



## Planning Proposal



**30 Trevenar Street  
Ashbury**

**March 2022**



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## Introduction

The Canterbury Local Environmental Plan 2012 (CLEP 2012) is the statutory planning instrument that establishes land use zones and building envelope controls such as floor space ratios and building heights in the former City of Canterbury within Canterbury Bankstown Local Government Area (LGA).

At Council's Ordinary Meeting of 25 May 2021, Council resolved to rezone the subject site at 30 Trevenar Street, Ashbury from Zone R2 Low Density Residential to Zone RE1 Public Recreation.

The subject site was owned by Ausgrid up until mid-May 2021. The site is currently owned by a private entity.

According to the Department of Planning, Industry & Environment'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.



## Background

### Site Description

The subject site (site) at 30 Trevenar Street, Ashbury comprises of a single lot as shown in Table 1 and Figure 1.

Table 1: subject site details

Property Address	Property Description	Current Zone	Site Area
30 Trevenar Street, Ashbury	Lot 1 DP 566982	R2 Low Density Residential	6,700m <sup>2</sup>



Figure 1: Site Map (Source: Nearmap 2021)

The site is currently vacant and has been fenced with no public access. It has dual street frontages along King Street and Trevenar Street.

The site adjoins a district level open space (Peace Park) to the north and east and sits in a low scale established residential area. King Street is located to the west and residential properties fronting Fifth Street are located to the south of the site.





The subject site is at a topographical low point for Peace Park within the flood planning area. The site gradually slopes down from both the street frontages to its southern boundary, the lowest point being the rear of the properties at No. 53 and 57 Fifth Street, Ashbury.

The site is also within the Ashbury Heritage Conservation Area, which includes the entire suburb of Ashbury and some adjoining parts of Croydon Park.

### Site Context

In terms of the site context, Canterbury Railway Station is located at 1.7 kilometres south of the site and the Ashfield Railway Station is located approximately 1.2 kilometres north of the site and within the Inner West LGA. The Canterbury Park Racecourse is located approximately 800m south west of the site.

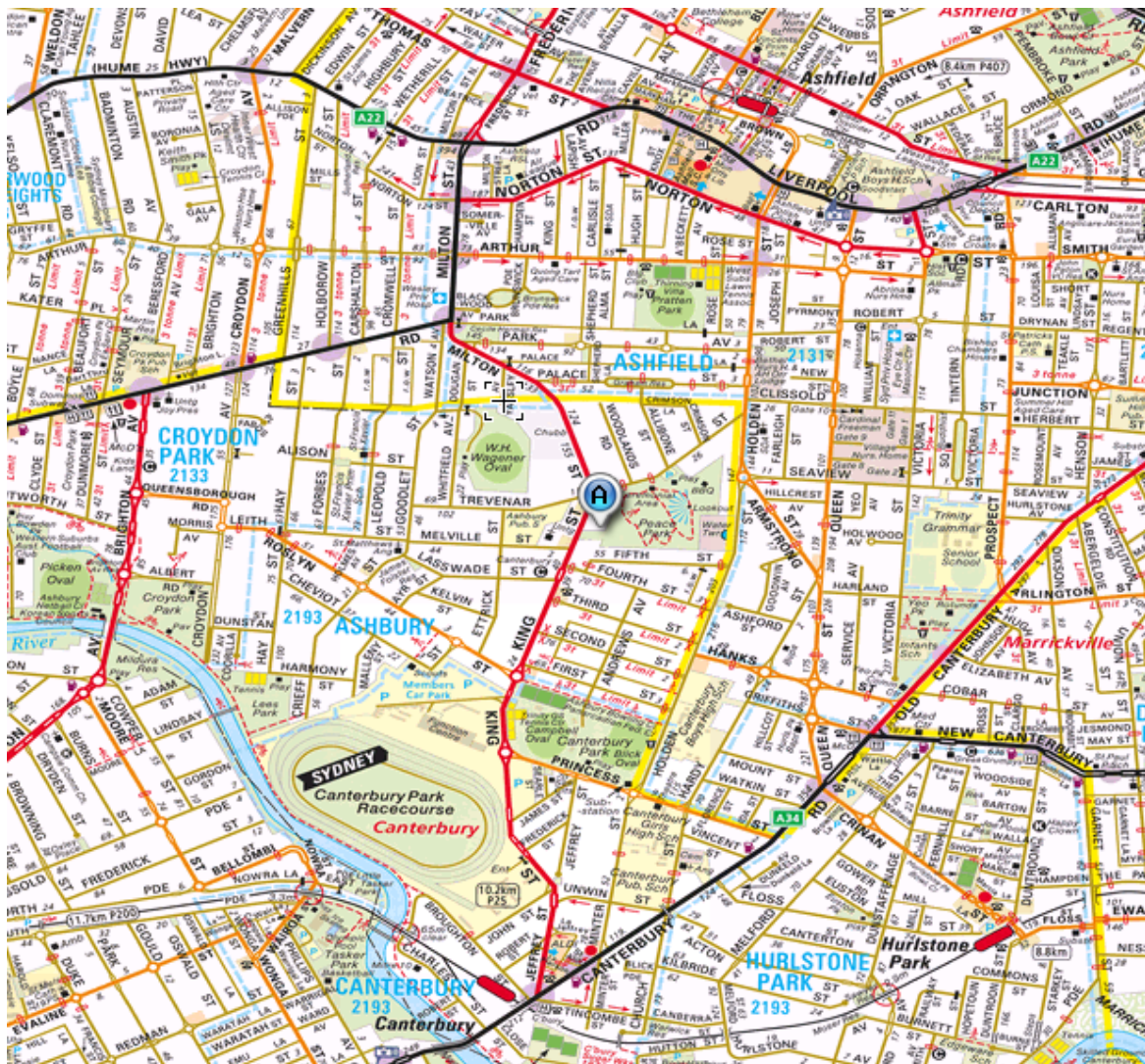


Figure 2: Context Map (Source: Sydway 2021)





The locality has adequate public infrastructure provisions including transport (bus) networks (routes 413, 428, 491) and public utilities including potable water, sewerage and electricity.



**Figure 3:** Views of the site from King Street



**Figure 4:** Views of the site from Trevenar Street

### **Ashbury Heritage Conservation Area**

The Canterbury Local Environmental Plan 2012 includes the site at 30 Trevenar Street as part of the Ashbury Heritage Conservation Area which comprises the whole suburb of Ashbury and part of Croydon Park.

The Canterbury Development Control Plan 2012 notes the following information:

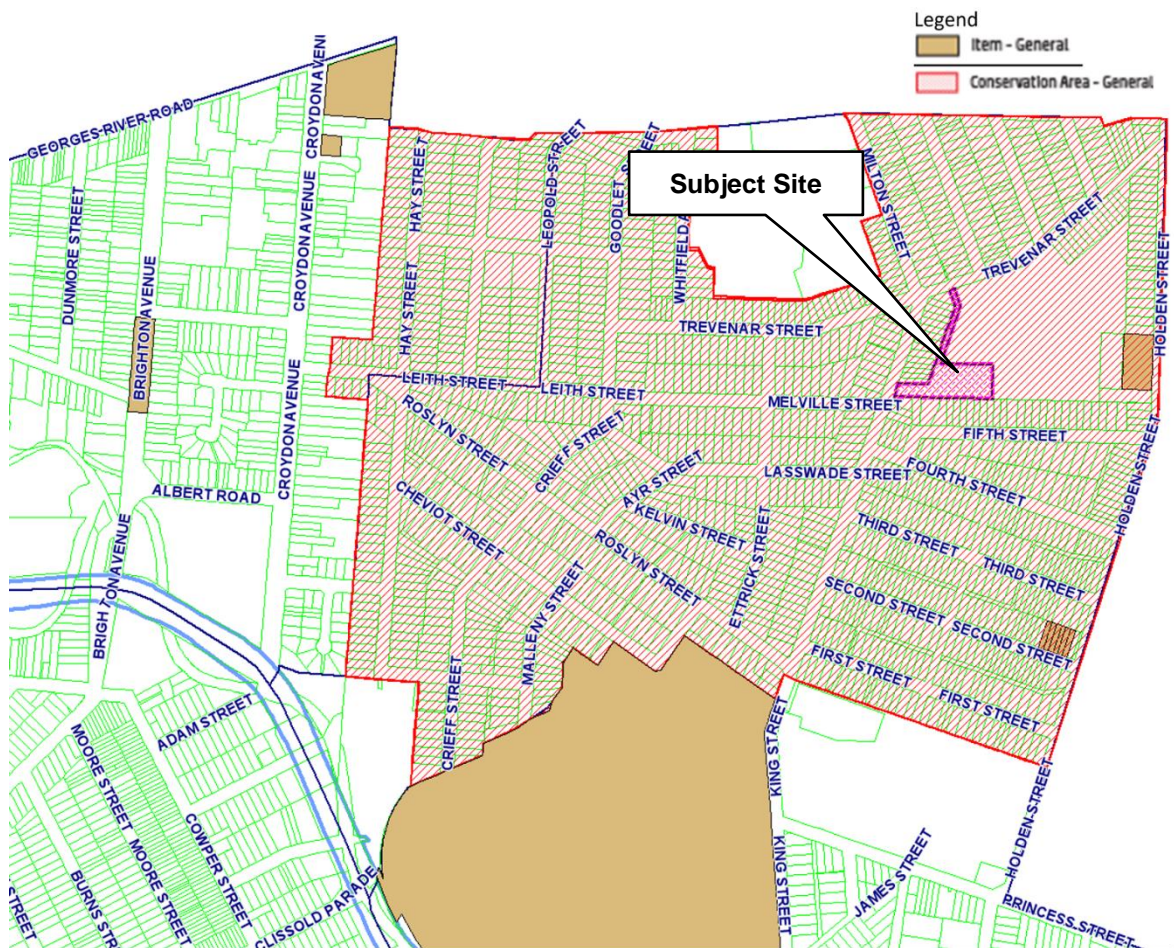
*“...Ashbury is a predominantly residential area that was largely developed between 1912 and 1940, with most development occurring during the Inter-War period and particularly during the building boom of the 1920s. Ashbury developed as part of the overall suburban expansion of Sydney that occurred along train lines and major roads...”*

*“...The area has a consistent subdivision pattern, building form and streetscape; largely because its development occurred over a relatively short period of time...”*





*“...Ashbury is experiencing significant development pressures, particularly by residents seeking to expand and/or adapt older houses to meet modern living requirements, or to build replacement houses. Some developments have been out of place with the special character of this area. At the same time there has also been a demonstrable move towards adapting and restoring existing houses in a sympathetic manner...”*



**Figure 5:** Ashbury Heritage Conservation Area

The key elements of the conservation area are the generally consistent subdivision pattern and the built form, mostly comprising single storey detached houses in Federation, California Bungalow, and other Inter-War housing styles.



**Figure 6:** A typical streetscape in Ashbury comprising consistent single storey cottages in the California Bungalow style

## Site History

The figures below indicate the historical association the site once had with the adjoining open space, Peace Park.

