

Item No: C05/20-441

PLANNING PROPOSAL - 2-36 CHURCH STREET, LIDCOMBE

Responsible Division: Environment & Planning
Officer: Director Environment & Planning
File Number: PP1/2019
Community Strategic Plan Goal: *A resilient built environment*

SUMMARY

This planning proposal seeks to amend the *Auburn Local Environmental Plan 2010* for land at 2-36 Church Street, Lidcombe, to:

- Increase the Height of Building controls from:
 - 14.9 metres to 22 metres
 - 16.9 metres to 32 metres
 - 22.9 metres to 40 metres
 - 27 metres to 40 metres.
- Increase the Floor Space Ratio controls from 1:29:1, 1.49:1, 2.49:1 and 2.6:1 to 3.2:1.

The proposal has been placed on preliminary public exhibition (pre-Gateway), and was reported to the Cumberland Local Planning Panel in April 2020. The Panel provided advice that there was strategic and site specific merit in the proposal, and generally supported Council's amended planning controls for building heights and floor space ratio. The Panel also acknowledged the significant social benefits of the proponent's proposal through the greater provision of social and affordable housing.

It is recommended that the planning proposal be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination. Should a Gateway Determination be received, further work on a Voluntary Planning Agreement will be undertaken.

RECOMMENDATION

That Council:

1. **Endorse an amended planning proposal for the site that seeks to amend the *Auburn Local Environmental Plan 2010*, to:**
 - a. **Amend the Height of Building (HOB) control for the site from:**

- I. 14.9 metres to 22 metres
 - II. 16.9 metres to 32 metres
 - III. 22.9 metres to 40 metres
 - IV. 27 metres to 40 metres
- b. Amend the Floor Space Ratio control for the site from 1:29:1, 1.49:1, 2.49:1 and 2.6:1 to 3.2:1.
2. Endorse that the planning proposal for 2-36 Church Street, Lidcombe, be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination.
 3. Prepare a Voluntary Planning Agreement to derive public benefit, should a Gateway Determination be received.

REPORT

Background

The Planning Proposal Request for the site was lodged in November 2019. The proposal sought to amend the *Auburn Local Environmental Plan 2010* for 2-36 Church Street, Lidcombe, by:

- Increasing the Height of Building controls from:
 - 14.9 metres to 22 metres
 - 16.9 metres to 44 metres
 - 22.9 metres to 53 metres
 - 27 metres to 53 metres
- Increasing the Floor Space Ratio from, 1:29:1, 1.49:1, 2.49:1 and 2.6:1 to 4.21:1.

The proposal seeks to facilitate redevelopment of the site for an integrated residential neighbourhood of 480 apartments, including social housing dwellings, affordable rental housing dwellings for key workers in health, education and police sectors, and private housing dwellings.

The status of the planning proposal is provided in Figure 1 below.

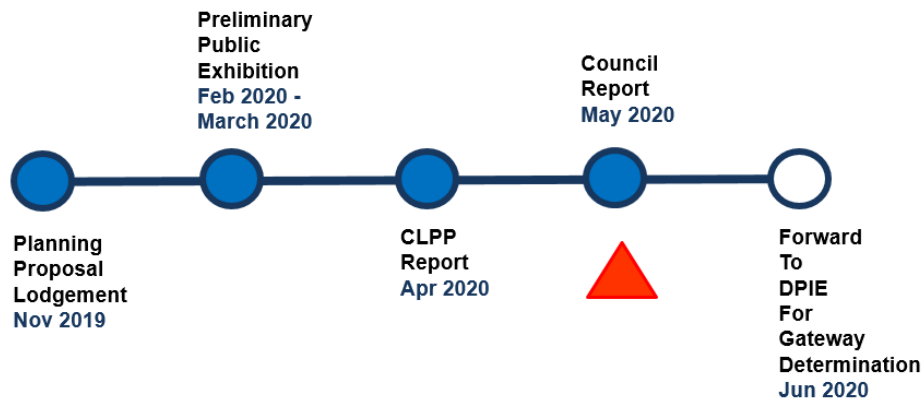


Figure 1 Planning Proposal Status

The Site and its Context

The site, located at 2-36 Church Street, Lidcombe, is owned by Land and Housing Corporation NSW (LAHC). The site is close to Lidcombe railway station and within 400m of the hub of the Lidcombe Town Centre. The project, entailing a mixed tenure residential development of four stand-alone buildings with basement parking and a childcare centre, will facilitate redevelopment of the site as part of the NSW Government's Communities Plus Program. This program seeks to deliver new communities where social housing blends with private housing, with good access to transport, employment, improved community facilities and open space.

The Communities Plus Program seeks to leverage the expertise and capacity of the private and non-government sectors. As part of this program, Billbergia was selected as the successful proponent to develop the site.

A development application on this site was approved by the Sydney Central City Planning Panel in December 2019 to support a redevelopment of the site in accordance with the outcomes of the Communities Plus Program. This approval was based on the current controls of the site, and provides 262 apartments. The planning proposal is seeking to achieve greater social, affordable and private housing outcomes on the site through changes in the height and floor space ratio controls.



