
Public Forum:**Speakers on Items on the Council Meeting Agenda**

Speaker	Item #	Suburb
Mr Stephen Earp	C07/19-130 - Planning Proposal - 2 Percy Street, Auburn	Thornleigh
Ms Hulya Uzum	C07/19-130 - Planning Proposal - 2 Percy Street, Auburn	Granville

Min.575 Suspension of Standing Orders**Resolved (Attie/Saha)**

That in accordance with Clause 1.6(2) of the Code of Meeting Practice, Council suspend standing orders to allow Item C07/19-130 to be brought forward for the consideration of Council.

Min.576 C07/19-130 Planning Proposal - 2 Percy Street, Auburn**Resolved (Hamed/Zreika)**

That Council progress the planning proposal to public exhibition, having addressed the conditions of the Gateway Determination and feedback sought from the transport agencies in accordance with Council's resolution.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Attie, Campbell, Christou, Cummings, Elmore, Hamed, Huang, Lake, Rahme, Saha, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

Min.577 Items by Exception**Resolved (Saha/Christou)**

At this time of the meeting, all items on the agenda not called for discussion were moved collectively, as shown:

That item numbers C07/19-122, C07/19-124, C07/19-126, C07/19-127, C07/19-128, C07/19-133, C07/19-134 and C07/19-135 be moved in bulk.

Item No: C07/19-130

PLANNING PROPOSAL - 2 PERCY STREET, AUBURN

Responsible Division: Environment & Planning
Officer: Director Environment & Planning
File Number: PP-2/2017
Community Strategic Plan Goal: *A resilient built environment*

SUMMARY

The purpose of this report is to provide an update on the Planning Proposal for 2 Percy Street, Auburn. The planning proposal seeks to include 'educational establishment' as an additional permissible use for the site.

In February 2018, a Gateway Determination was issued that required a number of conditions to be addressed prior to proceeding to public exhibition. In October 2018, an update on the proposal was provided to Council, with Council resolving to defer to receive feedback from Transport for NSW and Roads and Maritime Services on the proposal.

Council has worked with the applicant and State agencies to address the conditions of the Gateway Determination and Council's resolution. This has included completion of relevant studies and amendments to the planning proposal to address the issues raised, as well as receiving feedback from Transport for NSW and Roads and Maritime Services. The Gateway Determination conditions have now been addressed, with transport agencies raising no objections to the proposal proceeding to public exhibition.

As the conditions of the Gateway Determination have been addressed and feedback received from transport agencies in accordance with Council's resolution, it is recommended that Council progress the planning proposal to public exhibition.

RECOMMENDATION

That Council progress the planning proposal to public exhibition, having addressed the conditions of the Gateway Determination and feedback sought from the transport agencies in accordance with Council's resolution.

REPORT

Background

A planning proposal request for land at 2 Percy Street, Auburn, was lodged with Council in May 2017. This request sought to introduce 'educational establishment' as

an additional permissible use, via an amendment to Schedule 1 of the *Auburn Local Environmental Plan 2010 (Auburn LEP 2010)*. An increase in the maximum Floor Space Ratio (FSR) from 1:1 to 1.2:1 was also sought. No change to the zone (IN2 Light Industrial) was requested.

In February 2018, a Gateway Determination was issued that required a number of conditions to be addressed prior to proceeding to public exhibition. In October 2018, an update on the proposal was provided to Council, with a resolution to receive feedback from Transport for NSW and Roads and Maritime Services (RMS) on the proposal.

The status of the planning proposal is provided in Figure 1

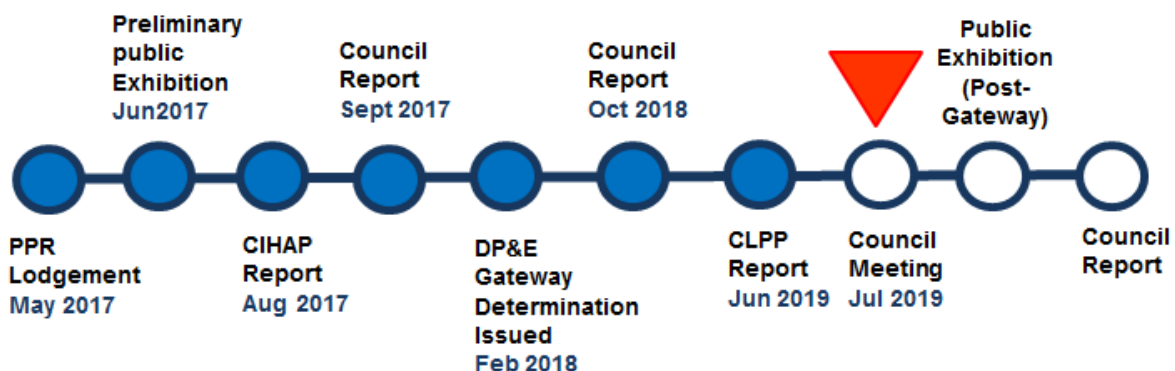


Figure 1 Planning Proposal Status

Feedback from Transport Agencies

Roads and Maritime Services

Roads and Maritime Services have provided Council with feedback that they no longer require Conditions 1(d) and 1(e) of the Gateway Determination to be addressed. They have determined that the Gelibolu Study is unlikely to identify road upgrades that would have any direct impact or land dedication requirement for the 2 Percy Street proposal (refer to Attachment 3).

Transport for NSW

Transport for NSW have provided feedback to Council that they did not have any further issues to add to the response from Roads and Maritime Services (refer to Attachment 4).

Response to Gateway Conditions

Council has worked with the applicant and State agencies to address the conditions of the Gateway Determination (Attachment 5). This has included completion of relevant studies and amendments to the planning proposal to address the issues raised. A summary of these outcomes is outlined in Table 1.

Gateway Condition	Response
1(a) Amend the planning proposal to provide more justification regarding the proposed additional permitted use rather than applying a land use zone that permits educational facilities.	The planning proposal has been updated to address this condition.
1(b) Prepare a Phase 1 – Preliminary Site Contamination Investigation Study for the site in accordance with the Managing Land Contamination Planning Guidelines (Environment Protection Authority, 1998)	A Phase 1 - Preliminary Site Contamination Investigation Study has been submitted by the proponent.
1(c) Review and consider the proposed floor space ratio control should the proponent be able to demonstrate through urban design testing to Council's satisfaction that additional floor space can be supported at the site.	The planning proposal no longer seeks to amend the FSR from the current development standard of 1:1.
1(d) Complete the updated traffic study for the Gelibolu precinct and update the planning proposal in accordance with the findings/recommendations of the study. and 1(e) On completion of condition 1(d), the planning proposal is to be referred to Transport for NSW and the Roads and Maritime Services, and amended in accordance with any comments received; and	<p>Council has revised and updated its traffic study for the Gellibolu precinct and referred it to RMS and TfNSW for comment.</p> <p>Roads and Maritime Services have recently advised that they no longer require Conditions 1(d) and 1(e) to be addressed, as their view is that the Gelibolu Study is unlikely to identify road upgrades that would have any direct impact or land dedication requirement for the 2 Percy Street proposal.</p> <p>As the Church Street link is not part of the amended proposal, Transport for NSW and Sydney Trains objection is no longer relevant as there is no impact on their land. Council's traffic study has been amended to reflect this.</p> <p>The proponent has updated their traffic study to address bus access and turnaround areas.</p>
1(f) Confirm local and State infrastructure requirements (including improvements for traffic, parking, transport, recreation and community facilities) to support the additional use.	This condition will be addressed through negotiations of a Voluntary Planning Agreement between Council and the proponent. However, this condition does not place a restriction on Council to publicly exhibit the proposal.

Table 1: Response to Gateway Conditions

Cumberland Local Planning Panel

The planning proposal was reported to the Cumberland Local Planning Panel on 20 June 2019 with the following advice provided by the Panel:

1. *The Panel advises Council as follows;*

- a) *That Council's attention be drawn to the proposed use being inconsistent with the objectives of the current IN2 Light Industrial zone;*
 - b) *The proposed student population together with teachers and support staff appears to be an excessive scale of development given the size and constraints of the site and the locality;*
 - c) *An educational establishment may be an acceptable land use on the site and recognises the demand for such a facility within the community subject to the above; and*
2. *The Panel recommends that the Council consider the above advice, and in particular items 1a and 1b when determining the form of the Planning Proposal in achieving the objective of the proposed educational establishment on the site.*

The advice by the Panel recognises the demand for an educational facility in the area and that this may be an acceptable land use on the site.

In relation to zoning, the preparation of the new Cumberland Local Environmental Plan provides an opportunity to review the zoning in a consistent manner across the Cumberland area.

In relation to the scale of development of an educational establishment, this is a matter for consideration by the Department of Planning, Industry and Environment in their assessment of the application for State Significant Development for this site.

Local Traffic Studies

A range of traffic studies and modelling have been undertaken for the site of the planning proposal and the broader precinct. This work has been discussed and reviewed with Roads and Maritime Services.

