

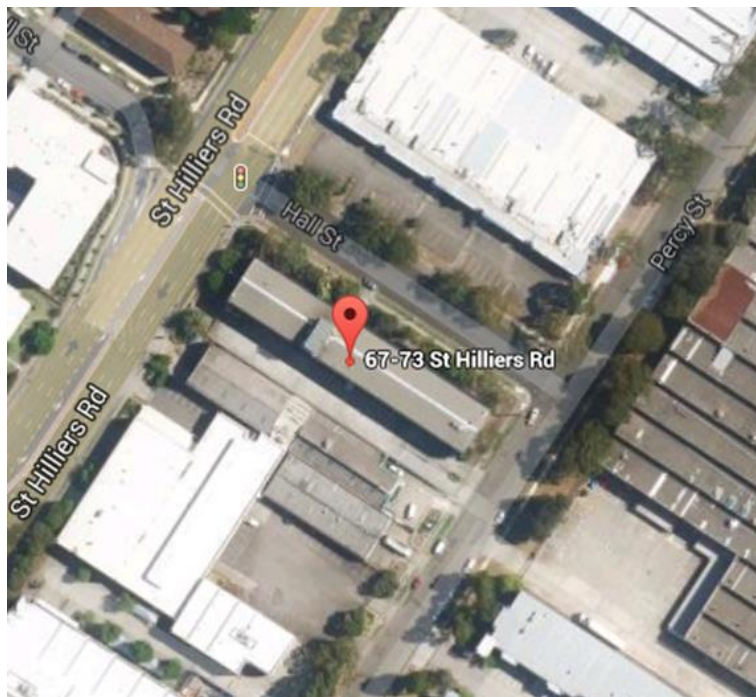


Planning Proposal – PP-1/2016

LOT 1 DP 220080

67-73 St Hilliers Road, Auburn

Planning Proposal to amend the *Auburn Local Environmental Plan 2010* to introduce 'educational establishment' (limited to 800m²) and 'office premises' as additional permitted uses at 67-73 St Hilliers Road, Auburn.



(Submitted to the Department of Planning and Environment for a s.56 Gateway Determination)

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1. INTRODUCTION

1.1 Executive Summary

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

This Planning Proposal applies to land at 67-73 St Hilliers Road, Auburn (Lot 1 DP 220080) ('the site') and is known as the Community First Credit Union Building ('CFCU Building'). The site is located on the western side of an existing wider industrial area known as the Lidcombe-West Employment Area.

The Applicant initiated planning proposal seeks to introduce 'educational establishment' (limited to 800m² in gross floor area) and 'office premises' as additional permitted uses on the site by amending *Schedule 1* of the *Auburn Local Environmental Plan 2010*. It would not amend the existing IN1 General Industrial zoning or the principal development controls. The Applicant has indicated that the additional uses sought would occur within the existing three (3) storey office building and car park.

A Planning Proposal Application (Appendix 7) was lodged with Council on 1 March 2016 by Knight Frank Town Planning ("the applicant") acting on behalf of the Community First Credit Union Ltd ("the owner"). This Planning Proposal has been prepared following the recommendation and resolution to support the Planning Proposal Application by both the Cumberland Hearing and Assessment Panel (CIHAP) (Item 029/16 - 9 November 2016 - Appendix 6) and the Cumberland Council (Council meeting 30 November 2016 - Item 125/16 – Appendix 7).

The Planning Proposal is supported as it:

- supports the continued use of the existing office building which has occupied the site since the 1960's and cannot be practically used or adapted for an industrial use despite the existing industrial zoning of the site
- would revitalise the office building which is currently unoccupied on two (2) of the three (3) floors
- would enable the existing auditorium to be used for educational uses
- is projected to make a positive contribution to local employment
- is unlikely to affect the existing and potential use of the surrounding industrial area due to the scale and uses sought in the proposal
- would not create significant traffic or car parking issues
- Is consistent with Council's *Auburn Employment Lands Strategy (2015)* and the *Draft Auburn LGA Traffic and Transport Study*.
- Is consistent with the New South Wales strategic planning framework and relevant state and draft subregional strategies, section 117 directions, State Environmental Planning Policies (SEPPs) and deemed SEPPs.

The proposed amendments are described in section 3.3 of this report (Explanation of Provisions).

1.2 Purpose of this Proposal

This Planning Proposal has been prepared in response to a resolution of Council on 30 November 2016 (Item 125/16) below:

RESOLVED 30 November 2016 (Item 125/16):

“That Council:

- i. Progress the Planning Proposal to amend the Auburn Local Environmental Plan 2010 to introduce ‘educational establishment’ (limited to a maximum of 800m² gross floor area) and ‘office premises’ as additional permitted uses.*
- ii. Prepare the Planning Proposal and forward it to the Department of Planning and Environment seeking a Gateway Determination”.*

The Council meeting minutes are included at Appendix 5 of this report, and Council’s Planning Proposal Application Assessment Report as attached to the Council report is in Appendix 9.

1.3 The Proposal

The Planning Proposal seeks to amend the *Auburn Local Environmental Plan 2010 (ALEP 2010)* in the following manner:

Amend Schedule 1 of the Auburn LEP 2010 to include educational establishment limited to a gross floor area of 800m² and office premises uses as ‘Additional Permitted Uses’ at 67-73 St Hilliers Road.

1.4 Background

On 1 March 2016 an application for a planning proposal (“the application”) was lodged with Council for land at 67-73 St Hilliers Road, Auburn (Lot 1 DP 220080) (“the site”) known as the Community First Credit Union Building (see Figure 1). The application was prepared and lodged by Knight Frank Town Planning on behalf of the owner Community First Credit Union Ltd.

The Community First Credit Union building is currently occupied by an existing three storey office building with an attached two storey car park. The building and attached car park covers a total floor plate area of approximately 2,800m² of the total site area which is 3,500m².

The application was supported by a Transport Impact Assessment (TIA) prepared by GTA Consultants (Appendix 2).

The Planning Proposal Application and Council’s assessment report was reported to the Cumberland Independent Hearing and Assessment Panel (CIHAP) at its meeting on 9 November 2016. CIHAP considered the Planning Proposal and recommended that the Council support the proposal with the following recommendation:

“Resolved unanimously that the Cumberland Independent Hearing and Assessment Panel (CIHAP) recommend that the subject Planning Proposal with respect to Lot 1 DP 220080 (67-73 St Hilliers Road, Auburn) to amend the Auburn Local Environmental Plan (LEP) 2010 to introduce ‘office premises’ and educational establishment’ (up to a maximum of 800m² (Gross Floor Area) as additional permitted uses in Schedule 1 of the Auburn LEP 2010 with respect to the subject site, be supported by Council”

Subsequently, the Planning Proposal was reported to Cumberland Council. At its meeting of 30 November 2016, Council resolved to support the planning proposal application in the following resolution (Item125/16):

“That Council:

- i. Progress the Planning Proposal to amend the Auburn Local Environmental Plan 2010 to introduce ‘educational establishment’ (limited to a maximum of 800m² Gross Floor Area) and ‘office premises’ as additional permitted uses.*
- ii. Prepare the Planning Proposal and forward it to the Department of Planning and Environment seeking a Gateway Determination”.*

This planning proposal has been prepared to address items *i* and *ii* of Council's resolution.

2. EXISTING SITUATION

2.1 Land subject to the planning proposal

The land subject to this planning proposal is Lot 1 DP 220080, located at 67-73 St Hilliers Road, Auburn ('the subject site') which is owned by Community First Credit Union Ltd. Figure 1 below shows an aerial view of the subject site outlined in yellow and its immediate surrounds.



Figure 1- Aerial photograph of the site and immediate surrounds

2.2 Site description

The subject site constitutes a single allotment within a recognised industrial employment precinct (Lidcombe West).

The site is:

- Approximately 3,500 m² (0.35 hectares) in area
- Rectangular in shape (frontage of 96m and a depth of approximately 36m)
- Bound by St Hilliers Road to the west, Hall Street to the north, Percy Street to the east and adjoins two industrial buildings (automotive service and vacant premises) to the south (refer to figures 10 and 11)
- Occupied by an existing three-storey office building (Community First Credit Union) and an attached two-storey car park
- Situated within 700 metres of Auburn Railway Station

- Flood affected and is identified in *ALEP 2010 Flood Map* as being within a flood planning area.

2.3 Existing development on site

The site is occupied by a three (3) storey office building which includes an attached 2 level car park. Currently, a branch of the Community First Credit Union occupies a portion of the first level within the office building, whilst the two remaining floors are vacant.

The office building and car park covers a floor plate area of approximately 2,800m² within the 3,500m² site.

The main entrance to the office building is located on the northern side of the building fronting Hall Street (Figure 4) whilst the rear entrance to the building is located on the southern side of the building accessed from the upper level of the attached car park (Figure 5).

The car park attached to the office building has two (2) levels and provides a total of 76 parking spaces. The vehicular entrance to the car park is accessed via a driveway running off Percy Street. The lower and upper levels of parking have separate entrances which are adjacent to each other (Figure 3). The entrance granting access to the lower level parking is wide enough to provide for 2-way traffic, whilst the ramped driveway leading up to the upper level is only wide enough for one-way traffic movement.

The lower level parking (Figure 3) is:

- Undercover
- At ground level with Percy Street
- Restricted in access by an electric rollup garage door

The upper level parking is:

- Directly above the lower level (Figure 3)
- Unsheltered from the weather (Figure 5)
- Restricted from vehicular access by a boom gate (Figure 3)
- Unrestricted to pedestrian access from St Hilliers Road (Figure 6)
- Accessible from the rear entrance of the office building on the first floor (Figure 5 & 6).

The existing office building and car park has occupied the site for many years. Development consent for office use on the site was given by Council in the early 1960's. The construction of the purpose built office building (which includes an auditorium and lecture hall) was completed in 1965. The site has since been rezoned for industrial uses (currently zoned *IN1 General Industrial* as per *ALEP 2010*). The building cannot be practically used or adapted for any industrial uses as the building was originally built for use as an office premises.

Figures 2 – 6 below are photographs of the site viewed from the 3 adjoining streets.



Figure 2- Western side of the office building (viewed from St Hilliers Rd).



Figure 3- View of the eastern side of the office building and the lower and upper car park access driveway (viewed from Percy St).



Figure 4- View of the northern side of the office building, including the main entrance (viewed from Hall Street)



Figure 5- Upper level car park. As viewed from the eastern / Percy Street end of the car park.



Figure 6- Upper level car park. As viewed from the pedestrian walkway along St Hilliers Road (western end of the site).

2.4 Local Context

The site is surrounded by the following roads as seen in the aerial photograph in Figure 1:

- St Hilliers Road is adjacent to the **western** side of the site. St Hilliers Road is a primary arterial road and is classified as a State Road (RMS controlled).
- Hall Street is adjacent to the **northern** side of the site. Hall Street is a local road. Hall Street permits unrestricted kerbside parking on both sides of the road in the vicinity of the site.
- Percy Street is adjacent to the **eastern** side of the site. Percy Street is a local road. Percy Street permits unrestricted kerbside parking on both sides of the road in the vicinity of the site. Vehicular access to the sites parking is provided from Percy Street.

The three roads surrounding the site are frequently used by large/heavy vehicles which include Heavy Rigid, Heavy Combination and Multi Combination (B-doubles) as well as lighter vehicles. This is typical of the surrounding uses within the industrial area. This is further discussed in Traffic and Safety section of this report (p.32-36).

