

# PLANNING PROPOSAL 25 SOUTH PARADE, AUBURN

May 2022

Prepared by *The Planning Hub*

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## Executive Summary

### Overview

This Planning Proposal has been prepared on behalf of Dr. E Kehdi and seeks to amend the Cumberland Local Environmental Plan (LEP) 2021 to include additional permitted uses of health services facilities, office and business premises at 25 South Parade, Auburn.

The rationale for the planning proposal is to facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises that are consistent with development in the surrounding area and the surrounding context based on the site's proximity to the Auburn Town Centre.

The subject site is currently zoned IN1 General Industrial under the provisions of the Cumberland LEP 2021. Health services facilities, office and business premises are prohibited in the IN1 General Industrial zone. The site is bound by the Main Suburban Railway to the north and represents a small portion of industrial zoned land surrounding by R3 Medium Density Residential and B4 Mixed Use zoning reflected by its proximity to the Auburn Town Centre.

The site has not been utilised for industrial purposes since 2000 and has accommodated commercial uses consistent with the site's location in proximity to the Auburn Town Centre. The site is located in close proximity to existing health services facilities, schools and the Auburn Town Centre representing a unique opportunity to facilitate further health services facilities, office and business premises in an accessible location.

This Planning Proposal outlines the intended effects of the proposed LEP amendments to the Cumberland LEP 2021 and provides justification for the proposed changes.

This Planning Proposal has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*; and
- The Department of Planning and Environment – 'Local Environmental Plan Making Guideline.'

It is the first stage of the Planning Proposal which seeks the initial Department of Planning and Environment gateway determination to:

- Support the justification for the proposal;
- Confirm the technical investigations and consultation required; and
- Outline the process for continuing the assessment of the proposal.

As outlined in a 'Local Environmental Plan Making Guideline', the Planning Proposal will evolve throughout the course of preparing the amending LEP as relevant sections will be updated and amended in response to the outcomes of technical investigations and consultation.

The proposal is considered to have a high level of strategic merit based on the following key areas:

- The proposal will provide for additional permitted uses within the existing building that will positively contribute to the provision of services and facilities in an accessible location and in close proximity to residential and business zoned land;
- The IN1 zoning of the site is maintained to ensure existing industrial zoned land is not rezoned and it can still be utilised for industrial purposes if required or intended by the owner of the site in the future if needed;
- the proposed additional permitted uses are consistent with the surrounding site context, the proximity of the site to the Auburn Town Centre, the Auburn train station and existing health services facilities;
- the site and its building has never been used for industrial purposes and has always been utilised as a commercial building; and
- The proposal will facilitate the highest and best use of the site based on the site's location and context and provide uses that are more compatible with the surrounding R3 Medium Density Residential and B4 Mixed Use zoned land.

The Planning Proposal forms part of a suite of documents that are submitted in support of the application attached as **Appendices A-D**.

#### **Land to Which this Planning Proposal Applies**

The subject site is located on the northern side of South Parade opposite the intersection of Alice Street and South Parade in Auburn. The surrounding area comprises a mix of residential development, mixed use and industrial development with the site being bound by the Main Suburban Railway to the north.

Development to the south comprises a range of medium density residential development in the form of residential flat buildings and dwellings and the St Joseph's Hospital with the St John's primary school located to the south east of the site.

Development to the west comprises industrial land uses to the north of South Parade and residential development on the southern side of South Parade. The Auburn Town Centre and train station is located in close proximity to the site to the south east.

The site's location and context is detailed in **Figure 1** below.

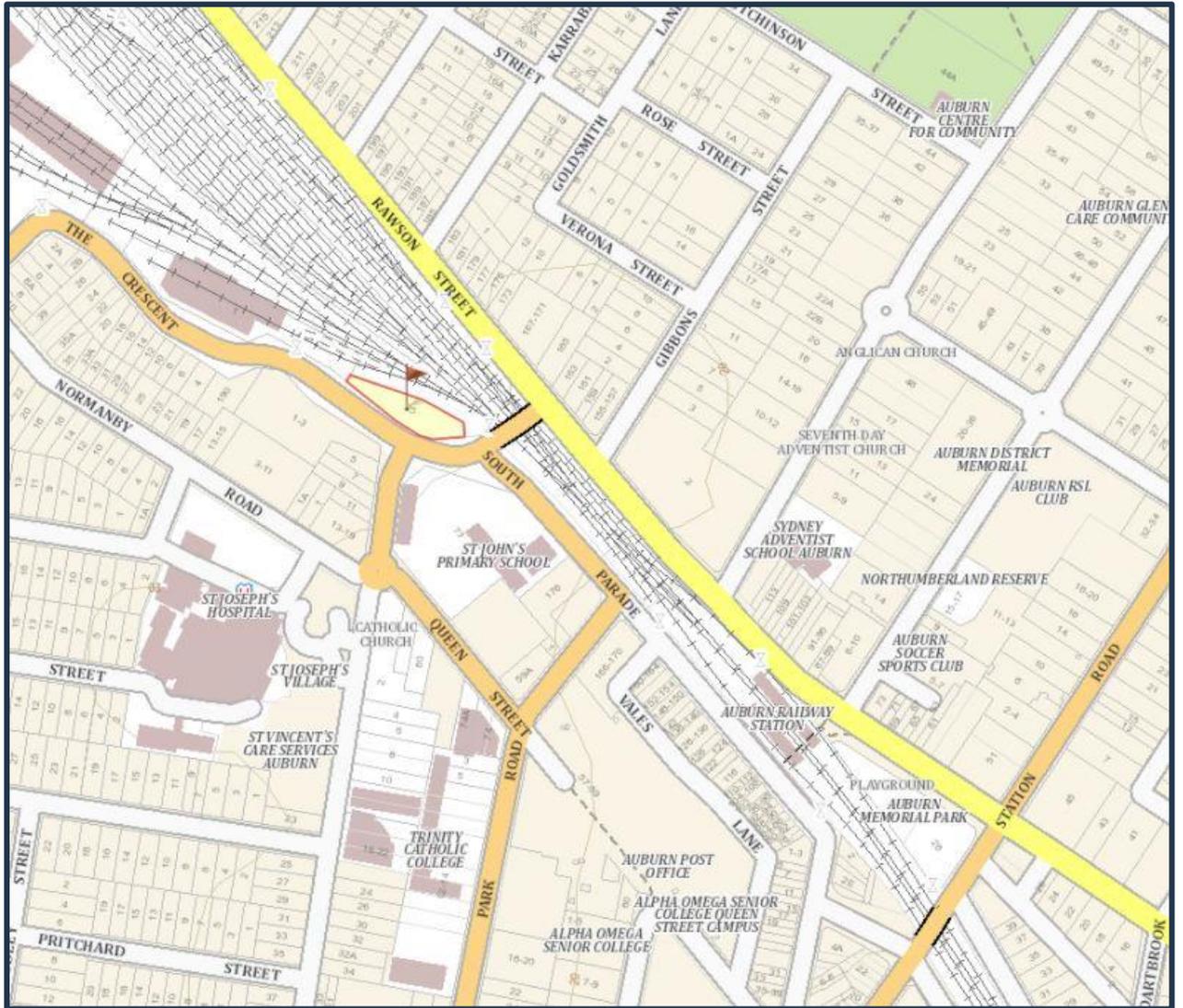


Figure 1: Location and Context of the site (Source: Six maps)

The site is commonly known as 25 South Parade, Auburn and legally described as Lot 2, DP806999. The site has an area of approximately 1,598m<sup>2</sup> with a frontage of approximately 102.7m to South Parade. The site currently contains a two-storey office building and at grade car parking approved under **DA249/00**.

A site aerial of the site is provided in **Figure 2** below.



Figure 2: Site aerial outlining the site in blue (Source: Nearmap)

### Site History and Project Context

On 6 September 2000 development consent was issued by Council for the Construction of an office building and associated car parking area under **DA249/00**.

The building that was approved, and has since been constructed and occupied, is a two level commercial office building of around 860sqm GFA with around 22 outside car parking spaces. At the time of lodgement of the original DA in 2000 the land was zoned Special Uses (Railway) under the Auburn Planning Scheme.

The land was also affected by a draft Industrial 4(a) zone under a Draft LEP which would prohibit commercial office development.

Notwithstanding the draft industrial zone, Council's assessment report in 2000 noted some negative aspects to industrial use of the site namely:

*The shallow depth of the land is not conducive to industrial development and could result in a proposal for a factory facing onto the street with parking at the western end of the site. Such a proposal would likely have industrial access points in reasonable proximity to the Alice Street traffic lights and road bridge over the railway lines.*

*Industrial development on the opposite side of the road to future residential flats is not desirable. The proposal for an office development is considered to be more compatible with the nearby residential uses.*

The report also noted that the *“site is within easy walking distance to Auburn Railway station and business area. Accordingly, the site is considered to be suitable for office development.”*

The site is on the fringe of the Auburn Town Centre immediately west of the B4 Mixed Use zone on the other side of South Parade and around 350m from Auburn Station. The approved and existing use of the site for commercial offices compliments the general strategic principles under the regional and district plans of land use and transport integration – namely promoting higher density employment and living spaces within walking distance of major public transport infrastructure.

The Planning Proposal seeks to facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises consistent with previous approvals for the site and the surrounding context.

