

## Assessment Criteria

'A guide to preparing planning proposals' establishes the below Assessment Criteria to be considered in the justification of a planning proposal.

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| <p>a) Does the proposal have strategic merit? Is it:</p> <ul style="list-style-type: none"> <li>• Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or</li> <li>• Consistent with a relevant local council strategy that has been endorsed by the Department; or</li> <li>• Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.</li> </ul> | <p>The Central District Plan has yet to be released, however the Planning Proposal is consistent with the relevant goals and actions of A Plan for Growing Sydney and the Draft Inner West Subregional Strategy.</p> <p>Council has not prepared a local strategy that encompasses the subject site, however the Planning Proposal is consistent with the Leichhardt 2025+ Strategic Plan.</p> <p>It is therefore considered that the proposal has strategic merit.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>b) Does the proposal have site-specific merit, having regard to the following:</p> <ul style="list-style-type: none"> <li>• the natural environment (including known significant environmental values, resources or hazards) and</li> <li>• the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and</li> <li>• the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.</li> </ul>                                                                                                                                                          | <p>While it is requested that a Gateway determination require further consideration of the impact of the proposal on vegetation on the site (with the proponent to update the submitted Arboricultural Impact Assessment to reflect the revised concept), it is not considered that the proposal will adversely impact the natural environment. Impacts on vegetation will also be comprehensively assessed as part of a future development application</p> <p>The subject site and those surrounding are zoned R1 General Residential. While housing in the vicinity predominantly comprises one and two storey dwellings, the subject site accommodates a two storey residential flat building and to the east is a six-storey residential flat building owned by the Department of Housing. Multi dwelling housing comprising five (5) attached two (2) storey dwellings has recently been approved a few sites to the west. At an</p> |

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|  | <p>FSR of 0.69:1, this development exceeds the maximum of 0.5:1.</p> <p>Directly opposite the site are the Rozelle Rail Yards which are zoned Port and Employment under <i>Sydney Regional Environmental Plan No 26—City West</i> (SREP 26) and fall within The Bays Precinct.</p> <p>While the built form in the immediate area largely comprises dwelling houses, there are examples of other types of residential accommodation in the locality as well as evidence of future change. As such, the development anticipated on the site under the Planning Proposal is deemed to be consistent with the existing, approved and likely future uses of land in the vicinity of the proposal.</p> <p>The level of detail provided in the proponent's Planning Proposal does not explicitly identify the anticipated number of additional dwellings to be accommodated on site, however based on the indicative floor plans submitted and Council's requirement for a diversity of housing (clause 6.13 of LEP 2013) it is estimated that a total of eight (8) dwellings will be provided. It is not anticipated that the density increase will create substantial additional demand for infrastructure and services.</p> <p>It is therefore considered that the proposal has site-specific merit.</p> |
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Table 2: Consideration of the Planning Proposal against the Assessment Criteria of 'A guide to preparing planning proposals'

**Q4. *Is the planning proposal consistent with a council's local strategy or other local strategic plan?***

Local strategies and strategic plans have yet to be prepared for the recently formed Inner West Council. Accordingly, assessment of the Proposal against strategies and studies of the former Leichhardt Council is considered appropriate.

## Leichhardt 2025+

The Leichhardt 2025+ Strategic Plan was developed to guide and direct the former Leichhardt Council and the community in achieving their development goal of a “sustainable, connected and liveable community”. Leichhardt 2025+ is the strategic plan for the former Leichhardt LGA that identifies the community’s main priorities and aspirations for the future and guides the delivery of Council services over a ten year period.

The following six key service areas provide a focus for future directions to plan social, environmental, economic and civic leadership outcomes to deliver a sustainable and liveable community.

- Community wellbeing;
- Accessibility;
- Place where we live and work;
- Sustainable environment;
- Business in the community; and
- Sustainable services and assets.

The following table outlines the consistency of the Proposal with relevant goals of Leichhardt 2025+:

| Key Service Area             | Goal                                                                                                                                                                                     | Comment                                                                                                                                                                                                                                                  |
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| <b>Social</b>                |                                                                                                                                                                                          |                                                                                                                                                                                                                                                          |
| Community wellbeing          | A Leichhardt community that is equitable, cohesive, connected, caring, diverse, healthy, safe, culturally active, creative and innovative, and has a strong sense of belonging and place | The Proposal will enable the provision of housing that will accommodate residents of all ages and will encourage lifestyles that are connected, healthy and safe.                                                                                        |
| <b>Environment</b>           |                                                                                                                                                                                          |                                                                                                                                                                                                                                                          |
| Place where we live and work | A liveable community – socially, environmentally and economically                                                                                                                        | The Proposal will facilitate development that encourages walking and cycling, increases use of public transport and reduces dependency on private motor vehicles. It will also promote housing affordability, accessibility, adaptability and diversity. |
| A sustainable environment    | A sustainable environment created by inspiring, leading and guiding our social, environmental and economic activities                                                                    | The provision of additional dwellings in close proximity to public and active transport is consistent with the aims of increasing the proportion of commuter trips via                                                                                   |

