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General Manager
Cumberland Council
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Attention: Adan Davis

Dear Adan

RE-EXHIBITION OF THE DRAFT CUMBERLAND EMPLOYMENT AND INNOVATION LANDS STRATEGY AND LAND USE PLANNING FRAMEWORK 2017

This submission has been prepared by *KEYLAN Consulting Pty Ltd* on behalf of PAYCE, a major landowner in the Cumberland Local Government Area (LGA). This submission responds to Cumberland Council's (Council) re-exhibition of the *Draft Employment and Innovation Lands Strategy (EILS) - Land Use Planning Framework (LUPF)* which is on public exhibition until 1 May 2018.

As detailed in our previous submission dated 3 November 2017, we acknowledge and broadly support Council's aim to transition its economy into higher order and productive industries and the knowledge-intensive economy across the Cumberland LGA.

We also support Council's policy to address the evolving nature of industrial land to encourage innovation and provide contemporary employment opportunities to benefit the local and wider community.

However, we consider that amendments to the EILS/LUPF are required to achieve these objectives.

Critically, any employment targets should be measured in future job creation and employment type – not only measured by retaining existing areas of industrial zoned land. That is higher order and more diverse employment types with improved worker amenity, supporting infrastructure and other landuses can be delivered more efficiently in reduced land areas.

The EILS/LUPF must take a more evidence-based holistic approach to existing industrial zoned areas which provides a clear and transparent process to assess land in transition. This was the case in the current *Auburn Employment Lands Strategy (2015)* prepared by AEC. The delivery mechanism to assess these sites should result in **net public benefit** through appropriate criteria which facilitates innovation to attract new employment uses.

The Manchester Road Planning Proposal (PP) is a catalyst project – suitable to transition to a mix of innovative employment uses supported by improved amenity and public benefits that a contemporary workforce and new community demands. This application must be considered as part of and subject to the recommendations in our submissions to the Draft EILS/LUPF.

The Draft EILS/LUPF must be amended to declare the site subject of the Manchester Road PP as an **urban renewal investigation area** by amending the location specific visions and strategic for the Clyburn Precinct (Recommendation 11). This recommendation will result in better alignment with the Greater Sydney Commission's (GSC) *Central City District Plan*,

In summary, this submission:

1. maintains the 8 key recommendations in our previous submission, dated 3 November 2017 (**Attachment A**), on the initial exhibition of the Draft EILS/LUPF
2. makes a further 4 recommendations for the Draft EILS following the release of the *Central City District Plan* and further discussions with Council staff on the following key issues:
 - alignment with all directions in the District Plan to demonstrate net public benefit
 - characterisation and amendment of the Clyburn Precinct
 - future actions for the Clyburn Precinct (as amended)
 - future criteria for assessing planning proposals

Background

An outline of the relevant background to this submission is detailed below:

- On 30 November 2017, a meeting was held between PAYCE and their consultants with senior Council staff to discuss PAYCE's PP for their site in Manchester Road, Auburn.
- On 15 December 2017, the Manchester Road PP was lodged with Council (**Attachment B**). The site comprises 14.1 ha of largely disused and vacant industrial zoned land, within the Clyburn Precinct. The PP seeks to regenerate this underutilised site for a mix of land uses including 4ha of new higher order diversified employment land consistent with targets and aspirations for employment land across the LGA.
- On 21 February 2018, Council resolved to re-exhibit the Draft EILS/LUPF for a period of 8 weeks. The General Manager's Report to Council recognises the importance of the Draft EILS/LUPF in considering major planning proposals within existing employment land, noting (**BOLD** our emphasis):

*... a planning proposal has been lodged for a major site within the employment and innovation lands. **The future of this important site is intended to be informed by the outcomes of the Strategy...***

- On 23 February 2018, a meeting was held between PAYCE and their consultants (SGS Economics and KEYLAN Consulting) with Senior Council staff to discuss the Manchester Road PP particularly in relation to the proposed strategy to address the provision of employment land as part of the Proposal.
- On 18 March 2018, the GSC released the *Greater Sydney Region Plan* and District Plans. The *Central City District Plan* applies to the Cumberland LGA.
- On 27 March 2018, a meeting was held between KEYLAN Consulting and Council's planning staff to further discuss the Manchester Road PP.
- On 10 April 2018, PAYCE and their leads consultants briefed the Councillors and senior staff on the Manchester Road PP.

This submission analyses the Draft EILS/LUPF in the context of these issues.

