

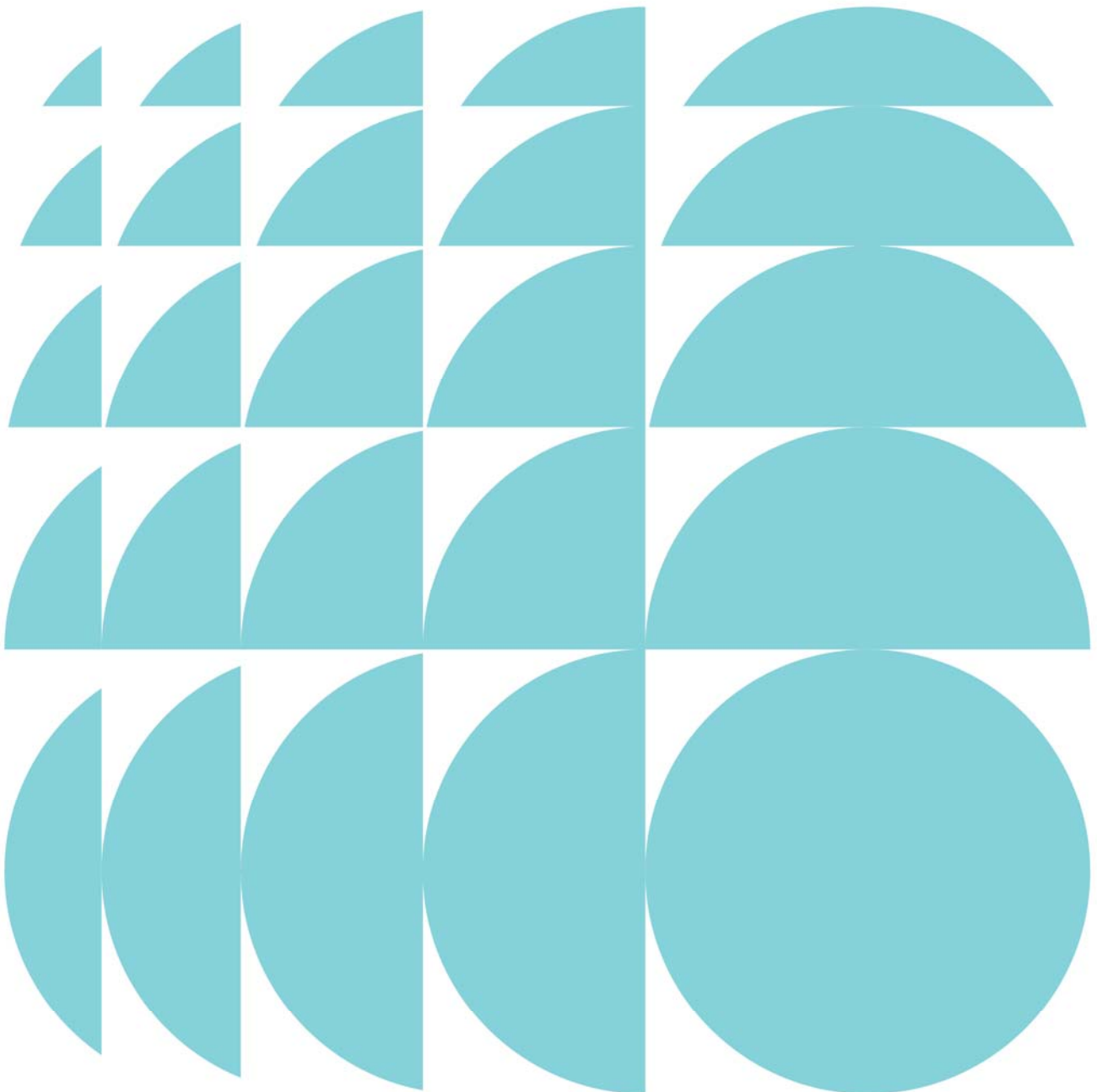
Planning Proposal

Amendment to Ashfield Local Environment
Plan 2013

2-6 Cavill Avenue, Ashfield

Submitted to Inner West Council
On behalf of Barana Group

14 August 2017 | 15708



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VERSION NO.: 2

DATE OF ISSUE: 14/08/2017 REVISION BY: AN

APPROVED BY: AD

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- C Traffic and Parking Impact Assessment
The Transport Planning Partnership
- D Strategic Economic Assessment
JBA / Colliers

1.0 Introduction

This Planning Proposal has been prepared by Ethos Urban (formerly JBA) on behalf of Barana Group, as owners of 2-6 Cavill Avenue, Ashfield (herein to be referred to as the Site).

The Site is subject to the *Ashfield Local Environment Plan 2013* (the Ashfield LEP), and in order to facilitate a better redevelopment of the Site, this planning proposal requests that Council initiate an LEP amendment process to:

- retain the base maximum building heights applicable to the Site, and identify part of the Site as 'Area 1' on the Height of Buildings Map;
- increase the maximum Floor Space Ratio of a portion of the Site from 2:1 to 3:1;
- suspend the requirements of Clause 4.3(2A) on this site only; and
- suspend the requirements of Clause 4.3B(3) on this site only.

The Planning Proposal is described in more detail in **Section 6.0** of this report. A revised Design Concept Study, providing evidence for the development standards being sought, will be provided post Gateway Determination. It is noted that Council may be minded to prepare a site specific Development Control Plan, to ensure the urban design outcomes discussed in this proposal are achieved in the future redevelopment of the Site.

1.1 Planning Proposal Structure

The report has been prepared in accordance with the Department of Planning and Environment's *A Guide to Preparing Planning Proposals* (August 2016), and has been prepared in six parts to address section 55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as outlined below:

- **Part 1** – Objectives and intended outcomes of the proposed instrument;
- **Part 2** – explanation of the provisions that are to be included in the proposed instrument;
- **Part 3** – Justification of the objectives and intended outcomes;
- **Part 4** – Mapping of the proposed instrument;
- **Part 5** – details of the community consultation to be undertaken; and
- **Part 6** – Project timeline.

This planning proposal describes the Site and the proposed changes to the Ashfield LEP, and provides a justification for the proposal. The report should be read in conjunction with the specialist consultant reports appended to this report (refer Table of Contents).

1.2 Background

This Planning Proposal presents a unique opportunity to influence the evolution of the Ashfield Town Centre and provide for new homes and jobs in a highly accessible location. At almost a hectare in area, the scale of the Site lends itself to a reconsideration of the applicable planning controls in order to deliver the best possible outcome and to leverage the Sites accessible and strategically valuable location within the existing town centre. The proposal thereby seeks to align the Site with the

dominant development standards of the Ashfield Town Centre, and provide for a mixed use development that is commensurate with the strategic context and potential of the Site.

Consultation

The Planning Proposal has been deliberated between the representatives of Inner West Council and the landowner on two separate occasions, to discuss the proposal and gain preliminary feedback. These meetings were held on the 6 October 2016 and 14 December 2016, and included two previous design iterations. It was suggested that further consideration be given to the interface of the development with the north west of the Site, the inclusion of affordable housing, and the proposals nexus with existing Council strategies. The Planning Proposal has addressed Council's comments where required.

The proponent also met with Inner West Council's Architectural Excellence Panel on 23 May 2017, to discuss the potential built form of future development on the Site.

2.0 Site Analysis

The Site is located within the suburb of Ashfield in the Inner West Council Local Government Area (LGA). Ashfield is located approximately 9km south west of the Sydney CBD and 7km north west of Sydney International Airport, within Sydney's Inner West. The Site is located on the southern side of the railway line, approximately 400m to the west of Ashfield Railway Station, on the western edge of the Ashfield Town Centre.

It is situated in a prominent corner position off the main east/west connector road through Ashfield (Liverpool Road / Hume Highway) and forms a key bridging location between the currently disjointed retail premises to the east and west on Liverpool Road. The Site can be characterised as a 'transition Site' between the Ashfield Town Centre and retail premises and the residential communities to the west. In order to address the transitional context of the Site, development has to fulfil dual objectives of protecting the need for active street frontages and mixed uses, whilst also creating greater vibrancy and addressing demand for dwellings in established centres that are well serviced by public transport.



Figure 1- The Site within the Ashfield Town Centre

Source: Bates Smart

2.1 Site Description

The Site comprises of nine (9) allotments at the corner of Cavill Avenue, Liverpool Road, and Thomas Street. These lots are owned by Barana Group (the proponent). They have a combined area of 8,421m² and are generally rectangular in shape. Within the combined allotments there are two through-site links running from the development Site between/adjacent to the apartment buildings bordering the Site to the west and providing access to The Avenue. These through Site links are used for vehicle access.

The various allotments subject to this proposal include:

- Lot 9 in DP 940918;
- Lot 17 in DP 168456;
- Lot 101 in DP 234926;
- Lot 5 in DP 6262;
- Lot 1 in DP 556722;
- Lot 2 in DP 556722;
- Lot 1 in DP 971932;
- Lot 1 in DP 6262; and
- Lot 2 in DP 6262.

2.2 Existing Development

The Site is presently occupied by two independent commercial buildings approximately six storeys in height (plus rooftop plant), with modular built forms and a mixture of at-grade and basement car parking. They have generally been built with a generous landscaped setback fronting Cavill Avenue between 24m and 15m, and with reduced side and rear setbacks ranging from approximately 2-6m.

Neither of these buildings are identified as heritage items, and the Site is not located in a heritage conservation area.



The Site

Figure 2- Aerial photo of the Site and existing development



Figure 3- buildings on the Site as viewed from Liverpool Road



Figure 4- buildings on the Site as viewed from Cavill Avenue

2.3 Site Access and Transport Infrastructure

Surrounding Road Network

The Site is connected by the following roads:

- **Liverpool Road/Hume Highway** – Liverpool Road is State Road that is configured as a two-way four-lane road. This road provides a good east-west arterial link to surrounding suburbs and connects to the other arterial links such as Paramatta Road and Centenary Drive via Hume Highway. Strategically it is the main east/west connector road through Ashfield (Liverpool Road / Hume Highway) and forms a key bridging location between the currently disjointed retail premises to the east and west on Liverpool Road.
- **Cavill Avenue** – Cavill Avenue is a Regional Road that generally travels in a north-south alignment with an L-shape one-way connection from Markham Place. It is a two-way, two-lane cul-de-sac arrangement, with a posted speed limit is 50km/h. Kerbside parking is permitted on both sides of the road.
- **Thomas Street** – Thomas Street is a Regional Road that is a two-way, two-lane road, generally aligned in an east-west direction. It has a posted speed limit of 50km/h. Kerbside parking is generally provided on both sides of the road.
- **The Avenue** – The Avenue is a Local Road configured as a two-way cul-de-sac arrangement. This road mainly services residential traffic accessing their properties on The Avenue. Kerbside parking is provided on both sides of the road.

Pedestrian

The Site is located at the junction of key pedestrian linkages along Liverpool Road and Markham Place/The Esplanade that run east/west through the Ashfield Town Centre, and a pedestrian tunnel from Cavill Avenue under the rail line to the northern side of Ashfield. These pedestrian thoroughfares provide access to the railway station, and over the rail line, as well as various businesses and services within the centre. Refer to **Figure 5** below.

The *Ashfield Town Centre Renewal – Public Domain Strategy* has also identified public domain improvements to be delivered including a laneway and threshold upgrade and potential retail opportunities along Markham Place/The Esplanade. These upgrades in proximity of the Site will improve the pedestrian experience.

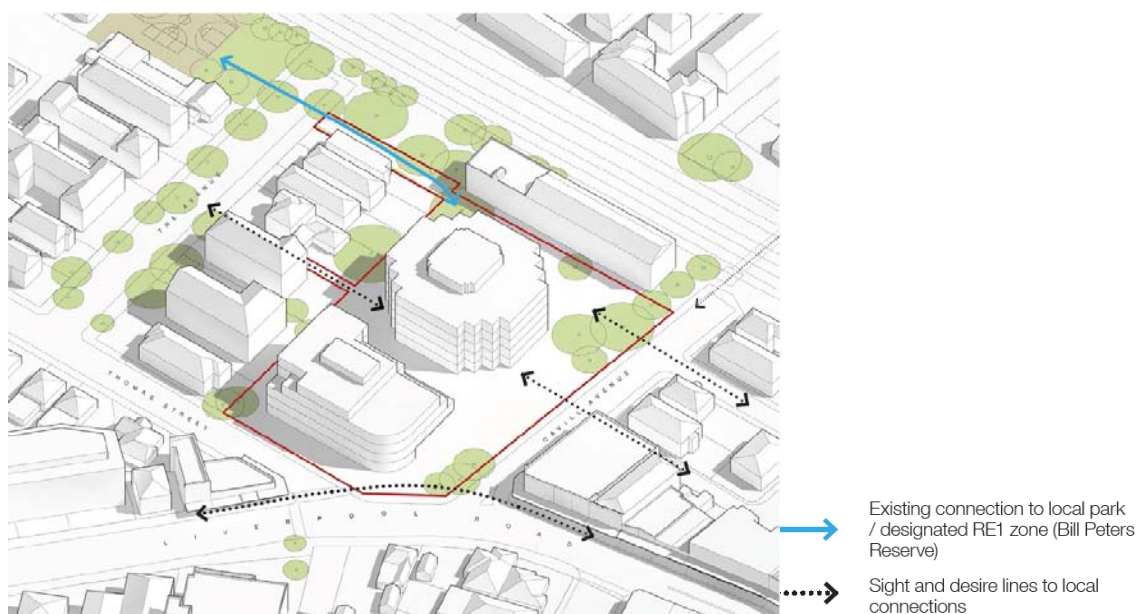


Figure 5- Existing pedestrian connections

Source: Bates Smart

Bicycle

Cycle paths in the vicinity of the Site are generally on-road routes running north/south along Holden Street/Bland Street providing access to Haberfield and the Greenway, and east/west along the Elizabeth Street that follows the rail corridor. No new cycle routes are proposed in vicinity of the Site.

Rail

The Site is located approximately 400m to the west of Ashfield Railway Station. Ashfield Railway Station is on the T2 Inner West and South Line and comprises of five platforms (two city bound, two outward bound, and one used as a turnback to the city). Ashfield Station was either the origin or destination for 3,530,995 journeys in 2014, which is significant in the context of the Sydney Trains network, and is comparable to Burwood, Kogarah, Rockdale, Hornsby, Blacktown and Auburn Station, which all had an equivalent number of journeys.

The growth generated by urban renewal along the Sydenham to Bankstown corridor and planned improvements to the public transport network has also been forecast to increase public transport patronage for residents of the corridor by approximately 6% per annum up to the year 2036. Whilst Ashfield will not be provided with a new Metro Station, the surrounding renewal in the Inner West will generated a high uptake in rail trips following the introduction of the proposed Sydney Metro City & Southwest network.

