



# INNER WEST COUNCIL

## PLANNING PROPOSAL REPORT From the Strategic Planning and Policy Team

<b>Planning Proposal No.</b>	IWC_PP_2018_03
<b>Address</b>	36 Lonsdale Street and 64-70 Brenan Street, Lilyfield
<b>Proposal</b>	Make amendments to the <i>Leichhardt Local Environmental Plan 2013</i> to increase the floor space ratio from 0.50:1 to 1.5:1, introduce a maximum building height development standard of RL 33.2, addition of the site as key site and the addition of a site-specific clause for objectives, minimum setbacks, maximum number of storeys and non-residential development at street level adjoining City West Link.
<b>Main issues</b>	Bulk and scale, urban design, character and context traffic impacts and land contamination.
<b>Recommendation</b>	Support the Planning Proposal prepared by Council and require amended and additional information be provided following the Gateway Determination

### SUMMARY

Council received a Planning Proposal on 7 August 2018 seeking to amend the *Leichhardt Local Environmental Plan 2013* ('LLEP 2013') as it applies to 36 Lonsdale Street and 64-70 Brenan Street ('the site'), Lilyfield to facilitate greater residential development to be permitted on the site. The site is located on the corner of Lonsdale and Russell Streets, adjoins the City West Link (northern boundary) and is close to the Lilyfield light rail stop.

The original Planning Proposal ('the original proposal') sought to increase the maximum floor space ratio ('FSR') to 2.15:1 for the site and introduce a new height control of 19 metres. Following a thorough assessment of this original proposal by Council officers, fundamental concerns were identified resulting from the bulk and scale of the proposed FSR and height amendments. The scale was inconsistent with the site context and would have resulted in significant adverse impacts on the amenity of the surrounding low density residential area. The proponent's planning proposal is not supported by Council.

Accordingly, Council Officers have prepared an alternate Planning Proposal, which acknowledges that the site can sustain an increased density above the current controls. This passes the strategic merit test in the Department of Planning, Industry and Environment's ('DPIE') *'A Guide to preparing Planning Proposals'*, whereas the original proposal does not.

This report addresses this alternative Planning Proposal prepared by Council officers, herein referred to as the Planning Proposal (**Attachment 2**). This Planning Proposal is presented to the Inner West Planning Panel to consider making a recommendation to Council that it be forwarded to the Minister for Planning for Gateway determination in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act').

## **RECOMMENDATION:**

**THAT the Inner West Planning Panel recommends to Council:**

1. That Council endorse the Planning Proposal prepared by Council Officers for the land at 36 Lonsdale Street and 64-70 Brenan Street, Lilyfield (provided in Attachment 2) which seeks to amend the *Leichhardt Local Environmental Plan 2013* (LLEP 2013) in relation to the site by:
  - a) Amending the Floor Space Ratio Map (Sheet FSR\_004) to reflect a maximum floor space ratio for the site of 1.5:1 and removal of the site from Area 6;
  - b) Amending the Height of Building Map (Sheet HOB\_004) to reflect a maximum height of buildings for the site to RL 33.2 by adding the site to the RL 21m – 40m category;
  - c) Amending the Key Sites Map (Sheet KYS\_004) by adding the site as Key Site 7; and
  - d) Adding a site-specific Clause in Part 6 of LLEP 2013 which is to include provisions for minimum setbacks, maximum number of storeys, site objectives and use of the street level facing the City West link as outlined in this report;
2. That the attached Planning Proposal be forwarded to the Minister for Planning and Open Space for a Gateway determination in accordance with Section 3.33 of the *Environmental Planning & Assessment Act 1979* subject to the provision of the following amended and additional information as Gateway conditions:
  - a) Revised key development controls for the site (building height, FSR, building depth/ separation/envelopes, deep soil zones, and setbacks);
  - b) Voluntary Planning Agreement (VPA) for infrastructure and affordable housing contributions;
  - c) Site-specific Development Control Plan;
  - d) An Acid Sulphate Soils Study for the site;
  - e) An amended Traffic Impact Assessment which considers impacts on the City West Link; and
  - f) Phase 2 Detailed Site Investigation for the whole site.
3. That a site-specific Development Control Plan (DCP) be prepared by the Proponent and reported to Council prior to the exhibition of the Planning Proposal, and for the exhibition of both the Planning Proposal and DCP to occur concurrently;
4. That the Department of Planning, Industry and Environment be requested to delegate the plan making functions, in relation to the subject Planning Proposal, to Council;
5. Following receipt of a Gateway determination, and compliance with any conditions, the Planning Proposal and revised supporting documentation be placed on public exhibition for a minimum of 28 days and public authorities be consulted on the Planning Proposal in accordance with the Gateway determination; and
6. A report be presented to Council at the completion of the public exhibition period detailing submissions received and the outcome of consultation with public authorities.

---

## 1.0 OVERVIEW OF PROPOSAL

The Planning Proposal seeks to increase the FSR and height controls for the site to facilitate greater residential development on the site. Council's Urban Design Officer has considered the site and its constraints, including the topography and proximity to the City West Link, and the proposed increase to the density controls for the site. This assessment concluded that the site is capable of accommodating an increase to the FSR and height as outlined in this proposal.

The design principles upon which this assessment is based include:-

- Future apartments to be oriented to the Lonsdale and Russell Street frontages so as to not be directly exposed to the City West Link, with a acoustic wall between the buildings to achieve a quiet middle open space area;
- Provision of a central open space area achieving 25% communal open space for the site;
- Provision of a perimeter buffer adjacent to the existing dwellings to the south, 3 metres wide and for deep soil tree planting and the necessary tree canopy width;
- Future development to consist of a two (2) storey scale adjoining the existing detached dwelling houses to the south transitioning to five (5) storeys along the boundary with the City West Link.
- A 3 metre wide deep soil zone along the City West Link (northern) boundary to establish a buffer zone of trees to reduce impacts from noise and car lights and provide a beneficial green environment/tree canopy; and
- Provision of non-residential uses along the lower street level storey adjoining the City West Link (northern boundary), including for example, 'live-work' apartments.

The Planning Proposal and the associated checklist are provided at **Attachments 2 and 3** and involve the following changes to the LLEP 2013 for the site:

- Maximum FSR – 1.5:1;
- Maximum Height of Building – RL 33.2;
- Addition of the site as a Key Site (Key Site 7); and
- Addition of a site-specific Clause which is to include objectives, land title details, required setbacks from boundaries, heights of future buildings in storeys and limitations on residential uses adjoining the City West Link along the northern boundary.

A Voluntary Planning Agreement ('VPA') was offered as part of the original proposal to provide contributions for affordable housing and other contributions. Further details of this VPA will be required and considered during the assessment of the Planning Proposal with the Proponent. The Planning Proposal is not accompanied by a proposed amendment to *Leichhardt Development Control Plan 2013* ('LDCP 2013') which should be required as a Gateway Determination condition. There are also numerous technical issues such as land contamination, acid sulphate soils and traffic generation impacts which will need to be addressed following the Gateway Determination.

## 2.0 SITE AND SURROUNDING CONTEXT

The site is located on the southern side of Brenan Street/City West link and comprises a corner location with three (3) street frontages. The main frontage is to the City West Link along the northern boundary with the local roads of Lonsdale and Russell Streets forming the other site boundaries. The site is located approximately 6km west of the Sydney CBD

and approximately 50 metres west of the Lilyfield Light Rail Station. The site location is illustrated in **Figure 1**.



**Figure 1: Site Location (Source: SIX Maps)**

The site is known as 36 Lonsdale Street and 64-70 Brenan Street, Lilyfield ('the site') and the following comprises of seven (7) allotments as illustrated in **Figure 2**:

- 36 Lonsdale Street - Lots 18, 19 & 20 DP 977323
- 64 Brenan Street - Lot 1 DP 1057094
- 66 Brenan Street - Lot 22 DP 977323
- 68 Brenan Street - Lot 2 DP 529451
- 70 Brenan Street - Lot 1 DP 529451

The site is irregularly shaped, with a 54 metre northern boundary to the City West Link (Brenan Street) major east-west arterial road, located at the bottom of the slope the existing buildings are on. The 36 metre eastern boundary fronts Lonsdale Street, a local road which terminates in a cul-de-sac a short distance to the south of the site. This road is a left in, left out only road onto the City West Link.

The 30 metre western boundary adjoins Russell Street, a local road providing access to residential properties with no access to the City West Link. The 64 metre irregular southern boundary adjoins low density residential development on Lonsdale Street and Russell Street. The site has a total area of 2,145m<sup>2</sup>.



**Figure 2: The Site (Source: SIX Maps)**

The existing development has a mix of styles, uses and buildings including

- A part single and part two (2) storey industrial building with vehicle access from Lonsdale Street (36 Lonsdale Street);
- A part single and part two (2) storey commercial building with vehicle access from Brenan Street (64 Brenan Street);
- A single storey dwelling house with vehicle access and garaging from Brenan Street dominated by a high masonry wall to Brenan Street (66 Brenan Street);
- Single dwelling house set high off Brenan Street with no vehicle access (68 Brenan Street);
- Single dwelling house set high off Brenan Street with no vehicle access (70 Brenan Street).

This existing development on the site is illustrated in **Figures 3, 4 and 5**.

The site is in a generally low density residential neighbourhood with some mixed uses occurring to the east and is dominated by the City West Link, which carries significant volumes of traffic throughout the day.

A mixed use commercial and residential development exists on the opposite corner of Lonsdale Street with a small ground floor IGA supermarket ('IGA Site') with residential apartments located on the upper levels (refer **Figure 6**). The FSR of this development is 1.75:1, notwithstanding the maximum FSR under LLEP 2013 is 1.5:1 by virtue of Clause 4.4A since the site is within Area 1 on the FSR map. This property is a B2 (Local Centre) zone under LLEP 2013.



**Figure 3: Existing Development on the site - corner of Lonsdale and Brenan Streets**



**Figure 4: Existing Development on the site - along Brenan Street**



**Figure 5: Existing Development on the site - Russell Street**

Development to the south generally comprises single detached dwellings, with similar development located beyond. The immediate property to the south is a single storey brick dwelling at No 34 Lonsdale Street (**Figure 7**), located beyond the City West Link road barrier wall Lonsdale Street cul-de-sac (**Figure 8**). There is a single storey weatherboard dwelling on the Russell Street boundary at No 37 Russell Street (**Figure 9**).



**Figure 6: Adjoining Development on the opposite side of Lonsdale Street – IGA site**



**Figure 7: Adjoining Development to the South - 34 & 32 Lonsdale Street**

There are no significant natural features on the site, with only minor trees on the site in the Russell Street lots and City West Link street tree planting along the northern street boundary. The site slopes down from the western corner on Russell Street to the north-east corner at the intersection of Lonsdale Street and the City West Link (Brenan Street). Parts of it are significantly higher than the City West Link. The long axis of the site has a northern orientation.

The site is not located within any conservation area and does not contain any heritage items. The only heritage item in the vicinity is the Lilyfield (Catherine Street) Overbridge listed in Schedule 4, Part 3 of the Sydney Regional Environmental Plan NO. 26 and the NSW RailCorp state agency 170 register.

Due to the existence of the light rail stabling facility, industrial premises, the light rail station, a large digital advertising sign and the IGA development in the immediate vicinity, the proposed addition of medium density apartments on this site is unlikely to result in any additional adverse impacts on the Overbridge.

