

Item No: C0617 Item 11**Subject:** 3-7 & 13-17 REGENT STREET, 287-309 TRAFALGAR STREET AND 16-20 FISHER STREET, PETERSHAM**File Ref:** DA201600286/69462.17**Prepared By:** Jamie Erken - Team Leader Planning Services**Authorised By:** Simon Manoski - Group Manager Strategic Planning**SUMMARY**

On 10 June 2016, Council received a planning proposal relating to three sites that include the properties known as 3-7 Regent Street (Site 1); 13-17 Regent Street (Site 2); and 287-309 Trafalgar Street & 16-20 Fisher Street (Site 3), Petersham.

The planning proposal seeks to amend Marrickville Local Environmental Plan (MLEP) 2011 to make a “*registered club*” a permissible use on the property known as 297-309 Trafalgar Street (this use is currently permissible on the properties known as 287 Trafalgar Street and 16-20 Fisher Street under Schedule 1 of MLEP 2011). This amendment will allow the existing club at 3-7 Regent Street to relocate to the opposite side of Regent Street as part of a mixed use development to be erected on the site known as 287-309 Trafalgar Street & 16-20 Fisher Street, Petersham. The planning proposal also seeks to increase the height and floor space ratio (FSR) development standards applying to the three sites to facilitate the developments identified below:

- Site 1: increase the maximum building height development standard from 23 metres to 29 metres and maintain the existing FSR development standard of 2.8:1.
- Site 2: increase the maximum building height development standard from 17 metres to 20 metres and increase the FSR development standard from 1.8:1 to 2.1:1.
- Site 3: increase the maximum building height development standard from a current range of 20-26 metres to a new range of 20-35 metres and increase the FSR development standard from 2.3:1 to 3.4:1.

The proposed changes to the maximum FSR development standards will result in an increase in the gross floor area (GFA) yield of the development across the three sites by some 5,922sqm from 24,542sqm to 30,464sqm. The new Club will have a GFA of 3,600sqm.

The planning proposal was referred to Council’s Architectural Excellence Panel (AEP) and the Panel was generally supportive of the increased densities (given the proximity of the sites to Petersham Railway Station) subject to modifications to some of the proposed building envelopes. Referrals were also received from various sections of Council and following an assessment of the planning proposal an issues letter was forwarded to the proponent.

The proponent subsequently amended the planning proposal, and it is the amended planning proposal that is the subject of the assessment provided in this report.

The proponent has advised that they intend to enter into a Voluntary Planning Agreement (VPA) with Council which at this stage will comprise a monetary offer of \$3,600,000. In light of the requirements outlined in Council’s Affordable Housing Policy, the proponent has advised that they are willing to negotiate with Council as to the public benefits to be provided as part of the final VPA. The value of the public benefits or otherwise of this offer will be the subject of evaluation and negotiation with the proponent. The final terms of the offer can be finalised after a Gateway determination and prior to the final determination of the planning proposal.

Overall, the planning proposal is considered suitable to progress to the Department of Planning & Environment for Gateway determination.

RECOMMENDATION**THAT:**

1. Council supports the planning proposal subject to:
 - (i) The resident car parking on site to be capped at the rate contained in Part 2.10 of Marrickville Development Control Plan (MDCP) 2011;
 - (ii) The proponent must engage an arborist to investigate the opportunities to retain the significant trees located on the corner of Regent Street and Fisher Street (Site 3) and adjust the building envelopes as may be required;
 2. Council officers consider the Voluntary Planning Agreement (VPA) Offer in accordance with Council's interim VPA Policy;
 3. forward the planning proposal to the Minister for Planning for a Gateway determination in accordance with Section 56 of the *Environmental Planning & Assessment Act 1979*;
 4. request that Council be delegated plan making functions in relation to the planning proposal; and
 5. resolves to develop site specific planning controls to apply to the future development at 3-7 Regent Street (Site 1); 13-17 Regent Street (Site 2); and 287-309 Trafalgar Street & 16-20 Fisher Street (Site 3), Petersham for inclusion in Part 9.6 (Precinct 6) of MDCP 2011 and that these be publicly exhibited concurrently with the planning proposal.
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1. BACKGROUND

The Petersham RSL Club has been in ongoing discussions with Council for a number of years concerning the fragmentation of its operation over the three sites that it currently occupies and its desire to redevelop and relocate all of its facilities (including car parking) to a single consolidated site on the western side of Regent Street.

The Petersham RSL currently own 3 main sites namely:

- 3-7 Regent Street;
- 13-17 Regent Street; and
- 287 Trafalgar Street & 16-20 Fisher Street, Petersham.

These three sites are all zoned R4 – High Density Residential under Marrickville Local Environmental Plan (MLEP) 2011. A “*registered club*” is a prohibited form of development in the R4 – High Density Residential zone, however Clause 14 in Schedule 1 – Additional Permitted Uses of MLEP 2011 allows a “*registered club*” to be permitted with consent on the sites known as 3-7 Regent Street, 287 Trafalgar Street and 16-20 Fisher Street, Petersham.

On 6 April 2016 Council received a Pre-DA submission that sought advice on a proposal to expand the range of permissible uses on the sites known as 297-309 Trafalgar Street to allow a registered club to be permissible on those sites and to amend the prescribed Floor Space Ratio (FSR) and Height of Building (HoB) development standards to allow the redevelopment of 3-7 Regent Street, 13-17 Regent Street and 287-307 Regent Street for the purpose of two residential flat buildings and a mixed use development containing a residential flat building and a registered club.

On 10 June 2016, Council received the subject planning proposal that seeks to amend the controls applying to the three sites to facilitate their redevelopment in the manner identified as part of the proposal.

2. THE SITES AND SURROUNDING DEVELOPMENT

The planning proposal relates to three separate sites that include the following properties:

Site	Address	Lot/DP	Area	Improvements
Site 1	3-7 Regent Street	Lot 1, DP629058	3,021sqm	Existing Petersham RSL Club premises
Site 2	13-17 Regent Street	Lot 1, DP830175	1,960sqm	RSL Club car park
Site 3	287-309 Trafalgar Street	Lot 1, DP1208130 Lot 10, DP1004198	4,793sqm	RSL Club car park and 3 vacant factory buildings
	16-20 Fisher Street	Lots A, B & C, DP440676	632sqm	3 x 3 storey terraces

The three sites identified have a consolidated site area of 10,406sqm.

Site 1 has frontage to Regent Street and Fisher Street and contains the existing 2 storey licensed club premises occupied by the Petersham RSL.

Site 2 has frontage to Regent Street, Fisher Street and New Canterbury Road and currently comprises an at-grade off-street car park used in connection with the Club.

Site 3 is directly opposite Petersham Railway Station and has frontage to Trafalgar Street, Regent Street, Fisher Street and Fozzard Lane and contains:

- A total of 81 car parking spaces used in connection with the Club provided at grade and in a 2 storey structure on 287 Trafalgar Street;
- Three vacant industrial buildings on 297-309 Trafalgar Street; and
- Three x 3 storey terraces on 16-20 Fisher Street.

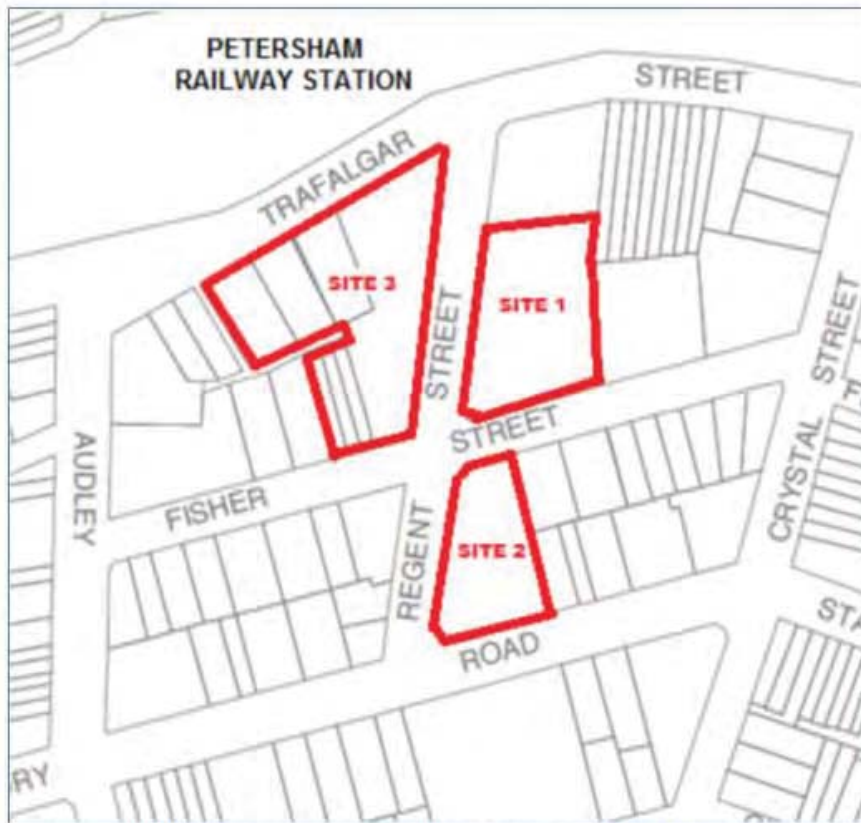


Image 1 – Plan indicating the three sites the subject of the planning proposal

The area surrounding the three sites consists of a mixture of building types including single dwelling houses; residential flat buildings; boarding houses; industrial buildings and an administration building containing the Petersham Service Centre of the Inner West Council. The subject sites are also located in close proximity of the Petersham Commercial Precinct which is centred on New Canterbury Road and Audley Street. The Petersham Commercial Precinct is a retail shopping strip with building heights ranging from 1 to 6 storeys.

