

# **Planning Proposal to Amend Canterbury Local Environmental Plan 2012**



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

**City Planning  
January 2017**

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## EXECUTIVE SUMMARY & BACKGROUND

In September 2013 Council received a submission from Dickson Rothschild, in the form of a planning proposal, to rezone land at 15-33 Brighton Avenue, Croydon Park from IN2 Light Industrial to R4 High Density Residential. The submission also sought to increase the maximum building height of this land to 26 metres, and to introduce a maximum floor space ratio (FSR) control of 2.5:1.

Council engaged consultants SGS Economics & Planning to undertake an independent assessment of the proposal. They concluded that the planning proposal could be conditionally supported as this light industrial precinct is not feasible in terms of serving as employment land and has experienced decline in this context. Their report further concluded that their modeling showing that the FSR of 0.9:1 and height of 11.5 meters (as per adjoining site) was sufficient to make the site viable for residential development.

A report on this matter was considered by Council at its meeting of 11 December 2014. Council resolved that the planning proposal be prepared to amend Canterbury Local Environmental Plan by amending the following:

1. *The land at 15-33 Brighton Avenue, Croydon Park be rezoned to R4 High Density Residential.*
2. *The maximum floor space ratio be set at 2:1 and the maximum building height be set at 15.0 metres as the site has the capacity to accommodate increased development densities and will contribute to the achievement of strategic planning goals to provide higher density housing in an accessible location.*
3. *A planning proposal be prepared as an amendment to Canterbury Local Environmental Plan 2012 and forwarded to the Department of Planning for Gateway determination and subsequent public exhibition.*

A planning proposal was prepared in accordance with the terms of Council's resolution and forwarded to the Department of Planning and Environment in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and the Department of Planning and Infrastructure's "A guide to preparing planning proposals".

The Department of Planning and Environment, on 18<sup>th</sup> September 2015, issued a conditional Gateway Determination (PP\_2015\_CANTE\_004\_00) that an amendment to the CLEP 2012 to rezone light industrial land at 15-33 Brighton Street, Croydon Park, from IN2 Light Industrial to R4 High Density Residential, should proceed.

The key conditions attached to the Determination were as follows:

*Prior to public exhibition, the planning proposal is to be updated as follows:*

- a) *Amend the maximum floor space ratio to be 0.9:1 (across the whole site);*
- b) *Include a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines, to meet requirements under State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);*
- c) *Integrate an area of open space within the site that is publicly accessible and suitably configured.*

Since the issue of the Gateway Determination, the applicants have been in ongoing discussions with Council which resulted in the submission of a revised development scheme for the site. (Attachment 8).

Urban design work subsequently commissioned by Council has formed the view that a floor space ratio of 1.4:1 can be adequately sustained on the site in a combination of four and five storey buildings. Further consideration of this issue also concluded that there is no identified need to provide publicly accessible open space within the site as conditioned in the previous Gateway Determination.

Council considered a report on this at its meeting of 6 December 2016 (Attachment 10) where it was resolved that a revised planning proposal be prepared and forwarded to the Department for a new Gateway Determination. The key terms to this resolution were to support the rezoning of the site to R4 High Density Residential, a maximum floor space ratio across the site of 1.4:1, a maximum building height of 4 storeys (14 metres) across the Brighton Avenue frontage and a maximum height of 5 storeys (17.5 metres) across the rear of the site.

This planning proposal responds to the terms of Council's resolution and a Gateway Determination is now sought.

