

PLANNING PROPOSAL

PP- 4/2013



LOT 4 DP 270668

MAIN AVENUE LIDCOMBE

Council Ref: T095372/2013

October 2013

TABLE OF CONTENTS

INTRODUCTION	3
Background	3
The Site and surrounds	4
Existing planning controls	7
PART 1. OBJECTIVES OR INTENDED OUTCOMES	11
PART 2. EXPLANATION OF PROVISIONS	13
PART 3. JUSTIFICATION	14
3.1 Section A: Need for the planning proposal	14
3.2 Section B: Relationship to the strategic planning framework	16
3.3 Section C. Environmental, social and economic impact	28
3.4 Section D. State and Commonwealth Interests	28
PART 4. MAPPING	30
PART 5. COMMUNITY CONSULTATION	31
5.1 Pre-gateway consultation	31
5.2 Proposed post-gateway community consultation	31
PART 6. PROJECT TIMELINE	32
PART 7. CONCLUSION	33
APPENDIX 1: BOTANICA LIDCOMBE ECONOMIC IMPACT ASSESSMENT - HILL PDA	34
APPENDIX 2: HERITAGE ASSESSMENT GODDEN MACKAY LOGAN	35
APPENDIX 3: TRAFFIC AND PARKING IMPLICATIONS GTA CONSULTANTS	41
APPENDIX 4: COUNCIL REPORT TO MEETING 16/10/13	44
APPENDIX 5: EXCERPTS FROM CONSERVATION MANAGEMENT PLAN	49
APPENDIX 6: TRUCK MOVEMENTS – LOADING BAY	50
APPENDIX 7: NET COMMUNITY BENEFIT EVALUATION CRITERIA	51
APPENDIX 8: CONSISTENCY WITH SEPPS AND REPS	55
APPENDIX 9: CONSISTENCY WITH SECTION 117 DIRECTIONS	67
APPENDIX 10: PROPOSED AMENDMENTS TO LEP MAPS	70

INTRODUCTION

Background

This planning proposal contains an explanation of the intended effect and justification for the 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* in relation to Lot 4 Main Avenue Lidcombe as follows:

- Rezone the site from R3 Low Density Residential to B1 Neighbourhood Centre;
- Amend the maximum building height across the site from 9m to 12m;
- Amend the maximum gross floor area for the site from 0.5:1 to 1:1.

The changes are proposed to allow the establishment of a neighbourhood centre on the site.

The land to which the planning proposal relates (see Figure 1) is situated within the precinct of the former Lidcombe Hospital in the Auburn Local Government Area (LGA). The land subject to this planning proposal is referred to as 'the site' and is located within an existing major urban infill area. The site is owned by Australand Industries No 16.

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

This planning proposal is prepared following Auburn City Council's consideration of an application for a planning proposal lodged with Council on 3 June 2013 by Botanica Holdings P/L, referred to as the 'applicant'. The application included the following consultant reports/letters:

Hill PDA	<i>Botanica Lidcombe Economic Impact Assessment</i> (see Appendix 1);
Godden Mackay Logan	<i>Botanica (former Lidcombe Hospital Site) (Building 66 Rezoning – Heritage Assessment</i> (see Appendix 2);
GTA Consultants	Botanica – Lot 4 (Building 66) Rezoning Application Rezoning from Residential to Retail/Commercial Land Uses Traffic and Parking Implications (see Appendix 3).

Council considered the application at its Planning Committee meeting of 16 October 2013. The Council report is included at **Appendix 4**.

At its Planning Committee meeting of 16 October 2013, Council resolved the following:

That Council

1. *Prepare a Planning Proposal in accordance with section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act), to amend Auburn Local Environmental Plan 2010 to:*
 - (a) *Rezone land at Lot 4 DP 270668, Main Avenue, Botanica ("Building 66"), from R3 Medium Density Residential to B1 Neighbourhood Centre; and*
 - (b) *Amend the Maximum Height of Building control from 9 metres to 12 metres; and*
 - (c) *Amend the Maximum Floor Space Ratio to 1:1.*
2. *Submit this Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 (EP&A Act); and*
3. *Progress the Planning Proposal, post-Gateway, through to finalisation, provided that no substantial changes are required following exhibition.*

This planning proposal is prepared to address items 1 and 2 in the Council resolution.

The Site and surrounds

The land subject to this planning proposal is Lot 4 DP 270668, located on Main Avenue Lidcombe, within the Botanica estate, as shown in the map at Figure 1 and the aerial at Figure 2.

There are no retail facilities within the Botanica estate. The site is approximately 2.3km from Regents Park railway station, 2.5km to Berala station 2.7km to Lidcombe station and 3.4km to Birrong station, each of which are associated with a range of shops and services. The closest town centre is Bankstown, at a distance of about 5km.

There is a local bus service that runs through the estate, and is expected to run along this section of Main Avenue in the next year. A system of roadways, pedestrian pathways, open space and cycleway are provided within the estate.

The site is approximately rectangular in shape with an area of 2,329m². It contains a series of buildings, known in aggregate as Building 66. The building is two storeys at Main Avenue and a single storey to Brookes Circuit (see Figure 3).

The site is bound by Main Avenue to the north-east and Brookes Circuit to the south-west. To the north-west is an easement approximately 5m wide for a pathway, drainage and electricity, and beyond this are a number of weatherboard buildings (Stage 83) currently being refurbished for residential use. To the south-east are a number of brick buildings (Stage 87) also within the R3 Medium Density zone.

Land on the other side of Main Ave is mostly identified for residential development, with a church further to the north along Main Ave. Across Brookes Circuit is an area designated as the Village Green, a future public reserve (see Figure 4).

Part of the subject site is currently being used as the site office for the development of the Botanica estate. The rest of the site is vacant.

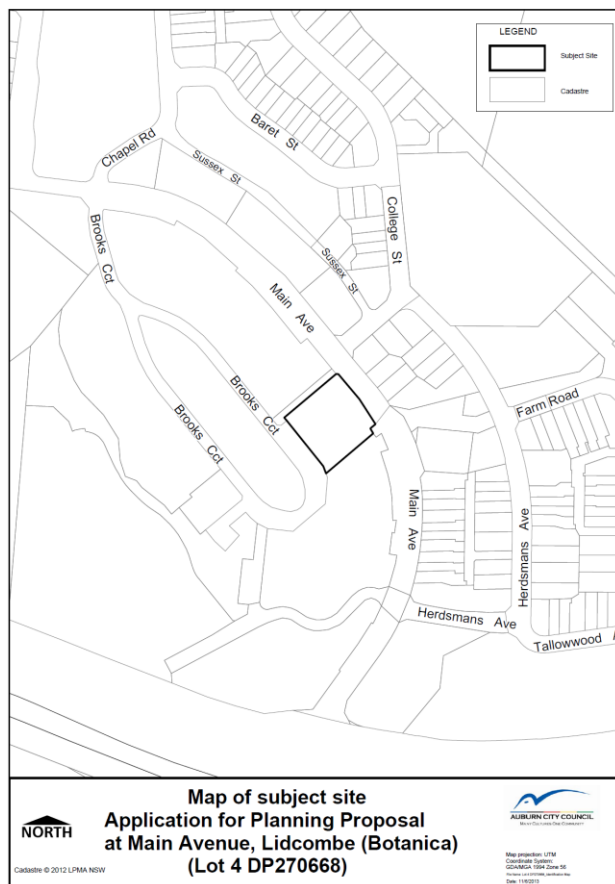


Figure 1: Location of subject site

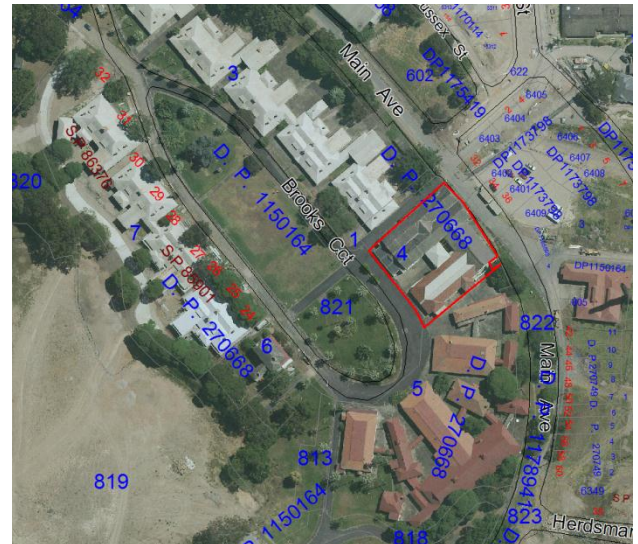


Figure 2: Aerial image showing subject land (red outline)



Figure 3: Views of Building 66



Figure 4: Botanica Masterplan

Source: Australand <http://residential.australand.com.au/homes/nsw/lidcombe/botanica/#projectplans>

Table 2 - Objectives and land uses for the R3 zone under *Auburn LEP 2010*

Key development standards

Table 3 below summarises the relevant principal development standards applying to the site under *Auburn LEP 2010*.

<i>Auburn LEP 2010</i> land zoning	Maximum Building Height	Floor Space Ratio (FSR)
R3 Medium Density Residential zone	9 metres	0.5:1

Table 3 - Summary of the principal existing *Auburn LEP 2010* standards applying to the site

In relation to neighbourhood shops, Clause 5.4 of the LEP sets a maximum retail floor area of 80m².

Heritage

Figure 7 shows the *Auburn LEP 2010* Heritage map and the location of the subject site within a heritage conservation area (red outline). The subject site is listed in Schedule 5 – Environmental Heritage of the *Auburn LEP 2010* (Item number C07144 – the Former Lidcombe Hospital Site).

The site is affected by the objectives and provisions of *Auburn LEP 2010* Clause 5.10 Heritage Conservation. The specific Heritage Conservation objectives that apply to this application are:

- 'to conserve environmental heritage of Auburn; and
- to conserve heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views'.

The heritage conservation area has state significance and is listed under the State Heritage Register for its historic, aesthetic, social and technical values (State Heritage Register: 01744).

The NSW heritage register states that the buildings provide evidence of the type of self-sufficient institution developed in the late nineteenth century for the care of 'wayward' boys and later for homeless and destitute men. It describes the strong aesthetic cohesiveness between many of the buildings in this precinct, creating a harmonious arrangement of buildings around a landscaped open space. The precinct also demonstrates changing health care over the period of a century.

Godden Mackay Logan prepared a conservation management plan (CMP) for the site in 2002. The CMP identifies Building 66 as one of the core buildings within the heritage precinct. An excerpt is provided at **Appendix 5**. The relative significance of the buildings within this area is outlined in Appendix 2 and shown at Figure 8 and the significance of the individual components of Building 66 at Figure 9.

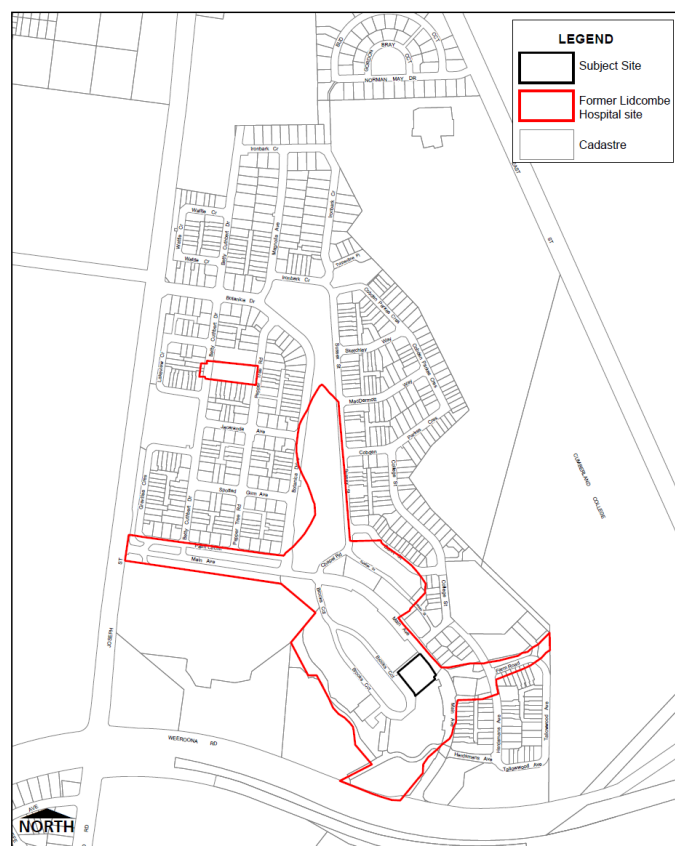


Figure 7: Auburn LEP 2010 – Former Lidcombe Hospital site – listed heritage conservation area

PRINCIPLES FOR MANAGEMENT

The Conservation Management Plan (2002) (CMP) includes a number of principles and management policies relevant for the use of existing buildings within the heritage precinct. These include:

- New uses should be compatible with the significance of the buildings and the precinct;
- Uses that facilitate public access, even in a limited or controlled way, are preferable to those that do not;

Regarding building 66:

- Limited public access to the dining hall and bakery should be provided;
- The former dining hall should be conserved in a manner that allows all phases of its development to be evident and interpreted;
- The large interior dining hall should be conserved, not partitioned;
- Existing roof trusses should remain exposed, with no ceiling;
- The bakery should not be partitioned;
- The rooms adjacent to the lower kitchen need investigation and maintenance;
- A detailed Specific Elements Policy (SECP) should be prepared for this building.