The three sites for which the planning proposal relates are all zoned R4 – High Density Residential, while the surrounding area consists of a mix of zonings, including R1 – General Residential, B4 – Mixed Use; R2 – Low Density Residential; and B2 – Local Centre.



Image 2: The existing zoning provisions applying to the subject land and the surrounding properties

The land to which the planning proposal relates is conveniently located in close proximity to:

- Petersham Railway Station located opposite Site 3 in Trafalgar Street;
- New Canterbury Road, Audley Street, Trafalgar Street and Crystal Street accommodating major bus routes operated by Sydney Buses, including Routes 412, 444, 445 and L28, which connect the area to the Sydney CBD and intervening suburbs;
- Petersham town centre which is less than 200 metres away which comprises a variety of services and facilities.

3. DETAILS OF THE PLANNING PROPOSAL

The planning proposal seeks to amend Marrickville Local Environmental Plan (MLEP) 2011 by:

1. Amending Item 14 in Schedule 1 of the Plan:
 - (i) to include the properties at 297-309 Trafalgar Street so as to allow development for the purposes of a “*registered club*” to be permissible with Council’s consent on them;
 - (ii) To omit reference to the properties at 16-20 Fisher Street, so as to preclude development for the purposes of a “*registered club*” on them as a result of these properties no longer being needed for the relocation of the Club;
 - (iii) To exclude 150 off street car parking spaces associated with the Club from being considered to represent “*gross floor area*”.
2. Amending the Height of Buildings Map and Floor Space Ratio Map to apply development standards to the 3 development sites for which the planning proposal relates to allow redevelopments at the densities envisioned in the architectural plans and building envelope drawings submitted with the planning proposal.

The proponent has advised that they intend on entering into a Voluntary Planning Agreement (VPA) with Council which will comprise a monetary offer of \$3,600,000.

The architectural plans for the respective sites as submitted with the original planning proposal are attached at **ATTACHMENTS 1, 2 and 3.**

Following the receipt of referrals from various sections of Council (including the Architectural Excellence Panel) and following an assessment of the planning proposal an issues letter was forwarded to the proponent. The proponent subsequently amended the development standards and building envelopes sought as part of the planning proposal. The amended planning proposal is the subject of the assessment provided in this report.

The specific amendments sought as part of the amended planning proposal are further discussed below:

(i) Use of 297-309 Trafalgar Street

Development for the purposes of a “*registered club*” is currently permissible with Council consent on Site 1 and part of Site 3 (i.e. excluding 297-309 Trafalgar Street, Petersham).

The planning proposal seeks to incorporate 297-309 Trafalgar Street into the site for the new club (Site 3), so that all land fronting Trafalgar Street between Regent Street and Fozzard Lane forms part of the potential redevelopment. The properties known as 16-20 Fisher Street are no longer required for the relocated Club.

As mentioned above, a “*registered club*” is currently permissible on part of Site 3 by virtue of Item 14 in Schedule 1 (Additional Permitted Uses) of MLEP 2011 and it is proposed to amend this clause to add 297-309 Trafalgar Street and remove 16-20 Fisher Street.

The proposed new clause will read as follows:

14 Use of certain land at 3–7 Regent Street and 287-309 Trafalgar Street, Petersham

- (1) This clause applies to land at 3–7 Regent Street and 287-309 Trafalgar Street, Petersham, being Lot 1, DP 629058, Lot 10, DP 1004198 and Lot 1, DP 1208130.
- (2) Development for the purpose of a registered club is permitted with consent.

(ii) Car Parking

Under the definition contained in MLEP 2011, only car parking required to meet Council requirements is excluded from “*gross floor area*” calculations.

Pursuant to the requirements contained in Marrickville Development Control Plan (MDCP) 2011, car parking for a registered club must be provided at a rate of 1 space / 6 staff for patrons and staff. In relation to the proposed club this requirement would equate to between 10 and 15 car parking spaces.

The Club has stipulated that 150 spaces is the minimum number of spaces required to accommodate its operations, noting that the existing club at 3-7 Regent Street has access to 152 car parking spaces (across the three sites).

This additional car parking would normally be included in GFA calculations and accordingly the proponent seeks a new sub-clause be added to Item 14 in Schedule 1 of MLEP 2011 that reads as follows:

“(3) A car park accommodating up to 150 parking spaces associated with a registered club on this land is to be excluded from gross floor area.”

(iii) Height of Building (HOB)

The existing maximum HOB standards in MLEP 2011 and those proposed as part of the planning proposal are indicated in the table below:

Site	Lot/DP	Existing Height Standard	Proposed Height Standard
Site 1	Lot 1, DP629058	23.0m	29.0m
Site 2	Lot 1, DP830175	17.0m	20.0m
Site 3	Lot 1, DP68697	23.0m	35.0m 29.0m 20.0m
	Lot 4, DP1105379	23.0m	
	Lot 1, DP735751	23.0m	
	Lot 1, DP62688	23.0m	
	Lot 10, DP1004198	26.0m	
	Lots A, B & C, DP440676	20.0m	

The proposed standards are based on the Urban Design and SEPP 65 Assessment prepared by Annand Associates Urban Design Pty Ltd and the development concept plans that have been submitted as part of the planning proposal.

(iv) Floor Space Ratio (FSR)

The existing maximum FSR standards in MLEP 2011 and those proposed as part of the planning proposal are indicated in the table below:

Site	Lot/DP	Existing FSR Standard	Proposed FSR Standard
Site 1	Lot 1, DP629058	2.80:1	2.80:1 (unchanged)
Site 2	Lot 1, DP830175	1.80:1	2.10:1
Site 3	Lot 1, DP68697	2.50:1	3.40:1
	Lot 4, DP1105379	2.30:1	
	Lot 1, DP735751	2.20:1	
	Lot 1, DP62688	2.20:1	
	Lot 10, DP1004198	2.30:1	
	Lots A, B & C, DP440676	2.30:1	

The proposed changes to the maximum FSR development standards will result in an increase in the gross floor area (GFA) yield of the development on the three sites by some 5,922sqm from 24,542sqm to 30,464sqm. The new Club will have a GFA of 3,600sqm.

(v) Voluntary Planning Agreement

The planning proposal as originally submitted on 10 June 2016 included a VPA which was valued by the proponent at \$4.6 million and included:

- Transfer of 24 car parking spaces to be provided on the ground floor of the development to be completed on Site 1;
- Transfer of 2 x 1 bedroom affordable housing units; and
- Public domain improvements being the construction of a pedestrian shared zone in Regent Street, between Fisher Street and Trafalgar Street, including upgrading all associated footpath, kerb and gutter and road works (as necessary).

The original planning proposal sought changes that would have resulted in an increase in the gross floor area (GFA) yield of the development on the three sites by some 7,562sqm.

In responding to concerns raised by Council (including AEP advice) modifications have been made to the building envelopes sought on the three sites and these changes have resulted in the increase in gross floor area being reduced from 7,562sqm to 5,922sqm.

In a letter dated 30 May 2017, the proponent has advised that the value of the VPA they would offer in relation to the current revised planning proposal is \$3.6 million reflecting the reduced

yield. The proponent has also since agreed to continue to provide 24 car parking spaces to be provided on Site 1 (the site of the current RSL Club). These parking spaces would be made available for public use.

