

Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au



Regents Park In-fill Affordable Housing Stage 3

State Significant Development Assessment Report (SSD-57703458)

June 2026





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Published by NSW Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au

Regents Park In-fill Affordable Housing Stage 3 (SSD-57703458)
Assessment Report

Published: June 2026

Copyright and disclaimer

© State of New South Wales through Department of Planning, Housing and Infrastructure 2024. Information contained in this publication is based on knowledge and understanding at the time of writing (June 2026) and is subject to change. For more information, please visit nsw.gov.au/copyright.

Executive Summary

This report details the Department of Planning, Housing and Infrastructure's (the Department) assessment of the State significant development (SSD) application SSD-57703458 for Regents Park In-fill Affordable Housing Stage 3 in the Canterbury-Bankstown local government area (LGA).

30 Auburn Road Pty Ltd (the Applicant) proposes the construction of an 8 to 12-storey mixed-use building comprising 142 units, including 36 affordable housing units, a 106 place child care centre and a central public park at 30-46 Auburn Road, Regents Park.

The Applicant is also seeking amendments to a Concept Approval (SSD-20724880) which applies to the site to include the child care centre as SSD and amend conditions of consent.

The proposal is classified as SSD under section 4.36 of the EP&A Act and section 2.11 of the *State Environmental Planning Policy* (Planning Systems) 2021 (Planning Systems SEPP) as it is the subject of an SSD concept approval.

The Department publicly exhibited the environmental impact statement (EIS) from 2 December 2025 to 15 December 2025 (14 days). During the exhibition period, the Department received two public submissions: one in support and one objecting. Canterbury-Bankstown Council (Council) objected and agencies provided advice.

The Department has considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) of the EP&A Act, the issues raised in the submissions, the Applicant's response and additional information provided.

The key issues of the proposal are its consistency with the Concept Approval and residential amenity. Other issues, including the proposed modification to the Concept Approval and the design of the proposed child care centre, have also been considered.

The Applicant submitted a Response to Submissions and additional information to address issues raised by the Department, Council, agencies and public submissions (**Appendix A**). The Department has considered the Applicant's EIS and response to the issues raised in its assessment in **Section 5** and **Appendix C**.

The Department's assessment concludes that the proposal is acceptable as it:

- supports the NSW Government's priority to deliver well-located, diverse, and affordable housing in a highly accessible location near the Regents Park Train Station
- delivers public benefits by providing a publicly accessible central park to support the existing and future community

- is permissible with consent in the R4 High Density Residential zone under the *Canterbury-Bankstown Local Environmental Plan 2023* (CBLEP 2023) and generally complies with the main statutory controls for the site, including height and FSR
- exhibits a high-quality design that will deliver good internal and external amenity to future occupants of the site
- will deliver a high-quality child care facility to support the growing community
- is consistent with the Concept Approval SSD-20724880 and the *30-46 Auburn Road, Regents Park Design Guide*
- will provide 265 construction jobs and 22 operational jobs

The Department has recommended a range of conditions to appropriately manage any residual issues.

The Department considers the project to be in the public interest and recommends the proposal be approved, subject to conditions.

Contents

Executive Summary	i
1 Introduction.....	1
1.1 The proposal.....	1
1.2 Project location.....	1
1.3 Related projects.....	3
2 Project.....	6
2.1 Project overview.....	6
2.2 Modification to the Concept Approval.....	9
3 Policy and statutory context.....	10
4 Engagement.....	12
4.1 Public exhibition of the EIS.....	12
5 Assessment.....	15
5.1 Consistency with the Concept Approval.....	15
5.2 Residential amenity.....	26
5.3 Other issues.....	27
6 Evaluation.....	36
7 Recommendation.....	37
8 Determination	38
Appendices.....	39
Appendix A – List of referenced documents, submissions and advice	39
Appendix B – Department’s consideration of public and council submissions.....	40
Appendix C – Statutory matters for consideration.....	42
Appendix D – Consistency with the Concept Approval conditions.....	80
Appendix E – Consistency with Design Guide.....	84
Appendix F – Recommended instrument of consent.....	92

1 Introduction

1.1 The proposal

30 Auburn Road Pty Ltd (the Applicant) seeks approval to construct an 8 to 12-storey mixed-use building comprising:

- 142 apartments, including 36 affordable housing apartments
- a 106-place child care centre
- a central public park and associated landscaping
- three basement levels with 198 car parking spaces, 20 motorcycle spaces and 53 bicycle spaces

The project description and mitigation measures provided in the EIS and RtS (Appendix A) form the basis of this assessment and will inform the development consent if the proposal is approved. An overview of the proposal is provided in Section 2 below.

1.2 Project location

The site is located at 30–46 Auburn Road, Regents Park, in the Canterbury-Bankstown local government area (LGA) as shown in Figure 1, with further site details described in Table 1.

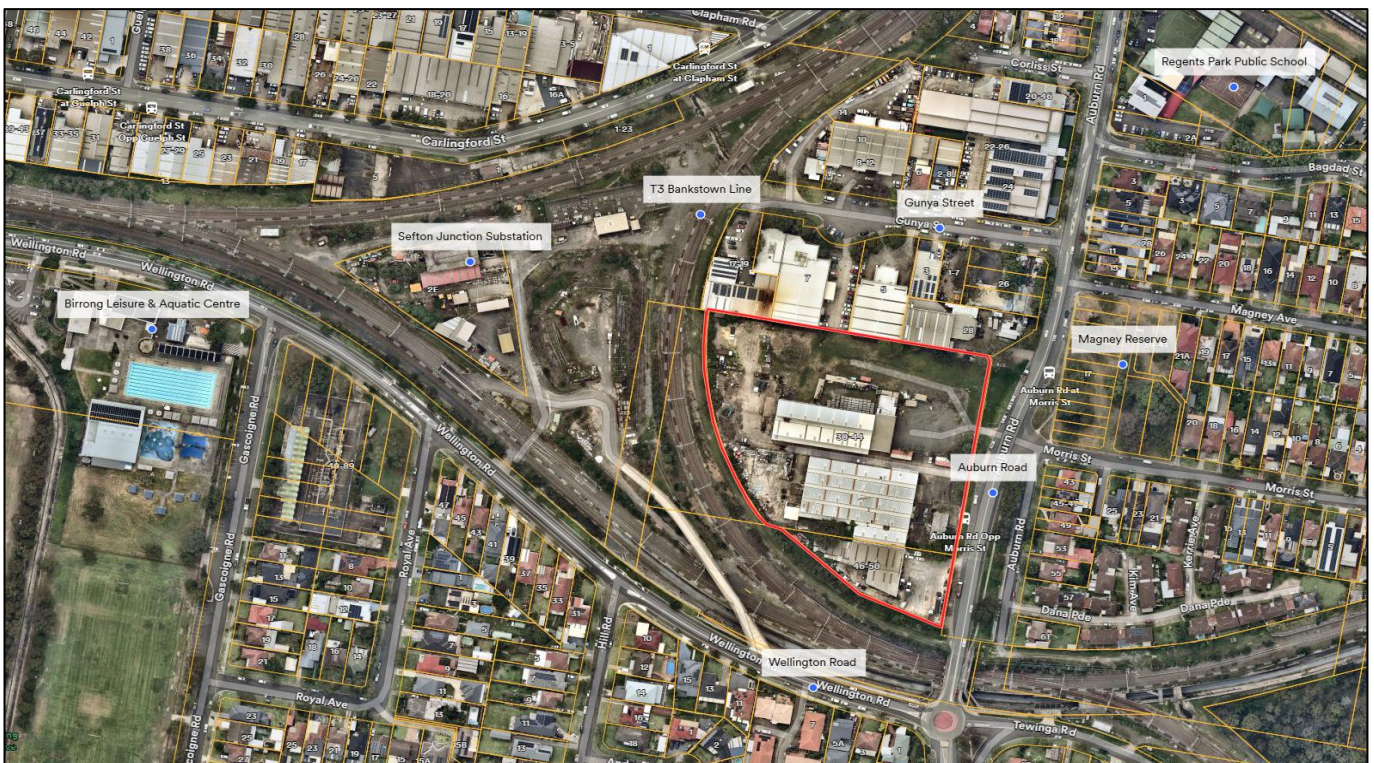


Figure 1 | Local context map (Source: Nearmap, 2026)

Table 1 | Key aspects of the site

Aspect	Description
Address	30-46 Auburn Road, Regents Park
Local government area	City of Canterbury-Bankstown
Legal description	Lot 1 DP 656032 and Lot 2 DP 433938
Site area	21,170 m ²
Existing development	• Three warehouse buildings up to 3 storeys, with associated sheds and storage. • A substation is located on the site fronting Auburn Road.
Surrounding development	The surrounding locality is an established urban area with a variety of land uses, building forms, heights, ages and architectural styles. To the north along Gunya Street are 1-3 storey light-industrial warehouse buildings. To the south, on the opposite side of the railway corridor and Wellington Road is a low-density residential area comprising predominantly 1-2 storey detached dwellings and townhouses/units. To the east, on the opposite side of Auburn Road, is Magney Reserve and a low-density residential area comprising predominantly 1-2 storey detached dwellings. Dwellings directly opposite the site are separated from Auburn Road by a large landscaped / grassed median and access lane. To the west, on the opposite side of the railway corridor, is the Sefton Triangle, which comprises a parcel of land surrounded on all three sides by the railway corridor and used for works / storage purposes associated with rail operation and its assets.
Roads and access	The site has frontage to Auburn Road and is accessed via two driveways.
Public transport	Regents Park railway station is 500 m north of the site.
Topography	The topography generally falls from southeast to northwest by approximately 7.65 m, from Australian Height Datum (AHD) 37.28 m to AHD 29.63 m.

Aspect	Description
Flooding	Flood modelling predicts that the northeast corner of the site is subject to overland flows up to 0.3 m during a 1% annual exceedance probability (AEP) and 0.5 m during a probable maximum flood event. Stage 3 is not impacted by this flooding.
Easements or covenants	- The site is subject to one easement listed on title: - Easement for electricity substation purposes 5.3 metre(s) wide affecting the site designated (S) in DP1099658. - The electricity substation is approved to be replaced.

1.3 Related projects

1.3.1 Concept Approval SSD 20724880

On 15 May 2025, the Director, Social and Diverse Housing Assessments approved the Regents Park In-fill Affordable Housing Concept for a mixed-use development comprising:

- five building envelopes for residential flat buildings up to 13 storeys in height
- a maximum GFA of 55,042 m² with 15% attributed to affordable housing (up to 8,256.2 m²)
- neighbourhood shops and a child care centre
- internal roads, pedestrian connections, car parking and access
- communal and public open spaces and associated landscaping

Refer to Figure 2 below for details.

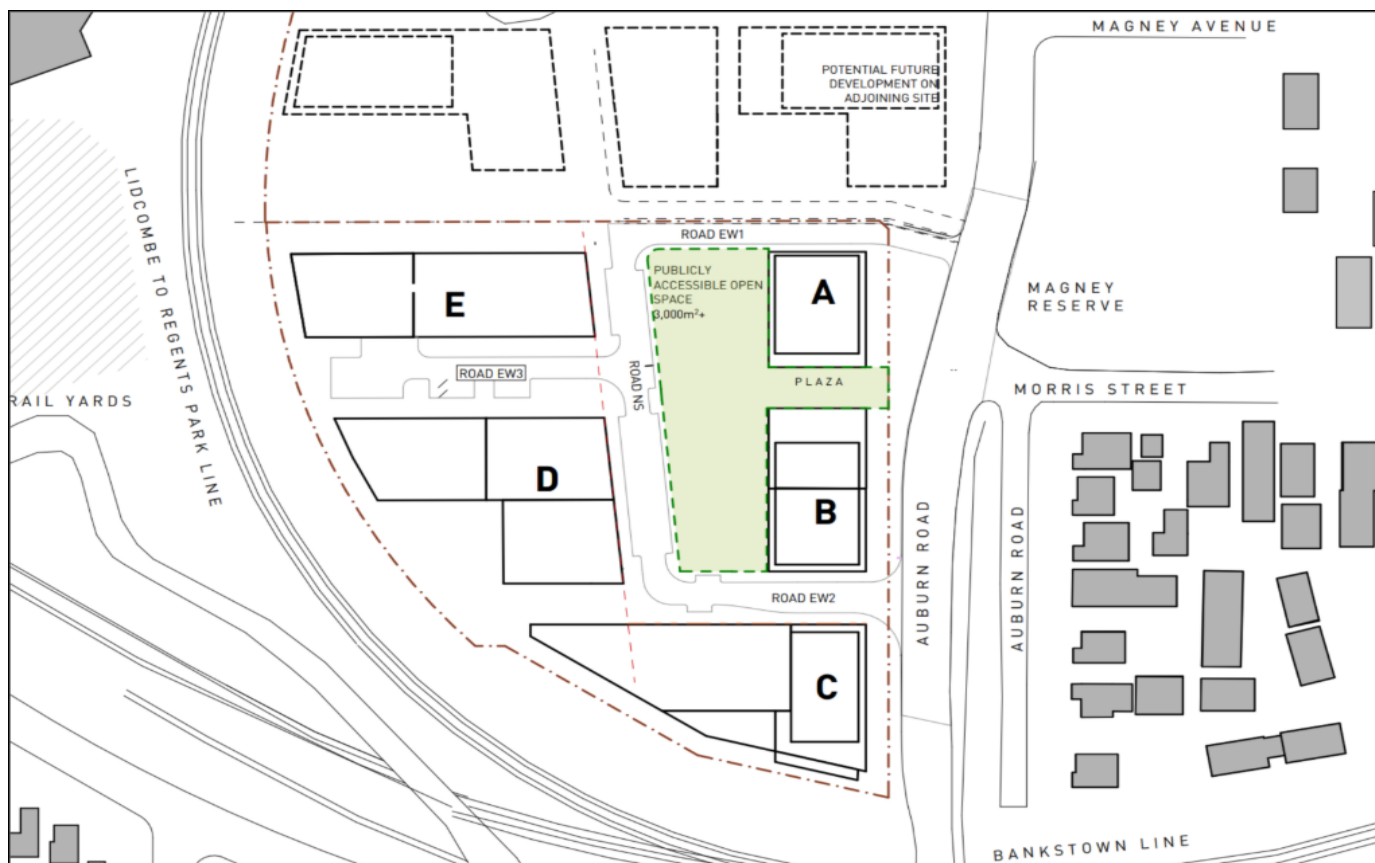


Figure 2 | Approved Concept Site Plan (Source: Smith & Tzannes, 2025)

The Applicant is seeking consent for the detailed design and construction works across four separate SSD applications (including this application) as set out in Table 2 below.

Table 2 | Related development applications

SSDA Number	Description	Status
SSD-54988962	Demolition, tree removal, earthworks, services and construction of roads (Stage 1).	Approved November 2025
SSD-57394209	Construction of two residential flat buildings (buildings A and B) comprising 86 residential apartments, 426 m ² of neighbourhood shop floor space, a two-level basement car park, landscaping, and a public plaza.	Approved February 2026
SSD-57703458	Construction of a residential flat building, including an affordable housing component, a child care centre (Building C) and the central open space. The application includes modification to the Concept Approval SSD-20724880 conditions of consent (Stage 3).	Recommendation (this application)

SSD-57703462	Construction of two residential flat buildings, including an affordable housing component (buildings D and E) (Stage 4).	Secretary Environmental Assessment Requirements issued 23 January 2025
--------------	--	--

2 Project

2.1 Project overview

The proposal seeks approval for works associated with Building C in accordance with the Concept Approval SSD-20724880, including the construction of an 8 to 12 storey mixed-use building comprising a 106 place child care centre and 142 apartments, with 36 apartments being affordable housing, associated basements, landscaping and a publicly accessible central park.

The proposal also seeks to modify the Concept Approval SSD-20724880, via condition of the SSD consent under section 4.24 (4) of the EP&A Act, to include the child care centre as SSD and amend conditions of consent (refer to [Section 2.2](#)).

The key aspects of the proposal are provided in detail in the Project Description of the EIS (see [Appendix A](#)), outlined in [Table 3](#) and shown in [Figures 3](#) to [5](#).

