

Planning proposal to rezone land at Ashfield East for mixed use development

Proposal Title : Planning proposal to rezone land at Ashfield East for mixed use development

Proposal Summary : The intention of the planning proposal is to facilitate redevelopment and consolidation of lots at the gateway to the Ashfield Town Centre, the Ashfield East precinct, for the purposes of mixed use development.

The Planning Proposal seeks to change the planning controls for the subject sites:

- change the zoning from R2 Low Density to B4 Mixed Use;
- increase the maximum floor space ratio (FSR) from 0.7:1 to 1.5:1; and
- increase the maximum height of buildings from 8.5 metres to 20.0 metres.

PP Number : PP_2014_ASHFI_001_00

Dop File No : 14/15562

Proposal Details

**Date Planning
Proposal Received :** 10-Sep-2014

LGA covered : Ashfield

Region : Metro(CBD)

RPA : The Council of the Municipality of

State Electorate : CANTERBURY

Section of the Act : 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : 1-3 Prospect Road

Suburb : Ashfield **City :** Sydney **Postcode :** 2131

Land Parcel : Lot: 3 DP: 4458; Lot: 4 DP: 4458

Street : 124-127 Carlton Crescent

Suburb : Ashfield **City :** Sydney **Postcode :** 2131

Land Parcel : Lot: 3 DP: 913001; Lot: 1 DP: 983940; Lot: 1 DP: 928376; Lot: 6 DP: 4458

Street : 90-108 Liverpool Road

Suburb : Ashfield **City :** Sydney **Postcode :** 2131

Land Parcel : Lot: 1 DP: 961053; Lot: 1 DP: 961031; Lot: 1 DP: 961454; Lot: 5 DP: 4284; Lot: 6 DP: 4284; Lot: 7 DP: 4284; Lot: A DP: 339658; Lot: 88 DP: 130469; Lot: 1 DP: 329357; Lot: 2 DP: 329357; Lot: 6 DP: 958868

Street : 2- 6 Victoria Street

Suburb : Ashfield **City :** Sydney **Postcode :** 2131

Land Parcel : Lot: 5 DP: 958868; Lot: 4 DP: 958868; Lot: 3 DP: 958868

Planning proposal to rezone land at Ashfield East for mixed use development

DoP Planning Officer Contact Details

Contact Name : Helen Wilkins
Contact Number : 0285754102
Contact Email : helen.wilkins@planning.nsw.gov.au

RPA Contact Details

Contact Name : Ron Sim
Contact Number : 0297161971
Contact Email : rons@ashfield.nsw.gov.au

DoP Project Manager Contact Details

Contact Name : Diane Sarkies
Contact Number : 0285754111
Contact Email : diane.sarkies@planning.nsw.gov.au

Land Release Data

Growth Centre :	Release Area Name :
Regional / Sub Regional Strategy :	Consistent with Strategy :
MDP Number :	Date of Release :
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :
No. of Lots : 0	No. of Dwellings (where relevant) : 0
Gross Floor Area : 0	No of Jobs Created : 0

The NSW Government Yes
Lobbyists Code of
Conduct has been
complied with :

If No, comment : The Department's Code of Conduct has been complied with.

Have there been
meetings or
communications with
registered lobbyists? :

No

If Yes, comment : Metropolitan Delivery (CBD) Branch has not knowingly met with or communicated with any lobbyist in relation to this planning proposal.

Supporting notes

Internal Supporting
Notes : The proposed amendment will rezone identified sites from R2 Low Density to B4 Mixed Use, permit a maximum building height of 20 metres (5 storeys) and increased FSR of 1.5:1.

The planning proposal is supported because it:

- satisfies State and subregional metropolitan strategy objectives, which encourage developments capable of achieving integrated land use and transport, noting the site's proximity to Liverpool Road, a major arterial road and bus route, and to Ashfield and Summer Hill Stations;
- encourages activation of the eastern gateway to the Ashfield Town Centre, as a

Planning proposal to rezone land at Ashfield East for mixed use development

transit-orientated mixed use precinct benefiting from access to Liverpool Road, two rail stations, Ashfield Town Centre and Summer Hill Village Centre;

- implements the Ashfield Urban Planning Strategy 2010 by consolidating the B4 Mixed Use zones in the Ashfield East area along Liverpool Road, to create new retail, commercial and residential opportunities at the eastern fringe of Ashfield Town Centre; and,
- achieves a strategic planning outcome by creating the potential for the consolidation of lots and of the high number of private vehicular driveways along Liverpool Road.

The Ashfield Urban Planning Strategy 2010 seeks to promote new retail and business opportunities as part of mixed use developments within eastern fringe of the town centre, particularly for new small businesses located at ground level.

The proposed scale of the future development is compatible with the surrounding area and with its role as a mixed use "gateway" development on the periphery of a Town Centre to the west. The existing surrounding planning controls are:

- 22-23 metres max building height and 1.8:1-2.0:1 FSR to the west;
- 12.5 metres max building height and 0.5:1-0.7:1 FSR to the south (excludes the council depot);
- 8.5 metres max building height and 0.7:1 FSR to the east; and,
- 29 metres max building height and FSR of 3.0:1 to the north (site of the Western Suburbs Leagues Club).

