

Planning Proposal



67-75 Lords Road, Leichhardt

Prepared on behalf of Platino Properties

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Document control

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Project summary

Applicant	Platino Properties
Applicant's address	Suite 11, 20 Young St, Neutral Bay, NSW, 2089
Land to be developed	67-75 Lords Road, Leichhardt
Legal description	Lot 1 DP 940543 and Lot 1 DP 550608
Project description	Planning Proposal to support renewal of the site to accommodate non-residential floor space and residential apartments.

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Executive Summary

Introduction

This report has been prepared in support of a Planning Proposal for an approximately 1ha site at 67-75 Lords Road, Leichhardt (Lot 1 DP 940543 and Lot 1 DP 550608) which forms part of the Taverners Hill precinct within the Parramatta Road Corridor. The site is identified for renewal to support medium density residential uses of up to eight storeys and open space under the *Parramatta Road Corridor Urban Transformation Strategy 2016* (PRCUTS).

The site is currently zoned E4 General Industrial under the *Inner West Local Environmental Plan 2022* and accommodates a range of light industrial and commercial uses within brick warehouse style buildings which are nearing the end of their useful life and in need of renewal.

The proposal seeks to implement the recommendation of the PRCUTS for the site which envisaged it being subject of the following zones and controls:

- 75 Lords Road: RE1 Public Recreation zone
- 67-73 Lords Road: R3 Medium Density zone with the following built form controls:
 - 30m maximum height of buildings
 - 2.4:1 maximum FSR.

Where 75 Lords Road is zoned RE1, it is anticipated that Inner West Council would be the relevant acquisition authority.

Council has advised that its preference is to have 75 Lords Road zoned RE1 Public Open Spaces and vested in Council as part of the Planning Agreement. In this regard the landowner has offered to enter into a Planning Agreement and will continue to work with Council to progress this agreement.

Should Council not agree to future ownership of this land, as an alternative the land could be zoned RE2 with an easement to provide 24 hour public access.

Residential flat buildings are proposed to be included as an additional permitted use. This is necessary to achieve the intent of the PRCUTS noting that the R3 zone under the Inner West Local Environmental Plan 2022 prohibits residential flat building (it is noted that residential flat buildings were previously permitted under the former Leichhardt LEP).

A range of non-residential uses are also included as additional permitted uses on the site which could support uses such as light industrial, urban services, creative industries, health facilities, education uses, gymnasium, restaurants/cafes and local service businesses.

5% of the residential floor space would be delivered as affordable housing in perpetuity through a Community Housing Provider in accordance with the requirement of PRCUTS.

The Planning Proposal is entirely consistent with the recommendations and intent of the PRCUTS and accompanying Ministerial direction which requires future planning proposal to be consistent with this strategy.

Background

Two previous Planning Proposals have been prepared for the site which have not progressed. The most recent planning proposal was not supported on the basis that:

- It is inconsistent with Council's long standing position of preserving industrial lands, including within the Parramatta Road Corridor
- It would be premature in light of a number of strategic planning projects underway including:
 - Inner West Council planning including the Local Housing Strategy, Local Strategic Planning Statement (LSPS), Employment Lands Review, Local Infrastructure Contributions Plan, Integrated Transport Plan and Comprehensive Inner West Local Environmental Plan (LEP) and Development Control Plan (DCP)
 - Precinct wide traffic modelling being carried out by Transport for NSW for the Parramatta Road Corridor precincts.

Since this time Inner West Council has finalised its LSPS, Local Housing Strategy, Employment Lands Review, Comprehensive LEP and Local Contributions Plan . Council is also progressing a separate Planning Proposal to implement Stage 1 of PRCUTS which does not include this site, but applies largely to areas outside the 2016-2023 release area identified by the PRCUTS.

Since this time the precinct wide traffic study has also been released and Department of Planning, Housing and Infrastructure (DPHI) has updated PRCUTS via an implementation update.

In its conditional endorsement of the Local Housing Strategy, DPHI has reiterated its position that PRCUTS is to be implemented to prevail to the extent of any inconsistency with the approach to industrial lands in Council's Local Housing Strategy.

Further, the PRCUTS Implementation Update release in 2021 supports the progression of Planning Proposals to a Gateway determination in the areas identified for release post 2023.

This Planning Proposal presents an opportunity to undertake a review of the previous proposals and develop a new urban design and built form strategy that is consistent with PRCUTS and reflects more recent State and local government policy including:

- Release of the Precinct Wide Traffic Study for the Taverners Hill Precinct
- The PRCUTS – Implementation Update 2021
- Inner West Local Housing Strategy 2020, including DPHI's conditional endorsement of this document
- Inner West Local Infrastructure Contributions Plan 2023
- NSW Housing and Productivity Contributions scheme.

It is considered that the Planning Proposal is no-longer premature and is fully consistent with the relevant strategic planning context.

A rezoning review for this Planning Proposal was considered by the Sydney Central Planning Panel on 17 August 2023. The Panel determined that the proposal has strategic and site specific merit and should be submitted for a Gateway determination. A Gateway determination was subsequently issued by DPHI on 2 September 2024. The Gateway determination set out that prior to exhibition, the planning proposal is to be amended to address requested changes which have been addressed in this report as detailed at Section 13.

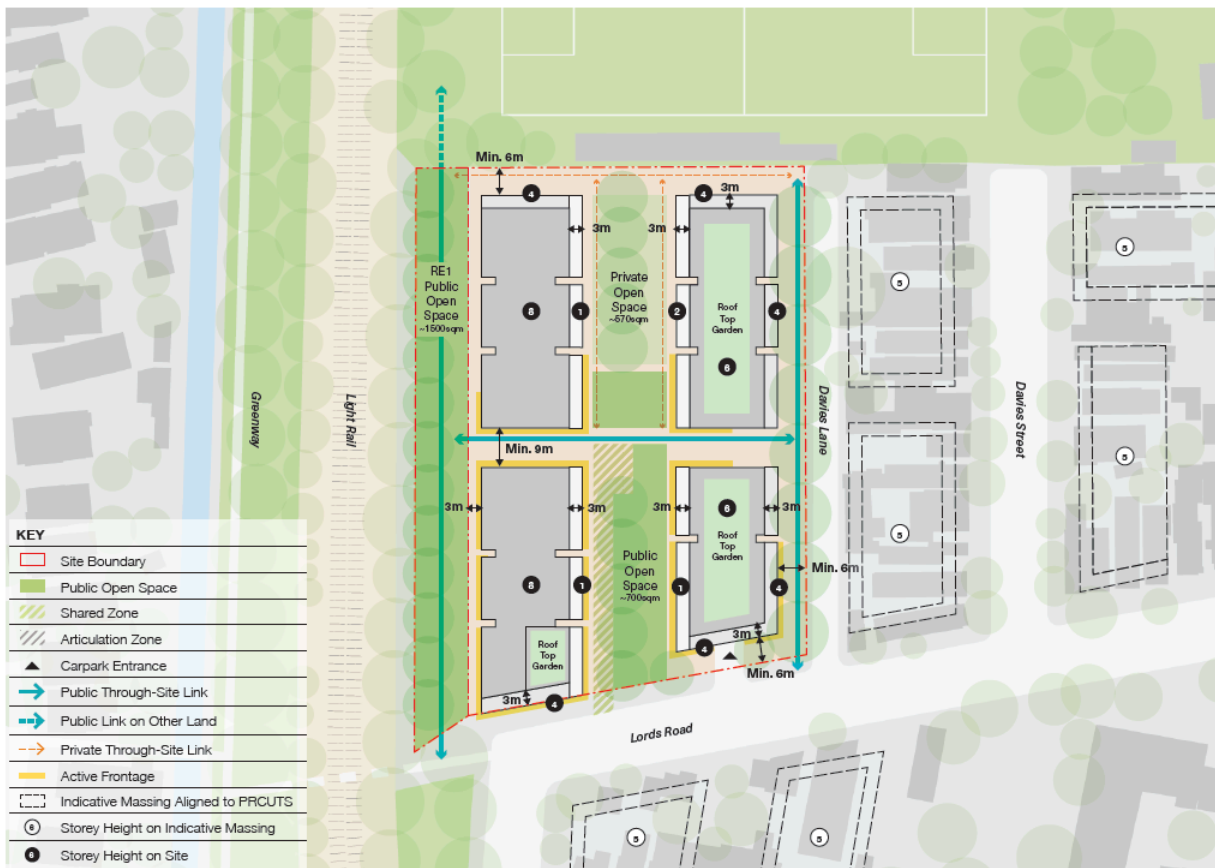
Planning Proposal and Urban Design

The planning proposal would facilitate the redevelopment of the site for up to 21,667sqm of floor space (2.4:1 FSR across 9,028sqm of land at 67 -73 Lords Road) for residential development delivering around 210 new dwellings in addition to the potential for non-residential uses at ground level. A minimum of 5% of residential floor space would be provided as affordable housing in perpetuity through a Community Housing Provider.

75 Lords Roads is proposed as public open space consistent with the PRCUTS. The proposal will increase the local supply of residential apartments, enhancing housing diversity and choice within the Inner West LGA which currently has a much lower share of flats/apartments at 24.8% compared to the wider Inner West LGA at 43.0% (as highlighted in the Social Impact Assessment at Appendix O).

SJB Architects has prepared an urban design report for the site which has informed the Planning Proposal. SJB has undertaken a site and surrounding context analysis, a review of previous proposals and the peer review prepared by CM+ on behalf of Inner West Council, a detailed review of the relevant aspects of PRCUTS and other relevant policies, and an analysis of the opportunities and constraints to inform a series of design principles and design responses which have guided the urban design response and preparation of an urban design concept plan as shown below.

SJB has also prepared a Landscape Concept which would significantly enhance the landscape character of the site and site interfaces, including by significantly increasing areas for deep soil planting from less than 5% existing to 30% across the entire site (67-75 Lords Road) and a minimum of 15% on the R3 land (67-73 Lords Road) and enhancing canopy cover from less than 10% existing to at least 22% across the entire site and at least 15% on the R3 land.



Urban Design Concept Plan

Proposed LEP controls

The Planning Proposal seeks to amend the Inner West LEP to apply the zone and built form controls envisaged under the PRCUTS as outlined below:

- Rezone 75 Lords Road from E4 General Industrial to RE1 Public Recreation and identify Council as the relevant acquisition authority

- Remove the existing FSR control from 75 Lords Road
- Rezone 67-73 Lords Road from E4 General Industrial to R3 Medium Density Residential and apply the following built form controls:
 - Maximum FSR 2.4:1
 - Apply a maximum height of buildings of 30m

The R3 zone under the Inner West LEP prohibits residential flat buildings, and therefore would not allow development consistent with the built form envisaged for the site under the PRCUTS. Accordingly, residential flat building is proposed to be included as an additional permitted use within the site to be reflected within a site specific provision.

The PRCUTS did not envisage non-residential uses for the site however to support potential local services and ground floor activation, should this be considered appropriate, the following additional permitted uses are proposed:

- Recreation facility (indoor)
- Office premises
- Business premises
- Light industry
- Creative industry
- Industrial retail outlet
- Restaurant or café.

The local provision would also include a requirement for a minimum 5% of residential floor space to be delivered as affordable housing.

Proposed DCP controls

Draft site specific development controls have also been prepared for inclusion in the Leichhardt DCP (Appendix D). This outlines objectives and controls to guide future development of the site and reflects key aspects of the urban design proposal as well as recommendations from the PRCUTS Planning and Design Guidelines and Council's draft DCP for Stage 1 of the Parramatta Road Corridor.

Infrastructure contributions

The following infrastructure contributions may apply to any future development of the site as envisaged by the Planning Proposal:

- Local infrastructure contributions in accordance with Council's Inner West Local Infrastructure Contributions Plan 2023
- Housing and Productivity Contribution in accordance with the Ministerial Planning Order.

Planning Agreement

A letter of offer to enter into a planning agreement was sent to Council by the landowner on 31 December 2023. The offer proposes to deliver the following infrastructure items:

- Land dedication: Dedication of 1,584sqm of land to Council comprising 75 Lords Road
- Embellishment: Landscaping and maintenance for two years of 75 Lords Road
- Affordable housing: Provision of 988sqm of GFA free of cost to be developed and managed by a Community Housing Provider for affordable housing in perpetuity.
- Footpath upgrades: Construction of footpath along Davies Lane, with public right of access and insurance maintained by the developer.

The landowner will continue to work with Council to progress the planning agreement.

Public benefits

The Planning Proposal includes a commitment to deliver the following additional public benefits to be required through the proposed LEP and/or DCP controls:

- Over 1,500sqm of public open space to be zoned RE1 for future ownership by Council accommodating a potential secondary GreenWay pathway to connect to Marion Street Light Rail to the north
- Around 700sqm of additional publicly accessible open space fronting Lords Road
- Minimum 5% of residential floor space to be delivered as affordable housing in perpetuity and managed by a community housing provider (approximately 10 affordable dwellings)
- A publicly accessible east-west through site link
- Provision of a footpath on the western side of Davies Lane to enhance pedestrian access.

Strategic merit

The Planning Proposal is considered to have site-specific merit as summarised in the table below:

Strategy / policy	Response
PRCUTS	<p>The proposal supports the implementation of PRCUTS as it applies to the site and complies to the PRCUTS Implementation Toolkit and 2021 Implementation Update. In particular it would facilitate the recommended zoning and built form controls for the site.</p> <p>The Implementation Update supports the progression of Planning Proposals to a Gateway determination in the areas identified for release post 2023. The Planning Proposal is therefore no longer out of sequence.</p>
Greater Sydney Region Plan / Eastern City District Plan	<p>The Proposal supports the implementation of PRCUTS and the '30 minute city' which are key aspects of the Region Plan and District Plan.</p> <p>The Region Plan and District Plan also highlight that PRCUTS is the primary planning strategy for sites within the corridor and specifically excludes sites within the Parramatta Road corridor from the industrial lands policies of the District Plan.</p>
Inner West Local Strategic Planning Statement (LSPS)	<p>The LSPS highlights Council's view that the dwelling projections within the PRCUTS can be met even if the lands currently zoned for industrial and urban services were protected for this ongoing use, and seeks to 'retain and manage' the existing industrial and urban services land in the Parramatta Road corridor, including in the Taverners Hill precinct.</p> <p>This approach is inconsistent with PRCUTS as well as with the approach outlined in the Greater Sydney Region Plan and Eastern City District Plan. Further, the DPHI has advised that it does not support this approach in its conditional endorsement of the Local Housing Strategy.</p>
Inner West Local Housing Strategy	<p>The proposal is consistent with DPHI's provisional approval of the Local Housing Strategy which clearly states that the PRCUTS is to be implemented and is to prevail to the extent of any inconsistency with the approach to industrial land identified in Council's Local Housing Strategy</p> <p>It is consistent with the timing for release of the Taverners Hills precinct as outlined in the Inner West Local Housing Strategy which highlights the precinct as a medium term investigation area for delivery from 2019 and likely to result in housing from 2021 to 2026.</p>

Strategy / policy	Response
Inner West Employment and Retail Lands Strategy	<p>The Employment and Retail Lands Strategy outlines Council's intention retain all industrial land for industrial purposes across the LGA and seeks to demonstrate that retention of industrial land within the Parramatta Road Corridor will deliver better outcomes than those recommended in PRCUTS.</p> <p>The Employment and Retail Lands Strategy is inconsistent with PRCUTS, the Ministerial Direction and the Eastern City District Plan. It is also inconsistent with the DPHI's conditional endorsement of the Inner West Local Housing Strategy.</p>
Inner West Integrated Transport Strategy	The proposal aligns with the Integrated Transport Strategy through the location of housing growth in close proximity to public transport and services, proposed enhancements to the active transport network including pedestrian upgrades and through site links, and activation of Lords Road providing safer connections to light rail stops in the vicinity.
GreenWay Master Plan	The Planning Proposal supports the implementation of the GreenWay master plan accommodating a future secondary GreenWay connections which is identified in the master plan but is yet to be funded.
Inner West Affordable Housing Policy	The Inner West Affordable Housing Policy sets out that Inner West Council will seek to achieve an affordable housing target of 15% of new residential floor space to be dedicated to very low, low and moderate income households. The proposal commits to the provision of 5% of the residential floor space as affordable housing which is consistent with the PRCUTS requirement and in line with the range outlined in the Eastern City District Plan, and is therefore considered to be appropriate.
State Environmental Planning Policies	The Proposal is consistent with all relevant State Environmental Planning Policies.
Ministerial Directions	<p>The Proposal is largely consistent with all relevant Ministerial Directions, in particular the direction requiring the implementation of PRCUTS. Where the proposal is inconsistent with a Ministerial Direction the inconsistency is justified as follows:</p> <ul style="list-style-type: none"> • 1.4 Site Specific Provisions: Site-specific provisions are the most appropriate mechanism to facilitate the proposed additional permitted uses, as well provide a provision for the requirement of affordable housing. Accordingly, the variation is considered to be justified. • 4.1 Flooding: A Flood Risk Management Report (Appendix F) and Flood Impact and Risk Assessment (Appendix G) have been prepared which confirm that flood hazards can be appropriately managed. • 7.1 Business and Industrial Zones: the PRCUTS and District Plan satisfy the requirement for inconsistencies under the terms of the Direction.

Site specific merit

This proposal demonstrates site specific merit as summarised in the table below through the detailed consideration of all environmental, social and economic impacts associated with the proposal and consideration of the infrastructure needs to support future development.

Consideration	Summary
Ecological impacts	The proposal is contained within a site long used for industrial purposes, no critical habitat or threatened species will be affected as a result of this proposal.
Local character	<p>The urban design concept plan developed by SJB has been based on a detailed review of the local character and context outlines a development which is responsive to the existing and future PRCUTS local character. This has been achieved through a transition of building height, generous landscaped setbacks, a four storey street wall height and upper level setbacks facing sensitive development.</p> <p>A Visual Impact Assessment has also been prepared by SJB showing that impacts will be greatest from the streets directly adjoining the site. In these instances, the building setbacks and building height transition will minimize visual impacts and the design responses will be important to ensure that the buildings respond to the local character.</p> <p>The views from the wider context are minor with the building bulk being screened by the landform and existing vegetation. In particular, views from the Haberfield Conservation Area, Lambert Park and north of Marion Street will be minimal.</p>
Privacy	<p>Maintaining the privacy of surrounding residents and adjoining uses has been a key consideration of the urban design concept plan that has informed the Planning Proposal. The generous 6m street setbacks facing existing residents across Lords Road and Davies Lane will provide for tree planting and landscaping to minimise overlooking. The additional 3m street setback above level four will provide for greater separation distances for upper levels. Additional design responses can be applied at the DA stage to minimise overlooking and relevant requirements are included in the draft DCP.</p> <p>Within the development visual privacy will be managed through the application of ADG building separation distances and other design measures to be applied at the DA stage.</p>
Solar impact	<p>A solar impact analysis has been prepared as part of the urban design study which concludes that solar access can be maintained to the surrounding area in accordance with the relevant provisions of the Leichhardt DCP. This includes maintaining at least three hours of direct sunlight to 50% of the primary private open space and into living rooms between 9am and 3pm on 21 June.</p> <p>These provisions are reflected in the draft site specific DCP to ensure that this is maintained at the DA stage.</p>
Heritage	<p>A Statement of Heritage Impact has been prepared which concludes that the proposal has responded to the heritage values in the surrounding area and will not have any unreasonable impacts on heritage items at Lambert Park and Kegworth Public School, or on the Haberfield Conservation Area.</p> <p>The Heritage Assessment recommends archival recording and interpretation of the building prior to demolition and that to ensure that the new work is not visually intrusive to the setting of the items or the Haberfield Conservation Area, a palette of external materials and colours should be developed that is neutral in hue and mid to dark in tone. These recommendations are reflected in the draft DCP controls and will be further addressed at DA stage.</p>
Flooding and stormwater	As with most of the Leichhardt area, the site is subject of inundation during flood events. For the land proposed to be zoned R3 Medium Density Residential for all flood events up to the PMF this is characterized as flood storage and flood fringe and has no significant velocity.

Consideration	Summary
	A Flood Risk Management Report and Flood Impact and Risk Assessment have been prepared to support the Planning Proposal which outline measures to manage flood risk and confirm that with compensatory storage, there are no significant adverse flood level impacts outside the site.
Traffic and transport	<p>A Traffic and Parking Assessment has been prepared which concludes that the proposed development on its own, would have a negligible impact on the road network.</p> <p>It noted the potential for cumulative traffic impacts notably the Tebbutt Street and Lords Road intersection however this would be improved through flow on effects of upgrades proposed on the Parramatta Road corridor as part of the Precinct-Wide Traffic and Transport Study. Such upgrades could be funded through Regional Infrastructure Contributions ensuring effectiveness of the road network can be maintained.</p>
Acoustics	An Acoustic Assessment has been prepared which takes into consideration aircraft noise, rail noise from the Inner West Light Rail and noise associated with the use of the APIA Leichhardt Tigers Football Club playing field and concludes that the relevant noise criteria can be readily met through typical envelope treatments.
Light spill	<p>Lighting at the Lambert Park sports field has potential to impact on residential amenity of proposed apartments within the site.</p> <p>The Planning Proposal includes a 6m wide setback to Lambert Park to the north, providing for landscaping and tree planting to minimise light spill impacts to lower level apartments. Upper level apartments located on the north side of the building would be oriented east and west with architectural expression and articulation to direct views and openings away from the sports field reducing impacts of light spill from the field. A detailed technical assessment will be prepared to assess the light spill impact from Lambert Park on the proposal as part of any future DA to identify necessary mitigation measures.</p>
Contamination	A Detailed Site Investigation has been prepared which concludes that the site can be made suitable for the proposed use, subject to further contamination assessment at the DA stage including further assessment of the quality of fill material across the site and implementation of a remediation action plan.
Sustainability	<p>The proposal makes significant commitments to the delivery of a highly sustainable development. This includes:</p> <ul style="list-style-type: none"> • Designing to a 5 star Green Star V1 standard • At least 15% canopy coverage across the development site within 10 years of the completion of the development to enhance amenity and mitigate urban heat • Provision of vegetation, green roofs, green walls and materials with a high solar reflectance index, with particular focus on western and northern building facades. • Compliance with the new BASIX targets in the Sustainable Buildings SEPP. • Green Travel Plan • Charging stations for electric vehicles • Requirements for bike parking, end of trip and car share facilities. <p>These commitments are reflected in the draft DCP controls.</p>
Economic Impact	An Economic Impact Assessment has been prepared which demonstrates that the proposal would deliver a net economic benefit compared to the retention of the existing zone.

Consideration	Summary
Social impact	<p>A Social Impact Assessment has been prepared which demonstrates that the proposal would deliver a net economic benefit compared to the retention of the existing zone.</p> <p>The SIA also outlines that the proposal will not require any new social infrastructure items and that additional demand for social infrastructure can be met through existing facilities or funded through local and regional infrastructure contributions.</p>

Conclusion

This Planning Proposal will implement the NSW Government’s vision for the Parramatta Road Corridor as it applies to the site, and is consistent with all aspects of PRCUTS and the PRCUTS Implementation Toolkit. In particular, the proposal is consistent with the PRCUTS Implementation Update and is consistent with the staging approach outlined in PRCUTS noting that rezoning would not occur until 2024 and development and delivery would take place post 2024.

The Planning Proposal will deliver new housing, including affordable housing, aligned with public transport and services. It also has potential to enhance the local character and amenity including through:

- Delivery of a highly integrated residential community
- Potential for non-residential uses to provide local services and ground floor activation
- Provision of over 1,500sqm of public open space for future ownership by Council
- Provision of around 700sqm of publicly accessible open space fronting Lords Road
- Minimum 5% of residential floor space to be delivered as affordable housing in perpetuity and managed by a community housing provider (approximately 10 affordable dwellings)
- A publicly accessible east-west through site link
- A secondary GreenWay pathway with potential to connect to Marion Street Light Rail to the north.

1 Introduction

This report has been prepared in support of a Planning Proposal at 67-75 Lords Road, Leichhardt which forms part of the Taverners Hill precinct within the Parramatta Road Corridor. The site is identified for renewal to support medium density residential uses and open space under the *Parramatta Road Corridor Urban Transformation Strategy 2016* (PRCUTS).

The proposal seeks to implement the recommendation of the PRCUTS for the site which envisaged it being subject of the following planning controls:

- R3 Medium Density Residential and RE1 Public Recreation zone
- 30m maximum height of buildings
- 2.4:1 maximum FSR.

