

Planning Proposal Request

Site specific amendment to Auburn Local Environmental Plan 2010 to permit Educational Establishment and amend the maximum Floor Space Ratio

2 Percy Street, Auburn

Document Control

CLIENT: Gallipoli Education Solutions

PROJECT: Planning Proposal for 2 Percy Street, Auburn

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Executive Summary

This Planning Proposal Request (PPR) has been prepared by TPG Town Planning and Urban Design on behalf of the landowner, Gallipoli Education Solutions, to seek an amendment to the *Auburn Local Environmental Plan 2010* (ALEP 2010) as it applies to 2 Percy Street, Auburn (subject site), which will enable the future redevelopment of the subject site for the purpose of a school. The PPR also seeks an amendment to the maximum permissible floor space ratio (FSR), which will enable an increase in floorspace conducive to the use of the site as a school.

This PPR has been prepared in accordance with the requirements of Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and associated guidelines ‘*A guide to preparing local environmental plans*’ and ‘*A guide to preparing planning proposals*’ prepared by the NSW Department of Planning and Environment (DP&E) in 2016, which requires the following matters to be addressed by the proponent in the preparation of a proposal:

- Part 1: Objectives or intended outcomes of the proposal;
- Part 2: Explanation of provisions to be in an amendment to ALEP 2010;
- Part 3: Justification for the proposal in terms of;
 - Section A – Need for the planning proposal;
 - Section B – Relationship to strategic planning framework;
 - Section C – Environmental, social and economic impact;
 - Section D – State and Commonwealth interests;
- Part 4: Mapping amendments to ALEP 2010;
- Part 5: Community consultation to be undertaken; and
- Part 6: Project timeline.

The DP&E’s draft Practice Note on ‘*Schedule 1 Additional Permitted Uses*’ prepared in 2012, has also been taken into consideration in the preparation of this PPR to Cumberland Council.

It is requested that Cumberland Council (Council) forward this PPR pertaining to the subject site to the Minister or his delegate for a Gateway determination under Section 56 of the EP&A Act.

Site Description - Current Zoning

The subject site is located at 2 Percy Street, Auburn in close proximity to the Auburn Town Centre. Approximately 600 metres north-west of the subject site is the Auburn railway station, which is located on the Main Suburban Line and serves the Western, Inner West and South Lines. The Auburn Gallipoli Mosque is located approximately 130 metres north-west of the site. Immediately north of the subject site on Percy Street and St Hilliers Road is low density residential development consisting predominately of single detached dwelling houses. To the immediate north-west of the subject site on the opposite side of St Hilliers Road, an aged-

care facility is currently under construction that will cater specifically to the elderly Muslim community. Immediately south and west of the subject site is the railway line, and immediately east of the subject site on the opposite side of Percy Street are the Marie Dunn Netball Courts that form part of Council's larger Wyatt Park Recreational Precinct, which includes an athletic field, basketball centre, Lidcombe Oval and the Ruth Everuss Aquatic Centre.

The current legal description of the subject site is Lots 14 to 21 Section 1 DP 2647, Lot 1 DP 76735 and Lot 1 in DP 721683.

The subject site forms a triangular shaped parcel of land and has an area of approximately 7,143m². The length of the subject site in a north-south direction is approximately 140 metres at its longest. In an east west direction, the subject site is approximately 85 metres at its widest.

The subject site was formerly occupied by the Master Plumbers Association of NSW, an organisation which ran a specialist skills centre on the site to pursue excellence in training for plumbing. The existing structures on the subject site include a large warehouse type building and a small two-storey office building located at the corner of Percy Street and Gelibolu Parade.

Located at the rear of the large warehouse type building is hardstand used for car parking, which is accessed directly from a two-way driveway located off St Hilliers Road. Disabled parking is located at the front of the office building in the south-east corner of subject site and is accessed from a driveway off Gelibolu Parade. Egress is provided from the driveway to Percy Street. Pedestrian access to the subject site is provided from the site's Percy Street frontage. The topography of the subject site is relatively flat with a gentle slope from south to north.

Under the current provisions of the ALEP 2010 the subject site is currently zoned IN2 Light Industrial. The site is an isolated pocket of IN2 Light industrial land. An 'educational establishment' is not a land use that is permitted with the consent of Council in the IN2 zone.

The current provisions of the ALEP 2010 also only permit a maximum FSR of 1:1 on the site. An 'educational establishment' is a more intensive use than the current warehouse building, and therefore an increase in FSR is required to compliment this additional permitted use. This increase in FSR can generally be achieved within the building footprint of the existing warehouse, and in particular by creating a second floor throughout the building's entire length.

There is no maximum height of buildings applicable to the site under the current ALEP 2010 provisions.

Objectives and intended outcomes of planning proposal

The PPR seeks an amendment to the ALEP 2010 to enable the redevelopment of the former Master Plumbers Association of NSW site at 2 Percy Street, Auburn for the purpose of an 'Educational Establishment', which is defined under the ALEP 2010 as follows:

educational establishment means a building or place used for education (including teaching), being:

(a) a school, or

(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

The above makes provision for a school, which is defined under the ALEP 2010 as follows:

School means a government school or non-government school within the meaning of the Education Act 1990.

Note: Schools are a type of educational establishment...

The proposed school is intended as a non-government school and is consistent with the meaning of the *Education Act 1990*.

Based on the concept plans included at **Appendix A** student numbers are summarised below:

School Year	Student Numbers
Kindergarten (Child Care)	50
Primary School (Years 1 to 6)	300
Secondary School	300

Each year would consist of approximately 50 students divided into two classes of 25 students.

It should be noted that these numbers are indicative only and may be subject to future changes.

The classroom layout is provided on the indicative concept plans included at **Appendix A**. This includes the provision of 26 classrooms across both the ground and first floors, noting the provision of additional rooms for specialised subjects such as food technology and science.

The proposed school would operate in accordance with the most up-to-date Australian Curriculum.

The PPR also seeks to increase the maximum FSR applicable to the subject site from 1:1 to 1.2:1.

The objectives and intended outcomes of the PPR are to:

- amend the ALEP 2010 to permit the redevelopment of the subject site for the purpose of an 'educational establishment' with the development consent of the Council;

- amend the ALEP 2010 to allow for an increase in FSR to facilitate the future redevelopment of the subject site for the purpose of an ‘educational establishment’;
- provide a new school to cater for the growth of the school-aged population in the locality; and
- provide opportunities for culturally aligned education programs for the Muslim community that caters for the diverse needs of the wider Auburn and Cumberland community.

The objectives of the PPR are consistent with the objectives with the subject site’s current IN2 Light Industrial Zone as it does not seek to alter the zoning of the subject site. Subsequently, the PPR will still provide for a wide range of light industrial, warehouse and related uses. A school is also generally a more intensive use than industrial uses and will provide more jobs, thus encouraging employment opportunities and supporting the Auburn Town Centre. The PPR is further consistent with the objectives of the IN2 zone in that an ‘educational establishment’ is likely to result in less adverse impacts on the environment and surrounding uses. Additionally, if an industrial use was to be located on the subject site in the future, any potential adverse impacts would be minimised and managed as part of the development’s design. The inclusion of an ‘educational establishment’ as an additional permitted use rather than a rezoning supports and protects industrial land for industrial uses by retaining the IN2 zone.

Explanation of provisions to be in Auburn Local Environmental Plan 2010

The PPR will seek to amend the ALEP 2010 as follows:

- Amend the ALEP 2010 to insert ‘educational establishment’ as an additional land use that is specifically permitted on the subject site under Schedule 1 of the ALEP 2010.
- Identify the subject site on the additional permitted use map for the purpose of an ‘educational establishment’.
- Amend the ALEP 2010 maximum FSR development standard and FSR Map to increase the maximum permissible FSR applicable to the subject site from 1:1 to 1.2:1.

This will not change the existing zoning of the subject site from IN2 Light Industrial. Rather, it will enable a school to be specifically permissible with the consent of Council on the subject site. This approach has been discussed with Council officers and identified as the most suitable mechanism given the current timeframes to which the school is working towards. It is noted this is a short-term planning outcome to meet the timeframes currently in place, and the landowner would be open to working with Council in the future to assist with achieving its long term strategic vision for the subject site and its locality within the context of the LGA.

Justification for the proposal

The PPR is justified as it:

- is consistent with the following strategic studies and plans prepared by Council:

- Auburn City Community Strategic Plan 2013-2023.
- Draft Cumberland Community Strategic Plan 2017-2027.
- Auburn Employment Lands Strategy (2015).
- is considered the best means of achieving the objectives and intended outcomes of the PPR as it retains the existing IN2 Light Industrial zoning applicable under the ALEP 2010, whilst enabling an additional use to occur on the site with a slight increase in FSR to accommodate the additional permitted use;
- will allow an ‘educational establishment’ (school) land use to occur on the site that will enable a more sustainable use of an “orphan” industrial site, which is described in the *Auburn Employment Lands Strategy 2015* as suitable for a rezoning or inclusion of additional land uses;
- will allow for additional floor space to be provided in conjunction with the adaptive reuse of the existing industrial building for a more intensive use whilst improving the utilisation of available land on the subject site;
- will allow for a new transitional use on the subject site that is more compatible with the local residential and recreational context whilst enabling the more sustainable use of an orphaned IN2 zoned land parcel;
- is consistent with *A Plan for Growing Sydney* and the draft *West Central District Plan* priorities including in particular the strategic directions for enhancing access to local educational opportunities to cater for the growing population in the West Central District;
- will enable a school to be provided that will cater for a growing local population of school aged children and the diverse cultural needs of the Auburn locality;
- can meet the requirements of relevant State Environmental Planning Policies (SEPPS);
- meets the requirements of relevant S.117 Ministerial Directions 1.1 Business and Industrial Zones; 2.3 Heritage Conservation; 4.1 Acid Sulphate Soils; 4.3 Flood Prone Land; 6.3 Site Specific Provisions; 7.1 Implementation of A Plan for Growing Sydney and 7.3 Parramatta Road Corridor Urban Transformation Strategy;
- will result in significant improvements to streetscape and local amenity by enabling the adaptive reuse of a redundant industrial building.
- is consistent with the existing scale and character of built form in the locality and is compatible with surrounding land uses;
- is in a location where transport and utility infrastructure are available, and there will be no public infrastructure cost on the community;
- is in a location where environmental planning issues and potential impacts are not of such significance as to preclude the proposal, and can be managed in the planning and design of a future Development Application (DA); and
- is the most efficient planning mechanism for achieving the school’s current timeframes.

Consultation with stakeholders

The proponent has not yet consulted with State or Commonwealth authorities or the local community. It is anticipated that the planning authorities in Cumberland Council and Department of Planning and Environment will arrange for consultations with relevant public authorities and the community in accordance with the provisions of the EP&A Act and Regulation.