Council has undertaken more detailed traffic modelling to confirm longer term road performance at key intersections in the broader precinct. This work will inform future infrastructure requirements in the broader precinct beyond the planning proposal site.

Following feedback from transport agencies, the applicant has provided Council with additional detail in relation to traffic management measures for potential school operations (Attachment 6). It identifies drop-off and pick-up locations for cars and buses along Percy Street and Church Street. The issue of parking restrictions on Gelibolu Parade will be addressed in the assessment of the State Significant Development application of this site by the Department of Planning, Industry and Environment. A swept path assessment of the likely buses to access the school has also been undertaken to confirm operations within the existing road configuration.

Next Steps

As the conditions of the Gateway Determination have been addressed and feedback received from transport agencies in accordance with Council's resolution, Council's support for the progression of the planning proposal to public exhibition is now sought.

COMMUNITY ENGAGEMENT

A pre-Gateway consultation for the planning proposal undertaken from 1-30 June 2017 and 26 submissions (including 1 petition with 2306 signatures) were received at that time. 24 of the submissions (including the petition) supported the proposal.

Subject to Council endorsement of this resolution, the proposal will be publicly exhibited for a period of 28 days to satisfy the conditions of the Gateway Determination.

POLICY IMPLICATIONS

The planning proposal will result in an amendment to the *Auburn LEP 2010*, should it proceed to finalisation. Following community consultation to be undertaken as part of the Gateway Determination, the matter will be reported back to Council for final consideration of the planning proposal.

RISK IMPLICATIONS

There are minimal risk implications for Council associated with this proposal.







FINANCIAL IMPLICATIONS

A Voluntary Planning Agreement with Council will now be pursued under the State Significant Development application rather than the planning proposal as originally sought. The Voluntary Planning Agreement will be included by the Department of Planning, Industry and Environment as a condition of consent for the State Significant Development.

CONCLUSION

Council has worked with the applicant and State agencies to address the conditions on the Gateway Determination and resolution from Council. As the conditions of the Gateway Determination have been addressed and feedback sought and received from transport agencies in accordance with Council's resolution, this report recommends that the planning proposal now proceed to public exhibition.

ATTACHMENTS

1. Council Report and Minutes - 3 October 2018 [↓](#) 
2. CLPP Report and Minutes 20 June 2019 [↓](#) 
3. Comments from Roads and Maritime Services [↓](#) 
4. Comments from Transport for New South Wales [↓](#) 
5. Gateway Determination [↓](#) 
6. Applicant Traffic and Transport Advice [↓](#) 

**DOCUMENTS
ASSOCIATED WITH
REPORT C07/19-130**

Attachment 1

**Council Report and Minutes - 3
October 2018**

Public Forum:**Speakers on Items on the Council Meeting Agenda**

Speaker	Item #	Suburb
Ms. Helen Deegan	C10/18-190 2 Percy Street Auburn Planning Proposal - Addressing Gateway Conditions	Edgecliff

Min.293	C10/18-190 2 Percy Street Auburn Planning Proposal - Addressing Gateway Conditions
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Motion (Zreika/Sarkis)

That Council:

1. Proceed with a proposed FSR of 1.2:1 for the Planning Proposal for 2 Percy Street, Auburn.
2. Seek cost estimates for the two intersection upgrades identified in Council's draft Traffic Study of the Gelibolu Precinct.
3. Hold discussions with the proponent in relation to the offer of a VPA and seek a proportional contribution toward the costs associated with the two intersection upgrades which are required to service a school as well as planned development in the Gelibolu Precinct.
4. Following the satisfaction of Gateway conditions and any amended offer, proceed to formal community consultation.

Amendment (Lake/Grove)

That this matter be deferred pending receipt of feedback from Transport for NSW and Roads and Maritime Services (RMS) following the draft traffic study conducted in relation to the Gelibolu Precinct.

The Amendment moved by Councillor Lake seconded by Councillor Grove on being Put to the meeting was declared CARRIED.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Amendment: Campbell, Christou, Cummings, Garrard, Grove, Huang, Lake, Saha and Zaiter.

Councillor(s) Against the Amendment: Attie, Elmore, Hamed, Sarkis and Zreika.

The Amendment moved by Councillor Lake seconded by Councillor Grove then became the motion.

The motion moved by Councillor Lake seconded by Councillor Grove on being Put was

declared CARRIED to become the resolution of Council (as shown in the amendment).

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Campbell, Christou, Cummings, Garrard, Grove, Huang, Lake, Saha and Zaiter.

Councillor(s) Against the Motion: Attie, Elmore, Hamed, Sarkis and Zreika.

Min.294 Resumption of Standing Orders

Resolved (Attie/Grove)

That in accordance with Clause 1.6 (2) of the Code of Meeting Practice, Council resume the normal order of business.

Min.295 C10/18-186 Proposed Christmas/New Year Operations - 2018/19

Resolved (Lake/Saha)

That Council:

1. Endorse the implementation of the operational arrangements outlined in this report for the 2018/19 Christmas/New Year period and that these details be published to the community, subject to an amendment to the swimming pools closing time for the period of 27th December – 2nd January 2019 from 5pm to 8pm; and
2. In accordance with Section 377 of the Local Government Act 1993, delegate authority to the Mayor and General Manager or in their absence, to the persons acting in these roles, during the period of Council recess to jointly exercise the powers, authorities, duties and functions of Council which cannot reasonably be deferred to the first ordinary Council meeting following the Council recess. This period:
 - a) Commencing at midnight on the day of the Council meeting held immediately before the recess period as approved by Council (19 December 2018); and
 - b) Concluding at the time of commencement of the first Council meeting held immediately after the end of the recess period (6 February 2019); and noting that any such decisions are to be unanimous and circulated to Councillors for their information, and will be reported to the first Ordinary Council meeting following the recess period.

C10/18-187 Annual Disclosure of Pecuniary Interest Returns for Councillors & Designated Persons

This item was dealt with earlier in the meeting.

Item No: C10/18-190

2 PERCY STREET AUBURN PLANNING PROPOSAL - ADDRESSING GATEWAY CONDITIONS

Responsible Division: Environment & Infrastructure
Officer: Group Manager - Planning
File Number: PP-2/2017
Community Strategic Plan Goal: *A resilient built environment*

SUMMARY

The purpose of this report is to provide an update on progress in addressing the conditions of the Department of Planning and Environment (DP&E) Gateway Determination for the Planning Proposal for 2 Percy Street, Auburn, and to seek a Council resolution on the Floor Space Ratio (FSR) for the Proposal. This report presents Council with the relevant findings of the strategic traffic modelling and view line analysis work undertaken for the surrounding Gelibolu Precinct, as it relates to the Gateway conditions for the Percy Street Planning Proposal. The conditions of the Gateway Determination must be addressed before the Planning Proposal can proceed to post-Gateway exhibition.

RECOMMENDATION**That Council:**

1. **Proceed with a proposed FSR of 1.2:1 for the Planning Proposal for 2 Percy Street, Auburn.**
2. **Seek cost estimates for the two intersection upgrades identified in Council's draft Traffic Study of the Gelibolu Precinct.**
3. **Hold discussions with the proponent in relation to the offer of a VPA and seek a proportional contribution toward the costs associated with the two intersection upgrades which are required to service a school as well as planned development in the Gelibolu Precinct.**
4. **Following the satisfaction of Gateway conditions and any amended offer, proceed to formal community consultation.**

Proponent	Gallipoli Education Solutions Limited
Application No.	PP-2/2017
Site	2 Percy St Auburn; approx. area 7,300m ² (0.73 ha)
Zoning	IN2 Light Industrial (no change proposed)
Proposal	<ul style="list-style-type: none">• Seeks to introduce 'educational establishment' as an

	<p>additional permitted use.</p> <ul style="list-style-type: none"> • Original proposal sought to increase FSR from 1:1 to 1.2:1; however Council resolved to proceed with the existing FSR of 1:1. • Site has no maximum height under <i>Auburn LEP 2010</i>, and proposal does not seek a change to this.
Flooding	The north-eastern part of the land is flood prone (as identified in the <i>Auburn Local Environmental Plan 2010 Flood Map</i>)
Disclosure of political donations and gifts	Nil disclosure

REPORT

A Planning proposal request for land at 2 Percy Street, Auburn, was lodged with Council in May 2017. This request sought to introduce 'educational establishment' as an additional permissible use, via an amendment to Schedule 1 of the *Auburn Local Environmental Plan 2010 (Auburn LEP 2010)*. An increase in the maximum Floor Space Ratio (FSR) from 1:1 to 1.2:1 was also sought, though the proposal was changed to 1:1 at the time Council considered the matter previously. No change to the zone (IN2 Light Industrial) was requested.

