

ASSESSMENT CHECKLIST

PLANNING PROPOSAL APPLICATION No. PPAP/2024/0001

75-85 Crown Street and 116 Princes Highway St Peters NSW 2044

1. Planning Proposal (LEP Amendment Request) Application Details

Planning Proposal Application Number:	PPAP/2024/0001
Property Address:	75-85 Crown Street and 116 Princes Highway St Peters NSW 2044
Legal Description:	Lot 24 DP 1249592 Lot 21 DP 1249588 Lot 10 DP 1227918
Date of Lodgement:	29/4/2024 (fee paid and confirmed lodged by Council)
Type of Planning Proposal (Basic/Standard/Complex):	Complex
Pre-Planning Proposal meeting Minutes (If attended):	PPP/2021/0009
Proponent:	C & M Antoniou
Owner/s of the property Notification (Written and signed):	C & M Antoniou Pty Ltd
Current zoning:	Part MU1 Mixed Use and part R1 General Residential
Description of Proposal:	The Planning Proposal intends to implement planning controls to facilitate the future development of a 10-storey mixed use building at 75-85 Crown Street and 116 Princes Highway, St Peters.
Does it propose to reclassify public land?	No
Related projects or similar Planning Proposals (any that would impact upon the outcome of this project for e.g. Strategic Sites and Corridor Study):	Not Applicable
Site visit undertaken:	16/5/2024

1. Planning Proposal (LEP Amendment Request)

Application Details

Site Description/Context

The site consists of 3 separate lots as shown below with a total area of 1,931m².



Legal Description	Address	Zone	Height	FSR	Current Use
Lot 24 DP 1249592	75 Crown Street, St Peters	R1	9.5m	0.85:1	Residential – a double storey terrace
Lot 21 DP 1249588	116 Princes Highway, St Peters 77 Crown Street, St Peters 81-83 Crown Street, St Peters	MU1	14m	1.75:1	Residential – a double storey terrace & Light industrial – commercial storage facility
Lot 10 DP 1227918	85 Crown Street, St Peters	MU1	14m	1.75:1	Light industrial – mechanic/repair workshop

Frontage	Width (m)
Western – Princes Highway	20.3
Southern – Campbell Street	62
Eastern – Crown Street	44.2

The site topography varies from approximately RL 17.5m on the south-eastern corner to RL 16m AHD in the north-eastern corner and north-western corner of the site.

The site is located within 25-30 ANEF and Obstacle Limitation Surface (OLS) 51m.

Description of all existing uses and existing development on the land:

- Predominant use at 85 Crown Street and 116 Princes Highway includes a light industrial, single storey masonry building with presence on all three frontages and access from Crown Street. 85 Crown Street is occupied by a vehicle mechanic workshop and 116 Princes Highway is occupied by a warehouse/distribution business.
- A pair of two-storey semi-detached dwellings are located in the north of the site at 116 Princes Highway and 75 Crown Street.
- Site has a gentle 2m slope from east to west

History of the subject site:

DA Modification – B561/96 - 116 Princes Highway St Peters 2044

- Under Section 102 of the Environmental Planning and Assessment Act to extend the hours of operation of the factory to 5.30am to 6.00pm Mondays to Fridays and 8.00am to 12 noon Saturday
- 21/01/1997 Approved - Delegation to Staff

Aerial photographs



Figure 1 – Aerial photo of site

Site photos

(Photos taken by Council, 16 May 2024)



View from Princes Highway - site on the right side



View from Campbell Street – site frontage to Campbell Street



View from intersection of Campbell Street and Crown Street – site on the right side



View from Crown Street – site on the left and adjoining house (73 Crown St) on the right side



View from Crown Street – site on the left

(Photos provided by proponent, March 2024)



View of site (in red) from Princes Highway



View of site (in red) from the corner of Princes Highway and Campbell Street



View from Crown Street of 85 Crown Street (left) and 116 Princes Highway (right)



View from Crown Street of 116 Princes Highway (left) and 75 Crown Street (right)

1. Planning Proposal (LEP Amendment Request) Application Details

Description of surrounding properties:

East of site: Opposite the site on Crown Street and further east on Campbell Street are predominantly two storey terraces. Residential Flat Buildings (RFBs) and light industrial uses face Barwon Park Road. Further east of Barwon Park Road is Sydney Park, a major inner-city parkland.

South of site: Opposite the site on Campbell Street are predominantly light industrial, vehicle sales and business units. To the south-east is a ventilation facility for the WestConnex motorway.

North of site: The adjacent site to the north along Princes Highway contains a 1-2 storey warehouse and specialised retail premises. Further north along Princes Highway are remnant 2-storey businesses followed by more modern 4-7 storey mixed use developments nearer to St Peters station. North of the site on Crown Street are two-storey terraces.

West of site: 2-storey business uses along Princes Highway to the west and south-west.

Any former Council resolutions:

N/A

Surrounding properties

(Photos taken by Council, 16 May 2024)



View from Campbell Street – opposite side of the site



View from Campbell Street – surroundings to east

(Photos provided by proponent, March 2024)



Terraces viewed from Crown St



Looking north of Crown Street (site on left)



Looking North on Princes Highway



Examples of built form on Princes Highway



View looking north-east along Campbell Street (site in red)



Development east of the site on Campbell Street (site in red)

2. Site Affections (affecting whole or part of the site)

Affection	Y/N	Comment
Is the site a Heritage Item? If so insert Item Number(s).	N	
Is the site a Draft Heritage Item?	N	
Is the site Listed on the State Heritage Register?	N	
Is the site subject to an Interim Heritage Order?	N	
Is the site Listed as a Heritage Item in a State Environmental Planning Policy (includes SREPs)?	N	
Is the site located within Conservation Area? If so insert name of the conservation area.	N	
Is the site in the vicinity of any Heritage Items? If so insert Heritage Item Number(s) and descriptions.	Y	Heritage items within 150m from the site: <ul style="list-style-type: none"> • 93A Church Street, St Peters – I1731 “St Peters Public School, including interiors” • 161 Princes Highway, St Peters – I1736 “Whitehorse Hotel, including interiors” • Victoria Street (near 2 Bishop Street), St Peters – I1745, “Remaining brick road and footpath paving and stone guttering”
What Acid Sulfate Soils Class(es) affects the site?	N	Class 5
Is the site Flood affected? (This includes tidal inundation)?	N	
Is the site located within the foreshore area (Foreshore building line)?	N	
Is the site reserved for a public purpose?	Y	Part 85 Crown Street, St Peters (SP2 Infrastructure – Classified Road)
What Australian Noise Exposure Forecast contour located within?	Y	25-30 Australian Noise Exposure Forecast (ANEF) 2039

2. Site Affectations (affecting whole or part of the site)

Affectation	Y/N	Comment
Is the site affected by any road widening or realignment?	Y	Part 85 Crown Street, St Peters (SP2 Infrastructure – Classified Road)
Is the site or any part of the site reserved for acquisition?	Y	Part 85 Crown Street, St Peters (SP2 Infrastructure – Classified Road)
Is there an order under the Tree (Disputes Between Neighbours) Act 2006?	N	
Is there a site compatibility certificate (Seniors Housing, Infrastructure, Affordable Rental Housing)?	N	
Is the site a Boarding House?	N	
Does Council have information on the subject land relating to contamination and /or is the site identified on Council's GIS Contamination Layer on latitude? If so provide details.	N	
Is the site located within close proximity to Port or Railway Land or any other land uses that could have adverse impacts upon the amenity of the site?	N	
Are there any site specific provisions (additional permitted uses) applying to the site?	N	
Development applications		
Are there any recent or contentious development applications for the site?	N	
Outstanding notices		
Are there any outstanding notices and orders applying to the subject site?	N	
Caveats or other property restrictions		
Are there any caveats or other property restrictions affecting the site?	N	
Development contributions – Identify applicable plans		
Inner West Local Infrastructure Contributions Plan 2023	Y	

2. Site Affectations (affecting whole or part of the site)

Affectation	Y/N	Comment
Environmental Planning and Assessment Amendment (Housing and Productivity Contributions) Act 2023	N	

3. Department of Planning, Industry and Environment's Guide to Preparing Planning Proposals Information Checklist

Section A – Need for the Planning Proposal

PART 1 - OBJECTIVES AND INTENDED OUTCOMES

This section must provide a clear and concise description of the planning proposal and be written in plain English, so it is easily understood by the community.

Objectives

- To retain employment floor space and facilitate the delivery of housing supply and diversity

Intended outcome

- To provide high quality residential amenity that considers overshadowing, acoustic amenity and overlooking impacts.
- To provide a landmark building on site.
- To respond to the transformation of Campbell Road and new infrastructure associated with St Peters interchange.
- To provide a rejuvenated public realm with improved activation, surveillance, and visual quality.
- To provide an integrated development within the low rise setting of Crown Street.

