



CUMBERLAND  
CITY COUNCIL

8 March 2022

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ALEXANDRIA NSW 2015

Email: [lachlan@theplanninghub.com.au](mailto:lachlan@theplanninghub.com.au)

Dear Lachlan,

**Subject:** Pre-Lodgement Meeting Advice  
**Property:** 25 South Parade, Auburn (Lot 2 DP 806999)

Thank you for attending the pre-lodgement meeting on 23 February 2022 to discuss a potential planning proposal for the above site. We prepared the attached pre-lodgement advice based on our discussion.

Please note, the attached pre-lodgement advice does not constitute approval and is given in good faith on a 'without prejudice' basis. Council's final position on the proposal can only be provided once an application is formally lodged and assessed.

Should you have any enquiries regarding this matter, please contact Council's Coordinator Planning Systems, Sarah Sheehan, during normal business hours on 8757 9947 or via email [sarah.sheehan@cumberland.nsw.gov.au](mailto:sarah.sheehan@cumberland.nsw.gov.au)

Yours faithfully,

Daniel Anderson  
Executive Manager Environment and Precincts

## MINUTES OF PRE-LODGE MEETING POTENTIAL PLANNING PROPOSAL

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<b>Property:</b>	25 South Parade, Auburn
<b>Meeting Date:</b>	23 February 2022
<b>Attendees:</b>	<b>Council Staff:</b> Daniel Anderson, Executive Manager, Environment and Planning Systems Sarah Sheehan, Coordinator Planning Systems  <b>Proponent:</b> Dr. Elias Kedhi (landowner) Mairead Hawes, Director, The Planning Hub Lachlan Rogers, Senior Town Planner, The Planning Hub

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### THE PROPOSAL

#### Existing planning controls

The following planning controls apply to the site under Cumberland LEP 2021.

Land zone	IN1 General Industrial
Floor space ratio	1:1
Height of buildings	N/A (surrounding 9m and 38m)
Heritage	Archaeological Item A4 – Clyde Marshalling Yards

It is noted that the site has not been used for industrial purposes for an extended period and is currently occupied by an approved office building and carpark (DA2000/249, DA2021/0104).

#### Proposed planning controls

Despite references to 'rezoning' in the scoping proposal, it is our understanding that the proposal does not involve changes to the zoning of any of the other planning controls listed above. Rather the proposal seeks only to amend Schedule 1 of Cumberland LEP 2021 to permit the following additional permitted uses (APUs) on the site:

- Health services facilities
- Office premises
- Business premises.

### COUNCIL OFFICER FEEDBACK

In determining the strategic and site-based merit of the proposal, consideration must be given to the suitability of the proposed new uses in the context of:

1. **The IN1 zone objectives**, which are to:
  - provide a wide range of industrial and warehouse land uses
  - encourage employment opportunities
  - minimise any adverse effect of industry on other land uses
  - support and protect industrial land for industrial uses
  - enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

2. **The Greater Sydney Commission's 'retain and manage' policy position for industrial lands** – We note that this policy position is currently under [review](#) and the final report is due to be released in April 2022. So far, the review has highlighted:
- *The value of, and need to secure, industrial capacity to ensure there is sufficient land and allowable floor area, of the right types, to meet the State's industrial needs now and in the future.*
  - *The importance of supporting economic resilience and future business investment, especially at a time when there is increased demand for industrial lands.*
  - *There are circumstances where some industrial lands could transition to alternative uses, including residential, office and medical/health services.*
  - *Encroachment from competing uses can be detrimental to industrial lands and that some safeguarding is necessary to ensure that productivity of Greater Sydney and economic functionality is not compromised.*
3. **The location of the site** – We note that the site's location presents certain challenges that would need to be addressed as part of any planning proposal. In particular, we note that the site is located on the outskirts of the Auburn Town Centre, on a busy corner with poor pedestrian and vehicular access. We also note that it may be necessary to limit the gross floor area for the proposed additional permitted uses, particularly the proposed office premises and business premises.

### **Justification**

Any planning proposal lodged for the site will need to adequately justify the proposal, including answers to the following questions:

- Is there a need for the proposal, or can the site be reasonably developed under existing controls?
- Is the proposal responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls?
- Is the proposal the best way of achieving the intended outcomes, or are there other more suitable ways?

### **Consistency with the strategic planning framework and policy context**

Any planning proposal lodged for the site will need to demonstrate consistency with:

- Greater Sydney Region Plan and Central City District Plan
- Cumberland Local Strategic Planning Statement
- Cumberland Employment and Innovation Lands Strategy
- New [Ministerial Directions](#) released 1 March 2022
- New [consolidated SEPPs](#) released 1 March 2022

### **Cumberland Planning Agreements Policy and Guidelines**

Before lodging a planning proposal, please view [Cumberland's Voluntary Planning Agreements Policy and Guidelines](#).

Council enters into planning agreements with developers as part of the planning proposal process to ensure a fair and equitable apportionment of the costs and benefits of development, and to ensure delivery of planning outcomes that contributes to a net public benefit for the wider community.

Planning agreements typically include a monetary component and may also involve dedication of land to Council, public infrastructure, community facilities, affordable housing, any other material public benefit or any combination of these.

Public benefit offers are generally lodged with planning proposal applications so that the documents, and any subsequent voluntary planning agreement, can be reported and exhibited together. This helps to significantly reduce timeframes and provides the community with a clearer and more holistic picture of the development and public benefits that are proposed to be delivered.

Generally, Council obtains valuation advice around the time of Gateway to determine the amount of land value uplift that is likely to arise from the proposal. The valuation advice is then used to guide negotiations and preparation of a voluntary planning agreement, with up to 50% of the uplift being the starting point for negotiations.

### **Submission requirements**

If you wish to lodge a planning proposal application to the NSW Planning Portal, the following would be required at a minimum.

- Draft Planning Proposal – The form and content must be consistent with the Department of Planning and Environment's new [LEP-making Guideline](#)
- Urban Design Analysis
- Economic Impact Assessment
- Transport and Access Study
- Heritage Impact Assessment/European Archaeology Assessment
- Noise/vibration Assessment.

### **Fees and charges**

Based on the information provided, this proposal is classified as 'standard' proposal.

For information on the applicable fees and charges for this classification of proposal, please refer to Cumberland's online [schedule fees and charges](#).

If you lodge a planning proposal application and it is formally accepted by Council, you will receive a written request for payment of fees.

### **Important Information**

This advice has been prepared on the basis of the scoping document submitted to Council for this meeting. Other issues may arise following a detailed assessment of any application lodged.

Furthermore, any application that is lodged shall be assessed on its merits and shall have regard for, and be designed in accordance with, the strategic planning framework and policy context.

Any information submitted for pre-Lodgement meetings as well as any correspondence to or from Council, including this letter, may be disclosed under the provisions of the GIPA Act.

The views expressed may vary once detailed plans and information are submitted and formally assessed by Council, or as a result of issues raised by interested parties.

These comments do not bind Council Officers, the elected Council members, or other bodies beyond Council, in any way whatsoever.