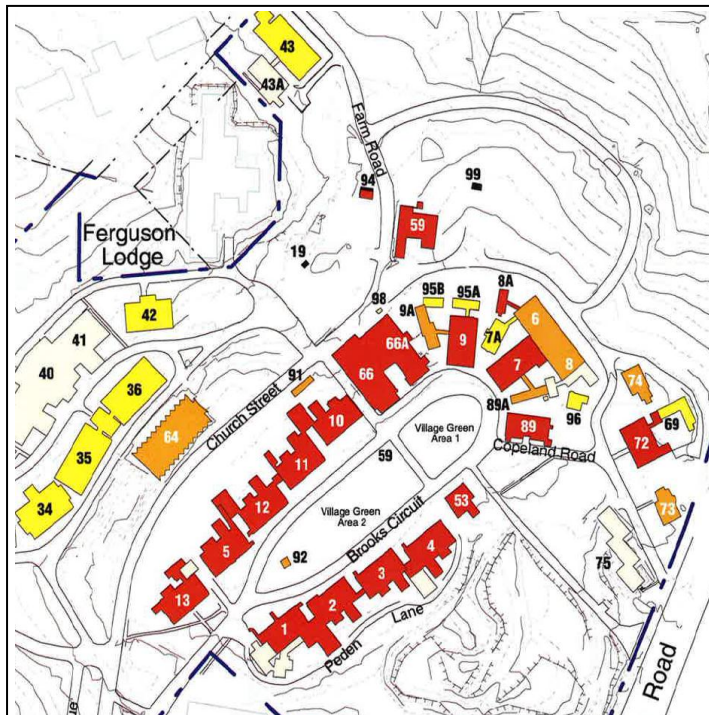


Figure 8: Significance assessment – buildings around the Village Green (from CMP 2002)

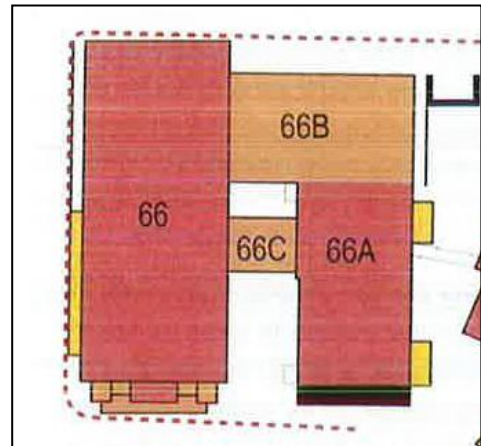


Figure 9: Significance assessment: Building 66 (from CMP 2002)

- Exceptional
- High
- Moderate
- Little
- Intrusive

PART 1. OBJECTIVES OR INTENDED OUTCOMES

The objectives and intended outcomes of the planning proposal are:

- to establish a neighbourhood centre providing small scale convenience shopping for the residents of Botanica;
- to enable a more sensitive adaptive reuse of Building 66, a building with components of exceptional heritage significance within the Lidcombe Hospital Heritage Precinct;
- to help to activate the Village Green, which is scheduled to be dedicated as public open space located opposite the proposed neighbourhood centre
- to provide for the orderly and economic use and development of the land.

The planning proposal seeks to permit the establishment of a small centre to provide retail, business and office premises on the site, for a new community of 800 dwellings (in 2016) where the closest retail facilities area minimum of 2.3km distant. An indicative concept plan and breakup of the potential mix of uses has been provided by the applicant and is shown at Figure 10 and the indicative break up is outlined in Table 4. The concept plan shows a total building area of 2,242m² which includes storage and service areas.

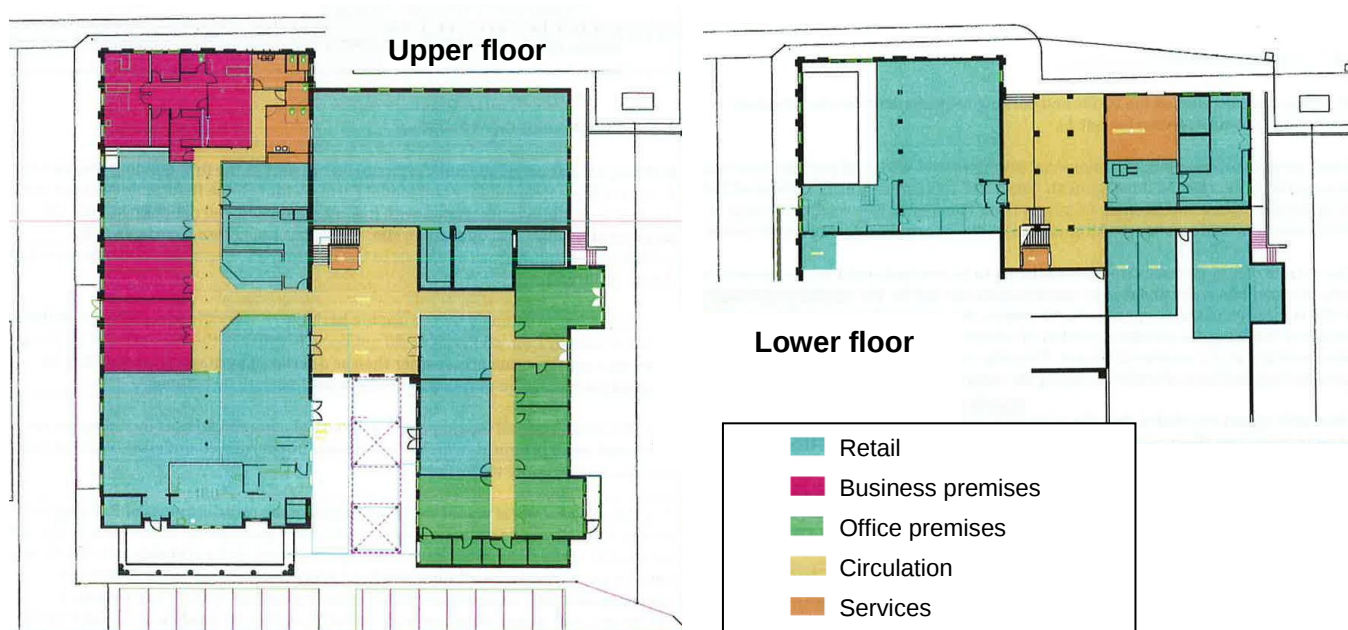


Figure 10: Indicative commercial uses

Retail	1,267m ²	Potentially including a supermarket or grocery store, pharmacy, bread shop, café
Business	200m ²	Potentially including a small medical centre, hair dresser, real estate
Office	153m ²	Potentially including a travel agent, legal services, accountant
Other retail/ business/office	709m ²	type subject to market demand
Total	2329m²	

Table 4. Indicative breakup of commercial uses

In line with the CMP for the precinct and the draft SECP for Stage 87, heritage consultant Godden Logan Mackay considers that commercial use (dependent on fitout) would:

- allow for the adaptive re-use and refurbishment of Building 66;
- permit public access to parts of the building;
- reduce the extent of partitioning overall in comparison to residential development;
- allow for large spaces to be viewed to 'read' the history of building.

PART 2. EXPLANATION OF PROVISIONS

It is proposed to amend *Auburn LEP 2010* for the site as follows:

- Rezone the site from R3 Low Density Residential to B1 Neighbourhood Centre;
- Amend the maximum building height across the site from 9m to 12m;
- Amend the maximum gross floor area for the site from 0.5:1 to 1:1.

Auburn LEP 2010 prohibits commercial uses, other than neighbourhood shops in the R3 Medium Density Residential zone and limits neighbourhood shops to 80m². The proposed B1 Neighbourhood Centre zoning is intended to provide flexibility in the range of commercial and compatible uses, at a larger scale than that permitted under the R3 zone.

The B1 zoning is also proposed for Brookes Circuit and Main Avenue for the sections of the roads (for their full width) directly adjoining the site, to avoid any ambiguity in relation to the use of the road directly associated with the commercial uses of the subject site.

The physical limits of the existing building form and the adaptive reuse of the heritage building limit the overall floor space available, however the FSR on the site already exceeds the current permitted FRS of 0.5:1. Additional FSR to a maximum of 1:1 would allow for full use of the existing building with some design flexibility.

The additional maximum building height (to 12m) is sought to avoid reliance on the exemption provisions of the LEP (cl 4.6), as the existing height of the part of the existing building is approximately 12m, exceeding the currently permitted 9m maximum building height.

PART 3. JUSTIFICATION

3.1 Section A: Need for the planning proposal

The Planning Proposal is needed to facilitate the most appropriate and feasible adaptive reuse of the site/building given the characteristics of the site and its setting, namely a variety of commercial uses.

Q1. Is the planning proposal the result of any study or report?

No. The Planning Proposal is not the result of a strategic study or report.

The planning proposal results from a request from Australand and a prospective investor to adaptively reuse the site for a mix of commercial uses and responds to the to the conservation adaptive reuse objectives of the CMP and the draft SECP.

Council initially (in 2000) sought a wide range of commercial uses for Building 66, including function centre, exhibition spaces, gallery, gym restaurant and bar, however the application argues that some of these uses have not proved financially feasible.

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

The proposed zoning is the best way to achieve the intended outcomes, as the proposed range of mixed commercial uses would facilitate the refurbishment of Building 66 in an adaptive reuse compatible with conservation objectives and would be consistent with the Neighbourhood Centre controls within *Auburn LEP 2010*.

The proposed building height and floor space ratio standards are required for consistency with the site/building features.

Other options considered were:

- Uses permitted under the R3 zoning: Residential not considered the best solution for achieving conservation objectives.
Range of commercial uses too limited - neighbourhood shops only, which are limited to 80m².
- Heritage conservation incentive provisions: Not available under the clause as the buildings are not individually listed.
- Local Provision to Part 6 of the LEP/ or additional uses in Schedule 1 permitting commercial uses on the site: Fails to address FSR and height. Rezoning more in line with intended site function, and less ambiguous. Rezoning also provides more flexibility, given that the specific uses will be determined at a future time.
- B2 Local Centre zoning: B2 zoning was not considered appropriate as it would be inconsistent with the scale of facilities that would be suitable

for the site and precinct. It would also have the potential to create an inappropriate precedent within the precinct, which would encourage expansion of commercial uses beyond the appropriate scale. A B2 zoning would give a false expectation of growth.

PN 11-002 advises that the B2 Local Centre zone 'is generally intended for centres that provide a range of commercial, civic, cultural and residential uses that typically service a wider catchment than a neighbourhood centre.'

The very broad range and potential scale of these uses is not consistent with a small centre intended for 'top up' shopping and day to day services, without access to good public transport. The scale envisaged for a B2 zone would be inconsistent with the *draft Metropolitan Strategy for Sydney, Metropolitan Plan for Sydney 2036 and Draft West Central Subregional Strategy*.

The scale envisaged in the objectives for the B1 Neighbourhood Centre zone in Auburn LEP 2101 is more consistent with the scale appropriate for this site and precinct (see Table 5). In addition uses sought by the applicant/owner are permitted under the B1 zoning or by SEPP Infrastructure.

B1 Neighbourhood Centre:	• To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. • To ensure development does not adversely affect the amenity of the surrounding neighbourhood.
B2 Local Centre:	• To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local areas. • To encourage employment opportunities in accessible locations. • To top maximize public transport patronage and encourage walking and cycling. • To encourage high density residential development. • To encourage appropriate businesses that contribute to economic growth. • To achieve an accessible, attractive and safe public domain.

Table 5. Objectives for Zones B1 and B2 under Auburn LEP 2010

- FSR of 2:1

Given the constraints of the precinct, the heritage values, the relative isolation of the estate and the limited access to public transport, the Brookes Circuit precinct is not suitable for any significant growth in commercial, particularly retail, growth. The proposed FSR of 2:1 would give a false expectation of such growth and would therefore be inconsistent with the Draft Metropolitan Strategy for Sydney

and the draft Centres Policy.

Further, an FSR of 2:1 on the site would allow development beyond the capacity of the existing heritage significant building. From the scaled plan provided by the owner (dimensions not provided) Council estimates the gross floor area of the existing building is within a range from 1,960m² (FSR of 0.84:1) to 2,070m² (FSR of 89:1). The range is provided as it is not possible from the submitted plans to determine how much of the storage on the lower level would be counted as GFA. The majority of this storage is unlikely to be included, and therefore this provides some additional floor area for flexibility.

An FSR of 1:1 (GFA of 2,329m²) is closer to the capacity of the existing building but would still give additional flexibility of between at least 259m² (12.5%) and 369m² (almost 19%).

An FSR of 1:1 would allow for the achievement of commercial uses in line with indicative concept plan, with sufficient flexibility for varying design options within the existing building consistent with the conservation of the heritage significance. A greater FSR would likely compromise the heritage values.

- Retain maximum building height of 9m Undesirable, as this would require the use of an exemption under cl 4.6 of the Auburn LEP 2010, as part of Building 66 is 12m high.

The original application submitted to Council varied from this planning proposal in that it sought a B2 zoning and an FSR of 2:1 as discussed above. Following discussions with Council, the owner and applicant agreed to proceed with the B1 Neighbourhood Centre and FSR of 1:1 outlined in this planning proposal.

3.2 Section B: Relationship to the strategic planning framework

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

A. METROPOLITAN PLAN FOR SYDNEY 2036

The Department of Planning and Infrastructure's Metropolitan Plan for Sydney 2036 ('the Metro Plan') is the overarching strategic planning policy guiding growth and development in Sydney to 2036. It establishes housing and employment targets, and provides guiding principles for consideration when making planning decisions. The plan contains a number of objectives in relation to housing and employment growth, transport, the environment and the community. Each objective contains a number of associated actions. The most relevant objectives relate to the economy, housing, centres and cultural, social and community value.

Economy

The report by Hill PDA which accompanies the planning proposal states that the proposed level and mix of commercial facilities (Hill PDA considered 1,640m² of commercial space) would result in 64 jobs of which around 60% would be part-time or casual. In addition, Hill PDA estimates that the equivalent of 10 full time positions over 12 months would be created during the construction phase (that is 10 'job years').

Local construction and ongoing commercial activity also generate additional economic activity induced at the production level and the consumption level. The level of this increase is described by multipliers. The consultant has estimated that the construction activity would result in a total multiplier of 4.1, ie 41 job years. Overall, based on a capital investment of \$2.5million, it is estimated that the direct and indirect output would be \$7.2million.

The application is therefore consistent with Objectives E4 and E5 which seek to provide for a range of local employment types in dispersed locations, and increase diversity of jobs and skills in Western Sydney, albeit only to a small extent.

Housing

The Plan sets housing targets for the West Central sub-region of Sydney. The *Draft West Central Subregional Strategy* (Draft WCSS) breaks this down by local government area. This matter will be discussed in the section on the Draft WCSS.

Centres

Actions B3.1 and B3.3 support an objective (B3) related to the urban renewal of existing centres well served by public transport, planning for new centres and the protection and adaptive reuse of heritage items in centres.

While the key focus is on development within the most accessible areas within existing centres as a basis for urban renewal, the plan also recognises that existing urban areas and greenfield sites will require new centres. The nearest centres to the Botanica estate are not within reasonable walking distance, and a small centre within Botanica would serve the local residents for convenience shopping and other daily needs. It would also provide a social focus for the community, consistent with objective H1 in relation to liveability and social inclusion.

The appropriateness of new centres depends on a range of factors including access to public transport, proximity to quality open space and schools, residential amenity, market demand and the heritage significance and adaptability of existing buildings. The impact on facilities and services in existing centres must also be considered.

The Plan provides for a hierarchy of centres. At the local scale these are town centres, villages and neighbourhood centres. Under Auburn LEP 2010 the town centres are zoned B4 Mixed Use, villages are generally zoned B2 Local Centre and neighbourhood centres, B1 Neighbourhood Centre.