1. PART 1: OBJECTIVES AND INTENDED OUTCOMES

The PPR seeks an amendment to the ALEP 2010 to enable the redevelopment of the former Master Plumbers Association of NSW site at 2 Percy Street, Auburn for the purpose of an 'Educational Establishment', which is defined under the ALEP 2010 as follows:

educational establishment means a building or place used for education (including teaching), being:

(a) a school, or

(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

The above makes provision for a school, which is defined under the ALEP 2010 as follows:

school means a government school or non-government school within the meaning of the Education Act 1990.

Note: Schools are a type of educational establishment...

The proposed school is intended as a non-government school, which is defined under the *Education Act 1990* as follows.

non-government school means a registered non-government school.

It is intended that an Islamic school be accommodated on the site to cater for the identified growth in school aged children in the locality which is further supported by the demographic snapshot provided in **Section 3.2.1.3**. Regardless of the fact that the landowner is still in discussions with various education providers, the proposed school will be consistent with the meaning of the *Education Act 1990*.

This PPR also seeks an amendment to the ALEP 2010 to amend the existing FSR applicable to the subject site from 1:1 to 1.2:1. This will allow an additional 1,428.6m² of floor space to be provided on the subject site. The additional floorspace is required for the use of a school, particularly as it is a more intensive use than that which is currently located on the subject site.

2. PART 2: EXPLANATION OF PROVISIONS

The proposed outcome will be achieved by amending the ALEP 2010 to:

- insert 'educational establishment' as an additional land use that is specifically permitted on the subject site under Schedule 1 of the ALEP 2010.
- identify the subject site on the additional permitted use map for the purpose of an 'educational establishment'.
- Amend the ALEP 2010 maximum FSR development standard and FSR Map to increase the maximum permissible FSR applicable to the subject site from 1:1 to 1.2:1.

Proposed additional permitted use and FSR mapping is provided in **Part 4** of this PP.

3. PART 3: JUSTIFICATION

3.1 SECTION A – NEED FOR THE PLANNING PROPOSAL

3.1.1 Is the planning proposal a result of any strategic study or report?

The PPR is not the direct result of any strategic plan or report. However, the inclusion of an educational establishment is consistent with the following strategic study and plan:

- Auburn City Community Strategic Plan 2013-2023.
- Draft Cumberland Community Strategic Plan 2017-2027.
- Auburn Employment Lands Strategy (2015).

Consideration of the PPR in accordance with the above strategic documents is described further in **Section 3.2.2** below.

3.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This PPR is the only way to achieve the additional use of an ‘educational establishment’ as this use is prohibited in the IN2 Light Industrial zone. While schools are not commonly found in light industrial zones, the location and circumstances relevant to the subject site make it uniquely suited. As identified in the *Auburn Employment Lands Strategy 2015*, the site is consistent with the description of an “orphan site” illustrated in **Figure 4** in **Section 3.2.2.2** of this PPR.

The site is considered appropriate for the proposed uses, but rather than a change in the zone to allow a greater range of permissible uses, the site specific schedule amendment retains the existing zone and identifies these uses only in response to this circumstance. This approach is considered the most efficient means of permitting a school on the subject site, particularly given the timeframes currently in place for the delivery of a new Islamic school, noting the landowner is working in partnership with the Turkish Government for its delivery.

This PPR seeks to introduce an additional use of ‘educational establishment’ for the subject site via an amendment to Schedule 1 of the ALEP 2010. The PPR proposes the most suitable location for this additional use to allow for a school to be developed on the site as it responds to a local need for a school identified by the proponent and under *Direction 1.10*, of *A Plan for Growing Sydney* in a locality that will benefit from synergies with the nearby Auburn Gallipoli Mosque and Gelibolu Home aged care facility. In this regard the PPR will enable land uses to better align with the cultural needs of the local Muslim community.

Consideration was given to establishing an SP2 Infrastructure (educational establishment) zone. Retaining the existing IN2 Light Industrial zone and allowing for an additional ‘educational establishment’ use was favoured as:

- the SP2 use would unnecessarily limit the use of the site to only ‘educational establishment’ uses;

- retaining the IN2 zone with an additional use would provide greater flexibility for the use of the site in the longer term and allow for an appropriate transition of the site in a manner that is consistent with the strategic direction for “orphaned” industrial sites as described in the *Auburn Employment Lands Strategy*.
- the insertion of another additional permitted use is likely to provide the most efficient means of achieving the PPR’s objectives and intended outcomes in order to meet the landowners’ timeframes for the delivery of school on this site.

3.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including exhibited draft strategies)?

3.2.1.1 A Plan for Growing Sydney

The relevant metropolitan strategy relating to the proposed development is *A Plan for Growing Sydney* released by the NSW Department of Planning and Environment in December 2014. The plan identifies growth projections from a whole of Sydney perspective and specifically identifies Western Sydney as a key to Sydney’s success. The strategy seeks to achieve the following outcomes for Sydney:

- Goal 1: A competitive economy with world-class services and transport.
- Goal 2: A city of housing choice, with homes that meet our needs and lifestyles.
- Goal 3: A great place to live with communities that are strong, healthy and well connected.
- Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

As stated within *Direction 1.10: Plan for education and health services to meet Sydney’s growing needs* the plan aims to deliver schools, tertiary education facilities and health facilities that meet the needs of Sydney’s growing and changing population. *Direction 1.10*, supported by *Action 1.10.1*, emphasises the need for planning and delivery of new schools, noting that new and expanded school facilities will be needed in urban renewal areas, greenfield sites and throughout established urban areas.

Auburn is an urban renewal area in Sydney that is experiencing significant population growth. Refer to the most up-to-date demographic data available for the locality as compiled to inform the preparation of the draft District Plans and detailed in **Section 3.2.1.3** below. The PPR specifically seeks to include an ‘educational establishment’ as an additional permitted use on the subject site to facilitate its future redevelopment as a school, thus providing for the delivery of a school in an existing urban area experiencing significant growth, and is therefore consistent with *Direction 1.10* of *A Plan for Growing Sydney*.

The Plan also states a commitment by Government to work with the private sector to understand and facilitate the delivery of private school facilities. In this respect the

development of a school by an Islamic education provider is a private school filling a much needed gap.

In light of the above, this PPR will assist in the establishment of a new school, consistent with these key priorities and directions of *A Plan for Growing Sydney*.

3.2.1.2 Towards our Greater Sydney 2056

This document outlines a draft amendment to *A Plan for Growing Sydney* which aligns with the vision established in the draft District Plans. It is the first step in the comprehensive work that will take place next year to further review *A Plan for Growing Sydney*.

This amendment reconceptualises Greater Sydney as a metropolis of three cities being the Eastern City, Central City and Western City. It has been prepared in conjunction with the draft District Plans to reflect the most contemporary thinking about Greater Sydney's future.

The subject site is located within the 'Central City', in close proximity to Parramatta CBD. Of the three cities, it is anticipated that the developing Central City will experience the most significant urban transformation over the next 10 to 15 years.

The plan notes delivery considerations associated with growth such as staging, enabling infrastructure, upgrades or expansions of social infrastructure such as local schools, open space and community facilities. The importance of the timely delivery of local infrastructure such as schools, health facilities and playgrounds is noted in the plan in response to higher proportions of school aged children.

Further review of the plan will be undertaken following community and stakeholder consultation after 31 March 2017.

3.2.1.3 Draft West Central District Plan

The draft West Central District Plan proposes a 20-year vision for the West Central District, which will see the fastest population growth in Greater Sydney and Australia. This District plays a pivotal role in Greater Sydney's future as a force for economic and employment development. It will be at the core of Greater Sydney's 'Central City'.

The draft plan has been developed by the Greater Sydney Commission in consultation with State agencies, the community and with technical input from councils. Further review of the plan will be undertaken following community and stakeholder consultation after 31 March 2017.

The plan acknowledges that Sydney's West Central District will experience significant growth as illustrated in **Figure 1**.

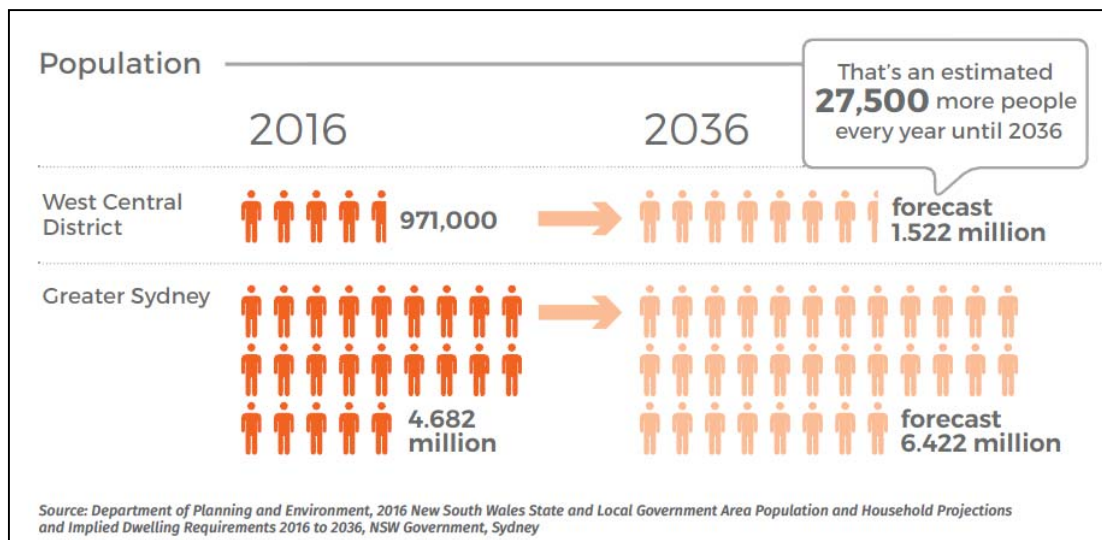


Figure 1 – West Central District Projected Population Growth (source Greater Sydney Commission)

Community feedback during the preparation of the draft West Central District Plan highlighted a community need for increased capacity for schools required to support the growing population.