The proponent will finance the continued operation of the existing Club premises until the completion of the new Club and fund the construction of the new club premises, which is estimated to cost in the order of \$20 million and will be designed to benefit not only Club members, but the community at large, and would not represent a saleable element of the proposed redevelopment.

As part of the development agreement with the RSL Club, the proponent has also committed to provide residential units to the value of \$27 million to the RSL Club in perpetuity to ensure it will remain as a going concern into the long term.

The proponent also made the following comments in relation to the public benefits offered by the proposed redevelopment in considering the VPA offer:

“This voluntary planning agreement needs to be considered in the context of:

- the RSL Club’s role as a not-for-profit ex-servicemen’s organisation formed to satisfy the recreation, leisure, welfare and cultural needs of the local community; and*
- the underlying tenet of the planning proposal, which is to secure the Club’s ongoing viability and economic future by facilitating its relocation to new modern premises befitting contemporary community standards and providing an income stream to enable the Club to continue the vital contribution it makes to local community life.*

The new Club premises:

- will involve a building with a gross floor area of some 3,600sqm;*
- will involve the integration of 150 car parking spaces into the new premises; and*
- will be required to be built while keeping the existing Club operational to provide a continuity of service to the local community.*

Over the last decade, the Club has made grants exceeding \$2.1 million to a wide range of community, welfare and sporting organisations.

A review of grants made in the 2015-16 financial year, indicates grants of over \$400,000.

Highlights of these grants include over:

- \$180,000 to ShareCare Inc, an organisation which provides services to families who have a child or young person with a disability;*
- \$21,000 to the Petersham RSL Sub-Branch;*
- \$20,000 to the Newtown Rugby League Football Club;*
- \$12,000 to the Randwick Petersham Cricket Club; and*
- \$16,000 to the Sydney Eisteddfod.*

Significant grants have also been made to organisations including, the Heart Research Institute, the Marrickville Youth Resource Centre, Rainbow Club Australia Inc, RPA Newborn Care, Macular Disease Foundation, Holy Trinity Anglican Church, The Shepherd Centre, Good Shepherd Australia & New Zealand, Child Abuse Prevention Service and Vision Australia.

The redevelopment itself will result in significant public benefits in terms of public domain improvements, including:

- the undergrounding of overhead utility services on the western side of Regent Street;*
- the installation of kerb blisters, rain gardens and footpath planting in road reserves;*

- *the provision a publicly accessible urban space between buildings on Site 3 to establish a pedestrian link between Regent Street and Fozzard Lane; and*
- *adjustments to the traffic signals to allow for both right and left turn movements out of Regent Street into Trafalgar Street.*

A planning agreement is to be agreed to with Council prior to the issue of a Gateway Determination and is to include a provision that Council will not be required to expend the Section 94 contributions it receives from the ensuing development on facilities in the immediate vicinity of the Club's land."

4. PURPOSE OF THE PLANNING PROPOSAL

The proponent's stated purpose of the planning proposal is:

- *to facilitate the relocation of the RSL Club to a modern single level premises and enable it to satisfy recreation and leisure needs of the local community;*
- *to renew and revitalise this locality and realise Council's vision for growing Petersham as a residential precinct and as a centre;*
- *to provide public benefits in terms of:*
 - *significantly enhancing the public domain in this area; and*
 - *contributing to the provision of affordable housing;*
- *to promote and co-ordinate the orderly and economic use and development of the land in this locality; and*
- *to facilitate development in a manner consistent with contemporary town planning practice and principles relating to the integration of transport and land use and transit-oriented development and the use of public transport as the principal means of access to shops, services, leisure and recreational facilities.*

5. KEY PLANNING ISSUES

Following a review of the planning proposal, and the receipt of internal and external referrals, Council sent an issues letter (dated 27 March 2017) to the proponent identifying a number of matters that needed to be addressed in order to progress the planning proposal.

The proponent made amendments to the planning proposal and submitted updated documentation on 10 May and 30 May 2017.

The issues raised and the proponent's responses are outlined below:

- Building Envelopes and Architectural Excellence Panel Recommendations

Site 1 – 3-7 Regent Street, Petersham

As part of the original planning proposal, the proponent sought to increase the HOB and FSR development standards applying to this site to 32 metres (currently 23 metres) and 3.4:1 (currently 2.8:1) respectively to facilitate the erection of a 9 storey building.

Council's Architectural Excellence Panel (AEP) raised concern with the amenity of the nine storey concept design as originally submitted for this site, given the narrow (approximately eight metres wide) central courtyard. It was assessed that this original architectural scheme did not demonstrate that the HOB and FSR development standards proposed as part of the planning proposal were appropriate for the site.

The AEP recommended that part of the eastern side of the envelope be removed to create a more open 'U' shaped form to ensure adequate amenity for apartments and the central communal open space.

Given the 55 metre length of the Regent Street frontage, the AEP also suggested breaking the building into two distinct but united built forms with an entry lobby for each building and/or other design changes be explored to visually break-up the elevation, as well as providing a stronger base.

Applicant's response:

The applicant submitted an amended building envelope for Site 1 that included the following changes to respond to the concerns raised by Council:

- The building envelope has been amended to provide a part 7 part 8 storey building;
- A 2 storey cut-out (i.e. a 5 storey element) is proposed on the eastern elevation to ensure adequate amenity for apartments and the central communal open space;
- No change is proposed to the existing maximum FSR development standard currently applying to the site (i.e. 2.8:1); and
- The HOB development standard sought for the site has been reduced from 32 metres (as originally proposed) to 29 metres.

With regard to the AEP's comments about the need to visually break-up and provide a stronger base to the building, the proponent advised that *"the modulation and articulation of the building's Regent Street elevation is to be achieved by architectural detailing that is to be specified in the development application (DA) to be submitted following the processing of the planning proposal."*

The amended building envelopes proposed for Site 1 are illustrated below:



Image 3: Amended building envelope for Site 1 (3-7 Regent Street)

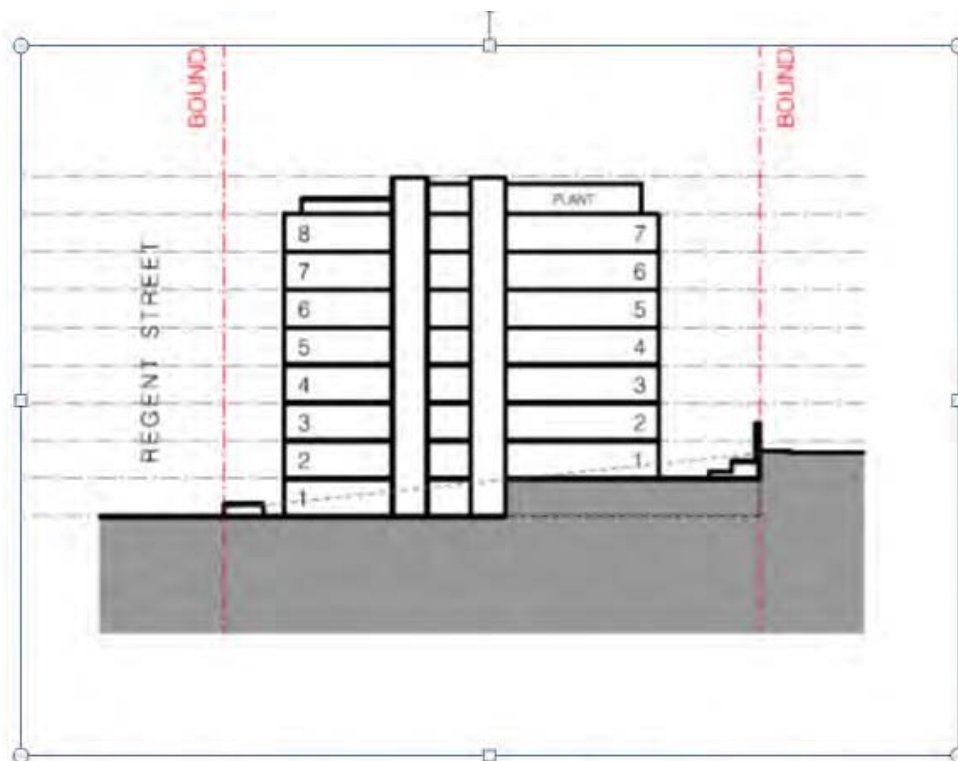


Image 4: Section of building envelope sought for Site 1 (3-7 Regent Street)

Assessing Officer's concluding comments:

The amended building envelopes respond to the comments made by Council's AEP and it is agreed that the need to break up the façade and provide a stronger base to the building can be addressed as part of any future development application for the site.