Table 3 | Key aspects of the project

Aspect	Description
Gross floor area (GFA)	Total GFA: 14,412 m ² comprising: • 9,980 m² of market residential GFA • 3,596 m² of affordable residential GFA • 836 m² of child care GFA
Floor space ratio (FSR)	0.68:1
Building height	RL 60.70 m (25.65 m) to RL 72.75 m (37.7 m) or 8 to 12 storeys
Parking	Three basement levels providing: • 198 car parking spaces (171 spaces for residents/visitors and 27 spaces for the child care) • 20 motorbike spaces • 53 bicycle spaces
Landscaping and open space	• 2,674 m² of deep soil landscaping • 2,098 m² of publicly accessible open space • 1,075 m² of communal open space provided at level 1 and level 8. • 755 m² of outdoor play area associated with the child care centre • 63 trees to be planted

Aspect	Description
Dwelling mix	142 dwellings comprising: • 1-bedroom – 11 dwellings • 2-bedroom – 86 dwellings • 3-bedroom – 45 dwellings
Affordable housing	36 dwellings (25%) comprising: • 2-bedroom – 21 dwellings • 3-bedroom – 15 dwellings
Access	All access is provided via Auburn Road
Employment	265 construction jobs and 22 operational jobs
Estimated development cost (EDC)	\$57,051,899

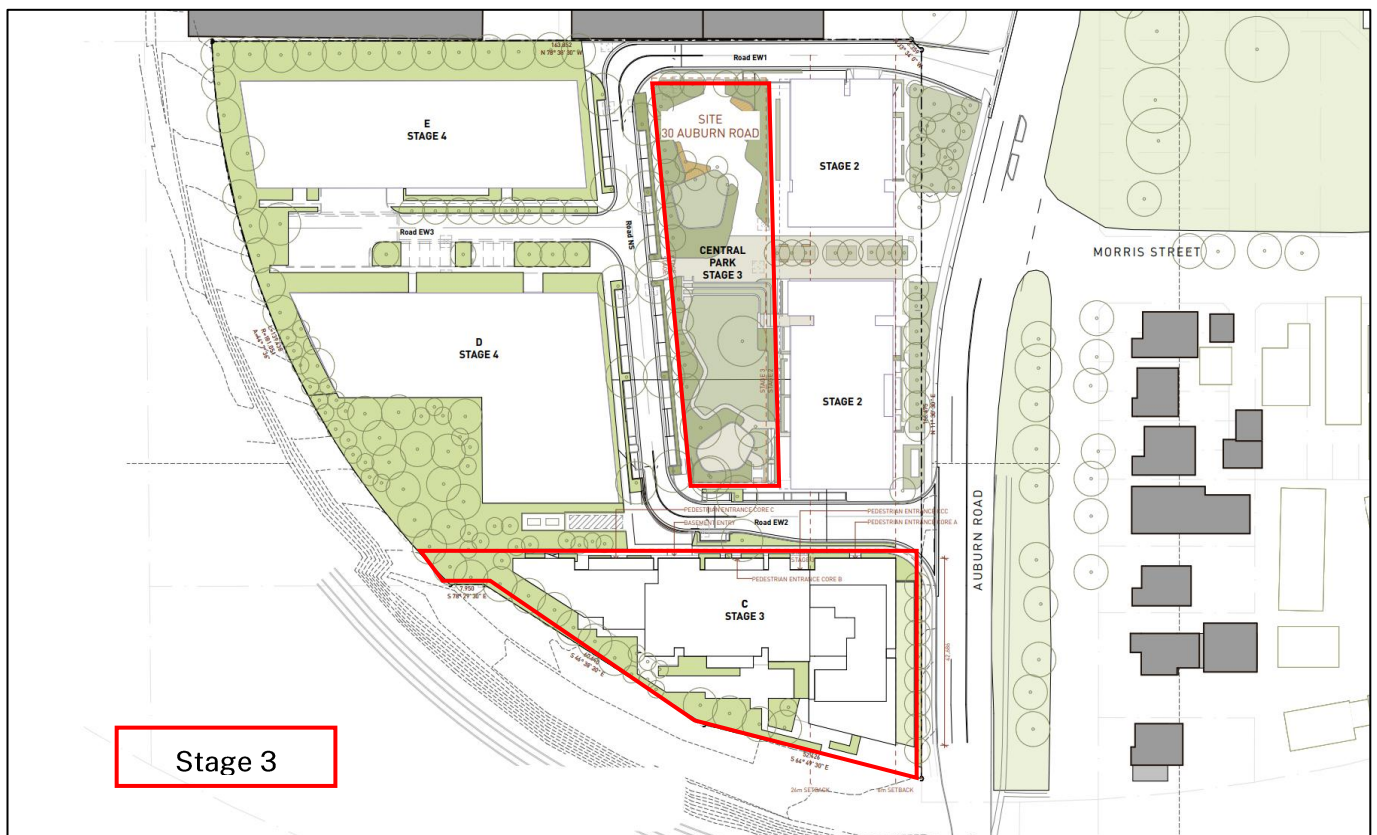


Figure 3 | Site layout (Source: Smith & Tzannes, 2026)

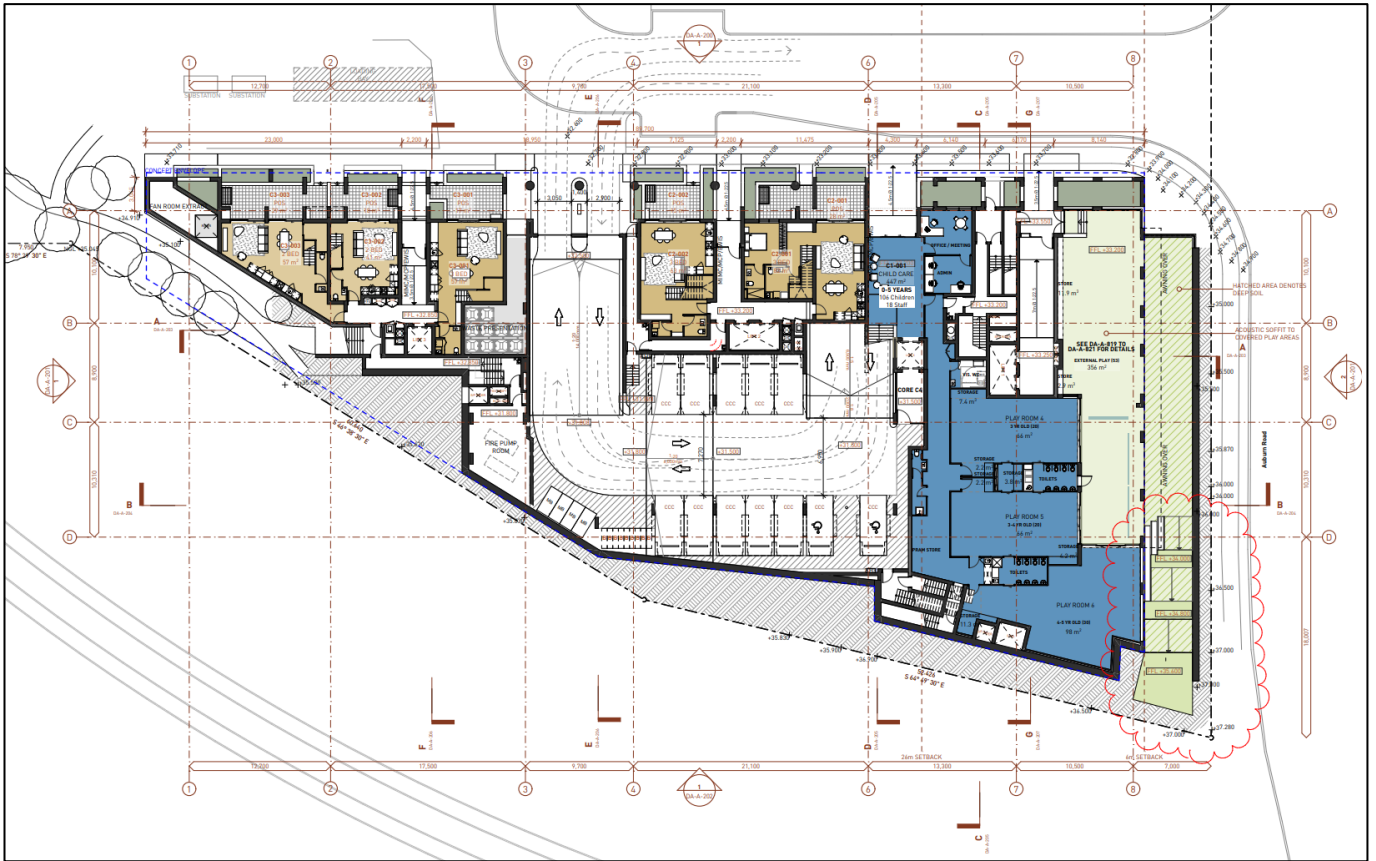


Figure 4 | Ground floor plan – Building C (Source: Smith & Tzannes, 2026)



Figure 5 | Northern elevation – Building C (Source: Smith & Tzannes, 2026)

2.2 Modification to the Concept Approval

The proposal includes a request to modify the instrument of consent issued for Concept Approval SSD-20724880 under section 4.17(1) and section 4.24(4) of the EP&A Act. The proposed modifications are summarised as follows:

- removing reference to the centre-based child care facility ceasing to be SSD.
- removing condition A2(c) regarding consistency with the Concept Approval's EIS, Amendment Report, Submissions Report, Design Report and supplementary information
- updating a minor error in condition A3(b) which relates to written directions relating to documentation made in relation to consent
- updating condition B5 relating to wind impact assessment to only apply to development that is 7 storeys or greater

The Department has considered the request to modify the Concept Approval SSD-20724880 in Section 5.

3 Policy and statutory context

3.1 Housing supply

The NSW Government has a target of 377,000 well-located homes by 2029. This policy is in support of the National Housing Accord that provides an aspirational national target of delivering 1.2 million new, well-located homes by 2029.

In December 2023, an SSD pathway was introduced for residential development with an EDC of over \$75 million in Greater Sydney, which includes at least 10% affordable housing. The *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) was amended to introduce new in-fill affordable housing provisions, which permit floor space ratio (FSR) and building height bonuses between 20-30% for proposals that include residential development with at least 10-15% of GFA dedicated as affordable housing.

This SSD application has been submitted pursuant to these initiatives and aims to support the renewal and delivery of affordable housing.

3.2 Permissibility and assessment pathway

Details of the legal pathway under which consent is sought, and the permissibility of the project are provided in Table 4 below.

Table 4 | Permissibility and assessment pathway

Consideration	Description
Assessment pathway	The proposal is declared SSD under section 4.36 of the EP&A Act as it satisfies the criteria under section 2.6(1) of the <i>State Environmental Planning Policy (Planning Systems) 2021</i> (Planning Systems SEPP) and is permissible with development consent and development specified in section 26A of Schedule 1 of the Planning Systems SEPP. In accordance with section 2.11 of the Planning Systems SEPP, the proposal does not need to exceed the minimum value, size, or other aspect specified in Schedule 26A for in-fill affordable housing as it is the subject of an SSD concept application.
Consent authority	The Minister is the consent authority under section 4.5(a) of the EP&A Act. In accordance with the Minister's delegation to determine SSD applications, the Director, Social and Diverse Housing Assessments may determine this application.

Consideration	Description
Permissibility	The site is zoned R4 High Density Residential under the <i>Canterbury-Bankstown Local Environmental Plan 2023</i> (CBLEP 2023) which permits residential flat buildings, recreation areas, and centre-based child care facilities with consent.

3.3 Other approvals and authorisations

Under section 4.41 of the EP&A Act, a number of other authorisations required under other Acts are not required for SSD. This is because all relevant issues are considered during the assessment of the SSD application.

Under section 4.42 of the EP&A Act, certain approvals cannot be refused if they are necessary to carry out the SSD (e.g. a consent under section 138 of the *Roads Act 1993*). These authorisations must be substantially consistent with any SSD development consent for the project.

The Department has consulted with and considered the advice of the relevant agencies responsible for these other authorisations in its assessment (refer to **Section 4** and **Section 5**). Suitable conditions have been included in the recommended conditions of consent at **Appendix F**.

3.4 Planning Secretary's environmental assessment requirements

The Department's review determined that the EIS addresses each matter set out in the Planning Secretary's environmental assessment requirements (SEARs) issued on 20 December 2024 and is sufficient to enable an adequate consideration and assessment of the project for determination.

3.5 Mandatory matters for consideration

Mandatory matters for consideration include:

- matters of consideration required by the EP&A Act
- objects of the EP&A Act and ecologically sustainable development (ESD)
- biodiversity development assessment report
- matters of consideration required by the EP&A Regulation
- matters of consideration required by environmental planning instruments.

The Department's consideration of these matters is summarised in **Appendix C**. As a result of this consideration, the Department is satisfied that the proposal meets the statutory requirements.

4 Engagement

4.1 Public exhibition of the EIS

After accepting the development application and EIS, the Department:

- publicly exhibited the proposal from 2 December 2025 until 15 December 2025 on the NSW Planning Portal
- notified occupiers and landowners in the vicinity of the site
- notified and invited comment from relevant government agencies and Council.

The Department undertook a site visit on 16 September 2025.

The Department requested the Applicant respond to issues raised in submissions and comments received from Council and agencies. The Applicant provided an RtS on 30 March 2026, which was made publicly available on the NSW Planning Portal (refer to **Appendix A**).

The RtS included minor amendments to the child care centre design, clarification on the proposed affordable housing component, minor adjustments to the internal design of the apartments and their private open spaces, revised landscape details, and additional amendments to the conditions of consent for Concept Approval SSD-20724880.

A summary of key issues raised in submissions and agency advice is provided below.

4.1.1 Summary of advice received from government agencies

The Department received advice from four agencies on the EIS.

A summary of the agency advice is provided in **Table 5** and a link to the full copy of the advice is provided in **Appendix A**.

Table 5 | Summary of agency advice

Agency	Advice summary
NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Assessments	DCCEEW Water Assessments requested additional information on groundwater take during construction and noted inconsistencies within the Groundwater Report. Recommended conditions of consent have been provided advising the Applicant to ensure a water access licence (WAL) is obtained in accordance with the <i>Water Management Act 2000</i>.

Agency	Advice summary
Ausgrid	Ausgrid has advised that the Applicant must discuss new connections and load requirements to the site. Ausgrid has provided general comments regarding underground cables, overhead powerlines, street lighting, driveway proximity to existing poles, and chamber and kiosk substations.
Transport for NSW (Sydney Trains)	Transport for NSW (TfNSW) (Sydney Trains) has provided recommended conditions of consent.
Department of Education	The Department of Education raised no objection to the proposal and provided general comments regarding traffic, construction, noise and vibration, and air quality.

4.1.2 Summary of Council's submissions

Council objected to the proposal in response to the EIS and provided further advice in response to the Applicant's RtS. A link to both of Council's submissions is provided at **Appendix A**.

A summary of outstanding issues raised by Council is provided below:

- concerns with the bulk and scale of the building, building articulation and the proposed blank façade along the northern elevation
- excessive pedestrian entries and corridors
- concerns with the child care design, landscaping and evacuation
- traffic congestion
- insufficient site access for heavy rigid vehicles
- recommended public domain works and design changes to the publicly accessible open space
- insufficient waste storage and collection
- public liability insurance for the publicly accessible open space

The Department's consideration of Council's comments is provided in **Section 5** and **Appendix C** of this report.

4.1.3 Summary of public submissions

The Department received one submission in support and one submission objecting to the development during the public exhibition period of the EIS.

The key issues raised in the public submission are summarised below and a link to all submissions is provided in **Appendix A**. The Department's consideration of community views is provided in **Appendix B**.

Key issues raised by the public include:

- increased traffic congestion, especially on Auburn Road, Wellington Road and Amy Street
- pressure on local infrastructure capacity relating to electricity and water supply.

The submission in support advised that the project should be approved to increase affordable housing supply.

5 Assessment

The Department has assessed the proposal, and considered all documentation submitted by the Applicant, all issues raised in submissions, and all advice provided by Council and agencies.

The Department considers the key assessment issues associated with the proposal as:

- consistency with the Concept Approval
- residential amenity

The Department’s consideration of other issues is described in **Section 5.3** and **Appendix C**.

5.1 Consistency with the Concept Approval

Section 4.24 of the EP&A Act requires all development applications to be consistent with an existing Concept Approval when applicable to a site.

The site is subject to Concept Approval SSD-20724880 which has been considered as part of this assessment. The Department has undertaken a detailed assessment of the proposal against the Concept Approval below, the Concept Approval’s conditions of consent at **Appendix D**, and the *30-46 Auburn Road, Regents Park Design Guideline* at **Appendix E**. The Department is satisfied that the proposal is consistent with the Concept Approval, subject to recommended conditions as outlined in the following sections of this report.

5.1.1 Built form and site layout

The Department considers the assessment of the built form of the proposal, including building height, layout and design, as a key assessment matter in determining consistency with the Concept Approval.

Table 6 provides a comparison of development particulars of the Concept Approval and the proposal.

Table 6 | Concept Approval comparison

Component	Concept Approval	Stage 3 proposal	Consistency with Concept Approval
Building height	RL 73.17 m	RL 72.75 m	Consistent. The Department is satisfied that the building height is generally consistent with the Concept Approval.

