

28 February 2020

218263

Mr Jim Betts
Secretary
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy St,
Parramatta, NSW 2150

Dear Mr Betts,

REZONING REVIEW REQUEST 245 MARION STREET, LEICHHARDT

We write on behalf of P&C Consulting Pty Ltd requesting that the Department of Planning, Industry and Environment (DPIE) and the Eastern City District Planning Panel undertake a review of the Planning Proposal relating to the site at 245 Marion Street, Leichhardt. Inner West Council notified the proponent that it did not support the Planning Proposal on 19 December 2019.

As detailed in the Planning Proposal submitted to Council and outlined further in this letter, the application meets the Strategic Merit Test and has significant Site-Specific Merit. Accordingly, it is requested that the Planning Panel submit the application for a determination under section 3.34 of the Act (Gateway determination).

This request has been prepared in accordance with *A Guide to Preparing Local Environmental Plans*. It is accompanied by:

- Completed application form (**Attachment A**);
- A copy of the proponent's request for Council to prepare a Planning Proposal (**Attachment B**);
- Correspondence from Council in relation to the Planning Proposal (**Attachment C**);
- A copy of the submitted Site Context Map (**Attachment D**); and
- A response to the Architectural Excellence Panel Report (**Attachment E**).

1.0 Background and Purpose of Proposal

The 5,210m² site is located approximately 6km south-west of the Sydney CBD, between the Leichhardt, Haberfield and Summer Hill town centres. It is situated directly adjacent the Marion light rail station and The Cooks River to Iron Cove Greenway. The site is currently zoned IN2 Light Industrial under the Leichhardt Local Environmental Plan (LEP) 2013 and is occupied by a single storey, light industrial building used for the purpose of a motor vehicle repair business.

The surrounding area comprises predominantly residential uses. The adjacent site to the east contains a seniors housing development, however, has retained its IN2 Light Industrial zoning. As such, the site is the only true light industrial site in the block.

A previous Planning Proposal was submitted in relation to the site which sought a rezoning to R1 General Residential, increase the FSR to 3.3:1 and introduce a maximum height control of 50m. This Planning Proposal was not supported by Council and the Department primarily due to its potential bulk and scale, and its low level of employment retention. The Department did, however, recognise that the site has merit for urban renewal due to its proximity to the Marion light rail station, bus routes, existing facilities, and noting that the area had already

transitioned to residential land use (i.e. seniors housing. In its letter to the applicant, dated 20 November 2015, the Department encouraged the proponent to consider a broader mix of employment generating uses as part of any future Planning Proposal.

Accordingly, this revised Planning Proposal was submitted on 18 September 2019 (refer to **Attachments A and B**) to address the issues raised by Council and the Department in relation to the previous proposal by reducing the scale of development facilitated by the proposed controls and to retain/improve the existing urban services uses and to encourage a broader mix of employment generating uses. Specifically, the amended proposal seeks to:

- Introduce an 'Additional Local Provision' to Part 6 of the LLEP 2013 that allows for the incorporation of residential uses as part of a mixed-use development at 245 Marion Street;
- Increase the maximum permissible floor space ratio (FSR) limit from 1:1 to a maximum FSR of 3:1, of which a minimum of 1:1 will be restricted to employment generating floor space; and
- Introduce a maximum height control of 30m for the site.

The proposed controls will facilitate the redevelopment of the site for a new transit-oriented development that retains or improves the existing urban services use at the site, increases the quantum and diversity of employment generating floor space and provides for new residential dwellings in proximity to the Marion Street light rail station.

On 19 December 2019 Council formally notified the proponent of its decision not to proceed with the Planning Proposal (refer to **Attachment C**). It is noted that no further correspondence was received during the assessment of the proposal.

