

**ITEM 7. PUBLIC EXHIBITION - ASHMORE PRECINCT ERSKINEVILLE - PLANNING PROPOSAL - SITES 57 ASHMORE STREET AND 165-175 MITCHELL ROAD ERSKINEVILLE AND DRAFT SYDNEY DEVELOPMENT CONTROL PLAN 2012 AMENDMENT**

**FILE NO: S078598**

**SUMMARY**

The Ashmore precinct (Ashmore) presents an opportunity to make a positive contribution to the City's Sustainable Sydney 2030 vision and targets. When complete, it will deliver new homes, a new road network, public open space, stormwater management and cycle lanes. The redevelopment will also create opportunities for new retail and commercial uses in key locations, and with it, associated opportunities for new jobs. Ashmore has the potential to accommodate about 3,485 new homes which equates to approximately 6,300 new residents and over 15,500 square metres of open space.

Ashmore is located in Erskineville, adjacent to Alexandria. It is bounded by Ashmore Street, Mitchell Road, Coulson Street and the Bankstown rail line. It is the largest industrial estate identified for urban renewal outside Green Square. It is 17.4 hectares in area, with approximately 14 hectares of the site having redevelopment potential.

When Council and the Central Sydney Planning Committee (CSPC) approved the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012), the planning controls for two sites in Ashmore owned by Goodman were deferred. The then Minister for Planning had directed the City to exhibit planning controls that significantly exceeded those proposed by Council and the CSPC. The deferral was to allow for further review of the controls for these two sites and the preparation of a Planning Proposal, which is the subject of this report. The *Sydney Development Control Plan 2012* (Sydney DCP 2012) excludes the whole of Ashmore. This report also proposes an amendment to the Sydney DCP 2012 to fully integrate the Ashmore planning controls into the Sydney LEP 2012 and Sydney DCP 2012.

Whilst there have been a number of studies undertaken since 2005 in the preparation of the planning controls for Ashmore, analysis of the issues raised in submissions during the exhibition of draft planning controls, indicated a need for additional studies. These studies considered urban design, traffic and parking and social sustainability. The recommendations from these studies are incorporated into the draft planning controls, and are the subject of this report.

This report seeks approval for the public exhibition of the *Planning Proposal - sites 57 Ashmore Street and 165-175 Mitchell Road, Erskineville*, shown at **Attachment A** to this report, and the noting of *Draft Sydney Development Control Plan 2012 – Ashmore Precinct Amendment* at **Attachment B** to this report.

In general terms, the draft planning controls include:

- a maximum floor space ratio of 1.75:1 on the Goodman sites;
- a maximum building height of 27metres (8 storeys);
- location of public domain improvements; and
- built form controls.

**RECOMMENDATION**

It is resolved that:

- (A) the Central Sydney Planning Committee approve the *Planning Proposal - Sites 57 Ashmore Street and 165-175 Mitchell Road, Erskineville*, shown at Attachment A to the subject report, for submission to the Minister for Planning and Infrastructure under Section 57 (2) of the Environmental Planning and Assessment Act 1979 with a request for a Gateway Determination;
- (B) the Central Sydney Planning Committee approve the *Planning Proposal - Sites 57 Ashmore Street and 165-175 Mitchell Road, Erskineville*, for public authority consultation and public exhibition in accordance with the Gateway Determination;
- (C) the Central Sydney Planning Committee note the Draft *Sydney Development Control Plan 2012 – Ashmore Precinct Amendment, Erskineville* - shown at Attachment B to the subject report, for public authority consultation and public exhibition in parallel with the *Planning Proposal - Sites 57 Ashmore Street and 165-175 Mitchell Road, Erskineville*;
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments and corrections to the *Planning Proposal - Sites 57 Ashmore Street and 165-175 Mitchell Road, Erskineville* following receipt of the Gateway Determination prior to their public exhibition;
- (E) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 6 May 2013 that the Chief Executive Officer be requested to write to the Director General of Transport for NSW requesting that a working group between the City and Transport for NSW be established to investigate short and long term public transport improvements for Ashmore, and discuss the implementation of the recommendations of the AECOM Traffic and Parking Study for Ashmore; and
- (F) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 6 May 2013 that the Lord Mayor write to the Minister for Transport and the Minister for Education and Communities, seeking their commitment to ensure improved public transport is in place, and that additional capacity at local schools is provided to meet the increased demands that development in Ashmore will generate.

