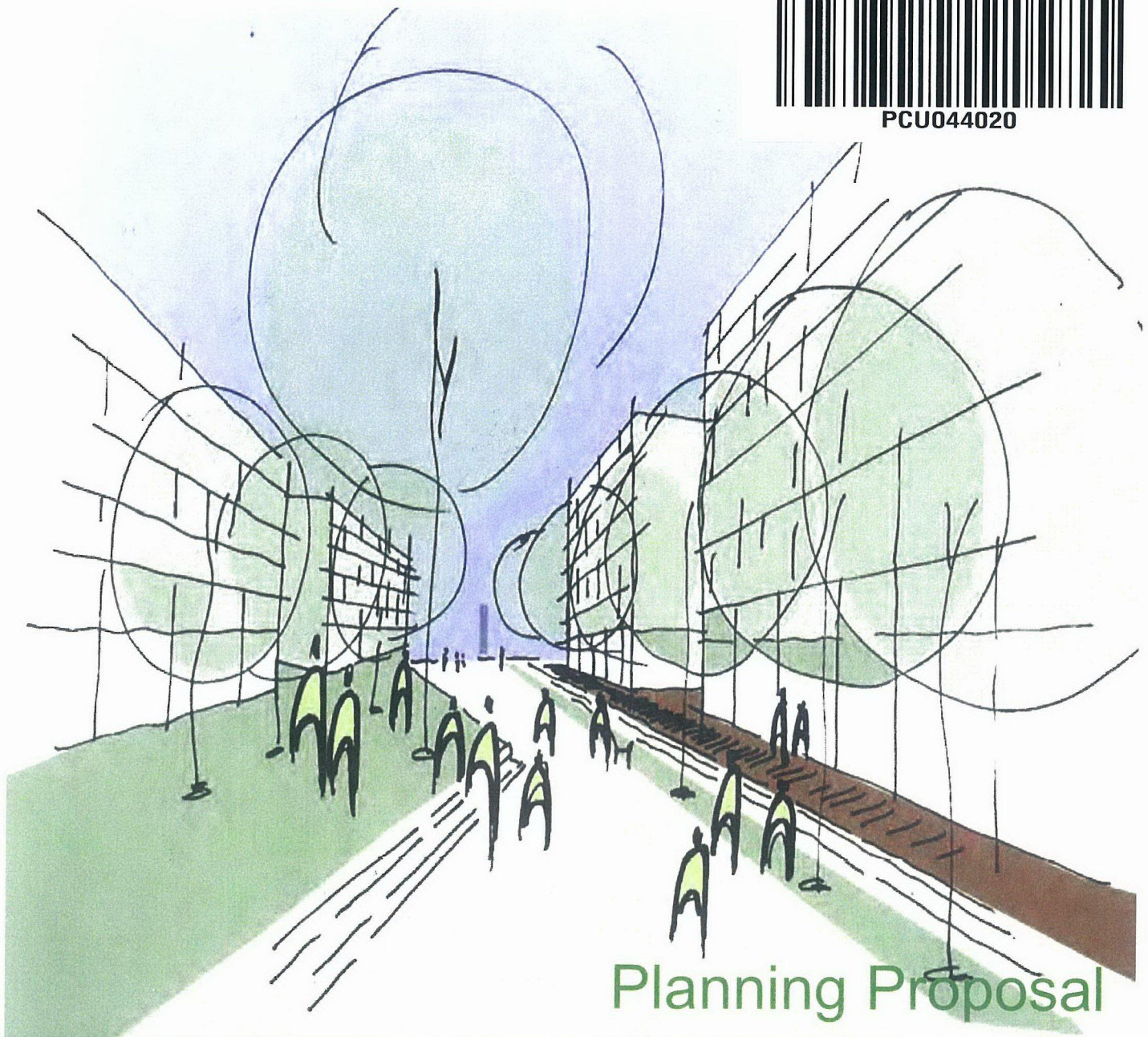


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Queen Street, Auburn

April 2013

Department of Planning
Received

2 MAY 2013

Scanning Room

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TABLE OF CONTENTS

1	Introduction	3
2	Land to which the Planning Proposal applies	5
2.1	Site Description	5
2.2	Existing Development	5
2.3	Surrounding Context.....	6
2.4	Planning Context	8
4	Part 1 - Objectives or Intended Outcomes	13
5	Explanation of Proposed Provisions.....	15
5.1	Proposed Outcome.....	15
5.1.1	Proposed Land Use Zoning	15
5.1.2	Permitted Uses	16
5.2	Height and Floor Space Ratio Controls	16
5.2.1	Relationship to Existing Local Planning Instrument.....	16
6	Part 3 - Justification for the objectives, outcomes and the process for their implementation	17
6.1	Section A - Need for the Planning Proposal.....	17
6.2	Relationship to Strategic Planning Framework	17
6.3	Section C - Environmental, Social and Economic Impact.....	24
6.4	Section D - State and Commonwealth Interests	25
7	Further Studies.....	27
8	Community Consultation.....	29
9	Conclusion	31
Appendix A	Site Survey	33
Appendix B	Phase 1 Contamination Report.....	35

FIGURES:

Figure 1 – Site Location	5
Figure 2 – Site Analysis	6
Figure 3 – Existing Zoning.....	8
Figure 4 – Proposed Zoning.....	15
Figure 5 – Draft West Central Subregional Strategy	18

PICTURES:

Picture 1 – Auburn Gallipoli Mosque, viewed from the south (Marion street).....	7
Picture 2 – Residential Flat Development – Corner of Queen and Marion Streets.....	7
Picture 3 – New Residential Flat Development – Corner of Queen and Louisa Streets	7
Picture 4 – Recent Residential Flat Development – Marion Street.....	7
Picture 5 – South Parade, Auburn Town Centre.....	8
Picture 6 – Auburn Central	8

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1 Introduction

This Planning Proposal contains an explanation of the intended effect and justification for a proposed amendment to Auburn Local Environmental Plan 2010. The Planning Proposal seeks to rezone land at 1A and 1B Queen Street, Auburn (“the site”) to allow transit-oriented residential development to occur on the site. It involves the rezoning of the site from Zone IN2 Light Industrial to Zone R4 High Density Residential under the Auburn Local Environmental Plan 2010 (ALEP 2010).

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning and Infrastructure including “*A Guide to Preparing Local Environmental Plans*” and “*A Guide to Preparing Planning Proposals*.” It includes the following:

- Description of the subject site and its context
- Indicative site plan showing sufficient detail to indicate the effect of the proposal (Conceptual Plan)
- Statement of the objectives and intended outcome of the proposal
- Explanation of the provisions of the proposal
- Summary of the justification of the proposal
- Description of the community consultation process that would be undertaken by the proponent

