Centre and the surrounding Berala residential area to determine what opportunities exists to revitalise the town centre and to provide new residential housing opportunities in the surround area.*

For: Councillors Zraika, Anmak, Attie and Au.

Against: Councillors Curtin, Di Paolo, Michels and Simms.

Note: Voting on the above motions was by way of a division.

There being no further matters, the meeting closed at 8.08pm.

CONFIRMED: _____
MAYOR

DATE: _____



APPENDIX 3

Net Community Benefit Test

Net Community Benefit Test

- “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 for setting 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. Auburn and Lidcombe are identified as “Town Centres”:

“These generally act as important anchors of retail, services and community facilities servicing sub-catchments of two or three surrounding suburbs.

Town centres have one or two supermarkets, community facilities, medical centre, schools, etc. They contains between 4,500 and 9,500 dwellings.”

A key objective of the West Central Subregion Draft Subregional Strategy (“WCSDSS”) is to *Increase Densities in Centres whilst Improving Liveability*. The Planning Proposal will increase the maximum density in areas adjacent to the town centre of Auburn and within 800m radius of the Auburn Railway Station.

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. Auburn was identified as a “Town Centre”.

The majority of the subject land zoned R3 Medium Density Residential is located within a radius of 800m from the Auburn Railway Station – part of the walking catchment of a Town Centre.

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

The planning proposal may encourage applications for similar planning proposals, as there are a number of sites close to the Auburn Town Centre that are also zoned R3 Medium Density Residential and situated within 800m of the Auburn Railway Station. However, it is noted that Council intends to prepare a Residential Development Strategy in the near future that would provide direction on issues of this nature.

The Planning Proposal is likely to change the expectations of landowners as the proposed rezoning of the land and changes to the density controls will be expected to result in an intensification 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?”

On 20 October 2010 Council resolved to prepare a planning proposal to rezone properties on the north side of Auburn (on St Hilliers Road) from R3 to R4. However it is not considered that this rezoning would have a significant cumulative impact upon the Auburn Town Centre. This is primarily due to the amount of strata dwellings which already existing in that area, which is likely to place significant constraints (and therefore restrict the dwelling yield) on any future development of that area.

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

The LEP has the potential to facilitate permanent employment generating activities within the Town Centre of Auburn by rezoning part of the land from R3 Medium Density Residential to B4 Mixed Use. In addition, the LEP has the potential to contribute to the economic stability of the wider area through increased population in the area adjacent to the Auburn Town Centre. The Planning Proposal will not result in the loss of any employment land.

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

Yes. The LEP will impact on the yield of particular areas of residential and mixed-use land and will therefore have an impact on housing supply and affordability.

Should there be an increase in the maximum density on the subject sites, there is potential for an increase in the number of dwellings to be accommodated within each area. The availability of these new dwellings in the market is likely to have a positive impact on housing affordability in the area.

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

Yes. All of the proposed sites are approximately within 800m walking distance of the Auburn Railway Station. In addition, buses serve each area, which connect to the rail network in most cases.

At this stage of the Planning Proposal, the appropriate State and Commonwealth public authorities have not yet been identified, and the Gateway Determination has yet to be issued by the Minister for Planning and Infrastructure. Consultation will need to be undertaken with public authorities, such as the State Transit Authority of NSW to determine the capacity of the existing public infrastructure and whether the existing services are capable of supporting the increased development densities in the LEP.

“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. The Planning Proposal involves rezoning a portion of land from R3 Medium Density Residential to B4 Mixed Use. In addition, the proposal also includes an increase in the density of certain areas adjacent to the Auburn Town Centre. By increasing the density of

these areas there is a potential for more dwellings and commercial uses to be accommodated in these areas and thus allowing more people to live and work in the same area. The Planning Proposal is likely to have positive impact (if any) on greenhouse gas emissions, operating costs and road safety.

“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?”

