



Assessment of Planning Proposal Application

Application for a Planning Proposal applying to land at 1 - 17 Grey Street and 32 - 48 Silverwater Road, Silverwater.

Attachment to Business Paper for Planning Committee Meeting of 20 November 2013.

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1.0 Introduction

1.1 Executive summary

This report provides an assessment of a Planning Proposal Application ('the proposal') submitted to Council on 11 June 2013 for land at 1, 3, 5, 7, 9, 11, 13, 15, 17 Grey Street and 32 – 34, 38, 40, 42, 44, 46 and 48 Silverwater Road, Silverwater.

The proposal is prepared by APP Corporation Pty Limited on behalf of the applicant Hilfer Project Pty Limited. It seeks to amend the *Auburn Local Environmental Plan 2010* (*Auburn LEP 2010*) to:

- rezone the site from B6 Enterprise Corridor zone to B4 Mixed Use zone;
- increase the Height of Buildings control from 14 metres to a Height of Buildings control ranging between 16.9 metres to 32 metres;
- increase the Floor Space Ratio (FSR) from 1:1 to 3.75:1; and
- amend the existing minimum lot size of 1500m² to no minimum lot size.

The proposal includes conceptual drawings of a potential 5-10 storey mixed use development comprising 4000m² of ground floor commercial/retail floor space, 226 apartments and a two level basement car park. The details of the proposed development are outlined in section 3.0 and in Appendix 13 of this report.

The rezoning is being sought because residential accommodation and retail premises are not permissible uses within the current B6 Enterprise Corridor zone under the *Auburn LEP 2010*.

The application was publicly exhibited for a period of 29 days from Tuesday 23 July to Tuesday 20 August 2013, in accordance with Council's *Communication Plan for Planning Proposals* as adopted by Council. A total of 27 submissions (including 3 petitions) were received (refer to section 5.0 and Appendix 10 of this report).

This report recommends that the Application for a Planning Proposal **not be supported** by Council for the following reasons:

- The proposal would facilitate a pocket of B4 zoned land well away from the existing town centres of Auburn and Lidcombe. Allowing a B4 zone in an out-of-centre location is inconsistent with Council's and the State government's approach to a clearly defined hierarchy of centres, (as set out in the Metropolitan Plan for Sydney 2036, Draft West Central Subregional Strategy), and is also inconsistent with Council's application of the B4 zone within Auburn City to date.
- The proposal is inconsistent with the Auburn Employment Land Study 2008 recommendations and principles, which seek to retain and protect industrial and other employment uses within the Silverwater Road Precinct (Precinct 14) and Silverwater Industrial Precinct (Precinct 5).
- The proposal could threaten strategically and regionally significant industrial land in Silverwater (Precinct 5), and could create land use conflict.
- The proposal is not required to meet Council's dwelling targets. Council is currently seeking to encourage housing growth within existing town centres (for example the FSR PP which substantially increases the dwelling capacity in both Lidcombe and Auburn town centres).

An assessment of the application can be found at section 4.0 of this report.

1.2 Purpose of this assessment report

The purpose of this report is to assess the merits of the proposal applying to land at 1 - 17 Grey Street and 32 - 48 Silverwater Road in accordance with local and state government legislation and policies.

This report is not a planning proposal. A formal planning proposal, to be submitted to the Department of Planning and Infrastructure, will be prepared if the application for a planning proposal is supported by Council.

1.3 Applicant liaison with Council and Addendum submitted

The Applicant's consultants, APP Corporation, met with Council staff on two occasions regarding the proposal (see Appendix 1 of this report). In response to a request from Council officers (August 2013), APP Corporation on behalf of the applicant, submitted an addendum to the proposal on 8 October 2013. The applicant's addendum provided an Economic and Development Feasibility Study dated October 2013 prepared by Hill PDA (refer to sections 3.2.3 and 4.3.3 of this report).

2.0 Existing Situation

2.1 Description of the subject site and surrounds

The land subject to this Planning Proposal application ('the subject site'), shown yellow in Figure 1 overleaf, is located at 1-17 Grey Street and 32 - 48 Silverwater Road, Silverwater within the Auburn Local Government Area (LGA).

The subject site is located on Silverwater Road and is located approximately 300 metres north from the M4 motorway interchange, and approximately 530 metres north of Parramatta Road. Carnarvon Street is the nearest cross street.

Figure 1 (overleaf) shows the subject site is located approximately 1.5km north east of the Auburn Town Centre, 2.6km north of Lidcombe Town Centre and 2.3km west of Sydney Olympic Park Specialised Centre railway stations (shown in light blue).

The subject site is located approximately 0.5km east from the Silverwater Neighbourhood Centre (outlined in orange) and 1.1km north east from Newington Village Centre (outlined pink).

The subject site comprises 17 properties, of which the applicant owns 14 properties. The land ownership details of the subject site are discussed in section 2.2 of this report.

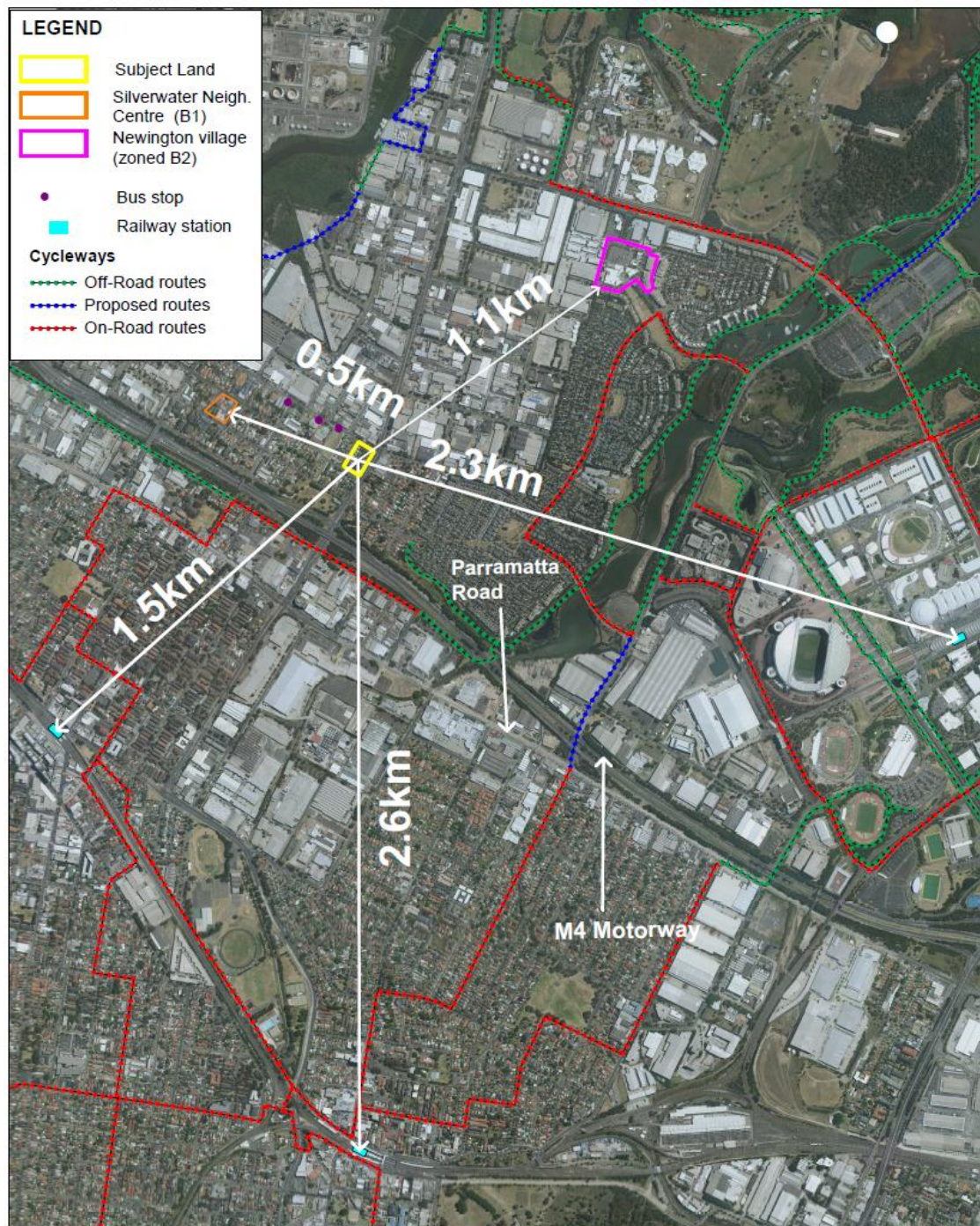


Figure 1 – Aerial view showing the subject site and its proximity to other existing local centres

Figure 1 also shows the existing nearest bus stops and cycleway routes surrounding the subject site. Figure 2 overleaf shows the subject site outlined in yellow with its immediate surrounds.

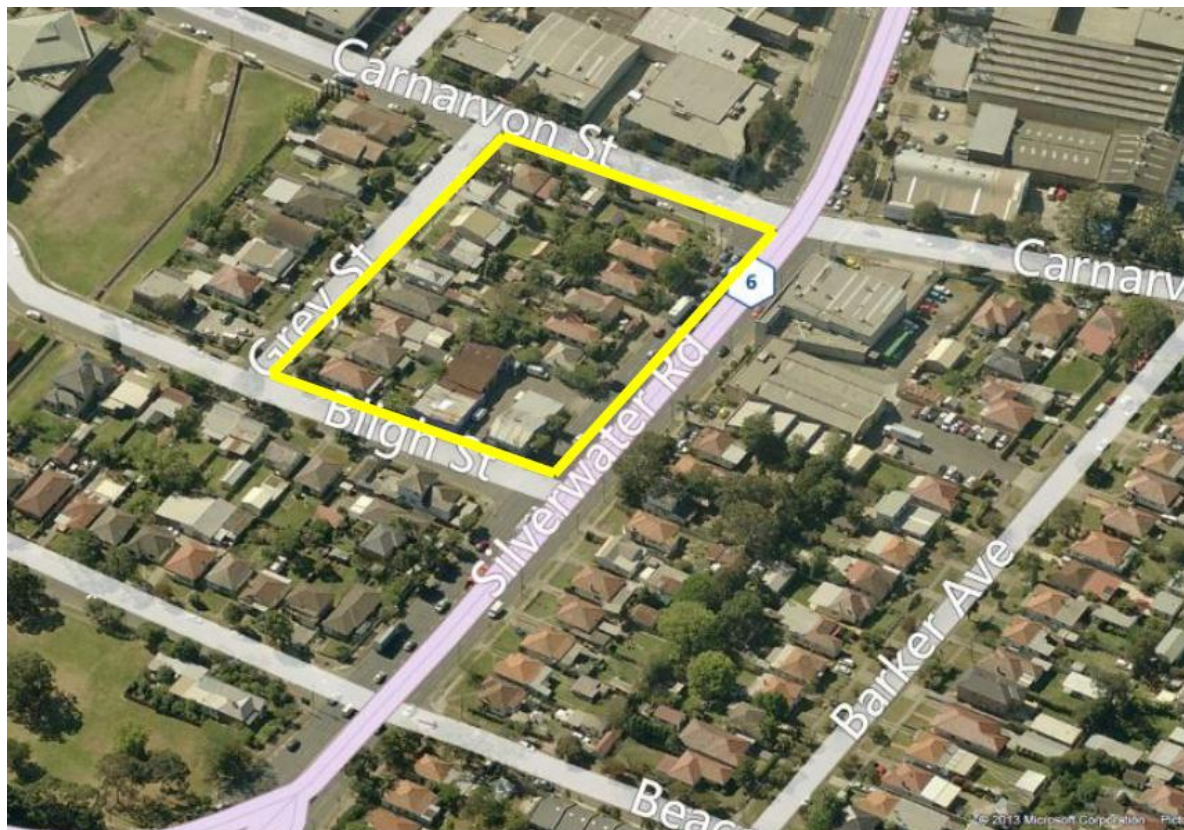


Figure 2 – The subject site and its surrounds
(Source: Bing Maps, August 2013)

The subject site has the following characteristics:

- it includes 17 allotments covering a site area of approx. 7500m² (0.75 hectares);
- is bound by Bligh Street to the south, Grey Street to the west, Carnarvon Street to the north and Silverwater Road to the east;
- a site frontage of approximately 108.5 metres to both Silverwater Road and Grey Street, and a site frontage of approximately 69 metres to both Bligh and Carnarvon Streets;
- an existing subdivision pattern of medium to large sized residential lots.
- it fronts Silverwater Road, which forms part of north-south route. Silverwater Road carries approximately 57,701 vehicles per day between Parramatta Road and the M4 motorway ramps (Traffic Volume data for the Sydney Region 2005, RTA 2005) and has an Annual Average Daily Traffic (AADT) volume of approximately 40,000 vehicles (as confirmed by RTA, map 15).
- is located approximately 200 metres and 160 metres from Council's Hume and Deakin Parks respectively; and
- majority of the subject site is occupied by single storey detached fibro dwellings, a mixed business, and a dry cleaning facility.

A summary of existing land use and zoning is included in Appendix 4.

The area surrounding the site has the following characteristics:

- the land south of Bligh Street and land west of Grey Street is currently occupied by existing single storey detached dwellings. Land located north of Carnarvon Street is occupied by large floor plate two storey heavy industrial and warehouse developments located within the Silverwater Industrial Precinct. This is part of a well-established major employment lands precinct within Auburn City;
- The buildings located opposite the subject site along the eastern edge of Silverwater Road currently include single storey detached brick and fibro dwellings and two storey industrial buildings (refer Appendix 2); and
- Parramatta Road is located approximately 530 metres south of the subject site. This precinct generally consists of a mix of 2-3 storey industrial, warehouses, business and bulky goods developments, with a number of 4 to 6 storey commercial buildings.

Refer to Appendix 2 of this report for photographs of the subject site and surrounds.

2.2 Land ownership of the subject site

The applicant solicitor's letter dated 7 June 2013 (Appendix 3) confirms the current land ownership details for the subject site for properties at 1, 3, 5, 7, 9, 11, 13 Grey Street and 32-34, 38, 40, 42, 44 and 46 Silverwater Road Silverwater.

The properties at 15 and 17 Grey Street and 48 Silverwater Road are currently not owned by the applicant. Whilst this may have implications for the applicant's ability to realise the envisaged development, it is noted, however, that this is a matter for consideration at the DA stage.

2.3 Auburn LEP 2010 controls

2.3.1 Auburn LEP 2010 zoning

As shown in Figure 3, the subject site is currently zoned B6 Enterprise Corridor under *Auburn LEP 2010*.

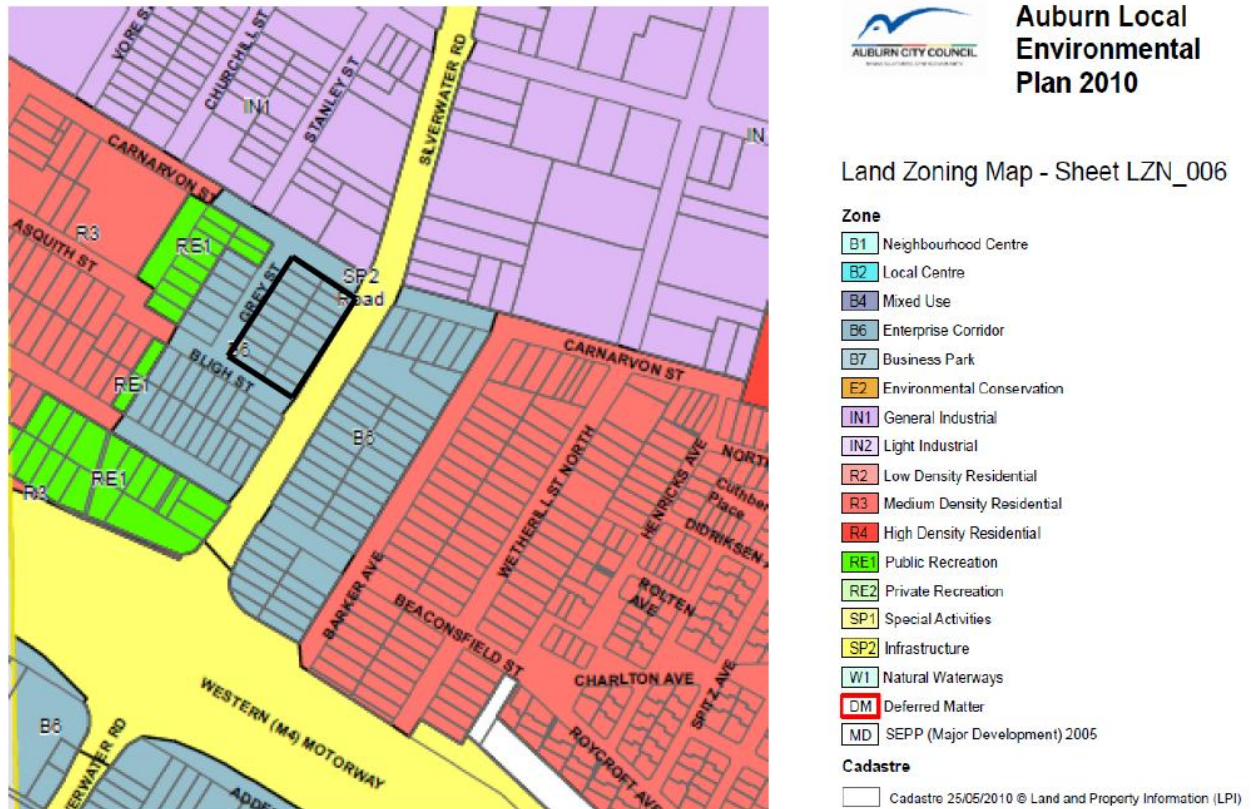


Figure 3 - Auburn LEP 2010 – Extract from Land Zoning Map (site outlined in Black)

The B6 Enterprise Corridor zone objectives are:

- “to promote businesses along main roads and to encourage a mix of compatible uses;
- to provide a range of employment uses (including business, office, retail and light industrial uses); and
- to maintain the economic strength of centres by limiting retailing activity.”

The land uses permissible within the zone include:

“Building identification sign; Business identification signs; Business premises; Bulky goods premises; Community facilities; Food and drink premises; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Kiosks; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Passenger transport facilities; Plan nurseries; Roads; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4”.

In general, the B6 Enterprise Corridor zone permits a range of industrial, commercial uses like retail, office and business and non-industrial uses such as community facilities and hotel and motel accommodation.

Figure 3 shows that the land surrounding the site is currently zoned IN1 General Industrial to the north, B6 Enterprise Corridor and RE1 Public Recreation to the west and south, and SP2 Infrastructure (Roads) and B6 Enterprise Corridor to the east. The land located further afield to the west and east of the subject site is currently zoned R3 Medium Density Residential.

2.3.2 Auburn LEP 2010 principal development standards

Table 1 below summarises the *Auburn LEP 2010* principal development standards that currently apply to the subject site:

<i>Auburn LEP 2010</i> land zoning	Maximum Building Height	Floor Space Ratio (FSR)	Minimum Lot Size
B6 Enterprise Corridor zone	14 metres as per <i>Auburn LEP 2010</i> clause 4.3 (2A)(b)	1:1 Also affected by <i>Auburn LEP 2010</i> clause 4.4(2C) Which provides FSR incentives for specific uses (see following page to details).	1500 m ²

Table 1 - Summary of existing *Auburn LEP 2010* controls applying to the subject site

Figure 4 below is an extract from the *Auburn LEP 2010* Building Height map which shows that Clause 4.3 (2A)(b) applies to the subject site.

