

Item No: C02/19-14

PLANNING PROPOSAL REQUEST - 300 MANCHESTER ROAD, AUBURN

Responsible Division: Environment & Planning
Officer: Director Environment & Planning
File Number: PP-1/2018
Community Strategic Plan Goal: *A resilient built environment*

SUMMARY

This planning proposal seeks to rezone land at Manchester Road from IN1 General Industrial to a mix of IN1 General Industrial, R4 High Density Residential, RE1 Public Recreation, B1 Neighbourhood Centre, and B7 Business Park zones.

The proposal has been placed on preliminary public exhibition (pre-Gateway), and was reported to the Cumberland Local Planning Panel (CLPP) in December 2018 with a recommendation that the Proposal be forwarded to the Department of Planning and Environment for a Gateway Determination. The CLPP did not support this recommendation, due to inconsistencies with strategic direction of the State Government and local issues.

It is recommended that the planning proposal be forwarded to the Department of Planning & Environment for a Gateway Determination. As part of this stage, further liaison would be undertaken with the Greater Sydney Commission and Department of Planning & Environment to address the issues raised by the Cumberland Local Planning Panel. This approach provides an appropriate mechanism to resolve outstanding issues and, if supported by the Gateway, would allow the planning proposal to proceed to formal community consultation prior to finalisation and consideration by Council.

RECOMMENDATION

That Council:

- 1. Request a Gateway Determination for the site of 300 Manchester Road, Auburn, with the following controls: IN1 General Industrial; R4 High Density Residential, RE1 Public Recreation; B1 Neighbourhood Centre; and B7 Business Park;**
- 2. Provide the planning proposal as per recommendation 1 above to the Department of Planning & Environment as part of the Gateway Determination stage; and**

3. Liaise with the Greater Sydney Commission and the Department of Planning & Environment on the matters raised by the Cumberland Local Planning Panel as part of the Gateway Determination stage.

REPORT

Background

In January 2018, a planning proposal request was lodged with Cumberland Council seeking to rezone the 14 hectare site at 300 Manchester Road from IN1 General Industrial zone to a mix of R4 High Density Residential, B2 Local Centre and RE1 Public Recreation (refer to Table 1 below).

This proposal was placed on preliminary public exhibition from 24 January 2018 to 26 February 2018 in accordance with Council's Planning Proposal Notification Policy. In response to feedback received from Council, public submissions, and further technical input from traffic, acoustic and economic experts, the original proposal has subsequently been amended.

The amended proposal now seeks to rezone a smaller amount of land to R4 High Density Residential, retaining a larger area of the site as IN1 General Industrial. It also proposes to increase the amount of land zoned RE1 Public Recreation, replace the B2 Local Centre zone (originally proposed) with a smaller area of B1 Neighbourhood Centre zone, and introduce the B7 Business Park zone (Table 1).

Proposal – Lodged January 2018	Amended Proposal – September 2018
8.3 hectares zoned R4 High Density Residential: <ul style="list-style-type: none"> • approx. 1,800 dwellings • approx. 129 dwellings per hectare 	5 hectares zoned R4 High Density Residential: <ul style="list-style-type: none"> • approx. 1,150 dwellings • approx. 83 dwellings per hectare
Floor space ratio: <ul style="list-style-type: none"> • 1:1 for the northern industrial land • 1.7:1 for the remainder of site 	Floor space ratio: <ul style="list-style-type: none"> • 1:1 for the northern industrial land • 1.5:1 for the remainder of site
Maximum building heights of 9m - 42m (2-12 storeys)	Maximum building heights of 9m - 42m (2-12 storeys)
Residential GFA (approx): 164,000m ²	Residential GFA (approx): 103,000m ²
Industrial/Employment GFA (approx): 30,000 – 40,000 m ²	Industrial/Employment GFA (approx): 75,000m ²
Retail GFA (approx): 6,000m ²	Retail GFA (approx): 1,000m ²
Community GFA (approx): 2,000m ²	Community GFA (approx): 1,000m ²
1.78 hectares of open space	2.1 hectares of open space
<i>Additional permitted uses:</i> For the northern 4 hectares of the site where the industrial zone would be retained, amendments to allow additional permitted uses of Office premises (limited to max 10% of total GFA), Car park, Health service facility, Respite day	<i>Additional permitted uses:</i> For the northern 6 hectares of the site where the industrial zone would be retained, amendments to allow additional permitted uses of Office premises (limited to max 10% of total GFA), Car park, Health service facility, Respite day

care and Centre-based childcare facility are proposed.	care and Centre-based childcare facility are proposed.
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Table 1: Comparison of current proposal (September 2018) and January 2018 proposal

The Site and its Context

The proposal applies to the land shown in Figure 1. The site comprises 2 separate parcels of land and is known as 300 Manchester Road, Auburn (comprising Lots 11 and 12 in DP1166540).