The site is close to a range of services including IGA, the Catherine Street neighbourhood centre, 150 metres to the south-east as well as the retail and commercial services in Leichhardt town centre approximately 1.2km to the south-west. Various schools are located close to the site while public transport services include the Lilyfield light rail stop (50m) from the site and bus services along Catherine Street to the east.



**Figure 8: Cul-de-sac and dividing wall in Lonsdale Street with the subject site to the right**





**Figure 9: Adjoining Development to the South - 37 Russell Street**

### **Site Constraints**

The site is affected by aircraft noise in the 20-25 Australian Noise Exposure Forecast (ANEF) contour for Sydney Airport. It is close to the light rail line, the associated stabling facility and a major classified road (City West Link). The site is also affected by Class 5 acid sulphate soils and adjoins land within Class 3. The site currently contains industrial and commercial uses and therefore land contamination could potentially affect it. These issues are considered in the attached Planning Proposal.

### **3.0 BACKGROUND**

The site has been the subject of a number of previous development applications (DA) and pre-planning proposals for higher density mixed use commercial and residential development. Pre-Planning Proposal submission meetings were held with Council and the Proponent on a number of occasions between 2015 and the lodgement of the original proposal.

#### *Pre-Planning Proposal at the Subject Site*

On 12 May 2016 a Pre-Planning Proposal application was lodged with Council for 36 Lonsdale Street, Lilyfield, which included 64 and 66 Brenan Street, Lilyfield (note that this current proposal also now includes No 68 & 70 Brenan Street). This Pre-Planning Proposal sought to amend the FSR and introduce a height control (Clause 4.3). It is noted that this was not initially proposed in this proposal however has now been included.

The Pre-Planning Proposal provided two (2) sets of concept plans for a proposed six storey mixed use development which included a child care centre and retail space at ground level, basement parking, residential development ranging from 44 to 53 dwellings, building heights of approximately 21 metres and FSR ranging from 4.42:1 to 5.17:1. The Pre-Planning Proposal envisaged a built form higher and denser than the previously refused application for this site (D/2015/69 discussed below); therefore many of the potentially detrimental impacts on local amenity and built form would possibly have been greater.

Council identified a number of concerns regarding the Pre-Planning Proposal including:

- The need to address non-compliance and unsatisfactory elements of D/2015/69 in Council's refusal of that DA;
- Non-Compliance with SEPP 65;
- Provision of retail space is prohibited in the R1 zone;
- Non-Compliance with Zone R1 objectives for character, complementary design and scale;
- FSR and height objectives of the LLEP 2013 including appropriate transition and compatible built form;
- Non-Compliance with relevant Council DCP controls including landscaped area; and
- The appropriateness and viability of a child care centre.

The incompatibility with retail space and the child care centre are not included in the current proposal.

The Pre-Planning Proposal was considered by Council to constitute an over-development having regard to the current zoning and controls, the relationship with surrounding development and probable adverse impacts. This view reflected the recent refusal of a development application for the site which proposed a development scale lower and less dense than this Pre-Planning Proposal.

The second concept plan under the Pre-Planning Proposal required the acquisition from Council of the portion of Lonsdale Street across the frontage of the site. This acquisition request was refused by Council. It was considered that this aspect was insufficiently outlined in the Pre-Planning Proposal application. This concept was not pursued in the current PP.

The current long standing non-residential uses of the site were acknowledged, as was the likelihood that the existing structures on site exceeded the existing FSR (General Residential 0.5:1). It was explained to the Proponent that Council was likely to support an amendment to the existing FSR controls reflecting the existing structures on site, but that the scale of any re-development proposal would need to respond to the adjoining dwellings and be justified in terms of its impacts on the surrounding environment including residential amenity and traffic movements.

The relationship with the adjoining dwellings would be paramount and it remains an issue for the current PP. This was raised with specific reference to the approximately six (6) storeys height being proposed in close proximity to the boundary of a single storey residential dwelling.

Further pre-planning proposal meetings were held in June 2018 at which time issues arising from previous discussions were raised again.

### *36 Lonsdale Street (a portion of the site)*

In February 2015, a development application (D/2015/69) was lodged with Council for 36 Lonsdale Street, a portion of the current site. It was proposed to demolish the existing structures and construct a five (5) storey mixed use building with retail on the ground floor and 22 residential apartments above. The proposal sought an **FSR of 2.44:1**, representing a variation of 388%.

The application was refused under delegated authority on 29 May 2015 due to the excessive breach of FSR, excessive bulk, height and scale (overdevelopment) and loss of amenity to neighbours. Land contamination, basement car parking concerns including waste collection and servicing and issues raised in submissions were further reasons for refusal.

The fundamental issues and concerns included:

- Failure to comply with SEPP 65
- Landscaped area non-compliance
- Excessive height which was not in keeping with the Desired Future Character of the Catherine Street Distinctive Neighbourhood/The Peripheral Sub Area or take into account the area's transitional nature
- Significant visual/privacy impacts upon adjoining properties that would result in overdevelopment in the R1 zone
- Insufficient areas of private open space
- Overshadowing / Solar access concerns for neighbouring properties

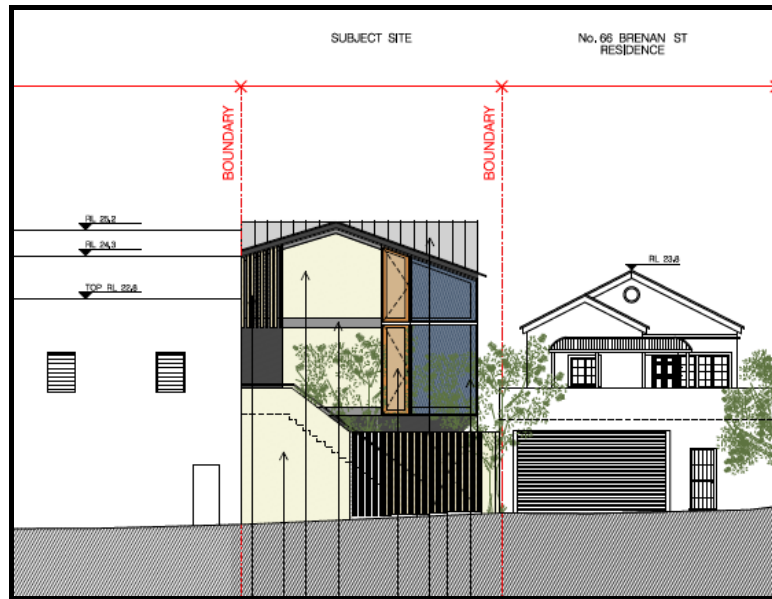
Many of the above concerns raised as part of D/2015/69 are still relevant to the recent original Planning Proposal. This refused development is illustrated in **Figure 10**.



**Figure 10: Refused Development at 36 Lonsdale Street – Northern Elevation (Source: DRA dated February 2015, from IWC DA Tracker)**

*64 Brenan Street (a portion of the subject site)*

In October 2015, a development application (D/2015/108) was refused for the proposed demolition of the existing commercial building at the site and the construction of a residential flat building comprising four (4) x 1 bedroom units and one (1) x 2 bedroom unit and associated works. The proposal sought an **FSR of 0.89:1**, representing an exceedance of 75.8%. This application was refused as an overdevelopment of the site, with FSR and site coverage non-compliances and inconsistencies with State Environmental Planning Policy (SEPP) 65 and various DCP controls. (**Figure 11**).



**Figure 11: Refused development (D2015-108) - 64 Brennan Street (Source: Candalepas Architects June 2015 from IWC DA Tracker)**

*402 Catherine Street (adjoining site to the east)*

There have also been several development applications for the adjoining site to the east across Lonsdale Street at 402 Catherine Street, Lilyfield ('the IGA site'), including D/2010/476 (refused in April 2011) and D2011/551 which was subsequently approved on appeal to the Land and Environment Court of NSW. Both of these applications sought the demolition of the existing structures and the construction of a mixed use development with basement parking and a supermarket on the ground floor on the site.

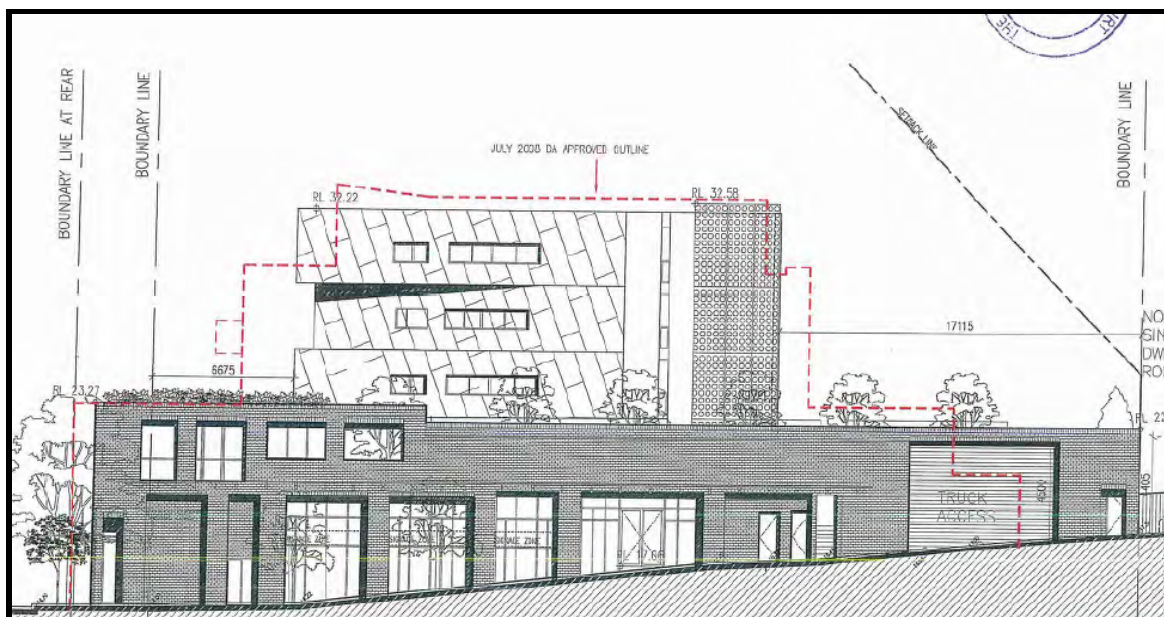
The first of these applications proposed the construction of twenty-four (24) residential units over the upper four (4) storeys, while the latter application proposed eighteen (18) dwellings on the upper four (4) levels.

Both applications were refused by Council, with the first application being refused as overdevelopment of the site that did not comply with the relevant FSR and building envelope controls of the LEP and DCP. It was also considered to be inconsistent with the desired future character of the area, because of its inappropriate mass and bulk with an architectural design that did not respond to surrounding development. Inadequate vehicular access and loading facilities, stormwater and solar access were further concerns.

The latter application (D2011/551) was approved on appeal to the Land and Environment Court of NSW (Matter No 11212 of 2011) on 31 May 2012 by way of Deferred Commencement consent (**Figures 12 & 13**). This consent was made operational in October 2012 and had an approved FSR of 1.75:1.



