



New South Wales

## **Auburn Local Environmental Plan 2000 (Amendment No 12)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P00/00456/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## 2003 No 756

Clause 1 Auburn Local Environmental Plan 2000 (Amendment No 12)

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## Auburn Local Environmental Plan 2000 (Amendment No 12)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Auburn Local Environmental Plan 2000 (Amendment No 12)*.

### 2 Aims of plan

This plan aims to provide for a new zone (namely, Zone No 4 (e)—the Homebush Bay Enterprise Zone) under *Auburn Local Environmental Plan 2000 (the 2000 plan)* for land known as the Carter Street Precinct (which is adjacent to Sydney Olympic Park, Homebush Bay):

- (a) to reflect the special character of the area, and
- (b) to provide for business growth, while maintaining economic viability of regional and local commercial centres, and
- (c) to encourage more sustainable transport.

### 3 Land to which plan applies

- (1) To the extent that this plan inserts or amends definitions in the 2000 plan, it applies to all the land to which the 2000 plan applies.
- (2) To the extent that this plan inserts a new zone in the 2000 plan, it applies to land known as the Carter Street Precinct, Sydney Olympic Park, Homebush Bay, as shown edged heavy black on the map marked “Auburn Local Environmental Plan 2000 (Amendment No 12)” deposited in the office of Auburn Council.

### 4 Amendment of Auburn Local Environmental Plan 2000

*Auburn Local Environmental Plan 2000* is amended as set out in Schedule 1.

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**5 Repeal of Interim Development Order No 14—Municipality of Auburn**

*Interim Development Order No 14—Municipality of Auburn* is repealed.

**6 Amendment of Auburn Planning Scheme Ordinance**

The *Auburn Planning Scheme Ordinance* is amended as set out in Schedule 2.

## 2003 No 756

Auburn Local Environmental Plan 2000 (Amendment No 12)

Schedule 1 Amendment of Auburn Local Environmental Plan 2000

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### **Schedule 1 Amendment of Auburn Local Environmental Plan 2000**

(Clause 4)

#### **[1] Clause 10 Zones created by this plan**

Insert after the matter relating to Zone No 4 (d):

- 4 (e) Homebush Bay Enterprise

#### **[2] Clause 21A**

Insert after clause 21:

#### **21A Zoning controls for Zone No 4 (e)—Homebush Bay Enterprise Zone**

- (1) The objectives of Zone No 4 (e) are as follows:
  - (a) to recognise the special character of the precinct located between Sydney Olympic Park and the M4 Motorway,
  - (b) to ensure that new development is compatible with the existing and future use of Sydney Olympic Park and contributes to increasing the general activity of the Homebush Bay area,
  - (c) to encourage development that recognises and maximises the benefits of the major investment in the area in environmental improvements, infrastructure, open space and sporting and recreation facilities,
  - (d) to provide buildings of innovative design and of high urban design quality that incorporate ecologically sustainable development practices,
  - (e) to provide the flexibility required to encourage a range of business uses into the zone,
  - (f) to maintain acceptable traffic operating performance (traffic flow and level of service) in the surrounding area,
  - (g) to maximise opportunities to increase walking, cycling and public transport use, to reduce vehicle kilometres travelled, to minimise the percentage of journeys to work made in cars by drivers and to encourage a variety of transport options,

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- (h) to allow tertiary educational establishments to operate within the zone to promote working relationships with surrounding developments,
  - (i) to allow a limited range of shops, and business, professional and personal services aimed primarily at meeting local needs.

(2) **Development allowed without consent**

Exempt development, being development of minimal environmental impact that is listed and satisfies the criteria for exempt development relevant to land zoned 4 (e) in the *Auburn Development Control Plan* identified in Schedule 5.

(3) **Development that requires consent**

Development for the purpose of:

child care centres	refreshment rooms
community facilities	site identification signs
educational establishments	service support industries
high technology industries	showrooms
hotels	training facilities
light industries	utility undertakings
recreation areas	warehouses
recreation facilities	

Subdivision.

***Complying development*** in Zone No 4 (e) is any local development that is included above in this subclause and is listed and satisfies the criteria for complying development relevant to land zoned 4 (e) in the *Auburn Development Control Plan* identified in Schedule 5.

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Schedule 1 Amendment of Auburn Local Environmental Plan 2000

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### (4) **Development which is prohibited**

Development not included in subclause (2) or (3).

**Note 1.** Demolition of, and additions and alterations to, heritage items or heritage groups listed in Schedule 2 to this plan, require development consent within this zone, pursuant to the provisions of clause 40 of this plan.

**Note 2.** *State Environmental Planning Policy No 55—Remediation of Land* requires development consent to be obtained prior to remediation of contaminated land.

