



CUMBERLAND  
COUNCIL

23 November 2017

Ms Helen Deegan  
TPG Town Planning and Urban Design  
PO Box 820  
EDGECLIFF NSW 2027

Our Reference PP-2/2017  
Contact Adan Davis  
Telephone 8745 9728

Via email: [helen.deegan@tpgnsw.com.au](mailto:helen.deegan@tpgnsw.com.au)

CC: Proponent's Project Manager ([semih.asaroglu@gmail.com](mailto:semih.asaroglu@gmail.com))

Dear Helen,

**Additional information to support Planning Proposal Request Assessment for 2 Percy Street, Auburn (PP-2/2017)**

Cumberland Council acknowledges receipt of the additional information submitted by TPG on behalf the proponent during October 2017 in response to Council's resolution of 6 September 2017 [Item 154/17, Attachment 1]. I have reviewed the information submitted and can advise that the planning proposal can now be submitted to the Department of Planning and Environment seeking a Gateway Determination.

Notwithstanding this, the following comments are provided by way of response to the information submitted.

**Flood Impact Assessment (18 October 2017)**

The revised Flood Impact Assessment (FIA) prepared by Northrop is noted. This assessment has classified the site's proposed 'educational establishment' use as 'industrial or commercial' for flood plain management requirements in Table 6, of Stormwater Drainage Part of the *Auburn Development Control Plan 2010* (*Auburn DCP 2010*).

Council's engineers and officers, however, maintain their position that the proposed land use is an 'essential community facility', given the proposed use of the site, and size and scale of the school proposed.

It is noted that whilst 'educational establishments' are listed under the 'Industrial or Commercial' classification in the Auburn DCP 2010, the intent relates to smaller scale tutoring schools operations.

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Welcome Belong Succeed

This matter will need to be addressed in the context of Council's classification at the Development Application stage, should the proposal proceed to that point. Additional work may also be required Post Gateway, should the proposal receive a Gateway Determination.

### **Design Statement (20 Sept 2017)**

PMDL's design statement prepared for play/recreation is very broad and does not really address Council's concerns regarding the ability for adequate play space to be provided primarily within the subject site, which in turn has flow on effects for traffic modelling. This matter will need to be resolved at DA stage, should the proposal proceed, and it is highly likely that the ability to provide adequate student play space for students on site will significantly limit the size of student population Council can consider for the site.

### **Proposed 1:1 FSR**

Whilst the information submitted does not specifically include an amended planning proposal request with the revised 1:1 FSR, the planning proposal will proceed to the Department of Planning and Environment with a maximum FSR of 1:1, consistent with Council's resolution of 6 September 2017 (Attachment 1) and TPG's letter of 3 July 2017.

### **Transport Impact Assessment (Oct 2017)**

The revised Transport Impact Assessment (TIA) prepared by GTA is noted. Council staff have identified significant concerns regarding the potential traffic impact of the Planning Proposal Request, including:

- the short length of AM and PM Commuter peak times modelled (7.30 - 8.30am and 3.45pm - 4.45pm respectively), particularly given the Level of Service currently experienced by key intersections;
- lack of inclusion of traffic analysis relating to Friday Prayer times at the Auburn Gallipoli Mosque;
- likely impact of the planning proposal request on queuing times at key intersections (including Boorea St/ St Hillers Road/Rawson Street and Percy Street/Gelibolu Parade (AM and PM peak);
- absence of any proposed mitigation works to address intersection performance, for example potential intersection treatment and safety measures, including land dedication to improve the operation at the Percy Street /Gelibolu Parade intersection; and
- the 'potential FSR increase' referred to within the revised traffic impact assessment has been in place under *Auburn LEP 2010 (Amendment No.8)* for a number of years (post the Hyder 2013 Study). Thus the FSRs in the Auburn Town centre are now "actual" and should no longer be referred to as a "potential increase" in FSR.

The traffic management plan commentary and proposed creation of a controlled, limited access one way link from Gelibolu Parade through to Church Street is noted, and Council is happy to discuss further.

However, given the significant concerns Council staff have regarding the potential traffic impacts of the planning proposal request, you are advised that we will undertake detailed consultation with the Roads and Maritime Services (RMS) as a priority prior to any post Gateway exhibition of the proposal.

### **View Line Review (Oct 2017) and Height of Buildings (HoB)**

The study illustrates and models four indicative massing options, and requests that no maximum building height limit be applied to the site. This is not consistent with Council's resolution of 6 September 2017 which states:

*"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 have an adverse impact on important views to the Gallipoli Mosque and its surrounds".*

As such, the planning proposal will proceed to the Department for Gateway with a maximum building height of 12 metres consistent with Council's resolution.

### **Letter of Offer**

Letter of Offer dated 20 October 2107 is noted. On completion of our strategic traffic modelling of the whole Gelibolu Precinct, due to be completed in February-March 2018, Council officers will be in a position to meet and discuss the contents of a planning agreement as indicated in your letter of offer, and consistent with Council's resolution of 6 September 2017.

Should you have any enquiries please contact Adan Davis, Group Manager Planning, on 8745 9728.

Yours faithfully



Malcolm Ryan  
GENERAL MANAGER

Encl:

**Attachment 1** (Copy of Council meeting minutes of 6 Sept 2017)

## Attachment 1 – Minutes from 6 September Council Meeting 2017

Minutes of the Ordinary Meeting of Cumberland  
Council

Wednesday, 06 September 2017

### **Min 221**     **ITEM 154/17 - ASSESSMENT OF PLANNING PROPOSAL REQUEST FOR 2 PERCY STREET, AUBURN**

**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. (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.