2.0 Strategic Merit Test

The Planning Proposal meets the Strategic Merit Test of *A Guide to Preparing Planning Proposal's* as it:

Gives effect to the relevant district plan within the Greater Sydney Region

A detailed assessment of the strategic merits of the Planning Proposal with regard to the Eastern City District Plan was undertaken in the original application (**Attachment B**). In summary, the proposal is considered to be of significant strategic merit as:

- It protects and enhances existing light industrial/urban services employment opportunities at the site;
- It will support the effective utilisation of existing infrastructure by locating commercial and residential development in proximity to an existing light rail station, bus services and a dedicated cycleway;
- It allows for the renewal of the site in a manner consistent with adjoining residential land whilst protecting the important urban services use currently operating at the site;
- It ensures potential land use conflicts between the existing light industrial and future residential uses are adequately addressed;
- It improves the permeability of the neighbourhood and improves access to the light rail station for surrounding residents by the creation of a new through-site link;
- It will facilitate the delivery of new affordable housing for essential workers;
- The Planning Proposal will allow for the creation of a greater level of employment on the subject site whilst protecting the existing urban services (automotive repair facility);
- The Planning Proposal will facilitate the delivery of approximately 97 new dwellings that will support housing diversity within the area, whilst facilitating the achievement of the 0-5 year targets set for the Inner West LGA and longer term targets for the Eastern City District; and

- The Planning Proposal will deliver more housing within 30-minutes from surrounding jobs, services and existing infrastructure. Accordingly, it will provide an outcome that would be consistent with the approach to locate housing in highly accessible locations in existing centres.

Give effect to a relevant local strategy that has been endorsed by the Department, such as the local strategic planning statement, housing strategy

As outlined at Section 7.2 of the Planning Proposal, the Planning Proposal gives effect to the following local strategies:

- *Our Inner West 2036 Strategic Plan;*
- *Leichhardt Industrial Lands Study; and*
- *Leichhardt Employment Lands Study.*

Responds to changes in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognized by existing planning controls

The Leichhardt Local Environmental Plan 2013 was gazetted in January 2014 and therefore the controls that are proposed to be modified are greater than 5 years old. It is noted that since this time the Inner West Light Rail network, which runs directly adjacent the site from Central Station to Dulwich Hill, opened (as outlined in the Concept Design Report at Appendix A1 of the Planning Proposal).

Council's assessment report undertook an assessment of the Strategic Merit Test included within the Planning Proposal and **Table 1** below provides a response to this assessment in context of the above.

Table 1 Response to Council's Strategic Merit Assessment

Council's Assessment	Response
Direction: A city for people	
<ul style="list-style-type: none"> • <i>Objective 6 – Services and infrastructure meet communities' changing needs</i> • <i>Planning Priority E3 – Providing services and social infrastructure to meet people's changing needs</i> <p>The planning proposal is supported by a Voluntary Planning Agreement (VPA) offer that includes affordable housing, monetary contribution to Lambert Park and a new pedestrian through-site link between Marion Street and Walter Street. However, the proposed public benefit is considered insignificant and inconsistent with Council's Affordable Housing Policy. Given the above, the planning proposal is inconsistent with this priority as it provides inadequate public benefit and affordable housing.</p>	<p>The Planning Proposal will facilitate the creation of a diverse and resilient community through high quality public domain improvements and community infrastructure that will support the social needs of the current and future population. In addition, and in recognition of the changes sought to the LEP by the Planning Proposal, the proponent offered to enter into a VPA with Council to provide a range of tangible public benefits, including:</p> <ul style="list-style-type: none"> • Affordable housing; • A monetary contribution towards upgrades and/or general maintenance of Lambert Park football stadium; and • A new pedestrian through-site link to improve access to Marion light rail station for surrounding residents. <p>This offer was not intended to be a definitive list of proposed benefits and the proponent is willing to enter discussions with Council post-Gateway determination regarding the priorities and needs of the local area and how the Planning Proposal may best contribute to these.</p>
<ul style="list-style-type: none"> • <i>Objective 9 – Greater Sydney celebrates the arts and supports creative industries and innovation</i> <p>The proposed industrial floor space is physically constrained – located within a basement, without natural light and ventilation and with restrictive vehicular access, floor to ceiling heights and floor plates. This, together with the proposed introduction of non-industrial uses to the site, will restrict the uses that can locate on the site, including creative industries. The site is in a contiguous line with the art school to the south and the Canal Road film studios and other creative uses to the north. Further affordable spaces for relatively dirty making and fabrication are required in the area including sculpture, prop making and other industrial scale creative uses. In contrast, the tailored nature of the proposed floor space and introducing additional uses will remove opportunities for creative industries.</p>	<p>The Planning Proposal will retain the IN2 Light Industrial land use, including urban services to support the local community, and will increase provision of employment floorspace while diversifying employment uses.</p> <p>The Concept Plan which accompanied the Planning Proposal demonstrated one way in which the site could be developed to achieve the objectives of the proposal. The Concept Plan was based on the retention of a motor service facility as this use has operated from the site for 30 years and is seen as a viable and necessary urban service that the site could continue to accommodate into the future, particularly given the evolving nature of this use to a higher tech industry with less exhaust, emissions and the like.</p> <p>Irrespective, the areas for light industrial and urban services are designed to have open plans and flexible floor plates to provide flexibility for adaption to a broad range of future uses. As per the key considerations contained within <i>A Metropolis That Works</i>, the spaces would 'offer capacity for innovation, adaptability and resilience in preparing for future needs, opportunities and challenges including the digital economy and technological change'.</p>