Immediately surrounding the site are the following uses:

- Four (4) storey residential flat building to the **west** (opposite St Hilliers Road) (Figure 7)
- Office / warehouse complex to the **north** (opposite Hall Street). The complex is currently occupied by Survitec group (safety equipment supplier), Icon Medical Supplies, a document management centre and a vacant unit for lease (Figure 8).
- Large industrial warehousing space to the **east** (opposite Percy Street), currently occupied by Chameleon Touring Systems (entertainment lighting) (Figure 9).
- Adjoining the site, to the **south** is:
 - a vacant building with a frontage to Percy Street (Figure 10)
 - Auburn Fastfit Bullbars & Towbars with a frontage to St Hilliers Road (Figures 11)

Figures 7 to 11 below and overleaf shows the existing surrounding land uses and development.



Figure 7- View of the 4 storey residential flat buildings on the opposite side of St Hilliers Road.



Figure 8- Office, warehouse, industrial space located opposite the site along Hall St.



Figure 9- Surrounding industrial uses on the opposite side Percy St (Chameleon Touring Systems).



Figure 10- Businesses located south and immediately adjoining the site along Percy Street.



Figure 11- Businesses located south and immediately adjoining the site along St Hilliers Road. (The Community First Credit Union building is pictured in the left).

The site is located on the western side of an existing wider industrial area. The industrial area is identified as the Lidcombe-West Employment Area as seen in Figure 12 below. Occupiers in this area include Thomas and Betts Co, Kennards Self-Storage, BevChain Logistics and Tooheys Brewery which occupies a large proportion of the industrial precinct, brewing and distributing products from their site.

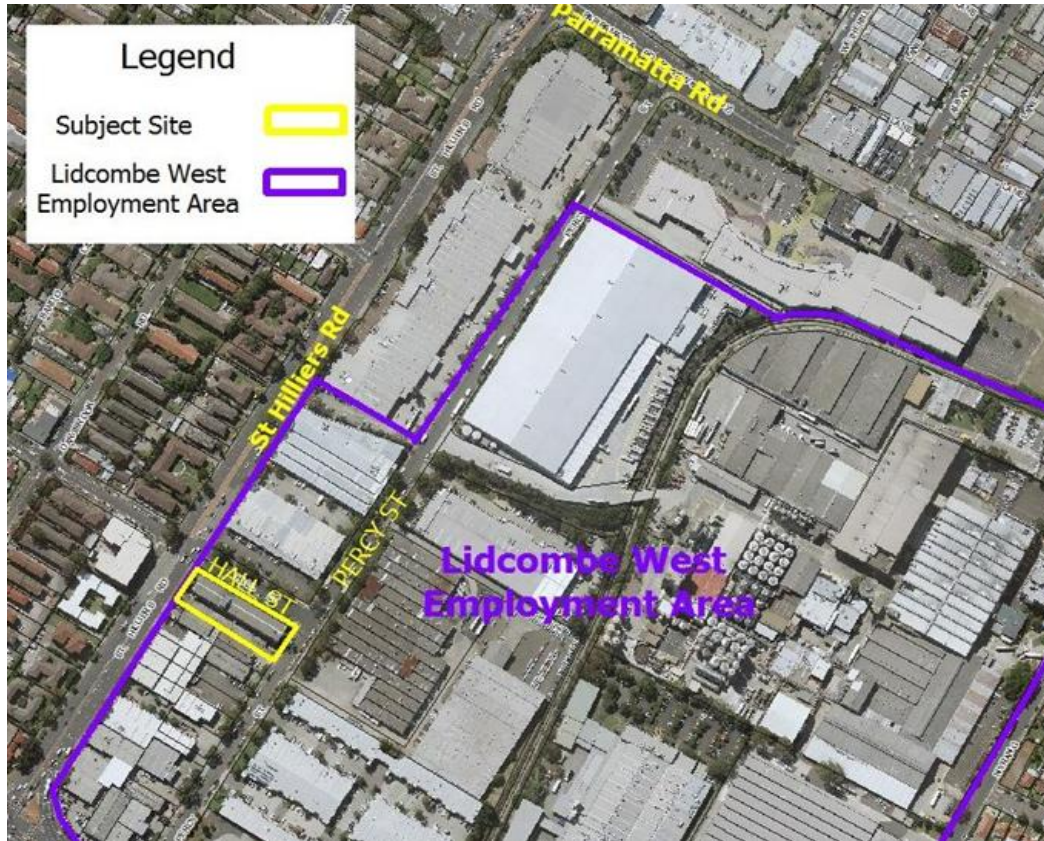


Figure 12- Aerial view of the Lidcombe West Employment Area (identified as Precinct 6 in the ELS 2015 and Precinct 24 in the Draft WCSS 2007).

The aerial photo in Figure 13 overleaf illustrates the interface between the industrial area to the east of the site and the high density residential to the west (opposite side of St Hilliers Rd). It also shows the site is located approximately:

- 700 metres from Auburn Railway Station and Auburn Town Centre.
- 700 metres south of Parramatta Road (classified State Road).
- 200 metres south of the 'Parramatta Road Commercial Precinct', which is predominantly characterised by office, warehouse and business uses.



Figure 13- Aerial view of the site and its context

2.5 Existing Planning Controls

2.5.1 Auburn LEP 2010 zoning

The site is zoned IN1 General Industrial under the *Auburn LEP 2010* as shown in Figure 14 below.



Figure 14- Auburn LEP 2010, Extract from Land zoning Map (site outlined in Black)

The land surrounding the site is zoned:

- IN1 General industrial to the north, east and south of the site
- SP2 Infrastructure along St Hilliers Road
- R4 High Density Residential for land opposite St Hilliers Road.

The key objectives of the IN1 General Industrial zone are:

- *to provide a wide range of industrial and warehouse land uses;*
- *to encourage employment opportunities;*
- *to minimise any adverse effect of industry on other land uses;*
- *to support and protect industrial land for industrial uses;*
- *to encourage economic growth of the locality;*
- *to minimise adverse effects on the natural environment.*

The land uses permissible within the IN1 zone include:

“Business Premises; Community Facilities; Depots; Freight transport facilities; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Light industries; Markets; Neighbourhood shops; Places of public worship; Restaurants or cafes; Roads; Storage premises; Warehouse or distribution centres wholesales supplies”

The IN1 General Industrial zoning of the site currently prohibits ‘*educational establishments*’ and ‘*office premises*’. However, the ‘Parramatta Road Commercial Precinct’ located 200 metres north of the site (Figure 13), permits ‘*educational establishment*’ and ‘*office premises*’ uses with development consent. Developments within this precinct include Auburn North Public School and Gateway Business Park (situated 600 metres north of the site).

2.5.2 Principal Development Standards

Table 1 below summarises the principal development standards under the *Auburn LEP 2010* that currently apply to the site.

Site	Auburn LEP 2010 land Zoning	Minimum Lot Size	Maximum Height of Buildings	Floor Space Ratio (FSR)	Heritage
67-73 St Hilliers Road, Auburn. Lot 1, DP 851146	IN1 General Industrial	1500m ²	No restrictions	1: 1	NONE

Table 1 – Summary of existing Auburn LEP 2010 Planning Controls

2.5.3 Floor Space Ratio

The maximum FSR of the site is 1:1.0 as shown in the Floor Space Ratio Map (*Auburn LEP 2010*) below (Figure 15).



Figure 15- Auburn LEP 2010, Extract from Floor Space Ratio (FSR) Map.

2.5.4 Maximum Heights of Buildings

There are no maximum building height restrictions on the site as shown in the Height of Buildings Map (*Auburn LEP 2010*) below (Figure 15).

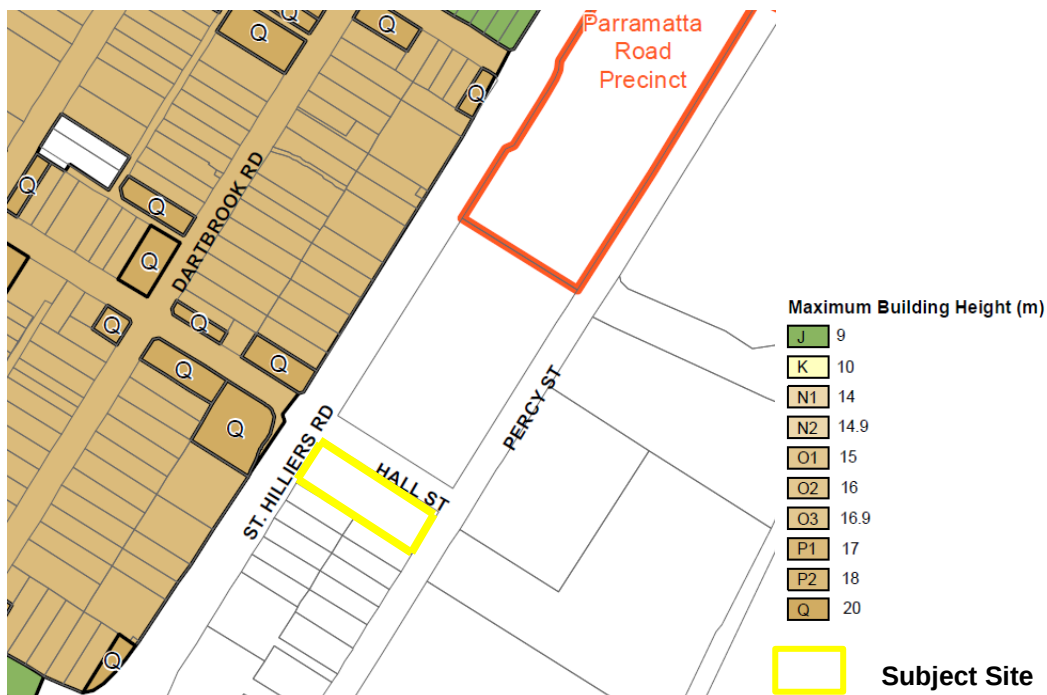


Figure 16 – Auburn LEP 2010, Extract from Heights of Building Map.

2.5.5 Flood Risk

The site is within the flood planning area (*Auburn LEP 2010*) and is subject to flooding as shown in the Flood Planning Map below (Figure 16).



Figure 17- Auburn LEP 2010, Extract from Flood planning Map.

The site is within the *Low Flood Risk Region* as shown in Council's Flood modelling of Haslems Creek and lower Duck River map below (Figure 18).

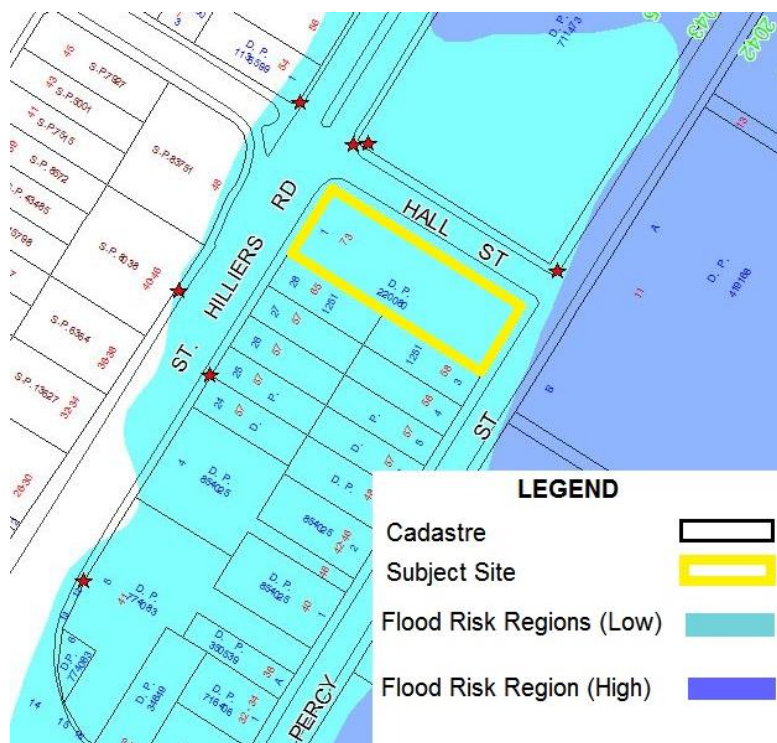


Figure 18- Subject site identified within the Flood modelling of Haslems Creek and lower Duck River map.

