

25 September 2020

Secretary
NSW Planning & Environment
GPO Box 39
Sydney NSW 2001

SUBMISSION TO 2020 REVISED DRAFT MASTER PLAN FOR THE CARTER STREET PRECINCT

This submission has been prepared on behalf of Shanghai Lihua Australia (SLA), the contracted owners of a 3.15 hectare parcel of land located in the Carter Street Precinct at 12 – 14 Birnie Avenue, Lidcombe (the subject site).

1.0 SUBJECT SITE

The subject site, shaded yellow in [Figure 1](#) below, is located at 12-14 Birnie Avenue, Lidcombe within the newly amalgamated City of Parramatta Council Local Government Area (LGA) and is legally described as Lot 1 in DP 802749. The site is bounded by Birnie Avenue to the west, Edwin Flack Avenue to the north and the M4 Motorway to the south. To the east of the site is the Sydney Olympic Park Place Management Centre.

Whilst this site forms part of the Sydney Olympic Park Development Area, as specified by the Sydney Olympic Park Act 2001, it is not encompassed in the study area for the Sydney Olympic Park Master Plan 2030. Rather, the site borders this study area and forms part of the Carter Street Planned Precinct outlined in yellow in [Figure 1](#).

The northern portion of the site (1.07ha) is segregated from development in the southern portion of the site (2.08ha) by easements including a 40m wide easement for gas and oil pipelines and electricity lines which traverse the centre of this property (refer to [Figure 2](#)).

Figure 1



Figure 2



2.0 PROPOSED FLOOR SPACE RATIOS AND HEIGHT OF BUILDINGS ON CERTAIN LAND

The Carter Street Precinct Development Framework 2020 (the Development Framework) proposes the northern portion of the subject site, excluding the easement lands, to be zoned *R4 High Density Residential* with a 3.5:1 maximum Floor Space Ratio (FSR) and a 90m maximum height limit. The southern portion of the site, including the easement lands, is to be zoned *B6 Enterprise Corridor* with a 1.5:1 FSR and a 24m maximum height limit.

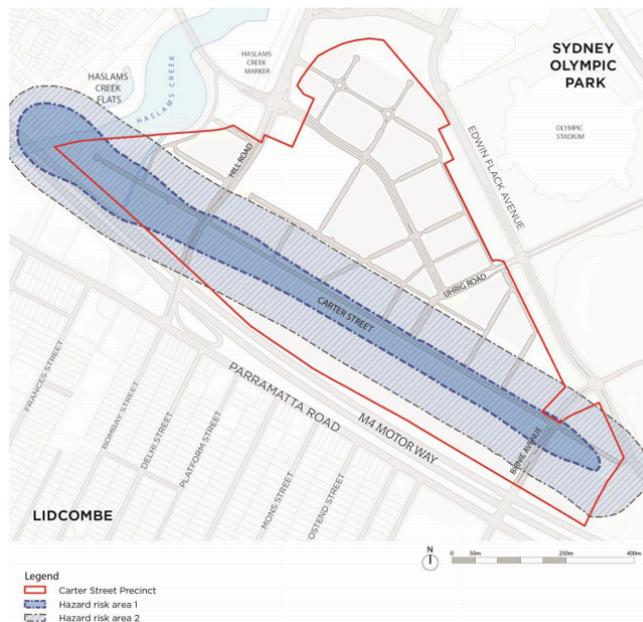
In addition, the northern part of the subject site zoned R4 is nominated for incentives of an additional 0.45:1 FSR and an additional 13 metres (4 storeys) in height in exchange for utilizing reduced car-parking rates.

Support is given to the proposed maximum building heights and FSR and the inclusion of an incentives clause in the Auburn LEP 2010 to facilitate the FSR and building height incentive provisions as proposed.

3.0 DEVELOPMENT NEAR PIPELINES

The Development Framework proposes site-specific controls for development near pipeline easements. While it is recognised and supported for development to consider the potential risks and impact from pipelines on adjoining land uses, concern is raised with the inclusion of 'hotel and motel accommodation' as a land use that must not be located in the Hazard risk area 2 as shown in Figure 3.

Figure 3



Source: Carter Street Precinct Development Framework 2020

In relation to the southern portion of the subject site, 'hotel or motel accommodation' is a land use that is permissible within B6 Enterprise Corridor zone while the more encompassing 'tourist and visitor accommodation' land uses are prohibited.

In relation to development near pipeline easements the Development Framework details a number of controls including the following:

- Residential development or places of continuous occupancy, such as hotels, motels and tourist accommodation, are not permitted in the Hazard Risk Area (HRA) 1, as shown in Figure 3; and
- Development for the purpose of sensitive land uses, including child care centres, home-based child care, respite day care, schools, hospitals, seniors housing or community facilities, and tourist and visitor accommodation, must not be located in the Hazard Risk Area (HRA) 2 as shown in Figure 3.

Pursuant to the standard instrument definitions, 'hotel or motel accommodation' is a type of 'tourist and visitor accommodation' and therefore is considered a sensitive land use and is prohibited development in HRA 2.

There is support for 'hotel or motel accommodation' as a land use to be considered in a similar light to residential development and not be included as a sensitive land use because:

- There are already stringent controls in the Development Framework around ensuring the potential safety risks of development near pipelines are adequately considered by requiring all developments located close to the pipeline to:
 - comply with the relevant provisions of *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)*;
 - demonstrate that the impact of pipelines has been considered and, as a minimum, addressed a number of specified matters; and
 - undertake a risk assessment in accordance with Hazardous Industry Planning Advisory Paper No 6 – Hazard Analysis demonstrating the development complies with relevant quantitative and qualitative societal risk criteria in Hazardous Industry Planning Advisory Paper No 10 – Land Use Safety Planning.
- 'Hotel or motel accommodation' is development for the purpose of continuous occupancy that has greater similarity to residential development than it has to sensitive land uses such as child care centres, home-based child care, respite day care, schools, hospitals, seniors housing when having regard to risk management and land use planning i.e. if it is considered safe for residential development to be in the HRA 2 then it should also be relatively

safe for hotels and motels.

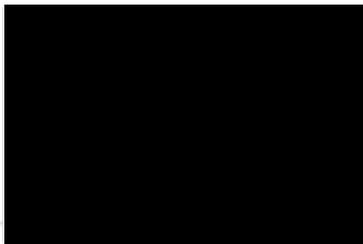
- There is a perceived inconsistency in allowing residential land use in the HRA 2 but not 'hotel or motel accommodation'.
- Provision of 'hotel or motel accommodation' is a key element in supporting the vision of creating a vibrant and activated village centre and precinct but this is made increasingly more difficult with 'hotel or motel accommodation' being prohibited development along the entire length of Carter Street (both sides) and much of the village centre.
- In relation to permissible land uses in the B6 zone, the standard instrument distinguishes between prohibiting 'tourist and visitor accommodation' and permitting 'hotel or motel accommodation'.

4.0 CONCLUSION

We ask NSW Planning, Industry and Environment give careful consideration to excluding 'hotel and motel accommodation' from the list of sensitive land uses that must not be located in the Hazard Risk Area (HRA) 2.

We look forward to your consideration of this submission and should you have any queries about this matter, please do not hesitate to contact me on 0403 242 926 or tony@polvere.com.au.

Yours sincerely,



Tony Polvere
Director