According to the information contained on a heritage notice board located at the park, from 1910 until as late as 1965, this hillside was a brickyard and shale quarry, first known as the South Ashfield Brickworks and later as Ashbury Brickyard.

Peace Park was named to mark the International Year of Peace and was opened in 1993. The trees, symbolic of Eastern and Western cultures, were planted by students from Canterbury Girls High School.

Historical features associated with the previous use of the park as a brick manufacturing area such as brick stack and kilns have since been removed. However, the park currently features a ceremonial paved area to pay tribute to the site's previous history of brick manufacture.



**Figure 7:** 1943 Aerial View of Peace Park

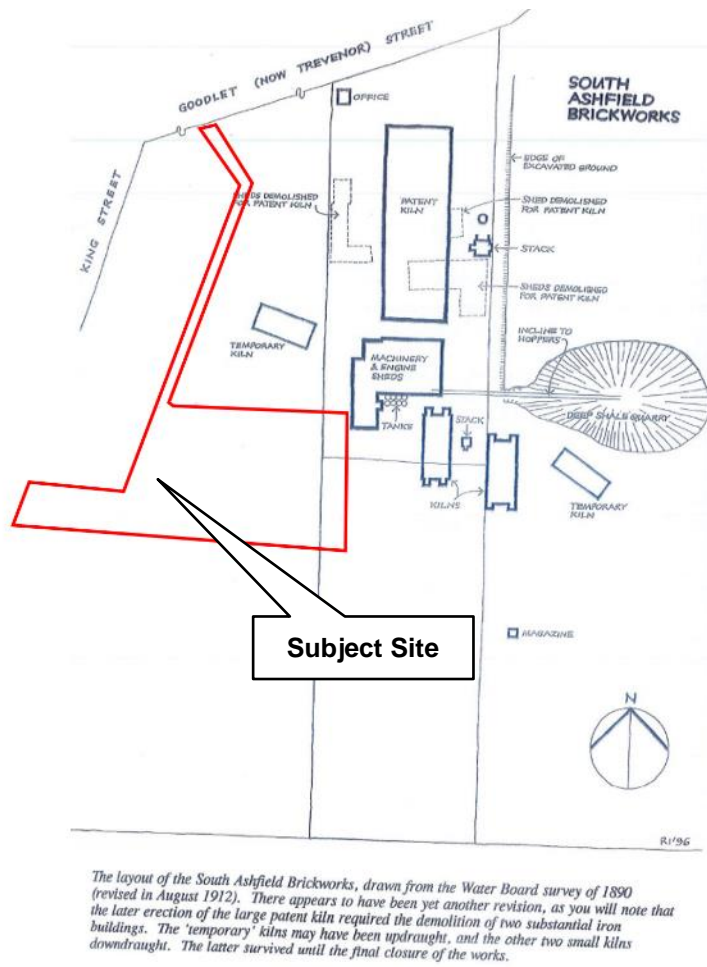


**Figure 8:** With the current Aerial view superimposed





The following paragraphs present some historical information extracted from *Working the Clays: The brickmakers of the Ashfield District*.



**Figure 9:** Former South Ashfield brickworks layout plan (c.1890) (Source: *Working the Clays: The brickmakers of the Ashfield District*)

"Peace Park, the highest point in the Canterbury LGA this park is situated on corner of threes properties originally granted in the 1790's.

... The South Ashfield Brick and Tile Company once operated the South Ashfield Brickworks (later Ashbury Brickyard) from this site. This Company was incorporated on 14 December 1910 and taped local Wianamatta shale "to manufacture and sell bricks tiles, drain pipe and all other kinds of pottery ware"

...The date brick production ceased is unknown, however the quarry was still providing shale to the company's works at Burwood in 1965. The disused brick pit was purchased by the NSW Government in 1978 for use as open space.



*The surviving single stack and kiln were demolished in 1987 to make way for Peace Park which was so named in recognition of the International Year of Peace. (Working the Clays: The brickmakers of the Ashfield District, N Peek and C Pratten, 1996)"*





## Part 1 – Intended Outcomes

The intended outcomes of this Planning Proposal are:

- To rezone the site from Zone R2 Low Density Residential to Zone RE1 Public Recreation.
- To increase the provision of public open space in an established urban setting.
- To provide new opportunities for increased tree canopy within the Canterbury Bankstown LGA.
- To manage the impact on the surrounding heritage conservation area by preserving the current character of the site as open space.
- To support future demand from new residential developments within the surrounding 2km catchment of the site and Peace Park public open space.
- Improve permeability and access through the site and to enhance walkable access to Peace Park from the west and south.
- Provide opportunities for the master planning of the enlarged Peace Park to cater for the increased population in the Canterbury Bankstown LGA which is expected to increase by 140,000 people to a total population of around 500,000 by 2036.



## Part 2 – Explanation of Provisions

### Canterbury Local Environmental Plan 2012

To achieve the intended outcomes, the proposed amendments to CLEP 2012 are:

- Amending the *Canterbury LEP 2012* Land Zoning Map to rezone the site from Zone R2 Low Density Residential to Zone RE1 Public Recreation (refer to Part 4, Map 3).
- Amending the *Canterbury LEP 2012* Height of Building Map to remove the site from the Map as this map does not apply to Zone RE1 Public Recreation (refer to Part 4, Map 5).
- Amending the *Canterbury LEP 2012* Lot Size Map to remove the site from the Map as this map does not apply to Zone RE1 Public Recreation (refer to Part 4, Map 6).
- Amending the *Canterbury LEP 2012* Land Reservation Acquisition Map to identify the site for acquisition (refer to Part 4, Map 7).

It is intended that the relevant acquisition authority will be nominated prior to finalisation.

Proposed mapping is included at Part 4 - Maps.

It is noted that the Planning Proposal will not impact upon the following:

- The existing Ashbury Heritage Conservation Area will continue to apply to the site.
- No changes are proposed to the existing Floor Space Ratio Map as currently no FSR controls apply to the site.

The CLEP 2012 currently allows the following as permissible land uses (with consent):

#### New Permitted Uses under the Proposed RE1 Public Recreation Zone

Permissible with consent in Zone RE1	Permissible with consent in Zone R2
Aquaculture; Boat launching ramps; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Emergency services facilities; Environmental facilities; Flood mitigation works; Information and education facilities; Jetties; Kiosks; Markets;	Bed and breakfast accommodation; Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home





Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Restaurants or cafes; Roads; Sewerage systems; Water recreation structures; Water supply systems	businesses; Home industries; Office premises; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Shops; Tank-based aquaculture
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The Planning Proposal will permit new land uses on the site (with consent) that are not currently permissible and may have potential adverse impacts on the adjoining residential zoned land if not properly managed. These uses will include emergency services facility, environmental facility, information and education facility, kiosk, market, recreation areas, recreation facilities (indoor), recreation facilities (major), and recreation facilities (outdoor). These uses are permissible on the adjoining land at Peace Park which is zoned RE1 Public Recreation.

The definitions of the land uses according to the CLEP 2012 are as follows:

**emergency services facility** means a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation.

**environmental facility** means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures

**information and education facility** means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

**kiosk** means premises that are used for the purposes of selling food, light refreshments and other small convenience items.

**market** means an open-air area, or an existing building, that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

**recreation facility (indoor)** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

**recreation facility (major)** means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

**recreation facility (outdoor)** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green,



*outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).*

The provision of additional land uses means the land would be able to benefit from the provision of large-scale sporting or recreation activities which otherwise are prohibited land uses under the current zoning of R2 Low Density Residential.

These recreation facilities may include major recreation facilities such as theme parks, showgrounds, racecourses and motor racing tracks etc. to be attended by large numbers of people periodically or on a regularly basis. These may also include building or places used predominantly for outdoor recreation, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre which could assist on extending the facilities being offered by the district level open space. It is noted that any land use that requires development consent must be subject to an environmental assessment under Part 4 of the Act, with an opportunity for the local community to comment during the public notification period of any future DAs following the rezoning of the land.

With the proposed rezoning of the site to RE1 and the provision of the additional land uses, the site would be able to actively function as an extension of the existing district level open space, Peace Park.





## Part 3 – Justification

### **Section A–Need for the Planning Proposal**

**1. Is the Planning Proposal a result of an endorsed local strategic planning statement, any strategic study or report?**

No, this Planning Proposal is not the result of any strategic study or report.

This Council initiated Planning Proposal is in response to the Mayoral Minute of Council's Ordinary meeting of 25 May 2021 which resolved to rezone the site from Zone R2 Low Density Residential to Zone RE1 Public Recreation and to retain the site within the Ashbury Heritage Conservation Area.

The proposed changes to the CLEP 2012 are as follows:

<b>30 Trevenar Street, Ashbury</b>	<b>Existing controls</b>	<b>Proposed controls</b>
Zone	R2 Low Density Residential	RE1 Public Recreation
Maximum FSR	No FSR applies to heritage conservation area	No changes proposed
Maximum Building Heights	8.5 Metres	Remove the site from the Maximum Building Heights Map
Lot Size Map	450m <sup>2</sup>	Remove the site from the Lot Size Map
Land Reservation Acquisition Map	N/A	Identify the site on the Land Reservation Acquisition Map for the purposes of acquisition.  It is intended that the relevant acquisition authority will be nominated prior to finalisation.

The Planning Proposal will improve community access to the adjoining district level open space (Peace Park); protect the existing character of the Ashbury Heritage Conservation Area and integrate the district level open space to encourage healthy lifestyles, help keep urban areas cool and provide opportunities to enhance local habitat.

A detailed strategic merit assessment is included in Section B of this Planning Proposal. Following the granting of a Gateway Determination, and public exhibition, this Planning Proposal will be updated to include community and state agency feedback.

**2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**



This Planning Proposal is the best means to achieve the intended outcome which is to rezone the site from R2 Low Density Residential to Zone RE1 Public Recreation. This is the best way to enhance the accessibility of a district level park and protect the low-density nature of the existing heritage conservation area.

### **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)?**

##### **3.1 Greater Sydney Region Plan ‘A Metropolis of Three Cities’**

The Greater Sydney Region Plan (GSRP) was released by the GSC in March 2018. It provides a 40-year vision for the Greater Sydney region and is designed to inform district and local plans and the assessment of Planning Proposals.

The GSRP identifies several key objectives around the need to ensure communities are healthy, resilient and socially connected; and improving housing supply to all groups in the community.