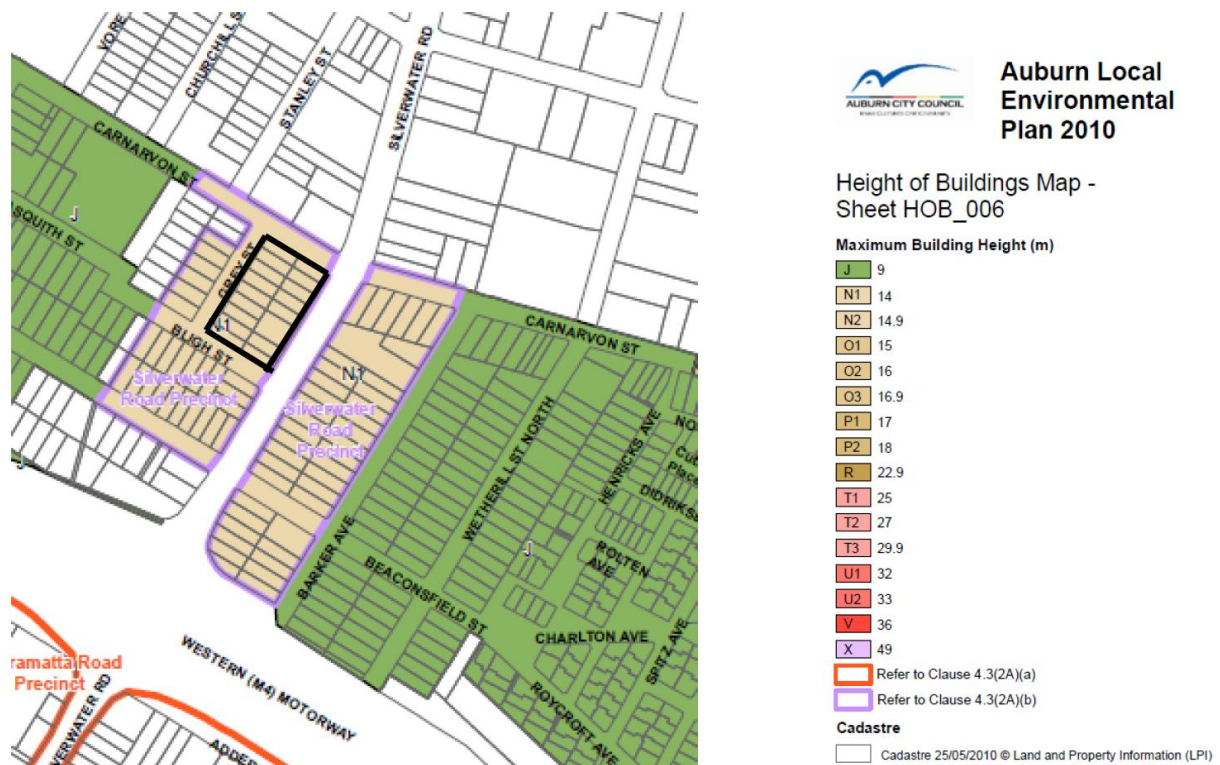


Figure 4 – *Auburn LEP 2010* - Extract from Height of Buildings Map (Site outlined in black)

This clause provides a specific Height of Buildings requirement of 14 metres for the Silverwater Road Precinct (ie the land zoned B6 Enterprise Corridor, located on either side of Silverwater Road between the M4 and Carnarvon Street).

Figure 5 below shows an extract from the *Auburn LEP 2010* FSR map and the area to which Clause 4.4(2C) applies, including the subject site.

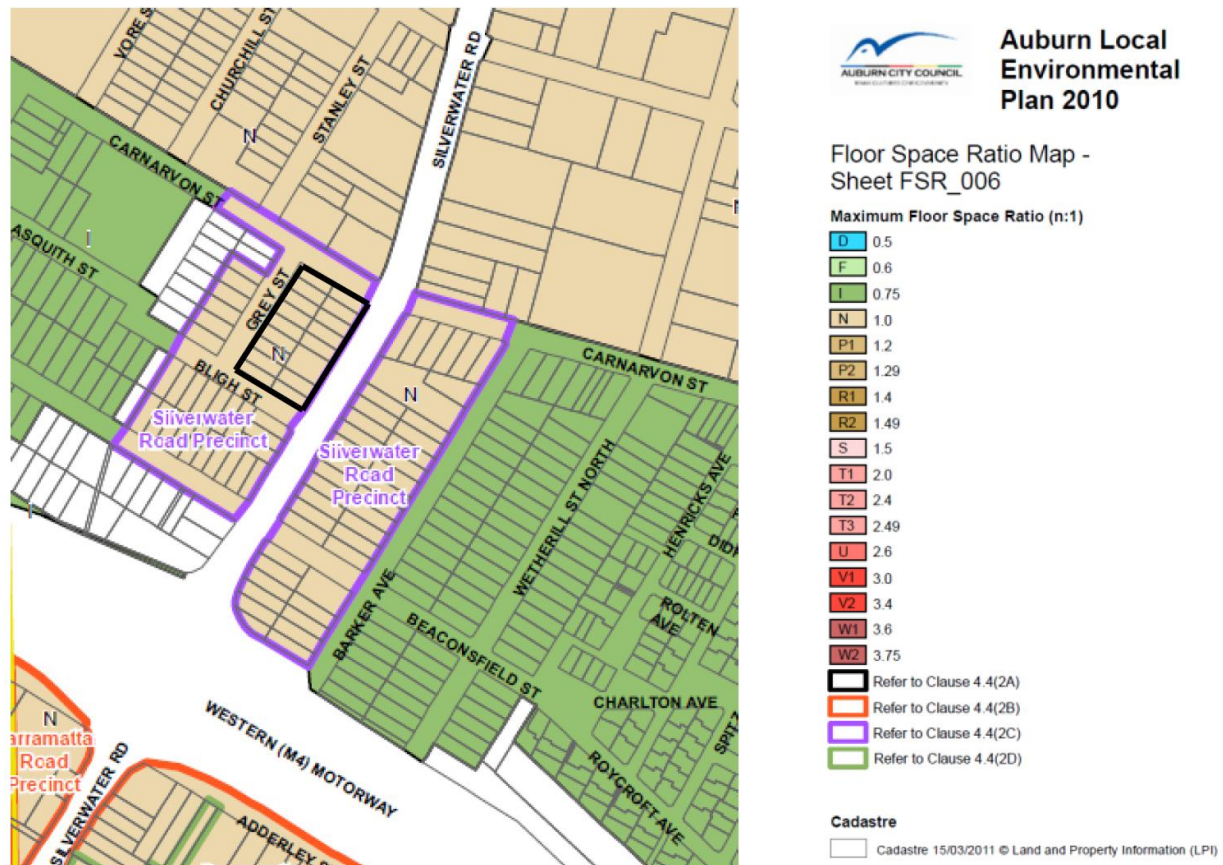


Figure 5 – Auburn LEP 2010 – Extract from Maximum Floor Space Ratio Map (site out lined in black)

This clause provides Floor Space Ratio incentives for specific uses within the Silverwater Road Precinct and clause states:

“Despite subclause (2), the maximum floor space ratio for the following development on land in zone B6 Enterprise Corridor within the Silverwater Road, Precinct, as shown edged light purple on the Floor Space Ratio map, is as follows:

- (a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and*
- (b) 2:1 for office premises and hotel and motel accommodation”.*

2.3.3 Minimum Lot Size

Currently a minimum subdivision lot size of 1500m² applies to the subject site (see Figure 6 overleaf).

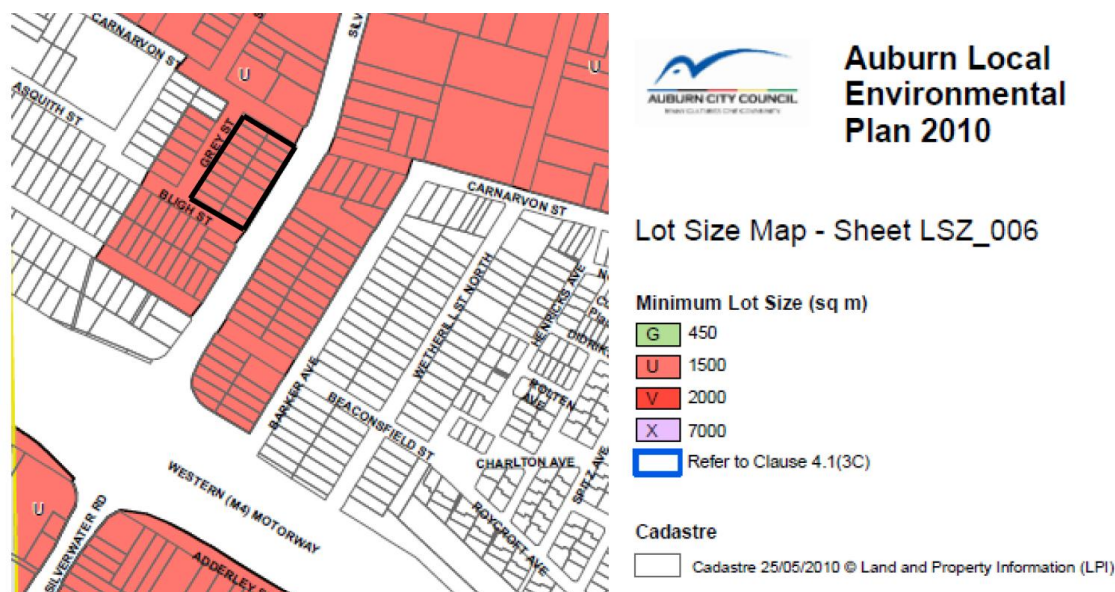


Figure 6 – Auburn LEP 2010 – Extract from Lot Size Map (site outlined in black)

2.3.4 Acid Sulphate Soils

The subject site is shown as having Class 5 Acid Sulphate Soils under the *Auburn LEP 2010* Acid Sulphate Soils Map, which is the least affected category for development purposes.

2.4 Previous zoning

The subject site was previously zoned 2(b) Residential Medium Density zone under the now repealed *Auburn LEP 2000*. The subject site and surrounds were recommended to be rezoned to B6 Enterprise Corridor zone by Hill PDA's *Auburn Employment Lands Study 2008* (*Auburn ELS 2008*) Refer to discussion at section 4.2.1.

2.5 Auburn DCP 2010 controls

The most relevant objectives, performance criteria and development controls currently applying to the subject site under the Industrial Areas DCP Part of the Auburn Development Control Plan 2010 (Auburn DCP 2010) are summarised in Table 2 below.

Auburn DCP 2010 Part	Relevant DCP Objectives	Performance Criteria	Development Controls
Industrial Areas DCP Part	<i>"A. To ensure that the form, scale, design and nature of development maintains and enhances the streetscape and visual quality of industrial areas;</i> <i>B. To ensure that the scale of any new industrial development is compatible with surrounding industrial buildings; and</i> <i>C. To ensure the intensity of development recognises the environmental constraints of the site and its locality."</i>	P1 <i>The built form of proposed development is consistent with the existing character of the locality</i>	D3 Number of Storeys – B6 Enterprise Corridor <i>Development for hotel and motel accommodation and office premises on land zoned B6 Enterprise Corridor on Silverwater Road shall be maximum of three (3) storeys.</i>

Table 2 - Summary of the relevant objectives, performance criteria and controls from ADCP (Industrial Areas Part)

3.0 Description of the Planning Proposal

3.1 Proposed changes to controls

The existing controls applying to the subject site, together with the proposed controls are summarised in Table 3 below.

Planning controls under Auburn LEP 2010	Existing planning controls	Proposed planning controls
Land Zoning	B6 Enterprise Corridor zone	B4 Mixed Use zone
Height of Building	14 metres The subject site is affected by clause 4.3 (2A)(b) <i>Auburn LEP 2010</i> which is discussed in section 2.3.2.	16.9 - 32 metres
Floor Space Ratio	1:1 The subject site is also affected by clause 4.4(2C) <i>Auburn LEP 2010</i> which is discussed in section 2.3.2.	3.75:1
Minimum Lot Size	1500 m ²	N/A. Council does not typically apply a minimum lot size in the B4 Mixed Use zone.

Table 3 – comparison of existing and proposed LEP controls

3.2 Possible development scenario

The application includes an indicative development concept that could occur on the subject site under the proposed controls. The supporting documentation includes a conceptual master plan, a site layout plan, street elevations, shadow diagrams and perspective (indicative) street views of a proposed five to ten storey mixed use development.

The indicative development concept proposes a 10, 8, 6 and 5 storey mixed use development with 226 apartments and a 4000m² retail/commercial floor space at street level (plus a two level basement car park) with a proposed total gross floor area of 23,539m². An extract of the Applicant's Planning Proposal Application which illustrates the indicative development concept is provided in Figures 7 to 10 (following pages).

A copy of the Applicant's Planning Proposal Application is attached as Appendix 13 of this report.

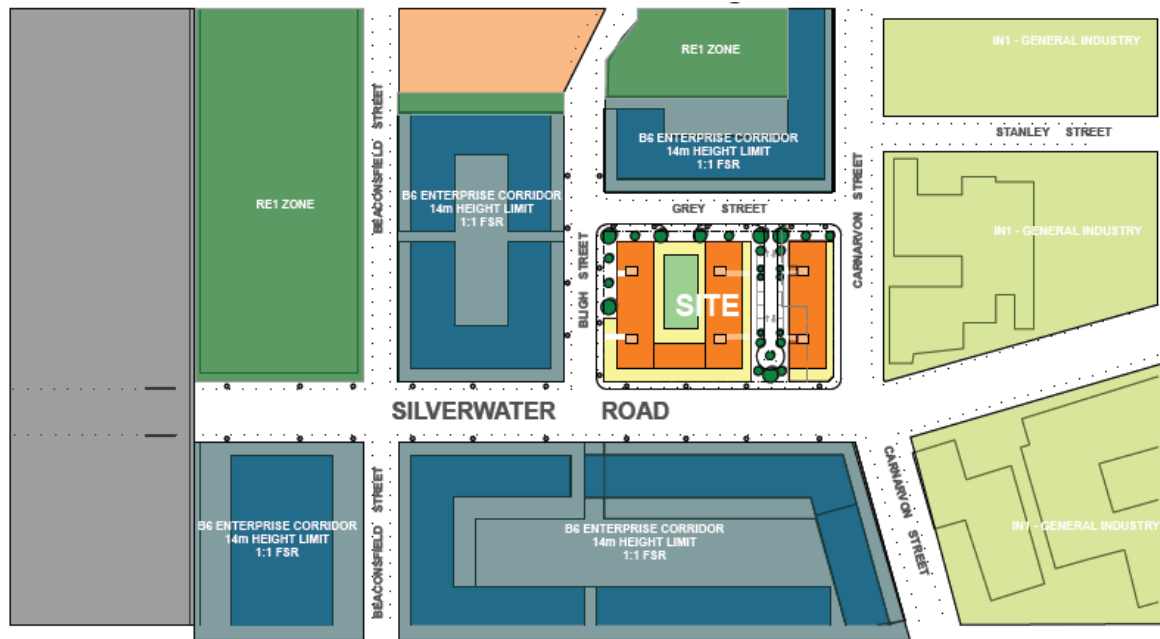


Figure 7 - Concept master plan showing the subject site and its surrounds

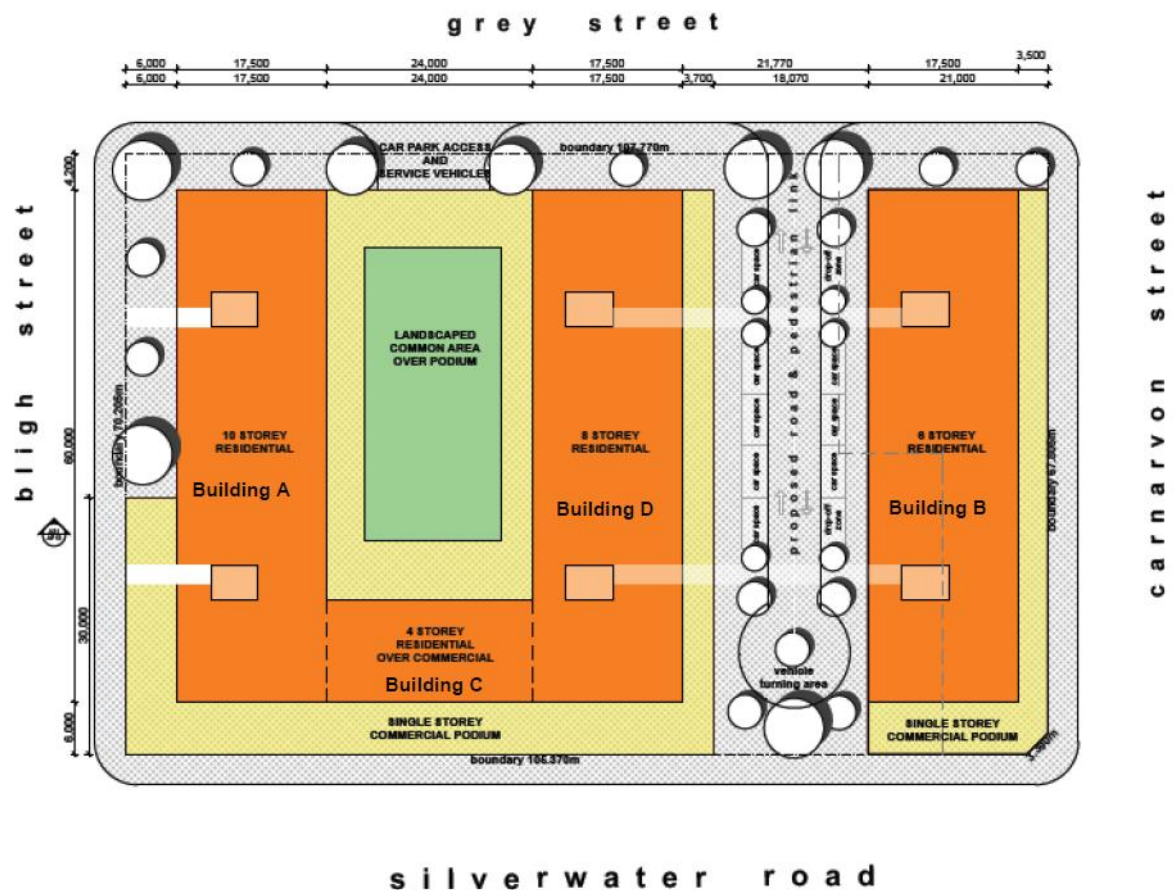


Figure 8 – Indicative Concept layout of the proposed mix use development from Silverwater Road

The Applicant's proposed cul de sac road and pedestrian link shown in Figure 8 would provide access from Grey Street to Silverwater Road for pedestrians, and vehicular entry access to the commercial/retail floors of the indicative mix use development.

The proposed height of buildings/number of storeys envisaged by the applicant is outlined in Table 4 (overleaf).

Proposed buildings	Proposed height of buildings (metres)	Proposed number of storeys
A	31.5m	10 storeys
B	19.5m	5 storeys
C	25.5m	8 storeys
D	19.5m	6 storeys

Table 4 - showing the indicative development's proposed building heights and number of storeys
Source: (APP March 2013, p.20)

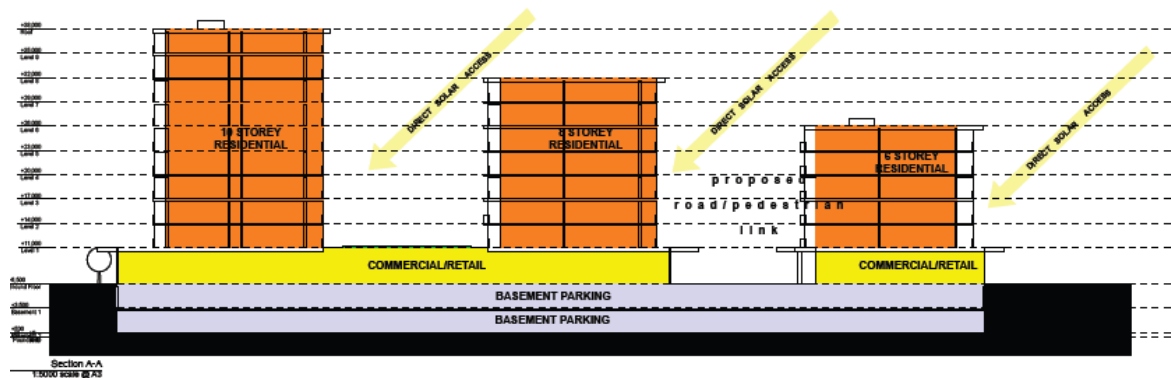


Figure 9 – Indicative concept - section view



Figure 10 - Indicative view of possible development concept looking north along Silverwater Road

Council's development assessment staff comments on the indicative development concept are included in Appendix 5.

The Planning Proposal Application seeks a zoning and planning controls which are considered to be 'high rise' and 'high density' housing by the Department of Planning and Infrastructure's terms established in the *Metropolitan Plan for Sydney 2036* (refer to Figure 11 over page).

COMMON HOUSING TERMS	
BUILDING HEIGHT 	RESIDENTIAL DENSITY 
Low Rise	Low Density
3 storeys or less. Includes terraces, townhouses, shop-top housing, semi-detached housing and small residential flat buildings	Fewer than 25 net dwellings per hectare. This only includes the number of dwellings within land zoned for housing, not land for open spaces, roads etc
Medium Rise	Medium Density
4 to 5 storeys. Includes residential flat buildings and shop-top housing	Between 25 to 60 net dwellings per hectare
High Rise	High Density
6 storeys or more. Includes residential flat buildings, shop-top housing and large mixed use developments such as offices and shops with housing above	More than 60 net dwellings per hectare. High density living does not necessarily mean 'high rise'. There are many development forms that result in medium and high density which are low or medium rise.

Figure 11: Extract from *the Metropolitan Plan for Sydney 2036* (p.113)

It is noted that the plans and illustrations provided by the applicant are **indicative only**, and they illustrate the type and scale of development that *could* be achieved if the proposed rezoning proceeded.

This planning proposal assessment report assesses the implications of the Applicant's proposed rezoning (and associated planning controls) only. Any assessment of the development concept would occur at DA stage, should the proposal proceed.

3.2 Supporting Studies prepared by the Applicant

The planning proposal application is supported by the following studies:

- Economic Need and Impact Assessment Study (June 2013) prepared by Leyshon Consulting Pty Ltd;
- Transport Study (May 2013) prepared by Colston Budd Hunt and Kafes Pty Ltd; and
- Economic and Development Feasibility Study (October 2013) prepared by Hill PDA (submitted by the applicant as an addendum to the application in response to clarifications sought by Council).

These studies are briefly summarised below.