As outlined above, the appropriate State and Commonwealth public authorities have not yet been identified, and the Gateway Determination has yet to be issued by the Minister for Planning. Consultation will be undertaken with public authorities following a Gateway Determination to determine government investments in infrastructure or services in the area whose patronage will be affected by the proposal. However, it is noted that the planning proposal will increase residential densities in close proximity to the Auburn Railway Station, which represents significant government investment.

“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?”

No. There are no known protected biodiversity issues that would prevent the rezoning of the subject land from being realised. The land does not contain any items of heritage significance and is not listed as being flood prone.

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

Yes. *Auburn LEP 2010* was only recently prepared and gazetted (29 October 2010). The land subject of this Planning Proposal, was zoned medium density residential, however this appears to be based on the previous zoning of the land. The land is located in close proximity to other land zoned R4 High Density Residential and B4 Mixed Use. The urban design study will focus on the built form and ensure that any potential adverse impacts are managed through the use of appropriate development standards and controls.

“l. Will the public domain improve?”

Yes. By allowing higher densities to be achieved on the subject land 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.

Development Contributions imposed on the redevelopment of these areas would be expected to finance future public domain improvements or community facilities within the area.

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

Yes, directly and indirectly. The proposal involves rezoning a portion of land B4 Mixed Use. This will provide applicants with an opportunity to increase the amount of retail/commercial space which operates in close proximity to the Auburn Town Centre.

In addition, the proposal will increase the size of the higher density residential zone. The increase in dwellings or allowable floor space over the subject land could reasonably be expected to have a positive economic impact on the 'Auburn Town Centre'.

“n. 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 not a stand-alone proposal and is located adjacent to the Auburn Town Centre.

“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 commercial floor space within several areas of the Auburn LGA, which is required to accommodate future growth.

Other ways the Planning Proposal supports the public interest include:-

- the proposal has the possibility of attracting investment into the Auburn LGA through redevelopment opportunities;
- the increase in density (likely to follow if rezoning is approved) may be a catalyst for redevelopment and result in the upgrading of the dwelling stock to current residential standards and an increase in housing choice making a positive contribution to housing affordability; and
- the increased density in established residential areas will utilise 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.

It is difficult to determine the implications of not proceeding at this time as the current zoning was introduced less than two years ago and it is difficult to determine whether the proposed rezoning is adequate or sufficient to stimulate the revitalisation of these areas.



APPENDIX 4

SEPPs and REPs Checklist

SEPPs and REPs checklist

No.	Title	Summary	Consistency
1	Development Standards	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.	Does not apply to Auburn LGA. SEPP repealed by ALEP 2010 (clause 1.9)
4	Development without Consent and Miscellaneous Exempt and Complying Development	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.	The <i>Auburn LEP 2010</i> permits works of minor environmental significance etc without requiring consent to be obtained. Clause 6 and Parts 3 and 4 do not apply - repealed by <i>Auburn LEP 2010</i> (clause 1.9).
6	Number of Storeys in a Building	Seeks to remove confusion arising from the interpretation of provisions in EPIs controlling the height of buildings	Consistent Height of Buildings is defined under <i>Auburn LEP 2010</i> .
14	Coastal Wetlands	Seeks 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	Seeks to facilitate the development of rural landsharing communities committed to environmentally sensitive and sustainable land use practices.	Does not apply to Auburn LGA.

No.	Title	Summary	Consistency
19	Bushland in Urban Areas	Seeks to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.	Consistent The Planning Proposal does not affect bushland.
21	Caravan Parks	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.	Consistent The Planning Proposal does not involve a caravan park.
22	Shops and Commercial Premises	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.	Consistent The Planning Proposal does not seek to permit a change of use.
26	Littoral Rainforests	Seeks to protect littoral rainforests from development.	Does not apply to Auburn LGA
29	Western Sydney Recreation Area	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
30	Intensive Agriculture	Requires development consent and additional requirements for cattle feedlots and piggeries.	Consistent The Planning Proposal does not have any impact on agricultural land.
32	Urban Consolidation	Seeks to facilitate surplus urban land redevelopment for multi-unit housing and related development in a timely manner.	Consistent The Planning Proposal does not involve surplus urban land.

