# 67-73 Lords Road, Leichhardt

Planning Proposal for a Residential Development

On behalf of
Lord Sixty Seven Pty Ltd
August 2016

mecone

## Project Director

Ben Hendriks

Signed:

Date:

August 2016

## Contributors

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* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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# 1 Introduction

This report has been prepared by Mecone Pty Ltd (Mecone) on behalf of Lord Sixty Seven Pty Ltd in support of a Planning Proposal to Leichhardt Council (Council) to rezone the subject site located at 67-73 Lords Road, Leichhardt to facilitate its redevelopment as a residential development including minor non-residential uses such as childcare.

The land is proposed to be rezoned to R3 Medium Density Residential modifying the existing Leichhardt Local Environmental Plan 2013 (LLEP) in accordance with the provisions of the Standard Instrument template. This would repeal the existing controls set out under the current *Leichhardt Local Environmental Plan 2013* (LLEP). The proposed rezoning of the under utilised industrial site is consistent with the Leichhardt Economic and Employment Development Plan (EEDP) that identifies strategic sites such as Lords Road to be rezoned and redeveloped for alternative uses such as residential uses including affordable housing.

The Planning Proposal pertains to the land formally described as Lot 1 DP940543 and Lot 1 DP550608.

The Planning Proposal has been prepared in accordance with:

- Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act);
- NSW Department of Planning (now Planning and Environment) Guidelines to Preparing a Planning Proposal; and
- Related Section 117 Directions.

Specifically, the Planning Proposal includes the following information:

a) A description of the site in its local and regional context;

b) A statement of the objectives or intended outcomes of the proposed instrument;

c) An explanation of the provisions that are to be included in the proposed instrument; and

d) The justification for those objectives, outcomes and provisions and the process for their implementation including:

   - Whether the proposed instrument will comply with relevant directions under S117;
   - The relationship to the strategic planning framework;
   - Environmental, social and economic impacts;
   - Any relevant State and Commonwealth interests; and
   - Details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

## 1.1 Proponent and Project Team

The Planning Proposal has been prepared on behalf of Lord Sixty Seven Pty Ltd. Table 1 identifies the project team.

| Table 1. Project team | |
|---|---|
| Urban Planning | Mecone |
| Urban Design | Jan McCredie Urban Design |
| Architecture/Master Planning | Eeles Trelease |
| Landscape Architecture | Botanica |
| Traffic Impact Assessment | Varga Traffic Planning |
| Economic Assessment | MacroPlan Dimasi |
| Net Community Benefit Test | Mecone |
| Flooding and Stormwater Management | NPC |
| Affordable Housing Assessment | Housing Action Network |
| Social Impact Assessment | Cred Community Planning and Housing Action Network |

## 1.2 Background

The subject site is owned by Lord Sixty-Seven Pty Ltd and is in single ownership.

The subject site is currently zoned IN2 – Light Industrial under the provisions of the *Leichhardt Local Environmental Plan 2013* (LLEP). Maximum permissible FSR is limited to 1:1. The height of buildings control is not adopted by Council in the LLEP.

A pre-lodgement meeting was held on 16 October 2013 with Leichhardt Council. Concerns raised by Council were noted and have been taken into consideration in the design concept for redevelopment of the site.

The scheme was presented to the Department of Planning and Infrastructure (now Department of Planning and Environment, DP&E) on 31 October 2013. DP&E recognised the rezoning potential of the site and that the site was unique due to its proximity to the Marion Street Light Rail station (recently constructed).

The Planning Proposal was considered by the Sydney East Joint Regional Planning Panel (JRPP) on 7 December 2015 after being submitted for a Pre-Gateway Review. The JRPP recommended the Planning Proposal proceed to be submitted for a Gateway determination.

The DP&E Deputy Secretary determined that the proposal should proceed to Gateway determination on 5 February 2016 and requested that the Planning Proposal be updated to:

- Demonstrate consistency with the Parramatta Road Urban Transformation Strategy;
- Include satisfactory arrangements provision for contributions to State public infrastructure designated under the Parramatta Road Urban Transformation Strategy;
- Demonstrate that the proposed controls enable a development that complies with the Apartment Design Guide and does not significantly impact the amenity of the surrounding low density residential neighbourhood, consistent with the Panel's recommendation.

This Planning Proposal, Concept Design Report (Appendix 2) and Development Control Plan (Appendix 3) have been updated in relation to the above matters and are accompanied by an additional report (Appendix 12) demonstrating the proposed scheme will be able to achieve compliance with the Apartment Design Guide.

An Gateway Determination was issued by the DP&E Secretary on 14 July 2016 and requested that the Planning Proposal be updated to:

- Address the social impact of the proposal, including consideration of the capacity of existing, and future needs for affordable housing, education and health emergency services;
- Demonstrate consistency with s.117 Direction 4.1 Acid Sulfate Soils and Direction 4.3 Flood Prone Land; and
- Include current and proposed Land Zoning and Floor Space Ratio maps (in accordance with the Standard Technical Requirements for Spatial Datasets and Maps); and
- Include a satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of a draft or final strategic planning review for the Parramatta Road corridor.

This Planning Proposal, Maps (Appendix 1) and Social Impact Assessment (Appendix 7) has been updated in relation to the above matters and is accompanied by an additional report (Appendix 6) relating to housing affordability.

# 2 The Site

## 2.1 Site Location

The site is located at 67-73 Lords Road, Leichhardt as highlighted in Figure 1 below.


Figure 1 – Subject site

Table 2 provides the legal description and a brief summary of the site and surrounding context.

| Table 2. Subject site | |
|---|---|
| Site | 67-73 Lords Road Leichhardt |
| Legal description | Lot 1 DP 940543 and Lot 1 DP 550608 |
| Site area | 10,691 m$^2$ |
| Street frontage | South - 78 metres to Lords Road |
| Site location | The site is located on Lords Road.<br>The inner west light rail line is located adjacent to the western boundary.<br>Lambert Park is located to the north of the site.<br>The land is located within the Parramatta Road Urban Transformation Strategy area.<br>Between Lambert Park and the light rail corridor, to the west of Lambert Park, is a rectangular parcel of land owned by the State Rail Authority and leased by Leichhardt Council. |

| Table 2. Subject site | |
|---|---|
| Site | 67-73 Lords Road Leichhardt |
| | A small lane to the east separates the site from a low density residential area. |
| Site description | The site slopes from east to west across the site, and from south to north.<br>The light rail located to the western boundary is on an 8m high embankment.<br>Eight existing trees are located centrally along the eastern boundary. Two trees are located in the south eastern corner of the site. The trees are extremely dense and tall, providing screening between the site and its surrounds. |
| Previous uses | The site was previously used for industrial purposes and is currently under utilised as it is no longer suitable for industrial purposes. |
| Current zoning | IN2 – Light Industrial |
| Existing buildings/ structures | A series of attached brick buildings to a maximum height of 11.5m (equivalent to three residential storeys) are centrally located with a north/south orientation on the site. In addition to the attached buildings, a smaller building is located in the south east corner of the site facing Davies Lane. |
| Vehicular access | Vehicular access is currently via two driveways from Lords Road providing access to parking on the western and eastern sides of the site. |

## 2.2 Site Context

The suburb of Leichhardt is located in the Leichhardt LGA and is approximately 6km south west of the Sydney Central Business District (CBD).

While the site is zoned IN2 (light industrial), it is an isolated industrial site and is located in a predominately residential area.

The site benefits from excellent access to existing retail, services and public transport, with the Marion Street light rail station approximately 150m to the north. It is also located in close proximity to a range of community facilities including educational establishments, parks and open spaces (Refer to Figure 3).

Table 3 below provides a brief summary of the site and its surrounding context.

| Table 3. Surrounding context | |
|---|---|
| Surrounding Context | Predominantly residential to the east and south of the site and in the surrounding area.<br><br>To the north the site adjoins Lambert Park and to the west of the site is the inner west light rail line extension that was recently opened.<br><br>Kegworth Public School is located approximately 50m to the east of the site including Kegworth pre-school.<br><br>Leichhardt Marketplace is located 200m to the east of the site.<br><br>The land is within the Parramatta Road Urban Transformation Strategy area which envisages between 4,000 to 5,500 new dwellings in the Taverners Hill Precinct over the long term. |
| Public and Sustainable Transport | The Marion Light Rail Stop is located 150 m from the site to the north on the northern side of Marion Street. The Marion Street Light Rail Station is accessible via the existing pedestrian underpass (which connects Lords Road to Hawthorne Parade) and a shared path.<br><br>A shared path is provided on the western side of the Hawthorne Canal providing a bicycle and pedestrian route to Iron Cove and then onto the City.<br><br>Parramatta Road bus services are approximately 400m from the site. |
| Services | 50m - Kegworth Public School including Kegworth pre-school<br><br>70m - Access to Hawthorne Canal Reserve linking to Iron Cove, Sydney Harbour and strategic cycle routes.<br><br>150m - Marion Street Light Rail Station<br><br>200m - Leichhardt Marketplace<br><br>400m - Parramatta Road bus services<br><br>625m - Fort Street High School<br><br>730m - Summer Hill Railway Station<br><br>1km - Leichhardt Commercial Area on Norton Street<br><br>3.1km - Sydney University and Royal Prince Alfred Hospital |

