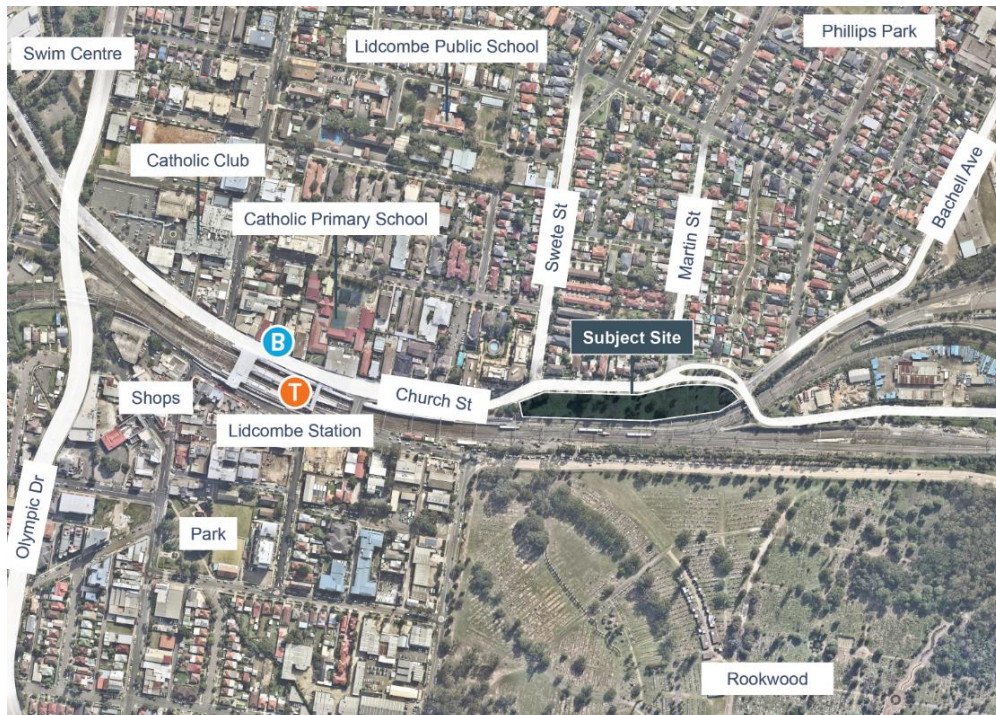




CUMBERLAND
CITY COUNCIL

PLANNING PROPOSAL

2-36 Church Street, Lidcombe



Proposal to facilitate development of the site for an integrated residential neighbourhood with a mix of social, affordable and private housing and a child care centre.

June 2020

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Supporting Documents

Cumberland Local Planning Panel report and advice
Cumberland Council report and resolution
Planning Proposal Request
Design Report
Heritage Impact Statement
Social Impact Statement
Traffic Impact Statement

Introduction

Cumberland City Council (Council) prepared this Planning Proposal in response to a request made by Urbis on behalf of Billbergia Pty Ltd (the Proponent) for land at 2-36 Church Street, Lidcombe (the site).

The site is owned by the NSW Land and Housing Corporation, who seeks to redevelop the site as part of the NSW Government's *Communities Plus Program*. The purpose of the Program is to fast-track the delivery of high quality integrated residential areas with a strong sense of place, close to transport, employment and community facilities.

Sydney Central City Planning Panel issued development consent for the site in December 2019. This approval was based on the current controls of the site, and involves construction of 262 apartments.

The purpose of this planning proposal is to provide for greater social, affordable and private housing and a child care centre on the site, through changes in the height and floor space ratio controls. The proposal will further reinforce Lidcombe as an urban centre with good access to public transport, community facilities and services.

The form and content of this Planning Proposal complies with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning and Environment's *A Guide to Preparing Planning Proposals* (2016).

Site location and context

The site is located at 2-36 Church Street, Lidcombe.

Lidcombe is located in the Central City District, 18km west of the Sydney CBD and 8km to the east of the Parramatta CBD (Figure 1). Lidcombe Railway Station is a major station in the Sydney Trains network, serviced by the T1 Western Line, the T2 Inner West & Leppington Line, the T3 Bankstown Line and the T7 Olympic Park line. There are also four bus stops located within a five- minute walk of the site, providing access to a range of local and cross-regional bus services.