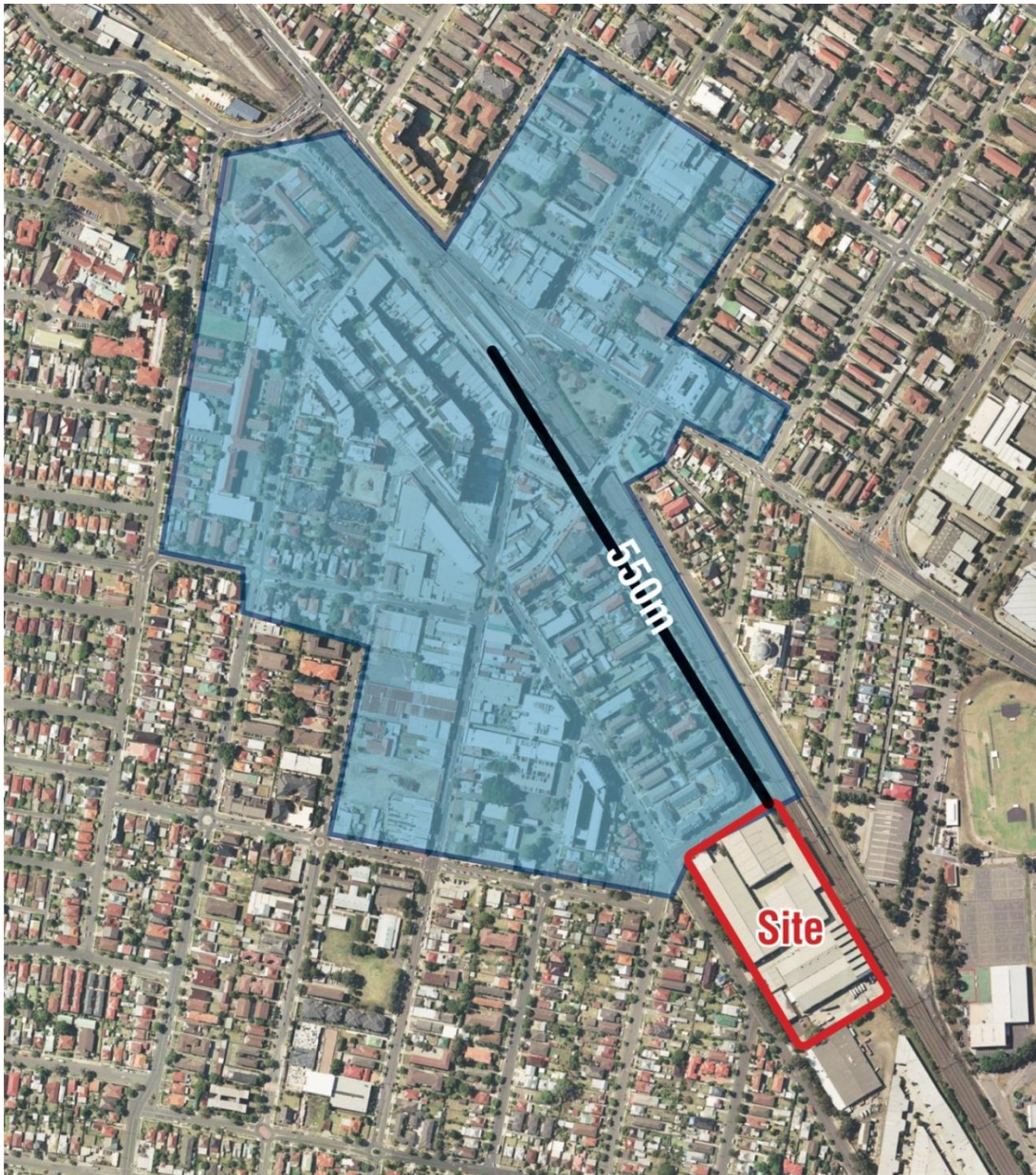
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2 Land to which the Planning Proposal applies

2.1 SITE DESCRIPTION

The Planning Proposal relates to land at 1A and 1B Queen Street, Auburn and is legally described as Lots 1 and 2 in DP 1160950. It has an area of approximately 2.7ha and is located in the Auburn LGA, some 550 metres south-east of Auburn Railway Station and adjoining the Western Rail Line. It is extremely well connected to the rest of Sydney and has convenient access to a wide range of employment, transport, retail, entertainment, medical, education, cultural, sporting, recreation and other services and amenities all being key drivers for residential demand.

FIGURE 1 – SITE LOCATION



2.2 EXISTING DEVELOPMENT

The key existing features of the land to which the Planning Proposal applies are described below. A site survey plan is included at Appendix A.

- Topography: The site has been modified to facilitate its current use. The site is generally level (RL 17m) with the exception of sloping land in the western corner (which rises to RL21.46m) and the southern corner (which falls to RL15.26m).
- Site Layout and Built Form: The site is fully developed and accommodates single storey industrial warehouse buildings which accommodate light industrial and business uses.
- Landscape: The site is partially screened by a continuous planting of turpentine street trees along both the Queen and Marion Street frontages.
- Vehicle Access: The site currently has four vehicular access driveways, two on Queen Street and two on Marion Street.
- Acoustics: The key noise sources that may impact on the site include rail and traffic noise most notably from Queen Street and existing industrial operations.
- Utility Services: The site is currently serviced by potable water, sewer, stormwater, electricity and telecommunications, with potential for services upgrades as part of the proposed redevelopment.

2.3 SURROUNDING CONTEXT

The site is centrally located with easy access to a wide range of transport, retail, entertainment, medical, education, cultural, sporting, recreation and other services and amenities.

FIGURE 2 – SITE ANALYSIS



Source: FKM Architects

The immediate surrounds comprise a variety of land uses which are described below:

- To the immediate north is the Western Rail Line, beyond which is a predominantly low density residential area. However, this area includes the Auburn Gallipoli Mosque (picture 1), a small scale industrial use to the immediate north of the railway line and Wyatt Park, which provides a wide range of active sporting facilities. Further north is the North Lidcombe Industrial Area.
- To the north-west, on the opposite side of Marion Street is a four storey apartment building (picture 2).
- To the south is traditional low density detached style housing. However, a number of infill apartment buildings have recently been constructed in this area, including the four storey apartments near the corner of Queen Street and Louisa Road (picture 3). Auburn Hospital, which is identified as a 'Major Hospital' in the West Central Subregional Strategy, is located 500 metres south of the site.
- To the west of the site surrounding development consists of predominantly residential land uses comprising remnant detached and semi-detached dwellings amongst three to four storey apartments, including the four storey apartments on the western side of Marion Street (picture 4). Further north-west, some 500 metres from the site, is the commercial core of Auburn Town Centre (picture 5), which accommodates numerous tall buildings including 'Auburn Central' (picture 6).



PICTURE 1 – AUBURN GALLIPOLI MOSQUE, VIEWED FROM THE SOUTH (MARION STREET)



