



EF23/4154

## Gateway determination report – PP-2022-2040

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25 South Parade, Auburn – Additional Permitted Uses  
and Height of Buildings

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# Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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**Table 1 Reports and plans supporting the proposal**

**Relevant reports and plans**

Attachment A – Planning Proposal 25 South Parade, Auburn

Attachment B – Pre-lodgement Consultation Response Compliance Table

Attachment C – Existing Plans

Attachment D – Acoustic Review

Attachment E – Economic Assessment

Attachment F – Traffic and Parking Impact Assessment

Attachment G – Urban Design and Massing Study Report

Attachment H – Urban Design Site Analysis

Attachment I – Social Impact Comment

Attachment J – Heritage Impact Memorandum

Attachment K – Preliminary Site Investigation

Attachment L – Early Consultation Report

Attachment M – Transport for NSW Submission

Attachment N – NSW Environment Protection Authority Submission

Attachment O – Letter of Offer

Attachment P – Cumberland Local Planning Panel Decision

Attachment Q – Council Report

Attachment R – Council Meeting Minutes

# 1 Planning proposal

## 1.1 Overview

**Table 2 Planning proposal details**

<b>LGA</b>	<b>Cumberland</b>
<b>PPA</b>	<b>Cumberland City Council</b>
<b>NAME</b>	<b>25 South Parade, Auburn – Additional Permitted Uses and Height of Buildings</b>
<b>NUMBER</b>	<b>PP-2022-2040</b>
<b>LEP TO BE AMENDED</b>	<b>Cumberland Local Environmental Plan 2021</b>
<b>ADDRESS</b>	<b>25 South Parade, Auburn</b>
<b>DESCRIPTION</b>	<b>Lot 2 DP806999</b>
<b>RECEIVED</b>	<b>28/11/2023</b>
<b>FILE NO.</b>	<b>EF23/4154</b>
<b>POLITICAL DONATIONS</b>	<b>There are no donations or gifts to disclose and a political donation disclosure is not required</b>
<b>LOBBYIST CODE OF CONDUCT</b>	<b>There have been no meetings or communications with registered lobbyists with respect to this proposal</b>

## 1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to facilitate the future use of the site for the purposes of a medical centre and office premises by inserting the uses of ‘medical centre’ and ‘office premises’ as additional permitted uses in the Cumberland LEP 2021 and applying a maximum building height of 11m.

Cumberland City Council (Council) considers these uses consistent with the development in the surrounding area.

The objectives of this planning proposal are clear and adequate.

## 1.3 Explanation of provisions

The planning proposal seeks to amend the Cumberland LEP 2021 (CLEP 2021) per the changes below:

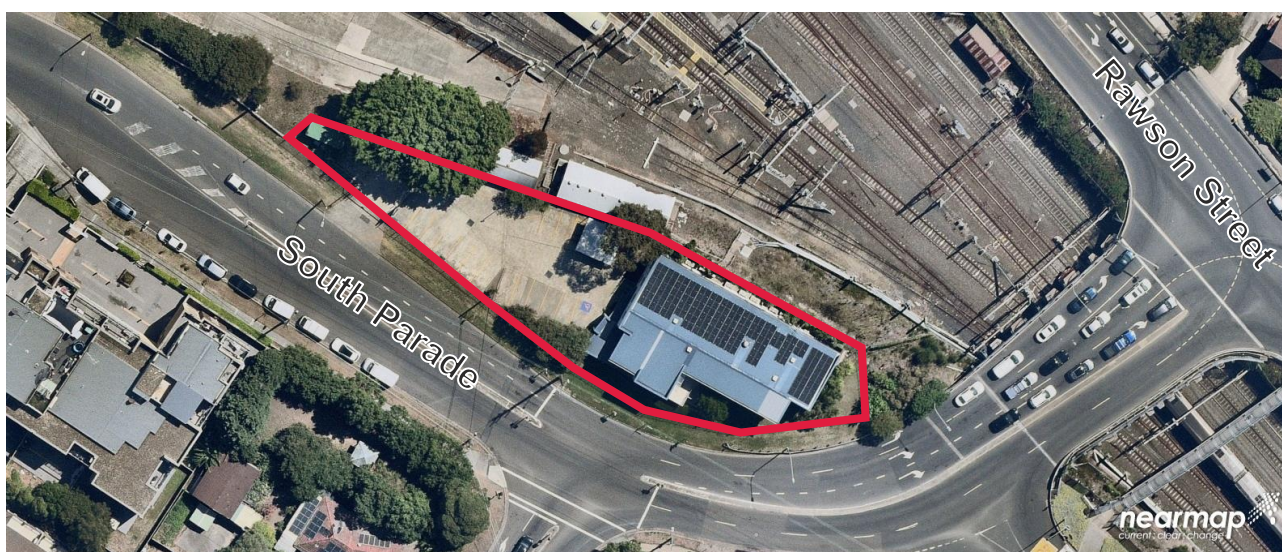
- Amend the CLEP 2021, Additional Permitted Uses Map (Sheet APU\_012) to identify the subject site for additional permitted uses.
- Amend CLEP 2021, Schedule 1 Additional permitted uses to include a provision for the subject site, which permits with development consent the uses of 'medical centre' and 'office premises'.
- Amend CLEP 2021, Height of Buildings Map (Sheet HOB\_012) to identify the subject site as having a maximum building height of 11m (currently there is no height control).

