



30 - 46 Auburn Road, Regents Park

Proposal Title :	30 - 46 Auburn Road, Regents Park		
Proposal Summary :	The proposal seeks to increase the maximum height of buildings (to part 19m and part 25m) and increase the maximum floor space ratio (to 1.75:1 if nominated public benefits be delivered, or otherwise to 1.5:1) for land at 30 to 46 Auburn Road, Regents Park.		
PP Number :	PP_2016_CBANK_001_00	Dop File No :	16/10419

Proposal Details

Date Planning Proposal Received :	27-Jul-2016	LGA covered :	Canterbury-Bankstown
Region :	Metro(CBD)	RPA :	Canterbury-Bankstown Council
State Electorate :	BANKSTOWN	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	30 to 46 Auburn Road		
Suburb :	Regents Park	City :	Sydney
		Postcode :	2143
Land Parcel :			

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name :	Terry Doran
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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy :	

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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 : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

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

If No, comment :

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

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **A statement of objectives is provided. The intended outcome of this planning proposal is to enable an increase of residential development within a reasonable walking distance of the Regents Park railway station; and provide an appropriate mechanism to ensure that the development of the site delivers certain public improvement works, and to realise these improvement works in a timely manner.**

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

Is an explanation of provisions provided? **Yes**

Comment : **The site at 30-46 Auburn Road in Regents Park is currently zoned R4 High Density Residential. The maximum building height is 13 metres (plus attic), and the maximum floor space ratio is 0.6:1.**

To achieve the intended outcome of this planning proposal, the proposed amendments to Bankstown Local Environmental Plan 2015 are:

- **Enable an increase in height to 19 metres to the part of the site that fronts Auburn Road, and a maximum building height of 25 metres to the remainder of the site;**
- **enable and increase the maximum floor space ratio to 1.75:1.**

This is subject to a clause that only permits development to achieve the maximum floor space ratio of 1.75:1 if the development delivers the following public benefits to the satisfaction of Council:

- **The highest standard of architectural, urban and landscape design;**
- **The embellishment of Magney Reserve to support the increased residential**

appropriate mechanism to realise these improvement works in a timely manner.

(c) North Central Local Area Plan

One day prior to the creation of the new city of Canterbury-Bankstown Council, the former Bankstown Council at a meeting held on 11 May 2016 decided to amend the North Central Local Area Plan by increasing the FSR indicated for the site within the Plan from 1.75:1 to 2.25:1 subject to traffic and public domain works.

Therefore the planning proposal as submitted is inconsistent with a Council's resolution regarding the North Central Local Area Plan. On the 26 July 2016, the Council resolved to agree to be the relevant planning authority and submit a planning proposal to the Department which adopts an FSR of 1.75:1. The supporting Council report notes a review of the proposed 2.25:1 FSR will be undertaken during the exhibition and a report on the review presented to Council

Given the above considerations, it is recommended that a Gateway condition be applied that the FSR for the site is confirmed prior to exhibition, and that this FSR is not subject to the provision of public benefits.

TRAFFIC

A Traffic assessment undertaken as part of the pre Gateway review application concluded that the upgraded rail overbridge will alleviate existing traffic issues regarding the local road network. Traffic is therefore not considered to be a constraint to rezoning of the site at a density enabled by an FSR of 1.75:1. The Gateway determination has been conditioned to consult with the RMS and Transport NSW (Sydney Trains) prior to exhibition.

This will confirm whether traffic is a constraint to rezoning the site.

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain :

117 Directions

Direction 3.1-Residential Zones: This planning proposal is inconsistent with clause 10 of this direction, which does not permit residential development until the site is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it). In response the Joint Regional Planning Panel and the North Central Local Area Plan identified the need for certain public improvement works to service the site and to establish linkages to the Regents Park Small Village Centre for the benefit of the site.

In accordance with clause 11 of this direction, the inconsistency is justified provided there is a site specific provision to realise the improvements works in a timely manner. The Department supports this recommendation. The intended outcome is to establish better links to the Regents Park Small Village Centre, and to improve the amenity and public domain of the locality for the benefit of residents. The proposed improvement works include (but are not limited to) the following actions:

- Embellish Magney Reserve to support the growing population resulting from the increased residential development on the site.
- Construct footpaths on both sides of Auburn Road and the streets surrounding Magney Reserve to complete the footpath network, and install kerb build-outs, pedestrian crossings and traffic calming measures at certain locations.
- Embellish Auburn Road and local streets with street trees to create a pleasant place to walk and cycle.
- Formalise a north-south cycle link along Auburn Road.

These matters could be provided for under a voluntary planning agreement.

Direction 4.3-Flood Prone Land: This planning proposal is inconsistent with clause 6(c) of this direction as it would permit a significant increase in the development of land within a flood planning area.

In accordance with clause 9(a) of this direction, Council adopted the Duck River

Floodplain Risk Management Plan. The Risk Management Plan combined with the development controls of Bankstown Local Environmental Plan 2015 and Bankstown Development Control Plan 2015 indicate the proposed increase in the development of the land is possible.

However the Department recommends further flooding studies should be undertaken prior to the finalisation of the rezoning of the site. This shall ensure that any future development on this site could be developed in accordance with the proposed height and FSR limits.

Direction 6.3-Site Specific Provisions: This planning proposal as submitted, was inconsistent with clause 4(c) as it proposed to add a site specific provision in addition to those already contained in Bankstown Local Environmental Plan 2015.

The proposal included a site specific provision to give Council comfort that there would be an appropriate mechanism to realise the improvement works in a timely manner. However, this site specific provision is not supported. The Panel recommended that the proponent and the Council engage in discussion regarding an appropriate mechanism to realise these improvement works.