**Figure 12: Approved development at 402 Catherine St (IGA Site) opposite the site (Source: Court stamped plans provided by Council)**



**Figure 13: Court Approved development at 402 Catherine Street opposite the site (IGA Site) – Lonsdale Street elevation (Source: Court stamped plans provided by Council)**

### *Road Closure – Lonsdale Street*

In February 2018, the Proponent applied to Council to close and purchase the northern-most portion of Lonsdale Street adjoining No 36 Lonsdale Street to provide additional land for this proposal. Council refused the application on planning, traffic and pedestrian access and sewer/stormwater grounds. Council considered that such a sale did not provide any community benefit and that the amalgamated site coupled with the road reserve would exacerbate the issues of bulk and scale previously noted for the site and adjoining IGA site, resulting in a poor built form. *Original Planning Proposal (lodged by Proponent – JRNN Pty Ltd)*

The Proponent's original proposal (**Attachment 4**) sought to amend LLEP 2013 to establish higher FSR and maximum height controls. This original proposal involved increasing the maximum FSR for the site to 2.15:1 (with a resulting additional 3,324.75sqm of GFA above the current maximum GFA) and the introduction of a new maximum height of buildings development standard of 19 metres (or approximately RL 36 to the top of the lift overrun). Assessment by Council concluded that the original proposal had:-

- Inappropriate FSR and height controls with unacceptable overshadowing and visual privacy impacts on adjoining southern properties (in particular to No 37 Russell Street and No 34 Lonsdale Street) and excessive bulk and scale in relation to the surrounding area;
- Inconsistencies with the Apartment Design Guide (ADG) and the design quality Principles of SEPP 65;
- A lack of any alternative building envelopes, layouts or testing of various scenarios to reduce the adverse impacts on the amenity of the adjoining residential properties to the south;
- A lack of a site-specific development control plan, despite the proposal being inconsistent with provisions of the *Leichhardt Development Control Plan 2013* (LDCP 2013);
- Insufficient consideration of the likely overshadowing of adjoining western and eastern properties given the shadow analysis did not explore likely shadowing to the properties to the east (including 402 Catherine Street);
- A lack of information on acoustic impacts, water cycle management on the site (stormwater and flooding), land contamination and traffic impacts on the surrounding road network.

The Proponent's proposal primarily relied on the submitted architectural plans (**Figures 14 and 15**) to justify the height and FSR for the site and was not accompanied by any block/massing diagrams or evidence from application of other design tools or building envelope studies as recommended by Part 2 of the *Apartment Design Guide*.

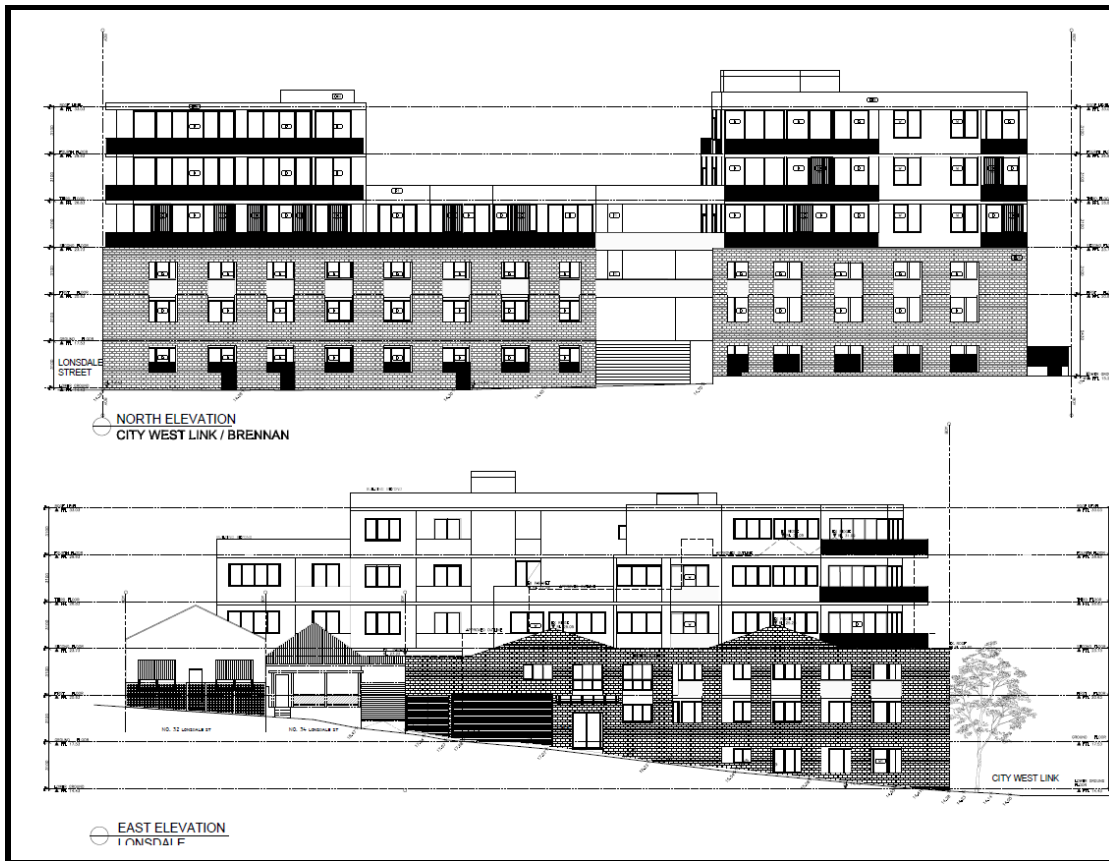


Figure 14: Proponent's original Planning Proposal at 2.15:1 and 19m (Source: DRA, April 2018)



Figure 15: Proponent's original Planning Proposal at 2.15:1 and 19m (Source: DRA, April 2018)

**Figure 16: Proponent's original Planning Proposal at 2.15:1 and 19m (Source: DRA, April 2018)**

On 4<sup>th</sup> October 2018 Council asked the Proponent to address these issues. On 18 January 2018 he responded with some additional information including a VPA valuation report, contamination report for a portion of the site, minor revisions to the justification provisions and some revised floor plans and shadow diagrams. He did not amend the actual proposal.

In general, the original proposal continued to fail to demonstrate that such an increase to the FSR and height on the site could be undertaken without an adverse impact on the surrounding area. Despite requests from Council to reduce the scale of the proposal, no significant changes have been made and the information deficiencies have not been addressed by the Proponent to Council's satisfaction.

The relationship with the adjoining residential dwellings, particularly to the south remained an issue for the original proposal and particularly the six (6) storeys close to the boundary with a single storey residential dwelling.

The Planning Proposal outlined in this report and in Attachment 2 shows how these concerns with regard to the significant overshadowing; overlooking and adverse bulk and scale concerns for the adjoining low density residential properties to the south can be resolved. It is considered that other information deficiencies can be addressed following the Gateway Determination. The Planning Proposal is outlined in the context of the existing controls under the LLEP 2013 as well as the original amendments proposed by the Proponent below (**Table 1**).

**Table 1: Proposed Changes to the LEP under the Planning Proposal**

<b>CRITERA</b>	<b>CURRENT LEP CONTROL</b>	<b>ORIGINAL PROPOSAL (PROPONENT)</b>	<b>PLANNING PROPOSAL BY COUNCIL</b>
<b>MAX FSR</b>	<b>0.6:1 (for R1 &amp; &gt;450sqm)</b>	<b>2.15:1</b>	<b>1.5:1</b>
<b>MAX HEIGHT OF BUILDINGS</b>	<b>N/A (no height limit)</b>	<b>19 metres</b>	<b>RL 33.2 (approx. 5 storeys including a basement)</b>

Strategic Context

The site is subject to the provisions of the *Greater Sydney Region Plan 2018 - A Metropolis of Three Cities* ('GSRP') and the *Eastern City District Plan* ('ECDP') 2018. These plans and strategies are considered in Section 5 of this report.

Current Planning Controls

The site is zoned R1 General Residential under LLEP 2013 (**Figure 16**), with the majority of the surrounding area also located within the R1 zone. A small pocket of land zoned B2 Local Centre on the opposite side of Lonsdale Street accommodates the IGA mixed use development. City West Link to the north is zoned SP2 Classified Road R1.



The objectives of the R1 zone in Clause 2.3 of LLEP 2013 are:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provides facilities or services to meet the day to day needs of residents.*
- *To improve opportunities to work from home.*
- *To provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas.*
- *To provide landscaped areas for the use and enjoyment of existing and future residents.*
- *To ensure that subdivision creates lots of regular shapes that are complementary to, and compatible with, the character, style, orientation and pattern of the surrounding area.*
- *To protect and enhance the amenity of existing and future residents and the neighbourhood.*

Uses permitted with consent in the R1 zone in Item 3 of Clause 2.3 of LLEP 2013 include, among others, residential flat buildings and any other development not specified in item 2 (permitted without consent) or 4 (prohibited). Therefore, the proposal to redevelop the site with residential flat development is permissible with consent, with no change proposed to the zoning or the permissible uses on the site under this Planning Proposal. Shop top housing is also permissible with consent in the zone.

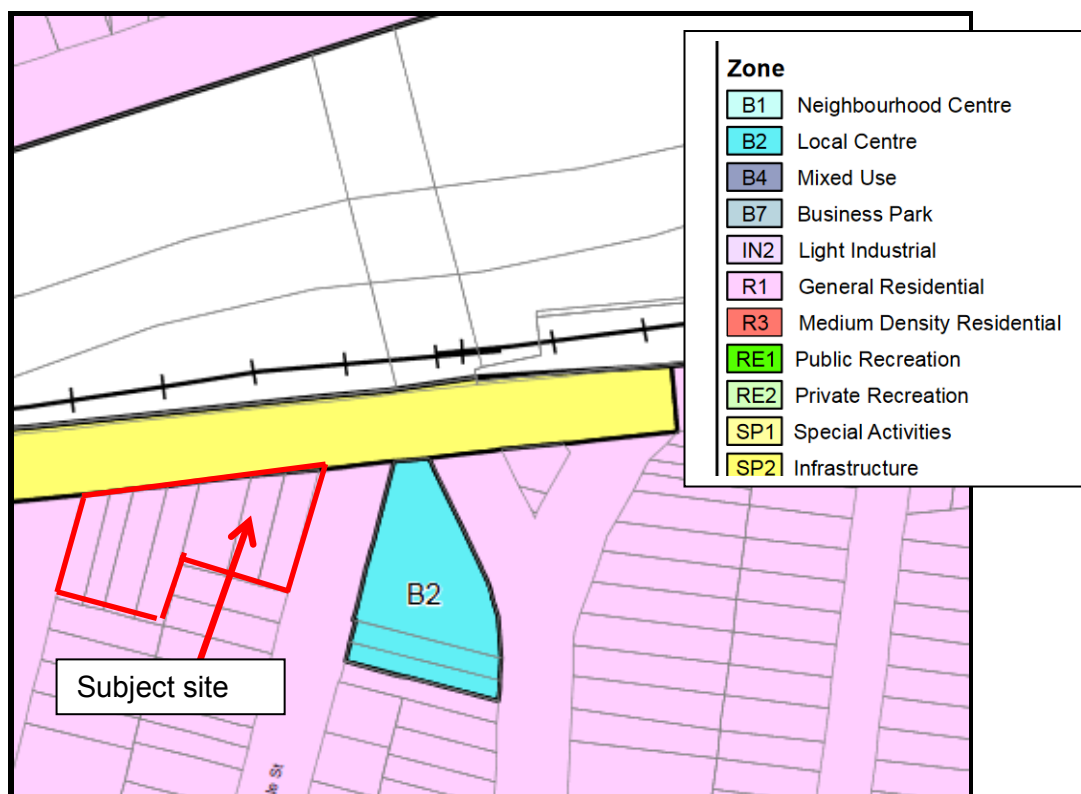


Figure 17: Extract from the Zoning Map (LLEP 2013) showing land affected by the Planning Proposal (Source: [www.legislaion.nsw.gov.au](http://www.legislaion.nsw.gov.au))