**ATTACHMENTS**

**Attachment A:** *Planning Proposal - Sites 57 Ashmore Street and 165-175 Mitchell Road, Erskineville*

**Attachment B:** *Draft Sydney Development Control Plan 2012 - Ashmore Precinct Amendment, Erskineville*

**Attachment C:** *Social Sustainability Assessment for the Ashmore Precinct, by CRED* (Note – Attachment C will be circulated separately from the Agenda Paper and to Councillors and relevant senior staff only. A copy will be available for viewing on Council's website and at the One Stop Shop and Neighbourhood Service Centres.)

**Attachment D:** *Ashmore Precinct Traffic and Parking Assessment by AECOM*  
(Note – Attachment D will be circulated separately from the Agenda Paper and to Councillors and relevant senior staff only. A copy will be available for viewing on Council's website and at the One Stop Shop and Neighbourhood Service Centres.)

**Attachment E:** *Response to Submissions on the Draft Ashmore Development Control Plan exhibited from 16 December 2011- 29 February 2012*

**Attachment F:** Recommended modifications to road network

**Attachment G:** Current Planning Controls – Ashmore Precinct

**BACKGROUND**

1. The Ashmore Precinct (Ashmore) is located in Erskineville and adjacent to Alexandria. It is bounded by Ashmore Street, Mitchell Road, Coulson Street and the Bankstown rail line. Figure 1 shows the site location.



Figure 1: Aerial of Ashmore's location

2. Ashmore is the largest industrial estate identified for urban renewal outside Green Square. It is 17.4 hectares in area. It includes some residential apartment developments, such as the 'Motto' and 'Glo' developments as shown in Figure 2. Approximately 14 hectares of the site remains as light industrial and has redevelopment potential.





Figure 2 Landowner locations

3. The site is surrounded to the north by the Erskineville Oval Conservation Area, to the east by the Cooper Estate Conservation Area, and to the west of the rail line, the Macdonaldtown Conservation Area as shown in Figure 2. The predominant built form in all of these conservation areas is one and two storey Victorian terraces.
4. The Sydney Park Village development is located to the south of Ashmore. It has a range of building heights from 6 storeys to 10 storeys. The Verve development is also located to the south of Ashmore and has a maximum building height of 6 storeys. The location of both developments can be seen in Figure 2.
5. The 14 hectares proposed for redevelopment are characterised by mostly large scale industrial buildings on large land holdings, including owner-occupied strata industrial units. Ashmore is a fully functioning industrial estate, with low vacancy rates, reflective of its proximity to the eastern suburbs, the CBD, Port Botany and airport. Toll Couriers, for example, are located in Ashmore and are experiencing growth in their business due to the increasing popularity of online shopping.

### Opportunities and Constraints

6. Ashmore presents an opportunity to make a positive contribution to the City's Sustainable Sydney 2030 vision and targets, through the delivery of new housing, a new road network, public open space, stormwater management, and cycle lanes. These improvements will benefit existing and future residents.
7. About 3,485 new homes could be delivered in Ashmore, which equates to a new population of approximately 6,300 new residents. The redevelopment will also create opportunities for new retail and commercial uses in key locations and associated job opportunities.