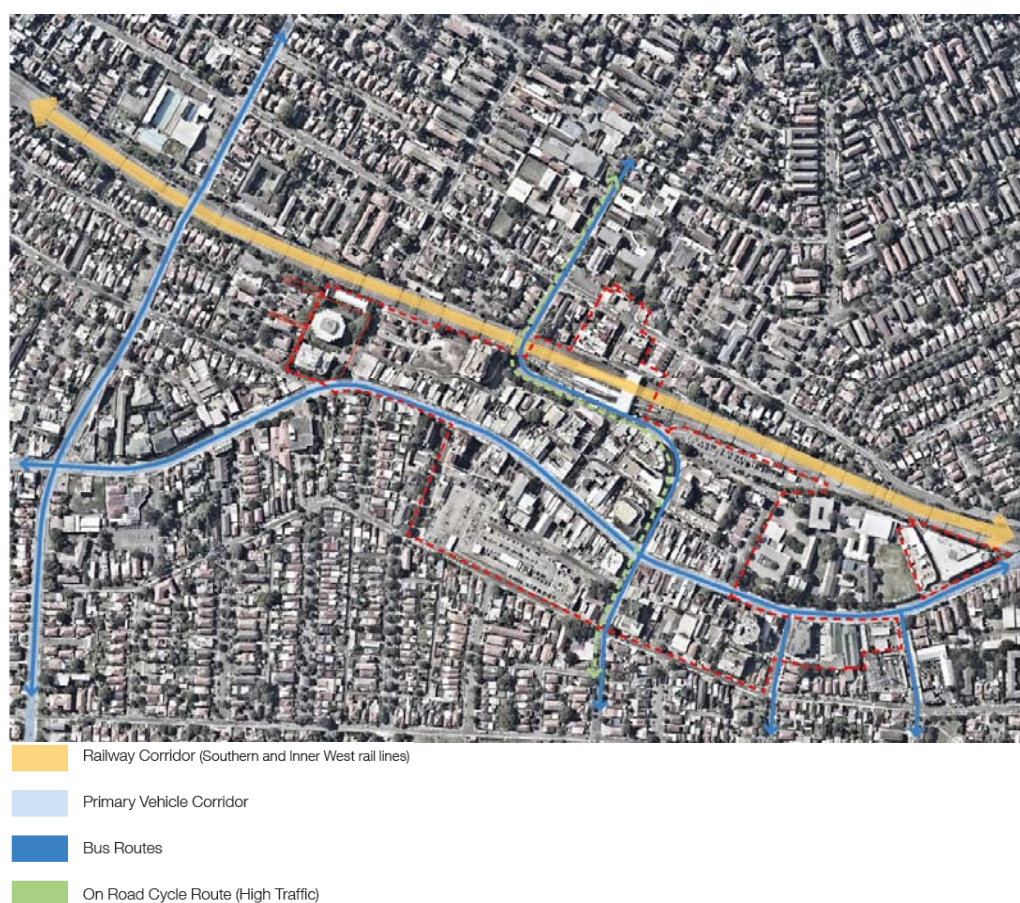


Figure 6- Existing pathways of movement

Source: Bates Smart

2.4 Surrounding Development

The Site is located on the western edge of the Ashfield Town Centre, which comprises of a mixture of different uses and densities and a range of architectural treatments. This centre is in the process of undergoing a transition from an ageing local precinct, to an active mixed use area incorporating a mix of retail and residential land uses. This transition is being supported by current development activity, recent approvals, and further planned development providing contemporary higher density development interspersed within and around the centre (refer to **Figure 7** below).



Figure 7- Transformation occurring in the locality

Source: Bates Smart

The Site is adjoined to the north by a four storey residential apartment block that accommodates 60 units. The building has been built to the southern side boundary (where it adjoins the Site), and is setback from the rail corridor by an access driveway. Private open space for the residents is provided in the form of balconies that overlook the Site and rail corridor.

Adjoining the Site to the east is Cavill Avenue. On the north eastern side of Cavill Avenue are lower density two storey walk-up apartment blocks constructed from red brick with red tiled roofs and a pitched roof form. The north western corner of the Town Centre is dominated by this style of development that typically houses between 4 and 15 dwellings with minimal Site landscaping. On the south eastern side of Cavill Road is a two and a half storey retail development fronting Liverpool Road, with ground floor commercial uses and storage or offices above. Ground floor non-residential uses as active frontages continue down Liverpool Road.



Figure 8- walk up apartments on the Eastern Side of Cavill Avenue



Figure 9- Existing building at the corner of Liverpool Road and Cavill Avenue

To the south of the Site is the corner of Thomas Street and Liverpool Road. Development on the southern side of these roads is diverse both in terms of land uses and built form that ranges from a three storey commercial tower, to a six storey residential flat building, and low density detached dwellings leading into the Miller Avenue heritage conservation area.



Figure 10- Existing commercial tower on Liverpool Road

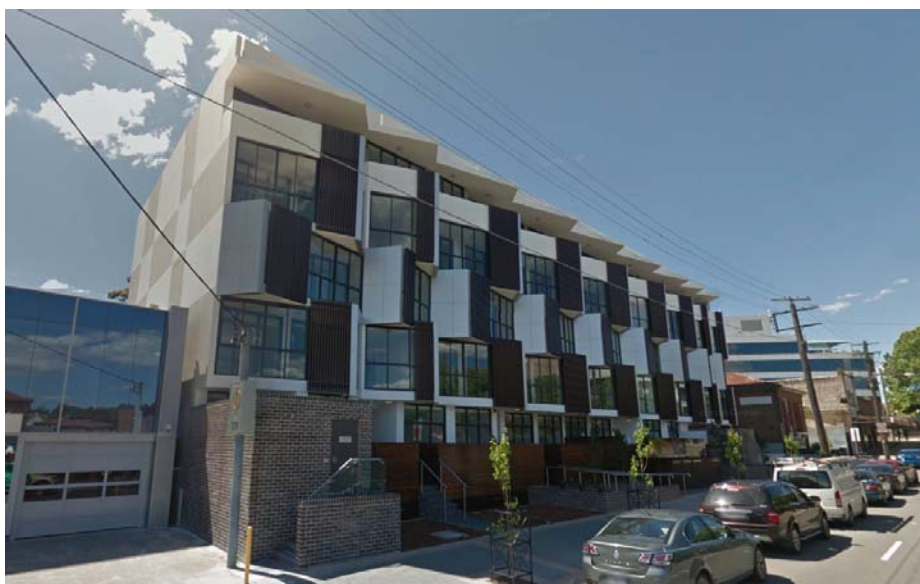


Figure 11- Residential flat building on Liverpool Road



Figure 12- Low density detached dwelling on Liverpool Road

To the west of the Site is residential development fronting The Avenue and ranging from one to four storeys in height. This includes three local heritage listed residences (Item Numbers 306-308), which have been recognised as examples of residential architecture in the Federation Queen Anne Style, and a cogent expression of several themes of municipal history including the growth and development of Ashfield in the Federation period.



Figure 13- Higher density residential development on the eastern side of The Avenue

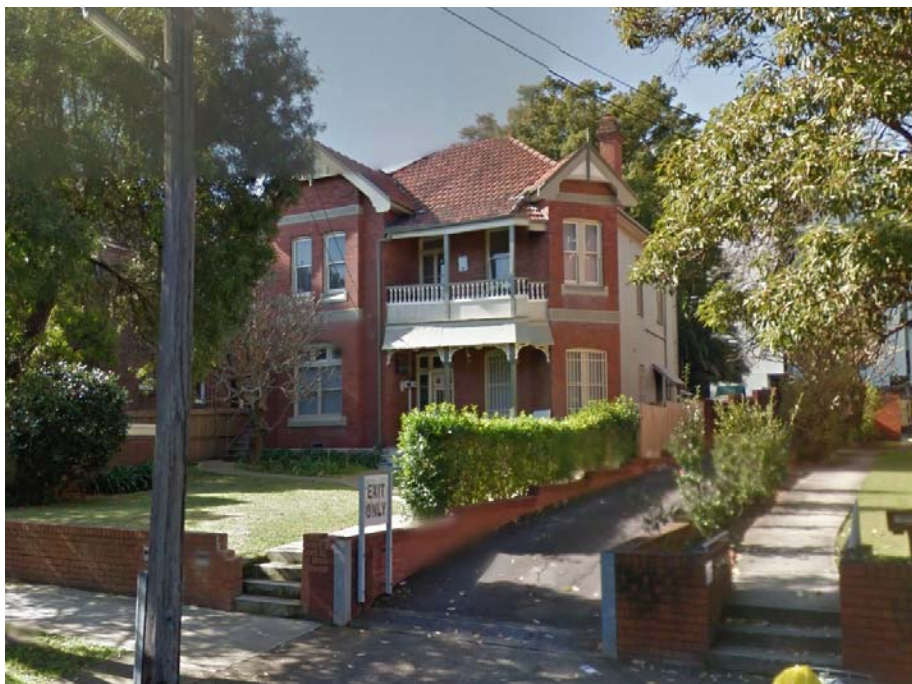


Figure 14- Heritage listed house at 9 The Avenue

3.0 Local Planning Framework

The Site is subject to the *Ashfield Local Environment Plan 2013* (Ashfield LEP), which provides the following controls. The proposed changes to these controls is discussed in **Section 6** below, which will propose to align the Site with the dominant development standards of the Ashfield Town Centre.

3.1 Zoning

The majority of the Site is zoned B4 Mixed Use with both employment generating uses and residential accommodation permitted on the Site, with the remaining part of the Site zoned R2 Low Density Residential (refer to **Figure 15** below).

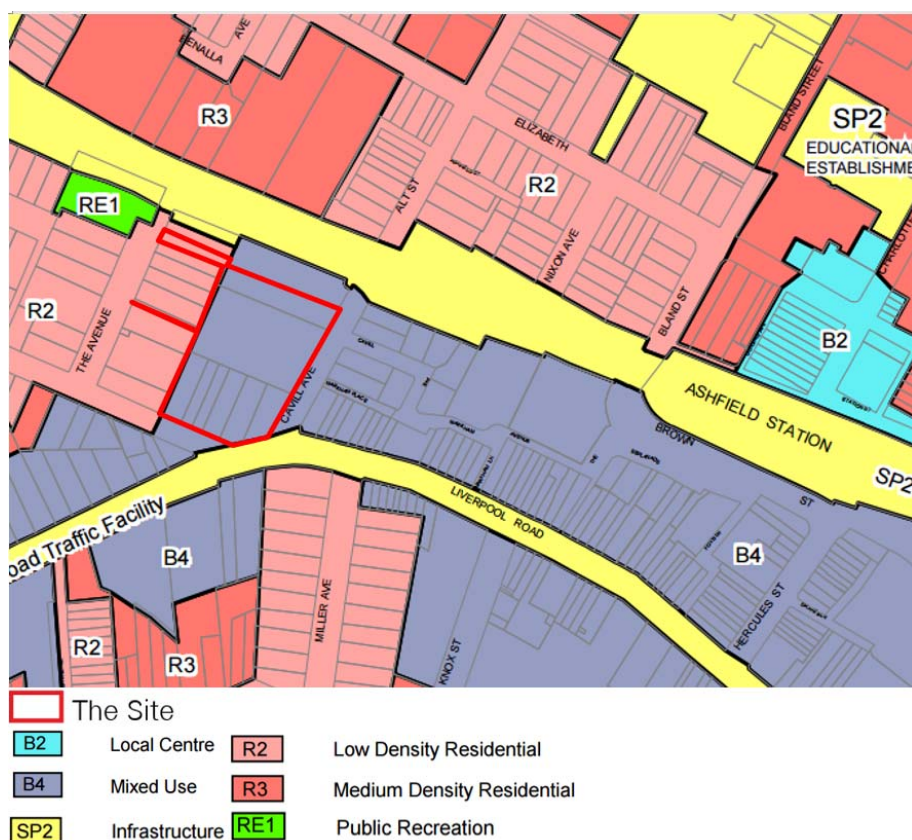


Figure 15- Existing land use zone

Source: *Ashfield Local Environment Plan 2013* / Ethos Urban

3.2 Building Height

The through-site link allotments are zoned for a maximum building height of 8.5m, which steps up to 23m on the developable portion of the Site (refer to **Figure 16** below). This base height control is influenced by Clause 4.3(2A) of the Ashfield LEP, which applies to the B4 Mixed Use portion of the Site and prohibits any Gross Floor Area (GFA) within the top three metres of the height limit set by the Height of Buildings Map. Accordingly, the 23m base height is limited to a maximum realistic height of 20m on the developable portion of the Site.

The Site is also not presently subject to any bonus height above this maximum when providing affordable housing, as contained in Clause 4.3A of the Ashfield LEP. This provision for a height bonus applies to much of the Ashfield Town Centre surrounding the Site.



Figure 16- Existing maximum building height

Source: Ashfield Local Environment Plan 2013 / Ethos Urban

3.3 Floor Space Ratio

The developable portion of the Site has a maximum Floor Space Ratio of 2:1, and the through-site links have a Floor Space Ratio of 0.7:1 (refer to **Figure 17** below).



Source: Ashfield Local Environment Plan 2013 / Ethos Urban

4.0 Strategic Context

The Site forms an important strategic location within Ashfield, and will assist in realising the desired outcomes for strategic planning in Greater Sydney. The strategic planning context of the Site is discussed below.

4.1 A Plan for Growing Sydney

In December 2014, the Department of Planning and Environment (The Department) released *A Plan for Growing Sydney*. This Plan presents a strategy for accommodating Sydney's future population growth over the next 20 years, and sets out goals and associated actions that will guide this growth.

The strategy is the overarching document, and is informed by the district plans, local strategies, and finally local plans as illustrated in **Figure 18** below.