Council's Assessment	Response
	<p>Accordingly, there are a broad range of uses that could occupy the ground and lower levels of such a development. This includes a range of urban services, light industrial and creative uses that can co-exist with residential uses subject to thoughtful design. Examples of this include:</p> <ul style="list-style-type: none"> • Motor vehicle repair and maintenance; • General repair and maintenance facilities; • Bicycle outlet and repair; • High technology industries; • General light industrial or technology training facilities; • Creative industries; • Warehousing and storage services; and • Postal and courier pick-up and delivery services. <p>It is noted that the space located at Ground Level has opportunity for natural light from east and west, and ventilation from its eastern facade. The areas located at Basement levels will most likely rely on artificial light and ventilation, however this is consistent with a high proportion of industrial / urban services spaces which typically occupy large warehouse style buildings, characterised by deep floor plates with little or no direct solar access or natural ventilation. Typically, an industrial use such as a motor service centre or warehousing would have its service reception and administrative functions at ground level and production functions below. It is not uncommon for workshop areas to be enclosed with little or no natural light and be mechanically ventilated, particularly in dense urban areas.</p> <p>In this regard, the Planning Proposal provides an innovative model for integration of light industrial / urban uses with residential uses. An example of where this integration has been achieved elsewhere in Sydney is the East Village building on South Dowling Street, Sydney, which accommodates the Audi auto service centre with retail and multi-unit residential above. Other recent Planning Proposals in the local area have also recognised the ability for these uses to co-exist, including 469-483 Balmain Road, Lilyfield and parts of the Parramatta Road Corridor Strategy which encourages this form of development to promote the retention of urban services/light industrial functions.</p>