Significant growth in school aged children is also projected to 2036. A population growth of 550,500 is expected across the West Central District including 112,450 expected in this 5-19 age group. This further reinforces the need for new schools to be provided in the Central District. This is illustrated in **Figure 2** below:

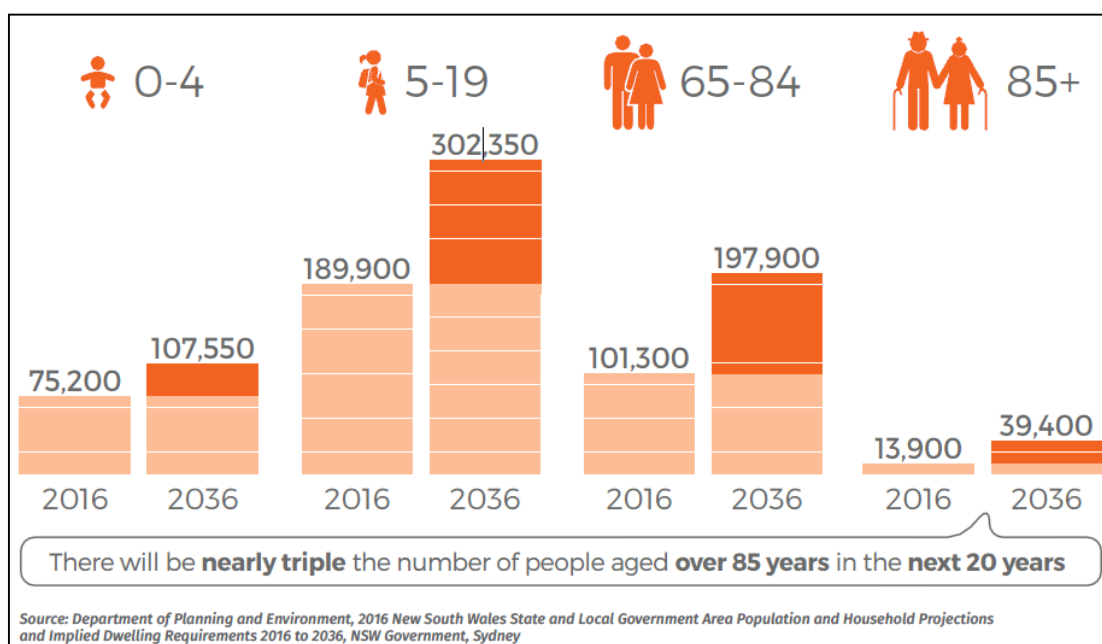


Figure 2 – Central District Projected Population Growth by age group (source Greater Sydney Commission)

Livability Action L16 seeks to support planning for school facilities and improved education infrastructure decision making. The plan acknowledges that as the District grows, upfront planning is essential to support new residents with the right mix of schools, health services,

community facilities, walking and cycling connections. The plan seeks to achieve this in a manner that creates safe, engaging places for everyone. The following extract from the plan confirms the critical need for school facilities in the West Central District:

“...The projected 59% growth in school-aged children, will create demand for school places and necessitate planning for new and more innovative use of existing schools. This will not be uniform across the District, with the largest increases expected in the Blacktown and Parramatta local government areas, which collectively will account for 63% of total increase in school-aged children over today's numbers. By contrast, there will be comparatively small aggregate and proportional growth in school-aged children in the Cumberland Local Government Area...”

(West Central District Plan, pp. 79)

Delivering on the growing demand for educational infrastructure is a key priority of the draft Central District Plan. Whilst the plan envisages lower growth in the Cumberland area, it is important for education opportunities' to be aligned with the cultural needs of the local community.

The PPR will facilitate the establishment of a new school within an area of identified growth and is therefore consistent with the overall plan. Specifically, the Auburn City Community Strategic plan outlined in **section 3.2.2** notes the high proportion of school aged children in the locality.

Action L11 Provide design-led planning to support high quality urban design seeks to establish functional streets that provide easy connections to facilitate transport options for day to day needs. To achieve this, the plan envisages “co-located schools, transport and services in mixed use areas capable of growth [to] improve the sustainability of these centres and their communities and enhance accessibility with the potential to reduce congestion.” The site the subject of the PPR is located in close proximity to the Auburn Town Centre and railway station and is adjacent to a large recreational precinct that facilitates a wide range of activities. The PPR seeks to include an ‘educational establishment’ as an additional permitted use to facilitate the future development of the subject site as a school. Accordingly, the PPR seeks to provide for an education facility that can utilise existing infrastructure and services and improve the viability of Auburn Town Centre while also seeking to reduce congestion.

Section 4.8.2 Plan to meet the demand for school facilities notes that if no additional classrooms were to be provided in the West Central District by 2036 significant shortfalls in the capacity of educational facilities will occur based on projected changes in the primary and secondary school – aged population. In meeting this demand, the plan seeks to support innovative approaches to the design and location of new and expanded school facilities.

As the school will be provided in an area of identified need with a growing population of school aged children, and will be located in close proximity to transport and town centre amenities, the PPR is consistent with the overarching intent of the plan.

3.2.1.4 Parramatta Road Corridor Urban Transformation Strategy

The Parramatta Road Corridor Urban Transformation Strategy is the NSW Government's plan setting out how the Parramatta Road Corridor will grow and develop over an expected 30 year timeframe.

The Strategy has been adopted by the NSW Government and is given statutory effect by a Ministerial Direction under section 117 of the Environmental Planning and Assessment Act 1979 (NSW) through a Section 117 Ministerial Direction.

The subject site is not specifically identified within the Parramatta Road Corridor; however, it is considered that the study is relevant to this PPR as the subject site is in close proximity to the Auburn Precinct. This precinct encompasses the large industrial site to the north of the subject site and Boorea Street. This reinforces the role of the larger agglomeration to the north as an employment, enterprise and business destination. This is illustrated in **Figure 3** below.

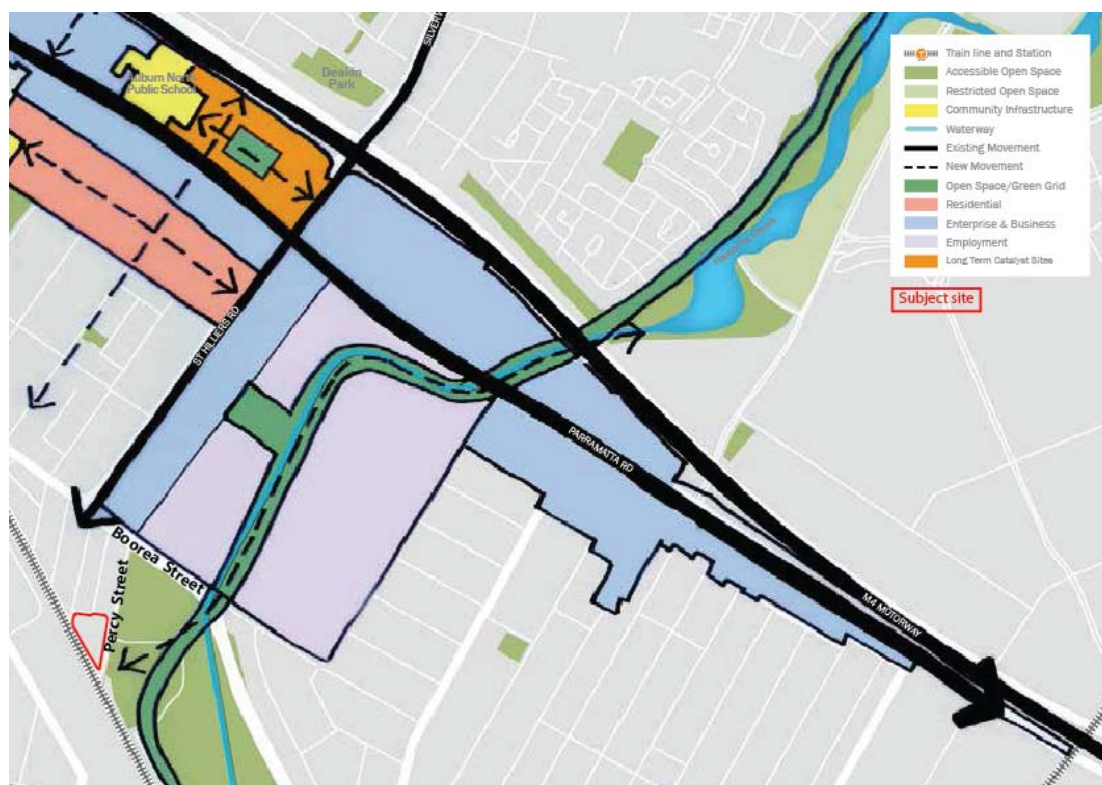


Figure 3: Location of subject site in relation to the Auburn Precinct (source Urban Growth)

The subject site and industrial land south of the railway corridor have not been identified in the strategy. This confirms the importance of the role of the larger area of employment lands to the north of the site and suggests the lesser importance of the current industrial role of the subject site, which is isolated from the wider agglomeration of industrial and employment uses, further supported by Council's own community and economic strategies discussed in the following sections. In light of this, an 'educational establishment' is considered to be an appropriate additional permitted use for the subject site as is the intended outcome of this PPR.

3.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

3.2.2.1 Auburn City Community Strategic Plan 2013-2023

The *Auburn City Community Strategic Plan 2013 - 2023* is a framework to deliver on the aspirations and priorities of Auburn's diverse community. It outlines Cumberland Council's vision for the future of Auburn and actions Council will undertake to achieve their goals over a ten year period between 2013 and 2023.

The following extract from the plan highlights Auburn's cultural diversity:

"Auburn City has a population of *80,892 and is the second fastest growing Council in metropolitan Sydney and NSW.

Auburn City continues to be one of the most culturally diverse local governments in Australia. It is often the first place of settlement for many newly arrived refugees and migrants.

We have one of the largest overseas born populations of any local government in NSW (ABS, Census 2011). At the 2011 Census, 56.9% of residents were born overseas, originating from 124 different countries. More than 71% of residents speak a language other than English at home."

(Auburn City Community Strategic Plan 2013-2023, p. 14)

The plan also highlights Auburn's religious diversity noting that:

"... at the 2011 Census, Christian based religions collectively comprised 34.2% of the population, followed by Islam with 25.5% of the population. Buddhism (9.1%) and Hinduism (5.1%) also represent significant portions of the population. Auburn City includes over 50 places of worship including 42 churches, 7 mosques or Muslim organisations, 1 Hindu temple, 1 Buddhist temple and 1 Baha'i centre."

(Auburn City Community Strategic Plan 2013-2023, p. 16)

The high population of school aged children is confirmed by the following extract from the plan:

"Children and young people make up a higher proportion of the Auburn City community when compared to the Sydney average (ABS, Census 2011). At the 2011 Census, children 0 - 12 years represented 16.1% of the population and young people (12 - 24 year olds) represented 19.1%."

(Auburn City Community Strategic Plan 2013-2023, p. 16)

Therefore, the provisions of new and culturally-aligned educational opportunities and facilities are essential to responding to local social and demographic needs for the long term betterment and wellbeing of the community. The PPR will assist in delivering on the key priority areas identified by Council in this plan:

"Priority areas for the 2013 - 2023 Community Strategic Plan identified by the community include:

- Improved Council provision of information to residents
- Increased community education and safety programs
- New youth programs, spaces and activities

- Innovative and new approached to community engagement
- Building community harmony and social cohesion
- Building a positive image of our local area
- Support for new arrivals
- Improved health and wellbeing of community members
- Better distribution of services and facilities across Auburn City”

(Auburn City Community Strategic Plan 2013-2023, p. 18)

Given the above, the objectives and intended outcomes of this PPR are aligned with key priority areas of the *Auburn City Community Strategic Plan 2013 -2023* and will assist in delivering on Council’s intended strategic direction.