Council considered this matter on 6 September 2017 and resolved to:

"Require the proponent for the planning proposal request for 2 Percy Street, Auburn to provide the following additional information..." (being a revised flood impact assessment, revised planning proposal concept, revised transport impact assessment, letter of offer for a Planning Agreement to fund traffic upgrades, amended planning proposal, and view line analysis – see Attachment 1 for full Council resolution) and *"...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;*
- v. *amend the Height of Buildings Map to provide for a maximum building height 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.*

This work is now largely complete, with the only remaining matters being a Council decision on the maximum FSR or either 1:1 or 1.2:1, RMS agreement to the

necessary upgrades of their intersections and the proponent reaching agreement with Council and the RMS to fund a proportion of the traffic works. While Council has been and can continue to facilitate the proposal moving forward, the critical issue of resolving traffic impacts is now in the hands of the State and the proponent.

A Gateway Determination was received from the Department of Planning and Environment in February 2018. The Gateway Determination (see Attachment 2) required Council address a number of conditions before it could proceed to formal (post-Gateway) community consultation. These conditions are discussed in further detail in subsequent sections of this report.

The site is located within the Gelibolu Precinct (bound by Rawson Street-Boorea Street, Station Street, Gelibolu Parade, and Percy Street) (Figure 1). This precinct is quite constrained in terms of vehicular access, being located immediately south of the major St Hilliers Road/Rawson Street intersection, and having a limited vehicular access points. The precinct also contains the iconic Gallipoli Mosque, which is a culturally and architecturally significant building, and a distinctive feature of the Auburn skyline.



Figure 1 – Gelibolu Precinct

(Planning Proposal site edged in black, currently zoned IN2)

As part of a review of the planning controls for this precinct, Council has undertaken traffic modelling and analysis of the wider Gelibolu precinct, as well as a view line analysis. Both studies have been undertaken by specialist consultants.

The purpose of the traffic study was to model the traffic impacts of different scenarios within the Gelibolu Precinct over two time periods: 2021 and 2026. A scenario which included the K-12 school, as proposed by the proponent of the 2 Percy Street Planning Proposal, was included in this study. The traffic modelling tested the

proponents suggested one-way vehicular link from Gelibolu Parade, Auburn, to Church Street, Lidcombe to determine the effectiveness of such a link in addressing the traffic likely to be generated by the proposed school.

The purpose of the view line analysis was to identify key sight lines to the Gallipoli Mosque, and potential building envelope and other site specific requirements for inclusion in the Development Control Plan.

Together, these studies will inform any revision of planning controls for the Gelibolu precinct, specifically future use (zoning), density (FSR) and building height.

These studies have now been completed in draft form. The final studies will be reported to Council in the near future for consideration in relation to planning for the wider Precinct. Both studies have implications for the Percy Street Planning Proposal and as such relevant findings are discussed in this report.

It is noted that a State Significant Development Application for the proposed school on the subject site has been lodged with the Department of Planning and Environment (DP&E). This application has been lodged ahead of the planning proposal for the subject site. The DP&E, not Council, is the consent authority for the State Significant Development Application. It is advised that under the provisions of s4.38 of the EP&A Act, the DP&E may consider the application "in conjunction with the proposed environmental planning instrument". The Department has not, however, taken over the relevant planning authority functions for the Planning Proposal which has been progressed by Council. The lodgement of this application does not prejudice the consideration of the Planning Proposal for the subject site.

Gateway Determination

The Gateway Determination for the Percy Street Planning Proposal required a number of conditions to be addressed before the proposal can proceed to formal post-Gateway community consultation. The key Gateway conditions related to this report are summarised below.

Gateway Determination Conditions	Comment
1(c) review/consider proposed FSR control of 1.2:1	Review complete and Council consideration is sought by this report. Council's draft view line analysis indicates that an FSR of 1.2:1 for this site will not have an adverse impact on the view lines to the Gallipoli Mosque. It is recommended that Council proceed with an FSR of 1.2:1 for this site.
1(d) complete the Gelibolu Precinct traffic study and update the Planning Proposal in accordance with the study findings/recommendations	Final draft completed.

1(e) refer the Planning Proposal to TfNSW and the RMS, and to subsequently amend it in response to comments received	In progress. Final draft precinct traffic study has been referred to TfNSW and RMS for comment.
1(f) confirm local and state infrastructure requirements (including traffic improvements, parking, transport, recreation and community uses to support the additional use)	In progress. Final draft precinct traffic study identifies two significant intersection upgrades. This is discussed in more detail in subsequent sections of this report.

Traffic Study

Council's strategic traffic analysis (undertaken by GHD consultants) included the following analysis for the precinct and surrounds:

- future year traffic growth
- microsimulation modelling for future year intersection performance
- analysis of the current operation of the road network and the recommended future signal optimisation for the 2021 and 2026 year horizons.

For both time horizons, scenarios of background growth and the proposed school were analysed. Additional modelling of the proponents suggested Church Street link was subsequently included in the modelling. This is discussed in the Public Benefit Offer section of this report below.

In summary, the study identified the need for two key intersection upgrades (detailed in Attachment 3) to accommodate the proposed School as well as planned development in the Precinct:

1. St Hilliers Road/Rawson Street
 - additional right turn lane on St Hilliers Road approaching from the south
 - additional right turn/through lane on St Hilliers Road approaching from the north
 - new right turn lane on Rawson Road approach from the west
2. Rawson Street/Station Road – new left turn lane on Rawson Road approaching from the east

The study recommended that both of these intersections be upgraded prior to 2021. This is on the basis of further development, including the proposal for a school, within the Precinct proceed. The study finds that, with these mitigation measures (i.e. the intersection upgrades) the road network in and around the Gelibolu Precinct can accommodate expected growth.

The Rawson Street/Station Road intersection upgrade requires the demolition of the building on the south-eastern corner which would not be practical until planning changes are implemented and redevelopment of that site is sought. However, the more critical St Hilliers Road/Rawson Street intersection upgrade can be practically achieved in the short term, subject to funding of widening acquisition and works.

The traffic analysis indicates how much of the additional traffic generation the proposed school adds to the network, which will assist in the negotiation of an appropriate planning agreement for contribution towards the costs.

View Line Analysis

The View Line Analysis confirmed that the 7 key view lines to the Gallipoli Mosque are from St Hilliers Road, Boorea Street, Wyatt Park, Station Road, Kerr Parade, Rawson Street, and Auburn Station, with the primary view corridor being southwards along St Hilliers Road. Views to the dome and minarets of the Mosque are considered to be the most significant views. In terms of the subject site, 2 Percy Street, the view line analysis tested an FSR of 1.2:1 and found no concerns from a view line perspective with this FSR, and recommends proceeding accordingly.

Public Benefit Offer – proposed Church Street link

In April 2018, Council received a written public benefit offer associated with the Planning Proposal. The offer was a \$150,000 cash contribution (intended to form part of a voluntary planning agreement) towards the provision of a proposed link road between Gelibolu Parade, Auburn, and Church Street, Lidcombe. The purpose of the link was to reduce the potential traffic impact likely to be generated by the proposed K-12 school.

Council adjusted its strategic traffic modelling and analysis of the Gelibolu Precinct to include this proposed link as an option, so that an assessment of its effectiveness on the traffic network and impact could be undertaken. This modelling found that whilst such a link would not result in Level of Service (LoS) improvements for key intersections within the network, it would result in reduced waiting times at these intersections.

It is noted that the physical space available between Wyatt Park and the rail corridor may not be sufficient to enable such a link, and that any proposed link cannot encroach on land within Wyatt Park. This aspect needs further investigation. The full cost of such a link has yet to be determined, and is dependent on whether there is sufficient space for the proposed link to run adjacent to Wyatt Park.

In summary, Council's traffic analysis found that such a link could be beneficial, however the required upgrade of the St Hilliers Road/Rawson Street intersection was considered to be the most critical improvement for this precinct and surrounding key intersections.

Next Steps

Transport for NSW (TfNSW) and the Roads and Maritime (RMS) are reviewing Council's draft traffic study for the Gelibolu Precinct, and under the Gateway Determination, are required to provide Council with comments following this review, prior to the proposal proceeding to formal post-Gateway exhibition. Comments from these agencies are anticipated in October. These agencies will need to agree to the recommended works to these intersections.

Should the proponent wish to pursue their suggested road link as part of the traffic solution they would need to provide Council with a concept link road alignment so that Council's engineers can assess its feasibility. It is considered that while there may be some additional benefit to westbound wait times on Rawson Street, the road link is not considered essential. The widening of the St Hilliers Road/Rawson Street intersection is necessary, however, and should be the focus of discussions for a draft Voluntary Planning Agreement (VPA). Further discussions with the proponent will be undertaken, and these will include any feedback provided by the transport agencies.