PART 2 - EXPLANATION OF PROVISIONS

This section must provide a detailed statement of how the objectives or intended outcomes will be achieved by amending an existing LEP.

Intended provisions

- To amend the Inner West LEP 2022 by allowing additional floor space, building height and a limited amount of residential accommodation at ground floor level along Crown Street as a MU1 mixed use development.

Plan to amend	Control	Proposal
Inner West Local Environmental Plan 2022	Max. building height	Apply a maximum permissible building height of RL 51.00 (35m)
	Max. floor space ratio	Apply a maximum permissible floor space ratio of 5:1
	Additional local provision	Insert an Additional Local Provision allowing for residential accommodation on the ground floor of the MU1 Zone of max 88m ² GFA.

- Proposed (indicative) additional local provision:

6.34 Residential Accommodation as part of a mixed use development at 75-85 Crown Street and 116 Princes Street, St Peters

(1) The objective of this clause is to—

(a) provide for limited residential accommodation at ground floor level as part of mixed use development.

(2) This clause applies to land identified as "Area 19" on the Key Sites Map.

(3) Development for the purpose of residential accommodation is permitted with consent within Zone MU1 Mixed Use at ground floor level facing Crown Street.

(4) Despite subclause (3) development consent must not be granted to development for the purposes of residential accommodation on land to which this clause applies unless the consent authority is satisfied the building—

(a) is part of a mixed use development, and

(b) contains no more than 88m² residential Cross Floor Area at ground floor level, and

It is intended that as the design of the building changes through the Planning Proposal stage, the metric of residential Cross Floor Area at ground floor level is also updated to be accurate with the new design.



Figure 2 – Proposed Key Sites Map (Source: Ethos Urban)

PART 3 - JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

This section must provide a detailed assessment of the Proposal's strategic and site-specific merit to determine whether the Planning Proposal should be supported – Refer to Sections A to E below.

Determine: *Satisfactory, unsatisfactory, or not applicable*

Question 1.

Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

Satisfactory.

The Planning Proposal (PP) generally supports the Inner West LSPS and particularly Planning Priority 6: Plan for high quality, accessible and sustainable housing growth in appropriate locations integrated with infrastructure provision and with respect for place, local character and heritage significance. The PP provides new housing capacity in close proximity to St Peters train station, Newtown-Enmore Town Centre and significant open space at Sydney Park.

Question 2.

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

Satisfactory

The PP is, in principle, an appropriate pathway to deliver more housing to meet the Inner West's housing targets, subject to a full examination of strategic and site-specific merits. The site's location presents as a gateway opportunity and it is recognised that it could accommodate further uplift than what the current *Inner West Local Environmental Plan 2022* (IWLEP) controls allow through the PP process.

Section B – Relationship to the strategic planning framework

Question 3.

Will the Planning Proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)? Consistency with relevant strategies is demonstrated below:

Greater Sydney Region Plan - A Metropolis of Three Cities

Direction 1: A city supported by infrastructure

Objective 1: Infrastructure supports the three cities

Consistent

The PP seeks to retain business and/or light industrial capacity on the site while providing new housing capacity in accordance with the site's MU1 Mixed Use zoning and the site's strategic context. The site is located in close proximity to existing public transport options, 650m from St Peters train station, providing regular high capacity services to and from the Sydney CBD Metropolitan Centre, which is located 6km to the north. There are also bus services within 200m that provide connection to the Sydney CBD, Mascot and the Airport.

Objective 2: Infrastructure aligns with forecast growth – growth infrastructure pact

Consistent

As above. The proposed uplift can optimise existing infrastructure in the vicinity of the site.

Objective 3: Infrastructure adapts to meet future needs

Not applicable

Objective 4: Infrastructure use is optimised

Consistent

As above.

Direction 2: A collaborative city

Objective 5: Benefits of growth realised by collaboration of governments, community and business

Consistent

As above.

Direction 3: A city for people

Objective 6: Services and infrastructure meet communities' changing needs

Not applicable

Objective 7: Communities are healthy, resilient and socially connected

Consistent.

The PP is in walking distance to a range of infrastructure, services and activities, in St Peters, Newtown/Enmore and Sydney Park. This maximises opportunities to use active transport options and improves social connectivity for the future occupants of the site.

Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods

Not applicable

Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation

Consistent

The PP site currently contains a substantial mural along the Campbell Street frontage, titled *The Spirit of St Peters*. This was provided under Council's Perfect Match program, which facilitates matches between landowners and street artists. The artwork was also a funding collaboration between Inner West Council and West Connex Authority, under the latter's Public Art Strategy.

The site is located in a significant area for the creative industries, situated just outside the St Peters Creative Triangle, close to the May Lane street art gallery and creative studios, such as the Aerie and Tortuga Studios. The area's industrial buildings made the area a haven for creatives who needed production space within reach of their client base in the inner city. Inner West Council, and previously Marrickville Council, acknowledged the importance of these affordable, flexible workspaces and have sought to retain capacity for creative workspace.

Although the site is privately owned and the landowners have the right to seek redevelopment in accordance with the site's zoning, it is noted the site has also benefited from greater exposure and a 'landmark' statement brought by the artwork.

Should the PP proceed, it should be accompanied by draft DCP provisions that will encourage re-provision of public art opportunities on the site and built-in

flexibility in the ground floor employment space, compatible with the types of creative industries that will continue to operate in the area.

Direction 4: Housing the city

Objective 10: Greater housing supply
Consistent.

The PP will facilitate additional housing on site, helping to achieve Inner West housing targets. The site is within walking distance of public transport, recreational areas, shops and services, making it the ideal location to support the supply of new homes within well-serviced locations in St Peters

Objective 11: Housing is more diverse and affordable
Partly Inconsistent

The Proposal is inconsistent with Inner West's Affordable Housing Policy. It is recommended that the PP be amended to include an additional provision requiring a portion of new housing on the site be provided as affordable housing in perpetuity.

Direction 5: A city of great places

Objective 12: Great places that bring people together
Partly Inconsistent

The proponent's Proposal contains inconsistencies with the NSW Apartment Design Guide (ADG). It is recommended that the PP be amended to reduce the proposed maximum FSR from 5:1 to 4:1, which will deliver an urban form that is more attuned to the surrounding neighbourhood and streetscape.

Objective 13: Environmental heritage is identified, conserved, and enhanced
Consistent

The site contains no heritage items or conservation areas and there are no items or conservation areas in the immediate vicinity of the site. The PP would result in the loss of a 'building of historical significance' as identified in the Marrickville Development Control Plan 2011 (MDCP), these do not equate to heritage items and the loss is justifiable to optimise the use of the PP site.

Direction 6: A well-connected city

Objective 14: *A Metropolis of Three Cities* – integrated land use and transport creates walkable and 30-minute cities

Consistent.

The PP supports the '30-minute' city vision by delivering housing within walking distance of the bus corridor, train station, recreational areas and services. Nearby employment centres such as Sydney Airport, Mascot and the Sydney CBD will be conveniently accessed by future residents within 30 minutes by public transport.

Objective 15: The Eastern, GOP, and Western Economic Corridors are better connected and more competitive

Not applicable

Objective 16: Freight and logistics network is competitive and efficient

Consistent

Although the PP is located in close proximity to the WestConnex motorway and approximately 3km from the Sydney Airport and environs, the intended future use of the site is not likely to hinder the freight and logistics network in any way. Future business occupants can also benefit from good access to the motorway network, airport and Port Botany.

Objective 17: Regional connectivity is enhanced

Not applicable

Direction 7: Jobs and skills for the city

Objective 18: Harbour CBD is stronger and more competitive

Consistent

The PP seeks to retain business and/or light industrial capacity on the site while providing new housing capacity in accordance with the site's MU1 zoning and the site's strategic context. This could theoretically boost the workforce and economic activity in the vicinity of the Harbour City.

Objective 19: Greater Parramatta is stronger and better connected

Not applicable

Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City

Not applicable

Objective 21: Internationally competitive health, education, research and innovation precincts

Not applicable

Objective 22: Investment and business activity in centres

Consistent

The PP seeks to retain business and/or light industrial capacity on the site while providing new housing capacity in accordance with the site's MU1 zoning and the site's strategic context. It would increase the future population within walking distance of the Newtown-Enmore Town Centre and just over 1km from the Green Square-Mascot Strategic Centre.