No.	Title	Summary	Consistency
33	Hazardous and Offensive Development	Seeks to provide additional support and requirements for hazardous and offensive development	Consistent The Planning Proposal does not seek approval for hazardous and/or offensive development.
36	Manufactured Home Estates	Seeks 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	Seeks 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.
41	Casino Entertainment Complex	Seeks to further the development of Sydney area as a world class tourist destination	Does not apply to the Auburn LGA. Applies to the City of Sydney.
44	Koala Habitat Protection	Seeks to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas	Does not apply to the Auburn LGA. Auburn LGA not listed in Schedule 1.
47	Moore Park Showground	Seeks 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	Consistent The Planning Proposal does not seek a canal estate development.
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	Does not apply to the Auburn LGA

No.	Title	Summary	Consistency
		management plans.	
55	Remediation of Land	Provides a Statewide planning approach for the remediation of contaminated land.	Consistent This will need to be considered during any redevelopment of the two sites.
59	Central Western Sydney Regional Open Space and Residential	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 the Auburn LGA Applies to land identified as Regional Open Space Zone and Residential Zone within the Western Sydney Parklands.
60	Exempt and Complying Development	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	Does not apply to the Auburn LGA (clause 1.9) Applies to the state, except as provided by the policy and excludes Mt Kosciusko. 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>. Affected land within the Auburn LGA includes SOP and certain land within Wentworth Point, Newton, Silverwater and Homebush Bay.
62	Sustainable Aquaculture	Seeks to encourage and regulate sustainable aquaculture development	Consistent The Planning Proposal does not involve aquaculture development.
64	Advertising and Signage	Seeks to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	Consistent The Planning Proposal does not involve any signage. Any future signage on the two sites will need to consider

No.	Title	Summary	Consistency
			the provisions of the SEPP.
65	Design Quality of Residential Flat Development	Seeks to improve the design qualities of residential flat building development in New South Wales.	Consistent This SEPP will need to be considered during any redevelopment of the two sites.
70	Affordable Housing (Revised Schemes)	Seeks to insert affordable housing provisions into EPIs and to address expiry of savings made by EP&A Amendment (Affordable Housing) Act 2000.	Consistent The Planning Proposal does not affect any affordable housing provisions with <i>Auburn LEP 2010</i> .
71	Coastal Protection	Seeks to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast.	Does not apply to Auburn LGA. The coastal zone does not extend to Auburn LGA.
	Affordable Rental Housing	To provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	Consistent The Planning Proposal does not affect any affordable housing provisions within the SEPP or within <i>Auburn LEP 2010</i> .
	Building Sustainability Index: BASIX 2004	The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State	Consistent The Planning Proposal does not seek to amend the application of the BASIX SEPP on the two sites.
	Exempt and Complying Development Codes 2008	Seeks to provide streamlined assessment process for development that complies with specified development standards.	Consistent The Planning Proposal does not seek to amend the application of the Codes SEPP on the two sites.
	Housing for Seniors or People with a Disability 2004	Seeks to encourage the provision of housing to meet the needs of seniors or people with a disability.	Consistent The Planning Proposal does not seek to amend the

No.	Title	Summary	Consistency
			application of the Seniors Housing SEPP on the two sites.
	Infrastructure 2007	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.	Consistent The Planning Proposal does not seek to amend the application of the Infrastructure SEPP on the two sites.
	Kosciuszko National Park – Alpine Resorts 2007	Seeks 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.
	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.	Consistent The Planning Proposal does not seek to amend the application of the Major Development SEPP on the two sites.
	Mining, Petroleum and Extractive Industries 2007	Seeks to provide for the proper management and development of mineral, petroleum and extractive material resources	Consistent The Planning Proposal does not seek to amend the application of the Mining SEPP on the two sites.