The existing controls of LLEP 2013 which apply to the site include:

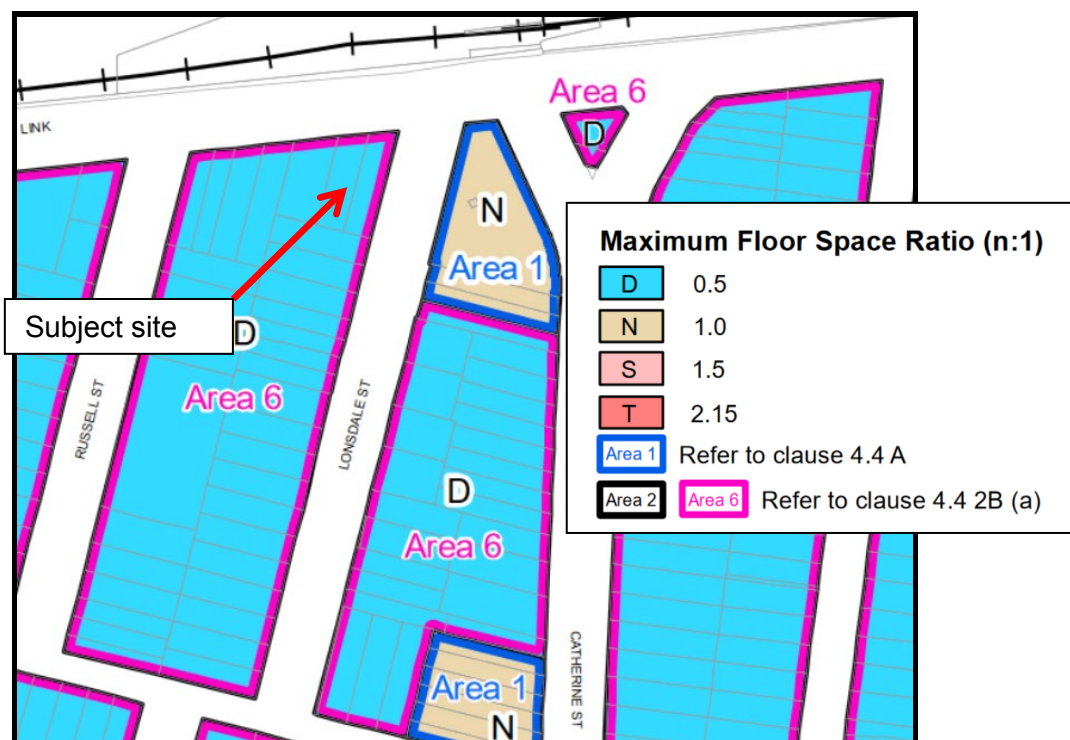
- Clause 2.6 – Subdivision permissible with consent

- Clause 2.7 – Demolition - Permissible with consent
- Clause 4.3A(3)(a)(ii) – Minimum Landscaped area – 20%
- Clause 4.3A(3)(b) – Maximum site coverage
- Clause 4.4(2B)(a)(iv) - Maximum FSR – 0.6:1 (Area 6 with a site area >450m<sup>2</sup>)
- Clause 6.1 – Acid Sulphate Soils – Class 5
- Clause 6.2 – Earthworks
- Clause 6.4 – Stormwater
- Clause 6.7 - Obstacle limitation surface - below 120m AHD
- Clause 6.8 - Aircraft Noise - 20-25 ANEF contour
- Clause 6.11 - Adaptive reuse of existing buildings for residential accommodation
- Clause 6.13 - Mix of dwellings

Currently, the maximum FSR for the site is 0.6:1 pursuant to Clause 4.4(2B)(a)(iv)) of LLEP 2013 being located in Area 6 and having a site area greater than 450m<sup>2</sup>. The current FSR map for the site is illustrated in **Figure 17**.

The planning proposal is generally compliant with the provisions of the LLEP 2013 and/or potentially compliant subject to detailed design at DA stage, with the exception of the proposed increase in maximum FSR.

The LDCP 2013 also applies to the site and includes controls for car parking, building height, landscaping, open space and character. The site is in the 'Peripheral Sub Area' of the Catherine Street Distinctive Neighbourhood in Lilyfield under Section C2.2.4.1 of the LDCP 2013. It is noted that under the LDCP 2013 controls, a maximum building wall height of 7.2 metres limit applies to this site. The proposal does not currently meet this provision of LDCP 2013.



**Figure 18: Extract from the Floor Space Ratio Map (LLEP 2013) (Source: [www.legislaition.nsw.gov.au](http://www.legislaition.nsw.gov.au))**

## 4.0 THE PLANNING PROPOSAL

The Planning Proposal seeks to amend the provisions of LLEP 2013 for FSR and height of buildings as they apply to the site as well as the addition of the site as a key site with site-specific provisions as outlined below:

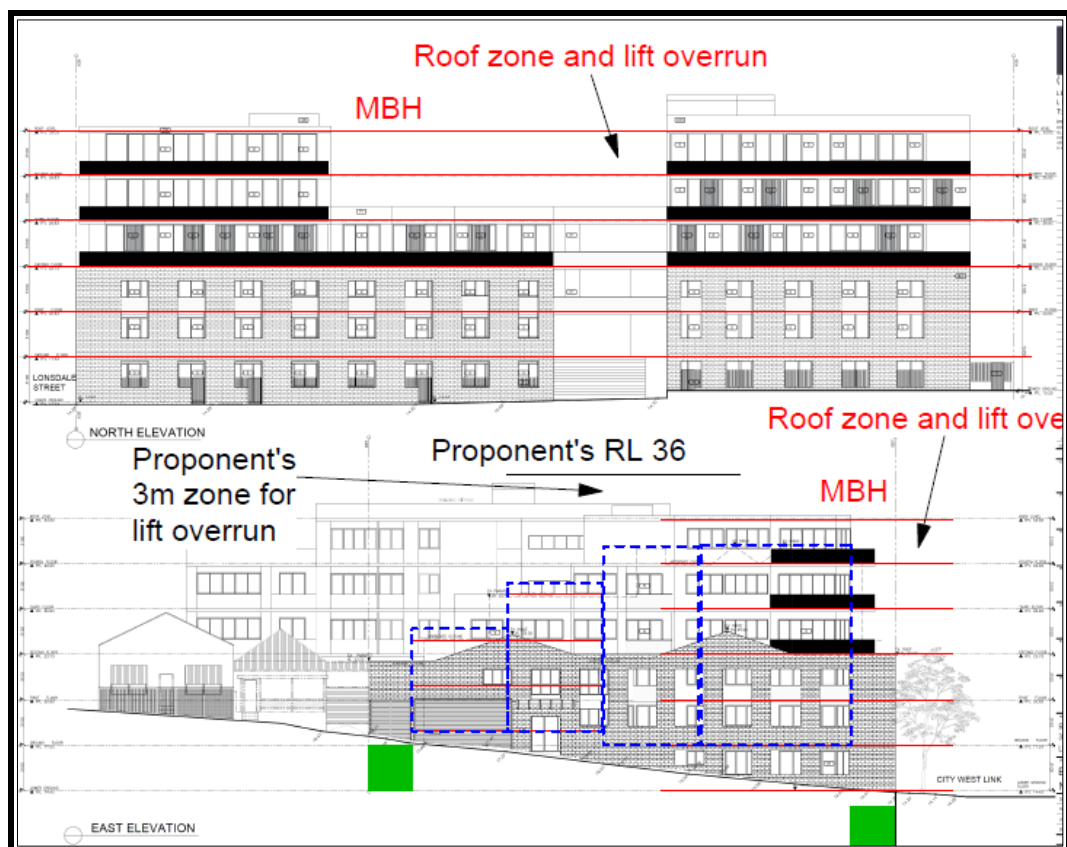
- a) Amend the Floor Space Ratio Map (Sheet FSR\_004) to reflect a maximum floor space ratio for the site of 1.5:1 and removal of the site from Area 6);
- b) Amend the Height of Building Map (Sheet HOB\_004) to reflect a maximum height of buildings for the site to RL 33.2 by adding the site to the RL 21m – 40m category;
- c) Amend the Key Sites Map (Sheet KYS\_004) by adding the site as Key Site 7; and
- d) Add a site-specific Clause in Part 6 which is to include the following provisions:
  - (i) *The objective of this clause is to facilitate the development of the land to which this clause applies by specifying controls for different maximum heights and minimum setbacks for buildings on the land to achieve a sympathetic building scale relationship with adjacent existing dwellings and to allow redevelopment without adversely affecting the streetscape, character, amenity or solar access of surrounding land.*
  - (ii) *This clause applies to Lots 18, 19 & 20, DP 977323, Lot 1, DP 1057094, Lot 22, DP 977323, Lots 1 & 2 DP 529451, 36 Lonsdale Street and 64-70 Brenan Street Lilyfield, identified as “7 - 36 Lonsdale Street and 64-70 Brenan Street Lilyfield” on the Key Sites Map.*
  - (iii) *Development consent must not be granted to development on the site unless the consent authority is satisfied that the development complies with the following:*
    - (a) *any proposed building is set back at least:*
      - (i) *3 metres from the southern boundary adjoining No 34 Lonsdale Street and No 37 Russell Street, and*
      - (ii) *3 metres from the northern site boundary adjoining the City West Link, and*
      - (iii) *4 metres from the eastern and western site boundaries to adjoining side streets;*
    - (b) *the height in storeys of any proposed building will not exceed:*
      - (i) *2 storeys - if the building is adjacent to the adjoining low density residential area at No 34 Lonsdale Street and No 37 Russell Street to provide a transition in built form and land use intensity between these different areas having particular regard to the transition between houses and other buildings, or*
      - (ii) *5 storeys including a basement podium partially out of ground — if the building is adjacent to the City West Link on the northern site boundary.*

- (c) *Development other than residential uses is proposed on the level located at street level along the northern boundary adjoining the City West Link.*

The application is supported by information including:

- Planning Proposal Report prepared by SJB Planning dated July 2018 including Draft LEP maps (**Attachment 4**);
- Architectural Concept Plans prepared by Derek Raithby Architecture dated April 2018 (**Attachment 5**);
- Site Studies prepared by Derek Raithby dated November 2018 (**Attachment 6**);
- ADG Unit Compliance Table (**Attachment 7**);
- Traffic Impact Assessment prepared by traffix dated July 2018 (**Attachment 8**);
- Detailed Site Investigation Report - 36 Lonsdale Street, Lilyfield, prepared by Environmental Investigations Australia dated 24 March 2015 (**Attachment 9**); and
- Valuation Assessment for a Proposed Voluntary Planning Agreement (VPA) prepared by Property Logic dated 10 December 2018 (**Attachment 10**).

