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# STATE SIGNIFICANT DEVELOPMENT SCOPING REPORT

## 30-46 AUBURN ROAD, REGENTS PARK



Submitted to Department of Planning, Environment and Industry  
November 2021

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Version 1 – 3 May 2021  
Version 2 – 3 November 2021

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# 1. Introduction

This Scoping Report has been prepared on behalf of 30 Auburn Road Pty Ltd to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Assessment (EIS) to accompany a State Significant Development Application (SSDA) for a proposed build-to-rent (BTR) residential development at 30-46 Auburn Road, Regents Park in the Canterbury Bankstown local government area (LGA).

As the proposal is for 'build-to-rent housing' with a capital investment value (CIV) of more than \$100 million (with at least 60% of the capital investment value related to the tenanted component) on land within the Greater Sydney Region, the development is State Significant Development (SSD) under State Environmental Planning Policy (State and Regional Development) 2011. Section 1.4 of this report provides an indicative calculation of the CIV of the project, which confirms the proposal exceeds the threshold.

The project includes approximately 567 dwellings and 439sq.m of non-residential floorspace across a total of 52,925sq.m of gross floor area within five (5) key building footprints. The project also includes approximately 13,000sq.m of landscaped area, a 3,000sq.m central park, and basement parking.

The application seeks consent for a Concept approval at this stage, to confirm the building footprints, massing, elevations, and access and movement arrangements. The application does not seek consent for development.

The Concept Masterplan seeks consent under section 4.22 of the Environmental Planning & Assessment (EP&A) Act 1979 for the concept footprint as described in the attached plans. Specifically, the aspects of the final development included in the concept for which approval is sought are:

- a) the building footprint locations,
- b) building elevation and massing,
- c) setbacks and building separation;
- d) the location of internal pedestrian links and circulation,
- e) location of the site entry and exit, and
- f) open space/park and landscaping.

A meeting was held with the NSW Department of Planning Industry and Environment (DPIE) on 23 February 2021 where the proposed scheme was discussed, and the assessment framework brought about through the scoping process. The matters discussed and identified to be addressed as part of the Scoping Report include:

- a. How the project meets the categorisation of BTR and qualification as an SSD.
- b. Advice on the Architectural design.
- c. Advice on how the public benefits will be considered and delivered.
- d. Proposed management of the scheme relevant to the affordable housing component and that which remains open market rental.
- e. Traffic and transport.
- f. Open space provision and embellishment.
- g. Items for consideration in social impact assessment.
- h. High level CIV advice.
- i. TBA - Additional items relevant as we progress.

This Scoping Report has been prepared in accordance with the DPIE Guideline '*Scoping an Environmental Impact Statement: Draft Environmental Impact Assessment Guidance Series*' dated June 2017. It provides

preliminary information on the project and considers its potential impacts, and specifically includes the following:

- Site details
- Project description
- Justification and alternatives considered
- Statutory Planning Framework
- Strategic Planning Context
- Relevant matters for consideration
- Scale and nature of the impacts of the project
- Environmental Impact
- Stakeholder engagement
- Proposed approach to assessment

## 1.1 Project Overview

<b>Address</b>	30-46 Auburn Road, Regents Park, 2143
<b>Legal Description</b>	Lot 1 in 656032 and Lot 2 in DP 433938
<b>Project</b>	To develop a build-to-rent scheme across five (5) key building footprints, ranging from six, eight and 12 storeys in height and incorporating 5,700sq.m of communal open space, including a 3,000sq.m central open space area and basement car parking. The project includes approximately 567 dwellings, 439sq.m of non-residential floorspace and 52,925sq.m of total gross floor area
<b>Land Owner</b>	30 Auburn Road Pty Ltd
<b>Local Government Area</b>	Canterbury Bankstown
<b>Locality</b>	Regents Park
<b>Current Zoning</b>	R4 High Density Residential
<b>Permissibility</b>	‘Residential flat buildings’ and ‘shop top housing’ are permissible in the R4 High Density Residential zone under the Bankstown LEP 2015. The site is subject to a Planning Proposal which seeks to amend the principal development controls, as follows: <ul style="list-style-type: none"> <li>• Increase the maximum building height from 13 metres to part 23 metres, part 29 metres, and part 41 metres.</li> <li>• Increase the maximum FSR from 0.6:1 to 2:1.</li> </ul> The application complies with the proposed controls under the Planning Proposal, noting the additional 0.5:1 bonus provision under Division 1 of the Affordable Rental Housing SEPP. Consideration of the development application and the Planning Proposal can occur concurrently under the provisions of Section 4.38(5) of the EP&A Act 1979.
<b>Indicative Capital Investment Value</b>	\$161,768,499.73 Refer to QS Report at Appendix G. Note that further detail of CIV of build-to-rent component will be provided with the EIS.

**Table 1:** Project Overview

## 1.2 Background

The subject site was rezoned for residential purposes when Amendment No 12 to Bankstown LEP 2001 was gazetted on the NSW Legislation website on 8 April 2005. The amendment rezoned the subject land from industrial to Zone 2(b) – Residential B under the LEP. The Bankstown LEP 2015 commenced on the 5 March 2015 with controls of 0.6:1 and 13 metres, which did not reflect the intent and zone objectives of the applicable R4 High Density residential zone.

In 2005, a DA was lodged for development of the site which included 86 detached dwellings, townhouses and apartments. The site was subsequently never developed for the purposes proposed under the 2005 DA and a Planning Proposal was lodged in 2013 to amend the Bankstown LEP 2001 to increase the floor space ratio from 0.6:1 to 3:0.

Since 2013 a number of Planning Proposals have been considered through the Part 3 process and Pre- Gateway Review process. These sought an FSR which ranged from 2:1 to 4:1, with a final FSR of 2.25:1 identified for the subject site under the Bankstown Local Area Plan, and endorsed by Council resolution on 11 May 2016.

A Planning Proposal was submitted to the Department of Planning and Environment for Gateway determination to implement the findings and recommendations of the Local Area Plan. The Department of Planning and Environment issued a Gateway determination for the site on 23 September 2016. In supporting the progression of the Planning Proposal, the Gateway determined that *“prior to undertaking community consultation the planning proposal is to be amended to reflect the outcome of FSR review (either 1.75:1 or 2.25:1, or an alternative FSR)”*.

Subsequently, on 3 July 2017, the City of Canterbury Bankstown Independent Hearing and Assessment Panel (IHAP) considered the matter. At this meeting, the Panel recommended:

*“The Panel is of the view that the planning proposal can proceed with a maximum FSR of 1.75:1 at this time.”*

In the context of the Planning Proposal proceeding, the Panel also concluded:

*“The Panel is of the opinion that there may be potential for further additional FSR up to 2.25:1 on this site but only after the above matters have been satisfactorily addressed (including any necessary additional or augmentation of community infrastructure and facilities).”*

An additional matter, raised by the Panel to be addressed, included the *“provision of a masterplan/DCP for the site to set out the layout of the development, building envelopes and heights, vehicle and pedestrian access arrangements”*. A masterplan/Concept DA was subsequently prepared for the site setting out the layout, heights and envelopes. On 8 November 2017, the masterplan was approved as a Stage 1 Concept Development Application based on the existing controls under the Bankstown LEP 2015 (DA-107/2017).

In February 2018, the department implemented a peer review of the applicant’s scheme that supported the principal development controls sought by the Planning Proposal. The selected expert was McGregor Coxall, who were issued with a specific scope to *“undertake a comprehensive urban design review to propose an appropriate FSR for the site”*. The outcome of that review process was that a revised scheme was proposed by the expert with a density of 2.4:1, which contained a revised urban design methodology that contained a central contiguous open space.

Subsequently, on 26 February 2020, an altered gateway determination was issued by the department.

1. *Delete condition 1(a) and replace with:  
a new condition 1(a) “reflect the outcomes of the urban design review by the Department of Planning Industry and Environment with a maximum FSR of 2:1 for the site and maximum building heights of 19 metres along the site’s Auburn Road frontage, 38 metres in the north-western corner of the site and 25 metres across the remainder of the site;”*

Given the discrepancy between the Gateway determination and the recommended of the Department’s independent consultant, a Gateway review request was submitted in April 2020. The matter was considered by the Independent Planning Commission (IPC) on 2 December 2020. The IPC advice was issued on 18 December 2020 recommending to the Department that the maximum FSR of 2:1 be maintained, but that heights of 23 metres, 29 metres and 41 metres be adopted.

A revised Gateway determination was subsequently issued on 23 December 2020, as follows:

1. *Delete condition 1(a) and replace with:  
a new condition 1(a) “reflect the outcomes of the urban design review by the Department of Planning Industry and Environment with a maximum FSR of 2:1 for the site and maximum building heights of 23 metres along the site’s Auburn Road frontage, 41 metres in the north-western corner of the site and 29 metres across the remainder of the site”*

On 4 March 2021, the Sydney South Planning Panel was appointed as the Planning Proposal Authority (PPA) as Council had advised that it no longer accepted the role of the PPA. The Planning Proposal is currently being prepared for the commencement of public exhibition (as of May 2021).

On 12 February 2021 State Environmental Planning Policy Amendment (Build-to-rent Housing) 2021 was made to introduce BTR housing into the planning system. BTR housing has the potential to provide more rental housing choice and to support construction jobs and drive economic recovery. This Scoping Report is prepared under the provisions of Division 6A Build-to-Rent Housing (BTR), in addition to the provisions of Division 1 of the ARHSEPP 2009.

A Scoping meeting was held with the NSW Department of Planning Industry and Environment (DPIE) on 23 February 2021 where the proposed scheme was discussed, and the assessment framework brought about through the scoping process.

A request for SEARs was lodged on 4 May 2021, with the SEARs issued on 25 June 2021. Subsequently, a presentation was held with the State Design Review Panel on 15 September 2021. The project was generally well received with positive feedback, and the Panel provided comments and ideas for the project team to take away and consider further prior to the next presentation.