3.2.2.2 Draft Cumberland Community Strategic Plan 2017-2027

The *Draft Cumberland Community Strategic Plan 2013-2023* is the first community strategic plan for Cumberland Council and sets out the future vision for the community for the next 10 years, the strategies in place to achieve this vision and how to measure the vision’s progress.

The community’s vision for the Cumberland LGA over the next 10 years is to “*Welcome, Belong, Succeed*” (p. 3) and in order to achieve this the following strategic goals have been developed:

1. A great place to live;
2. A safe accessible community;
3. A clean and green community;
4. A strong local economy;
5. A resilient built environment; and
6. Transparent and accountable leadership.

The PPR is consistent with this Plan in that it will facilitate the potential future redevelopment of the subject site for a school which will provide a new facility that supports and nourishes children and young adults and celebrates the local community’s diversity. The subject site is also ideally located adjacent to a range of existing recreational facilities with which a future school could form relationships with to encourage active and healthy lifestyles.

The provision of a new school within the LGA will also increase local employment opportunities.

In light of the above the objectives and intended outcomes of this PPR are considered to be aligned with key priority areas of the *draft Cumberland Community Strategic Plan 2017 -2027* and will assist in delivering on Council’s intended strategic direction for the next 10 years.

3.2.2.3 Auburn Employment Lands Strategy (2015)

The *Auburn Employment Lands Strategy 2015* prepared by AEC Group and AECOM seeks to enable Council to plan for future employment growth in the Auburn local government area (LGA). The strategy relates to lands zoned for employment within the Auburn LGA and focuses on retail, commercial and industrial activities to 2031 consistent with other strategies.

The strategy brings together economic and property market research and employment growth projections to ascertain the likely nature and demand for employment lands. The strategy recognises that an analysis of economic trends and influences is necessary to investigate the nature and requirements of employment growth and how these could potentially impact upon future expectations for land and floorspace requirements in Auburn.

This strategy is relevant given the subject site is zoned for IN2 Light Industrial purposes. It is important to note that the PPR is not to rezone the site from its current IN2 land use, but to enable the inclusion of an additional use on an 'educational establishment' within the zone for the purposes of a school. This is not inconsistent with previous use of the site by the Master Plumbers Association of NSW, which conducted specialist skills training programs on the site.

The *Auburn Employment Lands Strategy* acknowledges:

“The viability and sustainability of lands for continued industrial use is underpinned by their ability to:

- Be directly accessed off major arterial roads and highways.
- Operate in a conflict-free environment (e.g. unrestricted truck access).
- Cluster with other businesses/industry.

Where access issues and land use conflicts are not able to be resolved, industrial lands will in the long term struggle to be competitive.

As the changing employment profile of Auburn changes as foreshadowed, a range of business uses for industrial lands needs to be considered, however with the proviso that these alternate uses should not compromise the operations of current occupiers to precipitate their relocation.”

(Auburn Employment Lands Strategy 2015, p. viii)

For the purpose of the Strategy the subject site is located in the Queen Street Precinct (Precinct 1). In accordance with this Strategy it is recommended that the part of this precinct in which the subject site is located be retained IN2 Light Industrial to support existing businesses. The PPR is consistent with this recommendation in that it doesn't seek to amend the subject site's current IN2 zoning but rather seeks to include an additional permitted use.

Furthermore, as the subject site is isolated from wider industrial lands by abutting R2 Low Density Residential and RE1 Public Recreational lands, more traditional light industrial uses are likely to result in land use conflict and accessibility issues, particularly where traditional industrial may potentially require the ability to access and operate a facility outside of normal business hours.

Figure 4 illustrates both the isolation of the subject site from broader industrial areas and the potential for greater compatibility with neighbouring residential lands and to develop synergies with local park land.



Figure 4: Local Context and Opportunities

It is appropriate to consider alternative uses of the site, to promote greater land use compatibility in the long term and enable more positive interrelationships between land uses on a local level. This will encourage multipurpose trips due to culturally aligned uses locally and the proximity to employment and shopping destinations.

The strategy recommends the following approach for industrial lands in the locality:

- “Protect and retain large clusters of functional employment lands. Due to the evolving nature of manufacturing activities i.e. traditional manufacturing continues to decline and high technology and specialised industries are expected to increase in significance, it is important that planning controls are flexible enough to encourage and enable this transition. Surplus capacity in these clusters of functional employment lands will enable future employment growth to be accommodated.
- Support businesses located in fragmented and ‘orphaned’ industrial sites. Maintain those isolated precincts which are performing a functional employment role for as long as they are viable and required by businesses in-situ. Institute flexible planning controls to support businesses so as not to precipitate their relocation. In the long term investigate alternative land uses, as those fragmented

precincts that abut residential will conceivably struggle to attract new occupiers, particularly when the current occupiers vacate.”

(Auburn Employment Lands Strategy 2015, p. ix)

The strategy recommends that Council revise planning controls to provide flexibility to assist industry and business as they continue to transition in a time of structural economic change. It acknowledges an inability to meet business need will invariably result in high levels of vacancy and undermine viability and sustainability.

The PPR is consistent with the above as it is an “orphan site”, disconnected from larger clusters of industrial lands as evident in **Figure 4**. The PPR proposes to introduce an additional land use that will assist in diversifying land use permissibility. This will enable the site to continue to offer local employment through the introduction of a school as well as cater for community needs with a land use that is compatible and will develop greater synergies with the local residential and recreational context.

Introducing an educational land use on the subject site will assist in establishing greater synergies with neighbouring residential and recreational land uses. An Islamic school in this location will also gain benefits from the collocation of the Auburn Gallipoli Mosque, Gelibolu Home aged care facility and Wyatt Park Recreational Precinct each within walking distance of the subject site.

3.2.2.4 Draft Auburn and Lidcombe Town Centres Strategy

The *Draft Auburn and Lidcombe Town Centres Strategy* was prepared in response to the failure of recent increases in density to result in development that contributes aesthetically and functionally to the Auburn and Lidcombe Town Centres to the extent that was anticipated. Importantly, it has become apparent there is a disconnect between heights and FSRs with heights often being insufficient to encourage the quality of design expected. The strategy builds on the extensive planning and urban design modelling undertaken by JBA, and whilst it does not adopt all the recommendation of this study it is very much informed by it.

The draft town centres strategy has been prepared to serve multiple different purposes as follows:

- Inform the preparation of a PP to amend the zoning, FSR and height controls for the Auburn and Lidcombe town centres in the ALEP 2010 to those proposed in the strategy;
- Guide the preparation of a future town centre strategy for Lidcombe Town Centre; and
- Guide future amendments to the ADCP 2010 for the Auburn and Lidcombe town centres.

Furthermore, the objectives of this strategy are as follows:

- “Build on strategic and urban design work undertaken by or for Council.
- Enable improved built form and quality design outcomes that facilitate the achievement of the objectives of SEPP 65 Design Quality of Residential Apartment Development.
- Facilitate a diversity of built form including a more diverse skyline.
- Facilitate improved connectivity through the town centres and the provision of new open space along with the development.
- Support an innovation ecosystem in Lidcombe in line with opportunities identified through the district planning process and the Greater Sydney Commission’s vision for the GPOP Greater Parramatta and Olympic Peninsula (2016).
- Support economic vitality and street life in these centres.
- Protect features of the town centres that have significant value to the community.”

(Draft Auburn and Lidcombe Town Centres Strategy, p. 3-4)

The subject site is not located within the Auburn Town Centre for the purposes of this strategy; however, it is located immediately adjacent Precinct 22 of the Auburn Town Centre, which includes the Auburn Gallipoli Mosque and the under construction Muslim aged care facility. The strategy recommends that the precinct be rezoned from R2 Low Density Residential to R3 Medium Density Residential with the maximum building height to remain at 9 metres and the maximum FSR to become 0.75:1 where no maximum FSR currently exists. However, the strategy also acknowledges that there are various constraints affecting this precinct, namely views to and from Auburn Gallipoli Mosque, traffic and flooding. To overcome these issues it is recommended in the strategy that a precinct study be prepared.

The PPR is consistent with the local planning controls proposed for Precinct 22 in the Strategy with inclusion of an ‘educational establishment’ as an additional permitted use on the subject site allowing for its future redevelopment for the purpose of an Islamic School. A school is complementary to the various uses permissible within the proposed R3 zone. The proposed adaptive re-use of the existing building on the subject will maintain the current scale of development and ensure any future development is consistent with the FSR and height controls proposed for land within Precinct 22 of the Auburn Town Centre as per the strategy.

As shown in the concept plans for the Islamic school included at **Appendix A** of this PPR, the future development envisioned on the subject site will be of a high quality design, consistent with the overarching objective of the draft strategy to improve the quality of developments within the Auburn and Lidcombe Town Centres in terms of both aesthetics and functionality.

3.2.3 Is the planning proposal consistent with applicable State Environmental Planning Policies?

A table of relevant State Environmental Planning Policies (SEPPs) is included in **Appendix C**. The SEPPs that need to be considered are outlined as follows:

3.2.3.1 *State Environmental Planning Policy No 55 - Remediation of Land*

Clause 6 of SEPP 55 states:

6 Contamination and remediation to be considered in zoning or rezoning proposal

(1) In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:

- (a) the planning authority has considered whether the land is contaminated, and
- (b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and
- (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.

A Detailed Site Investigation has been prepared by Australian Geotechnical to support a PPR for the subject site to allow an educational establishment as an additional permitted use. This report was prepared to assess and determine the suitability of the site for subdivision and construction based on its current conditions and the findings of the investigation, which concluded:

- “The site is proposed for use as a private education institution;
- The results of the chemical analyses for the soils beneath the subject site do not indicate that the site has been contaminated by the past or present activity;
- Validation of the building footprints and disturbed areas will need to be carried out post demolition and site cleanup in order to satisfy sampling densities and contaminations of concern.
- Environmental supervision during stripping of the site should be carried out to confirm no unexpected finds present within grassed areas, under building slabs etc.
- The data quality objectives of the report have been fulfilled.
- Any soils requiring removal from the site must initially be classified in accordance with the NSW waste classification guidelines.”

(Detailed Site Investigation, p. 18-19).

In light of the above, the Detailed Site Investigation found that there is no indication that the subject site poses a risk to human health or the environment, and therefore the subject site is considered suitable for the proposed development of a private education institution. A copy of this report prepared by Australian Geotechnical is included at **Appendix G** of this PPR report.

