

ITEM 5.1 Planning Proposal: 353–355 Waterloo Road in Greenacre

AUTHOR **Planning**

PURPOSE AND BACKGROUND

This report considers an application to amend the building height controls for the site at 353–355 Waterloo Road in Greenacre, known as the Chullora Marketplace.

ISSUE

Council is in receipt of an application to prepare a planning proposal for the site at 353–355 Waterloo Road in Greenacre. The application seeks to amend Bankstown Local Environmental Plan 2015 by increasing the maximum building height from 11 metres (three storeys) to 14–20 metres (four–six storeys), and rezone the site at 353 Waterloo Road (house site) from R2 Low Density Residential to B2 Local Centre. No change is proposed to the zoning of the current Chullora Market Place site at 355 Waterloo Street Greenacre, this site will remain zoned as B2 Local Centre.

Council’s assessment indicates the proposal has strategic merit subject to implement the recommendations of an independent urban design peer review. The assessment also identifies the need for additional information as part of the Gateway process to manage the likely effects of the proposal, namely a Social Impact and Community Needs Assessment, revised Traffic Study for the purposes of consultation with the Roads & Maritime Services, Heritage Study and Economic Impact Study.

The Local Planning Panel considered Council’s report on 19 November 2018. The Panel endorsed the report’s recommendation to proceed to Gateway.

RECOMMENDATION That -

1. Council prepare and submit a planning proposal to the Greater Sydney Commission to seek a Gateway Determination for the following amendments to Bankstown Local Environmental Plan 2015:
 - (a) For the site at 355 Waterloo Road in Greenacre (Chullora Marketplace):
 - (i) Apply a maximum 0.65:1 FSR for the purposes of residential development, while retaining the existing 1:1 FSR for the site.
 - (ii) Permit a maximum building height of 11 metres (three storeys) along the southern boundary, 14 metres (four storeys) along the eastern and western boundaries, and 20 metres (six storeys) for the remainder of the site, as shown in Attachment A.
 - (b) For the site at 353 Waterloo Road in Greenacre (house site):
 - (i) Rezone the site to Zone B2 Local Centre.
 - (ii) Permit a maximum 1:1 FSR for the site. Within the 1:1 FSR envelope, apply a maximum 0.65:1 FSR for the purposes of residential development.
 - (iii) Permit a maximum building height of 14 metres (four storeys).

- (iv) Do not apply the Lot Size Map as the Lot Size Map does not apply to Zone B2 Local Centre.
- 2. The Gateway process should require the following additional information:
 - (a) Social Impact and Community Needs Assessment
 - (b) Heritage Study for the site at 355 Waterloo Road in Greenacre
 - (c) Revised Traffic Study for the purposes of consultation with the Roads & Maritime Services
 - (d) Economic Impact Study to analyse the potential impacts on the Greenacre Small Village Centre as a result of the proposal.
- 3. Council seek authority from the Greater Sydney Commission to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning & Assessment Act 1979.
- 4. Subject to the issue of a Gateway Determination, Council exhibit the planning proposal.
- 5. Council prepare and concurrently exhibit DCP amendments to support the planning proposal, and the matter be reported to Council following the exhibition.

ATTACHMENTS

- A. Proposed amendments to the FSR Map and Height of Buildings Map
- B. Urban Design Peer Review
- C. Local Planning Panel–Council Report
- D. Local Planning Panel–Minutes

POLICY IMPACT

This matter is consistent with the Greater Sydney Commission's Greater Sydney Region Plan and South District Plan. These Plans identify Chullora as a local centre which is well connected to the road network and bus services. These Plans also identify Chullora as an appropriate location for mixed use commercial / residential development provided the local centre's primary role to provide employment, goods and services is protected.

FINANCIAL IMPACT

This matter has no financial implications for Council. The requirement for local infrastructure upgrades would be borne by the developer as part of any development approval. A requirement to augment or improve local community facilities could be considered as part of a voluntary planning agreement between Council and the proponent.

COMMUNITY IMPACT

The application indicates possible public domain improvements to be undertaken by the proponent, including the upgrade of the playground at Norfolk Reserve and a pedestrian crossing on the northern side of the Norfolk Road / Waterloo Road intersection. These works could be delivered by way of conditions of development consent or via the proponent entering a voluntary planning agreement with Council.