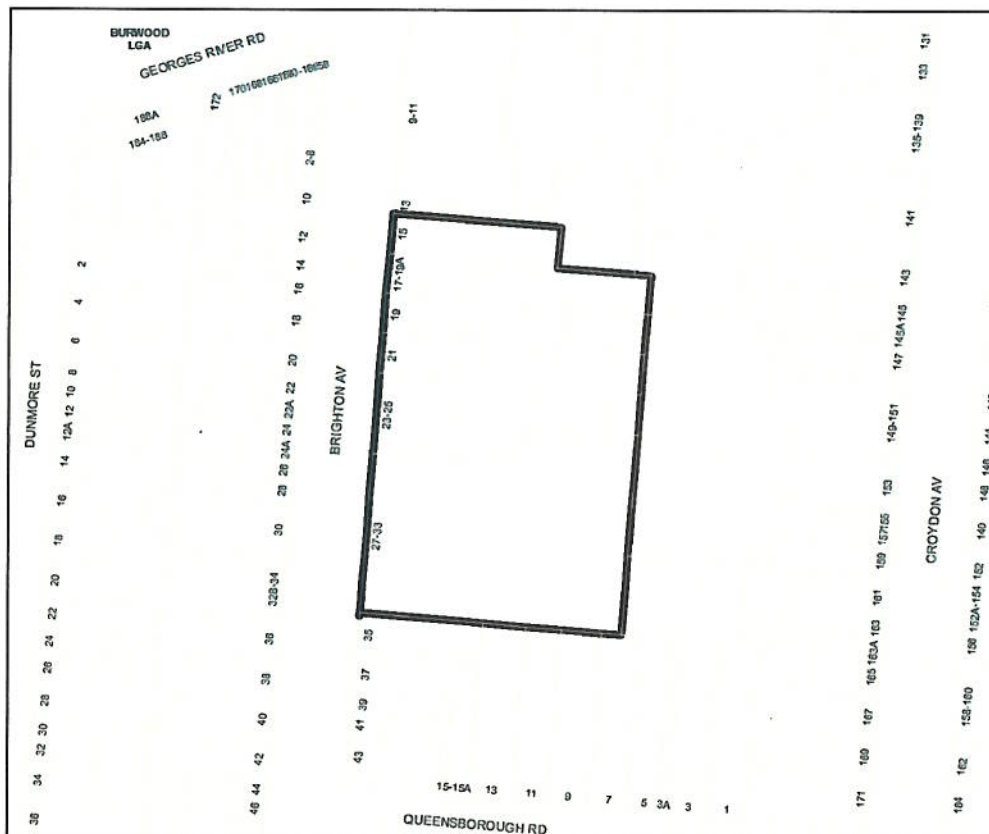
## 1. Land Description and Characteristics

The planning proposal applies to land located at 15-33 Brighton Avenue, Croydon Park. It comprises the following land parcels as set out in Table 1 below:

**Table 1: Land description and area**

Address	Property description	Land area
15 Brighton Avenue	Lot C DP440959	973.7m <sup>2</sup>
17-19A Brighton Avenue	Lot 2A DP 3010	1532.72m <sup>2</sup>
	Lot B DP 333556	461.6m <sup>2</sup>
19 Brighton Avenue	Lot A DP 333556	1062m <sup>2</sup>
21 Brighton Avenue	Lot 1 DP 123636	1537m <sup>2</sup>
23-25 Brighton Avenue	Lot 11 DP 862370	2426m <sup>2</sup>
27-33 Brighton Avenue	Lot 10 DP 1026819	6770m <sup>2</sup>

A map outlining the location and street numbers of subject land is shown below:



The land has an overall area of 14,763.02m<sup>2</sup>. The street frontage to Brighton Avenue is approximately 152 metres. The depth of the site varies, but is for the most part approximately 100 metres, except depth of Lot C DP440959, which is about 64 metres. The site is moderately sloping, with a fall of 8-9 metres from north to south.

## 2. Existing development

The land at 15-33 Brighton Avenue has been developed for industrial type uses, consistent with the existing IN2 Light Industrial zoning. All buildings are 1-2 storeys in height. Site buildings are described in Table 2 below:

**Table 2: Existing site development**

Address	Existing site buildings	Use
15 Brighton Avenue	2 storey office/warehouse building	Warehouse / Depot
17 Brighton Avenue	1 storey timber building (former dwelling)	Appears to be used as storage
19 Brighton Avenue	2 storey office/warehouse building	Radiator supplies
21 Brighton Avenue	2 storey office/warehouse building	
23-25 Brighton Avenue	1 storey office/warehouse buildings	Australia Post Mail Distribution Centre (appears to be closed)
27-33 Brighton Avenue	1-2 storey office/hardware building	Sand and soil yard
	2 storey office/warehouse building	Food distribution



Aerial photo showing the subject site's current land use and indicating height of buildings in number of storeys



Note: Typical building heights for residential flat buildings surrounding the site generally indicate the number of residential levels above at grade parking. i.e 3 residential levels above at grade parking giving a presentation to the street of 4 storeys.