The local context map at Figure 2 shows that the site is located in close proximity to Lidcombe Town Centre (400m), Lidcombe Train Station (350m) and John Street retail area (300m). There is a light industrial area to the east of the site and Rookwood Cemetery to the south.

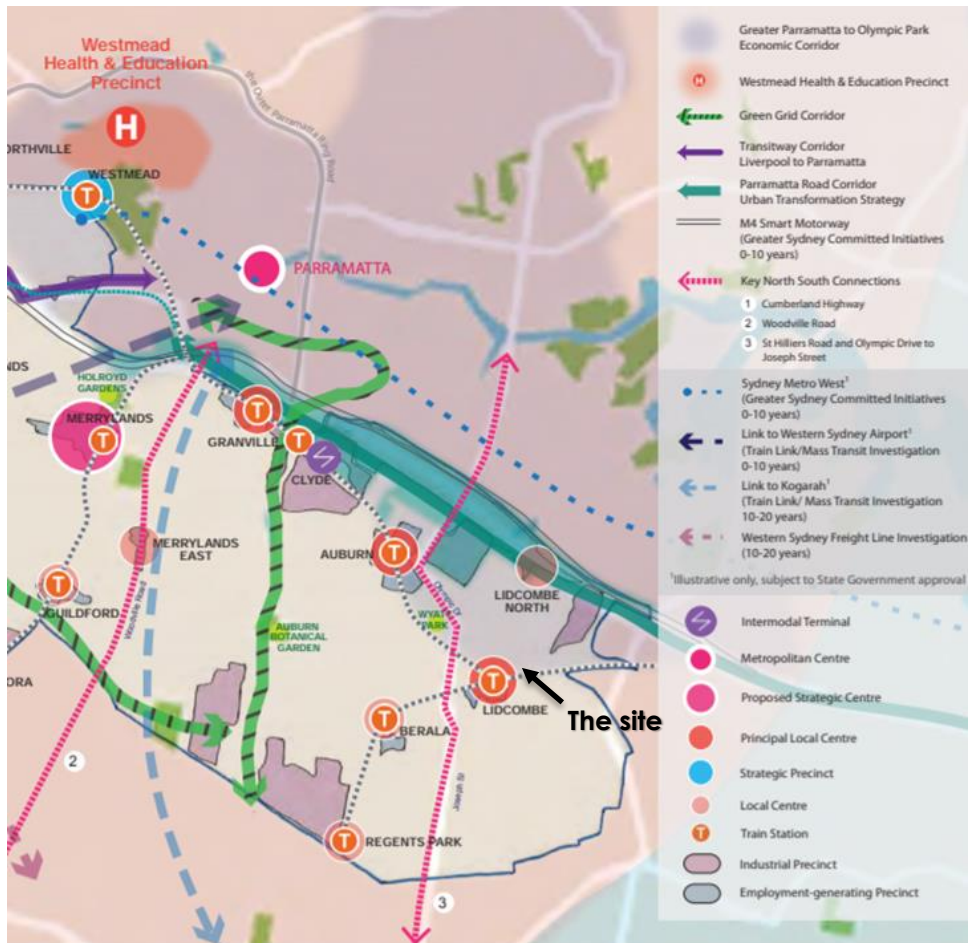


Figure 1: Regional Context Map



Figure 2: Local context map

Site description

The site comprises 18 lots (lots 1-18 in DP 217589) with a total area of 10,132.7sqm. The site is irregular in shape, with a 307 metre frontage to Church Street, 297 metre rear boundary adjoining a railway corridor, and 20 metre western boundary. The site is currently vacant and unoccupied.



Figure 3 – The Site

Surrounding development

The surrounding locality is characterised as follows:

- **North** – Church Street, with one and two storey low and medium density residential developments beyond, with the exception of development opposite 2 Church Street, Lidcombe, being 81 Church Street, Lidcombe, which is maintained to an 8 storey residential flat building.
- **East** – Church Street, with the railway corridor and industrial development beyond.
- **South** – Railway corridor, with Railway Street and Rookwood Cemetery beyond.
- **West** – Railway land, with Church Street beyond, and residential flat buildings of 8 and 6 storeys beyond located at 81 Church Street, Lidcombe.