No.	Title	Summary	Consistency
	Rural Lands 2008	Seeks to facilitate the orderly and economic use and development of rural lands for rural and related purposes	Does not apply to the Auburn LGA.
	SEPP 53 Transitional Provisions 2011	Aim is to enact transitional provisions consequent on the repeal of State Environmental Planning Policy No 53—Metropolitan Residential Development.	Does not apply to the Auburn LGA. Applies to land within the Ku-ring-gai local government area.
	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.	Consistent The Planning Proposal does not seek to amend the application of the State and Regional Development SEPP on the two sites.
	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 the Auburn LGA Applies to land within the Sydney drinking water catchment.
	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. Auburn is not within the Growth Centres.
	Temporary Structures	To encourage protection of the environment at the location/vicinity of temporary structures by managing noise, parking and traffic impacts and ensuring heritage protection	Consistent The Planning Proposal does not seek to amend the application of the Temporary Structures SEPP on the two sites.
	State Environmental Planning Policy (Urban Renewal) 2010	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

No.	Title	Summary	Consistency
			includes Redfern-Waterloo, Granville and Newcastle.
	State Environmental Planning Policy (Western Sydney Employment Area) 2009	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. Auburn LGA is not within the subject land.
	Western Sydney Parklands	Seeks to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region.	Does not apply to the Auburn LGA. Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton)



APPENDIX 5

Section 117 Direction Checklist

Section 117 direction checklist

Direction	Objectives	Application	Consistency
1. Employment and Resources			
1.1 Business and Industrial Zones Issued 1 July 2009	- To encourage employment growth in suitable locations - To protect employment land in business and industrial zones, and support the viability of identified strategic centres.	Applies when a planning proposal is prepared that affects land within an existing or proposed business or industrial zone (includes alteration of boundary of any existing business or industrial zone)	Consistent The proposal will protect and enhance the available employment land within identified town centres.
1.2 Rural Zones Issued 1 July 2009	To protect the agricultural production value of rural land.	Applies when a planning proposal is prepared that affects land within an existing or proposal rural zone (includes alteration of any existing rural zone boundary)	Consistent Applies to the Auburn LGA, however there are no rural zones in the <i>Auburn LEP 2010</i> .
1.3 Mining, Petroleum Production and Extractive Industries Issued 1 July 2009	To ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Applies when planning proposal is prepared that would prohibit or restrict the mining or potential development of coal, other minerals, petroleum production or obtaining extractive minerals of State or regional significance permitting incompatible land use.	Consistent Planning Proposal will not prohibit or restrict the mining or potential development of coal, other minerals, petroleum production or obtaining extractive minerals of State or regional significance permitting incompatible land use

Direction	Objectives	Application	Consistency
1.4 Oyster Aquaculture Issued 1 July 2009	To protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.	Applies to Priority Oyster Aquaculture Areas as identified in the NSW Oyster Industry Sustainable Aquaculture Strategy (2006)	Does not apply to the Auburn LGA.
1.5 Rural Lands Issued 1 July 2009	To protect the agricultural production value of rural land and facilitate the orderly and economic development of rural land.	Applies to all planning proposals to which State Environmental Planning Policy (Rural Lands) 2008 applies	Does not apply to the Auburn LGA.
2. Environment and Heritage			
2.1 Environment Protection Zones Issued 1 July 2009	To protect and conserve environmentally sensitive areas.	Applies when a planning proposal is prepared.	Consistent The Planning Proposal does not affect land that is listed to be protected and/or conserved.
2.2 Coastal protection Issued 1 July 2009	To implement the principles of the NSW Coastal Policy.	Applies to the Coastal Zone as defined in the Coastal Protection Act 1979.	Does not apply to the Auburn LGA. (NSW coastline only, does not include inland Sydney Harbour)
2.3 Heritage Conservation Issued 1 July 2009	To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Applies when a planning proposal is prepared.	Consistent The Proposal identifies items of heritage significance within the study area. No changes are proposed to the controls applying to heritage items or heritage conservation areas.

