**Planning Proposal** 

# New Town Centre Development Standards

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### **Background and Context**

- Part 1 A statement of the Objectives or Intended Outcomes of the proposed LEP
- Part 2 An Explanation of the Provisions that are to be included in the proposed LEP
- Part 3 The Justification for those objectives, outcomes and provisions and the process for their implementation
- Part 4 Details of the Community Consultation that is to be undertaken on the planning proposal

### Introduction

On 20 October 2010 Council resolved to prepare a planning proposal to amend *Auburn Local Environmental Plan 2010* to increase the development standards for height and floor space ratios (FSRs) in the Auburn and Lidcombe Town Centres. Specifically, the part resolution seeks to increase the maximum building height to 55m or equivalent to 18 stories and the FSR to 8.8:1.

### **Historical context**

The Auburn Local Environmental Plan 2010 ("Auburn LEP 2010") and Auburn Development Control Plan 2010 ("Auburn DCP 2010") were adopted by Council at an Extraordinary meeting held on 12<sup>th</sup> May 2010 (Item 116A/10). The Auburn LEP 2010 was officially notified on 29<sup>th</sup> October 2010. The Auburn DCP 2010 came into effect on 9<sup>th</sup> November 2010.

The Auburn LEP 2010 saw increases to the development standards for building heights and floor space ratios (FSRs) in both the Auburn and Lidcombe Town Centres (all land zoned B4 Mixed Use). Maximum building height controls increased from four (4) and six (6) storeys (per repealed Business Areas DCP) to equivalent four (4), six (6), eight (8) and nine (9) storeys, which under the Auburn LEP 2010 Height of Buildings map translates to 18 metres, 27 metres, 32 metres and 36 metres. The maximum FSR controls increased from 1:1 and 3:1 (as previously contained in the repealed Business Areas DCP) to 2:1, 2.4:1, 3:1, 3.4:1 and 3.6:1.

The maximum building heights are based on resolutions of Council which amended the recommended heights contained in two separate town centre studies prepared between 2007 and 2009. The new FSRs are based on the recommendations from the 'Urban Design Analysis' (April 2009) prepared to inform the *Auburn LEP 2010* Floor Space Ratio Map.

In a separate item at the same Extraordinary meeting on 12<sup>th</sup> May 2010 (Item 116B) Council also resolved, in part, to carry out planning analysis to:

- Increase the FSRs in the Auburn and Lidcombe Town Centres (land zoned B4 Mixed Use) to a maximum of 5:1.
- Increase the height in the Auburn and Lidcombe Town Centres (land zone B4 Mixed Use) to a maximum 56.5m or equivalent to 18 storeys.

As a result of the two resolutions above, Council commissioned Gabrielle Morrish Urban Design and Architecture (GMU) to undertake an urban design assessment to consider the increases in the development standards. Council officers also prepared a Planning Analysis which included a comparison of the development standards across Sydney metropolitan centres.

### Notes:

- Refer to Appendix 1 for a copy of the Council report for Item 116/2010 and minutes for Items 116A/10 and 116B/10.
- Refer to Attachment 1 in Appendix 2 for a copy of the final report "Urban Design Density Study", September 2010. (Note: The component of the report that deals with an increase in FSR for residential flat building development in the R4 High Density Residential zone forms part of a separate planning proposal yet to be submitted to the Department).
- Refer to Attachment 2 in Appendix 2 for the internal Planning Analysis.

GMU's study and Council's Planning Analysis were reported back to Council at an Extraordinary meeting held on 28<sup>th</sup> September 2010 (Item 231/10) where Council resolved:

"that further consideration of the matter be deferred to enable the details of the subject motion to be distributed to all Councillors".

**Note:** Refer to **Appendix 2** for a copy of the Council report and relevant attachments comprising GMU's work and Council internal planning analysis can be found at along with the Council meeting minutes

### **Council Meeting - 20 October 2010**

The study and analysis were subsequently reported back to the Council meeting held on 20 October 2010 (Item 257/2010). At this meeting, the Council resolved, in part, to amend the soon-to-be-notified *Auburn LEP 2010* to prepare a planning proposal in accordance with the *Environmental Planning & Assessment Act 1979* and Department of Planning guidelines. The specific resolution is to:

a. 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.

This constitutes Council's resolution to prepare a Planning Proposal and to forward it to the Department of Planning for the purposes of an amendment to *Auburn LEP 2010*.

