

Item No: LPP010/19

**PLANNING PROPOSAL REQUEST FOR 2 BACHELL AVENUE, LIDCOMBE -
PRELIMINARY PUBLIC EXHIBITION AND TECHNICAL ASSESSMENT**

Responsible Division: Environment & Planning
Officer: Manager Strategic Planning
File Number: PP-3/2018

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| Lodged | 30 October 2018 | | |
| Proponent | Pacific Planning | | |
| Owner | Raad Property Acquisition No 10 Pty Ltd | | |
| Description of Land | 2 Bachell Avenue Lidcombe (Lot 2 DP 219413) | | |
| Site Area | Approximately 8,750m ² | | |
| Site Description and Existing Use | The site contains a freestanding warehouse constructed in 1973 and has been used for a commercial laundromat since 2016. The site is identified within the Flood Planning Area and includes a part of land identified as below Foreshore Building Line. The existing stormwater channel/culvert runs through the site in a south to north-west direction and partly covered in adjacent to and below the freestanding warehouse. | | |
| Proposal Summary | Seeks to amend the <i>Auburn Local Environmental Plan 2010 (Auburn LEP 2010)</i> by: <ul style="list-style-type: none"> • Amending the Land Use Table to include B5 Business Development zone; • Rezoning the site from IN1 General Industrial to B5 Business Development; and • Amending the floor space ratio (FSR) control for the site from 1:1 to 3:1. | | |
| Existing and Proposed Planning Controls | Planning Controls (<i>Auburn LEP 2010</i>) | Existing controls | Proposed controls |
| | Zoning | IN1 General Industrial | B5 Business Development |
| | Height of Building | N/A | N/A |
| | Floor Space Ratio | 1:1 | 3:1 |
| | Foreshore Building Line | Present | Exclude |
| Heritage | Nil | | |
| Disclosure of political donations and gifts | Nil | | |
| Previous Consideration | On 2016, the proponent lodged a planning proposal seeking a rezoning of the site to B1 Neighbourhood Centre to accommodate residential dwellings and commercial/retail premises. Council resolved not to support the planning proposal at its meeting of 1 February 2017, following the review of the preliminary public consultation and council officer's technical assessment | | |

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| | report. |
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SUMMARY:

This report seeks to provide an overview of a planning proposal submitted to Cumberland Council on 30 October 2018. The proposal seeks to amend the Auburn LEP 2010 by:

- Rezoning the site from IN1 General Industrial to B5 Business Development;
- Introducing new B5 Business Development zone in the Land Use Table;
- Amending the floor space ratio (FSR) control for the site from 1:1 to 3:1; and
- Removing the Foreshore Building Line that applies to this site.

