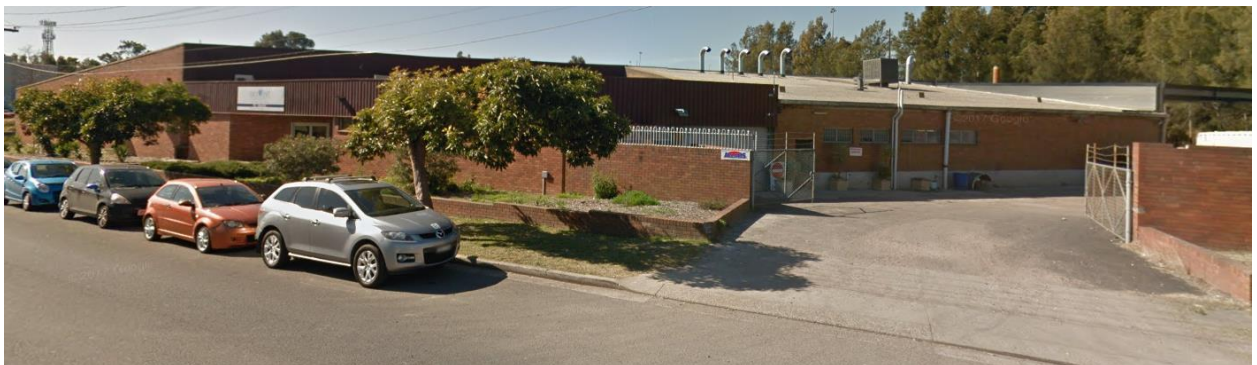




PLANNING PROPOSAL

2 Bachell Avenue, Lidcombe



June 2019

CONTENTS

INTRODUCTION	3
THE SITE AND SURROUNDING CONTEXT	3
SUPPORTING MATERIAL.....	ERROR! BOOKMARK NOT DEFINED.
BACKGROUND HISTORY	ERROR! BOOKMARK NOT DEFINED.
PART 1 – OBJECTIVES OR INTENDED OUTCOMES	7
PART 2 – EXPLANATION OF PROVISIONS	7
PART 3 – JUSTIFICATION	9
Section A. Need for the Planning Proposal	9
Section B. Relationship to strategic planning framework	Error! Bookmark not defined.
Section C. Environmental, social and economic impact	16
Section D. State and Commonwealth interests	17
PART 4 – COMMUNITY CONSULTATION	17
PART 5 – TIMELINE FOR COMPLETION.....	17

1 Introduction

1.1 Overview

The purpose of this planning proposal is to seek an amendment to the Auburn Local Environmental Plan 2010(Auburn LEP) for the property at 2 Bachell Avenue, Lidcombe (the Site).

The Planning Proposal seeks to amend the planning controls at 2 Bachell Avenue, Lidcombe, as follows:

- rezone the site from IN1 General Industrial to B5 Business Development. As the Auburn LEP does not contain the B5 Business Development zone the planning proposal seeks to add the B5 Business Development Zone to the Auburn LEP
- amend the Floor Space Ratio control from 1:1 to 2.5:1;
- introduce a Height of Building control of 14m at the front of the site and 27 metres for a portion at the rear of the site; and
- remove the Foreshore Building Line that applies to this site.

1.2 Background

The site is located at 2 Bachell Avenue Lidcombe. It is located approximately 1km from the Lidcombe Railway Station. The site is currently zoned for IN1 General Industrial. The site contains a freestanding warehouse with a footprint of approximately 2500sqm. The building was constructed in the 1970s and is currently used for commercial laundry/dry cleaning activities.

A Planning Proposal Request (PPR) for the site was lodged by the landowner with Council in October 2018. This PPR was placed on preliminary public exhibition in November and December 2018. This PPR sought to rezone the site to B5 Business Development, increase the FSR from 1:1 to 3:1 and remove the Foreshore Building Line that applies to the site.

1.3 Consideration by the Cumberland Local Planning Panel

The planning proposal was reported to the Cumberland Local Planning Panel in March 2019. The Panel:

- supported the change in zoning to B5 Business Development;
- was of the view that insufficient evidence has been provided by the applicant to justify a maximum FSR of 3:1 based on the proposed mix of land uses submitted with the proposal. However, the Panel supported an increase in FSR and was of the view that an FSR of 2:1 may be more appropriate in the context of the site and surrounding land uses;
- recommended consideration should be given to including height controls over the subject site; and
- recommended, having regard to the above, the planning proposal proceed to the next stage of assessment and be reported to Council seeking a resolution to forward an amended planning proposal for a Gateway Determination.