COMMUNITY ENGAGEMENT

This report provides an update on the strategic work Council has undertaken for the Gelibolu Precinct and the 2 Percy Street site within that context. The Gateway Determination issued by the Department of Planning and Environment for the planning proposal at 2 Percy Street required Council to undertake a number of steps prior to proceeding to formal (post-Gateway) community consultation. This will be undertaken once the requirements of the Gateway Determination have been addressed. It is noted that early pre-Gateway consultation was undertaken from 1-30 June 2017 and 26 submissions (including 1 petition with 2306 signatures) were received at that time. 24 of the submissions (including the petition) supported the proposal.

POLICY IMPLICATIONS

The planning proposal will result in an amendment to the Auburn LEP 2011, should it proceed to finalisation. Following the receipt of comments from State transport agencies and community consultation, the matter will be reported back to Council for final consideration of the Planning Proposal.

RISK IMPLICATIONS

There are risk implications for Council associated with this report. Council has undertaken traffic modelling and analysis of both the development likely to occur as a result of the planning proposal, as well as the subject site in the context of the wider precinct.

The Rawson Street/Station Street intersection upgrade is very unlikely to occur until the property on the south-eastern corner this intersection (3 Station Road, Auburn) is redeveloped, and a land swap and dedication can be negotiated to facilitate the widening of Station Road. The likelihood of redevelopment and potential is unknown at this stage.

Council's traffic modelling has identified St Hilliers Road/Rawson Street as the critical intersection upgrade required. There is significant risk associated with this as it requires as a RMS commitment and approval, and private land acquisition. The RMS will be able to advise of the full requirements associated with this once their review of Council's traffic modelling study has been completed.

There is high uncertainty associated with the proponents suggested road link between Gelibolu Parade and Church Street. Whilst there are physical constraints in this area, Council's traffic modelling has shown that the critical traffic improvements for the precinct will come from the upgrade of the St Hilliers Road/Rawson Street intersection.

Should the RMS or TfNSW raise any significant concerns with Council's traffic study, a further report to Council will be provided.

FINANCIAL IMPLICATIONS

There are a number of financial implications associated with this report, and cost estimates are required so that the financial implications can be assessed.

Council's strategic traffic analysis indicates two intersections will need to be upgraded. The upgrade of the St Hilliers Road/Rawson Street intersection will require RMS commitment and approval. Whilst some of the land required for this intersection upgrade is available in the existing road reserves, some privately own land dedication will be required. Similarly, upgrading the Rawson Street/Station Road intersection will also require a land swap/dedication. Cost estimates of these upgrades will be sought. The RMS will also provide feedback for inclusion into the Planning Proposal as appropriate, as required by the Gateway Determination.

The proponent has offered a contribution of \$150,000 towards a suggested link from Gelibolu Parade (Auburn) through to Church St (Lidcombe). However, as previously indicated, it may not be physically feasible to create a one way vehicular link as proposed, at least without the inclusion of State Rail land, due to the limited space between Wyatt Park and the PCYC building and the rail corridor. Details for the proposed alignment have previously been requested of the proponent, but not provided. The cost associated with the road link would be significantly more than \$150,000 and very substantial with the acquisition of State Rail land. It is recommended that following the receipt of cost estimates for the St Hilliers Road/Rawson Street intersection upgrade that a revised offer be discussed with the proponent with a view to seeking a proportional contribution.

CONCLUSION

The View Line Analysis undertaken for Council found that the site at 2 Percy Street Auburn could accommodate a larger building form associated with an FSR of 1.2:1, without interrupting the 7 significant view lines to the Gallipoli Mosque.

Council's strategic traffic modelling and analysis indicates that this Planning Proposal could proceed without a significant impact on the surrounding road network if the identified intersections upgrades were undertaken. The traffic study recommended

that the intersection upgrade works ideally be undertaken prior to 2021. The Rawson Street/Station Road intersection upgrade is unable to occur until the property on the south eastern corner of this intersection is redeveloped. The more urgent St Hilliers Road/Rawson Street intersection is under the control of the RMS, and would require their agreement as well as land acquisition of property immediately south of this intersection to facilitate this upgrade.

The feasibility of providing the the Gelibolu Parade to Church Street link has yet to be verified, and is problematic. Overall, the Study indicates that the upgrade of the St Hilliers Road/Rawson Street intersection is the most critical upgrade work required to address traffic movements and delays associated with this precinct.

In light of these findings, further negotiation with the proponent in terms of their public benefit offer is required, and a focus on facilitating the upgrade of the St Hilliers Road/Rawson Street intersection, via land dedication and possibly proportionate funding is recommended.

In light of these two studies it is considered reasonable to proceed to formal community consultation with a proposed FSR of 1.2:1, in conjunction with the Gateway determined maximum building height of 12m proposed for the site.

ATTACHMENTS

1. Council Meeting Minute - 6 September 2017
2. Gateway Determination
3. Proposed Intersection Upgrade works

**DOCUMENTS
ASSOCIATED WITH
REPORT C07/19-130**

**Attachment 2
CLPP Report and Minutes 20
June 2019**

**Extraordinary Cumberland Local Planning Panel Meeting
20 June 2019**

Minutes of the Extraordinary Cumberland Local Planning Panel Meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Thursday 20 June 2019.

PRESENT:

Stuart McDonald, Michael Ryan, Chris Young and Paul Moulds AM.

IN ATTENDANCE:

Monica Cologna, Glenn Weekley, Esra Calim and Olivia Shields.

NOTICE OF LIVE STREAMING OF CUMBERLAND LOCAL PLANNING PANEL MEETING

The Chairperson advised that the Cumberland Local Planning meeting was being streamed live on Council's website and members of the public must ensure their speech to the Panel is respectful and use appropriate language.

The meeting here opened at 12:31p.m.

DECLARATIONS OF INTEREST:

Mr Stuart McDonald declared an interest in relation to Item 044/19 - Auburn and Lidcombe Town Centres Planning Controls Strategy, as he is acting for Council in regards to a development site in Northumberland Road, Auburn, within Precinct 18 of the study area, which is subject to an appeal to the Land and Environment Court. In consultation with Council's solicitors, Mr Stuart McDonald has determined to have no involvement in the Panel's consideration of Precinct 18 and Mr Chris Young will Chair this part of the meeting.

Mr Paul Moulds AM declared an interest in relation to Item 044/19 - Auburn and Lidcombe Town Centres Planning Controls Strategy as he manages a building and programs on a site that lies in one of the Precincts in Auburn considered in this application, the Salvation Army located at 199-170 South Parade, Auburn. Mr Paul Moulds AM will not participate in the Panels consideration of this particular precinct being Precinct 6.

ADDRESS BY INVITED SPEAKERS:

The following persons had made application to address the Cumberland Local Planning Panel meeting:

<u>Speakers</u>	<u>Item No. Subject</u>
Rev Graham Guy	Auburn and Lidcombe Town Centres Planning Controls Strategy

**Extraordinary Cumberland Local Planning Panel Meeting
20 June 2019**

Kerryn Stanton	Auburn and Lidcombe Town Centres Planning Controls Strategy
Tony Oldfield	Auburn and Lidcombe Town Centres Planning Controls Strategy
Matthew Daniel	Auburn and Lidcombe Town Centres Planning Controls Strategy
Peter Smith	Auburn and Lidcombe Town Centres Planning Controls Strategy
James Matthews	Auburn and Lidcombe Town Centres Planning Controls Strategy
Stephen Earp	Planning Proposal for an Additional Permitted use of Educational Establishment at 2 Percy Street, Auburn.

The Chairperson enquired to those present in the Gallery as to whether there were any further persons who would like to address the Panel and no further persons presented themselves.

The open session of the meeting here closed at 1:26p.m.


The closed session of the meeting here opened at 1:27p.m.

ITEM LPP044/19 - AUBURN AND LIDCOMBE TOWN CENTRES PLANNING CONTROLS STRATEGY









RECOMMENDATION








1. The Panel has made the following recommendations in the tables below having considered the public submissions presented at the Local Planning Panel meeting in addition to the written submissions received, particularly in regards to the reduction in floor space ratios.
2. The Panel acknowledges and supports the position of the Department of Planning and Environment and the advice of the Council Officers that the reduction of existing floor space ratios within the Auburn and Lidcombe town centres is not a practicable strategic solution.
3. The Panel recommends to the Council that in developing detailed planning controls for both of the town centres that it introduce the following:
 - a. That a minimum FSR of 0.5:1 be non-residential uses in the following precincts in the core of both town centres:
 - i. Precincts 1, 2, 3, 4, 5, 12, 13, 14 and 16 in Auburn town centre
 - ii. Precincts 1, 2, 3, 8, 9, 10, 14, and 15 in Lidcombe town centre
 - b. Minimum lot sizes as a prerequisite to achieve maximum FSR and building height.
 - c. Comprehensive built form development controls including but not limited to appropriate street wall heights, setbacks of towers above street wall podiums, active street frontages and façade design.
4. The Panel recommends the joint exhibition of any future Planning Proposal and associated DCP if practicable.