### **Existing Zoning and Surrounding Context**

The site is zoned IN1 General Industrial pursuant to the Cumberland LEP 2021. The surrounding area is zoned as follows:

- North – SP2 Infrastructure (Railway);
- South – R3 Medium Density Residential and B4 Mixed Use; and
- West – IN1 General Industrial and R3 Medium Density Residential.

The zoning of the site and surrounding area is detailed in **Figure 3** below.

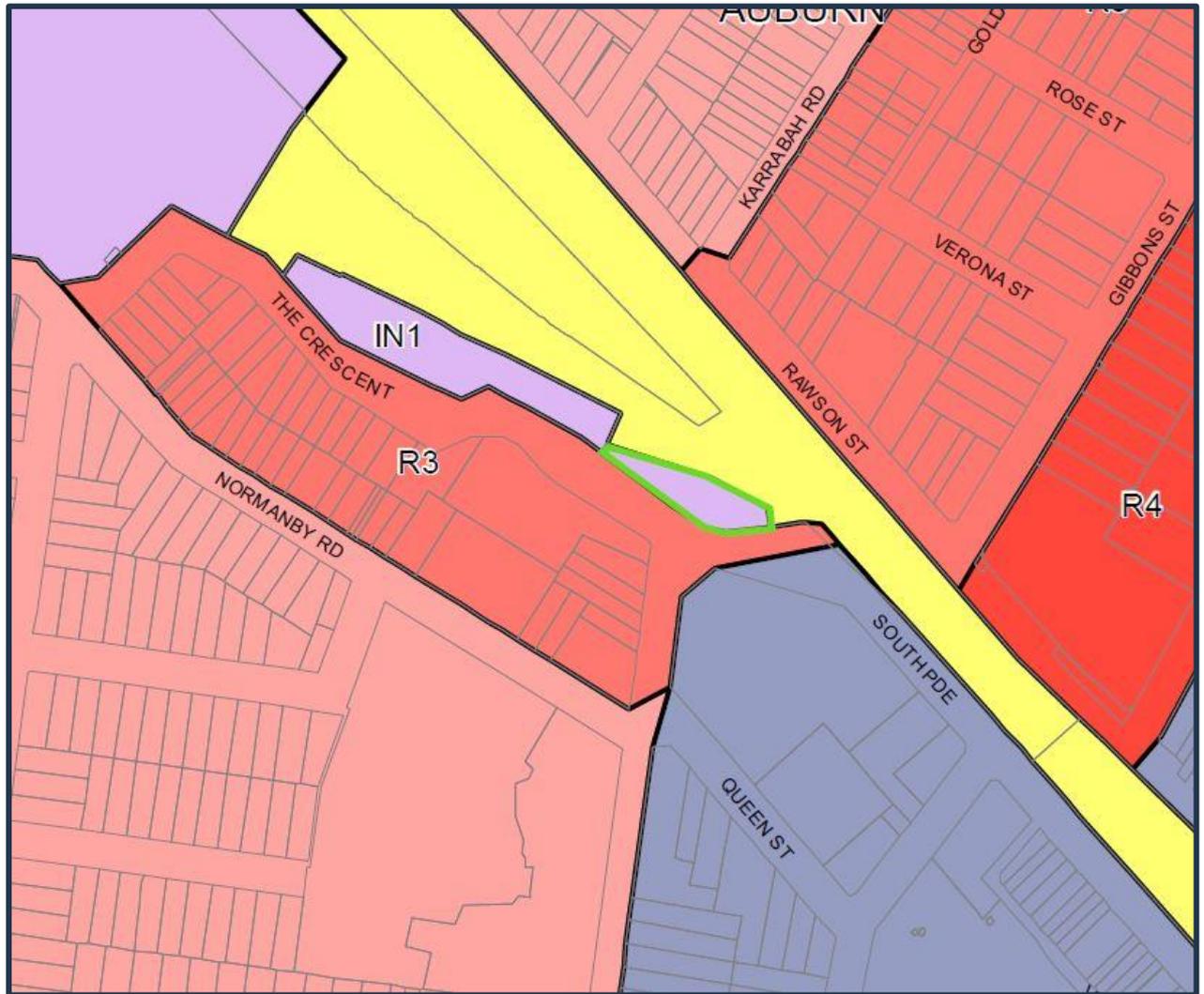


Figure 3: Zoning Map with the site outlined in green (Source: NSW Legislation)

### Proposed Amendments

The intent of the planning proposal is to facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises that are consistent with development in the surrounding area and the surrounding context based on the site's proximity to the Auburn Town Centre. To achieve the intended outcome the planning proposal seeks to amend the Cumberland Local Environmental Plan (LEP) 2021 to include additional permitted uses of health services facilities, office and business premises at 25 South Parade, Auburn.

In summary the project objectives and intended outcomes will be achieved by:

- Amending the Cumberland LEP 2021 Additional Permitted Uses Map for the subject site (Sheet APU\_012) to identify the site for additional permitted uses referenced in Schedule 1 of the LEP.
- Amending Schedule 1 of the Cumberland LEP 2021 – to include a provision relating to the subject site that would permit development for the purposes of health services facilities, office and business premises.



## **PART 1 – Objectives and Intended Outcomes**

The planning proposal seeks to amend the Cumberland Local Environmental Plan (LEP) 2021 to include additional permitted uses of health services facilities, office and business premises at 25 South Parade, Auburn.

The project objective and intended outcome for the planning proposal is to facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises that are consistent with development in the surrounding area and the surrounding context based on the site's proximity to the Auburn Town Centre.

The subject site is currently zoned IN1 General Industrial under the provisions of the Cumberland LEP 2021. Health services facilities, office and business premises are prohibited in the IN1 General Industrial zone. The site is bound by the Main Suburban Railway to the north and represents a small portion of industrial zoned land surrounding by R3 Medium Density Residential and B4 Mixed Use zoning reflected by its proximity to the Auburn Town Centre.

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 the existing 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.

The planning proposal seeks to include the additional permitted uses health services facilities, office and business premises on the site. The proposed additional permitted uses are consistent with the relevant objectives of the IN1 General Industrial zone under the Cumberland LEP 2021 as follows:

- Based on the location and characteristics of the site the uses will not impede on the ability for adjoining industrial land to be accommodate a wide range of industrial and warehouse land uses;
- The proposed uses will provide a range of employment opportunities for the community;
- The additional permitted uses pathway ensures the site maintains and protects the industrial zoning of the land allowing the site to be developed for industrial purposes if required;
- Based on the location and characteristics of the site the uses proposed will not adversely impact on surrounding land uses; and
- The proposed uses will facilities or services to meet the day to day needs of workers and residents in the area.

## PART 2 – Explanation of Provisions

This Section In summary the project objectives and intended outcomes will achieved by:

- Amending the Cumberland LEP 2021 Additional Permitted Uses Map for the subject site (Sheet APU\_012) to identify the site for additional permitted uses referenced in Schedule 1 of the LEP.
- Amending Schedule 1 of the Cumberland LEP 2021 – to include a provision relating to the subject site that would permit development for the purposes of health services facilities, office and business premises.

Thumbnail mapping of the above intended outcomes is provided below.