Existing planning controls

The site is subject to planning controls contained in *Auburn Local Environmental Plan 2010* (Auburn LEP 2010).

The following key controls apply to the site.

Land Zone

The site is zoned R4 High Density Residential.

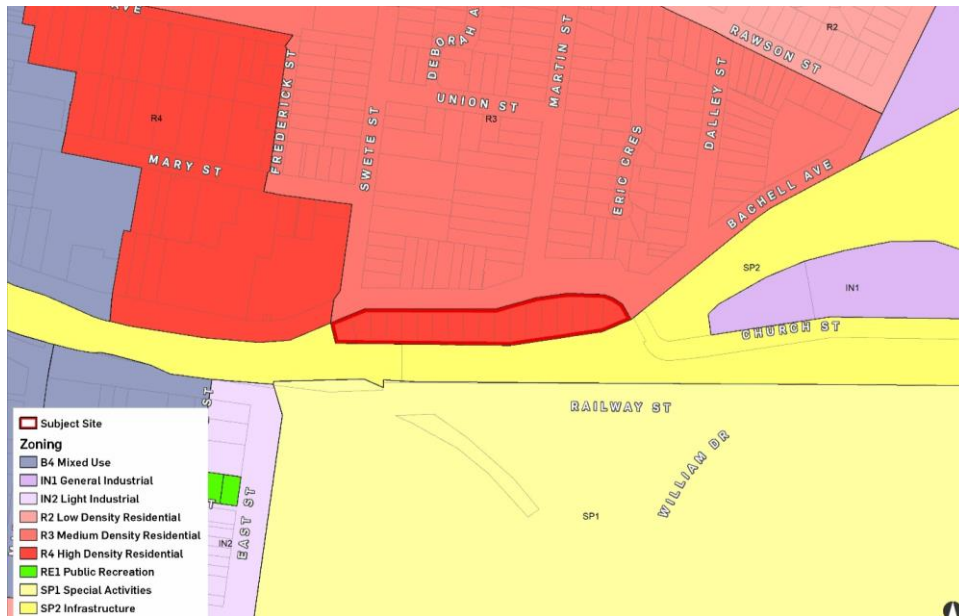


Figure 4 – Existing Land Zone (LZN_007)

Height of Building:

There are currently four different Height of Building Controls applied to the site, from east to west: 27m, 22.9m, 16.9m and 14.9m



Figure 5 – Existing Height of Building (HOB_007)

Floor Space Ratio:

There are currently four different Floor Space Ratio controls applied to the site, from east to west: 2.6:1, 2.49:1, 1.49:1 and 1.29:1 (Figure 6)

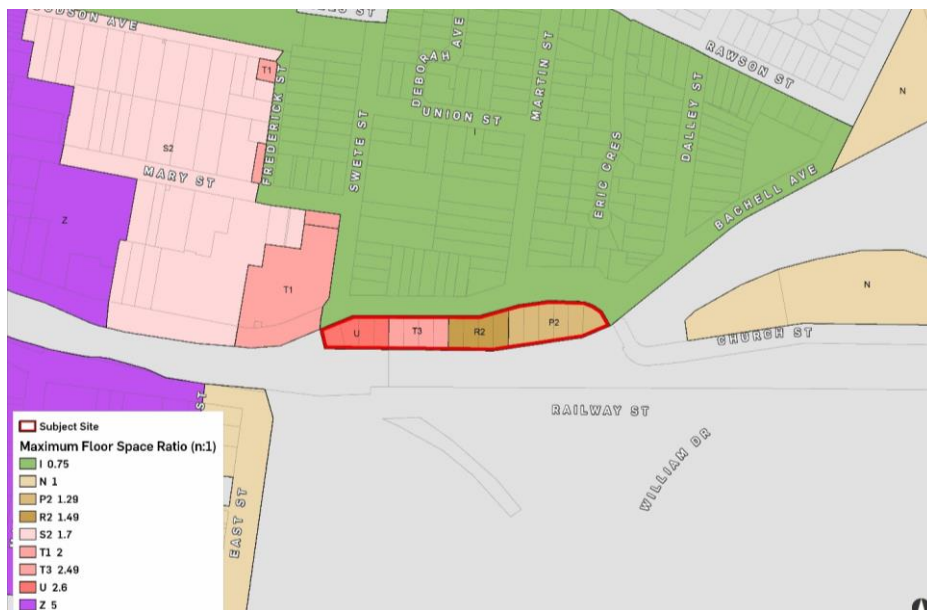


Figure 6 – Existing Floor Space Ratio (FSR_007)