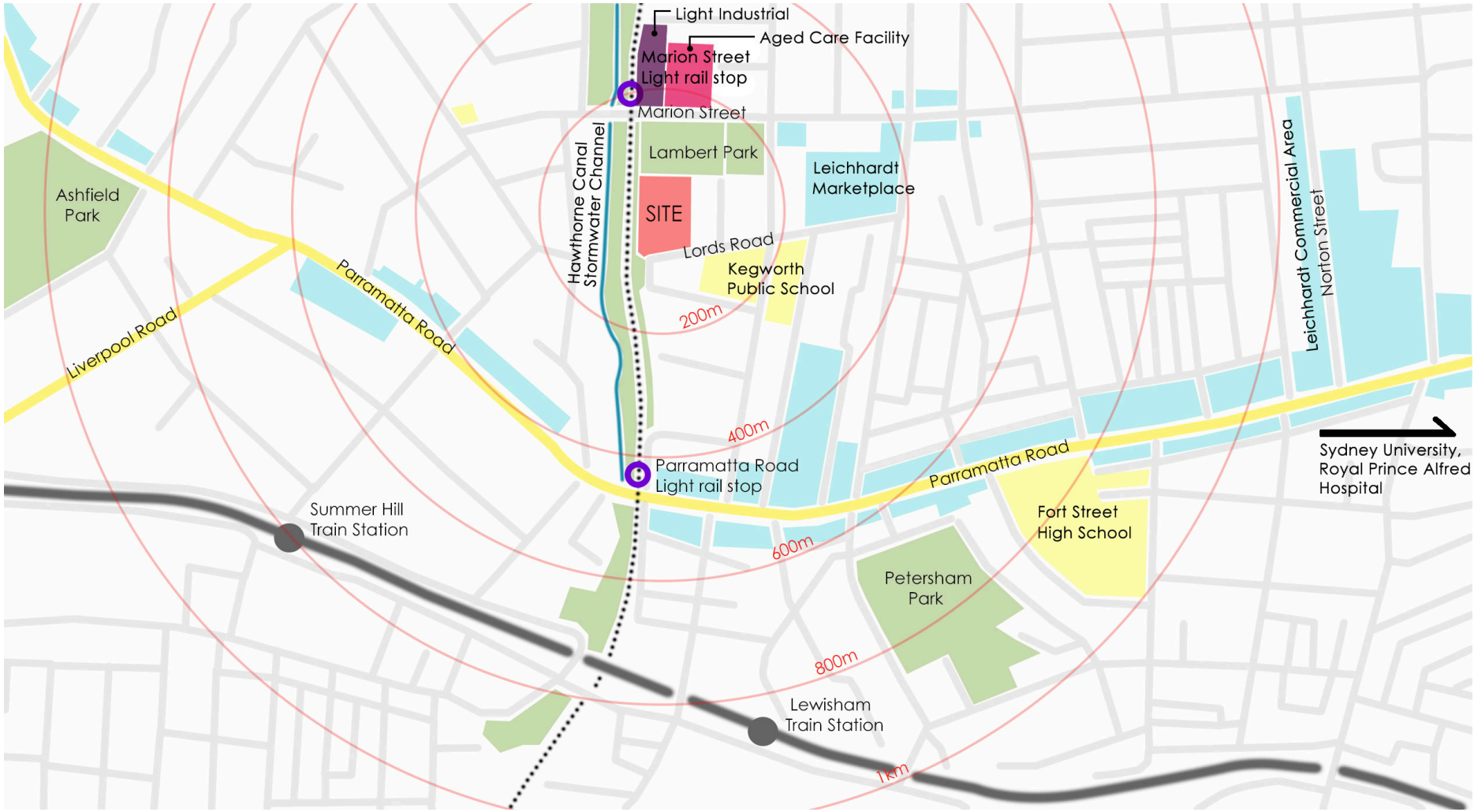



Figure 2 – Local context diagram

A detailed site analysis is provided at **Appendix 2**, within the Concept Design Report. The site's surrounding development context is presented in the following pictures.

View of Hawthorne Canal

View of the light rail line

View of site looking along western boundary

View into site from Lords Road

View along eastern boundary of site

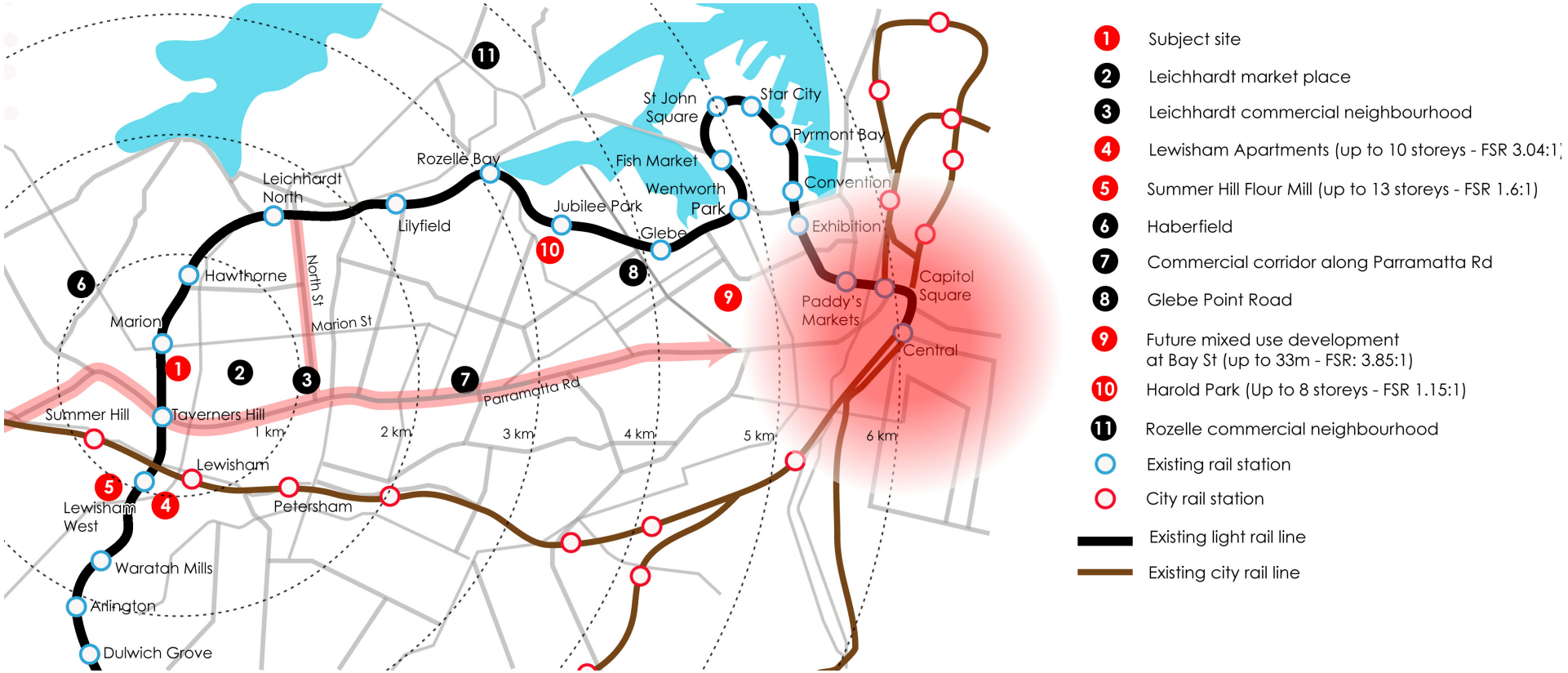
View along Marion Street and light rail line overpass

View of Marion Street looking east

View of intersection of Marion Street and Davies Street

Figure 3 – Surrounding context

With the extension of the Inner West Light Rail line from Lilyfield to Dulwich Hill a trend has emerged for high density residential developments at light rail stations as shown in Figure 4. This supports the concept of transit oriented development and the location of increased housing supply in close proximity to major infrastructure investment and existing services.




1 Subject site
2 Leichhardt market place
3 Leichhardt commercial neighbourhood
4 Lewisham Apartments (up to 10 storeys - FSR 3.04:1)
5 Summer Hill Flour Mill (up to 13 storeys - FSR 1.6:1)
6 Haberfield
7 Commercial corridor along Parramatta Rd
8 Glebe Point Road
9 Future mixed use development at Bay St (up to 33m - FSR: 3.85:1)
10 Harold Park (Up to 8 storeys - FSR 1.15:1)
11 Rozelle commercial neighbourhood
Existing rail station
City rail station
Existing light rail line
Existing city rail line

Figure 4 – Location of approved high density residential developments

# 3 Planning Proposal Overview

Section 55(2) of the *Environmental Planning and Assessment Act 1979* outlines the required contents of a planning proposal. The Department of Planning and Infrastructure has produced "A guide to preparing planning proposals" (October 2012) which breaks these requirements into six parts. These parts are addressed in the next chapters as follows:

- Chapter 4 addresses Part 1 – a statement of the objectives and intended outcomes;
- Chapter 5 addresses Part 2 – an explanation of the provisions to be included in the proposed instrument;
- Chapter 6 addresses Part 3 – justification of the objectives, outcomes and the process for implementation;
- Chapter 7 addresses Part 4 – maps to identify the modifications required to the proposed instrument and the area to which it applies;
- Chapter 8 addresses Part 5 – details of the community consultation to be undertaken; and
- Chapter 9 addresses Part 6 – draft timeline for the planning proposal.

# 4 Part 1 - Objectives and Intended Outcomes

## 4.1 Objectives

The objectives of the proposal are to:

- To facilitate redevelopment of the site in a prime location in close proximity to a range of services and public transport options, which is currently being under-utilised;
- To provide high quality residential development, incorporating a range of housing types including affordable housing for the Leichhardt area;
- Take advantage of good existing public transport and high quality open space that is in close proximity to the site;
- Provide for potential future pedestrian and bicycle connections along the light rail corridor;
- Facilitate high quality architectural design that responds to the surrounding topographical features, surrounding land uses and takes advantage of the site's north-south orientation;
- Facilitate redevelopment of the site that takes advantage of the site's characteristics to minimise any impact on surrounding developments;
- Facilitate redevelopment that reinforces the street and relationship to Lambert Park, while being sympathetic to the fine grain development pattern of the area;
- Remove heavy vehicles associated with existing industrial uses from the predominately residential area;
- Assist in achieving State and local government's housing targets; and
- To facilitate much needed child care places for the inner west community.

The planning proposal seeks to achieve these objectives by allowing the redevelopment of the site as a residential development including child care and a cafe.

## 4.2 Intended Outcomes

The intended outcomes of the planning proposal are to:

- Provide a high quality residential development that incorporates excellent residential amenity and protects the amenity of surrounding residents;
- Provide affordable housing;
- Provide housing in a location close to existing transport, community infrastructure, open space and a local centre at Leichhardt Market Place;
- Provide housing in close proximity to significant investment in transport infrastructure, being the inner west light rail line extension;
- Address the lack of housing availability within the locality;
- Provide appropriate services that suit the resident profile in the area;
- Provide a child care facility to meet the needs of the surrounding community;
- Contribute to appropriate regional infrastructure requirements in the area;

- Allow for a proposal that will complement and support the existing and future surrounding land uses; and
- Allow for public domain upgrade works.

A concept design report is provided at **Appendix 2**, which includes an analysis of the site and a massing study that forms the basis of the proposed provisions. Based on the findings of the design report, a range of three to eight storey buildings can be achieved on site without having any significant adverse environmental impacts on the surrounding developments.

# 5 Part 2 – Explanation of Provisions

The planning proposal seeks to achieve the intended outcomes outlined in Part 1 of this report by proposing amendments to the LLEP as follows:

- Rezone the site to R3 Medium Density Residential as per the Standard Instrument Template (see Figure 5);
- Modify the FSR for the site to 2.4:1; and
- Include an 'Additional Local Provision' to provide for contributions to designated state public infrastructure identified as part of a draft or final strategic planning review for the Parramatta Road corridor.

The R3 Medium Density Residential zone would permit residential uses, as well as non-residential uses such as childcare and a café on the site. The objectives of the R3 Medium Density Residential zone include:

- *"To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To permit increased residential density in accessible locations so as to maximise public transport patronage and to encourage walking and cycling.*
- *To ensure that a high level of residential amenity is achieved and maintained".*

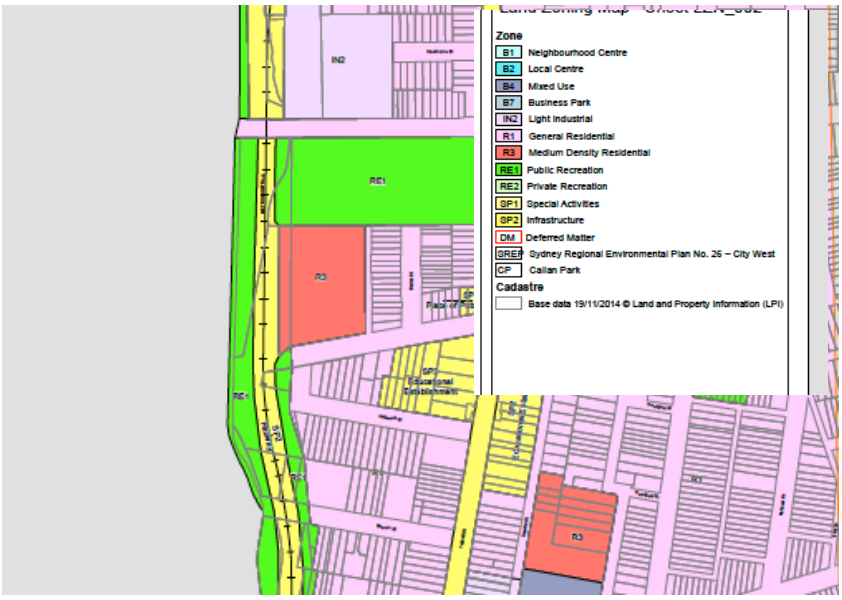



Figure 5 – Proposed zoning map

The proposed controls would eventually be reflected in and merged with the LLEP, which is a Standard Instrument LEP and therefore the optional standards that have been adopted by Council will remain the same.