In amending the building envelope for Site 1, the proponent seeks to increase the maximum building height development standard from 23 metres to 29 metres and maintain the existing FSR development standard of 2.8:1.

The change sought to the HOB development standard on Site 1 is considered to have merit as it will allow for a residential development of improved amenity while retaining the existing maximum FSR development standard for the site.

Site 2 – 13-17 Regent Street, Petersham

As part of the original planning proposal the proponent sought to increase the HOB and FSR development standards applying to this site to 20 metres (currently 17 metres) and 1.9:1 (currently 1.8:1) respectively to facilitate the erection of a part 5 part 6 storey building.

The AEP was generally supportive of the submitted scheme for this site and even suggested there may be capacity to increase the height of this building (particularly on the lower portion of the site) to accommodate a part 6 part 7 storey building to compensate for the recommendation to reduce height, bulk and yield of the buildings fronting Fisher Street on Sites 1 and 3.

Council officers also raised concern with the proposed tree removals, particularly the loss of the trees adjacent to the southern (New Canterbury Road) boundary.

Applicant's response:

The applicant submitted an amended building envelope for Site 2 that sought to increase the height of the building in line with the comments provided by Council's AEP (i.e. a 6 part 7 storey envelope. The proponent also amended the building envelope to provide a minimum 3 metre setback (with a 1 metre articulation zone) from the New Canterbury Road frontage to provide improved residential amenity for the dwellings.

On Site 2 the proponent now seeks to increase the maximum building height development standard from 17 metres to 20 metres and increase the FSR development standard from 1.8:1 to 2.1:1.

With regard to Council's comments concerning potential tree retention, the proponent made the following submission:

"The trees on Site 2 adjacent to New Canterbury Road are located up to 2.5m from the street boundary and up to 1.5m below the footpath level.

The retention of these trees is unwarranted and/or impractical in the context of:

- *their location, the site's topography and the extent of the setback that would be required for their retention, i.e. some 10m;*
- *the effect their retention would have on the economic use and development of the land;*
- *the site-specific planning controls depicted in Figure 6.1b of the master plan for this site, contained in Part 9.6.5.1 of MDCP 2011, that is based on their removal; and*
- *the extent of setback required to preserve the trees resulting in a streetscape presentation that would be inconsistent with the established setback of buildings between Regent and Crystal Streets and the desired future setback of development on this land contemplated by the master plan in MDCP 2011."*

The amended building envelopes proposed for Site 2 are illustrated below:

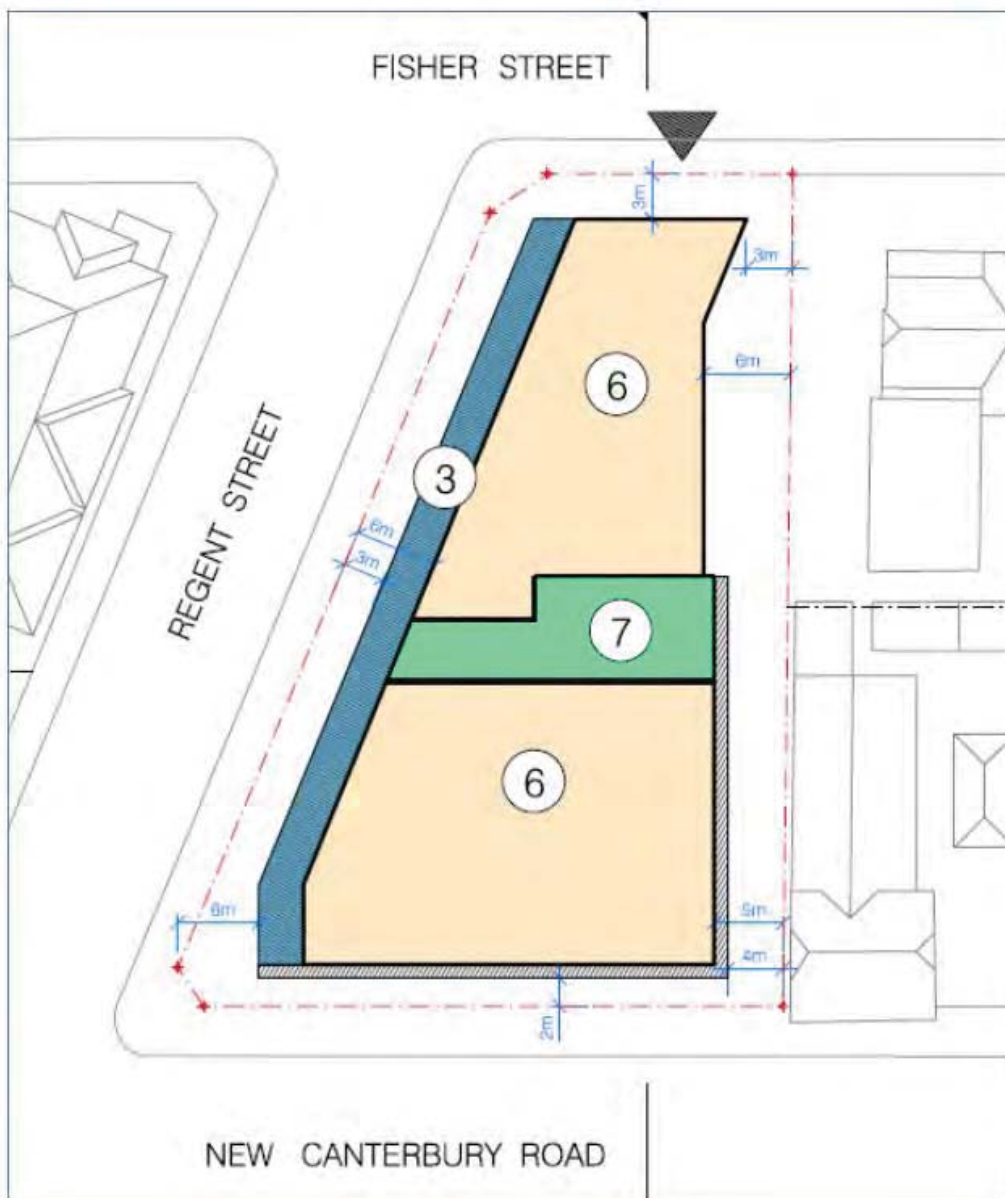


Image 5: Amended building envelope for Site 2 (13-17 Regent Street)

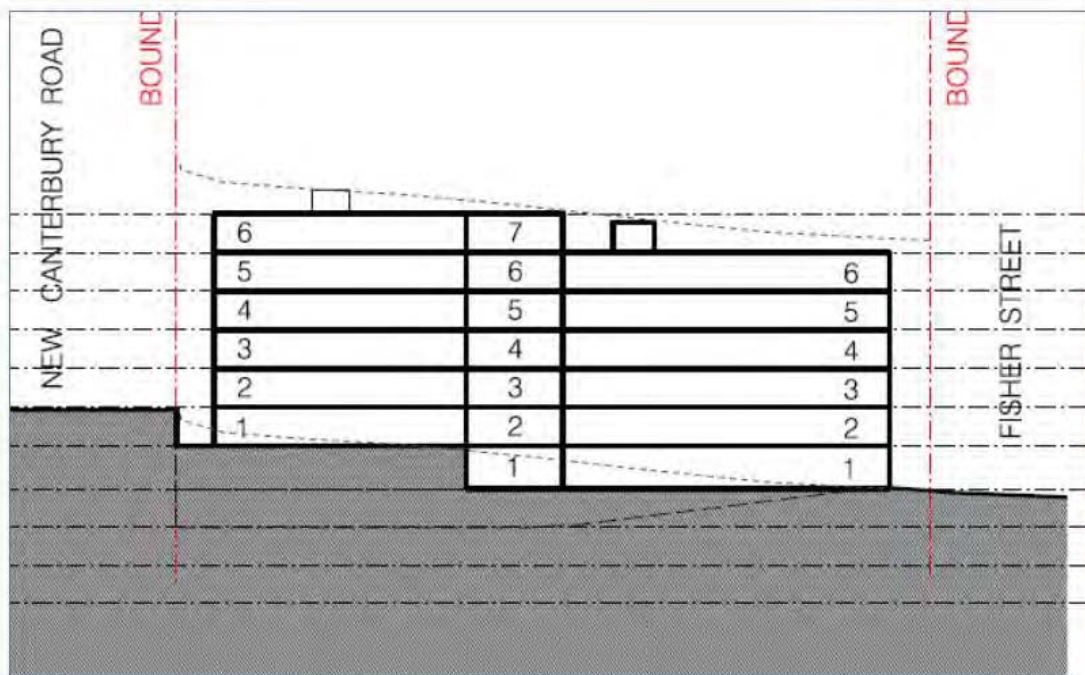


Image 6: Section of building envelope sought for Site 2 (13-17 Regent Street)

Assessing Officers concluding comments:

In amending the building envelope for Site 2, the proponent seeks to increase the maximum HOB development standard from 17 metres to 20 metres and increase the FSR development standard from 1.8:1 to 2.1:1.