Component	Concept Approval	Stage 3 proposal	Consistency with Concept Approval
Setbacks	Front setback: 0 m Side setback Auburn Road: 6 m Rear basement setback: 1m to 5m Rear setback 6 m	Front setback: 0 m Side setback (Auburn Road): 6 m Rear basement setback: 1 m to 5 m Rear setback: 6 m	Consistent. The Department is satisfied with the 6 m rear setback, given it is consistent with the Concept Approval and provides an adequate buffer to the rail corridor. The 1 m to 5 m basement rear setback is consistent with the Concept Approval and conditions are recommended to ensure construction of the basement does not interfere with the rail corridor. The front setback to Road EW2 is consistent with the Concept Approval and reflective of development in a mixed use precinct. The 6 m setback to Auburn Road is consistent with the Concept Approval and Stage 2.
Dwellings	Maximum of 558 dwellings across five buildings.	142 dwellings are proposed under Stage 3. Combined with Stage 2, the total number of dwellings at the site would be 228 dwellings.	Consistent. The future development stage will ensure compliance with the maximum number of dwellings allowed. The Department has undertaken an assessment against the amenity design requirements of the Apartment Design Guide (ADG) and consider the amenity impacts acceptable. Refer to Appendix C.
Affordable Housing	15% of the total GFA across the site is to be affordable housing.	3,596 m² of the proposed 14,412 m² GFA is for affordable housing. This equates to 25% of the GFA associated with Stage 3 and 6.5% of the total site's maximum GFA.	Consistent. Stage 4 under the Regents Park concept plan will require a minimum of 4,660.3 m² of affordable housing GFA to be consistent with the Concept Approval.

Component	Concept Approval	Stage 3 proposal	Consistency with Concept Approval
Building Separation	The Concept Approval has the following building separation: • 17 m between buildings B and C • 12 m between buildings C and D • 83 m between buildings C and E	The proposal has the following building separation: • 15.8 m between buildings B and C • 12 m between buildings C and D • 84.7 m between buildings C and E	Generally consistent. The minor deviations to the building separation are a consequence of detailed design and revised articulation. The proposal is considered to retain the same amenity and built form intended by the Concept Approval and is therefore considered consistent.
Density	Overall floor space ratio (FSR) of 2.6:1 and a maximum GFA of 55,042 m².	The proposal has a total GFA of 14,412 m² and an FSR of 0.68:1. Combined with stage 2, the total GFA and FSR at the site will be 23,086 m² and 1.09:1, respectively.	Consistent. The proposal's building heights, setbacks and building separation propose a density consistent with the Concept Approval. Future development stages will ensure compliance with the maximum FSR and GFA attributed to the entire the site. Stage 4's density, FSR and GFA will be assessed under a future development application (SSD).
Car parking	707 car parking spaces with up to three levels of basement parking.	The proposal has 198 car parking spaces across three basement levels and the ground floor.	Consistent. The proposal remains consistent with the Concept Approval and future development stages will ensure compliance with the car parking attributed to the whole site.
Floor to floor Heights	Residential: 3.15 m Commercial: 3.3m	Residential: 3.2 m	Consistent. Floor to floor heights are determined by the <i>30-46 Auburn Road, Regents Park Design Guide</i>, which the proposal is consistent.
Building length	89.65 m	89.65 m	Consistent. Council has advised that the continuous length of the building results in a bulky building envelope that significantly detracts

Component	Concept Approval	Stage 3 proposal	Consistency with Concept Approval
			from the human scale. Council has recommended that the building should be revised to not exceed a maximum length of 45 m. The Applicant responded to Council advising that the continuous length of Building C is consistent with the Concept Approval with materials, finishes, height distribution and negative spacing used to break up the built form. Additionally, 2 storey apartments at ground level would support a human scale. The Department has considered Council's and the Applicant's comments and considers the building length acceptable as various materials, articulation, recessed building elements and alternating heights ensure a varied architectural approach consistent with the <i>30-46 Auburn Road, Regents Park Design Guide</i> (refer to Section 5.1.2 and Appendix E for details).
Street wall	RL 61.40 m to RL 65.84 m (8-9 storeys) along Auburn Road. RL 65.84 m to RL 73.37 m (9-12 storeys) along approved internal road EW2.	RL 60.70 m to RL 64.90 m (8-9 storeys) along Auburn Road. RL 64.90 m to RL 72.75 m (9-12 storeys) along approved internal road EW2.	Consistent. Council has raised concerns that Building C's interface to Auburn Road is not in character with the locality and has recommended that the proposal be revised to include a 2 to 3-storey street wall along Auburn Road to minimise the bulk and scale of the proposal. The Applicant has advised that whilst the proposal is a larger scale than surrounding development, the scale was recognised in the Concept Approval to support the provision of affordable housing near public transport. The site presents as a separate precinct, and the façade treatment reduces the perceived mass of the building.

Component	Concept Approval	Stage 3 proposal	Consistency with Concept Approval
			The Department acknowledges that the proposal is large in scale, however, the proposal adopts design guidelines in accordance with the <i>30-46 Auburn Road, Regents Park Design Guide (Appendix E)</i> to reduce bulk and scale from Auburn Road, using recessed built form, varied heights and a diverse range of materials and finishes. Additionally, the street wall height to Auburn Road is consistent with the Concept Approval's street wall height. The Department has considered Council's concerns and the Applicant's response and is satisfied that a high-quality built form and urban design can be achieved by the proposal, and the proposed street wall remains consistent with the Concept Approval.

The proposed built form and site layout is considered consistent with the Concept Approval, with minor deviations a result of detailed design and articulation of Building C, which is considered to have minimal impact on the development or locality.

5.1.2 Materials, finishes and articulation

The proposal is supported by Architectural Plans and an Urban Design Report that include details of the proposed materials and finishes. External finishes include face brick, glass, aluminium, pre-finished metal sheet wall cladding and off-form concrete. Refer to **Figure 6** below for details.

Council has raised concern regarding the external appearance, architectural expression and materiality of the proposal, advising that the building facades are an inconsistent arrangement of blocky surfaces creating a bulky outcome with no strong architectural relation to the surrounding neighbourhood character. Council has also raised concern that the blank façade towards the western end of the north elevation of the building limits articulation and visual amenity. Council has recommended that the Applicant revise the building design to emphasise distinct vertical elements instead of horizontal elements to reduce the visual bulk of the building and to provide greater articulation to the proposed blank façade.

The Applicant has advised that the proposal is designed to read as a collection of buildings that combine architectural designs rather than a single unified form. The purpose of the blank façade is to contrast the framed articulation elements and to improve visual privacy between Building C and future development in Stage 4. Various materials, articulation and alternating heights are used to improve the visual impact of the development.



Figure 6 | View from central park (Source: Smith & Tzannes, 2026)

The *30-46 Auburn Road, Regents Park Design Guide* establishes materials, finishes and articulation guidance, as informed by the State Design Review Panel and Concept Approval SSD-20724880. The Department considers the proposal to provide articulation, rhythm and varied materials, avoiding large areas of repetitive elements to minimise its bulk and form. The proposal combines recesses in the built form, changes in materials, and varied heights to create distinct building components, whilst the 2 storey apartments at street level create a pedestrian scale. The Department acknowledges Council's concerns with the blank façade; however, its purpose is to reduce privacy impacts to future adjoining development onsite. The blank façade is approximately 7 m long equating to 8% of the building length and uses a brick finish that is distinct to the rest of the building, integrating into the overall design of the precinct.

The Department has carefully considered Council's comments and the Applicant's response on the proposed materials, finishes and articulation and considers the external appearance of the proposal acceptable as:

- the façade is designed as a series of articulating panels and elements rather than one consistent form
- varied heights and recesses in the built form help reduce the perceived bulk of the building
- the materials and finishes are varied and consistent with development at the site, the Concept Approval and the *30-46 Auburn Road, Regents Park Design Guide*
- contrasting elements are used to create a balanced range of materials, finishes and detailing that break up the length of the building
- materials and finishes aim to support durability and building maintenance.

5.1.3 Open space and landscaping

The proposal is supported by a Landscape Plan that identifies open space and landscaping for Stage 3 (refer to Figure 7) including:

- a 2,098 m² central park (refer to Figure 8), which when combined with the Stage 1 works and the Stage 2 plaza, would result in approximately 3,000 m² of publicly accessible open space
- an additional 1,075 m² of private communal open space with 967 m² available at Level 1 and 108 m² at Level 8
- 2,674 m² of deep soil
- planting 63 trees.

The Department has considered the proposed open space and landscaping against the Concept Approval, including the Concept Landscape Plan, and the *30-46 Auburn Road, Regents Park Design Guide*.

Council raised concerns that Central Park should include a broader range of recreation facilities for current and future users. In particular, Council recommended consolidating the playground areas and upgrading the northern part of the park with additional seating, picnic areas, shelter, barbecues, drinking fountains, bicycle parking, bins and publicly accessible toilets. In response, the Applicant advised that the park design is consistent with the approved Concept Approval.



Figure 7 | Landscape masterplan (Source: Clouston Associates, 2025)



Figure 8 | Central Park (Source: Clouston Associates, 2025)

The Department considers the proposed landscaping, and open space would generally provide an acceptable range of recreation facilities, including seating, play areas, a stepped amphitheatre, a water feature and accessible ramps. In assessing the design and performance of the central park and landscaped areas, the Department notes that:

- approximately 71% of the Central Park would receive more than three hours of direct sunlight during the Winter Solstice
- the proposal supports the provision of 4,611 m² of deep soil area across all stages of development, representing approximately 21% of the site area, consistent with the Concept Approval
- the proposal would support the delivery of approximately 25.4% tree canopy coverage, with 206 trees proposed onsite across all development stages, consistent with the *30–46 Auburn Road, Regents Park Design Guide*
- the design of the central park is consistent with the Concept Approval.

While not all of Council's requested facilities are included, conditions of consent are recommended to require the provision of drinking fountains, barbecue areas, public bins, and amalgamation of the playground areas. A public right of access easement would also be provided to ensure the central park remains publicly accessible.

As part of the RtS, the Applicant submitted revised Architectural Plans that were inconsistent with the original Landscape Plans, resulting in discrepancies in communal open space, landscaped area and deep soil calculations. The Department notes that these discrepancies were largely due to including the Stage 2 plaza and surrounding public domain works in the initial calculations, the identification of at-grade car parking as landscaped area, and a minor 6 m² deep soil inconsistency. The Department has verified the Applicant's latest revisions and adopted these figures for its assessment. The Department considers these matters minor and recommends conditions of consent to resolve the inconsistencies.

Having regard to Council's comments, the Applicant's Landscape Plan and the proposed open space outcomes, the Department is satisfied that the open space and landscaping would achieve a high standard of design and appearance that is appropriate for the site, and is consistent with the Concept Approval, subject to the recommended conditions of consent.

The Department recommends a condition of consent to require a right of access to be registered for the site to ensure the central park is publicly accessible.

5.1.4 Modification to the Concept Approval

The proposal includes a request to modify the conditions of consent for Concept Approval SSD-20724880 in accordance with section 4.17(1) and section 4.24(4) of the EP&A Act. The modifications are summarised in Table 7 as follows:

Table 7 | Proposed modifications to the Concept Approval

Existing condition	Proposed amendment	Applicant's justification	Departments assessment
Reference to Section 4.37 of the EP&A Act on the consent cover page which ceases the centre-based child care facility to be SSD	Remove reference to centre-based child care facility ceasing to be SSD	Building C has been designed with a child care centre forming an integral land use. The inclusion of the child care centre and its assessment is considered relevant to the overall assessment of Building C, its function, access, parking and open spaces, and neither can be considered in isolation. It is therefore requested that the wording be modified.	Removal is supported as the child care centre is integral to Building C, with interrelated design, access, parking and open space. Refer to Section 5.1.5 for the Department's assessment of the child care centre.
Condition A2(c): The development may only be carried out in accordance with State Significant Development Application SSD 20724880, including the EIS, Amendment Report, Submissions Report, Design Report and supplementary information	Delete condition A2(c)	The condition is ambiguous and vague, and as the application is for concept only, the condition seems to insert a significant complexity into the consent and ambiguity as to what is regulated by this condition.	Deletion is supported as the concept approval does not permit built form works, and detailed operational matters would be addressed at subsequent development stages, avoiding ambiguity in the consent.
Condition A3(b): Consistent with the requirements in this consent, the Planning Secretary may	Correct a referencing error	There appears to be a cross referencing error in the condition, and it is requested that this be correct.	Amendment is supported to incorrect cross referencing in the consent. The condition now reads as:

Existing condition	Proposed amendment	Applicant's justification	Departments assessment
make written directions to the Applicant in relation to the implementation of any actions or measures contained in any such document referred to in the relevant condition.			<i>the implementation of any actions or measures contained in any such document referred to in Condition A3(a).</i>
Condition B5: All future development applications that include the construction of building(s) must include a Wind Impact Assessment, including wind tunnel testing.	Amend condition to only require a Wind Impact Assessment for development that is 7 storeys or greater.	Wind tunnel testing will be carried out for the taller elements of the development; however, this has not been carried out for the lower forms of buildings as it was determined that wind tunnel testing was not required for the smaller elements.	Amendment is supported as wind tunnel testing is proportionate to building height, with detailed assessment appropriately focused on taller elements. Wind impacts for buildings under 7 storeys may be undertaken through detailed wind modelling and in line with the recommendations of the relevant Environmental Wind Study.

Section 4.24(4) of the EP&A Act allows the determination of a development application that is inconsistent with a Concept Approval, if development consent is granted subject to a condition requiring the modification of the concept consent (under section 4.17(1)(b) of the EP&A Act).

The modifications are considered to have minimal environmental impact, with the Concept Approval being substantially the same as approved. The Department considers any residual impacts of the child care centre to be addressed under the Stage 3 proposal (refer to Section 5.1.5). The Applicant's request and justification to modify the Concept Approval SSD-20724880 is considered acceptable and conditions of consent are recommended, pursuant section 4.17(1)(b) and (5) of the EP&A Act to modify the Concept Approval.

5.1.5 Child care centre

The proposal seeks to modify the Concept Approval to allow the child care centre to be determined as part of this application (Section 5.1.4). The Department considers this approach acceptable, and a condition of consent is recommended to modify the Concept Approval.

Council has raised concern that the 1 m setback of the external play area to Auburn Road will not provide sufficient space for substantial buffer planting. Council recommended that a minimum 3 m planted buffer is provided to improve landscaping and create a green edge that softens the interface with Auburn Road. Council has also requested that activities for children aged 0–2 years are relocated to the lower ground floor of the Building C to ensure a safe evacuation. Council has advised that an Evacuation Plan and revised Plan of Management that includes acoustic mitigation measures recommended by the Noise and Vibration Impact Assessment should also be provided.

The Applicant has responded to Council, advising that the 1 m setback to Auburn Road is adequate to accommodate substantial buffer planting as per Landscape Plans and hedge planting will provide a soft landscaped interface. Due to the slope of the site, the upper level of the child care centre has on grade access through the rear open space to allow a safe evacuation to street level.

The Department has considered Council's and the Applicant's comments and considers the design of the child care centre capable of providing a safe environment with appropriate open space, landscaping, evacuation routes and access. Conditions of consent are recommended to ensure an Evacuation Plan and revised Plan of Management are prepared and implemented and tree planting and hedge planting are provided for the length of Building C along the Auburn Road boundary.

The Department has also undertaken an assessment of the child care centre against the *NSW Child Care Planning Guideline* and considers the proposal generally consistent with the relevant provisions (refer to Appendix C).

5.2 Residential amenity

5.2.1 Apartment Design Guide

The Apartment Design Guide (ADG) provides planning guidance to ensure acceptable levels of amenity are provided to residential flat buildings and adjoining development. The Department has undertaken a detailed assessment of the proposal against the ADG at Appendix C. The proposal is generally consistent with the ADG with only a minor deviation from the recommended balcony depths of six apartments. This inconsistency is offset by high quality internal apartment dimensions, external communal space and private open space measurements that exceed the ADG criteria. The balconies are highly functional, and all apartments are consistent with the minimum private open space area requirements.

The Department considers the proposal designed to provide a high level of amenity for future residents, in accordance with the objectives and design measures of the ADG. Refer to **Appendix C** for further details.

5.2.2 30-46 Auburn Road, Regents Park Design Guide

The Department has assessed the proposal against the *30-46 Auburn Road, Regents Park Design Guide* (Guide) which directs the desired future character of the site, and the design detail of buildings and land uses under the Concept Approval. Particularly, the Guide informs how future development will maximise amenity for future residents through built form and site layout design criteria. The proposal is generally consistent with all other provisions of the Guide. Refer to **Appendix E** for details.

5.3 Other issues

The Department's consideration of other issues is summarised in **Table 8** below.

Table 8 | Assessment of other issues

Issue	Findings and conclusions	Recommended conditions
Affordable housing	The Concept Approval requires 15% of the total GFA across all development stages allocated as affordable housing. Stage 3 includes 36 affordable housing units, comprising 25% of the total GFA in Stage 3 (3,596 m²). The Department is satisfied with the provision of affordable housing under Stage 3. Existing conditions of consent for the Regents Park Concept Approval will require Stage 4 to demonstrate that 15% of the total GFA across the site is provided as affordable housing. The Applicant has advised that Pacific Community Housing will provide community housing in their capacity as a registered tier three Community Housing Provider (CHP) under the national regulatory framework. The Department recommends a condition to for the affordable housing to be managed by a registered community housing provider for at least 15 years.	Recommended conditions of consent requiring a restriction to be registered on title requiring the affordable housing component to be used for affordable housing and managed by a registered CHP for a minimum period of 15 years.

