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24 August 2015

Ms Carolyn McNally
Secretary (Chair)
NSW Department of Planning and Environment
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Attn: Mr Marcus Ray
Deputy Secretary, Planning Services

Dear Ms McNally,

Submission of Planning Proposal for Gateway Determination - Balmain Leagues Club

At its Policy Council Meeting on 11 August 2015, Leichhardt Council considered a Draft Planning Proposal in relation to an area that has been identified as the Balmain Leagues Club Precinct. The Balmain Leagues Club Precinct was deferred from the *Leichhardt Local Environmental Plan 2013* and comprises:

1. The "Special Planning Provisions Area" in *Leichhardt Local Environmental Plan 2000*, namely:

- 138-152 Victoria Road, Rozelle (being Lot 1 DP 528045)
- 154-156 Victoria Road, Rozelle (being Lot 1 DP 109047)
- 697 Darling Street, Rozelle (being Lot 104 DP 733658)
- 1-7 Waterloo Street, Rozelle (being Lots 101 and 102, DP 629133, Lots 37 and 38, DP 421 and Lot 36 DP 190866).

This Planning Proposal seeks to rezone these properties to B2 - Local Centre, with new special site specific provisions.

2. The "Extension Area" that was the subject of a Part 3A Application, namely

- 168-172 Victoria Road, Rozelle (being Lot 2 DP 323480 and Lots A and B DP 436153).

This Planning Proposal seeks to rezone these properties to B2 – Local Centre, consistent with all other B2 land in the local government area.

Council resolved to forward the Planning Proposal to the Minister for Planning to seek a Gateway Determination refer Resolution C357/15P.

In addition, please find attached a copy of the Planning Proposal prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979*

IMPORTANT

This letter contains important information. If you do not understand it please ask a relative or friend to translate it or come to Council and discuss the letter with Council's staff using the Telephone Interpreter Service.

English

IMPORTANTE

Questa lettera contiene delle informazioni importanti. Se non capisce il contenuto è pregata di chiedere aiuto ad un parente o un amico, oppure La Invitiamo di venire in persona al Municipio a parlarne con un nostro impiegato, utilizzando il Servizio Interprete Telefonico.

Italian

IMPORTANTE

Esta carta contiene información importante. Si usted no la entiende, pídale a un familiar o a un amigo que se la traduzca, o venga a la Oficina de la Municipalidad y hable acerca de la misma con el personal de la oficina a través del Servicio Telefónico de Intérpretes.

Spanish

TIN QUAN TRỌNG

Tin tức trong thư này rất quan trọng. Nếu bạn không hiểu, hãy nhờ thân nhân hoặc bạn bè dịch cho bạn nghe hoặc tới văn phòng Hội Đồng Thành Phố để thảo luận với nhân viên qua dịch vụ thông ngôn điện thoại.

Vietnamese

ΠΡΟΣΟΧΗ

Το γράμμα αυτό περιέχει σπουδαίες πληροφορίες. Αν δεν το καταλαβαίνετε, παρακαλέστε ένα συγγενή ή φίλο να σας το μεταφράσει, ή ελάτε στο Δημαρχείο και συζητήστε το γράμμα με το προσωπικό του Δημαρχείου χρησιμοποιώντας την Τηλεφωνική Υπηρεσία Διερμηνέων.

Greek

重要借息

此信包含重要內容。若有不明白之處，可請親戚或朋友幫助翻譯。或請到市政會來，通過電話傳譯服務與市政會人員討論信的內容。

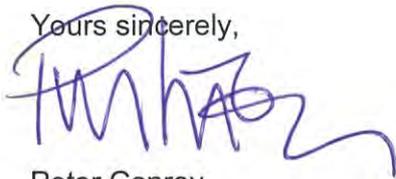
Chinese

(the Act) and the Department of Planning and Environment's guides titled, "*A guide to preparing Local Environmental Plans*" and "*A guide to preparing Planning Proposals*".

Leichhardt Council now requests that the Minister for Planning and Environment makes a Gateway Determination in relation to the Planning Proposal in accordance with section 56 of the Act. Council also confirms that it wishes to have the plan making function for these proposed amendments to *Leichhardt Local Environmental Plan 2013* delegated to Council refer Resolution C357/15P.

Leichhardt Council looks forward to working with the Department of Planning and Environment to progress this Planning Proposal. Should you have any further questions regarding this matter please contact Clare Harley on 9367 9226 or by email at clareha@lmc.nsw.gov.au.

Yours sincerely,



Peter Conroy,

DIRECTOR ENVIRONMENTAL AND COMMUNITY MANAGEMENT

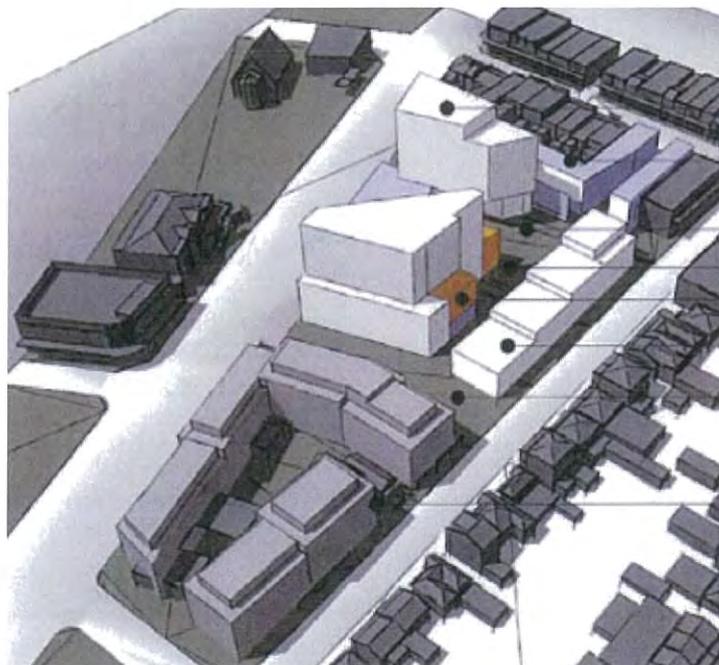
Pre-Gateway Planning Proposal

Draft amendment to
Leichhardt Local Environmental Plan 2013

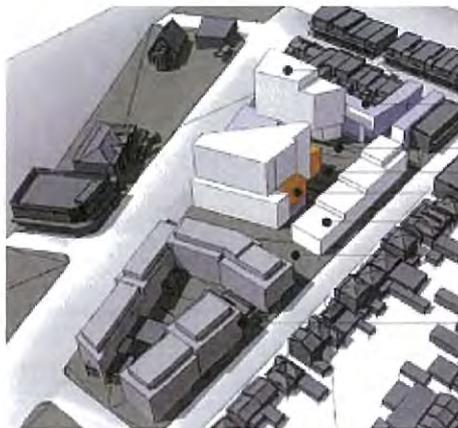
by
Leichhardt Council



Balmain Leagues Club Precinct



Pre-Gateway Planning Proposal
Draft amendment to
Leichhardt Local Environmental Plan 2013



Balmain Leagues Club Precinct

prepared for
Leichhardt Council



prepared by

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August 2015

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- Appendix 3 - Balmain Leagues Club Precinct – Detailed History
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- Appendix 6 - Ministerial (Section 117) Directions
- Appendix 7 - Proposed Amended *Leichhardt Local Environmental Plan 2013* Maps

executive summary

This Planning Proposal relates to an area that has been identified as the Balmain Leagues Club Precinct. The Balmain Leagues Club Precinct was deferred from the *Leichhardt Local Environmental Plan 2013* and comprises both:

1. The “Special Planning Provisions Area” in *Leichhardt Local Environmental Plan 2000*, namely:
 - 138-152 Victoria Road, Rozelle (being Lot 1 DP 528045)
 - 154-156 Victoria Road, Rozelle (being Lot 1 DP 109047)
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 - 1-7 Waterloo Street, Rozelle (being Lots 101 and 102, DP 629133, Lots 37 and 38, DP 421 and Lot 36 DP 190866)
2. The “Extension Area” that was the subject of a Part 3A Application, namely
 - 168-172 Victoria Road, Rozelle (being Lot 2 DP 323480 and Lots A and B DP 436153)

This Planning Proposal seeks to:

1. Rezone the “Special Planning Provisions Area” in *Leichhardt Local Environmental Plan 2000*, to B2 - Local Centre, with new special site specific provisions.
2. Rezone the “Extension Area” that was the subject of a Part 3A Application, to B2 – Local Centre, consistent with all other B2 land in the local government area.
3. Introduce new clauses in relation to Floor Space Ratio and built form.

The Balmain Leagues Club Precinct (the subject site) is a key development site within the Leichhardt Local Government Area. The site is located within an area bounded by Victoria Road, Darling Street, Waterloo Street and Moodie Street, Rozelle. The Balmain Leagues Club has occupied the site since the 1960's. The Club vacated the site in 2010 and since this time, the site has been largely vacant and is now in a derelict state.

Since 2009 there have been numerous proposals to redevelop the site for mixed use outcomes. Mixed use development applications submitted to date have been refused by both the Joint Regional Planning Panel (July 2010) and the Planning Assessment Commission (April 2014) on a number of grounds including that the various proposals have been an overdevelopment of the site, have unsatisfactory quality of design and unacceptable impact on the surrounding road network and traffic and parking.

The site was deferred from the *Leichhardt Local Environmental Plan 2013*, on the advice from the NSW Director General of the Department of Planning and Environment, until such time as the assessment of the Part 3A Application by the Planning Assessment Commission, had been finalised.

Following the refusal of the Balmain Leagues Club Part 3A Application by the Planning Assessment Commission on 11 April 2014, Council's Mayor wrote to the NSW Minister for Planning seeking advice as to how the Department of Planning and Environment intends to progress the Balmain Leagues Club site.

This Planning Proposal has been prepared in response to the NSW Minister for Planning's written advice to Council that following the Planning Assessment Commission's refusal determination it would be appropriate for Council to prepare a Planning Proposal to incorporate the Balmain Leagues Club site into the *Leichhardt Local Environmental Plan 2013*.

Council has developed its policy position on the future development of the site over several years. In 2005, the Master Planning process commenced for the Balmain Leagues Club Precinct, culminating in the gazettal of *Leichhardt Local Environmental Plan Amendment No. 16* (29 August 2008) to facilitate the redevelopment of the Club. This support was predicated on the retention of the Club component and offered development incentives to support this outcome. A site specific Development Control Plan (DCP) was put in place to guide the future development of the site.

A Voluntary Planning Agreement (VPA) was executed on 26 June 2008 to integrate the development of the site with the Local Centre and surrounding suburbs. The VPA attempted to offset any impacts by requiring a pedestrian link to Darling Street, a pedestrian bridge over Victoria Road, a community shuttle bus, a taxi drop off and collection point, a community car share scheme, a free delivery service, public domain upgrades and a community grant scheme.

This Planning Proposal is predicated on the Director General's Environmental Assessment Report (March 2014) of the Major Project Assessment for the site which concluded that:

Whilst Planning & Infrastructure acknowledges that the site is strategically located for higher density development, a detailed analysis of traffic and transport issues reveals that the constraints of the surrounding road network pose a significant challenge to this development....Overall, it is considered that the traffic and transport impacts are fundamentally inconsistent with the established strategic transport framework for the locality. The impacts of the development outweigh any benefits offered by the proposal and there has been no workable solution provided by the proponent to overcome the traffic and transport issues.

Importantly, the current controls for the site under *Leichhardt Local Environmental Plan 2000* have been tested to understand the traffic and transport impacts on

Victoria Road and the surrounding streets in the locality. It is noted that the current, Site Specific controls came into effect on 29 August 2008. The controls, which include a maximum floor space ratio at the site of 3.9:1, were supported by the then proposed Victoria Road Busway and associated duplication of the Iron Cove Bridge. It was a solution to help address the congestion on Victoria Road and the surrounding road network. This project was an important consideration in guiding the appropriate density at the site.

Since this time:

- The CBD Metro was announced in October 2008
- The CBD Metro was cancelled in February 2010, however the approval remains current and a reservation of the corridor remains in place and a portion of land is still owned by the State.
- The Government published the *NSW Long Term Transport Master Plan* (2012) which identified Victoria Road as a highly constrained transport corridor.
- *Sydney's Bus Future* (December 2013) includes as a long term goal to complete investigation of a Bus Rapid Transit on Victoria Rd. Note that this is a long term goal just to complete investigations of the Bus Rapid Transit on Victoria Road. There is no commitment outlined in *Sydney's Buses Future* to rolling out a Bus Rapid Transit on Victoria Road.
- *A Plan for Growing Sydney* (2014) – the new Metropolitan Plan for Sydney was published, and does not identify Victoria Road as a major transport project.

The result is that there is no Government policy in place to further relieve the congestion on Victoria Road in the short - medium term. This means it is imperative that any rezoning of the site does not unreasonably exacerbate the congestion and traffic and transport on Victoria Road, and in the locality. Current Government policy in relation to Victoria Road means that the *Leichhardt Local Environmental Plan 2000* controls are outdated.

Council's expert traffic and transport consultant's - Arup, Leichhardt Council's Design Advisory Group and Hill PDA - Council's land development and economic analysis experts, were commissioned to test the current *Leichhardt Local Environmental Plan 2000* controls. The expert reports provided to Council indicate that the development outcomes as a result of the current *Leichhardt Local Environmental Plan 2000* controls will have an unreasonable impact in terms of traffic and parking on Victoria Road and the surrounding streets.

Consequently, Council's experts were commissioned to undertake further investigations to determine the development controls that would result in a development that would not unreasonably impact on Victoria Road and the surrounding road network, include best practice urban design measures and be

commercially viable. The results are the proposed controls set out in this Planning Proposal.

This Planning Proposal has been assessed against Council's planning and strategic policies including the:

- *Leichhardt Local Environmental Plan (LEP) 2013*
- *Development Control Plan (DCP) 2013*
- *Leichhardt 2025+*
- *Integrated Transport Plan (2015-2019)*
- *Community and Cultural Plan*
- *Employment and Economic Development Plan 2013 - 2023*
- *Environmental Sustainability Plan 2015 - 2025*
- *Public Arts Policy*

It has also been assessed against relevant State plans and policies.

This Planning Proposal seeks to:

1. Rezone the "Special Planning Provisions Area" in *Leichhardt Local Environmental Plan 2000*, to B2 - Local Centre, with new special site specific provisions.
2. Rezone the "Extension Area" that was the subject of a Part 3A Application, to B2 – Local Centre, consistent with all other B2 land in the local government area.
3. Introduce new clauses in relation to Floor Space Ratio and built form.

The Planning Proposal is guided by the following principles:

1. Enable the redevelopment of the site for mixed uses that:
 - a. contributes to sub-regional housing targets through the provision of medium density housing;
 - b. takes advantage of access to public transport without unreasonably impacting on a bus network that is operating on one of Sydney's busiest bus corridors;
 - c. enhances the amenity and environment of the surrounding residences, public domain and the new development itself and;
 - d. provides a viable retail and commercial outcome, including a small-scale supermarket, that does not undermine further the viability of surrounding retail and commercial business, particularly on Darling Street.
2. Facilitate the return of the Balmain Leagues Club to the site.

3. Create a public domain that is safe, accessible and attractive.
4. Provide and encourage environmentally sustainable development and best practice.
5. Propose a density outcome that is sustainable, without negatively impacting one of Sydney's busiest and most constrained transport corridors, Victoria Road.
6. Achieve architectural and urban design excellence.

The redevelopment of the site for mixed use purposes, including the return of the Balmain Leagues Club will potentially provide the following community benefits:

- New housing opportunities within an area supported by services;
- Support for local centres, through increasing population and density within walking catchments of neighbourhood, village and town centres; and
- Potential Voluntary Planning Agreement contributions.

A comparison table of the existing and proposed controls and the previously proposed developments at the site, refused by both the Joint Regional Planning Panel and the Planning Assessment Commission, is provided in Table 1 below.

The Planning Proposal identifies a range of possible community benefits that could flow from the rezoning and an increased population to support local centres and the rejuvenation of a derelict site in a prime location.

Consequently, this Planning Proposal would be subject to assessment against the further studies outlined in Section 4.3 including:

- Detailed 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
- Social Impact Assessment
- Economic viability/ retail study

It is also Council practice to negotiate Voluntary Planning Agreements (VPA) on a case by case basis for amendments to the *Local Environmental Plan* such as rezoning. It is noted that under the previous application (Major Project Part 3A application) which sought approval to develop the site, the Proponent abandoned any earlier commitments to the provision of community benefits and sought to offset any benefit against s.94 contributions. At the time, no approach had been

made to Council to renegotiate the VPA to address any additional community benefits that might flow from the Major Project Application.

The executed VPA included a package of additional requirements to address potential impacts:

- Pedestrian Bridge – to facilitate access from both sides of Victoria Road.
- Construction of a pedestrian link (i.e. the proposed retail arcade) from the Proposed Development to the Darling Street shop frontage as shown in the DCP.
- A community shuttle bus to be provided and operated by the Developer to carry passengers to and from the development.
- Provide a designated area, in an easily accessible place within the development, for taxis to pick up and drop off.
- The developer will facilitate the operation of a community car sharing scheme from the development, and will provide a minimum of two marked car spaces for the exclusive use of such scheme.
- 24hr home delivery service.
- Public domain improvements.
- A community grant scheme.

The refused Part 3A application proposed:

- Increases to the FSR beyond the previous level (refused by the JRPP on 8 July 2010) and reduced the size of the Club with no guarantee that the Club would return.
- Increased size of the supermarket and a significant increase in the number of specialty shops.
- Increased parking rate.

However, the proposal did not include a VPA package to address the potential impacts of the expanded development. In this regard there was no:

- Pedestrian Bridge – to facilitate access from both sides of Victoria Road.
- Public Plaza.
- Home Delivery Service.
- Community car sharing scheme.
- Easily accessible taxi rank proposed.

Council concluded in their submission to the Department of Planning and Environment that *“whilst the proposal should not be considered without a VPA, it is unlikely that any agreement could be reached that appropriately offsets the impacts to the community from a scheme of this size and nature.”*

It is considered that the above listed studies and any draft Voluntary Planning Agreement should be the subject of public exhibition if the Gateway determines the Planning Proposal should proceed.

Table 1| Comparison of Projects

Feature	Existing Control (Leichhardt LEP 2000)	Previous Refused Proposal (JRPP)	Environmental Assessment Report (April 2012)	Preferred Project Report (October 2012)	Revised Preferred Project Report (July 2013) - Refused	This Planning Proposal – Balmain Leagues Club (SSP Leichhardt LEP 2000 area)
Site Area	7,277m ²	7,277m ²	7,762m ²	8,189m ²	8,189m ²	7,277m ²
Gross Floor Area	28,515m ²	32,919m ²	54,979m ²	43,506m ²	36,587m ²	13,865m ²
FSR	3.9:1	4.49:1	6.7:1	5.3:1	4.5:1	1.91:1
Height of buildings	12 storeys	13 storeys	26 and 32 storeys	Tower A – 22 storeys. Tower B – 22 storeys	Tower A – 22 storeys. Tower B – 17 storeys.	6 – 8 storeys
Parking	412	467	834 spaces	509 spaces	488 spaces	329 spaces
Residential Floor Area	13,794m ²	14,389m ²	32,329m ²	27,500m ²	20,646m ²	9,960m ²
Commercial Floor Area	1,620m ²	1,463m ²	4,867m ²	1,000m ²	1,478m ²	1,000m ²
Retail Floor Area	9,585m ²	10,213m ²	13,971m ²	9,200m ²	10,982m ²	870m ²
Club Floor Area	3,516m ²	3,035m ²	2,711m ²	2,800m ²	2,576m ²	2,035m ²

1 introduction

The objective of this Planning Proposal is to include the land at the Balmain Leagues Club Precinct, which is currently deferred land, under the *Leichhardt Local Environmental Plan 2013*, as B2 – Local Centre, and establish Floor Space Ratio and development controls to facilitate the redevelopment of this site.

It is recommended that amendments are also made to the *Leichhardt Development Control Plan 2013* that propose site specific controls to guide the future development of the site to ensure it is compatible with the surrounding area, desired future character and needs of the community.

This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment's *Guide to Preparing Planning Proposals* and *Guide to Preparing Local Environmental Plans*.

This Planning Proposal is 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 provides background to the proposal which includes details of all the relevant events and Council policies to date;
- Section 4 sets out the Planning Proposal in accordance with section 55(2) of the *Environmental Planning and Assessment Act 1979* and includes the following components:
 - Part 1 – A statement of the objectives and intended outcomes of the proposed instrument
 - Part 2 – An explanation of the provisions that are to be included in the proposed instrument
 - Part 3 – The justification for those objectives, outcomes and the process for their implementation
 - Part 4 – Maps to identify the intent of the Planning Proposal and the area to which it applies
 - Part 5 – Details of the community consultation that is to be undertaken on the Planning Proposal
- Section 5 provides a conclusion.

The Planning Proposal has resulted from Council's most recent site specific policy position for the Balmain Leagues Club Precinct, which was supported at Council's May 2015 Council meeting. The May 2015 Resolution (C198/15P) regarding the site states:

1. *Based on the results of the work completed to date Council confirm Option 3e as its position in relation to the future planning and development of the site by:*
 - a. *Adopting the ARUP Traffic Model and Urban Design Principles*
 - b. *Confirming Internal Rate of Return as the principal measure of the projects commercial viability*
 - c. *Limiting the overall height of the towers within the development to 6 and 8 storeys*
 - d. *Confirming the area of the leagues club in the redevelopment at 2033m², noting that a further 1000m² is available for commercial uses such as a gym or childcare*
 - e. *Confirming the retail area in the redevelopment at 870m² – the area of retail arrived at by ARUP to produce a traffic model that satisfies the previously stated concerns of the JRPP and the PAC. Noting that the proposed range of uses within the retail area is wide and includes the option of a small supermarket to service the needs of new and existing residents*
 - f. *Confirming the residential component at 116 units, a figure that has been achieved by converting the previous 1478m² of commercial office space to an estimated 16 additional units of podium level housing*
 - g. *Confirming the on-site car parking has been modelled by ARUP at a maximum of 329 spaces to produce a traffic model that satisfies the previously stated concerns of the JRPP and the PAC*
 - h. *Based on the results of the work completed to date and Councils preferred position in relation to the future planning and development of the site:*
 - (i) *Council staff prepare an information package to assist in community consultation*
 - (ii) *Council commence a process of consulting with key stakeholders – in particular the NSW Department of Planning, the owner, the Balmain Leagues Club and the local community, with a view to preparing a draft planning proposal and Draft VPA for consideration by Council.*
2. *Confirm its position that in the event the Balmain Leagues Club is no longer a tenant in the redevelopment of the Balmain Leagues Club site, it would be Council's intention to rezone the site back to the historical business zone which permits a maximum FSR of 1.5:1 for a mixed use development.*
3. *In the course of the consultation write to the proponent and the Balmain Leagues Club requesting clarification about the status of their previous*

financial dispute and requesting evidence of Balmain Leagues Club's long term financial sustainability.

4. *Request a meeting with the Minister of Planning to communicate Council's resolution.*

2 the site and its context

2.1 Overview

This section describes the location of the site, existing development on the land, and the relationship of the Planning Proposal to the planning policy framework.

2.2 Land subject to the Planning Proposal

This Planning Proposal relates to an area that has been identified as the Balmain Leagues Club Precinct. The Balmain Leagues Club Precinct was deferred from the *Leichhardt Local Environmental Plan 2013* and comprises both:

1. The “Special Planning Provisions Area” in *Leichhardt Local Environmental Plan 2000*, namely:
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This Planning Proposal seeks to:

1. Rezone the “Special Planning Provisions Area” in *Leichhardt Local Environmental Plan 2000*, to B2 - Local Centre, with new special site specific provisions.
2. Rezone the “Extension Area” that was the subject of a Part 3A Application, to B2 – Local Centre, consistent with all other B2 land in the local government area.
3. Introduce new clauses in relation to Floor Space Ratio and built form.

It is noted that the Part 3A Application also included an additional extension area being 17 – 19 Waterloo Street, Rozelle (being SP67362). This land is not the subject of this Planning Proposal. The current zoning (B2 – Local Centre) and development standards under *Leichhardt Local Environmental Plan 2013* are applicable to 17 – 19 Waterloo Street, Rozelle.

Figure 1 below indicates the land that is the subject of this Planning Proposal, is both the Balmain Leagues Club land (outlined in red) and the extension land (outlined in yellow).



Figure 1| The *Leichhardt Local Environmental Plan 2013* ‘Deferred Matter’ site is made up of two components. The red outline is the Special Planning Provisions area under *Leichhardt Local Environmental Plan 2000* and the yellow outline is the extension area that was combined with this Special Planning Provisions area as a ‘Deferred Matter’ under the *Leichhardt Local Environmental Plan 2013*. (Source: Six Maps 2015)

2.3 Site Location

The Balmain Leagues Club Precinct has frontages to Victoria Road, Darling Street and Waterloo Street in Rozelle. The site is approximately 4 kilometres to the west of the Sydney CBD.

The site is irregular in shape. The Balmain Leagues Club site (i.e. the land subject to the Special Site Provisions under *Leichhardt Local Environmental Plan 2000* (outlined in red in Figure 1 above)) has an area of approximately 7,277sqm. The extension land that was included in the Part 3A application and included as a ‘Deferred Matter’ under *Leichhardt Local Environmental Plan 2013* (outlined in yellow in Figure 1), has an area of approximately 600sqm. Over half of the site is currently occupied by the now vacant Balmain Leagues Club buildings and associated at grade and rooftop parking areas at 138 – 152 Victoria Road. The site also includes:

- A retail premises at 697 Darling Street (currently vacant)
- Two commercial premises at 154 – 156 and 168 Victoria Road (vacant)
- Two-semi-detached dwellings at 170 and 172 Victoria Road

- Two commercial premises at 1 Waterloo Street (vacant)
- A car parking area at 3 – 7 Waterloo Street (vacant)

The site is situated on the northwest side of a prominent ridge, which generally runs along Darling Street. The site's location is visually prominent in both the immediate locality and from distant vantage points in the wider visual catchments particularly to the north, east and west. The site has a downwards slope towards the northwest of approximately 9 metres.

The site is situated adjacent to Victoria Road which is served by high frequency bus routes to Sydney CBD, Ryde and Parramatta. A dedicated bus lane is provided along Victoria Road for southbound trips to the Sydney CBD. The broad context of the site is shown in Figure 2.

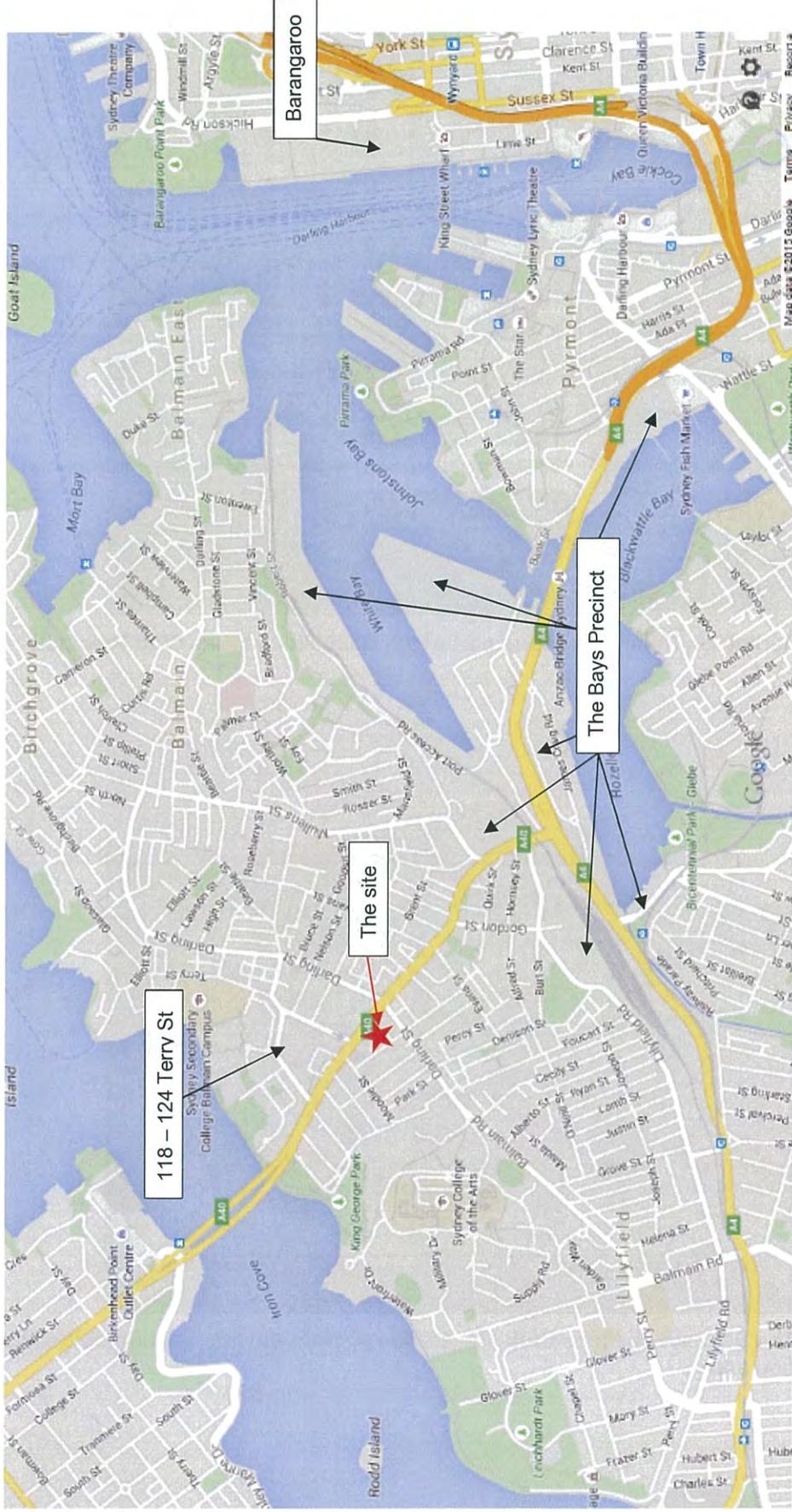
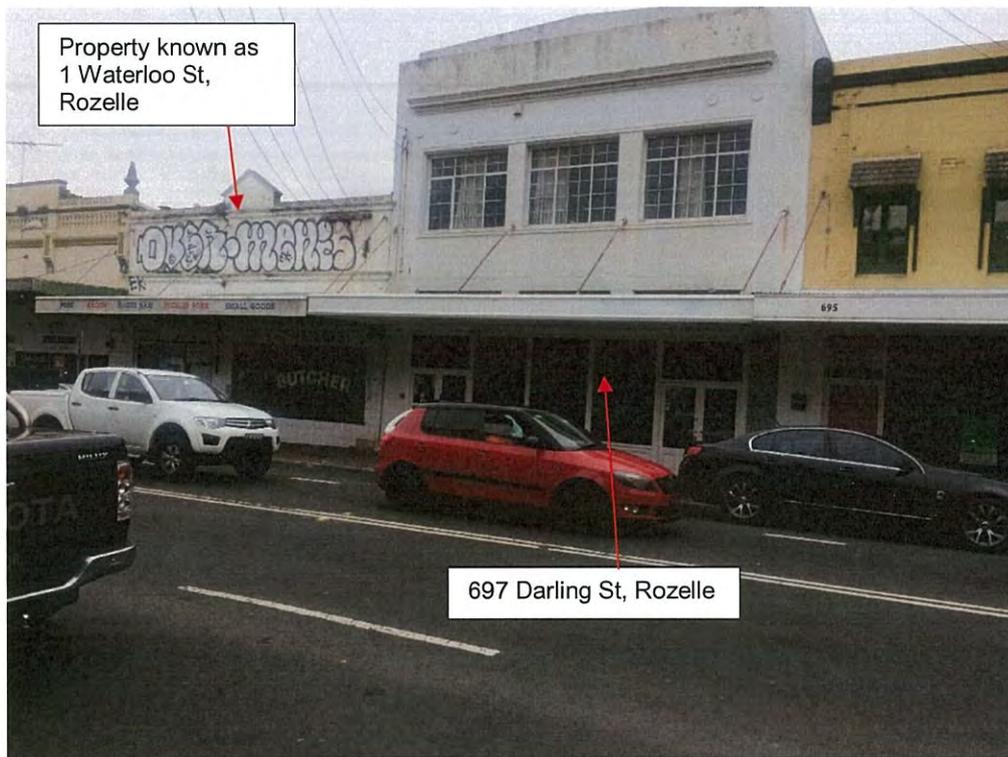
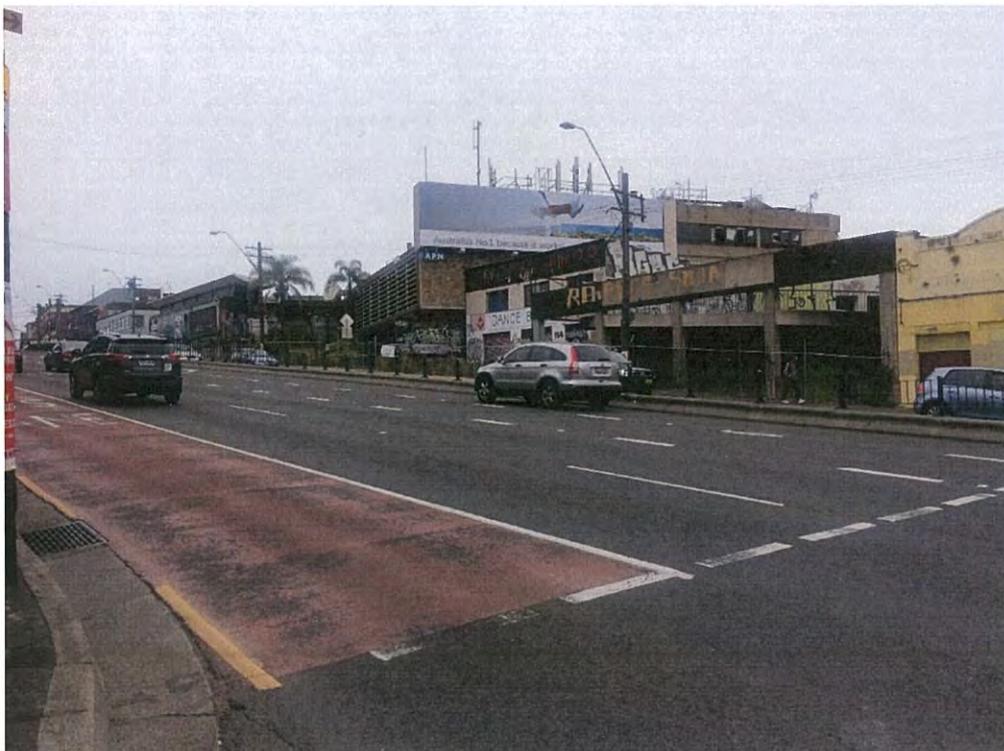