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

## 1.4 Site description and surrounding area

The subject site is 25 South Parade, Auburn. The site is an irregular oblong in shape, and has a site area of approximately 1,603m<sup>2</sup>. The site has a northern boundary of approximately 92m in length, an eastern boundary of approximately 10m, a southern boundary (which fronts on to South Parade) of approximately 103m, and a western boundary of approximately 5m. The site slopes down from the eastern boundary at approximately RL+25.00 to the western boundary at approximately RL+20.00

The site currently contains a two-storey office building on the eastern half of the site, and an at-grade car park on the western half of the site.



**Figure 1 Subject site, outlined in red (source: Nearmap, with markings by Department of Planning, Housing and Infrastructure)**

The site is located approximately 350m north-west of the Auburn Town Centre and Train Station, and 4.2km south-east of the Parramatta CBD.

To the immediate north and east of the site are rail lines on the Transport for NSW rail network, with a residential area of detached dwellings and low-rise apartment blocks further north and east. The Auburn Town Centre and Railway Station are to the south-east of the site. To the immediate south is St John's Catholic Primary School and some detached dwellings and low-rise apartment blocks. Further south is Trinity Catholic College and St Josephs Hospital, and additional low to medium density residential. To the west is an area of detached dwellings and industrial buildings, with the Sydney Trains Clyde/Auburn Stabling Yards and Maintenance Hub to the north-west.



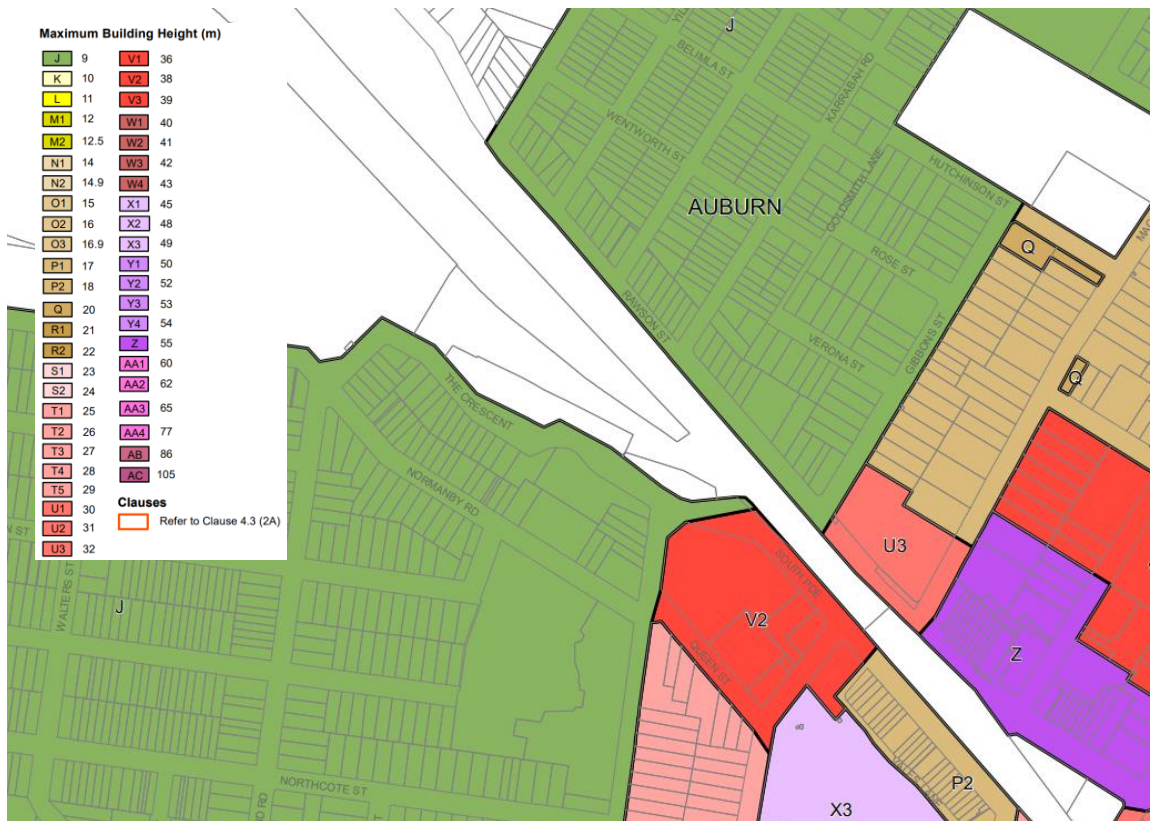


**Figure 2 Site context, with the site shown in red (source: Nearmap, with markings by Department of Planning, Housing and Infrastructure)**

