

PLANNING PROPOSAL 25 SOUTH PARADE, AUBURN

August 2023

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 medical centre, office premises and a maximum building height of 11m at 25 South Parade, Auburn.

The rationale for the planning proposal is to facilitate the future use of the site for the purposes of a medical centre and office 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 E4 General Industrial under the provisions of the Cumberland LEP 2021. Medical centres and office premises are prohibited in the E4 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 E1 Local Centre 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 medical centre and office uses in an accessible location.

Cumberland Council is identified in the Central City District Plan (CCDP) as 'review and manage' for industrial land. The subject site is highly constrained and cannot facilitate industrial land uses in line with the existing zoning based on its location, vehicular access, configuration, size and likely impacts on the surrounding area. The value of industrial lands is not only based on the volume of jobs generated but the function of the industrial lands. The site is highly constrained for industrial land use and is currently used for commercial purposes thus not representing any existing value as industrial land.

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 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 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; 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 E1 Local Centre zoned land.

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

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.

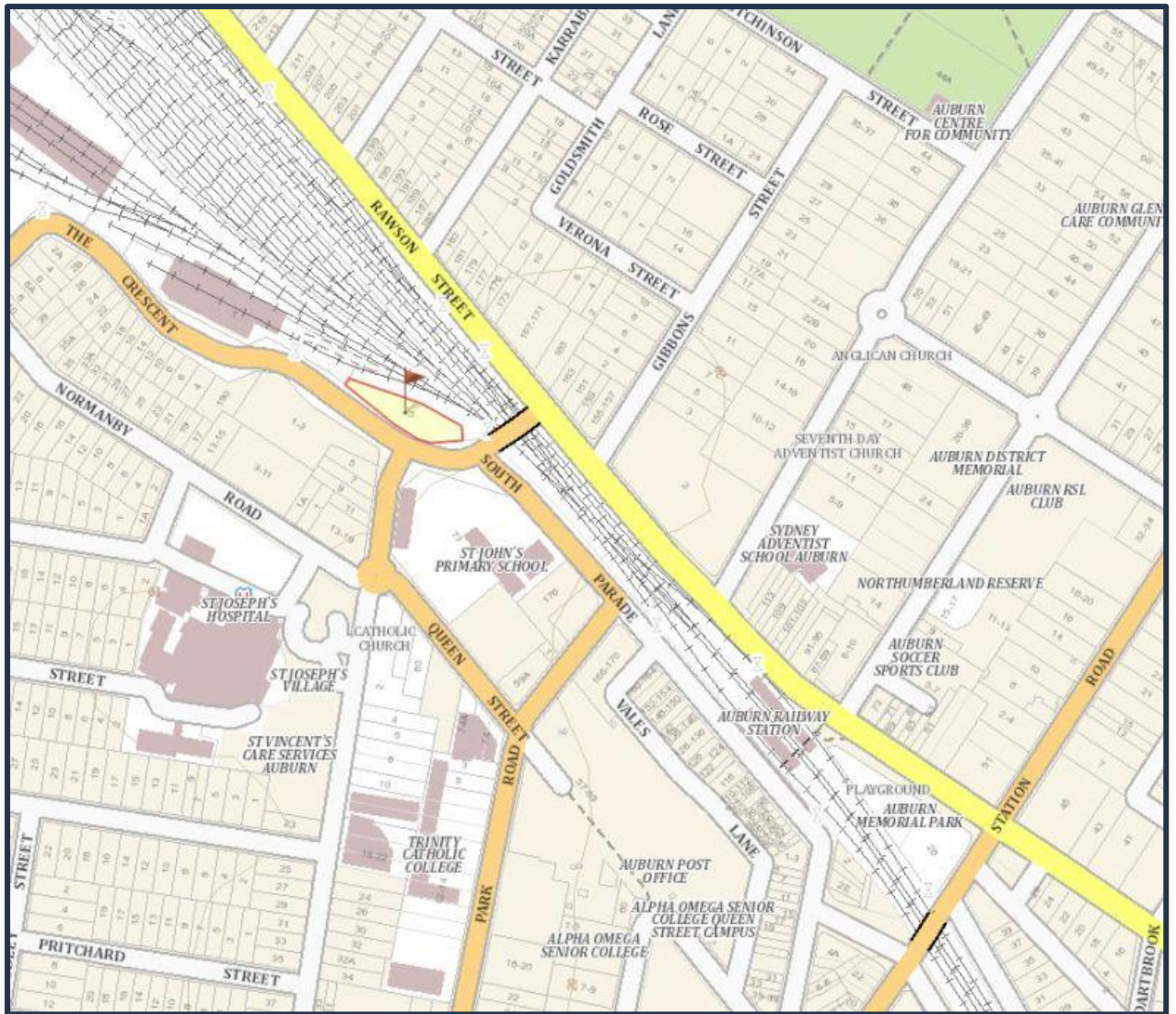


Figure 1: Location and Context of the site (Source: Six maps)

The site is commonly known as 25 South Parade, Auburn and legally described as Lot 2, DP806999. The site has an area of approximately 1,612m² 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 E1 Local Centre 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 for the purposes of a medical centre and office premises consistent with previous approvals for the site and the surrounding context.

Existing Zoning, Maximum Building Height and Surrounding Context

The site is zoned E4 General Industrial pursuant to the Cumberland LEP 2021. The subject site does not have a maximum building height under the Cumberland LEP 2021. The surrounding area is zoned as follows:

- North – SP2 Infrastructure (Railway) (no maximum building height);
- South – R3 Medium Density Residential (maximum building height of 9m) and E1 Local Centre (maximum building height of 38m); and
- West – E4 General Industrial (no maximum building height) and R3 Medium Density Residential (maximum building height of 9m).

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

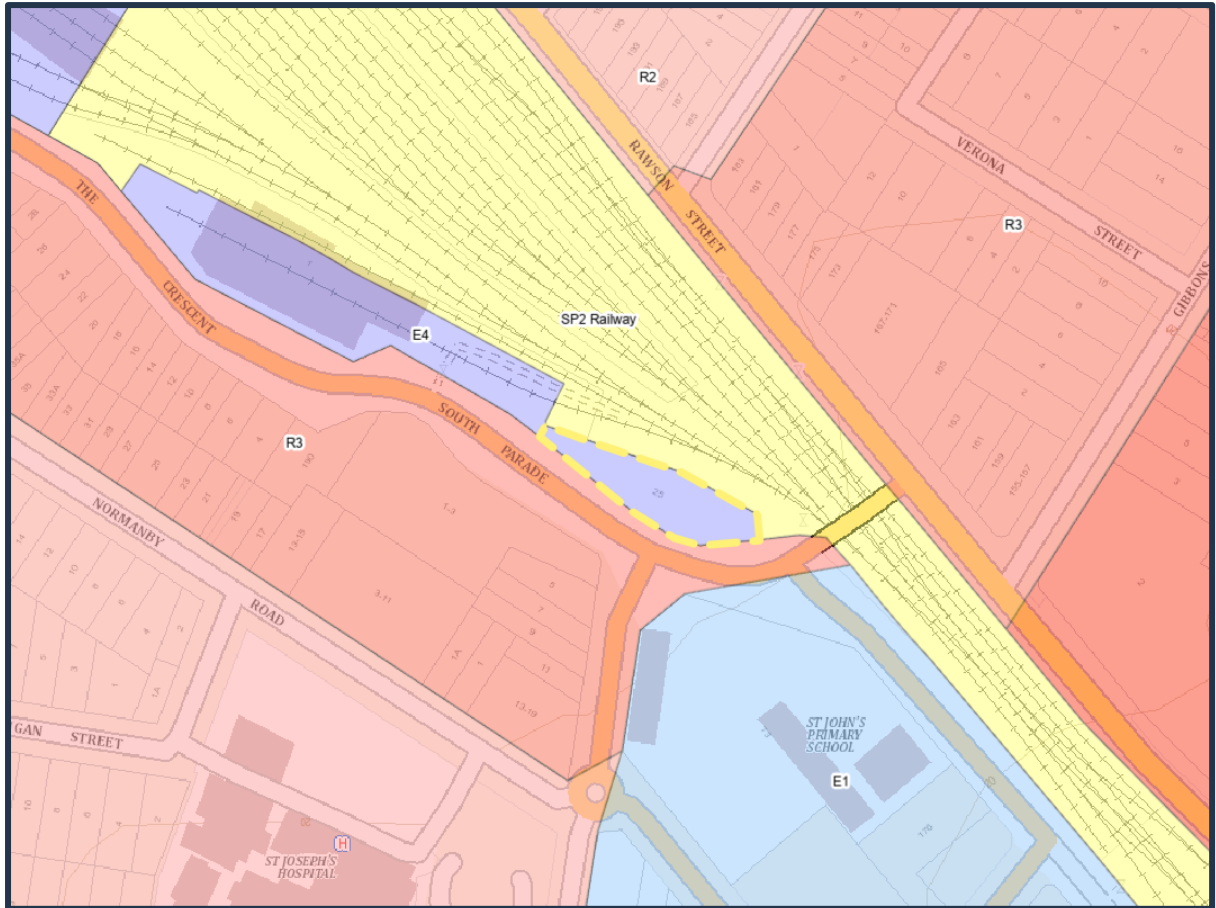


Figure 3: Zoning Map with the site outlined in yellow (Source: NSW Planning Portal)

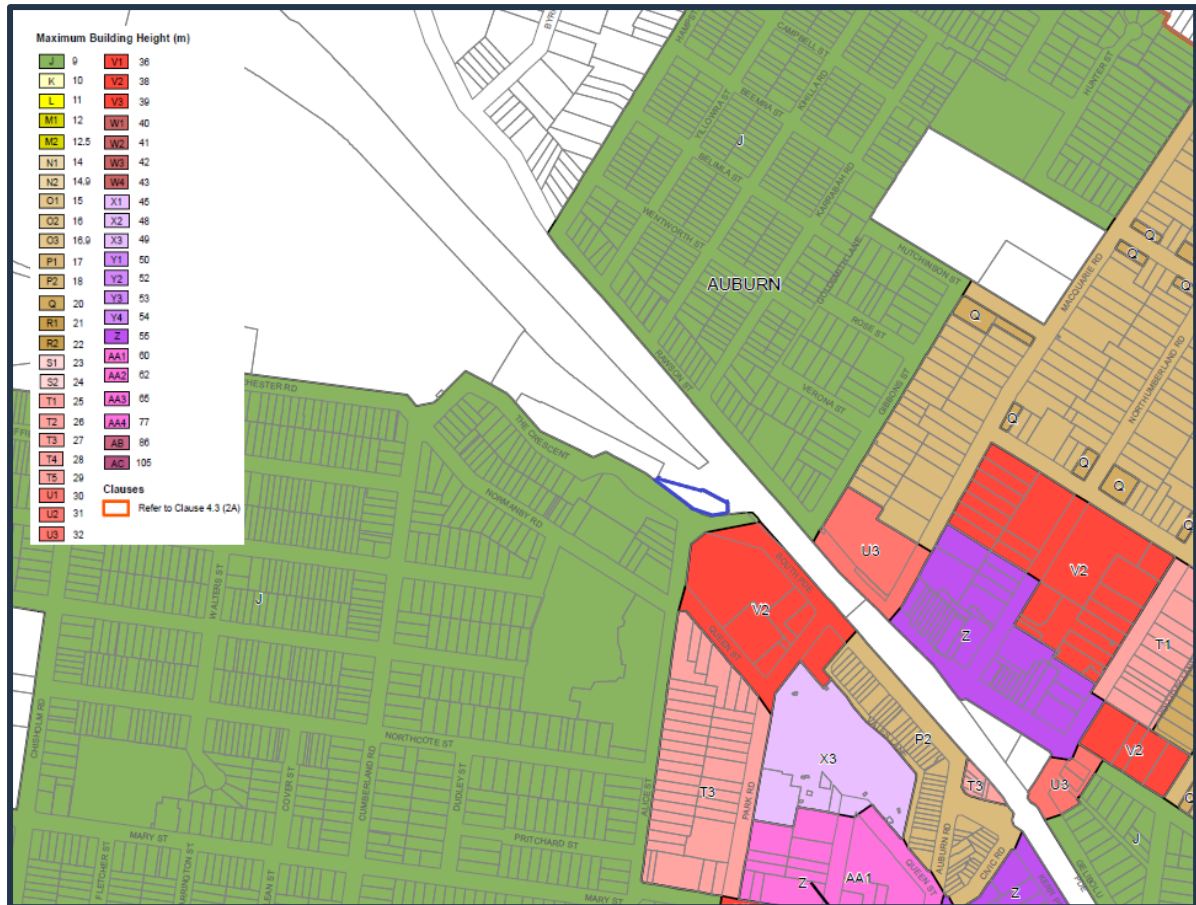


Figure 4: Maximum Building Height Map with the site outlined in blue (Source: NSW Legislation)