Photographs of the site buildings are shown below:



**Photograph 1:** 15 Brighton Avenue



**Photograph 2:** 17 Brighton Avenue





**Photograph 3: 19 Brighton Avenue**



**Photograph 4: 21 Brighton Avenue**



**Photograph 5: 23-25 Brighton Avenue**



**Photograph 6: 27-33 Brighton Avenue**



### 3. Subject land and land context

The subject site is an isolated pocket of industrial land within a residential area. Surrounding development is a mixture of predominantly residential flat buildings, but also comprising town houses, villas and single dwellings. Adjoining and nearby uses are also a church complex and a child care centre. The height of surrounding development ranges from between 1-4 storeys, as described in the Table 3 below and aerial photograph above on page 5.

**Table 3: Surrounding the site land use**

Address	Existing site buildings	Use
9-11 Brighton Avenue	Uniting Church	Church and Presbytery
13 Brighton Avenue	Townhouse	Residential
153 Croydon Avenue	4 storey flat building	Residential
145A Croydon Avenue	Dwelling house	Residential
3-13 Queensborough Road	2 and 3 storey flat buildings	Residential
35 Brighton Avenue	1 storey dwelling house	Child care centre
39-41 Brighton Avenue	1 storey duplex	Residential
37 and 43 Brighton Avenue	2 storey Townhouses	Residential
10-42 Brighton Avenue (opposite to the site)	2 and 3 storey flat buildings and 1 storey dwelling houses	Residential
158 Georges River Road	1 storey pharmacy building	Commercial

The subject land is located within the suburb of Croydon Park, which is an inner western suburb of Sydney. Suburbs surrounding Croydon Park include Croydon, Ashfield, Ashbury, Campsie, and Belfield. Within the context of Metropolitan Sydney, the site is located 11 km west of Sydney CBD and 13 km north of Sydney Airport. Also, the site is 1.8 km from Burwood Town Centre and 1.5 km from Campsie Town Centre. The site is also within close proximity to schools, medical centres and other social infrastructure.

The site is approximately 70 metres south of the northern boundary of Canterbury LGA, at Georges River Road. On the northern side of Georges River Road is Burwood LGA.

Within 100 metres of the site is Croydon Park Town Centre, which is located within both Canterbury and Burwood LGAs. It is defined as a small village centre in the South Subregion Draft Subregional Strategy. The centre is almost directly opposite the subject site. It has a small supermarket, post office, hotel, licensed club, service station and about 50 shops. A public school is also located near the Centre.



**Photograph 7: Croydon Park Town Centre**

The extensive Cooks River open space system is within 400 meters south of the site, and includes walking trails, cycle ways, playing fields, playgrounds and other recreation facilities.



**Photograph 8: Cooks River Open Space system**





**Photograph 9:** Residential flat building development adjoining the subject land to the east



**Photograph 10:** Adjoining child care centre and nearby residential development

#### 4. Transport context

The site is highly accessible to bus services operated by Sydney Buses. Services run directly to the City, and other local and regional destinations. They are set out in the table below:

**Table 2: Bus services in the vicinity of 15-33 Brighton Avenue**

Route No.	Route Description	Bus stops
413	Campsie to City via Ashbury	Within 100 metres of the site (Queensborough Avenue)
490 and 492	Drummoyne to Hurstville/Rockdale via Campsie and Burwood	Within 50 metres of the site (Brighton Avenue)
462, 464 and 465	Ashfield to Cabarita/Mortlake via Burwood	Within 150 metres of the site (Georges River Road)

The closest railway stations to the subject site are Campsie (1.6km), Croydon (1.8 km) and Ashfield (2km). Campsie, Burwood, and Ashfield Stations can also be reached by bus from the site. Furthermore, there is a walking trail/cycleway system near to the site adjoining the Cooks River. This provides local and regional linkages to Botany Bay, Sydney Olympic Park, and other destinations.