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|                           |                                                                                           | these modes and minimising impacts on the natural environment.                                                                        |
| <b>Economic</b>           |                                                                                           |                                                                                                                                       |
| Business in the community | Thriving businesses and a vibrant community working together to improve the local economy | The Planning Proposal seeks to enable retention of the existing café located on the site through amendment of Schedule 1 of LEP 2013. |

Table 3: Assessment of the Planning Proposal against the relevant goals of Leichhardt 2025+

### **Leichhardt Community and Cultural Plan 2011-2021**

The Leichhardt Community and Cultural Plan comprises an integrated 10 year Strategic Service Plan, supported by a 4 year Service Delivery Plan that addresses the social and cultural aspirations and challenges of the former Leichhardt LGA.

The 10 year Strategic Service Plan outlines the specific roles of the former Leichhardt Council in planning for local communities in a way that builds on community strengths, while responding to current and future situations predicted by social research. This Plan guides Council's work with the community to achieve five shared strategic objectives:

1. Connecting people to each other
2. Connecting people to place
3. Developing community strengths and capabilities
4. Enlivening the arts and cultural life
5. Promoting health and wellbeing

The 4 year Service Delivery Plan outlines actions, activities and programs to meet the strategic objectives, outcomes and strategies outlined in the Community and Cultural Plan, and identifies the responsibilities and resources required to implement the Plan over a four year period.

The Planning Proposal is consistent with the objectives of the Community and Cultural Plan with regard to encouraging the provision of a variety of appropriate and diverse housing for a range of residents and fostering pedestrian and cycle friendly neighbourhoods with access to local services, spaces and places.

### **Integrated Transport Plan**

Leichhardt's Integrated Transport Plan (2013) and 4 year Service Delivery Plan (2014-2018) have been developed to assist in "Reducing Private Car Dependency for all Travel" while "Improving Safety for all Members of our Community". In order to achieve this, the Plan established the following 9 strategic objectives:

1. Improve accessibility within and through the LGA;
2. Create a legible, direct and safe pedestrian and cycling environment;
3. Provide appropriate levels of parking;
4. Encourage public transport use;
5. Provide a safe and efficient road network for all road users;
6. Facilitate integration of land use, transport and community & cultural activities;

7. Provide convenience for users of Leichhardt LGA;
8. Promote health and wellbeing; and
9. Improve environmental conditions.

The Planning Proposal embraces the concepts outlined in Leichhardt's Integrated Transport Plan by:

- Providing increased residential population within walking distance of buses and light rail and adjacent to cycling facilities.
- Facilitating use of sustainable transport, thereby encouraging health and wellbeing of future residents.

**Q5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?***

The Planning Proposal is consistent with applicable State Environmental Planning Policies (SEPPs) as shown in the table below.

| <b>State Environmental Planning Policy (SEPP)</b>              | <b>Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                         |
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| SEPP No 65—Design Quality of Residential Apartment Development | The documentation submitted with the proponent's Planning Proposal did not adequately demonstrate that a development on the subject site with an FSR of 1:1 can achieve compliance with SEPP 65 and the Apartment Design Guide (ADG). It is requested that a Gateway determination require the preparation and exhibition of material which verifies that a development of this scale can satisfy SEPP 65 and the ADG. |
| SEPP (Affordable Rental Housing) 2009                          | Consistent – The Planning Proposal does not contradict or hinder application of this SEPP. A future development application may be subject to the provisions of Part 3 – Retention of existing affordable rental housing.                                                                                                                                                                                              |
| SEPP (Building Sustainability Index: BASIX) 2004               | Consistent – The Planning Proposal does not contradict or hinder application of this SEPP. Any future application for BASIX affected development must comply with the SEPP.                                                                                                                                                                                                                                            |
| SEPP (Exempt and Complying Development Codes) 2008             | Consistent – The Planning Proposal does not contradict or hinder application of this SEPP.                                                                                                                                                                                                                                                                                                                             |
| SEPP (Infrastructure) 2007                                     | Consistent – The Planning Proposal does not contradict or hinder application of this SEPP. A future development application may be subject to the provisions of clause 87 (Impact of rail noise or vibration on non-rail                                                                                                                                                                                               |

