



Planning Proposal

**15-33 Brighton Avenue,
Croydon Park NSW 2133**

September 2020





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Introduction

Canterbury Local Environmental Plan (LEP) 2012 is the statutory planning framework that establishes land use zones and building envelope controls such as floor space ratios and building heights in the former City of Canterbury.

City of Canterbury Bankstown Council is in receipt of a spot rezoning application requesting to amend *Canterbury LEP 2012* in relation to 15–33 Brighton Avenue in Croydon Park.

A Gateway Determination was originally sought by Council following resolution at the Ordinary Meeting held on 11 December 2014.

Following issue of the Gateway Determination, additional reviews and studies were undertaken to inform the proposal. Based on the outcomes of the additional studies and review, Council resolved at the Ordinary Meeting of 6 December 2016. For an Alteration to the Gateway Determination be sought.

Since November 2017 when the proposal was originally exhibited, the remediation reports have been finalised and the site-specific DCP has been amended based on public authority and community stakeholder feedback. This planning proposal has been amended to demonstrate adherence to recent strategies and plans.

The next stage in the process is to re-exhibit the proposal prior to finalisation and ‘making of the plan’ by the NSW Department of Planning, Industry and Environment.

According to the Department’s publication ‘*A guide to preparing planning proposals*’, a planning proposal is a document that sets out the justification for making changes to the CLEP 2012. A planning proposal is comprised of the following components:

Part 1	A statement of the intended outcomes of the planning proposal. It is a statement of what is planned to be achieved, not how it is to be achieved.
Part 2	An explanation of the proposed changes to CLEP 2012 to achieve the intended outcomes.
Part 3	The justification for making the proposed changes to CLEP 2012.
Part 4	Maps to identify the intended outcomes of the planning proposal.
Part 5	Details of the community consultation that is to be undertaken on the planning proposal.
Part 6	Outline the indicative project timeline.

Following the exhibition process, a review of community feedback and any additional information may see updates and amendments to the planning proposal.



Part 1 – Intended Outcomes

This planning proposal applies to the site at 15-33 Brighton Avenue, Croydon Park (refer Map 1 of Part 4) which comprises of the properties identified in the table below.

Address	Real Property Description	Site Area (m ²)
15 Brighton Avenue	Lot C DP440959	973.70
17-19A Brighton Avenue	Lot 2A Sec 2 DP3010	1,532.72
	Lot B DP333556	461.60
19 Brighton Avenue	Lot A DP333556	1,062.00
21 Brighton Avenue	Lot 1 DP123636	1,537.00
23-25 Brighton Avenue	Lot 11 DP862370	2,426.00
27-33 Brighton Avenue	Lot 10 DP1026819	6,770.00
Total Site Area		14,763.02

The intended outcomes of this proposal are to amend the *Canterbury LEP 2012* to enable high density residential development of a small isolated pocket of industrial lands surrounded by residential uses in a location within 150m of an existing local centre.

The roughly 14,763m² area recommended for rezoning and associated planning controls are intended to ensure development outcomes which are appropriate for the surrounding context while providing housing diversity to future residents.

Part 2 – Explanation of Provisions

The proposed outcome will be achieved by amending the *Canterbury LEP 2012* by:

- Amending the *Canterbury LEP 2012* Land Zoning Map on the site from IN2 Light industrial to R4 High Density Residential in accordance with the proposed zoning map (refer to Part 4, Map 3).
- Amending the *Canterbury LEP 2012* Floor Space Ratio (FSR) Map to alter the FSR on this site from 1:1 to 1.4:1 as demonstrated in Map 5 of Part 4 and supported/recommended by the attached Urban Design Report.
- Amending the *Canterbury LEP 2012* Height of Building Map as demonstrated in the proposed Height of Building Map (refer Map 7 in Part 4 of this report) to apply a maximum height of 14m along the Brighton Avenue frontage and 17.5m to the rear half of the site identified for rezoning.



Part 3 – Justification

Section A – Need for the planning proposal

1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

This planning proposal is applicant-led and not the direct result of any strategic study or report prepared by the Department of Planning, Industry & Environment, Greater Sydney Commission or Council.

However, both the former *Canterbury Economic Development & Employment Strategy* and more recently adopted *Canterbury Bankstown Employment Lands Strategy* recommended rezoning the site of this planning proposal from industrial to residential.

Based on these Council adopted strategies and a strategic merit review, the proposal is considered appropriate given its outcome in integrating with the surrounding existing and future context.

The proposed rezoning aligns with the surrounding context with associated controls that support delivery of the intended built form to assist in achieving the Canterbury Bankstown housing targets. To inform the intended built form outcomes, various urban design reviews have been undertaken and considered alongside the following technical studies as part of Council's assessment:

- A. Preliminary Traffic Review by GTA Consultants (dated 28 March 2013)
- B. Peer Review of Planning Proposal (Feasibility and Land Use) by SGS Economics and Planning (dated August 2014)
- C. Urban Design Strategy & Preferred Design Option by aeDesign Partnership (dated 19 February 2016)
- D. Urban Design Peer Review, Planning Proposal by Annand Associates Urban Design (dated May 2016)
- E. Urban Design Study by Olsson & Associates Architects (dated 21 September 2016)
- F. Detailed Site Investigation for 23-33 Brighton Avenue by EIA (dated 20 April 2018)
- G. Detailed Site Investigation for 15-21 Brighton Avenue by EIA (dated 10 September 2018)
- H. Site Audit Report by Harwood Environmental Consultants (dated 6 March 2020)
- I. Site Audit Statement by Harwood Environmental Consultants (dated 6 March 2020)
- J. Revised Remediation Action Plan by EIA (dated 20 July 2020)

The planning proposal has received a Gateway Determination along with various alterations (refer **Attachments K–P**), following Council resolutions in December 2014 and 2016 (refer **Attachments Q–R**). The most notable Gateway Determinations are:

- 18th Sept 2015 – supported a maximum building height of 15 metres, but reduced FSR to 0.9:1 (**Attachment K**) in accordance with suggestions of the SGS consultant's report.
- 27th Feb 2017 – supported an increased building height control of part 14 and 17.5 metres and associated FSR of 1.4:1 as supported by subsequent investigations including a peer review (**Attachment L**).

Following re-exhibition, submissions received will be reviewed and the planning proposal appropriately adjusted prior to Council endorsement and lodgement to the department.



2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal to rezone the land at 15-33 Brighton Avenue, Croydon Park is the only approach to achieving the intended outcomes outlined in Part 2. As such an amendment to the Canterbury LEP 2012 has been sought through the Planning Proposal process in order to rezone the land and permit a high density residential development.

The proposed rezoning will provide for local housing needs and assist in achieving Canterbury Bankstown's housing targets set out in the GSRP and South District Plan.

The existing IN2 Light Industrial zoning has been identified in multiple adopted Council strategies as fragmented industrial land suitable for residential uses. The proposed rezoning to R4 High Density Residential will resolve this fragmentation and provide consistency with the adjoining sites.

Additional relevant planning controls including floor space ratio and buildings heights are to be applied to the site alongside a site specific development control plan. The site specific DCP will assist in delivering a new development and is being exhibited concurrently with this planning proposal to manage:

- Site amalgamation requirements,
- Building envelope controls, and
- Communal open space requirements.

Section B – Relationship to strategic planning framework

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)?

NB: The planning proposal gives effect to the Greater Sydney Regional Plan (GSRP) and South District Plan which were issued and came into effect after the proposal was considered and endorsed by Department of Planning, Industry and Environment (DPIE). While the assessment below identifies some inconsistencies, Council notes that the loss of industrial and urban services land had already been considered and approved by DPIE as part of the Gateway Determination (dated 18 September 2015) prior to the release of the GRSP. As such, no further approval is required.

3.1 Greater Sydney Region Plan 'A Metropolis of Three Cities'

A Plan for Growing Sydney has been replaced by *A Metropolis of Three Cities* as the Metropolitan Regional Plan for the Greater Sydney area, also known as the GSRP.

The planning proposal is generally consistent with the following objectives of the GSRP as outlined in the table below.

