



INNER WEST COUNCIL

Contact: Gunika Singh
Phone: 9392 5726

25 June 2019

Michael File
FPD Pty Ltd
e: Michael@fileplanning.com

Dear Michael,

Amended Planning Proposal for 1-5 Chester Street, Annandale – Request to withdraw

I refer to your amended Planning Proposal for 1-5 Chester, Annandale submitted on 3 May 2019. I acknowledge the revised proposal and the works undertaken, especially relating to the proposed land-uses, in response to issues identified in Council's original Planning Proposal assessment. Council would prefer to consider the student housing + creative employment uses mix over the market housing option as it could potentially assist in achieving the objectives of the Camperdown Innovation precinct.

Notwithstanding, the Planning Proposal continues to present significant issues which cannot be resolved in the absence of critical studies including the precinct-wide traffic study which is currently being prepared by Council in conjunction with the Department of Planning, Industry & Environment (DPI&E). The proposal is also considered to be unsatisfactory with regards to its timing, Integrated Infrastructure Delivery Plan, proposed FSR, bulk and scale etc. Further details of the strategic planning issues are provided in **Attachment 1**. Please note that the key issues relate to Council's preferred student housing option only.

Council intends to report your Planning Proposal to Inner West Planning Panel on 23 July 2019. In consideration of the findings of the preliminary assessment of the proposal, Council officers are unlikely to support your proposal in current form and timing. If you wish to proceed with the amended planning proposal, I advise you to address the key issues as identified in the attachment by 2 July 2019.

Alternatively, it is strongly recommended that you withdraw your proposal. Council will refund the application fee in line with Council's fees and charges 2018/19 if the proposal is withdrawn by 2 July 2019 prior to being reported to the Inner West Planning Panel. By providing this opportunity to withdraw is a sign of our 'good faith' and for you to not further commit resources towards this application.

If you wish to discuss this matters outlined in this letter or have any further questions, please contact Ms **Gunika Singh on 9392 5726**.

Yours sincerely,

Daniel East
Acting Manager Strategic Planning & Policy

P.O. Box 14 Petersham 2049 | P (02) 9392 5000 | E council@innerwest.nsw.gov.au

Customer Service Centres | Petersham 2-14 Fisher Street | Leichhardt 7-15 Wetherill Street | Ashfield 260 Liverpool Road

ATTACHMENT 1 – COUNCIL'S PRELIMINARY ASSESSMENT ISSUES

1. 'Out of Sequence'

- The amended Planning Proposal, although an improvement from the original proposal, still lacks strategic merit and does not warrant departing from the staging and sequencing identified by the Implementation Plan 2016 - 2023. Key inconsistencies relating to the 'Out of Sequence' checklist have been discussed below:
 - i. Inconsistent with the recommended FSR, built form plans (further discussed in urban design), desired future character; the proposal does not put forward 'excellent design provisions' or outcomes and remains inconsistent with Criteria 1.
 - ii. The proposal does not resolve Council's concerns relating to the Integrated Infrastructure Delivery Plan (further discussed in IIDP), also raised previously in the original assessment, and remains inconsistent with Criteria 2.
 - iii. The proposal does not demonstrate that sufficient engagement has been undertaken with the community, especially, in relation to the revised land-use mix and is inconsistent with Criteria 3.
 - iv. Council does not support the extent of proposed FSR breach and feasibility being used as a justification for poor built form outcomes. The proposal is also considered inadequate as it does not provide sufficient information to investigate the economic feasibility argument and is inconsistent with Criteria 5.
 - v. The proposal heavily relies on the existing market conditions to provide student housing without demonstrating an adequate built form response to the site, and is inconsistent with Criteria 6.

2. Prematurity of the proposal

- *Precinct-wide traffic study:*

The proposal comes in advance of Council/DPI&E's precinct-wide traffic study. In advance of the traffic study, Council cannot ascertain whether the current levels of public transport and road infrastructure can accommodate the proposed overall growth envisaged in PRCUTS; and the required infrastructure/ costs to support this growth.

Whilst it is acknowledged that the proposed development is of small scale, there are concerns regarding the cumulative impacts of such developments in the corridor. Although the proposal includes reduced car parking rates, it relies on the public transport infrastructure including the future high-capacity transport along Parramatta Road and comes in advance of any such transport improvements/ commitments made to the Corridor and therefore, remains 'out of sequence'.