PICTURE 2 – RESIDENTIAL FLAT DEVELOPMENT – CORNER OF QUEEN AND MARION STREETS



PICTURE 3 – NEW RESIDENTIAL FLAT DEVELOPMENT – CORNER OF QUEEN AND LOUISA STREETS



PICTURE 4 – RECENT RESIDENTIAL FLAT DEVELOPMENT – MARION STREET



PICTURE 5 – SOUTH PARADE, AUBURN TOWN CENTRE



PICTURE 6 – AUBURN CENTRAL

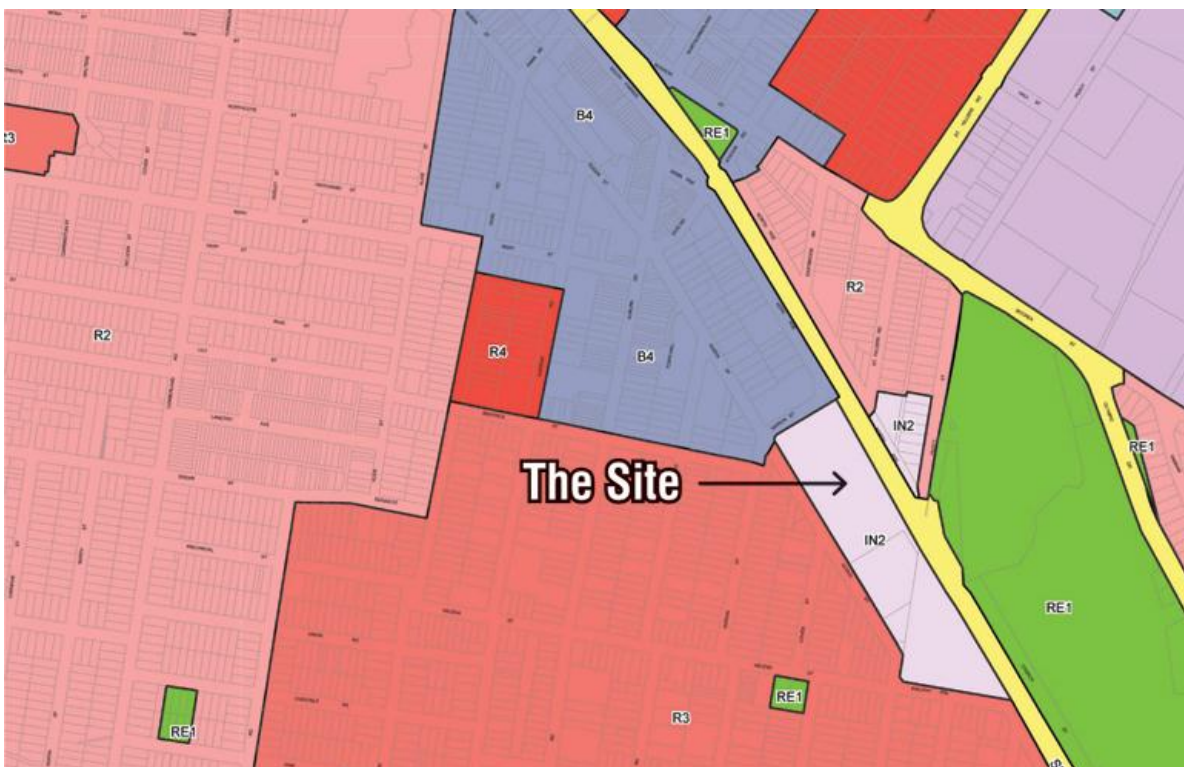
Auburn railway station is located approximately 800 metres from the site (within 10 minutes walking distance). High frequency train services are available during peak hours in both directions. Auburn Station is on the Western Line which operates from Chatswood to Emu Plains or Richmond and the Southern Line which operates from Campbelltown to City Circle via Granville.

There is also an extensive bus system that serves the area with numerous bus routes in operation through the day. The nearest bus stop is located on South Parade adjacent to the train station.

2.4 PLANNING CONTEXT

The site is currently within Zone IN2 Light Industrial under Auburn Local Environmental Plan 2010 (ALEP 2010). A plan showing the existing zone is provided at Figure 3.

FIGURE 3 – EXISTING ZONING



The objectives of the IN2 zone are as follows:

- *“To provide a wide range of light industrial, warehouse and related land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To support and protect industrial land for industrial uses.*
- *To minimise adverse effects on the natural environment.*

Development for the following purposes is permitted in the IN2 zone:

Without consent

Nil

With consent

Building identification signs; Business identification signs; Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Plant nurseries; Markets; Neighbourhood shops; Restaurants or cafes; Roads; Timber yards; Warehouse or distribution centres.

Any other development not specified as permissible without consent or prohibited.

Prohibited

*Agriculture; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Highway service centres; Home occupations (sex services); Information and education facilities; Marinas; Mooring pens; Moorings; Office premises; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (major); Registered clubs; Research stations; **Residential accommodation**; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sex services premises; Signage; Tourist and visitor accommodation; Veterinary hospitals; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities*

Residential development is currently prohibited within the site.

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3 Planning Proposal Overview

This Planning Proposal has been prepared in accordance with Sections 55(1) and (2) of the *Environmental Planning and Assessment Act 1979* with consideration of the relevant guidelines, namely "A guide to preparing planning proposals" issued by the Department of Planning (October 2012).

Accordingly, the proposal is discussed in the following four parts:

- **Part 1** – A statement of the objectives or intended outcomes.
- **Part 2** – An explanation of the provisions that are to be included in the proposed LEP.
- **Part 3** – The justification for the planning proposal and the process for the implementation.
- **Part 4** – Details of community consultation that is to be undertaken for the planning proposal.

Discussion for each of the above parts is outlined in the following chapters.

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4 Part 1 - Objectives or Intended Outcomes

This Planning Proposal seeks the following outcome:

“To rezone an area of industrial land to allow redevelopment for residential purposes as part of the Auburn Town Centre.”

To allow residential development on the site the following LEP amendment is proposed:

- Amend the land use zoning and the height and floor space ratio controls applicable to the site to allow for residential development.

The intended outcome of the Planning Proposal is to facilitate the delivery of the redevelopment of the site to accommodate a high quality residential scheme that successfully integrates with surrounding land uses and capitalises on the site's proximity to existing facilities, services and public transport infrastructure.

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5 Explanation of Proposed Provisions

5.1 PROPOSED OUTCOME

The proposed zoning responds to the emerging pattern of development that surrounds the site. The proposed rezoning would facilitate the subsequent lodgement of a staged development application for the redevelopment of the subject site.

The proposed outcome will be achieved by amending ALEP 2010 as follows:

- Amending the ALEP 2010 Land Zoning Map applicable to 1A and 1B Queen Street, Auburn in accordance with the proposed zoning map shown at **Error! Reference source not found.**
- Amending the ALEP 2010 Height of Building Map.
- Amending the ALEP 2010 Floor Space Ratio Map.

5.1.1 PROPOSED LAND USE ZONING

A Land Use Zone Map has been prepared which seeks to rezone 1A and 1B Queen Street to comprise the R4 High Density Residential zone under the provisions of the Standard Instrument (Local Environmental Plans) Order 2006.

A draft Land Use Zone Map is provided at Figure 4.

FIGURE 4 – PROPOSED ZONING



The objectives of the R4 zone are:

- *“To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

- *To encourage high density residential development in close proximity to bus service nodes and railway stations.”*

Overall, it is considered that the proposed zone and its associated objectives are suitable for the land and its intended future uses.

5.1.2 PERMITTED USES

The range of permitted and prohibited uses within the R4 zone is listed below:

Permitted without consent

Nil

Permitted with consent

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification sign; Business identification sign; Child care centres; Community facilities; Hostels; Hotel or motel accommodation; **Neighbourhood shops**; Multi-dwelling housing; Places of public worship; **Residential flat buildings**; Roads; Semi-detached dwellings; Shop top housing.*

Any other development not specified as permissible without consent or prohibited.

Prohibited

Agriculture; Air transport facilities; Amusement centres; Boat repair facilities; Boat sheds; Bulky goods premises; Business premises; Canal estate development; Caravan parks; Car parks; Cemetery; Charter and tourism boating facilities; Correctional centres; Crematorium; Depots; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Funeral chapels; Funeral homes; Highway service centres; Home occupation (sex services); Industries; Industry retail outlets; Information and education facilities; Landscape and garden supplies; Marinas; Mines; Mooring; Mortuaries; Moveable dwelling; Nightclubs; Office premises; Passenger transport facilities; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Retail premises; Rural supplies; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Timber and building supplies; Transport depots; Tourist and visitor accommodation; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies.