Examples of neighbourhood centres (zoned B1) are Beaconsfield Street, Silverwater and Wellington/Cumberland Road, Auburn. Examples of villages (zoned B2) are Berala and Regents Park. Table 4 outlines the key parameters outlined in the Metropolitan Plan for the smaller centre types..

	Village	Neighbourhood centre
Comprises	Group of shops and services for daily shopping, eg supermarkets, butchers, banks, hairdressers, cafes, restaurants, takeaway food shops.	A few shops and services -eg convenience store, café, newsagent, petrol station
Access to transport	Served by strategic bus service, or local service at a minimum	Typically focused around a bus stop
Walkable catchment	400-600m Around 5,500 dwellings, with medium density housing	150-200m Around 1,000 dwellings, including some medium density
Proximity	Good links with the surrounding neighbourhood - and with schools, child care or other compatible services.	Schools, child care or other compatible services.

Table 6: Features of small centre types in the Metropolitan Plan for Sydney 2036

- Composition and scale

While the composition of the services within the either the village centre or neighbourhood centre types are relatively similar, the scale of the centres is different. The proposal more closely fits the scale of the neighbourhood centre.

- Access to transport

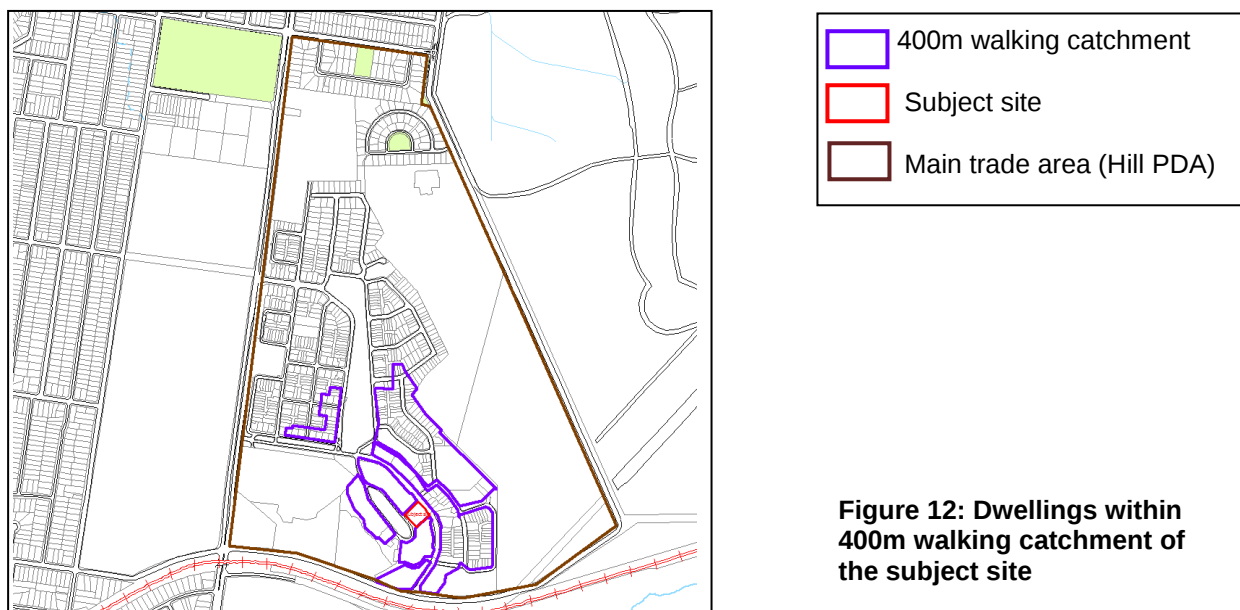
The proposed new centre would be located about 280m from a bus stop, with regular local services as outlined in Part 2.7 of this report. The current bus route reflects the fact that the majority of dwellings in the estate are located towards the north of the estate. However the likely extension of the route past the subject site next year would support a new centre on this road.

- Walkable catchment

The proposed new centre is located near the southern end of the Botanica estate. Figure 13 shows the residential area that is within a 400m walking catchment (a 5 minute walk) The 150-200m catchment would include only a relatively small number of dwellings. The main trade area considered by Hill PDA in its assessment is shown for comparison. It is estimated that around a third of the main trade area outlined would be over 800m from the site, of which around half would be over 1km walking distance. Note that for the residents of Georges Avenue and Wayland Avenue at the northern end of the outlined main trade area, Berala centre is closer than the subject site.

The location of the existing bus stop about 280m from the site also reflects the fact that the majority of the dwellings within this precinct are located north of the site.

Given the existing lack of convenience services in this locality and the topography of the precinct, it is considered reasonable that many residents would walk 400m to a small convenience centre, especially given the proximity to the Village Green.



- Proximity

The subject site is located directly opposite the Village Green, an open space area of around 5,000m². Although it is near a TAFE, the TAFE is very disconnected from the subject site and Botanica estate as a whole. There are no nearby schools.

While it is accepted that the likely walking catchment is 400m, considered overall, the most appropriate category in the centres typology is a neighbourhood centre, and the most appropriate zone, B1 Neighbourhood Centre.

Cultural, social and community value

The Metropolitan Plan includes an action on the protection and interpretation of places of heritage value. As outlined in this report, the proposed commercial use of the site is consistent with this action. The impact of the proposed height and FSR are discussed under the *Draft West Central Subregional Strategy 2007* below.

B. DRAFT METROPOLITAN STRATEGY FOR SYDNEY

The draft Metropolitan Strategy for Sydney will replace the existing Metropolitan Plan, and provides for new larger) sub-regions supported by new sub-regional delivery plans in the short term.

Key relevant differences from the existing Metropolitan Plan include the setting of higher staged targets for jobs and housing within the sub-regions. For the proposed Central West and North West sub-region (in which Auburn is located), the draft strategy sets a housing target of an additional 148,000 dwellings and a jobs target of an additional 142,000 jobs by 2031. The allocation of these targets to each LGA within the sub-region has not yet been undertaken and will need to be considered in the development of the sub-regional delivery plans.

The centre typology for smaller centres is similar to that in the existing Metropolitan Plan. The draft strategy supports centres of all sizes as the primary location for retail services, at a scale reflecting the level of public transport accessibility. However, unlike the Metropolitan Plan, the capacity of the centre is directly related to the number of dwellings, rather than the walking catchment. In the typology a neighbourhood centre would have capacity for around 500

dwellings. The number of dwellings in the main trade area is commensurate with the neighbourhood centre typology, rather than larger centres.

This is also supported by Hill PDA's analysis of the retail floor space demand (see **Appendix 1**). While the extent of the main trade area outlined by Hill PDA is considered to be very optimistic, nevertheless, their analysis shows that only a small proportion of the daily needs of the local residents would be provided for in the proposed centre.

Based on a population of 4,470 in 2016 in the identified main trade area, and their demographic and expenditure analysis, the demand in locally based village and neighbourhood centres from the main trade area would be 4,000 m² to 5,000m² of retail floor space¹. Based on commercial floor space of 1,620m², including a 400m² supermarket, the consultant estimates that only 15-20% of the total supermarket spend of the main trade area will be from the subject site. The scale of the proposed commercial uses, in terms of capacity to provide for the daily convenience needs of local residents, is appropriate to a B1 Neighbourhood Centre zoning.

C. DRAFT WEST CENTRAL SUBREGIONAL STRATEGY (DRAFT WCSS) 2007

The objectives and actions of the draft WCSS flow from those of the Sydney Metropolitan Strategy, which was replaced by the Metropolitan Plan for Sydney 2036. Relevant strategic objectives and actions are discussed below.

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

Strategic objective A – Actions A1.1 and 1.2 related to the economy and employment

- | | |
|--|---|
| <ul style="list-style-type: none">• Provision of a framework for jobs across the sub-region | <p>The proposed centre will provide for some local employment within a new residential neighbourhood, making a minor contribution to meeting Auburn's employment target of an additional 12,000 jobs.</p> |
| <ul style="list-style-type: none">• Plan sufficient zoned land and infrastructure to achieve employment capacity targets | <p>While not a strategic centre, the report by Hill PDA shows that the bulk of the turnover in the neighbourhood will still go to established strategic centres, because expenditure in department stores, hardware and bulky goods stores, for example, would still be directed to higher order centres or corridors. In addition, due to the small scale of the proposal and the exclusion of any medium to large supermarket, only a minor proportion (15-20%) of food and regular shopping needs will be sourced from the proposed centre.</p> <p>Hill PDA estimate that about \$1.95 million will come into the Botanica centre from outside the main trade area, while \$59.7million leave the main trade area and be spent in other centres or corridors, both of which are a substantial increase from current levels of expenditure. While the consultant used an FSR lower than 1:1, the extent of the difference between</p> |

¹ The estimated total demand for retail floor space from the main trade area is more than 12,000m².

the incoming and outgoing is so large as to cover the FSR difference.

Therefore the proposal will not result in job losses from the strategic centres.

Strategic objective B – Various actions related to centres and corridors

- Establish a typology of centres
- Concentrate retail activities in centres, business development zones and enterprise corridors
- Support centres with transport infrastructure and services

The *Draft WCSS* does not identify the site as a centre in the centres map (see Figure 13). Nevertheless, the Botanica development will result in a new neighbourhood of around 2,560 people, on top of the existing population (at 2011) in the main trade area of 1,910, where the closest small centres are at least 30 minutes' walk. The 'small village' of Berala, (now a 'village') is about 3.4km from the site, and Regents Park, 2.2km. The neighbourhood centres of Birrong and Rookwood Rd are about 3.2km from the subject site.

As discussed above, the bulk of the turnover expenditure of the local community would still be directed to strategic centres and corridors and would not diminish the significance of those areas.

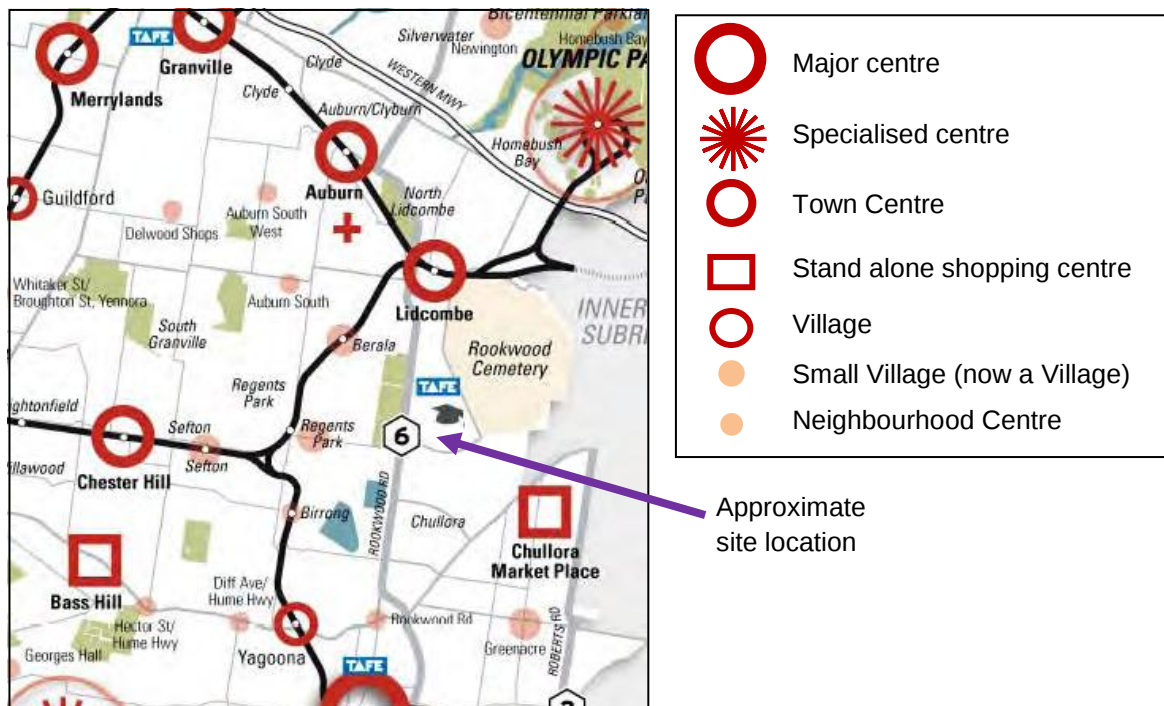


Figure 13: Typology of centres under draft WCSS

Strategic objective C – Action C1

- Plan for increased housing capacity targets in existing areas

The *Draft WCSS* sets a target of 17,000 dwellings by 2031 for the Auburn local government area.

The application would result in about half a dozen dwellings not being constructed, of the 800 to be provided by completion

of the Botanica estate.

Council undertook a Dwelling Target Analysis in 2009. The draft WCSS allocated 6,000 dwellings to Olympic Park, which is not under Council's jurisdiction. The remaining dwelling target is therefore 11,000. Table 6 shows that this target will be exceeded. Further, the analysis did not take into account dual occupancies and secondary dwellings now permitted in the R2 zone.

Area analysis and timeframe	No of dwellings
Approvals between 2004 and 2009 – in centres	1,033
Approvals between 2004 and 2009 – infill areas	3,166
Known future infill (brownfield sites)	4,289
Capacity of centres under LEP at the time	4,592
Total	13,030

Table 6: Summary of Council's Dwelling Target Analysis 2009

The conversion from an R3 zoning for the subject site to a business zone will not compromise the achievement of the dwelling targets in the Draft WCSS.

Strategic objective E – Actions E6.2 and 6.3

- Recognise where Sydney's cultural contributes to its unique character and quality and manage change appropriately

The Draft WCSS identifies the Lidcombe Hospital Site Precinct as a state significant heritage item.

Commercial use

The CMP favours an adaptive reuse of the precinct as a whole by an institution, but recognizes that if this is not feasible, other uses may be compatible with the heritage significance. The advice from Godden Mackay Logan (the authors of the CMP), states in relation to the conservation of the large interior dining space that:

'It is evident that the commercial/retail use for the building would have a much greater chance of enabling the interior of this space to be conserved as a single volume than a residential use. Therefore, it is considered that the current proposal to rezone the property would be beneficial from a heritage viewpoint.'

It is noted that the consultant is only referencing the proposed commercial use, not any particular uses or fitout. The indicative concept plan does not conserve this space as a whole. Any future DA for the site would need to prepare a detailed study for Building 66, and give further consideration to the retention of the main dining hall as a single volume.

Floor space ratio

The heritage advice does not consider the proposed intensity of the commercial use. The indicative concept (Figure 10) shows a number of partitioned areas of varying sizes with a total building area of 2,242m², which exceeds the current permitted gross floor area on the

site of 1,164.5m².