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|  | development) and the Development Near Rail Corridors and Busy Roads – Interim Guideline. |
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Table 4: Assessment of the Planning Proposal against the relevant SEPPs

**Q6. *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?***

The Planning Proposal has been assessed against each Section 117 direction. Consistency with relevant directions is discussed in the table below.

| Direction                                               | Requirement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <b>3. Housing, Infrastructure and Urban Development</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 3.1 Residential Zones                                   | <p>4) A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> <li>a) broaden the choice of building types and locations available in the housing market, and</li> <li>b) make more efficient use of existing infrastructure and services, and</li> <li>c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</li> <li>d) be of good design.</li> </ul> <p>5) A planning proposal must, in relation to land to which this direction applies:</p> <ul style="list-style-type: none"> <li>a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</li> <li>b) not contain provisions which will reduce the permissible residential</li> </ul> | <p>Consistent. The Planning Proposal will increase the maximum permitted density on the site thereby making more efficient use of land and existing infrastructure and services.</p> <p>Housing mix will be determined at the development application stage and will be informed by clause 6.13 (Diverse housing) of LEP 2013 which specifies a minimum proportion of small (studio or one bedroom) dwellings and a maximum proportion of dwellings including three or more bedrooms.</p> |

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|                                          | density of land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 3.4 Integrating Land Use and Transport   | <p>4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <ul style="list-style-type: none"> <li>a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</li> <li>b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                             | <p>Consistent. The Proposal aims to facilitate additional residential dwellings in close proximity to public and active transport. The site is proximate to well-served bus and light rail stops, particularly those servicing the CBD. There are also a number of on-road and shared path cycle routes accessible from the site, including on Lilyfield Road, Victoria Road and Catherine Street.</p>                             |
| 3.5 Development Near Licensed Aerodromes | <p>4) In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must:</p> <ul style="list-style-type: none"> <li>a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,</li> <li>b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,</li> <li>c) for land affected by the OLS: <ul style="list-style-type: none"> <li>i. prepare appropriate development standards, such as height, and</li> <li>ii. allow as permissible with consent development types that are compatible with the operation of an aerodrome</li> </ul> </li> <li>d) obtain permission from</li> </ul> | <p>Consistent. The subject site is within the ANEF 20-25 contour for Sydney Airport. Where it is proposed to increase residential densities in areas where the ANEF is between 20 and 25, the Direction requires inclusion of a provision to ensure that development meets AS 2021 regarding interior noise levels. Clause 6.8 (Development in areas subject to aircraft noise) of LEP 2013 includes an appropriate provision.</p> |

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|  | <p>that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>5) A planning proposal must not rezone land:</p> <ul style="list-style-type: none"> <li>a) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or</li> <li>b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or</li> <li>c) for hotels, motels, offices or public buildings where the ANEF exceeds 30.</li> </ul> <p>6) A planning proposal that rezones land:</p> <ul style="list-style-type: none"> <li>a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or</li> <li>b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or</li> <li>c) for commercial or</li> </ul> |  |
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|                           | <p>industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>4. Hazard and Risk</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 4.1 Acid Sulfate Soils    | <p>4) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>5) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <p>a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or</p> <p>b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.</p> <p>6) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a</p> | <p>Consistent. The land is identified as being affected by Class 5 Acid Sulfate Soils. While the Planning Proposal will facilitate an intensification of residential development, it will not permit additional uses beyond those permitted in the R1 zone or currently being undertaken on site and as such an acid sulfate assessment is not warranted. Clause 6.1 of LEP 2013 includes provisions to regulate works on land containing acid sulfate soils which would need to be considered in the preparation and assessment of any future development application.</p> <p>The Planning Proposal does not contradict or hinder application of acid sulfate soils provisions in LEP 2013.</p> |

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|                              | <p>probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>7) Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5).</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>6. Local Plan Making</b>  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 6.3 Site Specific Provisions | <p>4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <p>a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>b) rezone the site to an existing zone already applying in the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>One of the intended outcomes of the Planning Proposal is to allow a use (café) that currently operates on the site to continue in a new development. This is proposed to be achieved through amendment to Schedule 1 of LEP 2013 to identify the use and a maximum permitted floor area. The inclusion of a maximum permitted floor area is likely to be considered an additional development standard or requirement under the Direction, however this is</p> |