Figure 2| Site location and nearby major development sites (Source: Google Maps, 2015)

Site and locality photos – July 2015



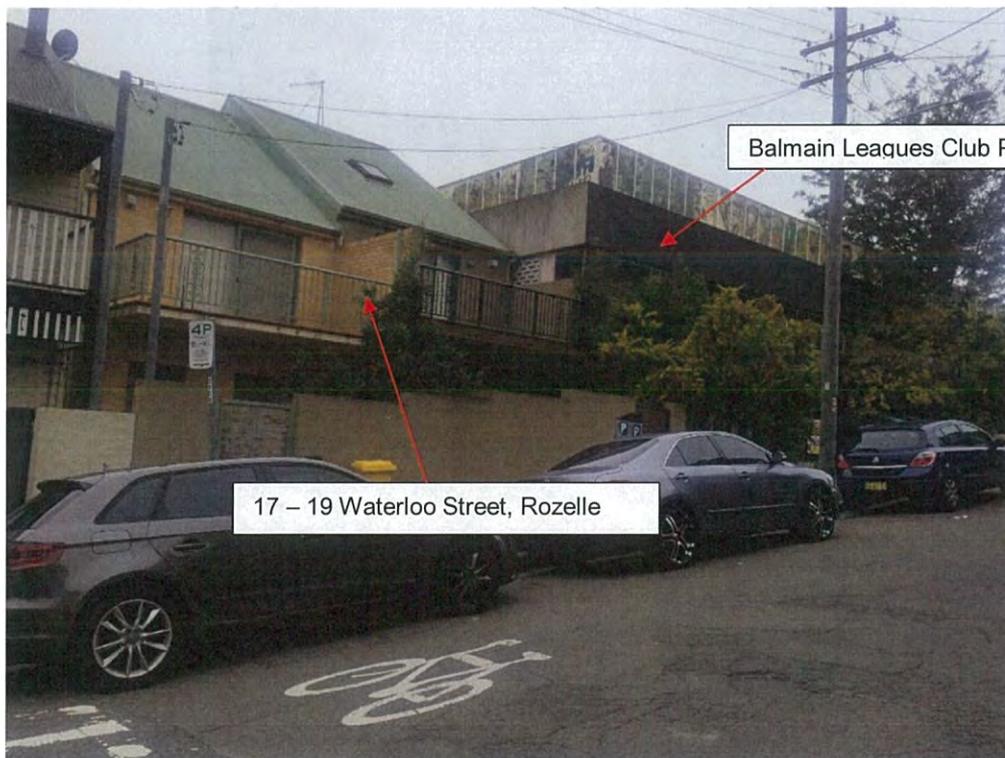
Photograph 1| Darling St, Rozelle (forming part of the Balmain Leagues Club Precinct)



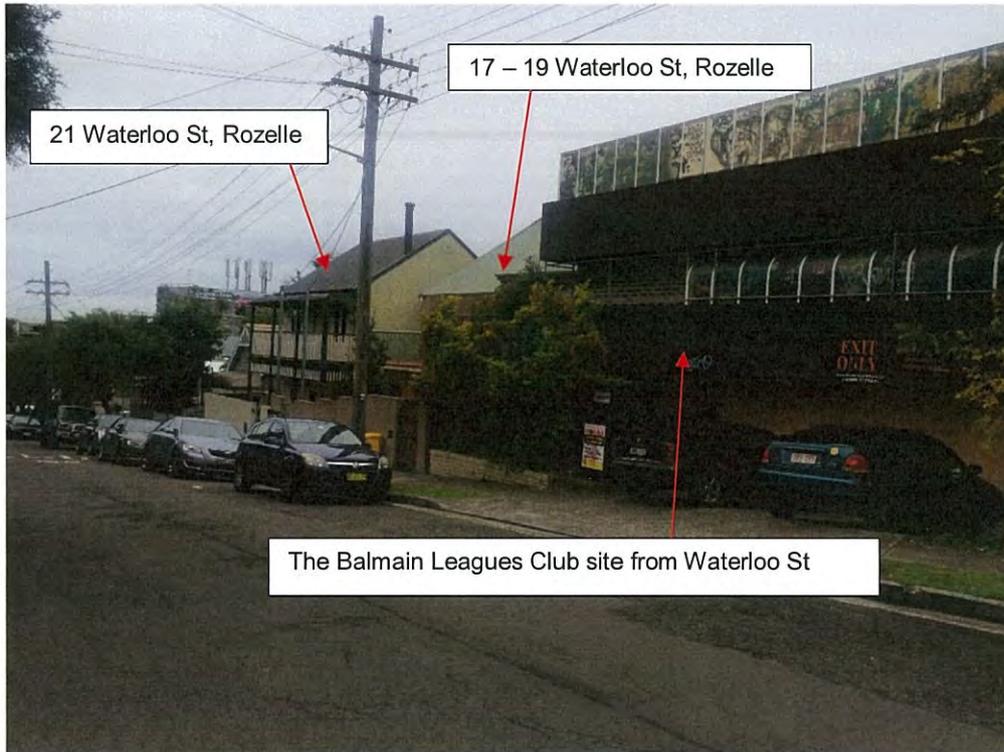
Photograph 2| The Balmain Leagues Club site as viewed from the intersection of Wellington Rd and Victoria Rd looking south.



Photograph 3| The northern end of the site fronting Victoria Road, including terrace houses at 170 – 172 Victoria Road, Rozelle (forming part of the Balmain Leagues Club Precinct)



Photograph 4| Existing residential properties at 17 – 19 Waterloo St, Rozelle (adjacent to the Balmain Leagues Club Precinct and formed part of the Part 3A Application)



Photograph 5| Looking North East from Waterloo at the interface between the Balmain Leagues Club site and dwelling houses at 17 – 19 and 21 Waterloo St, Rozelle



Photograph 6| Examples of residential properties to the west of the Balmain Leagues Club Precinct, including 28, 30 and 32 Waterloo St, Rozelle



Photograph 7| Further examples of dwelling houses opposite the Balmain Leagues Club Precinct on the western side of Waterloo St, Rozelle



Photograph 8| Balmain Leagues Club Site viewed from Waterloo Street looking east

2.4 Leichhardt Municipal Council Planning Framework

2.4.1 Current Zoning

The Balmain Leagues Club Precinct is currently identified as a “Deferred Matter” under *Leichhardt Local Environmental Plan 2013* (see Figure 3). As a consequence, the *Leichhardt Local Environmental Plan 2000* provisions continue to apply to the site (Figure 4).

Under *Leichhardt Local Environmental Plan 2000* the land the subject of this Planning Proposal is zoned Business. The majority of the Planning Proposal land is the subject of Site Specific Provision (SSP) controls under *Leichhardt Local Environmental Plan 2000* (Amendment 16), marked in black outline in Figure 4. The *Leichhardt Local Environmental Plan 2000* also applies to the “extension area”, which also forms part of the Planning Proposal land and is outlined in yellow in Figure 4

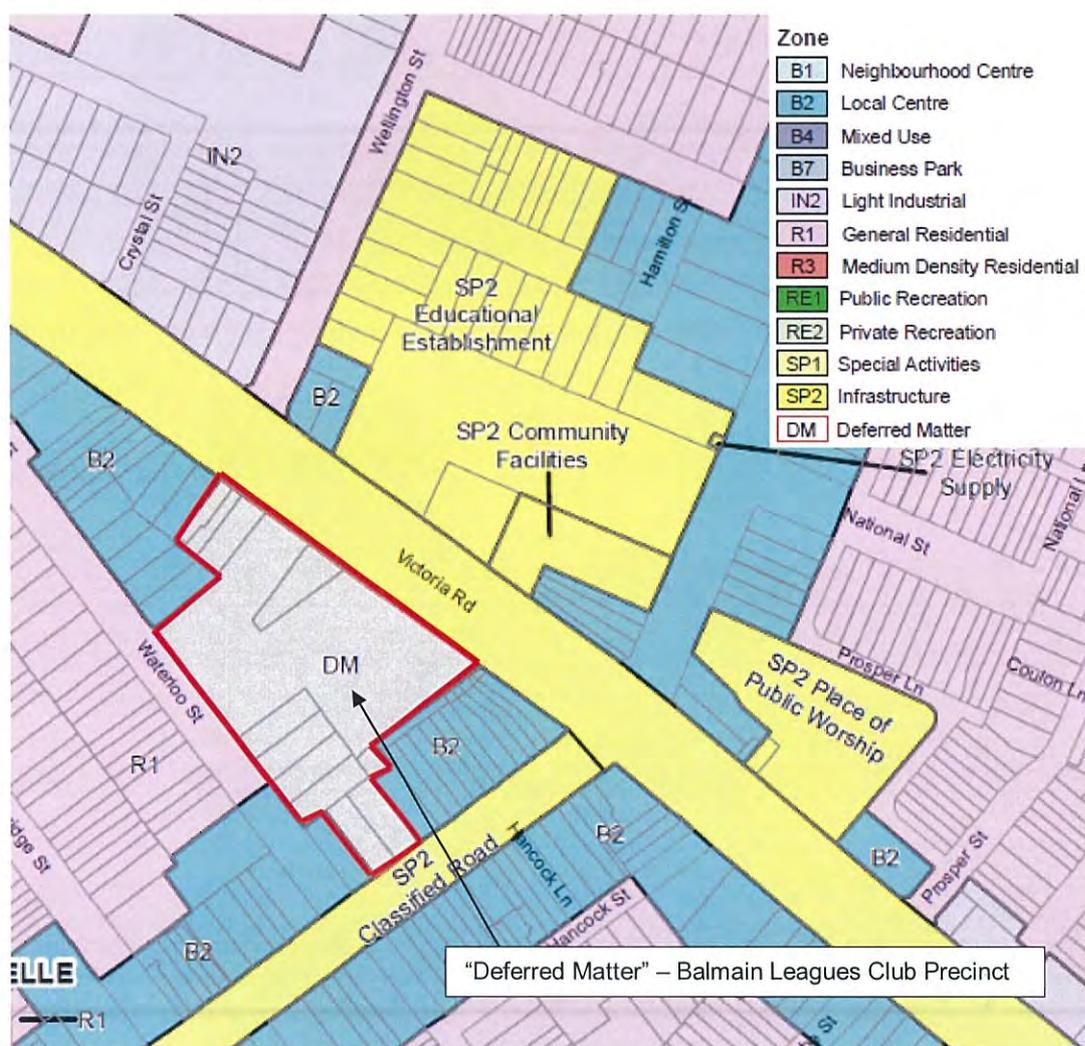


Figure 3| Current zoning under Leichhardt LEP 2013

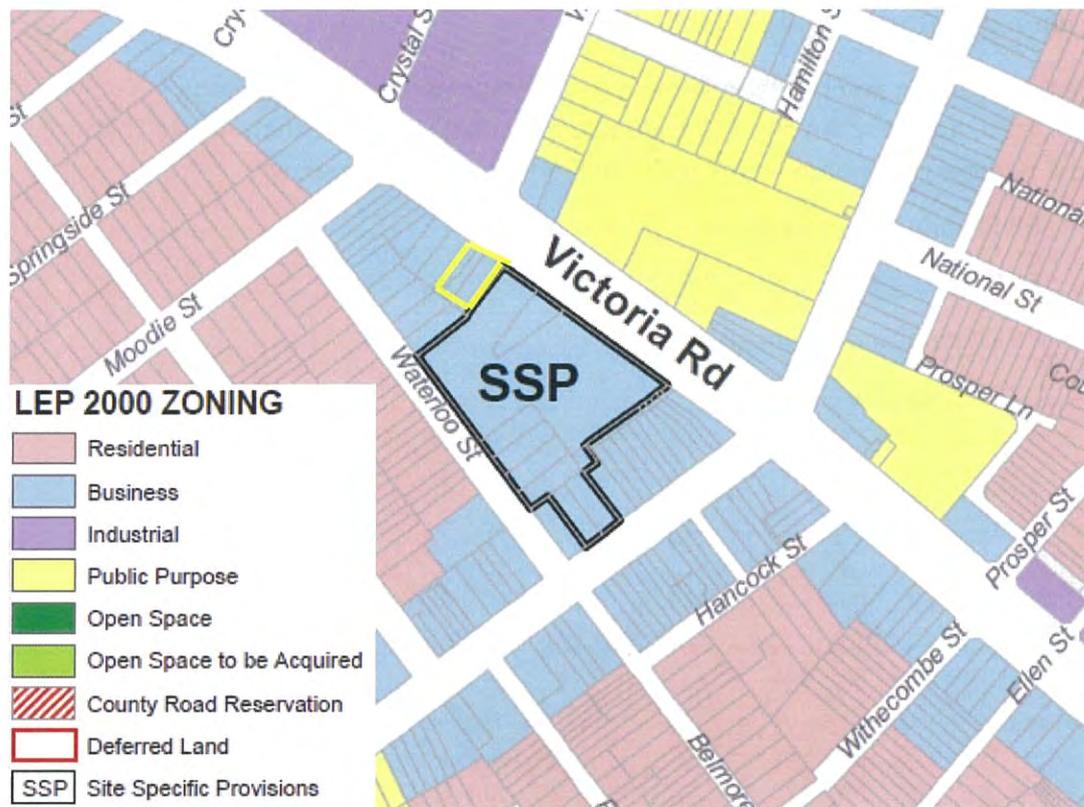


Figure 4| Current zoning under the Leichhardt LEP 2000. The black outlined area is the Balmain Leagues Club site and the yellow outlined blocks form the “extension area” which is part of the Land the subject of this Planning Proposal.

2.4.2 Heritage and Conservation

The site does not contain any Heritage Items and is not located within a Heritage Conservation Area; however the site is adjacent to a Heritage Conservation Area ('The Valley') and a number of Heritage Items (refer to Figure 5) as listed below:

- 1743 – 663 Darling Street, Rozelle
- 1744 – 665A Darling Street, Rozelle
- 1746 – 678 Darling Street, Rozelle
- 1747 – 707 Darling Street, Rozelle

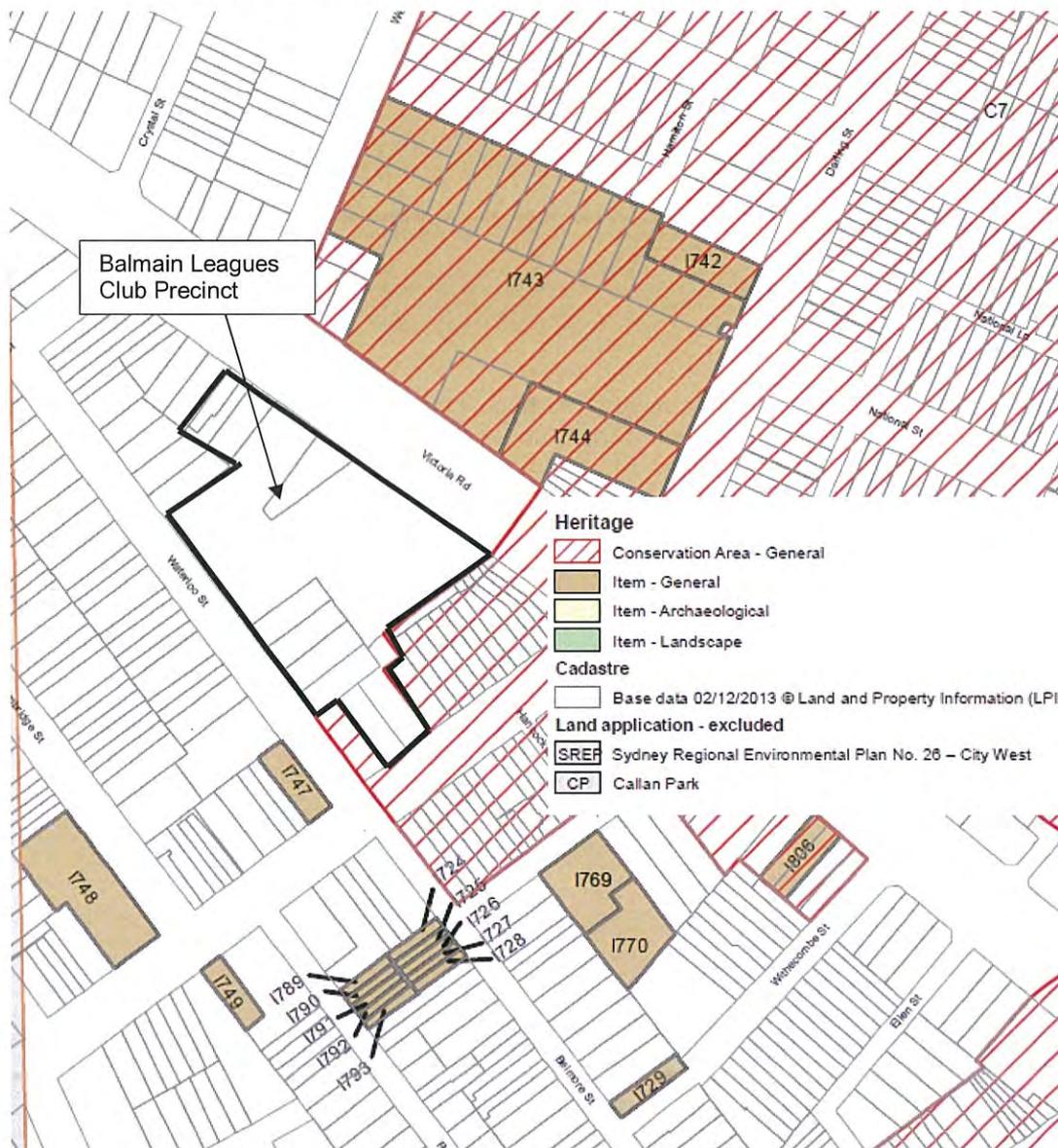


Figure 5| Heritage under the Leichhardt LEP 2013

2.4.3 Floor Space Ratio and Maximum Building Height

The development standards in the Site Specific Provisions (applying to the area of the Planning Proposal land outlined in black at Figure 4) under *Leichhardt Local Environmental Plan 2000* include:

Part 3 Amended controls on specific sites

Balmain Leagues Club Precinct site

(4) A consent under subclause (2) must not be granted if the development will result in any of the following:

- (a) the floor space ratio for the site exceeds 3.9:1,
- (b) the floor space ratio for all shops on the site exceeds 1.3:1,
- (c) the floor space ratio for all commercial premises on the site exceeds 0.2:1,
- (d) the floor space ratio for all clubs on the site exceeds 0.5:1,
- (e) the floor space ratio for all residential development on the site exceeds 1.9:1,
- (f) in relation to a building on the site that is less than 10 metres from Waterloo Street, Rozelle—the building height exceeds 12.5 metres above the existing road level,
- (g) in relation to a building on the site that is less than 36 metres from Darling Street, Rozelle—the building height exceeds a reduced level of 52.0 metres relative to the Australian Height Datum or exceeds two storeys,
- (h) a building height on the site exceeds a reduced level of 82.0 metres relative to the Australian Height Datum or exceeds twelve storeys.

The development standards that apply to the “extension land” (outlined in yellow at Figure 4) under *Leichhardt Local Environmental Plan 2000* include:

23 General provisions for the development of land

(1) Commercial floor space control

- (a) Consent must not be granted to the carrying out of non-residential development on land within any zone if it will result in the floor space ratio of a building on the land exceeding 1:1.
- (b) Consent may be granted to the carrying out of mixed residential and other development on land within the Business Zone which results in a floor space ratio of a building on the land up to 1.5:1, but only if all floor space at the ground floor or street level is used for non-residential purposes (except for any floor space used for service and access purposes required for the residential component of the building in the floors above).
- (c) Residential development on land within the Business Zone is only allowed in accordance with paragraph (b).

Under *Leichhardt Local Environmental Plan 2013*, the surrounding B2 Local Centre zoned land has a maximum Floor Space Ratio of 1:1 (see Figure 6). However, clause 4.4A of the *Leichhardt Local Environmental Plan 2013* provides a floor space incentive for mixed use development that incorporates active street frontages at ground level in the B1 & B2 zones, allowing a maximum FSR of 1.5:1. The maximum Floor Space Ratio for the R1 zoned land opposite the site to the west is 0.5:1.

There are no maximum building height controls applying to the surrounding locality under the *Leichhardt Local Environmental Plan 2013*.

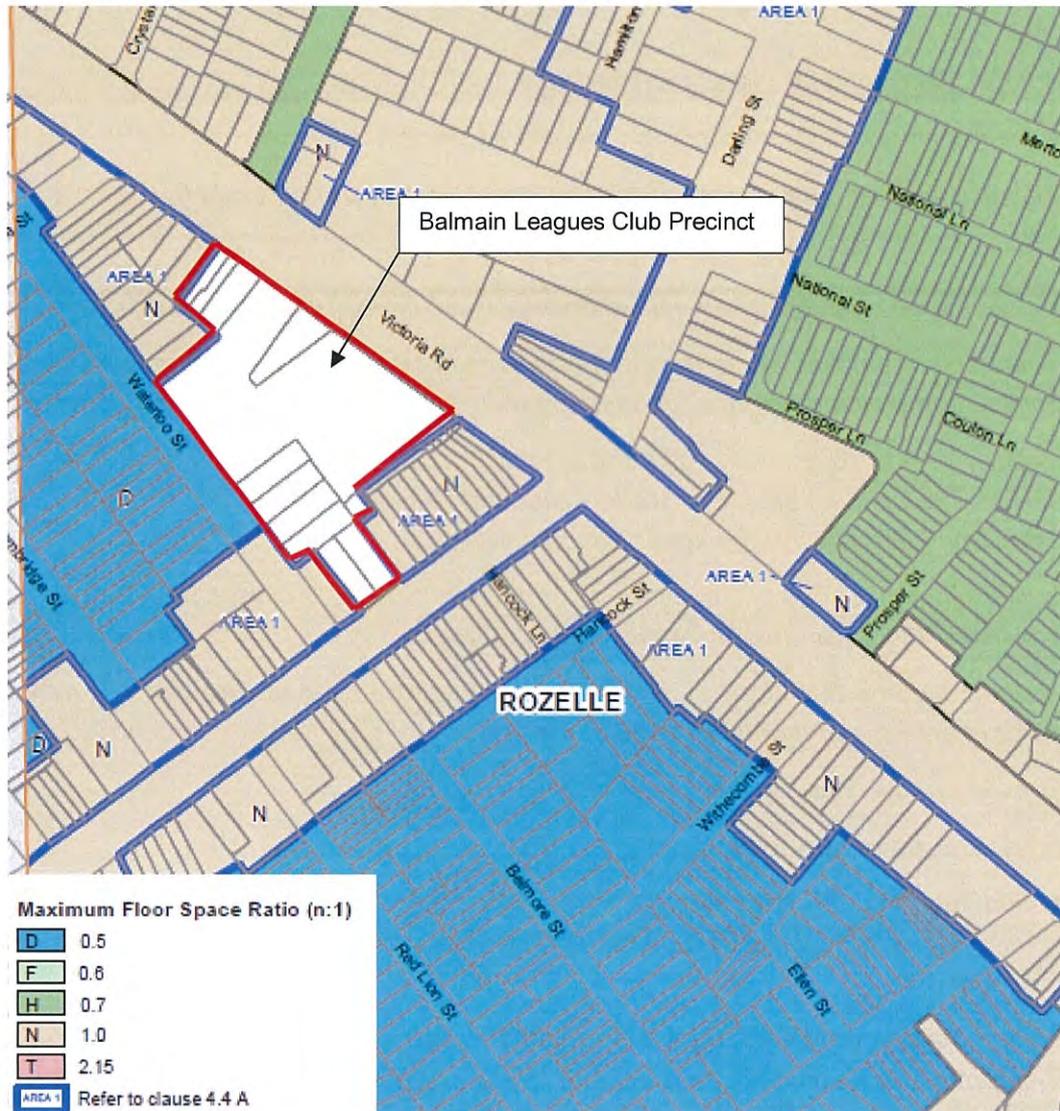


Figure 6| Maximum Floor Space Ratio Map under Leichhardt LEP 2013

2.4.4 Other local provision controls

The local provisions (controls) of *Leichhardt Local Environmental Plan 2013* outlined in Table 2 below are expected to apply to the site if rezoning takes place.

Table 2 Local Provisions that apply to the subject site

Planning Matter	Clause	Requirements
Acid sulfate soils	6.1	Requires development on land identified on the Acid Sulfate Soils Map to meet the requirements of this clause.
Earthworks	6.2	Requires that earthworks will not detrimentally impact environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
Flood planning	6.3	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.
Stormwater management	6.4	Requires that development minimise the impact of urban stormwater on the subject site and adjoining properties.
Airspace operations	6.7	Requires consideration of the Obstacle Limitation Surface Map. This clause is unlikely to be relevant to any future development proposal given the proposed built form.
Diverse Housing	6.13	Requires the provision of a diversity of dwelling sizes in residential flat buildings when the development comprises of four or more dwellings.
Development control plans for certain development	6.14	<p>Requires that site specific development controls are prepared for redevelopment sites that have an area of more than 3000sqm.</p> <p>Council has commissioned much of the work that would be required for a site specific Development Control Plan. This includes the preparation of the design principles by Council's Design Advisory Group (Appendix 1) to support the outcomes of this Planning Proposal.</p> <p>See further discussion in relation to a Site Specific Development Control Plan below.</p>

Clause 6.14 of Leichhardt Local Environmental Plan 2013

In accordance with Clause 6.14 of *Leichhardt Local Environmental Plan 2013*, the site will require the preparation of site specific development controls. The site specific Development Control Plan will be required to incorporate the design principles prepared by Council's Design Advisory Group (Appendix 1).

The design principles have been prepared by Council's Design Advisory Group to complement this Planning Proposal and guide the future development of the site to ensure it is compatible with the surrounding area, desired future character and needs of the community. The Site Specific Development Control Plan, would be developed following Gateway determination.

In accordance with the existing clause 6.14 (4) of *Leichhardt Local Environmental Plan 2013*, the controls to be developed for the site shall include (but are not limited to) the following matters:

- (a) *the compatibility of the proposed development 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 has an adverse impact on view corridors,*
- (d) *the site's suitability for the proposed development,*
- (e) *the existing and proposed mix of land uses,*
- (f) *cultural, heritage and archaeological issues,*
- (g) *streetscape constraints,*
- (h) *the height, bulk, scale, massing and modulation of buildings,*
- (i) *the heights of buildings with street frontages,*
- (j) *environmental constraints, including contamination and acid sulfate soils,*
- (k) *environmental impacts such as overshadowing, wind and reflectivity,*
- (l) *whether the proposed development incorporates the principles of ecologically sustainable development,*
- (m) *overall transport hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, with particular regard to public transport, pedestrians and cyclists,*
- (n) *the proposed development's relationship and integration with existing and proposed public transport facilities,*
- (o) *the overall landscaping of the site,*
- (p) *stormwater management.*

2.4.5 Leichhardt Development Control Plan (DCP) 2013

The *Leichhardt Development Control Plan 2013* applies to the subject site and the majority of the LGA.

DCP 2013 is divided into seven (7) chapters as outlined in the table below.

Table 3| Development Control Plan Chapters

Chapter	Topics
Part A Introduction	Outlines the administrative details for the implementation and jurisdiction of the document.
Part B Connections	Encourages planning for a well-connected and cohesive community.
Part C Place	Provides controls which maximise opportunities for good urban design, enhancement of amenity and sustainable development.
Part D Energy	Provides controls which promote energy conservation, renewable energy production and waste management.
Part E Water	Provides controls which promote water sensitive urban design.
Part F Food	Provides controls which promote local food production.
Part G Site Specific Controls	Provides specific controls for important sites.

The subject site is located within the Rozelle Commercial Distinctive Neighbourhood (refer to Figure 7) - Darling Street and Victoria Road sub-areas. The corresponding character statement is provided within Part C – Section 2 - C2.2.5.5 Rozelle Commercial Distinctive Neighbourhood of the Plan.

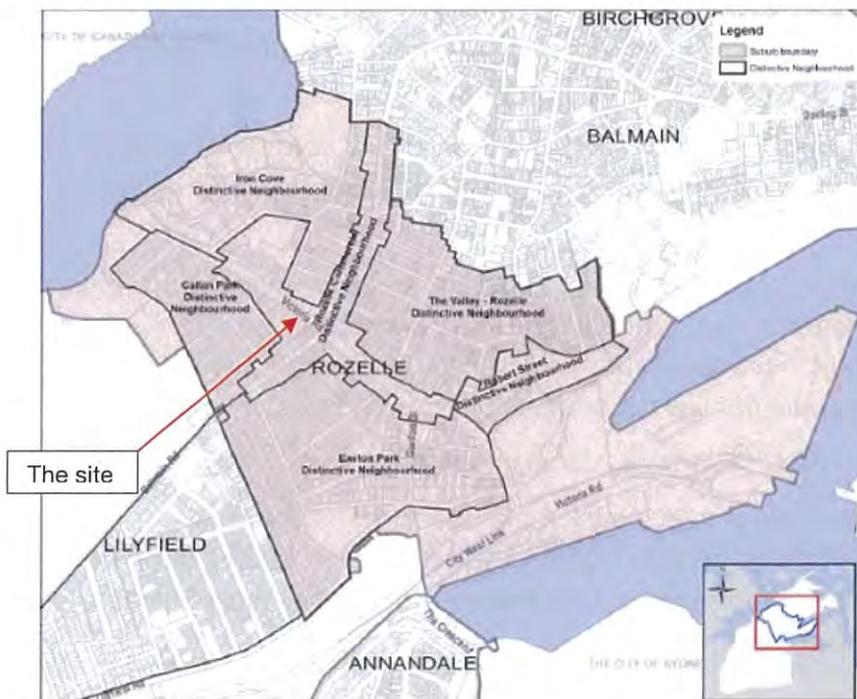


Figure 7| Distinctive Neighbourhood Leichhardt DCP 2013

2.5 Strategic Context and Specific Studies

2.5.1 A Plan for Growing Sydney

A Plan for Growing Sydney was released by the NSW Government in December 2014 and is the new framework to guide land use and planning decisions for Sydney over the next 20 years. *A Plan for Growing Sydney* supersedes the *Metropolitan Plan for Sydney 2036*. *A Plan for Growing Sydney* identifies that over the next 20 years, Sydney's population will grow much faster than over the past 20 years. It projects that Sydney will need approximately 664,000 additional homes over the next 20 years. *A Plan for Growing Sydney* includes the Government's visions for Sydney and the goals to achieve the vision, as outlined below:

The Government's vision for Sydney is: a strong global city, a great place to live.

To achieve this vision, the Government has set down goals that Sydney will be:

- *a competitive economy with world-class services and transport;*
- *a city of housing choice with homes that meet our needs and lifestyles;*
- *a great place to live with communities that are strong, healthy and well connected; and*
- *a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.*

Consistency of the Planning Proposal with the relevant objectives and actions of the *A Plan for Growing Sydney* are considered in detail in Section 4, Table 4.

2.5.2 Council initiated studies

In order to develop a revised set of controls for the Balmain Leagues Club Precinct that address the key issues that have been identified by the Joint Regional Planning Panel (in its refusal dated July 2010) and the Planning Assessment Commission (in its refusal dated April 2014) for the future planning of the site, Council's resolution at its meeting of 25 November 2014 included that:

- 4) *Council staff implement the methodology for reviewing the current controls as outlined within the report, in particular by engaging ARUP to review:*
 - a) *The Paramics Model – by deleting retail and commercial land uses, so to achieve a level of development that accords with the Joint Regional Planning Panel decisions dated 19 July 2010.*
 - b) *Engage Council's Design Advisory Group to review the building envelope and other built form controls to address "best practice" and the Planning Assessment Commission's view that the provisions of the Leichhardt Local Environmental Plan 2000 provide an appropriate framework for the future development of the site.*

Traffic and Transport - Arup – Rozelle Village - Saturday Traffic Model (April 2015)

Arup developed a *Paramics* micro-stimulation model of the Balmain- Rozelle road network for Leichhardt Council in 2008. This model was initially developed as a weekday AM/PM peak model. In 2010 the model was expanded to also serve as a Saturday morning peak model, this is the model utilised for this review.

Arup were commissioned by Council to ascertain a level of development that accords with both the Joint Regional Planning Panel decision dated July 2010 and the Planning Assessment Commission dated April 2014, namely:

- A leagues club of 3,035m²
- A residential component 132 units
- A commercial component 1,478m²
- A retail component 870m²
- A total of 329 on site car parking spaces

In this regard the Arup report (Appendix 2) has confirmed that a FSR greater than 1.5:1 would still satisfy the sentiments expressed in the Joint Regional Planning Panel's decision (July 2010) and the Planning Assessment Commission's decision (April 2014).

Urban Design – Design Advisory Group – Design Principles

Council's Design Advisory Group were commissioned to review:

- The previous development controls
- The details contained in the reports and decisions of the Joint Regional Planning Panel and the Planning Assessment Commission, including the relevant Parking and Traffic comments.
- Relevant comparable developments.