Heritage

The site does not contain a heritage item and is not part of a heritage conservation area. An AHIMS search undertaken on 9 April 2019 by Urbis shows no known Aboriginal sites or places on the site. The site is, however, located next to the following heritage items:

- Archaeological Site No. A56 'Lidcombe Signal Box' a locally significant item on Railway Street, between Mark and East Streets (south side of railway lines).
- Rookwood Cemetery to the south of the site is identified as Archaeological Site No. A00718. This is a State listed item.

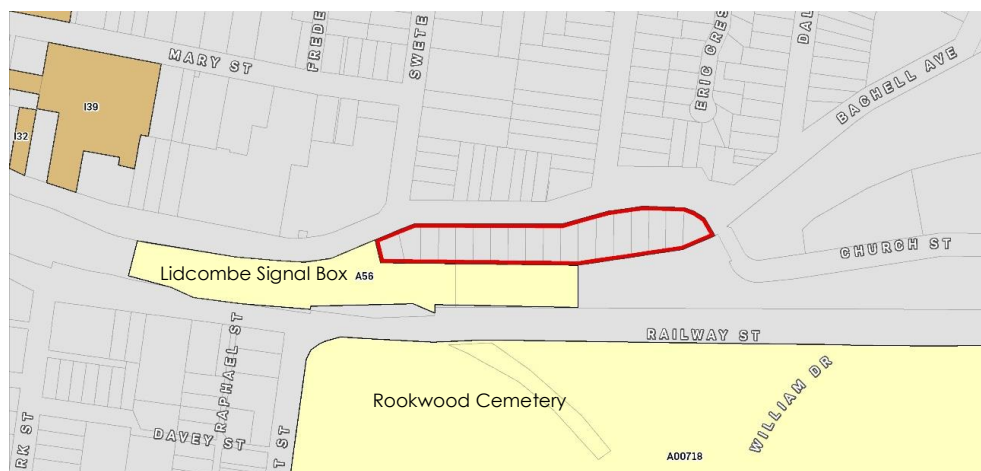


Figure 7: Location of nearby heritage items

Part 1: Objective and intended outcome

In December 2019, the Sydney Central City Planning Panel approved a development application (DA94/2019) for construction of 4 residential apartment buildings on the site, ranging in height from 4 to 10 storeys, with a total of 262 apartments (including 53 social housing apartments), basement parking for 335 vehicles and construction of a roundabout at the Martin Street and Church Street intersection.

The purpose of this planning proposal is to provide for greater social, affordable and private housing and a child care centre on the site, through changes in the height and floor space ratio controls. The proposal will further reinforce Lidcombe as an urban centre with good access to public transport, community facilities and services.

The intended outcome is a new integrated residential neighbourhood with approximately 384 apartments, with a mix of social, affordable and private housing and a child care centre.

Part 2 - Explanation of Provisions

In order to achieve the objective and intended outcome, the Planning Proposal seeks to amend Height of Building and Floor Space Ratio mapping in *Auburn Local Environmental Plan 2010* as follows:

Table 1: Proposed changes to planning controls		
Planning control	Existing	Proposed
Height of building	14.9m	22m
	16.9m	32m
	22.9m	40m
	27m	40m
Floor space ratio	1.29:1	3.2:1
	1.49:1	
	2.49:1	
	2.6:1	

See Part 4 of this Planning Proposal for thumbnail images of proposed mapping.

Part 3 – Justification

Section A – Need for the Proposal

Q1. Is the Planning Proposal a result of any strategic study or report?

No, Council prepared the Planning Proposal in response to a request by the Proponent. The proposal is considered to have both strategic and site-specific merit and is supported by the Cumberland Local Planning Panel and Council.

Advice from Cumberland Local Planning Panel

On 8 April 2020, Council Officers reported the Proponent's Planning Proposal and preliminary public feedback to the Cumberland Local Planning Panel (the Panel) with a recommendation that the proposal be supported, subject to reduced Height of Building and Floor Space Ratio controls (LPP015/20).