#### Notes:

- The above resolution further increases the 5:1 FSR (which was tested by GMU) to 8.8:1 but maintains the maximum building height of 18 storeys (or 57 metres).
- The 8.8:1 FSR has not been tested.
- The remaining resolutions made at the Council Meeting held on 20 October 2010 are being dealt with by a separate planning proposal.
- A copy of the Council minutes for Item 257/2010) can be found at Appendix 3.
- This planning proposal has been prepared to seek a maximum building height of 57 metres, instead of the resolved "55 metres or equivalent". This is because the standard floor-to-floor building heights methodology which was relied upon to determine the maximum building heights for the *Auburn LEP 2010* have also been applied in this instance for consistency.
- The Council resolutions relating to the reference to Section 54 of the *Environmental Planning and Assessment Act 1979* ("the Act") at the 20 October 2010 Council meeting are interpreted to mean Section 55 of the Act.

## Part 1 - Objectives or Intended Outcomes

The objectives are:

- 1. To substantially increase the principal development standards (maximum building heights and floor space ratio controls) within the Auburn and Lidcombe Town Centres; and
- 2. To maximise the development potential in Council's Town Centres.

Refer to Figures 1 and 2 below showing the zoning for both Town Centres.



Figure 1 – Auburn Town Centre



Figure 2 – Lidcombe Town Centre

### Part 2 - Explanation of Provisions

For all land zoned B4 Mixed Use (ie. the Auburn and Lidcombe Town Centres), the following amendments are explained below.

• The proposed changes to the ALEP 2010 Height of Buildings (HOB) Map (tiles HOB\_002, HOB\_003, HOB\_006 and HOB\_007) amend the height notations as per Table 1.

| Table 1 – HOB Map changes |                    |
|---------------------------|--------------------|
| Current ( ALEP 2010)      | Proposed amendment |
| 18 m                      | 57 m               |
| 27 m                      | 57 m               |
| 32 m                      | 57 m               |
| 36 m                      | 57 m               |

• The proposed changes to the *ALEP 2010* Floor Space Ratio (FSR) Map (tiles FSR\_002, FSR\_003, FSR\_006 and FSR\_007) amend the FSR notations as per Table 2.

| Table 2 – FSR Map changes |                    |
|---------------------------|--------------------|
| Current ( ALEP 2010)      | Proposed amendment |
| 2.4:1                     | 8.8:1              |
| 3.0:1                     | 8.8:1              |
| 3.4:1                     | 8.8:1              |
| 3.6:1                     | 8.8:1              |

Thus, all of the FSR and maximum building heights controls which apply to land zoned B4 Mixed Use in Auburn LEP 2010 are proposed to be amended.

In relation to the Auburn Development Control Plan (DCP) 2010, the following amendments would also need to take place as a result of the proposed changes to *Auburn LEP 2010* as per Table 3.

### Table 3 – Necessary DCP amendments

| Current ( ADCP 2010) | DCP amendment required |
|----------------------|------------------------|
| 4 storeys            | 18 storeys             |
| 6 storeys            | 18 storeys             |
| 8 storeys            | 18 storeys             |
| 9 storeys            | 18 storeys             |

The DCP amendments would be exhibited in conjunction with the Draft Planning Proposal.

### Part 3 - Justification

### A Need for the planning proposal

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

The Urban Design Density Study (September 2010) prepared by GMU tested a 5:1 FSR to the 8.8:1 FSR proposed by this Planning Proposal.

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

It is considered that the Planning Proposal is the best means of achieving the objectives for the Town Centres.

### A3 Is there a net community benefit?

It is intended that the Planning Proposal would deliver the following community benefit:

• The delivery of public domain works in the outer core (as per Section 1.2 of the Auburn Town Centre Public Domain Plan).

The following table (Table 4) addresses the evaluation criteria for conducting a net community benefit test within the Draft Centres Policy (2009) as required by the Department's guidelines.

### Table 4 - Consistency with Net Community Benefit Evaluation Criteria

| Evaluation Criteria                          | Comment  |
|--|--|
| Will the LEP be compatible with agreed State | The proposed town centre development standards are |
| and regional strategic direction for         | consistent with Strategic Centres (ie. Specialised |
| development in the area (eg. land release,   | Centres and Regional Centres) rather than Town     |

strategic corridors, development within 800m of a transit node)?