In response to the Panel's advice, further analysis was undertaken by Council officers on the Floor Space Ratio, and a ratio of 2.5:1 was recommended to Council as the control for this site, as:

- the proponent's economic report indicated that a Floor Space Ratio of 2:1 would be "somewhat viable", while a Floor Space Ratio of 2.5:1 or greater was identified as viable;
- applying a Floor Space Ratio of 2:1 to the site may make redeveloping the site unattractive as additional Floor Space Ratio is required to facilitate the works that are required to realign the drainage culvert; and

- a Floor Space Ratio of 2:1 has the potential to reduce the employment yield on the site, and it is unlikely that the site would be redeveloped to the scale that would yield the quantum of jobs identified (up to 550 jobs).

1.4 Council Resolution for this Planning Proposal

The matter was subsequently reported to Council on 15 May 2019 (C05/19-89) addressing the CLPP's recommendation and recommending the application of an FSR of 2:5.1 to the site.

Council resolved the following:

1. Prepare a planning proposal for 2 Bachell Avenue, Lidcombe, with the following land use and built form controls:
 - a) B5 Business Development Zone;
 - b) Floor Space Ratio of 2.5:1;
 - c) Height of Building controls of 14 metres at the front of the site and 27 metre for a portion at the rear of the site; and
 - d) Removal of Foreshore Building Line that applies to the site.
2. Endorse that the planning proposal be forwarded to the Department of Planning, Industry & Environment for a Gateway Determination.

1.5 Land to which this Planning Proposal applies

The site has the street address of 4-12 Railway Street Lidcombe. It is bounded by Bachell Avenue to the west, the Western Railway Line to the south and industrial complex to the east.



Figure 1 The site

The site is a large (8738sqm) irregular shaped lot, located at the southern end of Lidcombe East Industrial Precinct. It is the only remaining site in the Precinct that has not been fully developed. The site is relatively underutilised, containing only a freestanding warehouse with a footprint of approximately 2500sqm. The building was constructed in the 1970s and is currently used for commercial laundry/dry cleaning activities. Past uses including printing and storage of heavy vehicles.

There is a stormwater drainage channel that runs in a south to north-west direction through the site, partially covered by the warehouse. The rest of the drainage channel is exposed.

The site is surrounded by a diverse mix of land uses, including an established low density residential area to the north-west; a range of industrial, business and warehousing developments to the north-east; and railway infrastructure to the south-east.

Lidcombe train station is approximately 1km away, with direct train services to Central Sydney and Parramatta. Bus Services between Lidcombe and Sydney Olympic Park are approximately 500 metres away on Nicholas Street.

1.6 Current Planning Controls

1.6.1 Zoning

The site is currently zoned 1N1 General Industrial

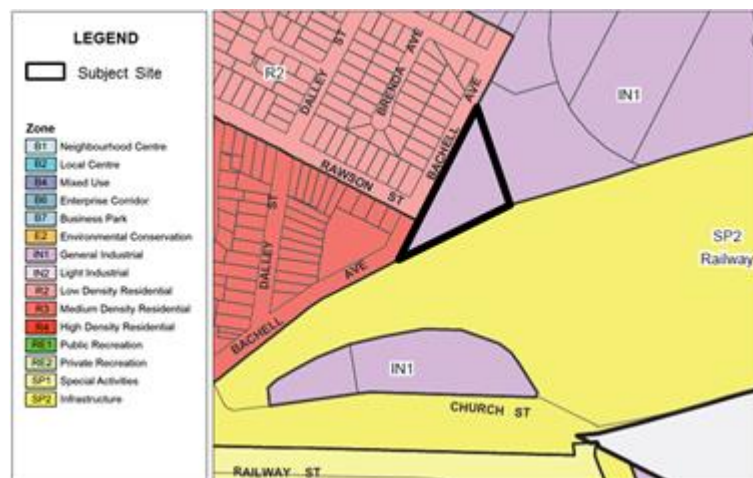


Figure 2 Existing Zoning

1.6.2 Height of Buildings

No Height of Building Control applies to the site



Figure 3 Existing Height of Buildings Control

1.6.3 Floor Space Ratio

A Floor Space Ratio of 1:1 applies to the site. This is the same FSR that is applied to Neighbouring industrial development.



A large portion of the site is affected by the Flood Planning Area provisions.