The Planning Proposal would allow for a future residential apartment building consisting of two (2) and five (5) storeys with basement car parking as illustrated in **Figures 18 and 19**.



**Figure 19: Council's concept design with a 1.5:1 FSR and reduced height to RL 33.2 (Source: annotated over DRA drawings by Council Urban Designer)**



**Figure 20: Council's concept design with a 1.5:1 FSR and reduced height to RL 33.2 (Source: annotated over DRA drawings by Council Urban Designer)**

## 5.0 ASSESSMENT OF THE PLANNING PROPOSAL

The Planning Proposal application including the supporting documentation has been assessed with consideration given to current planning strategies and controls at State and local level, strategic planning projects currently underway and the Department of Planning's *A Guide to Preparing Planning Proposals*.

Overall, it is considered that the Planning Proposal provides adequate documentation for Council to determine whether the Planning Proposal has merit to proceed to the Gateway Stage. The Planning Proposal has been amended from the Proponent's original Planning Proposal due to significant concerns with the bulk and scale proposed in the original application as outlined above. A detailed assessment of the Planning Proposal is also provided in the Planning Proposal assessment checklist attached to this report (**Attachment 3**).

The tabulated analysis below assesses the adequacy of the supporting information supplied with the Planning Proposal and whether it meets the aims and objectives of the strategic framework in DPE's *'Guide to Preparing Planning Proposals.'* The proposal at this now proposed lower density by Council adequately satisfies the overall strategic test, with the following discussion highlighting the key issues.

### Part 1 Objectives and intended outcomes

GUIDELINE REQUIREMENTS	
2.1	Requires a concise statement setting out the objective or intended outcomes of the planning proposal.
	The objectives or intended outcomes state the following:

	<p><i>To amend the Leichhardt Local Environmental Plan 2013 as it applies to 36 Lonsdale Street and 64-70 Brenan Street, Lilyfield to facilitate the redevelopment of the site for a residential apartment development by increasing the FSR development standard and introducing a new maximum building height development standard.</i></p> <p>'A Guide to Preparing Planning Proposals' requires a concise statement setting out the objectives or intended outcomes of the planning proposal. The statement is specific enough to accurately reflect the desired outcome of the proposal as required by the Guidelines.</p>
--	---

## Part 2 Explanation of Provisions

GUIDELINE REQUIREMENTS	
<b>2.2</b>	<p><b>Requires a more detailed statement of how the objectives or intended outcomes are to be achieved.</b></p>
	<p>The Explanation of Provisions states the following:</p> <p style="text-align: center;"><i>To achieve the intended outcome, the Planning Proposal seeks to make the following amendments to the Leichhardt Local Environmental Plan 2013:</i></p> <ul style="list-style-type: none"> <li>• <i>Amend the Floor Space Ratio Map Sheet FSR_004 as shown in Part 4 of this Planning Proposal to increase the FSR from 0.5:1 to 1.5:1;</i></li> <li>• <i>Amend the Height of Building Map Sheet HOB_004 as shown in Part 4 of this Planning Proposal to nominate the maximum height to RL 33.2 for the site by adding the site to the RL 21m – 40m category;</i></li> <li>• <i>Amend the Key Sites Map Sheet KYS_004 as shown in Part 4 of this Planning Proposal to nominate the site as a key site; and</i></li> <li>• <i>Add a Clause to Part 6 Additional Local Provisions to relate to the site to contain the following:</i> <ul style="list-style-type: none"> <li>- <i>objectives for the future redevelopment of the site,</i></li> <li>- <i>setbacks and maximum height in storeys for future development;</i></li> <li>- <i>a requirement for non-residential development adjoining the City West Link.</i></li> </ul> </li> </ul> <p>This explanation adequately addresses this requirement.</p>

## Part 3 Justification

GUIDELINE REQUIREMENTS	
<b>2.3</b>	<p><b>Requires adequate justification documentation to be provided for the specific land use and development standards proposed to the LEP.</b></p>
<b>2.3.1</b>	<p><b>Questions to consider when demonstrating the justification</b></p>
<b>Section A - Need for Planning Proposal</b>	
<b>Q1</b>	<p><b>Is the planning proposal part of any strategic study or report?</b></p>
	<p>The site lies at the centre of the current (on exhibition) Inner West Draft Housing Strategy Lilyfield East investigation area. In the Strategy's opportunities analysis the investigation area is identified as having the capacity to deliver an additional 310-</p>

	330 dwellings with revised planning controls. Development of this site offers a good opportunity to deliver additional dwellings with access to employment, services and public transport.
<b>Q2</b>	<b>Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?</b>
	<p>Under LLEP 2013, the site has a maximum permitted FSR of 0.5:1, enabling development of a substantially lesser scale than presented in this Planning Proposal. While Clause 4.6 of LLEP 2013 allows variations to a development standard in development consent an FSR of 1.5:1 under this clause would be inappropriate.</p> <p>The R1 General Residential zoning permits <i>residential flat buildings</i> as well as other uses suitable for the site including <i>shop top housing</i> and therefore no change in the zoning of the site is required. This proposed use is consistent with the objectives of the zone in that it will provide for the housing needs of the community and for a variety of housing types and densities. Located just over 50 metres from the entrance to the Lilyfield light rail station and adjoining a small area of local shops, the site is well positioned to provide this additional housing. Accordingly, it is considered that the Planning Proposal is the best means of achieving the intended outcome.</p>
<b>Section B - Relationship to strategic planning framework</b>	
<b>Q3a</b>	<b>Does the proposal have strategic merit? Is it:</b>
<b>i.</b>	<b>Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.</b>
	<p>The following regional/district/corridor plans apply to the site:</p> <ul style="list-style-type: none"> <li>• <i>Greater Sydney Region Plan 2018 - A Metropolis of Three Cities 2018 (GSRP)</i></li> <li>• <i>Eastern City District Plan 2018 - (ECDP)</i></li> </ul> <p>The Planning Proposal is generally consistent with the objectives and actions of GSRP and ECDP. A detailed analysis of the Proposal against these directions, objectives and priorities is provided in the checklist in Attachment 3.</p> <p>In summary, the proposal is consistent with these plans as follows:</p> <ul style="list-style-type: none"> <li>• <i>Direction 1: A City supported by Infrastructure</i> – there is no infrastructure proposed as part of this proposal given services and infrastructure are currently available to the site. Furthermore, the proposal would allow greater use of existing infrastructure within the urban footprint given its proximity to major roads (City West Link) and public transport (light rail and bus services).</li> <li>• <i>Direction 2: A Collaborative City</i> – The proposal provides a collaborative approach between private individuals (the Proponent) and local government to provide additional housing as well as affordable housing opportunities in the local area. The site is not located in a collaboration area, growth area, planning precinct or similar areas.</li> <li>• <i>Direction 3: A City For People</i> – The proposal provides a location where</li> </ul>

walking and use of public transport are easy. Being located close to transport and services, the proposal will provide for a healthy and socially connected community. The site is also close to the small shopping area of Lilyfield allowing for daily needs to be met by the future residents.

- *Direction 4: Housing the City* – The GSRP and the ECDP has set housing supply targets of 5,900 new dwellings in the next 5 years for the Inner West. The site is located in close proximity to transport and services, which ensures that any additional housing provided is well located. The additional housing capacity created by the proposal is to be located within an established residential area, with access to all necessary amenities and services, thereby ensuring the urban footprint is not extended and resources are used more efficiently. The proposal will also provide affordable housing (via the proposed VPA) and potential for a mix of apartment types would also assist in satisfying these objectives.
- *Direction 5: A City of Great Places* – The proposal achieves an appropriate form and density for future development on the site in the context of the area. The proposal is considered to be generally consistent with these objectives and priorities as the site is located within a walkable neighbourhood to transport and services, allowing people to come together. It is also consistent with the policy direction of the Inner West Draft Local Housing Strategy. The proposed planning controls will allow for an appropriate form of development having regard to height, bulk and setbacks, which can be further considered at the detailed design/DA stage.
- *Direction 6: A Well Connected City* – The site is close to the light rail station and bus stops, ensuring future residents can gain access to the 30 minute city consistent with the strategic plans. The site is also within an easy walking 150m distance of the Catherine Street Neighbourhood Centre and areas where walking and cycling are good modes of transport.
- *Direction 7: Jobs and skills for the City* – The site is in a residential zone and no changes to the zoning are proposed. Until recently it was primarily occupied by an existing use rights industrial business. Given this current zoning however, the site is not located in the employment lands as outlined in these strategies and its protection as an industrial site is not required. While the site is not located in a centre, it is located close to the B2 Local Centre zoning to the east and to the Catherine Street Neighbourhood Centre. The proposed development would support these centres by providing an additional residential population to increase their viability.
- *Direction 8: A City in its Landscape* – The proposal is generally consistent with this direction in that enhanced landscaping could be provided on the redeveloped site. The introduction of additional landscaping on the site in the required deep soil zone will contribute to the localities tree canopy.
- *Direction 9: An Efficient City* – Future development on the site will be required to comply with BASIX requirements for water and energy efficiency. The provision of a deep soil zone and other landscaping opportunities contribute to general consistency with this Direction. Further opportunities to include controls relating to environmental performance and sustainability could be incorporated into a site-specific Development Control Plan which is to be provided following the Gateway Determination.



	<ul style="list-style-type: none"> <li>Direction 10: A Resilient City – Future development on the site will be subject to the BASIX requirements at DA stage and the site is not affected by any natural hazards.</li> </ul>						
<b>ii.</b>	<b>Consistent with a relevant local council strategy that has been endorsed by the Department.</b>						
	<p>There are no relevant local strategies that have been endorsed by the Department that are applicable to the site, however, Council is currently preparing a wide range of broader strategic planning work including but not limited to:</p> <ul style="list-style-type: none"> <li>Local Housing Strategy</li> <li>Local Strategic Planning Statement</li> <li>Employment Lands Review</li> <li>Local Infrastructure Contributions Plan</li> <li>Integrated Transport Plan</li> <li>Comprehensive IWC LEP and DCP</li> <li>Affordable Housing Contribution Scheme</li> </ul> <p>Council’s Draft Housing Strategy, <i>Our Place Inner West – Draft Housing Strategy, May 2019</i>, has just been released for public comment. This Draft Strategy includes an opportunities analysis of housing in the Lilyfield area which indicates that approximately an additional 310-330 dwelling could be provided in the area by 2036 in a mix of housing typologies comprising low to medium-rise residential flat buildings and hybrid townhouse dwellings. The site is indicated in this strategy for residential development and the proposal is consistent with this draft strategy and its anticipated housing targets.</p> <table border="1" data-bbox="528 1153 1173 1624"> <caption><b>Table 31 Lilyfield East opportunities analysis</b></caption> <tr> <td><b>Estimated existing dwelling numbers (ABS, 2016)</b></td> <td>1,450</td> </tr> <tr> <td><b>Anticipated additional capacity under existing planning controls</b></td> <td>50</td> </tr> <tr> <td><b>Anticipated <u>additional</u> dwelling potential to 2036 (70% of assessed dwelling potential minus 5% allocated to other forms of non-standard market dwellings)</b></td> <td>310 – 330 dwellings</td> </tr> </table> <p><i>Figure 21: Draft Housing Strategy Targets (Source: Our Place Inner West – Draft Housing Strategy, May 2019)</i></p> <p>The remainder if these plans and strategies are still being completed.</p>	<b>Estimated existing dwelling numbers (ABS, 2016)</b>	1,450	<b>Anticipated additional capacity under existing planning controls</b>	50	<b>Anticipated <u>additional</u> dwelling potential to 2036 (70% of assessed dwelling potential minus 5% allocated to other forms of non-standard market dwellings)</b>	310 – 330 dwellings
<b>Estimated existing dwelling numbers (ABS, 2016)</b>	1,450						
<b>Anticipated additional capacity under existing planning controls</b>	50						
<b>Anticipated <u>additional</u> dwelling potential to 2036 (70% of assessed dwelling potential minus 5% allocated to other forms of non-standard market dwellings)</b>	310 – 330 dwellings						
<b>iii.</b>	<b>Responding to a certain change in circumstances, such as investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.</b>						
	The proposal does not rely on these criteria and no immediate change is expected. However, the site is close to significant transport infrastructure (light rail) and the proposal would assist in meeting housing targets for the LGA.						
<b>Q3(b)</b>	<b>Does the proposal have site-specific merit with regard to the following:</b>						
<b>i.</b>	<b>The natural environment (including known significant environmental values,</b>						