While the total building area outlined is not the same as gross floor area as defined in Auburn LEP 2010 (see discussion under Section A Question 2 above), the proposed FSR of 1:1 provides for flexibility in the design, without encouraging a level of development that would be inconsistent with the heritage values of the site.

Building height

The additional height sought is required to avoid the use of the exception provision in the Auburn LEP 2010. The need to address this clause (cl.4.6) would only be brought about by an application proposing works above the 9m building height standard. The applicant has advised that works to restore the roof and high windows are required, including in the area that is up to 12m in height. The proposed building height would allow for restoration of the building without the inherent difficulties of the LEP exception clause (Clause 4.6).

- Interpret and promote Sydney's cultural heritage
- The proposed commercial use would provide greater opportunity for public access to the site/building and the retention of key interior elements which would allow the ongoing interpretation of the site and its heritage.

D. DRAFT CENTRES POLICY – PLANNING FOR RETAIL AND COMMERCIAL DEVELOPMENT

The draft *Centres Policy* includes a number of principles, generally based on a recognition of the need for centres to grow, and new centres to form, the need to accommodate market demand, together with the need for regulation of the scale and location of centres, and the need to ensure a competitive retail and commercial market and good design to support these principles.

These matters are discussed under the strategies listed in a. to c. above.

The draft policy requires that a net community benefit test be undertaken for planning proposals seeking to facilitate retail or commercial floorspace. A Net Community Benefit Test as required by the draft policy is provided in **Appendix 7**.

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

A. AUBURN LEP 2010

The proposal seeks an amendment of the LEP. The proposed commercial use of the site is consistent with the aims of the *Auburn LEP 2010*, specifically:

'(g) to facilitate economic growth and employment opportunities within Auburn,

(h) to identify and conserve the natural, built and cultural heritage'.

The B1 zoning, 12m building height and an FSR of 1:1 are consistent with the following aims:

- (b) 'to foster integrated, sustainable development that contributes to Auburn's environmental social and physical well-being,*
- (c) to protect areas from inappropriate development'*
- (g) to facilitate economic growth and employment opportunities within Auburn.*

B. AUBURN CITY COMMUNITY STRATEGIC PLAN 2013-2023

The outcomes of the *Auburn City Community Strategic Plan 2013-2023* relevant to the application are:

- Attractive public spaces and town centres - Council intends to achieve this goal through facilitating local investment, business growth, local jobs and employment opportunity. The proposal would facilitate local investment and some business growth through small scale retail uses, which would support the linkage between the heritage precinct and the Village Green – enhancing the use and views to this public space. It would provide some local jobs, and local convenience shopping for residents of Botanica.
- A place that celebrates cultural identity - As outlined above, limited commercial use of the site is consistent with the management of its heritage value.
- Movement of people that is safe, accessible and efficient - Council intends to achieve this goal through a number of measures, including:
 - Management of car parking to maximise economic development and public safety, and
 - Management of roads, footpaths and car parks for safety, accessibility and efficiency.

This issue is discussed below under car parking and loading.

Car parking

A traffic and parking letter was prepared by GTA consultants on behalf of the applicant to support the application for a planning proposal. As there was a substantial inconsistency between the gross floor area on which the letter was based, and the proposed FSR, an amended letter from GTA was provided (see **Appendix 3**). GTA estimates in the amended letter, that the number of parking spaces required under Auburn DCP 2010 is around 59. No parking spaces are provided within the site and therefore the proposal does not comply with Council's DCP. The proposal relies on on-street parking spaces, mostly within Brookes Circuit.

GTA supports the proposed extent of parking spaces for the retail/commercial uses and their location as on-street parking for the following reasons:

- *'High percentage of walk in trade generated predominately by the Botanica residents*
- *Good provision of pedestrian facilities (ie paths and lighting) and connectivity through the development*
- *Availability of on-site parking both directly adjacent to Building 66 of 14 spaces with another 45 spaces in close proximity to Building 66. In addition there are other on street parking spaces that will be shared between residential visitor parking and general public (commercial) parking along both Brookes Circuit and Main Avenue.*

GTA also remarks that:

'The nature of the proposed village retail / commercial centre uses will typically be convenience shopping with parking demand being for relatively short stay and frequent turnover of spaces.'

Due to the heritage values of the precinct, the extent of on-street parking is limited. However, the heritage value and the site coverage of the existing Building 66 mean that at grade parking on the subject site is not appropriate.

The extent of gross floor area is the driver for the extent of parking and loading required, and given the constraints of the site and the precinct, the FSR should not exceed 1:1.

In summary, given the constraints of the subject site, the heritage values of the precinct and the likelihood that a reasonable proportion of residents will walk to the centre, reduced levels of parking and some sharing of on-street facilities is warranted. Dependent of the details of any future DA, some compromise with the parking requirements of the DCP may be required. Note that this updated assessment is based on a total of 2,329m² of floor area broken into indicative active retail, business and office components of the building, including a small supermarket and small medical centre. The final mix of uses would be determined by future development applications.

At an FSR of 1:1, the commercial use of the site, and the proposed associated parking is consistent with the outcomes of the Community Strategic Plan in relation to the *Movement of people that is safe, accessible and efficient.*

While it is acknowledged that some flexibility in the parking provisions under Council's DCP will be required, this needs to be balanced against the positive outcomes of the application in terms of convenient 'top up' shopping for Botanica residents and improved heritage outcomes.

Loading requirements

Auburn DCP 2010 includes the following performance criteria for loading areas:

- separation of loading and parking;
- size of loading bay adequate for likely vehicles using the space;
- location and design of services area to facilitate convenient and safe usage.

To achieve this for retail premises (shops and food and drink premises), the DCP requirements include:

1. facilities positioned not to interfere with designated parking spaces;
2. 1 loading space per 400m² to 2000m² GFA with an additional space for every 1000m² GFA thereafter;

3. buildings to be designed to allow loading and unloading within the building;
4. access from a laneway is permitted;
5. vehicles to be able to enter and leave in a forward direction.

The parking areas identified in the application are on Brookes Circuit, while the loading area is on Main Avenue. The closest parking available on Main Avenue is diagonally opposite on the other side of the road.

GTA consultants (**Appendix 3**) state that a medium rigid vehicle/waste truck (generally 8-9m in length) would be the largest vehicle expected to access the centre, and that the allocated loading area is large enough to accommodate a truck of this size in a manner compliant with the relevant standards.

However, the applicant has since provided drawings showing that the proposed loading area can accommodate a 12.5m long heavy rigid vehicle (see **Appendix 6**).

An FSR of 1:1 would be a GFA of 2,329m². Strict compliance with the DCP would require 2 spaces designed to allow loading and unloading within the building. Only 1 space can be provided external to the building. For a truck to enter the building either a basement would need to be constructed under the building, or the façade to Main Avenue would need to be opened up. These alternatives are either not financially feasible, or are undesirable from a heritage perspective. In the circumstances 1 space external to the building is acceptable.

However the loading space is located partly within private land and partly within the roadway, which is Council owned land. This has potential liability complications in the event of an accident or damage. The loading area should be under the complete ownership of one body.

Council raised this issue with the applicant. In response, the applicant suggested that the land could be dedicated to Council at the DA stage. Any matters of insurance could be considered at that time

Accordingly, the commercial use of the site, and the location and size of the loading area is satisfactory and is consistent with the outcomes and measures in the Auburn City Community Strategic Plan, including the following outcome:

2e Management of roads, footpaths and car parks for safety, accessibility and efficiency.

C. AUBURN EMPLOYMENT LANDS STUDY

The *Auburn Employment Lands Study 2008* reviewed the existing employment land in the LGA in 2008, outlined future demand for industrial land, developed a vision, and produced principles to sustainable and viable business and employment growth across the LGA up to 2031.

The study focused on employment lands that were zoned for industrial uses. However, it also identified a demand for an additional 262,000m² of commercial floor space by 2031. The study recommended that the additional demand should be used to support town centres. Nevertheless, Hill PDA have argued that the scale and uses of the proposed centre would not prevent the growth of nearby village or town centres.

The study found that jobs are not well contained within the LGA, with only 20% of workers in the LGA also residing in the LGA. It is expected that most of the jobs within the proposed centre would be local.

The application is not inconsistent with the Employment Lands Study.

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

- SEPP 55

The application is consistent with *State Environmental Planning Policy 55 – Remediation of Land* ('SEPP 55'). SEPP 55 requires that, when changing the zoning of land, the planning authority (which in this case is Council) must consider whether the land is contaminated.

Clause 6(2) of SEPP 55 states:

“Before including land of a class identified in subclause (4) in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines”

Contamination investigations have previously been carried out for this site and others in the vicinity. Site Audit Statement No. 0301-1006 issued by CH2M Hill Australia Pty Ltd on 27 June 2011 certifies that Lots 52, 55 to 57, 60, 61, 70 and 72 to 75 in DP 1097183 are suitable for the following uses:

- Residential with minimal opportunity for soil access, including units;
- Parks, recreational open spaces, playing field; and
- Commercial/industrial.

Lot 72 has since been subdivided and contains the lot the subject of this planning proposal.

- OTHER SEPPs

The application is not inconsistent with all remaining State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (deemed SEPPs). A full checklist outlining the consistency of the application with SEPPs and REPs is at **Appendix 8**.

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

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

The proposal is consistent with the s. 117 Directions as outlined in the checklist at **Appendix 9**.

3.3 Section C. Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affect as a result of the proposal?

There are no identified or likely, critical habitat, threatened species, populations or ecological communities, or their habitats that will be adversely affected as a result of the proposal.

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

There are no flooding or acid sulphate soil issues affecting the site. The likely effects on the heritage values of the site have been discussed in Part 3 of this report.

Q9. Has the planning proposal adequately addressed any social and economic effects?

Hill PDA estimates that the turnover of the centre in 2016, when Botanica is fully occupied, will be about \$7.8million (in 2009 dollars). This is based on the projected population of the main trade area, a demographic analysis of the locality, (population, dwelling, household, employment and income characteristics), forecast expenditure by commodity type and retail store type, sourced from ABS Household Expenditure Survey 2003-04 and Marketinfo 2009 database and adjusted as a result of the demographic analysis. Of this 75% would be sourced from the residents of the main trade area.

3.4 Section D. State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the proposal?

The site has roads on both sides, and a walkway to the north, connecting the two roads. Bus connections are discussed above.

There is inadequate space on the site for the parking and loading facilities required for the development, and it therefore relies on on-street facilities within the Botanica estate. These issues have been discussed under Council's Community Strategic Plan.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

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

conservation area, the Heritage Division of the NSW Office of the Environment and Heritage and the NSW Heritage Council should be consulted if the planning proposal proceeds.

PART 4. MAPPING

The planning proposal would require the amendment of the following maps:

- Land Zoning Map - Sheet LZN_008;
- Floor Space Ratio Map - Sheet FSR_008;
- Height of Building Map - Sheet HOB_008.

Appendix 10 provides indicative amendments to maps.

In addition, all the height of building maps would need a new legend incorporating the 12m maximum building height.

PART 5. COMMUNITY CONSULTATION

5.1 Pre-gateway consultation

The application for a planning proposal was exhibited for a period of 28 days from Tuesday 18 June to Monday 15 July 2013, in accordance with Council's *Communication Plan for Planning Proposals*.

No submissions were received.

5.2 Proposed post-gateway community consultation

Community consultation

The Department of Planning and Infrastructure's '*Guide to preparing Local Environmental Plans 2013*' sets out periods for public consultation following a gateway determination according to the level of impact of the proposal. Low impact planning proposals are required to be exhibited for 14 days. All other types of planning proposals are to be exhibited for a period of 28 days. This planning proposal is considered to be of 'moderate impact'.

A 28 day public exhibition period is considered appropriate for this proposal.

The following community consultation is proposed:

- place a notice in the local paper advertising the public exhibition;
- make the documents available at Council Chambers, Regents Park library and on Council's website;
- notify local landowners of the exhibition by mail – landowners notified would include those from Botanica up to Georges Avenue;
- undertake any other consultation methods appropriate for the planning proposal if required.

Agency consultation

It is recommended that the advice of the following agencies be sought:

- Heritage Council of NSW
- Heritage Division of the Office of Environment and Heritage.

PART 6. PROJECT TIMELINE

Council considers the planning proposal as a ‘moderate impact PP’ and anticipates an approximate project timeline of 7 to 8 month period to complete and notify the *draft Auburn Local Environmental Plan 2010* amendment (draft LEP), after Gateway Determination is issued by the Department.

Table 7 illustrates the major milestones and the anticipated project timelines for the making and notification of the draft LEP.

PP Milestones	Anticipated project time lines										
	2013			2014							
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Submit PP to DP&I											
s. 56 Gateway Determination by DP&I											
Report Gateway Determination to Council											
Consult relevant public agencies											
Community consultation											
Council evaluates submissions											
Report PP submissions and any proposed amendments to Council											
Submit PP to DP&I (If not delegated)											
PC opinion to finalise making of plan and maps											
Formal notification of the Plan.											

Table 7. Anticipated timelines for the completion of the planning proposal.

PART 7. CONCLUSION

This planning proposal relates to an amendment of the *Auburn LEP 2010* to rezone land from R3 Medium Density Residential to B1 Neighbourhood Centre, to increase the FSR (1:1) and height control (12m).

The potential impact from the loss of on-street parking is significantly offset by:

- the provision of a neighbourhood centre with convenience shopping for local residents reducing the need to travel outside the local area;
- enabling a more sensitive adaptive reuse of Building 66, a building with components of exceptional heritage significance within the Lidcombe Hospital Heritage Precinct;
- allowing public access to this important heritage building, which would not be the case if it were developed for residential purposes;
- providing some local employment opportunities; and
- helping to activate the future public open space located opposite the proposed neighbourhood centre.

This planning proposal will achieve a favourable outcome for the Auburn LGA and the Department of Planning and Infrastructure is requested to support a positive Gateway Determination under Section 56 of the Environmental Planning and Assessment Act.

APPENDIX 1: BOTANICA LIDCOMBE ECONOMIC IMPACT ASSESSMENT - HILL PDA

See Attachment 1.

APPENDIX 2: HERITAGE ASSESSMENT

GODDEN MACKAY LOGAN

Godden Mackay Logan

Heritage Consultants

18 February 2013

Australand Property Group
1 Homebush Bay Drive
Building C, Level 3
Rhodes NSW 2138

Attention: Mr Simon Twiggs

Our Ref: 12-0593stl1

**Re: Botanica (former Lidcombe Hospital Site) Building 66 Rezoning –
Heritage Assessment**

Dear Mr Twiggs

We refer to our commission to provide heritage advice on the proposed rezoning of Building 66 at the Botanica site. As we understand it, the current zoning provides for a range of residential uses but does not permit commercial and/or retail uses.