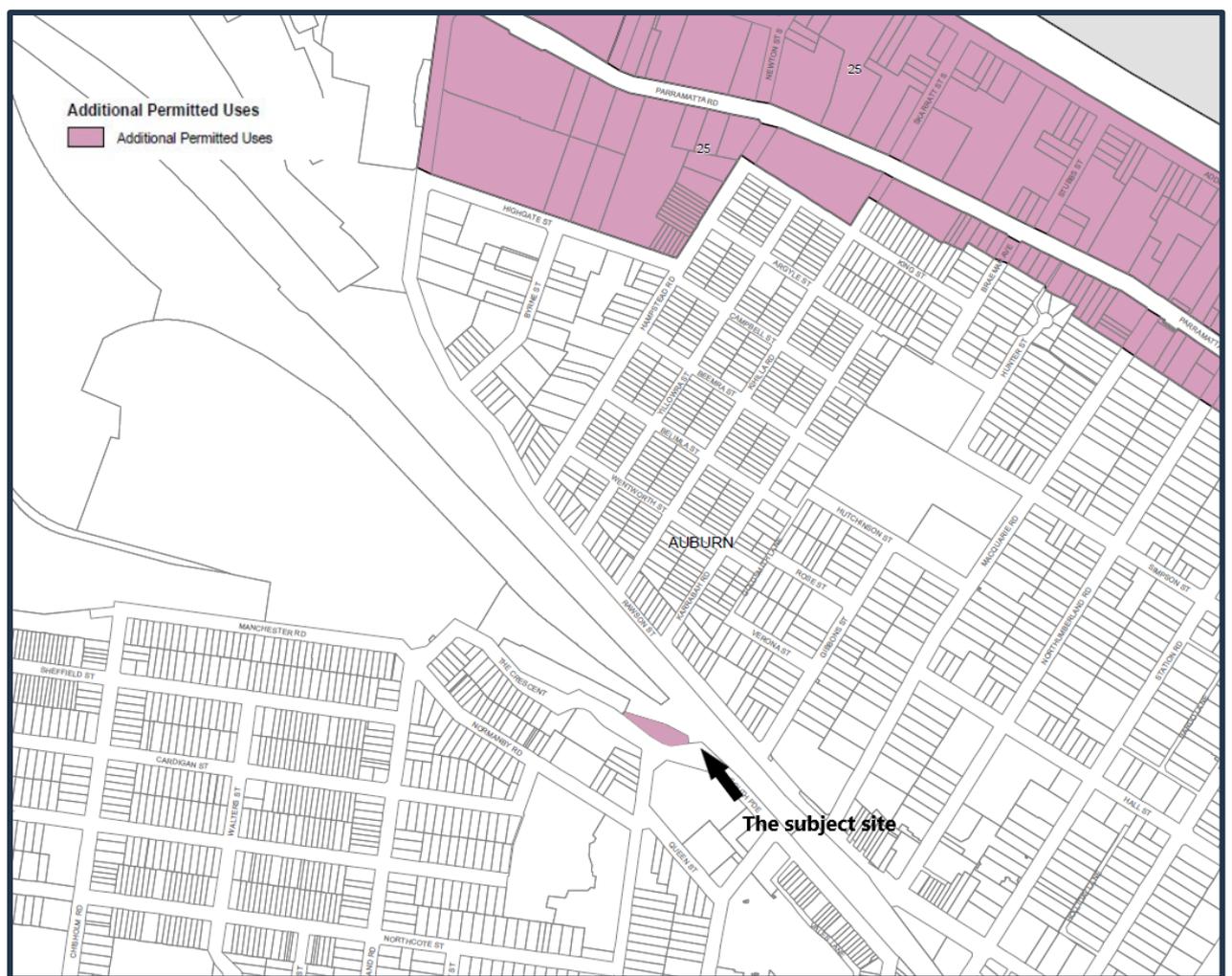


Figure 4: Proposed Additional Permitted Uses Map

### **PART 3 – Justification of Strategic and Site-Specific Merit**

This section establishes the reasons for the proposed outcomes of the planning proposal and proposed amendments of the LEP. It addresses the key questions to be considered when demonstrating the justification as outlined in the Local Environmental Plan Making Guideline.

The key questions outlined relate to 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.

#### **A. NEED FOR PLANNING PROPOSAL**

##### **QUESTION 1 – Is the planning proposal a result of an endorsed LSPS, strategic study or report?**

The Planning Proposal is not a result of any specific strategic study or report however a number of specialist studies have been undertaken in support of the proposal that demonstrate the suitability of the site for the additional permitted uses of health services facilities, office and business premises. The specialist studies are provided as Appendices to this report.

In addition, a comprehensive assessment of the proposal has been undertaken against the strategic planning strategies and policies relevant to the site which is provided in the following sections of this report. The assessment has found that the Planning Proposal is generally consistent with the relevant objectives and actions of the key planning strategies and policies relevant to the site which are as follows:

- Greater Sydney Region Plan;
- Central City District Plan;
- Cumberland Local Strategic Planning Statement;
- Cumberland Employment and Innovation Lands Strategy; and
- The Greater Sydney Commission ‘retain and manage’ policy position for industrial lands review.

##### **QUESTION 2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

There are three options that could apply to the site regarding its potential development. These are as follows:

#### **Option 1: Do Nothing**

This option does not promote the social and economic potential of the site which currently contains a commercial building on a site that has not been used for industrial purposes for an extended period of time. The site is located in close proximity to existing health services facilities, schools and the Auburn Town Centre representing a unique opportunity to facilitate further health services facilities, office and business premises in an accessible location.

#### **Option 2 – Lodge a Development Application**

A Development Application is not viable as the current zoning does not allow for the development envisaged and no other alternate pathway under current legislation would facilitate the intended outcomes. Therefore, the planning proposal is the most efficient and time effective approach to delivering the outcomes envisaged for the site.

### **Option 3 – Planning Proposal**

The planning proposal is the best means to achieve the intended outcomes of the site and is the most efficient and time effective way of doing so.

## **B. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK**

**Question 3 – Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?**

The Planning Proposal is consistent with the Greater Sydney Region Plan and the North District Plan.

### **Central City District Plan**

The Central City District Plan is a guide for the implementation of *A Metropolis of Three Cities* – the Greater Sydney Region Plan at a district level.

*A Metropolis of Three Cities* – the Greater Sydney Region Plan was implemented by the Greater Sydney Commission and is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. To meet the needs of a growing and changing population the vision seeks to transform Greater Sydney into a metropolis of three cities:

- the Western Parkland City
- the Central River City
- the Eastern Harbour City.

Greater Sydney's three cities reach across five districts: Western City District, Central City District, Eastern City District, North District and South District.

The Central City District consists of the Blacktown, Cumberland, Parramatta and The Hills Local Government Areas and contains the subject site.

The Central City District Plan is structured to implement the aim of the Greater Sydney Region Plan to provide cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. This is to be achieved through a number of planning priorities detailed in the plan. The proposed development is considered to be consistent with the objectives of the plan and a number of planning priorities.

The table below details the relevant planning priorities of the Central City District Plan and the proposal’s consistency with those priorities.

<b>Table 1: Consistency with the Central City District Plan</b>	
<b>Planning Priority</b>	<b>Comment</b>
<p><b>Planning Priority N1</b> – Planning for a city supported by infrastructure</p> <p><b>Planning Priority N2</b> – Working through Collaboration</p> <p><b>Planning Priority N3</b> – Providing services and social infrastructure to meet people’s changing needs</p> <p><b>Planning Priority N4</b> – Fostering healthy, creative, culturally rich and socially connected communities</p>	<p>The planning proposal is consistent with the planning priorities as it will utilize the existing building onsite and existing infrastructure within the surrounding area to the additional permitted uses onsite that are consistent with the surrounding context and streetscape. The additional permitted uses will provide additional services and facilities to the workers and residents in the area. The proposal will not result in development that will adversely impact on the delivery of local, district or metropolitan infrastructure. Any future development application will need to demonstrate that adequate arrangements can be made to service the development.</p> <p>The proposal will facilitate the use of the existing building and site to provide additional services and facilities in close proximity to existing and future residential areas, existing health services facilities and the Auburn Town Centre. The proposal represents a unique opportunity to provide additional social infrastructure in close proximity to residential development and employment opportunities within an accessible location achieving the key objective of a 30-minute city. The provision of additional health services facilities in the area ensures a healthy and socially connected community can be fostered within the locality.</p>
<p><b>Planning Priority N5</b> – Providing housing supply, choice and affordability with access to jobs, services and public transport.</p>	<p>The planning proposal is not inconsistent with the planning priority as it will provide services and employment opportunities in close proximity to residential land and public transport.</p>
<p><b>Planning Priority N6</b> – Creating and renewing great places and local centres, and respecting the District’s heritage</p>	<p>The planning proposal is not inconsistent with the planning priority as it involves the use of an existing building onsite providing activation of the site and providing the highest and best use of the site based on its location and context.</p>
<p><b>Planning Priority N7</b> - Growing a stronger and more competitive Greater Parramatta</p>	<p>The proposal is not inconsistent with the planning priorities as it will strengthen the offering of health services facilities and office space in close proximity to residential land, public transport and employment land within Auburn.</p>

Table 1: Consistency with the Central City District Plan	
Planning Priority	Comment
<p><b>Planning Priority N8</b> - Delivering a more connected and competitive GOP Economic Corridor</p> <p><b>Planning Priority N9</b> - Delivering integrated land use and transport planning and a 30-minute city</p> <p><b>Planning Priority N10</b> - Growing investment, business opportunities and jobs in strategic centres</p> <p><b>Planning Priority N11</b> - Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services</p> <p><b>Planning Priority N12</b> - Supporting growth of targeted industry sectors</p>	<p>The planning proposal is consistent with the planning priority as it will provide additional services and facilities in close proximity to residential development, employment land within an accessible location achieving the key objective of a 30-minute city.</p> <p>The planning proposal is consistent with the planning priority as it will provide additional services and facilities in close proximity to residential development and the Auburn Town Centre. The proposal will provide ancillary land uses that positively contribute to the Auburn Town Centre and existing health services facilities that are located in close proximity to the site.</p> <p>The proposal is not inconsistent with the planning priority as it retains the industrial zoning of the site facilitating uses that are consistent with the characteristics and context of the site.</p> <p>The proposal is consistent with the planning priority as it seeks to co-locate additional health services facilities in close proximity to existing health services facilities in an accessible location.</p>
<p><b>Planning Priority N13</b> - Protecting and improving the health and enjoyment of the District’s waterways</p> <p><b>Planning Priority N14</b> - Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element</p> <p><b>Planning Priority N15</b> - Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</p>	<p>The proposal is not inconsistent with the planning priorities as it will facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises. The future uses of the site will be wholly accommodated within the existing building and will not impact on bushland, biodiversity or open space within the surrounding area.</p>

Table 1: Consistency with the Central City District Plan	
Planning Priority	Comment
<p><b>Planning Priority N16</b> - Increasing urban tree canopy cover and delivering Green Grid connections</p> <p><b>Planning Priority N17</b> - Delivering high quality open space</p>	
<p><b>Planning Priority W18</b> - Better managing rural areas</p>	<p>The proposal is not inconsistent with this planning principle as it relates to an established urban area and will not impact on the management of existing rural areas.</p>
<p><b>Planning Priority N19</b> - Reducing carbon emissions and managing energy, water and waste efficiently</p> <p><b>Planning Priority N20</b> - Adapting to the impacts of urban and natural hazards and climate change</p>	<p>The proposal is not inconsistent with the planning principles as it will utilise an existing building onsite that ensures future development utilises existing infrastructure reducing carbon emissions, managing energy and waste efficiently.</p>
<p><b>Planning Priority N21</b> - Preparing local strategic planning statements informed by local strategic planning</p> <p><b>Planning Priority N22</b> - Monitoring and reporting on the delivery of the plan</p>	<p>The planning proposal is consistent with the Cumberland local strategic planning statement.</p>

**QUESTION 4 – Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?**

#### **Cumberland Local Strategic Planning Statement (LSPS)**

Cumberland 2030: Our Local Strategic Planning Statement is the Local Strategic Planning Statement that plans for the Cumberland area’s economic, social and environmental land use needs over the next 10 years, and is aligned to the 20 year vision for Cumberland. It sets clear planning priorities about what will be needed, such as jobs, homes, services and parks. Cumberland 2030 also sets out actions to deliver the priorities for the community’s future vision.