Issue	Findings and conclusions	Recommended conditions
Construction impacts	The proposal includes a preliminary Construction Management Plan (CMP) which provides details on erosion and sediment control, vehicle access and egress, material handling, dust management, and community engagement. The NSW Department of Education has provided recommended conditions to minimise impacts to Regents Park Public School, including the provision of a final CMP, limiting construction hours to outside of school drop off and pick up periods, ensuring work zones do not compromise pedestrian, cyclist and vehicular access to the school, and to ensure noise and vibration and air quality mitigation measures are implemented. Regents Park Public School is 200 m north from the site. The Department has considered the NSW Department of Education's comments and considers it not necessary to limit construction hours outside of school drop off and pick up periods. Notwithstanding, all construction impacts will be appropriately managed through recommended conditions of consent and construction hours will be in accordance with the relevant hours for construction standards. A Construction Traffic Management Plan is recommended to be prepared and implemented to appropriately manage construction traffic impacts to the surrounding area, including school activities through conditions of consent. The Department is satisfied that, subject to the recommended conditions requiring management plans to be prepared and implemented, construction will be carried out to appropriate standards, without causing unreasonable amenity impacts in the locality.	Recommended conditions of consent requiring preparation and implementation of relevant construction management plans.
Flooding	The proposal includes a Flood Impact Risk Assessment (FIRA) which provides an evaluation of the existing and proposed flooding conditions. The FIRA advises that peak depth flood level during the probable maximum flood (PMF) event is 30.96 m	No conditions recommended.

Issue	Findings and conclusions	Recommended conditions
	Australian Height Datum (AHD) and 30.56 m AHD during the 1% Annual Exceedance Probability (AEP) (with climate change factored). Flooding is limited to the northeast corner of the site with overland flows depths up to 0.3 m during a 1% AEP and 0.5 m during a PMF event. The flood modelling indicates that Stage 3 will not be inundated in the 1% AEP and PMF flood event. Basement entrances are designed at 32.50 m AHD which is above the 1% AEP flood level plus a 500mm freeboard to protect basement levels from flooding, consistent with Council's flooding requirements. Habitable floor levels are designed at a minimum of 32.850 m AHD, which is above the PMF planning level. The Department is satisfied that Stage 3 is not impacted by flooding and impacts would be appropriately managed through built form.	
Stormwater	The proposed drainage system from Building C connects to the approved on-site stormwater detention system (OSD) and rainwater tank approved under Stage 1. The Department has assessed the stormwater management as satisfactory, subject to recommended conditions of consent.	Recommended conditions of consent relating to stormwater management and civil design.
Noise and vibration impacts	The proposal includes a Noise and Vibration Impact Assessment (NVIA) for construction noise, operational noise, the child care centre, and vibration impacts of the development. The NVIA provides recommended mitigation measures to ensure noise and vibration are appropriately managed during construction and operation. Acoustic treatments are recommended for Building C to satisfy the minimum noise requirements, including impacts to and from the child care centre and railway. The Department is satisfied that, subject to implementing mitigation measures identified in the NVIA through recommended conditions, impacts from the construction	Recommended conditions of consent to ensure compliance with Noise and Vibration Impact Assessment.

Issue	Findings and conclusions	Recommended conditions
	and operation will be managed to the appropriate standards, without causing unreasonable amenity impacts to residents and children at the site, and to the wider locality.	
Waste management	Council has raised concerns regarding child care waste and recycling, bulky waste collection and residential waste collection and storage. The proposal is supported by a Waste Management Plan that includes swept paths for waste collection vehicles, travel path diagrams, and arrangements for the waste storage room, bin provision, and waste collection. The Department assessed the proposal against the <i>EPA's Better Practice Guide for Resource Recovery in residential developments</i> which provides guidance for waste collection in residential flat buildings and child care centres. The Department considers the waste rooms capable of providing enough space for the anticipated waste and recycling generation. An Operational Waste Management Plan is to be prepared in consultation and endorsement of Council, subject to recommended conditions of consent. A Construction Waste Management Plan is to be prepared to ensure all construction waste is managed appropriately. A condition of consent is recommended accordingly. The Department is satisfied that, subject to recommended conditions, waste management and collection can be appropriately managed during construction and operation.	Recommended conditions of consent requiring: - the Applicant to address Council's waste matters - construction and operational waste management.
Groundwater	The Applicant has provided a Groundwater Impact Assessment (GIA) which confirms that the basement will be tanked and have no long-term inflow assessments or permanent dewatering. DCCEEW Water Assessments has requested details of construction timeframes to confirm groundwater take.	Recommended conditions of consent requiring: Details of groundwater impacts during construction

Issue	Findings and conclusions	Recommended conditions
	The Applicant has advised that construction timeframes are tentative and subject to further investigation. The Department is satisfied that this matter can be addressed through a condition of consent requiring groundwater details to be provided prior to the issue of a Construction Certificate. The Department is satisfied that, subject to recommended conditions, groundwater impacts during construction and operation can be appropriately managed.	a water access licence (WAL) is obtained in accordance with the <i>Water Management Act 2000</i>.
Contamination	A preliminary site investigation (PSI), detailed site investigation (DSI) and remediation action plan (RAP) were submitted with the application. The DSI found contaminated soils which require remediation and a soil/waste stockpile requiring remediation or management. The DSI concluded the site has a relatively low contamination risk and can be made suitable for the proposed use subject to remediation works, recommending implementation of the RAP. The RAP outlines a plan for remedial work activities prepared in accordance with relevant NSW EPA guidance documentation and industry standards. It describes the procedures of site remediation, being excavation and subsequent transport and disposal of the contamination off-site to a licenced landfill. The Department is satisfied that, subject to recommended conditions, the site can be safely used for the proposed use.	Recommended conditions of consent relating to asbestos management, unexpected finds, remediation in line with the RAP, and site auditing with an accredited auditor.
Wind impacts	The proposal is supported by an Environmental Wind Study which has assessed the impacts of the development on wind for pedestrians and the Regents Park wind climate. The Wind Assessment finds that the proposal will not exceed the adopted comfort criteria of 16 m/s of wind	Recommended conditions of consent to ensure compliance with Environmental Wind Study recommendations

Issue	Findings and conclusions	Recommended conditions
	speed, subject to appropriate mitigation measures, such as vertical windbreaks on the corner balconies of Building C. The Department accepts the findings of the Environmental Wind Study and recommends conditions of consent to ensure mitigation measures are implemented.	
Traffic	Council and public submissions raised concerns regarding traffic impacts. Council has advised that they are not satisfied with the trip generation calculations including the assumptions adopted in determining trip rates and applicable reduction factors. The Applicant provided a Traffic Impact Assessment (TIA) that included detail of car parking, and SIDRA modelling of prominent intersections surrounding the site. The TIA concluded that: - the proposal is anticipated to generate 69 vehicles in the AM peak hour and 59 vehicles in the PM peak hour periods which is consistent with the Concept Approval. This is not anticipated to change the Level of Service at key intersections in the locality - the site is within walking distance of Regents Park and Birrong railway stations and bus routes 909 (Bankstown to Parramatta) and 908 (Merrylands to Bankstown) The Applicant has provided a preliminary Green Travel Plan (GTP) to encourage alternative transport modes. A final GTP is recommended as a condition of consent to ensure active and sustainable modes of transport are prioritised during operation. The Department has carefully considered the public submission and Council's comments and notes that the traffic impacts are proportional to the findings of the Concept Approval, including trip generation and level of service impacts, which were considered acceptable under the Concept Approval. The Department considers traffic	Recommended conditions of consent to ensure compliance with the Traffic Impact Assessment report, relevant Australian Standards and for a Green Travel Plan to be implemented.

Issue	Findings and conclusions	Recommended conditions
	and car parking impacts acceptable, subject to recommended conditions of consent as: - modelled traffic trip rates are consistent with the approved Concept Approval - traffic impacts for this application are unlikely to have significant impacts on the local road network - extensive public transport connections and implementation of the GTP will improve walkability, active modes of transport and traffic in the locality.	
Car parking	The proposal includes: 171 car parking spaces are provided for the residential component of the proposal, including 28 car parking spaces for visitors 27 car parking spaces are provided for the child care centre 20 motorcycle spaces and 53 bicycle spaces are provided. Under the Housing SEPP car parking non-discretionary development standard (NDDS) for affordable housing, a minimum of 160 parking spaces are required for the residential component of the development. The proposal provided 171 spaces which exceeds the NDDS. The NSW Child Care Planning Guideline recommends adopting Council's development control plan (DCP) car parking rate for child care centres. This would require 27 car parking spaces for the child care centre, which the proposal is consistent. The Department considers traffic and car parking impacts acceptable, subject to recommended conditions of consent as the proposal complies with Council's DCP parking requirements for child care parking and the Housing SEPP non-discretionary development standards	Recommended conditions of consent to ensure compliance with the Traffic Impact Assessment report, relevant Australian Standards and allocation of car parking.

Issue	Findings and conclusions	Recommended conditions
	for residential flat buildings. Refer to Appendix C for details.	
Vehicular access	Council has raised concerns regarding potential congestion and traffic delays arising from tight turning movements of heavy rigid vehicles (HRVs) and B85 vehicles. The Department has considered Council's comments and notes that site access is consistent with the Concept Approval and Stage 1 consent SSD-54988962, which found vehicular accessible acceptable.	No conditions recommended
Public domain works	Council has requested that public liability insurance for the public accessible open space be paid by the owner of the site in perpetuity. Council has also advised that given the preparation of a draft planning agreement is not certain, the Applicant should construct a footpath to Council's specifications along the frontage of the site. The Department considers these recommendations appropriate to address liability issues and improve pedestrian access to the site, respectively. The Department is satisfied that, subject to recommended conditions, the public domain works are acceptable as: - the proposed central park is high quality and publicly accessible, benefitting the public domain and character of the surrounding area - appropriate street tree planting along Auburn Road and the internal roads is approved under Stage 1 - the proposed infrastructure will be constructed to the appropriate standard, improving amenity and neighbourhood character.	Recommended conditions of consent requiring: - consistency with the approved landscape plans - preparation and implementation of a Public Domain Plan - the Applicant to obtain public liability insurance for the public accessible open space (including a restriction on title).
Services	The public submission raised concerns that the proposal will not have adequate access to services.	Recommended conditions of consent that services and connections are to be

Issue	Findings and conclusions	Recommended conditions
	The proposal includes a Siteworks Infrastructure Report which confirms that the services provided under Stage 1 are suitable in accommodating the proposal. The proposal includes a substation for Building C and Ausgrid have been consulted, providing recommended conditions of consent. The Department is satisfied that, subject to the recommended conditions, the site will be serviced appropriately.	finalised prior to the issue of an occupation certificate.
Excavation	The proposal includes a Cut and Fill plan which estimates 30,609 m³ of cut is required for the proposed basement works. The Department considers the proposed earthworks acceptable as: - the works are necessary to facilitate the basements - amenity impacts from truck movements would be managed through a detailed Construction Traffic Management Plan - basement entry levels are set above the PMF planning level.	Recommended conditions of consent requiring the preparation of a Construction Traffic Management Plan
Contributions	The development is subject to the following contribution requirements: - Section 7.11 contributions under the Canterbury-Bankstown Local Infrastructure Contributions Plan 2022 - Housing and Productivity Contribution (HPC) for 106 market apartments. The 36 affordable apartments are exempt from the HPC. The Department has recommended conditions accordingly.	Recommended conditions of consent to levy development contributions.

6 Evaluation

The Department's assessment has considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) of the EP&A Act, the issues raised in submissions, the Applicant's response and additional information.

The Department's assessment concludes that the proposal is acceptable as it:

- supports the NSW Government's priority to deliver well-located, diverse, and affordable housing in a highly accessible location near the Regents Park Train Station
- delivers public benefits by providing a publicly accessible central park to support the existing and future community
- is permissible with consent and is consistent with the R4 High Density Residential zone under the *Canterbury-Bankstown Local Environmental Plan 2023* (CBLEP 2023) and generally complies with the main statutory controls for the site, including height and FSR
- exhibits a high-quality design that will deliver good internal and external amenity to future occupants of the site
- will deliver a high-quality child care facility to support the growing community
- is consistent with the Concept Approval SSD-20724880 and the *30-46 Auburn Road, Regents Park Design Guide*
- will provide 265 construction jobs and 22 operational jobs

The Department has recommended a range of conditions to manage any residual environmental impacts. See the recommended conditions of consent at **Appendix F**.

The Department considers the impacts of the development are acceptable and can be appropriately managed or mitigated through the implementation of recommended conditions of consent. Consequently, the Department considers the proposal is in the public interest and should be approved subject to conditions.

7 Recommendation

It is recommended that the **Director Social and Diverse Housing Assessments**, as delegate of the Minister for Planning and Public Spaces:

- considers the findings and recommendations of this report
- accepts and adopts the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- notes how community views have been considered in the assessment and agrees with the key reasons for approval listed in the notice of decision
- grants consent for the application in respect of Regents Park In-fill Affordable Housing Stage 3 (SSD-57703458), subject to the conditions in the attached development consent
- grants consent to modify the application in respect of Regents Park In-fill Affordable Housing Concept Proposal (SSD-20724880), subject to the conditions in the attached development consent
- signs the attached development consent (**Appendix F**).

Prepared by: **Jude Urbanik**
Senior Planning Officer
Social and Diverse Housing Assessments

Recommended by:



Stephen Dobbs
Team Leader
Social and Diverse Housing Assessments

8 Determination

The recommendation is adopted by:

A handwritten signature in black ink, appearing to read "P. Wythes". The signature is fluid and cursive, with a large initial "P" and a long, sweeping underline.

Paulina Wythes

Director

Social and Diverse Housing Assessments

Appendices

Appendix A – List of referenced documents, submissions and advice

The following documents can be accessed at <https://www.planningportal.nsw.gov.au/major-projects/projects/regents-park-fill-affordable-housing-stage-3>:

- Environmental impact statement
- Response to submissions
- BDAR waiver
- Submissions (public and Council)
- Agency advice

Appendix B – Department’s consideration of public and council submissions

Table 9 Consideration of community views

Issue	Consideration
Increased traffic congestion	The application includes a Traffic Impact Assessment which includes SIDRA modelling based on ten-year background traffic growth. All intersections (except Carlingford Street/ Park Road/ Auburn Road in the AM Peak Hour) are operating with capacity. All four stages of the Regents Park development are anticipated to generate a combined 165 vehicles in the AM peak hour and 137 vehicles in the PM peak hour periods. An analysis of existing and future traffic conditions and intersection performance in the local road network was carried out under the original concept application and the Department concluded that it is unlikely that the proposal would have significant traffic impacts on the local road network. Stage 3 is anticipated to generate 69 vehicles in the AM peak hour and 59 vehicles in the PM peak hour periods which is consistent with the Concept Approval. The Department has considered the issues raised in the public submissions and the information provided by the Applicant as part of the Concept Approval and Stage 3 application. The Department is satisfied with the traffic impacts and concludes that the proposal is unlikely to have a significant impact on the local road network. Construction traffic will be managed through a final Construction Traffic Management Plan. Recommended conditions: • Construction traffic will be managed through a final Construction Traffic Management Plan. • Conditions are recommended to address construction car parking and traffic flow to and from the site, and pedestrian management
Pressure on local infrastructure capacity	The site is situated in an established urban area with readily available utility services. The concept application was also referred to various agencies, including Sydney Water, Ausgrid and TfNSW, who raised any concerns related to impacts on infrastructure capacity.

Issue	Consideration
	Recommended conditions • The Department has recommended several conditions to ensure that the development does not unreasonably affect the existing infrastructure and service provider assets surrounding the site. The proposal is subject to local development contributions and the Housing Productivity Contribution which can be used to support local and State infrastructure.

Appendix C – Statutory matters for consideration

Matters for consideration required by the EP&A Act

Section 4.15 of the EP&A Act sets out general matters to be considered by a consent authority when determining a development application. The table below outlines the consideration of these matters.

Section 4.15(1) matters for consideration

The matters for consideration under section 4.15(1) that apply to SSD in accordance with section 4.40 of the EP&A Act have been addressed in **Table 10** below.