2.5.6 Heritage

The *Auburn LEP 2010* does not identify any items of heritage significance on the site. Nor does it identify any heritage significant sites within the vicinity.

2.5.7 Acid Sulfate Soils

The site is situated on land classified as having Class 5 Acid Sulphate Soils as indicated in the *Auburn LEP 2010* Acid Sulphate Soils Map. Class 5 Acid Sulphate Soil is the least affected category for development purposes.

2.5.8 Auburn DCP controls 2010

Auburn Development Control Plan 2010 (ADCP 2010) applies to the site. Controls include built form, landscaping, access and car parking, stormwater drainage, energy efficiency, water conservation and operational restrictions.

3. DESCRIPTION OF THE PROPOSAL

The description of the Planning Proposal generally follows the assessment criteria for planning proposals set out in the Department of Planning & Environment's *A Guide to Preparing Planning Proposals* including:

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

3.1 Part 1 - Objective and Intended Outcomes

The objectives and intended outcomes of the planning proposal are:

- To amend the *Auburn LEP 2010* to support and facilitate the effective economic use of land which has an existing commercial use located in an industrial zoned area where commercial uses are prohibited.
- To provide a broader range of uses than those permitted in a IN1 General Industrial Zone.
- To contribute to a diversity of local employment in accordance with the recommendations of the *Auburn Employments Lands Strategy 2015*.
- To implement the Council's resolution (30 November 2016-Item 125/16)

3.2 Part 2 - Explanation of Provisions

It is proposed to amend the *Auburn LEP 2010* in the following manner:

- 1 Amend *Schedule 1* of the *Auburn LEP 2010*, 'Additional Permitted Uses' to introduce *educational establishments* (limited to 800m² of gross floor area) and 'office premises'. This would be achieved via the proposed LEP clause below:

Schedule 1 – Additional Permitted Uses

(Clause 2.5)

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 is permitted with development consent.*
- (3) *Development for the purpose of educational establishment is permitted with development consent subject if the total gross floor area of that development does not exceed 800square metres.*

2. Amend Auburn LEP 2010 'Additional Permitted Uses' map (APU_002) by inserting the site as exemplified below in Figure 19.

(Note: The map below (Figure 18) is indicative only. Final map would be prepared if the Planning Proposal is supported by the Greater Sydney Commission)

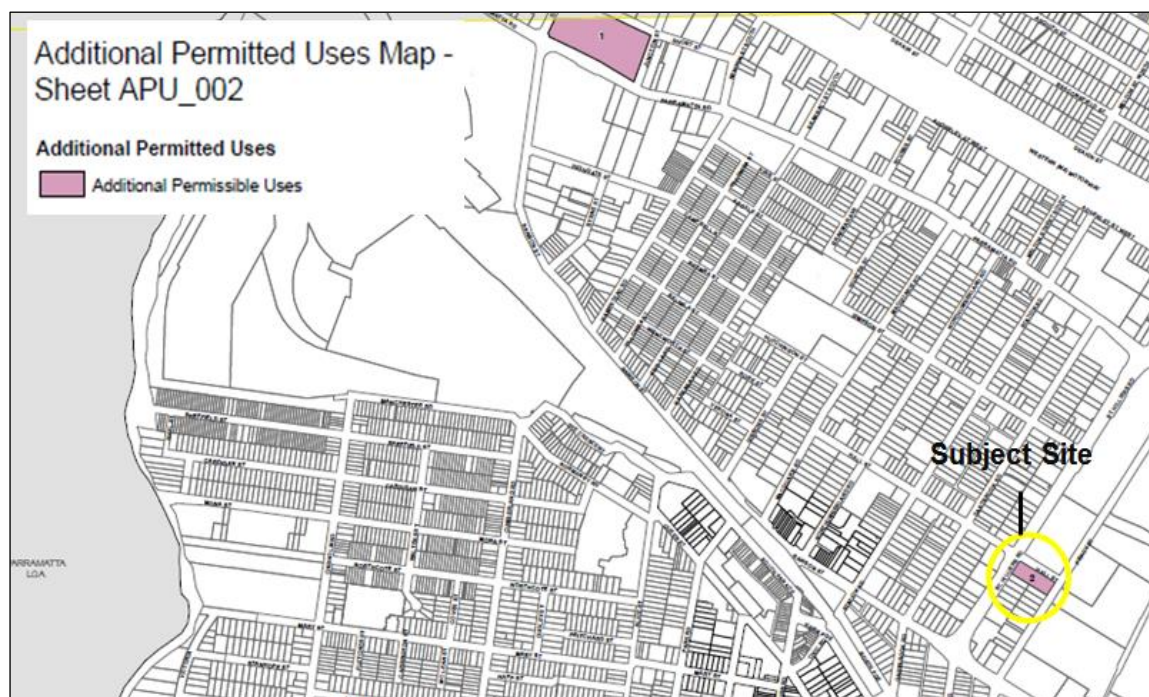


Figure 19- Draft Additional Permitted Uses map which identifies the site (67-74 St Hilliers Road, Auburn).

The Auburn LEP 2010 defines the additional uses sought as the following:

“office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include the dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is minor in activity (by appointment) that is ancillary to the main purpose for which the building or place is used”.

Note: Office premises are a type of commercial premises.

“educational establishment means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act”.

The existing IN1 General Industrial zoning of the site in the Auburn LEP 2010 prohibits *office premises* and *educational establishment* uses. The proposed additional uses are intended to provide flexibility by increasing the range of compatible uses.

The proposal does not propose new planning controls relating to the site for zoning, height of buildings, floor space ratio or standard minimum lot size. Table 2 below provides a comparison of the key proposed changes.

Planning Control- ALEP 2010	Existing Controls - ALEP 2010	Proposed Controls
Zoning	IN1 General Industrial	IN1 General Industrial
Height of Building	No restrictions	No restrictions
Floor Space Ratio	1:1	1:1
Additional Permitted Uses	No additional uses permitted	Office premises Educational establishment

Table 2- Comparison of key controls should the proposal be adopted.

The Heritage, Flood Planning and Acid Sulfate Soils Maps which currently form part of *ALEP 2010* will remain unchanged if the proposal is supported.

Auburn Development Control Plan 2010

This Planning Proposal does not propose to amend the *Auburn Development Control Plan 2010 (ADCP 2010)*. The specific controls that apply to this proposal are contained in the Industrial Areas and Parking and Loading DCP parts.

3.3 Part 3 – Justification

3.3.1 Section A - Need for a planning proposal

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

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

No. The proposal is not a direct result of any strategic study or report. However, the proposal reflects a Council resolution made at the meeting dated 20 May 2015 (Item 086/15) to support a wider range of uses on the site.

In 2014, Council staff provided the following comments and recommendations in response to a public submission (regarding the *Draft Auburn Employment Lands Study*) regarding the subject site:

- *"Council 'adopt a flexible approach to considering a range of employment industrial uses that may have different access and floorspace requirement, e.g. office-type floorspace, loading and circulation requirements"*

- *“Due to the presence of the existing 3 storey office space on 67-73 St Hilliers Rd, which has a relatively high GFA, it is agreed that this site is unlikely to redevelop for industrial uses”*
- *“The state government’s Parramatta Rd Corridor Strategy may also have implications for the area”*
- *“Permit office premises on the site as an additional permitted use in Schedule 1 of the Auburn LEP 2010”*

or

- *“Rezone the site B6 Enterprise Corridor, which permits office premises and a range of other uses, including bulky goods premises and light industrial development, which are compatible with the adjoining developments. If this option is considered it would be preferable to rezone the lands between this site and the B6 zone to the north to B6 as well. This would still permit the continuing use of those sites for employment purposes, without significant detracting from the main part of the industrial precinct located mainly between Percy St and Nyrang St”.*

Council resolved to support the above recommendation.

The endorsed *Auburn Employment Lands Strategy 2015 (AELS 2015)* was completed in December 2015 with the following recommendation for Precinct 6 (which the subject site is a part of):

“Retain as IN1 General Industrial and promote the precinct as one of Auburn’s most important industrial areas. Existing use and improvements influence future use and redevelopment prospects. In order to facilitate the sustainability of land use, recognition of existing uses and future development prospects would assist these uses respond to market demand over time. Adopt a flexible approach to considering a range of employment/industrial uses that may have different access and floor space requirements, e.g. office-type floor space, loading and circulation requirements”.

The Planning Proposal Application is consistent with the *Auburn Employment Lands Strategy 2015* as the proposal would permit the continued use of the existing office building for office premises uses. In addition, the proposed additional use of the site for *educational establishment* uses (limited to 800m² of gross floor area) is justified as it is a “wider range of use” which is considered suitable for the site (taking into consideration the site’s existing office building which includes an existing auditorium and other facilities lending itself to such a use).

However, any future usage would be subject to development consent where the intended use would be detailed and further specific information would need to be considered and assessed.

The suitability of the site for uses permitted under the definition of *educational establishment* with regards to environmental impacts of existing surrounding uses is discussed in section 3.3.3.

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

YES, amending *Schedule 1* of the *ALEP 2010* is the best means of achieving the objectives / intended outcome as the Planning Proposal:

- supports and facilitates the orderly and effective economic use of industrial land for commercial uses which currently exist on the site
- would action the zone objectives of *encouraging employment opportunities* and *encouraging economic growth of the locality*
- is the best way of achieving a consistent approach to the LEP controls and use of the site to support the commercial viability of its ongoing uses.
- simplifies the continuation of existing uses of the site
- retains the existing IN1 General Industrial zoning of the subject site
- does not amend any principal standards
- is considered the best, most effective and time efficient manner of achieving the objectives and intended outcomes as it would only require consideration and justification of additional uses on the site rather than for numerous sites
- is prepared having taken into consideration the alternative option of rezoning the site to B6 Enterprise Corridor as recommended in the *Parramatta Road Corridor Urban Transformation Strategy – Planning and Design Guidelines* and proposed by Council resolution (Item 086/15). However, this option is not considered time efficient and would lead to rezoning a number of sites along St Hilliers Rd and surrounding area which would have significantly greater planning, economic, traffic and environmental implications for the surrounding area, Lidcombe West employment area and Parramatta Rd Commercial Precinct.

Nevertheless, it is noted that the *Parramatta Road Corridor Urban Transformation Strategy* recommends rezoning the site to B6 Enterprise Corridor. This is further discussed in the *Parramatta Road Corridor Urban Transformation Strategy* section 3.3.2.

The applicant has provided the following advice and comments in regards to considering the alternative planning option to rezone the site to B6 Enterprise Corridor proposed by Council resolution (resolution item 086/15).

“The rezoning of the site to B6 Enterprise Corridor would require a wider corridor in addition to the proposed office building and additional studies and justification provided. Should Council form the view that there is a need which warrants the need to consider a rezoning to B6 zone it is assumed that at that stage that a wider area would be considered and would include the subject site”.

