



PLANNING PROPOSAL

**2 Railway Street and 3-7 East Street
Lidcombe**

August 2018

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1 Introduction

1.1 Overview

This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and relevant guidelines produced by the Department of Planning and Environment.

The purpose of the Planning Proposal is to seek an amendment to the Auburn Local Environmental Plan 2010 (Auburn LEP 2010) to for the property at 2 Railway Street and 3-7 East Street Lidcombe (subject site) being to:

- Rezone part of the subject site from IN2 Light Industrial to B4 Mixed Use, and to retain the existing zoning of RE1 Public Recreation over part of the subject site.
- To impose a maximum height of buildings control of 32m, resulting in a building of approximately 10 storeys (note: the site currently does not have a maximum height of buildings controls).
- To increase the Floor Space Ratio (FSR) from 1.0:1 to 3.5:1
- To identify land at the corner of East and Railway Streets for potential future acquisition by Council to support a future upgrade at the associated road intersection.

The amended planning controls seek is to enable the future redevelopment of the property for a mixed use development comprising ground floor commercial and residential development (approximately 115 dwellings (units)) above. No specific types of retail or commercial businesses have been nominated at this time; however a supermarket on this site has been stated as excluded from consideration under the Planning Proposal process.

1.2 Background

The subject site is located just outside the area of the Lidcombe Town Centre (B4 zone). The subject site is located at 2 Railway and 3-7 Railway Street Lidcombe, having frontages to these streets, as well as to Raphael Street and Davey Street (part). It is located approximately 280m from the Lidcombe Railway Station. The subject site is currently zoned for, and supports a range of, light industrial uses. The current occupants of the site include a memorial / stone mason business and manufacturing business with associated carpark. The Rookwood Cemetery State Heritage item is located to the east.

The Planning Proposal Request for the subject site was lodged by the landowner with Council in September 2016. This Planning Proposal Request was placed on preliminary public exhibition in October 2016. This Planning Proposal request sought to change the zoning from IN2 Light Industrial to B4 Mixed Use, to implement a maximum building height of 32m and to increase the FSR from 1.0:1 to 5.0:1 over the majority of the site (excluding the RE1 Public Recreation zoned portion of the site).

The Planning Proposal Request was initially considered by the (then) Cumberland Independent Hearing and Assessment Panel (Cumberland IHAP) on 20 December 2016 and

subsequently Council on 1 February 2017. Council resolved, following the IHAP recommendations, to defer consideration of the matter and sought further information from the proponent. This further information consisted of a revised traffic assessment, an economic impact assessment, an overshadowing study with a focus on the shadow impacts to the Park to the immediate south and a concept design containing a bicycle path within the setback area along East Street. Some of this requested information was subsequently provided by the proponent. It should be noted that in the merit assessment for the Planning Proposal Request, as detailed in the report to the Cumberland IHAP, that the officer recommendation was for a reduced FSR of 3:5:1. This recommended reduction was based upon testing of built forms on the site, incorporating required development standards such as building setbacks and separation distances, and was also able to indicate the extent of shadowing over adjacent properties including the existing and future park.

The Planning Proposal Request with the additional supporting documentation, and a revised letter responding to the concept diagrams with an FSR at 4:1 (although seeking an FSR of 5:1), was subsequently considered by the Cumberland Independent Hearing and Assessment Panel (Cumberland IHAP) on 10 May 2017 and subsequently Council on 7 June 2017. Councils resolved, following the IHAP recommendation, to require that the proponent submit an economic impact assessment (noting that the assessment previously requested was not provided), a further overshadowing study, and a traffic management plan for the East / Railway Streets intersection. It was also resolved that in a subsequent Planning Proposal the maximum building height of 32m and the maximum FSR of 3.5:1 were planning controls. The intent of the reduced FSR (from the originally sought 5:1 of the proponent/landowner) while not amending the maximum building height is to provide a transition of buildings towards the eastern edge of the town centre towards the Rookwood Cemetery and to mitigate the potential environmental impacts, including overshadowing, as well as to improve building appearance and reduce building bulk through the built form.

The additional and revised documents (studies) were received by Council in January 2018 and were assessed internally. It is considered that this additional documentation is sufficient and, having met the Council requirements, this Planning Proposal has been prepared.

The Planning Proposal Request (at pages 21-22) also noted the potential for a voluntary planning agreement to be made between the land owner and Council with regard to the RE1 Public Recreation zoned land which forms part of the subject site. This is being progressed.

1.3 Land to which this Planning Proposal applies

The subject site has the street address of 2 Railway Street and 3-7 East Street Lidcombe. It is bound by Railway Street to the north, East Street to the east, Davey Street and the Jewish Reserve open space to the south, and Raphael Street to the west (refer Figure 1). The subject site comprises the following lots:

Lot and DP	Street address
Lot 4 DP373141	2 Railway Street
Lot 3 DP373141	3 East Street
Lot 2 DP373141	5-7 East Street

The subject site is currently occupied by a memorials / stone mason business, which has synergies with the nearby cemetery, and Automation Feeding Devices Pty Ltd, which produces manufactured products, with an associated car park (as advised in the Planning Proposal Request).



Figure 1: Locality map of subject site (2 Railway Street & 3-7 East Street Lidcombe)

The subject site is located about 280m (closest point) to the south-east of the Lidcombe Railway Station. Bus stops are also located in the vicinity of the railway station.

Land uses of the immediate surrounding area are:

- North: Railway Street and the T1 Western Line and T2 Leppington suburban railway line, and the Lidcombe Railway Station (about 280m to the north-east).
- East: Rookwood Cemetery.
- South: the Jewish Reserve public open space, Davey Street and industrial units.
- South-west: Residential dwellings. This area consists of a mix of low and high density residential buildings.
- West: Light industrial uses. To note that this area was rezoned to B4 Mixed Use in 2014. A Planning Proposal Request to amend the height and FSR controls has been received for the property of 4-12 Railway Street and is under assessment.

1.4 Current Planning Controls

Auburn Local Environmental Plan 2010

a. Summary

current planning controls applicable the subject site, to which changes are sought under this Planning Proposal, are provided below. Detailed consideration of each control, and those applicable planning controls for which changes are not sought, are provided in the following subsections.

Table 1: Existing Planning Controls for 2 Railway and 3-7 East Street Lidcombe

Zoning	IN2 Light Industrial RE1 Public Recreation
Maximum Building Height	No height allocated
Floor Space Ratio (FSR)	1.0 :1

b. Zoning

Two (2) land use zones currently apply to the site as follows (refer Figure 2):

- IN2 Light Industrial. this zoning applies to the majority of the site, being 2 Railway Street, 3 East Street, and part 5-7 East Street; and,
- RE1 Public Recreation. This zoning applies to the southern portion of the site within 5-7 East Street (fronting Davey and East Streets). This land is zoned to provide for a future area of open space – as an extension of the existing adjacent park (Jewish Reserve). This lot was rezoned from IN2 Light Industrial to RE1 Public Recreation under the Marsden Street Precinct Planning Proposal and subsequent amendment to the Auburn LEP made in 2014. This land is currently used for a carpark.

The objectives of the IN2 zone include the following:

- *to provide for a wide range of light industrial , warehouse and related land uses*
- *to encourage employment opportunities and to support the viability of centers*
- *to minimise any adverse effect of industry on other land uses*
- *to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area*
- *to support and protect industrial land for industrial uses.*

The objectives to the RE1 Public Recreation zone include the following:

- *to enable land to be used for public open space or recreational purposes*
- *to provide a range of recreational settings and activities and compatible land uses.*

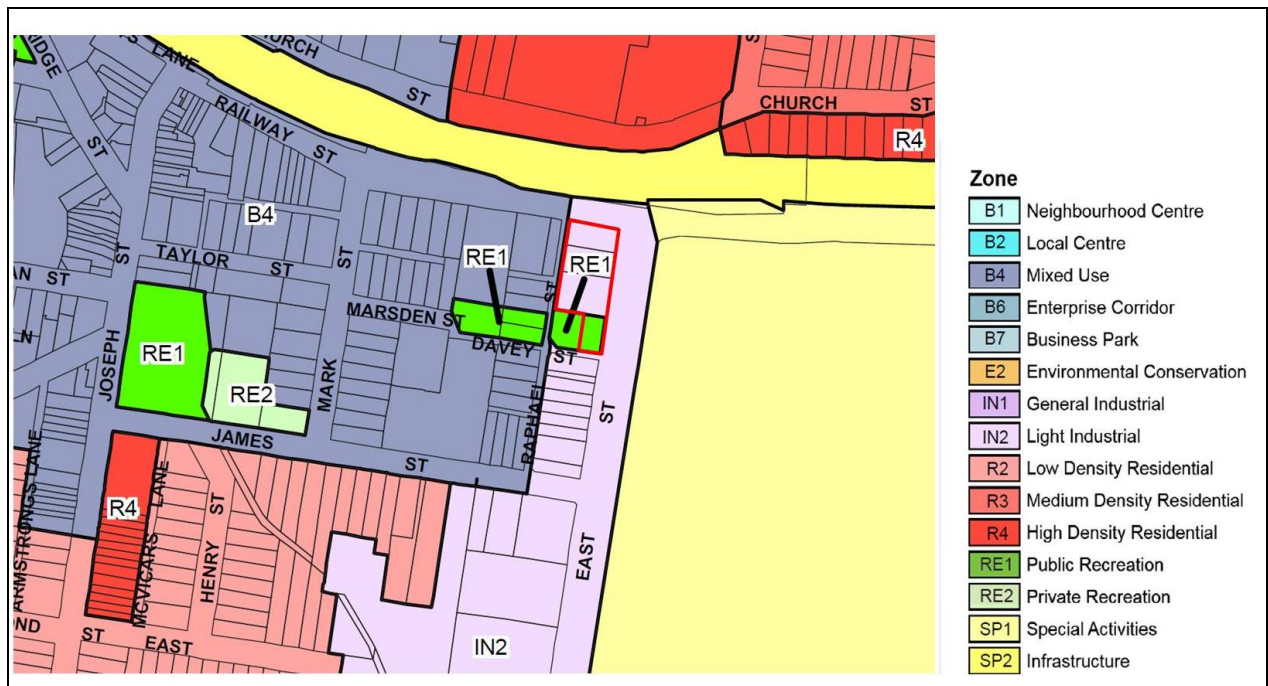


Figure 2: Current land use zones for the subject site (bound in red)

The zoning of the site to the west and south-west is B4 Mixed Use. Two (2) small areas also to the south and south-west, are zoned RE1 Public Recreation to reflect the existing Friends Park and Jewish Reserve respectively and to provide for the future expansion of those parks.

c. Height of Buildings

Clause 4.3 of Auburn Local Environmental Plan 2010 provides that the height of a building on any land should not exceed the maximum height for the land on the Height of Buildings Map.

The subject site does not currently have a maximum permissible height control attributed to it related to its industrial use zoning (refer Figure 3).

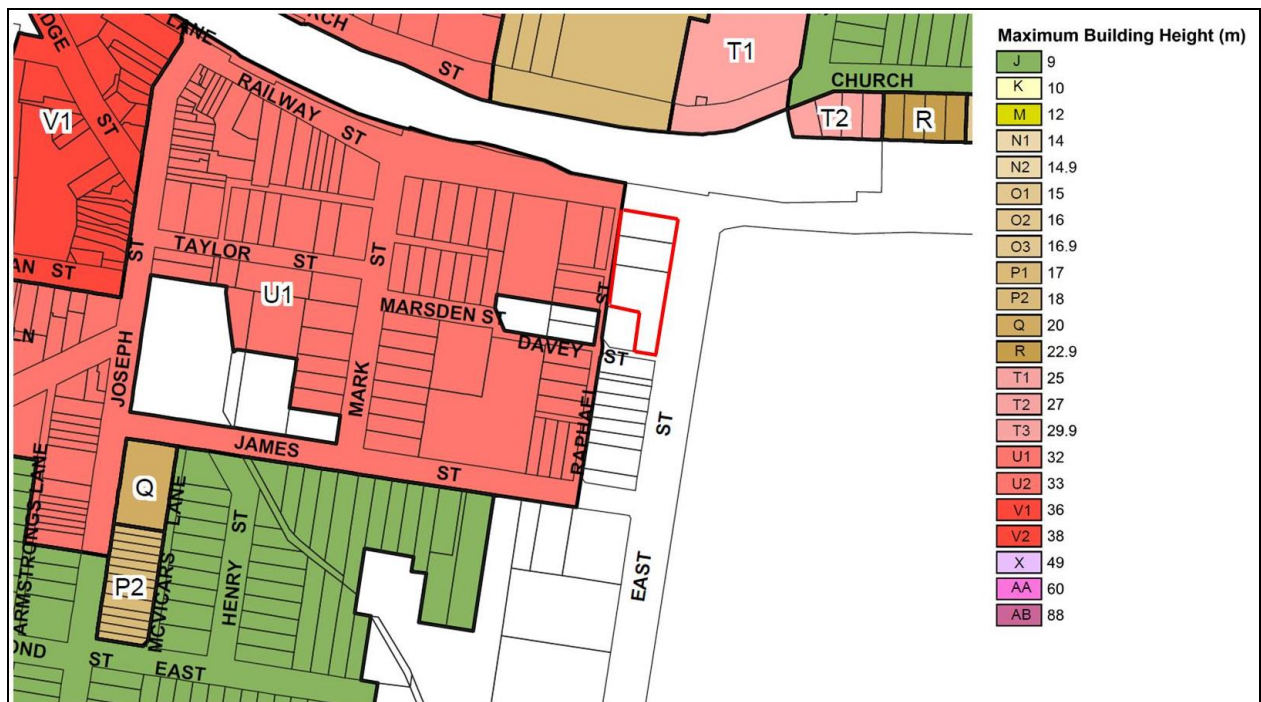


Figure 3: Current maximum height of building control for the subject site (bound in red)

The maximum height of buildings to the west and southwest of the subject site is 32m, being approximately 9 storeys for a mixed use development.

d. Floor Space Ratio

Clause 4.4 of Auburn Local Environmental Plan 2010 provides that the floor space ratio on any land should not exceed the maximum floor space ratio for land on the Floor Space Ratio Map.

