An Extraordinary Meeting of Cumberland Local Planning Panel will be held at 12:30pm at the Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Thursday, 20 June 2019.

Business as below:

Yours faithfully

Hamish McNulty
General Manager

ORDER OF BUSINESS

1. Receipt of Apologies
2. Declaration of Interest
3. Address by invited speakers
4. Reports
   - Development Applications
   - Planning Proposals
5. Closed Session Reports
## CONTENTS

<table>
<thead>
<tr>
<th></th>
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</thead>
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<td>LPP044/19</td>
<td>Auburn and Lidcombe Town Centres Planning Controls Strategy</td>
<td>5</td>
</tr>
<tr>
<td>LPP045/19</td>
<td>Planning Proposal for an Additional Permitted use of Educational Establishment at 2 Percy Street, Auburn</td>
<td>107</td>
</tr>
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</table>
Item No: ELPP044/19

AUBURN AND LIDCOMBE TOWN CENTRES PLANNING CONTROLS STRATEGY

Responsible Division: Environment & Planning
Officer: Manager Strategic Planning
File Number: S-5740-02
Community Strategic Plan Goal: A resilient built environment

SUMMARY

This report provides relevant information on the Council report and minutes for the Auburn and Lidcombe Town Centres Planning Controls Strategy for consideration and advice by the Cumberland Local Planning Panel.

RECOMMENDATION

That the Cumberland Local Planning Panel consider and provide advice on the report and minutes of 17 April 2019 for the Auburn and Lidcombe Town Centres planning controls strategy.

REPORT

The Auburn and Lidcombe Town Centres Planning Controls Strategy was reported to Council at the meeting on 17 April 2019 (Attachments 1 to 5). One of the items under the resolution from the meeting was for Council to refer the Strategy to the Cumberland Local Planning Panel (CLPP) for advice (Attachment 6).

This Strategy was referred to the CLPP on 8 May 2019. At this meeting, the Panel requested that a separate Panel meeting be scheduled for consideration of this Strategy due to its complexity (Attachment 7).

This report provides the relevant information on the Council report and minutes for the Auburn and Lidcombe Town Centres Planning Controls Strategy for consideration and advice by the Cumberland Local Planning Panel.

COMMUNITY ENGAGEMENT

Community engagement is outlined in the attached Council report.

POLICY IMPLICATIONS

Policy implications are outlined in the attached Council report.

RISK IMPLICATIONS

There are minimal risk implications for Council associated with this report.
FINANCIAL IMPLICATIONS

There are minimal financial implications for Council associated with this report.

CONCLUSION

This report provides the relevant information on the Council report and minutes for the Auburn and Lidcombe Town Centres Planning Controls Strategy for consideration and advice by the Cumberland Local Planning Panel.

ATTACHMENTS

1. Council Report - 17 April 2019
2. Planning Controls Strategy for Auburn and Lidcombe Town Centres
3. Submissions received during public exhibition
5. Cumberland IHAP Reports - 17 November 2016
6. Council Minutes - 17 April 2019
7. Cumberland Local Planning Panel Minutes - 8 May 2019
DOCUMENTS ASSOCIATED WITH REPORT ELPP044/19

Attachment 1
Council Report - 17 April 2019
AUBURN AND LIDCOMBE TOWN CENTRES PLANNING CONTROLS STRATEGY

SUMMARY

This report provides an update on the planning controls strategy for the Auburn and Lidcombe Town Centres. It outlines the outcomes of the public exhibition process, including submissions received and key issues, and the recommended approach for planning controls in the Auburn and Lidcombe Town Centres.

Council has undertaken work on a planning controls strategy for the Auburn and Lidcombe Town Centres. The primary focus of this work is to better align the planning controls related to zoning, height and floor space ratios, which enable a broader range of building design options to be realised. This approach provides better opportunities for innovation in the built form of these town centres, and contributes to the quality of amenity and public domain within the Cumberland area.

The draft strategy for the Auburn and Lidcombe Town Centres was placed on public exhibition from 7 February 2017 to 8 March 2017. A total of 52 submissions were received. Key items raised included feedback on the proposed planning controls, infrastructure availability and built form interfaces with existing land uses.

Following a review of submissions and further assessment by Council, the recommended planning controls strategy for the Auburn Town Centre includes:

- retention of existing floor space ratios in precincts where a reduction was proposed, as development has proceeded under the current controls
- changes to maximum heights for some precincts to allow for improved building design while maintaining the existing floor space ratios at these precincts
- minor changes to zonings and/or floor space ratios for Precinct 17 to better support the activation of Auburn Town Centre at this location

Following a review of submissions and further assessment by Council, the recommended planning controls strategy for the Lidcombe Town Centre includes:

- retention of existing floor space ratios in precincts where a reduction was identified for consideration, as development has proceeded in these precincts with the current controls
changes to zonings and/or floor space ratios for Precincts 7, 10, 15 (part) and 16 to better support the activation of Lidcombe Town Centre at these locations, as well as to provide a better design and built form response. This approach minimises pressure on existing services and infrastructure by only providing a minor increase in potential development yield.

changes to maximum heights for some precincts to allow for improved building design while maintaining the existing floor space ratios at these precincts.

The report also outlines the implementation of the planning controls strategy through the new Cumberland Local Environmental Plan (LEP) if endorsed by Council. This process will require the preparation of a planning proposal, review and advice from the Cumberland Local Planning Panel, Gateway determination by the NSW Government, public consultation and finalisation of the planning proposals for the new LEP. This work is a high priority of Council and is scheduled for completion in mid-2020.

RECOMMENDATION

That Council:

1. Note the submissions received on the planning controls strategy for Auburn and Lidcombe Town Centres.
2. Note that planning controls for the Auburn Town Centre remain unchanged for Precincts 4, 5, 7 and 10.
3. Adopt the planning controls strategy for Auburn Town Centre in Precincts 2, 3, 6, 8, 11, 14, 15, 16a and 18, with these controls reflecting current arrangements or exhibited controls.
4. Adopt the planning controls strategy for Auburn Town Centre in Precincts 1, 9, 12, 13 and 17, with revisions made to these controls in response to submissions or further assessment by Council.
5. Adopt the planning controls strategy for Lidcombe Town Centre in Precincts 4, 5, 6, 10, 11, 12, 13, 15 east, 16a and 17, with these controls reflecting current arrangements or exhibited controls.
6. Adopt the planning controls strategy for Lidcombe Town Centre in Precincts 1, 2, 3, 7, 8, 9, 14 and 15, with revisions made to these controls in response to submissions or further assessment by Council.
7. Implement the adopted planning controls strategy for Auburn and Lidcombe Town Centres as part of the new Cumberland Local Environmental Plan.
8. Note that the adopted planning controls strategy for Auburn and Lidcombe Town Centres will be subject to further public consultation and further review by the Cumberland Local Planning Panel as part of the new Cumberland Local Environmental Plan.
9. Note that further assessment on the planning controls strategy for Auburn Town Centre will be undertaken in Precincts 16b, 21 and 22.
REPORT

Background

Council has undertaken work on a planning controls strategy for the Auburn and Lidcombe Town Centres. The primary focus of this work is to better align the planning controls related to zoning, height and floor space ratios, which enables a broader range of building design options to be realised. This approach provides better opportunities for innovation in the built form of these town centres, and contributes to the quality of amenity and public domain within the Cumberland area.

A chronology of the work undertaken on the planning controls strategy for Auburn and Lidcombe Town Centres is provided in Table 1. Further background information from previous Council and Independent Hearing and Assessment Panel reports are provided in Attachments 3 and 4.

<table>
<thead>
<tr>
<th>Former Auburn City Council</th>
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<tbody>
<tr>
<td>2014 - 2015</td>
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<tr>
<td>Resolutions to increase heights in Auburn and Lidcombe Town Centres.</td>
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<table>
<thead>
<tr>
<th>Cumberland Council</th>
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<tbody>
<tr>
<td>May 2016</td>
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<tr>
<td>Council amalgamation – review of planning controls placed on hold</td>
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<table>
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<tr>
<th>September-October 2016</th>
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<tr>
<td>Internal work to finalise draft Strategy</td>
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<table>
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<th>November 2016</th>
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<tbody>
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<td>Report to IHAP - recommending exhibition</td>
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<th>December 2016</th>
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<tbody>
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<td>Report to Council. Resolution to exhibit (Administrator)</td>
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<th>7 Feb – 8 March 2017</th>
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<tbody>
<tr>
<td>Exhibition of draft Strategy</td>
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<thead>
<tr>
<th>2017 – 2019</th>
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<tbody>
<tr>
<td>Analysis of issues raised in submissions and review of draft Strategy</td>
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<table>
<thead>
<tr>
<th>April 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Report to Council on Planning Controls Strategy</td>
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</table>

Table 1: Chronology of planning controls strategy for Auburn and Lidcombe Town Centres

Auburn Town Centre

This work considered the planning controls for a number of precincts in the Auburn Town Centre, as outlined in Figure 1. A range of public submissions were received and considered for the various precincts in the town centre. Council has also reviewed development applications and building construction activity in the town centre since the public consultation period to ensure that the recommended planning controls respond to the current built form in the town centre.
Figure 1: Auburn Town Centre Precincts

The key elements of the recommended planning controls strategy for the Auburn Town Centre include:

- retention of existing floor space ratios in precincts where a reduction was proposed, as development has proceeded in these precincts under the current controls

- changes to maximum heights for some precincts to allow for improved building design while maintaining the existing floor space ratios at these precincts

- minor changes to zonings and/or floor space ratios for Precinct 17 to better support the activation of Auburn Town Centre at this location

- further assessment of planning controls in selected precincts in response to submissions and planning proposals received following public exhibition

Information by precinct is provided in Table 2 and Attachment 1 of the report.
### Table 2: Planning Control Strategy by Precinct for Auburn Town Centre

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Existing Controls ALEP 2015</th>
<th>Exhibited Controls (2017)</th>
<th>Recommended controls</th>
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</thead>
<tbody>
<tr>
<td>Precinct 1</td>
<td>Zoning: B4 Mixed Use</td>
<td>Zoning: B4 Mixed Use</td>
<td>Zoning: B4 Mixed Use</td>
</tr>
<tr>
<td></td>
<td>FSF: 3.1</td>
<td>FSF: 3.1</td>
<td>FSF: 3.1</td>
</tr>
<tr>
<td></td>
<td>Height: 30m</td>
<td>Height: 30m</td>
<td>Height: 30m</td>
</tr>
<tr>
<td>Precinct 2</td>
<td>Zoning: B4 Mixed Use</td>
<td>Zoning: B4 Mixed Use</td>
<td>Zoning: B4 Mixed Use</td>
</tr>
<tr>
<td></td>
<td>FSF: 3.1</td>
<td>FSF: 3.1</td>
<td>FSF: 3.1</td>
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<tr>
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<td>Height: 27m</td>
<td>Height: 27m</td>
<td>Height: 27m</td>
</tr>
<tr>
<td>Precinct 3</td>
<td>Zoning: B4 Mixed Use</td>
<td>Zoning: B4 Mixed Use</td>
<td>Zoning: B4 Mixed Use</td>
</tr>
<tr>
<td></td>
<td>FSF: 3.1</td>
<td>FSF: 3.1</td>
<td>FSF: 3.1</td>
</tr>
<tr>
<td></td>
<td>Height: 28m</td>
<td>Height: 28m</td>
<td>Height: 28m</td>
</tr>
<tr>
<td>Precinct 4</td>
<td>Zoning: B4 Mixed Use</td>
<td>Zoning: B4 Mixed Use</td>
<td>Zoning: B4 Mixed Use</td>
</tr>
<tr>
<td></td>
<td>FSF: 2.1</td>
<td>FSF: 2.1</td>
<td>FSF: 2.1</td>
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<tr>
<td></td>
<td>Height: 28m</td>
<td>Height: 28m</td>
<td>Height: 28m</td>
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...
### lidcombe Town Centre

This work considered the planning controls for a number of precincts in the Lidcombe Town Centre, as outlined in Figure 2. A range of public submissions were received and considered for the various precincts in the town centre. Council has also reviewed development applications and building construction activity in the town centre since the public consultation period to ensure that the recommended planning controls respond to the current built form in the town centre.
The key elements of the recommended planning controls strategy for the Lidcombe Town Centre include:

- retention of existing floor space ratios in precincts where a reduction was identified for consideration, as development has proceeded in these precincts with the current controls

- changes to zonings and/or floor space ratios for Precincts 7, 10, 15 (part) and 16 to better support the activation of Lidcombe Town Centre at these locations, as well as to provide a better design and built form response. This approach minimises pressure on existing services and infrastructure by only providing a minor increase in potential development yield

- changes to maximum heights for some precincts to allow for improved building design while maintaining the existing floor space ratios at these precincts

Information by precinct is provided in Table 3 and Attachment 1 of the report.
Table 3: Planning Control Strategy by Precinct for Lidcombe Town Centre
Extraordinary Cumberland Local Planning Panel Meeting
20 June 2019

Council Meeting
17 April 2019

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Existing Controls ALEP 2019</th>
<th>Exhibited Controls (2019)</th>
<th>Recommended controls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Precinct 1</td>
<td>Zoning: R4 High Density Residential, FSR: 1.4</td>
<td>Zoning: R4 High Density Residential, FSR: 1.4</td>
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<tr>
<td></td>
<td>Height: 28m/30m core</td>
<td>Height: 28m</td>
<td>Height: 28m</td>
</tr>
<tr>
<td>Precinct 2</td>
<td>Zoning: E4 Mixed Use, ASH: 3</td>
<td>Zoning: E4 Mixed Use, ASH: 3</td>
<td>Zoning: E4 Mixed Use, ASH: 3</td>
</tr>
<tr>
<td></td>
<td>Height: 38m</td>
<td>Height: 38m</td>
<td>Height: 38m</td>
</tr>
<tr>
<td>Precinct 3</td>
<td>Zoning: R3 High Density Residential, ASH: 3.5</td>
<td>Zoning: R3 High Density Residential, ASH: 3.5</td>
<td>Zoning: R3 High Density Residential, ASH: 3.5</td>
</tr>
<tr>
<td></td>
<td>Height: 25m/28m core</td>
<td>Height: 25m</td>
<td>Height: 25m</td>
</tr>
<tr>
<td>Precinct 4</td>
<td>Zoning: E4 Mixed Use, ASH: 3</td>
<td>Zoning: E4 Mixed Use, ASH: 3</td>
<td>Zoning: E4 Mixed Use, ASH: 3</td>
</tr>
<tr>
<td></td>
<td>Height: 38m</td>
<td>Height: 38m</td>
<td>Height: 38m</td>
</tr>
<tr>
<td>Precinct 5</td>
<td>Zoning: R3 High Density Residential, ASH: 3.5</td>
<td>Zoning: R3 High Density Residential, ASH: 3.5</td>
<td>Zoning: R3 High Density Residential, ASH: 3.5</td>
</tr>
<tr>
<td></td>
<td>Height: 25m/28m core</td>
<td>Height: 25m</td>
<td>Height: 25m</td>
</tr>
</tbody>
</table>

Table 3: Planning Control Strategy by Precinct for Lidcombe Town Centre (cont.)

Next Steps

Subject to endorsement by Council, the implementation of the adopted planning controls strategy will be undertaken through the new Cumberland Local Environmental Plan (LEP). This process will require the preparation of a planning proposal, review and advice from the Cumberland Local Planning Panel, Gateway determination by the NSW Government, public consultation and finalisation of the planning proposal for the new LEP. This work is a high priority of Council and is scheduled for completion in mid-2020.
COMMUNITY ENGAGEMENT

The draft Strategy was exhibited from 7 February 2017 to 8 March 2017. Two public information evening sessions were held during the exhibition: one at the Lidcombe Community Centre (20 February 2017); and one at Council’s Auburn Administration Centre (23 February 2017).

A total of 52 submissions were received, including:
- 16 submissions and 1 petition (28 signatures) generally objecting to the draft Strategy;
- 13 submissions (including 10 form letters) in support of the draft Strategy; and
- the remainder raising various issues and comments.

Key items raised in the submission (as shown in Figure 3) included feedback on the proposed planning controls, infrastructure availability and built form interfaces with existing land uses. A summary and response to the submissions received is provided in Attachment 2.

![Overview of Submissions](image)

Figure 3: Overview of submissions received

POLICY IMPLICATIONS

Policy implications are outlined in the main body of this report.

RISK IMPLICATIONS

There are minimal risk implications for Council associated with this report. The primary focus of this work is to better align planning controls for Auburn and Lidcombe Town Centres that can enhance design and built form outcomes. The introduction of the Cumberland Design Excellence Panel at the development application stage will further mitigate risks in achieving these outcomes.
FINANCIAL IMPLICATIONS

There are minimal financial implications for Council associated with this report. The primary focus of this work is to better align planning controls for Auburn and Lidcombe Town Centres that can enhance design and built form outcomes.

CONCLUSION

This report provides an update on the planning controls strategy for the Auburn and Lidcombe Town Centres. It outlines the outcomes of the public exhibition process, including submissions received and key issues, and the recommended approach for planning controls in the Auburn and Lidcombe Town Centres.

The Draft Strategy for the Auburn and Lidcombe Town Centres was placed on public exhibition from 7 February 2017 to 8 March 2017. A total of 52 submissions were received. Key items raised included feedback on the proposed planning controls, infrastructure availability and built form interfaces with existing land uses.

Following a review of submissions and further assessment by Council, the recommended planning controls strategy for the Auburn Town Centre includes:

- retention of existing floor space ratios in precincts where a reduction was proposed, as development has proceeded under the current controls
- changes to maximum heights for some precincts to allow for improved building design while maintaining the existing floor space ratios at these precincts
- minor changes to zonings and/or floor space ratios for Precinct 17 to better support the activation of Auburn Town Centre at this location
- further assessment of planning controls in selected precincts in response to submissions and planning proposals received following public exhibition

Following a review of submissions and further assessment by Council, the recommended planning controls strategy for the Lidcombe Town Centre includes:

- retention of existing floor space ratios in precincts where a reduction was identified for consideration, as development has proceeded in these precincts with the current controls
- changes to zonings and/or floor space ratios for Precincts 7, 10, 15 (part) and 16 to better support the activation of Lidcombe Town Centre at these locations, as well as to provide a better design and built form response. This approach minimises pressure on existing services and infrastructure by only providing a minor increase in potential development yield
- changes to maximum heights for some precincts to allow for improved building design while maintaining the existing floor space ratios at these precincts

The report also outlines the implementation of the planning controls strategy through the new Cumberland Local Environmental Plan (LEP) if endorsed by Council. This
process will require the preparation of a planning proposal, Gateway determination by the NSW Government, public consultation and finalisation of the planning proposals for the new LEP. This work is a high priority of Council and is scheduled for completion in mid-2020.

The primary focus of this work is to better align the planning controls related to zoning, height and floor space ratios, which enables a broader range of building design options to be realised. The adoption of the planning controls strategy for the Auburn and Lidcombe Town Centres provides better opportunities for innovation in the built form of these town centres, and contribute to the quality of amenity and public domain within the Cumberland area.

ATTACHMENTS

1. Planning Controls Strategy for Auburn and Lidcombe Town Centres
2. Submissions received during public exhibition
4. Cumberland IHAP Reports - 17 November 2016
Attachment 2
Planning Controls Strategy for Auburn and Lidcombe Town Centres
AUBURN TOWN CENTRE - ZONING

 Existing Controls Auburn LEP 2019

 Draft Exhibited Controls

 Recommended Controls

 recommended change to zoning post-exhibition
Extraordinary Cumberland Local Planning Panel Meeting
20 June 2019

AUBURN TOWN CENTRE - FSR

Legend:
- Existing Controls Auburn LEP 2010
- Draft Exhibited Controls
- Recommended Controls

Recommended change to FSR post-exhibition
Extraordinary Cumberland Local Planning Panel Meeting
20 June 2019

AUBURN TOWN CENTRE - BUILDING HEIGHT

Height in metres  Approximate number of storeys
19  2-3
20  5-6
25  6-7
29  8-9
38  10-11
98  12-13

Height in metres  Approximate number of storeys
45  13-14
55  15-16
55  10-11
55  18-19
55  20
70  21

recommended change to Height post-exhibition
AUBURN TOWN CENTRE - INDICATIVE VIEW
LIDCOMBE TOWN CENTRE - ZONING

- Existing Controls Auburn LEP 2010
- Draft Exhibited Controls
- Recommended Controls

Recommended change to zoning post-exhibition
LIDCOMBE TOWN CENTRE - FSR

△ recommended change to FSR post-exhibition
LIDCOMBE TOWN CENTRE - HEIGHT

Existing Controls Auburn LEP 2010

Draft Exhibited Controls

Recommended Controls

<table>
<thead>
<tr>
<th>Height in metres</th>
<th>Approximate number of storeys</th>
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<tbody>
<tr>
<td>9</td>
<td>9</td>
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<tr>
<td>29</td>
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<tr>
<td>36</td>
<td>10-11</td>
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<tr>
<td>38</td>
<td>12-12</td>
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<table>
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</thead>
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<tr>
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<td>9-16</td>
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<td>19</td>
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<td>36</td>
<td>29</td>
</tr>
<tr>
<td>38</td>
<td>29</td>
</tr>
</tbody>
</table>

Legend:
- Green: Existing heights
- Red: Draft exhibited controls
- Purple: Recommended controls

CUMBERLAND COUNCIL
## AUBURN TOWN CENTRE

<table>
<thead>
<tr>
<th>Map ref</th>
<th>Location</th>
<th>Recommendation</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>AZ1</td>
<td>Precinct 27&lt;br&gt;Station Road/Hall Street/Holliday Lane</td>
<td><strong>Recommendation:</strong> B4 Mixed Use (west of Holliday Lane only)&lt;br&gt;- currently R4 High Density Residential&lt;br&gt;- exhibited as R4 High Density Residential</td>
<td>Both sides of Station Road will be able to have mixed use development, reflecting this street’s central location within Auburn Town Centre and its role as one of the key northern entry points to the centre.</td>
</tr>
<tr>
<td>AZ2</td>
<td>Precinct 21 and Precinct 22&lt;br&gt;Rawson Street, Percy Street, Gellibolu Parade</td>
<td><strong>Recommendation:</strong> for further consideration&lt;br&gt;- currently R2 Low Density Residential&lt;br&gt;- exhibited as R3 Medium Density Residential</td>
<td>The capacity of this precinct is potentially constrained by traffic access and the objective of maintaining significant view lines to the Gallipoli mosque. A view line analysis of this precinct has been completed and a draft traffic study is currently being reviewed by the RMS, both of which will be reported to Council shortly for consideration.</td>
</tr>
</tbody>
</table>

## 2. Auburn Town Centre - FSR

<p>| AF1    | Precinct 17&lt;br&gt;Station Road/Hall Street/Holliday Lane | <strong>Recommendation:</strong> 3:6:1 (west of Holliday Lane only)&lt;br&gt;- currently 1.7:1, 2:1 on corner lots&lt;br&gt;- exhibited as 2:1:1 | An FSR of 3:6:1 continues the FSR on the western side of Station Road to the eastern side of the road, whilst still maintaining a transition to the lower FSR of 2:1:1 on the eastern side of Holliday Lane. As Station Road is one of the main entry points to the town centre from the north, and this block is close to the town centre core, a slightly higher density fronting both sides of Station Road is considered appropriate. |
| AF2    | Precinct 15&lt;br&gt;Mid-block between Northumberland and Station Roads | <strong>Recommendation:</strong> 5:1 (retain existing FSR)&lt;br&gt;- currently 5:1&lt;br&gt;- exhibited as 5:1 with a recommendation to defer consideration | This precinct is predominantly Council-owned land. At the time of public exhibition, the former Auburn City Council had not made a decision on the future of this land. No direction from Council has since arisen, thus retaining the existing FSR of 5:1 is recommended. |
| AF3    | Precinct 16b, 21 and 22&lt;br&gt;16b south east of Station Road - Rawson Street 21 Rawson Street, Darbroke Road, laneways 22 Rawson and Percy Streets, Gellibolu Parade | <strong>Recommendation:</strong> for further consideration&lt;br&gt;- currently 3.6:1 (16b), no FSR (Precincts 21 and 22 - R2 zone)&lt;br&gt;- exhibited as 3.6:1 (16b), 2.1:1 (Precinct 21), and 0.75:1 (Precinct 22).&lt;br&gt;[0.75:1 is the standard FSR control for the R3 zone under Auburn LEP 2010] | As per zone comments for these precincts. |</p>
<table>
<thead>
<tr>
<th>Map ref</th>
<th>Location</th>
<th>Recommendation</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>AJ4</td>
<td>Precinct 8 lots zoned R4 fronting southern side of Mary St</td>
<td>Recommendation: 5:1 (retain existing FSR) - currently 5:1 - exhibited as 3:1</td>
<td>This precinct was exhibited with a proposed FSR of 3:1 with the view to creating a better transition in scale to the land zoned R4 High Density Residential immediately to the south. Retention of the existing 5:1 FSR control is recommended as reductions in FSR are usually only considered in extenuating circumstances, and in this case, smaller lots sizes will contribute to a transition in scale, together with detailed assessment at the development application stage.</td>
</tr>
<tr>
<td>AJ5</td>
<td>Precinct 6 South Parade, Alice Street, Queen Street and Park Road</td>
<td>Recommendation: 5:1 (retain existing FSR) - currently 5:1 - exhibited as 3:1</td>
<td>This precinct was exhibited with a proposed FSR of 3:1 with the view to creating a better transition in scale to the R3 zoned land to the west and the lower scale development to the east along South Parade. Retention of the existing 5:1 FSR control is recommended as reductions in FSR are usually only considered in extenuating circumstances, and the existing school at the north western end of this precinct provides a transition in scale to the lower density development further west. A transition in scale to South Parade on the eastern side is not considered critical due to the predominance of business uses which are considered less sensitive to variations in scale on adjoining land. In addition, development within this precinct has since proceeded under the current planning controls.</td>
</tr>
</tbody>
</table>

3. **Auburn Town Centre - Height**

| AH1     | Precinct 17 Station Road/Hall Street/Holliday Lane | Recommendation: 25m - currently 18m/20m corners - exhibited as 20m | A minor increase in maximum building height is recommended commensurate with the recommended minor increase in FSR. |
| AH2     | Precinct 15 Mid-block between Northumberland and Station Roads | Recommendation: 38m (retain existing height) - currently 38m - exhibited as 38m with a recommendation to defer consideration | As above. No direction from Council has arisen in the intervening period which would require a review of the existing maximum building height control, thus retaining the existing height of 38m is recommended. |
## ATTACHMENT - Summary of recommended changes (which vary from those exhibited)

<table>
<thead>
<tr>
<th>Map ref</th>
<th>Location</th>
<th>Recommendation</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>AH3</td>
<td>Precinct 13, northern side of Rawson Street and west of Station Road</td>
<td><strong>Recommendation: 65m</strong></td>
<td>In response to submissions received, a number of sites in the core of both centres were reviewed and a modest increase in height over what was exhibited is recommended for these sites. This additional height will assist in achieving better design outcomes with the existing 5:1 FSR, which is considered relatively high for town centres of this scale.</td>
</tr>
<tr>
<td></td>
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<td>- currently 38m</td>
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<td></td>
<td></td>
<td>- exhibited as 55m</td>
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<tr>
<td>AH4</td>
<td><strong>Precinct 16b, 21 and 22</strong>&lt;br&gt;16b south east of Station Road - Rawson Street&lt;br&gt;21 Rawson Street, Dartbrook Road, laneways&lt;br&gt;22 Rawson and Percy Streets, Gellibolu Parade</td>
<td><strong>Recommendation: for further consideration</strong>&lt;br&gt;- currently 32m (Precinct 16b), 9m (Precincts 21, 22)&lt;br&gt;- exhibited as 38m (Precinct 16b), 20m (Precinct 21), 9m Precinct 22</td>
<td>As per zoning comment for these precincts.</td>
</tr>
<tr>
<td>AH5</td>
<td>Precinct 12, Station Road, Kerr Parade, Auburn Road</td>
<td><strong>Recommendation: 27m</strong></td>
<td>This site is constrained in terms of access and topography. No change to FSR is recommended, however additional height in this location will assist in achieving better design outcomes, given these constraints.</td>
</tr>
<tr>
<td></td>
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<td>- currently 18m</td>
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<tr>
<td></td>
<td></td>
<td>- exhibited as 18m</td>
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<tr>
<td>AH6</td>
<td><strong>Precinct 1</strong>&lt;br&gt;Auburn Road, Mary Street, Park Road, Queen Street</td>
<td><strong>Recommendation: 70m</strong></td>
<td>In response to submissions received, a number of sites in the core of both centres were reviewed and a modest increase in height over what was exhibited is recommended for these sites. This additional height will assist in achieving better design outcomes with the existing 5:1 FSR, which is considered high for town centres of this scale. This site is the key site in Auburn Town Centre on the southern side of the station. Modelling indicates that a maximum building height of 70 metres together with the existing FSR of 5:1 will result in a design outcome that meets the SEPP 65 Apartment Design Guide requirements, delivers public open space of a useable size as identified in Council’s DCP, and will minimise adverse impacts on the public domain of Auburn Road or Queen Street.</td>
</tr>
<tr>
<td></td>
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<td>- currently 49m</td>
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<td></td>
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<td>- exhibited as 60m</td>
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</tbody>
</table>
ATTACHMENT - Summary of recommended changes (which vary from those exhibited)

