From:	Daniel Cavallo
Sent:	Tuesday, 7 June 2022 8:42 AM
To:	Portfolio Committee 3
Subject:	CM: FW: Planning and delivery of school infrastructure in New South Wales - Post hearing
	responses - 25 May 2022
Attachments:	Traffic report.zip

From: Daniel Cavallo Sent: Monday, 6 June 2022 3:12 PM To: Portfolio Committee 3 <PortfolioCommittee3@parliament.nsw.gov.au> Cc: Clr Lisa Lake Subject: RE: Planning and delivery of school infrastructure in New South Wales - Post hearing responses - 25 May 2022

Dear Laura,

Thank you for your email and the opportunity to participate at the hearing.

In relation to the transcript, the only comment is to correct my title, which is Director, Environment and Planning. In relation to the questions on notice, the following details are provided:

\* Traffic impacts on the proposed school is provided in the attached traffic report. Specifically, section 3.1 of the report indicates that "the education facility, for the purpose of this assessment, has been assumed as a 1,000-student primary school, to accommodate a maximum capacity scenario for development of that land. It should be noted that this is an assumption made for this assessment and the establishment may be a different type of school". \* The site area of the proposed school is estimated at 18,518 square metres, comprising 32% of the total area of the site under the proposal. Further details are provided on page 22 of the planning proposal report, which is attached.

Both of the attached documents have also been included in the Council report in May 2022 on the planning proposal, and can be found through the following link:

http://cumberland.infocouncil.biz/Open/2022/05/C\_04052022\_AGN\_2957\_AT\_WEB.htm.

Please let me know if you require anything further.

Daniel



DANIEL CAVALLO DIRECTOR ENVIRONMENT AND PLANNING

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# PLANNING PROPOSAL REPORT REZONING OF 80 BETTY CUTHBERT DRIVE, LIDCOMBE

MARCH 2022 FINAL PREPARED FOR PROPERTY AND DEVELOPMENT NSW



#### URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

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You must read the important disclaimer appearing within the body of this report.

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## **EXECUTIVE SUMMARY**

#### Overview

This Planning Proposal has been prepared on behalf of Property and Development NSW (**PDNSW**, the Applicant), a division within NSW Department of Planning, Industry and Environment (**DPIE**) to amend *Cumberland Local Environmental Plan 2021* (**CLEP2021**) for 80 Betty Cuthbert Drive, Lidcombe (**the site**).

One of PDNSW's functions is to repurpose underutilised State government land. Multiple Sclerosis Limited (**MSL**) currently occupy the site and in 2017, PDNSW commissioned a feasibility study into the options for future uses on the site. The feasibility outcome led to a concept plan being developed which included a new health care facility for MSL, a future educational establishment and residential land. The plan was supported by MSL and the NSW Department of Education (**DoE**).

The current zoning only permits hospital uses, which facilitates MSL's uses on the site. The zoning does not permit a wider range of land uses.

Over the past 24 months, PDNSW has invested significantly in a series of detailed technical investigations, feasibility studies and stakeholder engagement to evolve the concept plan and inform a master plan for the site.

Founded on comprehensive research and analysis, this Planning Proposal demonstrates that there is a genuine need to review the zoning. The proposed mix of land uses will create a viable community within a predominantly residential area. The rezoning will deliver important health, community and social infrastructure as well as improving the diversity of housing choice within the Cumberland LGA. The detailed technical investigations have concluded that the site can support the proposed land uses.

The Planning Proposal has been developed in consultation with MSL and DoE and takes into account extensive consultation and input from Transport for NSW (TfNSW).

The Planning Proposal has been prepared having regard to the NSW Department of Planning and Environment's 'A Guide to Preparing Planning Proposals' and 'A Guide to Preparing Local Environmental Plans', as revised in December 2018.

#### **Intended Development Outcome**

The ultimate objective for the site is to deliver: a site to MSL for a new facility to replace the existing; allocate land suitable for a future educational establishment; and deliver a range of housing through a residential subdivision.

The current zoning only allows for the use of the site as a health facility for MSL. The existing MSL facility no longer meets the requirements of MSL and the majority of the site is undeveloped and underutilised.

Specifically, this Planning Proposal seeks to amend the following provisions of the CLEP 2021:

- Amend the CLEP2021 Land Zoning Map applicable to the site from SP2 Infrastructure (Hospital) to the following zones:
  - SP2 Infrastructure (Education).
  - SP2 Infrastructure (Health);
  - SP2 Infrastructure (Drainage); and
  - R3 Medium Density Residential.
- Amend the CLEP2021 Height of Buildings Map applicable to the proposed residential land to 9 metres.
- Amend the CLEP2021 Floor Space Ratio Map applicable to the proposed residential land to 0.75:1.
- Amend the CLEP 2021 Minimum Lot Size applicable to the site to reflect controls for the former Lidcombe Hospital site

#### **Indicative Master Plan**

An indicative master plan has been prepared by Urbis to provide a framework for the proposed land uses including health, education, residential as well as stormwater, connectivity to open space and pedestrian and vehicular movement.

To accommodate the future educational and residential land uses, an amendment to the Cumberland LEP 2021 is required. The Planning Proposal will facilitate:

- New MSL Health Facility: MSL currently occupies the site with most of the land unused. The site and facilities no longer meet the requirements of MSL as they are in a dilapidated state and no longer fit for purpose. This master plan includes a land allocation to MSL, to construct a new facility that will provide care, support and treatment for people living with multiple sclerosis (MS) and other neurological conditions.
- A New Educational Establishment: The proposal includes land allocation to DoE to deliver a future educational establishment within a sustainable, and community-oriented environment. Cumberland LGA is expecting 75,000 additional people by 2036 and this growth increases demand on existing services and infrastructure such as education facilities.
- **Residential:** Medium density housing is proposed on the remainder of the land not dedicated to MSL and DoE. Residential is compatible with the adjoining residential area and will maintain the character of the locality. There is currently a shortage of land within the Lidcombe area available for medium density housing. Existing housing in the area is dominated by detached dwellings or apartment development in town centres. Medium density zoning will allow a diverse range of housing options with the intention to improve the diversity of housing options in the Lidcombe area.

#### **Stakeholder Engagement and Community Consultation**

The proposal has been developed following extensive stakeholder engagement. Stakeholder engagement has taken place to understand the opportunities and constraints of the site, which helped to articulate the strategic vision and master plan for the site. The key stakeholders for this project are:

- NSW Department of Education (DoE) and Schools Infrastructure NSW (SINSW).
- Multiple Sclerosis Limited (MSL).
- Cumberland City Council (Council).
- Department of Planning, Industry and Environment (DPIE).
- Transport for NSW (TfNSW).

Prior to lodging the Planning Proposal, a local catchment of neighbours was consulted via a letter drop program followed by a series of online webinars. Overall, the feedback was neutral to positive. Residents provided feedback about the importance of future residential development reflecting the local character of the area. Several queries were also received about permissible uses and potential traffic impacts relating to the proposal.

As discussed with Council, no further consultation was required by the Proponent prior to lodgement. Council will undertake additional consultation during the assessment of the Planning Proposal.

#### **Key Environmental and Planning Considerations**

The indicative master plan has been carefully and comprehensively designed having assessed and considered the key environmental constraints of the site, including:

- Contamination based on the known uses of the site, the potential for acid sulfate soils or contamination of the site is low. Further investigations are underway to determine any risk areas prior to physical works being undertaken on site.
- **Stormwater Management** detention basins are proposed on site to reduce the rate of stormwater runoff discharged to the public drainage network as part of this Planning Proposal. Both proposed basins will be zoned for drainage and are located within the landscaped area along Joseph Street which allows water to pool during storm events and slowly discharge to the pit and pipe network.

- **Traffic** to ensure the capacity of the surrounding road network can accommodate the proposed increase in traffic generation, it is proposed to introduce an internal street network, including a new signalised connection to Joseph Street.
- **Noise** the site is in a predominantly residential area. Noise generating uses are proposed along the Joseph Street boundary to reduce impacts on residential properties. A vegetated buffer along Joseph Street is proposed to assist with any potential acoustic impacts. The proposed buildings in these locations will be designed to minimise noise impacts on residential properties.
- **Biodiversity** no threatened species have been identified on the site. The indicative master plan retains the landscape character of the site with unbroken planting at ground and flight level to continue the link of green spaces to the east and west of the site.

#### **Key Community and Economic Benefits**

The Planning Proposal will result in a range of key community and economic benefits for the local community and wider Cumberland LGA, including:

- Access to housing: Additional residential land will contribute towards housing targets set by State Government. The Planning Proposal will deliver housing diversity in the Cumberland LGA, which is particularly important given there will be considerable apartment developments in the town centres. The Planning Proposal supports a range of low to medium dwelling housing types to meet the changing needs of the Cumberland LGA population.
- Improved health services: The Planning Proposal provides land to deliver a new MSL facility to replace the existing dated facility. The new facility will provide state of the art facilities and services to support people affected by Multiple Sclerosis and other neurological diseases. MSL is also exploring other land uses to support its core services, including the provision of respite accommodation, community uses and ancillary facilities.
- **Improved access to social infrastructure**: The Planning Proposal sets aside land for a future educational establishment. The future educational establishment will alleviate pressure on existing services to meet the growth in population in the LGA. The future educational establishment will include open space areas and facilities that have the potential to be made available to the community.
- Improved permeability and access to transport: The master plan includes a pedestrian link to Ironbark Walkway, new intersection at Joseph Street and pedestrian connection opportunity to Leila Street to increase permeability between eastern and western communities including Botanica, the residential estate that borders the site to the south and west. The direct pedestrian connection through Ironbark Walkway and Norman May Drive will also improve accessibility to more bus services and regional cycleway network at East Street.
- Increased employment opportunities: The MSL facility will continue to be an employer to approximately 40 staff and on completion of the new facility, this will increase to 60 staff. The future educational establishment will also be an employer of educators, administration and maintenance staff. The construction of the MSL facility, future educational establishment and future residential lots will create construction jobs and ongoing maintenance jobs.
- Change in character of the site: The proposal will intensify the use of the site but will be compatible with the prevailing residential character. The R3 zoned land will transition to the education use on Joseph Street. The Proposal aims to preserve as many trees as possible to maintain the landscape character of the site. New planting along with a vegetated tree buffer along Joseph Street will assist in maintaining the landscape character.
- **Change in Amenity**: The Planning Proposal will generate additional impacts in terms of traffic and parking. Traffic generated from the development will result in a minor increase in demand on the local road network. However, the introduction of the one access point off Joseph Street, proposed improvements to active transit options and future infrastructure upgrades will ensure the local road network can accommodate this growth, with no significant adverse impacts.
- Increased pressure on local infrastructure: The Planning Proposal will result in additional residents, students, staff and visitors accessing the site. This Planning Proposal demonstrates that the infrastructure servicing needs of the incoming population can be met. The required infrastructure will be constructed on a staged basis as each facility/use is developed. Education needs will be met on site. Demand on other services, such as additional education and broader medical and retail services are

likely to increase, but the population increase is not significant such that there would be an impact on surrounding retail, medical, education and other essential amenities in Lidcombe.

- **More jobs**: Upgrades to the MSL Facility and the future educational establishment will provide 130 staff on site, reflecting a net uplift of 90 additional jobs, taking into account employees at the existing MSL Facility.
- Greater employment opportunities for skilled and knowledge workers: The rezoning includes health and education uses, which are consistent with the future employment needs and will provide more jobs closer to home for Cumberland residents.
- Unlocking underutilised land and investment stimulus: The Planning Proposal is a significant capital investment, which will result in a variety of flow-on benefits to the local economy. The redevelopment of the underutilised State Government land unlocks the land value and provides high quality, fit-for-purpose social infrastructure which will contribute to the growth of surrounding communities.

#### **Conclusion and Recommendation**

Following our analysis of the site and its surrounding context, and the applicable State, Regional and Local planning policies, there is clear planning merit to support the Planning Proposal. We recommend that this Planning Proposal be favourably considered by Council and that Council resolve to forward it to the DPIE for a Local Environmental Plan Gateway determination in accordance with the *Environmental Planning and Assessment Act 1979* (**EP&A Act**).

## **1. INTRODUCTION**

### 1.1. PURPOSE OF PLANNING PROPOSAL

This report has been prepared on behalf of Property and Development NSW (**PDNSW**, **the Applicant**), a division within NSW Department of Planning, Industry and Environment (**DPIE**) and seeks to initiate the preparation of a Local Environmental Plan amendment for the land known as 80 Betty Cuthbert Drive, Lidcombe (**the site**).

The Planning Proposal seeks the following amendments to *Cumberland Local Environmental Plan 2021* (**CLEP 2021**):

- Amend the CLEP 2021 Land Zoning Map applicable to the site from SP2 Infrastructure (Hospital) to the following zones:
  - SP2 Infrastructure (Education);
  - SP2 Infrastructure (Health);
  - SP2 Infrastructure (Drainage); and
  - o R3 Medium Density Residential.
- Amend the CLEP 2021 Height of Buildings Map applicable to the proposed residential land to 9 metres
- Amend the CLEP 2021 Floor Space Ratio Map applicable to the proposed residential land to 0.75:1
- Amend the CLEP 2021 Minimum Lot Size applicable to the site to reflect controls for the former Lidcombe Hospital site

These amendments will facilitate redevelopment of the site with the intention to deliver:

- A new MSL facility, replacing the existing outdated facility on site.
- Land for a future educational establishment to be developed by NSW Department of Education (DoE); and
- A residential subdivision that is compatible with the adjoining residential land use and character of the locality.

An Indicative Master Plan has been prepared by Urbis to show proposed lot and road layouts to support the above (refer to **Figure 1**).



Figure 1 - Indicative Master Plan for the proposed subdivision and rezoning of 80 Betty Cuthbert Drive, Lidcombe

Source: Urbis

## **1.2. REPORT STRUCTURE**

The Planning Proposal has been prepared in accordance with s3.33 (formerly s55) of *Environmental Planning and Assessment Act 1979* (**EP&A Act**) and the relevant guidelines prepared by DPIE including *A Guide to Preparing Local Environmental Plans* (December 2018) and *A Guide to Preparing Planning Proposals* (December 2018). It includes:

- Chapters 2 3 outlines the context of the site and the Planning Proposal, including:
  - Project context.
  - Description of the site and its context.
- Chapters 4 5 outlines the planning framework, including:
  - Existing planning controls.
  - Strategic planning framework.
- Chapters 6 13 of this report constitutes the Planning Proposal, and includes:
  - o Statement of the objectives and intended outcomes of the Planning Proposal.
  - Justification for the Planning Proposal.
  - Explanation of the provision of the Planning Proposal
  - Mapping to accompany the Planning Proposal.
  - Description of the expected community consultation process.
  - An approximate project timeline.

The Planning Proposal is accompanied by the following technical documentation:

- Urban Design Report prepared by Urbis (Appendix A)
- Concept Civil Engineering Drawings (Appendix B)
- Preliminary Contamination and Acid Sulfate Soils Investigation Report prepared by Mott MacDonald (Appendix C)
- Preliminary Environmental Assessment Report prepared by Mott MacDonald (Appendix D)
- Water Cycle Management Report prepared by Mott MacDonald (**Appendix E**)
- Traffic and Engineering Report prepared by Mott MacDonald (**Appendix F**)
- Engagement and Communication Outcomes Report by Urbis (Appendix G)
- Habitat Tree Assessment and Targeted Flora Survey prepared by Eco Logical (Appendix H)
- Preliminary Tree Assessment prepared by Eco Logical (Appendix I)
- Utilities and Services Report prepared by Mott MacDonald (Appendix J)
- Pedestrian Bridge Concept Plan prepared by Mott MacDonald (Appendix K)
- Site Survey prepared by Rygate Surveyors (Appendix L)
- Letter from Department of Education (Appendix M)

•

## 2. PROJECT CONTEXT

#### 2.1.1. Background to the Project

The site is currently occupied by MSL and consists of infrastructure and services that are approximately 30 years old and no longer meet MSL's ongoing operating requirements. The existing MSL facility covers approximately 12% of the site with the remainder of the site underutilised.

The State Government has been working with MSL on their future needs and plans. The State Government has approved a \$16 million contribution to assist MSL to develop and deliver a new neurological health care facility on a portion of the site.

DoE have also identified part of the site to provide a future educational establishment. To assist with the assessment of this Planning Proposal, the future educational establishment has been designed with consideration of a maximum capacity of 1,000 primary students.

Following an extensive review of the current facilities and feasibility study, the indicative master plan was developed through extensive consultation with MSL and DoE as well as consideration of the detailed technical investigations completed for the site. The proposed land allocation and uses have been approved by MSL, DoE and PDNSW.

The Planning Proposal has evolved from the master plan and details the required rezoning to achieve the proposed mix of land uses.

#### 2.1.2. Staging

Following lodgement of the Planning Proposal, a large lot subdivision and an enabling 'early works' Development Application will be lodged to facilitate permitted works associated with the proposal including site preparation works, construction of internal roads, footpaths and street lighting.

### 2.2. CONSULTATION

Prior to the lodgement of this Planning Proposal, consultation has occurred with key stakeholders, Cumberland Council and relevant State Government agencies, as outlined below:

#### 2.2.1. Department of Education and Multiple Sclerosis Limited

PDNSW, the Department of Education (DoE) and Multiple Sclerosis Limited (MSL) have worked collaboratively to develop the Planning Proposal to ensure the masterplan suits the requirements of the future landowners and ensure the proposed facilities can be delivered. A project control group, chaired by PDNSW with MSL and DOE as members has been formed and meets regularly to review and discuss progress of the rezoning, subdivision, delivery of the facilities and overall program.

MSL is committed to continuing to offer health related services from the Site and a development application for MSL's proposed health facilities has been submitted and is currently under assessment by Council. Once the application is approved, MSL will commence construction of the new health facility on the Site, the health facilities are permissible under the current planning policies applicable to the Site and can be assessed and approved in parallel to this Planning Proposal.

DoE are still in preliminary stages of planning for the proposed educational facility. This has included early analysis of student enrolment projections together with site specific analysis of catchment alignment, traffic and transport needs and other early phase due diligence.

Once the planned re-zoning is complete, the DoE will commence more detailed service need planning to identify the projected timing of dwelling growth and the impact of enrolments in the short and medium term on current schools in the areas. A Business Case will be developed for consideration by NSW Treasury as part of an upcoming budget process. DoE has provided the letter at **Appendix M** detailing their involvement and future plans for the Site.

#### 2.2.2. Consultation with Cumberland Council

Table 1 – Consultation with Cumberland Council Timeline

Meeting Date	With	Purpose	Outcome
6 May 2019	Cumberland Council, Strategic Planning Team	Brief Council on the Planning Proposal and early works DA and seek support for the planning strategy.	Council provided in principle support for the Planning Proposal and planning approval strategy.
28 August 2019	Cumberland Council, Environment and Precincts and Strategic Planning Teams	Discussion on VPA	Council view that there is a strong case for VPA exemption with commitment of the future educational establishment.
16 October 2019	Cumberland Council, Development Assessment Team	Pre-DA Meeting	Council's primary feedback was on timing of the PP and early works DA lodgement. Council preference for DA be lodged when there is a greater degree of certainty for the PP.

#### 2.2.3. Transport for NSW and RMS

Table 2 – Consultation with TfNSW and RMS Timeline

Meeting Date	With	Purpose	Outcome
9 May 2019	RMS and TfNSW	Brief RMS and TfNSW on the proposal and seek assessment guidance.	Briefing information on the proposal was requested and provided.
4 September 2019	RMS and TfNSW	Provide a briefing on the updated proposal including site layout and access arrangements.	TfNSW, RMS sought further advice on the layout and function of the site and how it was arrived at. This was provided via email
17 December 2019	TfNSW	Meeting to discuss pedestrian bridge funding and confirm final layout and how the site would be	TfNSW to provide guidance on pedestrian bridge requirements and funding.
		assessed.	The rezoning traffic impact assessment required to include all future uses.
			Intersection configurations to be provided to TfNSW

12 June 2020	TfNSW	Present site layout to TfNSW	TfNSW to provide feedback
22 June 2020	TfNSW	Discuss TfNSW feedback on site layout and access arrangements	PDNSW to prepare alternate site layout options to as per TfNSW feedback.
22 July 2020	TfNSW, SINSW	Discuss alternate masterplan options	Agreement that northern intersection and opening to Joseph Street will be removed with only one signalised left/right to Joseph Street at southern location.
23 March 2021	TfNSW	Discuss TfNSW proposed pedestrian bridge and TfNSW assessment requirements	PDNSW to address requirements in Planning Proposal documentation and discuss with SINSW

#### 2.2.4. Public Consultation

Consultation with the local community also occurred in May to June 2020. An Engagement and Communication Outcomes Report prepared by Urbis is enclosed in **Appendix M** and documents the engagement and communications process, feedback received and considerations in response to feedback collected.

The engagement process aimed to:

- Provide accurate information about the proposed outcomes of the Planning Proposal;
- Deliver an independent, transparent and accountable consultation process and provide a range of ways for people to engage and give feedback;
- Create pathways for stakeholder interaction and feedback that are open and transparent;
- Document key feedback to inform ongoing design and planning; and
- Collate feedback to inform the rezoning and future development of 80 Betty Cuthbert Drive.

A fact sheet was provided to neighbouring properties and advertised details of a dedicated engagement and phone line and an invitation to attend an online community information session. Overall, feedback about the Planning Proposal was neutral to positive. Residents provided feedback about the importance of future residential development reflecting the local character of the area. Several queries were also received about permissible uses and potential traffic impacts relating to the Planning Proposal.

As discussed with Cumberland Council, no further consultation was required by the Proponent prior to lodgement. Council will undertake additional consultation during the assessment of the Planning Proposal.

## 3. SITE & SURROUNDING CONTEXT

## 3.1. REGIONAL CONTEXT

The site is located south of the Lidcombe town centre within the Central City District (Figure 2). Cumberland's distinctive and valued 'urban' character will play a critical role in delivering housing opportunities and key support services within a 30-minute catchment of Parramatta CBD and Greater Parramatta to Olympic Peninsula (GPOP). The site is highly accessible with Lidcombe Train Station located approximately 1 kilometre north, which is a major interchange for the T1 Western, T2 Leppington, T3 Bankstown and T7 Olympic Park lines and provides express trains to both the Parramatta and Sydney CBD. Berala Train Station is also located approximately 950 metres west of the site and is serviced by the T3 Bankstown line. Joseph Street is a major arterial road which forms a major north-south connector for the locality linking the Cumberland Highway to the north and Princes Highway to the south.

Other employment centres in the area include Olympic Park, Auburn Hospital as well as substantial industrial and employment lands which accommodate a diverse range of jobs and services in surrounding centres including Regents Park and along Parramatta Road. The site is also 10 kilometres west of Merrylands, the primary strategic centre within the Cumberland LGA.

The *Cumberland Local Strategic Planning Statement* (LSPS) defines Lidcombe as a principal local centre comprising of local retail shops and higher density residential apartments. The centre currently provides popular eat streets and a vibrant night-time economy, together with employment opportunities for residents and the LGA. The role of the centre moving forward is to provide services and facilities to meet the needs of the broader local community.

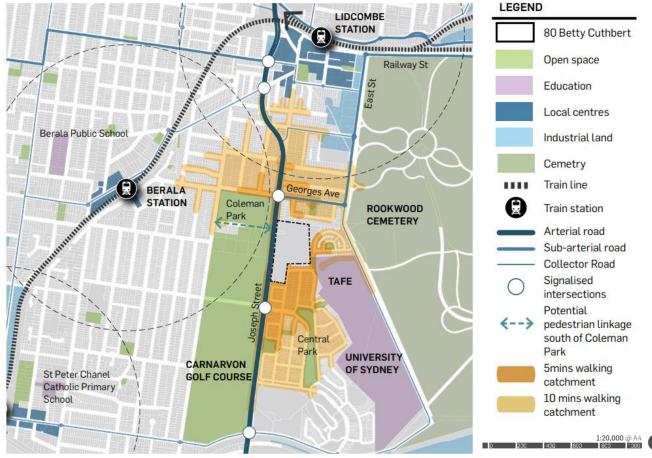


Figure 2 – Regional Context

## 3.2. LOCAL CONTEXT

A mix of low to medium density dwellings surround the site with low density single dwelling houses predominantly to the north and medium density terraces and dual occupancies predominantly to the south and east. The site forms a green link between several large areas of public space including Coleman Park and the Carnarvon Golf Course to the west and the TAFE campus to the east. Smaller pocket parks are located in low density residential areas to the east. Rookwood Cemetery is located approximately 300 metres east of the site. Educational premises used by the University of Sydney and TAFE NSW form an educational precinct to the east of the site. The local context is shown in Figure 3.



Figure 3 – Local Context

## 3.3. SITE DESCRIPTION

The site is located at 80 Betty Cuthbert Drive, Lidcombe, and is legally known as Lots 74 and 75 in Deposited Plan 1141724 and Lot 475 in Deposited Plan 45747 shown in Figure 4. It has primary frontage to Joseph Street, a six-lane road, between Georges Avenue to the north and Botanica Drive to the south.

Figure 4 – Site Aerial



## 3.4. EXISTING DEVELOPMENT

The site is currently occupied by a health services facility used by MSL. The existing 4,300sqm brick building on site provides office space, treatment facilities and respite care facilities to support the operations of MSL. Details are provided below in Table 3. Photographs of the site are provided in Figure 5.

Table 3 – Site Details and Existing Development

Lot	Address	Area	Existing Development
Lot 475 DP 45747 Lot 74 DP 1141724 Lot 75 DP 1141724	80 Betty Cuthbert Drive, Lidcombe	58,818 sqm	<ul> <li>Current use: Health services facility</li> <li>Current buildings and infrastructure on site: <ul> <li>Single level health services facility of 1970s brick construction known as the 'MS Studdy Centre'.</li> <li>Carpark.</li> <li>Internal roads.</li> </ul> </li> <li>Services and utilities <ul> <li>Potable water network.</li> <li>Private sewer main.</li> <li>On site electrical kiosk.</li> <li>NBN telecommunications.</li> <li>Gas pipeline to the north of the site.</li> </ul> </li> </ul>

Figure 5 – Site Photographs



Picture 1 – MS Studdy Centre



Picture 3 – Joseph Street



Picture 5 – Joseph Street bus stop from site



Picture 2 – MS Studdy Centre



Picture 4 – MS Studdy Centre



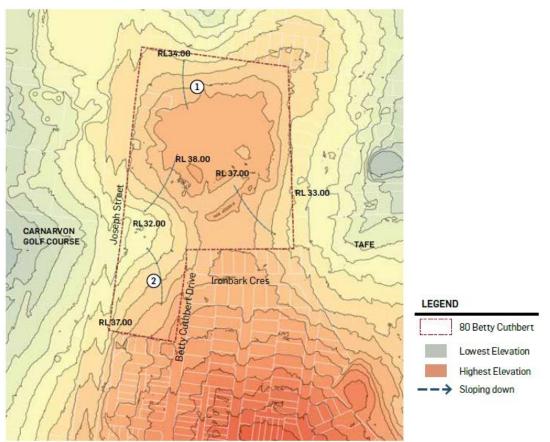
Picture 6 – Internal access

## 3.5. SITE CHARACTERISTICS

#### 3.5.1. Topography

The site has a gentle slope, as shown in Figure 6, with the highest point located along the ridge line at the centre of the site where the existing MSL building situated. The site also slopes towards the southern boundary along Betty Cuthbert Drive.

Figure 6 – Topography plan



Source: Urbis

#### 3.5.2. Flora and Fauna

The site is dominated by grassland with scattered planted trees throughout including native Eucalyptus trees. The trees are generally concentrated around the site boundary and the existing building, leaving open areas of grassland in between. The onsite detention basin is located on the Joseph Street frontage and is a potential habitat for aquatic fauna. The site forms part of a green corridor running east-west allowing species to move between environments. The existing landscape setting of the site is shown in Figure 7.

#### Figure 7 – Biodiversity Map



Source: Urbis

### 3.6. ACCESS AND TRANSPORT

#### 3.6.1. Road Network

Joseph Street is a major arterial road which forms a major north south connector for the locality linking the Cumberland Highway to the north and Princes Highway to the south.

#### 3.6.2. Vehicular Access

Vehicular access is currently available via Ironbark Crescent and Betty Cuthbert Drive. Two roads link the internal road and car park with the external road network, one of which is redundant due to the development of land to the south of the site on Wattle Crescent. Parking is available on site in marked at-grade parking areas surrounding the MS facility.

#### 3.6.3. Pedestrian Access

There are no dedicated walking paths on site. Pedestrian access to the site is available from the Joseph Street bus stop and on the local roads.

#### 3.6.4. Public Transport Access

The site is approximately 1 kilometre south of Lidcombe Train Station, a major interchange for the T1 Western, T2 Leppington, T3 Bankstown and T7 Olympic Park lines. Bus stops are located on Joseph Street on the western site boundary and East Street 700 metres to the east providing access to other local centres including Homebush, Chullora, Bankstown and East Hills. The M92 is also accessible via East Street which provides services between Parramatta and Sutherland.

## 3.7. CIVIL INFRASTRUCTURE AND SERVICES

#### 3.7.1. Water and Sewerage

Sydney Water currently supplies potable water to the existing site uses. The existing MSL building is serviced by a 150mm sewer main which drains to the north-eastern corner of the site and connects to a Sydney Water reticulation main located in East Street to the east of the site.

#### 3.7.2. Electricity

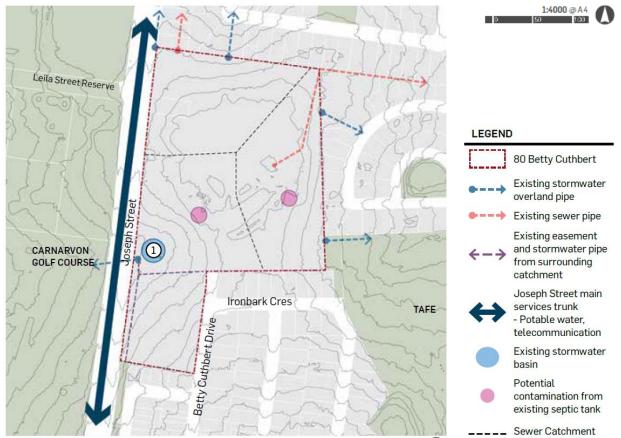
Electricity is supplied to the site from the Potts Hill Zone Substation (ZS), located approximately 1.6km south of the site. The existing site receives power via an on-site kiosk substation which is serviced via an 11kV feeder that traverses Joseph Street from Potts Hill ZS.

#### 3.7.3. Telecommunications

The existing site is currently serviced via the NBN Co. network, with infrastructure located within the road reserve of Joseph Street.

#### 3.7.4. Gas

Gas is supplied to the site and surrounding area by Jemena. The adjacent residential developments are serviced by a series of existing network mains and the nearest trunk gas infrastructure is a 3,500 kPa primary main traversing Georges Avenue, slightly north of the site (Figure 8).





Source: Urbis

#### 3.7.5. Stormwater Management

Due to the topography of the area, the site falls into three main catchments separated by the high point in the centre of the site. The northern catchment consists of two smaller sub-catchments which drain to two low points located on the northern site boundary and drain northwards towards Haslams Creek.

The western catchment drains to a low point located on the western site boundary adjacent Joseph Street. Stormwater drains to an existing detention basin and likely enters the pit and pipe network on Joseph Street.

The eastern catchment consists of two smaller sub-catchments which drain to two low points. The first one nearest to the northern site boundary, drains towards a localised low point at Norman May Park before then being diverted to the creek traversing Rookwood Cemetery. The second low point on the eastern side drains through the TAFE facility towards East Street and the creek traversing Rookwood Cemetery.

Two drainage easements exist within the site, indicated in **Figure 8**. These easements allow stormwater from upstream properties to drain through the site to the low point in Catchment A before being diverted under Joseph Street via the pit and pipe network.

## 4. EXISTING PLANNING CONTROLS

This section provides a summary of the existing local planning controls that apply to the site under the current legislative framework.

## 4.1. CUMBERLAND LOCAL ENVIRONMENTAL PLAN 2021

Cumberland Local Environmental Plan 2021 (CLEP 2021) is the key planning instrument that applies to the subject site.

#### 4.1.1. Land Zoning and Permissibility

The site is currently zoned SP2 Infrastructure (Hospital), see Figure 9.

The objectives of the SP2 zone are:

To provide for infrastructure and related uses.

To prevent development that is not compatible with or that may detract from the provision of infrastructure.

No land uses are permissible without consent. The permissible land uses with consent are as follows:

<u>Hospitals, including any development that is ordinarily incidental or ancillary to development for that</u> <u>purpose</u>; Aquaculture; Building identification signs; Business identification signs; Car parks; Community facilities; Depots; Environmental facilities; Environmental protection works; Freight transport facilities; Funeral homes; Kiosks; Markets; Mortuaries; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); <u>Roads</u>

The prohibited land uses are any other development not specified as permissible.

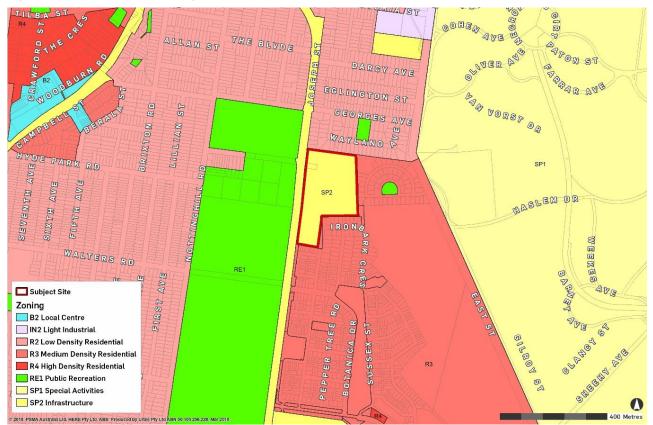


Figure 9 – CLEP 2021 Land Zoning Map

#### 4.1.2. Other LEP Controls

There are no LEP controls relating to the following:

- Maximum building height.
- Maximum floor space ratio.
- Minimum lot size.
- Heritage.
- Environmental constraints (i.e. flood or bushfire).

#### 4.1.3. Cumberland Development Control Plan 2021

*Cumberland Development Control Plan 2021* (**CDCP 2021**) contains specific controls which apply to the subject site. A preliminary review of the relevant controls forms part of this report and is outlined in **Table 4**. A draft site specific DCP has also been prepared by Urbis (**Appendix M**) which provides specific controls for the site to ensure any future built form reflects surrounding residential development including the former Lidcombe Hospital site to the south.

Chapter	Consideration	
Parking and Loading	Concept plans prepared by Urbis and Mott MacDonald have considered key controls including:	
	Roadway design.	
	Vehicular movements.	
	Driveways and internal roadways.	
	Access driveway design.	
	Sight distance and pedestrian safety.	
Stormwater Drainage	Schematic plans have been prepared by Mott McDonald enclosed in <b>Appendix B</b> outlining indicative:	
	Concept street drainage layout.	
	<ul> <li>Indicative connection points for drainage system to existing street drainage network on Joseph Street (to be confirm upon receipt of existing drainage information).</li> </ul>	
	<ul> <li>Locations of combined on site detention and bio retention basins, upstream of connection points.</li> </ul>	

Table 4 – DCP Planning Considerations

## 5. STRATEGIC PLANNING CONTEXT

#### 5.1.1. A Metropolis Of Three Cities – A Greater Sydney Region Plan

A Metropolis of Three Cities – A Greater Sydney Region Plan (**the Region Plan**), finalised by the Greater Sydney Commission (**GSC**) in March 2018, provides a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for the Greater Sydney region. The Region Plan is built on a vision of a 30- minute city, 'where most residents live within 30 minutes of their jobs, education and health facilities, services and great places'.

Under the Region Plan, Lidcombe is located within the Central District in close proximity to the Lidcombe North and Berala town centres. The site is located south of the Greater Parramatta to Olympic Peninsula (GPOP) Corridor and is likely to benefit from a range of committed and planned investments in major infrastructure.

#### 5.1.2. Central City District Plan

The Central City District Plan (**the District Plan**) builds off the directions and objectives set by the Region Plan tailoring them to the district. The District Plan was finalised in conjunction with the Region Plan in March 2018. The GSC envisaged that the District "*will grow substantially, capitalising on its location close to the geographic centre of Greater Sydney. Unprecedented public and private investment is contributing to new transport and other infrastructure leading to major transformation.*"

The GSC has identified a five-year housing target that is based on both the Central City District's dwelling need and the opportunity to deliver supply. The local government area of Cumberland is expected to provide 75,000 more dwellings by 2036. The District Plan also identifies the need to provide cohesive and socially dynamic communities which provide housing as well as new social infrastructure including schools and community services.

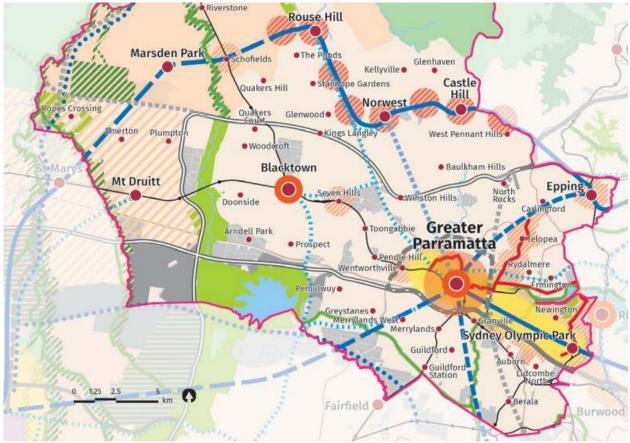


Figure 10 – Central District Plan

Source: GSC

#### 5.1.3. Cumberland 2030: Our Local Strategic Planning Statement

*Cumberland 2030: Our Local Strategic Planning Statement* (LSPS) was released by Cumberland Council in June 2019 to provide strategic direction and a coordinated approach to effectively manage growth and development in the Cumberland area over the next 10 years. The LSPS was endorsed by Council at its meeting on 20 November 2019, and received a formal letter of endorsement from the Greater Sydney Commission in March 2020. It sets a land use vision and establishes priorities and actions for Council to manage growth and change. The statement is also aligned to the GSC's Region and District Plan.

Key priorities of the LSPS included the following:

- Deliver housing diversity to suit changing needs with development focused on housing diversity around centres and transit node/rail stations.
- Deliver affordable housing suitable for the needs of all people at various stages of their lives.
- Design vibrant and attractive centres.
- Provide high quality, fit-for-purpose community and social infrastructure in line with growth and changing requirements.
- Optimise the use of available public land for social infrastructure

## 6. INTENDED DEVELOPMENT OUTCOME

### 6.1. INDICATIVE MASTER PLAN

Urbis has prepared an Indicative Master Plan for the site, illustrated in **Figure 11**, which has informed the planning controls proposed under this LEP amendment. The master plan has been shaped by a comprehensive site analysis and identification of the site opportunities and challenges, ensuring the appropriate and considered use of land. The following sections outline the indicative layout for the site, contained within the Urban Design Report enclosed in **Appendix A** to support this Planning Proposal request.



Figure 11 – Indicative Master Plan

Source: Urbis

## 6.2. DESIGN PRINCIPLES

Urbis has established a set of design principles to inform the preparation of the Indicative Master Plan enclosed in **Appendix A**. These design principles aim to support the overall objectives of the Planning Proposal and are provided below.

#### 1. Consolidated vehicular and pedestrian access at Joseph Street

Reduction of access points from Joseph Street has been considered to ensure safety for vehicles and pedestrians. The proposed street network has been designed with particular focus on peak school drop off/pick up times ensuring enough frontage to the future educational establishment for parking requests to address safety and alleviate traffic congestion.

#### 2. A legible residential transition zone and interface

The site is surrounded by residential land uses to the north, east and south. Residential uses on the periphery allow for transition between residential uses and publicly accessible buildings on site. Overall, the indicative design aims to extend the streetscape character of Betty Cuthbert Drive into the site.

#### 3. Improve connections to the surrounding community

The site currently provides a green link between open spaces in the locality, the proposed concept plan has provided new pedestrian and cycleway connections to retain existing movement paths for visitors and residents. The proposed pedestrian connection to Ironbark Walkway and new signalised intersection at Joseph Street improves the pedestrian catchment from 80 Betty Cuthbert to the surrounding neighbourhood and key destinations including East Street and residential communities west of Carnarvon Golf Course with assumptions the road reserve south of Coleman Park is accessible.

#### 4. Extend the landscape edge along Joseph Street

The landscape character has been established based on the new residential communities to the south of the site. A minimum 10 metre buffer is proposed along Joseph Street as continuation of the green buffer to the south. The proposed location of the future educational establishment and upgraded health facility is in response to the exiting vegetation on site and aims reduce the amount of tree removal required as part of the development.

#### 5. A coherent street hierarchy and landscape treatment

Joseph Street is a major six lane arterial road within the Cumberland LGA. The landscape and public domain strategy aims to maintain the landscape character of the site by retaining medium to high value trees where possible and creating an improved pedestrian catchment.

## 6.3. LAND USES & DISTRIBUTION

The primary objective of this proposal is to deliver new and upgraded infrastructure on an underutilised site. The repurposing of the site provides the opportunity for a new health related facility, a site for a future educational establishment and delivery of new housing, in an integrated, community focused redevelopment. Two preliminary scenarios have been prepared to estimate the total residential lots that could be potentially delivered following approval of the Planning Proposal:

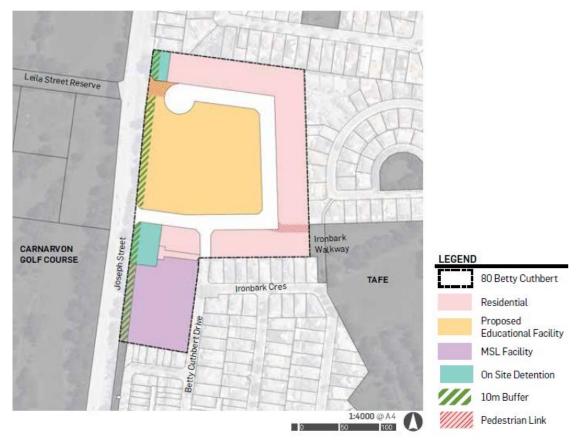
- Scenario 1 (average lot size of 200 sqm) 85 lots
- Scenario 2 (average lot size of 320 sqm) 53 lots

The new housing will need to be complementary in scale to the existing residential and urban area. Based on the character of the surrounding area, Scenario 2 is the preferred option for the site. A breakdown of the proposed land uses is located in **Table 5** and shown in **Figure 12**.

Table 5 – Proposed Land Uses

Land Use	Area (sqm)	Percentage
Educational Establishment	18,518	32%
MSL Health Facility	9,516	16%
Residential	17,777	30%
Road Reserve	10,731	18%
Stormwater Basins	2,272	4%

#### Figure 12 – Indicative Land Uses



## 6.4. STREET & ACTIVE TRANSPORT NETWORK

The Indicative Master Plan provides two road access points being:

- A signalised intersection at the midpoint of the site fronting Joseph Street;
- An extension of Betty Cuthbert Drive to the south.

While the use of the future educational establishment has not been confirmed, consultation with Transport for NSW has confirmed that if the future educational establishment is to be designated as a primary school in the development stage, an overpass pedestrian bridge located at the north western end of the site proposed signalised intersection and fencing along over Joseph Street to Leila Street reserve on the other side may be required for pedestrian safety. Further details on the bridge design are enclosed in the Urban Design Report enclosed in **Appendix A**.

The primary street will wrap north around the future educational establishment which provides an extended street frontage along all sides of the school to allow better vehicular circulation within the site rather than stopping traffic on Joseph Street. A cul-de-sac terminates this street as advised by TfNSW to avoid disruption of traffic flow along Joseph Street and deceleration potential lane north of the site. The Access and Movement Network is shown in **Figure 13**.

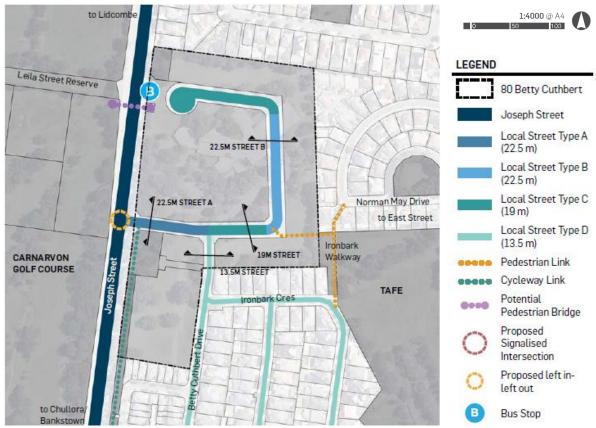


Figure 13 – Access and Movement Network

Source: Urbis

The proposed local streets typologies are based upon the standard 13m local street reserve identified in the Former Lidcombe Hospital DCP. Streets have been designed to accommodate both vehicular and bus circulation within the site. The proposed streetscape applies a 1.5m minimum footpath width to provide improved pedestrian access throughout the site.

A dedicated 10 metre reserve pedestrian link is proposed from the internal street towards Ironbark Walkway to improve the connectivity to surrounding services including the regional cycleway network and more frequent bus services at East Street. The existing cycleway to the south of the site is proposed to be extended along Joseph Street utilising the proposed buffer connecting the wider street network.

## 6.5. SERVICES & UTILITIES

A Utilities and Services Report was prepared by Mott MacDonald and is enclosed in **Appendix J**. The report identifies upgrades or modifications to the existing utilities infrastructure that will be required for the redevelopment of the site.

#### Water

Sydney Water currently supply potable water to the site. The existing potable water network will need to be upgraded to meet the demand of the proposed uses on site. Potential scenarios have been prepared by Mott McDonald to determine the servicing requirements for the site. The future demand analysis demonstrates the outcomes of expected water supply for residential, health and educational uses.

These outcomes demonstrate that the anticipated increase in water supply would result in either an upgrade to the existing 100mm pipe or installation of a second 200mm pipe to service the Site. This is considered feasible but will require further input from Sydney Water during the development phase.

#### **Sewer Main**

The Site falls into three main catchments, to the north, east and southwest of the site. The northern and eastern catchments to the East Street Branch submain station and the existing MSL building is serviced by a 150mm pipe which connects to a Sydney Water reticulation main. However, the south-western catchment drain does not connect to the Sydney Water Network and therefore presents an opportunity for enhanced connection. This existing infrastructure currently servicing the Site will not have sufficient capacity to service the proposed growth. Taking this into consideration, two strategies have been explored within the Utilities and Services Report prepared by Mott McDonald to service the Site:

• Option 1 – Eastern connection of future educational establishment site:

The northern residential dwellings are proposed to be serviced via the existing connection to the north of the Site and the remaining land use is serviced via the connection in Ironbark Park, to the east (including the proposed educational establishment).

#### • Option 2 – Northern connection of future educational establishment site:

This option proposes that the northern wastewater connection will service the northern residential dwellings and the future educational establishment. The eastern connection in Ironbark Park is proposed to service the remaining residential dwellings and the MSL facilities.

Based on the existing catchments for the northern connection, there should be sufficient capacity to service either Option 1 or 2, however Mott MacDonald have outlined potential capacity issues for the eastern connection. Ultimately, both options will be explored with Sydney Water during the development phase and all proposed sewer loads will be subject to detailed design and confirmation from Sydney Water.

#### Electricity

The Utilities and Services Report prepared by Mott McDonald has reviewed the potential electrical demand expected from the proposed land uses. The site is located in the Ausgrid electricity supply zone and electricity is supplied to the site from Potts Hill Zone Substation.

The report states that the proposed development is expected to generate an electrical demand of 0.7MVA, equating to approximately 7% of the available capacity at Potts Hill Substation. It is therefore likely that the Potts Hill ZS will have sufficient spare capacity to service the Site. Ausgrid will be consulted during the development stage to confirm capacity.

Mott MacDonald have considered the potential scenario of insufficient capacity. Should there be insufficient capacity at the Potts Hill ZS, alternative supply could originate from Sefton ZS. However this option would mean feeders would need to cross multiple train lines to connect to the site and therefore it is not preferred.

#### **NBN** telecommunications

The existing site is currently serviced by NBN Co. network with infrastructure located along Joseph Street. It is expected that the NBN Co. will be able to service all future development on the Site. This will be achieved by extending the existing network to the proposed development. NBN Co. will utilise existing ducts within the shared trench of existing roads to install new telecommunications infrastructure. NBN Co. will be consulted during the development phase.

#### Gas

Gas is supplied to the site and surrounding area by Jemena. As there is existing gas infrastructure in the vicinity of the site, it is likely that Jemena will be able to facilitate the upgrade of infrastructure required to support the increased demand generated by the development. Jemena will be consulted during the development phase.

## 7. PLANNING PROPOSAL JUSTIFICATION

The Planning Proposal has been prepared in accordance with s3.33 (formerly s55) of the EP&A Act and the relevant guidelines prepared by the NSW Department of Planning, Industry and Environment including *A Guide to Preparing Local Environmental Plans* (December 2018) and *A Guide to Preparing Planning Proposals* (December 2018). It includes the following:

- Part 1 A statement of the objectives and intended outcomes.
- Part 2 An explanation of the provisions that are to be included in the proposed LEP.
- Part 3 The justification for the Planning Proposal and the process for the implementation.
- Part 4 Mapping.
- Part 5 Details of community consultation that is to be undertaken for the Planning Proposal.
- Part 6 Project timeline.

## 8. PART 1 – OBJECTIVES AND INTENDED OUTCOMES

### 8.1. OBJECTIVES

The primary objective of this Planning Proposal is to rezone the land to part SP2 Infrastructure (Health, Education and Drainage) and part R3 Medium Density Residential, providing an opportunity for a new health related facility, a site for a future educational establishment and delivery of new housing, in an integrated, community focused redevelopment. In addition, linked to the zoning change, the proposal seeks to update building height and FSR controls for the site to align with the master plan.

The Planning Proposal will:

- Deliver community benefits with additional health and educational facilities within an existing urban area on an underutilised site.
- Provide the necessary infrastructure improvements and augmentation required for the site development to reduce pressure on Government and MSL resources.
- Introduce residential accommodation in a highly accessible and existing residential area.
- Implement a suite of appropriate built form controls for the proposed residential land.
- Create direct and indirect employment during the construction and operational stages.

### 8.2. INTENDED OUTCOMES

The intent of this Planning Proposal is to upgrade the current MSL facility on site. Since this is a large parcel of land there are opportunities to include additional land uses on the site including allocation of land for a future educational establishment. Residential uses are proposed on the periphery of the site to retain the residential character of the area and to provide a mix of housing in Lidcombe. In summary, the intended outcome of the change to statutory controls is to:

- Deliver a new MSL facility on a new part of the site, replacing the existing aging one.
- Deliver land for future educational establishment with up to a maximum capacity of 1,000 students to be developed by the NSW Department of Education (DoE).
- Deliver a future residential subdivision that ties into the prevailing residential land use and character of the locality.

# 9. PART 2 – EXPLANATION OF PROVISIONS

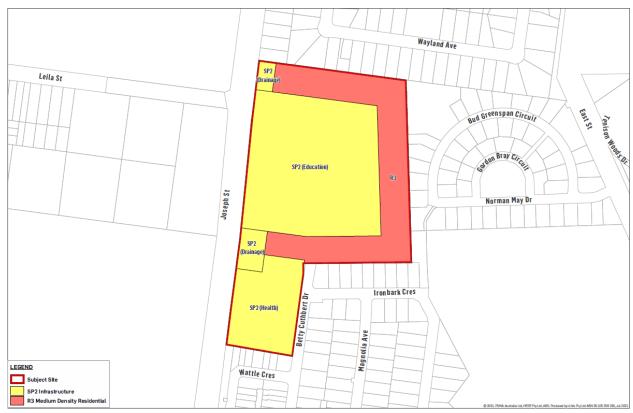
This Planning Proposal seeks a series of changes to the CLEP2021 as they relate to the site.

### 9.1. ZONING

The site is currently zoned SP2 Infrastructure (Hospital) in the CLEP2021. This Planning Proposal seeks to amend the land zoning of the site to facilitate the following zones:

- SP2 Infrastructure (Education) across 1.85 hectares of the site;
- SP2 Infrastructure (Health) across 0.95 hectares of the site;
- SP2 Infrastructure (Drainage) across 0.23 hectares of the site; and
- R3 Medium Density Residential across 1.78 hectares of the site.

This zoning allows the intended uses to be arranged on the site in the manner proposed under the master plan.



#### Figure 14 – Proposed Land Zoning Map

Source: Urbis

### 9.2. HEIGHT OF BUILDINGS

There is no existing height control for the site in CLEP 2021. This proposal seeks to include a maximum building height of 9 metres for the proposed R3 (Medium Density Residential) land proposed (Figure 15). The proposed height of building control will ensure that the proposed residential uses on site will be complementary to the density and height of surrounding residential uses.

No building height control is proposed for the health or future educational establishment. They will be subject to separate development approvals and will address building height during design development and approval stages. These facilities will be designed having regard to the existing and future context, and to achieve their own objectives. The scale of the proposed future educational establishment, for example, will reflect accommodation floor space requirements to meet student demand and associated play space requirements.



Figure 15 – Proposed Height of Building Map

Source: Urbis

### 9.3. FLOOR SPACE RATIO

There is no existing floor space ratio (FSR) control for the site in CLEP 2021. This proposal seeks to include a maximum floor space ratio of 0.75:1 for the proposed R3 land (Figure 16). The proposed FSR control will ensure that the future residential will be a comparable density to surrounding residential uses.

As with height, no FSR control is proposed for the health or future educational establishment. These facilities will be designed having regard to the existing and future context, and to achieve their own objectives. The density of the future educational establishment will reflect accommodation floor space requirements to meet student demand.





Source: Urbis

### 9.4. MINIMUM LOT SIZE

There is no existing minimum lot size control for the site in CLEP 2021. This proposal seeks to amend the current Lot Size Map and Clause 4.1(3C) of CLEP2021 to provide specific minimum lot size requirements for the former MSL site. The proposed minimum lot size control will ensure that the future residential development will be a comparable density to the Former Lidcombe Hospital site to the south which also has specific minimum lot size requirements. The proposed clause is presented below with additional text in red:

#### 4.1 Minimum subdivision lot size

•••

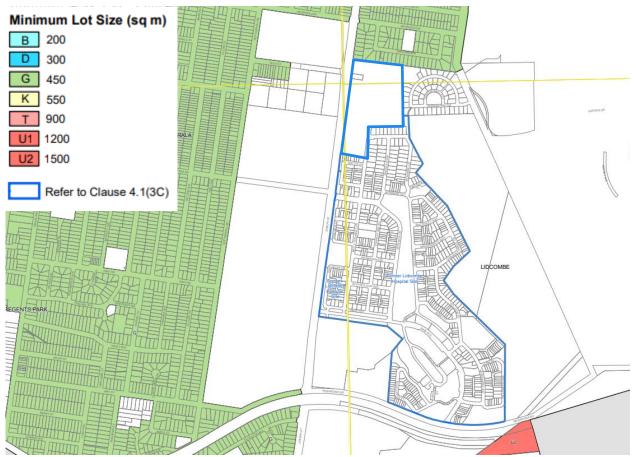
(3C) The minimum lot size for development on land shown edged blue and identified as "Former Lidcombe Hospital Site" and Lot 74 DP 1141724, Lot 75 DP 1141724 and Lot 475 DP45747 on the Lot Size Map is as follows in relation to development for the purposes of—

- (a) dwelling houses—
  - (i) 350 square metres, or

(ii) if a garage will be accessed from the rear of the property-290 square metres, or

- (iii) if the dwelling house will be on a zero lot line—270 square metres,
- (b) semi-detached dwellings-270 square metres,
- (c) multi dwelling housing—170 square metres for each dwelling,
- (d) attached dwellings—170 square metres

Figure 17 – Proposed Minimum Lot Size Map



Source: Urbis

# 10. PART 3 – JUSTIFICATION

### 10.1. SECTION A – NEED FOR THE PLANNING PROPOSAL

### Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

No. There is no local strategic planning statement or strategic study specifically relating to the site. However, the District Plan and Draft Cumberland Local Strategic Planning Statement encourages new housing and employment to meet growth targets. It also identifies the need for social infrastructure to meet the needs of the growing population.

The District Plan stipulates an increase of 9,350 new dwellings by 2021 for the Cumberland area and 75,000 additional people by 2036. The proposed rezoning and large lot subdivision of the site will contribute to housing targets and reduces the growing demand on existing services and social infrastructure such as schools. The Planning Proposal will assist in achieving District Plan objectives and housing and job targets and will provide important health and education infrastructure.

The Planning Proposal is the result of a comprehensive environmental, feasibility and urban design analysis undertaken by Government.

### Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The Planning Proposal is the only means of achieving the objectives and intended outcomes.

The current land use zoning reflects the health facility on the site. The permissible use of the land is limited only to hospitals and ancillary uses. As MSL is rationalising their asset, there is underutilised land owned by Government that can provide community benefits and social infrastructure.

There is a strong case for change and a genuine need to review the zoning of the site to allow for a commercially viable and sustainable alternate mix of land uses, in support of Government's strategy. To realise the potential of the site for future uses, the site must be rezoned. This is best achieved through a site-specific Planning Proposal.

Given its size, location and overall development potential, the site can transform into a diverse range of uses that will complement the surrounding context by providing health, education and residential uses. Without an amendment to the LEP the proposed Indicative Layout Plan cannot be achieved, and the associated public benefits would be lost.

This proposal has been discussed with Cumberland Council and forms one stage of an overall plan for the site. Further details are outlined in **Section 6**. Alternative zoning options included R3 across the whole of the site. In consultation with Council, this approach was revised to ensure certainty that the site would be developed in part for residential but primarily for health and education.

### **10.2. SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK**

### Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The Planning Proposal is consistent with the provisions and key goals of a variety of strategic planning documents and has site specific merit as outlined below.

As described in **Section 3.2** and summarised in **Table 5**, the Planning Proposal is consistent with the objectives and actions of the Region Plan and District Plan.

#### Table 6 – Relationship to Strategic Planning Framework

Strategic Plan	Consistency
A Metropolis of Three Cities: Greater Sydney Region Plan (2018)	The Planning Proposal is consistent with A Metropolis of Three Cities: Greater Sydney Region Plan and reflects the following directions:
	A City Supported by Infrastructure
	The Planning Proposal rezones the land to provide additional infrastructure for the use of the local community. The future educational establishment has been endorsed by DoE. (Objective 3: Infrastructure adapts to meet future needs)
	The proposal achieves better utilisation of an existing asset and increases infrastructure capacity within the Cumberland LGA. Providing a future educational establishment on an existing government site eliminates the need for government spending on additional land in the area. (Objective 4: Infrastructure use is optimised)
	A City for People
	Health and education are essential infrastructure needed for the expected growth of Sydney. This Planning Proposal uses publicly owned land to co-locate social infrastructure with residential uses in an existing urban area. (Objective 6: Services and infrastructure meet communities' changing needs)
	The indicative master plan prioritises opportunities for people to walk, cycle and use public transport with increased dedicated pedestrian links and cycle ways to increase permeability and connect with surrounding services and the regional cycleway. (Objective 7: Communities are healthy, resilient and socially connected)
	Housing the City
	The site is an ideal location for additional housing due to the proximity to existing residential neighbourhoods, local services, public transport and employment opportunities, outlined in <b>Section 3.1</b> . (Objective 10: Greater housing supply)
	The indicative master plan proposes medium density housing which will provide diversity to the current housing offer within Lidcombe which is predominantly high density residential and single dwelling houses. (Objective 11: Housing is more diverse and affordable)
	A City in its Landscape
	The Planning Proposal retains a large portion of the existing trees on site and proposes street trees along the local road network to provide a vegetated urban character. (Objective 30: Urban tree canopy cover is increased)
Central City District Plan (2018)	The Planning Proposal is consistent with Central City District Plan and reflects the following planning priorities:

Strategic Plan	Consistency
	A City Supported by Infrastructure
	The Planning Proposal optimises the use of government-owned land to provide urban renewal and social infrastructure. (Priority C1: Planning for a City supported by Infrastructure)
	A City for People
	The Planning Proposal will provide an upgrade to existing health facilities which no longer meet the requirements of MSL. The indicative master plan rationalises the site and provides additional social infrastructure on currently underutilised land to support the growth of the Cumberland LGA. The proposed facilities are accessible via walking, cycling, public transport and car to ensure the facilities are available to people of all ages and abilities (Priority C3: Providing services and social infrastructure to meet people's changing needs)
	Housing the City
	Lidcombe has been identified by Cumberland Council as a principal local centre. The Planning Proposal will assist in accommodating the forecasted 207,500 additional residents predicted in the Central City District for the next 20 years. As the site is located adjacent to the town centre, the site provides an opportunity to provide a transition between low density suburban areas and higher density residential in the town centre. (Priority C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport)
	A City in its Landscape
	The indicative master plan maintains the landscape character of the site by retaining high and medium value trees to allow for future movement of species along the green corridor. Trees are also proposed to be retained where possible along the site periphery within the rear side of the proposed residential and the proposed buffer zone to Joseph Street for potential habitats for local species. (Objective C16: Increasing urban tree canopy cover and delivering Green Grid connections).

#### 10.2.1. Site Specific Merit Assessment

An assessment of the Planning Proposal against the site-specific merit criteria is provided in Table 7.

Table 7 – Site Specific Merit Assessment

Criteria	Assessment
Does the Planning Proposal have site-specific merit with regard to:	
The natural environment (including known significant environmental values, resources or hazards).	The subject site does not contain any environmental features which would preclude it from being redeveloped in accordance with the Indicative Master Plan. The indicative master plan maintains the landscape character of the site by retaining high and medium value trees to allow for future movement of local species between green spaces to the west and east of the site. Trees are also proposed to be retained where possible along the site periphery within the rear side of the proposed residential and the proposed buffer zone to Joseph Street to create additional potential habitats including amphibians within the detention basins.
The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal.	The MSL Facility is an existing use on site. The indicative master plan rationalises the land uses on site to provide an upgraded MSL facility and additional social infrastructure in the form of a future educational establishment on currently vacant land on the site.
	A future residential subdivision is also proposed on the surplus land that is compatible with the adjoining residential land use and character of the locality.
	The residential zoned land will provide housing choice in the Cumberland LGA, contributing to State Government set housing targets. The R3 zoning will allow dwelling housing and multi dwelling housing types, which are compatible with the prevailing residential character surrounding the site.
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.	The Planning Proposal will facilitate the provision of additional social (educational) infrastructure for the growing population of Cumberland and improves existing services available on site.
	The Planning Proposal will result in additional residents, students, staff and visitors accessing the site. The infrastructure servicing needs of the incoming population will be met on site at DA stages. Notwithstanding, Mott MacDonald have undertaken due diligence which demonstrates/confirms sufficient utility service capacity will be available (either existing capacity or through augmentation).
	In terms of social infrastructure, education needs can be met on site. Demand on other services, such as additional education needs and broader medical and retail services are likely to increase, but the expected population increase would provide negligible impacts on the surrounding retail, medical, education and other essential amenities available in Lidcombe.

### Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Yes. The Planning Proposal aligns with the vision for Lidcombe identified in the Cumberland LSPS. An assessment of the Planning Proposal against the objectives of the LSPS are set out in **Table 8**.

Table 8 - Consistency with the Cumberland LSPS

Planning Priority	Assessment
Access and Movement P4. Improving accessibility within our town centres	The indicative master plan provides new pedestrian and cycleway connections to retain existing movement paths for visitors and residents to support walking, cycling and public transport access.
Place and spaces for everyone P5. Delivering housing diversity to suit changing needs	The surrounding residential uses include a mix of single dwelling, dual occupancy and terrace houses. The proposed R3 zone allows for a mix of typologies to meet the changing demographics and increasing population of Cumberland.
<i>P9: Providing high quality, fit-for- purpose community and social infrastructure in line with growth and changing requirements</i>	This Planning Proposal allows for improvements to an existing health facility and provides a site for a future educational establishment. The current MSL facilities no longer meet the requirements of MSL as they are in a dilapidated state and no longer fit for purpose. This Planning Proposal includes a land allocation to MSL, to construct a new facility that will provide care, support and treatment for multiple sclerosis and other neurological conditions. The relocation of the facility allows for the unused land on site to be used for a future educational establishment and housing through a residential subdivision to align with the needs of the Cumberland area for social infrastructure and housing growth. This is an important opportunity for housing diversity close to local jobs, education opportunities and care services.
The Great Outdoors P 13: Protecting, enhancing and increasing natural and green spaces	The site currently provides a green link between open spaces in the locality. The proposed streetscape is characterised by large street trees and provides new pedestrian and cycleway connections to retain existing movement paths for visitors and residents.

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

The Planning Proposal meets the relevant state led strategies as outlined in Table 9.

Table 9 – Strategic Merit Assessment

Criteria	Assessment
Does the proposal have strategic merit? Will it:	
Give effect to 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	NSW State Priorities In June 2019, the NSW Premier unveiled 14 Premier's Priorities which represent the NSW Government's commitment

Criteria	Assessment
site, including any draft regional, district or corridor/precinct plans released for public comment; or	to making a significant difference to enhance the quality of life of the people of NSW.
,,,,,,,,	Bumping up education results for children
	Improving service levels in hospitals
	Improving outpatient and community care
	Greening our city
	The Planning Proposal is aligned with these priorities as it seeks to upgrade current health facilities on site and also proposes a future educational establishment.
	Greater Sydney Region Plan
	The proposed amendments to the CLEP 2021 are consistent with a number of directions to improve liveability, productivity, and sustainability in Greater Sydney, as described below in <b>Table 9</b> – Strategic Merit Assessment.
	Future Transport Strategy 2056
	The site provides additional housing and employment generating uses in close proximity to current services including Lidcombe Train Station, a major interchange.
Give effect to a relevant local strategic	Cumberland LSPS
planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement; or	This Planning Proposal provides the opportunity to align the site to the planning priorities identified in Cumberland LSPS identified below in <b>Table 8</b> . This Planning Proposal provides additional residential accommodation within an existing urban environment adjacent to social infrastructure including a future educational establishment and upgraded MSL health facility.
Respond to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans.	This Planning Proposal responds to a feasibility study prepared by the NSW Government and endorsed by MSL and DoE, reflecting the change in circumstances of the use of the land. The endorsed vision represents a more appropriate utilisation of a valuable urban land resource.

### **Q6.** Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. The Planning Proposal is consistent with current *State Environmental Planning Policies* (**SEPPs**) and *Regional Environmental Plans* (**REPs**) – as outlined in **Table 10** and **Table 11** respectively.

#### **10.2.2. State Environmental Planning Policies**

Table 10 - Consistency with State Environmental Planning Policies

State Environmental Planning Policy	Comment
State Environmental Planning Policy (Aboriginal Land) 2019	Not applicable.
SEPP (Affordable Rental Housing) 2009	Not applicable.
SEPP (Building Sustainability Index: BASIX) 2004	The Planning Proposal does not preclude the application of the BASIX SEPP.
	The proposed development concept has been designed with building massing and orientation to facilitate future BASIX compliance, which will be documented at the DA stage.
State Environmental Planning Policy (Coastal Management) 2018	Not applicable.
State Environmental Planning Policy (Concurrences) 2018	Not applicable.
SEPP (Educational Establishments and Child Care Facilities) 2017	The provisions of this SEPP will be relevant to the future development of the future educational establishment proposed on site. The Planning Proposal will facilitate the establishment of a future educational facility to meet the services needs of the community.
SEPP (Exempt and Complying Development Codes) 2008	The provisions of the SEPP may be relevant for future developments on the site.
State Environmental Planning Policy (Gosford City Centre) 2018	Not applicable.
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable.
State Environmental Planning Policy (Infrastructure) 2007	As the site has access to a classified road (Joseph Street) future development applications will need to review the traffic generating development controls of the SEPP.
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not applicable.
SEPP (Kurnell Peninsula) 1989	Not applicable.

State Environmental Planning Policy	Comment
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
SEPP (Miscellaneous Consent Provisions) 2007	Not applicable.
SEPP (Penrith Lakes Scheme) 1989	Not applicable.
State Environmental Planning Policy (Primary Production and Rural Development) 2019	Not applicable.
SEPP (State and Regional Development) 2011	The provisions of this SEPP will be relevant to the future development of the future educational establishment proposed on site and will be assessed as State Significant Development.
	If the health facility has a CIV of over \$30M It will trigger a State Significant Development.
SEPP (State Significant Precincts) 2005	Not applicable.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable.
SEPP (Sydney Region Growth Centres) 2006	Not applicable.
State Environmental Planning Policy (Three Ports) 2013	Not applicable.
SEPP (Urban Renewal) 2010	Not applicable.
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Not applicable.
SEPP (Western Sydney Employment Area) 2009	Not applicable.
SEPP (Western Sydney Parklands) 2009	Not applicable.
SEPP No. 1 Development Standards	Not applicable.
SEPP No. 19 Bushland in Urban Areas	Not applicable.
SEPP No. 21 Caravan Parks	Not applicable.

State Environmental Planning Policy	Comment
SEPP No. 33 Hazardous and Offensive Development	Not applicable.
SEPP No. 36 Manufactured Home Estates	Not applicable.
SEPP No. 44 Koala Habitat Protection	Not applicable.
SEPP No. 47 Moore Park Showgrounds	Not applicable.
SEPP No. 50 Canal Estate Development	Not applicable.
SEPP No. 55 Remediation of Land	Any DA will need to demonstrate compliance with the SEPP. A Preliminary Contamination and Acid Sulfate Soils Investigation has been prepared by Mott McDonald enclosed in <b>Appendix C.</b> This report states that there is no evidence of current or potential contamination found on site.
SEPP No. 64 Advertising and Signage	Any DA will need to demonstrate compliance with the SEPP should advertising or signage be proposed.
SEPP No. 65 Design Quality of Residential Apartment Development	The development concept has been designed with significant consideration of the requirements and provisions of SEPP 65 and the associated Apartment Design Guide (ADG).
SEPP No. 70 Affordable Housing (Revised Schemes)	Not applicable.
Development Near Rail Corridors and Busy Roads (Interim Guideline)	Not applicable.

#### 10.2.3. Regional Environmental Plans

Table 11 – Consistency with Regional Environmental Plans

Regional Environmental Plan	Comment
Sydney REP No. 8 – Central Coast Plateau Areas	Not applicable.
Sydney REP No. 9 – Extractive Industry	Not applicable.
SREP No. 16 – Walsh Bay	Not applicable.
SREP No. 20 – Hawkesbury- Nepean River	Not applicable.

Regional Environmental Plan	Comment
SREP No. 24 – Homebush Bay Area	Not applicable.
SREP No. 26 – City West	Not applicable.
SREP No. 30 - St Marys	Not applicable.
SREP No. 33 – Cooks Cove	Not applicable.
Sydney (SREP) (Sydney Harbour Catchment) 2005	Not applicable.
Greater Metropolitan REP No. 2 – Georges River Catchment	Not applicable.
Willandra Lakes REP No. 1 – World Heritage Property	Not applicable.
Murray REP No. 2 – Riverine Land	Not applicable.

### Q7. Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes. The Planning Proposal is consistent with Section 9.1 Ministerial Directions as outlined in Table 12.

Table 12 – Section 9.1 Compliance Table

Ministerial Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	Not applicable.
1.2 Rural Zones	Not applicable.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4 Oyster Aquaculture	Not applicable.
1.5 Rural Lands	Not applicable.
2. Environment and Heritage	
2.1 Environmental Protection Zones	Not applicable.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	Not applicable. There are no items of heritage significance located on the site.
2.4 Recreation Vehicle Areas	Not applicable.

Ministerial Direction	Comment
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable.
3. Housing, Infrastructure and Urb	an Development
3.1 Residential Zones	The Planning Proposal will enable between 53 – 85 additional dwellings based on final lots sizes ranging from 200-320 sqm helping to reach the Greater Sydney Commission and locally set housing targets including proposed targets for affordable housing.
	The Planning Proposal will enable housing that makes the most of existing infrastructure and services in the locality, and will represents an efficient use of land within the site.
	The future educational establishment will service the future and existing residents within the locality.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable.
3.3 Home Occupations	Home businesses are proposed to be permissible within the R3 Medium Residential Zone.
3.4 Integrating Land Use and Transport	The Planning Proposal will enable development consistent with the direction, by providing housing and jobs and services close to public transport and accessible by walking and cycling.
3.5 Development Near Licensed Aerodromes	Not applicable.
3.6 Shooting Ranges	Not applicable.
3.7 Reduction in non-hosted short term rental accommodation period	Not applicable.
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Not applicable. CLEP 2021 does not map acid sulphate soils proximate to the site. A Preliminary Contamination and Acid Sulfate Soils Investigation has been prepared by Mott McDonald enclosed in <b>Appendix C.</b> This report states that acid sulfate soils are considered unlikely within the site.
4.2 Mine Subsidence and Unstable Land	Not applicable.
4.3 Flood Prone Land	Not applicable. The site is not identified as flood prone under the CLEP 2021.
	To reduce the rate of stormwater runoff discharged to the public drainage network from development, three above ground detention basins are proposed on site as part of this Planning Proposal. All

Ministerial Direction	Comment
	proposed basins are located within the landscaped area along Joseph Street which allows water to pool during storm events and slowly discharge to the pit and pipe network.
	The proposed site drainage is discharging to Joseph Street which is a classified RMS road. As such, both Council and RMS requirements must be met for all stormwater discharged to the existing Joseph Street stormwater drainage.
4.4 Planning for Bushfire Protection	Not applicable. The site is not identified as Bushfire Prone Land or proximate to Bushfire Prone Land on Council's published Bushfire Prone Land Map.
5. Regional Planning	
5.1 Implementation of Regional Strategies	The Planning Proposal is consistent with the overall intent of the Central District Plan, and will not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.
	Consistency with Regional and District Plan is discussed in <b>Table 5</b> of this report. The Planning Proposal is consistent with the objectives of this direction.
5.2 Sydney Drinking Water Catchments	Not applicable.
5.3 Farm Land of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	Not applicable.
5.11 Development of Aboriginal Land Council land	Not applicable.
6. Local Plan Making	
6.1 Approval and Referral Requirements	Not applicable. This is an administrative requirement for Council.
6.2 Reserving Land for Public Purposes	This Planning Proposal retains the current SP2 Hospital zoning where the upgraded MSL health facility will be. In addition, land will be

Ministerial Direction	Comment
	reserved for the use of a future educational establishment is to be managed and facilitated by DoE.
	While this Planning Proposal does propose the removal of some SP2 land, the proposed residential portion is underutilised, and its rezoning and redevelopment will help fund the internal road and servicing infrastructure for MSL and DoE.
6.3 Site Specific Provisions	The Planning Proposal has been prepared in accordance with the provisions of the Standard Instrument and in a manner consistent with the CLEP 2021.
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	DPIE has advised that this direction is to be updated to reflect the most recent metropolitan strategy, <i>The Greater Sydney Region Plan – A Metropolis of Three Cities</i> , and consistency with this direction is interpreted on that basis.
	As outlined previously, the Planning Proposal is consistent with key strategic planning documents for Sydney, including the Region Plan, District Plan and relevant Council strategies.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6 Implementation of Wilton Priority Growth Area Interim Land use and Infrastructure Implementation Plan	Not applicable.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Not applicable.

Ministerial Direction	Comment
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable.

### 10.3. SECTION C - ENVIRONMENTAL, SOCIAL & ECONOMIC IMPACT

# Q8. 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?

No. The NSW Office of Environment and Heritage BioNet database was searched for species protected from harm under the Biodiversity Conservation Act 2016 and Environment Protection and Biodiversity Conservation Act 1999 on 12 March 2019 by Mott Macdonald as part of the Environmental Assessment which forms part of this Planning Proposal. The database held records of 42 threatened species and 208 non-threatened species within 5 kilometres of the site from the last 5 years. No species were listed as sighted within the site.

Given the current vegetation present on site, the following threatened species were identified as potential species which could utilise the site, although none have been sighted in the NSW Atlas:

- Green and golden bell frog (Litoria aurea)
- Swift parrot (Lathamus discolour)
- Powerful owl (Ninox strenua)
- Grey-headed flying fox (Pteropus poliocephalus)
- Yellow-bellied sheathtail bat (Saccolaimus flaviventris)
- Eastern freetail bat (Mormopterus norfolkensis)
- Eastern bentwing bat (Miniopterus schreiberseii oceanensis)
- Southern myotis bat (Myotis macropus)
- Tadgell's bluebell (Wahlenbergia multicaulis)
- Downy wattle (Acacia pubescens)

A Habitat Tree Assessment and Targeted Flora Survey was prepared by Eco Logical and is enclosed in **Appendix H**. This report confirmed that no threatened flora and threatened fauna had been previously recorded in the study site. The report did note that numerous grey-headed flying fox records have been found within approximately 2 kilometres of the study site. Other significant species, such as the Green and Golden Bell Frog, were recorded approximately 5 kilometres from the site.

The Environmental Assessment recommends connectivity through the site to be maintained through landscape design, with unbroken planting at ground and flight level that link the green spaces to the east and west to retain potential movement paths of threatened species through the site. The proposed master plan maintains the landscape character of the site by retaining high and medium value trees to allow for future movement of local species. Trees are also proposed to be retained where possible along the site periphery within the rear side of the proposed residential and the proposed buffer zone to Joseph Street to create additional potential habitats including amphibians within the detention basins.

Any future development application will be accompanied by a Biodiversity Development Assessment Report. During future construction, strategies to avoid harm to protected species will form part of the Construction Management Plan.

### Q89. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Yes. There will be environmental effects of the Planning Proposal at future development stage, but these can all be properly managed to minimise impacts.

#### 10.3.1. Contamination

A Preliminary Contamination and Acid Sulfate Soils Investigation Report was prepared by Mott McDonald and is enclosed in **Appendix C**.

#### Methodology

Preparation of the Investigation Report involved a site walkover inspection of accessible areas by Mott McDonald and a desktop review of relevant topographical, geological and hydrological data as well as historical photography and government data bases.

#### **Existing Environment**

The CLEP 2021 classifies the site as class 5 for acid sulfate soils, the least onerous designation where acid sulfate soils are considered unlikely on site. Acid Sulfate Soils are only deemed necessary for consideration if the proposed works are below 5 metres within 500 metres of adjacent class 1-4 land. As there are no class 1-4 lands within 1km of the subject site, this precludes a consent requirement for the project.

The site lies within the Bankstown hydrogeological landscape, which is in an area of moderate to high rainfall (over 800mm per year). The general hydrogeology of the subject site consists of porous, extensive aquifers of low to moderate productivity (National Centre for Groundwater Research and Training 2014). A 2016 Lidcombe Contamination Assessment Study indicated that groundwater in the area exists approximately 2.0 - 2.8 metres below the ground surface and the groundwater flow direction was in a northerly direction A desktop review reveals that no groundwater bores have been identified in the vicinity of the site.

Apart from a small building in the north west corner, the site was undeveloped until the 1980s when the current MSL facility was built. A review of the historical title deeds for the site identified nothing to suggest there is a risk of historical contamination. The section 10.7(2) planning certificate confirms that the site is unlikely to be contaminated.

A previous contamination assessment report reviewed by Mott McDonald concluded that the site had a moderate risk of contamination from chemicals of concern due to its use as a hospital. Mott McDonald determined that the activities of the MSL building are unlikely to require hazardous substances. The site visit undertaken did not identify any potential sources of contamination from the building, although no access to the building was permitted.

The only potential sources of contamination noted on the site were hydrocarbon runoff from the car park and two subterranean septic tanks. The report indicates that there is potential for land contamination as a result of untreated sewage seeping from the septic tanks.

#### **Findings**

Based on the preliminary investigation, the potential for acid sulfate soils or contamination of the site is low and the site is suitable for development. Further investigation into the following risk areas will be necessary prior to physical works being undertaken on site.

- There is a risk that the demolition waste from the removal of the building that was located in the north west of the project site; which contained asbestos was buried onsite.
- The contamination status of the fill used during construction of the MSL building in the late 1970s / early 1980s is unknown.
- There is potential for land and groundwater contamination as a result of untreated sewage seeping from the two septic tanks located within the site.

#### 10.3.2. Stormwater Management

Mott McDonald were also engaged to prepare a Water Cycle Management Report, attached at **Appendix E**. The report was prepared in conjunction with relevant standards and requirements for Stormwater Management including Auburn DCP and the Australian Rainfall and Runoff Guide 2016. The findings demonstrate how the proposed development will meet or exceed Council's stormwater requirements for water quantity and water quality management.

#### Existing topographic and hydraulic features

The site falls into five main catchments separated by a ridge line running in a north-south direction through the middle of the site. The northern catchment consists of two smaller subcatchments (B and C) which drain to two low points located on the northern site boundary and drain northwards towards Haslams Creek. The eastern catchments consist of Catchments D and E, which drain to two low points. One nearest the northern site boundary (Catchment D), drains towards Norman May Park and the second on the eastern side (Catchment E) drains through the TAFE facility. The western catchment (Catchment A) drains to a low point located on the western site boundary adjacent Joseph Street.

#### Water Quantity Management

In compliance with Council's DCP controls, two on-site detention (OSD) basins have been planned and designed to ensure peak flow of water runoff. The OSD basins are mapped appropriately in the civil plans contained in the architectural drawing at **Appendix E and E**. To reduce the rate of stormwater runoff discharged to the public drainage network from development, three above ground detention basins are proposed on site as part of this Planning Proposal. Water will be drained via the proposed drainage system including:

- 'B1' the catchment area directed to basin B1; and
- 'K1' the catchment area directed to basin K1.

All proposed basins are located within the landscaped area along Joseph Street which allows water to pool during storm events and slowly discharge to the pit and pipe network. The proposed site drainage discharges to Joseph Street, a road which is a classified RMS road. As such, both Council and RMS requirements must be met for all stormwater discharged to the existing Joseph Street stormwater drainage.

The proposed pit and pipe network are adequately sized for both the major and minor system. The minor drainage system comprises of the below ground pit and pipe network and is designed to control nuisance flooding, while the major drainage system comprises overland flood routes and is assessed against the 100 year storm event. The basins have been sized to detain the post developed discharge to the required Permissible Site Discharge (PSD) and Site Storage Requirements (SSR) levels at each of the outlets for the site.

The proposed development does not exceed the existing discharge to the existing RMS drainage system on Joseph Street. Additionally, the proposed super lots also provided added benefit by including combined stormwater detention and retention tanks to detain stormwater flows at each property before connecting to the road drainage. The measures for water quantity modelling are further detailed in Section 4 of the Water Cycle Management Report.

#### Water Quality Management

The subject site is located within the Haslams Creek catchment. Mott MacDonald considered the Holroyd DCP provisions for target removal rates for pollutants in the absence of pollutant removal controls provided in the Auburn DCP. The water quality objectives to be adopted for the proposed development will be confirmed with Council in the next stage of the project.

The report also includes several water control methods for water quality improvement on the site including Bioretention Systems, Swales, Wetlands, Gross Pollutant Traps and Cartridges. It is noted that each basin, B1 and K1, is proposed to include bioretention at the base as an end-of-line treatment.

It is also acknowledged that developments within the Site will be required to provide water quality treatment measures such as an integrated water cycle management scheme or a water capture and reuse scheme. To achieve compliance with council's water quality removal rates, water quality treatment facilities will be implemented in each catchment within the site. These facilities will be located within proximity to the detention basins and in areas which demonstrated high levels of wildlife on the site as confirmed by Mott MacDonald's site visit.

The measures for water quality modelling are further detailed in Section 4 of the Water Cycle Management Report (**Appendix E**).

#### **Drainage Maintenance Schedule**

The long-term effectiveness of both existing and proposed stormwater management systems will be managed through scheduled maintenance of the network. Drainage, Opens drains and outlet structures will be inspected every six months or after heavy rainfall events to ensure the networks performance and the construction life of the site.

#### 10.3.3. Parking and Traffic

A Traffic and Engineering Report has been prepared by Mott McDonald (**Appendix F**) to assess the impact of the Planning Proposal on the surrounding road network and the existing and future traffic demands for the site. While the use of the future educational establishment has not been finalised, for the purpose of the assessment, a maximum capacity of 1000 students within the future educational establishment has been assumed as the maximum capacity of the site from a traffic perspective.

#### **Existing conditions**

The existing road network surrounding the site generates high volumes of traffic. The site is bounded by Joseph Street to the west, a state classified road with three lanes travelling in each direction and East Street and Weeroona Road to the east and south respectively, which are both classified as regional roads. Georges Avenue to the north of the site forms part of the local road network and connects East Street to Joseph Street.

The site is currently accessed via the intersection at Joseph Street and Botanica Drive. This access point then links to Betty Cuthbert Drive which connects to an existing internal road, providing access to the centre of the site where the existing MSL facility is located.

While the site is surrounded by four major roads, there is a significant opportunity for parking to be increased on and around the site. Each of the four roads surrounding the site, with the exception of Joseph Street, provide unrestricted access to street parking.

The site also has access to several public transport routes including three local bus serves and two train stations within 1km of the site. However data extrapolated from the Australian Bureau of Statistics has demonstrated that the area is highly car dependant with 47% of outbound commuters and 78% of inbound journeys made by private car.

#### **Future Development and Roadwork**

The existing traffic conditions and proposed redevelopment of the site have informed the upgraded masterplan to include several new intersections and an internal road network to accommodate future growth on the site.

The future road network will include the construction of an internal road on site. This will be facilitated through enhanced connections to the site via Joseph Street and Betty Cuthbert Drive. A priority-controlled intersection off Betty Cuthbert Drive will provide vehicular access to the southern most residential development and the MSL building. While the construction of a new signalised intersection on Joseph Street will provide access to the site from both the northbound and southbound travel lanes.

These changes will result in the relocation of existing bus stops. The stop on Joseph Street will be moved slightly north to accommodate the new turning lane proposed as a part of the new Joseph Street intersection. This change will be minor and will have a negligible impact on the existing bus route.

#### Parking

Parking rates for the proposal have been adopted with consideration of Cumberland DCP 2021, and the *RMS Guide to Traffic Generating Development* rates. To assist with the assessment of this Planning Proposal, the parking rates for the future educational establishment have considered a maximum capacity of 1,000 primary students. Minimum parking rates for residential and non-residential development are as follows:

- Dwelling houses/dual occupancy 1 covered space per dwelling
- Primary School 1 per 2 staff

• MSL Facility – based on site requirements

Compliance with relevant car parking controls will be confirmed as part of any subsequent development application(s), following approval of this rezoning application.

#### Traffic Generation

Peak traffic times for the use of the proposed future educational establishment have been assumed as 8:00am to 9:00am and 3:30pm to 4:30pm which falls outside the peak operating period of the current MSL facility at 9:30am to 3:30pm. As the RMS guidelines do not provide a trip rate for the future educational establishments, traffic generation has been calculated by Mott McDonald based on trip rates derived from other significant educational establishments in Sydney with residential rates based on *RMS Guide to Traffic Generating Developments* 2002 (Guide 2002) and the *Technical Direction: Updated Traffic Surveys* (TDT 2013/04a).

Land Use	Unit	Proposed Peak Hour Trip Rates		
		АМ	РМ	
Dwelling houses	Per dwelling	0.84	0.85	
Future educational establishment	Per student	0.75	0.00	
Total		813 trips	63 trips	

Table 13	3 – Traffic	Generation	Rates
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#### Intersection Performance

An assessment of the traffic impact on four key intersections was undertaken through a series of traffic modelling, based on 2017 traffic surveys and estimate of traffic growth. The results of these surveys were analysed using the SIDRA computer program to assess three scenarios on site:

- Scenario 1 Existing conditions based on historic traffic volumes and a 1.5% p.a growth rate.
- Scenario 2 Future road network plus traffic generation by the updated MSL facility and residential uses on site.
- Scenario 3 Future road network plus traffic generated by all the proposed land uses on site. This scenario includes the introduction of a new access point off Joseph Street and assumes that construction of a pedestrian bridge providing pedestrian access over Joseph Street is complete.

In all scenarios, botj intersections will operate satisfactorily with the development in both the AM and PM peak periods, with acceptable performance in terms of degree of saturation and intersection delays. These intersections record a level of service ranging between 'A' and 'B', indicating that the immediate network has spare capacity. Definitions of service levels are identified in the Traffic and Transport Assessment Report has been prepared by Mott McDonald enclosed in **Appendix F**.

The modelling results indicate that the intersection of Joseph Street with Georges Avenue performs significantly over capacity with substantial queues forming in Scenario 3 particularly on George Avenue. Even with no proposed development, the Joseph Street / Georges Avenue intersection is over capacity with a level of service ranging between 'E' and 'F'.

In response, Mott McDonald recommend the implementation of the following physical improvements and intersection widening to improve the capacity of the intersection and reduce queue lengths including:

- Provision of an additional short right-turn lane (same storage length as the existing right-turn lane) on the south approach (Joseph Street South to Georges Avenue East); and
- Prohibit on-street parking along Georges Avenue between Nottinghill Road and East Street during peak hours. Currently, George Street is one lane in each direction and flares out to two lanes approximately 50-60 metres from the intersection.

• Banning on-street parking will extend the two approach and exit lanes on Georges Avenue to approximately 300 metres.

It is considered implementation of these upgrades will ensure the network capacity surrounding the site is not impeded by the proposed development and will result in an improved level of service in both the AM and PM peaks from 'F' to 'D'.

In summary, it is evident that the traffic generated from the development will result in a minor increase in demand on the local road network. However, the introduction of the two new access points off Joseph Street, improvements to active / public transport options and the future infrastructure upgrades will ensure the local road network can accommodate this growth, with no significant adverse impacts.

#### 10.3.4. Heritage

The site is 300 metres from one local heritage item to the east and a heritage conservation area to the south. No further heritage matters have been considered due to the absence of heritage within or adjacent to the site.

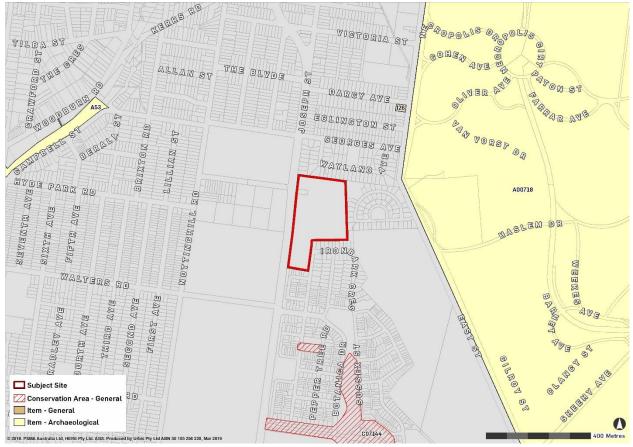


Figure 18 – Cumberland LEP Heritage Map

Source: Urbis

#### 10.3.5. Noise

The site is in a predominantly residential area. Noise and vibration could cause a minor disruption to residents during construction due to the use of heavy vehicles and equipment, which would generate considerable noise and vibration levels. It is proposed as part of the Environmental Assessment that construction generated noise and vibrations can be managed as part of a Construction Management Plan.

Once developed, the proposed land uses could significantly influence the local noise environment and result in an increase in vehicle movements and human-generated noises, as well as building-noise emissions. The design principles of the Indicative Master Plan have considered how noise will impact on residential dwellings with noise sensitive uses proposed along the periphery of the site and noise generating uses along the Joseph Street boundary.

#### 10.3.6. Air Quality

The proposed land uses are unlikely to impact on air quality after construction. Air quality management will form part of the Construction Management Plan.

#### 10.3.7. Surface and Groundwater

There are no surface watercourses within the immediate catchment of the project site. Runoff from the site is managed through the local stormwater network, including through collection in the on-site stormwater detention basins located on the Joseph Street frontage.

Due to proposed land uses, the project will likely only interact with the ground water through a pollution pathway during construction. Mitigation measures to ensure groundwater is not impacted will form part of the construction management plan.

#### Q10. Has the planning proposal adequately addressed any social and economic effects?

Yes. Overall, the Planning Proposal will facilitate a development outcome with positive social and economic effects. Social and economic impacts are identified below.

#### 10.3.8. Social Impacts

The primary social impacts are:

- Access to housing: Additional residential will contribute towards housing targets set by State Government. The proposal will deliver dwelling choice in the Cumberland LGA, which is particularly important given there will be considerable number of apartment developments in the town centres. The Planning Proposal will provide dwelling housing and multi dwelling housing types to meet the range of needs of the Cumberland LGA population.
- **Improved health services**: The proposal delivers a new MSL facility to replace the existing dated facility. MSL is exploring other land uses to support its core services, including accommodation and more community type uses.
- Improved access to social infrastructure: The proposal sets aside land for a future educational establishment to deliver a future educational establishment within a sustainable, and community-oriented environment. The portion of the site related to the future educational establishment has been allocated to the Department of Education as outlined in **Appendix M**. This future educational establishment will alleviate pressure on existing educational services as the population increases in the LGA with Cumberland LGA expecting 75,000 additional people by 2036. The future educational establishment will include open space areas and facilities, such as a hall, that have the potential to be made available to the community.
- Improved permeability and access to transport: The master plan includes a pedestrian link to Ironbark Walkway, new intersection at Joseph Street and pedestrian connection opportunity to Leila Street to increase permeability between eastern and western communities including Botanica. The direct pedestrian connection through Ironbark Walkway and Norman May Drive will also improve accessibility to more bus services and regional cycleway network at East Street.
- Increased employment opportunities: The MSL facility will continue to be an employer to approximately 60 staff. The future educational establishment will also be an employer of teachers and administration and maintenance staff. The construction of the MSL facility, future educational establishment and the future residential will create temporary construction jobs and ongoing maintenance jobs.
- Change in character of the site: The proposal will intensify the use of the site but will be compatible with the prevailing residential character. The R3 zoned land will transition to the education use on the Joseph Street boundary. The Proposal aims to preserve as many trees as possible to maintain the landscape character of the site. New planting at DA stage will assist in maintaining the landscape character.
- **Change in amenity**: The Planning Proposal will generate additional impacts in terms of traffic and parking. As concluded in the Traffic and Transport Assessment Report prepared by Mott McDonald and enclosed in **Appendix F**, traffic generated from the development will result in a minor increase in demand on the local road network. However, the introduction of a new access point off Joseph Street,

improvements to active / public transport options and the future infrastructure upgrades will ensure the local road network can accommodate this growth, with no significant adverse impacts.

• Increased pressure on local infrastructure: The Planning Proposal will result in additional residents, students, staff and visitors accessing the site. The infrastructure servicing needs of the incoming population will be met on site at DA stages. Educational needs will be met on site. Demand on other services, such as additional education, broader medical and retail services are likely to increase, but the population increase is not significant such that there would be an impact on nearby services. The site has access to surrounding retail, medical, education and other essential amenities in Lidcombe.

#### 10.3.9. Economic Impacts

The primary economic impacts are:

- **More jobs**: Upgrades to the MSL Facility and the future educational establishment will provide 190 staff on site, reflecting a net uplift of 150 additional jobs, taking into account employees at the existing MSL Facility.
- **Greater employment opportunities for skilled and knowledge workers**: The rezoning includes health and education, which are consistent with the future employment needs of the LGA.
- **Unlocking surplus land and Investment stimulus**: The Planning Proposal is a significant capital investment, which will result in a variety of flow-on benefits to the local economy. The redevelopment of the underutilised Government land unlocks the land value and provides social infrastructure contribution to the surrounding communities.

### 10.4. SECTION D – STATE AND COMMONWEALTH INTERESTS

#### Q11. Is there adequate public infrastructure for the planning proposal?

Yes. Being in an existing developed area, the site is serviced by relevant utilities and essential infrastructure as identified in the Utilities and Services Report prepared by Mott McDonald enclosed in **Appendix J**.

The Planning Proposal will ultimately provide health and education on site. As the site is within the Lidcombe Town Centre and is close to health, education, and retail facilities as outlined in **Section 2**.

### Q12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Gateway determination will advise the authorities to be consulted, and any matters raised will be addressed following the public exhibition period. It is not considered that any Commonwealth authorities will need to be consulted because of the Planning Proposal.

# 11. PART 4 – MAPPING

Table 14 outlines the map tiles that are proposed to be amended as part of this Planning Proposal.

Table 14 – Summary of LEP Mapping Amendments

Мар	Tile Number	Amendment	Figure Reference
Zoning	LZN_016 and LZN_017	Apply SP2 Infrastructure (Health) to the proposed location of the upgraded MSL Facility.	Figure 14 in Section 9.1
		Apply SP2 Infrastructure (Education) to the proposed location of the future educational establishment.	
		Apply R3 Medium Density Residential to additional land on site.	
Height of Buildings	HOB_ 016 and HOB_ 017	Apply an M (or other reference as appropriate) – 9m maximum building height to the subject site, where the site is zoned R3 Medium Density Residential.	Figure 15 in Section 9.2
Floor Space Ratio	FSR_016 and FSR_ 017	Apply a S1 (or other reference as appropriate) – 0.75:1 floor space ratio to the subject site, where the site is zoned R3 Medium Density Residential.	Figure 16 in Section 9.3
Lot Size	LSZ_016 and LSZ_017	Apply a blue line around the subject site boundary to apply "Refer to Clause 4.1(3C)" to the site.	Figure 16 in Section 9.4

# 12. PART 5 – COMMUNITY CONSULTATION

Division 3.4 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the gateway determination. It is anticipated that the amended Planning Proposal will be publicly exhibited for at least 28 days in accordance with Department of Planning, Industry and Environment Guidelines *A Guide to Preparing Local Environmental Plans*.

At a minimum, the notification of the public exhibition of the Planning Proposal is expected to involve:

- A public notice in local newspaper(s);
- Notification on the Cumberland Council website; and
- Written correspondence to owners and occupiers of adjoining and nearby properties and relevant community groups.

In terms of consultation with Council, PDNSW has had several informal meetings with Council staff prior to the lodgement of this Planning Proposal, outlined in **Section 2.2.3**.

Consultation with the local community also occurred in May to June 2020. An Engagement and Communication Outcomes Report prepared by Urbis is enclosed in **Appendix G** and documents the engagement and communications process, feedback received and considerations in response to feedback collected.

A fact sheet was provided to neighbouring properties and advertised details of a dedicated engagement and phone line and an invitation to attend an online community information session. Overall, feedback about the Planning Proposal was neutral to positive. Residents provided feedback about the importance of future residential development reflecting the local character of the area. Several queries were also received about permissible uses and potential traffic impacts relating to the Planning Proposal

# 13. PART 6 – PROJECT TIMELINE

It is anticipated that the LEP amendment will be completed within 9-12 months. An indicative project timeframe is provided below.

Table 15 – Indicative Project Timeline

Milestone	Timeframe
Council's endorsement of the Planning Proposal	August to October- 12 weeks
Submission to NSW Planning, Industry and Environment	November 2021 – 4 weeks
Gateway Determination issued	January 2022 – 8 weeks (allowing additional time due to Christmas break)
Public exhibition and public authority consultation	February 2022 – 4 weeks
Consideration of submissions	March 2022 – 4 weeks
Reporting of the Planning Proposal to Council	April to May 2022 – 6 weeks
Submission to NSW Planning, Industry and Environment	June 2022 – 2 weeks
Publication of LEP amendment	July 2022 – 4 weeks

# 14. CONCLUSION

The objective of this Planning Proposal is to provide social and community infrastructure and housing to support a change of land use zone and development standards applying to the site to facilitate the upgrade of the existing MSL health facility, provide land allocation for a future educational establishment and allow for medium density residential uses. Specifically, this Planning Proposal seeks to initiate the preparation of an amended to the *Cumberland Local Environmental Plan 2021* that would result in the following:

- Rezone the site from SP2 Hospital to the following zones:
  - SP2 Infrastructure (Education).
  - SP2 Infrastructure (Health);
  - SP2 Infrastructure (Drainage); and
  - o R3 Medium Density Residential.
- Amend the height of building development standard to 9 metres for land proposed to be zoned R3.
- Amend the floor space ratio development standard to 0.75:1 for land proposed to be zoned R3.
- Amend the minimum lot size applicable to the site to reflect controls for the former Lidcombe Hospital.

It is recommended that Council resolves to support this Planning Proposal that facilitates the proposed amendments to the CLEP 2021 for the following reasons:

- It is consistent with metropolitan strategic goals set out in the *Central City District Plan, the* relevant SEPPs and Section 9.1 Directions.
- The proposal aligns with the Cumberland LSPS priorities to deliver diverse housing including the provision of affordable housing and fit-for-purpose community and social infrastructure in line with the growth of the Cumberland LGA.
- Comprehensive technical studies have been prepared that demonstrate the proposed land uses and scale of development will not have any adverse impacts on the surrounding environment.
- The Indicative Master Plan responds positively to the site constraints and surrounding environment. The Master Plan has carefully and comprehensively considered the physical and environmental constraints.
- Health and education are identified as essential infrastructure needed for the expected growth of Sydney. This proposal uses publicly owned land to co-locate social infrastructure with residential uses in an existing urban area. Reconfiguration of the current site layout achieves better utilisation of an existing asset and provides an opportunity to upgrade existing health services with a new MSL facility.
- The Planning Proposal Master Plan demonstrates that a variety of lot sizes can be achieved to ensure a mix of housing typologies are achievable which will complement the surrounding residential areas and increase housing supply in the area. The layout prioritises opportunities for people to walk, cycle and use public transport with dedicated pedestrian links and cycle ways to increase permeability and create a precinct which is connected with surrounding services and the regional cycleway.
- The Indicative Master Plan maintains the landscape character and biodiversity of the locality by retaining high and medium value trees to retain green connections between the site and surrounding green spaces. Trees are proposed to be retained where possible to ensure the future use of the site by local species.

In accordance with the above, we believe the proposed amendments to the LEP are appropriate in that they are consistent with the State's strategic direction and aspirations for Lidcombe and the Cumberland LGA. We recommend that Council resolves to support this Planning Proposal to the NSW Department of Planning, Industry & Environment's Gateway Review Panel and the issuing of a Gateway Determination that facilitates the proposed amendments to the LEP.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

### Appendix A URBAN DESIGN REPORT



# Appendix C PRELIMINARY CONTAMINATION AND ACID SULFATE SOILS INVESTIGATION REPORT

# Appendix D ENVIRONMENTAL ASSESSMENT REPORT

# Appendix E WATER CYCLE MANAGEMENT REPORT

### Appendix F TRAFFIC AND TRANSPORT ASSESSMENT REPORT

# Appendix G ENGAGEMENT OUTCOMES REPORT

### Appendix H HABITAT TREE ASSESSMENT AND TARGETED FLORA SURVEY

# Appendix I PRELIMINARY TREE ASSESSMENT

# Appendix J UTILITIES AND SERVICES REPORT

## Appendix K PEDESTRIAN BRIDGE CONCEPT

# Appendix L SITE SURVEY

# Appendix M LETTER FROM DEPARTMENT OF EDUCATION