Recent rezoning review determinations by Sydney Eastern City Planning Panel of two planning proposals within the Parramatta Road Corridor (Panel Reference: 2018ECI014 RR and_2018ECI009 RR) has recommended refusal based on the principle that:

"... before land is rezoned to the density and height suggested [in PRCUTS], a precinct-wide traffic study and supporting modelling is to be completed, which considers the recommended land uses and densities, as well as future Westconnex conditions, and identifies the necessary road

improvements and upgrades required to be delivered as part of any proposed renewal of the Precinct”.

Council is not in a position to support any planning proposals in any precinct along the Parramatta Road Corridor prior to the completion of the precinct-wide traffic study.

- *Inner West LEP/DCP/Infrastructure Contributions Plan and Camperdown Innovation Precinct Land-use and Strategic Employment study*

The planning proposal is in advance of the Local Strategic Planning Statement, Inner West LEP, DCP and Infrastructure Contributions Plan which are currently being prepared by Council. This work is ensuing promptly and has advanced since the assessment of the original planning proposal with the evidence-based strategies such as draft Local Housing Strategy and draft Integrated Transport Strategy currently on exhibition since 24 June 2019. Council is systematically reviewing the recommendations of PRCUTS through this LEP consolidation process.

Council is also preparing Camperdown Innovation Precinct Land use and Strategic Employment Study in collaboration with University of Sydney, City of Sydney and NSW Health Infrastructure. This study, which is anticipated to be completed by late 2019, will recommend implementation and management strategies to achieve the objectives of the Camperdown Collaboration Area. This study is considered to be a key piece of work to inform Council's and Collaboration Area partners' position on industrial lands in the Camperdown precinct and their effective management to create a thriving innovation precinct.

In consideration of the current strategic planning context, a planning proposal for single site is premature and it is recommended that the future controls of the site be holistically determined through the IWLEP and Collaboration Area process.

3. Urban Design

- Council had raised numerous concerns regarding the overdevelopment of the site in the original planning proposal assessment. The proposed FSR and built form is even larger than what was proposed previously and continues to be a significant issue for the amended planning proposal.
- Council has engaged an external urban design consultant to independently peer-review the proposed built form. The preliminary findings of this peer-review indicate that:
 - i. There are concerns that the proposed mixed-use typology is atypical given the retention of industrial zoning which would continue to permit industrial uses on the site and its vicinity.
 - ii. The proposal does not sufficiently demonstrate how the industrial/employment uses would be separated from the proposed residential uses especially considering the out of sequence nature of the proposal where redevelopment of the surrounding industrial sites is not envisaged until 2023 or even later.
 - iii. The proposed FSR is excessive. The proposed bulk, form and scale of the development are too large for the small site and its immediate context. The continuous perimeter building interfaces poorly with its neighbours and would have adverse amenity impacts on the surrounding area.

Interface to Johnstons Street creek frontage: Dwellings to the west are of a low scale with back gardens facing the site:

- The 6 storey street wall does not provide a good scale transition to its neighbours.
- The 4 levels of residences oriented to this frontage will directly overlook the neighbours from a short distance which will result in poor amenity impacts. Oblique views may also be blocked.

Interface to Chester Street frontage: PRCUTS highlights the importance of relating building height to street width and intended character.

- A 5 storey street wall on Chester Street which is a narrow laneway provides minimal separation (11m) to the adjacent site.
- While the adjacent site is proposed for open space in the PRCUTS, if this is to change the site would not provide sufficient separation to its neighbour (ADG requires 18m above 4 storeys for habitable to habitable).

It is necessary that the interfaces of the development are designed well to mitigate any amenity impacts on the future residents of the development itself and the redevelopment potential of the surrounding sites. Your attention is also drawn to the recently submitted Development Application D/2019/125 for the neighbouring site at 1 - 19 Booth Street, Annandale which relates to '*Demolition of existing hard-stand at-grade car park and associated fencing and construction of a six storey mixed use development comprising self-storage units, retail premises and business premises*'.

While Council has not completed its assessment on this development application, it is essential to consider the compatibility issues of the industrial uses with the proposed residential uses on this site.

Interface to adjoining lot to north east: Development on the site must carefully consider its relationship with the adjacent lot to prevent land use conflicts between industrial and residential uses and allow both lots to be able to redevelop in a cohesive way.