The Foreshore building line affects the eastern part of the site.



2 The Planning Proposal

2.1 Objectives or Intended Outcomes

The key objectives or intended outcomes of the Planning Proposal are to:

- Facilitate the redevelopment of the site for the purpose of a mix of business, warehouse and specialised retail uses
- Generate a wide range of local business and employment opportunities
- Support the site's transition from its current industrial-only use to a mix of higher order employment land uses, consistent with the strategic vision for the Lidcombe East Industrial Precinct
- Provide a compatible land use and appropriate employment density for the site without threatening the economic viability of Lidcombe town centre
- Reduce the risk of flooding and stormwater inundation in the local area.

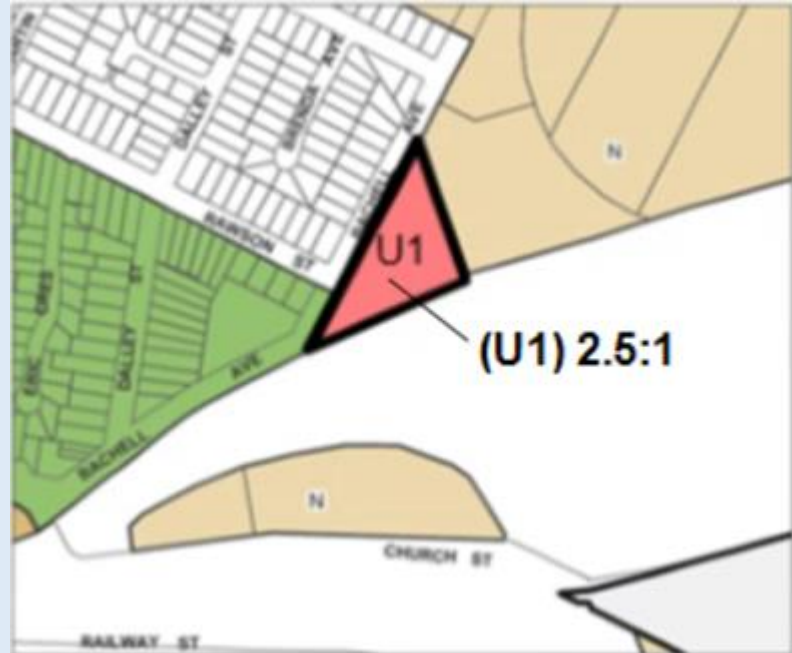
2.2 Explanation of provisions

To achieve the objectives or intended outcomes, the Planning Proposal seeks to amend Auburn LEP 2010 as follows (Table 2). Proposed changes to LEP maps are shown in attachment C.

Section of Auburn LEP	Proposed amendment
Part 2 – Permitted or prohibited development	Insert the B5 Business Development Zone. The proposed land use table is contained in attachment D
Land Zoning Map	<p>Rezone the Site from IN1 General Industrial to B5 Business Development</p>

Floor Space Ratio Map

Change the maximum Floor Space Ratio control from 1:1 to 2.5:1



Height of Building Map

Apply a maximum height of building control of 14m to the Bachell Avenue frontage and 27m to the remainder of the site. There is currently no maximum height of building control for the site.



Foreshore Building Line Map



Remove the site from the map.

Table 2 – proposed amendments to Auburn LEP

2.3 Justification

2.3.1 Section A. Need for the Planning Proposal

The purpose of this section is to demonstrate the need for the Planning Proposal in achieving the key objectives or intended outcomes.

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

No. The Planning Proposal was initiated by the landowner. However, it is consistent with, and provides an appropriate response to the following local plans and strategies which are aligned with the work of the Greater Sydney Commission and were developed in close consultation with our community:

- **Cumberland Employment and Innovation Lands Strategy**
 Adopted by Council in May 2019, this Strategy identifies the subject site as being part of the Lidcombe East Industrial Precinct. The proposed B5 zone will accommodate the types of land uses that Council is seeking to encourage in this area, including: advanced manufacturing; food and beverage manufacturing; digital technologies and media; advanced knowledge services; creative industries. A copy of the Strategy is contained in attachment E.
- **Cumberland Community Strategic Plan 2017-27**
 One of the strategic goals of this Plan is to create 'A strong local economy' where it is easy for innovative new business and industry to begin and flourish, and where the community has good access to jobs, both locally and within the Greater Sydney Region. In order to achieve this vision, amongst other things, Council seeks to encourage a mix of business in employment lands and attract a diverse range of knowledge based and technical industries, including those that may be accommodated in the proposed B5 zone. A copy of the Plan is contained in attachment F.