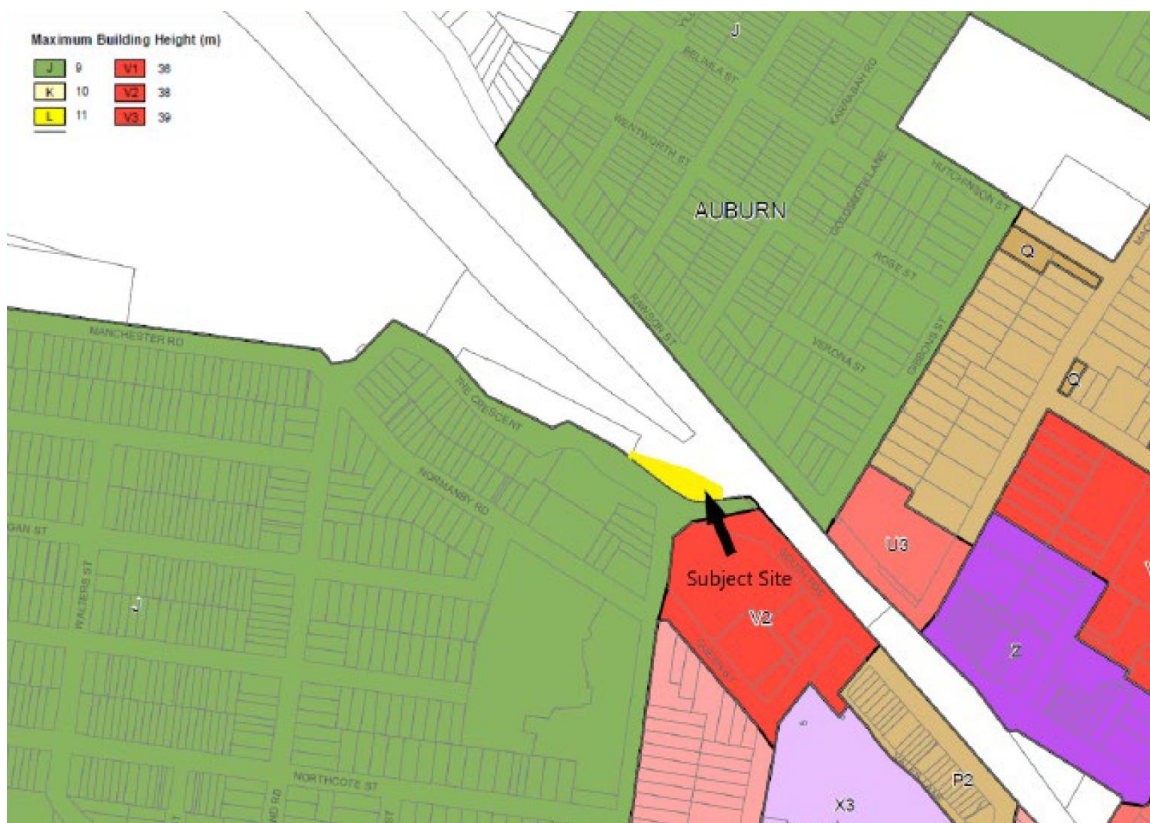
## 1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the Cumberland LEP 2021 maps, which are suitable for community consultation.



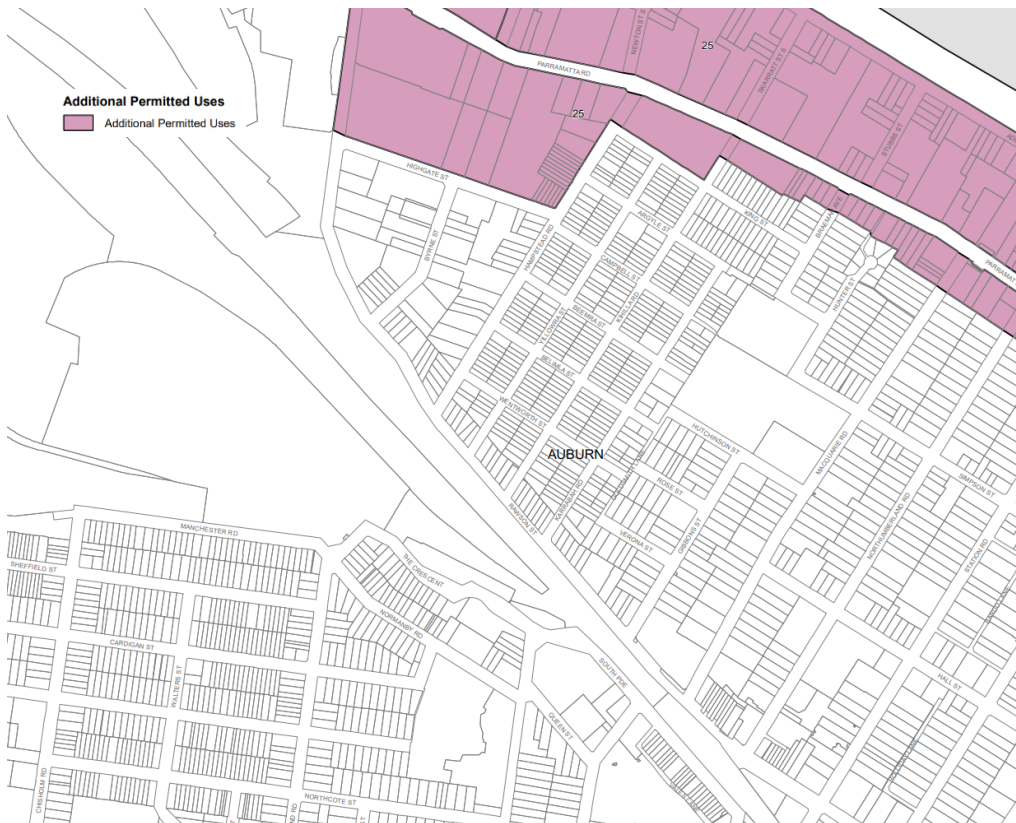


**Figure 3 Current height of building map (source: Cumberland Local Environmental Plan 2021 Height of Buildings Map HOB\_012)**