Proposed Amendments

The intent of the planning proposal is to facilitate the future use of the site for the purposes of medical centre and office premises 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. To achieve the intended outcome the planning proposal seeks to amend the Cumberland Local Environmental Plan (LEP) 2021 to include additional permitted uses of medical centre, office premises and a maximum building height of 11m 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 medical centre and office premises; and
- Amending the Cumberland LEP 2021 Height of Buildings Map for the subject site (Sheet HOB_012) to identify a maximum building height of 11m.

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 medical centre, office premises and a maximum building height of 11m at 25 South Parade, Auburn.

The project objective and intended outcome for the planning proposal is to facilitate the future use of the site for the purposes of a medical centre and office 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 E4 General Industrial under the provisions of the Cumberland LEP 2021. Medical centres and office premises are prohibited in the E4 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 E1 Local Centre 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 E4 zone objectives, which are to:

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.

The planning proposal seeks to include the additional permitted uses of medical centres and office premises on the site. The proposed additional permitted uses are consistent with the relevant objectives of the E4 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, warehouse and logistics land uses;
- The proposed uses ensure the efficient and viable use of the site;
- The proposed uses will provide a range of employment opportunities for the community;
- 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 medical centre and office premises.
- Amending the Cumberland LEP 2021 Height of Buildings Map for the subject site (Sheet HOB_012) to identify a maximum building height of 11m.

Thumbnail mapping of the above intended outcomes is provided below.

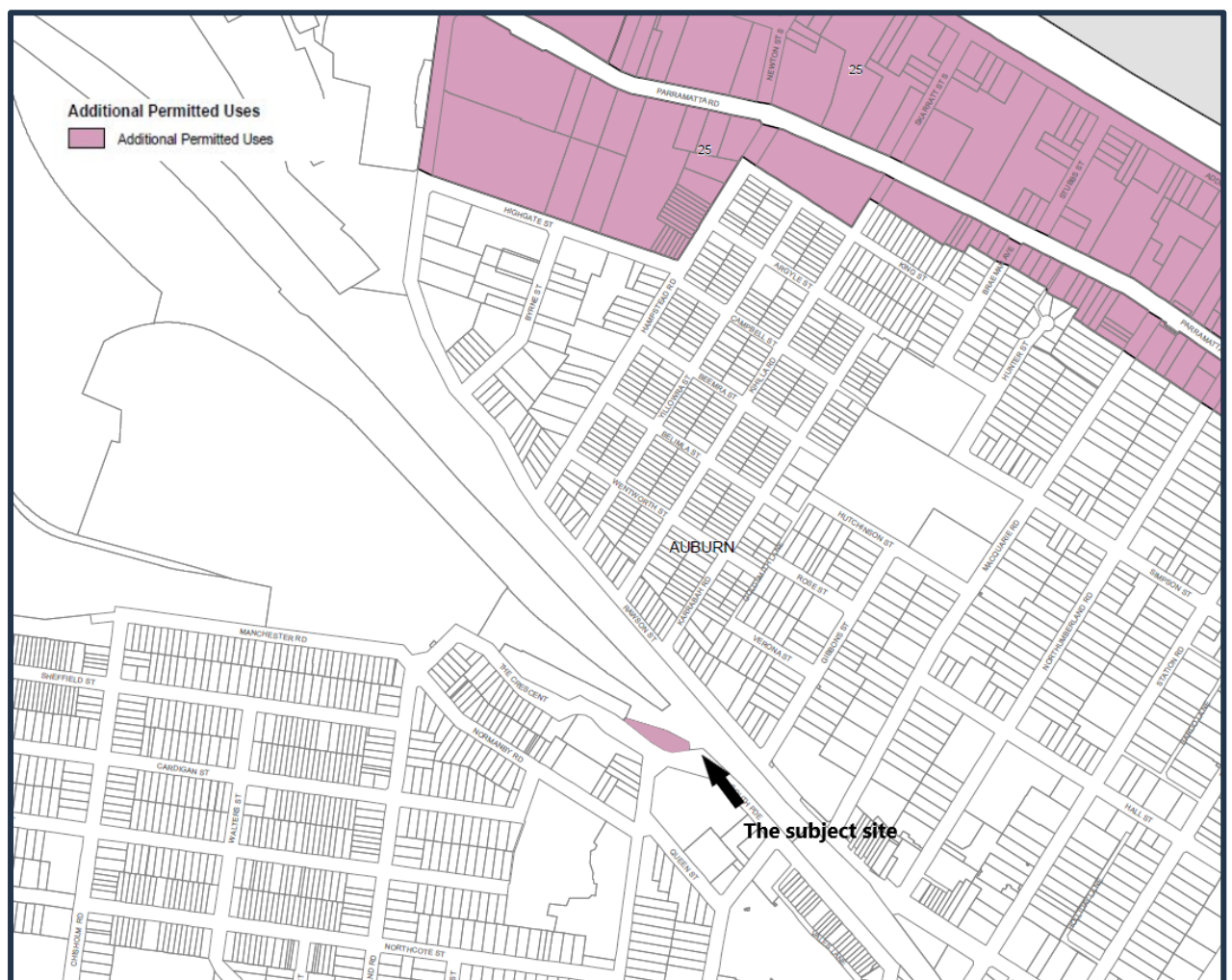


Figure 5: Proposed Additional Permitted Uses Map

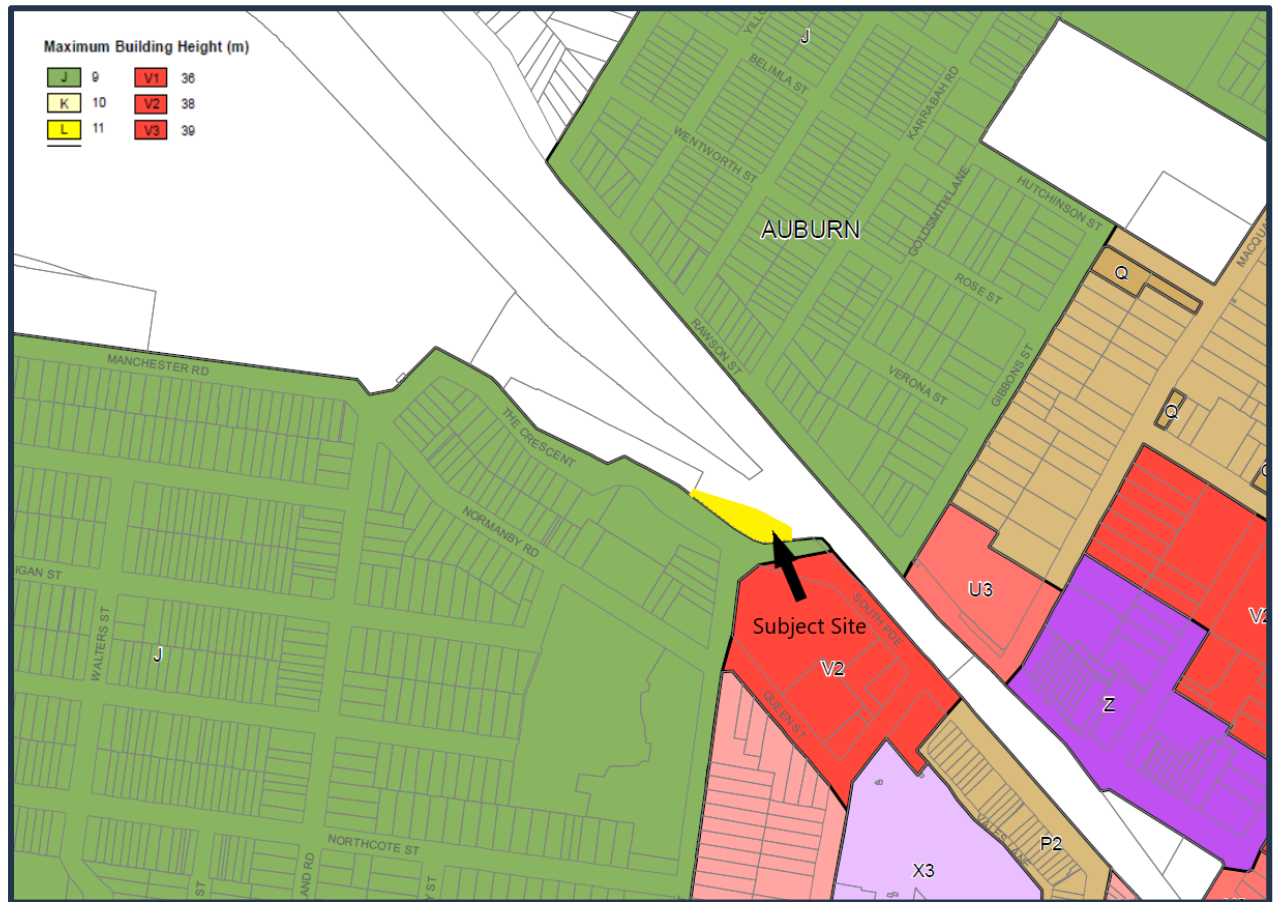


Figure 6: Proposed Maximum Building Height Map

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

The planning proposal seeks to amend the Cumberland Local Environmental Plan (LEP) 2021 to include additional permitted uses of medical centres and office premises and a maximum building height of 11m at 25 South Parade, Auburn.

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 E1 Local Centre 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 subject site is currently zoned E4 General Industrial under the provisions of the Cumberland LEP 2021. Medical centres and premises are prohibited in the E4 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 E1 Local Centre zoning reflected by its proximity to the Auburn Town Centre.

As detailed the site is currently zoned E4 General Industrial under the provisions of the Cumberland LEP 2021 and has an existing approval for office premises (commercial premises) which is prohibited in the E4 zone. The need for the planning proposal is influenced by a number of factors including the continued use of the site for office premises (formalization of existing use rights) whilst also providing additional permitted use of medical centres which are consistent with development in the surrounding area and the surrounding context based on the site's proximity to the Auburn Town Centre and the constraints of the site.

Cumberland Council is identified in the CCDP as 'review and manage' for industrial land. The subject site is highly constrained and cannot facilitate industrial land uses in line with the existing zoning based on its location, vehicular access, configuration, size and likely impacts on the surrounding area. The value of industrial lands is not only based on the volume of jobs generated but the function of the industrial lands. The site is highly constrained for industrial land use and is currently used for commercial purposes thus not representing any existing value as industrial land.