The intended ‘residential flat buildings’ and ‘neighbourhood shops’ are facilitated by the proposed R4 High Density Residential zoning.

5.2 HEIGHT AND FLOOR SPACE RATIO CONTROLS

There is no height limit applicable to the site as specified by the existing height control map which accompanies ALEP 2010. A FSR control of 1:1 applies. It is anticipated that amendments to the height and FSR control maps will be established in response to further detailed urban design analysis of the site.

To further guide the design of new development within the site, and to provide greater certainty regarding the future design outcome for the site, it is anticipated that site specific DCP provisions will be prepared to support the draft LEP amendment. A formal DCP document has not been prepared at this stage.

5.2.1 RELATIONSHIP TO EXISTING LOCAL PLANNING INSTRUMENT

It is proposed that ALEP 2010 will continue to apply to the site and will be amended by the site specific LEP.

6 Part 3 - Justification for the objectives, outcomes and the process for their implementation

6.1 SECTION A - NEED FOR THE PLANNING PROPOSAL

Q1. IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

While not the result of any specific strategic study or report, the rezoning of the site is supported at State and local government levels. The site is poorly connected to the arterial road system and the existing industrial use therefore requires heavy vehicles to use surrounding local residential streets. In contrast, the site is suited to transit-oriented, and centre-supporting, housing consistent with the Sydney Metropolitan Plan and the Draft West Central Subregional Strategy, and the recently released Draft Metropolitan Strategy for Sydney to 2031. A significant supply of more accessible and suitable industrial land exists nearby in the Clyde / Camellia / Silverwater area.

Additionally, there is a clear alignment between State policy settings and the proposal. The redevelopment of the site will respond positively to forecast population growth for the area and will make an invaluable contribution to the local housing supply. The proposal offers a number of benefits as follows:

- It will support and assist the growth of Auburn Town Centre.
- It will provide new homes in proximity to existing public transport infrastructure.
- It will enable new housing opportunities and choice within the locality.
- It positively responds to State planning policies which support residential development within proximity to existing and planned centres.

Q2. IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

While exhibition of the draft version of ALEP 2010 may have provided a potential forum to update the previous planning controls for the site, this process only dealt with the translation of existing controls into the Standard Template form as required by the DP&I. Strategic changes to the zoning of land are to be undertaken as a subsequent process following notification of the standard template LEP, which has now occurred. This review has not yet commenced.

The delivery of residential land within the Auburn LGA to meet population growth and the resultant increase in housing demand is a key priority. The population of the West Central Subregion is expected to increase. Local population growth is stimulating demand for new housing. The draft West Central Subregional Plan seeks to deliver 95,500 new dwellings by 2031, 17,000 of which are to be accommodated within the Auburn LGA.

Given the quantum of new housing required to meet demand, the release of land needs to occur in the short term and needs to be both meaningful and deliverable. Given its size, overall development potential and being in single ownership the site satisfies these criteria and as such could play a major role in meeting the LGAs short term housing land requirement. It is therefore considered appropriate to progress a site specific LEP for the proposal.

6.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Q3. IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUBREGIONAL STRATEGY (INCLUDING THE SYDNEY METROPOLITAN PLAN AND EXHIBITED DRAFT STRATEGIES)?

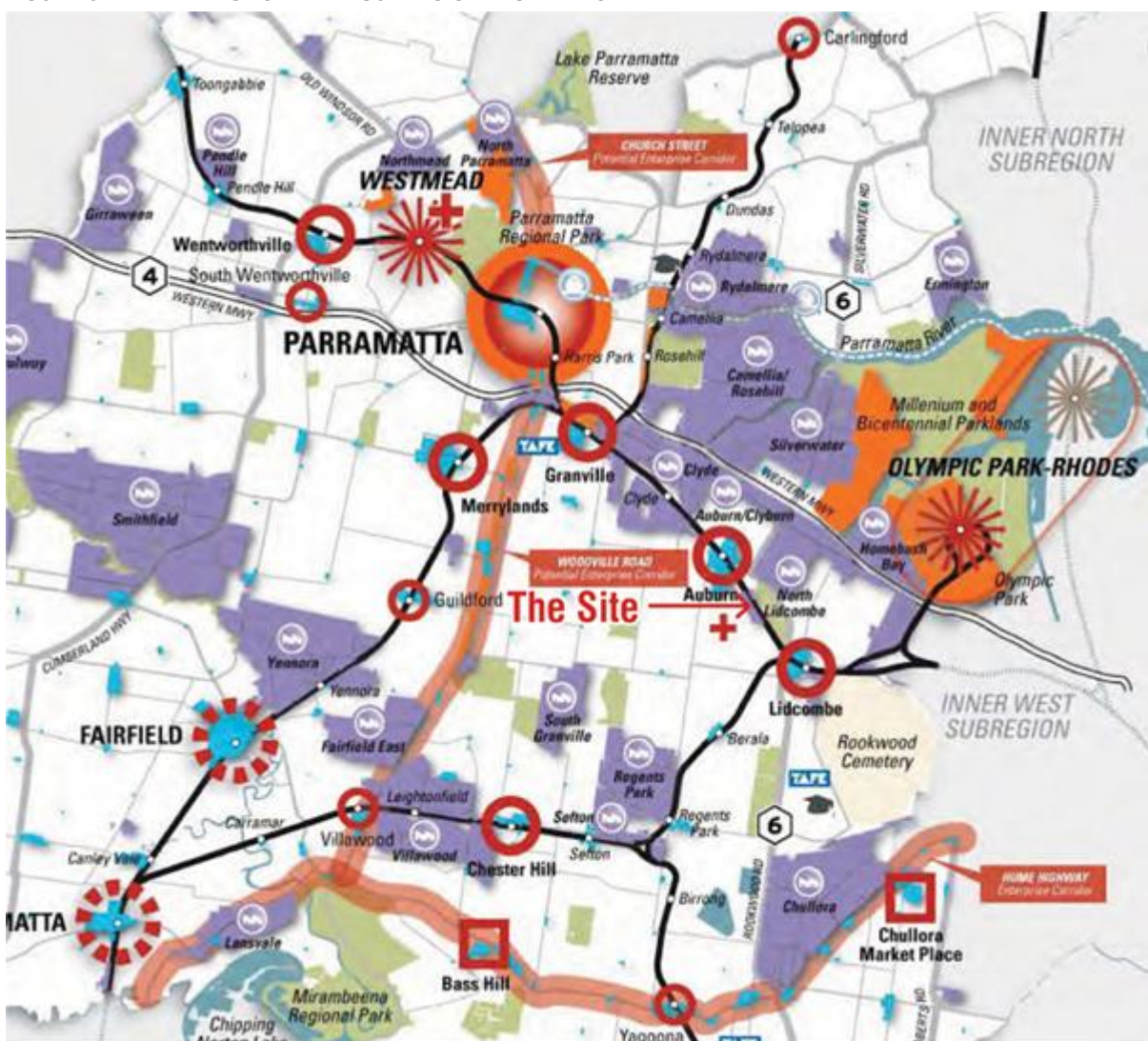
Yes, for the reasons outlined below.