Central City District Plan

The Greater Sydney Commission (GSC) identifies the Manchester Road site as land to be **reviewed and managed**. The review will consider the current level of industrial and urban services land supply, the changing nature of industries and the transformation in the sector due to the impact of changing demand for land. We understand *urban services land* to include a wide range of activities such as motor vehicle services, printing, waste management, courier services and concrete batching plants.

Following further review, we consider that the Draft EILS/LUPF needs to better align with the District Plan which recognises that some industrial land is suitable for transition to other uses and that there should not be a blanket retention of all industrial land.

We note that *Planning Priority C11 - Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land*, recognises Council's Draft EILS/LUPF:

Industrial and urban services land in Cumberland Local Government Area is required for emerging innovative industries in digital innovation, media, arts, creative industries, food and beverage manufacturing, allied health, research and development and advanced technology manufacturing. Given the proximity to Greater Parramatta and access to transport and freight routes, these sites are ideally positioned to provide innovation and important urban services that support the growth of the Central City District.

Cumberland Council's draft Employment and Innovation Lands Strategy and Land Use Planning Framework recognise the opportunity to transition its economy into higher order and productive industries and the knowledge-intensive economy. It seeks to develop an innovation ecosystem and grow a number of key sectors: digital technologies/ media, advanced manufacturing, food and beverage, manufacturing, creative industries, fashion, allied health, advanced knowledge services and freight and logistics.

Importantly, Planning Priority C11 notes that while the Draft EILS/LUPF recognises the opportunity for traditional industrial land to transition to higher order productive industries, it **does not** provide any further comment or direction in relation to the Draft EILS/LUPF.

The economic studies undertaken by SGS in support of the Manchester Road PP and our previous submission on the Draft EILS/LUPF relate to the whole Cumberland LGA. We believe there is scope for both Council and the GSC to adopt and incorporate the key findings of SGS's economic study into the Draft EILS/LUPF, which will in turn support the employment and other uses and associated significant public benefits outlined in the PP.

Critically, we note that the GSC recognises that conversion of industrial land to other uses may be appropriate as detailed in the Plan (**RED BOLD** our emphasis, p.89):

...In limited cases, conversion to other uses may be appropriate. *In some locations, such as GPOP, specifically Camellia, Rydalmere and Silverwater, the safeguarding of industrial activities will be a starting objective. The Greater Sydney Commission will collaborate with other State agencies and councils and seek input from stakeholders as part of the review. **This approach applies to the Cumberland, The Hills and City of Parramatta local government areas and the established areas of Blacktown Local Government Area...***

The Manchester Road PP comprehensively demonstrates the case for a part-change for the existing industrial zoning of the site. The PP provides an evidence-based analysis to deliver:

- significantly increased employment numbers/rates
- higher order employment opportunities supported by residential uses
- significantly higher worker amenity to attract new diverse businesses
- a catalyst project for the transition of employment lands that directly adjoin residential uses
- an innovative solution for a heavily constrained vacant, redundant industrial site

A holistic review of the District Plan is also required when assessing the future of employment lands. The Draft EILS/LUPF should include a more comprehensive analysis of this issue and the Draft District Plan which determines the **Net Public Benefit** resulting from a PP as measured against the planning priorities contained in the District Plans to determine their retention or transition to higher order uses.

This analysis should allow for sites to transition to other employment and complementary/supporting mixed uses only where it can be fully justified in appropriate locations.

Further, when considering any new PP with a residential component, reliance on the current *Auburn Residential Development Strategy* should not be relied on as a reason for not supporting new residential development in this location.

Targets in this Strategy are now significantly outdated due to changes to LGA boundaries.

Recommendation 9

*When reviewing individual industrial sites for transition from employment land to other uses, consideration of proposal against all of the planning priorities in the District Plan should be undertaken to determine a **Net Public Benefit**.*

The Clyburn Precinct

A more detailed review/analysis of the Clyburn Precinct is required. The Precinct is not a homogeneous area as depicted in the Draft EILS/LUPF.

While the protection of the primary uses mentioned in the Draft EILS/LUPF (i.e. the Clyde Transfer Terminal and Clyde Marshalling Yards), the inclusion of the Manchester Road Site in the *Category services for service sector* is not appropriate.

