

PLANNING PROPOSAL

AMY STREET, REGENTS PARK

AUGUST 2017

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1. INTRODUCTION

1.1. OVERVIEW

This Planning Proposal contains an explanation of the intended effect and justification for a proposed amendment to the *Auburn Local Environmental Plan 2010* (ALEP 2010).

The Planning Proposal seeks to rezone land at 116-132 Amy Street, 2-4 Smith Street, and 1, 3, 5, 7, 7a and 9 Maunder Street (the Site) from R2 Low Density Residential to R3 Medium Density Residential. An amendment is also proposed to the floor space ratio (FSR) development standard that applies to the Site.

The key features of the Planning Proposal can be summarised as follows:

- Rezoning of the Site to accommodate medium density residential development.
- A maximum FSR standard of 0.75:1 over the Site.

1.2. STRUCTURE OF THIS REPORT

This document has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning and Environment's (DP&E) "A Guide to Preparing Planning Proposals" and "A Guide to Preparing Local Environmental Plans".

The Planning Proposal is accompanied by the following:

- Traffic and Parking Assessment, prepared by Arup (**Appendix A**).
- Arborist Report, prepared by Eco Logical Australia (Appendix B).

1.3. BACKGROUND

1.3.1. Strategic Studies

The Planning Proposal has taken into consideration previous Planning Proposals prepared for the Site as well as strategic studies that have been carried out by the former Auburn City Council. These include:

- Planning Proposal – Amendment to the ALEP 2010 to rezone land on the Corner of Amy Street, Maunder Street and Smith Street to R4 High Density Residential to permit Residential Flat Buildings (Don Fox Planning Consultants, 2010) prepared for EG Property.
- Planning Proposal – Amendment to the ALEP 2010 – Proposal to rezone land on the Corner of Amy Street, Maunder Street and Smith Street from R2 Low Density Residential to R4 High Density Residential to permit Residential Flat Buildings (BBC Consulting Planners, 2011) prepared for Auburn City Council.
- Daly Research Systems, Gateway Analysis of Proposal to Rezone Land at Amy, Smith and Maunder Streets, Regents Park, June 2011, prepared for the proponent of the rezoning.
- Regents Park Village Centre – Urban Design Contextual Analysis (JBA, 2012) prepared for Auburn City Council and Department of Planning and Infrastructure.
- Regents Park Village Centre Study – Feasibility Analysis (Hill PDA, 2012) prepared for Auburn City Council and Department of Planning and Infrastructure.

1.3.2. Sydney Planning Panel Determination

This Planning Proposal directly responds to the determination made on 22 June 2017 by Sydney West Central Planning Panel (Planning Panel) on the most recent Planning Proposal for the site. The Planning Panel identified that an R3 Medium Density zoning, an FSR of 0.75:1 and a maximum building height of 9m was suitable for the site.

1.3.3. Council Submission

The proposed zoning is also consistent with the submission made by Cumberland Council (Council) on the previous Planning Proposal. In their submission, Council identified that the rezoning of the site to R3 Medium Density Residential would be a more suitable transition to the existing low density residential housing, stating:

“The rezoning of the site to R3 Medium Density Residential would also be a more suitable transition to the existing low density residential housing and was supported by the majority of attendees at the public meeting of 7 May 2015.”

Council also acknowledged that medium density residential development such as townhouses and terrace houses would improve housing choice and address the undersupply in this locality, with their submission stating:

“This is certainly the case for Regents Park as well. However, the (Residential Development) Strategy identifies medium density developments such as townhouses and terrace houses are currently under-represented in the former Auburn LGA and notes that opportunities exist to increase these types of medium density dwellings.

...

On the other hand rezoning the site to R3 Medium Density Residential would encourage an under-represented dwelling type, namely medium density residential development (townhouses and villas), improving housing choice in Regents Park and the LGA.”

Considering the above, the rezoning of the site from R2 Low Density Residential to R3 Medium Density Residential will support dwelling diversity and is directly consistent with the Council and community vision for the site.

2. LAND TO WHICH THIS PLANNING PROPOSAL APPLIES

2.1. SITE DESCRIPTION

This Planning Proposal relates to land at Nos. 116-132 Amy Street, Nos. 2-4 Smith Street, and Nos. 1, 3, 5, 7, 7a and 9 Maunder Street (the Site). The Site is identified in **Figure 1**, described in **Table 1** and comprises a total area of 13,250sqm.

The Site is located on a ridge and slopes generally from the south-west to the north-east, with the total grade difference between the south-west and north-east being approximately 11.79 metres.

The Site was located in the former Auburn City Council Local Government Area (LGA) and has recently been included within the Cumberland Council LGA.

Figure 1 – Aerial Photograph



Source: Near Map 2016

Table 1 – Property Details

Address	Lot and DP Number	Existing Development
116 Amy Street	Lot 36, DP 10575	Detached single storey weatherboard dwelling
118 Amy Street	Lot 37, DP 10575	Detached single storey brick art-deco style dwelling
120 Amy Street	Lot 38, DP 10575	Detached single storey brick art-deco style dwelling
122 Amy Street	Lot 39, DP 10575	Detached single storey fibro dwelling
124 Amy Street	Lot 40, DP 10575	Detached single storey fibro dwelling
126 Amy Street	Lot 41, DP 10575	Detached single storey fibro/brick dwelling
128 Amy Street	Lot 1, DP 663189	Detached single storey brick dwelling
130 Amy Street	Lot 15, DP 14881	Detached single storey aluminium weatherboard clad dwelling
132 Amy Street	Lot 14, DP 14881	Commercial use fronting Amy Street with an attached single storey dwelling at the rear
2 Smith Street	Lot 23, DP 36144	Detached single storey weatherboard dwelling
4 Smith Street	Lot 22, DP 36144	Detached single storey brick dwelling
1 Maunder Street	Lot 35, DP 10575	Detached single storey fibro dwelling
3 Maunder Street	Lot 34, DP 10575	Detached single storey fibro dwelling
5 Maunder Street	Lot C, DP 420180	Single storey fibro dwelling
7 Maunder Street	Lot E, DP 420180	Detached single storey fibro dwelling
7A Maunder Street	Lot F, DP 420180	Detached single storey dwelling + vacant squash court and gym
9 Maunder Street	Lot 1, DP 206806	Detached single storey fibro dwelling

2.2. CONTEXT

The Site is bordered by Amy Street to the north, Smith Street to the east and Maunder Street to the west. Single detached dwellings are located to the south. Surrounding development comprises a mixture of single and double storey fibro, brick and weatherboard dwellings.