<table>
<thead>
<tr>
<th>Map ref</th>
<th>Location</th>
<th>Recommendation</th>
<th>Rationale</th>
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</thead>
<tbody>
<tr>
<td><strong>Auburn Town Centre – Height (continued)</strong></td>
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</tbody>
</table>
| AH7 | Precinct 8 lots fronting southern side of Mary Street | **Recommendation: 38m (retain existing height)**  
- currently 38m  
- exhibited as 32m | It is recommended that the existing FSR be retained, and as such, it is recommended that the existing height of 38 metres also be retained. |
| AH8 | Precinct 9 small part: 93 - 105 Auburn Rd/118 Harrow Rd | **Recommendation: 55m**  
- currently 36m  
- exhibited as 45m | The Land and Environment Court recently approved a development application at 93 - 105 Auburn Rd/118 Harrow Rd Auburn with a height of 56.7m. A height of 55m is recommended for this site, to reflect this determination. |
**LIDCOMBE TOWN CENTRE**

<table>
<thead>
<tr>
<th>Map ref</th>
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<th>Recommendation</th>
<th>Rationale</th>
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</table>
| LZ1     | Precinct 16 small extension to include the lot immediately south of Mills Street (known as 16b) | **Recommendation: R4 High Density Residential**  
- currently R3 Medium Density Residential  
- exhibited as R3 Medium Density Residential | In response to a submission received, it is recommended that the adjacent R4 zone be extended to the southern side of Mills Street, to include the last remaining allotment. |
| LZ2     | Precinct 15 Part 19b only - south of and fronting Mary Street | **Recommendation: R4 High Density Residential**  
- currently R4 High Density Residential  
- exhibited as B4 Mixed Use | This land was exhibited as B4 Mixed Use due to its proximity to Lidcombe Station, however in response to submissions received, including concerns raised by the nearby school, it is recommended that the current R4 zone be retained. |
| LZ3     | Precinct 5 5c (eastern part) between Taylor Street and Remembrance Park | **Recommendation: B4 Mixed Use (retain existing)**  
- currently B4 Mixed Use  
- 5c eastern part exhibited RE1 Public Recreation, (remainder of 5c was exhibited as B4) | This site is adjacent to Remembrance Park. It was exhibited as RE1 Public Recreation, however in response to a submission from the landowner it is recommended that the current zoning be retained. If Council is able to negotiate the expansion of Remembrance Park in the future, then the zoning can be adjusted at that time. |
| LF1     | Precinct 16 16b small extension to include the lot immediately south of Mills Street | **Recommendation: 2:1 (adjacent FSR)**  
- currently 0.75:1  
- exhibited as 0.75:1 | In response to a submission received, and the above recommendation to extend the adjacent R4 zone to the southern side of Mills Street, it is also recommended that adjacent FSR of 2:1 be extended to include this last remaining allotment. |
| LF2a    | Precinct 15 part 15a north of Mary Street and part 15b1, 15b2, and 15c south of Mary Street | **Recommendation: 2.2:1 (for part 15a, part 15b1 and 15b2); 2.5:1 (part 15c)**  
- currently all 1.7:1  
- exhibited as 3:1 (part 15a) and 3.5:1 (part 15b1, 15b2, and 15c) | In response to submissions received, including from the adjacent school, a lower FSR of 2.2:1 is recommended for most of Precinct 15, with 2.5:1 recommended for part 15c. This recommended FSR, whilst lower than the FSR exhibited, is higher than the current FSR of 1.7:1, recognising this precinct’s proximity to Lidcombe Station and central location within Lidcombe Town Centre. |
| LF2b    |                  |                  |           |
| LF2c    |                  |                  |           |
| LF3     | Precinct 15 east 31 and 33 Mary Street | **Recommendation: 2:1 (adjacent FSR)**  
- currently 1.7:1  
- exhibited as 1.7:1 | As exhibited, these two lots are a small isolated parcel with an FSR lower than surrounding land in all directions. In response to a submission, it is recommended that the adjacent FSR of 2:1 be extended to these two lots. |
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<tbody>
<tr>
<td><strong>Lidcombe Town Centre – FSR (continued)</strong></td>
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</tbody>
</table>
| LF4 | Precinct 5 5e (eastern part only) - land fronting Taylor Street | **Recommendation: 5:1 (retain existing FSR)**  
- currently 5:1  
- exhibited as “Council to consider a reduction in FSR for this part of precinct 3” | As noted above, if in the future Council negotiates an expansion of Remembrance Park, then the LEP controls can be adjusted at that time. Retention of the existing controls is recommended. |
| | LF5 | **Recommendation: 5:1 (retain existing FSR)**  
- currently 5:1  
- exhibited as 5:1 with a notation “Council to investigate a reduction in FSR for this part of Precinct 3” | Options for a reduction in FSR in this area were investigated, and whilst the precinct has some constraints in terms of access, heritage and location to the north of Remembrance Park, it is recommended that the existing FSR of 5:1 be retained. Design outcomes will be assessed at the development application stage, and managed through the application of appropriate DCP controls. |
| **6. Lidcombe Town Centre – Height** |
| LH1 | Precinct 16 16b extension of Precinct 16 - Mills and Swete Street, allotment immediately south of Mills Street | **Recommendation: 20m**  
- currently 9m  
- exhibited 9m | Recommended extension of Precinct 16 to include last remaining lot south of Mills Street. In response to a submission received, and the above recommendation to extend the adjacent R4 zone and adjacent FSR of 2:1 to the southern side of Mills Street, it is also recommended that adjacent maximum building height control of 20 metres also be extended to include this last remaining allotment. |
| LH2a | Precinct 15 15a: Doodson Avenue, and Frederick and Mary Streets; 15b1: mid-block, south of Mary Street, between Mary and Church Streets; and 15b2: mid-block, fronting Church Street 15c: mid-block, fronting Church Street, east of precinct 14 | **Recommendation: 29m (part 15a, 15b1 and 15b2); 36m (part 15c)**  
- currently 18m  
- exhibited as 32m (part 15a) and 38m (part 15b1, 15b2, and 15c) | In response to submissions received, including from the adjacent school, a lower height of 29m than the exhibited heights of 32 and 38 metres is recommended, proportionate to the recommended FSR of 2.2:1. 29 metres is higher than the existing 18 metre maximum building height limit, recognising this precinct’s proximity to Lidcombe Station and central location within Lidcombe Town Centre, whilst responding to concerns raised during exhibition. |
<table>
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<th>Rationale</th>
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</table>
| LH3     | Precinct 14 small mid-block precinct between Church Street and Mary Street | **Recommendation: 38m**  
- currently 32m  
- exhibited as 35m | In response to submissions received, including from the nearby school, a lower height of 38m is recommended. Whilst lower than the 50 metre height exhibited, the recommended 38 metre maximum building height is a small increase on the current 36 metre height control. |
| LH4     | Precinct 8  
part 8a between Mary Street and Doodson Avenue, east of John Street  
[Note: part 8a west of Joseph Street/ south of Board Street addressed below] | **Recommendation: 38m (part 8a)**  
- currently 36m  
- exhibited as 50m  
(no change to height for part 8b) | A lower maximum building height (38 metres) than the exhibited 50 metres is recommended in response to concerns raised by the nearby primary schools relating to overshadowing of school grounds. The recommended 38 metres is a small increase on the existing 36 metre maximum building height control. |
| LH5     | Precinct 8 (part 8c) and Precinct 9 (Dooleys site) | **Recommendation: 70m**  
- currently 60m (Precinct 9) and 36m (Precinct 8, part 8c)  
- exhibited as 60m. | This is the key site on the northern side of the rail line, and a small increase in height (to a maximum of 70 metres) is recommended (from the 60 metres exhibited). This height together with the large footprint of this site should result in very strong design outcomes with the existing 5:1 FSR. |
| LH6     | Precinct 1 Bridge Road, Toorheys Lane, Joseph Street | **Recommendation: 70m**  
- currently 36m  
- exhibited as 60m | This is the key precinct on the southern side of the rail line. A small increase in height is recommended following review of the exhibited planning controls, to correspond to the 5:1 FSR in this core of centre location. |
| LH7     | Precinct 2 land fronting Railway Street between Joseph Street and the station | **Recommendation: 65m**  
- currently 32m  
- exhibited as 55m | Small proportionate increase in height is recommended. This will maintain the transition in height from the centre core to the periphery, and is considered appropriate given this part of the precinct’s location directly opposite Lidcombe station. |
<table>
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<tbody>
<tr>
<td><strong>LH8a</strong>&lt;br&gt;LH8b&lt;br&gt;LH8c&lt;br&gt;LH8d</td>
<td>Precinct 3&lt;br&gt;3a: fronting Railway Street between the station and Mark Streets; 3b: Railway, Raphael, Davey-Marsden and Mark Streets; 3c: east of Joseph Street and around Taylor Street; and 3d: Bridge, Joseph and Vaughan Streets</td>
<td><strong>Recommendation:</strong>&lt;br&gt;part 3a: 60m&lt;br&gt;part 3b: 50m&lt;br&gt;part 3c: 38m&lt;br&gt;part 3d: 65m&lt;br&gt;- currently 32m (part 3a, 3b and 3c) and 36m (part 3d)&lt;br&gt;- exhibited as 55m (part 3a and 3d); 45m (part 3b); and &quot;38m + to be determined&quot; (part 3c).</td>
<td>A small, proportional increase in height is recommended for parts a, b and d of this precinct to facilitate a transition in heights down from the core to the centre to the periphery. Part c is a more constrained area of this precinct, being immediately north of Remembrance Park and including a heritage item (former Lidcombe Post Office), and a small height increase is recommended to again facilitate improved design outcomes with the recommended existing 5:1 FSR control.</td>
</tr>
<tr>
<td><strong>LH9</strong></td>
<td>Precinct 8&lt;br&gt;Between Taylor Street and Remembrance Park</td>
<td><strong>Recommendation:</strong> 32m&lt;br&gt;(retain existing height)&lt;br&gt;- currently 32m&lt;br&gt;- exhibited as &quot;no height; to be determined&quot;</td>
<td>The exhibition of this area with no height control was directly related to the exhibited RE1 Public Recreation control. In response to submission and discussions with the landowner, it is recommended that the existing height control for this area be retained. Retaining the existing controls would not prevent a revision of these controls in the future should Council be able to negotiate an expansion of the park.</td>
</tr>
<tr>
<td><strong>LH10</strong></td>
<td>Precinct 7&lt;br&gt;Kerr's Road, Joseph Street, Raymond Street East</td>
<td><strong>Recommendation:</strong> 25m&lt;br&gt;- currently 9m&lt;br&gt;- exhibited as 20m</td>
<td>Minor increase in height (maximum height of 25 metres) is recommended over what was exhibited (20 metres) to encourage better design outcomes.</td>
</tr>
</tbody>
</table>
DOCUMENTS ASSOCIATED WITH REPORT ELPP044/19

Attachment 3
Submissions received during public exhibition
### SUMMARY OF GENERAL SUBMISSIONS

<table>
<thead>
<tr>
<th>Overall view/ Number of submissions</th>
<th>Submission issue</th>
<th>Response</th>
</tr>
</thead>
</table>
| Object to Process (raised in 4 submissions) | Object that:  
- consultation was not reasonable - only the residents of affected sites were notified, rather than the wider communities, such as Bersia and Regents Park  
- the documents are complex and quite technical making it hard to understand  
- the local paper does not go out to all residents  
- notification was ‘hidden’ in the Council advertisement  
- more effort should be made to engage residents for whom English is not their first language  
- an extension of time should be granted and discussions held with the wider community. | Noted and addressed below. Minor changes recommended  
The draft Strategy was exhibited from Tuesday 7 February 2017 to Wednesday 8 March 2017. Notification of exhibitions in local newspapers is consistently in the Council notices section, alongside details of development applications and other Council projects on public exhibition.  
Exhibition material was available on Council’s website, at Council offices and local libraries. Individual notification letters were sent to an area well beyond the two town centres (as far as Cardigan St in Auburn and Nottinghill Rd in Lidcombe).  
The letters included basic information on the proposal in 5 languages other than English (widely spoken in this part of Cumberland). Two evening information workshops were held, (one per centre), where staff were available to answer questions and explain the proposed changes.  
The zones are defined in the Auburn Local Environmental Plan (LEP), however a brief explanation can be included in the Council report and final documents to provide more context. A table can be added to provide a guide to the relationship between building height and number of storeys, noting that it will not be definitive, as it varies according to the mix of uses.  
The Strategy seeks to improve the relationship between height and FSR in Auburn and Lidcombe town centres, with the primary objective of improving building designs, including slimmer buildings which have a better relationship to the street.  
The Lidcombe materials were available at the Auburn workshop and vice versa.  
There are a number of steps and future opportunities for  |
### ATTACHMENT

<table>
<thead>
<tr>
<th>Overall view/Number of submissions</th>
<th>Submission issue</th>
<th>Response</th>
</tr>
</thead>
</table>
| Object to Process (continued)     | providing a timeframe in which to respond to a specific strategic project.  
  - Council and the community should identify pinnacle sites, then Council should buy the land, prepare an ideal DA then sell it to a developer who agrees to the DA limits. | consultation and public comment. If Council resolves to proceed with the Strategy, formal public consultation will be required (post-Gateway) as part of the process to amend the Local Environment Plan (LEP).  
The boundaries of the study area primarily follow the existing town centre boundaries which largely align with the boundaries of the B4 Mixed Use zones in both centres.  
The purchase of land by Council is a policy decision to be made at the appropriate time. | |
| Council is requested to ask the local paper why residents across the Lidcombe/Auburn area are not receiving the Auburn Review. | Whilst not directly related to this study, the Auburn Review was contacted and advised that their distribution area covers all of Auburn and Lidcombe to the southern end of Botanica. | |
| Object to timing and decision making (raised in 3 Submissions) | Object to timing of the draft Strategy:  
  - it should only be introduced after a Council is elected. An appointed administrator should not make significant decisions of this type.  
  - significant doubts about any long term planning associated with the former Auburn City Council – the inquiry should run its course before decisions are made.  
  - it is noted that the JBA study was commissioned and completed during the time of the compromised Auburn City Council. | Noted and addressed below. No change recommended.  
Whilst the draft Strategy was exhibited while Cumberland Council was under Administration, any decisions about the study recommendations will be made by the elected Councillors. The Public Inquiry has now been completed.  
The JBA Study was a preliminary background study. Whilst aspects of this study have been used to inform the draft Strategy, a significant amount of additional work has also been undertaken in the preparation of the Strategy.  
The draft Strategy was also considered by the Cumberland Independent Hearing and Assessment Panel (IHAP) in November 2016 which recommended further changes. The draft Strategy was then reported to Council for consideration prior to public exhibition. |
<table>
<thead>
<tr>
<th>Overall view/Number of submissions</th>
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</table>
| Support for heights               | **Form letters:** Support the draft Strategy:  
- recognises need for growth in centres  
- maximises FSR without compromising efficient design principles or modifying additional land use zones  
- eliminates need for ‘spot rezoning’ in the centres  
- will help the town centres meet design and population growth needs.  

**Submissions:** Support the draft Strategy, as our work on various projects in these centres over the last 5 years has led our architects to recognise the need for increased permitted heights to better achieve key urban design and SEPP 65 objectives.  

To grow, Auburn needs to change the building height restrictions. We need more bridges across rail lines any better road structures to support the increased population. | Support noted.                                      |
| Object to heights                 | **Object to proposed heights:**  
- Lidcombe is already unattractive, and higher, more crowded buildings will have a detrimental effect.  
- Lidcombe and Auburn are aesthetically worse than 10 years ago with the new buildings. Draft Strategy does nothing to add a Coles (long promised by Council) or other facilities. No additional height should be given.  
- no reason why high rise zones should be close to the station. Spreading them over the suburbs makes more sense to avoid causing trouble to locals living near the station.  
- unhealthier for occupants - the higher you work or live in a building, the less likely you are to go to the street for a walk and the unhealthier you are. These developments will simply warehouse workers near a station to shuttle them on overcrowded service to the city.  
- draft Strategy will encourage development and may | Noted and addressed below. Some decreases in building heights are recommended.  
Development for high rise residential must comply with SEPP 65 and the Apartment Design Guide (ADG). In Auburn and Lidcombe town centres, however, the mismatch between existing FSRs and heights results in blocky, shorter buildings. Increasing heights will allow for better building design.  

Whilst the draft Strategy cannot specifically facilitate a supermarket, there are a number of sites which are sufficient in size to accommodate a supermarket.  

Location of taller buildings close to stations maximises the proportion of the population able to walk to public transport and other services, reducing reliance on the car and providing health benefits. |
## Overall view/Number of submissions

### Submission issue

- Increase density – no evidence of ‘density well done’
- Shopping streetscape in both centres should be maintained at 2 storeys
- Many residents prefer a maximum of 5 storeys in Auburn
- High rise (3+ storeys) should be limited to 500m walk from station
- Auburn should have an umbrella skyline from the roof of Auburn Primary School, the Baptist Church tower and roof of Auburn Central
- B4 and R4 zones should have subzoning with different heights: 6 storeys, 12 storeys (general town centre limit)
- Developers should be required to buy the airspace over adjoining properties to prevent rows of 12 storey buildings.

### Response

Some decreases in building heights are recommended in response to issues raised in submissions; however, not to the extent sought in this submission. The existing heights permitted under the current planning controls for both centres allow more than five storeys. Given the relatively high FSRs in both centres, reducing the height would adversely impact on building design outcomes.

The heights recommended seek to create a transition in building height, stepping down from the core of each centre to lower scale building heights towards the edge of the centres.

### Object to heights and density

(Petition with 39 signatures)

**Note:** Some petition signatures also send individual submissions

Object to increasing heights in Lidcombe Town Centre, due to:

- Insufficient school capacity
- Inadequate parking
- Lack of infrastructure to support so many more residents.

To address density and bulky buildings the FSR should be reduced.

No further large scale developments should be approved in Lidcombe until the above issues are addressed.

### Support for Strategy

(raised in 1 submission) (continued)

On behalf of 2 owners (precinct 15), this submission endorses the methodology and recommendation of the draft strategy, and that it is worthy of informing a Draft LE2 for Lidcombe centre.

A DCP should be prepared providing design criteria to reflect the objectives of the Lidcombe town centre and to ensure high quality urban renewal of the town centre.

### Support noted.
## Overall view/Number of submissions

<table>
<thead>
<tr>
<th>Submission issue</th>
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<tbody>
<tr>
<td><strong>Object to Strategy</strong> (raised in 1 submission)</td>
<td><strong>Noted and addressed below. No change recommended.</strong></td>
</tr>
<tr>
<td>The proposal is purely to provide affordable housing, but there is already a</td>
<td>The draft Strategy does not specifically facilitate the provision</td>
</tr>
<tr>
<td>considerable amount of affordable housing already in Auburn and Lidcombe.</td>
<td>of affordable housing. Council has, however, since adopted an Interim</td>
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<td>It is also a “cash grab” for rates, given the loss of income through</td>
<td>Affordable Housing Policy and a Planning Agreements Policy and Guideline</td>
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<tr>
<td>amalgamations, without regard to the amenity of residents.</td>
<td>which seek to facilitate affordable housing across Cumberland.</td>
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<td>The Strategy provides for a minor increase in dwelling numbers, and as</td>
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<td>such, there will be only be a limited increase in rates income, mostly as</td>
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<td>a result of the increased commercial components to support the economic</td>
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<td>growth of the town centres.</td>
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<tr>
<td><strong>Object to dwelling mix</strong> (raised in 1 submission)</td>
<td><strong>Noted.</strong></td>
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<tr>
<td>New apartment developments consist mainly of 2 bedroom flats, despite the fact</td>
<td>Council’s current planning controls encourage a mix of unit sizes. The</td>
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<td>that this area has one of the highest birth rates in the country. This means the</td>
<td>mix of unit sizes is influenced by market demand and development</td>
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<tr>
<td>handful of 3 bedroom units are ridiculously expensive to rent.</td>
<td>feasibility.</td>
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<td>Before encouraging new development, I want to see evidence that Council can</td>
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<td>reverse this situation so most new units are 3 bedrooms.</td>
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<td><strong>Concerns about lack of business diversity and convenience</strong> (raised in 1</td>
<td><strong>Noted.</strong></td>
</tr>
<tr>
<td>submission)</td>
<td>Whilst Council would like to see a mixed of shops and other day to day</td>
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<tr>
<td>Increasing density is sold as a way to enliven a suburb and increase services.</td>
<td>services in each town centre, Council cannot control the type of shops.</td>
</tr>
<tr>
<td>But this has not been the case in Lidcombe. 30 years ago, with a much smaller</td>
<td>There are a number of sites within Lidcombe town centre which are the</td>
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<td>population, we had 3 medium sized supermarkets, butchers, a fruit shop, various</td>
<td>subject of current or likely future planning proposals which will</td>
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<td>doctors and small businesses. All but one butcher have gone. Basic groceries are</td>
<td>hopefully result in an increased mix of shops and other services in the</td>
</tr>
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<td>not available in walking distance, so residents drive to Auburn, Chullora or</td>
<td>near future.</td>
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<tr>
<td>Bankstown to shop.</td>
<td>Council’s planning controls supports a range of land uses in the town</td>
</tr>
<tr>
<td>Change can be a good thing, but we need positives. One would be more diversity</td>
<td>centre; however, the mix of shops is influenced by external factors.</td>
</tr>
<tr>
<td>in the types of shops, reflecting the multicultural population.</td>
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</table>
**Overall view/Number of submissions** | **Submission issue** | **Response**
---|---|---
Object to and concern about impact on schools (raised in 4 submissions) | Concerned about the cumulative increases in traffic generation should additional development occur within the vicinity of local Catholic Schools (St John’s Primary, Trinity College and St Joachim’s Primary) and the impact on pedestrian and student safety. Concerned about the bulky appearance of buildings, and the potential for overlooking and overshadowing of school sites. | Noted. A reduction in height and FSR controls for land near the primary schools in Lidcombe is recommended. The Strategy proposes minimal change to densities within the town centres. In response to comments received during exhibition, a reduction in heights and some FSRs near the two primary schools in Lidcombe is proposed. The land surrounding St John’s Primary and Trinity College in Auburn is largely developed already, and no changes to the existing controls are proposed.

The potential for overlooking and overshadowing of adjoining land (including schools), as well as pedestrian safety will continue to be assessed at the development application stage.

Object to lack of open space (raised in 4 submissions) | No mention of need for additional open space for the increased population which is critical for physical and mental health:
- local recreational areas are inadequate. Phillips Park, Lidcombe, is not in the immediate area of the proposed high and medium density areas
- with many more families living in apartments there is a need for areas where children can play and people can sit in groups. | On the southern side of the railway in Lidcombe is Remembrance Park. The potential to open up Remembrance Park to the north will be subject to further discussion with landholders. On the northern side of the railway in Lidcombe, there will be more reliance on future development activity to provide open space.

An additional area of public open space in Auburn town centre is identified in Council's planning controls (corner of Queen Street and Auburn Road). This will add to the existing play spaces and seating recently installed by Council as part of the Auburn town centre public domain upgrade.

Object to impact on space and light (raised in 1 submission) | Object to the draft Strategy:
- it 'rips off' new buyers by reducing space
- it reduces the green space and light
- Lidcombe already has massive development – eg Dooleys | Noted. No change recommended.

There is no proposal to reduce any public green space. All developments in the R4 High Density Residential zones are required to have a minimum amount of deep soil area for green space. Apartment buildings are also required to have common and private open spaces, and minimum standards of solar access are required.
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<th>Overall view/Number of submissions</th>
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| Object to lack of infrastructure (raised in 13 submissions) | Object to draft Strategy as it will result in overdevelopment and exacerbate the existing infrastructure problems:  
- increasing population by raising heights will increase traffic pressure in centres, exacerbated by the WestConnex toll  
- intersections of Harrow Rd/Beatrice St and Harrow Rd/Helene St should be upgraded.  
- it is difficult get around Lidcombe on foot, especially for mobility impaired - 401 bus services at night or Sundays to connect to the train service would assist  
- trains are already at capacity and there is a lack of parking  
- existing school capacity in both centres (primary, high school) is insufficient: a co-ed public high school is needed  
- Auburn Hospital is already at capacity  
- Police resources are already too stretched.  
- childcare, library services, neighbourhood centre and community services will need a considerable injection of Council resources  
- increased mixed use and dwellings will result in increased waste. Council waste services are poor now, and would require substantial resources to address the problem  
- drainage and electricity infrastructure in Lidcombe will not cope.  

The following would improve outcomes:  
- increased car spaces provided in new developments  
- bring back the direct Lidcombe to Liverpool via Regents Park train route and increase bus routes to the station  
- improve structural quality of new buildings  
- add screening/opaque glass to balconies for privacy and to avoid looking at other people’s washing  
- require greater setbacks to provide garden/green space  
- require developers to contribute to funding of pocket parks  
- Wyatt Park is great for sport, but public transport access is poor and does not encourage walking through at night. | Noted. No change to Strategy recommended. The Strategy would result in a minor increase in dwelling numbers and population only.  
Council continues to plan and work with other stakeholders to align infrastructure capacity with growth. |
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| Other comments                    | • Parramatta Rd should be B4 Mixed Use, but not high rise residential. It should have a streetscape of 2 storeys with setback of lawns and gardens.  
• Hall St to Parramatta Rd should be R3 Medium Density Residential.  
• west of Gibbons St should be R2 Low Density Residential.  
• please confirm that 1a, 1b Queen St will remain industrial, as shown on the map.                               | **Noted. Outside scope of Strategy**  
Council has resolved to implement the NSW Government's Parramatta Road Corridor Urban Transformation Strategy which covers most of these areas.  
1A/1B Queen St was previously re zoned to R4 (separate planning proposal). This typographical error has been corrected in the final documents. |
| Other comments                    | Please rezone land along roads such as Park Rd and Vaughn St to townhouses or terraces with rear access onto the back streets to eliminate driveways and facilitate turning lanes. | **Noted and addressed below. No change recommended.**  
The portion of Park Rd within the centre is already zoned B4 Mixed Use.                                                                                                                                   |
**PRECINCT SPECIFIC SUBMISSIONS - AUBURN TOWN CENTRE**  
(Excluding precincts 16b, 21 and 22)

Note: Each row relates to a matter raised in a single submission

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</table>
| Precinct 1 B4 Mixed Use  
FSR – 5:1  
Height – 40m | Precinct 1 B4 Mixed Use  
FSR – 5:1  
Height – 60m | Precinct 1 Auburn (Queen St, Auburn Rd Mary St and Harrow Rd) |

**Landowner submission seeks recognition of the opportunity provided by this amalgamated site, approximately 180m from the station.**

The IHAP recommended a height of 60m for this Precinct (lower than the 70m previously considered in JBA background study), and a minimum non-residential FSR of 0.5:1. This equates to a loss of approximately 3 storeys plus overrun.

A previous planning proposal for 5,800m² portion of this precinct sought 90m, an FSR of 9:1, and proposed a courtyard, public library shell and 4,400m² retail. Not supported by Council or IHAP, however, both Council and IHAP recognised the opportunity presented by the site.

Submission included modelling of different scenarios for Precinct 1:
- 46m (approx 13 storeys) 5:1, dedication of 2,000m² public open space and laneway
- 76m (approx 23 storeys) – 7:1 FSR, 2,000m² of public open space and laneway
- one 107m tower, remaining towers maximum 76m, with 8:5:1 FSR, 2,000m² public open space and laneway

**Noted and addressed below. An increase in height is recommended.**

Precinct 1 is a key site at the core of Auburn Town Centre, and its location and configuration provide significant opportunity for redevelopment which includes provide open space and improved connectivity, as identified in the DCP.

The preliminary study by JBA was used as background information in the preparation of the draft Strategy, however a number of other considerations, including the IHAP’s recommendations have informed the Strategy.