	<b>resources or hazards)</b>
	The site is located within the urban footprint and is not considered to have any significant environmental values. While there are some trees located on the site, these trees are not considered to be significant. There are no other natural site features and the site is not affected by any significant natural hazards such as flooding, bushfire or geotechnical instability.
ii.	<b>The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal</b>
	The site is zoned R1 and no changes are proposed to this zoning or the General Residential uses permissible. The surrounding area is also in the R1 zone with the exception of the small B2 Local Centre on the opposite side of Lonsdale Street. There are some commercial and industrial uses on the site that rely on existing use rights. Given there is no change to the zoning or permissible uses and the surrounding area is residential, the future use of the site for residential development is satisfactory.
iii.	<b>The 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.</b>
	The site is close to transport and services, including the Lilyfield light rail stop as well as bus stops and the Catherine Street Neighbourhood Centre. The site is also adequately serviced with reticulated water, sewerage, electricity and telecommunications infrastructure. The Proposal offers to fund infrastructure provision at local level through a VPA, which can be further discussed following the Gateway Determination.
<b>Q4</b>	<b>Is the planning proposal consistent with a council's strategy or other local strategic plan?</b>
	<p>Relevant Council Policies include:</p> <ul style="list-style-type: none"> <li>• <i>Our Inner West 2036: A Community Strategic Plan for the Inner West community</i> (June 2018);</li> <li>• <i>Integrated Transport Plan – Leichhardt</i>;</li> <li>• <i>Inner West Council Delivery Program 2018-22</i>; and</li> <li>• <i>Inner West Council's Affordable housing Policy 2016</i></li> </ul> <p>Council's Draft Housing Strategy has not been adopted at this stage and therefore is not required to be addressed by the proposal. However, as outlined above, the proposal is generally consistent with this Draft policy.</p> <p>The Planning Proposal is generally consistent with these Council strategies and plans, as discussed in detail in Attachments 2 and 3. A summary of these discussions is provided below.</p> <p><b><i>Inner West Council Community Strategic Plan – Our Inner West 2036</i></b></p> <p>This Plan has the following strategic Directions:</p> <ul style="list-style-type: none"> <li>• <i>Strategic Direction 1: An ecologically sustainable inner west;</i></li> <li>• <i>Strategic Direction 2: Unique, liveable, networked neighbourhoods;</i></li> <li>• <i>Strategic Direction 3: Creative communities and a strong economy;</i></li> <li>• <i>Strategic Direction 4: Caring, happy, healthy communities;</i></li> <li>• <i>Strategic Direction 5: Progressive local leadership</i></li> </ul> <p>The proposal is consistent with this Community Strategic Plan given:</p>

- The proposal is generally *ecologically sustainable* in that it provides additional landscaping opportunities and coverage on the site, increases the tree canopy and allows for communal open spaces for gardens. Development would have to comply with the Building Sustainability Index (BASIX). Further energy and water efficiency initiatives can be considered at the detailed design/DA stage.
- The proposal will provide a *liveable neighbourhood* in an appropriate location for increased residential development given its proximity to light rail and bus services. The proposal has the potential to contribute to the streetscape and public domain through good detailed design and can provide a range of dwelling sizes and affordable housing through a VPA.
- The proposal can strengthen the local economy with greater patronage of nearby retail and commercial services. The proposal will also assist in promoting the Inner West as a place to live, work, visit and invest in, while not displacing any creative activities.
- The proposal complements the provision of a *caring, happy, healthy community*.
- The proposal allows for progressive local leadership through community consultation by Council if the proposal proceeds to the Gateway Stage and receives a positive Gateway Determination. This report represents a thorough consideration of the proposal.

### ***Leichhardt Integrated Transport Plan***

This Plan has the following strategic objectives:

1. *Improve accessibility within and through the LGA;*
2. *Create a legible, direct and safe pedestrian and cycling environment;*
3. *Encourage public transport use;*
4. *Provide appropriate levels of parking;*
5. *Provide a safe and efficient road network for all road users;*
6. *Facilitate integration of land use, transport and community & cultural activities;*
7. *Provide convenience for the users of Leichhardt;*
8. *Promote health and wellbeing; and*
9. *Improve environmental conditions.*

Objectives 2, 3, 4, 5 and 6 are particularly relevant. The proposal can provide sufficient car parking on site and is in close proximity to Lilyfield light rail stop to meet objectives 3 and 4. Footpaths can be provided at the detailed design stage for Objective 2. Objective 6 is satisfied by increasing residential density close to light rail and bus services.

Objective 5 requires the provision of a safe and efficient road network subject to further consideration by the RMS following Gateway determination. The potential increase in traffic joining and exiting City West Link may be an issue for Objective 5. In all other aspects, the proposal is generally consistent with this Policy.

### ***Inner West Council Delivery Program 2018-22***

	<p>The proposal is generally consistent with this Delivery Program. The proposal provides an appropriate form of development close to services and public transport. Sustainability goals and creating a sense of community can be more fully considered at the detailed design stage. The proposal encourages the use of sustainable modes of transport, it is supported by a VPA offer for value uplift sharing that can address Council's priorities, to be considered further following the Gateway Determination.</p> <p><b><i>Inner West Council's Affordable Housing Policy 2017</i></b></p> <p>The Policy (Section 2.5) states that this size of development of more than 20 dwellings and a GFA of &gt; 1,700m<sup>2</sup> should provide 15% of the total gross floor area (GFA) as affordable housing. The proposal involves an offer to enter into a VPA to provide a monetary contribution towards affordable housing. The proposal is generally consistent with this Policy subject to this VPA. Further details of this VPA will be considered following the Gateway Determination.</p>
<b>Q5</b>	<p><b>Is the planning proposal consistent with applicable State Environmental Planning Policies?</b></p>
	<p>A detailed analysis of the Planning Proposal against the relevant SEPPs has been provided in Attachment 1. The Planning Proposal fails to demonstrate consistency with the following:</p> <p><b><i>SEPP 55 – Remediation of Contaminated Land</i></b></p> <p>The site has a history of commercial and industrial land uses with a risk of contamination. Clause 7 of SEPP 55 requires consideration of potential areas of contamination. A Detailed Site Investigation (DSI) report has been provided with the proposal by the Proponent, however, this DSI only relates to one portion of the site (36 Lonsdale Street) and is out of date. This issue is discussed further in Question 8 of this report. The issue requires further consideration, however this can be addressed following the Gateway Determination.</p> <p><b><i>SEPP 65 - Design Quality of Residential Apartment Development</i></b></p> <p>The Apartment Design Guide (ADG) and SEPP 65 will apply to development. The design quality principles of SEPP 65 are considered against the proposed density changes in <b>Attachment 2</b>. This assessment concluded that the proposal is generally consistent with these principles subject to further information being provided following the Gateway Determination and the imposition of the recommended controls for minimum setbacks and a maximum number of storeys.</p> <p><b><i>SEPP 70 - Affordable Housing (Revised Schemes) and SEPP (Affordable Rental Housing) 2009</i></b></p> <p>Council has been included in the SEPP 70 application area to secure affordable housing in accordance with the Policy. To apply IWC's Affordable Housing Policy under SEPP 70, Council will need to prepare an affordable housing contribution scheme to support each new Planning Proposal where contributions for affordable housing are required. This work has not yet been completed. The proposal includes a commitment to affordable housing under the proposed VPA, which can be considered following the Gateway Determination.</p> <p><b><i>SEPP (Infrastructure) 2007</i></b></p>

	The proposal will result in an infill development with increased density adjoining a classified road and affected by aircraft noise. Acoustic testing and reporting is therefore required. Should the proposal proceed, future development must comply with the requirements of this SEPP. This can be addressed at the detailed design/DA stage.
<b>Q6</b>	<b>Is the planning proposal consistent with applicable Ministerial Directions (s. 9.1 Directions)?</b>
	<p>A detailed analysis of the Planning Proposal against the relevant Section 9.1 Directions is provided in <b>Attachment 3</b>. The proposal is generally consistent with these Directions, with the most relevant Directions briefly considered below:</p> <ul style="list-style-type: none"> <li>• <i>3.1: Residential Zones</i> – the proposal will increase the maximum permitted density on the site and use land and existing infrastructure and services efficiently. The housing mix will be determined at the development application stage informed by Clause 6.13 (Diverse housing) of LLEP 2013. It specifies a minimum proportion of small (studio or one bedroom) dwellings and a maximum proportion of dwellings including three or more bedrooms. The proposal has been prepared by Council following a review of the site configuration and likely best fit in terms of building envelopes, height and FSR. Further consideration of an appropriate building envelope and layout will be required following a Gateway Determination to ensure good design and consistency with the ADG and SEPP 65. The site is serviced and the proposal would not reduce the permissible residential density.</li> <li>• <i>3.5 – Development Near Regulated Airports and Defence Airfields</i> – the proposal will be required to provide further information on aircraft noise at the detailed design/DA stage as well as undertaking consultation with the Sydney Airport Corporation Limited (SACL) following a Gateway Determination.</li> <li>• <i>4.1: Acid Sulfate Soils</i> - The site is located on Class 5 Acid Sulfate soils (ASS) land and adjoins City West Link Class 3 land. This issue has not been addressed in the proposal. A detailed ASS Plan will be required at the detailed design/DA stage under Clause 6.1 of the LLEP 2013.</li> <li>• <i>6.3: Site-Specific Provisions</i> - The proposal involves increasing the maximum FSR and introducing a maximum height of buildings development standard for the site. Both of these development standards are already contained in the LLEP 2013 and therefore no additional provisions are required for the proposal in this regard. The site is zoned R1 which allows a variety of uses including residential apartment buildings, shop top housing etc. so no zoning changes are required. Site-specific provisions for minimum setbacks, number of storeys and the requirement to provide non-residential development adjoining the City West Link are proposed. These provisions only represent a minor inconsistency with this Direction and are appropriate for the site. They will not result in unnecessarily restrictive site specific planning controls and are similar to existing LLEP 2013 for other sites.</li> <li>• <i>7.1: Implementation of a Plan for Growing Sydney</i> - The proposal is consistent with the GSRP and the ECDP as the relevant regional and district plans.</li> </ul>
<b>Q7</b>	<b>Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the proposal?</b>

