

### Reclassification of Council surplus lands at Byrne, Belgium and Fraser Streets, Auburn from Community land to Operational land.

Proposal Title : **Reclassification of Council surplus lands at Byrne, Belgium and Fraser Streets, Auburn from Community land to Operational land.**

Proposal Summary : **The draft planning proposal seeks to reclassify the subject lands at 2 Byrne Street, 3 Belgium Street and Lots 18 and 42 Fraser Street, Auburn from Community to Operational Land.**

PP Number : **PP\_2011\_AUBUR\_007\_00**

Dop File No : **11/16401**

#### Proposal Details

Date Planning Proposal Received : **31-Aug-2011**

LGA covered : **Auburn**

Region : **Sydney Region West**

RPA : **Auburn Council**

State Electorate : **AUBURN**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Reclassification**

#### Location Details

Street : **2 Byrne Street**

Suburb : **Auburn**

City : **Auburn**

Postcode : **2144**

Land Parcel : **Lot 11 DP 245064**

Street : **3 Belgium Street**

Suburb : **Auburn**

City : **Auburn**

Postcode : **2144**

Land Parcel : **Lot 5 DP 8215**

Street : **Lot 18**

Suburb : **Auburn**

City : **Auburn**

Postcode : **2144**

Land Parcel : **Lot 18 DP 224829**

Street : **Lot 42**

Suburb : **Auburn**

City : **Auburn**

Postcode : **2144**

Land Parcel : **Lot 42 DP 224829**

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**DoP Planning Officer Contact Details**

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**RPA Contact Details**

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**DoP Project Manager Contact Details**

Contact Name :  
Contact Number :  
Contact Email :

**Land Release Data**

|                                       |                                         |                                                            |            |
|---------------------------------------|-----------------------------------------|------------------------------------------------------------|------------|
| Growth Centre :                       | <b>N/A</b>                              | Release Area Name :                                        | <b>N/A</b> |
| Regional / Sub<br>Regional Strategy : | <b>Metro West Central<br/>subregion</b> | Consistent with Strategy :                                 | <b>Yes</b> |
| MDP Number :                          |                                         | Date of Release :                                          |            |
| Area of Release (Ha)<br>:             |                                         | Type of Release (eg<br>Residential /<br>Employment land) : |            |
| No. of Lots :                         | <b>0</b>                                | No. of Dwellings<br>(where relevant) :                     | <b>0</b>   |
| Gross Floor Area :                    | <b>0</b>                                | No of Jobs Created :                                       | <b>0</b>   |

The NSW Government **No**  
Lobbyists Code of  
Conduct has been  
complied with :

If No, comment : **Please see INTERNAL NOTES for more information.**

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

If Yes, comment : **Please see INTERNAL NOTES for more information.**

**Supporting notes**

Internal Supporting  
Notes : **In July 2010, Council carried out a Comprehensive Review of its Property Portfolio during the preparation of the draft Auburn LEP 2010. During this review, the parcels of land at Belgium Street, Byrne Street and Fraser Street, Auburn were identified as surplus to Councils open space needs and required disposal.**

**The rezoning of the subject sites was dealt with in the comprehensive Auburn LEP 2010 process.**

**LOBBYIST STATEMENT**

**At this time, to the best of the Regional Team's knowledge, there has been no meetings or**

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communications with lobbyists regarding this planning proposal.

External Supporting  
Notes :

### Adequacy Assessment

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

Is a statement of the objectives provided? **Yes**

Comment : **The application clearly identifies the objectives of the planning proposal to enable Council to dispose of the surplus lands at Byrne, Belgium and Fraser Streets, Auburn and allow the land classification to be consistent with the current zoning policy.**

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

Is an explanation of provisions provided? **Yes**

Comment : **Amend the provisions in the Auburn LEP 2010 pertaining to the reclassification of lands as identified below:**

- **Addition of 3 Belgium Street, Lots 18 and 42 Fraser Street, Auburn in Schedule 4, Part 1 - Land classified, or reclassified, as operational land - no interests changed; and**
- **Addition of 2 Byrne Street, Auburn in Schedule 4, Part 2 - Land classified, or reclassified, as operational land - interests changed.**

#### Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

\* May need the Director General's agreement

**3.1 Residential Zones**

**3.3 Home Occupations**

**4.1 Acid Sulfate Soils**

**6.1 Approval and Referral Requirements**

**7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Is the Director General's agreement required? **Yes**

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

d) Which SEPPs have the RPA identified?

**SEPP No 1—Development Standards**

**SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development**

**SEPP No 19—Bushland in Urban Areas**

**SEPP No 55—Remediation of Land**

**SEPP No 62—Sustainable Aquaculture**

**SEPP No 64—Advertising and Signage**

**SEPP No 70—Affordable Housing (Revised Schemes)**

**SEPP (Building Sustainability Index: BASIX) 2004**

**SEPP (Exempt and Complying Development Codes) 2008**

**SEPP (Housing for Seniors or People with a Disability) 2004**

**SEPP (Infrastructure) 2007**

**SEPP (Temporary Structures and Places of Public Entertainment) 2007**

**SEPP (Affordable Rental Housing) 2009**

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

**Practice note 090-003 'Classification and reclassification of public land through a local environmental plan' should be considered as it provides guidance on the reclassification of public land through the Local Environmental Plan.**

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

If No, explain :

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

Is mapping provided? **Yes**

Comment :                      **The planning proposal includes locality maps which identify the location and current land use zoning of the subject sites under the Auburn Local Environmental Plan 2010.**

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

Has community consultation been proposed? **Yes**

Comment :                      **The planning proposal includes a reference to a comprehensive engagement strategy which will be prepared by Council and provides details of the community consultation process which will be undertaken.**

**Pursuant to clause 34 of the Local Government Act 1993, the Planning Proposal must be exhibited for a minimum of 28 days.**

**A public hearing is also required to be undertaken after the close of the exhibition period in accordance with the Department of Planning and Infrastructure's Practice Note PN 09-003, as the planning proposal involves the reclassification of community land to operational land.**

**Additional Director General's requirements**

Are there any additional Director General's requirements? **No**

If Yes, reasons :

**Overall adequacy of the proposal**

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

**Proposal Assessment**

**Principal LEP:**

Due Date :

Comments in relation to Principal LEP :                      **The principal LEP was completed in October 2010.**

**Assessment Criteria**

Need for planning proposal :                      **The need for the planning proposal has been adequately addressed.**

**The planning proposal is the outcome of Council's resolution at Ordinary Council meeting on 21 July 2010, to reclassify the subject sites from Community to Operational lands.**

**Council has indicated that the subject sites are surplus to Council's open space requirements and that the reclassification of the subject sites will increase land compatibility with the surrounding land uses.**

**The land is already zoned for urban purposes and the reclassification will allow the land to be developed.**

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Consistency with  
strategic planning  
framework :

The planning proposal is consistent with the strategic planning framework, including the Metropolitan Plan for Sydney 2036, Metropolitan Strategy and West Central Draft Subregional Strategy.

Environmental social  
economic impacts :

It is considered that the planning proposal will not have any significant environmental, social or economic implications, given that no land use change is proposed as part of the reclassification LEP.

The reclassification of the subject lands from 'Community' to 'Operational' will enable Council to dispose of the surplus lands. The funding secured from the sale of the sites will financially benefit Council, enabling other critical issues in the LGA to be addressed.

### Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **6 Month** Delegation : **DDG**

Public Authority  
Consultation - 56(2)(d)  
:

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

**No internal consultation required**

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

If Yes, reasons : **Any impact of development arising after the re-sale of the subject lands on the demand on public infrastructure will be insubstantial.**

### Documents

| Document File Name                                                                                                                         | DocumentType Name        | Is Public |
|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------|
| Planning Proposal - Reclassification of Council Surplus Lands.pdf                                                                          | Proposal                 | Yes       |
| Letter from Auburn City Council (31 August 2011)<br>Planning Proposal - Reclassification of Council Land from Community to Operational.pdf | Proposal Covering Letter | Yes       |

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**Planning Team Recommendation**

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

S.117 directions:           **3.1 Residential Zones**  
                                     **3.3 Home Occupations**  
                                     **4.1 Acid Sulfate Soils**  
                                     **6.1 Approval and Referral Requirements**  
                                     **7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information :   **It is recommended the Planning Proposal proceeds subject to the following conditions:**

**1. The Planning Proposal be exhibited for 28 days in accordance clause 34 of the Local Government Act 1993.**

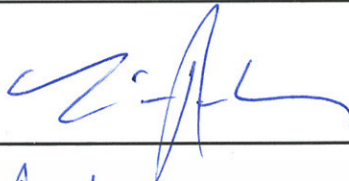
**2. Practice Note PN09-003 be included in the exhibition material.**

**3. A public hearing is to be held in accordance with section 57 of the Environmental Planning and Assessment Act 1979 and section 29 of the Local Government Act 1993, following the public exhibition period.**

**4. The timeframe for completing the planning proposal is 6 months.**

Supporting Reasons :   **The planning proposal involves the reclassification of lands from Community to Operational, will not alter any zoning controls relating to the properties, and will allow the land to be used for the purpose that it is zoned.**

Signature: \_\_\_\_\_



Printed Name: \_\_\_\_\_

Tim Archer

Date: \_\_\_\_\_

16/9/11