Council intends to draft a Development Control Plan, to be exhibited with the planning proposal.

Council has requested delegation to make the plan and has submitted 'Attachment 4-Evaluation Criteria For Delegation'. Council's request of delegation for making this LEP is supported.

External Supporting
Notes :

The intention of this planning proposal is to facilitate redevelopment and consolidation of lots at the gateway to the Ashfield Town Centre, known as the Ashfield East precinct, for the purposes of mixed use development.

The planning proposal has been prepared to:

- activate the eastern "Gateway" to Ashfield central;
- address a request received by Council to rezone two lots at 106-108, from R2 Low Density to either R3 Medium Density or R4 High Density Residential. Council reviewed the request and, taking into account broader strategic planning and urban design issues, determined planning controls on nearby sites could be amended to achieve strategic goals, in keeping with State Government planning policies and Council's Urban Planning Strategy 2010.
- consolidate fragmented zoning in Ashfield East and to rezone for mixed uses fronting either side of Liverpool Road; and
- provide for improved traffic planning by consolidating the current numerous vehicular entrances along Liverpool Road into a single entrance at the Council Depot laneway, which is traffic light controlled, plus other entrances in Victoria Street, Carlton Crescent and Prospect Road.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment :

The objective of the planning proposal is to facilitate the redevelopment of sites at the gateway to the Ashfield Town Centre, known as 'Ashfield East', for the purposes of mixed use development.

This is considered adequate.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **To achieve the objectives of the PP, the following amendments are proposed for the subject sites:**

- amend the Land Zoning Map from R2 Low Density to B4 Mixed Use;
- amend the Floor Space Ratio Map from 0.7:1 to 1.5:1; and
- amend the Height of Buildings Map from 8.5 metres to 20.0 metres.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

7.1 Implementation of the Metropolitan Plan for Sydney 2036

* May need the Director General's agreement

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 1—Development Standards

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 55—Remediation of Land

SEPP No 70—Affordable Housing (Revised Schemes)

SEPP (Major Projects) 2005

SEPP (Temporary Structures and Places of Public Entertainment) 2007

SREP (Sydney Harbour Catchment) 2005

e) List any other matters that need to be considered :

The planning proposal is not inconsistent with any SEPPs.

The planning proposal is not inconsistent with any s.117 Directions. However, Council has not addressed s.117 Direction 4.1 Acid Sulfate Soils. The subject sites are identified as Class 5 Acid Sulfate Soil and in combination with proposed intensification of use on the sites, the proposal is subject to this direction.

Direction 4.1 Acid Sulfate Soils.

The Direction requires that a relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils.

Ashfield LEP 2013 does not include Acid Sulfate Soils maps, but the subject sites are identified as Class 5 on the NSW Government Natural Resource Atlas. Class 5 land is land that forms a 500 metre buffer to Classes 1-4 and is of consideration due to the likelihood that land use intensification could alter groundwater levels. The subject sites are approximately 900 metres from the nearest affected land (Class 2 at Hawthorne Canal). The proposal is unlikely to affect the groundwater levels.

Inconsistency with this Direction is considered minor and justified.

SEPP 55 - Remediation of Land

This SEPP provides a Statewide approach to the remediation of contaminated lands. The proposal states the subject land is unlikely to be contaminated, but an assessment will be completed at development application stage.

Planning proposal to rezone land at Ashfield East for mixed use development

Council intends to prepare and publicly exhibit a preliminary Soil Contamination Investigation, should a positive Gateway determination be issued.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The planning proposal includes maps showing the proposed:**
- Land Zoning Map;
- Floor Space Ratio Map;
- Height of Buildings Map.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Given the nature of the planning proposal, a community consultation period of 28 days is proposed by Council.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **December 2013**

Comments in relation to Principal LEP : **Ashfield LEP 2013 was published on 23 December 2013.**

Assessment Criteria

Need for planning proposal : **The planning proposal is required to encourage the redevelopment and activation of the Ashfield Town Centre eastern gateway, an area that currently comprises single dwellings with poor amenity and difficult access to a major thoroughfare. The proposed mixed use zoning and building bulk and scale would better relate to the Western Suburbs Leagues Club opposite and highly urbanised context.**

Planning proposal to rezone land at Ashfield East for mixed use development

Consistency with strategic planning framework :

The planning proposal is consistent with Sydney Metropolitan Plan 2036.

Objective B1: To focus activity in accessible centres.

Objective E2: To focus Sydney's economic growth and renewal, employment and education in centres.

The planning proposal contributes to the Objectives of the draft Sydney Metropolitan Strategy.

- **Objective 2:** Strengthen and grow Sydney's centres. It seeks to facilitate the provision of a new mixed use precinct adjacent to, and supplementary to, Ashfield Town Centre.
- **Objective 5:** Deliver new housing to meet Sydney's growth.