The changes the proponent has made to the building envelope for Site 2 are in line with the recommendations made by Council's AEP.

The applicant's comments regarding the need to remove the trees adjacent to the southern (New Canterbury Road) boundary are supported and it is noted that the building envelope proposed for Site 2 will not result in any greater loss of vegetation than the existing building envelope identified in Part 9.6 of MDCP 2011.

In amending the building envelope for Site 2 the proponent now also proposes a minimum 3 metre setback from the New Canterbury Road frontage (no setback was previously proposed) and this setback will provide enhanced residential amenity and improved streetscape appearance with new perimeter planting to replace the vegetation to be removed.

The changes sought to the HOB and FSR development standards sought for Site 2 and the resultant building envelope are considered to have merit and are supported.

Site 3 – 287-309 Trafalgar Street and 16-20 Fisher Street, Petersham

As part of the original planning proposal the proponent sought to increase the maximum HOB development standard from a current range of 20 metres to 26 metres to a new range of 29 metres to 32 metres and increase the FSR development standard from 2.3:1 to 3.4:1.

The AEP was generally supportive of the mass proposed on this site and also stated that there may be capacity for an extra level on Building B (creating greater massing to the corner of Trafalgar Street and Regent Street) to compensate for the recommended loss of yield at other locations on the site.

The additional height and FSR was predicated on adequate solar amenity being provided to the “pocket park” (i.e. urban space provided between Buildings A and B) and the communal open space to be provided on site.

Other recommended design changes included:

- Given the building height, a greater setback was required for the upper levels of Building C on the southern side adjacent to the lane, to enable a minimum building separation of 18 metres (9 metres to centre of lane);
- Even with this separation, to achieve acceptable solar access for developments to the south on Fisher Street (and to improve the amenity of the communal open space provided on site) a greater drop down of the entire rear wing may be required;
- At 8 storeys, the height of Building A facing Fisher Street was excessive and did not fit with the scale of Fisher Street and it was recommended that Building A be reduced to a maximum of 6 storeys where it presents to Fisher Street;
- The legibility of apartment lobby address with the original scheme was poor, especially for Building C but also for Building B in Site 3 (requiring access from the urban space/pocket park off Regent Street). Council advised that direct street level lobby address should be provided for each building – from Trafalgar Street for Building C and from near the corner of Regent / Trafalgar Street (with direct access to a lift) for Building B; and
- The design of the Trafalgar Street ground floor edge of the Club (55 metres long) should provide a more activated and attractive edge (rather than the proposed screened edge of the smokers gaming lounge).

Applicant's response:

“The development concept for Site 3 has been amended to:

- *remove a section of the southern elevation of Building C, adjacent to the site's southern common boundary with Fozzard Lane, effectively increasing the setback of the residential section of the building from 2.6m to 10.3m from the centreline of the lane and eliminating 7 apartments;*
- *provide a street level lobby address to Buildings B and C directly from Regent and Trafalgar Streets, respectively;*
- *increase the height of Building B by 1-storey to accentuate the site's Trafalgar/Regent Street corner, in accordance with the opportunity identified by the Architectural Excellence Panel and contemporary urban design practice, and increase the number of apartments by 10;*
- *reduce the height of Building A adjacent to Fisher Street to 6-storeys and eliminate 4 apartments;*
- *provide pedestrian access to Building A from both Regent and Fisher Streets;*
- *activate the northern ground floor elevation of Building A fronting the publicly accessible urban space between Building A and B by the provision of 3 x SOHO's to replace 2 apartments;*
- *increase solar penetration into the areas to the west and south-west of the site; and*
- *relocate the proposed electrical substation adjacent to the Fisher/Regent Street corner to optimise opportunities to retain the adjacent trees.*

Plans indicating the amended development concept and the modulation in the number of storeys, which provide the basis for master plan building envelope plans that Council might incorporate into Part 9.6 of MDCP 2011, are to accompany the planning proposal.

The building height and floor space ratio standards proposed in the planning proposal are designed to facilitate the amended concept and building envelope plans.”

The amended building envelope proposed for Site 3 is illustrated below:



Image 7: Amended building envelope for Site 3 (287-309 Trafalgar Street & 16-20 Fisher Street, Petersham)

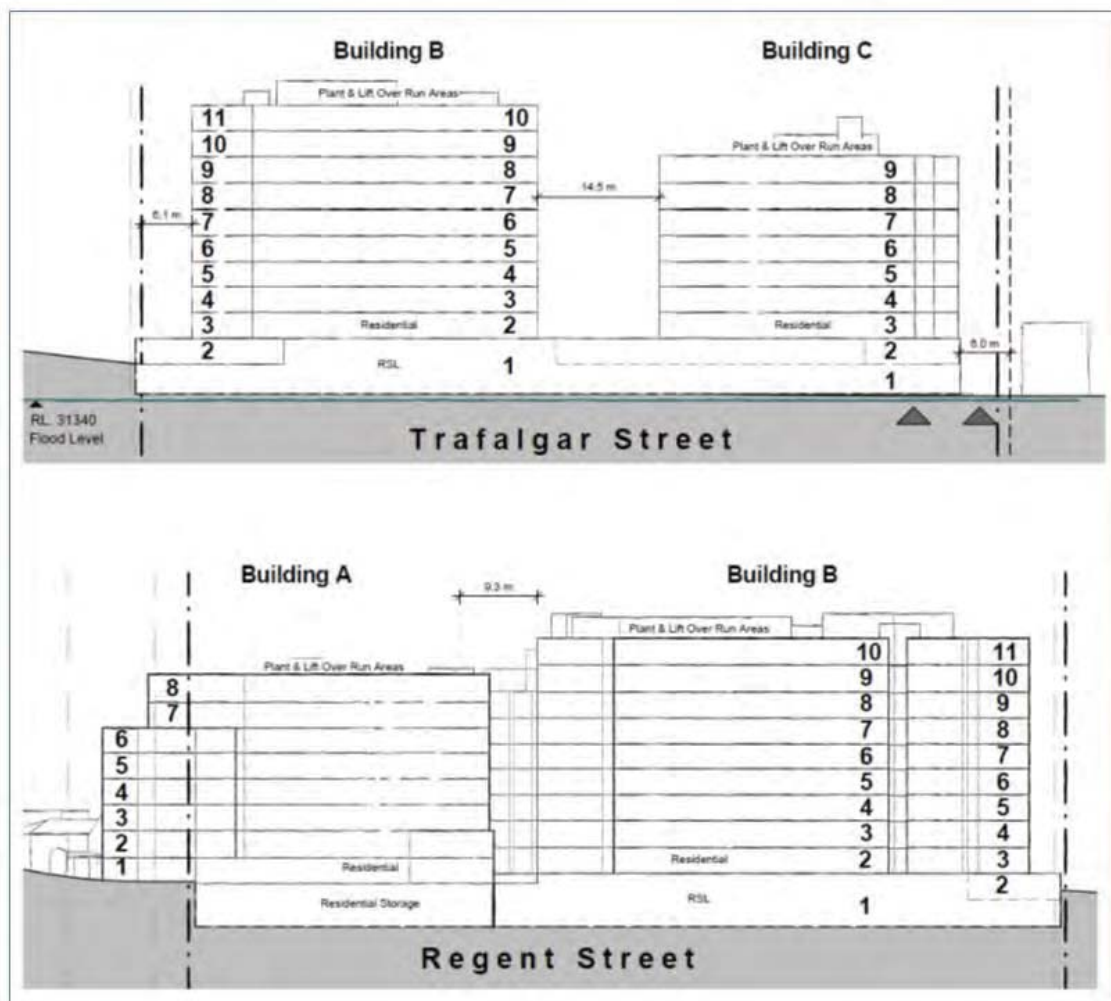


Image 8: Section of building envelopes sought for Site 3 (287-309 Trafalgar Street & 16-20 Fisher Street, Petersham)

Assessing Officer's concluding comments:

The amended building envelopes for Site 3 generally respond to the concerns raised by Council.