The Panel provided the following advice:

- 1. [The proposal] has strategic merit and site specific merit. The availability of this large, centrally located vacant site in public ownership is unique and provides an opportunity for social and affordable housing.*
- 2. The Panel generally supports the recommendation made by the Council Officers of an amended Planning Proposal with reduced heights and FSR over the controls proposed by the proponent's Planning Proposal subject to what appears below.*
- 3. The Panel is not persuaded by the urban design justification for the height and density proposed in the Planning Proposal by the proponent and considers that it is inconsistent to the controls proposed for the adjacent Lidcombe Town Centre Strategy.*
- 4. The Panel is concerned at the overshadowing of some of the graves in the adjacent Rookwood Cemetery and Necropolis in mid-winter bearing in mind that the cemetery is a heritage site of State Significance and the advice of the NSW Heritage Office has not at this stage been obtained.*
- 5. Notwithstanding the above, the proponent of the Planning Proposal argues that there will be significant social benefit in the additional heights and floor space providing much needed social and affordable housing. The Panel generally accepts this submission of the proponent.*
- 6. On the advice of the proponent before the Panel the difference between the proponents' Planning Proposal and the amended Planning Proposal of the Council Officers is estimated to be a loss*

of 15 to 18 social housing units and approximately 27 to 30 affordable housing units.

- 7. The Panel advises Council to weigh these social benefits arguments against the concerns for overshadowing of Rookwood graves and the inconsistency with the Lidcombe Town Centre Strategy.*

Council resolution to proceed to Gateway

At its ordinary meeting of 20 May 2020, Council considered a report on the Proponent's Planning Proposal, along with the Panel's advice and preliminary public feedback (C05/20-441).

Council resolved to prepare an amended planning proposal seeking a maximum Height of Building control of 40 metres and a maximum Floor Space Ratio control of 3.2:1, and proceed to Gateway.

Q2. Is the Planning Proposal the best means of achieving the objectives and outcomes, or is there a better way?

Yes, the Planning Proposal is considered the best means of achieving the objectives and outcomes. The scale and density of development sought by the Proponent cannot be achieved under the existing Height of Building and Floor Space Ratio controls for the site or via a Clause 4.6 variation. It is not considered appropriate to increase the height or floor space ratio controls for surrounding lands.

Section B – Relationship to strategic planning framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan

The Greater Sydney Region Plan outlines a vision for Sydney to 2056 as a global metropolis of three cities – Western Parkland City, Central River City and Eastern Harbour City.

Lidcombe is part of the Central River City and identified as a Local Centre with strategic importance in meeting the needs of the wider metropolitan region.

The proposal is consistent with the following planning objectives of the Greater Sydney Region Plan.

Table 2: Consistency with Greater Sydney Region Plan

Direction/Objective	Consistency
Objective 10: Greater housing supply	The proposal provides a greater amount of housing supply than would be possible if there were no change to the height and floor space ratio control. It is estimated that the site would be able to accommodate an additional 122 apartments under the proposed controls.
Objective 11: Housing is more diverse and affordable	the proposal aims to deliver a range of housing types, sizes and tenures, increasing housing diversity and affordability
Objective 14: Integrated land use and transport creates walkable and 30-minute cities	The proposal provide additional housing within walking distance of Lidcombe station. The level of service offered by Lidcombe Station is greater than other centres, and provide a greater level of opportunity for the future residents to access jobs and services.

Central City District Plan

The Central City District Plan sets out the aspirations and priorities for livability, productivity and sustainability within the Central City District, which includes Lidcombe town centre. Significant population growth is anticipated over the next 20 years and this is expected to transform many parts of the District from a suburban to an urban environment.