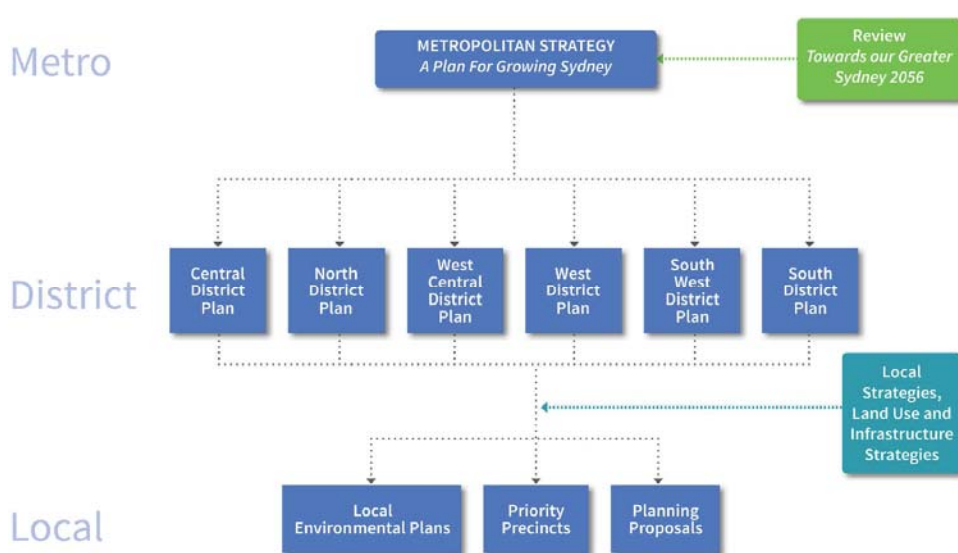


Figure 18- A hierarchy of plans

Key actions for this plan centre around establishing a competitive economy, housing supply and choice, strong, healthy, and connected communities, and addressing sustainability and resilience with a balanced approach to the natural environment. Specifically, relevant actions include:

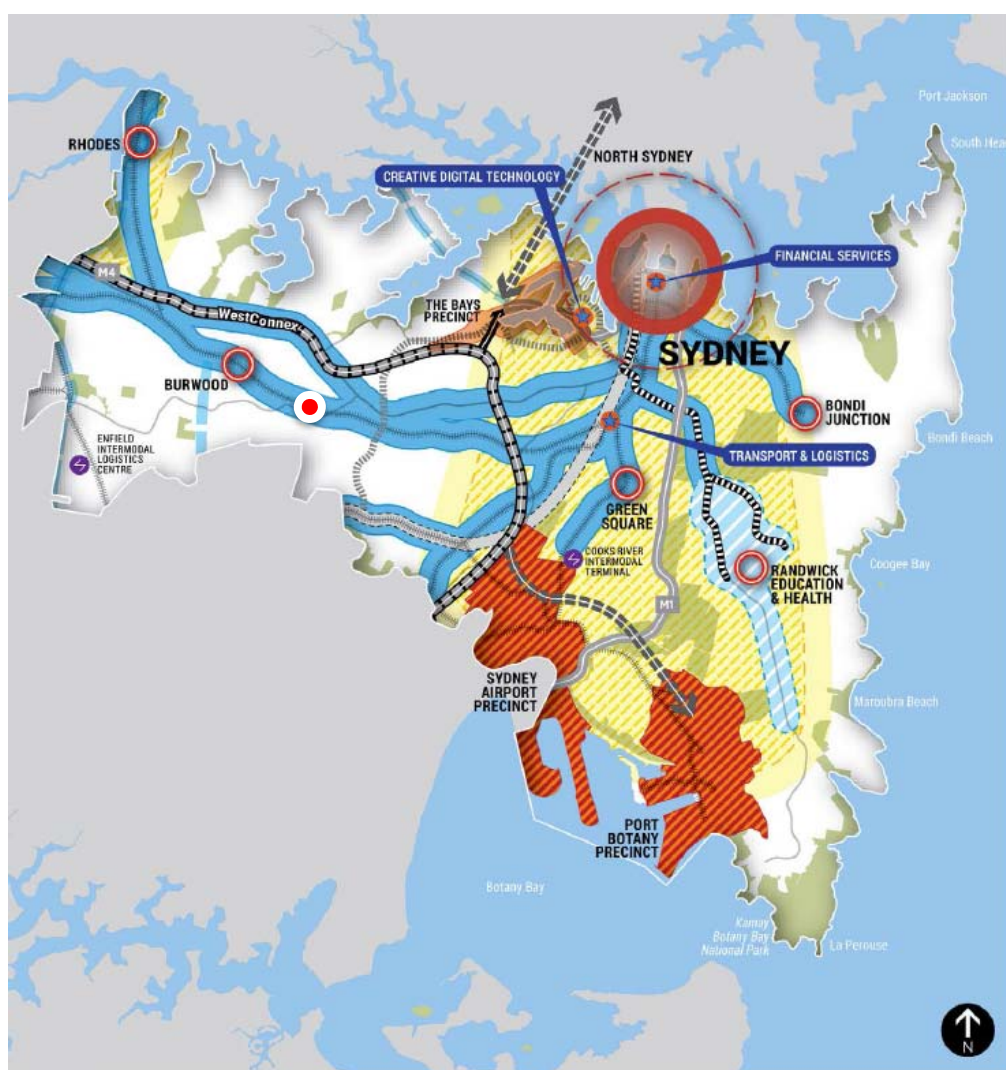
- providing more jobs closer to home;
- accelerate housing supply across Sydney;
- accelerating urban renewal across Sydney;
- improving housing choice to suit different needs and lifestyles;
- create healthy built environments;
- protect our natural environment and biodiversity; and
- manage the impacts of development on the environment.

The Plan forecasts increased levels of growth in the employment and residential sectors with residential dwelling targets increased by 22% to accommodate an additional 664,000 new dwellings

in Sydney by 2031. More recently, The Department has released the NSW population projections, which indicate that the Inner West LGA will grow by 29% by 2036 (or c.1% per annum) with an additional 51,800 expected persons to reside in the LGA over the period.

A Plan for Growing Sydney also identifies six subregions within Greater Sydney, that have guided the further study of the area in the Draft District Plans released November 2016. Ashfield is located in the Central Precinct and has been identified as being within an urban renewal corridor. It is the intention of the plan to implement housing intensification and urban renewal along key public transport corridors, which includes the Inner West railway line.

There is thereby the opportunity to support and facilitate the directions of this plan through the future redevelopment of the Site. Namely, it can support urban renewal to in-turn improve housing choice and housing supply in an established centre; it can continue to provide a mix of uses on the Site to provide jobs closer to home; it can locate more residents in close proximity of public transport; and it can provide additional density on a developed Site without significant environmental and biodiversity features.



● Ashfield

Figure 19- The Central Subregion

Source: *A Plan for Growing Sydney*

4.2 Draft Central District Plan

The Draft Central District Plan underpins *A Plan for Growing Sydney* and has identified this region of Sydney as a 'powerhouse' and focal point for establishing a competitive and liveable city. The plan establishes key priorities for achieving its vision for the centre of Sydney, including:

- leveraging investment in transport infrastructure to increase connections between where people work, live, and play to create a '30 minute city';
- meeting housing demand with innovative solutions, including providing people with a range of housing choices and types, and partnering population growth with infrastructure planning; and
- enriching unique places and connections through facilitating a network of attractive, liveable centres and community hubs connected by convenient transport links.

More specifically, the plan identifies Ashfield as a local centre and recognises that in order to accommodate the Department's population projections (discussed further above), an additional 46,550 dwellings are required for this district in the next five years and up to 157,500 dwellings in the next ten years. This translates to 5,900 dwellings for the Inner West LGA to be delivered by 2021. The plan also notes that there are opportunities to deliver beyond this minimum dwelling target and address pent up demand resulting from past undersupply. A key action for Council to address this is to *"investigate local opportunities to address demand and diversity in and around local centres and infill areas with a particular focus on transport corridors and other areas with high accessibility"*. Accordingly, in order to address the nominated targets and actions for Council, there is a requirement to accelerate housing supply and urban renewal in established centres.

Council has also requested that the proposal address 'Principle 2: stronger economic development in strategic centres and transport gateways', which was a principle considered under *A Plan for Growing Sydney* and referenced in the Draft Central District Plan. Whilst this principle does not strictly apply to the Site, which is neither in a Strategic Centre or a Transport Gateway (refer to **Figure 20** below), the priority states:

"Locating jobs in around 30 to 40 large centres across Greater Sydney provides the greatest benefits to the city's overall productivity. Greater Sydney's largest and most important hubs for business and employment are 'strategic centres' and 'transport gateways'."

As is detailed in the Strategic Economic Assessment prepared by JBA/Colliers International (**Appendix D**) and discussed further in **Section 7**, whilst Ashfield does embody some of these principles relating to access to transport and the presence of government agencies, there are also a multitude of fundamental strategic and market based reasons preventing significant commercial and retail development within the centre. It is emphasised that the existing land use for the Site does not prevent development for purely residential uses, and as such the Planning Proposal needs to be considered in this light.

Notwithstanding this, 'Productivity Priority 3' in the Draft Central District Plan can relate to the proposal and the context of Ashfield as a Local Centre. This priority refers to managing the growth of business in centres, and matters for consideration when preparing a Planning Proposal, which have been addressed in **Table 1** below.

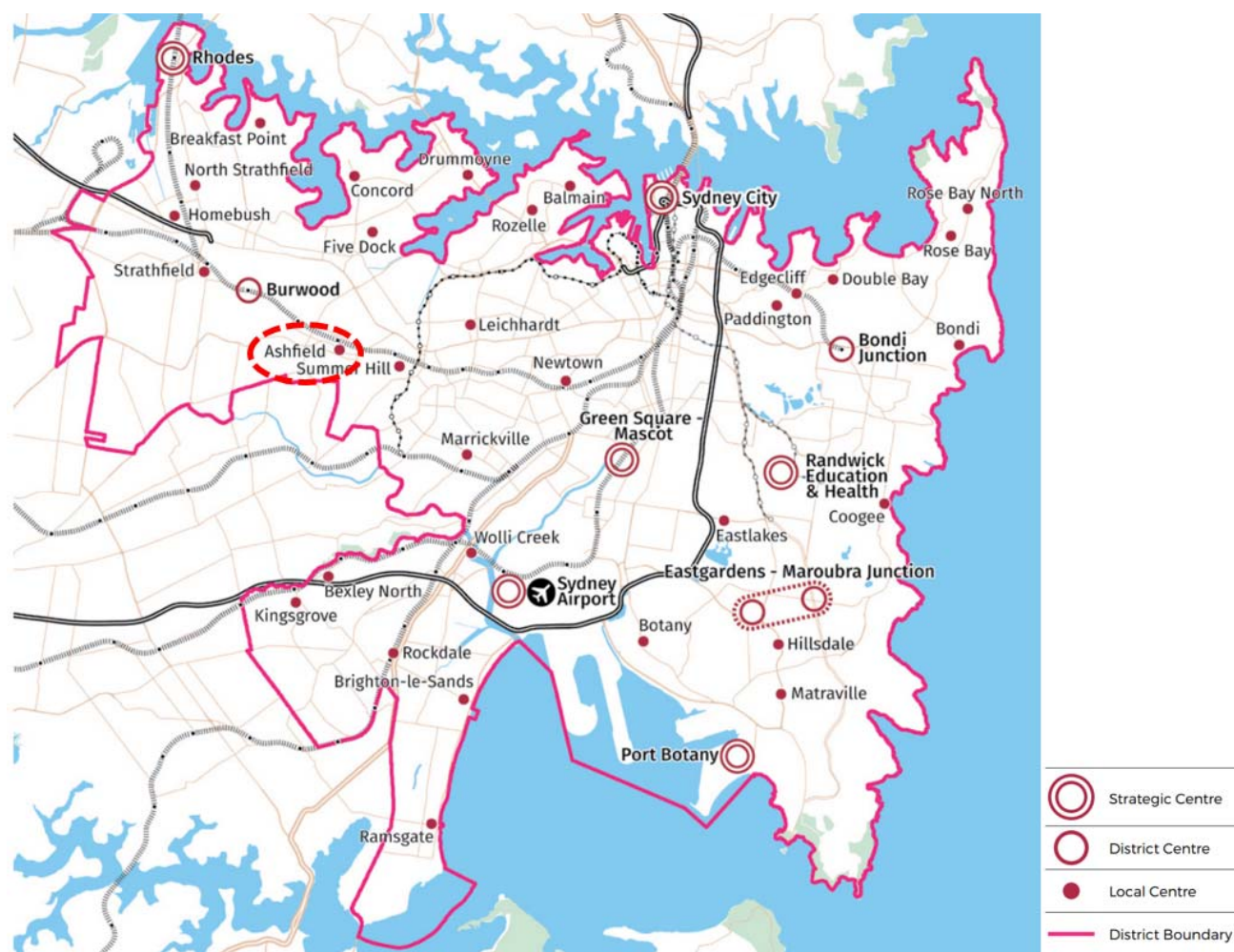


Figure 20- Central District Centres

Source: Draft Central District Plan

Table 1- Assessment against Productivity Priority 3 of the Draft Central District Plan

Provision	Comment
<i>When undertaking planning for strategic, district and local centres, the relevant planning authority should consider:</i> <i>Opportunities for existing centres to grow and new centres to be planned to meet forecast demand across a range of retail business types, including:</i> <i>The need to reinforce the suitability of centres for retail and commercial encouraging a competitive market</i>	As is discussed in the Strategic Economic Assessment and Section 7, there is limited opportunity for the existing Ashfield Local Centre to grow substantial retail and commercial offerings beyond smaller floor plates, given the extent of current commercial/retail offering in the suburb and the broader Inner West region. Whilst there is a need to encourage vitality and mixed uses in the centre, the Site is not suitable for, and cannot competitively provide, substantial commercial or retail development.
<i>The commercial requirements of retailers and commercial operators such as servicing, location, and visibility and accessibility</i>	These factors are a primary consideration when determining the feasibility of new commercial or retail development, and have informed the proposed outcome, and will inform future development on the Site. These requirements have not been achieved on the Site and as such are preventing significant commercial or retail redevelopment.

Provision	Comment
– <i>The use of B3 Commercial Core Zones in strategic centres, and where appropriate, in district centres to reinforce and support the operation and viability of non-residential uses, including local office markets.</i>	As discussed above, the Site is presently zoned R2 Low Density Residential and B4 Mixed Uses. These existing land use zones presently allow development for purely residential uses.

4.3 Ashfield Urban Planning Strategy 2010

The *Ashfield Urban Planning Strategy 2010* (Ashfield Strategy) was a comprehensive study undertaken by Council to inform the Ashfield LEP. Whilst this study is effectively superseded by the introduction of the LEP and revised strategic planning actions for Greater Sydney (outlined above), it does provide an overview of the strategic planning intent for the Ashfield Town Centre and the Site. However, it is also recognised that this study addressed previous housing supply targets that have since been revised under the new District Plan, and as such is potentially limited. This strategy is identified under the District Plan as a former local initiative to increase capacity in the LGA, and as such represents a possibly outdated and conservative approach to the potential of the region. This is also in light of more recent infrastructure mechanisms and investments, and substantial growth predicted by recent population forecasts.

This strategy identifies the Site as being within the town centre core, and a mixed use centre (refer to **Figures 21** and **22**).

A key direction for housing in Ashfield under this strategy is to promote urban renewal in and around the Ashfield Town Centre, which will continue to be the focus for accommodating the majority of Ashfield's future housing requirements into the future. The introduction of new apartment buildings and greater mixed use development is credited as providing people with the opportunity to live close to transport and shops. The strategy accordingly seeks to promote mixed use development with ground level active, non-residential uses. It also highlighted that there is a need to cater for smaller household sizes and the increase in people living alone, and address the lack of housing affordability in the area.