Figure 2 The Subject Site

Local Context

The boundaries of the site to the north, east and west are defined by Church Street. The site is approximately 350m east of Lidcombe Station. The site is bounded directly to the south by the Lidcombe-Olympic Park railway corridor.

The site is approximately 10,132m² and is currently comprised of 18 lots. Street frontage along Church Street measures approximately 273 metres.

The site falls approximately 8m across the length of the site. There are steeper areas of slope towards the north-western edge of the site.

The majority of the lots on the northern side of Church Street contain single and double storey detached dwelling houses, with the exception of an eight level residential flat building to the north-west of the site. At the far eastern end of the site is a raised bridge that crosses over the railway corridor and leads through to a light industrial area.

There is a large landscaped median strip in the north-east of the site which will be used to provide additional open space amenity for the proposal.

Regional Context

Lidcombe is a principal local centre within the Cumberland local government area. Lidcombe is approximately 18km west of the Sydney CBD and 8km to the east of the Parramatta CBD. Lidcombe Railway Station is serviced by the T1 Western Line, the T2 Inner West & Leppington Line, the T3 Bankstown Line and the T7 Olympic Park line. There are also four bus stops located within five minutes walking distance of the site, providing access to a range of local and cross-regional bus services.



Figure 3 Regional Context

Planning Controls

Current Planning Controls

The site is currently zoned R4 High Density Residential, with Maximum Height of Building controls of 14.9 metres, 16.9 metres, 22.9 metres and 29 metres and Floor Space Ratio controls of 1:29:1, 1.49:1, 2.49:1 and 2.6:1 applying across the site. Lidcombe Railway Station, which is adjacent to the site, is listed as a heritage item. These controls are shown graphically in Figures 4 to 7.

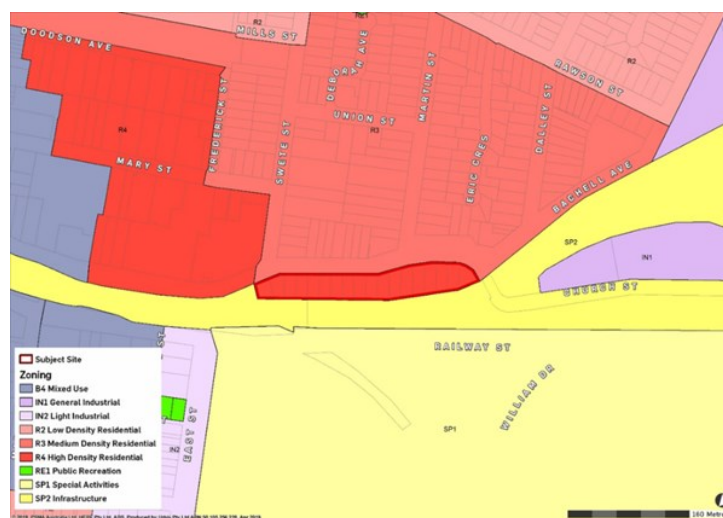


Figure 4 Current Land Zoning (LZN) Map

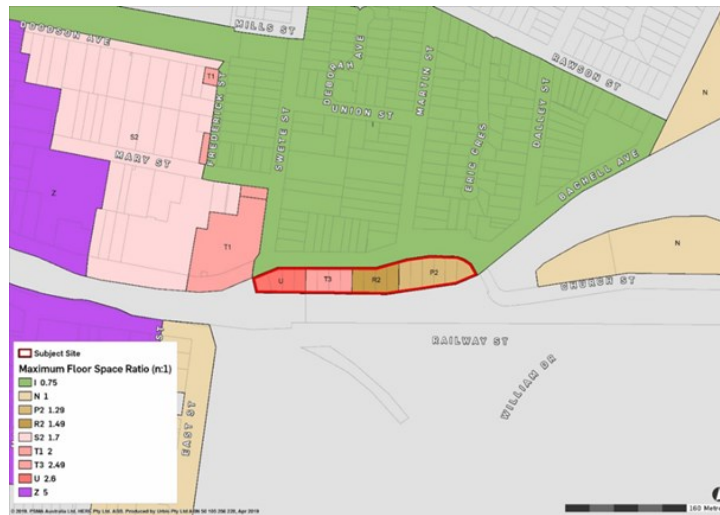


Figure 5 Current Floor Space Ratio (FSR) Map



Figure 6 Current Height of Building (HoB) Map

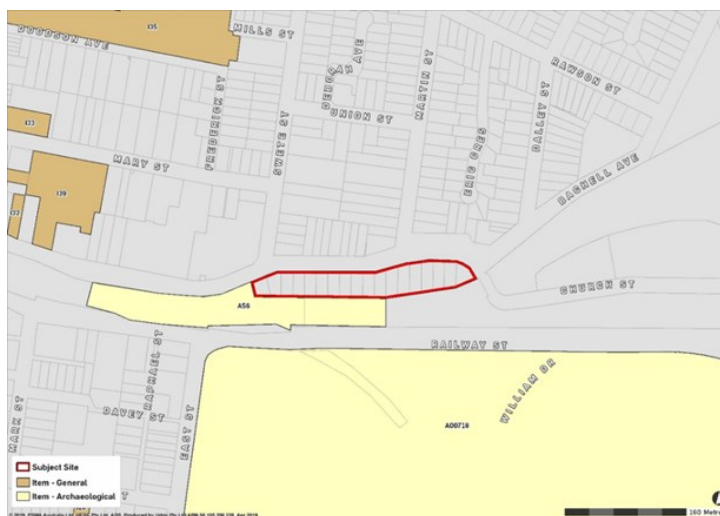


Figure 7 Current Heritage Items

Lidcombe Town Centre Planning Controls Strategy

The Lidcombe Town Centre Planning Controls Strategy has been developed by Council and is included as part of the planning proposal for the new *Cumberland Local Environmental Plan*. The Strategy supports the provision of an increased range of heights in Lidcombe Town Centre to facilitate improved urban design and the economic growth of the town centre, including public domain improvements in the future.

The building heights of the strategy range from 18 metres to 60 metres within the Lidcombe Town Centre. Building heights on the northern side of the railway line will graduate east to west from 29 metres, 36 metres, 38 metre, 55 metres to 60 metres. On the southern side of the railway line, the building heights will graduate east to west from 45 metres, 55 metres to 60 metres.

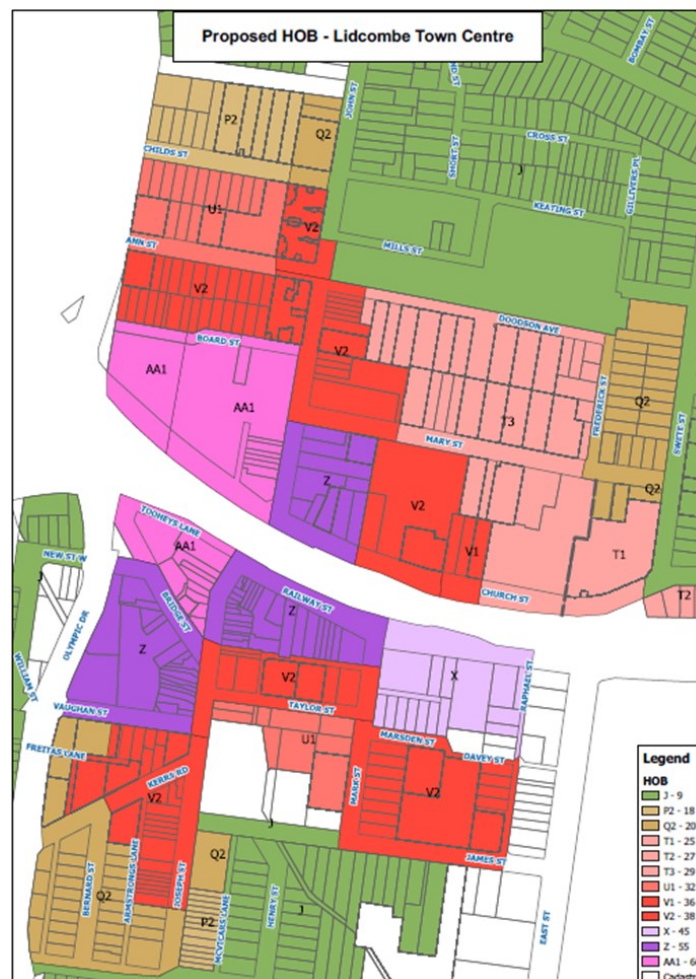


Figure 8 Proposed Building Heights in Lidcombe Town Centre Planning Controls Strategy

The site for this planning proposal is not located within the area investigated for the Lidcombe Town Centre Planning Controls Strategy, but is adjacent to the study area. The low density development to the north will maintain its existing 9 metre maximum building height, and the residential apartment complex on the corner of Church Street and Swete Street will remain at 25 metres.

Planning Proposal Request

The Planning Proposal Request seeks to amend the *Auburn Local Environmental Plan 2010 (ALEP 2010)* to allow the redevelopment of the site for an integrated residential neighbourhood, including social housing mixed with affordable housing, private housing and a child care centre, by:

- Increasing the Height of Building controls from:
 - 14.9 metres to 22 metres
 - 16.9 metres to 44 metres
 - 22.9 metres to 53 metres
 - 27 metres to 53 metres
- Increasing the Floor Space Ratio from, 1:29:1, 1.49:1, 2.49:1 and 2.6:1 to 4.2:1

The changes to planning controls identified in the Planning Proposal Request is outlined in Figures 9 and 10.

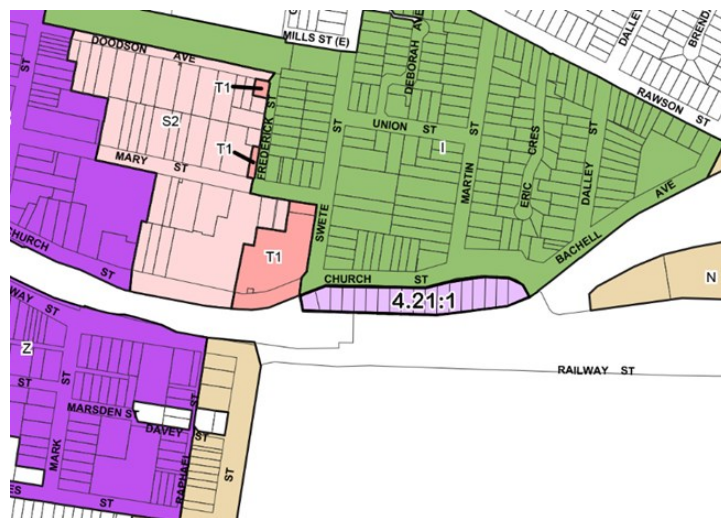


Figure 9 Proposed Floor Space Ratio (FSR) Map

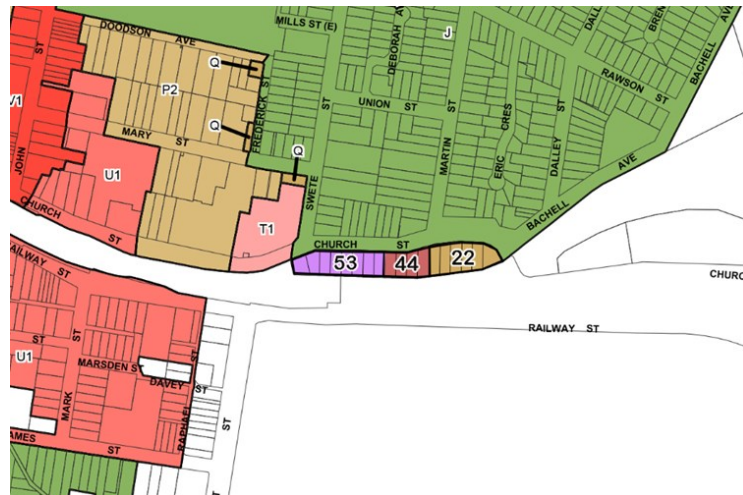


Figure 10 Proposed Height of Buildings (HoB) Map

The intended outcomes of the planning proposal are to:

- Deliver approximately 42,000m² of additional gross floor area (GFA) to the Lidcombe Town Centre. The floor space will be predominantly for residential accommodation, with a proportion being dedicated to social and affordable housing
- Deliver residential development providing varying unit sizes and affordability options within walking distance of existing local facilities and public transport connectivity
- Achieve consistency with State Government policy to encourage growth within existing centres
- Promote sound planning practice and transport focused development
- Manage redevelopment of the site resulting from the amalgamation of 18 existing lots, in a timely and comprehensive manner.

A concept plan of the Planning Proposal Request is provided in Figure 11.

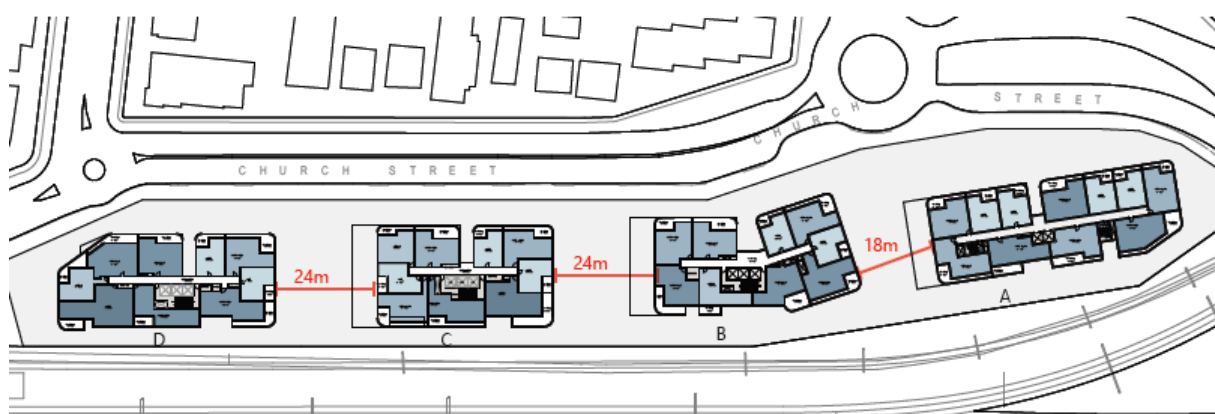


Figure 11 Concept Plan of the Planning Proposal Request

Based on the Planning Proposal Request, a total of 480 apartments are provided. This is an increase of 218 apartments when compared to the approved development under the current controls.

Amended Planning Proposal

Council has reviewed the planning proposal request in relation to the built form components of floor space ratio and height. This review has considered the interface with the adjoining residential areas and Lidcombe Town Centre, and overshadowing impacts of the proposal in relation to adjoining residential areas and the heritage listed Rookwood Cemetery and Necropolis. Based on this review, an amended planning proposal is identified for the site.

Interface with Town Centre and Adjoining Residential

The current planning controls encourage a stepped form from west to east away from the Lidcombe Town Centre. This approach is maintained with the proponent's Planning Proposal Request and is also consistent with the approach used for the Lidcombe Town Centre Planning Controls Strategy.

The proponent's proposed building heights of 53 metres are higher than the building heights of 25 metres adjoining the site and the building heights of 45 metres within the north east part of the town centre, as identified in the Lidcombe Town Centre Planning Controls Strategy.

In relation to the interface between the low density residential along Church Street and the concept plan included in the planning proposal request, a building separation of over 20 metres will be provided between existing low-density dwellings on the northern side of Church Street and the proposed buildings.

Overshadowing Impacts

A review of overshadowing indicates that the buildings identified in the planning proposal do not impact on adjoining residential areas. The location and siting of the buildings casts a shadow across the train corridor.

The proponent's proposed building heights of 53 metres and 44 metres overshadow the northwest corner of Rookwood Cemetery and Necropolis. This provides an unacceptable impact on the heritage listed site. The review by Council indicates that a maximum building height of 40 metres will avoid overshadowing impacts on the cemetery.

Amended Planning Proposal

Based on the review, an amended planning proposal is identified for the site with the following planning controls:

- A graduated maximum building height on the site, consistent with the current planning approach, based on 40m for the two buildings closest to Lidcombe Train Station (western end), 32m for the third building and 22m for the fourth building (eastern end)

- A floor space ratio of 3.2:1 for the site, aligned with the proposed maximum building heights in the amended planning proposal.

The proposed planning controls for the amended planning proposal are provided in Figures 12 and 13.



Figure 12 Proposed Height of Building Controls with Amended Planning Proposal

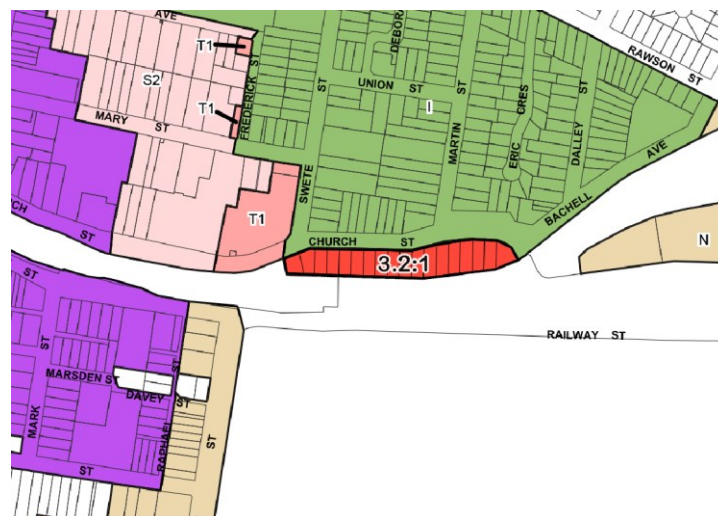


Figure 13 Proposed Floor Space Ratio Controls with Amended Planning Proposal

Based on the amended planning proposal, a total of 392 apartments are estimated to be provided. This is an increase of 130 apartments when compared to the approved development under the current controls.

Advice from the Cumberland Local Planning Panel

The planning proposal was reported to the Cumberland Local Planning Panel on 8 April 2020. The Panel determined that the proposal had both site specific and strategic merit.

The Panel generally supported the recommendation made by Council Officers of an amended planning proposal with reduced building heights and floor space ratio. They

also supported Council's concern with the overshadowing of the Rockwood Cemetery and Necropolis.

However, the Panel did accept the proponent's justification that there will be significant social benefits in the additional height and floor space from the proponent's planning proposal, due to the greater provision of social and affordable housing that will be supplied under their proposed controls. They also accepted the proponent's advice that Council's amended planning proposal would result in a loss of 15 to 18 social housing units and approximately 27 to 30 affordable housing units.

The Panel advised Council that it needs to weigh the greater social benefits against concerns for overshadowing Rockwood Cemetery and Necropolis and the inconsistency with the Lidcombe Town Centre Strategy.

Comparison of Units Proposed for the Site

A comparison has been prepared on the number of social, affordable and private units that can be accommodated under the proposed planning schemes on the site, and is shown in Figure 14. The comparison is based on the approved development application for the site, the applicant's scheme as outlined in the Planning Proposal Request and the amended scheme as outlined in this report.

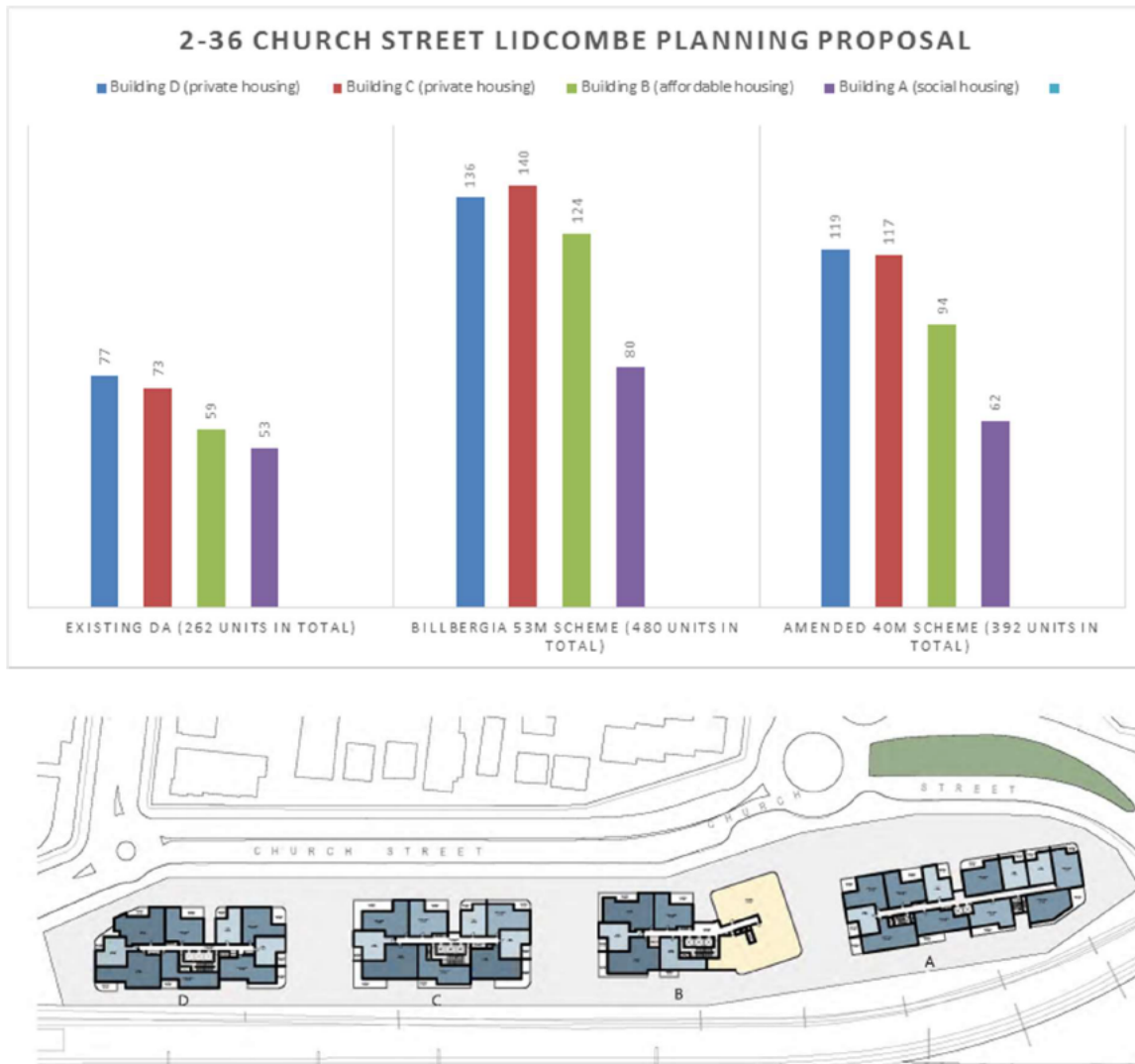


Figure 14 Comparison of Units Proposed for the Site

Public Benefit Offer

The proponent is also proposing a public benefit offer of a monetary contribution towards local road upgrades and traffic management improvements.

The proponent would also like Council to consider that additional public benefit will be derived from the provision of additional social housing units and affordable rental housing properties.

The offer will be considered by Council should a Gateway Determination be issued, with reference to Council’s Planning Agreements Policy and Interim Affordable Housing Policy.

Strategic Merit Assessment

Built Form

There is strategic merit in progressing the proposal to the next phase of assessment following consideration of built form, as:

- The range in building heights encourage a stepped form from west to east away from the Lidcombe Town Centre, consistent with the approach to current planning controls on the site and the Lidcombe Town Centre Planning Controls Strategy
- The amended planning proposal with reduced building heights and floor space ratio controls will result in a built form that minimises interface impacts on adjoining residential properties.

Traffic and Transport

There is strategic merit in progressing the proposal to the next phase of assessment following consideration of traffic and transport, as:

- The surrounding road network operates with a reasonable level of service during peak periods
- The adjoining road network is capable of accommodating traffic volumes estimated to be generated by the proposal
- The proposed site access arrangements are projected to result in motorists being capable of entering and exiting the subject site in a safe and efficient manner
- The proposal is within walking distance to public transport services at Lidcombe Town Centre, providing local and regional access to key centres.

Heritage

There is strategic merit in progressing the proposal to the next phase of assessment following consideration of heritage, as:

- The site is outside of the curtilage of Heritage Item No. A56 'Lidcombe Signal Box' (south side of railway lines)
- The reduced building heights outlined in the amended planning proposal will avoid overshadowing impacts on the State Heritage Listed Rookwood Cemetery and Necropolis.

Economic and Social Benefits

There is strategic merit in progressing the proposal to the next phase of assessment as:

- The proposal will provide a mixed tenure residential development consisting of private, affordable and social housing, contributing to an increase in housing supply for different market segments
- There will be a temporary increase in employment opportunities as a result of construction jobs associated with the proposal.

Consistency with *Cumberland 2030: Our Local Strategic Planning Statement*

There is strategic merit in progressing the proposal to the next phase of assessment, as it is consistent with the following key Local Planning Priorities of *Cumberland 2030: Our Local Strategic Planning Statement*:

- *Planning Priority 5: Delivering housing diversity to suit changing needs:* as the proposal will deliver variety of apartment types including social and affordable housing apartments
- *Planning Priority 6: Delivering affordable housing suitable for the needs of all people at various stages of their lives:* as the proposal will deliver affordable and social housing
- *Planning Priority 11: Promoting access to local jobs, education opportunities and care services:* as the proposal will deliver additional housing opportunities close to the employment and education facilities that are located in close proximity to the Lidcombe Town Centre and adjoining employment areas.

Consistency with *Greater Sydney Region Plan - A Metropolis of Three Cities*

There is strategic merit in progressing the proposal to the next phase of assessment as it is generally consistent with the following planning directions of the Greater Sydney Region Plan:

- *Objective 10. Greater housing supply:* the proposal provides a greater amount of housing supply than would be possible if there were no change to the height and floor space ratio control
- *Objective 11. Housing is more diverse and affordable:* the proposal aims to deliver a range of housing types, sizes and tenures increase housing diversity and affordability
- *Objective 14 A metropolis of three cities – integrated land use and transport creates a walkable and 30 minute cities:* the proposal provide additional housing within walking distance of Lidcombe station. The level of service offered by Lidcombe Station is greater than other centres, and provide a greater level of opportunity for the future residents to access jobs and services.

Consistency with the *Central City District Plan*

There is strategic merit in forwarding this proposal for a Gateway Determination, as the amended proposal is generally consistent with the following Planning Priorities of the *Central City District Plan*:

- *Planning Priority C5 Providing housing supply, choice and affordability with access to jobs, services and public transport:* the proposal seeks to deliver additional housing in close proximity to established residential neighbourhoods, services and public transport
- *Planning Priority C6 Creating and renewing great places and local centres, and respecting the District's heritage:* the proposal for a new residential apartment development within 400m of Lidcombe train station and the town centre will encourage users of the site to utilise public transport and to walk
- *Planning Priority C9 Delivering integrated land use and transport planning and a 30 minute city:* the proposal will facilitate the provision of additional housing in close proximity to the Lidcombe train station and associated railway lines. These railway lines access strategic centres, giving more people access to services via public transport within 30 minutes.

Recommended Planning Controls

A summary of the recommended planning controls for the proposal is provided in Table 1. This is based on a review of the proponent's proposed planning controls by Council officers, and advice from the Cumberland Local Planning Panel.

Planning Controls (Holroyd LEP 2013)	Existing Controls	Proponent proposed controls	Amended planning controls	Cumberland Local Planning Panel advice (April 2020)	Recommended planning controls
Zoning	R4 High Density Residential	R4 High Density Residential	R4 High Density Residential	R4 High Density Residential	R4 High Density Residential
Height of Building	14.9 metres 16.9 metres 22.9 metres 27 metres	22 metres 44 metres 53 metres	22 metres 32 metres 40 metres	22 metres 32 metres 40 metres	22 metres 32 metres 40 metres
Floor Space Ratio	1.29:1 1.49:1 2.49:1 2.6:1	4.21:1	3.2:1	3.2:1	3.2:1

Table 1 Recommended Planning Controls for Proposal

Next Steps

It is recommended that the planning proposal be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination.

Should the proposal proceed to a Gateway Determination, negotiations regarding the public benefit offer will be progressed and captured through a Voluntary Planning Agreement in accordance with Council's Planning Agreements Policy.

COMMUNITY ENGAGEMENT

The proposal and supporting documentation were exhibited for a period of 28 days, from 8 February 2020 to 9 March 2020, as required by Cumberland's Planning Proposal Notification Policy. A total of 15 submissions were received during the exhibition period. The submission raised concerns about the following issues:

- Increase in traffic and traffic congestion as a result of the development
- Parking issues created by the development
- Street parking on Church Street and Swete Street are currently heavily used by commuters
- Overshadowing impacts
- Loss of privacy and overlooking due to number of units proposed
- Inconsistency with Auburn and Lidcombe Town Centre Planning Controls Strategy.

Many of the issues raised are covered in the supporting documentation for the planning proposal, or can be addressed during the development application stage of the proposal. The planning proposal also provides a built form response to the interface considerations with the Lidcombe Town Centre Planning Controls Strategy.

POLICY IMPLICATIONS

Policy implications for Council are outlined in the main body of the report.

RISK IMPLICATIONS

There are minimal risk implications for Council associated with the report.

FINANCIAL IMPLICATIONS

Should Council support a Gateway Determination for the proposal, a Voluntary Planning Agreement will be negotiated between Council and the applicant.

CONCLUSION








It is recommended that the amended planning proposal, with a revised Height of Building controls of 40 metres, 32 metres and 22 metres, and a revised Floor Space Ratio control of 3.2:1, be reported to Council seeking a Gateway Determination. This recommendation is being made as:

- The proposal will provide a mixed tenure residential development consisting of private, affordable and social housing

- The amended proposal will minimise interface impacts with adjoining residential properties, and avoid overshadowing of the heritage listed Rookwood Cemetery and Necropolis
- The proposal is in close proximity to public transport services and the adjoining road network is capable of accommodating the traffic volumes projected to be generated by the proposal
- Is consistent with strategic directions outlined in Cumberland 2030: Our Local Strategic Planning Statement, Greater Sydney Region Plan and Central City District Plan.

Should the proposal proceed to a Gateway Determination, negotiations regarding the public benefit offer will be progressed and captured through a Voluntary Planning Agreement in accordance with Council's Planning Agreements Policy.

ATTACHMENTS

1. Planning Proposal Request [↓](#) 
2. Minutes of the CLPP Meeting 8 April 2020 [↓](#) 
3. Design Report [↓](#) 
4. Traffic Impact Assessment [↓](#) 
5. Social Impact Assessment [↓](#) 
6. Heritage Impact Statement [↓](#) 
7. Summary of Submissions [↓](#) 

2. Write to the Minister for Planning and Public Spaces, outlining Council's strategic and site specific concerns on the planning proposal.
3. Defer the delegation of authority to the General Manager to liaise with the proponent and government agencies on the details regarding the planning proposal, to ensure that the community's interests are represented as best as possible should the planning proposal proceed to finalisation for a period of one month.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Campbell, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Rahme, Saha, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

Councillors Attie and Sarkis left the Meeting at 8:25pm during the consideration of this item.

Min.692 C05/20-441 Planning Proposal - 2-36 Church Street, Lidcombe

Note: The Mayor, Councillor Christou paused the meeting from 8:38pm to 8:40pm in order to allow Councillor Lake to reconnect to the meeting via the web conferencing application due to a fault in the connection.

Resolved (Lake/Zaiter)

That Council:

1. Endorse an amended planning proposal for the site that seeks to amend the *Auburn Local Environmental Plan 2010*, to:
 - a. Amend the Height of Building (HOB) control for the site from:
 - I. 14.9 metres to 22 metres
 - II. 16.9 metres to 32 metres
 - III. 22.9 metres to 40 metres
 - IV. 27 metres to 40 metres
 - b. Amend the Floor Space Ratio control for the site from 1:29:1, 1.49:1, 2.49:1 and 2.6:1 to 3.2:1.
2. Endorse that the planning proposal for 2-36 Church Street, Lidcombe, be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination.
3. Prepare a Voluntary Planning Agreement to derive public benefit, should a Gateway Determination be received.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Campbell, Cummings, Elmore, Hamed, Huang, Lake, Rahme, Saha, Zaiter and Zreika.
Councillor(s) Against the Motion: Christou and Garrard.

Min.693 C05/20-442 Proposed Quanne Diec Playground in New Glasgow Park

Resolved (Rahme/Hamed)

That Council:

1. Name the children's playground in New Glasgow Park, Quanne's Playground; and
2. Install a small plinth with a plaque acknowledging the new name of the playground.

Carried Unanimously

Councillors Attie and Sarkis returned to the Meeting at 8:41pm during the consideration of this item.

Min.694 C05/20-443 Response to Matter of Urgency - Cumberland Local Traffic Committee Terms of Reference

Motion (Garrard/Sarkis)

That Council:

1. Adopt the Draft Cumberland City Council Local Traffic Committee Terms of Reference as attached.
2. Confirm the appointments of voting member and alternate voting member on the Cumberland City Council Traffic Committee, in accordance with the Terms of Reference.

Amendment (Campbell/Lake)

That a point 3 be added as follows:

That, in the Terms of Reference of the Cumberland City Council Local Traffic Committee, the following items be moved from Part 1 to Part 2:
“(d) Parking Series....etc” except for “No Stopping” signs in relation to statutory distances at intersections and “Works Zone”.
And “One Way”, “Left Turn” and “Right Turn”.

The Amendment moved by Councillor Campbell seconded by Councillor Lake on being Put was declared LOST.
