



CUMBERLAND
CITY COUNCIL

PLANNING PROPOSAL

25 South Parade, Auburn



Prepared by Cumberland City Council on behalf of the applicant, The Planning hub

February 2024

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Introduction

Cumberland City Council prepared this Planning Proposal in response to a proposal request made by The Planning Hub (applicant) on behalf of South Parade Auburn Trust (owner), for land at 25 South Parade, Auburn.

This Planning Proposal seeks to amend the Cumberland Local Environmental Plan (CLEP) 2021 to include additional permitted uses of a medical centre and 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 context based on the site's proximity to the Auburn Town Centre.

The Planning Proposal request was reported to the Cumberland Local Planning Panel in September 2023 who supported the Council officer recommendation to proceed to Gateway Determination (Attachment N).

Following the Panel meeting, the Planning Proposal request was reported to the 18 October 2023 Council meeting (Attachment O) and Council resolved to endorse the Planning Proposal and its submission to the Department of Planning and Environment for a Gateway Determination (Attachment P).

The site and context

The Planning Proposal request relates to 25 South Parade, Auburn, which is located approximately 200m from the Auburn Town Centre and approximately 4km from the Parramatta CBD. 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.

The site is bound by the railway line to the north and represents a small portion of industrial zoned land surrounded by R3 Medium Density Residential and E1 Local Centre zoning.

Surrounding land uses include:

- To the north and east – established residential neighbourhoods dominated by 1-2 storey detached dwellings.
- To the south – St John's Primary Catholic School and residential apartment buildings.
- To the south-east – Auburn Railway Station and Auburn Town Centre.
- To the west – Residential apartment buildings.

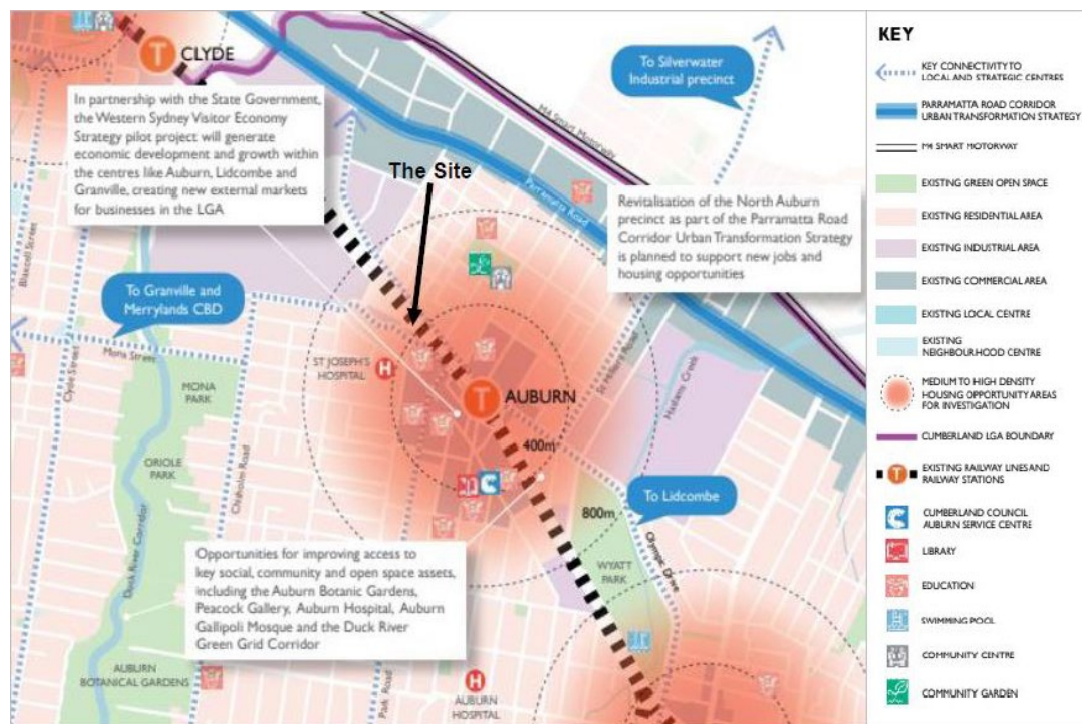


Figure 1: The site in its regional context



Figure 2: The site in its local context

Existing planning controls

The site is subject to planning controls contained in CLEP 2021. The following key controls apply to the site:

- Land Use – E4 General Industrial.
- Height of Buildings – N/A.
- Floor Space Ratio – 1:1.



Figure 3: Existing Land Use Zone



Figure 4: Existing Height of Building



Figure 5: Existing Floor Space Ratio



Figure 6: Existing Additional Permitted Uses Map

Part 1 – Objectives and intended outcomes

The 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. These uses are consistent with development in the surrounding area based on the site's 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 General Industrial zone objectives, which are:

- 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 centre and office premises on the site. The proposed additional permitted uses are consistent with the relevant objectives of the E4 General Industrial zone as follows:

- Based on the location and characteristics of the site, the uses will not impede on the ability of adjoining industrial land to accommodate a wide range of industrial, warehouse and logistics 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.
- The proposed uses will be facilities or services that meet the day to day needs of workers and residents in the area.

