

Development Assessment Supplementary Report

SUBJECT: Determination of Development Application 2013.114.1

ADDRESS: 260A Liverpool Road, 244 Liverpool Road, 252 Liverpool Road ASHFIELD, 254 Liverpool Road, 256 Liverpool Road ASHFIELD

DA NO: 2013.114.1

JRPP REF: 2013SYE054

PREPARED BY: Ellen Robertshaw of DFP Planning Consultants on behalf of Ashfield Council

PREPARED FOR: Sydney East Joint Regional Planning Panel

DATE: 9 September 2014

1. Background

- 1.1 At a meeting of 10 April 2014, the Sydney East Joint Regional Planning Panel (JRPP) considered a report prepared in relation to DA 2013.114.1. The application considered by the JRPP at that meeting was seeking consent for the demolition of existing structures at 244-256 Liverpool Road, upgrade and expansion of existing shopping mall including new retail floorspace, 101 residential apartments, a child care centre, car parking and associated landscape works.
- 1.2 The JRPP deferred consideration of the application and resolved as follows:
 - 1) *The Panel resolves unanimously to defer the application in order to allow negotiations between the applicant and the council's staff in order:*
 - a) *to solve the parking shortfall by accommodating as many cars as possible on the site; and*
 - b) *to allow the applicant to prepare a traffic analysis that takes into account the additional parking on the site with particular attention to its impact on the intersection of Liverpool Road and Holden Street and other relevant intersections.*
- 1.3 This supplementary report addresses the issues raised by JRPP during the meeting of 10 April 2014.
- 1.4 The report considered by JRPP at the 10 April 2014 meeting is appended to this report. That report is still relevant with the exception of the discussion relating to:
 - S94 contributions. The modifications to the proposal are such that a contribution in relation to car parking shortfall is not required.
 - Car parking. The application has been modified to provide additional car parking on site.
 - Compliance with the Australian Network for Universal Housing Design and Design Checklist 2 of Council's Interim Development Assessment Policy 2013. A draft condition of consent is no longer proposed to be imposed.
- 1.5 Discussions have been held with the applicant and as a result the conditions of approval have been redrafted. The modified draft conditions are appended to this report. For reference, a version of the modified conditions with changes marked as 'track changes' has also been included.

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2.0 Applicant's Response to JRPP resolution of 10 April 2014

- 2.1 On 13 May 2014, the applicant submitted information to Ashfield Council in response to the abovementioned matters. The information submitted by the applicant included:
- Further parking surveys in relation to car park usage rates during peak times;
 - Amended plans providing for 125 additional car parking spaces on site; and
 - Survey analysis of the operation of the intersection of Holden Street/Liverpool Road/Brown Street between 3.00pm and 6.00pm on Thursday 1 May 2014 and between 10.00am and 2.00pm on Saturday 3 May 2014.
- 2.2 In relation to the parking survey which was conducted on Thursday 1 May 2014 and Saturday 3 May 2014, the applicant's traffic and parking consultant found that peak occupancy rates were 67% of Thursday pm and 84% at midday Saturday.
- 2.3 The car parking rate based on this usage equated to 1 space/48.7m² of retail floorspace.
- 2.4 In relation to the analysis of the operation of the intersection, the applicant's traffic consultant found that provision of a 30m right turn bay from Holden Street into Liverpool Road would have only limited benefit and that incorporation of this way could result in compromised pedestrian safety due to the constrained road reserve. The applicant's traffic consultant suggested that modification of the phasing of the traffic signals would be of more beneficial in relation to addressing traffic congestion in Holden Street (and on the exit ramp from Level 5) and could also improve pedestrian amenity.
- 2.5 The amended plans submitted on 13 May 2014 provided for the bulk of additional parking on Level 6 with some reconfiguration of parking on other levels to increase efficiency.
- 2.6 Assessment of the plans revealed that a number of the proposed spaces were inappropriate. The plans were subsequently amended and the proposal now provides for a total of 752 retail car parking spaces.
- 2.7 In order to accommodate the additional car parking on Level 6, the deck has been extended to the west over the roof of the child care centre building and an additional section towards Building C has been provided. The area towards Building C was previously identified as a landscaped planter. The landscaping will still be provided within a planter area to be provided over the accessway to the Level 3 loading docks and Building D car park entry. A new section drawing for the area between the multi deck car park and Building C has been provided demonstrating how a landscaped planter can be provided.

3.0 Consideration of additional information

3.1 Parking Provision

- 3.1.1 The applicant submitted shadow diagrams to enable the potential overshadowing impact of the expanded Level 6 car park deck to be assessed. Those shadow diagrams indicated that there would be no adverse overshadowing impacts on residences in Knox Street or the public domain areas of Knox Street as a result of the expansion of the deck to the west.
- 3.1.2 The provision of a slab across the top of the accessway to be used as a landscaped planter will have positive results for future residents of Building C in terms of acoustic attenuation. There will be adequate clearances to the bottom of the slab to provide

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access for service vehicles.