The current maximum permissible floor space ratio for the subject site is 1.0:1 (refer Figure 4). The FSR for the sites to the immediate south is also 1.0:1 (also being zoned for industrial uses), excluding the recreation zoned land which has no FSR value, and the FSR for land to the west and south-west is 5.0:1 associated with the mixed use zoned area.

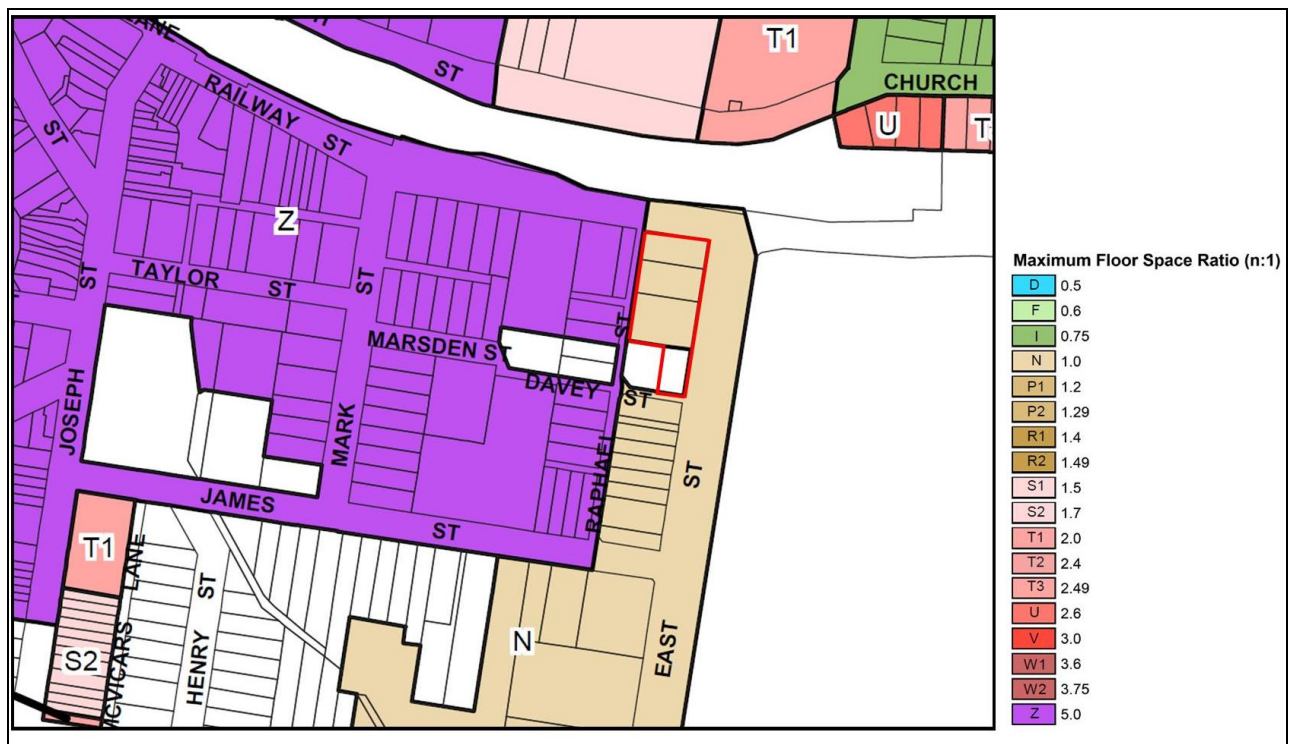


Figure 4: current floor space ratio (FSR) for the subject site (bound in red)

e. Minimum lot size

The current minimum lot size for the subject property is 1,500m² (refer Figure 5).



Figure 5: minimum lot size for subject site (bound in red)

f. Land Reservation Acquisition

Clause 5.1 of Auburn LEP 2010 provides for Council to be the relevant acquisition authority for land zoned RE1 Public Recreation and identified as local open space for land as shown on the associated Land Reservation Acquisition Map.

The land zoned RE1 Public Recreation on the zoning map, for the eastward extension of the Jewish Reserve, is identified on the Land Reservation Acquisition map of the Auburn LEP 2010 for acquisition by Council (refer Figure 6).

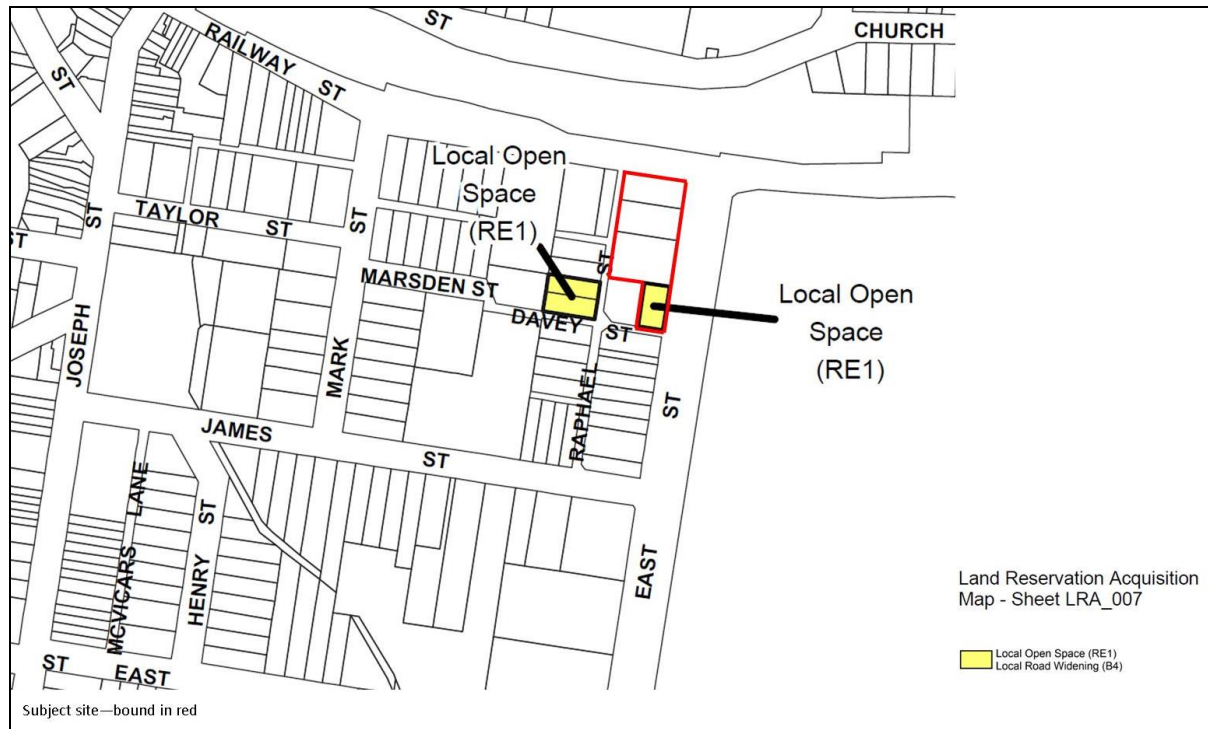


Figure 6: Existing Land Reservation for Acquisition map (bound in red)

This map identifies Council's intention to acquire the land within the subject site that is zoned for RE1 Public Recreation so as to provide the future eastward extension of the Jewish Reserve (as noted above). This may be achieved by direct acquisition or through a planning agreement. The proponent of the Planning Proposal Request noted the potential for a planning agreement regarding this area of open space within their Planning Proposal Request document (in the executive summary and on pages 21-22).

Council has also noted an anticipated need to acquire land on the north east corner of the subject site to support and facilitate the future upgrade of the existing East and Railway streets intersection to a 2-lane roundabout. This upgrade is required to support the anticipated future traffic movements in the local area. Further detail on the traffic matters and this intersection is provided in sections 3.2 and 3.3. The acquisition of this corner of land may be through direct acquisition or a planning agreement. Council has notified the property owner of this anticipated land requirement from their site for the intersection upgrade. This matter is ongoing.

g. Heritage Items

The site does not contain a heritage item nor is it within a heritage conservation area.

The site is located in opposite Rookwood Cemetery which is located at the eastern corner of East and Railway Streets. A part of Rookwood Cemetery – being that part in the north west of the overall cemetery property and hence the area closest to the site, is a State listed heritage item. The remainder of Rookwood Cemetery is a local heritage item listed on the Auburn LEP 2010.

The site is also located in the vicinity of other items of environmental heritage as listed on the LEP at Schedule 5, listed in Table 2 below and as shown on Figure 7):

Table 2: Listed heritage items in vicinity of subject site

Item number	Item name	Item address	Distance to site (closest points) (approximate)
A00718	Rookwood Cemetery or Necropolis No 1 Section buildings, relics and place.	Bound by East and Railway Streets	10m
A56	Lidcombe Signal Box	Railway Street, between Mark and East Streets (south side of railway lines). The signal box is located at the western end of the address.	25m Opposite side of East Street as subject site
I28	Dwelling	24 James Street Lidcombe	200m
I38	Royal Oak Hotel	46-50 Railway Street	250m
I37	Lidcombe Railway Hotel	4 Joseph Street (corner with Railway Street) Lidcombe	350m
I34	Lidcombe Post Office	1A Taylor Street Lidcombe	370m
A58	Lidcombe War Memorial Statute	Wellington Park (corner of James and Joseph Streets) Lidcombe	410m
I30	Fenton House	35-47 Joseph Street Lidcombe	430m
I39	St Joachims Catholic Church, Parish Hall and School	John Street and 7 Mary Street Lidcombe	These items are located north of the railway line – there is an elevation difference highest at the railway overpass (road) Street and hence physically and visually separated from the subject site.
I32	Lidcombe Fire Station	37 Church Street Lidcombe	
I31	Hotel Lidcombe	Church Street on corner with John Street Lidcombe	