As shown in **Figure 2** the Site is located within an 800-metre walkable catchment of Regents Park Railway Station and is located within 400 metres of the Regents Park Town Centre. A bus stop is located immediately adjacent the Site on Amy Street. This provides access to Regents Park Railway Station.

2.3. EXISTING DEVELOPMENT

As described in **Table 1** the Site comprises detached single storey dwellings. Many of the existing dwellings on the Site are nearing the end of their economic life and are suitable for renewal.

Photographs of the Site are included within **Figure 3**, **Figure 4** and **Figure 5**. Photographs of the surrounds are included at **Figure 6**.

Figure 2 - Local Context

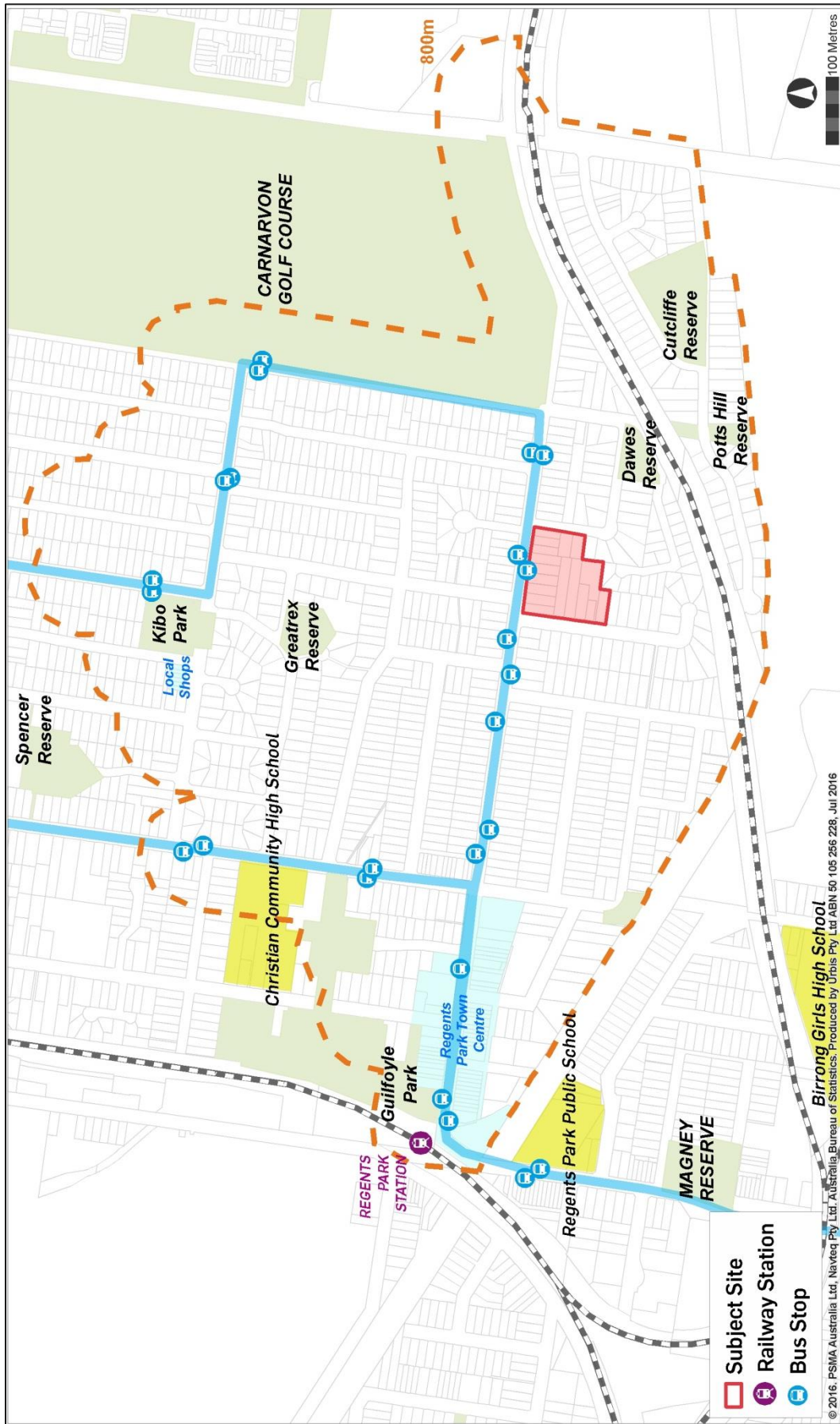


Figure 3 – Amy Street Streetscape



Source: Google

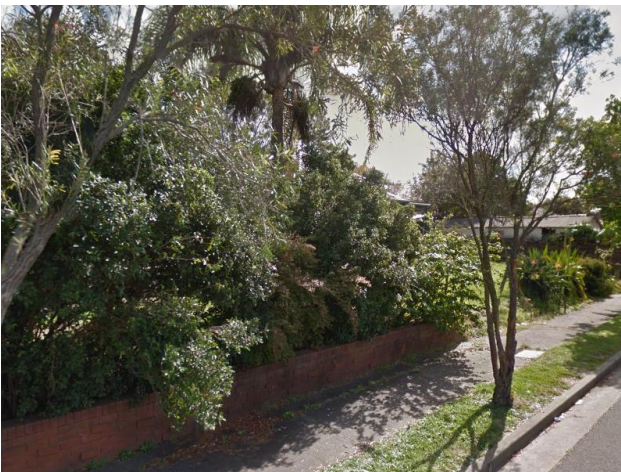
Figure 4 – Maunder Street Streetscape



Source: Google



Figure 5 – Smith Street Streetscape



Source: Google



Figure 6 – Photographs of the Surrounds



Picture 1 – North side of Amy Street looking west of Smith Street



Picture 2 – North side of Amy Street looking east of Maunder Street



Picture 3 – Maunder Street, looking west

Source: Google

3. PART 1 - OBJECTIVES AND INTENDED OUTCOMES

The key outcome of this Planning Proposal is to amend ALEP 2010 to medium density residential development on the site.