Council's Assessment


Response



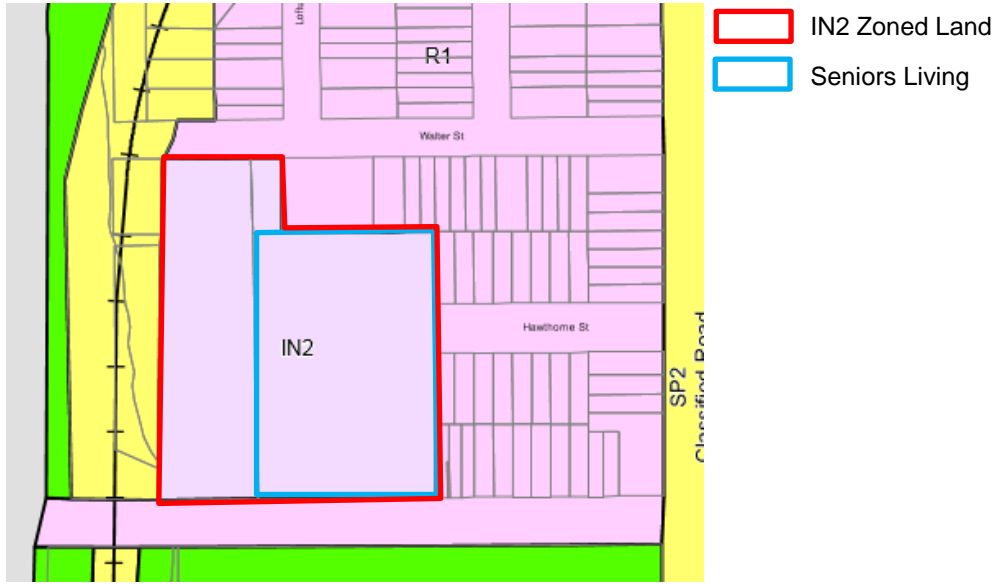
East Village, Zetland

Strathcona Village, Vancouver provides an international approach which successfully pioneered the integration of a previously considered incompatible development form into a new hybrid-mixed use urban typology, creating job opportunities, affordable housing and private housing in a unique sustainable community model. The development provides 280 residential dwellings above 5,670m² of light industrial space (20.35% of the total development which compares to 33% proposed under this Planning Proposal).

Employment uses at Strathcona Village include production, distribution and repair industries. As recognised by the Senior Manager of Community Investment and former City of Vancouver planner, the development provides uses that are *"critical to building a robust, diverse and sustainable urban economy. The project represents a model of revitalisation without displacement ... that enable economic inclusion coupled with safe and adequate housing"*.

Council's Assessment	Response
	 <p data-bbox="1120 778 1422 802"><i>Strathcona Village, Vancouver</i></p> <p data-bbox="1120 834 2096 1021">Furthermore, the Planning Proposal and accompanying concept design would also provide for emerging or future urban services needs. As noted in <i>A Metropolis That Works</i>, multi-level warehousing is a fast-growing market which facilitates essential support services, just-in-time delivery and complementary facilities to other key components of the city. Such a use would also be suitable for the site (with support and administrative roles at ground level and warehousing uses below) whilst providing for the changing needs of the local area.</p>
Direction: Housing the City	
<ul style="list-style-type: none"> • <i>Objective 10 – Greater housing supply</i> • <i>Objective 11 – Housing is more diverse and affordable</i> • <i>Planning Priority E5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport</i> <p>The planning proposal claims that it is consistent with this priority as it introduces additional housing, comprising a mix of apartment types, and contributes to the housing target for the Inner West. However, the gap analysis in Our Inner West Draft Housing Strategy indicates Council is currently on track to meet and exceed the District Plan housing target of 5,900 dwellings by 2021 and is well positioned to accommodate future dwelling targets to 2036.</p>	<p>The Planning Proposal will contribute to delivering housing targets in the Eastern City District. Consistent with the objective, it will link the delivery of new homes in the right locations with local infrastructure evidenced by the proximity of the Inner West Light Rail. It will also facilitate a diversity of housing types, sizes and price points that can help improve affordability and will increase the supply of housing that is of universal design and adaptable to people's changing needs as they age which is increasingly important across Greater Sydney.</p> <p>It is noted that the letter from the Greater Sydney Commission which is referenced by Council states that:</p>

Council's Assessment	Response
<p>The proposal seeks to provide housing in a location identified as unsuitable under Council's draft Local Housing Strategy and provides insufficient affordable housing. Accordingly, the planning proposal is inconsistent with the relevant objectives and priorities.</p>	<p><i>The DPE's housing supply forecast confirms that Inner West Council's housing supply is on track to deliver 5,790 new dwellings between 2016/17 to 2020/21 <u>which is close to the minimum 0-5 year target of 5,900.</u> This has been established by adding completions from July 2016 - September 2018 and a pro-rata of DPE's housing supply forecast from 2017/18 - 2021/22 (5,400 dwellings)."</i></p> <p>It is highlighted that this is a minimum dwelling target that Council is projected to fall short of achieving. This Planning Proposal is therefore significant in that it could provide for the balance of dwellings required to actually meet the Greater Sydney Commission's minimum target. Importantly, these dwellings would be provided in a highly accessible and suitable location which achieves a number of the District Plan's other key objectives, including the 30-minute city and optimising the use of infrastructure. It is emphasised that the site is under single ownership and represents a rare opportunity to deliver a true transit-oriented development which increases both the employment and housing capacity of the site. Such sites are scarce within the inner Sydney area and their use should be maximised in order to optimise the use of public infrastructure.</p> <p>As such, the site is considered entirely suitable to contribute to the LGA's housing stock which was recognised by the Department in their assessment of the previous Planning Proposal:</p> <p><i>"The Department recognises the site provides an opportunity for urban renewal, being located adjacent to the Marion light rail stop, within a broader industrial area that has already transitioned to residential land use (i.e. seniors housing), has direct access to a high frequency bus corridor along Marion Street and is in close proximity to existing services and facilities. <u>The proposal demonstrates strategic merit through the provision of housing to meet the needs of Sydney's growing population in a highly accessible location, which may, on balance, outweigh the potential loss of an isolated industrial site.</u> It is noted that the potential loss of this industrial site is not supported by an employment assessment or market analysis, which would assist in justifying the departure from Council's recent Industrial Lands Study". It is also noted that the proposal offers a low level of balance in retaining an employment presence on site.</i></p> <p>This assessment remains applicable and the current Planning Proposal has been amended to ensure the existing employment opportunities of the site are retained and enhanced as recommended by the Department. It is accompanied by the necessary documentation to required to demonstrate the substantial benefits afforded by the proposal.</p>