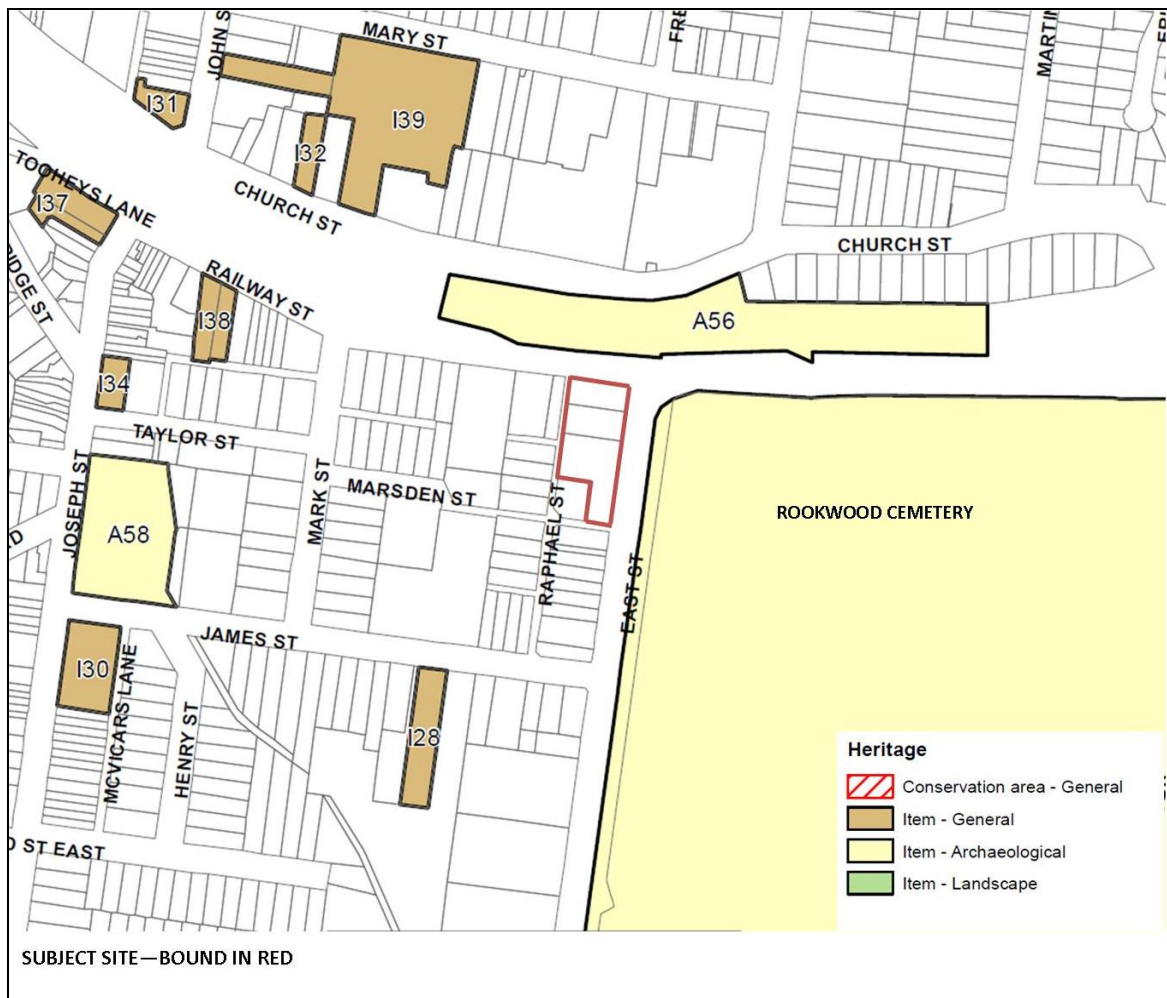


Figure 7: Heritage in vicinity of subject site (bound in red)

1.5 Review of planning controls – Lidcombe Town Centre

The draft *Auburn and Lidcombe Town Centres Strategy* (Strategy) was prepared in 2016 in recognition of the development that had been occurring in the centres but that development had not provided the desired aesthetic or functional outcomes. It was considered this was due to a disconnect between the maximum building heights and FSR values. The strategy identified opportunities, through increasing the maximum building heights, to improve the built form and public domain outcomes in the town centre. The zoning of the centre was not proposed to be changed from those zones that currently apply.

Following the public exhibition of the draft Strategy, and further modelling and testing by Council, a review of the draft strategy is in progress and as a result some proposed controls may be adjusted. The revised Strategy is to be considered by Council in the near future.

The subject site of this Planning Proposal is outside of the area considered part of the Lidcombe Town Centre under the Strategy and as such no proposed changes to planning controls are nominated for the subject site under the Strategy.



Figure 8: Lidcombe Town Centre area – bound in black (from Auburn and Lidcombe Town Centres Strategy (draft) April 2016). Subject site bound in red.

The property to the immediate west and south-west of the subject site are within the area of the town centre and the Strategy. The recommended FSR and building height controls for this area, under the exhibited draft are listed below for comparison. As noted above, the draft

Strategy is being revised and as such some height controls may be adjusted. If supported by Council, the recommended controls for the town centre under the Strategy would be progressed as a separate Planning Proposal and associated LEP amendment.

Table 3: Existing and proposed (per the draft Strategy) building heights and FSR controls for the properties to the immediate west and south west (excluding the park properties)

Controls for properties to the immediate west and south west of the subject site	Maximum building height	FSR
Current controls per Auburn LEP	32m	5.0 :1
Potential controls – per the draft Strategy (as exhibited) (note: these potential controls may be adjusted)	45m	5.0 :1

1.6 Marsden Street Precinct Planning Proposal and LEP Amendment

The subject site was part of the area considered within the Marsden Street Precinct strategic planning project in 2014. At that time the subject site and properties to the west and south were zoned IN2 Light Industrial, with the exception of the Jewish Reserve which was zoned RE1 Public Recreation.

Through this project a number of scenarios were identified and assessed. In some scenarios the subject site retained a zoning of IN2 Light Industrial, but under other scenarios a rezoning to B4 Mixed Use was considered. However, rezoning of the subject site to B4 Mixed use was not supported at that time for the following reasons:

- The area of B4 Mixed use may result in an oversupply of retail/commercial floor space, some of which may not be realised.
- Existing roads/ laneways may not be substantial enough to support likely vehicle movements required.

Retention of the IN2 Light Industrial zoning was supported for the following reasons:

- Retaining the IN2 Light Industrial zone along East Street provides the opportunity for cemetery related businesses to remain in close proximity to the cemetery itself and retains an employment area within the Precinct. Further, this land use provides a buffer between the IN2 and Rookwood Cemetery.
- The potential amenity and land use conflict of retaining the IN2 zoned (and used) land adjacent to a B4 Mixed Use development was noted.

Under the Marsden Street Precinct Planning Proposal, the scenario that was progressed included the following elements that relate to the subject site:

- The majority of the subject site retain the IN2 Light Industrial zoning
- A portion to be rezoned from IN2 Light Industrial to RE1 Public Recreation (east of the Jewish reserve)
- Retain the RE1 Public Recreation zoning over the Jewish Reserve

- Rezone sites to the west of the subject site from IN2 Light Industrial to B4 Mixed Use.

This planning proposal was finalised and an amendment to the Auburn LEP, giving effect to the above, was gazetted. These are the zoning controls that currently apply to the subject site and immediate area.

1.7 Auburn Development Control Plan

At this stage no site specific controls, for incorporation into the Auburn Development Control Plan 2010 (Auburn DCP), are proposed for the subject site.

The subject site is located outside of the Lidcombe town centre as defined in the Auburn DCP 2010, Local Centres part.

The Auburn DCP states that Raphael Street is to be widened by 2.5m on the western side of that street so as to provide for a widened carriageway and a new pedestrian footpath. This requirement does not directly affect the subject site and the associated development concept in respect of the area of land required for that widening to be effected. But, with respect of the subject site, Raphael Street is to provide the access in/out of this site, as site access from either East Street or Railway Street is not supported given the traffic volumes of these roads and so importance for traffic movements. The site access off Raphael Street would not only support the future construction works on the site, but more particularly the future uses of the site for residents, employees and customers of the commercial tenancies, service vehicles including waste collection and other services vehicles, and other occasional users (eg trades, visitors, removalists).

Therefore, the timing of the widening of Raphael Street, associated with the potential redevelopment of the site to the west (ie at 4-12 Raphael Street, from which the land for the widening of Raphael Street is to be provided) may affect the future redevelopment of the subject site. In addition, some further widening at Raphael Street on the eastern side (i.e. part of the subject site) may now also be required to support the proposed development. More information on the future widening of Raphael Street is provided at Section 3.3.2.

1.8 Development in the local area

There are currently a number of Development Applications (DAs) recently approved or under assessment in the Lidcombe Town Centre, including to the east and south-east of the subject site. The majority of these are for mixed use and high density residential buildings.

Council has received and is currently assessing a Planning Proposal Request for the property of 4-12 Railway Street. The request seeks to increase the maximum building height and the FSR for the site. This Planning Proposal Request is undergoing an internal technical and merit assessment process. It is to be reported to the Cumberland Local Planning Panel (formerly the Cumberland IHAP), and subsequently reported to Council, in the near future.

1.9 Planning controls for land to the immediate south

The block of land to the immediate south of the subject site is currently zoned IN2 Light Industrial (being the block bound by East Street, James Street, Raphael Street and Davey Street). This block is connected to the other light industrial uses (and as zoned) to the south. However the land to the west and north-west is zoned B4 Mixed Use and are anticipated to transition to higher density residential uses and mixed uses given that there are lodged Development Applications and Planning Proposal Request for those areas.

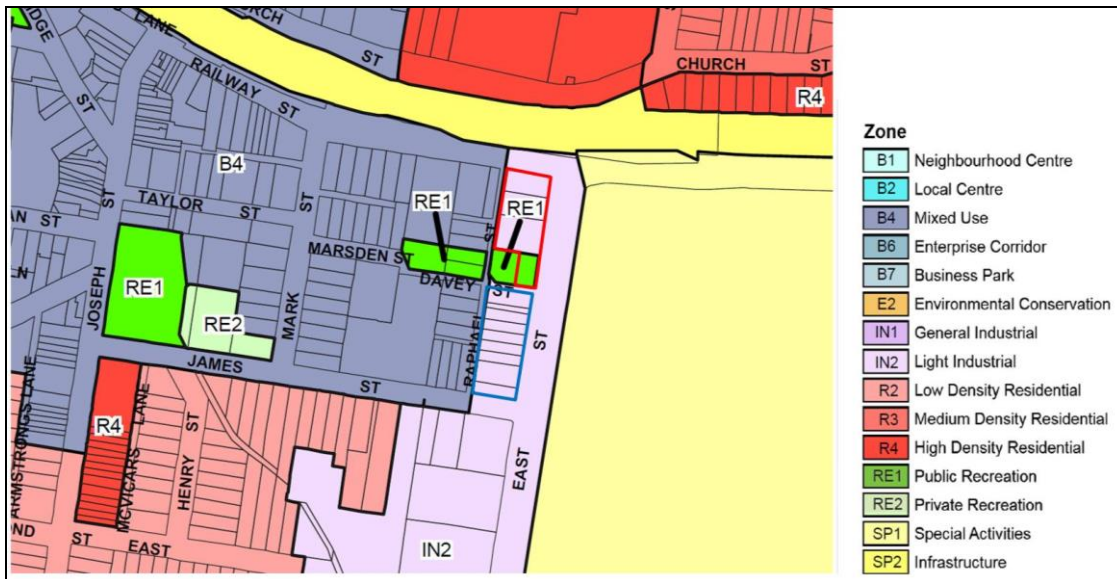


Figure 9: IN2 zoned land (bound in blue) to the immediate south of subject site (bound in red)

Therefore, noting the anticipated transition of properties in the area, the dimensions of this block including the width, there may be merit to reviewing the zoning and other planning controls of this block as part of the work towards and supporting the future Cumberland LEP.

As supporting studies, in particular traffic and economic impact, that would be required to inform such consideration, have not been undertaken. This block of land has not been incorporated in this Planning Proposal.

2 PLANNING PROPOSAL

2.1 Legislative Context

Section 3.33 (2) of the *Environmental Planning & Assessment Act 1979* states that a planning proposal is to include the following:

- (a) *“a statement of the objectives or intended outcomes of the proposed instrument.*
- (b) *an explanation of the provisions that are to be included in the proposed instrument.*
- (c) *the justification for these objectives, outcomes, and provisions and the process for their implementation (including whether the proposed instrument will give effect to the*

local strategic planning statement of the council of the area and will comply with relevant directions under section 9.1).

- (d) if maps are to be adopted by the proposed instrument, such as maps for proposed land uses, heritage area, flood prone land – a versions of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument.*
- (e) details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.”*

2.2 Objectives or Intended Outcomes

The objectives or intended outcomes of the proposed amendments to Auburn LEP 2010 are:

- To change the planning controls for the site to enable the development of a mixed use building. The planning controls to be changed are the land use zoning, building height, FSR and land reserved for acquisition.
 - The new zoning of B4 Mixed Use is comparable with that of the properties to the immediate west and south west.
 - To impose a building height of 32m (being about 9 storeys). This nominated height is consistent with the current building height control for land to the west and south-west.
 - To increase the FSR from 1:1 to 3.5:1. This is lower than the FSR on land to the west and southwest – so as to provide a transition of building density, bulk and scale between the town centre and the Rookwood Cemetery property.
 - To nominate an area of land, located on the corner of East and Railway Streets, for potential future acquisition by Council
- To provide diversity in housing choice through a mix of apartment sizes located in proximity to an existing town centre.
- The proximity of public transport modes, in particularly the railway station on a key line between Parramatta and Sydney CBDs would support and encourage use of these services by occupants of the future building.
- Provision of commercial floor space which will provide employment opportunities and contribution to meeting the needs of the local population.
- To support the future extension of the Jewish Reserve with the land zoned RE1 but currently used as a carpark.
- Encourage pedestrian movement between the town centre and the Rookwood Cemetery area of open space via active frontage commercial uses, along enhanced streetscapes with improved passive surveillance for actual and perceived safety.
- To support bicycle movements with the allowance for a cycle path along the East Street frontage within the setback area.