Key objectives of the Planning Proposal are as follows:

- To enable the redevelopment of the Site for medium density residential development that will support housing diversity and the needs of the local demographic, contribute to State and local housing targets and promote more affordable housing in the LGA.
- To provide medium density housing within an appropriate walking catchment of public transport and Regents Park Town Centre.
- To enhance the economic viability of Regents Park Town Centre by creating a denser urban form which will increase demand for services in the locality.

4. PART 2 – EXPLANATION OF PROVISIONS

The Planning Proposal seeks to achieve the intended outcomes outlined in Part 1 of this report by proposing amendments to *Auburn Local Environmental Plan 2010* (ALEP 2010) as follows:

- Rezone the Site from R2 Low Density Residential to R3 Medium Density Residential.
- Amend the FSR Map to allow a maximum permissible FSR of 0.75:1.

5. PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the Planning Proposal.

5.1. SECTION A – NEED FOR THE PLANNING PROPOSAL

This section establishes the need for a Planning Proposal in achieving the key outcomes and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims of the proposal.

5.1.1. Is the Planning Proposal a result of any strategic study or report?

This Planning Proposal is underpinned by the priorities for the former West Central Sub region in *A Plan for Growing Sydney* (the Plan), Towards our Greater Sydney 2056 and the Draft West Central District Plan. The key priorities within these documents relate to accelerate housing supply, choice and affordability through identifying suitable locations for additional housing and employment growth around key public transport corridors and established centers.

The Planning Proposal will support these priorities by facilitating medium density housing within a 400m radius of Regents Park Town Centre and within a walkable catchment of Regents Park Railway Station. The proposal will support housing diversity and accommodate the needs of changing demographics in an area dominated by detached dwellings or residential flat buildings (apartments).

The Site represents an appropriate location for increased density; particularly given it is the only significant site in single ownership within a 400 metre radius of Regents Park Town Centre. A number of constraints to redevelopment of alternate sites within 400 metres of the town centre have been identified. These constraints include:

- The land to the west of Regents Park Railway Station is zoned IN2 Light Industrial, which prohibits residential accommodation.
- A substantial amount of land is zoned SP2 Infrastructure (Railway) or RE1 Public Recreation to the north of Regents Park Town Centre. Residential accommodation is prohibited in these zones.
- The majority of sites that are zoned R3 Medium Density Residential or R4 High Density Residential have been developed for the purposes of attached dwellings (townhouses) or residential flat buildings (apartments). There is limited capacity to accommodate additional density at these locations.

Regents Park Village Centre Study and Feasibility Analysis

The Regents Park Village Centre Study (JBA, 2012) and the Regents Park Village Centre Study – Feasibility Analysis (Hill PDA, 2012) identify the strategic opportunities for higher density residential development on the Site. Specifically, this study identified that the site was suitable for medium density residential development. The strategic opportunities included:

- Increased density is achievable on the Site provided that associated environmental impacts are managed.
- Open space in the town centre catchment is limited. Improvements to public open space will be difficult without increases in development across the locality. The provision of 2,000sqm of public open space will assist in resolving this undersupply.
- There are opportunities for redevelopment within the town centre catchment given the condition of existing housing stock (mostly moderate to poor condition). The Site represents a significant landholding in single ownership and as such can be readily redeveloped.
- The rate at which residential units are being sold in Regents Park is high, which demonstrates a high level of demand and relatively low level of supply.

5.1.2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This Planning Proposal is considered the best and most appropriate means of achieving the objectives, given the current zoning of the land. Rezoning to R3 Medium Density Residential is considered the best approach for increasing the housing mix in Regents Park, with the site area of over one hectare representing an opportunity for increasing housing choice and density in proximity to public transport, local shops, services and amenities.

For these reasons, it is considered that the method proposed to amend the planning controls is the best means of achieving the objectives stated in Part 1 of this Planning Proposal.

5.2. SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

This section assesses the relevance of the Planning Proposal to the directions outlined in the key strategic planning policy documents. Questions in this section consider State and local Government plans, including NSW Government's Plan for Growing Sydney and the Draft West Central District Plan, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

5.2.1. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

A Plan for Growing Sydney

The Plan is the current Strategic Plan for Metropolitan Sydney. The Plan recognises the need to deliver 664,000 additional homes by 2031. The Site is located within the West Central Subregion as identified by the Plan. The Site is not specifically referenced within the Plan; nor is it situated within the various Employment Action areas identified within the Plan being:

- Sydney CBD.
- Greater Parramatta.
- Great Parramatta to Olympic Peninsula Priority Growth Area.
- Western Sydney.
- Global Economic Corridor.
- Strategic Centre.

The Plan identifies the Government's vision for Sydney as being *"a strong global city, a great place to live"* and includes the goals and actions to be undertaken to achieve this.

The Plan sets four goals, which are supported by 22 directions and underpinned by 59 actions. An assessment of the Planning Proposal against the four goals provided in the Plan is included within **Table 2**.

Table 2 – The Plan for Growing Sydney – Assessment against the Goals

Goal	Comment
Goal 1: A competitive economy with world-class services and transport.	The proposal does not undermine the potential to achieve this goal.
Goal 2: A city of housing choice, with homes that meet our needs and lifestyles.	The proposed development directly contributes to the actions which support Goal 2 by improving housing choice to suit different needs and lifestyles. The proposal will contribute to diversity of housing stock in a location predominately occupied by detached dwelling houses by providing opportunities for attached dwellings and/or townhouses.