The site is not of a sufficient size or configuration to accommodate genuine industrial land uses and is ideally located to provide office and health services uses ancillary to the primary function of the nearby Auburn Town Centre and nearby health services facilities.

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 E4 zone objectives, which are to:

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.

The planning proposal seeks to include the additional permitted uses of medical centres and office premises on the site. The proposed additional permitted uses are consistent with the relevant objectives of the E4 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, warehouse and logistics land uses;
- The proposed uses ensure the efficient and viable use of the site;

- The proposed uses will provide a range of employment opportunities for the community;
- 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.

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 medical centre and office premises in an accessible location providing services and facilities for both workers and residents in the area.

The future use of the site for office and health services is anticipated to be ancillary uses that positively contribute to the viability and vitality of the nearby Auburn Town Centre and nearby health services facilities. The proposal has been prepared to ensure the additional permitted uses do not adversely impact on the economic strength and vitality of the Auburn Town Centre and only includes uses that will support the centre based on the site's size and location.

The specific use of the site will be the subject of detailed development applications once the proposal is determined.

Therefore, there is a demonstrated need and strategic and site-based merit for the proposed additional permitted uses of office, business and health services uses on the site.

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 medical centre and office 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; and
- Cumberland Employment and Innovation Lands Strategy.

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 medical centre and office 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 Central City District Plan.

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.

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

Table 1: Consistency with the Greater Sydney Region Plan	
Planning Objective	Comment
<p>Objective 1: Infrastructure supports the three cities</p> <p>Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>Objective 3: Infrastructure adapts to meet future needs</p> <p>Objective 4: Infrastructure use is optimised</p>	<p>The planning proposal is consistent with the planning objectives as it will utilise existing infrastructure in the area to provide additional permitted uses on an underutilized site that will provide additional services and facilities to the workers and residents in the area.</p> <p>The proposal ensures that the existing constrained industrial zoned site can be utilized and adapted to optimise the delivery of services and facilities in an accessible location that meets the existing and future needs of workers and residents in the area.</p> <p>Furthermore, the proposal will not adversely impact on the delivery of local, district or metropolitan infrastructure. Whilst it is noted the site adjoins the railway line, the site is not currently used for development that contributes to the delivery of infrastructure within the area. 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 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>
Objective 6: Services and infrastructure meet communities' changing needs	The planning proposal is consistent with the planning objectives as it will provide services and employment opportunities in close proximity to residential land and public transport.

Table 1: Consistency with the Greater Sydney Region Plan	
Planning Objective	Comment
<p>Objective 7: Communities are healthy, resilient and socially connected</p> <p>Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods</p> <p>Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation</p>	<p>A Social Impact Comment has been prepared by Hill PDA in support of the proposal and is provided in Appendix G. The report makes the following conclusions:</p> <ul style="list-style-type: none"> • The Planning Proposal is likely to have very limited impacts on ways of life in terms of noise and traffic. • The Planning Proposal is likely to benefit both community cohesion and development, by supporting local access to potential employment and services. • The Planning Proposal would likely improve access to jobs in the local area. • The Planning Proposal is unlikely to impact local culture due to any heritage implications. Simultaneously, the site may make a positive cultural contribution to the area, and to Auburn town centre in particular by increasing the range of uses that would be permissible on the site • The Planning Proposal is likely to have a positive impact in terms of health and wellbeing, helping to expand the potential provision of local health services while supporting convenient employment opportunities for local residents • The Planning Proposal does not involve any changes to built form; it therefore does not risk impacting local character in this way. At the same time, the site may strengthen its surroundings by providing ancillary services that could benefit wider industrial lands, as well as Auburn town centre and nearby residents • The Planning Proposal would support a greater range of potential development on the site than what is currently possible, thus presenting a possible benefit for livelihoods in the area.
<p>Objective 10: Greater housing supply</p> <p>Objective 11: Housing is more diverse and affordable</p>	<p>The planning proposal is not inconsistent with the planning objectives as it will provide services and employment opportunities in close proximity to residential land and public transport.</p>

Table 1: Consistency with the Greater Sydney Region Plan	
Planning Objective	Comment
<p>Objective 12: Great places that bring people together</p> <p>Objective 13: Environmental heritage is identified, conserved and enhanced</p>	<p>The planning proposal is not inconsistent with the planning objectives as it involves the use of an underutilized site providing activation and the highest and best use of the site based on its location and context.</p> <p>A Heritage Assessment has been prepared by Touring the Past in support of the proposal and is provided in Appendix H. The assessment states that the proposal is restricted to the provision of new permitted uses under the current zoning overlay at the place. No physical intervention, including sub-surface disruption, is proposed and concludes that the planning proposal is supportable from a heritage impact perspective.</p>
<p>Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities</p> <p>Objective 15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive</p> <p>Objective 16: Freight and logistics network is competitive and efficient</p> <p>Objective 17: Regional connectivity is enhanced</p>	<p>The planning proposal is consistent with the planning objectives 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>Objective 18: Harbour CBD is stronger and more competitive</p> <p>Objective 19: Greater Parramatta is stronger and better connected</p> <p>Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City</p> <p>Objective 21: Internationally competitive health, education, research and innovation precincts</p>	<p>The planning proposal is consistent with the planning objectives 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>Cumberland Council is identified in the CCDP as ‘review and manage’ for industrial land.</p> <p>As previously outlined, the subject site is highly constrained and cannot facilitate industrial land uses in line with the existing zoning based on its location, vehicular access,</p>

Table 1: Consistency with the Greater Sydney Region Plan	
Planning Objective	Comment
<p>Objective 22: Investment and business activity in centres</p> <p>Objective 23: Industrial and urban services land is planned, retained and managed</p> <p>Objective 24: Economic sectors are targeted for success</p>	<p>configuration and size. This was also the opinion of Council staff upon approval of DA249/00 as discussed above. Since 2000, the site has been used for a variety of office purposes with no restriction to those office uses being linked to industrial development. This proposal therefore does not result in ‘loss of industrial land.’</p> <p>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.</p> <p>As outlined in Hill PDA’s Economic Impact Assessment (Appendix D) the site has existing use rights which is the ‘highest and best’ use of the site. It is not viable to attract advance manufacturing and innovation on this particular site due to its existing use and improvements, location, site constraints, small site area and potential adverse impacts in the locality. Hence it is impossible to make a contribution towards meeting this objective. The important consideration is that the planning proposal will not undermine this objective as measured against the base case.</p>
<p>Objective 25: The coast and waterways are protected and healthier</p> <p>Objective 26: A cool and green parkland city in the South Creek corridor</p> <p>Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p> <p>Objective 28: Scenic and cultural landscapes are protected</p>	<p>The proposal is not inconsistent with the planning objectives as it will facilitate the future use of the site for the purposes of a medical centre and office premises. The future uses of the site will be wholly accommodated within the existing site and will not impact on bushland, biodiversity or open space within the surrounding area.</p>

Table 1: Consistency with the Greater Sydney Region Plan	
Planning Objective	Comment
<p>Objective 29: Environmental, social and economic values in rural areas are protected and enhanced</p> <p>Objective 30: Urban tree canopy cover is increased</p> <p>Objective 31: Public open space is accessible, protected and enhanced</p> <p>Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths</p>	
<p>Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p>Objective 34: Energy and water flows are captured, used and re-used</p> <p>Objective 35: More waste is re-used and recycled to support the development of a circular economy</p>	<p>The proposal is not inconsistent with the planning objectives as it will utilise an existing site that ensures future development utilises existing infrastructure reducing carbon emissions, managing energy and waste efficiently.</p>
<p>Objective 36: People and places adapt to climate change and future shocks and stresses</p> <p>Objective 37: Exposure to natural and urban hazards is reduced</p> <p>Objective 38: Heatwaves and extreme heat are managed</p>	<p>The proposal is not inconsistent with the planning objectives as it will utilise an existing site and future developments will be required to demonstrate consistency with the client and urban hazards.</p>

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.

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
<p>Planning Priority C1 – Planning for a city supported by infrastructure</p> <p>Planning Priority C2 – Working through Collaboration</p>	<p>The planning proposal is consistent with the planning priorities as it will utilise existing infrastructure in the area to accommodate additional permitted uses on an underutilized site that will provide additional services and facilities to the workers and residents in the area.</p> <p>The proposal ensures that the existing constrained industrial zoned site can be utilized and adapted to optimise the delivery of services and facilities in an accessible location that meets the existing and future needs of workers and residents in the area.</p> <p>Furthermore, the proposal will not adversely impact on the delivery of local, district or metropolitan infrastructure. Whilst it is noted the site adjoins the railway line, the site is not currently used for development that contributes to the delivery of infrastructure within the area. Any future development application will need to demonstrate that</p>

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
<p>Planning Priority C3 – Providing services and social infrastructure to meet people’s changing needs</p> <p>Planning Priority C4 – Fostering healthy, creative, culturally rich and socially connected communities</p>	<p>adequate arrangements can be made to service the development.</p> <p>The proposal will facilitate the use of 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>Planning Priority C5 – 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>A Social Impact Comment has been prepared by Hill PDA in support of the proposal and is provided in Appendix G. The report makes the following conclusions:</p> <ul style="list-style-type: none"> • The Planning Proposal is likely to have very limited impacts on ways of life in terms of noise and traffic. • The Planning Proposal is likely to benefit both community cohesion and development, by supporting local access to potential employment and services. • The Planning Proposal would likely improve access to jobs in the local area. • The Planning Proposal is unlikely to impact local culture due to any heritage implications. Simultaneously, the site may make a positive cultural contribution to the area, and to Auburn town centre in particular by increasing the range of uses that would be permissible on the site • The Planning Proposal is likely to have a positive impact in terms of health and wellbeing, helping to expand the potential provision of local health services while

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
	<p>supporting convenient employment opportunities for local residents</p> <ul style="list-style-type: none"> The Planning Proposal does not involve any changes to built form; it therefore does not risk impacting local character in this way. At the same time, the site may strengthen its surroundings by providing ancillary services that could benefit wider industrial lands, as well as Auburn town centre and nearby residents The Planning Proposal would support a greater range of potential development on the site than what is currently possible, thus presenting a possible benefit for livelihoods in the area.
Planning Priority C6 – Creating and renewing great places and local centres, and respecting the District’s heritage	<p>The planning proposal is not inconsistent with the planning priority as it involves the use of an existing underutilized site providing activation and the highest and best use of the site based on its location and context.</p> <p>A Heritage Assessment has been prepared by Touring the Past in support of the proposal and is provided in Appendix H. The assessment states that the proposal is restricted to the provision of new permitted uses under the current zoning overlay at the place. No physical intervention, including sub-surface disruption, is proposed and concludes that the planning proposal is supportable from a heritage impact perspective.</p>
<p>Planning Priority C7 - Growing a stronger and more competitive Greater Parramatta</p> <p>Planning Priority C8 - Delivering a more connected and competitive GPOP Economic Corridor</p>	<p>Planning Priority C7 and C8 of the CCDP relates to growing a stronger and more competitive Greater Parramatta. The subject site is located outside of the Greater Parramatta Metropolitan Area (GPA) identified within the CCDP.</p> <p>Whilst the priority does not provide specific guidance for the site or surrounding area it states the following:</p> <p><i>To reinforce Greater Parramatta as one of Greater Sydney’s metropolitan city centres, planning must deliver land use and infrastructure that:</i></p> <ul style="list-style-type: none"> <i>provides capacity for jobs growth</i> <i>creates opportunities for investment and business</i>