One matter that was raised was the idea of different architects, or different architectural influences that could be considered for certain parts of the development with the idea of creating the perception of a set of buildings that could have been constructed over different periods of time. While it was considered that this was a sensible suggestion, it does slightly depend on the timing of development and project staging. We have been considering this further as a team, and the specific design elements that the Panel have thus far been considering.

Following further consideration, we came to the conclusion that lodging a Concept Application now would be sensible, as it would allow the Panel to focus on the items relevant to a Concept Application, such as the location of the buildings, the footprints and the elevations, while allowing us to do further work on design and

prepare a design strategy that considers the staging of the project and appropriate input architecture and design excellence.

We have been advised that the existing SEARs (issued 25 June 2021) cannot be utilised for the purpose of a Concept application, and therefore a new set of SEARs is requested for the project which is now for a Concept for the site.

## 1.3 Public Benefit

### 1.3.1 Background

Appropriately, the urban renewal of the land at 30 – 46 Auburn Road for additional dwellings will require the provision of local infrastructure to support the occupied development.

On 23 September 2016 a Gateway determination was issued supporting the progression of the proposal subject to conditions. This included conditions 1(a) and (b) as follows:

1. *“Prior to undertaking community consultation the planning proposal is to be amended to:*
  - (a) *reflect the outcome of FSR review (either 1.75:1 or 2.25:1, or an alternative FSR);*
  - (b) *remove the requirement for the provision of public benefits to achieve the maximum FSR”.*

On 3 July 2017 the City of Canterbury Bankstown Independent Hearing and Assessment Panel (IHAP) considered the matter. At this meeting the Panel concluded: *“The Panel is of the opinion that there may be potential for further additional FSR up to 2.25:1 on this site but only after the above matters have been satisfactorily addressed (including any necessary additional or augmentation of community infrastructure and facilities).”* On 3 November 2017 an offer was provided to the council in contemplation of the IHAP recommendation and in reference to the council North Central Local Area Plan. That letter proposed a number of various Infrastructure Delivery Actions required to support a contemplation of densities at 2:25:1. It is noted the council progressed a plan at densities for the land at 2.25:1 to the department for consideration.

A subsequent urban renewal process was progressed by the department over 2018 and 2019 that culminated in an alternate urban renewal outcome for the site. The main attribute of change was the change from a series of open space areas from the original applicant scheme to the implementation of a significantly large central open space into the scheme of approximately 3,500m<sup>2</sup> (5,500m<sup>2</sup> approx. with connected access). A revised gateway was issued by the department post a review by the IPC to support a density of 2:1 on the site and a range of heights.

### 1.3.2 Bankstown Development Contributions Plan 2019

The Canterbury Bankstown Council, Bankstown Development Contributions Plan 2019 (CP) applies to the land. The site is specifically located in the Birrong – Regents Park – Potts Hill precinct. The CP considers that the area listed will see a growth in approximately 555 dwellings and a rise of 30.1% in population. The CP considers the housing delivery of this site. For simplicity and without any application of CPI increase; at a density of 2:1 an approximate yield of 480 two-bedroom dwellings can be delivered. Comparing the rate applied in the plan this will generally provide to council a payment of approximately \$14,336/ dwelling (note the plan is capped by the Minister at a rate of \$20,000). The delivery of the project will provide a payment therefore of approximately \$6.9m.

**Table 2 Section 7.11 contribution rates**

Infrastructure item	Per resident*	Per secondary dwelling <sup>a</sup>	Per self-contained seniors housing dwelling	Per 0 or 1 bed dwelling or boarding house rooms	Per 2 bed dwelling	Per 3 or more bed dwelling
Open space and recreation facilities	\$3,757	\$2,630	\$5,260	\$5,260	\$9,017	\$12,570
Roads and traffic facilities	\$721	\$505	\$1,009	\$1,009	\$1,730	\$2,427
Community facilities	\$445	\$311	\$623	\$623	\$1,068	\$1,488
Public domain facilities	\$997	\$698	\$1,396	\$1,396	\$2,393	\$3,336
Plan administration and management	\$53	\$37	\$75	\$75	\$128	\$179
<b>Total</b>	<b>\$5,974</b>	<b>\$4,181</b>	<b>\$8,363</b>	<b>\$8,363</b>	<b>\$14,336</b>	<b>\$20,000</b>

**Figure 1:** Bankstown Development Contributions Plan 2019 rates

The CP considers that the provision of new open space is desirable but significantly cost prohibitive. It proposes that a conservative rate of \$1,750m<sup>2</sup> for land cost (it is noted the actual market rate in 2019 was likely closer to \$2500m<sup>2</sup>) the plan would result in an average charge of \$87k per dwelling for the acquisition of the level of new open space at the desired rate of 2.83ha per 1000 people for the land contemplated by the CP. Using the CP figure, the new open space at 3,000m<sup>2</sup> would have a land value of \$5.25m. It is noted that with public access streets to the space the area expands to a size of approximately 5,500m<sup>2</sup> or \$9.6m. At appropriate market rates the value of this land to be acquired would be likely in the vicinity of \$14m.

The council issued a letter to the applicant on 28 January 2021 inviting a planning agreement process from the applicant. Many of the items in council's letter were generally consistent and originally contemplated by the original studies undertaken by the applicant in the 2017 process of offer. A number of iterative responses were issued back to the council in good faith to clarify various aspects of the council's request and to assist with a formal response. The majority of the items of embellishment and upgrade to external local infrastructure in council's letter can be achieved and delivered during the delivery process of the contemplated development through a works in kind agreement (WIK).

It is also noted that the council position is that there is no ability to undertake works in kind and that is their policy. However, Section 5.3 of the CP states otherwise:

### 5.3 Can the contribution be settled by dedicating land or undertaking works?

*A person may make an offer to the Council to carry out works or provide another kind of material public benefit or dedicate land, in part or full satisfaction of a monetary contribution required by a condition of consent imposed under this plan. If a developer wishes to deliver infrastructure that is included in this plan on the Council's behalf, then the developer can approach this either one of two ways:*

- (a) The developer may offer to enter into a planning agreement to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent for the development.*

*(b) If the developer has already received a development consent containing a condition requiring a monetary contribution, the developer may offer to undertake works in kind through a works in kind agreement, or offer to dedicate land through a land dedication agreement.*

*Any offer of works or land should also be consistent with the relevant LEP and DCP applying to the land. The decision to accept settlement of a contribution by way of works in kind or the dedication of land is at the sole discretion of Council.*

It is proposed to deliver public benefit in accordance with Council's Contributions Plan and to deliver the items in the first stage of the development in a WIK. The items include:

1. Formalisation of a north-south regional cycle link along Auburn Road, this will include, but is not limited to:
  - a. Bi-directional cycleway – 3.5m
  - b. Improved street lighting
  - c. Transport NSW (RMS) design requirements
  - d. Reconstruct kerbs on Corliss St and Gunya Street to allow 9-12m radius
2. Construct footpaths on both sides of Auburn Road and the streets surrounding Magney Reserve to complete the footpath network and install kerb build-outs and ramps at appropriate locations. This will include, but should not be limited to, delivering of the following:
  - a. Footpath along western side of Auburn Road – minimum width of 1.8m
  - b. Widen footpath on eastern side of Auburn Road – minimum width 1.8m
  - c. Footpath along both sides of Morris Street – minimum width 1.2m
  - d. Elevated pedestrian crossing on Auburn Road, north of Corliss Street to connect western footpath to Regents Park train station and town centre
  - e. Upgrading four (4) bus stops to DDA requirements
  - f. Two (2) new bus shelters
  - g. Two (2) new benches along the footpaths
  - h. Traffic islands for future zebra crossings at Auburn Road/Magney Avenue and on Morris Street (to access Magney Reserve)
3. Provide a landscape plan that identifies placement of additional street trees along Auburn Road and nearby local streets to foster a walkable environment
4. Embellish Magney Reserve through the provision of:
  - a. New play equipment (appropriate for play level 2) including shade sails, as agreed with Council
  - b. Two (2) new steel picnic shelters and benches on concrete pads
  - c. Two (2) new bench seats near existing footpaths
  - d. An entry statement to the park, as agreed with Council
  - e. Five (5) new exercise pieces on rubber Softfall system specified by Council
  - f. Tree planting in Magney Reserve with a minimum ten (10) advanced endemic tree species.
5. Embellish the internal 'Central Green' Space including, but not limited to:
  - a. Minimum 3000 m<sup>2</sup> area
  - b. Minimum 25% deep soil planting of the Central Green area to facilitate the growth of large canopy trees
  - c. Landscaping including use of groundcovers, shrubs and canopy trees
  - d. Street furniture including lighting, public seating and gym equipment (potentially create an exercise circuit with Magney Reserve and other nearby green spaces).
6. Maintenance requirements
  - a. All public works and landscaping to be subject to a 12 months defects / liability period. The Proponent will be responsible for maintaining or replacing trees / landscaping as agreed for a period of 12 months after completion of the works.

Further, it is not the intention to seek a charge against the CP rates for open space for the provision of the new central open space within the scheme, despite its significant cost and economic value.

## 1.4 Consent Authority and Capital Investment Value

Development for the purpose of build-to-rent housing on land within the Greater Sydney Region is classified as State Significant Development (SSD) under State Environmental Planning Policy (State and Regional Development) 2011 where development has a capital investment value (CIV) of more than \$100 million (with at least 60% of the capital investment value related to the tenanted component).

This Scoping Report is supported by a letter that provides an indicative CIV of \$162,000,000. Of this, at least 60% will be related to the BTR tenanted component. This will be supported by a more detailed concept and supporting comprehensive QS Report with the EIS. The QS letter, prepared by QPC&C Quantity Surveyors is included at Appendix G.

As such, the project is considered State Significant Development under the State and Regional Development SEPP and the Minister for Planning and Public Spaces.