The planning proposal contributes to the objectives of the draft Inner West Subregional Strategy.

- **Action C2.1:** Focus residential development around centres, town centres, villages and neighbourhood centres.
- **Action SO B2.1.3:** Councils to investigate increasing densities in all centres where access to employment, services and public transport are provided or can be provided. The sites are located on Liverpool Road, along which high frequency bus routes operate. The sites are also approximately 600 metres from Ashfield Railway Station and 730 metres from Summer Hill Railway Station on the T1, T2 and T3 Lines. The railway lines provide connection to both Strathfield and Sydney CBD interchanges, giving easy rail access to most centres in Sydney.

The planning proposal is consistent with Councils' key studies and strategies:

- **Ashfield Urban Planning Strategy (2010):** Consolidates the B4 Mixed Use zone on either side of Liverpool Road to promote new retail, commercial and residential opportunities at the eastern periphery of Ashfield centre; and,
- **Ashfield Urban Strategy, Analysis and Issues (2008).**

Environmental social economic impacts :

Environmental:

The planning proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given that it applies to an established built-up urban area.

Compliance with SEPP 55 - Remediation of Lands for development within the subject sites will be addressed at development application stage. The sites are unlikely to be significantly contaminated given the current land use. Council intends to exhibit a preliminary site assessment with the planning proposal.

Social:

The proposed residential component, supplemented by the commercial component, will contribute to the social activation of the Ashfield East area, due to its location in immediate proximity to Ashfield Town Centre. The residential component will deliver approximately 120 dwellings in a location close to public transport, community and educational facilities and jobs.

The subject sites are not heritage listed and are not in a heritage conservation area. Consideration of potential heritage significance was not considered in the planning proposal.

The subject sites are approximately 800 metres from Parramatta Road. While the site is located near Parramatta Road, it is unlikely the proposal will impact on WestConnex or Urban Growth's Parramatta Road Urban Renewal Program. It is recommended, however, that Council consult with Urban Growth on this proposal.

Economic:

The proposed commercial components of the mixed use development will contribute to employment and commerce in the area, and have positive economic flow-on effects within the local area. It will create active street frontages in a consolidated B4 Mixed Use zone. It will encourage socio-economic activity that extends, and is compatible with, the nearby Town Centre and is complimentary with the West's Leagues Club opposite. It will also ensure that the sites' location, adjacent to the Town Centre and a medium-low density

Planning proposal to rezone land at Ashfield East for mixed use development

residential area and on a major transport corridor, is fully utilised.

Whilst it is Council's intention to provide opportunities for new small businesses to occupy the ground level of buildings, Council anticipate that a relatively small quantum of new business floor space will eventuate. Council wish to ensure that future development will have no adverse economic impact on the nearby Ashfield Town Centre, but also intend to encourage commercial development via Development Control Plan provisions, which are currently under review.

The proposal reviews current infrastructure capacity and indicates that electricity, telephone and sewer connections are capable of servicing the area. Council has noted that "any required upgrading would be discussed further with Sydney Water" as part of consulting State agency. It is recommended that Council also consult Urban Growth NSW, regarding the proposal and potential infrastructure impacts.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2) (d) : **Energy Australia
Transport for NSW
Transport for NSW - Roads and Maritime Services
Sydney Water
Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Covering letter to Department - received 10.9.2014.pdf	Proposal Covering Letter	Yes
Council report & resolution - 12.08.2014.pdf	Proposal	Yes
Planning Proposal.pdf	Proposal	Yes
Attachment_1_-response.pdf	Proposal	No
Attachment_4_- Evaluation_criteriaresponse.pdf	Proposal	No

Planning proposal to rezone land at Ashfield East for mixed use development

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones**
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 4.1 Acid Sulfate Soils
 6.1 Approval and Referral Requirements
 6.2 Reserving Land for Public Purposes
 7.1 Implementation of the Metropolitan Plan for Sydney 2036

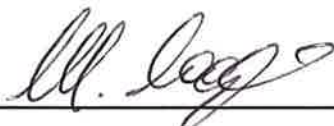
Additional Information : **It is recommended that the planning proposal proceed subject to the following conditions:**

- 1. The planning proposal is exhibited for a minimum of 28 days, consistent with Council's intentions.**
- 2. The planning proposal be completed within 9 months.**
- 3. A public hearing is not required to be held.**
- 4. A written authorisation to exercise delegation under section 59 of the Environmental Planning and Assessment Act, 1979 is issued to Council in relation to the planning proposal.**

Supporting Reasons : **The planning proposal is supported for the following reasons:**

- it is consistent with the NSW strategic planning framework and Council's strategic plan; and**
- the provision of a mixed use precinct and residential housing in immediate proximity to Ashfield Town Centre and good public transport will facilitate social and economic activation of the area.**

Signature:



Printed Name:

MARTIN COOPER

Date:

23/10/2014