Two previous Planning Proposals have been prepared for the site which have not progressed. This Planning Proposal presents an opportunity to undertake a review of the previous proposals and develop a new urban design and built form strategy in light of more recent State and local government policy including:

- Release of the Precinct Wide Traffic Study for the Taverners Hill Precinct
- The PRCUTS – Implementation Update 2021
- Inner West Local Strategic Planning Statement 2020 endorsed by the GSC
- Inner West Local Housing Strategy 2020, including DPHI’s conditional endorsement of this document
- Inner West Local Infrastructure Contributions Plan 2023
- NSW Housing and Productivity Contribution scheme.

A rezoning review for this Planning Proposal was considered by the Sydney Central Planning Panel on 17 August 2023. The Panel determined that the proposal has strategic and site specific merit and should be submitted for a Gateway determination. A Gateway determination was subsequently issued by DPHI on 2 September 2024. The Gateway determination set out that prior to exhibition, the planning proposal is to be amended to address requested changes which have been addressed in this report as detailed at Section 13.

SJB Architects has reviewed the previous site proposals and prepared a new urban design concept and landscape plan to inform the new Planning Proposal (Appendix C). This is supported by updated draft site specific development controls (Appendix D) and new and updated technical studies including:

- Statement of Heritage Impact (Appendix E)
- Flood Risk Management Report (Appendix F)
- Flood Risk and Impact Assessment (Appendix G)
- Traffic and Transport Assessment (Appendix H)
- Acoustic Assessment (Appendix I)
- Arborist Assessment (Appendix J)
- Sustainability Strategy (Appendix K)
- Contamination Assessment (Appendix L)
- Preliminary Acid Sulfate Soil Assessment (Appendix M)
- Economic Impact Assessment (Appendix N)
- Social Impact Assessment (Appendix O)
- Feasibility Advice (Appendix P)
- Market Demand Advice (Appendix Q)
- Local Centres Impact Assessment (Appendix R).

2 Site description and context

2.1 Site description

The subject site comprises approximately 1ha of land located at 67-75 Lords Road, Leichhardt (see Figure 2). The characteristics of the site are detailed in Table 1 below.

Table 1: Site summary

Site Parameters	
Land description	67 -73 Lords Road - Lot 1 DP 940543 (9,028sqm) 75 Lords Road - Lot 1 DP 550608 (1,589sqm).
Total site area	10,617sqm
Existing uses	<p>The site accommodates a range of light industrial and commercial uses including warehousing / storage facilities, small scale manufacturing, joinery and furniture restoration businesses, and private recreation facilities.</p> <p>There is currently 9,979sqm of floor space on the site which accommodates 19 tenancies. Currently 11 occupancies are tenanted employing an estimated 79.5 full time equivalent employees.</p>
Existing built form	<p>67 -73 Lords Road</p> <p>The existing built form within this lot comprises a series of brick warehouse style buildings to a maximum height of 11.5m with frontages to the east and west. A smaller building is located on the south east corner facing Lords Road and Davies Lane.</p> <p>The remainder of the lot is largely covered by hardstand used primarily for access and vehicle parking.</p> <p>The buildings are nearing the end of their useful life and are in need of renewal. The existing built form has not been identified as having any heritage significance.</p> <p>75 Lords Road</p> <p>No built form is located within this lot which comprises hard stand areas used for parking and loading.</p>
Existing access	Existing access is via two driveways from Lords Road which provide access to car parks on the eastern and western side of the main buildings.



Figure 1: Site and context images



Figure 2: Subject site

2.2 Local context

The Inner West Light Rail corridor forms the western boundary of the site and a steep heavily vegetated rail embankment runs alongside this frontage. Lambert Park football field is located to the north, with the northern most buildings on the Lords Road site being located directly adjacent to its boundary. Low density residential uses are located to the east and south of the site which typically have their rear boundaries and garages facing onto Lords Road and Davies Lane. To the south east of the site on the other side of Lords Road are dwellings which front Lords Road including two townhouses which have been recently completed in the location of a previous industrial / car repair use. The Kegworth Public School is located beyond these dwellings to the east.

A number of services and facilities are located in close proximity to the site which support its redevelopment for housing and a range of revitalised employment and non-residential uses, as outlined below.

- Close proximity to a range of public transport options including:
 - Marion light rail stop located 150m to the north of the site which is accessed via the pedestrian underpass at Lords Road and the shared path along the western side of the rail line (less than 5 minutes walk)
 - Taverners Hill light rail stop located 400m from the site (5 minutes walk)
 - Parramatta Road bus services located 400m from the site (5 minutes walk), and
 - Summer Hill and Lewisham Station on the T2 Inner West Line approximately 800m to the south west of the site (12 minutes walk)
- Accessibility to walking and cycling networks, including via a shared path which forms part of the wider GreenWay which runs along the Inner West Light Rail corridor and Hawthorne Canal.
- Good access to the wider road network via Parramatta Road (600m to the south) and the City West Link (1.2km to the north).
- Good access to retail and services including Leichhardt Marketplace shopping centre 150m to the east of the site, as well as main street retailing nearby along Marion Street and Norton Street. Regional shopping facilities are located at Burwood and Broadway and the site is within 7km of the Sydney CBD.
- Within close walking distance of Kegworth Public School, and accessible to secondary schools in the wider area including Sydney Secondary College – Leichhardt Campus and Fort Street High School.
- Accessible to a range of public open spaces including:
 - Lambert Park playground on the corner of Flood and Foster streets to the north west of the site
 - Lambert Park soccer field to the north of the site used by the APIA football club, and
 - Hawthorne Canal Reserve, Richard Murden Reserve, Haberfield Tennis Courts, Haberfield Netball Courts approximately 400m-700m to the north of the site accessible via the GreenWay and the Inner West Light Rail.
 - Extensive open space within the wider area including foreshore open space around the Parramatta River which is also accessible via the GreenWay.

A map showing the site's relationship to the surrounding area is provided in Figure 3.



Figure 3: Local context

3 Current planning controls

The principal planning instrument applying to the site is the *Inner West Local Environmental Plan 2022* (Inner West LEP). The site is zoned E4 General Industrial. A maximum floor space ratio of 1:1 applies to the site, however no height of buildings provisions apply. The existing zone and FSR are shown in Figure 4 and Figure 5 respectively.

No heritage items identified under the Inner West LEP are located on the site. However Lambert Park and Kegworth Primary School are mapped as heritage items within close proximity to the site, and the Haberfield Heritage Conservation Area is located to the west approximately 70m from the site's western boundary (see Figure 6).

A number of other provisions of the Inner West LEP apply to the site, including those relating to flood planning, stormwater management, and acid sulfate soils which have been consideration through the preparation of the Planning Proposal and will inform any future DAs.

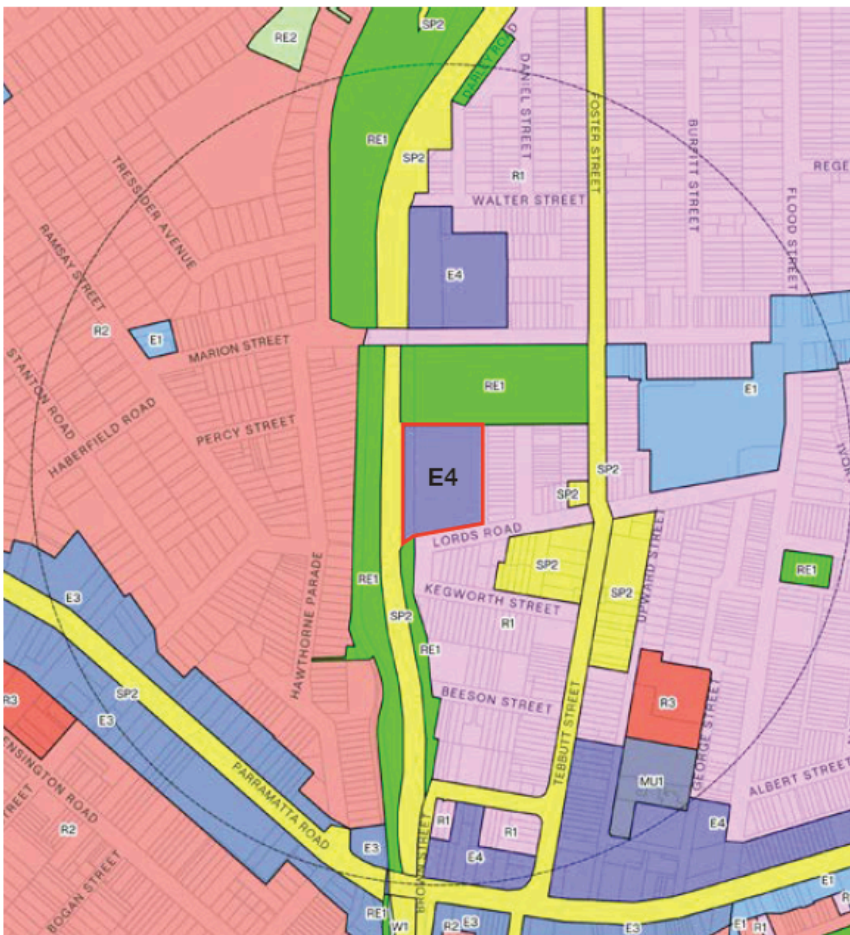


Figure 4: Inner West LEP – Land Use Zoning Map



Figure 5: Inner West LEP – Floor Space Ratio Map

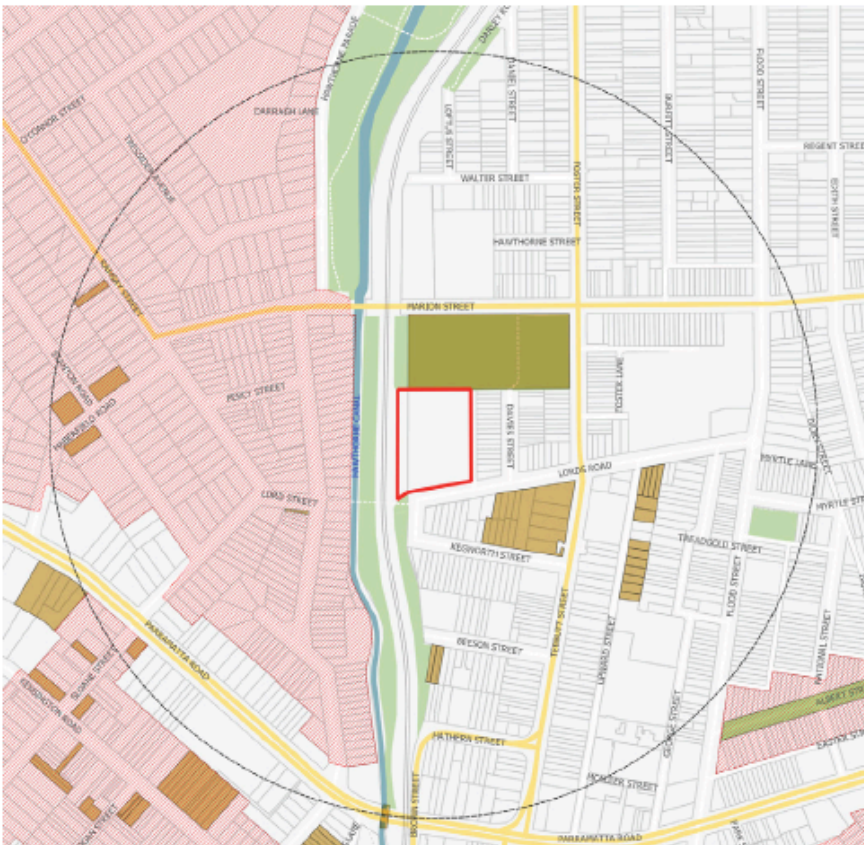


Figure 6: Inner West LEP – Heritage items / local conservation area

4 Proposal

The planning proposal would facilitate the redevelopment of the site for up to 21,667sqm of floor space (2.4:1 FSR across 9,028sqm of land at 67-73 Lords Road) for residential development delivering around 210 new dwellings in addition to the potential for non-residential uses at ground level.. A minimum of 5% of residential floor space would be provided as affordable housing in perpetuity through a Community Housing Provider.

75 Lords Roads is proposed as public open space consistent with the PRCUTS.

4.1 Urban Design

SJB Architects has prepared a new urban design report for the site to support the development of this Planning Proposal. To inform a series of design principles and design responses SJB carried out the following:

- A site and surrounding context analysis
- A review of previous proposals including comments from Council and the peer review prepared by CM+ on behalf of Council
- A review of the relevant aspects of PRCUTS and other relevant policies
- An analysis of the opportunities and constraints associated with the site.

This has resulted in an urban design scheme which has informed the Planning Proposal as summarised below and illustrated at Figure 7 and Figure 8:

- Four building increasing in height from six storeys to eight storeys stepping up from east to west and concentrating building height adjacent to the light rail corridor and away from residential areas to the east
- Six metre setbacks to all frontages, with the exception of a zero setback for active uses to the south-west corner to provide a strong street presence along Lords Road aligned to the existing front setback
- A four storey street wall fronting Lords Road, Davies Land and Lambert Park
- A central open space facing Lords Road providing for deep soil and canopy cover and approximately 700sqm of publicly accessible open space
- 1,400sqm of communal private open space for residents
- Low rise one to two storey street walls fronting the ground level open space providing for sky views, solar access and a sense of openness
- Enhanced permeability of the site including a 12m wide potential future connection along the western boundary of the site (to be zoned RE1 Public Recreation) through Lambert Park to the Marion Street Light Rail and 9m wide east-west through site link
- Potential commercial uses fronting Lords Road, parts of the linear open space along the western boundary (zoned RE1) and the central publicly accessible open space providing for activation and accommodating employment generating uses to service the local community
- Basement car parking and site servicing with a single access from the eastern side of Lords Road above the Probable Maximum Flood Level
- A single lane shared zone alongside the central open space from Lords Road terminating in a turning bay providing a few short-term parking spaces, minimising any increased traffic on Davies Lane and providing address for the buildings.

SJB has also prepared an indicative reference scheme which identifies one option for development of the site under the proposed controls and concept plan which includes 1,692sqm of non-residential floor space and 213 dwellings.

The Concept Plan is able to significantly increase areas for deep soil planting and canopy cover including:

- Deep soil: increased from less than 5% existing to at least 30% (3,185sqm) across the site and at least 15% (1,592sqm) within the R3 zone.
- Canopy Cover: increased from less than 10% existing to at least 22% (2,336sqm) across the site and 15% (1,592sqm) within the R3 zone.

Key aspects of the landscape concept are proposed to be included in the draft site specific DCP including a minimum 15% deep soil target and canopy cover target within the R3 zone.

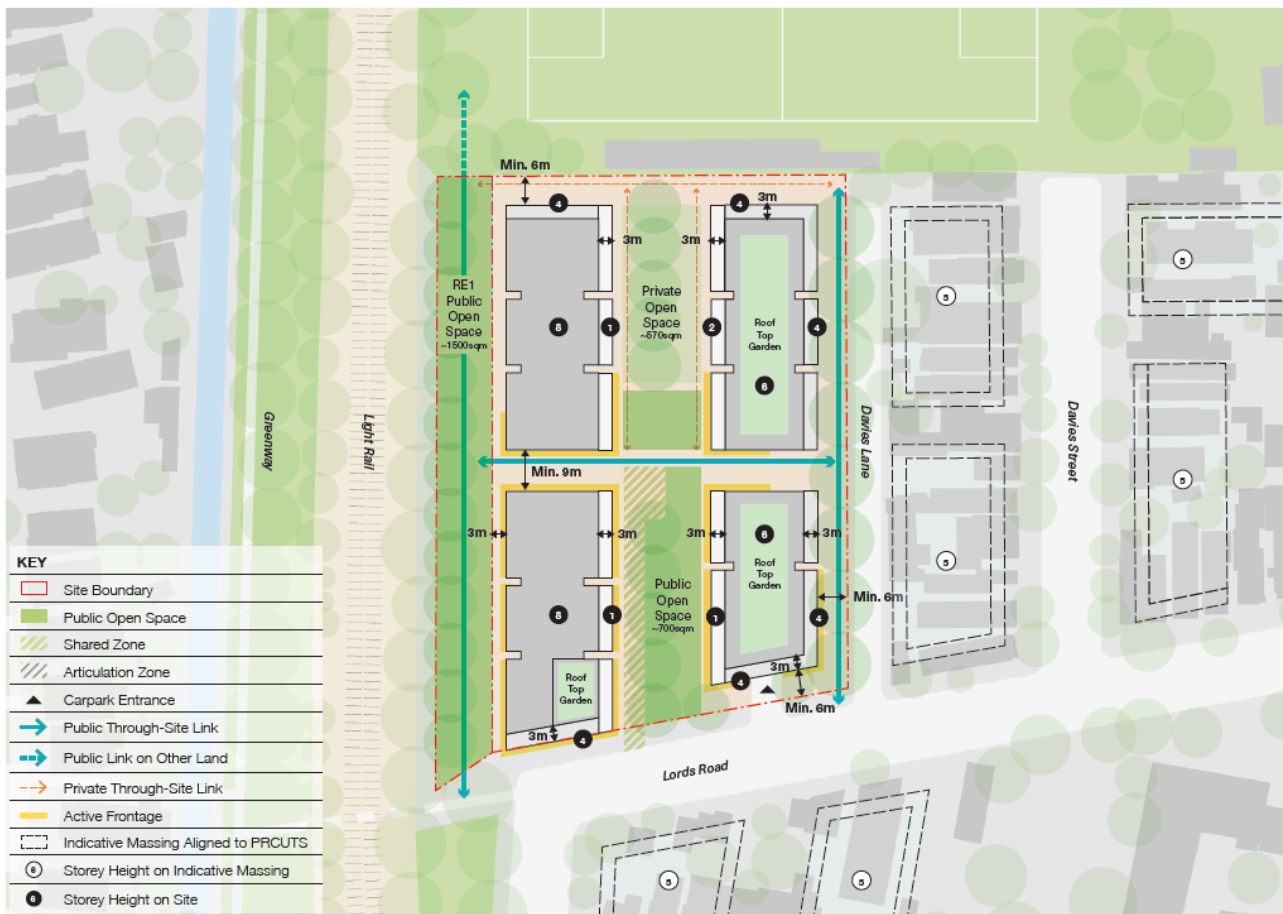
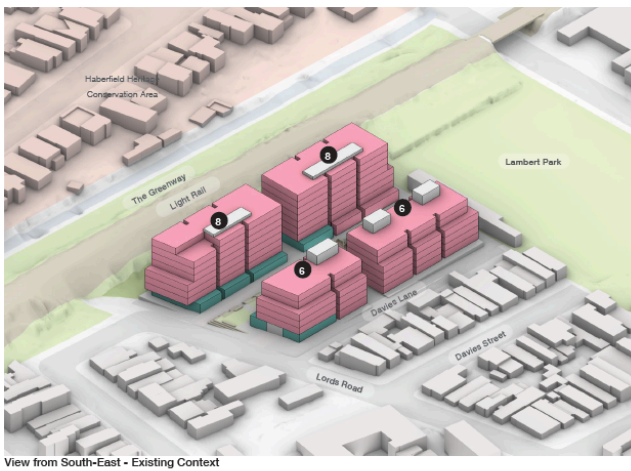
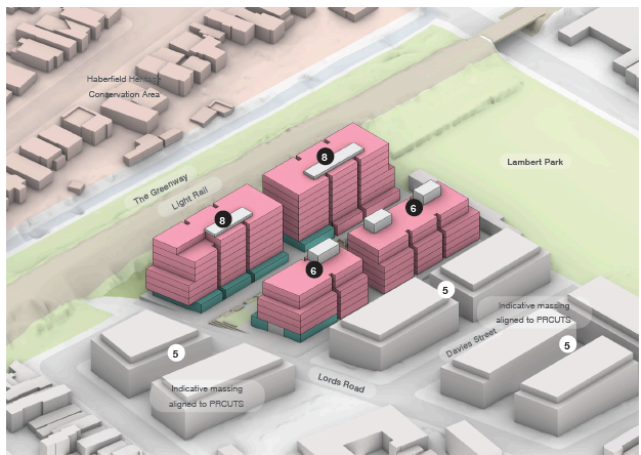


Figure 7: Concept Plan



View from South-East - Existing Context

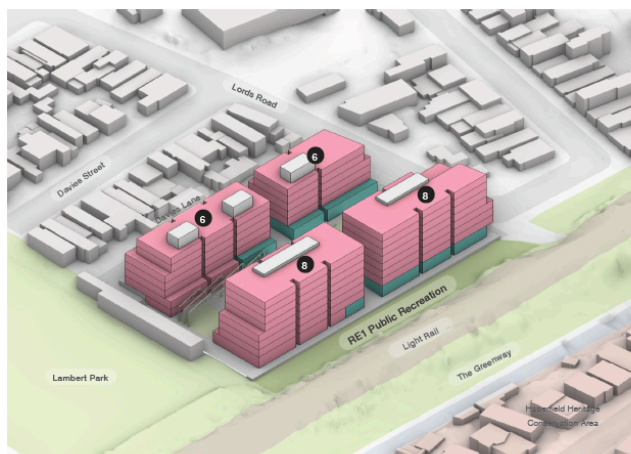


View from South-East - Future Context (PRCUTS)

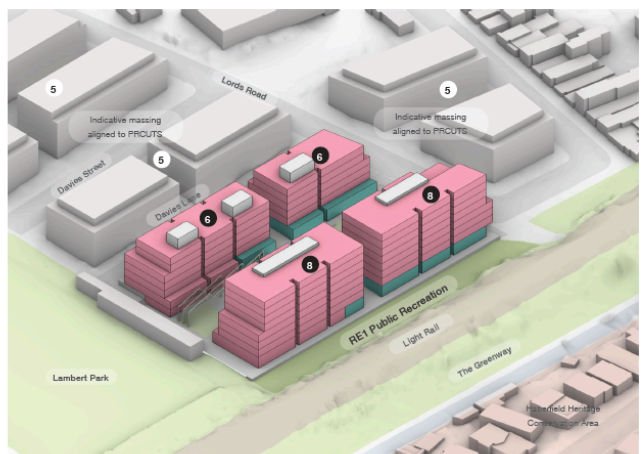
KEY

	Site Boundary
	Residential
	Non-Residential
1	Storey Height

Figure 8: Built form massing – view from south-east existing and future context



View from North-West - Existing Context



View from North-West - Future Context (PRCUTS)

Figure 9: Built form massing – view from north-west existing and future context



Figure 10: Visualisation looking west along Lords Road

4.2 Landscape concept

A Landscape Concept Plan also forms part of the Urban Design Study prepared by SJB (Appendix C) illustrating a landscape vision for the site which includes:

- A generous landscape interface with Lords Road adjacent to publicly accessible open space which draws people into the site and provide opportunities for passive recreation
- Dining opportunities that spill out into the public domain create a vibrancy to the local area
- Green communal spaces providing for amenity and gathering spaces for the resident community
- Added permeability and new public access through the site allowing people to traverse between key local attractions through the site
- A network of spaces across the site to cater for a range of users
- Potential for children's play area.

The Planning Proposal is also supported by an Arborist Report which concluded that the proposed removal of existing trees and replacement with large native trees with suitable growing conditions provides an opportunity to improve the site's capacity to contribute to and improve the local landscape qualities, provide a GreenWay vegetation buffer zone, provide a transition zone to low density residential development and improve vegetation longevity and canopy cover. This is discussed in further detail in Section 9.1.11.