The Town Centre is also identified as having a strong commercial and business sector, recognising that there is an opportunity for new stand alone and mixed use developments that can take advantage of access to public transport and provide significant 'flow on' economic benefits to retailers and support services. A key action was to promote new retail and business opportunities as part of mixed use developments within the town centre.

This support for mixed use developments, providing for integrated work and jobs in the centre, is leveraged off the existing public transport network. The strategy notes that Ashfield is well serviced by public transport in the form of heavy rail and bus services and that the Town Centre embodies the principles of Transit Orientated Design through providing retail and commercial uses and greater residential densities within walking catchment of Ashfield Station.



Figure 21- Ashfield Town Centre Core (Site shown in red)

Source: Ashfield Urban Planning Strategy 2010

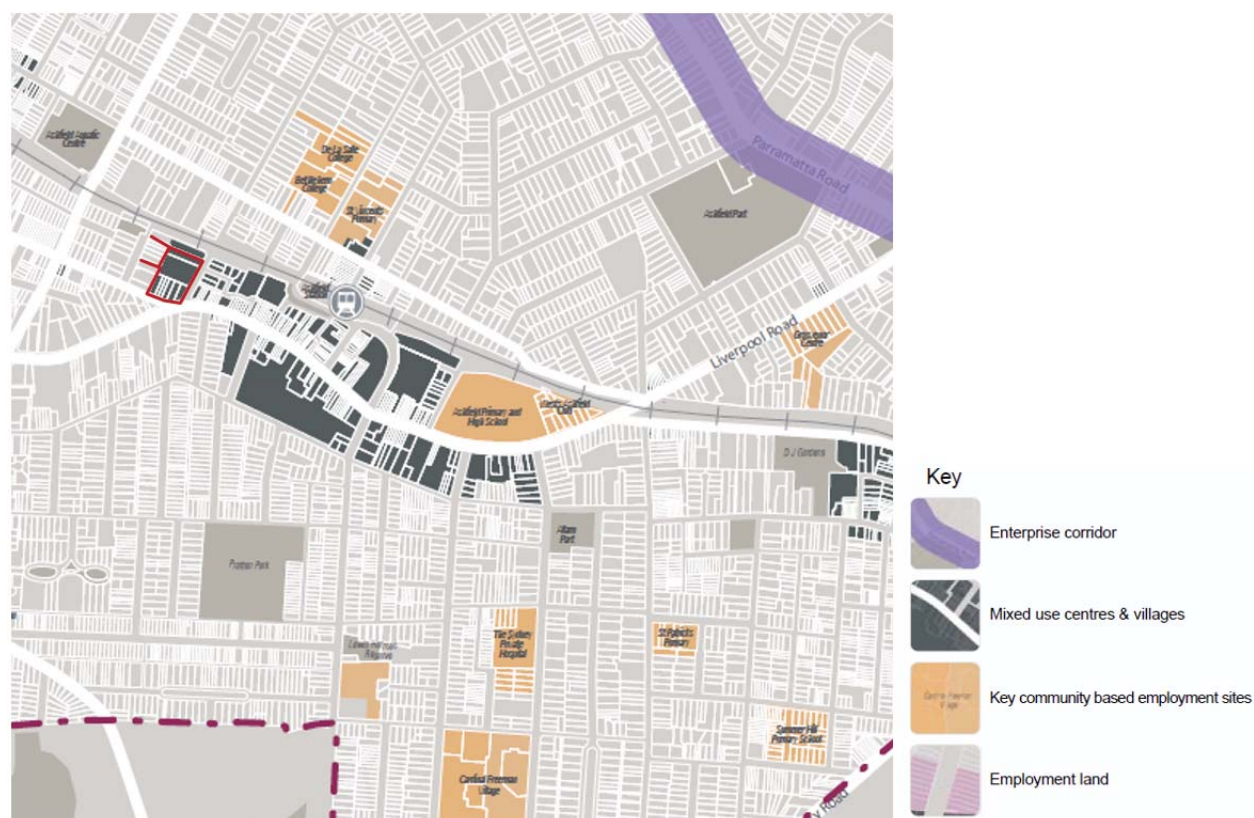


Figure 22 – Ashfield mixed use centre (Site shown in red)

Source: Ashfield Urban Planning Strategy 2010

4.4 Ashfield Town Centre Strategy

Whilst the Planning Proposal has addressed its consistency with the *Ashfield Urban Planning Strategy 2010* above, there is also the *Ashfield Town Centre Strategy 2008* that was never rescinded. This Strategy sought to review the previous Town Centre Strategy and Development Control Plan, and serve as a reference point for other town planning statutory documents. At the outset this review specified that the Strategy would not entertain any change to the existing FSR or height within the centre. This has meant that the relevant development standards within the centre have remained fixed for close to a decade, despite significant change occurring within Sydney and surrounding Ashfield. It is therefore crucial that Ashfield respond to both the historic and future planned changes within Sydney.

At the request of Council, the key strategic issues relevant to the Site under this plan have been addressed below.

Section 2a - Economic Development

A key objective is to strengthen the economic position of Ashfield, however, the Strategy also acknowledges that the “*challenges are to promote employment growth in the Town Centre by ensuring new employment-generating development is feasible*”, and that there is a need to “*apply planning controls that will make development feasible in order to accommodate required additional employment and residential growth*”. This acknowledges the challenges in attracting significant employment-generating uses in the centre, and associated feasibility problems with commercial development.

These key issues have been encountered by the proponent. Whilst it is intended that future development on the Site will provide non-residential tenancies, developing a substantial proportion of the Site as either commercial or retail floor space would remain unfeasible. As is discussed in **Section 7.2.1**, the proposal will remain consistent with the overall intent of the Site to foster mixed uses and contribute to the vitality of the centre.

Section 2B – Potential & Constraints

Whilst Council resolved not to revisit the height and FSR standards pertaining to the Ashfield Town Centre, the Strategy does acknowledge that those areas most capable of being developed to the fullest potential comprise sites that have been amalgamated and have vehicle access. The Site is consistent with both of these considerations, being almost a hectare in size and with vehicle access available from three frontages (Cavill Avenue, The Avenue, and Thomas Street). It is emphasised that a development and place making opportunity of this magnitude is extremely rare, and lends itself to a reconsideration of the applicable planning controls.

5.0 Part 1 - Objectives and Intended Outcomes

The Planning Proposal seeks to amend the Ashfield LEP to support a high density mixed-use development on the Site. The following section outlines the indicative development concept, the objectives and intended outcomes of the Planning Proposal, and provides an explanation of the proposed provisions in order to achieve those outcomes.

5.1 Objectives and Intended Outcomes

The intended outcome of this Planning Proposal is to amend the Ashfield LEP to enable a better redevelopment of 2-6 Cavill Avenue, Ashfield. The proposal seeks to deliver a mixed use development commensurate with the strategic context and potential of the Site. It does not constitute a major or unforeseen change to the town centre structure but rather it builds on the consistency of the centre.

Site is situated in a prominent corner position off the main east/west connector road through Ashfield (Liverpool Road / Hume Highway) and forms a key bridging location between the currently disjointed retail premises to the east and west on Liverpool Road. The Site can be characterised as a 'transition Site' between the Ashfield Town Centre and retail premises and the residential communities to the west. In order to address the transitional context of the Site, development has to fulfil dual objectives of protecting the need for active street frontages and mixed uses, whilst also creating greater vibrancy and addressing demand for dwellings in established centres.

Presently, the Ashfield Town Centre does not demonstrate a logical spread of density around the Railway Station. Existing high density development is interspersed in within or around the centre, creating an eclectic and transitional urban character with sometimes limited access to the station and the commercial assets that directly adjoin the station. There is thereby the opportunity to better integrate density and services through this proposal, commensurate with the increased capacity for development in the Inner West and the Ashfield Railway Station that accommodates a significant number of journeys every day.

It is also emphasised that, at almost a hectare in area, the scale of the Site lends itself to a reconsideration of the applicable planning controls in order to deliver the best possible outcome and to leverage the Sites accessible and strategically valuable location within the existing town centre. The Planning Proposal represents a unique opportunity to influence the evolution of the Ashfield Town Centre through aligning the Site with the dominant development standards of the Ashfield Town Centre.

More specifically, the proposal intends to facilitate the delivery of a high quality mixed use development of a desirably located Site that reflects the evolution of Ashfield and the Inner West towards a high density mixed land use character. This proposed redevelopment will also deliver significant public benefits through the provision of affordable housing under the Ashfield LEP, as discussed further in **Sections 6** and **7** below.

More specifically, the proposal will:

- Continue to support the provision of an integrated mixed use building in an evolving mixed use precinct.
- Facilitate the renewal of a strategically located parcel of land.

- Encourage a continued commercial presence on the Site, at a scale that will meet the future needs of new jobs, support the mixed use intention of the Site, and strengthen the corridor of active uses along the Hume Highway/Liverpool Road.
- Provide new residential apartments to take advantage of this accessible location, proximity to services, and existing rail networks with direct connections to major employment destinations.

These proposed outcomes will be achieved by:

- retaining the base maximum building heights applicable to the Site, and identify part of the Site as 'Area 1' on the Height of Buildings Map;
- increasing the maximum Floor Space Ratio of part of the Site from 2:1 to 3:1;
- suspending the requirements of Clause 4.3(2A) on this site only; and
- suspending the requirements of Clause 4.3B(3) on this site only.

Refer to **Section 6** for further discussion on the proposed amendments to the Ashfield LEP.

5.2 Development Concept

A revised Design Concept Study, providing evidence for the development standards being sought, will be provided post Gateway Determination. This will detail how a future mixed use development on the Site can achieve the objectives and intended outcomes.

It is noted that Council may also be minded to prepare a site specific Development Control Plan, to ensure the desired urban design outcomes are achieved in the future redevelopment of the Site.

Figures 23 and 24 below are illustrations of one possible scenario for the redevelopment of the Site achieving the proposed development standards detailed in the section above, including a height of 30m and an FSR of 3:1.



Figure 23 – Illustration of one possible scenario for the redevelopment of the Site

Source: Bates Smart



Figure 24 – Illustration of one possible scenario for the redevelopment of the Site

Source: Bates Smart

The Site could be arranged so that through-site links along the line of existing laneways are extended through the Site to enhance permeability. These will improve connections to the east towards Ashfield Station and to the RE1 zone / Reserve to the west. The arrangement is such to avoid as much conflict as possible with vehicular movement, and to build on existing paths of travel and a revitalised public domain (refer to **Figure 25**).

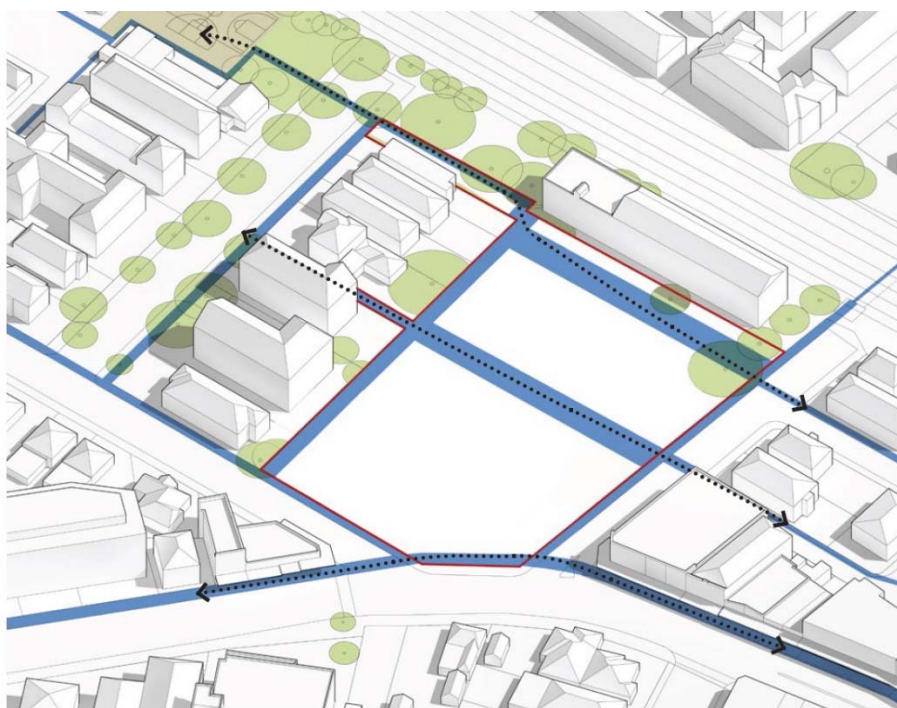


Figure 25 – Through-site links

Source: Bates Smart

The following are also possible desirable attributes that can be achieved through the redevelopment of the Site:

- Built form can better address the prominent location on the "corner" of Liverpool Road and respond to the natural curvature of the road.
- It can activate and address this prominent road corridor and address the presently disjointed retail premises to the east and west of the Site, contributing to a holistic retail/commercial corridor.
- The top most storeys of buildings can be inset to reduce the height of the street wall and provide external amenity space to the top floor apartments.
- The future design can create a two storey townhouse "base" that helps to sculpt the perceivable ground plane and public realm. These integrated townhouse offerings assist in creating a human scale and establishing a built form that responds to the medium density development in the adjacent sites (refer to **Figures 26-27** below). These terraces would typically be provided with private terraces and individual ground floor entries to activate the street frontages, giving the look-and-feel of lower density living. This dwelling typology has been delivered successfully in other areas of Sydney such as Harold Park, and can be refined through a future site-specific Development Control Plan.
- The built form can be stepped down to Thomas Street and the existing properties on The Avenue to reduce the visual impact on the neighbouring properties and provide an appropriate height transition.

Refer to **Section 7.3** below for a detailed assessment of the desirable urban design outcomes for the Site, and the likely environmental impacts of the proposal based on one potential outcome for the Site.



Figure 26 – Residential flat design as Harold Park with terrace housing at ground level

Source: Mirvac



Figure 27 – Residential flat design as Harold Park with terrace housing at ground level

Source: Mirvac

6.0 Part 2 – Explanation of Provisions

The Ashfield LEP sets out the local planning controls across the formerly Ashfield LGA, now part of the Inner West Council area. This PP seeks to amend the Ashfield LEP to facilitate a better redevelopment of the Site as outlined above.

The existing and proposed LEP controls as well as the recommended amendments are outlined below, and justification is provided in **Section 7**.

6.1 Existing and Proposed LEP Controls

The existing and proposed LEP controls are outlined in **Table 2**. An explanation of the proposed changes is provided in the subsequent sections.

For clarity when discussing the proposed amendments, the Site has been divided into land used for the existing through-site links and the portion of the Site deemed to be the developable land that are proposed to be amended as part of this Planning Proposal (refer to **Figure 28** below when referring to **Table 2** and the discussion following).