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
	<ul style="list-style-type: none"> enhances accessibility to a larger and more diverse labour pool improves business-to-business interactions and access to other job agglomerations. <p>The proposal is consistent with the Planning Priorities as it will utilise a constrained industrial zoned site (currently accommodating commercial use), that is not of sufficient size or configuration to accommodate industrial land uses, for the purposes of office premises and a medical centre in close proximity to the Auburn Town Centre, train station and existing residential land. This will:</p> <ul style="list-style-type: none"> provides capacity for jobs growth in an accessible location on an underutilized site; create opportunities for investment and business in close proximity to the Auburn Town Centre and residential land; enhance accessibility to a larger and more diverse labour pool; and improve business-to-business interactions and access to other job agglomerations. <p>Hill PDA have prepared a response letter on the Economic Impact of the proposal which is provided as Appendix D.</p> <p>The site has existing use rights which is the ‘highest and best’ use of the site. It is not viable to deliver conforming industrial uses on the site due to its existing use and improvements, location, site constraints, site area (being only 1,612sqm) and potential adverse impacts in the locality (having only local street access opposite existing medium-density residential). For these reasons it will be impossible for the site to contribute towards maximising opportunities ‘for local industrial employment in proximity to transport and housing’. The important consideration is that the planning proposal will not undermine this objective (ie reduce ‘opportunities for local industrial employment in proximity to transport and housing’) as measured against the base case.</p>

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
<p>Planning Priority C9 - Delivering integrated land use and transport planning and a 30-minute city</p>	<p>Planning Priority C9 of the CCDP seeks to deliver integrated land use and transport planning to provide walkable and 30 minute cities. The CCDP outlines the vision as being:</p> <p><i>The 30-minute city is a long-term aspiration that will guide decision-making on locations for new transport, housing, jobs, tertiary education, hospitals and other amenities. It means that they will be planned for metropolitan and strategic centres and more people will have public transport access to their closest metropolitan or strategic centre within 30 minutes. This will enable more efficient access to workplaces, services and community facilities.</i></p> <p>The proposal is consistent with Planning Priority C9 of the CCDP as it will facilitate the use of the existing 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>Whilst it is noted that the site is located adjacent to the railway line the site is not currently utilized for and is not of a sufficient size or configuration to accommodate industrial land uses associated with freight or transport.</p> <p>Due to the site's constraints and existing commercial use the proposal will not adversely impact on the operation of the railway line or operation of freight within the precinct. The additional permitted uses will provide services and facilities for workers and residents in the area and positively contribute to the provision of a walkable 30 minute city.</p> <p>The other important consideration is that the planning proposal will deliver more jobs on site in close proximity to Auburn Railway Station than any complying industrial use</p>

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
<p>Planning Priority C10 - Growing investment, business opportunities and jobs in strategic centres</p> <p>Planning Priority C11 - Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services</p>	<p>based on the constraints and characteristics of the site. Hence it will make a stronger contribution towards meeting the planning objective of ‘delivering integrated land use and transport planning and 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>Planning Priority C11 seeks to achieve Objective 23 of the Greater Sydney Region Plan which states the following:</p> <p><i>Industrial and urban services land is planned, retained and managed.</i></p> <p>Cumberland Council is identified in the CCDP as ‘review and manage’ for industrial land.</p> <p>As previously outlined, the subject site is highly constrained and cannot facilitate industrial land uses in line with the existing zoning based on its location, vehicular access, configuration and size. This was also the opinion of Council staff upon approval of DA249/00 as discussed above. Since 2000, the site has been used for a variety of office purposes with no restriction to those office uses being linked to industrial development. This proposal therefore does not result in ‘loss of industrial land.’</p> <p>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.</p> <p>As outlined in Hill PDA’s Economic Assessment (Appendix D) the site has existing use rights which is the ‘highest and</p>

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
<p>Planning Priority C12 - Supporting growth of targeted industry sectors</p>	<p>best' use of the site. It is not viable to attract advance manufacturing and innovation on this particular site due to its existing use and improvements, location, site constraints, small site area and potential adverse impacts in the locality. Hence it is impossible to make a contribution towards meeting this objective. The important consideration is that the planning proposal will not undermine this objective as measured against the base case.</p> <p>The proposal is consistent with Planning Priority C12 as it will not result in the loss of industrial land. As previously outlined, the subject site is highly constrained and cannot facilitate industrial land use in line with the existing zoning based on its location, vehicular access, configuration and size. This was also the opinion of Council staff upon approval of DA249/00 as discussed above. Since 2000, the site has been used for a variety of office purposes with no restriction to those office uses being linked to industrial development. This proposal therefore does not result in 'loss of industrial land.'</p> <p>The proposal will provide for additional services and facilities that can support the growth of targeted industry sectors within the surrounding area. Based on the constraints of the site it cannot accommodate industrial land uses that will support the growth of targeted industry sectors and therefore the proposal is the most suitable way to contribute to the achievement of the planning priority within the area. Furthermore, the proposal will co-locate additional health services facilities in close proximity to existing health services facilities in an accessible location.</p>
<p>Planning Priority C13 - Protecting and improving the health and enjoyment of the District's waterways</p> <p>Planning Priority C14 - Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element</p>	<p>The proposal is not inconsistent with the planning priorities as it will facilitate the future use of the site for the purposes of medical centre and office premises uses. The future uses of the site will be wholly accommodated within the existing disturbed site and will not impact on bushland, biodiversity or open space within the surrounding area.</p>

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
<p>Planning Priority C15 - Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</p> <p>Planning Priority C16 - Increasing urban tree canopy cover and delivering Green Grid connections</p> <p>Planning Priority C17 - Delivering high quality open space</p>	
Planning Priority C18 - Better managing rural areas	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>Planning Priority C19 - Reducing carbon emissions and managing energy, water and waste efficiently</p> <p>Planning Priority C20 - Adapting to the impacts of urban and natural hazards and climate change</p>	The proposal is not inconsistent with the planning objectives as it will utilise an existing site that ensures future development utilises existing infrastructure reducing carbon emissions, managing energy and waste efficiently.
<p>Planning Priority C21 - Preparing local strategic planning statements informed by local strategic planning</p> <p>Planning Priority C22 - Monitoring and reporting on the delivery of the plan</p>	The planning proposal is consistent with the Cumberland local strategic planning statement.

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.

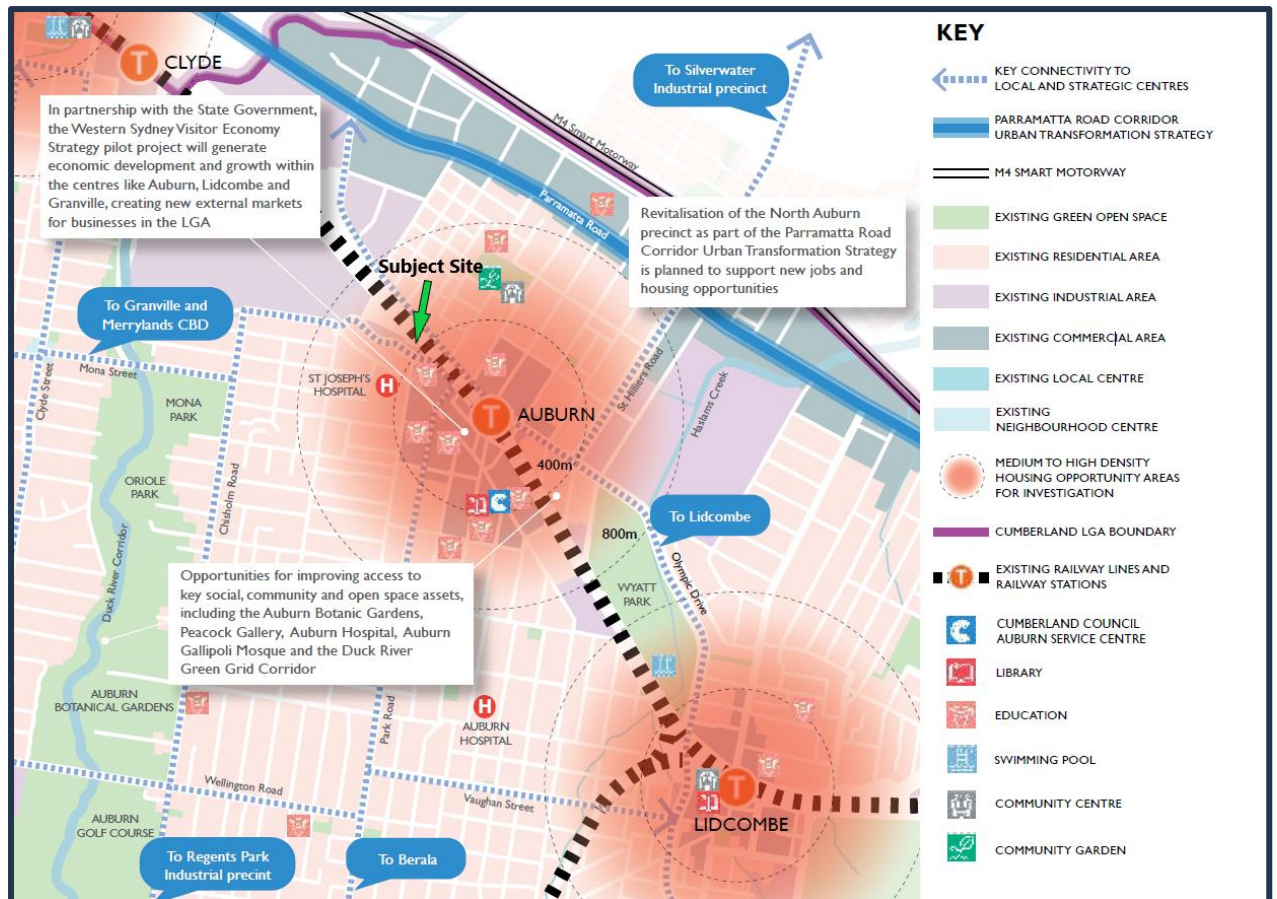


Figure 7: LSPS Auburn Town Centre Map with the site indicated by the green arrow (Source: Cumberland LSPS)

As detailed above the site is located within close proximity to the Auburn Town Centre. Whilst the above figure identifies the site as being located within a medium to high density residential investigation area the site cannot be used for medium or high-density housing given its current E4 zoning and the relevant constraints of the site. The proposed additional permitted uses will enable the revitalization of the site for uses which will cater for the existing and future needs of the community and will not impact on the economic viability of the existing Auburn Town Centre.