8. The development of planning controls for Ashmore has evolved since 2005 and addressed site constraints including:
  - (a) a complex landownership pattern, some under industrial strata titles;
  - (b) the surrounding Cooper Estate, MacDonalddown and Erskineville Oval conservation areas;
  - (c) easements over land providing owners with access;
  - (d) flooding in certain locations (predominantly Ashmore Street, MacDonald Street, and the intersection of Mitchell Road and Coulson Street);
  - (e) likely land contamination from former heavy industrial uses;
  - (f) poor public transport, such as bus and train services in the area; and
  - (g) the location of the Sydney Water desalination pipeline.
9. Ashmore's location offers a number of opportunities for such a large urban renewal area, for example:
  - (a) being highly accessible to existing areas such as Erskineville Village and King Street, Newtown;
  - (b) high accessibility to transport routes such as Sydney Park Road and Euston Road; and
  - (c) proximity to open space at Sydney Park.

### **Current Development Applications**

10. There has been increased interest from developers in Ashmore in the past three years. On 11 October 2012, the Central Sydney Planning Committee (CSPC) approved a development application for the site at Unit 36-36A/Lot 2 1 A Coulson Street, Erskineville. Figure 2 shows its location. This site is owned by Leighton Properties, and the approval was for a residential development of 318 units, ranging in height from 2 to 8 storeys.
11. Another development application for 172 residential units was lodged on 27 November 2012 for Unit 35/1A Coulson Street, Erskineville. This site is known as the 'Williams' site', after the owner, and is shown at Figure 2. This application is still being assessed following the submission of amended plans.

### **Planning History**

12. When Council and the CSPC approved the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) in March 2012 the planning controls for two sites owned by Goodman were deferred.

13. In response to a submission made by Goodman to the Department of Planning and Infrastructure, the Minister for Planning directed the City to exhibit height and floorspace ratio controls that significantly exceeded those endorsed by Council and the CSPC. The Minister's direction required a floor space ratio (FSR) increase from 1.75:1 to 2.75:1 and an increase in height from 25 metres (7 storeys) and 30 metres (9 storeys) to 60 metres (19 storeys) across both sites.
14. 510 submissions from the community objecting to these controls were received. The deferral of the Goodman sites by Council and the CSPC was to allow for a further review of the controls and the preparation of the Planning Proposal.
15. Sydney Development Control Plan 2012 excludes the whole of Ashmore.
16. As a consequence of this deferral, Ashmore is subject to four planning documents. Their applicability is summarised below and shown in Attachment G of this report, Current Planning Controls – Ashmore Precinct:
  - (a) Sydney LEP 2012: applies to Ashmore but excludes the two Goodman sites (57 Ashmore Street and 165-175 Mitchell Road);
  - (b) Sydney DCP 2012: excludes the whole of Ashmore;
  - (c) *South Sydney Local Environmental Plan 1998*; only applies to the two Goodman sites; and
  - (d) *South Sydney Development Control Plan 1997: Urban design - Part G Special Precinct No. 7 – Ashmore Precinct* (the Ashmore DCP 2006): applies to the whole of Ashmore as long as it is consistent with the Sydney LEP 2012.
17. Whilst the City was reviewing the submissions and revising the Sydney LEP and DCP 2012 following the public exhibition, Council approved the public exhibition of a revised DCP – an amendment to the current Ashmore DCP 2006. This was to progress as an interim measure, to update the controls, given that the timing of completion of the Sydney LEP and DCP 2012 was uncertain, and to facilitate appropriate development in Ashmore.
18. The draft DCP was exhibited from 16 December 2011 to 29 February 2012. It generated 370 submissions from the local community objecting to:
  - (a) the height and scale of building;
  - (b) the cumulative impacts of traffic on adjacent neighbourhoods;
  - (c) inappropriate public transport and facilities to support the new community; and
  - (d) inappropriate relationship with the existing character of Alexandria and Erskineville character.
19. Attachment E shows the submissions and responses.