Figure 28 – Areas of the Site subject to this Planning Proposal

Table 2 – Existing and Proposed LEP Controls

Location	Existing LEP Control	Proposed LEP Control
Land Use Zone		
Through-site links	R2 Low Density Residential	No change.
Developable land	B4 Mixed Use	No change.
Cl. 4.3 Height of Buildings		
Through-site links	8.5m	No change.
Developable land	23m - Clause 4.3(2A) applies to the Site	- Retain base height, and identify the Site as 'Area 1' - Site specific suspension from Clause 4.3(2A)
Cl. 4.3A Maximum Height of Buildings in Ashfield Town Centre		
Through-site links	Clause does not apply.	No change.
Developable land	Clause does not apply.	Identify the Site as 'Area 1'
Cl. 4.3B Ashfield Town Centre – Maximum Height for Street Frontages on Certain Land		
Through-site links	Clause does not apply.	No change.
Developable land	Clause does not apply.	Site specific suspension from Clause 4.3B(3)
Cl. 4.4 Floor Space Ratio		
Through-site links	0.7:1	No change.
Developable land	2:1	3:1

6.2 Zoning

This Planning Proposal seeks to conserve the original intent for the Site to deliver a mixed use development that provides an essential transition or interface between the Ashfield Town Centre and retail premises and the residential communities to the west. The intended outcome of the Site is to fulfil dual objectives of protecting the need for active street frontages and mixed uses, whilst also creating greater vibrancy and addressing demand for dwellings in established centres.

Whilst no rezoning is proposed, the application should consider a practical way for how access can be easily and sensibly maintained to the B4 land via the existing through-site links. Further investigations should be completed into an alternative land use or site-specific provision for the through-site links.

6.3 Building Height

6.3.1 Inclusion in 'Area 1'

It is proposed to include part of the Site (deemed to be developable portion of the Site) in 'Area 1' on the Height of Buildings Map (refer to the proposed zoning map at **Appendix A**). There is no proposed

change to the base height of 23m that applies to buildings on the Site, rather, the amendment will trigger the application of Clause 4.3A of the Ashfield LEP for the Site. This clause of the Ashfield LEP is an 'exception to maximum building heights in the Ashfield Town Centre' that enables residential flat buildings or shop top housing to exceed the permitted base height (23m) by up to 7m (for a maximum height of 30m) if:

- (a) the development will contain at least 1 dwelling used for the purpose of affordable rental housing, and*
- (b) at least 25% of the additional floor space area resulting from the part of the building that exceeds the maximum height will be used for the purpose of affordable rental housing.*

The inclusion of part of the Site within 'Area 1' thereby enables future development to reach a maximum height of 30m with the provision of associated affordable housing, which provides a significant public benefit and aligns the Site with the development standards of the surrounding Town Centre.

Whilst Council's *Inner West Affordable Housing Policy* was adopted in March 2017, the proponent requests that public benefits be provided in accordance with Cl.4.3A of the Ashfield LEP, which is the Environmental Planning Instrument that applied to the Site at the time of lodgement.

6.3.2 Suspension from Cl. 4.3(2A)

It is proposed to include a site specific clause suspending the Site from Clause 4.3(2A) of the Ashfield LEP. This clause presently requires all land zoned B4 Mixed Use (as is the developable portion of the Site) to exclude any GFA from the part of the building that is within three metres of the height limit set by the Height of Buildings Map. Accordingly, the addition of a site specific suspension within the Ashfield LEP will remove this existing restriction on the delivery of a mixed use development on the Site. We propose the following example wording (shown in ***bold italic***):

4.3 Height of buildings

(1) *The objectives of this clause are as follows:*

- (a) to achieve high quality built form for all buildings,*
- (b) to maintain satisfactory sky exposure and daylight to existing buildings, to the sides and rear of taller buildings and to public areas, including parks, streets and lanes,*
- (c) to provide a transition in built form and land use intensity between different areas having particular regard to the transition between heritage items and other buildings,*
- (d) to maintain satisfactory solar access to existing buildings and public areas.*

(2) *The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map*

(2A) *If a building is located on land in Zone B4 Mixed Use, any part of the building that is within 3 metres of the height limit set by subclause (2) must not include any area that forms part of the gross floor area of the building and must not be reasonably capable of modification to include such an area.*

(a) Notwithstanding this provision, development consent may be granted for development at 2-6 Cavill Avenue, Ashfield in accordance with subclause 2, if Council has considered the relevant objectives.

6.3.3 Suspension from Cl. 4.3B(3)

It is proposed to include a site specific clause suspending the Site from Clause 4.3B(3) of the Ashfield LEP. This clause presently requires development with entrances off Liverpool Road to have a maximum height of 12m for a distance of 12m from the street frontage. This clause only applies to land identified as 'Area 1' on the Height of Buildings Map, and as such whilst it does not presently apply to the Site, the proposed amendment outlined in **Section 6.3.1** will trigger this clause for future development on the Site.

As identified in **Section 2** above, the south eastern corner of the Site fronts Liverpool Road for approximately 24m. Accordingly, The small portion of the development addressing this corner would either be required to be setback above a 12m street wall, or to design the development so as to provide entries in alternative locations. In order to achieve the best possible outcome for the Site, and appropriately address and activate this corner frontage, we propose to suspend this restriction on the renewal of this significant Site. We propose the following example wording (shown in **bold italic**):

4.3B Ashfield town centre—maximum height for street frontages on certain land

- (1) The objective of this clause is to apply a maximum height for primary street frontages on certain land in Ashfield town centre.*
 - (2) This clause applies to land identified as "Area 1" on the Height of Buildings Map.*
 - (3) Despite clauses 4.3 (2) and 4.3A (3), the maximum height of that part of a building that has an entrance or lobby on the ground floor facing Liverpool Road, Norton or Hercules Streets or Markham Place, Ashfield (a primary street frontage) is 12 metres for a distance of 12 metres from the primary street frontage away from the road.*
- (a) Notwithstanding this provision, development consent may be granted for development at 2-6 Cavill Avenue, Ashfield in accordance with subclause 4.3(2), if Council is satisfied that it achieves an appropriate design outcome having regard to surrounding development.**

6.4 Floor Space Ratio

It is proposed to change the maximum permitted FSR of the developable portion of the Site to 3:1, providing for mixed uses and affordable housing on the Site in line with the capacity of the Site.

No change is proposed to the FSR development standard applying to the through-site links.

7.0 Part 3 – Justification

This section demonstrates the need for the proposal and its relationship with the strategic planning framework. The environmental, social and economic impacts of the proposal are considered in **Section 7.3**.

7.1 Section A – Need for a Planning Proposal

Q1. Is the Planning Proposal the result of any strategic study or report?

The Planning Proposal is not as a result of any specific strategic study or report. Rather, the proposal has sought to address the existing potential for the urban renewal of the Site in line with the strategic framework for the area, to provide an improved built form on the Site and in the centre, and to deliver a significant public benefit.

It is emphasised that at almost a hectare in area, the scale of the Site lends itself to a reconsideration of the applicable planning controls in order to deliver the best possible outcome and to leverage the Sites accessible and strategically valuable location within the existing town centre. This Planning Proposal thereby presents a unique opportunity to influence the evolution of the Ashfield Town Centre and provide for new homes and jobs in a highly accessible location.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This Planning Proposal is the best means of achieving the objectives and intended outcome of the Planning Proposal. The proposed height and FSR would not be supported under the existing development standards, and the provision of affordable housing would not be required.

7.2 Section B – Relationship to Strategic Planning Framework

Q3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

Regional & Subregional Plan

As outlined in the sections below, the Planning Proposal is consistent with the goals and directions outlined in *A Plan for Growing Sydney*, as it provides for:

- future urban renewal and growth within an established centre;
- increased housing close to centres and stations;
- increased housing variety;
- housing in an existing centre, delivering economic, environmental and social benefits;
- the development of already urbanised land without significant biodiversity features.

The Planning Proposal is also consistent with the Central Precinct, which identifies the Site as being within an urban renewal corridor following the Inner West railway, and as such aligns with the intent of the plan to implement housing intensification and urban renewal along key public transport corridors. There is thereby the opportunity to support and facilitate the directions of this plan through the future redevelopment of the Site.

Draft District Plans

In addition to the above, the proposal aligns with the Draft Central District Plan that underpins *A Plan for Growing Sydney*. It achieves the strategic actions for the district by:

- providing a mixed use development that integrates housing and employment opportunities to assist in creating a '30 minute city';
- assisting in meeting the housing target to provide an additional 5,900 dwellings in the Inner West LGA by 2021, including addressing opportunities to address pent up demand resulting from past undersupply;
- supporting a range of housing choices and types, including the provision of affordable housing; and
- revitalising a strategically important Site in the Ashfield Town Centre to assist in reforming Ashfield as a liveable centre and community hub that benefits from connections to convenient transport links.

The Draft Central District Plan also provides strategic guidance for investigating new housing capacity in the district. This guidance specifically supports urban renewal in existing centres with frequent public transport capable of carrying large number of passengers to jobs and services. It identifies the urban renewal corridors presented in *A Plan for Growing Sydney*, which includes the corridor along the Inner West rail line encompassing Ashfield, and provides a general guidance for investigating the capacity of urban renewal corridors. This guidance can be applied to the Site to demonstrate the potential of the Site to accommodate greater capacity:

Alignment with Regional and District Infrastructure

The Site is in proximity of the Westconnex Parramatta Road Interchange and Sydenham to Bankstown Metro project being delivered partly in the Inner West LGA. This regional infrastructure is expected to act as a catalyst for greater transformation and urban renewal in the Inner West suburbs of Sydney, recognising the flow on effects of infrastructure investment. In addition to this, the proposal directly responds to the Sites proximity to existing regional and district infrastructure in proposing to increase capacity on the Site in proximity of Ashfield Railway Station and Liverpool Road/Hume Highway.

Accessibility to Jobs

The Site is located within the Ashfield Town Centre and is in proximity of notable employment centres such as the Burwood District Centre identified for further mixed use development and the delivery of 12,000 jobs by 2036, the Green Square / Mascot Strategic Centre identified as an employment hub and the delivery of 75,000 jobs by 2036, and the Sydney CBD identified for the delivery of 496,900 jobs by 2036. These centres are all between 4 minutes and 25 minutes away by train, thereby meeting the desire for a '30 minute city'. In addition to being ideally located to access surrounding strategic and district centres, the proposal is also in proximity of the Parramatta Road Urban Renewal Corridor and Sydenham to Bankstown Urban Renewal Corridor, which have indicated targets of 50,000 and 45,050 additional jobs (respectively) for the area by 2036.

Accessibility to Regional Transport

The Site is located within walking distance of Ashfield Railway Station and bus routes along Liverpool Road that provide easy access to the centres identified above. It is noted that Ashfield Station was either the origin or destination for some 3,530,995 journeys in 2014, which is significant in the context of the Sydney Trains network and is comparable to much larger centres including Burwood, Kogarah, Rockdale, Hornsby, Blacktown and Auburn Station, which all had an equivalent number of journeys.

This recognises that there is the opportunity to better integrate density and services commensurate with the activity of Ashfield Railway Station that accommodates a significant number of journeys every day.

Catchment Area

The catchment area of the Site includes the remainder of the Ashfield Town Centre and regional transport connections providing easy access to other strategic and district centres.

Feasibility of the Development

The proposal will directly assist with the feasibility of the development in enabling increased capacity on the Site assisting in the viability of the urban renewable process. A future design concept will be tested and seek to provide a mix of dwellings capable of being delivered on the Site, including a portion of affordable housing.

Proximity to Services

The Site is in close proximity of a number of both primary and high schools, and public private and religious schools located just north of the railway line, and east of the Site at Croydon. Sydney Private Hospital and Westley Hospital are within 1km of the Site, as well as local medical practices and associated professions located within the Ashfield Town Centre.

Environmental Constraints

Consideration of heritage and cultural elements, visual impacts, natural elements, specific land uses, and other environmental constraints have been addressed in **Section 7** below.

Local Features

Consideration of local features such as topography, lot sizes, strata ownership, and the transition between different built forms has been considered in the Site description at **Section 2**, and addressed at **Section 5** through the objectives and intended outcomes. A site specific DCP will ensure future development on the Site directly responds to the local features of the Site.

Delivery Considerations

Delivery considerations such as staging, enabling infrastructure, upgrades or expansions of social infrastructure such as schools, open space and community facilities will be explored through a detailed Development Application to follow.

7.2.2 Assessment Criteria – Does the Planning Proposal have strategic merit

Part 3 of *A Guide to Preparing Planning Proposals* establishes an assessment criteria for determining if Planning Proposals have strategic merit (emphasis added for relevant criteria achieved by the Planning Proposal):

a) Does the proposal have strategic merit? Is it:

- Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the Site, including any draft regional, district or corridor/precinct plans released for public comment; or
- Consistent with a relevant local council strategy that has been endorsed by the Department; or
- Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

The Guide also notes that there is a presumption against a rezoning review that requests to amend LEP controls less than 5 years old, unless the proposal can clearly justify that it meets the strategic merit test. The Ashfield LEP was gazetted in 2013 and as such is now only 3 years old. Accordingly, it meets the criteria of a contemporary control and the Planning Proposal is required to demonstrate how it clearly meets the Strategic Merit test outlined above.

Point 1

As addressed in **Section 7.2** above, the proposal is consistent with *A Plan for Growing Sydney* including the directions for the Central Subregion, and will directly assist in achieving the targets and actions under the Draft Central District Plan.

Point 2

Whilst the development is not directly in response to any local planning strategies developed by Council, it has been shown to be generally in-line with *Ashfield Urban Planning Strategy 2010* that informed the Ashfield LEP and outlines the strategic planning intent for the Ashfield Town Centre and the Site. In-keeping with this planning strategy, the proposal will:

- continue to focus future housing in the centre, to promote urban renewal in and around the Ashfield Town Centre;
- improve housing choice and directly respond to the lack of housing affordability in the area;
- afford people the opportunity to live close to transport and shops;
- promote mixed use development with ground level active, non-residential uses; and
- provide greater capacity on the Site to take advantage of access to public transport and provide significant ‘flow on’ economic benefits to retailers and support services.

It is also emphasised that at almost a hectare in area, the scale of the Site lends itself to a reconsideration of the applicable planning controls in order to deliver the best possible outcome and to leverage the Sites accessible and strategically valuable location within the existing town centre. This Planning Proposal thereby presents a unique opportunity to influence the evolution of the Ashfield Town Centre and provide for new homes and jobs in a highly accessible location.

Point 3

The proposal is located on the western edge of the Ashfield Town Centre, surrounded by a mixture of different uses and densities and a range of architectural treatments. This centre is in the process of undergoing a transition from an ageing local precinct, to an active mixed use area incorporating a mix of commercial and residential land uses. This transition is being supported by current development activity, recent approvals, and further planned development providing higher density development interspersed within and around the centre. This change process is also likely to be accelerated as a flow on effect of the housing and jobs targets nominated in the Draft Central District Plan and regional infrastructure investments, which will act as a catalyst for greater transformation and urban renewal in Ashfield and the Inner West suburbs of Sydney.