Goal	Comment
	The gap of development of housing types has been acknowledged by the Department, who have released 'The Missing Middle'. This Planning Proposal will directly support the provision of smaller dwelling typologies such as townhouses.
<i>Goal 3: A great place to live with communities that are strong, healthy and well connected.</i>	The proposal will support this goal by facilitating higher density residential development within a 400-metre radius of Regents Park Town Centre and within a walkable catchment of Regents Park Railway Station
Goal 4: <i>A sustainable and resilient city that protect the natural environment and has a balanced approach to the use of land and resources.</i>	The proposal will support this goal through the co-location of homes and jobs within proximity to existing public transport, local services and amenities.

Under this plan the Site was located within the West Central Subregion. Whilst the draft sub-regional plans have now been replaced with the Draft District Plans (outlined below), the Planning Proposal has also considered the relevant priorities for the subregion (refer **Table 3**).

Table 3 – The Plan for Growing Sydney – West Central Subregion Priorities

Relevant Priority	Comment
Accelerate housing supply, choice and affordability and build great places to live.	The proposed LEP amendments will contribute to housing supply and choice within the locality.

Towards Our Greater Sydney 2056

Towards our Greater Sydney 2056 is an ambitious plan for growing Greater Sydney. This is a separate document that forms a draft amendment to 'A Plan for Growing Sydney' which will be the connector between the current and future regional plans. This amendment reconceptualises Greater Sydney as a metropolis of three cities, and is presented with the draft District Plans to reflect the most contemporary thinking about Greater Sydney's future.

The aim in shifting Greater Sydney's spatial structure is to benefit all existing and future citizens and flows from the investment in the Western Sydney Airport. This development necessitates a shift away from thinking of Greater Sydney as a place anchored by an economically strong single central business district.

The plan highlights the following priorities to enhance the function three-city metropolis:

- **30-Minute City:** Increasing the range of jobs and services and other opportunities that people can get to within 30 minutes. This will provide equitable access to health, open space and community and cultural infrastructure, improve the ability to walk to local services and amenities and encourage residents to access local services and employment generating facilities.
- **A City with Smart Jobs:** Increasing the knowledge and skills capacity of the workforce will improve the resilience of the economy. A key focus of the plan is to increase health, knowledge and education jobs in both major and local centres in order to provide opportunities for people to work in a wider range of areas.

Relevant to this proposal is the importance of well-built residential areas to the success of the 30-Minute City. Smart planning in this regard will better accommodate the anticipated population increase for the Regents Park area (discussed below) and provide housing supply that broadens choice and diversity.

Draft West Central District Plan

The Draft District Plans designate Greater Sydney into six districts which represent their common locality and planning opportunities. These districts relate to the longer term metropolitan planning for Greater Sydney. The subject site falls within the West Central District.

“This draft District Plan proposes a 20-year vision for the West Central District, which includes the local government areas of Blacktown, Cumberland (parts of the former Auburn, Parramatta and Holroyd), Parramatta (parts of the former Parramatta, The Hills, Auburn, Holroyd and Hornsby) and The Hills. It has been developed by the Greater Sydney Commission in consultation with State agencies and the community, with technical input from councils”.

Source: Introduction, West Central District Plan

The draft plan tailors metropolitan planning priorities for each district and describes proposed priorities and actions for the District in terms of:

- A Productive city (Goal 1)
- A Liveable City (Goals 2 and 3)
- A Sustainable City (Goals 3 and 4).

The actions relevant to this proposal relate to the plans liveability goals and are deemed essential for the growth of the West Central District.

- *Improve housing choice*
- *Improve housing diversity and affordability*
- *Coordinate and monitor housing outcomes and demographic trends*
- *Create great places*
- *Foster cohesive communities*
- *Respond to people’s need for services*

The plan highlights the importance of developing ‘flexible housing types’ in the face of diversity within the population across the district. These housing types will accommodate the significant variations in income, age, and family composition among the 550,550 new residents expected to settle in the district by 2036.

The proposal supports these liveability goals as follows:

- Delivery of new housing typologies that will provide an alternative to detached dwellings and apartments in area served by existing public transport and services.
- Gentrification of the area through the redevelopment of the site.

The Planning Proposal is therefore consistent with the Goals and key priorities of the strategic documents outlined above.

5.2.2. Is the Planning Proposal consistent with the Council’s local strategy or other local strategic plan?

Whilst the Site is located within the Cumberland Council LGA, the Auburn City Community Strategic Plan 2013 -2023 is applicable given the Site was previously located within the Auburn LGA. Cumberland Council has not released a local strategic plan that includes land that was part of the former Auburn LGA.

Auburn City Community Strategic Plan 2013 – 2023

The Auburn City Community Strategic Plan 2013 – 2023 (Community Strategic Plan) was adopted in January 2014 and provides a framework to achieve the aspirations and priorities of residents, Council, local businesses, employees and visitors.

The population of the former Auburn LGA is projected to exceed 107,074 by 2021 (Forecast id, 2014), which represents an increase of almost 20% from 90,249 in 2016. The growth is attributed to proximity to Parramatta as well as good connections to major road networks (M4 Western Motorway, Parramatta Road, Hume Highway, M5 South Western Motorway) and the Western and South railway line, is a contributing factor to the rate of growth. Regents Park is situated on the Bankstown and Inner West railway lines.

The Community Strategic Plan notes that the target of 17,000 dwellings by 2031 that was set by the Draft West Central Sub regional Strategy (repealed) was planned to be met through 6,000 new dwellings at Sydney Olympic Park, and the remaining 11,000 new dwellings to be accommodated within the Auburn LGA.

Nearly 40% of the target growth is to occur on brownfield sites through redevelopment of former industrial sites.

Housing prices and rents are expected to continue rising due to the proximity of Auburn LGA to good public transport connections to major centres. The Community Strategic Plan identifies the need to continue to encourage a mix of dwelling types and sizes across the LGA.

The Planning Proposal is consistent with the Community Strategic Plan as it will contribute to housing diversity within proximity to existing public transport, services and amenities.