Godden Mackay Logan (GML) has been involved with this site for approximately 15 years. In 2002 GML prepared a comprehensive Conservation Management Plan (CMP) for the Lidcombe Hospital site, as it was known then.

The CMP identified Building 66 as being of Exceptional heritage significance, as the Dining Hall for what was to be Boys Reformatory, later used as a Mens Home and Hospital. The interior of the building was identified as being of particular importance. The preliminary conservation policies for Building 66 contained within the CMP stated, in part, that the *large interior dining room space (is) to be conserved, not partitioned*.

It is evident that the commercial/retail use for the building would have a much greater chance of enabling the interior of this space to be conserved as a single volume than a residential use. Therefore, it is considered that the current proposal to rezone the property would be beneficial from a heritage viewpoint.

Heritage Significance and History of Building 66

Building 66 is one of the core buildings that was identified in the 2002 CMP as the Heritage Precinct within the Lidcombe Hospital site which was assessed as a place of State significance with wide-ranging historic, aesthetic, social and technical values. This group of architecturally, functionally and geometrically related buildings became the nucleus of the fledgling Lidcombe Hospital and constituted the earliest part of the Hospital's historic core. The arrangement and scale of the original Barnet buildings established the pattern and scale for the later Vernon-designed ward buildings and the creation of the Hospital's Village Green.

Building 66 is a composite building located on the north-eastern side of Brooks Circuit. It is an amalgamation of various structures and includes two of the early

GML

Sydney

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

Canberra

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

Melbourne

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

Hobart

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

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

Barnet-designed Reformatory buildings erected in 1887 as well as various later additions (see extracts Figures 1, 4 and 5, below from Draft SECP report for Stage 87) for the heritage significance rankings and footprints of the various components of Building 66. The specific history and heritage values of each of the components are described in the Attachment to this letter (also extracted from the Draft SECP).

Proposed Rezoning

The photos, Figures 2 and 3 below, show the former Dining Hall including the fine interior space with its trussed roof. A residential use would require extensive solid partitioning of the volume in order to satisfy BCA requirements. Inevitably, this would prevent the interior from remaining as a single volume and no longer provide an opportunity for any form of public access to or interpretation of its existing qualities. Further, it is likely that there would be extensive changes to the original fabric of the interior and flow-on effects to the exterior of the building and adjacent grounds.

Conversely, a commercial/retail use would potentially provide opportunities for public access to most of the internal areas and, depending on how the fit-out was undertaken, could also retain legibility of the interior for interpretation purposes. This would therefore be far preferable from a heritage viewpoint than a residential use.

While, ideally, Council could utilise its "Conservation Incentives" clause to avoid the need for rezoning, it is our understanding that this option is not available because of the listing of the Precinct as a conservation area, rather than as a series of heritage items. As this option is not available, it would seem very appropriate (and necessary) that the property is rezoned to permit commercial/retail uses that would potentially have an acceptable heritage impact.

Therefore, from a heritage viewpoint, we consider the rezoning proposal for Building 66 to be appropriate. Should you or Council require further information or clarification please do not hesitate to contact the undersigned.

Yours sincerely

Godden Mackay Logan Pty Ltd



David Logan
Partner

Attachments: Significance Information, Building 66 (Figures 1-5)

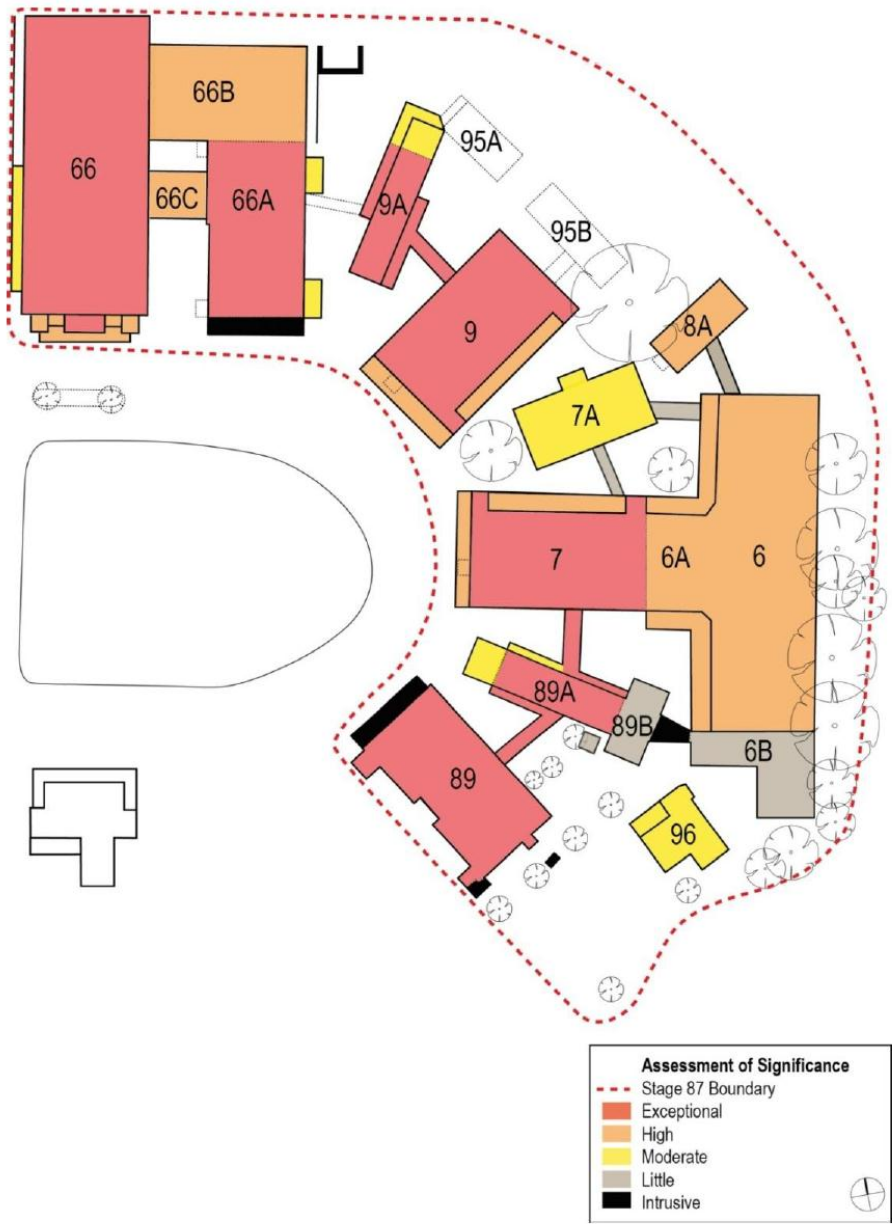


Figure 1 Significance Information for Building 66 and adjacent buildings in Stage 87 (Extract from Draft SECP report for Stage 87)



Figure 2 The former Dining Hall (Building 66), and the former dormitory (Building 66A) seen from the Village Green
(Source: GML, 2012)



Figure 3 Interior of the former Dining Hall (Building 66), March 2011 (Source: GML, 2011)

Figure 4 Extract from Draft SECP report for Stage 87

Benluna (Former Litchombe Hospital Site) — Specific Elements Conservation Policy for Stage 87 Precinct — Draft Report, March 2012 13	Number and Name of the Building	History	Description	Date	Architect
	66 CMLA Workshop, Former Dining Hall 	This building is one of the original 1887 core built elements designed by Barnet around the Village Green. It originally had a timber kitchen at the back. In 1905-07 the Mess Room was substantially enlarged and extended, kitchen facilities were relocated into the basement, and a dumbwaiter introduced to facilitate movement of food between the two levels. In 1933-35, Building 66 was connected with Building 66A via a brick extension used initially as a servery. About this time the basement kitchen was converted to a bakehouse, and the kitchen was relocated into Building 66A. The original brick porch at the front entry was mostly incorporated into a new flat-roofed, colonnaded portico. Also during the 1930s, the capacity of the Dining Hall was extended with the construction of Building 66B.	Substantial two storey brick building with a double pitched roof substantially intact in its structure and finishes. The original front section of the building has painted brick walls. The addition at the rear has face-brick walls and there is a ramped access to a doorway on the northern side. The roofing material is slate. Tall original windows, brick chimney stacks and roof ventilators are features of the exterior. A line of cast iron columns supports a central beam upon which rests a series of timber king-post roof trusses.	1887/ 1905/ 1933/1950s	Barnet/ Vernon
	66A Disabilities Unlimited Building (former Dormitory) 	One of the four original Dormitory buildings designed by Barnet and built in 1887. During the 1920s, the original front porch was removed and replaced with an open verandah, and alterations were made to the roof form. The original terracotta shingle roofing is thought to have been removed at this time. In 1933-35 the building was merged with Building 66 to accommodate expanded kitchen and dining areas. During the 1930s works, the front verandah was enclosed with brickwork to provide storage rooms, the original amenities blocks on the northeast side were removed, and two new brick porches were added on the southeast side. The original covered link across to Building 9A was removed at this time.	A single storey brick building with several later alterations including an infilled verandah. The modified roof configuration retains the original double-pitched structure, however the roofs have been extended to cover the added masonry elements. The outward facing roof planes are covered with terracotta tiles, but the inner slopes on either side of the central box gutter are clad with corrugated metal. The external walls of the infilled verandah and the side are finished in face brick while the remainder of the building has painted brick walls. Much of the interior has previously been stripped out. The interior was recently remodelled to accommodate a site office.	1885/ 1933/ 1950	Barnet

Figure 5 Extract from Draft SECP report for Stage 87

14 Botanica (Former Lidcombe Hospital Site) — Specific Elements Conservation Policy for Stage 87 Precinct — Draft Report, March 2012	Number and Name of the Building	History	Description	Date	Architect	Godden Mackay Logan
	66B Dining Hall Extension 	This two storey extension to the Mess Room was built between 1933 and 1935. [1930s construction plans indicate a proposed covered walkway linking the end of this building with the nearby Ablutions Block (Building 9A), however it is believed that this link was never built.]	Built during the 1930s in response to a demand for increased Dining Hall capacity, this structure is a two storey rendered brick building (painted white) with a slate- covered pitched roof. The ridgeline runs northwest/southeast and terminates at the apex of a broad gable on the southeastern side. The remnants of a covered porch outside an upper level doorway survive below this gable.	1933-35	E.E. Smith	
	66C Former Servery Room 	Originally built to accommodate a servery space linked to the two Mess Rooms, this circa 1933 addition was introduced when the main kitchen facilities were relocated from the basement level of Building 66 to Building 66A. The construction of this servery link required the demolition of a Vernon-designed porch that was added to the northeastern side of Building 66 in 1906.	A relatively small single-storey structure with brick walls and a hipped roof clad with corrugated metal sheets. The building forms a link between Building 66 and Building 66A. A tall square brick chimney rises from the southern corner of the structure where it adjoins Building 66A.	1933-35	E.E. Smith	

APPENDIX 3: TRAFFIC AND PARKING IMPLICATIONS

GTA CONSULTANTS



Our Ref: 13s1465000

26 August 2013

Australand Property Group
1 Homebush Bay Drive
Building C
RHODES NSW 2138

Attention: Mr Adrian Amaudon

Dear Adrian

RE: BOTANICA – LOT 4 (BUILDING 66) REZONING APPLICATION REZONING FROM RESIDENTIAL TO RETAIL / COMMERCIAL LAND USES TRAFFIC AND PARKING IMPLICATIONS

As requested, GTA Consultants has undertaken a review of the potential traffic and parking implications associated with the proposed conversion of Lot 4 (Building 66) from the current R3 Medium Density Residential zone to permit a variety of commercial uses. This report presents the findings of the review.

Overview of Proposed Modifications

It is understood that Building 66 is currently zoned for residential uses however dwelling yields and parking allocations have not been developed for this building.

The proposed rezoning is intended to create a local village style retail / commercial centre with associated commercial and business uses. The rezoning application submitted by Australand is seeking a floor space ratio of 1:1 for the 2,329m² site.

The proposed land uses would include:

- Retail: 1,267m² (potentially including a grocer with preparation and storage area, pharmacy, bread shop, café).
- Business: 200m² (potentially including a small medical centre, hair dresser, real estate).
- Office: 153m² (potentially including a travel agent, legal services, accountant).
- Balance of other Retail / Business / Office: up to 709m² (type subject to market demand);

The proposed village retail / commercial centre would be supported by car parking spaces provided at grade on street along Brooks Circuit and a loading space located at the rear of Building 66 accessed via Main Avenue.

A provision of 14 on street parking spaces would be provided along Lot 4 (Building 66) frontage to Brooks Circuit. These parking spaces would be supplemented by additional publically accessible on street parking spaces located along Brooks Circuit (45 spaces in total). The locations of "Primary" and "Secondary" on street parking spaces which would be available to the proposed village retail are shown in Figure 1.

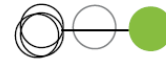
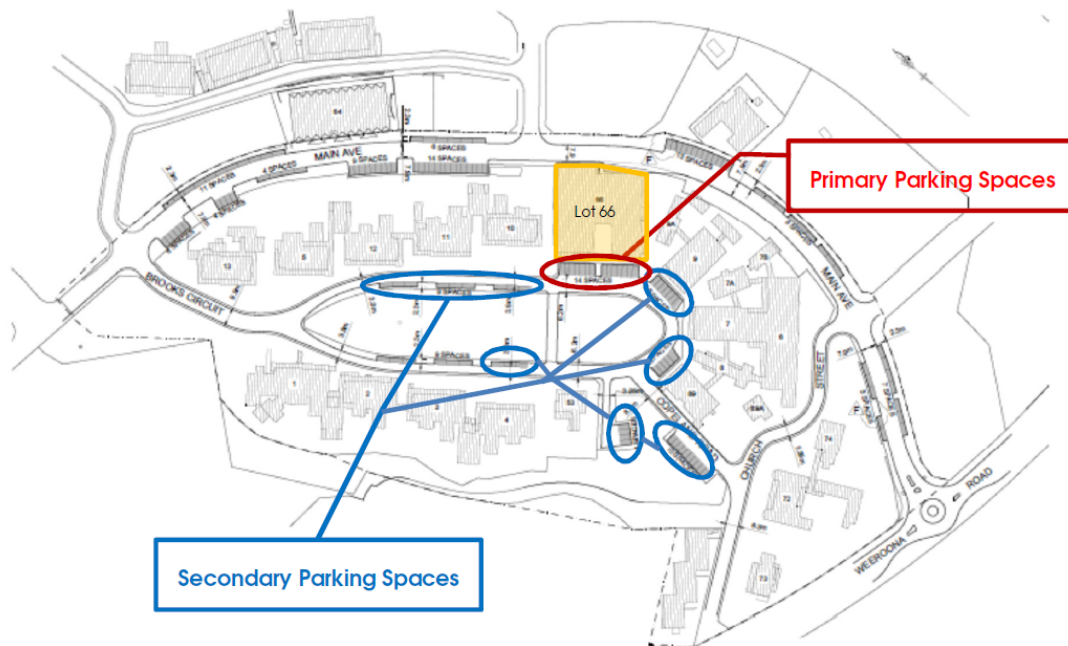


Figure 1: On Street Parking: Primary and Secondary Spaces for Building 66



Adequacy of Parking Provisions

Auburn Development Control Plan (DCP) 2010 sets out the objectives, performance criteria and development controls with regard to parking provision requirements for development in the Auburn LGA.