**Photograph 11: Cooks River Cycleway**

## **5. The Proposal**

The proponent (Dickson Rothschild) initially sought to rezone the subject land to R4 High Density Residential in order to permit redevelopment for residential apartments along with some associated retail/commercial floor space on the ground floor. The land surrounding the site is zoned R4 High Density Residential. This zoning is also sought for the subject land in this Planning Proposal.

The proponent also sought maximum building height of up to 26 m to accommodate eight (8) storey buildings and a FSR of 2.5:1. A report from Council's independent consultant (SGS Economics & Planning) concluded that new development should be considered in line with surrounding build form and character and that a maximum building height of 11.5 metres and FSR of 0.9:1 should apply to the site.

Council's original resolution however was that the maximum building height be set at 15 metres and the maximum FSR be set at 2:1, to achieve strategic planning goals to provide higher density residential development in an accessible location.

The Gateway Determination recommended the maximum building height should be at 15 metres and the maximum FSR control of 0.9:1 (Attachment 7),

The proponents have since made further submission to Council in the form of a revised development scheme for the site (Attachment 8). This revised scheme proposed building heights of 5 storeys across the site and a density of 1.5:1. Further, it sought review of the Gateway condition requiring the provision of publicly accessible open space within the site.

The proponent's latest submission was peer reviewed by independent urban design consultant commissioned by Council (Attachment 9) which concluded that the site could readily achieve a slightly higher density of development to the site (to that in the original Gateway Determination) whilst maintaining compliance with SEPP 65 and the ADG.

Further investigations also found the imposition of a requirement to provide publicly accessible open space within the site to be onerous. The provision of publicly accessible open spaces within a privately owned development are considered to raise issues in relation to public liability, insurance and enforcement matters that render such provision largely impractical. In addition, an open space needs review (July 2015) did not identify a need for additional open space in the vicinity of the subject site. Hence this planning proposal makes no reference to the provision of any publicly accessible open space within the site.

A report was presented to the 6 December 2016 Council meeting where it was resolved to prepare a revised planning proposal for the site which specified a maximum floor space ratio across the site of 1.4:1, to be developed in a combination of 4 and 5 storey building (Attachment 10).



## 6. Objectives & Intended Outcomes

The objective of the Planning Proposal is to amend the Canterbury LEP 2012 in order to facilitate high density residential development at 15-33 Brighton Avenue, Croydon Park.

The intended outcomes of the Planning Proposal are as follows:

### 1. Rezoning of the subject land

An amendment to the CLEP 2012 is sought in order to change the zoning of the subject land from IN2 Light Industrial zone to the R4 High Density Residential zone. This would facilitate removal of underutilised existing industrial oriented development that is also out of character with surrounding land uses and replace with residential uses that are compatible with surrounding uses.

### 2. Amendment to Floor Space Ratio

An amendment to the CLEP 2012 is sought to change the maximum permissible FSR on the subject land from the current 1:1 to 1.4:1. This would allow for a high density residential apartment building development form that more effectively and efficiently utilises the land.

### 3. Amendment to height of buildings

Being currently zoned for Light Industrial (IN2) purposes, the land is not subject to a maximum building height control. The planning proposal requests a height limit of part 14 metres and part 17.5 metres to apply to the subject land in order to facilitate development of residential flat buildings.