The Planning Proposal is consistent with several planning objectives in the GSRP. These include:

Objective	Consistent / Rationale
<b>Objective 6:</b> Services and infrastructure meet communities’ changing needs.	The GSRP notes that liveability not only contributes to productivity and sustainability, but is also an important influence on individual wellbeing and community cohesion.
<b>Objective 7:</b> Communities are healthy, resilient and socially connected.	<p>There is a strong link between accessible good quality open space and liveability of our communities. Open spaces such as public parks provide several social, and environmental benefits and create opportunities for a community to connect with nature as well as with other people, relax and be active with sports.</p> <p>Recent studies have indicated that the COVID-19 pandemic has disrupted many aspects of human social life, limiting recreational opportunities and affecting peoples’ mental and physical health. Such disruptions have resulted in increases in stress, anxiety, and depression. As a result, people have started reaching out for alternative means of recreation which is generally their local parks and nearby district/regional parks in order to manage their mental and physical health.</p>



Objective	Consistent / Rationale
	<p>Council is aware of the recent demand for open spaces arising from the pandemic and the added pressure our existing open spaces are facing due to the forecast housing and population growth.</p> <p>Consistent with the objectives of the GRSP, Council's strategic planning seeks to ensure that forecast dwelling growth aligns with the objectives of the Greater Sydney Green Grid in terms of managing open space needs. Council's initiatives with the Cooks River Open Space Corridor and Sydenham to Bankstown Open Space Corridor ensures that the objectives of the Sydney Green Grid are translated into open space planning as part of Council's masterplan for key strategic/other centres.</p> <p>The GSRP also recognises the importance of small/large open spaces within the urban areas and the increasing need for future master planning of such isolated open spaces to meet the current and future community needs and to seek opportunities to connect these isolated open spaces with surrounding urban fabrics to improve their accessibility and usability, which is an intended outcome of this Planning Proposal.</p> <p>This Planning Proposal responds to meeting community's changing needs over the time consistent with the intent of the Plan which indicates:</p> <p><i>"As it grows, strategic planning will manage the effects of urban development to protect, restore and enhance these landscapes, waterways, coastline, natural areas, tree canopy and open spaces."</i> (Source: Greater Sydney Region Plan, Page 142)</p>
<p><b>Objective 8:</b> Greater Sydney's communities are culturally rich with diverse neighbourhoods</p> <p><b>Objective 12:</b> Great places that bring people together.</p> <p><b>Objective 13:</b> Environmental heritage is conserved and enhanced</p>	<p>This Planning Proposal facilitates improved public access to Peace Park via a new frontage to King Street.</p> <p>Another intent of the Planning Proposal is to ensure the existing residential amenity and integrity of the Ashbury Heritage Conservation Area is maintained by preventing the development of the site for new housing.</p> <p>Peace Park is one of the highest points in the locality and attracts visitors from the surrounding areas including those from the neighbouring Inner West LGA. By improving the accessibility and permeability of the district level open space, this Planning Proposal has potential to significantly improve functioning of the district level open space as a community hub to bring communities together.</p> <p>Consistent with the objectives of the GSRP, Council's intends to accommodate the forecast population and corresponding employment growth mostly in the areas within walking distance of mass transit supported by enabling services and infrastructure so that low density residential areas with special characters such as the Ashbury Conservation Area are protected from development pressures.</p>





Objective	Consistent / Rationale
<p><b>Objective 30:</b> Urban tree canopy cover is increased.</p> <p><b>Objective 31:</b> Public open space is accessible, protected and enhanced.</p> <p><b>Objective 37:</b> Exposure to natural and urban hazards is reduced.</p>	<p>Open space serves an important societal function with well documented physical and mental health benefits. The Planning Proposal will provide opportunities for increased tree canopy cover on the site as part of the future master planning of Peace Park. The overall social effects of the Planning Proposal are considered to be positive.</p> <p>This Planning Proposal ensures that urban hazards such as overland flooding is reduced with the proposed rezoning of the land from Zone R2 Low Density Residential to Zone RE1 Public Recreation by limiting intensification of development on a flood planning area.</p>

### 3.2 South District Plan

The GSC released the South District Plan on 18 March 2018 to give effect to the Greater Sydney Regional Plan. The District Plan contains priorities and actions to guide the development and planning of the south district while improving the district's social, economic and environmental assets.

Objective	Consistent / Rationale
<p><b><u>Liveability</u></b></p> <p><b>Planning Priority S3:</b> Providing services and social infrastructure to meet communities' changing needs</p> <p><b>Planning Priority S4:</b> Fostering healthy, creative, culturally rich and socially connected communities</p> <p><b>Planning Priority S6:</b> Creating and renewing great places and respecting the District's heritage</p>	<p>The District Plan recognises the social, physical and mental health benefits of open spaces to local communities and the contribution they make to the attractiveness of the district as a place to live, work and visit.</p> <p><i>"...The South District will continue to grow over the next 20 years with demand for an additional 83,500 dwellings. This will be provided through urban renewal, around new and existing infrastructure, and infill developments.</i></p> <p><i>The focus of growth will be on well connected, walkable places that build on local strengths and deliver quality public places..."</i> (Source: South District Plan, Page 8)</p> <p>As detailed in Section 3.1 of this Planning Proposal, the proposed rezoning responds to the surrounding zoning of Peace Park and the characteristics of the Ashbury Heritage Conservation Area. The proposed rezoning is consistent with the communities' changing needs as evident from the effects of Covid-19 pandemic. Open spaces such as Peace Park are the key in fostering healthy and socially connected communities.</p> <p>The proposal enables Council's future master planning of the site as part of an enlarged Peace Park to ensure the open space has high quality multifunctional spaces and is able to cater to the needs of the</p>



Objective	Consistent / Rationale
	communities within the Canterbury Bankstown LGA and adjoining LGAs.
<p><b><u>Sustainability</u></b></p> <p><b>Planning Priority S15:</b> Increasing urban tree canopy cover and delivering Green Grid connections</p> <p><b>Planning Priority S16:</b> Delivering high quality open space</p> <p><b>Planning Priority S18:</b> Adapting to the impacts of urban and natural hazards and climate change</p>	<p>As detailed in Section 3.1 of this Planning Proposal, the proposal intends to deliver increased public open space and improved accessibility as part of an expansion to the existing adjacent district level open space, Peace Park.</p> <p>The Planning Proposal provides opportunities to increase urban tree canopy cover and reduces the impact of natural hazards such as flooding by reducing the extent of impermeable surfaces and new residential development within the flood planning area.</p>

### Government Architect NSW Draft Greener Places Design Framework

Greener Places is a design framework produced by GANSW to guide the planning, design, and delivery of green infrastructure in urban areas across NSW. It aims to create a healthier, more liveable, and sustainable urban environment by improving community access to recreation and exercise, supporting walking and cycling connections.

In accordance with the District Plan, new dwellings are to be located within 400m of local open space. This requirement correlates with GANSW's Draft Greener Places Design Guide which outlines 'Performance indicators' for the distribution of recreation opportunities supported within the public open space network (refer to Figure 10). Using these 'Performance indicators', Peace Park is a type of district level open space (approximately 49,820m<sup>2</sup>) and has a catchment of 2km encompassing the suburbs of Ashbury, Earlwood, Canterbury, Campsie as well as Ashfield, Summer Hill, Croydon, Burwood, Burwood Height, Hurlstone Park, Dulwich Hill that fall beyond the Canterbury Bankstown LGA.



Performance indicators	
<b>High-density areas</b> (0.15–0.5 ha public open space)	200 m from most houses
Distance of open space from schools	400 m
Distance of open space from workplaces	400 m
<b>Local distribution</b> (0.3–2 ha public open space)	400 m from most houses
<b>District distribution</b> (2–5 ha public open space)	2 km from most houses
<b>Regional/metropolitan distribution</b> (> 5 ha public open space)	5–10 km from most houses

**Definitions**

**High-density areas**  
In high-density areas where there is a population density of greater than 60 dwellings/ha with limited access to private open space, smaller local open space can be provided in closer proximity to dwellings.

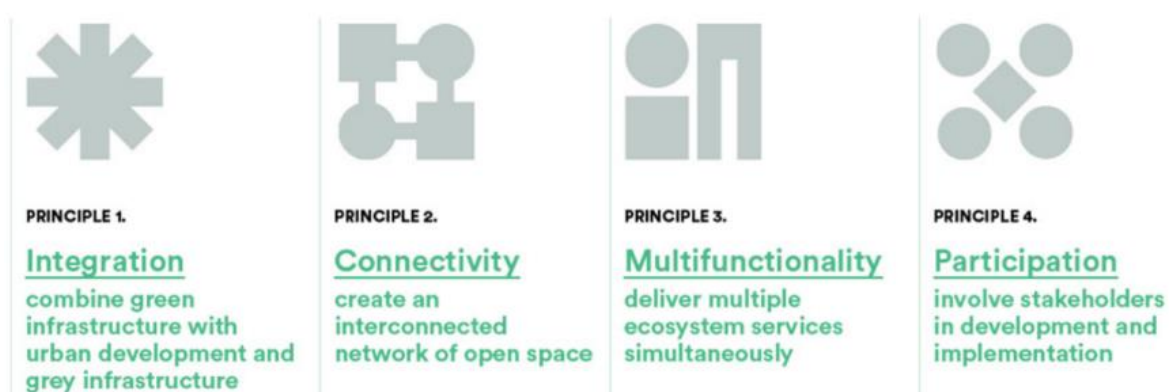
**Local open space**  
Caters to a local neighbourhood area in urban areas where users predominantly walk or cycle to use the facility because it is reasonably close to residences. A multi-use local open space may serve a regional small town or village.

**District open spaces**  
Typically service catchments of less than one local government area (LGA), or several neighbourhoods, but can service a catchment spanning across two LGAs. The planning assumption is that users will be prepared to drive up to 30 minutes to access district open spaces in urban areas. Sporting facilities mostly operate at district level.

**Figure 10:** Types of open space and catchment definitions (source: GANSW, Draft Greener Places Design Guide)

This Planning Proposal delivers on the following principles outlined by the Government Architect's Greener Places Strategy:

Well-designed green infrastructure responds to four key principles:



**Figure 11:** Extract from the Government Architect's Greener Places: An urban green infrastructure design framework for NSW

The Planning Proposal will achieve consistency with in particular the *Connectivity* and *Integration* principles of the Greener Places to plan for open space in a more integrated and creative way, leveraging existing assets such as streets and residue parcels. The size of the Planning Proposal site, its location adjoining Peace Park and its accessibility and service range beyond the local government boundary provide an opportunity for increasing a range of functions that can be performed in Peace Park hence its potential function as a





multifunctional recreation hub. This potential future role will be explored as part of the future master planning of Peace Park and will build upon the intended outcomes of this Planning Proposal to deliver new public open space to serve the future population growth for the Canterbury Bankstown LGA.

#### **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 Strategic Plan 'CBCity 2028'**

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

The Planning Proposal is consistent with the identified "destinations" in CBCity 2028 in that it will respond to the 'Clean & Green' and 'Liveable & Distinctive' destinations as the Planning Proposal intends to facilitate increased tree canopy, plan and manage the floodplain and achieve the vision by promoting a well-designed City that preserves the identity and character of local villages.

##### **4.2 Local Strategic Planning Statement 'Connective City 2036'**

*Connective City 2036* guides the 20-year planning vision and changes to Council's planning framework for the LGA. The vision of the LSPS is about sustainably growing the City, protecting environmental values, creating vibrant and connected centres, delivering housing and jobs in well planned locations around public transports.

This Planning Proposal is consistent with Council's Local Strategic Planning Statement (LSPS) - *Connective City 2036*, namely Action E6.4 Protect the low-density character of suburban neighbourhoods and E5.12 Create diversity in open/public space character and types.

*Connective City 2036* guides the 20-year planning vision and changes to Council's planning framework for the LGA. The vision of the LSPS is about sustainably growing the City, protecting environmental values, creating vibrant and connected centres, delivering housing and jobs in well planned locations around public transport.

