

AGENDA

**INNER WEST
LOCAL PLANNING PANEL**

VOLUME 1

25 March 2025



PLANNING PROPOSAL REPORT

From Strategic Planning team

Planning proposal No.	PPAP/2024/0001
Site Address	75-85 Crown Street and 116 Princes Highway St Peters
Legal Description	Lot 24 DP 1249592 Lot 21 DP 1249588 Lot 10 DP 1227918
Proposal	<p>Planning Proposal to amend the <i>Inner West Local Environmental Plan (IWLEP) 2022</i> for the site to:</p> <ul style="list-style-type: none"> • Increase the maximum Height of Buildings to 35m (RL51), from 14m (and 9.5m at 75 Crown Street), • Increase the Floor Space Ratio (FSR) to 5:1, from 1.75:1 (and 0.85:1 at 75 Crown Street), and • Introduce an additional local provision allowing residential accommodation at ground floor if part of a mixed-use development and containing no more than 88 sqm of residential GFA at ground floor.
Main issues	<p>The Planning Proposal has strategic merit as it would facilitate additional housing opportunities in a location accessible to a variety of transport options and open space. However, the follow site-specific issues have not been adequately addressed by the proponent:</p> <ol style="list-style-type: none"> 1. Urban design (proposed level of uplift/ FSR, built form transition, communal open space, and deep soil) 2. Affordable housing provision 3. Traffic and access <p>This report discusses these issues in detail and recommends a pathway forward to support the Planning Proposal with a reduced FSR up to 4:1 and minimum affordable housing contributions for Gateway assessment.</p>

RECOMMENDATION

1. That the Inner West Local Planning Panel (LPP) advise Council to:

- a) **support forwarding the planning proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) for Gateway assessment subject to the following amendments:**

- i) the proposed maximum Floor Space Ratio be reduced to 4:1; and
 - ii) an additional site-specific IWLEP local provision be included requiring at least 2% of new residential GFA on the site be provided as affordable housing, managed by a registered community housing provider in perpetuity.
- b) request a Gateway Determination from the Minister for the amended Planning Proposal which, if supported, should contain Gateway conditions that the following information is updated prior to community consultation:
- i) Planning Proposal document including references to reduced FSR, GFA, number of dwellings and affordable housing;
 - ii) Urban design report illustrating the built form outcome with the proposed FSR of 4:1,
 - iii) Traffic Impact Assessment and strategic-level green travel plan outlining mechanisms for delivering effective mode shift on the site;
 - iv) Updated draft site-specific amendment to Marrickville Development Control Plan 2011 and draft Inner West Development Control Plan 2025.

1. SUMMARY

A Planning Proposal (PP) was lodged on the NSW Planning Portal on behalf of the land owners and accepted by Council on 29 April 2024. The PP seeks to amend the *Inner West Local Environmental Plan 2022* (IWLEP) to:

- increase the maximum **Height of Buildings (HOB)** from 9.5m and 14m to **RL51 (35m)**,
- increase the maximum **Floor Space Ratio (FSR)** from 0.85:1 and 1.75:1 to **5:1**, and
- introduce an additional **local provision** allowing residential accommodation at ground floor, provided it is part of a mixed-use development and contains no more than 88 sqm of residential Gross Floor Area (GFA) at ground level.

The PP is accompanied by a draft site-specific amendment to the Marrickville Development Control Plan (MDCP) 2011. The PP also refers to an intention to provide a public benefit offer to provide 10% of the proposed dwellings as affordable housing for a period of 10 years, however it is not accompanied with a letter of offer or supporting LEP clauses to confirm delivery of affordable housing.

This IWLEP amendment and accompanying draft DCP intend to facilitate a development 10-storey mixed use building, comprising 82 residential dwellings (total 7,666 sqm GFA) and 1,016 sqm GFA of commercial/retail space.

This PP and the supporting technical studies have been assessed in accordance with the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and relevant guidelines including the LEP Making Guideline (refer to Council's Assessment Checklist at **Attachment 1**). The PP has sufficient strategic merit. While it also demonstrates some site-specific merit, there are critical matters relating to built form, traffic and lack of affordable housing which remain unresolved. Consequently, the PP is recommended for conditional support to proceed to the DPHI for a Gateway Determination, subject to the following amendments to the proposed controls:

- reduction in the proposed maximum FSR to 4:1, and
- introduction of a new site-specific IWLEP local provision requiring at least 2% of new residential GFA on the site be provided as affordable housing, managed by a registered community housing provider in perpetuity.