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|                                                    | <p>environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</p> <p>c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>5) A planning proposal must not contain or refer to drawings that show details of the development proposal.</p> | <p>appropriate as it will ensure that the scale of any future 'restaurant or cafe' or 'take away food and drink premises' is consistent with the prevailing residential character and will not adversely impact existing uses. Furthermore, the inconsistency is deemed to be minor.</p>                                                                                                                             |
| <b>7. Metropolitan Planning</b>                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 7.1<br>Implementation of A Plan for Growing Sydney | <p>Planning proposals shall be consistent with:</p> <p>a) the NSW Government's A Plan for Growing Sydney published in December 2014.</p>                                                                                                                                                                                                                                                                                                                                                                                        | <p>Consistent. The Proposal will achieve the vision and desired outcomes of the Plan by increasing housing supply on the periphery of the Global Economic Corridor and in close proximity to the CBD and public and active transport infrastructure while maintaining the amenity of the local area. Consistency of the Planning Proposal with A Plan for Growing Sydney is discussed in detail in Section B Q3.</p> |

Table 5: Assessment of the Planning Proposal against the relevant s117 directions

**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?***

There is no known critical habitat, threatened species, populations or ecological communities or their habitats located on the subject site.

An Arboricultural Impact Assessment was prepared to support the initial Planning Proposal submitted to Council. The Assessment concludes that:

- Of the twenty three (23) trees assessed, nineteen (19) are prescribed (protected) trees or palms and three (3) site trees and one (1) adjoining tree are non-prescribed trees (three noxious weeds or weeds of local significance).
- One (1) tree on the site is an endangered species (*Eucalyptus nicholii*), however it is well outside its natural range and is likely to be a planted specimen.
- Eleven (11) prescribed trees are proposed to be removed to accommodate the proposed scheme.
- Six (6) large mature trees in the northeast corner of the site are recommended to be removed, regardless of the development proposal, as they have structural defects that pose considerable issues with risk, safety and site management.
- Two (2) prescribed site trees and seven (7) adjoining trees are proposed to be retained.

The proposed scheme has been amended since the assessment was undertaken and as such it is requested that a Gateway determination require a revised report to be prepared. Council would then undertake a peer review of the revised assessment prior to exhibition.

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

*Traffic and Parking*

The Proponent's initial Planning Proposal was accompanied by a Traffic Impact Assessment prepared by Traffix Traffic and Transport Planners. The traffic and parking assessment was based on an indicative development yield of fourteen (14) residential apartments and a café and determined that a minimum of ten (10) and maximum of fifteen (15) car spaces would be required under DCP 2013 and well as one (1) motor bike space and twelve (12) bicycle spaces.

The proposed scheme has been amended since preparation of the traffic impact assessment, with the scale of development reduced. Notwithstanding, the assessment concluded that the additional traffic generation associated with the initial concept would be minimal and can be readily accommodated within the surrounding road network.

While it is likely that the impacts associated with the revised scheme would be less than identified in the submitted assessment, it is requested that a Gateway determination require an amended traffic impact assessment to be prepared. This would then be peer reviewed by Council prior to exhibition.

The subject site is well serviced by public transport, namely bus services and light rail, with Lilyfield light rail station approximately 150m from the site. A GoGet pod is located within 100m of the site near the intersection of Lilyfield Road and Grove Street.

### *Built Form*

The Planning Proposal seeks to amend the FSR to 1:1 however the capacity of the site to accommodate the proposed floor space while achieving compliance with the ADG has not yet been adequately demonstrated.

The concept submitted with the proponent's revised Planning Proposal shows a four (4) storey building and the Proposal states that a four (4) storey form is considered appropriate for the site in terms of building alignment, proportion, building type and setbacks. While detailed plans were not submitted with the revised Planning Proposal, an indicative plan for the second floor shows an area of approximately 143m<sup>2</sup>. If the ground floor were to accommodate parking and a café (with a floor area of approximately 50m<sup>2</sup>), as indicated in the artist's impression, an FSR of 1:1 could facilitate four (4) residential levels of the scale shown, resulting in a development of five (5) storeys.

Given the discrepancy between the submitted drawings and the proposed FSR, the scale of the intended development should be further considered prior to exhibition and reflected in a maximum height of buildings control being specified for the site. This requirement should be reflected in a Gateway determination.

In considering the provisions of the ADG, the proponent's Planning Proposal states that 1.5m setbacks to the Sydney Water property to the west are appropriate as the likelihood of the site being redeveloped for residential purposes is low given that the sewer vent still serves a functional purpose. Furthermore, the Planning Proposal notes that the separation distances contained within the ADG are 'best practice' and there is scope for variation where it can be demonstrated that the aims and intent of the provisions can be satisfied. It suggests that reduced separation is justified in this instance given the challenges associated with level differences.