Objective	Rationale / Justification
4 – Infrastructure use is optimised under 'A city	The proposal would encourage infill development within the established suburb of Croydon Park which is frequently



Objective	Rationale / Justification
supported by Infrastructure' direction	served by high-frequency bus routes. The site is already serviced for urban purposes in its current use. The additional dwellings are not anticipated to require any upgrades to existing trunk services.
10 – Greater Housing Supply under the direction for 'Housing the City'	Rezoning the land for residential development will help meet the housing targets outlined in the GSRP while providing diverse housing supply in the established suburb of Croydon Park.
22 – Investment and business activity in centres	The proposal responds to this objective by supporting the hierarchy of the Croydon Park Small Village Centre by focusing on improving the liveability of places on the road network. The location of high density residential on the subject site will likely increase walkability to the small village centre for surrounding residents, due to fewer driveways crossing the footpath and an improved built form interface along the Brighton Avenue frontage post-development. Additionally, the loss of this light industrial zones should encourage the relocation of these businesses into alternative vacant industrial floor space across the LGA which is generally better located near freight corridors.
30 – Urban tree canopy cover is increased	A site specific DCP (being exhibited alongside this proposal) includes controls to expand the urban tree canopy, this includes provisions for deep soil planting and communal open spaces across the site. As such, the proposal to rezone from a generally hard-scaped industrial use to the potential high density residential use will facilitate and increase the urban tree canopy within Croydon Park.
37 – Exposure to natural and urban hazards is reduced under the direction for 'A resilient city	As remediation works will be required to be undertaken prior to development, the proposal will reduce the exposure of residents in the Greater Sydney area to urban hazards. The subject site is affected by Acid Sulphate Soils – Class 5 (refer section 6.5 for details), however the proposal does not anticipate any exposure from this natural hazard.

The proposal is inconsistent with *Objective 23: Industrial and urban services land is planned, retained and managed* of the GSRP, *A Metropolis of Three Cities*. The following rationale was applied to the strategic merit of rezoning this industrial land:

- The recently adopted *Canterbury Bankstown Employment Lands Strategy* supported rezoning the subject site following a strategic merit review.
- As one of the fragmented industrial precincts in the LGA, the site is without a significant industry cluster but is rather a mix of light industrial uses. The significant industry clusters are located elsewhere in the LGA and in adjacent LGAs, such as the freight and logistics cluster in Enfield.
- Employment growth in the Croydon Park area is primarily projected to be in health care, education and public administration which is expected to be concentrated in existing or proposed health care, education facilities and strategic centres. The subject industrial precinct is not considered to be an appropriate location to facilitate this growth.



- The precinct is not located within a key centre, however it is located in close proximity to Croydon Park (small village centre) and 1.5 kilometres north of Campsie (strategic centre).
- The precinct is located near a main road (Georges River Road), which constitutes an important urban thoroughfare providing access east towards Ashfield and west towards Bankstown.
- In terms of industrial land supply the precinct represents less than 1% of the stock for Canterbury Bankstown LGA, at 0.16% of the total employment precinct capacity assessment. The change of use of the precinct would not have a significant impact on supply if the site were to be rezoned.
- This represents around 0.17% of the employment lands floor space. Which would have minimal on the 3% vacancy rate across the LGA as reported by BIS Shrapnel in May 2019. Therefore the proposed rezoning is unlikely to impact on the ability for the LGA to meet demand for industrial land activity as this is declining.
- The proposed rezoning is expected to have a limited impact on achieving employment objectives and targets outlined in the South District Plan and LSPS due to its location outside of a strategic centre.

Based upon the above rationale, Council maintains its support for rezoning the subject land from IN2 Light Industrial to R4 High Density Residential.

The proposed R4 zoning is consistent with the surrounding high density residential context. The associated planning controls have been established through rigorous urban design reviews to deliver a site specific response to the surrounding context.

3.2 South District Plan

The Planning Proposal is generally consistent with the South District Plan, namely:

Planning Priority	Rationale / Justification
S1: Planning for a city supported by Infrastructure	The proposal supports the optimisation of existing infrastructure within the established suburb of Croydon Park through an increased dwelling density, which is serviced by the existing infrastructure.
S5: Providing housing supply, choice and affordability with access to jobs, services and public transport	Rezoning the land for residential development will assist Canterbury Bankstown Council to achieve the housing targets outlined in the South District Plan while providing diverse housing supply and choice in the established suburb of Croydon Park.
S6: Creating and renewing great places and local centres, and respecting the District's heritage	The proposed residential use will facilitate renewing the Croydon Park local centre by provided contemporary apartment living with a fine grain urban form as supported by the associated planning controls and site specific DCP.
S15: Increasing urban tree canopy cover and delivering Green Grid connections	The proposed rezoning from industrial to residential uses will facilitate increased setbacks, deep soil planting and communal open spaces, to improve the urban tree canopy across the LGA. Additionally, the proposal offers a high residential amenity location as it is located within walking distance of the existing Cooks River shared pathway



Planning Priority	Rationale / Justification
S18: Adapting to the impacts of urban and natural hazards and climate change.	Potential resident exposure to urban or natural hazard in the south district will be reduced by this proposal through remediation works prior to development and consideration of Class 5 acid sulphate soils (ASS). The remediation works will be undertaken prior to development, as necessary to make the site suitable for the proposed residential use. Refer to section 6.5 for more information on ASS requirements.

As previously mentioned, the proposal is inconsistent with *Planning Priority S10: Retaining and managing industrial and urban services land* in the South District Plan following its adoption after the department endorsed the proposal, as per the Gateway Determination (dated 18 September 2015). The strategic merit rationale for rezoning the subject site from IN2 Light industrial to R4 High Density Residential is outlined in section 3.1 above.

The proposed rezoning will improve local amenity and provide greater housing supply within the greater Sydney region. Furthermore, the proposed R4 zone is consistent with the surrounding high density residential zoning. Potential impacts to the local character will be managed through application of a site-specific DCP, to will ensure consistency with the surrounding context and future uses on the site.

4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

4.1 Community Plan – CBCity 2028

CBCity 2028 is the Council's 10-year plan to guide the City of Canterbury Bankstown on its journey of seven directions to be a thriving, dynamic and real city.

The proposal is generally consistent with the Canterbury Bankstown Community Plan – *CBCity 2028*, especially direction 6 for a liveable and distinctive city, as it will provide additional housing diversity and minimise conflicts between the existing industrial use and the surrounding high-density residential.

4.2 Local Strategic Planning Statement (LSPS) – Connective City 2036

This planning proposal is generally consistent with the Local Strategic Planning Statement (LSPS), *Connective City 2036*, namely the transitional arrangements for the retention and management of industrial lands within Evolution 3 (Place for Commerce and Jobs) as a Gateway Determination was obtained prior to issue or adoption of the LSPS. The proposed zone is consistent with varied character of the neighbourhood and surrounding high density residential zoning.

On 10 December 2019, the Local Strategic Planning Statement (LSPS) – *Connective City 2036* was adopted by Canterbury Bankstown Council. The LSPS was endorsed by the Greater Sydney Commission on 16 March 2020.

Connective City 2036 aims to integrate a variety of transport modes with different land uses so that more people can connect to more places within the City and beyond. It will help to improve the



City's ecological and river systems and create quality places for healthy living and ecological integrity.

Metropolitan Directions

The proposal supports this objective and Metropolitan Direction No.2 by redistributing heavy traffic away from local streets in areas that can be enhanced as attractive residential districts and strengthen the city's proposed metropolitan road network, especially for freight movements.

Additionally, the proposal strengthens *Metropolitan Direction No.5 – Support a growing Sydney by creating a hierarchy of great places and dynamic urban centres* by encouraging diverse housing options within an easy walking distance of both high quality open space (Cooks River) and an existing small village centre, which provides a mix of retail, local services and businesses to the local community. The Metropolitan Direction also acknowledges that successful managing freight and servicing is fundamental to creating a successful city, which will be achieved by this proposal through a reduction in heavy vehicle movements along Brighton Avenue.

The proposal is generally consistent with the relevant Evolutions of the LSPS as outlined in the table below.