- The separation to the adjacent lot is not appropriate. While the boarding house units are oriented away from this direction, the south west facing residential corridor has nil to minimal separation to the adjacent lot.
- iv. Increased floor to ceiling height for levels with industrial uses alongside large flexible floor plates should be considered to allow flexibility in potential uses. There should be provision to allow large vehicles to service the employment uses.
 - v. The proposal does not provide sufficient communal open space for the boarding house.
 - vi. Further clarification is sought regarding the GFA calculations. It is recommended that a detailed breakdown of FSR calculations be provided.
 - vii. There are discrepancies between the plans/sections and the artist's impression does not give an accurate picture of the proposed design.

4. Retention of industrial land/ proposed employment uses

- It is noted the Planning Proposal intends to retain the industrial zoning of the site and includes a minimum requirement for non-residential floor space. Regardless, the proposal reduces the overall potential industrial/ employment floor space from 1:1 to 0.75:1 (equivalent to a loss of approx. 400sqm). The loss of industrial/ employment floor space needs to be addressed.

It is evident from the Development Application of the neighbouring site referred above D/2019/125 that there is a critical shortfall of industrial land and high demand to intensify industrial uses.

- The inclusion of student housing on an 'industrial' site is incompatible and will diminish the intrinsic function of the site and its surrounds as employment land in the short-term and potentially long term.

The proposed student housing is also contrary to the objectives of IN2 Light Industrial Zone of the Leichhardt LEP 2013:

- *'To provide a wide range of light industrial, warehouse and related land uses.*
 - *To encourage employment opportunities and to support the viability of centres.*
 - *To minimise any adverse effect of industry on other land uses.*
 - *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
 - *To support and protect industrial land for industrial uses.*
 - *To retain existing employment uses and foster a range of new industrial uses to meet the needs of the community.*
 - *To ensure the provision of appropriate infrastructure that supports Leichhardt's employment opportunities.*
 - *To retain and encourage waterfront industrial and maritime activities.*
 - *To provide for certain business and office premises and light industries in the arts, technology, production and design sectors.'*
- Methodology behind the calculation of potential jobs is unclear. The creation of 65-98 jobs on the site is considered to be unrealistic in an area like inner-west and needs to be reviewed.
 - Camperdown Ultimo Collaboration Area Place Strategy emphasises on including *'minimum percentage of affordable space in developments for tech-start-ups, innovation, creative industries, cultural uses, community uses and artists'*. It is requested that appropriate measures be considered to deliver affordable creative spaces through the Planning Proposal/ Voluntary Planning Agreement process.
 - There is a strong demand of creative spaces in the inner west area. Consider inclusion of diverse 'creative' spaces and light industries with large floor plates and floor to ceiling heights into the mix of proposed employment uses to support the objectives of Light Industrial IN2 zoning.

5. 'Affordable' student housing

- It is noted that the proposal includes affordable housing for students. However, there are no provisions for Council to ensure that the proposed affordable housing will be transferred to a community housing provider or maintained below market rental rates in perpetuity.

6. Infrastructure Contributions

- Council is yet to prepare an Inner West Contributions Plan for the Parramatta Road Corridor to determine the level of monetary contributions required for the infrastructure works to service the future proposed growth of Camperdown Precinct.
- Council continues to be of the view that the PRCUTS's Infrastructure Schedule cannot be readily applied to determine accurate infrastructure contributions as the Council and State Government have not yet completed the studies necessary to update the 2016 cost estimates or capture the costs of infrastructure not covered by the Schedule. Overall, the proposed infrastructure rates are underestimated, and the IIDP has not been updated to address Council's comments on the original planning proposal in the report dated 30 October 2018.
- The justification for low local contribution is based on the claim that future students would utilise open space and recreational facilities on the university campus. Evidence to support the claim for diminished reliance on local infrastructure by students needs to be provided.

7. Voluntary Planning Agreement (VPA)

An amended Voluntary Planning Agreement has not been provided with the Planning Proposal. It is requested that an amended letter of offer be provided in connection with the aspects of the Planning Proposal which relate to the VPA. This offer can be negotiated with the Council's Strategic Investment Manager, Bojan Sodic on 9392 5839 or bojan.sodic@innerwest.nsw.gov.au.