3.2.1 Transport Study (Colston Budd Hunt and Kafes Pty Ltd, May 2013)

This transport study was prepared by on behalf of the applicant to assess the transport implications of the proposed rezoning from B6 to B4 on the subject site and surrounds.

This study states that:

- the envisaged development will be accessible by public transport;
- the access, servicing and internal layout of the indicative concept are considered appropriate;
- the Level of Service (LoS) provided by the subject site at the signalised intersection of Silverwater Road and Carnarvon Street currently and after the proposed mixed use development is likely to be LoS 'D' which is considered to be operating near capacity (p. 6 and p.16); and

- the road network around the subject site, excluding Silverwater Road, would be able to cater for the additional traffic generated from the envisaged mix use development providing a LoS A/B which is a “good/acceptable” level of service.

An assessment of this study is provided in section 4.3.1 of this report.

3.2.2 Economic Need and Impact Assessment Study (Leyshon Consulting Pty Ltd, June 20130)

The Economic Need and Impact Assessment Study prepared by on behalf of the applicant, examines the need for, and economic implications of, the retail/commercial component of the planning proposal (in particular the proposed B4 mixed use zoning).

The study states that:

- “1. *there is a need for a modest provision of retail services on the subject site to meet the needs of both residents of the area and workers in the adjacent Silverwater/Newington industrial area:*
2. *That the impact of the proposed development on existing centres will be minimal;*
3. *the retail element of the proposed development will result in net community benefit; and*
4. *There is limited demand in the location for the types of uses permitted under the current B6 zoning but strong ongoing demand for multi-unit housing.”*

An assessment of this study is provided in section 4.3.2 of this report.

3.2.3 Economic and Development Feasibility Study (Hill PDA, October 2013)

This study, prepared by Hill PDA on behalf of the applicant:

- reviewed and investigated the financial viability and development of the subject site for uses currently permissible within the B6 Enterprise Corridor zone under *Auburn LEP 2010*;
- tested the market demand for, and viability of, permissible uses in the B6 Enterprise Corridor zone (such as light industries and commercial development) by modelling two hypothetical development options for redevelopment as (i) industrial/office development and (ii) high quality commercial office space and showrooms on the subject site; and
- peer reviewed the assumptions utilised of the ‘Economic Need and Impact Assessment Study’ prepared by Leyshon Consulting Pty Ltd and submitted with the original planning proposal application to Council.

This study found that neither of the two hypothetical development options tested (shown in Table 1, p.9 of the study) provided sufficient financial return to warrant redevelopment of the subject site. As a consequence, from a land economics point of view, this study found that the existing residential and commercial uses that prevail within the subject site are likely to continue under the existing B6 Enterprise Corridor zone under *Auburn LEP 2010*.

Hill PDA provides the following comments on Leyshon Consulting’s EN&IA study:

- agrees with the process used by Leyshon Consulting to determine the retail needs assessment and its subsequent impact on competing centres in the locality as a widely accepted and common methodology.

- The rate of population growth used in the study analysis of relevant trade areas does not appear to reflect projections prepared by ID Consulting and there is a likely underestimation of population at 2016 and 2021. This will result in lessening economic impacts over time in the trade areas.
- The assumptions used in the determination of sales drawn to the subject site/centre are largely appropriate.
- agrees that an impact of approximately -10% can generally be described as a moderate level of impact which would not threaten the long term viability of the Newington Village. However, if the Newington Village were to be trading poorly this impact level would be more significant or vice versa.
- Results in creation of significant employment (jobs) benefits should the envisaged mixed use development on the subject site proceeds to construction, multiplier and operational phases as identified.

An assessment of this study is provided in section 4.3.3 of this report.

4.0 Assessment of the Planning Proposal

The planning proposal application has been assessed against the Department of Planning and Infrastructure's document "*A Guide to Preparing Planning Proposals*" (the Guide) and "*Guidelines on Local Plan Making*". The Guide contains directions for what content and justification the proposal must address including:

- *Draft Metropolitan Strategy for Sydney to 2031 (March 2013)*;
- *Metropolitan Plan for Sydney 2036*;
- *West Central Subregion Draft Subregional Strategy*;
- Section 117 Directions;
- *Auburn Local Environmental Plan 2010*;
- Auburn Development Control Plan 2010; and
- Other identified issues.

4.1 Consistency with state planning framework

4.1.1 *Draft Metropolitan Strategy for Sydney to 2031 (March 2013)*

The draft *Metropolitan Strategy for Sydney to 2031* (the draft *Metro Strategy*) is a new draft plan prepared by the Department of Planning and Infrastructure (the DP&I) to guide Sydney's growth for 2031. This draft *Metro Strategy* will supersede the current *Metropolitan Plan for Sydney 2036*, once it is finalised.

The *draft Metropolitan Strategy for Sydney to 2031* provides the main framework to align land use planning with the *Long term Transport Master Plan* and *State Infrastructure Strategy* to deliver new housing, jobs and infrastructure at the same time. The draft strategy seeks to achieve the five key outcomes:

- Balanced growth;
- A livable city;
- Productivity and prosperity;
- Healthy and resilient environment; and
- Accessibility and connectivity.

It also establishes minimum housing and employment targets for 2021 and 2031 for the entire metropolitan area and the six sub regions of Sydney.

The draft *Metro Strategy* also identifies the 'Parramatta Road Corridor' as one of the nine city shapers in Sydney. It identifies a number of key priorities for the Parramatta Road Corridor which are relevant to this proposal:

2. *"Create high quality places and spaces at key points along and adjacent to Parramatta Road;*
3. *Plan for well-designed housing including smaller dwellings and apartments to ensure the corridor achieves a higher population density that can stimulate business and retail development;*
4. *Plan for viable and frequent public transport service the length of the corridor"* (p.23)."

It is noted that the DP&I has not identified the type of densities and the key locations along or adjacent to Parramatta Road Corridor where such housing types or high quality places could

occur as stated in points 2 and 3. Since the site subject to this proposal is located approximately 560 metres from the Parramatta Road Corridor it is not clear from the draft Metro Strategy whether the subject site would be considered appropriate to be rezoned for retail and residential land uses, considering the current frequency of public transport services along Parramatta Road and Silverwater Road as required by point 4.

The proposal is consistent with **Objective 5**: to “*deliver new housing to meet Sydney’s growth*” (p.30). The draft *Metropolitan Strategy for Sydney to 2031* provides a minimum dwelling target of 74,000 dwellings for the West Central and North West region for 2021, and the proposal contributes to meeting this target. However, it is noted that Council is currently exceeding its dwelling target established under the *Draft West Central Subregional Strategy* by approximately 15,000 dwellings.

Notwithstanding the above, the proposal is inconsistent with **Objective 13**: to “*provide a well located supply of industrial lands*” (p.48). The proposal is inconsistent with this objective because it seeks to rezone B6 Enterprise Corridor zoned land to B4 Mixed Use zone under the *Auburn LEP 2010* which would result in a loss of 0.75 hectares of significant employment lands within the Silverwater Industrial precinct. Introducing high density residential uses of this scale on the site could also encourage land use conflict with the adjoining industrial land uses.

4.1.2 *Metropolitan Plan for Sydney 2036*

The Department of Planning and Infrastructure’s *Metropolitan Plan for Sydney 2036* (‘the Metro Plan’) is the current 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.

This proposal to rezone is inconsistent with the following strategic directions and actions:

- **Strategic Direction E - Action E3.2** to “*identify and retain strategically important employment lands*” (p.141). The proposal to rezone the subject site to from B6 Enterprise Corridor zone to B4 Mixed Use zone under the *Auburn LEP 2010* would:
 1. impact land that is identified as being strategically and regionally important (Category 1) employment land to be retained through the *Draft West Central Subregional Strategy* (refer discussion at section 4.1.3); and
 2. result in a loss of employment land zoned B6 Enterprise Corridor having local significance identified under Council’s *Auburn ELS 2008*. Refer discussion at section 4.2.1.
- **Strategic Direction E – Action E3.3** to “*Strengthen existing freight and industry clusters and support the emergence of new clusters*” (p.144). The site is located within the “*Significant Freight Industry Cluster 5 - Chullora and Enfield to Silverwater*” (p.144) shown by Figure 12 below. While the conceptual map does not accurately reflect the location of employment land in the Silverwater area, the title of the cluster is a clear reference to land zoned for employment purposes in Silverwater. The proposal is inconsistent with the above action because rezoning the subject site to B4 Mixed Use zone is unlikely to contribute to strengthening or maintaining the existing industry cluster.

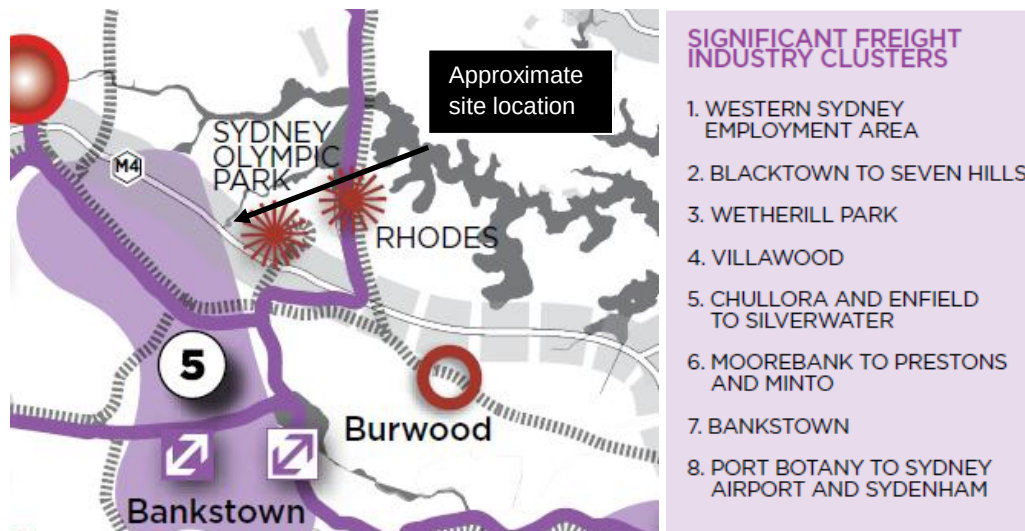


Figure 12 - Extract from the *Metropolitan Plan for Sydney 2036* showing the Chullora and Enfield to Silverwater cluster (Source: Department of Planning 2010, p. 144)

4.1.3 West Central Draft Subregional Strategy (WCDSS)

The *Draft West Central Subregional Strategy* identifies the 'Silverwater' and 'Parramatta Road Corridor Precinct' as regionally significant and viable clusters of light manufacturing, warehousing, freight and logistics uses comprising 152 hectares and 122.6 hectares (refer Table 7, p.44). These two precincts are classified as Category 1 - Employment Lands (land to be retained for industrial purposes having regional significance) under the WCDSS (p.44). However, it is noted that this categorisation has not been continued by the DP&I.

Figure 13 below shows the subject site is located between these two precincts.



Figure 13 - Extract from the WCDSS showing the subject site and its surrounding industrial uses (Source: Department of Planning 2007, p. 27)

Council's *Auburn ELS 2008* identifies the subject land and its surrounds as 'Precinct 14 - Silverwater Road' (p.135). This study recommended that the subject site and surrounds be zoned as B6 Enterprise Corridor, given its proximity to Silverwater Road which is currently classified as a major state road.

In line with this recommendation of the Auburn ELS 2008 recommendation, the subject site, including the entire Silverwater Road precinct was rezoned from 2(b) Medium Density Residential under the former *Auburn LEP 2000* to B6 Enterprise Corridor under the *Auburn LEP 2010*.

The Planning Proposal application is inconsistent with the following WCDSS strategic objectives and actions contained in:

- **Strategic Objective B4 - Action B4.1** to “concentrate retail activity in centres business development zones and enterprise corridor zones” (p.76).

The application is inconsistent with the action B4.1 because it would facilitate the development of out-of-centre retail uses. The WCDSS states in p.76 that:

“rezoning proposals which contribute to a more decentralised retail, business and enterprise land use pattern will not be supported unless the purpose is to establish a new centre or expand the current established centres to serve the needs of a growing population consistent with the recommendation of a strategic plan.”

The application does not propose to expand an existing local centre or corridor, nor propose a new centre to serve the needs of a growing population *consistent with a recommendation of an existing strategic plan*. Rather, the proposal is contrary to the recommendations of the *Auburn ELS 2008*.

- **Strategic Objective C1- Action C1.3** to “plan for increased housing capacity targets in existing areas” (p.86). The proposal is inconsistent with the action C1.3 because it is not located within an existing urban area focused around a local centre or a corridor that permits residential uses and has good access to public transport.

The WCDSS assigns a dwelling target of 17,000 dwellings for the Auburn LGA for 2031, out of which 6000 dwellings are allocated for the Sydney Olympic Park Authority area. However, Council’s Dwelling Target Analysis (DTA) study prepared to inform the *Auburn LEP 2010* states that no further up zonings are required within the Auburn LGA to meet this target. Refer to section 4.2.5 for further discussion.

4.1.4 Section 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 planning proposal application is inconsistent with the s.117 Directions including:

- Direction 1.1 - Business and Industrial zones;
- Direction 3.4 - Integrating land use and transport; and
- Direction 7.1 - Implementation of the Metropolitan Strategy.

A full checklist outlining the consistency of the application with the s.117 directions is at Appendix 6 of this report.

4.1.5 Relevant SEPPs and SREPs (deemed SEPPs)

The planning proposal is likely to be inconsistent with the application of the following *State Regional Environmental Planning Policies* (SREPs) and *State Environmental Planning Policies* (SEPPs) below, although it is noted that some of these issues may be addressed post Gateway if Council proceeds with the Planning Proposal application:

- *State Environmental Planning Policy No.65 - Design Quality of Residential Flat Building Development*
- *State Environmental Planning Policy No.55 - Remediation of Land*
- *State Environmental Planning Policy (Infrastructure) 2007*

A detailed assessment of SEPPs and SREPs can be found in Appendix 7.

4.2 Consistency with Relevant Local Studies/Strategies

4.2.1 Auburn Employment Lands Study 2008

Council's *Auburn Employment Lands Study 2008* (*Auburn ELS 2008*) was prepared by Hill PDA to inform the preparation of the draft *Auburn LEP 2010*. This study was adopted by Council at its meeting of 19 March 2008 (Item 297/08), and Council resolved:

- “1. That Council adopt the recommendations of the Draft Final Auburn Employment Lands Study and as set out in the report;
2. That the recommendations of the Draft Final Auburn Employment Lands Study to be incorporated into Draft Auburn LEP 2009;
3. That land fronting Silverwater Road from the M4 to Carnarvon Street be zoned B6 in the draft Auburn LEP 2009; and
4. That the land fronting Silverwater Road north of Carnarvon Street on both sides of the road be zoned IN1 General Industrial in the draft Auburn LEP 2009”.

As per resolution 3, the subject site and surrounds were rezoned from 2(b) Residential Medium Density zone under the repealed *Auburn LEP 2000* to B6 Enterprise Corridor zone under the *Auburn LEP 2010*.

The *Auburn ELS 2008* identified the subject site and surrounds as Precinct 14 - Silverwater Road (p.135), a strategic employment lands precinct having local significance and comprising approximately 6.7 hectares. The *Auburn ELS 2008* recognised the precinct was ideal for B6 Enterprise Corridor zone uses due to its development opportunities below (p.136):

- The B6 Enterprise Corridor zoning was an extension of an established industrial precinct located north of Carnarvon Street which was currently zoned IN1 General Industrial under *Auburn LEP 2010*;
- Includes excellent road exposure for businesses;
- Provides direct access to the M4 Motorway via Silverwater Road, which itself is an arterial road, creating a desirable location for business employees and their customers;
- The B6 Enterprise Corridor zone acts as a buffer between Silverwater Road (arterial road corridor), and residential uses to the west and south of the precinct;
- The zoning of this precinct to B6 Enterprise Corridor (as part of *ALEP 2010*) did not conflict with the existing adjoining land uses located north and south of the precinct and was unlikely to have an adverse impact to their function and operation.

The *Auburn ELS 2008* (pages 10 and 11) generally recommended that Council should undertake the following:

- retain and protect established and emerging new industries to avoid rezoning speculation which could undermine the viability of industrial land;
- maintain the affordability of industrial property prices in Auburn particularly in light of 'higher value' uses such as residential that compete with industrial uses;

- maintain the strength and character of existing centres be further supported and enhanced;
- where new residential developments begin to encroach on existing industrial precincts careful planning and design needs to be considered to minimise land use conflict;
- not permit residential uses within Enterprise Corridor Zones or along the Parramatta Road Corridor for environmental and economic reasons; and
- not permit standalone residential development within an existing industrial zone.

Furthermore, page 64 of the study provides specific commentary regarding the introduction of residential uses within the Silverwater Road Precinct (Precinct 14, which includes the subject site):

Notwithstanding... the presence of existing residential dwellings in Precinct 14 along Silverwater Road, residential is not recommended as a permitted use. Justification for this position is in keeping with the argument for the Parramatta Road Corridor. That is, Enterprise Corridors, by their definition are busy roads with environments that do not support the level of amenity appropriate for residential uses. This issue is compounded by the close proximity of the M4 Motorway to Precinct 14.

Whilst there are sites with residential dwellings currently fronting Silverwater Road, their redevelopment is likely to result in higher density buildings and therefore a net increase in the number of persons exposed to this environment. It will also result in a greater number of dwellings exposed to potential disruptions from businesses within the proposed B6 zone and the adjacent Silverwater general industrial Precinct.

In light of the above, the proposal to rezone the site to B4 Mixed Use is inconsistent with the *Auburn Employment Lands Strategy 2008* as it would:

- permit residential uses within an existing employment area (Precinct 14);
- reduce the amount of employment land in Auburn LGA;
- remove the zoning buffer between Silverwater Road and residential uses to the west;
- encourage land use conflict by permitting high density residential development in close proximity to industrial uses within the Silverwater Industrial Precinct (Precinct 5), which is the largest employment precinct in Auburn LGA; and
- may threaten the economic viability of this regionally significant employment precinct.

4.2.2 Implications of rezoning the subject site

Table 5 compares the applicant's proposed B4 Mixed Use zone development controls (FSR and HoB) for the subject site with Council's development controls applying to *Auburn LEP 2010*, as well as development controls for the B4 Mixed Use Zone proposed under the FSR Planning Proposal.

Development controls within B4 Mixed Use zone	Applicant's development proposal	Auburn LEP 2010 controls	Proposed FSR PP controls (Council initiated)
FSR	3.75:1	• Auburn Town Centre FSR ranges between 2.4:1 and 3.75:1 • Lidcombe Town Centre FSR ranges between 3.4:1 and 3.6:1	• Auburn Town Centre proposed FSR ranges between 2.4:1 and 5:1 • Lidcombe Town Centre proposed maximum FSR of 5:1

Height of Buildings (HoB)	Ranges between 16.9 and 32 metres	- Auburn Town Centre HoB ranges between 18m and 49m - Lidcombe Town Centre HoB ranges between 32m and 36m	- Auburn Town Centre proposed HoB ranges between 18m and 49m - Lidcombe Town Centre proposed HoB ranges between 32m and 60m
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Table 5 – Comparison of applicant's proposed development controls with *Auburn LEP 2010* and FSR PP (Source: *Auburn LEP 2010* and other documents)

As illustrated in Table 5, the height and FSR controls proposed for the subject site are generally comparable to the current controls within Auburn and Lidcombe Town Centres.

At present, the B4 Mixed Use zone is only applied in Council's town centres of Auburn and Lidcombe. This zone permits a wide range of uses including commercial, retail, residential and community uses. It is not considered appropriate to apply the B4 Mixed Use zone on the subject site because it could:

- decentralise retail and high density residential land uses in a manner that is at odds with Council's current application of the B4 Mixed Use zone throughout Auburn City;
- encourage land use conflict by facilitating commercial and high rise and high density residential development along Precinct 14 - Silverwater Road Precinct, which is not supported by the *Auburn ELS 2008*;
- threaten regionally significant industrial land that Council has been encouraged to retain through the *Auburn Employment Lands Study 2008*, *Draft West Central Subregional Strategy* and *Metropolitan Plan for Sydney 2036*;
- result in a loss of land zoned for employment uses that helps maintain the affordability of industrial land within Auburn LGA;
- remove the zoning buffer between Silverwater Road and residential uses to the west and south of the precinct (which mitigates noise and other traffic impacts); and

4.2.5 Dwelling Target Analysis (DTA)

The Draft West Central Subregional Strategy allocated Auburn LGA a dwelling target of 17,000 dwellings by 2031. Council's *Dwelling Target Analysis 2009* identified that Council is able to achieve its dwelling targets without the need to rezone land. Of the 17,000 dwelling target, 6,000 dwellings will be provided at the Olympic Park/Rhodes Specialised Centre, and capacity for the remaining 11,000 dwellings has been provided within local centres and infill areas throughout Auburn City.

Auburn City is currently experiencing rapid residential growth. Council is aware that there is demand for housing growth in Auburn LGA, and it has been facilitating this growth in locations that are close to public transport and town centre services (for example the FSR PP, once finalised, is anticipated to provide capacity for an additional 6,500 dwellings in Auburn and Lidcombe town centres). This Planning Proposal Application, located approximately 1.5km from the nearest town centre and railway station (Auburn), would not be consistent with this approach.