The table below provides a summary of the proposed changes being sought to CLEP 2012:

Standard	Current	September 2015 Gateway	Proposed
Zone	IN2 Light Industrial	R4 High Density Residential	R4 High Density Residential
Height	None applicable	15 metres	Part 14 metres and part 17.5 metres
Floor Space Ratio	1:1	0.9:1	1.4:1



## 7. Explanation of Provisions – Proposed Amendments

The planning proposal seeks to amend the Canterbury LEP 2012 as it applies to the subject land, as per the table below:

1. Amend the Land Zoning (LZN) Map (Sheet LZN\_006) as per Table 1

**Table 1 – Zoning Map changes**

Current (Canterbury LEP 2012)	Proposed LEP amendment
IN2 Light Industrial	R4 High Density Residential

2. Amend the Floor Space Ratio (FSR) Map (Sheet FSR\_006) as per Table 2.

**Table 2 – FSR Map changes**

Current (Canterbury LEP 2012)	Proposed LEP amendment
1:1	1.4:1

3. Amend the Height of Building (HOB) Map (Sheet HOB\_006) as per Table 3.

**Table 3 – HOB Map changes**

Current (Canterbury LEP 2012)	Proposed LEP amendment
No control	Part 14 metres and part 17.5 metres

No changes to the written LEP instrument are required or proposed.

## **8. Justification**

### **SECTION A: Need for the Planning Proposal**

#### **Is the planning proposal the result of any strategic study or report?**

Council commissioned the preparation of a Residential Development Strategy (RDS) for the City of Canterbury. The RDS was adopted by Council on 31 October 2013. The RDS assessed the capacity of Canterbury LGA to meet the current housing target. The planning proposal is partially seeking to depart from findings of the RDS in respect of the subject land, which recommended the current development standards to be maintained.

However, the RDS also recommended that a review of zoning be undertaken within the subject area in the event of significantly increased housing targets for the LGA. The applicant made a submission regarding the subject land in the form of their Planning Proposal seeking rezoning and amendments to the development standards to increase potential of residential development density.

While the original Gateway Determination, of 18<sup>th</sup> September 2015 is conditional upon a 15 metres maximum building height and FSR of 0.9:1 further investigations have concluded that the site is well capable of accommodating a maximum floor space ratio of 1.4:1 in a combination of 4 and 5 storey buildings while achieving satisfactory compliance with SEPP 65 and the ADG.

Surrounding development is characterized by older residential flat buildings, many of which are storeys above at grade parking, thereby giving the physical impression of a 4 storey building. The proposed development scheme of a combination of 4 and 5 storey buildings will not be out of character with the locality.

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

A Planning Proposal is the only means of achieving the type of development sought for. Canterbury LEP 2012 currently does not permit the type of uses or the scale of development proposed. As such an amendment to this LEP is sought through the Planning Proposal process in order to rezone the land and permit a high density residential development.

## SECTION B: Relationship to strategic planning framework

### Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies?

The strategic planning context for consideration of this planning proposal is A Plan for Growing Sydney (December 2014).

The Planning Proposal is considered to be consistent with the goals and directions of this plan. The compliance of the Planning Proposal in this respect is set out in the **Table 1** below.

**Table 1:** Consistency with strategic planning framework

Provision	Comment
<b>Goal 1: Sydney's competitive economy</b>	
Direction 1.1: Grow a more internationally competitive Sydney CBD	Not applicable. The site is not part of the Sydney CBD.
Direction 1.2: Grow Greater Parramatta – Sydney's second CBD	Not applicable. The site is not part of the Parramatta CBD.
Direction 1.3: Establish a new Priority Growth Area	Not applicable. The site is not part of the new Priority Growth Area between Olympic Park and Parramatta.
Direction 1.4: Transform the productivity of Western Sydney	Not applicable. The site is not within Western Sydney.
Direction 1.5: Enhance capacity at Sydney's gateways and freight networks	Not applicable. The site is not a gateway site or part of a freight network.
Direction 1.6: Expand the Global Economic Corridor	Not applicable. The site is not part of the Global Economic Corridor.
Direction 1.7: Grow strategic centres	Not applicable. The site is not near a strategic centre.
Direction 1.8: Enhance linkages to regional NSW	Not applicable.
Direction 1.9: Support priority economic sectors	The proposal involves rezoning of industrial land. Because of the potential impacts of loss of economic activity, an assessment has been undertaken by Council's planning consultant SGS Economics and Planning against the <i>Industrial Lands Strategic Assessment Checklist</i> . In conclusion the SGS report recommends the rezoning of this land in order to fulfil demands for residential development.
Direction 1.10: Plan for education and health services	Not applicable.