3.2.3.2 Development Near Rail Corridors and Busy Roads – Interim Guidelines

Development Near Rail Corridors and Busy Roads - Interim Guidelines is a Departmental guideline implemented through the Infrastructure SEPP to identify matters to be considered in the assessment of development adjacent to particular types of infrastructure. The aim of the guidelines is to reduce health impacts of rail and road noise and adverse air quality on sensitive adjacent development such as residential.

Part B: Strategic planning context of the Interim Guidelines contains guidance for council strategic planning purposes and also for other government agencies or private proponents investigating possible locations for development including educational establishments. It acknowledges the need for residential and other sensitive developments to be sited so that the direct impacts of rail corridors and busy roads can be avoided or mitigated appropriately. In particular relation to this PPR the Interim Guidelines note that where new schools and childcare centres are being considered the design should ensure there is sufficient separation from “busy” roads and rail corridors to avoid adverse noise and air quality impacts on children.

One measure recommended in the Interim Guidelines to avoid, reduce or mitigate noise and air quality impacts at schools and child care centres is to redesign or relocate buildings to locate non-sensitive services like storage, bathrooms and car parking in areas likely to be impacted. The PPR is consistent with the Interim Guidelines in that the concept plans included at **Appendix A** show that the uses located closest to the railway corridor within the existing office building include the uniform shop, storage, bathrooms and reception area, along with the offices for the various senior staff members and support staff such as IT. The retention of the existing office building and the car parking area in the northern part of the site seek to minimise the potential noise impacts on the school children caused by passing trains. However, these plans are indicative only and may be subject to changes at the DA stage.

The Interim Guidelines would be considered in more detail at the DA stage for the school, with further possible measures to be incorporated into the design of the school to avoid, reduce and mitigate noise and air quality including the construction of solid noise wall barriers.

3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The S.117 Ministerial directions that are relevant considerations for this PPR are:

- 1.1 Business and Industrial Zones;

- 2.3 Heritage Conservation;
- 4.1 Acid Sulphate Soils;
- 4.3 Flood Prone Land;
- 6.3 Site Specific Provisions; and
- 7.1 Implementation of *A Plan for Growing Sydney*.

Appendix D provides a summary of the PPR's consistency with all Section 117 Directions.

3.2.4.1 S.117 Direction – 1.1 Business and Industrial Zones

The PPR will affect land within an existing industrial zone being the IN2 Light Industrial zone.

Objectives

(1) The objectives of this direction are to:

- (a) encourage employment growth in suitable locations,
- (b) protect employment land in business and industrial zones, and
- (c) support the viability of identified strategic centres.

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).

What a relevant planning authority must do if this direction applies

(4) A planning proposal must:

- (a) give effect to the objectives of this direction,
- (b) retain the areas and locations of existing business and industrial zones,
- (c) not reduce the total potential floor space area for employment uses and related public services in business zones,
- (d) not reduce the total potential floor space area for industrial uses in industrial zones, and
- (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.

Consistency

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:
 - (i) gives consideration to the objective of this direction, and
 - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
 - (iii) is approved by the Director-General of the Department of Planning, or
- (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or
- (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or

(d) of minor significance.

The PPR is consistent with the intended effects of this Direction in that it will:

- retain the subject site's current IN2 Light Industrial zoning and the areas and locations of existing business and industrial zones;
- not reduce the total potential floor space area for employment uses and related public services in business zones;
- not reduce the total potential floor space area for industrial uses in industrial zones in that it does not seek to extinguish the site's existing IN2 zoning; and
- contribute to the retention and ongoing sustainability of employment attracting uses on an isolated "orphan" industrial site in a transitional location.

3.2.4.2 S.117 Direction – 2.3 Heritage Conservation

The subject site is located adjacent to local heritage items 'I40' and 'I41' known as 'Wyatt Park, Haslams Creek, Lidcombe Pool, Lidcombe Oval, Stormwater Drain' and 'Stand of *Eucalyptus microcorys*', respectively. Therefore, this direction is applicable to this PPR. Refer to **Figure 5**.

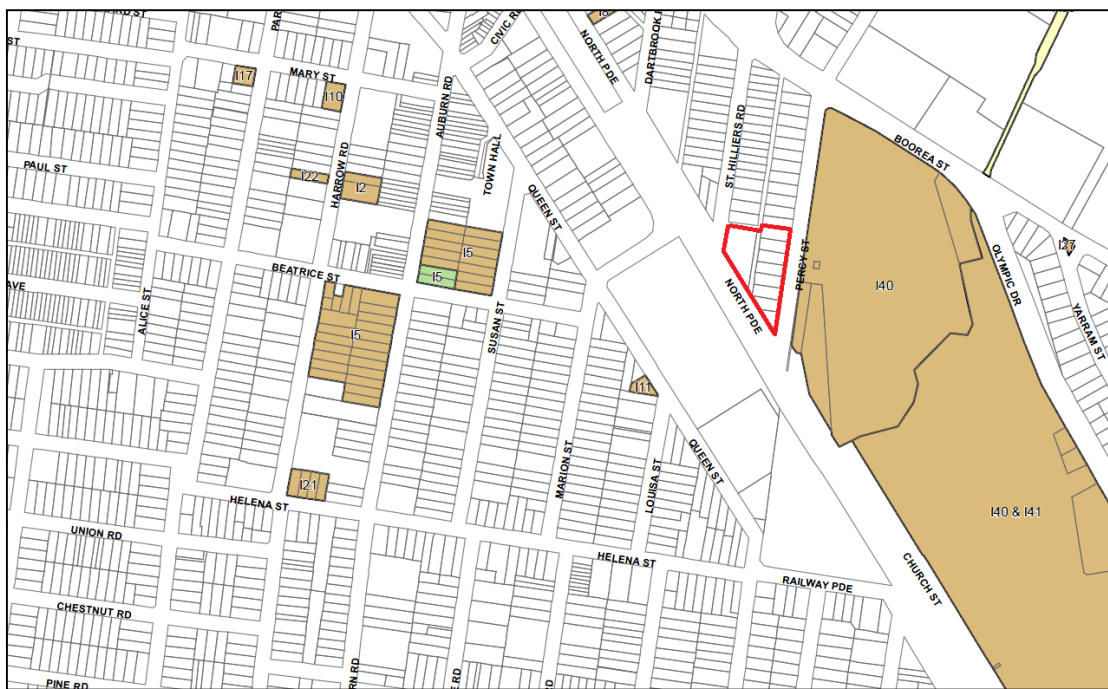


Figure 5: ALEP 2010 Heritage Map – Subject site outlined in red (Source: NSW Legislation)

Objective

(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal.

What a relevant planning authority must do if this direction applies

(4) A planning proposal must contain provisions that facilitate the conservation of:

- (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,
- (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and
- (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

Consistency

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:

- (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
- (b) the provisions of the planning proposal that are inconsistent are of minor significance.

The PPR is to include an additional 'educational establishment' use on the site, whilst retaining the current IN2 zone. It does not propose to introduce alternative height controls and the proposed increase in FSR is only minimal with the additional floorspace to be accommodated within the existing warehouse building as part of its future adaptive re-use. Therefore, the PPR will not result in any significant changes to the character of the locality and is unlikely to adversely impact on any nearby heritage item.

The indicative plans provided in **Appendix A** illustrate the intended outcome for the site. This includes an adaptive reuse of the existing building on the site and will significantly improve the quality of both Percy Street and Gelibolu Parade streetscapes. This will improve views from within Wyatt Park and result in an overall improvement to the locality.

It is considered that heritage matters can be appropriately addressed as a part of a future development application when actual impacts can be considered. Heritage assessment should not be required for further consideration of the PPR.

3.2.4.3 S.117 Direction - 4.1 Acid Sulphate Soils

This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulphate soils as shown on the Acid Sulphate Soils Planning Maps (refer to **Figure 6** below).

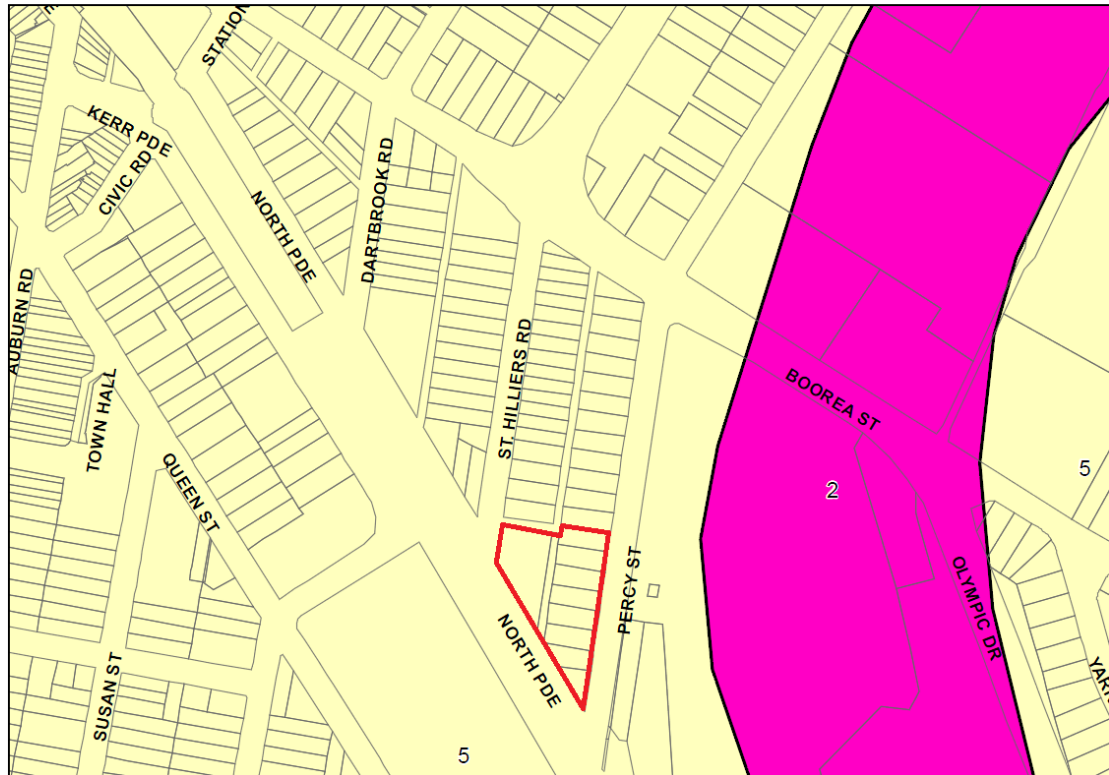


Figure 6: ALEP 2010 Acid Sulfate Soils Map – Subject site outlined in red (Source: NSW Legislation)

Objective

(1) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

Where this direction applies

(2) This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.