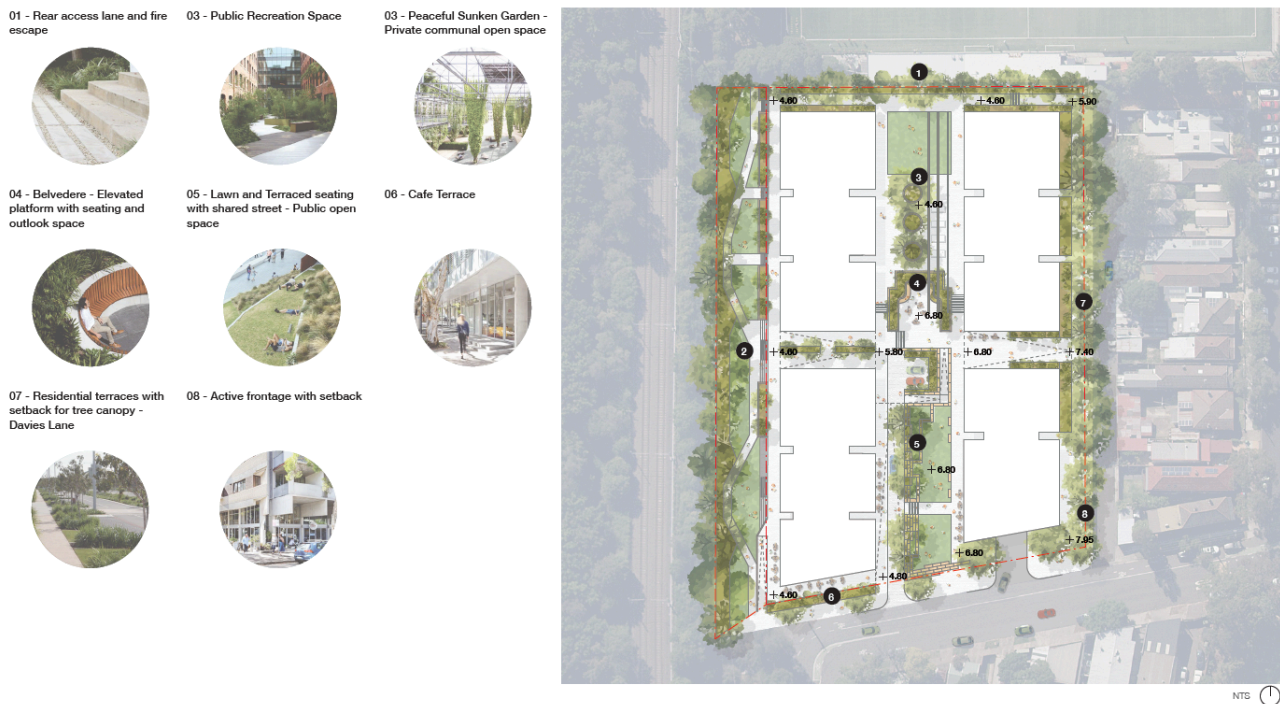


Figure 11: Landscape concept

4.3 LEP controls

The Planning Proposal seeks to amend the Inner West LEP to apply the zone and built form controls envisaged under the PRCUTS as outlined below:

- Rezone 75 Lords Road from E4 General Industrial to RE1 Public Recreation and identify Council as the relevant acquisition authority
- Remove the existing FSR control from 75 Lords Road
- Rezone 67 -73 Lord Road from E4 General Industrial to R3 Medium Density Residential and apply the following built form controls:
 - Increase the FSR from 1:1 to 2.4:1
 - Apply a maximum height of buildings of 30m

Council has advised that its preference is to have 75 Lords Road zoned RE1 Public Open Spaces and vested in Council as part of the Planning Agreement. In this regard the landowner has offered to enter into a Planning Agreement and will continue to work with Council to progress this agreement.

Should Council not agree to future ownership of 75 Lords Road, as an alternative it could be zoned RE2 with an easement to provide 24 hour public access.

The R3 zone under the Inner West LEP prohibits residential flat buildings, and therefore would not allow development consistent with the built form envisaged for the site under the PRCUTS. Accordingly, residential flat buildings are proposed to be included as an additional permitted use within the site to be reflected within a site specific provision.

The PRCUTS did not envisage non-residential uses for the site however to support potential local services and ground floor activation the following additional permitted uses are proposed:

- Recreation facility (indoor)
- Office premises
- Business premises
- Light industry
- Creative industry
- Industrial retail outlet
- Restaurant or café.

The local provision would also include a requirement for a minimum 5% of residential floor space to be delivered as affordable housing.

A full explanation of the proposed LEP provisions is provided at Section 7.

4.4 DCP controls

Draft site specific development controls have also been prepared for inclusion in the Leichhardt DCP (Appendix D). This outlines objectives and controls to guide future development of the site and reflects key aspects of the urban design proposal as well as recommendations from the PRCUTS Planning and Design Guidelines and Council's draft DCP for Stage 1 of the Parramatta Road Corridor.

4.5 Infrastructure contributions

The following infrastructure contributions would apply to any future development of the site as envisaged by the Planning Proposal:

- Local infrastructure contributions in accordance with Council's Inner West Local Infrastructure Contributions Plan 2023 (see further discussion in Section 9.2)
- Housing and Productivity Contribution in accordance with the Ministerial Planning Order (see further discussion in Section 9.2).

4.6 Planning Agreement

A letter of offer to enter into a planning agreement was sent to Council by the landowner on 31 December 2023. The offer proposes to deliver the following infrastructure items:

- Land dedication: Dedication of 1,584sqm of land to Council comprising 75 Lords Road
- Embellishment: Landscaping and maintenance for two years of 75 Lords Road
- Affordable housing: Provision of 988sqm of GFA free of cost to be developed and managed by a Community Housing Provider for affordable housing in perpetuity.
- Footpath upgrades: Construction of a footpath along Davies Lane, with public right of access and insurance maintained by the developer.

The landowner will continue to work with Council to progress the planning agreement.

4.7 Public benefit

The Planning Proposal includes a commitment to deliver the following public benefits to be required through the proposed LEP and/or DCP controls:

- Over 1,500sqm of public open space to be zoned RE1 for future ownership by Council accommodating a potential secondary GreenWay pathway to connect to Marion Street Light Rail to the north
- Approximately 700sqm of additional publicly accessible open space fronting Lords Road
- Minimum 5% of residential floor space to be delivered as affordable housing in perpetuity and managed by a community housing provider (approximately 10 dwellings)
- A publicly accessible east-west through site link
- Provision of a footpath on the western side of Davies Lane to improve pedestrian access and amenity.

5 Strategic context

5.1 Greater Sydney Region Plan

The final Greater Sydney Region Plan, A Metropolis of Three Cities was released by the Greater Sydney Commission in March 2018. The Plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities. It establishes directions, objectives and actions to achieve the 40 year vision which are focused around infrastructure and collaboration, liveability, productivity and sustainability.

The Greater Sydney Region Plan also aims to provide ongoing housing supply and a range of housing types in the right places to create more liveable neighbourhoods and support Greater Sydney's growing population.

The Lords Road proposal supports the delivery of the vision for the Greater Sydney Region by increasing housing supply within walking distance of the Marion light rail stop and bus services along Parramatta Road, ensuring that that future residents of this site will be able to access a wide range of jobs, education and health facilities, including those within the Sydney CBD, within a 30 minute travel timeframe.

The Greater Sydney Region Plan also seeks to plan, retain and manage industrial and urban services land, however it notes that the PRCUTS reflects the extensive planning process undertaken for this area and therefore the land subject of PRCUTS is not subject to the industrial land strategies and actions of the Plan. Accordingly, rezoning of the site consistent with PRCUTS is consistent with the Greater Sydney Region Plan.

5.2 Eastern City District Plan

The Eastern City District Plan has been developed to support the Greater Sydney Region Plan. The 20-year District Plans seeks to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. It contains planning priorities and actions for implementing the Greater Sydney Region Plan at a district level and is a bridge between regional and local planning.

The Eastern City District Plan highlights that the PRCUTS, initially developed by UrbanGrowth NSW is the primary planning strategy for sites within the corridor. It reiterates the position in the Greater Sydney Regional Plan specifically excluding sites within the Parramatta Road corridor from the employment provisions of the District Plan.

The Planning Proposal will support key Planning Priorities of the District Plan as outlined in Table 2 below.

Table 2: Consideration of Eastern City District Plan Planning Priorities and Actions

Planning Priority	Consideration
Planning Priority E1: Planning for a city supported by infrastructure Action 3: Align forecast growth with infrastructure	The Planning Proposal seeks to locate housing growth in close proximity to the major Government infrastructure investment in the Inner West Light Rail, and rapid bus services along Parramatta Road.
Planning Priority E2: Working through collaboration Action 7: Identify, prioritise and deliver Collaboration Areas	The District Plan identifies the PRCUTS as being a project which involves collaboration between the councils implementing the strategy, supported by the Greater Sydney Commission. The proposal supports the delivery of the PRCUTS.

Planning Priority	Consideration
<p>Planning Priority E3: Providing services and local infrastructure to meet peoples needs.</p> <p>Action 8: Deliver social infrastructure that reflects the needs of the community now and in the future.</p>	<p>A Social Impact Assessment has been prepared which considers and addresses the social infrastructure needs to the local community (see Section 9.1.14 and Appendix O).</p> <p>The proposal will also deliver new public open space and pedestrian connections to complement the wider network.</p>
<p>Planning Priority E5: Providing housing supply, choice and affordability with access to jobs, services and public transport</p> <p>Action 16: Prepare local or district housing strategies that address 5 year, 6-10 year and 20 year housing targets.</p>	<p>The Planning Proposal will deliver increased housing supply, including affordable housing, in close proximity to jobs, services and public transport.</p>
<p>Planning Priority E6: Creating and renewing great places and respecting the District's heritage</p> <p>This Planning Priority includes Action 18 to use a place-based collaborative approach to deliver great places.</p>	<p>An urban design study and heritage study have been prepared demonstrating how the proposal delivers a place based approach which responds to and respects the surrounding heritage and local character.</p>
<p>Planning Priority E10: Delivering integrated land use and transport planning and a 30-minute city</p> <p>Action 33: Integrate land use and transport plans to deliver the 30-minute city</p>	<p>The proposal integrates land use and transport by delivering new housing within walking distance of the Marion Light Rail stop as well as bus services along Parramatta Road. This will ensure that future residents will be able to access a wide range of jobs, facilities and services, including those within the Sydney CBD, within a 30 minute travel timeframe.</p> <p>The proposal also includes upgrades of the active transport network through provision of a potential secondary greenway link, through site links, and pedestrian upgrades along Davies Lane.</p>
<p>Planning Priority E12: Retaining and managing industrial and urban services land</p>	<p>Whilst the site is currently zoned for industrial uses, the District Plan highlights that the PRCUTS and Implementation Toolkit reflects the extensive planning process undertaken for this area and therefore the land subject of PRCUTS is not subject to the industrial land strategies and actions of the District Plan.</p>
<p>Planning Priority E14: Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways</p>	<p>The proposal will improve water quality through increased deep soil zones and improved water quality of stormwater runoff.</p>
<p>Planning Priority E17: Increasing urban tree canopy cover and delivering green grid connections</p> <p>Action 65: Expand urban tree canopy in the public realm.</p>	<p>The site is currently almost entirely cleared of vegetation, with the exception of trees along Davies Lane and fronting Lords Road. The Planning Proposal would significantly increase areas for deep soil planting and canopy cover as detailed in Section 4.1.</p>

Planning Priority	Consideration
<p>Action 66: Progressively refine the detailed design and delivery of:</p> <ul style="list-style-type: none"> Greater Sydney Green Grid priority corridors and projects important to the District opportunities for connections that form the long-term vision of the network walking and cycling links for transport as well as leisure and recreational trips. 	<p>The proposal has the potential to deliver a secondary GreenWay link along the eastern side of the Inner West Light Rail Corridor which will improve connectivity along the Iron Cove Greenway and the Hawthorne Canal which is identified as a Green Grid priority corridor.</p>
<p>Planning Priority E18: Delivering high quality open space</p> <p>Action 67: Maximise the use of existing open space and protect, enhance and expand public open space. Relevant components of the action are:</p> <ul style="list-style-type: none"> investigating opportunities to provide new open space so that all residential areas are within 400 metres of open space and all high density residential areas (over 60 dwellings per hectare) are within 200 metres of open space. planning new neighbourhoods with a sufficient quantity and quality of new open space. delivering or complementing the Greater Sydney Green Grid providing walking and cycling links for transport as well as leisure and recreational trips. 	<p>The proposal is located within 200 metres of Lambert Park which comprises a soccer field, as well as passive open space and a playground.</p> <p>The Planning Proposal will also enhance the existing open space and pedestrian / cycle network including through provision of:</p> <ul style="list-style-type: none"> Over 1,500sqm of linear open space zoned RE1 Public Recreation providing a potential secondary GreenWay link on the eastern side of the Inner West Light Rail Corridor A new publicly accessible open space within the site providing for a range of passive and active recreational opportunities
<p>Planning Priority E19 Reducing carbon emissions and managing energy, water and waste efficiently</p> <p>Action 68: Support initiatives that contribute to the aspirational objective of achieving net-zero emissions by 2050 especially through the establishment of low-carbon precincts in Planned Precincts, Collaboration Areas, State Significant Precincts and Urban Transformation projects.</p>	<p>As part of the Planning Proposal the applicant has committed to designing to a 5 star Green Star V1 standard.</p>
<p>Planning Priority E20: Adapting to the impacts of urban and natural hazards and climate change</p> <p>Action 75: Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards.</p> <p>Action 76: Mitigate the urban heat island effect and reduce vulnerability to extreme heat</p>	<p>The Planning Proposal is supported by a flood study demonstrating how flood hazards can be safely managed.</p> <p>The proposal will increase canopy cover from less than 10% existing to at least 22% across the entire site reducing vulnerability to extreme heat.</p>

5.3 Parramatta Road Corridor Urban Transformation Strategy

The Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) was released in November 2016 by UrbanGrowth NSW and sets a vision and land use and transport principles to accommodate 27,000 new homes and 50,000 new jobs in a range of industries across the Corridor over the next 30 years.

The PRCUTS is given statutory force by way of a Ministerial direction under the *Environmental Planning and Assessment Act 1979* (EP&A Act). This direction requires all future planning proposals to be consistent with the strategy.

The PRCUTS outlines a corridor wide vision and seven land use and transport planning principles and relevant strategic actions for each principle which are addressed in Appendices A and B.

The PRCUTS identifies eight precincts along the corridor which are earmarked for renewal. The site is located within the Taverners Hill Precinct. For the Taverners Hill precinct, the PRCUTS states that the area's existing character will be bolstered by the creation of an urban village with:

- Strong transport links via the adjoining GreenWay and Hawthorne Canal
- A revitalised neighbourhood centre
- Enhanced accessibility to nearby public transport modes and high amenity neighbourhood parks, squares, and leafy streets just off Parramatta Road.

The PRCUTS identifies Lords Road as an urban renewal opportunity with the Taverners Hill Precinct and notes that taller buildings will be developed along Parramatta Road and close to the light rail stops. The PRCUTS gives very specific guidance as to the appropriate height, floor space ratio and land use proposed for individual sites, including Lords Road, within the Taverners Road precinct. The structure plan for Taverners Hill identifies residential as the appropriate future land use for the Lords Road site and recommends the following zones and controls:

- 75 Lords Road: RE1 Public Recreation zone
- 67 -73 Lords Road: R3 Medium Density Residential, 30m maximum height of buildings, 2.4:1 maximum FSR.

PRCUTS is supported by an implementation toolkit to assist councils and other stakeholders and to guide where and when rezoning should occur, and the infrastructure required to support land use changes. The implementation toolkit comprises the Implementation Plan 2016-2023, Infrastructure Schedule, Urban Amenity improvement Program and Planning and Design Guidelines.

The PRCUTS Implementation Update was released in July 2021 to provide additional actions to support PRCUTS.

The implementation update and implementation toolkit and are discussed in detail below as relevant.

5.3.1 PRCUTS – Implementation Update 2021

The Implementation update was released in July 2021 and forms an addition to the suite of documents that was released with the original PRCUTS, and reflects changes to the strategic and policy context and infrastructure planning within the intervening period.

The update includes the following action relating the timing of release of land within the PRCUTS area:

From the date of the Implementation Update, the progression of planning proposals in the 2016-2023 Release Area, or planning proposals for whole precincts can progress to a Gateway determination notwithstanding the status of any precinct wide traffic study.

It is noted that the precinct wide traffic study has been finalised, and has been considered as part of this Planning Proposal.

The Implementation Update also encourages consideration of the NSW Productivity Commission's *Infrastructure Contributions Review* of March 2021. Since the release of the Infrastructure Update the Housing and Productivity Contribution Framework has been implemented by way of a Ministerial Planning Order which sets out rates for State and regional contributions for different types of development. The Housing and Productivity Contribution will be applied at DA stage.

5.3.2 Parramatta Road Corridor – Implementation Plan 2016-2023

The Implementation Plan establishes a sequencing strategy identifying areas of the Parramatta Road corridor to be redeveloped to 2023. For the Taverners Hill Precinct, this comprises the areas closest to Parramatta Road. The Lords Road site is located within the areas of the precinct identified to be delivered post 2023.

The Implementation Plan supports delivery of a maximum 47,000sqm of residential GFA and a minimum of 35,000 sqm of commercial GFA by 2023. It also notes that during this time growth will be supported by rapid bus solutions along Parramatta Road from Burwood to the Sydney CBD.

For areas out of sequence, submission of a preliminary proposal to the relevant planning authority that addresses the relevant requirements of the *Environmental Planning and Assessment Act 1979* and the out of sequence checklist is required before it can be considered for a Gateway determination.

The Implementation Update supports the progression of Planning Proposals to a Gateway determination in the areas identified for release post 2023. The Planning Proposal is therefore no longer out of sequence and preparation of an out of sequence checklist is not required.

It is also noted that very limited growth within the Taverners Hills Precinct of the Parramatta Road Corridor has occurred during the six plus years since the strategy was released meaning that development is well below the maximum floor space envisaged under PRCUTS to 2023. Accordingly, the development of the Lords Road site would not result in a greater level of growth in the precinct than envisaged under the Implementation Plan, and would not result in unreasonable impact on infrastructure.

5.3.3 Parramatta Road Corridor – Infrastructure Schedule

The Infrastructure Schedule identifies the transport, open space, community, education and health facilities required to support the proposed growth across the Corridor. It identifies specific infrastructure for the Taverners Hill precinct both in the short term (2016-2023) and the medium to long term (2024-2054).

The Infrastructure Schedule does not identify any items located directly within the site, however a prioritised walking link has been identified along Lords Road adjacent to the site.

5.3.4 Parramatta Road Corridor – Planning and Design Guidelines

The Planning and Design Guidelines have been developed to inform future controls in LEPs and DCPs and should be considered when the Strategy is being implemented through rezoning proposals.

The Planning and Design Guidelines include precinct wide principles and controls relating to urban design, built form, watercourses, open space and public domain, transport and sustainability. It also outlines precinct specific vision, future character, land use, heights and densities.

For the Lords Road site the Planning and Design Guidelines recommends the following zones and controls:

- 75 Lords Road: RE1 Public Recreation zone
- 67 -73 Lords Road: R3 Medium Density Residential, 30m maximum height of buildings, 2.4:1 maximum FSR.

The Planning Proposal would seek to amend the Inner West LEP to be consistent with the recommendations of PRCUTS, thereby supporting its implementation.

Consideration has also been given to the Corridor Wide Guidelines and the Built Form Guidelines and these have guided the urban design response to the site and the proposed site specific DCP controls which form part of the Planning Proposal. In particular the Urban Design Study prepared by SJB (Appendix C) has taken into consideration and responded to the following key recommendations of PRCUTS:

- Relate building height to street width and intended character
- Buildings, or their individual elements, should be appropriately scaled to address and define the surrounding character.
- Reduce heights, increase setbacks or provide appropriate transitions to heritage buildings and places or sensitive uses.
- The maximum building length should not exceed 60m
- The maximum wall length without articulation is 45m
- Articulate building facades in plan and elevation to reduce the appearance of building bulk and to express the elements of the building's architecture.
- Provide building setbacks and street frontage heights in accordance with Table 4.1 of PRCUTS with the following being relevant to the site:
 - Street wall height: 18m (maximum 5 storeys)
 - Street setback: 3-6m or 0m for active frontages
 - Upper level setbacks: 2-6m.

The precinct specific landscape and built form guidelines include the following controls which have also informed the preparation of the proposal:

- Wherever possible, provide a series of connected open spaces through future development to achieve a diverse sequence of open spaces, uses and active frontages
- Promote roof top communal open space
- Prioritise Lords Road, Tebbutt Street north of Parramatta Road and Carrington Street for pedestrians
- Provide a built form transition consistent with Figure 10.14 to edge of Precinct (including provision of a landscaped buffer to the light rail corridor)
- New Through Site Links and Prioritised Pedestrian Links should be lined with Active Frontages
- The ground floor level of Active and Commercial Frontages is to match the street level
- Provide consistent paving, street furniture, signage, planting and lighting along Active and Commercial Frontages.

The Urban Design Scheme has responded to these recommendations through development of a concept plan which comprises a series of buildings which respond to the local character, provide for a highly articulated built form, activate and enhance pedestrian amenity of the surrounding streets and provide for enhanced through site connections.

Building setbacks and street frontages are proposed to be in accordance with the recommendations of PRCUTS with 6m setbacks from the from the street, a 0m setback in the location of the active frontage at the western end of Lords Road, and with 3m upper level of setbacks provided above level 4.

To ensure that relevant aspects of the Planning and Design Guidelines are applied to the site, controls have also been included in the draft site specific DCP controls as appropriate.

5.4 Inner West Council Local Strategic Planning Statement 2020

The *Inner West Local Strategic Planning Statement* (LSPS) released in March 2020 seeks to guide land use planning and development for the Inner West local government area to 2036.

The LSPS highlights the need to deliver an additional 20,000 dwellings to 2036, and notes that the Inner West Local Housing Strategy establishes the important role that growth planned under PRCUTS will play in meeting these targets, particularly beyond 2026, subject to provision of mass transit along Parramatta Road.

However, it notes Council's view that the dwelling projections within the PRCUTS can be met even if the lands currently zoned for industrial and urban services were protected for this ongoing use. On this basis, the LSPS sets out Council's intention to seek to apply the overall principle for industrial lands outlined in the Eastern City District Plan of 'retain and manage' to the existing industrial and urban services land in the Parramatta Road corridor, including in the Taverners Hill precinct.

It is noted that this approach is inconsistent with PRCUTS as well as with the approach outlined in the Greater Sydney Region Plan and Eastern City District Plan as discussed in Section 5.1 and 5.2 of this report. Further, the DPHI has advised that it does not support this approach in its conditional endorsement of the Local Housing Strategy (see discussion in Section 5.5).

On this basis, the proposal is considered to be consistent with the LSPS as it seeks to implement the recommendations of the PRCUTS.

The Planning Proposal addresses the relevant actions of the LSPS as outlined in Table 2 below.

Table 3: Consideration of Inner West LSPS

Planning Priority	Consideration
Planning Priority 1 – Adapt to Climate Change	
1.1 Plan for resilience to climate change, urban hazards and failure due to shocks and stresses	The Planning Proposal includes a flood study which outlines the proposed approach to appropriately manage flood hazard from Hawthorne Canal.
1.2 Mitigate the impacts of Urban Heat Island Effect in both the private and public domain	The proposal would significantly increase areas for deep soil planting and canopy cover as detailed in Section 4.1. Measures to mitigate the urban heat island effect are included in the draft site specific DCP including a canopy cover target.
Planning Priority 2 – Inner West is a zero emissions community	
2.3 Update planning controls to improve the overall environmental performance of new buildings and precincts. This includes working with with relevant stakeholders to develop planning controls to establish the Parramatta Road Corridor as a low carbon, high performance precinct.	The Planning Proposal includes sustainability commitments consistent with PRCUTS.

Planning Priority	Consideration
Planning Priority 3 – A diverse and increasing urban forest that connects habitats of flora and fauna	
3.1 Maintain and increase the urban forest of the Inner West and enhance biodiversity corridors	The proposal will significantly increase landscaping and canopy planting across the site, including to complement and support bushland along the Inner West Light Rail corridor.
3.2 Advocate to State Government to increase minimum requirements for deep soil zones under the Apartment Design Guidelines, and increase minimum requirements for deep soil zones in the DCP, dependent on development type	The proposal would increase deep soil planting within the R3 zone from less than 5% existing to 15%, significantly exceeding 7% as required under the ADG. This is reflected in the draft site specific DCP controls.
3.3 Develop a Blue/Green Grid Strategy to protect and increase habitat and the urban forest, embed water sensitive urban design principles and prioritise the routes based on function and connectivity.	The proposal includes the potential to incorporate a secondary GreenWay link which will support the wider green grid.
Planning Priority 4 – Inner West is a water sensitive city with clean waterways	
4.1 Incorporate a Water Sensitive Cities approach to inform objectives and controls into the Inner West LEP, DCP and capital works programs	The proposal will enhance water quality flows into the Hawthorne Canal through increased deep soil and stormwater treatment measures to meet Council water quality requirements.
Planning Priority 5 – Inner West is a zero waste community	
5.1 Review Council's waste services and planning controls to maximise resource recovery	Management of waste streams during the construction and operational phase will be addressed at DA stage in accordance with Council requirements.
Planning Priority 6 - Plan for high quality, accessible and sustainable housing growth in appropriate locations integrated with infrastructure provision and with respect for place, local character and heritage significance	
6.1 Implement the Local Housing Strategy	The Planning Proposal will support the implementation of the Local Housing Strategy as discussed in Section 5.5.
6.2 Continue to protect the heritage and character values of the Inner West by: Ensuring significant existing or desired future character is identified and protected through LEP and DCP provisions.	The protection of local character and heritage has been a key consideration of the Planning Proposal as outlined in the Urban Design Study and Statement of Heritage Impact. This is reflected in the draft site specific development controls.
Planning Priority 7: Provide for a rich diversity of functional, safe and enjoyable urban spaces connected with and enhanced by their surroundings	
7.1 Develop DCP controls that provide for a rich diversity of functional, safe and connected urban spaces	The Planning Proposal outlines an urban design concept which includes a series of urban spaces including pedestrian upgrades, open space and through site links. These aspects of the proposal are reflected in the draft DCP controls.