In addition, the DP&I has granted in-principle approval for a number of significant rezoning proposals (including 2 urban activation precincts) since the making of the *Dwelling Target Analysis 2009* and *Auburn LEP 2010*, (refer to Table 8 overleaf). In light of this, it is anticipated that Auburn Council will exceed its dwelling target by approximately 15,000 dwellings in the longer term.

As such, the proposed rezoning is not required to meet Council's dwelling target.

Proposal	Dwelling yield (approx.)
Wentworth Point Urban Activation Precinct	2,300
Carter Street Urban Activation Precinct	5,600
'Fairmead' proposal associated with proposed Homebush Bay Bridge	1,300
FSR planning proposal	6,500
Total	15,700

Table 8: Major rezoning proposals that have been granted in-principle approval by DP&I

4.2.6 Draft Auburn LGA Traffic and Transport Study (2013)

Council's *Draft Auburn LGA Traffic and Transport Study* (2013) prepared by Hyder Consulting for Council modelled a number of key intersections across Auburn City. It identified intersections with poor Levels of Service (LoS) (ie long delays), and made recommendations about future intersection improvements. This study (soon to be reported to Council) found that the Parramatta Road and Silverwater Road intersection currently has a Level of Service (LoS) E for morning peak and LoS D for afternoon peak. The LoS E denotes operating at capacity where incidents at signals will cause excessive delays and LoS D denotes operating near capacity (p.134).

The transport study prepared on behalf of the applicant for this proposal indicates a LoS D (operating near capacity) for the intersection of Carnarvon Street and Silverwater Road both before and after the proposed mix use development on the subject site. Comments on this study are provided in the section below.

4.3 Assessment of the Applicant's supporting studies

4.3.1 Transport Study - May 2013

Council's engineering and planning units have assessed the above study submitted by the applicant as part of this application, and have provided the following comments:

- The study should take into account that there are residential properties in Grey Street west of the subject site which would be directly affected by the planning proposal;
- The traffic signals at the intersection of Carnarvon Street and Silverwater Road need to be analysed to assess whether extension of right turn lanes in Carnarvon Street approaching west and Silverwater Road northern approach is required. Any extension would require RMS approval.
- Carnarvon Street currently experiences excessive traffic queue lengths during peak hours and the proposed mix use development would aggravate this;
- The peak hour traffic entering the intersection from the western approach of Carnarvon Street would increase by approximately 50% as a result of this planning proposal;
- The queue length of vehicles on Carnarvon Street would adversely affect the operation of the Grey and Carnarvon Street intersection;

- The study does not consider existing traffic impacts of the Silverwater Road-Parramatta Road intersection located 530 metres south, and the M4 Motorway access ramps located on Silverwater Road approximately 300 metres south of the subject site;
- The subject site is not well serviced by cycle routes (as shown in Figure 1 of this report) and is located away from current on road, off road and proposed cycle routes;
- The subject site is serviced by Sydney bus routes 540 and 544. The 544 route operates between Auburn Railway Station and Macquarie Shopping Centre, and route 540 operates between Auburn Railway Station and Newington Village. The two bus routes operate at 20 to 30 minute intervals from Monday to Friday during morning and afternoon peak times, and have limited (ie hourly) bus services throughout the day during weekdays and weekends. It takes approximately 15-20 minutes to travel from the subject site to Auburn Railway Station during peak times. The closest bus stops to the subject site are at Carnarvon/Stanley Street and Carnarvon/Vore Street approximately 2 to 10 minutes walking distance from the subject site (refer Figure 1);
- The M92 metro and Veolia bus routes operate between Parramatta Railway Station and Sutherland Railway Station and Bankstown Railway Station via Parramatta Road. The nearest bus stops to access these routes are located approximately 650 metres from the subject site, approximately 15 - 20 minutes walking distance away.

4.3.2 Economic Need and Impact Assessment Study - Leyshon Consulting

Council's planning and development assessment has assessed the study has provided the following comments:

- This study does not provide justification as to why a B4 Mixed Use zoning is proposed for the site against other business zones such as zone B1 Neighbourhood Centre and zone B2 Local Centre as per DP&I's LEP practice note PN 11-002 dated 10 March 2011. It is noted that mixed use developments are permitted under B1 Neighbourhood Centre and B2 Local Centre zones under ALEP 2010. B4 Mixed Use zone is typically proposed for town centres where a wide range of land uses including commercial, retail, residential, hotel and motel accommodation and community uses, are to be encouraged.
- The current B6 Enterprise Corridor zone under *Auburn LEP 2010* permits office premises, business premises with limited retail uses that maintain the economic strength of other local centres within the LGA. The DP&I 's practice note PN 11-002 dated 10 March 2011 states that: *"retail activity needs to be limited to ensure that Enterprise Corridors do not detract from the activity centre hierarchy that has been identified or planned"* (p.6). The Leyshon study shows the proposed mixed use development has a -10% medium impact category on Newington Village and -5% low impact category on Auburn Town Centre for retail sales (p.21 and 22). The study does not discuss the significance or degree of the retail impacts on Sydney Olympic Park Specialised Centre, Lidcombe Town Centre, Silverwater Neighbourhood Centre and Parramatta Road 'Commercial Precinct' but refers to locations such as Rhodes and Rydalmere located well outside the Auburn LGA.
- This study does not refer to Council's *Auburn ELS 2008*. The recommendations of Council's Auburn ELS 2008 both generally and in terms of the recommendations for 'Precinct 14 - Silverwater Road' (within which the subject site is located) are particularly relevant in this instance.
- The impact of the proposed mixed use development on the existing Silverwater Neighbourhood Centre (located approximately 0.5km from the subject site) is not addressed in the Leyshon study or the planning proposal application.
- The recent major development applications approved by Council within the B6 Enterprise Corridor zone are outlined in Table 7 (overleaf). These applications and approvals suggest that there is demand for land zoned B6 Enterprise Corridor, and that the current controls do work.

Property Address	DA Number	DA description	Status
17- 21 Parramatta Road, Lidcombe	MC 2/2009	Construction of a 3 storey warehouse and commercial premises consisting of 14,000m ² retail and 2300 commercial , 880 car parking spaces, signage and landscaping	Approved as a Part 3A Major Development by the DP&I
92 Parramatta Road, Auburn	DA 266/2011	Alterations and additions to an existing bulky goods premises, internal reconfiguration of tenancies including creation of new tenancies and use of 3 tenancies for retail sales	Approved Council on 9 February 2012
11-13 Silverwater Road, Silverwater	DA 439/2011	Construction of 6 storey commercial building with basement car parking	Approved by Council on 13 November 2012
100 Parramatta Road, Auburn	DA 308/12	Construction of seven new retail tenancies, and associated business identification signage, alterations to amenities block, conversion of two car parking spaces to disabled car parking space & stormwater works (Red Yard Complex)	Approved by Council 30 May 2013
188 -192 Parramatta Road, Auburn	DA 24/2013	Construction of a 8 storey hotel development and ground floor office tenancies with basement car parking	Currently under assessment

Table 7 - Recent Development Applications lodged with Council within the B6 zoning
(Source: Council's DA records and Property System)

4.3.3 Economic and Development Feasibility Study – Hill PDA

Council's planning staff has assessed the study and have provided the following comments:

- The two options tested in this study (Options 1 and 2) do not consider the bonus provisions of the *Auburn LEP 2010* that are applied for specific uses within the B6 Enterprise Corridor zone. Option 1 considers **warehouse and office and development**, and Option 2 considers **high quality commercial office and showrooms**. The study considered a 1:1 FSR for Option 2, which does not reflect the provisions of clause 4.4 (2) (2C) of the *Auburn LEP 2010* which allows an FSR of 2:1 for offices premises, hotels and motels, and an FSR of 1.5:1 for Bulky Goods premises, entertainment facilities, function centres and clubs. The B6 zone consists of a range of other business, office and retail uses which could have been tested and considered.
- Council agrees that the population growth estimated for primary and secondary trade areas within the Leyshon Consulting's study is underestimated when compared with ID consulting statistics for the period of 2011 to 2021.
- Development Applications nearby indicate that there is some demand for growth in B6 Enterprise Corridor zone as demonstrated by Table 7 of this report. Considering the above, a non-residential outcome may still be viable for the subject site consistent with the recommendations of the *Auburn ELS 2008*.

5.0 Community Consultation

The application for a Planning Proposal was publicly exhibited for a period 29 days from Tuesday 23 July 2013 to Tuesday 20 August 2013 in accordance with *Council's Communication Plan for Planning Proposals* as adopted by Council.

A notice was placed in the Auburn Review of 23 July 2013, an electronic copy of the relevant documentation was published on the Auburn Council website under the 'on exhibition' tab, and hard copies of the relevant documentation were made available at Council's Administration Building, Auburn Library, and the Lidcombe Library. Letters were also mailed to all owners within the notification area identified on the map at Appendix 9.

The following documents were exhibited by Council:

- The Planning Proposal application lodged by the applicant; and
- Copy of the notification plans.

A total of 27 submissions (including three petitions), and a late submission were received as summarised in Table 8 below.

Type of submission	Submissions received
Support	6
Objections	17
Petitions (objecting)	3
Agency submission (late)	1 (Received late but accepted)

Table 8 - Submissions received during the notification period

The majority of the submissions received by Council (17 submissions and 3 petitions) objected to the Planning Proposal application, and 6 submissions supported the application. The 3 petitions that objected to the Planning Proposal application were signed by more than 100 residents and 8 businesses located within the surrounding area.

Many of the submissions raised concerns that the proposed mix use development would aggravate existing traffic, car parking and amenity issues within the locality of the subject site. These submissions also stated that the proposal would be out of context, and could result in land use conflict.

The submissions and petitions that objected to the proposal raised common issues including:

- the likely negative impact on traffic movement resulting from the planning proposal on surrounding streets such as Bligh, Grey and Carnarvon Streets will further aggravate existing congestion and traffic delays already occurring in the area, such as Carnarvon Street;
- the increased traffic congestion and parking will jeopardise the safety of residents especially on top of the existing traffic associated with the nearby church;
- the proposal will create a high density mixed use development which is out of character with its context and surroundings;
- the site is not well serviced by public transport and is not located within walking distance of a railway station;

- the proposed 3.75:1 FSR is too high when compared to the site's surroundings and other local centres;
- the planning proposal will create noise pollution, overshadowing and amenity impacts; and
- the planning proposal will increase the number of dwellings and households, resulting in an increase in cars parked on the street.

A table summarising the key points raised in each submission received is at Appendix 10 and the applicant's response to submissions received is at Appendix 11.

5.1 RMS Submission

As they RMS has an office within the notification area for this planning proposal, they were notified of the planning proposal application along with other residents/owners who lived within the notification area, as part of Council's standard notification process.

On 13 September 2013, Council received preliminary comments from RMS on the applicant's transport study and SIDRA models submitted by the applicant. These comments are in Appendix 12.

The RMS stated that the applicant's traffic volume input data included in the SIDRA models did not correctly model the traffic impacts of the proposed mix use development (planning proposal) for the subject site, and that the SIDRA models submitted by the applicant need to be revised and re-submitted if the proposal is to proceed.

6.0 Recommendation

This report recommends that the application for a Planning Proposal **not be supported** by Council for reasons outlined below:

- **B4 is not considered an appropriate zoning in this location**

The planning proposal to rezone the subject site from B6 Enterprise Corridor to B4 Mixed Use would allow a town centre-scale mixed use development in an out of centre location. Council's approach to date has been to establish a clear centres hierarchy in line with the Department of Planning and Infrastructure's guidelines. As part of the preparation of Council's standard LEP Instrument, ALEP 2010, the B4 zone has been applied to Auburn and Lidcombe Town Centres only. Both these centres are located around railway stations.

This subject site is located some distance (approximately 1.5 and 2.6 kms) from Auburn and Lidcombe Town Centres respectively. Further, it is not located in an existing smaller local centre such as Silverwater Neighbourhood Centre, or Newington Village Centre. Thus, permitting retail and high density residential uses on the site would be at odds with Council's current strategic application of the B4 Mixed Use zone throughout Auburn City. Further, a planning proposal which could facilitate mixed use development of this scale in an out of centre location, would be inconsistent with State and local planning policies, such as the Metropolitan Plan for Sydney 2036, Draft West Central Subregional Strategy, and the Auburn Employment Lands Study 2008.

- **The proposal is inconsistent with the Auburn Employment Land Study 2008 recommendations and principles, which seek to retain and protect industrial and other employment uses within the Silverwater Road Precinct (Precinct 14) and Silverwater Industrial Precinct (Precinct 5)**

The proposal is not consistent with the Auburn Employment Land Study 2008 recommendations (p.137) and guiding principles (p.35) which seek to retain and protect industrial uses within 'Precinct 14 - Silverwater Road'. The study states that the relationship of the precinct with surrounding industrial land should be carefully protected and the encroachment of alternative uses actively avoided. Permitting non industrial uses on the site such as high density residential development and commercial and residential uses could encourage land use conflict, threaten the viability of industry and businesses in the area. Neither of the two economic studies demonstrate the consistency with the recommendations and guiding principles of this study for employment lands within the broader Auburn LGA.

Economic studies undertaken by Hill PDA and Leyshon Consulting on behalf of the applicant have indicated that commercial and industrial redevelopment options for the site are not financially viable. However, it is noted that a non-residential land use may still be viable on the site given that these studies did not take into account bonus provisions for certain uses under clauses 4.4(2C) and 4.3(2A)(b) of the *Auburn LEP 2010*. Recent Development Application activity for nearby sites within the B6 Enterprise Corridor zone reinforces this view.

- **The proposal would threaten strategically and regionally significant industrial land in Silverwater and could create land use conflict**

The site adjoins the Silverwater Industrial Precinct (Precinct 5 in Council's ELS 2008), which is identified as significant employment land in the Metropolitan Plan for Sydney 2036, Draft West Central Subregional Strategy and the Auburn Employment Lands Study 2008. The Silverwater Industrial Precinct is the largest industrial precinct in Auburn City. The proposed rezoning could enable the redevelopment of the site for high density residential and retail uses. This could result in land use conflict between residential and industrial uses, which may affect the operation and viability of the neighbouring industrial uses. It would also remove a zoning buffer between Silverwater Road and residential properties to the west of the site.

In addition, if the proposal was to proceed, it could threaten other land zoned B6 Enterprise Corridor within Auburn City. Given the high residential growth Auburn City is currently experiencing, it is important to retain land zoned for different types of employment uses, to provide employment options for Auburn City's growing population.

- **The proposal is not required to meet Council's dwelling targets**

It is estimated that Auburn City could be accommodating approximately 15,000 dwellings in excess of its current dwelling target set by the State Government. This takes into account possible yields from the Wentworth Point and Carter Street Urban Activation Precincts, as well as the FSR Planning Proposal (PP-3/2010). Thus this planning proposal is not required to assist Council in meeting its dwelling target. Notwithstanding this, Council acknowledges the demand for residential development, and has sought to provide additional capacity in Auburn and Lidcombe Town Centres (approximately 6,500 dwellings) which are well served by public transport and shops schools and other services. This current planning proposal is thus inconsistent with Council's strategic approach to facilitating residential growth in existing, accessible centres.

On this basis, it is recommended that Council **not support** this planning proposal application.

6.1 Matters for consideration if Council resolves to support the proposal

If Council resolves to support the application, its recommended that Council require the applicant to:

- Revise the current Transport Study as per the RMS' and Council's preliminary comments.
- Justify inconsistency with section 117 Direction 1.1 - Business and Industrial zones (via a study in accordance with the regional, subregional or the *Auburn Employment Lands Study 2008*) for Director General of DP&I's agreement prior to proceeding.
- revise the Economic Need and Impact Assessment study as per comments provided by Council within the application and provided in Hill PDA's study;
- Undertake a Phase 1 contamination assessment of the site in accordance with SEPP 55 – Remediation of Land to investigate possible site contamination.
- Undertake further discussions with Council regarding the application of a single height across the entire site (rather than a range of heights).
- Undertake further discussions with Council regarding the need for a site specific development control plan.
- Consider a more appropriate zone that is consistent with the centres hierarchy, such as B2.

7.0 Appendices

Appendix 1 - Applicant liaison with Council prior and after lodgement

Meetings prior to lodging the proposal:

Meeting: April 19, 2013	The applicant's planning consultant (APP Corporation) met with Council's Director Planning and Environment and Manager Strategy to discuss the broad concepts of the forthcoming Planning Proposal. Key considerations to be addressed in the planning proposal and relevant technical studies to support the planning proposal were discussed.
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Meetings after lodging the proposal:

Meeting: August 27, 2013	The applicant's planning consultant (APP Corporation) and architect (Mosca Pserras Architects) met with Council's Planning staff to discuss outcomes of public submissions and a preliminary assessment of the planning proposal and supporting documents undertaken by Council officers. Further justification and clarification was sought by Council on matters below: • Why the proposed B4 Mixed Use zone would be appropriate to the site given its locality and also its potential impacts on broader employment lands within the Auburn local government area; • The proposal's consistency with relevant section of the Auburn Employment Lands Study (2008); • How retail related uses would be suitable to or viable for the subject site and the locality; • How the subject site is suitable to accommodate residential development. On 8 October 2013, the applicant's consultant submitted an addendum to the proposal which included: • an Economic and Development Feasibility Study in addition to previous studies submitted. It also included Comments on issues raised in submissions received by Council during the exhibition of the proposal.
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Appendix 2 - Photos of subject site and surrounds

The subject site relating to the planning proposal is outlined in black in the location map shown below. Numbers indicate approximate locations of site photographs taken and shown in the following pages.





View of the subject site showing buildings facing the corner of Bligh and Silverwater Road



View of the subject site showing vacant buildings facing Silverwater Road



View of the subject site showing vacant buildings facing Silverwater Road



View of buildings on the subject site along the northern edge of Carnarvon Street



View of the subject site showing buildings facing the corner of Grey and Carnarvon Streets



View of buildings on the subject site facing Grey Street



View of buildings on the subject site facing Grey Street



View of buildings on the subject site facing Bligh Street

Surrounding areas:



View of industrial buildings located north of the subject site facing Carnarvon Street



View of industrial buildings located north of the subject site facing Carnarvon Street



View of industrial buildings facing Stanley Street located adjacent to the subject site



View of buildings located west of the subject site facing Grey Street



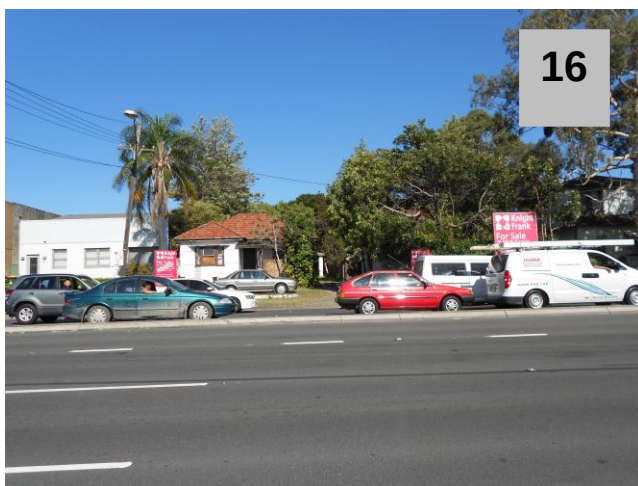
View of buildings located west of the subject site facing Grey Street



View of buildings located west of the subject site facing the corner of Grey and Bligh Streets



View of buildings located south of the subject site facing Bligh Street



View of buildings located east of the subject facing Silverwater Road



View of buildings located east of the subject site facing Silverwater Road

Appendix 3 - Applicant solicitor's letter dated 7 June 2013

nabbusiness



National Australia Bank Limited
Level 3, 255 George Street
Sydney NSW 2000

07/06/2013

Saldaneri & Associates Solicitors
Jacqueline Saldaneri
86 O'Connell Street
North Parramatta NSW 2151

To Whom It May Concern,

Please be advised that on February the 18th 2013, nab attended a settlement for two separate entities being Bakersea Pty Limited and Seawalla Pty Limited.

Nab received the below Titles to be registered in the above names. Stamping and Registration is still pending for these properties.

Auto Consol 5244-20	32-34 Silverwater Rd, Silverwater
18/77341	1 Grey St, Silverwater
17/5/979426	3 Grey St, Silverwater
16/5/979426	5 Grey St, Silverwater
1/90071	38 Silverwater Rd, Silverwater
13/5/75209	11 Grey St, Silverwater
14/5/979426	9 Grey St, Silverwater
15/5/979426	7 Grey St, Silverwater
5/89550	40 Silverwater Rd, Silverwater
6/89550	42 Silverwater Rd, Silverwater
7/89550	44 Silverwater Rd, Silverwater
8/5/979426	46 Silverwater Rd, Silverwater
12/76894	13 Grey St, Silverwater

Should you have any queries please do not hesitate to contact me on 02 9273 9448.