### [3] **Clauses 25A–25D**

Insert after clause 25:

#### **25A Requirements specifically for development in the 4 (e) Homebush Bay Enterprise Zone**

- (1) Consent may be granted for development of land zoned 4 (e) only if the consent authority is satisfied that:
  - (a) the design of new buildings and works will assist in implementing the zone objectives, will result in an urban form that helps to create a legible and locally distinct environment, will lead to an improvement in the streetscape and will not detract from the high technology and business nature of the zone, and
  - (b) landscaping and public domain improvements to be provided will enhance the character of the surrounding area, and
  - (c) the development will be consistent with the aim of achieving a longer term reduction in the percentage of journeys to work made by drivers in cars to 65%–70% of all journeys to work in the zone, through the encouragement of a variety of transport options and mechanisms to influence the nature of travel demand, while minimising external impacts to surrounding areas, and
  - (d) the development will not result in more than 140 car parking spaces per hectare of site area (including parking spaces that exist on the site at the time of the commencement of *Auburn Local Environmental Plan 2000 (Amendment No 12)*), and

- (e) any consolidation of lots for redevelopment purposes will not result in a residual lot of less than 7,000 square metres, and
  - (f) ecologically sustainable development principles will be incorporated into the design, planning and construction of buildings so as to reduce the amount of potable water used and to reduce energy consumption of buildings through passive design, energy efficient fittings and landscaping.
- (2) This clause does not apply to applications for consent for any of the following development:
- (a) a different use of an existing building which will not result in a significant increase in transport demand,
  - (b) extensions or alterations to a building that increase the gross floor area of the building as at the time of gazettal of *Auburn Local Environmental Plan 2000 (Amendment No 12)* by not more than 10%,
  - (c) remediation works,
  - (d) internal fitouts,
  - (e) other development that is incidental to the lawful use of a building or required to allow a use for which consent has been granted to operate from the building.

**25B Retail development in the 4 (e) Homebush Bay Enterprise Zone**

Despite clause 21A, consent may be granted to development for the purpose of a shop on land adjoining Uhrig Road zoned 4 (e), but only if the consent authority is satisfied that the proposed development:

- (a) will serve primarily the daily convenience needs of businesses and the local workforce within the zone, and
- (b) will not be greater than 1,000 square metres in area, and
- (c) will not detrimentally affect the economic viability of:
  - (i) other shops located within the existing commercial centres of the LGA, or
  - (ii) the retail function of the Sydney Olympic Park Town Centre, or
  - (iii) existing commercial centres in the region.

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Schedule 1 Amendment of Auburn Local Environmental Plan 2000

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### **25C Educational establishments in the 4 (e) Homebush Bay Enterprise Zone**

Despite clause 21A, infants, primary and secondary educational establishments (other than child care centres) are prohibited from operating on land zoned 4 (e).

### **25D Business accommodation in the 4 (e) Homebush Bay Enterprise Zone**

- (1) Consent may be granted to development for the purpose of a light industry or high technology industry on land zoned 4 (e) that includes associated administrative and operational functions if the consent authority is satisfied that the associated administrative and operation functions are required by the nature of the operations of the industry.
- (2) Despite clause 21A, consent may be granted to development for the purpose of commercial premises on land zoned 4 (e) that directly fronts Edwin Flack Avenue, the bus parking area adjoining the Old Hill Link or Uhrig Road and is contained on land generally within 200 metres of that frontage, if the development is to provide business accommodation for:
  - (a) uses requiring location in the area because of the nature of their preferred building design or operational needs, such as campus-style offices with large floor plates, but excluding uses that consist only of a call centre, or
  - (b) business, professional and other services that directly address Uhrig Road and serve a local rather than regional market.

### **[4] Clause 40 Additional uses**

Insert “4 (e)” after “4 (d),” in clause 49 (2).



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**[5] Schedule 1 Definitions**

Omit the definitions of *Commercial premises* and *High technology industry*.

Insert instead:

*Commercial premises* means a building or place used as an office or for other business or commercial purposes or a call centre, but does not include a building or place elsewhere specifically defined in this Schedule, or a building or place used for a purpose elsewhere specifically defined in this Schedule.

*High technology industry* means an operation located on a site that has as its primary functions the manufacture, development, production, processing or assembly of, or research into, any of the following:

- (a) electronic or micro-electronic systems, goods or components,
- (b) information technology, computer software or hardware,
- (c) instrumentation or instruments,
- (d) biological, pharmaceutical, medical or paramedical systems, goods or components,
- (e) multi-media, communications or telecommunications systems, goods or components,
- (f) other goods, systems or components intended for use in science or technology.

**[6] Schedule 1, definition of “The map”**

Insert in appropriate order:

Auburn Local Environmental Plan 2000 (Amendment No 12)

**2003 No 756**

Auburn Local Environmental Plan 2000 (Amendment No 12)

Schedule 2      Amendment of Auburn Planning Scheme Ordinance

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**Schedule 2    Amendment of Auburn Planning Scheme  
Ordinance**

(Clause 6)

**[1]    Clause 2A Exclusion of certain land**

Omit the clause.

**[2]    Clause 5**

Omit the clause. Insert instead:

**5    Land to which Ordinance applies**

This Ordinance applies to Lots A and B, DP 108307 and  
Lot 6, DP 837052.

BY AUTHORITY