



Planning &
Environment

Mr Mark Brisby
General Manager
Auburn City Council
PO Box 118
Auburn NSW 1835

Contact: Tai Ta
Phone: (02) 9860 1560
Email: tai.ta@planning.nsw.gov.au

Our ref: 14/16461
Your ref: T058543/2014

Dear Mr Brisby,

Planning proposal to amend Auburn Local Environmental Plan 2010

I am writing in response to Council's letter dated 11 July 2014 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) for a planning proposal to rezone land bounded by Grey Street, Bligh Street, Carnavon Street, and Silverwater Road, Silverwater, from B6 Enterprise Corridor to B2 Local Centre and to amend the maximum height of buildings to 25 metres and floor space ratio to between 3.75:1 and 4:1.

As delegate of the Minister for Planning, I have now determined that the planning proposal is inconsistent with the current strategic planning framework for this area and should not proceed at this time.

I note that the Auburn Employment Lands Study 2008 identifies the subject site as part of a broader strategic employment precinct, which should be retained to avoid rezoning speculation that could undermine the viability of industrial land in this area. The site also adjoins the Silverwater Industrial Precinct, which is identified as a regionally significant employment area and the largest industrial precinct in Auburn City.

The rezoning as proposed would result in the loss of important employment land and the creation of a new centre in an out of centre location not identified under Auburn City's centres hierarchy. The planning proposal would also introduce high density residential development within a predominantly employment setting which could result in significant land use conflict between employment and residential uses with the potential to affect the operation and viability of local businesses.

I am aware that Council is currently reviewing its Employment Lands Study with a view to updating Council's policy framework regarding retail, commercial and industrial uses. This draft strategy investigates renewal opportunities for the subject site and recommends that a mixed-use precinct be considered more broadly and that a master planned approach for this area be considered.

In this regard, Council is encouraged to finalise its draft Strategy and consider the implications for the subject site in the broader context of the precinct and the appropriateness of non-employment generating uses. Council should subsequently consider preparing a new planning proposal to reflect the findings of the employment lands review. The Department is available to work with Council in this regard.

Should you have any queries in regard to this matter, please contact Mr Tai Ta, of the Department's Metropolitan (Parramatta) office, on (02) 9860 1560.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Marcus Ray', with a stylized flourish at the end.

Marcus Ray
Acting Deputy Secretary
Planning Services

18/12/14
Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2014_AUBUR_003_00): to rezone land at Silverwater from B6 Enterprise Corridor to B2 Local Centre and to amend the maximum height of buildings to 25 metres and floor space ratio to between 3.75:1 and 4:1.

I, the Acting Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Auburn Local Environmental Plan 2010 to rezone land bounded by Grey Street, Bligh Street, Carnavon Street, and Silverwater Road, Silverwater, from B6 Enterprise Corridor to B2 Local Centre and to amend the maximum height of buildings to 25 metres and floor space ratio to between 3.75:1 and 4:1, should not proceed for the following reasons:

1. The planning proposal is inconsistent with the Auburn Employment Land Study 2008. The Study identifies the subject site as part of a broader strategic employment precinct that should be retained and protected for new and emerging industries and to avoid rezoning speculation which could undermine the viability of industrial land.
2. The proposal to rezone the subject land from B6 Enterprise Corridor to B2 Local Centre would reduce land considered to be strategically and regionally important employment land and permit non-employment generating uses. This has the potential to create significant land use conflict within the area but also undermines the role of the B6 Enterprise Corridor zone in Auburn City and ensures that employment land is protected during a period of high residential growth across the local government area.
3. Proposed rezoning of the subject site to B2 Local Centre is unlikely to contribute to strengthening or maintaining the existing industry cluster, and the introduction of a centre that provides for land uses that are inconsistent with the objectives of this cluster may impact the long term provision of freight and industrial land in Auburn City.
4. The planning proposal is inconsistent with S117 Direction 1.1 Business and Industrial Zones as it will reduce the potential floor space for employment generating land uses. Permitting residential development at the proposed density will undermine the ongoing operation of the Silverwater Industrial Precinct and set an undesirable precedent for rezoning industrial land for residential purposes.
5. The planning proposal is inconsistent with strategic objective B4 of the West Central Draft Subregional Strategy. Strategic Objective B4 - Action B4.1 supports the "concentration of retail activity in centres, business development zones and enterprise corridor zones". The planning proposal is inconsistent

with Action B4.1 as it would facilitate the development of out-of-centre retail uses.

6. The planning proposal is also inconsistent with Strategic Objective C1- Action C1.3 which supports "increased housing capacity targets in existing areas". The proposal is inconsistent as it is not located within an existing area that supports residential development, focused around a local centre or a corridor that permits residential uses and has good access to public transport.

Dated 18th day of December 2014.



Marcus Ray
Acting Deputy Secretary
Planning Services
Delegate of the Minister for Planning