Part 2 - Explanation of Provisions

The Planning Proposal seeks to achieve the objectives and intended outcomes described in Part 1 by amending CLEP 2021 LEP as follows:

- Amend CLEP 2021 Additional Permitted Uses Map for the subject site (Sheet APU_012) to identify the site for additional permitted uses referenced in Schedule 1.
- Amend Schedule 1 of CLEP 2021 to include a provision relating to the subject site that would permit development for the purposes of a medical centre and office premises.
- Amend CLEP 2021 Height of Buildings Map for the subject site (Sheet HOB_012) to identify a maximum building height of 11m.



Figure 7: Proposed Height of Buildings Map



Figure 8: Proposed Additional Permitted Uses Map

Part 3 – Justification

This section establishes the reasons for the proposed outcomes of the Planning Proposal and proposed amendments to CLEP 2021. It addresses the key questions to be considered when demonstrating the justification as outlined in the LEP Plan Making Guideline.

Section A – Need for the Proposal

Q1. 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, specialist studies have been undertaken in support of the proposal that demonstrate the suitability of the site for the additional permitted uses of a medical centre and office premises. The specialist studies are provided as attachments 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 following:

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

Q2. Is the Planning Proposal the best means of achieving the objectives or 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 that has not been used for industrial purposes for an extended period of time.

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.

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.

Section B – Relationship to the strategic planning framework

Q3. 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 as detailed below.

Greater Sydney Region Plan

The Greater Sydney Region Plan sets the vision and overarching planning framework to guide future transport, infrastructure, and development in Greater Sydney. It 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.

The table below details the relevant planning priorities of the Greater Sydney Region Plan and the proposal's consistency with those priorities.

Table 1: Consistency with the Greater Sydney Region Plan	
Planning Objective	Comment
Objective 1: Infrastructure supports the three cities	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.
Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact	
Objective 3: Infrastructure adapts to meet future needs.	
Objective 4: Infrastructure use is Optimised	
	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.

Table 1: Consistency with the Greater Sydney Region Plan	
Planning Objective	Comment
	<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

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>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 Attachment 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

Table 1: Consistency with the Greater Sydney Region Plan	
Planning Objective	Comment
	<p>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.
<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>
<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</p>

Table 1: Consistency with the Greater Sydney Region Plan	
Planning Objective	Comment
	provided in Attachment 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>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>	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>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>	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.

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>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 Impact Assessment (Attachment 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</p>

Table 1: Consistency with the Greater Sydney Region Plan	
Planning Objective	Comment
	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>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>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>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>
Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	The proposal is not inconsistent with the planning objectives as it will utilise an existing site that ensures

Table 1: Consistency with the Greater Sydney Region Plan	
Planning Objective	Comment
<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>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 climate and urban hazards.</p>

Central City District Plan

The Central City District Plan is a guide for the implementation of The Greater Sydney Region Plan at a district level. 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 planning priorities detailed in the plan.

The Planning Proposal is considered to be consistent with the objectives of the plan and a number of planning priorities as outlined in the table below.

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
Planning Priority C1 – Planning for a city supported by infrastructure	<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</p> <p>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</p> <p>development application will need to demonstrate that adequate arrangements can be made to service the development.</p>
Planning Priority C2 – Working through Collaboration	

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>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 Attachment 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.

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
	<ul style="list-style-type: none"> • 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.
Planning Priority C6 – Creating and renewing great places and local centres, and respecting the District's heritage	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

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
	<p>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 Attachment 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> <i>• enhances accessibility to a larger and more diverse labour pool</i>

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
	<ul style="list-style-type: none"> • <i>improves business-to-business interactions and access to other job agglomerations.</i> <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 Attachment 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</p>

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
	<p>these reasons it will be impossible for the site to contribute towards maximizing opportunities 'for local industrial employment in proximity to transport and housing'. The important consideration is that the planning proposal will not undermine this objective (i.e. reduce 'opportunities for local industrial employment in proximity to transport and housing') as measured against the base case.</p>
<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</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>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 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</p>

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
<p>Planning Priority C11 – Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services</p>	<p>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><i>Cumberland Council is identified in the CCDP as 'review and manage' for industrial land.</i></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 (Attachment D) the site has existing use rights which is the</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>'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>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</p>

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
	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>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>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>	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.
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.

Table 2: Consistency with the Central City District Plan	
Planning Priority	Comment
<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>	<p>The planning proposal is consistent with the Cumberland local strategic planning statement.</p>

Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the planning secretary or GCC, or another endorsed local strategy or strategic plan?

Cumberland Local Strategic Planning Statement (LSPS)

Cumberland 2030: Our Local Strategic Planning Statement 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.
- Traffic and Transport.

As detailed in Figure 1, the site is located within close proximity to the Auburn Town Centre. Whilst Figure 1 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 LSPS and 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
1. Strengthening Cumberland's position in the district through collaboration	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
2. Advocating for a range of transport options that connect our town centres and employment hubs, both locally and to Greater Sydney	

Table 3: Consistency with the Cumberland Local Strategic Planning Statement

Planning Priority	Comment
	proximity to residential development and employment opportunities within an accessible location achieving the key objective of a 30-minute city.
<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</p>

Table 3: Consistency with the Cumberland Local Strategic Planning Statement

Planning Priority	Comment
	<p>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> <p>A Heritage Assessment has been prepared by Touring the Past in support of the proposal and is provided in Attachment 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>5. Delivering housing diversity to suit changing needs</p> <p>6. Delivering affordable housing suitable for the needs of all people at various stages of their lives</p>	<p>The planning proposal is not inconsistent with the planning priorities as it will provide services and employment opportunities in close proximity to residential land and public transport.</p>
<p>7. Design vibrant and attractive centres and encourage healthy living</p> <p>8. Celebrating our natural, built and cultural diversity</p> <p>9. Providing high quality, fit-for purpose community and</p>	<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</p>