It is noted that the existing Auburn LEP Land Reservation Map (sheet LRA_007) identifies the site of the future Jewish reserve extension (zoned RE1 Public Recreation) for acquisition by Council so as to realise this greenspace. A voluntary planning agreement was nominated in the Planning Proposal Request in respect of this land. Council has also identified a likely need to also acquire land on the north-east corner of the site to facilitate a future upgrade of

the East and Railway Streets intersection. This anticipated need for land from to be dedicated from this site to support that intersection upgrade has been raised with the landowner and this is ongoing.

The documentation of the Planning Proposal Request indicate that, with the controls as nominated under this Planning Proposal, a future mixed use development on the site could result in approximately 115 new dwellings and 1,505m² of commercial / retail floor space. The area of the land currently zoned RE1 Public Recreation within the subject site, to provide for the future park extension, is about 480m².

2.3 Explanation of provisions

2.2.1 Proposed Amendments to Auburn LEP 2010

The proposed amendments are nominated below, noting these apply only to that area of the subject site currently zoned as IN2 Light Industrial:

- a) Amend the **Land Use Zoning (LZN) Map** (Sheet LZN_007) from IN2 Light Industrial to B4 Mixed Use. Refer to Figure 10
- b) Amend the **Height of Building (HOB) Map** (Sheet HOB_007) from having no value to a maximum value 32m. Refer to Figure 11
- c) Amend the **Floor Space Ratio (FSR) Map** (Sheet FSR_007) from 1.0:1 to 3.5:1 (maximum FSR value). Refer to Figure 12
- d) Amend the **Land Reservation Acquisition (LRA) Map** (Sheet LRA_007) to show the land anticipated as required at the corner of Railway and East Street, within the subject site, for the intersection upgrade. Refer to Figure 13

For the entire subject site, the following are not nominated to be changed under this Planning Proposal and therefore remain extant:

- Land Use Zoning (LZN) Map - The current zoning of RE1 Public Recreation on part of the subject site is to be retained. Refer to Figure 10
- Land Reservation Acquisition (LRA) Map - The existing area of land on the subject site nominated for acquisition, being for the future extended park and currently zoned RE1 Public Recreation, is to remain. Refer to Figure 13
- Minimum lot size (LSZ) Map – to remain per the current value of 1,500m². Refer to Figure 5

The Cumberland IHAP and Council reports (of 10 May 2017 and 7 June 2017 respectively) nominated that, within the FSR of 3.5:1, the residential component should comprise 75% of that FSR (about 7,800m² floor space) and the commercial component to comprise 25% of the FSR (about 2,600m² floor space). However these proportions were not specified by Council through the defining of a minimum FSR for non-residential/commercial uses in the resolution.

Figures of the above proposed amendments in the context of the existing controls in the local area are provided below and at Attachment A.

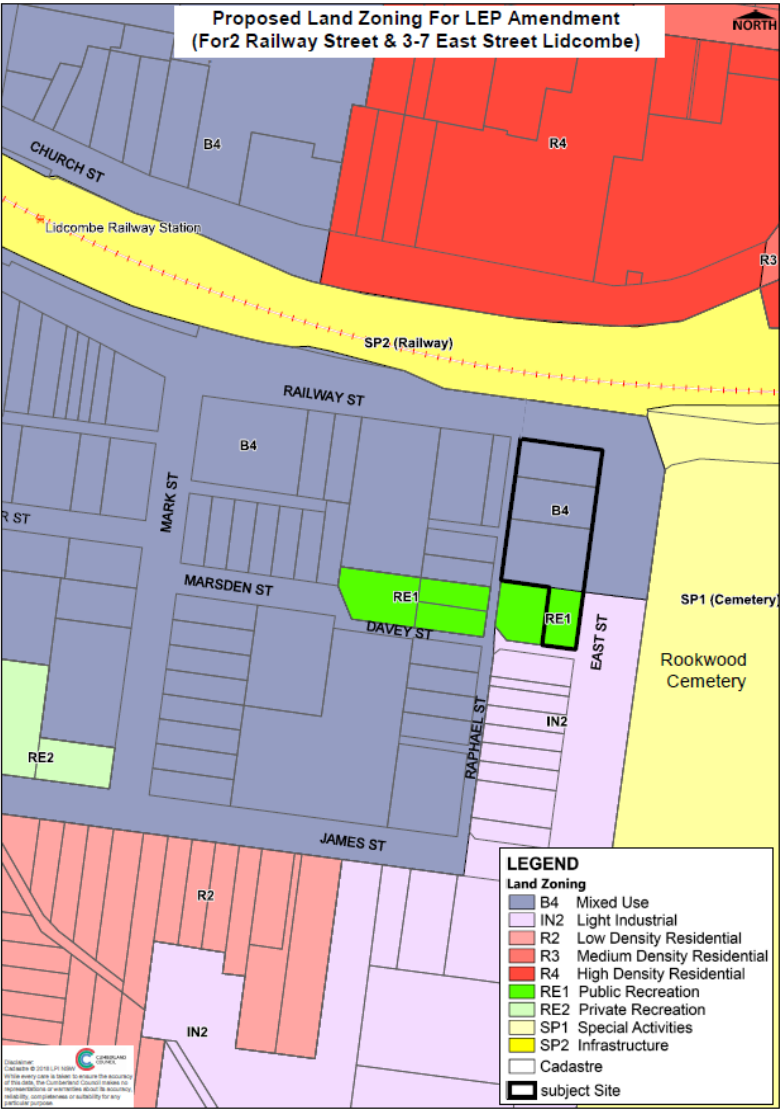


Figure 10: Proposed land use zoning for subject site (bound in black)

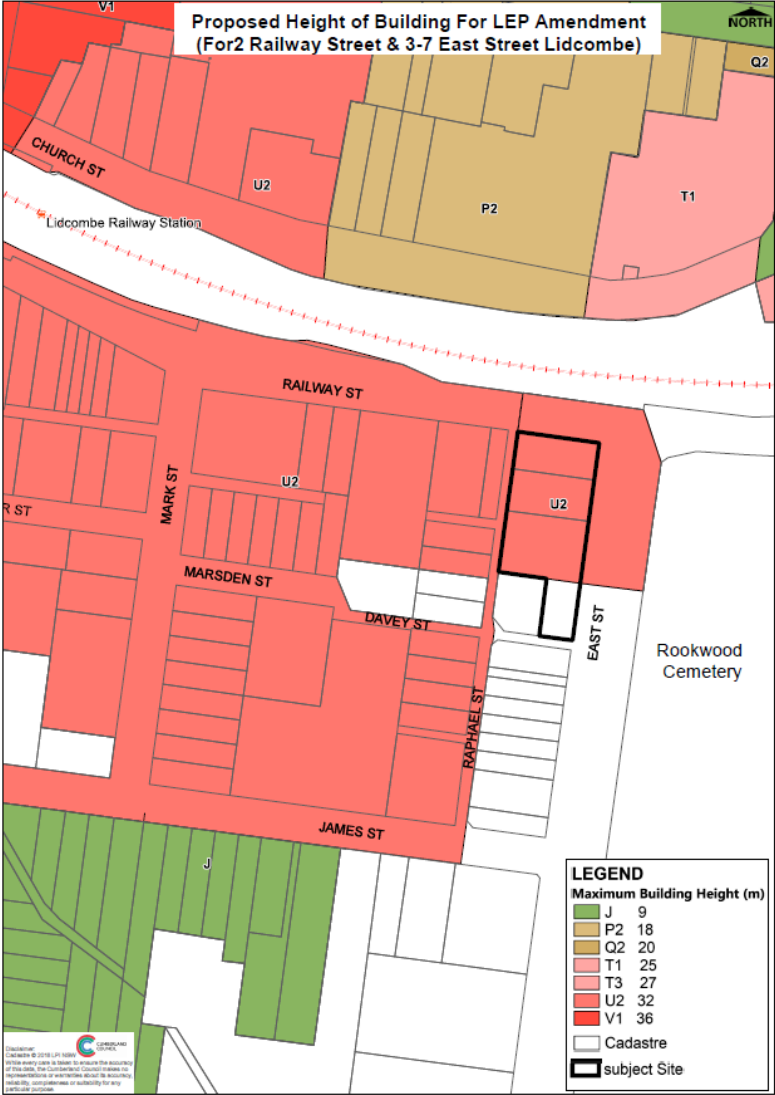


Figure 11: Proposed maximum building height for subject site (bound in black)

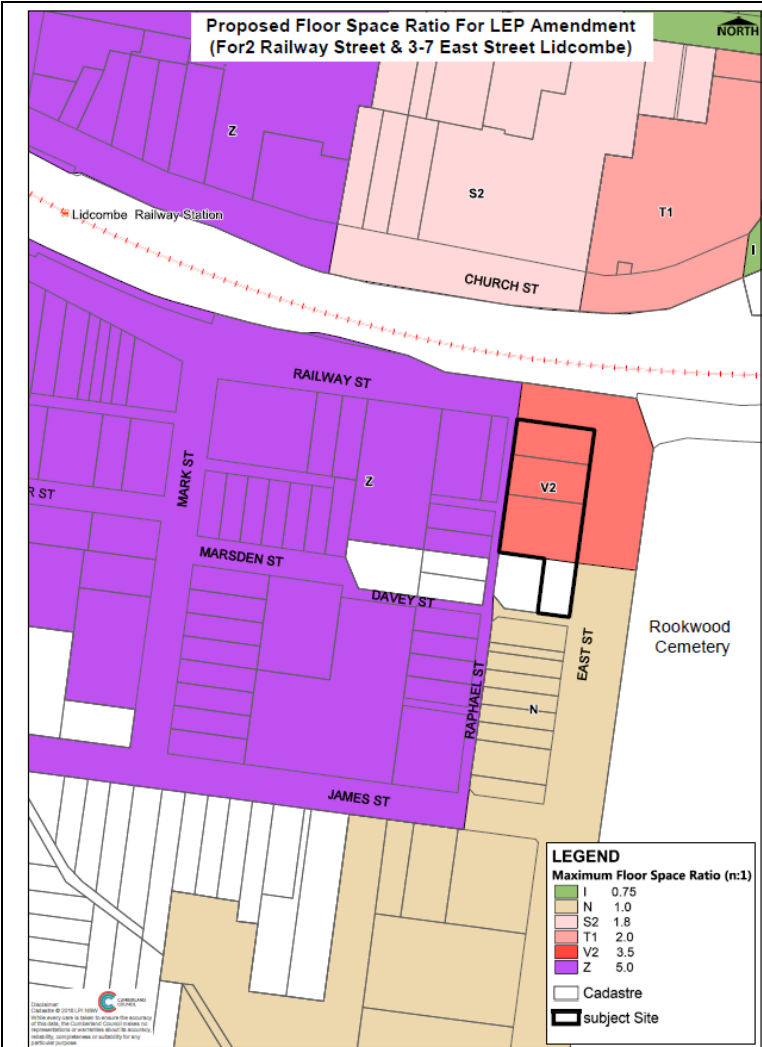


Figure 12: Proposed maximum FSR for the subject site (bound in black)

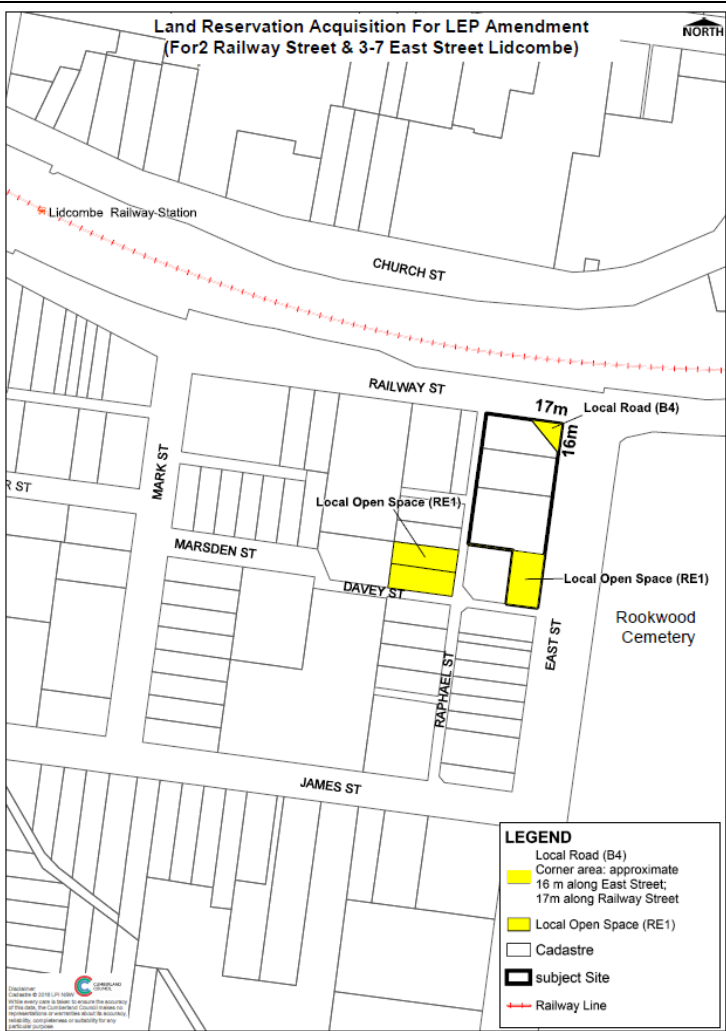


Figure 13: Proposed LRA map excerpt with subject site (bound in black)

2.4 Justification

2.3.1 Need for the Planning Proposal

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

This Planning Proposal is the result of an application (request) made by the property owner as the proponent.