This has in turn informed the drafting of Design Principles for the site (Appendix 1):

1. Connections and public domain design principles
2. Built form design principles – for both the surrounding block and the subject site
3. A land use massing diagram – to indicate the approximate location and relative position of the various land use elements.

Commercial Viability – Hill PDA Report (2015)

Hill PDA were commissioned to review the following to assess the commercial viability of the resulting development:

- the various options and assumptions contained in Arup's traffic and transport modelling
- the Design Advisory Group's Design Principles Report

It was considered that a proposal in accordance with the following controls, is consistent with the Arup's modelling, the Design Principles developed by the Design Advisory Group and the sentiments expressed in the Joint Regional Planning Panel decision dated 19 July 2010 and the Planning Assessment Commission decision dated April 2014. These are the controls the subject of this Planning Proposal.

- A leagues club of 2,035m²
- A residential component 9,960m²
- A commercial component 1,000m²
- A retail component 870m²

- A total of 329 on site car parking spaces
- A total GFA of 13,865m²
- A Floor Space Ratio of 1.91:1.

3 Background to the Proposal

Council has been developing its policy position on the future use of the Balmain Leagues Precinct for several years. The history of the current planning controls and related matters in respect of the Balmain Leagues Club Precinct date back to September 2004. A detailed chronology for the site was provided in the Council Officer's Report to the Ordinary Council meeting of 25 November 2014 (Appendix 3).

The Joint Regional Planning Panel's reasons for refusal (July 2010) and the Planning Assessment Commission's refusal of the Part 3A development application for the site (April 2014) are important considerations in the development of this Planning Proposal.

The Joint Regional Planning Panel resolution of 8 July 2010 included that:

- 1) *The Panel has resolved by consensus to accept the recommendation of the planning assessment report to refuse the application for the following reasons:*
 - a) *The proposal exceeds the FSR and number of storeys development standards of the LEP;*
 - b) *The proposal has an unacceptable impact on the traffic in the surrounding streets;*
 - c) *The proposal has not satisfied the Council's Design Review Panel on the quality of design;*
 - d) *The proposal does not provide high amenity within the apartments.*
- 2) *In any future application the Panel would require:*
 - a) *Complete compliance with the development standards of the LEP;*
 - b) *A report by a traffic expert agreed on by the Council and the applicant that deals with community concerns about traffic and assures the Panel that the traffic impacts are acceptable;*
 - c) *Satisfaction by the Design Review Panel that the proposal is of high design quality and the apartments are of high amenity.*

The Planning Assessment Commission's reasons for refusal dated 11 April 2014 of the Part 3A Application for the site included:

- 1) *The development will have adverse impacts on the operation of the surrounding road network.*
- 2) *The development will have adverse impacts on bus services, including significant increased travel times for routes along Darling Street.*
- 3) *The development does not allow vehicles to exit the site from Victoria Road in a safe and efficient manner.*
- 4) *By virtue of reasons 1,2 and 3 above, the development is not considered to be in the public interest.*

The Planning Assessment Commission's report of 11 April 2014 included that:

The Commission considers that the proposed development will generate significant and unresolvable traffic and transport impacts. These impacts will occur not only on the local

road network, but more importantly on the strategic transport corridor of Victoria Road which is already significantly constrained. The Commission is also concerned at the adverse impacts the project would have on the efficient and timely movement of buses along Darling Street.....it is noted that the existing planning controls that apply to the site still enable its redevelopment for a mix of uses, including residential development and a new club. In the Commission's view, the provisions in Leichhardt LEP 2000 (as amended) provide an appropriate framework for the site's future redevelopment.

In summary, the Department of Planning and Environment has advised in correspondence to Council dated 18/03/2015 (Appendix 4) that:

- The Minister for Planning wrote to Leichhardt in July 2014 following the Planning Assessment Commission's (PAC) refusal of a Part 3A development application for the site.
- In making its decision, the PAC confirmed that the existing planning controls for the site, in the *Leichhardt Local Environmental Plan 2000*, provide an appropriate framework for the site's future development. In this regard, the Minister's letter encouraged Council to include planning controls for the site in the *Leichhardt Local Environmental Plan 2013* so that the entire local government area would operate under a single local environmental plan.
- The Department was concerned with Council's resolution of 24 February 2014 to continue with the rezoning of the site and provide a Floor Space Ratio (FSR) of 1:1 for commercial development and 1.5:1 for mixed use development.
- The Department raised concerns that this would significantly reduce the current floor space controls applying to the site, which the PAC considered were appropriate.
- The Department was concerned that any reduction in floor space controls at the site would appear to be inconsistent with *A Plan for Growing Sydney*. The Department advised that the site is included in the Parramatta to Sydney CBD via Ryde urban renewal investigation corridor because of its location as a cross city corridor and access to transport.

4 The Planning Proposal

4.1 Part 1 - Objectives and Intended Outcomes

The objective of the Planning Proposal is to amend *Leichhardt Local Environmental Plan 2013* to enable redevelopment of the Balmain Leagues Club Precinct to a scale consistent with the location of the Precinct on a highly constrained transport corridor.

The intended outcome of this Planning Proposal is to amend *Leichhardt Local Environmental Plan 2013* to rezone land known as the Balmain Leagues Club Precinct from Business (under *Leichhardt Local Environmental Plan 2000*) to B2 – Local Centre under Council's Standard Instrument LEP (*Leichhardt Local Environmental Plan 2013*).

Clause 2.3 Land Use Table for Zone B2 Local Business will apply to the Balmain Leagues Club Precinct.

The Planning Proposal land is the Balmain Leagues Club Precinct area that is deferred from the *Leichhardt Local Environmental Plan 2013* and comprises both:

1. The "Special Planning Provisions Area" in *Leichhardt Local Environmental Plan 2000*, namely:
 - 138-152 Victoria Road, Rozelle (being Lot 1 DP 528045)
 - 154-156 Victoria Road, Rozelle (being Lot 1 DP 109047)
 - 697 Darling Street, Rozelle (being Lot 104 DP 733658)
 - 1-7 Waterloo Street, Rozelle (being Lots 101 and 102, DP 629133, Lots 37 and 38, DP 421 and Lot 36 DP 190866)
2. The "Extension Area" that was the subject of a Part 3A Application, namely
 - 168-172 Victoria Road, Rozelle (being Lot 2 DP 323480 and Lots A and B DP 436153)

This Planning Proposal seeks to:

1. Rezone the "Special Planning Provisions Area" in *Leichhardt Local Environmental Plan 2000*, to B2 - Local Centre, with new special site specific provisions.
2. Rezone the "Extension Area" that was the subject of a Part 3A Application, to B2 – Local Centre, consistent with all other B2 land in the local government area.
3. Introduce new clauses in relation to Floor Space Ratio and built form.

As a result amendments are proposed to associated maps, including Land Zoning Map, Key Sites Map, Floor Space Ratio Map, as described in Part 4.2 below.

In addition, this Planning Proposal is seeking to amend *Leichhardt Local Environmental Plan 2013* by inserting two (2) new clauses and amending existing Clause 4.4A (so that the site is able to utilise the bonus active street front FSR, consistent with surrounding B2 – Local Centre zoned land, in the event that a development for the Site is not consistent with proposed Clause 4.4B):

- Part 4 Principal development standards - Clause 4.4A Exception to maximum floor space ratio for active street frontages
- Part 4 Principal development standards - Clause 4.4B Exception to maximum floor space ratio (Balmain Leagues Club Site)
- Part 6 Additional local Provisions - Clause 6.18 Development of land at the Balmain Leagues Site

4.2 Part 2 - Explanation of Provisions

The Planning Proposal seeks to amend the *Leichhardt Local Environmental Plan 2013* as follows:

- Amend the Land Zoning Map to rezone the Balmain Leagues Club Precinct from Business (under *Leichhardt Local Environmental Plan 2000*) to B2 Local Centre in accordance with the proposed Land Zoning Map (Sheet LZN_007) shown in Appendix 7;
- Amend the Floor Space Ratio Map applying to the Balmain Leagues Club Precinct to 1:1 and identify the Balmain Leagues Site with a thick blue line and labelled "Area 2". The "Extension Area", i.e. 168 – 172 Victoria Road will form part of existing "Area 1", consistent with the surrounding sites, in accordance with the proposed Floor Space Ratio Map (Sheet FSR_007) in Appendix 7.
- Amend the Key Sites Map to identify the Balmain Leagues Site coloured orange and labelled "4 - Balmain Leagues Club Site" in accordance with the proposed Key Sites Map (Sheet KYS_007) in Appendix 7.
- Amend Clause 4.4A Exception to Maximum floor space ratio for active street frontages to include "Area 2" as follows:

4.4A Exception to maximum floor space ratio for active street frontages

- (1) *The objective of this clause is to provide floor space incentives for mixed use development that incorporates active street frontages at ground floor level in Zone B1 Neighbourhood Centre or Zone B2 Local Centre.*
- (2) *This clause applies to land identified as "Area 1" and "Area 2" on the Floor Space Ratio Map.*
- (3) *Despite clause 4.4, the maximum floor space ratio for a building on land to which this clause applies is 1.5:1 if the consent authority is satisfied that:*
 - (a) *the building will have an active street frontage, and*
 - (b) *the building comprises mixed use development, including residential accommodation, and*
 - (c) *the building is compatible with the desired future character of the area in relation to its bulk, form, uses and scale.*
- (4) *Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following:*
 - (a) *entrances and lobbies (including as part of mixed use development),*

- (b) *access for fire services,*
 - (c) *vehicular access.*
- (5) *In this clause, a building has an **active street frontage** if all floor space on the ground floor of the building facing the street is used for a purpose other than residential accommodation.*
- *Include new subclause at 4.4B:*

4.4B Exception to maximum floor space ratio (Balmain Leagues Site)

- (1) *The objective of this clause is to provide floor space incentives for mixed use development that incorporates a registered club at the Balmain Leagues Site.*
 - (2) *The clause applies to land identified as “Area 2” on the Floor Space Ratio Map.*
 - (3) *Despite clause 4.4, the maximum floor space ratio for a building on land to which this clause applies is 1.91:1 if the development complies with the following:*
 - (a) *the total gross floor area of the part of the development that is used for the Balmain Leagues Club is a minimum of 1,500 square metres, but does not exceed 2,035 square metres,*
 - (b) *the total gross floor area of the part of the development that is used for the commercial uses such as a childcare centre or recreation facility (indoor) is a minimum of 800 square metres, but does not exceed 1,000 square metres,*
 - (c) *the total gross floor area of the part of the development that is used for the retail uses (including a small supermarket) is a minimum of 600 square metres, but does not exceed 870 square metres,*
 - (d) *the total gross floor area of the part of the development that is used for residential floor space does not exceed 9,960 square metres.*
 - (e) *the maximum on-site parking at the site is 329 spaces*
- *Include a new subclause at Part 6:*

Clause 6.18 Development of land at the Balmain Leagues Site

- (1) *The objective of this clause is to facilitate the development of land to which this clause applies by specifying controls for different maximum heights and minimum setbacks for buildings on the land without adversely affecting the streetscape, character, amenity or solar access of surrounding land.*
- (2) *This clause applies to the following land as identified “4 - Balmain Leagues Club Site” on the Key Sites Map (Site 4):*
 - *138-152 Victoria Road, Rozelle (being Lot 1 DP 528045)*
 - *154-156 Victoria Road, Rozelle (being Lot 1 DP 109047)*
 - *697 Darling Street, Rozelle (being Lot 104 DP 733658)*
 - *1-7 Waterloo Street, Rozelle (being Lots 101 and 102, DP 629133, Lots 37 and 38, DP 421 and Lot 36 DP 190866)*

- (3) *Despite any other provision of this Plan, development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development complies with the following:*
- a) *a proposal to develop the Balmain Leagues Site as defined in subclause 2 in its entirety, and*
 - b) *The height in storeys of any proposed building will not exceed:*
 - (i) *3 storeys in height at any street frontage and boundary, except to Darling Street where the maximum height is 2 storeys, and*
 - (ii) *4 storeys if the building is adjacent to Waterloo Street or the northern site boundary, the highest storey of the building is set back at least 6 metres from any building wall that faces Waterloo Street or the northern site boundary and as such, any building wall does not exceed 3 storeys in height, and*
 - (iii) *Two (2) residential towers with a maximum height limit of 8 storeys (including the podium level) for a tower on the northern part of the site and 6 storeys (including the podium level) for a tower on the southern part of the site, if the towers above the podium are setback from Victoria Road by 5 metres, and.*
 - c) *Any proposed building is set back at least:*
 - (i) *1m to the basement from the boundaries along Waterloo Street to create viable deep soil areas, and.*
 - (ii) *3m to the basement from the boundaries along Victoria Road to create viable deep soil areas, and*
 - d) *The development will minimise overshadowing of neighbouring properties on Waterloo Street, and*
 - e) *The development is consistent with the Site Specific DCP controls, and*
 - f) *The traffic generated by the development does not have an unacceptable impact on pedestrian or motor vehicle traffic on Darling Street, Waterloo Street and Victoria Road, Rozelle, and*
 - g) *The density at the development does not have an unacceptable impact on public transport in the locality, particularly buses travelling along Victoria Road and Darling Street, and*
 - h) *The development will incorporate public laneways/ access through the site using the principles of the Design Guidelines and site specific DCP, and*
 - i) *The development will incorporate environmentally sustainable design principles.*

Note. *For the purposes of this clause:*

- 3 storeys is approximately 9.3 metres.*
- 4 storeys is approximately 12.4 metres.*
- 5 storeys is approximately 15.5 metres*
- 6 storeys is approximately 18.6 metres*
- 7 storeys is approximately 21.7 metres*
- 8 storeys is approximately 24.8 metres*

4.3 Further Studies

The Planning Proposal would zone the site to B2 - Local Centre under the *Leichhardt Local Environmental Plan 2013*. This would permit a range of uses including shop top housing, registered club, child care centre, commercial premises, community facilities and recreation facilities (indoor). The scale and intensity of the built form will need to be tested through additional urban design analysis. 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, street setbacks, massing, separation between buildings, overshadowing, privacy impacts, deep soil landscaping, public domain and laneways/ through site access.
- Development Control Plan: the urban design study and other studies outlined below will inform the preparation of site specific development controls for the site which are to be placed on public exhibition concurrently with the amendment to *Leichhardt Local Environmental Plan 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. 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.
- Contamination (Phase 2): 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 that 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 Sulfate 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 requirements of DCP 2013.
- 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.
- Social Impact Assessment: a Social Impact Assessment addressing the social consequences of the different land uses envisaged for the site including a registered club, commercial floor space, potential child care centre and residential dwellings would be required as a condition of the Gateway determination.

- Retail Study/ Economic Assessment: a detailed economic assessment/ retail viability assessment to ensure the viability of the future retail and commercial uses at the site and the viability of retail and commercial premises on Darling Street.

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

4.4 Part 3 – Justification

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

4.4.1 Need for the Planning Proposal

The Planning Proposal will facilitate the redevelopment of the site for mixed use purposes with the added 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.

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

The Planning Proposal is the result of a review of previous Development Applications independently refused by both the Joint Regional Planning Panel (July 2010) and the Planning Assessment Commission (April 2014) and an independent review of the existing *Leichhardt Local Environmental Plan 2000* controls and proposed controls by:

- Arup – Traffic and Transport – Rozelle Village – Saturday Traffic Model (April 2015) (Appendix 2)
- Urban Design – Design Advisory Group – Design Principles (Appendix 1)
- Hill PDA – Commercial viability assessment

Q2. Is the Planning Proposal the Best Way to achieve the Intended Outcomes?

The Planning Proposal is the best means of ensuring an appropriate redevelopment for a mixed use development, including providing an opportunity and incentive for the return of the Balmain Leagues Club to the site, taking into account the location of the site on one of Sydney's most constrained transport corridors (Victoria Road).

Net community benefits

The redevelopment of the site for mixed use purposes will potentially provide the following community benefits:

- New housing opportunities, including affordable housing and contribute to the range of housing forms within the LGA.
- A development that will not unreasonably further compromise the level of service on Victoria Rd and the surrounding local street network.
- The controls have been informed by traffic and parking experts, urban design experts and retail viability testing.
- Allow for the return of the Balmain Leagues Club.

- Development of a largely vacant and derelict site that will assist with the urban renewal of this area of neglect on Victoria Road.
- Provide certainty to the community and land owners of the desired future character of the area and the expected development outcomes for the site.
- Potential for the delivery of additional social infrastructure at the site such as a child care centre, gymnasium and well-designed public domain.

4.4.2 Relationship with the Strategic Planning Framework

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

A Plan for Growing Sydney

The Planning Proposal is consistent with the *A Plan for Growing Sydney* which has been prepared to address Sydney's challenges for a growing and prosperous City. *A Plan for Growing Sydney* identifies that over the next 20 years, Sydney's population will grow much faster than over the past 20 years. It projects that Sydney will need approximately 664,000 additional homes over the next 20 years. *A Plan for Growing Sydney* includes the Government's visions for Sydney and the goals to achieve the vision, as outlined below:

The Government's vision for Sydney is: a strong global city, a great place to live.

To achieve this vision, the Government has set down goals that Sydney will be:

- *a competitive economy with world-class services and transport;*
- *a city of housing choice with homes that meet our needs and lifestyles;*
- *a great place to live with communities that are strong, healthy and well connected; and*
- *a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.*

A Plan for Growing Sydney sets out actions that will assist to deliver the goals listed above. Goal 2 of *A Plan for Growing Sydney* addresses housing and housing choice, with the directions and actions including accelerate housing supply across Sydney; accelerate urban renewal across Sydney; providing homes closer to jobs and improving housing choice to suit different lifestyles.

Consistent with *A Plan for Growing Sydney*, the proposal:

- Will deliver new and more diverse housing within the short term and as such will contribute to achieving the housing targets and housing choice.
- Responds to a recognised need (and market demand) for housing in this locality.
- Will provide new homes in close proximity to existing infrastructure and services.
- Revitalise a derelict part of Victoria Road, which is located close to established centres, with transport links.
- Provide a density outcome that will not place further, unreasonable pressure on traffic and public transport on Victoria Road and surrounding streets in the locality.

The Department of Planning and Environment has advised in a letter to Council dated 18/03/2015 (Appendix 4) that there is concern that any reduction in floor controls (from the

current *Leichhardt Local Environmental Plan 2000* controls) at the site would appear to be inconsistent with *A Plan for Growing Sydney*, as this site:

- Is included in the Parramatta to Sydney CBD via Ryde urban renewal investigation corridor because of its location as a cross city corridor and access to transport.
- In addition that the current controls (i.e. current *Leichhardt Local Environmental Plan 2000*) were developed on the basis of extensive community consultation, urban design analyses and traffic modelling undertaken by Council and the Roads and Maritime Services.

The current controls for the site under *Leichhardt Local Environmental Plan 2000* have been tested to understand the traffic and transport impacts on Victoria Road and the surrounding streets in the locality. It is noted that the current, Site Specific controls came into effect on 29 August 2008. The controls, which include a maximum floor space ratio at the site of 3.9:1, were supported by the then proposed Victoria Road Busway and associated duplication of the Iron Cove Bridge. It was a solution to help address the congestion on Victoria Road, and was an important consideration in guiding the appropriate density at the site.

Since this time:

- The CBD Metro was announced in October 2008
- The CBD Metro was cancelled in February 2010, however the approval remains current and a reservation remains in place and a portion of land is still owned by the State.
- The Government published the *NSW Long Term Transport Master Plan (2012)* which identifies Victoria Road as a **highly constrained** transport corridor.
- *Sydney's Bus Future* (December 2013) includes as a **long term goal** to complete **investigations** of Bus Rapid Transit on Victoria Rd. Note there is no commitment outlined in *Sydney's Buses Future* to rolling out a Bus Rapid Transit on Victoria Road. There is no certainty that a Bus Rapid Transit will be rolled out in the long term (which is presumably 20+ years).
- *A Plan for Growing Sydney (2014)* – the new Metropolitan Plan for Sydney does not identify Victoria Road as a major transport project. *A Plan for Growing Sydney (2014)* includes that in the **long-term**, the Government will **investigate** the **potential** for urban renewal in and around centres with improved public transport links in cross-city corridors, including between Parramatta to Sydney CBD via Ryde.

The result is that there is not a publically available Government policy in place to address the congestion on Victoria Road in the short to medium term. The only long term goal in relation to Victoria Road between Top Ryde and Sydney CBD is to complete an investigation into Rapid Bus Transit, and then to investigate the potential for urban renewal in areas with improved public transport links along Victoria Road. This investigation into the potential for urban renewal, can therefore only commence when the Bus Rapid Transit is in place, or at the very least, has committed funding and approval to construct the Bus Rapid Transit.

It is imperative that any rezoning of the site, and resulting density controls do not unreasonably exacerbate the traffic and public transport congestion on Victoria Road and in the locality. Government policy in relation to Victoria Road means that the current *Leichhardt*

Local Environmental Plan 2000 controls are outdated and were predicated on committed short to medium term investment in the Victoria Road transport corridor between Ryde and Sydney CBD.

Council's expert traffic and transport consultant's (Arup), Leichhardt Council's Design Advisory Group and Hill PDA, Council's retail analysis experts were commissioned to test the current *Leichhardt Local Environmental Plan 2000* controls. The expert reports provided to Council indicate that the development outcomes as a result of the current *Leichhardt Local Environmental Plan 2000* controls will have a negative impact in terms of traffic and parking and demand for public transport on Victoria Road and the surrounding streets.

Consequently, Council's experts were commissioned to undertake further investigations to determine the development controls that would result in a development that would not unreasonably, negatively impact on Victoria Road and the surrounding road network, includes best practice urban design measures and is commercially viable. The results are the proposed controls set out in this Planning Proposal. The proposed controls outlined in this Planning Proposal are therefore consistent with NSW Government's higher order planning framework documents, including *A Plan for Growing Sydney*, which does not prioritise Victoria Road as a major transport corridor project (see Figure 8).

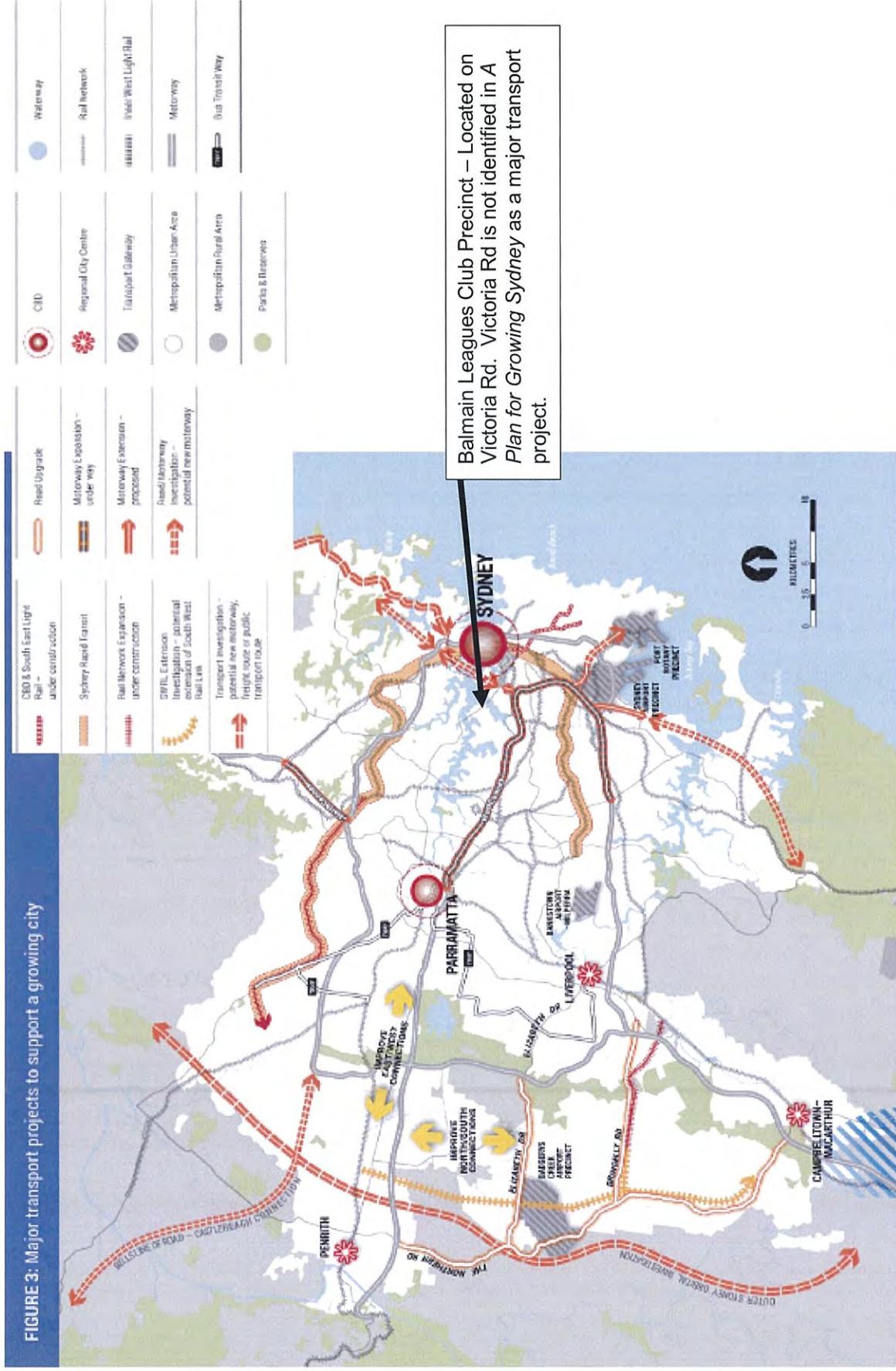


Figure 8 | Extract of Figure 3: Major transport projects to support a growing city from A Plan for Growing Sydney (Dec 2014)

The Planning Proposal directly contributes to the relevant strategic goals and directions of *The Plan for Growing Sydney* as discussed in Table 4.

Table 4 | A Plan for Growing Sydney

Goal	Direction	Project Contribution
1. Sydney's competitive economy		<p>The context of the site, i.e. located on a highly constrained transport corridor (Victoria Road) has guided the planning framework for the Balmain Leagues Club Precinct.</p> <p>The previous macro level strategic planning framework applying to the site (i.e. <i>The Metropolitan Plan for Sydney 2036</i> and the <i>Inner West Subregion – draft Subregional Strategy</i> (July 2008)) identified Rozelle as a “small village” with a walkable catchment of between 400 – 600m.</p> <p>Under the current Metropolitan Planning Framework for Sydney - <i>A Plan for Growing Sydney</i> (2014), the site is not located within a major transport corridor or a future transport corridor project, not located within a strategic centre, and is located on the very edge of the Global Economic Corridor. It is clear that, consistent with the previous planning framework guiding the evolution of centres in Sydney, there is no short – to medium term plan to increase the status of Rozelle under <i>A Plan for Growing Sydney</i>.</p> <p>Consequently, this Planning Proposal develops an evidenced based framework that is suitable for the site, located in a “small village” on a highly constrained corridor.</p>
2. Sydney's housing choices	<p>2.1 Accelerate housing supply across Sydney</p> <p>2.1.1 Accelerate housing supply and local housing choices</p>	<p><i>A Plan for Growing Sydney</i> identifies that <i>providing more housing and different types of housing as the population grows reduces the pressure on rising house prices.</i></p> <p>The proposal will provide for a variety of apartment types at varying price points in line with the changing demographics of the suburb and in line with market demand.</p> <p><i>The Plan</i> identifies that <i>the most suitable areas for significant urban renewal are those areas best connected to employment and include:</i></p> <ul style="list-style-type: none"> ▪ <i>in and around centres that are close to jobs and are serviced by public transport services that are frequent and capable of moving large numbers of people; and</i> ▪ <i>in and around strategic centres.</i> <p>The proposal expands the housing supply within walkable distance from bus routes with direct links to</p>

Goal	Direction	Project Contribution
		<p>strategic centres and transport centres, in addition to direct links to education facilities, recreational facilities, medical services and shopping opportunities.</p> <p>However, the constrained nature of the transport corridors around the Balmain Leagues Club Precinct mean that density outcomes must be such that they do not result in an unreasonable reduction in the level of service for traffic and public transport travelling along Victoria Road.</p> <p><i>A Plan for Growing Sydney</i> notes that all suburbs of Sydney will need additional housing over the next 20 years.</p>
	<p>2.2 Accelerate urban renewal across Sydney – providing homes closer to jobs.</p> <p>2.2.2 Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres.</p>	<p>The site is located on Victoria Road, which is identified in the <i>NSW Long Term Transport Master Plan</i> (December 2012) as a strategic transport corridor with high constraints. <i>Sydney's Bus Future</i> (December 2013) identifies, as a long term key action to complete the investigation of Bus Rapid Transit on the Victoria Road corridor between Top Ryde and the Sydney CBD. <i>A Plan for Growing Sydney</i> (December 2014) does not identify Victoria Road as major transport project. <i>A Plan for Growing Sydney</i> identifies that in the long-term the Government will investigate the potential for urban renewal along Victoria Road, but only in and around centres with improved public transport links.</p> <p>There is no short to medium term commitment by the Government to improve public transport links along Victoria Road. There is only a long-term commitment to investigate improvements to public transport on Victoria Road.</p> <p>The location of the site on Victoria Road, is relevant in terms of informing the development potential of the site in the context of the strategic planning framework guiding development in the locality.</p> <p>Council's traffic consultants, ARUP, were commissioned to complete the review of the <i>Paramics</i> Model to ascertain a level of development that accords with both the Joint Regional Planning Panel decision of July 2010 and the Planning Assessment Commission decision dated April 2014, i.e. a development that would not generate additional traffic such that it would result in a drop in the level of service along the already constrained Victoria Road transport corridor and the surrounding street network.</p> <p>The density outcomes and proposed floor space mix the subject of this Planning Proposal are considered</p>

Goal	Direction	Project Contribution
		appropriate given the constrained nature of Victoria Road and the surrounding local street network.
	2.3 Improve housing choice to suit different needs and lifestyles	The Planning Proposal provides a balanced outcome for a brownfield site, located close to the Sydney CBD, but constrained by the Victoria Road transport corridor. The Planning Proposal will provide for a range of residential dwelling types, providing housing choice and affordability in a prime location, without unreasonably impacting the level of service to traffic and public transport on Victoria Road and the surrounding streets.
3. Sydney's great places to live	3.1 Revitalise existing suburbs	<p><i>A Plan for Growing Sydney identifies that focusing new housing within Sydney's established suburbs brings real benefits to communities and makes good social and economic sense.</i></p> <p>The Planning Proposal will provide the opportunity for a considered development outcome at this now derelict brownfield site. The Planning Proposal will be the catalyst for the appropriate development of the site, given its context and the consequent revitalisation of this area of Rozelle on Victoria Road.</p>
	3.3 Create healthy built environments	<p>The Planning Proposal will integrate residential growth, places of employment and recreation and retail premises that is within walking distance to public transport, i.e. buses travelling along Victoria Road and Darling Street.</p> <p>The Planning Proposal will encourage healthy communities by:</p> <ul style="list-style-type: none"> ▪ creating a mixed-use community, in a desirable location ▪ 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. ▪ promote public transport, walking and cycling as a means of transport through limiting the number of on-site car spaces, and providing links to existing bike and walking paths.
4. Sydney's sustainable and resilient environment	4.3 Manage the impacts of development on the environment	<p>The Planning Proposal defines key principles relating to land use, massing and built form, public domain and sustainability that will guide the future development of the site and surrounding locality.</p> <p>Any proposed development at the site will be required to be designed with building massing and orientation to facilitate future BASIX compliance, which will be</p>

Goal	Direction	Project Contribution
		documented at the development application stage.
<i>Sydney's Subregions - Central</i>		
	Accelerate housing supply, choice and affordability and build great place to live	<p>The Balmain Leagues Club Precinct is well located and provides additional housing supply to assist to meet the demand in the Central sub-region of Sydney. The Planning Proposal provides an evidenced based, balanced outcome given the constraints of the site (particularly in terms of it being located on a highly congested transport corridor).</p> <p>The proposed FSR is supported on this site, due largely to the constrained nature of Victoria Road, and that there is not any evidence of short to medium term commitment by the Government to invest in a public transport solution for Victoria Road.</p>

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

Leichhardt 2025 + Strategic Plan

The *Leichhardt 2025+ Strategic Plan*, was developed 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 LGA 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 *Leichhardt 2025+ Strategic Plan* in respect to the following:

- The rezoning of the land is consistent with *A Plan for Growing Sydney (2014)*, *Sydney's Bus Future (2013)* and the *NSW Long Term Transport Master Plan (2012)* in seeking to revitalise existing urban areas, close to strategic centres, that will contribute to achieving new dwellings targets for the area, at a

density that should not reduce the level of service to traffic and public transport on a highly constrained transport corridor;

- Increasing density and providing for in-fill residential development on existing 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 LGA.

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 providing the opportunity 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.