This report identifies the need for a Social Impact and Community Needs Assessment prior to finalising an assessment of the public benefits. Council may need a mechanism with the proponent to deliver the public benefits in a timely manner. This may involve a planning agreement to legally capture the public benefits. If a planning agreement is required, it would be separately reported to Council.

DETAILED INFORMATION

Site Description

The site at 353–355 Waterloo Road in Greenacre comprises the following properties as shown in Figures 1 and 2:

Property Address	Property Description	Current Zone	Site Area
353 Waterloo Road	Lot 9, DP 10945	Zone R2 Low Density Residential	696m ²
355 Waterloo Road	Lot 41, DP 1037863	Zone B2 Local Centre	56,304m ²

The Chullora Marketplace shopping centre at 355 Waterloo Road is single storey (24,600m² floor area) with on-site parking for approximately 860 cars. The site was formerly the Liebentritt Pottery site and is listed as a local heritage item of archaeological significance. The site at 353 Waterloo Road contains a dwelling house.

The site adjoins the Malik Fayed Islamic School to the north, low density residential development to the south, and Norfolk Reserve to the east. According to Council's Community Land Generic Plan of Management, Norfolk Reserve contains endangered ecological communities. The southern edge of the reserve contains a playground and allows for informal pedestrian access to the shopping centre from the surrounding residential streets.

In relation to local context, the nearby Greenacre Small Village Centre is located approximately 2km south of the site. The site is serviced by bus services, with connections to Bankstown and Liverpool.