Metropolitan Priorities	City Wide Priorities
<b>Evolution 6-</b> Urban and Suburban Place, Housing the City: E6.1 Create the hierarchy of centres to guide future growth	E6.4 Protect the low -density character of suburban neighbourhoods E6.6 Protect environmental and built heritage
<b>Evolution 5-</b> Green Web: E5.6 Provide equitable access to open space	E5.12 Create diversity in open/public space character and types
<b>Evolution 9-</b> Sustainable and Resilient Places	E9.9 Concentrate housing close to public transport



While the intent of the Planning Proposal is to create new publicly accessible open space, a benefit of this Planning Proposal will be the protection of the existing characteristics of the Ashbury Heritage Conservation Area (HCA) by preventing any residential development on the site. There will be opportunity for housing and jobs in well planned locations around public transport and this will be delivered in Council's preparation of master plans for Canterbury and Campsie among other centres to ensure density is located where it can be best supported by infrastructure.

Accordingly, this Planning Proposal is consistent with Council's LSPS – *Connective City 2036* and supports delivery of the evolutions as identified above.

#### 4.3 Canterbury Open Space Strategy 2017

The objectives of the Canterbury Open Space Strategy (the Strategy) 2017 are to provide strategic direction for development and management of open space in the former City of Canterbury Local Government Area (LGA) and guide Council on the future provision, allocation of resources for open space provision and improvements as Council resources and funds become available.

The Strategy identifies a low provision of open space in the former Canterbury LGA:

*"...In 2015, the former City of Canterbury had 341.3 hectares of open space of which 220.6 ha (64.6%) is Council owned and 120.7 ha (35.4%) is Crown or non Council land. The open space represents 2.25 hectares per 1,000 people based on a 2015 ABS estimated population of 151,746. This is a slightly low provision compared to open space benchmarks..."*

*"...Open space benchmarks used in the industry across Australia range from 2.83 ha/ 1,000 (used in the past in NSW based on a UK benchmark for active open space) up to 5 ha/ 1,000. Planning for higher density areas has found that ideally there will be at least 1.0 ha/ 1,000 people for recreation open space, with sporting open space and natural areas generally provided outside the area..."*

*"...If additional open space is not acquired, the total open space provision in the former City of Canterbury will be 1.42 ha/ 1,000 by 2036 (based on a projected population of 239,750, Department of Planning and Environment Population Projections, 2016). This will be a very low provision..."*

*"...The low current and future provision suggests there will be a need for some land acquisition and the provision of high quality parks and open spaces across the former City of Canterbury to compensate for the low provision..."*

The Open Space Strategy 2017 identifies Ashbury as part of the Eastern Open Space Planning District for the former Canterbury LGA. The Strategy identifies the district level open space, Peace Park as one of the *Major Park Recreation Destinations (D2)* and *Master Planning Destinations and Hubs (AM7)* as indicated in Figure 12.

The Strategy also highlights the role of Peace Park as a major recreational destination that has a 'High' priority to "enhance, maintain and create" a "major recreation park destination" (refer to Figure 13). This Planning Proposal is therefore an important enabler for the site to



be incorporated as part of an enlarged Peace Park and for future master planning and redesigning of this key open space asset to be undertaken by Council.

The strategy also notes the following crucial information in relation to using benchmarks:

*“Whilst it is important not to rely entirely on benchmarks and to consider specific community needs, benchmarks are a useful tool for determining the minimum amount of open space that should be provided and to understand industry wide approaches to provision.”*



**Figure 12: Peace Park, a Master Planning Destination and Major Park Recreational Destination**





## Riverfront and Recreation Destinations

Ref	Strategy Topic	Strategies	Priority
D1	Enhanced Riverfronts	Develop masterplans to guide the enhancement of riverfront parks and reserves along Cooks River and create and reinforce recreation destinations and 'stop off' nodes, with quality picnic settings, natural settings, play and activity opportunities, pathways, lighting and creative design (landscape, art works).	High
D2	Major Park Recreation Destinations	Develop Plans of Management to enhance, maintain and create major recreation park destinations. This includes providing: <ul style="list-style-type: none"> <li>- Well located activity, exercise, social and event spaces that cater for diverse age, cultural and socio-economic groups</li> <li>- Diverse and unique play spaces and opportunities (innovative, challenging and nature based play for all age groups and levels of ability)</li> <li>- Shelters and spaces that support larger group gatherings</li> <li>- Integrated and unique landscapes and natural shade</li> </ul> Wiley Park, Peace Park and Anzac Square are existing major destinations that should be further enhanced and Parry Park provides a potential opportunity for a recreation destination.	High
D3	Neighbourhood Recreation Destinations	Establish and enhance neighbourhood recreation destinations across the former City of Canterbury to provide accessible unique spaces for local communities. This includes integrating quality and diverse play spaces and activity opportunities (exercise and group activity areas, paved and court areas, walking and bike tracks, games areas) as well as quality landscapes and infrastructure (seating, shelters, paths).	Medium

**Figure 13:** Extract of page 44 from the Canterbury Open Space Strategy, 2017

The Strategy identifies that using numerical benchmarks is just one tool to determine the provision of open space in any particular location and it is noted that numerical benchmarks do not necessarily translate the qualitative nature of adequacy of open spaces demand or other factors such as accessibility, ownership of the open space (Crown land/ State Government Owned), community aspirations and any specific local characteristics of the open space under consideration.

The Strategy identifies Ashbury as having an open space provision rate of 3.75ha/1,000 people. While this rate is higher than the 2.8ha/1,000 people rate that is generally accepted as the standard benchmark for good open space provision, Peace Park is serving the role as a district level public open space that is used by suburbs located in the adjoining Inner West LGA which have a very low provision of open space which ranges from 0.38ha/1,000 people in Lewisham to 0.87ha/1,000 people in Croydon Park (refer to Section 9).

It is therefore evident that an enlarged Peace Park that would result from the Planning Proposal would serve a much larger population catchment within the 2km when considering suburbs within Inner West Council and possible Burwood Council. If the calculation of open space provision was to consider a wider population catchment within 2km of Peace Park in accordance with its 'district open space' status within the GANSW Green Places hierarchy, the ha/1,000 people open space provision for Ashbury would likely be reduced. Further analysis of the open space provision within the 2km catchment could be undertaken as part of a post-Gateway study.

This Planning Proposal is consistent with the key strategies of Council's Open Space Strategy 2017, in particular those relating to *Major Park Recreation Destinations (D2)* and *Master Planning Destinations and Hubs (AM7)*.

## 4.4 Affordable Housing Strategy 2020

On 23 June 2020, Council adopted the Canterbury Bankstown Affordable Housing Strategy to support the LSPS, *Connective City 2036* to guide future planning decisions in the City.



The objectives of the Affordable Housing Strategy is to reduce the level of housing stress experienced by residents across the City of Canterbury Bankstown so that the community can thrive socially and economically by increasing the provision of new affordable housing within existing centres well serviced by public transport and infrastructure services.

The Planning Proposal site is not located within a walking distance of existing town centres. Canterbury and Ashfield Town Centres are located approximately 1.4 kilometres South and North respectively from the Planning Proposal site. The site is not suitable for intensification for affordable housing purposes and the rezoning proposed would not adversely diminish the provision of affordable housing.

#### 4.5 Housing Strategy 2020

On 23 June 2020, Council adopted the Canterbury Bankstown Housing Strategy (the Housing Strategy) to support the LSPS, *Connective City 2036* to guide future planning decisions in the City. The Strategy was endorsed by the Department of Planning, Industry & Environment (DPIE) in June 2021.

With a forecast population of 500,000 by 2036, the Housing Strategy intends to deliver 80% of new dwellings within walking distance of centres as set out in the LSPS, with a majority of the dwelling targets to be delivered in places of high amenity such as the Bankstown Strategic Centre and the Campsie Town Centre. Council is progressing with the master plans for the key strategic centres of Bankstown and Campsie which intend to accommodate 38% of new dwellings and 40% jobs growth projected in Council's LSPS for the LGA to 2036.

Although this Planning Proposal intends to convert approximately 6,700m<sup>2</sup> of R2 Low Density Residential zoned land which is equivalent to approximately 10-15 dwelling houses and around 0.02% of Council's total 50,000 dwelling target to 2036. The potential implication of this on meeting dwelling targets for the overall LGA is negligible.

In light of the above, this Planning Proposal is consistent with the intent of Council's Housing Policy to concentrate future residential development in areas supported by infrastructure and within the walking distance of centres.

#### 4.4 Creative City Strategic Plan 2019

The Planning Proposal is consistent with a number of actions identified in the Creative City Strategic Plan 2019, namely:

- **Action 1.03:** Deliver creative outcomes as part of any urban renewal, master planning process or Planning Proposals.
- **Action 1.11:** Enhance the experience of walking and cycling with public art, temporary art, pop-up parks and cafes.
- **Action 1.13:** Include public art in significant public domain upgrades for open spaces, destination play spaces, youth recreation areas and town centres when designing for Liveable Centres.



- **Action 4.04:** Investigate and improve accessibility to cultural/creative events & facilities.
- **Action 4.05:** Undertake creative programs, including public art, creative interpretation and cultural development to promote greater appreciation of Canterbury Bankstown's open space, bushland corridors and other natural areas, and rivers and catchment areas.

This Planning Proposal presents opportunities to incorporate the above actions as part of the wholistic open space planning of Peace Park and protection of Ashbury Heritage Conservation Area in general, as part of this Planning Proposal.

## **5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

On 1 March 2022, a new set of Consolidated State Environmental Planning Policies came into effect which is part of the State Government's ongoing initiative to streamline the NSW planning system.

This Planning Proposal's consistency with applicable State Environmental Planning Policies is summarised in Appendix A, and discussed further below. The State Environmental Planning Policy (SEPP) No. 55 - Remediation of Land is now consolidated under the State Environmental Planning Policy (Resilience and Hazards) 2021.

### **State Environmental Planning Policy (Resilience and Hazards) 202 (formerly State Environmental Planning Policy (SEPP) No. 55 – Remediation of Land)**

The objective of this SEPP is to promote remediation of contaminated land for the purposes of reducing the risk of harm to human health or any other aspect of the environment.

A number of residential developments are currently permissible with consent on the Planning Proposal site as it is currently zoned R2 Low Density Residential. The nature of the Planning Proposal is such that it reduces intensification of the land from Zone R2 Low Density Residential to Zone RE1 Public Recreation. Council's records and historical aerial photos indicate that the site was not part of a quarry which was converted to a landfill at a later stage, currently known as Peace Park.

However, Council also notes a potential implication(s) of the subject site being located next to a historic landfill site. Any future development application(s) on the Planning Proposal would be subject to relevant assessments depending on the nature of the use proposed at the time of the lodgement of a DA to address any matters arising from the previous use of the Peace Park land.

This Planning Proposal is therefore consistent with the objectives of SEPP 55- Remediation of Land. However, if additional information is considered necessary, a preliminary site investigation report can be prepared and supplied to the Department's satisfaction, as a condition of a Gateway Determination.





