

116 Amy Street - Rezoning of land at Amy, Smith and Maunder Streets, Regents Park

Proposal Title : **116 Amy Street - Rezoning of land at Amy, Smith and Maunder Streets, Regents Park**

Proposal Summary : **To amend Auburn Local Environmental Plan 2010 to rezone land bounded by Amy, Smith and Maunder Streets, Regents Park, from R2 Low Density Residential to R4 High Density Residential, and to amend the principal development controls for the land.**

PP Number : **PP_2011_AUBUR_005_00** Dop File No : **11/12368**

Proposal Details

Date Planning Proposal Received : **02-Aug-2011** LGA covered : **Auburn**

Region : **Sydney Region West** RPA : **Auburn Council**

State Electorate : **AUBURN** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **116 Amy Street**

Suburb : **Regents Park** City : Postcode : **2143**

Land Parcel : **Land bounded by Amy, Smith and Maunder Streets**

DoP Planning Officer Contact Details

Contact Name : **Shane Nugent**

Contact Number : **0298738527**

Contact Email : **shane.nugent@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Jacky Wilkes**

Contact Number : **0297351310**

Contact Email : **jacky.wilkes@auburn.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **N/A** Release Area Name :

Regional / Sub Regional Strategy : **Metro West Central subregion** Consistent with Strategy : **Yes**

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MDP Number :

Date of Release :

Area of Release (Ha)
:Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings 150
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes
Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been No
meetings or
communications with
registered lobbyists? :

If Yes, comment :

Supporting notesInternal Supporting Background
Notes :

The Department has received over 20 letters from local residents opposing this proposed rezoning, generally on the basis of incompatibility with the character of the surrounding area.

External Supporting
Notes :**Adequacy Assessment****Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? Yes

Comment :

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment : The planning proposal is to amend Auburn LEP 2010 to change the zoning of the site from R2 Low Density Residential to R4 High Density Residential, set the maximum floor space ratio to 1.4:1 and increase the maximum building height from 9 metres to 16 metres.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport**6.1 Approval and Referral Requirements****6.3 Site Specific Provisions****7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Is the Director General's agreement required? Yes

c) Consistent with Standard Instrument (LEPs) Order 2006 : Yes

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

e) List any other matters that need to be considered :

1. Social and economic impacts of the proposal.

2. Potts Hill Reservoir Land Concept Plan and Environmental Assessment - Residential Precinct, as guideline for design and density.

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

a) Planning Proposal is not the result of a strategic study or report but has arisen due to a request from EG Property- the applicant. As such there is no basis to determine if the Planning Proposal is consistent with Council's strategy. Council is currently undertaking a Regents Park Village Study.

b) Further details of consistency are to be provided in the resubmission following completion of technical studies.

d) The Planning Proposal indicates that consistency with SEPPs will be determined at the Development Assessment stage.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council is proposing a community consultation which will include but not limited to public exhibition of the planning proposal if the Gateway is issued, notification in the main local newspaper, affected land owners, adjoining land owners. Details of the community consultation and agencies consultation are provided in the Planning Proposal document.

An exhibition period of at least 28 days is proposed by Council.

Additional Director General's requirements

Are there any additional Director General's requirements? **N/A**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **No**

If No, comment :

Considering the size of the site (13,250 sq.m) and the estimated number of dwellings at 150 home units, and strong local community objections, there has been no design proposal to justify the planning proposal's claim that the proposed development will be able to incorporate buffers between the site and the surrounding low density residential. Local roads are not sufficient in providing buffers between the existing and proposed development.

There are three lots in the area proposed for rezoning which are not owned by the proponent. The proposal does not address how the proposed development will relate to the existing houses on these sites if the owners do not wish to re-develop. The site also immediately adjoins low density residential sites to the south without separation by a road.

As the proposed rezoning is for higher residential density development in an otherwise predominantly low density area the planning proposal should be accompanied by a concept plan addressing in more adequate detail the housing form that would complement the existing built environment.

The Potts Hill Reservoir site provides a recent precedent for residential development in this area. It is less than 400 metres to the south in the adjoining Bankstown local government area, and is closer to a railway station (Birrongo). The concept plan for Potts Hill, approved under the former Part 3A, provides for most of the residential area to be zoned R2 Low Density Residential to complement existing housing in surrounding areas, with selected areas zoned for medium density (R3), including flats. The maximum height for flats is 3 storeys and FSR of 0.7:1.