The proponent has prepared a number of reports, in support of the rezoning request as listed below. Several of these reports, were required by Council and are listed below.

Copies of the current documents (ie not superseded) are provided at Attachment B:

- Planning Proposal Request overarching document submitted September 2016 comprising:
 - Overview document - dated September 2016.
 - Concept designs / plans and urban design elements (superseded);
 - Traffic impact assessment - dated August 2016 - and revised August 2015 (both superseded);
 - Environmental Site Assessment Stage 1 - dated June 2016.
- Revised concept scheme for the PP Request submitted February 2017 comprising:
 - Response to Cumberland IHAP dated February 2017
 - Revised concept designs and urban design elements, showing basic floor plans, 3D building block models and overshadow diagrams - dated January 2017
 - Revised traffic assessment (superseded) - dated February 2017
- Further reports as required by Council submitted late 2017 and January 2018 comprising:
 - Shadow diagrams provided November 2017
 - Traffic management plan with intersection assessment - dated January 2018
 - Economic impact assessment - dated December 2017

Council has also prepared a concept plan of the potential design for an upgraded intersection at East and Railway Streets to a 2-lane roundabout. This upgrade will be required to support traffic movements in the area. This concept design for the upgraded intersection is to be taken into account in the future planning of the area. A copy of this concept design is provided at Attachment C.

Marsden Street Precinct Strategic Planning

While it is noted that the Marsden Street Precinct strategic planning project and subsequent Planning Proposal (in 2014) did not support the rezoning of the subject site to B4 Mixed Use at that time (refer Section 1.6). However, the following points are made in response to those reasons, noting the change in the area over the past four (4) years, and as currently occurring:

- The area of B4 Mixed use may result in an oversupply of retail/commercial floor space, some of which may not be realised.

- Conversion of those areas that were rezoned from industrial to mixed use under the Marsden Precinct Planning Proposal and LEP amendment, to redevelop as new mixed use developments, has been slow.
- The Town Centre Strategy is to encourage redevelopment and activity in the Lidcombe Town Centre. The rezoning of this site could support that intent.
- Other strategic planning work including at the state level, such as the Parramatta Road work, could raise the importance of the Lidcombe Town Centre to the area.
- The site would have a modest increase in commercial floor space relative to the overall town centre.
- Existing roads / laneways may not be substantial enough to support likely vehicle movements required.
 - The DCP provides for the widening of Raphael Street
 - The future building would contribute to overall growth in traffic volumes which is occurring in the area and as such existing roads/laneways will need to be upgraded to support the projected growth irrespective of the redevelopment of the subject site.
 - To support the future upgrade of East/Railway streets intersection and so traffic movements within the local road network.

The Planning Proposal would also redress the concern regarding the potential amenity impacts affecting the B4 Mixed Use zoned properties being located adjacent to an industrial area.

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

Yes. A planning proposal is the appropriate and most effective means of amending the Auburn LEP 2010. The amendments pertain to the land use zoning, FSR and height of buildings, and reserving of land for potential acquisition by Council.

The proposed land use zoning is consistent with that currently applying to land to the west and south-west. However, the proposed FSR and building height controls are lower so as to provide a building transition of building scale and bulk between the town centre and the Rookwood Cemetery, recognising this site as being outside (but on the border of) the town centre, and to mitigate the potential environmental impacts to adjacent land. The north-east portion of the site is identified for potential acquisition is to support the anticipated future upgrade to this intersect on to better accommodate traffic growth and so traffic moments through the local road network.

2.3.2 Relationship to strategic planning framework

Q3: Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

The Greater Sydney Region Plan, titled *A Metropolis of Three Cities*, is NSW's principal strategic plan to guide the future growth and development of Greater Sydney to 2056. The

three (3) cities of the Plan are the Eastern Harbour City focused on the traditional Sydney City, the Central River City focusses on Greater Parramatta and the surrounding areas including the Cumberland LGA; and the Western Parkland City focussed on the greater west and south-west areas including Penrith, Badgerys Creek, and Campbelltown.

Achieving the vision and intent of the Greater Sydney Region Plan focuses on the elements of infrastructure and collaboration, liveability, productivity and sustainability; and identifies ten (10) directions or outcomes, being:

Infrastructure	Liveability	Productivity	Sustainability
• A city supported by infrastructure	• A city for people	• A well connected city	• A city in its landscape
• A collaborative city	• Housing the city	• Jobs and skills for the city	• An efficient city
	• A city of great places		• A resilient city

The Planning Proposal is consistent with the aims and objectives of the Greater Sydney Region Plan by:

- Providing additional jobs and dwellings in a location that is accessible by train and bus services to Merrylands, Parramatta CBD, Bankstown, Sydney Olympic Park precinct, as well as the Sydney City CBD.
- Improving housing choice and affordability by providing a broad mix of dwelling sizes.
- The extension of the existing park area (known as Jewish Reserve) and future connection to the nearby Friend Park will provide a green strip of public open space, with passive recreation opportunities, and will also provide a greenspace connection to the Rookwood Cemetery public space.
- The Planning Proposal, following the Council resolution, nominates an FSR of 3.5:1 for the site which is lower than the FSR sought by the proponent and is lower than the FSR applicable to the adjacent site to the west. This lower FSR is to provide an improved built form outcome in terms of building articulation, transition from the town centre to the Rookwood Cemetery and mitigate environmental implications including overshadowing to the current and future park. The nominated building height at 32m is also lower than that of adjacent properties (to the west and south-west), further supporting building of appropriate scale and bulk to transition from the defined town centre to the cemetery property.
- The additional commercial floor space that would result from the changed controls under the Planning Proposal will contribute to the offerings of the Lidcombe Town Centre and support the increasing resident population of the area and so may encourage residents to utilise those local businesses.

Central City District Plan

The Greater Sydney Region Plan is supported by the Central City District Plan, which is the District that encompasses the Cumberland LGA.

The Central City District Plan seeks to implement a strategic and integrated approach to managing Greater Sydney's growth by linking State and regional level aspirations with LEPs, aligning land use decisions and infrastructure planning, and monitoring and reporting on the Plan's implementation.

At a more local level, a primary focus of the draft Plan is to promote significant infrastructure investment and growth with Parramatta identified as Sydney's second CBD. Under the District Plan, Lidcombe is identified as a Local Centre.

The Planning Proposal is consistent with the District Plan in the same ways in that it is consistent with the Greater Sydney Metropolitan Plan as noted above. In summary, the Planning Proposal would enable the redevelopment of the site for mixed residential and commercial uses providing housing and job opportunities and economic activity in a location in proximity to major public transport routes and an existing urban centre.

Q4: Is the Planning Proposal consistent with a Council's local strategic or other local strategic plan?

Community Strategic Plan

Council's Community Strategic Plan 2017-27 – *Welcome, Belong, Succeed* provides a 10-year strategic vision and planning framework for balancing its commitment to social cohesion, the local economy, the natural and built environments and the wider community.

The key strategies relevant to the Planning Proposal are:

- Strategic Goal 1 – A great place to live
- Strategic Goal 2 – A safe accessible community
- Strategic Goal 3 – A clean and green community
- Strategic Goal 4 – A strong local community
- Strategic Goal 5 – A resilient built environment

The Planning Proposal is consistent with these strategies by:

- Supporting a future development that will provide housing and commercial floor space as an extension of the existing town centre.
- Is located in proximity to rail and bus (public transport) services that provide direct access to Merrylands, Parramatta and the Sydney CBD.
- Will support the extension of the existing open space known as the Jewish reserve and as part of the proposed future green link to Friends Park. Overshadowing of the park area by the future development has been mitigated by the reduction of the FSR from that sought initially, in combination with the proposed building height.
- The modest commercial floor space nominated for the site will contribute to the economic activity of the overall town centre and would likely have minor competitiveness with the core of that centre. The increase in local population on the subject site, combined with the anticipated increase in population within and surrounding the town

centre, will increase the customer base for commercial business on this site and the town centre.

- Will support the future expansion of the existing open space (Jewish Reserve) as well as the future linkage to the expanded park to the west (Friend park) and to the Rookwood Cemetery open space area to the east.
- The redevelopment of this site from an industrial use to a mixed use, and the associated change in built forms, will encourage pedestrian activity and perceptions of safety through greater human movement and passive surveillance within and accessing the site, and also for those pedestrians and cyclist moving between the town centre and Rookwood Cemetery area via Railway Street or Davey Street.
- The change in land use and building form from an industrial to mixed use typology, with associated landscaping of the property, would be expected to improve the street appearance and overall community perceptions of visual appeal and personal safety.

Auburn and Lidcombe Town Centre Strategy (Draft)

As noted in Section 1.5, the subject site is located outside of the area of the Lidcombe Town Centre as considered under the draft *Auburn and Lidcombe Town Centre Strategy* (Strategy).

The proposed zoning on the subject site consistent with the zoning for the adjacent (west and south-west) properties as nominated under this draft Strategy.

The proposed FSR at 3.5:1 and the proposed building height at 32m are both lower than the FSR and building height nominated (as 5.0:1 FSR and 45m building height) for those properties located to the west and south-west under the draft Strategy. As noted at Section 1.5 of this report, the draft Strategy is under review and some building height controls to land under the strategy may be adjusted.

Cumberland Affordable Housing Policy

Council has adopted an Interim Affordable Housing Policy (July 2017), which applies to future development in its Local Government Area (LGA), to support the provision of affordable housing in the LGA. A more comprehensive policy is to be prepared that will replace the Interim Policy.

As the Planning Proposal Request was lodged with Council in September 2016, and so prior to this Policy coming into effect, this policy cannot be stringently enforced for this Planning Proposal.

It is noted that the Central City District Plan, which covers the Cumberland LGA, also recognises the need for affordable housing to be provided in the District and nominated a target for affordable rental housing.

Q5: Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Table 4 addresses the relevant State Environmental Planning Policies (SEPPs).

Table 4: Consistency of Planning Proposal with relevant SEPPs

SEPP	Comment
SEPP No. 55 – Remediation of Land	<p>The SEPP aims to provide for an approach to the remediation of contaminated land.</p> <p>A Stage 1 Desktop Environmental Site Assessment for the subject site was prepared and submitted with the Planning Proposal Request. This assessment has been reviewed by Council's Environmental Health Unit and was deemed to satisfy the requirement of the SEPP provided that any remediation works are undertaken prior to the land being used.</p>
SEPP No 65-Design Quality of Residential Flat Development	<p>This SEPP aims to improve the design quality of residential flat development in New South Wales. The Planning Proposal is consistent with and reinforces objectives contained within the SEPP.</p> <p>Detailed compliance with SEPP 65 and the associated Apartment Design Guide (ADG) will be required to be demonstrated with any future development application that provides detailed architectural plans and supporting documentation.</p> <p>The building concept provided with the Planning Proposal request has been tested for the general and building envelope controls of the SEPP relating to building separation and overshadowing etc at this conceptual stage. Through that testing, the FSR control for the site has been reduced from 5:1 as originally sought under the Planning Proposal Request to the value of 3.5:1 as sought under this Planning Proposal by Council.</p>
SEPP (Building Sustainability Index: BASIX) 2004	<p>This SEPP requires residential development to achieve mandated levels of energy and water efficiency. The Planning Proposal does not propose to override the requirements of this SEPP which will be applied and considered more appropriately at any future Development Application (DA) stage when more detailed architectural plans and other documentation are prepared.</p>
SEPP (Infrastructure) 2007	<p>This SEPP aims to facilitate a process for assessing the development of infrastructure and community assets. The Planning Proposal would result in an increase of approximately 115 dwellings and a change in the commercial floor space of the subject site. The Planning Proposal is consistent with this Policy and will support the use of existing local public transport modes and of existing utilities that service the site and area. The Planning Proposal also recognises the future requirement to upgrade the East / Railway Street intersection to support projected traffic growth by the nomination of land for acquisition to support that upgrade and a concept plan of that future upgrade while protecting the railway corridor and associated land. The Planning Proposal does not restrict the application of this SEPP on the site or local area.</p>

SEPP (Affordable Rental Housing) 2009	<p>The SEPP facilitates the provision of affordable rental housing, the retention of existing affordable rentals and expands the role of housing providers.</p> <p>The Planning Proposal and associated request documents do not contain any provisions that will contradict the application of this SEPP. This SEPP will be considered further for any future Development Application (DA) if affordable rental housing is proposed or required.</p> <p>The subject site, being in close proximity to the Lidcombe Town Centre and public transport modes (including a railway station) is an appropriate location for affordable rental housing.</p>
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Q6: Is the Planning Proposal consistent with applicable Ministerial Directions (s117 directions)?