Objective 23: Industrial and urban services land is planned, retained and managed

Consistent

Although the site is zoned MU1 and R1, it currently contains remnant light industrial and logistics uses. The PP seeks to retain business and/or light industrial capacity on the site. Although it includes a provision that would increase residential floor space on the ground level by 88 sqm, this is of minor significance in the context of the site and its zoning. A draft DCP should also accompany the PP that will encourage built-in flexibility on the ground level employment floor space.

Objective 24: Economic sectors are targeted for success.

Not applicable

Direction 8: A city in its landscape

Objective 25: The coast and waterways are protected and healthier.

Not applicable

Objective 26: A cool and green parkland city in the South Creek corridor.

Not applicable

Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced.

Consistent

The PP would retain the current tree canopy coverage on the site and streetscape.

Objective 28: Scenic and cultural landscapes are protected.

Not applicable

Objective 29: Environmental, social and economic values in rural areas are maintained and enhanced

Not applicable.

Objective 30: Urban tree canopy cover is increased

Partly Inconsistent

The reference scheme accompanying the proponent's Proposal identifies a total of approx. 177 sqm / 9% of total site area as deep soil zone (DSZ) located in three different areas. Whilst this proposal exceeds the Apartment Design Guide (ADG) min. 7% DSZ requirement, most of the proposed locations do not meet the minimum 6m dimension for a site area >1,500 sqm, identified in ADG Part 3E. It is recommended that the PP be amended to reduce the proposed maximum FSR from 5:1 to 4:1, which would facilitate a scheme that would meet the ADG's requirements for DSZ provision and enhance urban tree canopy cover.

Objective 31: Public open space is accessible, protected and enhanced.

Consistent.

The PP would not increase the provision of public open space, but would locate additional housing capacity within 200m of regionally significant open space at Sydney Park.

Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths

Not applicable

Direction 9: An efficient city

Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change

Partly Inconsistent

The PP's location helps to promote use of sustainable transport options by the future occupants of the site.

However, the reference scheme accompanying the proponent's Proposal identifies a total of approx. 177 sqm / 9% of total site area as deep soil zone located in three different areas. Whilst this proposal exceeds the ADG min. 7% DSZ requirement, most of the proposed locations do not meet the minimum 6m dimension for a site area >1,500 sqm, identified in ADG Part 3E. It is recommended that the PP be amended to reduce the proposed maximum FSR from 5:1 to 4:1, which would facilitate a scheme that would meet the ADG's requirements for DSZ provision and enhance urban tree canopy cover.

Objective 34: Energy and water flows are captured, used and re-used.

Consistent.

These matters are adequately addressed in the proponent's sustainability report in accordance with MDCP stormwater management requirements.

The PP would facilitate a scheme that can meet built form sustainability requirements.

Objective 35: More waste is re-used and recycled to support the development of a circular economy.

Consistent.

The proponent has provided supporting recycling and waste management details that demonstrate the PP can meet requirements of MDCP Section 2.21 – Site facilities and waste management.

Direction 9: A resilient city

Objective 36: People and places adapt to climate change and future shocks and stresses

Consistent

As above. The PP site is also not identified as prone to any natural hazards.

Objective 37: Exposure to natural and urban hazards is reduced

Consistent.

The PP and reference scheme demonstrate that noise and olfactory impacts created by the road network, WestConnex ventilators and aircraft noise can be adequately addressed at DA stage. Mitigating measures could include the provision of winter gardens and other measures. Privacy impacts over adjacent properties through the provision of angled louvers and planter boxes have been proposed.

Objective 38: Heatwaves and extreme heat are managed

Inconsistent.

The PP has not sufficiently investigated initiatives to mitigate urban heat island effect.

Direction 7: Implementation

Objective 39: A collaborative approach to city planning

Not applicable

Objective 40: Plans refined by monitoring and reporting

Not applicable

Eastern City District Plan

Direction 1: A city supported by infrastructure

E1: Planning for a city supported by infrastructure

Consistent

The PP seeks to retain business and/or light industrial capacity on the site while providing new housing capacity in accordance with the site's MU1 Mixed Use zoning and the site's strategic context. The site is located in close proximity to existing public transport options, 650m from St Peters train station, providing regular high capacity services to and from the Sydney CBD Metropolitan Centre, which is located 6km to the north. There are also bus services within 200m that provide connection to the Sydney CBD, Mascot and the Airport.

Direction 2: A collaborative city

E2: Working through collaboration

Not applicable

Direction 3: A city for people

E3: Providing services and social infrastructure to meet people's changing needs
Not applicable

E4: Fostering healthy, creativity, culturally rich and socially connected communities
Consistent.

The PP is in walking distance to a range of infrastructure, services and activities, in St Peters, Newtown/Enmore and Sydney Park. This maximises opportunities to use active transport options and improves social connectivity for the future occupants of the site.

The PP will foster the creation of high quality mixed use spaces providing residents with public spaces to meet and socialise, building sense of community and supporting social cohesion.

Direction 4: Housing the city

E5: Providing housing supply, choice, and affordability with access to jobs, services and public transport
Partly Inconsistent

The proposed IWLEP amendments seek to increase housing capacity on the site. However, the proponent's Proposal contains inconsistencies with Inner West's Affordable Housing Policy. It is recommended that the PP be amended to include an additional provision requiring a portion of new housing on the site be provided as affordable housing in perpetuity.

Direction 5: A city of great places

E6: Creating and renewing great places and local centres and respecting the District's heritage.

Consistent.

Refer to E1. Not a heritage item or within a heritage conservation area.

Direction 6: A well connected city

E10: Delivering integrated land use and transport planning and a 30-minute city
Consistent.

Refer to E1.

Direction 7: Jobs and skills for the city

E7: Growing a stronger and more competitive Harbour CBD

Consistent

The PP seeks to retain business and/or light industrial capacity on the site while providing new housing capacity in accordance with the site's MU1 zoning and the site's strategic context. This could theoretically boost the workforce and economic activity in the vicinity of the Harbour City.

E8: Growing and investing in health and education precincts and the Innovation Corridor

Not applicable

E9: Growing international trade gateways

Not applicable

E11: Growing investment, business opportunities and jobs in strategic centres

Consistent

The PP seeks to retain business and/or light industrial capacity on the site while providing new housing capacity in accordance with the site's MU1 zoning and the site's strategic context. It would increase the future population just over 1km from the Green Square-Mascot Strategic Centre.

E12: Retaining and managing industrial and urban services land

Consistent

Although the site is zoned MU1 and R1, it currently contains remnant light industrial and logistics uses. The PP seeks to retain business and/or light industrial capacity on the site. Although it includes a provision that would increase residential floor space on the ground level by 88 sqm, this is of minor significance in the context of the site and its zoning. A draft DCP will also accompany the PP that will encourage built-in flexibility on the ground level employment floor space.

E13: Supporting growth of targeted industry sectors

Not applicable

Direction 8: A city in its landscape

E14: Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways

Not applicable

E15: Protecting and enhancing bushland and biodiversity.

Consistent

The PP would retain the current tree canopy coverage on the site and streetscape

E16: Protecting and enhancing scenic and cultural landscapes

Not applicable

E17: Increasing urban tree canopy cover and delivering Green Grid connections

Partly Inconsistent

Refer to Greater Sydney Region Plan, Direction 8, Objective 30.

E18: Delivering high quality open space

Consistent.

The PP would not increase the provision of public open space, but would locate additional housing capacity within 200m of regionally significant open space at Sydney Park.

Direction 9: An efficient city

E19: Reducing carbon emissions and managing energy, water and waste efficiently.

Consistent

The PP's location helps to promote use of sustainable transport options by the future occupants of the site. The PP would also facilitate a scheme that can meet built form sustainability requirements.

Direction 10: A resilient city

E20: Adapting to the impacts of urban and natural hazards and climate change.

Consistent

As above. The PP site is also not identified as prone to any natural hazards.

Future Transport Strategy 2056

Consistent.

The PP is generally consistent with this Strategy as it would allow future occupants on the site to take advantage of existing transport options and does not propose growth in contradiction to the future transport direction of Sydney.

Section B – Relationship to the strategic planning framework

Question 4.

Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Our Place Inner West – Local Strategic Planning Statement

Theme 1. An Ecologically Sustainable Inner West

Planning Priority 1: Adapt to climate change

Partly Inconsistent

The PP site is not identified as prone to any natural hazards.

Refer to Greater Sydney Region Plan, Direction 8, Objective 30.

Planning Priority 2: Inner West is a zero emissions community

Consistent

The PP's location helps to promote use of sustainable transport options by the future occupants of the site.

Planning Priority 3: A diverse and increasing urban forest that connects habitats of flora and fauna

Partly Inconsistent

Refer to Greater Sydney Region Plan, Direction 8, Objective 30.