3.3.2 Section B - Relationship to Strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The proposal is consistent, or has justifiable inconsistencies with the relevant actions and provisions of the following strategic planning policies:

- *A Plan for Growing Sydney (2014) – (Metropolitan Plan)*
- *Draft West Central District Plan (2016) (District Plan)*
- *Parramatta Road Corridor Urban Transformation Strategy 2016*

A Plan for Growing Sydney (2014)

The Department of Planning and Environment's *A Plan for Growing Sydney* is the current overarching strategic planning policy that will guide land use planning decisions in Sydney over the next twenty years. The *A Plan for Growing Sydney* outlines four goals to achieve the state government's vision for Sydney as a global city and a great place to live. The goals relate to: a competitive economy; housing choice; strong healthy and well-connected communities; and a sustainable and resilient city that protects the natural environment. Each goal has a number of Directions and Actions to assist in achieving the goals.

The Proposal is **consistent** with:

Direction 1.4 - *"Transform the productivity of Western Sydney through growth and investment"*

- The principal aim of the proposed LEP amendments is to support the orderly and effective economic use of a site which was purposely developed for commercial uses (office premises). Enhancing the growth and productivity of Western Sydney would be achieved through the provision of a range of additional land-use options (*office premises* and *educational establishments*) suitable for the site. This will encourage the productivity of the Auburn/Lidcombe area through growth and investment into the site.
- The proposal will 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 in an industrial area.

Direction 1.10 *"Plan for education and health services to meet Sydney's growing needs"*

- The proposal will allow for a portion of the site to be used as an educational establishment. This will help meet the demand for education services (particularly tertiary education) in Auburn/Lidcombe.

The Proposal is **justifiably inconsistent** with:

Direction 1.9 – *"Support priority economic sectors"*

- The Planning Proposal proposes amendments to the *ALEP 2010* by permitting additional uses (*office premises* and *educational establishment*) on the site. Although the proposal does not seek to rezone the existing IN1 General industrial

zoning, it does propose planning controls which would allow non-industrial land uses within a key industrial precinct (identified in the *Auburn Employment Lands Strategy 2015* as Precinct 6, Lidcombe West. The proposal is justifiable in its inconsistencies with this direction, as the site is wholly occupied by a three storey office building and car park constructed in the 1960's. Since the office building was constructed, the site has been continually used for office purposes. As the building was purpose built for office use, the office building cannot be practically used or adapted for an industrial use despite the existing industrial zoning of the site. The ongoing use of the site as an office and the introduction of limited educational establishment/s is considered unlikely to prejudice the warehousing /industrial use of nearby lands.

- **Action 1.9.2:** Support key industrial precincts with appropriate planning controls. *This action* advises that the Industrial Lands Strategic Assessment Checklist be completed in assessing proposed rezoning of industrial lands. Although the proposal does not rezone industrial lands, the proposed does permit non industrial uses of the site. Therefore an assessment against the *Industrial Lands Strategic Assessment Checklist* has been provided in Appendix 1.

In conclusion, the proposal is considered consistent with Directions 1.4, 1.10 and Action 1.9.2. The inconsistency with Direction 1.9 ("Support priority economic sectors") is justifiable.

Draft West Central District Plan (2016)

The *Plan for Growing Sydney* (Metropolitan plan) is supported by draft District Plans. The subject site is located within the *Draft West Central District Plan* area. The Draft Plan was released in 2016 for public exhibition. S. 75A1 of the *Environmental Planning and Assessment Act, 1979* requires Council to give effect to the District Plan applying to the LGA.

The *Draft West Central District Plan* seeks to implement a strategic and integrated approach to managing Greater Sydney's growth by linking State and regional-level aspirations with LEPs, aligning land use decisions and infrastructure planning, and monitoring and reporting on the plan's implementation.

The plan contains actions and priorities, the latter designed as matters that a council or relevant planning authority will need to consider in strategic planning activities and planning proposals. These are focussed around 3 key concepts: *A Productive City*, *A Liveable City* and *A Sustainable City*.

The Planning Proposal is consistent with the following sections, priority and actions of the *Draft West Central District Plan 2016*.

- **Productivity Priority 1 - Integrate transport and land use planning**
- **Section 3.5 - Improving access to a greater number of jobs and centres within 30 minutes.**

The Planning Proposal will encourage an increase in the number and range of jobs in an area accessible to public transport. As discussed in section 3.3.3, the Planning Proposal is expect to result in an increase of people employed on the site from 65 to 180-200 people in an area located within walking distance (700 metres) from the Auburn Railway Station as seen in Figure 13.

- **Action P1 - Collaborate to create, own and deliver GPOP**

The GPOP map identifies Auburn as being within the Essential Urban Services, Advanced Technology and Knowledge Sector quarter within GPOP. The proposed amendments to the *ALEP 2010* to permit the additional use of the site for educational establishment and office premises would permit / support this.

- **Productivity Priority 9 - Protect and support employment and urban services land**

The Proposal does not seek to rezone employment and urban service lands. The proposal would only permit the additional use of the Industrial zoned site for educational establishment and office premises uses.

The proposal will protect and support the employment land by encouraging suitable use of the existing underutilised site for employment purposes. The proposal will increase on-site employment from approximately 60 people to 200, given that most of the site is currently vacant due to the difficulties of leasing out a building designed as office space only in an industrial area.

The additional uses proposed will not hinder the site's role or function as the purpose built office building (including auditorium) has occupied the site since the 1960's and has since been used as an office premises.

- **Section 5.7 – Creating an efficient West Central District**

The Proposal is consistent with the efficient use of resources. The Proposal will promote the continued use of the underutilised office building by permitting suitable uses rather than the possible redevelopment of the site.

Parramatta Road Corridor Urban Transformation Strategy (2016)

The *Parramatta Road Corridor Urban Transformation Strategy* provides a detailed planning and implementation strategy for the transformation of the Parramatta Road Corridor. The Strategy will guide how land will be used, transport required, what services to provide, community facilities, and open space and linkages required as the Corridor changes over the next 30 years.

The *Parramatta Road Corridor Urban Transformation Strategy – Structure Plan (p.105)* proposes that the site be used for Enterprise and Business uses as seen in Figure 20 overleaf.



Figure 20– Parramatta Road Urban Transformation Strategy, Structure Plan (p-105) – showing the proposed use of land.

Enterprise & Business uses are defined in the *Parramatta Road Corridor Urban Transformation Strategy* as:

“Land comprising employment uses such as business or commercial premises, innovation and technological uses, light industries, warehouse and distribution centres. Enterprise and business areas are where people should be able to have their cars repaired, buy goods from large retailers, or where small manufacturing can occur.

Specifically, the *Parramatta Road Corridor Urban Transformation Strategy – Planning and Design Guidelines – Recommended Planning Controls* recommends that the site be rezoned to B6 Enterprise Corridor as seen in Figure 21 below.



Figure 21– Parramatta Road Corridor Urban Transformation Strategy, Planning and Design Guidelines (p.115) showing the recommended zoning of the land.

The proposal is consistent with the *Parramatta Road Corridor Urban Transformation Strategy* in regards to the subject site as the proposal:

- Seeks to permit the use of the site for *Office premise* uses which is a type of Commercial Premises which fits within the *Parramatta Road Corridor Urban Transformation Strategy* definition of Business & Enterprise uses.
- The *Parramatta Road Corridor Urban Transformation Strategy – Planning and Design Guidelines* recommends that the site be rezoned to B6 Enterprise Corridor which would permit both *office premises* and *educational establishment land uses*.
- While the retention of the existing IN1 General Industrial zone is inconsistent with the Strategy, Council intends to take a more holistic approach, that includes surrounding lands also identified in the Strategy for rezoning to B6, when it prepares its plans for the Parramatta corridor more broadly.

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

The proposal is consistent, or has justifiable inconsistencies with the relevant actions and provisions of the following strategic planning policies:

- *Auburn City Community Strategic Plan (2013)*
- *Auburn Employment Lands Strategy (2015)*

Auburn City Community Strategic Plan

The *Auburn City Community Strategic Plan (2013-2017)* was adopted by Council in 2013. The Plan is built around themes of community, place, environment and leadership. The objectives and intended outcomes of the proposal support the *Community Strategic Plan* by enabling increased opportunity for business and employment. The proposal is consistent with the “*Our Places: Attractive and Liveable*” theme of the strategy as shown in Table 3 overleaf.

Relevant CSP outcome within 'Our Places' theme	Council's commitment to the outcome	How the proposal achieves the outcome
Attractive public spaces and town centres	Facilitate local investment, business growth, local jobs and employment opportunity.	The Proposal would facilitate local investment and business growth in the existing office building by permitting office and educational establishment space uses currently prohibited from operating within the underutilised office building. This would make a positive contribution to local employment by increasing the potential on-site employment.
Movement of people that is safe, accessible and efficient	Management of car parking to maximise economic development and public safety, and Management of roads, footpaths and car parks for safety, accessibility and efficiency.	Car parking, traffic generation, intersections and road safety can be managed as discussed in section 3.3.3.

Table 3: Consistency with Auburn City Community Strategic Plan

Auburn Employment Lands Strategy 2015 (Auburn ELS)

This study relates to employment lands within the former Auburn City Local Government Area. The *Auburn ELS 2015* identifies the site and the surrounding Industrial area as Precinct 6 – Lidcombe West (p.105-107).

The *Auburn ELS* notes the Precinct is:

- An important strategic employment lands precinct having local significance and comprising approximately 42.99 hectares.
- *"Well-presented and benefits from excellent access to and from Parramatta Road and Silverwater Road"*
- *"Typically dominated by larger lot sizes occupied by larger warehouse office facilities; however there are also some smaller strata developments"*
- Currently experiencing *"several vacancies with most being within strata industrial units"*
- Occupied by major businesses such as Tooheys, Kennards Self-Storage, BevChain Logistics, Thomas & Betts and Co.

The *Auburn ELS 2015* generally recommends that Council should undertake the following:

- Consider a range of business uses for industrial lands, however with the proviso that these alternate uses should not compromise the operations of current surrounding occupiers to precipitate their relocation.
- Protect and retain large clusters of functional employment lands. Due to the nature of manufacturing activities (traditional manufacturing will continue to decline as high technology and specialised industries are expected to increase

significantly) it is important that planning controls are flexible enough to encourage and enable this transition.

- Revise planning controls to provide flexibility to assist industry and business as they continue to transition in a time of economic change.
- A range of employment precincts with varying site characteristics and levels of affordability should be retained to meet the requirements of a range of industries.
- Retain and protect established and emerging new industries to avoid rezoning speculation which could undermine the viability of industrial land.

In light of the above, the proposal is **consistent** with the Strategy for the following reasons:

- There will be no loss of industrial land as the proposal does not seek to change or modify the existing IN1 General Industrial zoning of the site.
- The proposal would promote, protect and retain employment lands by revising planning controls to permit additional uses on the site. This would provide flexibility in the use of the site and hence encourage businesses to be located within the currently underutilised office building.
- The office building on the site has been used as an office since construction of the building in the 1960's. Therefore, the proposal would not compromise the operations of the current occupiers.
- There would be no significant impact on the existing character of the Lidcombe West Employment area. The application proposes to permit 'office premise' and 'educational establishment' to complement the existing use within the office building. The applicant has agreed to limit the proposed 'educational establishment' to 800m² to minimise its impacts on the surrounding industrial premises.

Section 3.3.1 (Q1) of this report discusses consistency with the recommendations for the specific site.

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

State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (deemed SEPPs) deal with issues significant to the state and people of New South Wales.