The Ministerial Local Planning Directions considered relevant to this Planning Proposal are identified and addressed in

Table 5 below. (Per the list of local planning directions issued by the Minister on or after 1 July 2009 (updated 2 April 2018)). These Directions are now referred to as the s9.1 Directions in accordance with the amendment to the EPA Act that came into force in March 2018.

Table 5: Response to relevant s9.1 Ministerial Directions

Section 9.1 Direction	
1. Employment and Industrial Zones	Comment
<p>1.1 Business and Industrial Zones</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> a) encourage employment growth in suitable locations, b) protect employment land in business and industrial zones, and c) support the viability of identified strategic centres. 	<p>The Planning Proposal and the resulting potential redevelopment of the site with ground floor commercial uses will create employment opportunities in a location well serviced by public transport. The Economic study provided by the proponent in support of the rezoning indicates that this additional commercial floor space will support the growing local population of Lidcombe and will not be detrimental to the economic future of the business in the town centre.</p> <p>While the Planning Proposal will result in the loss of light industrial zoned and developed land (light industrial), this land parcel is relatively small and is an 'finger' extension of a larger area to the south – this finger, being adjacent to a mixed use zoned area that is undergoing redevelopment and therefore may be appropriate for rezoning at this time.</p>

2. Environment and Heritage	Comment
<p>2.3 Heritage Conservation</p> <p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p>	<p>The subject site does not contain a listed heritage item nor is it within a heritage conservation area.</p> <p>The subject site is opposite Rookwood Cemetery heritage item. Part of Rookwood Cemetery – being the area in the north west corner and so in closest proximity to the subject site - is a State listed Heritage item.</p> <p>There are several items of local environmental heritage located within the Lidcombe Town centre. The item of the Lidcombe Signal Box associated with the railway is located at the western end of the address facing towards the railway. As such this item is located north-west of the subject site separated by Railway Street and the item is at a higher (ground) elevation than the subject site with the side of the building facing.</p> <p>Other items are located to the west and are physically and visually separated from the subject site, with existing buildings and future redevelopment contributing to that separation.</p> <p>The proposed building height 32m for the subject site is consistent with the control affecting properties to the west, and at 9 storeys will be visually different from the existing heights on the site. However, the proposed FSR of 3.5:1 is substantially lower than that of the adjacent property (to the west) and was reduced from that as originally sought under the Planning Proposal Request. This FSR of 3.5:1 is intended and so will lead to a building design on the subject site that is less bulky so as to provide a transition in building form and scale from the town centre to the Cemetery.</p> <p>An assessment of the impacts to the heritage items from any future redevelopment of the subject site can be undertaken as part of any future development application process when the design of the building is refined.</p>
3. Housing Infrastructure and Urban Development	Comment
<p>3.1 Residential Zones</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> a) to encourage a variety and choice of housing types to provide for existing and future housing needs, b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and c) to minimise the impact of residential development on the environment and resource lands. 	<p>The Planning Proposal request indicates that approximately 115 dwellings (apartments) could result from the proposed residential component of the redevelopment.</p> <p>The site is in proximity to local bus services and the Lidcombe Railway Station and hence has potential for active and public transport modes.</p> <p>The site is also in proximity to existing and planned future areas of open space. The proposed FSR for the subject property has been revised by Council (down from that sought by the proponent of the PP Request) so as to provide a transition to the Rookwood Cemetery, as well as to improve the built form and environmental outcomes.</p> <p>The property is in proximity to the Lidcombe town centre which</p>

	<p>has existing retail and commercial services and therefore the increase in local resident population may increase the utilisation of these businesses and services.</p> <p>An assessment has been undertaken on the potential environmental implications of the changes to planning controls and the resulting development - refer Section 3.4 of this document.</p>
<p>3.4 Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> a) improving access to housing, jobs and services by walking, cycling and public transport, b) increasing the choice of available transport and reducing dependence on cars, c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, d) supporting the efficient and viable operation of public transport services, and e) providing for the efficient movement of freight. 	<p>The Planning Proposal is consistent with this Direction as it is to provide housing and employment opportunities at a property on the edge of the Lidcombe Town Centre and is in proximity to the Lidcombe train station and local bus services (bus stops).</p>
4. Hazard and Risk	Comment
<p>4.1 Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils</p>	<p>The subject site is identified as being affected by Acid Sulfate Soils Class 5.</p> <p>Class 5 areas are affected by: 'works within 500metres of adjacent class 1, 2, 3, or 4 land which are likely to lower the water table below 1 metre AHD on adjacent class 1, 2, 3 or 4 land.' (<i>Acid Sulfate Soil Manual" of the NSW Acid Sulfate Soil Management Advisory Committee (August 1998)</i>)</p> <p>The acid sulfate soil risk for the subject site was identified by Councils' environmental health unit. They advise that an Acid Sulfate Soils assessment will need to be undertaken to establish if an Acid Sulfate Soils Management Plan will be required. This can be done as part of and for any future Development Application documentation.</p>

6 Local Plan Making	Comment
<p>6.1 Approval and Referral Requirements</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	<p>The Planning Proposal does not include provisions requiring the concurrence, consultation or referral of applications. The Planning Proposal does not identify the development as designated development.</p> <p>Following Gateway Determination, public authorities will be consulted as part of the exhibition of the Planning Proposal.</p>
<p>6.2 Reserving Land for Public Purposes</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> a) to facilitate the provision of public services and facilities by reserving land for public purposes, and b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. 	<p>The Planning Proposal seeks to reserve land for public purposes, on the corner of East and Railway Streets, for the upgrading of the existing roundabout intersection for a 2-lane roundabout. This upgrade is anticipated so as to support increased traffic movements in the local area and recognising the redevelopment occurring and planned for the town centre.</p> <p>The Planning Proposal provides an opportunity, through the potential voluntary planning agreement or the general process, of Council acquiring the land previously reserved for public purpose and zoned RE1 Public Recreation, located within the southern area of the subject site.</p>
7 Metropolitan Planning	Comment
<p>7.1 Implementation of A Metropolis of Three Cities – the Greater Sydney Region Plan</p> <p><i>The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Metropolis of Three Cities.</i></p>	<p>The Planning Proposal is consistent with the directions and actions contained in A Metropolis of Three Cities as discussed in Section 2.3.2.</p>
<p>7.3 Parramatta Road Corridor Urban Transformation Strategy</p>	<p>The subject site is not located within the area of the Parramatta Road Corridor.</p> <p>Therefore this direction is not triggered by the Planning Proposal.</p>
<p>7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</p>	<p>The subject site is not located within the area of the Greater Parramatta priority Growth Area.</p> <p>Therefore this direction is not triggered by the Planning Proposal.</p>

2.3.3 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?

The subject site is located in a highly modified urban environment supports light industrial and commercial uses and vehicle parking area. The subject site contains some planted shrubs and a small number of trees and there are also street trees fronting East Street.

Therefore it is unlikely that the subject site will contain any critical habitat or threatened species, populations or ecological communities.

The adjacent site of the Jewish Reserve contains a number of mature trees, some smaller trees and shrubs, and grass. However these have not been identified as environmentally significant as considered under this section. The Reserve is not within the subject site of the Planning Proposal, and no removals or pruning or other works to these trees have been identified within the Planning Proposal supporting documentation.

The Planning Proposal notes the potential dedication of that land within the subject site that is zoned as a public recreation area. This area is currently used as a carpark which was associated with its previous industrial land use zoning. Future works to transition this site from a carpark to a park, with the realisation of the greenspace with vegetation plantings and grass, would also contribute to the setting of the existing Jewish park and its trees.

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

Desktop investigations undertaken to date have not identified any major environmental constraints to making the proposed changes in planning controls and the potential development on the site that would be enabled by those changes.

Further detail regarding environmental matters is provided in Section 3.4 below.

Q9: Has the Planning Proposal adequately addressed any social and economic effects?

An economic impact assessment report, that considered the potential implications of the proposed development on the Lidcombe Town Centre, was submitted by the proponent at the request of Council. This report is provided within Attachment B.

The economic effects of the Planning Proposal are considered and addressed in Section 3.5 and the social effects of the Planning Proposal are considered and addressed in Section 3.6.

2.3.4 State and Commonwealth interests

Q: Is there adequate public infrastructure for the Planning Proposal?

The subject site has previously been developed for urban uses and therefore is serviced by public utilities infrastructure (water, electricity etc). Any requirements for upgrades to meet the expected increase in demand associated with the changed use for residential and commercial purposes would be expected to be assessed by relevant public agencies through the public exhibition and as expected in the gateway determination. It is considered the development that may result from the changes in planning controls, in terms of the number of new dwellings and non-residential floor space, is relatively modest and would contribute to overall increased demand associated with development occurring in the overall town centre.

The subject site is in proximity the Lidcombe Train station which services lines connecting Western Sydney, Parramatta, Sydney CBD to the North Shore, as well as being the origin of services to Bankstown and the Sydney Olympic Park precinct. Sydney Trains would need to consider the capacity of this station and the services utilising it, to support the additional people under this Planning Proposal in conjunction with growth projections and of the potential increase in urban density in the Lidcombe Town Centre.

The subject site is also in proximity to local bus service, including a metro service between Bankstown - Parramatta via Parramatta Road. It is considered unlikely that a development resulting from this Planning Proposal alone would require upgrades to the local bus services but would contribute to the overall demand for these services.

Q: What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

The Gateway Determination for this Planning Proposal has not yet been received.

The Gateway Determination will nominate public authorities that will need to be consulted. This will be undertaken concurrently with wider community consultation process. A submission was received from Sydney Trains as part of the preliminary exhibition of the Planning Proposal Request. Sydney Trains did not object to the proposal and advised that any future Development Application should comply with the State Government's "*Interim Guidelines for development near a rail corridor or busy roads*". This submission was addressed in the Cumberland IHAP report C038/16 of 20 December 2016.

2.5 Mapping

All relevant map amendments are provided in Attachment A

2.6 Community Consultation

Preliminary Consultation

Following its receipt by Council the Planning Proposal was placed on preliminary public exhibition through October 2016. The submissions received were addressed in the Cumberland IHAP report C038/16 dated 20 December 2016 and subsequently noted under Council report item 006/17 dated 1 February 2017.

Post Gateway Consultation

Public consultation will be undertaken in accordance with the requirements of the Gateway Determination (when received). As a minimum, all documentation will be publicly exhibited for a period of 28 days. The exhibition material will comprise a copy of the Planning Proposal, including all of its attachments, and the Gateway Determination.

The proposed consultation process includes, but is not limited to, the following activities, and in accordance with Council's adopted Planning Proposal Notification Policy:

- Provide access to the Planning Proposal documentation and the Gateway Determination to those State and Commonwealth public authorities as identified in the Gateway Determination.
- Giving notice of the public exhibition in the local newspapers circulating in the area and for the LGA, being the Auburn Review and the Parramatta Advertiser.
- Notifying the exhibition of the Planning Proposal on Council's website and including supporting documentation.
- Exhibiting a copy of the Planning Proposal and supporting documentation at Council's Customer Services buildings in Auburn and Merrylands and in the Auburn Library.
- Notifying all adjoining and surrounding property owners, being those owners of properties within 200m of the subject site.

2.7 Project Timeline

It is estimated the respective Auburn LEP 2010 amendments will be finalised in mid-2019.

Tasks	Time frame
Planning Proposal submitted for Gateway Determination	August 2018
Receive Gateway Determination	October 2018
Public exhibition process and consultation commences	December 2018 – January 2019
Consideration of submissions	January – February 2019
Post exhibition report to Cumberland Local Planning Panel (TBC)	March 2019
Post Exhibition report to Council	April 2019
Council forward final Planning Proposal and supporting documentation to Department for notification	June 2019
Notification of LEP amendment made	August 2019

3 Assessment of technical planning matters

An assessment of technical matters associated with the Planning Proposal has been undertaken. The key elements of that assessment are provided under the following headings:

- Urban Design and Built Form
- Traffic (being modes of movement)
- Roadways and access (being the road infrastructure)
- Environmental matters
- Economic impact assessment
- Social impact assessment

3.1 Urban Design and Built Form

The Planning Proposal Request included initial and revised overshadowing diagrams based on conceptual building mass (3-D diagrams) for the subject site. The overshadowing diagrams also included a potential and conceptual building mass on the adjacent property at 4-12 Railway Street that is currently subject to a separate Planning Proposal Request.