Council estimates that an FSR of 4:1 would facilitate a development scheme containing a total GFA of approximately 7,724 sqm, including 6,326 sqm of residential GFA (approximately 63 dwellings). Should a Gateway Determination be issued, it is recommended that Gateway conditions be imposed to update technical studies, including urban design and traffic / transport, prior to proceeding to community consultation.

Advice is sought from the Inner West Local Planning Panel on the merits of the proposal prior to it being reported to Council and DPHI, in accordance with the section 9.1 of the EP&A Act.

2. BACKGROUND

A Pre-Lodgement Proposal for the site was lodged with Council in November 2021 and Council issued advice to the proponent in March 2022 to address in a future Planning Proposal.

A PP was lodged with Council on 29 April 2024 for the subject site with the following proposed IWLEP amendments:

- Maximum HOB of 35m;
- Maximum FSR of 4.9:1; and
- New provision allowing up to 70 sqm of residential gross floor area at ground level.

On 19 June 2024, the PP was referred to the Inner West Architectural Excellence and Design Review Panel (AEDRP) for advice on the proposed built form and design controls in the IWLEP and MDCP in relation to the subject site. Minutes from the AEDRP's meeting were issued on 4 July 2024.

AEDRP raised a number of issues with the proposed built form and inconsistencies with the Apartment Design Guide (ADG) as outlined in their advice. Following this advice, on 2 August 2024, Council officers issued a letter to the proponent requesting a number of site-specific issues be addressed, in addition to the AEDRP's comments, through amendments to the proposal. Council's letter and the AEDRP meeting minutes are at **Attachment 2**.

On 5 December 2024, the proponent submitted a revised PP, which is the subject of this report.

Applicant

The applicant is C & M Antoniou Pty Ltd, represented by consultant Ethos Urban Pty Ltd.

Site and Surrounding Context

The subject site is located at 75-85 Crown Street and 116 Princes Highway, St Peters and is legally described as Lot 24 DP 1249592, Lot 21 DP 1249588 and Lot 10 DP 1227918. A map of the site and legal descriptions is at **Figure 1**.



Figure 1: Map of subject site (red boundary) including legal description

The site has a total area of 1,931 sqm and adjoins Crown Street to the east, Campbell Street to the south, Princes Highway to the west, 90 Princes Highway to the north and 73 Crown Street to the north-east. It has road frontage widths of approximately 20.3m on Princes Highway, 62m on Campbell Street and 44.2m on Crown Street.

75 Crown Street (Lot 24 DP 1249592) currently contains one semi-detached dwelling. 116 Princes Highway (Lot 21 DP 1249588) contains the other semi-detached dwelling connected to 75 Crown Street and a warehouse/light industrial building. 85 Crown Street (Lot 10 DP 1227918) is occupied by a mechanic workshop.

Immediately to the north-east and east of the site along Crown Street are predominantly 2-storey semi-detached dwellings and terraces. Sydney Park is approximately 200m east of the site. Immediately to the north, south and west of the site, along Campbell Street and Princes Highway, are a mix of 2-storey light industrial and employment uses. Further north of the site along Princes Highway are predominantly mixed-use developments of 4-7 storeys.

The topography varies from approximately 17.5m AHD on the south-eastern corner to 16m AHD in the north-eastern corner and north-west corner. The site is within 650m walking distance of St Peters railway station, while there are bus services within 200m that provide connection to the Sydney CBD, Mascot and the Airport. The site is approximately 2.7km north-west of Sydney Airport.



 Site Boundaries



Figure 2: Aerial photo of site



Figure 3: Site viewed from Campbell Street



Figure 4: Site viewed from Campbell Street and Princes Highway



Figure 5: Site viewed from Campbell Street and Crown Street



Figure 6: Site viewed from Crown Street

Current Planning Controls

The IWLEP zoning and principal planning controls for the site are shown in Table 1 below.