## 2 Site Description and Context

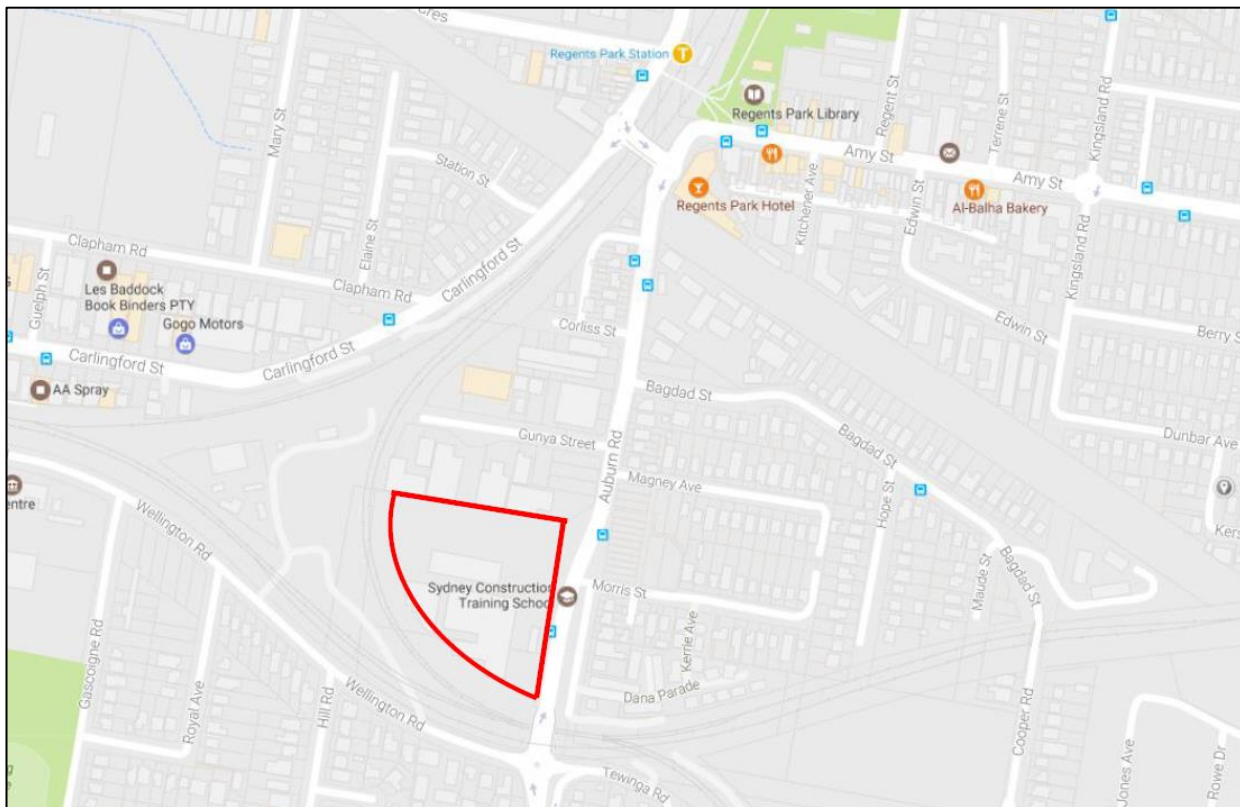
### 2.1 Site Identification

The subject site is located at 30-46 Auburn Road, Regents Park and comprises the following allotments:

Address	Lot details	Area
30-46 Auburn Road, Regents Park	Lot 1 DP 656032	21,180 sq.m
	Lot 2 DP 433938	

**Table 2:** Site details

The site is a large consolidated 2 hectare site currently utilised by industrial and warehouse land uses. It is located on the western side of Auburn Road and is zoned for residential purposes. It is well located in close proximity to facilities, services and public transport.



**Figure 2:** Site Location

The Regents Park town centre and the Regents Park railway station is located 500 metres to the north. The Regents Park railway station is located on the Bankstown Line, connecting the site to Sydney City, Liverpool, Bankstown and Lidcombe. The site is also within walking distance of Sefton and Birrong railway stations.



Figure 3: Aerial view of the subject site

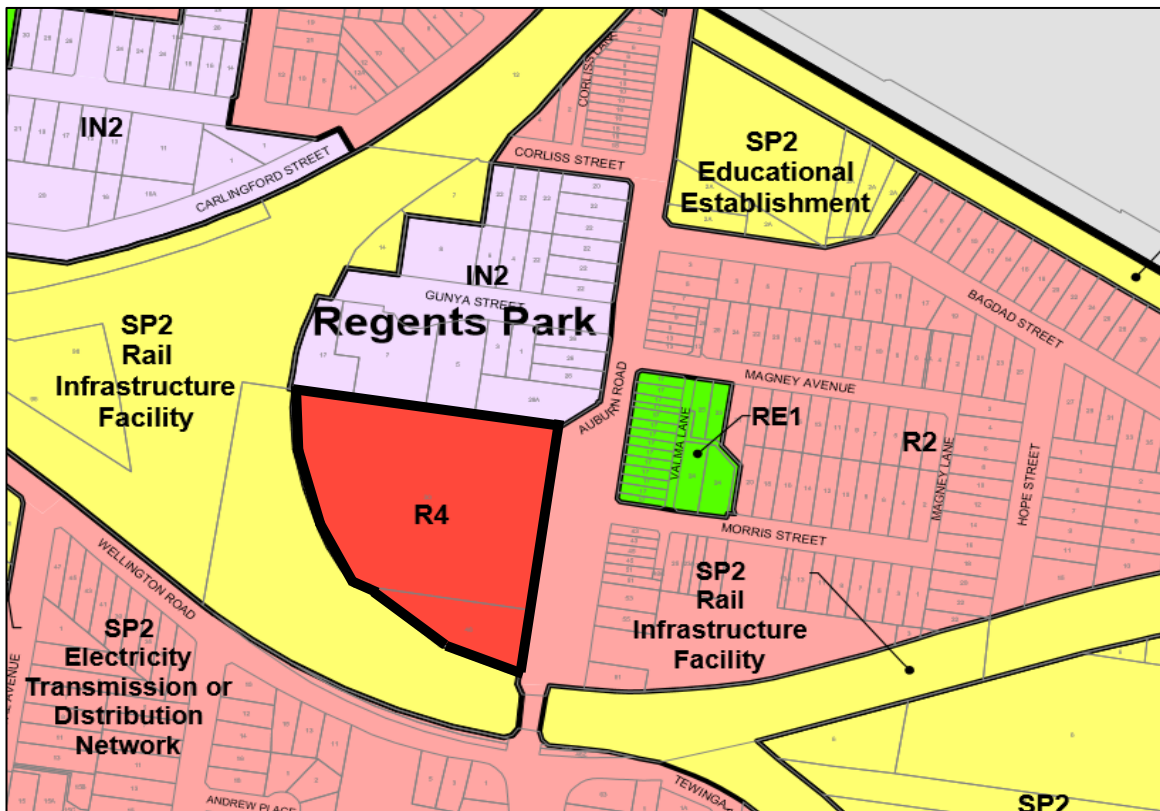


Figure 4: Zoning Map under Bankstown LEP 2015

## 2.2 Regional and Local Context

The site is extremely well located being close to numerous local, district and citywide parks and sportgrounds; community facilities; shops and services; public transport; and schools and educational facilities. The context of the site in relation to surrounding land uses is included in Figure 6 below.



Open Space	
1	Guilfoyle Park
2	Jensen Park citywide sportsground
3	Birrong Leisure Centre
4	Jim Ring Reserve
5	Muluga Passive Park
6	Alder neighbourhood park
Schools and Education	
7	Sefton Infants School
8	Regents Park Public School
9	Birrong Girls High School
10	Birrong Boys High School
Shops and services	
11	Regents Park Village Centre
12	Birrong Neighbourhood Centre

Figure 5: Site Context

While the site benefits from minimal land use conflict and negligible impact on surrounding land uses, it is also very well located and provides an excellent and unique opportunity for a well-planned and designed residential development supported by all the community facilities required for a sustainable neighbourhood.

### 2.3 Existing Environment

The site currently accommodates existing metal clad industrial buildings varying in height from 4 metres to 9 metres with characteristic saw-tooth roofs.

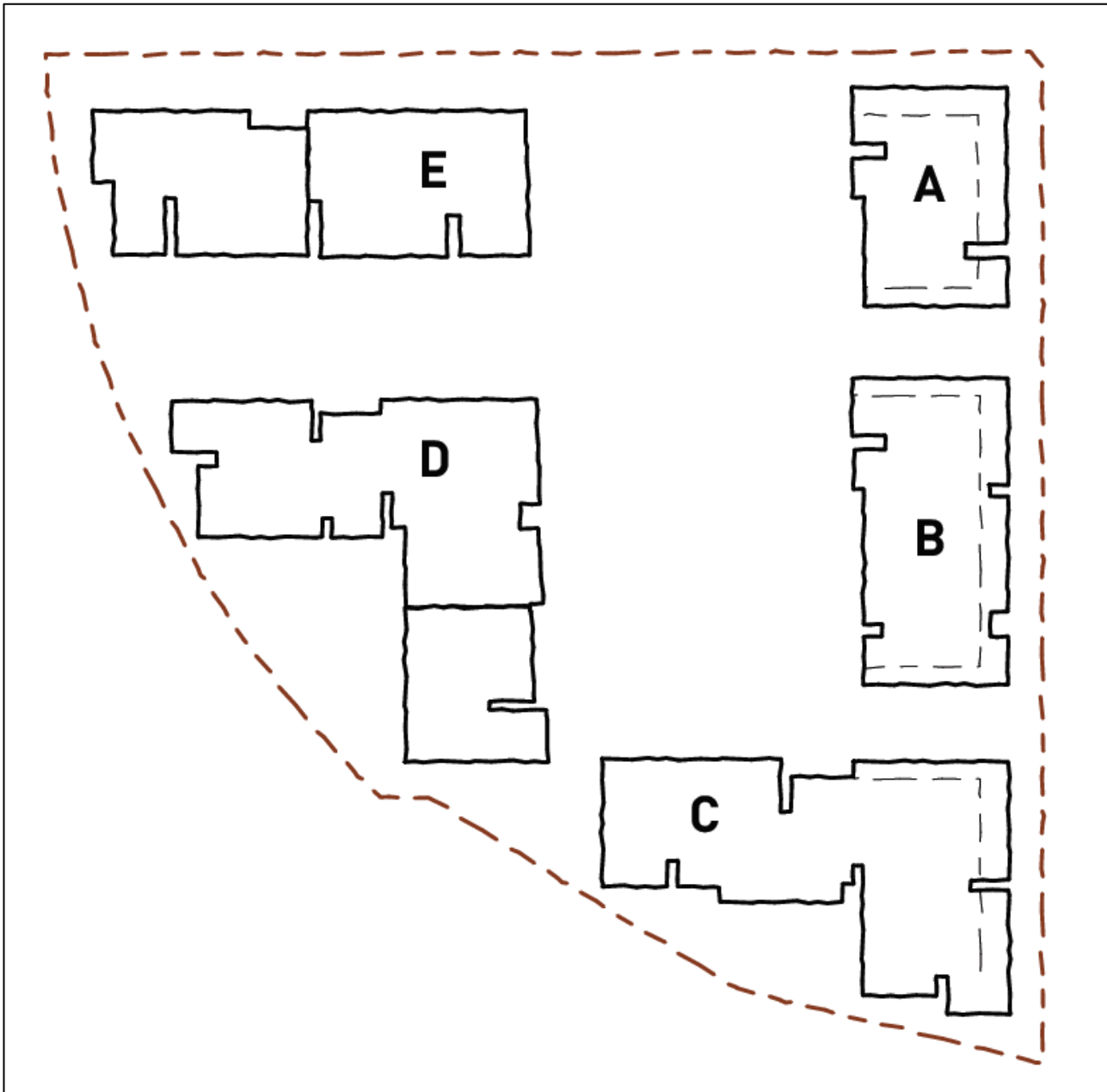
The site has the following characteristics:

- 7.3 metre (RL29.63 to RL37.36) rise in the site from the north-west corner to the south on Auburn Road;
- northern aspect to the side of the site that provides favourable orientation for living areas and reduces the prospect of overshadowing of adjoining properties;
- quadrant-shaped site with single frontage of approximately 170 metres to Auburn Road to the east and curved frontage to the south-west boundary;
- noise from trains and outlook to the south-west which can be ameliorated through building siting and detailed planning;
- very large consolidated site of 21,180sqm in single ownership;
- isolated site bounded by railway line, major road and warehouses;
- low level of contamination and zoned for residential development;

## 3. Description of Project

### 3.1 Introduction

The proposal is for the redevelopment of 30-46 Auburn Road, Regents Park, for residential apartment development in accordance with the objectives of its R4 High Density Residential zone. Specifically, the application will include five (5) key building blocks as illustrated in Figure 6 below.



**Figure 6:** Block Diagram

Blocks A through C (part of C) front Auburn Road and are lower in height to a maximum of 6 storeys. Block D and part of C are 8 storeys in height and block E is 12 storeys in height. Blocks A and B include some non-residential floor space in the form of neighbourhood shops to activate ground floor areas, particularly between blocks A and B where access connects pedestrians from Auburn Road to the central open space

The project includes approximately 567 dwellings of 52,925sq.m of gross floor area and 439sq.m of non-residential floorspace across. As previously discussed, the project is a build-to-rent scheme under the ARH SEPP and incorporates 50% affordable housing to be eligible for a bonus of 0.5:1 under Division 1 of the ARH SEPP.

### 3.2 Building Envelopes

The block layout has been designed to achieve a high-quality residential development with a robust landscape character that integrates into and enhances the Regents Park neighbourhood precinct.

The building envelopes prepared by the McGregor Coxall scheme in 2019, which have informed the draft Planning Proposal controls for the site, have been refined through the design process to provide a better outcome and a greater standard and level of environmental performance.

Specifically, building C was previously two buildings, but has become one building that partly fronts Auburn Road and partly fronts the central open space. Further, building D has been modified to improve environmental performance, becoming a L shape layout, and building E, the tallest building has also been slightly modified along the northern boundary. The building envelopes are minor in form and provide for a better outcome, having regard to the key design criteria and principles, being a central open space, alignment to Auburn Road, end of buildings to the railway corridor, and the prioritised and comprehensive pedestrian environment.

A comparison of the 2019 McGregor Coxall building envelopes and the proposed building envelopes subject to the Scoping Request and Development Application is included in the figure below.



Figure 7: Building envelope comparison

The attached design strategy, prepared by Smith & Tzannes in support of the Scoping Request includes detail in relation to the design philosophy and evolution from the McGregor Coxall scheme. In particular, the following is noted:

- The proposal has been further developed from the McGregor Coxall and subsequent concepts by MRA. In particular the revised site strategy has sought to improve the passive environmental performance aspects by ensuring the apartment can maximise the solar access
- While still retaining the key structural elements of the original structure plan - such as the central park, and the extension of Morris Street into the site the alterations to the built form layout enable increase solar access to the dwelling.
- This is achieved increasing the building separation, changing the configuration at the south- east corner to reduce self-shading and angling the east facing facade further to the north to maximise opportunities for this park facing facade to gain solar access. This move also enables greater definition of the public space, and has a positive effect on the wind speeds at ground level.
- Along Auburn Road, the built form presents as a lower height street wall. This provides a better relationship to the residential area opposite and defines the edge of Magney Reserve
- The built form of the western buildings has been conceived around the expression of a series of smaller footprint towers, where the built form fragments at the upper levels allowing additional light and ventilation.
- The higher buildings remain centrally located in the middle of the site so that they have a reduced visual impact from outside the site - it is seen as a collection of smaller buildings of varying height. The heights have been carefully modulated to maximise solar access to the apartments and open space.

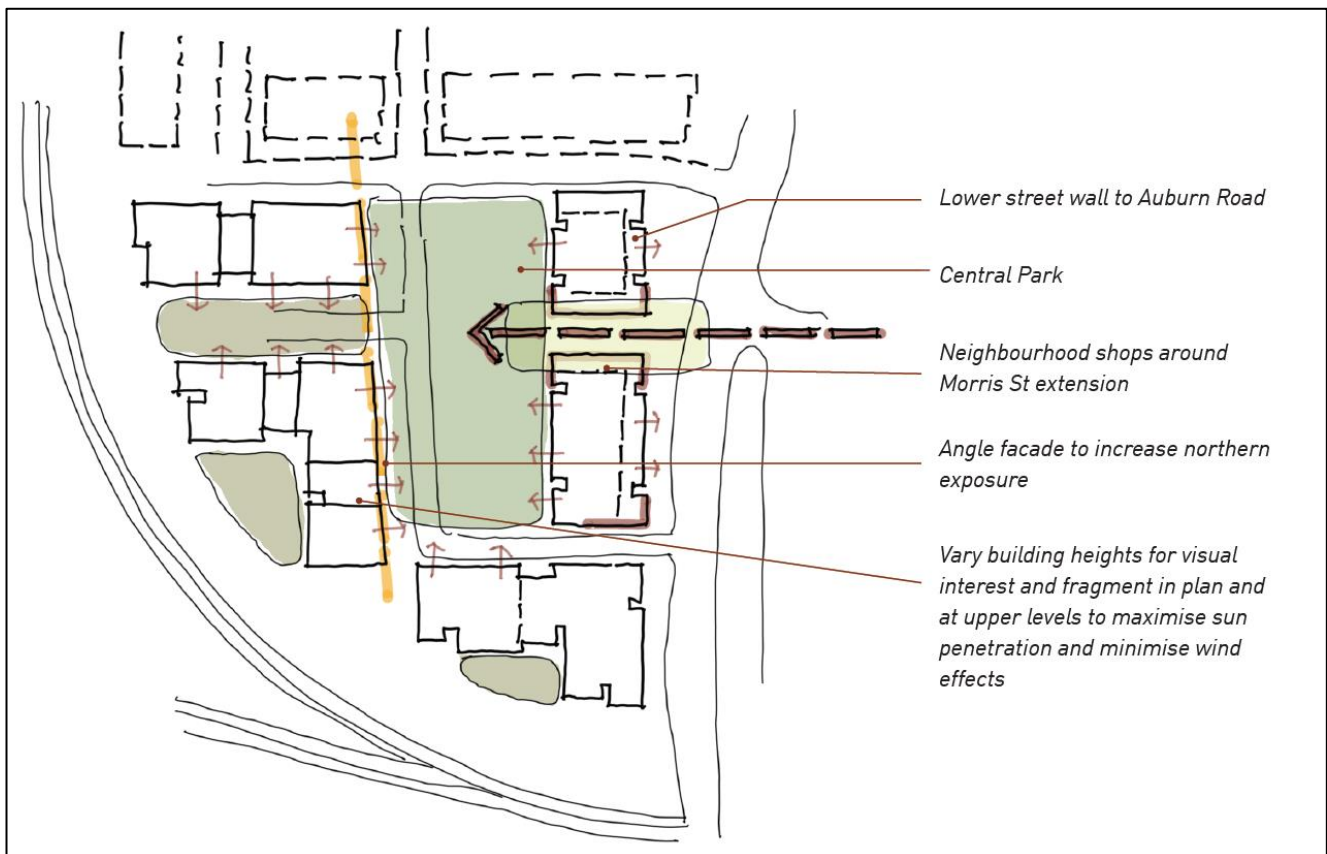


Figure 8: Revised Site Structure Plan (Smith & Tzannes)

### 3.3 Building Separation and Setbacks

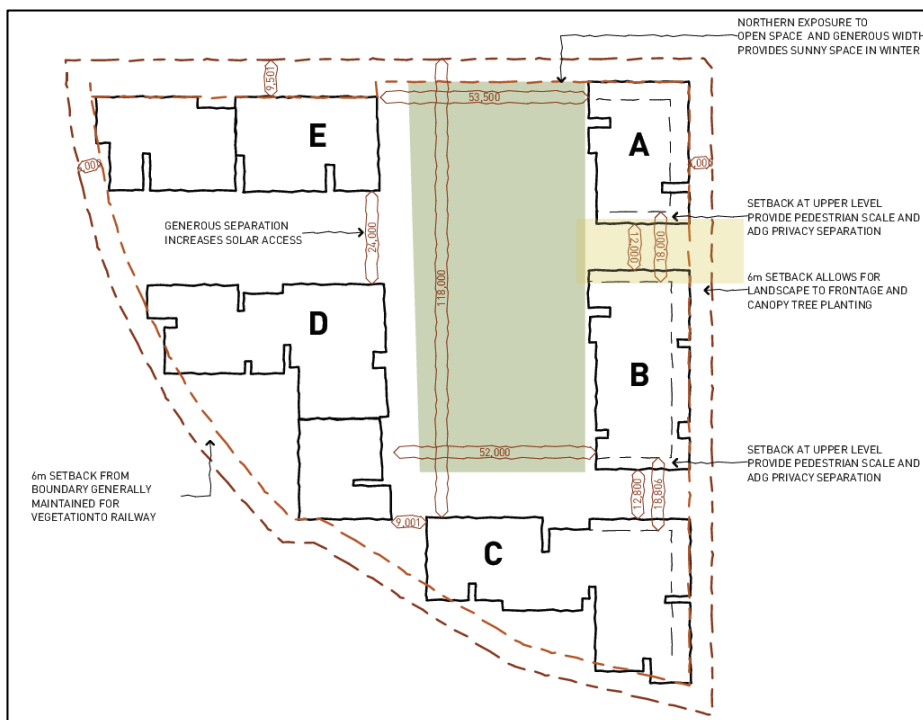
Further detailed consideration has been given to the spaces between the buildings, how the buildings relate to each other and how they are viewed from outside the site.