The LSPS is structured around the following four key themes:

- Development and Infrastructure;
- Jobs and Investment;
- Environment and Open Spaces; and
- Traffic and Transport.

The planning proposal is consistent with the objectives and key themes of the statement. An assessment of the proposal against the key planning priorities of the LSPS is provided in the table below.

Table 2: Consistency with the Cumberland Local Strategic Planning Statement	
Planning Priority	Comment
<p>1. Strengthening Cumberland's position in the district through collaboration</p> <p>2. Advocating for a range of transport options that connect our town centres and employment hubs, both locally and to Greater Sydney</p>	<p>The proposal is not inconsistent with the planning priorities as it will facilitate the use of the existing building and site to provide additional services and facilities in close proximity to existing and future residential areas, existing health services facilities and the Auburn Town Centre. The proposal represents a unique opportunity to provide additional social infrastructure in close proximity to residential development and employment opportunities within an accessible location achieving the key objective of a 30-minute city.</p>
<p>3. Aligning local infrastructure delivery with planned growth</p> <p>4. Improving accessibility within our town centres to accommodate the changing structure of families and households and enable ageing in place</p>	<p>The planning proposal is consistent with the planning priorities as it will utilize the existing building onsite and existing infrastructure within the surrounding area to the additional permitted uses onsite that are consistent with the surrounding context and streetscape. The additional permitted uses will provide additional services and facilities to the workers and residents in the area. The proposal will not result in development that will adversely impact on the delivery of local, district or metropolitan infrastructure. Any future development application will need to demonstrate that adequate arrangements can be made to service the development.</p> <p>The proposal will facilitate the use of the existing building and site to provide additional services and facilities in close proximity to existing and future residential areas, existing health services facilities and the Auburn Town Centre. The proposal represents a unique opportunity to provide additional social infrastructure in close proximity to residential development and employment opportunities within an accessible location achieving the key objective of a 30-minute city. The provision of additional health services facilities in the area ensures a healthy and socially connected community can be fostered within the locality.</p>

**Table 2: Consistency with the Cumberland Local Strategic Planning Statement**

Planning Priority	Comment
	<p>The subject site forms a tiny part of the Clyde Marshalling Yards, which is of archaeological value under the CLEP 2021 however the proposal only relates to additional permitted uses which would utilise the existing built form onsite and therefore will not adversely impact on the heritage significance or character of the area.</p>
<p>5. Delivering housing diversity to suit changing needs</p> <p>6. Delivering affordable housing suitable for the needs of all people at various stages of their lives</p>	<p>The planning proposal is not inconsistent with the planning priorities as it will provide services and employment opportunities in close proximity to residential land and public transport.</p>
<p>7. Design vibrant and attractive centres and encourage healthy living</p> <p>8. Celebrating our natural, built and cultural diversity</p> <p>9. Providing high quality, fit-for-purpose community and social infrastructure in line with growth and changing requirements</p>	<p>The proposal is consistent with the planning priorities as it involves the use of an existing building onsite providing activation of the site and providing services and facilities in proximity to residential development and the Auburn Town Centre. The proposal will provide additional ancillary services and facilities that will positively contribute to the vitality and viability of the Auburn Town Centre whilst providing for the existing and future needs of the community.</p>
<p>10. Supporting a strong and diverse local economy across town centres and employment hubs</p> <p>11. Promoting access to local jobs, education opportunities and care services</p> <p>12. Facilitating the evolution of employment and innovation lands to meet future needs</p>	<p>The proposal is consistent with the planning priorities as it seeks to facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises that are consistent with development in the surrounding area and the surrounding context based on the site's proximity to the Auburn Town Centre.</p> <p>The subject site is currently zoned IN1 General Industrial under the provisions of the Cumberland LEP 2021. Health services facilities, office and business premises are prohibited in the IN1 General Industrial zone. The site is bound by the Main Suburban Railway to the north and represents a small portion of industrial zoned land surrounding by R3 Medium Density Residential and B4 Mixed Use zoning reflected by its proximity to the Auburn Town Centre.</p>

Table 2: Consistency with the Cumberland Local Strategic Planning Statement	
Planning Priority	Comment
	The site has not been utilised for industrial purposes for an extended period of time and has accommodated commercial uses consistent with the site’s location in proximity to the Auburn Town Centre. The site is located in close proximity to existing health services facilities, schools and the Auburn Town Centre representing a unique opportunity to facilitate further health services facilities, office and business premises in an accessible location. The proposal will promote access to local employment and health care opportunities in proximity to residential development.
<p><b>13.</b> Protecting, enhancing and increasing natural and green spaces</p> <p><b>14.</b> Improving access to and health of waterways</p> <p><b>15.</b> Planning for a resilient city that can adapt to natural hazards and climate change</p> <p><b>16.</b> Supporting urban cooling to minimise heat island effects</p>	The proposal is not inconsistent with the planning priorities as it will facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises. The future uses of the site will be wholly accommodated within the existing building and will not impact on bushland, biodiversity or open space within the surrounding area.

### Cumberland Employment and Innovation Lands Strategy

The Cumberland Employment and Innovation Lands Strategy presents a strategic and coordinated approach developed by Council in consultation with the community and industry to support future economic opportunities for Cumberland that will continue to make the area an attractive place for residents, workers and visitors.

The Strategy outlines the land use approach for employment and innovation land precinct across the Cumberland area as well as other actions and services which can be implemented by Council that complement land use development for these areas.

The Strategy aligns with the work of the Greater Sydney Commission and the Central City District Plan by maintaining existing employment and innovation lands in Cumberland, and providing a strategic framework that can support growth and maximise opportunities for the Cumberland area.

The planning proposal is considered to be consistent with the objectives of the plan and a number of planning priorities. The table below details the relevant planning priorities of the strategy and the proposal’s consistency with those priorities.

<b>Table 3: Consistency with the Cumberland Employment and Innovation Lands Strategy</b>	
<b>Planning Priority</b>	<b>Comment</b>
<b>1.</b> Elevating the strategic importance of Cumberland’s employment and innovation lands within the context of strategic planning for Greater Sydney and the Central City District and identify their role and function	The planning proposal is not inconsistent with the planning priority as it will provide for additional employment generating land uses in proximity to the Auburn Town Centre and established residential areas. The site is not of a sufficient size or configuration to accommodate industrial, or innovation lands and the planning proposal seeks to provide the highest and best use of the site with regards to its location and context. The proposal will maintain its existing industrial zoning whilst providing land uses that complement the site’s location providing ancillary uses to the Auburn Town Centre and nearby health services facilities.
<b>2.</b> Recognising the importance of the freight network in supporting the ongoing viability of employment and innovation lands to ensure the major freight routes and facilities are not unnecessarily constrained by residential growth in the vicinity	The planning proposal is not inconsistent with the planning priority as the proposed use of the site will not impede on the operation or importance of the freight network within the area.  The site is bound by the Main Suburban Railway to the north and represents a small portion of industrial zoned land surrounding by R3 Medium Density Residential and B4 Mixed Use zoning reflected by its proximity to the Auburn Town Centre. The site is therefore constrained and cannot provide industrial land uses that will positively contribute to the freight network and it is therefore proposed to accommodate land uses that will provide services and facilities to cater to the needs of workers and residents in the area.
<b>3.</b> Seeking new ways of facilitating the growth of innovative businesses through the use of planning mechanisms and policies.	The planning proposal is consistent with the planning priority as it will enable the site to provide additional employment generating land uses that provide services and facilities that cater to the existing and future needs of workers and residents in the area. The proposal will allow for the co-location of health services facilities in close proximity to existing health services facilities in the area.
<b>4.</b> Ensuring the land use planning framework for employment and innovation lands promotes innovation and target industries.	This will ensure that workers and residents are provided with a range of services and facilities whilst also

Table 3: Consistency with the Cumberland Employment and Innovation Lands Strategy	
Planning Priority	Comment
	encouraging further employment generating uses, industries and investment in the area.
5. Promoting the health of employment and innovation lands in response to population growth, land use change and infrastructure provision.	The proposal is consistent with the planning priority as it retains the industrial zoning of the site whilst facilitating uses that provide employment opportunism in proximity to the Auburn Town Centre and residential zoned land. The proposal will encourage investment within the area and promote the health and viability of employment land in the area.

### The Greater Sydney Commission’s ‘retain and manage’ policy position for industrial lands

Since mid-2021, the Commission has been leading a multi-agency review of the Industrial and Urban Services Lands Retain and Manage policy (the Policy) under the Greater Sydney Region Plan. The Policy applies to 159 industrial areas in Greater Sydney.