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

Is the LEP likely to create a precedent or create or change the expectations of the landowners or other landholders?

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

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

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

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

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? Centres. (Refer to Table 4 in Attachment 2, Appendix 2).

However, both Town Centres are centrally located with 800m of a transit node (Auburn and Lidcombe train stations) and can potentially accommodate more development / growth.

The Town Centres are not identified within a global / regional city, strategic centre or corridor nominated within the Metropolitan Plan 2036.

The Planning Proposal (PP) will create a precedent by establishing Auburn City Council's two town centres as having the highest development standards for any town centre in Metropolitan Sydney. The Planning Proposal is also inconsistent with Table 1 Typology for Centres in the Draft Centres Policy (April 2009). This table describes Town Centres and the PP is more in keeping with the Major Centre and (in some cases) the Specialised Centre typologies which apply to centres such as the Rhodes – Olympic Park Specialised Centre.

The PP will also create a precedent by seeking to amend the existing Town Centre heights and FSRs which have only been effect since 29 October 2010.

It is reasonable to anticipate that the proposed height/FSR changes would change the expectations of property owners in Council's village centres (ie. Berala and Regents Park). They may also seek substantial increases in the development standards as part of the Village Centres review currently underway.

There are no other spot rezonings in the locality that are being considered.

The PP will increase the amount of gross floor area for commercial development which may facilitate job growth.

The PP will increase the availability of residential land in both Town Centres.

No infrastructure agencies have been consulted as yet. A comprehensive engagement plan will be prepared post Gateway, should the PP be supported. (See also Section D1).

The increase in development standards will attract more development which could potentially increase car trips by attracting more people.

The increase in development standards will attract more commercial development which will attract local employment. This could potentially decrease car distances to be travelled and / or reduce local car trips to work. 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

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?

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

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

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

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

Council can provide a better response to this criterion once consultation with key infrastructure agencies has taken place.

Almost 50% of the Lidcombe Town Centre is situated in the flood planning area (see *Auburn LEP 2010* Flood Planning Area Map) which comprises low, medium and high (1:100yr average recurrent interval) flood risk regions.

There is no known land protected by the Government for environmental protection within either town centre.

The PP will have an impact on the surrounding R2, R3 and R4 zoned land, the public domain and public open space areas. (Refer to the findings in the Urban Design Density Study as **Attachment 1** in **Appendix 2**).

The public domain works in the outer core would be delivered as part of (as per Section 1.2 of the Auburn Town Centre Public Domain Plan).

The PP may create vacant tenancies due to the oversupply of floorspace, as determined by the two economic studies prepared in 2007 and 2008 for the Auburn Town Centre review (refer to Section 6.3 and 6.4 in **Attachment 2** in **Appendix 2**).

However, PP will enable a substantial increase in the gross floor area for commercial development (retail, business and office premises development) in both town centres which could potentially increase choice and competition.

N/A

The PP will:

- facilitate growth in both town centres.
- increase in the opportunities for both commercial and residential (including mixed use) development.
- Provide the opportunity for local employment in a local government area with very high unemployment rates.
- Ensure the provision of housing, shopping and employment with close proximity to public transport.

### **B** Relationship to strategic planning framework

B1 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)?

#### West Central Subregion Draft Subregional Strategy

The West Central Subregion Draft Subregional Strategy sets Key Directions and Key Actions for the implementation of the Metropolitan Strategy (for the year 2031) at a more local level. The Draft Subregional Strategy sets targets for 17,000 new dwellings and 12,000 new jobs to be provided in Auburn City Council LGA by 2031.

**Economy and Employment:** The Planning Proposal will increase the amount of suitable land for employment in the LGA (Action A1.1) which will allow for development that will contribute to the subregional jobs target.

**Centres and Corridors:** The Planning Proposal enables development standards for height and FSRs which are not consistent with the local centres hierarchy; specifically, for Town Centres. The new controls could result in both town centres competing with the Olympic Park - Rhodes Specialised Centre as well as the anticipated commercial job growth indentified along Parramatta Road as per Council's Employment Lands Study (2007) - which informed the introduction of *office premises* use in the B6 Business Enterprise for *Auburn LEP 2010*. However, the Town Centres are well-supported by transport infrastructure (Action B4).