Table 1: Current IWLEP zoning and planning controls for subject site

Control	116 Princes Highway	85 Crown Street	75 Crown Street
Land Zoning	MU1 Mixed Use	MU1 Mixed Use	R1 General Residential
Height of Buildings	14m	14m	9.5m
Floor Space Ratio	1.75:1	1.75:1	0.85:1
Additional Local Provisions	Nil		
Heritage	No heritage items or conservation areas		

IWLEP Land Zoning Map, Height of Buildings Map and Floor Space Ratio Map excerpts for the proposal site and surrounds are shown in Figure 7, 8, and 9, respectively:

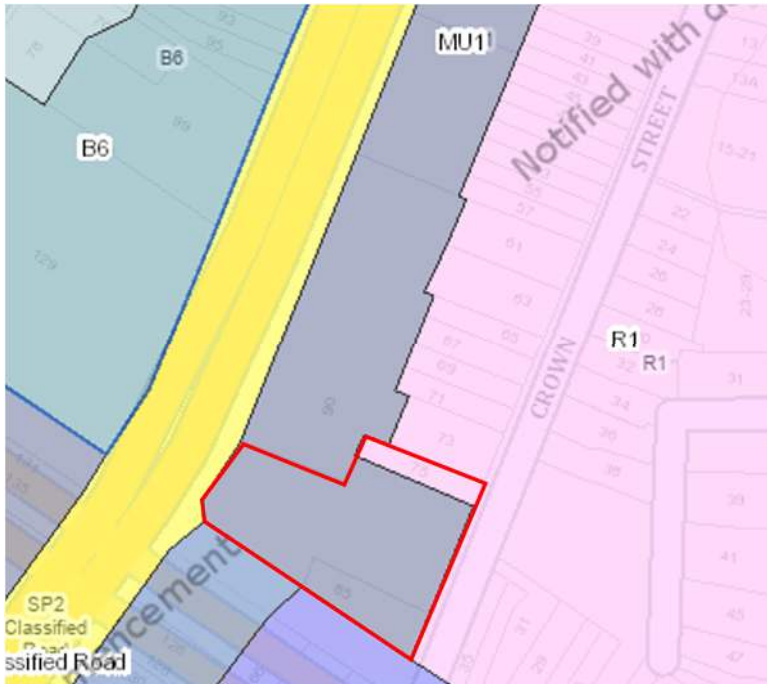


Figure 7: Current Land Zoning for Proposal Site (red boundary) and surrounds



Figure 8: Current Height of Buildings Map for Proposal Site (red boundary) and surrounds

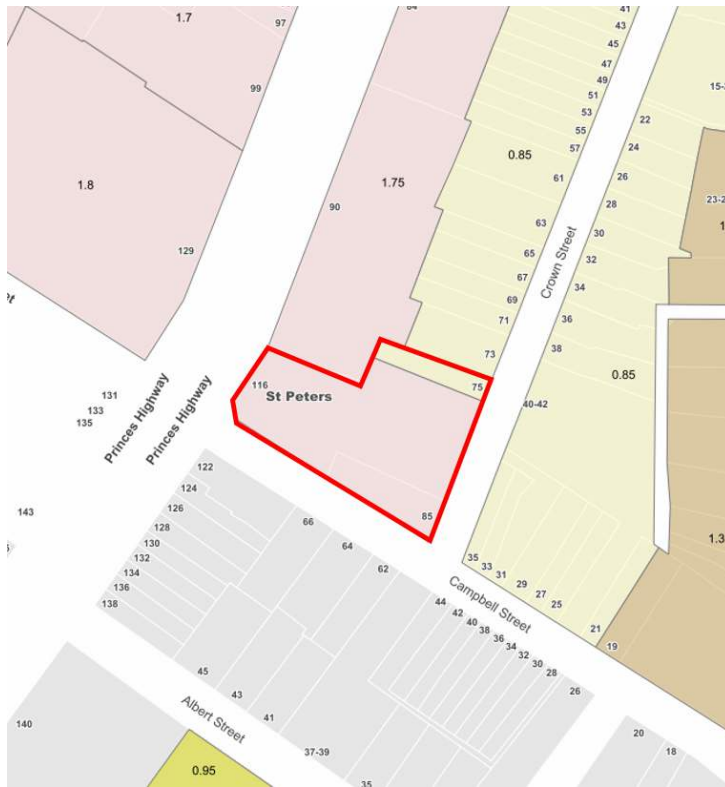


Figure 9: Current Floor Space Ratio Map for Proposal Site (red boundary) and surrounds

The site is located entirely within the Sydney Airport's Australian Noise Exposure Forecast (ANEF) 25-30 contour, while the Obstacle Limitation Surface (OLS) prescribed airspace occurs at 51m AHD across the site.