20. This report recommends the approval for public exhibition of a Planning Proposal for the two Goodman sites, shown at Attachment A, and a draft DCP for the whole of Ashmore, shown at Attachment B, which aim to fully integrate new planning controls into the Sydney LEP and DCP 2012. The proposed controls respond to the community's submissions raised on the exhibition of the Sydney LEP 2012 and the draft amendment to Ashmore DCP 2006, exhibited from 16 December 2011 to 29 February 2012.
21. The proposed planning controls have been informed by further studies that the City has undertaken covering urban design, traffic, and social sustainability issues. The findings and recommendations from these studies have been reflected in the proposed planning controls. The outcomes of these are discussed in the following sections.

### **Urban design**

22. The proposed planning controls seek to maximise the opportunities Ashmore offers as an urban renewal site to contribute to achieving the NSW Government's dwelling targets for the City of Sydney and Sustainable Sydney 2030's directions for increasing density and open space. The urban design review undertaken by the City was guided by these opportunities and considered the following concerns the community has expressed in the exhibition of the draft controls for Ashmore:
  - (a) building heights, particularly 9 storeys on surrounding Victorian terraces;
  - (b) scale and density of development including FSRs;
  - (c) overshadowing;
  - (d) proposed building type in relation to traditional terraces;
  - (e) stormwater management;
  - (f) provision of adequate building setbacks; and
  - (g) loss of city views from Sydney Park.
23. Below are the key urban design elements that have resulted from the review.

### **Urban design review**

24. The review considered the context of Ashmore with the surrounding local area. The Sydney Park Village, Verve and Motto developments have building heights ranging from 5 to 10 storeys. Motto also has a telecommunications tower integrated into the building which is approximately 9 storeys. This has determined the maximum building heights in Ashmore, and the location of maximum heights to ensure the views to the CBD are not obstructed, and provide appropriate transitioning of building heights to the surrounding conservation areas.



25. This transition is provided by 2 storey (plus attic) terraces immediately to the south of the existing terraces on Ashmore Street, and buildings fronting Mitchell Road will have a predominant street wall height of 3 storeys. The buildings away from the conservation areas will be required to have predominant street wall of 5 storeys. All upper levels of buildings will be required to be setback 4m to reduce their visual impact from the street and create a more human scale to the buildings.
26. A 3m wide landscaped setback will be required in most areas to reduce the visual impact of the buildings from the street. This will also provide a strong landscaped character, and will give cohesive landscaping across the precinct.
27. To create architectural interest and diversity a range of building types are proposed, including terraces, duplex and 'walk up' apartments, and conventional apartment buildings. Taller buildings will be located around McPherson Park, as shown in Figure 3.



Figure 3 heights in storeys map

28. A central park of about 7,400 square metres known as McPherson Park is proposed as shown in Figure 4. This park will be a focal point within Ashmore providing space for active and passive recreation. It will also have the dual function of assisting with stormwater management by also providing detention of stormwater in heavy storm events. A pedestrian and cycle only connection, known as Kooka Walk, will provide a north-south connection through Ashmore to manage stormwater flows whilst providing a green link.