**Housing:** The Planning Proposal will potentially increase the supply of gross floor area for residential (Action C1) and encourage housing mix near jobs, transport and services (Action C2). The Planning Proposal could also renew parts of the Town Centres (Action C3) and potentially improve housing affordability and provides the potential to improve the quality of new development (Actions C4 and C5).

**Transport:** Both town centres are services by a rail station facility; the Auburn Rail Station is serviced by the North Shore/Western Line and South Lines. The Lidcombe Railway Station is serviced five different train lines. In terms of bus services, Auburn Rail Station is serviced by the two Sydney Buses services and four Veolia bus services whilst the Lidcombe Rail Station is serviced by two Sydney Buses services (including the new Metrobus Route M92) and two Veolia bus services. Therefore both centres have well networked transport services to service development growth and encourage more sustainable travel (Action D3).

**Environment, Heritage and Resources:** The Planning Proposal affects the Flood Planning Area in the Lidcombe Town Centre which requires the consideration of relevant matters in the development application process. Concentrating development growth in local centres means that the Planning Proposal reduces the impacts of development outside of local centres, particularly on natural systems such as the Duck Creek catchment.

**Parks, Public Places and Culture:** The Planning Proposal will have a impact on the quality of public open space and the public domain in both town centres.

#### Metropolitan Plan For Sydney 2036

The Metropolitan Plan For Sydney 2036 is the second blueprint for metropolitan Sydney and replaces the Metropolitan Strategy: City of Cities which was the vision for Sydney for the year 2031.

**Strengthening a City of Cities:** The Planning Proposal will enable development standards (for height and FSRs) that are more consistent with the Strategic Centres hierarchy rather than the Local Centres hierarchy (Action 2.1). This means the town centres will compete with higherorder centres such as the Rhodes-Olympic Park Specialised Centre and Parramatta Regional Centre. **Growing and Reviewing Centres:** The Planning Proposal will ensure activities are concentrated in accessible centres (Objective B1).

**Transport for a Connected City:** The Planning Proposal demonstrates the integration of transport and land use planning. It also promotes increased public transport mode share (Objective C2).

**Housing Sydney's Population:** The Planning Proposal will ensure that the supply of land (by way of gross floor area) for residential development is adequate (Objective D1 and Action D1.1). It will also result in Council delivering well beyond the dwelling target of 11,000 dwellings as espoused in the WCDSS, since the *Auburn LEP 2010* already is sufficient to deliver the 11,000 dwellings for the year 2031.

**Growing Sydney's Economy:** As stated above, the new controls will compete with the anticipated commercial job growth along Parramatta Road indentified in Council's Employment Lands Study (2007) - which informed the introduction of *office premises* use in the B6 Business Enterprise zone. The controls may also result in both Town Centres competing with the Olympic Park - Rhodes Specialised Centre. However, the increase in development standards may ensure that there is adequate land supply for economic activity, investment and jobs in accessible locations (Objective E1) and an adequate supply of retail and office space (part of Action E2.2).

**Balancing Land Uses on the City Fringe:** The Planning Proposal seeks to further consolidate some of the projected employment and population growth of the Auburn LGA within the existing town centre commercial footprints.

Tackling Climate Change and Protecting Sydney's Natural Environment: As part of the Planning Proposal process, sustainability outcomes such as recycled water use, water sensitive urban design initiatives and the like could be examined in the review of current planning controls and public domain plan.

## B2 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

### Auburn City Draft Community Strategic Plan

The Auburn City Draft Community Strategic Plan was placed on public exhibition during February and March 2011. This Plan is the most comprehensive strategic plan to be produced by Council and included the most extensive program of community engagement and consultation in Council's history.

The most critical issues affecting Auburn City residents and visitors, identified as a result of the extensive community consultation undertaken to produce the draft Plan, are stated as part of "What we learnt from the Community". These issues include poor quality development, building height, overdevelopment, overcrowding, traffic congestion and inadequate community facilities such as community centres, libraries and public open space. The draft Plan was prepared to consider and respond to critical concerns of the Auburn City community.

The draft Community Strategic Plan is based on four themes. One of the themes is "Our Places. Attractive and livable". In this theme, Council has identified the significance of attractive town centres and quality of development to the Auburn City community. Increased building heights and development density is identified as a challenge for Auburn City's future.

Through the Our Places theme, the draft plan seeks to achieve outcomes of high quality urban development and attractive public spaces and town centres. As a means to achieve these outcomes, the draft Plan contains commitments to the community under the heading "What will Council do". One such outcome is to "promote better design".