Auburn Town Centre




Precinct (refer to precinct maps for precinct boundary details)	Planning officer Recommended controls	CLPP Recommendation June 2019
Precinct 1 Auburn Road, Mary Street, Harrow Road, Queen Street 	Zoning: B4 Mixed Use FSR: 5:1 Height: 70m	<ol style="list-style-type: none"> 1. Support Council Officers recommendation regarding FSR but not height. 2. With regard to height the Panel recommends the exhibited height of 60m maximum for the reason of general consistency with

Extraordinary Cumberland Local Planning Panel Meeting
20 June 2019



		<p>other land identified in the immediate locality with an FSR of 5:1.</p> <p>3. The Panel also does not support the Land Owner request for FSR of 9:1 and height of 90m for reasons outlined in the CIHAP meeting minutes dated 24 August 2016.</p>
<p>Precinct 2 Park Road, north of Mary St, Harrow Road</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: 60m; NE corner 49m</p>	<p>Supports Council Officers recommendation</p>
<p>Precinct 3 South of Mary St, Harrow Road, Sudan Street, Kerr Parade</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: 55m</p>	<p>Supports Council Officers recommendation</p>
<p>Precinct 4 Auburn Central</p> 	<p>Zoning: B4 Mixed Use FSR: 3.75:1 Height: 49m</p>	<p>Supports Council Officers recommendation</p>
<p>Precinct 5 South Parade Vales Lane Auburn Road Civic Road Kerr Parade</p> 	<p>Zoning: B4 Mixed Use FSR: 2.4:1 Height: 18m</p>	<p>Supports Council Officers recommendation</p>
<p>Precinct 6 South Parade, Alice Street, Queen Street and Park Road</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: 38m</p>	<p>Supports Council Officers recommendation</p>
<p>Precinct 7 Queen Street, Alice Street, Mary Street, Park Road</p> 	<p>Zoning: B4 Mixed Use FSR: 3:1 Height: 27m</p>	<p>Supports Council Officers recommendation</p>
<p>Precinct 8 lots zoned B4 fronting southern side of Mary St</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: 38m</p>	<p>Supports Council Officers recommendation</p>
<p>Precinct 9 Harrow Road, north of Beatrice Street, Susan Street</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: NW corner 55m, remainder 45m</p>	<p>Supports Council Officers recommendation</p>






Precinct (refer to precinct maps for precinct boundary details)	Planning officer Recommended controls		CLPP Recommendation June 2019
Precinct 10 Queen St, Susan Street, Beatrice Street, Marion Street 	Zoning: B4 Mixed Use FSR: 3:1 Height: 27m		<i>Supports Council Officers recommendation</i>
Precinct 11 Kerr Parade, Marion Street, Queen Street 	Zoning: B4 Mixed Use FSR: 3:1 Height: 32m		<i>Supports Council Officers recommendation</i>
Precinct 12 Station Road, Kerr Parade, Auburn Road 	Zoning: B4 Mixed Use FSR: 2.4:1 Height: 27m		<i>Supports Council Officers recommendation</i>
Precinct 13 northern side of Rawson Street and west of Station Road 	Zoning: B4 Mixed Use FSR: 5:1 Height: 65m		<ol style="list-style-type: none"> 1. <i>Supports Council Officers recommendation regarding FSR but not height</i> 2. <i>With regard to height the Panel recommends the exhibited height of 55m maximum for the reason of general consistency with land to the west in Precinct 14.</i>
Precinct 14 Mid-block between Macquarie and Northumberland Roads 	Zoning: B4 Mixed Use FSR: 5:1 Height: 55m		<i>Support Council Officers recommendation.</i>
Precinct 15 mid-block between Station and Northumberland Road 	Zoning: B4 Mixed Use FSR: 5:1 Height: 38m		<i>Support Council Officers recommendation.</i>
Precinct 16 16a north of Rawson Street 16b south of Rawson St 	16a (north) Zoning: B4 Mixed Use FSR: 3.6:1 Height: 38m	16b (south) Zoning: B4 Mixed Use FSR: defer consideration Height: defer consideration	<i>Support Council Officers recommendation.</i>

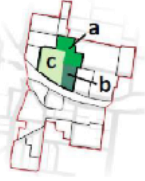




Extraordinary Cumberland Local Planning Panel Meeting
20 June 2019







<p>Precinct 17 Station Road/Hall Street/Holliday Lane</p> 	<p>Holliday Lane-Station Street Zoning: B4 FSR: 3.6:1 Height: 25m</p>	<p>Holliday Lane-Dartbrook Rd Zoning: R4 FSR: 2:1 Height: 20m</p>	<p>Support Council Officers recommendation.</p>
<p>Precinct 18 Macquarie Road, Hall Street, Station Road</p> 	<p>Zoning: B4 Mixed Use FSR: 3.6:1 Height: 38m</p>		<p>Support Council Officers recommendation.</p>
<p>Precinct 21 South of Rawson Street, east of Dartbrook Road</p> 	<p>Zoning: defer consideration FSR: defer consideration Height: defer consideration</p>		<p>Support Council Officers recommendation.</p>

Lidcombe Town Centre

<p>Precinct (refer to precinct maps for precinct boundary details)</p>	<p>Planning officer Recommended controls</p>	<p>CLPP Recommendation June 2019</p>
<p>Precinct 1 Bridge Street, Tooheys Lane, Joseph Street</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: 70m</p>	<p>1. Support Council Officers recommendation regarding FSR but not height. 2. With regard to height the Panel recommends the exhibited height of 60m maximum which will be consistent with the previous CIHAP recommendation.</p>
<p>Precinct 2 East of Joseph Street, fronting Railway Street</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: 65m</p>	<p>1. Support Council Officers recommendation regarding FSR but not height. 2. With regard to height the Panel recommends the exhibited height of 55m maximum which will be consistent with the previous</p>

<p>Precinct 3 3a: fronting Railway Street between station and Mark Street 3b: Mark, Railway, Raphael, Davey-Marsden Streets 3c: east of Joseph Street and around Taylor Street 3d: Bridge, Joseph and Vaughan Streets)</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1</p> <table border="1" data-bbox="678 380 1061 728"> <tr> <td>3a</td> <td>3b</td> <td>3c</td> <td>3d</td> </tr> <tr> <td>Height: 60m</td> <td>Height: 50m</td> <td>Height: 38m</td> <td>Height: 65m</td> </tr> </table>	3a	3b	3c	3d	Height: 60m	Height: 50m	Height: 38m	Height: 65m	<p><i>CIHAP recommendation.</i></p> <ol style="list-style-type: none"> 1. Support Council Officers recommendation regarding height in precinct 3c. 2. Recommends maximum height of 55m for precincts 3a and 3d and 45m for precinct 3b all as exhibited and as previously recommended by CIHAP.
3a	3b	3c	3d							
Height: 60m	Height: 50m	Height: 38m	Height: 65m							
<p>Precinct 4 Marsden-Davey, Mark, Janes and Raphael Streets</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: 38m</p>	<p><i>Support Council Officers recommendation.</i></p>								
<p>Precinct 5 Between Taylor Street and Remembrance Park</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: 32m</p>	<p><i>Support Council Officers recommendation.</i></p>								
<p>Precinct 6 B4 zoned land south west of Kerrs Road and Joseph Street</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: 38m</p>	<p><i>Support Council Officers recommendation.</i></p>								
<p>Precinct 7 Kerrs Road, Olympic Drive, Raymond Street East, Joseph Street</p> 	<p>Zoning: R4 High Density Residential FSR: 2:1 Height: 25m</p>	<ol style="list-style-type: none"> 1. Supports Council Officers recommendation regarding FSR and R4 zoning. 2. Recommends height maximum 20m for the reason of consistency with R4 zone land adjoining to the east and to achieve a more appropriate interface with existing R2 low density residential zoned land adjoining to the south. 								