DCP 2010 specifies the following car parking objective (Section 4.6.1) for the Former Lidcombe Hospital Site:

To maintain high amenity of the residential neighbourhoods by ensuring that adequate provision is made for resident and visitor parking.

For the proposed uses of Building 66, DCP 2010 specifies the following parking provision:

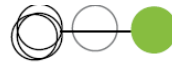
- Retail / Commercial / Business = 1 space / 40 m² GFA
- Medical Centre = 3 spaces / surgery GFA.

On the DCP 2010 parking rates the proposed land uses (ie. 2,329m² GFA) would require a provision of 59 parking spaces.

Notwithstanding the above, the proposed village retail / commercial centre customers will largely be drawn from the residential development of Botanica.

The Economic Impact Assessment prepared by Hill PDA estimated that 75% of the demand for Village Retail Centre would come from within the Botanica development. Of that 75%, approximately half of the dwellings would be located within convenient walking distance (less than 400 metres) of the village retail / commercial centre. Furthermore all but a handful of dwellings located within 800 metres which is also a very walkable distance.

Based on the DCP parking requirements and the Economic Assessment it is expected that parking demand for non Botanica customers would be approximately 14 spaces. The demand for the remaining 45 spaces required by the DCP would be significantly reduced due to the high portion of walk in customers.



The nature of the proposed village retail / commercial centre Uses will typically be convenience shopping with parking demand being for relatively short stay and frequent turnover of spaces.

The proposed provision parking spaces is considered appropriate for the village retail / commercial centre for the following reasons:

- High percentage of walk in trade generated predominately by the Botanica residents
- Good provision of pedestrian facilities (ie. paths and lighting) and connectivity through the development.
- Availability of on site parking both directly adjacent to Building 66 of 14 spaces with another 45 spaces in close proximity to Building 66. In addition there are other on street parking spaces that will be shared between residential visitor parking and general public (commercial) parking along both Brookes Circuit and Main Avenue.

Traffic Implications

Like parking demand, traffic generation associated with the proposed change of zoning is expected to be consistent with a local village centre uses.

The volume of non-Botanica traffic is expected to be low and consistent with the road hierarchy and design specifications set out for the Botanica development both with regard to traffic volumes and traffic speeds.

Furthermore, the provision of the village retail and commercial centre will have the benefit of reducing the potential number of vehicle trips leaving the Botanica development to access retail / commercial uses. This trip containment will thus reduce the potential implications of traffic accessing the external road network.

Service Vehicle Arrangements

It is proposed to provide a loading bay at the rear of Building 66 with access via Main Street. The provision of loading facilities separate to parking spaces is a sound design principal and will reduce the potential conflict between service vehicles and other traffic flows and maintains the pedestrian amenity provided by the Brooks Circuit open space.

The loading bay design will need to comply with DCP / Australian Standard requirements. However it is considered that the allocated area would be adequate to accommodate a medium rigid vehicle / waste truck which is expected to be the largest vehicle accessing the village retail and commercial centre.

Summary

In summary the proposed rezoning of Building 66 from R3 Medium Density Residential to B2 Local Centre will not have a significant adverse impact on the operation of the surrounding road network and can be adequately serviced by the proposed on street parking and service vehicle facilities.

Naturally, should you have any questions or require any further information please do not hesitate to contact the undersigned.

Yours sincerely

GTA CONSULTANTS

Jason Rudd
Director

APPENDIX 4: COUNCIL REPORT TO MEETING 16/10/13

Pla007/13 Application for Planning Proposal for Lot 4 Main Ave Lidcombe (Botanica) - PP-4/2013

PP-4/2013 MC : EG

SUMMARY

This report provides an assessment of the application for a Planning Proposal applying to land at Lot 4 DP 270668, located on Main Avenue Lidcombe, within the Botanica estate.

The application seeks to permit the establishment of a small centre to provide retail, business and office premises on the site. Following discussions with the applicant /owner, they have agreed to proceed with the application on the basis of a zoning of B1 Neighbourhood Centre, an FSR of 1:1 and a height of 12m.

RECOMMENDATION

That Council:

- 1. Prepare a Planning Proposal in accordance with section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act), to amend Auburn Local Environmental Plan 2010 to:**
 - (a) Rezone land at Lot 4 DP 270668, Main Avenue, Botanica ("Building 66"), from R3 Medium Density Residential to B1 Neighbourhood Centre; and**
 - (b) Amend the Maximum Height of Building control from 9 metres to 12 metres; and**
 - (c) Amend the Maximum Floor Space Ratio to 1:1.**
- 2. Submit this Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 (EP&A Act); and**
- 3. Progress the Planning Proposal, post-Gateway, through to finalisation, provided that no substantial changes are required following exhibition.**

REPORT

1. BACKGROUND

The application for a Planning Proposal ('the application') seeks to rezone land at Lot 4 Main Avenue Lidcombe (within Botanica) and to amend key development standards. A map showing the subject land is at Figure 1, and an aerial showing the character, at Figure 2 in the attached assessment report (Attachment 1).

The site is within the Former Lidcombe Hospital heritage precinct which is listed for its heritage value under state legislation and in the *Auburn LEP 2010* (see Figure 7, Attachment 1). Building 66 has been identified in the Conservation Management Plan for the precinct as having elements of exceptional heritage significance (see Figure 9, Attachment 1).

October 16, 2013

To the Planning Committee Meeting

Director Planning &
Environment's Report
Planning and Environment
Department

Application for Planning Proposal for Lot 4 Main Ave Lidcombe (Botanica) - PP-4/2013
(cont'd)

The site is approximately 2,329m² and is zoned R3 Medium Density Residential.

Existing controls under *Auburn LEP* for the site also include the following:

- Floor space ratio (FSR): 0.5:1
- Height of Building: 9m.

The existing Building 66 takes up most of the site and exceeds the current permitted floor space and height for the R3 zone.

2. HISTORY

Development Application No. 572/2002 – Stage 1 Masterplan

On 7 July 2004 Consent Orders were issued by the Land and Environment Court, which approved the staged redevelopment of the former Lidcombe Hospital site for subdivision, civil works including roads, drainage and provision of open space, demolition of buildings, re-grading, landscaping and removal of trees, site remediation, and separate access and uses.

The resulting estate is known as 'Botanica' and is expected to have around 800 dwellings and a population of 2,560 when completed in 2016.

Development Application No. 176/2006 (as modified)

Council, at its meeting of 20 June 2007 resolved to approve Development Application No. 176/2006 for "Subdivision, demolition of Buildings 95A & 95B, site reshaping and compaction, civil works including construction of roads, drainage and provision of site services, landscaping of public domain areas and tree removal".

This application relates to the heritage precinct and is of relevance to the Planning Proposal as it created the subject site, by way of subdivision of the precinct. It catered for parking demand by providing for on-street car parking spaces due to the constraints posed by the existing heritage listed buildings where car parking spaces on individual sites are inappropriate.

3. THE PROPOSAL

The application seeks to rezone the land from R3 Medium Density Residential to B2 Local Centre, to increase the maximum height of buildings control to 12 metres (m) and the maximum floor space ratio control from 0.5:1 to 2:1 across the site. The changes are proposed to allow the adaptive reuse of Building 66 to establish a small village centre on the site.

October 16, 2013

To the Planning Committee Meeting

Director Planning &
Environment's Report
Planning and Environment
Department

Application for Planning Proposal for Lot 4 Main Ave Lidcombe (Botanica) - PP-4/2013
(cont'd)

The applicant has provided an indicative concept of a 400m² supermarket or grocery store, and specialty and convenience stores, business and office uses within Building 66, a building within the Lidcombe Hospital Heritage Precinct (see indicative usage diagram at Figure 11 in Attachment 1). The proposal is intended to provide convenience 'top up' shopping and other services to local residents. On street parking is proposed to be shared with other uses. The loading area is also on street.

The application is accompanied by consultant reports on traffic and parking, on heritage and on the economic impact of the proposal (discussed in detail in Part 4, Attachment 1).

4. CONSULTATION

The application for a Planning Proposal was exhibited for a period of 28 days from Tuesday 18 June to Monday 15 July 2013, in accordance with Council's *Communication Plan for Planning Proposals*.

No submissions were received.

Should Council proceed with the Planning Proposal, it is expected that further community consultation will be required under the gateway determination.

Should Council proceed with the Planning Proposal, the advice of relevant agencies should also be sought, in particular, the Heritage Council of NSW and the heritage division of the Office of Environment and Heritage.

5. ASSESSMENT

There is no retail centre within the walking catchment of Botanica. The establishment of a neighbourhood centre in this locality would support the convenience needs of local residents within walking distance for a reasonable portion of the dwellings in the estate. A neighbourhood centre, with an FSR of 1:1 would not have any significant impact on nearby existing centres, as the amount spent in locations outside Botanica will continue to increase until the completion of Botanica, as new residents move in. This is supported by a report from Hill PDA (see Part 5, Attachment 1).

Building 66 should be retained and adaptively reused to protect its heritage significance. In particular it is noted that some of the internal areas have been identified for protection, such as the original dining hall and the bakery. The Conservation Management Plan seeks to retain the dining hall as a single space. Residential use of the building would be likely to split some of these areas into separate private spaces. A commercial use is more likely to be able to retain large areas as a single space and would allow public access to much of the building. This is supported by a report from Godden Logan Mackay (see Part 5, Attachment 1).

However, Council staff raised a number of concerns with the owner/applicant in regard to the application. Key concerns discussed were:

- The proposed FSR (2:1) and zoning (B2) would compromise the centres hierarchy outlined in state government strategies and would be inconsistent with the aims of Auburn LEP 2010;

October 16, 2013

To the Planning Committee Meeting

Director Planning &
Environment's Report
Planning and Environment
Department

Application for Planning Proposal for Lot 4 Main Ave Lidcombe (Botanica) - PP-4/2013
(cont'd)

- The FSR used in two of the consultant reports was significantly less than that sought in the application, and therefore could not be used to justify the application;
- The proposed FSR and height have the potential to adversely affect the heritage value of the building and the precinct;
- The proposed FSR would result in the need for parking that exceeds the capacity of the precinct; and
- The adequacy of the loading bay and its location across both public and private land.

Following discussions with Council staff, the applicant:

- Agreed to proceed with the application on the basis of a rezoning to B1 Neighbourhood Centre, and a maximum FSR of 1:1;
- Explained that building 66 is currently 12m high (exceeding the current 9m height control), and that works are likely to be required to restore the roof. The amendment to the maximum permitted height would support this;
- Submitted further detail on the loading bay and the makeup of the FSR. In addition, an amended comment was provided from the traffic consultant, based on an amended FSR of 1:1;
- Agreed to dedicate the area of the private land which would be part of the loading zone to Council under a future DA for the site. It is noted that other options may be considered in a future DA.

The above are considered to adequately address the issues noted above. These matters are discussed in detail in Attachment 1 (pages 4-5).

6. SUMMARY

This report recommends that the application for a Planning Proposal be supported by Council with the amendments as agreed by the applicant.

Planning control under <i>Auburn LEP 2010</i>	Existing	Proposed	Proposed revision as agreed by applicant
Zoning	R3 Low Density Residential	B2 Local Centre	B1 Local Centre
Maximum building height	9.0m	12.0m	12.0m
Maximum floor space ratio	0.5:1	2.0:1	1:1

It is recommended that the application be supported for the following reasons:

The application would:

- establish a neighbourhood centre providing small scale convenience shopping for the residents of Botanica, within walking distance of a proportion of Botanica and along a future bus route, expected to be provided within a year;

October 16, 2013

To the Planning Committee Meeting

Director Planning &
Environment's Report
Planning and Environment
Department

Application for Planning Proposal for Lot 4 Main Ave Lidcombe (Botanica) - PP-4/2013
(cont'd)

- enable a more sensitive adaptive reuse of Building 66, a building with components of exceptional heritage significance within the Lidcombe Hospital Heritage Precinct;
- help to activate the Village Green, which is scheduled to be dedicated as public open space located opposite the proposed neighbourhood centre.

ATTACHMENT (sent to all Councillors under separate cover)

1. **Assessment report – Application for a Planning Proposal applying to land at Lot 4 Main Avenue Lidcombe (Botanica) (PP - 4/2013)
T056632/2013**

See Attachment 2 for Assessment Report.

APPENDIX 5: EXCERPTS FROM CONSERVATION MANAGEMENT PLAN

by Godden Mackay Logan (2002)

Exceptional Significance

Element/Building Number

Key Values

Issues/Management Policies

Building 66 (CMLA Workshop/ former Dining Hall & Kitchen) 1887/1905/1933



- Designed by Barnet.
- Part of the first building program for Boys Reformatory and Model Farm.
- Dining Hall enlarged 1905–07, Kitchen moved below.
- Connected to building adjacent (previous Ward 4) to house new Kitchen in 1933–35. Bakery installed below. Portico added in 1930s.
- Adapted to CMLA workshop when new Kitchen built.
- Alcohol Bar ('Village Pub') for Olympic Media Village.
- Demonstrates all phases of site history.

- Within proposed heritage precinct and SHR curtilage.
- Retain, conserve and interpret as significant component of site.
- Requires detailed study to determine significance.
- Large interior dining room space to be conserved, not partitioned.
- Existing roof trusses to remain exposed, no ceiling to be introduced.
- Bakery not to be partitioned.
- Bread ovens to be conserved in situ.
- Series of rooms adjacent to lower kitchen require detailed investigation and maintenance.
- Site drainage to be improved.
- Retain and interpret evidence of iceworks.
- Retain evidence (signage) of Olympic Media Village Pub.
- Allow for limited public access to former Dining Hall and Bakery.
- Bakery could be used for interpretation.