Planning Priority 4: Inner West is a water sensitive city with clean waterways

Consistent

The PP is not in the immediate vicinity of any waterways. It would also facilitate a scheme that can meet built form sustainability requirements.

Planning Priority 5: Inner West is a zero-waste community

Consistent

As above.

Theme 2. Unique, liveable, networked neighbourhoods

Planning Priority 6: Plan for high quality, accessible and sustainable housing growth in appropriate locations integrated with infrastructure provision and with respect for place, local character and heritage significance

Partly Inconsistent

The PP is located 650m from St Peters station and 200m from bus services providing connection to the Sydney CBD, Mascot and the Airport.

The site contains no heritage items or conservation areas and there are no items or conservation areas in close proximity to the site. The PP would result in the loss of a 'building of historical significance' as identified in the MDCP, these do not equate to heritage items and the loss is justifiable to optimise the use of the PP site.

The proponent's Proposal contains inconsistencies with the provisions in the NSW Apartment Design Guide (ADG). It is recommended that the PP be amended to reduce the proposed maximum FSR from 5:1 to 4:1, which will deliver an urban form that is more attuned to the surrounding neighbourhood and streetscape.

Planning Priority 7: Provide for a rich diversity of functional, safe and enjoyable urban spaces connected with and enhanced by their surroundings

Consistent.

Proposal encourages the uplift of an underutilised site. Development seeks to create a future building with enjoyable spaces that connect to surrounding open space.

Theme 3. Sustainable Transport

Planning Priority 8: Provide improved and accessible sustainable transport infrastructure

Consistent

The PP would involve increasing housing capacity in a location that supports sustainable transport options.

Theme 4. Creative Communities and a Strong Economy

Planning Priority 9: A thriving local economy

Consistent

The PP seeks to retain business and/or light industrial capacity on the site while providing new housing capacity in accordance with the site's MU1 zoning and the site's strategic context. This could theoretically boost the workforce and economic activity in the vicinity of Newtown-Enmore, identified as a Town Centre-tier centre in the LSPS Centres Hierarchy.

Refer also to Greater Sydney Region Plan, Direction 3, Objective 9

Theme 5. Caring, happy, healthy communities

Planning Priority 10: Recognise and sustain Aboriginal and Torres Strait Islander cultures and histories

Consistent

The proposed amendments to IWLEP would not negatively impact upon any known indigenous cultural sites.

Planning Priority 11: Provide accessible facilities and spaces that support active, healthy communities

Consistent

The PP is in walking distance to a range of infrastructure, services and activities, in St Peters, Newtown/Enmore and Sydney Park. This maximises opportunities to use active transport options and improves social connectivity for the future occupants of the site.

Theme 6. Progressive Local leadership

Planning Priority 12: Inner West involves and listens to the community

Consistent

Should the PP proceed and a Gateway Determination be issued, community consultation will then be held in accordance with the EP&A Act and the Inner West Community Engagement Strategy 2022-2024.

Planning Priority 13: Develop diverse and strong stakeholder relationships through collaboration with government, community and business to deliver positive planning outcomes and realise the benefits of growth

Consistent

Should the PP proceed to community consultation, Council will consult with all relevant public authorities, as required by the Gateway Determination. This may include State agencies as well as neighbouring City of Sydney and Bayside Councils, given the site's close proximity to the border with these councils.

Planning Priority 14: Deliver visionary long-term planning and responsible decision making reflective our Community strategic plan

Consistent

The PP is broadly consistent with the desired housing direction for Inner West Council. Should it proceed, plan-making will coincide with Council's preparation of a draft LGA-wide LEP and DCP, per Council's resolution of 3 December 2024. The PP is not likely to come into conflict with this project and can proceed via a standalone process.

Inner West Housing Strategy

Consistent

The PP is not located in any housing investigation areas identified in the Inner West Local Housing Strategy, but is broadly consistent with the desired housing direction for Inner West Council, outlined in this Strategy.

Community Strategic Plan – June 2022

Strategic Direction 1: An ecologically sustainable Inner West

Partly Inconsistent

Refer to Greater Sydney Region Plan, Direction 8, Objective 30.

The PP is otherwise unconstrained by identified natural hazards and is located within walking distance of good public transport, services, activities and public open space.

Strategic Direction 2: Liveable, connected places and transport

Consistent subject to condition.

The Planning Proposal intends to offer a component of new dwellings as affordable housing, however the timeframe for this provision is limited to 10 years. It is recommended that an amendment be introduced to require a component of dwellings be provided as affordable housing on site in perpetuity.

Strategic Direction 3: Creative communities and a strong economy

Consistent

The Planning Proposal will retain the existing industrial and employment floor space. Refer to Greater Sydney Region Plan, Direction 3, Objective 9.

Strategic Direction 4: Healthy, resilient and caring communities

Consistent

The PP is in walking distance to a range of infrastructure, services and activities, in St Peters, Newtown/Enmore and Sydney Park. This maximises opportunities to use active transport options and improves social connectivity for the future occupants of the site.

Strategic Direction 5: Progressive, responsive and effective civic leadership

Consistent

Proceeding with an amended version of the PP, as recommended by this report, represents the optimal way forward to manage uplift on this site.

Employment and Retail Lands Strategy 2020

Principle 1: Centres are distinctive and productive

Consistent

The PP seeks to retain business and/or light industrial capacity on the site while providing new housing capacity in accordance with the site's MU1 zoning and the site's strategic context. This could theoretically boost the workforce and economic activity in the vicinity of Newtown-Enmore, identified as a Town Centre-tier centre in the Inner West LSPS' Centres Hierarchy.

Principle 2: Industrial and urban services lands are protected and managed

Consistent

Although the site is zoned MU1 and R1, it currently contains remnant light industrial and logistics uses. The PP seeks to retain business and/or light industrial capacity on the site. Although it includes a provision that would increase residential floor space on the ground level by 88 sqm, this is of minor significance in the context of the site and its zoning. A draft DCP will also accompany the PP that will encourage built-in flexibility on the ground level employment floor space.

Principle 3: Spaces for business are suitable and available

Consistent.

As above.

Principle 4: The planning framework is clear

Consistent

The PP is broadly consistent with the employment directions outlined in the Strategy.

Our Place Inner West: Going Places – Integrated Transport Strategy

Consistent.

The proposed increase in housing capacity and re-provision of employment capacity on this site is generally consistent with the vision, values and priorities outlined in this Strategy. It aligns residential and employment growth with existing transport infrastructure.

The Integrated Transport Strategy is underpinned by 7 principles. The most relevant and demonstrated by this proposal are:

- Principle 1: Plan Land Use
The PP seeks to provide residential growth on the site which is adjacent to a dedicated bicycle lane along Campbell Street and close to public transport – St Peters Train Station, which is consistent with the Strategy.
- Principle 5: Encourage shift to public transport
The PP would require a reduced number of parking spaces given the proximity to public transports. However, the accompanying draft DCP does not identify a quantified solution on effective mode shift on site (such as a site-specific reduced parking rate, bicycle parking and end of trip facilities). This issue needs to be resolved to be consistent with the Strategy.
- Principle 6: Freight and Deliveries
The PP is located close to existing key freight routes including Princes Highway. The Planning Proposal intends to maintain the industrial and commercial on the ground level.

Question 5.

Is the planning proposal consistent with any other applicable State or regional studies or strategies?

As discussed under Question 1 and 3

Question 6.

Is the Planning Proposal consistent with applicable SEPPs?

SEPP (Housing) 2021

Partly Inconsistent

Chapter 4 of SEPP (Housing) 2021 (Housing SEPP), contains requirements for development applications relating to residential apartment developments. This includes a requirement that consent not be granted for such developments unless the consent authority has considered the ADG. This chapter also clarifies that it does not require a consent authority to require compliance with the ADG's design criteria. Further, it does not contain any requirements for the preparation of Planning Proposals.

Notwithstanding, Council should be generally satisfied that the proposed amendments to the IWLEP can allow for an ADG-compliant development scheme. Council's urban design officer has undertaken a peer review of the PP and reference scheme and identified certain inconsistencies with the NSW Apartment Design Guide (ADG).

It is recommended that the PP be amended to reduce the proposed maximum FSR from 5:1 to 4:1, which will deliver an urban form that is more attuned to the surrounding neighbourhood and streetscape.

Chapter 2 Affordable housing of the SEPP also applies to the site. Under Division 1 In-fill affordable housing, the site is eligible for an additional 30% of FSR on top of the maximum allowable FSR under IWLEP, provided that this component is used as affordable housing for a 15-year period. Under the PP, the total potential FSR allowed on the site under this Division would be 6.5:1.