The Manchester Road site is clearly distinct and separate from the primary uses identified (i.e. the Clyde Transfer Terminal and Clyde Marshalling Yards and other industrial uses) (Figure 1) for the following reasons:

- a large proportion of the site is vacant
- the site was disposed of as surplus government land
- the site is geographically isolated from the uses to the north of the railway line
- poor vehicular access
- direct residential interface

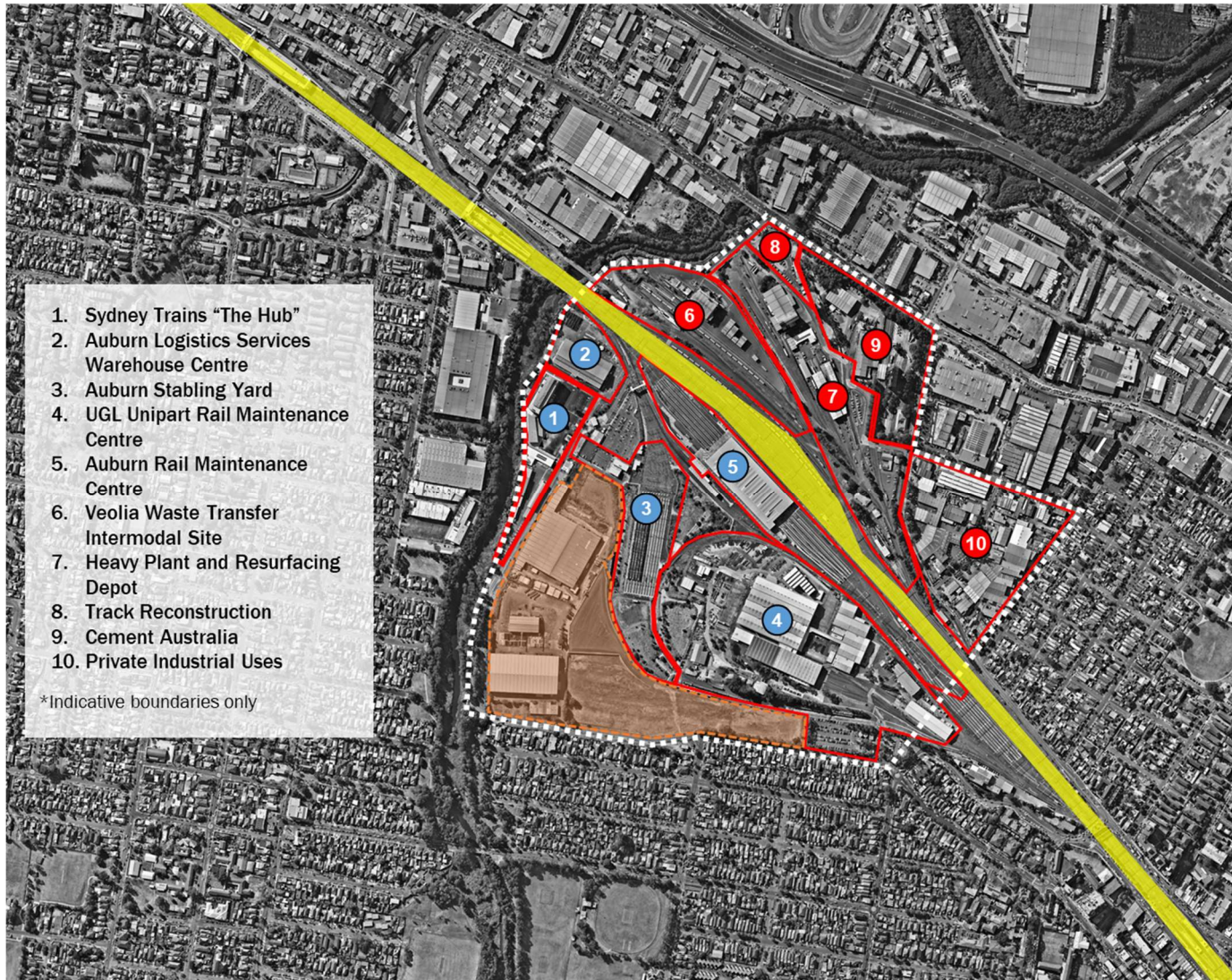


Figure 1: Clyburn Precinct Existing Uses Map, Manchester Road Masterplan site outlined orange (Base Map: Near Maps)

Recommendation 10

That the Manchester Road site be recognised as distinct from the rest of the Clyburn Precinct. That Council support the transition of the site and it be identified as a future urban investigation area.