The review of the Policy (the Review) responds to Recommendation 7.5 of the NSW Productivity Commission's 2021 White Paper:

*"Evaluate the retain-and-manage approach to managing industrial and urban services land in Greater Sydney against alternative approaches, to identify what would maximise net benefits to the State. Adopt the approach that maximises the State's welfare in the next update to the Greater Sydney Region Plan."*

The Review has identified the need to evolve the Policy to respond to the changing nature of land use needs in Greater Sydney. It has highlighted the importance of a policy that considers the future needs of the city - one that ensures a connected, productive, and effective network of industrial lands.

The current Policy has been successful in providing certainty and a clear market signal for landowners to invest in industrial development, while reducing unproductive land speculation that was at odds with the strategic vision for Greater Sydney. An update to the Policy will enable the continued protection of industrial lands, while maximising the productivity of these lands for the State’s welfare.

The review is still being undertaken however in April 2022 key points for consideration for the evolution of the policy were provided for consideration. The table below details the relevant considerations of the review and the proposal’s consistency with those considerations.

<b>Table 4: Consistency with the Greater Sydney Commission’s ‘retain and manage’ policy position review for industrial lands – April 2022</b>	
<b>Key Finding / Consideration</b>	<b>Comment</b>
<b>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</b>	The proposal is generally consistent with the consideration as it maintains and protects the industrial zoning of the land whilst providing additional permitted uses that are compatible with the site’s location and context. The additional permitted uses will provide ancillary services and facilities that will contribute to the vitality and viability of the surrounding industrial land and nearby Auburn Town Centre.
<b>The importance of supporting economic resilience and future business investment, especially at a time when there is increased demand for industrial lands.</b>	The proposal is generally consistent with the consideration as it maintains and protects the industrial zoning of the land allowing it to be developed for industrial purposes in the future if required. The additional permitted uses pathway allows the site to be utilised for purposes where there is a demonstrated need whilst protecting the industrial zoning of the site.
<b>There are circumstances where some industrial lands could transition to alternative uses, including residential, office and medical/health services.</b>	The proposal is consistent with the consideration as it allows for the alternative use of the site for health services facilities, office and business premises that are compatible with the site’s location and context whilst retaining the industrial zoning of the site.
<b>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.</b>	The proposal is consistent with the consideration as the site is bound by the Main Suburban Railway to the north and represents a small portion of industrial zoned land surrounding by R3 Medium Density Residential and B4 Mixed Use zoning reflected by its proximity to the Auburn Town Centre. The proposal will maintain the industrial zoning of the land whilst providing additional permitted uses that are compatible with the site’s location and context. The proposal will not result in the encroachment of competing uses on industrial land as the zoning of the site will be maintained and the site is appropriately separated from other nearby industrial zoned land.

**QUESTION 5 – Is the planning proposal consistent with any other applicable State and regional studies or strategies?**

**Greater Sydney Region Plan**

Greater Sydney Region Plan was finalised in March 2018 and replaces the former *A Plan for Growing Sydney (2014)*. This Plan sets the vision and the overarching planning framework to guide future transport,

infrastructure, and development in Greater Sydney in concurrence with Future Transport 2056 and State Infrastructure Strategy.

The Plan provides planning priorities that will direct Sydney’s growth over the next 20 years. The Region Plan identifies the overarching directions and objectives to guide growth in the Sydney region. These directions have then been used to provide more specific detail to guide growth and land use decisions in each of the districts through the relevant District Plans. As outlined further in this report, the Planning Proposal is consistent with the relevant Directions and Actions in the District Plan and therefore is consistent with the Region Plan.

### **Future Transport 2026**

The NSW Governments “*Future Transport 2056*” was released in 2018 and is an overarching strategy, supported by a suite of plans to achieve a 40-year vision for the NSW transport system. The strategy considers:

- the future road network throughout Sydney
- future light and heavy rail networks
- a future rapid bus and ferry network
- bicycle network, and
- freight network.

The proposal is considered to be generally consistent with the key objectives of the strategy as outlined in the Traffic and Parking Assessment prepared by ML Traffic (**Appendix E**) which makes the following conclusions:

- The site has excellent access to public transport options and there is available on-street parking on South Parade and a public car park located on Alice Street in proximity to the site;
- The two nearby intersections have good level of service with additional spare capacity;
- In order to provide pedestrian safety and to encourage public transport use associated with the proposed future uses of the site it is recommended that a pedestrian crossing on the western approach of South Parade is provided. This is an existing infrastructure deficiency that can be addressed under a future development application for the proposed uses onsite;
- The car parking requirements specified in the Cumberland Development Control Plan 2021 can be met onsite. The proposed car parking provisions are considered acceptable.
- The proposed uses are expected to generate low numbers of additional trips in the AM and PM peak periods and the additional trips can be accommodated on the nearby intersections without significantly affecting the performance of any turn movements, approach arm or the overall operation of the intersection.

### **QUESTION 6 – Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

The Planning Proposal is consistent with the relevant State Environmental Planning Policies (SEPPs) that apply to the site. A detailed list of the SEPPs and commentary is provided in the table below:

<b>Table 5: Consistency with Relevant State Environmental Planning Policies (SEPPs)</b>		
<b>SEPP</b>	<b>Aim</b>	<b>Comment</b>
<b>SEPP (Resilience and Hazards) 2021</b>	<p><b>Chapter 4 – Remediation of land</b></p> <p>Chapter 4 of this Policy provides a state-wide planning approach to remediation and aims to promote the remediation of any contaminated land for the purpose of reducing the risk of harm to human health and/or the environment.</p> <p>A planning authority is to consider whether the land is contaminated and if so whether it is, or can be made, suitable for the proposed land uses.</p>	<p>The subject site is not located within an investigation area and the proposal seeks the inclusion of additional permitted uses that are consistent with the existing use of the site. The proposed future uses will be accommodated within the existing building onsite and therefore the site is considered suitable for the intended use and no further investigation is deemed necessary.</p>
<b>SEPP (Industry and Employment) 2021</b>	<p><b>Chapter 3 – Advertising and Signage</b></p> <p>The aim of this policy is to regulate signage, ensure it is of a high-quality design and finish, provides effective communication in suitable locations and is compatible with the desired visual character.</p>	<p>The planning proposal does not preclude future development on the site of complying with the SEPP. All future applications for signage and advertisement on the site will need to be consistent with the relevant provisions of this SEPP.</p>
<b>SEPP (Transport and Infrastructure) 2021</b>	<p><b>Chapter 2 – Infrastructure</b></p> <p>Chapter 2 of SEPP (Transport and Infrastructure) 2021 aims to identify matters to be considered in the assessment of development adjacent to types of infrastructure development</p>	<p>The Planning Proposal is consistent with Chapter 2 of the SEPP as it will not adversely impact on any existing or future infrastructure onsite or within the surrounding area. A Traffic and Parking Assessment has been prepared by ML Traffic and is provided in <b>Appendix F</b>. The report concludes that the planning proposal is acceptable from a traffic and parking perspective and future development applications for the site will result in improved pedestrian infrastructure.</p>
<b>SEPP (Biodiversity and</b>	<b>Chapter 10 – Sydney Harbour Catchment</b>	

Table 5: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
<b>Conservation) 2021</b>	Chapter 1 of SEPP (Biodiversity and Conservation) 2021 aims to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained.	Any future development will include appropriate stormwater management systems that are designed to ensure there are no adverse on the Sydney Harbour catchment area. The proposal is therefore not inconsistent with Chapter 10 of the SEPP.
<b>SEPP (Exempt and Complying Codes) 2008</b>	The aims of this policy are to provide exempt and complying development codes that have State-wide application.	The Planning Proposal is not inconsistent with this SEPP which would apply to future development.

**QUESTION 7 – Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?**

The Planning Proposal is generally consistent with the applicable Section 9.1 directions issued by the Minister for Planning. A statement of the consistency of this Planning Proposal with the relevant directions to this planning proposal is provided in the table below:

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions		
Direction	Requirement	Comment
<b>Focus Area 1 – Planning Systems</b>		
<b>1.1 Implementation of Regional Plans</b>	Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	The proposal is generally consistent with this direction as it is consistent with the Greater Sydney Region Plan as detailed above.
<b>1.4 Site Specific Provisions</b>	(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:  (a) allow that land use to be carried out in the zone the land is situated on, or  (b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any	

**Table 6: Consistency with Relevant Section 9.1 Ministerial Directions**

Direction	Requirement	Comment
	<p>development standards or requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	<p>The planning proposal to amend the Cumberland Local Environmental Plan (LEP) 2021 to include additional permitted uses of health services facilities, office and business premises. The planning proposal will provide a site-specific provision for the site allowing the additional permitted uses of health services facilities, office and business premises whilst maintaining the industrial zoning of the site and is therefore inconsistent with this direction.</p> <p>The subject site is currently zoned IN1 General Industrial under the provisions of the Cumberland LEP 2021. Health services facilities, office and business premises are prohibited in the IN1 General Industrial zone. The site is bound by the Main Suburban Railway to the north and represents a small portion of industrial zoned land surrounding by R3 Medium Density Residential and B4 Mixed Use zoning reflected by its proximity to the Auburn Town Centre.</p>