The merit assessment of the Planning Proposal Request included built form testing. The potential impacts on the Jewish Reserve Park, the relationship to Rookwood Cemetery, and its location the Lidcombe Town Centre were also considered. As a result, the proposed FSR for the site was reduced from the 5:1 as originally sought under the Planning Proposal Request, to 3:5:1 as resolved by Council on the recommendation of Council officers and then Cumberland IHAP. The basis for the FSR of 3:5:1, in conjunction with the proposed 32m maximum building height, is to provide a transition in building form from the town centre towards the edge of the centre, and mitigate overshadowing impacts on the adjacent park area of a building which is appropriate to this location. This FSR and associated height would also enable greater options and so improved outcomes in the built form design.

The submitted diagrams show the indicative development concept on the subject site would potentially overshadow the majority of the extended Jewish Reserve park area between 9am and 12noon, with the majority of the park not affected by overshadowing from 1pm. Detailed assessment of overshadowing would be undertaken on any future Development Application when detailed architectural plans of a building intended for the site have been prepared.

3.2 Traffic

The traffic management plan (TMP) submitted by the Proponent provides an overview of the pedestrian, bicycle and public transport options in the local area, with the main focus of the report being on the current and future vehicular traffic movements (addressed below) and the East Railway Streets intersection (addressed at section 3.3 below).

Council's traffic engineers identified same issues in the TMP including how the traffic generation, background growth, and traffic modelling aspects, were undertaken.

The Traffic Engineers advised that, while this should be addressed in future advise, these are likely to have minimal differences to the traffic volumes that would be generated by proposed development. Therefore the TMP as provided was considered acceptable at this stage. A detailed TMP would likely be required as part of any future Development Application.

3.2.1 Pedestrian movement, bicycle, public transport

It is anticipated that there will be pedestrian and some bicycle movements, between the subject site and Lidcombe Town Centre, the railway station, bus stops, and Rookwood Cemetery open space. There would also be expected increased movements that bypass the subject site by people moving between the above areas and also to the extended park.

Council required that the proponent provided for the proposed bicycle path within the setback area of East Street on the development concept plan, noting that this can also be addressed under any future Development Application with the detailed plans for the site.

The subject site, at the closest point, is about 280m from Lidcombe Railway Station. Lidcombe Station is a major station between the CBDs of Parramatta and Sydney, as well as services to Bankstown and Olympic Park. Adjacent to the railway station are bus stops for services connecting Lidcombe to Parramatta CBD via Parramatta Road, to Bankstown, Olympic Park, and a loop service within Lidcombe.

3.2.2 Private Vehicles

The TMP (page 30) indicates that, under the proposed controls (potentially 115 residential apartments) the development would result in a total of 26 morning peak trips and 21 afternoon peak trips. As there are currently no residential uses on the site, all of these trips are new and would contribute to the local traffic volumes.

3.2.3 Commercial and other vehicles

The TMP (page 30) indicates that, the potential the commercial / retail floor space, anticipated under the indicative development concept would result in a total of 24 morning peak trips and 80 afternoon peak trips. This compares to the current trip generation of the existing uses as provided in the TMP, being 24 and 25 trips during the AM peak and PM peak respectively. Therefore, the proposed development would have a net increase of 0 trips during the AM peak and 55 trips during the PM peak contributing to the local traffic volumes.

The ability of these types of vehicles to access the site, to the achieved from Raphael Street, need to be considered at this Planning Proposal stage. Section 3.3.2 below outlines the intended widening of Raphael Street which should accommodate this requirement.

3.3 Roadways and access

3.3.1 East Street and Railway Street Intersection

The consideration of the revised Planning Proposal Request by the Cumberland IHAP and Council in mid-2017 recognised the existing and future traffic pressures on the East and Railway Streets. As such the proponent was requested to submit a traffic management plan (TMP) for the improvement of this intersection, including identification of land that would be required for the intersection upgrade. Council recognised that no land would likely be available from either the railway corridor or Rookwood Cemetery, and as such dedication of a small area of land from the site would be required for the future upgrade of this intersection.

The proponent submitted a traffic management plan proposing traffic lights for the intersection, and indicating no additional land from the site would be required.

The TMP also included an alternate 2-lane round about option, however this proposal relied on land dedication from Rookwood Cemetery, contrary to Council officer's advice and recommendation of the Cumberland IHAP.

The assessment of traffic movements through the proposed traffic light intersection option does not indicate if it has considered the time required for pedestrian movements through the intersection. This would be expected to reduce the performance of the intersection i.e. increase the delay to vehicles, as turning vehicles would need to wait until the way was clear of crossing pedestrians.

The RMS opinion on a signalised intersection at this location has not been provided by the proponent. It is considered very unlikely that RMS would support this option.

Council's traffic engineers have advised that a 2-lane roundabout would provide an improved traffic movement outcome that will support growth in traffic for a longer time period than the traffic light option, in terms of the level of service. A concept design for a 2-lane roundabout, which is positioned so to not intrude upon the railway corridor or the Rookwood Cemetery has been prepared by Council's traffic engineers and shows that a small area of land (approx. 140m²) will be required from the subject site so as to enable that roundabout upgrade. This land requirement will need to be refined with more detailed investigations and design to confirm the intersection requirement and the potential future and acquisition requirement. The Explanation of Provisions and the associated LRA map of this Planning Proposal includes this land area for potential acquisition by Council.

3.3.2 Raphael Street

The Auburn DCP 2013 (under Local Centres, Section 15.12: Site 7 Marsden Street) identifies that Raphael Street is to be widened by 2.5m which is identified as to be taken from the properties located on the western side of the street. As such Raphael Street would

increase in width from about 4.5m (current) to about 7m (post widening). This widening support the additional traffic anticipated as to utilise this street including by redevelopment of this subject site, and given that direct access into the subject site from either East Street or Railway Street is not desired so as to manage and maintain traffic flows on these streets.

A separate Planning Proposal Request has been received for the opposite property at 4-12 Railway Street Lidcombe and this is under assessment. That Planning Proposal request and any subsequent Planning Proposal will address the widening of Raphael Street and to note the issue of timing for the delivery of that widening to support the potential redevelopment of the subject site and that opposite site.

3.4 Environmental Considerations

3.4.1 Heritage

As noted in Section 1.4 (g), the subject site is in close proximity to the state listed heritage item of the Rookwood Cemetery/Necropolis as well as being in proximity to a number of other local heritage items.

The relationship and potential impacts of the Planning Proposal on the State heritage item of Rookwood was considered by the Cumberland IHAP and Council. As previously noted, the proposed FSR for the site has been adjusted down to 3.5:1 under this Planning Proposal (from 5:1 as sought under the original Request), combined with the nominated 32m building height, is to provide a transition in building form and scale from the town centre to the Rookwood Cemetery open space area.

The activation of streets, and the increase local resident and employee population, as a result of the future redevelopment, may have benefits to the number of people visiting the Rookwood Cemetery site including through passive recreation activities (eg walking) and incidental surveillance opportunities.

The heritage item located to the north-east of the subject site is a signal box located within and facing into the railway corridor. This item is located about 25m from the subject site, separated by Railway Street and associated on-street parking areas, and is also at a slightly higher ground elevation. Therefore the potential impact on the heritage item from future development is considered minimal.

There are other local heritage items in surrounding area as identified at Section 1.4.7. However these are physically and/or visually separated from the subject site, with other redevelopment proposed or occurring nearer those items. Therefore, it is considered there will be minimal impact on these heritage items as a result of this Planning Proposal.

3.4.2 Contamination

A Stage 1 Desktop Environmental Site Assessment for the subject site was submitted with the Planning Proposal Request. This assessment has been reviewed by Council's

Environmental Health Unit and was deemed to satisfy the requirement of the SEPP provided that any remediation works are undertaken prior to the land being used. It was also noted that a Stage 2 Environmental Site Assessment, and that assessment of the waste (excavation materials), would be required. Any remediation works required to the subject site are to be undertaken prior to the redevelopment of that site. These matters can be addressed at a future Development Application stage.

3.4.3 Acid Sulfate Soils

The subject site is identified as being affected by Class 5 Potential Acid Sulfate Soils. An Acid Sulfate Soils assessment will need to be undertaken to establish if an Acid Sulfate Soils Management Plan (ASSMP) is required. This can be undertaken to inform and support any future Development Application for the subject site.

3.4.4 Flooding

This subject site is not identified as being flood affected on the Cumberland Flood Planning map.

3.4.5 Flora and Fauna

The subject site is a developed property supporting industrial buildings and associated pavement. There is some planted vegetation – shrubs and small trees – on the site along property boundaries. The Planning Proposal Request notes one juvenile Norfolk Island Pine tree on the site (Page 39).

The Planning Proposal recognizes the existing RE1 Public Recreation zoned area of the subject site and the future redevelopment of the site should realise this area as a park/open space. This will connect with and so extend the existing open space known as the Jewish Reserve park which contains a number of large trees, some shrubs, and grass. This park is also in future to be connected to the Friends park and will therefore form part of a small green corridor. The extended park area will also have a relationship to the open space area of the Rookwood Cemetery located to the east.

3.4.6 Other environmental considerations

The Planning Proposal request also notes that the existing light industrial activities on the site may have associated noise, vibration, air quality and similar amenity impacts which would affect any future residential redevelopment of the adjacent properties. This could also apply to any future light industrial activities through any change in business or occupants. As such the removal of these light industrial activities, as would be achieved by the rezoning, could improve the local amenity for those future residents of nearby properties.

The proximity of the site to the passenger and freight railway corridor will require any future redevelopment of the site to consider the potential noise and vibration impacts to that development and with reference to the NSW Government current guidelines relating to developments near rail corridors and busy roads. This was raised in the submission by

Sydney Trains to the earlier exhibition of the Planning Proposal Request would be addressed as part of any future Development Application process for the subject site.

3.5 Economic Effects

The original Planning Proposal Request documentation indicated that a supermarket may be contained within the commercial floor space allocation of this site. In response, Council required an economic assessment be prepared that considered the impact of a supermarket at this site, and to the Lidcombe Town Centre. In later revised Planning Proposal Request documentation, the proponent removed the supermarket element from consideration on this site and no economic assessment was provided. However, Council subsequently resolved that an economic impact assessment was to be submitted to assess the impacts of the commercial floor space on the town centre, given the proposal effectively seeks to extend the town centre to the east. It was also noted that while a supermarket had been removed as an option for the site during the Planning Proposal process, this does not preclude a supermarket being reconsidered by the proponent at a later stage in the planned redevelopment of the site.

The Economic Impact Assessment was provided by the proponent in early 2018 and states that any adverse impacts on the commercial component of the subject site to the Lidcombe town centre would be negligible and overall it would be a positive outcome. The key elements of the assessment were the:

- Small proportion of the commercial floor space of the subject site within that of the overall town centre.
- Future residents of the site and in the redeveloping town centre will contribute to customer demand on the existing and future commercial floorspace.
- Number of jobs that will be created compared to the number of jobs currently located on the site (60 new jobs compared to the existing 12 jobs on the site).
- Broader community benefits to Lidcombe town centre, local residents, additional revenue to Council, and the services and skills employed during the construction phase.

The Economic Impact Assessment also noted that any supermarket on the site has the potential to shift the focus of commercial activity of the town centre towards this location.

The economic impact assessment gives little consideration to the economic impact of the closure/ relocation of the existing business on the site – however the scope of the study as required by Council did not require this to be addressed. The Planning Proposal Request document did note however that the loss of the “industrial zoned land is not considered a significant negative impact’ due to the trend for declining manufacturing space and that future industrial investment / redevelopment of the site would be constrained by the mixed residential and commercial land uses of adjacent areas.

3.6 Social Effects

The Planning Proposal and associated future redevelopment would enable a change from light industrial to mixed residential and commercial uses on the subject site. This is estimated to result in an increase in the number of employees on the site (up to approximately of 60 jobs), a new resident population of approximately 370 people (based on an average of 3.2 people per dwelling and 115 dwellings), as well as visitors and customers.

The Planning Proposal Request recognises the following specific positive social impacts of the Planning Proposal and future development of the subject site:

- Proximity of housing to public transport and active transport options
- Reduced reliance on private vehicles with associated health and lifestyle impact due to delays, accidents and vehicle emissions.
- Improved visual appeal and amenity.
- Enable the realisation of the park extension.
- Provision of additional housing to meet housing needs.

The Planning Proposal is also anticipated to achieve the following general benefits that have social aspects:

- The generation of temporary construction jobs for the development.
- The generation of ongoing commercial related employment and business opportunities.
- The increased local resident population and local employees that may result in greater pedestrian activity between the subject site, the Lidcombe Town Centre, local parks and the public transport nodes. This may result in an improvement in perceptions of safety and security for people moving around the area, for residents, and users of the park.