The proponent was requested to undertake a built form analysis to demonstrate a final built form outcome if the additional incentives in the Housing SEPP were utilised. This analysis has not yet been undertaken by the proponent and the proponent has expressed the unlikelihood of utilising this bonus given that the site is restricted in terms of its potential height by the OLS 51m. However, there is no certainty regarding this outcome as the Housing SEPP prevails and a future DA can rely on these Housing SEPP incentives which may have a substantial built form amenity impact on the adjoining area.

Finally, the site is excluded from NSW Government's Low and Mid Rise Housing reforms, which came into effect in February 2025, due to the site being subject to an ANEF contour greater than 20.

SEPP (Primary Production) 2021

Not applicable

SEPP (Resources and Energy) 2021

Not applicable

SEPP (Resilience and Hazards) 2021

Consistent.

The site is not currently identified as contaminated land by the State Government or Council, but has a history of occupancy by certain industrial uses. The proponent has provided a Preliminary Site Investigation that finds that the site can be made suitable, subject to a Detailed Site Investigation at development application stage.

SEPP (Industry and Employment) 2021

Not applicable

SEPP (Transport and Infrastructure) 2021

Consistent

This SEPP permits certain development relating to transport and infrastructure by and on behalf of a relevant public authority. No inconsistencies are identified with this SEPP.

SEPP (Biodiversity and Conservation) 2021

Consistent.

Subject to further assessment. Current proposal does not involve the removal of any trees.

SEPP (Planning Systems) 2021

Consistent.

This SEPP contains provisions relating to State Significant Development. The proposed IWLEP amendments do not result in any conflicts with this SEPP.

SEPP (Precincts – Eastern Harbour City) 2021

Not applicable

SEPP (Precincts – Central River City) 2021

Not applicable

SEPP (Precincts – Parkland City) 2021

Not applicable

SEPP (Precincts – Regional) 2021

Not applicable

SEPP (Exempt and Complying Codes) 2008

Consistent

The proposed IWLEP amendments do not impact upon any current allowances for exempt and complying development under this SEPP.

SEPP (Building Sustainability Index: BASIX) 2004 (to be repealed)

Consistent.

Subject to further assessment. The PP seeks to not preclude future compliance with SEPP (BASIX) 2004. The PP would facilitate a scheme that can meet built form sustainability requirements.

SEPP (Sustainable Building) 2023 (to replace SEPP BASIX 2004)

Consistent

Subject to further assessment. The PP seeks to not preclude future compliance with SEPP (BASIX) 2004. The PP would facilitate a scheme that can meet built form sustainability requirements.

Question 7.

Is the Planning Proposal consistent with applicable Local Planning Directions (Section 9.1 Directions)

FOCUS AREA 1 PLANNING SYSTEMS

Direction 1.1 Implementation of Regional Plans

Consistent

The PP is generally consistent with this Direction. Refer to Question 3, Greater Sydney Region Plan above.

Direction 1.2 Development of Aboriginal land Council land

Not applicable.

Direction 1.3 Approval and referral requirements

Consistent

The PP does not include any provisions that would require or result in additional approvals by or referrals to public authorities at development application stage.

Direction 1.4 Site specific provisions

Partly Inconsistent

The PP seeks to introduce an additional local provision allowing ‘residential accommodation’ at ground level in the MU1-zoned part of the site, if part of a mixed-use development and limited to 88 sqm residential gross floor area (GFA). This arguably creates an inconsistency with Direction 1.4, which seeks to limit additional permitted uses and other site specific provisions.

Given the irregular shape of the PP site, which covers both MU1 and R1 zones, a portion of ground floor residential in the MU1-zoned part of the site is considered acceptable to allow a practical interfacing of residential and business uses between the R1-zoned and MU1-zoned parts.

Alternative amendments such as rezoning of land or amending zone permissibility would not achieve the same intent. Therefore, the inconsistency is of minor significance.

Limiting the use of residential accommodation (88sqm) on ground floor is supported rather than a blanket permissibility change to allow residential accommodation in the Mixed-use Zone. The proposed residential accommodation 88sqm on the ground floor is derived from proponent’s design scheme. This is likely to change prior to community consultation when the proponent submits the revised design scheme to respond to other built form concerns. The exact quantity (sqm) of limiting residential accommodation on ground floor in Mixed Use zone fronting Crown Street can be clarified following Gateway assessment and prior to community consultation.

Direction 1.4A Exclusion of Development Standards from Variation

Consistent

The PP does not contain any proposed exclusions under clause 4.6 of IWLEP.

FOCUS AREA 1 PLANNING SYSTEMS – PLACE BASED

None applicable.

FOCUS AREA 2: Design and Place - Blank

FOCUS AREA 3 – BIODIVERSITY AND CONSERVATION

Direction 3.1 Conservation Zones

Not applicable.

Direction 3.2 Heritage Conservation

Consistent.

The site is not a heritage item or conservation area and will not increase impact on the conservation of surrounding heritage items.

Direction 3.3 Sydney Drinking Water Catchments

Not applicable.

Direction 3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs

Not applicable.

Direction 3.5 Recreation Vehicle Areas

Not applicable.

Direction 3.6 Strategic Conservation Planning

Not applicable.

Direction 3.7 Public Bushland

Not applicable.

Direction 3.8 Willandra Lakes Region

Not applicable.

Direction 3.9 Sydney Harbour Foreshores and Waterways Area

Not applicable.

Direction 3.10 Water Catchment Protection

Not applicable.

FOCUS AREA 4: RESILIENCE AND HAZARDS

Direction 4.1 Flooding

Consistent

The site is not identified as flood prone land and no potential impacts are identified on any flood prone land in the vicinity.

Direction 4.2 Coastal Management

Not applicable.

Direction 4.3 Planning for Bushfire Protection

Not applicable.

Direction 4.4 Remediation of Contaminated Land

Consistent

The site is not currently identified as contaminated land by the State Government or Council, but has a history of occupancy by certain industrial uses. The proponent has provided a Preliminary Site Investigation that finds that the site can be made suitable, subject to a Detailed Site Investigation at development application stage.

Direction 4.5 Acid Sulfate Soils

Consistent

The site contains Class 5 Acid Sulfate Soils. This does not preclude the proposed IWLEP amendments. Clause 6.1 of the IWLEP will apply to any development applications on this site.

Direction 4.6 Mine Subsidence and Unstable Land

Not applicable.

FOCUS AREA 5 – TRANSPORT AND INFRASTRUCTURE

Direction 5.1 Integrating Land Use and Transport

Consistent

The PP is located within 650m of St Peters station and within 200m of bus services providing connections to the Sydney CBD, Mascot and the Airport. Future occupants of the site will be within a walkable catchment of existing transport infrastructure, services and activities in the area and sustainable transport options will be promoted in place of car dependency.

Direction 5.2 Reserving Land for Public Purposes

Consistent

There is a small triangle of land at the corner of Crown and Campbell Street identified as land reserved for acquisition by Transport for NSW (classified road) in IWLEP. It is understood that this acquisition is now completed. The PP is not inconsistent with the intended future public purpose of this land.

Direction 5.3 Development Near Regulated Airports and Defence Airfields

Consistent

The PP is located in the vicinity of Sydney Airport. Obstacle Limitation Surface (OLS) prescribed airspace occurs over the site at 51m AHD. The proposed HOB for the site will be set to RL 51 and will not penetrate this airspace. Notwithstanding, due to the site's proximity to Sydney Airport, it is expected that consultation with the Commonwealth Government and Sydney Airport will be required at statutory consultation stage.

The site is also located entirely within Australian Noise Exposure Forecast (ANEF) aircraft noise contour 25-30. Clause 6.8 of IWLEP contains provisions in relation to development in areas subject to aircraft noise. Therefore, there are no inconsistencies with this Direction.

Direction 5.4 Shooting Ranges

Not applicable.

FOCUS AREA 6 - HOUSING

Direction 6.1 Residential zones

Consistent.

The PP broadens housing capacity and makes more efficient use of existing infrastructure and services. Notwithstanding, Council should be generally satisfied that the proposed amendments to the IWLEP can allow for an ADG-compliant development scheme. Council's urban design officer has undertaken a peer review of the PP and reference scheme and identified shortcomings in design outcomes of the proposed controls.

It is recommended that the PP be amended to reduce the proposed maximum FSR from 5:1 to 4:1, which will deliver better design outcomes and an urban form that is more attuned to the surrounding neighbourhood and streetscape. Generally, the PP is consistent with this Direction.

Direction 6.2 Caravan parks and manufactured home estates

Not applicable.

FOCUS AREA 7: INDUSTRY AND EMPLOYMENT

Direction 7.1 Employment Zones

Consistent

The PP seeks to allow ground floor residential use in the MU1-zoned part of the site, if part of a mixed-use development and limited to 88 sqm residential GFA. This generally does not impact upon the overall potential employment capacity on the site and therefore there is no inconsistency with this Direction.

