



**Ashfield
Council**

Interim Development Assessment Policy 2013

Part C9

**11-13 Hercules Street
Ashfield**

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PART C9 -11-13 HERCULES STREET ASHFIELD

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SECTION 1 PRELIMINARY**Introduction**

Ashfield Local Environmental Plan (LEP) 2013 is Council's main planning control for the Ashfield Council Local Government Area. The LEP provides objectives, zones, and core development standards such as floor space ratios.

Part C9 of Ashfield Interim Development Assessment Policy 2013 supports the LEP by providing additional objectives and development standards for property 11-13 Hercules Street, Ashfield.

Objectives of this Part

The objectives of Part C9 of Ashfield Interim Development Assessment Policy 2013 are:

- (a) To set out parameters for the retention of the significant parts of the site, and identify areas which can be redeveloped.
- (b) To indicate the area where public improvements can occur outside and surrounding the site.
- (c) To identify matters not found in other parts of planning instruments and which are critical considerations.
- (d) To set out guidelines for the two broad options for reuse of the site, which amongst other matters take into account the heritage issues raised in any development of the site and its existing buildings.

How to use this Part of Ashfield Interim Development Assessment Policy 2013

Ashfield Interim Development Assessment Policy 2013 is a multi-layered document. The objectives and development standards of this Part of Ashfield Interim Development Assessment Policy 2013 cannot be read in isolation. A development application must consider all relevant Parts of Interim Ashfield Development Assessment Policy 2013.

Part A contains an index of the parts and sections in the Ashfield Interim Development Assessment Policy 2013 and guidelines on how to use the Policy; including the steps you need to follow before you prepare your development application.

Relationship of Part C9 to other planning documents

Council will assess a development application according to:

- (a) Section 79C of the Environmental Planning and Assessment Act, 1979;
- (b) State Environmental Planning Policies;
- (c) Ashfield Local Environmental Plan 2013;
- (d) Ashfield Interim Development Assessment Policy 2013;
- (e) Section 94 Contribution Plans;
- (f) Ashfield Stormwater Management Code;
- (g) Policies, legislation or studies adopted or recognised by Council that are relevant to the development application.

Lodging a development application

Our development application forms can be downloaded (www.ashfield.nsw.gov.au) or contact Council on 9716 1800. The form contains a self-assessment checklist to help you complete your application. You should also check whether your proposal is 'exempt' (no application required) or is a 'complying development' (can be certified by Council or a private certifier).

Note 1: If you are proposing a major or complex development or if your proposal is likely to have significant heritage impacts, you should make an appointment to see our pre-lodgement development advisory panel or use our heritage advisory service before you lodge your development application. Call Council on 9716 1800.

Note 2: Certain residential and commercial development as specified in **State Environmental Planning Policy (Exempt and Complying Development Codes) 2008** and **Ashfield LEP 2013** may be carried out without the need for development consent subject to meeting specific requirements. For more information please visit :

- [Ashfield LEP 2013](#)
- <http://housingcode.planning.nsw.gov.au/>
- <http://commercialandindustrialcode.planning.nsw.gov.au/>

SECTION 2 DEVELOPMENT OPTIONS**Option 1 - Majority infill development and part building retention**

2.1 Part of the building on the site may be demolished and the remaining part of the site reconstructed in the terms permitted by the Ashfield LEP, provided the following occurs:

- (a) The historically significant part of the building shall be retained to the approximate extent shown in Diagram 1, and an open space area shall be provided around the building to the approximate extent shown in Diagram 1.