## 5.1 Regional Contributions

The NSW Government is currently planning for dwellings and jobs growth through finalisation of the Parramatta Road Urban Transformation Strategy. It is understood the strategy will identify the necessary State public infrastructure required to support growth of the Corridor.

The proposal includes the intention to provide an equitable contribution towards State public infrastructure needed to support the implementation of the Parramatta Road Urban Transformation Strategy, as an additional local provision in accordance with the Gateway Determination.

# 6 Part 3 – Justification

## 6.1 Section A - Need for the proposal

### 1. Is the planning proposal a result of any strategic study or report?

The proposal supports a number of strategic objectives at the state and local level:

- The site has reached the end of its economic life and the *Leichhardt Employment and Economic Development Plan* (EEDP) advocates transforming appropriate industrial land (such as the Lords Road site) into different land uses including affordable housing for key workers and students.
- The proposal supports state government urban renewal plans for the draft Parramatta Road Urban Transformation Strategy through increased housing supply in an accessible area near the Marion Light Rail Stop;
- The proposal is consistent with the key directions of the metropolitan strategy *A Plan for Growing Sydney* relating to urban renewal and housing growth in areas with good amenity and connectivity such as the Parramatta Road corridor in the Central Subregion.
- Places downward pressure on the cost of living by improving housing affordability and availability;
- Contributes to more intense housing, increased housing choice and affordability in a transport accessible area;
- Takes advantage of one of the limited opportunities for brownfield development in the Leichhardt LGA for a range of residential dwelling types, providing housing choice and affordability in a prime and accessible location;
- Provides additional child care places in a location close to schools to assist working households;
- Revitalises a site which is currently underutilised ensuring high quality design that is aesthetically pleasant and environmentally sustainable; and
- Redevelops the site compatible with existing and future surrounding land uses.

### 2. Is the planning proposal the best means of achieving the objectives and outcomes, or is there a better way?

The Planning Proposal is the best means of ensuring an appropriate redevelopment that increases housing supply, including affordable housing, and child care places in the locality. The LLEP was recently published (January 2014) so it is proposed to amend this LLEP as it is consistent with the Standard Template.

This Proposal will achieve all the outcomes of the Concept Design Report and provide a net community benefit. Any alternative means have been considered to be less economically and socially viable for the development and renewal of the site, and as such has meant that a Planning Proposal is the most efficient means to renew the site.

***Is there a net community benefit?***

A Net Community Benefit Test was undertaken in relation to the proposed rezoning of the site. To conduct the test, the report identified the following two scenarios:

- The Base Case: The IN2 zoning is retained on the Subject Site and there is no change to existing tenants; and
- Alternative 1: Rezoning and Redevelopment. The subject site is rezoned as R3 Medium Density Residential to accommodate approximately 315 residential units, a 450 $m^2$ childcare centre and a small coffee shop, 150 - 253 car parking spaces and associated landscaping.

Based on the assessment, potential benefits and costs associated with Alternative 1 versus the Base Case from a community perspective are summarised below:

***Potential Benefits of Alternative 1 versus Base Case***

- Increasing housing supply in the Leichhardt LGA by approximately 315 dwellings, including 16 affordable dwellings, which would contribute towards meeting the forecast population increase in the Leichhardt LGA. Also providing a range of housing sizes (Major Positive Impact);
- Providing an opportunity to improve the ongoing sustainability performance of a building in a brownfield location with existing public transport, facilities and services reducing the requirement for new infrastructure and services (Moderate Positive Impact).
- Improving environmental amenity in the long term including the removal of heavy vehicles with the change of land use (Moderate Positive Impact); and
- Delivering additional social infrastructure over and above the demands of future residents in the form of day care places and a new playground for children and seating (Minor Positive Impact).

***Potential Costs of Alternative 1 versus Base Case***

- Short-term increase in heavy vehicle traffic during the construction phase however appropriate mitigation measures would be taken (Minor Negative Impact during construction);
- Short-term adverse impacts on environmental amenity during the construction process, however it is assumed that appropriate mitigation measures would be taken (Minor Negative Impact);
- Loss of industrial lands although the site is currently under utilised and there will be a small amount of employment with the change in land use. Further there will be an increase in accommodation for key workers and students (Moderate negative impacts).

The Net Community Benefit Test Report is provided at **Appendix 4**.

## 6.2 Section B - Relationship to strategic planning framework

### 3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Metropolitan Strategy and exhibited draft strategies)?

The Planning Proposal is consistent with the objectives and actions contained within the following plans and strategies:

***NSW State Plan***

NSW 2021 is a plan to make NSW number one. It is a 10-year plan based on strategies to rebuild the economy, return quality services, renovate infrastructure, strengthen local government and communities and restore accountability to government. The plan sets a number of goals, targets and actions to achieve the NSW 2021. Of the 32 goals outlined this proposal contributes to Goal 5 as shown in Table 4.

**Table 4. Consistency with NSW 2021**

| Goal | Target | Action | Consistency |
|---|---|---|---|
| 5. Place downward pressure on the cost of living. | Improve housing affordability and availability. | This includes ensuring that targets for housing and growth are reflected in local plan making instruments | The proposal will contribute to housing targets by modifying the LLEP to enable an increase in housing in the LGA. This proposal will increase housing affordability and availability to put downward pressure on the cost of living. |

**A Plan for Growing Sydney**

The planning proposal is consistent with the current metropolitan plan for Sydney, A Plan for Growing Sydney. Two of the key directions identified in the metropolitan plan are relevant to the proposal, relating to urban renewal and housing growth in areas with good amenity and connectivity, such as the Parramatta Road corridor and improvements to the Sydney open space network.

Table 5 provides a summary of the consistency of the proposal with these objectives and policies.

| Table 5. Consistency with A Plan for Growing Sydney | | |
|---|---|---|
| Objective | Policy | Consistency |
| Goal 2: A city of housing choice, with homes that meet our needs and lifestyles | | |
| 2.1.1 Accelerate housing supply and local housing choices. | Work to achieve the Government's target of an additional 664,000 new dwellings by 2031. The most suitable areas for significant urban renewal are those best connected to employment and directly facilitate housing supply and choice through the UrbanGrowth projects. | The proposal is consistent with increasing housing in an area connected to employment and close to jobs and serviced by public transport. |
| 2.1.2 Accelerate new housing in designated infill areas (established urban areas) through the Priority Precincts and UrbanGrowth NSW programs. | The programs coordinate planning and investment to revitilise local centres, services and infrastructure. | The UrbanGrowth NSW Parramatta Road Transformation Strategy applies to the site.<br>The proposal is consistent with the draft strategy which aims deliver more homes and jobs along the corridor. Specifically, the strategy proposes between 8 to 12 storeys of residential development on the subject site. |
| 2.2.2 Undertake urban renewal in transport corridors which re being transformed by investment, and around strategic centres. | The Government will continue to focus urban renewal activities to provide additional housing in corridors including the Parramatta Road corridor. The corridor will be a focus for increased housing, economic activity and social infrastructure especially around centres with good public transport accessand amenity. The Government will investigate improvements to transport services along the corridor. | The proposal will allow for more homes in an area with good amenity and access to public transport as it is close to the Marion Light Rail Stop.<br>The proposal will improve social infrastructure services to the area by including a child care centre to help meet the needs of the wider community. |
| 2.3.3 deliver more opportunities for affordable housing | The Government acknowledges that more needs to be done to meet the needs of people on very low, low and moderate incomes. | The proposal includes 5% affordable housing that will help to respond to local demand. |

| Table 5. Consistency with A Plan for Growing Sydney | | |
|---|---|---|
| Objective | Policy | Consistency |
| Goal 3: A great place to live with communities that are strong, healthy and well-connected | | |
| 3.2.1 Deliver the Sydney Green Grid | The Sydney Green Grid will include open space, parks, bushland, natural areas, waterway corridors and tree-lined streetscapes in a network that connect our homes to centres, public transport, jobs and recreation. | The proposal allows for an open space link that will help connect local residents to the Marion Light Rail Stop should Lambert Park be made publicly accessible in the future. |

The proposed development is considered appropriate in contributing to more intense housing in a transport accessible area. In particular, the proposal will provide increased housing supply in close proximity to a significant State Government transport investment, being the light rail line extension.

## Central Subregion

Leichhardt is located in the Central Subregion. A Plan for Growing Sydney identifies that the Central Subregion will continue to play a dominant role in the economic, social and cultural life of Sydney.

The proposal is consistent with the Central Subregion priority to accelerate housing supply, choice and affordability and build great places to live. The subject site is located within the Parramatta Road Corridor urban renewal corridor (Figure 6). The proposal is well located to encourage public transport use, walking and cycling.

The site is located in walking distance to the Marion Street Light Rail Station and buses on Marion Street. Further bus services are provided on Parramatta Road and Lewisham Railway Station is located approximately 1 km away.

A footpath extends along Lords Road connecting the site to recreational areas and local services and facilities.

There is a cycling path along Lords Road which is part of the Leichhardt cycling network providing opportunities for recreational cycling and commuting to the Sydney CBD.

In addition, the proposal will respond to the social infrastructure needs of the community by providing a child care centre, affordable housing and will contribute to a new open space link to better connect the surrounding residents to the light rail stop.