Direct access to the site is available from Manchester Road for a length of approximately 230m along the southern boundary (see Figure 1). Beyond this point, Manchester Road is a private road (within the RailCorp NSW land holding). There is a Right of Way (over this adjoining RailCorp land) which provides a connection to Manchester Road.



Figure 1: Access and Surrounding Land Uses

Site Context

The metropolitan-significant Clyde Marshalling Yards immediately adjoining the site to the north comprise a number of facilities servicing the Sydney Trains network, including: Auburn Passenger Rail Stabling Yard; Rail Maintenance Centre; Auburn Logistics Services Warehouse; and Auburn Network Base. In addition, Sydney Trains

has a new headquarters for its Sydney Train operations accommodating approximately 1,500 employees.

The Duck River is located to the west of the site. Immediately to the south of the site is a low density residential area.

The closest part of the site is located approximately 1km walking distance from Auburn Station, with most of the site located beyond 1km from Auburn Station. Sydney Trains has indicated that any proposal to “*open up to the general public rail land cannot be accommodated by RailCorp or Sydney Trains*”, meaning there is no public pedestrian access to Clyde Station from the site (across RailCorp land).

Planning Controls

The current and proposed planning controls are summarised in Table 2 and shown graphically in figures 2 to 5.

Current Planning Controls under Auburn LEP 2010	Proposed Planning Controls
IN1 General Industrial zone	Rezone 8.1ha of the site from the IN1 General Industrial zone as follows: B7 Business Park (1ha) B1 Neighbourhood Centre R4 High Density Residential (5ha) RE1 Public Recreation (2.1ha)
Floor space ratio control of 1:1	Proposed floor space ratio control of 1.5:1 for portion of the site proposed to be rezoned (coloured light red in Figure 4) No change to the existing 1:1 FSR control is proposed for the portion of the site remaining as IN1 (coloured light purple in Figure 4)
No height of building control	A proposed maximum height limit of up to 42 metres on the residential zoned land as follows (refer to Figure 5) <ul style="list-style-type: none"> • 15m in areas coloured beige (development up to 4 storeys) • 27m in areas coloured pink (development up to 8 storeys) • 33m in 2 areas coloured light red (development between approximately 6 - 10 storeys) • 42m in areas coloured maroon (development up to 12 storeys)
Minimum lots size control of 2000m ²	No minimum lot size on the site

Table 2: Current and proposed planning controls



Figure 2: Existing zoning for the site



Figure 3: Proposed zoning for the site

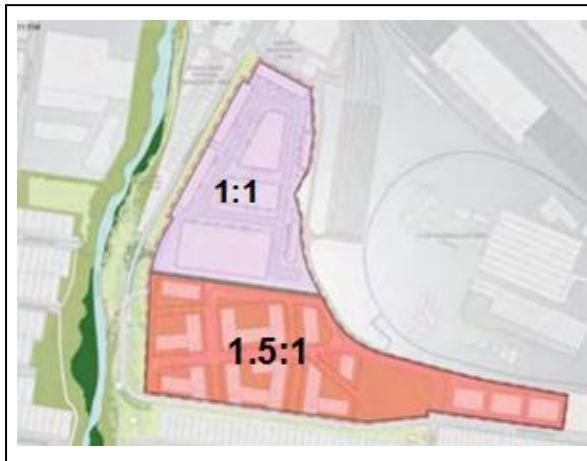


Figure 4: Proposed Floor Space Ratio

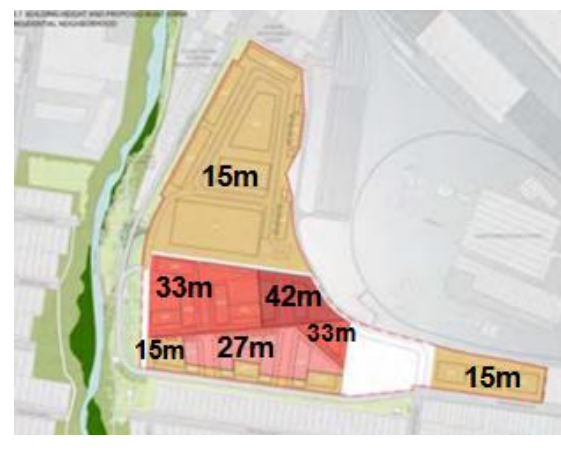


Figure 5: Proposed Height of Building

Strategic Merit Assessment

A strategic merit assessment of the proposal was undertaken and found:

- Inconsistencies with the Greater Sydney Commission’s vision for industrial lands, as the Central City District Plan identifies the direction for all industrial lands within this district as “review and manage”. However, the proposed retention of a large proportion of the site for employment uses and the introduction of provisions which would permit a greater mix of employment uses and would likely facilitate increased productivity, was considered to have some merit.
- The proposed approach to employment land within the site was considered more likely to deliver jobs and contribute to local economic activity over the next 5-10 years, rather than retaining the status quo.
- Partial inconsistency with the Cumberland *Draft Employment and Innovation Lands Strategy* (EILS), which acknowledges the existing metropolitan-critical role of the land immediately north of the site in terms of passenger and freight rail operations and logistics across metropolitan Sydney, and the importance

of this precinct's future role "services for the service sector". However, the proposed retention of 6 hectares of land for employment uses (IN1 General Industrial), as well as the proposed additional permitted uses and the introduction of the B7 Business Park zone (1ha) on the site, was considered likely to assist in attracting new employment generating uses, including innovative activities, and thus partially consistent with the direction set in the Draft Cumberland EILS for the site.

- The proponent's Economic Feasibility Assessment concluded that it was not economically feasible to develop the site under the existing planning regime. Council's independent peer review of this assessment concluded that redevelopment of the site under the existing planning controls was economically feasible.
- Limited access to public transport and to Parramatta CBD, with the majority of the site falling outside the 30 minutes access measure, given the site's distance from Auburn Station, and current bus routes.
- Potential land use conflict, noting that although the proposal has been amended significantly since lodgement, there will still be some noise impact affecting proposed residential uses (refer to Attachment 1, Figure 10).

Public Benefit Offer

The applicant has proposed a public benefit offer as part of the proposal outlined in Table 3. Some components of the proponent's public benefit offer are not considered to be public benefits because they are requirements of the proposed development. Adjustment for this results in an indicative public benefit offer of approximately \$24.5 million. However, it is noted that the public benefit offer is the start of the planning agreement process, and further negotiation and consideration by Council would be required.

Public Benefit Offer	Comment
\$6.25million of road widening and intersection upgrades including: <ul style="list-style-type: none"> • Manchester/Chisholm Road Intersection • Manchester/Cumberland Road Intersection • South Parade • Clyde/Mona Street Intersection 	Public benefit
Bridge upgrades: Mona Street Bridge Upgrade (\$4million) Wellington Road Bridge Upgrade (\$1.25million)	Public benefit
\$4m towards the Duck River Masterplan	Public benefit
Pedestrian Bridge over Duck River	Public benefit

Other Benefits to Development Site	
\$8.5million of Internal Roads	Required as part of development, therefore not considered as a public benefit
\$11million Central Park and other open space	Substantially required as part of development, therefore not 100% considered as a public benefit (proportion would need to be identified)
\$5million New Community Centre	Possible public benefit, however does not align with Council's planning
\$2million Shuttle Bus to Auburn	Temporary proposal. Not considered to be public benefit
Work with Council to create a potential bus only link from Manchester Road to Mona Street along Duck River	Dependent on successful negotiation between proponent, Transport for NSW and Bus operators
5% Affordable Housing – 58 units	Not consistent with Council's policies in the form proposed.

Table 3: Public Benefit Offer

Cumberland Local Planning Panel

The amended proposal was reported to the Cumberland Local Planning Panel (CLPP) on 18 December 2018. The Panel's advice to Council was that the Planning Proposal request should not be forwarded to the NSW Department of Planning and Environment for a Gateway Determination for the following reasons:

- *“The proposal lacks strategic merit with regard to its inconsistency with the Central City District Plan Planning Priority C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land;*
- *The proposal lacks strategic merit with regard to the Draft Cumberland Employment and Innovation Lands Strategy which identifies the site's role as “services for the service sector” i.e. services that are essential to the operation of local and regional economic activity;*
- *The proposal lacks strategic merit with regard to its pre-emption of the Greater Sydney Commission's Industrial Lands Review; The proposal lacks strategic merit with regard to the site's access to public transport, in particular the walking distances to railway stations;*
- *The proposal lacks strategic merit with regard to additional land use conflicts between the proposed new high density residential and industrial land and the environmentally sensitive Duck River corridor;*
- *The proponent's economic justification is not convincing given the content of the peer review undertaken for the Council;*
- *The proposed access to the site is constrained and funnels through the neighbouring residential areas;*
- *Some of the uses of the proposed industrial land (childcare centre, health service facility and respite day care) are considered inappropriate; and*
- *The proposed additional residential dwellings are not required to meet Council's dwelling targets under the Central City District Plan.*