Planning Priority	Consideration
Planning Priority 8: Provide improved and accessible sustainable transport infrastructure	
8.1 Implement the Integrated Transport Strategy (when approved)	See Section 5.7.
Planning Priority 9: A thriving local economy	
9.1 Implement the Employment and Retail Lands Strategy (when approved)	See Section 5.6
Planning Priority 13: Develop diverse and strong stakeholder relationships through collaboration with government, community and business to deliver positive planning outcomes and realise the benefits of growth	
13.6 Implement the finalised housing, employment and transport strategies, and the Parramatta Road Corridor Transport Study, and prepare urban design / place based / open space studies to inform planning proposals to implement the Parramatta Road Corridor Urban Transformation Strategy: Implementation Plan 2016-2023 and Urban Amenity Improvement Plan, subject to the provision of public mass transit being provided on dedicated lanes on Parramatta Road.	The Planning Proposal seeks to implement the PRCUTS.
13.8 Prepare Parramatta Road Corridor local contributions plan to address funding of local infrastructure and services in the Corridor	Local contributions would be paid in accordance with the Inner West Local Contributions Plan 2023 which has been prepared to address funding of local infrastructure within the LGA including the Parramatta Road corridor.
13.9 Seek a variation under the Section 9.1 Direction for the Parramatta Road Corridor Urban Transformation Strategy to retain the existing industrial land within the corridor and undertake further investigations to identify any additional variations required for the existing employment lands within the corridor.	This has not been supported in the recent update to the 9.1 Direction.

5.5 Inner West Local Housing Strategy 2020

The Inner West Local Housing Strategy was adopted by Council in April 2020 and has been developed to inform the 20 year vision set out in the LSPS and to inform the preparation of the Inner West LEP and DCP.

The Local Housing Strategy highlights the Taverners Hills precinct as a medium-term investigation area for delivery from 2019 likely to result in housing from 2021 to 2026. It identifies that the PRCUTS area forms part of the moderate growth scenario required to achieve the 2021-2036 housing targets for the LGA. However, this is based on an alternative methodology where industrial lands are excluded from the residential yield calculations for the Parramatta Road Corridor.

The Local Housing Strategy estimates that approximately 456 dwellings could be delivered within the Taverners Hills Precinct within the 2016-2023 release areas, but does not consider the post 2023 release areas. This figure is based on an average apartment size of 70sqm, which is considered low based on the

ADG minimum apartment standards. An average apartment size of 80-85sqm would be a more appropriate benchmark, meaning that the dwelling yield is overstated.

The Strategy sets out that any short fall as a result of the exclusion of industrial lands can be delivered adjacent to the Taverner Hill precinct, largely within the Leichardt Marketplace site (approx. 300-700 dwellings). Assuming approximately 500 dwellings were delivered on the Marketplace site, this is still well below PRCUTS target of 1,350 dwellings for the precinct. Further, Leichardt Marketplace is outside the Taverners Hill precinct and any housing growth from this site should be in addition to that under PRCUTS.

The Local Housing Strategy also establishes a target of 15% of new dwellings as affordable housing.

DPHI has approved the Local Housing Strategy, but notes that approval is subject to a number of requirements including:

- Council's Local Housing Strategy is identified as being inconsistent with PRCUTS as it proposes an alternative approach to industrial land identified for land use change. To support a strategic led approach under the Eastern City District Plan and the PRCUTS, land use change for industrial land identified in the PRCUTS is to be implemented and is to prevail to the extent of any inconsistency with the approach to industrial land identified in Council's Local Housing Strategy.
- The Section 9.1 Ministerial Direction - 7.3 Parramatta Road Corridor Urban Transformation Strategy (as amended and current) is to prevail to the extent of any inconsistency with the approach identified in relation to PRCUTS within Council's Local Housing Strategy.

On this basis the proposal is considered to be consistent with the Local Housing Strategy as it will deliver the planning framework for part of the Taverners Hill Precinct which the strategy envisaged would be developed between 2021 to 2026.

The Planning Proposal includes the delivery of a minimum 5% of residential floor space as affordable housing which is consistent with the PRCUTS requirement and in line with the range outlined in the Eastern City District Plan.

5.6 Inner West Employment and Retail Lands Strategy

The Employment and Retail Lands Strategy was adopted by Council in September 2020 and sets out Council's approach to managing land to support commercial and employment uses.

The Strategy identifies the site as employment lands which provides or urban services.

A key principle of the strategy is for industrial areas to be retained and managed so that industries are able to locate and expand within the Inner West. In this regard it sets out Strategy 2.3 (Protect employment lands from being eroded by conflicting and incompatible uses) and Action 2.2.1: which outlines Council's intention to adopt the following policy position:

- Retain all industrial land for industrial purposes across the LGA;
- Use the outcomes of the Employment and Retail Lands Strategy (and supporting Study) to demonstrate that retention of industrial land within the Parramatta Road Corridor will deliver better outcomes than those recommended in the Parramatta Road Corridor Urban Transformation Strategy (November 2016) and Parramatta Road Corridor Implementation Plan 2016-2023 (November 2016) having regard to the vision and objectives.

The Employment and Retail Lands Strategy is inconsistent with PRCUTS, the Ministerial Direction and the Eastern City District Plan. It is also inconsistent with the DPHI's conditional endorsement of the Inner West Local Housing Strategy.

5.7 Inner West Integrated Transport Strategy

The Inner West Integrated Transport Strategy was released by Council in March 2020 and outlines strategies and actions that move towards a transport future focusing on active and sustainable modes of transport, and land-use planning approaches to support these modes of transport.

The Planning Proposal addresses the relevant actions of the Integrated Transport Strategy as outlined in Table 4 below.

Table 4: Consideration of Inner West LSPS

Planning Priority	Consideration
1. Plan land use to support active and sustainable transport for reduced times and distances	
Revise the LEP / DCP to require major new developments to provide through-site links for public access on foot and bicycle.	The proposal includes a through site link to enhance connectivity including a potential secondary GreenWay Link.
Require developments to have a sustainable transport plan through the DCP.	This is a requirements of Council's existing DCP, and would apply to future development.
Review parking requirements in areas within close proximity to high frequency public transport.	Car parking rates are discussed in Section 9.1.7.
Align residential and employment growth locations with transport infrastructure that meets the values of this strategy	The proposal is directly consistent with this action as it will locate housing growth in close proximity to public transport.
2. Improve safety, personal security, and provide equitable access for full community participation	
Public Domain Plans are to review and improve pedestrian access to key public transport stops for safety.	The proposal includes a through site link, enhancing access to the light rail.
Review, and upgrade where required, street lighting and active / passive surveillance across the footpath, cycleway networks and public transport stops (including bus and light rail).	The proposal will enhance activation and passive surveillance along Lords Road and Davies Lane providing safer connections to light rail stops in the vicinity.
3. Prioritise people in centres and main streets and revitalise key roads	
Review presence and quality of awnings, seating, water fountains, street trees, public toilets, and pocket parks and upgrade the footpath network and bus stops.	The proposal includes street upgrades to provide improved pedestrian priority and street trees, which will be complemented by publicly accessible open space with seating areas and other amenities.
4. Prioritise people in centres and main streets and revitalise key roads	
Ensure minimum bicycle parking requirements are contained within the consolidated Development Control Plan for residential and employment uses	Bike parking will be provided in accordance with Council's draft DCP for Stage 1 of the Parramatta Road Corridor.
Ensure the DCP includes controls to require 'end of trip' facilities in commercial and industrial developments of a certain size.	End of trip facilities will be provided in accordance with Council's draft DCP for Stage 1 of the Parramatta Road Corridor.

Planning Priority	Consideration
Complete the Greenway share path and develop a green grid networks.	The proposal provides a potential secondary GreenWay path in accordance with the GreenWay master plan.
5. Encourage shift to public transport and shared transport from private vehicles by providing attractive alternatives, and reduce the impact of congestion and parking	
Adopt a minimum car park rate of zero for new developments within close proximity of high quality public transport services, together with adequate visitor parking on site and a street-parking permit regime that considers function demand, location and access to alternative transport.	<p>Zero car parking is not considered appropriate unless development is directly adjacent to a major transport interchange with access to a range of public transport options including heavy rail.</p> <p>Further, loss of on-street parking is a major issue for the community in relation to this site. Accordingly it is proposed to deliver car parking in accordance with the Leichhardt DCP rates. This is consistent with the approach Council has taken in its Planning Proposal for Stage 1 of the Parramatta Road Corridor.</p> <p>Car parking rates are discussed in Section 9.1.7.</p>
7. Harness technology to improve information, safety, travel choices and environmental outcomes	
Require major new developments to include charging facilities.	EV charging stations are proposed to be provided for 10% of non-residential car spaces and all residential car spaces.

5.8 Inner West Affordable Housing Policy

The Inner West Affordable Housing Policy 2022 sets out benchmarks for affordable housing in Inner West LGA. The Policy sets out that Inner West Council will seek to achieve an affordable housing target of 15% of new residential floor space to be dedicated to very low, low and moderate income households.

The proposal commits to the provision of 5% of the residential floor space as affordable housing which is consistent with the PRCUTS requirement and in line with the range outlined in the Eastern City District Plan, and is therefore considered to be appropriate.

5.9 Greenway master plan

The GreenWay Master Plan was adopted by Inner West Council on 14 August 2018 to guide the delivery of landscaping and infrastructure within the GreenWay corridor over a 10 to 15 year period.

The primary GreenWay infrastructure in the vicinity of the site has already been delivered and comprises a path which runs between the Inner West Light Rail Corridor and Hawthorne Canal from Marion Street to Parramatta Road. To the north of Marion Street, the path continues along the western side of the Hawthorne Canal alongside Hawthorne Parade connecting through to the Bay Run.

The site is identified as being within the Gadigal Reserve precinct which runs from Marion Street to the Inner West Rail Line in in Lewisham. The Master Plan identified a secondary path which runs between the Inner West Light Rail Corridor and the subject site (see Figure 12) connecting the Marion Light Rail stop to the north to the Taverners Hills Light Rail Stop to the south. This secondary path is identified as Priority B

meaning funding has not been allocated and they would be targeted as the next funding priority for 2026 delivery.

The Master Plan sets out that secondary paths may be 1.5-3.5 m wide, depending on their expected use. A pedestrian only path can be as little as 1.5 m wide. For a shared path, 2.0 m is recommended as a minimum width.

The Planning Proposal includes RE1 Public Recreation zoned land alongside the light rail corridor with a minimum width of 12m to accommodate this future secondary path. Note this could also be facilitated through the use of an RE2 Private Recreation zone with a public access easement, should Council elect to not own the land.



Figure 12: GreenWay Master Plan extract



Figure 13: GreenWay Master Plan extract – Route Options Assessment

6 Objectives and intended outcomes

6.1 Objectives

- To amend the Inner West LEP to provide for the redevelopment of the Lords Road site for open space and residential uses to support the implementation of the PRCUTS
- To amend the Inner West LEP to allow a range of non-residential uses to support potential for local services and ground floor activation.
- To amend the Inner West LEP to require a minimum of 5% of floor space on the site to be delivered as affordable housing in perpetuity.

6.2 Intended outcomes

- To facilitate redevelopment of an under-utilised site containing end-of-life buildings in close proximity to a range of services, open space, and public transport options
- To assist in achieving State and local government housing targets
- To support the Eastern City District Plan vision of providing a '30 minute city' by locating dwellings in a highly accessible location with excellent access to jobs and services
- To deliver around 210 dwellings with a range of sizes.
- To deliver affordable housing in line with the recommended rate outlined in the Eastern City District Plan and PRCUTS.
- To provide approximately 700sqm of publicly accessible central open space.
- To improve connectivity and permeability by providing through site links with the potential to connect to Marion Light Rail Station via rail corridor land alongside Lambert Park
- To enhance the existing neighbourhood character by providing high quality design, improved streetscapes, and appropriate transitions to surrounding lower scale residential streets.
- To ensure that redevelopment of the site does not impact on the operations of the APIA club at Lambert Park.
- Remove heavy vehicles associated with existing industrial uses from the almost exclusively residential area.

7 Explanation of provisions

The planning proposal seeks to achieve the intended outcomes outlined in Section 7 of this report by proposing amendments to the Inner West LEP as follows:

- Rezone 75 Lords Road from E4 General Industrial to RE1 Public Recreation and identify Council as the relevant acquisition authority for the RE1 zone
- Remove the existing FSR control from 75 Lords Road
- Rezone 67 -73 Lords Road from E4 General Industrial to R3 Medium Density Residential and apply the following built form controls:
- maximum FSR of 2.4:1
- Apply a maximum height of buildings of 30m.
- Introduce a site-specific provision (as outlined below) to:
 - Allow the following additional permitted uses:
 - Residential Flat Building
 - Recreation facility (indoor)
 - Office premises
 - Business premises
 - Light industry
 - Creative industry
 - Industrial retail outlet
 - Restaurant or café.
 - Require a minimum of 5% of residential floor space to be provided as affordable housing in perpetuity.

A letter of Offer has been provided to Council by the landowner and the terms of an agreement regarding the land at 75 Lords Road are under negotiation. To date Council has advised that its preference is to have 75 Lords Road zoned RE1 Public Open Space with ownership vested in Council as part of the Planning Agreement. In this regard the landowner has offered to enter into a Planning Agreement and will continue to work with Council to progress this agreement.

Should Council decide not to take ownership of 75 Lords Road, as an alternative it could be zoned RE2 with an easement to provide 24 hour public access. This option would also achieve the desired outcome of providing this land for the purpose of public open space.

Proposed LEP maps are included at Figure 14 to Figure 17. **Error! Reference source not found..**

Proposed site-specific clause – 67 -73 Lords Road Leichhardt

1. The objective of this clause is to:
 - a) Facilitate the development of 67-73 Lords Road for residential dwellings including residential flat buildings with the potential for a range of complementary non-residential uses.
 - b) To facilitate the delivery of affordable housing at 67 -73 Lords Road.
2. This clause applies to 67 -73 Lords Road being Lot 1 DP 940543
3. Despite any other provisions of this plan development consent may be granted for the following uses: residential flat building, recreation facility (indoor), office premises, business premises, light industry, creative industry, industrial retail outlet, and restaurant or café.

4. At least 5% of the gross floor area that is to be used for the purpose of residential accommodation is to be used for affordable housing.

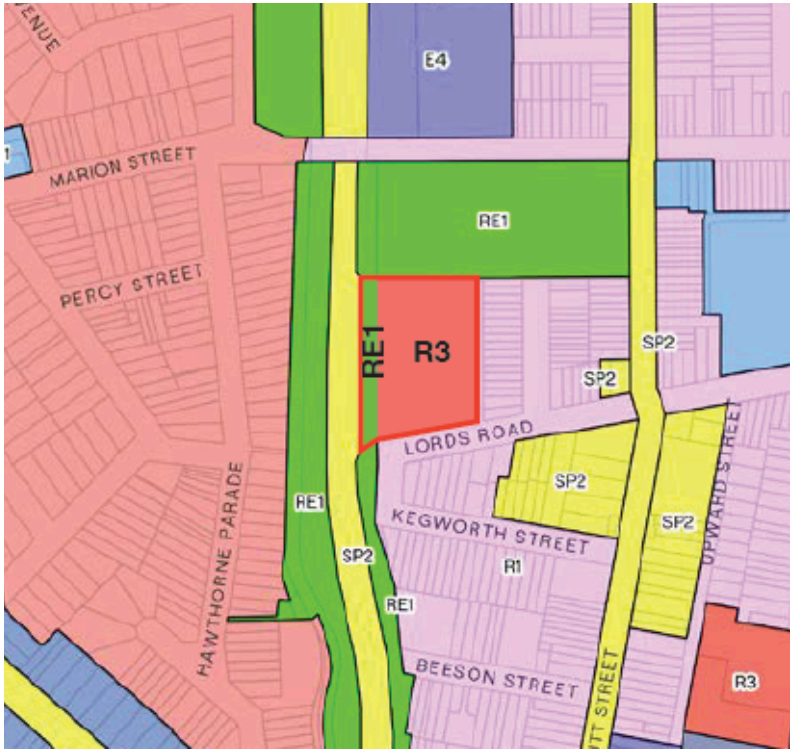


Figure 14: Proposed zoning map

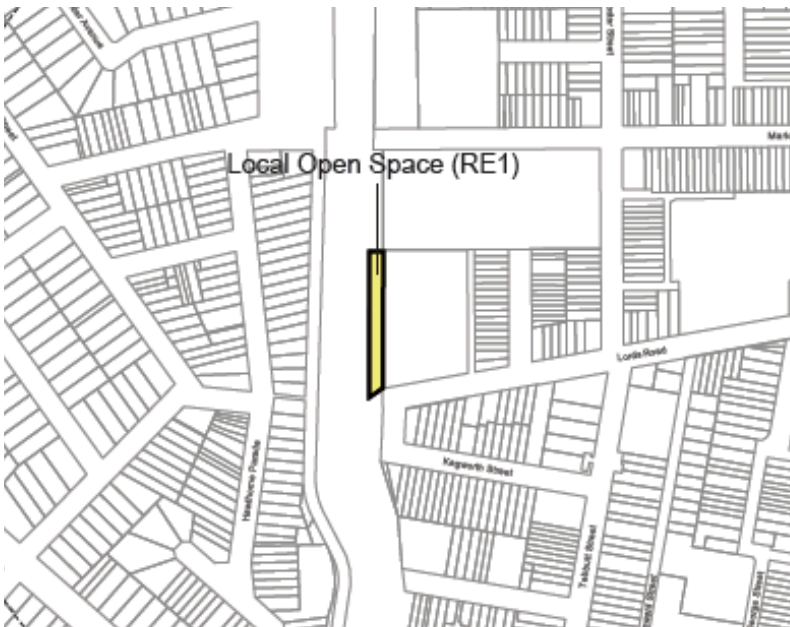


Figure 15: Land acquisition map



Figure 16: Proposed height of buildings map

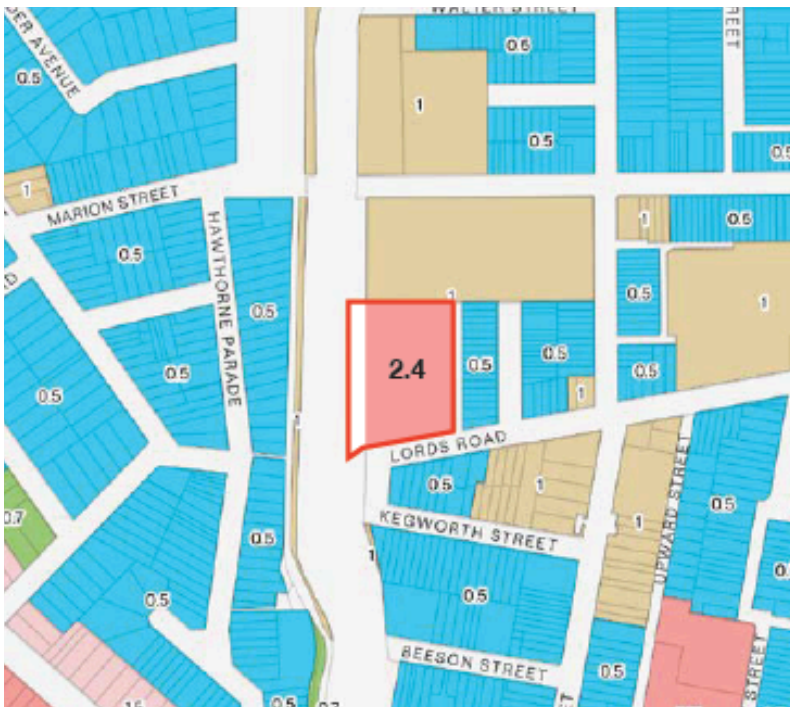


Figure 17: Proposed floor space ratio map

8 Justification of strategic merit

This section sets out the justification of the strategic merit for the Planning Proposal and addresses key questions to consider when demonstrating strategic merit as outlined in the *Local Environmental Plan Making Guideline* (DPHI August 2023).

In summary the proposal is considered to have strategic merit on the basis that:

- It is consistent with the State Government vision for the site.
- It would support the implementation of PRCUTS as it applies to the site and complies with the PRCUTS Implementation Toolkit and 2021 Implementation Update.
- Is consistent with the Eastern City District Plan which highlights that the PRCUTS, initially developed by UrbanGrowth NSW is the primary planning strategy for sites within the corridor and specifically excludes sites within the Parramatta Road corridor from the industrial lands policies of the District Plan.
- It is consistent with DPHI's provisional approval of the Local Housing Strategy which clearly states that the PRCUTS is to be implemented and is to prevail to the extent of any inconsistency with the approach to industrial land identified in Council's Local Housing Strategy
- It is consistent with the timing for release of the Taverners Hills precinct as outlined in the Inner West Local Housing Strategy which highlights the precinct as a medium term investigation area for delivery from 2019 and likely to result in housing from 2021 to 2026.

8.1 Need for the planning proposal

Q1. Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

The planning proposal is the result of an extensive process of review and consideration of a wide range of issues and seeks to support the implementation of the PRCUTS which envisages the Lords Road site being developed for medium density residential uses with an FSR of 2.4:1 and a maximum height of 30m. The proposal is consistent with the Strategy as outlined in Section 5.3 of this report.

Q2. Is the Planning Proposal the best means of achieving the objective or intended outcomes or is there a better way?

Yes, the Planning Proposal is the best means of achieving the objectives and intended outcomes.

The issues covered by this Planning Proposal relate to statutory issues under Part 3 of the *Environmental Planning and Assessment Act 1979*. The Planning Proposal is the only mechanism that can achieve the objectives and intended outcomes related to the Site.

8.2 Relationship to Strategic Planning Framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including exhibited drafts)?

Yes. The proposal meets the objectives and actions of Eastern City District Plan as outlined in Section 5.2 of this report. The District Plan highlights that the PRCUTS is the primary planning strategy for sites within the Parramatta Road Corridor and specifically excludes sites within the from the industrial lands policies of the District Plan.

The planning proposal is also directly consistent with the NSW Government's subregional PRCUTS and the accompanying Ministerial Direction.

The proposal supports the delivery of these plans by increasing housing supply, including affordable housing, within walking distance of the Marion and Taverners Hill light rail stops and bus services along Parramatta Road, ensuring that that future residents will be able to access a wide range of jobs, education and health facilities, including those within the Sydney CBD, within a 30 minute travel timeframe.

Q4. Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

The Inner West LSPS sets out Council's intention to 'retain and manage' to all existing industrial and urban services land in the Parramatta Road corridor, including in the Taverners Hill precinct.

However, this position is inconsistent with DPHI's conditional approval of the Local Housing Strategy which clearly states that the PRCUTS is to be implemented and is to prevail to the extent of any inconsistency with the approach to industrial land identified in Council's Local Housing Strategy.

Further, the proposal is consistent with the timing for release of the Taverners Hills precinct as outlined in the Inner West Local Housing Strategy which highlights the precinct as a medium term investigation area for delivery from 2019 likely to result in housing from 2021 to 2026.

This is discussed in further detail in Section 5.4 and 5.5.

Q5. Is the planning proposal consistent with any other applicable State or regional studies or strategies?

Yes – see response to Questions 1 and 3 above.

8.2.1 Consideration of SEPPs

Q6. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Yes. An analysis of the consistency of the proposed amendments with relevant State Environmental Planning Policies (SEPPs) is listed in **Table 5**.