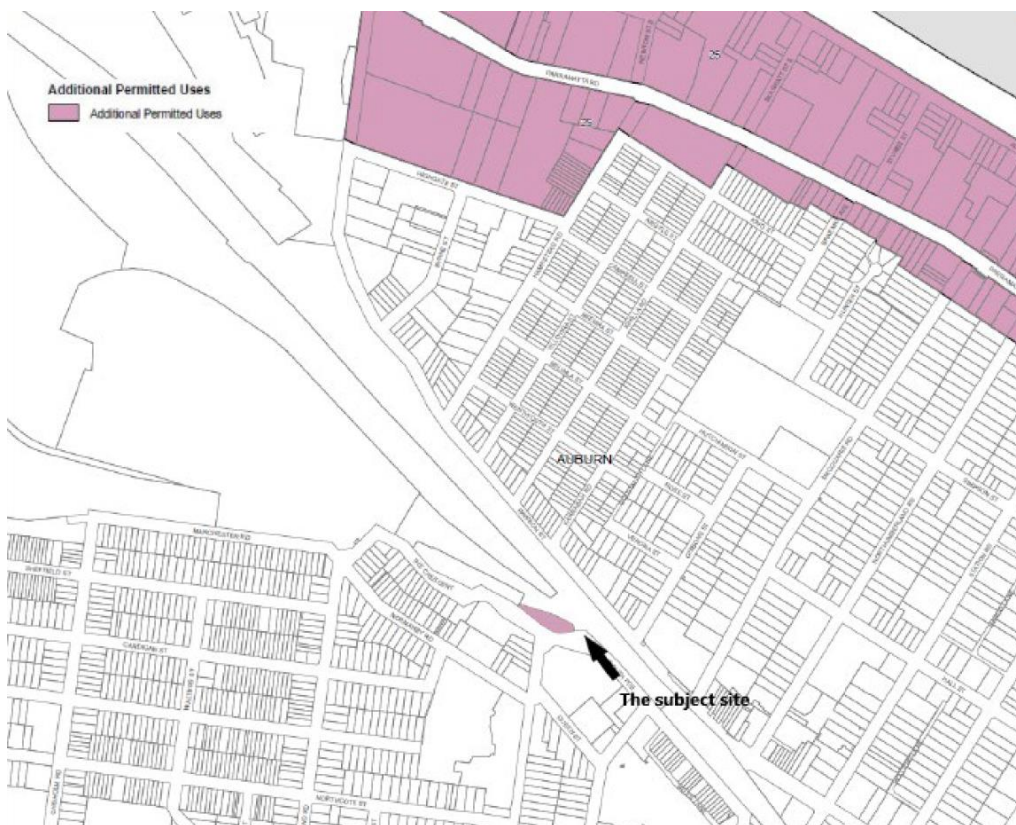


**Figure 4 Proposed height of building map (source: Planning Proposal report)**





**Figure 5 Current Additional Permitted Uses Map (source: Cumberland Local Environmental Plan 2021 Additional Permitted Uses Map APU\_012)**



**Figure 6 Proposed Additional Permitted Uses Map (source: Planning Proposal report)**

## 1.6 Background

- On 23 February 2022, a pre-lodgement meeting was held between the applicant, landowner, and Council staff to discuss the proposed planning proposal. Council provided pre-lodgement advice on 8 March 2022.
- In June 2022, the Proponent lodged an initial Planning Proposal which sought additional permitted uses for health service facilities, office and business premise and for a maximum of 9m for those additional uses.
- On 14 March 2023, an additional meeting was held between the applicant and Council staff, with advice provided by Council on 17 March 2023. In this advice, Council raised that the proposal had several inconsistencies with relevant strategic planning documents, and proposed three options:
  - *“1. Progress with only ‘Office premises’ as an additional permitted use, subject to the receipt of further information*
  - *2. Pursue the current proposal, which would likely be recommended to the Local Planning Panel and Council to not proceed*
  - *3. Withdraw the proposal and discuss potential refund options”*
- On 13 September 2023, the planning proposal *“that seeks to amend Schedule 1 of Cumberland LEP 2021 to permit office premises and a medical centre as additional permitted uses (APUs) on the site, and to introduce a maximum building height of 11m on the site for these uses”* was reported to the Cumberland Local Planning Panel Meeting, with Council staff recommending it be supported. The planning proposal was unanimously supported by the Panel members.
- On 18 October 2023, the planning proposal was reported to the Council Meeting, with Council staff recommending that it be endorsed and forwarded to the Department for a Gateway Determination. The motion was carried.
- On 28 November 2023, the planning proposal was lodged with the Department.

## 2 Need for the planning proposal

This planning proposal is not the result of any strategic study or report and was initiated by the landowner. The planning proposal is supported by analysis with relevant strategic reports, namely the:

- Greater Sydney Region Plan
- Central City District Plan
- Cumberland Local Strategic Planning Statement
- Cumberland Employment and Innovation Lands Strategy.

The planning proposal is considered the best means of achieving the objectives and intended outcomes, as it is the only pathway which enables the proposed additional uses to be added as permissible for the site.