Objective	Rationale / Justification
E2 – Movement for Commerce and Place	The proposal is generally consistent with the objectives of Evolution 2 as it facilitates improving safety and amenity through the redirection of heavy vehicle movements off Brighton Avenue as proposed in the diagrammatic freight movement maps. This would be further defined by a Masterplan review of the Croydon Park small village centre to better balance the place function of Brighton Avenue as per Action E2.8 of this Evolution.
Evolution 3 – Commerce and Jobs	While the subject site is identified as industrial land to be retained and managed within Evolution 3, this proposal is consistent with the transitional arrangement for rezoning requests which have already received a Gateway Determination. This planning proposal is consistent with the transitional arrangements of this Evolution.
Evolution 6 – Housing and Urban Places	With a City-wide target of 50,000 new dwellings by 2036, the planning proposal is generally consistent with this Evolution as it responds to the following principles for housing in the city by: <ul style="list-style-type: none">• Locating 80% of new housing within walking distance of mass transit / train stations – proposal is within 400m walking distance from high-frequency bus routes,• Sustainably grow smaller centres – increase dwelling density will support existing businesses,• Set planning rules that deliver quality design [in new developments] – the potential development outcome will be informed by a site specific DCP which is being exhibited in parallel with the planning proposal.• Provide housing choice to suit each life stage through a range of housing typologies, sizes and tenures – the surrounding context consists of 1970s apartment blocks, semi-attached terraces and detached suburban dwellings. The potential residential development will provide dwelling diversity around the Croydon Park centre.



As a Gateway Determination was obtained for this site back in 2015, the recently adopted Affordable Housing Strategy will not apply to the planning proposal.

As such the proposal is generally consistent with the LSPS – *Connective City 2036* and supports delivery of the evolutions as identified above.

4.3 Canterbury Bankstown Employment Lands Strategy (CBELS)

To support the LSPS, *Connective City 2036*, and guide future planning decisions within the LGA; Council adopted the Canterbury Bankstown Employment Lands Strategy (CBELS) on the 23 June 2020.

Council's vision for the employment lands are to be a network of places engaged in business, production and knowledge advancement, connected to a thriving Bankstown City Centre. With an additional 41,000 jobs anticipated over the next 20 years, delivering jobs in Canterbury Bankstown LGA means building on the LGA's existing strengths – a strong local economy, a skilled workforce and a strategic location.

The majority of the future jobs are expected to be located in and around the Campsie and Bankstown Strategic Centres, across the medical and education industries.

While generally inconsistent with the objectives of the strategy, the subject site was one of the precincts identified by the study as isolated parcels located within residential areas that could be investigated for additional uses. Any rezoning would be subject to a strategic merit assessment and the availability of adequate supply of employment land as detailed in section 3.1 of this proposal.

The strategic merit test in section 3.1 concluded that the rationale for rezoning the land continue to be supported by Council and harmonising the zoning of the site to reflect the surrounding residential uses may minimise conflicts and improved amenity and safety in the local community.

4.4 Canterbury Bankstown Housing Strategy (CBHS)

The *Canterbury Bankstown Housing Strategy* (CBHS) has been adopted by Council on the 23 June 2020 to support the LSPS, *Connective City 2036*, and guide future planning decisions within the LGA. Council has reviewed the new strategy and supports the applicant's position that the proposal is generally consistent with the local strategy.

With a forecast population of 500,000 by 2036 and the scarcity of greenfield development land, Council recognises that it cannot continue to rely on the delivery of housing in suburban areas.

The proposal delivers on the following strategic directions:

- #1 – Deliver 50,000 dwelling by 2036, subject to the NSW Government providing upfront infrastructure support;
- #3 – Focus at least 80% of new dwellings within walking distance of centres and places of high amenity;



- #4 – Ensure new housing in centres and suburban areas are compatible with the local character;
- #5 – Provide a choice of housing types, sizes, tenures and prices to suit each stage of life, and;
- #6 – Design quality housing to maximise liveability and provide positive built form.

The proposal and intended form of housing supply on the subject site and surrounding area aligns with the purpose of zone R4 High Density Residential as outlined in the CBHS.

Subsequently, the planning proposal is generally consistent with the *Canterbury Bankstown Housing Strategy*.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

This planning proposal is consistent with the applicable State Environmental Planning Policies as shown in Attachment A.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 of the EP&A Act)?

This planning proposal is consistent with applicable Ministerial Directions (as shown in Attachment B), namely:

6.1 Direction 1.1 – Business and Industrial Zones

The proposal's inconsistency with *Direction 1.1 – Business and Industrial Zones* was considered and approved by the Department as part of the original Gateway Determination (dated 18 September 2015).

The proposal is inconsistent with this Direction as it proposes to rezone a small group of parcels from IN2 Light Industrial zoned land into R4 High Density Residential. The loss of business zoned land is expected to be in the order of 14,763.02m².

The viability of industrial uses for that section of the land was assessed for this site which concluded that on the basis of a number of State and Council's Strategies:

- The industrial use of the subject site is not near or within direct access to key economic infrastructure contributing to any significant industry cluster.
- The industrial buildings on this site have reached the end of their industrial life and the number of jobs created by this site has been declining.
- The site is not considered of strategic importance. It is isolated, relies upon access through residential streets and is not well connected to major arterial roads and freight movement. Also, the site has no railway connection.
- The loss of jobs will be compensated during the redevelopment of the site, which will generate employment during the construction stage. There is potential for jobs associated with the residential flat buildings(s) strata management and ground maintenance.
- The future viability of this relatively small, isolated site for industrial purposes is not feasible due to current and future macro and micro economic trends in industrial land development.



The site's buildings are in need of replacement or refurbishing, which is unlikely to occur given the strategic location and isolation.

Council's assessment concluded that the precinct is located within a residential area and does not have high level of accessibility to the major thoroughfares network or motorway ramp. It is also around 1.5km from the railway line. As a result of the location, the precinct is not considered highly suitable for freight and logistics, industrial manufacturing or urban services due to its proximity to surrounding residential development. As such, the proposal is considered justifiably inconsistent.

6.2 Direction 2.6 – Remediation of Contaminated Land

This Ministerial Direction requires Council to consider land contamination where it is proposed to enable development for sensitive land uses. Division 9.1 of the EP&A Act reinforces this direction.

The Gateway Determination required a *Preliminary Site Investigation* (PSI) be conducted at a minimum. Subsequent investigations identified that the site will likely have some contamination due to its history of light industrial uses and required further investigations.

The site investigations outlined in the subsequent contamination reports (refer **Attachments F - J**) identified that the site is currently contaminated and requires remediation works to make the site suitable for residential use. As such, remediation works will be required prior to residential development of the site.

6.3 Direction 3.1 – Residential Zones

The objectives of this direction is to encourage a variety of housing types, make efficient use of existing infrastructure and minimise the impact of residential development on environment and resource lands.

The planning proposal seeks to rezone the IN2 land in an established area to R4 High Density Residential, this will be generally consistent with the requirements of the direction as it:

- facilitate future housing needs – through increased diversity and density,
- broaden the choice of building types and locations available in the housing market – by increasing the supply of apartment dwelling in the Croydon park locality,
- makes efficient use of existing infrastructure and services – as it is located in an area already serviced for urban development and in close proximity of Croydon Park Town Centre,
- reduces the consumption of land for urban development on the urban fringe – by increased housing choices within the existing urban footprint, and
- be of good design – as any development application lodged following this planning proposal will be subject to the design requirements of SEPP 65 and the Canterbury DCP at the DA stage, which will include site specific allowances for this site (to be exhibited concurrently with this proposed).

The site is adequately serviced for residential development as it is located in an established urban area and within 400m of high frequency bus routes.



Based on the assessment the planning proposal is generally consistent with the requirements of *Direction 3.1 – Residential Zones*.

6.4 Direction 3.4 – Integrated Land Use and Transport

The objective of this direction is to give effect to and be consistent with specific guidelines.

- *Improving Transport Choice – Guidelines for planning and development (DUAP 2001)*

Many of the planning principles in this guideline relate to location and design considerations for high density housing. The rezoning of the subject site would allow for high density residential infill development within an established urban area. The subject site is about 50m to the north of Georges River Road and Queensborough Road is about 50 metres south from the site, with a 152m frontage along Brighton Avenue. It is considered that any additional dwellings which result from the potential residential development of this land would utilise existing road networks and public transport services.

The planning proposal seeks to increase the supply of housing within 400m distance of high-frequency bus routes, thus improving access for Sydney's residents to housing, jobs and services by walking, cycling and public transport. Additionally, the site is within 400m walking distance of the Croydon Park Town Centre with existing shops and businesses which is anticipated to limit the demand for travel and facilitate public transport use as it is within 400m walking distance of both an existing town centre and high frequency bus routes.