5.2.3. Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?

The proposal would address and/or be consistent with all relevant State Environmental Planning Policies (SEPPs). **Table 4** outlines the intent of all relevant SEPPs and consistency of the Planning Proposal.

Table 4 – State Environmental Planning Policies

SEPP Name	Consistency	Comments
SEPP 1 – Development Standards	Not Applicable	
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	Consistent	The Planning Proposal will not contain provisions that will conflict or obstruct the application of the SEPP.
SEPP 6 – Number of Storeys in a Building	Not Applicable	The proposal is for building height expressed in metres in accordance with the Standard Template.
SEPP 14 – Coastal Wetlands	Not Applicable	
SEPP 15 – Rural Land sharing Communities	Not Applicable	
SEPP 19 – Bushland in Urban Areas	Not Applicable	
SEPP 21 – Caravan Parks	Not Applicable	
SEPP 22 – Shops and Commercial Premises	Not Applicable	
SEPP 26 – Littoral Rainforests	Not Applicable	
SEPP 29 – Western Sydney Recreation Area	Not Applicable	
SEPP 30 – Intensive Agriculture	Not Applicable	
SEPP 33 – Hazardous and Offensive Development	Not Applicable	
SEPP 36 – Manufactured Home Estates	Not Applicable	
SEPP 39 – Spit Island Bird Habitat	Not Applicable	
SEPP 44 – Koala Habitat Protection	Not Applicable	The Auburn or Cumberland LGA is not listed under Schedule 1 of the SEPP.
SEPP 47 – Moore Park Showground	Not Applicable	
SEPP 50 – Canal Estate Developments	Not Applicable	
SEPP No. 55 – Remediation of Land	Consistent	In accordance with Clause 7(1), Council must not grant consent to a development unless it has considered whether the land is contaminated and whether it is suitable, or

SEPP Name	Consistency	Comments
		can be made suitable, for the proposed use. The subject site is currently developed for residential uses and is surrounded by established residential development. It is unlikely that the Site would be contaminated to a level that would prevent the continuation of residential uses at an increased density.
SEPP 59 – Central Western Sydney Regional Open Space and Residential	Not Applicable	
SEPP 60 – Exempt and Complying Development	Not Applicable	
SEPP 62 – Sustainable Aquaculture	Not Applicable	
SEPP 64 – Advertising and Signage	Consistent	The Planning Proposal does not contain provisions that will conflict or obstruct the application of SEPP 64.
SEPP No. 65 – Design Quality of Residential Apartment Development	Not Applicable	
SEPP 70 – Affordable Housing (Revised Schemes)	Not Applicable	
SEPP 71 – Coastal Protection	Not Applicable	
SEPP (Affordable Rental Housing) 2009	Consistent	The proposal is not being undertaken by or on behalf of a public authority or social housing provider, or by a person undertaking the development with the Land and Housing Corporation. The Planning Proposal does not contain provisions that will conflict or obstruct the application of the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent	The Planning Proposal does not contain provisions that will conflict or obstruct the application of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent	The proposal is to adopt the standard instrument provisions for exempt and complying development.
SEPP (Housing for Seniors or people with a Disability) 2004	Consistent	The Planning Proposal does not contain provisions that will conflict or obstruct the application of the SEPP.
SEPP (Infrastructure) 2007	Consistent	Amy Street is not a classified road. A future DA for the Site will be referred to the appropriate referral/concurrence authority as if required under the SEPP.
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not Applicable	
SEPP (Kurnell Peninsula) 1989	Not Applicable	
SEPP (Major Development) 2005	Not Applicable	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not Applicable	
SEPP (Penrith Lakes Scheme) 1989	Not Applicable	
SEPP (Port Botany and Port Kembla) 2013	Not Applicable	

SEPP Name	Consistency	Comments
SEPP (Rural Lands) 2008	Not Applicable	
SEPP (SEPP 53 Transitional Provisions) 2011	Not Applicable	
SEPP (State and Regional Development) 2011	Consistent	The Planning Proposal does not contain provisions that will conflict or obstruct the application of the SEPP.
SEPP (Sydney Drinking Water Catchment) 2011	Not Applicable	
SEPP (Sydney Region Growth Centres) 2006	Not Applicable	
SEPP (Temporary Structures) 2007	Not Applicable	
SEPP (Urban Renewal) 2010	Not Applicable	
SEPP (Western Sydney Employment Area) 2009	Not Applicable	
SEPP (Western Sydney Parklands) 2009	Not Applicable	

5.2.4. Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 Directions)

The Planning Proposal is consistent with all relevant s.117 Directions. The assessment of these is outlined in Table 5.

Table 5 – Section 117 Directions for Planning Proposals

Clause	Direction	Consistency	Comment
1. Employment and Resources			
1.1	Business and Industrial Zones	Not Applicable	This Direction is not applicable as it applies to business and industrial zoned land.
1.2	Rural Zones	Not Applicable	This Direction is not applicable as it applies to Rural zoned land.
1.3	Mining Petroleum Production and Extractive Industries	Not Applicable	This Direction is not applicable as it applies to Mining Petroleum Production and Extractive Industries.
1.4	Oyster Aquaculture	Not Applicable	This Direction is not applicable as it applies to Oyster aquaculture
1.5	Rural Lands	Not Applicable	This Direction is not applicable as it applies to rural lands.
2. Environment and Heritage			
2.1	Environmental Protection Zones	Not Applicable	This Direction is not applicable as the Site is not covered by an environmental protection zone.
2.2	Coastal Protection	Not Applicable	This Direction is not applicable as the Site is not in a coastal protection zone.
2.3	Heritage Conservation	Not Applicable.	ALEP 2010 contains heritage provisions. This Planning Proposal does not seek to amend these. There are no known heritage items on or in proximity to the Site, nor is it located within a heritage conservation area.
2.4	Recreation Vehicle Areas	Not Applicable.	This Direction is not applicable as the Site is not intended to be used as a recreational vehicle area.
3. Housing, Infrastructure and Urban Development			
3.1	Residential Zones	Consistent	The Planning Proposal is consistent with the objectives of this clause in that it will increase the availability and mix of dwellings in the LGA, provide housing in an accessible location, and will minimise the environmental impact of residential development. The proposed rezoning will facilitate the more efficient use of this land. The proposed R3 Medium Density Residential zoning will provide a greater mix of housing typologies and rental opportunities in the locality.

