

ATTACHMENT 2

Pre-Gateway Planning Proposal

Draft amendment to Leichhardt Local Environmental Plan 2013

141 & 159 Allen Street Leichhardt

August 2013

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Executive Summary

This Planning Proposal has been prepared in response to the Minister for Planning and Infrastructure's decision on a Request for a Pre-Gateway Review that the proposed rezoning from industrial to residential LEP amendment should proceed to a Gateway determination. The Minister also indicated to Council that if it did not submit a Planning Proposal he would appoint an alternative Relevant Planning Authority, which would be the Department of Planning and Infrastructure.

The site concerned is made up of two adjacent warehouse properties at 141 and 159 Allen Street. The current status of Leichhardt Local Environmental Plan (LEP) 2000 and LEP 2013 and the year required to process the Planning Proposal after a Gateway determination means that the LEP to be amended will be LEP 2013. This proposal has therefore been prepared in relation to LEP 2013 and DCP 2013

Council has been developing its policy position on the future use of the Allen Street site and the general issue of rezoning industrial land to residential land for several years. This process was required to underpin the preparation of LEP 2013 and the Employment and Economic Development Plan. It has also incorporated the development of Council policies on affordable housing and Voluntary Planning Agreements. The details of relevant Council policies and their chronology are set out in Attachment 3.

The Council's most recent site specific policy position is defined in the following February 2013 Resolution (C28/13) regarding the Request for Pre-Gateway Review of the Planning Proposal which was submitted to Council in 2012:

C28/13 states:

1. *The report be received and noted*
2. *The Department of Planning and Infrastructure be advised that:*
 - a. *The site is currently zoned for employment purposes*
 - b. *Council has developed a methodology for confirming the potential of existing industrial sites to be re-zoned for non-industrial purposes*
 - c. *Preliminary investigations have identified the sites potential for alternative employment outcomes including affordable housing for key workers*
 - d. *The current and projected deficiency within the Local Government Area in relation to affordable housing for key workers, child care facilities, recreation and public open space.*
 - e. *Any planning proposal to rezone the site for residential purposes should incorporate a Voluntary Planning Agreement addressing public benefits, recreation and public open space and / or appropriate monetary contribution.*

Council's adoption of the Employment and Economic Development Plan in June 2013 endorsed a methodology for confirming the potential of existing industrial sites such as 141 and 159 Allen Street to be re-zoned for non-industrial purposes.

This Pre-Gateway Planning Proposal has been assessed against Council's planning and strategic policies including the LEP, DCP, Employment and Economic Development Plan, Leichhardt 2020+ and 2025+, Integrated Transport Plan, Community and Cultural Plan and Public Art Policy. It has also been assessed against State strategic planning policies.

Other Council policies and interests including affordable housing, Voluntary Planning Agreements, water sensitive urban design, traffic and active transport have also been considered. Several State agencies, including Roads and Maritime Services, Office of Environment and Heritage and Department of Education and Communities have been consulted and their comments incorporated in the Planning Proposal.

The site is used for industry and its zoning for Light Industrial under LEP 2013 makes a wide range of industrial and commercial uses permissible with consent. The site is however surrounded by residential development and consequently the potential negative amenity impacts that could arise from some of these uses mean that development applications for some of them may be refused. The site currently provides 13 jobs (2012 figures).

Through adoption of the Employment and Economic Development Plan Council has accepted that this type of fragmented industrial site is most likely to be suitable for rezoning.

The Planning Proposal identified a range of possible community benefits that could flow from the rezoning including the provision of affordable housing for key workers, a more diverse range of mainstream housing and an increased population to support public transport and local centres.

Consequently this Pre-Gateway Planning Proposal has sufficient merit for referral to the Department of Planning and Infrastructure for a Gateway determination.

The post Gateway draft public exhibition Planning Proposal would be subject to assessment against the further studies outlined in Section 3.3 including:

- Urban Design Study
- Site Specific Development Control Plan
- Traffic and Active Transport Assessment
- Contamination (Phase 2 Environmental Site Audit (ESA))
- Infrastructure Assessment
- The NSW Department of Education and Community Assessment
- Economic Development Assessment

It is also Council policy to negotiate Voluntary Planning Agreements on a case by case basis for amendments to the LEP such as rezoning and/or an increase in Floor Space Ratio.

These studies and any draft Voluntary Planning Agreement should be the subject of public exhibition if the Gateway determines the Planning Proposal should proceed.

1.0 Introduction

1.1 JRPP

The Sydney East Joint Regional Planning Panel (JRPP) considered a request for an Independent Pre-Gateway Review of this planning proposal. JRPP recommended that the Proposed LEP amendment should be submitted for a Gateway determination.

The Minister for Planning and Infrastructure has accepted this recommendation and informed Council that it can be the relevant planning authority if it submits the Planning Proposal for these properties. If Council chooses not to submit this Planning Proposal the Department of Planning and Infrastructure will become the relevant planning authority.

The Planning Proposal has therefore been prepared in accordance with the Department of Planning and Infrastructure Guidelines *A Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*.

It considers the planning merits of a draft amendment to Leichhardt LEP 2103 to rezone two properties at 141 and 159 Allen Street Leichhardt from Light Industrial to General residential. It has been structured in the following manner:

- Section 2 provides a description of the precinct and its context, including identification of the land to which the proposed rezoning applies, existing development and the planning policy framework;
- Section 3 sets out the Planning Proposal in the terms required by Department of Planning and Infrastructure guidelines.
- Section 4 provides a conclusion and outlines the next steps in the Gateway process through to public exhibition and amendments of LEP 2013.

2.0 The Site and its Context

2.1 Overview

This section describes the location of the site, existing development on the land, the planning framework policy, and the relationship of the area to other Council strategies and relevant subregional strategies.

2.2 Location

The site is Nos. 141 and 159 Allen Street, Leichhardt and is legally described as Lot 1 in DP 632522 and Lot X in DP 381373, respectively ("the site").

The site is in the Leichhardt Local Government Area (LGA) on the northern side of Allen Street at its intersection with Flood Street, Leichhardt approximately 6.6 kilometres west of the Sydney CBD. Parramatta Road is 1 kilometre south of the site, Norton Street 600 metres east and the City West Link is located to the north. A local bus route travels along Flood Street past the site. Bus links to strategic centres are available from Norton Street. An aerial view is shown in Figure 1.

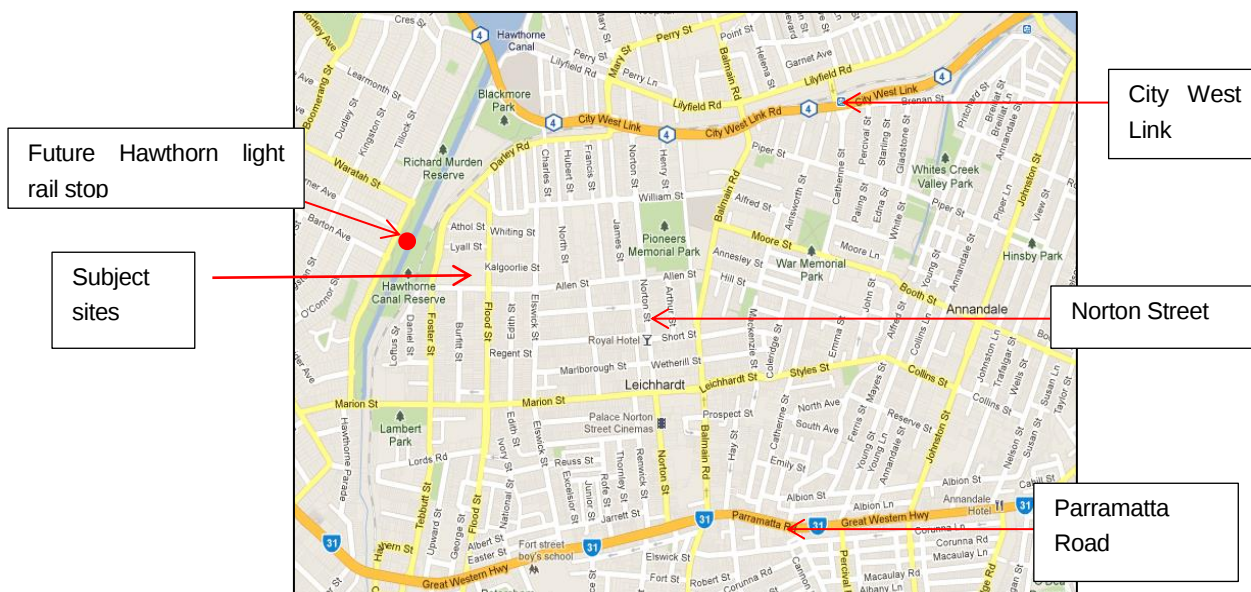


Figure 1: Aerial view showing the site subject to the Planning Proposal

The site is also located within an approximate 350m walking distance of the future light rail station on the Hawthorne Canal being constructed as one of nine (9) new stops on the inner west light rail line connecting Lilyfield with Dulwich Hill.

The blocks surrounding the site have a distinct residential character and the residential subdivision pattern, whilst varied, remains substantially intact and reflective of the original development pattern. There is a diverse mix of housing types, although the residential character predominantly reflects single and two storey detached and semi-detached dwellings. There are two large medium density townhouse developments to the west of the site.

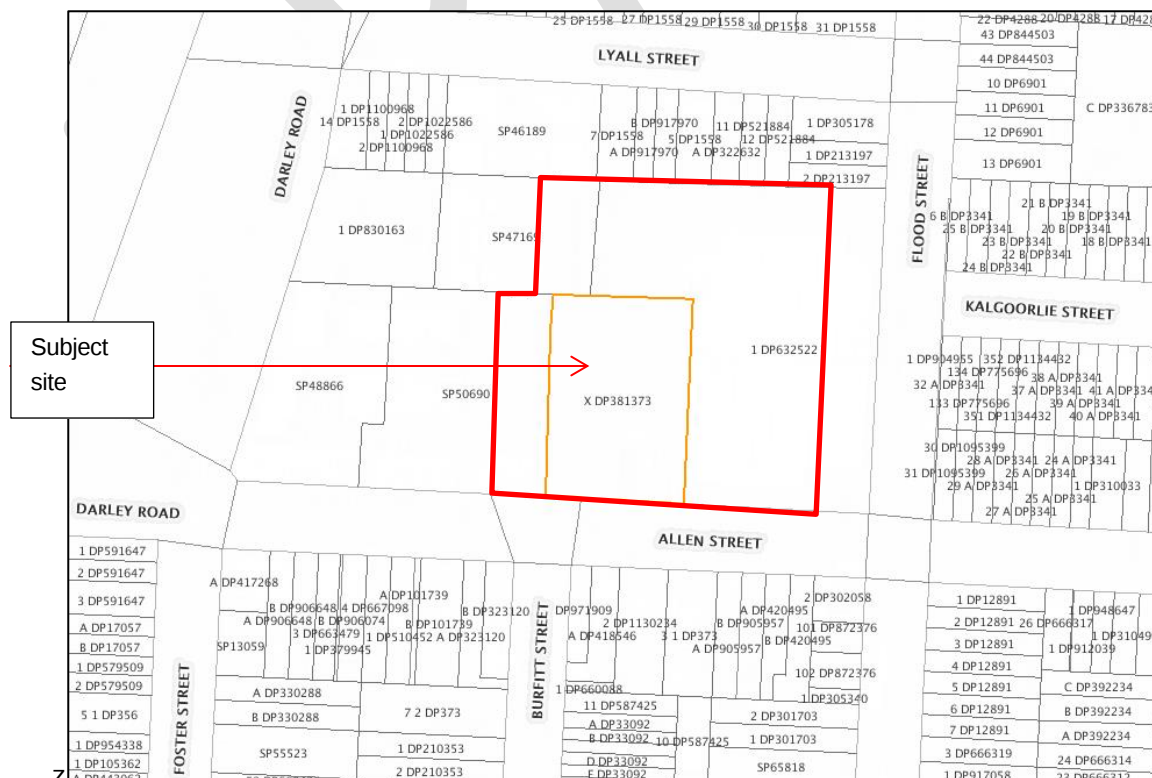
The site broad context is shown in Figure 2.



2.3 Land Subject to the Planning Proposal

The land the subject of the Planning Proposal is shown in Figure 3. The land is owned and controlled by Leichhardt 141 Pty Ltd and Arquilla Bulk Trading Co Pty Ltd. and is made up of:

- Lot 1 in DP 632522 (141 Allen Street, Leichhardt) – 7,143m²; and
- Lot X in DP 381373 (159 Allen Street, Leichhardt) – 2,777m².



The site has a total land area of 9,920m² with the following dimensions:

- Northern boundary: 90.5m;
- Eastern boundary (Flood Street): 100.57m;
- Southern boundary (Allen Street): 100.55m; and
- Western rear boundary is irregular with dimensions of 62.63m, 11.01m and 35.59m.

2.4 Existing Development

2.4.1 No. 141 Allen Street, Leichhardt

141 Allen Street is a warehouse and Yard. Until recently it was occupied by 'Matt Blatt Furniture', which operated as a bulky goods retailer (showroom), store and distribution centre for various individual retail outlets around Sydney. It is currently vacant. Vehicle access to the site is available from Allen Street, to the main loading dock, with customer access provided via Flood Street.

Due to the landform variation of the site, the Allen Street frontage sits slightly below road level. The building has a flat roof form, similar in height to the nearby two (2) storey residential dwellings (refer to Figures 4 and 5).



Figure 4: 141 Allen Street – Looking north east from the intersection of Flood Street & Allen Street (Flood Street Elevation)



Figure 5: 141 Allen Street – Flood Street frontage looking northwest

2.4.2 No. 159 Allen Street, Leichhardt

159 Allen Street, Leichhardt, the smaller of the two lots, is located to the immediate west of No. 141 Allen Street and has an area of approximately 2,777m². The property is currently occupied by a building, which operates as a food and beverage distribution warehouse. Vehicle access is provided direct to Allen Street for the purpose of loading/unloading and providing access to the 10 on-site parking spaces within the front setback.

The existing building is part single storey, to the rear and along the eastern side and that part is used as a warehouse. A two storey administration building is located at the front of the building on the Allen street elevation.

The existing warehouse component of the building has a pitched roof form, whilst the roof over the two storey administration area is flat (refer to Figure 6).