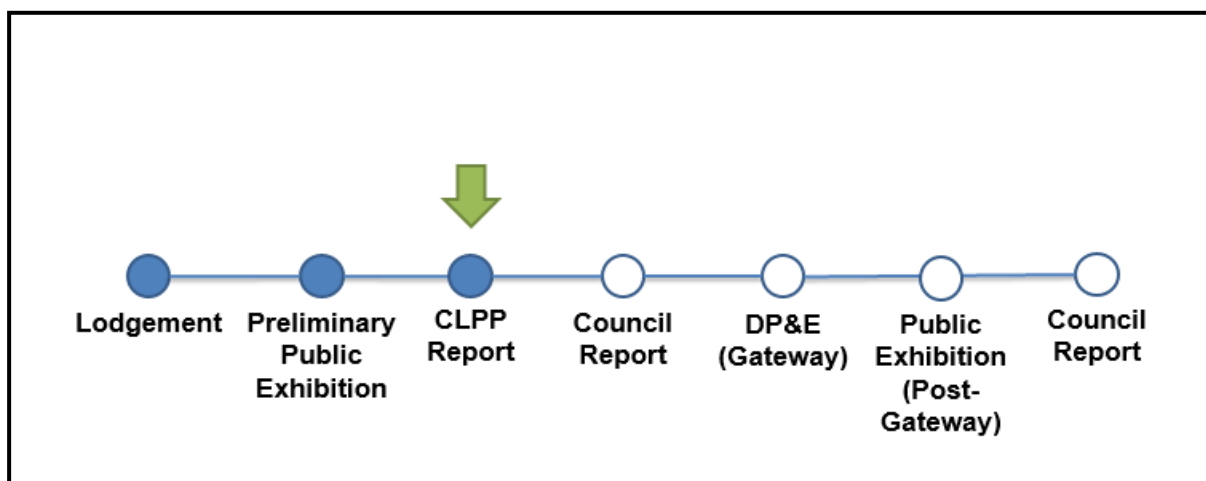
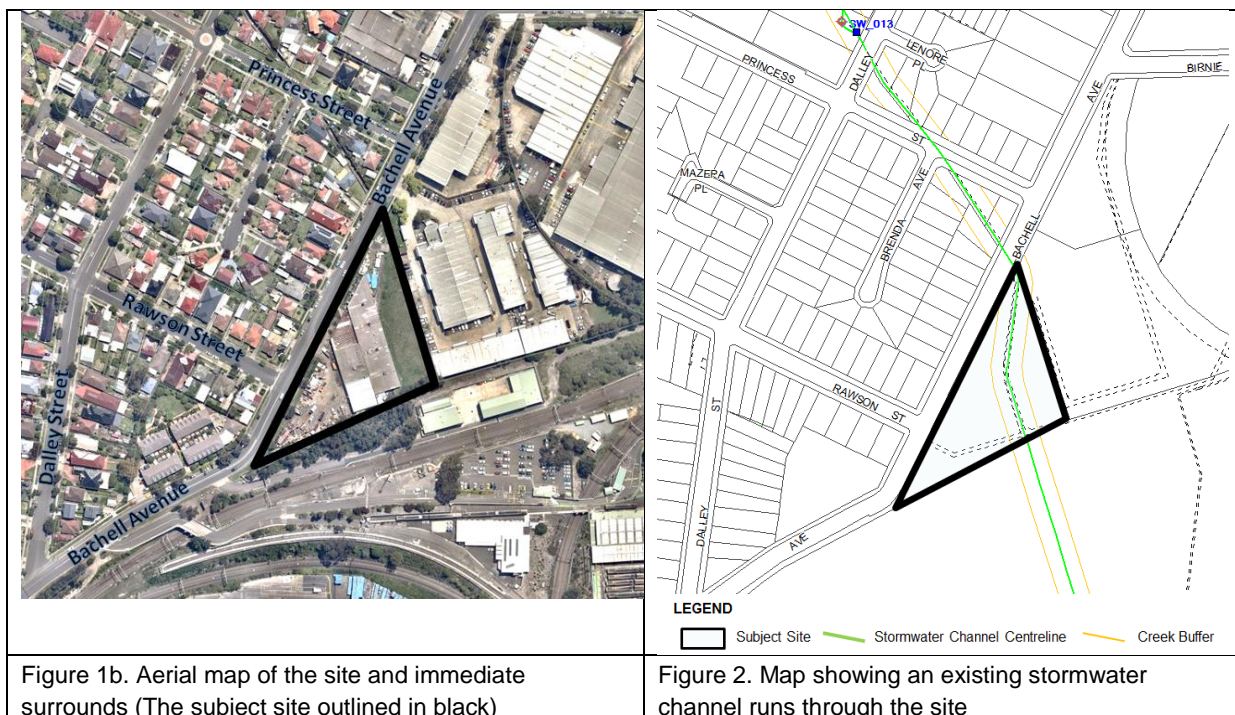


Figure 1a: Planning Proposal Status

REPORT:

1. *The site and its context*

The subject site (the site) is located at 2 Bachell Street, Lidcombe. The site currently contains a freestanding warehouse, utilised by a laundrette, with a footprint of approximately 2,500m². The warehouse is located in the middle of the site with land on either side vacant. The site is an irregular triangular shape measuring approximately 8,738m² in area.



Local Context

The site is located on the southern end of the Lidcombe East Industrial Precinct, and is adjacent to a residential area (to the west) and railway infrastructure (to the south).

The site is located approximately 1 kilometres from Lidcombe train station.