Table 10 | Section 4.15(1) matters for consideration

Section 4.15(1) Evaluation	Consideration
(i) any environmental planning instrument, and	The Department's consideration of relevant environmental planning instruments (EPIs) is provided below, in Section 5 , and in this appendix. The proposal is considered satisfactory in addressing the relevant EPIs.
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Not applicable.
(iii) any development control plan, and	Under section 2.10 of the Planning System SEPP, DCPs do not apply to SSD.
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	A draft voluntary planning agreement (VPA) remains under negotiation with Council and the Applicant seeking to facilitate the following works: • a shared bicycle pathway and pedestrian footpath connecting the site to Regents Park town centre • pedestrian crossings on Auburn Road and traffic islands

Section 4.15(1) Evaluation	Consideration
	• upgrading 4 bus stops • street tree planting along Auburn Road and nearby local streets • upgrade of Magney Reserve • provision of 3,000 m² of open space within the site publicly accessible As a VPA has not been executed, contributions will be conditioned in accordance with the Canterbury-Bankstown Local Infrastructure Contributions Plan 2022.
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The proposal meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications, public participation procedures for SSD and Schedule 2 relating to the EIS.
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The impacts of the proposal have been appropriately mitigated or conditioned as discussed in Section 5 and this appendix.
(c) the suitability of the site for the development,	The Department has assessed the suitability of the site and recommends the site as suitable for the proposal as discussed in Section 5 and this appendix.
(d) any submissions made in accordance with this Act or the regulations,	Consideration has been given to the submissions received during the exhibition of the proposal as discussed in Section 4, Section 5, and Appendix B.
(e) the public interest.	The proposal is in the public interest as it contributes to increasing the housing supply and employment opportunities in the locality. The environmental impacts of the development will be appropriately managed through the design of the proposal, and recommended conditions of consent.

Objects of the EP&A Act

In determining the application, the consent authority should consider whether the proposal is consistent with the relevant objects of the EP&A Act (section 1.3). Consideration of those factors are provided in Table 11 below.

As a result of its analysis the Department is satisfied that the development is consistent with the objects of the EP&A Act.

Table 11 | Objects of the EP&A Act and how they have been addressed

Object	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	The proposal supports the social and economic welfare of the community by delivering 142 dwellings in an accessible location close to public transport, services, jobs, and community facilities. The proposal contributes to State housing and planning objectives. Environmental impacts will be managed during construction and operation, and the development will not result in significant impacts on the State's natural or other resources.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	The proposal has considered national best practice sustainable building principles and addresses projected climate change impacts through integrating minimum NABER ratings and BASIX certification. The Applicant has made a commitment to ensure the development demonstrates climate, economic, community and ecological resilience, including implementing comfortable thermal envelopes, energy efficient initiatives, stormwater retention, water saving measures, appropriate building materials, and improved vegetation and management. The Department is satisfied with the ESD initiatives identified in the EIS and ESD Report, and recommended conditions of consent have been provided.
(c) to promote the orderly and economic use and development of land	The proposal represents the orderly and economic use of land as it will increase housing and employment opportunities near services and public transport. The proposed land uses are permissible, and the form of the development has had regard to the planning controls that apply to the site, the character of the locality and the context of surrounding sites.

Object	Consideration
(d) to promote the delivery and maintenance of affordable housing	The proposal provides 36 affordable apartments, to be managed by a Community Housing Provider for a minimum of 15 years from the date of occupation.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	The proposal has been designed to not adversely affect the environment. The BDAR waiver further confirms that the development will not have any significant impact on the biodiversity values.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	The proposal would not have an adverse impact on any built heritage items or conservation areas. The proposal is accompanied by an Aboriginal Cultural Heritage Report which confirms the proposal will not have unacceptable impacts on the nearby heritage items in the locality or Aboriginal objects. Conditions are recommended for any unexpected finds.
(g) to promote good design and amenity of the built environment	The proposal demonstrates a good design approach and is consistent with relevant controls, including provisions of the Housing SEPP, ADG and <i>30-46 Auburn Road, Regents Park Design Guide</i>. Building C has been designed to minimise amenity impacts to neighbours and the surrounding environment and to provide good levels of internal amenity for the occupants. Other amenity impacts would be managed by either the form of the development or by the recommended conditions of consent for mitigation measures during the construction and operational phase of the development.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants	The proposal demonstrates that construction work would be undertaken in accordance with the National Construction Code (NCC), relevant regulation and managed through a site-specific Construction Management Plan. Any impacts during this phase will be monitored and managed in keeping with the conditions of consent. Ongoing management and maintenance of the development shall be managed by the building management.

Object	Consideration
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	The Department publicly exhibited the application as outlined in Section 4. Council and relevant agencies were also consulted, with their responses considered as part of the Planning-led whole-of-government assessment process.
(j) to provide increased opportunity for community participation in environmental planning and assessment	The Department required the Applicant to undertake community engagement during the preparation of the application in line with the <i>Undertaking Engagement Guideline</i>. The Department publicly exhibited the application in line with its Community Participation Plan, which included notifying adjoining landowners and publishing the application on the Department's website. The Department published the Applicant's submissions report and additional information on its website, in addition to providing a copy to Council and other relevant agencies. The engagement activities carried out by the Department are detailed in Section 4.

Ecologically sustainable development

The EP&A Act adopts the definition of ecologically sustainable development (ESD) found in the *Protection of the Environment Administration Act 1991* (POEA Act). Section 6(2) of the POEA Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The Applicant has committed to achieving the following minimum sustainability targets:

- achieve average of 7.3 star NatHERS rating
- meets or exceeds BASIX minimum Energy and Water requirements
- meet the BASIX thermal performance requirements.

The proposal also commits to good sustainable design through the provision of adequate cross-ventilation and solar access.

The Department has considered the proposal in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process through assessment of the environmental impacts of the proposal. The conservation principle has been applied through the provision of new landscaping, and the valuation principle has been applied through the efficient use of the site, application of sustainability measures and creation of new employment opportunities during construction and operation.

Subject to recommended conditions, the Department is satisfied that the proposal is capable of being consistent with the principles of ESD.

Biodiversity development assessment report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the project is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

A BDAR waiver request was submitted to the Department on 25 November 2024. The Environment Agency Head and the Team Leader Social and Affordable Assessments as delegate of the Planning Secretary, determined that the proposal is not likely to have any significant impact on biodiversity values. A BDAR waiver was granted on 20 January 2025.

Environmental Planning and Assessment Regulation 2021

The EP&A Regulation requires the Applicant to have regard to the State Significant Development Guidelines when preparing their application. In addition, the SEARs require the Applicant to have regard to the following:

- Social Impact Assessment Guideline for State Significant Projects
- Undertaking Engagement Guidelines for State Significant Projects

The Department considers the requirements of the EP&A Regulations have been complied with.

Environmental Planning Instruments (EPIs)

To satisfy the requirements of section. 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the proposal and have been considered in the Department's assessment.

EPIs considered as part of the assessment of the proposal are:

- *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP)

- *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP)
- *State Environmental Planning Policy (Housing) 2021* (Housing SEPP)
- *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP)
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (Biodiversity and Conservation SEPP)
- *State Environmental Planning Policy (Sustainable Buildings) 2022* (Sustainable Buildings SEPP)
- *Canterbury-Bankstown Local Environmental Plan 2023* (CBLEP 2023)

State Environmental Planning Policy (Planning Systems) 2021

The proposal is SSD under section 4.36 of the EP&A Act and section 2.11 of the Planning Systems SEPP as it is the subject of an SSD concept application.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to types of infrastructure development, and providing for consultation with agencies about certain development during the assessment process.

Sections 2.100 and 2.120 of the Transport and Infrastructure SEPP relate to maintaining acceptable noise and vibration impacts on land in and/or adjacent to a rail corridor and road corridor to ensure the amenity of residential development. The Department has consulted with Transport for NSW (Sydney Trains) and undertaken a detailed assessment in **Section 5.3** and is satisfied that the development can meet the requirements of the Transport and Infrastructure SEPP, subject to recommended conditions of consent.

Sections 2.122 of the Transport and Infrastructure SEPP relate to traffic-generating development. The development was referred to TfNSW under the concept application as the proposal will provide over 300 dwellings, with recommended conditions of consent provided. The proposal has been assessed against existing conditions of consent and is considered compliant. Refer to **Appendix D**.

Section 2.48 of the Transport and Infrastructure SEPP requires written notice to be provided to the electricity supply authority for the area prior to granting consent for a development likely to affect an electricity transmission or distribution network. Ausgrid has been engaged and recommended

conditions of consent have been provided to ensure the likely effects on the electricity transmission or distribution network are appropriately managed.

Section 3.23 of the Transport and Infrastructure SEPP requires a consent authority to consider any applicable provisions of the *Child Care Planning Guideline*, in relation to the proposal. The Department has assessed the proposed child care centre against the provisions of the *Child Care Planning Guideline* and considers the development generally consistent with the relevant criteria. Refer to Table 12 below.

Table 12 | Consideration of the Child Care Planning Guideline

Matter	Consideration
2. Design Quality principles	
Principle 1 - Context	The proposed child care centre (CCC) forms part of a high-density mixed-use development that will be socially and economically benefitted by the provision of a CCC.
Principle 2 – Built form	The CCC is located at ground floor and level 1 of Building C, consistent with the Concept Approval. The CCC is integrated into the built form and does not deter the public domain. The CCC has been designed to be distinctive and support innovative approaches to teaching and learning, whilst being aesthetically pleasing.
Principle 3 – Adaptive learning spaces	The CCC would utilise adaptive learning spaces including a mix of indoor and outdoor areas that would be enjoyable and inclusive for learning.
Principle 4 – Sustainability	The proposal includes an ESD report that addresses how the development will be durable and embed resource efficiency into the built form and site design, resulting in less energy and water consumption, less generation of waste and air emissions and reduced operational costs.
Principle 5 – Landscaping	The proposal incorporates landscaping that contextually fits with the site, future character of the locality, existing streetscape and neighbourhood.
Principle 6 – Amenity	The proposed CCC combines appropriate and efficient indoor and outdoor learning spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, service areas and ease of access for all age groups and degrees of mobility.
Principle 7 – Safety	The Applicant has prepared a Crime Prevention Through Environmental Design (CPTED) Report which provides recommendations to maximise safety onsite. The proposed CCC is considered to balance safety and security whilst creating

Matter	Consideration
	welcoming and accessible environment. It would provide for quality public and private spaces that are inviting, clearly defined and allow controlled access for members of the community. The CCC's internal and outdoor areas encourage passive surveillance and car parking, and access are designed to promote traffic safety and reduce risks for children and staff. Recommendations of the CPTED Report are to be adopted per recommended conditions of consent.

3. Matters for Consideration

3.1 Site selection and location

C1 – ensure that appropriate zone considerations are assessed when selecting a site	Consistent. Acoustic privacy, building setbacks, visual amenity impacts and traffic and parking impacts have been assessed holistically, inclusive of the proposed apartments. The acoustic report submitted with the application confirms that adequate mitigation measures will be implemented for the CCC and apartments to avoid intrusive sound.
C2 – ensure that the site is suitable for use	Consistent. The CCC is permissible with consent in the R4 High Density Residential zone. The site selection has considered contamination, environmental impacts, site characteristics, access and safety. The CCC is considered compatible with Auburn Road and existing and future residential development in the locality.
C3 – ensure the site is appropriately located	Consistent. The CCC will be located within 500 m of Regents Park Train Station and neighbourhood shops. The CCC will contribute to needs of future and existing residents in the locality.
C4 – ensure the site does not incur risk from environmental, health or safety hazards	Consistent. The CCC is located to avoid proximity to environmental health or safety hazards. The proposal has been assessed against the Resilience and Hazards SEPP and considered compliant with the relevant criteria.

3.2 Local character, streetscape and public domain interface

C5 – ensure the CCC is compatible with the local character	Consistent.
---	-------------

Matter	Consideration
and surrounding streetscape	The CCC will be integrated into Building C and appropriately responds to the local area, reflective of an area undergoing a transition to high density. Materials, finishes and building design will integrate with development at the site and car parking is located at the basement level C1 and ground floor.
C6 – ensure a threshold is created with a clear transition between public and private realms	Consistent. The CCC creates a clear transition between private and public realms with fencing, window design and landscaping appropriately balancing, privacy, passive surveillance of public spaces.
C7 – ensure separate entrances are provided for visitors and children	Consistent. The entry and space associated with the CCC is differentiated to improve legibility for visitors.
C8 – ensure an appealing streetscape is adopted for development adjoining public parks	Consistent. Clearly defined street access, pedestrian paths and building entries are provided. Street trees approved under Stage 1 enhance the streetscape and high fences and blank walls have been minimised.
C9 – ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain	Consistent. The proposed fencing is visually permeable in the front setback and appropriate landscaping is used to promote a natural aesthetic and visual privacy.
C10 – ensure acoustic fencing is appropriately used when needed	Not applicable. The proposal does not require high solid acoustic fencing.

3.3 Building orientation, envelope and design

Matter	Consideration
C11 - respond to the streetscape and site, mitigate impacts on neighbours, while optimising solar access and shade	Consistent. Visual privacy, noise impacts and solar access are appropriately managed/provided. Doors and windows are located away from private open spaces, play equipment is located away from common boundaries and outdoor play areas are located away from sensitive uses. Cut and fill is minimised where possible and the child care centre front the approved internal Road EW2.
C12 – ensure the scale of the CCC is compatible with adjoining development and impacts are minimised	Consistent. Building heights are consistent with other buildings within the site and respond to the transitioning scale and character. Setbacks allow for adequate privacy for neighbours and children in the CCC and provide adequate access. Setbacks to Auburn Road are consistent with previous development in the locality.
C13 – ensure that setbacks from the boundary of a CCC are consistent with the predominant development in the area	Consistent. The proposed setbacks are consistent with the Concept Approval. The proposal does not front a classified road, and the Department considers the setbacks appropriate for the locality.
C14 – ensure side setbacks observe prevailing setbacks required for a dwelling house	Consistent. The proposed setbacks are consistent with the Concept Approval, and the Department considers the side and rear boundary setbacks consistent with prevailing dwelling house setbacks and appropriate for the locality.
C15 – ensure that buildings are designed to create safe environments for all users	Consistent. Entry to the facility is not limited to one point as access is required from both street level and the proposed car parking areas. Other entries have been designed for emergencies and evacuation. Entries are directly visible from the street and can be easily monitored through natural or camera surveillance. Entry to the facility is not accessed through an outdoor play area, subject to conditions of consent.

Matter	Consideration
C15 – ensure that buildings are designed to create safe environments for all users	Entry to the facility is not limited to one point as access is required from both street level and the proposed car parking areas. Other entries have been designed for emergencies and evacuation. Entries are directly visible from the street and can be easily monitored through natural or camera surveillance. Entry to the facility is not accessed through an outdoor play area.

3.4 Landscaping

C17 – provide a landscape design that contributes to the streetscape amenity	Consistent. Appropriate landscaping is provided along the boundary and fencing to reflect and reinforce the local context. Trees, rocky outcrops and hedging are incorporated to promote natural features.
C18 – incorporate car parking into the landscape design	Consistent. Undercover at-grade parking is proposed which limits viable landscaping. Notwithstanding, the at grade car parking is not visible from street view and will promote pedestrian safety. Street tree planting is approved along Road EW2 and Auburn Road to promote a natural aesthetic from street view.

3.5 Visual and acoustic privacy

C19 – protect privacy and security of children	Consistent. The proposal minimises the number of balconies that overhang the outdoor play area.
C20 – minimise overlooking of indoor rooms and outdoor play areas from the public	Consistent. The proposal minimises potential overlooking into the indoor rooms through appropriate site and building layout.
C21 – minimise impacts on privacy of adjoining properties	Consistent. The proposal is considered to minimise direct overlooking of main living areas and private open space of adjoining development through appropriate site and building layout and landscape design.

Matter	Consideration
C22 – minimise the impact of CCCs on the acoustic privacy of neighbouring residential development	Consistent. A Noise and Vibration Impact Assessment (NVIA) has been prepared by Renzo Tonin & Associates which provides recommended mitigation measures to appropriately manage sound to and from the CCC. The NVIA concludes that subject to its recommendations, noise impacts will be appropriately managed. Conditions of consent are recommended to ensure mitigation measures identified by the NVIA are implemented during construction and operation.
C23 – a suitably qualified acoustic professional should prepare an acoustic report	Consistent. Per the Department's comments above for C22.
3.6 Noise and air pollution	
C24 – ensure outside noise levels are minimised	Consistent. The proposal includes design solutions to minimise the impact of noise including using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits. Cot rooms, sleeping areas and play areas are located away from external noise sources.
C25 – an acoustic report should identify appropriate noise levels for sleeping areas	Consistent. The site adjoins a rail corridor and predicted ground-borne rail noise levels to sleeping areas have been assessed. The noise criteria is determined by the Development Near Rail Corridor and Busy Roads – Interim Guide as 35 dBA. The NVIA confirms that sleeping areas meet the minimum sleeping area criteria. Conditions of consent are recommended to ensure mitigation measures identified by the NVIA are implemented during construction and operation.
C26 – ensure air quality is acceptable where CCCs are proposed close to external sources of pollution	Consistent. The CCC is located as to minimise the potential impact of external sources of air pollution such as major roads and industrial development. Construction management plans would be prepared and implemented to ensure air quality impacts are mitigated during construction, subject to recommended conditions.