Regards



Luke Hannigan
Associate

Appendix 4 - Details of the subject site (zoning, land use)

Property address	Auburn LEP 2010 zoning and lot size	Proposed or existing land uses
32-34 Silverwater Road, SILVERWATER (Former Paley's site)	B6 Enterprise Corridor (775m ²)	Is currently approved by Council as a dry cleaners establishment since 1997 to date. The site consists of a single storey brick building which has ceased its commercial operations and is no longer in use.
38 Silverwater Road, SILVERWATER	B6 Enterprise Corridor (840m ²)	Consists of a vacant single storey detached fibro dwelling which has ceased its operations and is no longer in use.
40 Silverwater Road, SILVERWATER	B6 Enterprise Corridor (397m ²)	Consists of a vacant single storey detached fibro dwelling which has ceased its operations and is no longer in use.
42 Silverwater Road, SILVERWATER	B6 Enterprise Corridor (394m ²)	Consists of a vacant single storey fibro dwelling which has ceased its operations and is no longer in use.
44 Silverwater Road, SILVERWATER	B6 Enterprise Corridor (405m ²)	Consists of a vacant single storey detached fibro dwelling which has ceased its operations and is no longer in use.
46 Silverwater Road, SILVERWATER	B6 Enterprise Corridor (417m ²)	Consists of a vacant single storey detached fibro dwelling which has ceased its operations and is no longer in use.
48 Silverwater Road, SILVERWATER	B6 Enterprise Corridor (382m ²)	Consists of a vacant site without any buildings.
Property address	Auburn LEP 2010 zoning and Lots size	Proposed or existing land uses
17 Grey Street, SILVERWATER	B6 Enterprise Corridor zone (416m ²)	Consists of a single storey detached fibro dwelling which is currently occupied.
15 Grey Street, SILVERWATER	B6 Enterprise Corridor zone (447m ²)	Functions as a take away food business attached to a single storey detached fibro dwelling that is currently occupied.
13 Grey Street, SILVERWATER	B6 Enterprise Corridor zone (422m ²)	Consists of a vacant single storey detached fibro dwelling which has ceased operations and is no longer in use
11 Grey Street, SILVERWATER	B6 Enterprise Corridor zone (421m ²)	Consists of a vacant single storey detached fibro dwelling which has ceased s operations and is no longer in use
9 Grey Street, SILVERWATER	B6 Enterprise Corridor zone (411m ²)	Consists of a vacant single storey detached fibro dwelling which has ceased operations and is no longer in use
7 Grey Street, SILVERWATER	B6 Enterprise Corridor zone (414m ²)	Consists of a vacant single storey detached fibro dwelling which has ceased operations and is no longer in use
5 Grey Street, SILVERWATER	B6 - Enterprise Corridor zone (402m ²)	Consists of a vacant single storey detached fibro dwelling which has ceased operations and is no longer in use
3 Grey Street , Silverwater	B6 Enterprise Corridor zone (407m ²)	Consists of a vacant single storey detached fibro dwelling which has ceased operations and is no longer in use
1 Grey Street, SILVERWATER	B6 Enterprise Corridor zone (345m ²)	Consists of a vacant single storey detached fibro dwelling which has ceased operations and is no longer in use

Note: The land parcels shown in Grey colour is not owned by the applicant.

Appendix 5 – Development Assessment staff comments

- the application incorporates a modest component of ground floor retail/commercial space to serve the daily needs of residents particularly given that ‘Business Premises’ and ‘Office Premises’ are already permitted within the current B6 Enterprise Corridor zoning under the *Auburn LEP 2010*;
- Though the development proposal complies with the building separations of 24 metres and 18 metres for community/open space for buildings (A and D) and (B and D) for the proposed development, the blocks A and D building separation will remain in shadow for the majority of the day on the winter solstice (as shown by Figure 16). This would likely to result in non-compliance with the DP&I’s *Residential Flat Design Code* amenity requirements for open space. *The Residential Flat Design Code* is a resource which enables Councils, planners, developers and architects to improve residential flat design. The design code contains detailed information about how development proposals can achieve the 10 design quality principles identified under the *State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development*.
- Whilst open space requirements have been allocated for buildings A, C and D on the concept plans, the plans do not allocate open space/deep soil areas for building B as required by the *Residential Flat Design Code*.
- Greater consideration needs to be given when separating proposed residential uses from adjoining future/existing industrial land uses to reduce the potential land use conflict, apart from having building separations and setbacks.
- Since concept floor plans of the development are not provided, comments on compliance with amenity requirements for residential apartments cannot be provided.
- The proposed number of car parking spaces and the unit mix of the proposed mix use development are not mentioned to determine whether sufficient car parking spaces have been provided and to determine dwelling sizes, configuration etc.
- Adjoining sites are currently zoned B6 Enterprise Corridor and IN1 General Industrial zoned land and hence there is no reference point for residential flat building façade treatment and roof design within the immediate vicinity proposed.
- Vehicle access and car park entry which is off Grey Street is consistent with the vehicular access requirements of the DP&I’s *Residential Flat Design Code*.

Appendix 6 - Consistency with section 117 directions

Section 117 directions apply to planning proposals lodged with the Department of Planning and Infrastructure.

No.	Title	Consistent	Comment
Employment and resources			
1.1	Business and industrial zones	Yes, but approval needs to be sought from the Director General of DP&I.	The Planning Proposal application proposes to rezone the subject site from B6 Enterprise Corridor zone to a B4 Mixed Use zone under <i>Auburn LEP 2010</i>. This would result in a loss of strategically and locally significant employment lands for the Auburn LGA. Approval needs to be sought from the Director General DP&I for this to occur. Also - Direction 4(b) states that “a Planning Proposal must retain the areas and locations of existing business and industrial zones”. - A Planning Proposal may be inconsistent with the direction it can be proved that it is justified by a strategy or study. - The guiding principles within the <i>Auburn Employment Lands Study 2008</i> do not support the proposed loss of employment land.
1.2	Rural zones	N/A	No rural zones in Auburn LGA.
1.3	Mining, petroleum production and extractive industries	Yes	
1.4	Oyster aquaculture	N/A	
1.5	Rural lands	N/A	Does not apply to Auburn LGA.
Environment and heritage			
2.1	Environment protection zones	Yes	
2.2	Coastal protection	N/A	
2.3	Heritage conservation	N/A	The planning proposal application to rezone is not affected by environmental heritage under the <i>Auburn LEP 2010</i> .
2.4	Recreation vehicle areas	Yes	
Housing, infrastructure and urban development			
3.1	Residential zones	Yes	The planning proposal would encourage the provision of housing.
3.2	Caravan parks and manufactured home estates	N/A	
3.3	Home occupations	Yes	Does not change permissibility of home occupations.
3.4	Integrating land use and transport	Yes	Planning Proposal seeks to rezone the land to include a high rise/density mix use development located outside the local centres of Auburn, Lidcombe, Newington and Silverwater, and is satisfactorily serviced by public (Sydney) bus transport routes that run to Auburn

			Railway Station. These public bus routes can be accessed within 5 to 10 minutes from the subject site. The Planning Proposal inconsistent with <i>Improving Transport Choice – Guidelines for Planning and Development</i> (DUAP 2001). As stated in page 34 the suggested walkable catchment for a railway station is 800-1000 metres of an existing or programmed metropolitan station. With reference to the Planning Proposal the closest existing railway station is Auburn which is located beyond this walking catchment. Hill PDA's economic study in p. 12 also states that the subject site is 1.9km walking distance from the Auburn Railway Station.
3.5	Development near licensed aerodromes	N/A	
3.6	Shooting ranges	N/A	
Hazard and risk			
4.1	Acid sulfate soils	Yes	The subject site is on class 5 acid sulfate soils, and therefore requires an acid sulfate soils management plan in accordance with clause 6.1(3) of the <i>Auburn LEP 2010</i> .
4.2	Mine subsidence and unstable land	N/A	
4.3	Flood prone land	N/A	The subject site is not located within a Flood Planning Area identified under the <i>Auburn LEP 2010</i> .
4.4	Planning for bushfire protection	N/A	The proposal will not affect, nor is in proximity to land mapped as bushfire prone land.
Regional planning			
5.1	Implementation of regional strategies	N/A	
5.2	Sydney drinking water catchments	N/A	
5.3	Farmland of state and regional significance on the NSW Far North Coast	N/A	
5.4	Commercial and retail development along the Pacific Highway, North Coast	N/A	
5.5	Development in the vicinity of Ellalong, Pazton and Millfield (Cessnock LGA) (revoked)	N/A	
5.6	Sydney to Canberra Corridor (revoked)	N/A	
5.7	Central Coast (revoked)	N/A	
5.8	Second Sydney Airport: Badgerys Creek	N/A	
Local plan making			

6.1	Approval and referral requirements	Yes	The proposal is not inconsistent and does not include provisions that require concurrence, consultation or referral of a development application to a Minister or State public authority. However, Council has consulted Roads and Maritime Authority during community consultation.
6.2	Reserving land for public purposes	N/A	The planning proposal to rezone does not involve zonings or reservation of land for public purposes.
6.3	Site specific provisions	Yes	
Metropolitan planning			
7.1	Implementation of the <i>Metropolitan Plan for Sydney 2036</i>	Yes	The planning proposal is inconsistent with the following: • Action E3.2: Identify and retain strategically important employment lands (page 141). The Planning Proposal to rezone adjoins a regionally and strategically significant Silverwater Industrial precinct identified through the <i>Metropolitan Plan for Sydney 2036, West Central Draft Subregional Strategy</i>, <i>Employment Lands Study 2008</i>. • Action E3.3: Strengthen existing freight and industry clusters and support emergence of new clusters (page 144). The Silverwater Road Precinct is likely to be located within close proximity of the significant 'Chullora and Enfield to Silverwater' freight and Industry cluster as shown by Figure 18.

Appendix 7 - Consistency with SEPPs and SREPs

State Environmental Planning Policies

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.	Does not apply to Auburn LGA. SEPP repealed by clause 1.9 of the <i>Auburn LEP 2010</i>)
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.	Clause 6 and Parts 3 and 4 do not apply - repealed by clause 1.9 of Auburn LEP 2010. Remainder of SEPP applies to State. Consistent
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. Principle development standards within the <i>Auburn LEP 2010</i> are consistent with this SEPP. Consistent
14	Coastal Wetlands	Seeks to ensure the State's coastal wetlands are preserved and protected.	Does not apply to Auburn LGA. Applies to specified land under the National Parks & Wildlife Act, the Tomago Aluminium Smelter (Newcastle) and land to which SEPP 26 applies.
No.	Title	Summary	Application
15	Rural Landsharing Communities	Seeks to facilitate the development of rural landsharing communities committed to environmentally sensitive and sustainable land use practices.	Does not apply to Auburn LGA.
19	Bushland in Urban Areas	Seeks to protect bush land within urban areas. Specific attention to bush land, remnant and endangered vegetation and bush land zoned or reserved for public open space.	Applies to the Auburn LGA. The subject site to be rezoned is not affected by bush land or within close proximity of bush land. Consistent.

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. Consistent
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 Perth LEP 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. Consistent
No.	Title	Summary	Application
32	Urban Consolidation	Seeks to facilitate surplus urban land redevelopment for multi-unit housing and related development in a timely manner.	Applies to all urban land, except Western Sydney Parklands under that SEPP. Consistent
33	Hazardous and Offensive Development	Seeks to provide additional support and requirements for hazardous and offensive development	Applies to the State. Consistent
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> <i>Applies to land outside the Sydney Region.</i>
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
41	Casino Entertainment Complex	Seeks to further the development of Sydney area as a world class tourist destination	<i>Does not apply to the Auburn LGA.</i> Applies to the City of Sydney.
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

No.	Title	Summary	Application
47	Moore Park Showground	Seeks to enable redevelopment of Moore Park Showground consistent with its status as being of State and regional planning importance.	Does not apply to the Auburn LGA
50	Canal Estate Development	Prohibits canal estate development	Applies to the State, except Penrith Lakes. Consistent
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 implement land and water management plans.	Does not apply to the Auburn LGA
55	Remediation of Land	Provides a Statewide planning approach for the remediation of contaminated land.	Applies to the State Inconsistent The Proposal to rezone needs to take into account the subject site's historic and current land uses to check whether potentially contaminating land uses are present as per DP&I's <i>Table 1- Managing Contaminated Land Planning Guidelines</i> (p.12) and address how any subsequent DA lodged is consistent with these guidelines. Council's legal and ownership investigations in Appendix 4 inform the subject site is likely to include some uses causing land contamination. This would require more work at if the Planning Proposal proceeds and the DA stage.
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	Does not apply to the Auburn LGA Applies to land identified as Regional Open Space Zone and Residential Zone within the Western Sydney Parklands
60	Exempt and Complying Development	Seeks to provide for exempt development and complying development in certain local government areas that have not provided for those types of development through a local environmental plan	Does not apply to the Auburn LGA (clause 1.9) 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> .

No.	Title	Summary	Application
62	Sustainable Aquaculture	Seeks to encourage and regulate sustainable aquaculture development	Applies to the State Consistent
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 Consistent
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 Kosciuszko SEPP area Inconsistent The proposal to rezone proposes a 5 to 10 storey mixed use development with 226 residential units and needs to consider and address how any subsequent DA is consistent with the SEPP and the Residential Flat Design Code to meet the 10 design quality principles. The proposal to rezone demonstrates a commitment to the principles of building separation, solar access and privacy as a rule of thumb as set out in the Residential Flat Design Code in page 32, but is likely to be missing vital design quality principles such as responsiveness to its surrounding built form context, scale, density, amenity, landscape and aesthetics. This would require more work if the Planning Proposal proceeds and the DA stage. If the Proposal proceeds Council requires a detailed statement demonstrating the Proposal's consistency with the above SEPP.
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 Housing) Act 2000.	Does not apply to Auburn LGA. Applies to land within the Greater Metropolitan Region. Specifically mentions Ultimo/Pymont 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.	Does not apply to Auburn LGA. 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 Consistent

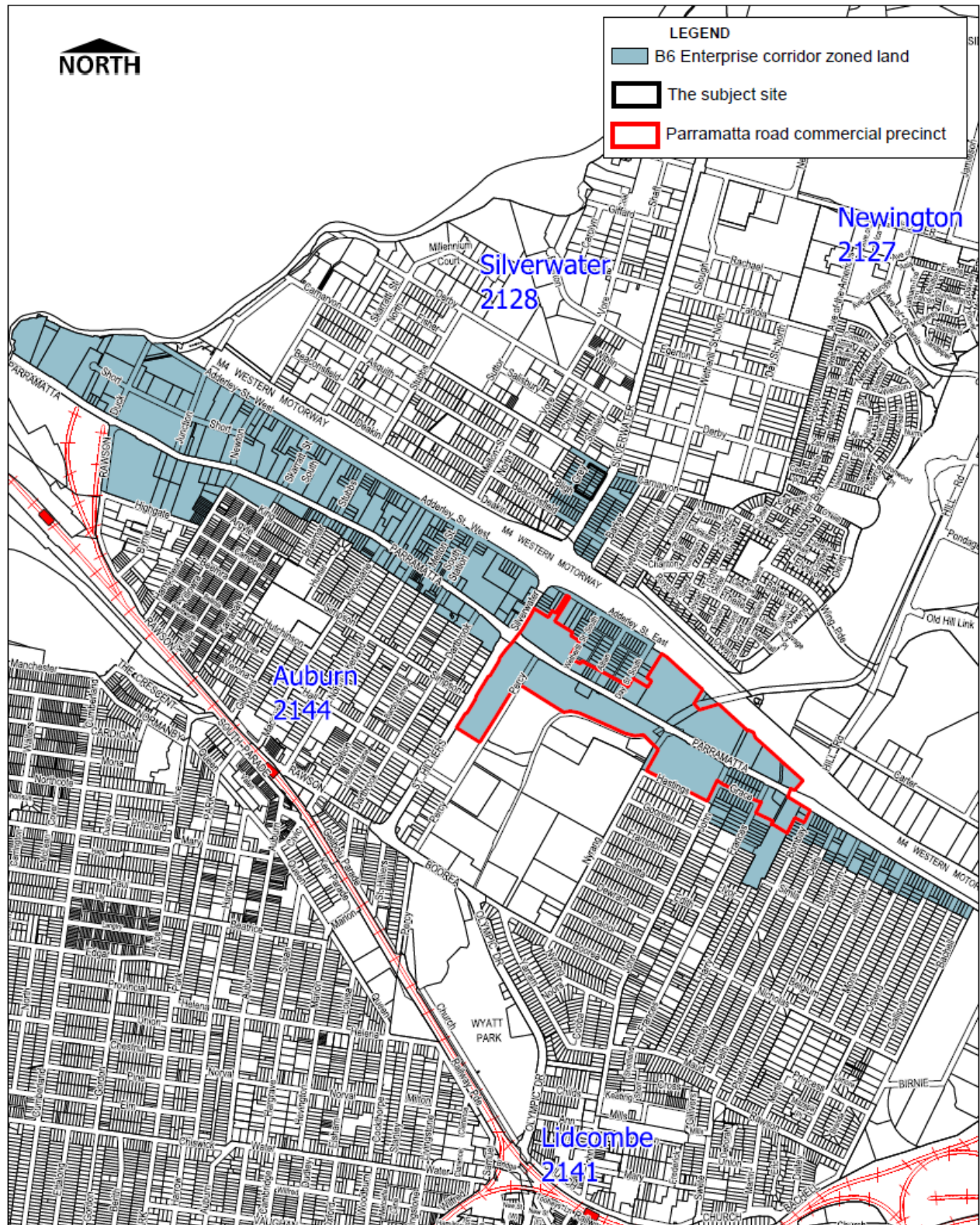
No.	Title	Summary	Application
	Building Sustainability Index: BASIX 2004	The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State	Applies to State Consistent - to be considered further at DA stage
	Exempt and Complying Development Codes 2008	Seeks 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. 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. Consistent
	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 Consistent but more work required The Proposal to rezone fronts Silverwater Road, a classified state road that generates high noise and traffic volumes. The proposal would need to demonstrate how any subsequent DA is consistent with Clauses 101 and 102 of the SEPP to check how the proposed mix use development fronting Silverwater Road is consistent with its on- going operation of its classified road and road noise and/or vibration impacts. This would require more work at the DA stage if the Planning Proposal proceeds.
	Kosciuszko National Park – Alpine Resorts 2007	Seeks to protect and enhance the natural environment of the alpine resorts area.	Does not apply to Auburn LGA. Applies only to specified land within Kosciuszko National Park, Kosciuszko Road and Alpine Way.
	Kurnell Peninsula 1989		Does not apply to Auburn LGA. Applies to the land within Sutherland Shire known as Kurnell Peninsula. Excludes some land under SSLEP 2006.

No.	Title	Summary	Application
	Major Development 2005	Aims to facilitate the development or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.	Applies to transitional Part 3A projects within the State, subject to Schedule 6A of the EP&A Act. Consistent
	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 Consistent
	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 Consistent
	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)
	Temporary Structures and Places of Public Entertainment	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. Consistent
	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.