Direction 7.2 Reduction in non-hosted short-term rental accommodation period

Not applicable.

Direction 7.3 Commercial and Retail Development along the Pacific Highway, North Coast

Not applicable.

FOCUS AREA 8: RESOURCES AND ENERGY – NA

Direction 8.1 Mining, Petroleum Production and Extractive Industries

Not applicable.

FOCUS AREA 9: PRIMARY PRODUCTION

Direction 9.1 Rural zones (does apply)

Not applicable.

Direction 9.2 Rural lands, and

Not applicable.

Direction 9.3 Oyster Aquaculture

Not applicable.

Direction 9.4 Farmland of State and Regional Significance on the NSW Far North Coast

Not applicable.

SITE SPECIFIC MERIT

Does The PP give regard and assess impacts to the following:

- A) the natural environment on the site to which the Proposal relates and other affected land (including known significant environmental areas, resources or hazards)

The site is not subject to any identified natural hazards and not in the vicinity of any significant environmental areas or resources.

It is recommended that the proposed FSR be reduced to 4:1, which will facilitate a development scheme that will comply with ADG requirements for deep soil zones and help expand urban tree canopy.

- B) existing uses, approved uses, and likely future uses of land in the vicinity of the land to which the Proposal relates

The PP seeks to reduce the potential ground floor employment floor space on this site by 88 sqm. As discussed above, this is considered acceptable in the context of the site and its surrounds. A draft DCP will accompany the proposed IWLEP amendments, which will promote built-in flexibility in the employment floor space, suitable for a variety of business and light industrial uses that operate in the locality.

The proposed built form at FSR 5:1 would have detrimental amenity impacts on the adjoining properties and their future redevelopment potential. The proposal also does not sufficiently contribute towards tree planting and urban tree canopy cover to manage the urban heat island effect in this Inner West location.

Inconsistencies with the Apartment Design Guide

- a) Transition to surrounding areas

In considering this PP, Council should be satisfied that the proposed IWLEP amendments can facilitate an appropriate built form transition to the neighbouring R1-zoned areas, particularly to the east opposite the site on Crown Street. Part 2C of the ADG states that secondary height controls should be considered to transition built form, for example “a step down in building height at the boundary between two height zones”.

The reference design scheme does not provide appropriate transitions to the low-density dwellings on Crown Street. The current PP creates a wall outlook along Campbell Street, between Princes Highway and the lower-density neighbourhood to the east, with no height variations (see images below). Council’s urban design officer has undertaken a peer review of the Proposal and reference scheme and identified inconsistencies with the ADG, including Part 2C.

PROPONENT SCHEME – FROM PRINCES HIGHWAY FRONTAGE



PROPONENT SCHEME – FROM CAMPBELL STREET FRONTAGE



It is recommended that the Proposal be amended to provide appropriate transitions which will deliver an urban form that is more attuned to the surrounding neighbourhood and streetscape.

Council officers have tested an alternative scheme to provide appropriate ground floor and upper level setbacks to the surrounding properties as

discussed further in this report. The increased setbacks result in decreased floorspace with a maximum FSR of 4:1 which could be permitted on this site.

b) Deep soil provision

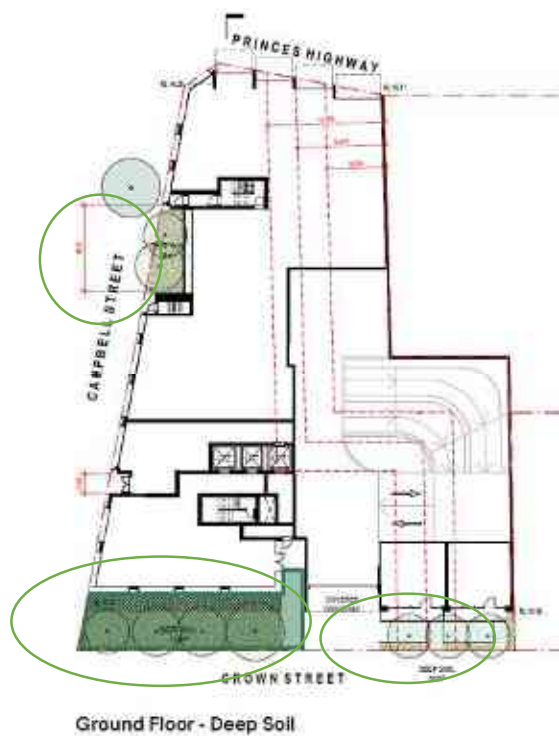
The reference scheme identifies a total of approx. 177 sqm / 9% of total site area as deep soil zone (DSZ) located in three different areas. The ADG requires min. 7% Deep Soil Zone and recommends up to 15% deep soil planting for sites larger than 1500sqm.

The proposed deep soil zone areas in the reference design scheme do not meet the ADG criteria regarding minimum 6m dimension of deep soil planting for a site area >1,500 sqm, identified in ADG Part 3E.

This includes:

- Fronting Campbell Street - approx. 4m & 2m
- Crown Street & Campbell Street intersection – approx. 7m (cantilevered by approx. 2m)
- Crown Street – approx. 2m

Proponent's proposed ground floor – deep soil plan:



Council's alternative scheme recommends the following to meet the ADG requirement:

- Provide additional ground and upper-level setbacks to the massing at the corner of Crown Street and Campbell Street to allow a minimum 6m wide DSZ and is open to sky / not cantilevered, promoting tree growth.
- Provide additional setback to the massing fronting the DSZ at Campbell Street to meet the minimum 6m dimension.

It is recommended that the Proposal be amended to increase the deep soil provision in consolidated location to meet ADG's requirements for DSZ provision and enhance urban tree canopy cover.

c) Communal open space

The revised PP package identifies a total of 630 sqm (33% of the site area) of communal space comprising 317 sqm (16.4%) of outdoor space and 313 sqm (16.2%) of indoor space. Part 3D of the ADG requires a minimum 25% of site area to be provided as communal open space. The ADG also identifies communal open space as open space that provides outdoor recreation opportunities for residents, connection to the natural environment and valuable 'breathing space' between apartment buildings. Objective 3D-1 of the ADG identifies "an adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping".

Although indoor communal floor space provides additional amenity for the residents, it should not count towards the overall communal open space component, per the ADG. In this instance, the provision of 16.4% of the site area as communal open space falls short of the ADG requirements.

The reference design scheme should be revised to meet the ADG minimum compliance requirements of communal open space (25%).

It is recommended that the proposed FSR be reduced to 4:1, which will facilitate a development scheme that transitions more appropriately to the residential area to the east and north-east of the site, which is likely to remain a lower-rise neighbourhood in the future.

COUNCIL ALTERNATIVE REFERENCE SCHEME – SOUTHEAST AERIAL VIEW

Subject to reduction of the proposed GFA of the site and increasing ground floor and upper level setbacks, the planning proposal has merit for consideration for Gateway assessment.

Traffic and transport considerations

The reference scheme accompanying the PP incorporates two basement levels including 44 resident car parking spaces, 14 non-resident car parking spaces, loading dock, waste room and end of trip facilities. Under the MDCP, the site is predominantly located in 'Parking Area 2', which includes properties along Princes Highway and extends north to within 250m of St Peters station. Using the housing and employment floorspace outlined in the reference scheme, the current MDCP parking requirements would necessitate up to 68 parking spaces for residents, 8 spaces for visitors and 22 spaces for the ground floor business use.

Further, Council officers note that the right turn from Barwon Park Road to Princes Highway (at the northern end of Crown Street) operates poorly under existing conditions due to vehicles needing to cross three or more lanes. The proposed development as outlined in the reference scheme could significantly exacerbate this existing issue. The traffic impact assessment accompanying the PP recommends prohibiting right-hand turns from Barwon Park Road onto Princes Highway during peak hours to remedy this. Such a ban will affect existing residents of both Crown Street and Barwon Park Road with the alternative detoured route being a 1.4km loop for local residents and compounded with several sets of traffic signals along the detoured route which Council engineers do not find acceptable as a solution.

It is also noted there are limitations on how much additional vehicular parking and movement can be facilitated. This is due to:

- the site's irregular shape and interface with the surrounding road network, where vehicular access is possible only from Crown Street, a northbound one-way route which exits (via Barwon Park Road) onto Princes Highway 350m north of the site; and
- the location of the M4-M5 tunnel beneath the site, particular the eastern frontage, where an imposed depth restricted area limits the possible basement depth to one level.

It is acknowledged that the proximity of the site within 650m of St Peters station and other public transport services, provides an opportunities to reduce car dependency and encourage sustainable transport options. A reduced parking in the proposed site-specific DCP can influence this mode shift on the site.