Matter	Consideration
C27 – a suitably qualified air quality professional should prepare an air quality assessment when a CCC is close to major roads or industrial activity	Not applicable. The CCC is not located close to a major road or industrial activity.

3.7 Hours of operation

C28 – minimise the impacts of the CCC on the amenity of neighbouring residential properties	Consistent. The CCC will have the following hours of operation: Monday – Friday: 7am – 6pm Saturday – Sunday: Closed
C29 – mixed use hours of operation	Consistent. The hours of operation are considered appropriate with respect to adjoining and co-located land uses.

3.8 Traffic, parking and pedestrian circulation

C30 – provide parking that satisfies the needs of the CCC and minimises conflict between pedestrians and vehicles	Consistent. Council's DCP car parking rate for CCCs is one space per four children and two additional car spaces for the exclusive use of any associated dwelling. The CCC has no associated dwelling and as such, the car parking calculation is as follows: $106 \times 0.25 = 26.5 \text{ (27) spaces}$ 27 parking spaces are proposed for the CCC which is compliant with the minimum car parking requirements of Council's DCP.
C31 – commercial and industrial zones	Not applicable. The site is not in a commercial or industrial zone.

Matter	Consideration
C32 – traffic and parking study requirements	Consistent. A Traffic Impact Assessment has been prepared by Lyle Marshall & Partners quantifying the potential impacts on the surrounding land uses, to optimise the safety and convenience of the parking areas and demonstrate how impacts on amenity will be minimised.
C33 – provide vehicle access from the street safely	Consistent. Vehicle access is proposed via new internal roads connecting to Auburn Road. Vehicles are considered capable of entering and exiting the site in a forward direction.
C34 – CCCs within cul-de-sacs	Not applicable. The CCC is not located within a cul-de-sac.
C35 – provide a safe and connected environment for pedestrians on and around the site	Consistent. Where possible, the Applicant has: - provided separate pedestrian and vehicle entries from the street for parents, children and visitors - provided separate pedestrian access from car parking areas - located delivery, loading and vehicle turnaround areas away from the main pedestrian access - minimised the number of locations where pedestrians and vehicles cross - ensured vehicles can enter and exit the site in a forward direction - allowed for clear sightlines to be maintained
C36 – mixed vehicle access	Consistent. The proposal includes basement parking and servicing and car parking dedicated to the CCC will be available during hours of operation.
C37 – car park design	Consistent. The proposal provides clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards.

4. Applying the National Regulations to development proposals

Matter	Consideration
4.1 Indoor space requirements	Consistent. 3.25 m² per child of unencumbered indoor space is required. Required: 344.5 m² Proposed: 365 m²
4.2 Laundry and hygiene facilities	Consistent. The proposal includes laundry facilities or access to laundry facilities. Conditions of consent are recommended to address Regulation 106.
4.3 Toilet and hygiene facilities	Consistent. The proposal is compliant with the toilet and hygiene facility requirements of the NCC, subject to conditions of consent.
4.4 Ventilation and natural light	Consistent. The proposal is considered to maximise ventilation and natural light by: • Providing 3.2 m floor to floor heights • Providing windows with various orientations to improve solar access • Configuring all rooms to allow for airflow and natural ventilation
4.5 Administrative space	Consistent. The CCC includes a waiting area, meeting room, administration office and reception desk.
4.6 Nappy change facilities	Consistent. A nappy change facility is provided adjoining the playroom designated for one-year old children. Conditions recommended for compliance with NCC.
4.7 Premises designed to facilitate supervision	Consistent. The CCC is designed to facilitate supervision through suitable window locations, bathroom design, and room layout.
4.8 Emergency and evacuation procedures	Consistent. An Emergency Management Plan will be prepared and implemented providing instructions for what must be done in the event of an emergency and include evacuation floor plan, which a copy is to be displayed in a prominent position near

Matter	Consideration
	each exit, and a risk assessment to identify potential emergencies that are relevant to the service, subject to recommended conditions of consent.
4.9 Outdoor space requirements	Consistent. 7 m² per child of unencumbered outdoor space is required. Required: 742 m² Proposed 755 m²
4.10 Natural environment	Consistent. Outdoor play areas are considered to create a natural environment utilising appropriate play equipment including sandpits, slides, trees and vegetation and other various experiences that facilitate the development of cognitive and physical skills, provide opportunities for social interaction and appreciation of the natural environment.
4.11 Shade	Consistent. A minimum of 2 hours of solar access between 8.00am and 4.00pm during winter months, for at least 30% (or 2.1m²) of the 7.0m² of outdoor space per child is provided.
4.12 Fencing	Consistent. All outdoor spaces used by children are enclosed by a fence set at an appropriate height to ensure children cannot go through, over or under it. The CCC is designed to prevent people outside the facility from gaining access by climbing over, under or through the fence, whilst also not creating a sense of enclosure. Design considerations for fencing are be addressed through recommended conditions of consent.
4.13 Soil assessment	Consistent. The proposal includes a DSI and RAP that recommends a remediation strategy, that subject to implementation and site validation, will ensure the site is made suitable for the CCC. Conditions are recommended accordingly.

State Environmental Planning Policy (Housing) 2021

A summary of the Department's consideration of aspects of the proposal with the relevant provisions and non-discretionary development standards contained in the Housing SEPP are provided in Table 13 below.

Table 13 | Housing SEPP considerations

Control	Department's consideration
Chapter 2 Development for affordable housing	
15C Development to which division applies (1) This division applies to development that includes residential development if— (1) the development is permitted with consent under Chapter 3, Part 4, Chapter 5, Chapter 6 or another environmental planning instrument, and (2) the affordable housing component is at least 10%, and (3) all or part of the development is carried out— (i) for development on land in the Six Cities Region, other than in the City of Shoalhaven or Port Stephens local government area—in an accessible area, or (ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.	Consistent. The proposal includes at least a 10% affordable housing component and is located within the Greater Sydney region.
16 Affordable housing requirements for additional floor space ratio (1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the development on the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component (AHC) calculated in accordance with subsection (2).	Consistent. The proposal includes 24.95% of affordable housing within a residential flat building. The Housing SEPP grants an additional FSR and building height of 30%. The proposed FSR for all development at the site is 2.6:1. The Stage 3 proposal has an FSR of 0.68:1. Clause 6.27 of the CBLEP 2023 allows a maximum building height of 23 m for development within 26 m

Control	Department's consideration
(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows: AHC = additional floor space ratio percentage divided by two. (3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1)	of Auburn Road. Otherwise, a maximum building height of 29 m applies to the site. The proposal has a maximum building height of part 29.9 m (23 m + 30%) within the 26 m setback to Auburn Road, and 37.7 m (29 m + 30%).
19 Non-discretionary standards – the Act, s4.15 (2) The following are non-discretionary development standards in relation to the residential development to which this division applies: (a) A minimum site area of 450 m² (b) A minimum landscaped area that is the lesser of: (i) 35 m² per dwelling, or (ii) 30% of the site area (e) The following number of parking spaces for dwellings used for affordable housing: (i) 1-bedroom – at least 0.4 parking spaces (ii) 2-bedroom – at least 0.5 parking spaces (iii) 3-bedroom – at least 1 parking space (f) The following number of parking spaces for dwellings not used for affordable housing: (i) 1-bedroom – at least 0.5 parking spaces (ii) 2-bedroom – at least 1 parking spaces (iii) 3-bedroom – at least 1.5 parking space (g) The minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development	Consistent. (a) The site has an area of 21,170 m² and is therefore compliant. (b) Stage 3 contributes approximately 4,000 m² of the anticipated 9,000 m² of landscaping proposed under all stages of development. Once completed, the site will have approximately 40% of its site area as landscaping. (e) & (f) The Department has undertaken an assessment against the strictest provision parking under subclause 2(f): • 1-bedroom apartments: 11 x 0.5 = 5.5 (6) spaces • 2-bedroom apartments: 86 x 1 = 86 spaces • 3-bedroom apartments: 45 x 1.5 = 67.5 (68) spaces A minimum of 160 parking spaces are required. 171 of 198 parking spaces have been provided for residents. All affordable housing units and non-affordable housing units will have adequate car parking.

Control	Department's consideration
	(g) All units achieve or exceed the minimum internal area criteria of the ADG. Refer to Table 15 below for details.
20 Design requirements (3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with: (a) the desirable elements of the character of the local area, or (b) for precincts undergoing transition – the desired future character of the precinct.	Consistent. The site is undergoing transition to high density and the character the desired future character of the precinct has been determined by the Concept Approval SSD-20724880. The Department is satisfied that design responds to the topography of the site by providing appropriate setbacks to the rail corridor and Auburn Road, consistent with the Concept Approval SSD-20724880. The development has included materials and articulation that respond to the future high density residential character of the area provide a landscaped setting in accordance with the <i>30-46 Auburn Road, Regents Park Design Guide</i>.
21 Must be affordable for at least 15 years (1) Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development: (a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and (b) the affordable housing component will be managed by a registered community housing provider.	Consistent. The Applicant has confirmed Pacific Community Housing will manage the affordable housing component of the development. The Department has recommended conditions ensuring that the affordable housing component will be for a period of at least 15 years.
Chapter 4 Design of residential apartment development	
147 Determination of development applications and modification applications for residential apartment development (2) Development consent must not be granted to residential apartment development, and a	The development has been assessed against Schedule 9 of the Housing SEPP and ADG. Refer to Table 14 and Table 15 below, respectively.

Control	Department's consideration
development consent for residential apartment development must not be modified, unless the consent authority has considered the following: (4) The quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9, (5) the Apartment Design Guide, (6) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.	
148 Non-discretionary development standards for residential apartment development – the Act, s4.15 (3) The following non-discretionary development standards: (a) The car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide, (b) The internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide (c) The ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.	Consistent. The development has been assessed against the ADG and meets these non-discretionary standards. Refer to Table 15 below for details.
149 Apartment Design Guide prevails over development control plans (1) A requirement, standard or control for residential apartment development that is specified in a development control plan and relates to the following matters has no effect if the Apartment Design Guide also specifies a	Noted.

Control	Department's consideration
requirement, standard or control in relation to the same matter: (a) visual privacy, (b) solar access, (c) common circulation and spaces, (d) apartment size and layout, (e) ceiling heights, (f) private open space and balconies, (g) natural ventilation, (h) storage.	

Chapter 6 Low and mid rise housing

164 Land to which chapter applies (1) This chapter applies to the whole of the State, other than the following...	The chapter applies to this site as: • it is not located on bushfire prone land • it is not identified as a coastal vulnerable area or coastal wetland • it is not land to which Chapter 5 applies • it does not contain a heritage item • is not within a restricted LGA • it is not within flood prone land under the Georges River Catchment and Hawkesbury-Nepean Catchment • it is not within the listed councils • it is not land in an ANEF or ANEC contour • it is not land within 200 m of a relevant pipeline • it is not land identified as a “deferred transport oriented development areas” • it is not land within 800 m of a railway, metro or light rail station listed in Schedule 12.
176 Development standards— low and mid rise housing outer area (1) This section applies to land in a low and mid rise housing outer area in Zone R3 Medium Density Residential or R4 High Density Residential. (2) Development consent must not be granted for development for the following purposes if a resulting building will have a building height of up to 17.5m unless the consent authority is	(1) The site is located within 800 m from Regents Park Station and is zoned R4 High Density Residential. (2) Not applicable as the proposal has a height greater than 17.5 m.

Control	Department's consideration
satisfied that the building will have 4 storeys or fewer – (a) residential flat buildings, (b) buildings containing shop top housing.	
177 Landscaping – residential flat buildings or shop top housing (1) This section applies to land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential. (2) Development consent must not be granted for development for the purposes of residential flat buildings or shop top housing unless the consent authority has considered the <i>Tree Canopy Guide for Low and Mid Rise Housing 2025</i>, published by the Department in February 2025.	(1) The site is zoned R4 High Density Residential. (2) The Department has considered the <i>Tree Canopy Guide for Low and Mid Rise Housing 2025</i>. The proposal, across all stages, will provide a tree canopy and deep soil areas each greater than 20% of the site area. The Department considers that the proposal is consistent with the <i>Tree Canopy Guide for Low and Mid Rise Housing 2025</i>.
178 Minimum lot size for residential flat buildings or shop top housing (1) This section applies to development for the purposes of residential flat buildings or shop top housing on land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential. (2) A requirement specified in another environmental planning instrument or development control plan in relation to the following does not apply to development that meets the standards in section 180(2) or (3) – (a) minimum lot size, (b) minimum lot width.	(1) The site is zoned R4 High Density Residential and contains residential flat buildings. (2) Not applicable as no minimum lot size or lot width applies to the site under another planning instrument or DCP.
180 Non-discretionary development standards – residential flat buildings and shop top housing in Zone R3 or R4 (1) This section applies to development for the purposes of residential flat buildings or shop top housing on land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential.	(1) The site is zoned R4 High Density Residential and contains residential flat buildings. (2) The proposal, across all development stages, will have an FSR greater than 2.2:1 and building heights greater than 22m. This complies with the maximum building height and FSR attributed to the site under the Concept Approval SSD-20724880.

Control	Department's consideration
(2) The following non-discretionary development standards apply in relation to development on land in a low and mid rise housing inner area – (a) a maximum floor space ratio of 2.2:1, (b) for residential flat buildings – a maximum building height of 22m, (c) for a building containing shop top housing – a maximum building height of 24m.	

Under Section 147(1)(a) of Chapter 4 of the Housing SEPP consent authorities must consider the design principles for residential apartment development set out in Schedule 9. The Department has considered the proposal against the design principles of Schedule 9 in Table 14 below.

Table 14 | Department's consideration of the design principles in Schedule 9 of the Housing SEPP

Principle	Consideration
Context and neighbourhood character	The site is in the R4 High Density Residential zone and transitioning from industrial development to high-density mixed-use development. The proposal responds to the future character of the area by creating a modern mixed-use development that provides a public through site link to the future public park and active ground floor commercial use that will benefit residents. The development increases housing supply in a well-located area and ensures view corridors are retained and overshadowing to neighbouring properties and public spaces is minimised. The Department is satisfied that the proposal will provide a high-quality outcome that responds to the future context and neighbourhood character of Regents Park.
Built form and scale	The built form and scale is consistent with the Concept Approval SSD-20724880. The proposal is compliant with the height and FSR controls of the site and appropriately responds to surrounding development and the topography of the land. The Department has assessed the bulk, scale and height of the development and considers the proposal appropriate to the existing and desired future character of Regents Park.
Density	The density of the overall development is consistent with the provisions of the Housing SEPP, and the proposal has demonstrated that it will not have adverse built form, traffic or amenity impacts.

Principle	Consideration
Sustainability	The proposal includes an ESD Report that outlines initiatives for climate, economic, community and ecological resilience. The proposal has been benchmarked against BASIX and NatHERS commitments for water, energy, and thermal comfort with BASIX design specifications for building fabric, water, energy, and resilience proposed. Relevant NatHERs and BASIX certificates have been provided. The Department has assessed the proposal against ESD principles and considers the proposal satisfactory. Conditions of consent are recommended to ensure the proposal is consistent with its BASIX certificate.
Landscape	The proposal includes various open landscaped areas that will consist of trees, shrubs, and groundcovers. Stage 3 will contribute to a 3,000 m² publicly accessible park and plaza, connecting to the public domain along Auburn Road. The landscaped areas can provide high levels of amenity for future residents and improve the landscape outcomes on the site.
Amenity	The proposal generally complies with the requirements of the Housing SEPP and the ADG and has demonstrated that future residential units would be capable of achieving satisfactory residential amenity, including satisfactory levels of natural ventilation, solar access, communal open space, and privacy. Refer to Table 15 below for details.
Safety	The proposal allows for passive surveillance throughout the site. The development includes a public open space encourages passive surveillance by visitors and residents, and those utilising the pedestrian thoroughfare. The proposed child care centre has been designed to ensure the safety of staff and children. The development provides clear articulation of public and private spaces and ensures wayfinding through the site is clear and defined. The Department has assessed the proposal and the accompanying CPTED Report against the CPTED principles and provisions of the <i>30-46 Auburn Road, Regents Park Design Guide</i> and considers the development to provide an appropriate framework to ensure the site and public domain is safe.
Housing diversity and social interaction	The proposal would improve housing supply and will provide a mix of apartment types. Development across all stages will deliver a mix of affordable and market housing, providing choice for different demographics, living needs and household budgets.

Principle	Consideration
Aesthetics	The Concept Approval SSD-20724880 has been subject to two SDRPs which has informed the proposed built form, public domain interface, and urban design. The development is considered to have good proportions, a balanced layout, use a variety of materials and colours, and respond to the existing and future local context of the locality.