Employment and Economic Development Plan 2013 - 2023

Leichhardt Employment and Economic Development Plan (EEDP) is a 10 year strategic plan for economic development in the Leichhardt Local Government Area. Its stated purpose is to identify initiatives that can make a fundamental improvement to the economy of the Leichhardt Local Government Area. The EEDP identifies initiatives that enable Council and other stakeholders to:

- Support, attract and grow local businesses
- Optimise the economic potential of key sectors and locations
- Facilitate strategic and integrated decisions making
- Build relationships, linkages, connectivity and partnerships between stakeholders
- Improve the social and environmental sustainability of the economy

The Plan identifies seven (7) objectives for improving the vitality and viability of the local economy:

- Make place matter
- Meet people's needs
- Embrace the new economy
- Protect and leverage economic assets
- Make business and employment easier
- Communicate and connect with partners
- Tell the world

The EEDP identifies three key factors to influence economic development in the Leichhardt Local Government Area – its people, its places and its products. An analysis of the Leichhardt Local Government Area's strengths, weaknesses, opportunities and threats within the context of these three interconnected factors was undertaken and formed the foundation of the EEDP's strategies and actions. This Planning Proposal is consistent with a number of the identified strengths and opportunities as outlined below:

- *Strengths – Council Commitment – Council are committed to improving the vitality and viability of the LGA.*
- *Opportunities – A Growing and Highly Skilled Population – Population growth, gentrification, residential and commercial development in the LGA will increase the number of consumers (and expenditure levels) and create new opportunities for businesses.*
- *Opportunities – Strategic Sites – Council can also encourage appropriate redevelopment of strategic sites and underutilised land to provide affordable housing for key workers and students*
- *Opportunities – Return to High Street Shopping – The LGA's high streets can capitalise on consumers growing preference for shopping in locations that have a sense of place and can offer a personal and authentic shopping experience.*

The Planning Proposal also serves to address some of the identified weaknesses and threats to the LGA's economy:

- Threats – *Inappropriate development – Permitting inappropriate development in the LGA may detrimentally impact the vitality and viability of the LGA's centres and corridors.*
- Weaknesses – *Appearance of Centres and Corridors – The LGA's corridors and some of its centres suffer from poor amenity, graffiti, traffic congestion, a tired public domain, too many vacant shop fronts, poorly maintained buildings and ineffective business signage.*
- Weaknesses – *Parking Perceptions – The overwhelming perception by business and shoppers is that there is inadequate levels of parking available in the LGA's centres and that existing parking arrangements are inconvenient.*

The Planning Proposal is consistent with the objectives of the EEDP in respect to improving the vitality and viability of Rozelle and the Rozelle High Street, through developing an evidenced based planning outcome for the site that will result in high quality, appropriate development within the context of the site on a highly constrained transport corridor.

Public Art Policy and 4 Year Service Delivery Plan 2013 - 2017

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

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

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

Leichhardt Integrated Transport Plan

Leichhardt's 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 Integrated Transport Plan by:

- Including a maximum number of onsite car spaces that encourages use of public transport, walking and cycling
- Providing increased residential population within walking distance of public transport, but at a density that will not unreasonably impact on the level of service to traffic and public transport on Victoria Road and surrounding streets in the locality.

Environmental Sustainability Plan 2015 - 2025

The Environmental Sustainability Plan 2015 – 2025 guides Council's actions towards an environmentally sustainable and liveable community. There are six objectives:

- A healthy and liveable environment
- Build community capacity for sustainable living and business
- Address, adapt and build resilience to climate change
- Biodiversity and water are protected, connected and integrated within our urban context
- Avoid waste and recover resources
- Build organisational capacity for environmental sustainability

The Planning Proposal is consistent with the Environmental Sustainability Plan, including:

The Planning proposal is for a mixed use development, of an appropriate scale, given its location on a highly constrained transport corridor. The proposal will result in a mixed-use walkable neighbourhood. The Design Principles prepared by Council's Design Advisory Group, includes through site links to encourage pedestrians into the precinct, to use the public domain and to provide convenient access to Victoria Road public transport.

The Planning Proposal also envisages deep soil zones provided on the boundaries of the site to encourage opportunities for tree planting and to improve the streetscape amenity of the site. Landscape plans will be required as part of any detailed design development application.

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 the Balmain Leagues Club Site.

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

State Environmental Planning Policies

The relevant State Environmental Planning Policies and deemed State Environmental Policies that should be considered have been addressed at Appendix 5 to this report. The consideration of these State Environmental Planning Policies has identified that the Planning Proposal would not conflict with any of these policies. There are no deemed SEPPs (previous Regional Planning Policies) that are relevant to the Planning Proposal.

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

Section 117 Directions

The section 117 directions applicable to the Planning Proposal have been addressed at Appendix 6 of this report. The Planning Proposal is consistent with all the relevant directions.

4.5 Section C - Environmental, Social and Economic Impact

4.5.1 Critical Habitat or Threatened Species

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is located within a highly modified urban environment and has been extensively developed to accommodate the Balmain Leagues Club building, parking and loading and unloading facilities as well as residential dwellings and retail premises. The proposed mixed use zone and future redevelopment of the site is appropriate as there are no critical habitats or threatened species affected by the potential works.

4.5.2 Environmental effects

Q.8 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Possible environmental effects that may result from the Planning Proposal are discussed below, including:

- Urban Design
- Contamination
- Traffic and Transport
- Acoustic

Urban Design

As outlined in Section 4.3 above, it is envisaged that detailed modelling and analysis to determine appropriate built form, FSR and heights will be considered in a detailed Urban Design Study following Gateway determination.

Council engaged Council's Design Advisory Group to review the building envelope and other built form controls to address prevailing "best practice" and the Planning Assessment Commission's view that the current provisions of *Leichhardt Local Environmental Plan 2000* (the current controls for the site) provide an appropriate framework for the further development of the site.

Council's Design Advisory Group reviewed:

- The previous development controls applying to the site.
- The details contained in the reports and decisions of the Joint Regional Planning Panel and the Planning Assessment Commission, including the relevant Parking and Traffic comments
- Relevant comparable tables.

This in turn informed the drafting of:

- (i) Connections and public domain design principles
- (ii) Built form design principles – for both the surrounding block and the subject site
- (iii) A land use massing diagram – to indicate the approximate location and relative position of the various land use elements.

These Design Principles are provided at Appendix 1 and should be the basis for the preparation of a Site Specific DCP as part of the Gateway determination.

Contamination

Clause 6 of State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55) requires that the Council is not to rezone land unless consideration has been given to whether the land is contaminated. Clause 6 requires that:

- *if the land is contaminated, the Council must be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and*
- *if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the Council is satisfied that the land will be so remediated before it is used for that purpose.*

The site is subject to the provisions of SEPP 55. The proposal is for a mixed use development including residential, commercial, retail and recreational uses. The proposal also includes the demolition of most of the existing structures on the site.

A Phase 1 Preliminary Site Assessment prepared by AECOM has been previously submitted with the Part 3A Major Application for the site that was refused by the Planning Assessment Commission in April 2014. A Remedial Action Plan, prepared by AECOM was also submitted with the previous application.

Contamination assessment, including a minimum Phase 2 Environmental Site Audit will be undertaken on the basis that a Gateway determination of the Planning Proposal is granted. The previous Remedial Action Plan will need to be updated, carried out at the site and validated prior to any future redevelopment of the site for residential purposes.

Traffic and Transport

Rezoning and redevelopments should have a positive or neutral traffic and transport impact on the amenity of their residents and of existing residents.

This is an important consideration for the Balmain Leagues Club Precinct which is located on one of Sydney's most constrained strategic transport corridors, being Victoria Road (as identified in the *NSW Long Term Transport Master Plan* (December 2012). Rozelle is not identified as a Strategic Centre, a Specialised Precinct or on a Major Transport corridor which will be the focus of improved transport services in *A Plan for Growing Sydney* (December 2014). Consequently, even the most recently published strategic planning documents, guiding the ordered and considered growth of Sydney, recognise the constraints of Rozelle, in the vicinity of Victoria Road, and do not recommend elevating the village within the accepted centres hierarchy.

This view, under the higher order strategic framework for guiding development outcomes at the site has been consistently supported by other relevant planning authorities, independent of Leichhardt Council, who assessed previous development proposals for the site.

Including:

- 03/09/2009 – Balmain Leagues Club submitted a Development Application with an estimated cost of \$98 million thereby enabling the Joint Regional Planning Panel as the consent authority. The proposal included 145

dwellings with northern and southern towers, construction of a pedestrian bridge, 6 levels of basement car parking for 467 car spaces, and 2 levels of retail, with an overall FSR for the site of 4.49:1.

- 08/07/2010 – In relation to the Development Application the Joint Regional Planning Panel who resolved:

To refuse the application for the following reasons:

- a. *The proposal exceeds the Floor Space Ratio and number of storeys development standards of the Local Environmental Plan;*
- b. *The proposal has unacceptable impact on the traffic in the surrounding streets;*
- c. *The proposal has not satisfied the Council's Design Review Panel on the quality of design;*
- d. *The proposal does not provide high amenity within the apartments.*

And that in any future application the Panel would require:

- a. *Complete compliance with the development standards of the Local Environmental Plan;*
- b. *A report by a traffic expert agreed on by the Council and the applicant that deals with community concerns about traffic and assures the Panel that the traffic impacts are acceptable.*
- c. *Satisfaction by the Design Review Panel that the proposal is of high design and the apartments are of high amenity.*

- 19/01/2011 – A Part 3A application was lodged with the State Government making the Planning Assessment Commission (PAC) the consent authority. The proposal sought Project Approval for a mixed use development including the following:

- Two residential towers of 32 (Tower A) and 26 (Tower B) storeys in height including a 5/6 storey commercial/ retail podium.
- A maximum height of RL 144.9 and a total gross floor area of 54, 979sqm (FSR of 6.7:1)
- 304 dwellings and
- 7 – 8 basement levels accommodating 1 – 2 levels of retail floor space and 834 car parking spaces.

- 10/2012 – Balmain Leagues Club submit an amended design seeking Part 3A approval for:

- Two residential towers of 24 (Tower A) and 25 (Tower B) storeys in height including a 2/3 storey podium.

- A maximum height of RL 122AHD and a total gross floor area of 43,506sqm (FSR of 5.3:1)
- 316 dwellings and
- 6 basement levels accommodating 509 car parking spaces.
- 07/2013 – Balmain Leagues Club submit another amended design known as the Revised Project Report. Key changes from this design from the previous include:
 - A reduction in height for Tower B from 25 to 20 storeys including the podium level (a reduction in 5 storeys);
 - A reduction in on-site car parking from 509 – 488 spaces (a reduction of 21 spaces; and
 - A reduction in floor space from 43,506sqm (FSR of 5.3:1) to 36,587sqm (FSR 4.5:1)
 - 316 dwellings and
 - 6 basement levels accommodating 509 car parking spaces.
- 11/04/2014 – Balmain Leagues Club Part 3A Application was refused by the Planning Assessment Commission. The Commission considered that the development would generate significant and unresolvable traffic and transport impacts. These impacts would not only occur on the local road network, but more importantly on the strategic transport corridor of Victoria Road, which is already significantly constrained. The Commission was also concerned at the adverse impacts the project would have on the efficient and timely movement of buses along Darling Street.

The specific reasons for refusal by the PAC are stated as:

1. *The development will have adverse impacts on the operation of the surrounding road network.*
2. *The development will have adverse impacts on bus services, including significant increased travel times for routes along Darling Street.*
3. *The development does not allow vehicles to exit the site from Victoria Road in a safe and efficient manner.*
4. *By virtue of reason 1, 2 and 3 above, the development is not considered to be in the public interest.*

As highlighted above, on each occasion that an application has been lodged for the redevelopment of the site, RMS comments have been a major determining factor in the assessment of the application, in particularly in relation to:

- Impacts on traffic flows on Victoria Road
- Impacts on traffic and parking in Darling Street, Rozelle

The RMS submissions in relation to the Part 3A Major Application are summarised in Table 5 (as provided in the Director General's Environmental Assessment Report – March 2014).

Table 5| Summary of RMS and Transport for NSW submissions to the Part 3A Major Project for the Balmain Leagues Club Precinct

RMS	
<i>EA</i>	<p><i>RMS raised the following concerns:</i></p> <ul style="list-style-type: none"> ▪ <i>The proposed 4th leg of the intersection of Victoria Road and Wellington Street would result in increased bus travel times and vehicle queues along this section of Victoria Road;</i> ▪ <i>Impacts of the proposal on the intersection of Victoria Road and the Crescent.</i> ▪ <i>Recommended that Council should be consulted on potential impacts on businesses as a result of proposed removal of on street parking along Victoria Road.</i> ▪ <i>Increased queueing along Darling Street as a result of the proposal; and</i> ▪ <i>Increase in pedestrian activity along Victoria Road.</i> <p><i>The RMS advised that an alternative access arrangement with a relocated left-in left-out vehicular access point separated from the intersection further to the east on Victoria Road could be considered subject to modelling.</i></p> <p><i>Also, any project approval would require RMS approval for the vehicular access onto Victoria Road and the proposed changes to the signalized intersection of Victoria Road and Wellington Street.</i></p>
Transport for NSW (TfNSW)	
<i>EA</i>	<i>Requested additional information to allow for consideration of impact of proposal on the CBD Metro Corridor.</i>
TfNSW and RMS	
<i>PPR</i>	<p><i>Key issues include:</i></p> <ul style="list-style-type: none"> ▪ <i>A critical issue for both RMS and TfNSW is the operation of Victoria Road.</i> ▪ <i>An independent audit carried out on behalf of the RMS found that the traffic modelling is not fit for purpose. Therefore, TfNSW and RMS are not in a position to support the proposed development until such time that the applicant can adequately demonstrate that the development will not have an adverse</i>

	<p><i>traffic impact on the road network.</i></p> <ul style="list-style-type: none"> ▪ <i>Concerns are raised with the design of the proposed Victoria Road Welling Street intersection. A road safety audit should be carried out to address these concerns.</i> ▪ <i>The PPR and TMAP do not address delays to bus operations on Darling Street or the growth in bus numbers over the life of the completed development.</i> ▪ <i>The proposed porte cochère accessed off Victoria Road could potentially affect bus operation on Victoria Road; and</i> ▪ <i>Bus stop location and design should be clarified.</i> <p><i>Further to the above TfNSW provided its concurrence subject to conditions in accordance with the Infrastructure SEPP for the proposed development, noting that it is within the zone of influence of the metro running tunnels.</i></p>
<p><i>Revised PPR</i></p>	<p><i>TfNSW and RMS advise that following the updated independent audit by PB and their own further review, the proposed development will have adverse traffic and transport impacts on the existing road network within the Rozelle/Balmain precinct. This is primarily as a result of proposed intersection design and the signal rephasing to accommodate the vehicular access onto Victoria Road. These impacts include:</i></p> <ul style="list-style-type: none"> ▪ <i>Additional queuing and delays for vehicles on Darling Street, City West Link Road, Victoria Road, The Crescent and the Anzac Bridge; and</i> ▪ <i>Increased travel times for buses using Victoria Road and Darling Street.</i> <p><i>Further to the above, the RMS identified road safety issues associated with the proposed intersection design.</i></p>
<p><i>Additional information</i></p>	<p><i>TfNSW and RMS advise that the proposed development will continue to have adverse impacts on the existing road network within the Rozelle/ Balmain precinct in the PM peak period. These impacts include:</i></p> <ul style="list-style-type: none"> ▪ <i>Additional queuing and delays for vehicles on Darling Street and Waterloo Street;</i> ▪ <i>Increased travel times for buses using Darling Street and Victoria Road;</i> ▪ <i>Significant queuing and delays internal to the basement car parks due to congestion on the local road network.</i> ▪ <i>A number of modelling errors were also identified.</i> ▪ <i>RMS also provided comments on Victoria Road access and</i>

	<i>loading dock, noting the proximity of the exit to the traffic signals and short distance for queuing. Conditions were also provided in relation to the management of the loading dock.</i>
--	---

In order to develop a suite of controls for the site, Arup, traffic and transport consultants were engaged by Council, to review the *Paramix* Model, so as to ascertain a level of development likely to satisfy the Traffic and Transport requirements identified by both the Joint Regional Planning Panel and the Planning Assessment Commission.

Arup's modelling (Appendix 2) suggests a level of development that would be likely to generate traffic, in accordance with the views previously expressed by the Joint Regional Planning Panel and the Planning Assessment Commission, namely:

- A leagues club of 3,035m²
- A residential component of 132 units
- A commercial component of 1,478m²
- A retail component of 870m²
- A total of 329 on site car parking spaces.

In this regard the Arup Report has confirmed that a FSR greater than 1.5:1 (the FSR for the surrounding B2 – Local Centre land) would still satisfy the sentiments expressed in the Joint Regional Planning Panel decision dated July 2010 and the Planning Assessment Commission decision dated April 2014.

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 at the site:

- On-site parking be minimised to 329 car parking spaces
- The applicant should implement and maintain a travel plan for the development. The travel plan should consider applying such initiatives as:
 - Encouragement of home business in the development
 - Car-pooling
 - Car share facilities
 - Bike share facilities
 - Bike Parking
 - 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. 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.

Acoustic

The site is affected by road noise associated with Victoria Road. Mitigation measures will be required at detailed design stage to address noise for residential units. Building setbacks to Victoria Road, to provide adequate separation to the road should be addressed through the detailed Urban Design Study and resulting site specific DCP should Gateway determination for the Planning Proposal be favourable.

4.5.3 Social and Economic Impacts

Q9. How has the planning proposal adequately addressed any social and economic effects?

Heritage

The land subject to this Planning Proposal is not located within a heritage conservation area, however it is adjacent to “The Valley” Heritage Conservation Area and is within proximity to the following heritage items (as shown in Figure 5 above):

- 1743 – 663 Darling Street, Rozelle
- 1744 – 665A Darling Street, Rozelle
- 1746 – 678 Darling Street, Rozelle
- 1747 – 707 Darling Street, Rozelle

The built outcomes for the Balmain Leagues Club Precinct should preserve and enhance the heritage values of the surrounding heritage conservation area and heritage items by:

- Maintaining the established scale to Darling Street.
- Continuation of the existing horizontal awning to maintain streetscape continuity on Darling Street.
- Concentration of taller buildings in the centre of the site and set back from Darling Street.

In addition, any future application to redevelop the site would be subject to the provisions of Clause 5.10 of *Leichhardt Local Environmental Plan 2013*.

Economic Assessment

The proposal provides a balanced outcome that has tested the floor space outcomes for the mixed uses (and viability of the uses) against the constraints of

the site as a result of Victoria Road being identified as one of Sydney's most constrained transport corridors.

Social Impact Assessment

It is expected that a Social Impact Assessment, addressing the social consequences of the different land uses envisaged for the site including a registered club, commercial floor space, potential child care centre and residential dwellings would be required as a condition of the Gateway determination.

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 primary school age students and public high school age students in future dwellings

Housing

A Plan for Growing Sydney promotes urban renewal across Sydney through encouraging new residential development in established areas and within and adjoining identified centres. Projections indicate that Sydney will need around 664,000 additional homes by 2031.

The proposed rezoning of the site to B2 Local Centre would permit the redevelopment of the site to a mixed use development, including new housing stock that will contribute to meeting the overall housing target for Sydney. The location of the site within the walking catchment of public transport routes with direct links to Strategic Centres, is consistent with *A Plan for Growing Sydney*, however, the constrained nature of Victoria Road and the surrounding streets in the locality will be a principle determining factor in informing the maximum density outcome for the site.

The future development will provide for diversity in the housing mix in accordance with Clause 6.13 (Diverse Housing) of *Leichhardt Local Environmental Plan 2013* and the adaptable housing provisions within *Leichhardt Development Control Plan 2013* (C3.14 Adaptable Housing). Clause 6.13 requires at least 25% of dwellings in residential flat and mixed use developments to studios or one-bedroom dwellings and no more than 30% to be three bedroom dwellings. C3.14 Adaptable Housing of DCP 2013 requires 10% of the total number of dwellings to be adaptable housing units.

4.6 Part D - State and Commonwealth Interests

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

The subject site is currently serviced with electricity, water supply, telecommunications, sewer and stormwater. Given the site's previous uses, it is anticipated that any development on site would not require major changes to these services to cater for the demand resulting from the Planning Proposal.

Q11 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.

Historically, a number of State authorities and agencies have been involved in the site, particularly the Roads and Maritime Services, Air Services Australia and the Department of Education. The views of the State authorities already consulted have been incorporated in the Planning Proposal.

It is expected that further consultation will be required with the following public authorities under section 56(d) if the *Environmental Planning and Assessment Act 1979* and /or to comply with the requirements of relevant s117 directions:

- Department of Education and Communities;
- Office of Environment and Heritage;
- Transport for NSW;
- Roads and Maritime Services; and
- Sydney Water.

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

4.7 Part 4 Mapping

As outlined in Part 2, to give effect to the changes outlined in this Planning Proposal the Land Zoning, Floor Space Ratio, Key Sites Map of *Leichhardt Local Environmental Plan 2013* will require amendments. The following draft maps identifying the site and proposed changes have been prepared in accordance with the Standard Technical Requirements for LEP Maps and are attached to this proposal (Appendix 7):

- Site Identification Map – Sheet LAP_007
- Proposed Land Zoning Map – Sheet LZN_007
- Proposed Floor Space Ratio Map – Sheet FSR_007
- Proposed Key Sites Map – Sheet KYS_007

4.8 Part 5 – Community Consultation

The community engagement plan for this Planning Proposal will be implemented in accordance with the *Environmental Planning and Assessment Act 1979* and its regulation, Council's Community Engagement Framework and recent practice.

The community engagement plan for exhibition of this Planning Proposal includes:

- Advertisement/Notice in local newspaper – Inner West Courier.
- Exhibition period of 28 days.
- Notification and updates on Council’s website.
- Individual letters to surrounding property owners and residents.
- Letters, phone calls or emails to community and industry stakeholders, neighbouring councils, and individuals known to have a particular interest.
- Dedicated email address provided for electronic lodgement of submissions.
- Council officers available at Council’s Administration building throughout the public exhibition period to respond to any enquiries during business hours, either face to face or over the phone.
- Holding of a public information session - venue to be determined by Council.

4.9 Part 6 - Project Timeline

The anticipated timeline for completion of the Planning Proposal if approved in a Gateway Determination is expected to be seven (7) months from that point. This can change if there is a request for a review of the Gateway Determination or of the requirements imposed by the Gateway Determination, by Council or the landowners/ proponents.

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 of one is requested and granted.

Table 6| Anticipated Project Timeline

Project Milestones	By Day No.
Gateway Determination (assume 1 st day of calendar month)	1
Report to Council on Gateway and determination review request	15
Completion of technical and supporting studies	45
Assessment of technical and supporting studies	60
Requirement of/ or addition to technical information	60
Pre-exhibition Government agency consultation	90
Complete full Planning Proposal and supporting documents	104
Commencement and completion of public exhibition period	134
Allowance for public hearing	164
Consideration of submissions will overlay with allowance for public hearing	194
Report to Council on Final Public Planning Proposal and delegate making of LEP amendment to General Manager	209
Legal drafting of plan by Council and Parliamentary Counsel's Office	214

5 Conclusion

This Planning Proposal seeks an amendment to the *Leichhardt Local Environmental Plan 2013* to allow for a mixed use development at the Balmain Leagues Club Precinct. The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the *EP&A Act*) and the relevant guidelines prepared by the NSW Department of Planning and Infrastructure including “A Guide to Preparing Local Environmental Plans” and “A Guide to Preparing Planning Proposals”. It sets out the justification for the proposed LEP amendments applicable to the subject site to allow for a mixed use development, including the return of the Balmain Leagues Club to the site.

The proposed development controls for the site, outlined in this Planning Proposal, are the result of extensive analysis of previous applications for the site, the current *Leichhardt Local Environmental Plan 2000* site specific controls, traffic modelling, urban design analysis and commercial viability analysis. The outcomes of this detailed analysis has been informed by the constrained nature of the site as a result of Victoria Road being one of Sydney’s busiest and most constrained transport corridors (*NSW Long Term Transport Master Plan*).

In addition, the Government’s strategic outlook for addressing congestion on Victoria Road which is a long-term goal of completing investigations into a Rapid Bus Transit on Victoria Road (*Sydney’s Bus Future*), and the further long term goal of the Government to investigate the potential for urban renewal in and around centres with improved public transport links in cross-city corridors including between Parramatta to Sydney CBD via Ryde (*A Plan for Growing Sydney*). There is no current public Government strategy to address the constrained nature of Victoria Road in the short to medium term, and no commitment to funding a solution to the congestion even in the long term.

The redevelopment of the site for mixed use purposes will potentially provide the following benefits:

- An appropriate built form and scale having regard to maintaining the amenity of the surrounding locality.
- New housing opportunities within an area supported by services;
- Remediation of contaminated land;
- Support for local centres, through increasing population and density within walking catchments of neighbourhood, village and town centres;
- The return of the Balmain Leagues Club to the community.
- Potential Voluntary Planning Agreement contributions including to support affordable housing.

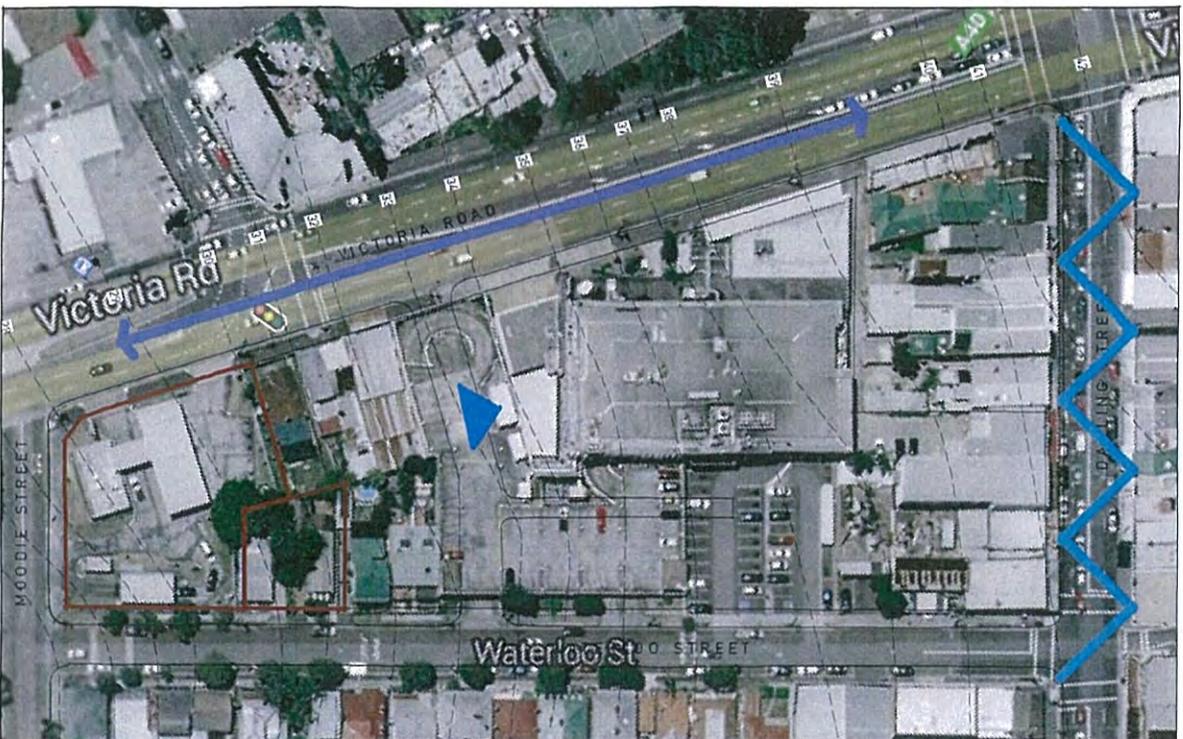
Consequently this Planning Proposal should be referred to the NSW Department of Planning for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979*.

appendix 1

Design Advisory Group –
Urban Design Principles



CONNECTIONS AND PUBLIC DOMAIN



PARKING & TRAFFIC

DESIGN PRINCIPLES

TIGERS MASTERPLAN 2015
06_006
REV A 22-02-2015

-  MAINTAIN CAPACITY OF VICTORIA ROAD (FAC)
-  MAINTAIN ON STREET PARKING (JRP)
-  ENTRY TO BASEMENT PARKING FOR COMMERCIAL/RESIDENTIAL

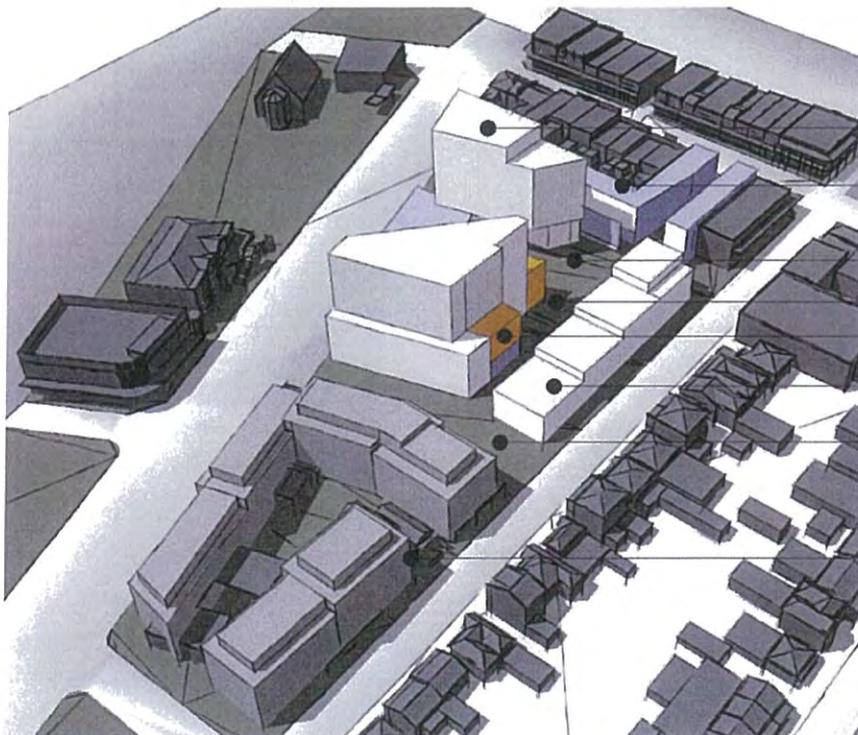
HILL THALIS
CLARE DESIGN

SD-A-SK000 SMITH & TZANNE!