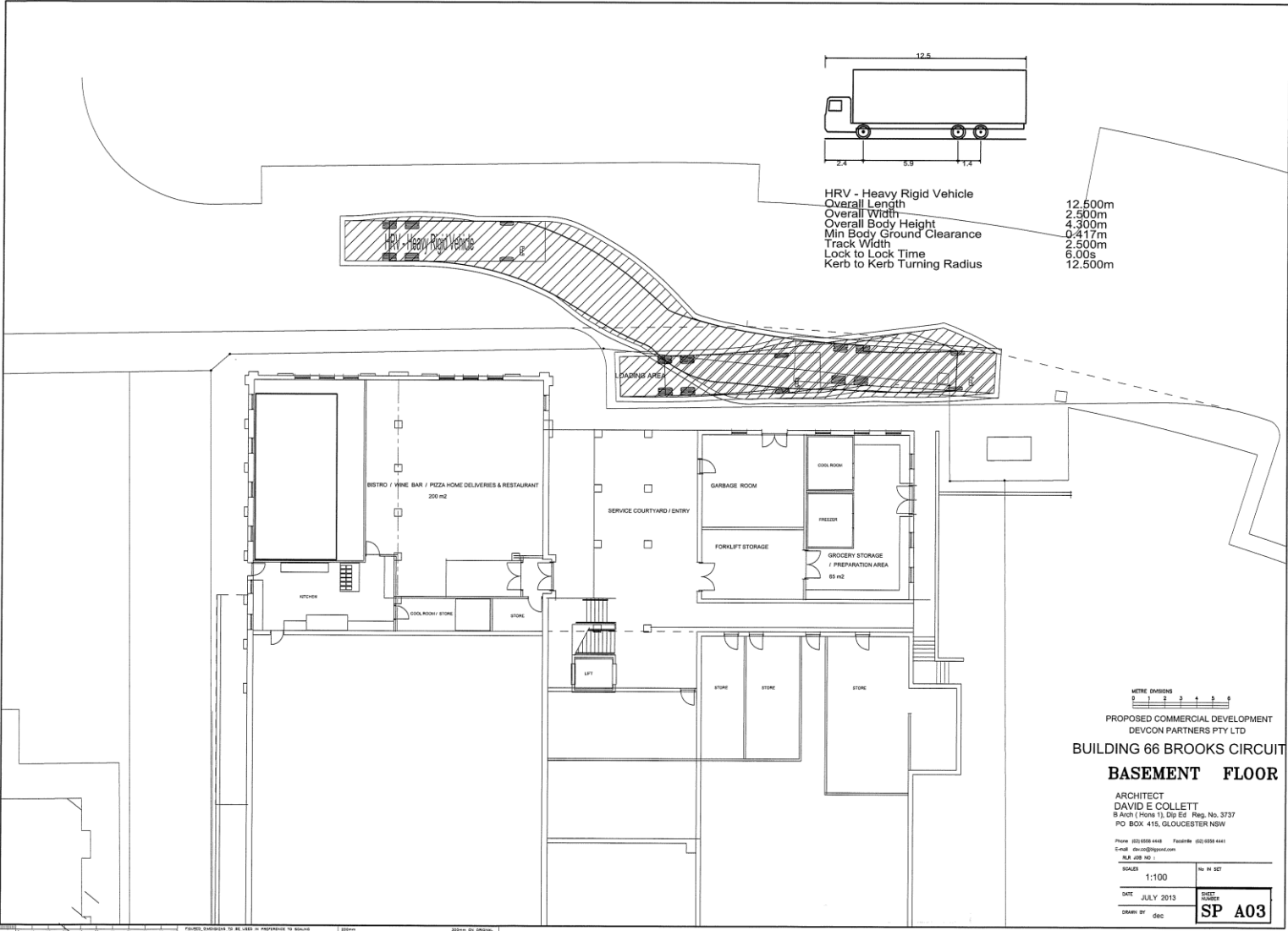
Building 66A (Orchid Society) 1885/1933/1950



- Designed by Barnet as dormitory.
- Part of the first building program for Boys Reformatory and Model Farm.
- Connected to former Dining Hall and adapted to Kitchen
- Demonstrates original roof form.

- Within proposed heritage precinct and SHR curtilage.
- Retain and conserve.
- Remove unsympathetic additions, including brick infilled front verandah.
- Later internal alterations may be retained or removed.

APPENDIX 6: TRUCK MOVEMENTS – LOADING BAY



APPENDIX 7: NET COMMUNITY BENEFIT EVALUATION CRITERIA

Will the LEP be compatible with agreed State and regional strategic directions for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?

Yes. As discussed in Part 3.2 (questions 3 and 6) of this report a new small scale centre in this location will not compromise the centres hierarchy outlined in state and regional strategies. Net benefits will include some limited additional competition in retail and services, some local employment opportunities and encouragement of walking over vehicle use for 'top up' shopping within Botanica.

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

No. The subject site is not located within a strategic centre or corridor. The subject site forms part of the heritage precinct of the Former Lidcombe Hospital site commonly referred to as Botanica within the Auburn LGA which is being developed for medium density residential housing. The proposal will have no/minimal impact on the global city, any strategic centre or nominated corridors and therefore no external cost to the community in this regard.

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

No. The planning proposal intends to rezone the subject site from a medium density residential land to commercial land uses in response to a demonstrated need. It will not create a precedent as the development standards agreed to by the applicant are specifically in response to the heritage context of the site/building, the need for a response which protects the significance of both the exterior and the interior of the building and the regional centres hierarchy. This is discussed under Part 3.2 of this report. There will be no external cost to the community in this regard.

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

Yes. There are other planning proposals both at pre and post Gateway stages being assessed for consideration by Council. The majority of these are in other suburbs and have no relevance in relation to this application.

There is a post-Gateway planning proposal to increase FSRs across all B4 and R4 zones in Auburn LGA. This application does not involve either a B4 or an R4 zoning – either existing or proposed.

Another spot rezoning proposal is currently being finalised for Lot 802 DP 1150164 Main Avenue Lidcombe within the heritage precinct. The proposal relates to residential building form and is not relevant to the current application.

The characteristics of this particular site are unique and it is on this basis that the application is recommended to proceed. There are no potential cumulative impacts from adding this proposal to the other proposals currently being considered.

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

employment lands?

Additional retail and commercial floorspace to be provided will support more jobs and investment during the construction process and ongoing local jobs in retail and commercial operations. It will not result in the loss of any employment lands and therefore there will be no external costs to the community in this regard.

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

Yes. The proposal would result in a small reduction in the number of dwellings within Botanica (about half a dozen out of 800 proposed dwellings). Such a minor loss of housing is unlikely to have any impact on housing supply or affordability. The benefits of providing opportunities for local convenience shopping close to a community that has no such facilities at present, will outweigh the minor reduction in future housing in the precinct.

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

Yes. The capacity of the roads within the precinct to support the proposed development is discussed in detail in Part 3.2 of this report. The precinct is currently served by public utilities and a road and pedestrian network, which are capable of supporting permissible medium density residential development.

The existing infrastructure is adequate to deal with the potential relatively small increase in usage of these facilities up to an FSR of 1:1. The cost to the community of sharing on-street parking is offset by the convenience of local retail and other services, the protection of the heritage values of the site, and the provision of a focus for social interaction.

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

Yes. The Botanica estate includes a cycleway and pedestrian paths which pass the subject site. In addition there is an easement for a public pathway directly to the north of the site linking Main Ave and Brookes Circuit.

The route and frequency of the public bus service in relation to the subject site is considered adequate for the proposal. There will be no external costs to the community in this regard.

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 proposal would provide convenience retail and commercial facilities for local residents of Botanica, where the closest retail/commercial facilities at present are over 2km from the subject site. Some residents will be in easy walking distance of these facilities, and all residents within cycling distance, reducing the likely car use for 'top up' shopping and other services. Even where residents drive, the distance will be shorter, with less traffic, than to any of the existing nearby local centres. This will reduce greenhouse emissions, even if only to a minor extent.

The key roads servicing the subject site have been designed to cater for a public bus and therefore will cope safely with the size and weight of service vehicles proposed for the site. The increased truck numbers will have an impact on the cost of maintaining these roads, but this is commensurate with the benefits to the community outlined above.

Are there significant Government investments in infrastructure or services in the area

whose patronage will be affected by the proposal? If so, what is the expected impact?

No. The University of Sydney Cumberland Campus and the Southern Sydney TAFE (Lidcombe College) adjoin the heritage precinct to the east. The NSW Environment Protection Authority testing laboratory is located to the west. The patronage of these facilities would not be affected by the rezoning of the subject site.

There may be a temporary minor decrease in the number of users of Joseph Street which is currently a state road, and the existing public bus services to access convenience retail and commercial facilities. By the completion of all dwellings in Botanica in 2016 and the resultant increase in population, this effect will no longer be evident.

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

There are no environmental factors such as flooding or acid sulphate soils (per *Auburn LEP 2010*) or any known biodiversity issues that affect this land. There is no vegetation on the site.

The subject site is located within a heritage conservation area under the *Auburn LEP 2010* and a heritage precinct on the NSW Heritage Register. The proposal will provide for a more sensitive adaptive reuse of the site, resulting in a net community benefit in this regard.

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?

The proposed rezoning of the site seeks to provide for feasible uses within Building 66, to protect its heritage values into the future. The commercial use of the site would complement and support the surrounding residential development. While not resulting in public domain improvements per se, the proposal would provide public access to a building of significant heritage value, adding to the public interest and would add value as a focal point to the open space within Brookes Circuit.

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

Yes, it would provide local commercial facilities, providing some limited competition with surrounding local centres without compromising their roles in the centres hierarchy.

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

The proposal is a stand-alone proposal. The road and parking infrastructure within the estate is limited in part by the values of the heritage precinct. The limited parking and loading space severely constrain commercial uses. The proposed B1 zoning acknowledges these limits, and unlike the original proposal for a B2 zoning, does not encourage any future extension of the neighbourhood centre.

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

The proposed rezoning is a response to meeting the needs of the present and future population of Botanica for local convenience shopping and services, facilities which are currently lacking. It is also a response to the heritage values of the precinct and the values of some of the interior components of the building.

Not proceeding with a planning proposal at this time increases the likelihood that that the subject site will be developed for residential development which would likely result in the use and internal division of the existing rooms in a way that is inconsistent with the CMP for the site; an undesirable outcome from a heritage perspective.

Not proceeding with the proposal may also mean that the opportunity to provide for 'top up' shopping for the local residents of Botanica is lost.

APPENDIX 8: CONSISTENCY WITH SEPPS AND REPS

a. State Environmental Planning Policies (SEPPs)

No.	Title	Summary	Application
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.	<i>Does not apply to Auburn LGA.</i> 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.	<i>Clause 6 and Parts 3 and 4 do not apply - repealed by Auburn LEP 2010 (clause 1.9).</i> Remainder of SEPP applies to the State. The proposal does not involve exempt or complying development. Not relevant.
6	Number of Storeys in a Building	Seeks to remove confusion arising from the interpretation of provisions in EPIs controlling the height of buildings	Applies to the State. <i>Principal development standards within ALEP 2010 are consistent with this SEPP.</i> Consistent
14	Coastal Wetlands	Seeks to ensure the State's coastal wetlands are preserved and protected.	<i>Does not apply to Auburn LGA.</i> 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 land-sharing communities committed to environmentally sensitive and sustainable land use practices.	<i>Does not apply to Auburn LGA.</i>
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.	Applies to the Auburn LGA. There is no bushland on or adjoining the subject site. Not relevant

No.	Title	Summary	Application
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.	Applies to the State. Excludes land to land to which SEPP (Western Sydney Parklands) applies. The site is not currently used or intended to be used to be used as a caravan park. Not relevant
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.	Applies to State, excluding specified land under Parramatta LEP and Penrith LEP. The rezoning to a business zone and any subsequent approval for commercial premises would trigger the provisions of this SEPP. However, any change of use would still need consent and would need to be of minor effect to comply with the SEPP. Consistent
26	Littoral Rainforests	Seeks to protect littoral rainforests from development.	<i>Does not apply to Auburn LGA</i>
29	Western Sydney Recreation Area	To enable the carrying out of development for recreational, sporting and cultural purposes within the Western Sydney Recreation Area	<i>Does not apply to Auburn LGA</i> 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.	Applies to the State. The proposal is not for a cattle feedlot or piggery. Not relevant
32	Urban Consolidation	Seeks to facilitate surplus urban land redevelopment for multi-unit housing and related development in a timely manner and the provision of housing within areas that have public infrastructure.	Applies to all urban land, except Western Sydney Parklands under that SEPP. Council is required to consider the aims and objectives of the SEPP in preparing a planning proposal. The application for rezoning would result in the replacement of a small number of

No.	Title	Summary	Application
			dwelling with commercial services designed to support the surrounding residential development. A B1 zone would not encourage further housing loss in this precinct, and in providing infrastructure to support the surrounding development, it is considered to be consistent with the SEPP.
33	Hazardous and Offensive Development	Seeks to provide additional support and requirements for hazardous and offensive development	Applies to the State. The proposal does not seek to provide for hazardous or offensive development. Not relevant.
36	Manufactured Home Estates	Seeks to facilitate the establishment of manufactured home estates as a contemporary form of residential housing.	<i>Does not apply to Auburn LGA.</i> 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.	<i>Does not apply to Auburn LGA.</i> Applies to land comprising Spit Island, Towra Point and Kurnell.
44	Koala Habitat Protection	Seeks to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas	<i>Does not apply to the Auburn LGA</i> 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.	<i>Does not apply to the Auburn LGA</i>
50	Canal Estate Development	Prohibits canal estate development	Applies to the State, except Penrith Lakes. Canal estate development is not proposed. Not relevant.
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	<i>Does not apply to the Auburn LGA</i>

No.	Title	Summary	Application
		implement land and water management plans.	
55	Remediation of Land	Provides a Statewide planning approach for the remediation of contaminated land.	Applies to the State SEPP 55 requires that, when changing the zoning of land, the planning authority (which in this case is Council) must consider whether the land is contaminated. Clause 6(2) of SEPP 55 states: <i>“Before including land of a class identified in subclause (4) in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines”</i> Contamination investigations have previously been carried out for this site and others in the vicinity. Site Audit Statement No. 0301-1006 issued by CH2M Hill Australia Pty Ltd on 27 June 2011 certifies that Lots 52, 55 to 57, 60, 61, 70 and 72 to 75 in DP 1097183 are suitable for the following uses: • Residential with minimal opportunity for soil access, including units; • Parks, recreational open spaces, playing field; and • Commercial/industrial. Lot 72 has since been subdivided and contains the lot the subject of this planning proposal. Consistent
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	<i>Does not apply to the Auburn LGA</i> Applies to land identified as Regional Open Space Zone and Residential Zone within the Western Sydney Parklands
60	Exempt and Complying	Seeks to provide for exempt development and complying	<i>Does not apply to the parts of the Auburn LGA (clause 1.9)</i>