The space between blocks E & D has been increased to enhance solar access and function effectively as an entry to each building - with shared zoned parking and pedestrian spaces.

A 6 metre setbacks is proposed along Auburn Road, as is the setback generally along the railway corridor, which will allow for landscaping and pedestrian movements.

The separation between buildings A and B is 12 metres at the ground level to align with Morris Street to the east and provide an active pedestrian gateway into the centre of the site. Other building separations have been designed to comply with the ADG and SEPP 65.

The diagram below taken from the Smith & Tzannes Design Report illustrates the separation and setback strategy for the site.



**Figure 9:** Building separation and setback strategy (Source: Smith & Tzannes)

### 3.4 Landscaping and Open Space

A key element and guiding principle of both the 2019 McGregor Coxall scheme, and the refined Smith & Tzannes scheme the subject of this report, is the provision of open space, landscaping and the public realm.

The project includes approximately 13,000sq.m of landscaped area throughout the site, and a 3,000sq.m central park. The central open spaces provides an opportunity for passive and active recreation and social gatherings for the future residents. It also provides significant opportunity for a landscape that defines the place and contributes to the site ecology.

The large site area and significant perimeter provides significant opportunity for deep soil landscaping that enables large canopy trees. At this stage, and subject to further detailed design of the basements, the area of deep soil equates to approximately 40% of the site.

### 3.5 Access and Roads

Access to the subject site is via Auburn Road. There are two main points of access. Firstly, a new street has been included along the northern boundary. The guiding principle here is to support, facilitate and complement potential future redevelopment to the north.

A second entry point is included further south along Auburn Road, between buildings B and C. The new street provides access around the open space and to basement parking to buildings, with particular access points currently proposed via buildings C and E.

Further detail of the parking, movement and access strategy will be included with the EIS submission. This will also consider the impact on Auburn Road where the access points adjoin, and the impact on the broader traffic network.

## 4 Relevant Planning Considerations

The application will be required to consider the following legislation, Acts, environmental planning instruments and requirements related to the site for consideration of the SSDA:

- Environmental Planning and Assessment Act 1979
- NSW Biodiversity Conservation Act 2016
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy No 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007

### 4.1 Environmental Planning & Assessment Act 1979

Division 4.7 State Significant Development of the EP&A Act 1979 provides for development to be declared as State Significant Development. Clause 4.36 of the Act details that “A *State Environmental Planning Policy (SEPP)* may declare any development, or any class or description of development, to be State Significant Development.”

Section 4.38 of the EP&A Act 1979 provides for the approval mechanism for State Significant development. Subsection (3) also states:

- (3) *Development consent may be granted despite the development being partly prohibited by an environmental planning instrument.*

It is noted that in this case, the development relies on controls currently being advanced through the previously discussed planning proposal process. The development application aligns with the provisions of the draft Environmental Planning Instrument, currently being advanced by the Regional Planning Panel as the Relevant Planning Authority, and the bonus provisions of Division 1 of the ARH SEPP. It is noted that in relation to the assessment of the application, the provisions of Section 4.38(5) are relevant:

- (5) *A development application in respect of State significant development that is wholly or partly prohibited may be considered in accordance with Division 3.5 in conjunction with a proposed environmental planning instrument to permit the carrying out of the development. The Planning Secretary may (despite anything to the contrary in section 3.32) undertake the functions of the planning proposal authority under Part 3 for a proposed instrument if it is initiated for the purpose of permitting the carrying out of the development (whether or not it contains other provisions).*

The relationship of the proposed development with the draft provisions and amendments to the Bankstown LEP 2015 are discussed in further detail below.

### 4.2 NSW Biodiversity Act 2016

A request will be lodged seeking a waiver for the requirement to provide a Biodiversity Development Assessment Report (BDAR). The site does not contain any critical habitat for threatened species, populations or significant ecological communities. There will be no significant impact on these matters from the development of the site, which is zoned for urban purposes.

A demolition application was approved on 21 March 2019. This included the “demolition of existing structures and removal of site trees. The application was supported by a detailed Arboricultural Impact Assessment that surveyed all 28 trees on the site. The survey identified each tree species while assessing tree condition and estimating their age. The trees physical parameters were measured and each tree had its heritage, ecological and amenity value determined. Based on these findings an unbiased retention value was able to be awarded to each tree surveyed.

Six (6) trees are exempt species under the Bankstown DCP 2015 and can be removed at any time. Consent was issued for the removal of 18 trees that were not impacted by the basement footprint of the approved concept plan. The remaining five (5) trees were retained.

Notwithstanding, there is no evidence to suggest any critical habitat for threatened species associated with the site. A request will be made with the application.

### 4.3 State Environmental Planning Policies

Further to the above list of SEPPs that will need to be considered as part of this application, the following preliminary consideration is provided below.

#### 4.3.1 State Environmental Planning Policy - State and Regional Development 2011

Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (the SRD SEPP) identifies development declared as State significant for the purposes of the Act.

The proposed development is for ‘build-to-rent housing’ with a capital investment value (CIV) of more than \$100 million (with at least 60% of the capital investment value related to the tenanted component) on land within the Greater Sydney Region. The following provisions of the SEPP apply:

#### **27 Build-to-rent housing**

- (1) *Development permitted under Part 2, Division 6A of [State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#) if—*
  - (a) *the proposed development has a capital investment value of—*
    - (i) *for development on land in the Greater Sydney Region—more than \$100 million, or*
    - (ii) *for development on other land—more than \$50 million, and*
  - (b) *the tenanted component of the proposed development has a value of at least 60% of the capital investment value of the proposed development, and*
  - (c) *for development on land in Zone B3 Commercial Core—the proposed development does not involve development that is prohibited under an environmental planning instrument applying to the land, other than development for the purposes of multi dwelling housing, residential flat buildings or shop top housing, and*
  - (d) *for development on other land—the proposed development does not involve development that is prohibited under an environmental planning instrument applying to the land.*
- (2) *Subclause (1) does not apply to development on land within the area of the City of Sydney.*
- (3) *In this clause—*

**Greater Sydney Region** has the same meaning as in the [Greater Sydney Commission Act 2015](#).

**tenanted component** has the same meaning as in clause 41A of [State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#).

### 4.3.2 State Environmental Planning Policy (Affordable Rental Housing) 2009

#### Division 6A Build-to-rent housing

On 12 February 2021 State Environmental Planning Policy Amendment (Build-to-rent Housing) 2021 was made to introduce Build-to-rent (BTR) housing into the planning system. BTR housing has the potential to provide more rental housing choice and to support construction jobs and drive economic recovery. Division 6A applies to development that contains at least 50 dwellings occupied by residents under a tenancy agreement and facilitates concessions in relation to the application of SEPP 65 and the ADG.

Division 6A applies to development for the purposes of multi dwelling housing, residential flat buildings or shop top housing on land in a zone in which development for the purposes of residential flat buildings is permissible under another environmental planning instrument. 'Residential flat buildings' and 'shop top housing' are permissible in the R4 High Density Residential zone under the Bankstown LEP 2015.

Of particular relevance to this project is the introduction of a State Significant Development (SSD) pathway for BTR housing developments where the CIV of the development is more than \$100 million and the BTR component has a value of at least 60% of the CIV of the proposed development.

This Scoping Report is supported by an indicative concept design report at Appendix B. It demonstrates an indicative dwelling yield of approximately 567 dwellings across five (5) key building footprints. Therefore, Division 6A applies as the quantum of dwellings is greater than 50.

Further, the development has a CIV of greater than \$100 million, of which greater than 60% will be related to the BTR tenanted component. This is supported by a letter prepared by QPC&C Quantity Surveyors that provides a total indicative CIV of \$162,000,000. This is included at Appendix G. A more detailed QS Report will be prepared and submitted with the EIS lodgement, that will provide a more detailed breakdown of the CIV of the tenanted component.

#### Division 1 In-fill Affordable Housing

The Bankstown LEP 2015 is subject to the provisions of any State environmental planning policy that prevails over the Plan as provided by section 3.28 of the Act, and as such the planning controls found in section 4.4 of the BLEP 2015 are considered as required by any provision of the ARHSEPP2009. In that context, Division 1 In-fill Affordable Housing of the ARH SEPP 2009 applies to residential development if:

- (a) *the development is permitted with consent under another environmental planning instrument, and*
- (b) *the development is on land that does not contain a heritage item that is identified in an environmental planning instrument, an interim heritage order or on the State Heritage Register under the [Heritage Act 1977](#), and*
- (c) *the percentage of the gross floor area of the development that is to be used for the purposes of affordable housing is at least 20%, and*
- (d) *for development on land in the Greater Sydney region, Newcastle region or Wollongong region—all or part of the development is within an accessible area, and*
- (e) *for development on other land—all or part of the development is within 400 metres walking distance of land within Zone B1 Neighbourhood Centre, Zone B2 Local Centre or Zone B4 Mixed Use, or within a land use zone that is equivalent to those zones.*

The site is zoned R4 High Density Residential under which ‘Residential flat buildings’ and ‘shop top housing’ are permissible with consent under the Bankstown LEP 2015. Further, the land does not contain a heritage items, the site is within the Greater Sydney Region and at least 20% of the gross floor area of the development will be used for the purposes of affordable housing.