Further analysis has been undertaken in response to this submission and a height of 70m is now recommended for this precinct, to enable better design outcomes and provision of public open space and through site links as per the existing DCP controls.
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<tbody>
<tr>
<td>Precinct 1 (continued) B4 Mixed Use FSR – 5:1 Height – 48m</td>
<td>Precinct 1 (continued) B4 Mixed Use FSR – 5:1 Height – 60m</td>
<td>Submission on behalf of the owners of Auburn Central generally supportive of the draft Strategy. Expressed concerns that: • any new planning proposals, particularly for Auburn Shopping Village, need to address traffic flows, access requirements and local road capacity. • any increase in development within the town centre should address appropriate funding mechanisms to ensure that infrastructure is delivered.</td>
<td>Noted and addressed below. An increase in height is recommended (see previous). Each planning proposal is assessed in terms of its strategic merit. This strategic merit assessment includes consideration of traffic measures. Further detailed assessment is also undertaken at the development application stage. Council is preparing a new contributions plan to appropriate fund local infrastructure associated with growth.</td>
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<tr>
<td>Precinct 2 B4 Mixed Use FSR – 5:1 Height: 38m</td>
<td>Precinct 2 B4 Mixed Use FSR – 5:1 Height: Part 60m, part 40m</td>
<td>Submission supports high rise for this site/precinct. It should link to Auburn Central, through the underground car park and via an overhead walkway from the post office to upper level of Auburn Shopping Village. However, increased height here should be compensated by a permanent 12 storey limit generally in the centre.</td>
<td>Noted and addressed below. An increase in height is recommended (see previous). Detailed design of any development itself will be assessed at DA stage. The primary focus of the Strategy was to improve the relationship between building heights and FSR. Limiting the heights in the rest of the town centre would adversely impact on design outcomes, given the scale of the existing FSRs. Varying building heights are recommended across both centres.</td>
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<tr>
<td>Precinct 2, Auburn (1 -13 Harrow Rd, 9 -23 Mary St, 6 – 24 Park Rd)</td>
<td></td>
<td>Submission objections to proposed increase in height for Precinct 2, as it would have the potential to overlook Trinity College (Park Rd, Precinct 7). Redevelopment of sites to 60m would create an adverse impact on the visual amenity of the school.</td>
<td>Noted and addressed below. No change recommended. The remaining area within Precinct 2 that is not already redeveloped is west/south-west of Trinity College and, as a result, would have little overshadowing impact on the school. Any development application would need to consider the visual amenity and overshadowing of the surrounding development, particularly schools. Increased building heights in this location will allow some flexibility in design, and will assist with distribution of the FSR across the site, helping to address impacts on adjoining development.</td>
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<td>Current controls</td>
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<tr>
<td>Precinct 4</td>
<td>Precinct 4</td>
<td>Precinct 4, Auburn (Auburn Central)</td>
<td>Noted and amended. There is no change proposed to the FSR. This has been added for greater clarity.</td>
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<tr>
<td>B4 Mixed Use</td>
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<td>FSR – 3.75:1</td>
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<td>Height – 46m</td>
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<td>Precinct 5</td>
<td>Precinct 5</td>
<td>Precinct 5, Auburn (South Parade and land bound by Auburn Rd, Kerr Parade and Civic Rd)</td>
<td>Noted and addressed below. No change recommended. This precinct is characterised by narrow shopfronts which provide a distinctive character along South Parade. The street block is not very deep (approximately 28-29m), with most sites in single ownership, making redevelopment difficult to achieve. Council acquisition of this land is neither feasible nor practical. Under the Environmental Planning and Assessment Act, Council cannot extend a development consent beyond 5 years.</td>
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<td>B4 Mixed Use</td>
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<tr>
<td>FSR – 2.4:1</td>
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<tr>
<td>Height – 16m</td>
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<td>Precinct 6</td>
<td>Precinct 6</td>
<td>Precinct 6, Auburn (Land bound by Queen St Alice St South Parade and Vales Lane)</td>
<td>Addressed below. Retention of existing FSR recommended. Since exhibition in 2017, the majority of this precinct (excluding the primary school) has been either developed or granted development consent under the current LEP controls. As such, retention of the existing 5:1 FSR is recommended.</td>
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<td>B4 Mixed Use</td>
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<tr>
<td>FSR – 5:1</td>
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<td>Height – 38m</td>
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<td>Submission issue</td>
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<tr>
<td>Precinct 7</td>
<td>Precinct 7</td>
<td>Precinct 7, Auburn (Mary St, Park Rd, Queen St and Alice St)</td>
<td>Noted and addressed below. No change recommended.</td>
</tr>
<tr>
<td>B4 Mixed Use</td>
<td>No change</td>
<td>Park Rd should be the limit of any high rise. It is disappointing that it has already been breached.</td>
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<tr>
<td>FSR – 3.1</td>
<td></td>
<td>Precinct 7 should be R2 Low Density Residential, or certainly no more than R3 Medium Density.</td>
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<td>Height – 27m</td>
<td></td>
<td>As acknowledged, this precinct is already zoned B4 Mixed Use with a height of 27m. No change is proposed due to the location of the school, as well as the role of the precinct as a transition to the low density area to the west.</td>
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<tr>
<td>Precinct 9</td>
<td>Precinct 9</td>
<td>Precinct 9, Auburn (18 Harrow Rd, 1-9 Beatrice St; 93-125 Auburn Rd, 72 Auburn Rd)</td>
<td>Noted and addressed below. An increase in height is recommended for part of this precinct.</td>
</tr>
<tr>
<td>B4 Mixed Use</td>
<td>B4 Mixed Use</td>
<td>The submission seeks an increase in permitted height to at least 55m for this site as the proposed 45m will not allow the 5:1 FSR to be achieved. A 55m height limit would still allow a transition down to Beatrice St, and the shadows will fall substantially within the same shadow areas as 45m towers at Beatrice St.</td>
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<tr>
<td>FSR – 5.1</td>
<td>FSR – 5.1</td>
<td>Precinct 9 is at the end of Auburn town centre and transitions to residential areas to the west (18-to 20m height; 1.7:1 to 2:1 FSR) and to the south (9m height and 0.75:1 FSR), with the closest area occupied by a primary school. The draft Strategy was exhibited with a maximum 45m height to enable better building design with reduced shadow and visual impacts.</td>
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<tr>
<td>Height – 38m</td>
<td>Height – 45m</td>
<td>The Land and Environment Court has since approved a building height for part of this precinct (NW corner) of 56.7m (modification to DA-368/2013). The Strategy recommendation for part of this precinct has been amended to 55m to reflect this determination.</td>
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<tr>
<td>Precinct 9 (continued)</td>
<td>B4 Mixed Use FSR – 5.1</td>
<td>Submission objects to the proposed height for this precinct. The Venture site approval, with a 5 storey street wall is a poor streetscape outcome, and contrary to the desired LEP objectives. This was strongly opposed by residents, and school P&amp;C. Key issues included overlooking of the school playground, and the need for more than one car per household. This approval should not be used as a precedent, and other parts of Auburn town centre should be reduced to 5 storeys to compensate.</td>
<td>Noted and addressed below. An increase in height is recommended for part of this precinct. Reducing the rest of the centre to five storeys would impact on design outcomes. This will be particularly important for many of the other precincts in Auburn which are closer the station and form the core of the centre.</td>
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<td></td>
<td>Height – 38m and part 36m</td>
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<tr>
<td>B4 Mixed Use FSR – 3.1</td>
<td>B4 Mixed Use FSR – 3.1</td>
<td>Note change</td>
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<td>Precinct 10</td>
<td>B4 Mixed Use FSR – 3.1</td>
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<td>Height – 27m</td>
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<td>Precinct 11</td>
<td>B4 Mixed Use FSR – 3.1</td>
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<td>Height – 27m</td>
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<td>Precinct 16</td>
<td>B4 Mixed Use FSR – 3.6.1</td>
<td>Submission would like these precincts to be R3. The B4 zone in Auburn town centre should be more contained, it should not extend beyond Beatrice St, nor extend up Queen St beyond the Susan St roundabout; it should also be contained by Rawson St from Station Rd to Macquarie Rd and only the Rawson St side of Hall St. This area should have been rezoned to B4 years ago, however submission is against any rezoning in this area due to interface and overshadowing issues with adjoining land.</td>
<td>Noted and addressed below. No change to exhibited zoning controls recommended. Precincts 10 and 11 are currently zoned B4 Mixed Use and there is no strategic merit to rezone to R3 Medium Density. The B4 Mixed Use zone is not proposed to extend beyond Beatrice St at this time. Precinct 16 is currently zoned B4 Mixed Use. Given its proximity to the station, this zone is considered suitable.</td>
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<td>Height – 32m</td>
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<td>Precinct 12</td>
<td>Precinct 12</td>
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<tr>
<td>B4 Mixed Use</td>
<td>B4 Mixed Use</td>
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<tr>
<td>FSR - 2:4:1</td>
<td>FSR - 2:4:1</td>
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<tr>
<td>Height – 18m</td>
<td>Height – 18m</td>
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<td>Precinct 12, Auburn (Land bound by Auburn Road, Kerr Parade and the railway line)</td>
<td>Submission seeks an increase in height and FSR for this precinct. It is less than 50m to the station entry, and is centrally located within the town centre. Increased residential density in this location would be consistent with government policy. The precinct has two road frontages, allowing vehicular access to be provided (as currently) via Kerr Parade. The precinct could be amalgamated, having an overall area of 1,650m². The precinct is unconstrained by flooding or heritage, and can readily accommodate a mixed use development with a height to 38m and a maximum FSR of 5:1.</td>
<td>Noted and addressed below. An increase in height is recommended. This precinct has a number of constraints including topography, relatively small total site size with an irregular shape, proximity of the railway line, and congestion on and around the road frontages. It is noted that parts of the existing building are located on the road reserve, and this would not continue if site was redeveloped. No change in FSR is recommended; however, an increase in height from 18 metres to 27 metres is recommended. Additional analysis was undertaken post-exhibition in response to submissions received, and an increase in building height for this precinct is recommended (27m)</td>
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<td>Precinct 17</td>
<td>Precinct 17</td>
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<td>R4 High Density</td>
<td>R4 High Density</td>
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<td>Residential</td>
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<td>FSR – 1:7:1</td>
<td>FSR – 2:1</td>
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<td>2:1 corners</td>
<td>20m corners</td>
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<td>Height – 18m,</td>
<td>Height – 20m</td>
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<td>20m corners</td>
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<td>Precinct 17, Auburn (Rawson and Hall Streets, Dartbrook and Station Roads)</td>
<td>Submission seeks B4 zoning, 3:6:1 FSR and 45m height for whole of precinct 17: • in line with neighbouring precincts • precinct has a mixed use feel with non-</td>
<td>Noted and addressed below. Change to zoning, FSR and height recommended for western half of this precinct. In response to submissions received, further review of this precinct was undertaken. The Station Road frontage is directly opposite an existing B4 zone. Providing the potential to activate</td>
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<td>residential uses such as the Masonic Centre</td>
<td>the street on both sides of the road is likely to also support the existing B4 zone on the western side of Station Rd.</td>
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<td>• B4 would help achieve the goal of making the centre active and vibrant</td>
<td>It is therefore recommended that the western part of Precinct 17 in Auburn (from Holiday Lane to Station Road) be:</td>
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<td>• recognises transitional nature of the area with buildings over 30m under construction in the precinct</td>
<td>• zoned B4 Mixed Use</td>
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<td>• tall slim towers improve resident amenity, so height and building envelopes should exceed FSR to provide flexibility and good urban design outcomes</td>
<td>• FSR of 3.6: 1</td>
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<td>• the proposed 20m height is not a transition</td>
<td>• height of 25m</td>
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<td>Submission indicates that residents do not want to live in a crowded area as proposed by the draft Strategy. Recently objected via a petition to the construction of a 15 storey building in Dartbrook Rd, which was approved, has been in the construction phase for 2 years, and blocks airflow and sunlight.</td>
<td>These recommended changes provide a transition to the R4 zoned land to the east of Holiday Lane.</td>
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<td>In terms of crowding, the Strategy seeks to improve design and public domain outcomes to improve liveability and amenity, rather than increasing density. The height and FSR changes proposed are minor, and maintain a transition in scale to the north and east of the town centre boundary.</td>
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<td>The change to B4 recommended above is likely to have a minor impact on Dartbrook Rd in terms of built form.</td>
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<td>Matters such as the impact of development on adjoining properties (including sunlight access and airflow impacts) are assessed at the development application stage.</td>
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### PRECINCT SPECIFIC SUBMISSIONS - LIDCOMBE TOWN CENTRE

Note: Each row relates to a matter raised in a single submission.

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<th>Comment</th>
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| Precinct 3 (part 3d) B4 Mixed Use FSR – 5:1 Height – 36m | Precinct 3 (part 3d) B4 Mixed Use FSR – 5:1 Height – 55m | ![Part of Precinct 3, Lidcombe (Olympic Dr, Vaughan St and Bridge St - ‘Westella site’)](image) | Landowner submission states that the size of the total site (7,134m²), its single ownership and its prominent location make this site ideal for future intensification, beyond what is suggested in the draft Strategy.  
-commands Council on the initiative to increase permitted heights to work more efficiently with FSRs  
-seeks an increase in height to 60m (as a baseline) which would lead to a superior urban design outcome while improving the human scale street experience.  
-seeks a Design Excellence Competition bonus of 15% of FSR and height for the site and the town centre immediately.  
-included an urban design report showed a proposed concept of 6 towers of varying heights to 65m with an FSR up to 6:1 are possible on the site under a different amalgamation pattern. This also includes a supermarket.  
-seeks to work with Council on the DCP. |
| | | | Noted and addressed below. An increase in height is recommended. This is an important site within the Lidcombe Town Centre, and one of few sites where a supermarket could be accommodated.  
-It is noted that the Strategy does not seek a single blanket height across the centre, however, it does provide a single height for this precinct. This is a maximum height, not a required height.  
-The recommended increased maximum height is intended to provide opportunities for a variety of heights and built form by working together with the existing FSR of 5:1. Multiple design outcomes are possible under this scenario.  
-Whilst the options presented in the submission are not considered suitable, a modest increase in height to 65 metres is recommended for this part of Precinct 3 to enable high quality design outcomes, including public domain improvements at ground level. No change to the FSR is recommended. |
<p>| | | | There is no basis for the description of the role of Lidcombe centre as having potential for commercial expansion and intensification, nor for it to form part of a broader ecosystem of innovation and enterprise across |
| | | | Noted and addressed below. An increase in height is recommended. There are very few changes proposed to expand the B4 Mixed Use zone in Lidcombe. The actual mix of |</p>
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<tbody>
<tr>
<td>Precinct 3 (continued)</td>
<td>Precinct 3 (continued)</td>
<td>Cumberland: This is only an urban design strategy.</td>
<td>businesses within the town centre will not be prescribed by Strategy.</td>
</tr>
</tbody>
</table>

**Part of Precinct 3, Lidcombe (Land fronting the north side of Taylor St)**

Submission supports the intent to maintain a gradual decline in building height and FSR away from the station to establish a stepped skyline and retain solar access to Remembrance Park, however lowering the FSR is not the best means to do this:

- reducing the FSR would not be consistent with the objectives of Cl. 4.4 in the Auburn LEP 2010 – as the current 5:1 FSR enables appropriate density that reflects the locality
- a development’s inability to achieve the maximum FSR at a particular point in time and place does not mean it will never be achieved in the future
- reduced FSR will reduce development potential – reducing the number of affordable housing units
- submission included indicative plans for ground floor, and typical floor levels and schematic elevation for a proposed 9 storeys (24m) with an FSR of 4.5. Also proposed to "enhance and conserve this local heritage building by dismantling the whole structure and rebuilding with the same or same type of materials, moving the building forward 2m to the boundary, with the now building starting from the 3 internal columns, and from the roof ridge back".

**Noted and addressed below. Retention of existing FSR and exhibited height recommended.**

Council has sought specialist advice on the significance of the former Lidcombe Post Office (built 1920 and designed during the tenure of NSW Government Architect George McRea, who also designed the Queen Victoria Building).

Development application to which submission refers has since been withdrawn.

It is recommended that the existing FSR of 5:1 be retained along with the exhibited height of 38m.

Any future development application for this site will undergo detailed assessment with specific focus on potential impacts on the heritage item and overshadowing of Remembrance Park. Dismantling and reconstructing the heritage item (former Lidcombe Post Office) is unlikely to be supported.
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<tr>
<td>Precinct 5</td>
<td>Precinct 5 Part RE:1 Public Recreation No Height/FSR Part B4 Mixed Use FSR - 5:1 Height - 32m</td>
<td><strong>Precinct 5, Lidcombe (2-6 Taylor St, 29 – 33 Joseph)</strong></td>
<td>Noted. Retention of existing zoning, height and FSR controls is recommended. Following receipt of this submission, Council and the landowner have met to discuss potential options including land swap and reconfiguration of sites. As discussions have yet to reach a conclusion, it is recommended that the existing zoning, height and FSR be retained. This approach does not preclude future negotiations as outlined above, and the planning controls can be amended to reflect an agreed outcome for this area in the future.</td>
</tr>
<tr>
<td><strong>Precinct 6</strong> B4 Mixed Use FSR - 5:1 Height – 32m</td>
<td><strong>Precinct 6</strong> B4 Mixed Use FSR - 5:1 Height – 38m</td>
<td><strong>Precinct 6, Lidcombe (2-10 Kerrs Rd, 46 -74 Joseph St Lidcombe)</strong></td>
<td>Supports the draft Strategy. Suggest increasing the FSR to 5:9:1 to expand the common area and allow for a community room in our DA submission. Noted and addressed below. No change recommended. The submission does not provide strategic merit for the requested increase in FSR. Precinct 6 is at the</td>
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<td>Exhibited Draft Strategy controls</td>
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<tr>
<td>Precinct 7 R2: Low Density Residential No FSR Height - 9m</td>
<td>Precinct 7 R4: High Density Residential FSR 2:1 Height - 20m</td>
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<td>southern edge of the B4 zone, and forms part of the transition from the core of the centre to surrounding residential areas. No change to FSR is recommended. Specific proposals will be considered on merit as part of the development application process.</td>
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</table>

**Submission supports the proposed R4 zoning, but seeks an increase in the permitted height:**
- Land immediately to the north would have a maximum height of 38m, in contrast to our site which would have only 20m, resulting in a neighbouring development that would be much higher
- Failure to adopt a consistent height across the R4 zone will prevent amalgamation with a view to large single development
- The border between the R4 zones is arbitrary – in the middle of the block – the natural boundary of the zone should be Raymond Street and Armstrong Lane
- Extension of the permitted height to Raymond Street would not result in overshadowing as the land on Bernard St and the eastern side of Joseph St would form a transition zone.
- Joseph St is the main promenade in Lidcombe with a width to support large tall buildings.

**Noted and addressed below. An increase in height is recommended.**
The Strategy seeks a transition in height and scale from the core of both centres to the centre edge and beyond, and in some locations this transition is more gradual than others. Increasing their height in this precinct to 38m as sought by the submission would not support a smooth transition to the land to the south of Precinct 7, currently zoned R2, with a 9m height limit.

Further analysis following exhibition found that a building height of 25m in this location, while retaining an FSR of 2:1, would still allow for a mix of built form design that takes into account the development in Precinct 6 in the north, as well as the need to transition to the low density residential area to the south. The revised Strategy recommends this is approved.
For many years the residents of Precinct 7 have endured the loss of a supermarket within walking distance, with many elderly residents left stranded by development. The closest shopping centre is more than 2 kilometres away without adequate public transport. Residents in this area have felt ignored in the past about development issues that affect us.

We recommend that the proposed R4 zone from Kerrs Rd to Raymond St be amended to R4, with a maximum height of 32 metres along Bernard St in keeping with an aesthetic look for the precinct, and with consideration for an adequate supermarket/shopping centre to support current and future residents.

R4 is recommended further south.

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<tr>
<td>R4 High Density Residential FSR 1.7 – 2.1 Height 18-20m</td>
<td>East of Precinct 7</td>
<td>East of Precinct 7 (between Joseph St, McVicars Lane and Raymond St East)</td>
<td>Noted and addressed below. An increase in height is recommended. The need for a supermarket in Lidcombe is recognised and encouraged through the controls proposed in the Strategy. Extending the B4 zone is not supported for this precinct, as it would extend the centre too far from the core. The land further south (south of Raymond St), was not part of the study area for the draft Strategy, and is well outside the town centre. Consideration of this area is beyond the scope of this Strategy. However, as outlined above, an increase in height (to 25m) is recommended for Precinct 7.</td>
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Raymond St East is a peaceful cul de sac, which would be ruined by the development proposed under the draft Strategy for the area between James St, Joseph St, McVicars Lane and Raymond St East. High density development will affect the ambience and safety of this street, will result in overcrowding and massive buildings towering over homes. It will mean that the on street parking will be taken by the new apartments. Objects to the draft Strategy.

I urge reconsideration of the high density status proposed for the Joseph St side that connects to Raymond St East and McVicars Lane.

<p>|                   |                   | Noted and addressed below. No change recommended. The area of concern identified is outside the study area and separated by Joseph St. The R4 High Density Zone is the existing zone in this location. There are no changes proposed to the zone, the height or the FSR. The changes proposed by the Strategy in this area are limited to the western side of Joseph St adjoining Raymond St East (this was not raised in this submission as an issue). |
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<tr>
<td>Precinct 8</td>
<td>Precinct 8</td>
<td>Precinct 9</td>
<td>Noted and addressed below. An increase in height for part of Precinct 8 and Precinct 9 are recommended.</td>
</tr>
<tr>
<td>B4 Mixed Use</td>
<td>B4 Mixed Use</td>
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<tr>
<td>FSR - 5:1</td>
<td>FSR - 5:1</td>
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<tr>
<td>Height - 32m</td>
<td>Height - 60m</td>
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<td>(part) and 38m</td>
<td>(part c)</td>
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<td>Precinct 9</td>
<td>Precinct 9</td>
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<tr>
<td>B4 Mixed Use</td>
<td>B4 Mixed Use</td>
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<tr>
<td>FSR - 5:1</td>
<td>FSR - 5:1</td>
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<tr>
<td>Height - 60m</td>
<td>Height - 60m</td>
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<td>(parts a and b are addressed below)</td>
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Landowner submission supports the proposed controls for the Dooleys site within Precincts 8 (western part) and 9, as they will go some way to ensuring better urban design and architectural outcomes for the town centre. This large landholding provides a long term opportunity under these controls to strengthen the vitality the centre consistent with Council’s planning objectives.

Landowner looks forward to the opportunity to comment on controls under the future planning proposal.

Object to proposed development for Lidcombe Dooley’s site. The proposal is financed by and will enhance its gaming facilities. It is primed to overshadow and drive out other businesses, whereas we need business competition.

Although I live in Lidcombe I bypass its shopping and transport due to overcrowding on the infrastructure - the streets, and station exits.

Noted. As per comments above.
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| Precinct 8 (between John St and precinct 14) B4 Mixed Use FSR - 5.1 Height - 32m and 36m | Precinct 8 (part), Auburn (between John St and Precinct 14) | Sydney Catholic Schools' submission objects to proposed changes, to parts of Precinct 8 that adjoin St Joachim's Primary School (east of John Street), including:  
• could leave the school with a 'boxed in' feel  
• could overlook and overshadow play spaces  
• would result in increased traffic, with particular concern for pedestrian safety  
• does not support environmental comfort, good amenity, or responsiveness to context.  
See also submission issues under Precinct 15. | Noted and addressed below. An increase in height is recommended.  
In response to submissions received, a decrease in the exhibited heights (30 metres down to 38 metres) is proposed for this part of Precinct 8. The existing FSR of 5.1 remains unchanged.  
Any proposal will undergo further detailed assessment at the development application stage, and would consider impacts on adjoining properties. |
| Objects to the proposed 55m heights on Church and Mary Streets for apartments that will be very close together forming walls that will block the view and ventilation of the residents. | | | Noted and addressed below. No change recommended.  
The recommended increased height controls, with existing FSR will improve opportunities for more slender tower forms and increased building separation, resulting in improved opportunities for view corridors and ventilation.  
Aspects like ventilation, solar access, privacy and views would be further assessed at the development application stage. |
## Extraordinary Cumberland Local Planning Panel Meeting
20 June 2019

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<td>Precinct 14</td>
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<tr>
<td>B4 Mixed Use</td>
<td>B4 Mixed Use</td>
<td>Precinct 14, Lidcombe (39 and 43 Church St and 7 Mary St, Lidcombe)</td>
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<tr>
<td>FSR – 5:1</td>
<td>FSR – 5:1</td>
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<tr>
<td>Height – 32m</td>
<td>Height – 55m</td>
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<td>Precinct 15</td>
<td>Precinct 15</td>
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<tr>
<td>R4 High Density</td>
<td>Precinct 15, Lidcombe (land b between Dooon and Church Streets, east of Frederick Street)</td>
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<td>Residential</td>
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<td>FSR – 1.7:1</td>
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<td>2:1 at corners</td>
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<td>Height – 18m</td>
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<td>20m at corners</td>
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Landowner submission objects to the changes in controls for the land close to St Joachim’s Primary School, particularly increased heights, which:
- could leave the school with a ‘boxed in’ feel, rear of the school could look isolated
- could overlook and overshadow play spaces, with negative impact on wellbeing of students and inconsistent with Greater Sydney Commission’s goals
- would result in increased traffic, with particular concern for pedestrian safety
- does not support good amenity, responsiveness to context, or street level views that enhance a sense of place.

**Noted. Changes recommended in response.**

Precinct 14 is predominantly occupied by St Joachim’s Primary School, and has an existing FSR of 5:1. The precinct includes a recently constructed 10 storey (32m) apartment building (43 Church St) to a height of 32.4m which uses the maximum FSR of 5:1.

Further analysis was undertaken as part of the review of submissions process. In response to issues raised in submissions, and to facilitate a better transition in scale with the primary school, a reduction in the exhibited draft heights and FSRS for Precincts 14 and 15 is recommended as follows:

- **Precinct 14**
  - FSR retain existing 5:1
  - Height 38m

- **Precinct 15**
  - FSR 2.2:1 (part a and b) and 2.6:1 (part c)
  - Height 29m (part a and b) and 36m (part c)

Object to the proposed 55m heights on Church and Mary Streets for apartments that will be very close together, forming walls that will block the view and ventilation of the residents.

**Noted. Changes recommended in response. See comment above.**
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<tr>
<td><strong>East of Precinct 15</strong>&lt;br&gt;R4 High Density Residential FSR – 1.7:1 Height -18m</td>
<td><strong>East of Precinct 15</strong>&lt;br&gt;Not in study area – directly east of Precinct 15 No change</td>
<td>Submission on behalf of 31 Mary St Lidcombe, adjoining Precinct 15, to which has similar characteristics. Suggests Swete St as logical eastern boundary of the centre, and seeks a height of height of 25m for 31 Mary Street. Surrounding development at 81 Church St, on the corner of Swete St, while not part of the study area, has established a strong built form typical of a ‘gateway site’ with an FSR of 2:1 and a height of 25m. This has set a precedent and 31 Mary St and the adjoining properties, 33 Mary St and 11 Swete St, should, to be consistent, also benefit from an FSR of 2:1 and a height of 25m. These recommended increases would encourage amalgamation and quality urban design. It is recommended that the land between Swete St and Precinct 15, south of Mary St be included in the draft Strategy to inform an upward review of controls.</td>
<td><strong>Noted and addressed below. Minor change recommended.</strong> 31 and 33 Mary St currently have an FSR of 1.7:1 and maximum height of 18m, while the adjoining properties to the north and east have a recommended FSR of 2:1 and a maximum height of 20m. Land to the south (outside the town centre boundary) has these controls. The Strategy, as exhibited, would result in a lower permitted FSR and height on two isolated sites surrounded by land with a greater FSR and height (located further from the station), without any planning rationale.</td>
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|                  |                                  |                     | **The following minor changes to the controls for 31 and 33 Mary St, Lidcombe, are recommended:**  
|                  |                                  |                     | • increase the maximum FSR to 2:1  
|                  |                                  |                     | • increase the maximum height of buildings to 20m consistent with proposed controls for Precinct 16. |
| North of Precinct 16 R3 Medium Density Residential | North of Precinct 16 Not in study area – directly north of Precinct 16 No change | Landowner submission on behalf of 31-33 Swete St Lidcombe. This 2,049m² site is on the corner of Swete St and Mills St, contains the former RMS Motor Registry, adjoins Lidcombe Public School (heritage listed) to the west and the residential block (Precinct 16) to the south. This site is part of this residential block, but was excluded from Precinct 16, presumably due to previous Motor Registry use. Submission seeks the same zone as Precinct 16 - R4 High Density Residential. It also seeks a base FSR of 2:1 plus an incentive FSR for social or community use, and a maximum height of 25m as: • Site forms a natural end to the residential block that includes Precinct 16, and would form an appropriate transition to/from the town centre. • The site is 630m walking distance to the station. Given the location adjoining the school, the site provides an opportunity to provide a social or community use, however this would require a larger ground floor elevation and therefore a greater maximum highlight of buildings than the 20m proposed. | **Noted and extension of proposed zoning, height and FSR from Precinct 16 recommended.**  
In response to submissions, the proposed controls for 31-33 Swete Street were reviewed. It is recommended that the proposed zoning (R4), height (20m) and FSR (2:1) of Precinct 16 be extended to include this last lot within the street block. The request for FSR and height greater than those proposed for Precinct 16 is not recommended as: • height and FSR greater than that proposed for Precinct 16 lacks strategic merit as it is further away from the station and core of the centre than Precinct 16. It would also compromise the capacity to provide a transition to the low density residential area to the north. • there is significant capacity within the B4 zone in Lidcombe to accommodate additional dwellings, without the need to substantially increase development potential beyond the edge of the town centre.  
• the proposed location of a through site link to...
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<td>for Precinct 16.</td>
<td>submission included a massing study which showed a podium of 4 storeys with a maximum 6 storeys with a northern frontage to maximise sun access, as well as potential for a through site link between Mills St and 29 Swete St (also shown as a through site link).</td>
<td>Doodson Ave/the school in the submission is shown wholly on the adjacent site (29 Swete St). This is a separate lot under different ownership, unrelated to the site subject site. Any through site link would need to be shared between these two properties.</td>
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DOCUMENTS ASSOCIATED WITH REPORT ELPP044/19

Attachment 4
Council Report and Minutes - 21 December 2016
Cumberland Council

Auburn and Lidcombe Town Centres Strategy

Responsible Division: Environment and Infrastructure
Officer: Group Manager Planning
File Number: S-5740-01
Delivery Program Code: 2a.2.1 Prepare land use and local centre studies.
1a.1.1 Enhance community participation, collaboration and engagement
5.1.1 Oversee the land use planning, design and compliance framework for managing and facilitating appropriate development
5.2.1 Identify strategies that support the development of local centres and business areas across the city

Summary

JBA Consultants completed a study of the heights and zoning in Auburn and Lidcombe Town Centres in February/March 2016 for the former Auburn City Council, consistent with Council’s resolution of 20 May 2015 [Item 086/15]. As a result the Draft Auburn and Lidcombe Town Centres Strategy (Attachments 4 to 9) was prepared and considered by the Cumberland Independent Hearing and Assessment Panel (CIHAP) at its meeting of 17 November 2016 [Item C030/16]. The draft Strategy has been amended in line with the CIHAP recommendations.