The Metropolitan Plan for Sydney 2036 (“Metro Plan”) seeks to respond to the key challenges facing Sydney such as a growing and changing population, the need to locate more jobs closer to home, more efficient transport, tackling climate change and enabling a more sustainable city. Central to achieving these challenges is a focus on developing a ‘City of Cities’ structure which is defined by a compact, multi-centred and connected city structure enabling people to spend less time travelling to access work, services, markets or regional facilities. The Plan positively encourages well designed, higher density development within walking distance of existing public transport infrastructure.

Of relevance to this proposal the key directions of the Plan include:

- Increasing housing densities in centres where access to employment, services and public transport are provided or can be provided.
- Cater for changing housing needs.
- Provide zoned capacity for a significant majority of new housing in centres.

FIGURE 5 – DRAFT WEST CENTRAL SUBREGIONAL STRATEGY



The site falls within the West Central Subregion. The *draft West Central Subregional Strategy* applies to the Auburn LGA. The subregion is described as being rich in cultural diversity and containing a large network of eight Town Centres which generally act as important anchors of retail, services and community facilities.

Auburn LGA is defined by the Strategy as a centre where significant residential growth is expected and the dwelling target for 2031 is 17,000 additional dwellings. The Strategy further identifies the area around Auburn Train Station as a “Town Centre”. Town Centres are generically described as areas with a radii of 800m, having one or two supermarkets, community facilities, medical centre, schools, etc. and containing between 4,500 and 9,500 dwellings. Town centres are recognised as usually being a residential origin rather than an employment destination.

The Auburn Employment Capacity Target to 2031 is 12,000 additional jobs, representing 27.7 per cent growth from 2004. Existing ‘Employment Lands’ are divided into three categories:

- Category 1: those lands that will continue to accommodate primarily industrial and related uses;
- Category 2: those lands that may have potential to accommodate a wider range of employment generating uses; and
- Category 3: those lands that could be investigated for alternative uses, including non-employment uses such as residential.

The site and associated industrial land to the east are identified as the “Queen Street Substation” and are described as follows:

“Queen Street Substation (Manufacturing – Light 5.6ha): The age of the building appears to be at least 40 years. Although seemingly viable, it is by virtue of the age of the building stock, likely to come under pressure for redevelopment sometime within the period to 2031. Given the excellent location on the periphery of Auburn Town Centre there is opportunity to consider the site for alternative employment uses as an extension of the Auburn Town Centre.”

Notwithstanding the above, the general unsuitability of the site for industrial use is recognised at the State and local level, as is the site’s enormous potential to accommodate residential uses. The DP&I has acknowledged in correspondence dated 29 October 2008 that a Category 3 designation may be more appropriate. This Planning Proposal represents the first step in formalising the proposed reclassification and rezoning of the site for residential redevelopment.

The proposal directly contributes to the strategic objectives of the Metro Plan as discussed below.

ACTION	PROJECT CONTRIBUTION
B1 To focus activity in accessible centres	▪ The proposal is consistent with State government policy which supports development in proximity to existing centres and public transport. It provides additional housing opportunities adjacent to Auburn Town Centre and Auburn train station.
D1 To ensure an adequate supply of land and sites for residential development	▪ Maximises the potential for the site to contribute to the housing supply within the subregion and assist Council in identifying appropriate sites to achieve its target dwelling growth of 17,000 new homes by 2031. ▪ Provides new housing product within the LGA which benefits from the site’s strategic location in proximity to existing public infrastructure and shops and services. ▪ Provides residential development within an existing serviced area directly adjacent to other residential land.
D2 To produce housing that suits our expected future needs	▪ Provides a range of dwelling types offering between 1 and 3 bedroom dwellings responding to the average household size.

ACTION	PROJECT CONTRIBUTION
	▪ Responds to the site's close proximity to existing public transport infrastructure ▪ Expands the housing supply within a walkable distance from a train station, education facilities, medical services and shopping opportunities.
D3 To improve housing affordability	▪ Provide a variety of apartment types at varying price points.
D4 To improve the quality of new housing development and urban renewal	▪ Provides a logical approach to housing diversity in a highly serviced existing urban area. ▪ Allows the opportunity for each residential apartment building in accordance with SEPP 65 and the RFDC.

The Metro Plan is currently under review. The Draft Metropolitan Strategy for Sydney was released on 18 March 2013 and will be exhibited until 30 April 2013. The key messages of the current Metro Plan are restated and reinforced in the draft strategy:

- More housing is needed to meet demand: The draft Metro Strategy increases the dwelling targets for the Sydney Metropolitan region, requiring a minimum of 273,000 new homes by 2021 and 545,000 by 2031. Minimum housing targets to 2021 and 2031 are specified for six subregions. Auburn LGA is within the West and North West Subregion; this subregion also includes Blacktown, Holroyd, Parramatta and The Hills. LGAs). Minimum housing targets of 74,000 and 148,000 new dwellings to 2021 and 2031 are to be achieved within the subregion (the majority of these new dwellings will be accommodated within the North West Growth Centre). To help deliver these targets, the draft Strategy commits to "fast track" the supply of housing in established urban areas.
- New housing with good access to public transport, facilities and services: The provision of new housing with good access to existing and planned infrastructure remains a key focus of Government policy within the draft strategy (*Objective 5 – Policy (b) new housing will be encourages in areas close to existing and planned infrastructure in both infill and greenfield areas*).
- The provision of more diverse housing: Consistent with the provisions of the current Metro Plan, the draft Strategy supports the delivery of a greater variety of housing types and sizes and recognises the need for smaller homes such as units, terraces and townhouses as well as specialised housing.

The site is located within the Metropolitan Urban Area, as defined by the draft Strategy, which relates to land developed for urban or related purposes or which has been identified for future urban development. It is also located in close proximity to existing public transport infrastructure. Consistent with the objectives of the draft Strategy, the proposal:

- Will deliver new and more diverse housing within the short term and as such will contribute to achieving the targets of the draft Strategy.
- Responds to a recognised need (and market demand) for smaller dwellings in this locality.
- Will provide new homes in close proximity to existing infrastructure and services.

Also of relevance to the proposal the draft Strategy removes the categorisation of industrial lands, it nonetheless requires proposals to rezone existing industrial lands to be consistent with the Industrial Lands Strategic Assessment Checklist. The proposal is consistent with these criteria. Located in the Auburn Local Government Area (LGA), the site comprises almost half of an isolated pocket of industrial

land on the south-eastern edge of the Auburn Town Centre which adjoins the southern side of the Western Railway Line, some 550 metres to the south-east of Auburn Railway Station. It does not form a part of a significant industry cluster.

The site is poorly connected to the arterial road system and the existing industrial use therefore requires heavy vehicles to use surrounding local residential streets. In contrast, the site is suited to transit-oriented, and centre-supporting, housing consistent with the Sydney Metropolitan Plan and the Draft West Central Subregional Strategy, and the recently released Draft Metropolitan Strategy for Sydney to 2031. A significant supply of more accessible and suitable industrial land exists nearby in the Clyde / Camellia / Silverwater area.

Q4. IS THE PLANNING PROPOSAL CONSISTENT WITH THE LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN, OR OTHER LOCAL STRATEGIC PLAN?

The Auburn City Community Strategic Plan 2011-2021 was adopted by Council on 18 May 2011 and is the long term strategic plan for the LGA intended to guide development over the lifetime of the plan.