Table 5: Analysis against State Planning Policies

Policy	Assessment
Transport and Infrastructure SEPP	<p>The Transport and Infrastructure SEPP, Chapter 2 includes provisions which are relevant to the proposal as follows:</p> <ul style="list-style-type: none"> • Clause 2.98 applies to certain types of development adjacent to a rail corridor and requires referral to the rail authority • Clause 2.99 applies to excavation adjacent to a rail corridor and requires concurrence of the rail authority • Clause 2.100 relates to impact sets out noise criteria for development adjacent to rail corridors and busy roads, which is supported by an Interim Guideline. <p>The application will be referred to the rail authority as part of the exhibition of the Planning Proposal, and the referral requirements of 2.98 and 2.99 will be addressed at the DA stage.</p> <p>An acoustic report has been prepared to address the requirements of the SEPP, in particular Clause 2.100, and demonstrates that the relevant noise criteria can be achieved as highlighted in Section 9.1.8. This will be further addressed at DA stage.</p>
Housing SEPP	<p>Chapter 2 Affordable Housing</p> <p>Chapter 2, Section 15 sets out that there is a need for affordable housing within each area of the State. This allows for a condition to be imposed on a development</p>

Policy	Assessment
	<p>approval requiring affordable housing where it is required by an LEP in accordance with Section 7.32 of the EP&A Act.</p> <p>A requirement for a minimum of 5% of residential floor space as affordable housing is proposed to be included for the site in the Inner West LEP.</p> <p>Chapter 2 also sets out matters of consideration prior to such a condition being imposed, which will be required to be considered for any future DA.</p> <p>Chapter 4 Design of residential apartment buildings Chapter 4 of the Housing SEPP seeks to promote good design of apartments through the establishment of the Apartment Design Guide and referral of development applicants for residential flat buildings to the local design review panel. Key controls outlined in the apartment design guideline have informed the urban design scheme for the proposal.</p> <p>The proposal is capable of meeting key requirements of the Apartment Design Guide, in particular those relating to built form, site configuration and amenity as highlighted in the Urban Design Study (Appendix C).</p>
Sustainable Buildings SEPP	<p>The Sustainable Buildings SEPP requires all future residential developments to achieve mandated levels of energy and water efficiency, as well as thermal comfort.</p> <p>BASIX Certificates will be included as part of future development applications to demonstrate compliance with SEPP requirements.</p>
Resilience and Hazards SEPP	<p>Chapter 4 of the Resilience and Hazards SEPP sets out the requirements of the consideration of contamination and remediation at the DA stage. These provisions will be addressed at DA stage.</p> <p>Provisions relating to contamination which apply to Planning Proposals are set out in the Ministerial Directions and have been addressed in Section 8.2.2.</p>

8.2.2 Consideration of Ministerial Directions

Q7. Is the Planning Proposal consistent with the applicable Ministerial Directions?

The proposal is consistent with all relevant Ministerial directions under Section 9.1 of the *Environmental Planning and Assessment Act 1979* (previously Section 117), or where there is an inconsistency, the inconsistency can be justified under the terms of the Direction.

An assessment of the proposal against the applicable Section 9.1 directions is supplied in Table 6.

Table 6: Analysis against Ministerial Directions

Ministerial Direction	Assessment	Consistency
Focus Area 1: Planning Systems		
1.4 Site specific provisions	Direction 1.4 sets out that a Planning Proposal must allow the land use without imposing any development standards or requirements in addition to those allowed in the principle environmental planning instrument being amended. The objective of this Direction is to discourage unnecessarily	Inconsistency justified

Ministerial Direction	Assessment	Consistency
	<p>restrictive planning controls that are additional to controls that are already contained in the planning instrument.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or delegate) that the provisions of the planning proposal that are inconsistent are of minor significance.</p> <p>The planning proposal is inconsistent with this Direction because it seeks to include site-specific provisions to provide for the following:</p> <ul style="list-style-type: none"> Require a minimum of 5% of residential floorspace be provided as affordable housing in perpetuity; and Allow additional permitted uses including residential flat buildings and a range of complementary non-residential land uses. <p>This inconsistency is considered to be justified and supportable because site-specific provisions are the most appropriate mechanism to facilitate the proposed additional permitted uses, as well as to provide a provision for the requirement of affordable housing.</p>	
1.5 Parramatta Road Corridor Urban Transformation Strategy	<p>This direction requires planning proposals to be consistent with the PRCUTS and PRCUTS Implementation Toolkit and the relevant district plan.</p> <p>The proposal will support the implementation of the recommendations of PRCUTS as it applies to the site. It is consistent with the PRCUTS and PRCUTS Implementation Toolkit as outlined in Section 5.3 and the Eastern City District Plan as outlined in Section 5.2.</p> <p>The Direction requires Planning Proposals to be consistent with the staging and other identified thresholds for land use change identified in the Parramatta Road Corridor Implementation Plan 2016 – 2023 (November 2016), and the Parramatta Road Corridor Urban Transformation Implementation Update 2021.</p> <p>The site is located in the area identified in the Parramatta Road Corridor Implementation Plan 2016 – 2023 for release beyond 2023. However, the implementation update allows for Planning Proposals for precincts outside the 2016-2023 release area to proceed to a Gateway decision. Further, development of the site would not take place until beyond 2023.</p> <p>Accordingly the Planning Proposal is entirely consistent with the Direction.</p>	Consistent
Focus Area 4: Resilience and hazards		
4.1 Flooding	<p>The direction applies to Planning Proposals which seek to alter a zone or provision that effects flood prone land.</p> <p>The objectives of the direction are to:</p> <ul style="list-style-type: none"> ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and 	Inconsistency justified

Ministerial Direction	Assessment	Consistency
	<ul style="list-style-type: none"> ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour. <p>The site is subject of inundation during flood events. For the land proposed to be zoned R3 Medium Density Residential for all flood events up to the PMF this is characterized as flood storage and flood fringe and has no significant velocity.</p> <p>The Flood Risk Management Report (Appendix F) sets out that the proposal is largely consistent with the Ministerial Direction with the exception of some minor inconsistencies including:</p> <ul style="list-style-type: none"> Location of buildings adjacent to the rare flood conveyance on 75 Lords Road Residential accommodation in a high flood hazard area Development /dwelling density increase Potential for sensitive land uses Special Flood Considerations. <p>The Direction allows for inconsistencies in a number of instances including:</p> <ul style="list-style-type: none"> <i>the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the Floodplain Development Manual 2005 and consistent with the relevant planning authorities' requirements</i> <i>the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.</i> <p>A detailed justification of the Planning Proposal against the Ministerial Direction is provided in the Flood Risk Management Report (Appendix F) which concludes that the inconsistencies are of minor significance. However, the Planning Proposal is also supported by a Flood Impact and Risk Assessment (Appendix G) which confirms that flood hazards can be appropriately managed. This is discussed in further detail at Section 9.1.6.</p>	
4.4 Remediation of contaminated land	<p>The direction replaces the previous provisions of <i>State Environmental Planning Policy No. 55 – Remediation of Land</i> (SEPP 55) which related to Planning Proposals. It requires a preliminary site investigation where a change of land use is proposed for land which may be contaminated as a result of existing or past uses is proposed.</p> <p>A Detailed Site Investigation has been prepared which concluded that the site can be made suitable for the proposed use, subject to further contamination assessment at the DA stage including further assessment of the quality of fill material across the site and implementation of a remediation action plan.</p>	Consistent
4.5 Acid Sulfate soils	<p>This direction requires the consideration of acid sulphates soils risk where a Planning Proposal proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils.</p> <p>The Inner West LEP identifies the site as having probability of containing Class 5 acid sulphate soils.</p>	Consistent

Ministerial Direction	Assessment	Consistency
	A Preliminary Acid Sulfate Soils Assessment has been prepared (Appendix M) which confirms that the site is impacted by acid sulfate soils and notes that a detailed acid sulfate soils assessment and management plan will be required at the DA stage. This will be prepared in accordance with the requirements of the Inner West LEP.	
Focus Area 5: Transport and infrastructure		
5.1 Integrating land use and transport	<p>The direction requires the RPA to ensure that the Planning Proposal includes provisions consistent with the principles of Integrating Land Use and Transport as outlined in key polices and guidelines.</p> <p>The proposal meets these principles by locating housing and employment uses in an area with good pedestrian and cycle connectivity and within close proximity to a range of public transport services and key roads.</p>	Consistent
5.2 Reserving land for a public purpose	<p>This direction requires that a planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or delegate).</p> <p>The proposal seeks to zone 75 Lords Road as RE1 Public Recreation and accordingly the approval of the Inner West Council and Planning Secretary (or delegate) will be required.</p> <p>A letter of Offer has been provided to Council by the landowner and the terms of an agreement regarding the land at 75 Lords Road are under negotiation</p> <p>To date Council has advised that its preference is to have 75 Lords Road zoned RE1 Public Open Space with ownership vested in Council as part of the Planning Agreement. In this regard the landowner has offered to enter into a Planning Agreement and will continue to work with Council to progress this agreement.</p> <p>Approval will need to be confirmed with Council and obtained from the Secretary (or delegate) prior to finalisation.</p>	Consistent, subject to Council and Planning Secretary approval.
Focus Area 6: Housing		
6.1 Residential zones	<p>The direction applies to planning proposals which effect land within a residential zone or any other zone where significant residential development is permitted.</p> <p>The Direction requires the relevant planning authority (RPA) to ensure that a Planning Proposal relating to residential land must include provisions to:</p> <ul style="list-style-type: none"> • broaden the choice of building types and locations available in the housing market • make more efficient use of existing infrastructure and services • reduce the consumption of land for housing and associated urban development on the urban fringe, and 	Consistent

Ministerial Direction	Assessment	Consistency
	<ul style="list-style-type: none"> • be of good design. <p>The proposal will increase the choice of housing types in this location by providing new apartments in an area with predominantly low density housing and high housing demand. The development will include a range of apartment sizes, including affordable housing.</p> <p>The proposal will make efficient use of infrastructure by locating new housing in close proximity of the inner west light rail as well as the public transport options and services.</p> <p>The proposal has been through a rigorous design process including multiple peer review processes and will be subject of consideration by the Inner West Council Architectural Excellence Panel at DA stage. The draft DCP also outlines requirements to ensure a high quality urban design outcome.</p>	
Focus Area 7: Business and Industrial zones		
7.1 Employment zones	<p>The direction requires a planning proposal to retain the areas and locations of business or industrial zones. The direction outlines that a planning proposal may be inconsistent with the direction where it is justified by a strategy approved by the Planning Secretary, which gives consideration to the objective of this direction and identifies the land which is the subject of the planning proposal.</p> <p>The Greater Sydney Region Plan highlights that the PRCUTS has undergone an extensive planning process and therefore the land subject of PRCUTS is not subject to the industrial land strategies and actions of the Plan, being to retain and manage industrial land.</p> <p>Accordingly, the inconsistency of the Planning Proposal with the Direction is considered justified.</p>	Inconsistency justified.

9 Justification of site specific merit

This section sets out the justification of the site specific merit for the Planning Proposal and addresses key questions to consider when demonstrating site specific merit as outlined in the *Local Environmental Plan Making Guideline* (DPHI August 2023).

9.1 Environmental, social and economic impacts

9.1.1 Ecological impacts

Q8. *Is there any likelihood that critical habit or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?*

The proposal is contained within a site long used for industrial purposes, no critical habitat or threatened species will be affected as a result of this proposal.

Q9. *Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed.*

9.1.2 Local character and visual impact

The urban design concept plan developed by SJB has been based on a detailed review of the local character and context as well as the likely future character of the surrounding area as recommended by PRCUTS. It also includes a visual impact assessment from key view points in the vicinity of the site.

The concept plan responds to the surrounding built form context by providing a transition of building height from the adjacent 1-2 storey residential dwellings towards the western boundary adjacent to the light rail corridor. The maximum height of 30m recommended for the site by PRCUTS is limited to the western part of the site with six storey buildings located to the east with a four storey street wall providing a transition to surrounding development. Generous 6m landscaped street setbacks adjacent to existing dwellings will also provide a buffer to the future built form minimising visual impacts and enhancing the landscape character of the area. A six metre landscape setback is also proposed along the northern boundary providing a buffer to Lambert Park and a 12m wide open space is located along the western boundary providing a buffer to the light rail corridor.

The Urban Design Report notes that the PRCUTS recommended controls would see redevelopment of existing dwellings to the south and east for 3-5 storeys. The stepping from six to eight storeys across the site from east of west, with a four storey street wall, will also support this height transition into the future.

The Urban Design Report highlights a potential architectural design approaches to minimise bulk and scale and integrate the future development into the existing surrounding context, including:

- Accentuate the four storey street wall through a material/style change, providing a heavier base to the building thereby reducing visual bulk and setting the street wall to match the surrounding heights that PRCUTS has recommended.
- Provide for vertical articulation to be emphasized to reduce horizontal scale and provide verticality to long building frontages. This would allow the buildings to be momentarily perceived as individual blocks rather than one continuous frontage and the building would be more responsive to the fine-grain existing character of neighbouring properties.

The Visual Impact Assessment prepared by SJB shows that impacts will be greatest from the streets directly adjoining the site. In these instances the building setbacks and building height transition will minimize visual impacts and the design responses discussed above will be important to ensure that the buildings respond to the local character (see Figure 18 and Figure 19)

The views from the wider context are minor with the building bulk being screened by the landform and existing vegetation (see Figure 20 and Figure 21). In particular, views from the Haberfield Conservation Area, Lambert Park and north of Marion Street will be minimal. View impacts from the Heritage Conservation Area have also been considered in the Statement of Heritage Impact as discussed in Section 9.1.5.



View G - Corner Lords Road / Kegworth Street



View H - Corner Lords Road / Davies Street

Figure 18: Views from Lords Road adjacent to the site



Figure 19: Detailed view along Lords Road looking west



View E - Corner Hawthorne Parade / Percy Street



View F - Corner Lord Street / Ramsay Street

Figure 20: Views from Haberfield Conservation Area



View B - Lambert Park



View C - Marion Street Light Rail

Figure 21: Views from Lambert Park (LHS) and Marion Street Light Rail stop (RHS)

9.1.3 Privacy impacts

Maintaining the privacy of surrounding residents and adjoining uses has been a key consideration of the urban design concept plan that has informed the Planning Proposal. The generous 6m street setbacks facing existing residents across Lords Road and Davies Lane will provide for tree planting and landscaping to minimise overlooking. The additional 3m street setback above level four provides for greater separation distances for upper levels noting the narrow street width in this location.

Additional detailed design responses can be applied at the DA stage to minimise overlooking including deep balcony setbacks and more solid elements that direct views whilst still maintaining internal residential amenity.

Overlooking of the sports field to the north will also be minimised through landscape planting within the 6m side setback along the rear (north) boundary and use of architectural expression and articulation to direct views and openings away from the sports field.

Within the development visual privacy will be managed through the application of ADG building separation distances and other design measures to be applied at the DA stage. The internal façades along the mid-block through site link have a minimum building separation of 9m, which would require non-habitable uses

or articulation that limits direct views into opposing dwellings. This could include directional window slots and louvres that can be used to create a strong facade whilst still enabling habitable rooms.

The draft DCP includes controls to ensure that privacy is a key consideration of any future DA.

9.1.4 Solar impact

A solar impact analysis, including the shadow diagrams at Figure 22, has been prepared as part of the urban design study which concludes that solar access can be maintained to the surrounding area in accordance with the relevant provisions of the Leichhardt DCP. This includes maintaining at least three hours of direct sunlight to 50% of the primary private open space and into living rooms between 9am and 3pm on 21 June.

These provisions are reflected in the draft site specific DCP to ensure that this is maintained at the DA stage.

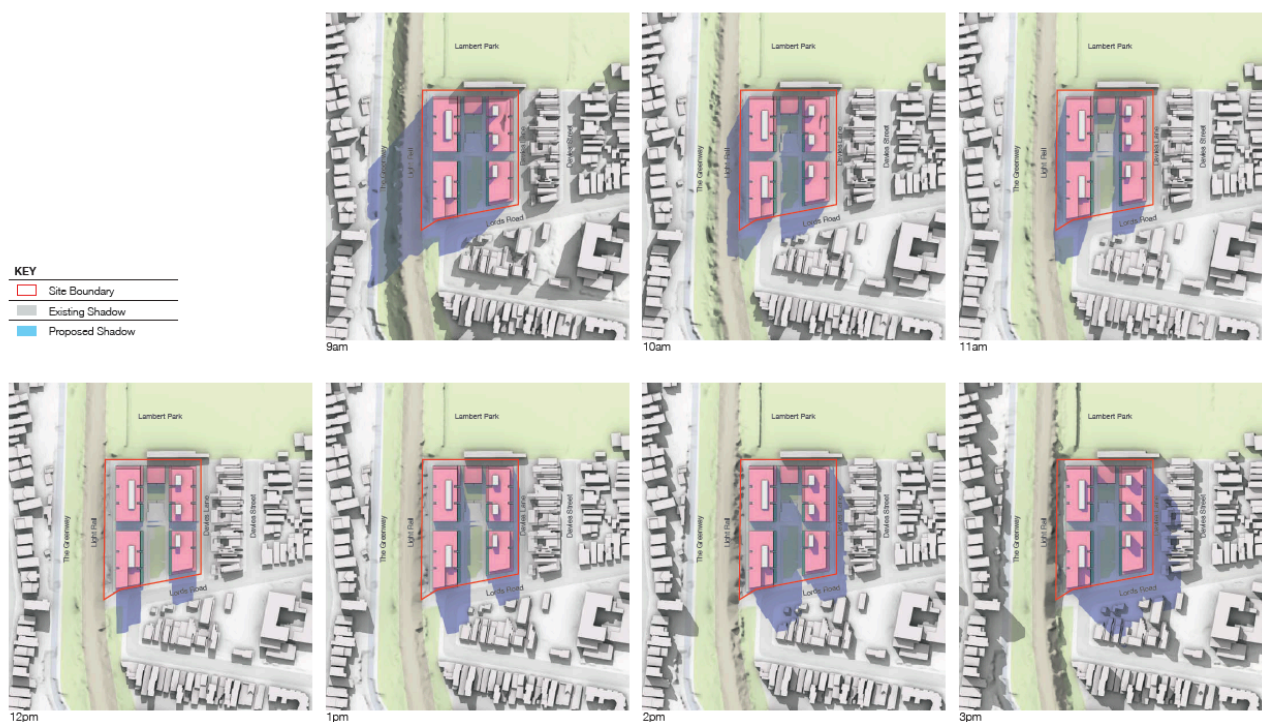


Figure 22: Shadow diagrams

9.1.5 Heritage

A Statement of Heritage Impact has been prepared (Appendix E) which has considered the heritage context including the nearby heritage items including Lambert Park and Kegworth School and the Haberfield Heritage Conservation Area. It also considers the heritage values associated with the subject site. The findings are summarised in the table below.

Table 7: Assessment of potential heritage impact

Heritage item	Assessment outcome
Lambert Park	The proposed development is remote from the more visually significant east areas of the Park, including the former house (now Leichhardt Family Day Care) and the open garden and playground areas, so impact to these areas will be negligible. There will be no detrimental impact to the more significant views of these areas of the Park from Foster Street due to the screening effect of existing substantial trees and established perimeter shrub planting located within the park.

Heritage item	Assessment outcome
	The playing fields have less visual significance and greater social significance to the heritage value of Lambert Park, so visual impact in this part of the Park is not as critical. However, the design of buildings along the north boundary of the subject site, immediately adjacent to the playing field, respects the heritage significance of the Park.
Kegworth Public School	The more significant, early school buildings are located to the west of the school site and generally address Tebbutt Street, so are remote from the subject site. The school sits prominently on a ridge, higher than the subject site, so it will continue to visually dominate the scale and character of its surrounding context. There will be no detrimental impact to the more significant views of the School from Tebbutt Street. The subject site and proposed new buildings, when viewed from Tebbutt Street at the corner of Lords Road, will be substantially screened by the topography, existing built form (the Leichhardt Community Church and Davies Street residences) and established street trees.
Haberfield Heritage Conservation Area	Heritage impacts will be minimal as: <ul style="list-style-type: none"> • The impact will be confined to backdrop views, to the area south of Marion Street where • The land slopes down towards Hawthorne Canal • The light rail and Hawthorne Canal reserves provide a dense landscaped buffer that will substantially screen the proposed development from view. • The light rail and Hawthorne Canal reserves provide separation between the subject site and effected areas of Haberfield of over 100 metres. • Building forms are proposed to be divided and stepped to provide articulation that will minimise visual impact
Subject site	The building on the subject site is not a rare, innovative or fine example of Interwar industrial development. The site will not provide scientific or research information that is not already available through other sources. The building does not meet any of the criteria for heritage significance.

The Heritage Assessment recommends archival recording and interpretation of the building prior to demolition and that to ensure that the new work is not visually intrusive to the setting of the items or the Haberfield Conservation Area, a palette of external materials and colours should be developed that is neutral in hue and mid to dark in tone.

These recommendations are reflected in the draft DCP controls and will be further addressed at DA stage.

9.1.6 Flooding and stormwater

A Flood Risk Management Report has been prepared by Tooker and Associates (Appendix F) which sets out how future development on the site will manage flood risk and addresses compliance with the Ministerial Direction relating to flood hazards.

The Flood Risk Management Plan sets out that the site is affected by flood hazard in some flood events. The flood behaviour on the site is different within the two lots which form the site.

For all events up to the Probable Maximum Flood, floodwaters result in ponding on 67-73 Lords Road which is characterised as flood storage and flood fringe and has no significant velocity. For 75 Lords Road (which is proposed as open space) flood events rarer than the 500 year flood level become flood conveyance rather than flood storage.

Flood modelling indicated that ponding of flood waters on the site is flash flooding and lasts less than two hours for all flood events up to the PMF.

The Urban Design Scheme and Reference Scheme have been designed to manage flood hazard including as follows:

- 95% of the apartments are located above the PMF, so there is only a limited number of people (approximately 11 apartments and 4 non-residential areas) that would be required to move to the flood refuges in the buildings during an extreme flood event
- Flood refuges are identified to allow residents and workers located below the probable maximum flood to shelter in place during an extreme flood event
- The entrance/exit to the basement carpark is located above the PMF level to Lords Rd allowing evacuation, if necessary
- Location of compensatory flood storage within the basement.

Flood evacuation will be further addressed at DA stage through the preparation of a flood evacuation plan.

The Flood Risk Management Report sets out the inconsistencies with Ministerial Direction 4.1 Flooding and concludes that these inconsistencies are minor and are justified based on a number of reasons, including through a detailed and thorough Flood Impact and Risk Assessment has been prepared by Water Technology (Appendix G).

The Flood Impact and Risk Assessment sets out pre and post development flood modelling which has been carried out using a TUFLOW flood model and addresses all the requirements of the NSW government Flood impact and risk assessment – Flood risk management guideline LU01 June 2023. The flood modelling demonstrated that the proposed development would have minor adverse impacts on flooding outside the site but with proposed compensatory flood storage, there are no significant adverse flood level impacts outside the site.

9.1.7 Traffic and transport

A Traffic and Parking Assessment has been prepared by TTPP (Appendix H) which includes an analysis of the traffic generated associated with the existing and proposed use for the site.

Based on the traffic modelling undertaken the proposed development is estimated to generate 68 and 53 trips during the AM and PM Peak respectively.

Based on RMS trip generation rates the approved land uses under the existing development would generate up to 200 trips during the peak periods. Therefore, the proposed development is expected to result in a net reduction of vehicle trips following the completion of the proposed development compared to that which could be generated through the existing site development.

Further it noted that the proposed development would result in less heavy vehicle movements compared to the existing scenario, which is currently occupied by light industrial/commercial tenancies.

However, TTPP undertook a conservative traffic assessment with the existing development traffic based on 2018 traffic surveys (when the site was not fully occupied) deducted from the proposed development traffic.

Under this assessment, the proposed development is expected to result in a net increase of 38 trips (which is a combination of in and out movements) in the AM Peak and net reduction of 58 trips in the PM Peak. TTPP note that an increase of 38 vehicles per hour is a minor increase of traffic and relates to one additional vehicle every one to two minutes which when distributed through the road network would show no discernible difference in a traffic modelling software. On this basis TTPP concluded that the proposed development on its own, would have a negligible impact on the road network.

TTPP has also considered cumulative traffic impacts, and notes that redevelopment of the entire precinct would have an impact on the surrounding road network, notably, the Tebbutt Street and Lords Road intersection which is expected to operate at a LoS E by the year 2036, due to spillback from the Parramatta Road and Tebbutt Street intersection.

TTPP has also undertaken a review of the Parramatta Road Corridor Precinct-Wide Traffic and Transport Study which recommends several upgrades along the Parramatta Road corridor which would have a domino effect of improving conditions at Tebbutt Street. Whilst TTPP notes that these works have not yet been endorsed by TfNSW such upgrades could be funded through Regional Infrastructure Contributions from the site and wider precinct ensuring effectiveness of the road network can be maintained.

The Traffic and Car Parking Assessment also outlines a Green Travel Plan framework comprising a potential package of strategies and measures to promote and encourage sustainable travel, such as walking, cycling and public transport. The Green Travel Plan would be refined at the DA stage and implemented during the construction and operation of the development.