<p><b>Goal 2: Sydney's housing choices</b></p> <p>Direction 2.1: Accelerate housing supply across Sydney</p> <p>Direction 2.2: Accelerate urban renewal across Sydney</p> <p>Direction 2.3: Improve housing choice</p> <p>Direction 2.4: Deliver timely and well planned greenfield precincts and housing</p>	<p>The planning proposal is consistent with this direction. It will increase the density of the land on which it is located which will increase its dwelling capacity.</p> <p>The proposal will facilitate urban renewal on a site that is underutilised and within an established urban area. The land is close proximity to Croydon Park Town Centre It is also well connected to frequent public transport services.</p> <p>The supply of apartments in Croydon Park is characterised by two and three storeys walk up flats, particularly dating from the 1960s and 1970s. There are limited modern higher density residential developments, and very little recent development for apartments. The proposal will facilitate housing choice in this respect.</p> <p>Not applicable. Nevertheless, the extensive Cooks River open space system is within 400 m from the site.</p>
<p><b>Goal 3: Sydney's great places to live</b></p> <p>Direction 3.1: Revitalise existing suburbs</p>	<p>The planning proposal will assist in the revitalisation of Croydon Park through providing new housing in an established Sydney suburb that is a desirable location to live and accessible to public transport and a variety of facilities.</p> <p>The existing industrial uses do not contribute in any significant way to the vitality of Croydon Park, and have a potentially detracting impact through noise and heavy vehicle movements in a predominantly residential area.</p>
<p><b>Goal 4: Sydney's sustainable and resilient environment</b></p>	<p>Not applicable. The planning proposal is only dealing with one relatively small site.</p>
<p><b>South subregion priorities</b></p>	<p>This section of the plan does contain any specific priorities not already dealt with the above assessment.</p>



The Planning Proposal is considered to be consistent with the objectives and provisions of the strategic planning merit. The compliance of the Planning Proposal with the relevant regional and sub-regional strategies is set out in **Table 2** below.

**Table 2:** Consistency with strategic planning merit

Criteria	Assessment
<b>Is the proposed rezoning consistent with State and/or council strategies on the future role of industrial lands?</b>	<ul style="list-style-type: none"> <li>Under the Employment Lands Development Program and the <i>South Subregion draft Subregional Strategy</i> (2007), the precinct is listed as Category 1 industrial land to be retained for industrial purposes.</li> <li>'Towards 2032 - Canterbury Economic Development and Employment Strategy (2009)' however identified the precinct as one of a number of fragmented industrial precincts in the LGA which were assessed as a group. A number of these precincts were recommended for rezoning, including this precinct in Croydon Park.</li> </ul>
<b>Is the site near or within direct access to key economic infrastructure?</b>	<ul style="list-style-type: none"> <li>The precinct is located near a main road (Georges River Road), which constitutes an important thoroughfare providing access east towards Ashfield and west towards Bankstown.</li> <li>The precinct is not located within a key centre, however is located in close proximity to Croydon Park (small village centre) and 1.5 kilometres north of Campsie (district centre).</li> </ul>
<b>Is the site contributing to a significant industry cluster?</b>	<ul style="list-style-type: none"> <li>The precinct does not contain a significant industry cluster but 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.</li> </ul>
<b>How would the proposed rezoning impact the industrial land stocks in the subregion or region and the ability to meet future demand for industrial land activity?</b>	<ul style="list-style-type: none"> <li>In terms of land stock the precinct only represents 1% of the total stock for Canterbury LGA. The change of use of the precinct would not have a significant impact on supply if the site were to be rezoned. The precinct represents 0.4% of the stock of the regional stock (Canterbury, Strathfield, Ashfield and Burwood) of industrial land.</li> <li>As discussed previously, demand for industrial floor space is declining in Canterbury LGA with declines projected in all industrial land uses to 2031. 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. In terms of at a regional level, increases are projected in some industrial employment categories in Strathfield LGA, however, there is enough current supply to meet this demand.</li> </ul>