As pointed out by the proponent above, the amended scheme includes the following changes:

- The rear wing of Building C has been reduced in size to provide a greater setback from Fozzard Lane in accordance with Apartment Design Guide (ADG) requirements;
- To compensate for the reduced yield on Building C, the applicant proposes an additional level on Building B to accentuate the sites Trafalgar/Regent Street corner;
- Part of Building A (as it fronts Fisher Street) has been reduced to a maximum of 6 storeys;
- The amended building envelopes will result in reduced overshadowing for adjoining properties to the south and west;
- All three buildings have an improved street address and there is improved activation of the pocket park / urban space; and

- The building separation between Buildings B and C has been increased to 14.5 metres (previously 12 metres) and the rear wing of Building B has been amended to improve solar access to the urban plaza and communal open space.

As noted by the applicant above, the previously proposed electrical substation that was to be located adjacent to the Fisher/Regent Street corner has been removed *“to optimise opportunities to retain the adjacent trees”*. Notwithstanding, the proponent has failed to provide evidence (i.e. an arborist report) to demonstrate that the amended building envelope will allow the retention of the significant trees located on the corner of Regent Street and Fisher Street.

Accordingly it is a recommendation of this report is that should the planning proposal progress to Gateway determination that a condition of the Gateway require the proponent to engage an arborist to investigate the opportunities for the retention of the significant trees located on this corner and adjust the building envelopes as required. Such documentation should be provided to Council prior to the exhibition of the planning proposal.

The other issues raised by Council, such as the streetscape presentation of the Club are detailed design matters that can be addressed as part of any future development application.

(ii) Public Domain

Trees, Landscape and Street Improvements

The following public domain and tree/landscaping deficiencies were identified with the original planning proposal:

- The submitted Arboricultural Impact Assessment (AIA) was fundamentally deficient in method as it did not evaluate the retention value of trees; provide justification for the removal of trees; or assess the likely impact of the proposed development on the trees on and adjacent to the site. It was also assessed that there was inadequate provision of compensatory tree planting proposed.
- Council officers identified opportunities for the retention of high value trees around the perimeter of the sites (particularly in Site 3 near the intersection of Fisher Street and Regent Street and in Site 2 adjacent to the New Canterbury Road boundary) that had not been realised or pursued as part of the original proposal.
- The proposed concept landscape plan failed to provide adequate and appropriate compensatory tree planting for the trees proposed to be removed.
- The proponent was advised that the removal of the street trees (in the footpath) along Regent Street would be justified if it was to facilitate undergrounding of electricity wires and the establishment of new larger trees without power line clearance restrictions and would result in a net urban forest improvement, but this has also not been discussed in the AIA.
- Kerb blisters with rain gardens and associated planting are to be included at the intersection of Fisher and Regent Street and rain gardens are required along Trafalgar Street.

The proponent responded to the concerns raised by Council and advised:

- A more detailed AIA report would be submitted as part of the future development application(s);
- The electricity substation originally indicated on the corner of Fisher Street and Regent Street would be relocated *“to optimise opportunities to retain existing trees”*;
- The proponent will underground the existing overhead power lines on the western side of Regent Street and install kerb blisters, rain gardens and footpath planting (which is to include large scale trees). The proponent submitted the following

sketch design prepared by Taylor Brammer Landscape Architects Pty Ltd to demonstrate the typical design of kerb blisters, rain gardens and footpath/road plantings:

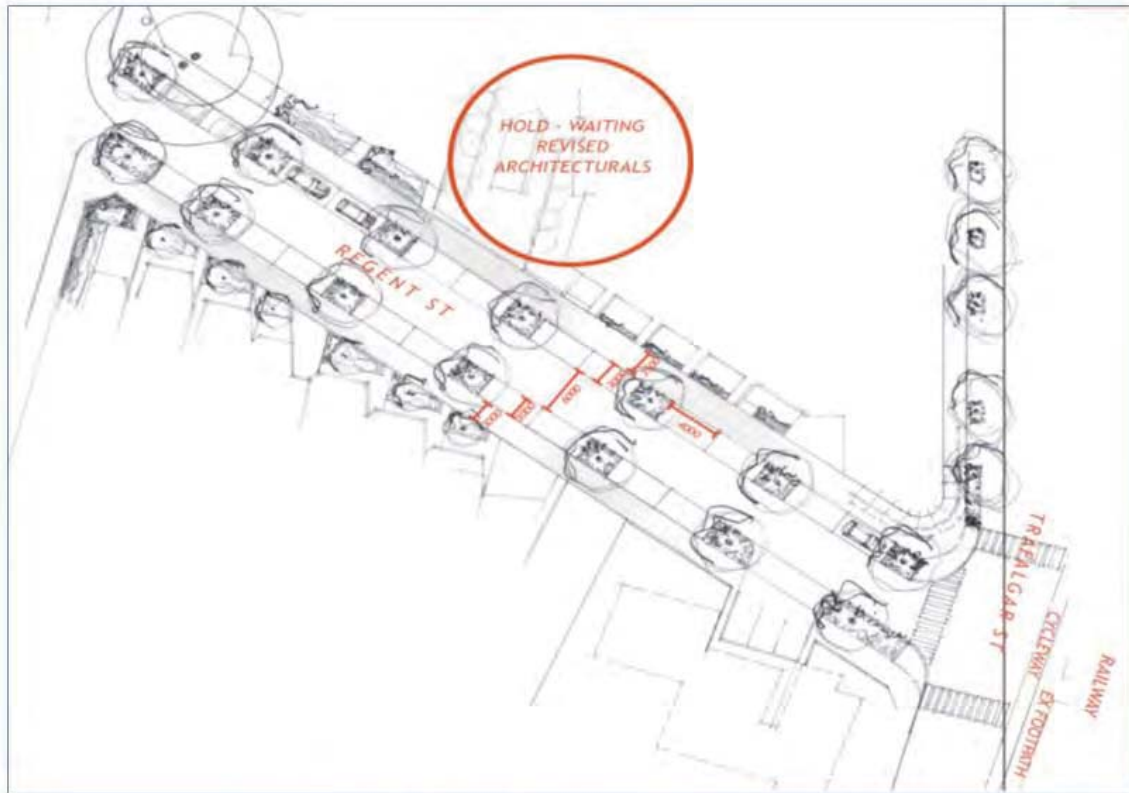


Image 9: Public Domain Improvement Plan

Assessing Officer's concluding comments:

The proponent's response to the trees, landscape and street improvement comments provided by Council are generally supported. The building envelopes proposed as part of the subject planning proposal will not result in any greater loss of vegetation than the existing building envelopes identified in Part 9.6 of MDCP 2011.

Notwithstanding, as pointed out above, the proponent has made amendments to the buildings and structures on Site 3 that should allow the retention of the significant trees located on the corner of Regent Street and Fisher Street. Notwithstanding, the proponent has failed to provide evidence (i.e. arborist report) to demonstrate that these trees will be retained. Accordingly, it is a recommendation of this report that should the planning proposal progress to Gateway determination that a condition of the Gateway require the proponent to engage an arborist to investigate the opportunities for the retention of the significant trees located on this corner and adjust the building envelopes as required and that this be provided to Council and made available as part of the public exhibition period.

Importantly the proponent also seeks to undertake significant public domain improvements in Regent Street including the undergrounding of power lines and the installation of kerb blisters, rain gardens and footpath/road planting with large scale trees.

Open Space

Council officers made the following observations / comments in regard to open space:

- The upper and lower area between Building A and Buildings B/C in Site 3, titled “Public Pocket Park” should be retitled “Publicly Accessible Urban Space”, as it primarily provides pedestrian connection to the laneway and small urban ‘sanctuary’ spaces; and
- Further design refinement of this space is required, such as making it appear more publicly accessible and visually connected, (e.g. with more open treatment of the entry edges by removing obstructing wall and cutting back the courtyard wall on southern side as per the northern side); ensuring it receives adequate winter sun; providing more passive recreation amenity (e.g. some attractive seating area and some larger tree planting); and providing a more activated edge (e.g. apartments in Buildings A and B providing windows and balconies oriented into the space, having direct ground floor residential entry and/or incorporating a small retail space on the ground floor of Building A fronting the urban space).

Applicant’s response:

“The area between Buildings A and B on Site 3, which provides access linking Regent Street to Fozzard Lane is:

- *to be referred to as a publicly accessible urban space;*
- *to be activated by SOHO’s; and*
- *to enjoy a satisfactory and appropriate level of solar access in terms of its location and function.”*

Assessing Officer’s concluding comments:

The applicant’s submission is supported as the above-described changes will increase activation of this space. Furthermore, as pointed out previously, the proponent has increased the building separation between Building B and C and modified the rear wing of Building B to improve solar access to the communal open space and urban plaza.