**Table 6: Consistency with Relevant Section 9.1 Ministerial Directions**

Direction	Requirement	Comment
		<p>The site has not been utilised for industrial purposes for an extended period of time and has accommodated commercial uses consistent with the site’s location in proximity to the Auburn Town Centre. The site is located in close proximity to existing health services facilities, schools and the Auburn Town Centre representing a unique opportunity to facilitate further health services facilities, office and business premises in an accessible location.</p> <p>The site-specific provision relating to the site is of minor significance as the industrial zoning of the site will be maintained, the additional permitted uses are generally consistent with the existing use of the site as approved under <b>DA249/00</b> and the additional permitted uses will provide additional services and facilities that positively contribute to the vitality and viability of the nearby Auburn Town Centre.</p>
<b>Focus Area 4 – Resilience and Hazards</b>		
<p><b>4.4 Remediation of Contaminated Land</b></p>	<p>(1) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <ul style="list-style-type: none"> <li>(a) the planning proposal authority has considered whether the land is contaminated, and</li> <li>(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will</li> </ul>	<p>The subject site is not located within an investigation area and the proposal seeks the inclusion of additional permitted uses that are consistent with the existing use of the site. The proposed future uses will be accommodated within the existing building onsite and therefore the site is considered suitable for the intended use and no further investigation is deemed necessary.</p>

**Table 6: Consistency with Relevant Section 9.1 Ministerial Directions**

Direction	Requirement	Comment
	<p>be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</p> <p>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.</p> <p>In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p> <p>(2) Before including any land to which this direction applies in a particular zone, the planning proposal 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.</p>	
<b>Focus Area 5 – Transport and Infrastructure</b>		
<p><b>5.1 Integrating Land Use and Transport</b></p>	<p>(1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p>	<p>The Planning Proposal is consistent with the direction as it will facilitate future employment generating land uses in an accessible location that will not adversely impact on the existing or future transport network.</p> <p>A Traffic and Parking Assessment has been prepared by ML Traffic in support of the proposal and is provided in <b>Appendix E</b>. The report makes the following conclusions:</p> <ul style="list-style-type: none"> <li>• The site has excellent access to public transport options and there is</li> </ul>

**Table 6: Consistency with Relevant Section 9.1 Ministerial Directions**

Direction	Requirement	Comment
		<p>available on-street parking on South Parade and a public car park located on Alice Street in proximity to the site;</p> <ul style="list-style-type: none"> <li>• The two nearby intersections have good level of service with additional spare capacity;</li> <li>• In order to provide pedestrian safety and to encourage public transport use associated with the proposed future uses of the site it is recommended that a pedestrian crossing on the western approach of South Parade is provided. This is an existing infrastructure deficiency that can be addressed under a future development application for the proposed uses onsite;</li> <li>• The car parking requirements specified in the Cumberland Development Control Plan 2021 can be met onsite. The proposed car parking provisions are considered acceptable.</li> <li>• The proposed uses are expected to generate low numbers of additional trips in the AM and PM peak periods and the additional trips can be accommodated on the nearby intersections without significantly affecting the performance of any turn movements, approach arm or the overall operation of the intersection.</li> </ul> <p>The planning proposal is therefore considered acceptable from a traffic and parking perspective. Future development applications on the site will result in improved pedestrian safety for the site and surrounding area.</p>

**Table 6: Consistency with Relevant Section 9.1 Ministerial Directions**

Direction	Requirement	Comment
<b>Focus Area 7 – Industry and Employment</b>		
<b>7.1 – Business and Industrial Zones</b>	<p>(1) A planning proposal must:</p> <ul style="list-style-type: none"> <li>a) give effect to the objectives of this direction,</li> <li>b) retain the areas and locations of existing business and industrial zones,</li> <li>c) not reduce the total potential floor space area for employment uses and related public services in business zones,</li> <li>d) not reduce the total potential floor space area for industrial uses in industrial zones, and</li> <li>e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary.</li> </ul>	<p>The planning proposal is consistent with this direction as follows:</p> <p>The proposal will encourage employment growth in a suitable area, protects employment land in business and industrial zones and supports the viability of nearby identified centres.</p> <p>The proposal retains the industrial zoning of the site whilst facilitating uses that are consistent with existing uses in the area.</p> <p>The proposal does not reduce the total potential floor space area for employment uses and related public services in business zones.</p> <p>The proposal retains the industrial zoning of the site whilst facilitating uses that are consistent with existing uses in the area and therefore does not reduce the total potential floor space area for industrial uses in industrial zones as the site can still be utilised for industrial purposes if required.</p> <p>The proposed use of the site is consistent with the relevant strategic planning framework applicable to the site and area as identified within this report.</p>

## C. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

**QUESTION 8 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

### Ecological Impacts

The planning proposal seeks facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises. The future uses of the site will not require the removal of any existing vegetation in the area and therefore will not have any adverse ecological impacts on the site or surrounding area.

**QUESTION 9 – Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

### Built Form and Context

The planning proposal seeks facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises that are consistent with development in the surrounding area and the surrounding context based on the site’s proximity to the Auburn Town Centre. The additional permitted uses will be wholly accommodated within the existing building onsite and will therefore be consistent with the built form and context of the surrounding area.

### Acoustic Impacts

An Acoustic Assessment has been prepared by Koikas Acoustics in support of the proposal and is provided in **Appendix C**. The assessment concludes that the proposal does not present an issue from an acoustical perspective and is likely to improve acoustic amenity for neighbouring land uses based on the following conclusions:

- Commercial building of this nature has substantially less potential for noise breakout compared to an industrial facility. Commercial activities associated with offices, health facilities and general business premises and associated noise are typically well contained within the building’s external envelope.

Furthermore, the majority of commercial premises are generally low noise environments. The only external noise generating source will be the mechanical plant and equipment required to service the building which is presumed to be largely existing. Comparatively speaking, industrial premises will typically offer several means for noise breakout such as from noisy works occurring in outdoor areas with semi-open workspaces, as well as from the mechanical plant and equipment required to service the building.

- Commercial premises will typically have more limited hours of operation and the building would rarely be used during early morning hours. This eliminates a major source of potential noise complaints, being early-morning noise generation.

- The subject site is located on a major railway corridor and main road. Due to the more stringent internal noise criteria associated with external noise intrusion for commercial spaces as opposed to industrial, the building may require additional noise attenuation measures to ensure compliance is achieved. This will be pending an additional noise intrusion assessment as the existing building may already be constructed to meet the relevant regulatory standards.

For the above reasons the Planning Proposal does not present an issue from an acoustical perspective and is likely to improve acoustic amenity for neighbouring land uses. The only foreseeable source of potential noise generation would be from the mechanical plant and equipment required to service the building, of which we would expect a suitable condition of consent to accompany any forthcoming Development Application (DA) for the proposed uses.

### **Traffic and Access**

A Traffic and Parking Assessment has been prepared by ML Traffic in support of the proposal and is provided in **Appendix E**. The assessment includes a review of the following:

- Background and existing traffic and parking conditions of the site;
- Assessment of the public transport network within the vicinity of the site;
- Adequacy of car, bicycle and motorcycle parking provision;
- The projected traffic generation of the proposed use of the site;
- The transport impact of the proposed use of the site on the surrounding road network.

### Public Transport and Pedestrian Network

The nearest bus stop is located less than 150m from the site on Queen Street which is serviced by bus route 908. The bus route provides transport to the surrounding suburbs of Yagoona, Birrong, Berala, Auburn, Merrylands, Guilford and South Granville. Auburn Train Station and Bus Interchange is located approximately 350m from the site. Overall, the site has excellent access to public transport.

There are no existing pedestrian crossings on South Parade at the signalized intersection of South Parade and Alice Street directly outside of the subject site. Transport for NSW current policy on building new signalised intersections is to provide pedestrian crossings.

In order to provide pedestrian safety and to encourage public transport use associated with the proposed future uses of the site it is recommended that a pedestrian crossing on the western approach of South Parade is provided. The provision of a pedestrian crossing on South Parade can be assessed and undertaken as part of any future Development Application for the site once the Planning Proposal is determined.

### Traffic Assessment

A Traffic Assessment was undertaken for the nearby intersections and surrounding road network. The assessment concluded that the existing intersections and surrounding road network in proximity to the site are currently operating at a good condition and has sufficient capacity to accommodate additional

traffic associated with the proposed future uses onsite. The proposal will therefore have an acceptable impact on traffic volumes in the area.

### Parking Assessment

The site currently has 22 at grade car parking spaces. Based on the proposed future uses and the existing floorspace of the building onsite the car parking requirements of the Cumberland Development Control Plan (DCP) 2021 can be met onsite under future development applications once the planning proposal is determined.

The planning proposal is therefore considered acceptable from a traffic and parking perspective. Future development applications on the site will result in improved pedestrian safety for the site and surrounding area.

### **QUESTION 10 – Has the Planning Proposal adequately addressed any social and economic effects?**

#### **Economic Impacts**

An Economic Impact Assessment has been prepared in support of the proposal by Hill PDA and is provided in **Appendix D**.

The planning proposal seeks facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises. On 6 September 2000 development consent was issued by Council for the Construction of an office building and associated car parking area under **DA249/00**.

The building that was approved, and has since been constructed and occupied, is a two level commercial office building of around 860sqm GFA with around 22 outside car parking spaces. At the time of lodgement of the original DA in 2000 the land was zoned Special Uses (Railway) under the Auburn Planning Scheme.