SEPP 55 – Remediation of Lands

The application is **currently inconsistent** with the *State Environmental Planning Policy 55 – Remediation of Lands* Clause 6 (2) which requires that the planning authority (which in this case is Council) must consider whether the land is contaminated before including land proposed for educational establishments as follows:

“Before including land of a class identified in subclause (4) in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines”

A Stage 1 contamination assessment is required which specifies the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.

The applicant has not provided a contamination report with the planning proposal application. It is recommended that a Stage 1 – Preliminary site investigation report be provided by the applicant to identify any additional need for a detailed investigation. It is recommended that the Greater Sydney Commission require that this report be provided as a condition of any Gateway approval prior to exhibition.

Infrastructure 2007

The site is located adjacent to St Hilliers Road which is identified by the RMS as a 'busy' road in the *Traffic Volume Maps for Noise Assessment for Buildings on Land Adjacent to Busy Roads* map. Therefore, any DA will need to consider the *Development Near Rail Corridors and Busy Roads – Interim Guidelines* as instructed under clause 102 of the SEPP.

In addition, Clause 104 of the SEPP states that before determining a DA for a new *educational establishment* premises, the consent authority must refer the development to the RTA (RMS) and consider any submission the RTA (RMS) may provide.

As part of Council's *Communications Plan for Planning Proposal*, the Planning Proposal has been referred to the RMS. Please see section 5.1 (Pre-Gateway Consultation) regarding the RMS submission and Pre-Gateway Consultation. The RMS submission is included in Appendix 10.2.

Other SEPPs (refer to Appendices 2 &3)

The application is consistent or justifiably inconsistent with all remaining State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (deemed SEPPs). A full checklist outlining the consistency of the application with SEPPs and deemed SEPPs is in **Appendices 2 and 3** of this report.

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

Section 117 directions are directions to councils from the Minister for Planning and Infrastructure that need to be considered or given effect to in the preparation of draft LEPs.

The application for a planning proposal is **consistent** with the following directions:

- 3.4 Integrating land use and transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 5.10 Implementation of Regional Plans
- 6.1 Approval and Referral Requirements
- 6.3 Site Specific Provisions

The Planning Proposal is **justifiably inconsistent** with *Direction 1.1 – Business and Industrial zones*. (4)(c) of the SEPP requires that a planning proposal must “*not reduce the total potential floor space area for industrial uses in industrial zones*”. The Planning Proposal is inconsistent as it proposes permitting non industrial uses (*office premises and educational establishment*) of floor space within industrial zoned land, therefore reducing the total potential floor space for industrial uses.

However, the Planning Proposal is justifiably inconsistent with Direction 1.1 - Business and Industrial Zones due to the following reasons:

- The Proposal will not alter the existing IN1 General Industrial zoning of the site and will retain the location of the existing business utilising the office building.
- The Proposal will allow for a greater level of services and employment uses to the area whilst maintaining the existing floor space.
- The existing premises have not been used for any industrial uses as these have been for office purposes since construction in the 1960's.
- The proposed additional uses can be accommodated in the existing floor space.
- The retention of the zoning means that the future industrial use is not precluded.
- The proposal will encourage employment growth which is projected to increase from the current 65 people employed on the site to potentially 200.

A checklist of the Proposal's consistency with S.117 Ministerial Directions is provided at **Appendix 4**.

3.3.3 Section C - Environmental, social and economic impact

Q7. Is there any likelihood that critical habitats or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The subject site 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 been identified on the site.

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

- The proposal may cause negative environmental effects such as traffic and safety issues.
- Should the additional uses proposed be contained within the existing office building (as indicated by the applicant), it is unlikely any other environmental effects will result from the Planning Proposal.
- However, if re-development is considered, environmental effects such as flooding, soil, water quality, stormwater, site contamination, will need to be considered and managed.
- The proposed use of the office building for *educational establishment* uses could be affected by the environmental effects of the surrounding uses.

The points above are discussed in further detail under the relevant headings below.

Traffic and Safety

Car parking

A transport impact statement was prepared by GTA consultants on behalf of the applicant as discussed in section 2.

GTA calculates that the number of car parking spaces required for the proposed uses under the *Auburn DCP 2010* is 62 spaces as seen in Table 4 below.

Option	Description	Use	Size	DCP Parking Rate	DCP Parking Requirement
Option 1	Office	Business and office premises	2,000sqm	1 space per 40sqm of GFA	50 spaces
	Education Facility	Tertiary Institutions	800sqm (40 students + 10 staff)	1 space per 6 students + 1 space per 2 staff	12 spaces
Option 1 - Total					62 spaces

Table 4: Summary of required parking spaces by GTA consultants

The summary of required parking spaces assumes that the educational facility (establishment) will not be used as a “school” as discussed in the *Potential for development of schools* section (p.36). However, as schools require less parking than tertiary institutions under Council’s DCP, adequate parking provision is available on site for *educational establishment* uses limited to 800m².

The ramped driveway leading up to the upper level parking (Figure 3) is only wide enough for one-way traffic movement. If vehicles wish to enter and exit the upper level car park simultaneously, traffic entering will have to queue along Percy Street in both directions in order to access the upper level parking. Council identifies the one way access could cause potential traffic congestion issues along Percy Street and the Percy Street/Hall Street intersection if significant traffic is attempting to enter and exit simultaneously or during peak hour times.

The driveway access to the lower level car park is wide enough to provide for two way traffic. Uses such as *educational establishments*, likely to require simultaneous access and egress, may need to have parking provided on the lower level. Should any future development application be considered, this would need to be taken into consideration.

Traffic Generation

As part of the *Transport Impact Assessment (TIA)* prepared for the application, GTA calculates the traffic generated by the proposal in Table 5 below. A comparison of the traffic generated by the proposal with the potential traffic generated by the proposed uses is also provided in Table 6.

Scenario	Use	Size	Traffic Generation Rate		Traffic Generation	
			AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Option 1	Office	2,000sqm	1.6 movements per 100sqm	1.2 movements per 100sqm	32 movements per hour	24 movements per hour
	Education Facility	800sqm (12 car spaces)	1 movement per car space	1 movement per car space	12 movements per hour	12 movements per hour
	Option 1 - Total				44 movements per hour	36 movements per hour

Table 5: Traffic generated by the proposal during the AM and PM peak hours (p.13).

Development Scenario	Traffic Generation		Net Change	
	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Existing	45	34	-	-
Option 1	44	36	-1	+2

Table 6: Traffic generation estimate of the existing use compared to the proposed additional uses (Option 1) (p.13).

The *TIA* estimates the proposal will result in the reduction of 1 vehicle movement in the morning and an increase of 2 vehicle movements in the afternoon road network peak hours. Whilst the *TIA*'s estimation of the existing traffic generated is based on the use of the existing site to its capacity as opposed to the existing traffic generated, this is acceptable given that the site has been used as office premises with consent for many years and has continued till recently. Further, the only additional use proposed (educational establishment) is capped at 800m² and will only result in minimal increase in traffic in comparison to office use.

Both the Council's traffic engineers and the RMS (Appendix 10.1) consider the potential traffic generated by the proposal does not warrant further investigation.

Intersections

Council's *Draft Auburn LGA Traffic and Transport Study (2013)* ('*Draft Traffic Study*') was prepared by Hyder Consulting Pty Ltd for the previous Auburn City Council. The *Draft Traffic Study* identified Levels of Service (LoS) at a number of intersections, and provided recommendations in regards to upgrading certain intersections within Auburn City.

The site is located on the south-western corner of the St Hilliers Road (classified state road) and Hall Street (local Rd) intersection represented by (A) in Figure 22 below. The St Hilliers Road / Hall Street intersection is not identified in the *Draft Traffic Study*. However, The *Draft Traffic Study* identifies two [2] intersections within close proximity to the site which are affected by existing capacity issues:

- (B) Parramatta Rd/Silverwater Rd (St Hilliers Rd)
- (C) St Hilliers Rd/Rawson St intersection



Figure 22: Location of the site and the intersections identified in the in the Draft Auburn LGA Traffic and Transport Study (2013).

The *Draft Traffic Study* identifies the following network issues for the two intersections identified below:

(A) Parramatta Rd/Silverwater Rd (St Hilliers Rd) (p.148)

*"Intersection is currently operating at capacity (LoS E) during AM peak
Major traffic was observed on north-south movement on St Hilliers Rd /
Silverwater Rd (3,100 to 3,400 vehicles / hr).
Model indicates high delays for northbound traffic on St Hilliers Rd in AM
Peak (LoS F) and westbound traffic on Parramatta in PM peak (Los F)".*

(B) St Hilliers Rd/Rawson St intersection (p.149)

*"Intersection is currently operating at near capacity (Los D) during AM
peak."*

*Major traffic was observed on east-north movement between Rawson St and St Hilliers Rd (3,000 to 3,200 vehicles / hr)
Model shows eastbound traffic on Rawson Rd is experiencing queues and delays during AM peak (LoS F)
Left turn slip lane from Rawson Street on to St Hilliers Rd is currently un-signalised”.*

The *Draft Traffic Study* recommends prioritising the upgrade to both the Intersections identified.

RMS has indicated that there are no plans or certainty about the timing of an upgrade to the intersections as recommended in the *Draft Traffic Study*. Given this response by RMS, it is unlikely the Parramatta Rd / Silverwater Rd and St Hilliers Rd / Rawson St intersections would be prioritised for an upgrade in the near future.

Acknowledging that the intersections will not be upgraded in the foreseeable future, it is considered that any additional traffic generated by the proposal could lead to additional traffic at the intersections identified in the *Draft Traffic Study*.

However, as discussed in the previous Traffic Generation section, whilst the traffic generated by the proposal will add to the traffic at the intersection, Council and RMS have determined that the proposal does not warrant further investigation of two intersections identified in the *Draft Traffic Study* or the two (2) adjacent intersections to the site (St Hilliers Road / Hall Street and Hall / Percy Street) as the projected increase in traffic generated by the proposal is small.

Road Safety

There is potential for road safety issues relating to mixing user groups if ‘tertiary education’ and ‘school’ uses are permitted. The mixing of these additional users (children and young adults) on the site raises safety concerns with the heavy vehicle activity generated within the industrial area. This may result in the need for improvements to the Hall/Percy St intersections.

An operational traffic and safety review of the site access and adjacent intersection should be conducted by an appropriately qualified and experienced consultant. It is recommended that the safety review be required at the DA stage, should this planning proposal proceed.

Environmental impacts of existing surrounding uses on the proposed educational establishment/s

The proposed use of the site for *educational establishment* uses could potentially be affected by noise, vibration and air quality impacts generated by the traffic on St Hilliers Road and surrounding land uses.

The site is located adjacent to St Hilliers Road which is identified as a ‘busy’ road in the RTA’s *“Traffic Volume Map for Noise Assessment for Building on Adjacent to Busy Roads”*. The *Development near Rail Corridors and Busy Road – Interim Guidelines* suggests noise, vibration and air quality impacts are likely to be an issue for sensitive developments (educational establishment) within the vicinity (100 metres) of ‘busy’ roads.

The noise generated from the surrounding industrial area may impact on the operation of the educational establishment/s on the site. Potential sources of noise generated by the surrounding uses include (but are not limited to):

- Trucks frequently accessing the industrial area via Hall and Percy Street which adjoins the site.
- Operation of noisy / heavy machinery

Due to the proposed capping of floor space for the *educational establishment*, it is unlikely that the educational establishment is going to be a full time, school use. The use will likely be more short term use (e.g. 1-2 hour tuition/lecture sessions).