Clause	Direction	Consistency	Comment
			This will address the existing undersupply and will assist with accommodating the predicted growth of Regents Park and the LGA, as the new housing will have direct access to Regent Park Town Centre.
3.2	Caravan Parks and Manufactured Home Estates	Not Applicable	This Direction is not applicable as the Site is not currently a caravan park, nor is it intended to be used as a caravan park or manufactured home estate.
3.3	Home Occupations	Consistent	The Planning Proposal is consistent with the objective of this clause in that it will provide new dwellings that can accommodate small businesses to encourage innovation and incubation of new enterprises on site.
3.4.	Integrating Land Use and Transport	Consistent	The topography of the Site and surrounds and its strategic location in proximity to Regents Park Town Centre and nearby public transport connections make it an appropriate location for increased residential density. Providing medium density housing in a location well serviced by public transport and local services is consistent with this Direction.
3.5	Development Near Licensed Aerodromes	Not Applicable	This Direction is not applicable as the Site is not near a licensed aerodrome.
3.6.	Shooting Ranges	Not Applicable	This Direction is not applicable as the Site is not located near a shooting range
4. Hazard and Risk			
4.1	Acid Sulfate Soils	Minor Inconsistency	The risk of acid sulfate soils (ASS) on the Site is identified on Council's ASS Risk Map. The Site is identified as being low risk or "Class 5" on the risk map and there are no water sources located within proximity that would be impeded by ASS runoff. ASS is therefore not considered a constraint to rezoning on the Site. The Department have advised that the proposals inconsistency with this Direction is of minor significance and no further approval is required.
4.2	Mine Subsidence and Unstable Land	Not Applicable	This Direction is not applicable as the Site is not located within a Mine Subsidence District or identified as unstable land.
4.3	Flood Prone Land	Consistent	The Site is not identified as flood prone land.

Clause	Direction	Consistency	Comment
4.4	Planning for Bushfire Protection	Not Applicable	This Direction is not applicable as the Site is not located on bushfire prone land.
5. Regional Planning			
5.1	Implementation of Regional Strategies	Not Applicable	This Direction is not applicable as the Site is not part of a regional strategy.
5.2	Sydney Drinking Water Catchments	Not Applicable	This Direction is not applicable as the Site is not located within a hydrological catchment in the identified LGAs.
5.3	Farmland of State and Regional Significance on NSW Far North Coast	Not Applicable	This Direction is not applicable as the Site is not located on the NSW far north coast.
5.4	Commercial and Retail Development along the Pacific Highway	Not Applicable	This Direction is not applicable as the Site is not located along the Pacific Highway.
5.5	Development in the vicinity of Ellalong, Paxton and Millfield	Revoked	
5.6	Sydney to Canberra Corridor	Revoked	
5.7	Central Coast	Revoked	
5.8	Second Sydney Airport: Badgery's Creek	Not Applicable	This Direction is not applicable as the Site is not located within or adjacent to the proposed airport site.
5.9	North West Rail Link Corridor Strategy	Not Applicable	This Direction is not applicable as the Site is not located within the applicable LGAs.
6. Local Plan Making			
6.1	Approval and Referral Requirements	Consistent	The Planning Proposal is consistent with the objective of this clause as it sets a statutory planning framework for the Site that will facilitate appropriate development assessment procedures in accordance with the EP&A Act 1979.
6.2	Reserving Land for Public Purpose.	Consistent	This Direction is not applicable to the Site. The Sydney West Central Planning Panel has advised (Ref: 051) that the proposed zoning would be suitable for the site without a public open space element. The issue of public open space will be dealt with by meeting the development contributions for public open space under the Cumberland Council's contributions plan.
6.3	Site Specific Provisions	Consistent	The Planning Proposal is consistent with the objective of this clause as it does not impose any development standards in addition to those already contained in the principal environmental planning instrument

Clause	Direction	Consistency	Comment
			being amended.
7. Metropolitan Planning			
7.1	Implementation of a Plan for Growing Sydney	Consistent	As described in Section 5.2.1, the Planning Proposal is consistent with goals, directions and priorities contained in the Plan.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not Applicable	This Direction is not applicable as the Site is not located within the Greater Macarthur Land Release Investigation area.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not Applicable	This Direction is not applicable as the Site is not located within the Parramatta Road Corridor.

5.3. SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

5.3.1. Is there any likelihood that critical habitat or *threatened* species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Site is located in an established area, with residential development present within and surrounding the Site. No critical habitat or threatened species, populations or ecological communities, or their habitats are known to exist on or in proximity to the Site.

5.3.2. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Any substantial environmental impacts can be dealt with as part of the assessment of the development proposal for the Site. The key environmental issues in this Planning Proposal are summarised below.

Traffic and Access

A Traffic Impact Assessment has been prepared by Arup and is included at **Appendix A**. This documents the existing traffic conditions; assesses the parking and access requirements; and assesses the traffic impacts associated with the construction of approximately 75 dwellings. The assessment finds:

- Based on the RMS Technical Direction relating to medium density residential development (an indicative yield of 75 dwellings) the proposal is predicted to generate 33 vehicle trips in the commuter peak hours.
- Traffic modelling indicates all intersections (with the exception of Amy Street/ Joseph Street / Weeroona Road in the AM peak hour) currently operate at acceptable levels of service.
- The additional traffic resulting from the proposed development does not result in any significant changes to the operations of the intersections assessed. The projected level of service at all intersections remains unchanged from the 'future base' scenario. In this context, the impacts from the proposed development are considered acceptable.
- The location of the Site is within a reasonable walking distance to bus and rail services. The provision of medium density housing near available public transport nodes has the potential to encourage increased use of existing public transport infrastructure and contribute to justification to improve the frequency of bus services in the locality due to increased demand for services.

