

Auburn Local Environmental Plan - Amendment No. 19 - 265 Parramatta Road, Auburn

Proposal Title : **Auburn Local Environmental Plan - Amendment No. 19 - 265 Parramatta Road, Auburn**

Proposal Summary : **Auburn Local Environmental Plan 2010 (Amendment No. 19) Homemaker Megamall, 265 Parramatta Road, Auburn.**

The planning proposal seeks to amend Schedule 1 Additional Permitted Uses of the Auburn Local Environmental Plan 2010 to permit the site specific additional use of up to 4,600 square metres of shops within the existing megamall. The proposal does not seek to rezone any part of the site, which is currently zoned B6 Enterprise Corridor under the ALEP 2010.

PP Number : **PP_2014_AUBUR_007_00** Dop File No : **14/19084**

Proposal Details

Date Planning Proposal Received :	15-Oct-2014	LGA covered :	Auburn
Region :	Metro(Parra)	RPA :	Auburn Council
State Electorate :	AUBURN	Section of the Act :	55 - Planning Proposal
LEP Type :	Precinct		

Location Details

Street :	265 Parramatta Road		
Suburb :	Auburn	City :	Auburn
		Postcode :	2144
Land Parcel :	Lot 1 DP 851145		

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy :	
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	126

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **To the best of the knowledge of the Metropolitan Delivery Office (Parramatta) team there have been no meetings or communications with lobbyists regarding this planning proposal.**

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

If Yes, comment : **The Lobbyist Contact Register was checked on 13 November 2014. No registered meetings with lobbyists were identified.**

Supporting notes

Internal Supporting Notes : **The planning proposal has been referred to the Department's Employment Lands Manager for consideration and the following comments were received:**

It has been assessed that this planning proposal will not impact on the availability of industrial land, because the site is not zoned industrial. However, it is noted that many of the tenants of the site are light industrial uses, and this planning proposal could impact on the availability of light industrial space. Despite this, any potential loss of industrial space would be marginal compared to the size of the site, and the quantity of surrounding industrial uses.

External Supporting Notes : **The proponent initially proposed up to 7,000 square metres of gross floor area for shops as an additional permissible use. Council however considered the proponent's application for a planning proposal and resolved to support the proposal on a reduced gross floor area of up to 4,600 sq.m. The reduction is in response to consideration of the capacity of existing car parking facilities within the Megamall premises.**

Adequacy Assessment

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

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

Comment : **The overarching objective of the proposed LEP amendment is:**

- ☐ **to revitalise the Homemaker Megamall through the introduction of new economic and employment opportunities;**
- ☐ **provide a compatible and complementary use to the existing centre; and**
- ☐ **create an attractive centre which is economically viable for the community.**

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

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

Comment : **The planning proposal aims to amend Schedule 1 Additional permitted uses in the Auburn Local Environmental Plan 2010 to enable shops up to 4,600sq.m. gross floor area as an additional permitted use at 265 Parramatta Road, Auburn. The proposal includes the following draft clause:**

Schedule 1 Additional Permitted Uses

1 Use of certain land at 265 Parramatta Road, Auburn

(1) This clause applies to land at 265 Parramatta Road, Auburn being Lot 1, DP851145.

(2) Development for the purposes of shops is permitted with consent.

(3) Development for purpose permitted in subclause (2) must not occupy an area greater than 4,600 square metres of gross floor area.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

* May need the Director General's agreement

Is the Director General's agreement required? **N/A**

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

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP No 64—Advertising and Signage

SEPP (Infrastructure) 2007

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

Direction of 1.1 - Business and Industrial Zones - the proposal is consistent with this Direction for the following reasons. It will:

- ☐ **Enable an additional land use within the existing centre which supports local trade;**
- ☐ **Provide employment opportunities for Auburn Local Government Area as the planning proposal may facilitate approximately 161 jobs;**
- ☐ **Offer complementary uses within the centre which will support its long term viability.**

Direction 3.4 - Integrating Land Use and Transport - the planning proposal is consistent with this Direction as the site is located along Parramatta Road, a major east-west carriageway. The site has reasonable access to public transport services with bus stops located on both sides of Parramatta Road in close proximity to the site.

Direction 4.1 - Acid Sulfate Soils - The site is located in an area that is identified as having Class 4 – Acid Sulfate Soils. The planning proposal is consistent with this Direction as it does not propose an intensification of land uses and as there will be no works below ground, Acid Sulfate Soils will not be impacted.

Direction 4.3 - Flood prone land - is relevant to the planning proposal. Part of the site is within a flood planning area. The planning proposal is consistent with this Direction as it seeks an additional permitted use within the existing Megamall development and no works are proposed. However, Council is to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.

Direction 6.3 - Site Specific Provisions - the planning proposal is inconsistent with this Direction as it seeks to enable shops an an additional permitted use. The inconsistency is justified on the basis of minor significance given that:

- the site is considered appropriate due to its location and existing uses to**

accommodate retail premises;

- the use of Schedule 1 will allow an appropriate use whilst retaining the B6 zoning and without compromising the character of the area; and

- the proposed use is compatible with the area, maximises the location attributes and will improve the viability of the centre.