Table 3: Consistency with the Cumberland Local Strategic Planning Statement

Planning Priority	Comment
social infrastructure in line with growth and changing requirements	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 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</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>used for commercial purposes thus not representing any existing value as industrial land.</p> <p>As outlined in Hill PDA's Economic Assessment (Attachment 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</p>

Table 3: Consistency with the Cumberland Local Strategic Planning Statement

Planning Priority	Comment
	land uses that will support the 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 priority within the area.
<p>13. Protecting, enhancing and increasing natural and green spaces</p> <p>14. Improving access to and health of waterways</p> <p>15. Planning for a resilient city that can adapt to natural hazards and climate change</p> <p>16. Supporting urban cooling to minimise heat island effects</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>

Cumberland Employment and Innovation Lands Strategy

The Cumberland Employment and Innovation Lands Strategy (EILS) 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 precincts 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 Cities 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 in the EILS, refer to Figure 9 below.

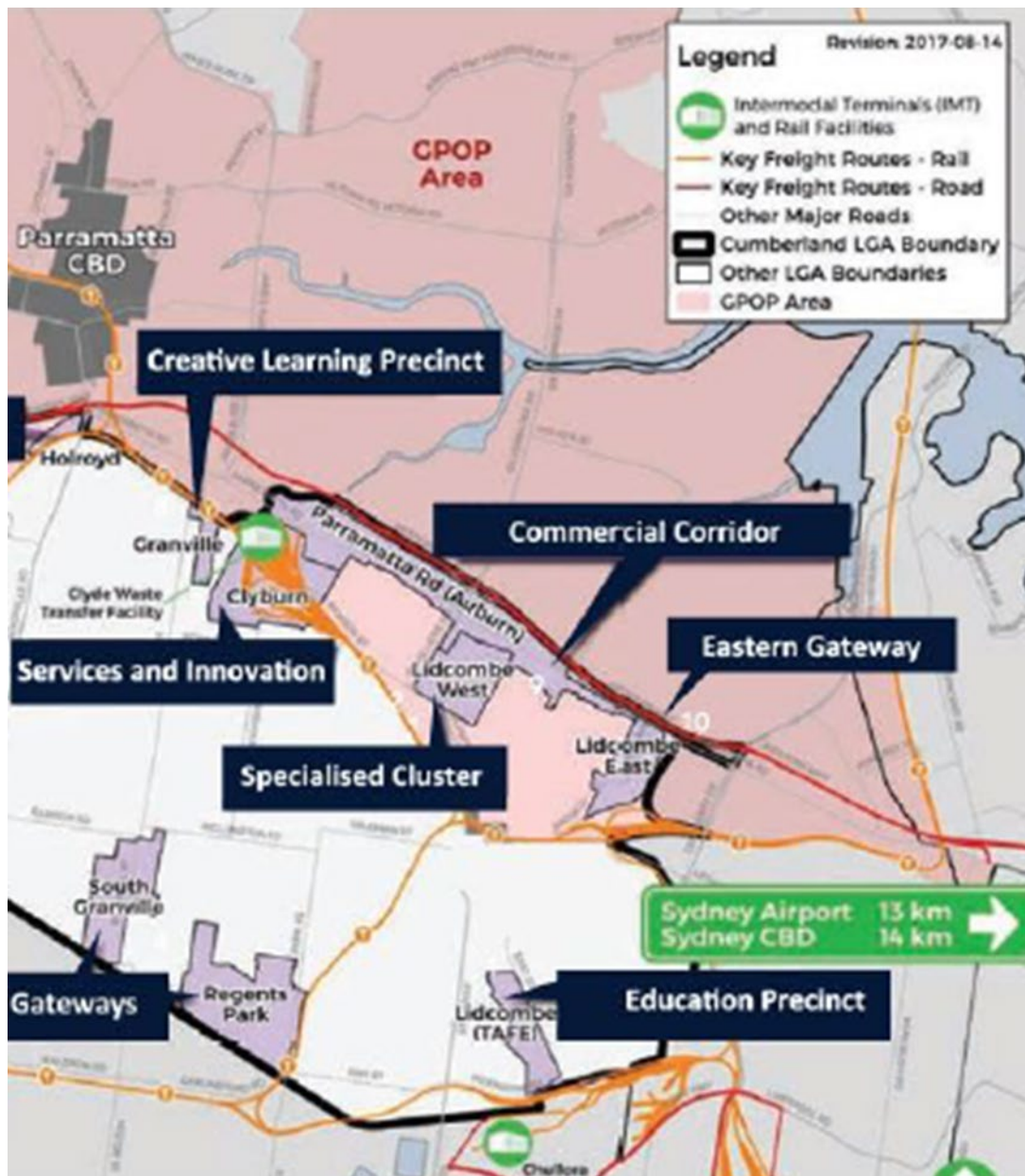


Figure 9 Excerpt from Cumberland Employment and Innovation Lands Strategic Framework

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 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 a commercial office premises and does not contribute to industrial and logistic/freight uses within the precinct. However, 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. 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 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.