	<p>The site is mostly occupied by commercial and industrial buildings, with dwelling houses and driveways on the remainder. There are some trees and shrubs located on and adjoining the site, but there are no known critical habitats, threatened species, populations or ecological communities or their habitats on the site.</p>
<p><b>Q8</b></p>	<p><b>Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?</b></p>
	<p><i>Urban Design and Built form</i></p> <p>The proposal envisages a residential apartment development with a significantly larger bulk and scale than the surrounding residential development. Several urban design issues need to be considered with regard to building bulk, separation, height and setbacks. In general, these issues have been addressed in the proposed controls which are outlined in the Planning Proposal and the recommendations to this report. These controls relate to minimum setbacks and maximum number of storeys, in addition to the maximum FSR and height controls, as well as site-specific controls and objectives in the LLEP 2013. These issues will be further addressed in the site-specific DCP.</p> <p>The proposal is generally consistent with the design quality principles of SEPP 65 as discussed in <b>Attachment 2</b>.</p> <p>Having considered these design principles in relation to the proposal in this context it is suitable for the site subject to revised key development controls being prepared following a Gateway Determination. This is to ensure that the good design and that ADG and SEPP 65 matters are adequately considered.</p> <p><i>Overshadowing</i></p> <p>The proposed increased density and height for this site has been calculated to ensure that adequate sunlight will be received by the proposed development and the existing adjoining buildings, particularly the low density residential dwellings to the south.. The separation of the building forms within the site will help minimise overshadowing of adjoining properties and internal communal open space.</p> <p>Further consideration of the building form and layout will be required following a Gateway Determination to reinforce this minimisation of overshadowing. The site-specific DCP will be updated with this information to ensure future development is guided by this analysis. The proposed density controls are satisfactory subject to more detailed design consideration at the DA stage to ensure minimal overshadowing.</p> <p><i>Public Domain</i></p> <p>Additional dwellings will generate increased pedestrian activity through the area. The Planning Proposal provides an opportunity to improve the public domain around the site with a safe, walkable and accessible environment. These improvements may include:</p> <ul style="list-style-type: none"> <li>• Better pedestrian links between Lonsdale Street, Russell Street and City West Link;</li> <li>• Installation of new street lights; and</li> <li>• Footpath tree planting.</li> </ul>

The proponent should explore these opportunities further and could be included in a VPA offer to Council. It is requested that a Gateway Determination require that potential public domain improvements be finalised prior to exhibition.

#### *Landscaping*

Deep soil zones will be provided and included in the site-specific DCP. A good tree canopy and deep soil zone is required to achieve the relevant objectives and Planning Priorities of the Regional and District Plans. An urban forest canopy target of 25% should be adopted for the site to reflect Regional and District Plans goals of increasing urban forest canopy, and Council urban forest policies. These requirements should also be reflected in a Gateway Determination in regard to the site-specific DCP.

#### *Site-Specific DCP*

A Site-specific Development Control Plan is to be prepared for inclusion in Part G: Site Specific Controls of the LDCP 2013. This DCP must include specific design measures and other controls and provisions, including (but not limited to):-

- Desired future character statement;
- Public domain;
- Built form and design controls for:-
  - Residential amenity (including solar access, cross ventilation, open space, visual privacy, and deep soil and podium planting landscaping areas).
  - Parking and access;
  - Waste management; and
  - Communal open space of 25% of the site area (irrespective of the ADG provisions due to the 'U shape' design concept).

It is requested that a Gateway Determination require that this site specific DCP is provided prior to exhibition of the proposal. This issue is considered in more detail in Section 7 of this report and in the Planning Proposal in **Attachment 2**.

#### *Traffic Impacts*

A *Traffic Impact Assessment* prepared by Traffix Traffic and Transport Planners dated July 2018 ('the Traffic Report') was provided with the proposal. The Traffic Report was based on an indicative development yield of 54 residential apartments and determined that between 33 and 55 car parking spaces would be required on site under the provisions of the LDCP 2013.

The Traffic Report noted that the concept drawings indicated provision for approximately 61 parking spaces in two (2) basement levels, with capacity for car share, bicycle and motorcycle spaces. At this preliminary stage, it is considered that the site is capable of providing the required car parking on site associated with the proposed increase in density. Further analysis of the car parking requirement can be undertaken at the detailed design/DA stage.

The site is 50m from the Lilyfield light rail station and 200 metres from bus stops on Catherine Street and Lilyfield Road routes to the Sydney central business district and surrounding areas.

The Traffic Report concluded that the proposal is likely to generate comparable traffic volumes to existing conditions based on recommended trip generation rates for both the existing and proposed uses on the site. This analysis concluded that there would be two (2) less vehicle trips than those generated by the existing uses on the site in the AM peak and only two (2) additional vehicle trips in the PM peak. On this basis, the Proponent considered that the changes sought under the Planning Proposal will not increase the traffic generating potential of the site.

Council's Traffic Engineers consider that the proposed increased density and related traffic movements onto Lonsdale Street could adversely affect traffic flow on City West Link.

There are also pedestrian safety concerns with increased traffic, particularly at the intersection of Catherine Street and City West Link. There is already a high level of pedestrian activity at this intersection close to Lilyfield light rail station and the IGA supermarket.

Accordingly, a Gateway Determination should require provision of an amended Traffic Impact Assessment that considers these issues.. This amended Traffic Impact Assessment would then be peer-reviewed by Council and considered by other relevant State authorities under Gateway Determination consultation requirements.

#### *Stormwater Management and Flooding*

The site is not affected by flooding, but City West Link is. This issue should be further considered at the detailed design/DA stage as part of the Section 4.15(1) of the EP&A Act assessment. Similarly, in relation to stormwater, Clause 6.4 (Stormwater management) of LLEP 2013 includes adequate controls for the management of stormwater on the. This issue can also be addressed at the DA stage as part of the Section 4.15(1) merit assessment.

#### *Land Contamination*

Most of the site has been used for industrial purposes until recently and may be contaminated. Potential contamination sources include imported fill soils of unknown origin, impacts from previous and current industrial and/or commercial activities, including the handling and storage of hydrocarbon fuels in the identified Underground Petroleum Storage System (UPSS), spills and leaks from parked vehicles or machinery and weathering of painted, structural surfaces (buildings). Hazardous materials, including potential asbestos-containing materials (ACM) from building products used onsite and others that may have migrated onto the site from unknown, offsite contamination may also be present.

A Preliminary Stage 1 Site Investigation Report (PSI) for the 36 Lonsdale Street portion of this site was completed by Environmental Investigations Australia (EI) in February 2015. This PSI, which involved an historical records search including a search of records for dangerous goods and fuel storage infrastructure. It recommended a Stage 2 Detailed Site Investigation (DSI) to assess the potential for on-site contamination associated with the identified current and former land uses. This PSI also indicated the presence of underground storage tanks on the Lonsdale Street boundary.

A Detailed Site Investigation report was provided with the PP prepared by EI dated 24 March 2015 (DSI) but again for No. 36 Lonsdale Street. This DSI indicated



exceedances of the adopted health-based investigation/screening levels as follows:

- The heavy metals copper and zinc at concentrations exceeding adopted ecological criteria in site fill;
- Benzo(a)pyrene (B(α)P) Toxic Equivalent (TEQ) exceedances in sampling locations BH2 and BH6 within the fill layer;
- (B(α)P) in fill at BH2, BH5 and BH6 exceeding ecological criteria; and
- Total recoverable hydrocarbon (TRH) fraction F3 exceeding the ecological criterion in fill at BH2.
- Groundwater contamination sampled at location MW1 identified concentrations in excess of the adopted groundwater investigation criteria for heavy metals arsenic, chromium, nickel and zinc, TRH fraction F1; and Polycyclic Aromatic Hydrocarbons (PAH) benzo(a)pyrene concentrations.

Further investigation and assessment of groundwater after the demolition stage will be necessary to delineate the extent of contaminated groundwater, assess risks to site users and/or to the environment and inform remedial action..

The DSI concludes that the site can be made suitable for the proposed development, subject to the recommendations provided, including preparation of a Remedial Action Plan being prepared.

There were numerous contamination concerns with this PP including that:

- Only the Lonsdale Street block has been considered in the DSI;
- This DSI refers to an earlier PSI study which has not been provided;
- The data used in the DSI is from 2015 and is considered too outdated to be reliable for assessment purposes. It is unknown whether thresholds have changed or if any new uses have occurred in the intervening period which may have led to further contamination.

Accordingly, the issue of potential land contamination has not been adequately considered by the Proponent in this Planning Proposal at this stage and needs to be addressed more comprehensively following Gateway Determination.

#### *Acid Sulphate Soils*

The site is affected by Class 3 and 5 acid sulphate soils ('ASS') and under Ministerial Direction 4.1, a relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on such land identified unless it has considered an ASS Study of the appropriateness of the proposed change of land use.. The proposed involves intensification of the residential use of the land and an ASS Study is required following a Gateway Determination.

#### *Noise impact*

The site is close to noise sources including:

- Light rail line and stabling yard (located to the north);
- Road traffic on City West Link (located to the north of the site);
- Aircraft noise (the site is in the 20-25 ANEF contour).

The site is affected by *State Environmental Planning Policy (Infrastructure) 2007* (the Infrastructure SEPP) which identifies matters to be considered in the

	<p>assessment of development adjacent to particular types of infrastructure development.</p> <p>The proposal was not accompanied by an Acoustic assessment. Council considers that an Acoustic Report can be provided at the detailed design (DA) stage. There are adequate provisions in LLEP 2013 Clause 6.8 – aircraft noise and the Infrastructure SEPP to ensure acoustic impacts are adequately considered at that stage.</p> <p>The proposed land uses and their potential acoustic impacts for existing surrounding development can also be considered at the detailed design stage. It is however unlikely to generate significant adverse noise impacts given it's residential nature.</p> <p><b>Conclusion</b></p> <p>The proposed changes are unlikely to have significant adverse environmental effects given the density changes proposed and the recommended controls for minimum setbacks and maximum number of storeys. The additional information required following a Gateway Determination would also ensure that there are minimal environmental impacts.</p>
<b>Q9</b>	<b>Has the planning proposal adequately addressed any social and economic effects?</b>
	<p><b>Social impact</b></p> <p>The planning proposal is satisfactory in terms of social impacts. The provision of a variety of housing types and an affordable housing contribution through a VPA will help meet local housing needs and proximity to services will encourage walking and social interaction. There should be adequate existing social infrastructure such as schools as the proposal is within the housing targets for the region set by the GSRP and the ECDP.</p> <p><b>Economic Impact</b></p> <p>The planning proposal is satisfactory in terms of economic impacts. There are unlikely to be any significant economic impacts given the site is already zoned for residential development and will utilise existing infrastructure.. The provision of additional housing will provide additional patronage for shops and other services in the area.</p>
<b>Q10</b>	<b>Is there adequate public infrastructure for the planning proposal?</b>
	<p>The site is in an area well serviced by public transport, electricity, telecommunications, water and sewer infrastructure. The additional demand created under the Planning Proposal is likely to be minimal, ensuring efficient use of existing services and infrastructure without overburdening them. Consultation with relevant authorities during public exhibition of the Planning Proposal will confirm the capacity of current utilities to service the site.</p>
<b>Q11</b>	<b>What are the views of State and Commonwealth public authorities consulted in accordance with Gateway Determination?</b>
	<p>Should the Planning Proposal proceed past the Gateway, a favourable Gateway Determination would identify a list of public authorities to be consulted as part of the exhibition process.</p>
<b>2.4</b>	<b>Mapping</b>
	<p>The Planning Proposal is supported with a request to amend the FSR, Height of Building and Key Sites Maps of the LLEP 2013. This mapping is provided in the</p>

	Planning Proposal in <b>Attachment 2</b> .
<b>2.5</b>	<b>Community Consultation</b>
	If the Planning Proposal was to be supported, given a Gateway Determination and Council was the Planning Proposal Authority the Proposal would be formally exhibited in accordance with the requirements of the Gateway Determination and Council's Community Engagement Framework.
<b>2.6</b>	<b>Project timeline</b>
	The Planning Proposal does not provide the necessary timetable, however, the Gateway Determination, if granted, would determine the milestones and maximum timeline required to complete the LEP amendment.