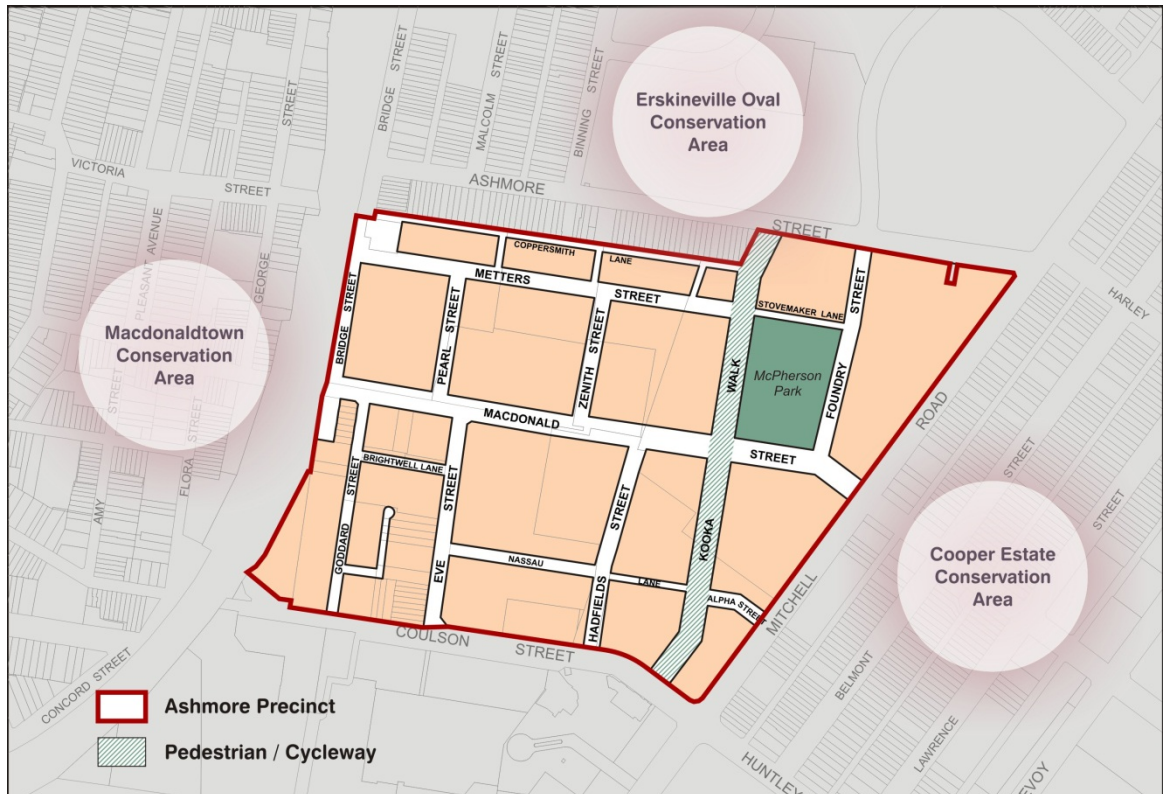


Figure 4 Location of new streets and open spaces

### Design Excellence

29. The City seeks to achieve high quality and varied design for prominent developments through the application of competitive design processes. Up to 10% additional FSR is awarded for a successful design competition. Design excellence provisions to this effect are already included in the Sydney LEP and DCP 2012.
30. An indicative outcome of the application of design excellence is shown in Figure 3 where the heights in brackets represent the accommodation of the additional FSR.

### Traffic and parking

31. The impact of additional traffic and parking associated with the redevelopment of Ashmore is a frequent issue raised in submissions. The main points of concern are:
  - (a) main roads are already congested;
  - (b) the impacts on existing narrow streets and lanes;
  - (c) restrictive off-street parking rates for new developments;
  - (d) poor public transport services and capacity; and
  - (e) concerns about the cumulative impact of traffic on the surrounding area.

32. AECOM were commissioned by the City to undertake paramics modelling to assess the impacts of development over a number of stages of redevelopment. Paramics modelling allows for the cumulative impacts of traffic to be assessed by calculating the capacity of intersections. A copy of the final AECOM study is shown at Attachment D to this report.
33. The modelling analyses likely development over a number of years, up to 2027 and proposes mitigation measures in response to the likely increased traffic volumes.
34. The recommendations that will need to be in place by full development are shown in Attachment F of this report, and include:
  - (a) signalisation of Maddox Street and Mitchell Road;
  - (b) restricting on street parking at key locations (in peak periods);
  - (c) improved public transport infrastructure; and
  - (d) permit parking for residents in adjacent streets to limit impacts of restrictive parking rates in the new developments.
35. Many of these measures will require consultation with Transport for NSW and Roads and Maritime Services.
36. The AECOM study identifies that the impacts on the existing narrow streets and lanes west of the railway line will be limited and that additional traffic volumes are unlikely to cause congestion. To manage this relatively small scale traffic management measures, such as speed humps can be installed as and when necessary.
37. The AECOM study has established that by the time Ashmore is fully built there has to be improved public transport services (both bus and rail) to meet the demand from the new population. The AECOM study provides the City with the evidence to continue liaison with the relevant State agencies to ensure the provision of services are in place as development commences.
38. It is noted that on 28 March 2012 the Minister for Planning and Infrastructure issued a press release stating that he would be working with the Transport Minister to ensure public transport capacity in Ashmore was increased as developments proceed. A proposal to establish a working group with Transport for NSW is included at Recommendation E in this report.