The land was also affected by a draft Industrial 4(a) zone under a Draft LEP which would prohibit commercial office development.

Notwithstanding the draft industrial zone, Council's assessment report in 2000 noted some negative aspects to industrial use of the site namely:

*The shallow depth of the land is not conducive to industrial development and could result in a proposal for a factory facing onto the street with parking at the western end of the site. Such a proposal would likely have industrial access points in reasonable proximity to the Alice Street traffic lights and road bridge over the railway lines.*

*Industrial development on the opposite side of the road to future residential flats is not desirable. The proposal for an office development is considered to be more compatible with the nearby residential uses.*

The report also noted that the *“site is within easy walking distance to Auburn Railway station and business area. Accordingly, the site is considered to be suitable for office development.”*

The site is on the fringe of the Auburn Town Centre immediately west of the B4 Mixed Use zone on the other side of South Parade and around 350m from Auburn Station. The approved and existing use of the site for commercial offices compliments the general strategic principles under the regional and district plans of land use and transport integration – namely promoting higher density employment and living spaces within walking distance of major public transport infrastructure.

In terms of economic impacts in the locality the planning proposal will have no discernible impact. This is because the existing building is a commercial office building or business premises. It enjoys existing use rights and the planning proposal simply ‘legitimises’ these existing land uses.

The planning proposal seeks to include health services facilities, office premises and business premises as permissible uses on the subject site within the industrial zone.

The base case is not redevelopment or change of use to an alternative conforming use such as warehousing, manufacturing, wholesale business or industrial/urban services of some sort. This is because the existing building on the site, which is less than 20 years old, is already the highest and best use of the site. It is simply not financially viable to demolish or convert the building to a conforming use, at great capital expense, which would result in a lower level of net rental income. Office space in that location will pay a higher rent than industrial use and the existing building with existing use rights allows that realisation. At no point in the foreseeable future will it be viable to redevelop the site to some conforming industrial use.

Hence the base case is occupation of the existing building for commercial / business purposes which could also include medical services.

There are various sources of data to estimate jobs on site. City of Sydney Employment and Floor Space Survey 2017 shows an average of 16sqm (GLA) of office space per worker although the density can be higher at 10sqm for open plan offices. Medical services have a lower employment density of around 23sqm to 30sqm. Given these numbers we would expect around 30 to 40 workers on site. This number is expected under both the base case (do nothing) and under the planning proposal (amendment to the LEP).

Therefore, the proposal will not result in any adverse economic impacts on the area or nearby Auburn Town Centre and will facilitate the use of the site for purposes that recognise the highest and best use of the site.

The proposal will provide ancillary land uses that positively contribute to the Auburn Town Centre and existing health services facilities that are located in close proximity to the site.

## **Social Impacts**

The planning proposal will result in a number of positive social impacts on the surrounding area through the activation of an underutilized site for land uses that positively contribute to the vitality and viability of the Auburn Town Centre and nearby health services facilities.

The site has not been utilised for industrial purposes for an extended period of time and has accommodated commercial uses consistent with the site's location in proximity to the Auburn Town Centre. The site is located in close proximity to existing health services facilities, schools and the Auburn Town Centre representing a unique opportunity to facilitate further health services facilities, office and business premises in an accessible location providing services and facilities for both workers and residents in the area.

#### **D. INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)**

##### **QUESTION 11 - Is there adequate public infrastructure for the Planning Proposal?**

The subject site is within an established urban area currently serviced by adequate water, sewer and electricity infrastructure which can be upgraded for future development. The site is close to a variety of public transport connections.

The Traffic, Transport and Parking Assessment, prepared by ML Traffic, confirms that the proposed increase in traffic is negligible and is not envisaged to affect the existing surrounding traffic network.

##### **QUESTION 12 - What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

Consultation with relevant State and Commonwealth public authorities will be undertaken as part of the exhibition of the Planning Proposal, as directed by the Gateway Determination. In this regard, consultation with the following public authorities is anticipated:

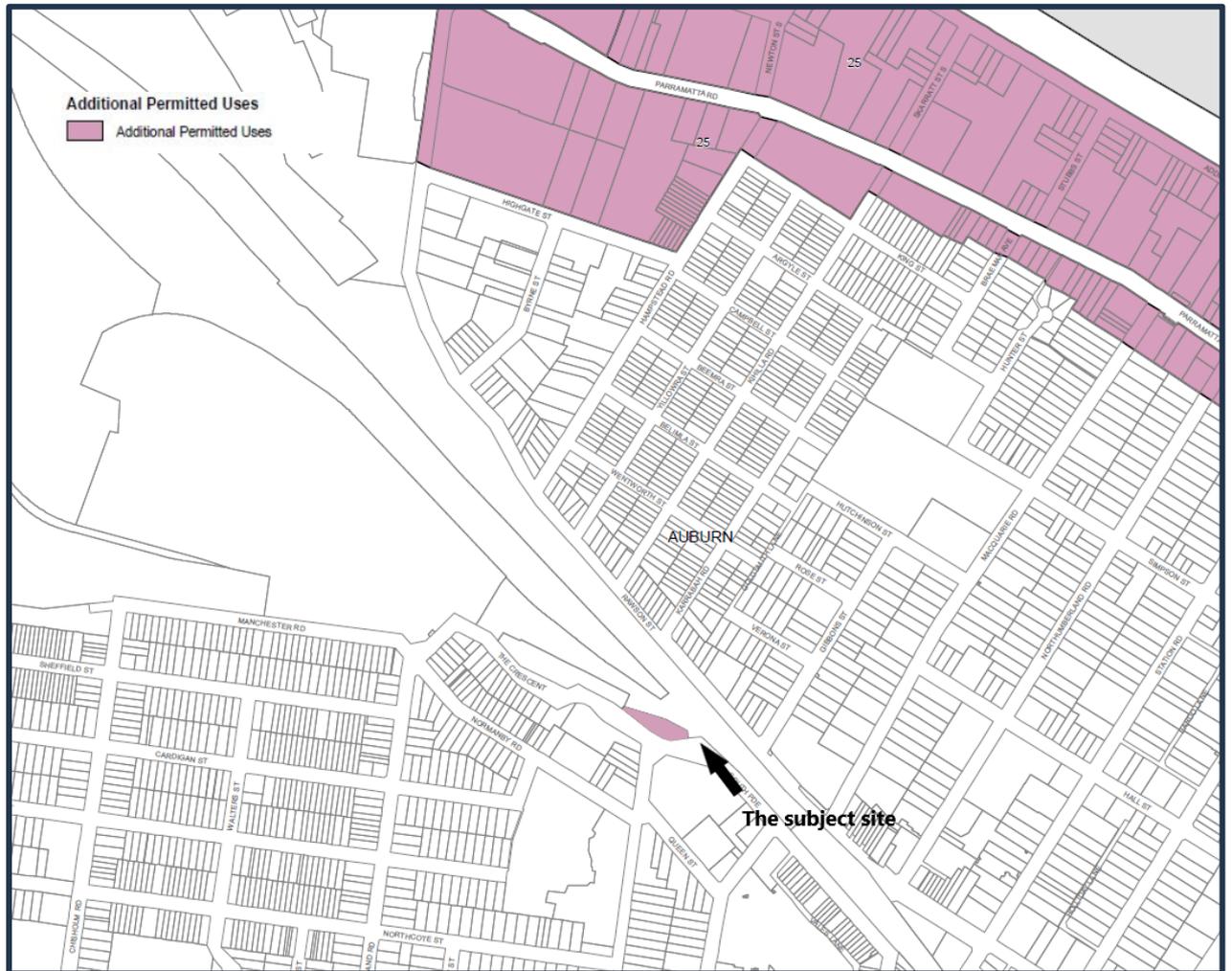
- Sydney Water
- Ausgrid
- Transport for NSW

#### **PART 4 – Mapping**

As discussed in Part 2 of this report the Planning Proposal seeks to amend the Cumberland LEP 2021 as follows:

- Amending the Cumberland LEP 2021 Additional Permitted Uses Map for the subject site (Sheet APU\_012) to identify the site for additional permitted uses referenced in Schedule 1 of the LEP.
- Amending Schedule 1 of the Cumberland LEP 2021 – to include a provision relating to the subject site that would permit development for the purposes of health services facilities, office and business premises.

Thumbnail mapping of the above intended outcomes is provided below.



**Figure 5: Proposed Additional Permitted Uses Map**

The required mapping will be undertaken by Council once Gateway Determination has been issued for the proposal.

### **PART 5 – Community and Key Stakeholder Consultation**

Community consultation would take place following a Gateway determination, in accordance with Section 3.34 and Schedule 1, Clause 4 of the *Environmental Planning and Assessment Act 1979*.

It is expected that direction as to the nature and extent of the public exhibition will be provided by Department of Planning and Environment as part of the Gateway Determination. It is anticipated that the Planning Proposal will be publicly exhibited for a period of 28 days.

### **PART 6 – Project Timeline**

The Relevant Planning Authority (RPA) has discretion to determine the relevant project timeframe for the determination of this Planning Proposal. The information detailed within this Planning Proposal has been

provided to outline any potential impacts and provide justification to support and assist the RPA’s determination.