No.	Title	Summary	Application
	Development	development in certain local government areas that have not provided for those types of development through a local environmental plan	<i>covered by the Auburn LEP 2010.</i> 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 SOPA and certain land within Wentworth Point, Newington, Silverwater and Homebush Bay. The subject site is land covered by <i>Auburn LEP 2010</i>. Not relevant.
62	Sustainable Aquaculture	Seeks to encourage and regulate sustainable aquaculture development	Applies to the State The proposal does not seek aquaculture development. Not relevant.
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.	Applies to the State The proposal is not for the development of advertising or signage. Should any future DA seek advertising or signage if the planning proposal is supported and made, consideration of the SEPP would be required. Not relevant.
65	Design Quality of Residential Flat Development	Seeks to improve the design qualities of residential flat building development in New South Wales.	Applies to the State, excluding Kosciusko SEPP area The proposal does not involve a residential flat building. Not relevant.
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	<i>Does not apply to Auburn LGA.</i> Applies to land within the Greater Metropolitan Region. Specifically mentions Ulitmo/Pymont

No.	Title	Summary	Application
		Housing) Act 2000.	precinct, City of Willoughby and Green Square.
71	Coastal Protection	Seeks to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast.	<i>Does not apply to Auburn LGA.</i> Applies to land within the coastal zone, as per maps of SEPP.
	Affordable Rental Housing	To provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	Applies to the State The proposed rezoning would reduce the applicability of the SEPP to only that part of the SEPP related to boarding houses. Even under the existing zoning, the likelihood of the SEPP being used within this relatively expensive area of Auburn and given the heritage constraints is extremely low. Affordable housing is not sought by the application. Not relevant.
	Building Sustainability Index: BASIX 2004	The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State	Applies to State The proposal seeks to use the existing building for commercial purposes. This would not result in the building being a 'BASIX' affected building. Not relevant.
	Exempt and Complying Development Codes 2008	Seeks to provide streamlined assessment process for development that complies with specified development standards.	Applies to the State. Excludes land within Kosciuszko National Park, Western Sydney Parklands SEPP and land within 18kms of ANU land at Siding Spring. The provisions of this SEPP currently apply under the residential zoning of the site. The provisions of this SEPP in relation to commercial uses would be applicable if the site was rezoned. However, in both cases, the

No.	Title	Summary	Application
			applicability would be very limited due to the listing of the conservation area on the State Heritage Register and Auburn LEP. Consistent.
	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.	Applies to the State - Land that is zoned primarily for urban purposes or adjoins such land, and as per the conditions specified in the SEPP. The SEPP applies under the current zone, and would apply under the proposed B2 zoning. It would not apply under a B1 zoning. The proposal does not seek development for Seniors Housing. The proposal is not inconsistent with the SEPP.
	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.	Applies to the State This SEPP would be applicable at the development stage. The proposal is not inconsistent with the SEPP.
	Kosciuszko National Park – Alpine Resorts 2007	Seeks to protect and enhance the natural environment of the alpine resorts area.	<i>Does not apply to Auburn LGA.</i> Applies only to specified land within Kosciuszko National Park, Kosciuszko Road and Alpine Way.
	Kurnell Peninsula 1989		<i>Does not apply to Auburn LGA.</i> 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	This Policy applies to the State. This proposal does not seek

No.	Title	Summary	Application
		economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.	development under this SEPP. The proposal is not inconsistent with the SEPP.
	Mining, Petroleum and Extractive Industries 2007	Seeks to provide for the proper management and development of mineral, petroleum and extractive material resources	Applies to the State including coastal waters This proposal does not seek development under this SEPP. The proposal is not inconsistent with the SEPP.
	State Environmental Planning Policy (Penrith Lakes Scheme) 1989	Seeks to provide a development control process establishing environmental and technical matters which must be taken into account in implementing the Penrith Lakes Scheme in order to protect the environment,	<i>Does not apply to Auburn LGA.</i>
	State Environmental Planning Policy (Port Botany and Port Kembla) 2013	Seek to provide consistent planning regime for the development and delivery of infrastructure on land in Port Botany and Port Kembla,	<i>Does not apply to Auburn LGA.</i> Applies to the land within Botany City Council in the area known as Port Botany. It also applies to land within Wollongong City Council in an area known as Port Kembla.
	Rural Lands 2008	Seeks to facilitate the orderly and economic use and development of rural lands for rural and related purposes	<i>Does not apply to the Auburn LGA.</i>
	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.	<i>Does not apply to the Auburn LGA.</i> 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.	Applies to the State This proposal does not seek development under this SEPP. The proposal is not inconsistent

No.	Title	Summary	Application
			with the SEPP.
	Sydney Drinking Water Catchment 2011	Aims to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal.	<i>Does not apply to the Auburn LGA</i> 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.	<i>Does not apply to Auburn LGA.</i> Applies to all land in a 'growth centre' (North West Growth Centre or the South West Growth Centre)
	State Environmental Planning Policy (Temporary Structures) 2007	To encourage protection of the environment at the location/vicinity of temporary structures by managing noise, parking and traffic impacts and ensuring heritage protection	Applies to the State. This proposal does not seek development under this SEPP. The proposal is not inconsistent with the SEPP.
	State Environmental Planning Policy (Urban Renewal) 2010	To facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts	<i>Does not apply to Auburn LGA.</i> Applies to land within a potential precinct – land identified as a potential urban renewal precinct. This 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	<i>Does not apply to Auburn LGA.</i> Applies to land within Penrith, Blacktown, Holroyd and Fairfield LGAs. Refer to <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009 Land Application Map</i> .
	Western Sydney Parklands	Seeks to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region.	<i>Does not apply to the Auburn LGA.</i> Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton)

b. State Regional Environmental Plans (REPs) (Deemed SEPPs)

No	Title	Summary	Application
5	Chatswood Town Centre	Seeks to facilitate development of land within the Chatswood Town Centre.	<i>Does not apply to the Auburn LGA.</i> Applies to Chatswood Town Centre.
8	Central Coast Plateau	Seeks to implement the state's urban consolidation policy.	<i>Does not apply to the Auburn LGA.</i> Applies to nominated land in the NSW Central Coast.
9	Extractive Industry No. 2 1995	Seeks to facilitate development of extractive industries in proximity to the population of the Sydney Metropolitan Area.	<i>Does not apply to the Auburn LGA.</i> Applies to LGAs listed in Schedule 4 of the SREP.
11	Penrith Lakes	Seeks to permit implementation of the Penrith Lakes Scheme	<i>Does not apply to the Auburn LGA.</i> Applies to the Penrith Lakes area
16	Walsh Bay	Seeks to regulate the use and development of the Walsh Bay area.	<i>Does not apply to the Auburn LGA.</i> Applies to land within the City of Sydney and within Sydney Harbour.
18	Public transport corridors	Seeks to protect provision for future public transport facilities.	<i>Does not apply to the Auburn LGA.</i> Applies to the Fairfield, Parramatta, Holroyd and Baulkham Hills LGAs.
19	Rouse Hill Development Area	Seeks to provide for the orderly and economic development of the RHDA.	<i>Does not apply to the Auburn LGA.</i> Applies to area defined by policy. Note: Rouse Hill is in The Hills and Blacktown LGAs.
20	Hawkesbury Nepean	Seeks to protect the Hawkesbury-Nepean River System.	<i>Does not apply to the Auburn LGA.</i> Applies to certain LGAs within

No	Title	Summary	Application
			Greater Metropolitan Region.
24	Homebush Bay Area	Seeks to encourage the co-ordinated and environmentally sensitive development of the Homebush Bay area	<i>Does not apply to land to which ALEP 2010 applies (clause 1.9).</i> Applies to rest of Auburn LGA – refer to <i>State Environmental Planning Policy (Major Development) Amendment (Sydney Olympic Park) 2009 Land Application Map</i>. The proposal is not within the area to which this plan applies.
25	Orchard Hills	Seeks to protect the prime agricultural land of Orchard Hills.	<i>Does not apply to the Auburn LGA.</i> Applies to land within the City of Penrith
26	City West	Seeks to promote the orderly and economic use and development of land within City West	<i>Does not apply to the Auburn LGA.</i> Applies to land shown as City West area (Pymont and Ultimo)
28	Parramatta	Seeks to establish regional planning aims for the Parramatta Primary Centre	<i>Does not apply to the Auburn LGA.</i> Applies to land known as Parramatta Primary Centre (within Parramatta City Council and City of Holroyd).
30	St Marys	Seeks to support the redevelopment of St Marys by providing a framework for sustainable development.	<i>Does not apply to the Auburn LGA.</i> Applies to specified land within the Blacktown and Penrith LGAs.
33	Cooks Cove	Seeks to establish planning principles to promote the sustainable use of the Cooks Cove site	<i>Does not apply to the Auburn LGA.</i> Applies to specified land within Cooks Cove (Arncliffe).
	Sydney Harbour Catchment	Seeks to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained for existing and future generations.	Applies to specified land within the Sydney Harbour Catchment. It applies to most of the Auburn LGA, but excludes the southeastern corner, in which the subject site is located.

APPENDIX 9: CONSISTENCY WITH SECTION 117 DIRECTIONS

Section 117 directions apply to planning proposals lodged with the Department of Planning and Infrastructure. This table outlines the application's consistency with the directions.

No.	Title	Consistent?	Comment
1. Employment and resources			
1.1	Business and industrial zones	Yes	The subject site is currently zoned residential, however, the application for a planning proposal seeks a business zoning. The direction requires that planning proposals '<i>ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.</i>' As outlined in the main body of this report, the proposal is consistent with the regional and sub-regional strategies in relation to business zones (Part 3.2 of this report).
1.2	Rural zones	Yes	There are no rural zones in Auburn LGA.
1.3	Mining, petroleum production and extractive industries	Yes	The proposed zoning amendment does not change the permissibility of these uses, nor create land use conflicts with such uses.
1.4	Oyster aquaculture	Yes	The proposal does not seek a change in land use which could result in adverse impacts on any existing or potential oyster aquaculture.
1.5	Rural lands	N/A	This direction does not apply to Auburn LGA.
2. Environment and heritage			
2.1	Environment protection zones	Yes	The subject site and surrounds are not environmentally sensitive lands or located within an Environmental Protection Zone.
2.2	Coastal protection	N/A	The subject site is not located within the Coastal zone
2.3	Heritage conservation	Yes	This direction requires that a planning proposal must contain provisions that facilitate the conservation of environmental, archaeological and aboriginal heritage. The proposal is designed to protect the heritage of the site, is outlined in Part 3.2c of this report. It will not alter existing heritage provision within ALEP 2010.
2.4	Recreation vehicle areas	Yes	The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area.
3. Housing, infrastructure and urban development			
3.1	Residential zones	Yes	The subject site is currently zoned R3 Medium Density Residential. This direction requires a planning proposal in a residential zone to: provide for housing choice; make efficient use of existing infrastructure; and may

			not reduce permitted housing density. The application does not address this direction however, the loss of housing opportunities on the subject site is of minor significance, especially given that the proposed commercial use will provide small scale local retail and services not currently available within walking distance. Council will meet its dwelling targets without the need for housing on this site (see Section 3.2 of this report).
3.2	Caravan parks and manufactured home estates	Yes	The proposal does not provide for caravan parks or manufactured home estates.
3.3	Home occupations	Yes	The proposal does not provide for dwelling houses.
3.4	Integrating land use and transport	Yes	The planning proposal is consistent with the aims, objectives, principles of <i>Improving Transport Choice – Guidelines for planning and development</i>. While the proposed commercial uses are to be located out of an existing centre and key corridors, they will not have any significant impact on nearby centres or corridors. The proposal meets a number of the principles and objectives in the guidelines: By providing for small scale local convenience retail and services and within a B1 zoning framework, it helps to meet the following: • ‘reduce growth in the number and length of private car journey; • make walking, cycling and public transport use more attractive.’ • ‘provide walkable environments’; • ‘the size of activity centres is consistent with existing or planned levels of public transport’. Similarly the proposal, is justified in providing commercial services outside of an existing centre as required by <i>The Right Place for Business and Services – Planning Policy</i> as it nevertheless meets the objectives including: • locate trip-generating development which provides important services in places that: – help reduce reliance on cars and moderate the demand for car travel – encourage people to travel on public transport, walk or cycle – provide people with equitable and efficient access.
3.5	Development near licensed aerodromes	Yes	The proposal does not create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.
3.6	Shooting ranges	Yes	The proposal will not affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.

4. Hazard and risk			
4.1	Acid sulfate soils	Yes	The site is on class 5 acid sulfate soils (ASS). The proposal would amend <i>Auburn LEP 2010</i> , a standard instrument LEP containing the ASS model clause (CI 6.1).
4.2	Mine subsidence and unstable land	N/A	The subject site is not within a Mine Subsidence District proclaimed pursuant to section 15 of the Mine Subsidence Compensation Act 1961, and has not been identified as unstable land.
4.3	Flood prone land	Yes	The site is not within the Flood Planning Area, nor will it affect it.
4.4	Planning for bushfire protection	N/A	The proposal will not affect, nor is in proximity to land mapped as bushfire prone land.
5. Regional planning			
5.1	Implementation of regional strategies	N/A	Does not apply to Auburn City Council
5.2	Sydney drinking water catchments	N/A	Does not apply to Auburn City Council
5.3	Farmland of state and regional significance on the NSW Far North Coast	N/A	Does not apply to Auburn City Council
5.4	Commercial and retail development along the Pacific Highway, North Coast	N/A	Does not apply to Auburn City Council
5.8	Second Sydney Airport: Badgerys Creek	N/A	Does not apply to Auburn City Council
6. Local plan making			
6.1	Approval and referral requirements	Yes	The proposal does not seek to make approval and referral requirements or to nominate any development as designated development.
6.2	Reserving land for public purposes	Yes	The proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3	Site specific provisions	Yes	The planning proposal seeks to rezone the site to permit land uses permissible in the proposed zone. Concept plans included are strictly indicative only.
7. Metropolitan planning			
7.1	Implementation of the Metropolitan Plan for Sydney 2036	Yes	The planning proposal is consistent with the Metropolitan Plan for Sydney 2036. This is discussed under Part 3.2 of this report.

APPENDIX 10: PROPOSED AMENDMENTS TO LEP MAPS

Amendment 12 to *Auburn LEP 2010*