Figure 1: Site Map

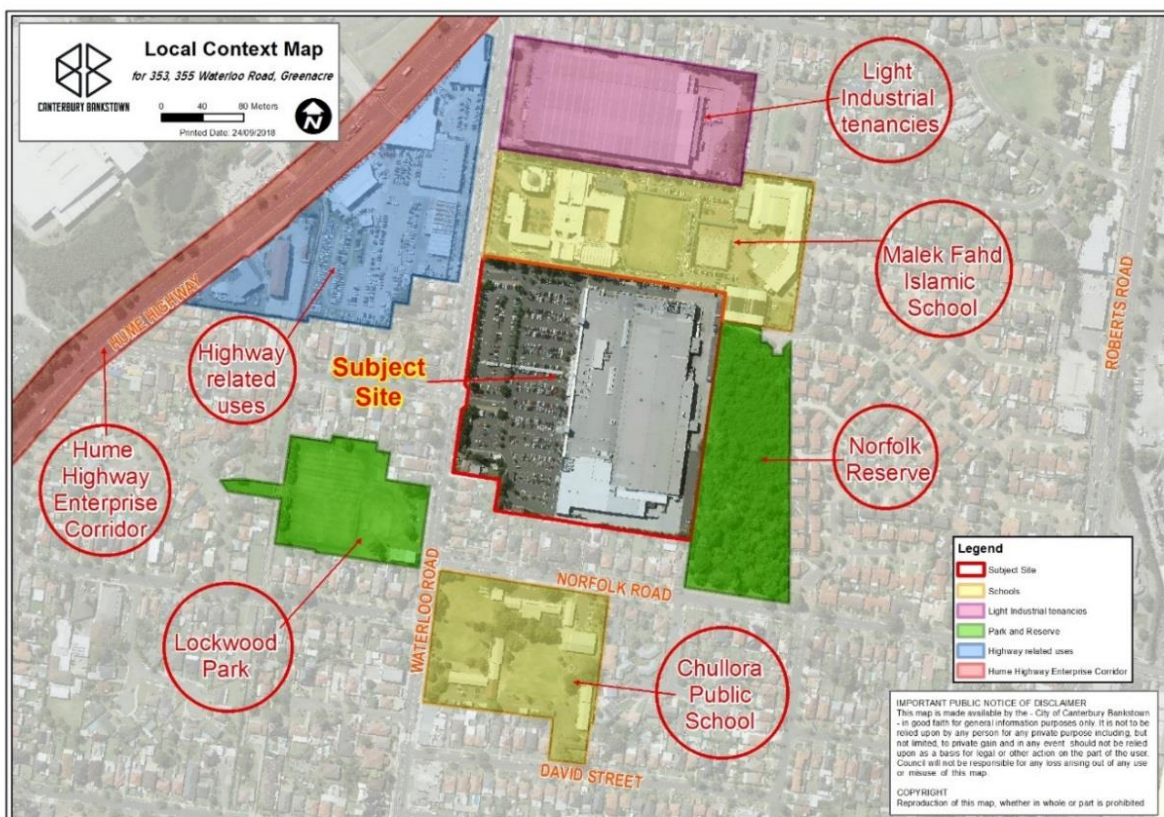


Figure 2: Locality Map

Proposal

In May 2018, Council received an application to amend Bankstown Local Environmental Plan 2015 as follows:

355 Waterloo Road (Chullora Marketplace site)	Current controls	Proposed controls
Maximum building height	11 metres (3 storeys)	14–20 metres (4–6 storeys)
353 Waterloo Road (house site)	Current controls	Proposed controls
Zone	R2 Low Density Residential	B2 Local Centre
Maximum FSR	0.5:1	1:1
Maximum building height	9 metres (2 storeys)	14 metres (4 storeys)
Minimum subdivision lot size	450m ²	Do not apply the Lot Size Map as the Lot Size Map does not apply to Zone B2 Local Centre

The application includes an indicative concept plan, which proposes mixed use development (3–6 storeys) with shop top housing and associated parking (1,294 spaces) within podium levels (refer to Figures 3 and 4). The key feature is a central roadway and plaza area with active frontages to enhance a 'sense of place' and provide community space.