### B3 Is the planning proposal consistent with applicable state environmental planning policies?

See Table 5 below which reviews the consistency with the State Environmental Planning Policies (SEPPs).

### **Table 5 - Consistency with State Environmental Planning Policies**

| No. | Title  | Consistency with Planning Proposal   |
|-----|--|--|
| 1   | Development Standards  | SEPP repealed by ALEP 2010   |
| 4   | Development Without Consent and<br>Miscellaneous Exempt and Complying<br>Development | Clause 6 and Parts 3 and 4 repealed by ALEP 2010. Consistent with remainder    |
| 6   | Number of Storeys in a Building  | Consistent   |
|     |  | The PP does not contain an objective to<br>hinder the application of this SEPP |
| 14  | Coastal Wetlands   | Not applicable   |
| 15  | Rural Landsharing Communities  | Not applicable   |
| 19  | Bushland in Urban Areas  | Consistent   |
|     |  | The PP does not contain an objective to<br>hinder the application of this SEPP |
| 21  | Caravan Parks  | Not applicable   |
| 22  | Shops and Commercial Premises  | Consistent   |
|     |  | The PP does not contain an objective to<br>hinder the application of this SEPP |
| 26  | Littoral Rainforests   | Not applicable   |
| 29  | Western Sydney Recreation Area   | Not applicable   |
| 30  | Intensive Aquaculture  | Not applicable   |
| 32  | Urban Consolidation (Redevelopment of  | Consistent   |
|     | Urban Land)  | The PP does not contain an objective to<br>hinder the application of this SEPP |
| 36  | Manufactured Home Estates  | Not applicable   |
| 39  | Spit Island Bird Habitat   | Not applicable   |
| 41  | Casino Entertainment Complex   | Not applicable   |
| 44  | Koala Habitat Protection   | Not applicable   |
| 47  | Moore Park Showground  | Not applicable   |
| 50  | Canal Estate Development   | Not applicable   |
| 52  | Farm Dams and Other Works in Land and Water Management Plan Areas                    | Not applicable   |
| 53  | Metropolitan Residential Development   | Not applicable   |
| 55  | Remediation of Land  | Consistent   |
|     |  | The PP does not contain an objective to<br>hinder the application of this SEPP |
| 59  | Central Western Sydney Regional Open Space and Residential                           | Not applicable   |
| 60  | Exempt and Complying Development   | Not applicable - SEPP repealed by ALEP 2010                                    |
| 62  | Sustainable Aquaculture  | Consistent   |

| 64  | Advertising and Signage                                       | The PP does not contain an objective to<br>hinder the application of this SEPP<br>Consistent |
|-----|---|--|
|     |   | The PP does not contain an objective to hinder the application of this SEPP                  |
| 65  | Design Quality of Residential Flat                            | Consistent   |
|     | Development   | The PP does not contain an objective to  |
| 70  | Affordable Housing (Revised Schemes)                          | hinder the application of this SEPP<br>Consistent  |
| , , | , and addie modeling (nember beneficity)                      | The PP does not contain an objective to  |
|     |   | hinder the application of this SEPP  |
| 71  | Coastal Protection  | Not applicable   |
|     | (Affordable Rental Housing) 2009                              | Consistent   |
|     |   | The PP does not contain an objective to  |
|     |   | hinder the application of this SEPP  |
|     | (Building Sustainability Index: BASIX) 2004                   | Consistent   |
|     |   | The PP does not contain an objective to<br>hinder the application of this SEPP               |
|     | (Exempt and Complying Development Codes)                      | Consistent   |
|     | 2008  | The PP does not contain an objective to<br>hinder the application of this SEPP               |
|     | (Housing for Seniors or People with a                         | Consistent   |
|     | Disability) 2004  | The PP does not contain an objective to hinder the application of this SEPP                  |
|     | (Infrastructure) 2007   | Consistent   |
|     |   | The PP does not contain an objective to hinder the application of this SEPP                  |
|     | (Kosciuszko National park Alpine Resorts)<br>2007             | Not applicable   |
|     | (Kurnell Peninsula) 1989                                      | Not applicable   |
|     | (Major Development) 2005                                      | Not applicable   |
|     | (Mining, petroleum Production and Extractive Industries) 2007 | Not applicable   |
|     | (Rural Lands) 2008  | Not applicable   |
|     | (Sydney Drinking Water Catchment) 2011                        | Not applicable   |
|     | (Sydney Region Growth Centres) 2006                           | Not applicable   |
|     | (Temporary Structures) 2007                                   | Consistent   |
|     |   | The PP does not contain an objective to hinder the application of this SEPP                  |
|     | (Urban Renewal) 2010  | Not applicable   |
|     | (Western Sydney Employment Area) 2009                         | Not applicable   |
|     | (Western Sydney Parklands) 2009                               | Not applicable   |