COMMUNITY ENGAGEMENT

Preliminary (pre-Gateway) notification of the planning proposal request (as lodged in January 2018) was undertaken from 24 January to 26 February 2018. The following submissions were received:

- 43 individual submissions and 3 groups of form letters (total 41 form letters);
- 11 Government /Public Agency submissions (many of which are adjoining land owners or own land within the notification area).

Key issues raised in the submissions included:

- the proposed scale is out of character with the surrounding area, and will lead to overdevelopment, loss amenity for the community, and overcrowding;
- the proposal will lead to a loss of employment and industrial lands - employment should be a priority, not housing;
- the proposal will place strain on existing local health facilities and hospital services and existing schools which are already at capacity;
- insufficient open space (i.e. RE1 land) provided for 1,800 new dwellings;
- the Duck River upgrade will diminish natural values of an already degraded river;
- poor accessibility - there is limited vehicular access to the site, and new development will add further pressure and worsen local traffic congestion (particularly Mona Street); and
- existing public transport infrastructure is in poor condition and will not cope with new development.

The transport agencies raised a number of issues in their submissions, including land ownership and access to the site, traffic and road network issues, noise generation, and pressure being imposed on Sydney Trains to alter the operations due to any potential noise and operations complaints.

The proponent also provided Council with 216 proponent-initiated emails of support following the close of the preliminary exhibition period. These emails were sought by the proponent via their website as a separate process outside the community engagement undertaken by Council staff.

The issues raised in submissions were in response to the Planning Proposal Request as lodged in January 2018, and not the amended proposal currently being considered. The amended Planning Proposal Request of September 2018 has been substantially revised in response to issues raised in submissions, issues raised by Council, and in response to Council officer's strategic merit assessment.

POLICY IMPLICATIONS

The assessment of the planning proposal by Council officers and the Cumberland Local Planning Panel both identified inconsistencies and partial inconsistencies with the District Plan and Council's draft *Employment and Innovative Lands Strategy*. These issues need to be balanced with the potential opportunities offered by the planning proposal in relation to the utilisation of the site for a range of employment and residential activities.

The forwarding of the planning proposal to the Gateway Determination stage provides an appropriate mechanism to resolve outstanding issues and confirm strategic alignment with NSW Government policies. As part of the Gateway stage, this would occur prior to formal community consultation and finalisation for endorsement by Council.

RISK IMPLICATIONS

The key risk implications for Council associated with this report are discussed in the section on policy implications.

FINANCIAL IMPLICATIONS

Financial implications have been identified within this report and is included as part of the section on the public benefit offer.

CONCLUSION

The assessment of the planning proposal by Council identified some inconsistencies between the proposal and the local and district planning framework. It also identified some of the potential advantages of the proposal, including its potential to convert the site into a more economically productive site with 75,000m² employment GFA and up to 2,600 potential new jobs. It noted the implications of the site's constrained access if the site was to be redeveloped or landuses intensified under the current LEP controls. Additionally, the assessment identified the public benefit offer which included proposed funding for a number of required intersection and traffic works, as well as potential to expedite improvements to Duck River as part of the Duck River Masterplan.

A review of the planning proposal by the Cumberland Local Planning found that the proposal lacked strategic merit in a number of key aspects, including: inconsistency with the Central City District Plan and the Draft Cumberland Employment and Innovation Lands Strategy's identified role of the site and surrounds; its potential pre-emption of the Greater Sydney Commission's Industrial Lands Review; the site's limited access to public transport, in particular the walking distances to railway stations; and creation additional land use conflicts between the proposed new high density residential and industrial land and the environmentally sensitive Duck River corridor.

It is recommended that the planning proposal be forwarded to the Department of Planning & Environment for a Gateway Determination. As part of this stage, further liaison would be undertaken with the Greater Sydney Commission and Department of Planning & Environment to address the issues raised by the Cumberland Local Planning Panel. This approach provides an appropriate mechanism to resolve outstanding issues and, if supported by the Gateway, would allow the planning proposal to proceed to formal community consultation prior to finalisation and consideration by Council.

ATTACHMENTS

1. Amended Planning Proposal - <https://www.cumberland.nsw.gov.au/item-c02-19-13> ↓