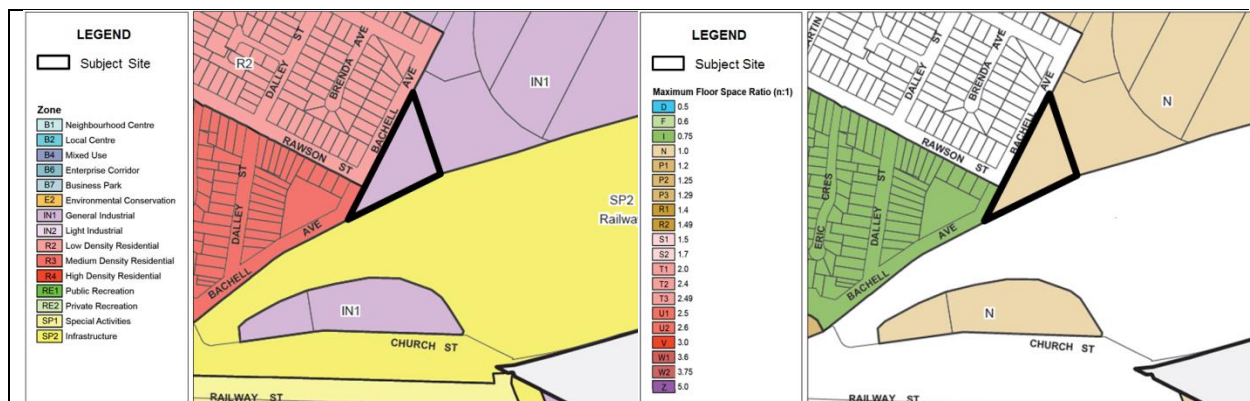
Regional Context

The site is located in the suburb of Lidcombe within the Local Government Area of Cumberland Council, approximately 6 kilometres east of Parramatta CBD and 16 kilometres west of the Sydney CBD.

2. Planning Controls (Auburn LEP 2010)

The site is currently zoned IN1 General Industrial with an FSR of 1:1. No maximum height of building control applies to the site.

The site is identified on the Flood Planning Area Map and the Foreshore Building Line Map.



3. The Planning Proposal

The proposal seeks to:

- rezone the site from IN1 General Industrial to B5 Business Development;
- introduce new B5 Business Development zone in the Land Use Table. (The proponent is suggesting the use of the land use table from the Holroyd LEP);
- amend the floor space ratio (FSR) control for the site from 1:1 to 3:1, and
- remove the Foreshore Building Line that applies to this site.

The intended outcomes for this Planning Proposal Request are:

- to enable a mix of business and warehouse uses and specialised retail premises;
- to support a transition of the site's current industrial-only use of site to a mix of higher order employment land uses;
- to provide a compatible land use and appropriate employment density for the site without threatening the economic viability of the Lidcombe Town Centre;

- to enable the redevelopment of the site for a mix of higher order employment land uses and provide facilities or services to meet the day to day needs of workers in the area;

4. B5 Business Development Zone

The *Auburn LEP 2010* currently does not contain B5 zone. The B5 Business Development Zone is a standard instrument zone and the planning proposal seeks the inclusion of the *Holroyd LEP 2013 B5 Business Development Zone* within the *Auburn LEP 2010*.

1. Objectives of zone

- To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

2. Permitted without consent

Nil

3. Permitted with consent

Centre-based child care facilities; Food and drink premises; Funeral homes; Garden centres; Hardware and building supplies; Landscaping material supplies; Light industries; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Respite day care centres; Roads; Self storage units; Specialised retail premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4.

4. Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industrial retail outlets; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Vehicle body repair workshops; Waste disposal

facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities

5. Strategic Merit Assessment.

Consistency with the Draft Employment and Innovation Lands Strategy 2017

The site is situated within Lidcombe East Industrial Precinct as recognised in the draft *Cumberland Employment and Innovation Lands Strategy 2017 (draft EILS 2017)*. The draft EILS 2017 sets a vision for this precinct for 'Cumberland Creative Cluster'. The vision encourages the retention of existing industrial land uses in some areas and targeting advanced manufacturing, supporting food and beverage and creative industries.

There is strategic merit in progressing this proposal to the next phase of assessment as:

- The proposed rezoning to B5 Business Development would increase employment opportunities and would create business opportunities in the area through the provision of new and more diversified floor space.
- The redevelopment of the site may achieve the draft EILS's vision of a creative cluster in this area through the creation of new and diversified floor space.
- The proposed employment uses creates range of jobs that could contribute to the local job target and job diversity, which potentially generates greater job opportunities for local residents.