The plan identifies that the LGA will experience significant population growth to 2021 (92,000 persons) and highlights the need to provide suitable housing opportunities is recognised and supported.

The proposal responds positively to the principles of the plan and will contribute to achieving the specified outcomes, specifically achieving "high quality urban development" by facilitating the development of new dwellings within an area that is in close proximity to public transport and other services and facilities.

Q5. IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs). The relevant SEPPs are identified below.

POLICY	DETAILS
SEPP 55 Remediation of Land	A Phase 1 Contamination Report has been prepared (see Appendix 3) which identifies likely site contamination arising from the history of industrial use of the site. SEPP 55 provides a statutory planning framework for further investigations and suitable remediation through the rezoning and development application processes.
SEPP 32 — Urban Consolidation (Redevelopment of Urban Land)	Pursuant to SEPP 32, each council (and the Minister) must consider whether urban land is no longer needed or used for the purposes for which it is currently zoned or used, whether it is suitable for redevelopment for multi-unit housing and related development in accordance with the aims and objectives of this Policy and whether action should be taken to make the land available for such redevelopment. The proposal is directly consistent with the aims and objectives of SEPP 32.
SEPP 65 Design Quality of Residential Flat Buildings	SEPP 65 provides a statutory framework, and calls up the Residential Flat Design Code to ensure that subsequent development applications achieve an appropriate standard of design quality. Future development will be undertaken in accordance with SEPP 65 and the accompanying Residential Flat Design Code. SEPP 65 provides a statutory framework to guide the design quality of residential flat developments.

POLICY	DETAILS
SEPP (Buildings Sustainability Index: BASIX) 2004	The BASIX SEPP will require all future residential development facilitated by this proposal to achieve mandated levels of energy and water efficiency.
SEPP (Infrastructure) 2007	The Infrastructure SEPP aims to facilitate the efficient delivery of infrastructure across the State. The proposed development will require existing utility services to be upgraded and/or augmented to enable the future residential population to be accommodated. These works will need to be undertaken in accordance with the provisions of the SEPP.
Development Near Rail Corridors and Busy Roads - Interim Guideline	The Department of Planning has adopted an interim guideline for <i>"Development Near Rail Corridors and Busy Roads"</i> . This is not a SEPP but this guideline will assist in resolving design issues arising from the proximity of the site to the rail line.

Q6. IS THE PLANNING PROPOSAL CONSISTENT WITH THE APPLICABLE MINISTERIAL DIRECTIONS (S117 DIRECTIONS)?

The Planning Proposal has been assessed against the Section 117 Ministerial Directions and is consistent with each of the relevant matters, as outlined below.

DIRECTION	COMMENT
1. Employment and Resources	
1.1 Business and Industrial Zones	While the proposal will result in some loss of employment potential, a considerable supply of more suitable such land exists in the vicinity of the site.
1.2 Rural Zones	Not Applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not Applicable
1.4 Oyster Aquaculture	Not Applicable
1.5 Rural Lands	Not Applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	Not Applicable
2.2 Coastal Protection	Not Applicable
2.3 Heritage Conservation	Not Applicable
2.4 Recreation Vehicle Areas	Not Applicable

DIRECTION	COMMENT
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	The proposal will broaden the range of housing choices and provide ample opportunity for good urban design. The site is located adjacent to established residential areas and local services such as shops and public transport is located in close proximity.
3.2 Caravan Parks and Manufactured Home Estates	Not Applicable
3.3 Home Occupations	Not Applicable.
3.4 Integrating Land Use and Transport	The proposal is consistent with the direction for the following reasons: ▪ The site supports the principle of integrating land use and transport. ▪ The site exhibits good access to public and private transportation use. ▪ The site's proximity to public transport will provide opportunities for residents to access the site. ▪ The proposal will provide additional employment (during construction) within the Auburn LGA within close proximity to existing services and infrastructure.
3.5 Development Near Licensed Aerodromes	Not Applicable
3.6 Shooting Ranges	Not Applicable
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Not Applicable
4.2 Mine Subsidence and Unstable Land	Not Applicable
4.3 Flood Prone Land	Not Applicable
4.4 Planning for Bushfire Protection	Not Applicable
5. Regional Planning	
Directions 5.1 -5.8.	Not Applicable
6. Local Plan Making	
6.1 Approval and Referral Requirements	This is an administrative requirement for Council.
6.2 Reserving Land for Public Purposes	This is an administrative requirement for Council.

DIRECTION	COMMENT
6.3 Site Specific Provisions	The Planning Proposal has been prepared in accordance with the provisions of the Standard Instrument and in a manner consistent with the Auburn LEP 2010.
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Plan	The planning proposal is consistent with the aims of the Metropolitan Plan as detailed previously within the Planning Proposal.

6.3 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 site is located within an established urban area. There are no known critical habitats, threatened species or ecological communities located on the site and therefore the likelihood of any negative ecological impacts are minimal.

Q8. ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

Potential environmental effects of this planning proposal are considered below.

TRAFFIC

The residential nature of traffic generated will be more consistent with the town centre / residential fringe context of the site than truck movements associated with the existing industrial use of the site as follows:

- The road network is currently undergoing improvements on the Station Road Bridge to improve the local traffic flow within and around the Auburn Town Centre.
- The site facilitates future pedestrian access with wide and safe pedestrian pathways throughout the site.
- The site is well-served by public transport. It is located within 10 minute walk of the Auburn Railway Station and is close to a number of bus routes, Veolia Routes 908, 909, 911 and the STA Routes 540/544.
- As a result of the good future accessibility of the site to public transport. Additional site peak hour and daily vehicular traffic generated by the site redevelopment with residential zoning is expected be relatively low and would have a negligible effect on the operation of the surrounding road network.

EXISTING VEGETATION (INCLUDING STREET TREES)

While a number of isolated trees that exist on the site will need to be removed to facilitate its redevelopment, the mature turpentine street trees along the entire street frontage would be retained to provide a dense buffer of native foliage around the site, and suitable landscape planting would be provided within the site as part of any future development proposal.

The mature tree located at the eastern side of the site would be retained.

CONTAMINATION

As the site has been used for a range of industrial purposes since the early 1880s, Douglas Partners were engaged by the applicant to prepare a Phase 1 Contamination Report (see Appendix B) by the previous owners in 2007. Conditions have not altered on the site since this time.

The investigations confirm that the site is suitable for residential use subject to remediation. The Phase 1 investigations included 15 bore-hole tests that identified a number of contaminants that will need to be remediated prior to residential use. As residential buildings are proposed upon a plinth of partially excavated basement parking, the proposal will provide a feasible basis for site remediation and the capping of any areas of potential remaining concern.

Further details of contamination investigations and remediation methodology will be provided following the Gateway Determination and will inform the environmental assessment requirements for any future development application(s).

ACOUSTIC IMPACT

Providing that appropriate noise and vibration mitigation measures are adopted for the development, the proposed rezoning and future residential development is considered to be suitable based on the relevant requirements given by NSW DoP (2008) *Development Near Rail Corridors and Busy Roads – Interim Guidelines* and *SEPP (Infrastructure) 2007 – Regulation 87*.

Q9. HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

As detailed above, this proposal will involve some social and economic impact through the loss of employment land. However, this impact will be mitigated by the more significant positive social, economic and environmental impacts associated with the removal of industrial vehicles from the surrounding residential area and town centre, and the implementation of strategic planning objectives of achieving residential growth within a defined town centre location, and within walking distance of a railway station.