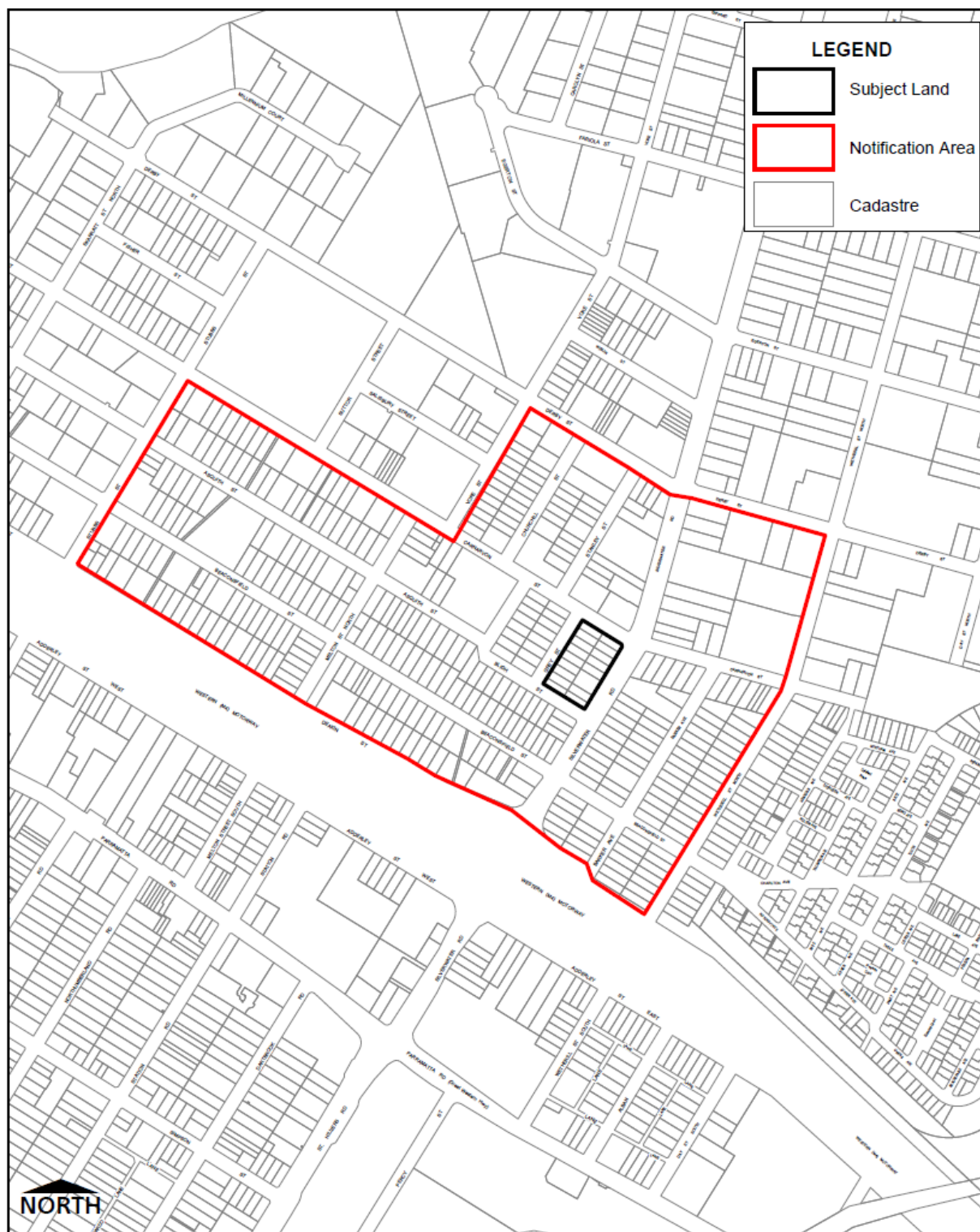
No.	Title	Summary	Application
	State Environmental Planning Policy (Western Sydney Employment Area) 2009	To promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development	<i>Does not apply to Auburn LGA.</i> Applies to land within Penrith, 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)

State Regional Environmental Plans (SREPS or deemed SEPPs)

No	Title	Summary	Application
5	Chatswood Town Centre	Seeks to facilitate development of land within the Chatswood Town Centre.	Does not apply to the Auburn LGA. Applies to Chatswood Town Centre.
8	Central Coast Plateau	Seeks to implement the state's urban consolidation policy.	Does not apply to the Auburn LGA. 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.	Does not apply to the Auburn LGA. Applies to LGAs listed in Schedule 4 of the SREP.
11	Penrith Lakes	Seeks to permit implementation of the Penrith Lakes Scheme	Does not apply to the Auburn LGA. Applies to the Penrith Lakes area.
16	Walsh Bay	Seeks to regulate the use and development of the Walsh Bay area.	Does not apply to the Auburn LGA. 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.	Does not apply to the Auburn LGA. 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.	Does not apply to the Auburn LGA. 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.	Does not apply to the Auburn LGA. Applies to certain LGAs within Greater Metropolitan Region.
24	Homebush Bay Area	Seeks to encourage the coordinated and environmentally sensitive development of the Homebush Bay area.	Does not apply to land to which ALEP 2010 applies (clause 1.9). Applies to rest of Auburn LGA – refer to <i>State Environmental Planning Policy (Major Development) Amendment (Sydney Olympic Park) 2009 Land Application Map</i> . Consistent
No	Title	Summary	Application
25	Orchard Hills	Seeks to protect the prime agricultural land of Orchard Hills.	Does not apply to the Auburn LGA. 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.	Does not apply to the Auburn LGA. Applies to land shown as City West area (Pyrmont and Ultimo).
28	Parramatta	Seeks to establish regional planning aims for the Parramatta Primary Centre.	Does not apply to the Auburn LGA. 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.	Does not apply to the Auburn LGA. Applies to specified land within the Blacktown and Penrith LGAs.
33	Cooks Cove	Seeks to regulate development of the Cooks Cove site.	Does not apply to the Auburn LGA. Applies to land specified as Cooks Cove in the suburb of Arncliffe (Rockdale LGA).
	Sydney Harbour Catchment	Seeks to ensure the catchment, foreshores, waterways and islands of Sydney Harbour are recognized, protected, enhanced and maintained.	Applies to all land identified on Sydney Harbour Catchment Map (includes Auburn LGA) Consistent



Appendix 9 - Map showing notification area



Appendix 10 - Community Consultation – summary of submissions received

No	Date received	Key issues
01	23 July 2013	Objection to Planning Proposal: Concerned about the increase in traffic and congestion on already congested streets Concerned about the location of the proposed development as it is close to the M4 “on” and “off” ramps Concerned that the intersection at Carnarvon Street and Silverwater Road is not wide enough for heavy traffic Suggests that Council and NSW Roads and Maritime Services (RMS) redesign the intersection at Carnarvon Street and Silverwater Road Extra retail space (4000 m ²) proposed is not needed as Silverwater Neighbourhood Centre near Asquith and Beaconsfield Streets and Newington shops are located near by Proposed basement parking for the development is too small The area is surrounded by single storey dwellings and is out of character Concerned about the creation of slums Concerned that the proposed development will be in close proximity to a prime industrial area in Silverwater Concerned that the proposed building height is out of character compared with the rest of the B6 Enterprise Corridor zone and surrounding built forms Stated that the development will not create jobs Surrounding streets are restricted to light traffic and as such trucks couldn’t make deliveries
02	24 July 2013	Supports the Planning Proposal: Delighted that there is going to be change in Silverwater
03	26 July 2013	Objection to Planning Proposal: 1st Submission: Concerned about the increase in traffic on already congested streets Concerned about the increase in pollution Concerned about resulting noise Concerned about the lack of amenity Concerned that a precedent will be established Concerned about safety Concerned about air quality Concerned that there are no similar “like” proposed developments in the established area States that the subject site is not located near Sydney Olympic Park where such developments are occurring States that the subject site is located near to a prime industrial area in Silverwater The proposed rezoning is profit driven and does not provide community benefit at all 2nd Submission: Requests not to approve the PP. States that Council took advice from consultants that Silverwater Road was not suitable for further residential developments Concerned about the increase in traffic on already congested streets Concerned that there are no other high rise developments in the local area Believes that there is no public benefit to the community Believes that the area is already under pressure from reduced air quality, increased noise, reduced safety and general amenity
04	29 July 2013	Supports the Planning Proposal: Move to develop Silverwater into a more desirable living place Suggests that Council talk to the Government for better transportation systems e.g. more busses or light rail
05	29 July 2013	Objection to Planning Proposal: Concerned about overpopulating the suburb with apartments

		Such applications to be reserved for townhouses
06	29 July 2013	Objection to Planning Proposal: Concerned about overpopulating the suburb with apartments Such applications to be reserved for townhouses
07	2 August 2013	Supports the PP based on the following: Adds quality to the local area "light up the night" via means of passive surveillance Believes that the 10 storey development proposed is too high. Believes that the development proposed should be restricted to seven storeys Will cause an increase in traffic congestion
08	30 July 2013	Objection to Planning Proposal: The subject rezoning should not be supported to change from B6 Enterprise Corridor zone to B4 mixed Use zone Concerned about the increase in traffic on already congested streets Concerned about parking – currently issues with on street parking Concerned about parking within the development, that there will not be enough parking proposed to accommodate the new population Concerned about the increase in number of vehicles Concerned that subject site is not serviced by public transport Concerned about the aesthetics of the building - in relation to the building height Concerned about the overall appearance of the building on the area
09	13 August 2013	Objection to the Planning Proposal: Concerned that the population on the subject site area will increase by 17% Concerned that the retail aspect of the proposed development will increase and create additional floating population Concerned that the development is unsustainable without improving any infrastructure Concerned that the current traffic issues around the subject site and surrounding area will be aggravated with an increased population <i>Note: Time extension was given to submitter to provide a more detailed submission on the issues associated with this Planning Proposal (before 10 Sept 2013). However the submitter did not make a further submission.</i>
10	14 August 2013	Supports the Planning Proposal: Request on behalf of their client that the planning proposal be broadened to include the property known as 24 Carnarvon Street on the following grounds: Where the adjoining properties are included it will assist in the revitalisation of Silverwater would not result in potential disjointed urban design outcomes Believes that the planning proposal needs to take the <i>objectives, outcomes and provisions</i> for the greater character of surrounding properties of Silverwater – which includes the property at 24 Carnarvon Street Believes that it would create public interest <i>Note: Urges Council to reconsider the planning proposal to include 24 Carnarvon Street, Silverwater</i>
11	16 August 2013	Objection to Planning Proposal: Concerned that the planning proposal has not taken into account what may occur if the same development was to occur on the other side of the road Planning proposal does not address any potential cumulative impacts Economic Report does not address any potential cumulative impacts Traffic Report does not address any potential cumulative impacts if the development is repeated on other sites Believes that the traffic and transport report is unsatisfactory Believes that it is flawed as it does not assess the impact on Stubbs Street and Parramatta Road intersection
12	19 August 2013	Objection to Planning Proposal: Concerned about the proposed building height Concerned that the development will be an eyesore Concerned about lack of privacy for surrounding properties Concerned about issues associated with increased traffic flow Concerned about issues associated with parking

		Concerned about the number of parking spaces that will be available for the residents and workers in the basement of the proposed development Concerned about the lack of on street parking issues (currently has issues with the workers in the area) Concerned about the loss of solar access Concerned about increased demand on infrastructure (water, sewage, drainage and electricity) Concerned about the lack of public transport in the area
13	19 August 2013	Objection to Planning Proposal and petition including (13 signatures) Concerned that the planning proposal will overwhelm and degrade the quiet suburb. States that there are enough apartments and commercial spaces in the area Concerned about solar access Concerned about natural air flow
14	20 August 2013	Objection to Planning Proposal: Concerned about issues associated with traffic Concerned about issues associated with on street parking Concerned about issues associated with the development's parking space numbers Concerned about issues associated with privacy
15	20 August 2013	Objection to Planning Proposal and a Petition (12 Signatures) Concerned about setting a precedent Concerned about the issues associated with traffic Concerned about the lack of transport infrastructure to support the community Concerned that the location is too far from suitable public transport and railway stations Concerned about the final outcome of the development - Potential eyesore States that the developer can create jobs without a rezoning process Concerned that the developer is using the argument of creating housing close to employment lands when statistics state that only 4% walk to work in Silverwater States that the proposed pedestrian public link is not required as Silverwater does not have high pedestrian thoroughfare Believes that achieving dwellings targets should not occur in areas lacking in public transport access Suggest that the development should be rezoned to B1 Neighbourhood Centre zone or B2 Local Centre zone where there is a lower maximum building height Concerned that the rezoning is only for financial benefit, not for the community's benefit
16	20 August 2013	Objection to Planning Proposal: Concerned about the overdevelopment of the land Concerned about the reduction in amenity to the adjacent residential areas Believes that the existing zoning should be retained as it allows for a maximum height of 14m States that there are no other buildings (dwellings or industrial) that are higher than 2-3 storeys or 9 metres Concerned about setting a precedent Concerned that the proposal is not compatible with the surrounding area States that the development will generate over 1300 extra vehicle trips States that the proposal will be contrary to the strategic aims and objectives of the <i>Metropolitan Plan for Sydney 2036</i>, <i>The Draft Metropolitan Strategy for Sydney</i>, <i>West Central Draft Subregional Strategy</i> and the <i>Auburn Local Environmental Plan 2010</i>
17	20 August 2013	Objection to Planning Proposal: Concerned that the development is out of character with surrounding area Concerned that the development will be an eyesore States that there are no other apartment blocks in the area that are over three storeys high Concerned about issues associated with on street parking – (existing issues due to office workers and a local church) Concerned that the area is poorly serviced by public transport Concerned that the area will turn into a slum
18	20 August 2013	Objection to Planning Proposal: Concerned about loss of privacy Concerned about loss of solar access

		Concerned about loss of a breeze Concerned about the increase in energy consumption and carbon footprint for neighbours, due to cooling, heating, lighting and laundry Concerned about the increase in traffic load Concerned that the proposed development will be out of character Concerned about the chaos that will be caused during the construction stage of the development
19	20 August 2013	Objection to Planning Proposal: Concerned that the application is inappropriate for the setting Concerned that the site is not located close to public transport Concerned that the site will be out of character – it is in the middle of residential and adjoins a prime industrial location Questions if Council has reviewed issues associated with traffic and parking in the area Concerned about issues associated with on street parking Concerned about increased traffic issues States that they are aware that development will occur but it does not need to be too big and out of scale Questions why there needs to be so many mixed businesses and residential units in the area
20	20 August 2013	Objection to Planning Proposal: Concerned about issues associated with an increased population and the fast turnover of a population Concerned about issues associated with an increased volume of traffic Concerned about issues associated with on street parking Concerned about issues associated with loss of privacy Concerned about issues associated with infrastructure Concerned that residents will not use basement parking
21	21 August 2013	Supports the Planning Proposal: Provides new retail opportunities in Silverwater Provides an economic incentive to redevelop the land Provides residential development opportunities in the locality which is well served by public transport Believes that Council should undertake a strategic study of this corridor to determine what the best planning outcome would be Believes that it is unusual for B4 Mixed Use zone to exist on one site in isolation without considering the B6 zoned development along Silverwater Road Believes that a B4 Mixed Use zoning would enable their clients (on the opposite side of Silverwater Road) the incentives to build
22	20 August 2013	Objection to Planning Proposal: Concerned about issues associated with increased volume of traffic Concerned about the overall scale of the development Concerned about the neighbourhood change Concerned about the chaos associated with construction of the proposed development
23	20 August 2013	Objection to Planning Proposal and Petition (85 signatures) Concerned about loss of solar access Concerned about the increase in traffic noise Concerned about loss of privacy Concerned about property value loss (including the current B6 zoned land) Concerned about associated traffic issues where additional people will be using the local roads Concerned about the loss of on street parking – currently an issue Concerned about health issues for potential residents where there are 7 industrial chimneys located close to the subject site Concerned about the loss of B6 zoned Land, which could be used to service the community
24	20 August 2013	Objection to Planning Proposal: Concerned that the majority of the development in the planning proposal is fronting Silverwater Road

		Concerned that the development is so closely located to one of Sydney's worst traffic black spots Concerned about the high levels of traffic along adjoining roads Concerned about the loss of a zoning buffer for the residential area located to the west Concerned that the site is not compatible for residential use or for children Concerned about the lack of appropriate amenity in relation to schools, shopping Concerned about the aesthetics of the development as it has some of the qualities seen in recent poor quality residential developments in busier areas Concerned about potential new residents' exposure to traffic noise and pollution Concerned that the arterial road is being used as a service corridor that can burden bulky unattractive masses for a maximum yield
25	21 August 2013	Objection to Planning Proposal: Concerned about the increase in traffic on already congested streets Concerned about safety issues (road)
26	21 August 2013	Supports the Planning Proposal: Agrees with the criteria mentioned in submission 21

Appendix 11 - Applicant's response to submissions

Summary of submissions received for PP-5/2013

No.	Comment (Comments have been summarised/ paraphrased)	Applicant Response
01	Objection to Planning Proposal:	
	Concerned about the increase in traffic and congestion on already congested streets	Colston Budd Hunt & Kafes has prepared a Transport Report for the site (refer to Appendix B of Planning Proposal). The report assesses the projected impact of the concept plan on the existing road network through a review of NSW Government policies and travel access guides by NSW Roads and Maritime Service (RMS).
	Concerned about the location of the proposed development as it is close to the M4 "on" and "off" ramps	The three key intersections adjacent to the site (i.e. Silverwater Road with Camarvon and Blight Streets and Grey Street with Camarvon Street) will have a satisfactory level of service as a result of an increase in vehicle trips generated from potential redevelopment of the site. The site would utilise existing bus, cycle and pedestrian linkages. The site is approximately 200m from the M4 "on" and "off" ramps". The site is generally bound by Silverwater Road to the east, Bligh Street to the south, Grey Street to the west and Camarvon Street north. The site does not rely on direct access from the M4 ramps and will not in any way affect the operation of the M4 "on" and "off" ramps.
	Concerned that the intersection at Camarvon Street and Silverwater Road is not wide enough for heavy traffic	The transport report for the site concludes that this intersection will have a satisfactory level of service to cater for projected increase in vehicle trips generated by any redevelopment of the site.
	Suggests that Council and NSW Roads and Maritime Services (RMS) redesign the intersection at Camarvon Street and Silverwater Road	The transport report concludes these intersections will have a satisfactory level of service to cater for projected increase in vehicle trips generated by any redevelopment of the site.
	Extra retail space (4000 m ²) proposed is not needed as Silverwater Neighbourhood Centre near Asquith and Beaconsfield Streets and Newington shops are located near by	An Economic Assessment has been prepared by Leysdon Consulting and is included at Appendix C. The report concludes that there is the need for a modest provision of retail services on the subject site to meet the needs of both residents of the area and workers in the adjacent Silverwater/Newington industrial area. The impact of the proposed development on existing centres will be minimal; and from an economic perspective, the retail element of the proposed development will result in a net community benefit.
	Proposed basement parking for the development is too small	The concept plans that accompany the planning proposal demonstrate the capability of the site to accommodate infill development. The detailed design of future development of the site, post gazettal, will be the subject of a future DA and the subject to future detailed assessment by Council.
	The area is surrounded by single storey dwellings and is out of character	Whilst part of the site is currently occupied by detached dwellings, the site and its immediate area is now zoned to allow redevelopment for a mix of commercial, industrial and higher density residential development. The future character of the site and surrounding area, under the current B6 Enterprise Corridor zoning will comprise a mix of commercial and modern industrial development with heights of up to 14 m (equivalent 4-5 residential storeys) with limited opportunities for any retailing and multiple dwellings and residential flat buildings of between 3 and 5 storeys on residential zoned land. The proposed zoning and envisaged built form envisaged on the site is consistent with the desired future character of the area.
	Concerned about the creation of slums	The proposed rezoning of the site will not manifest in the creation of slums. Consideration of Council's existing DCP and SEPP 65 Residential Flat Design Code at the detailed DA stage in relation to streetscape, aesthetics, solar access and amenity issues will ensure future

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	development on the site is of a high quality.. Silverwater Road Industrial Area, located to the north of the site, on the opposite side of Camarvon Street, is characterised by warehouses and distribution centres and light and heavy industrial developments. Heavier / traditional forms of industrial development are located further north. As such, these developments would not pose any adverse environmental impacts upon the site in a way that would compromise its capability of accommodating residential development. High density residential development on the site would not impact on the kinds of industrial development that are permitted within the IN1 General Industry zone. The redevelopment opportunities on site facilitated by this planning proposal will revitalise the immediate area, particularly the western side of Silverwater Road which generally remains undeveloped notwithstanding its current B6 enterprise corridor zoning. This area also lacks services and facilities to meet the daily needs of existing residents in the area, additional incoming residents as a result of density increases under the existing LEP and existing and future workers in the Silverwater Industrial Area and within the main area of B6 Enterprise Corridor zoned land on the opposite side of the M4 Motorway. Silverwater comprises an eclectic mix of residential properties of varying height, age, construction and design. There is not a consistent theme or character of the local area. The future character the site and surrounding area, under the current B6 Enterprise Corridor zoning under Auburn LEP 2010 will comprise a mix of commercial and modern industrial development with heights of up to 14 m (equivalent 4-5 residential storeys). Within the B6 zoned land to the south of the M4 Motorway and within the 'Parramatta Road Precinct' and 60 m to the south of the site, Auburn LEP 2010 permits office, hotel and motel developments of up to 27 m in height (equivalent 9 residential storeys). It is considered that increasing the maximum permitted height on the site is required to facilitate the establishment of a landmark development. It is intended that the site will comprise predominantly up to 32 m within the site's Bligh Street frontage with lower buildings or set down edges to the other streets of 5-6 storeys. The proposed increase in height on the corner of on the corner of Bligh Street and Silverwater Road (Building A) (i.e. 32 m (10 storeys)) is considered appropriate in that: - the proposed building is located along a buffer strip and along a distinctive 'gateway' location; - this part of the site is capable of accommodating additional height. The proposed building does not cause any material environmental impacts to future non-residential properties or the public domain in respect of overshadowing, visual impact, view loss, privacy and access to daylight and ventilation; - the proposed building form has an appropriate height and mass relationship to Silverwater Road which is some 29 m wide; - the height of this building is of a scale that is compatible with the desired future character of surrounding development to the south of the site (60 m), on the opposite side of the M4 Motorway which permits buildings of up to 27 m in height; - it is a corner block location with the design accentuating the corner in accordance with sound urban design principles; and - it will provide visual interest. In addition, the envisaged heights of other buildings on the site (Buildings B to D): - the proposed building forms will enhance the existing skyline; - the proposed building forms are setback at the upper levels 4.2 - 6 m from the street edge
Concerned that the proposed development will be in close proximity to a prime industrial area in Silverwater	Concerned that the proposed building height is out of character compared with the rest of the B6 Enterprise Corridor zone and surrounding built forms