## **State Environmental Planning Policy (Housing) 2021**

The new State Environmental Planning Policy (Housing) 2021 (Housing SEPP) consolidates five existing SEPPs, namely:

- State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP);
- State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 (Seniors SEPP);
- State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes) (SEPP 70);
- State Environmental Planning Policy No 21 - Caravan Parks; and
- State Environmental Planning Policy No 36 - Manufactured Home Estates.

The Planning Proposal is currently inconsistent with the Housing SEPP 2021 due to the potential loss of approximately 6,700m<sup>2</sup> Zone R2 residential land for the purposes of open space via rezoning it to Zone RE1 Public Recreation. The inconsistency however is of a minor nature as justified below:

As noted in Sections 4.4 and 4.5 of this Planning Proposal, the subject site is not located within a walking distance of existing town centres. The nearest town centre of Canterbury is located approximately 1.4 kilometres South of the site, which would see certain residential intensification as part of the future Masterplan for the town centre. With a forecast population of 500,000 by 2036, Council's LSPS intends to accommodate a majority of new dwellings (80%) to support this population growth in existing centres places with the remaining 20% in existing suburban areas.

The site has capacity to accommodate approximately 10-15 dwelling houses which would constitute approximately 0.02% of Council's total 50,000 dwelling target to 2036. This potential marginal loss in the residential dwelling capacity could be absorbed by residential intensification within the town centres supported by appropriate jobs, public infrastructure and transport such as Bankstown and Campsie Town Centres.

In consideration to the above, the minor inconsistency against the Housing SEPP 2021 is justified.


### **6. Is the Planning Proposal consistent with applicable Local Planning Directions? (s9.1 Directions)**

This Planning Proposal is consistent with most applicable Ministerial Directions (also referred as local planning directions which came into effect on 1 March 2022, refer to Appendix B), and discussed further below:



Local Planning Directions	Consistent / Rationale
<p><b>Focus Area 3: Biodiversity and Conservation</b></p> <p>3.2 Heritage Conservation</p>	<p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>This Planning Proposal intends to facilitate heritage conservation values of the locality by:</p> <ul style="list-style-type: none"> <li>continuing with the existing heritage provisions that apply to the site as part of the broader Ashbury Heritage Conservation area;</li> <li>rezoning the land from Zone R2 Low Density Residential to Zone RE1 Public Recreation ensures less intensification of the land, and reduces impacts on the heritage conservation area; and</li> <li>reflecting the heritage curtilage of the historic brick kiln and stack which once stood at Peace Park.</li> </ul> <p>In consideration to the above, the Planning Proposal is consistent with Local Planning Direction 3.2 Heritage Conservation.</p>
<p><b>Focus Area 4: Resilience and Hazards</b></p> <p>4.1 Flooding</p>	<p>The objectives of the Local Planning Direction 4.1 (Flooding) are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> and to ensure that the provisions of an LEP on flood prone land include consideration of the potential flood impacts both on and off the subject land.</p> <p>As indicated in Figure 14, the site is located within the flood planning area (FPA) and therefore the site is subject to flood related development controls. According to Council's Cooks River Overland Flood Study, 2016, the 1% Annual Exceedance Probability (AEP) flood depths on the Planning Proposal site are up to 0.5 m deep.</p> <p>The site is at a topographical low point for Peace Park and therefore overland stormwater flood accumulates on the subject site. Flood waters flow in the south-westerly direction through the properties at No.53 and No.57 Fifth Street, Ashbury.</p> <p>Depending on the nature of the proposed land use, future development applications will address any implications arising from the Cooks River Overland Flood Study, 2016 and will address flood controls in Council's LEP and DCPs with appropriate Flood Risk Management Study and Flood Risk Management Plan to mitigate any associated risk. Council's Consolidated DCP 2020 contains LGA wide flood controls for future planning of flood planning areas. The DCP will be updated as more information on flood planning areas become available.</p> <p>This Planning Proposal is consistent with the objectives of this direction as it intends to rezone the land from Zone R2 Low Density to Zone RE1 Public</p>



Local Planning Directions	Consistent / Rationale
	<p>Recreation, thereby reducing potential flood implications arising from the site.</p>  <p><b>Figure 14:</b> Flood affectation (Source: Canterbury Bankstown Council)</p>
<p><b>Focus Area 4: Resilience and Hazards</b></p> <p>4.4 Remediation of Contaminated Land</p>	<p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by Planning Proposal authorities. Council's records and historic aerial photos indicate that the site was not part of a quarry which was converted to a landfill at a later stage, currently known as Peace Park.</p> <p>The subject site was previously owned by Ausgrid and has been recently sold off to a private entity in late May 2021.</p> <p>A range of residential accommodation development is currently permissible with consent on the site. The nature of the Planning Proposal is such that it reduces the potential intensification of the land from R2 Low Density Residential Zone to RE1 Public Recreation Zone. Notwithstanding, Council also notes a potential implication of the subject site being located next to a historic landfill site. Any future development application on the site, or activity carried out by or on behalf of Council under Part 5 of the Environmental Planning and Assessment Act 1979 would be subject to a site investigation assessment depending on the nature of the use proposed at that time to address any matters arising from the adjoining lands.</p>



Local Planning Directions	Consistent / Rationale
	<p>However, if additional information is considered necessary, a preliminary site investigation report can be supplied to the Department's satisfaction following the Gateway Determination. In consideration to the above matters, this Planning Proposal is consistent with the above local planning direction.</p>
<p><b>Focus Area 5: Transport and Infrastructure</b></p> <p>5.2 Reserving Land for Public Purposes</p>	<p>The objective of this direction is to facilitate the provision of public services and facilities by reserving land for public purposes.</p> <p>According to the Direction, where land is to be reserved for public recreation purposes, the land is to be outlined and annotated on the Land Reservation Acquisition Map, and the relevant acquisition authority is to be identified.</p> <p>The Mayoral Minutes of 25 May 2021 noted that due to Council's limited funds, Council is currently unable to acquire the land in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> <p>The Planning Proposal at this stage does not identify the relevant land acquisition authority. Consistent with the requirements of the Local Planning Direction 5.2 and the Gateway Determination, prior to the finalisation of the Plan, Council is required to nominate the authority for the purposes of the acquisition of the land.</p> <p>In this regard, this Planning Proposal is currently inconsistent with the Local Planning Direction 5.2. Consistency with this direction can be achieved with a nomination of an appropriate authority for the acquisition of the land, which is required to occur prior to the finalisation of this Planning Proposal in accordance with the Gateway determination.</p>
<p><b>Focus Area 6: Housing</b></p> <p>6.1 Residential Zones</p>	<p>The objectives of this direction are to encourage a variety and choice of housing types, to provide for existing and future housing needs and to make efficient use of existing infrastructure and services.</p> <p>This Planning Proposal is currently inconsistent with the objectives of this local planning direction as it intends to rezone the land from Zone R2 Low Density Residential to Zone RE1 Public Recreation.</p> <p>Although this Planning Proposal intends to remove the permissibility of residential accommodation development from the land, the matter can be considered of minor significance based on the following factors:</p> <ul style="list-style-type: none"> <li>• Council's Local Strategic Planning Statement (LSPS) identifies strategies and actions to achieve the targeted residential growth along transport corridor which are best suited for future residential growth.</li> <li>• In accordance with the above, 80% of the targeted residential growth is to occur within the centres planned around public transport and 20% within suburban areas.</li> <li>• Council is progressing with the Master Plans for Bankstown and Campsie Strategic Centres. The preparation of Master Plans for the</li> </ul>





Local Planning Directions	Consistent / Rationale
	<p>other centres will commence in 2022 and will easily be able to make up for the possible 10-15 dwellings lost from this site due to the proposed rezoning. In this context the potential dwelling loss due to the rezoning of the approximately 6,700m<sup>2</sup> land is of minimal consequence.</p> <ul style="list-style-type: none"><li>• This Planning Proposal intends to protect the existing characteristics of the Ashbury Heritage Conservation Area by limiting further residential development.</li></ul>

### **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?**

This Planning Proposal 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?**

As the proposal intends to rezone the subject site which is in line with the zoning of the adjacent open space and characteristics of the Ashbury Heritage Conservation Area, there are no other likely environmental effects resulting from the Planning Proposal, apart from those addressed in Direction 2.6 Remediation of Contaminated and Direction 4.3 Flooding.

#### **9. Has the Planning Proposal adequately addressed any social and economic effects?**

Sections 3.1 and 3.2 provide details of the social and community benefits arising from this Planning Proposal.

The intended outcome of this Planning Proposal is to increase the size of the existing district level open space and ultimately contribute to improving liveability for communities within the catchment area which extends beyond the Canterbury Bankstown LGA.

Peace Park is a public open space that the residents of the adjoining Inner West Council visit due to the current open space deficiency within that part of the Inner West Council. A review of the Inner West Council's *Recreational Need Study, 2018* confirms the following matters:

*“...Residents of the Inner West travel to other areas to participate in recreation, and visitors come to the Inner West to use local facilities. There is a need to work with neighbouring councils to plan regionally for the provision of major recreation facilities to avoid duplication, meet gaps, and provide increased access to recreation facilities...”*

(Source: Recreation Needs Study – A Healthier Inner West, October 2018, page 36)



The following extract from the *Recreational Need Study, 2018* indicates the areas that are currently deficient in open space which has implications on increased visitation of Peace Park.

*“...Based on a benchmark of 13.3m<sup>2</sup> of open space per person, new open space is needed in areas of low provision to address current gaps. The following areas have below the LGA wide benchmark of 13.3m<sup>2</sup> per person:*

- *Croydon - Croydon Park (8.7m<sup>2</sup>)*
- *Ashfield (8.1m<sup>2</sup>)*
- *Summer Hill (4.3m<sup>2</sup>)*
- *Dulwich Hill (4.5m<sup>2</sup>)*
- *Lewisham (3.8m<sup>2</sup>)...*”

(Source: Recreation Needs Study – A Healthier Inner West, October 2018, page 74)

As noted in Section 4.3, the existing open space identified above is equates to 0.38ha/1,000 people for Lewisham to 0.87ha/1,000 people in Croydon and Croydon Park. These rates when compared to Ashbury’s provision of 3.75ha/1,000 people is equivalent to 4.3 to 9.9 times more public open space.

This disparity of public open space within 2km of the site underscores the importance of district level open space meeting the open space demand of the population beyond the boundaries of the Canterbury Bankstown LGA.

The Planning Proposal will enable the master planning of an enlarged Peace Park in line with Council’s Open Space Strategy. It has potential to contribute to the local economies through events and programmable space, increase community interactions, exchange cultural values and promote a greater public awareness of the history and heritage of the locality.

The Planning Proposal will enable events and other uses what are proposed to be undertaken in Peace Park can seamlessly be extended to the subject site via the proposed rezoning.

With the proposed rezoning of the site from Zone R2 Low Density Residential to Zone RE1 Public Recreation, a number of additional land uses would become permissible under the Canterbury LEP 2012. Some of these land uses include:

- Emergency services facility
- Environmental facility
- Information and education facility
- Kiosks,
- Markets
- Recreation facilities (indoor)
- Recreation facilities (major)
- Recreation facilities (outdoor).