Notwithstanding the above, any future residential development will be subject to a separate DA, requiring the preparation and submission of a Traffic and Parking Assessment for the final number of dwellings.

Tree Removal

An Arborist Report has been prepared by Eco Logical Australia and is included at **Appendix B**. The assessment comments on the current health and condition of the site trees and reviews the potential impacts to the trees on site. The findings of this report can be summarised as follows:

- 18 trees with a high retention value were identified within the study area;
- 46 trees were found to have medium retention value; and
- 50 trees were found to have low retention value.

The report recommends that a comprehensive Arboricultural impact assessment must be prepared in advance of future construction works on the site. This recommends that the construction method and design footprint should incorporate retention of high value trees wherever possible.

The report demonstrates that there is no reason that the land should not been rezoned to R3 Medium Density Residential. A future DA will be required to take into consideration protection of the trees identified as having high retention value. The impacts on the trees on the site will be the subject of a comprehensive assessment at the DA stage.

Soil Contamination and Acid Sulphate Soils

Due to the nature of existing development (low density residential) on the Site, there are no immediate concerns in regard to the suitability of the Site (or whether it can be made suitable) for residential development with respect to contamination.

Risk from ASS is identified as being low on the Site. In addition, there are no watercourses located within proximity of the Site that would be impacted by ASS runoff.

Built Form

The Planning Proposal seeks a maximum FSR of 0.75:1. The existing maximum building height of 9 metres will be retained.

The provisions contained in the Planning Proposal directly respond to the comments of the Sydney West Central Planning Panel (22 June 2017), the constraints of the Site, the character of surrounding built form, and the nature of surrounding land uses. This is primarily achieved through:

- The retention of the 9 metre height limit on the site, which is the same maximum height limit on surrounding sites. The height limit facilitates two story development and therefore will not have an adverse solar or visual impact on the sites to the south.
- An FSR of 0.75:1, which is consistent with the typical range for terrace houses (0.55:1 – 0.75:1), as identified in the draft Medium Density Design Guide. An FSR of 0.75:1 is also the standard FSR in that it relates to R3 Medium Density zone.

Given the orientation and size of the Site, future development will be capable of complying with the key controls in the Auburn Development Control Plan 2010 (DCP 2010) for multi dwelling housing, including:

- Number of storeys.
- Dwelling size.
- Landscaping and open space.
- Private open space.
- Solar access.
- Ventilation.

A comprehensive assessment will be undertaken at the DA stage. An example of the type of built form that might be proposed, as taken from the draft Medium Density Design Guide is included at Figure 7. This demonstrates that the proposed controls will facilitate an urban form that is compatible with locality and makes a positive aesthetic contribution.

Figure 7 – Medium Density Designs



Picture 4 – Terrace Houses

Source: Draft Medium Density Design Guide



Picture 5 – Terrace Houses 2

Source: Draft Medium Density Design Guide

5.3.3. How has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal presents the opportunity to improve the availability, mix and affordability of housing in Regents Park. Continued population growth in the LGA and corresponding demand for terraces demonstrates a demand for increased residential development to meet the broader housing needs of the locality.

Increasing development within proximity to Regents Park Town Centre presents the opportunity to contribute to the economic viability of the locality and the LGA. The proposal has the potential to be a catalyst to further improvements to the town centre catchment to support the growth of Regents Park.

5.4. SECTION D – STATE AND COMMONWEALTH INTERESTS

5.4.1. Is there adequate public infrastructure for the Planning Proposal?

Public Transport

A high frequency of rail services caters to the locality during weekdays. Existing public transport services in Regents Park provide the following connections:

- Regents Park Railway Station: The station provides access between Regents Park and Bankstown, Lidcombe, and railway stations in Sydney CBD, Liverpool and Blacktown.
- Bus Services: available bus services provide connections to nearby suburbs, including Bankstown, Lidcombe, Merrylands, Liverpool and Burwood.

Public transport nodes located close to the Site are shown in **Figure 2**.

Public Utilities

As the proposal is within an established suburb of Regents Park, all essential utility services are available and can be amplified, extended or augmented as required. Further investigations will be undertaken as part of the preparation of a DA.

Education

There are a number of public and private schools that service the Regents Park locality, including Regents Park Christian School, Regents Park Public School, and the Christian Community School. High Schools

located in suburbs surrounding Regents Park include Auburn Girls High School, Birrong Girls High School and Birrong Boys High School.

Schools located in close proximity to the subject site are identified in other educational establishments that service Regents Park and surrounds include:

- University of Sydney, Cumberland Campus.
- University of Western Sydney, Parramatta and Westmead Campuses.
- Four TAFE schools, including campuses in Lidcombe and Chullora.

In addition to the above educational facilities, Regents Park public library is also located on Amy Street.

Open Space

Open space in proximity to the Site (800 metre walking distance) includes Guilfoyle Park, Kibo Reserve, Dunbar Avenue Park, Cutcliffe Reserve, a public Park at the corner of Smith Street, Nottinghill Road and Dawes Avenue, and a public park located on Greatrex Avenue. Existing open space is shown in **Figure 2**.

Health Services

Regents Park is well served by medical practitioners, including GPs, a dentist, medical centres and support services.

The following services are also accessible from the Site:

- Auburn public hospital (4.4km).
- St Joseph's private hospital (5.2km).
- Westmead public hospital (14.7km).
- Westmead private hospital (15.1km).
- Westmead children's hospital (15km).

Commercial Services

A range of retail and non-retail services are available in Regents Park Town Centre which service the surrounding population. Existing services and facilities available within Regents Park Town Centre include a post office, banks, mixed businesses, supermarket, specialty stores, restaurants, cafes and food outlets, general practitioners, dentist, library and service station.

Bankstown and Parramatta are easily accessible from the Site via both public transport and private vehicle.

5.4.2. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

At this stage the views of appropriate State and Commonwealth public authorities have not been obtained. The panel's determination requires consultation with the following public authorities:

- Transport for NSW – Roads and Maritime Services.
- Cumberland Council.