Council's Assessment	Response
Direction: A city of great places	
<ul style="list-style-type: none"> • <i>Objective 12 – Great places that bring people together</i> • <i>Planning Priority E6 – Creating and renewing great places and local centres and respecting the District's heritage</i> <p>This priority outlines the principles for local centres which includes the need to protect or expand employment opportunities. It also highlights that although locating housing close to public transport creates walkable centres, housing should not compromise a centre's primary role to provide goods and services, and the opportunity for the centre's employment function to grow and change over time.</p> <p>The planning proposal is inconsistent with this priority as it proposes sensitive uses that may compromise the viability and future function of the Marion Street Industrial Precinct, and encourages out-of-centre retail and commercial spaces. In addition, the planning proposal is inconsistent with Council's draft Local Housing Strategy and draft Employment and Retail Land Strategy and Study.</p> <p>The proposed built form would substantially detract from the prevailing local character due to its excessive bulk and scale, visual impact, overshadowing and overlooking. This is at odds with the principle of delivering great places that are walkable and of high amenity with a fine-grain urban form.</p>	<p>The Planning Proposal will retain the IN2 Light Industrial land use and will increase provision of employment floor space while diversifying employment uses. The Planning Proposal will also create additional local employment opportunities. The Planning Proposal does not seek to change the zoning of the land to a pure residential or mixed use zone and the introduction of residential accommodation will only be permitted as part of a development which retains and improves the employment capacity of the site. The Planning Proposal will therefore facilitate a development which contributes to housing and employment.</p> <p>The role of the 'Marion Street Industrial Precinct' is questionable given that approximately 7,850m² of the 13,400m² area (over 59%) comprises a seniors living development and is flagged to be rezoned to a residential zone. It is noted that the Inner West Retail and Employment Lands Study (Section 9.1.14) significantly overestimates the area of this 'precinct' to 24,199m², which is even further reduced when accounting for the seniors living development. This discrepancy is significant when considering the function of this land and its future potential.</p>  <p>The Planning Proposal has also demonstrated that with careful design a vertical split of uses will not compromise the viability or functionality of the industrial uses and it is noted that this would not</p>