Figure 6: View of 159 Allen Street – Allen Street Frontage

2.5 Leichhardt Municipal Council Planning Framework

2.5.1 Leichhardt Local Environmental Plan (LEP) 2000

The site is zoned industrial under the *Leichhardt Local Environmental Plan 2000 (LEP 2000)*, (refer to Figure 7).

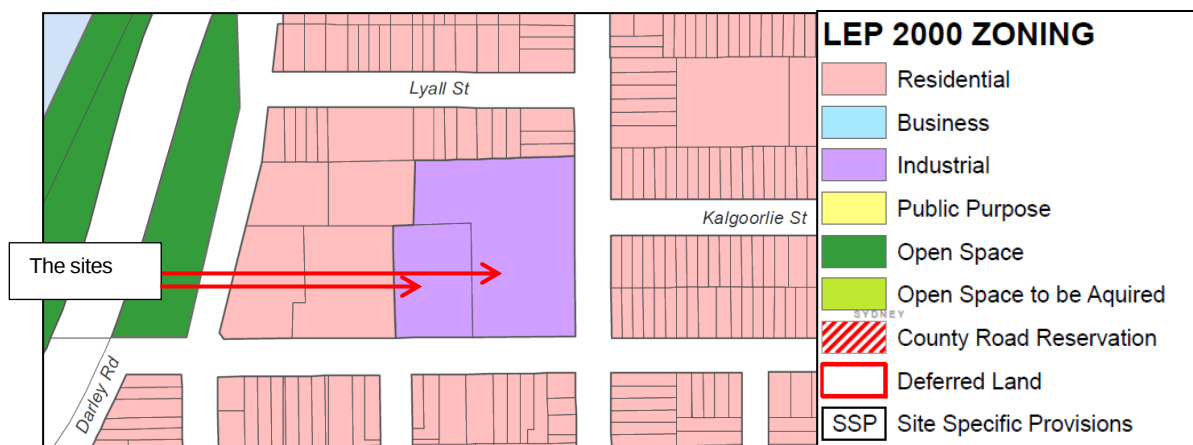


Figure 7: Existing zoning under Leichhardt Local Environmental Plan 2000

Zoning

The current zoning prohibits “dwellings” and is structured such that only those uses listed as permissible with consent can be carried out within the subject zone. Those uses listed as being permissible with consent include:

Advertisements; amusement centres; brothels; bulk stores; bulky goods retailing; car parking; community facilities; depots; educational establishments; generating works; high impact telecommunication facilities; industries; local shops; motor showrooms; passenger transport terminals; places of public worship; port uses; public transport stops; railways; recreation areas; recreation facilities; roads; service stations; sex shops; smash repairs; timber yards; transport depots; veterinary facilities; warehouses; water-based commercial and recreational facilities; demolition; and subdivision.

Heritage and Conservation

The site does not contain heritage items and is not located within a heritage conservation area; however the site is adjacent to the following two (2) heritage items:

- Allen Street landscape heritage item – Street tree plantings between Flood Street and Darley Road for remanent street tree plantings within the carriageway; and
- No. 212 Flood Street, Leichhardt – Former corner shop and residence

In addition, the site is also located approximately 200 metres from the heritage item at No. 68 Allen Street Leichhardt, which is identified as a Congregational Church and Hall. (Refer to Figure 8)



Figure 8: Existing Heritage Conservation Area and Heritage Items under *Leichhardt Local Environmental Plan 2000*

Density and Height

Clause 23 (2) prohibits Council from granting consent to development on land within the industrial zone with a FSR greater than 1:1.

The *LEP 2000* does not prescribe maximum building heights or minimum lot size requirements for development within the industrial zone. The *DCP 2000* prescribes residential height controls in Part A (Distinctive Neighbourhood Controls) and Part B (Residential Development Controls).

The locality surrounding the subject site is zoned residential under the *LEP 2000* (as shown in Figure 7). The residential Density Map adopted under clause 19 of *LEP 2000* prescribes a maximum FSR of 0.5:1 to land with Leichhardt, including the identified site to which this proposal relates (refer to Figure 9).

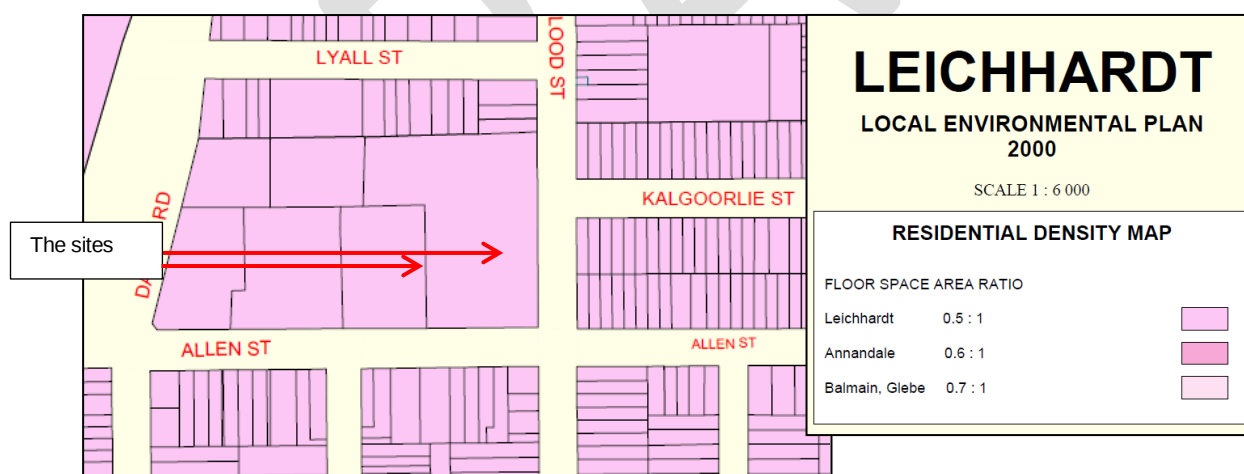


Figure 9: FSR controls under the *Leichhardt Local Environmental Plan 2000*

Landscaping

Clause 19 (3) of *LEP 2000* also requires that residential development maintains 40% of the site as landscaped area and that 25% of this be provided as deep soil landscaping.

2.5.2 Draft Leichhardt Local Environmental Plan (LEP) 2013

The draft *Local Environmental Plan 2013 (LEP 2013)* was prepared as a “translation” LEP, and its main purpose is to provide a translation of the existing controls into the standard LEP template. It was resolved

by Council that any recommendations arising from specific studies and strategies shall be dealt with as future amendments.

The Draft LEP 2013 was publicly exhibited from 17th December 2012 to 28th February 2013. Council resolved in May 2013 to issue the exhibited *draft LEP 2013* to the Department of the Planning and Infrastructure for assessment and approval in accordance with Section 68 of the *Environmental Planning and Assessment Act 1979*.

Council resolved that the exhibited draft *LEP 2013* be issued with a deferred commencement date of 30th November 2013.

In conjunction with the May 2013 resolution, Council resolved to amend the exhibited draft *LEP 2013*. Planning Proposals were prepared to address six (6) amendments and were publicly exhibited from 24th June 2013 to 31st July 2013.

The six (6) amendments included:

- Changes to Aims of Plan and Zone Objectives
- Amendments to Clause 4.3A Landscaped Area for residential development in Zone R1 [local]
- Include Subclause 4.4B Exceptions to maximum floor space ratio for nonresidential development [local] and subsequent amendments to Floor Space Ratio maps
- Amendments/additions Land Use Tables
- Rezone 55 Justin Street, Lilyfield from IN2 Light Industrial to B7 Business Park
- Include Complying Development Controls for the Installation of photovoltaic panels

It is envisaged that the six (6) amendments shall be progressed through Council and the Department of Planning and Infrastructure prior to the commencement date of 30th November 2013.

In addition Council has prepared a Draft *Development Control Plan 2013* which was publicly exhibited from 24 June 2013 until 31 July 2013.

The subject site (No. 141 & No. 159 Allen Street Leichhardt)

The subject site is proposed to be zoned *Light Industrial* (IN2) under the *draft LEP 2013* (refer to Figure 10).

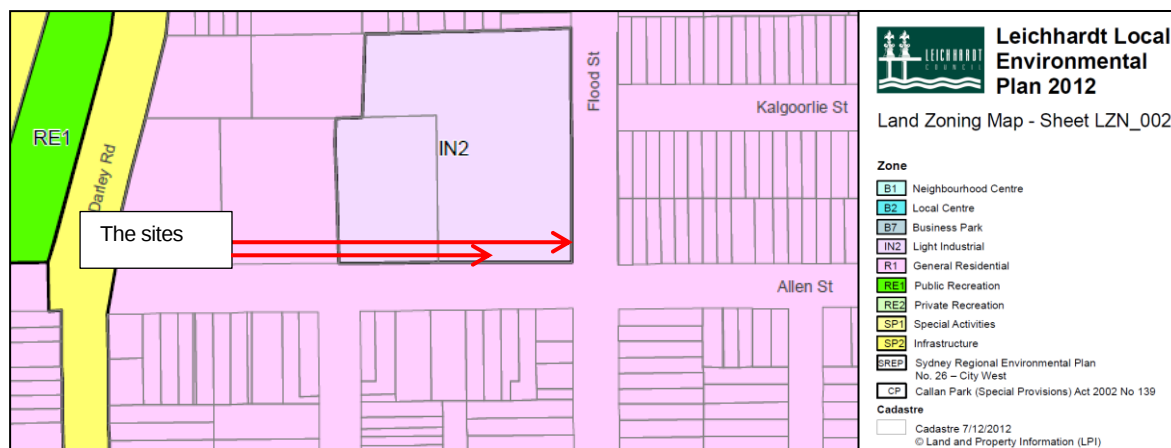


Figure 10: Zoning under the Draft Leichhardt Local Environmental Plan 2013

In accordance with the amendments to the draft *LEP 2013* the range of uses permitted with consent includes the following uses:

Agricultural produce industries; Amusement Centres; Animal boarding or training establishments; Boat launching ramps; Boat building and repair facilities; Bulky goods premises; Car parks; Charter and tourism boating facilities; Community facilities; Depots; Educational establishments; Electricity generating works; Environmental protection works; Extractive industries; Freight transport facilities; Function centres; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Information and education facilities; Intensive plant agriculture; Jetties; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Mortuaries; Neighbourhood shops; Passenger transport facilities; Places of public worship; Plant nurseries; Port facilities; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Recreation facilities (major); Research stations; Resource recovery facilities; Restricted premises; Roads; Sawmill or log processing industries; Self-storage units; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Take away food and drink premises; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water supply systems; Water recycling facilities; Wharf or boating facilities; Wholesale supplies; Any development not specified in item 2 or 4.

It is noted that whilst heavy, hazardous or offensive industries are prohibited from occurring within the proposed light industrial zone, the range of permissible uses is expanded under the draft *LEP 2013*. Many of those uses listed as being permissible within the proposed zone would be unsuitable for the site given its proximity to residential development.

Pursuant to subclause 4.4(2) within draft *LEP 2013* a maximum FSR of 1:1 is proposed for land zoned *Light Industrial* (IN2), which is consistent with clause 23(2) within the *LEP 2000* that applies to land zoned industrial.

There are no prescribed minimum or a maximum building height requirements prescribed within the draft *LEP 2013* that relate to the subject land.

The Locality Surrounding the Subject Site

Land immediately surrounding the subject site is proposed to be zoned R1 General Residential (refer to Figure 10). The land density map adopted under clause 4.4 of the draft *LEP 2013* proposes to retain the existing FSR control 0.5:1 (refer to Figure 11).

The draft *LEP 2013* adopts the following principle development standards which relate to residential development within Zone R1:

Planning Matter	Clause	Requirements
Subdivision	Clause 4.1	Requires that subdivision of land within the zone R1 must not be less than 200sqm in area. (This development control does not apply to strata plan or community title schemes).
Landscaping	Clause 4.3A	(2) Requires that development must not be less than (a) 30% of the site for lots up to but not greater than 235sqm; and (b) 40% of the site for lots 236sqm and greater. (3) Requires that up to but not greater than 50% of the required landscaped area may be pathways, patios, decks, pergolas, awnings, terrace, pools and the like but is not to be a carport or hard stand area for the parking of motor vehicles. (4) Requires that the minimum dimension of landscaped area for residential development in Zone R1 is 1 metre.
Site Coverage	Clause 4.3B(2)	Requires that that development cover no more than 60% of the site area.
Floor Space Ratio	Clause 4.4(2)	Requires that the maximum floor space ratio does not exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

The Standard Instrument Clause 4.3 'Height of Buildings' (optional clause) was not adopted by Leichhardt Council for use in draft *LEP 2013*. Building height is controlled through the application of controls from the draft *LEP 2013* as well as controls from the Draft *DCP 2013*.

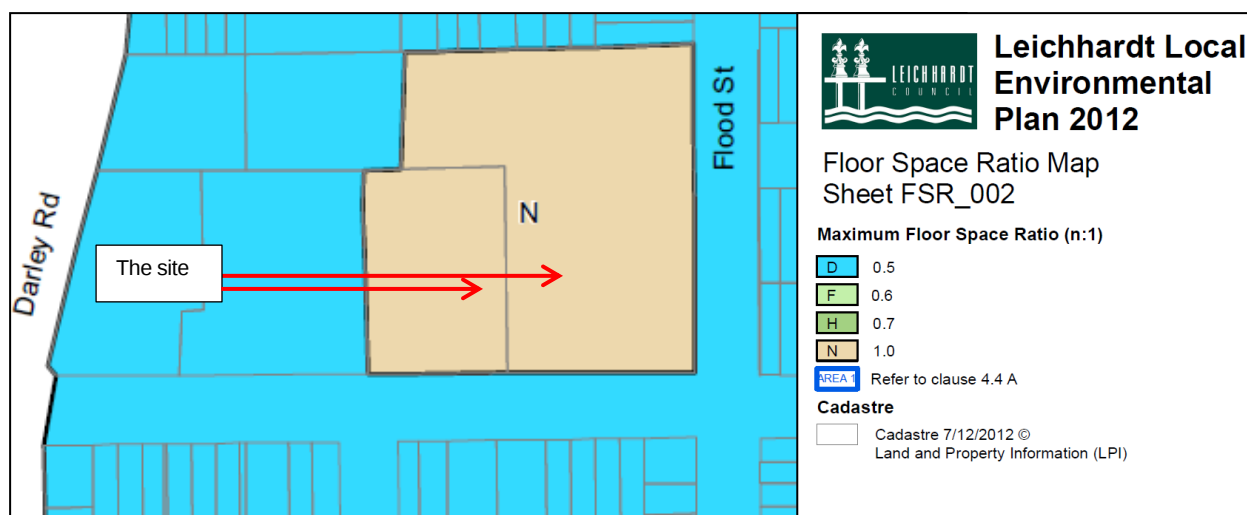


Figure 11: FSR under draft Leichhardt Local Environmental Plan 2013

Other local provision controls

The draft LEP 2013 adopts the following local provision controls that relate to the development of this site.