6.4 SECTION D - STATE AND COMMONWEALTH INTERESTS

Q10. IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

The site is served by all urban utility infrastructure and is located to allow incoming residents to capitalise on the wide range of infrastructure and services existing within the town centre. In particular it will reinforce existing and future investment in the heavy rail system, including the recent easy access upgrading of Auburn train station.

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7 Further Studies

This Planning Proposal represents the first stage in the rezoning process and deals with high level planning issues in the first instance. Should the proposal proceed to a positive 'Gateway' determination, the following more detailed studies will be undertaken prior to a draft rezoning instrument being publicly exhibited.

TRAFFIC AND TRANSPORT

This report will provide more detailed modelling and analysis of:

- Intersection pressures at Station Road rail bridge.
- Impacts upon town centre traffic.
- Pressure on street networks around Queen Street and connections to Olympic Drive.
- The Auburn Town Centre bypass route.

The traffic assessment will include consideration of the cumulative impact of traffic generated by the current and planned provisions of ALEP 2010 in relation to Auburn Town Centre.

URBAN DESIGN ANALYSIS

This report will be prepared by a qualified and independent urban design expert and will consider the following:

- Relevant studies prepared by and on behalf of Council including:
 - AECOM, *"Auburn City Urban Design Study."* 30 September 2012.
 - GMU Urban Design & Architecture, *"Urban Design Density Study: Auburn and Lidcombe Town Centres."* September 2010
 - Auburn Council, *"Auburn Town Centre Strategy 2031."* Endorsed 4 February 2009.
- The profile the proposed development would present when viewed in the broader district context of the Auburn Town Centre.
- The interface with the planned future scale and character of the lands adjoining the site to the south-east (e.g. Queen Street and surrounds) which is identified for two storey medium density housing.
- The scale and presentation of the development when viewed from the Main Western Railway.

It is anticipated that the urban design analysis will inform the height and FSR controls that will be applied to the site and will provide the detailed design criteria to inform an accompanying draft site specific Development Control Plan (DCP) prepared in accordance with Councils DCP Style Manual and Style Template. It is anticipated that the draft DCP will be publicly exhibited with the draft LEP instrument.

CONTAMINATION

A Stage 2 site contamination assessment will be undertaken at development application stage.

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8 Community Consultation

Clause 57 of the *Environmental Planning and Assessment Act 1979* requires the relevant planning authority to consult with the community in accordance with the gateway determination. It is anticipated that the Planning Proposal will be required to be publically exhibited for 28 days in accordance with the requirements of the Department of Planning and Infrastructure guidelines “*A Guide to Preparing Local Environmental Plans*.”

Public exhibition will occur in accordance with Auburn Council’s usual procedures. It is anticipated that the proposal would be notified by way of:

- A public notice in the local newspaper(s)
- A notice on the Auburn Council website.
- Written correspondence to adjoining and surrounding landowners.

The gateway determination and Planning Proposal would be publically exhibited at Council’s offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

Additionally, the following community consultation will be undertaken by the applicant:

- Stakeholder meetings – briefing sessions will be held to engage with key stakeholders including local councillors, state members, representatives from government agencies and local community groups.
- Media briefings – a series of media briefing sessions will be carried out in order to provide information on the proposal to the wider community via media channels. These media briefings will include information on the other consultation program components to allow interested parties to take part.
- Community information days – community information day(s) will be held on site. These will be advertised locally and will allow interested parties to attend at their convenience to obtain information, ask questions and raise concerns.

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9 Conclusion

This Planning Proposal relates to the rezoning of land currently within Zone IN2 Light Industrial under Auburn Local Environmental Plan 2010 to Zone R4 High Density Residential.

The relatively minor impact of the proposal upon the supply of employment land will be significantly offset by:

- The removal of industrial vehicles associated with the existing industrial use from surrounding local residential and town centre streets.
- The provision of transit oriented housing on the edge of the existing Auburn Town Centre, with access to the wide range of facilities, services and amenities in and around the centre.

We therefore conclude that this Planning Proposal will achieve a favourable outcome for the Auburn LGA and it is requested that the necessary steps are taken to enable it to proceed to Gateway Determination under Section 56 of the EP&A Act.

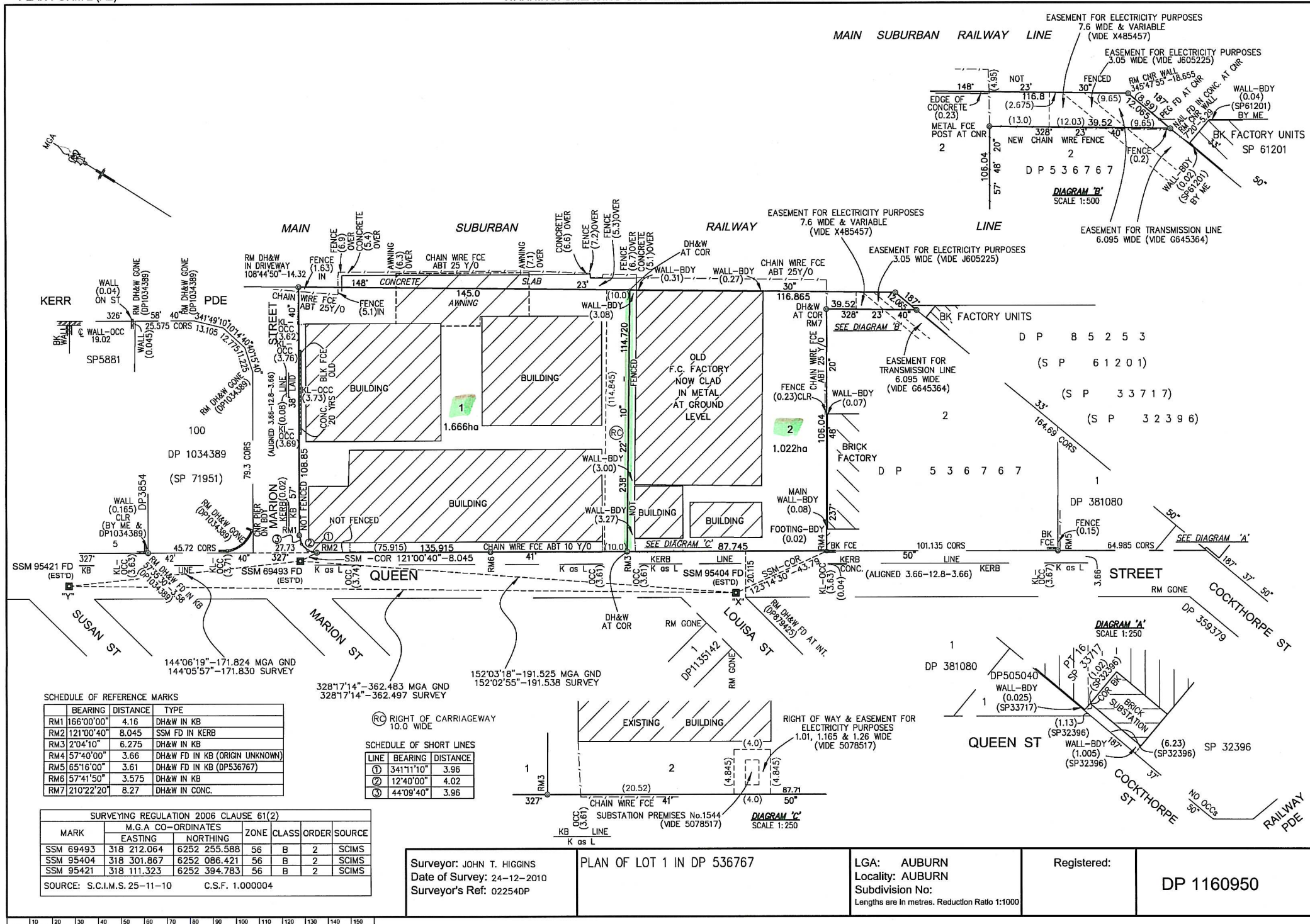
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Appendix A