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		and at street level additional height will not be perceived; - the proposed heights enables the provision of generous floor to ceiling heights (approximately 2.7 metres for residential uses and 4 metres for ground level commercial and retail uses), which will promote high levels of internal amenity; - the proposal will not result in any material or significant adverse environmental impacts to adjoining properties or the public domain; and - the proposed building forms are consistent with a number of buildings approved, built or currently under construction within the broader area including Newington and Sydney Olympic Park (refer to Section 2.1). The detailed design of any future development proposal for the site would address streetscape, overshadowing and overlooking impacts affecting surrounding properties. The site is not currently used for industrial purposes, nor has it accommodated an industrial use in the past and does not contribute to job numbers in the subregion. Providing additional housing as part of the development of the site and up to 4,000m² of retail floor space will introduce an employment function of the site. An Economic Assessment has been prepared by Leyshon Consulting and concludes that 463 jobs will be created during construction phase and a further 518 jobs would be created during the period of construction in building supply, building services and allied sectors. Retail component of a future mixed use development on the site with approximately 4,000 m² of GFA would generate approximately 143 positions. Colston Budd Hunt & Kafes has prepared a Transport Report for the concept plan and is appended to this report at Appendix B. The report assesses the projected impact of the concept plan on the existing road network through a review of NSW Government policies and travel access guides by NSW Roads and Maritime Service (RMS). Appropriate provision for service vehicles would be included with any future development on the site. Service vehicles will include garbage collection and deliveries to the retail and commercial components. The design provides for service vehicles to enter and exit the site in a forward direction, with service vehicle areas to be provided in accordance with AS 2890.2 – 2002. The size of trucks will depend on final retail tenancies, but will likely include rigid trucks and semi-trailers.
02	Supports the PP:	
	Delighted that there is going to be change in Silverwater	Noted
03	Objection to Planning Proposal:	
	1st Submission:	
	Concerned about the increase in traffic on already congested streets	Colston Budd Hunt & Kafes has prepared a Transport Report for the concept plan and is appended to this report at Appendix B. The report assesses the projected impact of the concept plan on the existing road network through a review of NSW Government policies and travel access guides by NSW Roads and Maritime Service (RMS). The reports concludes that the three key intersections adjacent to the site (i.e. Silverwater Road with Carnarvon and Blight Streets and Grey Street with Carnarvon Street) will have a satisfactory level of service as a result of an increase in vehicle trips generated from potential redevelopment of the site.
	Concerned about the increase in pollution	The kind of development and land uses envisaged for the site would not result in any form of pollution in its own right. A future mixed use development on the site would generate

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		approximately 65 to 90 trips per hour (two ways at peak times – residential component) and 5 to 10 trips per hour (two ways at peak times – commercial component). Future development of the site is unlikely to result in a significant increase in pollution.
	Concerned about resulting noise	The type of development and land uses envisaged for the site would not result in significant noise impacts on surrounding development. Future development would be required to comply with the relevant Australian Standards and BCA as they relate to internal and external acoustic impacts.
	Concerned about the lack of amenity	The character of Silverwater is changing. Future improvements to transport connections and redevelopment of underutilised sites within the area, coupled with future redevelopment of the site, will assist to improve the liveability of the area.
	Concerned that a precedent will be established	The area is identified within the Paramatta Road Renewal Corridor under the Draft Metropolitan Strategy for Sydney, released in March 2013 by the State Government.
	Concerned about safety	Detail design will address security and safety consideration. The proposal allows for greater natural surveillance of internal and external spaces on the site promoting safety and has the potential to provide day and night time activation of the site through the introduction of a mix of retail and commercial uses at street level and along envisaged through-site link.
	Concerned about air quality	It is unlikely that future development on the site will have an adverse air quality impact.
	Concerned that there are no similar "like" proposed developments in the established area	Current zone and planning control framework for the area will enable further infill medium and high density residential development in the area. A substantial 118 apartment residential development at 79-83 Beaconsfield Road (approximately 465 m west of the site) has recently been consented to by Council.
	States that the subject site is not located near Sydney Olympic Park where such developments are occurring	The site is situated approximately 1.5 km west of Sydney Olympic Park, which is an approximate five minute drive or a 20 minute walk. The site has excellent access to open space, schools, religious establishments and shopping facilities.
	States that the subject site is located near to a prime industrial area in Silverwater	The site is not currently used for industrial purposes, nor has it accommodated an industrial use in the past and does not contribute to job numbers in the subregion. Adjacent industrial area is comprised of warehouse and office premises. As such, these developments would not pose any adverse environmental impacts upon the site in a way that would compromise its capability of accommodating residential development. High density residential development on the site would not impact on the kinds of industrial development that are permitted within the IN1 General Industry zone
	The proposed rezoning is profit driven and does not provide community benefit at all	There is limited demand for the types of uses envisaged under the B6 Enterprise Corridor in the Silverwater locality. By contrast, there appears to be a strong ongoing demand for multi-unit housing in Auburn LGA and the subject site (if rezoned to B4 Mixed Use) can make a positive contribution to both meeting the overall housing targets for Auburn LGA and increasing the supply of affordable dwellings in the short- to medium-term. The redevelopment opportunities on site facilitated by this planning proposal will revitalise the immediate area, particularly the western side of Silverwater Road which generally remains undeveloped notwithstanding its current B6 enterprise corridor zoning. This area also lacks services and facilities to meet the daily needs of existing residents in the area, additional incoming residents as a result of density increases under the existing LEP and existing and future workers in the Silverwater Industrial Area and within the main area of B6 Enterprise Corridor.
		The Planning Proposal has a number of positive social impacts, namely: encourages pedestrian circulation throughout the site and surrounding areas;

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		- will provide high quality residential space that can contribute to housing affordability, provides housing in proximity to employment areas and through local spending will have flow on effects to local retailers and other service providers; - will provide quality office and retail space (proposed to be limited) that complements existing centres within Auburn; - provides permanent and construction employment opportunities; - allows for greater natural surveillance of internal and external spaces on the site promoting safety; - provides day and night time activation of the site through the introduction of a mix of retail and commercial uses at street level and along envisaged through-site link; - promotes state government initiatives by providing high quality residential, commercial and modest component of retail space in close proximity to other services and facilities, in particular public transport; - provides services and facilities to satisfy the needs of workers in the surrounding area (existing and future); and - is a catalyst for future redevelopment within the area.
	2nd Submission:	
	Requests not to approve the PP.	Noted.
	States that Council took advice from consultants that Silverwater Road was not suitable for further residential developments.	An Economic Assessment has been prepared by Leyshon Consulting and is included at Appendix C . The purpose of the economic assessment is to examine the need for, and economic implications of, the retail component of the proposed development. In summary, there appears to be limited demand for the types of uses envisaged under the B6 Enterprise Corridor in the Silverwater locality. By contrast, there appears to be a strong ongoing demand for multi-unit housing in Auburn LGA and the subject site (if rezoned to B4 Mixed Use) can make a positive contribution to both meeting the overall housing targets for Auburn LGA and increasing the supply of affordable dwellings in the short- to medium-term, notwithstanding the findings of Council's previous study.
	Concerned about the increase in traffic on already congested streets	Colston Budd Hunt & Kafes has prepared a Transport Report for the concept plan and is appended to this report at Appendix B . The report assesses the projected impact of the concept plan on the existing road network through a review of NSW Government policies and travel access guides by NSW Roads and Maritime Service (RMS). Overall, the concept proposal would result in a total of 160 to 190 vehicles per hour (two way) during morning peak period and 510 to 540 vehicles per vehicle (two way) during afternoon peak period. Silverwater Road, Camarvon Street, Bligh Street and Grey Street would be some 20 to 125 vehicles per hour (two-way) during morning peak periods and some 50 to 375 vehicles per hour (two way) during afternoon peak periods.
	Concerned that there are no other high – rise developments in the local area	The concept proposal would have modest impacts on the operations of intersections of Camarvon Street and Bligh with Silverwater Road. The level of service of intersections of Grey Street with Camarvon Street and Bligh Street will be maintained. There are several stand alone tall buildings in the immediate area and the adjacent Sydney Olympic Park.

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	Believes that there is no public benefit to the community	The rezoning would deliver on housing adaptability and affordability and employment creation. The concept plan presented in the planning proposal provides a pedestrian through site link between Grey Street and Silverwater Road.
	Believes that the area is already under pressure from reduced air quality, increased noise, reduced safety and general amenity	Future strategic planning direction from the State Government shown in the Draft Metropolitan Strategy for Sydney indicates renewal opportunities for Silverwater that would improve current amenity, safety and other environmental conditions of the area. These improvements would lead to medium and high density forms of residential development.
04	Supports the PP:	
	Move to develop Silverwater into a more desirable living place	Noted.
	Suggests that Council talk to the Government for better transportation systems e.g. more busses or light rail	The Department of Planning and Infrastructure is preparing regional and subregional delivery plans that may identify transport improvements to areas identified for potential renewal.
05	Objection to Planning Proposal:	
	Concerned about overpopulating the suburb with apartments	Draft Metropolitan Strategy for Sydney (2013) identifies Silverwater on the 'Vision for Sydney in 2031' plan (Figure 1, p.5) within Parramatta Road Corridor, planned for urban renewal purposes (including increases in residential population).
	Such applications to be reserved for townhouses	The site is well suited to mixed use development, being located along Silverwater Road. As demonstrated throughout the planning proposal, there is the need for a modest provision of retail services on the subject site to meet the needs of both residents of the area and workers in the adjacent Silverwater/Newington industrial area. The proposed development responds to an identified market for convenience retail and residential uses.
06	Objection to Planning Proposal:	
	Concerned about overpopulating the suburb with apartments	There is no certainty that the land has been identified by Council for such housing in and around centres will in fact be taken up and developed for housing. There is no particular reason why Council should refuse the subject rezoning and adhere strictly to a target of 17,000 additional dwellings if there is such existing demand for the provision of housing within Auburn LGA that might result in the target set in 2009 being exceeded.
		The subject site is in single ownership and is able to be developed expeditiously whereas meeting of the departmental target in and around established centres in Auburn may take a significant time to be realised, or in fact, may never be achieved for a range of reasons. Given the location of the subject site, it is likely residential units developed on it will be competitively priced thus contributing to improving overall housing affordability in Auburn LGA. There is clearly strong demand for multi-unit housing in Auburn LGA. The Metropolitan Development Program 2012 prepared by the Department of Planning and Infrastructure identifies that in 2012, fully 97% of net dwelling completions in Auburn LGA were in the form of multi-unit housing—particularly in buildings of four storeys or more..
	Such applications to be ideally reserved for townhouses and single detached housing	Townhouse or multi-dwelling housing would be inappropriate at this location as dwellings would need to be elevated above street level to achieve an acceptable level of amenity (buffer noise impacts from Silverwater Road)

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07	Supports the PP:		
	Adds quality to the local area		Noted.
	"light up the night" via means of passive surveillance		Noted.
	Objects the PP based on the following:		
	Believes that the 10 storey development proposed is too high.	The maximum height proposed for the site is 32 m. As shown in the concept plans, the maximum height of buildings varies across the site from 6 storeys (19.5 m) to Carnarvon Street, 10 storeys (31.5 m) to Bligh Street, 8 and 6 storeys (25.5 m and 19.5 m) to Grey Street and 10 (32 m), 5 (16.5 m) and 6 (19.5 m) storeys to Silverwater Road. A Draft Height of Buildings Map is included at Figure 15. Currently, a maximum building height of 14 metres applies to the site. It is considered that increasing the maximum permitted height on the site is required to facilitate the establishment of a landmark development. It is intended that the site will comprise predominantly up to 32 m within the site's Bligh Street frontage with lower buildings or set down edges to the other streets of 5-6 storeys. The proposed increase in height on the corner of on the corner of Bligh Street and Silverwater Road (Building A) (i.e. 32 m (10 storeys)) is considered appropriate in that: - the proposed building is located along a buffer strip and along a distinctive 'gateway' location; - this part of the site is capable of accommodating additional height. The proposed building does not cause any material environmental impacts to future non-residential properties or the public domain in respect of overshadowing, visual impact, view loss, privacy and access to daylight and ventilation; - the proposed building form has an appropriate height and mass relationship to Silverwater Road which is some 29 m wide; - the height of this building is of a scale that is compatible with the desired future character of surrounding development to the south of the site (60 m), on the opposite side of the M4 Motorway which permits buildings of up to 27 m in height); - it is a corner block location with the design accentuating the corner in accordance with sound urban design principles; and - it will provide visual interest. In addition, the envisaged heights of other buildings on the site (Buildings B to D): - the proposed building forms will enhance the existing skyline; - the proposed building forms are setback at the upper levels 4.2 - 6 m from the street edge and at street level additional height will not be perceived; - the proposed heights enables the provision of generous floor to ceiling heights (approximately 2.7 metres for residential uses and 4 metres for ground level commercial and retail uses), which will promote high levels of internal amenity; - the proposal will not result in any material or significant adverse environmental impacts to adjoining properties or the public domain; and	

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		the proposed building forms are consistent with a number of buildings approved, built or currently under construction within the broader area including Newington and Sydney Olympic Park (refer to Section 2.1).
	Believes that the development proposed should be restricted to seven storeys	Refer to above comment
	Will cause an increase in traffic congestion	Colston Budd Hunt & Kafes has prepared a Transport Report for the concept plan and is appended to this report at Appendix B . The report assesses the projected impact of the concept plan on the existing road network through a review of NSW Government policies and travel access guides by NSW Roads and Maritime Service (RMS). Overall, the concept proposal would result in a total of 160 to 190 vehicles per hour (two way) during morning peak period and 510 to 540 vehicles per vehicle (two way) during afternoon peak period. Silverwater Road, Camarvon Street, Bligh Street and Grey Street would be some 20 to 125 vehicles per hour (two-way) during morning peak periods and some 50 to 375 vehicles per hour (two way) during afternoon peak periods. The concept proposal would have modest impacts on the operations of intersections of Camarvon Street and Bligh with Silverwater Road. The level of service of intersections of Grey Street with Camarvon Street and Bligh Street will be maintained.
08	Objection to Planning Proposal:	
	The subject rezoning should not be supported to change from B6 Enterprise Corridor zone to B4 mixed Use zone	
	Concerned about the increase in traffic on already congested streets	Colston Budd Hunt & Kafes has prepared a Transport Report for the concept plan and is appended to this report at Appendix B . The report assesses the projected impact of the concept plan on the existing road network through a review of NSW Government policies and travel access guides by NSW Roads and Maritime Service (RMS). Overall, the concept proposal would result in a total of 160 to 190 vehicles per hour (two way) during morning peak period and 510 to 540 vehicles per vehicle (two way) during afternoon peak period. Silverwater Road, Camarvon Street, Bligh Street and Grey Street would be some 20 to 125 vehicles per hour (two-way) during morning peak periods and some 50 to 375 vehicles per hour (two way) during afternoon peak periods. The concept proposal would have modest impacts on the operations of intersections of Camarvon Street and Bligh with Silverwater Road. The level of service of intersections of Grey Street with Camarvon Street and Bligh Street will be maintained.
	Concerned about parking – currently issues with on street parking	Off-street parking would be provided in any redevelopment proposal of the site. Council may explore the option of implementing restrictions for existing on-street parking spaces.
	Concerned about parking within the development, that there will not be enough parking proposed to accommodate the new population	The proposal is not a detailed design. Off-street parking would be provided in any redevelopment proposal of the site commensurate to the scale and density of the future development.
	Concerned about the increase in number of vehicles	Colston Budd Hunt & Kafes has prepared a Transport Report for the concept plan and is appended to this report at Appendix B . The report assesses the projected impact of the concept plan on the existing road network through a review of NSW Government policies and

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	travel access guides by NSW Roads and Maritime Service (RMS).	Overall, the concept proposal would result in a total of 160 to 190 vehicles per hour (two way) during morning peak period and 510 to 540 vehicles per vehicle (two way) during afternoon peak period. Silverwater Road, Camarvon Street, Bligh Street and Grey Street would be some 20 to 125 vehicles per hour (two-way) during morning peak periods and some 50 to 375 vehicles per hour (two way) during afternoon peak periods. The concept proposal would have modest impacts on the operations of intersections of Camarvon Street and Bligh with Silverwater Road. The level of service of intersections of Grey Street with Camarvon Street and Bligh Street will be maintained.
	Concerned that subject site is not serviced by public transport	The site is in close proximity to an existing bus route that connects the site to Auburn Railway Station. The appropriate provision of car parking spaces for the development in accordance with car parking rates specified in relevant development control plans will affect the level of public transport patronage and the use of alternative modes of transport, i.e. walking and cycling. The provision of bicycle parking in the development will encourage residents and visitors to utilise the nearby Auburn and Sydney Olympic Park cycleway. The site is within an 800 m catchment of a number of regular bus services connecting the site to Paramatta, Auburn Station, Macquarie Centre, Bankstown and other western Sydney regional centres.
	Concerned about the aesthetics of the building - in relation to the building height	The proposal is not a detailed design. Future development would respond to planning controls relating to built form and aesthetics.
	Concerned about the overall appearance of the building on the area	The proposal is not a detailed design. Future development would respond to planning controls relating to built form and aesthetics.
09	Objection to Planning Proposal:	
	Concerned that the population on the subject site area will increase by 17%	The anticipated dwelling yield of 226 associated with the concept plan presented in the planning proposal would lead to an expected net population increase of 500 residents.
	Concerned that the retail aspect of the proposed development will increase and create additional floating population	The retail component of any future mixed use development on the site is expected to include a supermarket, convenience and neighbourhood shops, primarily catering to residents (new and existing) as well as workers within the existing industrial area. The Economic Assessment, prepared by Leyshon Consulting and included at Appendix C found that passing trade would comprise up to 30% of all customers frequenting the retail component of any future mixed use development.
	Concerned that the development is unsustainable without improving any infrastructure	Relevant section 94 contributions will apply to any redevelopment that would support maintenance and improvement to existing infrastructure and projected new infrastructure. Costs of upgrades to utilities and servicing would be borne by the developer.
	Concerned that the current traffic issues around the subject site and surrounding area will be aggravated with an increased population	The submitted Transport Report concludes the three key intersections adjacent to the site (i.e. Silverwater Road with Camarvon and Bligh Streets and Grey Street with Camarvon Street) will have a satisfactory level of service as a result of an increase in vehicle trips generated from potential redevelopment of the site. The site would utilise existing bus, cycle and pedestrian linkages.
10	Supports the Planning Proposal:	
	Request on behalf of their client that the planning proposal be broadened to include the property known as 24 Camarvon Street on the following grounds:	The land to which this planning proposal relates is set out in section 2.2 of the planning proposal. That being The site comprises 14 lots and is legally described as:

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		• Lot 18 in DP 77341; • Lots 8, 14, 15, 16 and 17, Section 5 in DP 979426; • Lot 13 Section 5 in DP 75209; • Lot 12 in DP 76894; • Lots 5, 6 and 7 in DP 89550; • Lot 1 in DP 90071; and • Lots 1 and 2 in DP 1110059. The draft Land Application Map (provided at Figure 13) illustrates the land that is to be included in the LEP Amendment. It is noted that the draft LEP map shows a suggested land use zone for land that is outside of the site. Although this land does not form part of the land to which this planning proposal relates, it has been included on the draft LEP mapping to assist Council in its consideration of the rezoning proposal in the context of the wider area. This application does not pre-suppose, rely upon or seek to provide an environmental assessment with respect to the implications of the future rezoning of this broader land area. It serves to demonstrate one alternative land use zoning of the nominated block.
	Where the adjoining properties are included it will assist in the revitalisation of Silverwater	Refer to above comment
	would not result in potential disjointed urban design outcomes	Refer to above comment
	Believes that the planning proposal needs to take the <i>objectives, outcomes and provisions</i> for the greater character of surrounding properties of Silverwater – which includes the property at 24 Camarvon Street	Refer to above comment
	Believes that it would create public interest	Refer to above comment
	Note: <i>Urges Council to reconsider the planning proposal to include 24 Camarvon Street, Silverwater.</i>	Refer to above comment
11	Objection to Planning Proposal:	
	Concerned that the planning proposal has not taken into account what may occur if the same development was to occur on the other side of the road	APP is not aware of any planning proposal which seeks to rezone land for mixed use purposes directly opposite the site.
	Planning proposal does not address any potential cumulative impacts	Refer to above comment
	Economic Report does not address any potential cumulative impacts	Refer to above comment
	Traffic Report does not address any potential cumulative impacts if the development is repeated on other sites	This is a hypothetical and there are no known intentions for redevelopment or rezoning of sites on the eastern side of Silverwater Road.
	Believes that the traffic and transport report is unsatisfactory	Colston Budd Hunt & Kafes has prepared a Transport Report for the concept plan and is appended to this report at Appendix B. The report assesses the projected impact of the concept plan on the existing road network through a review of NSW Government policies and travel access guides by NSW Roads and Maritime Service (RMS).