- 3.1.3 The Council's traffic consultant, ARUP, assessed the additional information provided by the applicant.
- 3.1.4 As part of their assessment, ARUP considered the car parking provision rates for town centres in other LGAs. For example, the rate of car parking provision in the Burwood town centre is 1 space/50m² of retail GFA and in Marrickville town centre, the rate is 1 space/45m² of retail GFA. ARUP considered the parking provision for Ashfield Mall (at 1 space/48.7m² of retail GFA) to be appropriate notwithstanding that it is less than Council's DCP car parking requirement of 1 space/40m² of retail GFA due to the town centre location of the site, the rates required in other LGAs and proximity of the site to public transport.
- 3.1.5 Although parking (and traffic) generation rates do not increase linearly within the expansion of centre, ARUP has taken a conservative approach for the purposes of assessing car parking demand for the expanded centre. Based on car parking being provided at a rate of 1 space/48.7m² of retail GFA, the retail component of the proposed development (including existing retail floorspace) will require a total of 735 retail car parking spaces.
- 3.1.6 The amended plans provide for a total of 752 retail car parking spaces (including 31 accessible spaces). Therefore there is an effective surplus of 17 retail car parking spaces.
- 3.1.7 Overall, the parking provided on site as noted on the amended plans is considered satisfactory for the range of uses proposed and a condition requiring a contribution towards car parking provision will no longer be imposed.
- 3.1.8 The public car parking is proposed to be provided over two levels – 25 public spaces and 20 Council staff spaces on Level 5 and 305 spaces on Level 6.
- 3.1.9 An appropriate condition of approval has been drafted to the effect that access to these spaces cannot be controlled.

3.2 Intersection Operation

- 3.2.1 In relation to the intersection operation, ARUP assessed the results provided by the applicant's traffic consultant and also undertook their own modelling. The results indicated that the additional traffic generated as a result of the proposed development would not result in any noticeable changes to the performance of the intersection in its current configuration.
- 3.2.2 If a bay was provided to facilitate right hand turns from Holden Street into Liverpool Road, ARUP's analysis suggested that the vehicle delays on Holden Street would reduce by 3 seconds to 42 seconds but the overall level of service of the intersection would not alter.
- 3.2.3 Given the negligible benefit realised and the potential adverse impacts on pedestrian safety, ARUP did not consider that modification of the configuration of the intersection was warranted.
- 3.2.4 As a separate exercise, ARUP also modelled a traffic management arrangement which reversed the direction of the ramp from Norton Street to Level 5, i.e. – this ramp to be provided this as an egress ramp only as opposed to its current configuration as an ingress only ramp.

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- 3.2.5 ARUP found that reconfiguration of the ramp had the potential to improve the operation of the Holden Street 'leg' of its intersection with Liverpool Road by 10 seconds (from 48 seconds to 38 seconds).
- 3.2.6 ARUP assumed that, of the vehicles exiting via Norton Street via the reconfigured ramp, 50% would continue along Norton Street towards Milton Street and 50% would turn into Knox Street. Based on these assumptions, the average delays for vehicles on Knox Street would increase from 53 seconds to 63 seconds (a 19% increase). Notwithstanding, the traffic modelling demonstrated that the Knox Street/Liverpool Road intersection would operate at a satisfactory level of service during peak times if the reconfiguration of the access/egress arrangements was introduced.
- 3.2.7 ARUP found that the greatest benefit of the altered access arrangements would be reduced levels of vehicle queuing on the Level 5 ramp onto Holden Street as the additional egress from this level directly onto Norton Street would distribute the traffic load from vehicles exiting the roof top parking on Levels 5 and 6.

3.3 Level 5 Egress

- 3.3.1 The option of reconfiguring the ingress ramp from Norton Street to an egress ramp was considered by the applicant. The applicant's main opposition to reversal of the arrangements relate to a commercial agreement with a major tenant in the centre (Woolworths) as the provision of an ingress ramp from Norton Street to Level 5 is a condition of their lease.
- 3.3.2 Notwithstanding the potential commercial impediment, the applicant did not consider the benefits outweighed the impacts. The applicant's traffic consultant analysed video footage of the Level 5 egress ramp to Holden Street and found that *'of the 16 hours of footage recorded and assessed, time that can be referred to a vehicle queuing amounts to less than 15%. Of this, just over 8% can be regarded as comprising in excess of 5 vehicles'* furthermore *'the video footage reveals that queuing can be regarded as random and given that the average duration of each queue was approximately 2 minutes...'*
- 3.3.3 GTA also assessed the impact of additional vehicles on Levels 5 and 6 using the Level 5 exit ramp to Holden Street and found that this traffic *'adds approximately 15 to 20% existing traffic'*. Furthermore *'the extent of these impacts are considered to be minor and able to be appropriately managed. Where the results indicate an 8% change of a queue being greater than 5 vehicles, this may increase on average by 2 to 3%'*.
- 3.3.4 ARUP also undertook an assessment of the video footage provided by the applicant of queuing on the Level 5 egress ramp and, although they did not agree completely with GTA's findings, concluded that with implementation and refinement of the recommended mitigation measures, the operation and efficiency of the Level 5 ramp will be improved.
- 3.3.5 The option of exiting Level 5 via Norton Street and Knox Street is currently available and will continue to be so, albeit that the route is somewhat circuitous.
- 3.3.6 The recommended mitigation measures are:
- Clear delineation of lanes and line marking at the confluence of the egress ramp from Level 5, the accessway to the Level 3 loading dock (and rear of properties fronting Liverpool Road) and ingress driveway from Holden Street; and
 - A clearly delineated alternate exit route from Level 5 via the Norton Street exit on Level 2 or the Knox Street exit from Level 1, together with sufficient time for

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motorists to use these alternatives (which are access controlled) to ensure they are not charged for parking.