The proposal is generally consistent with the following Planning Priorities of the Central City District Plan:

Table 3: Consistency with Central City District Plan

Theme	Priority	Consistency
Livability	<i>Planning Priority C5. Providing housing supply, choice and affordability, with access to jobs and services</i>	The proposal seeks to deliver additional housing in close proximity to established services and public transport

Table 3: Consistency with Central City District Plan

	<i>Planning Priority C6. Creating and renewing great places and local centres, and respecting the District's heritage.</i>	<p>The proposal for a new residential apartment development within 400m of Lidcombe train station and the town centre will encourage users of the site to utilise public transport and to walk.</p> <p>The proposal is located far enough away from identified local heritage items and is therefore unlikely to have an impact on them.</p>
Productivity	<i>Planning Priority C9. Delivering integrated land use and transport planning and a 30-minute city</i>	The proposal will facilitate the provision of additional housing in close proximity to the Lidcombe train station and associated railway lines, providing more people with 30 minute access to their nearest Metropolitan centre

Q4. Will the planning proposal give effect to Cumberland City Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Cumberland 2030: Our Strategic Planning Statement

Cumberland 2030 is aligned with the Greater Sydney Region Plan and Central City District Plan, providing a strategic, coordinated approach to effectively manage growth and development in the local area.

The proposal is considered to be consistent with the following Planning Priorities of *Cumberland 2030: Our Local Strategic Planning Statement*.

Table 4: Consistency with Cumberland 2030: Our Strategic Planning Statement

Priority	Consistency
Planning Priority 5. Delivering housing diversity to suit changing needs	The proposal will deliver a variety of apartment types including social and affordable housing apartments.
Planning Priority 6. Delivering affordable housing suitable for the needs of all people at various stages of their lives	The proposal will deliver affordable and social housing
Planning Priority 11. Promoting access to local jobs, education opportunities and care services:	The proposal will deliver additional housing opportunities close to the employment and education facilities that are located in close proximity to the Lidcombe Town Centre and adjoining employment areas.

Cumberland Community Strategic Plan 2017-2027

This plan was developed by Cumberland City Council in close consultation with the Cumberland community. It identifies the community's vision for the future, the strategies in place to achieve it, and how progress towards or away from the vision will be measured. The plan identifies six strategic goals and a number of accompanying outcomes, activities and measures.

The Proposal is considered to be a broadly consistent with the plan as outlined below:

Table 5 – Consistency with Cumberland Community Strategic Plan 2017-2027

Strategic Goal	Outcome	Consistency
A great place to live	We live healthy and active lifestyles	The Planning Proposal promotes and fosters healthy, active, creative, culturally rich and socially connected communities due to the proposed mixed of affordable, social and private housing, and the sites location

Table 5 – Consistency with Cumberland Community Strategic Plan 2017-2027

		on the fringe of the Lidcombe town centre that will promote walkable communities.
A safe, accessible community	We feel safe in all areas of Cumberland at all times	The Planning Proposal facilitates new development that incorporates the principles of CPTED.
	We have equal access to local services and facilities	The subject site is located in an area where residents can either walk or take public transport to local services and facilities, including those to Lidcombe and Auburn town centres.
A strong local economy	We have access to jobs locally and in our region	The Planning Proposal places additional affordable, social and private housing in close proximity to job opportunities.
	We have access to great local education and care services	The Planning Proposal places additional housing in close proximity to a range of education and community facilities.
A resilient built economy	Our planning decisions and controls ensure the community benefits from development	The Planning Proposal seeks to facilitate the desired redevelopment through the appropriate planning pathway and seeks to align with the strategic vision for the area.
	We have a range of transport options that connect our town centres and to wider Sydney	The proposal provide additional housing within walking distance of Lidcombe station. The level of service offered by Lidcombe Station is greater than other centres, and provides a greater level of opportunity for the future residents to access jobs and services.
Transparent and accountable leadership	Decision making is transparent, accountable and based on	Should a Gateway Determination be issued to proceed, the Planning Proposal will be publicly

Table 5 – Consistency with Cumberland Community Strategic Plan 2017-2027

	community engagement	exhibited in accordance with statutory requirements.
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Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes, the proposal's consistency with applicable SEPPs is outlined below.

Table 6: Consistency with applicable SEPPs

SEPP	Comment
Draft SEPP (Environment)	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder application of the SEPP in relation to the Sydney Harbour catchment.
SEPP (Infrastructure) 2007	The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by (amongst other things) identifying matters to be considered in the assessment of development adjacent to particular types of development. The proposed development is identified as traffic generating development to be referred to the Roads and Maritime Services [now Transport for NSW] in accordance with Schedule 3 of the SEPP. The Traffic Impact Assessment concludes that the road network has sufficient capacity for anticipated traffic levels.
SEPP (Building Sustainability Index: BASIX) 2004	BASIX requirements will be complied with and will be addressed in a subsequent DA for the proposed development.
SEPP No. 55 Remediation of Land	Clause 6 of SEPP 55 requires that in the event of a change of land use, the planning authority must consider whether the land is contaminated, if the land can be suitably remediated for the proposed use and that the authority is satisfied that this remediation is sufficient for the proposed uses on the land. The residential land use of the site will not change as a result of the planning proposal. Future development applications will be subject to SEPP 55.
SEPP No. 65 Design Quality of	The future DA for the proposed development will need to consider SEPP65 requirements.