Beyond the localised walking context, the site is connected to service centres by its close proximity to a cycleway (including Cooks River shared pathway) and is less than 2kms to 3 railways stations (Campsie – 1.6km, Croydon – 1.8km and Ashfield – 2km) which can be reached by existing bus routes.

It is anticipated that car parking as required under the Council's standards would be provided. This would be controlled during the DA stage.

- *The Right Place for Business and Services – Planning Policy (DUAP 2001)*

This guideline refers to business and services. The planning proposal seeks to rezone from the existing IN2 Light Industrial to R4 High Density Residential which is forecast to lower traffic generation and heavy vehicle movements to the site. The preliminary traffic review prepared by proponent's GTA consultants (**Attachment A**) indicate that the subject site as industrial use has the potential to generate some 147 vehicle movements per peak hour including significant percentage of heavy vehicles associated with industrial use. The proposed residential development may generate of up to 100 vehicles per peak hour. This represents a reduction of development traffic of approximately 30%. This is based on the GTA consultants' estimation of mixed use development of 340 residential apartments and 600m² of retail use (which is assumed optimistic scenario).

Additionally, the proposed rezoning to R4 High Density Residential will assist in economically supporting the nearby Croydon Park Town Centre by increasing the density of dwellings located in close proximity to existing centres and high frequency public transport.



The planning proposal is consistent with this Ministerial Direction as it is justified by the recently adopted *Canterbury Bankstown Employment Lands Strategy* which recommended this land for rezoning and is in accordance with objectives 4 and 10 of the GSRP due to the site's proximity to existing bus services. Furthermore, the proposal has been considered and endorsed by the Department as part of the Gateway Determination (dated 18 September 2015).

6.5 Direction 4.1 – Acid Sulphate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.

According to Council records the site is identified as Class 5 acid sulphate soils, meaning that it is located within 500 metres of land identified as Class 1, 2, 3 or 4. Appropriate conditions can be imposed during the DA process to ensure that ground water would not be adversely affected during the removal of existing structures and during the construction period. Given the subject site is situated more than 7 metres above the nearest Class 4 land it is considered that acid sulphate soils will not be a consideration given the provisions of the Canterbury LEP (clause 6.1).

The proposal is generally consistent with Direction 4.1 – Acid Sulphate Soils as there are existing provisions within the Canterbury LEP to regulate works in acid sulphate soils.

6.6 Direction 5.10 – Implementation of Regional Plans

The objective of this direction is to give legal effect to the vision, land use strategy, policies outcomes and actions contained in regional plans.

The planning proposal is generally consistent with the GSRP, and justifiably inconsistent with Objective 23 GSRP as set out in section 3.1 of this report. Council notes that *Direction 5.10 – Implementation of Regional Plans* was issued and came into effect on the 14 April 2016, after this proposal was considered and endorsed by Department of Planning, Industry and Environment (DPIE).

An assessment of the inconsistencies with this direction are related to the loss of industrial and urban services land, which was considered and approved by DPIE as part of the Gateway Determination (dated 18 September 2015).

6.7 Direction 7.1 – Implementation of A Plan for Growing Sydney

The objectives of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in *A Plan for Growing Sydney*.

The proposal is generally consistent with *A Plan for Growing Sydney*, namely:

- Goal 2: A city of housing choice, with homes that meet our needs and lifestyles – especially Directions 2.1, 2.2 and 2.3 by increasing housing supply in Sydney in a location closer to jobs and diversifying existing housing options in the local area.



- Goal 3: A great place to live with communities that are strong, healthy and well connected – notably Directions 3.1 and 3.3 as the development will revitalised underutilised land close to an existing centre and provide a higher level of amenity to both new and existing residents.

While the proposal is inconsistent with Direction 1.9: Support Priority Economic Sectors of *A Plan for Growing Sydney* as it involves rezoning of industrial land bas outlined in section 3.1 of this report. The proposal's inconsistency with Direction 7.1 – Implementation of A Plan for Growing Sydney was considered and approved by the Department as part of the original Gateway Determination (dated 18 September 2015).

Section C – Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The proposal is consistent with the Ministerial Direction 2.1 as it does not adversely affect any critical habitat or threatened species, populations or ecological communities, or their habitats.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The planning proposal relates to urban land that will be converted from one urban use (Light Industrial) into another urban use (residential flat buildings). The environmental impact of the proposal would be relatively minor, such as some disturbance during construction, potential overlooking and overshadowing. However, it will replace heavy vehicle traffic associated with industrial use with increasing residential traffic levels. Any subsequent development application will be subject to merit assessment under the provisions of Council's LEP, DCP as relevant SEPPs.

9. Has the planning proposal adequately addressed any social and economic effects?

The proposal would not have any other adverse social or economic effects that require management or mitigation. The key social and economic effects of the proposal are:

- Loss of industrial and urban services zoned land – addressed in section 3.1,
- Built form – managed through relevant SEPPs, Council's LEP and DCP (with site specific provisions for this site),
- Site contamination – refer section 6.2,
- Acid sulphate soils – refer section 6.5, and
- Traffic and Parking – refer section 6.4.

Overall it is anticipated that there will be positive social and economic impacts arising from the planning proposal. The existing uses on site do not appear to have any long standing community associations and is already declining. Subsequently, it is anticipated that the possible negative impact from the loss of industrial zoned land will be minimal. Whereas the additional population



resulting from residential development on the subject land which is within close proximity of the existing small village centre at Croydon Park will support the economic viability of this centre.

Additionally, the anticipated development form arising from the proposed rezoning is a high density residential apartments which will be well connected to jobs in the Sydney CBD alongside local and regional services through close proximity to high frequency bus routes and sub arterial roads.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

Yes. The site is well serviced by public transport and open space. It also has other infrastructure services that are generally available within the urban environment such as; reticulated water, drainage sewerage, electricity and telephone. The planning proposal does not generate any apparent need to upgrade or improve public infrastructure. Consultation with key service providers will occur as part of the planning proposal exhibition process.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Council will engage in consultation with any public authority if required in accordance with the Gateway Determination.