Table 4: Consistency with the Cumberland Employment and Innovation Lands Strategy	
Planning Priority	Comment
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 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</p>

Table 4: Consistency with the Cumberland Employment and Innovation Lands Strategy	
Planning Priority	Comment
	<p>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>
<p>3. Seeking new ways of facilitating the growth of innovative businesses 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>The planning proposal is consistent with the planning priority as it will enable the site to provide additional employment generating land uses that provide services and facilities that cater to the existing and future needs of workers and residents in the area. The proposal will allow for the co-location of health services facilities in close proximity to existing health services facilities in the area.</p> <p>This will ensure that workers and residents are provided with a range of services and facilities whilst also encouraging further employment</p>

Table 4: Consistency with the Cumberland Employment and Innovation Lands Strategy	
Planning Priority	Comment
	<p>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</p>

Table 4: Consistency with the Cumberland Employment and Innovation Lands Strategy	
Planning Priority	Comment
	<p>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>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.	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

Table 4: Consistency with the Cumberland Employment and Innovation Lands Strategy	
Planning Priority	Comment
	<p>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> <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>

Q5. Is the planning proposal consistent with applicable State and regional studies or strategies?

Future Transport Strategy

The NSW Governments Future Transport Strategy 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.
- 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 (Attachment 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 a 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 (CDCP) can be met onsite.
- 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 the intersections.

Q6. Is the planning proposal consistent with any applicable SEPPs?

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 statewide 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 Attachment 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 Assessment has been prepared by ML Traffic and is provided in</p>

Table 5: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
		Attachment 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.

Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

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 are 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 of Regional Plans	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 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>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> <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</p>

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
	<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>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 3 – Biodiversity and Conservation		
3.2 Heritage Conservation	<p>(1) 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</p>	<p>The subject site is a small part of an extensive overlay associated with an archaeological site identified in Schedule 5 of the Cumberland Local Environmental Plan 2021 (CLEP), under Clyde</p>

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
	<p>nominated by the Secretary) that:</p> <p>a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or</p> <p>b) the provisions of the planning proposal that are inconsistent are of minor significance.</p>	<p>Marshalling Yards (Item No. A4).</p> <p>A Heritage Impact Assessment has been prepared by Touring the Past which concluded that the proposal does not result in any tangible changes to the site and the heritage/archaeological impact is non-existent. Refer to Attachment H - Heritage Assessment.</p>
3.10 Water Catchment Protection	<p>(1) A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that any provisions of the planning proposal that are inconsistent are:</p> <p>a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. gives consideration to the objective of this direction, and</p> <p>ii. identifies the land which is subject of the planning proposal (if</p>	<p>The subject site is not subject to any water catchment protection.</p>

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
	<p>the planning proposal relates to a particular site or sites), or</p> <p>b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>c) in accordance with any relevant regional strategic plan or district strategic plan, prepared under Division 3.1 of the Environmental Planning and Assessment Act 1979 by the relevant strategic planning authority, or</p> <p>d) of minor significance.</p>	
Focus Area 4 – Resilience and Hazards		
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> <p>a) the planning proposal authority has considered whether</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 Attachment I. The investigation concludes the site is considered suitable for</p>

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
	<p>the land is contaminated, and</p> <p>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</p> <p>c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.</p> <p>d) 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</p>	<p>the proposed additional permitted uses.</p>

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
	specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.	
4.5 Acid Sulphate Soils	<p>(1) 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:</p> <p>a) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>b) of minor significance.</p>	The subject site is classified as a Class 5 Area under Cumberland Local Environmental Plan 2021. The Preliminary Site Investigation and Assessment Report done by Dr Upsilon Environments Pty Ltd concludes that the environmental risk related with acid sulfate soils on the subject site is unlikely. Refer to Attachment I - Preliminary Site Investigation
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> <p>a) Improving Transport Choice - Guidelines for</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.

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
	<p>planning and development (DUAP 2001), and</p> <p>b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p>	<p>Ministerial Direction 5.1 states the following:</p> <p><u>Objectives</u></p> <p>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:</p> <p>a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>d) supporting the efficient and viable operation of public transport services, and</p> <p>e) providing for the efficient movement of freight.</p> <p><u>Direction 5.1</u></p> <p>A planning proposal must locate zones for urban purposes and include</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>(a) <i>Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</i></p> <p>(b) <i>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>

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
		<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 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 Attachment 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

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
		<p>and a public car park located on Alice Street in proximity to the site;</p> <ul style="list-style-type: none"> • 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

Table 6: Consistency with Relevant Section 9.1 Ministerial Directions

Direction	Requirement	Comment
		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> <p>a) give effect to the objectives of this direction,</p> <p>b) retain the areas and locations of existing business and industrial zones,</p> <p>c) not reduce the total potential floor space area for employment uses and related public services in business zones,</p> <p>d) not reduce the total potential floor space area for industrial uses in industrial zones, and</p>	<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 encroachment of existing or potential industrial floor space.</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>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>

Section C – Environmental, social and economic impact

Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The Planning Proposal seeks to facilitate the future use of the site for the purposes of a medical centre and office premises uses. The future uses will be located on an existing disturbed site and will not require the removal of any existing vegetation in the area. Therefore, there will not be any adverse ecological impacts on the site or surrounding area.

Q9. Are there any other likely environmental effects 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 (Attachment F) in support of the proposal. The study included 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.