What a relevant planning authority must do if this direction applies

(4) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.

(5) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:

- (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or
- (b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.

(6) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.

(7) Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5).

Consistency

(8) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or

(b) of minor significance.

The PPR and any subsequent DA will be considered against any Acid Sulphate Soils (map) prepared by Council. A review of Council's Acid Sulphate Soils map indicates that the subject site is located within a Class 5 Acid Sulphate Soils area. This is considered to be of minor significance as the intended future development of the site will not involve significant excavation as it will primarily seek to adaptively reuse the existing building on the site. The PPR does not seek to alter the development potential of the site in terms of permissible height, with the proposed increase in FSR to be accommodated within the existing building on the site. The PPR does not seek to alter the development potential of the site in terms of permissible height, with the proposed increase in FSR to be accommodated within the existing building on the site. The PPR does not seek to alter the development potential of the site in terms of permissible height, with the proposed increase in FSR to be accommodated within the existing building on the site. The PPR does not seek to alter the development potential of the site in terms of permissible height, with the proposed increase in FSR to be accommodated within the existing building on the site.

It is considered that the further assessment can be dealt with at any future DA stage for the subject site with the inclusion of an Acid Sulphate Soils Management Plan.

As the PPR is not intended to enable significant redevelopment or excavation of the site, it is considered that this should be addressed as a part of a future development application when detailed design matters are confirmed and should not be required for further consideration of the PPR.

3.2.4.4 S.117 Direction - 4.3 Flood Prone Land

The north-eastern corner of the subject site is flood prone land therefore this direction applies.



Figure 7: ALEP 2010 Flood Planning Map – Subject site outlined in red (Source: NSW Legislation)

Objectives

- (1) The objectives of this direction are: (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and
- (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

Where this direction applies

- (2) This direction applies to all relevant planning authorities that are responsible for flood prone land within their LGA.

When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.

What a relevant planning authority must do if this direction applies

- (4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).

- (5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.

- (6) A planning proposal must not contain provisions that apply to the flood planning areas which:

- (a) permit development in floodway areas,
- (b) permit development that will result in significant flood impacts to other properties,
- (c) permit a significant increase in the development of that land,
- (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or
- (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.

- (7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).

- (8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).

Consistency

- (9) A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that:

- (a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or
- (b) the provisions of the planning proposal that are inconsistent are of minor significance.

A report by Council was prepared in January 2012 to satisfy the conditions of a Gateway determination issued by the DP&E for a PPR submitted by Council to increase the FSR of certain land zoned R4 High Density Residential and B4 Mixed Use within the then Auburn LGA. Bewsher Consulting Pty Ltd was commissioned by Council to peer review Council's internal report. A copy of these two reports is included at **Appendix F** of this PPR report prepared by TPG.

A review of Council's report and Bewsher's review of Council's report has been conducted in relation to this PPR for the inclusion of an additional permitted use on the subject site. As identified in the flood mapping included in Council's January 2012 report the north-eastern

corner of the subject site is located in a low risk flood prone precinct as shown in **Figure 8** below.



Figure 8: Extract from Figure 2 of Council's report – Subject site outlined in red (Source: Cumberland Council)

The intent of the PPR is make an 'educational establishment' permissible on the subject site to allow for its future redevelopment of a school that will seek to adaptively reuse the existing building. In this circumstance the PPR retains the subject site's existing structures and external hardstand areas which are located to the west and south of the main warehouse building. It is noted that the PP does involve a slight increase in the FSR; however, the additional floor space will be accommodated within the existing buildings on the site. As no significant increase in hardstand is proposed, no change to flood risk is expected to arise as a result of the PPR.

It is expected that any risks associated with the change of use will be effectively dealt with through flood planning development controls at the future development assessment stage. It is noted that the Probable Maximum Flooding (PMF) level for Haslams Creek is 13.2 metres, noting that educational establishments are not permitted within the PMF area. As shown on the detailed site survey plan included at **Appendix B** of this PPR, the existing levels of the subject site are generally above the 13.2 metres PMF level. This includes the buildings and playground areas to be used by the children when at school. The only parts of the site below the 13.2 metres are portions of the site's southern and western boundaries.

Nonetheless, this PPR is considered to be consistent with this Section 117 Direction. Development controls contained within the *Auburn Development Control Plan 2010* (ALEP 2010) are consistent with the Haslams Creek FRMP which was prepared in accordance with the NSW Government's Flood Prone Land Policy and Floodplain Management Manual. Furthermore, the PPR does not seek to rezone land within a flood prone area and instead seeks to permit 'educational establishment' as an additional permitted use on the subject site. The PPR does not permit development within a floodway area nor will it result in

significant flood impacts to neighbouring properties given that the future intent for the subject site is to adaptively reuse the existing warehouse building on the subject site. The PPR also does not seek to increase the maximum building height permissible on the subject site, with the requested amendment to FSR to be provided within the existing building footprint, and therefore will not permit a significant increase in the development of the land. The fact that the subject site is located in a low risk precinct and the nature of future development means the PPR is unlikely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services. Development consent will still be required for development on the subject site notwithstanding the PPR. The PPR will not change the flood planning levels applicable to the subject site nor does it seek to impose additional flood related development controls to those contained in the ALEP 2010.

For the reasons identified above the PPR is consistent with this Section 117 Direction; however, reference is still made to previous flooding reports prepared by Council and Bewsher. Although not prepared for this PPR the findings of these reports are still considered relevant.

3.2.4.5 S.117 Direction - 6.3 Site Specific Provisions

The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. The PPR is consistent with this direction as it does not seek to impose any development standards or requirements in addition to those already contained in the standard environmental planning instrument.

Objective

(1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.

What a relevant planning authority must do if this direction applies

(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:

- (a) allow that land use to be carried out in the zone the land is situated on, or
 - (b) rezone the site to an existing zone already applying 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
 - (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.
- (5) A planning proposal must not contain or refer to drawings that show details of the development proposal.

Consistency

(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.

The PPR does not seek to unnecessarily restrict the site, rather it seeks to introduce an additional land use that will diversify the site's development potential by enabling a school to operate on the site. The PPR is consistent with clause 4 of this S.117 Direction in that it:

- seeks to retain the site existing zone applicable under the ALEP 2010;
- will allow the land use to occur without imposing any additional development standards or requirements to those generally applicable; and
- does not contain or refer to drawings that show details of any specific development proposal.

3.2.4.6 S.117 Direction - 7.1 Implementation of A Plan for Growing Sydney

The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in *A Plan for Growing Sydney*. The Direction applies to a number of listed Local Government Areas (LGA), which includes the then LGA of Auburn, now Cumberland.

It is considered that this PPR is consistent with this Direction in that it will assist in delivering on the outcomes envisaged by the strategy as outlined in **Section 3.2.1.1**.

3.2.4.7 7.3 Parramatta Road Corridor Urban Transformation Strategy

The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in the *Parramatta Road Corridor Urban Transformation Strategy*. The Direction applies to a number of precincts, which includes the Auburn Precinct.

The site is not identified within the Parramatta Road Corridor and the strategy and therefore this Direction is not directly applicable to this PPR. However, the PPR is not inconsistent with the strategy and its focus on reinforcing the employment role of the industrial land north of Boorea Street confirms the lesser role of the subject site as an industrial type employment destination.

It is considered that this PPR is consistent with this Direction in that it will not hinder the outcomes envisaged by the strategy as outlined in **Section 3.2.1.4**.

3.3 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

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

The site is currently occupied by an existing development and surrounded by low scale residential building, parkland and the railway. Whilst there is some existing vegetation on the site, it is unlikely to include critical habitat; threatened species populations or ecological communities, or their habitats.

Search of the Department of Environment and Energy Protected Matters Search tool shows no places of environmental protection have been identified on the site.

This PPR does not seek to significantly alter the development potential of the site. Therefore it is considered that such matters can be more appropriately addressed at detailed design stage as a part of a future DA as necessary.

3.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The PPR is to enable the site to be used for a school and will not result in any significant or additional environmental impacts in that it will support the objectives of the IN2 zone to:

- provide a wide range of light industrial, warehouse and related land uses in that it retains the original site zoning;
- encourage employment opportunities and to support the viability of centres by providing for a school on the site that will employ a number of staff in different roles and encourage multi-purpose trips that will benefit the Auburn town centre;
- minimise any adverse effect of industry on other land uses in that it will allow for an “orphan” industrial site to transition and better align with neighbouring residential uses as provide for in the *Auburn Employment Lands Strategy 2015*;
- enable other land uses that provide facilities or services to meet the day-to-day needs of workers in the area in that it will provided for a school use in proximity to local employment lands.
- support and protect industrial land for industrial uses, by retaining the site’s existing zoning and allowing for an additional use that will support the sustainability of that zone in the medium to long term.
- minimise adverse effects on the natural environment in that the intended use of the site as a school will promote the adaptive reuse of an existing industrial building, reducing the burden on natural resources.

The PPR will support the ongoing use of the land for light industrial uses while introducing a related land use that will encourage employment and will support the viability of the Rahma centre nearby via parent and children co-join trips. The school use will have no greater impact than a light industrial use and its hours of operation will be similar to existing schools. The retention of the IN2 zone will enable the land to be redeveloped for industrial uses in the future while the educational use provides much needed schooling facilities for the local population.

Any specific impacts of a potential educational establishment can be sufficiently managed as and addressed in detail as a part of a future Development Application process. As such, it is not anticipated that any significant visual impact or land use conflicts would occur as a result on the PPR.

The following analysis of potential impacts is based on concept plans provided in **Appendix A**, which envisage an adaptive reuse of the existing building.

3.3.2.1 Visual impact and interface with adjacent public realm

The PPR seeks to introduce an additional permissible use on the site for the purposes of enabling the operation of a school within an existing building on the site. In this circumstance, the visual impact of the PPR will be minimal and in keeping with or improving the existing character of the area, and can be managed in further detail in the design of a school in a future DA.

The indicative plans in **Appendix A** illustrate the intended outcome which will result in a major improvement to the quality of built form by retaining and adapting the existing building structure and improving the visual appearance of building facades. This will result in significant improvements to the streetscape and transform an aging industrial building into a high quality architectural expression on a highly visible site.



View from Percy Street (Current)



View from Percy Street (Proposed)

3.3.2.2 Scale and form of development

The PPR does not seek to amend height within the ALEP 2010 and any additional FSR increase facilitated by this PPR will be accommodated within the existing building footprint. As such it will not result in any changes in scale and form of development other than that already permissible. Indicative plans provided in **Appendix A** demonstrate the intended adaptive reuse of the existing building structure and does now propose to substantially alter the existing building bulk.