Apartment Design Guide

The ADG provides guidance for residential flat building development to ensure apartments are provided with an appropriate level of residential amenity. The Department has assessed the proposal against the ADG and considers the development generally consistent with the criteria. Refer to Table 15 below.

Table 15 | Department's consideration against the ADG best practice design criteria

ADG Principle	Comment	Consistent
3A Site Analysis	The Applicant has prepared a detailed site analysis that demonstrates design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.	Consistent
3B Orientation	The building type and layout responds to the streetscape and site, while optimising solar access within the development and minimising overshadowing to neighbouring properties in midwinter. Building C to align with Auburn Road and the future internal roads to allow for direct vehicle and pedestrian access.	Consistent
3C Public Domain Interface	The transition between private and public domain would not compromise safety and security and would enhance the public domain. Amenity of the public domain is retained and enhanced through the provision of street trees and publicly accessible open space.	Consistent
3D Communal and Public Open Space 25% of the site area = 5,292.5 m ²	All four stages will provide approximately 7,000 m ² (33%) of communal open space. Stage 3 provides 1,075 m ² of communal open space and a 2,098 m ² publicly accessible park to be used as communal open space and over 50% of the space will receive a	Consistent

ADG Principle	Comment	Consistent
50% to receive minimum two hours on June 21 (9am-3pm)	minimum of 2 hours of solar access between 9am and 3pm during the Winter Solstice.	
3E Deep Soil Zones Minimum dimensions of 6 m 7% of site area = 1481.9 m ²	Stage 3 provides a total of 2,674 m ² of deep soil zones. The development will provide 4,611 m ² of deep soil zones across all four stages of development.	Consistent
3F Visual Privacy 12 m between habitable rooms and balconies and 6 m between non-habitable rooms.	The following building separation is proposed: • 15.8 m between buildings B and C • 12.6 m between buildings C and D • 84.7 m between buildings C and E	Consistent
3G Pedestrian Access and Entries	Pedestrian access and entries to the development are accessible and easy to identify from the surrounding roads.	Consistent
3H Vehicle Access	The vehicle access point is designed and located to achieve safety, minimise conflicts between pedestrians and vehicles, and create high quality streetscapes.	Consistent
3J Bicycle and Car Parking The <i>Guide to Transport Impact Assessment</i> adopts the following recommended car parking rates: • 0.7 spaces per studio/1-bedroom unit • 1 space per 2-bedroom unit • 1.6 spaces per 3-bedroom unit	The site is in an accessible area within 800 m of Regents Park Train Station and classified as an SA2 Category 2 in accordance with the TfNSW <i>Guide to Transport Impact Assessment</i> . The recommended car parking rate is as follows: • 1-bedroom apartments: 11 x 0.7 = 7.7 (8) spaces • 2-bedroom apartments: 86 x 1 = 86 spaces • 3-bedroom apartments: 45 x 1.6 = 72 spaces Residential spaces required: 166 spaces 171 of the 198 car parking spaces is provided across three basement levels for residents/visitors.	Consistent

ADG Principle	Comment	Consistent
4A Solar and Daylight Access Minimum of 2 hours direct sunlight to at least 70% of units (living rooms and private open space) in mid-winter. A maximum of 15% of units receive no direct sunlight.	114 of the 142 units (80.3%) receive at least 2 hours of sunlight to the living rooms and private open space in mid-winter. 17 of the 142 units (12%) receive no direct sunlight between 9am-3pm in mid-winter. The Department is satisfied the development maximises direct solar access through building layout and apartment design.	Consistent
4B Natural Ventilation At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building.	The development utilises a mix of single aspect and multi-aspect apartments with appropriate depth and window augmentation. Cross ventilation details are as follows: 93 units cross ventilated (65.5%) 49 units with single aspect (34.5%)	Consistent
4C Ceiling Heights	Ceiling heights are generally in accordance with the ADG.	Consistent
4D Apartment Size and Layout Studio – 35 m ² One bedroom – 50 m ² Two bedrooms – 75 m ^{2*} Three bedroom – 95 m ^{2*} *(Including second bathroom in two- and three-bedroom units)	All units achieve or exceed the minimum internal area. Apartments satisfy the design criteria for windows, room depths, bedroom size and living room widths. All habitable rooms have a window in an external wall with an appropriate glazed area. All habitable room depths are less than 2.5 x ceiling height. All apartments have open plan rooms with depths equal to or less than 8 m from a window with kitchens at 8m or less. All main bedrooms are equal to or greater than 10 m ² and secondary bedrooms are equal to or greater than 9 m ² .	Consistent

ADG Principle	Comment	Consistent
	All bedrooms exceed the 3 m dimension requirement • All living rooms exceed the minimum width requirements. All cross through apartments are at least 4 m wide. All habitable room depth/width recommendations are satisfied. Apartments satisfy the design criteria for windows, room depths, bedroom size and living room widths.	
4E Private Open Space and Balconies Studio - 4m² / no min. depth One bedroom - 8m² / 2m Two bedroom - 10m² / 2m Three bedroom - 12m² / 2.4m Ground Floor – 15m² /3m	C1-020, C1-060, and C1-070 are 2-bedroom apartments with a partial balcony depth of 1.8 m that increases to 2.8 m and an area of 10 m². C1-082 is a 2-bedroom apartment with two balconies providing 10 m² of private open space. The smaller balcony has a minimum dimension of 1.7 m. C2-101 and C2-111 are 2-bedroom apartment with 16 m² and a minimum dimension of 1.1 m. Each are a minor deviation from the recommended private open space and are offset by high quality internal apartment dimensions, and external communal space that well exceeds the ADG minimum area criteria. The balconies are highly functional, and all apartments are consistent with the minimum area requirements. As such, the Department supports the minor deviation.	Inconsistent (acceptable)
4F Common Circulation and Spaces The maximum number of apartments off a circulation core on a single level is eight For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40	The maximum number of units proposed on a single circulation core is seven.	Consistent

ADG Principle	Comment	Consistent
4G Storage Studio – 4 m ³ . One bedroom – 6 m ³ . Two bedroom – 8 m ³ . Three bedroom – 10 m ³ . At least 50% of the required storage is to be located within the apartment.	Internal storage generally meets the recommended minimum volume. Additionally, the proposal provides a basement storage cage for each apartment.	Consistent
4H Acoustic Privacy and 4J Noise and Pollution	The development minimises the transfer of noise through layout and acoustic treatments. In accordance with the recommendations of the acoustic report, apartments will be appropriately insulated to ensure compliance from external noise sources.	Consistent
4K Apartment Mix	The development includes the following apartment mix: • 1-bedroom – 11 dwellings • 2-bedroom – 86 dwellings • 3-bedroom – 45 dwellings The development provides a range of apartment types and sizes to cater for different household types. Apartment types have been distributed to suitable locations throughout Building C. Ground floor apartments are predominantly two storeys, address the public domain and are accessed directly from the street.	Consistent
4M Facades	The proposed facade offers a positive contribution to the character of the development and streetscape.	Consistent
4N Roof Design	Rooftop services are integrated into the building design.	Consistent

ADG Principle	Comment	Consistent
4O Landscape Design and 4P Planting on Structures	A detailed landscape plan has been provided for the podium areas and public domain. The landscape design contributes to the streetscape.	Consistent
4Q Universal Design 20% silver-level liveable. Reference to Council's DCP for recommended provision of adaptable apartments.	29 of the 142 (20.4%) apartments incorporate the Liveable Housing Guidelines' silver level universal design features.	Consistent
4T Awnings and Signage	All awnings are integrated with the building design.	Consistent
4U Energy Efficiency	The development incorporates passive environmental design including using appropriate materials and providing solar panels on the roof.	Consistent
4V Water Management and Conservation	Water efficient fittings and appliances will be installed. Plant selections are designed for the microclimate and will be typically low water use, per the landscape report. All stormwater management systems are integrated into the site design along with water treatment measures.	Consistent
4W Waste Management	Adequate bin storage is provided and designed to minimise impacts on the streetscape. A private waste collection contractor will be engaged to service the residential and retail waste.	Consistent
4X Building Maintenance	The materials are appropriately selected to minimise long-term maintenance obligations.	Consistent

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The Biodiversity and Conservation SEPP aims to protect the biodiversity value of vegetation in nonrural areas and to protect the water quality and quantity of water catchments.

The Department accepts the findings of the Applicant's BDAR waiver request which described the site as highly disturbed with little vegetation and with limited potential to provide breeding habitat for threatened species. A BDAR waiver was subsequently issued on 20 January 2025.

State Environmental Planning Policy (Resilience and Hazards) 2021

The Resilience and Hazards SEPP aims to ensure that potential contamination issues are considered when determining a development application. The Resilience and Hazards SEPP requires the consent authority to consider whether the land is contaminated, and if so, whether the land is suitable for the purpose of the proposed development.

Section 3.12 of the Resilience and Hazards SEPP outlines mandatory matters for a consent authority to consider when determining an application for potentially hazardous or offensive development. Chapter 3 applies to any proposals which fall under the policy's definition of 'potentially hazardous industry' or 'potentially offensive industry'. The works proposed as part of this SSD do not fall within these definitions, and as such a preliminary hazard analysis is not required.

Section 4.6 requires a consent authority to not consent to development unless it has considered whether the land is contaminated, and if the land is contaminated that it is satisfied that it is suitable in its contaminated state or that it will be suitable after remediation, for the purposes of the proposed development. Further, the consent authority must consider if the land requires remediation to be made suitable for the purpose of the development and is satisfied that the land will be remediated prior to the land being used for the purposes of development.

The proposal includes a Detailed Site Investigation (DSI) which investigated the contamination in soil and groundwater at the site. The DSI found that whilst there are no health risks to current site users, there is a potential risk to future site users by contaminated soils and gravel that requires remediation.

A Remediation Action Plan (RAP) has been prepared, recommending remediation of contaminated soil and gravel by excavation and subsequent disposal off-site to a licenced landfill. The RAP advises that subject to the remediation recommendations, the land can be made suitable for the development. The Department has assessed the proposal and considers that the site can be made suitable for development, subject to recommended conditions of consent.

State Environmental Planning Policy (Sustainable Buildings) 2022

The Sustainable Buildings SEPP aims to encourage the design and construction of more sustainable buildings across NSW. Chapter 2 of the Sustainable Buildings SEPP requires all new residential dwellings to meet the Building Sustainability Index (BASIX) standards.

The Applicant has provided a BASIX certificate confirming the proposal will be energy efficient, water efficient and provide adequate thermal comfort in accordance with the BASIX standards. Conditions of consent are recommended to ensure the proposal remains compliant with the BASIX certificate.

Canterbury-Bankstown Local Environmental Plan 2023

The CBLEP 2023 aims to:

- promote arts, cultural activities, and sustainable growth
- preserve landforms, vegetation, and heritage
- provide diverse residential, business, and industrial opportunities
- create vibrant town centres around public transport
- offer recreational and community services
- achieve good urban design and private safety
- ensure development aligns with infrastructure capacity and supports healthy living
- consider the cumulative impact of development
- promote ecologically sustainable development.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of CBLEP 2023 and those matters raised by Council in its assessment of the proposal. The Department concludes that the proposal is consistent with the relevant provisions of CBLEP 2023 with its consideration of relevant clauses in **Table 16**.

Table 16 | CBLEP 2023 Compliance Table

LEP Clause/Requirement	Assessment/Comment	Complies
PART 1 - PRELIMINARY		
1.2 Aims of the Plan	The proposal is consistent with the aims of the plan	Yes

LEP Clause/Requirement	Assessment/Comment	Complies
1.8A Savings provisions	The CBLEP 2023 is the applicable local environmental plan.	Not applicable
PART 2 – PERMITTED OR PROHIBITED DEVELOPMENT		
Zoning	The site is zoned R4 High Density Residential. Residential flat buildings and centre-based child care facilities are permitted with consent.	Yes
2.6 Subdivision – consent requirements	No subdivision is proposed.	Not applicable
2.7 Demolition	Consent has been granted for demolition pursuant to Stage 1 works.	Not applicable
PART 4 – PRINCIPAL DEVELOPMENT STANDARDS		
4.1 Minimum subdivision lot size	No subdivision is proposed.	Not applicable
4.3 Height of Buildings	The site is mapped as having a maximum height of buildings of 13 m. Clause 6.27 of the CBLEP 2023 allows a maximum building height of 23 m for development within 26 m of Auburn Road. Otherwise, a maximum building height of 29 m applies to the site. The proposal has a maximum building height of part 29.9 m (23 m + 30%) within the 26 m setback to Auburn Road, and 37.7 (29 m + 30%) for the remainder of the building, utilising the in-fill affordable housing height bonus pursuant to the Housing SEPP.	Yes
4.4 Floor Space Ratio	The site is mapped as having a maximum FSR of 0.6:1. Clause 6.27 of the CBLEP 2023 allows a maximum FSR of 2:1. Stage 3 has an FSR of 0.68:1, which remains consistent with the Concept Approval.	Yes
PART 5 – MISCELLANEOUS PROVISIONS		

LEP Clause/Requirement	Assessment/Comment	Complies
5.10 Heritage Conservation	The site is situated near two locally listed heritage items: the Sefton Junction Substation, located 150 m to the west, and Regents Park Public School, located 200 m to the north. Given the distance of the site from these heritage items and the nature of the surrounding urban context, the proposal is unlikely to have an adverse impact on the heritage items.	Yes
5.21 Flood Planning	The Applicant provided a Flood Assessment Report which adequately addressing flooding of the site. See Section 5.3.	Yes
PART 6 – ADDITIONAL LOCAL PROVISIONS		
6.1 Acid Sulfate Soils	The site is not mapped as containing acid sulfate soils	Not applicable
6.2 Earthworks	The Department considers the proposed earthworks unlikely to have a detrimental impact on drainage and will not negatively affect the future use of the land, or the amenity of neighbouring properties. The quality of fill and excavated material, as well as measures to avoid, minimise, or mitigate the impacts of the development, have also been considered. Conditions are recommended to ensure alignment with these considerations.	Yes
6.3 Stormwater management and water sensitive urban design	The Department considers that the proposal complies with the stormwater management and water sensitive urban design requirements, ensuring the use of water-permeable surfaces, on-site stormwater retention where practicable, and measures to mitigate runoff impacts. Conditions are recommended to ensure alignment with these considerations.	Yes
6.9 Essential services	The Department is satisfied that essential services such as water, electricity and waste are available for the proposal and will be appropriately connected subject to recommended conditions of consent.	Yes

LEP Clause/Requirement	Assessment/Comment	Complies
6.13 Special provisions for centre-based child care facilities	The site is identified as Area 1. Vehicular access is not proposed from a classified road, a cul-de-sac road or a road where the carriageway between kerbs is less than 10m.	Yes
6.15 Design Excellence	This clause applies to the erection of a new building for a residential flat building, if the new building has at least 4 storeys and for a centre-based child care facilities, if the new building will be used for a centre-based child care facility for at least 100 children at one time. The Concept Approval SSD-2072488 assessed design excellence, including through the attendance of two SDRPs by the Applicant. The proposal is considered to reinforce the Concept Approval and exhibit design excellence as: • a high standard of architectural design, materials and detailing appropriate to the building type and location is achieved • the form and external appearance of development will improve the quality and amenity of the public domain • the proposal does not detrimentally impact view corridors • the proposal provides appropriate separation, setbacks, amenity and urban form in relation to other existing development • the proposal provides acceptable building bulk, massing and modulation • the proposal provides appropriate street frontage heights • environmental impacts including sustainable design, overshadowing, wind and reflectivity are addressed • the proposal achieves the principles of ESD	Yes

LEP Clause/Requirement	Assessment/Comment	Complies
	- the proposal provides safe pedestrian, cycle, vehicular and service access - impacts on, and any improvement to, the public domain have been appropriately proposed - utilities, services and waste management are integrated into the site layout and building design - the proposal has no likely impacts on Aboriginal cultural heritage - the proposal protects and promotes green infrastructure - the proposal integrates high quality landscaping design in the site layout and building design - the proposal is unlikely to impact the cultural connection of the local Aboriginal community to the land.	
6.27 Additional building heights and floor space at 30 and 46 Auburn Road, Regents Park	Clause 6.27 is a site-specific clause permits a floor space ratio up to 2:1 and a maximum building height of 23 m, 29 m and 41 m if: <i>(a) for a building fronting the eastern boundary to Auburn Road— the building will have a setback of at least 6m from the boundary,</i> <i>(b) a single area of at least 3,000m² will be provided as publicly accessible open space,</i> <i>(c) at least 50% of the publicly accessible open space will receive at least 3 hours of direct sunlight between 9am and 3pm on 21 June each year,</i> <i>(d) a development control plan is prepared for the land</i> The proposal has a maximum building height of part 29.9 m and 37.7 m, using the in-fill affordable housing height bonus under the Housing SEPP. The proposal remains consistent with these criteria, noting that Section 4.23 of the EP&A Act prescribes a	Yes

LEP Clause/Requirement	Assessment/Comment	Complies
	concept approval as a valid alternative to a development control plan required by an EPI.	