Planning Matter	Clause	Requirements
Acid sulphate soils	Clause 6.1	Requires that development on land identified on the Acid Sulphate Map meet the requirements of this clause.
Airspace operations	Clause 6.2	Requires consideration of the Obstacle Limitation Surface Map. Given the AHD level of the land and the surrounding built form, this clause is not likely to be relevant to any future development proposal.
Adaptive reuse of existing non-residential buildings in Zone R1	Clause 6.3	N/A
Use of non-residential buildings in R1	Clause 6.4	N/A
Certain office and business uses in Zone IN2	Clause 6.5	N/A
Development in areas subject to aircraft noise	Clause 6.6	Requires that development appropriately meet the requirements of AS 2021-2000.
Earthworks	Clause 6.7	Requires that all proposed development ensure that earthworks at the site will not detrimentally impact environmental functions on surrounding lands.
Flood planning	Clause 6.8	Requires that all proposed development ensures that flood risk to life and property is minimised. Council does not identify the subject site as a flood control lot.
Foreshore access	Clause 6.9	N/A
Foreshore building line	Clause 6.10	N/A
Residential use in Zone B7 Business Park	Clause 6.11	N/A
Stormwater Management	Clause 6.12	Requires that development appropriately minimise the

Planning Matter	Clause	Requirements
		impact of urban stormwater on the subject site and adjoining properties.
Development requiring preparation of site specific development controls	Clause 6.13	Requires that site specific development controls are prepared for redevelopment sites that have an area of more than 3000sqm. A condition of this Planning Proposal outlines that site specific planning controls are required for the subject site. (Refer to Sections 2.5.4 and 3.3 of this report)
Diverse Housing	Clause 6.14	Requires the provision of a diversity of dwelling sizes are provided in residential flat buildings when the development comprises of four or more dwellings. a minimum of 25% of dwellings are 'bedsitter' or one bedroom dwellings; and a maximum of 30% are three or more bedroom dwellings.

2.5.3 Leichhardt Development Control Plan (DCP) 2000

The Leichhardt *Development Control Plan 2000 (DCP 2000)* currently applies to the development site and surrounding residential area. *DCP 2000* is broken into parts that address and control different categories of development. In this regard the relevant sections of the DCP area as follows:

- Part A: General Information – that relates to all forms of development undertaken throughout the Leichhardt LGA and includes locality statements;
- Part B: Residential Development; and
- Part C: Non-Residential Development – including commercial, retail, industrial development and the like.

The *LEP 2000* does not prescribe maximum height controls, instead these controls are provided within Parts A (General Information) and B (Residential Development) of *DCP 2000*.

The DCP utilises a building envelope to determine appropriate building heights, which reflect the prevailing built form and scale of surrounding development. The subject site is identified as being within the West Leichhardt Distinctive Neighbourhood – Industrial Business Areas bordered by the North Residential Area (refer to Figure 12).

Under Part A10.2.2 West Leichhardt Distinctive Neighbourhood statement of the Leichhardt *DCP 2000* both the North Residential and Industrial Business Areas have a maximum wall height of 6.0m.

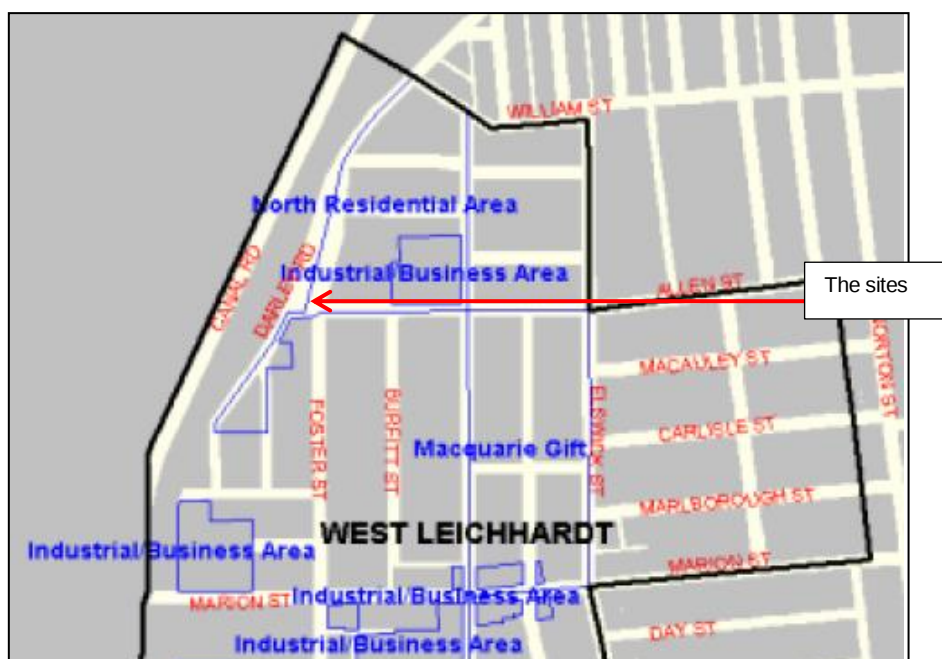


Figure 12: Distinctive Neighbourhood Map – West Leichhardt –Development Control Plan 2000 and 2013

2.5.4 Leichhardt Development Control Plan (DCP) 2013

Future development on the site will be subject to the Draft *Development Control Plan 2013 (DCP 2013)*. The Draft *DCP 2013* was on public exhibition from 24th June 2013 to 31st July 2013. It is anticipated that the Draft *DCP 2013* will be operational in conjunction with the introduction of the draft *LEP 2013*.

The Draft *DCP 2013* is divided into the following chapters:

Chapter	Topics
Part A Introduction	This section outlines the administrative details relevant to the implementation and jurisdiction of the document.
Part B Connections	This section encourages planning for a well-connected and cohesive community.
Part C Place	This section provides controls which maximise opportunities for urban design, amenity and sustainable development.
Part D Energy	This section provides controls which promotes energy use minimisation, renewable energy production and waste management in the planning and development process.
Part E Water	This section provides controls which promotes water sensitive urban design.
Part F Food	This section provides controls which promotes facilitating food production.
Part G Site Specific Controls	This section provides site specific controls for certain sites within the municipality.

The subject site is located within the West Leichhardt Distinctive Neighbourhood and the corresponding character statement is provided within Part C of the Plan.

In accordance with Clause 6.13 of draft *LEP 2013*, the site will require the preparation of site specific development controls. The controls to be developed for the site shall include (but are not limited to) the following matters:

- (a) compatibility with the desired future character of the area;*
- (b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain;*
- (c) whether the proposed development detrimentally impacts upon view corridors,*
- (d) the site's suitability for development/redevelopment;*
- (e) the existing and proposed mix of land uses;*
- (f) cultural, heritage and archaeological issues;*
- (g) streetscape constraints;*
- (h) height, bulk, scale, massing and modulation of buildings;*
- (i) street frontage building heights;*
- (j) environmental constraints such as contamination and acid sulphate soils;*
- (k) environmental impacts such as overshadowing, wind and reflectivity;*
- (l) the principles of ecologically sustainable development; (m) pedestrian, cycle, vehicular and service access, circulation and pedestrian permeability;*
- (n) relationship to, and integration with, existing and proposed public transport facilities; (o) the overall landscaping of the site; and*
- (p) stormwater management.*

Other relevant chapters of the Draft *DCP 2013* are required to be addressed in the future development of the subject site.

2.6 Strategic Context and Specific Studies

2.6.1 Metropolitan Plan for Sydney 2036

The Metropolitan Plan is a broad planning framework used to guide the development of Sydney to 2036. The Strategy plans population growth, new housing, new jobs, increases in industrial land, and commercial and retail floor space over a 25 year period for the whole of Sydney. Some key features of the plan include:

- Locate at least 70 per cent of new housing within existing urban areas;
- Subregional net additional dwelling targets for the Inner West (including Leichhardt LGA) is 35,000 new dwellings by 2036. The targets are to be reflected in Local Environmental Plans (Action D1.2);
- Increase employment opportunity within the inner west through the provision of an additional 25,000 new jobs by 2036;
- Monitor the supply and demand for employment lands, identify and retain strategically important employment lands and plan for new employment lands.

Consistency of the Planning Proposal with the relevant objectives and actions of the Metropolitan Plan for Sydney 2036 are considered in detail in section 3.5.1.

2.6.2 Inner West Subregion Draft Subregional Strategy (July 2008)

Implementation of the Metropolitan Plan for Sydney 2036 is, in part, achieved through the breakdown of areas into subregions. Leichhardt LGA is located within the Inner West Subregion. Accordingly strategic

development decisions and tools are informed by the goals set by the Inner West Subregion Draft Subregional Strategy.

Along with identifying specific growth targets in relation to new housing and job creation (refer to section 3.5.2), the Inner West Subregion Draft Subregional Strategy identifies and categorises employment lands for retention. The subject site is identified in Figure 4 *Inner West Subregion Structure Plan* as employment land and later identified in Table 6 *Schedule of Future Role of Employment Lands in the Inner West* as being Category 1 employment land.

Category 1 employment land, is land identified to be retained for industrial purposes. Sites identified as category 1 lands are those which presently function as industrial areas and provide a regional/national, subregional or local economic role (refer to page 28 of the Inner West Subregion Draft Subregional Strategy). Sites within this category are seen as being collectively vital to the health of local and regional economies and should be retained to accommodate and support a range of services.

Consistency of the Planning Proposal with the relevant objectives and actions of the Inner West Subregion Draft Subregional Strategy are considered in detail in section 3.5.2.

2.6.3 Draft Metropolitan Strategy for Sydney to 2031 (March 2013)

The draft Metropolitan Strategy for Sydney is designed to set out a new plan for the city's future over the next two decades. It is expected that by 2031, 1.3 million more people will be located in the city. The plan aims to provide 545,000 new homes and 625,000 new jobs spread across the metropolitan area. The plan aims to enable greater choice of housing that is more affordable and create jobs closer to homes.

The Draft Metropolitan Strategy for Sydney to 2031 is designed to align with the Long Term Transport Master Plan and the State Infrastructure Strategy.

Consistency of the Planning Proposal with the relevant objectives and actions of the Draft Metropolitan Strategy for Sydney 2031 are considered in detail in section 3.5.3.

2.6.4 Leichhardt Employment Lands Study 2011

The local level implementation of the Inner West Subregion Draft Subregional Strategy is implemented through Local Environmental Plans (LEP). A series of specialised studies were undertaken to support preparation of *LEP 2013*.

In this regard Leichhardt Municipal Council commissioned the Leichhardt Employment Lands Study, which was used to identify the local demand and supply of employment lands and their capacity to meet the projected targets of the Metropolitan Plan for Sydney 2036 and the Inner West Subregion Draft Subregional Strategy.

The final report of the Leichhardt Employment Lands Study compiled by SGS was published in January 2011.

The study utilised gap analysis to determine the availability of employment lands based on three scenarios and the opportunities and constraints that each site or precinct offered in achieving economic and employment growth within the LGA.

In relation to the specific site SGS developed a model to assess the interaction of supply and demand under each scenario. This involved the removal of the subject Industrial zoned land areas from the model in order to identify the potential implications of their removal on the capacity of the Leichhardt LGA to accommodate forecast employment

The Allen Street subject site is identified within the SGS report as being the *Leichhardt B Industrial Precinct*. The precinct land is currently utilised for the purpose of bulky goods retailing, warehousing and distribution.

The results of the analysis confirmed that as industrial sites are removed and the resulting supply deficits are relocated to other suitable areas, the overflow demand can be redistributed to other suitable alternative areas (both industrial and business zoned lands) without resulting in supply deficits. Indeed, after the redistribution of overflow demand all precincts remained in surplus, albeit of a smaller magnitude.

Under this 2011 scenario, Leichhardt LGA as a whole would retain a surplus of employment land equal to 7, 527m². Based on this outcome the proposed rezoning of the site would not adversely affect employment or economic growth of the Leichhardt LGA, or the achievement of the Inner West Subregion Draft Subregional Strategy target of generating an additional 500 new jobs by 2031.

In addition the report made the following observations in respect to the subject site and its future use:

- the site is fragmented from local and strategic centres (Glebe Island/White Bay Precinct) and corridors (Rozelle Goods Line);
- the site is surrounded by residential development that restricts the development potential, intensity and nature of industrial and employment generating use due to possible land use conflicts arising from noise, waste management and traffic;
- due to the constrained locality the site is underutilised; and
- the site is isolated from major transport routes, including rail freight lines and do not have direct access to major arterial transport routes.

In the context of the above SGS also proposed a methodology for confirming the potential of existing industrial sites to be re-zoned for non-industrial purposes. The methodology can be summarised as the preparation of an independent consultancy report incorporating any necessary modelling to respond to the following points:

Describe the characteristics of the land being considered for rezoning?

- Access arrangements -proximity to transport nodes/ arterials
- Building age and condition
- Land and property values
- What current function does the land perform in the employment lands market

- What is the land's future potential as employment land

Describe the operational requirements of the affected businesses?

- Cost of land/ property
- Access
- Neighbouring uses/ buffering
- Site and floor areas

Describe what alternative locations satisfy these requirements?

- The character of identified alternatives in terms of access, cost, neighbouring uses, site and floor areas
- Describe what capacity exists in these areas in existing buildings and on vacant sites within the LGA.

The January 2011 SGS report concluded for this site that “it may be appropriate to retain a light industrial zoning until the status of the Rozelle Goods Line corridor is established”, but in the longer term “as a fragmented industrial site surrounded by residential development it could be considered for rezoning to residential”.