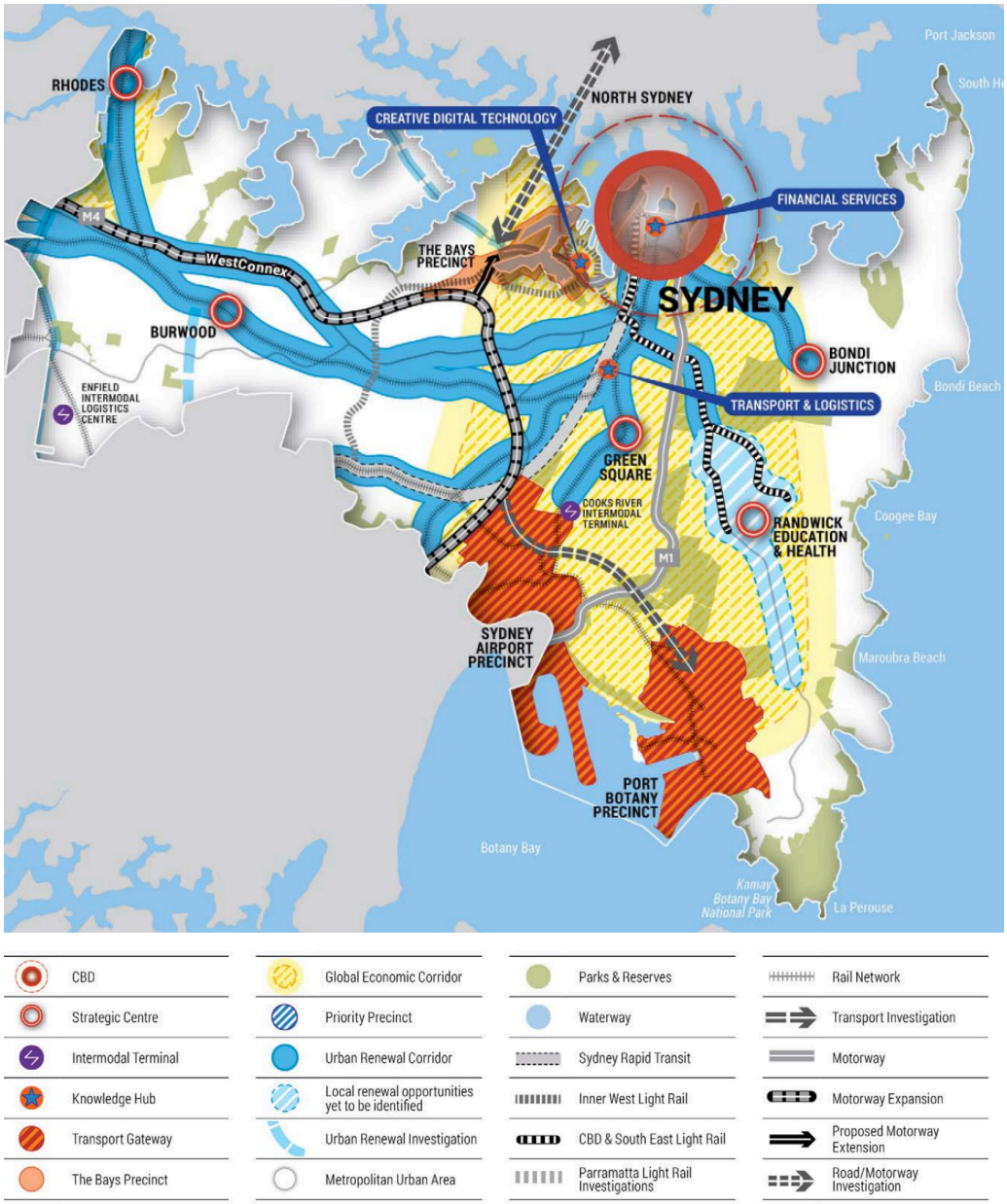



Figure 6 – Central Subregion priorities

## NSW Long Term Transport Master Plan

The NSW Long Term Transport Master Plan (LTTMP) was released in December 2012. The Master Plan provides an integrated and comprehensive framework for addressing NSW transport challenges over the next 20 years.

Chapter 4 of the LTTMP focuses on "Getting Sydney Moving Again". An action relevant to the proposed redevelopment is the Inner West Light Rail extension. The light rail services have now been extended from Lilyfield to Dulwich Hill with the Marion Street Light Rail Station in walking distance to the proposed development. The Inner West Light Rail extension has provided additional public transport links to connect these areas to shopping and entertainment districts and the Sydney Central Business District providing services every two to three minutes in peak times.

Westconnex is a project which will assist with the long term plan to complete critical links in Sydney's motorway network. It will more directly link the M4 to the M5 through the city and airport/Port Botany area. It will include extending the M4 and duplicating the M5 East to King Georges Road. There are three stages to the project. As part of Stage 3 there will be a tunnel underneath Leichhardt. Early planning shows a connection at Leichhardt to the Motorway for improved Motorway access for origins and destinations in the inner west.

The integration of land use and transport planning provides social, environmental and economic benefits. Transit oriented development at the local level is likely to encourage non-motorised travel and efficient vehicle trips, thereby contributing to shorter trips, less car trips and more trips by walking, cycling and public transport. In particular, the proposed rezoning of the site will support the major infrastructure investment by Government in the light rail extension.

## Draft Parramatta Road Urban Transformation Strategy

The Draft Parramatta Road Urban Transformation Strategy sets a long-term vision for the transformation of the 20km Parramatta Road Corridor for a high quality multi-use corridor with improved transport choices, better amenity and balanced growth of housing and jobs.

The Strategy identifies five key principles for delivering the vision:

1. Plan for a diversity in housing and employment to meet existing and future needs.
2. Reshape and better connect places and associated movement networks to better serve customers and encourage sustainable travel.
3. Promote quality places and built form outcomes to transform the Corridor over time.
4. Create livable local Precincts along the Corridor that are sustainable, resilient and make Sydney a better place.
5. Deliver, drive, facilitate and monitor action.

The planning proposal is consistent with the above principles in that it will:

- Provide for a high quality residential development that meets existing and future needs.
- Provide for additional housing within walking distance of the Marion Light Rail Stop, which will encourage sustainable travel.
- Provide for a quality place that is appropriately scaled for the area and provides for high standards of residential amenity.
- Revitalise a currently underutilised and isolated industrial site.

The subject site is within the Taverners Hill Precinct and has been identified for residential use and a future built form of 8-12 storeys (see Figures 8-9 below). The proposal and accompanying concept design report, which provide for residential apartments of up to 8 storeys, align with the Strategy's vision for the future land use and built form of Taverners Hill. It is highlighted that the scale of the proposal is at the lower end of the range identified in the Strategy, at 8 storeys.

Built form guidelines have also been included in the Strategy to ensure the high quality design of buildings that have a good relationship to the public domain and maintain suitable amenity for new and existing residents.

The built form guidelines include detailed requirements for site planning, setbacks and street walls, building articulation and transition zones to existing residential areas. The proposal is consistent with the principles behind these built form guidelines.

The built form of the proposal, including setbacks and street wall heights, have been designed to respond to the existing streetscape and ensure the amenity of residents in the existing lower density residential buildings surrounding the site can be maintained.

These existing residential areas surrounding the site have also been identified for increased densities of between 6 and 8 storeys (see Figure 8) in the draft Parramatta Road Urban Transformation Strategy. The built form of the proposal has also been designed to respond to the increased density that could occur in the immediate area under the draft strategy. Consistency with the built form guidelines in the draft strategy will be addressed in more detail at the relevant design stages.

UrbanGrowth NSW is currently in the process of reviewing the issues raised during the public exhibition of the draft strategy. UrbanGrowth has indicated the intent to finalise the strategy in 2016 and that the statutory plan making process will begin after finalisation of the strategy.

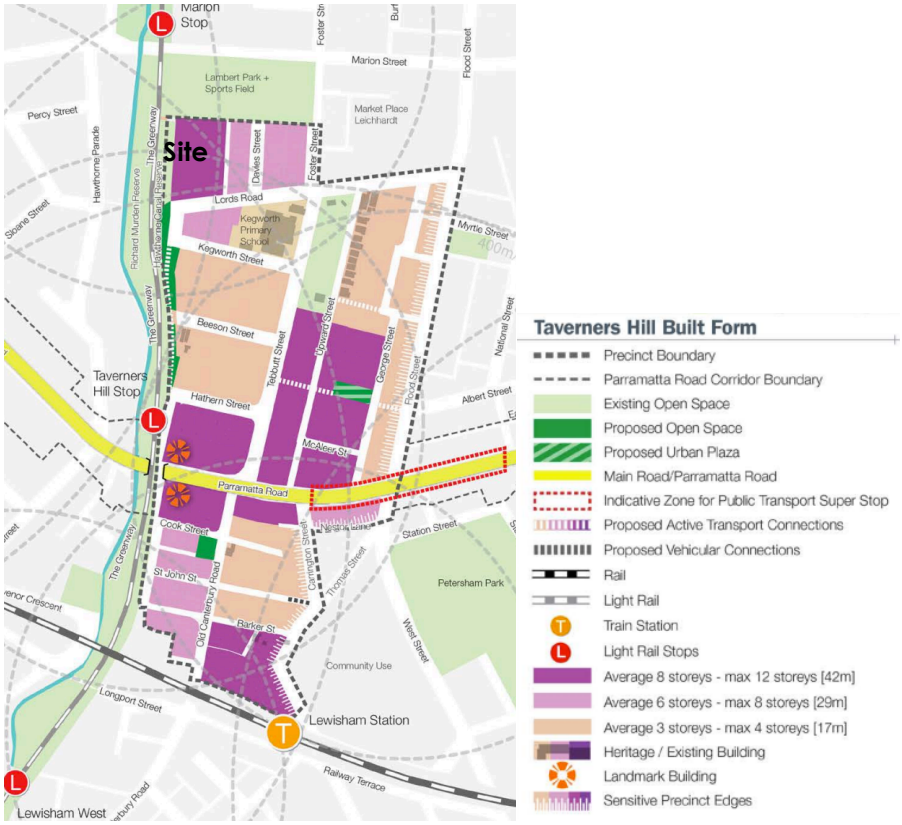



Figure 8 – Taverners Hill Built Form
Source: Draft Parramatta Road Corridor Strategy; modified by Mecone

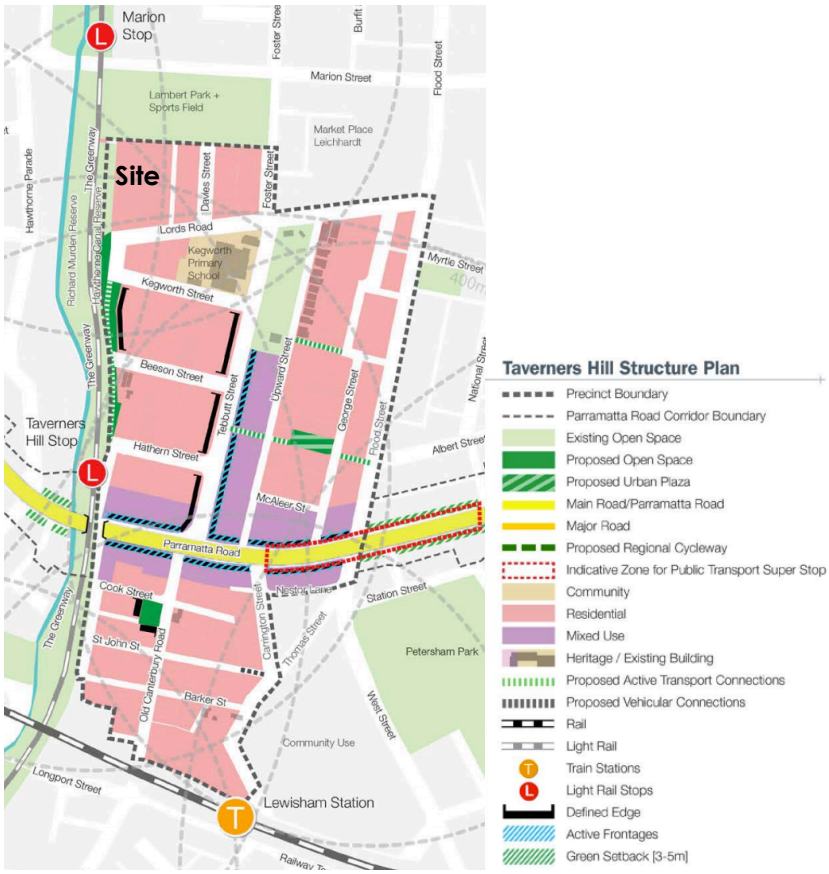



Figure 9 – Taverners Hill Structure Plan
Source: Draft Parramatta Road Corridor Strategy; modified by Mecone

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

### Leichhardt 2025+

Leichhardt 2025+ is the community strategic plan for the Leichhardt LGA to guide delivery of Council services over the next ten years. Leichhardt 2025+ is guided by four quadruple bottom line categories: Social, Environment, Economic and Civic Leadership. A key service area in the Environment quadruple bottom line category is a Place where we live and work. Progress indicators identified by Leichhardt Council that are relevant and consistent with the proposed development include:

- Increase the supply of housing in the vicinity of public transport services;
- Increase the residential density and employment around transport nodes; and
- Increase the supply of affordable, supported and aged housing.