There are no mapped flood or contamination affectations on the site.

3. THE PLANNING PROPOSAL

This PP (refer to **Attachment 4**) seeks to make an amendment to the IWLEP as follows:

- Introduce a maximum HOB of RL 51.00 (35m);
- Introduce a maximum FSR of 5:1; and
- Include an Additional Local Provision allowing for residential accommodation on the ground floor of the MU1 Zone if:
 - part of mixed-use development; and
 - contains no more than 88m² residential Gross Floor Area at ground floor level.

The PP is accompanied by a reference scheme which indicates the following:

- total GFA of 9,565 sqm;
- 1,016 sqm GFA of non-residential uses including light industrial, commercial and retail uses on the ground floor and lower level 1;
- A total of 82 dwellings (total 7,666 sqm GFA) with the following dwelling

mix:

- 8 studio units (10%);
 - 27 one-bedroom units (33%);
 - 28 two-bedroom units (34%); and
 - 19 three-bedroom units (23%);
- 177 sqm (9%) of deep soil area and 290 sqm (15%) of canopy coverage;
 - 630 sqm (32.7%) of communal open space (including internal and external areas); and
 - 65 car parking spaces (44 residential and 14 non-residential)

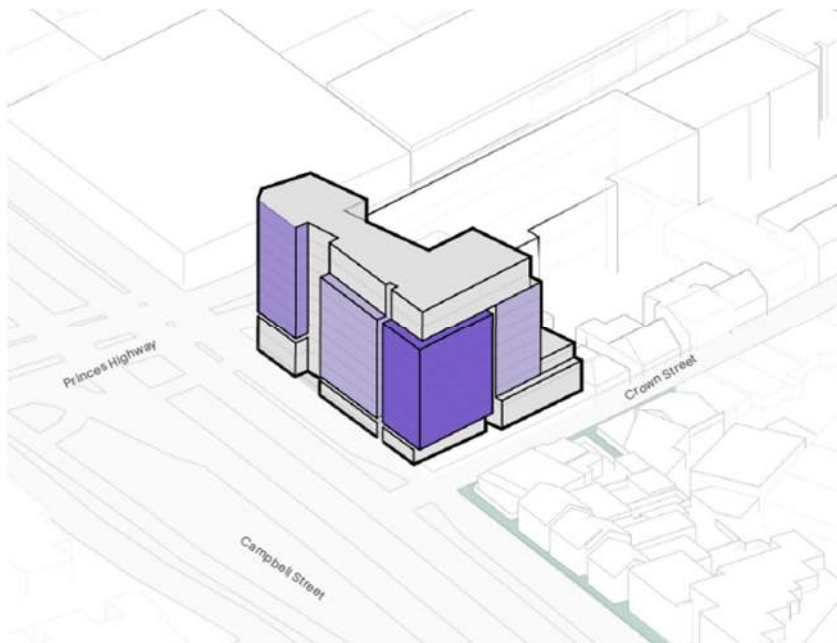


Figure 10: Proposed building form from south-west view (Source: Studio.SC)

4. PLANNING PROPOSAL ASSESSMENT SUMMARY

The Planning Proposal has been assessed in accordance with Division 3.4 of the EP&A Act and the Local Environmental Plan Making Guideline (August 2023). A summary of the matters for consideration is provided in Table 2 below. A detailed assessment is provided in the Planning Proposal Assessment Checklist (**Attachment 1**).