Given the above, noise, vibration and air quality should be addressed at the DA stage for the specific educational establishment use proposed.

Schools

As defined in the *ALEP 2010*, permitting the additional use of the site for *educational establishment* would permit the site to be used for both tertiary institution and school (as defined in the *Education Act 1990*) purposes.

The use of the site for a school by children is not recommended. However, as “tertiary institution” is not a defined use, limiting the additional educational establishment use to “tertiary institution” under the standard instrument would be problematic.

The proposal is nevertheless supported as it is unlikely to result in a ‘school’ being developed for the following reasons:

- The proposal seeks to permit a maximum of 800m² for educational establishment/s. The maximum gross floor space imposed on educational establishment/s would render the operation of a school less likely as the school would have to function within the limited 800m² of gross floor area.
- Although educational establishment includes permitting the use of the site as a school the site restraints (pickup / drop off zone) would render the compliance of a school with the *Auburn Development Control Plan’s Parking and Loading* provision difficult.
- If a school is proposed, the merit and impacts would need to be assessed at a DA stage.

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

Employment and Local economy

The application states the proposal will “contribute to a diversifying of the local economy by providing for an increase in local employment opportunities” (p.29), and forecasts the on-site employment would increase from approximately 65 people currently employed to 180-200 when fully occupied, increasing opportunities for local employment.

Impact on surrounding industrial area

There is the potential for noise generating users of the surrounding industrial area to impact on the operation of the educational establishment/s. This could in turn impact on the potential and future use of the surrounding industrial lands, through pressure to restrict noise generating uses and hence have an effect on the productivity of the surrounding sites and the local economy. However, given the scale of the educational establishment proposed, acoustic protection required as part of a DA could address this issue.

3.3.4 Section D - State and Commonwealth interests

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

Utilities

The existing office is serviced by electricity and water as it is currently partially occupied.

Access to Public transport

The site is located at 67-73 St Hilliers Road. The site is located:

- 700 metres from Auburn Train Station (Figure 13)
- 300 meters from the nearest bus station on Station Road, Auburn (Near Station Road / Hall Street intersection)

Roads, Traffic and Parking

Roads, Traffic and parking is discussed in section 3.3.3 (P32-35).

There is adequate public infrastructure to support this planning proposal.

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

Consultation will be undertaken with relevant State and Commonwealth Public Authorities as directed if a favourable Gateway Determination is received from the Greater Sydney Commission.

It is recommended that at least the following agencies be consulted:

- Transport for NSW including RMS
- One [1] submission was received from the RMS as part of Council's preliminary community consultation phase of the pre-gateway assessment. RMS raised "no objection subject to all vehicular access being restricted to the local road network only (i.e. Percy and Hall Streets) as part of any future development application submitted for the site". (Appendix 10.2)

- Department of Education and Training
- UrbanGrowth NSW

4. MAPPING

Please refer to Figure 19 for an indicative amendment to the *Auburn LEP 2010* 'Additional Permitted Uses' APU_002 map should the Planning Proposal be adopted.

5. COMMUNITY CONSULTATION

5.1 Pre-Gateway consultation

The proposal was publicly exhibited for a period of 28 days from 26 July 2016 to 22 August 2016 in accordance with the former Council's *Communications Plan for Planning Proposals*. The exhibition included:

- Notification of the public exhibition in the main local newspaper, the Auburn Review
- Exhibition of hard copies of the proposal and all supporting documentation at Council's Administration Centres (Auburn and Merrylands) and at Auburn and Lidcombe libraries
- Notification and exhibition of the proposal and all supporting documentation on Council's website, and
- Notification by mail of the public exhibition to adjoining and nearby land owners, of all land shown in Figure 23 below.

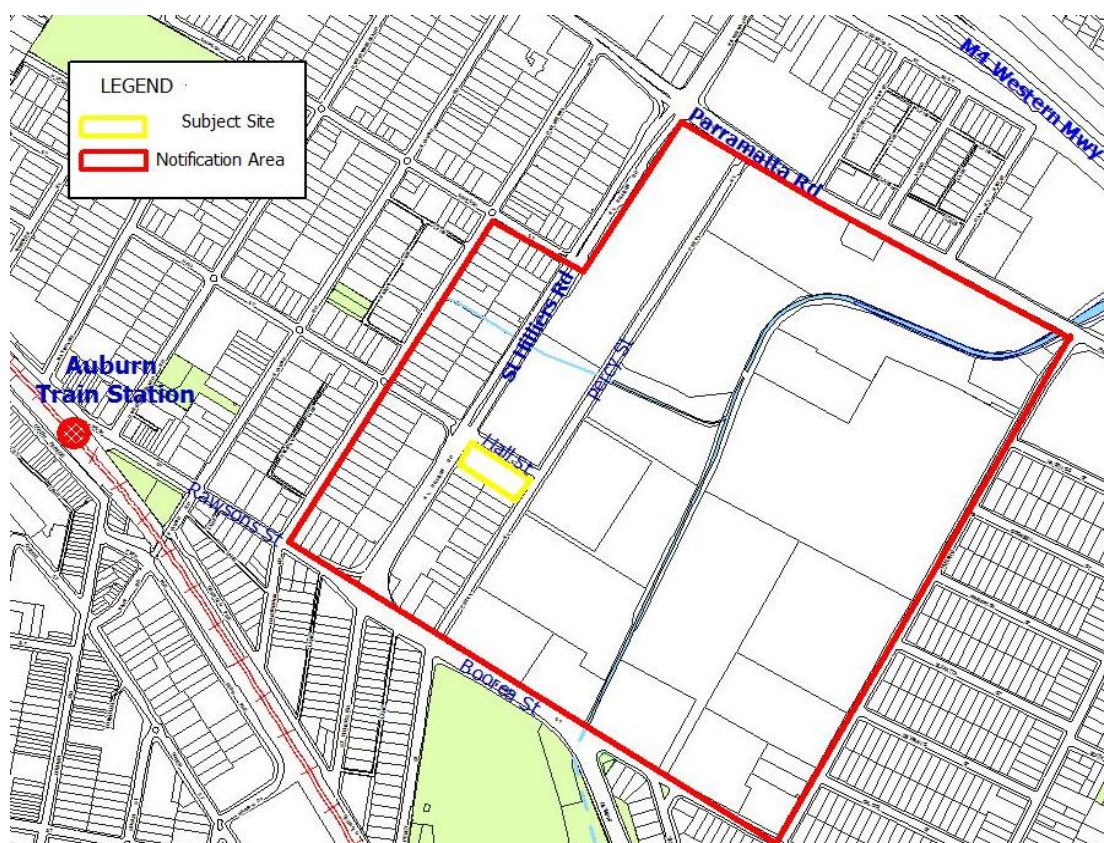


Figure 23 – Map of the site and notification area

Council received two [2] individual submissions in response to the exhibition of the planning proposal application:

1. One [1] submission received from the RMS raised ***“no objection to the Planning Proposal, subject to all vehicular access being restricted to the local road network (i.e. Percy and Hall Streets) as part of any future development application submitted for the site”***. (Appendix 10.2)

2. One [1] submission **objected** to the planning proposal (Appendix 10.1)

The submitter objects due to traffic concerns but does not object in principle to an educational facility in the local area.

The traffic concerns included the following:

- The proposal would add to the existing traffic congestion issues at both the Hall Street / St Hilliers Road and Hall / Percy Street intersections.
- Traffic congestion issues will be further exacerbated by the:
 - additional shops being constructed at the Red Yard complex
 - proposed Bunnings development should it occur
 - Ausgrid 'Major Project' scheduled for Percy Street will result in road closures
- Existing safety and congestion issues along Percy Street associated with illegal parking of trucks, semi-trailers and B-doubles.

Council's response to the submission:

- Police and Rangers were notified of the submission and the issues identified in the letter.
- B-doubles have previously been tested at Hall and Percy Street intersection. It was demonstrated to police and rangers that sufficient turning space was provided for B-doubles.
- Council will continue monitoring the area.
- Any additional proposals will be considered in terms of their potential traffic impact in a cumulative manner.

5.2 Proposed Post-Gateway Community Consultation

Council anticipates community consultation on the planning proposal will be undertaken following receipt of a s.56 Gateway Determination.

The planning proposal can be categorised as a moderate impact planning proposal. Considering the nature of the planning proposal Council recommends the planning proposal and related documentation be exhibited for at least 28 days in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulations 2000*.

6. ANTICIPATED PROJECT TIMELINE

The timeline presented in Table 6 indicates the anticipated steps for completion of the planning proposal and submission of the final, exhibited and amended version to the Department for making and notification (gazettal) of the *Auburn LEP 2010*.

PP Actions	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017	Jun 2017	Jul 2017	Aug 2017	Oct 2017	Nov 2017	Dec 2017
Submit PP to the Department for Gateway Determination											
Gateway Determination made by the Greater Sydney Commission / Sydney Planning Panel											
Report Gateway Determination to Council											
Consult relevant Public Authorities											
Public exhibition of PP											
Receive and evaluate submissions and revise PP											
Report PP to CIHAP											
Report PP to Council											
Submit PP to the Department for legal drafting and notification											
Notification of LEP amendment											

Table- 6- Anticipate project timeline

APPENDIX 1: Industrial Lands Strategic Assessment Checklist

The following assessment is made having regard to the above data and analysis. *A Plan for Growing Sydney*, Action 1.9.2 states the Government will assess new proposals to convert existing industrial zoned land to other uses under the *Industrial Lands Strategic Assessment Checklist* (retrieved from the *Draft Metropolitan Strategy for Sydney to 2031* (March 2013)).

1. Is the proposed rezoning consistent with State and/or local strategies on the future role of industrial lands?

As detailed in section 3.3.2, the proposal:

- is consistent with the *Draft West Central District Plan* (2016) and the *Parramatta Road Corridor Strategy* (2016)
- is justifiably inconsistent with *A Plan for Growing Sydney*
- is consistent with the recommendations of the *Auburn ELS 2015*
- is supported by Council resolution (as detailed in section 3.3.2).

2. Is the site:

a. Near or within direct access to key economic infrastructure?

The site is located along St Hilliers Rd which leads into both Parramatta Rd and Silverwater Rd which offers direct access to the M4 motorway (Westconnex). The proposal will not prevent the future use of the site or surrounding sites for industrial purposes, as it is unlikely to impact significantly on any surrounding industrial sites that benefit from this infrastructure.

b. Contributing to a significant industry cluster?

The site is located in Lidcombe West employment (industrial precinct) which has been identified in the *Auburn ELS 2015* as a significant employment precinct. The site is occupied by an existing office building (since the 1960's) and has been used for office purposes since. Therefore it has not contributed to the recognised industrial cluster since the 1960's.

3. How would the proposed rezoning impact the industrial land stock in the sub-region or region and the ability to meet future demand for industrial land activity?

- The proposal is not a rezoning of the existing IN1 General Industrial zone. Therefore it will not remove industrial land stock.
- While it is currently not viable to redevelop the site for industrial purposes, the retention of the zoning would allow for this should there be demand and increased viability in the future.

4. How would the proposed rezoning impact on the achievement of the sub-region/region and LGA employment capacity targets and employment objectives?

It is not proposed to rezone the site.

The Planning Proposal to permit additional uses on the site will encourage the utilisation of the underutilised / vacant space within the existing office building. Permitting *office premises* and *educational establishment* uses on the site is projected to increase employment from approximately 65 employees to approximately 200 employees.