BUILT FORM

-  2-3 STOREY PODIUM WITH RESIDENTIAL ABOVE
-  3-4 STOREY STREET WALL HEIGHT
-  MIXED USES - CLUB / SQUARE / RESIDENTIAL



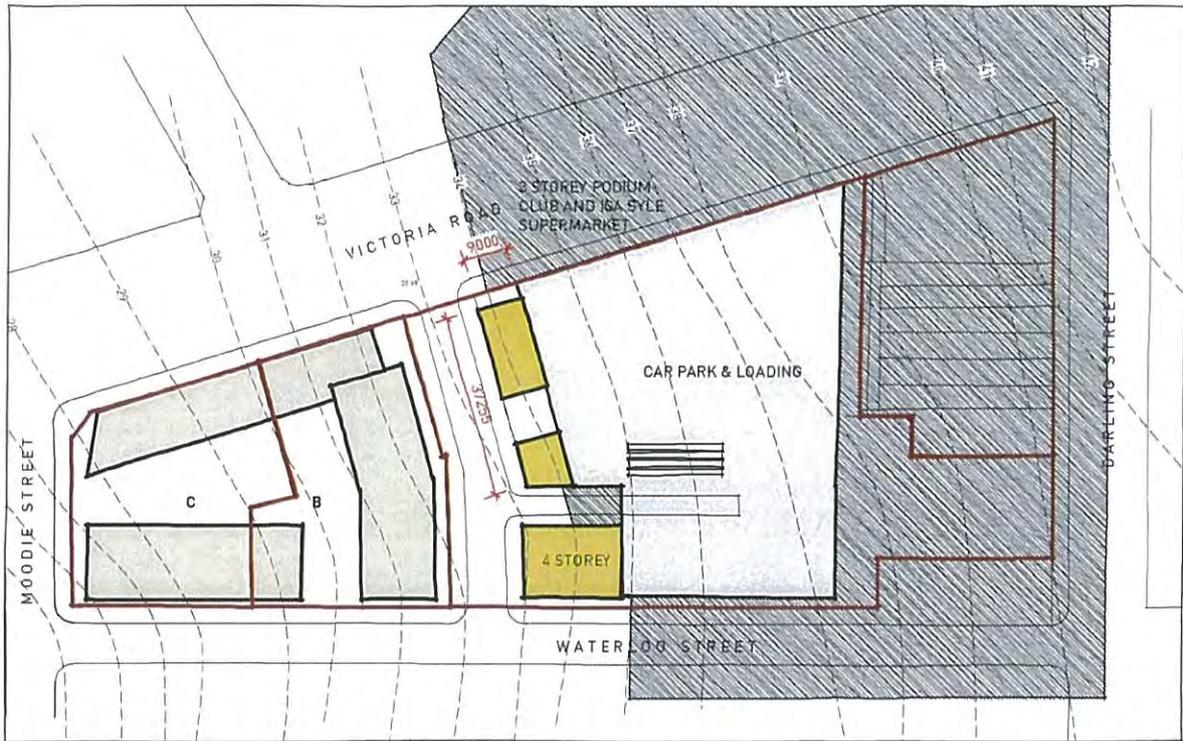
- RESIDENTIAL TOWERS
- LANE BETWEEN WATERLOO & VICTORIA WITH SHOP TOP HOUSING
- NEW SQUARE
- LANE TO DARLING ST
- CLUB UNDER
- MAISONNETTES / TOWNHOUSES
- NEW ROAD
- FUTURE MASTERPLAN WEST

DESIGN PRINCIPLES

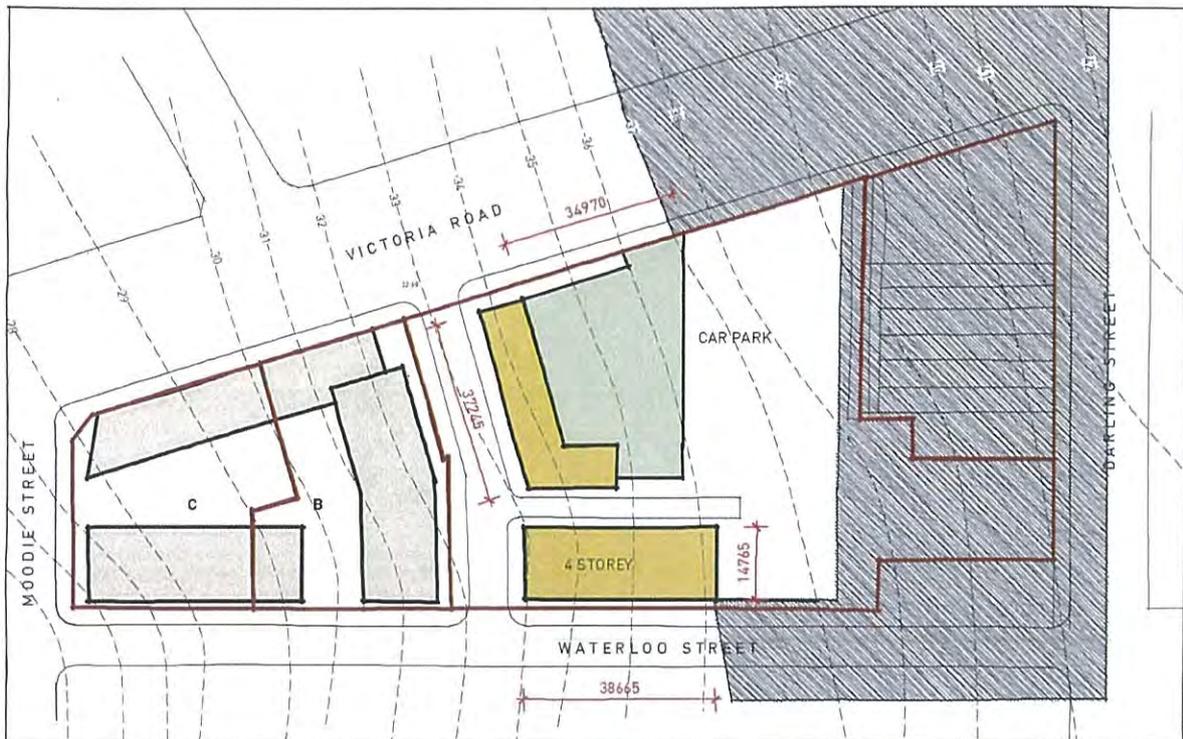
TIGERS MASTERPLAN 2015
06_006
REV A 22-02-2015

HILL THALIS
CLARE DESIGN

SD-A-SK001 SMITH & TZANNEI



LEVEL 0
RL 32.50



LEVEL 1
RL 35.50

- RESIDENTIAL
- COMMERCIAL
- RETAIL
- CLUB
- CARPARKING

LANDUSE MASSING

TIGERS MASTERPLAN 2015

06_006

REV A 22-02-2015

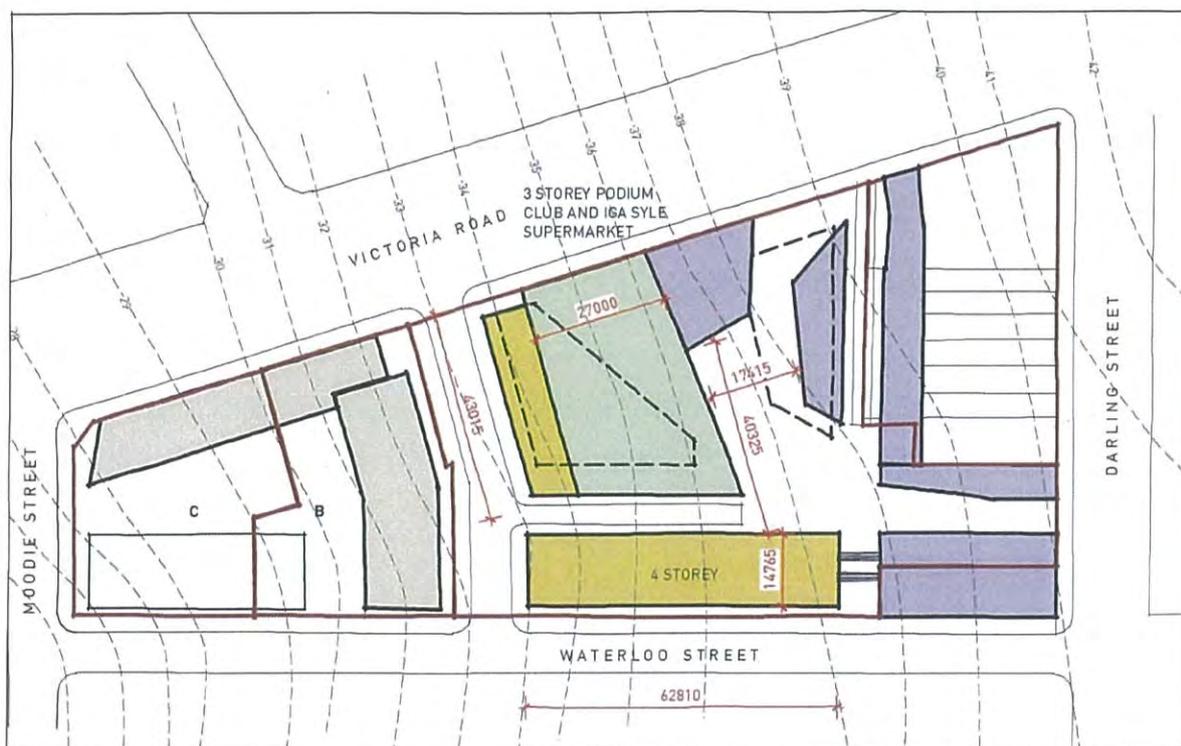
HILL THALIS

CLARE DESIGN

SD-A-SK002 SMITH & TZANNEI



LEVEL 2 (DARLING ST)
RL 39.50



LEVEL 3
RL 43.50

- RESIDENTIAL
- COMMERCIAL
- RETAIL
- CLUB
- CARPARKING

LANDUSE MASSING

TIGERS MASTERPLAN 2015

06_006

REV A 22-02-2015

HILL THALIS

CLARE DESIGN

SD-A-SK003 SMITH & TZANNE

appendix 2

Arup (17 April 2015) – Rozelle
Village Saturday Traffic Model

Leichhardt Municipal Council
Rozelle Village
Saturday Traffic Model

Issue | 17 April 2015

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 231922

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ARUP

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- Figure 9 Travel Time Comparison

Appendices

Appendix A

Traffic Modelling Outputs

1 Introduction

Arup was commissioned by Leichhardt Council ('Council') to assess the traffic implications for a potential revised development proposal for the Rozelle Village site. The modifications to the development relate to the land use mix and scale, as well as vehicular site access arrangements.

2 Background

In November 2005 Balmain Leagues Club submitted a Masterplan proposing the redevelopment of their existing site on Victoria Road, Rozelle. Arup was subsequently engaged in 2006 to provide advice to Leichhardt Council in relation to potential traffic impacts of both this site (now referred to as the Rozelle Village development) and the former "Carrier Site" (now referred to as 120 Terry Street). Arup's original 2006 traffic modelling examined the potential traffic impacts of developments proposed for both sites, for typical Thursday AM and PM peaks.

As a consequence of the unique nature of traffic in Rozelle, Arup was appointed in May 2010 to undertake further traffic modelling to examine the impacts of both the Rozelle Village and 120 Terry Street developments for a typical Saturday morning. In June 2012 Arup updated the Saturday traffic model to reflect road network modifications associated with the construction of the Inner West Busway.

This study represents a continuation of the work undertaken in 2012 under revised development options and access conditions. This includes a revision of the model to consider the weekend clearways recently implemented on Victoria Road. A site visit was undertaken in March 2015 to validate the model outputs against observed traffic conditions, including vehicle queue lengths and signal phase times.

3 Development Proposal

3.1 Land Use Scenario

Council provided Arup with a development scenario to be considered in the traffic analysis, as outlined in Table 1 below. The development option assumes 132 residential apartments, a leagues club component and varying mixes of commercial and retail development. The key change from the previously submitted development proposal is the removal of the supermarket component of the development.

Table 1 Land Use Options

Land Use Assumptions		
<i>Land Use</i>	<i>Unit</i>	<i>Quantum</i>
Leagues Club	GFA	3,035
Residential Dwellings	Dwellings	
1 Bedroom		40
2 Bedroom		59
3 Bedroom		33
Total		132
Commercial - e.g. Gym/Commercial Victoria Road	GFA	966
Commercial Darling Street	GFA	512
Ground Floor Retail (Darling Street / Victoria Road	GFA	870

3.2 Site Access

Vehicular access to the development will via two entry/exit points:

- Waterloo Street – entry/exit for residential vehicles
- Victoria Road – entry/exit for non-residential vehicles. Movements will be restricted to left in / left out from Victoria Road (not all movements permitted as was proposed under the previous application via an extension of the Wellington Street traffic signals).

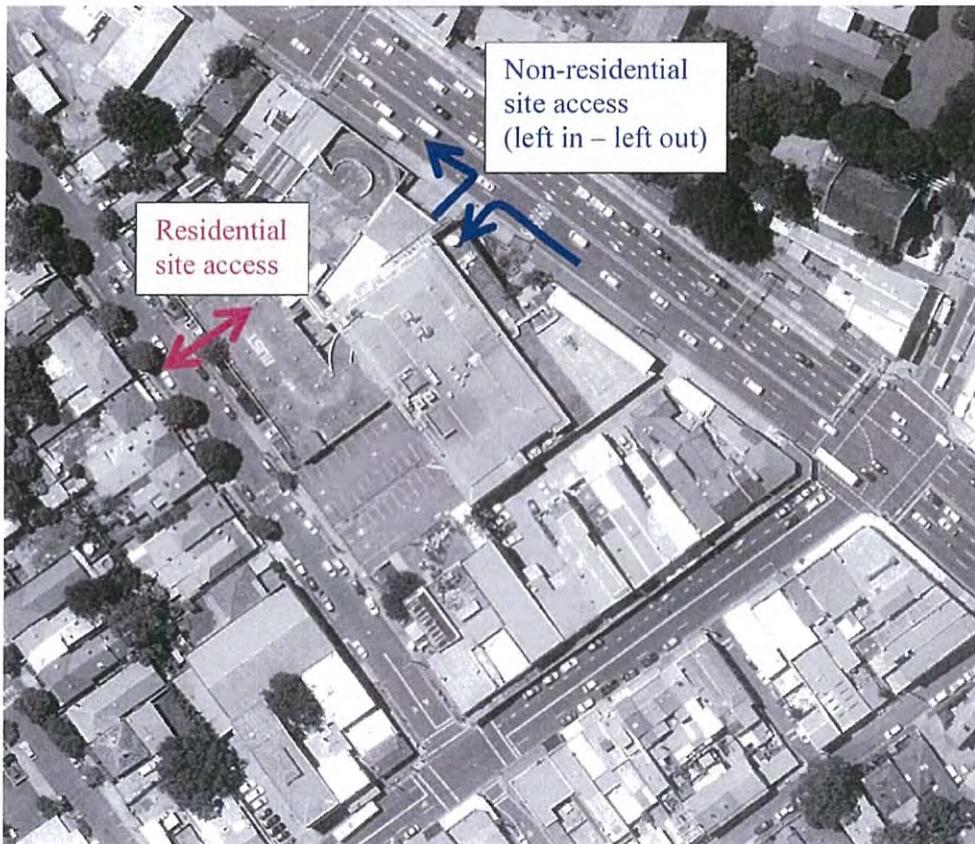


Figure 1 Rozelle Village Site Access

4 Parking

Parking rates for the development have been adopted based on those listed in the site specific DCP prepared for Rozelle Village. The permissible number of parking spaces under the assumed development option is outlined in Table 2 below. This indicates the total parking provision in the development is approximately 329 spaces. By way of comparison, the most recent development proposal for the site (refused by the Planning Assessment Commission in April 2014) proposed 509 car parking spaces.

Table 2 Parking rates

Land Use Assumption			Car Parking Spaces		
<i>Land Use</i>	<i>Unit</i>	<i>Quantum</i>	<i>Parking Rate</i>		<i># Spaces</i>
Leagues Club	GFA	3,035	0.05	per m ²	152
Residential Dwellings	Dwellings				
1 Bedroom		40	0.6	per unit	24
2 Bedroom		59	0.9	per unit	53
3 Bedroom		33	1.1	per unit	36
Total		132			113
Commercial - e.g. Gym/Commercial Victoria Road	GFA	966	0.045	per m ²	43
Commercial Darling Street	GFA	512	0.015	per m ²	8
Ground Floor Retail (Darling Street / Victoria Road)	GFA	870	0.015	per m ²	13
Total					329

5 Analysis

5.1 Traffic Generation

The traffic generation rates adopted for the potential land uses associated with the development are consistent with those previously utilised by Arup in the development of the Saturday traffic model for the project. These generally align with the recommended rates outlined in the RMS *Guide to Traffic Generating Developments*.

The analysis indicates the site may generate between 137 vehicle trips during the Saturday peak hour (11am-12pm). The most recent development proposal for the site was forecast to generate 364 vehicle trips in the Saturday peak hour – more than 2.5 times that forecast under the development option considered for this study.

Table 3 Forecast traffic generation

Land Use Assumption			Peak Hour Traffic Generation		
Land Use	Unit	Quantum	Traffic Generation Rate		
Leagues Club	GFA	3,035	1.818 [^]	per 100m ²	55
Residential Dwellings	Dwellings				
1 Bedroom		40			
2 Bedroom		59			
3 Bedroom		33			
Total		132	0.29*	per unit	38
Commercial - e.g. Gym/Commercial Victoria Road	GFA	966	1	per parking space	14
Commercial Darling Street	GFA	512	0.007	per m ²	3
Ground Floor Retail (Darling Street / Victoria Road)	GFA	870	1.34	per m ²	17
Total					137
Total (previous development option)					364

[^] See section 5.1.1

* See section 5.1.2

Discussion regarding the utilised rates for the residential and leagues club components of the development are described below.

5.1.1 Leagues Club Traffic Generation

To understand the likely traffic generation of the Leagues Club component of the development during the Saturday peak hour, traffic counts were undertaken at the Wests Ashfield Leagues Club. These counts recorded the number of vehicles entering and exiting the basement car park of the leagues club between 11am and 12pm on Saturday 13 December 2014. The survey recorded 113 traffic movements over the course of the hour, comprising of:

- 85 entering vehicles; and
- 28 exiting vehicles.

Based on the existing 6,193m² of GFA within the Wests Ashfield site, this equates to a peak hour traffic generation rate of 1 vehicle / 55m² GFA. This traffic generation rate has been adopted for the leagues club component of the Rozelle Village development.

5.1.2 Residential Traffic Generation

A peak hour traffic generation rate of 0.29 vehicles / dwelling was previously utilised by Arup in the development of the Saturday traffic model for Rozelle Village. To confirm the appropriateness of this rate, a traffic survey was undertaken between 11am and 12pm on Saturday 13 December 2014 at a high density residential complex on Victoria Road at Gladesville. The survey recorded 18 traffic movements over the course of the hour, comprising of:

- 6 entering vehicles; and
- 8 exiting vehicles.

Based on the 42 units within the residential development at Gladesville, this equates to a peak hour traffic generation rate of 0.33 vehicles / dwelling. This is similar to the 0.29 vehicles / dwelling previously utilised in the traffic modelling.

Given the more accessible location of Rozelle compared to Gladesville, and to be consistent with previous traffic modelling undertaken by Arup for the site, a traffic generation rate of 0.29 vehicles / dwelling for the residential component has been used. It is considered this rate remains appropriate for use in forecasting Saturday peak hour traffic from the Rozelle Village site.

5.2 Traffic Modelling

5.2.1 Background

Arup developed a Paramics micro-simulation model of the Balmain-Rozelle road network for Leichhardt Council in 2008. This model was initially developed as a weekday AM/PM peak model. In 2010 the model was redeveloped to serve as a Saturday morning peak model, this is the model utilised for this review.

The modelled area shown in Figure 2 extends along Victoria Road from Iron Cove Bridge in the west to The Crescent in the east. The base network includes 37 zones that generate and attract trips. Physical inspections were undertaken to survey traffic lanes, roads, on-street parking, traffic signal arrangements, pedestrian facilities, bus stops etc.

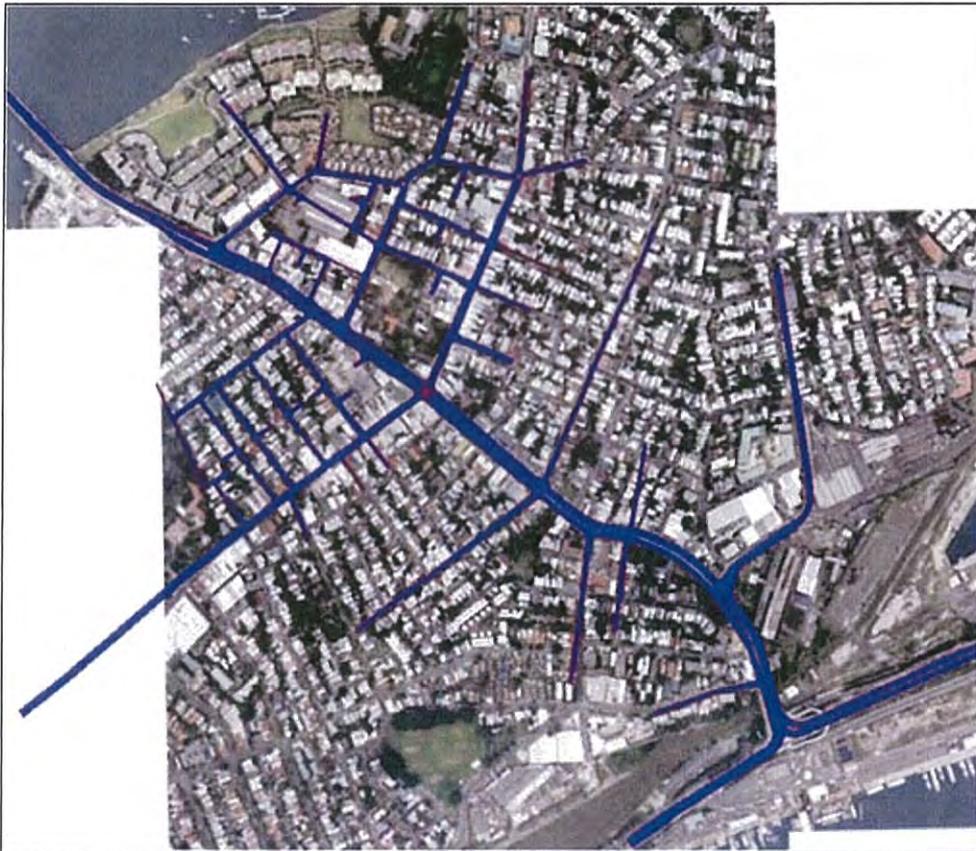


Figure 2 Paramics model extents

5.2.2 Methodology

The modelling includes the following detail and assumptions:

- Key intersecting roads
- Existing on-street parking arrangements in the precinct to be retained
- Links coded to reflect the geometry, grade and speed limits of the road network

- Stochastic assignment route choice
- Double right turn lane from Victoria Road citybound into Darling Street
- The weekday AM peak citybound bus lane operating as a normal traffic lane for the modelled Saturday period (clearway in place on weekends between 8am and 8pm)
- All signal phasing, timing and offsets for the 9 signalised intersections in the model were coded based on RTA SCATS data from Saturday 8 May 2010.
- The Saturday peak period was modelled as 11:00am – 12:00pm. A one hour warm start period from 10:00am – 11:00am was added to ensure the model was adequately loaded with a realistic level of congestion at the beginning of the peak 11:00am – 12:00pm period. A 30 minute cool down period from 12:00pm – 12:30pm was added at the end of the peak to ensure vehicles from the peak period were able to complete their journeys on a loaded network.

The peak hour demand was calibrated to observed turning movement counts for the 11:00am – 12:00pm period. The 10:00am – 11:00am warm-start demand was developed by factoring the peak hour demand at each major model entry point based on observed turning movement count data.

Separate matrices were developed for light vehicles and heavy vehicles. Buses were coded as fixed route vehicles based on STA timetables, verified by classified turning movement counts in key areas of the network.

5.3 Scenario Development

To test the traffic impacts the Rozelle Village development, three scenarios have been considered as summarised in Table 4.

- Base Model – Existing road network with existing traffic demand (consistent 2012 base model)
- Scenario 1 – Existing road network with existing traffic demand, plus:
 - Development traffic for the ANKA Site (formerly known as ‘120 Terry Street’)
- Scenario 2 – As per Scenario 1, plus:
 - Development traffic for the updated Rozelle Village development, with no changes to on-street parking on Darling Street

Table 4 Scenario Development

Scenario	Base Model	Scenario 1	Scenario 2
Existing traffic	✓	✓	✓
Forecast ANKA traffic		✓	✓
Forecast Rozelle Village traffic			✓

5.4 Base Model Validation

To validate the outputs of the base (existing) traffic model, Arup undertook a site visit between 11am and 12pm on Saturday 18 March 2015. This coincided with the previously identified peak traffic period in the precinct. Weather conditions were overcast however remained dry throughout – with Rozelle Markets and other businesses operating as usual. The extent of vehicle queues on key roads such as Darling Street and Victoria Road was found to reflect that within the base Paramics model – indicating that the existing Arup model remains suitable for use in this analysis. Screenshots from the Paramics model, correlating with vehicle queues observed on site, are presented in Figure 3 to Figure 5.



Figure 3 Northbound queues on Darling Street (western side)

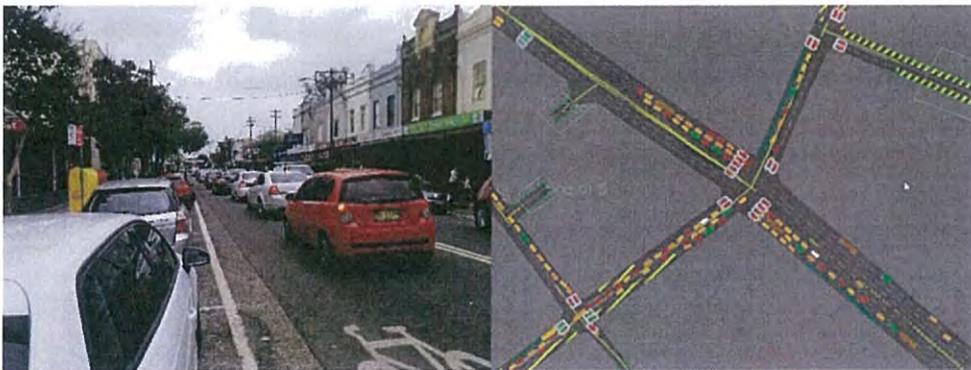


Figure 4 Northbound queues on Darling Street (eastern side)



Figure 5 Southbound queues on Darling Street (eastern side)

5.5 Traffic Distribution

Based on the traffic generation forecasts outlined in Section 5.1, the following traffic volumes are anticipated to be generated by the Rozelle Village site.

Table 5 Forecast Traffic Distribution

Site Access	In	Out	Total
Victoria Road	63	36	99
Waterloo Street	19	19	38
Total	82	55	137

The Victoria Road development access was previously designed as an additional leg to the Victoria Road/ Wellington Street with right and left turn movements allowed. This layout (as previously built into the Paramics model) is shown in Figure 6.

Site access has been revised to be a Left-In Left-Out (LILO) layout south-east of the Victoria Road/ Wellington Street intersection. Short access lanes are provided for both in-bound and out-bound development traffic. The updated Paramics model layout is shown in Figure 7.

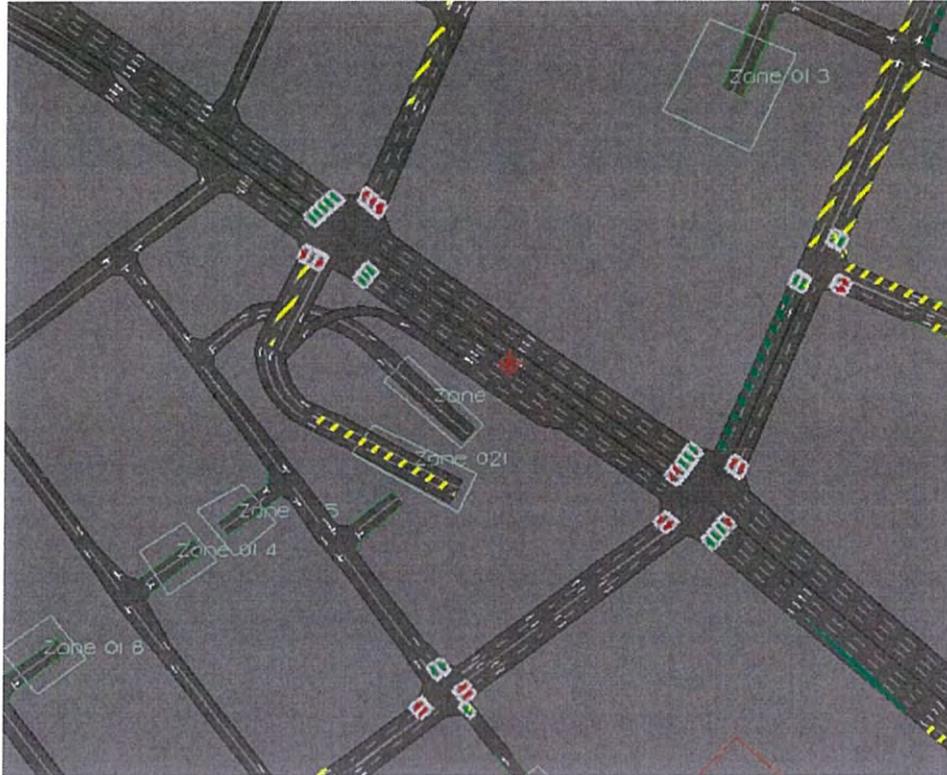


Figure 6 Previously modelled development access

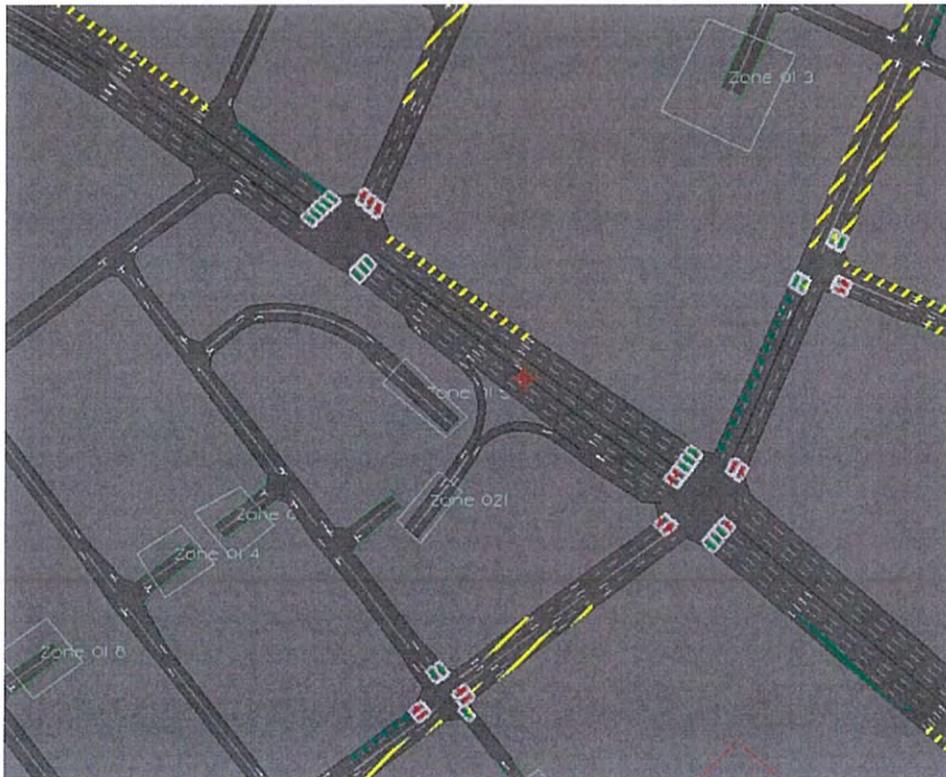


Figure 7 Revised Left-In Left-Out development access

5.6 Travel Time Analysis

5.6.1 Models Run

To ensure greater consistency in the modelling results, and to comply with current RMS traffic modelling guidelines, five model runs were performed for each of the scenarios.

5.6.2 Travel Routes

To best understand the networks of each of the scenarios tested, analysis on the change in travel times was performed. Eight routes were chosen for this analysis based on their importance to the network, the routes are listed below and shown in Figure 8. The travel time data was taken from model log files and averaged over the five runs performed.

1. Victoria Road westbound – Robert Street to Terry Street
2. Victoria Road eastbound – Terry Street to Robert Street
3. Darling Street southbound – Wise Street to Manning Street
4. Darling Street northbound – Manning Street to Wise Street
5. Victoria Road eastbound to Darling Street southbound – Terry Street to Manning Street
6. Darling Street northbound to Victoria Road westbound – Manning St to Terry Street
7. Terry Street north-eastbound to Wise Street eastbound – Victoria Road to Darling Street
8. Wise Street westbound to Victoria Road westbound – Darling Street to Terry Street via Wellington Street

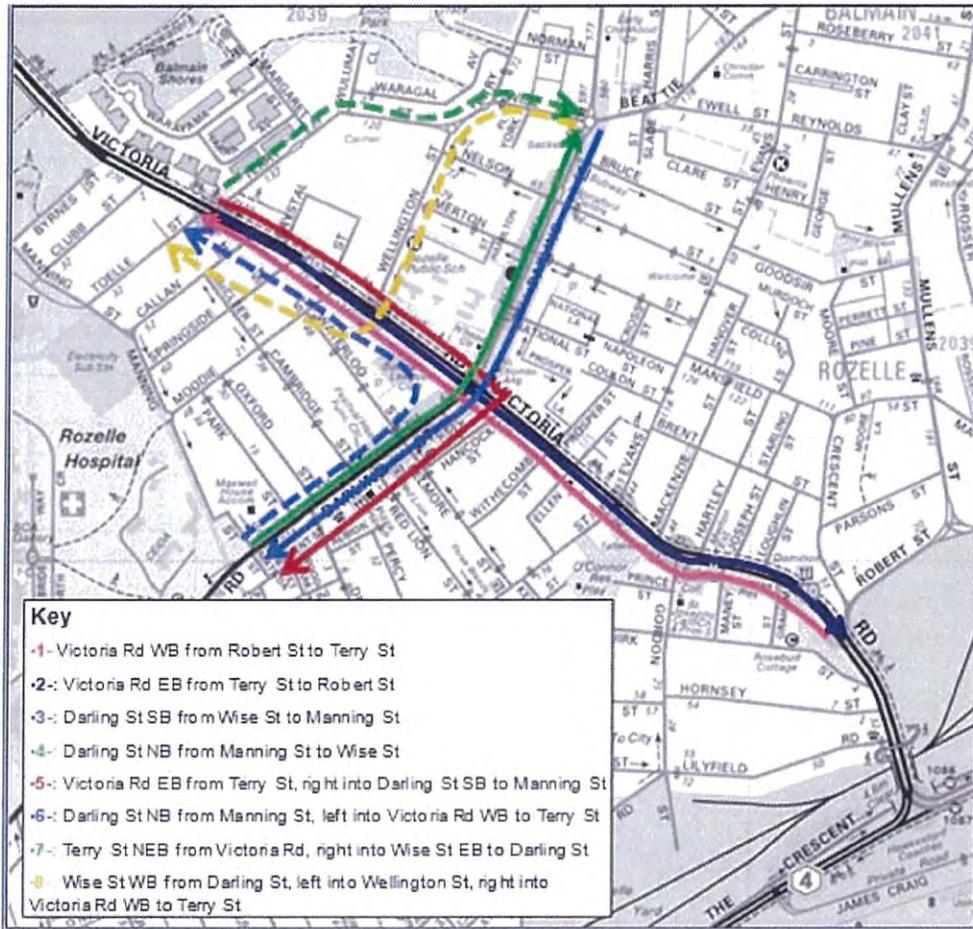


Figure 8 Key routes used for travel time analysis

5.6.3 Results

The results of the Paramics modelling are summarised in Table 6 below and Figure 9 on the following page. The analysis demonstrates that with the additional traffic generated by the Rozelle Village site, vehicle travel times increase by just under 6% compared to current conditions. Importantly, no one travel route is forecast to experience increases in travel times of more than 10% compared to existing levels. The greatest increases in travel times arising from the development are forecast to occur along Darling Street in both directions.

Table 6 Travel Time Analysis Results

#	Travel Path	Travel Time (s)			% Change	
		Base Model	Sc1	Sc2	Sc 2 vs Base	Sc 2 vs Sc 1
1	Victoria Rd WB – Robert St to Terry St	109	110	116	6.0%	5.5%
2	Victoria Rd EB – Terry St to Robert St	115	116	116	1.0%	-0.1%
3	Darling St SB – Wise St to Manning St	209	214	229	9.6%	7.2%
4	Darling St NB – Manning St to Wise St	367	386	400	9.0%	3.6%
5	Victoria Rd EB to Darling St SB – Terry St to Manning St	217	208	228	4.9%	9.7%
6	Darling St NB to Victoria Rd WB – Manning St to Terry St	299	313	304*	1.6%	-2.9%
7	Terry St NEB to Wise St EB – Victoria Rd to Darling St	51	50	51	1.1%	1.9%
8	Wise St WB to Victoria Rd WB – Darling St to Terry St via Wellington St	99	100	108	8.2%	7.4%
Sum		1467	1498	1553	5.8%	3.6%

* Small decrease in travel time in Scenario 2 vs Scenario 1 due to a minor redistribution of traffic onto the wider road network, impacting this particular travel route.