Direction	Objectives	Application	Consistency
2.4 Recreation Vehicle Areas Issued 1 July 2009	To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	Limits the development of land for the purpose of a recreational vehicle area.	Consistent Does not relate to the current Planning Proposal.
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones Issued 1 July 2009	- To encourage a variety and choice of housing types to provide for existing and future housing needs - To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and - To minimise the impact of residential development on the environment and resource lands.	Applies when a planning proposal affects land within an existing or proposed residential zone (including the alteration of any existing zone boundary) or any other zone in which significant residential development is permitted or proposed to be permitted.	Consistent Intensification (potentially) of residential density adjacent to the Auburn town centre and the high density residential zone seeks to provide for existing and future housing needs and make efficient use of existing infrastructure. Environmental impact of intensified development will be managed through Council's planning policy framework as part of the development assessment and approval process.
3.2 Caravan Parks and Manufactured Home Estates Issued 1 July 2009	To provide for a variety of housing types and opportunities for caravan parks and manufactured home estates	Applies when a planning proposal is prepared. Does not apply to Crown land reserved or dedicated for any purposes under the Crown Lands Act 1989 (except Crown land reserved for accommodation purposes) or land dedicated or reserved under the NP&W Act 1974.	Consistent The Planning Proposal does not propose to permit a Caravan Park or a Manufactured Home Estate.

Direction	Objectives	Application	Consistency
3.3 Home Occupations Issued 1 July 2009	To encourage the carrying out of low-impact small businesses in dwelling houses.	Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.	Consistent The Planning proposal will not restrict the carrying out of low-impact small businesses in dwelling houses as no change to the permissibility of home occupations is proposed.
3.4 Integrating Land Use and Transport Issued 1 July 2009	To ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts: • improve access to housing, jobs and services by walking, cycling and public transport, • increase transport choice and reduce travel demand and reducing dependence on cars, • reduce travel demand including distances travelled, especially by car, • support the efficient and viable operation of public transport services, and • provide for the efficient movement of freight.	Applies to planning proposals that create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	Consistent The Planning Proposal seeks to increase development intensity (through rezoning and potentially increasing the development controls) in an established town centre. It is expected that increased development intensity in this area would result in increased viability and patronage of public transport, reduced travel demand and increased accessibility to housing, jobs and services.
3.5 Development Near Licensed Aerodromes Issued 1 July 2009	• To ensure the effective and safe operation of aerodromes • To ensure that the operation of aerodromes is not compromised by development that constitutes	Applies to a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.	Consistent Subject land is not in the vicinity of a licensed aerodrome.

Direction	Objectives	Application	Consistency
	an obstruction, hazard or potential hazard to aircraft flying in the vicinity. To ensure development for residential purposes or human occupation incorporates appropriate mitigation measures		
3.6 Shooting Ranges Issued 16 February 2011	To maintain appropriate levels of public safety and amenity and reduce land use conflict when rezoning land adjacent to an existing shooting range,	Applies to a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.	Consistent The Planning Proposal is not in the vicinity of a shooting range.
4. Hazard and Risk			
4.1 Acid Sulfate Soils Issued 1 July 2009	To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	Applies to planning proposal on land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.	Consistent Any development proposal on land affected by acid sulfate soils needs to address the controls contained in the <i>Auburn LEP 2010</i> and other regulations. All such matters will be addressed at the development application stage.
4. 2 Mine Subsidence and Unstable Land Issued 1 July 2009	To prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Applies to planning proposal on land within a mine subsidence district or that has been identified as unstable in a study, strategy or other assessment	Does not apply The subject land is not within a mine subsidence district and has not been identified as being unstable by a study, strategy or other assessment.