### **Social Sustainability**

39. CRED consultants were commissioned to undertake a social impact assessment for Ashmore. The purpose of the study is to identify and make recommendations to address potential social impacts relating to the Ashmore redevelopment. A copy of the study is shown at Attachment C to this report.
40. The main issues raised in submissions relating to social sustainability were:
  - (a) the new development would erode the existing character of Erskineville/Alexandria;
  - (b) there are insufficient childcare and school spaces; and

- (c) insufficient open space is being provided within the site.
41. The redevelopment of Ashmore has the potential to deliver about 3,485 new dwellings and will be home to about 6,300 residents. Using census information CRED establishes the current surrounding areas demographics and forecasts a likely population profile. This profile provides a good indication of the social infrastructure that is likely to be required by the new residents.
42. The new population profile is predicted to be similar to that of the existing Erskineville population, for example:
- (a) fewer older people (over 60+years);
  - (b) fewer younger people (12 to 24 years);
  - (c) one of the highest number of children aged 0 to 4 years in the City's local government area;
  - (d) the majority of residents being high income earners; and
  - (e) a high proportion of gay, lesbian, bi-sexual and transgender people.
43. This information is important as it provides likely trends for provision of social infrastructure such as childcare and primary school spaces, both are at capacity in the area. The study forecasts the need for 260 additional childcare spaces and an additional 360 primary school spaces (about 50 spaces per school year) will be needed by 2027. The study also identifies that a variety of quality programme or meeting spaces for working aged people will be required.
44. The CRED study recommends that the draft planning controls provide opportunities for private childcare operators to locate as development occurs. This can be achieved through ensuring appropriate building footprints are integrated into the draft Ashmore DCP.
45. The CRED study also looked at the potential for Ashmore to integrate with the surrounding suburbs, which have a rich and interesting history. This has in part been captured, through naming of the new streets and parks after the former industrial uses in Ashmore, as shown in Figure 4.
46. Erskineville village already has well established cafes, retail and other services and Alexandria is also changing very quickly with bespoke cafes and restaurants being developed in former warehouses. The location of Ashmore between these two suburbs, and its proposed local shops and park, present an opportunity to bring residents from existing nearby streets to Ashmore which will also assist with social integration.
47. The CRED study recommends the provision of a large main park to create social connections with the new and existing residents. It is likely to be very popular with the new community, and will provide for a variety of uses and possibilities for residents both in terms of passive and active recreation, and has the potential to be the 'village green' for Ashmore. The CRED study recommends that McPherson Park be no less than 7,400 square metres.

48. The City would welcome the provision of affordable housing development in Ashmore, though, as the precinct is outside of the Green Square Urban Renewal Area, affordable housing levies do not apply to new developments. Legislative constraints imposed by the NSW planning system prevent Councils from requiring the provision of affordable housing in their planning controls. Therefore, an affordable housing provider such as City West Housing would need to purchase land in Ashmore, subject to a suitable site becoming available.