This report seeks a recommendation to publicly exhibit the draft Strategy.

Report

Background

A review of the permitted heights for Auburn and Lidcombe town centres was first initiated by Council resolution on 16 April 2014 in response to a DA proposal for land in Auburn Town Centre, which highlighted that the heights and FSRs in the Town Centres were poorly aligned. This was followed by Councillor workshops and further resolutions of the former Auburn City Council to progress the study. JBA consultants completed a review of the heights in Auburn and Lidcombe Town Centres in February/March 2016. They were also asked to consider some specific precincts for changes to zoning and floor space ratios (FSRs). The JBA review is included at Attachment 9.

Council planners have reviewed the recommendations of the consultant review as well as a range of other strategies and studies completed or in preparation for a review of the Auburn LEP 2010. A number of changes to the outcomes proposed by JBA are considered appropriate, and a slightly broader approach to the centres is warranted. Accordingly a Draft Auburn and Lidcombe Town Centres Strategy has been prepared. Attachment 2 provides an outline of the history of the strategy to date.
Cumberland IHAP Resolution

The draft strategy was reported to the Cumberland IHAP (CIHAP) at its meeting of 17 November 2016 [Item C030/16] (see Attachment 1). CIHAP resolved the following:

1. "That Council publicly exhibit the Draft Auburn and Lidcombe Town Centres Strategy as per the recommendations in Attachment 1 and the Auburn and Lidcombe Town Centres: Investigation into height of building controls and zoning (JBA study), and bring a report back to the CIHAP and to Council following the consideration of submissions.

2. That a minimum Floor Space Ratio (FSR) of 0.5:1 be non-residential uses in the following precincts in the core of both town centres:
   a. Precincts 1, 2, 3, 4, 5, 12, 13, 14 and 16 in Auburn Town Centre; and
   b. Precincts 1, 2, 3, 8, 9, 10, 14 and 15 in Lidcombe Town Centre.

3. That consultants be engaged to prepare a detailed view line analysis and study of the Gelibolu Precinct (Precinct 22) and a general view analysis of the surrounding residential areas in both Town Centres, and that a report be brought back to CIHAP and subsequently to Council for consideration.

4. That Council staff investigate the potential for provisions for design excellence as part of the preparation of a Comprehensive Local Environmental Plan (LEP) for Cumberland.

5. That some preliminary investigation of potential opportunities to foster an innovation ecosystem in Lidcombe be undertaken as part of the Cumberland Employment Lands Strategy.

6. That a consultant be engaged to prepare a Traffic and Pedestrian circulation study for Lidcombe Town Centre in line with priorities identified in Council’s Delivery Program and Operational Plan, and that a report be brought back to CIHAP and to Council for consideration in the future.

7. That Council investigate the reduction of the FSR for the part of the Lidcombe Town Centre Precinct 3 north of the park.

8. That Council Investigate the introduction of minimum lots sizes in the Auburn LEP 2010 for the B4 Zone linked to the appropriate FSR and height.


10. That Council consider the heritage listing of the Gallipoli Mosque and shop facades of both Town Centres as an early stage of the Cumberland Heritage Study.

11. That the Auburn DCP 2010 controls be updated to support the proposed amendments to the development controls in Auburn and Lidcombe Town Centres."
See Attachment 3 for the detailed recommendations in item 1 above.

The draft Strategy has been amended in line with the CIHAP recommendations.

1. DRAFT AUBURN AND LIDCOMBE TOWN CENTRES STRATEGY

As previously outlined, the draft Strategy (Attachment 4) builds on the work of the JBA study, other technical studies and District planning processes. It proposes a number of principles for the growth of each centre and recommends changes to the existing planning controls to support these principles for both Auburn and Lidcombe Town centres. Attachment 8 provides an outline of the existing controls, those recommended by the consultants, and the recommendations in this draft Strategy.

The principles build on the strengths of each centre, and seek to enable an improved and more diverse built form, with a greater emphasis on how people interact with each other and with the built environment.

In addition, a small increase in the area of the B4 zoned area in Lidcombe Town Centre (the business area) is proposed, and it is anticipated that the proposed changes will support the first steps in the establishment of an innovation ecosystem\(^1\). Such systems, as foreshadowed in the GPOP Greater Parramatta and the Olympic Peninsula 2016, support the creation of new jobs in the economy, by providing start-up businesses with links to research facilities, mentoring, networking opportunities and more.

The greatest height proposed in both town centres, on the recommendation of the CIHAP, is 60m. The proposed increases in heights improve the relationship between building heights and FSRs. They will foster a diversity of built form, provide for a more varied and visible skyline and importantly, will provide opportunities for open space and improved connectivity at the street level. Podium and tower forms are sought to achieve these outcomes.

The difference between the height recommendations proposed to CIHAP, and those recommended by CIHAP for Auburn Town Centre are shown at Figures 1 and 2. Figures 3 and 4 illustrate the same for Lidcombe Town Centre. Attachments 6 and 7 illustrate the proposed changes in zoning, FSR and heights from the existing planning controls under Auburn LEP 2010 as recommended by CIHAP.

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\(^1\) Innovation Ecosystem City Exchange Report 2016 Growing the Australian Economy
Figure 1. Recommendations to CIHAP
1. This precinct (20) is proposed for high density residential in the Parramatta Rd Urban Transformation Strategy. In line with the recommendation of the CIHAP, this precinct has been removed from the Strategy, and will be considered as part of a future planning proposal for the Parramatta Rd Urban Transformation Strategy.
Consultation

The exhibition of the draft Strategy is proposed commence in mid January for a minimum of 28 days. The exhibition would include a notice in the local paper and a letter to directly affected and surrounding property owners, as well as availability of the draft Strategy on Council’s website, both Administration Centres, and in key libraries.

Financial Implications

The exhibition of the Draft Auburn and Lidcombe Town Centres Strategy is covered within the normal budget of Planning.

The recommendations include the completion of additional supporting work. Some of this work would depend on the outcomes of the exhibition and the likely timeframe for the making of a planning proposal should the recommendations be adopted by Council following the exhibition.

Additional work recommended by the draft Strategy can be considered for inclusion in the budget for forthcoming financial year/s for Council. These are outlined below:
Short term:

i. The Gelibolu Precinct study; general viewline analysis of the two town centres (as proposed) from the surrounding residential areas; investigation of reduced FSR for part of Precinct 3 in Lidcombe

These can be covered under the Planning Unit budget.

ii. Consideration of the potential heritage listing of the Gallipoli Mosque and shop facades of both Town Centres

This will be undertaken as part of the Cumberland Heritage Study to be commenced early in 2017. The funding for this LGA-wide study has been approved by Council.

iii. Preliminary investigation of potential opportunities to foster an innovation ecosystem in Lidcombe

This would be initially undertaken as part of the Cumberland Employment Lands Strategy which will be undertaken in 2017 and covered under the Planning Unit Budget. If the preliminary investigations are positive, further work will be required in the medium to longer term.

Medium term: (note: the financial implications of these items below will be presented to Council as separate Council reports in the future, subject to being endorsed and prioritised in Council’s future delivery Program)

iv. Investigation of active frontages and design excellence measures, and height and FSR objectives for the B4 Zone

This work will be included in the work for the preparation of a new comprehensive LEP.

v. Acquisition of land for open space in Precinct 5 in Lidcombe

Council already owns 2,369m² adjoining the park. However the recommended zoning of RE1 Public Recreation would result in the need to acquire a further 2,406m² over time.

vi. Lidcombe Town Centre Traffic and Pedestrian Circulation Strategy

This is a major study, which will take time to complete, and is anticipated to include a number of options for Council’s consideration. Council’s Chief Financial Officer has identified that there have been funds collected under the relevant section of the Development Contributions Plan to cover the cost of the preparation of this study, however, the timeframe and priority in Council’s future Delivery Program is yet to be determined.
vii. The preparation of the site specific DCP for both centres and a public domain plan for Lidcombe

These could only occur once the Lidcombe circulation strategy is adopted.

viii. Updating the Contributions Plan

This will support changes to circulation infrastructure and public domain upgrades in Lidcombe.

ix. Future use of Precinct 15 in Auburn

The financial implications for Precinct 15 in Auburn (north side) and immediately surrounding sites will depend on the future decision as to best use for this land. If the site itself is retained for community uses, funding will need to be found to support this.

x. A pilot façade upgrade program for Precinct 5 in Auburn Town Centre

Subject to inclusion and priorities yet to be determined in Council's future Delivery Program.

Policy Implications

It is intended that the draft Strategy would ultimately inform a planning proposal to amend the Auburn LEP 2010, and amendments to Auburn DCP 2010. Some of the additional work is only likely to effect the future comprehensive LEP for Cumberland.

Communication / Publications

Public notification will require letters to nearby landholders and an ad in the local papers, with hard copies available at Council’s administration buildings and libraries.

Report Recommendation

i) That Council publicly exhibit the Draft Auburn and Lidcombe Town Centres Strategy as attached and bring a report back to the CIHAP and to Council on submissions received.

ii) That a minimum Floor Space Ratio (FSR) of 0.5:1 be non-residential uses in the following precincts in the core of both town centres:

   a. Precincts 1, 2, 3, 4, 5, 12, 13, 14 and 16 in Auburn Town Centre; and
   b. Precincts 1, 2, 3, 8, 9, 10, 14 and 15 in Lidcombe Town Centre.

iii) That consultants be engaged to prepare a detailed view line analysis and study of the Gelibolu Precinct (Precinct 22) and a general view analysis of the surrounding residential areas in both Town Centres, and that a report be brought back to CIHAP and subsequently to Council for consideration.
iv) That Council staff investigate the potential for provisions for design excellence as part of the preparation of a Comprehensive Local Environmental Plan (LEP) for Cumberland.

v) That some preliminary investigation of potential opportunities to foster an innovation ecosystem in Lidcombe be undertaken as part of the Cumberland Employment Lands Strategy.

vi) That a consultant be engaged to prepare a Traffic and Pedestrian Circulation Study for Lidcombe Town Centre in line with priorities identified in Council's Delivery Program and Operational Plan, and that a report be brought back to CIHAP and to Council for consideration in the future.

vii) That Council investigate the reduction of the FSR for the part of the Lidcombe Town Centre Precinct 3 north of the park.

viii) That Council investigate the introduction of minimum lots sizes in the Auburn LEP 2010 for the B4 Zone linked to the appropriate FSR and height.

ix) That Council investigate the height and FSR objectives for the B4 Zone in the Auburn LEP 2010.

x) That Council consider the heritage listing of the Gallipoli Mosque and shop facades of both Town Centres as an early stage of the Cumberland Heritage Study.

xi) That the Auburn DCP 2010 controls be updated to support the proposed amendments to the development controls in Auburn and Lidcombe Town Centres."

Council Resolution

Min. 198 ITEM 133/16 – AUBURN AND LIDCOMBE TOWN CENTRE STRATEGY

Note: Mr. Frank Sartor and Mr. Ross Grove each in turn, addressed the meeting on this item.

Moved and declared carried by the Administrator that:

i) Council publicly exhibit the Draft Auburn and Lidcombe Town Centres Strategy as attached and bring a report back to the CIHAP and to Council on submissions received.

ii) A minimum Floor Space Ratio (FSR) of 0.5:1 be non-residential uses in the following precincts in the core of both town centres:

   a. Precincts 1, 2, 3, 4, 5, 12, 13, 14 and 16 in Auburn Town Centre; and

   b. Precincts 1, 2, 3, 8, 9, 10, 14 and 15 in Lidcombe Town Centre.

iii) Consultants be engaged to prepare a detailed view line analysis and study of the Gelibolu Precinct (Precinct 22) and a general view analysis of the surrounding
residential areas in both Town Centres, and that a report be brought back to CHAP and subsequently to Council for consideration.

iv) Council staff investigate the potential for provisions for design excellence as part of the preparation of a Comprehensive Local Environmental Plan (LEP) for Cumberland.

v) Some preliminary investigation of potential opportunities to foster an innovation ecosystem in Lidcombe be undertaken as part of the Cumberland Employment Lands Strategy.

vi) A consultant be engaged to prepare a Traffic and Pedestrian Circulation Study for Lidcombe Town Centre in line with priorities identified in Council’s Delivery Program and Operational Plan, and that a report be brought back to CHAP and to Council for consideration in the future.

vii) Council investigate the reduction of the FSR for the part of the Lidcombe Town Centre Precinct 3 north of the park.

viii) Council investigate the introduction of minimum lots sizes in the Auburn LEP 2010 for the B4 Zone linked to the appropriate FSR and height.

ix) Council investigate the height and FSR objectives for the B4 Zone in the Auburn LEP 2010.

x) Council consider the heritage listing of the Gallipoli Mosque and shop facades of both Town Centres as an early stage of the Cumberland Heritage Study.

xi) The Auburn DCP 2010 controls be updated to support the proposed amendments to the development controls in Auburn and Lidcombe Town Centres.

xii) The Interim General Manager arrange at least one workshop in each town centre to facilitate face to face consultation during the exhibition period.

Attachments


2. Background to the Strategy - T096946/2016


5. Appendix A - Auburn and Lidcombe Town Centre Precincts - T110405/2016 and T110406/2016

6. Appendix B - Comparison of existing and proposed LEP maps - Auburn Town Centre - T117280/2016
7. Appendix C - Comparison of existing and proposed LEP maps - Lidcombe Town Centre - T117301/2016

8. Appendix D - Summary Table - Draft Auburn and Lidcombe Town Centres Strategy - T110715/2016

DOCUMENTS ASSOCIATED WITH REPORT ELPP044/19

Attachment 5
Cumberland IHAP Reports - 17 November 2016
Auburn and Lidcombe Town Centres Strategy

Responsible Division: Environment & Infrastructure
Officer: Manager Strategy
File Number: Q.2014-036
Delivery Program Code: 2a.1.3 Provide advice on development, construction and planning issues

SUMMARY

JBA Consultants completed a study of the heights and zoning in Auburn and Lidcombe Town Centres in February/March 2016 for the former Auburn City Council, consistent with Council's resolution of 20 May 2015 [Item 086/15]. At its meeting of 24th August 2016 [Item C017/16], the Cumberland IHAP resolved that this study be reported to it.

Council planners have reviewed the recommendations of the study as well as a range of other strategies and studies completed or in preparation since that time. A number of changes to the outcomes proposed by JBA are considered appropriate, and a slightly broader approach to the centres is warranted. Accordingly a Draft Auburn and Lidcombe Town Centres Strategy have been prepared. This report seeks a recommendation to publicly exhibit the draft Strategy.

1. BACKGROUND

   a. History

   A review of the permitted heights for Auburn and Lidcombe town centres was first initiated by Council resolution on 16 April 2014. At this meeting, Council considered DA368/2013 (for the former Venture site) and an associated voluntary planning agreement (VPA). At Item 073/14 Council resolved (in part) the following:

   3. That due to the events that led to the resulting VPA, being the different forms and design qualities a development can take but remaining within the gazetted floor space ratio, Council resolve:
      a. That a planning proposal be prepared to allow for different design concepts within the Auburn Town Centre in the form of increases in height controls and remaining within the gazetted floor space ratios.
      b. The increase in height controls yet complying with the current floor space ratio is to provide building envelopes that will achieve better urban design outcomes, promote design excellence and facilitate the achievement of the objectives of SEPP 65 and the associated Residential Flat Design Code.

   A number of other resolutions of Council or the Cumberland Independent Hearing and Assessment Panel also relate to the review.

   Appendix 1 provides an outline of the initiation of the Investigation of heights and zoning in Auburn and Lidcombe Town Centres, and its progress to date.

   This report addresses the relevant parts of Council resolutions from 16 April 2014 and 20 May 2015 and of the Cumberland IHAP of 14 September 2016.
In August 2015, JBA Consultants were engaged to prepare a review of town centre heights and some zoning and FSRs in Auburn and Lidcombe Town Centres anticipated to support a comprehensive review of the Auburn Local Environmental Plan (LEP) 2010.

With the postponement of any work on a review of Auburn LEP 2010, primarily due to Council amalgamations, it was recognised there was a need to progress the draft study to public exhibition due to its implication for a number of planning proposals. In addition, Council planners have continued to work on the technical studies in the context of the preparation of the draft district plan with the Greater Sydney Commission. Therefore to take into account both the consultant study, and this continuing work, a Draft Auburn and Lidcombe Town Centres Strategy has been prepared.

b. JBA Study

The Investigation into height of building controls and zoning - Auburn and Lidcombe (JBA 2015) is included at Attachment 2 and provides the basis for the Draft Auburn and Lidcombe Town Centres Strategy (included as Attachment 3). In preparing their study, JBA reviewed the planning controls for 22 precincts in and immediately surrounding Auburn Town Centre and 16 precincts in and around Lidcombe Town Centre. The precincts are shown at Attachment 4.

The main focus of the changes is an increase in both the range and the extent of the maximum height of buildings. For a few precincts only, the consultants were also requested to consider whether a zoning or FSR change would be appropriate.

The study modelled options that comply with the requirements of SEPP 65 Design Quality of Residential Apartment Development for a number of specified precincts to guide its recommendations. Examples are provided at Figures 1 and 2. A summary of JBA’s recommendations for each precinct and the responding recommendations in the Draft Strategy are outlined in Attachment 5.

Figure 1 Precinct 2 Auburn
2. DRAFT AUBURN AND LIDCOMBE TOWN CENTRES STRATEGY

As previously outlined, the draft Strategy (Attachment 3) builds on the work of the JBA study, other technical studies and District planning processes. It proposes a number of principles for the growth of each centre and recommends changes to the existing planning controls to support these principles for both Auburn and Lidcombe Town centres. Attachment 4 provides an outline of the existing controls, those recommended by JBA, and the recommendations in this draft Strategy.

The principles build on the strengths of each centre, and enable an improved and more diverse built form, with a greater emphasis on how people interact with each other and with the built environment. In addition, a small increase in the area of the B4 zoned area in Lidcombe Town Centre (the business area) is proposed, and it is anticipated that the proposed changes will support the first steps in the establishment of an innovation ecosystem, such as those mentioned in the Greater Sydney Commission’s *GPOP Greater Parramatta and the Olympic Peninsula (2016)* vision. Such systems support the creation of new jobs in the economy, by providing start-up businesses with links to research facilities, mentoring, networking opportunities and more.

The greatest height proposed in both centres is 76m. The proposed increases in heights have been tested and will be more aligned with the FSRs. They will foster a diversity of built form, provide for a more varied and visible skyline and importantly, will provide opportunities for open space and improved connectivity at the street level. Podium and tower forms are sought to achieve these outcomes.
Innovation ecosystem

A system of elements built around a locational strength that together create jobs in a new economy. These elements may include:

- Low cost spaces for emergent businesses
- Office space for established companies
- Co-working spaces and networking infrastructure
- Incubators and accelerators
- Specialist labs and maker spaces
- Multi-modal transport and high speed broadband
- A mix of housing (including low cost housing and live-work spaces)
- Parks, retail spaces
- Public private partnerships, mentoring

City Exchange Report 2016 Growing the Australian Economy

The modelling done by JBA demonstrates how increasing heights can achieve public domain improvements. This will be critical in both centres to improve the walkability of the centres, and provide the opportunities for interaction. Nevertheless, this may be harder to achieve in some of the areas where the proposed height increases are more limited where the precinct provides a transition between the business centre and adjoining residential areas.

a. Auburn Town Centre - building heights

A number of changes to maximum building heights are proposed in the Draft Auburn and Lidcombe Town Centres Strategy (Attachment 3) for Auburn Town Centre. On the southern side of the railway, a maximum height of building of 76m is proposed for Precincts 1 and 2 (adjacent Queen St and Harrow Rd), both proposed as key sites. Heights then step down from this core to 60m for the civic precinct and main shopping strip to the south dropping to 45m at the southern part of the shopping strip. The existing height of 18m close to the station is retained to protect the fine grain shop-front facades.

On the northern side, the maximum height proposed is 60m adjoining the rail station (precincts 13 and 14), stepping down away from the station to 38m at the northern fringe. Heights between 27m and 38m are proposed at the peripheries of the centre.

Figure 3 identifies the precincts where a change to the current building heights is proposed. Table 1 below provides a general summary of these height changes.

The maps at Attachment 6 illustrate the current planning controls for each precinct and the controls as recommended in the Draft Strategy.
Table 1. Permitted heights proposed to be changed under the Draft Strategy - Auburn

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Existing height</th>
<th>Proposed height</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>49m</td>
<td>76m</td>
<td>Core of centre – potential catalyst for renewal</td>
</tr>
<tr>
<td>2</td>
<td>38m</td>
<td>76m</td>
<td>Similar to 1 - potential catalyst for renewal</td>
</tr>
<tr>
<td>3</td>
<td>38m</td>
<td>60m</td>
<td>Frames core – encourages design diversity</td>
</tr>
<tr>
<td>9</td>
<td>38m</td>
<td>45m</td>
<td>Consistent with approval for ‘Venture’ site</td>
</tr>
<tr>
<td>11</td>
<td>27m</td>
<td>38m</td>
<td>Opportunities for transitional development</td>
</tr>
<tr>
<td>13</td>
<td>38m</td>
<td>60m</td>
<td>Provides opportunities for improved public domain</td>
</tr>
<tr>
<td>14</td>
<td>38m</td>
<td>60m</td>
<td>Provides opportunities for improved public domain</td>
</tr>
<tr>
<td>16</td>
<td>32m</td>
<td>45m</td>
<td>Potential gateway to Auburn from the east</td>
</tr>
<tr>
<td>17</td>
<td>18-20m</td>
<td>38m</td>
<td>To support extension of laneways</td>
</tr>
<tr>
<td>18</td>
<td>32m</td>
<td>38m</td>
<td>Opportunities for improved design for transitional development</td>
</tr>
<tr>
<td>21</td>
<td>9m</td>
<td>20m</td>
<td>Potential gateway to Auburn from the east – increase linked to change to B4 zone, but also considers transition to south</td>
</tr>
<tr>
<td>15</td>
<td>38m</td>
<td>38m</td>
<td>Defer consideration, pending decision on use of Council land</td>
</tr>
<tr>
<td>22</td>
<td>9m</td>
<td>9m</td>
<td>Defer consideration, pending outcome of further study</td>
</tr>
</tbody>
</table>
b. Auburn Town Centre – zoning and FSR

While the main focus of the study was addressing the discrepancy between heights and existing FSRs, a few changes to zoning and FSR are also proposed in the draft Strategy (Attachment 3). Following is an outline of the precincts where changes are recommended to FSR or for 2 (starred) precincts, to zoning, or where further consideration is required.

Figure 4 identifies the precincts where a change to the current building heights is proposed. Table 2 provides a general summary of these changes.

See Attachment 5 for a more detailed analysis of both the consultant’s and the recommendations of the Draft Town Centres Strategy for each precinct in Auburn.
C030/16 Cumberland Council

Figure 4. Where changes in zoning or FSR are proposed – Auburn
  ★ Sites where zoning changes are also proposed
c. Implications for the Auburn Shopping Village Planning Proposal Application

The application for a planning proposal for 41 Auburn Rd Auburn (Auburn Shopping Village) PP-4/2015 was considered at the September IHAP meeting as discussed in the Background to this report. It was refused at the Council meeting of 5 October 2016, as per the following resolution:

i) The application for a planning proposal to amend the permissible height of building control from 49m to 96m, and to amend the permissible floor space ratio control from 5:1 to 9:1, for the subject land at 41 Auburn Road, Auburn, not be supported;

ii) This application not proceed to the Department of Planning and Environment;

iii) The draft investigation into height and zoning for Auburn and Lidcombe town centres be reported to the Cumberland Council Independent Hearing and Assessment Panel (CIHAP) for review and recommendation, prior to being reported to Council.

Endorsement of the Draft Auburn and Lidcombe Town Centres Strategy for public exhibition will ensure that this strategic work can be used to guide the assessment of planning proposals within the town centres, including the Auburn Village Proposal, should it be amended and re-lodged, or considered by a Sydney Planning Panel in response to an appeal by the applicant.
C030/16  Cumberland Council

Brief consideration of the Auburn Shopping Village (ASV) proposal within the context of the heights and zoning investigation and draft Strategy

A. The ASV site is part of a key town centre precinct bound by Harrow Road to the west, Mary Street to the south, Auburn Road to the east and Queen St to the north. The recent planning proposal application excludes 5 separately owned sites within the precinct. The five sites are located on the Mary St, Harrow Rd and Auburn Road frontages. However, consideration of this key precinct as a whole would release its potential for redevelopment into focal, well designed buildings in a central part of the Town Centre.

B. The precinct is identified as Precinct 1 in Auburn in the JBA study as shown in Figure 5.

C. The ASV concept includes a proposed thirty storey mixed use development comprising two (2) residential towers with a conceptual estimated total of 518 units built above a commercial podium. Ground level retail and a public courtyard (600m²) with site through-links to Queen Street and a 2,000m² cold shell space for a library within the commercial podium were also proposed.

For this precinct (Precinct 1), both the JBA study and the draft Town Centres Strategy concur that:

- the precinct provides an opportunity for landmark architecture podium/ tower forms, with high quality public domain, through-site links, a mix of uses, active street edges and 2-3 storey street wall heights.
- the precinct is a key site at the core of the Auburn Town Centre.
- a mix of height and diversity of form will reinforce its role as a key precinct within Auburn Centre.
- an increase in the maximum height to 76m with the existing zoning and FSR could deliver these outcomes.

A comparison of the controls proposed for the ASV site is outlined in Table 3 (over page).
Cumberland Council

Table 3. Comparison of controls proposed under Draft Town Centres Strategy and JBA study

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Height of Building</th>
<th>Floor Space Ratio (FSR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Applicant Proposal</td>
<td>JBA and Draft Strategy proposal</td>
<td>Existing Applicant Proposal</td>
</tr>
<tr>
<td>B4 Mixed Use</td>
<td>49m</td>
<td>96m</td>
</tr>
</tbody>
</table>

Note: The columns in red were not supported at the Cumberland IHAP meeting of August 2016.

The ASV planning proposal sought to justify the proposed 96m HOB and 9:1 FSR on the basis that it would provide a substantial public benefit, considered in a report by Hill PDA. The proposed benefits related to the provision of a cold shell for a library within the retail component of the proposed development as well as a courtyard with frontage to Queen Street. A further assessment of this is provided below.

Public Benefits – Proposed Cold Shell Library Space

In terms of the library cold shell, the Hill PDA report estimated the public benefit to be worth $9.9 million. However, Council’s Community Development Unit advised that:

- The splitting of services across two locations (less than two hundred metres apart) and construction of a public library within the retail development was inconsistent with the Council’s Community Facilities Strategy 2014 – 2024.

The Facilities Strategy proposes to expand the current library within the existing civic precinct which would support both operational efficiencies and best practice criteria for libraries. These include ground floor access, high levels of personal and property safety, full accessibility including from local schools, potential outdoor space, convenient and safe parking and future expansion potential. The eventual relocation of the former Auburn Council’s administration offices is likely to facilitate this expansion. This would enable the library to meet the identified best practice benchmark of a minimum gross floor area requirement of 3,535m² for a District Library, taking into consideration the anticipated population growth (calculated at the Public Library benchmark of 39m² per 1,000 people).

The benefits of an expanded library in the current location and in Council ownership, versus the costs of a Council fit out, and the disadvantages of a leased facility, were not considered by the Hill PDA report.

Advice received from NSW Police (Flemington Area Command) stressed that a library facility at the Auburn Shopping Village location would place young people and school aged persons in a vulnerable position given the location of the public square and current safety and crime issues in that vicinity. NSW Police also supported an expanded library as an integral component of the Civic Precinct and ensure safety for all users.
Public benefits – Proposed Courtyard and Site Through-linkages

In relation to the courtyard and site through-linkages, the Hill PDA report estimates the public benefit to be $4.33 million. In this regard, it is considered appropriate for buildings within Precinct 1 (which includes the ASV site) to be of a form that would facilitate the development of a public courtyard and pedestrian linkages consistent with the public domain plan for the Town Centre. Such public domain benefits would provide positive social benefits and improve the public amenity of Town Centre.

It is agreed that the current height of building controls for Precinct 1 could be varied to encourage a taller building form than is permissible under the existing height control of 49m and FSR of 5:1. In this way, delivery of public domain improvements including the courtyard and site through-linkages can be facilitated and the role of this focal precinct as the core of the town centre, reinforced.