Table 6: Consistency with applicable SEPPs

Residential Apartment Development	
SEPP No. 70 Affordable Housing (Revised Schemes)	SEPP70 recognises that there is a need for affordable housing within each area of the State. The future DA for the proposed development will consider the SEPP70 affordable housing requirements.

Q6. Is the planning proposal consistent with applicable Ministerial Directions under 9.1 of the Act?

Yes, the planning proposal's consistency with applicable Ministerial Directions under Section 9.1 of the *Environmental Planning and Assessment Act 1979* is discussed below.

Table 7: Consistency with relevant Ministerial Directions

Direction	Comment
2.3 Heritage Conservation	<p>Schedule 5 of the Auburn LEP identifies that the site adjoins Archaeological Site No. A56 'Lidcombe Signal Box' a locally significant item on Railway Street, between Mark and East Streets (south side of railway lines). Rookwood Cemetery to the south of the site is identified as Archaeological Site No. A00718. This is a State listed item. The proposal is not expected to have impacts upon these items.</p> <p>An AHIMS search undertaken on 9 April 2019 by Urbis shows no known Aboriginal sites or places on the site.</p>
1. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	The proposal is consistent with the objectives of this direction as it seeks to provide a variety and choice of housing types, while making efficient use of existing infrastructure and services. It is located where there is good existing access to infrastructure and services. The proposal will minimise impacts on the environment and resource lands.

Table 7: Consistency with relevant Ministerial Directions

3.4 Integrating Land Use and Transport	The proposal is consistent with the direction. The subject site is located close to the Lidcombe Town Centre and is within walking distance of the Lidcombe train station. The increased density on the site will support the patronage of the station and accords with the key direction from the State Government, which seeks to co-locate increased densities within the wider catchment of public transport nodes.
2. Regional Planning	
5.10 Implementation of Regional Plans	The proposal is consistent with the Greater Sydney Region Plan, as outlined in the response to question 3 above.

Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No, the site is not known to contain critical habitats, threatened species or ecological communities, therefore the likelihood of any significant adverse impacts are minimal.

Q8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Built form

- The range in building heights encourage a stepped form from west to east away from the Lidcombe town centre, consistent with the approach to current planning controls on the site and the Lidcombe town centre Planning Controls Strategy. Building heights in the Lidcombe town centre on the northern side of the railway line will graduate east to west from 29 metres, 36 metres, 38 metre, 55 metres to 60 metres. On the southern side of the railway line, the building heights will graduate east to west from 45 metres, 55 metres to 60 metres
- The proposed Height of Building and Floor Space Ratio controls will result in a built form that minimises interface impacts on adjoining residential properties.

Traffic and Parking Impacts

- The Traffic Impact Assessment confirms that any potential negative traffic impacts arising from the proposed development can be appropriately managed.
- There are likely to be a number of beneficial impacts resulting from the proposed altered traffic arrangements due to the provision of access driveway directly connecting with Church Street to the east of Swete Street, whereby turning movements will be restricted to left in/ left out by virtue of a central median.
- The proposal will also create a fourth southern approach to the existing junction of Church Street and Martin Street and the modification of the intersection control to operate under traffic signal control, further benefitting the locality.

Heritage

- The subject site is not a listed heritage item under the Auburn LEP 2010, nor is it located within a heritage conservation area. There are no known archaeological items on the site.
- The Heritage Impact Statement confirms that the proposal is unlikely to result in any adverse impacts on nearby heritage items (Lidcombe Signal Box and Rookwood Cemetery).

Q9. Has the planning proposal adequately addressed any social and economic effects?