SEPPs

SEPP 55 (Remediation of Land)

Council has advised that a contamination study would be required for the proposal to meet the requirements of SEPP 55. Please see environmental assessment section for DPE consideration.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **the planning proposal must be made publicly available for a minimum of 28 days**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **March 2015**

Comments in relation to Principal LEP : **Bankstown Local Environmental Plan 2015 was finalised on 5 March 2015.**

Assessment Criteria

Need for planning proposal : **The objective of this Planning Proposal is to enable the redevelopment of existing industrial development at 30-46 Auburn Road, Regents Park for higher density housing. The intended outcome is the provision of housing in a highly accessible area that will**

Consistency with strategic planning framework :

maximise public transport patronage and encourage walking and cycling.

This planning proposal is consistent with the directions and actions of the Metropolitan Plan, 'A Plan for Growing Sydney, namely:

- Direction 2.1-Accelerate housing supply across Sydney: This planning proposal enables increased residential development close to Regents Park.
- Direction 2.2-Accelerate urban renewal across Sydney: This planning proposal facilitates urban renewal and enables increased residential development within a reasonable walking distance of the Regents Park railway station.

At the Ordinary Meeting of 11 May 2016, Council adopted the North Central Local Area Plan to identify the priority areas where population and housing growth may occur in a sustainable way, and the required public improvement works to keep pace with population growth. In particular, Action L5 outlines the local context, the structure plan, and the detailed urban design and traffic analysis which informed the recommended building envelope for the development of the site (i.e. 6-8 storeys / 1.75:1 FSR). Action L5 also reflects the Joint Regional Planning Panel's pre-gateway review and recommendation for the site dated 9 March 2016.

This planning proposal is consistent with the recommendations of the North Central Local Area Plan.

The proposal is also consistent with the objectives and actions of the former Draft West Central Subregional Strategy, namely:

- Direction C1.3 - Plan for increased housing capacity targets in existing areas: This planning proposal increases the housing capacity in Regents Park.
- Direction C2.1- Focus residential development around centres, town centres, villages and neighbourhood centres: This planning proposal enables increased residential development within a reasonable walking distance of the railway station. This is subject to the development of the site delivering certain public improvement works to improve linkages to the Regents Park Small Village Centre.
- Direction F2.2 - Investigate future options for open space provision and management: This planning proposal promotes the integration of new public domain improvements in new medium and higher density residential developments. This is subject to the development of the site delivering certain public improvement works to improve linkages to the Regents Park Small Village Centre.

DPE comment:

Overall the Department is satisfied that the proposal is consistent with State Government strategies in relation to the provision of supplying new housing. In addition the site is ideally located within walking distance of public transport, shops and services.

Environmental social economic impacts :

Given the location of the site near industrial and residential areas, it is considered that there are no likely environmental impacts of the planning proposal, except potentially for those relating to traffic generation and impact of the proposal's built form upon adjoining and nearby residential properties. However, as the site is located on land that still undertakes industrial activities the issue of contamination will need to be considered and resolved. In addition as the site is located in close proximity to a rail corridor, residential amenity may be impacted by noise, vibration and dust generated from the trains and its operations within an industrial area.

Contamination:

Council has advised that contamination investigations were undertaken in 2005 when the site was rezoned from an industrial zone to a high density residential. The study looked at the suitability of the site for residential purposes and concluded that "the potential for extensive contamination of the site is low and that the site can be practically remediated and rendered suitable for the proposed residential use", and that "it may be prudent to conduct further investigations on the site to fully characterise the site in terms of site contamination".

However, the contamination investigations are based on a significantly smaller scale residential development compared to the current proposal. Industrial related activities

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Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Other - provide details below

If Other, provide reasons :

The planning proposal is to be updated to include a contamination study which addresses State Environmental Planning Policy No 55 - Remediation of Land.

The planning proposal is to be updated to include a flood study to comply with S117 Direction 4.3 - Flood Prone Land.

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 30-46 Auburn Road, Regents Park_.pdf	Proposal	Yes
Covering Letter - 30-46 Auburn Road in Regents Park_.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

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

S.117 directions: **3.1 Residential Zones**
 4.3 Flood Prone Land
 6.3 Site Specific Provisions

Additional Information : 1. **Prior to undertaking public exhibition the planning proposal is to be amended to:**
 a) **indicate Council's desired FSR (either 1.75:1 or 2.25:1, or alternative FSR following review), and remove the requirement for the provision of public benefits in exchange for an increase in FSR;**
 b) **include a contamination study which addresses the requirements State Environmental Planning Policy No 55 - Remediation of Land; and**
 c) **include a flood study which addresses the requirements of section 117 Direction 4.3 - Flood Prone Land.**

2. **Prior to undertaking public exhibition, consultation is required with the following public authorities under section 56(2)(d) of the Act:**

- **Transport for NSW - Sydney Trains**
- **Roads and Maritime Services**
- **Environment Protection Authority**
- **Australian Rail Track Corporation**
- **Ausgrid**
- **Telstra**
- **Sydney Water**

The public authorities is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment.

If any public authority requires additional information, or specifies any additional matters to be addressed, the planning proposal is to be updated to respond to any such submission.

3. The planning proposal is to be amended to reflect the above conditions and a copy is to be provided to the Director Sydney Region West prior to community consultation under sections 56(2)(c) and 57 of the Act being undertaken

4. Community consultation is required under sections 56(2) and 57 of the Act as follows:
a) the planning proposal must be made publicly available for 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 the Department's 'A Guide to Preparing Local Environmental Plans'.

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 timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

Supporting Reasons : The planning proposal is supported in accordance with the recommendations of the Sydney West Joint Regional Planning Panel arising from the pre Gateway review process.

Signature:



Printed Name:

Adrian H. Grogan

Date:

7 / Sept / 2016