Further, any reduction in proposed FSR and GFA to manage the built form impacts would also help in reducing traffic generating rates and on-site parking

demand. However, a revised traffic study would be required prior to community consultation which addresses the aforementioned issues.

Should the Proposal receive a positive Gateway Determination, it will be requested that a Gateway condition is included requiring an updated traffic impact assessment be submitted prior to community consultation.

The revised study should demonstrate how it will satisfactorily address the following issues:

- minimise traffic impacts on the surrounding area
- recommend maximum parking rates suitable for this location considering the high level of accessibility via public transport and active transport
- provide site-specific DCP provisions to manage traffic impacts including encouraging shift to active and sustainable modes of transport through preparation of green travel plan.

C) 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

As discussed above, the site benefits for being within a walkable catchment of existing good public transport, services and public open space. The proposed increase in population resulting from these IWLEP amendments can be accommodated within Council's current local infrastructure works schedule. Under the schedule, there are no works items identified within proximity of the site that would require being brought forward or delivered by way of a Planning Agreement or Works in Kind Agreement.

Section C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

Question 8.

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or habitats, will be adversely affected because of the Proposal?

- A) Identify if the land subject to The Proposal has the potential to contain critical habitat or threatened species, populations or ecological communities, or their habitats

The subject site is located in the vicinity of a ventilation facility for WestConnex motorway and an air quality impact assessment has been prepared in response. The proponent has also consulting Transport for NSW regarding managing any excavation impacts of the future development associated with the presence of M4-M5 tunnel under the site.

The Planning Proposal also include studies addressing contamination and noise matters. These matters do not preclude the PP proceeding further.

The proposed built form at FSR 5:1 would have detrimental amenity impacts on the adjoining properties and their future redevelopment potential. The proposal also does not sufficiently contribute towards tree planting and urban tree canopy cover to manage the urban heat island effect in this Inner West location. Consequently, it is recommended that the FSR be reduced to increase transitions, setback and deep soil/ tree planting opportunities on the site.

B) If yes, undertake studies that are necessary to confirm the presence of these species or habitats and their significance. An assessment of its significance and/or consultation should place to inform the Gateway determination

Not applicable.

C) Mapping may be provided in the Proposal to identify known vegetation communities located within or near the site

Not applicable.

D) An assessment of significance in accordance with Part 7A of the Fisheries Management Act 1994 and the 'Threatened Species Assessment Guidelines', may be required prior to Gateway determination

Not applicable.

E) Identify any approvals required under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) and Biodiversity Conservation Act 2016

Not applicable.

F) Any adverse impacts will trigger the requirement for the PPA to consult on the planning proposal with relevant authorities and government agencies

Not applicable.

OVERALL COMMENT (see next page)

The Planning Proposal is unlikely to adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats. The PP is on a predominantly light industrial site, located beside a busy highway. The site contains one tree north of the site, minimal landscaping along the western frontage and streetside vegetation along the southern boundary.

Question 9.

Are there any other likely environment effects of the planning proposal and how are they proposed to be managed?

- A) Environmental effects unique to a planning proposal may not be addressed in the strategic planning framework. These matters may be identified in informal guidelines, codes or policies prepared by other public authorities and government agencies. Environmental effects may include natural hazards such as flooding, land slip, bushfire hazard, etc

The PP is located in the vicinity of a ventilation facility for the WestConnex motorway. An air quality impact assessment has been prepared in support of the PP. Based on the information provided, Council officers raise no issues preventing uplift on this site.

As requested by Council at pre-lodgement stage, the proponent liaised with Transport for NSW on the presence of the M4-M5 tunnel beneath the site. In their correspondence with the proponent, Transport for NSW outlined parameters for any future development application but did not raise any conflicts with Transport for NSW guidelines.

Supporting reports have also been prepared addressing contamination and noise matters. Council officers are satisfied that the site can be made suitable, noting that further detailed assessments will be required at development assessment stage.

There are no other identified environmental effects unique to the PP.

- B) The Planning Proposal should identify any other environmental effects and prepare information or undertake investigations to address an identified matter

As above.

- C) Scope of these investigations may be identified in the Planning Proposal and may need to be undertaken to inform the Gateway determination

As above.

Question 10.

Has the Planning Proposal adequately addressed any social and economic effects?

A) Identify effects on items or places of non-Aboriginal or Aboriginal cultural heritage not already addressed elsewhere

The site has no identified or known items of European or Aboriginal significance. However, there are heritage item within 150m of the site:

- 93A Church Street, St Peters – I1731 “St Peters Public School, including interiors”
- 161 Princes Highway, St Peters – I1736 “Whitehorse Hotel, including interiors”
- Victoria Street (near 2 Bishop Street), St Peters – I1745, “Remaining brick road and footpath paving and stone guttering”

A Heritage Report has been submitted that confirms that the PP is not the visual catchment of any listed heritage items and will not adversely impact these adjacent heritage items.

B) Estimate the number of jobs or housing growth (e.g. construction/post-construction and housing diversity)

The reference scheme accompanying the proponent’s Proposal includes a total of 82 dwellings (total 8,470 sqm GFA). At present, the site contains two semi-detached dwellings. If built to the maximum current allowable footprint under the IWLEP, and applying equivalent average dwelling sizes, the site can currently accommodate 29 additional dwellings. The reference scheme would therefore yield an additional 51 dwellings beyond the existing dwellings and IWLEP housing potential.

It is recommended that the proposed FSR be reduced to 4:1 which, applying equivalent average dwelling sizes, could yield approximately 66 dwellings, equating to 35 net additional dwellings beyond the existing dwellings and IWLEP housing potential.

The proponent’s reference scheme identifies 1,095 sqm of employment floor space. This incorporates a minor reduction in total employment capacity, to accommodate up to 88 sqm of ground floor residential GFA. Estimated job densities vary substantially between the types of light industrial and business uses likely to occupy the site in future, but the PP is expected to provide the number of permanent jobs currently on site.

C) Identify the impact on existing social infrastructure, such as schools and hospitals

There are three primary schools within 1km and Royal Prince Alfred Hospital within 3km from the site. The proposed 82 additional dwellings would accommodate at least 148 people based on the proposed dwelling mix, which could impact on the schools and hospitals capacity, but would not be a significant intensification.

The site is located in an existing urban area with good access to a range of social infrastructure. Further consultation can occur with relevant Stage agencies as required by the Gateway Determination.

D) Identify the need for public open space or impacts on green infrastructure

The site is located 200m from regionally significant open space at Sydney Park. Future occupants of the site can benefit from good access to this existing open space. The Planning Proposal will have minimal impact on green infrastructure.

E) Identify the impact on existing retail centres

The site is located 650m from Newtown-Enmore Town Centre, which is identified as a (mid-tier) 'Town Centre' under the Centres Hierarchy in Inner West LSPS. It is within a walking catchment of the range of goods and services offered in this town centre. The standalone Marrickville Metro Shopping Centre is also within 1km from the site.

F) Identify measures to mitigate any adverse social or economic impacts, where necessary, and whether additional studies are required

No adverse social or economic impacts are identified. As discussed, a draft DCP will accompany the PP and will encourage affordable housing provision, re-provision of public art on the site as well as built-in flexibility in the ground floor employment floor space.

G) Identify any proposed public benefits

The current PP refers to a commitment to deliver 10% of dwellings, equating to 10% of new residential floor space, as affordable housing. The affordable housing would be provided on-site, for a period of 10 years, managed by a Community Housing Provider but under the ownership of the owner. However, there is no proposed planning provision or letter of offer to commit that affordable housing will be delivered at the DA stage. The offer of affordable housing for up to 10 years is also not considered acceptable and is inconsistent with the affordable housing policy requirements.

The Inner West Affordable Housing Policy seeks to achieve an affordable housing target of 15% of new residential floor space to be dedicated as affordable housing, unless it can be demonstrated that this is not a feasible

outcome. Appendix 2 of this Policy also states that the dwellings should be provided and retained as affordable rental housing in perpetuity..

The applicant has cited feasibility concerns related to market costs and construction costs with achieving Council's target, however no supporting feasibility study has been submitted for Council's consideration.

The ongoing housing crisis in Sydney highlights the issue of low-income workers, including key workers, being unable to access housing within the Inner West LGA. Affordable and secure housing is a basic need and an essential requirement of an inclusive and sustainable community. Council remains committed to contributing new affordable housing stock to the market and the preference is that 15% of the GFA is dedicated to affordable housing in perpetuity.

However, acknowledging the current feasibility concerns confronting the development sector and based on Council's and State Government's work, it would be reasonable to consider a lower percentage of in-perpetuity affordable housing on this site.