Car parking is proposed to be provided in accordance with the relevant rates in the Leichhardt DCP. This approach is consistent with the approach taken by Council in its draft DCP for the Parramatta Road Corridor Stage 1 and will ensure adequate parking is available on site.

Bike parking and end of trip facilities are proposed to be provided in accordance with the rates included in Council's draft DCP for the Parramatta Road Corridor Stage 1. EV charging stations are proposed to be provided for 10% of non-residential car spaces and all residential car spaces. These provisions are reflected in the draft site specific DCP.

9.1.8 Acoustics

An Acoustic Assessment has been prepared which takes into consideration aircraft noise, rail noise from the Inner West Light Rail and noise associated with the use of the APIA Leichhardt Tigers Football Club playing field. Noise impacts have been assessed against relevant criteria outlined in the Leichhardt DCP, Development Near Rail Corridors and Busy Road – Interim Guideline and AS 2021-2015 Aircraft Noise Intrusion – Building, Siting and Construction.

The assessment concluded that the relevant noise criteria can be readily met through typical envelope treatments. For residential uses this included the potential for a single layer of heavy weight laminated glazing with acoustic seals or wintergarden balconies with a single layout of medium weight glazing to internal windows and the external façade.

It also noted that as internal noise levels under AS2021:2015 cannot be achieved with windows open installation of mechanical ventilation would be required.

The relevant criteria will apply to further development and details of acoustic treatments can be refined at DA stage.

9.1.9 Light spill

Lighting at the Lambert Park sports field has potential to impact on residential amenity of proposed apartments within the site.

The Planning Proposal includes a 6m wide setback to Lambert Park to the north, providing for landscaping and tree planting to minimise light spill impacts to lower level apartments. Upper level apartments located on the north side of the building would be oriented east and west with architectural expression and articulation to direct views and openings away from the sports field reducing impacts of light spill from the field.

A detailed technical assessment will be prepared to assess the light spill impact from Lambert Park on the proposal as part of any future DA to identify necessary mitigation measures.

9.1.10 Sustainability

A Sustainability Strategy has been prepared by Northrop to support the Planning Proposal (Appendix K). The Planning Proposal makes significant commitments to the delivery of a highly sustainable development, including:

- Designing to a 5 star Green Star V1 standard
- At least 15% canopy coverage across within the development site within 10 years of the completion of the development to enhance amenity and mitigate urban heat
- Provision of vegetation, green roofs, and materials with a high solar reflectance index, with particular focus on western and northern building facades
- Compliance with new BASIX targets in the Sustainable Buildings SEPP
- Preparation of a Green Travel Plan to bring about better transport arrangements to manage travel demands, particularly promoting more sustainable modes of travel and modes that have a low environmental impact
- Charging stations for electric vehicles to be provided for 10% of non-residential car spaces and all residential car spaces
- Requirements for bike parking, end of trip facilities and car share facilities.

These commitments are reflected in the draft DCP controls.

The proposal would also comply with a number of controls in Council's existing DCP relating to sustainability as outlined below, noting that these requirements are generally consistent with the recommendations of PRCUTS:

- Water quality treatment standards
- Requirements for a sustainable travel plan to be prepared with any future DA.

These commitments will deliver a high level of environmental sustainability delivering a net environmental benefit.

9.1.11 Arboriculture impacts

An Arborist Report (Appendix J) has been prepared by Elke Landscape Architect and Consulting Arborist which has considered the 17 trees within and directly adjacent to the site.

It recommends removal of 15 of the 17 trees, with the two trees to be retained being recently planted street trees located along Lords Road which would be protected with tree protection fencing during future construction.

The recommended tree removal is largely regarding the trees' health and structural conditions, growing conditions and proximity to built structures in accordance with the Inner West Council Tree Management DCP 2020.

The Arborist Report refers to the 2:1 tree replacement ratio identified in the Inner West Council Tree Management DCP 2020, requiring a minimum of 30 replacement trees. The Landscape Plan prepared to support the Planning Proposal proposes a total of 63 trees, significantly exceeding this requirement.

The Arborist Report concluded that the proposed removal of existing trees and replacement with large native trees with suitable growing conditions provides an opportunity to improve the site's capacity to contribute to and improve the local landscape qualities, provide a GreenWay vegetation buffer zone,

provide a transition zone to low density residential development and improve vegetation longevity and canopy cover.

9.1.12 Contamination

A Detailed Site Investigation (Appendix L) has been prepared by Foundation Earth Sciences to consider contamination across the site which included site investigations and soil and ground water sampling. It identified the site as being subject of uncontrolled fill comprising a range of contaminants.

Results of groundwater samples indicated that levels were above water quality guidelines for ecosystem protection but in compliance with guidelines for protection of human health. The investigation highlighted the need for any water that seeps into the excavation to be managed through treatment of via appropriate disposal techniques.

The Investigation concluded that the site can be made suitable for the proposed use, subject to further contamination assessment at the DA stage including further assessment of the quality of fill material across the site and implementation of a remediation action plan.

Q10. *Has the Planning Proposal adequately addressed any social or economic effects?*

9.1.13 Economic impact

An Economic Impact Assessment has been prepared by Hadron Group (Appendix N) which compares the economic impacts associated with the construction and post construction stages of the proposed development. It compares a base case being the existing development to the project case being the Planning Proposal.

It identifies that the base case has potential to generate 147 jobs (based on 9,979sqm of light industrial floor space) compared to 105 jobs under the project case (based on 2,000sqm of non-residential floor space).

Table 8: Comparison of economic impacts of project vs base case

Council reason for refusal	Base case	Planning Proposal	Net benefit
Total jobs generated	147	105	-42
Total salaries generated	\$8.8m	\$9.1m	+0.3m
Industry value added (to GDP)	\$16.7m	\$16.6m	-\$0.1m
Construction costs		\$130m	\$130m
Economic activity from construction		\$3,82.2m	\$3,82.2m
Job years in construction		1,017	1,017

Whilst the potential employment levels under the Planning Proposal would be less than under the current zoning, the wage incomes earned, and gross value added, are expected to be comparable, as the site is expected to attract higher value uses.

The Planning Proposal is able to deliver on PRCUTS housing targets for the site while also maintaining levels of economic activity (incomes and Gross Value Added) that are comparable with those achievable under the site's current zoning. It will also deliver significant economic benefits during the construction phase.

The EIA also highlighted additional benefits associated with the Planning Proposal which have flow on economic benefits as summarised below:

- Benefits associated with providing jobs closer to home (or homes closer to jobs), most notably a reduced need to travel and the knock on benefits associated with this in terms of reduced pressure on infrastructure.
- A reduction in the number and length of journeys made, in particular those made in private vehicles, resulting in environmental benefits, and lifestyle benefits related to increased free time, reduced travel related stress and a reduced likelihood of road related accidents.
- Providing jobs closer to home also meets the Greater Sydney Commission's 30min cities direction, where residents live within 30 minutes of their jobs, education and health facilities, services and great places.

On the basis of the information provided in the EIA, the Planning Proposal would deliver a net economic benefit compared to the retention of the existing zone.

9.1.14 Social impact

A Social Impact Assessment has been prepared by Hadron Group which considers potential positive and negative social impacts and associated mitigation measures. The key findings are outline below.

Table 9: Social Impact Assessment

Social impact	Rating	Mitigation measures	Rating post mitigation
<p>Accommodation and housing – increase in the supply and choice of dwellings close to amenities and employment.</p> <p>The development will provide approximately 160 units (including 5% of residential GFA as affordable housing units) close to jobs, transport and amenities.</p>	Significant positive	NA	Significant positive
<p>Community structure (severance, cohesion, and identity) – impacts to cohesion and sense of place (construction phase).</p> <p>The construction phase of the development is expected to last around 2 years. During this period there will be additional dust and noise emanating from the site and additional traffic movements, including heavy vehicles, to and from the site.</p>	Moderate negative	Implementation of a Construction Management Plan and Communications Plan.	Slight negative
<p>Interaction between new development and the existing community – impacts to cohesion and sense of place (operational phase)</p> <p>The development seeks to integrate with the surrounding area and limit impacts through:</p> <ul style="list-style-type: none"> • Consistency with PRCUTS urban design guidelines • Provision of car parking in accordance with the Leichhardt DCP 	Slight negative	<p>The developer should consider ways to build positive relationships with the incoming residents and existing resident population.</p> <p>Further, over time the surrounding area will be renewed in accordance with PRCUTS.</p>	<p>Short term: neutral</p> <p>Long term: moderate positive</p>

Social impact	Rating	Mitigation measures	Rating post mitigation
<ul style="list-style-type: none"> Minimal traffic impacts as identified by the traffic study Mitigation of noise conflicts with surrounding uses Potential for non-residential floor space to accommodate commercial uses to provide local services Improved connectivity and provision of publicly accessible open space. 			
<p>Residential amenity and quality of life</p> <p>The development is a high-quality design consistent with the PRCUTS guidelines. It will improve connectivity between adjacent sites with public access provided through the site to the Greenway and to Lambert Park and provide publicly accessible open space.</p> <p>It also includes flexible employment uses including light industrial, business services and services directly supporting local populations</p>	Slight positive	The design form is consistent with PRCUTS guidelines and includes improved through-site connectivity, delivers significant public and private open space, and allows for compatible local light industrial / urban services uses as part of the non-residential floorspace provision.	Moderate positive
<p>Access and mobility</p> <p>The traffic study found that the development was expected to generate less overall peak hour traffic than the potential for the site under its current zoning.</p>	Slight positive	Implementation of a green travel plan to facilitate a modal shift towards public transport usage as opposed to car usage, particularly for single-occupancy car trips.	Moderate positive
<p>Population change and impacts on community and recreation services and facilities – Increased demand for community services and facilities.</p> <p>The proposal generates a small amount of demand for additional social infrastructure summarised in Section 9.2.</p>	Moderate negative	The development will contribute towards the cost of additional social infrastructure through Section 7.11 contributions and Regional Infrastructure Contributions.	Slight positive
<p>Employment opportunities</p> <p>The development is able to support up to 150 full-time equivalent jobs (FTE) during its estimated 2-year construction and around 105 jobs when fully operational, which is lower than the estimated 147 jobs that could be supported under the current zoning.</p>	Moderate negative	The development will provide opportunities for employment onsite which are closely aligned with the skillsets of the local population and will also allow some residents to work from home. It is estimated that the development can achieve comparable levels of income and gross value added as under its current zoning.	Neutral

Social impact	Rating	Mitigation measures	Rating post mitigation
<p>Local economic effects – loss of industrial and urban services lands</p> <p>The Planning Proposal will see the rezoning of industrial and urban services lands for R3 Medium Density Residential uses.</p>	Moderate negative	Whilst the Planning Proposal is consistent with State Government policy it includes potential for non-residential uses including compatible light industrial uses. The developer will consult with industry on the appropriate floorplates to support this demand.	Slight negative
<p>Needs of target social groups</p> <p>The development includes affordable housing.</p>	Slight positive	Delivery of affordable housing.	Moderate positive

On the basis of the information provided in the SIA and the implementation of the proposed mitigation measures, the Planning Proposal would deliver a net social benefit compared to the retention of the existing zone.

9.2 Infrastructure (Local, State and Commonwealth)

Q11. *Is there adequate public infrastructure for the Planning Proposal*

9.2.1 Social infrastructure

The Social Impact Assessment includes an infrastructure needs analysis. It confirms that following:

- There would be minimal impact on State infrastructure such as education and health facilities, and any additional demand would be funded through payment of a Regional Infrastructure Contribution.
- The future resident population would create some demand for childcare and after school facilities, however the social infrastructure audit indicates that there is currently availability for these facilities within the vicinity of the site.
- The resident population will also create some demand for additional floor space for cultural and community facilities (38sqm). The Inner West Community Assets Needs Study identifies the need for additional library and community space in Catchment 3 (which includes the subject site) in the short to medium term
- The resident population will also create some demand for additional recreation facilities. The Inner West Recreational Needs Study identified the need for additional sports fields and courts in the longer term.
- The development will contribute to the cost of delivering new local facilities (which was also identified in the PRCUTS Infrastructure Schedule) through Section 7.11 local infrastructure contributions.
- Both the Government Architect's Draft Greener Places Guide and the Greater Sydney Commission Eastern City District Plan advocate for open space planning to take a proximity approach to open space to ensure all residents can access a local park within 400sqm of their home, or for high-density areas, within 200sqm. Residents will be within 200m of Lambert Park which comprises over 4,100sqm of local open space including passive recreation space and a playground for small children. The site is also located adjacent to the GreenWay which provides active recreation opportunities as well as pedestrian and cycle connections to open space within the wider vicinity. The public open space network would

be complemented by publicly accessible open space and communal open space proposed within the site.

Council has undertaken local infrastructure needs studies to examine the local infrastructure demands generated from anticipated future population and worker growth to 2036 which has included consideration of the PRCUTS. The recommendations from these studies have informed Council's Inner West Local Infrastructure Contribution Plan 2023 which will apply to future development on the site.

A Housing and Productivity Contribution will also be apply to future development and will fund State and regional infrastructure including active transport, transport, education, health, emergency, justice, and open space and conservation.

The payment of contributions as outlined above will ensure that adequate public infrastructure is available to support future residents and worker within the site.

9.3 State and Commonwealth interests

Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Consultation has also been carried out with DPHI who have confirmed in writing that the PRCUTS Implementation Update 2021 and updated Ministerial Direction allow for Planning Proposals to receive a Gateway decision. It also confirmed that there has been no change to its position that PRCUTS is to be implemented to prevail to the extent of any inconsistency with the approach to industrial lands in Council's Local Housing Strategy.

Further consultation will be carried out with other relevant State Government agencies as part of any future formal public exhibition.

10 Consultation

To inform the previous Planning Proposal Chikarovski and Associates was engaged to undertake extensive consultation in 2018 with the local community, relevant community groups and stakeholders, Inner West Council and Government agencies.

No further consultation has been undertaken as part of this proposal given the extent of consultation undertaken previously and the level of understanding it has provided of the key areas of concern, which are expected to be largely unchanged. Notwithstanding, the community would have the opportunity to comment further on the proposal as part any formal public exhibition following a Gateway decision.

Extensive consultation was also carried out with Inner West Council throughout the consideration of the previous Planning Proposal. Feedback from Council received during that process has been considered in preparing this new Planning Proposal. The Urban Design Report takes into consideration the recommendations of the peer review of the previous proposal which was prepared by CM+ on behalf of Inner West Council (see Appendix C). The Council's reasons not to support the previous Planning Proposal have also been considered and addressed in Section 11.

A meeting was also held with Inner West Council on 9 May 2022. Council's concerns regarding the proposal are largely unchanged since the previous Planning Proposal, particularly in relation to loss of industrial lands.

Consultation with State government agencies is discussed in Section 9.3.

10.1 Community consultation

The local community was engaged in 2018 in relation to the previous Planning Proposal by way of an online survey, meetings with the APIA club, existing tenants, and one concerned resident, and a community drop in session. The outcomes of this consultation is outlined below.

The online survey sought feedback on the community's aspirations for the site and concerns about future development. The community was notified of the survey by way of:

- A letterbox drop to local residents adjacent to the site
- Notice in the Inner West Courier's print edition and on the website, which remained online for 30 days
- Direct notification to residents who expressed strong opposition to the previous proposal
- Direct notification of existing tenants and encouragement to forward the survey onto their staff and patrons, and
- Direct notification to the APIA club and encouragement to forward the survey onto their staff and patrons.

A total of 26 responses were received to the online survey, the outcomes of which are described below.

Respondents were able to select more than one option from a list of proposed features. An 'other' option was also included, with the opportunity to provide freeform text. Other responses included a craft brewery and a swimming pool. The responses to question 1 are illustrated in Figure 9 below.

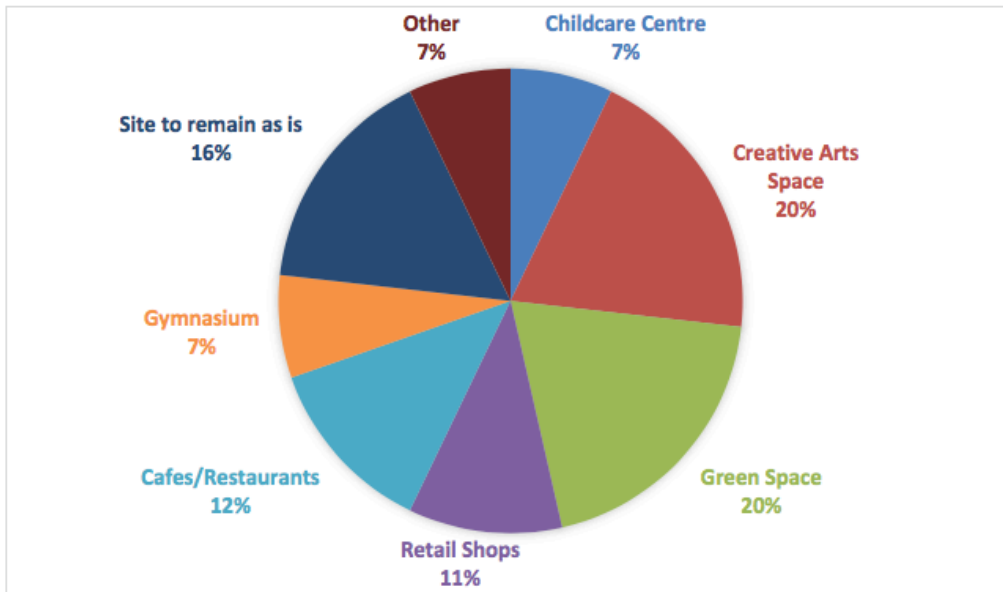


Figure 23: Summary of response to survey question 1

The proposal responds to this feedback by:

- including potential for a range of uses such as light industrial and urban services, creative industries, health facilities, education uses, gymnasium, restaurants/cafes and local service business
- Including over 1,500sqm of linear open space along the western boundary to be zoned RE1 Public Recreation and approximately 700sqm of publicly accessible open space within the site, fully visible and easily accessible off Lords Road.

Q1. What are you concerned about regarding the development of this site?

This question allowed respondents to provide a freeform response. The comments raised are included in Table 10 below.

A community drop in session was also held with around 25 residents attending. The session was notified to the community by:

- Door knocking residents on Lords Road, Davies Lane and Kegworth Street
- Placing an advertisement in print and online of the Inner West Courier notifying residents of the drop-in session.

Table 10 below outlines all issues raised through the community consultation and how these have been addressed in the proposal.

Table 10: Consideration of issues raised through consultation

Council reason for refusal	Response
Loss of employment floorspace Need to provide affordable industrial/commercial space and local job opportunities	The proposal includes potential for a range of non-residential land uses that would be complementary to the surrounding area.

Council reason for refusal	Response
Community amenity Need to provide space for community amenity and recreational facilities including green space, creative arts and fitness.	<p>Over 1,500sqm of linear open space along the western boundary will be zoned RE1 Public Recreation (subject to agreement with Council) and around 700sqm publicly accessible central open space also forms part of the proposal.</p> <p>Through site links will also be provided improving connectivity to from the site to the surrounding area including the Marion Light Rail stop.</p> <p>The commercial floor space has potential to accommodate create arts and fitness uses.</p>
Traffic and Parking: Issues cited with current congestion on roads surrounding the site as well as a lack of adequate on-street parking and the impact of additional residential development.	<p>A Traffic Study has been prepared by The Transport Planning Partnership (TTPP) (Appendix H) that the proposed development on its own, would have a negligible impact on the road network.</p> <p>Car parking would be provided on site in accordance with Council's DCP, and car share spaces would be provided on site. Further, the site's close proximity to public transport is likely to limit the car parking demand resulting from the proposal.</p>
Overdevelopment: Concerns were raised about overdevelopment and opposition to high rise development	<p>The proposal seeks to maintain the amenity of the area and respond to the local character by providing sensitive transitions to existing low density residential areas and open space.</p> <p>The Planning Proposal is entirely consistent with the height and density recommended in the PRCUTS for the site.</p>
Impact on APIA club operations Complaints from future residents may impact on the APIA club operations, noting that the club operates until 10pm most weeknights and games can be noisy and require bright lighting.	<p>A noise assessment has been carried out to consider the impacts and identify suitable mitigation measures. A light spill assessment will also be carried as part of any future DA, and will recommend mitigation measures including orientation of apartments and treatment of windows to mitigate light spill impacts.</p> <p>A 6m setback is also proposed to this frontage to provide for a landscaped buffer.</p>
Light rail / public transport capacity Concerns were raised regarding the capacity of light rail and other public transport infrastructure	<p>Engagement has been carried out with Transport for NSW in order to discuss this further. Transport for NSW has confirmed the capacity of the light rail is consistently monitored and that its capacity can and would be increased to accommodate future growth in patronage.</p> <p>Further consultation will be carried out regarding public transport capacity throughout the process.</p>
Schools Concerns regarding the capacity of local schools to accommodate increased growth and safety for children attending Kegworth Primary School	<p>The new proposal will reduce the amount of traffic at times when school children come to and leave school. There will also be fewer trucks and heavy vehicle movements which will therefore increase the safety of children at the school.</p> <p>Kegworth Public School and the Department of Education will be engaged through the Planning Proposal process regarding schools capacity.</p>

11 Consideration of previous Local Planning Panel decision

On 17 December 2018 the Inner West Local Planning Panel advised Council that it did not support the previous Planning Proposal for the reasons outlined in Council's report (which are considered and addressed in Section 11). In addition, the Panel recommendation included the following comments:

- The Panel notes Council's long standing position of preserving industrial lands and this Planning Proposal would diminish Council's past efforts to retain this site for industrial uses.
- The Panel also notes that Council intends to review all its employment and residential lands as part of the wider comprehensive LEP work. Council in collaboration with the State Government, is also undertaking a range of broader strategic planning work and studies including but not limited to:
 - *Local Housing Strategy*
 - *Local Strategic Planning Statement*
 - *Employment Lands Review*
 - *Local Infrastructure Contributions Plan*
 - *Integrated Transport Plan*
 - *Comprehensive Inner West LEP and DCP*
 - *Affordable Housing Contribution Scheme*
 - *PRCUTS precinct wide traffic modelling.*
- The Planning Proposal is considered premature in relation to the completion of these strategic planning projects. These projects will provide comprehensive strategic evidence based strategies and innovative visions to direct future strategic planning documents and design parameters for land uses, infrastructure, public domain work, urban design and place making, community / social benefits, economic development and appropriate distribution of development uplift for long term sustainable changes throughout the Inner West Council. The site and its future uses should be planned holistically in the context of the Taverners Hill Precinct and its contribution to the revitalisation of the Parramatta Road Corridor rather than in an ad hoc piecemeal manner such as via this planning proposal.
- The Council draws the DPE's attention to the need to update PRCUTS, particularly indicative land uses in light of more recent information in relation to employment lands noting the loss of employment land, dwelling projections, infrastructure requirements such as school and open space etc. The Panel notes PRCUTS will ultimately be replaced by Council's accelerated timeframe Comprehensive LEP and DCP.

Since this time Inner West Council has finalised its LSPS, Local Housing Strategy, Employment Lands Review, Comprehensive LEP and Local Contributions Plan. . Council is also progressing a separate Planning Proposal to implement Stage 1 of PRCUTS which does not include this site, but applies largely to areas outside the 2016-2023 release area identified by PRCUTS.

Since this time the precinct wide traffic study has also been released and DPHI has updated PRCUTS via an implementation update.

In its conditional endorsement of the Local Housing Strategy, DPHI has reiterated its position that PRCUTS is to be implemented to prevail to the extent of any inconsistency with the approach to industrial lands in Council's Local Housing Strategy.

Further, the PRCUTS Implementation Update released in 2021 supports the progression of Planning Proposals to a Gateway determination in the areas identified for release post 2023.

Accordingly, it is considered that the Planning Proposal is no-longer premature for the reasons outlined by the Local Planning Panel.

12 Consideration of previous Council decision

On 12 February 2019 the Inner West Council resolved not to support the previous Planning Proposal for the site, and not to refer it to the DPHI for a Gateway determination.

The previous Planning Proposal also sought to implement the PRCUTS, and to accommodate non-residential uses on the site.

The reasons for Council's decision are outlined and considered in Table 5 below.