**Planning Proposal – Sites 57 Ashmore Street and 165-175 Mitchell Road Erskineville**

49. The Sydney LEP 2012 came into effect on 14 December 2012. At the time when Council and the CSPC approved Sydney LEP 2012, the planning controls for the Goodman sites were deferred, noting that they would be the subject of a separate Planning Proposal. A copy of this Planning Proposal is shown at Attachment A to this report and applies to the Goodman sites as the remainder of Ashmore is covered by Sydney LEP 2012.
50. The draft planning controls in this Planning Proposal are informed by the recommendations from the additional studies discussed in this report. For example, as the Traffic and Parking Study determines the capacity of the road network, and the urban design review established the maximum building heights. The combination of the recommendations from the studies informs the setting of appropriate densities.
51. Broadly the main controls in the Planning Proposal are:
- (a) maximum height of 27 metres (8 storeys);
  - (b) maximum FSR of 1.75:1;
  - (c) zone B4 Mixed Uses - 165-175 Mitchell Road, Erskineville; and
  - (d) zone B2 Local Centre - 57 Ashmore Street, Erskineville.
52. These draft controls are shown in the draft LEP maps in Part 4 of the Planning Proposal at Attachment A to this report.

**Draft Amendment to Sydney Development Control Plan 2012**

53. The Draft *Sydney Development Control Plan 2012 – Ashmore Precinct Amendment* shown at Attachment B to this report proposes to incorporate into section 5.5 of the Sydney DCP 2012 in section 5.5 - The Ashmore Precinct. The specific planning controls include:
- (a) a character statement details the vision of Ashmore;
  - (b) street wall heights of three and five storeys;
  - (c) building and landscaped setbacks of four and three metres respectively;
  - (d) requirements for public domain and landscaping;
  - (e) street typologies;

- (f) specific built form controls to address specific building type;
  - (g) details about the design and location McPherson Park; and
  - (h) the preferred location of local shops and childcare facilities.
54. The draft DCP amendment applies to the whole of Ashmore and provides detailed planning controls that support the Planning Proposal for the Goodman sites and the Sydney LEP 2012 applies to the other sites in Ashmore.
55. Other controls that apply to all development across the entire Local Government Area are covered in the Sydney DCP 2012 and will also apply to Ashmore. These include, for example:
- (a) development types (including terraces and residential flat developments);
  - (b) accessible design;
  - (c) heritage;
  - (d) industrial development; and
  - (e) urban ecology.

## KEY IMPLICATIONS

### Strategic Alignment - Sustainable Sydney 2030 Vision

56. *Sustainable Sydney 2030* is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following *Sustainable Sydney 2030* strategic directions and objectives:
- (a) Direction 4 - A City of Pedestrians and Cyclists - Ashmore offers opportunities to develop a network of safe, linked pedestrian and cycle paths that integrate with green spaces in both Ashmore and its surrounding neighbourhoods. The proposed street network has been designed to service local traffic only and reduce the need to use the private car for short trips. The proximity of Ashmore to the CBD, Green Square Town Centre, both the University of Sydney and the University of New South Wales, and the provision of cycling facilities will help promote green travel to major workplaces and venues in the surrounding areas.
  - (b) Direction 6 - Vibrant Local Communities and Economies - Ashmore is identified as a Local Centre in the *Green Square and Southern Areas Retail Study 2008*. Redevelopment of Ashmore will create a new neighbourhood within the suburb of Erskineville, and a new 'village', a place for meeting, shopping, recreation and working for local communities. Whilst redevelopment in Ashmore will result in the closure of the existing light industrial uses, alternative employment opportunities, such as commercial and retail, will be created associated with the local centre aspiration.



- (c) Direction 8 - Housing for a Diverse Population - A key objective of redevelopment within Ashmore is to create a range of housing types. The planning controls will encourage terraces as well as apartments and duplex apartments to offer diversity of housing for different lifestyle choices and household types.
- (d) Direction 9 - Sustainable Development, Renewal and Design - The draft Ashmore planning controls recommended for approval seek to ensure sustainable development, design excellence and environmental management through the public domain.