Addition of the B5 zone to the Auburn LEP 2010

There is strategic merit in adding the B5 zone to the Auburn LEP as both the Holroyd and Parramatta LEPs have the B5 zone. This zoning would continue to be provided as part of the new Cumberland LEP.

Traffic, Parking and Transport

There is strategic merit on progressing this planning proposal to the next phase of assessment as:

- The site is approximately 1 kilometre from Lidcombe train station, which has direct train services to Central Sydney and Parramatta. Bus services between Lidcombe and Sydney Olympic Park (route 401) are approximately 500 metres away on Nicholas Street.
- Road network and SIDRA analysis of anticipated traffic generation found there would be a minor impact on the intersections studied as a result of the proposal.
- Many of the workers that are employed in the East Lidcombe Industrial use Bachell Avenue and adjoining streets for parking. This creates a conflict with local residents and visitors wishing to use local streets for parking. The rezoning of the site will facilitate the redevelopment of the site and future development

will need to provide onsite parking. This may assist in reducing the current level of demand for on street parking.

Flood Planning

Part of the site is designated as being within the flood planning area under *Auburn LEP*. However, there is merit in progressing this proposal to the next stage of assessment as:

- Any future development proposal will need to address Council's flood planning controls.
- Whilst the proposal seeks to intensify the employment activities on the site, it is not considered that this intensification will amplify the flood affectation on the site or for neighbouring properties.
- The proposed realignment and covering of the stormwater culvert has the potential to mitigate flood affectation of 12 neighbouring residential properties.

Council's engineers have advised that they raise no flood-related concerns at this stage; however, they noted that there would be a detailed assessment at the development stage.

Removal of the Foreshore Building Line

The subject site includes a part of land identified as below the foreshore building line under the *Auburn LEP 2010's* in the Foreshore Building Line Map.

There is strategic merit in considering the removal of the Foreshore Building Line as follows:

- The existing stormwater channel/culvert runs through the site is already partly covered and runs below the freestanding warehouse.
- 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. Rail lines and roads to the south require piping and the subdivision pattern to the northwest creates a narrow corridor which is unlikely to provide the space to allow for the stormwater channel to be transformed into a natural watercourse.

Consistency with A Metropolis of Three Cities - Greater Sydney Region Plan

There is strategic merit in progressing this planning proposal to the next phase of assessment as it is consistent with the following planning directions in *A Metropolis of Three Cities*:

- *Jobs and Skills for the City* - the site is with the Lidcombe East Industrial Precinct, which is identified as the 'Cumberland Creative Cluster' in Council's draft Employment and Innovation Lands Strategy. The proposal will also facilitate and encourage job diversity and growth within research and innovation

employment sectors, and will facilitate the redevelopment of an underutilised site.

- *City supported by infrastructure* - the redevelopment of the site provides access to essential goods and services for existing local residents and workers within the surrounding area.

Consistency with the Central City District Plan

There is strategic merit in progressing this planning proposal to the next phase of assessment as consistent with the following Planning Priorities of the *Central City District Plan*:

- *Planning Priority C2 Planning for a city supported by infrastructure* - the proposal seeks to rezone land within an established employment precinct well supported by existing infrastructure.
- *Planning Priority C5 Providing housing supply, choice and affordability with access to jobs, services and public transport* - the planning proposal seeks to deliver additional jobs and diversity of employment opportunities in proximity to established employment precincts, residential neighbourhoods and Lidcombe town centre.
- *Planning Priorities C10 Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land* - the proposal has the potential to generate employment opportunities and create business opportunities in the area through the provision of new and more diversified floorspace.
- *Planning Priority C12 Supporting growth of targeted industry sectors* - the proposal seeks to facilitate diversity and growth of creative and innovative businesses.