Overall, the strategic merit of the proposal may be summarised as follows.

- Adding the B5 Business Development zone to the Auburn LEP 2010 will improve consistency of Cumberland's LEPs, noting that Holroyd and Parramatta LEPs already contain the B5 zone.
- The proposed rezoning to B5 Business Development supports business and employment opportunities in the area through the provision of new and diversified floor space, as well as a range of jobs that can contribute to local job diversity
- The proposed Height of Building and Floor Space Ratio controls will result in a built form outcome that is appropriate in this location and will minimise impacts on nearby residential neighbourhoods
- Removing the Foreshore Building Line is appropriate as the stormwater channel that runs through the site is unlikely to be repatriated into a natural watercourse due to the urban form surrounding the site. In addition, redevelopment of the site would necessarily involve significant works to the stormwater channel that runs through the site, which is expected to result in significant local flood mitigation. The proposed works have the potential to mitigate flood affectation of 12 neighbouring residential properties.

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

Yes. The Planning Proposal is considered the best means of achieving the intended objectives or intended outcomes. Council seeks to encourage a diverse mix of generating land uses on the site that are not permitted in the IN1 General Industrial Zone. The Planning Proposal is necessary to rezone the land and amend planning controls to encourage the types of development that Council envisages for the site, including high-tech and creative industries.

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?

Yes –consistent.

Table 2 Consistency with the Greater Sydney Region Plan and Central City District Plan

Directions for a Greater Sydney 7. Jobs and Skills for the city			
Greater Sydney Region Plan - Objectives	Central City District Plan - Planning Priority	Central City District Plan - Actions	Consistency
O2. Infrastructure aligns with forecast growth	C1. Planning for a city supported by infrastructure	A3. Align forecast growth with infrastructure	<p>Consistent</p> <p>The proposal intensifies the employment uses of the site through a transition from a general industrial to a mix of business, commercial and industrial use.</p> <p>The subject site is situated approx.1km from Lidcombe railway station (15 min. walking distance) to the west and 880m from Parramatta Road and M4 motorway to the north. The nearest bus stop is located 520m to the west (7 min. walking distance). The on-road cycling route is provided to the north of the site accessing from Princess Street to Bachell Avenue which continues onward to Parramatta Road.</p>

O9. Greater Sydney celebrates the arts and supports creative industries and innovation	C4. Fostering healthy, creative, culturally rich and socially connected communities	A14. Facilitate opportunities for creative and artistic expression and participation, wherever feasible, with a minimum regulatory burden, including: a. arts enterprises and facilities and creative industries, b. interim and temporary uses, c. appropriate development of the night-time economy.	<p>Consistent</p> <p>The Planning Proposal seeks to rezone the subject site from IN1 General Industrial to B5 Business Development.</p> <p>Rezoning to B5 would allow a mix of employment generating business uses that could facilitate creative industries, consistent with Council's strategic vision for the Lidcombe East Industrial Precinct.</p> <p>Permissible uses with consent under B5 zone allow artisan food and drink industry as a subset of the Light Industry and by allowing business premises, the site could also be able to accommodate creative digital industries.</p>
O23. Industrial and urban services land is planned, protected and managed	C11. Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land	A49. Review and manage industrial and urban service land, in line with the principles for managing industrial and urban services land, in the identified local government areas by undertaking a review of all industrial lands to confirm their retention or transition to higher order uses (such as business parks) and prepare appropriate controls to maximise business and employment outcomes, considering the changing nature of industries in the area.	<p>Consistent</p> <p>The traditional industrial use of the subject site under the current zoning of IN1 General Industrial is declining in the area, as it limits to certain employment uses such as industrial and warehouse uses only.</p> <p>The subject site's irregular triangle shaped land parcel and the existing stormwater channel further restrict the capability of redevelopment of the site for industrial-only use.</p> <p>The site's proximity to Parramatta Road and Lidcombe railway station to the nearby metropolitan centre, Parramatta, encourages higher knowledge workers and creative industries to come together for innovative outcome.</p> <p>Rezoning to B5 Business Development would encourage range of employment opportunities and further contribute to the Cumberland LGA's employment target.</p> <p>The proposed redevelopment seeks to accommodate following employment uses:</p> <p>High technology industry, office and business premises, digital technologies and creative industries, light industries,</p>