Council's Assessment	Response
	<p>be dissimilar to the existing scenario whereby the motor vehicle repair centre (urban services) is located directly adjacent the seniors living use (residential).</p> <p>The proposed retail floorspace is minimal (250m² maximum) and is intended to help activate the Marion Street frontage and serve the local population, particularly those using the light rail. It will not compete with any existing centre. Moreover, the proposed development will provide an additional population that will stimulate local retail centres (including Leichhardt Market Place).</p> <p>The height and scale of the proposed controls are reflective of the broader site context and is entirely consistent with the character of development north-south along the light rail corridor, as shown at Attachment D. A number of residential and mixed use developments have been approved along the light rail corridor in recent years, with many of these developments on former industrial sites. The FSR and heights of these developments range from 1.5:1 up to 3.3:1, with heights of up to 14 storeys.</p> <p>This revised Planning Proposal reduces the height of the building from 50m to 30m and the FSR from 3.3:1 to 3:1 compared to the previous proposal. Furthermore, it is noted that the undergrounding of the urban services use will result in approximately 3,200m² of the available GFA not being visible, thereby further reducing the bulk and scale to a maximum equivalent FSR of approximately 2.43:1.</p> <p>Figgis + Jefferson Tapa Architects has also prepared a response to the Architectural Excellence Panel Report (refer to Attachment E) which outlines the design rationale for the proposal. This includes alternative concept design options for the through-site link and accord between industrial activity and residential amenity.</p>
Direction: A well-connected city	
<ul style="list-style-type: none"> • <i>Objective 14 – A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities</i> • <i>Planning Priority E10 – Delivering integrated land use and transport planning and a 30-minute city</i> <p>The proposal will remove capacity to increase the provision of industrial and urban services floor space on the site as well as the potential to adapt as demands for this floor space change and new uses emerge. As population increases in line with the identified targets, restricting the ability of the site to address changing and growing needs will potentially compromise delivery of the 30-minute city.</p>	<p>By transitioning the site to allow for residential as part of a mixed-use development that retains and increases employment generating uses, it will unlock the ability for workers and residents to access many of Sydney's key employment areas and recreation destinations within 30 minutes (the 30-minute city).</p> <p>The current built form of the motor vehicle repair facility and professional design offices achieves a FSR of approximately 0.68:1. While the lot has a maximum permissible FSR of 1:1 it is not possible to fully develop the site to achieve the maximum possible floorspace due to the nature of light industrial uses which are typically single storey buildings requiring relatively large areas of non-built upon land for accessibility, parking and loading. The Planning Proposal, however, will</p>

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	<p>unlock significant additional employment capacity at the site and ensure the continuation and expansion of the urban services use.</p> <p>Furthermore, the podium levels can be designed to be adaptable to suit other uses over time should demand permit. This could be achieved through increased floor to ceiling heights and consideration of future repurposing at the detailed design stage.</p>
Direction: Jobs and skills for the city	
<ul style="list-style-type: none"> • <i>Objective 22 – Investment and business activity in centres</i> • <i>Planning Priority E11 – Growing investment, business opportunities and jobs in strategic centres</i> <p>The Region Plan establishes a three-level hierarchy of centres – metropolitan, strategic and local – to manage investment and business activity in Greater Sydney. The subject site is located approximately 350m from Leichhardt Market Place shopping centre, which is identified as a 'Local Centre' important for access to day-to-day goods and services.</p> <p>Planning Priority 11 includes principles for managing local centres. It states that the management of these centres is best considered at the local level and should be informed by a place-based strategic planning process. The planning proposal is inconsistent with Council's draft ERLS, in particular the centre hierarchy, as well as Council's draft Local Strategic Planning Statement.</p> <p>The proposed development encourages out-of-centre retail and commercial growth on existing industrial and urban services land. This will not only negatively impact the viability and future function of an industrial zoned site to provide day-to-day urban services, but also locate retail and commercial activity away from an existing local centre.</p>	<p>The Planning Proposal will not result in adverse competition to any existing or future centre. It is noted that the current IN2 zoning of the site already permits a wide range of commercial and retail uses and the Planning Proposal will actually have the effect of capping these uses to ensure a minimum quantum of industrial/urban services is provided.</p> <p>Rather, the Planning Proposal will support and stimulate the centre throughout the day and night by increasing the local residential and worker population. In addition, the provision of additional employment at the site would support the operation of the light rail by helping to back load the system to optimise its usage in both directions.</p>
<ul style="list-style-type: none"> • <i>Objective 23 – Industrial and urban services land is planned, retained and managed</i> • <i>Planning Priority E12: Protecting industrial and urban services land</i> <p>The Region Plan and District Plan include the following principle to manage industrial and urban services land for the Eastern City District:</p> <p>"Retain and manage: All existing industrial and urban services land should be safeguarded from competing pressures, especially residential and mixed-use zones. This approach retains this land for economic activities required for Greater Sydney's operation, such as urban services. Specifically, these industrial lands are required for economic and employment purposes. Therefore the number of jobs that support the city and population should not be the primary objective rather a mix of economic outcomes."</p> <p>Both the Region Plan and ECDP outline the importance of retaining a sufficient supply of industrial and urban services land. This is needed to provide local support services for the community and accommodate evolving population-serving employment uses as well as maintaining downward pressure on land values. To relinquish industrial sites is costly in the</p>	<p>The approach taken to this Planning Proposal is consistent with the retain and manage approach by retaining the IN2 zoning of the land, while increasing the provision of employment floorspace overall. The proposed site-specific provisions have been carefully drafted to ensure the existing quantum of urban services land is retained at the site. Importantly, the Planning Proposal does not seek to change the zoning of the land to a pure residential or mixed use zone and the introduction of residential accommodation will only be permitted as part of a development which retains and improves the employment capacity of the site.</p> <p>The Planning Proposal will protect the existing urban services use of the site and provide opportunity for its intensification or conversion to technical and creative uses. As outlined above, there are numerous examples of residential and industrial developments being successfully co-located and the Planning Proposal establishes a minimum light industrial GFA, above that achievable today, to protect and promote the future intensification of these uses. In addition, as per the Parramatta Road Corridor Strategy measures can be instilled to promote future</p>