Council approved the Leichhardt Employment Lands Study in February 2011 as a strategic tool to assist the:

- management of employment lands;
- preparation of the new LEP; and
- development of the Employment and Economic Development Plan

The report Council endorsed acknowledged that “given the announcement of the Light Rail Expansion and the proposal for a station at this site the future use and zoning of this site will have to be reviewed at the appropriate time”.

2.6.5 Employment and Economic Development Plan (EEDP) 2013

The Council adopted the above plan in June 2013. The 10 Year Strategic plan acknowledges that the 2011 Employment Land Study had recognised that the Allen Street site “could be investigated for a broader range of employment uses and (or rezoning)”.

The 10 Year Plan also builds on the SGS industrial site review methodology by setting out a more detailed analytical approach for the review of proposed rezoning of employment lands.

In practical terms, this approach has three key components:

1. A co-ordinated approach to reviewing sites (and where possible concurrent) to ensure an LGA wide perspective is maintained particularly in relation to the need for, and suitability of, the sites for various uses both today and in the future;
2. Consistency is achieved by reviewing the sites against the standard criteria outlined below; and
3. Where sites are found to be surplus to requirements and proposed to be rezoned, their suitability against a range of alternative uses discussed in this the EEDP is considered. For example their potential rezoning and use for creative industries, commercial office space or affordable housing.

Step 2 above refers to standard criteria for assessing the suitability of an employment site for rezoning. In greater detail this Plan advocates the use of standardised criteria which have been designed to qualify the suitability of sites from a *quantitative* perspective (i.e. is there enough industrial land to meet current and forecast demand), a *qualitative* perspective (i.e. does the industrial land have the attributes required by potential tenants) and from the perspective of economic *viability* (i.e. are industrial uses viable on the land).

In light of these factors, the EEDP criteria against which proposed rezonings of industrial land should be assessed include:

- Will the rezoning result in insufficient industrial land being available for current and future demand in the LGA?
- Does the site currently have the attributes required by current light industrial uses and other uses permitted in the zone (e.g. floorspace, access, parking, infrastructure, storage, building configuration and quality)?
- Is the site economically viable in its current form based on the type of tenants and level of rent it can attract?
- Is it economically feasible to improve the site to attract new tenants and charge a higher rent?
- Are the industrial uses permitted on the site compatible with surrounding uses?
- Are proposed new light industrial uses on the site and associated impacts likely to be supported by the surrounding community?
- Will the retention of industrial uses on the site result in a positive net benefit to the community as a whole?
- Will the rezoning of the site result in the fragmentation of a larger industrial precinct?
- Will the rezoning of the site potentially erode the viability of the larger industrial precinct within which it is located?

Based on these criteria the EEDP considers the industrial sites most likely to be suitable for rezoning are the LGA's fragmented industrial sites and smaller industrial precincts – although all rezoning proposals should be based on a thorough market analysis and economic impact assessment by an independent party..

If this Planning Proposal is exhibited it should be accompanied by an independent study that addresses the criteria of above approach as adopted in the Employment and Economic Development Plan and the underpinning 2011 Employment Lands Study SGS methodology. This requirement is listed as a Further Study in Section 3.3 of this Planning Proposal.

3.0 The Planning Proposal

3.1 Objective and Intended Outcome

The general objective of this Planning Proposal is to amend Leichhardt LEP 2013 to rezone land at 141 and 159 Allen Street Leichhardt ("the site") from IN2 Light Industrial to R1 General Residential with some additional controls to facilitate redevelopment of fragmented industrial land.

For the purpose of this Part Clause 2.3 Land Use Table for Zone R1 General Residential will apply to the Allen Street site.

That LEP 2013 also be amended by inserting the following additional controls as Clause 6.15 in Part 6 Local Provisions. This Clause will apply to Lot 1 in DP 632522 and Lot X in DP 381373, being 141 and 159 Allen Street Leichhardt (the *Allen Street* site).

This amendment will be shown edged heavily black and lettered SSP on the *Leichhardt Local Environmental Plan 2013* Amendment No. 1 Land Zoning Map LZN_003.

Where development consent must not be granted under this clause unless the consent authority is satisfied that:

- (a) a high level of architectural and urban design appropriate to the building type and location will be achieved, with articulated height and massing providing an appropriate transition to the existing streetscape, and
- (b) the development will not exceed 3 storeys in height to the Allen and Flood Street frontages, and
- (c) the development will minimise overshadowing of neighbouring properties, and
- (d) the development will incorporate environmentally sustainable design principles.

3.2 Explanation of Provisions

The reason for this additional objective and these controls is to underpin core elements of *LEP 2013* Clause 6.13 Development requiring preparation of site specific development controls. This provision will ensure the new development will maintain the character of the area and that the built form is complementary to that character in terms of architectural style and materials. It will improve streetscape amenity by encouraging improved design and layout of building which will also protect and enhance the residential amenity of existing dwellings in and adjoining the site.

3.3 Further Studies

The Planning Proposal would rezone the site from Light Industrial to General Residential. This zone would permit a range of residential uses. The scale and intensity of the built form will need to be tested through additional urban design analysis. Similarly given the change from industrial to residential additional controls and amendments will be required.

The following additional studies should be requested in the Gateway determination:

- Urban Design Study: will deal with quality of architectural and urban design, contextual analysis, height, comparative Floor Space Ratio analysis, solar access, massing, separation between buildings, overshadowing, privacy impacts and deep soil landscaping.
- Development Control Plan: the urban design study and other studies outlined below will inform the preparation of site specific development controls for the site. This is a requirement of Clause 6.12 of *LEP 2013*.
- Traffic and Active Transport Assessment: will address traffic impacts, cumulative impacts, mitigation impacts, alternative forms of travel, access and movement. It will include public transport and the adequacy of existing pedestrian and cycling facilities. Transport for NSW have stipulated that the Assessment should be based on the Roads and Maritime Services "Guide to Traffic Generating Developments" in respect of assessing the impacts of generated traffic on the local road network, including impacts on nearby intersections and the need for upgrading or road improvements. The Assessment should also consider how the development could encourage use of sustainable transport through elements such as minimising on-site parking, car and bike share facilities, bike parking and sustainable transport packs for new owners and tenants. This element of the Assessment should investigate the provision of a high quality footpath to improve access to the Hawthorne Stop from the proposed development site. The study should encompass the area bounded by Darley Road, Norton, William and Marion Streets.
- Contamination: the provision of a Phase 2 Environmental Site Audit (ESA) is required to determine the extent and nature of any contamination, and if required, the preparation of a Remediation Action Plan detailing appropriate measures for remediation to ensure the land is suitable for future residential use. This process must meet the requirements of SEPP 55 Remediation of Land and Council's DCP 2013 and Guidelines for Consultants Reporting on Contaminated Sites. The proximity of the site to Acid Sulphate Soils is also to be taken into account.
- Infrastructure: the provision of an assessment of how existing facilities can be upgraded and/or extended to meet the demand that could be created by the proposed rezoning. This should address sustainable water management requirements of *DCP 2013*. The sustainable water management element should deal with water management, stormwater drainage including the 150mm wastewater main that crosses 159 Allen Street, stormwater detention, water disposal and an integrated water cycle plan that considers the environmental sustainability outcomes the project will target.
- The NSW Department of Education and Community requires an assessment to include the number and mix of dwellings proposed, the intended / likely staging program and lead times for construction, plus ideally a social impact assessment with projections of public school age students and public high school age students in future dwellings.
- Economic Development: a detailed market analysis and economic impact assessment that address the adopted Employment and Economic Development Plan criteria and the Employment Lands Study methodology for rezoning fragmented industrial sites. (Refer Sections 2.6.4 and 2.6.5). This study will incorporate an assessment of the Draft Metropolitan Strategy for Sydney. This should also include an economic feasibility analysis that identifies the likely increase in the market value of the land that would result from the proposed rezoning and how that could fund Council's recommended provision of 3% of residential floor space as affordable housing that would be available to key workers or an 'in lieu' monetary contribution. Preliminary yield analysis from the proponent suggests an FSR range between 0.7:1 and 1.5:1 which would provide a yield of between 80 and 150 dwellings. At the 150

dwelling level of development 3% could represent dedication of 5 x 1 bedroom units as affordable housing.

The key planning controls such as FSR would be incorporated into this proposed the *LEP 2013* amendment.

These further studies would be undertaken once the Gateway determination has been made and prior to the exhibition of the Planning Proposal.

3.4 Justification

This section addresses the rationale for the rezoning, why the Planning Proposal is the best approach and what the community benefits will be.

3.4.1 Need for the Planning Proposal

The Planning Proposal will facilitate the redevelopment of the site for residential purposes with the attended benefit of providing new housing stock within an established urban area serviced by existing infrastructure, with access to public transport routes that connect to strategic centres. The site is located within the 600m walking catchment of an identified “village” centre and 1.1km of the Norton Street Town Centre.

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

The proposed rezoning has been addressed in principle by Council's adopted 2011 Employment Lands Study and EEDP, which in turn contributed to the preparation of *LEP 2013* and *DCP 2013*.

The Employment Lands Study identified local demand and supply of employment lands and their capacity to meet projected targets for the supply of such lands. It incorporated a methodology for confirming the potential of existing industrial sites to be rezoned for non-industrial purposes. The Study also acknowledged that the fragmented Allen Street industrial site could be considered for rezoning as residential.

The EEDP builds on the Employment Lands Study and its industrial site rezoning review methodology with a more detailed analytical approach. These strategic studies will be supplemented by the Economic Development assessment specified above as a post Gateway Further Study.

The EEDP also accepts that the industrial sites most likely to be suitable for rezoning are the LGA's fragmented industrial sites.

Is the Planning Proposal the Best Way to achieve the Intended Outcomes?

The Planning Proposal is the best means of achieving the objective set out in Section 3.1 above. It would not be achievable under the current *LEP 2000* or *LEP 2013* site zoning.

Potential Community Benefits

The redevelopment of the site for residential purposes will potentially provide the following community benefit:

- New housing opportunities, including affordable housing and contribute to the range of housing forms within the LGA;

- Reduction in the volume of heavy vehicular traffic currently utilising the local road network to improve the amenity of the surrounding residential zone and streetscape;
- Support for local centres, through increasing population and density within walking catchments of neighbourhood, village and town centres;
- Economic redevelopment of employment land that may be constrained in terms of future development potential;
- New dwellings within proximity of existing and new transport nodes to reduce reliance on car usage and congestion; and
- A package of community benefits will be negotiated with the proponent to become the basis of a Voluntary Planning Agreement (VPA). The Draft VPA should be exhibited at the same time as the Planning Proposal. The VPA will also be informed by the affordable housing component of the Economic Impact assessment specified in Section 3.3.

3.5 Relationship with the Strategic Planning Framework

3.5.1 Metropolitan Plan 2036

The Metropolitan Plan is a broad planning framework used to guide the development of Sydney to 2036. The Strategy plans population growth, new housing, new jobs, increases in industrial land, and commercial and retail floor space over a 25 year period.

The Metropolitan Plan for Sydney 2036 identifies seven (7) key strategies comprising the following parts Economy and Employment, Centres and Corridors, Housing, Transport, Environment and Resources, Parks and Public Places and Governance and Implementation.

The pursuit of providing future in-fill residential development within an established urban area supported by services and public transport infrastructure is consistent with the following relevant actions:

Strategic Direction	Objectives / Actions	Comment
<i>Strategic Direction 'A' – Strengthening a City of Cities</i>	<i>Objective A1 To promote Regional Cities to underpin sustainable growth in a multi-centred city.</i>	The inner west, including Leichhardt LGA, has a low proportion of jobs to working age residents, as it has long served as a residential “dormitory” suburb for the inner city due to a high degree of access to public transport and employment. The subject sites are located within 350m of the future Hawthorne Light rail station combined with regular bus services and routes available from Flood and Norton Streets that will connect the site to major strategic centres. The proposal would contribute to increasing residential density around transport routes and networks and within walking distance of local

Strategic Direction	Objectives / Actions	Comment
		and town centres and contribute to the creation of a sustainable city.
	<i>Objective A3 To contain the Urban Footprint and achieve a balance between Greenfields Growth and renewal in existing urban areas.</i>	Leichhardt LGA is an established area located within 6.6 kilometres of the Sydney CBD, serviced by existing infrastructure, including existing and planned public transport connections. The proposed rezoning of the land to permit infill residential development would contribute to urban consolidation and renewal of the area.
	<i>Objective A8 To plan and coordinate delivery of Infrastructure to meet Metropolitan Housing and Employment Growth rates.</i>	The Inner West Subregion Draft Subregional Strategy identifies a need to provide an additional 2,000 new dwellings within the Leichhardt LGA by 2031. The proposed rezoning could contribute to achieving this goal through the comprehensive and coordinated rezoning and redevelopment of nearly 1 hectare of land strategically located on and near existing and future transport lines, supported by existing services and infrastructure. Rezoning of the subject site, may not compromise the ability of Leichhardt Municipal Council to achieve the projected employment growth targets. A further study (refer to section 3.3) will test whether the proposed rezoning would leave an adequate supply of employment lands within existing centres and enterprise corridors to permit the relocation of the existing bulky goods retailing and warehousing uses in an unconstrained environment (refer to section 7.0 of the SGS report).
<i>Strategic Direction 'B' – Growing and Renewing Centres</i>	<i>Objective B1 To focus activity in accessible centres.</i>	The site is located close to four (4) centres: • Allen Street Neighbourhood Centre; • Lower Norton Street Small Village; • Leichhardt Market Place Village; and • Norton Street, Leichhardt Town Centre. The site is located within the walking catchment of the Leichhardt Market Place Village.
	<i>Action B1.3 Aim to locate 80 per cent of all new housing within the walking catchments of existing and planned centres of all sizes</i>	The site is located within the walking catchment of the Leichhardt Market Place Village and existing and planned public transport routes, including the Hawthorne light rail stop that is under construction as part of the inner west light

Strategic Direction	Objectives / Actions	Comment
	<i>with good public transport.</i>	rail extension which will connect the site to major strategic centres. Transport for NSW envisages operation of the full network extension by early 2014.
<i>Strategic Direction 'C' – Transport for a Connected City</i>	<i>Action C2.1 Ensure subregional housing and employment targets are informed by analysis of current and planned public transport capacity availability.</i>	The site is located on existing and planned public transport corridors. In particular the expansion of the light rail system from Lilyfield to Dulwich Hill will provide increased capacity in the local public transport system. Increasing the provision of housing within proximity of the light rail expansion corridor is consistent with the objective of the Metropolitan Plan for Sydney 2036 to foster increased residential development close to public transport to reduce car dependence and road congestion.
<i>Strategic Directions 'D' – Housing Sydney's Population</i>	<i>Objective D1 To ensure adequate supply of land and sites for residential development.</i>	Rezoning the site will contribute to the supply of residential land within an existing and established urban area.
	<i>Action D1.1 Locate 70 per cent of all new housing within existing urban areas and up to 30 per cent of new housing in new release areas.</i>	The site is located within an established urban area supported by existing services and infrastructure. The proposal would increase the land available within the Leichhardt LGA used for residential purposes.
	<i>Action D2.1 Ensure local planning controls include more low-rise medium density housing in and around small centres.</i>	The Metropolitan Plan for Sydney 2036 identifies a need to provide a total of 35,000 new dwellings within the inner west, which includes the Leichhardt LGA. The proposed rezoning of the site would facilitate the redevelopment of the site for an appropriate form of residential development that responds to the local character and strategic location. Subject to further studies (refer to section 3.3) being undertaken, it is proposed to amend LEP 2013 to permit an appropriate FSR for the sites that would facilitate development of a suitable scale and intensity of medium density housing.
	<i>Objective D3 To improve Housing Affordability</i>	Increasing the quantum of residential land available within the Leichhardt LGA, combined with improving the provision of diversity in housing form and typology will contribute to the supply of dwellings and housing affordability within the area.