Precinct (refer to precinct maps for precinct boundary details)	Recommended controls	CLPP Recommendation June 2019						
<p>Precinct 8 8a north east of Mary and Board Streets, south of Dodson Avenue 8b Church, John and Mary Streets 8c east of John Street (Dooleys)</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1</p> <table border="1" data-bbox="675 421 1062 510"> <thead> <tr> <th>8a</th> <th>8b</th> <th>8c</th> </tr> </thead> <tbody> <tr> <td>Height: 38m</td> <td>Height: 55m</td> <td>Height: 70m</td> </tr> </tbody> </table>	8a	8b	8c	Height: 38m	Height: 55m	Height: 70m	<ol style="list-style-type: none"> 1. Support Council Officers recommendation regarding 8a and 8b but not 8c. 2. With regard to height in 8c the Panel recommends the exhibited height of 60m maximum for the reason of general consistency with land to the east of John Street and fronting Church Street.
8a	8b	8c						
Height: 38m	Height: 55m	Height: 70m						
<p>Precinct 9 Western half of Dooleys site</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: 70m</p>	<ol style="list-style-type: none"> 1. Support Council Officers recommendation regarding FSR but not height. 2. With regard to height the Panel recommends the exhibited height of 60m maximum as this is the existing control. 						
<p>Precinct 10 Ann Street, Olympic Drive, Board Street</p> 	<p>Zoning: B4 Mixed Use FSR: 3.5:1 Height: 38m</p>	<p>Supports Council Officers recommendation</p>						
<p>Precinct 11 Ann Street, Olympic Drive, Child Street</p> 	<p>Zoning: R4 High Density Residential FSR: 3:1 Height: 32m</p>	<p>Supports Council Officers recommendation</p>						
<p>Precinct 12 Childs, John, and Ann Streets (east of John Street)</p> 	<p>Zoning: B4 Mixed Use FSR: 5:1 Height: 38m</p>	<p>Supports Council Officers recommendation</p>						

Precinct (refer to precinct maps for precinct boundary details)	Recommended controls			CLPP Recommendation June 2019
Precinct 13 North of Childs Street, east of John Street 	Zoning: R4 High Density Residential FSR: 2:1 Height: 20m			<i>Support Council Officers recommendation.</i>
Precinct 14 Mid-block between Church and Mary Streets 	Zoning: B4 Mixed Use FSR: 5:1 Height: 38m			<i>Support Council Officers recommendation.</i>
Precinct 15 15a Doodson Ave, Frederick and Mary Streets 15b mid-block south of Mary Street, between Mary-Church Streets 15c fronting Church Street (mid-block) 	15a Zoning: R4 High Density FSR: 2.2:1 Height: 29m	15b Zoning: B4 Mixed Use FSR: 2.2:1 Height: 29m	15c Zoning: B4 Mixed Use FSR: 2.5:1 Height: 36m	<i>Support Council Officers recommendation.</i>
Precinct 15 east 31 and 33 Mary Street (now included as part of Precinct 15) 	Zoning: R4 High Density FSR: 2:1 Height: 20m			<i>Support Council Officers recommendation.</i>
Precinct 16 Mary, Swete, Mills (E), and Frederick Streets (now extends to southern side of Mills Street) 	Zoning: R4 High Density FSR: 2:1 Height: 20m			<i>Support Council Officers recommendation.</i>
Precinct 17 Vaughan Street, Olympic Drive, Kerrs Road 	Zoning: R4 High Density Residential FSR: 2:1 Height: 20m			<i>Support Council Officers recommendation.</i>

For: Stuart McDonald (Chairperson) (with the exception of Precinct 18 Auburn), Michael Ryan, Chris Young and Paul Moulds AM (with the exemption of Precinct 6 Auburn).

In relation to Precinct 6 Auburn Paul Moulds AM took no part in the discussion and consideration. In relation to Precinct 18 Auburn, Stuart McDonald took no part in the discussion and consideration. Chris Young Chaired the Panel's consideration of Precinct 18.

Against: Nil.

ITEM LPP045/19 - PLANNING PROPOSAL FOR AN ADDITIONAL PERMITTED USE OF EDUCATIONAL ESTABLISHMENT AT 2 PERCY STREET, AUBURN

RECOMMENDATION:

1. The Panel advises the Council as follows:

- a. That Council's attention be drawn to the proposed use being inconsistent with the objectives of the current IN2 Light Industrial zone.
- b. The proposed student population together with teachers and support staff appears to be an excessive scale of development given the size and constraints of the site and the locality.
- c. An educational establishment may be an acceptable land use on the site and recognises the demand for such a facility within the community subject to the above.

2. The Panel recommends that the Council consider the above advice, and in particular items 1a and 1b when determining the form of the Planning Proposal in achieving the objective of the proposed educational establishment on the site.

For: Stuart McDonald (Chairperson), Michael Ryan, Chris Young and Paul Moulds AM

Against: Nil.

The closed session of the meeting here closed at 4:40p.m.

The open session of the meeting here opened at 4:41p.m. The Chairperson delivered the Cumberland Local Planning Panel's resolutions to the Public Gallery.

The meeting terminated at 4:45p.m.

Signed:



Stuart McDonald
Chairperson

**DOCUMENTS
ASSOCIATED WITH
REPORT C07/19-130**

**Attachment 3
Comments from Roads and
Maritime Services**

From: Rachel Davis
Sent: 23 May 2019 2:54 PM
To: Harinee De Silva
Cc: Laura Van putten
Subject: RMS response - SYD18/01166/06 Submission of Addendum 1 for RMS review - Draft Gelibolu Traffic and Access Study

Hi Harinee

Reference is made to your email below dated 3 May 2019. Roads and Maritime has reviewed the Addendum Traffic and Access Study and provides the following advisory comments for Council's consideration:

Assumptions

- *Traffic data comparison:* The Addendum study has provided an average of three days' worth of peak period traffic data from SCATS to justify use of the Friday data surveyed (as a worst case traffic scenario). However this has included ANZAC day traffic data (25 April 2018). Roads and Maritime advises that ANZAC day traffic volume data should not be included in the comparison of peak hour traffic volumes. As Council would appreciate, ANZAC day traffic volumes are not representative of a typical peak traffic scenario. Roads and Maritime would have anticipated the consultants would have excluded it from the average 'worst case' calculations but apologises for the oversight in providing SCATS data that included 25 April 2018 amongst the days.

GHD (1): The data of 25 April 2018 was included since it was one of the three days of data provided by RMS. It is now excluded in the analysis with the results provided in GHD (2).

Averaging the traffic data inclusive of ANZAC day is likely to skew the average significantly and understate typical traffic on the network in peak periods. It would appear that the data provided for the other two dates, being 21 November 2018 and 25 July 2018, both recorded higher volumes than the Friday peaks surveyed. Therefore it is recommended that the higher volumes are used as these are more representative of worst case traffic.

GHD (2): A quick review of the data shows that the exclusion of Anzac day data will result in the same conclusion that the traffic volume on Friday is generally higher. Accordingly the data provides a robust analysis. The results are summarised below:

Rawson Street | Station Road

AM	7:00	8:00	9:00	10:00
Survey - Friday	2076	1918	2276	1850
SCATS (25th July 2018) - Wednesday	1728	1820	2054	1686
SCATS (21st Nov 2018) - Wednesday	1935	1855	2188	1710
Average SCATS - Wednesday	1832	1838	2121	1698
Difference (Friday - Wednesday)	245	81	155	152
% Difference	12%	4%	7%	8%

PM	14:00	15:00	16:00	17:00	18:00	19:00
Survey - Friday	2253	2367	2404	2576	2446	2190
SCATS (25th July 2018) - Wednesday	1745	1887	2021	2251	2195	1892
SCATS (21st Nov 2018) - Wednesday	1771	1905	2168	2224	2375	1946
Average SCATS - Wednesday	1758	1896	2095	2238	2285	1919
Difference (Friday - Wednesday)	495	471	310	339	161	271
% Difference	22%	20%	13%	13%	7%	12%

Rawson Street | Hilliers Road

AM	7:00	8:00	9:00	10:00
Survey - Friday	4161	4278	4252	3620
SCATS (25th July 2018) - Wednesday	4153	4345	4455	3878
SCATS (21st Nov 2018) - Wednesday	4372	4598	4619	3946
Average SCATS - Wednesday	4263	4472	4537	3912
Difference (Friday - Wednesday)	-102	-194	-285	-292
% Difference	-2%	-5%	-7%	-8%

PM	14:00	15:00	16:00	17:00	18:00	19:00
Survey - Friday	4166	4358	4588	4669	4611	4345
SCATS (25th July 2018) - Wednesday	3574	4000	4388	4840	4750	4018
SCATS (21st Nov 2018) - Wednesday	3623	4081	4471	4772	4856	4066
Average SCATS - Wednesday	3599	4041	4430	4806	4803	4042
Difference (Friday - Wednesday)	568	318	159	-137	-192	303
% Difference	14%	7%	3%	-3%	-4%	7%

- *Heavy vehicle composition review:* RMS seeks clarification regarding the source of the Heavy vehicle percentage data. The addendum report states this is from '2018 classified traffic counts'. If this is referring to an RMS traffic counter, please provide the count station number. Based on a preliminary review by RMS of data available at a count station to the north, the heavy vehicle percentage appears to be in excess of the 8% assumed.

GHD (3): It is the classified intersection counts collected by Matrix (on behalf of GHD and Council) on 24 November 2017. The data is attached and can be provided to RMS if approved by Council.

Modelling:

- The traffic signals were adjusted to 130 seconds as per discussions with RMS and results provided in the addendum. It is noted that the right turn movement from Boorea Street onto St Hilliers Road was operating at LoS F at 4-5pm in 2026 option 3 after the signal adjustment. Given this, justification should be also provided in report to state the impact from proposed development to the state road corridor and/or details of mitigation measures proposed.

GHD (4): The traffic delay at the eastern approach (Rawson Street) was predicted to be 70 seconds, just reach the threshold of LoS F.

It is anticipated that with the intersection performance predicated as LoS D - operating within the capacity, spare green time is available to this particular movement and improve it to LoS E or better.