### Leichhardt Employment and Economic Development Plan

The Leichhardt Employment and Economic Development Plan (EEDP) is a 10 year strategic plan for economic development in the Leichhardt LGA. Key considerations relevant to the proposed development include:

- Demand for industrial land is in locations which enable large modern industrial facilities to maintain low cost operations. Land suitable for new industries is largely in western Sydney in the Western Sydney Employment Areas including areas such as Eastern Creek and Erskine Park.
- The percentage of office space versus commercial space is changing with a larger proportion of office space required than in the past.
- Recommendations for Council to respond to industrial trends are to increase the amount of office space in industrial areas and transform appropriate industrial land into affordable housing for key workers and students.
- Strategic sites and under utilised land such as Lords Road provide the opportunity to be transformed into other uses such as affordable housing for key workers and students;
- Smaller industrial sites in the Leichhardt LGA are surrounded by residential development which increases the likelihood of opposition to new industrial uses and reduces the viability of industrial property.
- The recent extension of the inner west light rail network, in particular close to the proposed stations, presents an opportunity to provide for mixed use developments aligned to the areas future needs.

The EEDP identifies that some strategic sites such as Lords Road could be rezoned for other uses and outlines criteria against which proposed rezonings should be assessed. It is considered that the Lords Road site does not meet any of the criteria to be retained as industrial land and is far better suited to be rezoned for residential and affordable housing, particularly given its proximity to the light rail

line. Consideration of each of these EEDP criteria in relation to the Lords Road site is outlined in Table 8 below. Refer to the Economic Assessment prepared by MacroPlan Dimasi attached at **Appendix 5** for a detailed economic assessment of the appropriateness of the site for rezoning.

**Table 6. EEDP criteria for rezoning of strategic sites such as Lords Road**

| Criteria | Response | Suitable for rezoning |
|---|---|---|
| *Will the rezoning result in insufficient industrial land being available for current and future demand in the LGA?* | No. There is unutilised capacity in the surrounding area which is outlined in the SGS Leichhardt Employment Lands Study and the Employment Lands Development Program – Inner West Subregion 2010 report. The EEDP also ackonledges that the Lords Road site is not of strategic significance to the economic development and growth of Leichhardt and presents an opportunity for rezoning and redevelopment. Further, the close proximity of the site to the approved Marion Street light rail station provides a significant point of differentiation from other existing industrial sites. | Yes |
| *Does the site currently have the attributes required by current light industrial uses and other uses permitted in the zone (e.g. floorspace, access, parking, infrastructure, storage, building configuration and quality)?* | No. The site currently incorporates buildings reaching the end of their useful economic lifespan and the site is not well located for industrial users. The site does not have desirable heavy vehicle access as it is located in the middle of a residential area, and does not have good access to heavy vehicle routes. Industrial users are increasingly seeking large unencumbered sites in Western Sydney, with little conflict with surrounding uses and excellent access to major roads and heavy vehicle routes. | Yes |
| *Is the site economically viable in its current form based on the type of tenants and level of rent it can attract?* | No. The rents for industrial uses on the site are low in comparison to equivalent rents in Sydney and are similar to rents achieved on low value land on the periphery of the metro area, not in inner suburbs. | Yes |
| *Is it economically feasible to improve the site to attract new tenants and charge a higher rent?* | No. Redevelopment of the site for industrial uses would result in a loss as the current site is not viable and industrial users are seeking alternative | Yes |

| Table 6. EEDP criteria for rezoning of strategic sites such as Lords Road | | |
|---|---|---|
| Criteria | Response | Suitable for rezoning |
| | facilities with good access to major heavy vehicle transport routes and industrial clusters with no potential conflicts with surrounding residential uses. It is evident that there is no incentive to undertake an industrial development on the site. | |
| *Are the industrial uses permitted on the site compatible with surrounding uses?* | Partially. Some uses on the site are relatively 'low impact' from a residential amenity perspective. However, these are also the uses that are not strictly industrial uses, such as personal training/fitness class uses. Other uses on the site are a range of storage, warehousing and distribution facilities with a range of intensities and impacts on residents and the school due to heavy vehicle movements and loading/unloading. It is considered that a rezoning of the site to residential uses would significantly reduce potential conflicts and amenity impacts from heavy vehicles and industrial uses on the surrounding residents. | Yes |
| *Are proposed new light industrial uses on the site and associated impacts likely to be supported by the surrounding community?* | Unlikely. The site is located in a predominantly residential area and is bounded by residential, open space and the light rail line. New or more intense light industrial uses on the site, even for warehousing and distribution, would result in the need for heavy vehicles to and from the site through residential streets. | Yes |

## 5. Is the planning proposal consistent with the applicable state environmental planning policies?

The proposal would address and/or be consistent with all relevant Environmental Planning Policies (SEPPs). The following outlines the intent of the relevant SEPPs and consistency of the planning proposal.

**Table 7. State environmental planning policies**

| SEPP | Consistent | Comments |
|---|---|---|
| SEPP No. 1- Development Standards | Consistent | This SEPP does not apply to land in the Leichhardt LGA under clause 1.9 of the LLEP. |
| SEPP No. 14 – Coastal Wetlands | Not Applicable | |
| SEPP No. 15 – Rural Landsharing Communities | Not Applicable | |
| SEPP No. 19 – Bushland in Urban Areas | Not Applicable | |
| SEPP No 21 – Caravan Parks | Not Applicable | |
| SEPP No. 26 – Littoral Rainforests | Not Applicable | |
| SEPP No. 29 – Western Sydney Recreation Area | Not Applicable | |
| SEPP No. 30 – Intensive Agriculture | Not Applicable | |
| SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land) | Consistent | The proposal is an example of urban renewal and provides for multiple uses on site. The proposal meets the aims and objectives of this SEPP and is considered an example of urban land that is no longer required for the purpose for which it is currently zoned. |
| SEPP No. 33 – Hazardous and Offensive Development | Consistent | The proposal is to adopt the standard instrument definitions of hazardous and offensive development, which are not permitted on site. |
| SEPP No. 36 – Manufactured Home Estates | Not Applicable | |

| Table 7. State environmental planning policies | | |
|---|---|---|
| SEPP | Consistent | Comments |
| SEPP No. 39 – Spit Island Bird Habitat | Not Applicable | |
| SEPP No. 44 – Koala Habitat Protection | Not Applicable | |
| SEPP no. 50 – Canal Estate Development | Not Applicable | |
| SEPP No. 52 – Farm Dams and Other Works in Land and Water Management Plan Areas | Not Applicable | |
| 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 Sydney Regional Open Space and Residential | Not Applicable | |
| SEPP No. 62 – Sustainable Aquaculture | Not Applicable | |
| SEPP No. 64 – Advertising and Signage | Consistent | 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 | Consistent | The proposal will be able to be consistent with the Apartment Design Guide and SEPP 65.<br>Additionally, the proposal is supported by a draft DCP that has consistent requirements for residential flat buildings. |
| SEPP No. 70 – Affordable Housing (Revised Schemes) | Consistent | The proposal would not affect the schemes within this SEPP, nor does it propose any new scheme for affordable housing that would need to be included in this SEPP. The planning proposal is consistent with the objectives of this SEPP. |
| SEPP No. 71 – Coastal Protection | Not Applicable | |

| Table 7. State environmental planning policies | | |
|---|---|---|
| SEPP | Consistent | Comments |
| SEPP (Affordable Rental Housing) 2009 | Consistent | This proposal does not inhibit any operations of this SEPP. |
| SEPP (Building Sustainability Index: BASIX) 2004 | Consistent | This proposal does not inhibit any operations of this SEPP. |
| SEPP (Exempt and Complying Development Codes 2008 | Consistent | The proposal is to adopt the standard instrument provisions for exempt and complying development. |
| SEPP (Housing for Seniors or People with a Disability) 2004 | Consistent | The Leichhardt DCP has adaptable dwelling requirements. |
| SEPP (Infrastructure) 2007 | Consistent | There are referral requirements in relation to development immediately adjacent to rail corridors in relation to rail safety, the penetration of ground to a depth of at least 2m and relating to noise. |
| SEPP (Kosciuszko National Park – Alpine Resorts) 2007 | Not Applicable | |
| SEPP (Kurnell Peninsula) 1989 | Not Applicable | |
| SEPP (Major Development) 2005 | Consistent | The proposal does not inhibit operations of the former Part 3A provisions or the replacement measures. |
| SEPP (Rural Lands) 2008 | Not Applicable | |
| SEPP (State and Regional Development) 2011 | Not Applicable | |
| SEPP (Sydney Drinking Water Catchment) 2011 | Not Applicable | |
| SEPP (Sydney Region Growth Centres) 2006 | Not Applicable | |
| SEPP (Urban Renewal) 2010 | Not Applicable | |

| Table 7. State environmental planning policies | | |
|---|---|---|
| SEPP | Consistent | Comments |
| SEPP (Western Sydney Employment Area) 2009 | Not Applicable | |
| SREP No. 8 – Central Coast Plateau Areas | Not Applicable | |
| SREP No. 9 – Extractive Industry (No 2 – 1995) | Not Applicable | |
| SREP No. 16 – Walsh Bay | Not Applicable | |
| SREP No. 18 – Public Transport Corridors | Not Applicable | |
| SREPP No. 19 – Rouse Hill Development Area | Not Applicable | |
| SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997) | Not Applicable | |
| SREP No. 24 – Homebush Bay Area | Not Applicable | |
| SREP No. 25 – Orchard Hills | Not Applicable | |
| SREP No. 26 – City West | Not Applicable | |
| SREP No. 30 – St Marys | Not Applicable | |
| SREP No. 33 – Cooks Cove | Not Applicable | |
| SREP (Sydney Harbour Catchment) 2005 | Not Applicable | |

## 6. Is the planning proposal consistent with applicable Ministerial Directions (S. 117 directions)?

The planning proposal is consistent with all relevant S117 Directions. The assessment of these is outlined in Table 5 below.

