

**To rezone land - Auburn Road, Susan Street, Helena Street and Beatrice Street, Auburn -  
from R3 to R4 and B4**

Proposal Title : To rezone land - Auburn Road, Susan Street, Helena Street and Beatrice Street, Auburn - from R3 to R4 and B4

Proposal Summary : To rezone land bounded by Auburn Road, Susan Street, Helena Street and Beatrice Street, Auburn, from zone: R3 (Medium Density Residential) to partly zone: B4 (Mixed Use) and partly zone: R4 (High Density Residential).

PP Number : PP\_2014\_AUBUR\_001\_00      Dop File No : 14/06841

**Proposal Details**

Date Planning Proposal Received : 02-May-2014      LGA covered : Auburn

Region : Sydney Region West      RPA : Auburn Council

State Electorate : AUBURN      Section of the Act : 55 - Planning Proposal

LEP Type : Spot Rezoning

**Location Details**

Street : 74-112 Auburn Road, 15-57 Susan Street, 4-8 Beatrice Street

Suburb : Auburn      City : Auburn      Postcode : 2144

Land Parcel : Land on eastern side of Auburn Road and land on western side of Susan Street between Beatrice Street and Helena Street

**DoP Planning Officer Contact Details**

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**RPA Contact Details**

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**DoP Project Manager Contact Details**

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**Land Release Data**

Growth Centre : N/A      Release Area Name : N/A

Regional / Sub Regional Strategy : Metro West Central subregion      Consistent with Strategy : Yes

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MDP Number :

Date of Release :

Area of Release  
(Ha) :

Type of Release (eg  
Residential /  
Employment land) :

No. of Lots : 0

No. of Dwellings 750  
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes  
Lobbyists Code of  
Conduct has been  
complied with :

If No, comment :

Have there been No  
meetings or  
communications with  
registered lobbyists? :

If Yes, comment :

**Supporting notes**

Internal Supporting  
Notes :

**Background**

The planning proposal seeks to rezone the land fronting Auburn Road (eastern side) from Beatrice Street to Helena Street from R3 Medium Density Residential to B4 Mixed Use, and land fronting Susan Street (west and east sides) from Beatrice Street to Helena Street from R3 Medium Density Residential to R4 High Density Residential.

In 2012 Council submitted a similar planning proposal (now referred to as the previous planning proposal PP\_2012\_AUBUR\_002\_00). The land involved in the previous planning proposal was larger in area as it included land on the eastern side of Susan Street. This planning proposal only includes land on the western side of Susan Street and land on the eastern side of Auburn Road, between Helena Street and Beatrice Street.

The previous planning proposal was issued with a Gateway determination on 9 October 2012, however on 31 October 2012, Council at its meeting resolved not to proceed with the planning proposal.

On 8 February 2013, Council informed the then Planning and Infrastructure agency that it had resolved not to proceed with the planning proposal. By way of letter dated 8 February 2013, the then Director-General of Planning and Infrastructure agreed to discontinue the planning proposal.

To the north of land the subject of this current planning proposal is the Auburn Town Centre (area bounded by Beatrice Street, Park Road, Alice Street, South Parade and Marion Street). A recent planning proposal, having the effect of increasing the floor space ratio and height of buildings in certain parts of the Town Centre, was finalised and recently notified as Auburn Local Environmental Plan 2010 Amendment No.8

The current planning proposal can be considered as a relatively minor extension of the town centre and is supported in order to enable a rezoning of land in close proximity to Auburn Town Centre, to achieve a more economical and efficient use of land while, at the same time, facilitating the redevelopment of older buildings - which are reaching the end of their economic life. This is seen by council as an opportunity for a comprehensive redevelopment of an area, in close proximity to the town centre - which may result in a more efficient use of the land and as an enhancement of the streetscape.

Arising from conditions issued in the Gateway determination for the previous planning

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proposal, Council's consultants have prepared an Urban Design Study and a Traffic, Transport and Accessibility Study. It is intended that these documents will be exhibited during the community consultation process. It is, however, considered that the transport study should be amended to take into consideration traffic impacts associated with the made LEP amendment no. 8.

**Receipt Date**

The planning proposal was received on 1 April 2014. Further information was requested from Council and finalised on 2 May 2014.

**Lobbyists**

To the best of the knowledge of the Metropolitan Delivery (Parramatta), there have been no meetings or communications with lobbyists regarding this planning proposal.