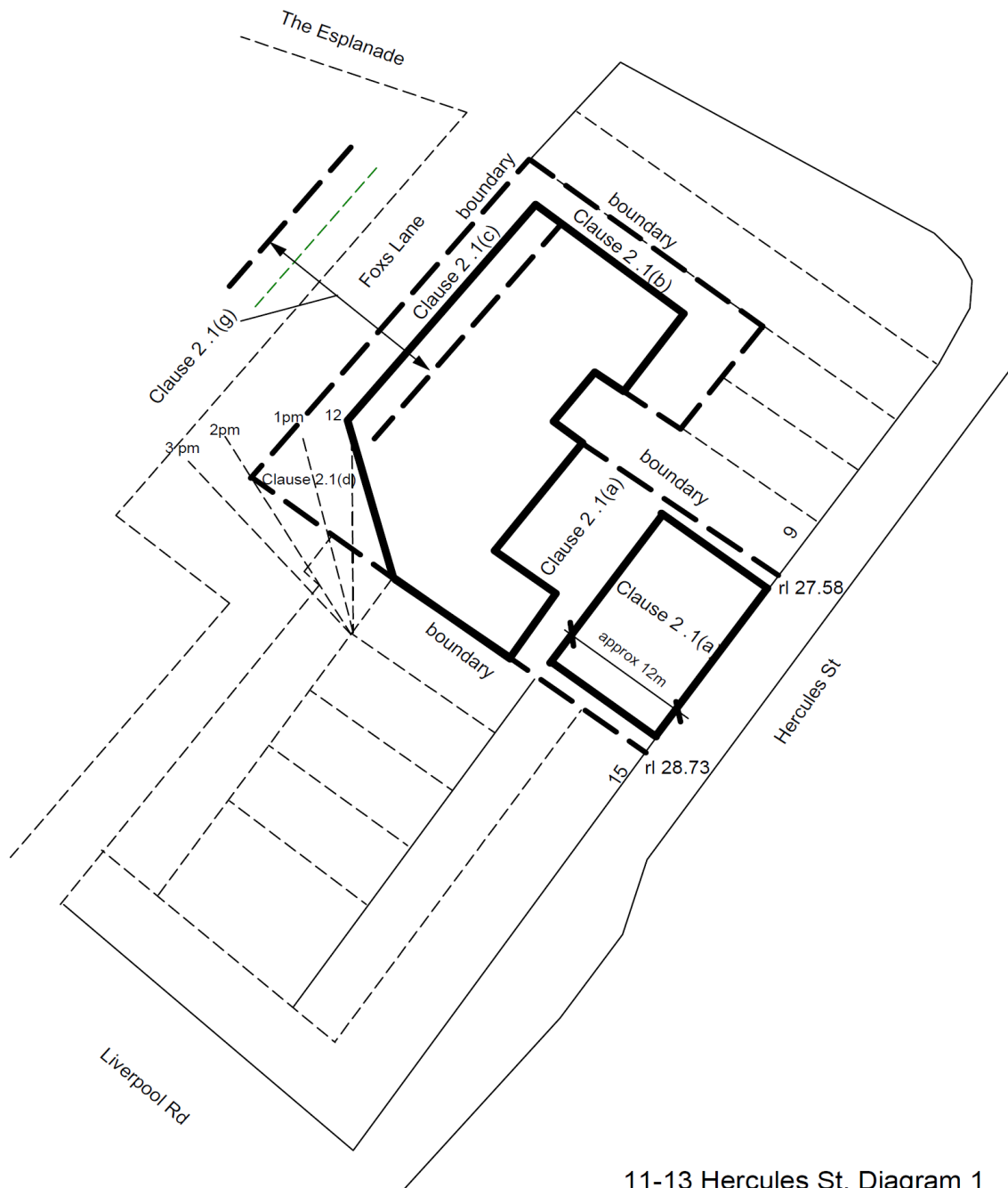
For the purposes of determining the exact extent of building that should be retained, a **heritage conservation report** shall be submitted providing reasoning for the extent of retention, and demonstrating that structural considerations have been taken into account in determining **the exact extent of retention and demolition**.

- (b) A minimum 3m setback is required along the northern boundary shown in **Diagram 1 - Minimum Building Setbacks**, in order to allow sufficient setback for the inclusion of windows and fenestration to the façade, and the architectural aesthetic modelling of the building.
- (c) A minimum setback of 3m is required along the Foxs Lane boundary to provide an area for a pedestrian footpath, and for a building alignment, which allows a better line of sight to the street from apartments for reasons of pedestrian safety and security. Refer to section 3- Landscape for more requirements development setbacks.
- (d) The south western part of the site shall have a building setback which permits a minimum of 2 hours winter solar access on June 21 to any redevelopment of the sites to the south of the site. Refer also to
- (e) For the purposes of enabling the objectives of sub - clause c, civic Improvements shall be made in Foxs Lane in accordance with *Diagram 2 – Public Domain Improvements*, including:
- (i) A footpath along Foxs Lane for pedestrian use, paved with polished concrete pavers equal to those laid in Liverpool Road.
 - (ii) Realignment of the roadway kerb to enable future passage of large vehicles into adjacent sites for future development.
 - (iii) A standing area for the vehicular commercial delivery trucks. This shall be paved so that it may have a dual use by pedestrians, and so that it has a good visual appearance. It shall be landscaped by the provision of trees, planted in deep soil planting area. These shall be planted at an initial height of 2.5 metres.
- (f) Car parking requirements are contained in **Part C11 - “Parking”**;
- (g) Building Separation Requirements are also contained in the *Residential Flat Design Code under SEPP 65*, and these will be relevant for parts of the building which face Fox’s Lane and any future development of sites to the North West side of Fox’s Lane.

Option 2 - Re use of majority of building for non-residential and/or residential use

- 2.2** If the site is not proposed to be used in the manner described in clause 2, the majority of the existing building to be reused shall be developed as follows:
- (a) The building at the rear of the site shall be adapted to allow the provision of employee and visitor carparking. The carparking provisions of Part C11 "Parking" which allow carparking credits for reuse of existing buildings and the conservation of buildings apply.
 - (b) A heritage conservation management plan shall be submitted for the historically significant parts of the building.
 - (c) A standing area for commercial delivery vehicles located off Foxs Lane shall be provided on the site.
 - (d) An area will be provided for the storage of waste and for the disposal of waste. This shall take consideration of the standing position of a garbage truck, and the means of emptying the waste, so as not to block any vehicular movement in the laneway.
 - (e) Those parts of the façade, which face onto Foxs Lane and contain any uses which are not associated with carparking or plant rooms or non "gross floor area" uses, shall contain windows for the purpose of providing surveillance of Foxs Lane.

Diagram 1 - Minimum Building Setbacks



11-13 Hercules St, Diagram 1

Diagram 2 - Public Domain Improvements