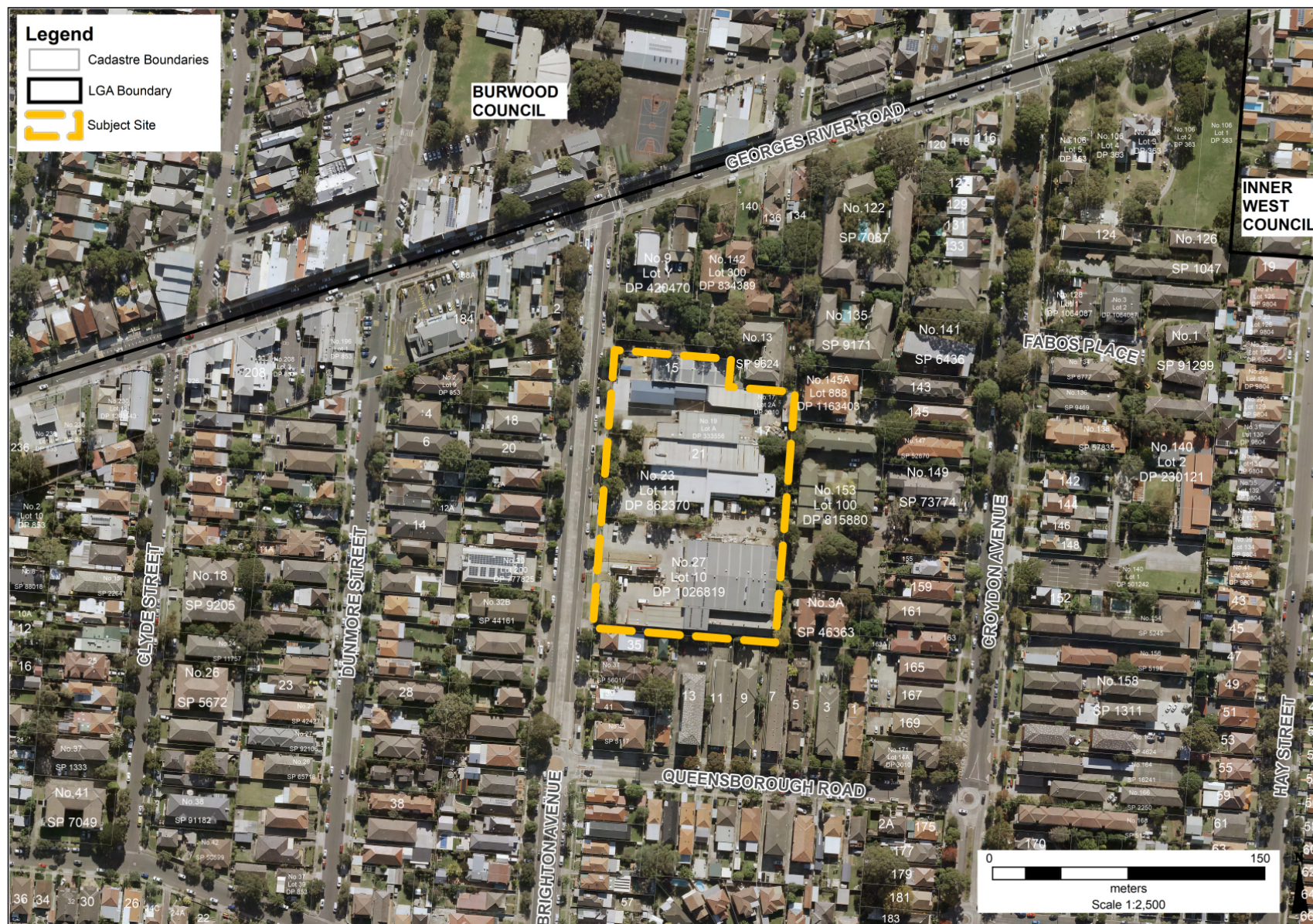
Part 4 – Maps

The maps which support this planning proposal are:

- Map 1 – Land Application Map on Current Aerial
- Map 2 – Existing Land Zoning Map
- Map 3 – Proposed Land Zoning Map
- Map 4 – Existing Floor Space Ratio Map
- Map 5 – Proposed Floor Space Ratio Map
- Map 6 – Existing Height of Building Map
- Map 7 – Proposed Height of Building Map
- Map 8 – Current Aerial Image