Clause 13 of the ARH SEPP 2009 provides for the following:

### **13 Floor space ratios**

(1) *(Repealed)*

(2) *The maximum floor space ratio for development to which this Division applies is the existing maximum floor space ratio for any form of residential accommodation permitted on the land on which the development is to occur, plus—*

(a) *if the existing maximum floor space ratio is 2.5:1 or less—*

(i) *0.5:1—if the percentage of the gross floor area of the development that is used for affordable housing is 50 per cent or higher, or*

(ii) *Y:1—if the percentage of the gross floor area of the development that is used for affordable housing is less than 50 per cent,*

*where—*

**AH** *is the percentage of the gross floor area of the development that is used for affordable housing.*

**Y** =  $AH \div 100$

The site is subject to a Planning Proposal which seeks to amend the principal development controls, as follows:

- Increase the maximum building height from 13 metres to part 23 metres, part 29 metres, and part 41 metres.
- Increase the maximum FSR from 0.6:1 to 2:1.

Therefore, the proposed FSR under the Planning Proposal being less than 2.5:1 means that the development falls under the provisions of Clause 13(2)(a) of the ARH SEPP. This means that the future development will support at least 50% of dwellings as affordable housing. The affordable housing component will be managed by a Community Housing Provider.

Consideration of the development application and the Planning Proposal can occur concurrently under the provisions of Division 3.5 Section 4.38(5) of the EP&A Act 1979.

In summary, the development is build-to-rent project that also provides a significant opportunity to provide a considerable quantum of affordable housing in one of the worst areas of Sydney for housing stress. The application is to be considered concurrently with the progression of the Planning Proposal which provides a maximum FSR of 2:1. Division 1 of the ARH SEPP provides an additional bonus incentive to facilitate affordable housing, resulting in a maximum FSR of 2.5:1. The indicative concept provides approximately 52,925sq.m of gross floor area or an FSR of approximately 2.5:1. Further detailed plans, sections and elevations will inform the final density and dwelling mix.

Therefore, this Scoping Report is prepared under the provisions of Division 6A Build-to-Rent Housing (BTR), in addition to the provisions of Division 1 of the ARHSEPP 2009.

### 4.3.3 State Environmental Planning Policy 55 Remediation of Land

The rezoning of the site from Industrial to a high-density residential zone took place in 2005. At that time, preliminary site contamination investigations assessed the suitability of the site for the purposes of residential development and concluded:

*“the potential for extensive contamination of the site is low and the site can be practically remediated and rendered suitable for the proposed residential use”.*

The investigation further concluded that *“it may be prudent to conduct further investigations on the site to fully characterise the site in terms of site contamination”.*

Additional contamination analysis was acknowledged as being necessary under the Planning Proposal submitted by Council to the Department of Planning to increase the height and floor space ratio controls. The Department of Planning and Environment in issuing a Gateway determination on 23 September 2016 for the Planning Proposal commented:

*“...contamination investigations were undertaken in 2005 when the site was rezoned from an industrial zone to a high density residential zone. However, the contamination investigations are based on a significantly smaller scale residential development compared to the current proposal. Therefore, it is requested that Council undertake and report on relevant site investigations to address the requirements of the State Environmental Planning Policy No 55 – Remediation of Land. A copy of the study must also be included in the proposal prior to public exhibition”.*

The altered Gateway determination of 23 December 2020 provided further in relation to contamination and consistency with the relevant Section 9.1 Direction as follows:

2. *“Delete condition 1(c) and replace with:  
a new condition 1(c) “prior to exhibition, further information is to be submitted to the satisfaction of the delegate of the Minister to justify consistency or inconsistency of the planning proposal with section 9.1 Ministerial Direction 2.6 Remediation of Contaminated Land. A Remediation Action Plan (RAP) is to be prepared to demonstrate the land can be suitable remediated for the land uses permissible under the R4 High Density Residential zone, and the method and feasibility of remediation”.*

While the site is subject to a residential zone, an approved demolition application, and an approved Concept Development Application, it is noted that a Remediation Action Plan (RAP) has been prepared, dated February 2021 and is included at Appendix H.

The RAP was prepared for the following purpose:

*“The RAP was developed to provide a plan detailing the remedial work activities including delineating contamination, removal, validation, WH&S and environment management strategies associated with the remediation of potentially impacted material at the Site. The RAP has been prepared in accordance with relevant NSW EPA guidance documentation and industry standards, with sufficient detail to implement the preferred remedial strategy”.*

A number of previous contamination assessments have been undertaken (outlined in section 2.6 of the RAP) and found that the site can be made suitable for the proposed high density residential use (at that time) subject to the findings of previous reports, further sampling of soils and groundwater, and if necessary consideration of existing results and any new information. The outcomes of previous studies require closure prior to

undertaking remediation works and form the basis to Data Gap investigations as detailed further in the attached RAP.

The Remediation Action Plan has been prepared in order to allow the Planning Proposal to progress to public exhibition. However, in order for the Planning Proposal to be finalised, further testing is required against the contemporary tests for contamination and fill the data gaps identified in Section 3.5.1 of the attached RAP.

#### 4.3.4 State Environmental Planning Policy 65 Design Quality of Residential Apartment Development

SEPP 65 seeks to improve the design quality of residential apartment development and enhance streetscapes and neighbourhoods in New South Wales to deliver a better living environment for the residents now choosing this form of housing. It does this by establishing a consistent approach to the design and assessment of apartments and the way they are assessed.

The concept design has been guided by:

- The Design Quality Principles in Schedule 3 of the *State Environmental Planning Policy No 65 – Design of Residential Apartments*;
- The objectives contained within Parts 3 & 4 of the Apartment Design Guide; and
- The Design Criteria within Parts 3 & 4 of the Design Guide.

It is noted that page 16 of the Architectural Concept Design at Appendix B addresses prescriptive criteria of the Apartment Design Guide. Further, an Architectural Design Statement prepared by the project architect, Peter Smith of Smith & Tzannes, has been included at Appendix C.

It is noted that the EIS submission will address in detail compliance with the Apartment Design Guide, noting the flexibility in compliance facilitated by Clause 41E(2) of Division 6A of the ARHSEPP 2009.

## 4.4 Bankstown LEP 2015

Bankstown Local Environmental Plan (LEP) commenced on the 5 March 2015 when it was published on the NSW Government Legislation website.

Table 3 below summarises the Bankstown LEP 2015 principle development standards that currently apply to the subject site:

Land Zoning	Maximum Building Height	Maximum Floor Space Ratio (FSR)	Minimum Lot Size
R4 High Density Residential	13 metres	0.6:1	450m <sup>2</sup>

**Table 3:** Site Development Standards

### 4.4.1 Land Use Zone

The site is zoned R4 High Residential, under which 'residential flat buildings' and 'shop top housing' are permissible with consent. The proposed concept plan will facilitate the future development of the site for residential apartment buildings and a child care centre and cafe in accordance with the objectives and provisions of the LEP.

## R4 High Density Residential

### 1 Objectives of zone

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

### 2 Permitted without consent

Nil

### 3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Car parks; Child care centres; Community facilities; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Seniors housing; Serviced apartments; Shop top housing; Water supply systems

### 4 Prohibited

Any development not specified in item 2 or 3

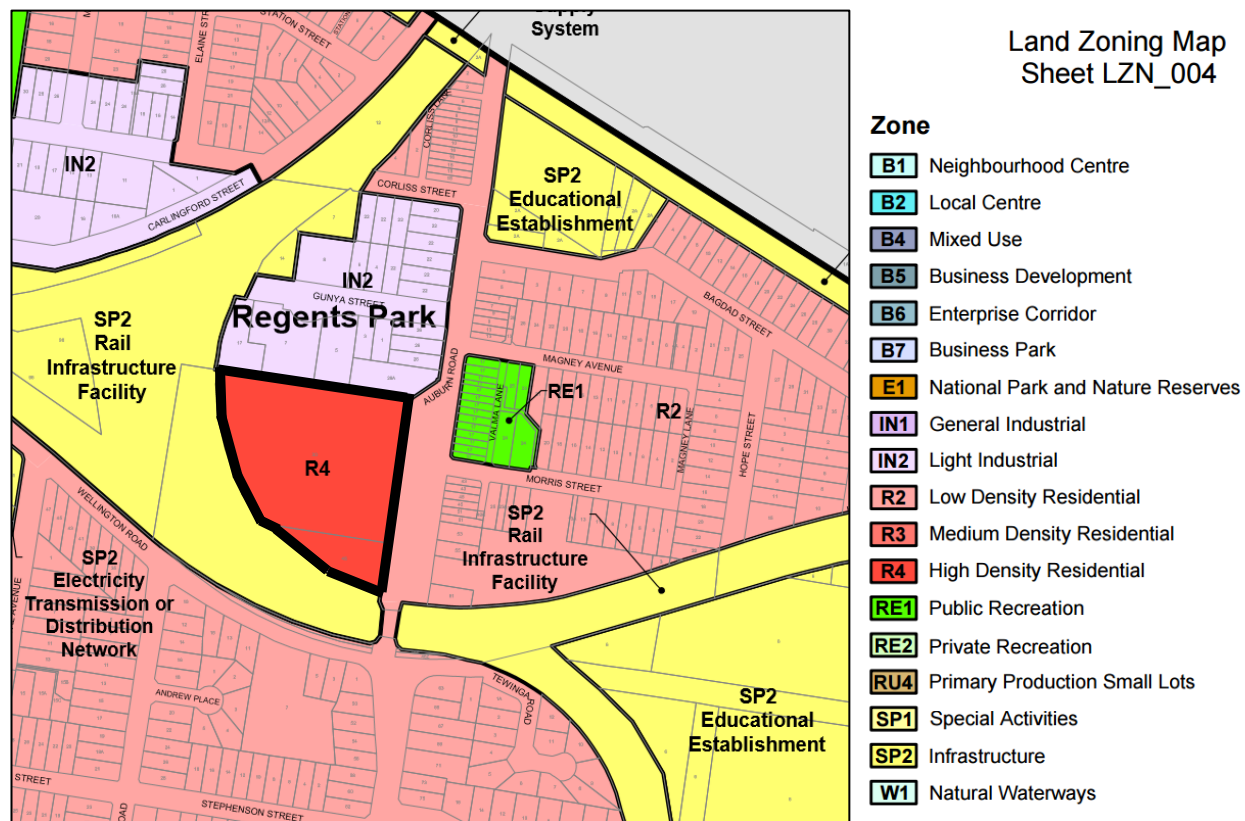


Figure 10: Bankstown LEP Land Zoning Map

### 4.4.2 Height of Buildings

The maximum building height for the subject site is 13 metres (approximately 4 storeys). Figure 11 illustrates the existing maximum building height for the site.