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 3: 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 an underutilized 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 existing infrastructure within the surrounding area to accommodate 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 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>The subject site forms a small part of the Clyde Marshalling Yards, which is of archaeological value under the CLEP 2021.</p>

Table 3: Consistency with the Cumberland Local Strategic Planning Statement	
Planning Priority	Comment
	A Heritage Assessment has been prepared by Touring the Past in support of the proposal and is provided in Appendix H . The assessment states that the proposal is restricted to the provision of new permitted uses under the current zoning overlay at the place. No physical intervention, including sub-surface disruption, is proposed and concludes that the planning proposal is supportable from a heritage impact perspective.
<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>	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>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>	The proposal is consistent with the planning priorities as it involves the use of an existing underutilized site 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>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>The proposal is consistent with the planning priorities as it seeks to facilitate the future use of the site for the purposes of medical centre and office premises 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 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</p>

Table 3: Consistency with the Cumberland Local Strategic Planning Statement	
Planning Priority	Comment
12. Facilitating the evolution of employment and innovation lands to meet future needs	<p>opportunity to facilitate further health services facilities and office premises in an accessible location. Th proposal will promote access to local employment and health care opportunities in proximity to residential development.</p> <p>Cumberland Council is identified in the CCDP as ‘review and manage’ for industrial land. The value of industrial lands is not only based on the volume of jobs generated but the function of the industrial lands.</p> <p>The site is highly constrained for industrial land use and is currently used for commercial purposes thus not representing any existing value as industrial land.</p> <p>As outlined in Hill PDA’s Economic Assessment (Appendix D) the site has existing use rights which is the ‘highest and best’ use of the site. It is not viable to deliver conforming industrial uses on the site due to its existing use and improvements, location, site constraints, site area (being only 1,612sqm) and potential adverse impacts in the locality. Therefore, when measured against the base case the planning proposal would not detract from the value and function of the industrial lands and limit opportunities for local jobs in this sector.</p> <p>The proposal will not result in the loss or encroachment of industrial land. As previously outlined, the subject site is highly constrained and cannot facilitate industrial land use in line with the existing zoning based on its location, vehicular access, configuration and size. Since 2000, the site has been used for a variety of office purposes with no restriction to those office uses being linked to industrial development. This proposal therefore does not result in ‘loss of industrial land.’</p> <p>The proposal will provide for additional services and facilities that can support the evolution of employment and innovation lands within the surrounding area. Based on the constraints of the site it cannot accommodate industrial land uses that will support the support the evolution of</p>

Table 3: Consistency with the Cumberland Local Strategic Planning Statement	
Planning Priority	Comment
	employment and innovation lands and therefore the proposal is the most suitable way to contribute to the achievement of the planning priority within the area.
13. Protecting, enhancing and increasing natural and green spaces 14. Improving access to and health of waterways 15. Planning for a resilient city that can adapt to natural hazards and climate change 16. Supporting urban cooling to minimise heat island effects	The proposal is not inconsistent with the planning priorities as it will facilitate the future use of the site for the purposes of medical centre and office premises uses. The future uses of the site will be wholly accommodated within the existing disturbed site 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 subject site sits adjacent to and does not form part of the Clyburn 'Services and Innovation' Precinct as identified within the Cumberland Employment and Innovation Lands Strategy and Study (EILS), refer to **Figure 8** below.



Figure 8: Clyburn Precinct (indicated in purple) with the site identified by the green arrow (Source: Cumberland EILS)

Despite the site not being located within the Clyburn Services and Innovation Precinct the proposal does not impact on the precinct's ability to meet the following Planning Principles and Target Activities as identified in the EILS supporting study:

Planning Principles

Maintain functional industrial and logistic uses to support the important transport, freight and waste recycling function of the Precinct.

Support the evolution of the precinct to meet future employment and innovation needs for Cumberland

Target Activities

Target continued transport and logistics/freight industries.

Support employment uses and businesses that can co-exist within the transport and freight environment.

The subject site currently accommodates commercial office premises and does not contribute to industrial and logistic/freight uses within the precinct.

The proposal will not result in the loss or encroachment of industrial land. As previously outlined, the subject site is highly constrained and cannot facilitate industrial land use in line with the existing zoning based on its location, vehicular access, configuration and size. Since 2000, the site has been used for a

variety of office purposes with no restriction to those office uses being linked to industrial development. This proposal therefore does not result in ‘loss of industrial land.’

Based on the constraints of the site it cannot accommodate industrial land uses that will support the evolution of employment and innovation lands and therefore the proposal is the most suitable way to contribute to the achievement of the planning principles and target activities. Furthermore, the proposal will co-locate additional health services facilities in close proximity to existing health services facilities in an accessible location.

Any proposed future uses of the site will need to demonstrate that they can co-exist with the nearby freight and transport system under future development applications. This will ensure Council can appropriately manage any required buffer distances and facilitate development that is compatible with the surrounding context.

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.

Table 4: Consistency with the Cumberland Employment and Innovation Lands Strategy	
Planning Priority	Comment
1. 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 provide land uses that complement the site’s location providing ancillary uses to the Auburn Town Centre and nearby health services facilities.
2. 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	<p>The planning proposal is not inconsistent with the planning priority as the proposed use of the site will not impede the operation or importance of the freight network within the area.</p> <p>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 E1 Local Centre 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</p>

Table 4: Consistency with the Cumberland Employment and Innovation Lands Strategy	
Planning Priority	Comment
	<p>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.</p> <p>The EILS Study states the following in relation to consideration of the Key Freight Transport Accessibility Map:</p> <p><i>Employment and innovation lands located near these key freight routes should be buffered from sensitive uses, nurtured and allowed to prosper.</i></p> <p><i>Council should be satisfied that any planning proposals in the areas surrounding the employment and innovation lands along key freight routes should not preclude the continued use of those routes for freight.</i></p> <p>The subject site currently accommodates commercial office premises and does not contribute to industrial and logistic/freight uses within the precinct.</p> <p>Based on the constraints of the site it cannot accommodate industrial land uses that will support freight industries and the existing commercial use of the site does not impact on the continued use of the key routes for freight.</p> <p>The proposal will provide additional services and facilities that can support the evolution of employment and innovation lands within the surrounding area.</p> <p>Any proposed future uses of the site will need to demonstrate that they can co-exist with the nearby freight and transport system under future development applications. This will ensure Council can appropriately manage any required buffer distances and facilitate development that is compatible with the surrounding context.</p>
3. Seeking new ways of facilitating the growth of innovative businesses	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

Table 4: Consistency with the Cumberland Employment and Innovation Lands Strategy	
Planning Priority	Comment
<p>through the use of planning mechanisms and policies.</p> <p>4. Ensuring the land use planning framework for employment and innovation lands promotes innovation and target industries.</p>	<p>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.</p> <p>This will ensure that workers and residents are provided with a range of services and facilities whilst also encouraging further employment generating uses, industries and investment in the area.</p> <p>The subject site sits adjacent to and does not form part of the Clyburn ‘Services and Innovation’ Precinct as identified within the EILS. Despite the site not being located within the Clyburn Services and Innovation Precinct the proposal does not impact on the precinct’s ability to meet the following Planning Principles and Target Activities as identified in the EILS supporting study:</p> <p><u>Planning Principles</u></p> <ul style="list-style-type: none"> • <i>Maintain functional industrial and logistic uses to support the important transport, freight and waste recycling function of the Precinct.</i> • <i>Support the evolution of the precinct to meet future employment and innovation needs for Cumberland</i> <p><u>Target Activities</u></p> <ul style="list-style-type: none"> • <i>Target continued transport and logistics/freight industries.</i> • <i>Support employment uses and businesses that can co-exist within the transport and freight environment.</i> <p>The subject site currently accommodates commercial office premises and does not contribute to industrial and logistic/freight uses within the precinct.</p> <p>The proposal will not result in the loss or encroachment of industrial land. As previously outlined, the subject site is</p>

Table 4: Consistency with the Cumberland Employment and Innovation Lands Strategy	
Planning Priority	Comment
	<p>highly constrained and cannot facilitate industrial land use in line with the existing zoning based on its location, vehicular access, configuration and size. Since 2000, the site has been used for a variety of office purposes with no restriction to those office uses being linked to industrial development. This proposal therefore does not result in 'loss of industrial land.'</p> <p>Based on the constraints of the site it cannot accommodate industrial land uses that will support the evolution of employment and innovation lands and therefore the proposal is the most suitable way to contribute to the achievement of the planning principles and target activities. Furthermore, the proposal will co-locate additional health services facilities in close proximity to existing health services facilities in an accessible location.</p> <p>Any proposed future uses of the site will need to demonstrate that they can co-exist with the nearby freight and transport system under future development applications. This will ensure Council can appropriately manage any required buffer distances and facilitate development that is compatible with the surrounding context.</p>
5. Promoting the health of employment and innovation lands in response to population growth, land use change and infrastructure provision.	<p>The proposal is consistent with the planning priority as it will facilitate uses that provide employment opportunities 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.</p> <p>The proposal will not result in the loss or encroachment of industrial land. As previously outlined, the subject site is highly constrained and cannot facilitate industrial land use in line with the existing zoning based on its location, vehicular access, configuration and size. Since 2000, the site has been used for a variety of office purposes with no restriction to those office uses being linked to industrial development.</p>

Table 4: Consistency with the Cumberland Employment and Innovation Lands Strategy	
Planning Priority	Comment
	<p>Based on the constraints of the site it cannot accommodate industrial land uses that will support the evolution of employment and innovation lands and therefore the proposal is the most suitable way to contribute to the achievement of the planning principles and target activities.</p> <p>The proposal will provide additional services and facilities that can support the evolution of employment and innovation lands within the surrounding area.</p>

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

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:

Table 5: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
SEPP (Resilience and Hazards) 2021	<p>Chapter 4 – Remediation of land</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. A Preliminary Site Investigation has been prepared by Dr Upsilon Environments Pty Ltd and is provided in Appendix I. The investigation concludes the site is considered suitable for the proposed additional permitted uses.</p>
SEPP (Industry and Employment) 2021	<p>Chapter 3 – Advertising and Signage</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>
SEPP (Transport and Infrastructure) 2021	<p>Chapter 2 – Infrastructure</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</p>

Table 5: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
		Assessment has been prepared by ML Traffic and is provided in Appendix F . 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.
SEPP (Biodiversity and Conservation) 2021	Chapter 6 – Water Catchments Chapter 6 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 6 of the SEPP.
SEPP (Exempt and Complying Codes) 2008	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
Focus Area 1 – Planning Systems		
1.1 Implementation	Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	The proposal is consistent with this direction as it is consistent with the

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions		
Direction	Requirement	Comment
of Regional Plans		Greater Sydney Region Plan as detailed above.
1.4 Site Specific Provisions	<p>(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any 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 medical centres and office premises. The planning proposal will provide a site-specific provision for the site allowing the additional permitted uses of medical centres and office premises whilst maintaining the industrial zoning of the site and is therefore inconsistent with this direction.</p>

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions		
Direction	Requirement	Comment
		<p>The subject site is currently zoned E4 General Industrial under the provisions of the Cumberland LEP 2021. Medical centres and office premises are prohibited in the E4 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 E1 local centre 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 and office premises in an accessible location.</p> <p>The site-specific provision relating to the site is of minor significance as the additional permitted uses are generally consistent with the existing use of the site as approved under DA249/00 and will provide additional services and facilities that positively contribute to the vitality and viability of the nearby Auburn Town Centre whilst not impeding on the operation of the adjacent industrial uses or freight network.</p>
Focus Area 4 – Resilience and Hazards		

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
4.4 Remediation of Contaminated Land	<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"> (a) the planning proposal authority has considered whether the land is contaminated, and (b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and (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>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>	<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. A Preliminary Site Investigation has been prepared by Dr Upsilon Environments Pty Ltd and is provided in Appendix I. The investigation concludes the site is considered suitable for the proposed additional permitted uses.</p>

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions		
Direction	Requirement	Comment
Focus Area 5 – Transport and Infrastructure		
5.1 Integrating Land Use and Transport	<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> <ul style="list-style-type: none"> (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001). 	<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>Ministerial Direction 5.1 states the following:</p> <p><u>Objectives</u></p> <p><i>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i></p> <ul style="list-style-type: none"> <i>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</i> <i>(b) increasing the choice of available transport and reducing dependence on cars, and</i> <i>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i> <i>(d) supporting the efficient and viable operation of public transport services, and</i> <i>(e) providing for the efficient movement of freight.</i> <p><u>Direction 5.1</u></p> <p><i>A planning proposal must locate zones for urban purposes and include</i></p>