As can be seen from the comparative plans above the building bulk is not intended to substantially change. The intended demolition of a two smaller buildings at the southern tip of the site to accommodate a car park will reduce building bulk and create new landscaping opportunities at the corner of Percy Street and Gelibolu Parade.

Refer to the site survey provided in **Appendix A** and Indicative Plan provided in **Appendix B**.

3.3.2.3 Access, traffic and parking

A transport impact assessment has been prepared by GTA Consultants and included **Appendix E**. This report provides an assessment of the anticipated transport implications of the proposed development of a school on the subject site in the future as anticipated by this PPR. It must be stressed that in order to understand the potential traffic implications of a future educational establishment or school, an indicative concept has been established to determine the capacity of the school and is based on estimated staff and student numbers. This is intended to be an indicative concept only and may not be reflective of final numbers, which will be further refined as part of the DA stage for the proposed development of a school.

This transport impact assessment has found that based on the indicative concept for the proposed future development of a school, accommodating 650 students and 50 staff, there will be a requirement to provide 44 car parking spaces, including a drop-off/ pick-up facility. In addition to this, it is recommended that between 32 and 64 bicycle parking spaces also be provided as part any future DA for the site. These requirements are based off the ADCP 2010 and an empirical assessment of parking demand, including reference to the RMS *Guide to Traffic Generating Developments*.

In relation to the traffic impact the proposed future development will have on the surrounding road network, the proposal will generate “120 traffic movements per hour during the AM peak and 110 movements per hour during the PM peak”. Despite an increase of 110 and 100 traffic movements in the AM and PM periods respectively, it is noted that the surrounding road network has adequate capacity to accommodate these additional traffic movements generated.

On this basis, GTA has found the PPR to have acceptable impacts on the surrounding traffic network. A more detailed access and traffic engineering assessment can be provided as part of a future DA for the site.

3.3.2.4 Interface with adjacent residential properties

Existing built form on the site is oriented to the west boundary with a large car park area at the corner of Gelibolu Street and St Hilliers Road. The interface between the subject site and neighbouring residential development is buffered by an existing laneway to the north west of the site and a large setback to the north east of the site.

It is not envisaged that significant changes would occur to the relationship between existing building bulk on the subject site and neighbouring residential area.

3.3.2.5 Interface with adjacent rail corridor

The issues associated with the interface between the intended use will be addressed under State Environmental Planning Policy (Infrastructure) 2007 and associated 'Development Near Rail Corridors and Busy Roads – Interim Guidelines', applicable at DA stage.

This includes guidelines for the site planning and design of development, acoustic treatments, protection against corrosion from electrolysis, access for rail maintenance, stormwater management, security against vandalism and graffiti, potential glare from lighting and external finishes, derailment protection, underground electrical services, fencing, and management of potential construction and excavation issues.

The site has capacity to accommodate a school in a future Development Application that satisfies the provisions of SEPP Infrastructure and associated Development Near Rail Corridors and Busy Roads – Interim Guidelines'.

3.3.3 How has the planning proposal adequately addressed any social and economic effects?

The PPR will have numerous positive social and economic benefits in that it:

- meets the intent and delivers on the opportunities for increased educational provision in Council's Strategic Plan and the NSW Government's *A Plan for Growing Sydney*;
- will enable an education facility to be provided through private sector interests reducing the burden on State government education funding sources;
- provide culturally relevant education choices, representative of the significant Muslim population of Auburn locality and the wider Cumberland LGA;
- will build on the existing community infrastructure to create a new education facility in the immediate locality for the Muslim community and establish synergies between the Auburn Gallipoli Mosque, Gelibolu Home aged care facility, local recreation facilities and a future Islamic school on the subject site;

- reinforce family values of the local community through the co-location of the Mosque, aged care and education facilities;
- will enable the current IN2 zone to remain in place and for employment to continue on an “orphan” industrial site that is currently under pressure to assume a land use that is more compatible with the neighbouring residential lands;
- will provide employment during construction and operation of the proposed educational use; and
- result in various multiplier effects through the effective use of a now underutilised site in that it will support local business and recreational facilities in the locality.

The social effects associated with security of premises and crime prevention in environmental design will need to be addressed in a future Development Application for the detailed design and construction of future development.

3.4 SECTION D – STATE AND COMMONWEALTH INTERESTS

3.4.1 Is there adequate public infrastructure for the planning proposal?

Public transport and utility services infrastructure are available in the locality and adjacent to the site. The Auburn railway station and Parramatta line is adjacent to the site with pedestrian access to the station within a 600m path of travel.

The site has previously been used for urban purposes and is connected to existing infrastructure services.

More detailed engineering studies and plans for utility services infrastructure connections would be carried out as part of a future Development Application for detailed design and construction of development.

3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No State or Commonwealth authorities have been consulted yet by the proponent. It is anticipated that the planning authorities in Georges River Council and Department of Planning and Environment will consult relevant public authorities in accordance with the provisions of the EP&A Act and Regulation.

4. PART 4: MAPPING

4.1 THE SITE

4.1.1 Site Description

The subject site is located at 2 Percy Street, Auburn in close proximity to the Auburn Town Centre. It is situated at the corner of Percy Street and Gelibolu Parade. Approximately 600 metres north-west of the subject site is the Auburn railway station, which is located on the Main Suburb Line and serves the Western and Inner West and South Line. The location of the subject site is illustrated in **Figure 9**:



Figure 8: Site location

4.1.2 Legal Description

The current legal description of the subject site is Lots 14 to 21 Section 1 DP 2647 and Lot 1 DP 76735 and Lot 1 DP 721683. This is outlined in the **Table 9**:

Table 1: Land parcels forming the subject site

Number	Lot	Street	DP
2	14	Percy Street	DP 2647
	15		DP 2647
	16		DP 2647
	17		DP 2647
	18		DP 2647
	19		DP 2647
	20		DP 2647
	21		DP 2647
	1		DP 76735

	1	DP 721683
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The cadastral setting of the site is further described in **Figure 10**:



Figure 10: Cadastral setting of the site (source SIX Maps)

4.1.3 Site Features and Existing Development

The subject site was formerly occupied by the Master Plumbers Association of NSW, an organisation which ran a specialist skills centre on the subject site to pursue excellence in training for plumbing. The existing structures on the subject site include a large warehouse type building and a small two-storey office building located at the corner of Percy Street and Gelibolu Parade.

Located at the rear of the large warehouse type building is hardstand used for car parking, which is accessed directly from the two-way driveway located off St Hilliers Road. Disabled parking located at the front of the office building located in the south-east corner of subject site is accessed from the driveway off Gelibolu Parade and exited from the driveway to Percy Street. Pedestrian access to the subject site is provided from the site's Percy Street frontage only. The topography of the subject site is relatively flat with a gentle slope from south to north.

Key site features are illustrated in the following photographs and highlighted in the site survey provided as **Appendix B**.



Percy Street frontage



View from Percy Street near the corner of Gelibolu Parade

4.1.4 Historical use of the site

This history of the subject site can be ascertained from historical land title information, which suggests that the subject site has been in private ownership since at least 1823. From 1823 onwards a majority of the subject site remained in private ownership until the year 1925 when Tanner & Peters Ltd (i.e. timber merchant) occupied the entire site the subject of this PPR. Following 1925 the site has been owned by various companies and organisations including, Australia Plaster Industries, The Commissioner for Railways, Australian General Electricity Pty Ltd, Repco Ltd (i.e. manufacturing company) and Energy Australia.

Based on aerial photographs, from at least 1930 to 1951 the land use of the subject site appears to have been industrial/ warehouse. Between 1951 and 1972 the building structures on the subject site were demolished and the northern portion of the subject site was likely used for car parking. The warehouse building that currently exists on the site was constructed between 1972 and 1994. The office building that adjoins this warehouse building to the south was built after 2005.*

*Source: Preliminary Site Investigation for 2 Percy Street, Auburn dated 13 June 2014.

4.1.5 Surrounding Land Use Context

Immediately north of the subject on Percy Street and St Hilliers Road is low density residential development consisting predominately of single detached dwelling houses. To

the immediate north-west of the subject site on the opposite side of St Hilliers Road, an aged-care facility is currently under construction that will cater specifically to the elderly Muslim community. The Auburn Gallipoli Mosque is located approximately 130 metres north-west of the site.

Immediately south and west of the subject site is the railway line, and immediately east of the subject site on the opposite side of Percy Street are the Marie Dunn Netball Courts that form part of Council's larger Wyatt Park Recreational Precinct, which includes an athletic field, basketball centre, Lidcombe Oval and Ruth Everuss Aquatic Centre.



Low density residential land to the north of the site



Recreation lands to the east of the site

Figure 11 provides an overview of site context.



Figure 11: Surrounding land use context

4.1.6 Transport and Accessibility

The subject site is located at 2 Percy Street, Auburn and has frontages to St Hilliers Road, Percy Street and Gelibolu Parade. The subject site is in close proximity to a major road

(Boorea Street, part of the A6 arterial road) and the Main Western Railway line. It is also located approximately 700m south-east of the Auburn railway station with Gelibolu Parade running parallel to the adjacent rail line.

4.1.6.1 Road Network

St Hilliers Road, Gelibolu Parade and Percy Street are all local roads with one lane in each direction and kerbside parking with a speed limit of 50 km/h. A cycle lane is provided on the footpath on the northern edge of Gelibolu Parade which runs adjacent to the subject site.

4.1.6.2 Public Transport

The subject site is located close to both rail and bus transportation infrastructure and services, with the Auburn railway station and bus interchange located approximately 700m to the north west of the subject site.

Auburn railway station is served by trains operating on both the T1 and T2 lines, from frequencies ranging between 6 minutes during peak hour and 30 minutes during off peak periods. The area is also well serviced by bus, with additional detail provided in the traffic report at **Appendix E**.

4.1.6.3 Active Transport

Pedestrian footpaths are provided on roads around the vicinity of the subject site. A cycle (and walking) path running from Auburn to Lidcombe which also allows for access to Church Street and Lidcombe beyond where road access is not provided.

4.2 CURRENT PLANNING PROVISIONS

The subject site currently zoned IN2 Light Industrial under the ALEP 2010 as shown below in **Figure 12**.

