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Our ref: PP_2011_AUBUR_002_00 (10/23749)
Your ref: T003917/2011 (PP-2/2011)

Mr John Burgess
General Manager
Auburn City Council
PO Box 118
AUBURN NSW 1835

Dear Mr Burgess,

Re: Planning Proposal to amend the Auburn LEP 2010 Height of Buildings Map and Floor Space Ratio Map for B4 Mixed Use zoned land in Auburn and Lidcombe Town Centres to permit a maximum building height of 57 metres and a maximum floor space ratio of 8.8:1.

I am writing in response to your Council's letter dated 1 April 2011 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Auburn Local Environmental Plan 2010 to amend the Height of Buildings Map to permit a maximum building height of 57 metres and to amend the Floor Space Ratio Map to permit a maximum floor space ratio of 8.8:1 for B4 Mixed Use zoned land in Auburn and Lidcombe Town Centres.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should not proceed for the reasons outlined in the attached Gateway Determination.

The planning proposal is not consistent with the Metropolitan Plan for Sydney 2036 and the draft West Central Subregional Strategy, which identify Auburn and Lidcombe as Town Centres. The proposed development standards would provide for higher densities than in any other Town Centre in the metropolitan area. The densities proposed are more appropriate for a Major Centre.

The planning proposal is not consistent with the 'Urban Design Density Study' completed by Gabrielle Morrish Urban Design and Architecture, which concludes that a substantial increase in building controls in the Auburn and Lidcombe Town Centres would result in severe environmental impacts. It is considered that the proposed controls would potentially result in a significant increase in bulk and scale, significant overshadowing of the public realm, poor amenity, a lack of privacy and a poor relationship between the built environment and public domain. The planning proposal did not provide a detailed urban design analysis of the impact of such densities at a block by block scale to justify significant overall increases in height and building form.

It is noted that significant portions of the Lidcombe Town Centre are situated in the Flood Planning Area identified in Auburn LEP 2010. The planning proposal does not provide adequate consideration of substantially increasing the population in an area affected by flood risk.

The inconsistencies of the planning proposal with S117 Directions 3.1 Residential Zones and 4.3 Flood Prone Land is not considered to be of minor significance and have not been adequately justified.

It is acknowledged that certain locations within the Auburn and Lidcombe Town Centres may be suitable for higher densities, but no strategic justification, urban design consideration and impacts on flooding and infrastructure have been provided to support the planning proposal.

Should you have any queries in regard to this matter, please contact Shane Nugent of the Regional Office of the Department on 02 9873 8500

Yours sincerely,



Tom Gellibrand 9/5/11
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_AUBUR_002_00): to amend the Auburn LEP 2010 Height of Buildings Map and Floor Space Ratio Map for B4 Mixed Use zoned land in Auburn and Lidcombe Town Centres to permit a maximum building height of 57 metres and a maximum floor space ratio of 8.8:1.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Auburn Local Environmental Plan 2010 to amend the Height of Buildings Map to permit a maximum building height of 57 metres and to amend the Floor Space Ratio Map to permit a maximum floor space ratio of 8.8:1 for B4 Mixed Use zoned land in Auburn and Lidcombe Town Centres should not proceed for the following reasons:

1. The planning proposal is not consistent with the Metropolitan Plan for Sydney 2036 and the draft West Central Subregional Strategy, which identify Auburn and Lidcombe as Town Centres.
2. The planning proposal does not provide sufficient assessment of likely impacts on infrastructure. The increase in development potential as a result of the planning proposal will place significant pressure on infrastructure including water supply, sewerage, roads and public transport, and the planning proposal has not addressed these issues to the satisfaction of the Gateway.
3. The planning proposal is not consistent with the Urban Design Density Study, which concludes that a substantial increase in building controls in the Auburn and Lidcombe Town Centres would result in severe environmental impacts and would likely create an urban form with increased bulk, poor amenity, lack of privacy and poor urban design outcomes.
4. The planning proposal does not provide adequate consideration of substantially increasing the population in an area affected by flood risk.
5. The inconsistencies of the planning proposal with S117 Directions 3.1 Residential Zones and 4.3 Flood Prone Land is not considered to be of minor significance and have not been adequately justified.

Dated 9th day of May 2011.



9/5/11

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning and
Infrastructure