

Item No: C03/18-44

FINALISATION OF PLANNING PROPOSAL FOR 67 - 73 ST HILLIERS ROAD, AUBURN

Responsible Division: Environment & Infrastructure
 Officer: Group Manager - Planning
 File Number: PP-1/2016
 Community Strategic Plan Goal: *A resilient built environment*

SUMMARY

Proponent / Owner	Community First Credit Union Ltd
Description of Land	67-73 St Hilliers Road, Auburn
Site Area	Approximately 3,500m ² (0.35 hectares)
Proposal Summary	To introduce 'office premises' and 'educational establishment' (limited to 800m ² GFA) as additional permitted uses.
Existing Zoning and Planning Controls	Zoning: IN1 General Industrial Height: N/A FSR: 1:1 Additional Permitted Uses: Nil
Proposed Zoning and Planning Controls	Zoning: IN1 General Industrial Height: N/A FSR: 1:1 Additional Permitted Uses: Office premises, Educational establishment (limited to 800m ² GFA)
Disclosure of political donations and gifts	Nil

This report seeks Council endorsement of the final Planning Proposal for 67 - 73 St Hilliers Road, Auburn and to amend Auburn Local Environmental Plan 2010 (Auburn LEP 2010) seeking an addition to Schedule 1 and the Additional Permitted Uses map to permit office premises and educational establishment (limited to 800m² Gross Floor Area). This report also recommends Council exercise its plan making delegations to finalise the LEP Amendment.

This Planning Proposal has received a Gateway Determination and Post-Gateway formal consultation has now been completed. One (1) submission was received, from Roads & Maritime Services (RMS), who did not raise any objection to the proposal. This proposal is minor in nature, and involves the addition of two suitable uses for an existing purpose-built office building in an industrial zone. While additional permitted uses are not generally encouraged, the circumstances in this particular instance are considered appropriate and are supported. It is therefore recommended that this planning proposal proceed to finalisation.

RECOMMENDATION

That Council:

1. Endorse the Planning Proposal for 67-73 Hilliers Road, Auburn.
2. Amend Schedule 1 of the Auburn LEP 2010 by including the following item:

“2 Use of certain land at 67-73 St Hilliers Road, Auburn

 - (1) This clause applies to Lot 1, DP220080, 67-73 St Hilliers Road, Auburn identified as “2” on the Additional Permitted Uses Map.
 - (2) Development for the purpose of office premises are permitted with consent.
 - (3) Development for the purpose of educational establishment is permitted with development consent if the total gross floor area of that development does not exceed 800 square metres.”
3. Amend the Additional Permitted Uses map in Auburn LEP 2010 to include 67-73 St Hilliers Road, Auburn.
4. Exercise its plan making delegations to finalise the LEP Amendment.

REPORT

Background

A Planning Proposal Request for a site at 67-73 St Hilliers Road, Auburn, was lodged with Council by Community First Credit Union Ltd, on 1 March 2016. The proposal seeks to amend the additional permitted uses listed in Schedule 1 of the Auburn Local Environmental Plan 2010 (ALEP 2010) to allow for ‘educational establishment’ (limited to 800m² GFA) and ‘office premises’ at 67-73 St Hilliers Road, Auburn (Figure 1).



Figure 1. Aerial map of the subject site and surrounding area



Figure 2. Subject site identified within an extract of the Auburn LEP 2010 Land Zoning Map

The proposal did not seek to amend the existing IN1 General Industrial zoning (Figure 2) or any other development standards within the Auburn LEP 2010 planning controls.

The subject site has an approximate site area of 3,500m² and contains an existing three (3) storey office building with an attached two level car park with 76 parking spaces. The site is located on the western edge of an existing industrial area (Lidcombe-West Employment area) and is located within a radius of approximately 600 metres east of Auburn town centre and train station.

The intent of the Planning Proposal is to permit the continued use of the existing office building for office uses, as well as permitting educational establishment uses (limited to 800m² GFA) which is considered a suitable use for the site. The site's existing office building includes an existing auditorium and other facilities lend, themselves to such a use.

On 27 March 2017, the Department of Planning and Environment (DP&E) issued a Gateway Determination for a Planning Proposal to permit 'office premises' and 'educational establishment' (limited to 800m² GFA) as additional permitted uses (APU) on the IN1 General Industrial zoned subject site. DP&E also issued an authorisation for Council to exercise delegation to make the plan (to be finalised within 12 months of the week following Gateway Determination, that is, early April 2018).

Post Gateway Consideration & CIHAP Advice

The Planning Proposal was exhibited in accordance with the Gateway Determination and one (1) submission was received. This submission is detailed briefly in the 'Community Engagement' section of this report. A post exhibition report on the submission was considered by the Cumberland Independent Hearing and Assessment Panel (Cumberland IHAP), at its meeting on 14 February 2018 [Item IH001/18]. A copy of this report is provided at Attachment 1.

At the meeting, the Cumberland IHAP supported the Council Officer's recommendation that the Planning Proposal for 67-73 St Hilliers Road, Auburn, proceed to Council for endorsement to amend the Auburn LEP 2010 and exercise its plan making delegations to finalise the LEP Amendment. A copy of the Cumberland IHAP's minutes is provided at Attachment 2.