The two massing scenarios investigated were as follows:

Massing scenario 1 – 9 metre height control

This massing scenario presented 1,600m² of Gross Floor Area (GFA) within a building envelope of 850m² over two floors, generally towards the eastern half of the site. The building height is at or below 9 metres over the natural ground plane at all points. The massing scenario complied with all existing development controls, however, by providing nil setbacks to the rear and east side boundaries it produced a compromised experience for occupants of the building and creates challenges for excavation and construction along these boundaries.

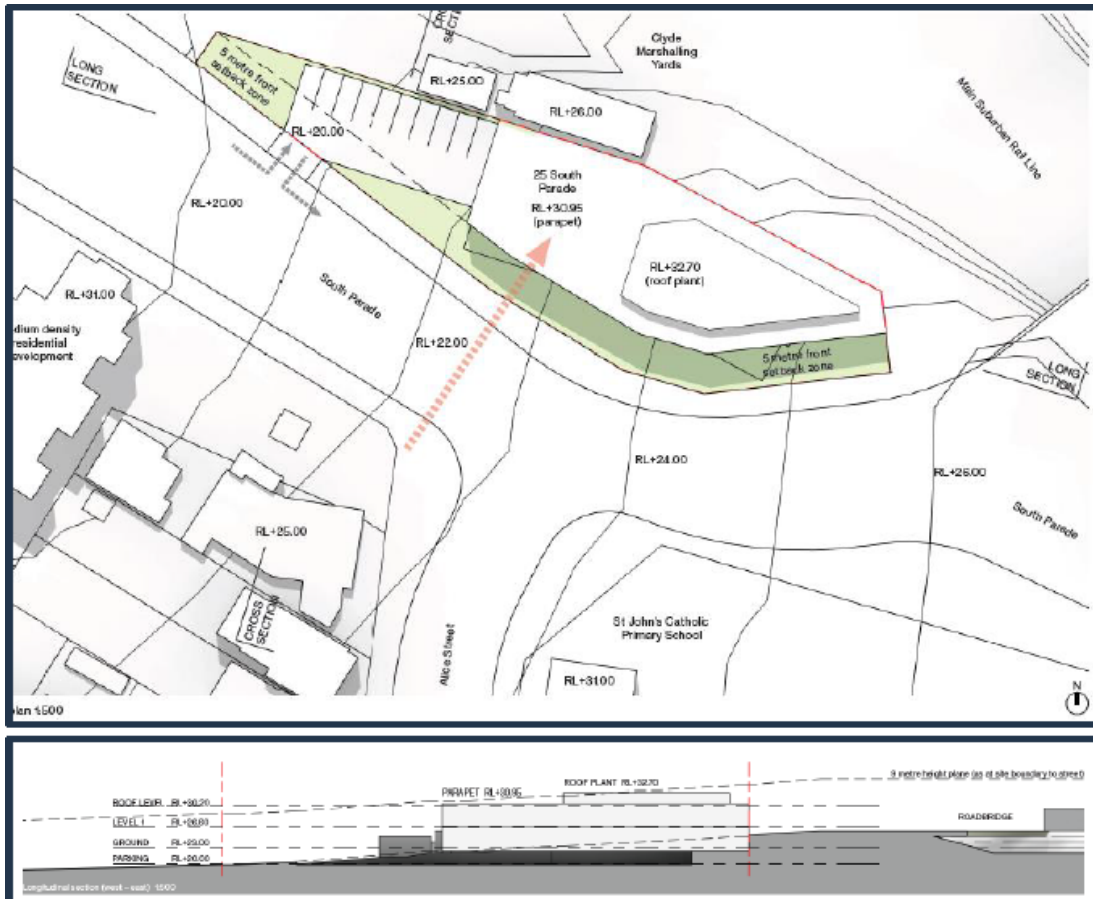


Figure 10: 9m Massing Scenario site plan and elevation

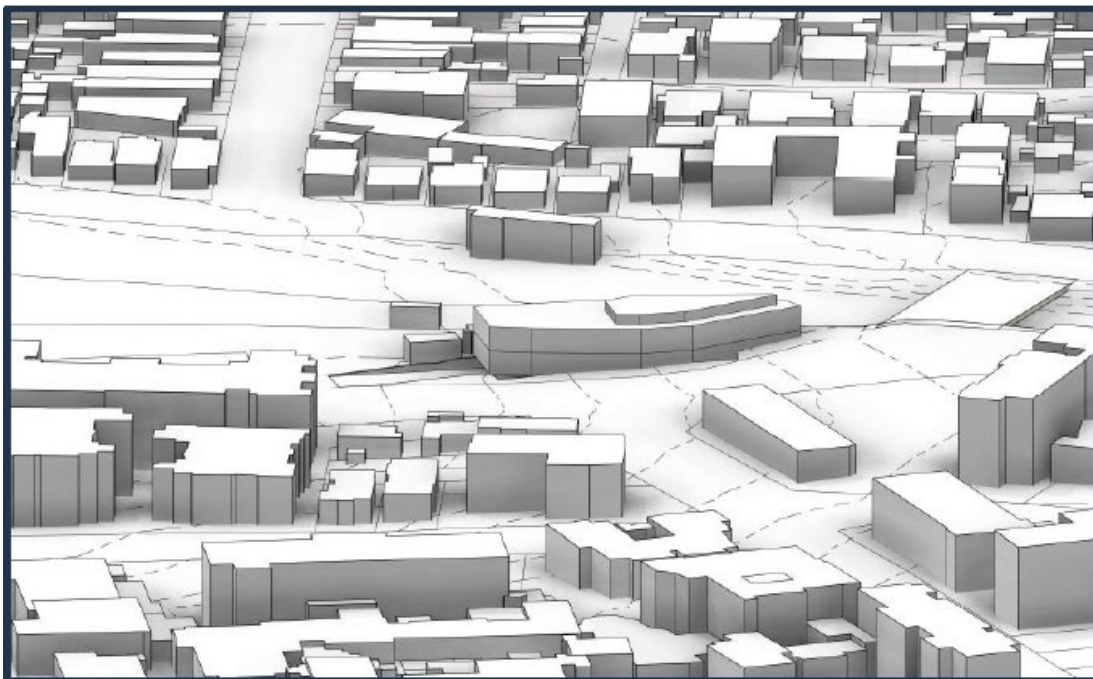


Figure 11: 9m Massing Scenario 3D view

Massing scenario 2 - 11 metre height control

This massing scenario considers an 11-metre height control which allows the building footprint to expand westward resulting in a setback of 1.5 metres along the rear and east side boundaries. These setbacks afford daylight and natural ventilation opportunities for the building. 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.