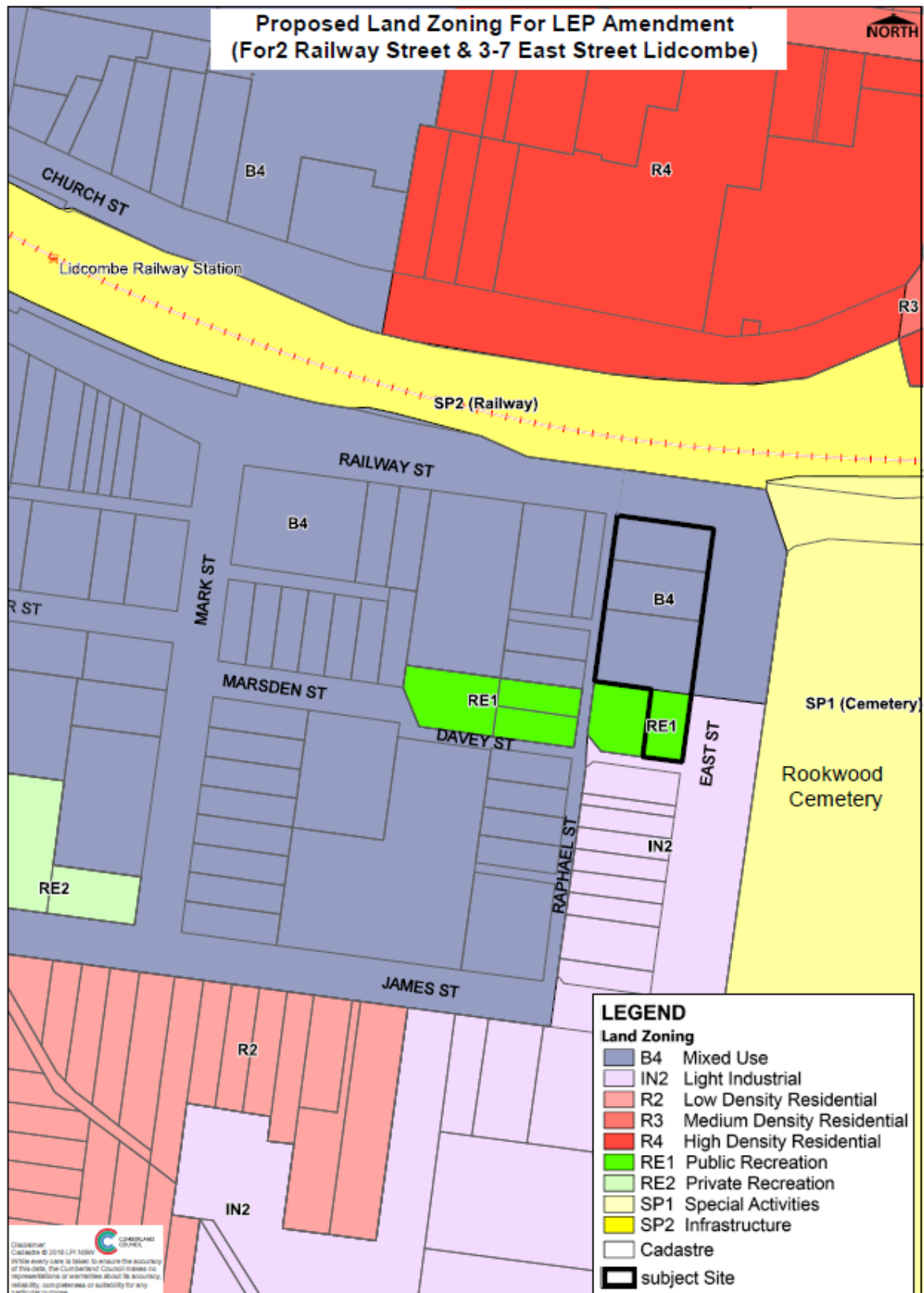
No negative social impacts or challenges were identified within the Planning Proposal Request.

4 Attachments

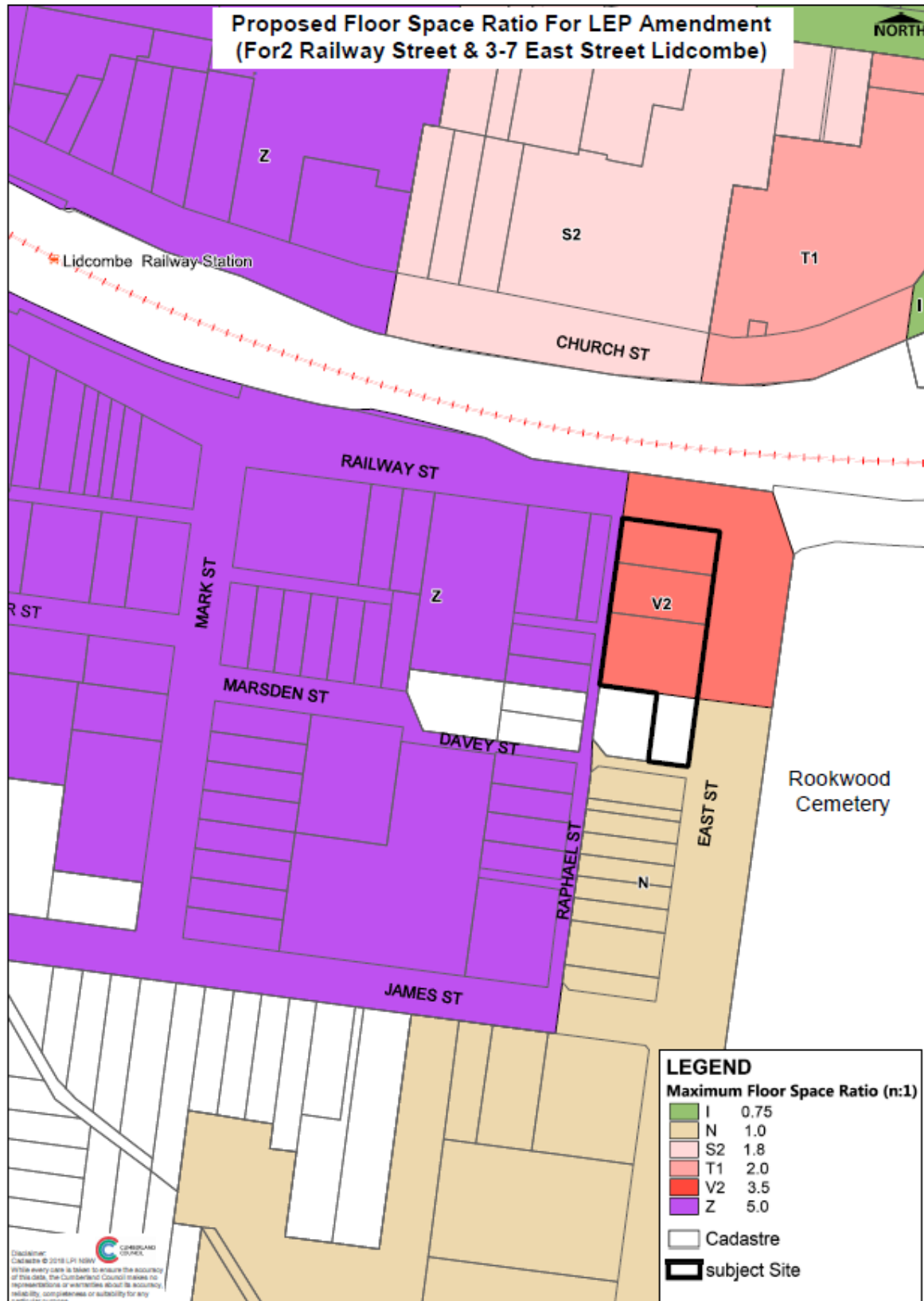
The following documents are provided in support of the Planning Proposal:

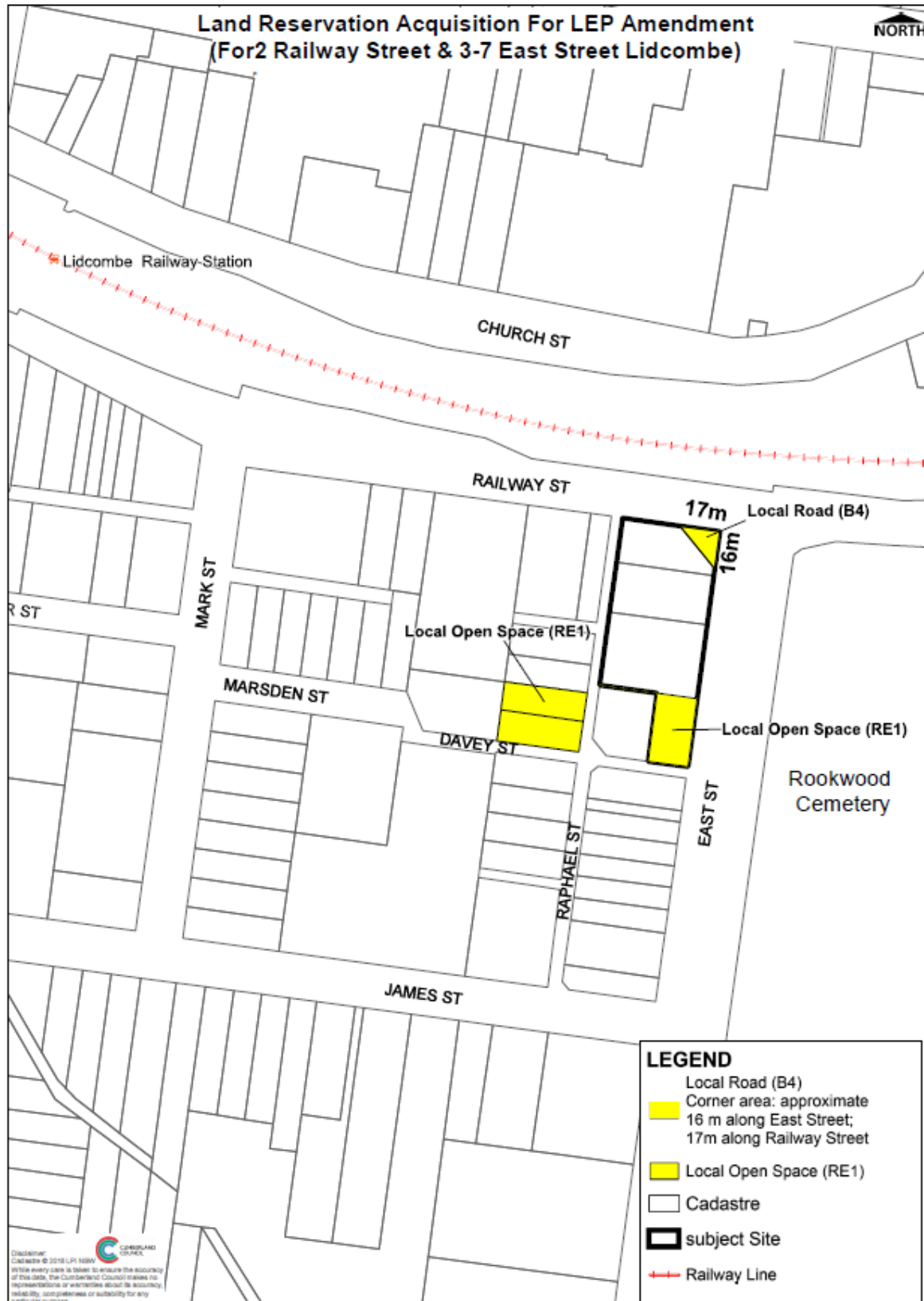
- Attachment A: Proposed LEP map excerpts (for exhibition purposes) comprising:
- Land Zoning Map
 - Floor Space Ratio Map
 - Height of Buildings Map
 - Land Reservation Acquisition Map
- Attachment B: Planning Proposal Request documentation (lodged by proponent comprising:
- Planning Proposal request (overview) dated September 2016
 - Environmental Site Assessment stage 1 dated 21 June 2016
 - Revised design plans, building blocks and shadow diagrams dated January 2017
 - Economic Impact Assessment dated December 2017
 - Traffic Management Plan dated January 2018
- Attachment C: Concept design for proposed future roundabout at the East / Railway Streets intersection dated April 2018 (prepared by Council)
- Attachment D: Cumberland IHAP report (Item C012-17) and minutes dated 10 May 2017
- Attachment E: Council Report (Item 085-17) and minutes dated 7 June 2017

Attachment A: Proposed LEP map excerpts (detail figures – for exhibition purposes)









Attachment C: Concept design for proposed future roundabout at the East / Railway Streets intersection dated April 2018 (prepared by Council)