However, the existing FSR of 5:1 together with an increased height of 76m as proposed in the Draft Auburn and Lidcombe Town Centres Strategy provides significant scope to deliver substantial public domain improvements while achieving a feasible and well-designed development. This is supported by the modelling undertaken by JBA for the adjoining precinct (Precinct 2) identified as a similar site. The modelling found that substantial increases in open space/linkages could be provided with an FSR of 5:1 and a height of 76m.

Indeed, in its modelling, JBA found that public domain improvements could also be achieved with lower heights, as ascertained for other precincts, however, this greater height of 76m was recommended to reinforce the role of both Precincts 1 and 2 as the core of Auburn Town Centre.

d. Lidcombe Town Centre - Heights

A number of changes to maximum building heights are proposed for Lidcombe Town Centre. On the northern side of the railway, a maximum height of 76m, the greatest height in Lidcombe overall, is proposed for Precincts 9 and part of 8 (the Dooley’s site) at the western edge of the town centre. This location is at a prominent point at the entry to Lidcombe from the north, and is in single ownership. The recommended heights then step down along the Church St and the rail line to 70m to the east and then to 60m and 50m adjoining the existing residential apartment block on the corner of Church and Swete Streets. To the north, away from the station, the heights are recommended to step down through 50m to 38m, and down to 20m for the northern and eastern extremities where R4 is recommended. Note that 38m is recommended for the transition areas of the B4 zone on both sides of the railway.

On the southern side the height progression along the rail line generally reflects that to the north, stepping down from 70m for Precinct 1, the triangular precinct to the west containing Council’s car park and library, to 50m for the northern part of the Marsden St precinct between Mark and Raphael Streets. To the south along Olympic Drive the heights also step down away from the rail line, forming an L shape around Remembrance Park. The southern-most recommended B4 precincts are proposed at 38m, dropping to 20m for a new high density residential area south of Kerrs Rd.
Height changes are proposed for all precincts, though for some precincts the change is minimal. Table 4 below provides a general summary of the height changes. Figure 6 maps the proposed height controls.

The maps at Attachment 7 illustrate the current planning controls for each precinct and the controls as recommended in the Draft Strategy, while Attachment 5 provides a more detailed analysis by precinct.

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Existing height</th>
<th>Proposed height</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>36m</td>
<td>70m</td>
<td>Provides opportunities for improved built form and pedestrian links/open space, and potentially, changes in traffic patterns. Contains Council owned land.</td>
</tr>
<tr>
<td>2</td>
<td>32m</td>
<td>60m</td>
<td>Potential catalyst for renewal. Steps down from the west.</td>
</tr>
<tr>
<td>3</td>
<td>32m and 36m</td>
<td>60m, 50m and 38 - 45m</td>
<td>60m fronting Railway St and for ‘Westella’ site warranted due to proximity to station and/or lot ownership patterns. The 50m would provide a step down to the east, further from the station. The 38m-45m component limits the height to protect solar access to Memorial Park. The 45m would be permitted only where solar access is not reduced. Alternately, a reduced FSR could be considered for this section of the precinct to protect solar access to the park.</td>
</tr>
<tr>
<td>4</td>
<td>32m</td>
<td>38m</td>
<td>Provides opportunities for improved design in a transition area.</td>
</tr>
<tr>
<td>5</td>
<td>32m</td>
<td>Part 38m, part no height</td>
<td>The 38m component - provides opportunities for improved design in a transition area. The no height component - associated with the proposed rezoning to RE1 Public Open Space.</td>
</tr>
<tr>
<td>6</td>
<td>32m</td>
<td>38m</td>
<td>Provides opportunities for improved design in a transition area.</td>
</tr>
<tr>
<td>7</td>
<td>9m</td>
<td>26m</td>
<td>Associated with the proposed change in zoning to R4 High Density Residential.</td>
</tr>
<tr>
<td>8</td>
<td>32m and 36m</td>
<td>76m, 70m and 60m</td>
<td>Provides opportunities for new links and open space, and reinforces centre hierarchy. Steps down away from precinct 9.</td>
</tr>
<tr>
<td>9</td>
<td>60m</td>
<td>76m</td>
<td>Key corner location -opportunities for new pedestrian links. Potential catalyst for renewal.</td>
</tr>
<tr>
<td>10</td>
<td>18-20m</td>
<td>50m</td>
<td>Associated with proposed rezoning to B4 to expand the commercial area. Provides step down to the north away from the rail line.</td>
</tr>
<tr>
<td>11</td>
<td>18-20m</td>
<td>38m</td>
<td>Increased height warranted due to proximity to centre. 38m provides opportunities for good design in a transition area.</td>
</tr>
<tr>
<td>12</td>
<td>36m</td>
<td>38m</td>
<td>Building under construction – no practical effect, but consistent with other transition precincts.</td>
</tr>
<tr>
<td>13</td>
<td>18-20m</td>
<td>20m</td>
<td>Single height and FSR is more practical for this precinct.</td>
</tr>
<tr>
<td>14</td>
<td>32m</td>
<td>60m</td>
<td>Similar to precinct 2. Would allow school to develop a vertical campus.</td>
</tr>
<tr>
<td>15</td>
<td>18-20m</td>
<td>38m and 50m</td>
<td>38m provides increased opportunities for good design in a transition area. 50m area is associated with proposed change in zoning to B4, and proximity to station</td>
</tr>
<tr>
<td>16</td>
<td>9m</td>
<td>20m</td>
<td>Change associated with proposed change in zoning to high density residential.</td>
</tr>
</tbody>
</table>
**e. Lidcombe Town Centre - Zoning and FSR**

As with Auburn Town Centre, a few changes to zoning and FSR are also proposed for Lidcombe Town Centre. Table 5 below outlines the key changes recommended to zoning or FSR or where further consideration is required. Figure 7 maps the precincts where changes are proposed. See Attachment 5 for a detailed analysis of both the consultant’s and staff recommendations for each precinct in Lidcombe.
Table 5. Proposed changes to zoning and FSR in Lidcombe

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Existing zoning and FSR</th>
<th>Proposed zoning and FSR</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>B4 Mixed Use S:1</td>
<td>Part B4 Mixed Use 5:1</td>
<td>The draft Open Space and Recreation Strategy for the former Auburn LGA recommends rezoning the land fronting Taylor St for the extension of Remembrance Park - already partly owned by Council. However, the proposed zoning would result in the need to acquire a further 2,400m² over time.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Part RE1 Public Recreation No FSR</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>R2 Low Density Residential No FSR</td>
<td>R4 High Density Residential FSR - 2</td>
<td>Within 600m walk from the rail station. Minimises land use conflict with B4 to the north-east. Consistent with the R4 zoning to the east.</td>
</tr>
<tr>
<td>10</td>
<td>R4 High Density Residential FSR - 1:7 2:1 at corners</td>
<td>B4 Mixed Use FSR - 3.5</td>
<td>Consistent with Council’s resolution of 20 May 2015. Could assist in servicing strong local retail demand. Note this site is now subject to assessment for a State Significant Development proposal.</td>
</tr>
<tr>
<td>11</td>
<td>R4 High Density Residential FSR 1.7 with 2 at corners</td>
<td>R4 High Density Residential FSR - 3</td>
<td>Warranted as precinct is close to centre. Provides opportunities for through links and open space.</td>
</tr>
<tr>
<td>13</td>
<td>R4 High Density Residential FSR 1.7 with 2 at corners</td>
<td>R4 High Density Residential FSR - 2</td>
<td>Single FSR more practical for this precinct.</td>
</tr>
<tr>
<td>15</td>
<td>R4 High Density Residential FSR 1.7 with 2 at corners</td>
<td>South of Mary St B4 Mixed Use FSR - 3.5</td>
<td>Zoning increases retail capacity and jobs close to the station. Increased FSR warranted as precinct is close to core of centre. Transitions to residential to the north. Supports public domain improvements.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>North of Mary St R4 High Density Residential FSR - 3</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>R3 Medium Density Residential FSR - 0.75</td>
<td>R4 High Density Residential FSR - 2</td>
<td>Within 600m walk from the rail station. Supports opportunities for an east-west link through the precinct.</td>
</tr>
<tr>
<td>Land north of Freitas Lane</td>
<td>R4 High Density Residential FSR 1.7 and 2</td>
<td>R4 High Density Residential FSR - 2</td>
<td>Not in study area, however, effectively surrounded by Precinct 3. Consistent FSR across this tiny precinct more practical.</td>
</tr>
</tbody>
</table>
Sites where zoning is proposed to be changed

Figure 7. Precincts where changes are proposed to zoning and/or FSR – Lidcombe

f. Supporting Work

The recommended changes in zoning, height and FSR are anticipated to encourage better design quality while improving the feasibility of redevelopment under the LEP. In a number of cases the proposed increases in height are substantial. It is clear that the increases in heights will significantly improve the opportunities for landowners to achieve the associated FSRs.

If quality design and good public domain outcomes are to be achieved, the following additional work is recommended by the Draft Strategy:

i. Site specific Development Control Plan (DCP) amendments, to include:

- The formalisation of the overarching vision for each centre
- The urban design principles for each precinct
- Public domain outcomes sought for each precinct
- Desired amalgamation patterns
C030/16 Cumberland Council

- Controls for active street frontages in the business areas, and
- The identification of key sites for landmark architecture to reinforce the hierarchy and role of the centres.

ii. Investigation of mechanisms to achieve design excellence, such as a design excellence provision in the LEP. The CHAP may wish to consider reviewing heights in the core of both town centres to allow for the possible introduction of design excellence provisions in the future, as part of the preparation of a comprehensive LEP for Cumberland.

iii. Investigation of measures to ensure active frontages within the B4 zone, e.g.:
- A minimum non-residential FSR within the overall permitted floor space in the B4 zone, particularly within the core of these centres. This report recommends a minimum FSR of 0.5:1 be non-residential uses within certain precincts of the core of both centres as an initial step.
- An active frontages clause in the LEP
- Other strategies.

iv. Inclusion of minimum lot size requirements in the LEP for redevelopment in the centres.

The studies that are still in preparation, such as the Draft Open Space and Recreation Strategy, and the draft Bike Plan will help to inform the final adopted direction for key parts of these centres.

In addition, the following recommended work is specific to each centre:

Auburn
i. A view line analysis of the Gallipoli Mosque and its incorporation within a master-planning process that includes consideration of access, traffic and flooding for Precinct 22.

ii. A pilot Façade Upgrade Program to support landowners in Precinct 5 to de-clutter and appropriately restore/renovate/paint the traditional shop facades

Lidcombe
Unlike Auburn Town Centre, no improvements have been made to the traffic, bicycle and pedestrian circulation patterns in Lidcombe Town Centre. The increased heights will enable new developments to provide public domain benefits, including opportunities that would allow for improved circulation around the centre.

Updating the Contributions Plan will support changes to circulation infrastructure and public domain upgrades in Lidcombe, supported by other value capture mechanisms, such as voluntary planning agreements. A major review of the Contributions plans for Cumberland is currently underway and is being progressed as a key priority for Council.

It is recommended that:

i. A traffic (vehicle and pedestrian) circulation study be prepared for Lidcombe Town Centre to enable the efficient functioning of the centre and to guide the site specific DCP controls for Lidcombe.

Cumberland Independent Hearing and Assessment Panel Meeting – 17 November 2016
ii. A public domain plan be prepared following the completion Traffic circulation strategy.

iii. A supportive planning framework be investigated for the surrounding lands, and that Council start to actively build relationships with key industries and landowners, mentoring organisations and educational facilities, to enable the establishment of an innovation ecosystem.

3. FINANCIAL IMPLICATIONS

The exhibition of the Draft Auburn and Lidcombe Town Centres Strategy is covered within the normal budget of Planning.

The recommendations include the completion of additional supporting work. Some of this work would depend on the outcomes of the exhibition and the likely timeframe for the making of a planning proposal should the recommendations be adopted by Council following the exhibition.

Additional work recommended by the draft Strategy can be considered for inclusion in the budget for forthcoming financial year/s for Council, with the exception of the Gellibolu Precinct study, which is considered to be a high priority.

i. The Gellibolu Precinct study (high priority), and the investigation of active frontages and design excellence. These can be covered under the Environment and Infrastructure budget.

ii. Lidcombe Town Centre Traffic and Pedestrian Circulation Strategy
   This is a major study, which will take time to complete, and is anticipated to include a number of options for Council's consideration. Council's Chief Financial Officer has identified that there have been funds collected under the relevant section of the Development Contributions Plan to cover the cost of the preparation of this study.

iii. Preliminary investigation work in relation to the potential interest from research institutions, landholders and developers and mentoring associations to support the establishment of an innovation ecosystem in Lidcombe.
   This work may be collaboratively undertaken by a number of teams across Council, and would be informed by the draft Cumberland Employment lands Strategy which will be undertaken in 2017.

Report Recommendation:

That the Cumberland Independent Hearing and Assessment Panel (CIHAP) recommend:

1. That Council publicly exhibit the Draft Auburn and Lidcombe Town Centres Strategy and the Auburn and Lidcombe Town Centres: Investigation into height of building controls and zoning (JBA study) and bring a report back to the Cumberland Independent Hearing and Assessment (IHAP) and to Council following the consideration of submissions.

Cumberland Independent Hearing and Assessment Panel Meeting – 17 November 2016 21
2. That a minimum FSR of 0.5:1 be non-residential uses in the following precincts in the core of both town centres:
   a. Precincts 1 and 2 in Auburn Town Centre; and
   b. Precincts 1, 2, 9, and the parts of Precinct 8 with a recommended height designation of AA2 (that is, south of Board Street on the western side of John Street, and south of Mary Street on the eastern side of John Street).

3. That consultants be engaged to prepare a view line analysis and study of the Gelibolu Precinct (Precinct 22) and that a report be brought back to Cumberland LHAP and to Council for consideration.

4. That Council staff investigate the potential for provisions for design excellence as part of the preparation of a Comprehensive LEP for Cumberland.

5. That some preliminary investigation of potential opportunities to foster an innovation ecosystem in Lidcombe be undertaken as part of the Cumberland Employment Lands Strategy.

6. That a consultant be engaged to prepare a Traffic and Pedestrian circulation study for Lidcombe Town Centre in line with priorities identified in Council’s Delivery Program and Operational Plan, and that a report be brought back to Cumberland LHAP and to Council for consideration in the future.

ATTACHMENTS (to be circulated to CIHAP members under separate cover):

1. Background to the Draft Auburn and Lidcombe Town Centres Strategy T096946/2016
2. JBA (March 2015) Auburn and Lidcombe Town Centres: Investigation into height of building controls and zoning - T021864/2016
3. Draft Auburn and Lidcombe Town Centre Strategy T086788/2016
5. Appendix D Summary of outcomes of the study and staff recommendations - T002553/2016
6. Appendix C Maps of Auburn Town Centre - current and recommended controls - T010223/2016
7. Appendix E Maps of Lidcombe Town Centre – current and recommended controls - T017973/2016
DOCUMENTS ASSOCIATED WITH REPORT ELPP044/19

Attachment 6
Council Minutes - 17 April 2019
C04/19-62 Tender Evaluation Report - Granville Multipurpose Centre

This item was dealt with earlier in the meeting.

Min.490 C04/19-63 Request for Partnership - Community Iftar Dinner 2019

Resolved (Zreika/Attie)
That Council support the delivery of a Community Iftar Dinner on Tuesday, 21 May 2019 in partnership with the Auburn Gallipoli Mosque.

Min.491 C04/19-64 Auburn and Lidcombe Town Centres Planning Controls Strategy

Note: Councillor Zreika exited the Chamber at 7:34pm during the consideration of this item as he had declared a pecuniary interest in this item.

Motion (Attie/Sarkis)
That Council:

1. Note the submissions received on the planning controls strategy for Auburn and Lidcombe Town Centres.

2. Note that planning controls for the Auburn Town Centre remain unchanged for Precincts 4, 5, 7 and 10.

3. Adopt the planning controls strategy for Auburn Town Centre in Precincts 2, 3, 6, 8, 11, 14, 15, 16a and 18, with these controls reflecting current arrangements or exhibited controls.

4. Adopt the planning controls strategy for Auburn Town Centre in Precincts 1, 9, 12, 13 and 17, with revisions made to these controls in response to submissions or further assessment by Council.

5. Adopt the planning controls strategy for Lidcombe Town Centre in Precincts 4, 5, 6, 10, 11, 12, 13, 15 east and west along Mary St to be zoned B4 until the intersection of Frederick St, 16a and 17, with these controls reflecting current arrangements or exhibited controls.

6. Adopt the planning controls strategy for Lidcombe Town Centre in Precincts 1, 2, 3, 7, 8, 9, and 14, with revisions made to these controls in response to submissions or further assessment by Council.

7. Implement the adopted planning controls strategy for Auburn and Lidcombe Town Centres as part of the new Cumberland Local Environmental Plan.

8. Note that the adopted planning controls strategy for Auburn and Lidcombe Town Centres will be subject to further public consultation and further review by the Cumberland Local Planning Panel as part of the new Cumberland Local Environmental Plan.
9. Note that further assessment on the planning controls strategy for Auburn Town Centre will be undertaken in Precincts 16b, 21 and 22.

Amendment (Lake/Elmore)

That recommendations 2-9 be omitted from the Motion and the following be inserted:

2. Council hold a workshop to consider the effect of any design excellence provision to be included in the Cumberland Local Environmental Plan on proposed planning controls for the Auburn and Lidcombe Town Centres.

3. Council then resolve the effect of this provision as outlined in Recommendation 1.

4. In accordance with Council resolution 21.12.16, the Draft Auburn and Lidcombe Town Centres Strategy and submissions received be reported to the Cumberland Local Planning Panel for consideration and recommendation to Council.

5. A site visit of the Auburn Town Centre and a site visit of the Lidcombe Town Centre be held with reference to the draft strategy.

6. The Auburn Town Centre Strategy and the Lidcombe Town Centre Strategy be reported to Council separately.

The Amendment moved by Councillor Lake seconded by Councillor Elmore on being put was declared CARRIED.

A division was called, the result of the division required in accordance with Council’s Code of Meeting Practice is as follows:

Councillor(s) For the Amendment: Campbell, Christou, Elmore, Garrard, Hamed, Huang, Lake and Saha.

Councillor(s) Against the Amendment: Attie, Cummings, Grove, Rahme, Sarkis and Zaiter.

The Amendment moved by Councillor Lake seconded by Councillor Elmore then became the motion as follows:

Motion (Lake/Elmore)

That Council:

1. Note the submissions received on the planning controls strategy for Auburn and Lidcombe Town Centres.

2. Council hold a workshop to consider the effect of any design excellence provision to be included in the Cumberland Local Environmental Plan on proposed planning controls for the Auburn and Lidcombe Town Centres.

3. Council then resolve the effect of this provision as outlined in Recommendation 1.

4. In accordance with Council resolution 21.12.16, the Draft Auburn and Lidcombe Town Centres Strategy and submissions received be reported to the Cumberland Local Planning Panel for consideration and recommendation to Council.

5. A site visit of the Auburn Town Centre and a site visit of the Lidcombe Town Centre be held with reference to the draft strategy.
DOCUMENTS ASSOCIATED WITH REPORT ELPP044/19

Attachment 7
Cumberland Local Planning Panel Minutes - 8 May 2019
ITEM LPP031/19 – AUBURN AND LIDCOMBE TOWN CENTRES PLANNING CONTROLS STRATEGY

RECOMMENDATION:

1. The Panel recommends Deferral of this item for consideration at a future meeting in June 2019 with the date to be determined by Council Officers;

For: Stuart McDonald (Chairperson), Michael Ryan, Chris Young and Milorad Rosic

Against: Nil

Reasons for Decision:

1. To provide the opportunity for the Panel to fully consider the proposed strategy.

The closed session of the meeting here closed at 3:46pm

The open session of the meeting here opened at 3:47pm. The Chairperson and Acting Chairperson delivered the Cumberland Local Planning Panel’s resolutions to the Public Gallery.

The meeting terminated at 4:02pm.

Signed:

Stuart McDonald
Chairperson
Item No: ELPP045/19

PLANNING PROPOSAL FOR AN ADDITIONAL PERMITTED USE OF EDUCATIONAL ESTABLISHMENT AT 2 PERCY STREET, AUBURN

Responsible Division: Environment & Planning
Officer: Manager Strategic Planning
File Number: PP-2/2017

<table>
<thead>
<tr>
<th>Lodged</th>
<th>May 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proponent</td>
<td>Gallipoli Education Solutions Limited</td>
</tr>
<tr>
<td>Site</td>
<td>2 Percy St Auburn</td>
</tr>
<tr>
<td>Zoning</td>
<td>IN2 Light Industrial (no change proposed)</td>
</tr>
</tbody>
</table>

Proposal

- Seeks to introduce ‘educational establishment’ as an additional permitted use.
- Original proposal sought to increase FSR from 1:1 to 1.2:1; however the proponent has chosen not to proceed and there will be no change to the FSR control.
- Site has no maximum height under Auburn LEP 2010, and proposal does not seek a change to this.

Previous report to Panel
9 August 2017 (C029/17) Cumberland Independent Hearing and Assessment Panel

Previous reports to Council
6 September 2017 (Item 154/17)
3 October 2018 (Item C10/18-190)

Gateway Determination
20 February 2018

Heritage
The site is not heritage listed. It adjoins Wyatt Park (across Percy St), which is heritage listed. It is also in the vicinity of Auburn Gallipoli Mosque.

Disclosure of political donations and gifts
Nil

SUMMARY:

The purpose of this report is to provide the Cumberland Local Planning Panel (CLPP) with an update on the planning proposal for 2 Percy St, Auburn, that sought to include ‘educational establishment’ as an additional permissible use for the site. This matter was previously reported to the Cumberland Independent Hearing and Assessment Panel (CIHAP) in August 2017.

In February 2018, a Gateway Determination was issued that required a number of conditions to be addressed prior to proceeding to public exhibition. In October 2018, an update on the proposal was provided to Council, with a resolution to receive feedback from Transport for NSW and Roads and Maritime Services (RMS) on the proposal.
Council has worked with the applicant and State agencies to address the conditions of the Gateway Determination and resolution from Council. This has included completion of relevant studies and amendments to the planning proposal to address the issues raised. Roads and Maritime Services (RMS) has also determined that the traffic study undertaken for this area is unlikely to identify road upgrades that would have any direct impact or land dedication requirement for the site.

As the conditions of the Gateway Determination have been addressed and feedback received from transport agencies in accordance with Council’s resolution, advice is sought from the Panel to support the progression of the planning proposal to public exhibition. Following consideration of the proposal by the Panel, the proposal will be considered by Council.

REPORT:

Background

A planning proposal for land at 2 Percy Street, Auburn, was lodged with Council in May 2017. This proposal sought to introduce ‘educational establishment’ as an additional permissible use, via an amendment to Schedule 1 of the Auburn Local Environmental Plan 2010 (Auburn LEP 2010). An increase in the maximum Floor Space Ratio (FSR) from 1:1 to 1.2:1 was also sought, though the proposal was changed to 1:1 at the time Council considered the matter previously at the meeting of 3 October 2018. No change to the zone (IN2 Light Industrial) was requested.

The status of the planning proposal is outlined in Figure 1.

Figure 1: Status of Planning Proposal

Cumberland IHAP Meeting – 9 August 2017

The planning proposal was first reported to the Cumberland Independent Hearing and Assessment Panel (CIHAP) on 9 August 2017 (Attachment 1), with the CIHAP recommending the following:

1. The proponent be required to submit the following additional information:
• a revised Flood Impact Assessment, to the satisfaction of Council engineers, that specifically addresses the proposed use of the site for a school, and that addresses the Flood Risk Management controls in Auburn Development Control Plan 2010;

• a revised development concept and additional information that shows that adequate open/play space can be provided on site. This may require a reduction in student and staff numbers;

• a revised Transport Impact Assessment incorporating further modelling taking into account the increased FSRs that resulted from LEP Amendment 8 to Auburn LEP 2010 and taking into account any revisions to the planning proposal request and Councils Traffic modelling undertaken for the Draft Auburn and Lidcombe Town Centre Strategy; and

• if mitigation measures such as intersection upgrades are required as a result of recommendation c), a Letter of Offer for a Planning Agreement to provide the required improvements is also to be submitted and discussed with Council staff.

2. The proponent amend the planning proposal request originally submitted for 2 Percy Street, Auburn to reflect the revised FSR amendment to 1:1 as agreed by the proponent.

3. The proponent may also submit information to support a particular maximum building height exceeding 10m, up to 12m, including graphic view line analysis, demonstrating that the amended maximum height would not have an adverse impact on important views to the Gallipoli Mosque and its surrounds.

4. The matter be reported back to Cumberland IHAP if the information submitted by the proponent is considered unsatisfactory by Council officers, outlining the reasons why the information was considered unsatisfactory. If the information is satisfactory, Council officers proceed with the preparation of a planning proposal for 2 Percy St, Auburn (PP-2/2017) on the following basis:

• permit ‘educational establishment’ as an additional permitted use under Schedule 1 of Auburn LEP 2010;

• add the site to the Additional Permitted Uses Map;

• amend the Height of Buildings Map to provide for a maximum building height for the site of 10m, or up to 12m height if adequately justified by information provided under recommendation 3;

• incorporate any revisions required that result from the revised Flood Impact Assessment; and

• incorporate any revisions that result from the revised traffic and transport assessment, including a Letter of Offer for a Planning Agreement if appropriate.
5. Following the completion of the Traffic Assessment and prior to submission of the Planning Proposal for Gateway Determination, the proponent submit a letter of offer to enter into a Planning Agreement to contribute towards traffic movement and access works, including any land acquisitions in the locality to accommodate any necessary works, associated with a potential school on the subject site.

6. The planning proposal, prepared in accordance with recommendation 5, be forwarded to the Department of Planning and Environment for a Gateway Determination.

Council Meeting – 6 September 2017

Following the CIHAP meeting, the planning proposal was reported to Council on 6 September 2017 (see Attachment 2). The Administrator moved and declared that Council require the proponent for the planning proposal request for 2 Percy Street, Auburn to provide the following additional information, as recommended by the Cumberland IHAP, to the satisfaction of the General Manager:

a) a revised Flood Impact Assessment, that specifically addresses the proposed use of the site for a school, and that addresses the Flood Risk Management controls in Auburn Development Control Plan 2010;

b) a revised planning proposal concept and additional information that demonstrates that adequate open/play space for the proposed student population can be provided primarily within the subject site;

c) a revised Transport Impact Assessment including further modelling which takes into account:

- the increased FSRs resulting from LEP Amendment 8 to Auburn LEP 2010;
- any revisions to the planning proposal request; and
- Council’s traffic modelling undertaken for the Draft Auburn and Lidcombe Town Centre Strategy;

d) If mitigation measures such as intersection upgrades are required as a result of recommendation c), a Letter of Offer for a Planning Agreement to provide the required improvements is to be submitted and discussed with Council;

e) Require the proponent to amend the planning proposal request originally submitted for 2 Percy Street, Auburn, to reflect the revised FSR of 1:1;

f) Require the proponent to submit specific justification, including a view line analysis, should the proponent wish to exceed the maximum building height of 10m (but no greater than maximum building height of 12m) for the site, to demonstrate that the proposed maximum building height would not have an adverse impact on important views to the Gallipoli Mosque and its surrounds;
g) Following the completion of the revised Traffic Assessment and prior to submission of the Planning Proposal for a Gateway Determination, require the proponent to submit a letter of offer to enter into a Planning Agreement to contribute towards traffic movement and access works, including any land acquisitions in the locality to accommodate any necessary works, associated with a potential school on the subject site;

h) Require the matter be reported back to Cumberland IHAP if the information submitted by the proponent is considered unsatisfactory by the General Manager, outlining the reasons why the information was considered unsatisfactory;

i) On receipt of all required information to the satisfaction of the General Manager, proceed with the preparation of a planning proposal for 2 Percy St, Auburn (PP-2/2017) on the following basis:

- permit ‘educational establishment’ as an additional permitted use under Schedule 1 of Auburn LEP 2010;
- add the site to the Additional Permitted Uses Map;
- amend the Height of Buildings Map to provide for a maximum building height for the site of 10m, or up to 12 m height if adequately justified by information provided under recommendation 3;
- incorporate any revisions required that result from the revised Flood Impact Assessment;
- incorporate any revisions that result from the revised traffic and transport assessment, including a Letter of Offer for a Planning Agreement, if appropriate; and
- the General Manager be requested not to sub delegate this matter.

**Gateway Determination – 20 February 2018**

Following the receipt of the additional information from the proponent, a Gateway Determination was sought, with this being issued by the Department of Planning and Environment in February 2018. The Gateway Determination (Attachment 4) required Council address a number of conditions before it could proceed to formal (post-Gateway) community consultation. The conditions include:

- 1(a) Amend the planning proposal to provide more justification regarding the proposed additional permitted use rather than applying a land use zone that permits educational facilities;
- 1(b) Prepare a Phase 1 – Preliminary Site Contamination Investigation Study for the site in accordance with the Managing Land Contamination Planning Guidelines (Environment Protection Authority, 1998);
• 1(c) review/consider proposed FSR control of 1.2:1;

• 1(d) complete the Gelibolu Precinct traffic study and update the Planning Proposal in accordance with the study findings/recommendations Final draft completed;

• 1(e) refer the Planning Proposal to TfNSW and the RMS, and to subsequently amend it in response to comments received in progress. Final draft precinct traffic study has been referred to TfNSW and RMS for comment; and

• 1(f) confirm local and state infrastructure requirements (including traffic improvements, parking, transport, recreation and community uses to support the additional use).