			<p>industrial retail outlets, hardware building suppliers, warehouse and distribution, storage facilities, recreation facility (indoor), food and drink premises and neighbourhood shops.</p> <p>The proposed development includes re-alignment and encasement of the existing stormwater channel and provide at least 1m buffer from the proposed built-form.</p>
		<p>A51. Facilitate the contemporary adaptation of industrial and warehouse buildings through increased floor to ceiling heights.</p>	<p>Not Inconsistent</p> <p>The height of building control does not apply to the current land use - IN1 General Industrial and to the proposed land use - B5 Business Development.</p> <p>The proposed development seeks to provide a variety of forms, heights and floor plates to accommodate range of business, commercial and industrial uses.</p> <p>The proposed built form that facilitates industrial and warehouse use is proposed for up to four storeys.</p>
<p>O24. Economic sectors are targeted for success.</p>	<p>C12. Supporting growth of targeted industry sectors.</p>	<p>A54. Provide a regulatory environment that enables economic opportunities created by changing technologies.</p>	<p>Consistent</p> <p>The Greater Sydney Region Plan and the Central City District Plan recognise the need for a flexible planning approach for adapting to changing technologies.</p> <p>The proposed rezoning of the subject site to B5 Business Development would enable range of economic opportunities created by changing technologies.</p> <p>The proposed development would provide business and commercial spaces to deliver new knowledge-intensive jobs and creative industries, which such employment uses are encouraged through the District Plan and Council's Employment and Innovation Lands Study 2019.</p>

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

Yes – broadly consistent. An assessment of the Planning Proposal's consistency with applicable State Environmental Planning Policies (SEPPs) is discussed below.

Table 3 consistency with applicable State Environmental Planning Policies (SEPPs)

SEPP title	Application and Consistency
Remediation of Land (SEPP 55)	<p>Applies to State-wide Justifiably Inconsistent</p> <p>The subject site is zoned at IN1 General Industrial and the current use of the site is a commercial laundromat. The existing industrial use of the site may have impacted on ground soils and may possess potential health risks.</p> <p>To verify the current status of the site, the proponent provided a phase 2 contamination assessment, prepared by Sullivan Environmental Sciences. Council's health & environmental protection officer has reviewed the report and satisfied that the report was prepared in accordance with the <i>NSW EPA Guidelines for consultants reporting on contaminated sites</i> and the <i>National Protection of the Environment (Assessment of Site Contamination) Measure (2013 Amendment)</i>.</p>
Advertising and Signage (SEPP 64)	<p>Applies to State-wide Consistent</p> <p>The proposed rezoning to B5 Business Development would permit signage with consent. Should the proposal proceeds, consistency with this SEPP 64 to be further considered at DA stage if required.</p>
Building Sustainability Index: BASIC 2004	<p>Applies to State-wide To be considered at DA stage if required.</p>
Infrastructure 2007	<p>Applies to State-wide Not applicable</p>
Exempt and Complying Development Codes 2008	<p>Applies to State-wide Not applicable</p>
Extractive Industry No. 2 1995	<p>Applies to the Cumberland LGA Not applicable</p>
Sydney Harbour Catchment 2005	<p>Does not apply to this site</p>

Q6: Is the Planning Proposal consistent with applicable Ministerial Directions?

Yes – broadly consistent. An assessment of the Planning Proposal's consistency with applicable Ministerial Directions is discussed below.

Table 4 consistency with applicable Ministerial Directions is discussed below.

Direction	Applicability / Consistency
1. Employment and Resources	
1.1 Business and Industrial Zones	<p>Consistent</p> <p>The key justification for rezoning the site from IN1 General Industrial to B5 Business Development is to facilitate the redevelopment of the site to higher order and higher density employment activities.</p> <p>Therefore the proposal is considered to be consistent with the planning priority and actions under the</p>

Direction	Applicability / Consistency
	<p><i>Greater Sydney Region Plan and the Central City District Plan (the Plans).</i></p> <p>The subject site is situated within Lidcombe East Industrial Precinct and the proposal encourages employment growth and diversity in the area. Council's <i>Employment and Innovation Lands Strategy 2019</i> recognises this precinct transitioning to higher order uses.</p> <p>The proposed FSR from 1:1 to 2.5:1, is will generate a large number and variety of local jobs in a diverse mix of retail, light industry, warehousing, and high technology.</p> <p>The proposal will increase employment opportunities while still retaining the existing industrial uses and will not reduce the total potential floor space for employment uses and industrial uses.</p>
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	Not applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	Not applicable
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	Not applicable
2.4 Recreation Vehicle Areas	Not applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones (a)	<p>Not applicable</p> <p>The planning proposal request does not seek to provide any residential development and the current land use of the subject site is IN1 General Industrial.</p>
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Not applicable
3.4 Integrating Land Use and Transport	<p>Consistent</p> <p>The Planning Proposal Request seeks to rezone the subject site from IN1 General Industrial to B5 Business Development.</p> <p>The subject site is located within the Lidcombe East Industrial Precinct as recognised in Council's <i>Employment and Innovation Lands Study 2019</i>. The subject site is located out-of-centre, approximately 1km away on foot from Lidcombe railway station (15 min. walking distance) to the west and 880m from Parramatta Road and M4 motorway</p>