(iii) Affordable Housing

The draft Central District Plan requires the relevant planning authority to include an Affordable Rental Housing Target as a form of inclusionary zoning and sets a target of 5% to 10% of new floor space at rezoning stage. Furthermore, Council’s Affordable Housing Policy (AHP) sets affordable housing targets based on a value capture approach and should be used as a guide for this proposal. Affordable housing would ordinarily be transferred to Council via voluntary planning agreement however the proponent’s offer at this point does not include any offer for affordable housing.

This report recommends that the voluntary planning agreement offer as provided by the proponent be considered pursuant to Council’s interim VPA Policy.

Applicant’s response:

The proponent has advised that they intend on entering into a Voluntary Planning Agreement (VPA) with Council which at this stage will comprise a monetary offer of \$3,600,000.

In light of the requirements outlined in Council’s Affordable Housing Policy, the proponent has advised that they are willing to negotiate with Council as to the public benefits to be provided as part of the final VPA with any negotiations needing to take into consideration the transfer of value to the Club associated with the development agreement between the RSL Club and proponent.

Assessing Officer's concluding comments:

The value of the public benefits or otherwise of this offer is still the subject of evaluation and negotiation with the proponent. The final terms of the offer can be finalised after any Gateway determination and prior to the final determination of the planning proposal.

Any negotiations regarding the voluntary planning agreement offer from the proponent would be undertaken in accordance with Council VPA Policy.

(iv) Transport and Car Parking

The 150 car parking spaces provided to service the club is assessed as appropriate based on the justification submitted, and therefore Council officers support amending Item 14 in Schedule 1 Additional Permitted Uses of MLEP 2011 to exclude 150 car parking spaces associated with the Club from GFA calculations.

However, the residential car parking spaces provided for each of the three sites as identified in the submitted architectural drawings are in excess of the rates stipulated in MDCP 2011 and even the rates in RMS 'Guide to Traffic Generating Development', with little justification for such a deviation. This contradicts the central premise of the planning proposal that the additional height and FSR are warranted given the proximity to Petersham Railway Station (i.e. transport oriented development).

The over provision of resident car parking is not supported on transport sustainability and traffic grounds and it is recommended that residential car parking on the three sites be capped by the rate contained in Part 2.10 of Marrickville Development Control Plan (MDCP) 2011.

(v) Traffic and Vehicular Access

Council Traffic Engineers reviewed the original planning proposal and made the following comments:

- A two-way vehicular entry/exit off Regent Street is supported for Site 1 however this and the fire stairs on the corner of Fisher Street and the Lane/easement adjacent to the Council Administration Centre shall be designed so as to provide adequate sight distance to vehicles and pedestrians in accordance with AS2890.1:2004.
- For Site 2 the vehicular crossing on Fisher Street must be relocated to be a minimum of 6 metres from the splayed corner of Fisher and Regent Streets.
- From a vehicle traffic perspective Council's Traffic Engineer recommend that vehicular access for Site 3 be split between Trafalgar Street and Regent Street, with all Club traffic entering and leaving the site via a widened Fozzard Lane (subject to RMS concurrence), with all residential traffic entering and leaving the site via a two-way vehicular access off Regent Street.
- In the assessment of the traffic generation, the Traffic and Parking Impact Assessment Report has used the RMS Sydney Average traffic generation rate for high density residential flat dwellings of 0.19 peak vtpm per unit. The surveys used to derive this rate include surveys from St Leonards and Chatswood that have very different traffic generation rates than Inner West Sydney. The Traffic Impact Assessment Report should use a traffic generation rate of 0.3 peak vtpm per unit which is derived from the RMS survey data excluding St Leonards and Chatswood.

Applicant's response:

"Council's comments regarding these issues in relation to Sites 1 and 2 are noted and will be addressed in the DA to be submitted for the project."

Barker Ryan Stewart, who are preparing the transport, traffic and parking impact assessment for the project, have had preliminary discussions with Roads & Maritime Services regarding the provision of all vehicular access to the development on Site 3 from Trafalgar Street.

This access is considered appropriate in terms of:

- *traffic movements being restricted to left-in/left-out;*
- *the master plan contained in Figure 6.2b in Part 9.6 of MDCP 2011 indicating vehicular access to this site from Fozzard Lane and not from Regent Street; and*
- *vehicular access to the residential parking facilities in the development from Regent Street being impractical in the context of:*
 - *such access precluding the relocation of the RSL Club to the western side of Regent Street as proposed;*
 - *the site's topography; and*
 - *its adverse impact on the publicly accessible urban space between Buildings A and B and the proposed pedestrian connection linking Regent Street and Fozzard Lane."*

Assessing Officer's concluding comments:

The applicant's response to the concerns raised by Council regarding vehicular access to Site 3 are noted. Given Trafalgar Street is a classified road and under the jurisdiction of the Road and Maritime Services (RMS), Council officers recommend that this matter be resolved post Gateway determination at which time the planning proposal will be referred to RMS for review and comment.

6. ASSESSMENT OF STRATEGIC MERIT

(i) A Plan for Growing Sydney (2014)

A Plan for Growing Sydney was released in late 2014 and sets the direction for planning in Sydney over the next 20 years.

The proponent considers the planning proposal to be consistent with A Plan for Growing Sydney as it:

- *will accelerate urban renewal and housing production;*
- *will remove barriers to increased housing production; and*
- *will put into place flexible planning controls which enable housing development that is feasible and appropriately located for increased residential densities.*

A Plan for Growing Sydney contains a number of broad objectives relating to the supply of housing across the Sydney area. It notes that Sydney's population growth will require an additional 664,000 dwellings by 2031. The document contains overarching principles on how to accommodate population growth and housing supply relevant to this planning proposal including:

- *Principle 1: Increasing housing choice around all centres through urban renewal in established areas; and*
- *Direction 2.1: Accelerate housing supply across Sydney.*

It is considered that the planning proposal is consistent with these directions and principles as it will provide additional residential accommodation in close proximity to existing services and public transport.

(ii) *Towards Our Greater Sydney 2056*

The Greater Sydney Commission has been tasked with reviewing *A Plan for Growing Sydney* as well as developing draft District Plans. As part of the review of *A Plan for Growing Sydney*, a new document entitled *Towards Our Greater Sydney 2056*, which is seen as the first part of the process of reviewing *A Plan for Growing Sydney*, has been developed and publicly exhibited. The need for this document has arisen out of a shift in the focus of strategic planning since the release of *A Plan for Growing Sydney*. The document seeks to redefine the community's understanding of Greater Sydney as a metropolis of three cities, being Eastern City, Central City and Western City.

This document provides broad objectives in relation to the future operation of Greater Sydney, including A Productive Sydney, A Liveable Sydney and a Sustainable Sydney. It is considered that this planning proposal is generally consistent with the broad aims of this document as it seeks to provide additional residential accommodation within an existing centre with good access to services and public transport.

(iii) *Draft Central District Plan*

Subregional planning strategies (District Plans), to support the aims of A Plan for Growing Sydney, have been prepared and are currently in draft form following a public consultation period that finished on 31 March 2017.

The draft Plans aim to facilitate well-coordinated, integrated and effective planning for land use, transport and infrastructure across the Greater Sydney Region over the next 20 years.

The Inner West Council is located within the Central District and the following assessment considers the planning proposal having regard to the relevant sections of the draft Plan:

4.3 Improving housing choice

The dCDP establishes a housing target for the Inner West Council to provide an additional 5,900 dwellings by 2021. The dCDP requires Council to undertake a number of actions in relation to housing supply, including the following:

- *monitor and support the delivery of Inner West's five-year housing target of 5,900 dwellings*
- *investigate local opportunities to address demand and diversity in and around local centres and infill areas with a particular focus on transport corridors and other areas with high accessibility.*

The additional densities sought as part of this planning proposal will assist Council in meeting its dwelling target, whilst increasing housing diversity in close proximity to a local centre and public transport (Petersham Station).

4.4.4 Deliver Affordable Housing

The dCDP requires the relevant planning authority to include an Affordable Rental Housing Target as a form of inclusionary zoning and sets a target of 5% to 10% of new floor space at rezoning stage.

The proponent has advised that they intend on entering into a Voluntary Planning Agreement (VPA) with Council which at this stage will comprise a monetary offer of \$3,600,000.