## **6.0 ASSESSMENT OF AMENDMENTS TO LEICHHARDT DEVELOPMENT CONTROL PLAN 2013 (LDCP 2013)**

The LDCP 2013 applies to the site and includes controls relating to car parking, building height, landscaping, open space and character. The site is located within the 'Peripheral Sub Area' of the Catherine Street Distinctive Neighbourhood in Lilyfield under Section C2.2.4.1 of the LDCP 2013. It is noted that under the LDCP 2013 controls, a maximum building wall height of 7.2 metres applies to this site. The proposal does not currently satisfy this provision of LDCP 2013. The original planning proposal did not provide an amendment to the LDCP 2013 and the planning proposal is inconsistent with the current provisions of this policy.

Accordingly, a Site-specific Development Control Plan must be prepared for inclusion in LDCP 2013 Part G: Site Specific Controls. This DCP must include the specific design measures and other controls for the site, including (but not limited to) the following controls:-

- Desired future character statement;
- Public domain;
- Built form and design controls as follows:-
  - *Building height and bulk* including a sympathetic building height for existing dwellings on Lonsdale and Russell Street then transitioning up to 4 storeys above a ground level non-residential podium along City West Link Road in accordance with LLEP 2013;
  - *Building setbacks and articulation* to have apartments oriented toward Lonsdale Street and Russell Street, with a dual aspect layout and cross ventilation, winter garden balconies to ameliorate noise and a middle quiet open zone for apartments to face;
  - *Building separation* to comply with ADG requirements;
  - *Building materials and finishes* including architectural cues to compliment adjacent houses in Lonsdale Street and Russell Street and achieve a sympathetic relationship with those houses and the residential character of those streets. Exterior building finishes should use a variety of complementary materials suitably arranged to provide visual interest and strengthen sense of place. A monolithic building appearance will not be supported;
  - *Design of building elements* including a noise screen wall or similar device should be constructed between buildings along the northern part of the site. (eg a 3 storey wall and horizontal top return placed above the lower level employment storey);

- *Disability access*; and
- *Ground floor apartments* adjoining City West Link must not be used for residential uses, although subject to detailed design at the DA stage they may be suitable as part of live work units.
- Residential amenity (including solar access, cross ventilation, open space, visual privacy, and deep soil and podium planting landscaping areas). Deep soil zones should provide:
  - - a 3m wide perimeter deep soil area for a tree planting area adjacent to adjoining dwellings to the south to establish a tree buffer;
    - a 3m wide perimeter deep soil zone along Lonsdale Street to establish front gardens;
    - for use of roof top gardens; and
    - a 3m wide deep soil zone along City West Link;
- Parking and access;
- Waste management; and
- Communal open space of 25% of site area (irrespective of the ADG provisions due to the 'U shape' design concept).

The environmental impacts of the proposal can be addressed through the provision of these controls in the site-specific DCP. It is requested that a Gateway Determination require that this DCP is provided prior to exhibition of the proposal.

## **7.0 VOLUNTARY PLANNING AGREEMENT**

Council and the Proponent have entered into preliminary discussions for the preparation of a draft Voluntary Planning Agreement ('VPA') in response to the offer to enter into a VPA that was submitted with the original Planning Proposal under Section 7.4 of the EP&A Act. This VPA could provide for a share of the value uplift to become a monetary contribution towards a public purpose. This could include the provision of (or the recoupment of cost) for:

- public amenities or services,
- affordable housing,
- transport or other infrastructure relating to land,
- monitoring of the planning impacts of development, or
- conservation or enhancement of the natural environment.

The original planning proposal indicated that expenditure of such a VPA should be determined by Council, with the monetary value to be utilised to fund a variety of potential projects, including Council's affordable housing program. If Council were to enter into negotiations on a potential VPA, the negotiations should seek the provision of an adequate affordable housing contribution in accordance with the provisions of Council's *Affordable Housing Policy (2017)* and possibly contributions for other infrastructure.

Should the proposal proceed to the Gateway Determination stage and be approved for exhibition, the VPA would have to be negotiated by Council and exhibited concurrently with the Planning Proposal. Council can only negotiate a VPA relating to the Planning Proposal if it is the Planning Proposal Authority.

## 8.0 FINANCIAL IMPLICATIONS

The proponent has paid fees for the Council's consideration of a Planning Proposal and possible submission to the Gateway process in accordance with IWC's 2018/2019 Fee Structure.

However, the proponent would also be responsible for meeting the costs associated with revising documentation or studies prior to exhibition if required by a Gateway Determination and the peer reviews of this material or additional studies should these be deemed necessary.

As this report relates to a policy change, it does not raise any financial obligation for Council. The Proponent has submitted an offer to enter into a VPA with Council that will address contributions and affordable housing matters. The proponent will be obliged to cover Council's legal costs for negotiating such an agreement. The VPA will need to be publicly exhibited as required by the Regulations prior to finalising the LEP amendment.

## 9.0 PUBLIC CONSULTATION

This Planning Proposal has not been the subject of any preliminary community consultation. The Proponent has not undertaken any public consultation for the proposal, with the following noted in the submitted report:

*It is expected that community consultation will be pursued consistent with standard practice of:*

- *Notification of surrounding land owners;*
- *Public notification in local newspapers; and*
- *Notification on Council's website.*

*Consultation will also have regard to the requirements set down in the Gateway Determination issued by the Director-General of the DP&E.*

*During the exhibition period, the Planning Proposal, Gateway Determination, and other relevant documentation will be available on Council's Customer Service Centre and on Council's website.*

Should the Planning Proposal proceed to the Gateway Determination Stage, any Council community consultation would be undertaken in accordance with the conditions of the Gateway Determination and Council's Community Engagement Framework.

## 10.0 OVERALL ANALYSIS

The Planning Proposal for the site has been reviewed taking into consideration the requirements of the DPE's Planning Proposal Guide and the DPE's '*Guide to preparing local environmental plans*'.

Overall, the Planning Proposal is considered to be satisfactory subject to the imposition of the controls outlined in this report and the provision of additional supporting information following the Gateway Determination on the basis that the Planning Proposal:

- has strategic merit as it is consistent with the key directions, objectives, priorities and actions of the *Greater Sydney Region Plan* and *Eastern Harbour City District Plan*;

- is considered to have site-specific merit as it will not adversely impact on any natural environmental values, the future use of the land is consistent with the context of the area and there will be adequate infrastructure available to service the proposal site subject to the provisions of a prospective VPA;
- is generally consistent with the character of the area that the proposed development is in, a predominantly residential area, well served by public transport and local retail and commercial facilities;
- is generally consistent with the relevant Ministerial Directions under Section 9.1 of the EP&A Act and relevant State Environmental Planning Policies subject to provision of amended and additional information Gateway Determination requirements;
- is generally consistent with Council's Policies including *Our Inner West 2036: A Community Strategic Plan for the Inner West community* (June 2018), *Integrated Transport Plan – Leichhardt, Inner West Council Delivery Program 2018-22* and *Inner West Council Affordable Housing Policy 2017* (subject to finalisation of the VPA);
- is capable of being serviced with infrastructure given it is within the existing urban footprint and the majority of services are already available. Increased population on the site is unlikely to generate any significant increased demand on social infrastructure as additional population would be within the housing targets of the *Eastern City District Plan*;
- is well located 50 metres west of the Lilyfield Light Rail Station and close to bus stops and a major arterial road. Increased density on the site will ensure that future residents will be within the 30 minute city target of the relevant strategic plans;
- the technical aspects of the proposal can be refined further after the Gateway Determination and at the detailed design/DA stage;
- is satisfactory in terms of social and economic impacts;
- is the only means of achieving this level of additional FSR and height on the site given the variation is too great for a Clause 4.6 objection and a change in zoning is not required. The proposal also provides a mechanism for the proponent to deliver substantial public benefits not otherwise required under the existing controls including the provision of contributions for affordable housing consistent with Council's *Affordable Housing Policy (2017)* via a VPA;
- would remove non-conforming industrial uses;
- will not result in any significant adverse environmental impacts and the recommended controls that respond to additional and amended information recommended in this report, will not adversely affect the amenity of the surrounding area. The site is not affected by any natural hazards; and
- will allow greater landscaping opportunities in the required deep soil zones and contribute to the tree canopy of the locality.

## 11.0 CONCLUSION

The Planning Proposal achieves the Strategic Merit test as indicated in this planning report and is consistent with the key objectives, priorities and actions of the Regional and District Plans as well as the relevant State Environmental Planning Policies, Ministerial Directions and Council plans and policies.

It is recommended that the Inner West Planning Panel advises Council to support the Planning Proposal subject to the recommended controls for FSR, height of buildings, minimum setbacks, maximum number of storeys and non-residential use of the street level element of the proposed development adjoining the City West Link as outlined in the Planning Proposal at **Attachment 2**.

The Planning Proposal should be forwarded to the Minister for Gateway Determination subject to the following information being provided after the Gateway Determination and prior to exhibition of the Planning Proposal:

- a) A revised Urban Design Report outlining key development controls for the site including building height, FSR, building depth, building separation, building envelopes, deep soil zones and setbacks having regard to the recommendations and conclusions of this report. This revised report must adequately consider relevant matters in *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* and the *Apartment Design Guide*, including overshadowing. These key development controls must be incorporated into site-specific DCP;
- b) A Voluntary Planning Agreement (VPA) which provides contributions for infrastructure (including, among other things, public domain upgrade works in the vicinity of the site) services and affordable housing contributions. A revised Valuation Report for the proposed VPA based on a Residual Land Valuation (RLV) and a Hypothetical Development Methodology (HDM) will be required to assist in the preparation of the VPA;
- c) A site-specific Development Control Plan to be included in Part G: Site Specific Controls of the *Leichhardt Development Control Plan 2013*. This DCP must include the key development controls which would apply to the site and controls relating to the desired future character, public domain, residential amenity, parking and access, waste management and communal open space;
- d) An Acid Sulphate Soils Study for the site demonstrating that the intensification of the residential land use is appropriate having regard to the site being affected by Class 5 Acid Sulphate Soils;
- e) An amended Traffic Impact Assessment which considers impacts of the proposed increased density on this site in relation to traffic flow along the City West Link and pedestrian safety at the intersection of Catherine Street and the City West Link; and
- f) A Phase 2 Detailed Site Investigation for the whole site which identifies all past and present potential contaminating activities and types, provides a preliminary assessment of site contamination and assesses the need for further investigations.