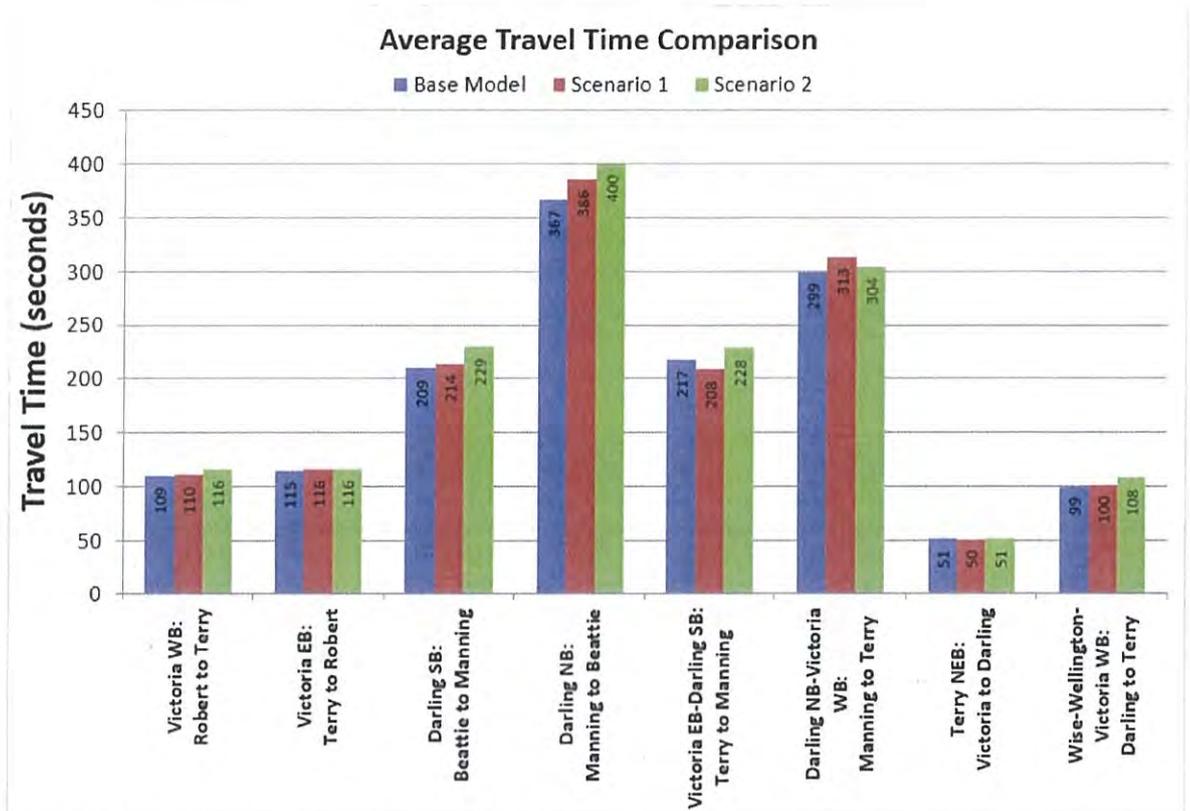


Figure 9 Travel Time Comparison

5.7 Intersection Analysis

Intersection traffic modelling was performed at two key sites in the precinct, those being:

1. Victoria Road/ Darling Street; and
2. Darling Street/ Waterloo Street/ Belmore Street.

Turn count data used in the analysis comes from the average volumes of the modelled runs for each scenarios. The exported turn count data does not provide counts split by vehicle type. To overcome this the 2012 survey data, completed for the previous review, was used to determine the heavy vehicle proportions (HV %) of each leg of the intersections.

The results of the SIDRA analysis are detailed in Table 7, with detailed outputs provided in Appendix A.

Table 7 Table summary of SIDRA results

Intersection	Scenario	Degree of Saturation	Average Delay (sec)	% Change in Delay (relative to base)
Victoria Road/ Darling Street	Base Case	1.07	76	n/a
	Scenario 1	1.07	77	1%
	Scenario 2	1.07	82	8%
Darling Street/ Waterloo Street	Base Case	0.87	19	n/a
	Scenario 1	0.89	19	0%
	Scenario 2	0.89	20	5%

The SIDRA results demonstrate the additional traffic generated by the Rozelle Village site would result in increases in delays during the Saturday peak hour of 8% and 5% at the Victoria Road/ Darling Street and Darling Street/ Waterloo Street intersections respectively. This is equivalent to an increase in average vehicle delays of three and two seconds in the AM and PM peak hours respectively.

6 Summary

Arup was commissioned by Leichhardt Council ('Council') to assess the traffic implications during the Saturday morning peak hour (11am-12pm) for a potential revised development proposal for the Rozelle Village site.

The analysis has considered a development option which includes the following components:

- Leagues Club;
- 132 residential apartments;
- Gym;
- Commercial; and
- Ground floor retail

Based on the development option considered, the total parking provision in the development will be up to 329 spaces. By way of comparison, the most recent development proposal for the site (refused by the Planning Assessment Commission in April 2014) proposed 509 car parking spaces.

Vehicular access to the site would be via an entry/exit from Waterloo Street (residential vehicles only) and a left in – left out access from Victoria Road (non-residential vehicles). Analysis indicates the site may generate 137 vehicle trips during the Saturday peak hour – a 62% reduction compared to that forecast under the most recent development scheme.

Arup utilised the Paramics micro-simulation traffic model previously developed for Rozelle Village to understand the potential traffic impacts of the development during the Saturday peak hour. The model was updated to consider revised traffic arrangements in the precinct, particularly the introduction of weekend clearways on Victoria Road. Existing on-street parking arrangements on Darling Street were retained.

The base model was validated through a site visit to observe the level of vehicle queuing on key roads. The extent of vehicle queues on key roads such as Darling Street and Victoria Road was found to reflect that within the base Paramics model – indicating that the existing Arup model remains suitable for use in this analysis.

The assessment considered vehicle travel times across eight routes which were consistent with previous analysis undertaken by Arup for the site. The traffic modelling indicated that with the additional traffic generated by the Rozelle Village site, vehicle travel times (across the eight routes) increase by just under 6% compared to current conditions. Importantly, no one travel route is forecast to experience increases in travel times of more than 10% compared to existing levels. The greatest increases in travel times arising from the development are forecast to occur along Darling Street in both directions.

Intersection traffic modelling demonstrate the additional traffic generated by the Rozelle Village site would result in increases in delays during the Saturday peak hour of 8% and 5% at the Victoria Road/ Darling Street and Darling Street/ Waterloo Street intersections respectively. This is equivalent to an increase in average vehicle delays of three and two seconds in the AM and PM peak hours respectively.

Appendix A

Traffic Modelling Outputs

MOVEMENT SUMMARY

Site: Victoria/ Darling_Base

New Site

Signals - Fixed Time Cycle Time = 144 seconds (Minimum Cycle Time)

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
SouthEast: Victoria Road SE											
4	L2	109	0.9	0.689	35.8	LOS C	34.0	243.1	0.83	0.77	37.0
5	T1	1809	2.8	0.689	30.3	LOS C	34.2	245.3	0.83	0.76	40.0
6	R2	198	3.6	0.583	63.6	LOS E	12.8	92.4	0.97	0.82	26.5
Approach		2117	2.8	0.689	33.7	LOS C	34.2	245.3	0.85	0.77	38.0
NorthEast: Darling Street NE											
7	L2	316	3.5	0.405	33.4	LOS C	15.1	108.7	0.74	0.76	32.7
8	T1	254	2.9	0.658	57.2	LOS E	16.5	118.5	0.98	0.82	26.4
Approach		569	3.2	0.658	44.0	LOS D	16.5	118.5	0.84	0.79	29.5
NorthWest: Victoria Road NW											
10	L2	143	0.0	0.159	27.2	LOS B	5.5	38.3	0.59	0.73	35.6
11	T1	1844	2.5	1.043	121.8	LOS F	107.9	771.6	1.00	1.36	20.0
12	R2	488	2.1	1.084	147.3	LOS F	44.4	316.5	0.98	1.13	17.1
Approach		2476	2.3	1.084	121.4	LOS F	107.9	771.6	0.97	1.28	19.8
SouthWest: Darling Street SW											
1	L2	136	2.1	0.172	31.2	LOS C	5.8	41.0	0.65	0.72	36.5
2	T1	289	3.5	0.885	72.9	LOS F	22.0	159.1	1.00	1.04	23.8
3	R2	1	33.3	0.885	76.1	LOS F	22.0	159.1	1.00	1.04	25.8
Approach		426	3.1	0.885	59.6	LOS E	22.0	159.1	0.89	0.94	26.7
All Vehicles		5588	2.6	1.084	75.5	LOS F	107.9	771.6	0.91	1.01	25.9

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians									
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Distance m	Prop. Queued	Effective Stop Rate per ped	
P2	SouthEast Full Crossing	53	66.3	LOS F	0.2	0.2	0.96	0.96	
P3	NorthEast Full Crossing	53	24.6	LOS C	0.1	0.1	0.58	0.58	
P4	NorthWest Full Crossing	53	66.3	LOS F	0.2	0.2	0.96	0.96	
P1	SouthWest Full Crossing	53	24.6	LOS C	0.1	0.1	0.58	0.58	
All Pedestrians		211	45.4	LOS E			0.77	0.77	

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

MOVEMENT SUMMARY

Site: Victoria/ Darling_Scen1

New Site
Signals - Fixed Time Cycle Time = 144 seconds (Minimum Cycle Time)

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
SouthEast: Victoria Road SE											
4	L2	101	0.9	0.701	36.1	LOS C	34.9	249.7	0.84	0.78	36.9
5	T1	1852	2.8	0.701	30.5	LOS C	35.1	251.8	0.84	0.77	39.9
6	R2	185	3.6	0.546	63.2	LOS E	11.9	85.8	0.96	0.82	26.6
Approach		2138	2.8	0.701	33.6	LOS C	35.1	251.8	0.85	0.77	38.1
NorthEast: Darling Street NE											
7	L2	319	3.5	0.409	33.5	LOS C	15.3	110.0	0.74	0.76	32.7
8	T1	249	2.9	0.647	57.1	LOS E	16.2	116.2	0.97	0.82	26.4
Approach		568	3.2	0.647	43.8	LOS D	16.2	116.2	0.84	0.79	29.6
NorthWest: Victoria Road NW											
10	L2	141	0.0	0.156	27.2	LOS B	5.4	37.7	0.59	0.72	35.6
11	T1	1867	2.5	1.055	130.5	LOS F	112.5	804.3	1.00	1.40	19.1
12	R2	481	2.1	1.068	137.7	LOS F	42.1	300.0	0.98	1.10	17.9
Approach		2489	2.3	1.068	126.0	LOS F	112.5	804.3	0.97	1.31	19.4
SouthWest: Darling Street SW											
1	L2	140	2.1	0.178	31.3	LOS C	5.9	42.4	0.65	0.72	36.5
2	T1	279	3.5	0.867	70.5	LOS E	20.9	150.8	1.00	1.02	24.1
3	R2	2	33.3	0.867	73.7	LOS F	20.9	150.8	1.00	1.02	26.2
Approach		421	3.2	0.867	57.4	LOS E	20.9	150.8	0.88	0.92	27.2
All Vehicles		5617	2.6	1.068	77.4	LOS F	112.5	804.3	0.91	1.02	25.6

Level of Service (LOS) Method: Delay (RTA NSW).
 Vehicle movement LOS values are based on average delay per movement
 Intersection and Approach LOS values are based on average delay for all vehicle movements.
 SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.
 Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
 HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians									
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Distance m	Prop. Queued	Effective Stop Rate per ped	
P2	SouthEast Full Crossing	53	66.3	LOS F	0.2	0.2	0.96	0.96	
P3	NorthEast Full Crossing	53	24.6	LOS C	0.1	0.1	0.58	0.58	
P4	NorthWest Full Crossing	53	66.3	LOS F	0.2	0.2	0.96	0.96	
P1	SouthWest Full Crossing	53	24.6	LOS C	0.1	0.1	0.58	0.58	
All Pedestrians		211	45.4	LOS E			0.77	0.77	

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)
 Pedestrian movement LOS values are based on average delay per pedestrian movement.
 Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

MOVEMENT SUMMARY

Site: Victoria/ Darling_Scen2

New Site

Signals - Fixed Time Cycle Time = 144 seconds (Minimum Cycle Time)

Movement Performance - Vehicles												
Mov ID	OD Mov	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h	
SouthEast: Victoria Road SE												
4	L2	111	0.9	0.698	36.0	LOS C	34.7	248.4	0.84	0.78	36.9	
5	T1	1836	2.8	0.698	30.5	LOS C	35.0	250.6	0.84	0.77	39.9	
6	R2	191	3.6	0.561	63.4	LOS E	12.3	88.6	0.96	0.82	26.5	
Approach		2137	2.8	0.698	33.7	LOS C	35.0	250.6	0.85	0.77	38.0	
NorthEast: Darling Street NE												
7	L2	323	3.5	0.414	33.6	LOS C	15.5	111.8	0.74	0.76	32.7	
8	T1	240	2.9	0.623	56.7	LOS E	15.5	111.1	0.97	0.81	26.5	
Approach		563	3.2	0.623	43.4	LOS D	15.5	111.8	0.84	0.78	29.7	
NorthWest: Victoria Road NW												
10	L2	141	0.0	0.156	27.2	LOS B	5.4	37.7	0.59	0.72	35.6	
11	T1	1897	2.5	1.070	142.8	LOS F	118.8	849.5	1.00	1.46	18.0	
12	R2	481	2.1	1.068	137.7	LOS F	42.1	300.0	0.98	1.10	17.9	
Approach		2519	2.3	1.070	135.3	LOS F	118.8	849.5	0.97	1.35	18.5	
SouthWest: Darling Street SW												
1	L2	185	2.1	0.235	32.0	LOS C	8.1	57.7	0.67	0.74	36.2	
2	T1	275	3.5	0.897	75.3	LOS F	21.4	154.3	1.00	1.07	23.4	
3	R2	2	33.3	0.897	78.6	LOS F	21.4	154.3	1.00	1.07	25.4	
Approach		462	3.1	0.897	58.0	LOS E	21.4	154.3	0.87	0.93	27.2	
All Vehicles		5681	2.6	1.070	81.7	LOS F	118.8	849.5	0.91	1.04	24.8	

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians										
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Distance m	Prop. Queued	Effective Stop Rate per ped		
P2	SouthEast Full Crossing	53	66.3	LOS F	0.2	0.2	0.96	0.96		
P3	NorthEast Full Crossing	53	24.6	LOS C	0.1	0.1	0.58	0.58		
P4	NorthWest Full Crossing	53	66.3	LOS F	0.2	0.2	0.96	0.96		
P1	SouthWest Full Crossing	53	24.6	LOS C	0.1	0.1	0.58	0.58		
All Pedestrians		211	45.4	LOS E			0.77	0.77		

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

MOVEMENT SUMMARY

 Site: Darling/ Waterloo_Base

New Site
Signals - Fixed Time Cycle Time = 147 seconds (Minimum Cycle Time)

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
SouthEast: Belmore St											
4	L2	68	5.6	0.285	34.6	LOS C	4.6	33.3	0.88	0.75	34.0
5	T1	23	0.0	0.285	30.0	LOS C	4.6	33.3	0.88	0.75	34.3
6	R2	19	0.0	0.285	34.5	LOS C	4.6	33.3	0.88	0.75	33.9
Approach		111	3.5	0.285	33.6	LOS C	4.6	33.3	0.88	0.75	34.0
NorthEast: Darling St NE											
8	T1	754	2.2	0.886	19.9	LOS B	25.8	183.5	0.72	0.71	39.1
9	R2	92	1.2	0.886	26.9	LOS B	25.8	183.5	0.77	0.78	37.6
Approach		845	2.1	0.886	20.6	LOS B	25.8	183.5	0.72	0.72	38.9
NorthWest: Waterloo St											
10	L2	43	0.0	0.249	35.6	LOS C	3.7	25.7	0.88	0.75	33.4
12	R2	43	0.0	0.249	35.6	LOS C	3.7	25.7	0.88	0.75	33.3
Approach		86	0.0	0.249	35.6	LOS C	3.7	25.7	0.88	0.75	33.4
SouthWest: Darling St SW											
1	L2	20	0.0	0.055	10.4	LOS A	0.9	6.5	0.41	0.42	45.0
2	T1	369	3.5	0.275	6.8	LOS A	5.4	39.2	0.48	0.42	45.6
Approach		389	3.3	0.275	7.0	LOS A	5.4	39.2	0.48	0.42	45.6
All Vehicles		1432	2.4	0.886	18.8	LOS B	25.8	183.5	0.68	0.64	39.6

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians									
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Distance m	Prop. Queued	Effective Stop Rate per ped	
P2	SouthEast Full Crossing	53	6.1	LOS A	0.0	0.0	0.41	0.41	
P3	NorthEast Full Crossing	53	33.9	LOS D	0.1	0.1	0.92	0.92	
P4	NorthWest Full Crossing	53	7.4	LOS A	0.0	0.0	0.45	0.45	
P1	SouthWest Full Crossing	53	33.9	LOS D	0.1	0.1	0.92	0.92	
All Pedestrians		211	20.4	LOS C			0.67	0.67	

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

MOVEMENT SUMMARY

 Site: Darling/ Waterloo_Scen1

New Site

Signals - Fixed Time Cycle Time = 147 seconds (Minimum Cycle Time)

Movement Performance - Vehicles												
Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h	
SouthEast: Belmore St												
4	L2	66	5.6	0.276	34.5	LOS C	4.5	32.3	0.87	0.75	34.0	
5	T1	21	0.0	0.276	29.9	LOS C	4.5	32.3	0.87	0.75	34.3	
6	R2	20	0.0	0.276	34.4	LOS C	4.5	32.3	0.87	0.75	33.9	
Approach		107	3.5	0.276	33.6	LOS C	4.5	32.3	0.87	0.75	34.0	
NorthEast: Darling St NE												
8	T1	755	2.2	0.885	19.6	LOS B	25.6	182.5	0.72	0.71	39.2	
9	R2	92	1.2	0.885	26.6	LOS B	25.6	182.5	0.77	0.78	37.7	
Approach		846	2.1	0.885	20.4	LOS B	25.6	182.5	0.72	0.72	39.0	
NorthWest: Waterloo St												
10	L2	34	0.0	0.236	35.5	LOS C	3.4	24.1	0.87	0.75	33.4	
12	R2	47	0.0	0.236	35.5	LOS C	3.4	24.1	0.87	0.75	33.3	
Approach		81	0.0	0.236	35.5	LOS C	3.4	24.1	0.87	0.75	33.4	
SouthWest: Darling St SW												
1	L2	9	0.0	0.054	10.4	LOS A	0.9	6.5	0.41	0.37	45.4	
2	T1	374	3.5	0.271	6.7	LOS A	5.3	38.4	0.48	0.41	45.7	
Approach		383	3.4	0.271	6.8	LOS A	5.3	38.4	0.48	0.41	45.7	
All Vehicles		1418	2.4	0.885	18.6	LOS B	25.6	182.5	0.68	0.64	39.8	

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians										
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Distance m	Prop. Queued	Effective Stop Rate per ped		
P2	SouthEast Full Crossing	53	6.1	LOS A	0.0	0.0	0.41	0.41		
P3	NorthEast Full Crossing	53	33.9	LOS D	0.1	0.1	0.92	0.92		
P4	NorthWest Full Crossing	53	7.4	LOS A	0.0	0.0	0.45	0.45		
P1	SouthWest Full Crossing	53	33.9	LOS D	0.1	0.1	0.92	0.92		
All Pedestrians		211	20.4	LOS C			0.67	0.67		

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

MOVEMENT SUMMARY

 Site: Darling/ Waterloo_Scen2

New Site
Signals - Fixed Time Cycle Time = 147 seconds (Minimum Cycle Time)

Movement Performance - Vehicles												
Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h	
SouthEast: Belmore St												
4	L2	67	5.6	0.279	34.6	LOS C	4.4	32.0	0.87	0.75	34.0	
5	T1	19	0.0	0.279	29.9	LOS C	4.4	32.0	0.87	0.75	34.2	
6	R2	20	0.0	0.279	34.5	LOS C	4.4	32.0	0.87	0.75	33.8	
Approach		106	3.5	0.279	33.7	LOS C	4.4	32.0	0.87	0.75	34.0	
NorthEast: Darling St NE												
8	T1	754	2.2	0.892	21.3	LOS B	26.7	190.5	0.72	0.72	38.5	
9	R2	92	1.2	0.892	28.5	LOS C	26.7	190.5	0.77	0.79	37.0	
Approach		845	2.1	0.892	22.1	LOS B	26.7	190.5	0.73	0.73	38.3	
NorthWest: Waterloo St												
10	L2	59	0.0	0.328	36.2	LOS C	5.0	34.8	0.89	0.77	33.2	
12	R2	56	0.0	0.328	36.2	LOS C	5.0	34.8	0.89	0.77	33.1	
Approach		115	0.0	0.328	36.2	LOS C	5.0	34.8	0.89	0.77	33.2	
SouthWest: Darling St SW												
1	L2	16	0.0	0.057	10.4	LOS A	1.0	6.8	0.41	0.40	45.2	
2	T1	388	3.5	0.286	6.8	LOS A	5.7	41.0	0.48	0.42	45.6	
Approach		404	3.4	0.286	7.0	LOS A	5.7	41.0	0.48	0.42	45.6	
All Vehicles		1471	2.4	0.892	19.9	LOS B	26.7	190.5	0.68	0.65	39.2	

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians										
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Distance m	Prop. Queued	Effective Stop Rate per ped		
P2	SouthEast Full Crossing	53	6.1	LOS A	0.0	0.0	0.41	0.41		
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P4	NorthWest Full Crossing	53	7.4	LOS A	0.0	0.0	0.45	0.45		
P1	SouthWest Full Crossing	53	33.9	LOS D	0.1	0.1	0.92	0.92		
All Pedestrians		211	20.4	LOS C			0.67	0.67		

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

appendix 3

Balmain Leagues Club Precinct –
Detailed History

Appendix 3: Balmain Leagues Club Precinct - Detailed History (extract from report to November 2014 Ordinary Council Meeting)

The history of the current planning controls and related matters in respect of the Balmain Leagues Club date back until September 2004. The following is a chronological history of the planning controls and related matters as they have been reported to Council over time.

Date	Comments
09/2004	<p>Council Officers provided the following written advice on the preliminary concept plans which were presented by Balmain Leagues Club at this initial stage.</p> <p>"It is important that the building heights respond to the existing scale and character of the local area and streets and do not impact upon the local amenity. Reasonable daylight access should be provided for all development and public domain areas within and external to the site." - as cited within the Council Report from December 2005 Item 18, page 76</p>
01/2005	<p>Written advice provided to consultants acting for the Balmain Leagues Club in relation to the preliminary concept plans.</p>
10/2005	<p>With the prospective Balmain Leagues Club and Multiplex redevelopments progressing simultaneously, Council engaged Leyshon's Planning to undertake an independent Retail and Commercial floor space review of the Precinct. The review was considered at the Planning Committee Meeting in October 2005 (as cited within the Council Report from December 2005 Item 18, page 78). The report found that two supermarkets could be supported along with increases in additional retail floor space.</p>
02/11/2005	<p>Balmain Leagues Club submitted their main Master Plan document and six (6) supporting documents addressing traffic, retail, economic, social impact reports, community consultation, and heritage issues. There were a further two supplementary reports regarding; the response from the Leyshon Economic Report (prepared for Council), and a paramics report modelling various traffic scenarios for the Club site and Terry/Wellington St precinct (Multiplex).</p>
13/12/2005	<p>An initial report on the Balmain Leagues Club Master Plan was presented to the December Council meeting (Item 18). The Council resolution C525/05 resolved that three key areas needed further detailed analysis - building heights, traffic and land use, as summarised below.</p> <p><u>Building Heights:</u> The two mixed use towers (RL 77.00 and 80.00) and shadow diagrams do not satisfy the objectives outlined in January 2005 correspondence. Alternative urban design responses are to be</p>

Date	Comments
	<p>sought through an independent review. At the time, 4 to 6 storeys was thought to be the maximum building heights, and the scale of the building should be low to medium in line with the surrounding topography.</p> <p><u>Traffic:</u> Traffic circulation was always a major concern from the outset with the Balmain Leagues Club and Multiplex site progressing simultaneously. The initial modelling from the Balmain Leagues Club site indicated that the existing road network would not be able to support the combined impacts of the two sites. Council resolved to undertake independent paramics modelling of the two sites. It was assumed that the urban design review would result in a reduction of floor space which would lessen the traffic generation and impacts.</p> <p><u>Land Use:</u> The economic impact study found that the addition of two major supermarkets was supportable; however, the impacts of additional ancillary retail floor space would need further analysis. An independent review of the economic impacts would be undertaken.</p> <p>Following this Parsons Brinckerhoff consultants were engaged by Council officers to undertake an independent review of the traffic studies. The Leyshon Consulting review of retail and commercial floor space demand in the Balmain/Rozelle area remained under review of the Council Officers.</p>
28/02/2006	<p>The independent traffic assessment was considered by Council at its Ordinary Council Meeting on 28 February 2006 as Item 37. At this meeting it was resolved (C22/06):</p> <ol style="list-style-type: none"> <li data-bbox="411 1458 1382 1912">1. That Council commission an independent traffic study that looks at the area between Rozelle Hospital and Sydney Secondary College (Balmain Campus), including the key routes along Darling Street and Balmain Road to the City West link (north-south) and Victoria Road (east-west) Iron Cove to White Bay, to identify the current network performance and to establish the traffic capacity of the key and other related intersections. The study should be suitable to assess the impacts on performance of the proposals for the Balmain Leagues Club site and the block containing the former Carrier factory. It should also use current traffic data and make allowances for traffic growth in the vicinity eg: cross city tunnel, other developments and/or mode shifts. <li data-bbox="411 1951 1382 1973">2. The study should examine the traffic and transport performance

Date	Comments
	<p>and capacity at the following key intersections being:</p> <ul style="list-style-type: none"> • Victoria Road at Darling Street; Wellington Street, Terry Street, Moodie Street; • Darling Street at Waterloo Street; Cambridge Street; Beattie Street; National Street. • Moodie Street at Waterloo Street; Cambridge Street. • Terry Street at Margaret Street; Wellington Street; and • Intersection of Roberts, Mullens and Victoria Road, White Bay; <p>3. That Council prepare a retail strategy for the Leichhardt Municipality. The strategy to include the future use of the Carrier air conditioning site and Balmain Leagues Club site and how proposals for these sites will impact on the viability of existing retail areas.</p> <p>Arup Pty Ltd were engaged to prepare the required traffic study and traffic model and Leyshon Consulting was engaged to undertake the required additional retail study.</p>
22/08/2006	<p>A preliminary report on the Balmain Leagues Club and Multiplex proposals was submitted to the August 2006 Ordinary Council Meeting at Item 17A. At the meeting, Council resolved (C262/05):</p> <ol style="list-style-type: none"> 1. The masterplan and rezoning submission by Multiplex lodged with Council on 12 April 2006 is not supported in its current form due to the anticipated unacceptable impacts on Victoria Road and the local traffic networks; the extent of impact on existing retail areas; and due to the lack of information and detail to support their submission. 2. Council provide its support, in principle, for the redevelopment of the Balmain Leagues Club masterplan site and advise the applicant that Council wishes to discuss a revised proposal which comprises a reduced retail and residential component. 3. The proponents, Balmain Leagues Club and Multiplex, be invited to meet with Council's Director of Environment & Community Services and - where necessary - with the Department of Planning and the Roads & Traffic Authority, to discuss the proposals and their impacts. 4. Council undertake further modelling of traffic implication of any revised proposal on behalf of Balmain Leagues Club and that Club meet the costs of such additional modelling; and that should Council undertake any further traffic modelling or additional retail assessment for the Club and Multiplex masterplan proposals that the relevant applicant(s) meet the full costs of such works.

Date	Comments
	<ol style="list-style-type: none"> 5. Further discussion be held with Balmain Leagues Club in relation to urban design and built form. 6. A further report be brought to the September meeting of Council on the Balmain Leagues Club proposal and that include an assessment of any revised proposal including reference to the criteria prepared for the Department of Planning for their Local Environmental Plan review panel. 7. That the Council invite Balmain Leagues Club to present to Council on their present and revised proposals prior to the September Council meeting. 8. That Council's staff also prepares a presentation to Council. Following the Council meeting, Council officers have held discussions with Club representatives with respect to the form of a revised masterplan scheme for the site, which incorporates reduced retail and residential components. Brief details of the revised scheme are provided within this report, however the revised details on flood plans were receipted Friday 15 September and additional detail relating to traffic and built form were provided at a Councillor briefing held Wednesday 20 September. Therefore, a thorough assessment of the revised proposal has not been possible.
26/09/2006	<p>Council officers held discussions with the Balmain Leagues Club representatives with respect to the form of the masterplan. An assessment of the proposal, and a number of options were reported to Council at the September meeting as Item 19B. Following the consideration of the report, Council resolved (C325/06):</p> <ol style="list-style-type: none"> 1. That Council reaffirm it's in principle support for the redevelopment of the lands which are within the masterplan submitted by Balmain Leagues Club. 2. Traffic consultants and staff meet to decide a reasonable level of traffic capacity for the area covered by the masterplan area, as well as the sites which are subject to an application by Multiplex, the Martin Bright Steel site and the remainder of the Balmain peninsula. This is to be modelled on the ARUP model at Balmain Leagues Club expense. The modelling is to also include the impact that traffic will have on Cambridge, Oxford, Park and Manning Streets. Multiplex and the owners of Martin Bright Steel site be invited to have input into this discussion. 3. Balmain Leagues Club reconsider the amount of parking they are proposing so as to: (a) reduce traffic impacts of the development

Date	Comments
	<p>proposed in their masterplan sites; (b) ensure ease of ingress and egress; (c) encourage greater use of public transport, cycling and walking. In reconsidering the amount of parking Balmain Leagues Club also be asked to investigate demand management strategies including the use of a courtesy bus.</p> <p>4. Balmain Leagues Club is asked to reconsider the level of ancillary retail in order to reduce traffic demand and also to reduce potential risk to the viability of mainstreet retail.</p> <p>5. Council officers meet with Balmain Leagues Club architects to explore alternative urban design solutions (including the removal of towers) with the view to: (a) reducing overshadowing of properties on Waterloo, Cambridge and Darling Streets; (b) reducing the impact on the skyline of Rozelle; (c) exploring options for activating the rear of Darling Streets; (b) reducing the impact on the skyline of Rozelle; (c) exploring options for activating the rear of Darling Street properties responding to the dominant building typology.</p> <p>6. Council engage consultants with expertise in land economics to assist to determine the level of development that is required to achieve economic viability on all sites that are within the masterplan area.</p> <p>7. The Council resolve to prepare a draft Local Environmental Plan and make a submission to the Department of Planning LEP Review Panel to enable ground floor residential uses in the Business Zone, for the sites that are subject of the masterplan submitted by Club, and change the Floor Space Ratio on the sites that are subject to the masterplan to a maximum overall Floor Space Ratio and some distribution of the Floor Space Ratio across allotments, which form part of the site, prior to the actual exhibition. In the meantime, Council staff continue to assess the proposal and negotiate with Balmain Leagues Club as set out in 2-6 above. In resolving to prepare a draft Local Environmental Plan and to make a submission to the LEP Review Panel, Council is neither endorsing the current masterplan as submitted by Balmain Leagues Club nor acknowledging that the final Local Environmental Plan that will be endorsed for exhibition will have an overall FSR of 3.6:1. This FSR of 3.6:1 is included as an indication of a maximum FSR only.</p> <p>8. That staff prepare a draft Local Environmental Plan and draft Development Control Plan amendments for consideration of Council prior to exhibition, if the Department approves the exhibition.</p>

Date	Comments
	<p>9. That Council and Club representatives meet as soon as practicable to develop a timeline for the project up to the development application stage.</p>
26/02/2007	<p>Council had made a submission to the Department of Planning LEP Review Panel on 9 October 2006. On 26 February 2007 a response was received. The letter raised a number of issues that require resolution prior to the finalisation of the Local Environmental Plan for the site. These included:</p> <ul style="list-style-type: none"> • the scale of development; • management of the potential impacts on adjoining residential areas, including heritage values on the adjoining conservation areas; • traffic management proposals for Victoria Road and adjoining residential streets. <p>The Department noted that the cumulative impacts of adjoining development need to be taken into account in regard to traffic. It is stated that these impacts will need to be satisfactorily resolved before Council submits a draft Local Environmental Plan to the Department.</p> <p>The Department also advise that the Council include Height controls as well as FSR controls in the draft Local Environmental Plan and provide adequate justification for the heights selected. This information was cited within the March 2007 Council Report (below) as Item 17 on page 7).</p>
27/03/2007	<p>In accordance with Council's resolution from September 2006 (C325/06), discussions were held with the applicant's representatives with the view of resolving issues relating to the design of the proposal, traffic generation, parking and retail impact. A number of issues remained unresolved at the time of the next Council Report- presented as Item 17 to the March 2007 Ordinary Council Meeting, sufficient enough progress had been made to enable Officers to recommend the exhibition of the draft Local Environmental Plan and draft Development Control Plan instruments.</p> <p>Council resolved (C67/06) that:</p> <ol style="list-style-type: none"> 1. Council defer the matter to a briefing for Councillors. 2. An Extraordinary Meeting of Council to then be held with the Community invited in order to clarify the proposals, the differences between the Local Environmental Plan/Development Control Plan and amended plans proposed by Balmain Leagues Club and to review all consultants reports. That the Extraordinary Meeting of Council be held as soon as possible to enable a decision on exhibition at the Extraordinary Meeting of Council.