**Council Meeting – 3 October 2018**

This matter was reported to Council on 3 October 2018 (Attachment 3) to provide an update on the progress in addressing the conditions of the Gateway Determination, as well as to seek a resolution on the Floor Space Ratio of the Proposal. The report also presented Council with the relevant findings if the strategic traffic modelling and view line analysis work undertaken for the surrounding Gelibolu Precinct.

Council officers presented the recommendation to:

1. Proceed with a proposed FSR of 1.2:1 for the Planning Proposal for 2 Percy Street, Auburn;

2. Seek cost estimates for the two intersection upgrades identified in Council’s draft Traffic Study of the Gelibolu Precinct;

3. Hold discussions with the proponent in relation to the offer of a VPA and seek a proportional contribution toward the costs associated with the two intersection upgrades which are required to service a school as well as planned development in the Gelibolu Precinct; and

4. Following the satisfaction of Gateway conditions and any amended offer, proceed to formal community consultation.

This matter was deferred pending receipt of feedback from Transport for NSW and Roads and Maritime Services (RMS) following the draft traffic study conducted in relation to the Gelibolu Precinct.

**Response to Gateway Conditions and Council Resolution**

Council has worked with the applicant and State agencies to address the conditions on the Gateway Determination. This has included completion of relevant studies and amendments to the planning proposal to address the issues raised. A summary of these outcomes is outlined in Table 1.
<table>
<thead>
<tr>
<th>Gateway Condition</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1(a) Amend the planning proposal to provide more justification regarding the proposed additional permitted use rather than applying a land use zone that permits educational facilities.</td>
<td>The planning proposal has been updated to address this condition.</td>
</tr>
<tr>
<td>1(b) Prepare a Phase 1 – Preliminary Site Contamination Investigation Study for the site in accordance with the Managing Land Contamination Planning Guidelines (Environment Protection Authority, 1998)</td>
<td>A Phase 1 - Preliminary Site Contamination Investigation Study has been submitted by the proponent.</td>
</tr>
<tr>
<td>1(c) Review and consider the proposed floor space ratio control should the proponent be able to demonstrate through urban design testing to Council’s satisfaction that additional floor space can be supported at the site.</td>
<td>The planning proposal no longer seeks to amend the FSR from the current development standard of 1:1.</td>
</tr>
<tr>
<td>1(d) Complete the updated traffic study for the Gelibolu precinct and update the planning proposal in accordance with the findings/recommendations of the study. and 1(e) On completion of condition 1(d), the planning proposal is to be referred to Transport for NSW and the Roads and Maritime Services, and amended in accordance with any comments received; and</td>
<td>Roads and Maritime Services no longer require Conditions 1(d) and 1(e) to be addressed, as they have determined that the Gelibolu Study is unlikely to identify road upgrades that would have any direct impact or land dedication requirement for the 2 Percy Street site. As the Church Street link is not part of the amended proposal, Transport for NSW and Sydney Trains objection is no longer relevant as there is no impact on their land. The proponent has updated their traffic study to address bus access and turnaround areas.</td>
</tr>
<tr>
<td>1(f) Confirm local and State infrastructure requirements (including improvements for traffic, parking, transport, recreation and community facilities) to support the additional use.</td>
<td>This condition will be addressed through negotiations of a Voluntary Planning Agreement between Council and the proponent. However, this condition does not place a restriction on Council to publicly exhibit the proposal.</td>
</tr>
</tbody>
</table>

**Table 1: Response to Gateway Conditions**

In response to the Council resolution of October 2018, Roads and Maritime Services have determined that the traffic study undertaken for this area is unlikely to identify road upgrades that would have any direct impact or land dedication requirement for the 2 Percy Street site. As the Church Street link is no longer part of the proposal, the concerns of Transport for NSW and Sydney Trains on the use of this land have been addressed.

**Next Steps**

As the conditions of the Gateway Determination and Council resolution have now been addressed, advice is sought from the Panel to support the progression of the
planning proposal to public exhibition. Following consideration of the proposal by the Panel, the proposal will be considered by Council.

CONCLUSION:

The planning proposal for 2 Percy St, Auburn, seeks to include ‘educational establishment’ as an additional permissible use for the site.

Council has worked with the applicant and State agencies to address the conditions on the Gateway Determination and resolution from Council. As the conditions of the Gateway Determination have been addressed and feedback sought from transport agencies in accordance with Council’s resolution, advice is sought from the Panel to support the progression of the planning proposal to public exhibition. Following consideration of the proposal by the Panel, the proposal will be considered by Council.

CONSULTATION:

The proposal needs to be publicly exhibited for a period of 28 days to satisfy the conditions of the Gateway Determination.

FINANCIAL IMPLICATIONS:

There are no financial implications for Council associated with this report.

POLICY IMPLICATIONS:

The planning proposal will result in an amendment to the Auburn LEP 2011, should it proceed to finalisation. Following community consultation to be undertaken as part of the Gateway Determination, the matter will be reported back to Council for final consideration of the planning proposal.

COMMUNICATION / PUBLICATIONS:

The final outcome of this matter will be notified in the newspaper. The objectors will also be notified in writing of the outcome.

REPORT RECOMMENDATION:

That:

1. The Panel supports the planning proposal progressing to public exhibition, having addressed the conditions of the Gateway Determination and feedback sought from transport agencies in accordance with Council’s resolution

ATTACHMENTS

1. Cumberland IHAP Report & Minutes - 9 August 2017
2. Council Report & Minutes - 6 September 2017
3. Council Report & Minutes - 3 October 2018
4. Gateway Determination - 6 September 2018
5. E-mail Response from RMS - 23 May 2019
6. Letter from the Proponent addressing the Gateway Determination Conditions
DOCUMENTS ASSOCIATED WITH REPORT ELPP045/19

Attachment 1
Cumberland IHAP Report & Minutes - 9 August 2017
(CHAP) that Development Application No. DA500/2016 for Demolition of the dwelling house and ancillary structures and construction of a new two storey boarding house comprising eight (8) boarding rooms on land at 75 Graham Street, AUBURN be granted deferred commencement approval subject to the conditions listed in the attached schedule and the following amendment to condition 4:

The boarding house is approved to accommodate a maximum of 9 lodgers.

For: The Hon. Paul Stein AM, QC (Chairperson), Mr. Brian McDonald, Mr. Stuart McDonald, and Mr. Paul Mould AM.

Against: Nil

ITEM C028/17 - SITE SPECIFIC DEVELOPMENT CONTROL PLAN FOR 108 STATION STREET, WENTWORTHVILLE - POST-EXHIBITION REPORT

Note: Mr. Geoff Baker and Mr. Andrew Robinson addressed the panel on this item. Mr Mickey Beaint tabled a draft sketch at the meeting.

Resolved unanimously by the Cumberland Independent Hearing and Assessment Panel (CHAP) that the Cumberland Independent Hearing and Assessment Panel (CHAP) recommend that Council:

1. Adopt the revised site specific development control plan dated July 2017 for 108 Station Street, Wentworthville (per Attachment 2) with the following amendment for the purposes of re-exhibition:
   a) Substitute the proponents draft sketch tabled at the meeting for Figure 10 in the draft DCP with the exception of the four storey area to the east of the two storey podium line and subsequent amendments to Figure 4.

2. Amend the draft LEP as follows:
   a) Amend the draft LEP height of buildings map to move the 41 metre height limit area in a south easterly direction to align with the new Figure 10 in the DCP.
   b) Amend the non-residential floor space in the draft LEP to a minimum requirement of 0.5:1.

3. Re-exhibit the draft LEP and draft DCP.

For: The Hon. Paul Stein AM, QC (Chairperson), Mr. Brian McDonald, Mr. Stuart McDonald, and Mr. Paul Mould AM.

Against: Nil

ITEM C029/17 - PLANNING PROPOSAL REQUEST FOR 2 PERCY STREET, AUBURN

Note: Mr. Paul Naylor, Mr. Izzet Anmak, Ms. Helen Deegan and Mr. Graham Guy addressed the panel on this item.

Resolved unanimously by the Cumberland Independent Hearing and Assessment Panel.
(CHAP) that the Planning Proposal proceed as per the recommendation in the report and as amended below:

1. The proponent be required to submit the following additional information:
   
a. a revised Flood Impact Assessment, to the satisfaction of Council engineers, that specifically addresses the proposed use of the site for a school, and that addresses the Flood Risk Management controls in *Auburn Development Control Plan 2010*;

b. a revised development concept and additional information that shows that adequate open/play space can be provided on site. This may require a reduction in student and staff numbers;

c. a revised Transport Impact Assessment incorporating further modelling taking into account the increased FSRs that resulted from LEP Amendment B to *Auburn LEP 2010* and taking into account any revisions to the planning proposal request and Council's Traffic modelling undertaken for the Draft Auburn and Lidcombe Town Centre Strategy, and

d. if mitigation measures such as intersection upgrades are required as a result of recommendation c), a Letter of Offer for a Planning Agreement to provide the required improvements is also to be submitted and discussed with Council staff.

2. The proponent amend the planning proposal request originally submitted for 2 Percy Street, Auburn to reflect the revised FSR amendment to 1:1 as agreed by the proponent.

3. The proponent may also submit information to support a particular maximum building height exceeding 10m, up to 12m, including graphic view line analysis, demonstrating that the amended maximum height would not have an adverse impact on important views to the Gallipoli Mosque and its surrounds.

4. The matter be reported back to Cumberland CHAP if the information submitted by the proponent is considered unsatisfactory by Council officers, outlining the reasons why the information was considered unsatisfactory.

5. If the information is satisfactory, Council officers proceed with the preparation of a planning proposal for 2 Percy St, Auburn (PP-2/2017) on the following basis:

   a. permit 'educational establishment' as an additional permitted use under Schedule 1 of *Auburn LEP 2010*;

   b. add the site to the Additional Permitted Uses Map;

   c. amend the Height of Buildings Map to provide for a maximum building height for the site of 10m, or up to 12m height if adequately justified by information provided under recommendation 3;

   d. incorporate any revisions required that result from the revised Flood Impact Assessment; and

   e. incorporate any revisions that result from the revised traffic and transport assessment, including a Letter of Offer for a Planning Agreement if appropriate.
6. Following the completion of the Traffic Assessment and prior to submission of the Planning Proposal for Gateway Determination the proponent submit a letter of offer to enter into a Planning Agreement to contribute towards traffic movement and access works, including any land acquisitions in the locality to accommodate any necessary works, associated with a potential school on the subject site.

7. The planning proposal, prepared in accordance with recommendation 5, be forwarded to the Department of Planning and Environment for a Gateway Determination.

For: The Hon. Paul Stein AM, QC (Chairperson), Mr. Brian McDonald, Mr. Stuart McDonald, and Mr. Paul Moid AM.

Against: Nill
## Planning Proposal Request for 2 Percy Street, Auburn

<table>
<thead>
<tr>
<th>Responsible Division:</th>
<th>Environment &amp; Infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officer:</td>
<td>Group Manager - Planning</td>
</tr>
<tr>
<td>File Number:</td>
<td>PP-2/2017</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proponent</th>
<th>Gallipoli Education Solutions Limited</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application No.</td>
<td>PP-2/2017</td>
</tr>
<tr>
<td>Description of Land</td>
<td>2 Percy St Auburn</td>
</tr>
<tr>
<td>Proposal</td>
<td>Seeks to introduce ‘educational establishment’ as an additional permitted use. Original proposal sought to increase in FSR to 1.2:1. Amended proposal seeks to retain the existing permitted FSR (FSR Standard) of 1:1. The site has no maximum height of building under Auburn LEP 2010. The proposal does not seek a change to this.</td>
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</table>

<table>
<thead>
<tr>
<th>Site description</th>
<th>The site has the following characteristics:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Approximately 7,300m² (0.73 hectares) in area;</td>
</tr>
<tr>
<td></td>
<td>• Irregular shaped corner site;</td>
</tr>
<tr>
<td></td>
<td>• Bound by Percy Street, Gelibolu Parade, St Hillier’s Road and the laneway that buffers the adjoining low density residential area;</td>
</tr>
<tr>
<td></td>
<td>• Occupied by a large two storey building with on-site car parking</td>
</tr>
</tbody>
</table>

| Zoning               | The existing IN2 Light Industrial is proposed to be retained |

| Heritage             | The site is not heritage listed. It adjoins Wyatt Park (across Percy St), which is heritage listed. It is also in the vicinity of Auburn Gallipoli Mosque, which is being investigated for its potential heritage significance |

| Flooding             | The north-eastern part of the land is flood prone (as identified in the Auburn Local Environmental Plan 2010 Flood Map) |

| Disclosure of political donations and gifts | Nil disclosure |

### Summary:

This report provides an assessment of a Planning Proposal Request (‘the proposal’) submitted to Cumberland Council on 19 May 2017 for 2 Percy Street, Auburn (the subject site) which is at Attachment 1 of this report. The proposal seeks to amend Schedule 1 of the Auburn Local Environmental Plan 2010 (Auburn LEP 2010) to introduce an ‘educational establishment’ as an additional permissible use, while retaining the existing IN2 Light Industrial zoning.

### Report:

#### Background


C029/17 Cumberland Council

A planning proposal request (Refer to Appendix 1 of Attachment 1) for a site at 2 Percy St, Auburn was lodged with Cumberland Council on 19 May 2017. The site is shown at Figure 1 and is currently zoned IN2 Light Industrial.

The proposal seeks amendments to Auburn LEP 2010 as follows:
Amends Schedule 1- Additional Permitted Uses of the Auburn LEP 2010 to introduce ‘educational establishment’ as an additional permissible use for the site; and

The proposal retains the existing permitted FSR of 1:1 under Auburn LEP 2010 (although initially FSR of 1.2:1 was sought).

The proposal does not seek to amend the existing IN2 Light Industrial zoning (as shown in Figure 2) or the maximum height of buildings.

The proposal seeks to provide for a school of 650 students and 50 staff. It also provides 52 car spaces at grade on site. One of its objectives also relates to the provision of opportunities for culturally aligned education programs for the Muslim community.

The site has been used for various industrial purposes since the 1930s. The existing building on the site, currently used by the Master Plumbers and Contractors Association of NSW, is proposed to be adapted for use by the school, including a small addition to roof (cafeteria and toilets).

Figure 1- Subject site

Figure 2- Auburn LEP 2010 Zoning Map

Should the proposal progress and the consequent LEP Amendment be notified (gazetted), it is anticipated that the proponent is likely to lodge a Development Application (DA) or complying development under Division 3 Educational Establishments of SEPP Infrastructure (2007).
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The proposal is supported by the following documentation:

- Design Statement, revised masterplan and concept layout plans, and artist impressions of the proposed development (May and July 2017) by Architecture Design Studio;
- Revised Transport Impact Assessment by GTA (July 2017);
- Detailed Site Investigation report by Australian Geo Technical (May 2017);
- Justification report providing consistency with section 117 direction for flooding by former Auburn City (January 2012) and Bewsher Consulting’s advice letter to former Auburn City (May 2012); and

Context

The site is located approximately 700 metres walking distance from Auburn Railway Station and the Auburn Town Centre (12-15 minutes). The site is also serviced by local buses accessed from the Town Centre within 850 - 900m walking distance.

It is approximately 100 - 150m west of the iconic Auburn Gallipoli Mosque, and opposite an approved three storey residential aged care facility (DA 189/15), under construction. To the east, across Percy St, is Wyatt Park, a major district level public open space, with various active recreation facilities and used for sporting events by many sporting organisations and schools in the area.

To the far south and across the railway are additional IN2 lands, on Queen St Auburn. From an industrial lands perspective, the subject site and its current use are considered part of the ‘Queen Street employment lands precinct’.

Liaison between Council staff and the proponent

Key discussions and correspondence between the proponent and Council staff have occurred as outlined in Table 1 below:

<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 January 2017</td>
<td>Pre-lodgement meeting</td>
</tr>
<tr>
<td>27 February 2017</td>
<td>Draft planning proposal request lodged</td>
</tr>
<tr>
<td>15 May 2017</td>
<td>Comments on draft proposal provided to the proponent</td>
</tr>
<tr>
<td>19 May 2017</td>
<td>Proposal formally lodged with Council</td>
</tr>
<tr>
<td>5 June 2017</td>
<td>Council staff provided comments and request for additional information</td>
</tr>
<tr>
<td>29 June 2017</td>
<td>Meeting between proponent, proponent’s consultant, representatives of the Gallipoli Education Services, Council’s General Manager and the Group Manager, Planning.</td>
</tr>
<tr>
<td>3 July 2017</td>
<td>Proponent provides response to letter of 5 June.</td>
</tr>
</tbody>
</table>

Table 1 - Discussions and correspondence

The proposal was exhibited, and Council received public submissions as outlined in the Consultation section of this report.

Justification for the proposal
Where a Council considers preparation of a planning proposal request, a series of key strategic matters are required to be considered under the Department of Planning and Environment’s Guidelines for Preparing Planning Proposals. The key matters as set out below, with a brief outline of the extent to which the proposal complies with each of the matters to be considered. A detailed assessment of the proposal against these considerations is provided in section 4 of the Assessment Report (at Attachment 1).

Need for the Planning Proposal

The proposal is not a result of any strategic study or report. However, the proposal is affected by a number of strategic studies and plans.

Another option considered by the proponent but rejected was to rezone the existing site’s zoning to SP2 Infrastructure (Educational Establishment). Council staff also raised the option to rezone the site consistent with the adjoining residential use, which permits educational establishments.

The proposal is described as a short term solution to the need for a school to support the Muslim community, from Kindergarten to year 12.

Relationship to the Strategic Framework

The proposal was assessed against the requirements of the following state strategies, plans and directions:

- A Plan for Growing Sydney;
- Draft West Central District Plan;
- State Environmental Planning Policies (SEPPs);
- Ministerial Directions under s.117 of the Environmental Planning and Assessment Act 1979.

The proposal is generally consistent, or justifiably inconsistent with the above.

The proposal plans for independent school facilities to assist in meeting the needs of the significant growth in demand forecast for Auburn:

- The site’s industrial use is ‘orphaned’ is isolated from other industrial uses, and close to a centre;
- The site will nevertheless contribute to employment by providing around 50 jobs in proximity to a centre;
- The proposed educational institution is close to a centre and rail station; and
- The contamination report found that ‘the site is considered suitable for the proposed private education institution’.

The proposal is consistent or justifiably inconsistent with the following local plans and strategies:

- Cumberland Community Strategic Plan 2017 - 2027
- Auburn Employment Lands Strategy (Dec 2015)
- Draft Auburn and Lidcombe Town Centre Strategy (Dec 2016).

However, additional information is required to ascertain consistency for the following:
Flooding

The detailed identification survey submitted shows that the north-eastern portion of the site is located within or below the Probable Maximum Flood (PMF) level of 13.2 metres. However, the Flood Impact Assessment report prepared relates to 'industrial and commercial use' for the site. It does not relate to the proposed educational institution. Part 6 Flood Risk Management in the Stormwater Drainage Part of Auburn Development Control Plan 2010 identifies an educational establishment (school) as an 'Essential Community Facility' and identifies this use as unsuitable on flood prone land.

Should Council wish to progress the proposal, further revision and/or information would be required to demonstrate that a school can be safely located on this site. The detailed identification survey submitted shows that the north-eastern portion of the site is located within or below the Probable Maximum Flood (PMF) level of 13.2 metres. However, the Flood Impact Assessment report prepared relates to 'industrial and commercial use' for the site. It does not relate to the proposed educational institution. Part 6 Flood Risk Management in the Stormwater Drainage Part of Auburn Development Control Plan 2010 identifies an educational establishment (school) as an 'Essential Community Facility' and identifies this use as unsuitable on flood prone land.

Should Council wish to progress the proposal, further revision and/or information would be required to demonstrate that a school can be safely located on this site.

Environmental, social and economic impact

A. Noise

Potential noise and vibration impacts from the railway will need to be considered at DA stage, in accordance with the requirements of SEPP (Infrastructure) 2007 and the associated ‘Development near Rail Corridors and Busy Roads – Interim Guidelines’.

B. Traffic

The proposal is considered as a ‘traffic generating development’ under SEPP (Infrastructure) 2007. Comments from the Roads and Maritime Service (RMS) will be required, should the proposal be progressed at Gateway.

Council is currently undertaking strategic studies in relation to traffic and access transport for the Gelibolu Precinct as a whole, from Station Road to Wyatt Park, to guide the finalisation of the Auburn and Lidcombe Town Centres Strategy. It is important that the traffic movement and access implications of this proposal be considered in the wider context of the whole precinct.

The GTA traffic report submitted to support the proposal has assessed the intersection of St Hilliers Rd/Rawson St as acceptable overall. However, it does not appear to take into account the significant increases in floor space ratios in Auburn and Lidcombe that resulted from LEP Amendment to Auburn LEP 2010 in Sept 2013. Amendment 8 was informed by a traffic and transport study (Hyder, 2013). This study assessed this
C029/17 Cumberland Council

intersection as Level of Service F (morning peak) and E (evening peak), when taking into account the increases in FSR.

If the planning proposal request is to be progressed, an updated traffic report would be required, that considers impacts of the traffic increases on the Rawson/St Hilliers intersection on the traffic figures used in the September 2014 Hyder Study ‘Increased Floor Space Ratio Controls for certain land zoned B4 mixed use and R4 High density residential within The Auburn Local Government Area’.

This will need to include further modelling using the increased FSRs that resulted from LEP Amendment 8. It is expected that this would show the need to improve the Rawson St/Booree St/St Hilliers Rd intersection to support the proposal. If this were the case, a ‘Planning Agreement’ to be negotiated with Council and potentially with RMS, may be required.

C. Play/open space

The proposal does not provide adequate ground level open space for the students. Instead, it seeks to use Wyatt Park for its active open space.

Wyatt Park is major district level open space and heavily used for sport events and competitions by sporting organisations/schools (eg. basketball, netball, PCYC, cycling and football) in the broader area and is unlikely to be able to exclusively provide for play space for the students. Further, no discussions with Council staff have been undertaken to determine Council’s views on this, nor determine the capacity of the park to do so as proposed.

The proposal includes some, more passive, open space on the roof. A reduction in the intensity of the use (reduced student numbers) could allow for increased provision of open/play space on site, which is so important for the health of the students.

If the proposal is to be progressed, it is recommended that it be revised to provide adequate open/play space on site.

D. Impact on views to the Gallipoli Mosque

The site is not currently subject to a building height control due to its industrial zoning. However, should an addition to the roof as per the concept plan be sought, or a new building constructed for the school, the height of the existing building (advised in writing to be 9.5m) would be exceeded. This would have the potential to impact on the local character, and in particular, on view lines to the iconic Gallipoli Mosque. The base level of the dome of the mosque is 9.8 metres above ground level. This height was used to set the height limit for the approved residential aged care facility adjoining the mosque that is currently under construction.

Council is undertaking a view line analysis in relation to the iconic Gallipoli Mosque, to guide the finalisation of the Auburn and Lidcombe Town Centre Strategy. Without the completion of this work it is recommended that a maximum building height be set for the site, at 10m. The proponent may wish to provide further information that would support the case or up to 12m (equivalent to 3 storeys). Any further increase beyond that should
be reviewed in the finalisation of the wider Precinct as part of the Auburn Town Centre Strategy.

E. Other impacts

Potential impacts on the adjoining residential area are mitigated to some extent by a laneway. Additional consideration of visual bulk, scale, character, heritage and interface issues can be addressed at DA stage.

State and Commonwealth interests

The site is serviced by state (and local) roads and public transport, and has existing connections to utilities. The potential impact of the proposed additional use ‘educational establishment’ on the St Hilliers Road/ Rawson Street intersection is discussed previously in this report. This intersection involves state roads and will require consultation and potentially negotiation with NSW Roads and Maritime Authority. It is anticipated that this would be required by the Department of Planning and Environment should a Gateway Determination to proceed be issued.

Consultation will be undertaken with other relevant State and Commonwealth public authorities as directed by a Gateway Determination.

Conclusion:

There is significant merit in the proposal in that it assists in the provision of much needed school facilities in the area, to support the rapid population growth.

However, there are a number of outstanding concerns, including traffic, open/play space, flooding, and potentially the impact on views to Gallipoli Mosque. If these matters can be addressed satisfactorily, it is recommended that the proposal be progressed.

Consultation:

The proposal was placed on preliminary public exhibition for a period of 30 days from Thursday 1 June to Friday 30 June 2017, in accordance with the Cumberland Planning Proposal Notification Policy.

A total of twenty six (26) written submissions including a signed petition were received. The petition had 2305 signatures. Twenty Four (24) of the submissions, including the petition, were in support of the proposal. These submissions included support from both local and wider Sydney based community members and organisations.

The key reasons for support were:
  - the need for more schools to support the increasing young population;
  - the lack of available spaces at other Muslim schools in Sydney.

One submission objecting to the proposal was received from local residents. The key reasons for the objection were:
  - the central premise for the use of an additional permitted use for ‘educational establishment’ is to protect industrial land for industrial purposes. This premise is false, as once a school is located on the site it will never revert to industrial uses;
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- the retention of the industrial zone would allow the incorporation of uses in the future not related to an ‘educational establishment’;
- the proposal to locate a school in an industrial zone would result in safety issues for the children;
- the proposal would set an adverse precedent for other industrial zones within Cumberland LGA, risking the integrity of our employment lands.

The submissions and the response of Council staff are detailed in Section 7.0 of the Assessment Report (see Attachment 1).

Financial Implications:

There are no financial implications for Council associated with this report.

Policy Implications:

There may be implications for the future development potential of the Gelibolu Precinct as a whole (under the Draft Auburn and Lidcombe Town Centres Strategy) resulting from the traffic generated by this development in this constrained precinct. This will need to be considered in the traffic and access study being prepared for the finalisation of the Strategy.

Communication / Publications:

There are no communication / publications implications for Council associated with this report.

Report Recommendation:

That:

1. The proponent be required to submit the following additional information:

   a. a revised Flood Impact Assessment to the satisfaction of Council engineers, that specifically addresses the proposed use of the site for a school, and that addresses the Flood Risk Management controls in Auburn Development Control Plan 2010;
   b. a revised development concept and additional information that shows that adequate open/play space can be provided on site. This may require a reduction in student and staff numbers;
   c. a revised Transport Impact Assessment incorporating further modelling taking into account the increased FSRs that resulted from LEP Amendment 8 to Auburn LEP 2010 and taking into account any revisions to the planning proposal request and Councils Traffic modelling undertaken for the Draft Auburn and Lidcombe Town Centre Strategy; and
   d. if mitigation measures such as intersection upgrades are required as a result of recommendation c), a Letter of Offer for a Planning Agreement to provide the required improvements is also to be submitted and discussed with Council staff.
2. The proponent amend the planning proposal request originally submitted for 2 Percy Street, Auburn to reflect the revised FSR amendment to 1:1 as agreed by the proponent.

3. The proponent may also submit information to support a particular maximum building height exceeding 10m, up to 12m, including graphic view line analysis, demonstrating that the amended maximum height would not have an adverse impact on important views to the Gallipoli Mosque and its surrounds.

4. The matter be reported back to Cumberland IHAP if the information submitted by the proponent is considered unsatisfactory by Council officers, outlining the reasons why the information was considered unsatisfactory.

5. If the information is satisfactory, Council officers proceed with the preparation of a planning proposal for 2 Percy St, Auburn (PP-2/2017) on the following basis:
   a. permit ‘educational establishment’ as an additional permitted use under Schedule 1 of Auburn LEP 2010;
   b. add the site to the Additional Permitted Uses Map;
   c. amend the Height of Buildings Map to provide for a maximum building height for the site of 10m, or up to 12m height if adequately justified by information provided under recommendation 3;
   d. incorporate any revisions required that result from the revised Flood Impact Assessment; and
   e. incorporate any revisions that result from the revised traffic and transport assessment, including a Letter of Offer for a Planning Agreement if appropriate.

6. Following the completion of the Traffic Assessment and prior to submission of the Planning Proposal for Gateway Determination the proponent submit a letter of offer to enter into a Planning Agreement to fund traffic movement and access works (including any land acquisitions) associated with a potential school on the subject site.

7. The planning proposal, prepared in accordance with recommendation 5, be forwarded to the Department of Planning and Environment for a Gateway Determination.