7.2.3 Response to Site Specific Merit

The second part of the Merit test contained within part 3 of the Guide, relates to the Site-specific merit of the proposal, as outlined below:

b) Does the proposal have Site-specific merit, having regard to the following:

- the natural environment (including known significant environmental values, resources or hazards) and*
- the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and*
- 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 is also required to demonstrate how it clearly meets the Site specific Strategic Merit test outlined above.

Point 1

The proposal seeks to assist in the renewal of the Site, which is already developed and located within an urbanised area. Accordingly, the proposal will not any significant environmental features or adversely impact the natural environment as part of the urban renewal process. This is also addressed in **Section 7.3** below.

Point 2

The redevelopment of the Site will remain consistent with the original intent for the Site, as a mixed use development that provides an essential transition between the town centre, retail premises, and residential communities to the west. It is emphasised that the Planning Proposal does not intend to rezone the Site, which presents an opportunity to redevelop purely for residential uses without any prior amendment to the Ashfield. However, in facilitating the redevelopment of the Site, there may be a resultant loss in employment floor space in Ashfield. As discussed previously, the Site is occupied by two independent commercial office buildings, and the likely redevelopment of the Site will provide for a mixture of residential and non-residential uses.

In spite of this, the likely loss of employment floor space is considered to be acceptable and in-keeping with the future uses of the surrounding area, as:

- The Site is already zoned B4 Mixed Use and enables high density development, and as such irrespective of this proposal, there is the potential and intent to redevelop the Site for a combination of residential and commercial uses.
- The Site is strategically located on the western edge on of the Ashfield Town Centre, positioning it as a transition Site between the centre and residential communities that is best served by a blend of residential and non-residential uses.
- The inclusion of dwellings on the Site aligns with the ongoing transformation occurring in the area in favour of active mixed use Sites.
- The redevelopment of the Site will facilitate an improved outcome for the presently disjointed retail premises to the east and west on Liverpool Road, providing ground-floor commercial uses that address the street frontage and enforce the corridor of activity leading into the town centre.
- The Site is in close proximity of existing major commercial centres, including Burwood, Green Square / Mascot, Parramatta, Australian Technology Park, and the Sydney CBD that are between 4 minutes and 25 minutes away by train or bus, and are expected to grow as major employment centres.

- The Site is also in close proximity of Priority Growth Areas, including the Parramatta Road Urban Renewal Corridor and Sydenham to Bankstown Urban Renewal Corridor, which are forecast to deliver thousands of new jobs and associated employment floor space, negating the strategic significance of this limited commercial floor space in the local centre of Ashfield. The economic role and function of Ashfield is currently, and is forecast to, continue to service the day to day needs of the local community.
- The existing State Government tenant of the commercial buildings on site is being relocated to the Parramatta CBD, consistent with the State Government's policy to relocate government departments and agencies to Western Sydney centres like Parramatta, Liverpool and Penrith.
- An assessment of the market potential for major commercial and retail developments by Colliers International (**Appendix D**) has revealed Ashfield lacks the amenity, critical mass and economic diversity of centre to attract and retain major commercial and retail tenants. Colliers International confirm that *"overall, the prospect for the new commercial development in Ashfield is extremely low, and is a risky proposition"*, and that it is both *"unlikely that the Ashfield market will be able to sustain any further major retail additions"* and that *"the features and traits of the site (are) also not conducive for major retail uses"*.
- Future employment growth within Ashfield is only forecast to occur as a result from an increase of population within the local area, which will be supported by the proposal.

A Strategic Economic Assessment has been prepared by JBA, and accompanied by market analysis from Colliers International, at **Appendix D**. This assessment confirms that Ashfield is a less desirable and competitive location, relative to neighbouring centres, to sustain substantial employment growth and attract new businesses. The issues with the performance of the centre relate to agglomeration, the quality of office stock, amenity, the delivery of major infrastructure and urban renewal projects in other areas, a shift in State Government policy, and the composition of business demand, which are attracting tenants in other more established and growing commercial centres and health and education precincts. These surrounding locations will continue to be the focus of future growth, thereby affecting the overall competitiveness and feasibility of commercial and retail uses within Ashfield.

This confirms that Ashfield lacks the amenity, critical mass and economic diversity of centre to attract and retain major commercial and retail tenants. Colliers International conclude that *"overall, the prospect for the new commercial development in Ashfield is extremely low, and is a risky proposition"*, and that it is both *"unlikely that the Ashfield market will be able to sustain any further major retail additions"* and that *"the features and traits of the site [are] also not conducive for major retail uses"*.

Accordingly, whilst the proposal does not directly seek to amend the existing land use zones applying to the Site, it will enable a better redevelopment of the Site in-line with its highest and best use, its strategic context, and the recognisable changes occurring in the locality and the greater Inner West. The proposed rezoning will also enable a potential maximum height of 30m and an FSR of 3:1, which are the controls generally adopted across the remaining Ashfield Town Centre and as such builds the Site as being compatible with the surrounding area.

Point 3

The Site is located in an established urban area and has access to a range of existing utility services, public transport, infrastructure and health and education services. Further investigations will be

undertaken as part of the preparation of the DA to determine whether any upgrade of existing utilities is required.

7.2.4 Relationship to Local Planning Framework

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

As addressed in **Section 7.2.1** above, whilst the proposal is not directly in response to any local planning strategies developed by Council, it has been shown to be generally in-line with *Ashfield Urban Planning Strategy 2010*. This strategy informed the Ashfield LEP and outlined the strategic planning intent for the Ashfield Town Centre and specifically for the Site. Any consideration of this strategy, however, is potentially limited by the objective of this study to address housing supply targets that have since been revised under the new Draft Central District Plan. This strategy is identified under the District Plan as a former local initiative to increase capacity in the LGA, and as such represents a possibly dated and conservative approach to the potential of the region.

7.2.5 Relationship to Legislative Plans and Policies

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

An assessment of the Planning Proposal against applicable State Environmental Planning Policies (SEPPs) is provided in the **Table 3** below.

Table 3 – Consistency with Relevant SEPPs

SEPP	Consistency			Comment
	Yes	No	N/A	
SEPP No 1 Development Standards			✓	SEPP 1 does not apply to the Ashfield LEP.
SEPP No 55 Remediation of Land			✓	The historical land uses on the Site don't suggest that it has accommodated a potentially contaminating land use. A Phase 1 Site assessment will be prepared prior to the gazettal of the LEP amendment.
SEPP No 64 Advertising and signage			✓	Not relevant to proposed amendment.
SEPP No 65 Design Quality of Residential Flat Development	✓			A future Development Concept will be formed post Gateway, providing evidence for the development standards being sought including an assessment of how a residential component could achieve compliance with the relevant design principles contained within SEPP 65 and the ADGs, as relevant.
SEPP (Affordable Rental Housing) 2009			✓	The proposed amendment will facilitate the provision of affordable housing under the LEP. Accordingly, whilst affordable rental housing has the same meaning as in the SEPP, the SEPP itself does not directly apply to the proposed amendment.
SEPP (BASIX) 2004	✓			Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the Site facilitated by this Planning Proposal.

SEPP	Consistency			Comment
SEPP (Exempt and Complying Development Codes) 2008	✓			May apply to future development of the Site.
SEPP (Infrastructure) 2007	✓			The future development will be referred to the RMS when the DA is lodged.
SEPP (State and Regional Development) 2011	✓			The future development of the Site is likely to be deemed as 'regional development' (meeting the relevant thresholds under Schedule 4A of the EP&A Act), with the Planning Panel acting as the determining authority.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	✓			The Site is not located directly on the Sydney Harbour Catchment foreshore. Consistency with the SREP will be considered and addressed appropriately at DA stage.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Ministerial directions under Section 117 of the EP&A Act require Councils to address a range of matters when seeking to rezone land. A summary assessment of the Planning Proposal against the Directions issued by the Minister for Planning and Infrastructure under Section 117 of the EP&A Act is provided in the table below.

Table 4 – Assessment against S.117 Directions

Direction	Consistency			Comment
	Yes	No	N/A	
1. Employment and Resources				
1.1 Business and Industrial Zones	✓			Whilst the Site is not located within a Strategic Centre, the proposal seeks to encourage investment, growth and the resultant viability of the Ashfield Town Centre. The Site will remain consistent with the original intent for the Site as a mixed use zone, however, in facilitating the redevelopment of the Site, there may be a resultant loss in employment floor space in Ashfield. This is addressed in Section 7.2.2 above, which highlights that the Planning Proposal's potential effect on employment resources is of minor significance.
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 Environment Protection Zones			✓	Not applicable

Direction	Consistency			Comment
2.2 Coastal Protection			✓	Not applicable
2.3 Heritage Conservation			✓	Not applicable
2.4 Recreation Vehicle Areas			✓	Not applicable
3. Housing, Infrastructure and Urban Development				
3.1 Residential Zones	✓			Any potential future amendment to the R2 land use zone per the discussion in Section 6.2, would enable the delivery of a mixed use development incorporating new dwellings that are located in close proximity to public transport, employment opportunities, and day to day services. The proposal would therefore make more efficient use of existing infrastructure and reduce the consumption of land for housing and associated urban development on the urban fringe. The proposal will increase the permissible density of land, ensuring a potential future rezoning of low density residential land will not adversely affect the provision of dwellings and is of minor significance.
3.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable
3.3 Home Occupations			✓	Not applicable
3.4 Integrating Land Use and Transport	✓			The Planning Proposal, through unlocking the development potential of the Site, will concentrate critical mass to support public transport, and improve access to housing and jobs and services by walking, cycling and public transport. In light of this it is expected that the proposal will reduce travel demand including the number of trips generated by the development and the distances travelled, especially by car.
3.5 Development Near Licensed Aerodromes			✓	Not applicable
3.6 Shooting Ranges			✓	Not applicable
4. Hazard and Risk				
4.1 Acid Sulphate Soils			✓	Not applicable
4.2 Mine Subsidence and Unstable Land			✓	Not applicable
4.3 Flood Prone Land			✓	Not applicable
4.4 Planning for Bushfire Protection			✓	Not applicable
5. Regional Planning				

Direction	Consistency			Comment
5.1 Implementation of Regional Strategies			✓	Not applicable
5.2 Sydney Drinking Water Catchments			✓	Not applicable
5.3 Farmland 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
6. Local Plan Making				
6.1 Approval and Referral Requirements	✓			No new concurrence provisions are proposed.
6.2 Reserving Land for Public Purposes	✓			No new road reservation is proposed.
6.3 Site Specific Provisions	✓			The Planning Proposal will not result in any unnecessarily restrictive site-specific controls, rather it specifically seeks to allow for flexibility in the design of future buildings on the Site, in order to achieve the best possible outcome for the Site. The proposed amendments do not specify a particular development proposal, rather a proof of concept supports this report as one possible outcome for the Site.
7. Metropolitan Planning				
7.1 Implementation of A Plan for Growing Sydney	✓			Refer to Section 7.2 .

NSW Long Term Transport Plan 2012

The NSW Long Term Transport Plan 2012 has the aim of better integrating land use and transport. *A Plan for Growing Sydney* has been prepared to integrate with the Long Term Transport Plan.

The Planning Proposal will serve the objectives of the Transport Plan by locating both residential and employment generating uses close to an existing railway station and bus network. This will promote the use of public transport and reduce reliance on private motor vehicles.

NSW State Priorities

The NSW State Priorities were determined by (then) Premier Mike Baird as significant overarching goals for the state, to provide high quality public services and infrastructure, while protecting those most vulnerable in our society. The proposal is considered to be in-keeping with these priorities by

increasing housing supply that responds to key existing infrastructure, and more generally to infrastructure projects planned for the surrounding area.

7.2.6 Local Statutory Framework

Ashfield LEP 2013

objectives of the Ashfield LEP and relevant development standards.

Consistency with Overall Aims

The proposal's consistency with the overall aims of the Ashfield LEP is demonstrated in **Table 5** below.

Table 5 – Consistency with the aims of the Ashfield LEP

Aim	Proposal	Consistency
a) to promote the orderly and economic development of Ashfield in a manner that is consistent with the need to protect the environment	The proposal will directly facilitate the orderly and economic redevelopment of the Site, in enabling the delivery of a high quality mixed use development that reflects the evolution of Ashfield and the Inner West towards a high density mixed land use character. The proposal will have significant associated public benefits, and will not adversely impact the environment as considered in Sections 7.3 and 7.4 .	✓
b) to retain and enhance the identity of Ashfield as an early residential suburb with local service industries and retail centres	The proposal will reinforce the strategic direction for Ashfield Town Centre, whilst also providing for a future development that recognises and enhances the desirable features of the Site. No change is proposed to the desired future use of the mixed use Site, rather the proposal will facilitate a better redevelopment of a prominent corner lot to enhance existing active frontages along Liverpool Road / Hume Highway; and improve housing diversity and choice, including affordable housing to contribute to the vitality of the community.	✓
c) to identify and conserve the environmental and cultural heritage of Ashfield	As addressed in Section 7.3 below and the Heritage Impact Assessment at Appendix B , the proposal is considered to be acceptable from a heritage perspective and GBA Heritage confirm it should be recommended for approval.	✓
d) to provide increased housing choice in locations that have good access to public transport, community facilities and services, retail and commercial services and employment opportunities	The proposal directly responds to this aim, in facilitating greater housing supply, choice, and affordability on a Site that has exceptional access to public transport, surrounding services and facilities, and strategic, district and local employment centres.	✓
e) to strengthen the viability and vitality of the Ashfield town centre as a primary centre for investment, employment, cultural and civic activity, and to encourage a majority	The proposal also directly responds to this aim. The proposed planning controls will support the Ashfield Town Centre as the focal point for activity and investment in the area through providing a landmark mixed use development at	✓

Aim	Proposal	Consistency
of future housing opportunities to be located within and around the centre,	the periphery or western gateway of the centre. The proposal protects the need for active street frontages and mixed uses whilst also creating greater vibrancy by addressing demand for dwellings in established centres.	
f) to protect the urban character of the Haberfield, Croydon and Summer Hill urban village centres while providing opportunities for small-scale, infill development that enhances the amenity and vitality of the centres	N/A	N/A
g) to encourage the revitalisation of the Parramatta Road corridor in a manner that generates new local employment opportunities, improves the quality and amenity of the streetscape, and does not adversely affect adjacent residential areas	N/A	N/A
h) to ensure that development has proper regard to environmental constraints and minimises any adverse impacts on biodiversity, water resources, riparian land and natural landforms	This is addressed in Section 7.3 below, that confirms that the Planning Proposal will not result in any adverse impact on the environment in view of the Site's urban location and that it has already been developed as a high density commercial building.	✓
i) to require that new development incorporates the principles of ecologically sustainable development	The future redevelopment of the Site will demonstrate the environmental sustainability of the development scheme.	✓

Consistency with Height Objectives

The proposal's consistency with the objectives for height under the Ashfield LEP is demonstrated in **Table 6** below.