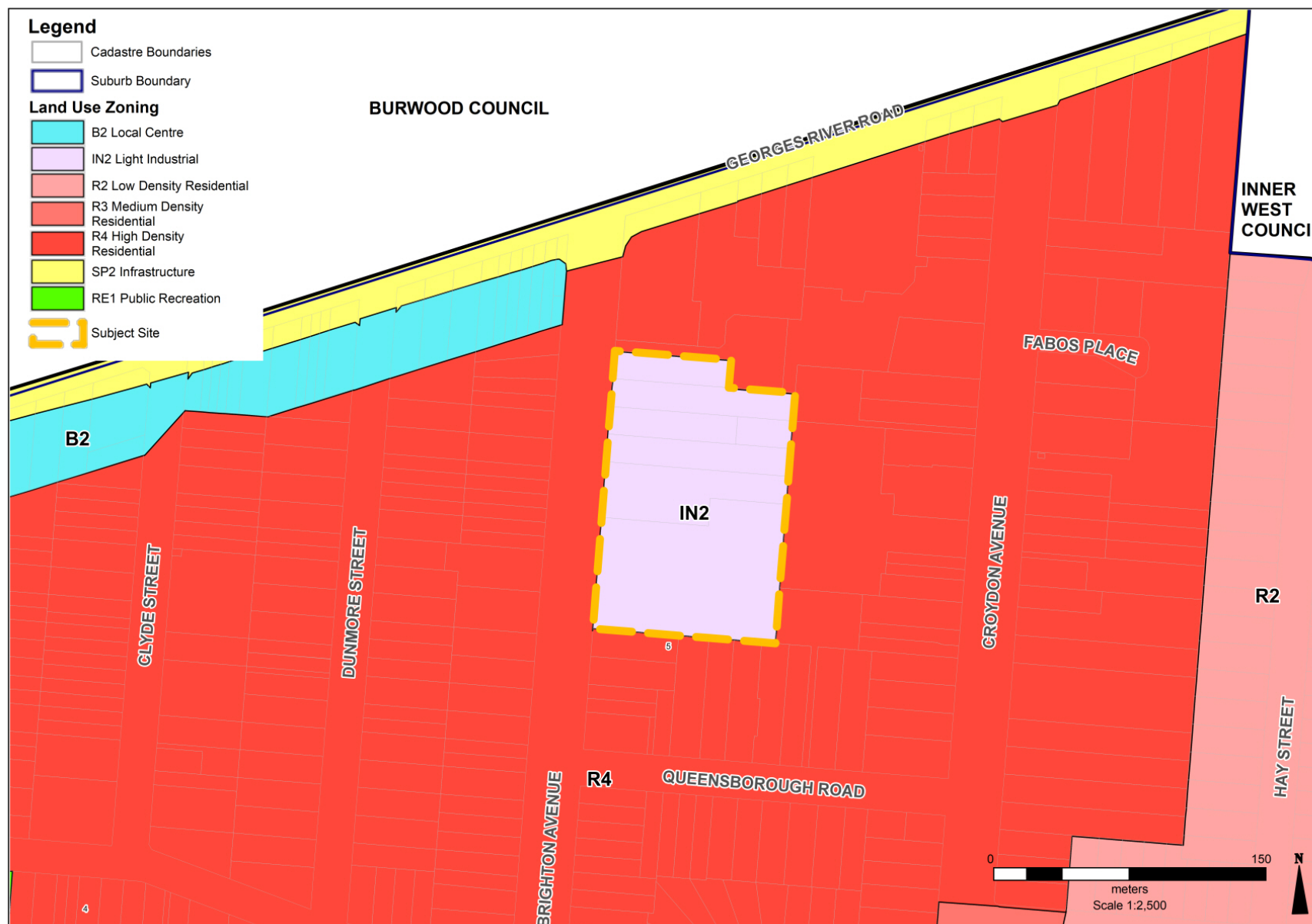


Map 1 – Land Application Map on Current Aerial



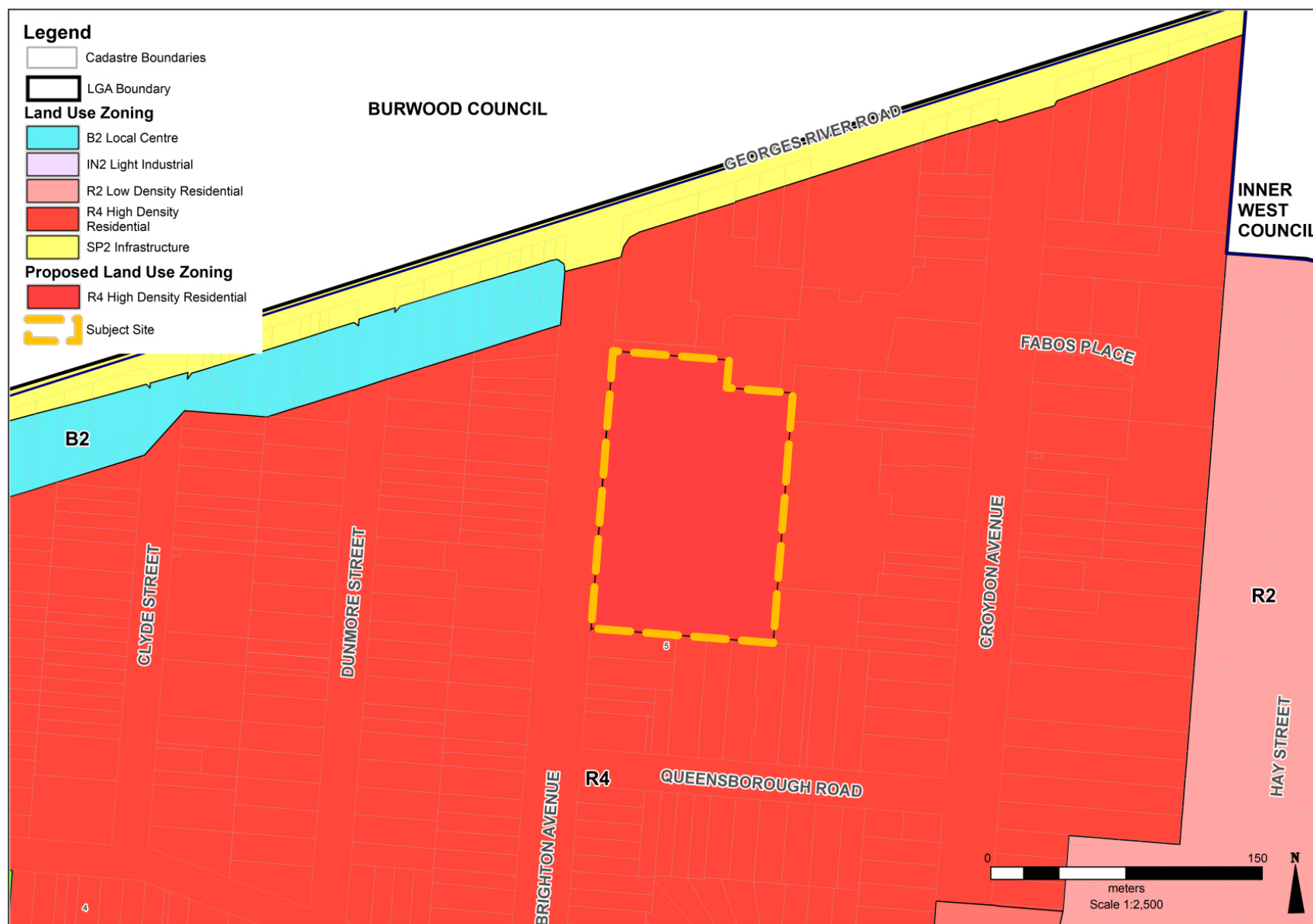


Map 2 – Existing Land Zoning Map



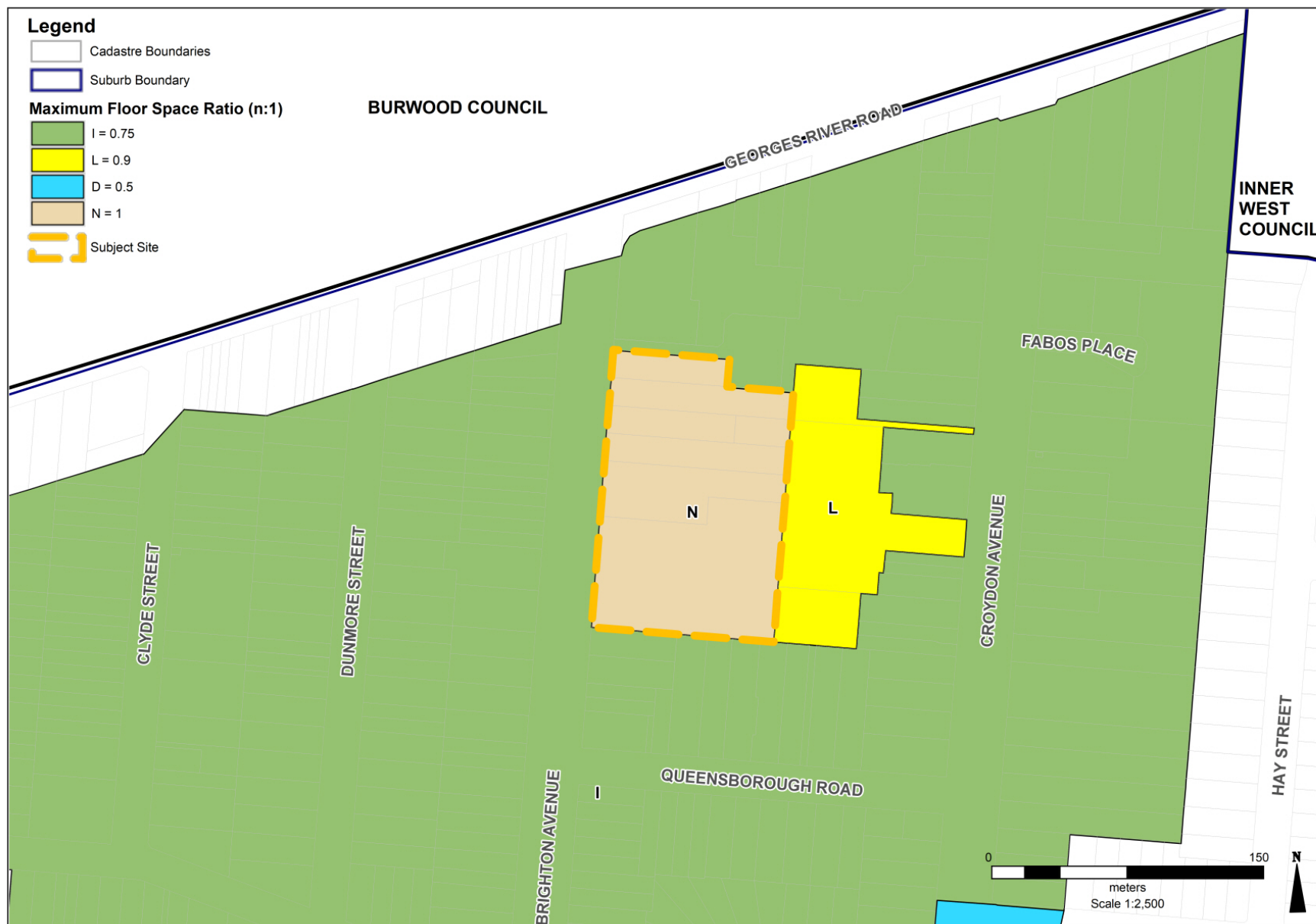


Map 3 – Proposed Land Zoning Map



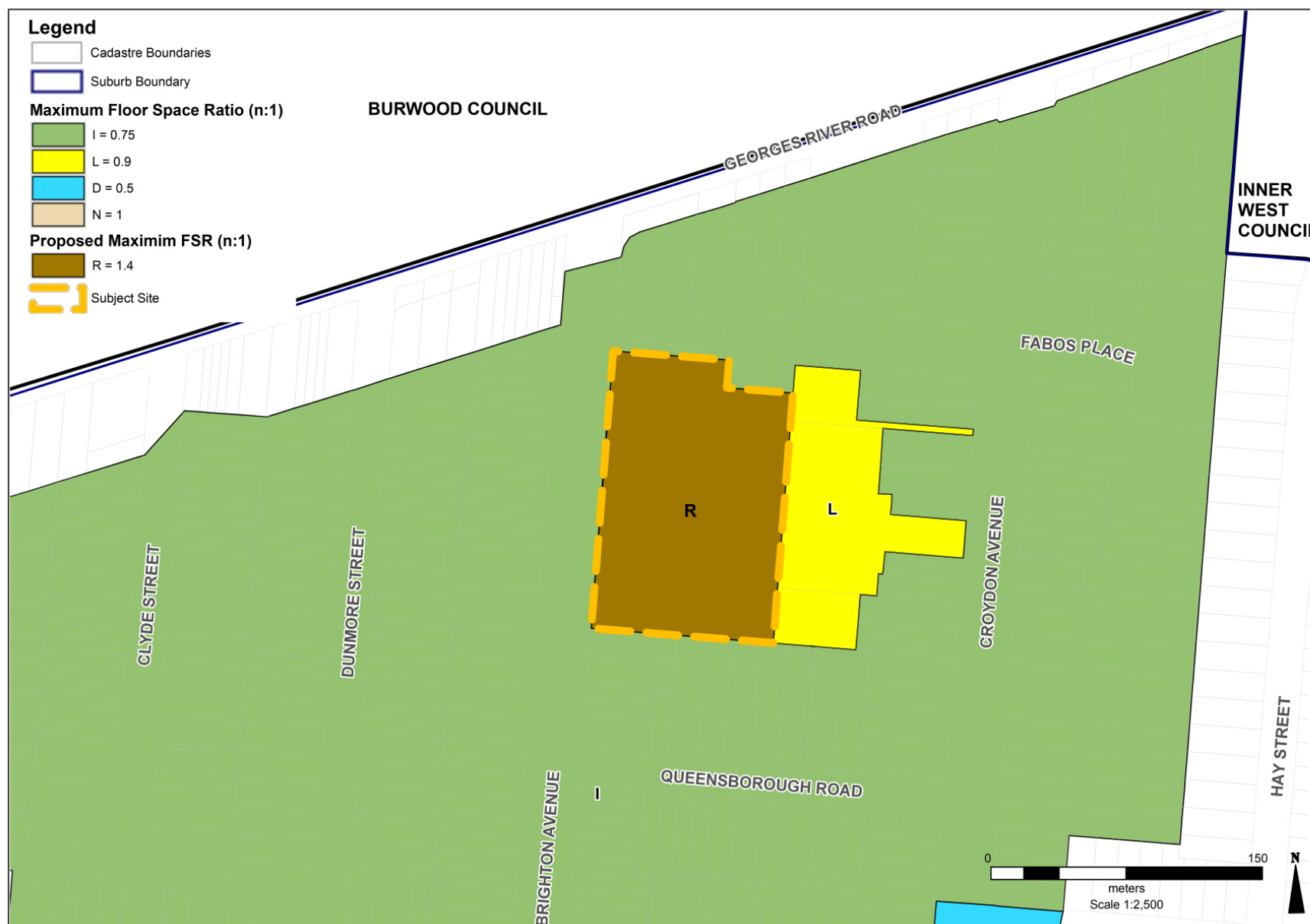


Map 4 – Existing Floor Space Ratio Map



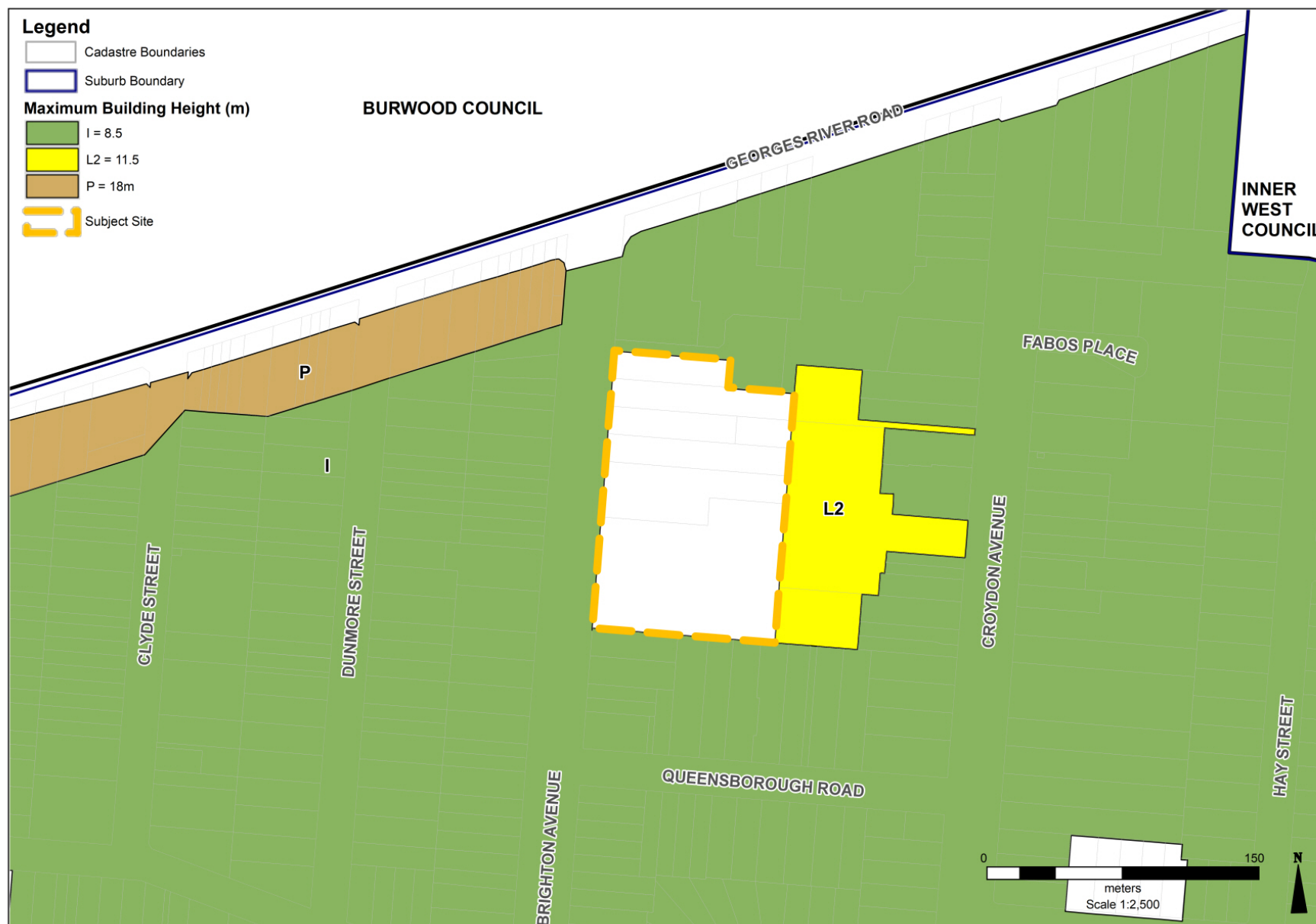