There are recent precedents of a reduced affordable housing component being accepted as a provision in environmental planning instruments:

The TOD reforms (Chapter 5 of the Housing SEPP) which currently apply to Croydon, Ashfield, Dulwich Hill and Marrickville station precincts in Inner West LGA, require at least 2% of GFA of new buildings be used for affordable housing, managed by a registered community housing provider in perpetuity.

Council's Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) Planning Proposal, currently with the NSW Department of Planning, Housing and Infrastructure (DPHI) for finalisation, includes a local provision requiring contributions for affordable housing to be made in accordance with an Affordable Housing Contributions Scheme for new developments in the Leichhardt precinct, equating to 2% of new residential strata area (defined as the sum of areas attributed to new lots for residential purposes, including areas for related parking and storage).

It is therefore recommended that a local provision be included in this Proposal, requiring at least 2% of residential GFA on this site be used for affordable housing, managed by a registered community housing provider in perpetuity.

Section D – INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)

Question 11.

Is there adequate public infrastructure for the Planning Proposal?

- A) Generally, this applies where the planning proposal includes development that will, or is likely to, require the provision of, or increase the demand for, public facilities and services

The Planning Proposal is not expected to significantly increase demand for public infrastructure. The site is located in proximity to transport infrastructure including St Peters Interchange, the M4 and M5 Motorway, and St Peters train station. It is also 1.5km from the St Peters/Sydenham Library, which is 150m from Sydenham station. Further consultation will be undertaken with relevant authorities at statutory consultation stage to understand any potential impacts on public infrastructure.

- B) Address whether existing infrastructure is adequate to serve or meet the needs of the Proposal and how any predicted shortfall in infrastructure provision could be met

A service report has been provided that investigated the existing utility infrastructure – electrical, water, natural gas, stormwater, sewer, telecommunications.

Any upgrades required to existing utility services will be identified during the detailed development application stage.

Further, it is noted that the right turn from Barwon Park Road to Princes Highway operates poorly under existing conditions due to vehicles needing to cross three or more lanes. The proposed redevelopment of the site will significantly contribute to this existing issue.

This issue should be discussed further to resolve prior to proceeding to statutory community consultation.

- C) Undertake studies required to identify the extent of any infrastructure shortfall, potential mechanisms or strategies to address any shortfall and which agencies have been consulted as part of that process

As above. Should the PP proceed, consultation will be undertaken with all relevant State agencies as required by the Gateway Determination.

- D) The proponent/PPA is to identify what local and regional infrastructure may be needed

The Planning Proposal needs to resolve matters related to traffic and parking prior to Gateway determination or public exhibition, which will require further investigation if any upgrade of existing local infrastructure be needed.

E) For Planning Proposals likely to place additional demands on public infrastructure, it is important to undertake consultation with the public authorities and government agencies responsible for the provision of that infrastructure. The Gateway determination will confirm whether a local contributions plan is required to be exhibited with the planning proposal and require regular feedback on the progress of finalizing an infrastructure strategy and high-level costs

Noted, Planning Proposal will need to take any required actions.

F) For Planning Proposals, a local contributions plan may be required. Liaison with the council is necessary

The proposed increase in population resulting from these IWLEP amendments can be accommodated within Council's current local infrastructure works schedule. Under the schedule, there are no works items identified within proximity of the site that would require being brought forward or delivered by way of a Planning Agreement or Works in Kind Agreement.

Section E – STATE AND COMMONWEALTH INTERESTS

Question 12.

What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

- A) The Planning Proposal should nominate the state and federal agencies to be consulted and outline the matters that have triggered the need for the referral. Consultation will be confirmed by the Gateway determination
- B) The proponent or PPA should get preliminary views of any state or federal agency prior to submitting a Planning Proposal and include them in this section including any preliminary issues raised. This should include any scope of additional information/ investigations, evidence of consultation and any agreement in relation to the progression of the Planning Proposal

The PP does not require early consultation with any State or Federal public authorities, although as requested by Council at pre-lodgement stage, the proponent consulted Transport for NSW regarding the M4-M5 tunnel beneath the site. In their correspondence with the proponent, Transport for NSW outlined parameters for any future development application but did not raise any conflicts with Transport for NSW guidelines.

Given the site's proximity to Sydney Airport and motorway network, as well as its frontage to a State road, Princes Highway, it is expected that consultation will be undertaken with the Commonwealth Government, Sydney Airport and Transport for NSW at statutory consultation stage.

4. Maps Mapping (including current and proposed zones/changes etc.)

- A) Mapping must be consistent with the Department's Standard Technical Requirements for Spatial Datasets and Maps using the same format, symbology, labelling and appropriate map scale.

The Planning Proposal seeks to make the following amendments to IWLEP 2022 maps:

- Height of Buildings,
- Floor Space Ratio, and
- Key Site Map.

Should the PP proceed, mapping compliant with the Standard Technical Requirements will be finalised prior to final submission to the DPHI for making.

5. COMMUNITY CONSULTATION

- A) Must describe Consultation and outcomes undertaken with council, state agencies or authorities during the pre-lodgement stage

A Pre-Planning Proposal application (PPP/2021/0006) was lodged on 24 November 2021, and Council officers provided advice in response to the application on 4 March 2022. See also response to Question 12 above.

- B) Any community consultation undertaken, or consultation with other key stakeholders

No initial community consultation has been undertaken.

The Planning Proposal acknowledges the standard consultation processes outlined in Division 3.4 of the EP&A Act and that the Planning Proposal to be publicly exhibited for at least 28 days.

Should it proceed to statutory consultation stage, the community will be notified on the PP by:

- Notice on Council's Your Say Inner West engagement webpage, and
- Written correspondence to adjoining and surrounding landowners.

The Gateway determination and Planning Proposal would be publicly exhibited and made available as digital and hard copies at Council offices and any other locations for the interested parties to view the submitted documentation.

6. PROJECT TIMELINE

The project timeline should include:

- Anticipated commencement date (date of Gateway determination)
- Anticipated timeframe to finalise the infrastructure studies/plan
- Anticipated timeframe for completion of any additional technical studies, not completed prior to Gateway
- Timeframe for public agency consultation
- Anticipated dates of public exhibition and, if required, a public hearing
- Timeframe for submissions to be considered
- Timeframe for the consideration of a proposal after the exhibition
- Date the plan will be made (where council is the LPMA) or date of submission to the Department to finalise the LEP
- Date of notification

Council officers identify the following indicative project timeline (from receipt of the revised Proposal submission in December 2024):

Process	Indicative Timeframe
Consideration by Council	December-March 2025
IWLPP decision	25 March 2025
Council decision	May 2025
Submitted for Gateway (if supported)	May 2025
Gateway determination (if supported)	June 2025
Post Gateway changes (Pre-exhibition)	June – July 2025
Public exhibition period	August 2025
Consideration of submissions	September 2025
Post-exhibition Council decision	October 2025
Submission to DPHI for finalisation	October 2025
Date of notification	November 2025

This Proposal is considered to be a Complex Planning Proposal. The benchmark timeframes for this category set out in the Local Environmental Plan Making Guidelines (DPHI 2022) are shown below. The timeframe for assessment of this Planning extended beyond the benchmark below, to allow the proponent to review Council's initial comments and prepare a revised submission. Should the PP proceed, Council is satisfied the subsequent benchmark timeframes can be met.

PP Benchmark Timeframes	Workdays	
Stage 1 – Pre lodgement	60 Days	
Stage 2 – Planning Proposal	120 Days	WE ARE HERE
Stage 3 – Gateway determination	45 Days	
Stage 4 – Post Gateway	70 Days	
Stage 5 – Public exhibition and assessment	115 Days	
Stage 6 – Finalisation	70 Days	
Subtotal (DPE target)	300 Workdays	
Total (End to End)	420 Days	

Attachments

Attachment 1: Council Assessment Checklist

Attachment 2: Letter to proponent (2 August 2024) including Council's list of outstanding matters and AEDRP meeting minutes

Attachment 3: Planning Proposal: 75-85 Crown Street and 116 Princes Highway St Peters, including:

- Appendix A: Urban Design Report
- Appendix B: Traffic Impact Assessment
- Appendix C: Acoustic Report
- Appendix D: Preliminary Site Investigation
- Appendix E: Air Quality Impact Assessment
- Appendix F: Sustainability Report
- Appendix G: Services Report
- Appendix H: Relationship to M4-M5 Tunnels Letter
- Appendix I: Heritage Report
- Appendix J: Proposed LEP Maps
- Appendix K: Survey
- Appendix L: Title Search and Deposited Plan
- Appendix M: Draft Site Specific Development Control Plan