The Canterbury LEP 2012 provides the following definitions for these land uses:



**emergency services facility** means a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation.

**environmental facility** means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures

**information and education facility** means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

**kiosk** means premises that are used for the purposes of selling food, light refreshments and other small convenience items.

**market** means an open-air area, or an existing building, that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

**recreation facility (indoor)** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

**recreation facility (major)** means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

**recreation facility (outdoor)** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

These land uses are appropriate and suitable for the functioning of the site as an extension of Peace Park and for the strengthening of the district level hierarchy of this open space. These permissible uses are consistent with the permissible uses (with consent) on the adjoining Peace Park which is zoned RE1 Public Recreation.

These may include major recreation facilities such as theme parks, showgrounds, racecourses and motor racing tracks etc. to be attended by large numbers of people periodically or on a regularly basis. These may also include building or places used predominantly for outdoor recreation, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre which could assist on extending the facilities being offered by the district level open space.

The site could also be used as a display centre/exhibition space for visitors including an art gallery, museum, library, visitor information centre and the like which is appropriate for a



district level open space. Walking tracks, seating, shelters, board walks, observation decks and the like would be permissible under environmental facility, including buildings and structures such as helipads in connection with the provision of emergency services by an emergency services organisation become permissible on the site which is very fitting due to the new role of this site as an integral part of Peace Park. Any future uses will be subject of a DA process, including an environmental assessment under Part 4 of the Act, with opportunities for the surrounding community to comment on the DA before determination.

The Planning Proposal has positive impacts towards achieving mental, physical and social benefits, and will have a positive impact on managing natural and urban hazards including urban heat effect and stormwater management by limiting impervious surfaces by prohibiting residential accommodation development. The proposal also ensures the site respects the integrity of the Ashbury Heritage Conservation area.

In addition to the above, this Planning Proposal will contribute towards creating healthy places by improving air quality, creating opportunity for additional tree canopy, encouraging people to walk and use public open space and ultimately leading to a better quality of life.

A potential economic implication to the current owner resulting from this Planning Proposal is a potential impact of land value. To manage this this potential impact, Council wrote to the real estate agent acting for Ausgrid prior to the land being sold, the ensure that the prospective purchaser would be informed of Council's intentions to rezone the land to RE1 Public Recreation prior to purchasing the land. As indicated in Council's Mayoral Minutes of 25 May 2021, Council wrote to the Minister for Planning and Public Spaces requesting support for this site to be provided as a public space.





## **Section D–State and Commonwealth interests**

### **10. Is there adequate public infrastructure for the Planning Proposal?**

The site has adequate access to existing public infrastructure including the bus and train transport network. The site is accessible via the existing road and footpath network.

The locality has adequate public utilities including potable water, sewerage and electricity.

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

The Gateway Determination will require consultation with the following agencies:

- Heritage NSW, Department of Premier and Cabinet.
- Transport for NSW.
- Sydney Water.
- Ausgrid.
- Inner West Council.
- NSW Environment Protection Authority.

This section will be updated following consultation with public authorities in accordance with the Gateway Determination.



## Part 4 – Maps

The maps accompanying this Planning Proposal are included in Appendix C.



## Part 5 – Community Consultation

The Planning Proposal will be placed on public exhibition in accordance with the Gateway Determination, Canterbury Bankstown Community Participation Plan and relevant applicable public health orders for a minimum of 28 days, comprising of:

- Notification in the local newspaper that circulates in the area affected by this Planning Proposal.
- Displays on the Council's "Have Your Say" website.
- Written notification to affected and adjoining property owners.
- Written notification to public authorities listed in Section D, Item 11 above.



## Part 6 – Project Timeline

The anticipated timeline for completion of the Planning Proposal is as follows:

Dates	Project timeline
November 2021	Submit Planning Proposal to the Department of Planning, Industry and Environment for Gateway Determination
January 2022	Issue of Gateway Determination
Feb2022	Undertake additional studies is required
March/April 2022	Planning Proposal Exhibition
May 2022	Consideration of submissions and Planning Proposal post exhibition
June 2022	Report to Council following the exhibition
July 2022	Submit Draft Local Environmental Plan to the Department to finalise the LEP.
October 2022	Notification of instrument being made





## APPENDIX A–State Environmental Planning Policies

SEPPs (as at 18 March 2022)	Applicable	Consistent
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	Yes
State Environmental Planning Policy (Housing) 2021	Yes	No, but justified.
State Environmental Planning Policy (Industry and Employment) 2021	No	N/A
State Environmental Planning Policy (Planning Systems) 2021	Yes	Yes
State Environmental Planning Policy (Precincts - Central River City) 2021	No	N/A
State Environmental Planning Policy (Precincts - Eastern Harbour City) 2021	No	N/A
State Environmental Planning Policy (Precincts - Regional) 2021	No	N/A
State Environmental Planning Policy (Precincts - Western Parkland City) 2021	No	N/A
State Environmental Planning Policy (Primary Production) 2021	No	N/A
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	Yes
State Environmental Planning Policy (Resources and Energy) 2021	Yes	Yes
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes	Yes
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	Yes



## APPENDIX B—Local Planning Directions

Local Planning Directions (as at 18 March 2022)		Applicable	Consistent
<b>Focus area 1: Planning Systems</b>			
1.1	Implementation of Regional Plans	Yes	Yes
1.2	Development of Aboriginal Land Council land	Yes	Yes
1.3	Approval and Referral Requirements	No	N/A
1.4	Site Specific Provisions	No	N/A
<b>Focus area 1: Planning Systems – Place-based</b>			
1.5	Parramatta Road Corridor Urban Transformation Strategy	No	N/A
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	N/A
1.10	Implementation of the Western Sydney Aerotropolis Plan	No	N/A
1.11	Implementation of Bayside West Precincts 2036 Plan	No	N/A
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	No	N/A
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	No	N/A
1.14	Implementation of Greater Macarthur 2040	No	N/A
1.15	Implementation of the Pyrmont Peninsula Place Strategy	No	N/A
1.16	North West Rail Link Corridor Strategy	No	N/A
1.17	Implementation of the Bays West Place Strategy	No	N/A
<b>Focus area 2: Design and Place</b>			
<b>Focus area 3: Biodiversity and Conservation</b>			
3.1	Conservation Zones	No	N/A
3.2	Heritage Conservation	Yes	Yes
3.3	Sydney Drinking Water Catchments	No	N/A
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	No	N/A



3.5	Recreation Vehicle Areas	Yes	Yes
<b>Focus area 4: Resilience and Hazards</b>			
4.1	Flooding	Yes	Yes
4.2	Coastal Management	No	N/A
4.3	Planning for Bushfire Protection	No	N/A
4.4	Remediation of Contaminated Land	Yes	Yes
4.5	Acid Sulfate Soils	No	N/A
4.6	Mine Subsidence and Unstable Land	No	N/A
<b>Focus area 5: Transport and Infrastructure</b>			
5.1	Integrating Land Use and Transport	Yes	Yes
5.2	Reserving Land for Public Purposes <i>Note: Confirmation of the relevant acquisition authority is required to occur prior to the finalisation of the Plan in accordance with the Gateway determination.</i>	Yes	No
5.3	Development Near Regulated Airports and Defence Airfields	No	N/A
5.4	Shooting Ranges	No	N/A
<b>Focus area 6: Housing</b>			
6.1	Residential Zones	Yes	No, but justified.
6.2	Caravan Parks and Manufactured Home Estates	Yes	Yes
<b>Focus area 7: Industry and Employment</b>			
7.1	Business and Industrial Zones	No	N/A
7.2	Reduction in non-hosted short-term rental accommodation period	No	N/A
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A
<b>Focus area 8: Resources and Energy</b>			
8.1	Mining, Petroleum Production and Extractive Industries	No	N/A
<b>Focus area 9: Primary Production</b>			
9.1	Rural Zones	No	N/A
9.2	Rural Lands Oyster Aquaculture	No	N/A
9.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A



## **APPENDIX C—Local Environmental Plan Maps**

- Map 1 – Existing Land Zoning Map
- Map 2 – Proposed Land Zoning Map
- Map 3 – Existing Height of Buildings Map
- Map 4 – Proposed Height of Buildings Map
- Map 5 – Existing Lot Size Map
- Map 6 – Proposed Lot Size Map
- Map 7 – Proposed Land Reservation Acquisition Map





# Canterbury Local Environmental Plan 2012

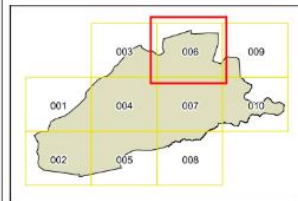
Land Zoning Map - Sheet LZN\_006

## Zone

- B1 Neighbourhood Centre
- B2 Local Centre
- B5 Business Development
- B6 Enterprise Corridor
- E1 National Parks and Nature Reserves
- IN1 General Industrial
- IN2 Light Industrial
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- RE1 Public Recreation
- RE2 Private Recreation
- SP2 Infrastructure
- W1 Natural Waterways
- U1 Unzoned Land

## Cadastre

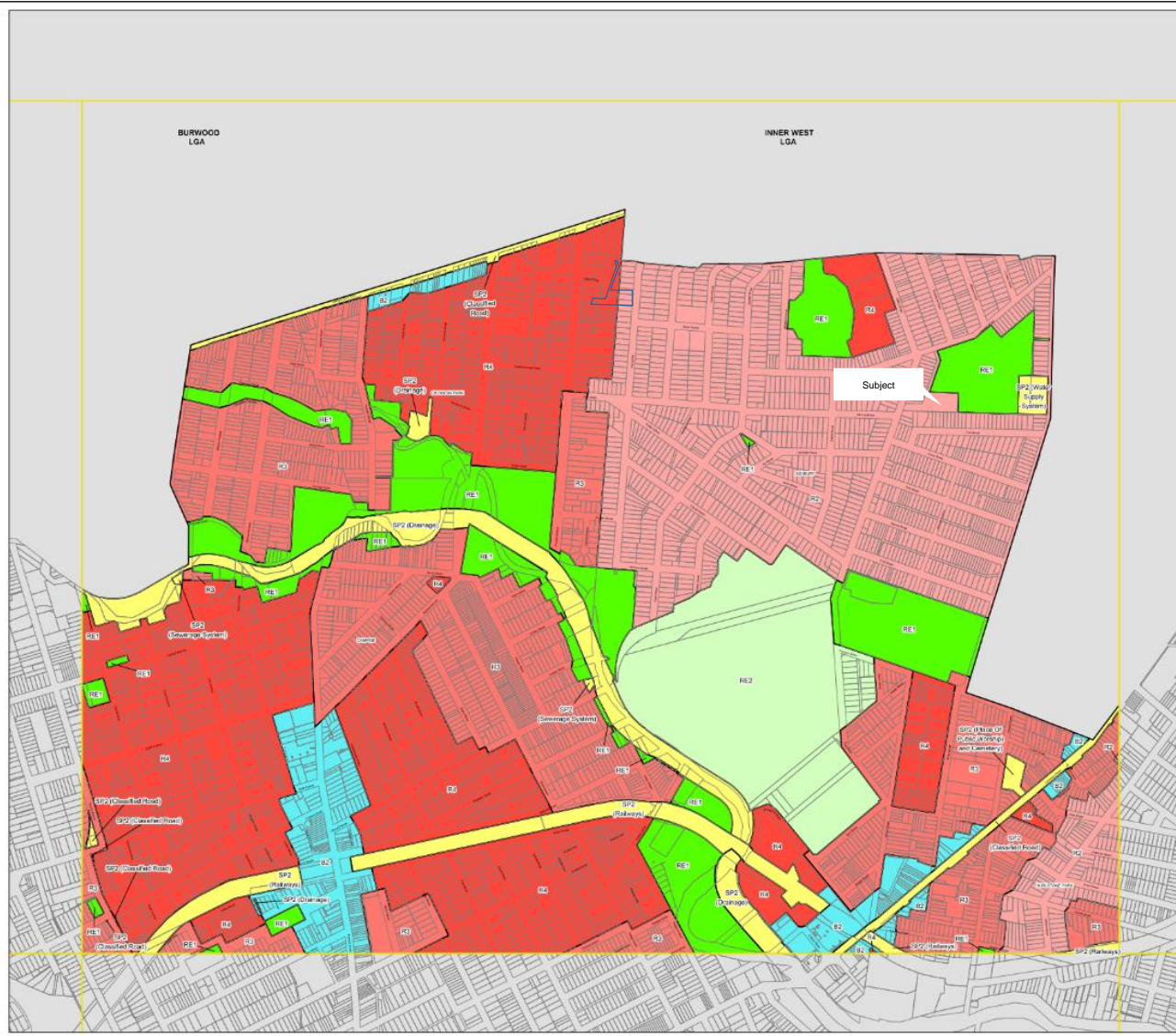
- Cadastre 2008/2020 © Canterbury - Bankstown Council