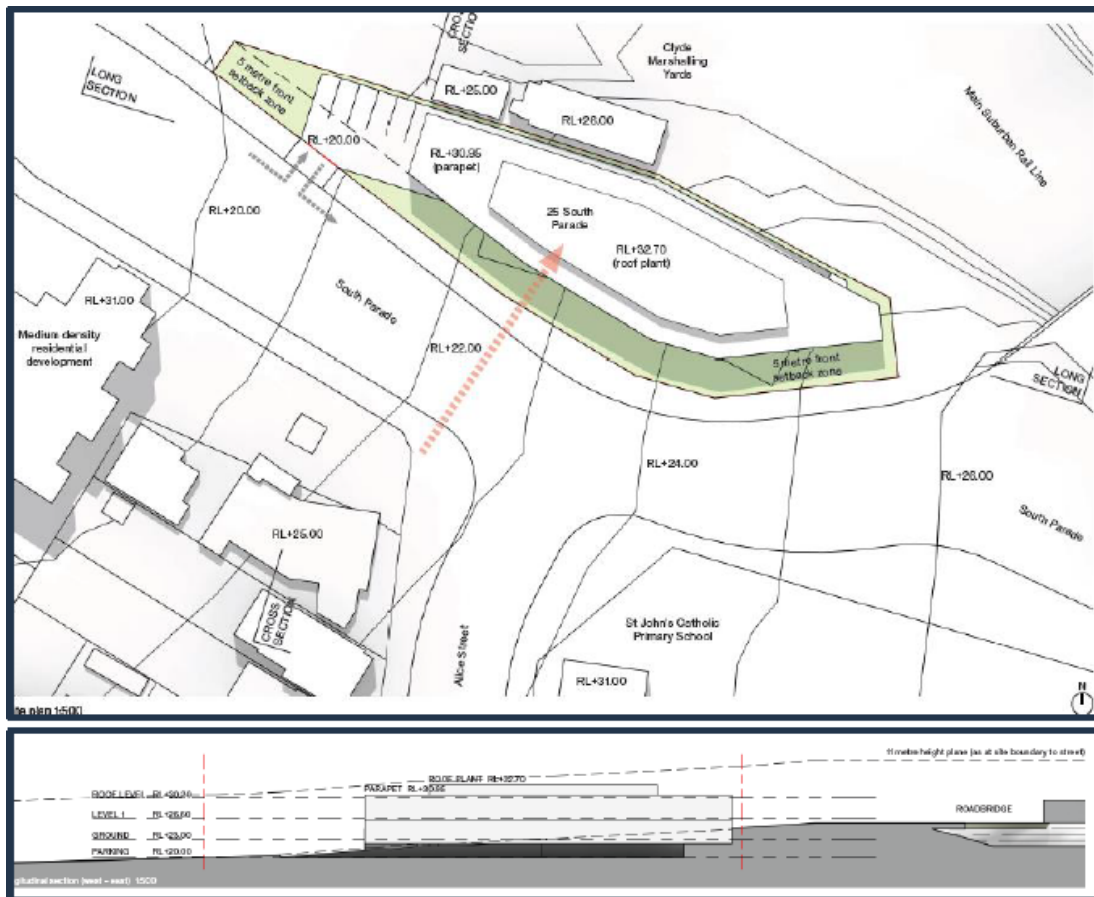


Figure 12: 11m Massing Scenario site plan and elevation

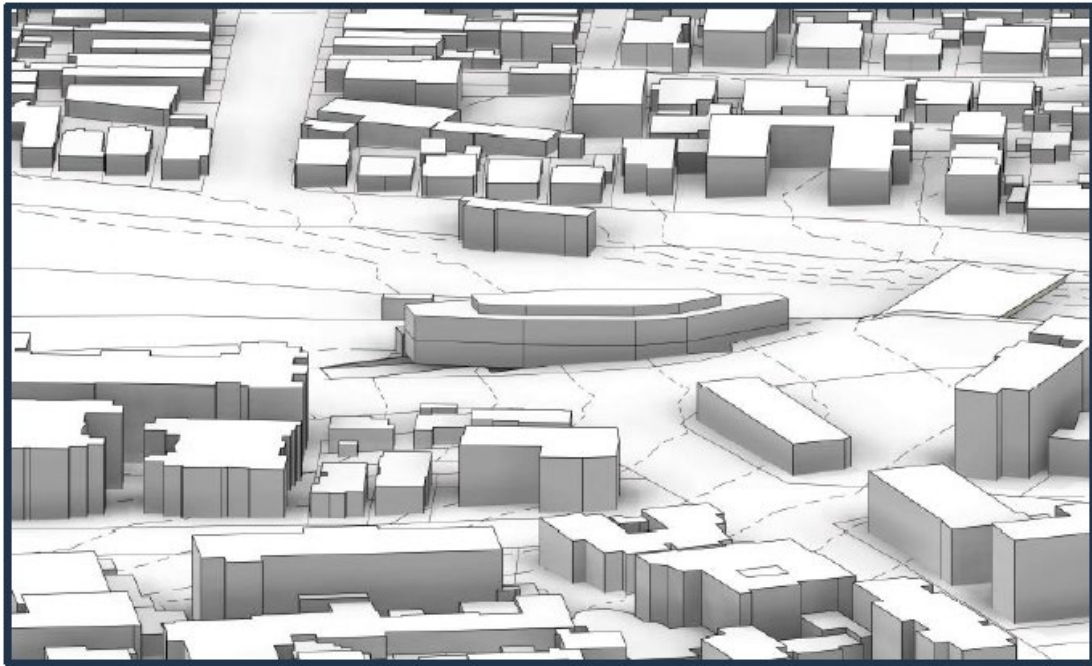


Figure 13: 11m Massing Scenario 3D view

Summary

The massing scenarios presented above demonstrate that the proposed additional uses of a medical centre and office premises may be accommodated on the site to the full floor space allowance of CLEP 2021.

Despite challenges accommodating the minimum car parking requirements of the CDCP 2021 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 within the front setback zone.

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 daylight and natural ventilation, occupant experience, sustainability, constructability, and civil engineering impacts.

As a result, the proposal seeks to amend the CLEP 2021 to permit a maximum height of building 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 Attachment C. The assessment concludes that the proposal does not present an acoustic issue and is likely to improve acoustic amenity for neighbouring land uses based on the following conclusions:

- Commercial buildings of this nature have 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.

- 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.

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 Attachment 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

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.

Pedestrian Network

There are no existing pedestrian crossings 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.

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 level and have 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 CDCP 2021 can be met onsite under future development applications once the planning proposal is determined.

Based on the above assessments, the Planning Proposal is 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 Attachment H. The assessment concludes that no physical intervention, including sub-surface disruption, is proposed and that the planning proposal is supportable from a heritage impact perspective.

Q10. 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 Attachment D.

In terms of economic impacts in the locality, the planning proposal will have no discernible impact as the existing building is a commercial office building, which is the land use the planning proposal seeks to formalise.

Furthermore, the existing building on the site, which is less than 20 years old, is considered the highest and best use of the site. It is not financially viable to demolish or convert the building to a conforming industrial use. This would require capital expense and would result in a lower level of net rental income as office space in that location will pay a higher rent than an industrial use.