| Table 8. Section 117 Ministerial Directions | | | |
|---|---|---|---|
| Clause | Direction | Consistent | Comments |
| 1 Employment and Resources | | | |

| Table 8. Section 117 Ministerial Directions | | | |
|---|---|---|---|
| Clause | Direction | Consistent | Comments |
| 1.1 | Business and Industrial Zones | Consistent | The proposal seeks to rezone the site from IN2 Light Industrial to R3 Medium Density Residential. This is consistent with Council's EEDP in relation to the rezoning of strategic sites such as Lords Road for alternative uses. It is also consistent with existing trends and market demands, and is supported by a draft DCP. |
| 1.2 | Rural Zones | Not Applicable | |
| 1.3 | Mining, Petroleum Production and Extractive Industries | Not Applicable | |
| 1.4 | Oyster Aquaculture | Not Applicable | |
| 1.5 | Rural Lands | Not Applicable | |
| 2 Environment and Heritage | | | |
| 2.1 | Environment Protection Zones | Not Applicable | |
| 2.2 | Coastal Protection | Not Applicable | |
| 2.3 | Heritage Conservation | Not Applicable | |
| 2.4 | Recreation Vehicle Areas | Not Applicable | |
| 3 Housing, Infrastructure and Urban Development | | | |
| 3.1 | Residential Zones | Consistent | The proposal allows for a range of residential unit types, which are consistent with the existing trends and market demands. The proposal is supported by a draft DCP, which will encourage good residential design. |
| 3.2 | Caravan Parks and | Not | |

| Table 8. Section 117 Ministerial Directions | | | |
|---|---|---|---|
| Clause | Direction | Consistent | Comments |
| | Manufactured Home Estates | Applicable | |
| 3.3 | Home Occupations | Consistent | The proposal permits home occupation without the need for development consent. |
| 3.4 | Integrating Land Use and Transport | Consistent | The site is within walking distance to a range of retail and business services and is easily accessible by public transport, particularly the new light rail line, which is a significant Government infrastructure investment. |
| 3.5 | Development Near Licensed Aerodromes | Not Applicable | |
| 4 Hazard and Risk | | | |
| 4.1 | Acid Sulphate Soils | Consistent | Leichhardt Local Environmental Plan 2013 (LLEP) contains acid sulphate soil provisions and this proposal does not seek to amend them. Initial site contamination advice is contained in this report (refer to Appendix 10). Acid sulphate soils investigations and analysis will accordingly be undertaken as part of any future development of the land as required.<br>It is noted that that the site is a Class 5 ASS (along with most of the LGA) on the existing maps, which is the lowest risk category and only requires an acid sulfate soils management plan to be prepared for "*works within 500 metres of adjacent Class 1, 2, 3 or* |

| Table 8. Section 117 Ministerial Directions | | | |
|---|---|---|---|
| Clause | Direction | Consistent | Comments |
| | | | *4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land."* |
| 4.2 | Mine Subsidence and Unstable Land | Not Applicable | |
| 4.3 | Flood Prone Land | Consistent | Leichhardt Local Environmental Plan 2013 (LLEP) contains flood prone land provisions and this proposal does not seek to amend them. A flooding and stormwater review has been undertaken with mitigation measures recommended for potential flooding (refer to Appendix 9). Flooding will be further addressed as part of any future development on the land. This is discussed further in Section 6.3 of this Report. |
| 4.4 | Planning for Bushfire Protection | Not Applicable | |
| 5 Regional Planning | | | |
| 5.1 | Implementation of Regional Strategies | Consistent | The planning proposal is generally consistent with the Draft Inner West Subregional Strategy as referred to above. |
| 5.2 | Sydney Drinking Water Catchments | Not Applicable | |
| 5.3 | Farmland of State and Regional Significance on the NSW Far North Coast | Not Applicable | |
| 5.4 | Commercial and Retail | Not | |

| Table 8. Section 117 Ministerial Directions | | | |
|---|---|---|---|
| Clause | Direction | Consistent | Comments |
| | Development along the Pacific Highway, North Coast | Applicable | |
| 5.5 | Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010) | Not Applicable | |
| 5.6 | Sydney to Canberra Corridor (Revoked 10 July 2008. See Amended Directions 5.1) | Not Applicable | |
| 5.7 | Central Coast (Revoked 10 July 2008. See amended Directions 5.1) | Not Applicable | |
| 5.8 | Second Sydney Airport: Badgerys Creek | Not Applicable | |
| 6 Local Plan Making | | | |
| 6.1 | Approval and Referral Requirements | Consistent | The proposal does not include consultation, referral or concurrence provisions, nor identifies any development as designated development. |
| 6.2 | Reserving Land for Public Purposes | Consistent | The proposal does not contain any land that has been reserved for a public purpose, and no requests have been made to reserve such land. |
| 6.3 | Site Specific Provisions | Consistent | The proposal is for rezoning of the site to an existing zone (R3 Medium Density Residential) already applying in the Standard Instrument that allows land use without imposing any development standards or requirements in relation to those already contained in that zone. |
| 7. Metropolitan Planning | | | |

| Table 8. Section 117 Ministerial Directions | | | |
|---|---|---|---|
| Clause | Direction | Consistent | Comments |
| 7.1 | Implementation of the Metropolitan Strategy | Consistent | The proposal is consistent with the priorities in *A Plan for Growing Sydney*. |

## 6.3 Section C - Environmental, Social and Economic Impact

### 7. 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 has been highly disturbed, has been used as industrial premises over many years and is located within a highly urbanised area. Accordingly, it is unlikely that any critical habitat, threatened species, population or ecological communities, or their habitats are present on the site. Therefore the likelihood of such an impact is not of a concern as a result of this Planning Proposal.

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

Likely environmental impacts have been considered and have been addressed as part of the preparation of the Planning Proposal. This is addressed by several technical studies, which are attached to this proposal. The following list of likely impacts provides associated management strategies.

#### Contamination

SLR provided interim site contamination assessment advice for the site including a review of a contamination assessment undertaken by EMS on the site in 2005. The assessment identified uncontrolled fill, asbestos, wastes and other anthropogenic materials on the site and two potential underground storage tanks in the south east of the site.

It is considered that there are appropriate remediation and/or management methodologies available to address the known contamination identified on site and potential new forms of contamination which might be identified during supplementary contamination assessment works. Methodologies for dealing with contamination include excavation and removal for offsite disposal and insitu containment.

#### Urban Design

It is apparent that a new development corridor is emerging along the Inner West Light Rail Line. Figure 4 shows the growing trend of transit oriented development with higher density residential development located near public transport links, in particular stations along the Inner West Light Rail Line. The concept of transit oriented development is supported by a number of state policies including the DMS 2031, A Plan for Growing Sydney, LTTMP and the draft Parramatta Road Urban Transformation Strategy.

Approved development densities in the inner west are shown in Figure 10 and Table 11.

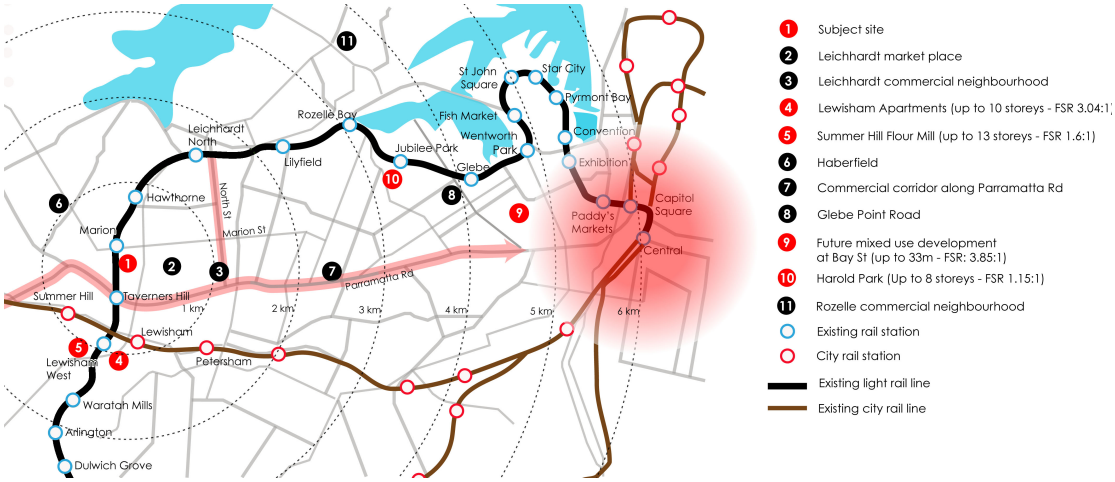



Figure 10 – Location of approved densities in the surrounding areas

**Table 9. Approved densities in the surrounding areas**

| No. | Description | FSR | Height | Status |
|---|---|---|---|---|
| 4 | Lewisham Apartments | 3.04:1 | Up to 10 storeys | |
| 5 | Summer Hill Flour Mill | 1.6:1 (Precinct FSR) | Up to 13 storeys | |
| 9 | Future mixed use development at Bay St | 3.85:1 | Up to 33m | |
| 10 | Harold Park | 1.15:1 (Precinct FSR) | Up to 8 storeys | |

*Source: Mecone research of Council and Authority documents*

It is apparent that there have been a number of recent developments with increased densities within the Inner West in highly accessible locations with access to services and facilities, such as the subject site. Some of the densities outlined in the table above such as Harold Park are overall precinct FSRs including roads and infrastructure. This means the FSRs are higher when considered on a site by site basis.

The proposed density for the site responds to the local context and surrounding development to ensure potential amenity impacts are minimised. The design response and proposed controls for the site are based on best practice urban design principles and are summarised below:

- The massing of the proposed building envelopes is sympathetic to the current surrounding development. The building envelope is a maximum of three and four storeys adjacent to the existing residential areas on Lords Road and adjacent to the lane to the east of the site, with additional height set back further from the street. A height of up to four storeys is an appropriate scale for a pedestrian environment. Further, the existing vegetation on the eastern boundary provides a visual buffer between the site and the existing residential area to the east.

- An action from the Leichhardt Integrated Transport Four Year Service Delivery Plan 2012-2016 is to reallocate unnecessary road space to public space. With the proposed change of land use heavy vehicles will no longer require access to the site. Accordingly, Lords Road is to be realigned to 6.5m wide which will convert unnecessary road space into public space. This will allow for public benefits including a pedestrian path, bicycle path, additional planting, a drop off parking zone for the child care centre, a fitness circuit and a playground for children at the western end of Lords Road.
- Building D is proposed to be located on the current site boundary, however due to the realignment of Lords Road a footpath, cycling path, parking for the child care centre and trees are located between the road reserve and the building line. Effectively the building line and edge of the road is separated by these uses.
- Taller buildings are proposed orientated north-south along the western boundary of the site adjacent to the State Rail owned land and light rail line where overlooking and the visual impact is less.
- Detailed analysis of the visual impacts of the proposal has been undertaken above and in the design statement prepared by Eeles Trelease Architects at **Appendix 2**. There will be minimal visual impacts, loss of privacy or loss of solar access to existing developments.

Figure 11 – Proposed building design

## Traffic Impact Assessment

Varga Traffic Planning Pty Ltd was engaged to assess the traffic and parking implications of the development proposal. The full traffic and parking assessment report is provided at **Appendix 8**.

The report demonstrates that the proposed rezoning is supportable on traffic planning grounds, based on the concept plan that has been adopted for assessment purposes, recognising that further detailed investigations will be undertaken at the future development application stage.

In summary, the report by Varga Traffic Planning Pty Ltd provided the following key points:

*Vehicular access*

- Basement off-street car parking will be accessed via a driveway in Lords Road.

- An at grade one-way loop road could be provided through the site from Lords Road to Davies Lane. This would operate as a 10 km/h shared zone with a limited number of visitor parking spaces, drop-off/pick-up areas and garbage collection services.

*Parking*

- On-street car parking is available at all times within a short walking distance of the proposed development.
- 150 to 253 off-street car parking spaces are to be provided in accordance with Leichhardt Council's Development Control Plan (DCP) 2013. A minimum of one car share space is also required. The design of the car park will comply with these requirements.

*Traffic generation*

There will be no change to the existing levels of service of key intersections near the site as a result of the proposed rezoning as outlined below:

- The Foster Street/Tebbutt Street/Lords Road intersection will continue to operate at a level of service "B".
- The Tebbutt Street/Kegworth Street intersection will continue to operate at a level of service "A".