## 3 Strategic assessment

### 3.1 District Plan

The site is within the Central City District. The Greater Sydney Commission released the Central City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The following table includes an assessment of the planning proposal against relevant directions and actions.

**Table 4 District Plan assessment**

District Plan Priorities	Justification
Planning Priority C1 Planning for a city supported by infrastructure	The planning proposal will utilise existing infrastructure to provide services and facilities to serve the local population.
Planning Priority C3 Providing services and social infrastructure to meet people's changing needs	The proposal will enable the site to be used for services to support the local community, in close proximity to the Auburn Town Centre. The provision of a medical centre on the site will improve local access to health facilities which assists to improve health outcomes.
Planning Priority C8 Delivering a more connected and competitive GPOP Economic Corridor	The proposal will deliver medical centre and office premises uses in close proximity to the Auburn Town Centre and public transport. This will increase the provision of jobs and services in a well located and accessible place.
Planning Priority C9 Delivering integrated land use and transport planning and a 30-minute city  Planning Priority C10 Growing investment, business opportunities and jobs in strategic centres	The proposal provides access to services and jobs on a well-located site, adjoining the Auburn Town Centre and within a short walking distance of the Auburn Train Station. The proposal will not have an impact on the freight movement network.
Planning Priority C11 Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land	Industrial land in the Cumberland LGA is classified as 'review and manage'. Under this classification, the <i>"Greater Sydney Commission will review all industrial and urban services land under this approach to either confirm its retention ... or manage uses to allow sites to transition to higher-order employment activities (such as business parks)"</i> .  The proposed additional permitted uses diversify the employment-generating opportunities for the site, and can be considered 'higher-order employment activities', as the uses of both medical centre and office

District Plan Priorities	Justification
	<p>premises would occur in business parks (the example of 'higher-order employment activities' provided in the District Plan).</p> <p>Additionally, as the site retains its E4 General Industrial zoning, it is not removing industrial land as the site maintains the option of being used for industrial purposes in the future.</p> <p>This Priority also notes that <i>"Industrial and urban services land in Cumberland Local Government Area is required for emerging innovative industries in digital innovation, media, arts, creative industries, food and beverage manufacturing, allied health, research and development and advanced technology manufacturing."</i></p> <p>This list includes allied health, which the proposal's medical centre use can provide for. Additionally, a number of the other listed uses, particularly those in the creative industry, could be accommodated on the site under the office premises use.</p> <p>Further, the proposed additional uses retain the site for employment purposes – it does not enable residential uses on the site.</p>

The planning proposal is mostly consistent with the planning priorities mentioned above. There is a minor departure from the District Plan as the planning proposal will add employment uses of medical centre and office premises to industrial land but as discussed above these uses can be considered higher order employment uses and are still in keeping with the general objective of the District Plan.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*.

## 3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

**Table 5 Local strategic planning assessment**

Local Strategies	Justification
Cumberland 2030: Our Local Strategic Planning Statement (LSPS)	<p>Cumberland 2030: Our Local Strategic Planning Statement sets out the land use strategy for the Cumberland LGA over 10 years to 2030. It is aligned to the 20-year vision for Cumberland and gives effect to the Greater Sydney Regional Plan: A Metropolis of Three Cities and Central City District Plan.</p> <p>The proposal is generally consistent with the priorities in the LSPS, including:</p> <ul style="list-style-type: none"> <li><i>Priority 10 – Support a strong and diverse local economy across town centres and employment hubs:</i> The proposal will diversify employment use options for the subject site which is on the edge of the Auburn Town Centre.</li> <li><i>Priority 11 – Promote access to local jobs, education opportunities and care services:</i> The proposal will provide job opportunities and the potential for additional care services through the application of the 'medical centres' land use</li> </ul>

Local Strategies	Justification
	<ul style="list-style-type: none"> <li><i>Priority 12 – Facilitate the evolution of employment and innovation lands to meet future needs:</i> The proposal provides for medical centre and office premises uses, which can be used to provide for the future needs of the surrounding community.</li> </ul> <p>The LSPS also makes general reference to the retention of industrial lands. The proposal is consistent with this as it retains the site's E4 General Industrial zoning.</p>
Cumberland Employment and Innovation Lands Strategy	<p>The Cumberland Employment and Innovation Lands Strategy (2019) is a strategy by Council which examines employment and innovation lands in Cumberland and provides a management framework for these lands over a ten-year period.</p> <p>In the strategy, the subject site is identified as being part of the Clyburn precinct. Clyburn is referred to as a 'Services and Innovation' precinct, with a strategic focus to <i>"Maintain support service capability (eg. train operations) and encourage new service, research and innovation activities"</i>. The proposal is consistent with this strategic focus as the proposed medical centre and office premises uses can provide floorspace for service, research, and innovation activities.</p> <p>The proposal is consistent with the planning principles contained in the strategy, including <i>'Ensuring the land use planning framework for employment and innovation lands promotes innovation and target industries'</i>, as the proposed uses of medical centre and office premises provide capacity for several of the target industry sectors included in the strategy, namely digital technologies and media, advanced knowledge services, creative industries, and allied health.</p>

### 3.3 Local planning panel (LPP) recommendation

In their meeting on 13 September 2023, the Cumberland Local Planning Panel recommended that Council supports the planning proposal for the purpose of a gateway determination.