External Supporting  
Notes :

**Adequacy Assessment**

**Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? Yes

Comment :

The objectives of the planning proposal are to:

- provide for the redevelopment of land in the block bounded by Beatrice St, Auburn Rd, Helena St and Susan St, Auburn for mixed use and high density residential development in a location that is highly accessible and has good access to public transport and services,
- accommodate sub-regional housing and employment targets,
- enable the creation of an extension of the existing Auburn Road commercial precinct to the south,
- provide for the development of buildings that achieve design excellence, are safe and accessible and provide a high quality urban form,
- create a transition between the Auburn Town Centre to the north and the surrounding low / medium density residential areas to the east, south and west of the study area, and
- ensure the orderly and economic development of land in accordance with its capability.

**Explanation of provisions provided - s55(2)(b)**

Is an explanation of provisions provided? Yes

Comment :

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

**Justification - s55 (2)(c)**

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

\* May need the Director General's agreement

2.1 Environment Protection Zones

3.1 Residential Zones

3.4 Integrating Land Use and Transport

6.1 Approval and Referral Requirements

7.1 Implementation of the Metropolitan Plan for Sydney 2036

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Is the Director General's agreement required? No

c) Consistent with Standard Instrument (LEPs) Order 2006 : Yes

d) Which SEPPs have the RPA identified? N/A

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain : **Note: while the planning proposal seeks to partly remove a zone solely for residential purposes for part of the subject site, it will - overall, increase housing density. For this reason it is considered that the proposal is consistent with S 117 Direction 3.1 Residential Zones, in this regard.**

**Mapping Provided - s55(2)(d)**

Is mapping provided? Yes

Comment : **Considered to be adequate for exhibition purposes.**

**Community consultation - s55(2)(e)**

Has community consultation been proposed? Yes

Comment : **Subject to a Gateway determination, community consultation will be undertaken by Council in accordance with section 57 of the Environmental Planning and Assessment Act 1979, and the requirements of Planning and Infrastructure's Guide to preparing local environmental plans (April 2013).**

**A comprehensive community consultation engagement strategy will be prepared by Council that would include advertisement in a local newspaper, letter notification to affected land owners and surrounding land owners, advertisement on Council's website and exhibition at Council owned public premises e.g. libraries.**

**Additional Director General's requirements**

Are there any additional Director General's requirements? No

If Yes, reasons :

**Overall adequacy of the proposal**

Does the proposal meet the adequacy criteria? Yes

If No, comment :

**Proposal Assessment**

**Principal LEP:**

Due Date :

Comments in relation to Principal LEP : **The principal Auburn Local Environmental Plan (ALEP 2010) was made on 29 October 2010. This planning proposal seeks to amend the ALEP 2010, and will be known as Auburn Local Environmental Plan 2010 Amendment No.13.**

**Assessment Criteria**

Need for planning proposal : **The planning proposal is the best means of achieving Council's intentions of providing increased housing choice, as well as supply, and introducing retail uses that will be complementary to the town centre. There is no alternative means to rezone the subject**

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land.

Consistency with strategic planning framework :

The planning proposal is consistent with the principles for sustainable cities which underpin the Auburn City Community Strategic plan (CSP) 2011.

The CSP is a Council initiative designed to respond to the priorities of the Auburn community over the next 10 years which includes amongst other things, housing affordability and quality of development. The CSP was publicly exhibited in March 2011 and formally adopted by Council on 18 May 2011.

The planning proposal seeks to implement the CSP by facilitating residential and employment generating development to occur in areas close to, and well served, by public infrastructure (ie. transport, community facilities, schools) and in close proximity to established commercial centres.

The planning proposal is also consistent with the West Central Subregion Draft Subregional Strategy (WCSDSS) that currently applies to the Auburn LGA.

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

Environmental social economic impacts :

As the subject land is highly urbanised there are no critical habitat or threatened species populations or ecological communities that will be adversely affected by the planning proposal.

There are no other likely environmental effects as a result of the planning proposal. All potential impacts may be accommodated through the proposed planning controls. Any development specific impacts will be addressed at the development application stage.

As far as social and economic impacts are concerned, the planning proposal is not expected to create any adverse social impacts. The planning proposal may however create positive economic impacts in terms of creating employment opportunities in the area proposed for B4 Mixed Use zoning.