Attachments:
1. Detailed Assessment report for Planning Proposal request for 2 Percy St, Auburn
2. Appendix 1 - Planning Proposal request
3. Appendix 2a - Design Statement
4. Appendix 2b - Proposed School Program
5. Appendix 3a - Revised Masterplan and Artist Impressions
6. Appendix 3b - A3 Revised concept plans
7. Appendix 4a - Transport Impact Assessment GTA
8. Appendix 5 - Detailed Site Investigation
9. Appendix 6a - Flood study justification by former Auburn City Council
10. Appendix 6b - Bewsher letter providing flood advice

Cumberland Independent Hearing & Assessment Panel Meeting - 9 August 2017
DOCUMENTS
ASSOCIATED WITH
REPORT ELPP045/19

Attachment 2
Council Report & Minutes - 6 September 2017
Note: Ms. Helen Deegan, Rev. Graham Guy and Mr. Izzet Anmak addressed the meeting on this item. Ms. Helen Deegan tabled a document Percy Street Auburn Site Massing Studies at the meeting. Council Official Ms Monica Cologna noted that there will be correction to the Report indicating that the site is south east of the Auburn Gallipoli Mosque.

Moved and declared carried by the Administrator that Council:

Require the proponent for the planning proposal request for 2 Percy Street, Auburn, to provide the following additional information, as recommended by the Cumberland IHAP, to the satisfaction of the General Manager:

a. A revised Flood Impact Assessment, that specifically addresses the proposed use of the site for a school, and that addresses the Flood Risk Management controls in Auburn Development Control Plan 2010;

b. A revised planning proposal concept and additional information that demonstrates that adequate open/play space for the proposed student population can be provided primarily within the subject site;

c. A revised Transport Impact Assessment including further modelling which takes into account:
   i. the increased FSRs resulting from LEP Amendment 8 to Auburn LEP 2010;
   ii. any revisions to the planning proposal request; and
   iii. Council’s traffic modelling undertaken for the Draft Auburn and Lidcombe Town Centre Strategy;

d. If mitigation measures such as intersection upgrades are required as a result of recommendation c), a Letter of Offer for a Planning Agreement to provide the required improvements is to be submitted and discussed with Council.

e. Require the proponent to amend the planning proposal request originally submitted for 2 Percy Street, Auburn, to reflect the revised FSR of 1:1.

f. Require the proponent to submit specific justification, including a view line analysis, should the proponent wish to exceed the maximum building height of 10m (but no greater than maximum building height of 12m) for the site, to demonstrate that the proposed maximum building height would not have an adverse impact on important views to the Gallipoli Mosque and its surrounds.

g. Following the completion of the revised Traffic Assessment and prior to submission of the Planning Proposal for a Gateway Determination, require the proponent to submit a letter of offer to enter into a Planning Agreement to contribute towards traffic movement and access works, including any land acquisitions in the locality to accommodate any necessary works, associated with a potential school on the subject site.

h. Require the matter be reported back to Cumberland IHAP if the information submitted by the proponent is considered unsatisfactory by the General Manager, outlining the reasons why the information was considered unsatisfactory.
i. On receipt of all required information to the satisfaction of the General Manager, proceed with the preparation of a planning proposal for 2 Percy St, Auburn (PP-2/2017) on the following basis:

iv. permit ‘educational establishment’ as an additional permitted use under Schedule 1 of Auburn LEP 2010;
add the site to the Additional Permitted Uses Map;
amend the Height of Buildings Map to provide for a maximum building height
v. for the site of 10m, or up to 12 m height if adequately justified by information provided under recommendation 3;
vi. incorporate any revisions required that result from the revised Flood Impact Assessment; and
vii. incorporate any revisions that result from the revised traffic and transport assessment, including a Letter of Offer for a Planning Agreement, if appropriate.

j. The General Manager be requested not to subdelegate this matter.

Min.222 ITEM 155/17 - SITE SPECIFIC DEVELOPMENT CONTROL STATION STREET WENTWORTHVILLE - POST-EXHIBITION

Moved and declared carried by the Administrator that Council:

1. Adopt the revised site specific development control plan dated July 20:
Station Street Wentworthville (per attachment 2) with the following amendments:

   a. Substitute the proponent’s draft sketch tabled at the August IHAP meeting, Figure 10 in the draft DCP, with the exception of the four storey area to the east of the two storey podium line that will remain at one storey.

   b. Amend Figure 4 in the draft DCP to ensure consistency with Figure 10.

2. Amend the draft LEP as follows:

   a. Amend the draft LEP height of buildings map to move the 41 metre height limit area in a south easterly direction to be consistent with the new Figure 10 in the DCP.

   b. Amend the non-residential floor space in the draft LEP to a minimum requirement of 0.5:1.

3. Re-exhibit the revised draft LEP and draft DCP.

Min.223 ITEM 156/17 - CUMBERLAND PLANNING AGREEMENTS POLICY AND GUIDELINES

Moved and declared carried by the Administrator that Council:

1. Amend the Draft Cumberland Planning Agreements Policy (at Attachment 2) to require a contribution of at least 5% of any potential additional residential floorspace (or where impracticable, an equivalent monetary contribution) for affordable housing be included in Planning agreements (related to planning proposals that would result in potential
Assessment of Planning Proposal Request for 2 Percy Street, Auburn

Responsible Division: Environment & Infrastructure
Officer: Group Manager - Planning
File Number: PP-2/2017

Summary:

A report on the assessment of a planning proposal request for 2 Percy Street, Auburn (PP-2/2017) was considered by the Cumberland Independent Hearing and Assessment Panel at the meeting of 9 August 2017 [Item C029/17].

The purpose of this report is to seek a resolution from Council to progress this planning proposal request for 2 Percy Street, Auburn, subject to the proponent submitting additional information on flooding, traffic and transport, adequate play/open space on site, a view line analysis (should the height of the proposed educational establishment exceed 10m up to 12m), a letter of offer for a planning agreement for the required upgrades and improvements, and revising the original planning proposal request to reflect the 1:1 FSR amendment as agreed to the satisfaction of Council officers.

Should the requested information be satisfactorily submitted by the proponent, then a planning proposal should be prepared for the subject site and submitted to the Department of Planning and Environment for a Gateway Determination.

Report Recommendation:

That Council:

Require the proponent for the planning proposal request for 2 Percy Street, Auburn to provide the following additional information, as recommended by the Cumberland IHAP, to the satisfaction of the General Manager:

a. A revised Flood Impact Assessment, that specifically addresses the proposed use of the site for a school, and that addresses the Flood Risk Management controls in Auburn Development Control Plan 2010;

b. A revised planning proposal concept and additional information that demonstrates that adequate open/play space for the proposed student population can be provided primarily within the subject site;

c. A revised Transport Impact Assessment including further modelling which takes into account:
   i. (i) the increased FSRs resulting from LEP Amendment 8 to Auburn LEP 2010;
   ii. any revisions to the planning proposal request; and
   iii. Council’s traffic modelling undertaken for the Draft Auburn and Lidcombe Town Centre Strategy;
d. If mitigation measures such as intersection upgrades are required as a result of
recommendation o), a Letter of Offer for a Planning Agreement to provide the required
improvements is to be submitted and discussed with Council.

e. Require the proponent to amend the planning proposal request originally submitted
for 2 Percy Street, Auburn, to reflect the revised FSR of 1:1.

f. Require the proponent to submit specific justification, including a view line analysis,
should the proponent wish to exceed the maximum building height of 10m (but no
greater than maximum building height of 12m) for the site, to demonstrate that the
proposed maximum building height would not have an adverse impact on important
views to the Gallipoli Mosque and its surrounds.

g. Following the completion of the revised Traffic Assessment and prior to submission of
the Planning Proposal for a Gateway Determination, require the proponent to submit a
letter of offer to enter into a Planning Agreement to contribute towards traffic movement
and access works, including any land acquisitions in the locality to accommodate any
necessary works, associated with a potential school on the subject site.

h. Require the matter be reported back to Cumberland IHAP if the information submitted
by the proponent is considered unsatisfactory by the General Manager, outlining the
reasons why the information was considered unsatisfactory.

i. On receipt of all required information to the satisfaction of the General Manager,
proceed with the preparation of a planning proposal for 2 Percy St, Auburn (PP-2/2017)
on the following basis:

   iv. permit ‘educational establishment’ as an additional permitted use under
       Schedule 1 of Auburn LEP 2010;

add the site to the Additional Permitted Uses Map;

amend the Height of Buildings Map to provide for a maximum building height

   v. for the site of 10m, or up to 12 m height if adequately justified by
      information provided under recommendation 3;

   vi. Incorporate any revisions required that result from the revised Flood Impact
        Assessment; and

   vii. Incorporate any revisions that result from the revised traffic and transport
        assessment, including a Letter of Offer for a Planning Agreement, if
        appropriate.

Report

1. Background

A planning proposal request for 2 Percy Street, Auburn (Figure 1) lodged by Gallipoli
Educatiion Solutions (the proponent) on 19 May 2017, seeks to amend Schedule 1 of the
Auburn Local Environmental Plan 2010 to introduce ‘educational establishment’ as an
additional permissible use.

The proposal does not seek to amend the existing IN2 Light Industrial zoning (as shown in
Figure 2) or the maximum height of buildings.
The proposal seeks to retain the existing FSR of 1:1 under Auburn LEP 2010 (although initially FSR of 1.2:1 was sought).

The proposal seeks to provide for a school of 650 students and 50 staff. One of the objectives stated in the planning proposal request relates to the provision of opportunities for culturally aligned education programs for the Muslim community.

The site has been used for various industrial purposes since the 1930s. The existing building on the site, currently used by the Master Plumbers and Contractors Association of NSW, is proposed to be adapted for use as a (K-12) school, including a small addition to the roof (cafeteria and toilets).

The subject site is located approximately 100-150m west of the iconic Auburn Gallipoli Mosque, opposite an approved three storey residential aged care facility (under construction). Wyatt Park, a major district public open space is located to the east of the site.

The site is located approximately 700 metres from Auburn Railway Station. The site is also serviced by local buses accessed from the Auburn Town Centre within 850-900m walking distance.

2. **Community Consultation**

The planning proposal request was publicly exhibited (Pre-Gateway) in accordance with the Cumberland Council’s Planning Proposal Notification Policy from 1 June to 30 June 2017.

A total of twenty six (26) written submissions, including a signed petition, were received in response during the exhibition period. Of the submissions received, twenty four (24)
submissions supported the proposal, one (1) submission objected to the proposal, and the other submission did not make a reference or relate to the proposal. The signed petition, in support of the proposal, contained 2305 signatures.

3. **Cumberland Independent Hearing and Assessment Panel**

The Cumberland Independent Hearing and Assessment Panel (IHAP) considered this matter at its meeting on 9 August 2017 [Item C029/17].

The Council officer's report to the Cumberland IHAP provided an assessment of the planning justification for the proposal including its context, relationship to the strategic framework, flooding, social/environmental issues, along with preliminary community consultation outcomes carried out for the proposal (refer to Attachment 1 for panel minutes and report).

At the meeting, the Cumberland IHAP unanimously recommended that Council proceed with the planning proposal request for 2 Percy Street, Auburn as follows:

1. The proponent be required to submit the following additional information:
   a. a revised Flood Impact Assessment, to the satisfaction of Council engineers, that specifically addresses the proposed use of the site for a school, and that addresses the Flood Risk Management controls in Auburn Development Control Plan 2010;
   b. a revised development concept and additional information that shows that adequate open/play space can be provided on site. This may require a reduction in student and staff numbers;
   c. a revised Transport Impact Assessment incorporating further modelling taking into account the increased FSRs that resulted from LEP Amendment 8 to Auburn LEP 2010 and taking into account any revisions to the planning proposal request and Council's Traffic modelling undertaken for the Draft Auburn and Lidcombe Town Centre Strategy; and
   d. if mitigation measures such as intersection upgrades are required as a result of recommendation c), a Letter of Offer for a Planning Agreement to provide the required improvements is also to be submitted and discussed with Council staff.

2. The proponent amend the planning proposal request originally submitted for 2 Percy Street, Auburn to reflect the revised FSR amendment to 1:1 as agreed by the proponent.

3. The proponent may also submit information to support a particular maximum building height exceeding 10m, up to 12m, including graphic view line analysis, demonstrating that the amended maximum height would not have an adverse impact on important views to the Gallipoli Mosque and its surrounds.

4. The matter be reported back to Cumberland IHAP if the information submitted by
the proponent is considered unsatisfactory by Council officers, outlining the reasons why the information was considered unsatisfactory.

5. If the information is satisfactory, Council officers proceed with the preparation of a planning proposal for 2 Percy St, Auburn (PP-2/2017) on the following basis:
   a. permit ‘educational establishment’ as an additional permitted use under Schedule 1 of Auburn LEP 2010;
   b. add the site to the Additional Permitted Uses Map;
   c. amend the Height of Buildings Map to provide for a maximum building height for the site of 10m, or up to 12m height if adequately justified by information provided under recommendation 3;
   d. incorporate any revisions required that result from the revised Flood Impact Assessment; and
   e. incorporate any revisions that result from the revised traffic and transport assessment, including a Letter of Offer for a Planning Agreement if appropriate.

6. Following the completion of the Traffic Assessment and prior to submission of the Planning Proposal for Gateway Determination the proponent submit a letter of offer to enter into a Planning Agreement to contribute towards traffic movement and access works, including any land acquisitions in the locality to accommodate any necessary works, associated with a potential school on the subject site.

7. The planning proposal, prepared in accordance with recommendation 5, be forwarded to the Department of Planning and Environment for a Gateway Determination*.

4. Outstanding issues

The following issues were identified in the Council officer’s report to the Cumberland IHAP.

a. Flooding

The detailed identification survey submitted by the proponent showed that the northeastern portion of the site was located within or below the Probable Maximum Flood (PMF) level of 13.2 metres. However, the Flood Impact Assessment report prepared relates to ‘industrial and commercial use’ for the site. It does not relate to the proposed additional permitted use of an educational establishment. Part 6 Flood Risk Management in the Stormwater Drainage Part of Auburn Development Control Plan 2010 identifies an educational establishment (school) as an ‘Essential Community Facility’ and identifies this use as unsuitable on flood prone land. To progress the proposal further revision and/or information would be required to demonstrate that a school can be safely located on this site.

b. Traffic
The proposal is considered as a ‘traffic generating development’ under SEPP (Infrastructure) 2007. Comments from the Roads and Maritime Service (RMS) will be required, should the proposal be progressed at Gateway.

Council is currently undertaking studies in relation to traffic, transport and access for the Gelibolu Precinct as a whole, from Station Road to Wyatt Park, to guide the finalisation of the Draft Auburn and Lidcombe Town Centres Strategy. It is important that the traffic movement and access implications of this planning proposal request be considered in the wider context of the whole precinct.

The GTA traffic report submitted by the proponent to support the planning proposal request has assessed the intersection of St Hilliers Road/Rawson Street as acceptable overall. However, it does not appear to take into account the significant increases in floor space ratios in Auburn and Lidcombe town centres that resulted from LEP Amendment (No.8) to Auburn LEP 2010 in September 2013. LEP Amendment No.8 was informed by a traffic and transport study (Hyder, 2013) which assessed the above intersection.

If the planning proposal request is to be progressed, an updated traffic report would be required, that considers impacts of the likely traffic increases on the Rawson/St Hilliers intersection on the traffic data in the September 2013 Hyder Study ‘Increased Floor Space Ratio Controls for certain land zoned B4 mixed use and R4 High density residential within The Auburn Local Government Area’.

Specifically this will require further modelling using the increased FSRs that resulted from LEP Amendment 8. It is expected that this would show the need to improve the Rawson St/Boorea St/St Hilliers Rd intersection to support the planning proposal request. If this were the case, a Planning Agreement would need to be negotiated, to address the issue.

c. **Play/open space**

Whilst the planning proposal request provides for some open space (roof top), it does not provide adequate open space within the subject site for the proposed 650 students. Instead, it seeks to use Wyatt Park for open space.

Wyatt Park is a major district open space and heavily used for sport events and competitions by many sporting organisations (eg. basketball, netball, PCYC, cycling and football) in the broader area, and is unlikely to be able to exclusively provide for play space for the students. Further, no discussions with Council staff have been undertaken to determine Council’s views on this, nor determine the capacity of the park to do so as proposed.

Whilst some usage of Wyatt Park could be considered by Council, if an additional permissible use to permit an educational establishment (school) on the subject site is to proceed, a significant proportion of the total amount of open space needed to meet the requirements of the proposed student population should be provided on site.

If the planning proposal request is to be progressed, it is recommended that the development concept be revised and additional information be provided to show how
adequate open/play space can be provided primarily within the subject site. This may require a reduction in the proposed intensity of the use (i.e. reduced student numbers).

Conclusion:

On 9 August 2017, the Cumberland LHAP considered this matter and recommended proceeding with the planning proposal request for 2 Porcy Street, Auburn, subject to the provisions of certain additional information. This includes additional traffic modelling, flooding, open/play space, submit further additional information, studies, a letter of offer for a planning agreement, and revision of the original planning proposal request to the satisfaction of Council officers.

Should the additional information required by the proponent be submitted and considered satisfactory, then a planning proposal could be prepared for the subject site and submitted to the Department of Planning and Environment for a Gateway Determination.

Should the information submitted by the proponent be considered unsatisfactory, the Cumberland LHAP has recommended that the matter would be reported back to the Panel for further consideration.

Consultation:

Pre-Gateway Consultation was undertaken from 1 June to 30 June 2017 in accordance with Council’s Planning Proposal Notification Policy. Subsequent statutory consultation will be undertaken Post-Gateway, should the planning proposal request proceed.

Financial Implications:

There are no financial implications for Council associated with this report.

Policy Implications:

The proposal seeks to amend the planning proposal provisions relating to the subject site, which would result in an amendment to the Auburn Local Environmental Plan 2010. For the proposal to proceed to Gateway submission, it is recommended that the outstanding items identified by the Cumberland LHAP be addressed by the proponent.

Communication / Publications:

There are no communication / publications implications for Council associated with this report.

Attachments:

1. Cumberland LHAP report and minutes of 9 August 2017 [Item C029/17]
   (Includes assessment of PP request and relevant appendices)
DOCUMENTS ASSOCIATED WITH REPORT ELPP045/19

Attachment 3

Council Report & Minutes - 3
October 2018
Public Forum:
Speakers on Items on the Council Meeting Agenda

<table>
<thead>
<tr>
<th>Speaker</th>
<th>Item #</th>
<th>Suburb</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms. Helen Deegan</td>
<td>C10/18-190 2 Percy Street Auburn Planning Proposal - Addressing Gateway Conditions</td>
<td>Edgecliff</td>
</tr>
</tbody>
</table>

Min.293 C10/18-190 2 Percy Street Auburn Planning Proposal - Addressing Gateway Conditions

Motion (Zreika/Sarkis)

That Council:

1. Proceed with a proposed FSR of 1.2:1 for the Planning Proposal for 2 Percy Street, Auburn.

2. Seek cost estimates for the two intersection upgrades identified in Council’s draft Traffic Study of the Gelibolu Precinct.

3. Hold discussions with the proponent in relation to the offer of a VPA and seek a proportional contribution toward the costs associated with the two intersection upgrades which are required to service a school as well as planned development in the Gelibolu Precinct.

4. Following the satisfaction of Gateway conditions and any amended offer, proceed to formal community consultation.

Amendment (Lake/Grove)

That this matter be deferred pending receipt of feedback from Transport for NSW and Roads and Maritime Services (RMS) following the draft traffic study conducted in relation to the Gelibolu Precinct.

The Amendment moved by Councillor Lake seconded by Councillor Grove on being Put to the meeting was declared CARRIED.

A division was called, the result of the division required in accordance with Council’s Code of Meeting Practice is as follows:

Councillor(s) For the Amendment: Campbell, Christou, Cummings, Garrard, Grove, Huang, Lake, Saha and Zaiter.

Councillor(s) Against the Amendment: Attie, Elmore, Hamed, Sarkis and Zreika.

The Amendment moved by Councillor Lake seconded by Councillor Grove then became the motion.

The motion moved by Councillor Lake seconded by Councillor Grove on being Put was
declared CARRIED to become the resolution of Council (as shown in the amendment).

A division was called, the result of the division required in accordance with Council’s Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Campbell, Christou, Cummings, Garrard, Grove, Huang, Lake, Saha and Zaiter.

Councillor(s) Against the Motion: Attie, Elmore, Hamed, Sarkis and Zreika.

Min.294 Resumption of Standing Orders

Resolved (Attie/Grove)

That in accordance with Clause 1.6 (2) of the Code of Meeting Practice, Council resume the normal order of business.

Min.295 C10/18-186 Proposed Christmas/New Year Operations - 2018/19

Resolved (Lake/Saha)

That Council:

1. Endorse the implementation of the operational arrangements outlined in this report for the 2018/19 Christmas/New Year period and that these details be published to the community, subject to an amendment to the swimming pools closing time for the period of 27th December – 2nd January 2019 from 5pm to 8pm; and

2. In accordance with Section 377 of the Local Government Act 1993, delegate authority to the Mayor and General Manager or in their absence, to the persons acting in these roles, during the period of Council recess to jointly exercise the powers, authorities, duties and functions of Council which cannot reasonably be deferred to the first ordinary Council meeting following the Council recess. This period:

a) Commencing at midnight on the day of the Council meeting held immediately before the recess period as approved by Council (19 December 2018); and

b) Concluding at the time of commencement of the first Council meeting held immediately after the end of the recess period (6 February 2019); and noting that any such decisions are to be unanimous and circulated to Councillors for their information, and will be reported to the first Ordinary Council meeting following the recess period.

C10/18-187 Annual Disclosure of Pecuniary Interest Returns for Councillors & Designated Persons

This item was dealt with earlier in the meeting.
Item No: C10/18-190

2 PERCY STREET AUBURN PLANNING PROPOSAL - ADDRESSING GATEWAY CONDITIONS

Responsible Division: Environment & Infrastructure
Officer: Group Manager - Planning
File Number: PP-2/2017
Community Strategic Plan Goal: A resilient built environment

SUMMARY

The purpose of this report is to provide an update on progress in addressing the conditions of the Department of Planning and Environment (DP&E) Gateway Determination for the Planning Proposal for 2 Percy Street, Auburn, and to seek a Council resolution on the Floor Space Ratio (FSR) for the Proposal. This report presents Council with the relevant findings of the strategic traffic modelling and view line analysis work undertaken for the surrounding Gelibolu Precinct, as it relates to the Gateway conditions for the Percy Street Planning Proposal. The conditions of the Gateway Determination must be addressed before the Planning Proposal can proceed to post-Gateway exhibition.

RECOMMENDATION

That Council:

1. Proceed with a proposed FSR of 1.2:1 for the Planning Proposal for 2 Percy Street, Auburn.

2. Seek cost estimates for the two intersection upgrades identified in Council’s draft Traffic Study of the Gelibolu Precinct.

3. Hold discussions with the proponent in relation to the offer of a VPA and seek a proportional contribution toward the costs associated with the two intersection upgrades which are required to service a school as well as planned development in the Gelibolu Precinct.

4. Following the satisfaction of Gateway conditions and any amended offer, proceed to formal community consultation.

<table>
<thead>
<tr>
<th>Proponent</th>
<th>Gallipoli Education Solutions Limited</th>
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</thead>
<tbody>
<tr>
<td>Application No.</td>
<td>PP-2/2017</td>
</tr>
<tr>
<td>Site</td>
<td>2 Percy St Auburn; approx. area 7,300m² (0.73 ha)</td>
</tr>
<tr>
<td>Zoning</td>
<td>IN2 Light Industrial (no change proposed)</td>
</tr>
<tr>
<td>Proposal</td>
<td>• Seeks to introduce 'educational establishment' as an</td>
</tr>
</tbody>
</table>
additional permitted use.

- Original proposal sought to increase FSR from 1:1 to 1.2:1; however Council resolved to proceed with the existing FSR of 1:1.
- Site has no maximum height under Auburn LEP 2010, and proposal does not seek a change to this.

**Flooding**
The north-eastern part of the land is flood prone (as identified in the Auburn Local Environmental Plan 2010 Flood Map)

**Disclosure of political donations and gifts**
Nil disclosure

**REPORT**

A Planning proposal request for land at 2 Percy Street, Auburn, was lodged with Council in May 2017. This request sought to introduce ‘educational establishment’ as an additional permissible use, via an amendment to Schedule 1 of the Auburn Local Environmental Plan 2010 (Auburn LEP 2010). An increase in the maximum Floor Space Ratio (FSR) from 1:1 to 1.2:1 was also sought, though the proposal was changed to 1:1 at the time Council considered the matter previously. No change to the zone (IN2 Light Industrial) was requested.

Council considered this matter on 6 September 2017 and resolved to:

"Require the proponent for the planning proposal request for 2 Percy Street, Auburn to provide the following additional information..." (being a revised flood impact assessment, revised planning proposal concept, revised transport impact assessment, letter of offer for a Planning Agreement to fund traffic upgrades, amended planning proposal, and view line analysis – see Attachment 1 for full Council resolution) and "...on receipt of all required information to the satisfaction of the General Manager, proceed with the preparation of a planning proposal for 2 Percy St, Auburn (PP-2/2017) on the following basis:

iv. permit ‘educational establishment’ as an additional permitted use under Schedule 1 of Auburn LEP 2010; add the site to the Additional Permitted Uses Map;

v. amend the Height of Buildings Map to provide for a maximum building height for the site of 10m, or up to 12 m height if adequately justified by information provided under recommendation 3;

vi. incorporate any revisions required that result from the revised Flood Impact Assessment; and

vii. incorporate any revisions that result from the revised traffic and transport assessment, including a Letter of Offer for a Planning Agreement, if appropriate.

This work is now largely complete, with the only remaining matters being a Council decision on the maximum FSR or either 1:1 or 1.2:1, RMS agreement to the
necessary upgrades of their intersections and the proponent reaching agreement with Council and the RMS to fund a proportion of the traffic works. While Council has been and can continue to facilitate the proposal moving forward, the critical issue of resolving traffic impacts is now in the hands of the State and the proponent.

A Gateway Determination was received from the Department of Planning and Environment in February 2018. The Gateway Determination (see Attachment 2) required Council address a number of conditions before it could proceed to formal (post-Gateway) community consultation. These conditions are discussed in further detail in subsequent sections of this report.

The site is located within the Gelibolu Precinct (bound by Rawson Street-Boorea Street, Station Street, Gelibolu Parade, and Percy Street) (Figure 1). This precinct is quite constrained in terms of vehicular access, being located immediately south of the major St Hilliers Road/Rawson Street intersection, and having a limited vehicular access points. The precinct also contains the iconic Gallipoli Mosque, which is a culturally and architecturally significant building, and a distinctive feature of the Auburn skyline.

![Figure 1 – Gelibolu Precinct](image)

(Planning Proposal site edged in black, currently zoned IN2)

As part of a review of the planning controls for this precinct, Council has undertaken traffic modelling and analysis of the wider Gelibolu precinct, as well as a view line analysis. Both studies have been undertaken by specialist consultants.

The purpose of the traffic study was to model the traffic impacts of different scenarios within the Gelibolu Precinct over two time periods: 2021 and 2026. A scenario which included the K-12 school, as proposed by the proponent of the 2 Percy Street Planning Proposal, was included in this study. The traffic modelling tested the
proponents suggested one-way vehicular link from Gelibolu Parade, Auburn, to Church Street, Lidcombe to determine the effectiveness of such a link in addressing the traffic likely to be generated by the proposed school.

The purpose of the view line analysis was to identify key sight lines to the Gallipoli Mosque, and potential building envelope and other site specific requirements for inclusion in the Development Control Plan.

Together, these studies will inform any revision of planning controls for the Gelibolu precinct, specifically future use (zoning), density (FSR) and building height.

These studies have now been completed in draft form. The final studies will be reported to Council in the near future for consideration in relation to planning for the wider Precinct. Both studies have implications for the Percy Street Planning Proposal and as such relevant findings are discussed in this report.

It is noted that a State Significant Development Application for the proposed school on the subject site has been lodged with the Department of Planning and Environment (DP&E). This application has been lodged ahead of the planning proposal for the subject site. The DP&E, not Council, is the consent authority for the State Significant Development Application. It is advised that under the provisions of s4.38 of the EP&A Act, the DP&E may consider the application "in conjunction with the proposed environmental planning instrument". The Department has not, however, taken over the relevant planning authority functions for the Planning Proposal which has been progressed by Council. The lodgment of this application does not prejudice the consideration of the Planning Proposal for the subject site.

**Gateway Determination**

The Gateway Determination for the Percy Street Planning Proposal required a number of conditions to be addressed before the proposal can proceed to formal post-Gateway community consultation. The key Gateway conditions related to this report are summarised below.

<table>
<thead>
<tr>
<th>Gateway Determination Conditions</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1(c) review/consider proposed FSR control of 1.2:1</td>
<td>Review complete and Council consideration is sought by this report. Council's draft view line analysis indicates that an FSR of 1.2:1 for this site will not have an adverse impact on the view lines to the Gallipoli Mosque. It is recommended that Council proceed with an FSR of 1.2:1 for this site.</td>
</tr>
<tr>
<td>1(d) complete the Gelibolu Precinct traffic study and update the Planning Proposal in accordance with the study findings/recommendations</td>
<td>Final draft completed.</td>
</tr>
</tbody>
</table>
Traffic Study

Council's strategic traffic analysis (undertaken by GHD consultants) included the following analysis for the precinct and surrounds:

- future year traffic growth
- microsimulation modelling for future year intersection performance
- analysis of the current operation of the road network and the recommended future signal optimisation for the 2021 and 2026 year horizons.

For both time horizons, scenarios of background growth and the proposed school were analysed. Additional modelling of the proponents suggested Church Street link was subsequently included in the modelling. This is discussed in the Public Benefit Offer section of this report below.