**How would the proposed rezoning impact on the achievement of the subregion/region and LGA employment capacity targets and employment objectives?**

- The proposed rezoning is expected to have only a limited impact on the achievement of the sub-regional employment targets and employment objectives. The south subregion (in which Canterbury is located) has a subregional employment target of 43,000 new jobs between 2011 and 2031. Of this 5,000 jobs are for Hurstville and 2,000 jobs will be located in Kogarah. The rest of the jobs are to be allocated at an LGA level through the sub regional planning process.
- As discussed, growth in employment is primarily projected to be in health care, education and public administration which is expected to be concentrated in existing or proposed health care and education facilities and government offices.
- 'Towards 2032' highlighted that growth in employment in Canterbury is projected to be accommodated in larger centres and employment corridors.
- The subject industrial precinct is not considered to be an appropriate location for this growth.

**Is the Planning Proposal consistent with local Council's community strategic plan, or other local strategic plan?**

Council's Community Strategic Plan 2014-2023 (Community Plan), which was adopted in February 2014, sets the vision for the Canterbury LGA into the next decade and aims to promote sustainable living. The Community Plan sets out long term goals under five key themes being:

- Attractive city
- Stronger community
- Healthy environment
- Strategic leadership
- Improving Council

The Planning Proposal is consistent with Council's Community Strategic Plan. It helps to achieve the objective of '*Attractive City*' through proposed high density residential development that will replace existing out of character industrial uses; as well as '*Balanced Urban Development*' through the location of new housing close to public transport and shopping/community facilities.

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

Yes. See Attachment 2.

**Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

Yes. See Attachment 3.

## **SECTION C: Environmental, social and economic impact**

**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?**

No. The site has already been developed for a range of industrial uses and is unlikely to contain any original native vegetation or animal habitats. Also, the site is surrounded with a fully urbanised environment. As a result there is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected.

**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 well as under SEPP 65.

**The key considerations arising from the planning proposal are determined below:**

### **Building Form**

The subject land is located within relatively large precinct of R4 High Density Residential Zone, characterised by predominant two and three storeys walk up flats, developed during the 1960s and 1970s. There are also single and double storeys residential buildings and 4 (four) storeys flat building directly adjoining the site to the east. Two sets of planning controls applying to the surrounding land. These are either building height 11.5 metres and FSR 0.9:1, or building height 8.5 metres and FSR 0.75:1, depending on the site.

The proposed height and FSR for the site will exceed the maximum height and FSR currently allowed in the surrounding residential zone. Council's independent consultant concluded that there are opportunities with a larger site area to incorporate a development with higher height of buildings and FSR into the area. The modeling conducted by Olsson & Associates indicated that a FSR of 1.4:1 and height of part 14 and part 17.5 metres is sufficient to provide a feasible outcome and may be more appropriate for the site's location. This modelling also concluded that an ADG compliant scheme could be achieved with these key development controls in place.

An increase of height restrictions and FSR has been justified that the site has the capacity to accommodate increased development densities and will contribute to the achievement of strategic planning goals to provide higher density housing in an accessible location.

Any future development proposal for the site at the new controls will need to be subject to the provision of SEPP 65 and the CLEP 2012 and CDCP 2012 and application of these statutes as part of the DA process will ensure reasonable levels of amenity for surrounding properties are maintained.

Council intends to prepare site specific DCP controls for this site should a Gateway Determination be received. These DCP controls will be prepared post receipt of any Gateway Determination and will be exhibited concurrently with the planning proposal.