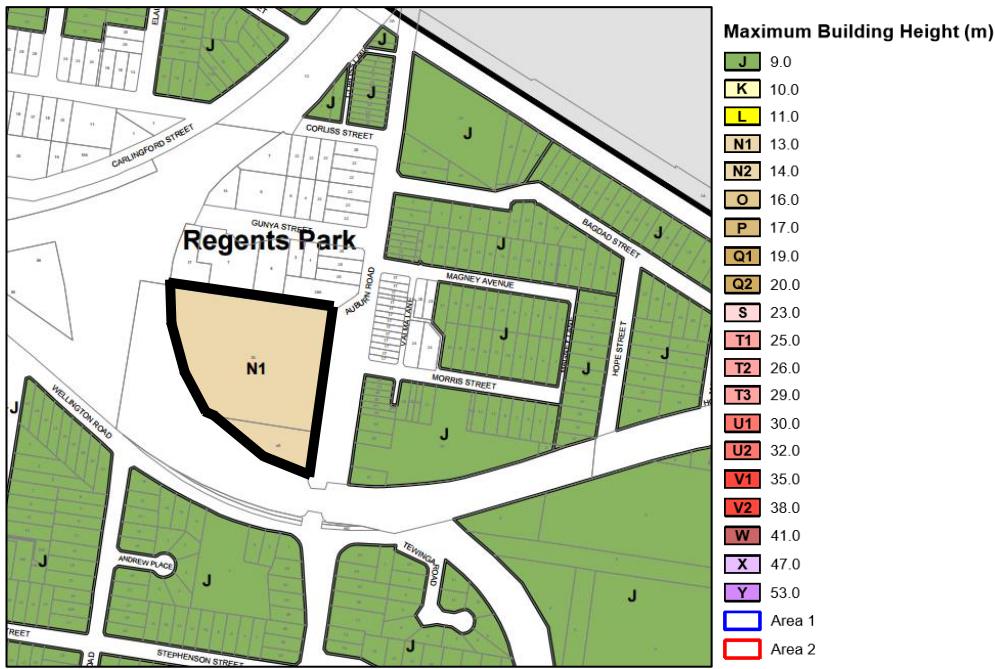


Figure 11: Maximum Height of Buildings Map

The Planning Proposal provides for maximum building heights in accordance with the Gateway determination of 23 December 2020, being a: “maximum building heights of 23 metres along the site’s Auburn Road frontage, 41 metres in the north-western corner of the site and 29 metres across the remainder of the site”.

The table below provides a comparison of the heights advanced in the planning proposal and the proposed heights within the proposed concept advanced in this application.

Height of Building		
	Planning Proposal	Proposed
Building A	23 metres	21.5 metres
Building B	23 metres	22.5 metres
Building C	23/29 metres	22-27.5 metres
Building D	29/41 metres	25-41 metres
Building E	41 metres	34-39.5 metres

Table 4: Height of Buildings Comparison Table

An indicative height map is also included below as per the Gateway determination:



**Figure 12:** Indicative height map under Planning Proposal

The Concept that supports the application aligns with the proposed height map. It is noted that further study of the site and performance objectives including solar and cross ventilation has resulted in amendments and improvements to some of the built form advanced by McGregor Coxall. Further details will be provided as part of the EIS submission in support of the development concept.

#### 4.4.3 Floor Space Ratio

The maximum floor space ratio (FSR) for the subject site is 0.6:1. Figure 13 illustrates the existing maximum building height for the site.

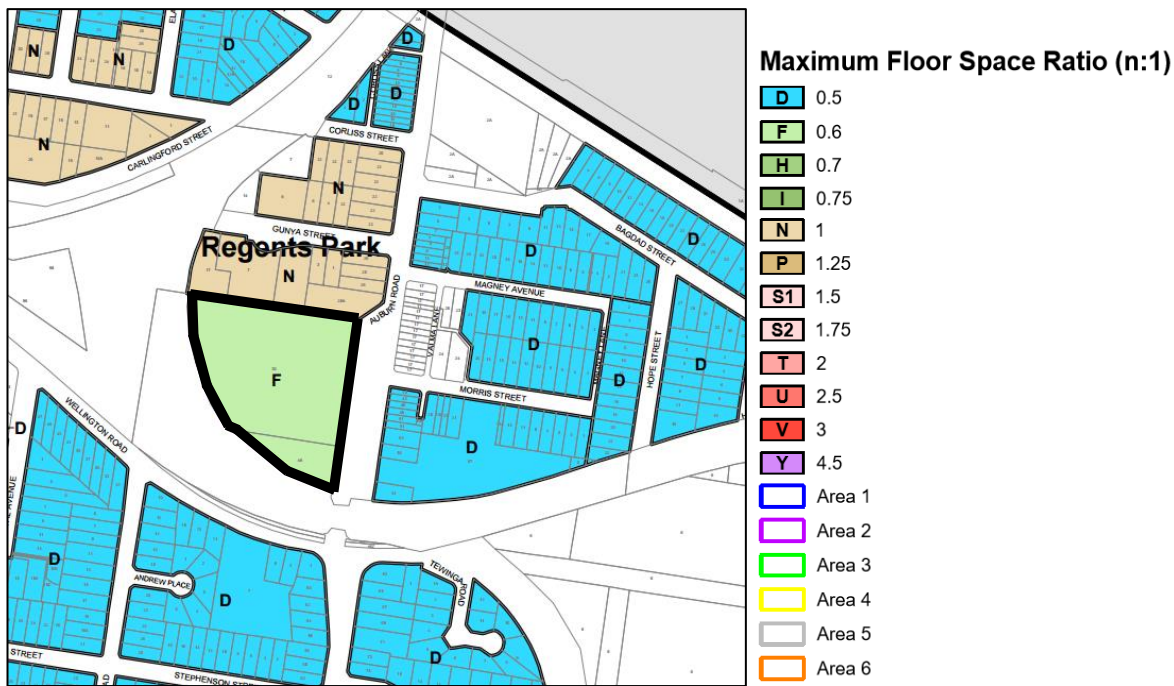


Figure 13: Maximum Floor Space Ratio Map

The Planning Proposal provides for a maximum FSR of 2:1 in accordance with the Gateway determination of 23 December 2020, being a: *“a maximum FSR of 2:1 for the site”*.

The project includes approximately 567 dwellings of 52,925sq.m of gross floor area and 439sq.m of non-residential floorspace across the site. The project is a build-to-rent scheme under the ARH SEPP and incorporates 50% affordable housing to be eligible for a bonus of 0.5:1 under Division 1 of the ARH SEPP. Thus, the proposed total FSR for the site is 2.5:1 which equates to the 52,925sq.m. The affordable housing component will be managed by a Community Housing Provider.

#### 4.4.4 Heritage

The following heritage items are within the vicinity of the subject site.

**I32** – Regents Park Public School at 2A Bagdad Street

**I33** – Sefton Junction substation at 96 Wellington Street

**O1630** – Pressure tunnel, Shaft No 1 and associated infrastructure at 2A Auburn Road (State listed)

The subject sits is not located within a heritage conservation area, nor is it identified as a heritage item. It is considered that there will be no adverse impacts upon the nearby heritage items.

The Regents Park Public School is located 200 metres to the north and is on the opposite side of Auburn Road. The Sefton Junction heritage item is located directly to the west and is separated by the railway line. These items are not impact by the concept masterplan and the site is already zoned for residential purposes.

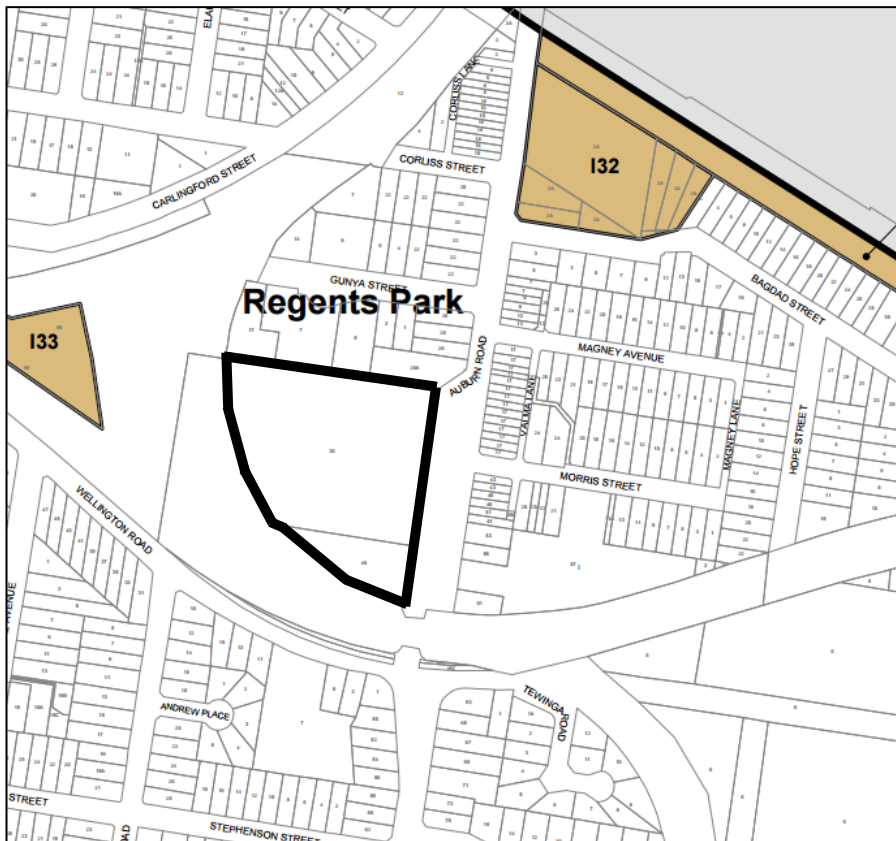


Figure 14: Heritage Map

#### 4.4.5 Additional LEP Provisions

A number of additional LEP Provisions within the Bankstown LEP 2015 are relevant to the proposal. Consideration is given to relevant provisions below, with further consideration to occur during the preparation and assessment of the EPI process.