CONCLUSION:

It is recommended that the Proposal be reported to Council seeking a resolution to progress the proposal to DP&E for a Gateway Determination. This recommendation is made on the following basis:

- the proposed rezoning to B5 Business Development would increase employment opportunities and would create business opportunities in the area through the provision of new and more diversified floorspace;
- the proposal has the potential to attract up to 550 jobs;
- the proposed employment uses are anticipated to create a range of jobs that could contribute to the local job target and job diversity, potentially generating greater job opportunities for local residents;

- there is merit in adding the B5 zone to the Auburn LEP as the B5 zone is a standard instrument zone which exists in both the Holroyd and Parramatta LEPs (soon to be harmonised in a single Cumberland LEP);
- 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;
- traffic generation is likely to have a minor impact only on surrounding intersection performance; and
- the proposal is generally consistent with the broad strategic direction set by the *Central City District Plan* and the *Greater Sydney Region Plan*, and is both compatible with and contributes to the longer term viability of the broader Lidcombe East employment precinct.

CONSULTATION:

Preliminary Exhibition of Planning Proposal Request

The proposal was publicly exhibited for a period of 28 days from 13 November 2018 to 11 December 2018, in accordance with Cumberland Council's *Planning Proposal Notification Policy*.

Council received no written submissions during or after the exhibition period.

FINANCIAL IMPLICATIONS:

There are no financial implications for Council associated with this report.

POLICY IMPLICATIONS:

This report recommends that this matter be reported to Council for further consideration. Should Council resolved to forward this planning proposal to the Department of Planning and Environment for a Gateway Determination, there will be a number of policy implications associated with the subsequent stages of the planning proposal process. These will be outlined in subsequent Council reports.

COMMUNICATION / PUBLICATIONS:

There are no communication / publication implications for Council associated with this report.

REPORT RECOMMENDATION:

That the Planning Proposal Request proceed to the next stage of assessment and be reported to Council seeking a resolution to forward the planning proposal to the Department of Planning and Environment for a Gateway Determination.

ATTACHMENTS

1. Planning Proposal Request [↓](#) 

Minutes of the Cumberland Local Planning Panel Meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Wednesday 13 March 2019.

PRESENT:

Julie Walsh (Chairperson), Brian Kirk, Michael Ryan and Irene Simms.

IN ATTENDANCE:

Karl Okorn, Monica Cologna, Michael Lawani, Sohail Faridy, Elma Sukurma, Sarah Pritchard, William Attard, Esra Calim, Laith Jammal.

NOTICE OF LIVE STREAMING OF CUMBERLAND LOCAL PLANNING PANEL MEETING

The Chairperson advised that the Cumberland Local Planning meeting was being streamed live on Council's website and members of the public must ensure their speech to the Panel is respectful and use appropriate language.

The meeting here opened at 11:43a.m.

DECLARATIONS OF INTEREST:

The Chairperson, Julie Walsh declared a non-pecuniary, less than significant interest in Item LPP007/19 and LPP008/19 as she knows the planning consultant for the applications in a professional capacity however notes that no discussions have taken place nor does she have prior knowledge of either item.

ADDRESS BY INVITED SPEAKERS:

The following persons had made application to address the Cumberland Local Planning Panel meeting:

| <u>Speakers</u> | <u>Item No. Subject</u> |
|-----------------|--|
| Anthony Sukkar | DA for 116 Kingsland Road, Regents Park |
| Tony Oldfield | DA for 116 Kingsland Road, Regents Park |
| Dan Nijatovic | Section 4.55(2) Modification for 601-605 Great Western Highway, Greystanes |
| Ben Isaac | Section 4.55(2) Modification for 601-605 Great Western Highway, Greystanes |
| Joseph Scuder | S.4.56 Modification to 1-7 & 9-11 Neil Street, Merrylands |

The Chairperson enquired to those present in the Gallery as to whether there were any further persons who would like to address the Panel.

SpeakersItem No. Subject

James Matthews

Planning Proposal 2 Bachell Avenue Lidcombe

The open session of the meeting here closed at 12:49Pm.

The closed session of the meeting here opened at 12:50Pm.

ITEM LPP005/19 - DEVELOPMENT APPLICATION FOR 116 KINGSLAND ROAD, REGENTS PARK

RESOLVED:

1. That Development Application No. DA-93/2018 for Demolition of an existing dwelling and structures and construction of five by two storey townhouses (including attic level) over basement car parking on land at 116 Kingsland Road, Regents Park be refused for the following reasons:
2. The proposed development fails to satisfy the following provisions of Auburn DCP 2010:
 - a. Clause 2.6 - Head height of windows;
 - b. Clause 2.7 - Width of front townhouse, depth of front town house, width of rear townhouse, setback from rear townhouses to side boundary;
 - c. Clause 2.8 - Basement setback, and
 - d. Clause 2.11 - Dwelling size
3. The cumulative impact of the above non-compliances are indicative of an overdevelopment of the site.
4. Having regard to the public submissions and the above non-compliances the development as proposed is not considered suitable for the site and is not in the public interest.