Location specific visions and strategies for Clyburn

In order to better align with the District Plan, amendments are recommended to the Draft EILS/LUPF (Section 8.2.2 Location specific visions and strategies for Clyburn) to allow:

- a review of employment uses
- transition to mixed use development in certain circumstances
- allow planning intervention where a set of criteria are met
- further investigation of the Manchester Road site

Recommendation 11

That Section 8.2.2 be reworded as follows (**RED BOLD** indicates additional text and ~~strikethrough~~ indicates deleted text):

Vision

The vision for the Clyburn Precinct is to provide Services for the Service Sector; high-value activities crucial to the city's metabolism including manufacturing and maintenance, rail maintenance, waste management and recycling, wholesale and logistics.

Planning Principles

- *Ensure the Clyde Intermodal Terminal and Clyde Transfer Terminal, located north of the rail line, have primacy of operation as part of NSW freight infrastructure network.*
- *Maintain functional industrial and logistic uses to support the important transport, freight and waste recycling function of the Precinct.*
- *Council to work with NSW Government to improve vehicular access across the railway to improve the long-term desirability of the precinct for businesses.*
- *Continue to ~~restrict~~ **manage** residential development north of Manchester Road to minimise land use conflict.*

Target Activities

- *Target continued transport and logistics/freight industries.*
- *Support employment uses and businesses that can co-exist within the transport and freight environment.*
- ***Investigate complementary and innovative employment uses adjacent to the Sydney Trains 'Hub' building.***

Barriers to Vision

Businesses are currently constrained by poor vehicular access across the railway. ~~Council should engage with NSW Government about options for new rail crossings.~~

Residential growth in the surrounding area could create land use conflicts with the primacy of the logistics, rail and waste transfer activities in Clyburn. Council should ensure any new residential development will not impact upon the viability of these areas.

Actions

The following short-term actions are recommended:

- Retain employment uses in line with the vision, Services for the Service Sector.
- ~~Council to engage with NSW Government to include cross rail transport accessibility into strategic planning~~

The following medium-term actions are recommended:

- **Council to investigate additional permitted uses to allow key industries to locate in the precinct.**
- ~~No precinct specific amendments recommended to the planning framework, as the planning framework currently allows the key industries in the vision.~~

Planning Interventions

- Retain Sufficient and adequate buffer areas to ensure long term sustainability of this important precinct for activities that support the city's metabolism.
- No precinct specific amendments recommended to the planning framework **immediately adjacent to the railway line**, as the planning framework currently allows the key industries indicated in the vision.
- **Declare the site directly to the north of Manchester Road (Lots 11 and 12) an urban renewal investigation area.**

Criteria for Assessing Planning Proposals

Section 8.3 Criteria for Assessing Planning Proposals of the Draft EILS/LUPF contains a table which includes a list of criteria for assessing PPs which propose innovative uses.

In order to provide a more transparent & consistent process for evaluating planning proposals to rezone industrial land, we consider the assessment of *innovative uses* in itself a significant restriction on actual delivery of innovative employment uses.

This unrealistic and narrow approach should be expanded to provide a policy framework to consider all planning proposals for sites under transition away from industrial uses to other employment uses and, in certain circumstances, mixed uses including residential, open space and other supporting landuses.

An assessment criterion for other forms of employment or to mixed uses is critical to the delivery of contemporary employment uses. The checklist could include an assessment of employment targets as measured in future job creation and employment types – not limited to land area (i.e. higher employment yields with higher worker amenity may be delivered in smaller areas).

Recommendation 12

That the criteria for assessing site specific planning controls be expanded to provide a policy framework to consider planning proposals for sites under transition (as identified in the Central City District Plan) away from industrial uses to other employment uses and, in certain circumstances, mixed uses including limited residential.

PAYCE has a strong track record in working closely with both State and Local Government to produce environmentally, economically and socially beneficial developments.

Based on this submission, we recommend that Council amend the EILS/LUPF as recommended in both our original submission dated 3 November 2017 and this submission (**total of 12 recommendations**).

We look forward to continuing to work with Council to provide much needed employment and residential accommodation supported by enabling infrastructure consistent with the vision outlined in the Draft EILS/LUPF and related policy documents.

Should you require any additional information please do not hesitate to contact Michael Woodland on 0448 726 214 or email michael@keylan.com.au in the first instance.

Yours sincerely

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Michael Woodland BTP
Director

A handwritten signature in black ink, appearing to be 'D Keary', written over a light grey rectangular background.

Dan Keary BSc MURP MPIA
Director

Attachment A
Attachment B

KEYLAN submission, 3 November 2017
Manchester Road Planning Proposal, December 2018