#### Site Contamination

The site will possibly have some contamination due to its history of light industrial uses; however, there is no known contamination present. It is considered reasonable that this can be adequately dealt with thorough the DA process. The Gateway Determination requires including a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines, to meet requirements *under SEPP 55 – Remediation of Land*. The required Stage 1 – Preliminary Investigation report will be required from the proponent in due course and in any case prior to any public exhibition should a Gateway Determination be forthcoming.

#### 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 Council's LEP (clause 6.1).

#### Flooding

The site is not considered to be classified as land prone to flooding. The site is in a built up urban environment. It is almost 100% hard paved. Redevelopment of the site for the residential flat buildings will introduce some landscaped areas between buildings. In this case it is likely that the reduction of hard paving will actually reduce stormwater runoff and improve on site stormwater infiltration.

#### Traffic and Parking

The subject site has street frontage to Brighton Avenue for approximately 152 metres. Georges River Road is about 50 metres to the north and Queensborough Road is about 50 metres south from the site. The traffic assessment prepared by proponent's GTA consultants for the initial planning proposal indicated 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 was based on the GTA consultants' estimation of mixed use development of 340 residential apartments and 600 m<sup>2</sup> of retail use (which is now not proceeding). As this planning proposal envisages a much reduced scale of development it is anticipated that car parking as required under the Council's standards can be satisfactorily provided. This would be controlled during the DA stage.

#### Cycle and pedestrian Movement

Both the Brighton Avenue and Georges River Road have footpath currently developed. Also, the site is well located for cycling with an existing cycle line along Brighton Avenue, which connects to the regional Ryde to Botany Cycle way along the Cooks River public open space.



**How has the planning proposal adequately addressed any social and economic effects?**

It is anticipated that there will be positive social and economic impacts arising from the planning proposal. This would result in additional population resulting from the residential development within the subject land. 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. The anticipated development form arising from the planning proposal is high density residential apartment buildings, which is now an established housing type in Sydney. The site is well connected to jobs in the Sydney CBD/Global Economic Corridor, and local and regional services. In addition the proposed rezoning is within close proximity to the existing small village centre at Croydon Park, and the additional housing will support the economic viability of this centre.

**SECTION D: State and Commonwealth interests**

**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 can occur as part of the planning proposal exhibition process.

**What are the views of the 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 MAPPING

The following maps (**Attachment 6**) have been prepared to support the planning proposal:

- Existing zoning, height of building and FSR Map.
- Proposed zoning, height of building and FSR Map.

## PART 5: COMMUNITY CONSULTATION

The following community consultation will occur should the planning proposal receive a Gateway Determination:

- Notification in the Canterbury Council column which appears in local newspapers.
- Notification letters to any State Agencies or authorities nominated by the Department.
- Notification letters sent to directly affected, adjoining and nearby property owners.
- Advertising of the proposal on Council's website and at Council's Administration Building.

Copies of the Planning Proposal will be made available at Council's Administration Building and on the Canterbury Bankstown Council website.

Given the size of the site and the planning changes sought, it is proposed to have a 28 day exhibition/consultation period to provide adequate time for consultation to take place.

## PART 6: PROJECT TIMELINE

This is outlined in the table below:

Planning proposal stage	Timeframe
Gateway determination	March 2017
Government Agency Consultation	May 2017
Public exhibition period	May 2017
RPA Assessment of Planning Proposal and Exhibition outcomes	July 2017
Submission of endorsed LEP to DP&E for finalisation	August 2017
RPA Decision to make the LEP Amendment (if delegated)	September 2017
Forwarding of LEP Amendment to DP&E for Notification (if delegated)	September 2017

## **ATTACHMENTS**

- 1 Information Checklist**
- 2 State Environmental Planning Policies**
- 3 Section 117 Directions**
- 4 Evaluation Criteria for the Delegation of Plan Making Functions**
- 5 Delegated plan making reporting template**
- 6 Maps**
- 7 initial Gateway Determination 18 September 2015**
- 8 Proponent's revised development scheme**
- 9 Council's independent peer review**
- 10 Council report 6 December 2016**