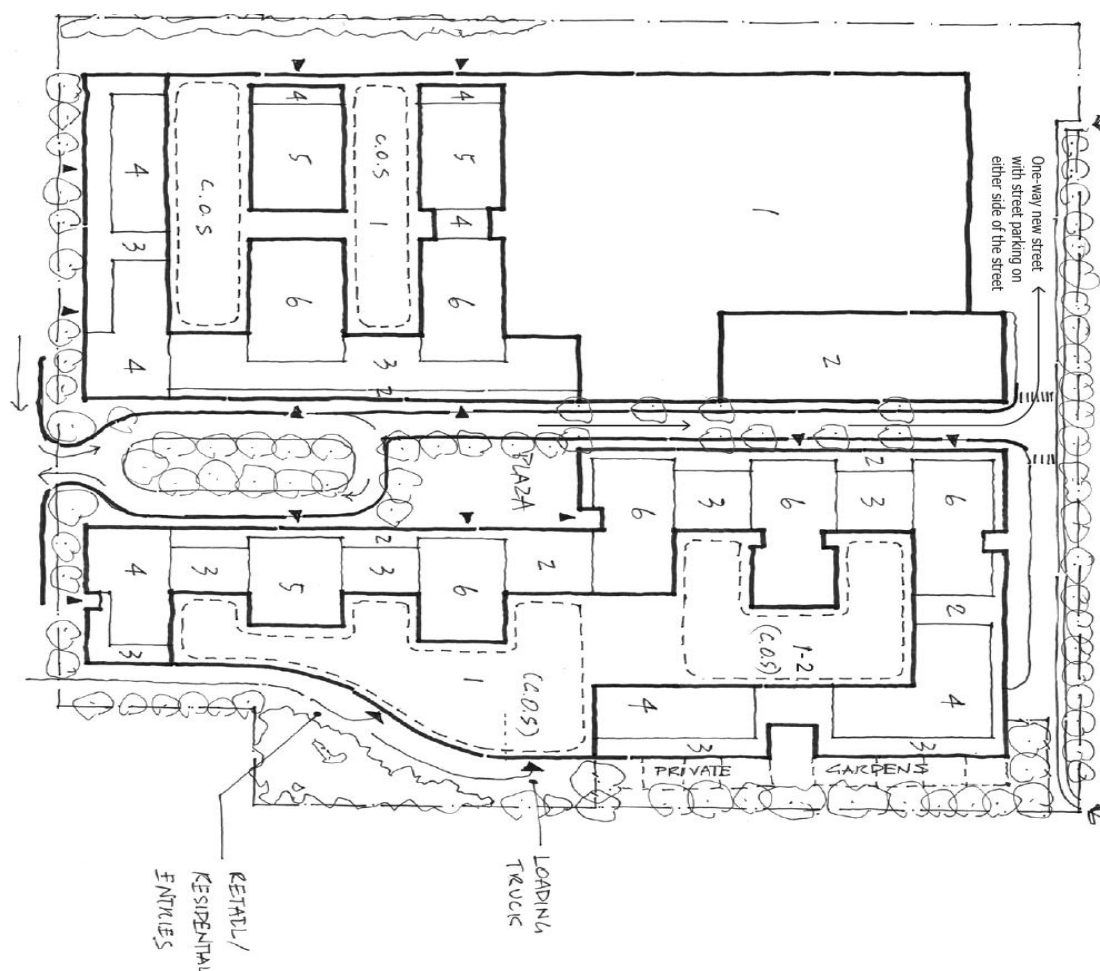


Figure 3: Application's indicative concept plan



Figure 4: Application's indicative concept plan showing the new central piazza from Waterloo Road

Local Planning Panel

Council carried out an assessment of the application and commissioned an urban design peer review for the purposes of reporting the matter to the Local Planning Panel. In accordance with the Department of Planning & Environment's Direction, the Panel is to consider planning proposal requests and recommend whether the matter should proceed to a Gateway Determination.

Council's assessment indicates the proposal has strategic merit subject to implement the recommendations of the urban design peer review to:

- Provide a built form that is compatible with the surrounding context.
- Reinforce the commercial function of the local centre.

The assessment also identifies the need for additional information to manage the likely effects of the proposal, namely a Social Impact and Community Needs Assessment, revised Traffic Study for the purposes of consultation with the Roads & Maritime Services, Heritage Study and Economic Impact Study.

The urban design peer review is shown in Attachment B and Council's assessment report is shown in Attachment C.

The Local Planning Panel considered the assessment report and urban design peer review on 19 November 2018. As shown in Attachment D, the Panel's comments and recommendation are:

The Panel has considered the submissions and those made on behalf of the Applicant at the meeting.

It has been brought to the Panel's attention that there is a typographical error on page 151 of the officer's report and 1(a)(i) should say: "Rezone the site to Zone B2 Local Centre."

The Panel notes that the concept plans propose reducing the commercial parking and allocating additional parking for the residential units. This would be a matter for the Development Application stage, however the Panel is of the opinion that this should not occur, given the stand alone nature of this commercial site, and the full component of parking be allocated to the Commercial premises in accordance with Council's DCP.

It is noted that the Applicant raised no issue with the residential limit of 0.65:1 for residential component on the subject site.

CBLPP Recommendation

The Panel endorses the Council Officer's report with minor amendments shown in bold and the panel recommends to the Council adoption of the recommendation to proceed to Gateway as follows:

1. *The application to amend Bankstown Local Environmental Plan 2015 should proceed to Gateway subject to the following:*
 - (a) *For the site at 353 Waterloo Road Greenacre:*
 - (i) **Rezone the site to Zone B2 Local Centre.**
 - (ii) *Permit a maximum 1:1 FSR for the site. Within the 1:1 FSR envelope, apply a maximum 0.65:1 FSR for the purposes of residential development.*
 - (iii) *Permit a maximum building height of 14 metres (four storeys).*
 - (iv) *Do not apply the Lot Size Map as the Lot Size Map does not apply to Zone B2 Local Centre.*
 - (b) *For site at 355 Waterloo Road Greenacre:*
 - (i) *Apply a maximum 0.65:1 FSR for the purposes of residential development, while retaining the existing 1:1 FSR for the site.*
 - (ii) *Permit a maximum height of 11 metres (three storeys) along the southern boundary, 14 metres (four storeys) along the eastern and western boundaries, and 20 metres (six storeys) for the remainder of the site, as shown in Figure 11 of this report.*
2. *The Gateway process should require the following additional information:*
 - (a) *Social Impact and Community Needs Assessment*
 - (b) *Heritage Study for the site at 355 Waterloo Road Greenacre*
 - (c) *Revised Traffic Study for the purposes of consultation with the Roads & Maritimes services*

- (d) *Economic Impact Study to analyse potential impacts on the Greenacre Small Village Centre as a result of the proposal.*
3. *Council should seek authority from the Greater Sydney Commission to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning & Assessment Act 1979.*
4. *Council prepare a site specific DCP Amendment.*

Panel Reason

Given the location and context of this large site the panel agrees with the Officer's recommendation of the need for a site specific DCP and the provision of additional information that must be provided to ensure orderly development of the site.

