



CUMBERLAND
COUNCIL

23 November 2017

Ms. Catherine Van Laeren
Director, Sydney Region West
Department of Planning and Environment

Our Reference PP-2/2017
Contact MC
Telephone 9735 1355

Via email: Catherine.Van.Laeren@planning.nsw.gov.au
cc: Adrian.Hohenzollern@planning.nsw.gov.au

Dear Catherine,

Submission of Planning Proposal for Gateway Determination - 2 Percy Street, Auburn (PP-2/2017)

Please find attached a planning proposal for 2 Percy Street, Auburn. The planning proposal seeks an amendment to Schedule 1 of the *Auburn Local Environmental Plan 2010 (ALEP 2010)* to introduce "educational establishment" as an additional permitted use. The planning proposal does not amend the site's existing IN2 Light Industrial zoning, nor its existing FSR of 1:1. A maximum building height of 12m is sought. The planning proposal is accompanied by a letter of offer for a Voluntary Planning Agreement.

This matter was considered by Cumberland Council at its Ordinary Meeting of 6 September 2017 [Item 154/17] and Council resolved to proceed with the planning proposal subject to the receipt of certain additional information (Resolution at Attachment 1). This additional information has been submitted and included in the attached planning proposal.

There are a number of issues which will need to be resolved at Development Application stage, should the proposal proceed. However, I have significant concerns about the potential traffic likely to be generated by this proposal, particularly in the context of the highly constrained vehicular access to the precinct and the performance of the key intersections surrounding the site (currently operating at Level of Service E-F). To address this I recommend that any Gateway Determination issued for this proposal require detailed engagement with the RMS prior to post-Gateway exhibition. I also note that Council is currently undertaking traffic modelling (including micro simulation) of the whole Gelibolu Precinct, which is due to be completed in late February 2018, which includes detailed modelling of the proposed school, and which will identify potential intersection improvement works and will inform the voluntary planning agreement.

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Welcome *Belong* Succeed

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 2** Planning Proposal for 2 Percy Street, Auburn (PP-2/2017)
- Attachment 3** Proponent's Letter of Offer to enter into a VPA

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.



**AUSTRALIAN TURKISH
MAARIF FOUNDATION**

20 November 2017

MALCOLM RYAN
CUMBERLAND COUNCIL
PO Box 42, MERRYLANDS NSW 2160

VIA EMAIL: COUNCIL@CUMBERLAND.NSW.GOV.AU

SUBJECT: VOLUNTARY PLANNING AGREEMENT FOR 2 PERCY STREET PLANNING PROPOSAL

Dear Malcolm,

The Australian Turkish Maarif Foundation writes this letter, in relation to the planning proposal (PP) for 2 Percy Street Auburn (PP 2/2017). As previously discussed, we will seek to work with Cumberland Council to identify and provide potential public infrastructure in association with the future school on the subject site through a Voluntary Planning Agreement (VPA).

As per Council's resolution of September 2017, the applicant and Council are giving consideration to impacts on traffic and particularly on local roads that a future school in this location may have, and more importantly on possible mitigation measures that may need to be implemented.

The Australian Turkish Maarif Foundation, in partnership with Council, seek embellishments and improvements to such matters as road infrastructure and intersection upgrades. The Australian Turkish Maarif Foundation recognises that a contribution of some kind will be needed to support the future use of the subject site as a school. This is likely to include contributions towards traffic movements and access works. To this effect, the Australian Turkish Maarif Foundation is prepared to enter into a VPA. It is noted that the details of this agreement are to be further discussed, identified and quantified in the following months between the parties, as the PP progresses through to Gateway. The VPA will then be exhibited with the PP as part of the rezoning process.

It is anticipated that this addresses part of Council's resolution in September and the Australian Turkish Maarif Foundation looks forward to working with Council to detail the VPA.

Should you have any queries or require clarification on any matters please do not hesitate to contact Director of Planning Helen Deegan from TPG Town Planning and Urban Design on 02 9925 0444.

Yours sincerely
Australian Turkish Maarif Foundation,

M. Murtaza YETIS
Director

Abdurrahman ASAROGLU
Director

Hasan ALCA
Company Secretary