Strategic Direction	Objectives / Actions	Comment
		A Voluntary Planning Agreement addressing public benefits such as affordable housing for key workers or an appropriate monetary contribution should be exhibited at the same time as the Planning Proposal.
	<i>Objective D4 To improve the quality of new housing development and urban renewal</i>	The site is currently used and occupied for industrial warehousing purposes that detract from the surrounding visual and residential amenity. The Planning Proposal supports the redevelopment of the site for residential purposes consistent with the surrounding character. Any future development will be subject to assessment in accordance with relevant local and states policies. Redevelopment of the site will contribute to improved streetscape and residential amenity, in relation to a reduction in noise and heavy vehicle traffic movement associated with the current industrial operations.
<i>Strategic Direction 'E' – Growing Sydney's Economy</i>	<i>Objective E3 To provide employment lands to support the economy's freight and industry needs.</i>	The site is fragmented industrial land surrounded by residential development. Intensive industrial use of the sites is restricted due to potential adverse impacts on surrounding dwellings. The site is only accessible via residential collector streets and is not located close to major arterial roads or freight lines.
	<i>Action E3.2 Identify and retain strategically important employment lands</i>	The sites are currently zoned industrial and listed as Category 1 Employment Land in Table 6 of the Inner West Subregion Draft Subregional Strategy. The site is a relatively small precinct that represents less than 1% of total industrial land in the Leichhardt LGA. It is isolated from other industrial lands and does not form part of a freight cluster with good access to freight networks. Recent employment yield (2012) on the site indicates 23 employees of which 10 were employed by Matt Blatt who has since left the 141 Allen Street premises.
<i>Strategic Direction 'G'</i>	<i>Objective G8 To minimise</i>	The Planning Proposal to rezone the sites from

Strategic Direction	Objectives / Actions	Comment
– <i>Tackling Climate Change and Protecting Sydney's Natural Environment</i>	<i>household exposure to unacceptable noise level</i>	industrial to residential will remove the existing potential land use conflicts that arise from noise and heavy vehicular traffic movements associated with the operation of broad industrial uses. The subject sites are affected by Aircraft Noise Exposure Forecast (ANEF) 20 contour as shown in Figure 14.7b of the Sydney Airport Master Plan 2009 for ANEF 2029 and ANEF 2023/24 (refer to Figure 13). The site remains in ANEF 20 Contour under the Preliminary Draft Airport Master Plan 2033. Land within the ANEF 20 is acceptable for residential purposes subject to construction in accordance with <i>Australian Standard 2021- 2000 Aircraft Noise Intrusion Building Siting Acceptability based on ANEF Zones</i>. In accordance with s.117 direction 3.5 should the rezoning be supported future development will be governed by suitable controls in this regard.
	<i>Action G8.1 Avoid noise based land use conflict through strategic planning and development assessment processes</i>	The Planning Proposal to rezone the land for residential purposes will remove potential land use conflicts that could arise from the operation of the warehouse buildings, including noise and heavy vehicle traffic. The subject site is located within an area that may be affected by: Aircraft noise exposure; and Rail noise (future light rail). However, the levels of noise generated by the identified sources could be resolved through appropriate and site responsive design and suitable construction methods. These matters would be addressed at Development Application stage and are matters for consideration under s.79C of the <i>Environmental Planning and Assessment Act 1979</i>.
<i>Strategic Direction 'I' – Delivering the Plan</i>	<i>Objective I4 To ensure LEPs deliver the intent and yield anticipated under the Metropolitan Plan</i>	The Planning Proposal to rezone the sites would amend the draft <i>LEP 2013</i> and would contribute to the quantum of residential land available to help Leichhardt LGA provide an additional 2,000 new dwellings by 2031 as required by the draft Inner West Subregion Draft Subregional

Strategic Direction	Objectives / Actions	Comment
		Strategy.

3.5.2 Inner West Subregion Draft Subregional Strategy

The Metropolitan Plan for Sydney 2036 is divided into sub-regions and the Department of Planning and Infrastructure has maintained the subregional strategies in draft form. The subject site is located within the Inner West Subregion.

The subregional strategies are designed to assist Council's with the preparation of their LEPs. The Inner West Subregion Draft Subregional Strategy was drafted for release in July 2008. The purpose of the subregional strategy is to provide for targeted and specific response to the state level strategic objectives and aims set by the Metropolitan Plan for Sydney 2036 at a regional level.

The key directions and targets identified in the Inner West Subregion Draft Subregional Strategy of relevance to the proposal include:

Strategic Direction	Objectives / Actions	Comment
<i>Key Directions 'A' – Economy and Employment</i>	<i>IW A1.1.1 Inner West local councils to prepare Principal LEPs which will provide sufficient zoned commercial and Employment Land to meet their employment capacity targets</i>	The Planning Proposal will reduce the quantum of employment lands within the Leichhardt LGA by nearly 1 hectare. (Refer sections 2.5.2 and 2.6.6) the Council has recently approved LEP 2013 (June 2013) and submitted it with a Section 68 Report to the Department of Planning and Infrastructure. Council also adopted the LEP related Employment and Economic Development Plan (EEDP) 2013 in June 2013. The EEDP acknowledges that this type of fragmented industrial site is most likely to be suitable for rezoning. It also sets out methodology to be followed to confirm the suitability of proposed rezoning of employment lands. This will independently confirm that any such LEP amendment will leave sufficient zoned commercial and Employment lands to allow employment capacity targets to be met. This requirement is listed as a Further Study in Section 3.3 of this Planning Proposal.
	<i>IW A1.2.3 Council to ensure retention of sufficient small Employment Lands parcels to support local service industries</i>	The subregional strategy broadly recommends that existing small pockets of industrial land within Leichhardt should be retained to provide for a range of local economic services unless it can be demonstrated that the land is surplus to demand. (Refer sections 2.5.2 and 2.6.6) the Council has

Strategic Direction	Objectives / Actions	Comment
		recently approved LEP 2013 (June 2013) and submitted it with a Section 68 Report to the Department of Planning and Infrastructure. Council also adopted the LEP related Employment and Economic Development Plan (EEDP) 2013 in June 2013. The EEDP acknowledges that this type of fragmented industrial site is most likely to be suitable for rezoning. It also sets out methodology to be followed to confirm the suitability of proposed rezoning of employment lands. This will independently confirm that any such LEP amendment will leave sufficient zoned commercial and Employment lands to allow employment capacity targets to be met. This requirement is listed as a Further Study in Section 3.3 of this Planning Proposal.
<i>Key Directions 'B' – Centres and Corridors</i>	<i>IW B4.1.2 Councils to investigate appropriate locations for retail uses in Centres, Business Development Zones (supporting identified Strategic Centres) and Enterprise Corridors.</i>	The Council's adopted EEDP 2013 primary action is the development of Masterplans and Local Area Plans for key renewal sites, corridors and centres. If rezoning proposals come forward in advance of the completion of these Plans the methodology referred in IW A1.1.1 above will be applied.
<i>Key Directions 'C' - Housing</i>	<i>IW C1.3.1 Inner West Councils to plan for sufficient zoned land to accommodate their local government area housing targets through their Principal LEPs.</i>	The Planning Proposal will contribute to the quantum of residential zoned land.
	<i>IW C2.1.1 Inner West Councils to ensure the location of new dwellings maintains the subregion's performance against the target for the State Plan Priority E5 (jobs closer to home)</i>	State Plan Priority E5 states that: <i>"Increasing densities in centres and concentrating activities near public transport, together with an improved transport system, will strongly contribute to achieving "jobs closer to home".</i> The site is located 6.6 kilometres from the Sydney CBD. Existing public transport routes are available from Flood Street with connections to the strategic centre of Sydney CBD available from Norton Street, approximately 600m from the sites.

Strategic Direction	Objectives / Actions	Comment
		It is also located within 350m of the Hawthorne light rail station that forms part of the inner west light rail extension being constructed to connect Dulwich Hill to the City of the Sydney. Accordingly the proposal is considered consistent with State Plan Priority E5 (jobs closer to home).
	<i>IW C2.1.2 Councils to provide in their LEPs zoned capacity for a significant majority of new dwellings to be located in strategic and local centres.</i>	The sites are located within the walking catchment area of the Leichhardt Market Village centre, the Norton Street commercial strip and the future inner west light rail extension. The Planning Proposal is considered to be consistent with the objective to locate new dwellings around existing centres and existing and future public transport routes.
	<i>C2.3 Provide a mix of Housing</i>	The Planning Proposal will facilitate comprehensive redevelopment of the site. Any future development will provide for diversity in the housing mix. The housing types and forms to be developed will be determined in relation to the urban design study (to be undertaken after Gateway determination) and which will inform the appropriate density, height and built form of any future development. The sites strategic location in proximity to identified centres, existing and planned public transport routes and infrastructure provides an opportunity to redevelop the site and contribute to the housing mix of the LGA consistent with the aims of the Inner West Subregion Draft Subregional Strategy and Council's resolution of July 2009 (C318/09) "That a report be prepared identifying all sites within Leichhardt LGA where existing or future development could result in Council acquiring or facilitating the construction of affordable housing".
	<i>IW C2.3.2 Inner West Councils to provide for an appropriate range of residential zoning to cater for changing housing needs.</i>	The Planning Proposal is consistent with the LEP 2013 with the R1 Residential Zone that allows for all forms of residential housing. An urban design study will be undertaken to determine suitable density and height controls for the site.

Strategic Direction	Objectives / Actions	Comment
<i>Key Directions 'E' – Environment, Heritage and Resources</i>	<i>E2.5 Minimise household exposure to unacceptable noise levels.</i>	The proposal is considered consistent with the objective. The Planning Proposal seeks to rezone an existing pocket of isolated industrial land for residential purposes, consistent with its surrounding context. The change in zoning would eliminate the risk of potential land use conflicts that could arise from the operation of warehousing units within proximity to dwellings, in particular noise and heavy vehicular movements. The subject sites are located within proximity to the future light rail network and may be affected by aircraft noise associated with the operation of Sydney Airport. The sites are identified in Figure 14.7b of the Sydney Airport Master Plan 2009 as being within ANEF 20 (refer to Figure 13) These are matters that can be addressed through suitable design and construction responses to ensure residential amenity.

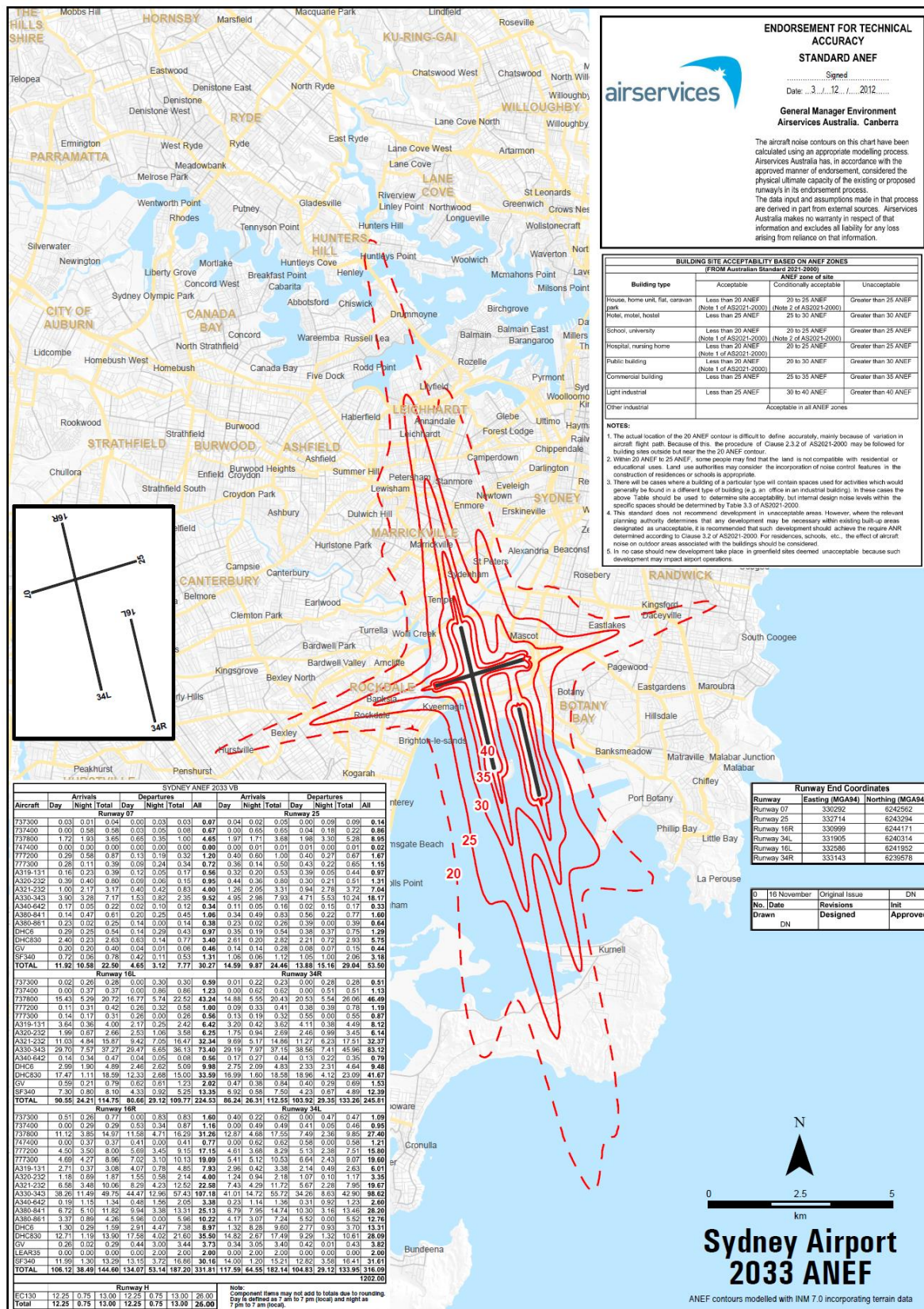


Figure 13: Sydney Airport 2033 ANEF

3.5.3 Draft Metropolitan Strategy for Sydney to 2031

The draft Metropolitan Strategy for Sydney is designed to set out a new plan for the city's future over the next two decades. It is expected that by 2031, 1.3 million more people will be located in the city. The plan aims to provide 545,000 new homes and 625,000 new jobs spread across the metropolitan area. The plan aims to enable greater choice of housing that is more affordable and create jobs closer to homes.