*Public transport*

There are currently six bus routes operating along Marion Street, 300m to the north of the site. These bus routes provide more than 220 bus services on weekdays, 147 bus services on Saturdays and 106 services on Sundays and public holidays. A bus route is also available from Leichhardt Market Place, 500m to the north-east of the site.

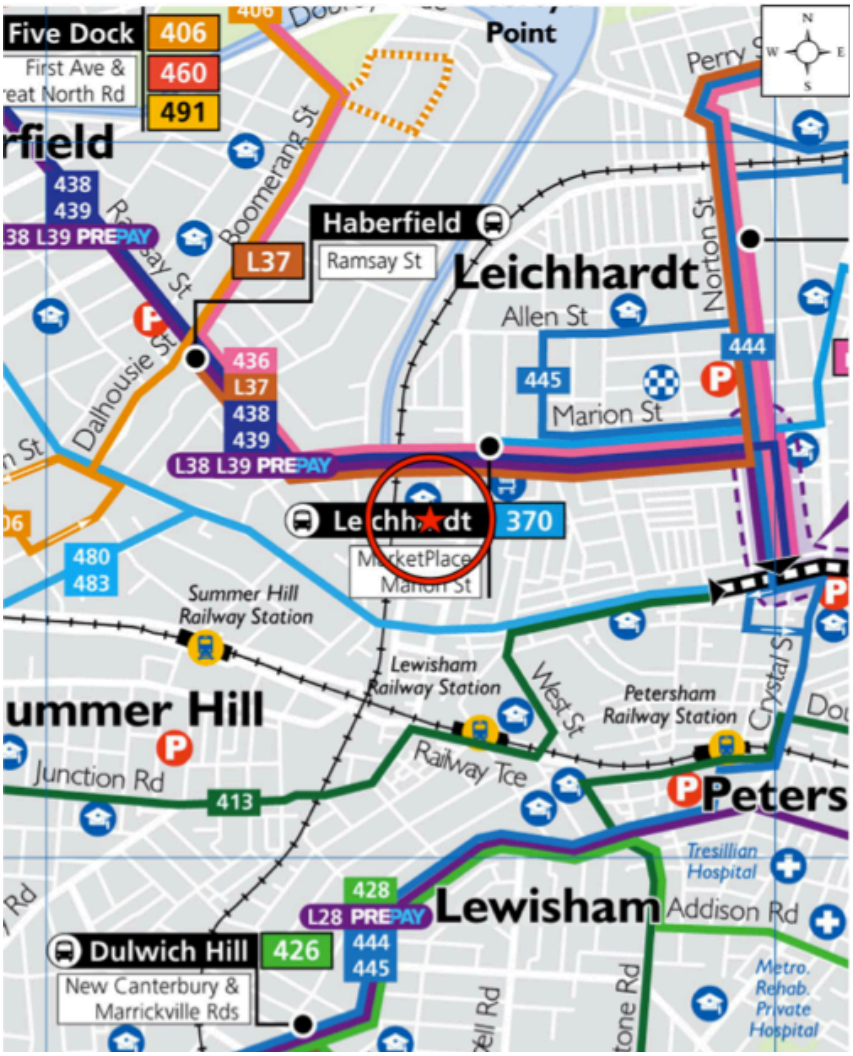



Figure 12 – Public transport
*Source: Varga Traffic Planning Pty Ltd, 2014*

*Cycling and walking*

The site is ideally located to encourage cycling and walking due to the proximity of services and recreational areas. The Leichhardt Market Place is located within walking distance of the site. Recreational areas are located in proximity to the site adjacent to the Hawthorne Canal.

The site is located on a bicycle route along Lords Road with cycling routes extending from the site into the Sydney CBD.

In addition to The Marion Street and the Taverners Hill Light Rail Stations are located approximately 350m from the site within walking distance.

A Travel Plan will be prepared with a Development Application to further encourage active transport including walking and cycling.

## Flooding and Stormwater Management

NPC was engaged to provide a desktop review of the flood behavior at the site and preliminary flood advice. The key recommendations for mitigating the effects of flooding include:

- A Flood Planning Level (FPL) of RL 4.55m AHD is recommended for the site which is 500mm above the 100 year flood level.
- All residential floors, entrances or flood evacuation routes need to be at or above the FPL. The exception to this is for mixed developments where non-residential floors can be below the FPL if they are flood proofed.
- The basement car park entry is required to be at RL 6.75m AHD.

Stormwater issues identified include:

- No stormwater detention is necessary as the site currently consists entirely of impermeable surfaces;
- Stormwater water quality treatment facilities are required for pollutant removal; and
- The existing Council stormwater pipe drainage under the railway embankment from the western boundary of the site should not be compromised.

The future redevelopment of the site is able to effectively mitigate any potential flooding impacts with appropriate design responses for the recommendations outlined above.

In accordance with the 117 Direction, the flooding and stormwater advice demonstrates that:

- The site can be redeveloped consistent with the flood plan management requirements of the Council area;
- Any proposed development of the site will not result in significant flood impacts to other properties or will result in a substantially increased requirements for government spending on flood mitigation measures; and
- The planning proposal can enable redevelopment of the site consistent with Council's existing development controls for residential development.

The letter regarding flooding and stormwater management is provided in **Appendix 9**.

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

## Social Rationale

An updated Social Impact Assessment (SIA) (refer to **Appendix 7**) has been undertaken by Cred Community Planning dated August 2016. The SIA reviews the potential social impacts of the proposed rezoning in relation to child care and schools in the area.

A Housing Affordability Assessment has also been prepared for the site by Housing Action Network and is contained in **Appendix 6.**

Cred's amended SIA notes that the rezoning of the site from industrial to medium density residential will result in an additional 310 dwellings and around 730 residents in the Leichhardt suburb. The proposal includes 16 affordable housing dwellings for key workers, a high priority need for Sydney's inner ring suburbs.

The proposed development will have minimal social impacts on existing social infrastructure such as primary and secondary schools which have capacity for the small increased enrolments anticipated by the development. As an inner city area, the area is well serviced by health and emergency services, and planning benchmarks do not indicate that new services are required. However, the feasibility of a medical centre on or nearby the site may be considered as the nearest medical centre is approximately 1.5km away and highly utilised.

The proposed development will include a 60 place child care centre. The 60 child care places will be in excess of the number of spaces required for residents in the proposed development, providing additional child care places for the local community located close to existing local schools and public transport.

Given the comparatively higher rents of the area, the inclusion of 16 affordable housing dwellings is a positive social impact and their provision should be a requirement of development consent.

The amended Housing Affordability Assessment was prepared by Housing Action Network dated December 2013. Affordability in Leichhardt is considerably worse than metropolitan Sydney for both purchase prices and rents. The average purchase price of $1.335 million is the third most expensive inner city LGA in Sydney. Average rental prices have increased to over $675 per week, the second highest inner city LGA in Sydney. No low or moderate income households, earning up to $140,000, can afford to buy in Leichhardt. Only 28% of moderate income households can afford to rent in Leichhardt. In particular, key workers (nurses, police, retail staff etc) are unlikely to be able to afford to rent or purchase properties in Leichhardt.

As Leichhardt is predominately old housing stock at low densities in fragmented ownership there are limited opportunities for brownfield redevelopment with modest sized properties that are affordable for local people. Developing apartments on the Site will address specific shortfalls in housing in Leichhardt. The proposal aligns with State Government objectives for increased housing supply and the need for sustainable development, being well located to the new Inner West light rail line. Homes will be well situated for existing neighbourhood services, such as shops, and employment.

The proposal will be one of the limited number of opportunities for to facilitate delivery of new affordable housing in Leichhardt. The current plans indicate delivery of:

- 5% affordable rental housing for eligible households - typically key workers in essential services; and
- 46% of units for sale priced at a level where they will be affordable for moderate income local Leichhardt residents to purchase.

By delivering more than 50% affordable homes on the Site, the scheme will make a significant contribution to address local housing challenges. As the dwellings are generally smaller than existing homes in the neighbourhood (55% are studios and one bedroom), they will remain relatively affordable in the medium and long term.

Benchmark development schemes reviewed in this report have delivered modest numbers of affordable properties for rent. Therefore the 5% affordable rental properties proposed for the Site for 10 years compares relatively favourably.

Several positive social outcomes would result from the Planning Proposal among which are:

- The proposal represents one of the limited number of opportunities for Council to facilitate the creation of an appropriate mix of residential unit

types, which will increase housing choice and affordability in a prime location in close proximity to a range of services and public transport options;

- The proposal represents an opportunity to deliver affordable housing and more generally, housing supply at a more affordable price point; and
- Facilitating redevelopment of the site that is currently under utilised and ensuring high quality design that will minimise impacts on surrounding properties and is environmentally sustainable.

Potential adverse social, economic and environmental impacts of the Planning Proposal have been addressed and are considered manageable. A site-specific Draft Development Control Plan has been prepared for the site, which will provide guidelines for the future development of the site in relation to parking, overlooking, overshadowing, flooding and stormwater and other controls.

## Economic Rationale

An *Industrial Rezoning Economic Justification* was prepared by MacroPlan Dimasi in October 2013. A summary of the economic justification to support the rezoning of the site from industrial to residential is provided below. Refer to **Appendix 5** for the full report.

- The current location and zoning of the site is sub-optimal. New industrial buildings at this site in the medium to long term is not likely given the availability of other larger, contiguous industrial parcels with good infrastructure access in more affordable areas of Western Sydney;
- Industrial use in this location is incompatible with adjoining land uses;
- The site is not strategically important for employment or economic purposes, nor is the retention of the existing zoning likely to encourage or protect employment growth in Leichhardt;
- The site does not provide local employment opportunities for the surrounding area as a high proportion of the workforce is employed in knowledge based jobs located elsewhere e.g. in the Central Business District, local centres and other employment precincts.

As such, current industrial use of the site is no longer viable requiring consideration of land uses aligned to economic and strategic objectives. The best use of the land is predominantly for residential purposes which is compatible with existing and future surrounding land uses. Redevelopment in this location will provide more affordable housing for sale within walking distance of the new Marion Street light rail station with direct connections to employment in central Sydney.

Accordingly, the location represents an opportunity for redevelopment for residential mixed use, as the use would be compatible with adjoining residential land with good access to public transport, community infrastructure, open space and a local centre at Leichhardt Market Place. Further, redevelopment provides an opportunity to provide less expensive housing and a child care centre for working households.

## 6.4 Section D - State and Commonwealth Interests

### 10. 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 current industrial use, 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. The proposal ensures adequate infrastructure would be provided with subsequent Development Applications that result from the planning proposal.

In addition, the proposal includes the intention to provide an equitable contribution towards regional infrastructure needed to support growth in dwellings and jobs that would result from urban renewal in the draft Parramatta Road Urban Transformation Strategy.

The proponent will continue to liaise with the relevant Government agencies to work through the appropriate form of this contribution.

The site is well serviced by transport options including the new Marion Street Light Rail Station and bus services along Parramatta Road offering direct access to employment in the Sydney CBD. Retail services, medical and educational institutions, parks, open spaces, community and sport facilities are located in close vicinity of the site.

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

A pre-lodgement meeting was held on 16 October 2013 with Leichhardt Council. Comments by Council were noted and have been taken into consideration in the preparation of the design concept for redevelopment of the site.

An initial consultation meeting was also held with the Department of Planning and Environment (DP&E). DP&E acknowledges the rezoning potential of the site, particularly due to its proximity to the proposed Marion Street Light Rail.