See Table 6 below which reviews the consistency with the State Regional Environmental Plans, now deemed SEPPs.

## Table 6 - Consistency with deemed State Environmental Planning Policies

| No. | Title                             | Consistency with Planning Proposal |
|-----|-----------------------------------|------------------------------------|
| 5   | (Chatswood Town Centre)           | Not applicable                     |
| 8   | (Central Coast Plateau Areas)     | Not applicable                     |
| 9   | Extractive Industry (No.2 – 1995) | Not applicable                     |

| 11 | Penrith Lakes Scheme                  | Not applicable                              |
|----|---------------------------------------|---|
| 16 | Walsh Bay                             | Not applicable                              |
| 18 | Public Transport Corridors            | Not applicable                              |
| 19 | Rouse Hill Development Area           | Not applicable                              |
| 20 | Hawkesbury-Nepean River (No.2 – 1997) | Not applicable                              |
| 24 | Homebush Bay Area                     | Not applicable - SEPP repealed by ALEP 2010 |
| 25 | Orchard Hills                         | Not applicable                              |
| 26 | City West                             | Not applicable                              |
| 28 | Parramatta                            | Not applicable                              |
| 29 | Rhodes Peninsula                      | Not applicable                              |
| 30 | St Marys                              | Not applicable                              |
| 33 | Cooks Cove                            | Not applicable                              |
|    | (Sydney Harbour Catchment) 2005       | Not applicable                              |

### B4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

See Table 7 below which reviews the consistency with the Ministerial Directions for LEPs under section 117 of the *Environmental Planning and Assessment Act 1979*.

### Table 7 - Consistency with applicable Ministerial Directions

| 1. Em  | ployment and Resources                                  |   |
|--|---|---|
| No.  | Title   | Consistency with Planning Proposal  |
| 1.1  | Business and Industrial Zones                           | Consistent  |
|  |   | The PP does not contain an objective to<br>hinder the application of this Direction |
| 1.2  | Rural Zones   | Not applicable  |
| 1.3  | Mining, Petroleum Production & Extractive<br>Industries | Not applicable  |
| 1.4  | Oyster Aquaculture                                      | Not applicable  |
| 1.5  | Rural Lands   | Not applicable  |
| 2. En  | vironment and Heritage                                  |   |
| No.  | Title   | Consistency with Planning Proposal  |
| 2.1  | Environmental Protection Zones                          | Not applicable  |
| 2.2  | Coastal Protection                                      | Not applicable  |
| 2.3  | Heritage Conservation                                   | Consistent  |
| 2.4  | Recreation Vehicle Areas                                | Not applicable  |
| 3. Housing, Infrastructure and Urban Development |   |   |
| No.  | Title   | Consistency with Planning Proposal  |
| 3.1  | Residential Zones                                       | Consistent  |
| 3.2  | Caravan Parks and Manufactured Home<br>Estates          | Not applicable  |
| 3.3  | Home Occupations  | Consistent  |
| 3.4  | Integrating land use and Transport                      | Consistent  |
| 3.5  | Development near Licensed Aerodromes                    | Not applicable  |
| 4. Hazard and Risk                               |   |   |
|  |   |   |

**Consistency with Planning Proposal** 

Consistent

No.