The Draft Metropolitan Strategy for Sydney to 2031 is designed to align with the Long Term Transport Master Plan and the State Infrastructure Strategy.

Consistency of the Planning Proposal with the relevant objectives and actions of the Draft Metropolitan Strategy for Sydney 2031 are considered in detail in section 3.5.3.

Strategic Direction	Objectives / Actions	Comment
<i>Balanced Growth</i>	<i>Objective No. 3 – Make Sydney Connected</i>	The Planning Proposal is consistent with objective No. 3 as it will integrate residential growth in close reach of well serviced public transport connections. The site is located within close proximity to a new station on the inner west Light Rail service and numerous bus services.
<i>A Liveable City</i>	<i>Objective No. 5 – Deliver new housing to meet Sydney's growth</i>	The Planning Proposal is consistent with objective No. 5 as it will assist in meeting the housing targets set by the strategy for the 'Central' subregion area. Future houses will be provided in an area close to existing and planned infrastructure such as shops/town centre and transport nodes and corridors.
	<i>Objective No. 6 – Deliver a mix of well-designed housing that meets the needs of Sydney's population.</i>	At this stage, the Planning Proposal has not provided specific detail with regard to housing mix. It is envisaged that future housing on this site will entail a mixture of types/sizes to be consistent with the objective of this strategy as well as control 6.14 of LEP 2013.
<i>Productivity and Prosperity</i>	<i>Objective No. 13 – Provide a well located supply of industrial lands</i>	The Planning Proposal will reduce the quantum of industrial lands within the central subregion by approximately 1 hectare. (Refer sections 2.5.4 and 2.6.5) the Council has recently approved LEP 2013 (June 2013) and submitted it with a Section 68 Report to the Department of Planning and Infrastructure. Council also adopted the LEP related Employment and Economic Development Plan (EEDP) 2013 in June 2013.

Strategic Direction	Objectives / Actions	Comment
		The EEDP acknowledges that this type of fragmented industrial site is most likely to be suitable for rezoning. It also sets out methodology to be followed to confirm the suitability of proposed rezoning of employment lands. This will independently confirm that any such LEP amendment will leave sufficient zoned commercial and Employment lands to allow employment capacity targets to be met. This requirement is listed as a Further Study in Section 3.3 of this Planning Proposal. The further study referred to above will incorporate an assessment of the Draft Metropolitan Strategy checklist for rezoning of existing industrial land to other uses.
<i>Health and Resilient Environment</i>	<i>Objective No. 18 – Use energy, water and resources efficiently</i>	At this stage, the Planning Proposal has not provided specific detail with regard to the use of energy and water resources. It is envisaged that future housing on the site will be consistent with the objective No. 18. The Leichhardt Environmental Sustainability Strategy encourages the use of Voluntary Planning Agreements as a mechanism to achieve development above NSW Government BASIX SEPP requirements. Such an approach is also consistent with the objectives of Leichhardt Council's Climate Change Plan that encourages adaptation to climate change via Water Sensitive Urban Design, energy efficiency, renewable energy, sustainable building materials, connected, walkable neighbourhoods, active and public transport, greening and shading.
<i>Accessibility and Connectivity</i>	<i>Objective No. 24 – Plan and deliver transport and land use that are integrated and promote sustainable transport choices</i>	The Planning Proposal is consistent with objective No. 24 as it will integrate residential growth that is within walking distance to public transport choices - bus routes and inner west light rail. Generally it is considered that, on traffic and transport grounds, the conversion of the site from light industrial to residential would be beneficial to the area. Further, Roads and

Strategic Direction	Objectives / Actions	Comment
		Maritime Services have indicated that they have no objection to the rezoning based on its impact on adjacent state and regional roads. It could also be anticipated that, if steps are initiated to encourage residents to use sustainable transport the adjacent bike network could satisfactorily cater for this demand and the inner west light rail service would benefit from the potential increase in patronage. In order to both ensure an optimum mode split in favour of sustainable transport and to maintain acceptable traffic volumes on the local street network it is recommended that the following be applied to any future development of the site: • On-site parking be minimised; and • The applicant should implement and maintain a travel plan for the development. The travel plan should consider applying initiatives such as: • Encouragement of home business in the development; • Limited on-site parking; • Car-pooling; • Car share facilities; • Bike share facilities; • Bike parking; and • Sustainable transport information packs for new owners and tenants. It is a condition of this Planning Proposal that a traffic and active transport study be undertaken to assess traffic impacts, cumulative impacts amelioration of impacts and alternative form of travel, access and movement to and from the site. This study will be put on exhibition with the past Gateway Planning Proposal.

3.5.4 Leichhardt 2025 + Strategic Plan

The Leichhardt 2025+ Strategic Plan, July 2013 was developed by Council with the local community to guide and direct Council and the community in achieving their development goal of a “sustainable, connected and liveable community”. Leichhardt 2025+ is the strategic plan for the Leichhardt Local Government Area that identifies the community’s main priorities and aspirations for the future and guides the delivery of Council services over the next ten years

The plan provides a framework for future development of the community over key areas that include:

- Community Wellbeing;
- Accessibility;
- Place Where We Live & Work;
- Sustainable Environment;
- Business in the Community; and
- Sustainable Services & Assets.

The Planning Proposal is consistent with the goals of the Strategic Plan 2025+ in respect to the following:

- The rezoning of the land is consistent with the Metropolitan and Subregional Plans in seeking to redevelop constrained industrial land for residential development that will contribute to achieving new dwellings targets for the area;
- Increasing density and providing for in-fill residential development on existing and planned transport links will promote public transport usage and reduce car dependence;
- The proposal provides an opportunity to increase the diversity of the housing mix, contributing to housing affordability and community diversity; and
- The proposal is consistent with regional and subregional planning strategies and provides an integrated response to local land use planning.

Leichhardt Council’s Community and Cultural Plan 2011 to 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 Leichhardt Local Government Area.

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

- Connecting people to each other
- Connecting people to place
- Developing community strengths and capabilities
- Enlivening the arts and cultural life.

- Promoting health and wellbeing

The 4 year Service Delivery Plan outlines the actions, activities and programs that Council will complete over the next four years in partnership with the community 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 Community and Cultural Plan over the next four years.

The Planning Proposal is consistent with the objectives of the Community and Cultural Plan in respect to creating physical spaces and new public domain areas that connect people to each other, connect people to place, enliven cultural life and promote health and wellbeing.

(Draft) Public Art Policy and 4 Year Service Deliver Plan 2013 - 2017

Council's draft Public Art Policy and 4 Year Service Deliver Plan 2013 – 2017 includes detailed strategies and actions for Council to implement to achieve the three Objectives of:

- **Enhance:** identity, vitality & wellbeing
- **Engage:** participate, innovate & debate
- **Enable:** manage, develop & promote

The Planning Proposal is consistent with the objectives of the draft Public Art Policy and 4 Year Service Deliver Plan in respect to providing opportunities for public art installation in the public domain.

Employment and Economic Development Plan (EEDP) 2013

This EEDP identifies economic development and planning policy initiatives that can make a fundamental improvement to the economy of the Leichhardt LGA through:

- Supporting, attracting and growing local businesses;
- Optimising the economic potential of key sectors and locations;
- Facilitate strategic and integrated decision making;
- Building relationships, linkages, connectivity and partnerships between stakeholders; and
- Improving the social and environmental sustainability of the economy.

The EEDP acknowledges that the industrial properties most likely to be suitable for rezoning are the LGA's fragmented industrial sites such as Allen Street, while requiring that all rezoning proposals should be based on a thorough independent, market analysis and economic impact assessment (refer Section 3.3).

Draft Integrated Transport Plan

Leichhardt's draft Integrated Transport Plan has 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 has established the following 9 Strategic Objectives:

- Improve accessibility within and through the LGA;
- Create a legible, direct and safe pedestrian and cycling environment;
- Provide appropriate levels of parking;
- Encourage public transport use;

- Provide a safe and efficient road network for all road users;
- Facilitate integration of land use, transport and community & cultural activities;
- Provide convenience for users of Leichhardt LGA;
- Promote health and wellbeing; and
- Improve environmental conditions.

This Planning Proposal will embrace the concepts outlined in Leichhardt's draft Integrated Transport Plan by:

- Reducing the impact of heavy vehicles on the local road network;
- Providing increased residential population within walking distance of a new light rail stop; and
- Providing improved safety and amenity on a residential street.

To further align the development with the draft Integrated Transport Plan a Traffic and Active Transport Assessment (Refer Section 3.3) should include a travel plan which encourages the use of sustainable transport (draft Integrated Transport Plan actions 5.1.5 and 7.1.1)

Environmental Sustainability Strategy (ESS) and Climate Change Plan

The Leichhardt Environmental Sustainability Strategy encourages the use of Voluntary Planning Agreements as a mechanism to achieve development above NSW Government BASIX (Building Sustainability Index) SEPP requirements.

The ESS theme Land includes an Objective for Sustainable Building to *Maximise the sustainability of new development within the municipality*, with the corresponding action: *L3 Investigate opportunities for improved environmental outcomes, including residential performance above BASIX targets, for large redevelopment sites via Voluntary Planning Agreements.*

Such an approach is also consistent with the objectives of the Climate Change Plan that encourages adaptation to climate change via Water Sensitive Urban Design, energy efficiency, renewable energy, sustainable building materials, connected, walkable neighbourhoods, active and public transport, greening and shading.

It is always preferable to quantify outcomes regarding the sustainability performance of a development. It would be appropriate to encourage a Voluntary Planning Agreement through which the developer would set out the sustainability outcomes that the project will target, such as 10% above BASIX for water or energy.

GreenStar is a voluntary sustainability rating tool that could be applied to multi-unit developments and it would provide ample scope to address sustainability outcomes based on site opportunities and constraints presented by a development at 141 and 159 Allen Street..

3.5.5 State Environmental Planning Policies

The relevant State Environmental Planning Policies and deemed State Environmental Policies that should be considered have been addressed at Appendix 1 to this report. The consideration of these State Environmental Planning Policies has identified that the Planning Proposal would not conflict with any of these of policies.

There are no deemed SEPP (previous Regional Planning Policies) that are relevant to the Planning Proposal.

3.5.6 Section 117 Directions

The S.117 directions applicable to the Planning Proposal have been addressed at Appendix 2 of this report.

The Planning Proposal would be consistent with all the relevant directions.

3.6 Environmental, Social and Economic Impact

3.6.1 Critical Habitat or Threatened Species

The site is located within a highly modified urban environment and has been extensively developed to accommodate warehouse buildings and at grade parking and loading and unloading facilities. There is no significant vegetation present on either site.

The proposed residential zone and future redevelopment of the site is appropriate as there are no critical habitats or threatened species affected by the potential works.

3.6.2 Environmental Risks and Hazards

The sites are currently used for industrial purposes and are located within proximity to the Hawthorne Canal (located approximately 250m northwest of the site). The site is not identified as a Flood Control Lot under Part A of the *DCP 2000*. The site also not identified as being affected by Acid Sulphate Soils under the draft *LEP 2013* but the required Contamination Study (Refer section 3.3) should be aware of the proximity of Acid Sulphate Soils.

The historical and continuing use of the sites for industrial purposes may have some minimal potential of contamination of ground soils. The reuse of the site for the purpose of residential development should therefore only occur after detailed site contamination assessment has been undertaken in accordance with *State Environmental Planning Policy No. 55* and *DCP 2013*.

Contamination assessment, including a minimum Phase 2 Environmental Site Audit (ESA) will be undertaken once gateway determination of the Planning Proposal has been made. If contamination is identified as a result of the ESA a Remediation Action Plan will be developed, carried out and the site validated prior to any future redevelopment of the site for residential purposes. If a Remediation Action Plan is necessary it will be exhibited with the Planning Proposal.

No other environmental hazards are known to affect the site.

3.6.3 Social and Economic Impacts

Heritage

The land subject to this Planning Proposal is not located within a heritage conservation area, however it is adjoined by and is within proximity to the following heritage items listed in Schedule 2 of *Leichhardt Local Environmental Plan 2000*:

- Allen Street, Leichhardt (landscape) – Street trees (Avenue of Brush Box);
- 212 Flood Street, Leichhardt (built) – Former corner shop and residence; and
- 68 Allen Street, Leichhardt (built) – Congregational Church and Hall.

The Planning Proposal to rezone the land will have no direct impact on the heritage value of '68 Allen Street, Leichhardt – Congregational Church and Hall'. The close proximity of the former corner shop at '212 Flood Street, Leichhardt' and the 'Avenue of Brush Box along Allen Street', which have been recommended for retention and conservation in the recently revised heritage inventory sheet for the item, are more susceptible to potential impacts depending on the design of a future development proposal. Any future application to redevelop the site would be subject to the provisions of Clause 15 and 16 for *Heritage Conservation* in Leichhardt LEP 2000 or similar provision in draft *LEP 2013*.