Map 5 – Proposed Floor Space Ratio Map



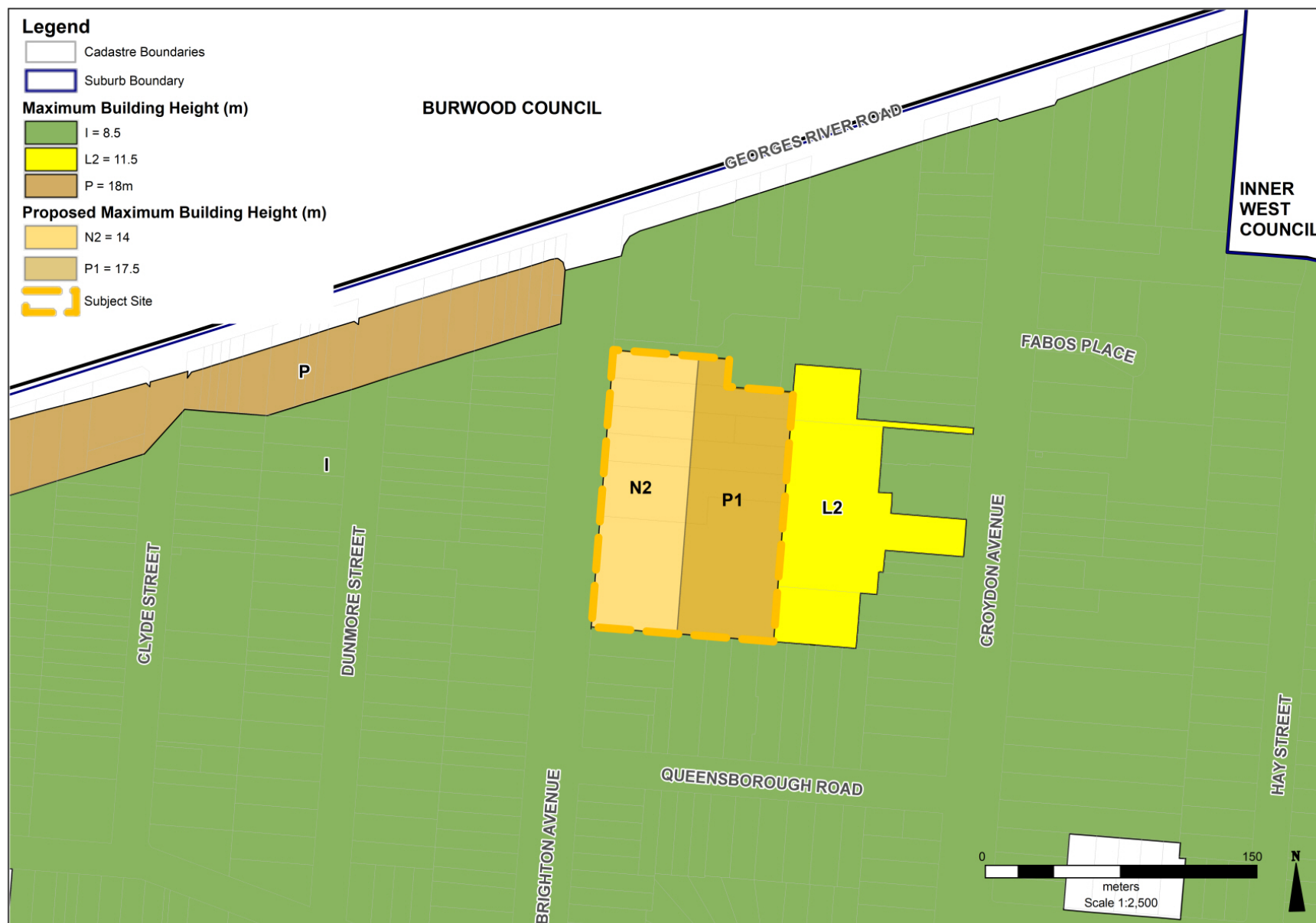


Map 6 – Existing Building Height Map





Map 7 – Proposed Building Height Map





Map 8 – Current Aerial Image: Surrounding Context





Part 5 – Community Consultation

Public exhibition originally occurred in 2017 between the 31 October and 25 November of that year.