Council's Assessment	Response
<p>long term as it cannot be converted back. This warning is reinforced in the Greater Sydney Commission's thought leadership paper, 'A Metropolis that works'.</p> <p>The Plans also acknowledge the value of smaller industrial precincts in the Eastern City District. While these precincts may appear to be only a small part of the industrial land supply, they are important for accommodating urban services and creative industries.</p> <p>The planning proposal is inconsistent with the 'retain and manage' approach as it introduces competing land uses on an existing industrial site. Although it seeks to retain the industrial zoning and provide a minimum GFA for IN2 uses, the proposed residential accommodation, commercial and retail spaces would undermine the long term function and viability of the existing industrial site and preclude the future expansion of industrial uses.</p> <p>On 5 October 2018, the Greater Sydney Commission (GSC) released an Information Note (SP2018-1). The Information Note is prepared to assist planning authorities with their assessment of planning proposals that relate to areas covered by the 'retain and manage' approach. It states that the 'retain and manage' approach prevails over other District Plan objectives relating to delivery of housing or retail floor area.</p> <p>'A Metropolis that works' cautions that allowing additional permitted uses would impact on the long term productivity of industrial and urban services land. It advises that a "no regrets" approach is required in any decisions affecting industrial and urban services land, with the ramifications of any displacement of activity fully understood and strategically managed".</p> <p>In consideration of the site in a broader context, the proposal to facilitate a mixed use development on the site could potentially undermine the long term industrial function of the site. Therefore, the planning proposal is considered inconsistent with the relevant Region Plan and District Plan objectives.</p>	<p>adaptability for conversion to other uses such as increased floor to ceiling heights for podium levels.</p> <p>The Information Note prepared by the GSC does not form part of the Region or District Plans and does not have any statutory weight under the EP&A Act 1979, however, provides guidance on how the retain and manage approach to industrial lands should be applied to Planning Proposals. Notwithstanding, the proposal is consistent with the Information Note as the delivery of housing will be in addition to, not to the exclusion of, the retain and manage approach. In this regard, the Planning Proposal will deliver on a number of planning objectives under the District Plan, including; the 30-minute city, increased residential dwellings in highly accessible locations and the protection of urban services.</p> <p>An Economic Impact Study, prepared by Hill PDA, was submitted with the Planning Proposal to fully understand the economic implications of the proposal. The study found an overwhelmingly positive impact of the proposal, including a net increase of 119 jobs at the site and workers remuneration of \$8.6m and gross value added (contribution to the local economy) of \$11.5m every year. As the Planning Proposal will protect and enhance the existing light industrial uses, it is considered to be consistent with the 'no regrets' principle.</p> <p>As demonstrated throughout the Planning Proposal report, the site is a uniquely positioned to deliver a true Transit-Orientated Development which promotes both housing diversity and the retention of important urban services. In this regard, the site has site-specific merit and the Planning Proposal is not likely to result in an adverse precedent for the future conversion of larger industrial sites which do not have these unique characteristics.</p>
<p>Direction: A city in its landscape</p> <ul style="list-style-type: none"> <i>Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhanced</i> <i>Planning Priority E15 – Protecting and enhancing bushland and biodiversity</i> <p>The site is located in a 'biodiversity corridor', identified as 'supporting habitat' and 'supporting area'. This is a reflection of its location adjacent to the GreenWay corridor. The proposal shows a nil setback to the western boundary which would adversely impact delivery of the ecological objectives for the corridor as identified in the GreenWay Masterplan, including enhancing biodiversity, protection of remnant vegetation and creating habitat.</p>	<p>This matter can be explored as part of the detailed design of the future development, however, it is noted that the existing development at the site includes landscaped space adjacent to the western boundary. The land adjacent the site to the west is owned by TfNSW and is outside the scope of this proposal. Notwithstanding, the applicant would be willing to discuss the possibility of contributing to the GreenWay Corridor as part of the broader public benefits offered by the Planning Proposal. In addition, the concept scheme shows how significant tree plantings can be accommodated along the eastern boundary to create habitat and provide microclimate control to the proposed through-site link.</p>