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.

A Social Impact Comment has been prepared by Hill PDA in support of the proposal and is provided in Attachment 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.
- 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.
- 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.

Section D – State and Commonwealth Interests

Q11. 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. Also, 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.

Q12. What are the views of State and Commonwealth (federal) public authorities and government agencies consulted in order to inform 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.
- Heritage NSW.
- NSW Environmental Protection Authority (EPA).

Prior to seeking a Gateway Determination, as part of the preliminary consultation of the Planning Proposal, relevant State agencies were invited to provide comment on the proposal. Items covered in the submissions made are outlined in Table 7.

Table7: State Agency Consultation

Agency	Comments
Transport for NSW	<p>Proposal will require consultation with Sydney Trains early in the design process (as part of Pre-DA discussion).</p> <p>Consideration for how the future developments site will be serviced.</p> <p>Requirement for adequate setbacks from Sydney Trains powerlines.</p>

Agency	Comments
	Concerns for the impact of train noise and vibration on future services facilities.
Environmental Protection Agency (EPA)	No major concerns or objections raised.
Heritage NSW	<p>No identified impacts on aboriginal objects or places and state listed items.</p> <p>Potential impact on locally listed item, Clyde Marshalling Yards, (it is noted by Council officers that the existing heritage curtilage of this item is proposed to be modified under the Cumberland Heritage Planning Proposal, which is currently in post-Gateway exhibition).</p>

Part 4 – Mapping

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

- Amend the CLEP 2021 Additional Permitted Uses Map for the subject site (Sheet APU_012) to identify the site for additional permitted uses referenced in Schedule 1.
- Amend Schedule 1 of the CLEP 2021 to include a provision relating to the subject site that would permit development for the purposes of a medical centre and office premises.
- Amend the CLEP 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.