Following the Panel Meeting, the proponent sought to clarify a comment made by the Local Planning Panel. In relation to parking, *'the proponent notes the Local Planning Panel's comments about a reduction in commercial parking and wishes to make it clear that the planning proposal does not propose any reduction in commercial car parking requirements. It also does not propose any change to the amount of commercial or residential floor area permitted under the current controls. The intention of the planning proposal is primarily to improve the quality of the centre through a modest increase in building height centrally within the site that will enable an improved public domain for the local community'*. This comment by the proponent is noted.

Next Steps

The next step is to prepare and submit a planning proposal to the Greater Sydney Commission to seek a Gateway Determination. The planning proposal would request amendments to Bankstown Local Environmental Plan 2015 and additional studies in accordance with the Local Planning Panel's recommendation. It is also proposed to prepare draft DCP amendments to support the planning proposal.

Following the exhibition of the planning proposal and draft DCP amendments, the outcomes would be reported to Council.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 11 DECEMBER 2018

SUSPENSION OF STANDING ORDERS

(457)

CLR. DOWNEY:/CLR. TUNTEVSKI

1. Permission be granted to those people who have made the necessary application to address Council for five minutes.
2. Standing Orders be suspended and Items 8.4, 5.1, 7.6 and 7.7 be dealt with now.
3. Standing Orders then be resumed.

- CARRIED

ITEM 8.4

JENSEN PARK SYNTHETIC FIELD PROJECT

(458)

CLR. HARIKA:/CLR. TUNTEVSKI

RESOLVED that

1. Council endorse the proposed transitional arrangements, as outlined in the report.
2. Given its Regional Sports Facility Framework and improvements made at Jensen Park, Council, BCFC and BDAFA look to re-visit the current Memorandum of Understanding for Jensen Park as a “Centre of Football Excellence”.
3. Council be provided with further reports on the matter, as required.

- CARRIED

ITEM 5.1

PLANNING PROPOSAL: 353–355 WATERLOO ROAD IN GREENACRE

MR DAN MAURICI FROM HENROTH GROUP (APPLICANT) ADDRESSED COUNCIL

(459)

CLR. EL-HAYEK:/CLR. TUNTEVSKI

RESOLVED that

1. The matter be deferred subject to the applicant providing the following additional information as outlined in the report:
 - (a) Social Impact and Community Needs Assessment
 - (b) Heritage Study for the site at 355 Waterloo Road, Greenacre

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- (c) Revised Traffic Study for the purposes of consultation with the Roads & Maritime Services
 - (d) Economic Impact Study to analyse the potential impacts on the Greenacre Small Village Centre as a result of the proposal.
2. Once the additional information is received and evaluated, a further report be provided to Council on the matter.

- CARRIED

For:- Clrs Asfour, Downey, Eisler, El-Hayek, Harika, Ishac, Kuskoff, Saleh, Tuntevski, Waud, Zakhia and Zaman

Against:- Clr Madirazza

ITEM 7.6 COMPULSORY ACQUISITION OF 15 CLOSE STREET CANTERBURY FOR THE PURPOSE OF A CONSTRUCTION LEASE FOR THE SYDNEY METRO CITY AND SOUTHWEST PROJECT

MS BARBARA COOREY (RESIDENT) ADDRESSED COUNCIL

(460) CLR. DOWNEY:/CLR. HARIKA

RESOLVED that an extension of two minutes be given to Ms Coorey to address Council.

(461) CLR. EISLER:/CLR. TUNTEVSKI

RESOLVED that

- 1. Council note the withdrawal of Sydney Metro from utilising 15 Close Street.
- 2. No further change or use of the site occur until such time as the broader planning for the precinct occurs.

- CARRIED