0 200 Metres

Scale 1: 10,000@A3

Map Identification Number: 1000\_CCM\_LZN\_006\_010\_20091109



Map 1: Existing Land Zoning Map



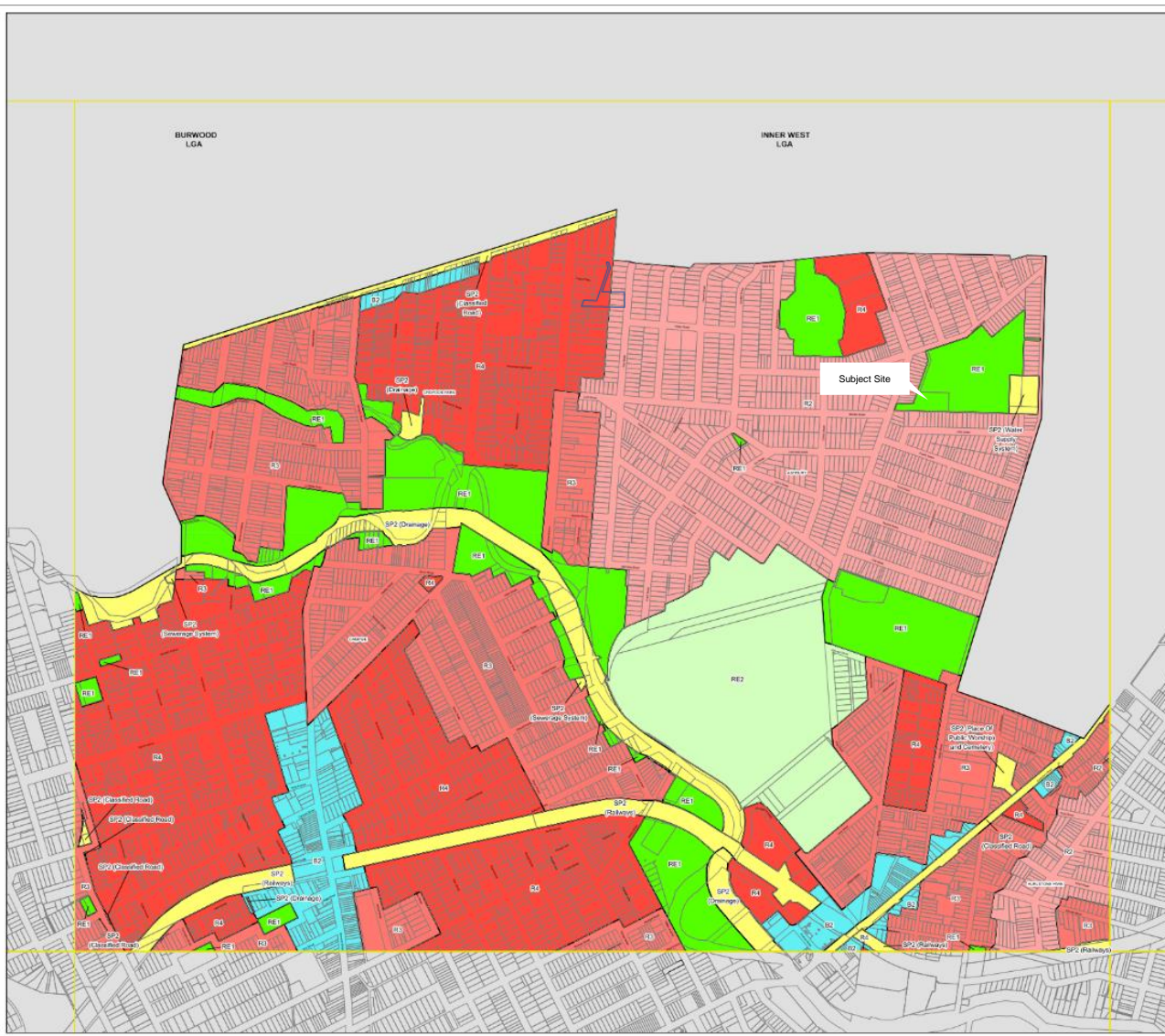
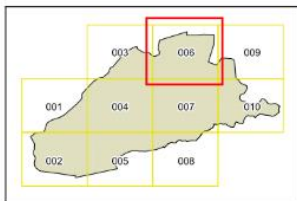
**Canterbury Local  
Environmental  
Plan 2012**

Land Zoning Map - Sheet LZN\_006

**Zone**

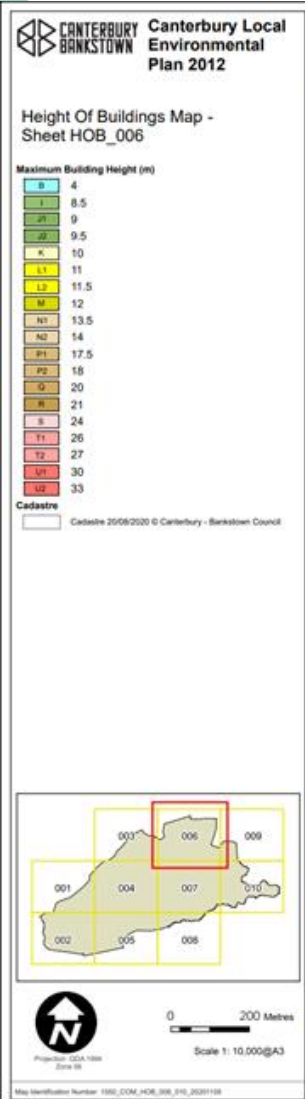
B1	Neighbourhood Centre
B2	Local Centre
B5	Business Development
B6	Enterprise Corridor
E1	National Parks and Nature Reserves
IN1	General Industrial
IN2	Light Industrial
R2	Low Density Residential
R3	Medium Density Residential
R4	High Density Residential
RE1	Public Recreation
RE2	Private Recreation
SP2	Infrastructure
W1	Natural Waterways
UL	Unzoned Land

**Cadastre**  
Line  
Cadastre 02/08/2021 © Canterbury - Bankstown Council



**Map 2: Proposed Land Zoning Map**





**Planning Proposal - 30 Trevenar Street, Ashbury**  
**March 2022**



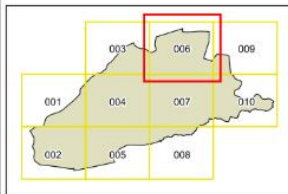
Height of Buildings Map -  
Sheet HOB\_006

Maximum Building Height (m)

B	4
I	8.5
J1	9
J2	9.5
K	10
L1	11
L2	11.5
M	12
N1	13.5
N2	14
P1	17.5
P2	18
Q	20
R	21
S	24
T1	26
T2	27
U1	30
U2	33

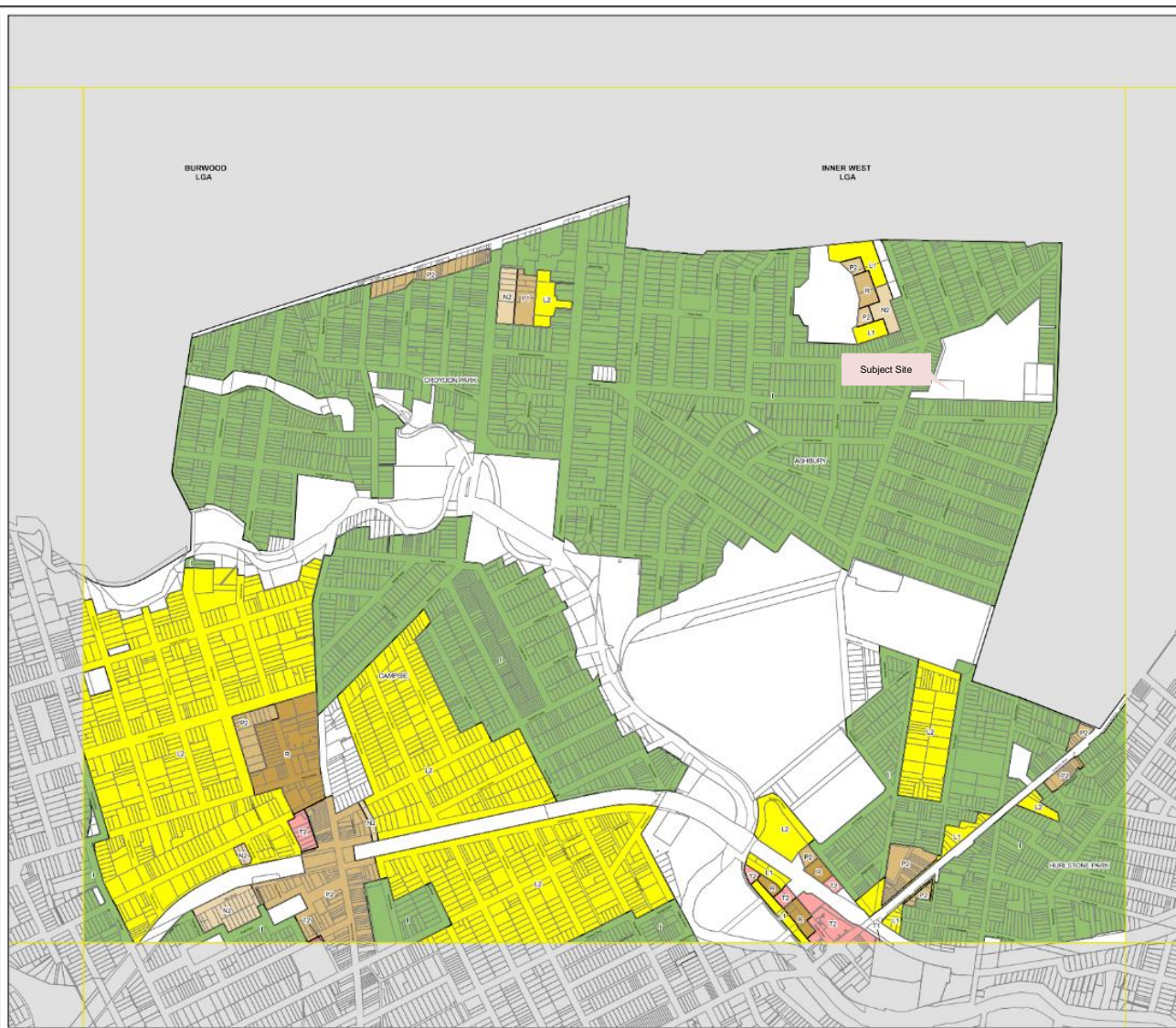
Cadastral

Cadastral 02/08/2021 © Canterbury - Bankstown Council



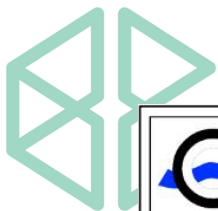
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Map Identification Number: 1550\_CCM\_HOB\_006\_010\_20210930