Assessment Criteria	Comment	Compliance
Clause 5.9 Preservation of trees or vegetation	The proposal does not involve the removal of trees or vegetation. The site contains an industrial land use and was zoned for residential in 2005. While some vegetation may be removed through as a consequence of future approvals for development, the Landscape Plan included at Appendix D, demonstrates that considerably more landscaping, vegetation and trees will be provided as part of the open space strategy for the site.	Yes
Clause 5.10 Heritage Conservation	The site does not fall within a heritage conservation zone and does not contain any items of heritage significance.	N/A
Clause 6.1 Acid Sulfate Soils	The proposal does not seek consent for development. Notwithstanding, the subject site and adjoining land is not classified as acid sulfate soils and therefore is not subject to this clause.	N/A

Clause 6.2 Earthworks	The proposal does not seek consent for earthworks. Any earthworks required to facilitate future build form and development of the site will be addressed at a later stage.	N/A
Clause 6.3 Flood Planning	The far north-east corner of the site may be subject to stormwater inundation from the overland flowpath associated with the upstream Duck River catchment and the associated drainage system through Auburn Road.  The proposed building envelope proposed under the Scoping Report may seek a building footprint within proximity to the part of the site that may be subject to stormwater inundation.  While this section is minimal, it is proposed that a Stormwater Management Plan will be prepared in support of the EIS to demonstrate that runoff on the site and the natural drainage will pass unobstructed over the site, and proposed development, including floor levels will comply be acceptable and have no adverse impact.	Yes
Clause 6.4 Biodiversity	The site contains an industrial land use and was zoned for residential in 2005. The site is also not identified as containing any biodiversity value under the <i>LEP Terrestrial Biodiversity Map</i> . Therefore, this clause does not apply to the proposal.	N/A
Clause 6.4A Riparian Land and Watercourses	As the site is former industrial land and is surrounded by the railway line to the west and south, Auburn road to the east and industrial zoned land to the north, the proposal will not have any impact on riparian land or watercourses and is not identified on the <i>LEP Riparian Lands and Watercourses Map</i> .	N/A

Table 5: Additional LEP Provisions

## 4.5 Bankstown DCP 2015

The design of the project has considered the DCP in the review and design process, particularly in relation to the placement of buildings and setbacks. Further the ADG will apply to ensure high levels of amenity in a future development.

It is noted that provisions of a DCP do not apply to SSD in accordance with Clause 11 of State Environmental Planning Policy (State and Regional Development) 2011.

## 5 Environmental Impacts

This section identifies the key items of environmental impact and assessment that are to be addressed through the EIS and Part 4 process.

### 5.1 Need for Housing

The following is included from the Bankstown Development Contributions Plan 2019 and provides context to the need and provision of affordable housing.

*At the time of the 2016 census, 53.6% of Bankstown Area's 15+ years population were employed, which was less than the Greater Sydney average of 61.6%. The unemployment rate was 8.1%, which is higher than the 6% in Greater Sydney. Of those employed, 57.3% worked full-time and 31.7% part-time. Of those persons looking for work, 4.2% were looking to work full-time and 3.9% were looking for part-time. Compared to Greater Sydney, the population in the Bankstown Area has a significantly lower proportion of people holding formal qualifications that may include a Bachelor or higher degree, Advance Diploma or Diploma, or vocational qualifications. It also has a lower proportion of people with no formal qualifications. Overall, 41% of the population aged over 15 held educational qualifications and 49.3% have no qualifications compared with 52.7% and 37.7% respectively for Greater Sydney. The most common occupations were professionals (18.3%), clerical and administration (16.1%) and technicians and trades (14.5%). In combination these occupations account for 48.7% of the employed resident population.*

*In 2016, compared to Greater Sydney, in Bankstown Area there was a lower proportion of people earning a high income (more than \$1,750 per week or more) and a higher proportion of people of low income (less than \$500 per week). Overall, 6.5% of the population earned a high income, and 46% earned a low income compared with 14.4% and 36.1% respectively for Greater Sydney. The median household weekly income was \$1,322 in 2016, compared to \$1,745 for Greater Sydney. The lower income is consistent with the relatively high number of people without qualifications and higher unemployment rate.*

The project is for a build-to-rent residential development, incorporating 50% affordable housing. This will have significant benefit to an area with very high unaffordability amongst the community, with significant rates of people in housing stress.

Council recognises the housing stress many people in this area and the LGA are in through its strategic planning documents including the recently adopted Local Strategic Planning Statement. Pacific Community Housing as registered under the National Regulation as a Community Housing Provider is required to advance a Social Impact Statement (SIS) with every DA application progressed and a SIS will accompany the EIS in the future application.

### 5.2 Solar Access and Overshadowing

The building layout and concept design has been carefully designed to maximise solar access to residential apartments and open space associated with the design of the development and project, while minimising any adverse impacts associated with the overshadowing of adjoining development.

The Planning Proposal process has informed in detail the proposed heights currently being advanced through that process. This included detailed overshadowing analysis on surrounding land. The site is well located with

its only interface to adjoining development being along the northern frontage, with the railway line to the west and south, and Auburn Road to the east.

The EIS will be supported by detailed overshadowing analysis based on the current built form and layout, noting compliance with the maximum building heights being advanced by the Planning Proposal.

### 5.3 Flooding, Drainage and Stormwater Management

The far north-east corner of the site may be subject to stormwater inundation from the overland flowpath associated with the upstream Duck River catchment and the associated drainage system through Auburn Road.

The proposed building envelope proposed under the Scoping Report may seek a building footprint within proximity to the part of the site that may be subject to stormwater inundation.

While this section is minimal, it is proposed that a Stormwater Management Plan will be prepared in support of the EIS to demonstrate that runoff on the site and the natural drainage will pass unobstructed over the site, and proposed development, including floor levels will comply be acceptable and have no adverse impact.

A Flood Study was prepared during the Planning Proposal process by NPC (National Project Consultants) Pty Ltd. It is noted that the Study concluded:

*“The flood prone land related aspects of the proposed Planning Proposal conform with all aspects of the Duck River Floodplain Risk Management Plan and the Floodplain Development Manual. It also conforms with all aspects of the Section 117 Directions 4.3 Flood Prone Land except for Section 6(c) relating to increases in development of the subject site. However, the development in the Planning Proposal conforms with Section 9(a) which allows inconsistency with the 117 Direction if it is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual. The Duck River Floodplain Risk Management Plan conforms to this requirement and hence the inconsistency with the Section 117 Direction is acceptable.”*

It is noted that the Planning Proposal is progressing through the next stage of that process. An updated Flood Study would support the EIS and be informed by any outcomes of the assessment of the Planning Proposal. This next stage of assessment will include the following:

- An update to the Council’s 2009 flood model to include any new structures as detailed in point 1 above. This would provide a revised flood flow path and 100 yr ARI flood level for the subject site.
- The Planning Proposal would need to provide for any new basement driveway entry crests being at or above the specified Council policy level so that this flood risk is not an issue. It is noted that the latest set of plans provide for the location of the basement driveways to the west and south of the site away from any floodway or potential floodway.
- Any child care centre proposed on the site would need to ensure the facility would have a minimum floor level at the PMF level so that this flood risk would not be an issue. In the first instance the Part 3 process would need to establish whether there is a floodway on the site.
- At the DA stage, the design would adopt the specified basement entry driveway crest level established through the Planning Proposal process as a minimum and would adopt the PMF flood level as a minimum floor level for any child care facility in the development.

## 5.4 Traffic and Parking

The project has experienced significant analysis of traffic impacts associated with a number of development scenarios associated with the site.

Under the current proposal, the project seeks to deliver circa 500 resident parking spaces. This will be further refined as the design progresses. Division 6A 41D(2)(c) includes provision for parking and the future application will comply with the minimum requirements on parking.

## 5.5 Amenity Impacts

A number of reports will be prepared in support of the application that will consider in detail potential amenity impacts within the proposed development and on adjoining properties. It is proposed that this will include:

### Acoustic Report

An Acoustic Report that considers the impact and proximity of the site to Auburn Road and the railway corridor. The report will provide recommendations in relation to mitigation associated with construction and operation.

### Air Quality Impact Assessment

To address the impacts associated with construction and operation of the development.

### Crime Prevention through Environmental Design

An assessment that considers building layout, passive surveillance, safety of open space, pedestrian movement and mitigation to minimise potential crime risks.

## 5.6 Waste Management

The proposal is likely to generate waste during the construction and operation phases. A Waste Management Plan will need to be undertaken to determine the type, quantity, onsite storage and methods of disposal and measures to minimise impacts will be documented in the EIS. It is noted that a demolition application has already been approved.

An operational waste management plan will also be essential to the submission of the EIS.

## 5.7 Economic

The proposal is likely to have significant positive economic impacts on the local community.

The positive impacts of development include the creation of jobs associated with construction and operation of commercial floorspace proposed within the development. A detailed economic report will be included with the EIS submission.