The ADG notes that adequate building separation ensures useability of communal and private open space, provision of deep soil area, solar and daylight access, privacy, outlook and natural ventilation. While it may be possible to satisfy a number of the aforementioned objectives through innovative design, reduced setbacks are likely to adversely impact the privacy, outlook and amenity of adjoining properties.

In relation to the Sydney Water site, it is unreasonable to curtail its development potential by burdening it with offsetting amenity impacts resulting from reduced setbacks on the subject site. The ADG states that in relation to boundaries with adjoining properties, half the minimum separation distance shall be provided to ensure that building separation is distributed equally between sites. Additionally, it notes that at the boundary between a change in zone from apartment buildings to a lower density the building setback from the boundary should be increased by 3m. While the Planning Proposal does not propose a zoning change, it will establish controls that will facilitate a scale of development on the site that is substantially greater than that of those to the north and west. As such, greater setbacks should arguably be provided.

In addition to being irregular in shape, the site is substantially constrained by the presence of the rock shelf and significant vegetation, some of which may require retention or replacement. While increasing the maximum permitted FSR for the site

has strategic merit, further evidence is required to demonstrate that the scale of development that would be possible under the proposed control can be accommodated on this site while achieving an acceptable built form outcome.

The proponent submitted concept plans, an ADG Compliance Table and a view analysis in support of the original Planning Proposal, however these do not relate to the current scheme and Planning Proposal and the statements made in relation to ADG compliance cannot be verified. To substantiate the proposed FSR of 1:1 and inform a height of building control, it is requested that a Gateway determination require that this documentation be updated prior to exhibition to reflect the current scheme.

### *Heritage*

The sewer vent at 103A Lilyfield Road, immediately to the west of the subject site, is identified on Sydney Water's s170 Heritage and Conservation Register. The inventory suggests that the vent is still operational and notes that the site was previously used as a night soil depot. A Gateway determination should require consultation with the authority to determine the significance of the structure and any possible impacts associated with the proposed scheme as well as implications of the current and former use of the site.

The site is proximate to the Catherine Street railway bridge which is identified as a heritage item in SREP 26. While development on the subject site is unlikely to affect the heritage significance of the bridge, any future development application should have regard to potential impacts on its curtilage.

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

The proponent's Planning Proposal does not explicitly identify the anticipated number of dwellings, however based on the indicative floor plans submitted and Council's requirement for a diversity of housing (clause 6.13 of LEP 2013) it is estimated that there will be approximately six (6) additional dwellings. While this will facilitate the more efficient use of land and increase housing density in close proximity to transport, employment and services, it is not anticipated that the additional population will substantially increase demand for social infrastructure such as schools, hospitals and community facilities.

## **Section D – State and Commonwealth interests**

### ***Q10. Is there adequate public infrastructure for the planning proposal?***

The site is located in an area well serviced by necessary services and infrastructure including public transport, electricity, water and sewer. The additional demand created under the Planning Proposal will be minimal, thereby ensuring the efficient use of but not overburdening existing services and infrastructure.

Consultation with relevant authorities during public exhibition of the Planning Proposal will confirm the capacity of current utilities to serve the site. The increased

demand on stormwater created by the future development of the site will be assessed as part of a future development application.

**Q11. *What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?***

A sewer easement is located in the rear portion of the site. Written correspondence from Ausflow Pty Ltd (licensed Water Serving Coordinators for Sydney Water) to the proponent advised that Sydney Water will only make an assessment once a development application is approved and a formal application made for a Section 73 Certificate and Building Plan Approval.

The proponent had cursory discussions with a heritage officer at Sydney Water who advised that the heritage significance of the sewer vent is associated with its construction and function in connection with the South Bondi sewer network. It is recommended that the Gateway determination require consultation with the heritage section of Sydney Water to establish whether the Planning Proposal is likely to impact upon the significance of the tower.

Further consultation with relevant State and Commonwealth public authorities will be undertaken in accordance with a Gateway determination.

## **PART 4 – MAPPING**

The Planning Proposal seeks to amend the FSR map and Additional Permitted Uses Map of the *Leichhardt Local Environmental Plan 2013* as it applies to the subject site – refer to the maps on the following pages.

Further consideration of the likely built form outcome, as is requested should be a condition of a Gateway determination, may support the imposition of a height control on the site and the amendment of the Height of Buildings Map of LEP 2013.