- The proposal will provide a mixed tenure residential development consisting of private, affordable and social housing, contributing to an increase in housing supply for different market segments
- It will increase the number of people living close to existing services facilities and infrastructure, including public transport
- Redevelopment of the currently vacant and unoccupied site will help to activate the site for a mix of residential and community uses provide opportunities for passive surveillance.
- There will be a temporary increase in employment opportunities as a result of construction jobs.

Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the Planning Proposal?

- Yes. The site is served by existing utility services and is located to allow incoming residents and workers to capitalise on the wide range of infrastructure and services existing and planned within the area.
- It will reinforce existing investment in public transport infrastructure, through increased patronage of the existing Lidcombe train station.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The views of relevant State and Commonwealth public authorities will be sought post-Gateway.

Part 4 – Mapping

Proposed mapping is shown in Figure 8 and Figure 9 below.



Figure 8: Proposed Height of Building (HOB_007)

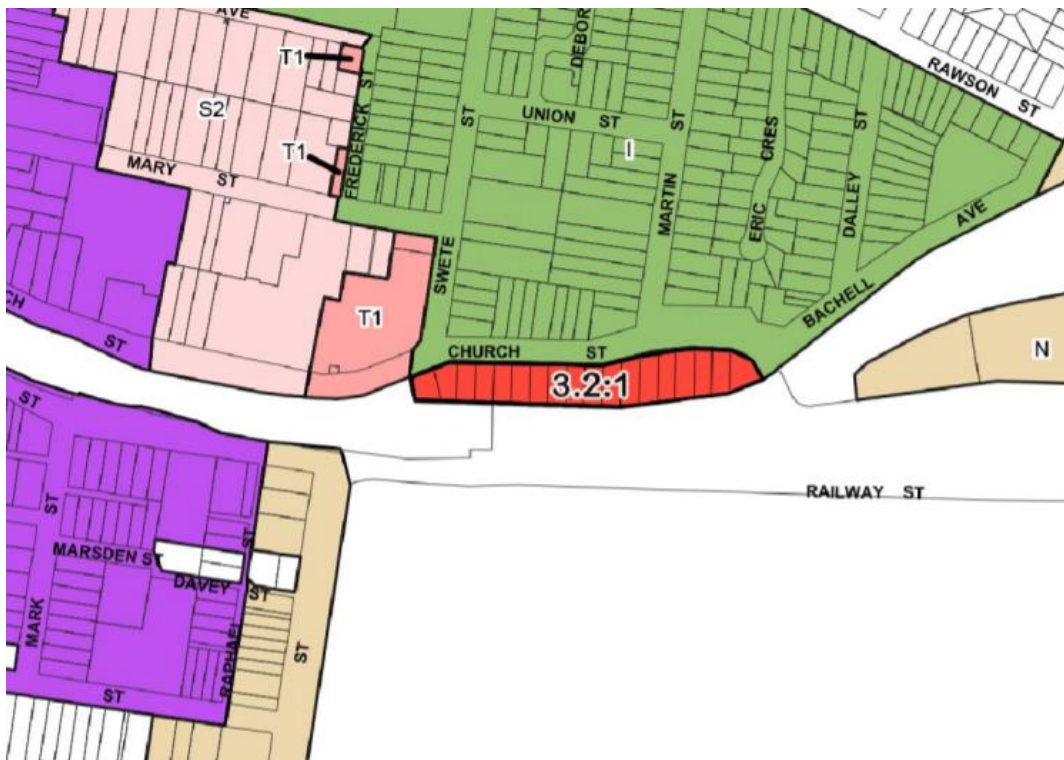


Figure 9: Proposed Floor Space Ratio (FSR_007)

Part 5 – Community Consultation

Community consultation would take place following a Gateway determination, in accordance with Section 3.34 and Clause 4 of Schedule 1 of the EP&A Act. It is anticipated that public exhibition would include:

- Notification on the Cumberland Council website
- Advertisement in local newspapers that are circulated within the local government area
- Notification in writing to adjoining landowners and neighbours, and any other relevant stakeholders, and
- A four-week exhibition period.

Part 6 – Project Timeline

An anticipated project timeline is set out below.

Milestone	Anticipated date/s
Commencement date (Gateway determination)	October 2020
Completion of any further technical information	November 2020
Government agency consultation	December/January 2020
Statutory exhibition period	December/January 2020
Public hearing (if required)	N/A
Consideration of submissions	February 2021
Submit to Department for finalisation	May 2021