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions		
Direction	Requirement	Comment
		<p><i>provisions that give effect to and are consistent with the aims, objectives and principles of:</i></p> <p><i>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</i></p> <p><i>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</i></p> <p>The EILS Study states the following in relation to consideration of the Key Freight Transport Accessibility Map:</p> <p><i>Employment and innovation lands located near these key freight routes should be buffered from sensitive uses, nurtured and allowed to prosper.</i></p> <p><i>Council should be satisfied that any planning proposals in the areas surrounding the employment and innovation lands along key freight routes should not preclude the continued use of those routes for freight.</i></p> <p>The subject site currently accommodates commercial office premises and does not contribute to industrial and logistic/freight uses within the precinct.</p> <p>Based on the constraints of the site it cannot accommodate industrial land uses that will support freight industries and the existing commercial use of the site does not impact on the continued use of the key routes for freight.</p> <p>The proposal will facilitate further employment generating land uses and services in close proximity to the Auburn Town Centre and existing residential</p>

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
		<p>areas without impacting on the street network thus achieving the objectives of Direction 5.1.</p> <p>The proposal is therefore consistent with the Direction as it will facilitate uses that minimise the impact on the surrounding transport network whilst providing employment and services within close proximity to existing residential areas and the Auburn Town Centre.</p> <p>A Traffic and Parking Assessment has been prepared by ML Traffic in support of the proposal and is provided in Appendix E. The report makes the following conclusions:</p> <ul style="list-style-type: none"> • 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

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions		
Direction	Requirement	Comment
		<p>Development Control Plan 2021 can be met onsite. The proposed car parking provisions are considered acceptable.</p> <ul style="list-style-type: none"> 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.
Focus Area 7 – Industry and Employment		
7.1 – Business and Industrial Zones	<p>(1) A planning proposal must:</p> <ul style="list-style-type: none"> a) give effect to the objectives of this direction, b) retain the areas and locations of existing business and industrial zones, c) not reduce the total potential floor space area for employment uses and related public services in business zones, d) not reduce the total potential floor space area for industrial uses in industrial zones, and 	<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 will facilitate additional 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 does not reduce the total potential floor space area for industrial uses as the existing building has never been utilised for industrial purposes thus the proposal will not result in the loss or</p>

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions		
Direction	Requirement	Comment
	e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary.	<p>encroachment of existing or potential industrial floor space.</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 response and the documentation submitted with the proposal.</p> <p>The proposal will not result in the loss or encroachment of industrial land. As previously outlined, the subject site is highly constrained and cannot facilitate industrial land use in line with the existing zoning based on its location, vehicular access, configuration and size. Since 2000, the site has been used for a variety of office purposes with no restriction to those office uses being linked to industrial development. This proposal therefore does not result in 'loss of industrial land.'</p> <p>The proposal will allow for the continued use of the site to provide key services and facilities for workers and residents in the area without impacting on functioning industrial land or uses.</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 for the purposes of medical centre and office premises uses. The future uses of the site will be located on an existing disturbed site and 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

An Urban Design and Massing Design Study has been prepared by Architectus (**Appendix F**) in support of the proposal which undertakes an assessment of the urban design impacts of the proposal and potential massing scenarios to inform the best fit maximum building height for the site based on the relevant provisions of the Cumberland LEP and DCP applying to the site.

It is proposed that any development on the site be in keeping with the height and bulk of the majority existing and potential future developments on surrounding sites. It is noted that the current height control on the residential area to the southwest is 9 metres and that the existing medium density residential development immediately west of the site surpasses this by around 2 metres (4 storeys of 2.7 metres floor-to-floor). For the purposes of this urban design and massing study, 9 metres and 11 metres shall be considered the lower and upper bounds for a height control that produces development on the site that is in keeping with its immediate context.

Massing scenario 1 - 9 metre height control

The first massing scenario presented provides 1,600m² of Gross Floor Area (GFA) within a building envelope of 850m² GBA over two floors generally towards the eastern half of the site. The building is approximately 55.5 metres long and is 19.4 metres wide at its widest point, tapering to 13.8 metres at its western end (set out in line with the larger rail building to its rear) and 5.4 metres at its eastern end. The building height is at or below 9.0 metres over the natural ground plane at all points.

The building envelope complies with the 5 metre front setback zone, though providing nil setbacks to the rear and east side boundaries. A nominal roof plant area is accommodated over the eastern half of the building envelope. Both the main building envelope and the roof plant area are pushed towards the east so that as the ground slopes down towards the west, the building remains below a 9 metre height plane, most critically at the western elevation where the parapet height of RL+30.95 remains just within 9 metres above the RL+22.00 site contour. This is based on typical floor-to-ceiling and floor-to-floor allowances for the proposed additional uses.

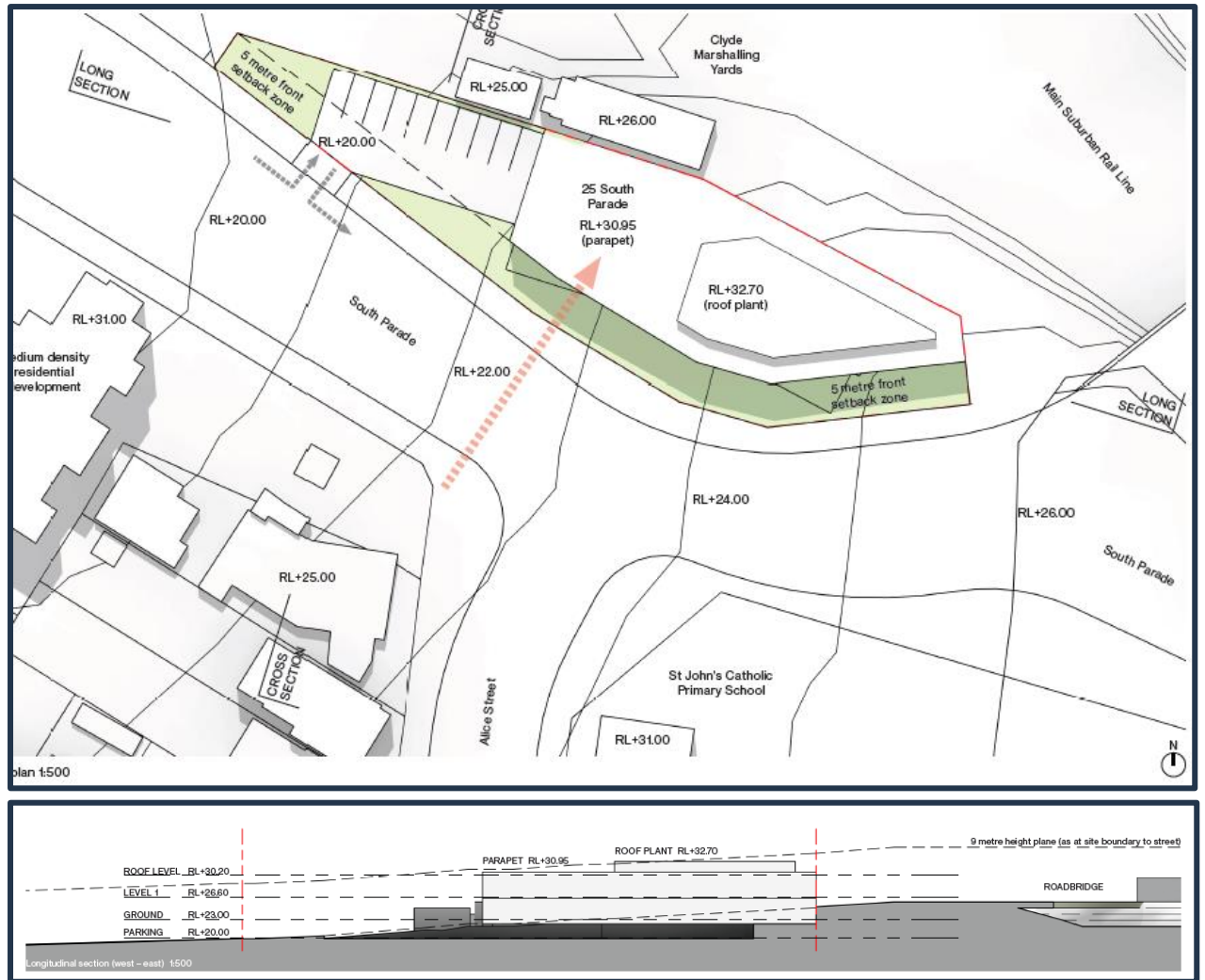


Figure 9: 9m massing scenario site plan and elevation (Source: Architectus)

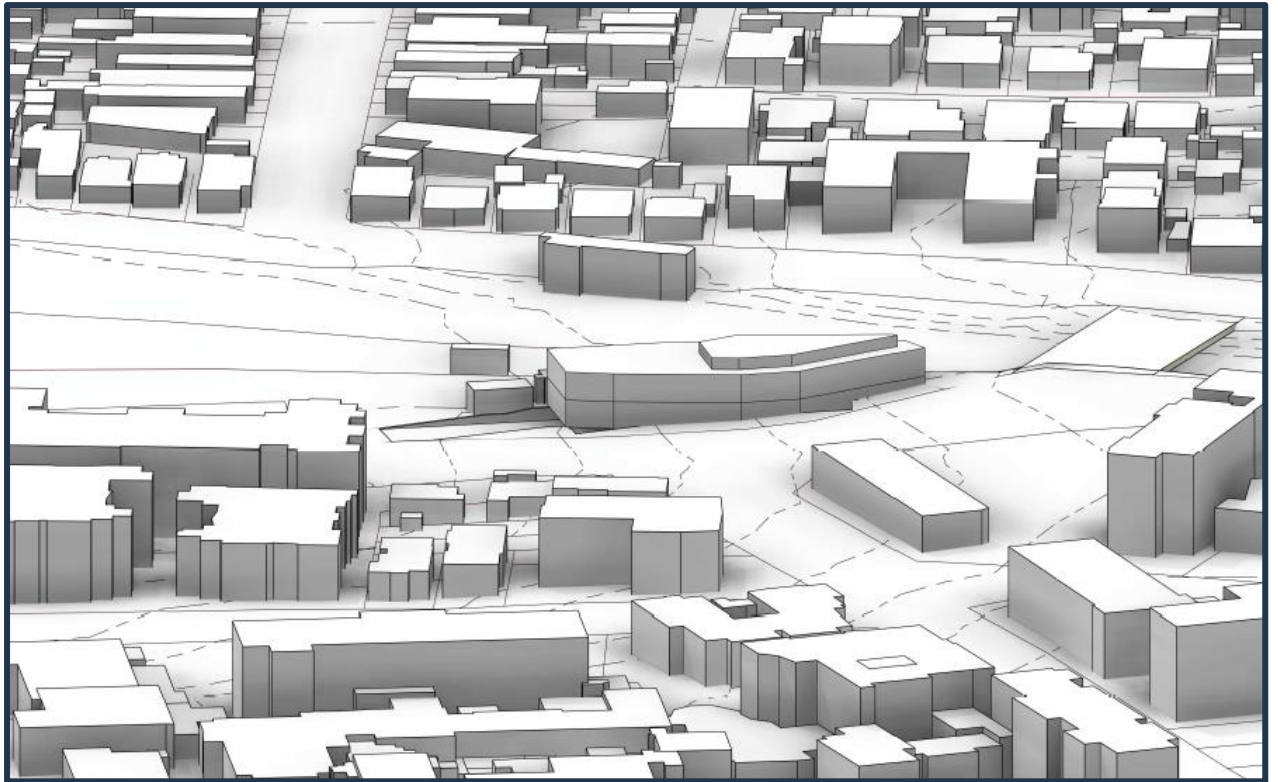


Figure 10: 9m massing scenario 3D view (Source: Architectus)

Massing scenario 2 - 11 metre height control

The first massing scenario presented above complied with all existing development controls and the lower bound of potential height controls under consideration. However, by providing nil setbacks to the rear and east side boundaries, it produces a compromised experience for occupants of the building and creates challenges for excavation and construction along these boundaries.