Table 2 - Summary of Matters for Consideration

Matters for consideration	Council Response
Q1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?	The PP is not the result of the Inner West LSPS, but generally supports it and particularly <i>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</i> . 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.
Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	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 IWLEP controls allow through the PP process.
Q3. 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)?	The PP is partially consistent with the <i>Greater Sydney Region Plan, The Six Cities Region Plan, and Eastern City District Plan</i> , but is partly inconsistent on matters relating to the PP's transition to surrounding neighbourhoods and its urban tree canopy provision. It is also inconsistent with District Plan Direction 4 Housing the city, including aspects relating to affordable housing provision.
Q4. 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?	The PP is generally consistent with Inner West's LSPS, Local Housing Strategy, Community Strategic Plan, Employment and Retail Lands Strategy (EARLS) and Integrated Transport Strategy. There are inconsistencies relating to building design, urban tree canopy and affordable housing. The PP is also inconsistent with Inner West's Affordable Housing Policy.
Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?	The planning proposal is consistent with <i>Future Transport Strategy 2056</i> .

Q6. Is the planning proposal consistent with applicable SEPPs?

The PP is consistent with all relevant SEPPs, other than Chapter 4 of SEPP (Housing) 2021. The PP does not demonstrate a capacity to meet requirements of Parts 2C, 3D and 3E of the ADG unless its proposed FSR/GFA are reduced to allow suitable transitions and deep soil planting.

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 Proposal, 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 (Housing SEPP) which came into effect in February 2025 due to the site being in ANEF 25-30 contour.

<p>Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?</p>	<p>The PP is generally consistent with all relevant Ministerial Directions.</p> <p>The total building height has been reduced to be below the Sydney Airport Obstacle Limitation Surface (OLS) prescribed airspace of 51m AHD, so that the proposal is consistent with Direction 5.3 – Development Near Regulated Airports and Defence Airfields.</p> <p>The site is also within the ANEF 25-30 contour and proposes to reduce increased residential densities. This itself does not result in any inconsistency with Direction 5.3, which requires any PP that increases residential density within ANEF 20+ contours to include a provision to ensure that development meets Australian Standards in relation to aircraft noise exposure. Clause 6.8 of IWLEP already contains this requirement across Inner West LGA. Further, the Acoustic Report prepared in support of the PP, considers aircraft noise and recommends that the site can be made suitable for increased residential density. Further assessment will be undertaken at the Development Application stage.</p>
<p>Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?</p>	<p>The subject site does not contain any critical habitat or threatened species, populations or ecological communities, or their habitats.</p>
<p>Q9. Are there any other likely environmental effects of the planning proposal and how they proposed to be managed?</p>	<p>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. TfNSW have been also consulted regarding managing any excavation impacts of the future development associated with the presence of M4-M5 tunnel under the site.</p> <p>The Planning Proposal also include studies addressing contamination and noise matters.</p> <p>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. This is discussed further in Section 4.</p>

<p>Q10. Has the planning proposal adequately addressed any social and economic effects?</p>	<p>The Planning Proposal does not include appropriate affordable housing contributions. The proposal will continue to provide employment opportunities on the ground floor and retains its existing mixed-use zoning in this location.</p> <p>Generally, no adverse social or economic impacts are identified. 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.</p>
<p>Q11. Is there adequate public infrastructure for the planning proposal?</p>	<p>The Planning Proposal is not expected to significantly increase demand for public infrastructure. Further consultation will be undertaken with the public authorities at the consultation stage to determine any significant impact on public infrastructure.</p>
<p>Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?</p>	<p>As requested at pre-lodgement stage, the proponent consulted with Transport for NSW (TfNSW) 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 TfNSW.</p> <p>No other State or Federal authorities have been consulted to date. The Gateway determination will advise a list of public authorities to be consulted.</p>

5. KEY SITE-SPECIFIC ISSUES

The Proposal generally has strategic merit to provide high-quality infill housing in this location close to public transport and open space. It is generally aligned with Minister's Statement of Expectations for Housing Australia and meets the strategic merit test for uplifting the site for additional residential uses. However, there are a number of site-specific issues which remain unresolved before the Planning Proposal can be supported. These primarily relate to inappropriate built form response, amenity impacts on the adjacent area, lack of affordable housing, lack of deep soil planting and traffic impacts as discussed in detail in the below section.

The Planning Proposal and associated documentation was referred to the AEDRP who also raised various concerns regarding the built form and inconsistencies with the ADG. The proponent was given an opportunity to revise the design scheme in response to Council officer's and AEDRP's concerns. However, the revised built form/ planning proposal did not reduce the proposed FSR which could have ameliorated some of the design concerns and amenity impacts. Below issues still remain unresolved in the current design scheme.

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

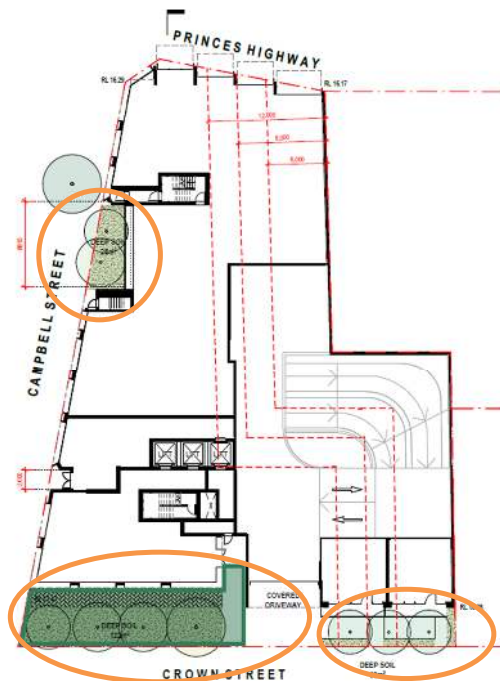
The reference scheme identifies a total of approx. 177 sqm / 9% of total site area as deep soil zone (DSZ) located in three different areas. The ADG requires min. 7% Deep Soil Zone and recommends up to 15% deep soil planting for sites larger than 1500sqm.

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:



Ground Floor - Deep Soil

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".

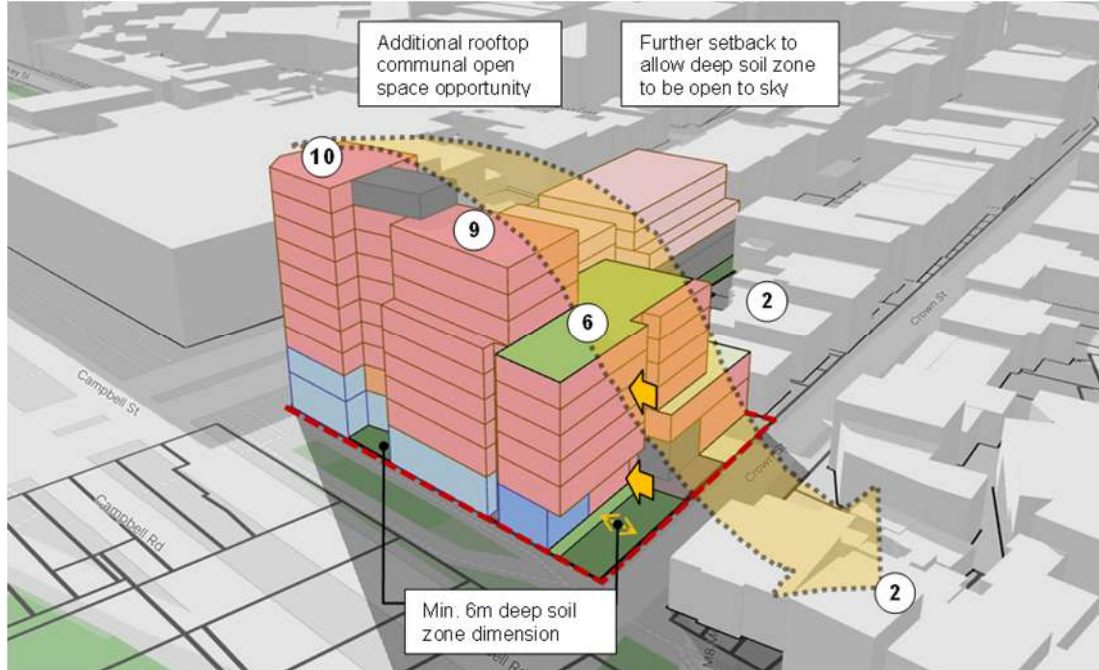
Although indoor communal floor space provides additional amenity for the residents, it should not count towards the overall communal open space component, per the ADG. In this instance, the provision of 16.4% of the site area as communal open space falls short of the ADG requirements.

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

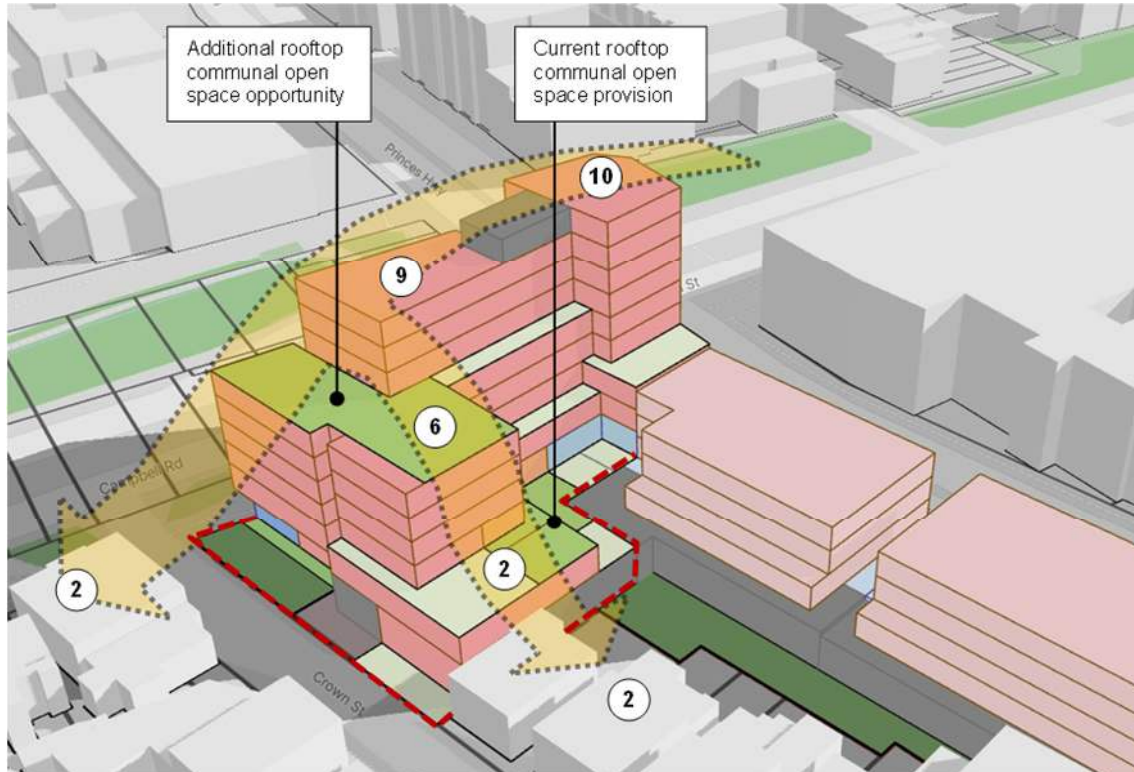
Council officer's recommendation:

Council officers have tested an alternate built form response to respond to the above deficiencies in the proponent's design scheme. This alternate design scheme with an FSR of 4.0:1 comprises a total GFA of 7,724 sqm, including 7,724 sqm of residential GFA (yielding approximately 63 dwellings). This scheme retains the proposed maximum height as per the proponent's design scheme, resulting in a 10-storey building with a corner treatment at the intersection of Princes Highway and Campbell Street, and then stepping down to 9-storeys and 6-storeys adjacent to the northeast and east properties on Crown Street. This stepping down of built form can provide a better transition to the adjoining two storey residential areas. The alternate design scheme also increases the ground level setbacks to increase the deep soil planting zone with a minimum dimension of 6m to meet the ADG requirements. This approach also provides opportunities for an additional rooftop communal open space with northeastern aspect (see point 3 below).

COUNCIL ALTERNATIVE REFERENCE SCHEME – SOUTHEAST AERIAL VIEW



COUNCIL ALTERNATIVE REFERENCE SCHEME – NORTHEAST 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.

2. Lack of affordable housing provision

The revised 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 to the delivery of affordable housing 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.

It is acknowledged that the proposal might still pursue the affordable housing bonus under the Housing SEPP for an additional GFA and height. Under Division 1 In-fill affordable housing of the Housing SEPP, 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. Given that SEPP controls prevail over the LEP amendment, this pathway remains available for the proponent for additional temporary affordable housing opportunities at the Development application stage.

3. Traffic and parking considerations

The reference scheme accompanying the Proposal 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 Proposal 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.

Further, 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 opportunity to reduce car dependency and encourage sustainable transport options. A reduced parking requirement in the proposed site-specific DCP can influence this mode shift on the site.

Further, any reduction in proposed GFA/ FSR to manage the built form impacts would also help in reducing traffic generation rates and on-site parking. However, a revised traffic study would be required prior to community consultation which addresses the above-mentioned issues.

Should the Proposal receive a positive Gateway determination, it will be requested that a

condition 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.

6. DEVELOPMENT CONTROL PLAN

The PP is accompanied by a draft site-specific amendment to MDCP, containing provisions to facilitate the current PP. The draft DCP amendments relate to:

- Indicative building layout and built form (including both residential and employment components);
- Communal open space and landscaping;
- Access, movement and parking;
- Public art;
- Noise and vibration;
- Air quality;
- Housing diversity; and
- Environmental management.

Should the PP proceed with the recommended changes, the draft DCP amendments will also require updating to align with the recommended IWLEP controls. These amendments can retain the same general matters as outlined above. This should follow, and be informed by, the updating of other documents, including Planning Proposal, urban design report and traffic impact assessment which will be requested as conditions of a future Gateway Determination for this PP.

Council is also preparing a consolidated draft Inner West DCP, currently at a pre-exhibition stage. Should it be finalised prior to the completion of this PP, the draft DCP amendments would be incorporated into the new Inner West DCP instead.

7. CONCLUSION AND RECOMMENDATION

The PP generally demonstrates sufficient strategic merit to proceed. It is noted that there are inconsistencies with the following strategic priorities relating to great places, good amenity, affordability and urban tree canopy:

- Greater Sydney Region Plan:
 - Objective 11: Housing is more diverse and affordable;

- Objective 12: Great places that bring people together;
- Objective 30: Urban tree canopy cover is increased;
- Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change;
- Objective 38: Heatwaves and extreme heat are managed;
- The Six Cities Region Plan:
 - Direction 6: Climate-resilient green cities;
- Eastern City District Plan:
 - Direction 4: Housing the city – E5: Providing housing supply, choice, and affordability with access to jobs, services and public transport
 - Direction 8: A city in its landscape – E17: Increasing urban tree canopy cover and delivering Green Grid connections
- Our Place Inner West – Local Strategic Planning Statement:
 - Planning Priority 1: Adapt to climate change;
 - Planning Priority 3: A diverse and increasing urban forest that connects habitats of flora and fauna;
 - 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 Our Place Inner West: Local Strategic Planning Statement;
- Community Strategic Plan:
 - Strategic Direction 1: An ecologically sustainable Inner West;
- State Environmental Planning Policy (Housing) 2021:
 - Chapter 4: Design of residential apartment development;

The PP in its current form also raises site-specific merit issues, as follows:

- It does not give proper regard and assess impacts to: existing uses, approved uses, and likely future uses of land in the vicinity of the land to which the proposal relates (transition to neighbouring areas; traffic and transport); and
- It has not adequately address social and economic impacts, with regard to proposed public benefits (affordable housing).

These issues demonstrate that the proposed level of uplift in proponent's design scheme is not suitable and cannot be supported. However, given that the site has strategic merit for an uplift, Council has tested an alternative built form scheme with a reduced FSR of up to 4:1 which can satisfactorily meet all the Apartment Design Guide requirements and provide suitable deep soil/ tree planting opportunities. Further, it is recommended that the proposal include affordable housing requirements in perpetuity as discussed in this report.

It is recommended that:

- the PP is forwarded to the DPHI for Gateway assessment subject to the following amendments:

- the maximum Floor Space Ratio control be reduced to 4:1; and
 - an additional site-specific local provision be included requiring at least 2% of new residential GFA on this site be provided as affordable housing, managed by a registered community housing provider in perpetuity.
- The amended PP forwarded to the DPFI is accompanied by a request that a Gateway Determination is issued containing a condition that the following updated supporting documents are prepared, reflecting the amended PP, prior to beginning community consultation:
 - Planning Proposal document;
 - Urban Design Report;
 - Traffic Impact Assessment and strategic-level green travel plan outlining mechanisms for delivering effective mode shift on the site;
 - draft site-specific amendment to MDCP.

8. 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