Site Survey

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Appendix B

Phase 1 Contamination Report

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Douglas Partners

Geotechnics • Environment • Groundwater

**REPORT
on
PHASE 1 CONTAMINATION ASSESSMENT**

**1A QUEEN STREET
AUBURN**

**Prepared for
OPG PTY LTD**

**Project 44352
April 2007**

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EXECUTIVE SUMMARY

This report details the methodology and results of a Phase 1 Contamination Assessment conducted at 1A Queen Street, Auburn by Douglas Partners Pty Ltd. The investigation was commissioned by Mr Neil Murray of OPG Pty Ltd.

The future use of the site had not been determined at the time of assessment, but it is understood that options being considered include continued use of the site under its current commercial/ industrial use or redevelopment for commercial/ industrial use or residential land use with minimal access to soils.

The site covers an area of approximately 2.7 ha and at the time of assessment the majority of the site was paved with the concrete pavement extensively repaired in many areas. Seven buildings present were consisting of five large warehouse style buildings and two smaller office buildings. A large, high metal awning was located in the north eastern portion of the site. Disused railway tracks were present in the north east of the site running adjacent to the site boundary and main railway line.

At the time of the assessment the site was operational and generally used for storage/ warehousing, with the exception of Building 4B which was used for paper shredding. A paper compacting machine was observed to be leaking oil onto the concrete pavement adjacent to Building 4B, and one fibre cement fragment was observed on the ground surface adjacent to the south eastern site boundary.

The site history information indicates that the site was developed for industrial land use (including manufacture of rolling stock for the railways) in/ prior to 1882. Since then a number of companies have occupied parts of the site with potentially contaminating activities including storage and mixing of chemicals (including in 6 USTs) and vehicle maintenance (including fuel storage in approximately 4 - 6 USTs). An extensive variety of chemicals have been/ are stored at the site including fuels, oils, pigments, acids, resins, rubbers and xylenes.

The potential contaminants assessed during the current assessment consisted of heavy metals (As, Cd, Cr, Cu, Pb, Hg, Ni, Zn), BTEX, TPH, PAH, PCB, OCP, phenols and asbestos containing materials.

Fifteen test bores were drilled across the site and one groundwater well was installed. Filling was encountered in all the test bores and the depth of filling material ranged between 0.13 to 2.0 m, with the depth of filling increasing towards the east. The filling was variable across the site and included clays, sands and gravels. Ash, slag and concrete were noted in filling in some locations. Hydrocarbon odours were noted in Bores 7 and 10. The filling was underlain by natural silty clays/ clays and shale.

The potential chemical contaminants analysed in soil/ filling were generally present at low levels/ below the laboratory practical quantitation limit (PQL) with the following exceptions:

- Bore 3 - 0.3-0.4 m bgl - TPH C₁₀-C₃₆ (1780 mg/kg compared to the SAC for both residential and commercial/ industrial land use of 1000 mg/kg);
- Bore 10- 0.2-0.3 m bgl - TPH C₁₀-C₃₆ (2340 mg/kg compared to the SAC for both residential and commercial/ industrial land use of 1000 mg/kg);
- Bore 13- 0.7-0.9 m bgl - TPH C₁₀-C₃₆ (3950 mg/kg compared to the SAC for both residential and commercial/ industrial land use of 1000 mg/kg);
- Bore 15 - 0.1-0.4 bgl - lead [1300 mg/kg compared to the SAC for residential land use with minimal access to soils of 1200 mg/kg but within the SAC for commercial/ industrial landuse of 1500 mg/kg] in filling collected from a depth of 0.1 to 0.4 m; and
- Sample 12/0.2-0.4: benzo(a)pyrene [4.3 mg/kg compared to the SAC for residential land use with minimal access to soils of 4 mg/kg but within the SAC for commercial/ industrial landuse of 5 mg/kg] in filling collected from a depth of 0.2 to 0.4 m].

It is noted that the elevated levels of TPH C₁₀-C₃₆ are over the threshold levels for both residential land use with minimal access to soils and commercial/ industrial land use. Remediation/ management of the TPH contamination would therefore be required for both of the proposed landuses. The TPH contamination detected in Bore 3 and 10 appeared to be associated with the filling material (although slight hydrocarbon odours were noted in

natural silty clay in Bore 10). Bore 13 was discontinued in filling due to refusal, and hence the vertical extent of the hydrocarbon contamination could not be ascertained.

The detected lead and benzo(a)pyrene concentrations in exceedance of the threshold levels for residential land use with minimal access to soils (Column 2) but within the SAC for commercial/ industrial land use (Column 4). The 95% UCL calculated based on the current data for lead and benzo(a)pyrene were 552 mg/kg and 1.2 mg/kg respectively ie both below the Column 2 SAC indicating that the detected exceedances may not be significant. Further assessment would be required to confirm this in view of the preliminary nature of the current assessment.

A number of samples also exceeded the Provisional Phytotoxicity-based Investigation Levels (PPIL) for arsenic, copper, lead, nickel and zinc. These results are applicable to areas to be used for lawns/ landscaping, and indicate a layer of clean fill is likely to be required over any areas to be planted to manage adverse impacts of plants.

Asbestos was identified in one fragment of fibre cement noted at the surface. No fibre cement or asbestos was detected in soils at the site, nor were any other pieces of fibre cement noted at the surface. The fragment of fibre cement appeared to be isolated and restricted to the ground surface, however it is noted that the investigation was preliminary in nature, and asbestos containing materials may potentially be present in filling materials at the site.

Groundwater was sampled from one location, with all contaminants tested being within the GIL or expected background levels with the following exceptions:

- Zinc (maximum concentration of 0.02 mg/L compared with the GIL of 0.008 mg/L). Zinc was, however, within the expected background levels for groundwater in urban areas, and the detected level is not considered to be of concern;
- Toluene (0.0016 mg/L, ie within the GIL of 0.3 mg/L), although this concentration was within the GIL, due to the preliminary nature of the contamination assessment, and the potential sources of toluene identified at the site it is considered that further investigation is required to determine its significance.

Based on the site history and current results it is recommended that a Phase 2 Contamination Assessment is required to characterise the site with respect to contamination. Remedial work is likely to be required when the site is redeveloped.

Based on the current results and the site remaining capped, it is considered that the site is suitable for continued commercial/ industrial land use in the short to medium term due to the limited potential for exposure of site users to the detected contaminants. If further pieces of fibre cement are noted at the surface they should be removed by a licenced contractor, and the site cleared for asbestos by a qualified occupational hygienist.

All materials removed from the site must be classified for waste disposal. The current results indicate that the filling materials are provisionally classifiable as Solid Waste, however, further testing would be required to confirm this.

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