In summary, the study identified the need for two key intersection upgrades (detailed in Attachment 3) to accommodate the proposed School as well as planned development in the Precinct:

1. St Hilliers Road/Rawson Street
   - additional right turn lane on St Hilliers Road approaching from the south
   - additional right turn/through lane on St Hilliers Road approaching from the north
   - new right turn lane on Rawson Road approach from the west

2. Rawson Street/Station Road – new left turn lane on Rawson Road approaching from the east

The study recommended that both of these intersections be upgraded prior to 2021. This is on the basis of further development, including the proposal for a school, within the Precinct proceed. The study finds that, with these mitigation measures (i.e. the intersection upgrades) the road network in and around the Gelibolu Precinct can accommodate expected growth.
The Rawson Street/Station Road intersection upgrade requires the demolition of the building on the south-eastern corner which would not be practical until planning changes are implemented and redevelopment of that site is sought. However, the more critical St Hilliers Road/Rawson Street intersection upgrade can be practically achieved in the short term, subject to funding of widening acquisition and works.

The traffic analysis indicates how much of the additional traffic generation the proposed school adds to the network, which will assist in the negotiation of an appropriate planning agreement for contribution towards the costs.

**View Line Analysis**

The View Line Analysis confirmed that the 7 key view lines to the Gallipoli Mosque are from St Hilliers Road, Boorea Street, Wyatt Park, Station Road, Kerr Parade, Rawson Street, and Auburn Station, with the primary view corridor being southwards along St Hilliers Road. Views to the dome and minarets of the Mosque are considered to be the most significant views. In terms of the subject site, 2 Percy Street, the view line analysis tested an FSR of 1.2:1 and found no concerns from a view line perspective with this FSR, and recommends proceeding accordingly.

**Public Benefit Offer – proposed Church Street link**

In April 2018, Council received a written public benefit offer associated with the Planning Proposal. The offer was a $150,000 cash contribution (intended to form part of a voluntary planning agreement) towards the provision of a proposed link road between Gelibolu Parade, Auburn, and Church Street, Lidcombe. The purpose of the link was to reduce the potential traffic impact likely to be generated by the proposed K-12 school.

Council adjusted its strategic traffic modelling and analysis of the Gelibolu Precinct to include this proposed link as an option, so that an assessment of its effectiveness on the traffic network and impact could be undertaken. This modelling found that whilst such a link would not result in Level of Service (LoS) improvements for key intersections within the network, it would result in reduced waiting times at these intersections.

It is noted that the physical space available between Wyatt Park and the rail corridor may not be sufficient to enable such a link, and that any proposed link cannot encroach on land within Wyatt Park. This aspect needs further investigation. The full cost of such a link has yet to be determined, and is dependent on whether there is sufficient space for the proposed link to run adjacent to Wyatt Park.

In summary, Council's traffic analysis found that such a link could be beneficial, however the required upgrade of the St Hilliers Road/Rawson Street intersection was considered to be the most critical improvement for this precinct and surrounding key intersections.

**Next Steps**
Transport for NSW (TfNSW) and the Roads and Maritime (RMS) are reviewing Council’s draft traffic study for the Gelibolu Precinct, and under the Gateway Determination, are required to provide Council with comments following this review, prior to the proposal proceeding to formal post-Gateway exhibition. Comments from these agencies are anticipated in October. These agencies will need to agree to the recommended works to these intersections.

Should the proponent wish to pursue their suggested road link as part of the traffic solution they would need to provide Council with a concept link road alignment so that Council’s engineers can assess its feasibility. It is considered that while there may be some additional benefit to westbound wait times on Rawson Street, the road link is not considered essential. The widening of the St Hilliers Road/Rawson Street intersection is necessary, however, and should be the focus of discussions for a draft Voluntary Planning Agreement (VPA). Further discussions with the proponent will be undertaken, and these will include any feedback provided by the transport agencies.

COMMUNITY ENGAGEMENT

This report provides an update on the strategic work Council has undertaken for the Gelibolu Precinct and the 2 Percy Street site within that context. The Gateway Determination issued by the Department of Planning and Environment for the planning proposal at 2 Percy Street required Council to undertake a number of steps prior to proceeding to formal (post-Gateway) community consultation. This will be undertaken once the requirements of the Gateway Determination have been addressed. It is noted that early pre-Gateway consultation was undertaken from 1-30 June 2017 and 26 submissions (including 1 petition with 2306 signatures) were received at that time. 24 of the submissions (including the petition) supported the proposal.

POLICY IMPLICATIONS

The planning proposal will result in an amendment to the Auburn LEP 2011, should it proceed to finalisation. Following the receipt of comments from State transport agencies and community consultation, the matter will be reported back to Council for final consideration of the Planning Proposal.

RISK IMPLICATIONS

There are risk implications for Council associated with this report. Council has undertaken traffic modelling and analysis of both the development likely to occur as a result of the planning proposal, as well as the subject site in the context of the wider precinct.

The Rawson Street/Station Street intersection upgrade is very unlikely to occur until the property on the south-eastern corner this intersection (3 Station Road, Auburn) is redeveloped, and a land swap and dedication can be negotiated to facilitate the widening of Station Road. The likelihood of redevelopment and potential is unknown at this stage.
Council's traffic modelling has identified St Hilliers Road/Rawson Street as the critical intersection upgrade required. There is significant risk associated with this as it requires as a RMS commitment and approval, and private land acquisition. The RMS will be able to advise of the full requirements associated with this once their review of Council's traffic modelling study has been completed.

There is high uncertainty associated with the proponents suggested road link between Gelibolu Parade and Church Street. Whilst there are physical constraints in this area, Council's traffic modelling has shown that the critical traffic improvements for the precinct will come from the upgrade of the St Hilliers Road/Rawson Street intersection.

Should the RMS or TfNSW raise any significant concerns with Council's traffic study, a further report to Council will be provided.

FINANCIAL IMPLICATIONS

There are a number of financial implications associated with this report, and cost estimates are required so that the financial implications can be assessed.

Council's strategic traffic analysis indicates two intersections will need to be upgraded. The upgrade of the St Hilliers Road/Rawson Street intersection will require RMS commitment and approval. Whilst some of the land required for this intersection upgrade is available in the existing road reserves, some privately own land dedication will be required. Similarly, upgrading the Rawson Street/Station Road intersection will also require a land swap/dedication. Cost estimates of these upgrades will be sought. The RMS will also provide feedback for inclusion into the Planning Proposal as appropriate, as required by the Gateway Determination.

The proponent has offered a contribution of $150,000 towards a suggested link from Gelibolu Parade (Auburn) through to Church St (Lidcombe). However, as previously indicated, it may not be physically feasible to create a one way vehicular link as proposed, at least without the inclusion of State Rail land, due to the limited space between Wyatt Park and the PCYC building and the rail corridor. Details for the proposed alignment have previously been requested of the proponent, but not provided. The cost associated with the road link would be significantly more than $150,000 and very substantial with the acquisition of State Rail land. It is recommended that following the receipt of cost estimates for the St Hilliers Road/Rawson Street intersection upgrade that a revised offer be discussed with the proponent with a view to seeking a proportional contribution.

CONCLUSION

The View Line Analysis undertaken for Council found that the site at 2 Percy Street Auburn could accommodate a larger building form associated with an FSR of 1.2:1, without interrupting the 7 significant view lines to the Gallipoli Mosque.

Council's strategic traffic modelling and analysis indicates that this Planning Proposal could proceed without a significant impact on the surrounding road network if the identified intersections upgrades were undertaken. The traffic study recommended
that the intersection upgrade works ideally be undertaken prior to 2021. The Rawson Street/Station Road intersection upgrade is unable to occur until the property on the south eastern corner of this intersection is redeveloped. The more urgent St Hilliers Road/Rawson Street intersection is under the control of the RMS, and would require their agreement as well as land acquisition of property immediately south of this intersection to facilitate this upgrade.

The feasibility of providing the the Gelibolu Parade to Church Street link has yet to be verified, and is problematic. Overall, the Study indicates that the upgrade of the St Hilliers Road/Rawson Street intersection is the most critical upgrade work required to address traffic movements and delays associated with this precinct.

In light of these findings, further negotiation with the proponent in terms of their public benefit offer is required, and a focus on facilitating the upgrade of the St Hilliers Road/Rawson Street intersection, via land dedication and possibly proportionate funding is recommended.

In light of these two studies it is considered reasonable to proceed to formal community consultation with a proposed FSR of 1.2:1, in conjunction with the Gateway determined maximum building height of 12m proposed for the site.

ATTACHMENTS

1. Council Meeting Minute - 6 September 2017
2. Gateway Determination
3. Proposed Intersection Upgrade works
Gateway Determination - 6 September 2018
Gateway Determination

Planning Proposal (Department Ref: PP_2017_CUMBE_004_00): to permit educational establishment as an additional permissible use at 2 Percy Street Auburn.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 (the Act) that an amendment to Auburn Local Environmental Plan (LEP) 2010 to permit educational establishment as an additional permissible use at 2 Percy Street, Auburn should proceed subject to the following conditions:

1. Prior to undertaking community consultation, Council is required to:
   (a) amend the planning proposal to provide more justification regarding the proposed additional permitted use rather than applying a land use zone that permits educational facilities;
   (b) prepare a Phase 1 – Preliminary Site Contamination Investigation Study for the site in accordance with the Managing Land Contamination Planning Guidelines (Environment Protection Authority, 1996);
   (c) review and consider the proposed floor space ratio control should the proponent be able to demonstrate through urban design testing to Council’s satisfaction that additional floor space can be supported at the site;
   (d) complete the updated traffic study for the Gelibolu precinct and update the planning proposal in accordance with the findings/recommendations of the study;
   (e) on completion of condition 1(d), the planning proposal is to be referred to Transport for NSW and the Roads and Maritime Services, and amended in accordance with any comments received; and
   (f) confirm local and state infrastructure requirements (including improvements for traffic, parking, transport, recreation and community facilities) to support the additional use.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
   (a) the planning proposal must be made publicly available for a minimum of 28 days; and
   (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities and organisations under section 58(2)(d) of the Act and/or to comply with the requirements of relevant section 117 Directions:

- Department of Education;
- Department of Industry, Crown Lands and Water Division;
- Office of Environment and Heritage – Floodplain Division.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

4. Prior to finalisation, review the proposed height of building control having regard to the findings of the view-line analysis being carried out as part of the Auburn and Lidcombe Town Centres Strategy being undertaken by Council.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The time frame for completing the LEP is to be 12 months following the date of the Gateway determination.

Dated 20th day of February 2018

[Signature]
Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment
Delegate of the Greater Sydney Commission

Cumberland PP_2017_CUMBE_004_00 (IRF17/632)
DOCUMENTS
ASSOCIATED WITH
REPORT ELPP045/19

Attachment 5
E-mail Response from RMS - 23 May 2019
Hi Harinee

Reference is made to your email below dated 3 May 2019. Roads and Maritime has reviewed the Addendum Traffic and Access Study and provides the following advisory comments for Council’s consideration:

Assumptions

- **Traffic data comparison**: The Addendum study has provided an average of three days’ worth of peak period traffic data from SCATS to justify use of the Friday data surveyed (as a worst case traffic scenario). However this has included ANZAC Day traffic data (25 April 2018). Roads and Maritime advises that ANZAC day traffic volume data should not be included in the comparison of peak hour traffic volumes. As Council would appreciate, ANZAC day traffic volumes are not representative of a typical peak traffic scenario. Roads and Maritime would have anticipated the consultants would have excluded it from the average ‘worst case’ calculations but apologises for the oversight in providing SCATS data that included 25 April 2018 amongst the days.

Averaging the traffic data inclusive of ANZAC day is likely to skew the average significantly and understate typical traffic on the network in peak periods. It would appear that the data provided for the other two dates, being 21 November 2018 and 25 July 2018, both recorded higher volumes than the Friday peaks surveyed. Therefore it is recommended that the higher volumes are used as these are more representative of worst case traffic.

- **Heavy vehicle composition review**: RMS seeks clarification regarding the source of the heavy vehicle percentage data. The addendum report states this is from ‘2018 classified traffic counts’. If this is referring to an RMS traffic counter, please provide the count station number. Based on a preliminary review by RMS of data available at a count station to the north, the heavy vehicle percentage appears to be in excess of the 8% assumed.

Modelling:

- The traffic signals were adjusted to 130 seconds as per discussions with RMS and results provided in the addendum. It is noted that the right turn movement from Booree Street onto St Hilliers Road was operating at LoS F at 4.5pm in 2026 option 3 after the signal adjustment. Given this, justification should be also provided in report to state the impact from proposed development to the state road corridor and/or details of mitigation measures proposed.

- The results of Station Road intersection: the westbound traffic along Rawson Street (see below) will increase from approx. 130 veh/hr to 170 veh/hr and 130 veh/hr (20%) to 230 veh/hr (50%) from base year to 2026 in AM and PM peak respectively. There remains a concern that there will be a queue spilling back from Northumberland Road intersection to Station Road (about 120m apart) due to the lane reduction near Northumberland Road. Therefore it is recommended that a SIDA model is undertaken for the Northumberland Road intersection. This is recommended to capture the impact of the queueing between intersections to more accurately determine the traffic conditions to avoid under-scoping or over-scoping any upgrades proposed at adjoining intersections.

<table>
<thead>
<tr>
<th>AM Model</th>
<th>7-8AM</th>
<th>8-9AM</th>
<th>PM Model</th>
<th>4-5PM</th>
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<tbody>
<tr>
<td>WB Traffic (Veh)</td>
<td>LoS</td>
<td>WB Traffic (Veh)</td>
<td>LoS</td>
<td>WB Traffic (Veh)</td>
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<td>C</td>
<td>399</td>
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<tr>
<td>2021</td>
<td>687</td>
<td>C</td>
<td>500</td>
<td>C</td>
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</table>
It is noted that the Gateway determination for the planning proposal for 2 Percy Street Auburn (DPE ref: PP_2017_CUMBE_004_00 - Additional permitted use for Educational Establishment) requires under conditions 1(d) and 1(e) that Council completes the updated traffic study for the Gelibolu precinct and updates the planning proposal for 2 Percy Street Auburn to align with the findings of the Gelibolu Study, prior to community consultation. Roads and Maritime understands that this is creating delays to the exhibition of that planning proposal.

To prevent undue delay to the planning proposal for 2 Percy Street, Roads and Maritime suggests that Council may wish to seek an amendment to the Gateway determination (Condition 1(d), as Roads and Maritime notes that the Gelibolu Study is unlikely to identify road upgrades that would have any direct impact or land dedication requirement for the 2 Percy Street site. Condition 1(e) would then also require amendment insofar as it relates to the Gelibolu traffic study, noting that the traffic study for this planning proposal may still need to be amended in consultation with TfNSW, prior to exhibition, to remove reference to a Church Street extension over Sydney Trains land which Roads and Maritime understands is not supported. Further, the access arrangements to 2 Percy Street for bus access may need to be reconsidered to ensure bus turnaround areas are accommodated within the site or on the local road network to the satisfaction of Council and TfNSW.

Should you have any questions or further enquiries in relation to this matter, my contact details are below or email: development.sydney@rms.nsw.gov.au

Roads and Maritime looks forward to reviewing the additional information/clarifications.

Kind regards
Rachel

Rachel Davis (née Nicholson)
Senior Strategic Land Use Coordinator
Sydney Planning | Sydney Division
Roads and Maritime Services

From: Harinee De Silva [mailto:Harinee.DeSilva@cumberland.nsw.gov.au]
Sent: Friday, 3 May 2019 5:28 PM
To: Development Sydney
Cc: VAN PUTTEN Laura E; DAVIS Rachel A; Glen Weekley; Mark Lucas (Mark.Lucas@ghd.com)
Subject: Submission of Addendum 1 for RMS review - Draft Gelibolu Traffic and Access Study
Importance: High

Hi,

Attention of : Dear Laura and Rachel,

Please find attached Council’s addendum (prepared by GHD) in response to RMS referral comments dated 4 December 2018 for the draft Gelibolu traffic and access study.

The responses to referral comments have been provided based on the technical meeting conducted with RMS on 22 March’19 meeting and emails April 2 and 4 2019. The agreed work spreadsheet is attached for your information.
Council appreciates if RMS could kindly prioritise the review since Council is under lot of pressure to finish this study and exhibit the Percy Street planning proposal which is has been delayed due to reasons beyond our control.

GHD and Council are of the view that SIDRA modelling for the Northumberland intersection may not be required as per the addendum results and prefer if RMS could confirm if this work still required to be carried out for the next addendum. The work is also outside the scope of this study.

Note: The next issue of this addendum will address the strategic concept plans and costings, the feasibility of church street link and the Northumberland intersection modelling if this is required.

Council’s aim is to issue the next issue of the addendum to RMS by mid May and we appreciate if RMS could provide a response by end of next week if possible to expedite this matter.

Thanks you and best regards,

Harinee

HARINEE DE SILVA
STRATEGIC PLANNER

18 Memorial Avenue, PO Box 42 Merrylands NSW 2180
T:02 8757 9949
E:Harinee.DeSilva@cumberland.nsw.gov.au
W:www.cumberland.nsw.gov.au

From: VAN PUTTEN Laura E [mailto:Laura.VAN.PUTTEN@rms.nsw.gov.au]
Sent:2 May 2019 8:29 AM
To: Harinee De Silva
Subject: RE: Update on Addendum 1 - Draft Gelibolu Traffic and Access Study

Thanks Harinee

Once received please make sure you send request through development.sydney@rms.nsw.gov.au and CC myself and Rachel.

Kind regards,

Laura van Putten
Roads and Maritime Services

From: Harinee De Silva [mailto:Harinee.DeSilva@cumberland.nsw.gov.au]
Sent:Wednesday, 1 May 2019 11:03 AM
To: VAN PUTTEN Laura E
Subject: RE: Update on Addendum 1 - Draft Gelibolu Traffic and Access Study
Hi Laura,

Letting you know that Council is anticipating that the Addendum 1 would be finalised and lodged with RMS by end of this week.
We have peer reviewed and are awaiting the final document from GHD.

Cheers
Harinee

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Hi Laura,

As discussed, letting you know that GHD is currently on their way to addressing RMS comments on the draft Gelibolu Study.

Council’s plan is to provide the following:
Addendum 1 – Complete relevant traffic modelling items addressed via Tabs, B, C and D – this work is due 4th week of April 2019.

Addendum 2 – (work outside draft study scope) – This includes Northumberland road intersection SIDRA modelling, the preparation of concept design drawings for the proposed preferred solution and undertaking strategic costings for the proposed intersection upgrades.

Note:

1. The Northumberland Road SIDRA intersection modelling will be prepared only if it is essential depending on outcomes of Addendum 1. GHD to confirm this if this is required. I hope RMS is ok with that.
2. All traffic modelling would need to be finalised before proceeding to concept design drawings and undertaking any feasibility/strategic costings.

We are aiming to get this done by the 2nd week of May 2019.

Note I have not factored the peer review times from both ends.

When Addendum 1 is received Council will quickly review and forward it to RMS for comment.

Hope this clarifies the next steps and appreciate your confirmation.

Hope you have a lovely easter break.

Cheers,

Harnee

HARINEEDE SILVA
STRATEGIC PLANNER
16 Memorial Avenue, PO Box 42 Merrylands NSW 2160
T+61 2 8757 9949
E:Harinee.DeSilva@cumberland.nsw.gov.au
W:www.cumberland.nsw.gov.au
DOCUMENTS ASSOCIATED WITH REPORT ELPP045/19

Attachment 6
Letter from the Proponent addressing the Gateway Determination Conditions
25 March 2019
Our Ref: 20265B.2SE

Hamish McNulty
General Manager
Cumberland Council
PO Box 42
Merrylands NSW 2160

Attn: Daniel Cavallo, Director Environment and Planning – Cumberland Council
[dnialcavallo@cumberland.nsw.gov.au]
Cc: Sebastian Tauni, Senior Planning Officer, Department of Planning & Environment
[Sebastian.tauni@planning.nsw.gov.au]

Dear Mr Cavallo,

RE: PLANNING PROPOSAL TO AMEND AUBURN LOCAL ENVIRONMENTAL PLAN 2010 TO PERMIT AN EDUCATIONAL ESTABLISHMENT – PP-2/2017
2 PERCY STREET, AUBURN

Following a meeting with the Mayor, General Manager and Director of Environment and Planning of Cumberland City Council (Council) on 18 March 2019, the Australian Turkish Maarif Foundation (ATMF) has resolved to update Council on a number of matters relating to Planning Proposal (PP) No. PP-2/2017, which provides for an amendment to the Auburn Local Environmental Plan 2010 to permit an educational establishment at 2 Percy Street, Auburn.

As discussed with Council, ATMF is seeking to streamline the requirements of the Gateway Determination Ref: PP_2017_Cumbe_004_00 issued by the NSW Department of Planning and Environment (DPE) on 20 February 2018. These matters are discussed in Section 1, and a summary of the status of all Gateway Determination conditions is provided in Section 2.

1.0 Updates to Planning Proposal

1.1 Withdrawal of Recommendation for Church Street Link

As part of the PP submission made to Council by ATMF in 2017, a link road was proposed, serving as an extension of Church Street, linking together with the intersection of Percy Street and Gelibolu Parade. The ‘Church Street Link’ was proposed as a means to mitigate traffic flows both for the proposed school use at 2 Percy Street, and for other vehicles in the Gelibolu Precinct.

The PP connected the Church Street Link to the proposal via a Voluntary Planning Agreement (VPA), which is discussed further below.

Following further investigation and consultation work being carried out as part of the PP and the assessment of the State Significant Development (SSD) application for a new school at 2 Percy Street, Auburn under assessment with DPE, ATMF has now been informed that:
1. The proposed Church Street Link cannot be located on any land owned by Sydney Trains; and
2. The proposed Church Street Link cannot be located on any land owned by Cumberland Council or the Crown.

The premise of the Church Street Link is that it would travel north/south between existing public roads, and this cannot be achieved if the link is precluded from being located on land owned by Sydney Trains, Council or the Crown.

Therefore, ATMF is withdrawing the recommendation for a Church Street Link to form part of the PP, VPA, or forming part of the SSD application.

1.2 Voluntary Planning Agreement to be pursued via State Significant Development Application (SSDA)

On 4 April 2018, ATMF submitted a letter to Council offering to enter into a VPA in relation to PP-2/2017. This VPA comprised a cash contribution of $150,000 to go towards a link road that is an extension of Church Street. To date, Council has not yet written to confirm its agreement or otherwise to this VPA offer.

We understand that Council’s support of the VPA is linked to the validity of the Church Street Link. As discussed above, ATMF is now withdrawing the recommendation for a Church Street Link, and this applies equally to the VPA.

Further (as discussed with Council), the PP is not considered the appropriate means through which a VPA should be negotiated, given that:

- Quantifying a contribution to address traffic impacts upon intersections that require future upgrading will require the carrying out of civil concept design work that is both time consuming and costly; and
- The assessment of the PP now has the benefit of a fully detailed SSD application package which provides a higher level of assessment of the proposal.

Therefore, ATMF notes that a VPA will be pursued with Council under the SSD application, and the earlier offer for a VPA under the PP will be withdrawn. This enables the VPA to be included by DPE as a condition of consent for the SSD application.

1.3 Removal of Requirement for Additional Floor Space Ratio

As part of the PP submission made to Council by ATMF in 2017, it was proposed to seek an increase in the maximum permissible Floor Space Ratio (FSR) from 1:1 to 1.2:1 for the site. In the preparation of the Planning Proposal Report for submission to DPE, Council resolved not to support the inclusion of the FSR amendment, and this did not form part of the PP considered by DPE in the preparation of the Gateway Determination.

In response to this, DPE included the following condition in the Gateway Determination:

"1. Prior to undertaking community consultation, Council is required to:

(c) review and consider the proposed floor space ratio control should the proponent be able to demonstrate through urban design testing to Council’s satisfaction that additional floor space can be supported at the site."
In order to streamline the PP, ATMF will amend the PP and the SSD application to be consistent with the existing FSR development standard of 1:1 on the site and remove the requirement for Council to determine whether a higher FSR can be supported. This will resolve Condition 1(c) of the Gateway Determination.

1.4 Additional Information on Gelibolu Parade Drop Off and Pick Up to be Provided

On 4 December 2018, Roads and Maritime Services (RMS) issued a letter response to Cumberland Council, consolidating RMS and Transport for NSW (TfNSW) comments on the draft Gelibolu Precinct Traffic Study.

Tab A of the RMS letter is the response from TfNSW to DPE (dated 29 September 2018) providing comments on the PP and the SSDA for the new school at 2 Percy Street. In this letter, TfNSW identified the following transport issues in the context of the subject DA:

- Traffic operation and safety of the proposed drop-off/pick-up zones on Percy Street and Gelibolu Parade; and
- Maneuvering of buses at the proposed drop-off/pick-up zone for school buses on Church Street.

Attachment A of the TfNSW letter provides more details of these transport issues. ATMF recognises that these are the key transport concerns raised by TfNSW in regard to the proposal and therefore a more detailed response is required.

ATMF will provide documentation in April 2019 which details the Gelibolu Parade drop off and pick up arrangements and related traffic operation impacts, in response to the TfNSW letter. This will address matters relevant to both the PP and the SSDA.

2.0 Status of Gateway Determination Conditions

Having regard to the above, ATMF notes that the status of the requirements for Condition 1 of the Gateway Determination now stand as follows:

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<tr>
<th>Cond. No.</th>
<th>Condition</th>
<th>Status</th>
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<tbody>
<tr>
<td>1</td>
<td>Prior to undertaking community consultation, Council is required to:</td>
<td></td>
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</table>
| 1(a)      | Amend the planning proposal to provide more justification regarding the proposed additional permitted use rather than applying a land use zone that permits educational facilities. | Resolved  
This has been resolved by Council staff. |
| 1(b)      | Prepare a Phase 1 – Preliminary Site Contamination Investigation Study for the site in accordance with the Managing Land Contamination Planning Guidelines (Environment Protection Authority, 1998) | Resolved  
This Report was provided to Council by ATMF as part of the original application. We understand that Council staff have now forwarded this onto DPE and have resolved this condition. |
| 1(c)      | Review and consider the proposed floor space ratio control should the proponent be able to demonstrate through urban design testing to Council's satisfaction that additional floor space can be supported at the site. | Resolved  
This Planning Proposal no longer seeks to amend the FSR from the current development standard of 1:1. The SSD application will be amended to reflect compliance. Council no longer needs to be satisfied that additional floor space can be supported at the site, therefore this condition is no resolved. |
Table 1: Status of Gateway Determination Conditions

<table>
<thead>
<tr>
<th>Condition</th>
<th>Status</th>
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<tbody>
<tr>
<td>1(d)</td>
<td>Complete the updated traffic study for the Goolwa precinct and update the planning proposal in accordance with the Findings/Recommendations of the study. Resolved The draft Traffic Study has been prepared, which concludes that the road network can accommodate the expected traffic volumes. The Report recommends that two intersections be upgraded prior to 2021, and also recommends that a strategy be developed to identify measures to accommodate the parking demand associated with Goolwa Mosque. Neither recommendation relates to the PP for the use of 2 Percy Street for an educational establishment. Council does not need to update the PP in response to the findings/recommendations of the study.</td>
</tr>
<tr>
<td>1(e)</td>
<td>On completion of condition 1(d), the planning proposal is to be referred to Transport for NSW and the Roads and Maritime Services, and amended in accordance with any comments received; and Pending Council has referred the draft Traffic Study to Transport for NSW and RMS for comment. A written response from TNSW and RMS was received in December 2018. We understand that discussions between GHD and RMS are being finalised in the coming week, at which stage the Report can be finalised.</td>
</tr>
<tr>
<td>1(f)</td>
<td>Confirm local and State infrastructure requirements (including improvements for traffic, parking, transport, recreation and community facilities) to support the additional use. Resolved The draft Traffic Study does not identify any local or State infrastructure requirements to support the use of 2 Percy Street for the purpose of an educational establishment. The report concludes that the road network can accommodate the expected background traffic volumes and the traffic generated by the proposed rezoning, as well as recommending that the signalised intersections at Rawson St/Hilliers Rd and Rawson St/Station Rd are upgraded prior to 2021. This is recommended in response to the overall increase in dwellings and is not directly attributed to the operation of the school. As outlined in the PP and documentation supporting the SSD application, there are no other improvements for traffic, parking, transport, recreation or community facilities required to support the additional use of 2 Percy Street as an Educational Establishment.</td>
</tr>
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</table>

Therefore upon resolution of the discussions between GHD and RMS and upon completion of the Traffic Study, all conditions of the Gateway Determination will have been addressed and a decision made by the councillors will not be required before proceeding with community consultation/exhibition pursuant to Condition 2 of the Gateway Determination.

Given the delays in progressing the Gateway Determination to date, ATMF would appreciate Council's commitment to provide immediate attention to enable the community consultation/exhibition of the PP to take place.

Should Council staff wish to discuss the above further with ATMF or the project team, please contact the undersigned on 9980 6933.

Yours faithfully
DFP PLANNING PTY LTD

STEPHEN EARP
PARTNER

soarp@dfpplanning.com.au

Reviewed: