

10 October 2017

Ms. Carolyn McNally
Secretary
NSW Department of Planning & Environment
GPO Box 39
Sydney 2001

Dear Ms McNally,

120 C Old Canterbury Road Summer Hill - Planning Proposal for Gateway Determination

This letter seeks Gateway determination for the above Planning Proposal and for Council to be given “Written Authorisation to Exercise Delegation” (as granted to former Ashfield LGA) to become the Relevant Planning Authority for the LEP amendment process.

The Planning Proposal seeks various amendments to the Ashfield Local Environmental Plan 2013 for the land at 120 C Old Canterbury Road Summer Hill and its two allotments. This includes amendments to part of the land zoning for one of the allotments so to have the entire site with a B4 – Mixed Use Zoning, an increase to the Maximum Floor Space Ratio to 2.5:1 and increase in the Height of Buildings Map to RL 38.0 for both allotments.

In accordance with Council policy, a preliminary “upfront” community consultation process was undertaken, and after considering a report on this matter (**Attachment 5**) Council resolved at its meeting of 25 July 2017 as follows:

- 1/6 *The Planning Proposal be amended to Council’s satisfaction addressing the recommendations outlined in this report, including a Maximum Height of Building equating to 6 storeys relative to Old Canterbury Road and a reduced Maximum Floor Space Ratio.*
- 2/6 *Council authorises the Interim General Manager to be Council’s delegate and use “the Authority” for the processing of the Planning Proposal as outlined in this report.*
- 3/6 *On satisfactory completion of Resolution 1 and 2, the Planning Proposal be referred pursuant to Section 56 of the Environmental Planning and Assessment Act 1979 (the Act) seeking a Gateway Determination and for Council to be the Relevant Planning Authority, and requesting the studies identified in the report be produced.*
- 4/6 *Council develop a site specific Draft Development Control Plan as outlined in this report and exhibit it concurrently with the Planning Proposal*
- 5/6 *Upon receipt of the Gateway Determination the Planning Proposal and draft DCP be put on public exhibition pursuant to the Environmental Planning and Assessment Act 1979 (the Act) .*

Customer Service Centres

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6/6 Council write to the NSW Roads and Maritime Service and request that an area wide traffic network analysis be prepared for the McGill Street precinct and surrounds to determine local area traffic management opportunities that may be implemented to mitigate and better manage traffic impacts in this locality.

The Planning Proposal was subsequently amended in accordance with Council's resolution.

Attachment 1 contains the Planning Proposal. The document includes a response to each of the criterion in the "Planning Proposal Guidelines". It also appends the following documents:

- Preliminary Consultant Stormwater Engineer's report. This explains that the site is within a floodplain and provides indicative freeboard floor levels for a "pre development" scenario.
- Design Concept Plan. This includes building massing, using preliminary recommended freeboard (above flood levels) floor levels and design criterion in the Apartment Design Guide.

Attachment 2 contains the town planning report to Council of 25 July 2017. It explains the need for additional studies that must be carried out post Gateway Determination consisting of:

- Flooding Study with a level of detail which is adequate to address non-compliance with Section 117 Direction Part 4.3 –Flood Prone Land and its various criterion, and also post development scenarios taking into account relevant surrounding and nearby flood affected areas. The site is within a floodplain which is a similar situation to adjacent sites that were "upzoned" (refer to Council report). The flooding study content will include providing the minimum "freeboard" (above maximum flood level) floor level RLs, will dictate how the building structure must be arranged and also ensure there is no adverse impact on flood levels for nearby (affected properties).
- On -site carparking layout and vehicular entry and exit arrangements study, to address vehicular movements and the operation of the ROW laneway shared by two other developments, and traffic impacts, for the reasons stated in the Council report.
- A site specific Development Control Plan to address the unique context of the site, impacts on surrounding properties, for the reasons stated in the Council report.

Attachment 3 has the Department's "Information Checklist" for Planning Proposals required to be supplied by Council when seeking Gateway determination.

Proposed community engagement process

Council proposes a community engagement strategy informed by the following Council (former "Ashfield LGA area") protocols:

- a) "Community Engagement Policy"
- b) "Community Engagement Toolkit"

Subject to Gateway determination and requirements, the proposed Planning Proposal consultation should be a minimum period of 28 days.

Attachment 4 has the completed "Project Timeline" template.

Request to authorise delegation to Council to progress plan-making process

Council resolved at its meeting of 25 July 2017 to request NSW Planning and Environment to issue written authorisation to Council's General Manager to exercise and implement relevant delegations in accordance with Section 23 of the EP& A Act 1979. The Planning Proposal is considered to be a matter of local significance, and subject to a Gateway determination to this effect it is requested that the relevant Authorisation be issued to the Inner West Council.



Attachment 5 contains the Council response to the Department's "Evaluation Criteria for the Delegation of Plan Making Functions" required for the above request.

Please contact Council's Senior Strategic Planner and Projects on T.9392 577 (Mr. Con Colot) should you have any questions concerning this Planning Proposal or require further information prior to Gateway determination.

Yours sincerely,

Harjeet Atwal
Planning Operations Manager

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