### **Organisational Impact**

- 57. The redevelopment of Ashmore has key implications for the delivery of certain services that are the responsibility of the State Government, most notably the provision of public transport and schools.
- 58. City staff are in regular contact with Transport for New South Wales and the Roads and Maritime Services on the provision of new transport services for the local area. The Traffic and Parking study, shown at Attachment E to this report, makes recommendations for infrastructure improvements to be implemented as development occurs. These measures require consultation with both agencies. In addition, should the CSPC endorse the Planning Proposal for public exhibition, consultation with both agencies will occur.
- 59. The City is also part of a working group with Department of Education and Communities (DEC). This working group is considering facilities planning, and is a forum for exchange of population projections data, including data on key urban renewal sites such as Ashmore. It is intended that this working group will be able to align information on supply and demand issues with DEC so that services are in place as development are completed.

### **Economic**

- 60. There are a number of likely economic benefits that will be achieved from amending the Sydney LEP and DCP 2012 by including planning controls for Ashmore. Already noted in this report is developer interest in Ashmore, with the recent approval of a development application for the Leighton Properties site. It is likely that this development will trigger further development on other sites across Ashmore.
- 61. Whilst it is recognised that some sites like Leighton's and Goodman are required to dedicate more public infrastructure than others, floor space has been transferred to the developable portions of the sites, so the net FSRs are similar. Additionally, the City's *Section 94 Contributions Plan 2006* credits significant infrastructure elements, for example, McPherson Park and Kooka Walk.

### **RELEVANT LEGISLATION**

- 62. *The Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

**CRITICAL DATES / TIME FRAMES**

63. The Sydney LEP 2012 applies to Ashmore but excludes the Goodman sites. There is a need to integrate the planning controls to have a single package to provide certainty and clarity to the community and the developers.
64. If the Planning Proposal is approved by Council and the CSPC, once a Gateway Determination has been issued by the Department of Planning and Infrastructure to proceed, it is anticipated that for a minimum of 21 days for public authority consultation and 28 days public exhibition. The Gateway Determination will also determine the timeframe for the completion of the Sydney LEP 2012 amendment.
65. The public exhibition of the draft amendment to the Sydney DCP 2012 for Ashmore is planned to run concurrently with that of the Planning Proposal.

**OPTIONS**

66. The CSPC may resolve not to progress with the Planning Proposal, having up to date planning controls in the Sydney LEP could delay the redevelopment of Ashmore, or run the risk of development applications being lodged with the City without up to date planning controls to assess them against.

**PUBLIC CONSULTATION**

67. There has been extensive community consultation over eight years in the development of planning controls for Ashmore.
68. An information session was held on 13 March 2013, to present and discuss the findings of the additional studies. Representatives from the following stakeholders attended:
  - (a) the Friends of Erskineville;
  - (b) Alexandria Residents Action Group;
  - (c) landowners;
  - (d) representatives from the local primary school; and
  - (e) the local Chamber of Commerce.
69. City planning staff were also present at the Erskineville Open on Saturday 23 March 2013, at which about 50 residents discussed the proposed planning controls for Ashmore.
70. Goodman were invited to the information session on the 13 March 2013 but did not attend. City staff subsequently met with Goodman to discuss the findings of the studies and recommendations. They were also advised of the proposed reporting timeframe for the planning controls.
71. If the draft planning controls are endorsed, public consultation will take place in accordance with Part 3 of the *Environmental Planning and Assessment Regulation 2000*.

72. The public exhibition process for the Planning Proposal will be subject to the conditions on the Gateway Determination issued by the Department of Planning and Infrastructure.
73. It is anticipated the public exhibition will be for a minimum of 28 days, with notification:
- (a) on the City of Sydney website;
  - (b) in newspapers that circulate widely in the City of Sydney Local Government Area; and
  - (c) in writing to landowners within Ashmore, adjoining landowners, and relevant local community groups.
74. Following public authority consultation and public exhibition, the outcomes will be reported to Council and the CSPC.

**GRAHAM JAHN, AM**

Director City Planning, Development and Transport

(John Davies, Specialist Planner)