5. Is there a compelling argument that the industrial land cannot be used for an industrial purpose now or in the foreseeable future and what opportunities may exist to redevelop the land to support new forms of industrial land uses such as high-tech or creative industries?

Yes. The site is occupied by an office building. The purpose built office building is used as office premises and is unsuitable for industrial uses. As further discussed in section 4.3.3, re-development of the site is highly unlikely in the foreseeable future.

The uses proposed in the Planning Proposal are compatible with the existing surrounding industrial uses.

As detailed in the *Auburn Employment Lands Strategy 2015*, in order to facilitate the sustainable use of land, recognition of existing uses and future development prospects would assist these uses respond to market demand over time.

6. Is the site critical to meeting the need for land for an alternative purpose identified in other NSW Government or endorsed council planning strategies?

The retention of industrial local land within this industrial area is critical. However, the proposed uses are not incompatible with the surrounding industrial uses. In addition, it is noted that work being undertaken for the Parramatta Road Urban Transformation Strategy may result in the change of zoning and hence also permit additional uses on the site.

APPENDIX 2: State Environmental Planning Policies (SEPPs)

No.	Title	Summary	PP Application's consistency with the SEPP
1	Development Standards	Aims to provide flexibility in the application of planning controls where strict compliance of development standards would be unreasonable, unnecessary or hinder the attainment of specified objectives of the Act.	Does not apply to areas within ALEP 2010 areas. SEPP is repealed by <i>Auburn LEP 2010</i> (clause 1.9)
14	Coastal Wetlands	Aims to ensure the State's coastal wetlands are preserved and protected.	Does not apply to Cumberland LGA There are no SEPP 14 Wetlands affecting the site.
19	Bushland in Urban Areas	Aims to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.	Applies to Cumberland LGA The site affected by the application has no existing bushland on or adjoining the site. Not relevant
21	Caravan Parks	Aims to facilitate the proper management and development of land used for caravan parks catering to the provision of accommodation to short and long term residents.	Applies to State , except land to which SEPP (Western Sydney Parklands) applies. The industrial zoned site is not currently used or intended to be used as a caravan park. Not relevant
26	Littoral Rainforests	Aims to protect littoral rainforests from development.	Does not apply to Cumberland LGA

No.	Title	Summary	PP Application's consistency with the SEPP
30	Intensive Agriculture	Establishes the requirement for development consent and additional requirements for cattle feedlots and piggeries.	Applies to State The proposal is not for a cattle feedlot or piggery. Not relevant
33	Hazardous and Offensive Development	Aims to provide additional support and requirements for hazardous and offensive development	Applies to State The proposal does not seek to provide for hazardous or offensive development. Not relevant
36	Manufactured Home Estates	Aims to facilitate the establishment of manufactured home estates as a contemporary form of residential housing.	Does not apply to Cumberland LGA Applies to land outside the Sydney Region.
44	Koala Habitat Protection	Aims to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas	Does not apply to the Cumberland LGA
47	Moore Park Showground	Aims to enable redevelopment of Moore Park Showground consistent with its status as being of State and regional planning importance.	Does not apply to the Cumberland LGA
50	Canal Estate Development	Prohibits canal estate development	Applies to State (except Penrith Lakes) Canal estate development is not proposed. Not relevant
52	Farm Dams and other works in land management areas	Requires environmental assessment under Part 4 of the EPA for artificial water bodies carried out under farm plans that implement land and water management plans.	Does not apply to the Cumberland LGA

No.	Title	Summary	PP Application's consistency with the SEPP
55	Remediation of Land	Provides a State wide planning approach for the remediation of contaminated land.	Applies to State The land is currently zoned <i>IN1 General Industrial</i> and no change in zoning is proposed. The site has been utilised for office purposes since it was constructed in 1965 and is not known to be contaminated nor previously utilised for any industrial purposes that has caused land contamination. However, subclause 4 (c) of SEPP 55 identifies rezoning or permitting the additional use of land for educational purposes must consider Clause 6 (2) of SEPP 55 which states: <i>“Before including land of a class identified in subclause (4) in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines”</i> Therefore, the planning authority needs to obtain from the applicant a Stage 1 – Preliminary site investigation to consider whether the land is contaminated. Should contamination be found a phase 2 assessment would be required. Any future redevelopment of the office building will be dealt with at the DA stage. Inconsistent (however can be addressed via a Gateway condition)

No.	Title	Summary	PP Application's consistency with the SEPP
62	Sustainable Aquaculture	Aims to encourage and regulate sustainable aquaculture development	Applies to State No aquaculture is proposed. Not relevant
64	Advertising and Signage	Aims to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	Applies to State The proposal is not for the development of advertising or signage. Should any future DA resulting from the proposal seek advertising or signage, consideration of the SEPP would be required. Not relevant
65	Design Quality of Residential Apartment Development	Aims to improve the design qualities of residential flat building development in New South Wales.	Applies to State (except Kosciuszko SEPP area) The proposal does not involve or seek permitting residential flat building. Not relevant.
70	Affordable Housing (Revised Schemes)	Aims to insert affordable housing provisions into EPIs and to address expiry of savings made by EP&A Amendment (Affordable Housing) Act 2000.	Does not apply to Cumberland LGA Applies to land within the Greater Metropolitan Region. Specifically mentions Ultimo/Pymont precinct, City of Willoughby and Green Square.
71	Coastal Protection	Aims to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast.	Does not apply to Cumberland LGA Applies to land within the coastal zone, as per maps of SEPP.

No.	Title	Summary	PP Application's consistency with the SEPP
	Affordable Rental Housing 2009	Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	Applies to State Proposal does not seek development under this SEPP nor does it propose any type of housing as the site: Not relevant
	Building Sustainability Index: BASIX 2004	Aims to ensure consistency in the implementation of the BASIX scheme throughout the State	Applies to State The proposed uses are not subject to BASIX. Not relevant
	Exempt and Complying Development Codes 2008	Aims to provide streamlined assessment process for development that complies with specified development standards.	Applies to State The SEPP may apply to any future development of the site. To be considered at DA stage Consistent
	Housing for Seniors or People with a Disability 2004	Aims to encourage the provision of housing to meet the needs of seniors or people with a disability.	Applies to State Proposal does not seek development under this SEPP for seniors or people with a disability. Not relevant

No.	Title	Summary	PP Application's consistency with the SEPP
	Infrastructure 2007	Aims to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.	Applies to State The site is located adjacent to St Hilliers Road which is classified as a state road with a high volume of traffic. The RMS identifies St Hilliers Road as a 'busy' road in the Traffic Volume Maps for Noise Assessment for Buildings on Land Adjacent to Busy Roads map. Therefore, any DA will need to consider the Development Near Rail Corridors and Busy Roads – Interim Guidelines as instructed under clause 102 of the SEPP. The proposal could potentially generate minor traffic impacts to its surrounds as discussed in section 4.5.1. Any future change of use DA will have to demonstrate consistency with <i>clause 104 traffic generating development to be referred to the RTA</i> under the SEPP. Consistent
	Integration and Repeals 2016	Repeals certain planning instruments.	Applies to Cumberland LGA Repeals Urban Consolidation (Redevelopment of Urban Land) which applied to Cumberland LGA. Consistent
	Kosciuszko National Park – Alpine Resorts 2007	Aims to protect and enhance the natural environment of the alpine resorts area.	Does not apply to Cumberland LGA Applies only to specified land within Kosciuszko National Park, Kosciuszko Road and Alpine Way.
	Kurnell Peninsula 1989		Does not apply to Cumberland LGA Applies to the land within Sutherland Shire known as Kurnell Peninsula. Excludes some land under <i>SSLEP 2006</i>.

No.	Title	Summary	PP Application's consistency with the SEPP
	Mining, Petroleum and Extractive Industries 2007	Aims to provide for the proper management and development of mineral, petroleum and extractive material resources	Applies to State Proposal does not seek development under this SEPP. Not relevant
	Miscellaneous Consent Provisions 2007 (Replaces Temporary Structures)	Aims to permit the erection of temporary structures and ensure the safety of the structure. Protection of the environment is encouraged in the vicinity and location of the structure.	Applies to State SEPP to be considered at DA stage if temporary structures are proposed. Consistent
	Penrith Lakes Scheme 1989	Aims to provide a development control process establishing environmental and technical matters which must be taken into account in implementing the Penrith Lakes Scheme in order to protect the environment,	Does not apply to Cumberland LGA
	Rural Lands 2008	Aims to facilitate the orderly and economic use and development of rural lands for rural and related purposes	Does not apply to Cumberland LGA
	State and Regional Development 2011	Aims to identify State significant development and State significant infrastructure. Also to confer functions on joint regional planning panels to determine development applications.	Applies to State Site does not contain state significant development nor does it propose such development. Not relevant

No.	Title	Summary	PP Application's consistency with the SEPP
	State Significant Precincts 2005	Aims to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.	Applies to State The Site is not identified as a State significant precinct. Not relevant
	Sydney Drinking Water Catchment 2011	Aims to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal.	Does not apply to Cumberland LGA Applies to land within the Sydney drinking water catchment.
	Sydney Region Growth Centres 2006	Aims to co-ordinate the release of land for development in the North West and South West Growth Centres.	Does not apply to Cumberland LGA. Applies to all land in a 'growth centre' (North West Growth Centre or the South West Growth Centre)
	Three Ports 2013	Aims to provide consistent planning regime for the development and delivery of infrastructure on land in Port Botany, Port Kembla and Port of Newcastle.	Does not apply to Cumberland LGA Applies to land within Botany, Wollongong and Newcastle City Council, in the areas of Port Botany, Port Kembla and Port of Newcastle
	Urban Renewal 2010	Aims to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts	Applies to Cumberland LGA Applies to land within a potential precinct (land identified as a potential urban renewal precinct). This includes Redfern-Waterloo, Granville and Newcastle. Granville is within Cumberland, however the site is not located within the Potential Precinct Map. Not relevant

No.	Title	Summary	PP Application's consistency with the SEPP
	Western Sydney Employment Area 2009	Aims to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development	Applies to Cumberland LGA Applies to the land identified on the Land Application Map. (Precinct 10-Greystanes Northern Employment Lands is within Cumberland LGA). The site is not located within a Western Sydney Employment Area. Not relevant
	Western Sydney Parklands	Aims to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region.	Applies to Cumberland LGA Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton) The site is not located within Sydney Western Parklands. Not relevant
	Coastal Management 2016	Seeks to manage development in the coastal zone to protect the environmental assets of the coast and to guide land use planning decisions in the coastal zone.	Applies to Cumberland LGA The site is not located within the identified coastal zone.