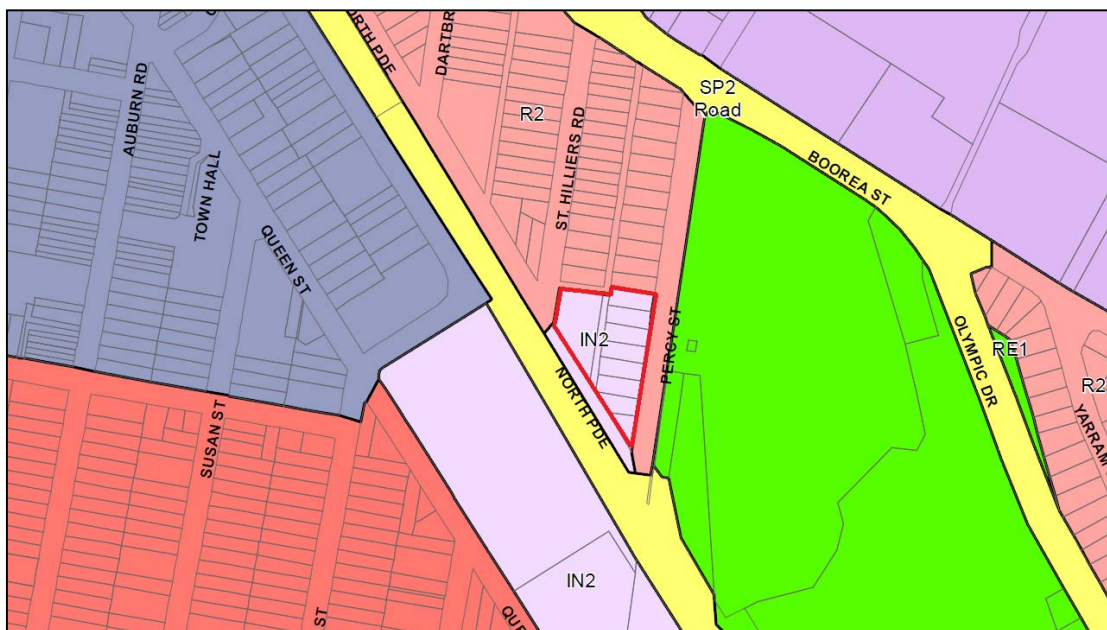


Figure 12: ALEP 2010 Land Zoning Map – Subject site outlined in red (Source: NSW Legislation)

The following land use permissibility applies in the IN2 zone and prohibits the intended use of the site as an ‘educational establishment’:

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To minimise adverse effects on the natural environment.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Plant nurseries; Markets; Neighbourhood shops; Places of public worship; Restaurants or cafes; Roads; Timber yards; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; **Educational establishments**; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Highway service centres; Home occupations (sex services); Information and education facilities; Marinas; Mooring pens; Moorings; Office premises; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sex services premises; Signage; Tourist and visitor accommodation; Veterinary hospitals; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

4.3 PROPOSED PLANNING PROVISIONS

4.3.1 Additional Permitted Uses

This PPR seeks to enable the development of an ‘educational establishment’ on the subject site. To achieve this, the PPR seeks to amend Schedule 1 of the ALEP 2010 to include a site specific enabling clause to permit the development of a school.

Specifically, the PPR seeks to include ‘educational establishment’ as a permissible use at 2 Percy Street, Auburn being Lots 14 to 21 Section 1 DP 2647 and Lot 1 DP 76735.

The corresponding proposed mapping amendment can be found at **Appendix H** of this PPR report.

4.3.2 FSR

This PPR also seeks an increase in the maximum permissible FSR from 1:1 to 1.2:1 for the site.

The corresponding proposed mapping amendment can be found at **Appendix H** of this PPR report.

5. PART 5: COMMUNITY CONSULTATION

The proponent has not yet undertaken community consultation. It is anticipated that the planning authorities in Cumberland Council and Department of Planning and Environment will conduct community consultation in accordance with the relevant provisions of the EP&A Act and Regulation which includes newspaper advertisement, public exhibition at Council offices and on Council's website and notification letters to adjacent property owners.

6. PART 6: PROJECT TIMELINE

The following project timeline is provided in accordance with 'A guide to preparing planning proposals' prepared by the Department of Planning and Environment (2012).

	2	0	1	7											
Month	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A
Proposal Lodged with Council															
Council Endorsement															
DPE Assessment															
Gateway Determination															
Agency Consultation															
Community Consultation															
Consideration of Proposal Post Exhibition															
Council Assessment															
Submission to DP&E to finalise LEP															
DPE Assessment															
Plan Making															

7. CONCLUSION

The PPR is considered to have strategic planning merit and is justified as it:

- is consistent with the following strategic studies and plans prepared by Council:
 - Auburn City Community Strategic Plan 2013-2023.
 - Draft Cumberland Community Strategic Plan 2017-2027.
 - Auburn Employment Lands Strategy (2015).
- is considered the best means of achieving the objectives and intended outcomes as it retains the existing IN2 Light Industrial zoning applicable under the ALEP 2010, whilst enabling an additional use to occur on the site and a corresponding FSR increase;
- will allow an 'educational establishment' (school) land use to occur on the site will enable a more sustainable use of an "orphan" industrial site, which is unique in its location;
- will allow for increase in floorspace to compliment the more intensive use of a school;
- will allow for a new transitional use on the subject site to include a use that is more compatible with the local residential and recreational context;
- is consistent with *A Plan for Growing Sydney* and the draft *Central District Plan* priorities including in particular the strategic directions for enhancing access to local educational opportunities;
- will enable a school to be provided that caters for a growing local population and the diverse cultural needs of the Auburn locality;
- can meet the requirements of relevant State environmental planning policies including SEPP 55-Remediation of Land; SEPP (Infrastructure) 2007;
- meets the requirements of relevant S.117 Ministerial Directions including those numbered 1.1 Business and Industrial Zones; 2.3 Heritage Conservation; 4.1 Acid Sulphate Soils; 4.3 Flood Prone Land; 6.3 Site Specific Provisions; 7.1 Implementation of A Plan for Growing Sydney
- will result in significantly improvements to streetscape and local amenity by enabling the adaptive reuse of a redundant industrial building.
- is consistent with the existing scale and character and scale of built form in the locality and is compatible with surrounding land uses;
- is in a location where transport and utility infrastructure are available, and there will be no public infrastructure cost on the community; and
- is in a location where environmental planning issues and potential impacts are not of such significance as to preclude the proposal, and can be managed in the planning and design of a future Development Application.

Given the above strategic planning merit and justification, Council is requested to proceed to forward this PPR to the Minister or his delegate for a gateway determination under section 56 of the EP&A Act to enable the proposal to be exhibited for public, community and stakeholder input.

Appendix A – Indicative Concept

Appendix B - Site survey

Appendix C - Table of SEPPs

SEPP	Not Relevant	Justifiably Inconsistent	Consistent
SEPP 1 - Development Standards			✓
SEPP 10 - Retention of Low-Cost Rental Accommodation	✓		
SEPP 14 - Coastal Wetlands	✓		
SEPP 19 - Bushland in Urban Areas	✓		
SEPP 21 – Caravan Parks (formerly Movable Dwellings)	✓		
SEPP 26 - Littoral Rainforests	✓		
SEPP 30 - Intensive Agriculture	✓		
SEPP 33 - Hazardous and Offensive Development	✓		
SEPP 36 - Manufactured Home Estates	✓		
SEPP 41 - Casino/Entertainment Complex	✓		
SEPP 44 - Koala Habitat Protection	✓		
SEPP 47 - Moore Park Showground	✓		
SEPP 50 - Canal Estates	✓		
SEPP 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	✓		
SEPP 55 - Remediation of Land			✓
SEPP 56 - Sydney Harbour Foreshores and Tributaries	✓		
SEPP 62 - Sustainable Aquaculture	✓		
SEPP 64 - Advertising and Signage	✓		
SEPP 65 - Design Quality of Residential Flat Development	✓		
SEPP 70 - Affordable Housing (Revised Schemes)	✓		
SEPP 71 - Coastal Protection	✓		
SEPP (Affordable Rental Housing) 2009	✓		
SEPP (Building Sustainability Index: BASIX) 2004	✓		
SEPP (Exempt and Complying Development Codes) 2008	✓		
SEPP (Housing for Seniors or People with a Disability) 2004	✓		
SEPP (Infrastructure) 2007			✓
SEPP (Integration and Repeals) 2016	✓		
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	✓		
SEPP (Kurnell Peninsula) 1989	✓		
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	✓		
SEPP (Miscellaneous Consent Provisions) 2007	✓		
SEPP (Penrith Lakes Scheme) 1989	✓		
SEPP (Rural Lands) 2008	✓		

SEPP	Not Relevant	Justifiably Inconsistent	Consistent
SEPP (SEPP 53 Transitional Provisions) 2011	✓		
SEPP (State and Regional Development) 2011	✓		
SEPP (Sydney Drinking Water Catchment) 2011	✓		
SEPP (Sydney Region Growth Centres) 2006	✓		
SEPP (Three Ports) 2013	✓		
SEPP (Urban Renewal) 2010	✓		
SEPP (Western Sydney Employment Area) 2009	✓		
SEPP (Western Sydney Parklands) 2009	✓		

Appendix D – Table of Section 117 Directions

	Ministerial Direction	Not Relevant	Justifiably Inconsistent	Consistent
1.	Employment & Resources			
1.1	Business and Industrial Zones			✓
1.2	Rural Zones	✓		
1.3	Mining, Petroleum Production and Extractive Industries	✓		
1.4	Oyster Aquaculture	✓		
1.5	Rural Lands	✓		
2	Environment & Heritage			
2.1	Environmental Protection Zones	✓		
2.2	Coastal Protection	✓		
2.3	Heritage Conservation	✓		
2.4	Recreation Vehicle Areas	✓		
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	✓		
3	Housing, Infrastructure and Urban Development			
3.1	Residential Zones	✓		
3.2	Caravan Parks and Manufactured Home Estates	✓		
3.3	Home Occupations	✓		
3.4	Integrating Land Use and Transport	✓		
3.5	Development Near Licensed Aerodromes	✓		
3.6	Shooting Ranges	✓		
4	Hazard and Risk			
4.1	Acid Sulfate Soils	✓		
4.2	Mine Subsidence and Unstable Land	✓		
4.3	Flood Prone Land	✓		
4.4	Planning for Bushfire Protection	✓		
5	Regional Planning			
5.1	Implementation of Regional Strategies	✓		
5.2	Sydney Drinking Water Catchments	✓		
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	✓		
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	✓		

	Ministerial Direction	Not Relevant	Justifiably Inconsistent	Consistent
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	✓		
5.6	Sydney to Canberra Corridor	✓		
5.7	Central Coast	✓		
5.8	Second Sydney Airport: Badgerys Creek	✓		
5.9	North West Rail Link Corridor Strategy	✓		
5.10	Implementation of Regional Plans	✓		
6	Local Plan Making			
6.1	Approval and Referral Requirements	✓		
6.2	Reserving Land for Public Purposes	✓		
6.3	Site Specific Provisions			✓
7	Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney			✓
7.2	Implementation of Greater Macarthur Land Release Investigation	✓		
7.3	Parramatta Road Corridor Urban Transformation Strategy			✓

Appendix E - Traffic Impacts Analysis

Appendix F – Flood Study

Appendix G – Detailed Site Investigation

Appendix H – Mapping Amendments



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