3.0 Site-Specific Merit Test

Having met the Strategic Merit Test, the Planning Proposal also meets the Site-Specific Merit Test in regard to the:

- Natural environment (including known significant environmental values, resources or hazards);
- Existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal; and
- Services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

3.1 The Natural Environment

There are no known significant environmental values, resources or hazards which would preclude development facilitated by the Planning Proposal. It is noted that:

- The site is located within a highly modified urban environment and does not contain critical habitat or threatened species, populations or ecological communities, or their habitats.
- The Water Management and Flood Risk Assessment prepared by GEC Consulting Pty Ltd and attached to the Planning Proposal confirms the site is capable of being developed for the proposed uses and that there will be no adverse flooding effects in downstream or upstream catchments.
- The Phase 1 Environmental Site Investigation prepared by Douglas Partners Australia and attached to the Planning Proposal concludes that the known soil contamination at the site can be remediated using standard technologies/practices to a standard suitable for a residential land use with garden/accessible soil.

3.2 Existing and Surrounding Land Uses

The Planning Proposal will not unreasonably impact any existing uses, approved uses or likely future uses of land in the vicinity. It is noted:

- The proposed site-specific controls protect and enhance the existing light industrial/urban services employment opportunities of the site.
- The future intended uses for the site have been demonstrated to be compatible subject to detailed design and there are numerous examples of such development occurring in Sydney and around the world.
- Future development can be designed to avoid any significant impacts on the surrounding seniors living and residential developments, particularly in relation to shadowing, visual privacy and acoustic privacy. A detailed design report has been submitted with the Planning Proposal and a response to Council's design comments is included at **Attachment E**.
- Future development is in context with other development along the light rail corridor and is appropriate from an urban design perspective.

3.3 Services and Infrastructure

The site can be readily serviced by utilities and infrastructure to support the proposed use and density of the proposal. As outlined above, the Planning Proposal provides the opportunity to maximise the use and benefits of scarce land adjacent public transport infrastructure and services, of which Government has the responsibility to optimise.

4.0 Conclusion

The proposal meets the Strategic Merit Test and has Site-Specific Merit due to the following:

- It protects and enhances existing light industrial/urban services employment opportunities at the site;
- It will support the effective utilisation of existing infrastructure by locating employment and residential development in proximity to an existing light rail station;
- It allows for the renewal of the site in a manner consistent with adjoining residential land whilst protecting the important urban services use currently operating at the site, as well as enabling the increase of urban services and employment uses at the site;
- It ensures potential land use conflicts between the existing light industrial and future residential uses are adequately addressed;
- It improves the permeability of the neighbourhood and improves access to the light rail station for surrounding residents by the creation of a new through-site link;
- It will facilitate the delivery of new affordable housing for essential workers and facilitate the delivery of approximately 97 new dwellings that will support housing diversity within the area;
- It will deliver more housing and jobs within 30-minutes from surrounding services and existing infrastructure;
- The proposal is consistent with the applicable SEPPs and Ministerial Directions; and
- There are no known significant environmental values, resources or hazards which would preclude development facilitated by the Planning Proposal.

The site represents a rare opportunity to deliver a true transit-oriented development which increases the employment and housing capacity of a highly accessible site and optimises the use of strategic public transport infrastructure.

We trust that the above assessment and enclosed documents provide sufficient information to undertake the Rezoning Review. Please feel free to contact me on the details below should you have any questions or require any further information.

Yours sincerely,



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