The second massing scenario here considers a slight relaxation of the height control to 11 metres. This allows the building footprint to expand westward even as the ground slopes down towards the west, thus allowing setbacks of 1.5 metres along the rear and east side boundaries. These setbacks afford daylighting and natural ventilation opportunities to the northern facade of the building as well as an allowance for screening and other devices to calibrate those opportunities.

This provides a much-improved experience for occupants at the cost of only negligible to minor impacts to the bulk of the building and on the precinct. Like the first scenario, this second scenario provides 1,600m² of GFA within a building envelope of 850m² GBA over two floors. The building is approximately 65.5 metres long and is 17.9 metres wide at its widest point, tapering to 8.3 metres at its western end (set out in line with the smaller rail building to its rear) and 4.6 metres at its eastern end. The building height is at or below 11.0 metres over the natural ground plane at all points. This is based on typical floor-to-ceiling and floor-to-floor allowances for the proposed additional uses. Levels of each structural floor are the same as in the first massing scenario.

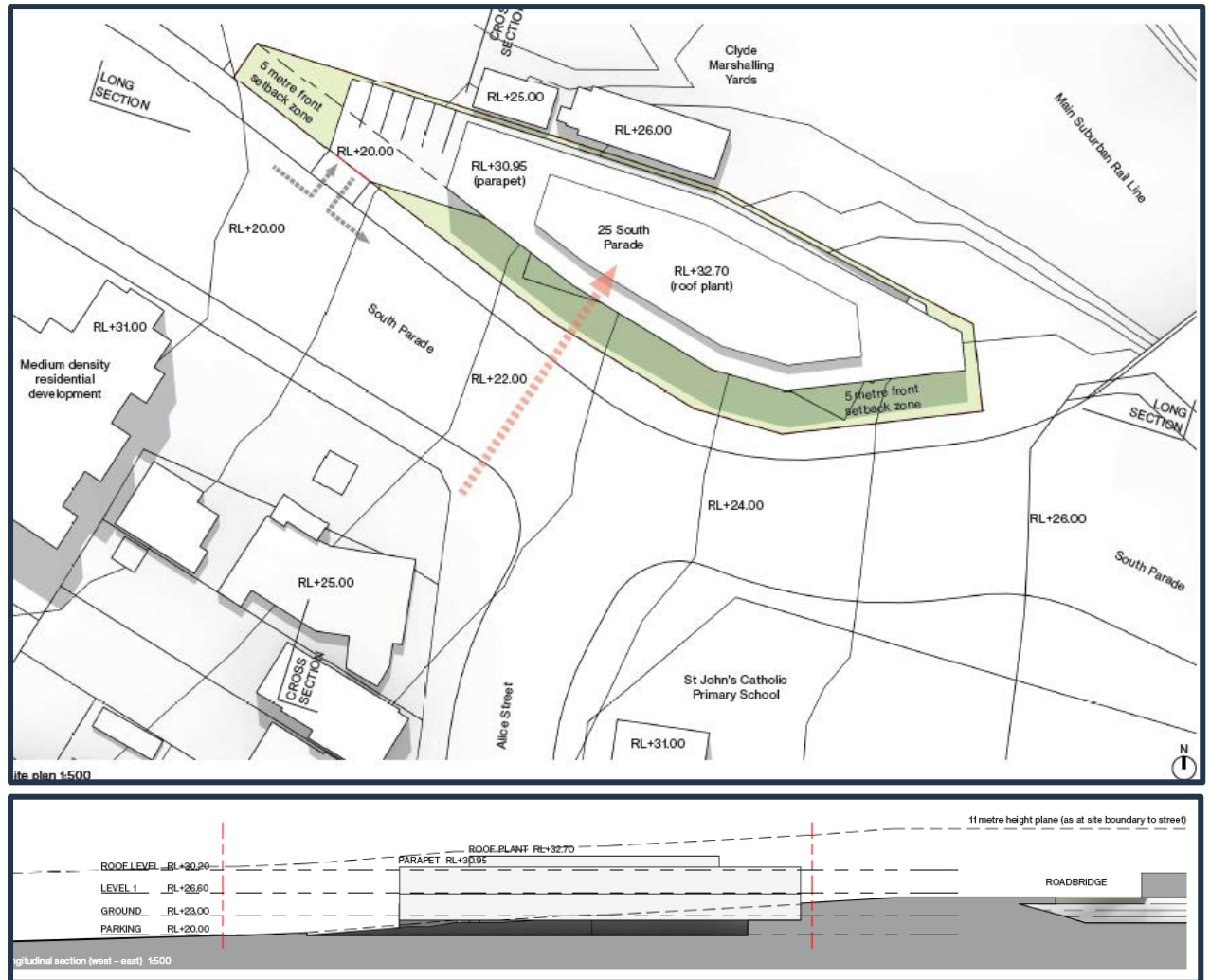


Figure 11: 11m massing scenario site plan and elevation (Source: Architectus)

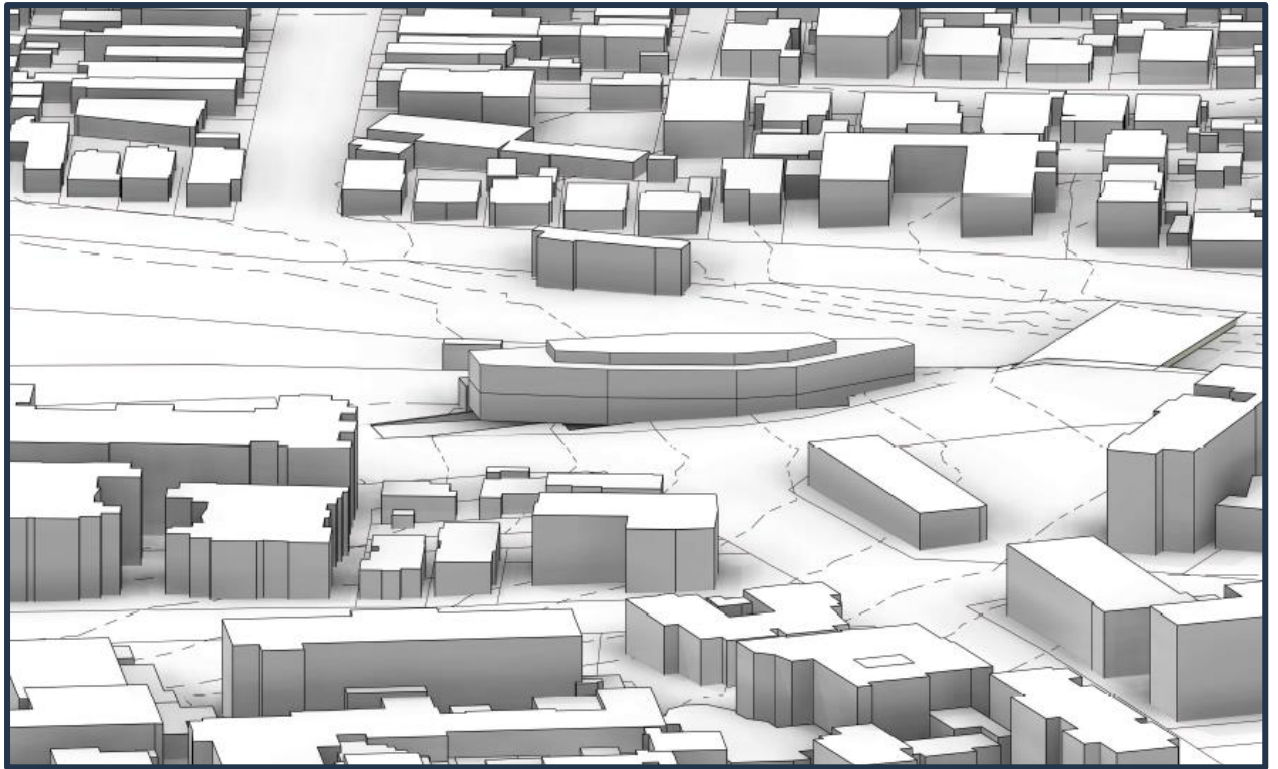


Figure 12: 11m massing scenario 3D view (Source: Architectus)

Summary

The massing scenarios presented above demonstrate that the proposed additional uses of medical centre and office premises may be accommodated on the site to the full floor space allowance of the LEP, and in compliance with existing LEP and Development Control Plan (DCP) controls. Despite challenges accommodating the minimum car parking requirements of the DCP for the proposed additional uses within the site's narrow, tapering geometry, a satisfactory urban design outcome can be achieved by providing deep soil soft landscaping over and above the minimum required by the DCP, within the front setback zone where it can be seen and enjoyed by surrounding occupants and passersby as well.

Consideration of building envelopes providing the floor space allowable under LEP and conforming to height controls of either 9 or 11 metres identifies that both height controls produce building envelopes with very similar and satisfactory outcomes for the precinct.

However, compared to the height control of 9 metres, the height control of 11 metres produces a building envelope with significantly superior architectural outcomes in terms of daylighting and natural ventilation, occupant experience, sustainability, constructability, and civil engineering impacts.

As a result, the proposal seeks to amend the Cumberland LEP to include a maximum building control of 11m for the site.

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, medical centres and associated noise are typically well contained within the building's external envelope.

Furthermore, the majority of office 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.

- Office 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.

Heritage

A Heritage Assessment has been prepared by Touring the Past in support of the proposal and is provided in **Appendix H**. The assessment states that the proposal is restricted to the provision of new permitted uses under the current zoning overlay at the place. No physical intervention, including sub-surface disruption, is proposed and concludes that the planning proposal is supportable from a heritage impact perspective.

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 for the purposes of medical centre and office premises uses. 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 E1 Local Centre 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. It enjoys existing use rights and the planning proposal simply 'legitimises' these existing land uses.

The planning proposal seeks to include office premises and medical centres 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 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 and office premises in an accessible location providing services and facilities for both workers and residents in the area.

A Social Impact Comment has been prepared by Hill PDA in support of the proposal and is provided in **Appendix G**. The report makes the following conclusions:

- The Planning Proposal is likely to have very limited impacts on ways of life in terms of noise and traffic.
- The Planning Proposal is likely to benefit both community cohesion and development, by supporting local access to potential employment and services.

- The Planning Proposal would likely improve access to jobs in the local area.
- The Planning Proposal is unlikely to impact local culture due to any heritage implications. Simultaneously, the site may make a positive cultural contribution to the area, and to Auburn town centre in particular by increasing the range of uses that would be permissible on the site
- The Planning Proposal is likely to have a positive impact in terms of health and wellbeing, helping to expand the potential provision of local health services while supporting convenient employment opportunities for local residents
- The Planning Proposal does not involve any changes to built form; it therefore does not risk impacting local character in this way. At the same time, the site may strengthen its surroundings by providing ancillary services that could benefit wider industrial lands, as well as Auburn town centre and nearby residents
- The Planning Proposal would support a greater range of potential development on the site than what is currently possible, thus presenting a possible benefit for livelihoods in the area.

Overall, the research presented in this document raises no significant concern of potential negative social impact to arise from the planning proposal. The planning proposal may result in positive social outcomes through increased provision of health services and employment opportunities.

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 medical centre and office premises.
- Amending the Cumberland LEP 2021 Height of Buildings Map for the subject site (Sheet HOB_012) to identify a maximum building height of 11m.

Thumbnail mapping of the above intended outcomes is provided below.