Date	Comments
	3. That a letterbox drop be conducted, advising local residents of the Extraordinary Meeting of Council.
08/05/2007	<p>At Council's Extraordinary Meeting on 8 May 2007, a further Local Environmental Plan and Development Control Plan report was presented as Item 1.</p> <p>Council resolved to (C140/07)that:</p> <ol style="list-style-type: none"> 1. Council defer the Local Environmental Plan/Development Control Plan for further discussion by the Working Party to address the following: <ul style="list-style-type: none"> • Floor space ratio and overshadowing; • Traffic impact • Onsite parking • Carbon neutrality of the proposal • Urban designs in relation to the conservation area. • 2. A report be submitted to an Extraordinary Meeting of Council, on a date after 10 July 2007 (after the school holiday period). The General Manager and the Mayor be delegated authority to set the meeting date in consultation with the applicant. <p>The Working Party was established to consider proposed Amendment No.16. At this meeting, Council resolved to defer its decision on the amendment and refer a variety of matters for the consideration of the Working Party. The Working Party, amongst other matters, has to consider Floor Space Ratio, traffic impacts and parking associated with the proposal.</p>
31/05/2007 & 11/06/07	Two Working Party meetings were subsequently held on 31 st May 2007 & 11 June 2007. Councillors were presented with an alternative proposal (the slender tower model) and the subsequent outcomes of the traffic modelling by the Balmain Leagues Club representatives (as cited from the Extraordinary Council Meeting held in August 2007 as Item 1 page 13).
23/07/2007 & 26/07/2007	<p>Council's independent urban design consultant presented a critique of the urban design/overshadowing issues and Council Officers presented the outcomes in relation to the traffic modelling.</p> <p>This was presented at a follow-up Councillor briefing on the 23 July 2007.</p> <p>A Community Briefing was then held on the 26 July 2007 (as cited from the Extraordinary Council Meeting held in August 2007 as Item 1 page 14).</p>

Date	Comments
14/08/2007	<p>At the Extraordinary Council Meeting held on 14 August 2007, the report (Item 1) noted that:</p> <ul style="list-style-type: none"> • a number of subsequent meetings had been held between Council officers and Balmain Leagues Club to progress the matter outlined since the Council resolution of 8 May 2007. • The application has been discussed with the Minister for Planning • The application has been discussed at a public briefing at Leichhardt Town Hall. <p>The report also noted that an alternative built form proposal had been submitted by the Club. The draft Local Environmental Plan and Development Control Plan were amended from the previous meeting.</p> <p>The proposal had now addressed the issue of overshadowing on Waterloo Street properties, however, issues in relation to the visual impact, overshadowing of Darling Street properties and the impact on the character of the surrounding area, given the scale of development of up to 14 storeys being proposed remain unresolved.</p> <p>The traffic modelling scenarios had now been completed by Council's appointed consultants (ARUP) with the conclusion that the hypothetical 'as-zoned' scenario would result in localised gridlock.</p> <p>Following a lengthy design review process, it had been concluded by Council Officers that to effectively resolve issues relating to the character and compatibility of development scale in the area, a significant reduction in the extent of development being sought would need to occur. The principal focus of those assessments related to Access, Traffic and Urban Design issues.</p> <p>Council remained concerned about the impacts of the rezoning proposal and was yet to determine whether it would support the redevelopment of the Balmain Leagues Club properties as currently proposed.</p> <p>In doing so Council resolved (Resolution C/07) that whilst it was not endorsing the current proposal, that:</p> <ol style="list-style-type: none"> 1. The draft Local Environmental Plan (Amendment No. 16) and the draft DCP amendment are placed on public exhibition for a period of 40 days subject to any recommendation provided by Council's solicitor. 2. Council undertake public consultation during the exhibition period, including the distribution of flyers or leaflets to Balmain and Rozelle residents advising of the proposal and exhibition details; newspaper advertisements (Inner West Courier); information sessions; and exhibitions at Council's Citizen Service

Date	Comments
	<p>Centre, Balmain Leagues Club and Council's website.</p> <ol style="list-style-type: none"> 3. A report be prepared following the public exhibition period advising Council on the matters raised during the exhibition period, responses to each matter raised and any proposed modifications made to the draft Local Environmental Plan and Development Control Plan. 4. Balmain Leagues Club be requested to develop a physical scale model of the proposal, based on the draft Development Control Plan diagrams, which is to be exhibited at Council's Citizen Services Centre concurrently with the exhibition of the draft Local Environmental Plan and draft Development Control Plan. 5. Prior to the adoption of the Local Environmental Plan that Council will enter into negotiations with the Balmain Leagues Club (S93F of Environmental Planning & Assessment Act 1979) to secure a component of affordable housing, public domain improvements and other community benefits, and the ongoing provision of community facilities on the site for the space proposed to be occupied by the Balmain Leagues Club. Within 3 weeks of a Council resolution to exhibit the draft LEP and DCP the developer agreement to be placed on exhibition for a period of no less than 28 days and that the LEP will not be adopted until the issues have been resolved to the satisfaction of Council. 6. Further sensitivity testing of the traffic model prepared by the proponents be carried out by the proponents during the exhibition period to ascertain the likely traffic impacts that would be expected where network changes proposed in the SKM/MWT modelling were removed or altered. 7. Articulation Zones be included in the building envelop and building language sections of the draft Development Control Plan prior to exhibition. 8. The General Manager write to the Balmain Leagues Club advising them on this decision and that they should not rely on this decision as an indication as to Council's ultimate decision on the Local Environmental Plan. 9. All submitters on the proposal be requested to include their address and whether they are members of the Balmain Leagues Club.
19/09/2007	<p>A report (Item 9D) regarding the Voluntary Planning Agreement (VPA) with the Balmain Leagues Club was presented to the Ordinary Council meeting in September 2007. The resolution (328/07) was:</p> <ol style="list-style-type: none"> 1. That Council continue negotiations with the Balmain Leagues Club for a VPA on the basis of a range of possible floor space ratio (FSR) outcomes above the current maximum permissible FSR of 1.5:1. This reinforces the Council resolution of 14 August 2007 stating that Council remains concerned about the impacts of the rezoning proposal and is yet to determine whether it will

Date	Comments
	support the redevelopment of the Balmain Leagues Club properties as currently proposed.
26/09/2007-05/11/2007	In response to Council's above resolution, the proposal was placed on exhibition from 26 September 2007 to Monday 5 November 2007 for a period of 41 days (cited from the Extraordinary Council Meeting from 12 March 2008 as Item 1 on page 18).
26/02/2008	Another Voluntary Planning Agreement report (Item 1) was submitted to the Ordinary Council Meeting in February 2008; however it is marked as confidential and as such the details cannot be reported.
12/03/2008	The post exhibition report of the Local Environmental Plan and Development Control Plan was presented to Council at the Extraordinary Council Meeting as Item 1 held on 12 March 2008, and was unanimously rejected. Instead, Council resolved to prepare a new Draft Local Environmental Plan with a Floor Space Ratio of 3.9:1 based on the revised Draft Local Environmental Plan recommended by the Director (C57/08). The revised proposal consisted of a reduced development scheme that would continue to accommodate a club on site and provide capacity for additional development. The details of this report and amendments are available as Attachment 1.
03/06/2008	<p>The post-exhibition report was presented to the Extraordinary Meeting of Council as Item 1 on 3 June 2008. In response Council resolved (C190/08) to:</p> <ol style="list-style-type: none"> 1. Request the Minister for Planning to make the Draft Local Environmental Plan - Amendment 16 to Local Environmental Plan 2000- as exhibited and as attached at Attachment A of the report. 2. Delegate to the General Manager the preparation of a Section 68 Report, in support of the above Resolution, and the authority to forward this report to the Department of Planning. 3. Adopt the draft Development Control Plan subject to the amendments recommended in the officer's report as attached at Attachment B and with the following changes; <ul style="list-style-type: none"> A. That: - <ul style="list-style-type: none"> i) the proposed control for Residential parking under the Heading D1.12 Car Parking, Table 12. 1 Pages D18 and D19, be amended to read as follows: - <p style="margin-left: 40px;">Residential</p> <p style="margin-left: 40px;">"The total number of car spaces for residents and/or visitors to dwellings shall equate to the minimum in the DCP 2000 - 0.6 spaces per 1 bedroom, 0.9 spaces per 2 bedroom, and 1.1 spaces per 3 or more bedrooms".</p> ii) the proposed control under the Heading D1.12 Car Parking, Pages D18 and 19 be amended to read as follows: - <p style="margin-left: 40px;">"That at the time any Development Application is</p>

Date	Comments
	<p>lodge, any: -</p> <ul style="list-style-type: none"> a) further reduction in onsite parking, or b) restriction of traffic ingress and egress outside of peak hours, or c) compensation for loss of on-street parking from Darling Street. <p>be addressed as part of the Traffic Management Plan.</p> <p>B. That the existing control under the Heading D1.6 Land Use, Page D8, dot point 5, sub point & be amended to read as follows; "A minimum of six (change from two) marked car spaces for the exclusive use of car share scheme".</p> <p>C. That a new control be inserted under the Heading D1.7 Building Language, Page D10, new dot point 3; "The non-residential component of the building shall have an Australian Building Greenhouse Rating of a minimum of 4 stars."</p> <p>Also presented at this meeting was the post exhibition report on the Balmain Leagues Club Voluntary Planning Agreement, which Council resolved to enter the Planning Agreement as exhibited.</p>
29/08/2008	<p>On the 29 August 2008, the Local Environmental Plan and Development Control Plan were gazetted on the NSW Legislation Website and came into effect.</p>
03/09/2009	<p>The Balmain Leagues Club submitted a Development Application on 3 September 2009 with an estimated cost of \$98 million thereby enabling the Joint Regional Planning Panel as the consent authority. The proposal included 145 dwellings with northern and southern towers, construction of a pedestrian bridge, 6 levels of basement car parking for 467 car spaces, and 2 levels of retail. A tabled comparison of the subsequent proposals of the Balmain Leagues Club is provided as Attachment 5 for reference.</p>
01/01/2010	<p>The State Government approved a Part 3A project called the CBD Metro for an approximate 7km underground metro railway from Central Station to Rozelle. New stations would be built at Central, Town Hall Square, Martin Place, Barangaroo-Wynyard, Pyrmont and Rozelle, with infrastructure at White Bay for a future station, and a stabling and maintenance facility at the former Rozelle marshalling yard. Please see Attachment 2 for details.</p> <p>The proposed Rozelle Station would be located under Victoria Road, immediately west of the intersection with Darling Street, and partly under the Balmain Leagues Club site.</p>

Date	Comments
23/06/2010	<p>Council Officers complete report in relation to the Development Application for the Balmain Leagues Club site. The report identifies issues in relation to:</p> <ul style="list-style-type: none"> • Lack of owners consent for bridge works; • Breaches in development standards; • Urban design; • Traffic, parking and access and egress; • Amenity impacts; • Capital Investment Value; • Adequacy of plans and information; • Solar access to dwellings; • Voluntary Planning Agreement.
08/07/2010	<p>The Council Officers report in relation to the Development Application was considered by the Joint Regional Planning Panel on 8 July 2010.</p> <p>In response the Joint Regional Planning Panel resolved:</p> <ol style="list-style-type: none"> 1. To accept the recommendation of the planning assessment report to refuse the application for the following reasons: <ol style="list-style-type: none"> a. The proposal exceeds the Floor Space Ratio and number of storeys development standards of the Local Environmental Plan; b. The proposal has an unacceptable impact on the traffic in the surrounding streets; c. The proposal has not satisfied the Council's Design Review Panel on the quality of design; d. The proposal does not provide high amenity within the apartments. 2. That in any future application the Panel would require: <ol style="list-style-type: none"> a. Complete compliance with the development standards of the Local Environmental Plan; b. A report by a traffic expert agreed on by the Council and the applicant that deals with community concerns about traffic and assures the Panel that the traffic impacts are acceptable; c. Satisfaction by the Design Review Panel that the proposal is of high design quality and the apartments are of high amenity. 3. As concerns the pedestrian overbridge, the Panel believe that it is desirable. However, if the applicant's and Council's best efforts fail to obtain owner's consent, the traffic study must take into account the absence of the bridge
19/01/2011	<p>Part 3A application lodged with State Government making the Planning Assessment Commission (PAC) the consent authority.</p>

Date	Comments
	<p>The proposal as exhibition in the Environmental Assessment (EA) sought Project Approval for mixed use development including the following:</p> <ul style="list-style-type: none"> • Two residential towers of 32 (Tower A) and 26 (Tower B) storeys in height including a 5/6 storey commercial/retail podium; • A maximum height of RL 144.9 and a total gross floor area of 54,979sqm (FSR of 6.7:1); • 304 dwellings, and • 7-8 basement levels accommodating 1-2 levels of retail floor space and 834 car parking spaces.
28/06/2011	<p>Council considered a report in relation to the site specific controls for the former Balmain Leagues Club site – refer Item 17C.</p> <p>In response Council resolved that the draft LEP2011 not have any site specific controls for the former Balmain Leagues Club site and zoning of these properties be consistent with the proposed zoning of the adjoining properties. – Refer Resolution C258/11</p>
10/2012	<p>Balmain Leagues Club submit an amended design seeking Part 3A approval for:</p> <ul style="list-style-type: none"> • Two residential towers of 25 (Tower B) and 24 (Tower A) storeys in height including a 2/3 storey podium; • A maximum height of RL 122 AHD and a total gross floor area of 43,506sqm (FSR of 5.3:1), • 316 dwellings; and • 6 basement levels accommodating 509 car parking spaces.
07/2013	<p>Balmain Leagues Club submit another amended design known as the 'Revised Project Report'. Key changes from this design from the previous include:</p> <ul style="list-style-type: none"> • A reduction in height for Tower B from 25 to 20 storeys including the podium level (a reduction by 5 storeys); • A reduction in on-site car parking from 509 to 488 spaces (a reduction of 21 spaces); and • A reduction in floor space from 43,506sqm (FSR 5.3:1) to 36,587sqm (FSR 4.5:1); and • Removal of vehicular access and associated porte-cochere for taxis and other drop-off and pick up movements adjacent to Darling Lane. This area is now pedestrian access only.
24/12/2013	<p>Written advice received form the Director General of the Department of Planning and Infrastructure that the zoning of the Balmain Leagues Club site had been deferred from Leichhardt Local Environment Plan 2013 until such time as the current major project application for the site has been finalised.</p>

Date	Comments
04/02/2014	<p>The Leichhardt Local Environment Plan 2013 and Development Control Plan come into operation.</p> <p>The Balmain Leagues Club site is listed as a deferred matter in the Local Environment Plan 2013.</p> <p>Based on legal advice the former site specific controls contained within Leichhardt Development Control Plan 2000 have not been included in Leichhardt Development Control Plan 2013.</p>
11/04/2014	<p>Balmain Leagues Club Part 3A Application is refused by the Planning Assessment Commission.</p> <p>The Commission considered that the proposed development would generate significant and unresolvable traffic and transport impacts. These impacts will occur not only on the local road network, but more importantly on the strategic transport corridor of Victoria Road which is already significantly constrained. The Commission was also concerned at the adverse impacts the project would have on the efficient and timely movement of buses along Darling Street.</p> <p>The Commission's report stated the following:</p> <ul style="list-style-type: none"> • Supports the P&I's (Department of Planning & Infrastructure) conclusion that the impacts of the development outweigh any benefits offered by the proposal and that there has been no workable solution provided by the proponent to overcome the traffic and transport issues. • Other issues associated with the development such as built form and design, whilst important, are secondary and are not relevant to the Commission's determination. • Noted that the existing planning controls that apply to the site still enable its redevelopment for a mix of uses, including residential development and a new club. In the Commission's view, the provisions in the Leichhardt Local Environmental Plan 2000 (as amended) provide an appropriate framework for the site's future redevelopment. <p>The specific reasons for refusal are stated as:</p> <ol style="list-style-type: none"> 1. The development will have adverse impacts on the operation of the surrounding road network. 2. The development will have adverse impacts on bus services, including significant increased travel times for routes along Darling Street. 3. The development does not allow vehicles to exit the site from Victoria Road in a safe and efficient manner. 4. By virtue of reason 1, 2 and 3 above, the development is not considered to be in the public interest.

Date	Comments
	For a copy of the Determination Report please refer to Attachment 3.
13/05/2014	Letter from Mayor to the Minister for Planning seeking advice as to how the Department intend to progress the currently deferred status of the former Balmain Leagues Club site.
21/07/2014	The NSW Minister of Planning provided written advice to Council that following the Planning Assessment Commission refusal determination it would be appropriate for Council to prepare a planning proposal to update the Balmain Leagues Club site into the Leichhardt Local Environmental Plan 2013. Please refer to Attachment 4 for details.
22/07/2014	<p>At its meeting on 22 July 2014, Council considered a mayoral minute in relation to the Balmain Leagues Club. In response, Council resolved that:</p> <ol style="list-style-type: none"> 1. Council Officers' prepare a report to Council: <ul style="list-style-type: none"> • Detailing the history of the site, the current controls and the details of the applications that have been refused by both the Joint Regional Planning Panel and the Planning Assessment Commission; • Outlining the key issues that will need to be addressed in relation to the future planning of the site; • Commenting on any support the State Government may be willing to provide; • Proposing a methodology for developing a revised set of controls for the site. 2. Council request a meeting with the relevant Department of Planning Officer seeking clarification of the Departments position in relation to this matter. 3. That a delegation of Councillors seek to meet with Minister Goward to help provide the Minister with context relating to the history of the site.
2/10/2014	Advice received from the Minister for Planning's office stating that the Minister is unable to meet with Council at this time.
14/11/2014	<p>Email advice received from the Department of Planning stating that:</p> <ul style="list-style-type: none"> • the Department would welcome the submission of a planning proposal to update the Leichhardt Local Environmental Plan 2013 to include appropriate development controls for the site. • The planning proposal should be prepared having regard to the PAC's view that the provisions of Leichhardt Local Environmental Plan 2000 provide an appropriate framework for the future redevelopment of the site. Any proposed review of the controls should consider the various issues raised by the PAC, including traffic and transport, and be informed by consultation with NSW Roads and Maritime Services. I note that the existing

Date	Comments
	controls were themselves based on a significant amount of strategic analysis.

appendix 4

NSW Department of Planning &
Environment letter (18/03/2015)



Office of the Secretary

Mr Peter Head
General Manager
Leichhardt Municipal Council
PO Box 45
Leichhardt NSW 2040



Dear Mr Head

I am writing about the former Balmain Leagues Club site at the corner of Darling Street and Victoria Road, Rozelle.

The Minister for Planning wrote to Leichhardt Council in July 2014 following the Planning Assessment Commission's (PAC) refusal of a Part 3A development application for the site.

In making its decision, the PAC confirmed that the existing planning controls for the site, in the *Leichhardt Local Environmental Plan 2000*, provide an appropriate framework for the site's future development. In this regard, the Minister's letter encouraged Council to include planning controls for the site in the *Leichhardt Local Environmental Plan 2013* so that the entire local government area would operate under a single local environmental plan.

I understand, that on 24 February 2014, Council resolved to note a report that, amongst other matters, confirms Council's intent to continue with the rezoning of the site and providing a floor space ratio (FSR) of 1:1 for commercial development and 1.5:1 for mixed use development.

The Department is concerned that this would significantly reduce the current floor space controls applying to the site, which the PAC considered were appropriate. This approach also appears inconsistent with *A Plan for Growing Sydney*, as this site is included in the Parramatta to Sydney CBD via Ryde urban renewal investigation corridor because of its location as a cross city corridor and access to transport.

I am advised that the current controls for this site were developed on the basis of extensive community consultation, urban design analyses and traffic modelling undertaken by Council and the Roads and Maritime Services.

Given the current situation of the site, I request that Council meets with me to discuss the future planning controls for the site before submitting a planning proposal.

My office will be in contact to arrange a meeting at a mutually convenient time.

Should you wish to discuss the matter further, please contact Simon Manoski, Acting General Manager, Metropolitan, at the Department on (02) 8575 4139.

Yours sincerely



Carolyn McNally
Secretary

18.3.15

appendix 5

Consistency with State
Environmental Planning
Principles

Appendix 5: Consistency with State Environmental Planning Policies

SEPP Title	Consistency	Comment
SEPP No. 1 – Development Standards	N/A	This SEPP does not apply
SEPP No. 14 – Coastal Wetlands	N/A	This SEPP does not apply
SEPP No. 15 – Rural Landsharing Communities	N/A	This SEPP does not apply
SEPP No. 19 – Bushland in Urban Areas	N/A	This SEPP does not apply
SEPP No. 21 – Caravan Parks	N/A	This SEPP does not apply
SEPP No. 26 – Littoral Rainforests	N/A	This SEPP does not apply
SEPP No. 29 – Western Sydney Recreation Area	N/A	This SEPP does not apply
SEPP No. 30 – Intensive Agriculture	N/A	This SEPP does not apply
SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning Proposal to permit mixed use development, including residential redevelopment is consistent with the aims of the SEPP. The site is located within an established urban area, supported by public transport, services and infrastructure. The cumulative area of the land would lend itself to a form of multi-unit housing, the ultimate form, density and height of which has been determined by a traffic and transport study, an urban design study and retail impact analysis that is exhibited with the Planning Proposal.
SEPP No. 33 – Hazardous and Offensive Development	N/A	This SEPP does not apply
SEPP No. 36 – Manufactured Estate Homes	N/A	This SEPP does not apply
SEPP No. 39 – Spit Island Bird Habitat	N/A	This SEPP does not apply
SEPP No. 44 – Koala Habitat Protection	N/A	This SEPP does not apply
SEPP No. 47 – Moore Park Showground	N/A	This SEPP does not apply
SEPP No. 50 – Canal Estate	N/A	This SEPP does not apply

SEPP Title	Consistency	Comment
Development		
SEPP No. 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	This SEPP does not apply
SEPP No. 55 – Remediation of Land	Consistent	The site would be appropriately remediated to make it suitable for residential development.
SEPP No. 59 – Central Western Regional Open Space and Residential	N/A	This SEPP does not apply
SEPP No. 62 – Sustainable Aquaculture	N/A	This SEPP does not apply
SEPP No. 64 – Advertising and Signage	N/A	Any future proposals for signage and advertising structures would be consistent with the SEPP and the Leichhardt DCP.
SEPP No. 65 – Design Quality of Residential Flat Development	Yes	Any future development application will need to comply with the provisions of this SEPP. The site specific controls are to be prepared in accordance with this SEPP.
SEPP No. 70 – Affordable Housing (Revised schemes)	N/A	This SEPP does not apply.
SEPP No. 71 – Coastal Protection	N/A	This SEPP does not apply.
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	N/A	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 detract from 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 detract from or alter the application of the SEPP to future development.
SEPP (Infrastructure) 2007	Yes.	The SEPP is relevant to particular development categories. This Planning Proposal does not detract from or alter the

SEPP Title	Consistency	Comment
		application of the SEPP to future development.
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	This SEPP does not apply
SEPP (Kurnell Peninsula) 1989	N/A	This SEPP does not apply
SEPP (Major Development) 2005	N/A	This SEPP does not apply
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	This SEPP does not apply
SEPP (Miscellaneous Consent Provisions) 2007	N/A	This SEPP does not apply
SEPP (Penrith Lakes Scheme) 1989	N/A	This SEPP does not apply
SEPP (Rural Lands) 2008	N/A	This SEPP does not apply
SEPP (SEPP 53 Transitional Provisions) 2011	N/A	This SEPP does not apply
SEPP (State and Regional Development) 2011	N/A	This SEPP does not apply
SEPP (Sydney Drinking Water Catchment) 2011	N/A	This SEPP does not apply
SEPP (Sydney Region Growth Centres) 2006	N/A	This SEPP does not apply
SEPP (Three Ports) 2013	N/A	This SEPP does not apply
SEPP (Urban Renewal) 2010		This SEPP does not apply
SEPP (Western Sydney Employment Area	N/A	This SEPP does not apply
SEPP (Western Sydney Parklands) 2009	N/A	This SEPP does not apply
Deemed SEPPs		
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	N/A	This Deemed SEPP does not apply
Sydney Regional Environmental Plan No 9 – Extractive Industry (No 2- 1995)	N/A	This Deemed SEPP does not apply
Sydney Regional Environmental	N/A	This Deemed SEPP does not apply

SEPP Title	Consistency	Comment
Plan 16 – Walsh Bay		
Sydney Regional Environmental Plan 18 –Public Transport Corridors	N/A	This Deemed SEPP does not apply
Sydney Regional Environmental Plan 19 – Rouse Hill Development Area	N/A	This Deemed SEPP does not apply
Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)	N/A	This Deemed SEPP does not apply
Sydney Regional Environmental Plan No 24—Homebush Bay Area	N/A	This Deemed SEPP does not apply
Sydney Regional Environmental Plan No 26—City West	N/A	This Deemed SEPP does not apply
Sydney Regional Environmental Plan No 30—St Marys	N/A	This Deemed SEPP does not apply
Sydney Regional Environmental Plan No 33—Cooks Cove	N/A	This Deemed SEPP does not apply
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	The Deemed SEPP does not apply

appendix 6

Ministerial (Section 117)
Directions

Appendix 6: Ministerial (Section 117) Directions

Section 117 Direction Title	Consistency	Comment
1.0 Employment and Resources		
1.1 Business and Industrial Zones	Yes	The Planning Proposal will permit redevelopment of the site, at an appropriate density, for mixed use purposes within an established urban area, within proximity to commuter links to strategic centres.
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	<p>There are no heritage items identified on the site and the site is not located in a heritage conservation area, however, it is adjacent to a heritage conservation area and in proximity of heritage items.</p> <p>Future development of the site would be guided by the heritage provisions of the LEP 2013 and DCP 2013 controls. Site specific controls are also to be developed to enhance</p>

Section 117 Direction Title	Consistency	Comment
		and preserve the heritage conservation area along Darling Street.
2.4 Recreation Vehicle Areas	N/A	
3.0 Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Yes	<p>The Planning Proposal to rezone the land to mixed use development, including residential development providing a mix of form and density will provide for improved housing choice and affordability.</p> <p>The amenity of the adjoining residential developments will be preserved and enhanced through site specific controls that will be developed for the site.</p>
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 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 site is within walking distance to a range of retail and business services and is easily accessible by public transport. However, the highly constrained nature of Victoria Road and surrounding streets have informed the density outcomes of the site to ensure that the level of service on the roads and at intersections is not significantly reduced.
3.5 Development Near Licensed Aerodromes	N/A	

Section 117 Direction Title	Consistency	Comment
3.6 Shooting Ranges	N/A	
4.0 Hazard and Risk		
4.1 Acid Sulfate Soils	Yes	The proposal is consistent with the Standard Instrument and has provisions which aim to ensure suitability of any development and will manage the impact of any acid sulphate soils.
4.2 Mine Subsidence and Unstable Land	N/A	
4.3 Flood Prone Land	N/A	The land is not identified on Council's Flood Control Lot Maps as being Flood Prone.
4.4 Planning for Bushfire Protection	N/A	
5.0 Regional Planning		
5.1 Implementation of Regional Strategies	N/A	
5.2 Sydney Drinking Water Catchment	N/A	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	
5.4 Commercial and Retail Development along Pacific Highway, North Coast	N/A	
5.8 Second Sydney Airport: Badgerys Creek	N/A	

Section 117 Direction Title	Consistency	Comment
5.9 North West Rail Link Corridor Strategy	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 A Plan for Growing Sydney	Yes	The Planning Proposal is consistent with the relevant objectives of A Plan for Growing Sydney, particularly in respect of ensuring that the level of service on Victoria Road, a highly constrained transport corridor is not unreasonably impacted as a result of the Planning Proposal.

appendix 7

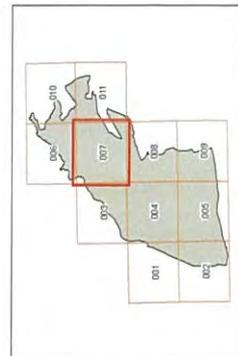
Proposed Amended
*Leichhardt Local Environmental
Plan 2013 Maps*



**Leichhardt Local
Environmental
Plan 2013**

Site Identification Map - Sheet 007

- Zone**
-  Subject Land
-  Cadastre
-  Base data 30/07/2015 © Land and Property Information (LPI)



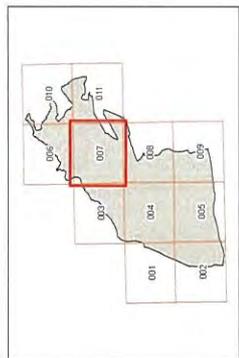
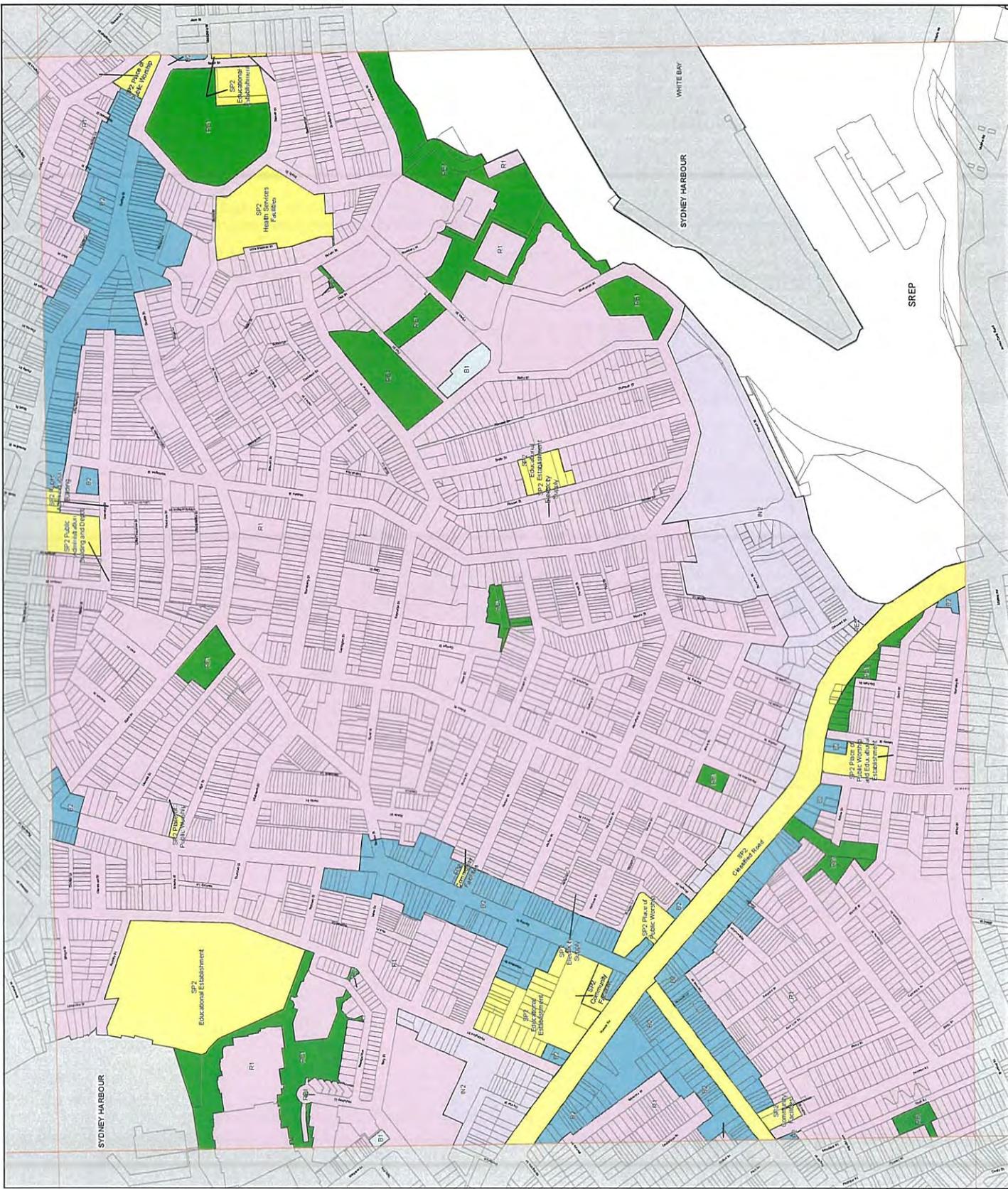
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MGA Zone 56
Map identification number: 4856_CON_L01_007_006_20150730



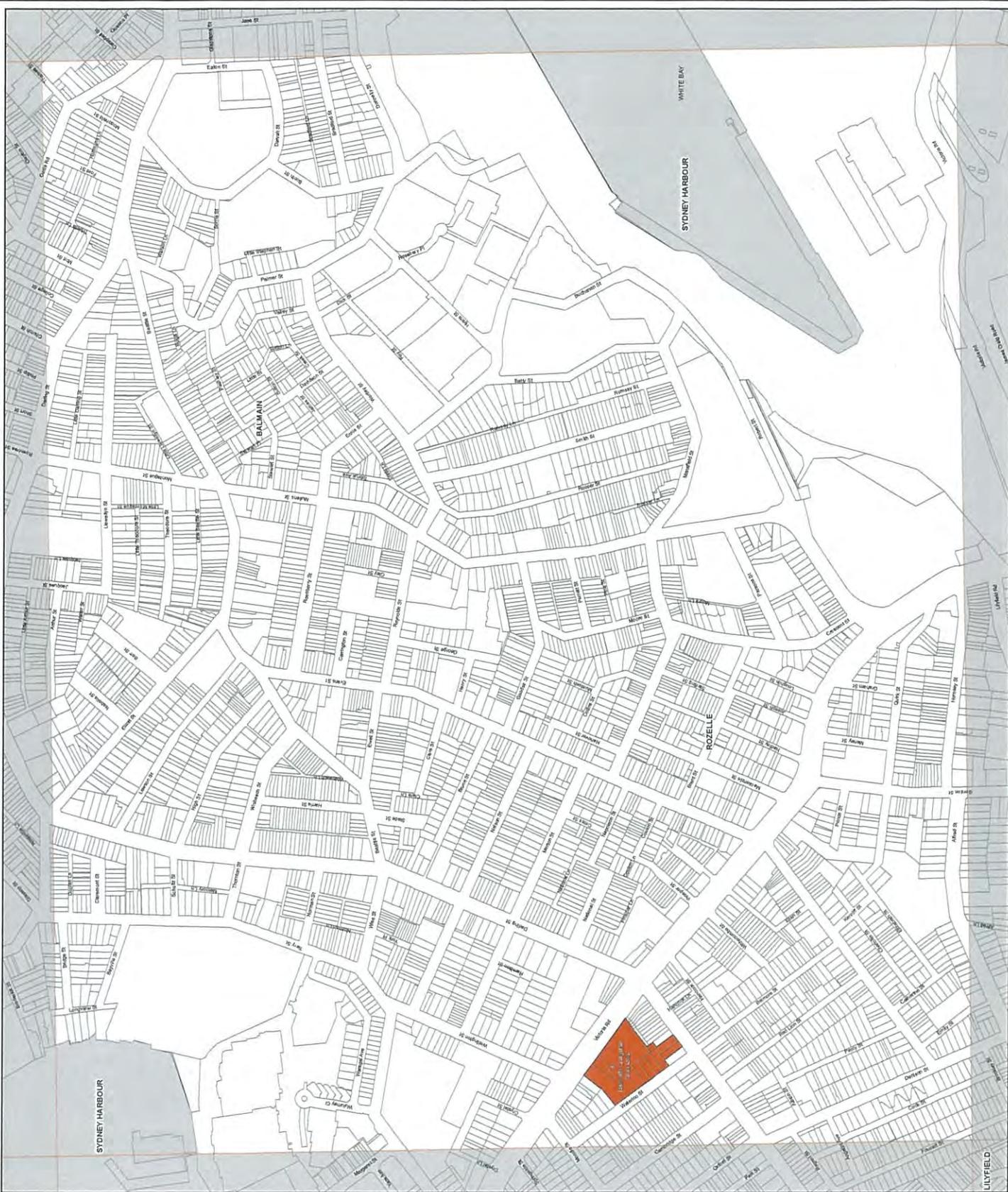
Leichhardt Local Environmental Plan 2013