### 3.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

**Table 6 9.1 Ministerial Direction assessment**

Directions	Consistent?	Reasons for Consistency or Inconsistency
1.4 Site Specific Provisions	No – Justified	<p>The objective of this Direction is to discourage unnecessarily restrictive site-specific planning controls.</p> <p>The proposal seeks to amend the CLEP 2021 to introduce two new uses as permissible with consent on the subject site – medical centre and office premises – and introduce an 11m maximum height of</p>



Directions	Consistent?	Reasons for Consistency or Inconsistency
		<p>buildings control. Given this, the proposal is inconsistent with this Ministerial Direction.</p> <p>The planning proposal details that the site has not been used for industrial purposes for an extended period of time and the additional permitted uses is consistent with a DA that was approved by Council.</p> <p>The proposed controls are not considered to be overly restrictive and given the very limited extent of their applicability (minor additional uses and a maximum building height for a single site), it is considered that this inconsistency is of minor significance and is accordingly justifiable.</p>
3.2 Heritage Conservation	No - Justified	<p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>The planning proposal has not addressed this ministerial direction, it is recommended that the planning proposal be updated to include assessment of this ministerial direction prior to exhibition.</p> <p>The proposal is inconsistent as the subject site is part of the Clyde Marshalling Yards archaeological site and does not include provisions to facilitate the conservation of this site. The Heritage Impact Memorandum provided as part of the planning proposal package concludes that as the proposal does not involve any physical intervention to the site, there are no heritage or archaeological impacts. However, the Council report notes it is intended the site be redeveloped to facilitate a medical centre and office uses and introduces a maximum building height of 11m.</p> <p>The inconsistency of the proposal is considered to be of minor significance as the LEP contains provisions that will ensure appropriate consideration of this heritage site at the DA stage.</p> <p>A condition in the Gateway determination is recommended that Heritage NSW be consulted as part of the public exhibition of the planning proposal.</p>
3.10 Water Catchment Protection	Yes	<p>The objective of this Direction is to protect, maintain, and improve water quality and water-related environments.</p> <p>The planning proposal has not addressed this ministerial direction, it is recommended that the planning proposal be updated to include assessment of this ministerial direction prior to exhibition.</p> <p>The proposal is within the Sydney Harbour Catchment. The proposal is consistent with this Direction as it is for administrative changes only (additional uses and a height of buildings limit). The impact of a future development on the catchment, including water quality, water flows, or the environment more broadly would be considered at the DA stage.</p>

Directions	Consistent?	Reasons for Consistency or Inconsistency
4.4 Remediation of Contaminated Land	Yes	<p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>A Preliminary Site Investigation and Assessment Report was provided as part of the Planning Proposal package. This report concluded that <i>“the site is considered to be suitable to be [sic] proposed additional permitted uses (a medical centre and office premises) for the planning proposal decision-making process.”</i></p> <p>The planning proposal is considered consistent with this ministerial direction.</p>
4.5 Acid Sulfate Soils	Yes	<p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>The site is classified as Class 5 on the Acid Sulfate Soils Map as part of CLEP 2021. The Preliminary Site Investigation and Assessment Report provided as part of the Planning Proposal package includes a discussion on Acid Sulfate Soils. The report concludes that <i>“Since no disturbance, exposure or drainage acid sulfate soils happens onsite to cause environmental damage, DRYU is of the opinion that the environmental risk related with acid sulfate soils on the site for the proposed land use amendment is unlikely.”</i></p> <p>The planning proposal is considered consistent with this ministerial direction.</p>
5.1 Integrating Land Use and Transport	Yes	<p>The objective of this direction is to improve access to housing, jobs and services by walking, cycling and public transport, reduce dependence on cars, and provide for the efficient movement of freight.</p> <p>The Traffic and Parking Impact Assessment provided with the planning proposal concludes that the proposal is anticipated to generate a low amount of additional trips in the AM and PM peaks, and that this can be accommodated by the nearby intersections without significantly affecting the performance of the intersections. Accordingly, the traffic impact is considered acceptable.</p> <p>The site is located in an accessible location on the edge of the Auburn Town Centre, and within approximately 350m of Auburn Train Station and several bus routes.</p> <p>A condition that Transport for NSW be consulted as part of the public exhibition of the planning proposal is recommended.</p> <p>The proposal is considered consistent with this ministerial direction.</p>

Directions	Consistent?	Reasons for Consistency or Inconsistency
7.1 Employment Zones	No – Justified	<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>(a) encourage employment growth in suitable locations,</li> <li>(b) protect employment land in employment zones, and</li> <li>(c) support the viability of identified centres.</li> </ul> <p>The proposal has a technical inconsistency with this direction. One of the elements of Direction 7.1 is that “1) A planning proposal must: ... (d) not reduce the total potential floor space area for industrial uses in E4, E5 and W4 zones,”. As the proposal seeks to introduce additional permitted uses that are non-industrial in nature, this may have the effect of reducing the total potential floor space area of industrial uses.</p> <p>This proposal is considered acceptably inconsistent, as the proposal is in accordance with the Central City District Plan, as set out above, and as the inconsistency relates to the application of limited additional permitted uses on a single site.</p> <p>It is recommended that the Secretary’s delegate agree that the proposal’s inconsistency with this Direction is of minor significance.</p>

The planning proposal does not include consideration for s9.1 ministerial directions: 3.2 Heritage Conservation, 3.10 Water Catchment Protection and 4.5 Acid Sulfate Soils. It is recommended that the planning proposal be updated to include assessment of these directions prior to exhibition.