APPENDIX 3: Regional Environmental Plans (Deemed SEPPS)

No	Title	Summary	Application
8	Central Coast Plateau Areas	Aims to implement the state's urban consolidation policy.	Does not apply to the Cumberland LGA. Applies to nominated land in the NSW Central Coast.
9	Extractive Industry No. 2 1995	Aims to facilitate development of extractive industries in proximity to the population of the Sydney Metropolitan Area.	Applies to the Cumberland LGA Applies to LGAs listed in <i>Schedule 4</i> of the <i>SREP</i> . Former Holroyd LGA identified in Schedule 4. The proposal does not seek development for the purpose of extractive industries. Not relevant
16	Walsh Bay	Aims to regulate the use and development of the Walsh Bay area.	Does not apply to the Cumberland LGA. Applies to land within the City of Sydney and within Sydney Harbour.
20	Hawkesbury-Nepean River (No 2-1997)	Aims to protect the Hawkesbury-Nepean River System.	Does not apply to the Cumberland LGA. Applies to certain LGAs within Greater Metropolitan Region.
24	Homebush Bay Area	Aims to encourage the co-ordinated and environmentally sensitive development of the Homebush Bay area.	Does not apply to land Cumberland LGA. Applies to land shown as the "Homebush Bay Area" on the Homebush Bay Area Map. Applies to Parramatta LGA.
26	City West	Aims to promote the orderly and economic use and development of land within City West.	Does not apply to the Cumberland LGA. Applies to land shown as City West area (Pyrmont and Ultimo)

No	Title	Summary	Application
30	St Marys	Aims to support the redevelopment of St Marys by providing a framework for sustainable development.	Does not apply to the Cumberland LGA. Applies to specified land within the Blacktown and Penrith LGAs
33	Cooks Cove	Establishes the zoning and development controls for the Cooks Cove site.	Does not apply to the Cumberland LGA. Applies to specified land at Cooks Cove within the suburb of Arncliffe.
	Sydney Harbour Catchment 2005	Aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.	Applies to the area of Sydney Harbour, including Parramatta River and its tributaries and the Lane Cove River. Applies to land within the Cumberland LGA. Should any changes to the built form be proposed, the impact on stormwater within the catchment would be considered at the DA stage. Consistent

APPENDIX 4: Section 117 Ministerial Directions

No.	Direction	Applicability / Consistency
1.	Employment and Resources	
1.1	Business and Industrial Zones	Justifiably Inconsistent (Refer to section 3.3.2, Section 117 Ministerial directions)
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 The site is not within an Environmental Protection Zone.
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Not applicable
2.4	Recreation Vehicle Areas	Not applicable
3.	Housing, Infrastructure and Urban Development	
3.1	Residential Zones	Not applicable
3.2	Caravan Parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Not applicable
3.4	Integrating Land Use and Transport	Consistent The subject site is located within the Lidcombe West employment area. The area is recognised as a strategically important employment lands precinct The site is within walking distance from Auburn's Town Centre (600m approx.), railway station (700m) and bus station (300m approx.). The proposal is broadly consistent with the objectives and principles of the DP&E policies. A transport study (including traffic) to address concerns relating to transport, traffic and parking has been submitted to support the proposal. Any subsequent issues would need to be addressed

No.	Direction	Applicability / Consistency
		at the DA stage.
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4.	4. Hazard and Risk	
4.1	Acid Sulfate Soils	Consistent The site to which the proposal applies is affected by class 5 Acid Sulphate soils (least affected).
4.2	Mine Subsidence and Unstable Land	Not applicable
4.3	Flood Prone Land	Consistent The site to which the proposal applies is partially affected by flooding. Any future DAs on the land to redevelop the site would need to comply with clause 6.3 of the Auburn LEP 2010.
4.4	Planning for Bushfire Protection	Not applicable
5.	5. Regional Planning	
5.1	Implementation of Regional Strategies	Not applicable
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport: Badgerys Creek	Not applicable
5.9	North West Rail Link Corridor Strategy	Not applicable
5.10	Implementation of Regional Plan <i>(A Plan for Growing Sydney)</i>	Consistent (refer to section 4.3.2 for more details) The proposal is consistent with the following Directions: • Direction 1.5: “Transform the productivity of Western Sydney through growth and investment” • Direction 1.10 “Plan for education and health services to meet Sydney’s growing needs”.

No.	Direction	Applicability / Consistency
		The proposal is justifiably inconsistent with : Direction 1.9: “Support Priority economic sectors” as supported by a strategic assessment and Action 1.9.2 “Support key industrial precinct with appropriate planning controls” The proposal does not result in a loss of regionally and strategically significant employment lands.
6.	6. Local Plan Making	
6.1	Approval and Referral Requirements	Consistent The Proposal does not seek to apply any additional approval or referral requirements.
6.2	Reserving Land for Public Purposes	Not applicable
6.3	Site Specific Provisions	Consistent The Proposal does not propose restrictive site specific planning controls as it will maintain the current industrial zoning and would further allow for additional uses to be permitted on the site by listing the additional uses in <i>Schedule 1</i> of the <i>Auburn LEP 2010</i>. The proposal will not restrict the overall use of the land and will maintain the existing industrial zoning of the site.
7.	7. Metropolitan Planning	
7.1	Implementation of A Plan for Growing Sydney	Has no effect on the proposal under s.51 of <i>Schedule 7</i> of the <i>Environmental Planning and Assessment Regulation 2000</i> .
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable

APPENDIX 5: Council minutes - 30 Nov 2016 (Item 125/16)

Min. 183 ITEM 125/16 – PLANNING PROPOSAL FOR 67-73 ST HILLIERS ROAD, AUBURN

Moved and declared carried by the Administrator that:

- i. Council progress the Planning Proposal to amend the *Auburn Local Environmental Plan 2010* to introduce ‘*educational establishment*’ (limited to a maximum of 800m² Gross Floor Area) and ‘*office premises*’ as additional permitted uses.
- ii. Council prepare the Planning Proposal and forward it to the Department of Planning and Environment seeking a Gateway Determination.

APPENDIX 6: CIHAP minutes (9 November 2016 - Item 029/16)

Minutes of the Cumberland Independent Hearing and Assessment Panel – 9 November 2016

ITEM 029/16 – PLANNING PROPOSAL FOR 67-73 ST HILLIERS ROAD, AUBURN

Resolved unanimously that the Cumberland Independent Hearing and Assessment Panel (CIHAP) recommend that the subject Planning Proposal with respect to Lot 1 DP 220080 (67-73 St Hilliers Road, Auburn), to amend the *Auburn Local Environmental Plan (LEP) 2010* to introduce 'office premises' and 'educational establishment' (up to a maximum of 800m² (Gross Floor Area) as additional permitted uses in Schedule 1 of the *Auburn LEP 2010* with respect to the subject site, be supported by Council.

APPENDIX 7: Applicant's Planning Proposal Application

See Attachment 2

Prepared by Knight Frank Town Planning on behalf of the applicant/owner.

APPENDIX 8: Transport impact assessment (GTA Consultant)

See Attachment 3

Prepared by GTA Consultants on behalf of the applicant.

APPENDIX 9: Council's Assessment of the Planning Proposal Application

See Attachment 1

As attached to the CIHAP and Council report.

APPENDIX 10: Pre-gateway public exhibition submissions

10.1 Peter Doulman



Doulman Automotive Services Est. 1983
Fleet, Private, Prestige, Performance, Commercials & Truck

17th August 2016

Attention: General Manager

Cumberland Council

P.O. Box 118,

NSW 1835

By Email: auburncouncil@auburn.nsw.gov.au

Re: PP-1/2016 Development Proposal Submission

67-73 St Hilliers Road Planning Proposal Application

Please be advised we strongly object to the above development proposal due to the existing traffic management of **heavy** vehicles in Percy Street. Currently the traffic management, congestion and complete street blockages in Percy Street by heavy vehicles are a disaster and extremely dangerous. Additional traffic & parking would only compound the problem.

Parking signs in Percy Street & Hall Street had to be moved further back from the corner to allow semi-trailers and B-double trucks to make their turns into Hall Street, therefore reducing parking in the area.

Traffic congestion is already a big problem at the Hall Street traffic lights turning onto St Hilliers Road. The congestion overflows both north and south into Percy Street throughout the day completely blocking the Hall/Percy Streets intersection.

Furthermore if the Bunnings proposal is to proceed, the additional traffic would undoubtedly massively compound the congestion problem. Trucks regularly block access to Hall Street unable to make the turn from Percy Street into Hall Street which leads to a grid locked situation in the intersection. There is no doubt the approval of the Bunnings Development Proposal would make this situation dramatically worse and even more dangerous due to a further increase of heavy vehicle traffic from deliveries. Additionally, there would be a very significant increase in the light vehicle traffic in Percy Street travelling to and from the Bunnings Store.

It would appear from the Bunnings Development proposal drawings that access to Bunnings for deliveries would also be via Percy Street. This would result in further increasing the volume of heavy vehicle traffic in Percy Street, thus exacerbate the existing chaos caused from the high volume of outlaw truck drivers of heavy vehicles.

Over the past several years since the Bev Chain Pty Ltd Distribution centre began operating we have lodged numerous verbal and written complaints to Auburn Council, directly to the Rangers, the local Police and Highway Patrol clearly outlining the Percy Street safety hazards. These safety hazards and blockages are caused by trucks, semi-trailers and B-doubles from Bev Chain illegally parked along both sides of Percy Street. Despite our reports to Auburn Council and Police, the truck drivers continue to park illegally for long periods of time, therefore we can only assume no action has been taken by Auburn Council or the Police against Bev Chain or the truck drivers.

The illegal parking of the trucks, semi-trailers and B-doubles minimises visibility from driveways and has previously been the direct cause of motor vehicle accidents in Percy Street. One particular accident was the result of two B-doubles illegally parked side by side opposite a driveway conjointly with another B-double illegally parked directly across the road from the other two parked trucks. Visibility was significantly limited and left one access lane for traffic in either direction. This is not an isolated incident; it is a regular daily occurrence! Parking on the wrong side of the road, double parking, parking too close to or across driveways and other parking infringements occur all day, everyday and predominantly during peak hours, increasing the danger to drivers and pedestrians alike. Vehicles can be parked illegally overnight and for 4-5 hours during the day.

Percy Street is regularly blocked. Recently a semi trailer was double parked facing the wrong direction and blocking parked cars. The trailer was uncoupled from the prime mover that disappeared for a number of hours, leaving the trailer in the middle of Percy Street unattended. Such traffic infringements going unpoliced create an increased risk to the vehicles and foot traffic wanting to gain access to the educational facility being proposed.

Moreover, additional shops are under construction in the Red Yard complex on the corner of Percy Street and Parramatta Road; in unison with the recent opening of the Service NSW building in Percy Street they will undoubtedly increase the traffic flow and dangers in Percy Street with the illegal heavy vehicle practises unchecked.

Furthermore there is an Ausgrid 'Major Project' scheduled for Percy Street that will create full road closures creating even more havoc. No completion date or timeline has been provided by Ausgrid.

Whilst in principle we have no objection to an Educational facility or Bunnings Store in the local area, our concerns are real, valid and proven. Further increasing the traffic volume in Percy Street without a realistic solution to this existing hazards is not only dangerous to our community, but is surely neglect and dereliction of its statutory responsibility by Cumberland Council for the safety and harmony of the District, its local residents, rate payers and local small businesses.

Yours faithfully



Peter Doulman

Managing Director

Doulman Automotive Services

10.2 Roads & Maritime Services



15 September 2016

Roads and Maritime Reference: SYD16/00994
Council Reference: PP-1/2016

General Manager
Cumberland Council
PO Box 118
Auburn NSW 1835

Attention: Terri Southwell

PUBLIC EXHIBITION: PLANNING PROPOSAL TO PERMIT ADDITIONAL USES AT 67 – 73 HILLIERS ROAD, AUBURN

Dear Mr Ryan,

I refer to your letter of 20 July 2016 inviting Roads and Maritime Services to comment on the abovementioned planning proposal. Roads and Maritime appreciates the opportunity to provide comment and I apologise for the delay in providing a submission.

Roads and Maritime has reviewed the subject planning proposal and raises no objection, subject to all vehicular access being restricted to the local road network only (i.e. Percy and Hall Streets) as part of any future development application submitted for the site.

Any inquiries in relation to this Application can be directed to James Hall – Senior Land Use Planner, Strategic Land Use on 8849 – 2047 or james.hall@rms.nsw.gov.au

Yours sincerely



Greg Flynn
Manager, Strategic Land Use
Network and Safety