It is suggested that the further traffic signal optimisation can be modelled and finalised in the design stage of the project. It should be noted the traffic flows at eastern approach (Boorea Street or Station Street) are predominantly through traffic rather than development traffic.

- The results of Station Road intersection: the westbound traffic along Rawson Street (see below) will increase from approx. 130 veh/hr to 170veh/hr and 130veh/hr (20%) to 230veh/hr (50%) from base year to 2026 in AM and PM peak respectively. There remains a concern that there will be a queue spilling back from Northumberland Road intersection to Station Road (about 120m apart) due to the lane reduction near Northumberland Road. Therefore it is recommended that a SIDRA model is undertaken for the Northumberland Road intersection. This is recommended to capture the impact of the queueing between intersections to more accurately determine the traffic conditions to avoid under-scoping or over-scoping any upgrades proposed at adjoining intersections.

AM Model	7 - 8AM		8-9AM		PM Model	4 - 5PM		5-6PM	
	WB Traffic (Veh)	LoS	WB Traffic (Veh)	LoS		WB Traffic (Veh)	LoS	WB Traffic (Veh)	LoS
Base	584	C	399	B	Base	477	B	422	B
2021	687	C	500	C	2021	581	C	548	C
2026	718	C	565	E	2026	614	D	653	C

GHD (5): can prepare the SIDRA modelling of Northumberland Road | Rawson Street intersection in the same network model with Station Street | Rawson Street intersection. Please provide instructions to commence if you would like this to go ahead.

It is noted that the Gateway determination for the planning proposal for 2 Percy Street Auburn (DPE ref: PP_2017_CUMBE_004_00 - Additional permitted use for Educational Establishment) requires under conditions 1(d) and 1(e) that Council completes the updated traffic study for the Gelibolu precinct and updates the planning proposal for 2 Percy Street Auburn to align with the findings of the Gelibolu Study, prior to community consultation. Roads and Maritime understands that this is creating delays to the exhibition of that planning proposal.

To prevent undue delay to the planning proposal for 2 Percy Street, Roads and Maritime suggests that Council may wish to seek an amendment to the Gateway determination (Condition 1(d)), as Roads and Maritime notes that the Gelibolu Study is unlikely to identify road upgrades that would have any direct impact or land dedication requirement for the 2 Percy Street site. Condition 1(e) would then also require amendment insofar as it relates to the Gelibolu traffic study, noting that that the traffic study for this planning proposal may still need to be amended in consultation with TfNSW, prior to exhibition, to remove reference to a Church Street extension over Sydney Trains land which Roads and Maritime understands is not supported. Further, the access arrangements to 2 Percy Street for bus access may need to be reconsidered to ensure bus turnaround areas are accommodated within the site or on the local road network to the satisfaction of Council and TfNSW.

Should you have any questions or further enquiries in relation to this matter, my contact details are below or email:

Roads and Maritime looks forward to reviewing the additional information/clarifications.

Kind regards
Rachel

**DOCUMENTS
ASSOCIATED WITH
REPORT C07/19-130**

**Attachment 4
Comments from Transport for
New South Wales**

From: Billy Yung
Sent: 13 June 2019 11:16 AM
To: Harinee De Silva; Mark Ozinga
Cc: Rachel Davis; Glen Weekley
Subject: RE: 2 Percy Street Planning Proposal

Hi Harinee

Thanks for your time this morning. We have no further issue to add to the RMS's response. It is noted that Council has instructed the proponent to amend the TIA to remove the Church Street Link proposal and also to address the RMS/TfNSW comments raised in our 4 Dec letter. In this regard we would like remind that analysis (if any) associated with the Church Street Link proposal should also be updated and the same applies to the document of the planning proposal. As discussed, we have no comment to raise in relation to the way-forward proposed by Council.

Kind regards,

Billy

Billy Yung
Senior Transport Planner | Land Use Planning & Development
Customer Strategy & Technology
Transport for NSW

**DOCUMENTS
ASSOCIATED WITH
REPORT C07/19-130**

**Attachment 5
Gateway Determination**



Planning &
Environment

Your ref: PP-2/2017
Our ref: IRF17/632

Mr Hamish McNulty
Acting General Manager
Cumberland Council
PO Box 42
MERRYLANDS NSW 2160



Dear Mr McNulty

Planning proposal PP_2017_CUMBE_004_00 to amend Auburn Local Environmental Plan 2010

I am writing in response to Council's request of 27 November 2017 for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 4 December 2017 in respect of the planning proposal to permit an educational establishment at 2 Percy Street, Auburn.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

The Gateway determination requires that Council review and consider the proposed floor space ratio controls should the proponent be able to demonstrate a suitable built form outcome by further urban design testing to Council's satisfaction. Council is also requested to update the planning proposal to consider further traffic modelling being completed by Council for the broader precinct, and to undertake early consultation with Transport for NSW and Roads and Maritime Services.

I have agreed, as delegate of the Secretary, that the planning proposal's inconsistency with section 117 Direction 4.3 Flood Prone Land is of minor significance.

Plan-making powers were delegated to councils by the Minister in October 2012. I note that Council has not requested delegation to finalise the plan. I have considered the nature of the planning proposal and decided not to issue authorisation to exercise delegation in this instance given the potential impact on the regional road network and the state significant development application being assessed by the Department of Planning and Environment.


The amending LEP is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing

clear and publicly available justification for each plan at an early stage. To meet these commitments, the Greater Sydney Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr Sebastian Tauni of the Department's Sydney Region West team to assist you. Mr Tauni can be contacted on 8217 2018.

Yours sincerely

 20 February 2018
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway determination



Planning & Environment

Gateway Determination

Planning Proposal (Department Ref: PP_2017_CUMBE_004_00): to permit educational establishment as an additional permissible use at 2 Percy Street Auburn.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to Auburn Local Environmental Plan (LEP) 2010 to permit educational establishment as an additional permissible use at 2 Percy Street, Auburn should proceed subject to the following conditions:

1. Prior to undertaking community consultation, Council is required to:
 - (a) amend the planning proposal to provide more justification regarding the proposed additional permitted use rather than applying a land use zone that permits educational facilities;
 - (b) prepare a Phase 1 – Preliminary Site Contamination Investigation Study for the site in accordance with the *Managing Land Contamination Planning Guidelines* (Environment Protection Authority, 1998);
 - (c) review and consider the proposed floor space ratio control should the proponent be able to demonstrate through urban design testing to Council's satisfaction that additional floor space can be supported at the site;
 - (d) complete the updated traffic study for the Gelibolu precinct and update the planning proposal in accordance with the findings/recommendations of the study;
 - (e) on completion of condition 1(d), the planning proposal is to be referred to Transport for NSW and the Roads and Maritime Services, and amended in accordance with any comments received; and
 - (f) confirm local and state infrastructure requirements (including improvements for traffic, parking, transport, recreation and community facilities) to support the additional use.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **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 *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).

Cumberland PP_2017_CUMBE_004_00 (IRF17/632)



Planning & Environment

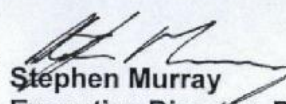
3. Consultation is required with the following public authorities and organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant section 117 Directions:

- Department of Education;
- Department of Industry – Crown Lands and Water Division; and
- Office of Environment and Heritage – Floodplain Division.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

4. Prior to finalisation, review the proposed height of building control having regard to the findings of the view-line analysis being carried out as part of the Auburn and Lidcombe Town Centres Strategy being undertaken by Council.
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 time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 20th day of February 2018



Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

Cumberland PP_2017_CUMBE_004_00 (IRF17/632)

**DOCUMENTS
ASSOCIATED WITH
REPORT C07/19-130**

**Attachment 6
Applicant Traffic and Transport
Advice**

LETTER

Transport Engineering

REF: N124471

DATE: 17 April 2019

International Maarif Schools of Australia
2 Percy Street
AUBURN NSW 2144

Attention: Izzet Anmak (Assistant Project Manager)

Dear Izzet,

RE: 2 PERCY STREET, AUBURN – RESPONSE TO COMMENTS FROM TfNSW

GTA Consultants (GTA) completed a transport impact assessment (reference N124471 dated 08/08/18) to support the development application (DA) for the proposed new independent, coeducational school (K-12) known as the International Maarif Schools of Australia (IMSA) – Gallipoli Campus at 2 Percy Street, Auburn.

Subsequent to this, Transport for NSW (TfNSW) has reviewed the assessment and provided the following comments with regard to transport issues in the context of the DA.