Table 6 – Consistency with building height objectives

Objective	Proposal	Consistency
a) to achieve high quality built form for all buildings	Whilst no detailed design is provided as part of the Planning Proposal, but rather will be the subject of a potential future DA, this proposal enables a better redevelopment of the Site to address its context and provide an enhanced built form outcome than the existing isolated commercial towers that poorly address their Site context.	✓
b) to maintain satisfactory sky exposure and daylight to existing buildings, to the sides and rear of taller buildings and to public areas, including parks, streets and lanes	Refer to the discussion in Section 7.3.1 . There is the potential to redevelop the Site so as to minimise impacts on the surrounding properties associated with overshadowing, privacy and views.	✓
c) to provide a transition in built form and land use	The Planning Proposal seeks to enable an increased building height to respond to the Site's position in the Ashfield Town	✓

Objective	Proposal	Consistency
intensity between different areas having particular regard to the transition between heritage items and other buildings	Centre. The proposed height is commensurate with the Site's position within the town centre, as the focal point for residential capacity and investment in the area, and recognises the strategic importance of the Site and Inner West LGA. As highlighted in Sections 7.2 and 7.2.2 , an appropriate relationship can be maintained with the surrounding area including surrounding local heritage.	
d) to maintain satisfactory solar access to existing buildings and public areas.	Generally, the areas of public domain in the vicinity of the Site are located to the north west of the Site, and as such will not have any significant adverse overshadowing impacts as a result of the proposal. Overshadowing is discussed further at Section 7.3.1 .	✓

Consistency with FSR Objectives

The proposal's consistency with the objective for FSR under the Ashfield LEP is demonstrated in **Table 7** below.

Table 7 – Consistency with the FSR objectives

Objective	Proposal	Consistency
a) to achieve high quality built form for all buildings	Whilst no detailed design is provided as part of the Planning Proposal, but rather will be the subject of a potential future DA, this proposal enables a better redevelopment of the Site to address its context and provide an enhanced built form outcome than the existing isolated commercial towers that poorly address their Site context.	✓
b) to maintain satisfactory sky exposure and daylight to existing buildings, to the sides and rear of taller buildings and to public areas, including parks, streets and lanes	Refer to the discussion in Section 7.3.1 . There is the potential to redevelop the Site so as to minimise impacts on the surrounding properties associated with overshadowing, privacy and views.	✓
c) to minimise adverse environmental impacts on heritage conservation areas and heritage items	As addressed in Section 7.3 below and the Heritage Impact Assessment at Appendix B , the proposal is considered to be acceptable from a heritage perspective and GBA Heritage confirm it should be recommended for approval.	✓
d) to protect the use or enjoyment of adjoining properties and the public domain	The future design concept will demonstrate how development can be designed to minimise impacts associated with overshadowing, privacy and view impacts on surrounding properties. Refer to discussion in Section 7.3.1.	✓
e) to maintain an appropriate visual relationship between new development and the existing character of areas that are not undergoing, and are not likely to undergo, a substantial transformation	As highlighted in Section 5 above, there is the potential for the redevelopment of the Site in-line with the proposed changes to maintain an appropriate relationship with the surrounding area, including residential areas immediately to the west of the Site that are unlikely to undergo significant change. This is further discussed in Section 7.3 below.	✓

Consistency with The Maximum Height for Street Frontages Objectives

The proposal's consistency with the objective for FSR under the Ashfield LEP is demonstrated in **Table 8** below.

Table 8 – Consistency with maximum height for street frontages

Objective	Proposal	Consistency
The objective of this clause is to apply a maximum height for primary street frontages on certain land in Ashfield town centre.	Applying a reduced maximum height for the portion of the Site fronting Liverpool Road does not achieve the best outcome for the Site, and owing to the minimal corner frontage to this road, the control cannot be readily applied to future development on the Site. As addressed in Section 7.3 below, the proposed suspension from Clause 4.3B(3) of the Ashfield LEP will assist in crafting an active, economically viable, and high-quality mixed use development on the Site.	N/A

7.3 Section C – Assessment of Environmental, Social and Economic Effects

Q7. 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?

The Planning Proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given the Site's urban location and that it has already been developed as a high density commercial building. A future site-specific DCP will consider the retention and celebration of significant vegetation on the Site.

7.3.1 Environmental Effects

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

A detailed assessment of the environmental impacts of the Planning Proposal is provided below. No unacceptable impacts will result from the proposal.

Built form

As discussed in the following sections, the proposal has the potential to deliver a compatible built form with the surrounding area, and an improved outcome for this strategically important Site in the Ashfield Town Centre. The proposal can be comfortably accommodated on the Site without resultant adverse environmental outcomes.

A revised Design Concept will be prepared post Gateway to provide evidence for the development standards being sought. This will address the desired objectives and outcomes and demonstrate how the proposed uplift, to align the Site with the dominant development standards adopted for the Ashfield Town Centre, can be clearly accommodated on the Site.

Roof Design and Servicing

The proposed suspension from Clause 4.3(2A) of the Ashfield LEP will achieve a better outcome for the Site whilst still allowing for a building that is appropriately serviced and has a resolved roof form.

In restricting usable floor space from the top floor of a building, the provision creates an incentive to spread the building mass across the Site in order to achieve the permitted FSR, rather than centralising massing in compact buildings. This enlargement of building floorplates has the potential to remove desirable Site features considered in the concept plan such as the through-site links and significant internal courtyard. Removing these features would likely achieve a compliant scheme with Cl. 4.3(2A), however, in doing so the best possible outcome for the Site would be compromised.

It is also emphasised that the integration of usable space on the top floor of the building can create a more resolved roof form. Plant and services can be integrated into the overall form and massing of the building, to effectively hide these unattractive elements from the public domain. The existing structures on the Site, whilst not an example of a mixed use development, are dominated by visually prominent and unattractive rooftop plant and services, highlighting the incentive and potential to achieve a better design outcome for the Site. Integrating plant and services into the overall building form will improve available views and the setting of the western edge of the Ashfield Town Centre.

In addition to this, by allowing usable floor space on the top floor of the building, the future redevelopment of the Site can take advantage of a location with the best possible amenity. Rooftop dwellings and open space can make use of excellent available solar access and views to ensure future dwellings achieve exceptional amenity, and to create new desirable homes within the centre.

Accordingly, a suspension from Cl. 4.3(2A) will enable future development to achieve the maximum permitted building height envisaged under the Ashfield LEP, whilst still providing; an adequately serviced building with a resolved roof form; more compact buildings that achieve the available FSR whilst enhancing the public domain; and dwellings that take advantage of excellent amenity available on the Site. The suspension thereby provides the necessary flexibility to deliver the best possible outcome for the Site and future residents.

Liverpool Road Street Wall

The proposed suspension from Clause 4.3B(3) of the Ashfield LEP will assist in crafting an active, economically viable, and high-quality mixed use development on the Site. As was highlighted in **Section 6**, the south eastern corner of the Site fronts Liverpool Road for approximately 24m, and as such this small portion of the development is required to be setback 12m above a 12m street wall, or be designed to provide entries in alternative locations.

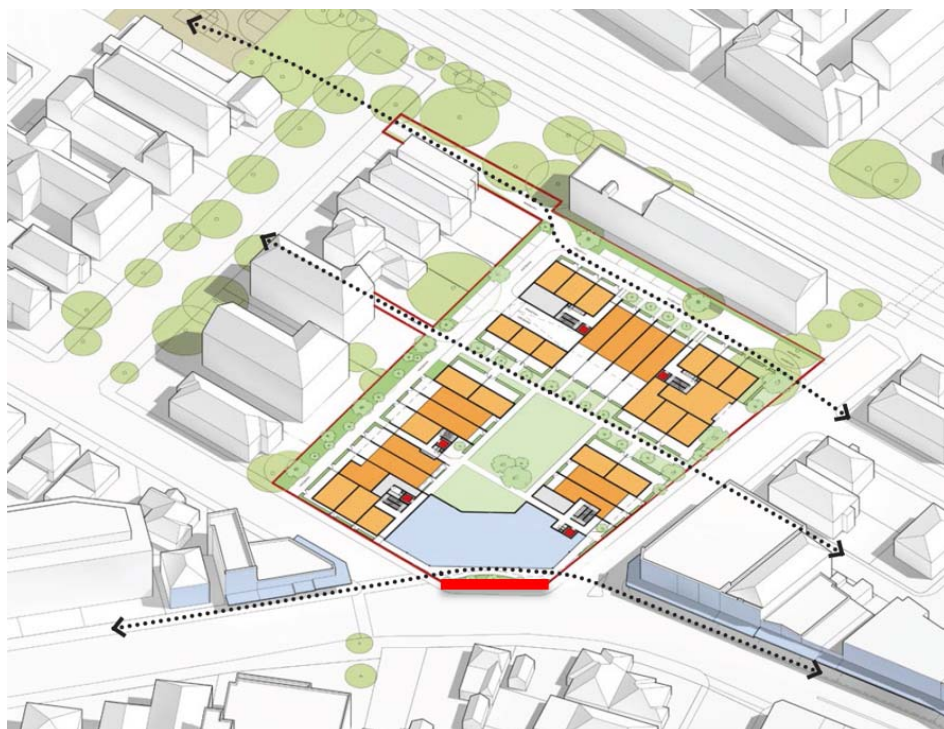


Figure 29 – Minor corner frontage of the Site to Liverpool Road (highlighted in red)

Source: Bates Smart / JBA



Figure 30 – Minor corner frontage of the Site to Liverpool Road (highlighted in red)

Source: Bates Smart / JBA

The indicative upper level setback under this provision is demonstrated in **Figures 29 to 30** above. It is evident that stepping down the built form in this one corner of the Site, which does not apply to Thomas Street or Caville Avenue, would erode the buildings ability to architecturally define and address this visually prominent corner. It would create an illogical stepping in height on the Site, and limit the ability of development to respond to the curvature of the road. It is emphasised that, as demonstrated in **Figure 31-32** below, a 2-2.5 storey street wall could be achieved visually through materials and modulation to realise the intent of this control.

In the absence of an exclusion, future redevelopment could be able to avoid triggering Clause 4.3B(3) of the Ashfield LEP by designing all Site entries to occur off Thomas Street or Cavill Avenue.

However, this is not a desirable outcome for the Site as the redevelopment would no longer be able to reinforce the currently disjointed retail corridor along Liverpool Road/Hume Highway and provide a continuous strip of active uses along this main connection to the centre. Relocating the entry to the tenancies, away from the visually prominent corner of the Site, would also have potential ramifications for the economic viability of future tenancies and the leasing of these spaces. This therefore surrenders an important opportunity on the Site to provide new services and jobs, and encourage new investment in the Ashfield Town Centre.

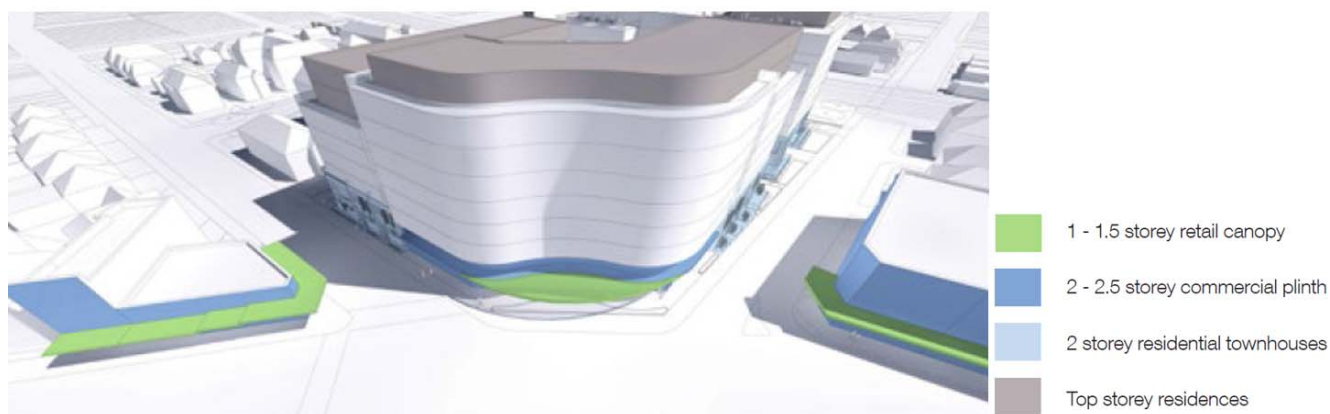


Figure 31 – Podium relationship to surrounding developments

Source: Bates Smart



Figure 32 – Photomontage of the Site from Liverpool Road/Hume Highway looking west

Source: Bates Smart

Residential Amenity

Although the ultimate built form on the Site will only be determined at the DA stage, the built form facilitated by this Planning Proposal is expected to:

- Provide adequate building separation distances from the nearby existing residential flat buildings;

- Be able to achieve compliance with the solar access design criteria i.e. at least 70% of apartments are likely to receive 2 or more hours of solar access on June 21;
- Be able to achieve compliance with the natural ventilation design criteria as demonstrated in the attached indicative scheme where approximately 60% of the total apartments are capable of natural ventilation; and
- Be consistent with the height, bulk, scale and density of the future character of development in the locality.

An assessment of potential future built form on the Site against the ADGs will be prepared as part of the future Design Concept, providing evidence for the development standards being sought, will be prepared post Gateway Determination.