- 3.3.7 As a further means of addressing potential delays on the Level 5 exit ramp, the applicant has undertaken to provide an electronic indicator board prior to entry to the exit ramp onto Holden Street advising motorists of the estimated length of the delay and directing them to the alternative egresses via Levels 1 and 2 onto Knox Street or Norton Street.
- 3.3.8 Given that no analysis of the potential of additional vehicles on surrounding local streets such as A'Beckett Avenue and Hugh Street, or the impacts the reversal of the ramp might have on traffic flows on Norton Street, has been undertaken and the delays appear to be limited to specific times and are not persistent throughout the day, it is considered that the applicant's solution is the most pragmatic way of addressing the impacts of vehicle queuing on the Holden Street exit ramp. Appropriate conditions have been drafted to address the recommended mitigation measures, including provision of an electronic indicator board.
- 3.3.9 The applicant has offered to undertake more detailed analysis of the traffic volumes and operation of intersections within the Ashfield Town Centre, in order to assess whether a variation to the phasing of traffic signals at relevant intersections to assist with traffic movements into and out of Ashfield Mall is warranted.
- The applicant will then present the results of this analysis to Council with a view to meeting with RMS and petitioning for a change in phasing. An appropriate condition of consent has been drafted to require this work to be undertaken.
- 3.3.10 Council's traffic engineer has considered the applicant's response and ARUP's assessment in relation to intersection operation and queuing on the Level 5 egress ramp and is satisfied that the suggested mitigation measures will assist in alleviating these problems.

3.4 Easement parking spaces

- 3.4.1 The terms of the easement relating to the provision of 330 public car parking spaces on site, are such that 330 public spaces are required to be provided on site at all times.
- 3.4.2 The applicant has requested that this requirement be waived during construction however this cannot be achieved without modification to the terms of the easement.
- 3.4.3. It is therefore recommended that a condition of consent be imposed requiring the provision of 330 public car parking spaces at all times. If agreement with respect to the provision of these spaces can be reached, the determination can be modified accordingly.

3.5 Child Care Centre

- 3.5.1 The bonus building height provision (relevant to Buildings A and C) is bound to the provision of a community facility on the site – in this case, the child care centre.
- 3.5.2 To ensure the provision of the centre, a condition of consent has been imposed to the effect that the Occupation Certificate for Buildings C or D will not be able to be issued until such time that an Occupation Certificate for the child care centre has been issued.
- 3.5.3 In the event that the completion of Buildings C and D precedes completion of the child care centre, the applicant has offered a bank guarantee to 'cover' the cost of the fit out of the child care centre. This has been costed at \$640,000 based on current cost estimates.

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3.5.4 To ensure that the value of the bank guarantee (if required) is representative of the cost of the fit out of the child care centre at that point in time, an appropriate condition of approval is recommended with the provision that a revised cost estimate be provided relevant to the time of the bank guarantee.

Conclusion

The applicant has responded to the matters identified by the JRPP at the meeting of 10 April 2014 as issues of concern and has provided additional information to allow for a more robust assessment of car parking provision and intersection operation.

As a result of that additional information, it is considered that the parking provision for the proposed development is appropriate.

The applicant has undertaken to make a number of improvements to assist with internal traffic flows and relieve queuing on the egress ramp from Level 5 to Holden Street. These suggested modifications, including line marking and provision of an electronic indicator board advising motorists of the estimated length of the delay and directing them to the alternative egress via Level 1 onto Norton Street, will be incorporated as recommended conditions of approval.

Based on the assessment of the additional information provided, it is considered that the proposal is acceptable and conditional approval is recommended.

Recommendation

- A That the objection to Clause 17B of the Ashfield Local Environmental Plan 1985 (as amended), lodged pursuant to State Environmental Planning Policy No. 1, is considered to be well-founded and it is recommended that the objection be supported; and**
- B That, pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) Development Application No. 2013.114.1 for demolition of existing structures on 244-256 Liverpool Road and a mixed use development comprising alterations and additions to the existing Ashfield Mall shopping centre, 101 residential apartments in 2 buildings, 67 serviced apartments in 1 building and associated site and landscape works on Lot 1 DP736779 (260A Liverpool Road), Lot A DP405790 (244 Liverpool Road), Lots A & B DP404055 (252-254 Liverpool Road) and Lot 100 DP734467 (256 Liverpool Road) be approved subject to the attached conditions.**