### 3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with the relevant SEPP as discussed in the table below.

**Table 7 Assessment of planning proposal against relevant SEPP**

SEPPs	Requirement	Consistent?	Reasons for Consistency or Inconsistency
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	The SEPP contains planning provisions which provide a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.	Yes	The proposal is consistent with this SEPP as the Preliminary Site Investigation and Assessment Report provided as part of the Planning Proposal package concludes that the site is suitable for the proposed additional uses.



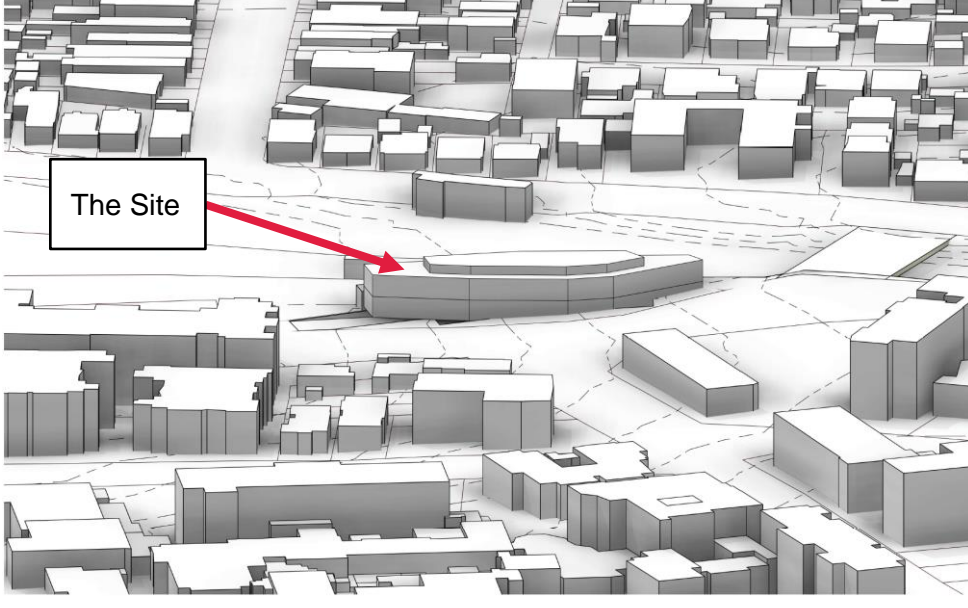
## 4 Site-specific assessment

### 4.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

**Table 8 Environmental impact assessment**

Environmental Impact	Assessment
Critical habitat or threatened species	The future uses are located on an existing disturbed site therefore there will not be any adverse ecological impacts on the site or surrounding area.
Built Form	<p>The planning proposal proposes a maximum height of buildings limit of 11m. This will work with the existing floor space ratio control of 1:1 and existing DCP controls to manage the built form of developments on the site.</p> <p>An Urban Design and Massing Study Report has been provided as part of the planning proposal package. This report includes modelling of a potential built form under the 11m height control, that also complies with the FSR and DCP controls relating to built form, as shown in the image below.</p> <p>This height is considered to deliver an acceptable built form outcome that provides flexibility for the various potential uses that could occur on site (being those permissible with consent for the E4 General Industrial zone, plus the proposed medical centre and office premises uses), while being compatible with the surrounding built form. The residential areas adjoining the site to the north, south, and south-west have a height limit of 9m, and contain buildings ranging from 1-2 storey dwellings (approx. 3-6m) to low-rise multistorey apartment blocks of 2-4 storeys (approx. 6-12m). The school adjoining to the southeast has a height limit of 38m, however the school building nearest the site has a height of approximately 7m (2 storeys). Given this context, the proposed 11m height controls (which would deliver a building of 2 storeys) is compatible with its surroundings and is an appropriate built form outcome.</p>

Environmental Impact	Assessment
	
Heritage	<p>The subject site is part of the Clyde Marshalling Yards archaeological site under the CLEP 2021.</p> <p>The supporting Heritage Assessment notes that no physical works are proposed as part of the planning proposal. However, the Council report notes it is intended the site be redeveloped to facilitate a medical centre and office uses. Should this occur, the Cumberland LEP 2021 contains provisions that will ensure appropriate consideration of heritage at the DA stage.</p>

## 4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

**Table 9 Social and economic impact assessment**

Social and Economic Impact	Assessment
Social Impacts	<p>The Social Impact Comment provided as part of the planning proposal package details a range of social impacts that may arise from the proposal.</p> <p>These include positive impacts, such as:</p> <ul style="list-style-type: none"> <li>• improved community cohesion through improved access to employment (the proposal will increase the range of employment-generating uses for the site),</li> <li>• community development and cohesion through increased/continued economic activity on the site, and</li> <li>• improved health and wellbeing through improved access to healthcare services for residents and workers.</li> </ul>