For: Julie Walsh (Chairperson), Brian Kirk, Michael Ryan and Irene Simms.

Against: Nil.

Reasons for Decision:

As stated above.

ITEM LPP006/19 - SECTION 4.55(2) MODIFICATION FOR 601-605 GREAT WESTERN HIGHWAY, GREYSTANES

RESOLVED:

1. That DA 2018/9/2 seeking to amend delivery hours for the service station tenancy to 24 hours a day, seven (7) days a week on land at 601-605 Great Western Highway Greystanes, be approved subject to the conditions in the draft determination as amended by the Panel:
2. Recommended Condition 162 (b) is amended to read as follows:
(b) Deliveries of fresh produce and other small consumable items to the convenience store may be carried out 24 hours, 7 days a week, with a limit of 3 deliveries between 10:00 Pm and 7:00 Am each 24 hour period.

For: Julie Walsh (Chairperson), Brian Kirk, Michael Ryan and Irene Simms.

Against: Nil.

Reasons for Decision:

1. To preserve the amenity of nearby residents.

ITEM LPP007/19 - 4.56 MODIFICATION TO 1-7 & 9-11 NEIL STREET, MERRYLANDS

RESOLVED:

That Section 4.56 Application 2016/496/3 seeking internal and external alterations to Building 4 on land at 1-7 & 9-11 Neil Street, Merrylands, be Approved, subject to the conditions contained in Attachment 2 of the Council Officer's report.

For: Julie Walsh (Chairperson), Brian Kirk, Michael Ryan and Irene Simms.

Against: Nil.

Reasons for Decision:

1. The Panel generally agrees with the Council Officer's report and recommendation.

ITEM LPP008/19 - SECTION 4.56 MODIFICATION TO 1-7 AND 9-11 NEIL STREET, MERRYLANDS

RESOLVED:

That Section 4.56 Application 2016/496/4 seeking internal and external alterations to Buildings 3 and 4, and relocation of hydrant booster and substation kiosk on land at 1-7 & 9-11 Neil Street, Merrylands, be Approved, subject to the conditions contained in Attachment 2 of the Council Officer's report.

For: Julie Walsh (Chairperson), Brian Kirk, Michael Ryan and Irene Simms.

Against: Nil.

Reasons for Decision:

1. The Panel generally agrees with the Council Officer's report and recommendation.

ITEM LPP009/19 - PLANNING PROPOSAL FOR 100 WOODVILLE ROAD

RECOMMENDATION:

That this matter be reported to Council seeking a resolution to forward the Planning Proposal to the Department of Planning and Environment for a Gateway Determination.

For: Julie Walsh (Chairperson), Brian Kirk, Michael Ryan and Irene Simms.

Against: Nil.

ITEM LPP010/19 - PLANNING PROPOSAL REQUEST FOR 2 BACHELL AVENUE, LIDCOMBE - PRELIMINARY PUBLIC EXHIBITION AND TECHNICAL ASSESSMENT

RECOMMENDATION:

1. The Panel supports in principle the change in zoning to B5 Business Development.
2. The Panel is 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. Based on documentation provided, whilst the Panel does support an increase in FSR having regard to the particular constraints of the site, it is of the view that an FSR of 2:1 may be more appropriate in the context of the site and surrounding land uses.

3. **Consideration should be given to including height controls over the subject site.**
4. **Having regard to 1, 2 and 3 the Planning Proposal Request proceed to the next stage of assessment and be reported to Council seeking a resolution to forward an amended planning proposal to the Department of Planning and Environment for a Gateway Determination.**

For: Julie Walsh (Chairperson), Brian Kirk, Michael Ryan and Irene Simms.

Against: Nil.

The closed session of the meeting here closed at 2:30pm.

The open session of the meeting here opened at 2:31pm. The Chairperson delivered the Cumberland Local Planning Panel's resolutions to the Public Gallery.

The meeting terminated at 2:35Pm.

Signed:



Julie Walsh
Chairperson