Built Form

As outlined in Section 3.3, it is envisaged that detailed modelling and analysis to determine appropriate built form, FSR and heights will be considered in an Urban Design Study once the Gateway determination has been made.

The exhibited Planning Proposal will involve alteration to permissible FSR restrictions combined with an appropriate building height.

Economic

The Planning Proposal would remove 9,920 square metres from the LGA's supply of employment land. The site currently employs 10 people (2012 figures). The fragmented nature of the site and possible negative amenity impacts on could restrict potential growth or intensification of industrial and commercial uses permissible under *LEP 2013*. The net reduction in employment is land less than 1% and in accordance with the EEDP rezoning of this type of isolated site is unlikely to adversely affect the capacity of the remaining LEP stock of employment land to meet employment generating targets of 500 new jobs by 2031.

This scenario will be tested by the Economic Assessment required under Section 3.3 Further Studies.

Housing

The Metropolitan Plan for Sydney 2036 promotes urban consolidation through encouraging new residential development in established areas and within and adjoining identified centres.

The Inner West Subregion Draft Subregional Strategy has specified housing targets for the Leichhardt LGA in the order of an extra 2,000 new dwellings to be provided by 2031.

In addition, the Draft Metropolitan Strategy for Sydney to 2031 places Leichhardt LGA into the Central subregion, which has a housing target of 138,000 new homes by 2031.

The proposed rezoning of the site from industrial to residential would permit the redevelopment of the site to provide new housing stock that will contribute to meeting this target. The location of the site within the walking catchment of an identified village centre and public transport routes, including the planned light rail extension, is consistent with the centres based approach to development.

The proximity of the site to services and existing and planned public transport routes and infrastructure, provides a suitable opportunity to redevelop the site for housing and potentially some affordable housing. The identification of sites within the Leichhardt LGA that are suitable for the purpose of providing affordable housing is consistent Council's resolution of July 2009 (C318/09) "That a report be prepared identifying all sites within Leichhardt LGA where existing or future development could result in Council acquiring or facilitating the construction of affordable housing" and the aims of the Inner West Subregion Draft Subregional Strategy to provide a mix of housing types (C2.3 and IW C2.3.2).

Social Impact Assessment

A social impact assessment will be required as part of the next stage of planning and development. The social impact assessment should be developed in accordance with Leichhardt Council's Social Impact Assessment Policy and should specifically consider social infrastructure requirements (including child care), and safety.

Infrastructure

The subject site is located in an area currently serviced by all necessary services and infrastructure facilities.

The proposal is consistent with the Metropolitan Plan 2036 and Draft Metropolitan Strategy 2031 to increase residential densities around identified centres.

The following centres are located within proximity to the site as identified within the Inner West Subregion Draft Subregional Strategy:

Table 1: Identification of centres and walking catchments within proximity to the site taken from the Inner West Subregion Draft Subregional Strategy

Name of Centre	Centre Hierarchy	Distance	Walking catchment Distance*
(*walking catchments taken from Table 7 on page 47 of the Inner West Subregion Draft Subregional Strategy).			
Allen St, Leichhardt	Neighbourhood Centre	350m	150m
Leichhardt Market Place	Village Centre	450m	600m
Lower Norton St (bound by Allen St & City West Link)	Small Village	1.0 kilometre	400m
Norton Street (between Parramatta Rd & Marion St)	Town Centre	1.1 kilometres	800m

With respect to the Norton Street Town Centre, it is noted that the retail and commercial centre extends beyond the defined limits of the Town Centre as reflected in the Inner West Subregion Draft Subregional Strategy. The site falls within a 650m walking distance of the northern end of Norton Street Commercial Centre.

The site is further supported by access to existing and planned transport routes and networks that will connect the land to strategic centres, including Sydney CBD.

The site is supported by local services and existing infrastructure, including public transport networks. In particular the site is well positioned in respect to the inner west light rail extension which is under construction (refer to Figure 15). The “Hawthorne” station is to be located 350m from the site and is in walking distance. The light rail extension will provide direct access to the Sydney CBD combined with other major transport hubs, including traditional rail and bus lines.

The proposal will use existing infrastructure and contribute to achieving the identified dwellings targets for the Leichhardt LGA.

Traffic

Given the site's proximity to both the proposed Hawthorne Light Rail Stop, existing bus routes and Norton Street shopping strip it could be anticipated that the likely traffic generation of a residential development on this site would be at the lower end of the range normally experienced.

Based on this it could be anticipated that the following weekday traffic volumes could be experienced:

- 80 apartments
 - 300 vehicle trips per day
 - 30 peak hour vehicle trips

- 150 apartments
 - 540 vehicle trips per day
 - 50 peak hour vehicle trips

The current warehousing operation at No. 141 Allen Street, Leichhardt generates in the order of 250- 350 vehicle trips per day on weekdays (around 30 – 40 trips per hour).

It could be anticipated that the total traffic volumes on the adjacent street network would increase if the site were to accommodate 100 or more apartments. However, it can be anticipated that the conversion from warehousing to a residential use would result in a significant reduction in heavy vehicle traffic associated with the site.

It is considered that this reduction in heavy vehicle activity would offer a significant environmental improvement to local residential properties and the adjacent road network.

Additionally, should the light industrial zoning be retained and the site used for an alternative permissible use (such as an amusement centre, recreational facility or other form of warehousing) it could be expected that the site's traffic generation could reach levels in the order of 300-500 vehicle trips per day. In addition to the higher traffic volumes, several of the permissible uses could generate a heavy vehicle component of 10%-15%, while amusements centres and recreation uses have potential to generate traffic at times which could impact on local residential amenity.

Generally it is considered that, on traffic and transport grounds, the conversion of the site from light industrial to residential would be beneficial to the area. Further, Roads and Maritime Services have indicated that they have no objection to the rezoning based on its impact on nearby state and regional roads.

It could also be anticipated that, if steps are initiated to encourage residents to use sustainable transport the adjacent bike network could satisfactorily cater for this demand and the inner west light rail service would benefit from the potential increase in patronage.

In order to both ensure an optimum mode split in favour of sustainable transport and to maintain acceptable traffic volumes on the local street network it is recommended that the following be applied to any future development of the site:

- On-site parking be minimised; and
- The applicant should implement and maintain a travel plan for the development. The travel plan should consider applying initiatives such as:
 - Encouragement of home business in the development;
 - Limited on-site parking;
 - Car-pooling;
 - Car share facilities;
 - Bike share facilities;
 - Bike parking; and

- Sustainable transport information packs for new owners and tenants.

A condition of this Planning Proposal will require the preparation of a detailed Traffic and Active Transport Assessment of the precinct. The study area must extend to include the area bounded by Darley Road, Norton Street, William Street and Marion Street. The study should also assess the adequacy of the existing pedestrian and cycling facilities in the local road network to access the site and the surrounding public transport nodes including the light rail and bus stops.

Transport for NSW have stipulated that this Assessment should be based on the Roads and Maritime Services "Guide to Traffic Generating Developments" in respect of assessing the impacts of generated traffic on the local road network, including impacts on nearby intersections and the need for upgrading or road improvements.

Parking

The Planning Proposal will permit redevelopment of the site for residential purposes. Any parking required will be determined in accordance with Council's existing development controls that relate to the provision of on-site parking. Minimal on-site parking will be encouraged and also that the future development implement and maintain a travel plan.

It is desirable that future development at the site, limit the loss of on street parking along the frontage of the site and maintain road bicycle facilities.

Public Transport

The sites are located on an existing public transport route along Flood and Norton Street connecting to local and major urban centres. The site is also located within proximity to the "Hawthorne" light rail stop which is under construction as part of the approved inner west light rail extension to be delivered by early 2014.

Bus Services

Regular and direct bus service routes depart from Norton Street, Leichhardt approximately 667m to the east. The M10 and 440 bus routes connect Norton Street, Leichhardt to Sydney CBD. Alternative services to the City, including routes 438 are available from the corner of Marion and Flood Streets (refer to Figure 14).

The M10 bus is a high frequency service that runs every 10 minutes during morning and afternoon peak periods, every 15 minutes during the day and every 20 minutes at night and on weekends. Bus route no 445 departing from the corner of Flood and Allen Street, connect residents to Norton Street and Darling Street in Rozelle. Connection can be made to bus route 518 to the City from Rozelle.

The rezoning of land within walking catchments, on land serviced by existing infrastructure including public transport routes is consistent with the transport objectives of the Metropolitan Plan for Sydney 2036.

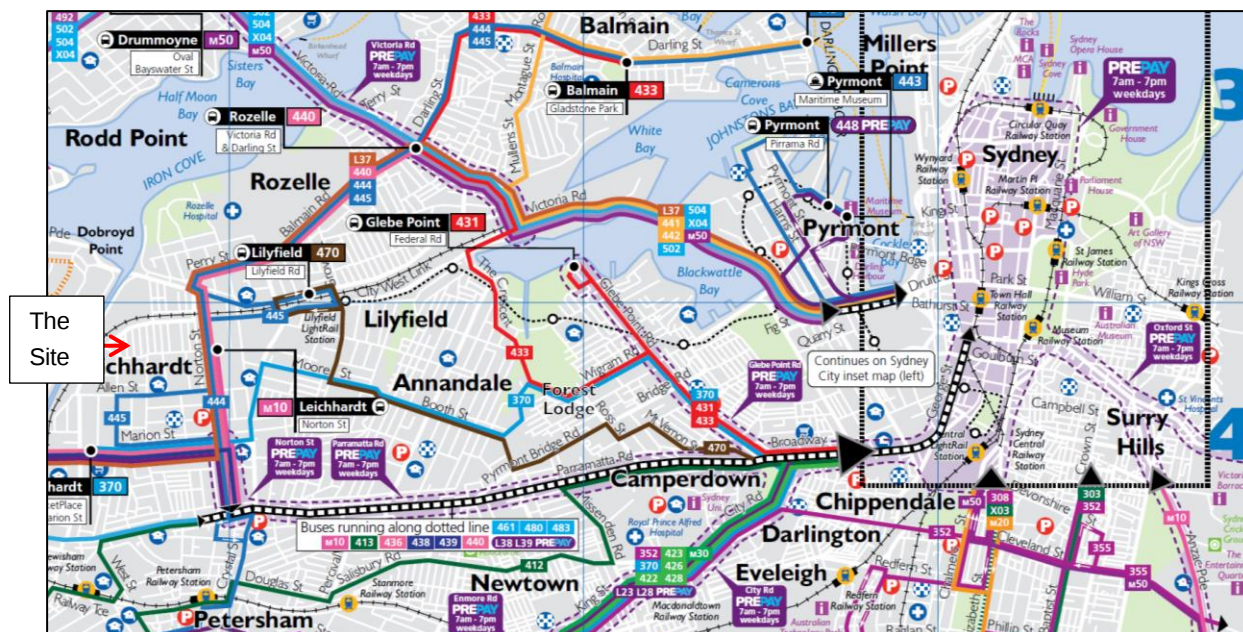


Figure 14: Sydney Buses Service Map showing bus stop locations and routes from the subject sites to nearby centres

(source: www.sydneybuses.info)

Light Rail Extension

The Inner West Light Rail Extension is a project to connect to the existing light rail service, which operates from Central to Lilyfield, to run along the former Rozelle freight rail corridor, through the inner west to Dulwich Hill. The project is an 5.6 kilometre extension and includes nine (9) new stops including one at the Hawthorne Canal approximately 350m walking distance from the subject site (refer to Figure 15). The extended service is anticipated to begin operating in early 2014.

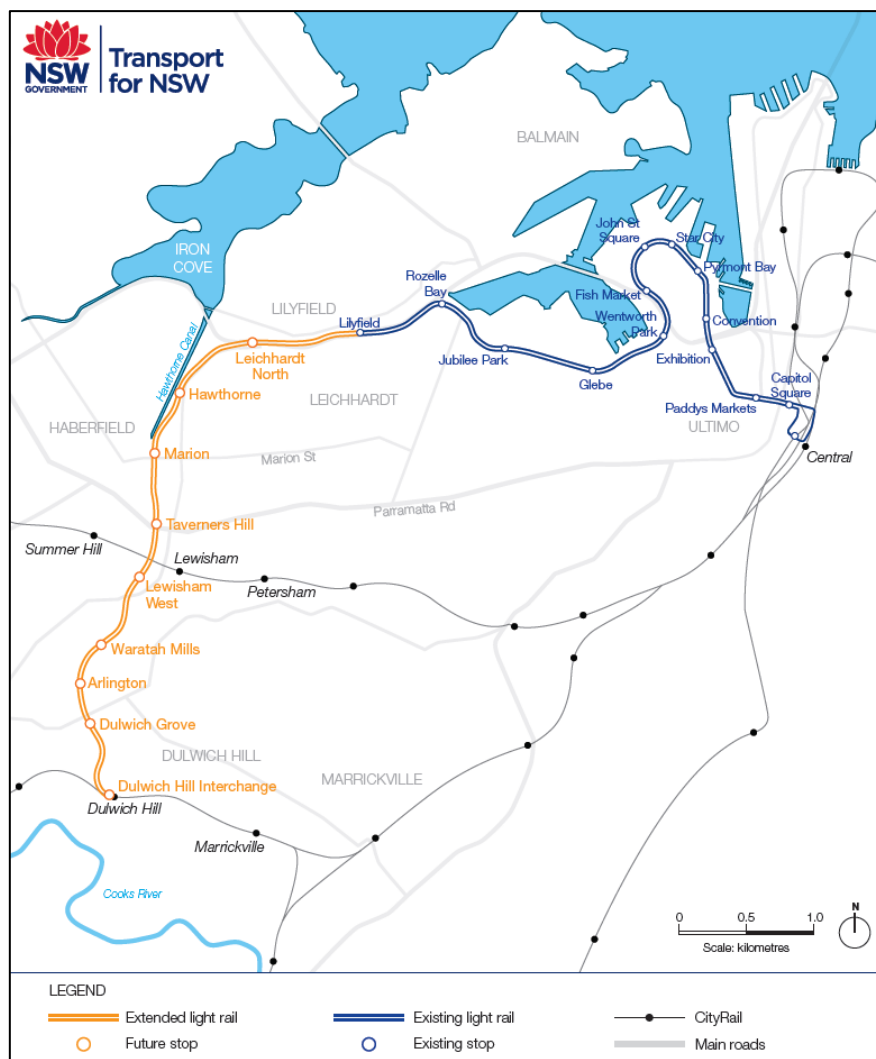


Figure 15: Existing and approved extension to Light Rail Network

The proximity of the site to the new light rail extension and Hawthorne Stop will promote the use of public transport and further contribute to a reduction in vehicle movements. Transport NSW have indicated that they see the proposed redevelopment for residential use as likely to increase patronage of the Light Rail and a good integrated land use /transport outcome.