A meeting was held with UrbanGrowth NSW in March 2016 to ensure the proposal would be consistent with the final strategy and to discuss the contributions to regional infrastructure.

The following authorities would need to be consulted regarding the Proposal:

- UrbanGrowth NSW
- Transport for NSW;
- Roads and Maritime Services (RMS);
- Telstra; and
- Transgrid.

# 7 Part 4 – Mapping

The Concept Design Report provides design context and rationale for the approach to establishing the proposed controls and planning maps (see **Appendix 2**). This chapter provides information on the maps that support the proposed changes.

The land subject to the planning proposal is shown in Figure 1.

The subject site is currently zoned IN2 – Light Industrial under the provisions of the LLEP. An outline of the key controls under the Leichhardt LEP and the key controls proposed are provided in Table 12 below.

**Table 10. Key planning controls**

| Control | Leichhardt LEP | Proposed Controls |
|---|---|---|
| Land Use zoning | IN2 – Light Industrial | R3 Medium Density Residential |
| Floor Space Ratio | 1:1 | 2.4:1 |
| Height of Buildings | Note: Leichhardt has not adopted the height of buildings control for its Standard Instrument. The height of buildings controls are proposed to be included in the site specific Draft DCP (refer to **Appendix 3**). | |

It is proposed to amend the existing Leichhardt LEP and therefore the optional standards that have been adopted by Council will remain the same. Table 13 below shows the relevant optional standards within the Leichhardt LEP.

**Table 11. Leichhardt LEP optional standard instrument provisions**

| Control | Explanation |
|---|---|
| Height of buildings | Not adopted by Council. |
| Floor space ratio | This limits the permissible density of future development. |
| Calculation of floor space ratio and site area | This provides clarity in calculation methods used to determine compliance with Floor Space Ratio controls. |

The following maps have been drafted, which relate specifically to the LEP:

- Land Zoning Map; and
- Floor Space Ratio Map.

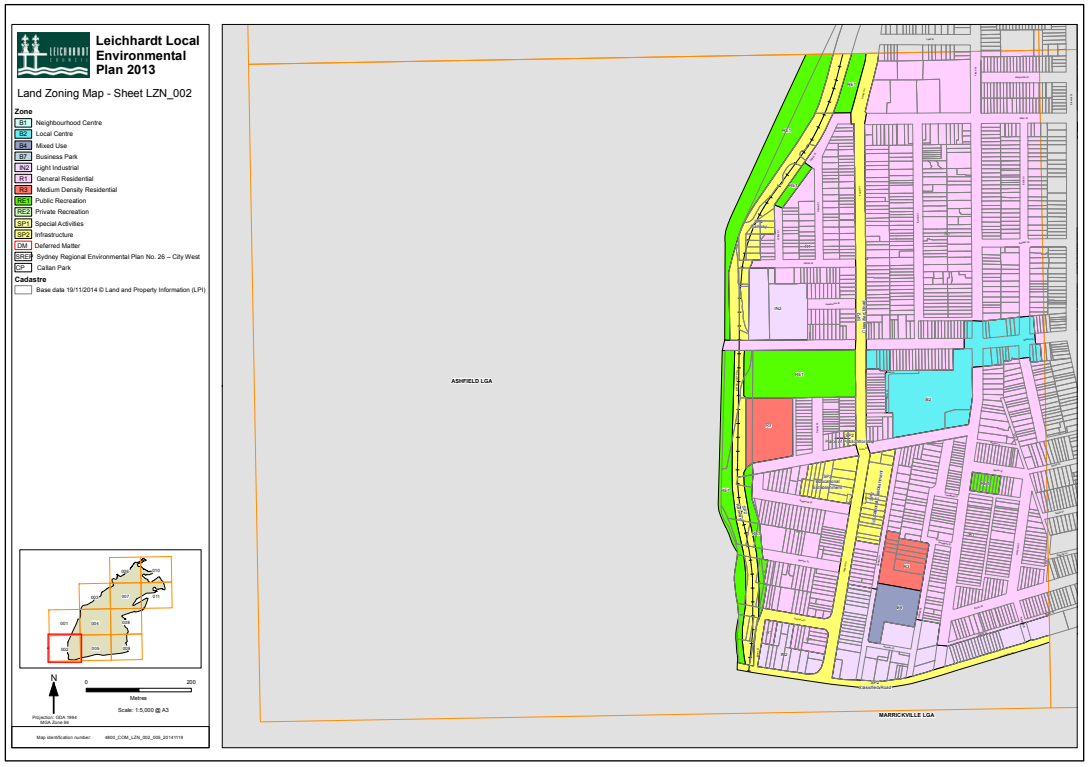



Figure 13 – Land Zoning Map

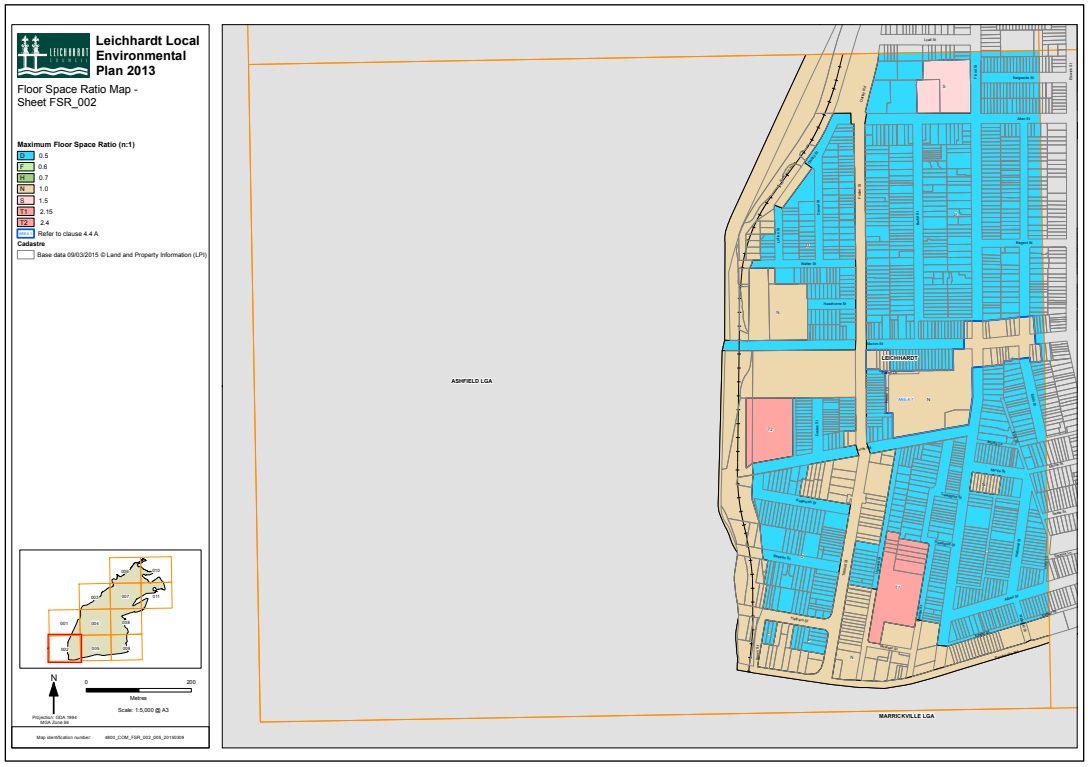



Figure 14 – Floor Space Ratio Map

These proposed maps are also provided at **Appendix 1**. In addition, relevant DCP maps support the proposed DCP, which include:

- Site Location Plan;
- Height of Buildings;
- Setback Plan;
- Setback Sections;
- Building Separation;
- Landscaped Areas;
- Public Domain and Open Space; and
- Pedestrian and Vehicle Access.

The proposed site specific Draft DCP is provided at **Appendix 3**.

The following list of maps have not been drafted as no information would be included:

- Land Reservation Acquisition Map;
- Heritage Map;
- Acid Sulphate Soils Map; and
- Foreshore Building Line Map.

# 8 Part 5 – Community Consultation

Community consultation would take place following a Gateway determination made by the Minister for Planning and Infrastructure, in accordance with Section 56 and 57 of the *Environmental Planning and Assessment Act 1979*. It is anticipated that public exhibition would include:

- Notification on the Leichhardt Council Website;
- Advertisement in local newspapers that are circulated within the local government area;
- Notification in writing to adjoining landowners and neighbours, and any other relevant stakeholders; and
- A four week exhibition period.

Further, the Draft DCP for the site would accompany the exhibition of the Planning Proposal.

# 9 Part 6 – Project Timeline

This project timeline has been provided to assist with monitoring the progress of the planning proposal through the plan making process and assist with resourcing to reduce potential delays.

**Table 12. Project timeline**

| Milestone | Date | Comments |
|---|---|---|
| Anticipated commencement date (date of Gateway determination) | 14 July 2016 | |
| Anticipated timeframe for the completion of required technical information | Completed prior to lodgement | Updates to be made if necessary. |
| Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) | DP&I was consulted on 31 October 2013 | Other relevant agencies to be consulted as necessary or required by the gateway determination |
| Commencement and completion dates for public exhibition period | August 2016-September 2016 | |
| Dates for public hearing (if required) | Within exhibition period | |
| Timeframe for consideration of submissions | September 2016 – November 2016 | |
| Timeframe for consideration of a proposal post exhibition | As above | |
| Date of submission to the department to finalise the LEP | December 2016 | |
| Anticipated date Relevant Planning Authority (RPA) will make the plan (if delegated) | January 2017 | |
| Anticipated date RPA will forward to the department for notification | As above | |

# 10 Conclusion

The Planning Proposal has been prepared in accordance with:

- Section 55 of the Environmental Planning and Assessment Act 1979, (the Act);
- NSW Department of Planning and Infrastructure A Guide to Preparing Planning Proposals; and
- Relevant s.117 Directions.

The Planning Proposal pertains to the land, currently described as Lot 1 DP940543 and Lot 1 DP550608.

This report provides a full justification of the proposal in line with the Department of Planning and Infrastructure's template for gateway rezonings. The justification demonstrates that:

- The proposal is consistent with metropolitan strategy, *A Plan for Growing Sydney*, and the draft Parramatta Road Urban Transformation Strategy;
- The proposal is consistent with relevant S.117C directions;
- The site is located close to the Marion Street Light Rail Station and bus services on Marion Street. Accordingly, the site has excellent public transport links;
- The provision of housing in close proximity to public transport, community services, shops and educational facilities creates a socially improved work-home life balance for residents and improves the local economy through increased patronage;
- Recreational and education facilities are within walking distance of the site;
- The inclusion of a day care centre on site will benefit working families living in the development and for local residents;
- The proposal intends to provide an equitable contribution to improve necessary regional infrastructure; and
- The proposal will result in improvements to the public domain.

# Appendix 1
# LEP maps

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# Appendix 2
# Concept Design Report

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# Appendix 3
# Draft Development Control Plan

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# Appendix 4
# Net Community Benefit Test

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# Appendix 5
# Economic Assessment

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# Appendix 6
# Affordable Housing Assessment

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# Appendix 7
# Social Impact Assessment

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# Appendix 8
# Traffic and Parking Assessment

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# Appendix 9
# Flooding and Stormwater Management Letter

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# Appendix 10
# Contamination Assessment

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# Appendix 11
# Voluntary Planning Agreement Letter of Offer

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# Appendix 12
# Apartment Design Guide Compliance Table

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