## Assessment Process

|                                             |                                                                                                                                                                                                                                                                                                             |                                 |         |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|---------|
| Proposal type :                             | Precinct                                                                                                                                                                                                                                                                                                    | Community Consultation Period : | 28 Days |
| Timeframe to make LEP :                     | 9 months                                                                                                                                                                                                                                                                                                    | Delegation :                    | RPA     |
| Public Authority Consultation - 56(2) (d) : | Department of Education and Communities<br>Office of Environment and Heritage<br>Family and Community Services - Housing NSW<br>Energy Australia<br>Fire and Rescue NSW<br>Department of Health<br>NSW Police Force<br>Transport for NSW<br>Transport for NSW - Roads and Maritime Services<br>Sydney Water |                                 |         |

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Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

**Council's consultants have prepared an Urban Design Study and a Traffic, Transport and Accessibility Study. These studies support the proposal and will inform any amendments required to Council's Development Control Plan, to guide development permitted under the proposal.**

**It is noted, however, that both the urban design study and the transport study refer to draft Auburn LEP amendment no. 8. It is recommended that prior to exhibition, Council amends these studies to reflect that this amendment has been made.**

**It is also noted that the transport study does not take into consideration any relevant impacts associated with the recent rezoning of the Auburn town centre (i.e. Auburn LEP amendment no. 8). It is therefore recommended that the transport study be amended by Council, prior to exhibition, to address any accumulative impacts associated with amendment no. 8 and this proposal.**

**Further, it is noted that in support of the previous planning proposal, a net community benefit test was prepared to support that rezoning proposal. This test demonstrated that the planning proposal would achieve a net community benefit. To ensure this remains the case with the current proposal, it is recommended that the test be amended for this proposal and forms part of the exhibition material.**

Identify any internal consultations, if required :

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

## Documents

| Document File Name     | DocumentType Name        | Is Public |
|------------------------|--------------------------|-----------|
| Covering Letter.pdf    | Proposal Covering Letter | Yes       |
| Planning Proposal.pdf  | Proposal                 | Yes       |
| Urban Design Study.pdf | Study                    | Yes       |
| Traffic Study.pdf      | Study                    | Yes       |
| Maps.pdf               | Map                      | Yes       |
| Council report.pdf     | Proposal                 | Yes       |

## Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:      **2.1 Environment Protection Zones**  
                                  **3.1 Residential Zones**  
                                  **3.4 Integrating Land Use and Transport**  
                                  **6.1 Approval and Referral Requirements**  
                                  **7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information :      **Delegation of the Minister's Plan Making Function**

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Council has not formally resolved to accept the Minister's plan making powers for this particular proposal. However, by way of email, Council requests delegation. The proposal is relatively minor and it is recommended that delegation be given to Council to exercise the Minister's plan making function in this instance.

**Recommendation**

The planning proposal should proceed subject to the following conditions:

**1. Prior to consultation:**

- 1.1 Council amends the transport study [Traffic, Transport and Accessibility Study prepared by Hyder Consulting (August 2013)] and the urban design study [MG Planning Pty Ltd and Group GSA (August 2012)] to reflect that Auburn amendment no.8 has been made;
- 1.2 the transport study be amended by Council to address any accumulative traffic impacts associated with Auburn LEP amendment no. 8 and this proposal;
- 1.3 the previous prepared community benefit test be amended by Council for this proposal; and
- 1.4 these amended studies (and test) form part of the exhibition material.

**2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:**

- (a) the planning proposal must be made available for 28 days; and
- (b) the relevant planning authority must comply with notice requirements for public exhibition of planning proposals and the specifications for material that must be available along with planning proposals.

**2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:**

- NSW Department of Education and Communities;
- Office of Environment and Heritage;
- Department of Family and Community Services;
- Energy Australia;
- Department of Health;
- NSW Police Service;
- Transport for NSW;
- Sydney Water;
- Fire and Rescue NSW;
- Roads and Maritime Service; and,
- adjoining Local Government Areas

**3. The timeframe for completing the LEP is 9 months from the week following the date of the Gateway determination.**

**Supporting Reasons :**

The community consultation process is required to inform affected land owners and local residents as well as the local community of the proposed changes in land use and any associated environmental, traffic impacts that are likely to occur.

Consultation with public authorities is necessary to seek feedback and any actions on the part of those authorities to respond to increase in demand for utility services, transport services and other human services such as educational and health facilities.

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Signature:



Printed Name:

T DORAN

Date:

9/5/14