The Cumberland IHAP advised that it concurred with the Council Officers recommendation that the proposal was suitable to proceed to finalisation for the reasons outlined by Council planning officers in previous reports, being:

- Council had previously resolved (Item 086/15) to support permitting a wider range of suitable uses on the site.
- The proposal would support the orderly and effective economic development of a site which was purposely developed for commercial use (office premises).

- The proposal would increase on-site employment given that most of the site is currently vacant due to the difficulties of leasing out a building designed as office space only (as an existing use) in an industrial area.
- The proposal will allow for a portion of the site to be used as an educational establishment which will help meet the demand for education services (particularly tertiary education) in the area.
- The proposal does not seek to change the existing IN1 General industrial zoning.
- The proposal seeks to permit the use of the site as 'Office premises' which is a type of Commercial Premises. Commercial Premises fits within the Parramatta Road Urban Transformation Strategy (PRUTS) definition of Business + Enterprise uses which the Strategy proposes for the site.
- In the longer term, implementation of the PRUTS is expected to result in a type of business zone in this precinct, all of which permit educational establishments.
- The proposal is generally consistent with the Auburn Employment Lands Strategy (2015) and Draft Cumberland Employment and Innovation Lands Strategy (2017) in that it will facilitate local jobs and employment growth, provide a suitable a range of uses for this employment land and provide flexibility to assist industry and business as they continue to transition over time.
- The site subject for the application for a planning proposal is industrial land that is currently occupied and used as an office premises. There is no remaining natural habitat on the site. No critical habitats or threatened species, populations or ecological communities, or their habitats, have not been identified on the site. However, a land contamination report (as required by SEPP 55) is required to identify any potential contamination issues.
- It is considered that the proposal is unlikely to change the existing built form on the site as discussed in the assessment report; therefore environmental impact associated with re-developing are not expected to occur.
- The potential additional traffic generated by the proposal is minimal and the site's existing provision of car parking sufficient, therefore, the proposal is not expected to impact on the surrounding road network. However, there is potential for road safety issues relating to mixing user groups if 'tertiary education' and 'school' are permitted, however these would be addressed at DA stage, should this application proceed.
- The proposed educational establishment/s could potentially be affected by noise, vibration and air quality impacts generated by the traffic on St Hilliers Road and surrounding land uses. This would need to be addressed by any relevant development application.
- The proposal will contribute to the local economy by providing for an increase in local employment opportunities.

The CIHAP recommended that Council:

1. *Endorse the Planning Proposal for 67-73 Hilliers Road, Auburn.*
2. *Amend Schedule 1 of the Auburn LEP 2010 by including the following item:*
 - 2 *Use of certain land at 67-73 St Hilliers Road, Auburn*
 - (1) *This clause applies to Lot 1, DP220080, 67-73 St Hilliers Road, Auburn identified as "2" on the Additional Permitted Uses Map.*
 - (2) *Development for the purpose of office premises are permitted with consent.*
 - (3) *Development for the purpose of educational establishment is permitted with development consent if the total gross floor area of that development does not exceed 800 square metres*
3. *Amend the Additional Permitted Uses map in Auburn LEP 2010 to include 67-73 St Hilliers Road, Auburn.*
4. *Exercise its plan making delegations to finalise the LEP Amendment.*

COMMUNITY ENGAGEMENT

The Planning Proposal and associated documentation was publicly exhibited for a period of 28 days from 21 November 2017 to 18 December 2017, in accordance with the Gateway Determination and Council's Planning Proposal Notification Policy.

One (1) submission was received from the Roads & Maritime Services (RMS) during the consultation period. The submission did not raise any objection to the Planning Proposal subject to all vehicular access should be restricted to the local road network only, which was identical to their submission received during the preliminary public consultation period undertaken in mid-2016. As advised in previous reports, the matter of vehicular access being from local streets (i.e. Percy and Hall Streets) would be addressed as part of any future development application submitted for the site.

There are no issues that would preclude the Planning Proposal progressing in its current form. It is therefore recommended that the Planning Proposal be progressed as exhibited.

POLICY IMPLICATIONS

The proposal is for an amendment to Schedule 1 of Auburn Local Environmental Plan 2010 (Auburn LEP 2010) and the Additional Permitted Uses Map in Auburn LEP to include 67-73 St Hilliers Road, Auburn.

RISK IMPLICATIONS

There are minimal risk implications for Council associated with this report.

FINANCIAL IMPLICATIONS

The Planning Proposal request was submitted with the relevant fee. There are no other financial implications for Council associated with this report.

CONCLUSION

The Planning Proposal to introduce 'office premises' and 'educational establishments' as additional permitted uses is considered minor in nature and has been assessed as being an appropriate amendment for the subject site. While additional permitted uses are not generally encouraged, the circumstances in this particular instance are considered appropriate and are supported. One submission was received during the Post-Gateway exhibition, which raised no objection to the proposal. It is recommended that Council finalise this matter and exercise its plan making delegations accordingly.

ATTACHMENTS

1. Post Exhibition Report to Cumberland IHAP [Item IH001/18]
2. Minutes of Cumberland IHAP of 14 February 2018
3. Department of Planning and Environment - Cover letter to Council 27 March 2017
4. Gateway Determination - 27 March 2017
5. Written Authorisation to Exercise Delegation - 27 March 2017
6. Planning Proposal submitted to DPE for Gateway Determination
7. RMS Submission