In light of the requirements outlined in Council's Affordable Housing Policy (and the dCDP), the proponent has advised that they are willing to negotiate with Council as to the public benefits to be provided as part of the final VPA.

The value of the public benefits or otherwise of this offer is still the subject of evaluation and negotiation with the proponent. The final terms of the offer can be finalised after any Gateway determination and prior to the final determination of the planning proposal.

4.6 Create Great Places

The dCDP encourages design led planning that produces good architecture and planning as elements of a people centred, sustainable, liveable environment. The dCDP requires growth to be managed to create healthy, well designed, safe and inclusive places that encourage economic and social activity, vibrancy and community spirit.

The proponent has provided architectural drawings as part of the planning proposal that demonstrate the built form vision of the planning proposal. The architectural plans have been reviewed by Council's Architectural Excellence Panel (AEP) who are generally supportive of the proposed schemes. As part of the planning proposal the proponent has identified significant public domain improvements which coupled with high quality architecture will create a well-designed, healthy, safe and inclusive space.

(iv) Marrickville Urban Strategy (2007)

The Marrickville Urban Strategy (MUS) was adopted by Council in 2007. It establishes a vision and co-ordinated directions addressing a range of planning, community, and environmental issues, to guide short, medium and long term strategic planning policies for the Marrickville LGA. The MUS was developed in response to employment and housing targets established through the draft South Subregional Strategy (dSSS) and its overriding strategy, Sydney Metropolitan Strategy *City of Cities, A Plan for Sydney's Future* (December 2005).

The MUS supports the aim of locating additional residential development in and around existing centres with good access to public transport and services. The MUS adopted six urban renewal approaches to inform policy options for future residential development within the LGA. These are:

1. Focus on residential density in and around centres;
2. Focus on commercial zoned land in centres;
3. Rezone select industrial sites;
4. Develop new centres;
5. Rezone select special use sites; and
6. Increase density in infill areas.

The planning proposal is consistent with the criteria established in the MUS, particularly items 1 and 6.

(v) Marrickville Community Strategic Plan 2023

Marrickville Council's Community Strategic Plan (CSP) 2023 was adopted by Council in June 2013. The plan sets the desired future direction and priorities for Council over a 10 year period. The planning proposal is considered to be consistent with the following key result areas contained in the CSP:

- **1.5.4 Pursue planning controls that support existing and new supplies of affordable housing** – The proponent has advised that they intend on entering into a Voluntary Planning Agreement (VPA) with Council which at this stage will comprise a monetary offer of \$3,600,000. However, in light of the requirements outlined in

Council's Affordable Housing Policy, the proponent has advised that they are willing to negotiate with Council as to the public benefits to be provided as part of the final VPA.

- **3.3.2 Promote accessibility of railway stations and bus stops** – The subject sites are located directly adjacent to and within close proximity of Petersham Railway Station. Accordingly the uplift proposed as part of this planning proposal is considered reasonable given it relates to Transport Oriented Development (TOD).

(vi) *The Inner West Council Interim Statement of Vision and Priorities*

Council's recently adopted Interim Statement of Vision and Priorities will guide Council until a single Community Strategic Plan is developed for the Inner West. The Interim Statement, which was adopted at a Council meeting on 28 March 2017, contains eight high level priorities:

- Planning and development
- Transport
- Social vitality, creativity and quality of life
- Sustainability and the environment
- One Council
- Local industry and business
- Advocacy
- Local democracy

The planning proposal is considered to be consistent with these eight high level priorities.

(vii) *State Environmental Planning Policies (SEPPs)*

SEPPs are environmental planning instruments which address planning issues within the State. The following assessment considers the SEPPs that are relevant to the planning proposal:

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

A Detailed Site Investigation (DSI) Report prepared by Environmental Investigations Australia Pty Ltd was submitted as part of the planning proposal. The DSI Report concluded that there was no widespread contamination across any of the sites and that subject to preparation and implementation of a RAP the sites would be suitable for the proposed redevelopments.

It is considered that sufficient information has been provided with this planning proposal to demonstrate that the proposal is consistent with the aims and objectives of the SEPP particularly given the planning proposal does not seek to rezone the subject properties (which are currently zoned R4 - High Density Residential), but rather seeks to expand the range of permissible uses to allow the new club to be erected on 297-309 Trafalgar Street and there is an uplift in the FSR and HOB development standards applying to the sites.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65)

SEPP 65 and the Apartment Design Guide (ADG) apply to residential flat buildings, shop top housing and the residential component of mixed use developments where the building is greater than three storeys in height and contains four or more dwellings.

An Urban Design and SEPP 65 Assessment Report prepared by Annand Associates Urban Design Pty Ltd was submitted as part of the planning proposal. The building envelopes sought as part of the planning proposal generally comply with the controls, standards and principles outlined in SEPP 65 and the ADG.

The planning proposal was considered by Councils AEP who were generally supportive of the schemes, and the proponent has modified the proposed building envelopes in accordance with the recommendations of this panel.

Accordingly the planning proposal is consistent with the requirements contained in the ADG and SEPP 65.

(viii) Section 117 Directions

The following Section 117 Directions are relevant to this planning proposal:

3.1 Residential Zones

The objectives of this Direction are to encourage a variety of housing types, make efficient use of infrastructure, and minimise the impact of residential development on the environmental and resource lands.

The Direction requires a planning proposal to encourage housing that will broaden the choice of building types and locations available in the housing market; make more efficient use of existing infrastructure and services; reduce the consumption of land on the urban fringe; and be of good design.

The planning proposal is assessed as being consistent with this direction as it provides increased densities adjacent to an existing centre with good access to public transport (transit oriented development) and would therefore reduce demand for land on the urban fringe.

3.4 Integrating Land Use and Transport

As highlighted above, the changes sought as part of this planning proposal seek to increase densities in a highly accessible location. Accordingly the planning proposal supports the efficient and viable operation of public transport systems and is consistent with this direction.

3.5 Development Near Licensed Aerodromes

The objectives of this Direction are to ensure the safe and effective operation of aerodromes; ensure that aerodrome operations are not jeopardised by hazards or obstructions; and that residential development near aerodromes are safe for human occupation.

The planning proposal seeks to increase the FSR and Height of Building development standards applying to the three sites. The planning proposal is however considered to be consistent with the direction given:

- The sites are within the ANEF 20-25 contour; and
- Sydney Airports Corporation Limited (SACL) and the Department of Transport and Regional Development will be consulted with should the planning proposal receive Gateway determination.

6.3 Site Specific Provision

The objective of this Direction is to limit restrictive site specific provisions to enable particular development.

The planning proposal includes site specific controls relating to car parking. While the planning proposal is inconsistent with this Direction, the inconsistency is minor and considered reasonable in the circumstances.

7.1 Implementation of A Plan for Growing Sydney

This Direction gives legal effect to A Plan for Growing Sydney. For the reasons outlined under heading 6 above, the planning proposal is considered to be consistent with both “A Plan for Growing Sydney” and the “draft Central District Plan”.

7. FINANCIAL IMPLICATIONS

The Planning Proposal does not result in any cost implications for Council. The proponent has provided a voluntary planning agreement offer as outlined in this report comprising \$3.6 million and 24 car spaces for public use. This would be provided in addition to Section 94 contributions and significant public domain works including undergrounding of power lines along the western side of Regent Street.

Notwithstanding the offer made by the proponent to date, this offer would need to be considered by Council in accordance with its VPA Policy.

8. OTHER STAFF COMMENTS

In assessing this planning proposal internal referrals were received from various sections of Council, including Engineering, Environmental Services; Community Development; Waste; Infrastructure Planning and Property; Culture and Recreation; and Traffic.

9. PUBLIC CONSULTATION

Nil to date. Public consultation will occur in accordance with any Gateway determination.

10. CONCLUSION

The planning proposal is considered acceptable for submission to the Department of Planning and Environment (DP&E) for Gateway determination.

The proposal is considered to have strategic merit as it involves increasing residential densities in a highly accessible location. The proposed redevelopment has the potential to provide significant community benefit through public domain improvements; improved pedestrian linkages; enhanced traffic management; and a new RSL Club that will provide an ongoing contribution to the community. There will also be public benefits associated with the terms of the final VPA to be negotiated with Council.

It is recommended that Council resolve to forward the planning proposal in the manner recommended in this report to the Department of Planning and Environment for Gateway determination.

ATTACHMENTS

1. Attachment 1: architectural plans for the prospective sites
2. Attachment 2: architectural plans for the prospective sites
3. Attachment 3: architectural plans for the prospective sites