Land Zoning Map - Sheet LZN_007

- Zone**
- B1 Neighbourhood Centre
 - B2 Local Centre
 - B4 Mixed Use
 - B7 Business Park
 - I1 Light Industrial
 - R1 General Residential
 - R3 Medium Density Residential
 - RE1 Public Recreation
 - RE2 Private Recreation
 - SP1 Special Activities
 - SP2 Infrastructure
 - DM Deferred Matter
- Cadastral**
- Base data 30/07/2015 © Land and Property Information (LPI)



Projection: GDA 1984
MGA Zone 56
Map sheet/plan number: 4800_COM_LZN_007_005_20160730



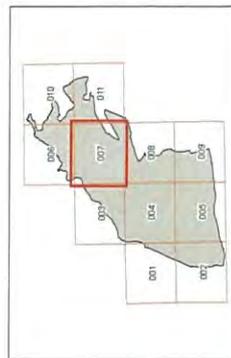
Leichhardt Local Environmental Plan 2013



Key Sites Map - Sheet KYS_007

Key Sites
 Cadastral

Base data 30/07/2015 © Land and Property Information (LPI)



Projection: CGA 1984
 MGA Zone 56
 Map identification number: 4800_CCM_AYS_007_006_20130603



Leichhardt Local Environmental Plan 2013

Floor Space Ratio Map - Sheet FSR_007

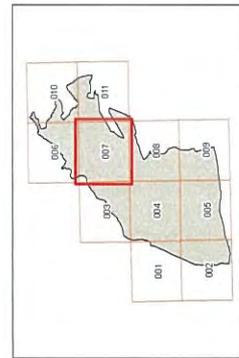
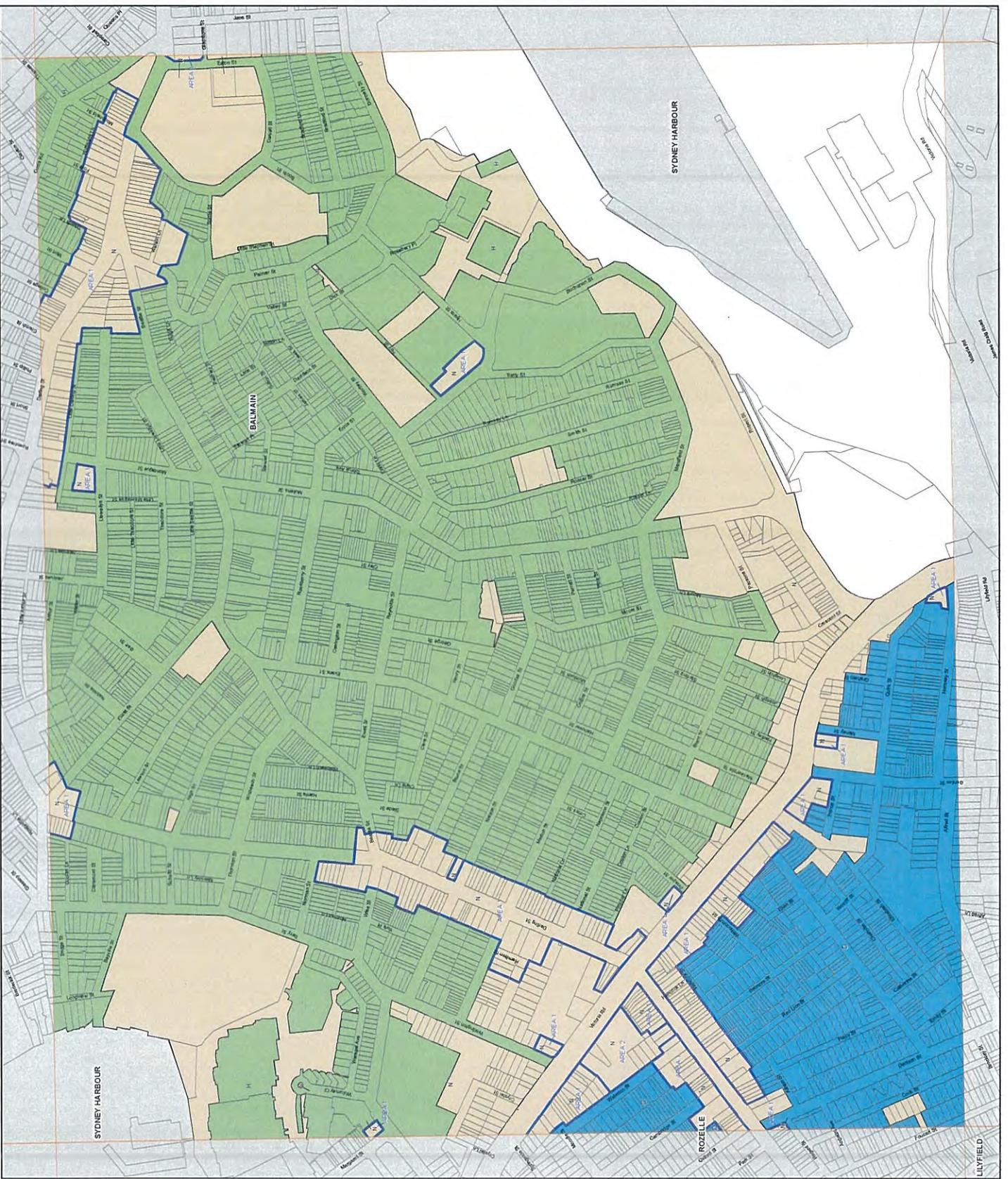
Maximum Floor Space Ratio (n:1)

- D 0.5
- F 0.6
- H 0.7
- N 1.0
- S 1.5
- T 2.15

AREA 1 Refer to clause 4.4 A
AREA 2 Refer to clause 4.4 A and clause 4.4 B

Cadastral

Base data 21/09/2015 © Land and Property Information (LPI)



Map identification number: 4800_C04_FSR_007_005_20130921

ITEM 2.2

SUPPLEMENTARY REPORT (ITEM 2.1 - PLANNING PROPOSAL - BALMAIN LEAGUES CLUB PLANNING PROPOSAL)

- **Cr Kelly declared a non-pecuniary (less that significant interest) in respect of this Item as she was a financial Balmain Leagues Club member between 2007 and 2012.**
- **Cr Byrne declared a non-pecuniary (less that significant interest) in respect of this Item as he is a current member of Balmain Tigers Rugby League Football Club.**
- **Cr Jobling declared a non-pecuniary (less that significant interest) in respect of this Item as he is a current member of Balmain Tigers Rugby League Football Club.**
- **Cr Breen declared a non pecuniary (less that significant interest) in respect of this Item as he is a current member of Balmain Tigers Rugby League Football Club.**

C356/15P

RESOLVED

PORTEOUS/ STAMOLIS

That the supplementary report be received and noted.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr Michele McKenzie, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen
AGAINST VOTE - Nil
ABSENT. DID NOT VOTE - Nil
PRESENT. DID NOT VOTE - Nil

**ITEM 2.1 PLANNING PROPOSAL - BALMAIN LEAGUES CLUB
PRECINCT**

- **Cr Kelly declared a non-pecuniary (less that significant interest) in respect of this Item as she was a financial Balmain Leagues Club member between 2007 and 2012.**
- **Cr Byrne declared a non-pecuniary (less that significant interest) in respect of this Item as he is a current member of Balmain Tigers Rugby League Football Club.**
- **Cr Jobling declared a non-pecuniary (less that significant interest) in respect of this Item as he is a current member of Balmain Tigers Rugby League Football Club.**
- **Cr Breen declared a non pecuniary (less that significant interest) in respect of this Item as he is a current member of Balmain Tigers Rugby League Football Club.**

C357/15P RESOLVED JOBLING/ HANNAFORD

That

1. That the location map attached to the report be amended as per the supplementary report Item 2.2.
2. Council resolve to forward the attached Planning Proposal to the Minister for Planning in order to receive a Gateway determination in accordance with Section 56 of the *Environmental Planning & Assessment Act 1979*;
3. The Department of Planning and Environment be requested to delegate the plan making functions, in relation to the subject Planning Proposal, to Council;
4. Following receipt of a Gateway determination, the Planning Proposal (Attachment 1) and supporting documentation be placed on public exhibition for a minimum of 28 days and public authorities be consulted on the Planning Proposal in accordance with the Gateway determination;
5. A report be presented to Council at the completion of the public exhibition period detailing submissions received and the outcome of consultation with public authorities;
6. The Director Environment and Community Management continue the process of consulting key stakeholders, including the local community.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr Michele McKenzie, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen
AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

PRESENT. DID NOT VOTE - Nil

MATTER ARISING - BALMAIN LEAGUES CLUB

C358/15P RESOLVED BYRNE / KELLY

That Council open discussions with Rozelle Village Pty Ltd concerning the option of granting the space to be reserved for Balmain Leagues Club to Council with the intention of that space being reserved and Council to consider future options for this space for another Community based club, in the event that the Leagues Club is no longer in existence or does not wish to take up the option for that space.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr Michele McKenzie, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen
AGAINST VOTE - Nil
ABSENT. DID NOT VOTE - Nil
PRESENT. DID NOT VOTE - Nil

**ITEM 2.1 PLANNING PROPOSAL - BALMAIN LEAGUES CLUB
PRECINCT**

Division	Environment and Community Management
Author	Director Environment and Community Management
Meeting date	11 th August 2015
Strategic Plan Key Service Area	A Sustainable Environment Business In The Community Sustainable Services And Assets Community Well-Being Place Where We Live And Work

SUMMARY AND ORGANISATIONAL IMPLICATIONS

Purpose of Report	<p>The purpose of this report is to obtain endorsement to submit a Planning Proposal to the Minister for Planning in order to receive a Gateway determination. This Planning Proposal seeks to address the currently deferred “Balmain Leagues Club Precinct” – the deferred areas in the vicinity of the former Balmain Leagues Club and rezone:</p> <ol style="list-style-type: none"> 1. The “Special Planning Provisions Area” in <i>Leichhardt Local Environmental Plan 2000</i>, to B2 - Local Centre, with new special site specific provisions. 2. The “Extension Area” that was the additional area that was the subject of a Part 3A Application, to B2 – Local Centre, consistent with all other B2 land in the local government area.
Background	<p>At its meeting of 12 May 2015, Council resolved (C198/15P), in part:</p> <ul style="list-style-type: none"> • Based on the results of the work completed to date, to confirm Option 3e as its position relation to the future planning and development of the Balmain Leagues Club site • Commence a process of consulting with key stakeholders, with a view to preparing a draft Planning Proposal and Draft Voluntary Planning Agreement for consideration by

	Council.
Current Status	A draft Planning Proposal detailing the proposed amendment to the <i>Leichhardt Local Environmental Plan 2013</i> has been prepared. It is recommended that the Planning Proposal be forwarded to the Minister for Planning in order to receive Gateway determination.
Relationship to existing policy	This report responds to resolution C198/15P as referred to in Background above. The General Manager currently has delegation from Council to deal with technical matters such as correcting spelling errors, inserting missing words and minor changes.
Financial and Resources Implications	All costs associated with the Draft Planning Proposal are being funded from quarterly reviews.
Recommendation	That <ol style="list-style-type: none"> 1. Council note that prior to the consideration of this report, special disclosure of pecuniary interest forms for the Councillors present have been tabled pursuant to Section 451 of the Local Government Act 1993; 2. Council resolve to forward the attached Planning Proposal to the Minister for Planning in order to receive a Gateway determination in accordance with Section 56 of the <i>Environmental Planning & Assessment Act 1979</i>; 3. The Department of Planning and Environment be requested to delegate the plan making functions, in relation to the subject Planning Proposal, to Council; 4. Following receipt of a Gateway determination, the Planning Proposal (Attachment 1) and supporting documentation be placed on public exhibition for a minimum of 28 days and public authorities be consulted on the Planning Proposal in accordance with the Gateway determination; 5. A report be presented to Council at the completion of the public exhibition period detailing submissions received and the outcome of consultation with public authorities; 6. The Director Corporate and Information Services and the Legal Services Manager continue the process of negotiating a Draft Voluntary Planning Agreement in respect of the Draft Planning Proposal;

	7. The Director Environment and Community Management continue the process of consulting key stakeholders, including the local community.
Notifications	Planning Proposal to be forwarded to the Minister for Planning in order to receive a Gateway determination and subsequently placed on public exhibition and notified to public authorities.
Attachments	1. Planning Proposal – Balmain Leagues Club Precinct

Purpose of Report

The purpose of this report is to obtain endorsement to submit a Planning Proposal to the Minister for Planning in order to receive a Gateway determination. This Planning Proposal seeks to address the currently deferred “Balmain Leagues Club Precinct” – the deferred areas in the vicinity of the former Balmain Leagues Club and rezone:

1. The “Special Planning Provisions Area” in *Leichhardt Local Environmental Plan 2000*, to B2 - Local Centre, with new special site specific provisions.
2. The “Extension Area” that was the additional area that was the subject of a Part 3A Application, to B2 – Local Centre, consistent with all other B2 land in the local government area.

Recommendation

That

1. Council note that prior to the consideration of this report, special disclosure of pecuniary interest forms for the Councillors present have been tabled pursuant to Section 451 of the Local Government Act 1993;
2. Council resolve to forward the attached Planning Proposal to the Minister for Planning in order to receive a Gateway determination in accordance with Section 56 of the *Environmental Planning & Assessment Act 1979*;
3. The Department of Planning and Environment be requested to delegate the plan making functions, in relation to the subject Planning Proposal, to Council;
4. Following receipt of a Gateway determination, the Planning Proposal (Attachment 1) and supporting documentation be placed on public exhibition for a minimum of 28 days and public authorities be consulted on the Planning Proposal in accordance with the Gateway determination;
5. A report be presented to Council at the completion of the public exhibition period detailing submissions received and the outcome of consultation with public authorities;
6. The Director Corporate and Information Services and the Legal Services Manager continue the process of negotiating a Draft Voluntary Planning Agreement in respect of the Draft Planning Proposal;
7. The Director Environment and Community Management continue the process of consulting key stakeholders, including the local community.

Background

At its meeting of 12 May 2015, Council resolved (C198/15P), in part:

- Based on the results of the work completed to date, to confirm Option 3e as its position relation to the future planning and development of the Balmain Leagues Club site
- Commence a process of consulting with key stakeholders, with a view to preparing a draft Planning Proposal and Draft Voluntary Planning Agreement for consideration by Council.

Report

In accordance with Council resolution C198/15P, an external planning consultant was engaged to prepare a Planning Proposal on behalf of Council. Consistent with the resolution, the Planning Proposal seeks to address the currently deferred “Balmain Leagues Club Precinct” – the deferred areas in the vicinity of the former Balmain Leagues Club and rezone:

1. The “Special Planning Provisions Area” in *Leichhardt Local Environmental Plan 2000*, to B2 - Local Centre, with new special site specific provisions.
2. The “Extension Area” that was the additional area that was the subject of a Part 3A Application, to B2 – Local Centre, consistent with all other B2 land in the local government area.

Site Description

This Planning Proposal relates to an area that has been identified as the Balmain Leagues Club Precinct. The Balmain Leagues Club Precinct was deferred from the *Leichhardt Local Environmental Plan 2013* and comprises both:

1. The “Special Planning Provisions Area” in *Leichhardt Local Environmental Plan 2000*, namely:
 - 138-152 Victoria Road, Rozelle (being Lot 1 DP 528045)
 - 154-156 Victoria Road, Rozelle (being Lot 1 DP 109047)
 - 697 Darling Street, Rozelle (being Lot 104 DP 733658)
 - 1-7 Waterloo Street, Rozelle (being Lots 101 and 102, DP 629133, Lots 37 and 38, DP 421 and Lot 36 DP 190866)
2. The “Extension Area” that was the subject of a Part 3A Application, namely
 - 168-172 Victoria Road, Rozelle (being Lot 2 DP 323480 and Lots A and B DP 436153)

It is noted that the Part 3A Application also included an additional extension area being 17 – 19 Waterloo Street, Rozelle (being SP67362). This land is not the subject of this Planning Proposal. The current zoning (B2 – Local Centre) and development standards under *Leichhardt Local Environmental Plan 2013* are applicable to 17 – 19 Waterloo Street, Rozelle.

Figure 1 below indicates the land the subject of this Planning Proposal, being both the Balmain Leagues Club land (outlined in red) and the extension land (outlined in yellow).



Figure 1: Aerial photo of the site. The red line is the Special Planning Provisions Area under *Leichhardt Local Environmental Plan 2000* and the yellow line is the extension area that is included as a “Deferred Matter” under the *Leichhardt Local Environmental Plan 2013* (Source: Six Maps 2015)

Planning Proposal

This Planning Proposal relates to an area that has been identified as the Balmain Leagues Club Precinct. The Balmain Leagues Club Precinct was deferred from the *Leichhardt Local Environmental Plan 2013* and comprises both:

The “Special Planning Provisions Area” in *Leichhardt Local Environmental Plan 2000*, namely:

- 138-152 Victoria Road, Rozelle (being Lot 1 DP 528045)
- 154-156 Victoria Road, Rozelle (being Lot 1 DP 109047)
- 697 Darling Street, Rozelle (being Lot 104 DP 733658)
- 1-7 Waterloo Street, Rozelle (being Lots 101 and 102, DP 629133, Lots 37 and 38, DP 421 and Lot 36 DP 190866)

The “Extension Area” that was the subject of a Part 3A Application, namely

- 168-172 Victoria Road, Rozelle (being Lot 2 DP 323480 and Lots A and B DP 436153)

This Planning Proposal seeks to rezone:

1. The “Special Planning Provisions Area” in *Leichhardt Local Environmental Plan 2000*, to B2 - Local Centre, with new special site specific provisions.
2. The “Extension Area” that was the subject of a Part 3A Application, to B2 – Local Centre, consistent with all other B2 land in the local government area.

The Balmain Leagues Club Precinct (the subject site) is a key development site within the Leichhardt Local Government Area. The site is located within an area bounded by Victoria Road, Darling Street, Waterloo Street and Moodie Street, Rozelle. The Balmain Leagues Club has occupied the site since the 1960’s. The Club vacated the site in 2010 and since this time, the site has been largely vacant and is now in a derelict state.

Since 2009 there have been numerous proposals to redevelop the site for mixed use outcomes. Mixed use development applications submitted to date have been refused by both the Joint Regional Planning Panel (July 2010) and the Planning Assessment Commission (April 2014) on a number of grounds including that the various proposals have been an overdevelopment of the site, unsatisfactory quality of design and unacceptable impact on the surrounding road network and traffic and parking.

The site was deferred from the *Leichhardt Local Environmental Plan 2013*, on the advice from the NSW Director General of the Department of Planning and

Environment, until such time as the assessment of the Part 3A Application by the Planning Assessment Commission, had been finalised.

Following the refusal of the Balmain Leagues Club Part 3A Application by the Planning Assessment Commission on 11 April 2014, Council's Mayor wrote to the NSW Minister for Planning seeking advice as to how the Department of Planning and Environment intends to progress the Balmain Leagues Club site.

This Planning Proposal has been prepared in response to the NSW Minister for Planning's written advice to Council that following the Planning Assessment Commission refusal determination it would be appropriate for Council to prepare a Planning Proposal to incorporate the Balmain Leagues Club site into the *Leichhardt Local Environmental Plan 2013*.

Council has developed its policy position on the future development of the site over several years. In 2005, the Master Planning process commenced for the Balmain Leagues Club Precinct, culminating in the gazettal of *Leichhardt Local Environmental Plan Amendment No. 16* (29 August 2008) to facilitate the redevelopment of the Club. This support was predicated on the retention of the Club component and offered development incentives to support this outcome. A site specific Development Control Plan (DCP) was put in place to guide the future development of the site.

A Voluntary Planning Agreement (VPA) was executed on 26 June 2008 to integrate the development of the site with the Local Centre and surrounding suburbs. The VPA attempted to offset any impacts by requiring a pedestrian link to Darling Street, a pedestrian bridge over Victoria Road, a community shuttle bus, a taxi drop off and collection point, a community car share scheme, a free delivery service, public domain upgrades and a community grant scheme.

This Planning Proposal is predicated on the Director General's Environmental Assessment Report (March 2014) of the Major Project Assessment for the site which concluded that:

Whilst Planning & Infrastructure acknowledges that the site is strategically located for higher density development, a detailed analysis of traffic and transport issues reveals that the constraints of the surrounding road network pose a significant challenge to this development....Overall, it is considered that the traffic and transport impacts are fundamentally inconsistent with the established strategic transport framework for the locality. The impacts of the development outweigh any benefits offered by the proposal and there has been no workable solution provided by the proponent to overcome the traffic and transport issues.

Importantly, the current controls for the site under *Leichhardt Local Environmental Plan 2000* have been tested to understand the traffic and transport impacts on

Victoria Road and the surrounding streets in the locality. It is noted that the current, Site Specific controls came into effect on 29 August 2008. The controls, which include a maximum floor space ratio at the site of 3.9:1, were supported by the then proposed Victoria Road Busway and associated duplication of the Iron Cove Bridge. It was a solution to help address the congestion on Victoria Road, and was an important consideration in guiding the appropriate density at the site.

Since this time:

- The CBD Metro was announced in October 2008
- The CBD Metro was cancelled in February 2010, however the approval remains current and a reservation remains in place and a portion of land is still owned by the State.
- The Government published the *NSW Long Term Transport Master Plan (2012)* which identified Victoria Road as a highly constrained transport corridor.
- *Sydney's Bus Future* (December 2013) includes as a long term goal to complete investigation of a Bus Rapid Transit on Victoria Rd. Note this a long term goal just to complete investigations of the Bus Rapid Transit on Victoria Road. There is no commitment outlined in *Sydney's Buses Future* to rolling out a Bus Rapid Transit on Victoria Road.
- *A Plan for Growing Sydney (2014)* – the new Metropolitan Plan for Sydney was published, and does not identify Victoria Road as a major transport project.

The result is that there is no Government policy in place to further relieve the congestion on Victoria Road in the short - medium term. This means it is imperative that any rezoning of the site does not unreasonably exacerbate the congestion and traffic and transport on Victoria Road, and in the locality. Current Government policy in relation to Victoria Road means that the *Leichhardt Local Environmental Plan 2000* controls are outdated.

Council's expert traffic and transport consultant's - Arup, Leichhardt Council's Design Advisory Group and Hill PDA - Council's land development and economic analysis experts, were commissioned to test the current Leichhardt LEP 2000 controls. The expert reports provided to Council indicate that the development outcomes as a result of the current *Leichhardt Local Environmental Plan 2000* controls will have an unreasonable impact in terms of traffic and parking on Victoria Road and the surrounding streets.

Consequently, Council's experts were commissioned to undertake further investigations to determine the development controls that would result in a development that would not unreasonably impact on Victoria Road and the surrounding road network, include best practice urban design measures and be

commercially viable. The results are the proposed controls set out in this Planning Proposal.

This Planning Proposal has been assessed against Council's planning and strategic policies including the:

- *Leichhardt Local Environmental Plan (LEP) 2013*
- *Development Control Plan (DCP) 2013*
- *Leichhardt 2025+*
- *Integrated Transport Plan*
- *Community and Cultural Plan*
- *Employment and Economic Development Plan 2013 - 2023*
- *Environmental Sustainability Plan 2015 - 2025*
- *Public Arts Policy*

It has also been assessed against relevant State plans and policies.

This Planning Proposal seeks to rezone:

1. The "Special Planning Provisions Area" in *Leichhardt Local Environmental Plan 2000*, to B2 - Local Centre, with new special site specific provisions.
2. The "Extension Area" that was the subject of a Part 3A Application, to B2 – Local Centre, consistent with all other B2 land in the local government area.

The Planning Proposal is guided by the following principles:

1. Enable the redevelopment of the site for mixed uses that:
 - a. contributes to sub-regional housing targets through the provision of medium density housing;
 - b. takes advantage of access to public transport without unreasonably impacting on a bus network that is operating on one of Sydney's busiest bus corridors;
 - c. enhances the amenity and environment of the surrounding residences, public domain and the new development itself.
 - d. provides a viable retail and commercial outcome, including a small-scale supermarket, that does not undermine further the viability of surrounding retail and commercial business, particularly on Darling Street.
2. Facilitate the return of the Balmain Leagues Club to the site.
3. Create a public domain that is safe, accessible and attractive.
4. Provide and encourage environmentally sustainable development and best practice.

5. Propose a density outcome that is sustainable, without negatively impacting on one of Sydney's busiest and most constrained transport corridors, being Victoria Road.
6. Achieve architectural and urban design excellence.

The redevelopment of the site for mixed use purposes, including the return of the Balmain Leagues Club will potentially provide the following community benefits:

- New housing opportunities within an area supported by services;
- Support for local centres, through increasing population and density within walking catchments of neighbourhood, village and town centres; and
- Potential Voluntary Planning Agreement contributions

The Planning Proposal identifies a range of possible community benefits that could flow from the rezoning, including an increased population to support local centres and the rejuvenation of a derelict site in a prime location.

Consequently, this Planning Proposal would be subject to assessment against the further studies including:

- Detailed 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
- Social Impact Assessment
- Economic viability/ retail study

The draft Planning Proposal will form the basis of further consultation with relevant stakeholders, including the local community.

It is also Council practice to negotiate Voluntary Planning Agreements (VPA) on a case by case basis for amendments to the *Local Environmental Plan* such as rezoning. It is noted that under the previous application (Major Project Part 3A application) which sought approval to develop the site, the Proponent abandoned any earlier commitments to the provision of community benefits and sought to offset any benefit against s.94 contributions. At the time, no approach had been made to

Council to renegotiate the VPA to address any additional community benefits that might flow from the Major Project Application.

The executed VPA included a package of additional requirements to address potential impacts:

- Pedestrian Bridge – to facilitate access from both sides of Victoria Road.
- Construction of a pedestrian link (i.e. the proposed retail arcade) from the Proposed Development to the Darling Street shop frontage as shown in the DCP.
- A community shuttle bus to be provided and operated by the Developer to carry passengers to and from the development.
- Provide a designated area, in an easily accessible place within the development, for taxis to pick up and drop off.
- The developer will facilitate the operation of a community car sharing scheme from the development, and will provide a minimum of two marked car spaces for the exclusive use of such scheme.
- 24hr home delivery service.
- Public domain improvements.
- A community grant scheme.

The refused Part 3A application proposed:

- Increases to the FSR beyond the previous level (refused by the JRPP on 8 July 2010) and reduced the size of the Club with no guarantee that the Club would return.
- Increases the size of supermarket and provided for a significant increase in the number of specialty shops.
- Increased the parking rate.

However, the proposal did not include a VPA package to address the potential impacts of the expanded development. In this regard there was no:

- Pedestrian Bridge – to facilitate access from both sides of Victoria Road.
- Public Plaza.
- Home Delivery Service.
- Community car sharing scheme.
- Easily accessible taxi rank proposed.

Council concluded in their submission to the NSW Department of Planning and Environment that *whilst the proposal should not be considered without a VPA, it is*

unlikely that any agreement could be reached that appropriately offsets the impacts to the community from a scheme of this size and nature.

It is considered that the above listed studies and any draft Voluntary Planning Agreement should be the subject of public exhibition if the Gateway determines the Planning Proposal should proceed. Council staff will therefore continue to liaise with the owners to develop a draft VPA for future consideration by Council.

Summary/Conclusions

The subject Planning Proposal seeks to address the currently deferred “Balmain Leagues Club Precinct” – the deferred areas in the vicinity of the former Balmain Leagues Club and rezone:

1. The “Special Planning Provisions Area” in *Leichhardt Local Environmental Plan 2000*, to B2 - Local Centre, with new special site specific provisions.
2. The “Extension Area” that was the additional area that was the subject of a Part 3A Application, to B2 – Local Centre, consistent with all other B2 land in the local government area.

It is considered that the Planning Proposal is appropriate, adequately justified and addresses the requirements of Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department’s guidelines.

It is recommended that the Council resolve to forward the Planning Proposal to the Minister for Planning, seeking a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979*.

Attachments

1. Planning Proposal – Balmain Leagues Club Precinct

ITEM 2.2 SUPPLEMENTARY REPORT (ITEM 2.1 - PLANNING PROPOSAL - BALMAIN LEAGUES CLUB PLANNING PROPOSAL)

Division	Environment and Community Management
Author	Director Environment and Community Management
Meeting date	11 August 2015 Policy meeting
Strategic Plan Key Service Area	Community well-being Place where we live and work A sustainable environment Business in the community Sustainable services and assets

SUMMARY AND ORGANISATIONAL IMPLICATIONS

Purpose of Report	To address matters raised 6 August 2015.
Background	NIL
Current Status	NIL
Relationship to existing policy	NIL
Financial and Resources Implications	NIL
Recommendation	That the supplementary report be received and noted.
Notifications	NIL
Attachments	Attachment 1 - Letter Attachment 2 - Map

Purpose of Report

To address matters raised 6 August 2015.

Recommendation

That the supplementary report be received and noted.

Report

On 6 August 2015, two matters were brought to the attention of Council officers;

1. REQUEST FOR DEFERRAL OF CONSIDERATION FOR 1 MONTH – **(REFER ATTACHMENT 1)**. By way of letter dated 6 August 2015 SWAAB Attorneys have requested that consideration of this matter be deferred for 1 month.
2. CORRECTION TO LOCATION MAP – **(REFER ATTACHMENT 2)**. An error has been identified in the location map in the report. It incorrectly includes 174 Victoria Road as a deferred matter under LEP 2013. ATTACHMENT 2 contains the corrected map.

As a result, a supplementary report has been prepared to formally bring these two matters to the attention of councillors.

Attachments

Attachment 1 - Letter
Attachment 2 - Map

6 August 2015

The General Manager
Leichhardt Municipal Council
PO Box 45
LEICHHARDT NSW 2040

Attention: Peter Conroy, Director Environment and Community Management

Dear Mr Head and Mr Conroy

Planning Proposal – Balmain Leagues Club Precinct

We refer to the above matter which is listed as item 2.1 on Council's agenda for its Policy Meeting on 11 August 2015.

The Planning Proposal has significant and broad reaching ramifications for our client as the owner of the land affected by the proposal, including but not limited to impacts on the development potential of the site and conformity or non-conformity with Council's and our client's legal obligations under the executed voluntary planning agreement. The proposal may also have significant consequences for the re-establishment of registered club premises for the Balmain Leagues Club.

Our client requires time to consider the report and obtain detailed advice on the proposal from its town planning, architectural, traffic and legal experts and representatives. The short period of time between receipt of the report on 5 August 2015 and Council's meeting on the 11th does not afford sufficient opportunity to obtain that advice. Consequently, on behalf of our client we request that Council defer consideration of the planning proposal for a period of one month.

In the event that Council's staff are unable to have consideration of the item deferred from the Council's meeting, please forward this request to all councillors for their consideration.

Yours faithfully



Colin McFadzean



Chris Shaw



SWAAB

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Attachment 1- Delegation of Plan Making Functions to Council

Council is seeking an authorisation to make the plan for this planning proposal. The following response to the evaluation criteria is in support of this request;

(NOTE – where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed	Council Response		Department Assessment	
	Y/N	Not Relevant	Agree	Not Agree
Is the planning proposal consistent with the Standard Instrument Order 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy endorsed by the Director-General?	Y			
Does the planning proposal adequately address any consistency with all relevant S117 Planning Direction?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
Minor Mapping Error Amendments				
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?		NA		
Heritage LEPs				
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?		NA		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		NA		
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		NA		
Reclassifications				
Is there an associated spot rezoning with the reclassification?	N			
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		NA		
Is the planning proposal proposed to rectify an anomaly in a classification?	N			
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		NA		
Will the draft LEP discharge any interests in public land under section 30 of the <i>Local Government Act, 1993</i> ?	N			
If so, has council identified all interests; whether any rights or interests will be extinguished; any trusts and covenants relevant to the site; and, included a copy of the title with the planning proposal?		NA		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) <i>Classification and reclassification of public land through a local</i>		NA		

<i>environmental plan and Best Practice Guidelines for LEPs and Council Land?</i>				
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		NA		
Spot Rezoning				
Will the planning proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?	N			
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP Format?		NA		
Matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?		NA		
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		NA		
Does the planning proposal create an exception to a mapped development standard?	N			
Section 73A Matters				
Does the proposed instrument- a) Correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?; b) Address matters in the principal instrument that are of a consequential, transitional machinery or other minor nature?; or c) Deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land?	N			