Table 11: Consideration of Council's decision on the previous Planning Proposal

Council reason for refusal	Response
<p>a. Strategic Merit Test It fails the Strategic Merit Test of "A guide to preparing planning proposals" pursuant to Section 3.33(2)(c) of the Environmental Planning and Assessment Act 1979.</p>	<p>The Strategic Merit test has been addressed in Section 8.</p> <p>The Planning Proposal is entirely consistent with the strategic context including the Eastern City District Plan, PRCUTS, and the DPHI's conditional endorsement of the Inner West Local Housing Strategy.</p> <p>The PRCUTS Implementation Update release in 2021 supports the progression of Planning Proposals to a Gateway determination in the areas identified for release post 2023. The Planning Proposal is therefore no longer out of sequence.</p>
<p>b. PRCUTS Out of Sequence Checklist The proposal does not have merit and fails all six criteria of the PRCUTS Out of Sequence Checklist.</p>	<p>The proposal no longer needs to address the 'out of sequence checklist'.</p>
<p>c. PRCUTS Dwelling Target The PRCUTS new dwelling targets for the Taverners Hill Precinct can readily be met and surpassed without rezoning this site.</p> <p>Council's report notes that the 103,236sqm of floor space can meet the PRCUTS dwelling target of 1,350 dwellings by 2050 (rather than 170,000sqm under the strategy). This is based on 76.35sqm apartments which council has derived from recent large residential flat building consents in Leichhardt. Council also includes 451 dwellings / 31,506sqm delivered for Kolotex site.</p>	<ul style="list-style-type: none"> The 103,236sqm figure indicated by Council relies on 65sqm apartments (based on 85% efficiency rate) which is well below the industry average dwelling size of 80-85sqm. It also includes the Kolotex site which was rezoned prior to finalisation of PRCUTS. Council has since undertaken further analysis of the PRCUTS dwelling potential in its Local Housing Strategy and Local Housing Study, however this only takes into consideration the 2016-2023 release areas. This is discussed in further detail in Section 5.5. DPHI's provisional approval of the Local Housing Strategy clearly states that the PRCUTS is to be implemented and is to prevail to the extent of any inconsistency with the approach to industrial land identified in Council's Local Housing Strategy. State government has reiterated its support for delivery of new dwellings via PRCUTS through recent updates to the Implementation Plan.
<p>d. Loss of Employment Land In the context of persistent demand and a low and decreasing supply of industrial land, a rezoning such as this would dilute Council's ability to provide sufficient</p>	<ul style="list-style-type: none"> The Greater Sydney Region and District Plans clearly state that the Parramatta Road Corridor is not subject of policies to protect and retain employment land. The EP&A Act requires a planning proposal to give effect to a relevant District Plan (section 3.8).

Council reason for refusal	Response
<p>industrial land to accommodate demand. The planning proposal would also result in:</p> <ul style="list-style-type: none"> inconsistency with the Leichhardt Industrial Lands Study 2014 (SGS, 2014), Leichhardt Employment and Economic Development Plan (EEDP) and the Leichhardt Industrial Precincts Planning Report (SGS, 2015); a net loss of jobs in the local government area; the loss of an economically viable employment precinct containing local services, light industrial and other non-industrial activities which contribute to the diversity of the economy, community activities and employment opportunities; a lack of merit when assessed against the criteria established by the Leichhardt Employment and Economic Development Plan 2013-2023; and the lack of an appropriate Net Economic and Community Benefit Test as it does not address the wider issue of cumulative loss of employment lands in the local government area. 	<ul style="list-style-type: none"> DPHI's provisional approval of the Local Housing Strategy clearly states that the PRCUTS is to be implemented and is to prevail to the extent of any inconsistency with the approach to industrial land identified in Council's Local Housing Strategy. The PRCUTS is also the subject of a specific recently updated Ministerial Direction and prescribes the exact zone for the land. The site is not considered to be strategically important industrial land.
<p>e. Infrastructure It is inconsistent with the infrastructure sequencing of the PRCUTS and the submitted Integrated Infrastructure Delivery Plan (IIDP) and the offer to enter into a Voluntary Planning Agreement (VPA) are unsatisfactory given the lack of adequate contributions</p>	<ul style="list-style-type: none"> The proposal is no longer inconsistent with the infrastructure sequencing of PRCUTS as outlined in the PRCUTS Implementation Update, and noting that it would be delivered post 2023. PRCUTS does not identify additional infrastructure required to support development of this site. The proposal envisaged payment of local contributions in accordance with Council's local contributions rates and Regional Contributions in accordance with the Housing and Productivity Contribution.
<p>f. Ministerial Directions The proposal is inconsistent with the following Ministerial Directions:</p> <ul style="list-style-type: none"> 1.1 Business and Industrial zones 7.1 A Plan for Growing Sydney 7.3 Parramatta Road Corridor Urban Transformation Strategy 	<ul style="list-style-type: none"> The Ministerial Directions have since been updated. The proposal is consistent with the direction relating to PRCUTS as demonstrated by the reports supporting the planning proposal. The Ministerial Direction relating to A Plan for Growing Sydney has been removed. The Direction relating to Business and Industrial zones allows for inconsistency where justified by a strategy approved by the Planning Secretary, which gives consideration to the objective of this direction and identifies the land which is the subject of the planning proposal. This is satisfied by PRCUTS.
<p>g. Inner West Council Community Strategic Plan Inconsistent with:</p> <ul style="list-style-type: none"> Strategic Direction 2: Unique, liveable, networked neighbourhoods Strategic Direction 3: Creative communities and a strong economy. 	<ul style="list-style-type: none"> This plan is not a relevant consideration for a Planning Proposal. However, this has been considered in the Social Impact Assessment. The Planning Proposal is considered to support these strategic directions, including through provision of new

Council reason for refusal	Response
	high quality housing in close proximity to jobs, services, public transport, open space and community facilities.
<p>h. Consistency with PRCUTS: The proposal is inconsistent with the following key aspects of PRCUTS:</p> <ul style="list-style-type: none"> • Policy context and the Strategy's vision and key actions for the Corridor and Taverners Hill precinct including all seven (7) principles of the Strategy; • Implementation Tool Kit including the Implementation Plan 2016-2023, Planning and Design Guidelines (including the Corridor wide, built form and Taverners Hill Guidelines), Infrastructure Schedule and Urban Amenity Improvement Plan; and • Reference Reports including the Precinct Transport Report, Economic Analysis, Fine Grain Study and Sustainability Implementation Plan. 	<ul style="list-style-type: none"> • The Planning Proposal is consistent with PRCUTS and the Implementation Tool Kit. • The PRCUTS reference reports are not matters for consideration under the Ministerial Direction. However, they have been considered in developing the proposal.
<p>i. Wider strategic planning The proposal is premature in the light of the prospective outcomes of strategic planning studies and projects underway at State and Local Government levels, In particularly having regard to the lack of the Precinct-wide traffic study and supporting modelling which is required under the PRCUTS to be completed to consider the recommended land uses and densities, as well as future WestConnex conditions, and identify the necessary road improvements and upgrades required as part of any proposed renewal in the Precinct.</p>	<p>The Precinct Wide Traffic Study has now been released, and the PRCUTS implementation update allows for consideration of Planning Proposals within precincts beyond the 2023 release area.</p> <p>Accordingly, the Planning Proposal is not considered premature and should proceed to Gateway and public exhibition.</p>
<p>j. Affordable housing The proposal is inconsistent with Council's Affordable Housing Policy 2016 which seeks a 15% contribution of gross floor area of the development dedicated to Council in perpetuity.</p>	<p>The Planning Proposal includes the delivery of a minimum of 5% of residential floor space as affordable housing which is in line the range outlined in the Eastern City District Plan, which is referenced as the appropriate benchmark in the PRCUTS.</p>
<p>k. PRCUTS recommended density The proposal exceeds the recommended floor space under PRUTS by 500sqm, without demonstrating improved built form outcomes or design excellence.</p>	<p>The new Planning Proposal is entirely consistent with the FSR recommended by the PRCUTS, being 2.4:1.</p>
<p>l. Supporting studies</p>	<p>See below</p>
<p>Flooding</p> <ul style="list-style-type: none"> • the proposal is currently located within the southwest corner of the site where the flood depth is greatest • There are other unresolved design issues associated with the flood hazard on the site <p>Council's report also highlighted the following issue with the flood study:</p>	<p>This is addressed in Section 9.1.6 and the appended flood studies.</p>

Council reason for refusal	Response
<ul style="list-style-type: none"> Any proposed building footprint must be supported by additional flood modelling demonstrating no adverse impact to flood levels within Lords Road, against the railway embankment, and through Lambert Park during both the 100 year ARI and PMF events. Flood evacuation must be provided to the east of the site, vertical flood evacuation within the building is not supported. 	
Heritage The heritage impact statement does not consider the heritage value of existing buildings nor the impact on nearby heritage items at Lambert Park and Kegworth Public School	This is addressed in the Statement of Heritage Impact discussed in Section 9.1.4, which thoroughly considers the value of nearby heritage conservation area and heritage items and assesses the likely impact of the proposal upon these items.
Contamination Remedial Action Plan does not locate the known contamination on the site and relies on outdated sampling information.	This is addressed in an updated Detailed Site Assessment (Appendix L)
Traffic Traffic report is inadequate, particularly regarding the likely impacts on Davies Lane of increased traffic generation.	This is addressed in the updated traffic study (Appendix H)
Public domain <ul style="list-style-type: none"> Inadequate outline of the proposed works Satisfactory arrangements have not been demonstrated with relevant stakeholders for connections and linkages within and outside the site. 	Proposed public domain upgrades are discussed in Section 4.6, and would be subject of further discussion and negotiation with Council.
Economic impact Relies on Regional and District Plans exclusion of PRCUTS area, rather than evidence of loss of employment land.	This is addressed in the Economic Impact Assessment (see Section 9.1.13) which demonstrates the Planning Proposal is able to deliver on PRCUTS housing targets for the site while also maintaining levels of economic activity (incomes and Gross Value Added) that are comparable with those achievable under the site's current zoning.
Sustainability Measures outlined are generic and do not demonstrate compliance with PRCUTS sustainability targets.	The proposal complies with PRCUTS sustainability targets (see Section 9.1.10).
m. Inconsistency with SEPP 65 The proposal does not sufficiently address the requirements of SEPP 65. <ul style="list-style-type: none"> Design Principle 1: Adverse impact in terms of context having regard to the proposal being out of character within the surrounding low density residential area 	Consistency with the Housing SEPP (formerly SEPP 65) and the ADG is addressed in the Urban Design Report (Appendix C). These matters have been fully addressed. The proposal is fully compliant with the height and FSR recommended by PRCUTS.

Council reason for refusal	Response
<ul style="list-style-type: none"> Design Principle 2: Setback and separation, height and articulation of the built form Design Principle 3: The proposed FSR exceeds the PRCUTS controls and the scale of residential floor space proposed on this site is not required to meet the PRCUTS projections. The proposed height of nine storeys (35 ADH / 32m) exceeds the PRCUTS recommendation of maximum 30m). Design Principle 4: proposal does not satisfy the sustainability requirements of the PRCUTS Design Principle 6: Amenity impacts including: <ul style="list-style-type: none"> visual impact from the bulk and scale of buildings, overlooking of Davies Street properties, inadequate location and quantity of common and public open space which lacks a sufficient interface with the public domain to be considered public space and overshadowing of open space. 	

13 Consideration Local Planning Panel Decision

On 20 December 2022 the Inner West Local Planning Panel advised Inner West Council that it did not support the current Planning Proposal. The reasons for this decision are considered and addressed in the table below.

Table 12: Recommendation of Local Planning Panel on current Planning Proposal

Local Planning Panel recommendation	Response
The proposal is inconsistent with Section 9.1 Direction 1.5 Parramatta Road Corridor Urban Transformation Strategy 1.5 (1)(a)(b) and (c) as the proposal does not adequately give effect to the objectives 1.5(a) of the Ministerial Direction and is inconsistent with Strategic Actions within the PRCUTS Strategy, and the Planning and Design Guidelines.	The Planning Proposal is entirely consistent with Ministerial Direction 9.1 as it will facilitate the implementation of PRCUTS for the site. This is further discussed in Section 8.2.2.
The proposal fails the strategic and site-specific merit test of the Guidelines for Preparing Planning Proposals pursuant to Section 3.33 of the Environmental Planning and Assessment Act 1979.	<p>The Strategic Merit test has been addressed in Section 8.</p> <p>The Planning Proposal is entirely consistent with the strategic context including the Eastern City District Plan, PRCUTS, and the DPHI's conditional endorsement of the Inner West Local Housing Strategy.</p> <p>The PRCUTS Implementation Update release in 2021 supports the progression of Planning Proposals to a Gateway determination in the areas identified for release post 2023. The Planning Proposal is therefore no longer out of sequence.</p> <p>The proposal also meets the Site Specific Merit Test as detailed in Section 9.</p>
The proposal is inconsistent with the LSPS, LHS, Employment and Retail lands Strategy and Affordable Housing Policy	<p>The Planning Proposal is entirely consistent with the strategic context including the Eastern City District Plan, PRCUTS, and the DPHI's conditional endorsement of the Inner West Local Housing Strategy.</p> <p>The LSPS and Employment and Retail Lands policy are inconsistent PRCUTS as well as with the approach outlined in the Greater Sydney Region Plan and Eastern City District Plan. Further, the DPHI has advised that it does not support this approach in its conditional endorsement of the Local Housing Strategy.</p> <p>The Inner West Affordable Housing Policy recommends 15% affordable housing. The Planning Proposal includes the delivery of a minimum of 5% of residential floor space as affordable housing which is in line the range outlined in the Eastern City District Plan, which is referenced as the appropriate benchmark in the PRCUTS.</p>
The proposal is inconsistent with Section 9.1 Direction 1.1 Implementation of Regional Plans, 1.5 Parramatta	Direction 1.1 relates to the Regional Plans, rather than the Greater Sydney Region Plan and District Plans. Notwithstanding, the EP&A Act requires a planning

Local Planning Panel recommendation	Response
Road Corridor Urban Transformation Strategy and 4.1 Flooding.	<p>proposal to give effect to a relevant District Plan (section 3.8).</p> <p>The Proposal supports the implementation of PRCUTS and the '30 minute city' which are key aspects of the Region Plan and District Plan.</p> <p>The Region Plan and District Plan also highlight that PRCUTS is the primary planning strategy for sites within the corridor and specifically excludes sites within the Parramatta Road corridor from the industrial lands policies of the District Plan.</p>
The proposal is inconsistent with SEPP (Housing) 2021.	The proposal has considered and addressed all relevant provisions of the Housing SEPP and has demonstrated that it is able to achieve the relevant provisions (see Section 8.2.1). This will be further detailed at DA stage.
<p>The proposed design is unsatisfactory with respect to:</p> <ul style="list-style-type: none"> • Flooding • Site servicing, access and circulation • Built form controls, including setbacks, building separation and open space. 	<p>This is addressed as follows:</p> <ul style="list-style-type: none"> • Flooding – Section 9.1.6. • Site servicing, access and circulation: This is addressed in the Traffic Impact Assessment and Urban Design Report. • Built form controls: This is addressed in the Urban Design Report.
That should the proponent request a Rezoning Review by the NSW Department of Planning and Environment, or submit an amended Planning Proposal to Council, the following matters are considered in their assessment in addition to the matters in recommendation 1 above:	See responses below.
<ul style="list-style-type: none"> • The Planning Proposal be amended to omit business premises and office premises from the proposed Additional Permitted Uses. 	<p>If this was applied, additional permitted uses would be limited to <i>residential flat building, recreation facility (indoor), light industry, creative industry, industrial retail outlet, and restaurant or café</i>.</p> <p>This would limit the range of non-residential uses which could locate on the site, including those uses which are most suited to the surrounding context.</p> <p>In this regard Hadron Group have advised the following (Appendix R):</p> <p><i>in our view, the restriction of uses as proposed by the Council is likely to be counterproductive because it will exclude employment generating uses that are more complementary to the surrounding residential uses. Furthermore, restriction of employment uses is contrary to the objectives of the Employment Zones Reform Legislation (2022) which "aims to address current barriers within the planning system that limit the ability of businesses to establish, expand or adapt".</i></p>

Local Planning Panel recommendation	Response
<ul style="list-style-type: none"> The Planning Proposal be amended to include a local provision requiring a minimum of 3,000sqm of non-residential uses. 	<p>The Planning Proposal has been amended to remove the requirement for non-residential uses consistent with the Gateway decision.</p> <p>This is also consistent with the recommendations of the PRCUTS.</p>
<ul style="list-style-type: none"> That an Affordable Housing Contributions Scheme be prepared as part of the Planning Proposal or a Planning Agreement be negotiated. The affordable housing percentage of residential development to comply with Inner West Affordable Housing Policy, being 15% subject to a detailed feasibility analysis. 	<p>The applicant has offered to enter into a Planning Agreement with Council which includes delivery of 5% affordable housing.</p> <p>The Planning Agreement proposes 5% of residential floor space as affordable housing which is in line the range outlined in the Eastern City District Plan, which is referenced as the appropriate benchmark in the PRCUTS.</p>
<ul style="list-style-type: none"> Discussions be held with Council, DPE and TfNSW on the implementation of the Parramatta Road Corridor Precinct-wide Transport and Traffic Study as relevant to the Planning Proposal site. 	<p>Further consultation will be carried out with TfNSW and Council as part of the exhibition of the Planning Proposal.</p>
<ul style="list-style-type: none"> Provide an updated Traffic and Parking Analysis report and any other specialist reports (as necessary) utilising and reflecting the most up to date data available. 	<p>The Gateway conditions have not required any update to the Traffic and Parking Assessment which has concluded that:</p> <ul style="list-style-type: none"> The proposed development on its own, would have a negligible impact on the road network. Upgrades identified as part of the Parramatta Road Corridor Precinct-Wide Traffic and Transport Study would ensure effectiveness of the road network can be maintained. <p>This is discussed in further detail in Section 9.1.7.</p>
<ul style="list-style-type: none"> Consideration should be given to the proposed RE1 zone along the western boundary (75 Lords Road). 	<p>The Planning Proposal has been amended to rezone 75 Lords Road to RE1 Public Recreation.</p>
<ul style="list-style-type: none"> Consideration should be given to the inadequate floor to ceiling heights of the light industrial units. 	<p>This is discussed in further detail in the additional Urban Design Study at Appendix C, which identifies increased floor to floor heights of 5m for non-residential uses at the ground floor which will accommodate a range of light industrial and urban services uses.</p> <p>Specific floor to ceiling heights for any non-residential uses will be detailed at the DA stage.</p>
<ul style="list-style-type: none"> A flood risk and impact assessment including pre- and post-development flood modelling be undertaken to satisfy the requirements of Ministerial Direction 4.1 Flooding. 	<p>This is addressed in Section 9.1.6.</p>

14 Consideration of Sydney Eastern City Planning Panel determination

A rezoning review for this Planning Proposal was considered by the Sydney Eastern City Planning Panel on 17 August 2023. The Panel determined that the proposal has strategic and site specific merit but requested that the Planning Proposal be amended to address a number of matters prior to being resubmitted to the Panel for a Gateway recommendation. These matters are addressed in the table below.

Table 13: Consideration of Sydney Central Planning Panel determination

Panel recommendation	Response
Prepare a flood study consistent with the Flood Risk Management Guideline, 30 June 2023 and to address Ministerial Direction 4.1 Flooding	A flood study has been prepared in accordance with the Flood Risk Management Guideline, 30 June 2023 and to address Ministerial Direction 4.1 Flooding.
Prepare a reference scheme taking into consideration the outcomes of the flood study and to demonstrate consistency with the Apartment Design Guide and other relevant site conditions to confirm the capability of the site to achieve the proposed Floor Space Ratio and Height of Buildings	An updated reference scheme has been prepared as part of the updated Urban Design Study (Appendix C) which demonstrates that the FSR and height can be achieved.
Prepare a site specific DCP incorporating the above outcome	The Draft site specific DCP has been updated to reflect the changes to the scheme.
Demonstrate compliance with the PRCUTS criteria and strategic actions, specifically related to traffic impact, affordability, design, sustainability and infrastructure and demonstrate consistency with Ministerial Direction 1.5 Parramatta Road Corridor Urban Transformation Strategy	A full assessment has been carried out against the PRCUTS criteria in Section 5.3 and has been updated to reflect the current proposal.
Undertake an economic analysis for the impact of the proposed non-residential uses on neighbouring local centres	<p>A Local Centres Impact Assessment has been prepared which concludes that the provision of non-residential uses at the subject site is unlikely to create significant competition for neighbouring local centres. This was on the basis that commercial uses that rely on passing trade are unlikely to relocate to an isolated mixed-use development which is in a residential area just because the stock is more modern and the area is less noisy and more walkable.</p> <p>Notwithstanding the assessment noted that the high levels of vacancies for both industrial and commercial uses along with the limitations of the site are likely to make finding tenants difficult, particularly in the near term and restricting the range of use permitted would only increase the likelihood that these tenancies would remain vacant. On this basis the assessment recommended that the site be fully consistent with PRCUTS in providing only residential uses for which there is strong demand across Sydney.</p>

Panel recommendation	Response
Confirm the proposed permissible uses on site	This has been clarified in Section 7.
Clarify housing affordability rates, including floor space and number units and method of management	<p>The proposal includes 5% of residential floor space to be delivered as affordable housing to be managed by a community housing provider in perpetuity.</p> <p>This will deliver 998sqm of floor space or approximately 10 dwellings for affordable housing.</p> <p>The landowner has offered to enter into a Planning Agreement with Council which includes a range of public benefits including the delivery of the 5% affordable housing.</p>
Clarify the dedication and proposed management of the RE1 zone	<p>75 Lords Road is proposed to be zoned RE1.</p> <p>Council has advised that its preference is to have 75 Lords Road zoned RE1 Public Open Spaces and vested in Council as part of the Planning Agreement. In this regard the landowner has offered to enter into a Planning Agreement and will continue to work with Council to progress this agreement.</p> <p>Should Council not agree to future ownership of 75 Lords Road, as an alternative it could be zoned RE2 with an easement to provide 24 hour public access.</p>

15 Consideration of Gateway decisions

A Gateway determination was issued by DPHI on 2 September 2024. The Gateway conditions are considered and addressed in

Table 14.

Table 14: Consideration of Gateway conditions

Local Planning Panel recommendation	Response
1. Prior to exhibition, the planning proposal is to be amended and forwarded to the Minister under s 3.34(6) of the Act with the following changes.	See responses below.
a. Remove reference to the application of clause 6.15 of the LEP and the proposed key sites map.	This has been removed from the proposed LEP changes (see Section 7).
b. Update Planning Proposal and Urban Design and Section 4.3 Landscape concept to clarify the number of sqm of deep soil and tree canopy located on 67-73 Lords Road.	This has been updated in Section 4 of the Planning Proposal report and the Urban Design Report.
c. Include assessment against the Leichhardt Affordable Housing Policy.	See section 5.8.
d. Update Section 11 Consideration of previous Local Planning Panel decision to include LPP recommendation for the current planning proposal on 20 December 2022.	See Section 13.
e. Remove the proposed minimum floor space requirement for non-residential uses from the planning proposal and update supporting documentation.	This has been removed from the proposed LEP changes (see Section 7)
f. Include assessment against Ministerial Direction 1.4 Site Specific Provisions.	This is addressed in Section 8.2.2.
g. Further address Ministerial Direction 4.1 Flooding and justify the inconsistency with this Direction with reference to clause 1, clause 3 (a), (c), (d), (e) and clause (4). Provide an assessment of the risk of the proposed compensatory flood storage within the basement of the building to persons and property. This may include changes to the indicative built form.	This is addressed in Section 8.2.2.
h. Update the planning proposal to reflect existing traffic generation potential and proposed development traffic generation (trip generation) as outlined in the Traffic and Parking Impact Assessment.	This has been addressed in Section 9.1.7.
i. Update numbering of the Ministerial Directions: <ul style="list-style-type: none"> From 5.1 Reserving land for public purpose to 5.2 Reserving land for public purpose; and 	This has been addressed in Section 8.2.2.