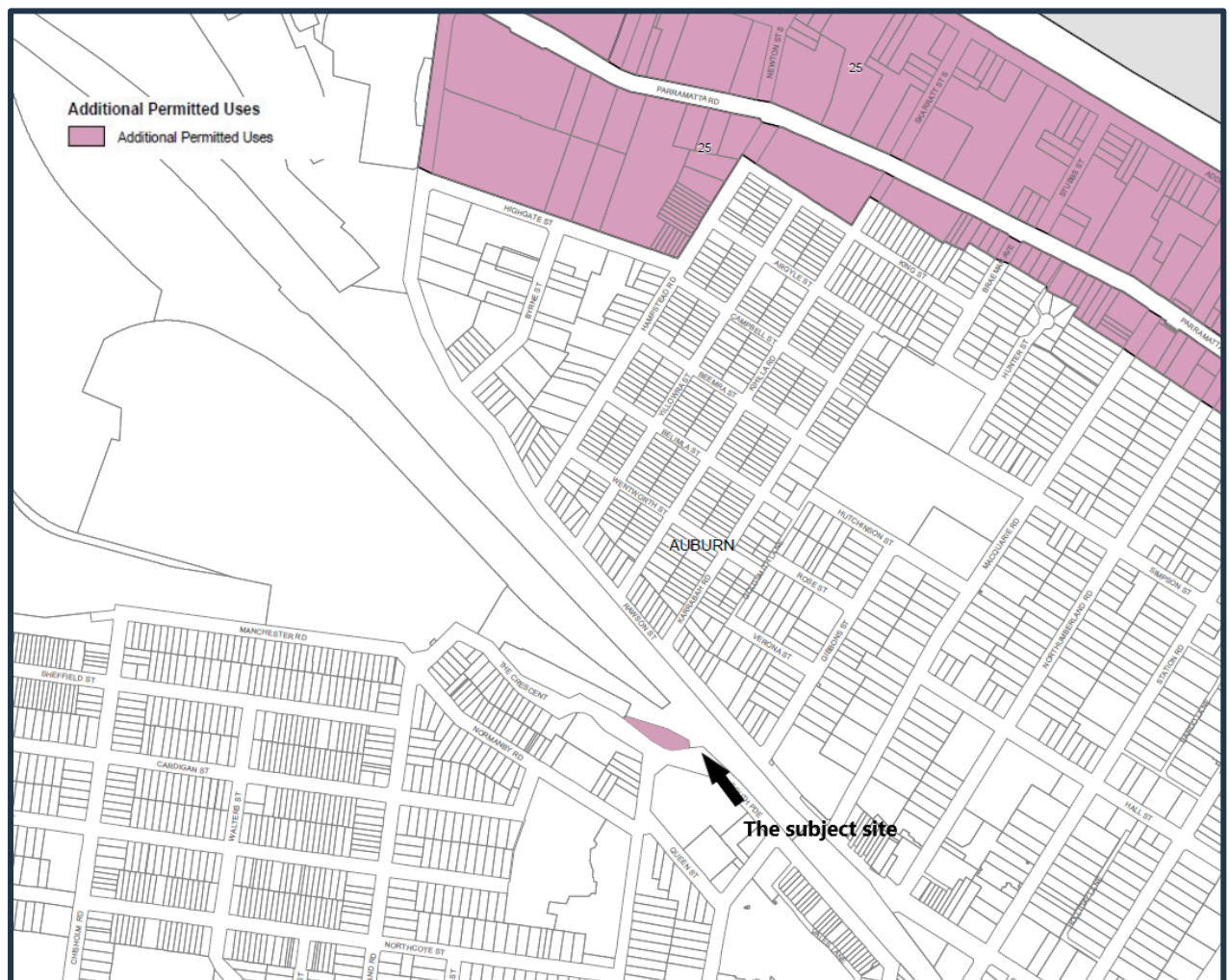


Figure 13: Proposed Additional Permitted Uses Map

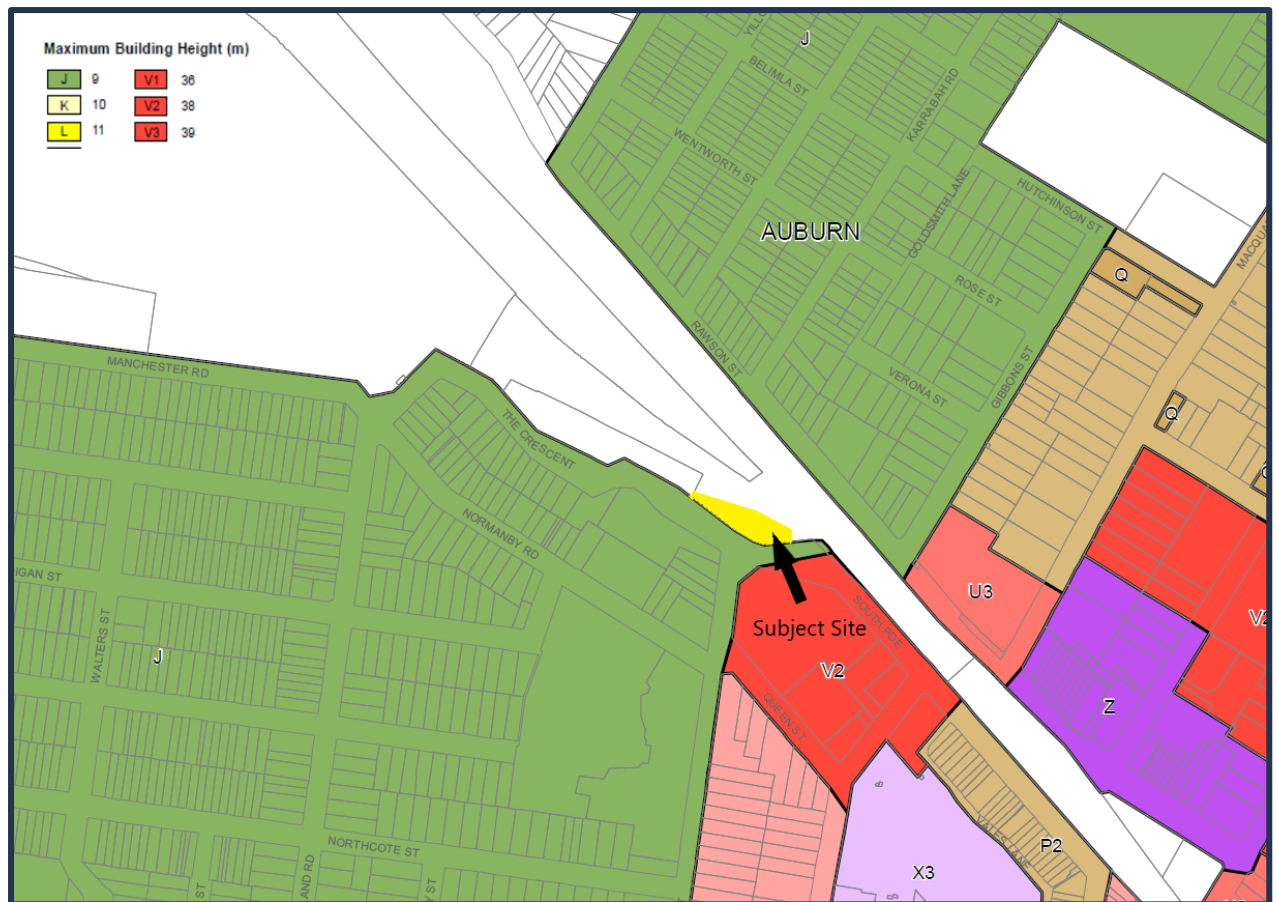


Figure 14: Proposed Maximum Building Height Map

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.

Table 6: Anticipated Project Timeline	
Stage	Timeframe
Stage 1 – Pre-Lodgement	30 Days (complete)
Stage 2 – Lodgement of Planning Proposal & Assessment by Council	80 days (partially complete)
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
Total (end to end)	250 days

THE PLANNINGHUB

by Hawes & Swan

APPENDIX A

PRE-LODGEEMENT 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
Strategic and Site-based Merit	<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 E4 zone objectives, which are to:</p> <ul style="list-style-type: none"> • To provide a range of industrial, warehouse, logistics and related land uses. • To ensure the efficient and viable use of land for industrial uses. • To minimise any adverse effect of industry on other land uses. • To encourage employment opportunities. • To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers. 	<p>The planning proposal seeks to include the additional permitted uses of medical centres and office premises on the site. The proposed additional permitted uses are consistent with the relevant objectives of the E4 General Industrial zone under the Cumberland LEP 2021 as follows:</p> <ul style="list-style-type: none"> • 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, warehouse and logistics land uses; • The proposed uses ensure the efficient and viable use of the site; • The proposed uses will provide a range of employment opportunities for the community; • 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.

	<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>The rationale for the planning proposal is to facilitate the future use of the site for the purposes of a medical centre and office 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 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 medical centre and office 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 Appendix E. The assessment includes a review of the following:</p> <ul style="list-style-type: none"> • 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. <p>The report makes the following conclusions:</p>
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Justification	<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"> • Is there a need for the proposal, or can the site be reasonably developed under existing controls? 	<p>The project objective and intended outcome for the planning proposal is to facilitate the future use of the site for the purposes of medical centres and office 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</p>

	<ul style="list-style-type: none"> • 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? 	<p>surrounding context based on the site's proximity to the Auburn Town Centre.</p> <p>The subject site is currently zoned E4 General Industrial under the provisions of the Cumberland LEP 2021. Medical Centres and office premises are prohibited in the E4 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 E1 Local Centre 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 medical centre and office 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 medical centre and office premises. The specialist studies are provided as Appendices to this report.</p> <p>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</p>
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		<p>key planning strategies and policies relevant to the site which are as follows:</p> <ul style="list-style-type: none"> • Greater Sydney Region Plan; • Central City District Plan; • Cumberland Local Strategic Planning Statement; and • Cumberland Employment and Innovation Lands Strategy. <p>There are three options that could apply to the site regarding its potential development. These are as follows:</p> <p>Option 1: Do Nothing</p> <p>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 and office premises in an accessible location.</p> <p>Option 2 – Lodge a Development Application</p> <p>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.</p>
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		<p>Option 3 – Planning Proposal</p> <p>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.</p>
<p>Consistency with the strategic planning framework and policy context</p>	<p>Any planning proposal lodged for the site will need to demonstrate consistency with:</p> <ul style="list-style-type: none"> • 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 	<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>Traffic and transport</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"> • 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 	<p>A Draft Planning Proposal has been prepared in accordance with the Department of Planning and Environment's new LEP-making Guideline.</p> <p>An Urban Design and Massing Design Study has been prepared by Architectus (Appendix F) in support of the proposal which undertakes an assessment of the urban design impacts of the proposal and potential massing scenarios to inform the best fit maximum building height for the site based on the relevant provisions of the Cumberland LEP and DCP applying to the site. As a result, the proposal seeks to amend the Cumberland LEP to include a maximum building control of 11m for the site.</p>

	<ul style="list-style-type: none"> • Economic Impact Assessment • Transport and Access Study • Heritage Impact Assessment/European Archaeology Assessment • Noise/vibration Assessment. 	<p>An Economic Impact Assessment has been prepared in support of the proposal by Hill PDA and is provided in Appendix D. 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 Appendix E. The report concludes that the planning proposal is acceptable from a traffic and parking perspective.</p> <p>A Heritage Assessment has been prepared by Touring the Past in support of the proposal and is provided in Appendix H. The assessment states that the proposal is restricted to the provision of new permitted uses under the current zoning overlay at the place. No physical intervention, including sub-surface disruption, is proposed and concludes that the planning proposal is supportable from a heritage impact perspective.</p> <p>An Acoustic Letter 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.</p>
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