Direction	Applicability / Consistency
	to the north. The nearest bus stop is located 520m to the west (7-9 min. walking distance). The site has a frontage to a regional road 'Bachel Avenue' with a 60km zone and on-road cycle routes that connects Lidcombe Town Centre and Parramatta Road.
3.5 Development Near Licensed Aerodromes	Not applicable
4. Hazard and Risk	
4.1 Acid Sulfate Soils	Consistent The subject site is situated on land classified as having Class 5 Acid Sulfate Soils, which is the least affected category for development purposes. Further consideration to the matter will be considered as part of any further development application to redevelop the site.
4.2 Mine Subsidence and Unstable Land	Not applicable
4.3 Flood Prone Land	Justifiably Inconsistent Whilst the site is identified within the Flood Planning Area, it is already urbanised and zoned and being used for an industrial purpose. The change in zoning to B5 Business Development, realignment of the stormwater channel and redevelopment of the site present the opportunity to address the flood affection on the site. It is anticipated that the realign of the stormwater channel and other drainage works that will be undertaken during the redevelopment will reduce the extent of the flood affection on the site and for neighbouring residential properties to the west.
4.4 Planning for Bushfire Protection	Not applicable
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not applicable
5.2 Sydney Drinking Water Catchments	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8 Second Sydney Airport: Badgerys Creek	Not applicable
5.9 North West Rail Link Corridor Strategy	Not applicable
5.10 Implementation of Regional Plans	Consistent
6. Local Plan Making	
6.1 Approval and Referral	Not applicable

Direction	Applicability / Consistency
Requirements	
6.2 Reserving Land for Public Purposes	Not applicable
6.3 Site Specific Provisions	Not applicable
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	Consistent
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not Applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable.

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 mostly cleared with no known critical habitat or threatened species, populations or ecological communities, or their habitats. Any future development application for the site must demonstrate the suitability of the land for the proposed development, including any potential environmental impacts.

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

The Planning Proposal will encourage redevelopment of the site, providing an opportunity to address local flooding and stormwater management. Part of the site is within the designated flood planning area under Auburn LEP 2010. Any future development on the land must comply with Council's flood planning controls and will require extensive works to the existing stormwater channel.

The Preliminary Contamination Report contained in attachment J was commissioned by Pacific Planning in support of their rezoning request and associated changes to development controls. The Report confirms that the site has low potential for contamination and that the site is suitable for the proposed B5 Business Development Zone.

It is noted that any future development application involving redevelopment of the site will be required to demonstrate the suitability of the land for the proposed development and to demonstrate how any potential environmental effects will be addressed/mitigated.

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

Yes. The Planning Proposal is likely to generate many local jobs in an established urban services area, close to transport.

Section D. State and Commonwealth interests

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

Yes. The site is in an established industrial area, well connected to existing transport infrastructure.

Q11: What are the views of state and commonwealth public authorities consulted in accordance with the Gateway Determination?

Consultation with state and commonwealth public authorities will occur following Gateway determination.

PART 4 – COMMUNITY CONSULTATION

Community consultation to comply with conditions of the Gateway determination. Council carried out preliminary/non-statutory consultation in 2018 under its Planning Proposal Notification Policy. The proposal was exhibited for a period of 28 days, from 13 November 2018 to 11 December 2018. No submissions were received during or after the exhibition period.

PART 5 – TIMELINE FOR COMPLETION

The timeline for completion will be confirmed following Gateway determination. The following steps are anticipated:

Planning Proposal submitted to Department for Gateway Determination	June 2019
Receive Gateway Determination	July 2019
Public Exhibition and agency consultation	August/September 2019
Consider submissions	September/October 2019
Post exhibition report to Council	October 2019
Submission to Department to finalise the LEP	December 2019