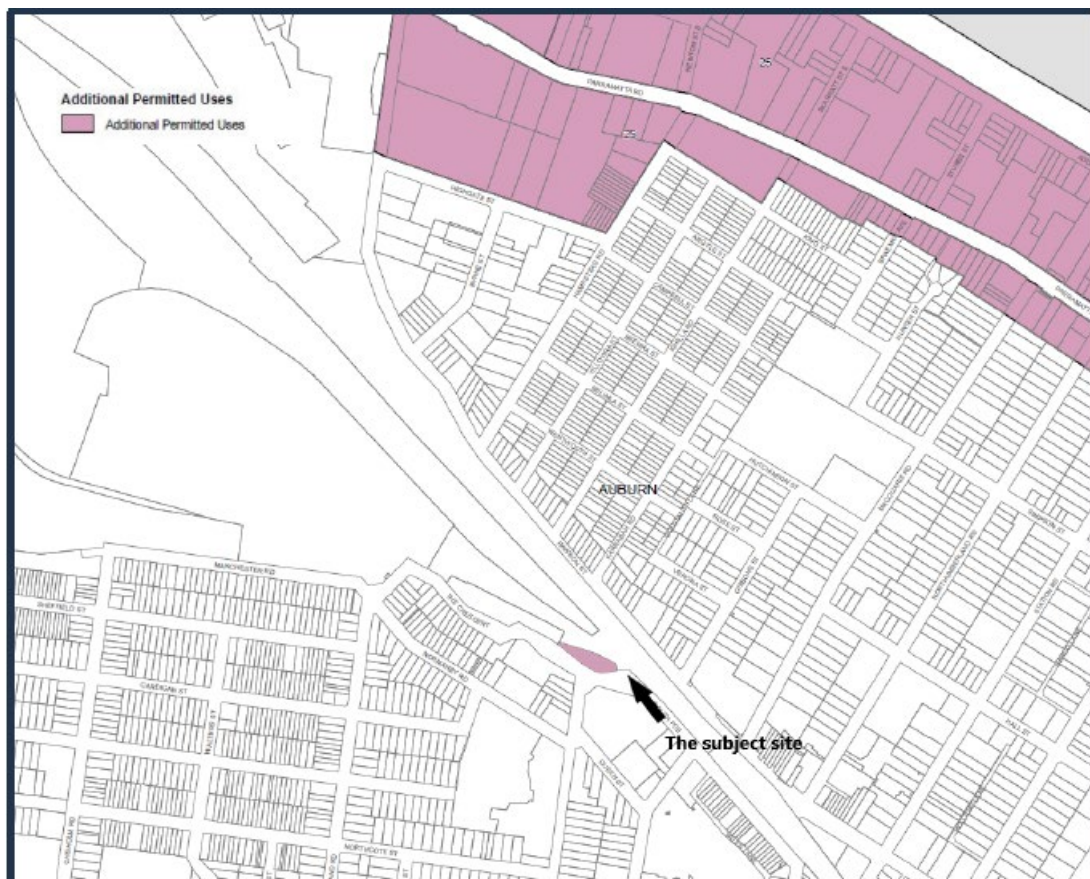


Figure 14: Proposed Additional Permitted Uses Map



Figure 15: Proposed Maximum Height of Building Map

Part 5 – Community Consultation

The Planning Proposal request was placed on preliminary consultation from 23 September 2022 to 17 October 2022 in accordance with Council policy requirements. Council received no public submissions during this exhibition period, however, as outlined in Part 3, Section D, Q12, 3 state agencies provided feedback on the Planning Proposal.

If the Planning Proposal is supported by the Minister, formal stakeholder and community consultation, including consultation with public agencies, will be undertaken by Council in accordance with the legislative requirements of the Act and any additional conditions as imposed in a Gateway Determination.

Based on the Planning Proposal being the proposed standard category, a minimum 20 working day public exhibition period is recommended.

Part 6 – Project Timeline

In accordance with the requirements set out in the LEP Plan Making Guideline, the table below outlines the anticipated project timeline of the Planning Proposal to progress through the LEP Making process as a standard Planning Proposal. The timeframes and dates are estimates and may change over the life of the proposal.

Table 8: Project Timeline

Milestone	Indicative Timeframe
CLPP meeting	13 September 2023 (actual)
Council meeting	18 October 2023 (actual)
Submission to Department for Gateway Determination	29 November 2023
Gateway determination received	31 January 2024
Post Gateway - Completion of any further technical information (if required)	February 2024 to March 2024
Public Exhibition period and submissions review	March 2024 to May 2024
Council meeting – Consider final Planning Proposal and submissions report	July 2024
Submit to Department for finalisation	Benchmark timeframe of 25 working days – October 2024

Attachments

- A. Pre-lodgement Consultation Response Compliance
[See Council Report Attachment, Attachment O](#)
- B. Existing Plans – RMJ Building Group
[See Council Report Attachment, Attachment O](#)
- C. Acoustic Letter – Koikas Acoustics
[See Council Report Attachment, Attachment O](#)
- D. Economic Impact Assessment – Hill PDA
[See Council Report Attachment, Attachment O](#)
- E. Traffic and Parking Impact Assessment – ML Traffic
[See Council Report Attachment, Attachment O](#)
- F. Urban Design and Massing Study Report
[See Council Report Attachment, Attachment O](#)
- G. Social Impact Comment – Hill PDA
[See Council Report Attachment, Attachment O](#)
- H. Heritage Assessment – Touring the Past
[See Council Report Attachment, Attachment O](#)
- I. Preliminary Site Investigation – Dr Upsilon Environments Pty Ltd
[See Council Report Attachment, Attachment O](#)
- J. Preliminary Consultation Report
[See Council Report Attachment, Attachment O](#)
- K. TfNSW Submission
[See Council Report Attachment, Attachment O](#)
- L. EPA Submission
[See Council Report Attachment, Attachment O](#)
- M. Letter of Offer
[See Council Report Attachment, Attachment O](#)
- N. Cumberland Local Planning Panel Advice
[See Council Report Attachment, Attachment O](#)
- O. Council Report
- P. Council Minutes