Direction	Objectives	Application	Consistency
4.3 Flood Prone Land Issued 1 July 2009	- To ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005; and - To ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Applies to a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.	Consistent None of the land subject of the Planning Proposal is identified as being flood prone.
4.4 Planning for Bushfire Protection Issued 1 July 2009	To protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas and encourage sound management of bush fire prone areas.	Applies to all local government areas required to prepare a bush fire prone land map under section 146 of the EP&A Act.	Consistent None of the land subject of the Planning Proposal is identified as being bush fire prone.
5. Regional planning			
5.1 Implementation of Regional Strategies Issued 1 July 2009	To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	Applies to: Far North Coast, Lower Hunter, Illawarra, South Coast, Sydney–Canberra Corridor, Central Coast and Mid North Coast	Does not apply to the Auburn LGA.
5.2 Sydney Drinking Water Catchments Issued 3 March 2011	To protect water quality in the Sydney drinking water catchment.	Applies to; Blue Mountains, Campbelltown, Cooma Monaro, Eurobodalla, Goulburn, Mulwaree, Kiama. Lithgow, Oberon, Palerang, Shoalhaven, Sutherland, Wingecarribee, Wollondilly, Wollongong.	Does not apply to the Auburn LGA.

Direction	Objectives	Application	Consistency
5.3 Farmland of State and Regional Significance on the NSW Far North Coast Issued 1 July 2009	To protect, provide certainty and reduce land use conflict associated with agricultural land	Applies to: Ballina, Byron Shire Council, Kyogle, Lismore City Council, Richmond and Tweed.	Does not apply to the Auburn LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast Issued 29 November 2009	To manage commercial and retail development along the Pacific Highway	Applies to council areas on the North Coast that the Pacific Highway traverses between Port Stephens Shire Council and Tweed Shire Council, inclusive.	Does not apply to the Auburn LGA.
5.8 Second Sydney Airport: Badgerys Creek Issued 1 July 2009	To avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.	Applies to land shown within the boundaries of the proposed Badgerys Creek airport site	Does not apply to the Auburn LGA.
6. Local Plan Making			
6.1 Approval and Referral Requirements Issued 1 July 2009	To ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Applies when planning proposal prepared. A planning proposal must minimise or prohibit provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority or the nomination of designated development.	Consistent The proposal does not include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.
6.2 Reserving of Land for Public Purposes Issued 1 July 2009	To facilitate the provision of public services and facilities by reserving land for public purposes and the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Applies when a planning proposal is prepared. 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.	Consistent The Planning Proposal will not create, alter or reduce existing zonings or reservations of land for public purposes.

Direction	Objectives	Application	Consistency
6.3 Site Specific Provisions Issued 1 July 2009	To discourage unnecessarily restrictive site specific planning controls.	A planning proposal to amend an environmental planning instrument must either: - allow that land use to be carried out in the zone the land is situated on, or - rezone the site to an existing zone that allows that land use without imposing any development standards, or - allow that land use on the relevant land without imposing any development standards in addition to those already contained in the principal environmental planning instrument being amended.	Consistent The Proposal relies on utilising zones already contained in the Auburn LEP 2010. In this regard, the Planning Proposal does not contain new zones, it seeks to extend existing zones onto the subject land.
7. Metropolitan planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036 Issued 1 February 2011	To give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.	Applies to the Auburn local government area.	Consistent The Planning Proposal seeks to amend the zoning of the land, all of which is currently R3 Medium Density Residential, to a mixture of R4 High Density Residential and B4 Mixed Use. Should the FSR and Building Height controls also be increased, the increased density controls may facilitate intensified commercial, retail and residential development within the town centre of Auburn.

Direction	Objectives	Application	Consistency
			This is consistent with the objectives and many actions within the Metropolitan Plan for Sydney 2036, such as: • facilitating a compact, active and connected city • affirming the multi-centred geography of Sydney and the importance of town centres within the West Central subregion • focussing business and residential activity in a around accessible centres • planning for centres to grow and change • supporting infill development • enhancing integrated land use planning • supporting objectives, actions and the implementation of State and regional policies.