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		Overall, the concept proposal would result in a total of 160 to 190 vehicles per hour (two way) during morning peak period and 510 to 540 vehicles per vehicle (two way) during afternoon peak period. Silverwater Road, Camarvon Street, Bligh Street and Grey Street would be some 20 to 125 vehicles per hour (two-way) during morning peak periods and some 50 to 375 vehicles per hour (two way) during afternoon peak periods. The concept proposal would have modest impacts on the operations of intersections of Camarvon Street and Bligh with Silverwater Road. The level of service of intersections of Grey Street with Camarvon Street and Bligh Street will be maintained. Key intersections were assessed as part of the traffic and transport report.
12	Objection to Planning Proposal:	
	Concerned about the proposed building height	Currently, a maximum building height of 14 metres applies to the site. It is considered that increasing the maximum permitted height on the site is required to facilitate the establishment of a landmark development. It is intended that the site will comprise predominantly up to 32 m within the site's Bligh Street frontage with lower buildings or set down edges to the other streets of 5-6 storeys. Detailed design of any redevelopment will address design excellence/aesthetics considerations. Matter to be appropriately dealt with at detailed DA stage.
	Concerned that the development will be an eyesore	Matter to be appropriately dealt with at detailed DA stage.
	Concerned about lack of privacy for surrounding properties	Protection of neighbour privacy would be addressed in detailed design stage. Matter to be appropriately dealt with at detailed DA stage.
	Concerned about issues associated with increased traffic flow	Colston Budd Hunt & Kafes has prepared a Transport Report for the concept plan and is appended to this report at Appendix B . The report assesses the projected impact of the concept plan on the existing road network through a review of NSW Government policies and travel access guides by NSW Roads and Maritime Service (RMS). Overall, the concept proposal would result in a total of 160 to 190 vehicles per hour (two way) during morning peak period and 510 to 540 vehicles per vehicle (two way) during afternoon peak period. Silverwater Road, Camarvon Street, Bligh Street and Grey Street would be some 20 to 125 vehicles per hour (two-way) during morning peak periods and some 50 to 375 vehicles per hour (two way) during afternoon peak periods. The concept proposal would have modest impacts on the operations of intersections of Camarvon Street and Bligh with Silverwater Road. The level of service of intersections of Grey Street with Camarvon Street and Bligh Street will be maintained. Refer to above comment. The concept plans prepared for the site illustrate that car parking will be accommodated within 1-2 levels of basement car park. Matter can be appropriately dealt with a DA stage.
	Concerned about issues associated with parking	Refer to above comment
	Concerned about the number of parking spaces that will be available for the residents and workers in the basement of the proposed development	Refer to above comment
	Concerned about the lack of on street parking issues (currently has issues with the workers in the area)	Refer to above comments

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	Concerned about the loss of solar access	The proposed development will maintain an appropriate level of solar access to surrounding developments. The site is within an urban area serviced by physical infrastructure. Any required upgrades triggered by the redevelopment of the site would be borne by the developer.
	Concerned about increased demand on infrastructure (water, sewage, drainage and electricity)	The site is in close proximity to an existing bus route that connects the site to Auburn Railway Station. The appropriate provision of car parking spaces for the development in accordance with car parking rates specified in relevant development control plans will affect the level of public transport patronage and the use of alternative modes of transport, i.e. walking and cycling. The provision of bicycle parking in the development will encourage residents and visitors to utilise the nearby Auburn and Sydney Olympic Park cycleway. The site is within an 800 m catchment of a number of regular bus services connecting the site to Parramatta, Auburn Station, Macquarie Centre, Bankstown and other western Sydney regional centres. The site is approximately 1.9 km north-east of Auburn Railway Station, which is equivalent to a 20 minute walk.
13	Objection to Planning Proposal and Petition including (13 signatures)	
	Concerned that the planning proposal will overwhelm and degrade the quiet suburb.	The concept proposal will result in a number of positive social impacts including: - encourages pedestrian circulation throughout the site and surrounding areas; - will provide high quality residential space that can contribute to housing affordability, provides housing in proximity to employment areas and through local spending will have flow on effects to local retailers and other service providers; - will provide quality office and retail space (proposed to be limited) that complements existing centres within Auburn; - provides permanent and construction employment opportunities (refer to Section 6.3 below); - allows for greater natural surveillance of internal and external spaces on the site promoting safety; - provides day and night time activation of the site through the introduction of a mix of retail and commercial uses at street level and along envisaged through-site link; - promotes state government initiatives by providing high quality residential, commercial and modest component of retail space in close proximity to other services and facilities, in particular public transport; - provides services and facilities to satisfy the needs of workers in the surrounding area (existing and future); and - is a catalyst for future redevelopment within the area. Refer to above comment.
	States that there are enough apartments and commercial spaces in the area	Concept plans demonstrate an appropriate level of sunlight access will be maintained to surrounding properties.
	Concerned about solar access	Future development on the site would need to demonstrate consistency with Council's existing DCP and the natural ventilation rules of thumb set out in the SEPP 65 Residential Flat Design Code.
14	Objection to Planning Proposal:	

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	Concerned about issues associated with traffic	Refer to above comment.
	Concerned about issues associated with on street parking	Council could explore the option of implementing parking restrictions.
	Concerned about issues associated with the development's parking space numbers	Specific details on parking spaces would be required at the development application stage for the detailed design of the concept proposal.
	Concerned about issues associated with privacy	The proposed concept plans for the site comply with the separation distances as set out in SEPP 65 Residential Flat Design Code. The detailed resolution of this can be addressed at detailed design stage.
15	Objection to Planning Proposal and a Petition (12 Signatures)	
	Concerned about setting a precedent	The proposed rezoning would set a desirable precedent.
	Concerned about the issues associated with traffic	The submitted Transport Report concludes the three key intersections adjacent to the site (i.e., Silverwater Road with Carnarvon and Blight Streets and Grey Street with Carnarvon Street) will have a satisfactory level of service as a result of an increase in vehicle trips generated from potential redevelopment of the site. The site would utilise existing bus, cycle and pedestrian linkages.
	Concerned about the lack of transport infrastructure to support the community	The site is within an 800 m catchment of a number of regular bus services connecting the site to Parramatta, Auburn Station, Macquarie Centre, Bankstown and other western Sydney regional centres. This is equivalent to a 5 to 10 minute walk. It is approximately 1.9 km north-east of Auburn Railway Station, which is equivalent to a 20 minute walk. Increases to existing or new services may be explored by public transport operators in light of gradual population increase in the area.
	Concerned that the location is too far from suitable public transport and railway stations	Refer to above comment.
	Concerned about the final outcome of the development - Potential eyesore	A detailed design proposal to redevelop the site would be subject to built form controls in the Residential Flat Design Code and Council's DCP.
	States that the developer can create jobs without a rezoning process	Current zoning only limits employment land uses to office premises, hotel and motel accommodation and bulky goods retailing.
	States that the proposed pedestrian public link is not required as Silverwater does not have high pedestrian thoroughfare	The pedestrian through site link is an urban design outcome aiming to improve the public domain quality of the area. It would also aim to create a shopping strip within the site, assisting to activate the Silverwater Road and Carnarvon Street frontages.
	Believes that achieving dwellings targets should not occur in areas lacking in public transport access	The site is within an 800 m catchment of a number of regular bus services connecting the site to Parramatta, Auburn Station, Macquarie Centre, Bankstown and other western Sydney regional centres. This is equivalent to a 5 to 10 minute walk. It is approximately 1.9 km north-east of Auburn Railway Station, which is equivalent to a 20 minute walk.
	Suggest that the development should be rezoned to B1 Neighbourhood Centre zone or B2 Local Centre zone where there is a lower maximum building height	The B4 Mixed Use zone is considered an appropriate zone for the site. It is proposed to adopt the land use table for the B4 Mixed Use zone as currently set out in Auburn LEP 2010. It is not proposed to nominate any additional permitted uses on the site.
		It is proposed to apply the B4 Mixed Use Zone to the site rather than B2 Local Centre Zone on the basis that the B4 zone appropriately reflects the intended outcome of the planning proposal

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		and the site to provide a range of residential development including residential flat buildings as well as non-residential / retail development. As described in the DoP's LEP Practice Note PN 06-002 the B2 Local Centre Zone is intended for "...centres that provide a range of retail, business, entertainment and community functions that typically service a wider catchment than a neighbourhood centre." It is not the intention or the purpose of the planning proposal that the site fulfil this function with respect to its non-residential role within the broader urban context. As described in Section 3, the Concept Plans developed for the site illustrate higher density housing in the form of four residential flat buildings (approximately 226 dwellings) with a small component of non-residential retail land use at ground level. It is also considered that application of the B4 Mixed Use Zone is consistent with DoP's Promoting Economic Growth and Competition Through the Planning System Review Report April 2010. The Review Report identifies that land use planning systems should be flexible and should ensure that land use planning policies provide for the growth of areas to be responsive as the population density in the area changes and consumer needs shift over time with changes in demographics. To have the best economic and innovative outcomes, the DoP Review Report concludes that strategic planning documents need to reflect the dynamic nature of land use and in particular, that it is important that areas can accommodate a range of mixed uses. The planning proposal would provide opportunities to be redeveloped into a gateway/landmark development, incorporating quality and affordable apartments, and retail premises primarily servicing local residents.
16	Concerned that the rezoning is only for financial benefit, not for the community's benefit Objection to Planning Proposal: Concerned about the overdevelopment of the land Concerned about the reduction in amenity to the adjacent residential areas Believes that the existing zoning should be retained as it allows for a maximum height of 14m States that there are no other buildings (dwellings or industrial) that are higher than 2-3 storeys or 9 metres Concerned about setting a precedent Concerned that the proposal is not compatible with the surrounding area States that the development will generate over 1300 extra vehicle trips	The proposed floor space and maximum building height development standards aim to set appropriate parameters to control the bulk and scale of any future development of the site to be sympathetic to the current and future desired character of the area. The expected redevelopment of the site would significantly improve the streetscape interface of the site, and in turn, the amenity of the area. The proposed 32 m and 16.9 m maximum building height standards within the southern portion of the site would aim to achieve a future gateway/landmark development. The detailed design of any future development proposal for the site would address overshadowing and overlooking impacts affecting surrounding properties. The approved mixed use development at 79-87 Beaconsfield Street, Silverwater is four storeys in height. The current maximum building development standard allows a maximum of five storeys. The planning proposal responds to market demand and future planning direction of the area in terms of high density infill development. Current zoning of surrounding sites fronting Silverwater Road will gradually shift the existing built form to potentially big-box, large scale warehouse, office and hotel motel accommodation buildings. The transport assessment concludes that any future development of the site (presented in the concept plans) would expect to generate a maximum of 510 to 540 vehicle trips per hour during

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		afternoon peak period and a minimum of 160 to 190 vehicle trips per hour in during morning peak period.
	States that the proposal will be contrary to the strategic aims and objectives of the Metropolitan Plan for Sydney 2036, The Draft Metropolitan Strategy for Sydney, West Central Draft Subregional Strategy and the Auburn Local Environmental Plan 2010	A detailed discussion of the planning proposal's relationship to the relevant strategies is included at Section 5. In summary: - Under the Draft Sydney Metropolitan Strategy 2013, the site forms part of the Parramatta Road Corridor and Investigation for Transport and Urban Renewal area. The Parramatta Road Corridor offers prime regeneration opportunities to create lively, well-designed centres with improved north-south and east-west linkages. Providing additional housing as part of the development of the site is aligned with the priorities of the corridor, particularly providing higher population density in proximity to future business investment. The emphasis on improving access to and within the corridor (public transport, vehicular, pedestrian and cycle) will encourage further public transport patronage, assist to combat car dependency, and provide an impetus to boost development densities. - The Draft West Central Subregional Strategy sets a housing capacity target 95,000 new dwelling from 2004 to 2031. Of these additional dwellings, Auburn LGA would accommodate 17,000 additional dwellings with at least 50 per cent of those dwellings to be located within 30 minutes by public transport to a Strategic Centre (i.e. Auburn). These housing targets were devised to assist Council in nominating land use zones and appropriate development standards to sites during the preparation of comprehensive LEPs. This means the remaining 50 per cent of additional dwellings can be accommodated through infill development. The Draft Subregional Strategy projects an increase of 61,000 jobs in the West Central Subregion by 2031. Of these, it is anticipated that 12,000 jobs will be provided locally in the Auburn LGA. In relation to employment in Silverwater, existing sites which presently function as industrial areas and provide a regional / national economic role (including heavy and light manufacturing or major freight activities have been identified as needing to be retained under the Draft West Central Strategy (page 30). The site is not currently used for industrial purposes, nor has it accommodated an industrial use in the past and does not contribute to job numbers in the subregion. Providing additional housing as part of the development of the site and up to 4,000m2 of retail floor space will introduce an employment function of the site. - Retail offerings in the future development of the site will need to be limited to complement rather than compete with established retail areas of Auburn, the West Central Subregion and Sydney as a whole. The Planning Proposal seeks to limit the amount of non-residential floor space on the site, to approximately 4,000m2 of GFA. It is expected that this will comprise a small scale supermarket, specialities and a major liquor store. The Planning Proposal is not inconsistent with any s.117 directions.
17	Objection to Planning Proposal:	
	Concerned that the development is out of character with surrounding area	A detailed design proposal to redevelop the site would be subject to built form controls in the Residential Flat Design Code and Council's DCP.
	Concerned that the development will be an eyesore	A detailed design proposal to redevelop the site would be subject to built form controls in the Residential Flat Design Code and Council's DCP.
	States that there are no other apartment blocks in the area that are over three	The approved mixed use development at 79-87 Beaconsfield Street, Silverwater is four storeys

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	storeys high		in height. The current maximum building development standard allows a maximum of five storeys.
	Concerned about issues associated with on street parking – (existing issues due to office workers and a local church)		Council could explore the option of implementing parking restrictions.
	Concerned that the area is poorly serviced by public transport		The site is within an 800 m catchment of a number of regular bus services connecting the site to Parramatta, Auburn Station, Macquarie Centre, Bankstown and other western Sydney regional centres. This is equivalent to a 5 to 10 minute walk. It is approximately 1.9 km north-east of Auburn Railway Station, which is equivalent to a 20 minute walk.
18	Objection to Planning Proposal:		
	Concerned about loss of privacy		Refer to previous comments
	Concerned about loss of solar access		Refer to previous comments
	Concerned about loss of a breeze		Refer to previous comments
	Concerned about the increase in energy consumption and carbon footprint for neighbours, due to cooling, heating, lighting and laundry		Refer to previous comments
	Concerned about the increase in traffic load		Refer to previous comments
	Concerned that the proposed development will be out of character		Refer to previous comments
	Concerned about the chaos that will be caused during the construction stage of the development		Refer to previous comments
19	Objection to Planning Proposal:		
	Concerned that the application is inappropriate for the setting		A concept plan for the site has been developed to demonstrate the capability of the site to accommodate infill development. The detailed design of development on the site will be the subject of a separate DA.
	Concerned that the site is not located close to public transport		The site is within an 800 m catchment of a number of regular bus services connecting the site to Parramatta, Auburn Station, Macquarie Centre, Bankstown and other western Sydney regional centres. This is equivalent to a 5 to 10 minute walk. It is approximately 1.9 km north-east of Auburn Railway Station, which is equivalent to a 20 minute walk.
	Concerned about issues associated with on street parking		Council could explore the option of implementing parking restrictions.
	Concerned about increased traffic issues		Refer to previous comments
20	Objection to Planning Proposal:		
	Concerned about issues associated with an increased population and the fast turnover of a population		The site and immediate area are identified within an urban renewal corridor in the Draft Metropolitan Strategy for Sydney (2013), which focuses to increase residential densities within these corridors, among other urban renewal objectives.
	Concerned about issues associated with an increased volume of traffic		The application is not a DA. This issue would be addressed at detailed design stage

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	Concerned about issues associated with on street parking	Refer to previous comments
	Concerned about issues associated with loss of privacy	Refer to previous comments
	Concerned about issues associated with infrastructure	Refer to previous comments
	Concerned that residents will not use basement parking	Refer to previous comments
21	Supports the PP:	
	Provides new retail opportunities in Silverwater	Noted
	Provides an economic incentive to redevelop the land	Noted
	Provides residential development opportunities in the locality which is well served by public transport	Noted
	Believes that Council should undertake a strategic study of this corridor to determine what the best planning outcome would be	Noted
	Believes that it is unusual for B4 Mixed Use zone to exist on one site in isolation without considering the B6 zoned development along Silverwater Road	Noted
	Believes that a B4 Mixed Use zoning would enable their clients (on the opposite side of Silverwater Road) the incentives to build	Noted
22	Objection to Planning Proposal:	
	Concerned about issues associated with increased volume of traffic	Refer to previous comments
	Concerned about the overall scale of the development	Refer to previous comments
	Concerned about the neighbourhood change	Refer to previous comments
	Concerned about the chaos associated with construction of the proposed development	The detailed design of future development on the site will be the subject of a separate DA. Any approval of detailed design would include a condition specifying standard construction hours. Matter appropriately dealt with a DA stage.
23	Objection to Planning Proposal and Petition (85 signatures)	
	Concerned about loss of solar access	Refer to previous comments
	Concerned about the increase in traffic noise	Refer to previous comments
	Concerned about loss of privacy	Refer to previous comments

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	Concerned about property value loss (including the current B6 zoned land)	Refer to previous comments
	Concerned about associated traffic issues where additional people will be using the local roads	Refer to previous comments
	Concerned about the loss of on street parking – currently an issue	Refer to previous comments
	Concerned about health issues for potential residents where there are 7 industrial chimneys located close to the subject site	Refer to previous comments
	Concerned about the loss of B6 zoned Land, which could be used to service the community	As demonstrated throughout the planning proposal, there is limited demand for the types of uses envisaged under the B6 Enterprise Corridor in the Silverwater locality. By contrast, there appears to be a strong ongoing demand for multi-unit housing in Auburn LGA and the subject site (if rezoned to B4 Mixed Use) can make a positive contribution to both meeting the overall housing targets for Auburn LGA and increasing the supply of affordable dwellings in the short- to medium-term and is worthy of Council's support.
24	Objection to Planning Proposal:	
	Concerned that the majority of the development in the planning proposal is fronting Silverwater Road	The application is not a DA. This issue would be addressed at detailed design stage.
	Concerned that the development is so closely located to one of Sydney's worst traffic black spots	The planning proposal is supported by a traffic and transport report which demonstrates the proposal is acceptable.
	Concerned about the high levels of traffic along adjoining roads	The submitted transport report concludes the three key intersections adjacent to the site (i.e. Silverwater Road with Carnarvon and Blight Streets and Grey Street with Carnarvon Street) will have a satisfactory level of service as a result of an increase in vehicle trips generated from potential redevelopment of the site. The site would utilise existing bus, cycle and pedestrian linkages.
	Concerned about the loss of a zoning buffer for the residential area located to the west	The site is presently occupied by dwelling houses and two commercial buildings.
	Concerned that the site is not compatible for residential use or for children	Part of the site comprises dwelling houses, indicating that the site continues to be suitable for residential development. High density residential, where apartments are elevated above ground level, are considered appropriate to buffer noise and air quality impacts associated with Silverwater Road.
	Concerned about the lack of appropriate amenity in relation to schools, shopping	The site is within reasonable reach of existing public primary and secondary schools. The planning proposal seeks to permit retail premises on the site to potentially introduce a vibrant neighbourhood shopping centre.
	Concerned about the aesthetics of the development as it has some of the qualities seen in recent poor quality residential developments in busier areas	The application is not a DA. This issue would be addressed at detailed design stage. Future development of the site would need to respond to the ten design principles of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development assessed by an expert design review panel.

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Appendix 12 –RMS submission – summary

Reference is made to Council's correspondence dated 19 July 2013 and associated traffic models received on 26 August 2013 with regard to the abovementioned rezoning proposal, which was referred to Roads and Maritime Services (RMS) for comment.

RMS appreciates this opportunity and provides the following preliminary comments to Council to the traffic models:

Silverwater Road/Carnarvon Road intersection

- The maximum cycle time for the intersection is 130 seconds.
- The length of kerbside lane on Carnarvon Road West is incorrectly coded.
- The heavy vehicle percentage for all the movements in the existing weekday AM is 5%. However, it decreases to 3% in the weekday AM with the development.
- There is no additional traffic on Carnarvon Street West approach in the Weekday AM+Dev model compared to the traffic volume in the Weekday AM model. In addition, only total 60 additional vehicles are in the Weekday PM+Dev model compared to the total traffic volume in the model for Weekday PM, which is inconsistent with the estimated traffic generation in the Transport Report for the Proposed Mixed Use Rezoning, 32-34 & 38-46 Silverwater Road. In this regard, the impact of the additional traffic generated from the development is not correctly modelled at this intersection. The traffic volume input data in the models needs be reviewed and revised.
- The adjacent signalised intersection of Silverwater Road and Fariola Street, north to the intersection is approximately 685 metre apart from this intersection which is larger than 500m. The arrival type for Silverwater Road North approach should be type 4-favourable.

Silverwater Road/Fariola Road Intersection

- The maximum cycle time for the intersection is 130 seconds.
- The length of the right turn bays on Silverwater Road is incorrectly coded. The taper area of the right turn bays should not be included.
- The length of the kerbside lane on Fariola Street East approach is incorrectly coded.
- The adjacent signalised intersection of Silverwater Road and Carnarvon Road, south to the intersection is approximately 685 metre apart from this intersection which is larger than 500 m. The arrival type for Silverwater Road South approach should be type 4-favourable.

As a result of the above, the SIDRA models should be revised and re-submitted to RMS for review.

Should you have any questions, please don't hesitate to contact me.

Regards

Stella Qu

Appendix 13 – Applicant’s Planning Proposal Application and Supporting Studies