<b>Table 6: Anticipated Project Timeline</b>	
<b>Stage</b>	<b>Timeframe</b>
Stage 1 – Pre-Lodgement	30 Days
Stage 2 – Lodgement of Planning Proposal & Assessment by Council	80 days
Stage 3 - Gateway determination	25 days
Stage 4 – Post-Gateway	20 days
Stage 5 – Public Exhibition and Assessment	70 days
Stage 6 - Finalisation	25 days
<b>Total (end to end)</b>	<b>250 days</b>

THE PLANNINGHUB

*by Hawes & Swan*

## APPENDIX A

# PRE-LODGEMENT CONSULTATION RESPONSE COMPLIANCE TABLE

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In accordance with the Department of Planning & Environment Guidelines for preparing Planning Proposals, a pre-lodgement meeting was held with Cumberland Council staff on the 23 February 2022 to discuss the intent of the Planning Proposal and confirm the relevant specialist studies to be prepared in support of the Planning Proposal.

A response to the key items raised by Council is detailed in the table below.

Pre-Lodgement Consultation Compliance Table 25 South Parade, Auburn		
Development Component	Pre-Lodgement Comment	Response
<b>Strategic and Site-based Merit</b>	<p>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:</p> <p>The IN1 zone objectives, which are to:</p> <ul style="list-style-type: none"> <li>• provide a wide range of industrial and warehouse land uses</li> <li>• encourage employment opportunities</li> <li>• minimise any adverse effect of industry on other land uses</li> <li>• support and protect industrial land for industrial uses</li> <li>• enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.</li> </ul>	<p>The planning proposal seeks to include the additional permitted uses health services facilities, office and business premises on the site. The proposed additional permitted uses are consistent with the relevant objectives of the IN1 General Industrial zone under the Cumberland LEP 2021 as follows:</p> <ul style="list-style-type: none"> <li>• Based on the location and characteristics of the site the uses will not impede on the ability for adjoining industrial land to be accommodate a wide range of industrial and warehouse land uses;</li> <li>• The proposed uses will provide a range of employment opportunities for the community;</li> <li>• The additional permitted uses pathway ensures the site maintains and protects the industrial zoning of the land allowing the site to be developed for industrial purposes if required;</li> <li>• Based on the location and characteristics of the site the uses proposed will not adversely impact on surrounding land uses; and</li> <li>• The proposed uses will facilities or services to meet the day to day needs of workers and residents in the area.</li> </ul>

	<p>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.</p> <p>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.</p>	<p>A detailed review of the current findings of The Greater Sydney Commission’s ‘retain and manage’ policy position for industrial lands review is provided in Part 3 of the planning proposal report.</p> <p>The rationale for the planning proposal is to facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises that are consistent with development in the surrounding area and the surrounding context based on the site’s proximity to the Auburn Town Centre. The additional permitted uses will be wholly accommodated within the existing building onsite.</p> <p>The site has not been utilised for industrial purposes for an extended period of time and has accommodated commercial uses consistent with the site’s location in proximity to the Auburn Town Centre. The site is located in close proximity to existing health services facilities, schools and the Auburn Town Centre representing a unique opportunity to facilitate further health services facilities, office and business premises in an accessible location.</p> <p>A Traffic and Parking Assessment has been prepared by ML Traffic in support of the proposal and is provided in <b>Appendix E</b>. The assessment includes a review of the following:</p> <ul style="list-style-type: none"> <li>● Background and existing traffic and parking conditions of the site;</li> <li>● Assessment of the public transport network within the vicinity of the site;</li> <li>● Adequacy of car, bicycle and motorcycle parking provision;</li> <li>● The projected traffic generation of the proposed use of the site;</li> <li>● The transport impact of the proposed use of the site on the surrounding road network.</li> </ul>
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		<p>The report makes the following conclusions:</p> <ul style="list-style-type: none"><li>• The site has excellent access to public transport options and there is available on-street parking on South Parade and a public car park located on Alice Street in proximity to the site;</li><li>• The two nearby intersections have good level of service with additional spare capacity;</li><li>• In order to provide pedestrian safety and to encourage public transport use associated with the proposed future uses of the site it is recommended that a pedestrian crossing on the western approach of South Parade is provided. This is an existing infrastructure deficiency that can be addressed under a future development application for the proposed uses onsite;</li><li>• The car parking requirements specified in the Cumberland Development Control Plan 2021 can be met onsite. The proposed car parking provisions are considered acceptable.</li><li>• The proposed uses are expected to generate low numbers of additional trips in the AM and PM peak periods and the additional trips can be accommodated on the nearby intersections without significantly affecting the performance of any turn movements, approach arm or the overall operation of the intersection.</li></ul> <p>The planning proposal is therefore considered acceptable from a traffic and parking perspective. Future development applications on the site will result in improved pedestrian safety for the site and surrounding area.</p>
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<p><b>Justification</b></p>	<p>Any planning proposal lodged for the site will need to adequately justify the proposal, including answers to the following questions:</p> <ul style="list-style-type: none"> <li>● Is there a need for the proposal, or can the site be reasonably developed under existing controls?</li>   <li>● 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?</li>   <li>● Is the proposal the best way of achieving the intended outcomes, or are there other more suitable ways?</li> </ul>	<p>The project objective and intended outcome for the planning proposal is to facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises through the amendment of the Cumberland LEP 2021 to include additional permitted uses that are consistent with development in the surrounding area and the surrounding context based on the site’s proximity to the Auburn Town Centre.</p> <p>The subject site is currently zoned IN1 General Industrial under the provisions of the Cumberland LEP 2021. Health services facilities, office and business premises are prohibited in the IN1 General Industrial zone. The site is bound by the Main Suburban Railway to the north and represents a small portion of industrial zoned land surrounding by R3 Medium Density Residential and B4 Mixed Use zoning reflected by its proximity to the Auburn Town Centre.</p> <p>The site has not been utilised for industrial purposes for an extended period of time and has accommodated commercial uses consistent with the site’s location in proximity to the Auburn Town Centre. The site is located in close proximity to existing health services facilities, schools and the Auburn Town Centre representing a unique opportunity to facilitate further health services facilities, office and business premises in an accessible location.</p> <p>The Planning Proposal is not a result of any specific strategic study or report however a number of specialist studies have been undertaken in support of the proposal that demonstrate the suitability of the site for the additional permitted uses of health services facilities, office and business premises. The specialist studies are provided as Appendices to this report.</p>
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<p><b>Consistency with the strategic planning framework and policy context</b></p>	<p>Any planning proposal lodged for the site will need to demonstrate consistency with:</p> <ul style="list-style-type: none"> <li>● Greater Sydney Region Plan and Central City District Plan</li> <li>● Cumberland Local Strategic Planning Statement</li> <li>● Cumberland Employment and Innovation Lands Strategy</li> <li>● New Ministerial Directions released 1 March 2022</li> <li>● New consolidated SEPPs released 1 March 2022</li> </ul>	<p>A full assessment of the planning proposal’s consistency with the relevant strategic planning framework and policy context is provided in Part 3 of the planning proposal report.</p>

<p><b>Traffic and transport</b></p>	<p>If you wish to lodge a planning proposal application to the NSW Planning Portal, the following would be required at a minimum.</p> <ul style="list-style-type: none"> <li>● Draft Planning Proposal – The form and content must be consistent with the Department of Planning and Environment’s new LEP-making Guideline</li> <li>● Urban Design Analysis</li> <li>● Economic Impact Assessment</li> <li>● Transport and Access Study</li> <li>● Heritage Impact Assessment/European Archaeology Assessment</li> </ul>	<p>A Draft Planning Proposal has been prepared in accordance with the Department of Planning and Environment’s new LEP-making Guideline.</p> <p>The planning proposal seeks facilitate the future use of the site and existing building for the purposes of health services facilities, office and business premises that are consistent with development in the surrounding area and the surrounding context based on the site’s proximity to the Auburn Town Centre. The additional permitted uses will be wholly accommodated within the existing building onsite and therefore an Urban Design Analysis is not considered to be necessary for the planning proposal. Any future development on the site will be subject to the development application process.</p> <p>An Economic Impact Assessment has been prepared in support of the proposal by Hill PDA and is provided in <b>Appendix D</b>. The assessment concludes that the planning proposal will have no discernible economic impact on the locality.</p> <p>A Traffic Report has been prepared in support of the proposal by ML Traffic and is provided in <b>Appendix E</b>. The report concludes that the planning proposal is acceptable from a traffic and parking perspective.</p> <p>Subsequent correspondence was undertaken with Council officers on 5 April 2022 confirming that a Heritage Impact Assessment was not required as the planning proposal only relates to additional permitted uses which would utilise the existing built form onsite (i.e. no physical changes to the site). It was noted that the property forms a tiny part</p>
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Pre-Lodgement Consultation Compliance Table – 25 South Parade, Auburn

	<ul style="list-style-type: none"><li>• Noise/vibration Assessment.</li></ul>	<p>of the Clyde Marshalling Yards, which is of archaeological value under the CLEP however as there are no physical works proposed a heritage report wouldn't be necessary for the planning proposal particularly as the site is already zoned for industrial purposes.</p> <p>An Acoustic Letter has been prepared by Koikas Acoustics in support of the proposal and is provided in <b>Appendix C</b>. The assessment concludes that the proposal does not present an issue from an acoustical perspective and is likely to improve acoustic amenity for neighbouring land uses.</p>
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