Appendix D – Consistency with the Concept Approval conditions

An assessment of the proposal against the Regents Park In-fill Affordable Housing Concept (SSD 20724880) is provided in Table 17 below.

Table 17 | Consistency with the Concept Approval

No.	Condition	Assessment
PART A – ADMINISTRATIVE CONDITIONS		
Determination of future applications		
A6	The determination of future development application(s) cannot be inconsistent with the terms of development consent SSD 20724880 as described in Schedule 1 and subject to the conditions in Schedule 2.	The proposal is considered consistent with the terms of development consent SSD 20724880. See below for details.
Land use		
A7	The approved building envelopes relate to residential flat buildings, in-fill affordable housing, neighbourhood shops, and child care centre uses only.	The proposal remains associated with residential flat buildings, in-fill affordable housing, neighbourhood shops, and child care centre uses.
Development Staging		
A23	Any future development application(s) associated with this concept must demonstrate that the construction generally follows the schedule and order of building and landscaping works outlined in the Staging Plan.	The proposal is generally consistent with the schedule and order of building and landscaping works outlined the Staging Plan.
Surrender of Planning Consent(s)		
A24	Unless already lapsed, consent number DA-107/2017 must be surrendered prior to the determination of any future staged development application	Council has advised that no construction certificate has been issued for DA-107/2017 and that the consent has likely not been acted upon. The Applicant has confirmed that the consent for DA-107/2017 has lapsed and is no longer valid.
PART B – CONDITIONS TO BE SATISFIED IN FUTURE DEVELOPMENT APPLICATIONS		
Stormwater		

No.	Condition	Assessment
B9	The first development application associated with the concept proposal must include a detailed whole of site stormwater design and stormwater management plan (SMP) prepared by a suitably qualified professional. The whole of site stormwater design and SMP must: (a) include any necessary management and mitigation measures to address any adverse stormwater impacts (b) take account of any recommendations from the FIA.	The Stage 1 proposal included a detailed whole of site stormwater design that included necessary management and mitigation measures to address any adverse stormwater impacts. The site is considered suitable for Stage 3, subject to conditions of consent.
B10	Each subsequent development application following the first development application associated with the Concept Approval must include detailed stormwater design consistent with the whole of site stormwater design and any approved SMP.	A Stormwater Plan has been provided as part of the proposal.
Servicing requirements		
B11	Future development application(s) must provide a detailed analysis of the servicing requirements for the residential and non-residential floorspace to ensure adequate servicing provision for the development.	The proposal includes a detailed analysis of the existing services and future service requirements for the proposal. A Siteworks Infrastructure Report has been prepared which addresses electrical, communications, sewer, potable water and gas infrastructure required for future development at the site. Recommended conditions of consent are provided to ensure appropriate utility and service connections are made.
Utilities		
B12	Future development application(s) must include a Utility Services Infrastructure Assessment which addresses the existing capacity and any augmentation requirements of the development for the provision of utilities, including staging of infrastructure. The Utility Services	The Siteworks Infrastructure Report includes an assessment of utilities and services infrastructure. The application has been reviewed by Ausgrid, and recommended conditions of consent have been provided.

No.	Condition	Assessment
	Infrastructure Assessment must be prepared in consultation with relevant agencies and service providers.	
B13	Any augmentation / provision of utilities shall also consider impacts on existing and proposed trees and landscaping.	The proposal has incorporated landscaping and services into the development.
B14	No substations shall be located within the 3,000m ² public open space as described in Condition A19.	The proposed substations are not located within the 3,000 m ² of space dedicated to publicly accessible open space.
Contamination		
B15	Future development application(s) associated with the concept proposal for demolition, excavation and/or detailed design of any new building must be accompanied by an updated/amended detailed Site Investigation Report (DSI), including an assessment of potential site contamination, prepared by a suitably qualified professional, and an updated/amended Remedial Action Plan (RAP) to demonstrate compliance with the requirements of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> , Chapter 4.	The Applicant has provided a PSI, DSI and RAP, noting that the site can be made suitable for the development. Compliance with Resilience and Hazards SEPP is outlined in Appendix C .
B16	Future development application(s) associated with the concept proposal must consider the import / export of soil relating to earthworks on-site in accordance with legislation and government guidance	The proposal considers the import / export of soil relating to earthworks and conditions of consent are recommended to ensure it is carried out in a suitable manner.
Groundwater/Dewatering		

No.	Condition	Assessment
B17	Future development application(s) associated with the concept proposal must consider groundwater impacts and address the following requirements: (c) finalise the basement design for impact assessment purposes where proposed (tanked or drained). (d) provide an assessment of predicted water take requirements including apportionment of water take by water sources at the site. (e) ensure sufficient water entitlement is held in a water access licence(s) to account for the maximum predicted take for each water source prior to take occurring unless an exemption applies. (f) include an assessment against the Aquifer Interference Policy (2012) including any necessary mitigation measures. (g) demonstrate that adequate arrangements will be in place to ensure that the minimal impacts occur in accordance with DPE Water's Groundwater SSD Guidelines and Dewatering Guidelines and Minimum Requirements for Dewatering in NSW; and (h) demonstrate that any necessary approvals have been obtained for the discharge of any water from the site.	Groundwater impacts have been considered, and conditions are recommended for the provision of a water access licence, including mitigation measures associated with Aquifer Interference Policy (2012). The proposal demonstrates that the development will have no or minimal effect on groundwater, offsite ecosystems, drainage lines, and watercourses. Recommended conditions of consent are provided to ensure groundwater and dewatering works are appropriately managed.

Appendix E – Consistency with Design Guide

An assessment of the proposal against the 30-46 Auburn Road, Regents Park Design Guide is provided in Table 18 below.

Table 18 | Consistency with the Regents Park Design Guide

Section	Consideration
Built Form Guidelines	
The proposal is consistent with the built form guidelines as detailed below.	
General Guidelines a) Building footprints are defined by the approved concept plan. b) Maintain an average 6 m setback to railway boundaries. c) Provide a 9 m setback to the northern boundary. d) Emphasise a consistent 5 storey datum line around all buildings where buildings front the central park. e) Utilise brick at ground level and for items such as low fences, letterboxes etc to create a consistent but variable style in the precinct. f) Provide average residential floor to floor of 3.1m and ground level commercial floor to floor of 3.5m.	The proposal is consistent with the building footprints defined by the Concept Approval. The 6 m setback to the railway boundaries is maintained. A 9 m setback is provided to the northern boundary as approved under Stage 2. The height of the development and street wall is consistent with the Concept Approval. Brick is utilised at ground level to create variable style. A residential floor to floor of 3.2 m is provided.
Buildings fronting Auburn Road Provide a 6 m setback to Auburn Road. An average of 50% of this setback is to be provided for deep soil landscaped area. a) Reinforce a strong street wall to Auburn Road that steps with the changing levels along the Auburn Road frontage.	The proposal has a 6 m setback to Auburn. The setback is used for the child care outdoor play area and deep soil. A strong street wall to Auburn Road that is considerate of the changing levels along Auburn Road has been provided. Articulation and materials have been chosen appropriately to reduce bulk and scale and divide the building into smaller elements.

Section	Consideration
b) Use face brick with punched openings to the street wall façade. Divide the building into smaller elements.	
Building Design – Articulation a) Ensure that the articulation, rhythm and palette of materials used in the design of new buildings supports the overall design concept of a ‘collection of buildings over time’, so that the perceived bulk of large buildings is minimised. b) Express entries and circulation spaces as separate elements running vertically up the building. c) Where possible all ground floor apartments should be two storeys with private entrances from adjacent streets or paths. d) The street wall datum line and floor levels should step with the fall in the street - use these steps to create articulation points. e) Each building stage to have its own character and expression influenced by orientation, context, address and scale. For example. North facing buildings - horizontal expression with balconies; Auburn Road - reinforce street wall and face brick context of neighbourhood, Towers - emphasis corner/structural grid/vertical expression. Ensure that the articulation, rhythm and palette of materials used supports the overall design concept of a ‘collection of buildings over time’. f) Arrange building façades to identify individual dwellings or groups of dwellings to break down perceived bulk of long buildings. g) Avoid large areas of repetitive elements. Buildings more than 40m long must be	Articulation and materials have been chosen to support the concept of a collection of buildings over time and to reduce bulk of larger building components. Entries and circulation spaces are expressed as separate elements running vertically. All ground floor apartments are two storeys. Where possible, private entrances from the street and public pathway are provided. The development is considerate to the fall of the land. The development reinforces the street wall and face brick context of neighbourhood. Building façades have been arranged to identify individual dwellings or groups of dwellings to break down perceived bulk of Building C. Building C has been designed with distinct elements including recessed form, varied materials, changes in height and architectural composition that reduce bulk and scale, improve aesthetics and enhance the streetscape.

Section	Consideration
designed as at least distinct 'building components. The components can be distinguished by a combination of any of the following: - recesses in plan (generally minimum 3m x 3m - changes in material between the different components - changes in architectural composition - changes in height so that not all parts of the building are the same height. h) No part more than 40m long without a 3 x 3 recess that extends up the full height of the building	
Rooftops a) Provide a series of rooftop communal open spaces for the gathering of residents within buildings. b) Roof tops can be used for private terraces when connected with apartments. c) Taller buildings should maximise location and provide space for solar panels and locate plant equipment to reduce reliance on energy network. d) Incorporate green roofs where appropriate or rooftop gardens, to reduce the temperature of roof surfaces and the surrounding micro-climate	Building C proposes communal open space for residents to gather at level 8. Private terraces and balconies have been provided. Solar panels and plant equipment are located on both rooftops. The communal open space is designed to be landscaped, where appropriate.
Ground Level Interface a) Buildings must address all streets and pedestrian links to ensure passive surveillance of the public domain. b) Primary building entries should address the street and/or be clearly visible from the public domain	Building C fronts approved Road EW2 separated by a footpath. Balconies are designed to allow for passive surveillance of the public domain. All entrances are clearly visible from the public domain. Ground floor apartments have a primary entry from the adjacent road or path.

Section	Consideration
c) All ground floor apartments should be provided with a primary entry from an adjacent road or path where external levels are appropriate.	The proposal will use high-quality façade design and finishes. Appropriate landscaping is provided at ground level to improve the aesthetic and create improved pedestrian links.
d) Ensure the use of high-quality façade design and finishes around the pedestrian links and where built form is viewed at the termination of a vista.	Ground level courtyards fronting the public open space have been provided. Planting is consistent with the Concept Approval.
e) Ground level courtyards fronting Public Open Spaces should be provided with planting and palisade fencing to separately define public and private space but maintain passive surveillance.	The communal open space is clearly defined and separate from the public domain. Fencing will be addressed through a condition of consent.
f) Communal open space should be clearly defined and separate from the public domain.	
g) Front boundary fences of ground floor apartments over 1m are to be open, permeable and balance privacy with views to any landscaped area	

Landscape and Open Space Guidelines

The proposal is consistent with the landscape and open space guidelines as detailed below.

Trees & Planting a) 50% Native or Endemic Planting. b) Street trees to all local roads. Select trees in keeping with the scale of the street or public space. c) New street trees should be planted to maximise and enhance tree canopy cover and provide opportunities for wildlife corridors. d) Use different types of street trees and vegetation to highlight the street hierarchy and key destinations such as public open spaces.	The proposal involves street tree planting along Auburn Road and shade trees through the pedestrian link. All proposed street trees are <i>Pittosporum undulatum</i> which are native. The proposal remains consistent with the Concept Approval. Once all stages are finalised, the site will have 25.4% canopy cover. The planting schedule provided in the Landscape Plans demonstrate different types of vegetation to highlight street hierarchy. The proposal does not involve landscaping the proposed building setbacks.
--	--

Section	Consideration
e) All setbacks to be landscaped. f) Adopt an early integrated approach when developing landscape plans, in the public and private domain. g) Minimum canopy cover is 25% of the site outside of building footprints	
Deep Soil Zones a) Deep soil zones should generally be provided in accordance with the Concept Development Application drawings. b) Building setbacks and public domain should maximise deep soil zones to accommodate large trees.	All deep soil zones are proposed in accordance with the Concept Approval drawings. Building setbacks will maximise deep soil zones to accommodate large trees.
Pedestrian Circulation a) Provide publicly accessible through-site connections for roadways, through the central open space and within the plaza b) Pedestrian path width - at least 1.5m c) Gradients of publicly accessible pedestrian paths to building entrances to meet AS1428.1. d) Provide private / time-controlled circulation around the western and southern edge of the site to ensure safety and security	The proposal facilitates the accessible through-site connections for roadways and through the central open space. Pedestrian paths are approved under Stage 1 with least 1.5m in width and with a gradient in accordance with AS1428.1.
Vehicle Entries, Parking & Loading a) Vehicle access should be separated and clearly distinguished from pedestrian access. b) Access to basement parking should be in combined and consolidated entries to minimise impacts on pedestrians.	Vehicle access is separated and clearly distinguished from pedestrian access. Access to basement parking will be addressed under future development applications that propose basement access. The TIA confirms that loading docks can accommodate heavy-rigid vehicles.

Section	Consideration
c) Resident car parking should be provided as basement car parking, with on street parking used for loading, drop off and visitor parking. d) Consolidate in central locations on the site to minimise visual impact. e) Ensure loading docks can accommodate vehicles for both garbage collection and removalists. f) Loading docks should be clearly delineated to ensure safe ongoing operation and manage conflicts with pedestrians. Doors to loading docks within the building should be closed when not in use. g) Loading dock and service openings should be minimised on the facade. Roller doors should only be used on the facade where there is a service vehicle entry. If loading from the street, doors to service rooms should be hinged opening inwards and have a height that matches other pedestrian entry doors on the facade. h) Service doors and roller doors should have a colour similar to the remainder of the facade and be visually recessive. i.e. not stainless steel and orange if the remainder of the doors on the facade are charcoal grey	Loading bays are to be clearly delineated to ensure safe and ongoing operation per a condition of consent. Loading bays and services shall have a minimal façade per a condition of consent.
Sustainability Guidelines a) Ensuring Water Sensitive Urban Design principles are applied throughout the site. b) Mitigation strategies of potential Urban Heat Island Effect. This should include but not be limited to extensive landscaped public domain with tree canopy cover, light coloured roofs, green roofs and solar PV.	Water sensitive urban design principles are applied throughout the site. The proposal proposes significant canopy cover and solar PV to reduce the urban heat island effect. The proposal includes a substation and solar panels to maximise on-site energy generation. The site is well-located, within 800 m of Regents Park Train Station and provides suitable bicycle spaces for residents. The development encourages

Section	Consideration
c) Maximise provisions for on-site energy generation where possible. d) Encourage walking, biking and using public transport throughout and between the precinct and adjacent areas through provision of pedestrian paths, streets safe for cyclists and bike stands at ground level and secure bike storage within the apartment buildings. e) Maximise natural ventilation and day lighting into residential buildings f) Ensure a public domain that encourages social interaction, pedestrian oriented, has activated street frontages, adaptable and comfortable and a sense of safety for all that inhabit. g) Solar access - provide solar access to the central publicly accessible area - 50% of this area to receive 3hrs solar access on 21 June between 9am and 3pm. h) Rainwater and stormwater for the site is to be collected, treated and reused using the principles of 'water sensitive urban design'. Stormwater treatment where appropriate can be incorporated into the landscaped design of the open space, incorporating the use of swales and other devices integrated into the landscape	pedestrian movement throughout the site through provision of the central publicly accessible open space. The proposal is consistent with the ADG amenity provisions (refer to Appendix C). The development will ensure a minimum of 50% of the public open space will receive three hours of solar access during the winter solstice. Stormwater retention forms part of development across the site, as approved under Stage 1.
Crime Prevention Through Environmental Design a) Provide clearly defined public spaces that are fit for the intended purpose b) Provide security to the communal spaces - in particular the area between the railway line and buildings to ensure safety and security	All landscape works will follow the guidelines outlined in The Design Partnership's CPTED Report. The proposal ensures public spaces are clearly defined and fit for the intended purpose. The proposal maximises passive surveillance of public and communal spaces and all entrances are visible from the street.

Section	Consideration
c) A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose. d) Maximise passive surveillance of public and communal areas to promote safety. e) Ensure building entrances are visible from the streets and lanes f) Ensure storage areas are designed to minimise areas of entrapment g) Provide security to basement car park for residents h) Ensure apartments overlook communal and public spaces	The recommendations of the CPTED Report are to be adopted per recommended conditions of consent. The storage areas, where possible, are designed to minimise areas of entrapment. Security measures for the basement are to be addressed through conditions of consent. Apartments overlook communal open space and encourage passive surveillance.

Appendix F – Recommended instrument of consent

<https://www.planningportal.nsw.gov.au/major-projects/projects/regents-park-fill-affordable-housing-stage-3>