Drop-off/pick-up zone on Percy Street and Gelibolu Parade

- Tables 2.4 and 2.5 indicate the current parking demand within the nearby Council car park is low during both AM and PM peak hours. There is potential for the car park to be used for picking up/ dropping off of students in addition to the proposed drop-off/pick-up zone, if the car park remains open for general traffic.
- Figure 3.3 indicates that vehicles coming from north of Percy Street would be required to detour through Council's car park to access the drop-off/ pick-up zone proposed on the western side of Percy Street. This is an assumption made on the basis of using the Council car park as a traffic route.
- Some southbound drivers are likely to make a U-turn at the end of Percy Street where it intersects with Gelibolu Parade in order to access the proposed school drop-off zone on Percy Street. Buses leaving the drop-off/ pick-up zone on Gelibolu Parade and traffic exiting from the Council car park would also pass through this location.
- Figure 3.5 shows the proposed treatments to improve safety for pedestrians near the subject site, notably a new pedestrian crossing over Percy Street to connect the footpath adjoining the subject site with Council's car park.

Drop-off/pick-up zone for school buses on Church Street

- Figures 3.4 and 6.4 show that buses leaving the proposed drop-off/pick-up zone on Church Street would be required to use the adjoining land (i.e. PCYC/Lidcombe Oval) as a turnaround space. This is an assumption made on the basis of using land that is not within control of the applicant for regular school bus services. The applicant should give consideration of the possibility that land would not be available, notwithstanding the necessary agreement to be sought with the land owner.

This letter has been prepared to address TfNSW's comments.

Drop-off/pick-up zone on Percy Street and Gelibolu Parade

Following consultation with relevant stakeholders, the proposed access strategy to the school has been revised to encourage one way circulating drop off and pick up activity. Review of the feature level survey indicates there is not adequate carriageway width to have a formal pick-up and drop-off area while still maintaining two travel lanes on Gelibolu Parade. As such, it is proposed to consolidate all pick-up and drop-off activity along the Percy Street frontage of the site. Parents/ caregivers will be advised to enter the area only through St Hillers Road and Gelibolu Parade and exit only from Percy Street to Boorea Street. This will minimise the use of the Council car park on Percy Street as a pick up/ drop off area and in turn minimise potential conflicting movements at the Percy Street/ Gelibolu Parade intersection. The proposed access strategy is shown indicatively in Figure 1 and will form part of the school's operation management plan.

Figure 1: School access strategy



Base image source: Nearmap

It is noted that there could be some drop off/ pick up activity on Church Street from people travelling to/ from the south. As detailed in the TIA (reference N124471 dated 08/08/18), a school crossing is proposed on Percy Street adjacent to the site to provide a safe crossing location for people walking/cycling between the school and Church Street. Allowing for an offset from the proposed pedestrian crossing, a pick up and drop off zone along the frontage of the site on Percy Street would accommodate around 11 car spaces plus one space for a school bus (24-seater mini bus) at the northern end. The proposed pick up and drop off area, along with the indicative location of the school crossing is shown in Figure 2.

Figure 2: Proposed pick up and drop off area



Base image source: Nearmap

Based on the pick-up and drop off area for 11 spaces and assuming an average dwell time of two minutes per vehicle, this results in capacity for up to 330 vehicles per hour. As detailed in the TIA (reference N124471 dated 08/08/18), it is anticipated that at the ultimate stage for both primary and secondary schools that around 209 vehicles per hour would pick up or drop off passengers in the AM or PM peak hours respectively. As such, the provision is considered acceptable noting that some of this activity would also take place in Church Street for vehicles travelling to and from the south. In addition, attendance at before and after school care would disperse traffic generation over an extended period of time reducing the peak demand further. There is also an opportunity for the school to stagger the primary and secondary school start and finish times in order to reduce any impact further if required.

It is anticipated that the school will result in a demand for up to two buses (24-seater mini bus) using the Percy Street bus zone during each school peak, with Church Street also accommodating up to two more buses. Given the proposal only involves space for one bus on Percy Street, bus scheduling will be required to ensure the two buses don't arrive at the same time.

Drop-off/pick-up zone for school buses on Church Street

The original TIA (reference N124471 dated 08/08/18) detailed school buses using the land adjoining Lidcombe Oval to turn around. As mentioned previously, school buses will likely involve 24-seater mini buses. A swept path assessment has been completed which indicates that a seven-metre mini bus will be able to turn around at the end of Church Street in one manoeuvre. This is shown in Attachment 1. Larger mini buses will be required to perform a three-point-turn to turn around, however this is still considered acceptable given the function of Church Street.

I trust the above provides the necessary information. Should you have any questions or require any further information, please do not hesitate to contact me on (02) 8448 1800.

Yours sincerely

GTA CONSULTANTS



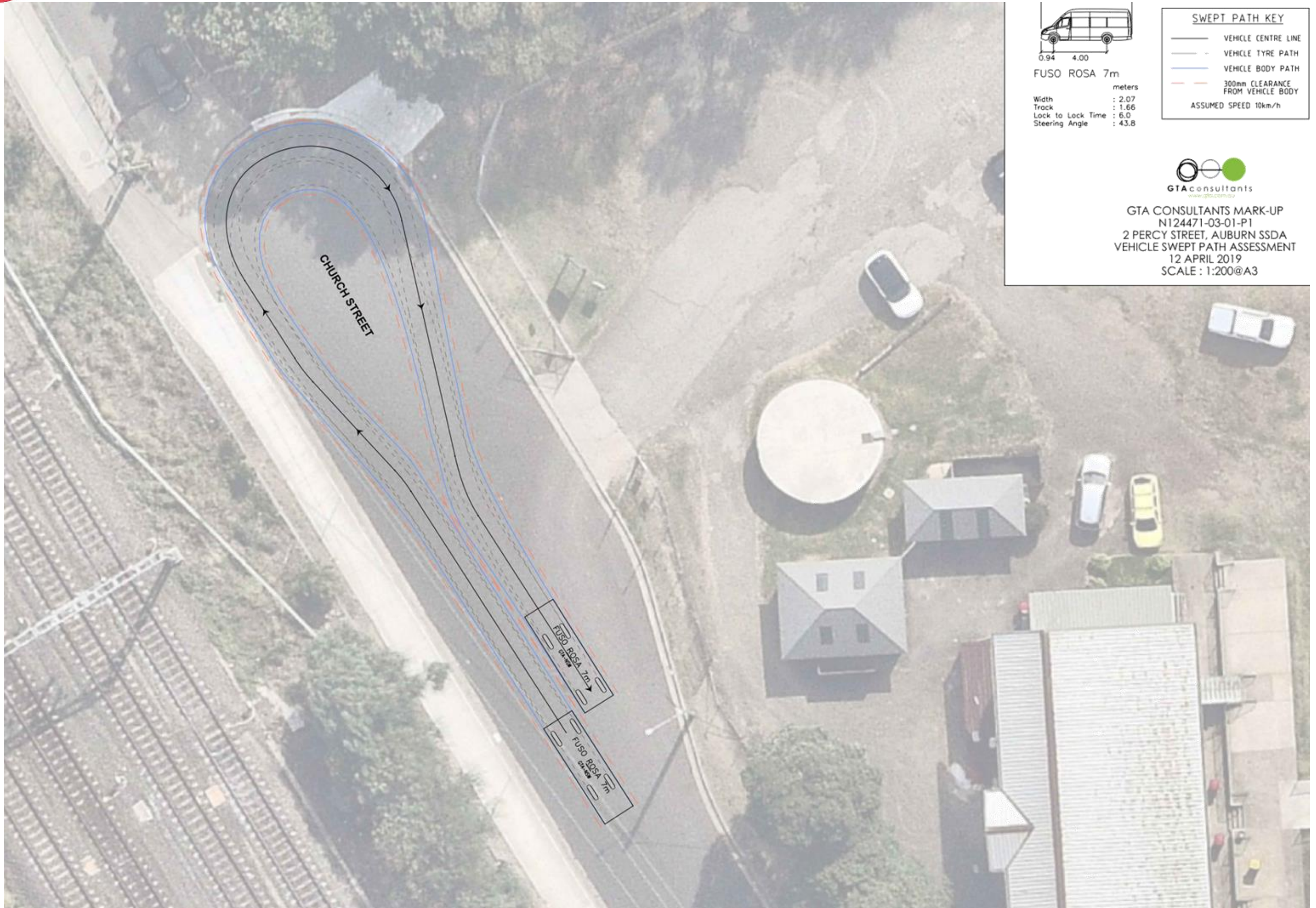
Karen McNatty
Associate Director

encl.

Attachment 1 – Swept Path Assessment

Appendices

Swept Path Assessment



FUSO ROSA 7m
 meters
 Width : 2.07
 Track : 1.66
 Lock to Lock Time : 6.0
 Steering Angle : 43.8

SWEEP PATH KEY	
	VEHICLE CENTRE LINE
	VEHICLE TYRE PATH
	VEHICLE BODY PATH
	300mm CLEARANCE FROM VEHICLE BODY
ASSUMED SPEED 10km/h	



GTA CONSULTANTS MARK-UP
 N124471-03-01-P1
 2 PERCY STREET, AUBURN SSSA
 VEHICLE SWEEP PATH ASSESSMENT
 12 APRIL 2019
 SCALE : 1:200@A3