**Map 4: Proposed Heights of Buildings Map**





Canterbury Local  
Environmental  
Plan 2012

Lot Size Map - Sheet LSZ\_006

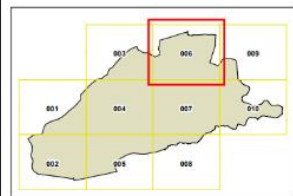
Minimum Lot size (sq m)

G 480

U 1500

Cadastral

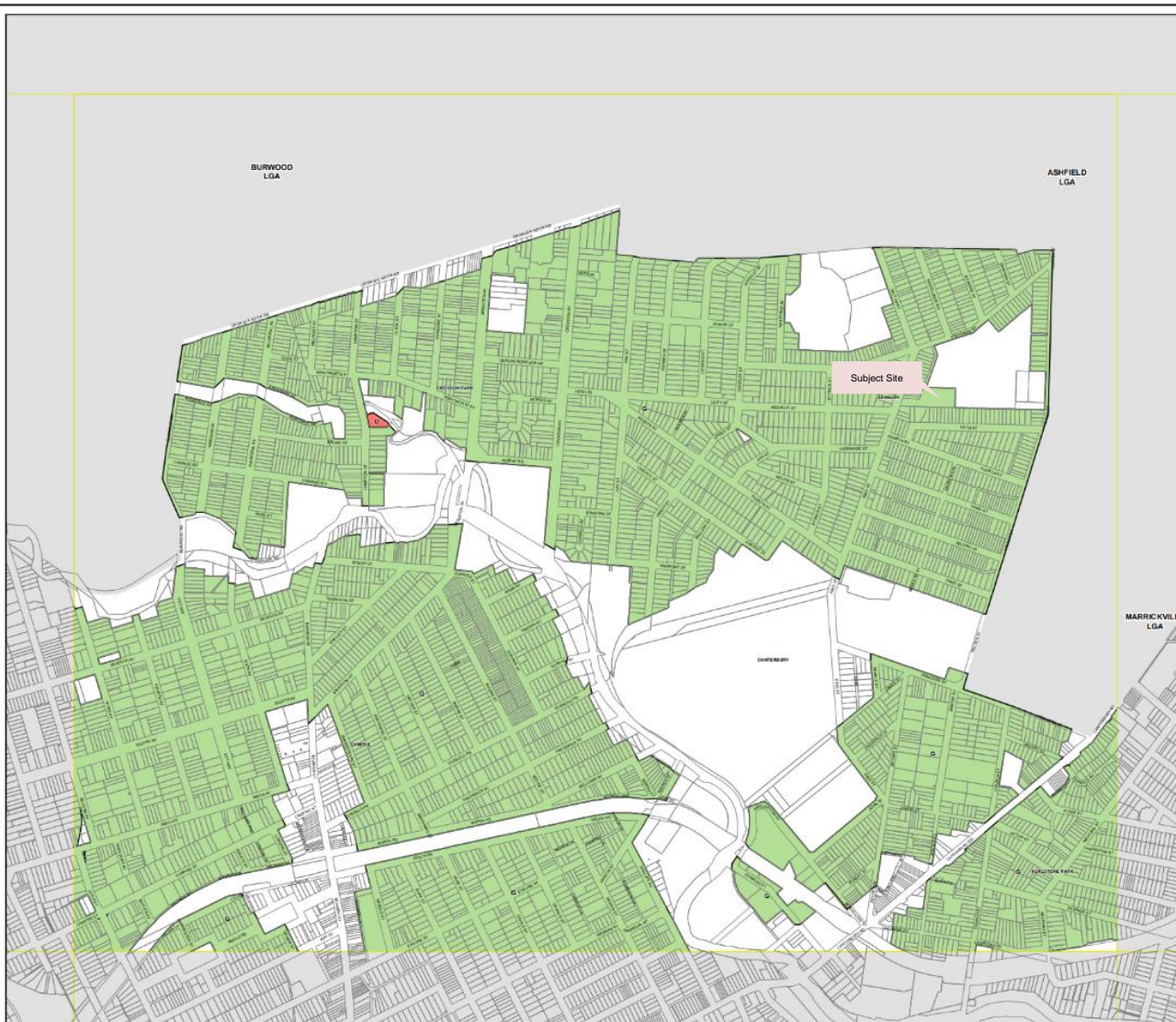
Cadastral 01/02/12 © Land & Property Information (LPI)



Projection: GDA 1994  
Zone 56

0 200 Metres  
Scale: 1:10,000 @ A3

Map identification number: 1519\_CDM\_LSZ\_006\_010\_20121105



Map 5: Existing Lot Size Map





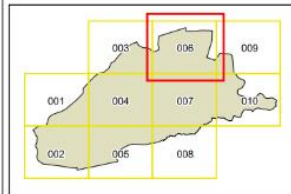
Lot Size Map - Sheet LSZ\_006

Minimum Lot Size (sqm)



Cadastral

Cadastral 02/08/2021 © Canterbury - Bankstown Council

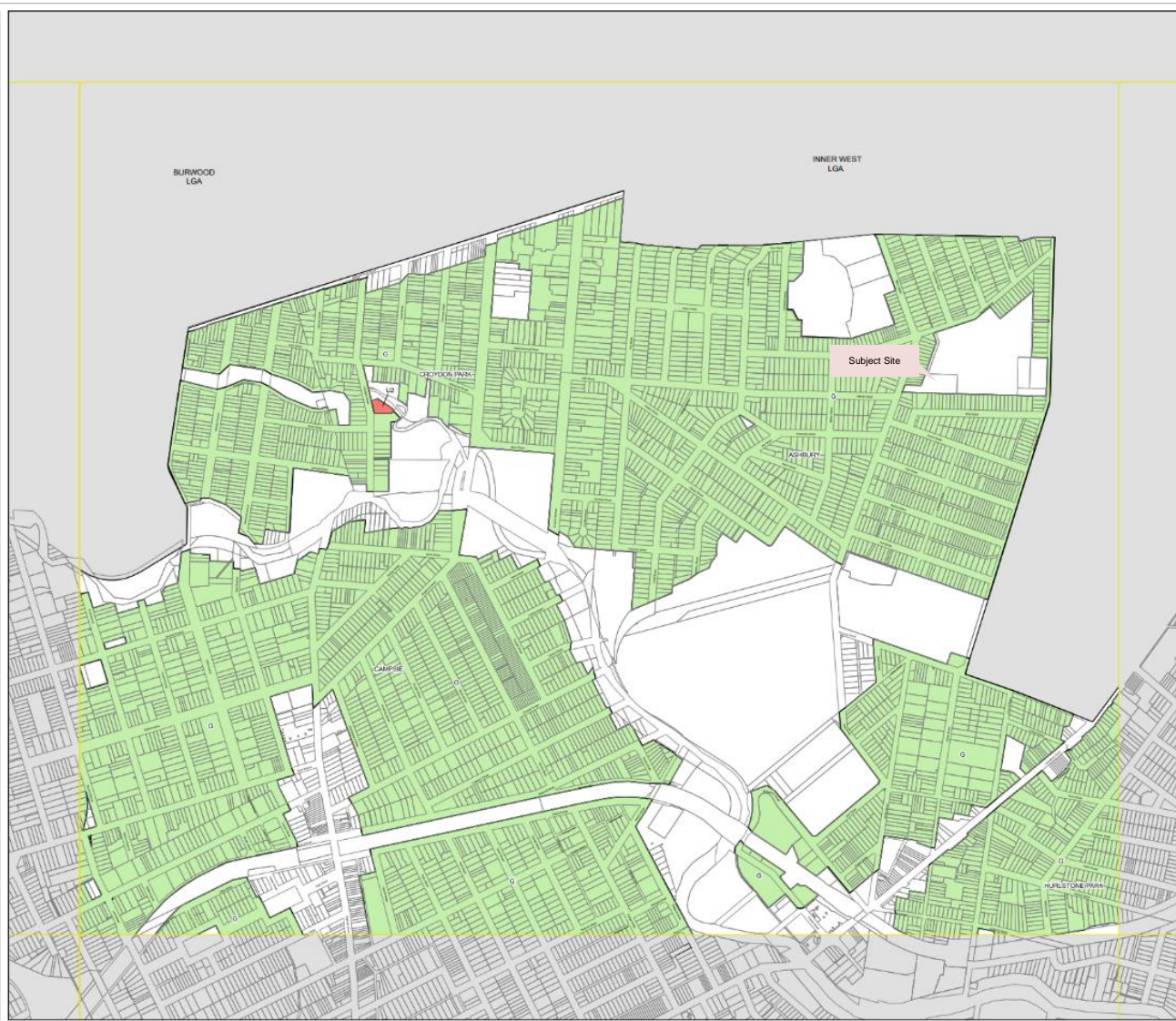


Projection: GDA 1984  
Zone 56

0 200 Metres

Scale 1:10,000@A3

Map Identification Number: 1560\_CCM\_LSZ\_006\_010\_20210830



**Map 6: Proposed Lot Size Map**

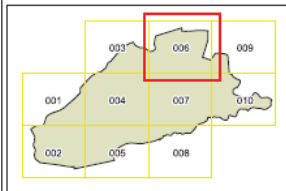


Canterbury Local  
Environmental  
Plan 2012

Land Reservation  
Acquisition Map - Sheet LRA\_006

**LRA**  
Classified Road (SP2)  
Local Open Space (RE1)  
Regional Open Space (RE1)

**Cadastral**  
Cadastral 02/08/2021 © Canterbury - Bankstown Council



0 200 Metres  
Scale 1:10,000@A3



Map 7: Proposed Land Reservation Acquisition Map