Social and Economic Impact	Assessment
	<p>The report concludes that most negative impacts are appropriately mitigated, such as:</p> <ul style="list-style-type: none"> <li>• disruption to daily lives through noise and vehicular movements associated with the site impacting surrounding residences – this is mitigated through the Traffic and Parking Impact Assessment’s conclusion that the proposal will have an <i>“acceptably low impact on transport and connectivity in the area, as nearby intersections were shown to have spare capacity and the proposal was not seen to generate significant additional traffic.”</i></li> <li>• reduction in industrial land – this is mitigated as the proposal maintains the current industrial zoning of the land, retaining its ability to be used for industrial purposes in the future,</li> </ul> <p>The Department notes the social benefits of the proposal including provision of employment opportunities within walking distance of public transport and the delivery of health services to the broader community. While noted to be low impact, potential adverse impacts on the surrounding residential area can be further considered at the DA stage. The Department considers that the proposal will result in a positive social outcome for the local government area.</p>
Economic Impacts	<p>The Economic Assessment of Planning Proposal report provided as part of the planning proposal package concludes that the proposal will have no discernible economic impact and provides an estimate that the site will provide 30 to 40 jobs under the proposed additional uses.</p> <p>This conclusion has been reached as the ‘base case’ (i.e. operation of the site as per existing arrangement as medical and office premises) and the proposed (operation of the site with the additional permitted uses of medical centre and office premises) is the same.</p> <p>The Department notes that while the existing industrial zoning will be maintained, the characteristics of the site pose some challenges for industrial development to be realised. The proposed additional permitted uses will allow for the continued use of the site aligned with the intended industry sectors for the Clyburn Services and Innovation Precinct.</p> <p>The proposed medical centre use will provide an important service to meet the needs of workers of the Clyburn Services and Innovation Precinct and the Auburn Town Centre as well as surrounding residents. Its location supports other health services in the vicinity of the site as well as supporting business within the town centre. It is considered that the proposal will make a positive economic contribution to the area.</p>

## 4.3 Infrastructure

The following table provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal and what infrastructure is proposed in support of the proposal.



**Table 10 Infrastructure assessment**

Infrastructure	Assessment
Local Infrastructure	<p>The subject site of the proposal is located in an existing urbanised area with access to transport and utility infrastructure. The Department notes the proximity of Auburn Railway Station to the site. It is not anticipated that the proposal would have a significant adverse impact on existing infrastructure.</p> <p>The Council report notes the proponent is willing to consider entering into a Planning Agreement to provide public benefit.</p> <p>Supporting studies submitted with the planning proposal have highlighted limited safe pedestrian access to the site, as the nearby South Parade/Alice Street intersection does not have a pedestrian crossing at the eastern or western sides of the intersection. The Traffic and Parking Assessment provided as part of the planning proposal package identifies this issue and recommends that a pedestrian crossing be provided on the western side of this signalised intersection. In this regard, it is recommended consultation with Transport for NSW be undertaken as part of the public exhibition of the planning proposal.</p>
Parking	<p>The Traffic and Parking Assessment notes that 22 car parking spaces are provided on the site and complies with the Cumberland Development Control Plan 2021.</p>

## 5 Consultation

### 5.1 Community

Council proposes a community consultation period of 20 working days.

The exhibition period proposed is considered appropriate, and forms one of the conditions of the Gateway determination.

### 5.2 Agencies

Council has nominated the public agencies to be consulted about the planning proposal, however some of these are considered unnecessary based on the scope of the planning proposal.

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Transport for NSW
- Heritage NSW

## 6 Timeframe

Council proposes an 8 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard planning proposal.

The Department recommends an LEP completion date of 29 October 2024 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

The gateway is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

## 7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the planning proposal is considered to be non-contentious in nature, the Department recommends that council be authorised to be the local plan-making authority for this proposal.

## 8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- it is mostly consistent with the objectives and priorities of the Central City District Plan, Cumberland 2030: Our Local Strategic Planning Statement, and the Cumberland Employment and Innovation Lands Strategy,
- There is a minor departure from the District Plan as the planning proposal will add employment uses of medical centre and office premises to industrial land but these uses

can be considered higher order employment uses and are still in keeping with the general objective of the District Plan.

- It is consistent with all relevant Section 9.1 Ministerial Directions except for – 1.4 Site Specific Provisions, 3.2 Heritage Conservation and 7.1 Employment Zones, for which the inconsistency is justified,
- it will facilitate a diversified range of employment uses while retaining its industrial land use classification, at a site which is well located near the Auburn Town Centre and accessible by several public transport options,
- it is unlikely to result in negative environmental, social, economic, or infrastructure impacts.

As discussed in the previous sections 4 and 5, the proposal should be updated to:

- provide an assessment of Section 9.1 Directions: 3.2 Heritage Conservation, 3.10 Water Catchment Protection, and 4.5 Acid Sulfate Soils prior to exhibition

## 9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Direction 1.4 Site Specific Provisions ,3.2 Heritage Conservation and 7.1 Employment Zones are minor and justified.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. The planning proposal is to be updated to provide an assessment of section 9.1 directions: 3.2 Heritage Conservation, 3.10 Water Catchment Protection and 4.5 Acid Sulfate Soils prior to exhibition.
2. Prior to community consultation, the planning proposal is to be revised to address condition 1.
3. Consultation is required with the following public authorities:
  - Transport for NSW
  - Heritage NSW
4. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 29 October 2024 be included on the Gateway.



15 January 2024

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*29 January 2024*

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