Local Planning Panel recommendation	Response
<ul style="list-style-type: none"> From 8.1 Employment Zones to 7.1 Employment Zones. 	
j. Address clause 2.98 and 2.99 of the SEPP (Transport and Infrastructure) 2021 and correct clause numbering with reference to clause 2.100.	This has been addressed in Section 8.2.1.
k. Remove assessment against SEPP 65 – Design Quality of Residential Apartment Buildings as this SEPP has been repealed.	This has been addressed in Section 8.2.1.
l. Include assessment against SEPP (Housing) 2021 Chapter 4 - Design of residential apartment development.	This has been addressed in Section 8.2.1.
m. Include assessment against SEPP (Resilience and Hazards) 2021 Chapter 4 –Remediation of Land.	This has been addressed in Section 8.2.1.
n. Update references to appendices throughout the planning proposal.	Appendix references have been updated.
o. Update project timeline to reflect finalisation before 4 July 2025.	This has been updated in Section 16.
2. Prior to public exhibition a copy of the amended proposal, which addresses Condition 1, is to be provided to Biodiversity, Conservation and Science (BCS) and NSW State Emergency Service for consultation.	A copy of the Planning Proposal will be forwarded to these agencies by DPHI.
3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows: <ol style="list-style-type: none"> the planning proposal is categorised as complex in the Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 30 working days; and the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023). 	Public exhibition will be coordinated by DPHI in accordance with this requirement.
4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act: <ul style="list-style-type: none"> Transport for NSW (TfNSW) Schools Infrastructure (SINSW) 	Consultation will be coordinated by DPHI in accordance with this requirement.

Local Planning Panel recommendation	Response
<ul style="list-style-type: none"> • Department of Climate Change, Energy, the Environment and Water (DCCEEW) - Biodiversity, Conservation and Science (BCS) and NSW Environment Protection Authority (EPA) • Ausgrid • Sydney Water • NSW State Emergency Service. <p>Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.</p>	
<p>5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge the planning proposal authority from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).</p>	<p>Noted</p>
<p>6. Prior to finalisation, a suitable mechanism must be in place to secure 75 Lords Road as publicly accessible open space.</p>	<p>The Planning Proposal proposes to rezone 75 Lords Road as RE1 Public Recreation with Council identified as the acquisition authority. This is supported by a Planning Agreement which offers to dedicate this land to Council. This agreement is the subject of ongoing discussions with Council.</p>

16 Project timeline

An indicative project timeframe in accordance with the LEP making Guideline 2023 is set out in Table 15 below, noting the Gateway approval requires finalisation by 4 July 2025.

Table 15: Anticipated project timeline

Task	Timing
Gateway determination	2 September 2024
Pre-exhibition	September 2024
Commencement and completion of public exhibition period	March to May 2025
Consideration of submissions	May 2025
Post-exhibition review	June 2025
Gazettal of LEP amendment	July 2025

17 Conclusion

This new Planning Proposal will implement the NSW Government's vision for the Parramatta Road Corridor as it applies to the site, and is consistent with all aspects of PRCUTS and the PRCUTS Implementation Toolkit. In particular, the proposal it is consistent with the PRCUTS Implementation Update and is consistent with the staging approach outlined in PRCUTS noting that rezoning would not occur until 2024 and development and delivery would take place post 2024.

The Planning Proposal will deliver new housing, including affordable housing, aligned with public transport and services along with the potential for non-residential uses at the ground floor. It also has potential to enhance the local area through:

- Over 1,500sqm of public open space to be zoned RE1 for future ownership by Council accommodating a potential secondary GreenWay pathway to connect to Marion Street Light Rail to the north.
- Around 700sqm of additional publicly accessible open space fronting Lords Road
- A publicly accessible east-west through site link
- Provision of a footpath on the western side of Davies Lane.

Appendix A PRCUTS – Vision

Vision	Consideration / consistency	Y/N
Housing choice and affordability		
An additional 56,000 people live in the Corridor in 27,000 new homes.	The proposal is demonstrated as being capable of providing approximately 110 dwellings towards to overall target. The proposal has potential to provide 105 jobs on the site.	Yes
The community is diverse, with key workers, students, seniors and families.	The diversity of the future community will be supported by affordable housing units, as well as a mix of dwelling sizes.	Yes
The community's housing needs are met with a mix of dwelling types, sizes and prices.	A mix of dwelling types and sizes will be provided, providing a range of price points including affordable housing.	Yes
A minimum of five per cent of new housing is Affordable Housing (or in line with Government policy of the day), new housing also caters for single households, older people or different household structures.	The proposal provides for a minimum of 5% of residential floor space affordable housing. This is consistent with the District Plan range of 5-10%.	Yes
Diverse and resilient economy		
\$31 billion of development value is realised.	The proposal will contribute to the realisation of this development value across the corridor.	Yes
Parramatta Road Corridor is Sydney's 'economic spine' - 50,000 workers across a diverse range of sectors and roles come into the Corridor each day to work.	The PRCUTS does not envisage the site being used for employment uses. However, the Planning Proposal identifies the potential for ground floor non-residential uses.	Yes
Auburn is recognised as Sydney's large format retail hub and Camperdown is a specialist precinct that supports the world class research, educational and health uses associated with the University of Sydney and the Royal Prince Alfred Hospital.	Not applicable, however the proposal will support the Camperdown precinct through the delivery of a mix of dwellings, including affordable housing for key workers.	NA
Town centres at Granville and Kings Bay support new residents and workers.	Not applicable	NA
There is new life in the retail areas of Parramatta Road, and the Corridor is home to a variety of businesses, including small and medium enterprises, advanced technologies and creative industries.	The PRCUTS does not envisage the site being used for retail uses. However, the Planning Proposal identifies the potential for ground floor non-residential uses.	Yes
Accessible and connected		
It is easier to move to, through and within the Corridor in both east-west and north-south directions.	The proposal includes a shareway and pedestrian through site links which will make it easier to move through the precinct including to key destinations such as the Marion Light Rail stop.	Yes
The urban transformation of the Corridor is supported by transit-oriented development.	The proposal is considered to be transit oriented development as it seeks to locate housing in close proximity to public transport including Inner West Light Rail and buses along Parramatta Road.	Yes
Existing and new desirable and affordable mixed use environments are enhanced by	The proposal will be supported by existing light rail and high frequency bus services planned on	Yes

Vision	Consideration / consistency	Y/N
high-quality, high frequency public transport and safe active transport connections.	Parramatta Road along with safe active transport connections including provision of through site links.	
The Corridor's inherent social, economic and environmental resources are optimised, including freight generating uses within and supporting the Corridor.	The proposal will optimise social, economic, and environmental resources by locating growth within close proximity to existing and planned infrastructure and services. The surrounding environment will be improved through increased deep soils zones, landscape planting, canopy cover and improved water stormwater quality.	Yes
Available road and rail capacity is utilised and public investments in transport are optimised.	The proposal is located in close proximity to existing light rail and proposed transport upgrades along Parramatta Road.	Yes
Non-infrastructure initiatives, such as encouraging visitors to use non-car modes of travel to help alleviate congestion, and modifying or altering timing of trips, are well utilized	A Green Travel Plan will be prepared at DA stage to support a shift towards non-car travel modes.	Yes
People choose to walk and/or cycle for local trips along the Corridor's 34km of new and upgraded links, hop on buses and/or light rail for intermediate trips, and use rail and/or car for regional trips.	The location of the site within walking and cycling distance of key destinations will encourage active transport, and proximity to light rail and high frequency buses will encourage public transport usage for intermediate or regional trips.	Yes
The integrated transport network contributes to regional resilience and sustainable communities along the Corridor and beyond.	The proposal seeks to integrate future development with the transport network.	Yes
Vibrant community places		
Residents can walk easily to public transport, local shops, schools, parks and open space areas, jobs and a range of community services and facilities that are all close by.	The proposal is located in easy walking distance of a range of local services, facilities and open spaces. The proposal also improves the pedestrian network by providing through site links.	Yes
Neighbourhoods include a mix of old and new buildings sitting well together creating attractive places for people to enjoy.	The proposal responds to the existing surrounding uses including the low scale residential uses.	Yes
New development respects and protects existing lower-scale development and heritage.	The proposal provides appropriate transitions to surrounding low density residential areas by providing a four storey street wall adjacent to existing dwellings and providing upper level setbacks and locating tallest buildings adjacent to the light rail corridor.	Yes
New landmarks and high quality buildings and spaces are recognised and valued by the community.	The proposal has been supported by a rigorous urban design process informed by multiple urban design studies and an urban design peer review and will be further reviewed by the Inner West Council's Architectural Excellence Panel (AEP) at DA stage.	Yes
Residents and workers can easily access new and upgraded community facilities and services including libraries, community centres, child care centres, cultural facilities, schools and community health facilities.	The proposal is located in close proximity to a range of community facilities and services as discussed in the Social Impact Assessment.	Yes
Green spaces and links		
There is 66ha of new open space areas, linear parks and links along watercourses and	Consistent with PRCUTS over 1,500sqm of linear open space will be provided within the site. In addition, a	Yes

Vision	Consideration / consistency	Y/N
infrastructure corridors, linked to pedestrian and cycle connections.	publicly accessible open space of around 700sqm is proposed fronting Lords Road within the site. It is noted that the site is in close proximity to a large number of public open spaces including parks, the Greenway and foreshore areas.	
Parramatta Road and the surrounding road network is greener and lined with trees.	The proposal will significantly enhance canopy cover across the site.	Yes
The Corridor's nine watercourses have been naturalised and are pleasant places for people to walk and cycle along and enjoy.	Not applicable	NA
Sustainability and resilience		
Smart parking strategies have reduced people's car dependence and fuel use leading to reduced greenhouse gas emissions. Development is more feasible, meaning savings could be passed on to homebuyers, making housing more affordable and reducing the overall cost of living.	The proposal seeks to apply the Leichardt DCP parking requirements which establish maximum rates and will limit car parking in this location. Car share and bike parking will also be provided to support reduced car usage.	Yes
Because thinking about parking has changed, the design of buildings transition between different uses ensuring community uses and facilities, or perhaps even open space to occur over time.	Not applicable	NA
A lush tree canopy and vegetation on buildings makes places cooler and greener, and residents and workers can enjoy the outdoors.	The proposal would significantly increase areas for deep soil planting across the site.	Yes
Households enjoy improved living costs made possible by significant reductions in water and energy consumption in the Corridor.	The proposal will comply with the Sustainable Buildings SEPP.	Yes
Delivery		
There is an effective governance structure in place.	The proposal seeks to facilitate the amendment of the Inner West LEP to implement the PRCUTS.	Yes
Decisions are made in a timely, transparent and coordinated way.	The proposal will be subject of assessment by Council and DPHI.	Yes
Well understood benchmarks and indicators inform the planning and decision making processes.	Not applicable	NA
There is a clear monitoring, reporting and review process.	Not applicable	NA

Appendix B PRCUTS – Principles and Strategic Actions

Principle 1: Housing choice and affordability

Plan for a diversity of housing types to accommodate a wide range of community needs, including affordable housing, family housing, student housing and seniors' housing.

Strategic action	Responsibility	Consideration and consistency	Y/N
Housing Diversity			
Review, update or prepare a new Local Housing Strategy that implements the Parramatta Road Corridor Urban Transformation Strategy's Principles and Strategic Actions, taking into account changed economic and demographic characteristics, new transport opportunities and population projections.	Councils	The proposal will contribute to the implementation of the PRCUTS.	Yes
Provide 'diverse housing' for both purchase and rental markets that satisfies the objectives and Design Criteria of the Apartment Design Guide, that may include: <ul style="list-style-type: none"> • lower cost market housing for rent or purchase, including new generation boarding houses with high quality shared spaces • moderately priced housing that is affordable to purchase for households earning up to \$150,000 or 80-190% of the median income • rental properties with long-term tenures and optional extensions in place • housing that uses design innovations, resulting in new products such as decoupled/optional car parking, which are suited to essential service workers, young 'city makers' early in their careers looking for 'starter homes', families with children, and downsizers/seniors • student accommodation • aged-care housing • housing that promotes innovation in other ways across type, tenure, construction • methodology or other mechanisms to make such housing more attainable to diversity of income groups. 	Councils and proponents	The proposal will provide a mix of dwelling sizes and price points which will be lower than surrounding existing dwellings along with affordable housing and will include 5% of residential floor space as affordable housing.	Yes
Establish a mix of dwelling sizes, including studios, one bedroom and three bedroom dwellings to be delivered in residential, mixed use and shop-top developments that cater to the future population profile of the Precincts and Frame Areas, having regard to any recommendations of the Local Housing Strategy, the requirements of State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development, and the Apartment Design Guide.	Councils and proponents	The proposal will provide an appropriate mix of dwellings as outlined in the Urban Design Report.	Yes

Strategic action	Responsibility	Consideration and consistency	Y/N
Explore incentives such as value sharing where rezoning is necessary to achieve renewal of private sites to capture a proportion of the increased land value to fund affordable, diverse and social housing projects.	Councils and DPHI	The proposal will provide affordable housing dwellings.	Yes
Affordable housing			
Provide a minimum of 5% of new housing as Affordable Housing, or in-line with Government policy of the day.	Councils and proponents	The proposal will provide a minimum of 5% of residential floor space as affordable housing.	Yes
Amend the underlying Local Environmental Plan(s) to insert Affordable Housing principles.	Councils	Affordable housing provisions are proposed to be included in the LEP	Yes
Amend State Environmental Planning Policy No 70 – Affordable Housing (Revised Scheme) to identify that there is a need for affordable housing in all local government areas in the Corridor.	DPHI	This has already occurred.	NA
Prepare model ‘development consent’ conditions for inclusion into future planning proposals/rezonings to enable the levying of monetary contributions that can be used to fund Affordable Housing.	Councils	Not relevant – Affordable housing provisions are proposed to be included in the LEP	NA
Investigate planning provisions and mechanisms to deliver more Affordable Housing within the Precincts. These could include density bonuses or offsets, decoupled parking, relaxation of development contributions, and mechanisms to streamline and expedite assessment and approvals processes for Affordable Housing projects.	Councils	The proposal will provide 5% of residential floor space as affordable housing.	NA

Principle 2: Diverse and resilient economy

Plan for and position the Corridor to attract new businesses and to support existing businesses to create a diversity of jobs and promote jobs closer to homes

Strategic action	Responsibility	Consideration and consistency	Y/N
Planning for jobs			
Update Local Environmental Plan(s) to permit a wider range of employment uses, consistent with the recommended land uses, heights and densities identified in the Parramatta Road Corridor Planning and Design Guidelines. This includes: <ul style="list-style-type: none"> tailoring commercial and business zones to provide greater flexibility and opportunity for the establishment of new business models particularly for small to medium business enterprises facilitating increased densities to encourage the co-location of multiple uses 	Councils	It is proposed to amend the Inner West LEP to permit a range of additional uses on the site including: recreation facility (indoor), office premises, business premises, light industry, industrial retail outlet, and restaurant or café.	Yes

Strategic action	Responsibility	Consideration and consistency	Y/N
in one building, including industrial functions, where appropriate.			
Implement the built form controls identified in the Parramatta Road Corridor Planning and Design Guidelines to encourage new typologies that overcome these challenges and facilitate evolving and innovative employment uses.	GSC / Councils	The proposal achieves the built form controls in the PRCUTS. It also allows for a range of non-residential uses at ground floor.	Yes
Actively explore and promote the use of the adaptable building design to enable a range of uses over time, and likely transitions in consumer preferences, transport options and travel patterns.	GSC / Councils	The proposal allows for a range of non-residential uses at ground floor.	Yes
Centres and clusters			
Develop planning controls that accommodate new models of large retail stores, in developments with multiple uses, in suitable parts of the Corridor, such as Auburn, Ashfield and Taverners Hill.	GSC / Councils	Not applicable. This action relates to land close to Parramatta Road. Retail is not considered suitable, nor would it be viable on this site.	NA
Investigate the possible elevation of employment clusters or hubs in the Corridor to be recognised as Specialised Centres in A Plan for Growing Sydney and District Plans. Possible centres for consideration include Auburn as an employment hub and Camperdown as a new strategic centre.	GSC	Not applicable	NA
Resilient economy for the future			
Promote contemporary models of retail infill development, including multi-storey supermarkets and car showrooms that can offer more appropriate development outcomes within an established urban environment	GSC / Councils	Not applicable	NA

Principle 3: Accessible and connected

Reshape and better connect places and associated movement networks to better serve customers and encourage sustainable travel

Strategic action	Responsibility	Consideration and consistency	Y/N
Integrated transport network			
Implement the Sydney CBD to Parramatta Strategic Transport Plan.	RMS / Councils	The proposal will benefit from the transport improvements proposed by the Strategic Transport Plan.	Yes
On street rapid transit for Parramatta Road			
Amend the State Environmental Planning Policy (Infrastructure) 2007 to identify Parramatta Road between Burwood and the Sydney CBD as a strategic corridor, inserting provisions that require planning proposals and development applications along the	DPHI	Not applicable	NA

Strategic action	Responsibility	Consideration and consistency	Y/N
Corridor to be referred to Transport for NSW for comment, particularly at and around future superstop locations.			
Street function framework			
Apply the road planning framework to guide the planning, development, management and operation of the Parramatta Road Corridor road network according to 'movement-place' principles.	TfNSW / RMS	<p>The PRCUTS identifies a hierarchy of streets which recognise their movement / place function. Lords Road is identified as a local street.</p> <p>The proposal maintains Lords Road's role as a local street,</p>	Yes

Principle 4: Vibrant communities and places

Promote quality places and built form outcomes to transform the Corridor over time

Strategic action	Responsibility	Consideration and consistency	Y/N
15 Minute Neighbourhoods			
Deliver each Precinct along the Corridor as a '15 minute neighbourhood' through land use changes that implement the following principles: <ul style="list-style-type: none"> improved walkability, cycling and safety to support healthier communities improved housing choice and diversity increased usability of, and access to, safe open spaces improved local economic opportunities adequate local services and infrastructure access to public transport. 	Councils	The proposal supports the establishment of a '15 minute neighbourhood' by locating housing growth within walking distance of public transport, shops and services, open space, and a primary school. The proposal also improves walkability through improved connectivity through the site.	Yes
Implement planning provisions to deliver active frontages in and around appropriate locations as illustrated on the Precinct Plans within the Parramatta Road Corridor Planning and Design Guidelines.	Councils	PRCUTS does not require active frontages along Lords Road, however the proposal includes potential for non-residential uses at the ground floor facing Lords Road.	Yes
Community infrastructure			
Strategically rezone parts of the Corridor (or where appropriate land outside the Corridor) for social infrastructure purposes in line with the Precinct Plans within the Parramatta Road Corridor Planning and Design Guidelines, Implementation Plan 2016 -2023 and Infrastructure Schedule.	GSC / DPHI / Councils	Not applicable	NA
Implement development controls that incentivise the delivery of social infrastructure, such as floor space bonuses, and discounting or excluding floor space provided as social infrastructure.	Councils	Not applicable	NA
Explore new models to design, finance and deliver education and health community assets in partnership with local councils, government agencies and the private sector.	Councils / DEC / Local Health District	Not applicable	NA

Strategic action	Responsibility	Consideration and consistency	Y/N
<p>As a first preference and where appropriate, optimise or embellish existing assets through solutions such as:</p> <ul style="list-style-type: none"> increasing the size, amenity and functionality of existing facilities to expand existing capacity renewing existing assets to provide contemporary spaces or installing additional features so facilities can become multi-purpose and cater to different groups upgrading features within existing facilities so they can accommodate a greater capacity developing partnerships with other community infrastructure providers, including private or other government agencies, such as the Department of Education, or Local Health Districts, to enable the shared use of facilities incentivising the private sector to deliver community infrastructure. 	Councils / DEC / Local Health District	Not applicable	NA
Heritage and unique neighbourhoods			
Implement development controls that encourage the adaptive reuse of heritage items in the Corridor such as additional permitted uses, heritage incentive schemes, Section 94 exemptions, and accelerated or prioritised planning processes for development that appropriately preserves, maintains and utilises these community assets.	Councils	Not applicable	NA
Implement transferable development rights for significant heritage conservation and development projects, where appropriate.	Councils	Not applicable	NA
Heritage conservation and community facilities initiatives			
Review and modernise the heritage listings concurrently with rezoning proposals, with a stronger focus on proactive heritage identification and preservation.	Councils	Not applicable	NA
Drawing on the Parramatta Road Corridor Planning and Design Guidelines, identify neighbourhoods and streetscapes through future rezoning processes, where existing character and amenity should be retained and should not be subject to renewal.	Councils	The proposal retains existing character and local amenity through appropriate distribution of density including by providing low scale buildings on street frontages adjacent to existing low density residential areas, and providing upper level setbacks.	Yes
Design excellence			
Prepare and implement a design excellence strategy.	Councils	It is understood that any future development applications will be referred to the Inner West Council's Architectural Excellence Panel for consideration and advice.	Yes

Strategic action	Responsibility	Consideration and consistency	Y/N
Noise and air quality			
Incorporate the range of design approaches and measures identified in the Parramatta Road Corridor Design Guidelines to attenuate the effects of noise and air pollution.	Councils	A noise impact assessment has been prepared which identifies necessary design approaches and attenuation measures to manage noise associated with the Inner West Light Rail and other local noise sources.	Yes
Use the development typology examples in the Parramatta Road Corridor Planning and Design Guidelines to inform future development controls.	Councils	The proposal set out in the urban design study responds to the residential development typology examples in the Planning and Design Guidelines.	Yes

Principle 5: Green spaces and links

Embellish existing open spaces and provide new active and passive open spaces to support the recreational needs of the community and to encourage healthy and active lifestyles

Strategic action	Responsibility	Consideration	Y/N
New neighbourhood parks and open space			
Strategically rezone parts of the Corridor for open space purposes, with a view to allocating land to create a high quality interconnected network of publicly accessible open space throughout the Corridor.	Councils	Not applicable	NA
Provide a diverse range of connected, high quality open space and public domain area to each Precinct in accordance with the Precinct Plans that ensures: local parks within 400m safe walking distance of at least 95% of all dwellings additional small local parks or urban spaces within 200m of activity centres and higher density residential areas active open space within 1km of 95% of all dwellings linear parks and trails linked to waterways, vegetation corridors and road reserves within 1 km of 95% of all dwellings.	Councils	The proposal includes over 1,500 of linear open space has required by PRCUTS, along with additional publicly accessible open space. The site is located within 200m of existing open space at Lambert Park which includes a football oval, local park and playground. Hawthorne Canal Reserve is also located approximately 700m to the north of the site and includes additional active and passive recreation facilities. The site is located adjacent the GreenWay which provides access to linear trails linked to waterways and vegetation corridors.	Yes
Greening Parramatta Road			
Implement building setbacks as identified on the Precinct Plans within the Parramatta Road Corridor Planning and Design Guidelines.	Councils	The proposal applies the relevant setbacks for the Taverners Hill Precinct.	Yes

Principle 6: Sustainability and resilience

Create liveable local Precincts along the Corridor that are sustainable, resilient and which make Sydney a better place

Strategic action	Responsibility	Consideration	Y/N
Sustainability practices			
Commence the amendment of State Environmental Planning Policy (Sustainability Building Index: BASIX) 2004 to increase the water and energy targets as identified within the Parramatta Road Corridor Planning and Design Guidelines.	DPHI	The proposal will achieve the new BASIX targets in the Sustainable Buildings SEPP.	Yes
Implement comprehensive built form strategies for building efficiency, renewable energy, strategic parking, public domain and sustainable infrastructure to target the long-term achievement of: <ul style="list-style-type: none"> • 20% reduction in greenhouse gas emissions • renewable energy installation • 30% reduction in peak electricity demand • 30% reduction in water consumption • >15% of water delivered by non-potable sources, including rainwater or recycled water • 30% reduction in car use • 10-15% car share take-up rate. 	Councils	The sustainability and resilience requirements of PRCUTS have been addressed in the Planning Proposal report and sustainability strategy.	Yes

Principle 7: Delivery

Deliver, drive and facilitate action

Strategic action	Responsibility	Consideration and consistency	Y/N
Effective governance			
Implement the Implementation Plan 2016 - 2023.	Councils / GSC / relevant State government agencies	The proposal is consistent with the staging approach with development to be delivered post 2023.	Yes
Funding options			
Establish a robust funding mechanism to apply to new rezoning/development proposals that will fund the local and regional infrastructure demands required to service the future population growth in the renewed Corridor.	GSC	The proposal will be supported by infrastructure contributions as discussed in the Planning Proposal report.	Yes
Advise and assist councils in the revision of local contributions plans to address funding of local infrastructure and services in the Corridor.	GSC	Not relevant	NA

Appendix C Urban Design Report

Appendix D Draft Site Specific Development Controls

Appendix E Statement of Heritage Impact

Appendix F Flood Risk Management Report

Appendix G Flood Impact and Risk Assessment

Appendix H Traffic and Transport Assessment

Appendix I Acoustic Assessment

Appendix J Arborist Report

Appendix K Sustainability Planning Report

Appendix L Detailed Site Investigation

Appendix M Preliminary Acid Sulphate Soil Assessment

Appendix N Economic Impact Assessment

Appendix O Social impact assessment

Appendix P Feasibility Advice

Appendix Q Market Demand Advice

Appendix R Local Centres Impact Assessment