In accordance with the panels advice the identified public authorities will be provided with a copy of the Planning Proposal and given a minimum of 21 days to comment on the proposal.

The revised Planning Proposal is also the result of a recommendation of the Sydney West Central Planning Panel on the 22 June 2017 (Ref 051). The Panel determined that the previous proposal for R4 High density residential zoning was inappropriate for the site and instead recommended an R3 Medium Density zone.

The panel supported the following numerical controls for the site:

- A maximum building height of 9m across the site;
- A maximum floor space ratio of 75:1 across the site; and
- Removal of the public open space.

These recommendations form the basis of this Planning Proposal.

6. PART 4 –MAPPING

This section contains the mapping for this Planning Proposal in accordance with the DP&E's Guidelines on LEPs and Planning Proposals.

6.1. EXISTING

This section contains map extracts from ALEP 2010 which illustrate the current controls that apply to the Site.

6.1.1. Zoning

Figure 8 illustrates the Site and the surrounds are zoned R2 Low Density Residential.

Figure 8 – Zoning Map Extract



Source: ALEP 2010

6.1.2. Height of Buildings

Figure 9 illustrates that a 9-metre maximum height of buildings control applies to the Site.

Figure 9 – Existing Height of Buildings Map Extract



Source: ALEP 2010

6.1.3. Floor Space Ratio

A maximum FSR control does not apply to the Site or the surrounding sites zoned R2 Low Density Residential.

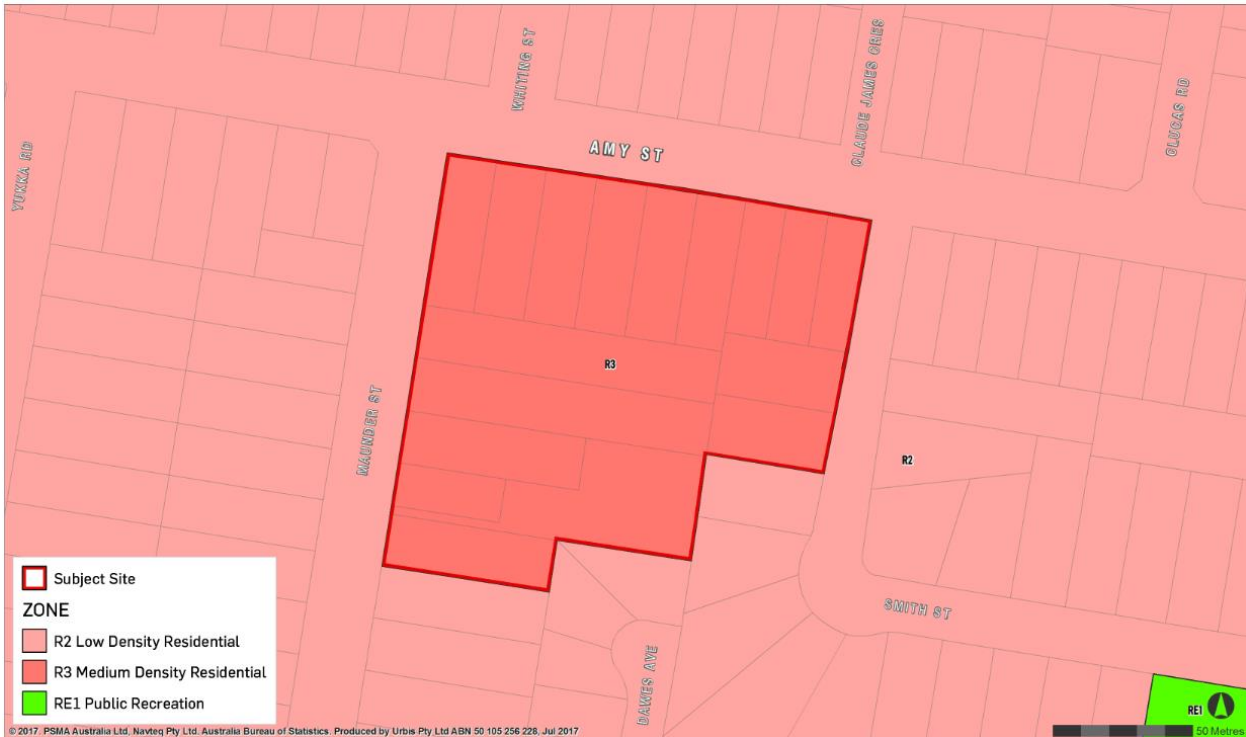
6.2. PROPOSED

Three ALEP 2010 maps would require amending in association with the rezoning of the Site. The amendments proposed are detailed below.

6.2.1. Zoning

As illustrated in **Figure 10** the Site is proposed to be zoned R3 Medium Density Residential.

Figure 10 – Proposed Zoning Map



Source: Urbis Pty Ltd

6.2.2. Height of Buildings

The maximum height of buildings map is not required to be amended as the existing maximum height limit of 9 metres will be retained.

6.2.3. Floor Space Ratio

A maximum FSR control of 75:1 is proposed over the area to be zoned R3 Medium Density Residential on the Site.

Figure 11 – Proposed Floor Space Ratio Map



7. PART 5 - COMMUNITY CONSULTATION

In accordance with the Gateway Determination community consultation is required under section 56(2)(c) and 57 of the EP&A Act. The exhibition of the Planning Proposal is likely to include:

- Planning Proposal documentation being displayed at Cumberland Council office(s).
- Public exhibition for a minimum of 28 days. This will include an advertisement within an appropriate local newspaper and notification to adjacent landowners.

8. PROJECT TIMELINE

The anticipated project timeframe is provided below.

Table 6 – Indicative Project Timeline

STAGE	DATES
Commencement and completion of public exhibition	September 2017
Consideration of submissions	October 2017
Anticipated finalisation	November 2017
Gazettal	January 2018

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APPENDIX A

TRAFFIC AND PARKING REPORT

APPENDIX B

ARBORIST REPORT

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