4.1

Title

Acid Sulfate Soils

| 4.2                      | Mine Subsidence and Unstable Land  | Not applicable   |
|--------------------------|--|--|
| 4.3                      | Flood Prone Land   | Consistent   |
| 4.4                      | Planning for Bushfire Protection   | Not applicable   |
| 5. Re                    | gional Planning  |  |
| No.                      | Title  | Consistency with Planning Proposal   |
| 5.1                      | Implementation of Regional Strategies                                    | Not applicable   |
| 5.2                      | Sydney Drinking Water Catchments   | Not applicable   |
| 5.3                      | Farmland of State and Regional Significance on the NSW Far North Coast   | Not applicable   |
| 5.4                      | Commercial and Retail Development along the Pacific Highway, North Coast | Not applicable   |
| 5.5                      | Development on the vicinity of Ellalong                                  | (Revoked)  |
| 5.6                      | Sydney to Canberra Corridor  | (Revoked)  |
| 5.7                      | Central Coast  | (Revoked)  |
| 5.8                      | Second Sydney Airport: Badgerys Creek                                    | Not applicable   |
| 6. Loc                   | al Plan Making   |  |
| No.                      | Title  | Consistency with Planning Proposal   |
| 6.1                      | Approval and Referral Requirements                                       | Consistent   |
| 6.2                      | Reserving land for Public Purposes                                       | Not applicable   |
| 6.3                      | Site Specific Provisions   | Not applicable   |
| 7. Metropolitan Planning |  |  |
| No.                      | Title  | Consistency with Planning Proposal   |
| 7.1                      | Implementation of the Metropolitan Plan for                              | Inconsistent   |
|                          | Sydney 2036  | The PPI will enable development standards<br>that are more consistent with the Strategic<br>Centres hierarchy rather than the Local<br>Centres hierarchy. This means the town<br>centres will inappropriately compete with |

### C Environmental, social and economic impact

C1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Auburn and Lidcombe Town Centres do not contain any critical habitat or threatened species, or populations or ecological communities or their habitats.

higher-order centres such as the Rhodes-Olympic Park Specialised Centre and

Parramatta Regional Centre.

## C2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The Urban Design Density Study prepared by GMU (refer to **Attachment 1** in **Appendix 2**) identified a number of environmental effects as a result of the Planning Proposal at a 5:1 FSR:

- Significant overshadowing impacts particularly of open space and public domain;
- Poor solar access within the town centres;
- Poor solar access to the residential land situated immediately outside both centres;
- "Wind wash" effects;

- Poor amenity brought about by the above;
- Poor urban design outcomes in terms of:
  - an uneven built form; and
  - a bulkier built form.

Note: the development controls affecting the building envelope would need to be amended in the Local Centres Part of the Auburn DCP 2010 to realize the 8.8:1 FSR. This would be exhibited simultaneously with the Draft Planning Proposal.

The GMU Study tested a 5:1 FSR which means the environmental impacts of the proposed 8.8:1 FSR would be more excessive.

Approximately fifty percent of the Lidcombe Town Centre is situated in the flood planning area (see *Auburn LEP 2010* Flood Planning Area Map). The Flood Planning Area comprises a low, medium and high (1:100yr average recurrent interval) flood risk regions.

### C3 How has the planning proposal adequately addressed any social and economic effects?

A detailed assessment of the social and economic effects has not yet been undertaken.

### D State and Commonwealth interests

### D1 Is there adequate public infrastructure for the planning proposal?

No studies have been undertaken to determine whether there is adequate infrastructure capacity (in terms of open space, road capacity, sewerage, stormwater, etc). However, consultation will be undertaken with State and Commonwealth agencies as per Section D2 of this Planning Proposal. Council will also anticipates advice from the Department of Planning on this matter.

## D2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with appropriate State and Commonwealth public authorities has not yet been undertaken.

### Part 4 - Community Consultation

A comprehensive engagement strategy will be prepared by Council which would include the following mechanisms:

- Advertisement in a local newspaper (ie. the Auburn Pictorial Review).
- A supporting Information Brochure.
- Notification (via letter) to the following land holders:
  - land owners who are affected by the proposal;
  - adjoining land owners;
  - community groups; and
  - the surrounding community in the immediate vicinity of both town centres.
- Advertise the proposal on the Council's website.
  - Exhibit the Planning Proposal at the following locations:
    - Council's Customer Services Centre, 1 Susan Street, Auburn,
    - Auburn Library
    - Lidcombe Library

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- Regents Park Library.
- Undertake any other consultation methods appropriate for the proposal.

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## Appendices

- Appendix 1 Council report and Minutes from Extraordinary Meeting, 12 May 2010 Item 116/2010
- Appendix 2 Council report (with attachments) and Minutes from Extraordinary Meeting, 28 September 2010 Item 231/2010
- Appendix 3 Council Minutes from Council Meeting 20 October 2010 Item 257/2010