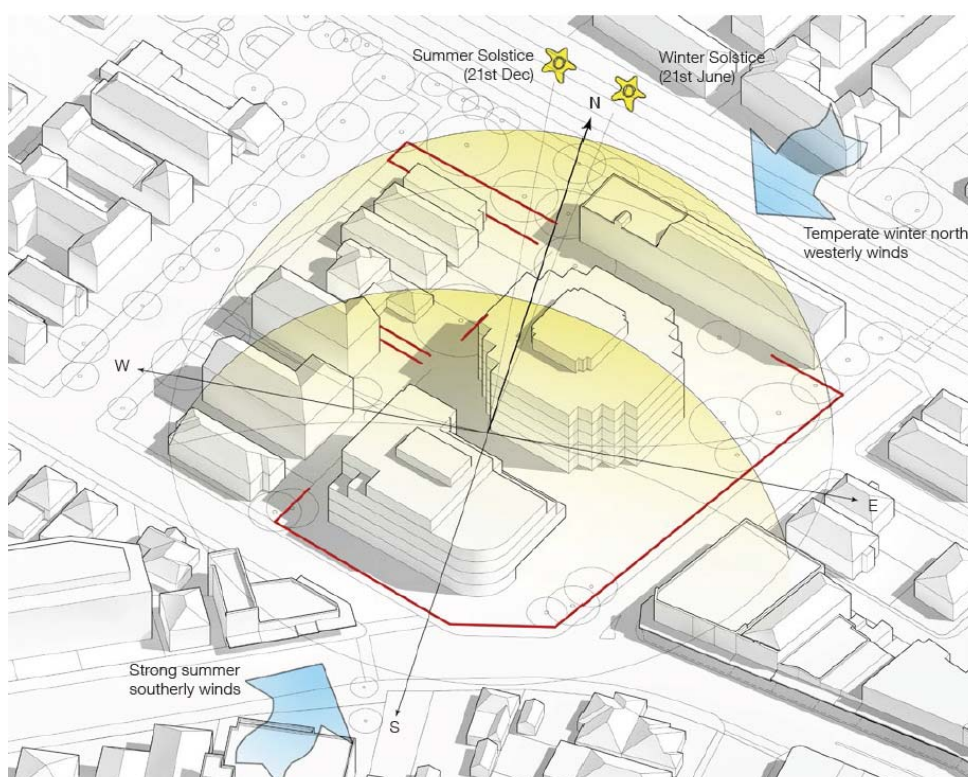


Figure 33 – Environmental context of the Site

Source: Bates Smart

Overshadowing

An increase in building height and massing has the potential to increase overshadowing impacts, however, it will be possible to minimise these impacts by stepping the built form and adopting appropriate setbacks. With respect to the overshadowing of adjoining uses, it is noted that residential development in close proximity of the Site including a number of local heritage items, are located to the north west of the concept buildings and as such will not be affected by the proposal.

Potential shadows from the Site are not expected to adversely impact any significant public domain areas or impact the ability of surrounding dwellings to achieve three hours of direct solar access. Importantly, potential overshadowing would not affect adjacent local heritage items discussed further below.

Bates Smart undertook an initial shadow analysis of one potential outcome for the Site, which can be refined and retested post Gateway. These initial studies were undertaken on the winter solstice and demonstrated that high levels of solar access can be achieved on the Site with the proposed development standards.

Visual/View Impacts

An increased building height has the potential to effect existing views from surrounding Sites. However, this is not unreasonable considering the urban location of the Site within the centre and the existing high density built form on the Site.

GBA Heritage have considered the visual setting of surrounding heritage items with regards to the existing built form (**Appendix B**). Based on this analysis, it is apparent that:

- There are no significant or landmark regional views occurring through or over the Site, with the surrounding areas being already urbanised and absent of any water views or iconic vistas.
- The Site and surrounding area is relatively flat, and as such the proposal can appropriately integrated with its setting and the topography of the area.
- Through an analysis of the existing structures on the Site by GBA Heritage, it the Site is not highly visible from surrounding residences, or adverse to the setting of Ashfield:
 - The existing high density buildings on the Site are only partly visible behind tall plantings, with the storey structures with parapet on the north side of Liverpool Road almost completely block views of the building when viewed from 298-321 Liverpool Road to the east of the Site.
 - Properties at the corner of Miller Street to the east of the Site have partial views of the rooftop plant of buildings on the Site, as background views of the house from Miller Avenue. The buildings are largely if not completely blocked from view by the listed house itself, boundary planting, and a structure on the northern boundary of the listed property.
 - The buildings are partly visible in the background behind views of the listed house from some locations along the eastern side of The Avenue. Owing to the proximity of these dwellings to the Site, this is not unexpected.
 - Properties to the east of Cavill Road have existing views of the Site, however, it is considered that through the revitalisation of the Site with a high-quality and active mixed use development, these views may be improved.
- The proposal can be designed to address, and make an architectural feature out of the visually prominent corner of the Site. This is achieved through a curvaceous form that follows the line of the road within the body of the main elevation whilst at the perceived ground floor(s) of the building, commercial premises imitate the existing 2 - 2.5 storey units to the east and west (refer to **Figures 31** and **32** above).

Owing to the existing scale of development and the prominent corner location of the Site within the town centre, there is not considered to be any significant view sharing between the surrounding Sites. The proposal is also capable of fitting into the setting of the Site and visually enhancing key features of its location. The proposal will assist in delivering a high quality, revitalised, mixed use development.

Heritage

A Heritage Impact Assessment has been prepared by GBA Heritage, and accompanies the Planning Proposal at **Appendix B**. Whilst the Site is not listed as an item or heritage significance, it is located in the vicinity of some local heritage items identified under the Ashfield LEP:

- Item 213 - 298-312 Liverpool Road
- Item 222 - 1 Miller Avenue
- Item 306 - 2 The Avenue
- Item 307 - 4 The Avenue
- Item 308 - 9 The Avenue

Whilst this assessment considers the previous design concept developed by Bates Smart, which is to be revised post Gateway, the findings of the study confirm that a scenario where the Site is redeveloped in accordance with the proposed controls will not result in unacceptable impacts. Accordingly, GBA Heritage have confirmed the following in relation to the the surrounding heritage items and their relationship with the Site and the proposed amendments to the LEP:

Given the physical separation between these items and the subject site, the potential for heritage impact is limited to that of views and setting.

These have been considered in the commentary above and it is considered that the proposed change in the planning controls will not have an adverse the established heritage significance of the listed items and conservation area in the vicinity of the subject site.

The potential impact on the setting of these items is considered to be acceptable from a heritage perspective, given their current context at the edge of the Ashfield Town Centre.

Accordingly, the Planning Proposal is considered acceptable from a heritage perspective, and GBA Heritage confirm it should be recommended for approval.

Vehicle Access and Parking

A Traffic and Parking Impact Assessment has been prepared by The Transport Planning Partnership, and accompanies this Planning Proposal at **Appendix C**. Whilst this assessment considers the previous design concept developed by Bates Smart, which is to be revised post Gateway, the findings of the study confirm that a scenario where the Site is redeveloped in accordance with the proposed controls will not result in unacceptable impacts.

Parking

This report confirms that the provision of 395 car parking spaces captured in the concept design scheme by Bates Smart would be appropriate for the indicative uses and the relevant controls, demonstrating that sufficient vehicle parking can be provided on the Site to service the proposed increase in capacity for the Site. Notwithstanding this, this level of detail concerning the number of parking spaces on Site would be expected as part of a Development Application to follow.

All loading and unloading would be capable of being undertaken within the site boundary. A loading dock can be provided for all relevant service vehicle activities, including waste collection purposes.

Site Access

The desired retention of the existing through-site links and driveway crossings off Thomas Street and Cavill Avenue, for the purposes of vehicle access, will not result in any adverse impacts or operational safety issues for the surrounding road network. The primary vehicle access for general traffic to the site would ideally be via The Avenue, while Cavill Avenue would be predominately used by service vehicles with some limited use by general traffic.

Traffic Generation

An initial assessment of traffic generated by the redevelopment of the Site was completed in relation to the preliminary concept design prepared by Bates Smart. This was conservatively estimated to generate approximately 78 vehicle trips during the busiest peak period, which is considered to be relatively low in the context of the existing background traffic in the surrounding road network.

Taking into consideration the existing 279 car parking spaces servicing the commercial buildings presently on Site, the potential redevelopment of the Site was also estimated to generate approximately 145 trips per hour less than the existing commercial use. As such, the potential future redevelopment of the Site commensurate with the proposed controls has the potential to positively impact traffic through generating less traffic than the existing use.

In addition to this, a compliant mixed use development at the current FSR 2:1 is estimated to generate approximately 59 trips per peak hour (i.e. 19 trips less than was estimated for the proposed development standards). The additional 19 trips generated from the proposed increase to the capacity of the Site is thereby considered to be negligible. Intersection improvements to nearby roads and intersections, therefore would not be required to accommodate the expected traffic demand from the redevelopment of the Site.

7.4 Social and Economic Effects

Q9. Has the planning proposal adequately addressed any social and economic effects?

Social Effects

The Planning Proposal will facilitate a better redevelopment of the Site, delivering a number of positive social outcomes including:

- the direct outcome of the proposal to provide affordable housing on the Site, as part of the future redevelopment of the Site.
- the overall provision of high-quality dwellings on the Site, providing additional housing for the Inner West LGA and Ashfield Town Centre to assist in housing mix, affordability, and choice;
- locating homes in proximity of transport, employment, health and education services;
- providing an activated public domain that offers increased passive surveillance and retail activation; and
- delivering a significant public benefit through the provision of S94 contributions for a monetary contribution towards significant public infrastructure, amongst other items.

Economic Effects

Whilst it is recognised that the proposal may indirectly relate to a loss of employment uses on the Site, it has been addressed in **Section 7.2.2**, and found to be commensurate with the changing character of the area, the Site's proximity to major existing and future employment centres, existing Government policies and market conditions, and the specific transitional nature of the Site. The proposal is also capable of generating a number of positive economic outcomes, including:

- the provision of permanent jobs on the Site and jobs during construction, strengthening the local economy;

- the strengthening of the currently disjointed economic corridor along Liverpool Road/Hume Highway; and
- the revitalisation of the Site that will have likely flow on effects for shops and services in the region, assisting the local economy.

7.5 Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the planning proposal?

The Site is located in an established urban area and has access to a range of existing utility services, public transport, infrastructure and health and education services. Further investigations will be undertaken as part of the preparation of the DA to determine whether any upgrade of existing utilities is required.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and Commonwealth authorities will have the opportunity to provide comment on the Planning Proposal as part of its formal exhibition. Any future DA will be referred to the relevant authorities as required.

8.0 Part 4 – Mapping

The proposed amendments to the maps contained within the Ashfield LEP are illustrated below in **Figure 34** to **35** and included at **Appendix A**.

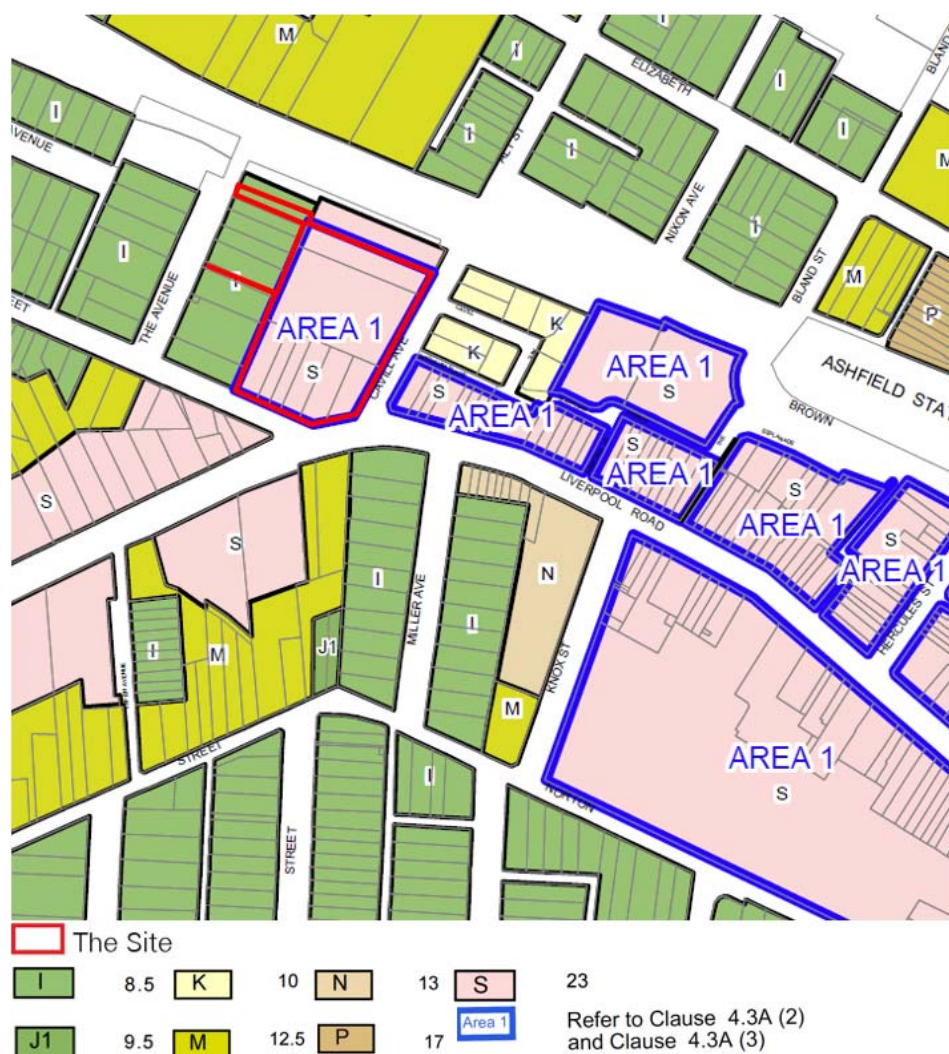


Figure 34 – Proposed amendments to the Height of Buildings Map



Figure 35 – Proposed amendments to the Floor Space Ratio Map

9.0 Part 5 – Community Consultation

Pursuant to Section 57 of the EP&A Act, the LEP amendment will be the subject of community consultation in accordance with the Gateway Determination. Confirmation of the public exhibition period and requirements for the Planning Proposal will be given by the Minister as part of the LEP Gateway Determination.

Any future DA for the Site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

10.0 Part 6 – Project Timeline

Part 6 of the Department's Guide to preparing Planning Proposal's provides that the inclusion of a project timeline will run a mechanism to monitor the progress of the planning proposal through the plan making process.

The anticipated timeline for the LEP amendment is provided in **Table 9** below.

Table 9 – Indicative project timeline

Action	Timeframe
Lodge Planning Proposal	December 2016
Council Endorse Planning Proposal	July 2017
Gateway Determination	September 2017
Public Exhibition	October 2017
Final Assessment by Council	November-January 2018
Plan Making	February-March 2018

11.0 Conclusion

This Planning Proposal seeks to amend the Ashfield LEP relating to the maximum building height and FSR development standards for a portion of 2-6 Cavill Road, Ashfield.

This Planning Proposal and supporting specialist studies have demonstrated that the proposal would be in the public interest for the following reasons:

- The urban renewal of the Site facilitated by the proposal will be consistent with state, subregional, and district strategies for the area.
- The resultant potential building envelopes will not generate any unacceptable environmental impacts in relation to built form, view loss or overshadowing.
- The proposal will facilitate a significant public benefit through the delivery of affordable housing.
- The development will provide significant public domain improvements, enhancing activity and the Sites interface with the visually prominent corner and active frontages along Liverpool Road/Hume Highway.
- The proposal will not generate any adverse impacts on the operation of the surrounding road network.
- The proposal will not adversely affect the heritage significance of surrounding local heritage items.
- The proposal will contribute towards the vibrancy and revitalisation of a key Site in Ashfield Town Centre.

With the above in mind we believe the proposed amendments to the LEP are appropriate and that the Planning Proposal should be supported by Council.