As part of the original public exhibition period, written notification was provided to the public authorities for a minimum of 21 days as required by the Gateway Determination:

- Ashbury Public School
- Ausgrid
- NSW Department of Education
- NSW Heritage Office
- Transport for NSW (including Local bus operators)

The planning proposal has been revised for re-exhibition to reflect contemporary strategic documents, respond to community submissions from the original 2017 exhibition and ensure compliance with the Gateway Determination requirements.

The re-exhibition period of this planning proposal will be a minimum of 28 days and comprise of:

- Written notification to affected and adjoining property owners.
- Displays on the Council corporate website.
- Notification in the local newspaper that circulates in the area affected by this planning proposal, if required.



Part 6 – Project Timeline

The table below provides a rough timeframe for completion of the planning proposal.

Task	Timing*
Gateway Determination Issue Date (and subsequent alterations)	18 September 2015 27 February 2017 20 October 2017 19 June 2019 12 June 2020
Timeframe for completion of required technical information	Mid-August 2020
Commencement and completion dates for public exhibition period	Original exhibition: 31 October – 25 November 2017 Re-exhibition: Late September – late October 2020
Government agency consultation (pre and post exhibition as required by Gateway determination)	31 October – 25 November 2017 (Undertaken concurrently with the original public exhibition period)
Dates for public hearing (if required)	Not applicable
Timeframe for consideration of submissions	2 weeks following conclusion of re-exhibition period
Consideration of Planning Proposal by Council post exhibition (Ordinary Council Meeting)	December 2020
Date of submission to the Department to finalise the LEP	7 weeks following conclusion of re-exhibition period
Anticipated date the local plan-making authority will make the plan (if authorised) and/or forward to the PCO for publication.	2 weeks after receipt of PP

* Actual dates where known, otherwise indicative timeframes are shown.

Overall Council anticipates that planning proposal will be issued to the PCO for publication 16 weeks after the re-exhibition period concludes.



ATTACHMENT A – State Environmental Planning Policies

No.	SEPPs (as at June 2020)	Applicable	Consistent
19	Bushland in Urban Areas	Yes	Yes
21	Caravan Parks	Yes	Yes
33	Hazardous & Offensive Development	Yes	Yes
36	Manufactured Home Estates	No	N/A
47	Moore Park Showground	No	N/A
50	Canal Estate Development	Yes	Yes
55	Remediation of Land	Yes	Yes
64	Advertising & Signage	Yes	Yes
65	Design Quality of Residential Apartment Development	Yes	Yes
70	Affordable Housing (Revised Schemes)	No	N/A
	(Aboriginal Land) 2019	No	N/A
	(Affordable Rental Housing) 2009	Yes	Yes
	(Building Sustainability Index: BASIX) 2004	Yes	Yes
	(Coastal Management) 2018	No	N/A
	(Concurrences and Consents) 2018	Yes	Yes
	(Educational Establishments and Child Care Facilities) 2017	Yes	Yes
	(Exempt & Complying Development Codes) 2008	Yes	Yes
	(Gosford City Centre) 2018	No	N/A
	(Housing for Seniors or People with a Disability) 2004	Yes	Yes
	(Infrastructure) 2007	Yes	Yes
	(Koala Habitat Protection) 2019	No	N/A
	(Kosciuszko National Park–Alpine Resorts) 2007	No	N/A
	(Kurnell Peninsula) 1989	No	N/A
	(Mining, Petroleum Production & Extractive Industries) 2007	Yes	Yes
	(Penrith Lakes Scheme) 1989	No	N/A
	(Primary Production and Rural Development) 2019	Yes	Yes
	(State & Regional Development) 2011	Yes	Yes
	(State Significant Precincts) 2005	Yes	Yes
	(Sydney Drinking Water Catchment) 2011	No	N/A
	(Sydney Region Growth Centres) 2006	No	N/A
	(Three Ports) 2013	No	N/A
	(Urban Renewal) 2010	No	N/A
	(Vegetation in Non–Rural Areas) 2017	Yes	Yes
	(Western Sydney Employment Area) 2009	No	N/A
	(Western Sydney Parklands) 2009	No	N/A
	Greater Metropolitan REP No 2–Georges River Catchment	Yes	Yes
	Sydney REP (Sydney Harbour Catchment) 2005	No	N/A



ATTACHMENT B – Ministerial Directions

As per section 9.1(2) of the EPA Act 1979.

Direction [Issue Date]		Applicable	Consistent
Employment and Resources			
1.1	Business and Industrial Zones [01/05/17]	Yes	No
1.2	Rural Zones [14/04/16]	No	N/A
1.3	Mining, Petroleum Production & Extractive Industries [01/07/09]	No	N/A
1.4	Oyster Aquaculture [01/07/09]	No	N/A
1.5	Rural Lands [28/02/19]	No	N/A
Environment and Heritage			
2.1	Environment Protection Zones [14/04/16]	No	N/A
2.2	Coastal Protection [03/04/18]	No	N/A
2.3	Heritage Conservation [01/07/09]	Yes	Yes
2.4	Recreation Vehicle Areas [14/04/16]	Yes	Yes
2.5	Application of E2 and E3 Zones & Environmental Overlays in Far North Coast LEPs [02/03/16]	No	N/A
2.6	Remediation of Contamination Land [17/04/20]	Yes	Yes
Housing, Infrastructure and Urban Development			
3.1	Residential Zones [14/04/16]	Yes	Yes
3.2	Caravan Parks & Manufactured Home Estates [14/04/16]	Yes	Yes
3.3	Home Occupations [01/07/09]	Yes	Yes
3.4	Integrating Land Use and Transport [14/04/16]	Yes	Yes
3.5	Development Near Regulated Airports and Defence Airfields [14/04/16]	No	N/A
3.6	Shooting Ranges [16/02/11]	No	N/A
3.7	Reduction in non-hosted short term rental accommodation period [15/02/19]	No	N/A
Hazard and Risk			
4.1	Acid Sulfate Soils [01/07/09]	Yes	Yes
4.2	Mine Subsidence and Unstable Land [14/04/16]	No	N/A
4.3	Flood Prone Land [01/07/09]	No	N/A
4.4	Planning for Bushfire Protection [01/07/09]	No	N/A



Direction [Issue Date]		Applicable	Consistent
Regional Planning			
5.1	Implementation of Regional Strategies [01/05/17]	No	N/A
5.2	Sydney Drinking Water Catchments [03/03/11]	No	N/A
5.3	Farmland of State & Regional Significance on the NSW Far North Coast [01/05/17]	No	N/A
5.4	Commercial & Retail Development along the Pacific Highway, North Coast [21/08/15]	No	N/A
	Directions 5.5 – 5.8 have been revoked		
5.9	North West Rail Link Corridor Strategy [30/09/13]	No	N/A
5.10	Implementation of Regional Plans [14/04/16]	Yes	Yes
5.11	Development of Aboriginal Land Council land [6/02/19]	No	N/A
Local Plan Making			
6.1	Approval and Referral Requirements [01/07/09]	Yes	Yes
6.2	Reserving Land for Public Purposes [01/07/09]	Yes	Yes
6.3	Site Specific Provisions [01/07/09]	Yes	Yes
Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney [14/01/15]	Yes	No
7.2	Implementation of Greater Macarthur Land Release Investigation [22/09/15]	No	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy [09/12/16]	No	N/A
7.4	Implementation of North West Priority Growth Area Land Use & Infrastructure Plan [15/05/17]	No	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Land Use & Infrastructure Plan [25/07/17]	No	N/A
7.6	Implementation of Wilton Priority Growth Area Land Use & Infrastructure Plan [05/08/17]	No	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor [22/12/17]	No	N/A
7.8	Implementation of Western Sydney Aerotropolis Land Use & Infrastructure Implementation Plan [20/08/18]	No	N/A
7.9	Implementation of Bayside West Precincts 2036 Plan [25/09/18]	No	N/A
7.10	Implementation of Planning Principles for the Cooks Cove Precinct [25/09/18]	No	N/A