The Planning Proposal for the Regents Park site, however, provides for much higher densities than at Potts Hill on a much smaller site. It is not supported by a concept plan. It requests the issue of a Gateway Determination prior to the proponent/applicant's undertaking of technical studies relating to urban design, traffic and transport, and water cycle management/water sensitive urban design.

The Location Map on page 23 of the planning proposal shows the location of the 2 sites in relation to train stations.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Auburn LEP 2010 is a Standard Instrument LEP finalised in October 2010.**

Assessment Criteria

Need for planning proposal :

The site, at its closest point, is approximately 800 metres from Regents Park railway station, and is arguably within walking distance. Denser housing is supported in this area in principle.

The site is currently zoned R2 Low Density Residential, with a maximum building height of 9 metres and no maximum floor space ratio. The planning proposal is necessary to permit higher density housing on the site.

Consistency with strategic planning framework :

Redevelopment of this site was not included in the Auburn Residential Development Strategy, and the site was not rezoned in the principal LEP, Auburn LEP 2010.

The West Central Subregional Strategy provides for a target of 11,000 additional dwellings in Auburn from 2010 to 2031. The Principal LEP provides opportunities for an additional 13,000 dwellings, thus exceeding this target. However further development is not opposed.

Environmental social economic impacts :

Environmental impacts:

The proposal is likely to require the removal of existing vegetation from the site. The proponent has indicated that an arborist's report will be prepared to ensure there will be no adverse impact on existing vegetation on the site and to determine the significance of the vegetation on the site.

Social and economic impacts:

There is no indication in the Planning Proposal that a study into the social and economic impacts would be prepared.

On the basis of the local community's correspondence received by the Department so far, there appears to be strong objection to the proposed rezoning.

Assessment Process

Proposal type : **Precinct** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 Month** Delegation : **DDG**

Public Authority Consultation - 56(2)(d) : **Department of Education and Communities
Housing NSW
Energy Australia
Department of Health
NSW Police Service
Transport NSW
Rail Corporation of NSW
Roads and Traffic Authority
Sydney Water
Adjoining LGAs
Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **At this stage the Planning Proposal is relying on the issue of a Gateway Determination prior to conducting technical studies relating to urban design, traffic, transport and accessibility, and water cycle management and water sensitive urban design. In addition there will be an arborist's report on the site.**

Resubmission - s56(2)(b) : **Yes**

If Yes, reasons : **The proposed densities are much higher than the surrounding area and comparable areas, and are therefore a cause for concern. The proposed development controls need to be reconsidered in the light of the studies, particularly urban design and traffic.**

Identify any additional studies, if required. : **Other - provide details below**

If Other, provide reasons : **Urban Design Study.
Traffic, Transport and Accessibility.
Water Cycle Management/Water Sensitive Urban Design Study.
Arborist's report**

Identify any internal consultations, if required : **No internal consultation required**

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning_Proposal_for_Amy_Street_rezoning.pdf	Proposal	Yes
Amy_Street_Planning_Proposal_maps.pdf	Map	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

3.1 Residential Zones
3.4 Integrating Land Use and Transport
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information :

It is recommended that the Planning Proposal be resubmitted prior to exhibition, upon completion of technical studies relating to urban design, traffic, transport and accessibility, water cycle management/water sensitive urban design and an arborist's report for the site. In addition the proponent/applicant should be asked to demonstrate how the impact of the proposed development on the surrounding low density residential area will be managed.

The studies should be completed and the planning proposal resubmitted within 6 months of the Gateway determination.

Supporting Reasons :

There is concern regarding permitting high density residential of up to 5 storeys, with a maximum floor space ratio of 1.4:1, in this location. While some redevelopment of the site is supported in principle, the planning proposal is recommended for resubmission for the following reasons:

1.The increase in height and floor space ratio will create land use conflicts with the immediate surrounding area which is fully developed with predominantly single storey detached dwellings, interspersed with newer two-storey family homes.

2. There is no proposal in the documentation to indicate any attempts at interfacing the proposed development with the existing residential development apart from the fact that the development will take into consideration SEPP 65 provisions which relate to design quality of residential flat development. There is however indication in the Planning Proposal that technical studies on urban design, transport related issues and water cycle management would be undertaken if a Gateway Determination is issued.

3. Notwithstanding that the proponent/applicant is in ownership of most of the properties within the site, the proponent/applicant will need to demonstrate the impacts in terms of design, solar access, privacy and visual impacts of the proposed development on properties at 120, 124 and 128 Amy Street, which are currently in different ownership.

Signature:



Printed Name:

SHANE NUGENT

Date:

5/8/11