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TRIM No: T070691/2014 (PP-5/2014)

Date: 15 August 2014

Attention: Tai Ta

Dear Terry,

SUBJECT: Planning proposal to amend Auburn Local Environmental Plan 2010 map FSR_002 to rectify a mapping anomaly

Please find enclosed Auburn City Council's Planning Proposal to amend Auburn Local Environmental Plan 2010 map FSR_002 to rectify a mapping anomaly. The Planning Proposal seeks to rectify a mapping anomaly created as a result of ALEP Amendment No 8, notified on 11 April 2014.

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Infrastructure's guidelines titled '*A guide to preparing planning proposals*' and '*A guide to preparing local environmental plans*'.

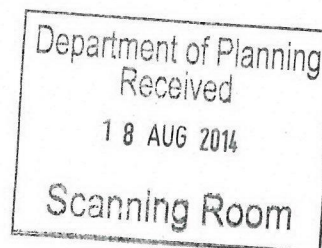
Auburn City Council looks forward to working with the Department of Planning and Environment to progress the proposal. Furthermore, Council would be happy to assist the Department by briefing the panel at the gateway meeting.

Should you have any queries in relation to the Planning Proposal, please contact Monica Cologna, Manager Strategy on 9735 1355.

Yours faithfully

Monica Cologna

**MONICA COLOGNA
MANAGER STRATEGY**



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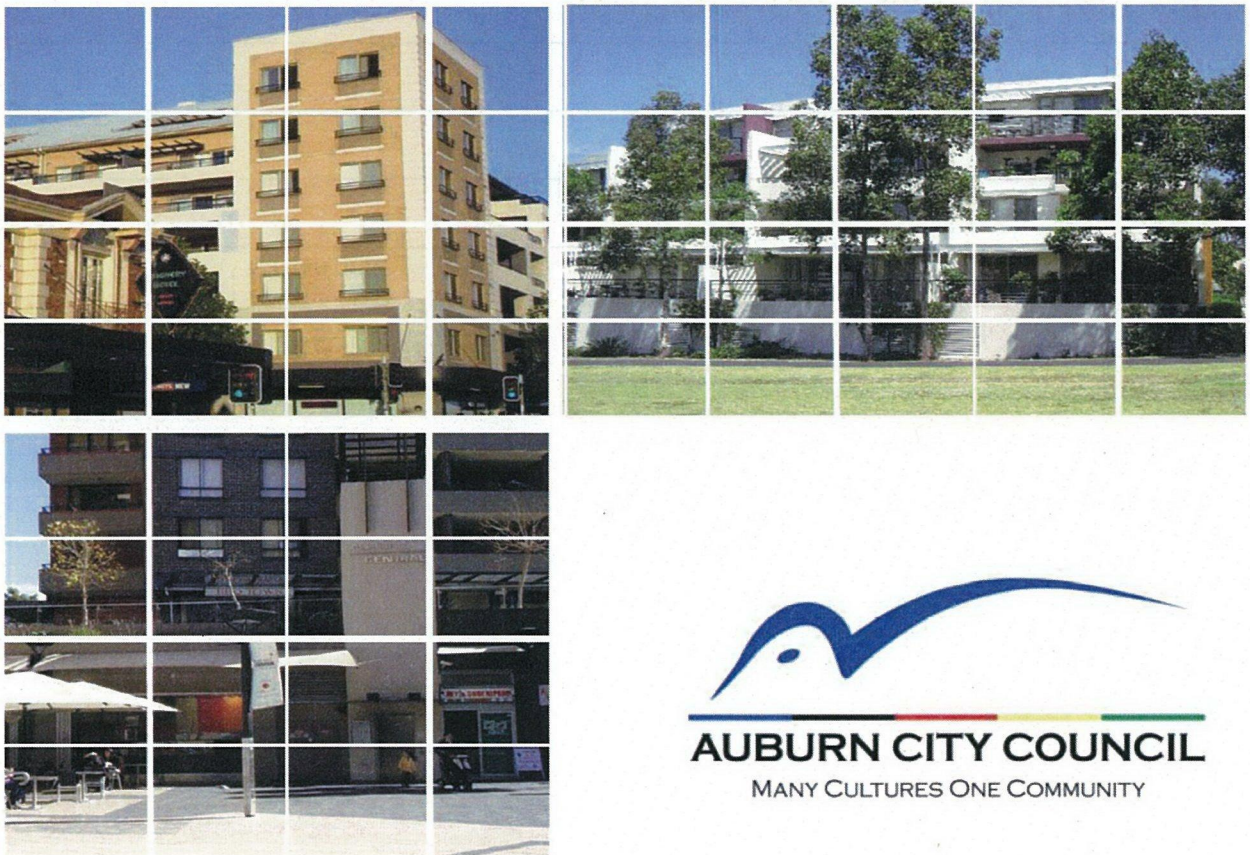
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Auburn Town Centre Mapping Anomaly

Planning Proposal – PP-5/2014

Proposal to amend *Auburn Local Environmental Plan 2010* map
FSR_002 to rectify a mapping anomaly



August 2014

Report history

Date	Status
28 July 2014	First draft
11 August 2014	Final draft
15 August 2014	Final

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1 Introduction

1.1 Executive Summary

This planning proposal contains an explanation of the intended effect and justification for a proposed amendment to the *Auburn Local Environmental Plan 2010* (ALEP). The planning proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) and the relevant Department of Planning and Environment guidelines including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The planning proposal applies to the land bounded by Queen Street, Park Road, Mary Street and Alice Street, Auburn (the subject land). The Planning Proposal seeks to rectify a mapping anomaly created as a result of ALEP Amendment No 8, notified on 11 April 2014. The Planning Proposal is fully consistent with the objectives and intended outcomes of ALEP Amendment No 8.

1.2 Purpose of this Proposal

The planning proposal has been prepared in response to an FSR mapping anomaly resulting from ALEP Amendment No 8. This amendment modified a number of the ALEP 2010 Height of Building (height) and Floor Space Ratio (FSR) maps. In the process a mapping anomaly (error) resulted in the FSR controls for the subject land. The purpose of this planning proposal is to rectify this mapping anomaly and re-instate the previous FSR control for the subject land of 3.0:1.

1.3 Background

ALEP 2010 Amendment No 8 was notified on 11 April 2014. The amendment modified a range of height and FSR controls for most land in the Auburn LGA zoned B4 Mixed Use and R4 High Density Residential, by amending various ALEP 2010 height and FSR maps.

The subject land is currently zoned B4 Mixed Use and forms part of the Auburn Town Centre, however, it was excluded from the height and FSR modifications of ALEP Amendment No 8. The exclusion was made because the subject land is located at the periphery of the Auburn Town Centre, and the existing planning controls of ALEP prior to ALEP Amendment No 8 were considered appropriate to create a transition to adjacent land to the south and west, zoned R2 Low Density Residential. The creation of transition between high and low density land use zones was considered an important urban design and planning principle of ALEP 2010 Amendment No 8.

The exclusion formed part of a Council resolution made on 21 November 2012 (Item 271/12), detailed below (the relevant section shown in **bold**):

RESOLVED 21 NOVEMBER 2012 (ITEM 271/12) that Council amend Planning Proposal PP-3/2010 in accordance with Section 58 of the Environmental Planning & Assessment Act 1979 and Department of Planning and Infrastructure guidelines to undertake the following amendments to the Auburn Local Environmental Plan 2010:

- (a) *That the following land zoned B4 Mixed Use have a floor space ratio of 3.6:1 and a maximum height of buildings of 32 metres:*

- *bound by Macquarie Road, Hall Street and Station Road, Auburn, and land north of and including 11 Macquarie Road, 22 Northumberland, 35 Northumberland and 16 Station Road, Auburn; and*
 - *at 1-5 Station Road, 35-45 Station Road and 4A-6 Dartbrook Road, Auburn;*
- (b) *That land zoned B4 Mixed Use bound by Harrow Road, Queen Street, Auburn Road and Mary Street, Auburn (known as Auburn Village), have a maximum height of buildings of 49 metres.*
- (c) ***That the following land zoned B4 Mixed Use be excluded from PP-3/2010:***
- ***bound by Queen Street, Park Road, Mary Street and Alice Street, Auburn; and***
 - ***bound by Susan Street, Beatrice Street, Marion Street and Kerr Road, up to and including land at 19 Queen Street and 24 Kerr Parade, Auburn; and***
 - ***at 76-164 South Parade, 1-3 to 35-39 Auburn Road, 2-2G Auburn Road, 4A-22 Auburn Road and 8-22 Civic Road, Auburn.***
- (d) *That all other remaining land zoned B4 Mixed Use within Auburn Town Centre have a maximum height of buildings of 38 metres; excluding:*
- *75-77 Auburn Road; and*
 - *18 Harrow Road and 93-105 Auburn Road; and*
 - *57-59, 60, and 62-72 Queen Street.*
- (e) *That land zoned B4 Mixed Use bound by Board Street, Olympic Drive and Church Street, Lidcombe, up to and including land at 5-5A Church Street and 13 Board Street, Lidcombe (known as Dooleys Catholic Workers Club (part thereof)) have a maximum height of buildings of 60 metres.*
- (f) *That land zoned R4 High Density Residential has a floor space ratio of 1.7:1 and 2.0:1 for a corner block only and a maximum height of buildings of 18 metres and 20 metres for a corner block only, excluding:*
- *2-4 Macquarie Road, Auburn; and*
 - *2-36 Church Street, Lidcombe; and*
 - *81 Church Street, Lidcombe; and*
 - *Newington (suburb).*

As part of the FSR map amendment process for ALEP Amendment No 8, FSR Map FSR_002 was erroneously modified to show no FSR control on the subject land. Prior to Amendment No 8, the FSR planning control shown on the FSR Map FSR_002 on the subject land was 3.0:1.

2 Existing situation

2.1 Land to which the proposal applies

The Planning Proposal applies to the land bounded by Queen Street, Park Road, Mary Street and Alice Street, Auburn. The subject land forms part of the Auburn Town Centre and is zoned B4 Mixed Use. The area contains various developments including the Trinity Catholic College, St John of God Catholic Church and other school / church related buildings, as well as a small number of detached dwellings and residential flat buildings. The subject land and existing land use zoning is shown in Figure 1.

2.2 Existing Planning Controls

There is no existing FSR planning control applying to the subject land shown on FSR Map FSR_002. The existing FSR controls applying to the subject land are shown in Figure 2.

2.3 Previous Planning Controls

Prior to ALEP Amendment No. 8, an FSR control of 3.0:1 applied to the subject land as shown on FSR Map FSR_002. The previous FSR controls applying to the subject land are shown in Figure 3.

Figure 1: Subject land and existing zoning

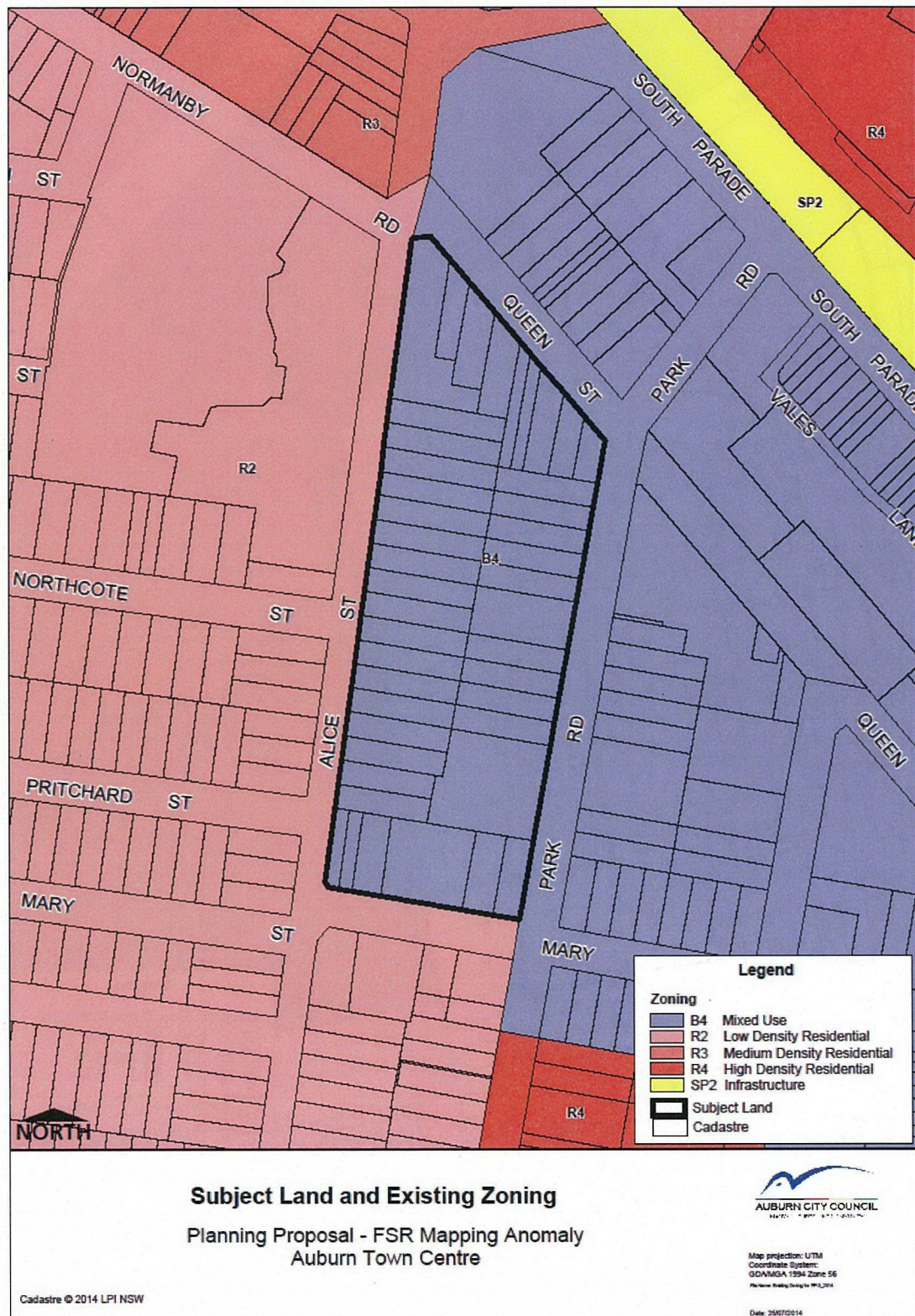


Figure 2: Existing Floor Space Ratio controls

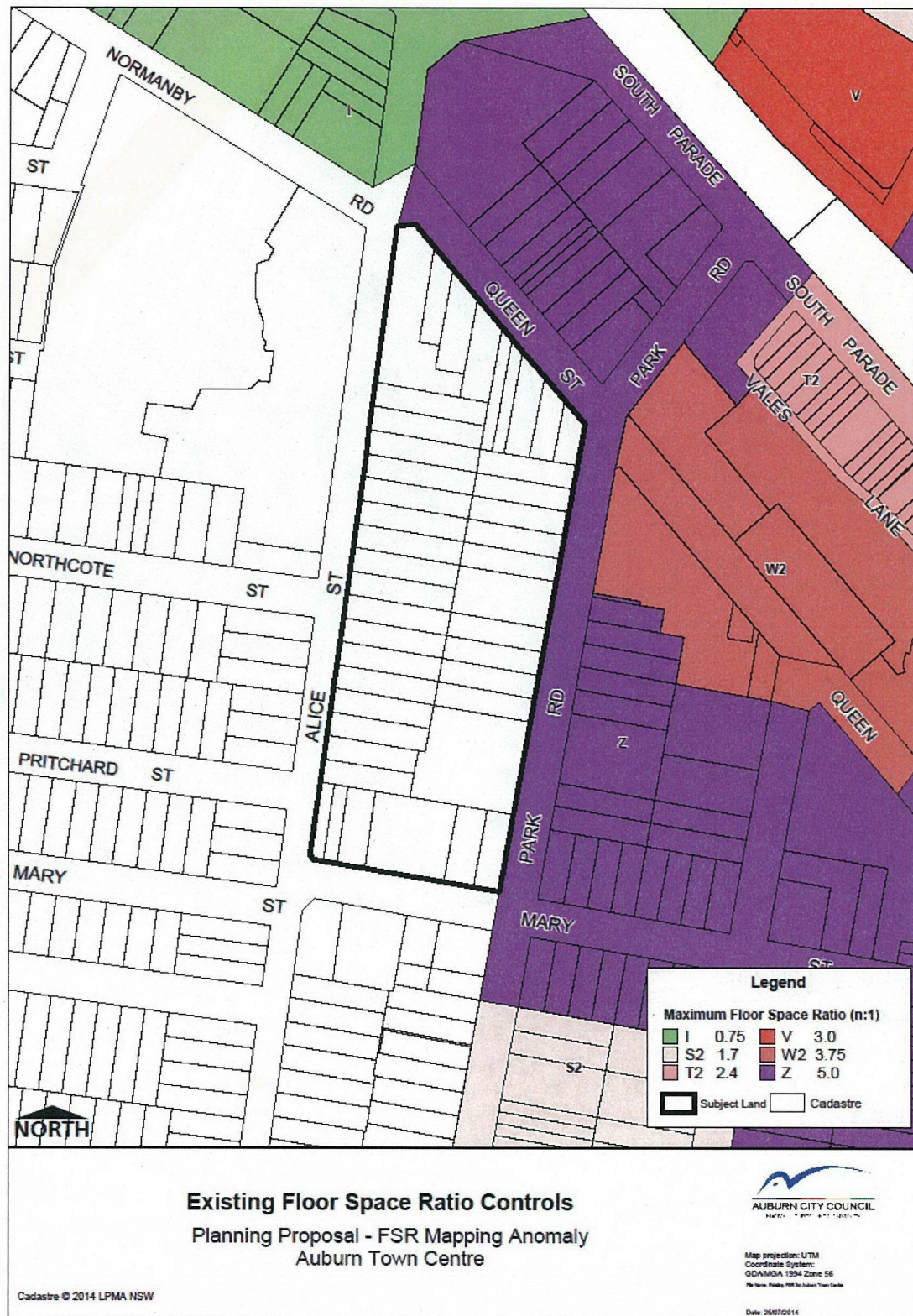
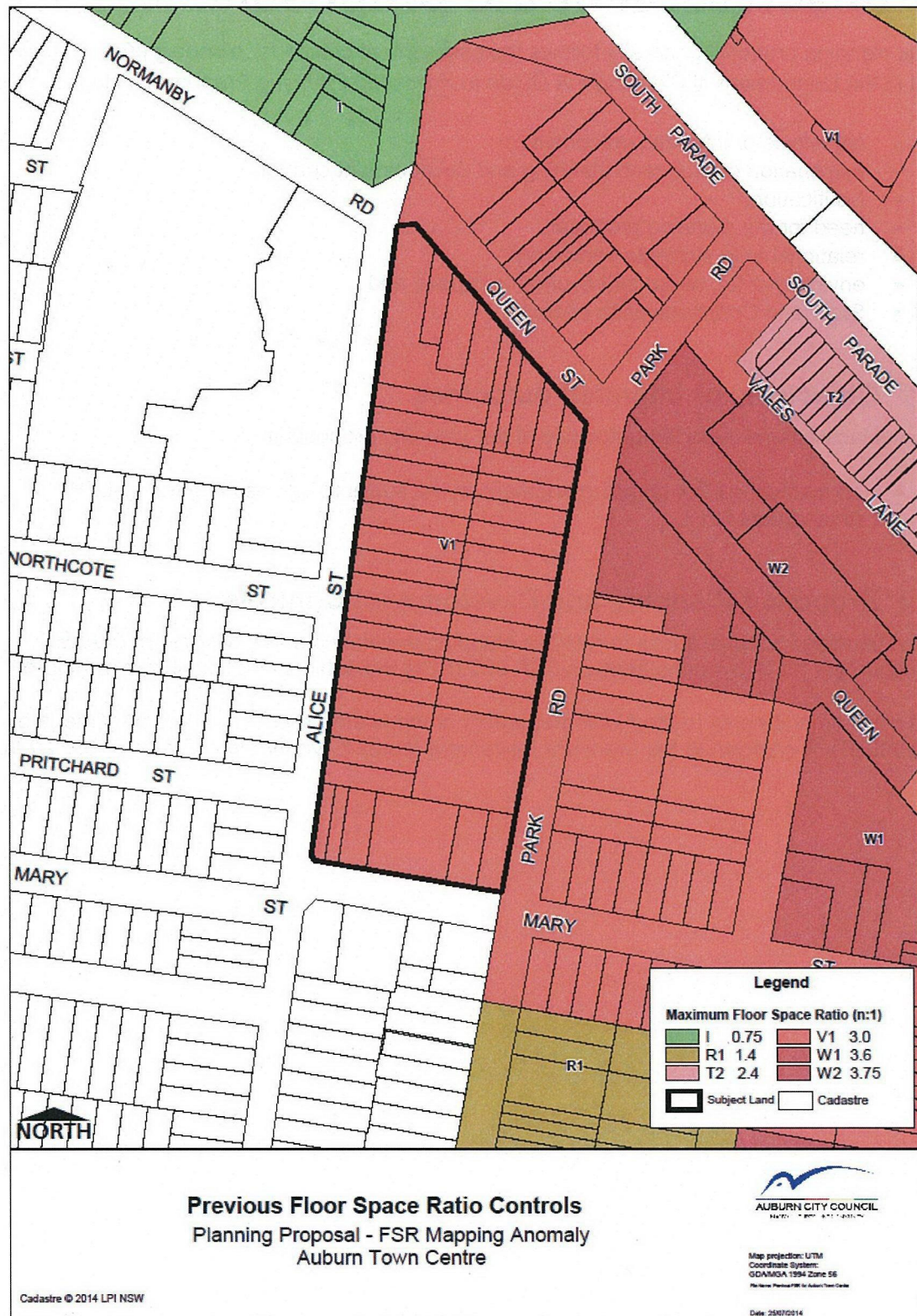


Figure 3: Previous Floor Space Ratio controls



3 Description of the proposal

This planning proposal generally follows the assessment criteria for planning proposals set out in the Department of Planning's *A Guide to Preparing Planning Proposals* including:

- objectives or intended outcomes;
- explanation of proposed planning and development controls;
- justification;
- need for the planning proposal;
- relationship to strategic framework;
- environmental, social and economic impact, and
- State and Commonwealth interests.

3.1 Objectives or intended outcomes

The objectives and intended outcomes of the planning proposal are:

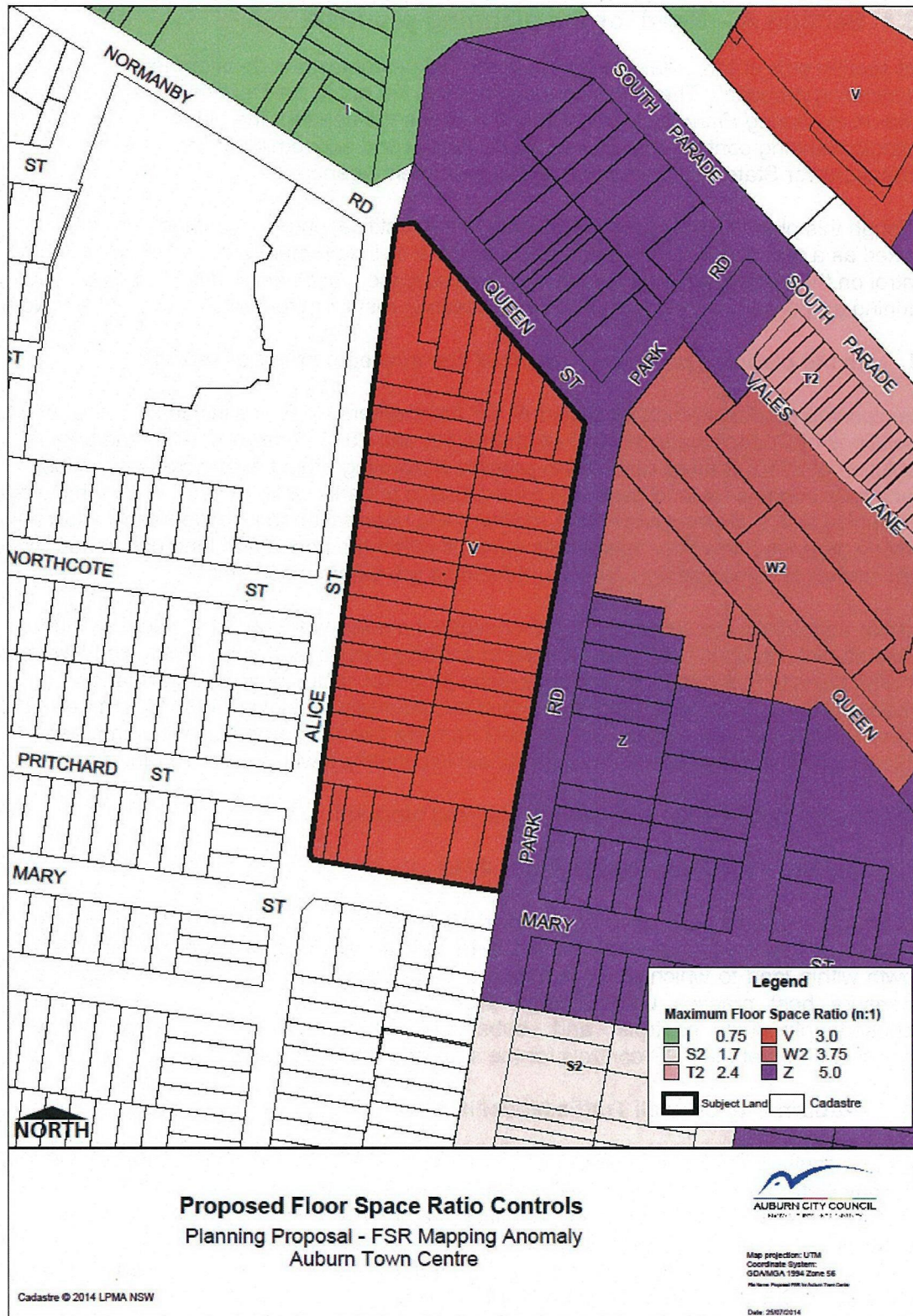
- To rectify the FSR mapping anomaly on the subject land resulting from ALEP Amendment No 8.

3.2 Proposed Planning and Development Controls

The Planning Proposal seeks to rectify a mapping anomaly created as a result of ALEP Amendment No 8, by re-instating an FSR of 3.0:1 to the subject land, as shown in Figure 4.

No other amendments to the ALEP instrument or maps are proposed. The amendment to the ALEP will conform to the *Standard Instrument (Local Environmental Plans) Order 2006*.

Figure 4: Proposed Floor Space Ratio controls



3.3 Justification

3.3.1 Section A – Need for the planning proposal

This section sets out the reasons for the proposed outcomes and development standards in the planning proposal. The following questions are set out in the Department of Planning's *A Guide to Preparing Planning Proposals* and address the need for the planning proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

Although this planning proposal relates only to the rectification of a mapping anomaly created as a result of ALEP Amendment 8, and the re-instatement of the previous FSR control on the subject land, this section will consider the objectives and outcomes of this planning proposal in the context of the modifications resulting from ALEP Amendment No 8.

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

The planning proposal which facilitated ALEP Amendment No 8 was initiated in response to resolutions of Council made in 2010 (Item 257/10) and 2012 (Item 271/12). In the original resolution of 2010, Council resolved to prepare a planning proposal to increase the floor space ratio controls for land zoned B4 Mixed Use to 5:1 and for land zoned R4 High Density Residential to 2:1. Several consultant studies were undertaken to investigate the application of these proposed new floor space ratio controls within the nominated land use zones. The main studies for urban design, traffic and flooding are summarised below.

In November 2012, the outcomes of the consultant studies were reported back to Council. These studies included recommendations to exclude certain land zoned B4 Mixed Use and R4 High Density Residential from the planning proposal, including the subject land. Subsequently, in accordance with these studies, Council's resolution of 21 November 2012 (Item 271/12) excluded various land parcels from the planning proposal, including the subject land. Therefore, this planning proposal is consistent with the consultant reports.

The following studies have informed the planning proposal:

Auburn City Urban Design Study 2012

AECOM Australia Pty Ltd were engaged to undertake the *Auburn City Urban Design Study 2012* that investigated the potential for additional residential and employment growth within land to which ALEP Amendment No 8 applies. The study was prepared to ensure best practice urban design principles would be incorporated into the proposed planning controls and subsequent LEP amendment. The study recommended that the FSR controls for the subject land remain unchanged.

Auburn City Council Traffic Modelling 2012

Hyder Consulting Pty Ltd were engaged to undertake a traffic study in accordance with the Gateway Determination issued on 28 November 2011, for the land to which ALEP Amendment No 8 applies. The study identified that improvements are required at nine intersections in order to accommodate the forecasted traffic resulting from potential additional dwellings and business activity. This traffic study was revised in accordance with the Gateway Determination issued on 24 May 2013, and identified that improvements are required at eleven intersections in order to accommodate the forecasted traffic resulting from potential additional dwellings and business activity. Council will incorporate the recommended intersection improvements into its future capital works planning and

programs. As this planning proposal is consistent with the traffic modelling undertaken for ALEP Amendment No 8, no additional traffic investigations are considered necessary.

Flood risk planning

Council commissioned flood studies to address s.117 direction 4.3 Flood Prone Land. These studies demonstrate that the Auburn Development Control Plan has been prepared in accordance with a floodplain risk management plan developed on the principles of the NSW Government's Flood Policy and the NSW Floodplain Development Manual. As such, the planning proposal is consistent with s.117 direction 4.3 Flood Prone Land. Additional flooding risks resulting from an increase to development density will be addressed by the development assessment process.

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

The ALEP is Council's principal Standard Instrument Local Environmental Plan. The Planning Proposal seeks to rectify a mapping anomaly created as a result of ALEP Amendment No 8, by re-instating an FSR of 3.0:1 to the subject land.

Amending FSR Map FSR_002 of the ALEP is the best way of achieving the objectives and intended outcomes of the planning proposal. Amending this map is the best, most effective, coordinated and time efficient approach to deliver the desired outcomes. No alternative approaches were considered.

3.3.2 Section B – Relationship to strategic framework

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

The planning proposal is consistent with a number of actions within both the *Metropolitan Plan for Sydney 2036* (Metropolitan Plan), *Draft Metropolitan Strategy for Sydney 2031* (Metropolitan Strategy) and the *West Central Subregion Draft Subregional Strategy* (WCSDSS). An analysis of the planning proposal's consistency with these strategies is provided at Table 1 - Table 3.

Table 1: Consistency with Metropolitan Plan for Sydney 2036

Action	Consistency
B1.1 Plan for centres to grow and change over time	Consistent ALEP Amendment No 8 increased the maximum height and FSR controls in the Auburn Town Centre. The controls will allow the centre to grow and change over time by facilitating development potential for additional housing and employment growth. The subject land is located at the periphery of the Auburn Town Centre, and re-instatement of the previous FSR controls are considered appropriate to create a transition to adjacent land to the south and west, zoned R2 Low Density Residential. This will result in quality urban design and planning outcomes, and provide developer and community certainty for the future growth and change of the centre over time.
B3.2 Plan for urban renewal in identified centres	Consistent ALEP Amendment No 8 is consistent with this action as it provides additional development potential to land within Auburn Town Centre, which is situated on the Western Railway Line. The subject land is located at the periphery of the Auburn Town Centre, and re-instatement of the previous FSR controls are considered appropriate to create a transition to adjacent land to the south and west, zoned R2 Low Density Residential. This will result in quality urban design and planning outcomes, and provide developer and community certainty for the future urban renewal in this identified centre.
E2.1 Plan for more commercial and retail jobs in highly accessible Strategic Centres	Consistent ALEP Amendment No 8 is consistent with this action as it increases the maximum height and FSR controls for land zoned B4 Mixed Use in Auburn, land which is classified as Town Centres in the centres hierarchy. The re-instatement of the previous FSR controls on the subject land will provide the potential for additional development of a range of commercial and retail uses permitted in the B4 Mixed Use zone, and a potential increase of school / church related jobs in this highly accessible centre, while maintaining quality urban design and planning outcomes.
D1.1 Locate at least 70 per cent of new housing within existing urban areas and up to 30 per cent of new housing in new release areas	Consistent ALEP Amendment No 8 is consistent with this action as it provides potential capacity for approximately 3,655 additional dwellings within the Auburn Town Centre. The centre is an existing urban area with good access to public transport, services and jobs. The re-instatement of the previous FSR controls on the subject land will provide the potential for additional dwellings which are permitted in the B4 Mixed Use zone, in an existing urban area, while maintaining quality urban design and planning outcomes.

Table 2: Consistency with Draft Metropolitan Strategy for Sydney 2031

Action	Consistency
Objective 5: Deliver new housing to meet Sydney's growth 5.2 Assist local government to identify economically feasible areas for housing growth through Local Plans to support housing targets, both in greenfield and infill areas	Consistent ALEP Amendment No 8 and the re-instatement of the previous FSR controls on the subject land proposed by this planning proposal, will enable economically feasible high density residential development in a mixed use town centre environment, contributing to the achievement of housing growth and housing targets. The proposal will also assist to meet the housing targets set by the strategy for the West Central and North West subregion.
Objective 7: Deliver well-designed and active centres that attract investment and growth 7.1 Work with the community and local government to plan for centres growth and identify new centres	Consistent ALEP Amendment No 8 and the re-instatement of the previous FSR controls on the subject land proposed by this planning proposal, will support the growth of the Auburn Town Centre by increasing the development standards within a centre designated as a 'town centre' in the centres hierarchy. Maintaining the subject land as a transition to adjacent land to the south and west, zoned R2 Low Density Residential will result in a well-designed and active centre that attracts investment and growth. The proposal will provide quality urban design and planning outcomes, and provide developer and community certainty for the future urban renewal in a centre located adjacent to a major railway station.
7.2 Encourage high quality design through appropriate guidelines	Consistent Development on the subject land is subject to the detailed design guidelines set out in the <i>Auburn Development Control Plan 2010</i> (ADCP) Local Centres part – Section 14.0 Auburn Town Centre. The re-instatement of the previous FSR controls on the subject land will create a transition zone from the core of the Auburn Town Centre to adjacent land to the south and west, zoned R2 Low Density Residential. This will result in quality urban design and planning outcomes.
Objective 24: Plan and deliver transport and land use that are integrated and promote sustainable transport choices 24.1 Encourage growth in transport accessible centres on Sydney's Strategic Transit Network, as planned for in the NSW Long Term Transport Master Plan	Consistent ALEP Amendment No 8 and the re-instatement of the previous FSR controls on the subject land proposed by this planning proposal, will provide additional development capacity through increase height and FSR controls, and quality urban design and planning outcomes, through detailed design guidelines. This will encourage growth in the Auburn Town Centre, which is a transport accessible centre on Sydney's Strategic Transit Network.

Table 3: Consistency with and West Central Subregion Draft Subregional Strategy

Action	Consistency
B2.1 West Central councils to investigate increasing densities in all centres where access to employment, services and public transport are provided or can be provided	Consistent Council investigated the potential for additional residential and employment growth through the <i>Auburn City Urban Design Study</i> (AECOM, 2012) (revised in 2013). The revised study identified that the controls resulting from ALEP Amendment No 8 created the potential for the development of up to an additional 6,566 dwellings and 162,864m² of employment floor space (retail/office uses), above existing development. The residential growth would be split across the existing centres of Lidcombe, Auburn, Berala and Regents Park, while the employment growth would be concentrated in Auburn and Lidcombe. The planning proposal is consistent with this action, as it facilitates Council's intention to concentrate increased density within its key centres.
B4.1 Concentrate retail activity in centres, business development zones and enterprise corridors	Consistent ALEP Amendment No 8 increased the height and FSR controls within the B4 Mixed Use zone located in the Auburn and Lidcombe Town Centres. The <i>Auburn City Urban Design Study</i> (AECOM, 2012) revisions estimate that these controls will provide for an additional 162,864m² of employment floor space (retail/office uses). The planning proposal is consistent with this action as the proposed employment uses will remain concentrated in Auburn and Lidcombe Town Centres.
C2.1 Focus residential development around centres, town centres, villages and neighbourhood centres	Consistent The planning proposal is consistent with this action, as it aims to re-instate the maximum height and FSR controls on the subject land, which is within the Auburn Town Centre, Auburn LGA's main centre. The <i>Auburn City Urban Design Study</i> (AECOM, 2012) revisions identified that the proposed controls increase potential for an additional 6,566 dwellings and 162,864m² of employment floor space (retail/office uses).
C3.1 Renew local centres to improve economic viability and amenity	Consistent The proposed re-instatement of the previous FSR controls on the subject land will provide opportunities for improving economic viability and amenity in the Auburn Town Centre, Auburn LGA's main centre.

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

Auburn City Community Strategic Plan

The Auburn City Community Strategic Plan was formally adopted by Council in 2011. The Plan is built around themes of community, place, environment and leadership. The objectives and intended outcomes of the planning proposal support the Community Strategic Plan by enabling increased opportunity for business and employment and for concentration of residential growth within and around established centres that are well serviced by public infrastructure and transport. An analysis of the planning proposal's consistency with this strategic plan is provided in Table 4.

Table 4: Consistency with Auburn City Community Strategic Plan

Relevant CSP outcome within 'Our Places' theme	Council's commitment to the outcome	How the planning proposal achieves the outcome
High quality urban environment	Prepare strategic land use plans and policies that improve the urban environment.	The Planning Proposal seeks to rectify a mapping anomaly created as a result of ALEP Amendment No 8. Amendment 8 encourages development of high quality urban design. It has been informed by the <i>Auburn City Urban Design Study</i> (AECOM, 2012), which recommended planning controls that reflect best urban design principles.
Attractive public spaces and town centres	Facilitate local investment, business growth, local jobs and employment opportunity.	The Planning Proposal seeks to rectify a mapping anomaly created as a result of ALEP Amendment No 8. Amendment 8 encourages investment and business growth by increasing the development potential for residential and employment growth within the Auburn Town Centre. As the planning proposal has been informed by the <i>Auburn City Urban Design Study</i> (AECOM, 2012), the proposed controls (and associated ADCP controls) will ensure development is consistent with best urban design principles.
Good transport and traffic management	Commission and manage traffic and transport studies and works.	The Planning Proposal seeks to rectify a mapping anomaly created as a result of ALEP Amendment No 8. Amendment 8 encourages good transport and traffic management. All proposed residential and employment growth is concentrated around the established Auburn Town Centre, which is well serviced by public transport. It has been informed by a Transport Plan (Hyder, 2012) (revised 2013), to ensure that the traffic impact of the additional growth will be minimised.

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

Yes. Appendix A contains an assessment of the proposal's consistency with the applicable SEPPs. The predominant applicable State Environmental Planning Policies (SEPPs) that apply to redevelopment of the affected land are:

- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;*
- *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development; and*
- *State Environmental Planning Policy (Infrastructure) 2007.*

Consistency with State Environmental Planning Policies by future development will be determined at the Development Assessment stage for future development.

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

Yes. Appendix A contains an assessment of the planning proposal's consistency with the applicable Ministerial Directions. The most relevant s.117 Ministerial Directions that apply to the planning proposal are:

- 1.1 Business and Industrial zones
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport

3.3.3 Section C – Environmental, social and economic impact**Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. The planning proposal applies to highly urbanised land zoned for business and purposes and with a long history of such land use. The land to which the planning proposal applies does not contain identified critical habitat or threatened species, populations or ecological communities.

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

There are no other likely environmental effects considered to result of the planning proposal. The subject land is not flood affected. The subject land is currently zoned and used for mixed use purposes and contains school, church and residential uses. There are no known contamination issues or any other environment issues affecting the subject land.

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

Yes. The technical studies which informed ALEP Amendment No 8 are also relevant to this planning proposal. These studies demonstrate consideration of social and economic effects such as the impact of additional development on the public domain, population growth and infrastructure provision (schools, hospitals, retail centres, and community facilities). Identified impacts resulting from the planning proposal can be appropriately addressed and increased demand accommodated. The planning proposal does not apply to any land containing items or places of cultural heritage.

Due to the extensive public consultation undertaken as part of ALEP Amendment No 8, with the community and public authorities, it is not considered necessary to undertake additional consultation for this planning proposal, or that any issues would arise from an additional public consultation process.

3.3.4 Section D – State and Commonwealth interests

Q10 *Is there adequate public infrastructure for the planning proposal?*

Yes. The planning proposal will re-instate the FSR controls on the subject land within the Auburn Town Centre. The proposed FSR controls will permit a moderate increase in development potential of the subject land, which is located within a centre which is well serviced by public infrastructure.

The Transport and Accessibility Study (2012) prepared by Council in accordance with the Gateway Determination for ALEP Amendment No 8, identified that the Auburn LGA centres have good access to existing train stations and bus services. The centres also have good access to major State roads such as Olympic Drive, Parramatta Road, and the M4 Motorway.

A Transport Plan (Hyder, 2012 / 2013) was undertaken in accordance with the Gateway Determinations for the ALEP Amendment No 8 identified that improvements are required at eleven intersections in order to accommodate the forecasted traffic resulting from potential additional dwellings and business activity. Council is working towards incorporating the recommended intersection improvements into its future capital works planning and programs.

The planning proposal applies only to the Auburn Town Centre, therefore, any resulting new residents and employees to the area will be close to shopping centres, retail and commercial services, medical facilities, and public transport. It is considered that any increase in demand on public infrastructure as a result of the planning proposal will be negligible.

Table 5: Adequacy of public infrastructure to support planning proposal

Infrastructure	Availability	Comment
Public Transport	Available, and subject to public authority consultation.	The subject land is located within 300m of Auburn Railway Station and bus interchange which is serviced by the rail network and frequent bus routes.
Roads	Good access to major roads currently. Future network upgrades required. Subject to public authority consultation.	The Transport Plan (Hyder 2012 / 2013) identified that improvements are required at eleven intersections in order to accommodate the forecasted traffic. Council is working towards incorporating the recommended intersection improvements into its future capital works planning and programs.
Utilities	Available, and subject to public authority consultation.	Availability of adequate water, sewerage, and power services will be discussed with the relevant public authority as directed through the Gateway Determination.
Essential services	Subject to public authority consultation.	The area is generally well-served with Police, Ambulance, Fire and other emergency services. Consultation with the appropriate public bodies will establish if there are sufficient education and health services available.
Waste Management	Available	Waste management will be available through Auburn City Council or private contractors as required by conditions of development consent.

Q11 What are the views of State and Commonwealth Public Authorities consulted in accordance with the Gateway Determination, and have they resulted in any variations to the planning proposal?

Due to the extensive public consultation undertaken as part of ALEP Amendment No 8, with the community and public authorities, it is not considered necessary to undertake additional consultation for this planning proposal, or that any issues would arise from an additional public consultation process.

4 Community Consultation

Due to the extensive public consultation undertaken as part of ALEP Amendment No 8, with the community and public authorities, it is not considered necessary to undertake additional consultation for this planning proposal, or that any issues would arise from an additional public consultation process.

5 Timeline

The timeline presented in Table 6 indicates expected steps for completion of the planning proposal and submission of the final, exhibited and amended version to the Department for making of the ALEP.

Table 6: Proposed timeline for finalisation of the planning proposal

Action	Aug 2014	Sep 2014	Oct 2014	Nov 2014
Submit PP to the Department for Gateway Determination				
Gateway Determination made by the Department				
Amend PP as per Gateway Determination and undertake further work				
<i>No public exhibition or public hearing considered necessary</i>				
Re-submit PP to the Department for legal drafting and notification				

Appendix A: Consistency with Strategic Policy Framework

State Environmental Planning Policies (SEPPs)

No.	Title	Summary	PP application's consistency with the SEPP
1	Development Standards	Aims 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 <i>Auburn LEP 2010</i> (clause 1.9)
4	Development without Consent and Miscellaneous Exempt and Complying Development	Aims to permit development for a purpose which is of minor environmental significance, development for certain purposes by public utility undertakings and development on certain land reserved or dedicated under the <i>National Parks and Wildlife Act 1974</i> without the necessity for development consent. Also regulates complying development for conversion of fire alarms.	Applies to State <i>Except Clause 6 and Parts 3 and 4 do not apply to Auburn LGA - repealed by Auburn LEP 2010 (clause 1.9)</i> Consistent
6	Number of Storeys in a Building	Aims to remove confusion arising from the interpretation of provisions in EPIs controlling the height of buildings	Applies to State The planning proposal does not affect the application of this SEPP. Consistent
14	Coastal Wetlands	Aims 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.
15	Rural Landsharing Communities	Aims 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	Aims to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.	Applies to State The subject land not affected by bush land. Consistent

No.	Title	Summary	PP application's consistency with the SEPP
21	Caravan Parks	Aims 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 State except land to which SEPP (Western Sydney Parklands) applies. Consistent
22	Shops and Commercial Premises	Aims to permit change of use from commercial premises to commercial premises, and shop to shop even if the change is prohibited by another EPI, provided only minor effect and consent is obtained from relevant authorities.	Applies to State (excluding specified land under Parramatta LEP and Penrith LEP) Consistent
26	Littoral Rainforests	Aims to protect littoral rainforests from development.	Does not apply to Auburn LGA
29	Western Sydney Recreation Area	Aims to enable the carrying out of development for recreational, sporting and cultural purposes within the Western Sydney Recreation Area	Does not apply to Auburn LGA (Applies to land within Western Sydney Parklands - Eastern Creek, Prospect, Horsley Park and Hoxton Park)
30	Intensive Agriculture	Establishes the requirement for development consent and additional requirements for cattle feedlots and piggeries.	Applies to State The planning proposal does not relate to any cattle feedlots and piggeries. Consistent
32	Urban Consolidation	Aims to facilitate surplus urban land redevelopment for multi-unit housing and related development in a timely manner.	Applies to State Applies to all urban land, except Western Sydney Parklands under that SEPP The planning proposal does not relate to surplus urban land. Consistent
33	Hazardous and Offensive Development	Aims to provide additional support and requirements for hazardous and offensive development	Applies to State The planning proposal does not affect the application of this SEPP. Consistent
36	Manufactured Home Estates	Aims to facilitate the establishment of manufactured home estates as a contemporary form of residential housing.	Does not apply to Auburn LGA Applies to land outside the Sydney Region.

No.	Title	Summary	PP application's consistency with the SEPP
39	Spit Island Bird Habitat	Aims to enable development for the purposes of creating and protecting bird habitat.	Does not apply to Auburn LGA Applies to land comprising Spit Island, Towra Point and Kurnell
44	Koala Habitat Protection	Aims to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas	Does not apply to the Auburn LGA Auburn LGA not listed in Schedule 1
47	Moore Park Showground	Aims 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 State , except Penrith Lakes The planning proposal does not affect the application of this SEPP. 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 State wide planning approach for the remediation of contaminated land.	Applies to State The subject site does not contain and land known or believed to be contaminated. Consistent
59	Central Western Sydney Regional Open Space and Residential	Aims 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

No.	Title	Summary	PP application's consistency with the SEPP
60	Exempt and Complying Development	Aims 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>. Affected land within the Auburn LGA includes SOPA and certain land within Wentworth Point, Newington, Silverwater and Homebush Bay.
62	Sustainable Aquaculture	Aims to encourage and regulate sustainable aquaculture development	Applies to State The planning proposal does not affect the application of this SEPP. Consistent
64	Advertising and Signage	Aims to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	Applies to State The planning proposal does not affect the application of this SEPP. Consistent
65	Design Quality of Residential Flat Development	Aims to improve the design qualities of residential flat building development in New South Wales.	Applies to State, except Kosciusko SEPP area The proposed controls, which would work in conjunction with Council's DCP framework, would be consistent with SEPP 65. Any subsequent DA's would need to comply with the SEPP. Consistent
70	Affordable Housing (Revised Schemes)	Aims 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.

No.	Title	Summary	PP application's consistency with the SEPP
71	Coastal Protection	Aims 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.
	Penrith Lakes Scheme 1989	Aims to provide a development control process establishing environmental and technical matters which must be taken into account in implementing the Penrith Lakes Scheme in order to protect the environment.	Does not apply to Auburn LGA
	Housing for Seniors or People with a Disability 2004	Aims to encourage the provision of housing to meet the needs of seniors or people with a disability.	Applies to State To be considered at DA stage if required. Consistent
	Building Sustainability Index: BASIX 2004	Aims to ensure consistency in the implementation of the BASIX scheme throughout the State	Applies to State To be considered at DA stage if required. Consistent
	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.
	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 State The planning proposal does not affect the application of this SEPP. Consistent
	Sydney Region Growth Centres 2006	Aims to co-ordinate the release of land for development in the North West and South West Growth Centres.	Does not apply to Auburn LGA. Applies to all land in a 'growth centre' (North West Growth Centre or the South West Growth Centre)

No.	Title	Summary	PP application's consistency with the SEPP
	Mining, Petroleum and Extractive Industries 2007	Aims to provide for the proper management and development of mineral, petroleum and extractive material resources	Applies to State The planning proposal does not affect the application of this SEPP. Consistent
	Temporary Structures 2007	Aims 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 State The planning proposal does not affect the application of this SEPP. Consistent
	Infrastructure 2007	Aims 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 State To be considered at DA stage if required. Consistent
	Kosciuszko National Park – Alpine Resorts 2007	Aims 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.
	Rural Lands 2008	Aims to facilitate the orderly and economic use and development of rural lands for rural and related purposes	Does not apply to Auburn LGA
	Western Sydney Employment Area 2009	Aims to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development	Does not apply to Auburn LGA
	Exempt and Complying Development Codes 2008	Aims to provide streamlined assessment process for development that complies with specified development standards.	Applies to State To be considered at DA stage if required. Consistent
	Western Sydney Parklands	Aims to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region.	Does not apply to Auburn LGA Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton)

No.	Title	Summary	PP application's consistency with the SEPP
	Affordable Rental Housing 2009	Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	Applies to State To be considered at DA stage if required. Consistent
	Urban Renewal 2010	Aims to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts	Does not apply to Auburn LGA Applies to land within a potential precinct – land identified as a potential urban renewal precinct. This includes Redfern-Waterloo, Granville and Newcastle.
	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.	Does not apply to Auburn LGA Applies to land within the Sydney drinking water catchment.
	SEPP 53 Transitional Provisions 2011	Aims to enact transitional provisions consequent on the repeal of SEPP 53 - Metropolitan Residential Development.	Does not apply to Auburn LGA Applies only to specified land in Ku-ring-gai LGA.
	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 State The planning proposal does not affect the application of this SEPP. Consistent
	Port Botany and Port Kembla 2013	Aims to provide consistent planning regime for the development and delivery of infrastructure on land in Port Botany and Port Kembla,	Does not apply to Auburn LGA Applies to the land within Botany City Council in the area known as Port Botany. It also applies to land within Wollongong City Council in an area known as Port Kembla

State Regional Environmental Plans (Deemed SEPPs)

No	Title	Summary	Application
5	Chatswood Town Centre	Aims 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	Aims 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	Aims 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	Aims to permit implementation of the Penrith Lakes Scheme	Does not apply to the Auburn LGA. Applies to the Penrith Lakes area
16	Walsh Bay	Aims 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	Aims 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	Aims 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	Aims to protect the Hawkesbury-Nepean River System.	Does not apply to the Auburn LGA. Applies to certain LGAs within Greater Metropolitan Region.

No	Title	Summary	Application
24	Homebush Bay Area	Aims to encourage the co-ordinated 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
25	Orchard Hills	Aims 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	Aims 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 (Pymont and Ultimo)
28	Parramatta	Aims 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	Aims 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	Establishes the zoning and development controls for the Cooks Cove site.	Does not apply to the Auburn LGA. Applies to specified land at Cooks Cove within the suburb of Arncliffe.

No	Title	Summary	Application
	Sydney Harbour Catchment 2005	Aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.	Applies to the area of Sydney Harbour, including Parramatta River and its tributaries and the Lane Cove River. Applies to land within the Auburn LGA. The planning proposal does not affect the application of this SEPP. Consistent

Section 117 Directions

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

Direction	Consistency
1. Employment and Resources	
1.1 Business and Industrial Zones <i>What a relevant planning authority must do if this direction applies</i> A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	Consistent The planning proposal seeks to re-instate the previous FSR controls on the subject land, which is zoned B4 Mixed Use in the ALEP. The proposal does not seek to alter the permissibility of any existing or proposed business or industrial use. The proposal will protect and enhance commercial employment land opportunities within the Auburn Town Centre.
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Does not apply to the Auburn LGA
1.5 Rural Lands	Does not apply to the Auburn LGA
2. Environment and Heritage	
2.1 Environment Protection Zones	Not applicable The planning proposal does not apply to land within an environmental conservation zone or land otherwise identified for environmental protection.
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	Not applicable The proposal is not affected by environmental heritage under the <i>Auburn LEP 2010</i>.
2.4 Recreation Vehicle Areas	Not applicable

Direction	Consistency
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones <i>What a relevant planning authority must do if this direction applies:</i> A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design.	Consistent The planning proposal is consistent with this direction in that: • The subject land is currently serviced for residential development, and • Does not contain provisions which will reduce the permissible residential density of land. The planning proposal seeks to re-instate the previous FSR controls on the subject land, which is will permit additional residential density.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Consistent Does not change the permissibility of home occupations
3.4 Integrating Land Use and Transport <i>What a relevant planning authority must do if this direction applies</i> A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) <i>Improving Transport Choice – Guidelines for planning and development (DUAP 2001)</i>, and (b) <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i>.	Consistent The planning proposal seeks to re-instate the previous FSR controls on the subject land, which is zoned B4 Mixed Use in the ALEP. The subject land is located within 300m (5-10 minute walking distance) of Auburn Railway Station and bus interchange which is serviced by the rail network and frequent bus routes The planning proposal will permit intensification of residential and commercial land uses within the Auburn Town Centre, improving access to housing, jobs, public transport and services, and increase transport choice, reduce travel demand by car and support efficient and viable operation of public transport services. Therefore, it is broadly consistent with the objectives and principles of the mentioned DP&E's policies.
3.5 Development Near Licensed Aerodromes	Not applicable
3.6 Shooting Ranges	Not applicable

Direction	Consistency
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Consistent The subject land to which the proposal applies is affected by Class 5 Acid Sulphate Soils (the least affected category). Any future DAs on the land will be required to prepare an Acid Sulphate Soils Management Plan in accordance with clause 6.1(3) of the <i>Auburn LEP 2010</i> .
4.2 Mine Subsidence and Unstable Land	Not applicable
4.3 Flood Prone Land	Consistent The subject land to which the proposal applies is not affected by flooding.
4.4 Planning for Bushfire Protection	Not applicable
5. Regional Planning	
5.1 Implementation of Regional Strategies	Does not apply to Auburn LGA
5.2 Sydney Drinking Water Catchments	Does not apply to Auburn LGA
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Does not apply to Auburn LGA
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Does not apply to Auburn LGA
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Does not apply to Auburn LGA
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Does not apply to Auburn LGA
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Does not apply to Auburn LGA
5.8 Second Sydney Airport: Badgerys Creek	Does not apply to Auburn LGA
6. Local Plan Making	
6.1 Approval and Referral Requirements	Not applicable
6.2 Reserving Land for Public Purposes (1) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).	Consistent The planning proposal does not seek to create, alter or reduce existing zonings or reservations of land for public purposes.

Direction	Consistency
6.3 Site Specific Provisions	Consistent The proposal does not allow a particular Development proposal to be carried out.
7. Metropolitan Planning	
7.1 Implementation of the <i>Metropolitan Plan for Sydney 2036</i> <i>What a Relevant Planning Authority must do if this direction applies</i> Planning proposals shall be consistent with: (a) the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010 ("the Metropolitan Plan").	Consistent The planning proposal is consistent with the key actions of the <i>Metropolitan Plan for Sydney 2036</i> below: • Action B1.1 to "<i>Plan for centres to grow and change over time</i>" (Department of Planning 2010, p.65); • Action B3.2 to "<i>Plan for urban renewal in identified centres</i>" (Department of Planning 2010, p.73); • Action D1.1 to "<i>locate at least 70 per cent of new housing within existing urban areas and up to 30 per cent of new housing in new release areas</i>" (Department of Planning 2010, p. 115); and • Action E2.1 to "<i>Plan for more commercial and retail jobs in highly accessible Strategic Centres</i>" (Department of Planning 2010, p.134).