Direction 7.1 - Implementation of the Metropolitan Strategy - the proposal is consistent with the Metropolitan Strategy's aims to grow and renew centres. The Planning Proposal will make use of existing infrastructure and amenities within the vicinity, focus activity along Parramatta Road and provide additional jobs.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment : **As this planning proposal seeks an amendment to the Auburn Local Environmental Plan 2010 by way of Schedule 1 Additional Permitted Uses, Council will be required to prepare and submit an Additional Permitted Use map in accordance with the Department's mapping requirements, should the planning proposal be allowed to proceed.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council has proposed a consultation period of 28 days. During exhibition of the planning proposal the community will be invited to make written submissions.**

Additional Director General's requirements

Are there any additional Director General's requirements? **N/A**

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Auburn Local Environmental Plan 2010 was notified on 29 October 2010. This planning proposal seeks to amend the Plan, and will be known as Auburn Local Environmental Plan 2010 Amendment No.19.**

Assessment Criteria

Need for planning proposal : **The planning proposal is necessary to revitalise the underutilised Megamall by permitting 'shops' as an additional use up to 4,600 square metres of gross floor area on site.**

Consistency with strategic planning framework :

The planning proposal is consistent with:

- Council's Auburn Employment Lands Study (June 2008) and Auburn LGA wide Traffic and Transport study recommendations;
- the Draft Sydney Metropolitan Strategy which identifies the site as being within the Parramatta Road Corridor; and
- relevant draft subregional strategies, State Environmental Planning Policies (SEPPs) and deemed SEPPs.

It is consistent or justifiably inconsistent with section 117 Directions.

Environmental social economic impacts :

A Traffic Impact Assessment prepared by GTA Consultants sets out an assessment of the anticipated traffic and parking implications associated with additional permitted uses.

The assessment concludes the following:

- ☐ The existing bulky goods site generates less than 250 vehicle trips in any peak hour.
- ☐ If the site was trading as intended in the original approved development, it would generate over 800 vehicle trips during a Thursday PM peak hour and up to 2,150 vehicle trips on a Saturday midday peak hour. Traffic generated by the proposed development will not exceed these parameters.

Any future development may require some minor intersection and signal upgrades to alleviate some constraints however this would be addressed at the development application stage.

Potential future intersection upgrades have also been proposed as part of the Draft Auburn LGA Traffic and Transport Study. These include a double left turn (signalised) slip lanes on Rawson Street and a double right turn from Parramatta Road to Rawson Street.

In terms of social and economic impacts, An Economic Impact Assessment prepared by Location IQ provides an independent assessment of the demand for large format showroom type retail premises, referred to as 'retail showroom,' at Homemaker Megamall Auburn.

The Economic Impact Assessment concludes a substantial positive economic impact and net community benefit as the proposal would:

- ☐ Alleviate the projected demand/need for retail floor space within the precinct in the future;
- ☐ Not threaten the viability or continued operation of existing retail facilities in the area;
- ☐ Facilitate up to 246 direct and indirect jobs, including approximately 126 jobs as a direct result of the additional use;
- ☐ Benefit the consumer through an increased range, convenience and price competition; and
- ☐ Enable the centre to provide an attractive and viable destination for the local population.

The planning proposal is not expected to create any adverse social impacts.

Assessment Process

Proposal type :	Minor	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 months	Delegation :	RPA
Public Authority Consultation - 56(2) (d) :	NSW Police Force Transport for NSW - Roads and Maritime Services Adjoining LGAs		

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

Employment Lands (ELDP)

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council Letter.pdf	Proposal Covering Letter	No
Appendix B- Planning Proposal Application Assessment.pdf	Proposal	No
Appendix A - Council Minutes and Report of 20 Aug 2014.pdf	Proposal	No
Appendix C - Economic Impact Assessment (Parts 1 and 2) by Location IQ.pdf	Study	No
Appendix D- Traffic Impact Assessment (Oct 2014).pdf	Study	No
Planning Proposal - Auburn Megamall (PP-2 2014) dated 1 Oct 2014.pdf	Proposal	No
Planning Team Report - Auburn Homemaker Megamall.pdf	Determination Document	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
 3.4 Integrating Land Use and Transport
 4.3 Flood Prone Land
 6.3 Site Specific Provisions
 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **DELEGATION OF PLAN MAKING FUNCTIONS**

Council has not requested that it exercise the Minister's plan making functions for this planning proposal. Given the relatively minor nature of this proposal it is recommended that Council should be issued with delegation in this instance.

It is recommended that the planning proposal proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be amended to include:
(a) an additional permitted use map; and
(b) updated versions of Appendix C and D (i.e. economic, traffic and parking studies) to address the potential implications of 4,600 square metres of gross floor area for retail

shops.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment act 1979 (EP&A Act) as follows:

- (a) the planning proposal must be made available for 28 days; and
- (b) the relevant planning authority must comply with notice requirements for public exhibition of planning proposals and the specifications for material that must be available along with planning proposals.

3. Council is to consult with the following public authorities;

- Transport NSW - Roads and Maritime Services
- NSW Police Service
- Adjoining LGAs

4. The timeframe for completing the LEP is 12 months from the week following the date of the Gateway determination.

Supporting Reasons :

The regional team supports the planning proposal, in principle, as it will enable the revitalisation of the underutilised Megamall by permitting shops as an additional use whilst retaining the existing built form, character and B6 Enterprise Corridor zoning along Parramatta Road Corridor.

Signature:

 Acting Team Leader

Printed Name:

Lillian Charlesworth Date: 14/11/14