3.7 State and Commonwealth Interests

3.7.1 Is there adequate public infrastructure for the planning proposal?

The site is an existing urban site serviced by all relevant utilities and with access to public transport infrastructure, including existing bus routes and the Hawthorne light rail station on the inner west extension of the light rail. The rezoning and subsequent redevelopment of the site would utilise land within the walking catchment of an identified village centre, serviced by existing infrastructure and utilities and located along transport networks linked to major strategic centres.

Schools

The site is within the catchments of Kegworth Public School and Sydney Secondary College (SSC). Currently both Kegworth and SSC Leichhardt campus and Blackwattle Campus are projected to have

sufficient space to accommodate government school students that would live in dwellings that would result from the Planning Proposal.

The other Public Schools in the wider area, including Leichhardt, Annandale, Dobroyd Point, Summer Hill and Orange Grove do not have capacity. Ashfield does. Both the SSC Balmain Campus and Blakewattle Campus are projected to be at capacity by 2017.

Water

Sydney Water has a 150mm waste water main crossing the 159 Allen Street part of the site. It has advised Council that the developer may be required to carry out additional works to facilitate development and protect the wastewater main. This could involve an adjustment of the pipes, altering the route or compliance with Guidelines for building over or adjacent to such infrastructure.

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

Pursuant to section 56 (d) of the *Environmental Planning and Assessment Act 1979* the Minister as part of the Gateway determination will consider if the Planning Proposal requires further consultation with State or Commonwealth public authorities. The views of the State authorities already consulted have been incorporated in the Planning Proposal.

Any additional consultation required by the Minister will be undertaken prior to the exhibition of the Draft LEP.

3.8 Formal Consultation on Draft LEP

The formal phase of consultation will coincide with the notification and exhibition of requirements that must be undertaken in accordance with the plan making provisions prescribed by the *Environmental Planning and Assessment Act 1979* and associated *Environmental Planning and Assessment Regulation 2000*. Consultation undertaken in this phase will follow Council's Community Engagement Framework and include:

- Notification of the Planning Proposal on the Council website;
- Formal notices in locally circulating newspapers;
- Public exhibition of the Planning Proposal document for a period of 28 days at venues to be determined by Council;
- Direct letter notification to surrounding and adjoining properties in accordance with the community notification policies of Council advising of the exhibition and inviting public submissions; and
- Holding of a public information session.

3.9 Project Timeline

This is a relatively complex project and additional information is likely to be required by the Gateway determination. The anticipated timeline for completion of the Planning Proposal if approved in a Gateway determination is expected to be a year from that point. This can change if either the proponent or Council

requests a review of the Gateway determination or of the requirements imposed by the Gateway determination.

The estimated project timeline below is therefore post – Gateway for the Planning Proposal or in other words the timeline if no Gateway review is sought or after the completion of such a review if one is requested and granted:

Project Timeline	By Day No.
Gateway determination (assume 1 st day of calendar month)	1
Report determination to Council (to achieve this timeline in 2013/14 Council would need to receive the determination no later than 1 November 2013 for reporting to Council on 10 December 2013; otherwise it cannot be reported to Council until late February 2014).	30
Completion of required technical information	60
Assessment of technical information	90
Requirement of /or addition to technical information	120
Pro-exhibition Government agency consultation	150
Complete full Planning Proposal and supporting documents	180
Report to Council for approval of public exhibition	210
Commencement and completion of public exhibition	270
Allowance for public hearing	310
Consideration of submissions will overlay with allowance for public hearing	320
Report Draft Final Public Planning Proposal to Council	350
Submit Public Planning Proposal to the Department of Planning and Infrastructure to finalise the LEP	355

4.0 Conclusion

Council has been developing its policy position on the future use of Allen Street and rezoning of industrial land to residential land for several years. The background to this process and the current circumstances are considered in detail throughout this Planning Proposal.

In summary Council has acknowledged:

- in May 2010 in relation to a report on “Rezoning, Planning Proposals and potential Affordable Housing Sites” that this was a potential site where an affordable housing outcome could be explored;
- in January 2011 through adoption of the Employment Lands Study that, subject to a thorough market analysis and economic impact assessment by an independent party, the LGA’s fragmented industrial sites are those most likely to be suitable for rezoning;
- in February 2012 that the Planning Proposal for the Allen Street should be deferred until Council’s Employment and Economic Development Plan is adopted;
- in February 2013 in relation to the request for a Pre-Gateway Review that the Allen Street site has potential for alternative employment outcomes including affordable housing for key workers; there is a current and projected deficiency in the LGA of key worker affordable housing, child care facilities and recreation and public open space; and any Planning Proposal to rezone the site should incorporate a Voluntary Planning Agreement addressing public benefits such as affordable housing, child care facilities, recreation and public open space and/or monetary contributions; and
- in June 2013 through adoption of the Employment and Economic Development Plan a methodology for confirming the potential of existing industrial sites to be rezoned for non-industrial purposes.

Consequently this draft Planning Proposal should be referred to the Department of Planning and Infrastructure for a Gateway Determination subject to the pre Public Exhibition assessment of the Further Studies detailed in Section 3.3 of this document to confirm that the policy criteria set out above have been addressed to Council’s satisfaction

Appendix 1: Consistency with State Environmental Planning Policies

SEPP Title	Consistency	Comment
SEPP No. 1 – Development Standards	N/A	This SEPP does not apply
SEPP No. 4 – Development without consent and Miscellaneous Exempt & Complying Development	N/A	This SEPP does not apply
SEPP No. 6 – Number of Storeys in a Building	Yes	This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP No. 14 – Coastal Wetlands	N/A	
SEPP No. 15 – Rural Landsharing Communities	N/A	
SEPP No. 19 – Bushland in Urban Areas	N/A	
SEPP No. 21 – Caravan Parks	N/A	
SEPP No. 22 – Shops and Commercial Premises	N/A	
SEPP No. 26 – Littoral Rainforests	N/A	
SEPP No. 29 – Western Sydney Recreation Area	N/A	
SEPP No. 30 – Intensive Agriculture	N/A	
SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning Proposal to rezone industrial land to permit residential redevelopment would be consistent with the aims of the SEPP. The site is located within an established urban area, supported by public transport (existing and planned), services and infrastructure. The cumulative area of the land would lend itself to a form of multiunit housing, the ultimate form, density and height of which will be determined by an urban design study prior to the exhibition of the Planning Proposal

SEPP Title	Consistency	Comment
SEPP No. 33 – Hazardous and Offensive Development	N/A	
SEPP No. 34 – Manufactured Estate Homes	N/A	
SEPP No. 39 – Spit Island Bird Habitat	N/A	
SEPP No. 41 – Casino Entertainment Complex	N/A	
SEPP No. 44 – Koala Habitat Protection	N/A	
SEPP No. 47 – Moore Park Showground	N/A	
SEPP No. 50 – Canal Estate Development	N/A	
SEPP No. 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	
SEPP No. 55 – Remediation of Land	Consistent	The site has historically and continues to be used for industrial purposes. The provision of a Phase 2 Environmental Site Audit (ESA) is required to determine the extent and nature of any contamination, and if required, the preparation of a Remediation Action Plan detailing appropriate measures for remediation to ensure the land is suitable for future residential use. This process must meet the requirements of SEPP 55 Remediation of Land and Council's DCP 2013 and Guidelines for Consultants Reporting on Contaminated Sites.
SEPP No. 59 – Central Western Regional Open Space and Residential	N/A	

SEPP Title	Consistency	Comment
SEPP No. 60 – Exempt and Complying Development	N/A	This SEPP does not apply
SEPP No. 62 – Sustainable Aquaculture	N/A	
SEPP No. 64 – Advertising and Signage	N/A	
SEPP No. 65 – Design Quality of Residential Flat Development	Yes	This SEPP is relevant to specific development forms that would be permitted under the Planning Proposal. The future density and height is to be determined by an urban design study however if development is of a scale that the SEPP is triggered a future development application would need to comply with these provisions.
SEPP No. 70 – Affordable Housing (Revised schemes)	N/A	
SEPP No. 71 – Coastal Protection	N/A	
SEPP (Affordable Rental Housing) 2009	Yes	The SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Building Sustainability Index: BASIX) 2004	Unknown	Any future redevelopment of the site for residential purposes will need to comply with the provisions of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Yes	The SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes.	The SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Infrastructure) 2007	Yes.	The SEPP is relevant to particular

SEPP Title	Consistency	Comment
		development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	
SEPP (Kurnell Peninsula) 1989	N/A	
SEPP (Major Development) 2005	N/A	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	
SEPP (Penrith Lakes Scheme) 1989	N/A	
SEPP (Port Botany and Port Kembla) 2013	N/A	
SEPP (Rural Lands) 2008	N/A	
SEPP (SEPP 53 Transitional Provisions) 2011	N/A	
SEPP (Sydney Region Growth Centres) 2006	N/A	
SEPP (State & Regional Development) 2011	N/A	
SEPP (Sydney Drinking Water Catchment) 2011	N/A	
SEPP (Sydney Region Growth Centres) 2006	N/A	
SEPP (Temporary Structures) 2007	Yes	The SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Urban Renewal) 2010	N/A	
Sydney Regional Environmental Plan (Sydney Harbour Catchment)	N/A	

Appendix 2: Ministerial (S.117) Directions

S.117 Direction Title	Consistency	Comment
1.0 Employment and Resources		
1.1 Business and Industrial Zones	Yes	The Planning Proposal will reduce the availability of Employment Lands. However the land may be unsuitable for continued industrial use due to its constricted location surrounded by residential development and isolation of major transport, freight links and business centres. The Planning Proposal will permit redevelopment of the site for residential purposes within an established urban area, within proximity to existing and planned commuter links to strategic centres and within the walking catchment from the Leichhardt Market Village Centre.
1.2 Rural Zones	N/A	
1.3 Mining, Petroleum Production & extractive Industries	N/A	
1.4 Oyster Aquaculture	N/A	
1.5 Rural Lands	N/A	
2.0 Environment & Heritage		
2.1 Environmental Protection Zones	Yes	The Planning Proposal does not propose the introduction of any environmental protection zones or heritage zones. There are no site features that would warrant consideration of the application of these zones.
2.2 Coastal Protection	N/A	
2.3 Heritage Conservation	Yes	A portion of Allen Street (between Darley Road and Flood Street) is listed as a landscape heritage item under LLEP 2000 and Draft LEP 2013.

S.117 Direction Title	Consistency	Comment
		The Planning Proposal adjoins a portion of Allen Street that is identified as containing Brush Box Council Street trees that are remanent plantings established during major inter war growth period. In addition, the Planning Proposal is adjacent to No. 212 Flood Street which is a former corner shop and residence. This site is a Locally significant heritage item under LLEP 2000 and Draft LEP 2013. Future development of the site would be guided by the heritage provisions of the LEP 2013 and DCP 2013 controls.
2.4 Recreation Vehicle Areas	N/A	
3.0 Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Yes	The Planning Proposal to rezone the land to enable residential development providing a mix of form and density will provide for improved housing choice and affordability. The amenity of the adjoining residential developments will be preserved and enhanced through design controls that will respond appropriately to the site and its context. Conditions of this Planning Proposal include the requirement of the applicant to prepare an Urban Design Study that deals with the contextual analysis, height, comparative Floor Space Ratio analysis, solar access, separation between buildings, privacy impacts and deep soil landscaping for the site.
3.2 Caravan Parks & Manufactured Home Estates	N/A	
3.3 Home Occupations	Yes	The Planning Proposal will recognise the importance of home base business through

S.117 Direction Title				Consistency	Comment
					the development of appropriate design controls that encourage adaptable spaces that can be utilised for the purpose of providing home business opportunities.
3.4	Integrating Land Use and Transport	Yes			The Planning Proposal is considered to be consistent with this Direction because: • The sites are serviced by existing public transport routes from Flood and Norton Streets that connect to major strategic centres; • The site is within walking distance of the Hawthorne light rail stop; and • The site is within the walking catchment of the Leichhardt Market Place Village Centre and within 1.1km of the Norton Street Town Centre.
3.5	Development Near Aerodromes	Licensed	Yes		The land subject to the Planning Proposal is located within the ANEF 20 contour. Future development of the site would be required to comply with AS2021 for internal noise level.
3.6	Shooting Ranges			N/A	
4.0 Hazard and Risk					
4.1	Acid Sulphate Soils			Yes	The site is identified as having class 5 Acid Sulphate Soils (ASS). The western side of the subject site is within approximately 150-170 metres of land within Hawthorn Canal designated as class 2 ASS. Further investigation regarding the presence of ASS on the site and the implications of being located within 500m of class 1-4 ASS land will be undertaken in accordance with the Acid Sulphate Soils Planning Guidelines as part of the contamination assessment and reporting.
4.2	Min Subsidence and Unstable Land			N/A	
4.3	Flood Prone Land			N/A	The land is not identified on Council's Flood

S.117 Direction Title	Consistency	Comment
		Control Lot Maps as being Flood Prone.
4.4 Planning for Bushfire Prone Land	N/A	
5.0 Regional Planning		
5.1 Implementation of Regional Strategies	N/A	
5.2 Sydney Drinking Water Catchments	N/A	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	
5.4 Development in the vicinity of the Ellalong, Paxton and Millfield (Cessnock LGA)	N/A	
5.5 Second Sydney Airport: Badgery's Creek	N/A	
6.0 Local Plan Making		
6.1 Approval & Referral Requirements	Yes	The Planning Proposal is consistent with the Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	The Planning Proposal is consistent with the Ministerial Direction.
6.3 Site Specific Provisions	Yes	The Planning Proposal does not include any unnecessarily restrictive development standards or requirements on the site.
7.0 Metropolitan Plan		
7.1 Implementation of the Metropolitan Plan	Yes	The Planning Proposal is consistent with the relevant actions from the Inner West Subregion Draft Subregional Strategy.